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PROCEEDINGS AND DEBATES OF THE 91st CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—*Monday, July 28, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Let us hold fast the profession of our faith without wavering.—Hebrews 10: 23.

Most merciful God, who hast made us for Thyself so that our hearts are restless until they find rest in Thee, in this moment of prayer we renew our faith, we reaffirm the fact that Thou art with us, and we reenforce our desire to be of real service to our country and to our fellow man.

May the splendor of Thy spirit and the strength of Thy presence be revealed in us and through us, particularly when we are assailed by the moods of frustration and futility and feel that all our endeavors are in vain.

Bless the leaders of our land, these men and women of Congress and all who labor with them to creatively meet the demands of this distracting day. May their faith in Thee hold them up, keep them strong, and help them guide our Nation on the way to peace, justice, and good will. In the spirit of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, July 24, 1969, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment concurrent resolutions of the House of the following titles:

H. Con. Res. 208. Concurrent resolution authorizing the printing of additional copies of parts 1, 2, and 3 of the publication entitled "Subversive Influences in Riots, Looting, and Burning";

H. Con. Res. 209. Concurrent resolution authorizing the printing of additional copies of the committee print "The Analysis and Evaluation of Public Expenditures: The PPB System"; and

H. Con. Res. 291. Concurrent resolution to provide for the printing of inaugural addresses from President George Washington to President Richard M. Nixon.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 10946. An act to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects.

HEAVY LOSS FOR TEXAS

(Mr. ROBERTS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ROBERTS. Mr. Speaker, on July 14, 1969, I was given permission to address the House for the purpose of stating reasons why the oil depletion allowances should be retained. Since that time I have received a copy of an editorial which appeared in the July 20, 1969, edition of the Kilgore News Herald, Kilgore, Tex., on the effect a reduction in the depletion allowances would have on Texas and I want to share it with my colleagues:

HEAVY LOSS FOR TEXAS

Texas could take a heavy economic beating if current tax proposals in Congress are passed. Proposed changes in the tax structure concerning the oil and gas industry would have widespread impact throughout the state.

Two proposals: changes in percentage depletion and the option to charge off intangible drilling costs—such as labor, contract services, drilling mud, supplies and other items which have no salvage value—strike at the heart of the petroleum industry.

Without these incentives to hunt for oil and gas, there would be a serious curtailment of activity, meaning less drilling, less oil and gas reserves, less production, less royalty payments, less employment, less investment, lower property values and less gasoline for the consumer's dollars—in short, a heavy loss for Texas.

HEALTH, EDUCATION, AND WELFARE

(Mr. MICHEL asked and was given permission to address the House for 1 minute.)

Mr. MICHEL. Mr. Speaker, it is my understanding that the gentleman from New Jersey (Mr. JOELSON) will be proposing tomorrow an amendment to increase our HEW appropriation bill by some $900 million or more.

I think it should be noted that the author and most of those who will be sponsoring that amendment to increase expenditures by $900 million were not around to vote for extension of the tax surcharge just a week or two ago. As a matter of fact they voted against the tax bill.

I think it is unconscionable that those who would vote against extending the surtax would now join in an amendment to increase our appropriation bill by $900 million. This will more than wipe out all the cuts we have been able to make thus far in appropriation bills this year. We cannot curb inflation with this kind of performance.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO FILE REPORT ON H.R. 4249

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight tonight to file a report on the bill, H.R. 4249, extending the voting rights act of 1965 with respect to the discriminatory use of tests and devices.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DIRECTIVES AFFECTING SALARIES OF RESTAURANT EMPLOYEES

(Mr. ALBERT asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. ALBERT. Mr. Speaker, under the Federal Salary Act of 1967, the Speaker of the House and the Architect of the Capitol are authorized and directed to issue certain directives in implementation of the salary comparability policy set forth in that law. Since these directives affect the salary of House restaurant employees and officers and employees of the Office of the Architect, I ask unanimous consent that both directives, dated June 26, 1969, and certain related correspondence, be inserted in the CONGRESSIONAL RECORD at this point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The material referred to is as follows:

ARCHITECT OF THE CAPITOL,
Washington, D.C., July 25, 1969.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
U.S. Capitol,
Washington, D.C.

MY DEAR MR. SPEAKER: I am enclosing herewith the following documents:

(1) Order dated June 26, 1969, issued by the Architect of the Capitol, implementing the salary comparability policy in 1969 for officers and employees of the Office of the Architect of the Capitol required by Section 212 of the Federal Salary Act of 1967;

(2) Your directive of June 26, 1969, implementing the salary comparability policy in 1969 for management—office employees of the House Restaurants required by Section 212 of the Federal Salary Act of 1967.

I would appreciate your having these documents inserted in the Congressional Record in order that they might be a matter of record.

Sincerely yours,

J. GEORGE STEWART,
Architect of the Capitol.

ORDER OF THE ARCHITECT OF THE CAPITOL IMPLEMENTING THE SALARY COMPARABILITY POLICY IN 1969 FOR OFFICERS AND EMPLOYEES OF THE OFFICE OF THE ARCHITECT OF THE CAPITOL REQUIRED BY SECTION 212 OF THE FEDERAL SALARY ACT OF 1967

Pursuant to the authority and duty vested in the Architect of the Capitol by section 212 of the Federal Salary Act of 1967 (81 Stat. 634; Public Law 90–206) to implement the salary comparability policy set forth in section 5301 of Title 5, United States Code, in the year 1969 for personnel of the Office of the Architect of the Capitol whose rate of compensation is increased by section 5 of the Federal Employees Pay Act of 1946, the rates of pay of such personnel are adjusted as follows:

IMPLEMENTATION OF SALARY COMPARABILITY POLICY IN 1969 FOR PERSONNEL OF THE OFFICE OF THE ARCHITECT OF THE CAPITOL WHOSE RATE OF COMPENSATION IS INCREASED BY SECTION 5 OF THE FEDERAL EMPLOYEES PAY ACT OF 1946

SECTION 1. Subject to section 216 and 225 of the Federal Salary Act of 1967 (81 Stat. 638, 642; Public Law 90–206), the per annum gross rate of compensation (basic compensation plus additional compensation authorized by law) of each employee whose compensation is increased by section 5 of the Federal Employees Pay Act of 1946 is hereby increased by 10.05 per centum.

SEC. 2. The provisions of this Order shall become effective on July 13, 1969 with respect to employees paid on a bi-weekly basis, and on July 1, 1969 for all other employees covered by this Order.

J. GEORGE STEWART,
Architect of the Capitol.

JUNE 26, 1969.

DIRECTIVE OF THE SPEAKER OF THE U.S. HOUSE OF REPRESENTATIVES, IMPLEMENTING THE SALARY COMPARABILITY POLICY IN 1969 FOR MANAGEMENT—OFFICE EMPLOYEES OF THE HOUSE RESTAURANTS REQUIRED BY SECTION 212 OF THE FEDERAL SALARY ACT OF 1967

Pursuant to the authority and duty vested in the Speaker of the United States House of Representatives by section 212 of the Federal Salary Act of 1967 (81 Stat. 634; Public Law 90–206) to implement the salary comparability policy set forth in Section 5301 of title 5, United States Code, in the year 1969 for personnel of the House of Representatives, the annual gross rate of compensation of management—office personnel of the House Restaurants (such employees having been defined by the Comptroller General of the United States to be employees of the House of Representatives), whose compensation is increased by section 214(a) of the Federal Salary Act of 1967 (81 Stat. 634, Public Law 90–206) and the Directive of the Speaker of the United States House of Representatives of July 1, 1968, is hereby increased by 10.05 per centum, effective July 13, 1969.

For the purpose of arriving at the percentage increases granted by this directive (these employees being compensated on a weekly, rather than an annual, basis), the weekly basic and weekly gross rates of these employees shall be converted for the purpose of this directive, to appropriate annual basic and annual gross rates.

The provisions of this directive shall become effective on July 13, 1969.

JOHN W. MCCORMACK,
Speaker, U.S. House of Representatives.

JUNE 26, 1969.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District of Columbia day. The Chair recognizes the gentleman from South Carolina (Mr. MCMILLAN), chairman of the Committee on the District of Columbia.

METROPOLITAN POLICE DEPARTMENT BAND

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 9551) to amend the act of July 11, 1947, to authorize members of the District of Columbia Fire Department, the U.S. Park Police force, and the White House Police force to participate in the Metropolitan Police Department Band, and for other purposes and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina (Mr. MCMILLAN)?

There was no objection.

The Clerk read the bill, as follows:

H.R. 9551

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the establishment of a band in the Metropolitan Police force", approved July 11, 1947, is amended as follows:

(1) The second sentence of the first section of such Act (D.C. Code, sec. 4–182) is amended to read as follows: "The Commissioners are authorized in their discretion to detail officers and members of the Metropolitan Police force and the District of Columbia Fire Department to participate in the activities of such band."

(2) Such Act is amended by inserting immediately after the first section the following new section:

"SEC. 2. The Secretary of the Interior is authorized in his discretion to detail officers and members of the United States Park Police force to participate in the activities of the band established by this Act, and the Secretary of the Treasury is authorized in his discretion to detail officers and members of the White House Police force to participate in the activities of such band."

(3) Section 5 of such Act is repealed and section 4 of such Act (D.C. Code, sec. 4–184) (relating to an authorization of appropriations) is redesignated as section 5.

With the following committee amendments:

On page 1, strike out line 8 and insert in lieu thereof the following: "follows: 'The Commissioner is authorized in his' ".

On page 2, line 3, insert after the quotation mark the following: "The first sentence of such section is amended by striking out 'Commissioners' and inserting in lieu thereof 'Commissioner'. The third sentence of such section is amended by striking out 'Commissioners are' and inserting in lieu thereof 'Commissioner is' ".

The committee amendments were agreed to.

Mr. McMILLAN. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the purpose of H.R. 9551 is to permit members of the District of Columbia Fire Department, the White House Police force, and the U.S. Park Police force to be detailed by the District of Columbia Commissioner, the Secretary of the Treasury, and the Secretary of the Interior, respectively, to particiate in the activities of the Metropolitan Police Department Band.

This bill is identical to H.R. 8205 of the 89th Congress, as passed by the House on August 22, 1966—House Report 1818—and H.R. 831 of the 90th Congress, as passed by the House on March 13, 1967—House Report 93.

NEED FOR LEGISLATION

Actually, some members of these other forces do participate as members of the Police Department Band. However, since present law does not permit them to be officially detailed to this duty, they must do so without any coverage as to disability compensation which applies when such members are performing their official duties. In short, therefore, while members of all these forces may and do participate as members of the Police Department Band, only members of the Metropolitan Police Department are presently protected against injury or disability incurred while engaged in the band's activities.

It is the opinion of your committee that all members of this band should be adequately protected against injury incurred while engaged in the band's activities. This bill will accomplish this by providing that members of all these forces, when assigned to the Police Band, will be engaged in official duty and hence will be eligible during such activity for the same disability benefits to which they are entitled when performing their regular duties.

Another present difficulty in connection with members of the Fire Department, White House Police, and the U.S. Park Police participating as members of the Police Department Band is that they must do so on their own time, whereas the time spent by Police Department members of the band in rehearsals and performances counts as part of their regular workweek. Further, if such time is spent outside their regular duty hours, then the Police Department members are entitled to an equal amount of compensatory time off. The provisions of this bill will extend this arrangement also to members of these other forces who participate in the band's activities, so that the time so spent by all members of the band will be considered as part of their duty hours.

It is the view of the committee that these provisions will have the desirable effect of materially increasing the size of this fine Police Department Band.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I note that identical bills were passed by the House in 1966 and again in 1967.

I am wondering if this is an exercise in futility here today?

Mr. McMILLAN. I appreciate the gentleman's asking this question, because we are becoming a little exercised over here in the House District Committee. Last year we passed approximately 30 bills that the other body did not take time to consider. We hope they will have time this year to consider the bills we send over there.

Mr. GROSS. Let me ask the gentleman how many members will this bill take off the police force of the District of Columbia for musical purposes?

Mr. McMILLAN. I do not think it would change the number. My understanding is that it would not change the number at all.

Mr. GROSS. We need all the police officers on the streets to combat the crime here in the District of Columbia rather than playing instruments in a band.

Mr. McMILLAN. This band very seldom plays for functions and the people who would be concerned are already playing in the band. So we would not take any additional policemen and firemen off the streets.

Mr. GROSS. The gentleman does not think that the bill would in any way impair law enforcement in the District of Columbia?

Mr. McMILLAN. No; if I thought that it would, I would be the last Member in the House to be asking for this legislation, this bill or any other, if it would impair our attempts to solve the crime problem in the Nation's Capital.

Mr. GROSS. I thank the gentleman.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

AMEND GRANDFATHER CLAUSE REGARDING LOCATIONS OF CHANCERIES

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 6947) to amend the act of October 13, 1964, to regulate the location of chanceries and other business offices of foreign governments in the District of Columbia, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 6947

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2 of the Act of October 13, 1964 (D.C. Code, sec. 5–418a), is amended by striking out the period at the end of paragraph (2) of that section and inserting in lieu thereon ", or" and by adding after that paragraph the following new paragraph:

"(3) the future or continued use of a building as a chancery or the making of ordinary repairs to such building if such building was used as a chancery contrary to any zoning law, rule, or regulation at any time during the period beginning May 12, 1958, and ending October 13, 1964, without any written notice by the District or United States Government prior to October 13, 1964, to the owner or occupant of such building of the fact that such use was in violation of such law, rule, or regulation."

(b) Section 4 of such Act (D.C. Code, sec. 5–418c) is amended by inserting immediately after "(D.C. Code, sec. 5–418)" the following: "or paragraph (3) of section 2 of this Act".

With the following committee amendment:

Page 2, strike out lines 7 through 10 and insert in lieu thereof the following:

"(b) Section 4 of such Act (D.C. Code, sec. 5–418c) is amended by inserting 'or (3)' immediately after 'paragraph (1).'"

The committee amendment was agreed to.

Mr. DOWDY. Mr. Speaker, the purpose of the bill H.R. 6947 is to amend the act of October 13, 1964—78 Stat. 1091; D.C. Code, sec. 5–418a—hereafter referred to as the Chancery Act of 1964, approved by the 88th Congress to regulate the location of chanceries and other business offices of foreign governments in the District of Columbia. In House Report 1727—88th Congress—which accompanied that legislation your committee recognized the complexity of the problem of providing for the location of chanceries and that the bill, later enacted as Public Law 88–659—78 Stat. 1091—might require amendments pending some final solution to this problem in the District of Columbia.

Since the enactment of the above-mentioned law, additional problems have been brought to the attention of your committee in connection with the administration of that law under its terms and concerning unique, or at least unusual situations which have resulted in substantial hardship to property owners. This bill is an effort to supplement and clarify the previous enactment and meet some of the difficulties which have been presented to your committee.

BACKGROUND

For many years, foreign governments were without any restriction as to the purchase or rental of property to be used for chancery purposes. The great majority of foreign chanceries were located within single-family detached residential areas. Because of the substantial, and sometimes intense, business usage of such properties, they were not compatible, in many instances, with the character of the neighborhoods in which they existed. With the development of zoning laws and establishment of zoning categories, the admissibility of chanceries in residentially zoned areas became an increasingly controversial matter. Although zoning regulations were developed to require at least some parking facilities to avoid traffic congestion, and to preserve the residential character where chanceries were located, existing laws and regulations did not provide a suitable basis to the District of Columbia for providing for chancery locations, nor did they provide a suitable basis for harmonious relations between foreign governments and the State Department. The latter agency is the only agency which might exercise any sanctions to bring about the enforcement of District of Columbia regulations regarding the location of chanceries. The situation led to action taken during the 88th Congress, and the enactment of Public Law 88–659, approved October 13, 1964—78 Stat. 1091.

INTENT OF CONGRESS

Aside from specifying the zoning categories within which chanceries of foreign governments might be located, the intent of Congress was clearly expressed concerning the preservation of existing rights established by previous use under law. Existing uses of buildings as chanceries, where such use had been established under the benefit of statute or by use preceding applicable zoning laws and regulations, were to be continued. Although that act appears to have had the effect of extinguishing the right of use of some properties as chanceries where such use did in fact exist and the owner or occupant was without notice that the use was not based upon any law, rule, or regulation, some instances of hardship have been demonstrated. These represent borderline cases where, under the normal operation of law and regulation prior to the act of the 88th Congress, chancery uses would have been permitted and approved, the owners of such property now find that they are precluded under the strict language of the act from continued use of their property for chancery purposes.

APPLICATION OF THE TERMS OF THE BILL

Under the terms of H.R. 6947, the Chancery Act of 1964 is amended by the addition of a new clause 3 to section 2 of the Act. The future use or the continued use of a building as a chancery would not be prohibited even though such use was contrary to the provisions of law if such use existed between the date of May 12, 1958, the date of the revision of zoning rules and regulations of the District of Columbia under the Lewis plan, and the date of October 13, 1964, the effective date of the Chancery Act of 1964, if such use was without written notice, from the Federal or District government, of noncompliance with existing zoning provisions. Thus, any use of a building as a chancery which qualifies under the provisions of this bill, becomes a lawful use as specified in the first clause of section 2 of the Chancery Act of 1964.

Section 2 of the Chancery Act of 1964, which the pending bill H.R. 6947 amends, was the subject of a clear expression of intent in House Report 1727 of the 88th Congress. That report stated as follows:

It is the specific intent that no existing lawful rights of use shall be affected by any provision of the bill. Where the lawful use of the building as a chancery has been established and exists on the date of enactment, whether the property be vacant, whether the use as a chancery be interrupted at some future date, or whether the use of the building be transferred from one foreign government

to another, nothing in the act shall affect such right of use.

In the pending bill, H.R. 6947, your committee amends section 4 of the Chancery Act of 1964 by including reference in section 4 of the act—D.C. Code, sec. 5–418c—to the amendment made by section 1(a) of the bill. The effect of this amendment is to make it clear that if a building used as a chancery was lawfully used, is being used or is to be used, such use may be transferred from one foreign government to another. Thus, whenever real property which has been lawfully used for chancery purposes, pursuant to the Chancery Act of 1964, as amended by this bill, was or becomes vacant, the fact of vacancy alone has no effect upon the right of continued or future use of the property for chancery purposes. The amendment is intended to preserve the right of such use, and transfers of use, even though such use may have been or is interrupted, the property vacant, or used for other purposes so long as the use of the property as a chancery is not abandoned.

It is believed that the enactment of the amendment as favorably reported by your committee will aid in resolving inequities and hardship situations, and relieve any area of doubt as to the committee's intent in preserving a right, once established, for the future and continued use of a building as a chancery and the right of transfer of the use from one foreign government to another.

The bill, H.R. 6947, amends the act of October 13, 1964—78 Stat. 1091; D.C. Code, sec. 5–418a—regulating the location of chanceries of foreign governments in the District of Columbia. The first of two amendments in the bill adds a new paragraph at the end of section 2 of the act which provides that the limitations and restrictions of the act shall not prohibit the future or continued use, or the making of ordinary repairs, to a building which was used as a chancery contrary to any zoning rule or regulations between May 12, 1958, and October 13, 1964, if the owner or occupant of such building received no written notice from the District or Federal Government that the use of the property as a chancery was in violation of any law, rule, or regulation.

The second amendment inserts language in section 4 of the act—D.C. Code, section 5–418c—referring back to the language added by the first amendment of the bill to provide that buildings qualifying under this bill for use as chanceries may be transferred from one foreign government to another under the terms of the act as amended.

Mr. BROYHILL of Virginia. Mr. Speaker, Public Law 88–659, approved October 13, 1964—78 Stat. 1091—was enacted to settle the increasingly controversial issue of the admissibility of chanceries in areas zoned residential.

Prior to that time, the District of Columbia had adopted zoning rules and regulations regarding chanceries, and had revised them as of May 12, 1958.

Under this Chancery Act of 1964, some instances of hardship have arisen, despite the fact that the act includes provisions for the continued use of buildings as chanceries where such use had been established under, or prior to the enactment of, previously existing zoning laws and regulations. These are cases where chancery use would have been permitted under laws and regulations prior to the act of 1964, but now are held to be precluded under the strict language of the act.

In 1958, a residential property in an area where many chanceries were located was rented by a representative of a foreign government. Although the owner thought the property was to be uesd as a chancery, this was not the case. Instead, the foreign government used the property as some sort of mission.

In 1960, a second foreign government rented this same property, and actually used it as a chancery. Under zoning regulations existing at that time, a zoning variance should have been obtained to authorize such use. And as a matter of fact, an application for such a variance would undoubtedly have been granted, because two other residential structures in the area were approved for chancery use at that time. However, the owner, or his rental agent, failed to apply for such a zoning variance, presumably through ignorance of the regulation. Actually, therefore, the use of the property as a chancery at that time was not in accordance with existing regulations. However, neither the owner nor the occupant was notified of this fact.

Subsequently, and after the enactment of the act of 1964, this foreign government moved its chancery to another location. At this time, the owner of the property became aware of the error he had made as to chancery use of his building, and made application to the zoning board for the proper variance for such use. This application was denied, however, under the terms of the 1964 Chancery Act.

As a result of this situation, this property is now the only building in its block which is not used either as a chancery or for comparable use authorized by Congress for the Washington Institute of International Law. Thus, the R–3 zoning classification of this district no longer remotely reflects the actual existing character of this block, and this one property owner now finds himself with the one property in the block which is incompatible with the existing use of all the other properties. Under these conditions, of course, he is in the ridiculous situation of being unable to dispose of the property at its normal value for residential use, nor to lease or sell it for chancery use.

In this case, therefore, the Chancery Act of 1964 simply has produced a "white elephant" situation, in contradiction to the intent of Congress and to the normal function of zoning laws to maintain uniformity and compatibility of property uses in a given area.

Although this is the only such instance which has come to the attention of the House District Committee, it is entirely possible that other such cases may exist.

This bill will resolve this situation by providing authorization for the future or continued use of a building as a chancery even though its former use for this purpose had been contrary to the regulations of law in existence prior to October 13, 1964, if there had been no written notice to the owner or occupant of the property from the Federal or District of Columbia government of such noncompliance with existing zoning provisions.

The committee reported this bill, with the conviction that its provisions will be consistent with the intent of Congress in the District of Columbia Chancery Act of 1964, and hence in the public interest.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. DOWDY. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks on the bills H.R. 6947 and H.R. 9553.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDING DISTRICT OF COLUMBIA MINIMUM WAGE ACT

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 9553) to amend the District of Columbia Minimum Wage Act to authorize the computation of overtime compensation for the hospital employees on the basis of a 14-day work period, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. ADAMS. Mr. Speaker, reserving the right to object, as I understand, if we take up this bill, to which I am opposed—and I know other Members are—under the procedure that has been requested, would it be that every Member would be entitled only to 5 minutes, or is the rule that we would stay in the House, and the 5-minutes period would be in order only as the Members are recognized?

The SPEAKER. The Chair will state that if the request is granted, debate will be under the 5-minute rule.

Mr. ADAMS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ADAMS. If the gentleman from Washington should object to the request and we should go into the Committee of the Whole for the consideration of this bill, then what would be the time requirements? Would there be 1 hour of debate to be divided between the opposition and the proponents?

The SPEAKER. The Chair will state that if the unanimous-consent request is objected to, under the rules a motion will be in order to go into the Committee of the Whole House on the State of the Union and the gentleman from Texas would control 1 hour, unless the time is fixed by unanimous consent prior to going into the Committee of the Whole.

Mr. ADAMS. Mr. Speaker, then I object to the request of the gentleman from Texas so the House will go into the Committee of the Whole House on the State of the Union for consideration of this bill, because the 5-minute rule will not give those of us in opposition an opportunity to present our case.

The SPEAKER. It is the understanding of the Chair that if consent is granted, then the 5-minute rule would apply.

Mr. ADAMS. Mr. Speaker, I would withdraw my opposition to this if we could just get some agreement on time for 10 or 15 minutes, so the opposition can present its case. We have no desire to delay the matter.

The SPEAKER. The Chair will state that if the consent is granted, then the bill comes up for reading, and the 5-minute rule would apply, and then any Member seeking additional time would ask unanimous consent.

Mr. ADAMS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. The gentleman withdraws his reservation of objection.

Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 9553

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That section 3(b) of the District of Columbia Minimum Wage Act (D.C. Code, sec. 36-403(b)) is amended by adding at the end thereof the following paragraph:

"(4) No employer engaged in the operation of a hospital shall be deemed to have violated subsection (b)(1) if, pursuant to an agreement or understanding arrived at between the employer and the employee before performance of the work, a work period of fourteen consecutive days is accepted in lieu of the workweek of seven consecutive days for purposes of overtime computation and if for his employment in excess of eight hours in any workday and in excess of eighty hours in such fourteen-day period, the employee receives compensation at a rate not less than one and one-half times the regular rate at which he is employed."

Mr. ADAMS. Mr. Speaker, I rise in opposition to this bill, and will speak in opposition to it. I move to strike the last word.

The SPEAKER. The gentleman from Washington is recognized for 5 minutes.

Mr. ADAMS. Mr. Speaker, this bill came to the House on the District Calendar 2 weeks ago, and at that time a number of us requested that the chairman withdraw it from the calendar so the House could have the opportunity of having its District of Columbia Committee consider this again. The chairman was kind enough to do this, for which I express my appreciation.

It is a very bad thing that we debate this bill today, because there were no hearings on it this year before the committee. Instead, it was presented to the District of Columbia Committee as one of those bills that come up, that have been passed in a prior House session and since they were passed once before, why do we not just go through and pass them again—which may be an orderly way of doing things that have no controversy.

But in this case this bill deals with the minimum wages of the hospital employees and does a very bad thing to them. It says they can be worked for 80 hours over a 2-week period without receiving any overtime until they have exceeded 80 hours in 2 weeks.

But in my opinion what makes it worse and the reason the House should vote down this bill is the committee report and the committee discussion were based upon a letter signed by Walter Tobriner. If Members will look in the committee report on pages 6 and 7, they will see there a report from the District of Columbia government, saying they support the bill, and that is signed by Walter Tobriner, who has been out of office for nearly 2 years.

This is compounded by the fact that after we had the matter removed from the calendar the last time so we could have a chance to hear it, we received a letter from the District of Columbia government, signed by the present Commissioner, saying they are in opposition to this bill.

So the position on which the committee based its action is now 180° out of phase.

Mr. Speaker, I ask unanimous consent to insert in the RECORD at his point, so that Members can see it—and, in the hope that we will vote down this bill, can consider it—a letter to the chairman of the Committee on the District of Columbia signed by the Mayor, which would supersede the letter from Mr. Tobriner, indicating that the District of Columbia government is against the bill.

Mr. SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

The letter is as follows:

GOVERNMENT OF THE
DISTRICT OF COLUMBIA,
Washington, D.C., July 15, 1969.

Hon. JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, U.S. House of Representatives, Washington, D.C.

DEAR MR. MCMILLAN: The Government of the District of Columbia has for report H.R. 9553, 91st Congress, a bill "To amend the District of Columbia Minimum Wage Act to authorize the computation of overtime compensation for hospital employees on the basis of a fourteen-day work period."

The bill amends section 3(b) of title I of the District of Columbia Minimum Wage Act, as amended by section 1 of the District of Columbia Minimum Wage Amendments Act of 1966 (80 Stat. 961; Public Law 89-684), by adding a paragraph (4) thereto. The new paragraph (4) authorizes, for purposes of computing overtime compensation, a work period of fourteen consecutive days in lieu of the standard work week of seven consecutive days. This exception is applicable only to hospitals operating in the District and their employees, and is authorized only when an agreement or understanding regarding such work period is reached between employer and employee prior to performance of the work involved. The bill further provides for the payment of overtime compensation at a rate not less than one and one-half times the regular rate for hours worked by the employee in excess of eight hours a day and in excess of eighty hours in the fourteen-day period.

The Government of the District of Columbia is of the view that the enactment of the bill would be detrimental to those employees affected by it. Using as an example an employee who is paid the minimum wage of $1.60 per hour and who works 32 hours one week and 48 hours the next, the District has determined that under H.R. 9553 the employee would receive $6.40 less for the two-week period than he would receive under the present minimum wage law. On an annual basis, this would result in the employee's receiving $166.00 less income—a sizable sum to an employee whose yearly income is less than $3,300.

In the belief, therefore, that H.R. 9553 would have the effect of reducing the income of a large number of low-paid employees, and does not appear to offer any advantage to them, the Government of the District of Columbia recommends against the enactment of the bill.

THOMAS W. FLETCHER,
Assistant to the Comissioner.
(For Walter E. Washington, Commissioner).

STATE MINIMUM WAGE AND HOUR LAWS APPLICABLE TO HOSPITALS—OVERTIME STANDARDS

Alaska: over 8 a day, 40 a week.
California: over 8 a day, 48 a week.
Connecticut: over 40 a week.
District of Columbia: over 40 a week.
Kentucky: over 44 a week.
Hawaii: over 40 a week.
Nevada: over 8, up to 12 a day (in a 13 hour day); over 48, up to 56 a week (in emergency as specified).
New Jersey: over 40 a week.
New York: over 40 a week.
Oregon: over 8 a day, 40 a week (in emergencies).
Puerto Rico: Over 8 a day, over 48 a week, one-day of rest.
Pennsylvania: over 40 a day.
Rhode Island: over 48 a week.
Vermont: over 48 a week.
Wyoming: over 8 a day, over 48 a week.
West Virginia: over 48 a week.

In the State of Vermont overtime may be paid after 80 hours in a 14-day period only if employees are covered by a collective bargaining agreement. With this exception—no state law provides for overtime payment after 80 hours in the 14-day period for hospital employees.

Mr. MCMILLAN. Mr. Speaker, will the gentleman yield?

Mr. ADAMS. I yield to the chairman of the committee.

Mr. MCMILLAN. I introduced this bill by request from the hospital officials and the hospital employees on a joint request. That is where the bill came from. I do not know why the present Commissioner decided to be against this bill, because the employees and the hospital officials requested me to introduce this proposed legislation as chairman of the District of Columbia Committee.

Mr. ADAMS. I appreciate the statement of the chairman. I am glad he brought up that point, because I have been contacted by the local labor council in Washington, D.C., and they have indicated to me their opposition to this bill being passed.

I do not know about the position of the hospitals themselves, but the District of Columbia employee organization has indicated its opposition.

Therefore, I believe it would be a very bad thing for the House to pass this bill now. If it is to be passed, then what we should do is go back to the committee and let these people come in and make their statements, and then make a judg-

ment as to whether or not it should be done.

Mr. DOWDY. Mr. Speaker, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Texas.

Mr. DOWDY. I assume the gentleman knows the union which objects to this bill does not represent the hospital employees who are asking for this bill.

Mr. ADAMS. I do know that that union does, but I have never received information about it to this date.

I would say to the gentleman from Texas, as to what the present position of either the hospital board or the people who are working in the hospital is on this bill, I have to accept the fact that the Mayor's letter indicates, on the second page, this:

> Using as an example an employee who is paid the minimum wage of $1.60 per hour and who works 32 hours one week and 48 hours the next, the District has determined that under H.R. 9553 the employee would receive $6.40 less for the two-week period than he would receive under the present minimum wage law. On an annual basis, this would result in the employee's receiving $166.00 less income—a sizable sum to an employee whose yearly income is less than $3,300.

I do not know what the union which represents these people says, but I just cannot believe that they are going to come in and say they think that this is a good bill.

The SPEAKER. The time of the gentleman from Washington has expired.

(By unanimous consent, Mr. ADAMS was allowed to proceed for 5 additional minutes.)

Mr. ADAMS. I cannot believe that they would support such a proposition. I believe it is not proper for this House to pass this bill under these circumstances. If further hearings are demanded and nobody objects I would not object to this bill, but I believe we have not prepared a proper report prior to acting on this legislation.

Mr. STEIGER of Arizona. Mr. Speaker, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Arizona.

Mr. STEIGER of Arizona. I thank the gentleman.

I am sure the gentleman is aware, but I believe the record deserves to note, that the language in the bill is permissive in nature, in that it is dependent upon prior agreement between the employees and their organization and the employer. I am sure the gentleman is aware of that.

Mr. ADAMS. I am aware of that. What bothers the gentleman in the well is that my assumption—it may be incorrect, because we have not had the hearings so that I could ask somebody—that there is probably more than one union involved in the hospitals here, and those who are very well paid and are working more hours than they want, would like to have the advantage of saying, "We can take off every other weekend."

As to the poor people, though, the people who are paid the minimum wage or close to it, the money is desperately important to them. Therefore, although there may be an agreement with some organized groups of higher paid people, the ones on the bottom of the economic scale are in very bad condition. Maybe they should have more than one union and bargain on a different basis with regard to the application of 80 or 40 hours, but we should find this out before we pass this bill.

Mr. STEIGER of Arizona. If the gentleman will yield further, apropos of his remarks at this moment in his dialog, do I understand the gentleman really basically objects to the lack of hearings rather than the specific language in this bill? Is that a fair assumption?

Mr. ADAMS. I would say to the gentleman a qualified "Yes," because until I know from some hearings the position of these people I do not know whether the language needs to be corrected.

For example, the section you mentioned. It may well be that a statement should be made that this shall only apply if 75 percent of the employees working in a particular hospital are for it.

So that is my problem with regard to the answer to your question in saying that the language is all right. I think it can be improved upon.

Mr. STEIGER of Arizona. I would like to make note, while the gentleman is being generous with his time, if he will yield further——

Mr. ADAMS. I yield to the gentleman.

Mr. STEIGER of Arizona. This language does comply and conforms exactly to the language in the 1966 amendments to the Fair Labor Standards Act, which apply directly to the same type of institution we are now dealing with in the District of Columbia. It occurs to me that at that point in time—and this is speculation, I recognize—had there been any serious objections, as there is in your mind now, this language could not have been included in the 1966 amendments to the Fair Labor Standards Act. I would like to ask my colleague, in his very proper zeal, to hear the entire story to his satisfaction, that he not delay legislation which really, in the minds of many people or, at least, in my mind, is designed for the benefit of the employees to a far greater extent than to the benefit of management, because under this particular bill the employee is able to accumulate more consecutive leisure time, and that is of significance to those employees who talked to me about this bill.

Mr. ADAMS. I can understand that there would be a group of employees who would be in that position. I am very pleased you raised this point, because it points out the development which is occurring in America, which I think this House should be aware of the problem and deal with it. A number of the very poorly paid employees in hospitals—and the gentleman knows, I am sure, there are places in this country where objection to working conditions are occurring—organizations for the poor people either have not been organized or have been submerged in other organizations, who would rather have leisure time than money. They are now beginning to say, "We want to be heard." When the Fair Labor Standards Act went in, their case was not handled. Now they are making their demands known both through their own union representatives and, where they do not have union representatives, then by trying to form other organizations and saying that "We are making less than $3,600 a year and an alternate weekend off to us is not a very big thing. The extra $5 or $6 or $8 we can receive in overtime pay in addition to the 40-hour week is important. So help us." That is what the gentleman in the well is trying to do, and that is why I believe the Fair Labor Standards Act provision and its application to the District should be reexamined.

Mr. DENT. Mr. Speaker, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Pennsylvania.

Mr. DENT. The Fair Labor Standards Act does not affect the District of Columbia situation, as you well know.

Mr. ADAMS. I know that.

Mr. DENT. When we tried to write them under the Fair Labor Standards Act, then we took a position, at that time in the Senate, under a former Senator who is no longer there, that they wanted to carry those District of Columbia labor standards in separate legislation. That is why we have never covered them. We would have covered it exactly the way you want to if we had had the opportunity.

Mr. ADAMS. I thank the gentleman and I hope he will join us in opposing this bill so that we can really look at it carefully and do the right thing about it.

Mr. Speaker, I am in opposition to this bill; the District government is opposed to this bill, and I hope we will have the opportunity to hold full hearings thereon. Therefore, Mr. Speaker, I hope the committee will vote down the bill so that we can have a fresh start and do the things which are necessary to give a fair hearing to the people who are involved and who are at the poverty level working in our hospitals.

CALL OF THE HOUSE

Mr. DERWINSKI. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. FUQUA. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 123]

Abbitt	Clausen, Don H.	Green, Pa.
Addabbo	Clay	Halpern
Anderson, Tenn.	Conyers	Hastings
Andrews, N. Dak.	Culver	Helstoski
Ashbrook	Davis, Ga.	Holifield
Berry	Davis, Wis.	Hosmer
Bingham	Dawson	Howard
Blatnik	Delaney	Johnson, Pa.
Boggs	Dickinson	Kirwan
Brock	Eckhardt	Landgrebe
Broomfield	Esch	Lipscomb
Brown, Mich.	Eshleman	Lloyd
Burton, Utah	Evins, Tenn.	Long, La.
Byrne, Pa.	Foley	Long, Md.
Carey	Ford, Gerald R.	Lowenstein
Celler	Ford, William D.	Lujan
Chisholm	Frelinghuysen	MacGregor
Clark	Gallagher	Marsh
		Mathias
		Minish

Minshall	Price, Ill.	Stratton
Morton	Reuss	Stuckey
Nelsen	Rodino	Teague, Tex.
Nix	Rooney, Pa.	Udall
Ottinger	Rosenthal	Watkins
Patten	Ruppe	Whalley
Pettis	St Germain	Whitten
Philbin	St. Onge	Wold
Pirnie	Sandman	Yates
Podell	Scheuer	Yatron
Powell	Stanton	

The SPEAKER. On this rollcall 343 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AMENDING DISTRICT OF COLUMBIA MINIMUM WAGE ACT

Mr. BURTON of California. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, this proposal before us today is literally one of the most outrageous proposals that have been presented to this body since it was last proposed to us more than a year ago.

Mr. DOWDY. Mr. Speaker, will the gentleman yield?

Mr. BURTON of California. As soon as I complete my statement I will be delighted to yield.

The last hearing on this bill was held in September of 1967. That was about 20 or 21 months ago. I stated on the floor the last time this matter was before us that we are going to spend more of the taxpayers' dollars recording the debate on this matter than may well be involved in terms of the savings we are going to give to a few hospitals. The Senate had this matter before it all of last year and gave it precisely the treatment that it deserved. They did not waste one second of their time or any of their colleagues' time on it and did not deal with the bill at all, which is exactly the treatment it deserves.

The legislation provides that those who work in the hospitals and work a full workweek are going to have reduced some part of the small pittance that they get if they work overtime.

I have heard a lot of words about self-reliance in this body. These are working people who receive among the lowest of the wages paid to any man or woman who works in this country. This bill proposes to chisel $2 or $3 every 2-week pay period from them. For what purpose? They work. They work beyond the normal workweek and they get time and a half after 40 hours. Apparently the District Committee, which has not heard this matter this session, believes that is a little bit too much. They stated that apparently the workers want this bill. To put it charitably, that is a base canard. I stated on the record the last time this matter was before us that the Service Employees International Union, which represents almost every organized worker in the hospital field, is against this bill. It was denied in the debate last year before I made the statement. I restate it again today. I intend to get a rollcall on this outrageous suggestion. I would like to have my colleagues defend in front of us this proposal which I will restate and then conclude: It robs working people—receiving less money than most groups of workers—of a pittance if they manage to work more than 40 hours a week, by substituting a 14-day overtime period for the present 40-hour per week overtime period which prevails in virtually every industry under the District of Columbia minimum wage law.

Mr. ADAMS. Mr. Speaker, will the gentleman yield?

Mr. BURTON of California. I yield to the gentleman from Washington.

Mr. ADAMS. To those who arrived after we completed the debate on it, I want to further state that the District government which previously supported this legislation in 1967 now opposes it. As the gentleman from California has pointed out there have been no hearings since the last session of Congress and the District government has now come out in opposition to it. I have placed in the RECORD their statement indicating their position to it. This bill should be voted down.

Mr. HARSHA. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, this legislation, contrary to the statement of the gentleman from California, does not take one dime away from a single employee, but rather permits him some additional leisure time if he so desires. This bill meets with the approval of at least some of the employees and is designed to be of assistance to them.

This legislation provides that by mutual agreement between the employees and the employers, an employee may work either a 7-day period or a 14-day work period, if he so desires.

Mr. BURTON of California. Mr. Speaker, will the gentleman yield?

Mr. HARSHA. Not until I finish my statement.

Now, this legislation is an effort to merely place the employees of the hospitals in the District of Columbia on the same basis as other employees engaged in similar employment on a national basis as a result of the Fair Labor Standards Act of 1966. This is the same basis they are on all over the United States. We are merely trying to update the conditions which exist in the District of Columbia because of the difficulty in obtaining people to work in hospitals due to the fact that they are required to work 24 hours a day, 7 days a week, and there has to be a differential in scheduling these employees. I say this because when people are in the hospital they do not always get well after a period of 5 days but must have attention to be given to them 24 hours a day, 7 days a week.

Mr. Speaker, in my opinion this is merely an effort to bring this legislation into line with national legislation.

Mr. BURTON of California. Mr. Speaker, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman from California.

Mr. BURTON of California. As I understand the gentleman's statement, the gentleman has expressed his tender loving care and concern for the hospital workers here in the District; that this little bill is just an effort on the part of the gentleman and presumably some of his colleagues on the committee to give some of these employees some help; is that correct?

Mr. HARSHA. I am sorry but I did not understand the last part of the gentleman's question. Give them what?

Mr. BURTON of California. Give the workers in the hospitals a little help.

As we see it, that is not and cannot be believed to be the case.

I will make the flat assertion that there is not any combination of circumstances where a hospital worker working in excess of 80 hours during a 14-day period can possibly be helped by the enactment of this bill, and in a number of instances will receive less in his pay check. It is precisely for this latter reason that this bill has been introduced and it is precisely for this latter reason that the District government is now opposed to it. It is for that reason that the other body failed to consider this matter a year ago.

Mr. HARSHA. What the gentleman is overlooking is this: This is by mutual agreement between the employee and the employer. It does not have to be done. If the employee does not desire to work a 14-day period he does not have to, he may work a 7-day period, but under this bill he has the option. It is his choice not yours or mine.

Mr. BURTON of California. These employees, by and large, are unorganized as I understand the facts, and I do not think——

Mr. HARSHA. Why did the employees appear before the committee and ask for the legislation?

Mr. BURTON of California. The Service Employees International Union is opposed to this bill, and, as for me, sir, I believe the hospital workers in the District can do without the tender loving care and assistance from the Members of the House.

The SPEAKER. The time of the gentleman has expired.

Mr. DOWDY. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I would like to call the attention of the House that when this bill was before the House in January last year on a rollcall vote, that there were nine Members who voted against the bill.

Mr. Speaker, the bill we have here will amend the District of Columbia laws to bring them in conformity with the nationwide Fair Labor Standards Act of 1966. That is one of the reasons that it should be enacted, so as to conform the law of the District to that of the Nation as a whole.

The statement has been made that there were no hearings. The president of the service employees' union, Mr. Sheehan, did testify when we had this bill for hearings in September of 1967—and I was chairman of the subcommittee holding the hearings. Mr. Sheehan testified before the committee. I asked the gentleman if this bill did not follow identically the terms of the national Fair Labor Standards Act, and he testified that it did.

I asked the gentleman at another place whether his union represented the hospital employees who were asking for this bill, and he said it did not. He further understood that this bill was per-

missive, and not mandatory. He testified further that if he did represent the people that wanted to work 32 hours one week and 48 hours the next, so that they could have longer weekends, that he would abide by what the members that he represented asked for.

Mr. Speaker, we had both employees and nurses who testified on this bill, and who asked for it, and they said it was for two reasons, one that the hospitals could schedule their work better by staggering the weeks, and the employees desired it so that they could have alternate long weekends.

There have been some inferences here that the employees work longer than 8 hours in any one given day, but under this bill if they work longer than 8 hours in a given day, then the overtime provisions would apply for that day.

This simply permits the hospital employees to work 4 days one week and 6 days the next week, so that they could have longer weekends every other week.

I sometimes wish we would schedule our hours in that same way.

Mr. HUNGATE. Mr. Speaker, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Missouri.

Mr. HUNGATE. Mr. Speaker, I thank the gentleman for yielding, and I would ask the gentleman from Texas—and I thought I understood the gentleman from Ohio (Mr. HARSHA) made the same statement—that the passage of this bill would make it identical with the Fair Labor Standards Act in this field. Is that correct?

Mr. DOWDY. The gentleman is correct in his understanding.

Mr. BURTON of California. Mr. Speaker, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from California.

Mr. BURTON of California. Mr. Speaker, the fact of the matter is that if this bill passes, then the hospital workers will be the only workers covered by the minimum wage bill in the District of Columbia not to receive time and one-half after 40 hours in a week. Is that correct?

Mr. DOWDY. It is not correct. They will work a total of 80 hours in any 2 weeks, and if they work more than that in any 2 weeks they will receive time and a half.

Mr. BURTON of California. Let me restate my question so that the record will disclose which one of us understands the effect of this legislation:

The statement that I made was that if this bill passes, then the hospital workers will be the only workers covered by the District of Columbia minimum wage bill that do not get time and a half after 40 hours.

Mr. HARSHA. It is permissive, and not mandatory.

Mr. DOWDY. It is permissive. As I understand the minimum wage law in the District of Columbia, the hospital employees would be the only employees who would receive overtime for work in excess of 8 hours in any day. Any hospital employee covered by an agreement under section 3(b)(4) of the District of Columbia Minimum Wage Act must receive, in addition to overtime compensation for employment in excess of 80 hours, overtime compensation in excess of 8 hours in any workday. The District of Columbia Minimum Wage Act does not require the payment of overtime compensation to any other employees for work in excess of 8 hours in 1 day.

Mr. STEIGER of Arizona. I would just like to suggest that the zeal of the gentleman from California certainly is noteworthy. Obviously, he is genuinely concerned. But I must liken it to picking daisies off the lawn while the barn is burning down.

The simple facts of the matter are that you have some people here who through computations of their own have figured out a way to accumulate some leisure time. This was their story. There has been nothing that has been produced that would repudiate this.

The gentleman's efforts to either condemn it or to delay it would seem not to be worthy of the energies that he is displaying here. But I commend him on his display of energy and sincerity.

But I would only point out that the facts of the situation are statistical in nature. Compliance with the Federal law is a matter of record. Here the invective that the gentleman engages in—and I must admit it is engaging and interesting—but I submit it does not serve any particular purpose.

Mr. BURTON of California. Mr. Speaker, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman.

Mr. BURTON of California. Did the gentleman attend any of the hearings on this matter?

Mr. STEIGER of Arizona. I attended the hearings on the matter 2 years ago.

Mr. BURTON of California. Why do you think the House bill was not even heard in the other body even though they had a year to do so on a matter of such purported noble and great merit and assistance to the hospital workers.

Mr. DOWDY. We had a great number of bills from the District Committee—about 30—in the Senate that the Senate did not consider. They were running out of time—I do not know—that is their business.

Mr. STEIGER of Arizona. Mr. Speaker, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman.

Mr. STEIGER of Arizona. I would just like to add, that if we are to use the indifference of the Senate as the basis of our judgment here, then we really are in trouble. I would hope the gentleman would not use that standard.

Mr. BURTON of California. The gentleman from California is not making that point.

Mr. DOWDY. Mr. Speaker, the purpose of H.R. 9553 is to amend the District of Columbia Minimum Wage Act Amendments of 1966—Public Law 89-684, approved October 15, 1966, 80 Stat. 961, D.C. Code, title 36, section 401, and others—with respect to employees of private hospitals in the District, to provide that pursuant to prior agreement or understanding between the parties involved, overtime pay for such employees may be computed upon a work period of 14 consecutive days rather than on the standard workweek of 7 consecutive days as presently provided. If this 14-day period is agreed upon, then time and one-half wages will apply for hours worked in excess of 8 hours per day and in excess of 80 hours within such 14-day period.

This proposed amendment will allow hospitals and their employees in the District of Columbia the same option in computing overtime as is presently provided for such institutions on a nationwide basis by the 1966 Amendments to the Fair Labor Standards Act—Public Law 89-601, approved September 23, 1966; 80 Stat. 830.

PROVISIONS IN FEDERAL LAW

The Congress recognized this problem arising from the peculiar nature of hospital operations, when it enacted the 1966 Amendments to the Fair Labor Standards Act—Public Law 89-601, approved September 23, 1966. Whereas hospital employees had been excluded from all provisions of the Fair Labor Standards Act prior to that time, the 1966 amendments repealed that exclusion. At the same time, however, it was provided that hospitals and their employees, by their mutual agreement, shall have the option of electing either a 7-day or a 14-day work period as the basis for computing overtime. This is exactly the same provision which H.R. 9553 seeks to insert into the District of Columbia Minimum Wage Act. Thus, this proposed legislation would merely harmonize the District of Columbia act with existing Federal law.

The Fair Labor Standards Act does not apply to the District of Columbia in this matter, of course, because the District of Columbia Minimum Wage Act as amended imposes a shorter workweek as the basis for overtime pay.

SUPPORT FOR LEGISLATION

At a public hearing conducted on September 13, 1967, support for legislation identical to this bill was expressed by spokesmen for the former Board of Commissioners of the District of Columbia, and by the Hospital Council of the National Capital Area, Inc.

Also at this time, a background statement approving this approach to overtime pay in private hospitals was submitted on behalf of the American Hospital Association. This document cited a survey of hospitals in the Washington metropolitan area, which revealed that the employees in 10 of the 11 hospitals, surveyed in suburban Virginia and Maryland had elected the 80-hour, 14-day work period option available to them under the Fair Labor Standards Act. Further, the survey indicated that most of the hospitals in the District of Columbia have indicated that their employees also desire to continue their 80-hour, 14-day option if it becomes available to them.

This latter statement is supported by testimony from the director of nursing service at the Washington Hospital Center, who advised your committee that 285 employees in the nursing service at that institution signed a petition requesting the 80-hour, 2-week period, and that many others sought to sign it after it had been submitted to the Hospital Council.

There is strong evidence also that the

employees of these District of Columbia hospitals still favor the system for work schedules which the enactment of H.R. 9553 would permit them to choose. For example, our committee is reliably informed that the nonprofessional employees at the Washington Hospital Center, the largest private hospital in the District, would vote overwhelmingly for the adoption of the 14-day period for determination of overtime pay at this time, if they were permitted to do so.

BACKGROUND

Prior to the enactment of the District of Columbia Minimum Wage Act Amendments of 1966, there was no law providing for minimum wages or overtime pay for adult male employees in the District. However, many female and minor employees in private hospitals in the city were included under wage orders covering practical nurses, nurses' aides, employees in food preparation and service, laundryworkers and those employed in clerical, semitechnical, and building service occupations. However, the 1966 amendments to the act, which became effective as of April 15, 1967, provided minimum wage and overtime coverage for male as well as female employees in the District, and stipulated that as of April 15, 1967, all employees covered under the act were entitled to pay at 1½ their regular rate for work in excess of 42 hours in any workweek. And as of October 15, 1967, this overtime compensation was authorized for employment in excess of 40 hours per workweek.

Inasmuch as these amendments to the District of Columbia Minimum Wage Act did not contain any exclusion of hospital employees from the provisions of the act, this overtime coverage now includes all employees of private hospitals in the District of Columbia except those in executive, administrative, or professional positions. As a matter of fact, the House bill—H.R. 8126—to amend the District of Columbia Minimum Wage Act in 1966—80 Stat. 961—excluded private hospital employees from minimum wage and overtime coverage, but this exclusion was deleted in conference with the Senate.

THE HOSPITAL'S DILEMMA

Your committee is informed that this overtime requirement poses a serious problem for private hospitals in the District of Columbia. The peculiar nature of a hospital's operation, which requires it to be open and staffed 24 hours per day every day in the week, creates problems in the scheduling of personnel which makes it extremely difficult for hospitals to operate on a standard 40-hour workweek, with overtime compensation computed on the basis of such a 7-day period.

Such personnel includes those in nonexecutive, nonadministrative, and nonprofessional positions who are essential in providing 24 hours a day patient care and service. They are the admitting clerks, medical record clerks, dietary aides, housekeeping aides, laundry workers, nursing aides, and orderlies, X-ray technicians, laboratory technicians, operating room technicians, and others who must work evenings, nights, and weekends to provide assistance essential in caring for the illnesses of patients whose needs do not follow a 9 to 5, Monday through Friday schedule.

Because many such hospital employees must work during weekends to provide coverage necessary to protect the patients, it is desirable to schedule their working hours so that they work on alternate weekends. For this reason, it has been a common practice for hospital employees to serve 6 days in 1 week and 4 days in the next, with overtime compensation for work in excess of 80 hours during each such 2-week period. This system makes it possible for such employees to have every other weekend off, as well as an occasional free day during the week. Our committee is advised that this system had been followed in nine of the 11 private hospitals in the District of Columbia prior to the effective date of the 1966 amendments to the District of Columbia Minimum Wage Act, and that it proved very satisfactory both to the hospital and to their employees.

Mr. DOWDY. Mr. Speaker, I move the previous question.

The SPEAKER. The question is on ordering the previous question.

PARLIAMENTARY INQUIRY

Mr. BURTON of California. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state the parliamentary inquiry.

Mr. BURTON of California, Mr. Speaker, is the motion before us to close debate or will there be a vote subsequent to the pending motion so that those of us who want a rollcall on this matter can obtain a rollcall vote.

The SPEAKER. The pending question is on ordering the previous question.

Mr. BURTON of California. This is to close debate and not on the passage of the matter? Will this be our last opportunity to receive a rollcall on this matter?

The SPEAKER. The Chair will state that the question on the passage of the bill will come later, if the previous question is ordered.

The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. BURTON of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 220, nays 141, not voting 71, as follows:

[Roll No. 124]

YEAS—220

Abernethy	Frey	Pelly
Adair	Fuqua	Pickle
Anderson, Ill.	Galifianakis	Poage
Andrews, Ala.	Gettys	Poff
Arends	Giaimo	Pollock
Aspinall	Goldwater	Preyer, N.C.
Ayres	Goodling	Price, Tex.
Baring	Green, Oreg.	Purcell
Belcher	Griffin	Quie
Bell, Calif.	Gross	Quillen
Bennett	Grover	Railsback
Betts	Gubser	Rarick
Bevill	Gude	Reid, Ill.
Biester	Hagan	Reifel
Blackburn	Haley	Rhodes
Blanton	Hall	Riegle
Bow	Hammer-schmidt	Rivers
Bray	Hansen, Idaho	Roberts
Brinkley	Harsha	Robison
Brotzman	Harvey	Rogers, Fla.
Brown, Ohio	Henderson	Roth
Broyhill, N.C.	Hogan	Roudebush
Broyhill, Va.	Hull	Ruth
Buchanan	Hunt	Satterfield
Burke, Fla.	Hutchinson	Schadeberg
Burleson, Tex.	Ichord	Scherle
Bush	Jarman	Schneebeli
Button	Jonas	Schwengel
Byrnes, Wis.	Jones, Ala.	Scott
Cabell	Jones, N.C.	Sebelius
Caffery	Jones, Tenn.	Shipley
Cahill	Kazen	Shriver
Camp	Kee	Sikes
Carter	Keith	Sisk
Casey	King	Skubitz
Cederberg	Kleppe	Slack
Chamberlain	Kuykendall	Smith, Iowa
Chappell	Kyl	Smith, N.Y.
Clancy	Landrum	Snyder
Clawson, Del	Langen	Springer
Cleveland	Latta	Stafford
Collier	Lennon	Stanton
Collins	Lukens	Steed
Colmer	McClory	Steiger, Ariz.
Conable	McCloskey	Steiger, Wis.
Corbett	McClure	Stephens
Coughlin	McCulloch	Stubblefield
Cowger	McDade	Stuckey
Cramer	McDonald, Mich.	Taft
Cunningham	McEwen	Talcott
Daniel, Va.	McKneally	Taylor
Davis, Wis.	McMillan	Teague, Calif.
de la Garza	Mahon	Teague, Tex.
Dellenback	Mann	Thompson, Ga.
Denney	Marsh	Thomson, Wis.
Dennis	Martin	Utt
Devine	May	Vander Jagt
Dorn	Mayne	Waggonner
Dowdy	Meskill	Wampler
Downing	Michel	Watson
Duncan	Miller, Ohio	Watts
Dwyer	Mills	Weicker
Edmondson	Mize	Whitehurst
Edwards, Ala.	Mizell	Widnall
Edwards, La.	Montgomery	Wiggins
Erlenborn	Mosher	Williams
Evans, Colo.	Myers	Wilson, Bob
Findley	Natcher	Winn
Fish	Nichols	Wold
Fisher	O'Konski	Wydler
Flowers	O'Neal, Ga.	Wylie
Flynt	Passman	Wyman
Foreman	Pelly	Zion
Fountain	Pickle	Zwach

NAYS—141

Adams	Daniels, N.J.	Hamilton
Addabbo	Dent	Hanley
Alexander	Diggs	Hanna
Anderson, Calif.	Dingell	Hansen, Wash.
Annunzio	Donohue	Hathaway
Ashley	Dulski	Hawkins
Barrett	Eckhardt	Hays
Beall, Md.	Edwards, Calif.	Hechler, W. Va.
Biaggi	Eilberg	Heckler, Mass.
Bingham	Fallon	Helstoski
Boland	Farbstein	Hicks
Bolling	Fascell	Horton
Brademas	Feighan	Hungate
Brasco	Flood	Jacobs
Brooks	Foley	Joelson
Brown, Calif.	Fraser	Johnson, Calif.
Burke, Mass.	Friedel	Karth
Burlison, Mo.	Fulton, Pa.	Kastenmeier
Burton, Calif.	Fulton, Tenn.	Kluczynski
Chisholm	Garmatz	Koch
Clark	Gaydos	Kyros
Clay	Gibbons	Leggett
Cohelan	Gilbert	Long, Md.
Conte	Gonzalez	McCarthy
Corman	Gray	McFall
Daddario	Green, Pa.	Macdonald,
	Griffiths	

Madden	O'Neill, Mass.	Staggers
Matsunaga	Ottinger	Sullivan
Meeds	Patman	Symington
Melcher	Pepper	Thompson, N.J.
Mikva	Perkins	Tiernan
Miller, Calif.	Philbin	Tunney
Minish	Pike	Ullman
Mink	Pryor, Ark.	Van Deerlin
Mollohan	Pucinski	Vanik
Monagan	Randall	Vigorito
Moorhead	Rees	Waldie
Morgan	Reid, N.Y.	Whalen
Morse	Reuss	White
Moss	Rodino	Wilson,
Murphy, Ill.	Rogers, Colo.	Charles H.
Murphy, N.Y.	Ronan	Wolff
Nedzi	Rooney, N.Y.	Wright
Nix	Rostenkowski	Wyatt
Obey	Roybal	Yatron
O'Hara	Ryan	Young
Olsen	Scheuer	Zablocki

NOT VOTING—71

Abbitt	Dickinson	Mathias
Albert	Esch	Minshall
Anderson, Tenn.	Eshleman	Morton
	Evins, Tenn.	Nelsen
Andrews, N. Dak.	Ford, Gerald R	Patten
	Ford, William D.	Pettis
Ashbrook		Pirnie
Berry	Frelinghuysen	Podell
Blatnik	Gallagher	Powell
Boggs	Halpern	Price, Ill.
Brock	Hastings	Rooney, Pa.
Broomfield	Hébert	Rosenthal
Brown, Mich.	Holifield	Ruppe
Burton, Utah	Hosmer	St Germain
Byrne, Pa.	Howard	St. Onge
Carey	Johnson, Pa.	Sandman
Celler	Kirwan	Saylor
Clausen, Don H.	Landgrebe	Smith, Calif.
	Lipscomb	Stokes
Conyers	Lloyd	Stratton
Culver	Long, La.	Udall
Davis, Ga.	Lowenstein	Watkins
Dawson	Lujan	Whalley
Delaney	MacGregor	Whitten
Derwinski	Mailliard	Yates

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Long of Louisiana for, with Mr. Holifield against.

Mr. Hébert for, with Mr. Halpern against.

Mr. Smith of California for, with Mr. Byrne of Pennsylvania against.

Mr. Whitten for, with Mr. Yates against.

Mr. Abbitt for, with Mr. Howard against.

Mr. Dickinson for, with Mr. Carey against.

Mr. Berry for, with Mr. Celler against.

Mr. Mathias for, with Mr. Delaney against.

Mr. Johnson of Pennsylvania for, with Mr. St. Onge against.

Mr. Broomfield for, with Mr. Patten against.

Mr. Frelinghuysen for, with Mr. Lowenstein against.

Mr. Andrews of North Dakota for, with Mr. Podell against.

Mr. Burton of Utah for, with Mr. St Germain against.

Mr. Sandman for, with Mr. Blatnik against.

Mr. Hosmer for, with Mr. Rosenthal against.

Mr. Davis of Georgia for, with Mr. Rooney of Pennsylvania against.

Mr. Ashbrook for, with Mr. Price of Illinois against.

Mr. Eshleman for, with Mr. Kirwan against.

Mr. Brock for, with Mr. Gallagher against.

Mr. Pettis for, with Mr. Udall against.

Mr. Lloyd for, with Mr. Conyers against.

Mr. Nelsen for, with Mr. Stokes against.

Mr. Lujan for, with Mr. William D. Ford against.

Until further notice:

Mr. Albert with Mr. Gerald R. Ford.

Mr. Evins of Tennessee with Mr. Mailliard.

Mr. Boggs with Mr. Morton.

Mr. Anderson of Tennessee with Mr. Brown of Michigan.

Mr. Culver with Mr. Don H. Clausen.

Mr. Stratton with Mr. Derwinski.

Mr. Lipscomb with Mr. Esch.

Mr. Pirnie with Mr. Landgrebe.

Mr. MacGregor with Mr. Ruppe.

Mr. Watkins with Mr. Hastings.

Mr. Powell with Mr. Whalley.

Mr. Saylor with Mr. Minshall.

Mr. MOLLOHAN and Mr. ROBERTS changed their votes from "nay" to "yea."

Mr. FULTON of Tennessee, Mr. STAGGERS, and Mr. MOLLOHAN changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

ADOPTION OF THE INTERSTATE COMPACT ON JUVENILES BY THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, at this time I yield to the gentleman from Michigan (Mr. DIGGS) to call up the bill reported by his subcommittee.

Mr. DIGGS. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 8868) to authorize the District of Columbia to enter into the interstate compact on juveniles, and ask unanimous consent that the bill be considered in the House as in Committee on the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the bill, as follows:

H.R. 8868

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Congress finds that (1) juveniles who are not under proper supervision and control, or who have absconded, escaped, or run away, are likely to endanger their own health, morals, and welfare, and the health, morals, and welfare of others, and (2) the cooperation of the District of Columbia with the States is necessary to provide for the welfare and protection of juveniles and other persons in the District of Columbia.

(b) The Congress intends, in authorizing the District of Columbia to adopt the Interstate Compact on Juveniles, to have the District of Columbia cooperate fully with the States (1) in returning juveniles to those States requesting their return, and (2) in accepting and providing for the return of juveniles who are residents in the District of Columbia and who are found or apprehended in a State.

SEC. 2. (a) The Commissioner of the District of Columbia (hereafter in this Act referred to as the "Commissioner") is authorized to enter into and execute on behalf of the District of Columbia a compact with any State or States legally joining therein in the form substantially as follows:

"THE INTERSTATE COMPACT ON JUVENILES

"The contracting states solemnly agree:

"ARTICLE I—*Findings and Purposes*

"That juveniles who are not under proper supervision and control, or who have absconded, escaped, or run away, are likely to endanger their own health, morals and welfare, and the health, morals and welfare of others. The cooperation of the states party to this compact is therefore necessary to provide for the welfare and protection of juveniles and of the public with respect to (1) cooperative supervision of delinquent juveniles on probation or parole; (2) the return, from one state to another, of delinquent juveniles who have escaped or absconded; (3) the return, from one state to another, of non-delinquent juveniles who have run away from home; and (4) additional measures for the protection of juveniles and of the public, which any two or more of the party states may find desirable to undertake cooperatively. In carrying out the provisions of this compact the party states shall be guided by the non-criminal, reformative and protective policies which guide their laws concerning delinquent, neglected or dependent juveniles generally. It shall be the policy of the states party to this compact to cooperate and observe their respective responsibilities for the prompt return and acceptance of juveniles and delinquent juveniles who become subject to the provisions of this compact. The provisions of this compact shall be reasonably and liberally construed to accomplish the foregoing purposes.

"ARTICLE II—*Existing Rights and Remedies*

"That all remedies and procedures provided by this compact shall be in addition to and not in substitution for other rights, remedies and procedures, and shall not be in derogation of parental rights and responsibilities.

"ARTICLE III—*Definitions*

"That, for the purposes of this compact, 'delinquent juvenile' means any juvenile who has been adjudged delinquent and who, at the time the provisions of this compact are invoked, is still subject to the jurisdiction of the court that has made such adjudication or to the jurisdiction or supervision of an agency or institution pursuant to an order of such court; 'probation or parole' means any kind of conditional release of juveniles authorized under the laws of the states party hereto; 'court' means any court having jurisdiction over delinquent, neglected or dependent children; 'state' means any state, territory or possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico; and 'residence' or any variant thereof means a place at which a home or regular place of abode is maintained.

"ARTICLE IV—*Return of Runaways*

"(a) That the parent, guardian, person or agency entitled to legal custody of a juvenile who has not been adjudged delinquent but who has run away without the consent of such parent, guardian, person or agency may petition the appropriate court in the demanding state for the issuance of a requisition for his return. The petition shall state the name and age of the juvenile, the name of the petitioner and the basis of entitlement to the juvenile's custody, the circumstances of his running away, his location if known at the time application is made, and such other facts as may tend to show that the juvenile who has run away is endangering his own welfare or the welfare of others and is not an emancipated minor. The petition shall be verified by affidavit, shall be executed in duplicate, and shall be accompanied by two certified copies of the document or documents on which the petitioner's entitlement to the juvenile's custody is based, such as birth certificates, letters of guardianship, or custody decrees. Such further affidavits and other documents as may be deemed proper may be submitted with such petition. The judge of the court to which this application is made may hold a hearing thereon to determine whether for the purposes of this compact the petitioner is entitled to the legal custody of the juvenile, whether or not it appears that the juvenile has in fact run away without consent, whether or not he is an emancipated minor, and whether or not it is in the best interest of the juvenile to compel his return to the state. If the judge determines, either with or without a hearing, that the juvenile should be returned, he shall present the appropriate court or to the executive authority of the state where the juvenile is alleged to

be located a written requisition for the return of such juvenile. Such requisition shall set forth the name and age of the juvenile. The determination of the court that the juvenile has run away without the consent of a parent, guardian, person or agency entitled to his legal custody, and that it is in the best interest and for the protection of such juvenile that he be returned. In the event that a proceeding for the adjudication of the juvenile as a delinquent, neglected or dependent juvenile is pending in the court at the time when such juvenile runs away, the court may issue a requisition for the return of such juvenile upon its own motion, regardless of the consent of the parent, guardian, person or agency entitled to legal custody, reciting therein the nature and circumstances of the pending proceeding. The requisition shall in every case be executed in duplicate and shall be signed by the judge. One copy of the requisition shall be filed with the compact administrator of the demanding state, there to remain on file subject to the provisions of law governing records of such court. Upon the receipt of a requisition demanding the return of a juvenile who has run away, the court or the executive authority to whom the requisition is addressed shall issue an order to any peace officer or other appropriate person directing him to take into custody and detain such juvenile. Such detention order must substantially recite the facts necessary to the validity of its issuance hereunder. No juvenile detained upon such order shall be delivered over to the officer whom the court demanding him shall have appointed to receive him, unless he shall first be taken forthwith before a judge of a court in the state, who shall inform him of the demand made for his return, and who may appoint counsel or guardian ad litem for him. If the judge of such court shall find that the requisition is in order, he shall deliver such juvenile over to the officer whom the court demanding him shall have appointed to receive him.

The judge, however, may fix a reasonable time to be allowed for the purpose of testing the legality of the proceeding.

"Upon reasonable information that a person is a juvenile who has run away from another state party to this compact without the consent of a parent, guardian, person or agency entitled to his legal custody, such juvenile may be taken into custody without a requisition and brought forthwith before a judge of the appropriate court who may appoint counsel or guardian ad litem for such juvenile and who shall determine after a hearing whether sufficient cause exists to hold the person, subject to the order of the court, for his own protection and welfare, for such a time not exceeding 90 days as will enable his return to another state party to this compact pursuant to a requisition for his return from a court of that state. If, at the time when a state seeks the return of a juvenile who has run away, there is pending in the state wherein he is found any criminal charge, or any proceeding to have him adjudicated a delinquent juvenile for an act committed in such state, or if he is suspected of having committed within such state a criminal offense or an act of juvenile delinquency, he shall not be returned without the consent of such state until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for such offense or juvenile delinquency. The duly accredited officers of any state party to this compact, upon the establishment of their authority and the identity of the juvenile being returned, shall be permitted to transport such juvenile through any and all states party to this compact, without interference. Upon his return to the state from which he ran away, the juvenile shall be subject to such further proceedings as may be appropriate under the laws of that state.

"(b) That the state to which a juvenile is returned under this Article shall be responsible for payment of the transportation costs of such return.

"(c) That 'juvenile' as used in this Article means any person who is a minor under the law of the state of residence of the parent, guardian, person or agency entitled to the legal custody of such minor.

"ARTICLE V—*Return of Escapees and Absconders*

"(a) That the appropriate person or authority from whose probation or parole supervision a delinquent juvenile has absconded or from whose institutional custody he has escaped shall present to the appropriate court or to the executive authority of the state where the delinquent juvenile is alleged to be located a written requisition for the return of such delinquent juvenile. Such requisition shall state the name and age of the delinquent juvenile, the particulars of his adjudication as a delinquent juvenile, the circumstances of the breach of the terms of his probation or parole or of his escape from an institution or agency vested with his legal custody or supervision, and the location of such delinquent juvenile, if known, at the time the requisition is made. The requisition shall be verified by affidavit, shall be executed in duplicate, and shall be accompanied by two certified copies of the judgment, formal adjudication, or order of commitment which subjects such delinquent juvenile to probation or parole or to the legal custody of the institution or agency concerned. Such further affidavits and other documents as may be deemed proper may be submitted with such requisition. One copy of the requisition shall be filed with the compact administrator of the demanding state, there to remain on file subject to the provisions of law governing records of the appropriate court. Upon the receipt of a requisition demanding the return of a delinquent juvenile who has absconded or escaped, the court or the executive authority to whom the requisition is addressed shall issue an order to any peace officer or other appropriate person directing him to take into custody and detain such delinquent juvenile. Such detention order must substantially recite the facts necessary to the validity of its issuance hereunder. No delinquent juvenile detained upon such order shall be delivered over to the officer whom the appropriate person or authority demanding him shall have appointed to receive him, unless he shall first be taken forthwith before a judge of an appropriate court in the state, who shall inform him of the demand made for his return and who may appoint counsel or guardian ad litem for him. If the judge of such court shall find that the requisition is in order, he shall deliver such delinquent juvenile over to the officer whom the appropriate person or authority demanding him shall have appointed to receive him. The judge, however, may fix a reasonable time to be allowed for the purpose of testing the legality of the proceeding.

"Upon reasonable information that a person is a delinquent juvenile who has absconded while on probation or parole, or escaped from an institution or agency vested with his legal custody or supervision in any state party to this compact, such person may be taken into custody in any other State party to this compact without a requisition. But in such event, he must be taken forthwith before a judge of the appropriate court, who may appoint counsel or guardian ad litem for such person and who shall determine, after a hearing, whether sufficient cause exists to hold the persor subject to the order of the court for such a time, not exceeding 90 days, as will enable his detention under a detention order issued on a requisition pursuant to this article. If, at the time when a State seeks the return of a delinquent juvenile who has either absconded while on probation or parole or escaped from an institution or agency vested with his legal custody or supervision, there is pending in the State wherein he is detained any criminal charge or any proceeding to have him adjudicated a delinquent juvenile for an act committed in such State, or if he is suspected of having committed within such State a criminal offense or an act of juvenile delinquency, he shall not be returned without the consent of such State until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for such offense or juvenile delinquency. The duly accredited officers of any state party to this compact, upon the establishment of their authority and the identity of the delinquent juvenile being returned, shall be permitted to transport such delinquent juvenile through any and all States party to this compact, without interference. Upon his return to the State from which he escaped or absconded, the delinquent juvenile shall be subject to such further proceedings as may be appropriate under the laws of that State.

"(b) That the State to which a delinquent juvenile is returned under this article shall be responsible for the payment of the transportation costs of such return.

"ARTICLE VI—*Voluntary Return Procedure*

"That any delinquent juvenile who has absconded while on probation or parole, or escaped from an institution or agency vested with his legal custody or supervision in any state party to this compact, and any juvenile who has run away from any state party to this compact, who is taken into custody without a requisition in another state party to this compact under the provisions of Article IV(a) or of Article V(a), may consent to his immediate return to the state from which he absconded, escaped or ran away. Such consent shall be given by the juvenile or delinquent juvenile and his counsel or guardian ad litem if any, by executing or subscribing a writing, in the presence of a judge of the appropriate court, which states that the juvenile or delinquent juvenile and his counsel or guardian ad litem, if any, consent to his return to the demanding state. Before such consent shall be executed or subscribed, however, the judge, in the presence of counsel or guardian ad litem, if any, shall inform the juvenile or delinquent juvenile of his rights under this compact. When the consent has been duly executed, it shall be forwarded to and filed with the compact administrator of the state in which the court is located and the judge shall direct the officer having the juvenile or delinquent juvenile in custody to deliver him to the duly, accredited officer or officers of the state demanding his returning, and shall cause to be delivered to such officer or officers a copy of the consent. The court may, however, upon the request of the state to which the juvenile or delinquent juvenile is being returned, order him to return unaccompanied to such state and shall provide him with a copy of such court order; in such event a copy of the consent shall be forwarded to the compact administrator of the state to which said juvenile or delinquent juvenile is ordered to return.

"ARTICLE VII—*Cooperative Supervision of Probationers and Parolees*

"(a) That the duly constituted judicial and administrative authorities of a state party to this compact (herein called 'sending state') may permit any delinquent juvenile within such state, placed on probation or parole, to reside in any other state party to this compact (herein called "receiving state") while on probation or parole, and the receiving state shall accept such delinquent juvenile, if the parent, guardian or person entitled to the legal custody of such delinquent juvenile is residing or undertakes to reside within the receiving state. Before granting such permission, opportunity shall be given to the receiving state to make such

investigations as it deems necessary. The authorities of the sending state shall send to the authorities of the receiving state copies of pertinent court orders, social case studies and all other available information which may be of value to and assist the receiving state in supervising a probationer or parolee under this compact. A receiving state, in its discretion, may agree to accept supervision of a probationer or parolee in cases where the parent, guardian or person entitled to the legal custody of the delinquent juvenile is not a resident of the receiving state, and if so accepting the sending state may transfer supervision accordingly.

"(b) That each receiving state will assume the duties of visitation and of supervision over any such delinquent juvenile and in the exercise of those duties will be governed by the same standards of visitation and supervision that prevail for its own delinquent juveniles released on probation or parole.

"(c) That, after consultation between the appropriate authorities of the sending state and of the receiving state as to the desirability and necessity of returning such a delinquent juvenile, the duly accredited officers of a sending state may enter a receiving state and there apprehend and retake any such delinquent juvenile on probation or parole. For that purpose, no formalities will be required, other than establishing the authority of the officer and the identity of the delinquent juvenile to be retaken and returned. The decision of the sending state to retake a delinquent juvenile on probation or parole shall be conclusive upon and not reviewable within the receiving state, but if, at the time the sending state seeks to retake a delinquent juvenile on probation or parole, there is pending against him within the receiving state any criminal charge or any proceeding to have him adjudicated a delinquent juvenile for any act committed in such state or if he is suspected of having committed within such state a criminal offense or an act of juvenile delinquency, he shall not be returned without the consent of the receiving state until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for such offense or juvenile delinquency. The duly accredited officers of the sending state shall be permitted to transport delinquent juveniles being so returned through any and all states party to this compact, without interference.

"(d) That the sending state shall be responsible under this Article for paying the costs of transporting any delinquent juvenile to the receiving state or of returning any delinquent juvenile to the sending state.

"ARTICLE VIII—*Responsibility for Costs*

"(a) That the provisions of Articles IV(b), V(b) and VII(d) of this compact shall not be construed to alter or affect any internal relationship among the departments, agencies and officers of and in the government of a party state, or between a party state and its subdivisions, as to the payment of costs, or responsibilities therefor.

"(b) That nothing in this compact shall be construed to prevent any party state or subdivision thereof from asserting any right against any person, agency or other entity in regard to costs for which such party state or subdivision thereof may be responsible pursuant to Articles IV(b), V(b) or VII(d) of this compact.

"ARTICLE IX—*Detention Practices*

"That, to every extent possible, it shall be the policy of states party to this compact that no juvenile or delinquent juvenile shall be placed or detained in any prison, jail or lockup nor be detained or transported in association with criminal, vicious or dissolute persons.

"ARTICLE X—*Supplementary Agreements*

"That the duly constituted administrative authorities of a state party to this compact may enter into supplementary agreements with other state or states party hereto for the cooperative care, treatment and rehabilitation of delinquent juveniles whenever they shall find that such agreements will improve the facilities or programs available for such care, treatment, and rehabilitation. Such care, treatment and rehabilitation may be provided in an institution located within any state entering into such supplementary agreement. Such supplementary agreements shall (1) provide the rates to be paid for the care, treatment and custody of such delinquent juveniles, taking into consideration the character of facilities, services and subsistence furnished (2) provide that the delinquent juvenile shall be given a court hearing prior to his being sent to another state for care, treatment and custody; (3) provide that the state receiving such a delinquent juvenile in one of its institutions shall act solely as agent for the state sending such delinquent juvenile; (4) provide jurisdiction over delinquent juveniles sent to an institution in another state; (5) provide that the sending state shall at all times retain for reasonable inspection of such institutions by the sending state; (6) provide that the consent of the parent, guardian, person or agency entitled to the legal custody of said delinquent juvenile shall be secured prior to his being sent to another state and (7) make provision for such other matters and details as shall be necessary to protect the rights and equities of such delinquent juveniles and of the cooperating states.

"ARTICLE XI—*Acceptance of Federal and Other Aid*

"That any state party to this compact may accept any and all donations, gifts and grants of money, equipment and services from the federal or any local government, or any agency thereof and from any person, firm or corporation, for any of the purposes and functions of this compact, and may receive and utilize, the same subject to the terms, conditions and regulations governing such donations, gifts and grants.

"ARTICLE XII—*Compact Administrators*

"That the governor of each state party to this compact shall designate an officer who, acting jointly with like officers of other party states, shall promulgate rules and regulations to carry out more effectively the terms and provisions of this compact.

"ARTICLE XIII—*Execution of Compact*

"That this compact shall become operative immediately upon its execution by any state as between it and any other state or states so executing. When executed it shall have the full force and effect of law within such state, the form or execution to be in accordance with the laws of the executing state.

"ARTICLE XIV—*Renunciation*

"That this compact shall continue in force and remain binding upon each executing state until renounced by it. Renunciation of this compact shall be by the same authority which executed it, by sending six months' notice in writing of its intention to withdraw from the compact to the other states party hereto. The duties and obligations of a renouncing state under Article VII hereof shall continue as to parolees and probationers residing therein at the time of withdrawal until retaken or finally discharged. Supplementary agreements entered into under Article X hereof shall be subject to renunciation as provided by such supplementary agreements, and shall not be subject to the six months' renunciation notice of the present Article.

"ARTICLE XV—*Severability*

"That the provisions of this compact shall be severable and if any phase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any participating state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstances shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters."

(b) The Commissioner may enter into and execute on behalf of the District of Columbia the following additional articles to the Interstate Compact on Juveniles:

"ARTICLE XVI—*Additional Provision Relating to Return of Minor Children*

"This article shall provide additional remedies, and shall be binding only as among and between those party states which specifically execute the same.

"For the purposes of this article, 'child', as used herein, means any minor within the jurisdictional age limits of any court in the home state.

"When any child is brought before a court of a state of which such child is not a resident, and such state is willing to permit such child's return to the home state of such child, such home state, upon being so advised by the state in which such proceeding is pending, shall immediately institute proceedings to determine the residence and jurisdictional facts as to such child in such home state, and upon finding that such child is in fact a resident of said state and subject to the jurisdiction of the court thereof, shall within five days authorize the return of such child to the home state, and to the parent or custodial agency legally authorized to accept such custody in such home state, and at the expense of such home state, to be paid from such funds as such home state may procure, designate, or provide, prompt action being of the essence.

"ARTICLE XVII—*Additional Provision Concerning Interstate Rendition of Juveniles Alleged To Be Delinquent*

"This article shall provide additional remedies, and shall be binding only as among and between those party states which specifically execute the same.

"All provisions and procedures of articles V and VI of the Interstate Compact on Juveniles shall be construed to apply to any juvenile charged with being a delinquent by reason of a violation of any criminal law. Any juvenile, charged with being a delinquent by reason of violating any criminal law shall be returned to the requesting State upon a requisition to the State where the juvenile may be found. A petition in such case shall be filed in a court of competent jurisdiction in the requesting State where the violation of criminal law is alleged to have been committed. The petition may be filed regardless of whether the juvenile has left the State before or after the filing of the petition. The requisition described in article V of the compact shall be forwarded by the judge of the court in which the petition has been filed."

SEC. 3. (a) The Commissioner shall appoint or designate an officer of the government of the District of Columbia (hereafter in this Act referred to as the "compact administrator") to administer the compact. The compact administrator shall serve at the pleasure of the Commissioner.

(b) The compact administrator, acting jointly with like officers of party States, shall promulgate rules and regulations to carry out more effectively the terms of the compact. The compact administrator shall cooperate with all departments, agencies, and officers of the government of the District of Columbia in facilitating the proper administration of the compact or of any supplementary agreement entered into by the compact

administrator under subsection (c) of this section.

(c) Subject to the approval of the Commissioner, the compact administrator may enter into supplementary agreements with appropriate State officials for the purposes of administering the compact.

(d) Subject to the approval of the Commissioner, the compact administrator may make or arrange for any payments necessary to discharge any financial obligations imposed upon the District of Columbia by the compact or by any supplementary agreement entered into under subsection (c) of this section.

SEC. 4. The courts, departments, agencies, and officers of the District of Columbia shall enforce the compact and shall take such action as may be necessary to carry out the purposes and intent of the compact which may be within their respective jurisdictions.

SEC. 5. The compact shall not be construed to prohibit the adoption of any other plan or procedure for the District of Columbia for the return of any runaway juvenile.

Mr. DIGGS. Mr. Speaker, the purpose of H.R. 8868 is to authorize the Commissioners of the District of Columbia to cooperate fully with the various States in two ways; namely, first, in returning juveniles from the District to those States requesting their return; and second, in accepting and providing for the return of juveniles who are residents of the District of Columbia and who are found or apprehended in other States.

The bill provides further that the compact will be administered in the District by an official designated by the Commissioner. This will assure the advantages of localizing responsibility and centralizing information.

HISTORY OF THE INTERSTATE COMPACT ON JUVENILES

In the early 1950's, financial and legal problems involving the transportation, supervision, and control of juvenile delinquents between State jurisdictions reached the stage where a need for some form of interstate agreement on the handling of juveniles was apparent.

Virtually all leading spokesmen in the field of juvenile delinquency concurred in the belief that the States should adopt legislation similar to that which already had proved successful for the supervision of adult parolees and probationers; namely, uniform procedures to expedite the return of delinquent and runaway juveniles from other States and to assure proper supervision of a juvenile whose offense was committed and adjudicated in one State but who subsequently was authorized to reside in another State.

In 1954, the National Council of Juvenile Court Judges drafted a preliminary interstate compact on juveniles. Later that same year, the Council of State Governments, assisted by such organizations as the National Probation and Parole Association, the American Public Welfare Association, and the Special Committee on Juvenile Delinquency of the U.S. Senate, drafted the present interstate compact on juveniles.

Final action on this interstate compact was taken by these and other groups in January of 1955. That same year, 10 State legislatures adopted this compact, and today the compact is law in all but three States. These are New Mexico, Georgia, and South Carolina.

HEARINGS

A public hearing on this proposed legislation was conducted on July 1, 1969, by Subcommittee No. 2. At that time, testimony in favor of its enactment was offered by spokesmen for the U.S. Department of Justice, the Federal Bureau of Prisons, the Association of Juvenile Compact Administrators of the Council of State Governments, the Maryland State Department of Juvenile Services, the Virginia Department of Welfare and Institutions, and the government of the District of Columbia. No opposition to the bill was expressed.

NEED FOR LEGISLATION

Your committee is informed that the FBI uniform crime reports continue to indicate an increase in crime throughout the country especially among juveniles. Serious crime increased by 10 percent nationally during the first 3 months of 1969, as compared to the same period in 1968. Any effort to reduce the incidence of crime must include in the opinion of your committee, programs to provide effective control and correction of juvenile offenders.

This view is adequately supported by the ugly facts concerning juvenile crime in the Nation's Capital. Statistics released last April by the District of Columbia juvenile court reveal an increase during the first 3 months of this year in juveniles charged with serious crimes. These included 12 juveniles, three of whom were less than 16 years of age, who were charged with homicide. Seventy-nine were charged with armed robbery during this period. Further, a national report indicates that youths today are committing about one-half of all the serious crimes in the United States.

This situation emphasizes the need for speedy apprehension and swift justice in dealing with these youthful offenders, since the certainty of apprehension is probably the most effective deterrent to crime. During the first 3 months of this year, for example, a total of 305 repeater juveniles were arrested in the District of Columbia while awaiting final disposition of their previous offenses.

Certainly one important step in achieving more effective treatment of juvenile delinquents in the District would be to equip the city's law enforcement officials with the tools to pursue and arrest juveniles who seek refuge behind jurisdictional boundaries to escape apprehension. This vitally important authority will be provided by the enactment of H.R. 8868, which will result in the District's entering into the interstate compact on juveniles.

Your committee is informed that at the present time, the District of Columbia juvenile authorities have little difficulty in having delinquents and runaway juveniles returned from the neighboring States of Virginia and Maryland, because of an informal pact existing among these jurisdictions. However, the District of Columbia does have a serious problem in regard to runaway juveniles. Your committee is advised that this city is presently a haven for such runaways, and there is great need for authority to return these juveniles to their homes in New York, New Jersey, North Carolina, and many other States. It is estimated that this use of the compact would involve approximately 50 to 100 juveniles per year in the District of Columbia. This committee was advised also that the compact administrators in other States are highly in favor of the enactment of H.R. 8868, as it will enable them for the first time to deal effectively with the District of Columbia with respect to juvenile refugees, as they can presently do with the other 46 member States.

Mr. GUDE. Mr. Speaker, as sponsor of H.R. 8868, I rise to urge the passage of this legislation which would authorize the District of Columbia to enter into the interstate compact on juveniles.

As we continue our struggle against crime at all levels of government, it is imperative we give particular attention to the role of juveniles. This is dramatically revealed in the statistics that out of every 10 adult crime offenders 7 have had some type of juvenile record. We must upgrade all elements of our legal machinery in dealing with juveniles from the time of arrest to probation, parole, and final release.

The bill we are considering today is an important step in assisting the District of Columbia officials and officials of many other States of the Union who must work with juvenile offenders or runaways who cross jurisdictional boundaries. It will assist in guaranteeing that juveniles receive justice with deliberate speed which is an important element of any effective crime-fighting effort.

The legislation would assist in returning juvenile offenders or runaways from the District of Columbia to States requesting their return and also make it possible to accept and provide for the return from other jurisdictions of juvenile offenders or runaways who are residents of the District of Columbia. It would not, however, in any way relieve parents of their responsibilities.

Because of the growing amount of travel throughout the country juvenile authorities in the early 1950's developed the idea of an Interstate Compact Authority to better deal with the movement of juvenile offenders and runaways across jurisdictional boundaries. Today all but three States: New Mexico, Georgia, and South Carolina, are signators to the interstate compact.

Maryland, the District of Columbia and Virginia juvenile authorities testified in support of this bill as did the Department of Justice. A statement of support was also submitted in behalf of the Association of Juvenile Compact Administrators of the Council of State Governments.

I hope that the House will give its full support to this—an important measure in dealing with juvenile crime specifically and the care of juveniles in general.

Mr. HOGAN. Mr. Speaker, I rise in support of H.R. 8868, which authorizes the District of Columbia to enter into the interstate compact on juveniles.

As a cosponsor of this bill, I would like to point out to my colleagues some features of this measure for their consideration.

All are agreed that a problem exists with runaway juveniles, both delinquent

and nondelinquent. Thousands of youngsters every day leave parental control. Some of these juveniles, lured to the large cities, cross State lines, and travel great distances. Today's transportation systems offer a mobility which compounds the problem. Years ago, a juvenile was not likely to get too far from home. But today this is not so. This means that whoever has control, parental or otherwise, spends a considerable amount of time trying to find these runaways, and, then even after they are discovered, spends a great deal more time to effect their return.

This bill would assist in securing a speedy return of these runaways who cross State boundaries by providing for simplified legal procedures to expedite the return of delinquents and nondelinquents. Further, it permits an intelligent solution to the problem of control over juvenile probationers or parolees when they reside with their parents or guardians in a State other than that in which they were sentenced.

I think that, with the greater mobility of our present day society, this bill is very necessary, and reasonable. The juvenile remains under the control of the parent or guardian and is not separated. In these cases, the receiving State exercises the duties of supervision.

For the juvenile runaway, there are safeguards in this bill as to the manner of detention. Any State party to this compact must see to it that these minors are not detained in any prison or jail, and are not transported in association with hardened criminals.

I believe that the District of Columbia, by becoming a party to this compact, will make a progressive step forward to an enlightened solution of this ever-increasing problem. Therefore, I urge my distinguished colleagues to vote in favor of this bill.

Mr. BROYHILL of Virginia. Mr. Speaker, I wish to commend to my colleagues for favorable action the bill H.R. 8868, of which I am pleased to be a cosponsor. The purpose of this legislation is to authorize the District of Columbia to enter into the interstate compact on juveniles.

This compact was ratified by the first State in December of 1955, and today it has been adopted by every State in the Union with the exception of New Mexico, Georgia, and South Carolina.

The interstate compact on juveniles has provided a uniform agreement virtually national in scope, providing a legal procedure and means for the proper handling of delinquent juveniles who seek to avoid apprehension by fleeing to another State, and also runaway juveniles who have not been adjudged as delinquent. The compact actually has a twofold purpose. It protects the rights and the best interests of the juveniles themselves, and at the same time it provides the courts a legal structure and procedure by which the interests of the member States and of the general public also are served. Also, it is important to note that this compact does not limit other existing legislation relating to juveniles, nor does it abrogate parental authority.

In essence, the compact provides for the following:

First, the return to their home State of runaways who have not as yet been adjudged delinquent;

Second, the return of absconders and escapees to the State from which they absconded or escaped;

Third, investigation, placement, and supervision of a delinquent juvenile who is to be placed in a State other than the one in which he committed an offense; and

Fourth, additional measures for the protection of juveniles and the public that any two or more of the member States may find advisable to undertake cooperatively.

These provisions in the compact thus provide the member States a maximum of opportunity for the proper handling of refugee juveniles, both as to their return to their home States when this is deemed advisable, and also in the matter of helping the delinquent youngsters in many instances by providing them the most effective programs of rehabilitation.

All these benefits, however, are presently denied the District of Columbia, which thus exists as an island of isolation in which this highly effective program cannot operate. The neighboring States of Maryland and Virginia, for example, enjoy this legal structure by which they can have children returned to them who have run away to other States, and also can return to other States children who have run away and come within their borders. However, the juvenile authorities in both these States complain that they cannot exercise either of these legal prerogatives in the case of juveniles who abscond from Maryland or Virginia into the District of Columbia or vice versa. And worst of all, of course, is the plight of the District of Columbia itself, which lacks the advantages of the compact in its relationship to all the States.

As a consequence, since juvenile delinquents and runaways are not subject to the extradition process which may be applied in the case of an adult criminal, the transfer of juvenile refugees to or from the District at present can legally be accomplished only through arrangements between the welfare departments of the District of Columbia and of the other State involved. This is highly unsatisfactory for many reasons. First, there is no opportunity for a judicial proceeding to determine the status of the youth in question. Also, the cooperative process between welfare departments is lengthy and time consuming. And further, the simple fact is that most welfare departments are not equipped to supervise delinquent boys 16 to 18 years of age.

This isolated position of the District of Columbia, by reason of which it is most difficult for the District either to secure the return of its juvenile offenders who flee to other jurisdictions or to rid the city of the undesirable juveniles from other States who seek refuge here in the Nation's Capital, has made this city a veritable haven for juvenile runaways and a leader among cities in the incidence of juvenile crime. During the first 3 months of this year, for example, no less than 12 juveniles in the District were charged with homicide—and three of these offenders were less than 16 years of age. During the same brief period, 79 juveniles were charged with armed robbery. And we will never know, of course, how many such crimes were committed by the District's youth who have never been apprehended.

Mr. Speaker, I do not believe there is a city in the United States where crime is more rampant than right here in the District of Columbia, much of it by youngsters less than 18 years of age. I contend, therefore, that we in the Congress must take every possible means to curb this pestilence that pervades our Nation's Capital.

The bill H.R. 8868, which will authorize the District of Columbia for the first time to adopt the interstate compact on juveniles and thus assure a far better and more effective handling of juveniles fleeing into or out of the city, will afford the District far greater flexibility in the vital area of control of juveniles. Further, this proposed legislation will obviously benefit the entire metropolitan area as a result. There is no question in my mind that the District's entrance into this compact is long overdue.

For these reasons, Mr. Speaker, I urge the support of my colleagues in the House for this vitally important bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VACATION WORK PERMITS FOR MINORS IN THE DISTRICT OF COLUMBIA

Mr. DIGGS. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 12671) to amend the act of May 29, 1928, to facilitate and encourage the employment of minors in the District of Columbia between the ages of 14 and 16 during the summer and other school vacation periods, and for other purposes, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the bill, as follows:

H.R. 12671

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. The first sentence of section 2 of the Act entitled "An Act to regulate the employment of minors within the District of Columbia", approved May 29, 1926 (D.C. Code, sec. 36–202), is amended by striking out "seven o'clock in the evening" and inserting in lieu thereof "ten o'clock in the evening".

SEC. 2. (a) The first sentence of section 12 of such Act of May 29, 1928 (D.C. Code, sec. 36–212), is amended by striking out "if the age" and all that follows down through and including the period at the end of such sentence and inserting in lieu thereof the following: "if the application of such minor for such permit is accompanied by (1) a

written certification of the parent, guardian, or custodian of the minor that the minor is at least fourteen years of age and is physically fit, and (2) the statement relating to his employment required by paragraph (a) of section 10 of this Act. Such minor may be required to file the certificate of physical fitness required by paragraph (c) of section 10 of this Act. A permit issued under this section to any minor who is found to be physically unqualified for the employment in which he is engaged may be canceled."

(b) Section 10 of such Act (D.C. Code, sec. 36–210) is amended by striking out "SEC. 10. The officer" and inserting in lieu thereof "SEC. 10. Except as provided in section 12 of this Act, the officer".

Mr. DIGGS. Mr. Speaker, the purpose of H.R. 12671, which was requested by the Commissioner of the District of Columbia, is to amend the present District of Columbia law with respect to the issuance of vacation work permits to minors between the ages of 14 and 16 years, in order to expedite and encourage the issuance of such permits.

PRESENT LAW

Under existing District of Columbia law—D.C. Code, sec. 36–212—a minor between the ages of 14 and 16 years who wishes to work during the regular summer vacation period of the District of Columbia public schools, or at any other times when the schools are not in session, must obtain a vacation work permit from the Department of School Attendance and Work Permits of the District of Columbia public school administration. This permit is actually not issued to the minor himself, but is furnished to his prospective employer, who is required to notify the department in writing of its receipt an dreturn the permit to the department upon the termination of the minor's employment. Hence, this vacation work permit is issued to authorize the employment of the minor in one specific job. This permit system is essential not only for the protection of the minors themselves against exploitation and unsuitable employment, but also as a protection for the employers in connection with the child labor laws and also in obtaining adequate employee insurance.

PROVISIONS OF THE BILL

H.R. 12671 will amend the present law with respect to the issuance of vacation work permits as follows:

First. The minor will not be required to be accompanied by his parent, guardian, or custodian when applying for the permit.

Second. The application for a permit must be accompanied by a written certification of the parent, guardian, or custodian of the minor that the child is at least 14 years of age and is physically fit. This written statement will replace the former requirement of a birth certificate or other evidence of the minor's age, and also the requirement of a physical examination and certificate of physical fitness signed by the school medical officer. However, the bill provides that such physical examination may be required, thus leaving this matter to the discretion of the director of the Department of School Attendance and Work Permits. And further, the bill provides that in the event that a minor is found to be physically unqualified for the work in which he is employed, the permit may be canceled.

The bill also amends the existing law by providing that such minors may be employed as late as 10 o'clock in the evening, rather than the present 7 o'clock limitation.

In the matter of extending the hour to which minors 14 and 15 years of age may work, from 7 o'clock in the evening to 10 p.m., your committee believes this to be realistic in view of the fact that many commercial establishments in the city remain open at least until this later hour, together with the consideration that in too many instances, these youngsters would spend these 3 extra hours roaming the streets rather than returning earlier to their homes. Hence, the bill provides for the same later hour which is presently permitted for minors 16 and 17 years of age.

CONCLUSIONS

For the reasons set forth above, your committee is of the opinion that the provisions of this bill, which will amend the present procedure required in connection with issuing vacation work permits to minors from 14 to 16 years of age, so that the youngster will only have to go to the Permit Section Office and submit a written statement from his parent or guardian certifying his age and physical fitness, together with the proper written statement signed by his prospective employer, will provide a great improvement in this process over the present cumbersome, time-consuming procedure with its frustrating array of redtape.

We feel that this legislation will thus serve a very important purpose, by simplifying and expediting the issuance of these permits, thus encouraging the youngsters of the District of Columbia in their efforts to spend their summer vacation periods in gainful employment.

COMMITTEE HEARINGS

A public hearing on this proposed legislation was conducted on June 10, 1969, by Subcommittee No. 2. At this time, testimony in favor of the bill was presented by spokesmen for the District of Columbia Health and Welfare Council, the Economic Development Committee of the District of Columbia Government, Pride, Inc., the Shaw Neighborhood Council for Children and Youth, the District of Columbia Department of Recreation, the Neighborhood Council No. 14, and the Office of the Commissioner of the District of Columbia.

AMENDMENT OFFERED BY MR. BROYHILL OF VIRGINIA

Mr. BROYHILL of Virginia. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROYHILL of Virginia: Strike out section 2(a) and insert in lieu thereof the following:

"SEC. 2. (a) The first sentence of section 12 of such Act of May 29, 1928 (D.C. Code, sec. 36–212), is amended by striking out 'if the age' and all that follows down through and including the period at the end of such sentence and inserting in lieu thereof the following: 'if the application of such minor for such permit is accompanied by (1) evidence of the minor's age as provided in section 11 of this Act, (2) a written certification of the parent, guardian, or custodian of the minor that the minor is physically fit, and (3) the statement relating to his employment required by paragraph (a) of section 10 of this Act. Such minor may be required to file the certificate of physical fitness required by paragraph (c) of section 10 of this Act. A permit issued under this section to any minor who is found to be physically unqualified for the employment in which he is engaged may be cancelled.' "

Mr. BROYHILL of Virginia. Mr. Speaker, the objectionable feature of this bill, as reported, is the provision that evidence of a minor's age will no longer be required in connection with an application for a vacation work permit—issued to minors between the ages of 14 and 16 years for work during school vacation periods.

At present, all minors between the ages 14 and 18 who wish to work in the District of Columbia must obtain a work permit. One requirement for such a permit is the submission of a birth certificate or other evidence of the age of the minor as provided by present law—D.C. Code, sec. 36–211. The reason for this is to prevent the employment of children under 14 years of age, which is deemed to be in the best interests of the child himself.

In lieu of this requirement, the bill H.R. 12671 provides that the minor must present a written certification of his age, signed by his parent or guardian. The school attendance and work permit office, which issues these vacation work permits, objects strongly to this provision, on the grounds that the acceptance of the written statement as to the minor's age will largely destroy the significance of the permit, because there will be no assurance whatever that the statement has actually been signed by the parent or guardian, nor that the statement is true in any event.

It is quite obvious that this objection is well founded, and that if this bill is enacted in its present form, this matter of minimum age will be violated in a great many instances. In some instances, these vacation work permits will undoubtedly be issued and the child employed without his parents' knowledge, which is an abrogation of parental authority and responsibility. Marion Barry, head of Pride, Inc., when testifying in favor of this bill, blandly admitted that he knew many minors put to work through his organization were younger than the legal minimum of 14 years; but Pride, Inc., accepts the parents' word on this matter, so no objections are raised. This same system will undoubtedly prevail under the terms of H.R. 12671, and there will be wholesale employment of children under the age of 14 years in this city.

The proponents of this bill defend this provision on the grounds that a great many children in the District of Columbia were born eleswhere, and that in many such cases the obtaining of a birth certificate is difficult if not impossible.

This argument is specious, however, in view of the facts. The personnel in the work permit office inform me that no child is ever denied his vacation work permit, nor is the issuance of such a permit seriously delayed in any case, by reason of this difficulty. In order to avoid

such delays, the office cooperates in every way with the applicants, as follows:

First. In the case of minors who were born outside the District and who have attended a District of Columbia public school, the permit office will accept the school record as evidence of age, on a temporary basis, but do require the birth certificate as soon as it becomes available. Further, they furnish the child with the form for applying for the birth certificate by mail, from the State of birth. In this connection, every State in the Union has for many years required the registration of all births, for which reason these birth certificates are available in nearly all cases. And in the rare cases where no birth certificate is available, then the present law provides a number of alternative evidences of age which are legally acceptable.

Second. A minor who was born in the District must obtain and present his birth certificate. In the very unusual case where there exists no record of the birth, the permit section first verifies this fact, and then accepts one of the other evidences of age as prescribed in the District of Columbia Code.

In view of these procedures, there is no reason to believe that any child is deprived of the prompt issuance of a vacation work permit by reason of the present requirement of evidence of his age.

The dangers inherent in the prospect of widespread employment of minors younger than 14 years of age are as follows:

First. The concept in law that children less than 14 years of age shall not be employed is nationwide, and is based on the precept that the protection of the child himself requires such a limitation.

Second. These vacation work permits for the younger children are necessary for the protection of the employers themselves, in view of existing child labor laws and also in connection with the employer's insurance coverage on his employees. If these permits in the District of Columbia are henceforth not going to furnish legal evidence to the employer that he is not employing children younger than 14 years, then he is going to become liable in these two important respects.

Third. This provision in H.R. 12671 also creates the ridiculous anomaly of the older minors, those from 16 to 18 years of age, having to present birth certificates to obtain work permits for any time—since the vacation work permit, subject of H.R. 12671, is issued only to minors between 14 and 16 years—and the youngsters between 14 and 16 will no longer have to present such a birth certificate.

The statement of the District of Columbia Corporation Counsel that if it is found that the statement as to a minor's age as required by H.R. 12671 is false, and the minor is actually less than 14 years of age, authority exists in present statutes to revoke the vacation work permit, is no assurance at all in this situation, for quite obvious reasons. The proving that a child who is employed is in fact less than 14 years of age, although he certified to the contrary in obtaining his permit, is not going to happen in enough cases to be of any significance whatever.

The attached amendment will serve to correct this situation in the bill.

Mr. DIGGS. Mr. Speaker, I move to strike the last word.

Mr. Speaker, I am opposed to the amendment offered by the gentleman from Virginia. The whole purpose of the changes that have been proposed by the District of Columbia is the elimination of the cumbersome and frustrating array of redtape that has restricted employment of those youngsters who fall within the age category under discussion this afternoon. Surely, there may be some cases where there may be some misinformation about the age. But I think that this will be minimal. Is the gentleman suggesting that the employers of the District of Columbia, who have to be a party to obtain this permit, would enter into some kind of conspiracy with the juveniles in an effort to exploit this kind of labor market? I do not believe that.

As one who has had a great deal of experience in obtaining birth certificates from various States, I have found the process fraught with many difficulties, particularly in the Southern States from which most of these youngsters come. By the time they would go through the process of proving their age by presenting a birth certificate, half the summer would be over.

I am not one to suggest that there may not be one or two occasions where some parent would lie about an age that may be a borderline case, but I think this would be very minimal. No one suggested in the rather extensive hearings we had before the subcommittee that this would present any particular problem.

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. DIGGS. I yield to the gentleman from Virginia.

Mr. BROYHILL of Virginia. Mr. Speaker, it is my understanding that witnesses from the school attendance and work permit office did support this particular language. I am in accord with the objectives of the bill as outlined by the gentleman from Michigan, and agree that we should encourage employment of juveniles, particularly during the summertime. This is one way of keeping them off the streets. But I submit that my amendment will not make it more difficult to obtain these work permits. There are several legal alternatives that would permit the granting of a work permit if a birth certificate were not available. This is permissible under existing law.

With this amendment, the bill would still help ease the situation regarding the granting of the work permits, in that it would waive the necessity of the physical exam and of having parents in attendance when the permit was applied for. Also, the bill would extend the hours that a youngster may be employed from 7 p.m. until 10 p.m. All those provisions remain in the bill.

If my amendment is not adopted, however, the juveniles from 16 to 18 years of age will continue to be required to present a birth certificate to obtain a work permit, while the juveniles 14 to 16 years of age will not. This obviously is a somewhat ridiculous situation.

Mr. DIGGS. Mr. Speaker, I am in support of the gentleman's suggestion to change the situation as it applies to 16- to 18-year-olds, but I am in support of taking care of the 14- to 16-year-olds now. The difficulty of obtaining birth certificates perhaps in Virginia might not be too much of a burden but in many of the Southern States from which these children come the difficulty would negate one of the basic objectives of this bill.

Mr. STEIGER of Arizona. Mr. Speaker, will the gentleman yield?

Mr. DIGGS. I yield to the gentleman from Arizona.

Mr. STEIGER of Arizona. Mr. Speaker, I join with the gentleman from Michigan in opposition to the amendment proposed by the gentleman from Virginia recognizing that the objections of the workers in the licensing permit bureau might possibly be motivated by a zeal that stems from a desire to retain bureaucratic control of the situation. I think the gentleman refers to that when he says we are faced with the judgment here as to what great harm would come with a few discrepancies under the more liberal language of the bill offered by the gentleman from Michigan.

I think we must come to the conclusion that the worst that could happen would be somebody would be employed who would not be employed under the amendment offered by the gentleman from Virginia. I cannot see that it prevents particularly the recurring of this situation.

Mr. DIGGS. Mr Speaker, I thank the gentleman from Arizona.

Mr. Speaker, I hope the amendment is voted down.

The SPEAKER pro tempore (Mr. SISK). The question is on the amendment offered by the gentleman from Virginia (Mr. BROYHILL).

The question was taken; and on a division (demanded by Mr. DIGGS) there were—ayes 22, noes 34.

So the amendment was rejected.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTEREST ON CERTAIN INSTALLMENT LOANS IN THE DISTRICT OF COLUMBIA

Mr. FUQUA. Mr. Speaker, I call up the bill (H.R. 255) to authorize banks, savings and loan associations, and other regulated lenders in the District of Columbia to charge or deduct interest in advance on loans to be repaid in installments, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the bill, as follows:

H.R. 255

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 33

of subtitle II, "Other Commercial Transactions", of title 28, "Commercial Instruments and Transactions", of the District of Columbia Code, is amended by adding the following section:

"§ 28–3307. Charging or deduction of interest in advance

"The charging or deduction of the legal rate of interest in advance, by a bank, savings and loan association, or other regulated lender, on loans (other than loans directly secured on real estate) to be repaid in installments, shall not be deemed to be in contravention of any of the provisions of this chapter. This section shall not affect the provisions of the 'Act to provide for the regulation of finance charges for retail installment sales of motor vehicles in the District of Columbia, approved April 22, 1960' (D.C. Code, secs. 40–901 through 40–910), or of the 'Act to regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, and real estate brokers in the District of Columbia, approved February 4, 1913, as amended' (D.C. Code, secs. 26–601 through 26–611)."

With the following committee amendment:

Strike all after the enacting clause and insert:

"SECTION 1. Section 28–3301 of the District of Columbia Code is amended by changing 'The' to read 'Except as otherwise authorized by law, the'.

"SEC. 2. Section 28–3303 of the District of Columbia Code is amended—

"(1) by striking out paragraph (2) and inserting in lieu thereof the following:

"'(2) in writing to pay a greater rate than is authorized by law for the transaction in question,

the creditor shall forfeit the whole of the interest so contracted to be received.' and

"(2) by striking out the last sentence thereof.

"SEC. 3. (a) Chapter 33 of title 28, District of Columbia Code, is amended by adding at the end thereof the following new sections:

"'§ 28–3307. Certain loans by banks and savings and loan associations

"'(a) This section applies to any loan which is both—

"'(1) made by a bank whose deposits are insured by the Federal Deposit Insurance Corporation or by an institution whose accounts or deposits are insured by the Federal Savings and Loan Insurance Corporation, and

"'(2) repayable at weekly, monthly, or other regular intervals in substantially equal installments.

"'(b) The interest on any loan to which this section applies may not exceed the total of—

"'(1) 16 percent per year on that part of the unpaid balances of the principal which is $1,200 or less;

"'(2) 14 percent per year on that part of the unpaid balances of the principal which is more than $1,200 but does not exceed $2,500; and

"'(3) 12 percent per year on that part of the unpaid balances of the principal which is more than $2,500.

"'(c) Neither this section nor section 28–3308 limits or restricts the manner of contracting for the interest, whether by way of add-on, discount, or otherwise, so long as the rate of interest does not exceed that permitted by this section.

"'§ 28–3308. United States rule prescribed

"'The United States rule shall be used in determining whether the interest on any loan is at a rate permitted by law. The United States rule is the actuarial method of allocating payments made on a debt between principal and interest, pursuant to which any payment is applied first to the accumulated interest and the balance is applied to the unpaid principal.'

"(b) The table of sections at the beginning of chapter 33 of title 28 of the District of Columbia Code is amended by adding at the end thereof the following:

"'§ 28–3307. Certain loans by banks and savings and loan associations.

"'§ 28–3308. United States rule prescribed.'

"SEC. 4. The amendments made by this Act shall apply with respect to any loan described in section 28–3307(a) of the District of Columbia Code (added by section 3 of this Act) final repayment of which is due after July 1, 1968."

Mr. FUQUA (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMENDMENTS OFFERED BY MR. FUQUA TO THE COMMITTEE AMENDMENT

Mr. FUQUA. Mr. Speaker, there are a couple of technical amendments I should like to have considered.

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Florida to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. FUQUA to the committee amendment: On page 4, strike lines 16 through 19 and insert:

"SEC. 4. Section 28–3307 of the District of Columbia Code (added by section 3 of this Act) applies with respect to any loan described therein final repayment of which is due after July 1, 1968."

The SPEAKER pro tempore. Does the gentleman seek to have the two amendments considered en bloc?

Mr. FUQUA. Yes, Mr. Speaker, I should like to have them considered en bloc, and I ask unanimous consent to do so.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. HARSHA. Mr. Speaker, reserving the right to object, is the gentleman going to explain what these amendments are? We do not have copies of them. We do not know what is intended or what they propose to do.

Mr. FUQUA. The amendment just read is a technical clarification of section 4, which is already in the bill.

Mr. HARSHA. I heard the amendment read. First it would strike out lines 16 through 19.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida that the amendments be considered en bloc?

Mr. HARSHA. Mr. Speaker, reserving the right to object, is there going to be an effort to explain these amendments?

The SPEAKER pro tempore. The debate will be under the 5-minute rule, the Chair might say.

Mr. FUQUA. It affects section 4, the effective date of the bill. That is all it does. It is technical in nature.

Mr. HARSHA. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the second amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. FUQUA to the committee amendment: On page 3, line 9, strike out "any loan" and insert "any loan (other than a loan which is secured by a first lien against a dwelling and which is made to finance the acquisition of that dwelling)".

The SPEAKER pro tempore. The gentleman from Florida (Mr. FUQUA) is recognized for 5 minutes in support of his amendments.

Mr. FUQUA. Mr. Speaker, the bill H.R. 255 was introduced in this session of Congress and open and public hearings were held before Subcommittee No. 4, of which I have the honor to be the chairman, on April 29, 1969. The general notice was extended to everyone to appear before the committee to present their views. We received a statement from the gentlewoman from Missouri (Mrs. SULLIVAN) expressing her thoughts on the bill. Also I received a letter from the chairman of the Committee on Banking and Currency, the gentleman from Texas (Mr. PATMAN), relating to his feelings on the bill. They were made a part of the record. At the conclusion of the hearings I repeatedly asked if anyone else had comments to make on the bill, and no one appeared to offer either support or opposition to this measure.

Mr. Speaker, in the Committee on the District of Columbia we have considerably improved the bill in committee from what it was when it was originally introduced. At the present time we have on installment loans unsecured and generally of small amounts of less than $5,000 a charge of 8 percent interest discounted, which comes out to a little over 15 percent interest. Contrary to what has been said, this does not raise the interest rate in the District of Columbia but merely clarifies what has been going on here for some 50-odd years. There are numerous States that have similar laws. In fact, I think there are some 39 States, including my State of Florida, the State of the gentleman from Texas, and many others, that have similar laws to those we have here in the District of Columbia. There are about 50,000 or 60,000 small loans like this that are outstanding in the District of Columbia. This is the only legitimate source of credit of this kind available in the District of Columbia.

Mr. Speaker, there are those people who would prefer that people purchase items under revolving credit. This amounts to 1½ percent per month, which comes out to 18 percent a year. If they do not do that, we force them to go across State lines of the neighboring States where they can pay up to 36 percent on small loans of this type. In fact, we are here doing the people of the District of Columbia a service and not a disservice by the passage of this legislation.

I might point out that even under the Housing and Urban Development Act of 1968 the minimum finance charge on guaranteed home improvement loans up to $2,500 was set at 5.5 percent discounted per $100. So this is not an unprecedented thing even for the Committee on Banking and Currency. This discounting of notes and deducting of interest in advance has been going on since 1934 under title I of the National Housing Act. I think we have had proper hearings on the bill. Everyone who requested an opportunity to be heard was given such opportunity. I hope that the House, contrary to some of the statements made about the bill, will pass this bill.

We are not legalizing a higher interest rate than that which prevailed before. I repeatedly asked witnesses, bankers, people of the District of Columbia government, the Corporation Counsel, and the Counsel for the Comptroller of the Currency, if there was a departure from the normal accepted procedure of banking here. They all stated to the contrary, no.

Mr. Speaker, I hope that the House will support this bill, because it is in the best interests of the people of the District of Columbia who have reason to have to borrow this type of funds.

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. FUQUA. I am happy to yield to the gentlewoman.

Mrs. SULLIVAN. I would like to ask several questions of the chairman of the subcommittee.

Regarding this amendment you just offered on page 4, I believe, lines 16 to 19, the amendment apparently does not apply to purchase money first mortgage. Is that correct?

Mr. FUQUA. Yes. This is on page 3.

Mrs. SULLIVAN. I stand corrected. I do not have a copy. Does it apply, then, to refinancing of a first mortgage, or to second mortgages and permit the rates to go up on mortgages other than purchase money first mortgages to 16, 14, and 12 percent? Is that true?

Mr. FUQUA. No, it is not. I would assume someone who would hold a second mortgage would be able to obtain credit at a much lower rate than this would be if it were secured.

The SPEAKER pro tempore (Mr. SISK). The time of the gentleman from Florida has expired.

(By unanimous consent (at the request of Mrs. SULLIVAN) Mr. FUQUA was allowed to proceed for 5 additional minutes.)

Mr. FUQUA. I have been advised by counsel that this does only apply to first mortgages or first liens that would be on property.

Mrs. SULLIVAN. Yes, I thought so. So, on any refinancing of first mortgages, or on second mortgages, they would be permitted to charge up to 12 percent on loans over $2,500; 14 percent on loans between $1,200 and $2,500; or 16 percent on loans up to $1,200?

Mr. FUQUA. This is correct.

Mrs. SULLIVAN. Is there any bank or mortgage company today charging 12 percent or more on home mortgages?

Mr. FUQUA. Not that I am aware of. They are charging from 8 percent and 2 points, but no true rate of interest of 12 percent of which I am aware.

Mrs. SULLIVAN. If the gentleman is convinced that the 8-percent usury ceiling in the District of Columbia is too low—and it undoubtedly is out of date on many types of transactions—why is it necessary or advisable to go back and legalize transactions which may have occurred in violation of the law as it existed at that time?

Mr. FUQUA. Let me say that I would oppose the raising of usury rate because I feel as though it should remain at the present level of 8 percent as it is. But historically installment loans have been exempt from the usury statutes and in the District of Columbia this is not clear, that they are exempt by law. The law is rather silent on this particular point. Further, we have other means of credit such as revolving credit and other types that exceed the so-called usury statute. Also, I might point out that Senator Douglas in questioning the Corporation Counsel several years ago when he was looking into the truth-in-lending legislation with reference to the use of installment loans, and the question of interest rates which would be usurious, stated, and I quote as follows:

In 55 American Jurisprudence—"Usury", Section 41, the statement is made:

"The practice of taking interest in advance at the highest legal rate on short-term loans originated in the custom of banks and those dealing in commercial paper in the course of trade and, although, admittedly usurious in principle, has now become a recognized legal right, provided it is not availed of merely to disguise a usurious transaction * * *"

Mrs. SULLIVAN. Mr. Speaker, if the gentleman will yield further, is it not true that the banks in the District firmly believe that they have not been violating the usury law on their 8 percent discount installment loans?

Mr. FUQUA. It is my understanding that they have.

Mrs. SULLIVAN. If they are so convinced of this, why not give them an opportunity to prove it in court, and let anyone who feels he has been victimized sue for damages.

I can see some sense in changing a restrictive law which is out of date by why legalize all past violations?

Mr. FUQUA. We do not want to legalize all past violations.

Mr. STEIGER of Arizona. Mr. Speaker, will the gentleman yield to me at that point?

Mr. FUQUA. I shall be glad to yield to the gentleman from Arizona.

Mr. STEIGER of Arizona. I would like to join in responding to the question which has been posed by the gentlewoman from Missouri that it appears to me that in the phrasing of the gentlewoman's question she had indicated that the only concern of this legislation is to legalize the banks' action and have them do it in court. It is in response to such phraseology that I would submit to the gentlewoman that this bill serves in my mind a far more important purpose and that is it places a ceiling under which by this device which by practice has been declared legal—and as the gentlewoman points out, may or may not be legal at the present writing on which there is no ceiling at this point. There is nothing except competition if you want to prevent the banks from exceeding the 15 percent, plus, which they are now charging.

And what this bill does, the purpose of it which it seems to me has gone completely unnoticed is to place a firm ceiling by Statute. I think it is unfair to only limit it to the legalization of a situation which has been accepted in the past.

Mrs. SULLIVAN. If I may answer the gentleman, do we not have a firm legal rate now of 8 percent, and yet they have been getting, for an 8-percent discount loan, 15.75 percent. Have they not, therefore, been getting around the legal usury law?

Mr. STEIGER of Arizona. I would not quarrel with the gentlewoman as to the propriety or impropriety of the past 15 years, however, I would only point out that in the event we are not successful passing this, that if indeed the courts had declared the actions of the banks illegal and therefore there would be no more type of this activity and no more types of these loans, then we unwittingly perhaps have placed into the legal processes of the District the so-called friendly loan companies in the neighboring States. And, of course, the people who are covered by this act, which was questioned by the gentlewoman——

The SPEAKER pro tempore (Mr. SISK). The time of the gentleman has again expired.

(On request of Mr. STEIGER of Arizona, and by unanimous consent, Mr. FUQUA was allowed to proceed for 5 additional minutes.)

Mr. FUQUA. I might just point out Mr. Speaker—and I am holding here a pamphlet put out by the U.S. Department of Housing and Urban Development, about the role of FHA in home improvements, they state that the maximum financing charges, annual percentage rates, vary from 8.83 percent to 10.57 percent, depending upon the amount and the term of the loan.

Mrs. SULLIVAN. Mr. Speaker, if the gentleman will yield further for an additional question, I asked the gentleman if it is not true that the banks in the District firmly believe they have not been violating the usury law, and the gentleman said yes, that they believe that. Then, if they are so convinced, why not permit them the opportunity to prove it in court? Is it not true—and I assure the gentleman that it is true—that the truth-in-lending law expressly covers this point of State usury laws by stating that the disclosure of actual rates charged by lenders, as required under truth in lending, does not "annual, alter or affect in any manner the meaning, scope or applicability of the laws of any State, including, but not limited to, laws relating to the types, amounts of rates of charges, or any element or elements of charges, permissible under such laws in connection with the extension or use of credit, nor does this title extend the applicability of those laws to any class of persons or transactions to which they would not otherwise apply"?

That is what section 111(b) of the Truth-in-Lending Act declares. If 15.75 percent is a legal finance charge under the District's usury ceiling for an 8-percent discount loan, then nothing in the truth-in-lending law makes it illegal. We are considering a question here of practices under the District of Columbia Code over the last 61 years. The Truth-in-Lending Act does not affect that in any way. Either the 15.75-percent rate is now legal in the District or it is not. Truth in lending did not make it illegal. Is that not correct?

Mr. FUQUA. That is true; truth in lending does not make anything illegal other than telling the true rate of interest. However, I think that the reason for this is that the District Code is not very clear as to where there are installment loans, which historically have been exempt from the usury laws where these exist in the District. That is what we are trying to do, to clarify this.

This is what we are trying to do, to clarify this, and I think we have actually made a better bill. At the suggestion made by the chairman of the Committee on Banking and Currency, we eliminated add-ons and discounts and ballooning, which we have done. We have approached this at the true rate of interest—so that everybody can understand. So that if a person is being offered 16 percent, he can go to another bank where they may be offering 14 percent or 15 percent and he knows where he stands and where he can borrow money to his best advantage.

So I think we have made a real improvement in adding some of the suggestions made to the committee.

Mrs. SULLIVAN. A last question, Mr. Speaker, if the gentleman will yield?

Mr. FUQUA. Certainly, I yield to the gentlewoman.

Mrs. SULLIVAN. Is the gentleman familiar with the fact that in reporting the legislation which became the Truth in Lending Act, the Committee on Banking and Currency, in House Report 1040 of the 90th Congress, said the following:

> It (the bill's reference to state laws) makes clear that Congress does not regard the annual percentage rate as an interest rate within the meaning of the usury statutes or the judicial interpretation of the time price doctrine.

Mr. FUQUA. I was aware that this was in the Truth in Lending Act.

Mrs. SULLIVAN. I thank the gentleman.

Mr. HARSHA. Mr. Speaker, I move to strike out the last word.

This is a matter, Mr. Speaker, that has been before us for some time. When the banking interests came before the committee and originally expressed their interest in this legislation, the story at that time was that they had been engaged in this practice for approximately 50 years and because of the Truth in Lending Act, they feared that they might be subjected to a number of lawsuits if they continued their practices.

I was not entirely sold on that argument as to the need for the legislation.

Since then they have advised—at least this Member individually—they have advised that they need this legislation because of the additional costs involved in making loans of this type.

I am certainly more inclined to accept that explanation than the previous one.

However, I would like to use this time to inquire of the chairman as to whether or not he can assure me that if the legislation is adopted, we are not going to be subject to similar practices that they have been engaged in over the past 50 years—that is, that they are not going to discount now the 12 percent or the 14 percent or 16 percent—whatever it may be—and are we going to have add-ons and all this?

Mr. FUQUA. I can give the gentleman the full assurance that under this bill on whether they can discount or add on or balloon any notes—this is made clear on page 4, line 6, where it states:

> The United States rule shall be used in determining whether the interest on any loan is at a rate permitted by law.

Then it goes on further to clarify and answer the gentleman's question. This was of very much concern to the subcommittee, that we prohibit this kind of practice so that a borrower may know exactly where he stands and how much interest he is paying and that there would not be any gimmickery so to speak in the procurement of these loans.

Mr. HARSHA. Then, as I understand the gentleman, whether it be by the device of an add-on, a discount or ballooning or points or what-have-you or any device whatsoever under any circumstances, the kind of loan described by this legislation, the interest rate shall not exceed that rate that is allowed under this schedule of different loans that it applies to?

Mr. FUQUA. The gentleman is exactly correct.

Mr. HARSHA. I thank the gentleman.

Mr. PATMAN. Mr. Speaker, I move to strike out the last word.

(By unanimous consent, Mr. PATMAN was allowed to proceed for an additional 5 minutes.)

Mr. PATMAN. Mr. Speaker, I have never known such a clamor for one purpose since I have been in Congress—41 years—as the clamor of the people for lower interest rates and their vigorous protest against increasing interest rates. If we were to pass this bill, we would send them a message that we have not been successful and have not tried to lower interest rates, but we have succeeded in increasing interest rates 100 percent. That is exactly what this bill does. This bill not only applies to the average run of people, mostly poor people—it is a penalty against the poor because they are poor—but furthermore in the District of Columbia we have thousands of servicemen. They get loans from the local banks. The banks run no risks whatsoever in making loans to servicemen because the military make sure that they are paid and that they are paid promptly, and to charge them 16 percent is certainly a pretty raw deal for the servicemen. That is going on all over the country where it is permitted by State law.

But because it is permitted in some States is no reason why the U.S. Congress should sanction it, encourage it or recognize it as legal. It is not. It is usurious. We all know it is exorbitant interest. We all know that it is excessive interest.

Why should we vote to double the interest rate?

We have heard it said that we should take the proposed action because the banks have been doing it in the past. The truth is that all banks in the District of Columbia have not been doing it in the past. A number of banks have been charging 8 percent simple interest and are charging it right now. If we were to pass this bill as is, it would double the rate of interest for them and for all others, legalizing it. Of course that does not seem exactly fair.

Student loans are in trouble. The banks have been demanding more and more interest on student loans, until they have almost stopped the student loan program. If we were to pass this bill and say to all the States of the union that we in Congress have established for the District of Columbia rates of 16 percent on certain loans, including student loans, servicemen's loans, and others, that would be a kind of hard blow against the students and servicemen. It would be very discouraging. It would be awfully hard for lenders in other fields and other financial institutions to be persuaded to make student loans for less, because they are permitted to charge up to 16 percent.

Of all the times that I have known when something was very untimely, this is it. Only last week the Democratic caucus, by unanimous consent, passed a resolution to investigate high interest rates. Now we want to bypass that committee by going ahead and doing it anyway in advance. Is that what we should do?

Interest rates is a subject that is on the minds of every family in America. There are 55 million families in the United States. The more interest they have to pay, the less they have in their budget to take care of food, clothing, shelter, education, and many other things. That is the reason they are in such a difficult condition today, because of the high interest rates.

The other day, June 8, 1969, a 1-percent increase in the prime rate was announced. That is the best rate given A.T. & T., General Motors, and the Aluminum Co. of America—the very best borrowers in America—8½ percent. The rate was raised 1 percent at one time. That was a terrible blow to the economy of this Nation. It was a terrible blow to every family in the United States. That means that every family in the United States from now on will have to pay several hundred dollars a year extra for that 1 percent. They are part of that 1 percent, and that is a very heavy burden to place on them at this time, in addition to all other interest they are paying, and in addition to all the taxes they are paying. That 1 percent means several hundred dollars a year for each family from now on.

Members can take their books and pencils and arrive at that figure if they desire. The total debt in the Nation today, including the national debt and debts of our entities of Government—we

have 81,000 governments in the United States in addition to the Federal Government—and the debts they owe, including the Federal and all private debts, amount to a trillion and five hundred billion dollars. One percent of that is $15 billion a year.

It is just that simple. After seeing a $15 billion burden placed upon the people just by one stroke of a New York banker's pen, how can we now want to impose this on all the poor folks of the Nation? It is not in the public interest. It is wrong. It is usurious rates which are being recognized and granted. It is wrong from every moral standpoint in addition to other standpoints.

Mr. McMILLAN. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from South Carolina.

Mr. McMILLAN. Mr. Speaker, as for the purpose of this bill—and certainly it is my purpose—this is to try to help the poor people in Washington who occasionally must have a loan. At the present time they have no place to secure loans if they do not get them from the banks, except to go across the line to the loan sharks in Maryland and Virginia. That is where they will all go if we do not pass this bill, for the simple reason that we cannot expect the banks to jeopardize themselves by making these small loans without any profit and without any security, if we do not let them continue to go on as they have during the past 60 years.

I have not had any complaint from anyone who has secured a loan from a bank. I hope the gentleman does not think we are increasing interest rates. We are asking the banks to be permittee to charge the same as they have charged in the last few years.

Mr. PATMAN. Mr. Speaker, I give the gentleman credit for being sincere, but after all, it is increasing the rates by 100 percent. Every person who votes for this bill votes for higher rates of interest, and every person who votes against the bill votes for lower rates of interest.

Mr. Speaker, there was filed in the District of Columbia District Court—that is, in the U.S. District Court for the District of Columbia, a Federal court, a lawsuit to collect the usurious interest and charges by reason of what some of the lenders have been doing in the city, the ones the gentleman has been talking about. This is a lawsuit. This will go to the courts, and the courts can determine whether or not it is usurious. They will have their day in court. There is no doubt about it.

(Mr. PATMAN asked and was given permission to revise and extend his remarks and include extraneous matter, including the petition on file with the court.)

Mr. PATMAN. Mr. Speaker, this is a call for law and order in the banking industry in the District of Columbia.

H.R. 255 and the report accompanying it concedes that the bankers of the District of Columbia have been violating the laws on installment loans. They have been charging, according to the committee report accompanying H.R. 255, more than the 8 percent interest allowed by the District of Columbia Code. I quote from page 5 of the committee report:

> Finally, and most important, the Committee considers the interest rates prescribed in the new section to be nothing more than a reflection of the true interest rates presently charged on small installment loans.

That means that the bankers have been charging 16, 14, and 12 percent interest on loans when the District of Columbia Code says 8 percent is the legal limit.

Mr. Speaker, this is bad enough, but H.R. 255 makes it worse by giving a retroactive excuse from the law to these law violators. If H.R. 255 is passed, as it is presently written, it will wipe out the rights of consumers in the District and the suburbs to bring lawsuits to recover the usurious interest rates that have been charged.

Just this morning a case on this issue was filed in district court. I place this document in the RECORD at the conclusion of my remarks.

Mr. Speaker, the retroactive provisions—giving the bankers a retroactive pardon for their law violations—are in section 4 of H.R. 255.

I quote:

> SEC. 4. The amendments made by this Act shall apply with respect to any loan described in section 28-3307(a) of the District of Columbia Code (added by section 3 of this Act) final repayment of which is due after July 1, 1968.

Mr. Speaker, the House should look at this language very closely. Here is the big loophole through which the bankers will escape legal action.

Mr. Speaker, note the date, July 1, 1968. The new interest rate ceiling of 16 percent will, according to this language, apply to any loan "final repayment of which is due after July 1, 1968."

Mr. Speaker, what this bill and the report do not reveal is that there is a 1-year statute of limitations on the usury laws in the District of Columbia. In other words, a consumer who has been taken by the bankers must bring suit within 1 year of the transaction. H.R. 255 effectively blocks that by inserting language which makes the effective date of this law July 1, 1968.

Mr. Speaker, the House is being asked to give its blessing to the violations of the law which have been engaged in by some of the District of Columbia bankers.

Mr. Speaker, I trust that this bill is not a forerunner of legislation to grant retroactive excuses to law violators in the District of Columbia. I hope that we do not have legislation which will provide retroactive excuses to the rapists, the muggers, the burglars, or any other law violators in the District of Columbia.

If we are going to have law and order in the District of Columbia, let us also include the bankers. Is it any different so far as the principle in the retroactive clause to give a retroactive excuse to a banker than it is to a bank robber?

Mr. Speaker, I am for law and order at all levels in the District of Columbia and I will not vote for any retroactive excuses for any individual or any groups of individuals regardless of their economic power.

Mr. Speaker, I realize that this bill—H.R. 255—affects only a handful of the Nation's 13,000 banks and only a small percentage of the total population. But, Mr. Speaker, what we do here today concerning the interest rates charged in the District of Columbia will affect every citizen in every congressional district across the land.

We cannot stand here today and endorse 16 percent bank interest in the District of Columbia and then tell our constituents that we are for low interest rates.

If H.R. 255 becomes law, installment loan rates in the District of Columbia will be the highest in this area.

The banks and the legislatures across the land will interpret our actions here today as a new mandate—a new standard on usury—on interest rates. Passage of H.R. 255—with its 166-percent interest rates—will hamstring any action this Congress might want to take later to control interest rates across the country.

Mr. Speaker, many Members of this House have spoken in strong terms against the commercial banks' latest increases in the prime interest rate. Others have spoken to me privately and expressed deep concern about the prime rate, and I have seen many of the letters that Members have written to their constituents pledging a fight for lower interest rates.

In fact, last Wednesday, the Democratic caucus of the House voted unanimously to look into the question of high interest rates. A committee is being appointed to carry out this study and to report back to the Democratic caucus in September. This study will be seriously hampered if the House goes on record for a 16-percent interest rate.

Today is an opportunity for the House of Representatives to go on record against high interest—against 16-percent rates for bank loans. It is our first opportunity since the banks raised their rates on June 9.

Mr. Speaker, it is foolish for this Congress to stand up and talk against a national prime interest rate of 8½ percent and at the same time vote for a 16-percent rate under the guise of a District of Columbia bill.

Mr. Speaker, there is much concern about the banking industry nationwide. Many questions are being asked about excessive profits stemming from high-interest rates. The Banking and Currency Committee has an investigation underway concerning the prime rate increase of June 9 and the Justice Department is conducting a full-scale investigation of possible antitrust violations by the banks in the June 9 increase. On the Senate side, there has been much talk of new legislation to control interest rates and there is much pressure on the administration to do something to hold back the bank's demand for more and more profits and higher and higher interest rates.

Mr. Speaker, I hope that no action is taken on H.R. 255 until we have more information about the District of Columbia banks and until such time as these pending investigations are completed.

Again, Mr. Speaker, a vote for H.R. 255 would be highly destructive to efforts to bring down interest rates on a na-

tional basis. A vote for H.R. 255 is a vote for higher interest rates. It should be rejected.

IN THE U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Greater Washington Chapter of Americans for Democratic Action, 1346 Connecticut Avenue, NW., Washington, D.C.; Democratic Central Committee of the District of Columbia, 1009 13th Street, NW., Washington, D.C.; David Cohen and Carla Cohen, 1646 Argonne Place, NW., Washington, D.C.; Rev. Luke Torosian and Peggy Torosian, 906 G Street, SE., Washington, D.C.; Franklin Wallick and Ruth Wallick, 7620 Morningside Drive, NW., Washington, D.C.; Susan Davis, 904 Pennsylvania Avenue, SE., Washington, D.C.; Sarah Jane Hardin, 101 North Carolina Avenue, SE., Washington, D.C.; on behalf of themselves and all others similarly situated, plaintiffs, v. District of Columbia National Bank, a banking corporation, 1812 K Street, NW., Washington, D.C.; National Savings & Trust Co., a banking corporation, 15th and New York Avenue, NW., Washington, D.C.; National Capital Bank of Washington, a banking corporation, 316 Pennsylvania Avenue, SE., Washington, D.C., on behalf of themselves and others similarly situated, defendants.

COMPLAINT FOR DECLARATORY RELIEF, INJUNCTION, AN ACCOUNTING, DAMAGES AND PENALTIES

1. Plaintiff, Greater Washington Chapter of the Americans for Democratic Action, is an association engaged in civic activities. Included within its membership are residents of the District of Columbia who have negotiated loans and borrowed money from each member of the defendant class.

Plaintiff, Democratic Central Committee of the District of Columbia is a non-profit political organization, comprised of residents of the District of Columbia. Included within its membership are residents of the District of Columbia who have negotiated loans and borrowed money from each member of the defendant class.

Plaintiffs David Cohen, Carla Cohen, Susan Davis, the Reverend Luke Torosian, Peggy Torosian, Sarah Jane Hardin, Franklin Wallick and Ruth Wallick are adult citizens of the United States and residents of the District of Columbia.

2. The named defendants are District of Columbia National Bank, National Capital Bank of Washington, and National Savings and Trust Company, banking corporations doing business in the District of Columbia.

3. Plaintiffs bring this action pursuant to Rule 23 of the Federal Rule of Civil Procedure for themselves and on behalf of a class of persons similarly situated—to wit: all persons, who like the named plaintiffs, have been extended loans at illegal and usurious rates of interest by lending institutions doing business in the District of Columbia—against the named defendants and a class including all other lending institutions doing business in the District of Columbia that have made, are making, or will make loans at a usurious rate and that are subject to regulation under the National Banking Act, 12 U.S.C. 21 et. seq. The named plaintiffs sue and the named defendants are sued as representatives of a class because (1) the class of plaintiffs and the class of defendants are so numerous that joinder of all parties is impracticable; (2) there are questions of law and fact common to the membership of each of the classes which predominate over any questions affecting only individual members; (3) the prosecution of separate actions by or against individual members of each class would create a risk of inconsistent or varying adjudications which would establish incompatible standards of conduct for the class of defendants; (4) a class action is the fairest and most efficient method of adjudicating the controversy because the amount of damage to individual members of the class makes pursuit of individual remedies economically unfeasible and because individual litigation would result in an unreasonable multiplicity of suits and a corresponding burden on the courts; and, (5) the defendants have acted on grounds generally applicable to the class of defendants, thereby making appropriate final injunctive relief and declaratory relief with respect to that class as a whole.

4. This Court has jurisdiction under Section 11–521, District of Columbia Code, 1961 Edition; Section 28 U.S.C. 1331, 1355, 2201 and 2202. The amount in controversy, exclusive of interest and costs, exceeds the sum of $10,000.

5. The following transactions are representative of those entered into by members of the plaintiff class with members of the defendant class:

(a) Plaintiffs David and Carla Cohen executed a loan with defendant District of Columbia National Bank on October 4, 1968, in the amount of seven hundred fifty dollars ($750): (1) As a condition of the granting of such loan, the plaintiffs were required to assume an obligation for the payment of eight hundred four dollars ($804); (2) The defendant actually tendered seven hundred forty-seven dollars and seventy-two cents ($747.72); (3) The plaintiffs were advised that the interest charge being imposed amounted to forty-eight dollars and twenty-four cents ($48.24), that four dollars and eighty-three cents ($4.83) represented unspecified fees and charges and that three dollars and twenty-one cents ($3.21) represented the charge for life insurance which they were required to take out for the benefit of the defendant; (4) The plaintiffs were obligated to make twelve payments of sixty-seven dollars ($67) each with the last payment due to be paid on October 20, 1969; (5) The interest rate actually imposed amounts to approximately 13.75 percent.

(b) Plaintiffs Reverend Luke Torosian and Peggy Torosian executed a loan on September 23, 1966 with defendant National Capital Bank of Washington in the amount of two thousand dollars ($2,000): (1) As a condition of the granting of such loan the plaintiffs were required to assume an obligation for the payment of two thousand one hundred ninety-four dollars and thirty cents ($2,194.30); (2) The defendant actually tendered two thousand dollars ($2,000); (3) The plaintiffs were charged twenty-one dollars and fifty cents ($21.50) for life insurance which they were required to take out for the benefit of defendant; (4) The plaintiffs were obligated to make twenty-four payments of ninety-one dollars and forty-one cents ($91.41) and the last payment was paid on March 20, 1968; (5) The interest rate actually imposed amounts to approximately 12.00 percent.

(c) Plaintiffs Reverend Luke Torosian and Peggy Torosian executed a loan on March 20, 1968 with defendant National Capital Bank of Washington in the amount of two thousand three hundred dollars ($2,300); (1) As a condition of the granting of such loan, the plaintiffs were required to assume an obligation for the payment of two thousand five hundred twenty-three dollars and eighty-eight cents ($2,523.88); (2) The defendant actually tendered two thousand three hundred dollars ($2,300.00); (4) The plaintiffs were charged twenty-four dollars and seventy-three cents ($24.73) for life insurance which they were required to take out for the benefit of defendant; (4) The Plaintiffs were obligated to make twenty-four payments of one hundred eight dollars and eighty-eight cents ($108.88); (5) The last payment was paid on May 2, 1969 and no rebate was made in consideration of early payment of the loan; (6) The interest rate actually imposed amounts to approximately 15.25 percent.

(d) Plaintiffs Reverend Luke Torosian and Peggy Torosian executed a loan on May 2, 1969 with defendant National Capital Bank of Washington in the amount of two thousand dollars ($2,000); (1) As a condition of the granting of such loan the plaintiffs were required to assume an obligation for the payment of two thousand one hundred and ninety-four dollars and eighty cents ($2,194.80); (2) The defendant actually tendered two thousand dollars ($2,000); (3) The plaintiffs were obligated to make 23 payments of ninety-two dollars ($92.00) and one payment of seventy-eight dollars and eight cents ($78.08); (4) The interest rate actually imposed amounts to approximately 9.00 percent.

(e) Plaintiffs Franklin Wallick and Ruth Wallick executed a loan with defendant National Savings and Trust Company on February 2, 1967 in the amount of five hundred fifteen dollars and fifty-two cents ($515.52): (1) As a condition of the granting of such loan, the plaintiffs were required to assume an obligation for the payment of five hundred seventy-six dollars ($576); (2) The defendant actually tendered five hundred fifteen dollars and fifty-two cents ($515.52); (3) The plaintiffs were obligated to make 18 payments of thirty-two dollars ($32) with the last payment due on September 4, 1968; (4) The loan has been discharged; (5) The interest rate actually imposed amounts to approximately 14.25 percent.

(f) Plaintiffs Susan Davis and Sarah Jane Hardin executed a loan on June 19, 1968 with defendant District of Columbia National Bank in the amount of five hundred ninety-one dollars and forty-eight cents ($591.48): (1) As a condition of the granting of such loan the plaintiffs were required to assume an obligation for the payment of six hundred thirty-six dollars ($636); (2) The defendant actually tendered five hundred ninety-one dollars and forty-eight cents ($591.48); (3) The plaintiffs were advised that they were being charged twenty-nine dollars and eighty-four cents ($29.84) in interest, three dollars and eighty-two cents ($3.82) as an investigation fee and two dollars and fifty-two cents ($2.52) for life insurance which plaintiffs were required to take out for the benefit of the defendant; (4) The plaintiffs were obligated to make twelve payments of fifty-three dollars ($53) and the last payment was paid on June 11, 1969; (5) The interest rate actually imposed amounts to approximately 13.75 percent.

(g) Plaintiff Susan Davis executed a loan on July 3, 1969 with defendant District of Columbia National Bank in the amount of six hundred dollars ($600): (1) As a condition of the granting of such loan the plaintiff was required to assume an obligation for the payment of six hundred fifty-two dollars and eight cents ($652.08); (2) The defendant actually tendered to the plaintiff six hundred dollars ($600); (3) The plaintiff was advised that she was being charged forty-five dollars and forty-six cents ($45.46) in interest and six dollars and fifty-two cents ($6.52) for life insurance which plaintiff was required to take out for the benefit of the defendant; (4) The plaintiff was obligated to make 12 payments in the amount of fifty-four dollars and thirty-four cents ($54.34) with the last payment due on July 10, 1970; (5) the interest rate actually imposed amounts to approximately 15.75 percent.

6. Named plaintiffs and numerous members of plaintiff class have been required to pay, as a condition of the extension to them of a loan by each named defendant and every member of the defendant class, one or all of the following types of charges:

(a) Interest and amounts payable under a discount or any other system of additional charges;

(b) Service, transaction, activity, or carrying charges;

(c) Loan fees, points, finder's fee, or any similar charges however denominated;

(d) Fees for an appraisal, investigation or credit report;

(e) Recordation fees and any fees or charges imposed by law on the lender;

(f) Charges or premiums for credit, life, accident, health, or loss of income insurance written in connection with the loan transaction, such charges or premiums payable either to the lender or a third party;

(g) Charges or premiums for insurance, written in connection with the loan transaction, against loss or damage to property or against liability arising out of ownership or use of property;

(h) Premiums or other charges for other guarantees or for insurance protecting the lender against loss;

(i) Other charges and obligations imposed upon the borrower as an incident of the loan.

7. In the District of Columbia, the highest permissible interest rate that may lawfully be charged in connection with loan transactions of the type specified in Paragraph 5 is eight (8) percent per annum. In defining interest all of the charges identified in Paragraph 6 must be included as part of the interest charge. Under the applicable statutes and for all other relevant purposes, the percentage of interest that has been paid or is to be paid shall be computed by use of the computational method which most accurately reflects, at any given point in the contract, the time the borrower has or had actual use of the amount or portion thereof being lent.

8. Each of the named defendants, and each member of the defendant class, did knowingly and intentionally impose on each of the named plaintiffs, and each member of the plaintiff class, a rate of interest in excess of the legal rate and did therefore commit usury. As a result defendants are required to forfeit all interest charges, to repay all interest collected and to pay as a penalty a further amount equal to the amount of interest collected.

9. The amounts for which each of the named defendants and each member of the defendant class are liable to the members of the plaintiff class are known only to said defendants, but it is believed that said liability amounts to millions of dollars.

10. Numerous members of the plaintiff class do not have the capability to determine the actual rate of interest that has been imposed by each named defendant and each member of the defendant class in connection with loan transactions; and therefore such members of the plaintiff class do not appreciate that an illegal and usurious rate of interest was imposed. Unless enjoined by order of this Court, each named defendant and each member of the defendant class will continue to collect from numerous members of the plaintiff class interest charges at an unlawful and usurious rate.

11. Plaintiffs have no remedy that is either as practical or as efficient in promoting the ends of justice as the remedy of injunctive relief because of the character of the conduct of each named defendant and each member of the defendant class and the extensive threat of continuing injury presented by that conduct, and because of the economic circumstances of numerous members of the plaintiff class, their lack of sophistication with respect to the complexities of financial transactions and the computation of interest charges and the superior expertise of each and all of the defendants, and the relatively small amounts of the claims of the individual plaintiffs which prevent them from obtaining legal redress.

Wherefore, each of the named plaintiffs and each member of the plaintiff class pray as follows:

1. That this court certify this action as a class action, and that thereafter, each member of the respective classes designated herein be given appropriate notice and accorded an opportunity to appear and be heard either as a plaintiff or defendant.

2. That this Court enter a declaratory judgment that all of the fees and charges referred to in Paragraphs 5 and 6 of this Complaint are "interest" charges within the meaning of applicable usury laws.

3. That this Court enjoin each named defendant and each member of the defendant class from the continued collection or imposition of interest charges at a rate in excess of eight (8) percent per annum, utilizing the computational method specified in Paragraph 7, after including as interest all charges referred to in Paragraphs 5 and 6 of this Complaint.

4. That this Court declare forfeiture in favor of the named plaintiffs or the plaintiff class, as appropriate, of all interest charges referred to in Paragraphs 5 and 6 of this Complaint.

5. That this Court award each of the named plaintiffs and each member of the plaintiff class, as appropriate, all interest paid and as a penalty a further amount equal to the amount of interest paid.

6. That this Court determine that but for payment of interest all contracts remain in full force and effect and fix the schedule of repayment of principal, over the full term of each such contract, by application of the computational method determined under Paragraph 7 of this Complaint.

7. That this Court order an accounting for the purpose of determining the amounts of money which each named defendant and each member of the defendant class is liable to the plaintiffs as a result of forfeiture and liability for twice the amount of the charges unlawfully received.

8. That a fund be established which shall serve as the repository for the amounts owing to the plaintiffs as a class by each named defendant and each member of the defendant class, such fund to be equitably distributed as hereafter to be provided by further order of the Court.

9. That named plaintiffs and members of plaintiff's class be awarded out of any recovery herein the expenses, costs and disbursements incident to the prosecution of this action, including reasonable counsel fees.

10. For such other and further relief as may seem just and proper.

BERLIN, ROISMAN & KESSLER,
By EDWARD BERLIN,
Counsel to Plaintiffs.
DOWDEY, LEVY & COHEN,
By LANDON G. DOWDEY,
Counsel to Plaintiffs.

Mr. Speaker, if we cancel this bill, it will cancel this debt that is now due a number of people. If we want to create more poverty, then we should pass a bill like this. This is a bill to create poverty. There is not anything that creates more poverty in the District of Columbia than the loan shark rates, the usurious rates. They are loan shark rates. They are the cause of so much poverty that is going on today.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I suggest to the gentleman from Texas that it would have been well for some people to have been thinking about interest rates when they were voting for so many profligate spending measures in the past.

Mr. PATMAN. That is correct.

Mr. GROSS. And voting for so many treasury deficits in the past. They have bred the crisis situation we have today. It cannot be wiped out by simply attacking interest rates.

Mr. PATMAN. Mr. Speaker, we are in a horrible state. We are going in the direction of a devastating depression. This will make it worse. This is encouraging the thing that has put us in this situation. It should be defeated and defeated by a big vote, and I hope it is.

Mr. BROYHILL of Virginia. Mr. Speaker, I move to strike the last word.

Mr. Speaker, I rise in support of the pending legislation, in spite of the interpretation as to how we may vote on this bill as given to us by the gentleman from Texas (Mr. PATMAN).

I say that what we are proposing to do here today is nothing new. As pointed out before, the banks in the District of Columbia have been doing this here in the Nation's Capital for 50 years, providing for the discount of the interest or the add-on of interest on installment loans. What we are attempting to do here today is to clear up a gray zone in regard to installment credit, which has been brought about by the Truth-in-Lending Act.

Mr. ADAMS. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman from Washington.

Mr. ADAMS. Until the interest rate begins to move beyond 6 percent discounted loans would not violate the usury law, would they? That is something that has happened only very recently.

Mr. BROYHILL of Virginia. There have been conflicting court decisions over a period of years, as to whether add-on interest or discounted interest on installment loans is a violation of the usury statutes in various States. We are trying to clarify this question here at this time. insofar as the District of Columbia is concerned.

Repayment of loans by installments is a common practice throughout the United States. As pointed out by the gentleman from Florida (Mr. FUQUA), 39 States have specific statutes that deal with this particular question. That is what we are trying to do here today, so far as the District of Columbia is concerned.

The costs of administering loans of this type are higher than in the case of those payable on demand. We recognize this truth in many other areas. We recognize, for example, where installment loans for automobile purchases are concerned. We provide by statute that simple interest as high as 16 percent may be charged on installment loans for automobiles.

I am grateful to the gentleman from Texas (Mr. PATMAN) for his assistance on this legislation. I have a great deal of respect for his wisdom. But I cannot understand his concern for these unsecured installment loans being kept down to 8 percent, when the Committee on Banking and Currency has by legislation permitted interest rates as high as 11 percent on secured home improvement loans guaranteed and insured by the Federal Government.

And how about the Fannie Mae loans,

by a Federal organization buying federally insured loans, federally guaranteed FHA and VA loans, with discounts as high as 8 and 10 percent?

Now, it is said, "Oh, the mortgage payer is not paying for that." Does anyone believe the mortgage people and the builders are in business for their health? Of course, this has to be passed onto the homebuyer.

So we are not only tolerating this insofar as the Banking and Currency Committee is concerned, but we have actually authorized it. Yet, here we are told, as to an unsecured loan, an unguaranteed loan, that we have to keep the interest rates lower than on all these other types of loans.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL of Virginia. I am glad to yield to the gentleman from Ohio.

Mr. HAYS. I should like to have one simple question answered. Does this bill or does it not raise the legal interest on loans?

Mr. BROYHILL of Virginia. The bill does not raise the legal limit. It clarifies what these legal limits are and have been for many years.

Mr. HAYS. What is the legal limit?

Mr. BROYHILL of Virginia. I just got through saying, and it has been stated two or three times this afternoon, that for the past 50 years loans have been made in the District of Columbia on the installment plan at actual interest rates in excess of the rate established by the usury statute.

All this legislation does is merely to clarify what the law is with respect to the adoption of the Truth-in-Lending Act.

Let me complete my statement, and then I shall be glad to yield further.

The gentleman from Arizona pointed out a moment ago, and I believe the gentleman from South Carolina did likewise, that the people who are going to be hurt if this legislation fails to pass are those of low and moderate incomes. Those are the people we are talking about, as the beneficiaries under this unsecured installment loan plan. If such a person cannot get a loan here in the District of Columbia, obviously he is going to have to go elsewhere to get it. There are provisions in the laws of the two neighboring States, which legalize installment loans at a far higher rate of interest.

Bankers in the District have advised us that they make little profit on these small installment loans, and that if they are prevented from charging as much interest as they have been doing for the past 50 or 60 years, they will be obliged to discontinue making such loans altogether. Should this be the case, the people of moderate income in the District will be forced to borrow elsewhere, as in Maryland where the small loan companies are authorized to charge 36 percent.

How about a revolving credit charge? We have no law with regard to the interest on such credit here in the District of Columbia. The merchants have gotten together and decided to charge up to 18 percent for that type of credit, but no action has been taken, or proposals made, to protect people from this practice.

The SPEAKER. The time of the gentleman has expired.

(Mr. BROYHILL of Virginia asked and was given permission to proceed for 2 additional minutes.)

Mr. BROYHILL of Virginia. It has been pointed out that if this bill is not passed, a lot of this lending business will go to the suburbs. We on the Committee on the District of Columbia are very much concerned with economic conditions within the District, and are doing all we possibly can from a legislative standpoint to improve the city's financial situation. We certainly want to avoid taking any action that would encourage any business to go from the District to the suburbs.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL of Virginia. I will be glad to yield as soon as I have finished my statement.

The consumer will know what this rate of interest is. Nobody will be deceived by it. The Truth-in-Lending Act requires that it be published. This fact will cause interest rates to be as low as possible, and, in fact, we place a limit on these rates right here in this bill. But we know also what effect the rule of supply and demand can have in competition between various banks. I say, Mr. Speaker, that we will not protect anyone, least of all the low- and moderate-income people, by denying approval of this legislation.

Now I am glad to yield to the gentleman from Texas.

Mr. PATMAN. The gentleman referred to unsecured loans and said that this would permit this high rate on unsecured loans. Where is it stated in the bill? It says secured loans as well.

Mr. BROYHILL of Virginia. I was referring to secured loans such as automobile loans, where we permit an interest rate as high as 16 percent and secured loans that have been made as a result of legislation approved by the gentleman's committee. However, as I have pointed out, competition will assure lower interest rates on all secured loans than will prevail on unsecured ones. Hence, this bill will not affect secured loans.

Mr. PATMAN. But the gentleman overlooks the fact that this permits high rates on secured as well as unsecured loans.

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentlewoman.

Mrs. SULLIVAN. I would like to ask the gentleman how many borrowers know what is meant by an 8-percent discounted loan? I am not talking about sophisticated borrowers now, but I am talking about anyone who goes in to borrow some money or buy something on the installment plan in a store.

Mr. BROYHILL of Virginia. If I may respond to the question of the gentlewoman, that is the purpose and intent of the Truth-in-Lending Act.

Mrs. SULLIVAN. That is right.

Mr. BROYHILL of Virginia. They will be told, as required by law, so that the consumer will know what the true interest rate is.

Mrs. SULLIVAN. The reason they want this law enacted now is that since July 1 under the Truth-in-Lending Act, they have to tell the truth now. When they told the borrower before that they were getting an 8-percent discounted loan, which the average person believes is 8 percent per year, the customer was really paying 16 percent and not knowing it.

Mr. BROYHILL of Virginia. I do not agree with the way the gentlewoman has stated it—that they will now have to tell the truth. They are just clarifying it.

The SPEAKER. The time of the gentleman has again expired.

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent that the gentleman have an additional minute to answer another question.

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

Mr. HAYS. Mr. Speaker, reserving the right to object, the gentleman keeps saying that he is going to yield when he finishes his statement, but he never seems to get his statement finished. I am wondering if he is going to yield if he gets this additional minute.

Mr. BROYHILL of Virginia. I will be glad to yield if I get the additional time. I did yield to the gentleman from Ohio and the gentleman from Texas.

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mrs. SULLIVAN. Mr. Speaker, I would like to ask the gentleman, if this law is enacted to make 12, 14, and 16 percent the legal usury rate in the District, what would prevent the lender from saying, "We will give you a 12-percent discounted loan"? Would there be any reason in the world why they could not do that, just as they are doing it with the 8-percent loan? The average borrower would not understand this rate any more than he understands the 8-percent rate now, except, under the Truth-in-Lending Act now in effect, they have to tell the truth that a 12-percent discounted loan would amount to 24 percent. Would we be allowing this to happen if we vote for this bill?

Mr. BROYHILL of Virginia. I do not agree with the gentlewoman. The language of the bill, I am assured, would not permit any increase in the interest rates prescribed, through discounting or any other means.

The SPEAKER. The time of the gentleman from Virginia has again expired.

Mr. JACOBS. Mr. Speaker, I move to strike the requisite number of words.

(Mr. HOLIFIELD (at the request of Mr. JACOBS) was granted permission to extend his remarks at this point in the RECORD.)

Mr. HOLIFIELD. Mr. Speaker, I do not ordinarily take the floor to criticize a bill which has been reported by the District of Columbia Committee, believing as I do that this committee has been charged with the responsibility to legis-

late in the public interest of the District of Columbia. In the 89th Congress I had the honor to manage the reorganization plan which created the mayor-council form of government for the District. In preparing for the successful floor consideration of that plan, I learned a good deal about the problems of the District and its people. In particular, I saw that the Congress must make extra efforts to assure fair and impartial hearings for the citizens of the District until such time as we have true home rule and effective representation for the District in the Congress.

We have before us today a bill which will have definite economic impact in the District. However, this bill is not the product of anything approaching a broadly based community consensus.

The hearings which were conducted by the committee reflect the fact that the bill solves only the problems of the bankers. I wish to commend both the distinguished gentlewoman from Missouri (Mrs. SULLIVAN) and the distinguished chairman of the House Banking and Currency Committee (Mr. PATMAN) for their efforts to illuminate the weaknesses in this legislation. It would be pertinent to quote from the testimony which Congresswoman SULLIVAN presented to the District of Columbia Committee on April 29, 1969:

After thorough study this Committee and the officials in the District may decide that present D.C. ceilings on interest rates are too low. Undoubtedly, they are lower than in surrounding jurisdictions. But once you open this up, you should be prepared to see pressures mount for vastly higher rates which would increase the cost of borrowing, and hence the cost of living, for thousands upon thousands of low-income families in the District.

I do not think you can resolve that problem without a comprehensive review of the present credit laws and intensive study by the District Government. I certainly do not think you should attempt to resolve it in a piecemeal fashion in the bill intended to give the approval of Congress to a practice which may be in violation of existing District law, and relating to only one type of loan in the District. What about "add-on" loans? Mortgage loans? One-payment loans?

Mr. Speaker, I believe that Mrs. SULLIVAN hit the nail on the head when she asked these very pertinent questions about H.R. 255. Here we have a bill which should be backed up by a comprehensive review of credit practice and policy in the District, but which is in fact piecemeal, special-interest legislation.

There has been much justifiable outcry about this bill in the public press and media. There is significant opposition to this bill in consumer, labor, and civic organizations in the District. There is apparent contradiction in the area of District of Columbia government support for this bill—contradiction which raises questions in my mind about the power of the banks at city hall. As an example of the public outcry, a local radio station, WTOP, recently editorialized against this bill. Some of the points made in the editorial are worthy of consideration:

The bill would affirm in law interest levels the banks have been using for more than 50 years in combination with a discounting procedure.

It's a very murky bill. Consumer groups claim it would legalize usurious interest rates. Rep. Patman says the bankers are getting a "bonanza of profits" and don't need help from Congress. The bankers themselves claim the interest is justified because of the costs of handling small, short-term loans.

The effect the bill would have on home mortgages, credit cards, and other transactions raises additional questions.

The editorial goes on to commend Chairman PATMAN for his courageous fight against this bill. I join Mr. PATMAN in believing that the bill carries national implications which are ominous, and which should not be treated lightly or routinely by the Congress.

Underlining the seriousness of this vote is the fact that a suit has been filed in the Federal District Court for the District of Columbia which would enjoin the banks from collecting more than the statutory 8-percent interest on unsecured loans. The suit was filed on behalf of the Democratic Central Committee of the District and other interested individuals and consumer groups. I believe that insofar as this suit raises a number of questions about past practices of the banks in regard to the usury laws of the District, it would be inappropriate for the Congress to enact a law which specifically exonerates the banks from practices which many consider illegal. Title IV of the bill before us today is nothing other than a retroactivity clause to excuse the banks from the possibility that their long-established customs have been illegal. I simply cannot imagine the Congress passing a bill which contains such dubious language in other areas of public policy.

Finally, Mr. Speaker, I would summarize briefly my reasons for opposing enactment of this bill:

First, the bill is not the result of broadly based public hearings—essential in an area which has significant impact in the huge ghetto community of the National Capital.

Second, there is significant opposition to this bill by labor and consumer groups in the District.

Third, the bill is opposed by the chairman of the Consumer Affairs Subcommittee of Banking and Currency and by the distinguished chairman of the full Committee on Banking and Currency.

Fourth, the bill should go back to committee for further public hearings and comprehensive studies of consumer credit practices in the District.

Fifth, pending adjudication of the suit filed in Federal district court, the Congress would be ill-advised to enact retroactive legislation designed to exonerate past practices of the banks.

Sixth, interest rates are already too high nationally and are having a tragic effect on small-wage earners and homebuyers—this bill has unfortunate national implications and amounts to a reward to the banks for practices of dubious legality.

Mr. Speaker, I hope that the House will vote this bill down today and send it back to committee. If the House passes it, I hope the other body will take a long, hard look at the many imperfections which exist in this kind of approach. Not many weeks ago we had a grim reminder of the kind of social pressures which exist just below the surface of this teeming metropolis. I say that this kind of bill adds to those pressures, and that bringing it to the floor here in late July is not wise. It needs more study and more work—and certainly it needs much broader support in this community than it apparently has at this time.

Mr. JACOBS. Mr. Speaker, I would first like to pay my respects and express my admiration for my subcommittee chairman, the gentleman from Florida (Mr. FUQUA), who is a fairminded man and one who I think has done his best to present this legislation and who conducted the proceedings before the subcommittee in a very fairminded way.

However, I would like to clarify, if I may, one or two points.

The argument has been made that the practice of interest discount has been going on for a period of 50 years and should be condoned and clarified as legitimate now that the Federal truth-in-lending law has taken effect and therefore the true interest is revealed to the customers by the banks in Washington, D.C.

Now, perhaps, it is true that the interest rate should be changed. Perhaps it is true that the interest rate is not high enough in the District of Columbia. But the fact that banks have been charging 16 percent for 50 years is hardly an argument for legalizing 16 percent.

Suppose the Federal Government passed a law which provided that bank robbers should henceforth and hereafter not wear masks. Would we be persuaded if a bank robber said, "We have been robbing banks in the District of Columbia for 50 years while wearing masks. We would like to change the law and clarify the situation now that we no longer wear masks."

Mr. Speaker, I do not say that the bankers have been engaged in robbery as a result of the practices which they have been following. However, I would say it does disturb me that some banker up in New York every few months comes up with the story that the country cannot be saved unless bankers make more money. Some have argued that the bankers of the District of Columbia have extended this kind of loan, not for profit, but in order to accommodate and serve as a convenience to small borrowers in the District of Columbia. How tender.

I can recall the cartoon which showed a shabbily dressed man sitting before the loan officer, and the loan officer saying to him, "No sir, our interest is not very high. And so far as you're concerned, we have none at all."

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. JACOBS. I yield to the gentleman from Ohio.

Mr. HAYS. I have been hearing a lot about clarification of this legislation but as I get this—and tell me if I am wrong—the legal rate is 8 percent?

Mr. JACOBS. That is correct.

Mr. HAYS. But, if we clarify this, it will be 16 percent?

Mr. JACOBS. We would be clarifying it up to 16 percent.

Mr. Speaker, I support a motion to recommit this bill. Why? Because the fact of the matter is that although hearings were held on this bill, hearings were not held on what is contained in this bill now as it has come from the committee carrying a schedule of 12 percent, 14 percent, and 16 percent rate of interest.

In our subcommittee executive session I told my fellow Members that the bankers themselves were not even asking for the kind of interest rate which was voted out of our subcommittee—and there are gentlemen of the subcommittee here will confirm that fact—but by the time we got to the full committee my subcommittee chairman acknowledged I was correct in the subcommittee, and he moved to change the subcommittee action.

An amendment was made to reduce the interest rate to what the bill provides now. But we just got to the place finally in the full committee where we knew what the bankers were asking for. That is where we are right now. We still do not know what the view of the consumer is on this matter. Being old fashioned, I like to hear both sides of the story. That is the reason this bill should be recommitted. Maybe it should be 16 percent, maybe it should be 8 percent, maybe it should be 11 percent, but this business of just throwing a dart at the board, flying backwards with a blindfold, and guessing, is ridiculous if we are to serve the public properly and objectively.

So, Mr. Speaker, I do not say we should vote against this bill and I do not say we should vote for this bill. I say there is nobody here who has any idea which way to vote on the matter until there are reasonable and proper hearings which hear both sides of the matter. And I know that when these hearings were public the consumer people did not come in. Why would the bankers come in and not the consumers? Because the bankers were the sponsors of this legislation and the consumer did not pick it up in the newspapers.

Mr. Speaker, do we not have a duty to invite consumer testimony rather than sitting here and wondering why such testimony did not come uninvited? Would it not be better and would it not serve the interests of the public better if we would have the consumer witnesses in and have objective testimony and lay all the cards on the table and take off the blindfolds? Then we would have a better understanding of this whole situation. Surely no harm could come from learning a few facts before we reorder people's destiny in the District of Columbia.

Mr. STEIGER of Arizona. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, the gentleman from Ohio (Mr. HAYS), made a very good point when he pointed out that in an attempt to clarify this legislation we perhaps have muddied the water. I would only like to say that there has been a great deal of misinformation poured forth in these halls this afternoon, not the least of which is the baldface statement that this bill raises the 8-percent usury rate to 16 percent. It does not do so.

When this bill passes, if it does, the usury rate in the District of Columbia will remain at 8 percent. There will be a ceiling of 16 percent on those loans that qualify under this section for which they now are paying approximately 16 percent.

It would be very nice if somebody could answer the question of the gentleman from Ohio with a simple yes or no, but unfortunately, as I am sure the gentleman understands, there is a qualification. The usury rate will remain the same at 8 percent. There will be a ceiling of 16 percent on those loans exempted by the bill.

Mr. JACOBS. Mr. Speaker, would the gentleman yield at that point?

Mr. STEIGER of Arizona. I would prefer not to yield to the gentleman at this moment.

Mr. Speaker, the gentlewoman from Missouri (Mrs. SULLIVAN), made a very good point when she asked how is it that the banks have been cheating—and this is not her language—and I feel the same way about this particular part of this argument. The gentlewoman indicated that the banks have circumvented the 8 percent interest rate for years by add-ons and so forth. Why then would it not be possible under this change to do the same thing at 12, 14, or 16 percent? I can only tell the gentlewoman that that specific language is in the bill, and I am referring to page 4, starting at line 1, section (c), in which it says that nothing in this section nor in the other sections referred to, and so forth, and it lists all the ways you can discount, add on, balloon, cheat, so long as the rate of interest does not exceed that permitted by this section. In other words with this bill, no matter what device they come up with, they cannot exceed 16 percent. I think this offers protection. I would beg that we recognize what we do as a very pragmatic fact that there are two specific banks in the District or there are at least two banks—there may be more, but there are two that I know of—that are either wholly owned by Negroes or predominantly owned by Negroes. One of them is the Industrial Bank of Washington and the other is the United Community National Bank. I quote from the testimony of April 29, 1969, in which Mr. Mitchell, who is the president of the Industrial Bank states:

> We have 2½ million of these loans out.

He goes on and explains it:

> Approximately 30 percent of our loan portfolio is in these loans.

This was a greater percentage of their portfolio than the banks that we heard of who were making these loans—and I sympathize with the gentleman from Texas, and I do not like to be in the position of urging high interest rates, and I sympathize with the gentlewoman when she is concerned about abuse of those who need those kinds of loans, but I submit if we cannot have these kinds of loans, there is no place for these people to go. There is no so-called friendly loan situation in the District of Columbia, because of the existing high rates. I think it is a very proper situation here. But right over the line in Maryland and Virginia they have rates of approximately 30 and 32 percent.

Within the District of Columbia there are people who operate, known as loan sharks, who charge 5 and 10 percent compounded on a weekly basis.

I would only submit that if you examine what we are doing, if we kill this legislation—and despite what the distinguished chairman of the Committee on Banking and Currency has said, that you are not voting to double the interest rates—when this bill passes, the interest rate in the District of Columbia will still be 8 percent with the exception of these specific loans which are now generating an interest in excess of 15 percent.

Mr. JACOBS. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Arizona. I am happy to yield to the gentleman from Indiana.

Mr. JACOBS. The point I would make to the gentleman—and first of all I confirm what the gentleman has said about 16 percent being the overall limit no matter what device is used—the point I would make to the gentleman is that 8 percent indeed does apply to this kind of loan now. The generation of 16 percent is a generation which is extra-legal or at least of questionable legal status. Therefore, the interest is being raised with respect to these loans.

Mr. STEIGER of Arizona. I will stipulate that this has been a device. As the gentleman will recall, I was as outraged as the gentleman and the gentlewoman because I felt that this was a device to protect the banks.

Mr. JACOBS. I compliment the gentleman.

Mr. STEIGER of Arizona. But I am convinced that if we, in our attempt to purify the language—if we say there can be no 16 percent interest on installment loans, I would call the attention of the gentleman from Texas to the fact that there was not one single loan in a bank or savings and loan institution with these conditions as stipulated by this bill at the 8 percent figure stated.

Mr. ADAMS. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I rise in opposition to this bill and particularly do I want to point out one section of the bill that is bad—and that is section 4 which takes away the right of the consumer who has been charged an interest rate that is too high from suing the person who has done this to him.

Now my second point is that we are dealing with the granting of loans on an equal installment basis. As pointed out by the gentleman from Indiana, the people who we are supposed to be helping cannot get a loan now. You go into a bank even if you have a job but are earning less than $5,000 a year and tell them you want to borrow $400 or $500. They do not even talk interest rates with you. They just say, "sorry, you are not going to get any money."

I want to ask the chairman of the committee, because he put in the technical amendment—and I want to be sure of its effect—the present statute, as proposed on page 5 of the committee bill, provides you can apply this rate to them—to all installment loans.

Now as I understood you, your amendment was going to change that. I want to know, does your amendment exempt, or does it exempt them from the application of this 12 percent or 14 percent or 16 percent?

Mr. FUQUA. On this application of 12 percent or 14 percent or 16 percent provision——

Mr. ADAMS. In other words, if I want to borrow money.

Mr. FUQUA. On the points or the add-on or whatever condition that they make provision for in order to make the loan.

Mr. ADAMS. If I want to borrow money on a house, first I take out a mortgage on it—in the District of Columbia where I am purchasing a home—what is the rate that they can charge me—8 percent or 12 percent or 14 percent or 16 percent?

Mr. FUQUA. As recently as last week, money on home mortgages were 7¾ percent and 3 points in the District of Columbia.

Mr. ADAMS. Yes, but you and I both know that if one applies for a loan, he may or may not receive it. I shall mention the suits that will be filed. The question is whether or not this practice is legal. I want to know what we are proposing to authorize. Will we authorize 12 percent on such loans?

Mr. FUQUA. No, it would leave that in the present limit of 8 percent.

Mr. ADAMS. On all first mortgages?

Mr. FUQUA. Yes.

Mr. ADAMS. Suppose you were going to borrow on your house on one of these propositions that would enable you to build a room on the back, or you get the roof repaired, and so on? Would that still be at the rate of 8 percent under your amendment?

Mr. FUQUA. If the gentleman had substantial enough credit, he could get money at 8 percent, or he could also come under the provisions of this act.

Mr. ADAMS. Could they charge me 12 percent?

Mr. FUQUA. They could, on a home improvement loan.

Mr. ADAMS. That is what I want to know. I thank the gentleman for his statement, which is a reply to the gentleman from Ohio. There is no limitation of 8 percent whatsoever on such loans.

Mr. FUQUA. Will the gentleman yield further?

Mr. ADAMS. I yield to the gentleman from Florida.

Mr. FUQUA. What is the rate on an 8 percent add-on or discount at the present time, in the present practice in the District of Columbia?

Mr. ADAMS. It is 8 percent unless they discount it.

Mr. FUQUA. If there is an 8 percent discount, what is the rate of interest?

Mr. ADAMS. It will be up around 12 percent.

Mr. FUQUA. I believe it will be plus 15.

Mr. ADAMS. It depends on how many years the loan would run, the amount of the payback, and so on.

Mr. FUQUA. This is the present situation we have in the District of Columbia.

Mr. ADAMS. Yes, but what the gentleman has pointed out—and the whole purpose of the bill, as I understand it, is that if somebody starts to file lawsuits on this subject, it is going to be established that usury means usury, and that such rates are illegal. Therefore, they are charging more than the legal rate. Otherwise, there is no point in passing this bill, because if they can do what they say they can do now, it is legal and this bill is not necessary.

Mr. FUQUA. If my good friend will yield further, usury normally in most States, including the gentleman's State, has been exempt on installment unsecured loans.

Mr. ADAMS. Only because nobody has gone in and blown the whistle on that practice. That is all. The lawsuits are now about to start, because finally the people who have been charged these rates are beginning to understand what is happening and they are saying there is a difference. They are filing lawsuits and the matter of the true rate will be decided.

The SPEAKER. The time of the gentleman from Washington has expired.

(By unanimous consent, Mr. ADAMS was allowed to proceed for 2 additional minutes.)

Mr. ADAMS. That, to me, is the whole purpose and point of what we are doing. It goes back to what the gentleman from Texas said a little earlier. At some point on a national basis—and this bill is the forerunner of the national issue we are going to face—we are going to have to say to the banks, "You can make money on 8 percent or on 9 percent. We just cannot simply go on with this idea of you raising the rates all the time where there is no longer any competition among money lenders to hold rates down."

When somebody talks to me about a competitive market for money, I say, "Baloney." The big corporate borrowers who used to provide a competitive back pressure on the money lenders now are in a position where they are making large profits, and they can write off their interest expense. These companies have a 7 percent investment credit they can apply against their income taxes. They can borrow the money to build a facility and write it off on an investment credit. They can use accelerated rates of depreciation to reduce taxes. So their effective rate of interest drops down to 3 or 4 percent or less. When they go into the market and someone says it is 9 percent, what they are doing is, they are figuring out what they can deduct, and they say, "OK 9 percent but know they may actually pay 3 percent." But when the little man—and I consider that to be everyone who is not one of the giants—goes in and tries to do that sort of thing, they say, "9 percent," and he pays 9 percent, he cannot deduct much and he does not earn enough to make the deduction worthwhile. That is why we are worried about this bill.

I agree with the gentleman from Indiana. I think the chairman of the committee has done an excellent job in trying to put this thing together. But I think we have not faced the basic nut question, which is, "If it is legal, why do you need this bill? If it is illegal, what should we do?"

The SPEAKER. The time of the gentleman from Washington has expired.

(On request of Mr. PATMAN, and by unanimous consent, Mr. ADAMS was allowed to proceed for 1 additional minute.)

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Texas.

Mr. PATMAN. The gentleman mentioned that lawsuits would be filed. There was one big lawsuit filed today. A copy of the petition will be in the RECORD for today and available tomorrow morning. I am glad the gentleman mentioned that because the suits are started.

Mr. ADAMS. Mr. Speaker, I thank the gentleman from Texas. I said I would mention that, and I did not, but there will be today suits filed on behalf of the Greater Washington Chapter of Americans for Democratic Action, the Democratic Central Committee of the District of Columbia, challenging the legality of the present bank interest rates and seeking the recovery of interest.

Mr. HORTON. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I rise in opposition to H.R. 255, pertaining to finance charges on certain installment loans made by financial institutions in the District of Columbia.

I am well aware of the fact that practices authorized by this bill have in fact been in use by Washington banks, savings and loan institutions, and regulated lending firms for a number of years. I am also aware that this bill seeks to clear up the question as to whether these practices of deducting or adding on interest charges violate the District's usury laws. Further, I know that 39 States have seen fit to clear up the same question by enacting similar laws.

One of the strongest arguments put forth by the banks in favor of this bill is that the interests of the District's consumers would be impaired if, without this clarifying statute, small installment loans became unavailable in the Nation's Capital. There is no question that the availability of such loans is important to both the consumers and the District's economy. But if consumer interest plays a key role in justifying this bill, I feel that the consumer groups who have expressed interest in H.R. 255, including many who have opposed it, should have a chance to be heard. I am informed that no consumers or consumer groups testified in any of the hearings held on this bill. Whatever their points of view, I feel they should be heard and considered by our committee before this bill is enacted into law.

Thus, Mr. Speaker, it is my intention at the appropriate time to offer a motion to recommit H.R. 255, so that fur-

ther open hearings can be held which can include these consumer spokesmen.

Mr. HAYS. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I heard a defense of the banking fraternity in the District of Columbia. I happen to have a little bit of knowledge about banking myself. The traditional view of the banker is of a flinty-hearted individual with a steely glare who says no to everybody. But I want to tell Members, the typical banker, compared to the fraternity in the District of Columbia, has a heart like an overripe tomato, because the chiselers in this town really know how to take people—and I know what I am talking about.

I know a mortgage on a piece of real estate was paid off this month, which was a 5½-percent mortgage, which had run for 12 years without a payment ever being missed. One would have thought the bankers would have been delighted to get the balance paid off so they could put it out at what the gentleman says is the going rate, 7¾ percent plus three points—and they charged a point for the loan being paid off early, or 1 percent more.

Talk about a bunch of clip artists. They have them here. My bank would be so happy to get a 5½-percent loan paid off, they would probably pay the fellow a point for coming in and paying it off. We really would be delighted to get in those cheaper loans, so we would be able to loan them out at a straight 7 percent—with no points. That is the going rate in Ohio.

I am a very pragmatic fellow, and I would just love to run against anybody who votes for this bill, because all I would have to say—and nobody could dispute it—is he voted to raise the legal rate of interest from 8 percent to 16 percent, and really everybody in any constituency can understand that language.

Members can explain from now on out that they were only trying to legalize something that was already being done, but I do not think they will hit much bedrock with that kind of explanation to the average man in the street. He is not going to buy that.

He knows the difference between 8 and 16, and he is not interested in having something that is being done illegally legalized if it is going to cost him 8 percent more.

Now, please do not look like you are going to get up, Mr. Chairman of the subcommittee. Do not get up to talk about my statement. I do not want you to, because I know all about it.

I was naive enough many years ago to introduce a bill in the Ohio Senate, to cut the legal rate of interest on small loans from 3 percent a month to 2 percent a month, which is from 36 to 24 percent a year, and I found out how the friendly loan boys operate, and my opponent found out, also, how they operate. He was the recipient of a lot of their largess.

So do not quote anything about Ohio, because what it does in the small loan field I do not approve of.

I realize that in respect to the unsecured loan area one has to have a little more interest if one is going to make those kinds of loans.

Mr. FUQUA. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Florida.

Mr. FUQUA. In comparing Ohio to the District of Columbia, which is not what we are talking about, is the gentleman aware that we do not permit small loan companies in the District of Columbia? I am glad we do not.

Mr. HAYS. I am aware of it, and if I had enough political muscle we would not permit them in Ohio. I must confess I did not have it then, and I doubt if I would have it now if I were back out there because, as I told you, they know how to operate, and they do.

As I say, they have to have a medium amount more, and I am in favor of that, but not 36 percent.

If we are going to allow the banks to operate as small loan outfits, they should have more, but I do not think it should be 16 percent, because I do not really believe that if they use a reasonable amount of caution on the loans they make they will require that.

I do not bleed like my friend from Washington, about the fellow who walks in and cannot get a loan. Some people ought not to have a loan, and we are not doing them a favor by providing them a loan at any percentage.

The SPEAKER. The time of the gentleman from Ohio has expired.

(On request of Mr. FUQUA, and by unanimous consent, Mr. HAYS was allowed to proceed for 1 additional minute.)

Mr. FUQUA. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Florida. It is his minute.

Mr. FUQUA. I would hope that the gentleman would join with me in not trying to help the small loan companies of Maryland and Virginia. That is exactly what we will do if we fail to pass this legislation.

Mr. HAYS. I told the gentleman, I am pragmatic. It is not going to be on my record that I voted to raise the legal rate of interest from 8 to 16 percent, much as I would like to help the gentleman.

Mr. ADAMS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman, if I have time left.

Mr. ADAMS. I agree with the gentleman. I believe that many people ought not to have loans forced on them, and they should not have them.

What is bothering me is that the bankers are beginning to raise that level of those who have a legitimate reason to borrow to a higher and higher level. There are a lot of people who are losing out because the bankers are saying, "It is easier to loan money out to A.T. & T. at 8 percent than to bother with a man who has a pretty good job for 8 percent."

Mr. HAYS. That may well be, and something should be done about it, but not in this manner.

Mr. GUDE. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, the bill which we are considering here today is not half-loaf, in my opinion; it is really a very small slice. It is, however, a small improvement over the present situation where banks can actually charge an unlimited amount of interest by discounting.

I should like to point out to the House that the legislation originally presented to the Committee or the District of Columbia provided for removing the ceiling from the present so-called 8 percent legal rate of interest and providing no ceiling at all.

Conditions are wide open now and would have been wide open with that proposal. There were some of us in the committee who were very concerned about this and as a result we amended the legislation and the resulting bill which we have here now is a slight improvement over that which was originally presented. I urged that we look at the entire problem of interest rates in all areas of commerce but unfortunately there was insufficient support for a complete review. Also the gentleman from Washington (Mr. ADAMS), and the gentleman from Indiana (Mr. JACOBS), and I cosponsored legislation last year which would have resulted in a complete review of the entire question of consumer interest in the District of Columbia as far as interest rate charges are concerned.

For example we felt that revolving and installment credit charges should be examined. I do not know whether it helps a person who is going to put a roof on his house feel better to know that he paid a "legal" 18 percent to a department store supply company for roofing supplies than if he paid a possible "illegal" 15 or 16 percent to a bank for a loan with which he would buy the same supplies.

We should have a complete review of all of these interest rate questions in the District of Columbia and strong legislation providing strict limitations and regulations.

Mr. Speaker, we have two alternatives before the House. First, we can pass this bill. For the first time we would have a certain limitation placed on the banking institutions and the total amount of interest they charge including add-ons. They would not be able to charge over a certain amount of interest. They would be prohibited from ballooning in their loan practices, and under the truth-in-lending bill the consumer for the first time would know actually what he is paying. I am not worried about how the bankers feel or how anyone else in that business feels, but I am worried about the ultimate effect of this bill on the consumer.

The other alternative is that we can kill this bill. The banks might be able to continue their present program if they win their lawsuits. They would really be home free and there would be no ceilings to the add-ons which they could levy. They could go much beyond 16 percent interest. On the other hand, if the banks, lose their suits and went out of this type of loan, we would be faced with a different situation. I believe this would have an undesirable effect on the entire metropolitan area. Many who need to borrow small amounts of money would go to neighboring jurisdictions.

Mr. Speaker, we have loan companies

in Montgomery County across the District line who are charging 36 percent interest on small loans and it is legal. I doubt if it helps the poor people who go out there and borrow money feel any better to know that they are paying a legal rate. I made a personal inspection of the area this morning, and I will give you an idea of where these loan businesses are located. On Georgia Avenue in the first block over the District line there are the following small loan companies: American Finance System, Aetna Finance Co., Seaboard Loans, Household Finance Co., GAC Finance Corp., Personal Thrift Plan Loans, Suburban Finance Co., Landmark Finance Co., and the State Loan Co. In that same block along Eastern Avenue, which parallels the District line, there are: State Loan Co., Landmark Finance Corp., Summit Loans Inc., Liberty Loans, Major Finance Loans, Calvert Credit Corp., City Finance Loans, Budget Finance Plans.

You may have noticed that on both Eastern Avenue and Georgia Avenue I reported the same two companies. The business is so good that they operate all the way through the block. They have doors open on both Eastern and Georgia Avenues. There are 15 of these small loan companies in just this one location, and many others located close to the District line along other arterials leading out of the District.

Mr. Speaker, in my opinion, if we kill this bill it would be a great opportunity for the small loan companies to expand their business with the increased trade from the District. I believe it is better to have money available with limitations and controls here in the District rather than have the unhealthy situation where they are forced into the suburbs.

Mr. DOWDY. Mr. Speaker, will the gentleman yield?

Mr. GUDE. Yes. I yield to the gentleman.

Mr. DOWDY. I have seen the row of businesses out there, but there is a cleaner who actually cleans clothes out there, too, is there not?

Mr. GUDE. Yes. There is a cleaning establishment interspersed with these loan companies.

Mr. DOWDY. I call them all "cleaners."

Mr. GUDE. The gentleman is right.

Mr. Speaker, as I have stated I believe this is the best we can get out of the House Committee on the District of Columbia at this time as far as interest rate legislation is concerned.

We have passed bills here in the House with the feeling that we could obtain hearings and consideration in the Senate which we could not achieve in the House. Possibly that could be done in the case of this legislation because I know the chairman of the Committee on the District of Columbia in the other body is very sympathetic to consumer problems. This represents a possible means of improving the legislation and making it more comprehensive.

Therefore, Mr. Speaker, I support this legislation, but in my opinion it represents a very thin slice or crumb rather than half a loaf.

Mr. WRIGHT. Mr. Speaker, I move to strike the requisite number of words.

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to the distinguished gentlewoman from Missouri.

Mrs. SULLIVAN. Mr. Speaker, this bill is not necessary in order to accomplish what it purports to do, but it does a lot of things it pretends not to do. It is a bad bill. It should either be recommitted to committee for further study—and public hearings on this amended version—or it should be defeated out of hand.

I am amazed that a committee of the House would bring in a bill to extend blanket amnesty to anyone who ever violated a District law which has been on the books for 50 years. Yet that is what this bill does.

Please read section 4 of the bill as amended in committee:

The amendments made by this Act shall apply with respect to any loan described in section 28–3307(a) of the District of Columbia Code (added by section 3 of this Act) final repayment of which is due after July 1, 1968.

Mr. Speaker, do you know of any other bill which goes back 1 full year or more to forgive any violation which might have occurred under existing law?

This bill does. I understand that the statute of limitations for District of Columbia protects any transaction which was completed more than a year ago. So this bill fills in the intervening 12 months, and provides amnesty for that entire period.

Now what does it provide amnesty from? This is the part which is so mysterious. It purports to permit District of Columbia banks and savings and loans to continue offering the same kind of installment loans that they have regularly been providing, and presumably at the same effective rates of interest. But who or what says they cannot continue to offer such loans without the passage of this bill?

There is no explanation in the committee report for this point. We are led to believe from the committee report that unless this bill becomes law, District of Columbia banks no longer will be able to offer what they call 8-percent discount loans, which are actually at the effective annual rate of 15.75 percent.

Nowhere in the report is there any reference made to the Federal Truth in Lending Act which took effect July 1, yet the implication has been given that the truth-in-lending law apparently, or presumably, or possibly, or ostensibly, makes the practices of the District of Columbia banks in extending 8-percent discount loans illegal under the District's 8-percent usury ceiling.

That is simply not true. And I assume that, since it is not true, the Committee on the District of Columbia has therefore carefully refrained from using this argument in its report.

All the Truth in Lending Act requires in connection with these 8-percent discount loans is that the bank reveal that the annual percentage rate of the finance charge is actually 15.75 percent, not 8 percent. In order to avoid any confusion, or to avoid possibility of nuisance suits under the various State usury laws setting maximum rates on interest, the Federal Truth in Lending Act carefully spells out the fact that the finance charge on which the annual percentage rate is based is not regarded as interest under any State usury law.

But because the truth-in-lending law requires the District of Columbia banks, and all other lenders everywhere in the country, to reveal the actual rates of their finance charges—which are far above what the people have generally thought they were paying in terms of an annual rate—the District of Columbia banks now say they fear that some consumers will file nuisance suits against them alleging that they have been violating the District of Columbia's 8-percent usury law ceiling.

In the very brief testimony before the subcommittee which considered the original H.R. 255, the witnesses from the banking industry made it clear that they did not think they have been violating the District's usury ceiling with their 8-percent discount loans, and felt they could easily prove this in court.

I think they should be given the opportunity to do so.

The committee acknowledges hastiness in its draftsmanship by saying that it does not intend the bill to legalize 16-percent or 14-percent or 12-percent interest on home mortgages, and I understand the committee will offer an amendment to its amended bill to make that point clear. But the fact that the bill came out of committee with provisions which could apply such high ceilings to mortgages makes us all wonder what else might be permitted or allowed in this bill that the committee does not know about or has not looked into.

The worst thing of all is the amnesty clause. I will move to strike that out of the bill. What right have we to forgive past violations of law, if they have occurred?

Let me say, Mr. Speaker, that although the committee report implies that no opposition was voiced to H.R. 255 when the brief hearings were conducted on it in this Congress, the RECORD should show that I objected to the bill in its original form, for reasons which I spelled out in detail, in a statement provided to each member of the subcommittee on the morning of the hearing. No mention is made of my opposition in the report. But, in conformance with the recommendations I made in my written testimony, the committee junked the original approach of H.R. 255 and came out with an amended bill which straightforwardly raises the legal rates of interest in the District on installment loans. Undoubtedly, the present 8-percent usury ceiling is too low. But what is the right figure? Should it be 16 percent, as this bill proposes, or 12 percent, as is the case in nearby Maryland? No study seems to have been made on that point. So we do not know, from the committee's work on this bill, whether 16 percent is too high, too low, or just right.

All we do know is that the committee has taken the highest rates currently charged by District banks for installment loans and said, in effect, this is a dandy rate, just right, so let us legalize it.

Mr. Speaker, this bill should be recommitted for further study—and for comprehensive study, not just a whitewash of what has been done. If the Suburban Trust Co. of nearby Maryland can advertise—as it has been doing under truth in lending—that its rates on the kind of installment loans covered in this bill is 12 percent, why do the District banks need 16 percent? Maybe they do. But why?

If we pass this bill, and it becomes law, how soon would it be before the Maryland banks go to their legislature and say that since the District banks can get 16 percent, Maryland banks should not be held to 12 percent. This bill could therefore have tremendous ramifications on all types of consumer loans—on the rates charged.

If the District committee does not want to undertake the research necessary to come forward with a comprehensive bill on consumer credit rates and charges, then it should let the Washington, D.C., City Council do it. But, in the meantime, I can assure the Members of this House that if 15.75 percent has been a legal rate in Washington for a so-called 8-percent discount loan, then the Truth in Lending Act does not make it suddenly illegal, so this bill is unnecessary from that standpoint. All truth in lending has done in that respect has been to smoke out the true rate—and that is what truth in lending is supposed to do.

This is a bad bill.

Mr. Speaker, undoubtedly the District needs new consumer credit legislation, as the gentleman from Florida said, to eliminate gimmicks and abuses. But this bill is not a comprehensive rewriting of obsolete District laws on credit. It is a narrow, special interest bill for banks and mortgage lenders.

Bring us a comprehensive bill on consumer credit, outlawing abuses of the poor, and we might argue about details but we could pass a good bill.

Mr. WRIGHT. Mr. Speaker, it would be very hard to conceive of a more flagrant case of special interest legislation than H.R. 255, which would increase the legal interest rates in the District of Columbia. Its obvious effect would be to legitimatize an unlawful practice, and to do so retroactively for the selfish benefit of those who have been illegally preying upon the poor and the unwary.

High interest is the cruelest oppressor of the poor. It is an economic tyranny from which they cannot escape. Like a leech, it attaches itself to their slender purses and sucks away the lifeblood of their meager substance. To enact this bill would be a deed of crass and unfeeling cruelty.

Moreover, it would amount to a craven surrender in our efforts to protect consumers everywhere. Throughout the land it would be interpreted as a congressional retreat from our determination to protect the needy from the greedy. Surely it would set a dangerous pattern for States to follow in raising the antiusury ceilings. It could begin another round of increases in interest rates everywhere.

High interest, more than any other one device, is slowing down the wheels of economic growth in this country. It is stifling small business, stymieing the production of low-cost homes, and siphoning away the buying power of the Nation.

High interest feeds the fires of inflation in the most cruel and unforgivable way of all. Worse even than high prices and high taxes, it gives absolutely nothing in return. And by increasing the cost of production and the cost of government, it feeds fuel to the fires of high prices and high taxes.

The bill would legalize practices which are clearly violations of the present law. More reprehensible still, it would do so retroactively. It would legitimatize the sinister greed of those who have arrogantly flouted the law and render them immune from prosecution.

Existing law in the District of Columbia defines interest rates which exceed 8 percent as illegal usury. This bill would double that ceiling. It would set a ceiling of 6 percent on installment loans up to $1,200, 14 percent on loans between $1,200 and $2,500, and 12 percent on loans of more than $2,500.

It would say in effect that we recognize the right of lending agencies to discriminate against the small borrower and to take usurious and unconscionable profits out of his hide simply because he of all borrowers is least able to escape or to defend himself.

This is not only an economic issue, although as such it clearly commands our attention. It is preeminently a moral issue. Almost 1,500 years before Christ, Moses gave the following stern commandment:

> If thy brother be waxen poor and fallen in decay with thee, then thou shalt relieve him . . . take thou no usury of him, or increase . . . thou shalt not give him thy money upon usury, nor lend him thy victuals for increase.

It would be hard to conceive a more regressive or oppressive measure than this bill. To pass it would be the trumpet of congressional retreat from enlightened decency and humanitarian concern. It deserves to be defeated by so resounding a vote that none can mistake the clear determination of the Congress to put a stop to this insidious practice of usurious interest charges which are stifling the very wellsprings of our economy and mounting their treasure from the sweat of the poor.

Mr. Speaker, I have a very high regard, personally, for the distinguished gentleman from Florida, chairman of the subcommittee, and I do not accuse him in any sense of bad faith. I am not a member of the Committee on the District of Columbia, but every Member of this House should recognize that this bill is symbolic to the Nation as a whole. There is not any citizen of the United States who ever borrows money or expects to borrow money in the future who is immune from what this bill can conceivably do to them.

Mr. HARSHA. Mr. Speaker, will the gentleman yield to me?

Mr. WRIGHT. I yield to my friend, the gentleman from Ohio.

Mr. HARSHA. Does not the gentleman feel that if we enact this legislation it will be a forerunner of a great effort throughout the United States to change interest rates?

Mr. WRIGHT. That is a very grave concern of mine. I have been here in this House of Representatives for some 15 years and time and time again I have seen increases in interest rates on various types of loans allowed on Government-insured mortgages on the ground that it was necessary to catch up with what was being practiced in the money market.

Mr. Speaker, we have been playing leapfrog. Each time we raise interest under the guise of helping poor people borrow money, what we actually do is to create a situation to allow someone else to raise interest rates somewhere else in turn under the guise or pretense of helping the small borrower. And the sum effect of it all, of course, is to work an enormous detriment upon all borrowers, both big and small. I would say to the gentleman from Ohio that this is one of my greatest concerns.

We have an opportunity here today which we rarely have in the House of Representatives, to come down on the side of higher interest rates or to come down forcefully on the side of lower interest rates. That is what faces us. It is utter folly to come before this body and say that the enactment of this bill would not change interest rates. Of course, it changes the legally allowable interest rate. Presently that rate is 8 percent in the District of Columbia. If this bill is enacted, the legally allowable interest rate will be 16 percent.

So the question is: do we want to be parties to doubling the legal interest rate in the District of Columbia, bearing in mind what effect it might have on interest rates in the rest of the country or upon usury ceilings in many States which might want to stay in step with the District of Columbia.

It seems to me, Mr. Speaker, that regardless of whether some people have been getting by with charging this kind of interest rate in the District under various subterfuges, or whether there may be people across the District line who charge higher interest than 16 percent, to legitimize and sanction the practice would be in my judgment thoroughly unconscionable. I certainly do not want to be a party to permitting this legally and making previous offenders immune from prosecution.

Mr. STEIGER of Arizona. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. Yes, I yield to the gentleman from Arizona.

Mr. STEIGER of Arizona. I appreciate the gentleman's concern about the immorality of charging 16 percent interest. However, I would assume that the gentleman would abhor the doubling of that rate to almost 32 percent; is that correct?

Mr. WRIGHT. The gentleman assumes correctly.

Mr. STEIGER of Arizona. That is exactly what he is going to have the people paying who are now paying 15 and 16 percent for their money in the District through old established practices who if this legislation is not adopted are going to be eliminated and deprived from that rate of interest. They are going to be driving out to Maryland and Virginia where they are going to pay up to 32

percent. Those people are not going to vote for the gentleman in Texas.

Mr. WRIGHT. Mr. Speaker, I do not yield further. I understand the points made by the gentleman. I want to say in response to the statement made by the gentleman that, if his heart really bleeds for the people who have to borrow money at those kinds of interest rates in Maryland and Virginia, that if he will join with me, I will certainly join with him so that together we could help to adopt a Federal usury ceiling to apply everywhere alike and to all kinds of loans. I certainly will join the gentleman in that effort if the gentleman will go along with me, and I think the majority on our side of the aisle would join in such an effort. If the gentleman is really concerned about unconscionable interest rates in Maryland and Virginia, then clearly a Federal ceiling is the solution. Most certainly a solution does not lie in suppinely surrendering to the practice by doubling allowable rates in the District of Columbia.

Mr. Speaker, I just do not think any man can stand up here and defend a doubling of the interest rate allowable in the District of Columbia on the ground that it will help the poor people, because higher interest is by all means the cruelest and most burdensome oppression of the poor.

It seems to me, Mr. Speaker, that this bill is one which forces every Member of the House to make his choice. We can come down on the side of high interest which has been stagnating the economic growth of our country, and which has slowed down the building of low-income housing, and which has been siphoning away the buying power and lessening the prosperity of our country. Or we can come down on the side of the people, and that clearly is on the side of low-interest rates.

So let us begin now. Let us start to roll back the interest rates. Let us not sit here and passively acquiesce in the continual raising of interest rates. Let us make it clear and unmistakable by our votes today that Congress is determined to bring interest rates down.

Mr. PODELL. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, for many years when I was in the State legislature I serve on the commitee on banking and our committee did a number of investigatory studies in connection with the charging of interest rates throughout our State. I do not hold with you that those gentlemen who are for this bill are for higher interest rates and those gentlemen who are opposed to the bill are the champions of low interest rates.

I think everyone knows the kind of money these people may borrow and the rates that they must pay. I think most of us know that for many years these loan companies have deducted interest rates in advance and therefore have been charging some 80 percent or 85 percent more on their interest rates than that allowed by the various States of the Union.

That today—even today—these are the same people who are borrowing money and paying exorbitant interest rates.

What this bill does seek to do, and what disturbs me about the bill is that this bill seeks to legitimatize and seeks to ask the U.S. Congress to put its stamp of approval on a higher charge that I and many others regard as illegal.

If we were to pass this kind of legislation, we are going to create a clamor for every State in the United States to adopt legislation likewise that will permit the various loan companies in the various States which are included therein to do the same for themselves. We are going to permit the loan companies from now on to say that the Congress has permitted us to charge 17 percent and 18 percent interest by doing indirectly what you cannot otherwise do directly. This is my concern about the bill.

I think the proponents of the bill do so in good faith, and they understand and will appreciate the problems in the District. I, too, know what is going on. But to ask the Congress to put its stamp of approval on the banks and loan companies—they are the same, call them what you will—is asking too much from the Congress. Because if we do, we shall open up a door which we shall hereafter find very difficult to close.

Mr. BARRETT. Mr. Speaker, will the gentleman yield?

Mr. PODELL. I yield to the gentleman.

Mr. BARRETT. Mr. Speaker, I rise in opposition to H.R. 255, to deduct interest in advance on installment loans in the District of Columbia. This bill is intended to approve a questionalable practice here in the District which may be in violation of the District usury law.

At a time when interest rates in the Nation are at a historic high to enact a bill which would create an effective rate of 16 percent per year on unpaid balances of principal of $1,200 or less is unconscionable. I seriously doubt that any of us would want such a rate to apply to our own district or State.

This legislation would affect those who can least afford to pay exorbitant rates of interest to the moneylenders. It is a further attempt to exploit those who can least afford to be exploited.

The bill is opposed by the District of Columbia Mayor-Commissioner and many local civic and community groups. They have the best interests of the residents of the District of Columbia at heart and I think we should, too.

I urge my colleagues to vote this measure down, not only for the benefit of those living here in Washington, D.C., but also to clearly illustrate to the financial community throughout our Nation that the Congress is deeply concerned with the increase in cost of money and the detrimental effect that it has had on our economy.

AMENDMENT OFFERED BY MRS. SULLIVAN TO THE AMENDMENTS OFFERED BY MR. FUQUA TO THE COMMITTEE AMENDMENT

Mrs. SULLIVAN. Mr. Speaker, I offer an amendment to the amendment offered by the gentleman from Florida (Mr. FUQUA).

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mrs. SULLIVAN to the amendments offered by Mr. FUQUA to the committee amendment: On page 4, strike out lines 16 through 19.

Mrs. SULLIVAN. Mr. Speaker, earlier in the debate on this bill I explained why I oppose H.R. 255. The 16-percent rate of interest which this bill would establish for installment loans under $1,200, the 14-percent rate on loans from $1,200 to $2,500, and the 12-percent rate for loans over $2,500 may or may not be proper and legitimate. These rates may be too high; they may even be too low. The committee has brought in no evidence, and has held no hearings to develop evidence, to show what a proper rate should be for the District of Columbia on this kind of consumer credit. The Maryland banks apparently only charge 12 percent—at least, the Suburban Trust Co. has been advertising 12-percent consumer loans in the Washington newspapers. Perhaps the District banks need 16 percent.

The point is that instead of making an investigation of the cost of lending money—and we all know it is high—the committee has merely taken the rate the banks have been charging right along on these so-called 8-percent discount loans and asks us to say that 16 percent is just right. The committee has not only recommended legalizing this rate, which is double the present legal rate, but has proposed in section 4 of the bill that anyone who may have violated District law by charging 16 percent when the legal rate was only 8 percent should be retroactively absolved of any guilt—granted blanket amnesty. Section 4 takes this back to July 1, 1968. I believe the statute of limitations covers anything done prior to that time.

Let me say, Mr. Speaker, that by charging 16 percent on consumer loans when the District law specified the ceiling on interest charges in this jurisdiction is only 8 percent, the banks here do not feel they have violated the law.

They cite court decisions in other jurisdictions holding that interest taken in advance on installment loans, doubling the effective interest rate from that stated, is not a violation of a State's usury law. Probably they are correct.

But it is the courts which should decide that question as it applies to past practices of the District of Columbia banks, not the Congress in retroactively granting amnesty to any banker who might have violated the District's usury ceiling by charging 16 percent on a so-called 8-percent loan.

Mr. Speaker, I intend to oppose this bill whether or not section 4 is deleted, because I think H.R. 255 is hasty and ill-considered legislation on a subject of vital personal importance to every moderate-income or low-income family in the District of Columbia. This subject of consumer credit rates deserves a thorough study, and a reasoned formula for meeting the needs of the public and also assuring a fair return to lenders.

But with section 4 in the bill, we would be saying to the banks that we do not think they can defend themselves legitimately in the courts on this usury charge—that they have been violating the law for 61 years and we all know it, and so we are going to change the law retroactively to save them from prosecution. I do not feel we should grant amnesty to all violators. Let the courts decide if this practice is legal. If it has

been illegal, those who have been damaged should be allowed to seek redress.

Just bear this in mind, Mr. Speaker, and I urge my colleagues also to bear it in mind:

Under the Truth in Lending Act which took effect July 1, the finance charge of 15.75 percent on 8-percent discount installment loans in the District of Columbia, cannot be held to be "interest" under the District of Columbia usury statute. The rate that the banks disclose under truth in lending is the rate of the finance charge, not the "interest rate." We wrote the truth-in-lending law to cover this point deliberately—so that the legislatures, and the Congress in legislating for the District of Columbia, would not have to pass bills like H.R. 255.

If we pass H.R. 255, we are in effect saying to every State legislature that we did not mean what we said in the Truth in Lending Act about State usury laws. This could cause tremendous confusion among lenders in every State. This is too important a step to take in this casual fashion.

Mr. FUQUA. Mr. Speaker, I rise in opposition to the amendment offered by the gentlewoman from Missouri.

The SPEAKER. The gentleman from Florida is recognized.

Mr. FUQUA. Mr. Speaker, I shall not take the time allotted to me because I know the hour is getting late and we have other legislation to consider. But this clears up the effective date of the bill, and going back, in adopting an effective date so that those loans that are in progress now would in effect say that what has been going on could continue and clarify possible court situations.

Mention was made that several legislatures would soon meet to enact legislation similar to that now before the House. I might state that already 39 States have adopted similar legislation. Historically throughout this land installment loans have been exempt from usury statutes. It is the other type of loans that are subjected to the usury statutes. I would hope that the amendment offered by the gentlewoman would be voted down and that we could go on with the passage of the bill.

Mr. FRASER. Mr. Speaker, will the gentleman yield?

Mr. FUQUA. I yield to the gentleman from Minnesota.

Mr. FRASER. If I correctly understand the purpose of section 4, it is to get the banks out from under any liability they may have incurred if the court should find that they have been violating law. Is that correct?

Mr. FUQUA. For those loans that are still in effect.

Mr. FRASER. I understand the argument for this bill originally was that the truth-in-lending law suddenly threw a cloud on past practices, so this is the reason the banks want them to come in and get a higher rate of interest authorized. Am I wrong about that?

Mr. FUQUA. The proposed legislation would clarify their position. It was the feeling of the subcommittee that the way we would do it would be to spell the interest out, and there could not be any additional interest to add-ons, discounts, or other devices to increase the interest and to increase the cost to the consumer. That is the purpose of this legislation.

Mr. FRASER. But I understand the immediate problem was precipitated by the truth-in-lending law, which would require banks to state their true interest rates, and in effect it would force them to state an interest rate which on the face of it was unlawful. I could understand that problem for the banks, although I am not particularly in sympathy with what they are trying to do. But it seems to me it is going quite a step further to say that we are going back, and if the banks were wrong, and if they charged—as I think a good case could be made—usurious rates to borrowers, why are we now coming and in effect saying, "Do not worry about it. We are going to get you out from under your illegal act?" Why should we do that?

Mr. FUQUA. We are not saying it is actually legal.

Mr. FRASER. But if the courts would decide otherwise, find it illegal, we are saying we are going to take care of them.

Mr. FUQUA. We are saying those in effect now would be under the same provisions as this act.

Mr. FRASER. I just want to register my very strong objection to going backward and giving the banks a basis to get out from under a liability they may have incurred. It seems to me that is quite unreasonable.

Mr. GUDE. Mr. Speaker, I move to strike the last word.

Mr. Speaker, in regard to the remarks made by the gentlewoman from Missouri, the allowable interest rate of banks in Maryland is 12 percent. In other words, usury in Maryland starts at 12 percent, and here in the District it starts at 8 percent. One of the effects of the failure to this legislation would be to move business into Maryland.

I would like further to point out the legislative council of Maryland, an arm of the general assembly, has approved a bill which they are recommending to the general assembly which would provide that the usury rate for loans up to $500 in banks would stand at the rate of 18 percent.

Mr. ADAMS. Mr. Speaker, will the gentleman yield?

Mr. GUDE. I yield to the gentleman from Washington.

Mr. ADAMS. Mr. Speaker, one of the things that is bothering me about this argument is why people are going to want to go some place else to pay more. If it is really true, as the bankers keep telling us, that the money market is competitive, that it is not fixed, and so on, then why, after a certain short period of time, if we can borrow money in the District of Columbia for 8 percent, should anybody go to Maryland and borrow at 12 percent—except maybe in some of those cases, as the gentleman from Ohio mentioned, where the person probably should not have a loan in the first place and we are doing him a disservice to charge him the extra amount and give him the money at that price.

Mr. GUDE. Mr. Speaker, I would like to point out to the gentleman, I read off a list of small loan companies, finance companies, and loan corporations, located right over the line in Maryland. For some reason unknown to him and to me, these people go there to pay up to 36 percent interest. That is exactly the situation we get and failure to pass this bill will worsen it.

Mr. ADAMS. Mr. Speaker, is it not a shame we do that to the people who can least afford it, and why should we legalize it? That is our problem with this bill today, that many of us are beginning to look nationwide at this whole problem of interest rates to see what we should do about it. Why should we do that?

Mr. GUDE. Mr. Speaker, I feel it is better to control the business in the District and set limits, rather than force people to go into another jurisdiction and pay exorbitant rates.

Mr. FARBSTEIN. Mr. Speaker, I rise in opposition to H.R. 255. I believe its passage would only add to the already spiraling increase in interest rates and would signal a significant retreat from the Truth-in-Lending Act so resoundingly passed by Congress only last year, and so long supported by myself.

Passage of this bill in effect would raise the ceiling on installment loans in the District of Columbia from 8 to 16 percent on a sliding scale by permitting banks to deduct interest in advance and to apply add-ons.

The rates proposed by this bill are usurious. The banks are making a high enough profit as is, although they would like to make an even higher one. They have not demonstrated a need for a rate increase to levels of interest which exceed those in the neighboring States for loans under $2,500.

There was a great deal of public concern and outcry when the major banks in this country recently raised their prime interest rates from 7 to 8 percent. Their rationale which is the same as that of the proponents of the legislation before us today, was that they were not making a sufficiently high profit. The doubtfulness of that rationale has led to investigations of that increase by the Department of Justice, the House Democratic caucus, and the House Committee on Banking and Currency. Approval of H.R. 255 at this time, given the rationale behind it, is thus less than opportune and could only serve as an encouragement to other areas of the country to increase their interest rate limit and thus accelerate the ever increasing rate of inflation in this country. It is the senior citizen and others who live on fixed incomes, the potential home buyer, the worker, and the consumer who in the end have to pay the price of high interest rates and inflation. We must stand up for their interest by saying "no" to this bill.

I oppose this bill also because it would undermine the Truth-in-Lending Act which became effective on July 1. A major purpose of that act was to block by revelation sleight-of-hand practices such as discounts and add-ons which mislead the borrowing public. House approval of H.R. 255 would provide an open invitation to State legislatures to devise ways to weaken truth-in-lending.

Finally, I oppose this bill because of its retroactive feature. District of Columbia bankers now fear that their practices of

using discounts and add-ons to evade the District's 8-percent usury law may be challenged under the new Truth-in-Lending Act. Making this bill retroactive to loans outstanding on July 1, 1968, would serve to legitimize these past practices. I can see no reason Congress should pass a bill to protect bankers who are guilty of breaking the law. The discount and add-on procedures are clearly deceptive.

Mr. Speaker, H.R. 255 is bad legislation and should be defeated, not only because the adverse effect it would have on residents of the District of Columbia, but because of its significance to the consumer in every part of this country.

The SPEAKER. The question is on the amendment offered by the gentlewoman from Missouri (Mrs. SULLIVAN) to the amendments offered by the gentleman from Florida (Mr. FUQUA) to the committee amendment.

The question was taken; and on a division (demanded by Mr. FUQUA) there were—ayes 65, noes 11.

So the amendment to the amendments to the committee amendment was agreed to.

The SPEAKER. The question now is on the amendments offered by the gentleman from Florida (Mr. FUQUA) as amended, to the committee amendment.

The amendments as amended, were agreed to.

The SPEAKER. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. HARSHA

Mr. HARSHA. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HARSHA. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HARSHA moves to recommit the bill H.R. 255 to the Committee on the District of Columbia.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken and the Speaker announced that the ayes appeared to have it.

Mr. HAYS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 356, nays 19, answered "present" 2, not voting 55, as follows:

[Roll No. 125]

YEAS—356

Abernethy	Findley	May
Adair	Fish	Mayne
Adams	Fisher	Meeds
Addabbo	Flood	Melcher
Albert	Flowers	Meskill
Alexander	Foley	Michel
Anderson, Calif.	Ford, Gerald R.	Mikva
	Foreman	Miller, Calif.
Anderson, Ill.	Fountain	Miller, Ohio
Anderson, Tenn.	Fraser	Mills
	Frey	Minish
Andrews, Ala.	Friedel	Mink
Annunzio	Fulton, Pa.	Mize
Arends	Fulton, Tenn.	Mizell
Ashley	Galifianakis	Mollohan
Ayres	Gaydos	Monagan
Baring	Giaimo	Montgomery
Barrett	Gibbons	Moorhead
Beall, Md.	Gilbert	Morgan
Belcher	Goldwater	Morse
Bell, Calif.	Gonzalez	Morton
Bennett	Goodling	Mosher
Betts	Gray	Moss
Bevill	Green, Oreg.	Murphy, Ill.
Biaggi	Green, Pa.	Murphy, N.Y.
Biester	Griffin	Myers
Bingham	Griffiths	Natcher
Blackburn	Gross	Nedzi
Boggs	Grover	Nichols
Boland	Gubser	Nix
Bolling	Hall	Obey
Brademas	Hamilton	O'Hara
Brasco	Hammer-schmidt	O'Konski
Bray		Olsen
Brooks	Hanley	O'Neill, Mass.
Brotzman	Hanna	Ottinger
Brown, Calif.	Hansen, Idaho	Passman
Brown, Ohio	Hansen, Wash.	Patman
Broyhill, N.C.	Harsha	Pelly
Buchanan	Harvey	Pepper
Burke, Fla.	Hathaway	Perkins
Burke, Mass.	Hays	Philbin
Burleson, Tex.	Hébert	Pickle
Burlison, Mo.	Hechler, W. Va.	Pike
Burton, Calif.	Heckler, Mass.	Poage
Bush	Helstoski	Podell
Button	Henderson	Poff
Byrne, Pa.	Hicks	Pollock
Byrnes, Wis.	Hogan	Preyer, N.C.
Caffery	Horton	Price, Ill.
Cahill	Hull	Price, Tex.
Camp	Hungate	Pryor, Ark.
Carter	Hunt	Pucinski
Casey	Hutchinson	Purcell
Cederberg	Ichord	Quie
Chamberlain	Jacobs	Quillen
Chappell	Jarman	Railsback
Clancy	Joelson	Randall
Clark	Johnson, Calif.	Rarick
Clawson, Del	Jonas	Rees
Clay	Jones, Ala.	Reid, Ill.
Cohelan	Jones, N.C.	Reid, N.Y.
Collier	Jones, Tenn.	Reifel
Collins	Karth	Reuss
Conable	Kastenmeier	Rhodes
Conte	Kazen	Riegle
Corbett	Kee	Rivers
Corman	Keith	Roberts
Coughlin	King	Robison
Cowger	Kleppe	Rodino
Cramer	Kluczynski	Rogers, Colo.
Culver	Koch	Rogers, Fla.
Cunningham	Kuykendall	Ronan
Daddario	Kyl	Rooney, N.Y.
Daniel, Va.	Kyros	Rooney, Pa.
Daniels, N.J.	Landrum	Rosenthal
de la Garza	Langen	Rostenkowski
Delaney	Latta	Roth
Dellenback	Leggett	Roudebush
Denney	Lennon	Roybal
Dennis	Long, Md.	Ruth
Dent	Lowenstein	Ryan
Derwinski	Lukens	Satterfield
Devine	McCarthy	Saylor
Diggs	McClory	Schadeberg
Dingell	McCloskey	Scherle
Donohue	McClure	Scheuer
Dowdy	McCulloch	Schneebeli
Downing	McDade	Schwengel
Dulski	McDonald, Mich.	Scott
Duncan		Sebelius
Dwyer	McEwen	Shipley
Eckhardt	McFall	Shriver
Edmondson	McKneally	Sikes
Edwards, Ala.	Macdonald, Mass.	Sisk
Edwards, Calif.		Skubitz
Edwards, La.	Madden	Slack
Eilberg	Mahon	Smith, Calif.
Erlenborn	Mailliard	Smith, Iowa
Fallon	Mann	Smith, N.Y.
Farbstein	Marsh	Snyder
Fascell	Martin	Springer
Feighan	Matsunaga	Stafford
Staggers	Udall	Wiggins
Stanton	Ullman	Williams
Steed	Utt	Wilson, Bob
Steiger, Wis.	Van Deerlin	Winn
Stokes	Vander Jagt	Wold
Stubblefield	Vanik	Wolff
Sullivan	Vigorito	Wright
Symington	Waggonner	Wyatt
Taft	Waldie	Wydler
Talcott	Wampler	Wylie
Taylor	Watson	Wyman
Teague, Calif.	Watts	Yatron
Teague, Tex.	Weicker	Young
Thompson, Ga.	Whalen	Zablocki
Thompson, N.J.	White	Zion
Thomson, Wis.	Whitehurst	Zwach
Tiernan	Whitten	
Tunney	Widnall	

NAYS—19

Aspinall	Esch	Haley
Blanton	Flynt	McMillan
Brinkley	Frelinghuysen	O'Neal, Ga.
Broyhill, Va.	Fuqua	Steiger, Ariz.
Cabell	Gettys	Stephens
Davis, Wis.	Gude	
Dorn	Hagan	

ANSWERED "PRESENT"—2

Cleveland	Evans, Colo.

NOT VOTING—55

Abbitt	Dickinson	MacGregor
Andrews, N. Dak.	Eshleman	Mathias
	Evins, Tenn.	Minshall
Ashbrook	Ford, William D.	Nelsen
Berry		Patten
Blatnik	Gallagher	Pettis
Bow	Garmatz	Pirnie
Brock	Halpern	Powell
Broomfield	Hastings	Ruppe
Brown, Mich.	Hawkins	St Germain
Burton, Utah	Holifield	St. Onge
Carey	Hosmer	Sandman
Celler	Howard	Stratton
Chisholm	Johnson, Pa.	Stuckey
Clausen, Don H.	Kirwan	Watkins
	Landgrebe	Whalley
Colmer	Lipscomb	Wilson, Charles H.
Conyers	Lloyd	
Davis, Ga.	Long, La.	Yates
Dawson	Lujan	

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

Mr. Holifield with Mr. Bow.
Mr. Celler with Mr. Lipscomb.
Mr. Long of Louisiana with Mr. Watkins.
Mr. Kirwan with Mr. Hosmer.
Mr. Evins of Tennessee with Mr. Andrews of North Dakota.
Mr. Garmatz with Mr. Johnson of Pennsylvania.
Mr. St. Onge with Mr. Ashbrook.
Mr. Charles H. Wilson with Dr. Don H. Clausen.
Mr. Yates with Mr. Brock.
Mr. Abbitt with Mr. Berry.
Mr. Carey with Mr. Minshall.
Mr. Colmer with Mr. Burton of Utah.
Mr. Howard with Mr. Eshleman.
Mr. Patten with Mr. Broomfield.
Mr. St Germain with Mr. Hastings.
Mr. Gallagher with Mr. Brown of Michigan.
Mr. Hawkins with Mr. Halpern.
Mr. William D. Ford with Mr. Powell.
Mr. Davis of Georgia with Mr. Landgrebe.
Mr. Blatnik with Mr. Lloyd.
Mr. Dawson with Mr. Conyers.
Mr. Stuckey with Mr. Dickinson.
Mr. MacGregor with Mr. Lujan.
Mr. Mathias with Mr. Nelsen.
Mr. Sandman with Mr. Pettis.
Mr. Ruppe with Mr. Pirnie.
Mr. Stratton with Mr. Whalley.

Mr. SCOTT changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill (H.R. 255) just passed.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

HEALTH AND SAFETY IN BUILDING TRADES AND CONSTRUCTION INDUSTRY

Mr. DANIELS of New Jersey. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 10946), to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 1, strike out "contractor" and insert "mechanic."

Page 2, lines 6 and 7, strike out "the record after an opportunity for an agency hearing." and insert "proceedings pursuant to section 553 of title 5, United States Code, provided that such proceedings include a hearing of the nature authorized by said section."

Page 2, line 18, strike out "(41 U.S.C. 39)." and insert "(41 U.S.C. 38, 39)."

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

NATIONAL ADULT-YOUTH COMMUNICATIONS WEEK

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 614) authorizing the President to proclaim the week of September 28, 1969, through October 4, 1969, as "National Adult-Youth Communications Week."

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 614

Resolved by the Senate and House of Rpresentatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation designating the week of September 28, 1969, through October 4, 1969, as "National Adult-Youth Communications Week" and calling upon—

(1) the Nation's television networks to organize and hold a series of three programs of discussion between selected generation groups, the first two programs to present the views of each generation toward its participation in the world today and the last program to present ideas on how the generations can cooperate to understand each other's needs and usefulness;

(2) the secondary schools and colleges to hold similar discussions at the local level; and

(3) businesses to encourage family participation by setting special family rates during "National Adult-Youth Communications Week" for theaters, amusements, sporting events, and other activities.

Mr. ROGERS of Colorado (during the reading). Mr. Speaker, I ask unanimous consent to dispense with further reading of the joint resolution and that it be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

AMENDMENT OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Colorado: On pages 1 and 2, strike out everything beginning after the word "upon" on line 6, page 1, and insert in lieu thereof the following: "the people of the United States to observe such week with appropriate ceremonies and activities designed to encourage the communication of ideas and cooperation between persons of different generations."

Mr. GROSS. Mr. Speaker, I move to strike the necessary number of words.

Mr. Speaker, I rise simply to ask the gentleman from Colorado a question. The amendment is the total resolution?

Mr. ROGERS of Colorado. That is correct.

Mr. GROSS. And neither this resolution nor the one to follow requires the expenditure of any money nor contemplates the expenditure of any money from the Federal Treasury?

Mr. ROGERS of Colorado. The gentleman is absolutely correct.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

(Mr. LONG of Maryland asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. LONG of Maryland. Mr. Speaker, the students in social studies class of section 9–B of the Ridgely Junior High School in Timonium, Md., in my district suggested that I sponsor legislation to proclaim a National Adult-Youth Communications Week.

On March 31, I introduced House Joint Resolution 614, which provides that the President proclaim the week of September 28, through October 4, 1969, as National Adult-Youth Communication Week. The resolution calls upon schools and colleges to organize discussions between different generation groups, television networks to broadcast similar dialogs; and theaters, sporting events, and other public activities to encourage family participation by setting special rates.

We should never underestimate the power of youth. Not only did young people get me to introduce this legislation, they have written to Members of the House of Representatives from all over the country, urging them to support this legislation. In addition, they have encouraged their fellow students, friends, and parents to join in support of this legislation.

This legislation has two purposes. First it will demonstrate to young people in all parts of the United States that meaningful change can be brought about through the democratic legislative process rather than using force and violence, or by taking over administration buildings. Second, this legislation will help to improve communications between those over 25 and those under 25.

The SPEAKER. The question is on the amendment offered by the gentleman from Colorado (Mr. ROGERS).

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

NATIONAL ARCHERY WEEK

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate joint resolution (S.J. Res. 85) to provide for the designation of the period from August 26, 1969, through September 1, 1969, as "National Archery Week."

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 85

Whereas in recent years archery as a competitive sport and recreation activity has grown in popularity and recognition; and

Whereas the increased stature of archery is evident in the fact that in 1972 this sport will become a gold medal event at the summer Olympic games; and

Whereas the extent of the widespread interest in archery is indicated by its establishment as a major intercollegiate sport throughout the United States; and

Whereas the National Field Archery Association, with some forty thousand members and more than two thousand affiliated clubs in each of the fifty States, has become the leader in promoting the advancement of competitive archery in this country; and

Whereas this organization is engaged in many outstanding civic projects, such as wildlife conservation activities and a youth scholarship program; and

Whereas this association is sponsoring a National Archery Week program of ceremonies and activities during the last week of August in this year; and

Whereas the year 1969 marks the thirtieth anniversary of the founding of the National Field Archery Association; and

Whereas the world archery championship events will be held in the United States during the summer of 1969; and

Whereas, in view of these facts, it is fitting and proper that the Congress should give official recognition in this year to the development of archery as a major sport and to the national interest in the program to be conducted by the National Field Archery Association: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the seven-day period beginning August 26, 1969, and ending September 1, 1969, as "National Archery

Week", and inviting the Governors and mayors of State and local governments of the United States to issue similar proclamations.

AMENDMENT OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Colorado: On pages 1 and 2 strike out all "whereas" clauses.

The amendment was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL CLOWN WEEK

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 236) authorizing and requesting the President of the United States to issue a proclamation designating the week of August 1 through August 7 as "National Clown Week."

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 236

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation (1) designating the week of August 1 through August 7 as "National Clown Week", (2) inviting the Governors of the States and territories of the United States to issue proclamations for like purposes, and (3) urging the people of the United States to give heed to the contributions made by clowns in their entertainment at children's hospitals, charitable institutions, institutions for the mentally retarded, and generally helping to lift the spirits and boost the morale of our people, at a time when it is especially desirable and necessary.

Mr. GARMATZ. Mr. Speaker, my bill to designate August 1 to 7 as National Clown Week has brought forth some snide remarks from radio, TV, and newspaper reporters who thought its introduction a joke. Anything that will bring happiness to people is welcomed by the clowns of America, at whose request I introduced the bill.

The idea of a National Clown Week was originated some 19 years ago and the date was selected as the time most clowns could entertain at various charities and hospitals for a summer break. A number of cities and States have designated August 1 to 7 as Clown Week and have done so for several years.

The purpose of the bill is to call attention to some of the activities of the clowns such as entertainment of children in hospitals, mental institutions, and deaf schools; clown contests at picnics, baseball and softball games held for the benefit of local recreational councils; use of a showmobile in ghetto neighborhoods, using name entertainment along with the clowns, to ease tensions and entertain children who lack entertainment. The week would promote clowning as the art it is—good clean entertainment.

As one of the oldest professions in the world, having roots deep in history, I think it deserves recognition and therefore urge passage of House Joint Resolution 236.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the three joint resolutions just passed.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

TEMPORARILY CONTINUING INTEREST EQUALIZATION TAX

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 13079) to continue for a temporary period the existing interest equalization tax, which was unanimously reported to the House by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I do not intend to object, but I reserve the right in order that I may yield to the gentleman from Arkansas, the chairman of the Commitee on Ways and Means, for an explanation.

I yield to the gentleman.

Mr. MILLS. Mr. Speaker, I thank the gentleman from Wisconsin for yielding.

Mr. Speaker, the bill before the House, H.R. 13079, would temporarily extend the interest equalization tax for a period of 1 month, through August 31, 1969. The tax otherwise expires on Thursday of this week, July 31.

Mr. Speaker, it will be recalled that the interest equalization tax is a part of our balance-of-payments program and is designed to reduce the outflow of dollars from the United States by raising the cost to foreigners of obtaining capital in U.S. markets. The tax imposed on U.S. persons acquiring foreign stocks or debt obligations, and it presently provides the equivalent of a three-quarters percentage point per annum increase in interest costs for foreigners obtaining capital from U.S. sources on the sale of foreign stock or debt obligations. At the present time, the tax rate on stock and debt obligations with maturities of 28½ years or more is 11¼ percent. A sliding scale of lesser rates is provided for debt obligations with maturities of less than 28½ years.

The Committee on Ways and Means believes that it is necessary to extend the interest equalization tax in view of the continued deficit in our balance of payments and the increased amount of borrowing in the United States by foreigners that would occur if the tax were allowed to expire. The Committee on Ways and Means, therefore, has already reported to the House H.R. 12829, which would extend the interest equalization tax for 20 months or until March 31, 1971. It is apparent, however, that it will not be possible for Congress to complete its consideration of that bill prior to next Thursday, when under present law, the tax is scheduled to expire.

Mr. Speaker, if the tax were allowed to expire on Thursday and then at a later date continued, as the committee believes it should be continued, this would create confusion in the securities markets and significant administrative and enforcement difficulties. If the tax were allowed to expire, there is serious doubt as to whether the exemption from the tax for prior American ownership could be adequately administered during the period of expiration and before congressional action on H.R. 12829 could be completed. To the extent that present procedures could not be followed because of any temporary expiration of the tax, the functioning of the present system and the enforcement of the tax would be seriously impaired.

In order to avoid the administrative and enforcement difficulties and the problems in the securities markets which would arise if the interest equalization tax is allowed to expire and then is subsequently continued, the committee recommends enactment of the measure before the House, H.R. 13079, to temporarily extend the tax for a period of 1 month so as to allow the Congress time to complete its consideration of H.R. 12829. Accordingly, Mr. Speaker, the pending bill temporarily extends the interest equalization tax through August 31, 1969. The committee is convinced that this 1-month extension is necessary in order that the tax may continue to operate in an orderly manner and that the risk of evasion of the tax may be minimized while Congress completes its consideration of the administration's request for a 20-month extension of the tax, which is embodied in H.R. 12829, the bill which has been reported by the committee and is now on the Union Calendar.

All of us, I think, are acquainted with what this interest equalization tax program does. If there are any specific questions with regard to it, I will be glad to respond, but it is merely a 30-day extension to enable us to legislate on the larger bill.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 13079

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That effec-

tive with respect to acquisitions made after July 31, 1969, section 4911(d) of the Internal Revenue Code of 1954 (relating to termination of interest equalization tax) is amended by striking out "July 31, 1969" and inserting in lieu thereof "August 31, 1969".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF SURCHARGE WITHHOLDING TAX RATES FOR 15 DAYS

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 13080) to continue for an additional 15 days the existing rates of income tax withheld at source.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I do so only to yield to the gentleman from Arkansas, the chairman of the committee, for a brief explanation of the bill.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Arkansas.

Mr. MILLS. This would continue, Mr. Speaker, for another 15 days or through August 15, 1969, the present withholding rates which are presently in effect. It will be recalled that the Congress recently did extend these withholding rates for 30 days. This bill would extend it for an additional 15 days in order to afford Congress time to try to legislate prior to the adjournment of the Congress on the 13th of August.

Mr. BYRNES of Wisconsin. Mr. Speaker, I would only add to what the gentleman from Arkansas said that this is essential if we are to give any opportunity for this body or the other body to act further in this area of the surtax extension. It seems to me we have no alternative at this late date.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. HAYS. Mr. Speaker, further reserving the right to object, is the gentleman aware of the statement by the majority leader of the Senate that was purportedly made today? At least I heard a radio newscast of it, in which he said that it might be well to let this thing die on the 13th of August rather than bring it up in the other body.

Mr. MILLS. I was not aware of such a statement, but I will say to the gentleman from Ohio, even if that should transpire, I think it is well for us to put ourselves in a position of trying to cooperate to the best of our ability with the other body in its consideration of the basic bill. If the other body wants to kill it, then that is the responsibility of the other body.

Mr. HAYS. I would like to help them kill it, if I knew of any way to do it. I thought that objecting to this motion might be one step to doing it.

Mr. MILLS. I do not think it would necessarily accomplish that, because if the other legislation should finally pass and there is a gap in the withholding period, then that tax, if the Congress passes it, would be collected on the 15th day of April next year in the larger amount with, I am sure, more inconvenience to the people than if we had this.

Mr. HAYS. I have a great deal of respect for the gentleman's opinion, Mr. Speaker, but in this case I will take the chance that it might help to kill it, and, therefore, I will object.

The SPEAKER. Objection is heard.

PROVIDING FOR CONSIDERATION OF H.R. 2, TO AMEND FEDERAL CREDIT UNION ACT

Mr. PEPPER. Mr. Speaker, on behalf of the able gentleman from Texas (Mr. YOUNG) and by direction of the Committee on Rules, I call up House Resolution 483 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 483

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2) to amend the Federal Credit Union Act so as to provide for an independent Federal agency for the supervision of federally chartered credit unions, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Nebraska (Mr. MARTIN) and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 483 provides an open rule with 1 hour of general debate for consideration of H.R. 2 to amend the Federal Credit Union Act so as to provide for an independent Federal agency for the supervision of federally chartered credit unions, and for other purposes.

H.R. 2 would create a National Credit Union Administration to be headed by an Administrator, appointed by the President with the advice and consent of the Senate. The Administrator will be under the direction of a Board of Governors representing membership from each Federal credit union region, plus a chairman to be appointed at large. Members of the Board will be appointed by the President with the advice and consent of the Senate.

Members of the Board will serve for a 6-year period. The Administrator will serve at the pleasure of the President.

The Credit Union Administration will be responsible for the regulation, supervision, and examination of Federal credit unions, and will perform all the functions presently carried on by the Bureau of Federal Credit Unions.

Operating costs of the Administration will be borne by fees and assessments paid by the more than 12,000 Federal credit unions in the United States.

Members of the Board shall be entitled to receive compensation at the rate of $75 a day when engaged in the business of the Administration as authorized by the Chairman. Also, they shall be allowed travel expenses, including per diem, as authorized by section 5703, title 5, United States Code, for persons in the Government service employed intermittently.

At the present time, regulation of Federal credit unions is under HEW; however, there are 12,689 Federal credit unions in this country, with over 20 million members, and it is felt that there should be an agency charged solely with overseeing them.

Mr. Speaker, I urge the adoption of House Resolution 483 in order that H.R. 2 may be considered.

Mr. MARTIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of the bill is to create a National Credit Union Administration whose function shall be to regulate, supervise, and examine all federally chartered credit unions. It will replace the current Bureau of Federal Credit Unions which is to be disbanded.

The Federal Credit Union Act was passed in 1934. Since that time the regulation of federally chartered credit unions has been passed from one agency or department to another. However, the program has prospered. There are now 12,689 federally chartered credit unions with some 20 million members and over $14,000,000,000 in savings. The committee believes that the credit unions should no longer be a stepchild but should have an independent administration to regulate their operations.

The bill calls for the creation of a National Credit Union Administration, headed by an administrator who shall be appointed by the President, with the advice and consent of the Senate, and serve at his pleasure. The administrator will be under the direct control of a nine-member board of governors who shall represent the membership from each Federal credit union region. Members will be appointed by the President, with advice and consent of the Senate, and shall serve for 6 years. The board and administrator shall regulate and supervise credit union operations.

No Federal expense will be incurred. All operational costs of the National Credit Union Administration shall be borne by the credit unions themselves, who strongly support the bill.

No agency letters are contained in the report but it is noted that the Department of Health, Education, and Welfare, where the current regulatory body now resides, opposes the change to a new and independent agency.

Mr. Speaker, I have no further requests for time.

Mr. PEPPER. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SEPARATE FEDERAL CREDIT UNION AGENCY

Mr. PATMAN. Mr. Speaker, I call up the bill (H.R. 2) to amend the Federal Credit Union Act so as to provide for an independent Federal agency for the supervision of federally chartered credit unions, and for other purposes, and ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 2

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Section 2 of the Federal Credit Union Act (12 U.S.C. 1752) is amended by striking out paragraphs (2) and (3) thereof and inserting:

"(2) the term 'Administrator' means the Administrator of the National Credit Union Administration;

"(3) the term 'Administration' means the National Credit Union Administration; and

"(4) the term 'Board' means the National Credit Union Board of Governors."

SEC. 2. The Federal Credit Union Act is further amended (1) by changing "Director" to read "Administrator" each place it appears therein; (2) by changing "Bureau of Federal Credit Unions" to read "National Credit Union Administration" each place it appears therein; and, (3) by changing "Bureau", each remaining place it appears, to read "Administration".

SEC. 3. Section 3 of the Federal Credit Union Act (12 U.S.C. 1752a) is amended to read:

"CREATION OF ADMINISTRATION

"SEC. 3. (a) There is hereby established in the executive branch of the Government an independent agency to be known as the National Credit Union Administration (hereinafter referred to as the 'Administration'). The Administration shall consist of a National Credit Union Board of Governors (hereinafter referred to as the 'Board'), and an Administrator.

"(b) The Board shall consist of nine members to be appointed by the President, by and with the advice and consent of the Senate. In selecting the members of the Board, the President shall designate a Chairman and a Vice Chairman who shall serve as representatives at large. In making his selection of the remaining members, one from each of the seven Federal credit union regions, the President shall receive and give special consideration to the nominations submitted by credit union organizations which are representative of a majority of the credit unions located in the region for which a Board member is to be appointed. The persons so appointed as members of the Board shall be selected on the basis of established records of distinguished service in the credit union movement.

"(c) The term of office of each member of the Board shall be six years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and (2) the terms of office of the members first taking office after the date of enactment of this Act shall expire, as designated by the President at the time of appointment, three at the end of two years; three at the end of four years; and three, including the Chairman and Vice Chairman, at the end of six years. Terms of office shall be on a calendar year basis. No member shall serve more than two full consecutive terms of office.

"(d) The President shall call the first meeting of the Board, and thereafter the Board shall meet on a quarterly basis, and at such other times as the Chairman or the Administrator may request, or whenever one-third of the members so request. The Board shall adopt such rules as it may see fit for the transaction of its business and shall keep permanent and complete records and minutes of its acts and proceedings. A majority of the voting members of the Board shall constitute a quorum. The Board shall advise, consult with, and give guidance to the Administrator on matters of policy relating to the activities and functions of the Administration under this Act. The Board shall render an annual report to the President for submission to the Congress, summarizing the activities of the Administration and making such recommendations as it may deem appropriate. Each report shall propose such legislative enactments and other actions as, in the judgment of the Board, are necessary and appropriate to carry out its recommendations. The members of the Board shall be entitled to receive compensation at the rate of $75 for each day engaged in the business of the Administration pursuant to authorization by the Chairman, and shall be allowed travel expenses including per diem in lieu of subsistence as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

"(e) There shall be an Administrator of the National Credit Union Administration who shall be appointed by the President, by and with the advice and consent of the Senate. The Board may make recommendations to the President with respect to the appointment of the Administrator. He shall be the chief executive officer of the Administration which shall be a full time position in the executive department at level IV of the Executive Schedule (5 U.S.C. 5315). The Administrator shall serve at the pleasure of the President."

SEC. 4. (a) All functions, property, records, and personnel of the Bureau of Federal Credit Unions are transferred to the National Credit Union Administration created by this Act.

(b) The Director of the Bureau of Federal Credit Unions in office on the date of enactment of this Act shall serve as acting Administrator of the National Credit Union Administration pending the appointment of an Administrator in accordance with section 3 of the Federal Credit Union Act as amended by this Act.

Mr. PATMAN (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the bill be dispensed with, and that it be printed in the RECORD and open to amendment at any point.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and insert extraneous material on H.R. 2, separate Federal credit union agency.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I move to strike the last word.

Mr. Speaker, the legislation before the House today, H.R. 2, is basically a very simple bill. It would merely upgrade the status of the Bureau of Federal Credit Unions, the agency charged with the regulation and supervision of our Nation's Federal credit union system.

The upgrading would be brought about by creating a new agency, the National Credit Union Administration, which would function as a separate agency within the governmental framework.

H.R. 2 was cosponsored by a bipartisan group of 24 members of the Banking and Currency Committee. The legislation was reported by a unanimous vote—35 to 0.

NO COST TO TAXPAYERS

I would like to make it very clear in the beginning that although this legislation sets up a new governmental agency, it will not cost the taxpayers or the Government a single penny, since the funds to operate this agency will come from examination fees and assessments charged to Federal credit unions throughout the country. I can recall very clearly that when the Federal Credit Union Act was passed in 1934, I pointed out at that time that credit unions would pay their own way and would not be a burden to the taxpayers. I am proud that I can stand before you today, 35 years later, and point out that credit unions have not had to resort to taxpayers' funds in order to pay the costs of the operation of the Bureau of Federal Credit Unions. This is a remarkable record and it should not go unrewarded. The credit unions kept their promise not to depend on taxpayers' or governmental funds and the operation of the new agency, the National Credit Union Administration, will follow along in the self-supporting tradition of our Nation's credit unions.

The credit unions do not want to be dependent upon the Government and, in fact, would have been opposed to this legislation if it meant the use of taxpayers' funds. They are willing to pay all the bills and have stated so repeatedly. By spreading out the costs of the operation of the National Credit Union Administration across the nearly 13,000 Federal credit unions in the country, it will not work a financial hardship on any credit union.

There are more credit unions in the United States, 23,625, than all other financial institutions combined and there are more federally charted credit unions, 12,689, than all other financial institutions chartered by the Federal Government.

TABLE 1.—UNITED STATES, 1968—STATISTICS OF THE CREDIT UNION MOVEMENT

State or territory	Number of active credit unions	Number reporting	Percent reporting	Number of members	Shares and deposits (savings)	Loans outstanding to members	Reserves	Assets	Most common dividend rate (percent)
Alabama	365	314	86.0	303,876	$194,660,651	$181,790,933	$12,104,285	$222,460,568	3.51–6.00
Alaska [1]	36	30	83.3	45,860	31,309,000	27,969,000	2,295,489	35,867,000	5.01–5.50
Arizona	170	163	95.9	187,980	105,923,510	104,522,951	7,151,833	123,901,221	5.00
Arkansas	156	144	92.3	77,845	36,314,378	34,219,652	2,478,885	42,338,227	5.00
California	1,852	1,475	79.6	2,521,386	1,601,536,192	1,579,408,588	113,375,243	1,848,190,072	5.00
Canal Zone [1]	7	6	85.7	15,682	6,015,000	4,819,000	540,132	7,107,000	4.50
Colorado	323	322	99.7	303,569	198,933,596	188,151,029	14,167,626	231,908,658	5.00
Connecticut	508	497	97.8	405,039	272,610,408	208,024,663	18,507,906	307,963,927	5.00
Delaware [1]	74	64	86.5	57,448	28,044,000	27,101,000	1,687,875	32,150,000	5.00
District of Columbia [1]	174	121	69.5	424,259	227,589,000	229,799,000	16,968,705	261,057,000	5.00
Florida	642	523	81.5	666,858	348,734,781	331,084,587	29,785,706	401,187,823	5.00
Georgia	396	296	74.7	349,138	202,648,176	189,154,856	10,422,944	226,954,626	5.51–6.00
Hawaii [1]	171	171	100.0	178,767	146,919,000	113,749,000	11,913,438	167,227,000	5.01–5.50
Idaho	178	148	83.1	80,183	38,251,171	39,768,733	2,579,166	47,693,458	5.00
Illinois	1,791	1,600	89.3	1,176,009	697,644,417	586,504,223	52,079,060	788,208,838	3.01–4.00
Indiana	604	471	78.0	474,891	324,868,891	263,788,872	24,540,415	373,166,422	5.00
Iowa	427	419	98.1	265,271	154,471,964	136,969,220	11,041,617	176,352,530	4.50
Kansas [2]	318	302	95.0	223,274	139,096,877	129,174,441	9,228,477	159,699,133	4.00
Kentucky	266	182	68.4	160,317	72,020,991	68,150,752	6,255,025	84,595,225	5.00
Louisiana	475	320	67.4	201,173	150,086,450	132,999,506	12,599,912	175,792,304	5.00
Maine	194	178	91.8	142,343	80,872,539	73,207,016	5,594,332	93,761,160	5.00
Maryland	228	156	68.4	291,190	143,635,964	146,674,830	11,145,087	171,162,564	5.00
Massachusetts	780	760	97.4	763,458	526,521,120	448,638,511	42,266,018	600,025,960	5.00
Michigan	1,188	1,129	95.0	1,611,973	1,089,057,871	1,051,778,570	66,855,738	1,305,576,748	5.00
Minnesota	440	432	98.2	376,507	246,435,162	232,294,429	17,291,073	292,470,402	5.00
Mississippi	204	184	90.2	122,720	56,171,162	54,889,541	4,268,095	64,724,115	5.00
Missouri [2]	546	521	95.4	443,087	250,135,235	224,363,163	16,927,056	285,485,059	3.01–4.00
Montana	140	126	90.0	70,044	34,046,187	32,556,690	2,629,052	39,921,386	5.00
Nebraska	157	131	83.4	118,957	71,662,951	58,741,888	5,649,638	81,230,352	5.00
Nevada [1]	65	45	69.2	56,454	32,415,000	31,854,000	2,147,589	37,677,000	5.01–5.50
New Hampshire [3]	65	65	100.0	70,048	38,220,152	33,871,607	2,633,228	44,494,528	5.00
New Jersey	578	534	92.4	382,061	197,749,881	149,796,077	17,787,466	228,591,423	5.00
New Mexico	140	133	95.0	95,580	61,520,942	58,665,371	4,516,577	73,241,495	5.00
New York	1,189	856	72.2	963,308	520,591,457	468,528,341	44,735,432	612,076,452	5.00
North Carolina	304	227	74.7	258,885	119,511,885	109,662,797	7,682,561	134,246,847	5.51–6.00
North Dakota	130	97	74.6	61,509	31,886,897	33,919,582	1,847,305	40,427,842	3.01–4.00
Ohio	1,440	1,165	80.9	1,064,824	644,007,128	552,595,110	49,240,255	737,412,109	5.00
Oklahoma	195	154	79.0	217,908	114,055,406	135,531,411	10,476,887	160,708,058	5.00
Oregon	247	245	99.2	208,078	102,473,686	128,892,715	10,953,373	152,658,210	5.00
Pennsylvania	1,390	1,390	100.0	886,868	469,774,198	391,024,954	37,724,650	552,063,126	5.00
Puerto Rico	435	128	29.4	136,599	74,792,790	78,402,715	4,387,060	89,333,324	5.00
Rhode Island	147	114	77.6	188,030	135,286,837	120,887,142	10,468,945	154,957,346	4.50
South Carolina	147	138	79.3	164,202	78,806,520	78,561,066	4,926,064	91,358,179	5.00
South Dakota [1]	118	118	100.0	46,827	23,635,242	20,826,363	1,738,992	27,172,818	5.00
Tennessee	520	518	99.6	372,749	246,951,314	228,771,092	15,056,393	286,849,943	5.00
Texas	1,412	1,398	99.0	1,243,750	783,362,189	748,953,440	47,941,980	903,887,370	5.51–6.00
Utah	323	319	98.8	219,979	152,034,291	148,101,324	6,804,334	173,692,999	5.00
Vermont	74	74	100.0	36,118	16,723,542	16,484,542	1,065,368	19,098,377	5.00
Virgin Islands [1]	3	1	33.3	1,792	240,000	182,000	32,149	283,000	5.51–6.00
Virginia	329	271	82.4	326,375	157,521,653	151,621,451	11,589,770	185,074,683	5.00
Washington	390	369	94.6	462,025	296,713,876	279,549,082	21,932,094	346,268,033	5.00
West Virginia	197	128	65.0	80,583	46,615,145	42,279,773	4,054,946	54,354,842	5.00
Wisconsin	780	536	68.7	574,691	370,013,135	328,526,975	31,231,785	416,099,170	3.01–4.00
Wyoming [1]	59	57	96.6	29,069	16,477,000	13,796,000	1,529,406	18,867,000	5.00
American Samoa	1	1	100.0	56	5,706	9,019	637	9,157	(4)
Okinawa	2	2	100.0	19,978	5,011,148	4,376,859	202,987	5,421,621	5.51–6.00
Guam	4	3	75.0	10,977	3,310,342	2,904,352	76,753	3,479,432	5.01–5.50
Trust Territory of the Pacific	41	38	92.7	7,572	1,074,255	1,133,952	59,122	1,231,577	(4)
Wake island [1]	1	1	100.0	111	2,000	2,000	(4)	2,000	(4)
Total	23,563	20,310	86.2	20,246,110	12,217,008,939	11,261,055,756	885,194,929	14,099,216,739	

[1] No State-chartered credit unions.
[2] Fiscal year Sept. 30, 1968.
[3] Fiscal year June 30, 1968.
[4] Not available.

Note: Statistics taken from International Credit Union Yearbook, 1969.

There are more than 20 million credit union members in the United States with savings in their institutions of more than $14 billion. More than half of the total membership and assets of the credit unions belong to federally chartered credit unions. Yet, despite the magnitude of credit unions, the regulation and supervision of these extremely worthwhile financial institutions lies buried in the Bureau of Federal Credit Unions, which operates at the third tier in the governmental organizational structure. The Bureau of Federal Credit Unions is a subagency of the Social Security Administration, which, in turn, is a subagency within the Department of Health, Education, and Welfare. The Director of the Bureau of Federal Credit Unions does not report directly to the Secretary of the Department of Health, Education, and Welfare, but instead must function through the Social Security Administration. The Bureau of Federal Credit Unions is not provided with full-time legal counsel but must depend on part-time legal help obtained from other sections of the Social Security Administration. This clearly is not an example of how a governmental agency, charged with such a great responsibility, should operate. In short, it is poor governmental administration.

WILL UPGRADE PRESENT AGENCY

H.R. 2 would merely upgrade the operations of the Bureau of Federal Credit Unions by creating a National Credit Union Administration which would function as an independent agency reporting directly to the President and the Congress. The new agency, the National Credit Union Administration, will be governed by a Board of Governors, with the day-to-day operations of the Administration handled by an Administrator. All of these positions will be on a basis of a Presidential appointment by and with the advice and consent of the Senate.

Mr. Speaker, during the hearings on H.R. 2, it became clearly evident that the Bureau of Federal Credit Unions is clearly a stepchild of the Department of Health, Education, and Welfare. During the 90th Congress, I first introduced a bill to create a seperate Federal credit union agency. For 18 months, I tried to get an agency report on the legislation from the Department of Health, Education, and Welfare but was unsuccessful. I have learned that the Department did not adopt a finalized position on the legislation until the afternoon preceding the hearings on H.R. 2. This would clearly indicate that the Department does not pay a great deal of attention to the Bureau of Federal Credit Unions.

Last December, the Department ordered a reorganization of the Federal credit union regions throughout the country. Supposedly, this was done to affect budget cuts throughout the Government. I fail to see the logic in this since all of the funds obtained for operating the Bureau of Federal Credit Unions, as I stated earlier, are paid directly by the credit unions and involve no Government funds whatsoever. The reorganization was accomplished even though not a single credit union, credit union oragnization, or credit union official had complained about the regional setup nor were any credit union people consulted about the reorganization, even though they paid all the bills.

CREDIT UNIONS NEXT TO CHURCH

As I have often said, next to the church, the credit unions do more good for people than any other institution. Perhaps one of the best examples to prove this has been the establishment of credit unions on U.S. military installations overseas. In 1965, the Banking and Currency Committee's Domestic Finance Subcommittee conducted an investigation into the problems that servicemen have in obtaining credit. The subcommittee was shocked to learn that it was not uncommon for servicemen to be charged interest rates of 60, 70, or even 80 percent when they borrowed money or made purchases on credit. Although the problem was severe in the United States, it was of staggering proportions in foreign countries where our servicemen are stationed. The serviceman had to pay these usurious interest rates because there were no low-cost, totally reliable lenders. Witnesses before our committee estimated that servicemen throughout the world were paying $50 million a year in extortionate, excess and usurious interest rates. This was money that they would not have had to pay had credit been available to them at reasonable terms.

It quickly became evident that one of the solutions to this problem would be to establish credit unions on military installations in foreign countries. It took a lot of work and a great deal of time to accomplish our objectives. The committee and the subcommittee had to make certain that the credit unions were allowed under the laws of the various countries involved and it necessitated writing new regulations for the Department of Defense. But once the credit unions were in operation, the results were spectacular. The first credit union was opened in Berlin on December 26, 1967, and shortly thereafter, five other credit unions opened in Germany. Since that time, credit unions have been established in England, the Philippines, Italy, and Korea. At the end of May of this year, these credit unions had signed up more than 56,000 members and had lent more than $33 million.

BALANCE OF PAYMENTS HELPED

Not only are the credit unions helping our servicemen but they are also helping our balance-of-payments situation since servicemen are no longer borrowing from foreign finance companies to finance purchases on the economy but rather are borrowing from the credit union and are thus able to take advantage of the bargains in the post and base exchange and ship store programs.

Mr. Speaker, I have not dealt at length upon the "nuts and bolts" aspect of H.R. 2 since, as I stated in the beginning, this is a totally uncomplicated bill. The operation of the Bureau of Federal Credit Unions would not be changed as far as its function is concerned. However, the Bureau would be replaced by a National Credit Union Administration, which would be headed by an administrator who will be appointed by the President with the advice and consent of the Senate. In addition, the Administration will be guided by a Board of Governors consisting of nine members to be appointed by the President with the advice and consent of the Senate. The members of the Board will serve for a 6-year period, while the Administrator, in order to insure continuity with the President, shall serve at the pleasure of the President.

FIRST STARTED IN NEW HAMPSHIRE

As credit unions grow, it is important that we make certain that the regulation and supervision of credit unions is not a small flea on a large dog.

Mr. Speaker, it is entirely fitting that H.R. 2 should be before this body in 1969, for this year marks the 60th anniversary of the founding of the first credit union in the United States at Manchester, N.H. Shortly after the founding of the first U.S. credit union, a Boston merchant, Edward A. Filene, who had dedicated his life to bettering the conditions of his fellow man, became interested in the credit union movement and persuaded Roy Bergenren, who is also from Massachusetts, to work with him in building credit unions throughout the United States.

The early growth of credit unions in this country was less than spectacular. By 1921, 12 years after the first credit union was established in this country, there were only 190 credit unions. In the early 1930's it became evident that in order for the credit union program to be totally successful, there would have to be a system of Federal credit unions. One of the main reasons for wanting Federal credit unions was that in some States, enemies of credit unions, had blocked the passage of credit union legislation, thus preventing the chartering of State credit unions. About this time, my good friend, Senator Morris Sheppard, who came from my hometown of Texarkana, began to interest me in credit unions. Along with Senator Sheppard, I cosponsored the Federal Credit Union Act. Senator Sheppard sponsored the bill in the Senate and I sponsored the bill in the House and I was the only Member of the House to testify on the bill before the Banking and Currency Committee. Since that time, I have sponsored every piece of Federal credit union legislation. In June of 1934, the legislation was signed by President Roosevelt and the first Federal credit union was chartered in Texarkana, Tex. Since that day in 1934, when Federal credit unions were authorized, the rise of credit unions in the United States has been phenomenal. In 1934, there were less than 2,500 credit unions and by the end of 1969, there will be nearly 25,000 credit unions. Thus, we have seen nearly a tenfold increase in the number of credit unions since the time the Federal Credit Union Act was passed.

The following table illustrates the dramatic growth of credit unions in the United States:

TABLE 13.—OPERATIONS, 1909–68, U.S. CREDIT UNIONS

Year	Number of active credit unions	Number of members	Shares and deposits (savings)	Loans outstanding to members	Reserves	Assets
1968	23,563	20,246,110	$12,217,008,939	$11,261,055,756	$885,194,926	$14,099,216,739
1967	23,053	19,079,864	11,128,197,525	9,879,219,058	779,007,206	12,778,099,851
1966	22,692	17,897,351	10,106,473,629	9,093,839,600	677,904,383	11,609,047,952
1965	22,119	16,753,106	9,248,865,386	8,095,443,809	589,512,465	10,552,125,323
1964	21,807	15,619,210	8,241,615,640	7,046,016,021	510,318,443	9,360,818,386
1963	21,369	14,586,988	7,166,397,511	7,170,577,360	441,453,778	8,130,655,890
1962	20,951	13,762,047	6,331,180,434	5,476,668,785	381,298,538	7,186,213,145
1961	20,615	12,882,793	5,635,808,585	4,817,635,085	325,657,500	6,382,517,938
1960	20,047	12,037,533	4,974,580,218	4,377,305,517	272,284,887	5,653,475,890
1959	19,452	11,262,581	4,436,396,254	3,707,712,487	232,207,013	5,024,163,414
1958	18,838	10,431,606	3,869,853,889	3,078,287,068	197,694,237	4,345,513,247
1957	18,203	9,819,452	3,381,850,852	2,778,305,187	165,257,432	3,813,447,173
1956	17,256	9,061,339	2,914,121,390	2,326,167,885	136,520,194	3,270,944,723
1955	16,201	8,153,641	2,446,846,375	1,933,886,150	109,932,462	2,743,441,284
1954	15,073	7,355,642	2,039,294,483	1,552,050,289	91,068,892	2,270,354,609
1953	13,703	6,635,543	1,688,329,872	1,307,502,648	75,053,792	1,895,106,600
1952	12,291	5,888,287	1,355,820,077	985,044,812	66,572,058	1,516,118,652
1951	11,283	5,196,393	1,040,437,236	747,084,026	59,426,468	1,198,327,876
1950	10,591	4,610,278	850,488,875	679,864,572	52,074,361	1,005,475,598
1949	9,924	4,090,721	702,989,666	515,824,566	43,239,509	827,088,969
1945	8,683	2,842,989	369,122,697	127,903,039	24,416,088	434,622,487
1942	9,767	3,144,603		148,771,572		340,347,742
1941	9,891	3,304,390		219,855,642		322,214,816
1940	9,023	2,826,612		190,250,726		253,149,629
1939	7,964	2,309,183		148,773,153		193,599,722
1938	7,059	1,868,262				147,293,893
1937	6,105	1,538,177				116,337,733
1936	5,241	1,170,445				82,817,246
1935	3,372	641,797				50,336,168
1934	2,489	427,097				40,212,112
1929	974	264,908				
1925	419	108,000				
1921	190	72,310				
1909	1					

Despite the fantastic growth of credit unions, these worthwhile institutions are not resting on past glories but are continually seeking to improve their service.

STUDENT CREDITS ARE NEEDED

I have long felt that students in our school systems are not receiving economic education. Too many students graduate from college without knowing how to write a check or make out a budget. This is one of the reasons I feel that personal bankruptcies in this country have reached such great proportions and why unscrupulous lenders are able to extract such high interest rates from borrowers. In order to overcome this lack of economic education, I was successful in getting the credit union movement to take part in a pilot project which I hope will spread across the country. The program is underway at Fort Knox, Ky., and once we have gained some experience there, it is hoped that the program will branch to other credit unions. Basically, the project involves a student credit union which is sponsored by the parent credit union. The student credit union is run by the students themselves

with an assist from the main credit union in the areas of providing counseling and economic education. The students put their savings in the credit union and also make loans. In short, they are learning how to take care of their own finances. The project at Fort Knox has been open only a few months, but already the students have saved more than $4,000 in the credit union.

This, Mr. Speaker, is a good example of how credit unions are helping America and it is an example of why Congress should pass H.R. 2 so that programs, such as the student credit union, can be more readily put into operation rather than requiring clearance from a number of departments which have no interest in credit unions whatsoever.

Mr. Speaker, H.R. 2 means a great deal to the millions of credit union members throughout the country and it means even more to the thousands of volunteers who have devoted, in many cases, their lives to serving credit unions. Enactment of H.R. 2 is the least that Congress can do to show our gratitude for the wonderful work performed by these great institutions.

Mr. WIDNALL. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I rise in support of the bill, H.R. 2, a bill to amend the Federal Credit Union Act so as to provide for an independent Federal agency for the supervision of federally chartered credit unions.

H.R. 2 would create a National Credit Union Administration which would be headed by an Administrator who will be appointed by the President with the advice and consent of the Senate. The bill also creates a Board of Governors representing membership from each Federal credit union region, plus a Chairman to be appointed at large. Members of the Board will be appointed by the President by and with the advice and consent of the Senate. The members of the Board will serve for a 6-year period, while the Administrator, in order to insure continuity with the President, shall serve at the pleasure of the President.

The National Credit Union Administration will be responsible for the regulation, supervision, and examination of Federal credit unions, and will perform all of the functions presently carried on by the Bureau of Federal Credit Unions.

The bill was favorably reported by the Committee on Banking and Currency without amendment by a vote of 35 to 0.

It should be pointed out that this reorganization will not cost the taxpayer any money whatsoever since all the operating funds of the new agency would be paid for by receipt of fees and asessments paid by the more than 12,000 Federal credit unions in the United States.

Although the existing Federal credit union movement has flourished and grown under existing administration and supervision, many observers, including myself, have long felt that the credit union movement justified a separate credit union agency, particularly in view of the fact that during the 35 years in which the Federal credit unions have been in existence, the supervision has been transferred several times. To put it more succinctly, there are now more than 20 million credit union members in the United States with savings of more than $14 billion. The sheer magnitude of these figures justifies the more elevated status of an independent Federal agency.

While section 3(d) states:

> The Board shall advise, consult with, and give guidance to the administrator on matters of policy relating to the activities and functions of the administration under this Act.

It is my hope that the President will appoint a vigorous and well-qualified Administrator. In keeping with the recommendations of the Hoover Commission and recent Reorganization Acts, it is evident that a vast majority of the Congress feel that independent agencies require strong and effective executive leadership, not fragmented and paralyzed by the close division of opinion which often develops among the membership of appointed boards of directors. While the Board established by H.R. 2 should be responsive to and acquainted with the needs of the constituent Federal Credit Unions which it will supervise, it is my personal hope that the language of section 4(e) of the bill in which the administrator is described as "the chief executive officer" will provide the statutory basis for firm and effective leadership.

Mr. Speaker, I urge adoption of H.R. 2.

(Mrs. HECKLER of Massachusetts asked and was given permission to extend her remarks at this point in the RECORD.)

Mrs. HECKLER of Massachusetts. Mr. Speaker, I wish to add my enthusiastic endorsement for H.R. 2, creating an independent Federal agency for the supervision of federally chartered credit unions. This piece of legislation represents an important step forward for the credit union movement.

During the past few years, I have become thoroughly acquainted with the activities of the Federal credit unions in my congressional district, in Boston, and throughout the Commonwealth of Massachusetts. From my personal experience, I have become deeply impressed with the credit unions' operations and the high caliber of the services which they provide.

Credit unions have made a significant contribution to the economic needs of private citizens in numerous cities and towns and in such economically disadvantaged areas as Fall River in my district as well. Among the services these credit unions offer, is, of course, the ability to make funds available to the workingman. In an area like Fall River, this function can be an important and convenient compliment to the normal sources of financial assistance to the workingman as well as to all citizens. The credit union is thus an important adjunct to usual credit sources especially in times when people have few resources to turn to.

Besides the regularly available services, Federal credit unions have left their mark for their dedication to and the attainment of various social goals. They are well known for their work with the Agency for International Development and the Office of Economic Opportunity, to name only two.

I particularly want to recognize the remarkable achievements of a distinguished Massachusetts citizen, Mr. Julius Stone of CUNA, for his tireless efforts to make the credit union movement a vital, viable aspect of our Nation's economic health and stability.

Mr. Speaker, the present bill gives a much-needed independent status to a Federal credit union agency to insure full and certain representation of the Federal credit unions interests on the national level. Consolidation also lightens the administrative burdens by creating a single operation with complete services and duties and a single unit to formulate policy decisions. In the fast growing area of Federal credit unions, it has now become essential to create this independent agency.

Mr. Speaker, I again emphasize the importance of this bill, H.R. 2, and recommend its adoption to this body.

Mr. HALL. Mr. Speaker, I move to strike the requisite number of words.

I wish to say at the outset that I am certainly in favor of credit unions. I have often been a guest, and indeed have addressed, both CUNA International and members of the National Association of Federal Credit Unions, and one of the reasons that I have been so strongly in their support is that it has been a do-it-yourself organization.

As I have understood it, they have organized, saved, loaned, and done all of these marvelous things that both the chairman of the Committee on Banking and Currency and the ranking member, my colleague from New Jersey (Mr. WIDNALL) have stated. But it seems to me that that is not the question that is before us today. It is not a question of whether we approve of Federal Credit Union agencies or not. That has long since been established. The question here today is whether we create a "czar" and a Board and take away from these agencies and unions the very thing that they themselves have built so well. The question here today, in spite of the statement in the committee report that it will not cost the taxpayers 1 cent, is whether we are going to pay per diems for the Administrator and members of the Board out of the funds of the unions; and who doubts that eventually it will be replaced out of taxpayers moneys as in the case of the International Development Bank and many other agencies which we have created as "independent" agencies? Just as sure as the sun will shine in the east tomorrow as the reins I control and a third party get tighter, they will finally come back asking for complete Federal control and for complete Federal support.

I think this bill does establish what will be known as the "czar" of the credit union agencies. I think there is substance to HEW's objection written into the report. I am not sure how strong the CUNA International or the National Association of Federal Credit Unions are in support of the legislation. Although the statement is in the report, there is no

letter that either one of them have sought for such legislation, or do now support the Federal takeover and the establishment of this czar of our credit unions and our credit committees.

I repeat, Mr. Speaker, repeatedly and for emphasis, that I am in favor of continuing the credit unions. I believe in all of the good works they have done. I know that some of the members have made deposits in order to borrow at the lower interest rates. I find nothing wrong with that, as a business procedure.

I am primarily a low-interest man myself, incidentally, one who is being put out of business by high interest rates back in the district, but, be that as it may, I do not think we should take over as a so-called independent agency of the Government, and establish and elect a czar, to say nothing of a Presidentially appointed board, a going concern, self-controlled and very successful. It will create more patronage, it will create more sufferance, and it will take away the substance and the very thing that the distinguished gentleman from Texas has eulogized here: The fact that these people have helped themselves, these volunteers have worked on their own time, not on Federal time or agency time, in many instances to do the very thing that has made the credit unions a success.

Why, oh why, do we now come here and superimpose some board or some czar over them, to watch over their business, which we say in the report they have effectively done for so long, and in which they have built up so many millions of dollars in reserves?

This is much better than we have done federally with our taxpayers' money, as far as Congress handling it is concerned, and it is much better than other federally supervised funds, including the social security trust fund, which is supposed to be so sacred, not to mention the civil servants retirement fund on which we voted last week.

Mr. Speaker, I hope this bill is voted down.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Speaker, the gentleman was concerned about CUNA being for or against it. CUNA is the national organization.

Mr. HALL. Mr. Speaker, I know exactly what it is, and I have been their guest on many occasions.

Mr. PATMAN. They operate all over the Nation. The CUNA organization as an organization had regional meetings when this bill was introduced the second time. The first time, in the 90th Congress, it was not insisted upon, and during the 91st Congress they have had meetings all over the Nation and they reached out and embraced every State in the Nation. The resolutions have been practically unanimous. I do not know any place where there was any dissenting voice.

Mr. HALL. Mr. Speaker, I can only say to the distinguished gentleman from Texas, who has been in Congress a long time, it would have been well to print some of those letters in the committee report. I see nothing in the committee report except a statement from HEW that they are in opposition to it. I agree with the chairman and the writer of the report that their reasons are not too sound. I recognize they have a part as an agency, but why intervene to destroy successful voluntarism?

Mr. Speaker, I ask, and surely believe, that this bill should be rejected out of hand, lest its action return in future years to haunt us.

Mr. TAFT. Mr. Speaker, I move to strike the last word.

Mr. Speaker, I would like to say a word or two in support of this legislation. I see no more danger of a czar—in fact a lot of less danger of a czar insofar as the financial institution is concerned in setting up an independent agency, than I do in putting what are truly financial institutions under the Department of Health, Education, and Welfare, where I do not think they properly belong.

These institutions now have approximately $8 billion in assets throughout the United States. I think they should have the separate and immediate concern of a separate regulatory agency, just as our other financial institutions do.

Therefore, Mr. Speaker, I rise in support of this bill, H.R. 2, which would establish an independent agency to supervise Federal credit unions by converting the present supervisory agency, the Bureau of Federal Credit Unions, into a National Credit Union Administration.

My support of this legislation is based primarily upon two considerations—the unique nature of the credit union as a cooperative, self-help financial institution and the fact that the credit unions themselves foot the entire expense of their supervisory agency with no cost to the American taxpayer.

Credit unions are unique among all financial institutions in that they are owned by their members and are designed to serve only their members in the field of savings and low cost borrowing of a provident nature. They are organized by groups of people with a common bond of interest such as, for example, the employees of a particular business or plant, the members of a church or parish, members of a labor union, personnel of a military installation, or residents of a specific community in a low income area. These people with a common interest join together to pool their savings and to provide a source of credit in order to help one another.

This common bond of interest is the basis for one of the greatest differences between credit unions and other financial institutions. The creditor-debtor relationship is unique because the members of a credit union are its shareholders and owners. They all have an equal and direct voice in the operation of the credit union—every shareholder has one vote regardless of the amount of shares he holds.

When a credit union member borrows from a credit union, he knows he is borrowing from the savings of his fellow members. He therefore has a deep sense of responsibility to pay back his loan because of this close creditor-debtor relationship. He is interested and concerned in the credit union's operations because it is his credit union, his savings, his debt to his fellow workers and members. He knows that credit is extended to him because his fellow members have made it possible—because they trust him and want to help him solve his financial problems. And in many cases, he knows that the credit union is the only financial institution where he has credit—that he has no credit standing with other legitimate credit sources.

Today the Federal credit union movement embraces some 12,700 individual credit unions with over 10.8 million members. There are more federally chartered credit unions in the United States than all other federally chartered financial institutions combined. Yet credit unions alone of our federally chartered financial institutions do not have a supervisory agency which is separate and independent.

Certainly, in my opinion, a movement which has demonstrated its stability and responsibility, its value as a self-help institution assisting the common man to solve his economic problems, and its dedication to aid the financially deprived in their efforts to get ahead, deserves the recognition and the prestige of having its own independent supervisory agency operating under the Federal Credit Union Act created by Congress.

My second point in support of this bill is that it will not cost the Government any money. Since fiscal year 1954, the Federal credit union program under the Bureau of Federal Credit Unions has been operated solely on funds paid by Federal credit unions themselves in chartering, supervision and examination fees. Congress has not appropriated funds for the past 15 years for the Federal credit union program. Under this proposed legislation, a National Credit Union Administration would continue to operate as an agency which would be entirely financially independent of the Federal Government and the American taxpayer. No Federal appropriations, no Government subsidies, no taxpayer expense is involved in the creation of this independent supervisory agency. The people who pay the bill—the Federal credit unions—want their own separate, independent agency. Why should we deny them this privilege which they have so obviously earned and for which they are willing to pay the costs?

I am pleased to lend my support to this bill, and I urge my colleagues to join me by passing this bill.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Speaker, the distinguished gentleman from Missouri made a statement about the letters not being in the RECORD nor testimonials in favor of this bill. They are mentioned all throughout the hearings. Some of them are printed in full. The State of Missouri credit unions unanimously supported this bill. There is no question about it. We have plenty of support for it. It was so

unanimous in every respect we just did not feel like filling the RECORD up with the hundreds of thousands of letters and telegrams and testimonials we received. But I assure the gentleman from Missouri we had sufficient strength for our committee of 35—each member of which is independent and speaks his own mind—and every one of these 35 voted for this bill, and not one against it. The same thing occurred in the Rules Committee.

Mr. Speaker, I thank the gentleman for yielding.

Mr. ANNUNZIO. Mr. Speaker, I am in wholehearted support of H.R. 2. I support this legislation not only because it will enable credit unions to better serve their members but also it is legislation that has been well earned and deserved by all credit unions.

Mr. Speaker, H.R. 2 is not only a tribute to credit unions but it is a personal tribute to the gentleman from Texas (Mr. PATMAN), the distinguished chairman of the Banking and Currency Committee, who is fondly referred to as the godfather of credit unions.

No man in any branch of our Government has done more for credit unions than WRIGHT PATMAN. He has fought successfully to provide credit unions with the recognition and status that they have earned and H.R. 2 is another example of his foresightedness in the area of credit unions. And the credit unions of our country have not overlooked the contribution that WRIGHT PATMAN has made. He is only one of three people to be given the Distinguished Service Award of CUNA International, the worldwide association of credit unions. This is the highest award in the credit union movement. A group of 14 credit unions in east Texas formed a credit union chapter and, appropriately enough, named their chapter after WRIGHT PATMAN.

Since coming to Congress, I have learned a great deal about money, banking, and finance. WRIGHT PATMAN has been my teacher and he has been a good one. He also got me interested in credit unions and I recall the first time that I heard him say, "Next to the church, the credit unions do more good for people than any other institution."

Based on Chairman PATMAN's observation, it is not unusual that churches and credit unions have become partners in helping humanity.

At the end of 1967, there were more than 1,600 church-related credit unions in the United States and Canada, with 881,880 members and $418 million in assets. Share deposits of these credit unions total $364 million with loans outstanding, totaling $294 million. These credit unions employ 577 full-time employees, 1,402 part-time employees, and 5,362 volunteers. The largest church credit union at the end of 1967 was the Pueblo, Colo., Mt. Carmel with 9,976 members and $7,373,930 in assets. There were other extremely large credit unions in Lewiston, Maine; Covina, Calif., and Detroit, Mich.

To illustrate how the church and a credit union work in cooperation, I am including in my remarks on H.R. 2 an article from the June 1969 issue of Credit Union magazine entitled, "Serving a Suburban Congregation".

In closing, Mr. Speaker, let me say that any group that would work as hard to better the plight of all mankind, as have our credit unions, deserves all the support that Congress can provide. Therefore, I urge my colleagues not only to pass H.R. 2 but to do so unanimously.

SERVING A SUBURBAN CONGREGATION

"We believe a church's members should be able to turn to it in time of economic need, as well as spiritual need. Our's are."

With these few words, Pastor Samuel Bauer of Chicago's Oak Lawn Community Church summed up his pride in the interdenominational church's 180-member credit union.

"Our people have their share of worldly problems," he continued. "I recall a woman member who suddenly lost her husband. With no cash on hand, she turned to the credit union to pay funeral expenses and get back on her feet."

But that, said the pastor, is a single example in thousands among the church's 1,054 members, who represent 23 religious denominations.

During his first 10 years at Oak Lawn, a working-class suburb of Chicago, the pastor on occasion took money from his pocket to solve parishioners' problems.

That was before parishioner Harry Nissen discovered the workings of the Elliott Paint Employees Credit Union where he worked in downtown Chicago. Nissen was convinced that a credit union was just what the church needed.

"Too often," he recalled, "the pastor got stuck because of his generous loan policies. Somebody in need would get a loan, and after a few weeks he'd quit paying and you'd never see him in church again."

The credit union, operating independently of the church, can combine the best of the worlds of business and religion: Its business principles require that members repay their loans. Its religious-oriented principles include benevolence and understanding of special needs.

Starting in October, 1958, the credit union grew slowly at first. By December, 1962, savings totalled $5,957, loans $5,666. Then things began to happen. By December 1964, savings were $20,891 with $16,430 in loans. As 1966 closed, savings totalled $44,364, loans $45,152.

Then savings spurted from $77,000 in December, 1967 to $105,770 by the following December, just two months after the credit union's 10th anniversary. Loans totalled $78,778.

The healthy spurt has no easy explanations. Several underlying factors have long favored the credit union:

Its continuous growth and good service reinforce members' confidence. Richard Holtom, in his sixth year as president, helps symbolize its stability.

Members are aware that the volunteer members of the board and committees work effectively. One volunteer has earned a particularly high reputation.

During the day, Mrs. Camilla Best is an accountant and secretary for a lawyer in Chicago's loop. At night she is the credit union's treasurer, and works 60 hours a month on its business. Her husband, Bernard Best, is the credit union's vice-president.

President Holtom believes members of a church are naturally more trusting of each other—and more trustworthy—than those in other types of common bonds. This, he adds, may be one reason members have saved more than they borrow.

The credit union is convenient. Virtually all business is transacted by mail at the treasurer's home address. This overcomes the difficulty of serving people whose weekday business takes them miles apart from each other.

Addressing envelopes is no problem. Members' names and addresses are stamped on the back cover of their passbooks. These show through the window envelopes in which they are returned.

In 1954, Holtom recalled, he and the treasurer conducted credit union business in the church basement on Sunday afternoons. But that didn't work out. Most members preferred to do business on weekdays.

Every Sunday, the Pastor mentions the credit union among announcements. In fact, he recently mentioned from the pulpit that he borrowed $1,800 to buy a car.

A paragraph on the credit union is also a regular feature of the church bulletin, and the monthly financial statement is posted on the bulletin board.

Payment of a 5-per-cent return has been an incentive for savers. People often say to the effect: "Where else could I get 5 per cent while being able to withdraw at any time?"

The 5 per cent is paid as a 4 per cent dividend and a 1 per cent bonus, payable at the end of the year. The board commits itself to a 4 per cent dividend to facilitate returning to that figure if conditions require it.

Expenses are limited to promotional literature, regular correspondence, postage, the annual meeting, plus $600 a year to rent space in the treasurer's home. Literature is handed out at every important church meeting.

Although loans have fallen far behind shares, there is incentive to borrow more than $1,000. Borrowers pay 12 per cent simple interest on the first $1,000, only 6 per cent beyond that.

A dynamic church with young members helps a church-related credit union move ahead as well. Of the 180 members, 125 are wage earners. Another 23 are housewives, and 32 are children.

Youth are urged from the pulpit to "start saving now. Spend money when you have it. If you need more later, you can borrow it."

One young member of the credit union, a girl, took the advice fully to heart. She won $1,000 on a radio quiz program and deposited it in the credit union.

Pastor Bauer, whose career includes the management of a chain of 19 hotels, foresees bigger things ahead for the church. Its present building on South Merton Avenue has been sold, and construction of a new church will begin shortly on a nearby five-acre estate, purchased at a discount.

"It now goes almost without saying," he added, "that the credit union is as much a part of the church as the sanctuary."

Mr. HANLEY. Mr. Speaker, during the Banking and Currency Committee hearings on H.R. 2, the only questions which were raised in connection with this legislation came up on two features of the bill. I think the committee report answers those two questions most effectively under "General Comments on the Legislation" on page 5 of the subject report.

One question concerned the provision that the President shall give special consideration to the nominations submitted by credit union organizations which are representative of a majority of Federal credit unions located in a region from which a board member is to be appointed. I call your attention to the fact that this provision in no way prevents individuals, single Federal credit unions, or any number of credit union organizations from submitting recommendations of names to be considered by the President for appointment to the board of governors. The primary purpose of this provision is to insure that individuals who are vitally interested in credit unions are considered for appointment to the board of governors. Actually, the committee

hoped that through this provision that credit unions and credit union organizations throughout the country would be encouraged to take an active part in making recommendations to the President. You will also note that the legislation provides that persons appointed to the board of governors shall be selected on the basis of established records of outstanding service in the credit union movement.

The second point raised in connection with this legislation concerns the fact that membership on the board of governors is not specificaly limited to individuals who represent Federal credit unions. The purpose here is to prevent the exclusion of the appointment of outstanding credit unions with a wealth of experience who may be associated with a State chartered credit union. However, the committee in its comments on this legislation emphasizes that it fully expects that a majority of the members on the board of governors of a national credit union administration should consist of individuals who represent Federal credit unions. I am sure that this is reasonable, and I am sure that the intent of this legislation as expressed in the committee report will be followed by the President in nominating individuals to the board, and by the Senate in considering such individuals for confirmation.

Mrs. SULLIVAN. Mr. Speaker, in my opinion, it should be emphasized that the legislation before us today contained in H.R. 2 to create an independent credit union supervisory agency is no "spur-of-the-moment" idea. It is the product of nearly 2 years' study and consideration by the distinguished chairman of the House Banking and Currency Committee and the organized credit union movement in the United States.

A bill to create an independent credit union supervisory agency was first introduced in November 1967 in the 90th Congress by the chairman of the House Banking and Currency Committee, Mr. PATMAN. Legislatively, no action was taken by the 90th Congress on the measure. However, Federal credit unions and credit union organizations were asked to submit recommendations and comments on the measure to improve it as an effective instrument of the credit union movement.

CUNA International, the principal credit union organization, immediately took steps to publicize the measure to all Federal credit unions and to seek recommendations on the measure. In 1968, CUNA International adopted resolutions in State and district meetings and finally its U.S. Forum, which consists entirely of U.S. credit unions, endorsed the legislation in principle. Subsequently, numerous comments and recommendations were submitted on the bill itself, and, as a result, Mr. PATMAN and 23 other members of the House Banking and Currency Committee introduced a revised bill, H.R. 2, in the 91st Congress.

Following the introduction of H.R. 2 on January 3, 1969, CUNA International again publicized this bill to all Federal credit unions and made a special staff study of it. The measure was again reviewed in State and district meetings. The U.S. Forum in May 1969 voted specific approval of H.R. 2 without changes.

I think it is extremely important that we realize that the Federal credit unions of this country have had nearly 2 years to study this measure and to suggest revisions to it. As a result of this study, the organized credit union movement at all levels has given its unqualified endorsement to this measure. Finally, the U.S. Forum of CUNA International adopted a resolution giving its complete approval of the bill.

We have in H.R. 2 legislation which would elevate the Bureau of Federal Credit Unions to an independent agency status as the National Credit Union Administration, and we have the unqualified endorsement of the people most affected—the Federal credit unions of this country. On that basis, I think we have every reason to pass this legislation as a justifiable recognition of the need and desire of our Federal credit unions to have their supervisory agency placed on a par with the supervisory agencies of other federally chartered financial institutions.

Mr. BARRETT. Mr. Speaker, during the hearings on the legislation to create an independent credit union supervisory agency, I was particularly impressed with certain factors regarding the growth of the Federal credit union program in this country.

When the Federal Act was passed in 1934, a section to administer and supervise the Federal credit union program was established in the Farm Credit Administration. The Farm Credit Administration administered the Federal credit union program from its inception in 1934 until 1942. During that period, 4,228 Federal credit unions were chartered and nearly 1.5 million people became shareholders therein.

In 1942, the Federal Credit Union section was transferred from the Farm Credit Administration to the Federal Deposit Insurance Corporation where it remained through 1947. During this period, under a bank-oriented agency, the number of federally chartered credit unions dropped to 3,845 and membership remained at approximately 1.5 million people.

In 1948, the Bureau of Federal Credit Unions was established, replacing the Federal Credit Union section and the program was placed under the Federal Security Administration, a forerunner of the Department of Health, Education, and Welfare. Under this more favorable atmosphere, the Federal credit union program once again flourished and by 1953 there were nearly 6,000 Federal credit unions with 2.8 million members. From 1953 to the present time, federally chartered credit unions have increased to 12,750 with over 10 million members under the more favorable climate of the socially oriented Department of Health, Education, and Welfare, despite the fact that the Bureau exists as a "stepchild" in the Department.

There is every reason to believe that with its own independent supervisory agency exclusively devoted to the progress and advancement of Federal credit unions we can expect the continued advancement of the Federal credit union program. Certainly Federal credit unions have grown to a mature status which justifies an independent agency devoted exclusively to their supervision.

Mr. ASHLEY. Mr. Speaker, the creation of a National Credit Union Administration to replace the Bureau of Federal Credit Unions as a supervisory agency for federally chartered credit unions has a particularly redeeming feature in that it will not cost the American taxpayer a single cent.

Fiscal year 1969 marks the 15th year that the Bureau of Federal Credit Unions has operated solely on funds received from Federal credit unions for chartering and supervisory services. Since fiscal 1954, Congress has not appropriated funds for administering the Federal credit union program.

This legislation makes no change in such a procedure. An independent National Credit Union Administration would continue to be supported entirely by fees assessed for chartering, examining, and supervising Federal credit unions. These fees, I emphasize, would be paid by the Federal credit unions themselves. Not only would the National Credit Union Administration be an independent agency—it would also be a financially independent agency supported entirely by the Federal credit unions which it serves.

Federal Government cost is therefore not a consideration in this measure. Congressional appropriations are not required. The taxpayer's dollar will not be called upon to support this independent supervisory agency.

Certainly Federal credit unions who will pay the cost of this agency and who desire an independent National Credit Union Administration deserve to have the prestige, the recognition, and the equality which an independent agency will give them. And in this day and age when a great movement is financially independent of government subsidy and appropriations, it certainly deserves to have this legislation enacted into law.

Mr. MOORHEAD. Mr. Speaker, it is inconceivable to me that 10 million Americans belonging to some 12,700 Federal credit unions who pay the entire bill for their own supervisory agency should not have that agency elevated to an independent status in accordance with their desires.

Federal credit unions have made it abundantly clear that they desire an independent agency which will be on a par with the supervisory agencies of other federally chartered financial institutions. Certainly Federal credit unions are entitled to the independence, recognition, prestige, and responsiveness which a National Credit Union Administration would provide.

Since fiscal year 1954, the present supervisory agency, the Bureau of Federal Credit Unions, has operated solely on funds assessed Federal credit unions for chartering, examining, and supervisory services. The administration of the Federal credit union program has not required appropriated funds for the past 15 years. This policy of self-support would be continued under the legisla-

tion contained in H.R. 2. A National Credit Union Administration would be entirely supported by the Federal credit unions themselves. The American taxpayer would have no expense whatsoever.

Furthermore, this legislation provides a means by which the Federal credit unions could have a greater voice in the administration of their own affairs through a Board of Governors appointed by the President from the various geographical Federal credit union regions. Certainly the people who pay the bill for the administration and operation of the Federal credit union program are entitled to have a greater voice than they now have in the policies and administration of their program.

I think this legislation represents a reasonable recognition of the importance of the credit union movement and its role in our socioeconomic life. Federal credit unions have reached the stage of maturity where they deserve such recognition as an independent National Credit Union Administration.

Mr. BRASCO. Mr. Speaker, since the Federal Credit Union Act was passed in 1934, Federal credit unions have grown until today they number over 12,700 with over 10 million members. The credit union movement as a whole, both Federal and State chartered, represents the fourth largest financial type institution in our Nation based on asset size.

Yet Federal credit unions alone of our federally chartered financial institutions do not have an independent supervisory agency, such as banks and savings and loan associations have. The Bureau of Federal Credit Unions is buried at a third echelon level of the Department of Health, Education, and Welfare under the Social Security Administration. At this organizational level, it is well isolated in our Federal hierarchy. This isolation results in a lack of responsiveness, both to the Federal credit unions and to the Congress itself.

The Director of the Bureau of Federal Credit Unions in making major policy decisions must secure approval both from the head of the Social Security Administration and from the Secretary of the Department of Health, Education, and Welfare, after going through channels of numerous assistants to the Secretary. An example of this isolation is the fact that the House Banking and Currency Committee asked in writing for departmental comments on the independent agency bill some 18 months ago. The correspondence was ignored during that long period until the committee held hearings on H.R. 2 in the latter part of June of this year. At that time, the Secretary of Health, Education, and Welfare delegated the Commissioner of the Social Security Administration to appear before the committee and present testimony on the bill. Obviously these points emphasize the fact that the Bureau is actually a stepchild in the Department of Health, Education, and Welfare organization. This definitely contributes to the unnecessarily time-consuming and cumbersome procedures which the Bureau must follow in establishing major policies.

The responsiveness of the Bureau to urgent requirements of the Federal credit union movement is shackled by this same procedure in securing approval of various policy matters. Certainly an institution of over 10 million members, such as the Federal credit unions of this Nation have, is entitled to greater responsiveness and undivided attention which would result from an independent supervisory agency.

Mr. RODINO. Mr. Speaker, in considering H.R. 2, a bill to create an independent credit union supervisory agency, I am struck with the fact that Federal credit unions are supervised by a bureau buried at the third-echelon level in the Department of Health, Education, and Welfare. On the other hand, other federally chartered financial institutions, such as banks and savings and loan associations, have their own independent supervisory agency.

What makes this all the more unrealistic is that there are more federally chartered credit unions than all the other federally chartered financial institutions combined. With over 12,000 Federal credit unions in this country boasting of over 10 million members, it seems unreasonable that our Federal credit unions should not be given the same recognition and dignity of other financial institutions.

This bill merely elevates the Bureau of Federal Credit Unions to independent agency status as the National Credit Union Administration. It does not change the Federal Credit Union Act in any other particular.

This bill has my support and I urge its passage because it gives long overdue recognition to the Federal credit unions of this country by elevating the supervisory agency to independent status, thus giving it the prestige the Federal credit union program deserves.

Mr. MINISH. Mr. Speaker, since 1965 I have been privileged, on a number of occasions, to serve as chairman of a special subcommittee of the Domestic Finance Subcommittee of the House Banking and Currency Committee, to investigate credit problems faced by servicemen both at home and abroad.

Chairman PATMAN has mentioned briefly some of the problems that we uncovered in our investigations. He also mentioned that by establishing credit unions, we were able to overcome many of these problems. I concur wholeheartedly in what Chairman PATMAN has said. I support H.R. 2 as I would support any legislation that would facilitate the operation of credit unions. Given the latitude of operation which they deserve and by freeing them from bureaucratic apron-strings, the credit unions can go a long way toward solving the economic problems of our servicemen, our low-income families, and the little man who finds that no matter how hard he works, his paycheck never seems to go far enough.

In 1967, the Department of Defense published its first directive dealing with credit unions. It was a strong directive. Just recently, the Department of Defense republished this directive to give added strength and to make certain that credit unions would be established wherever there was a need.

Mr. Speaker, in the past 3 years, I have visited a large number of major military installations throughout the world. Almost without exception, I found support and a need for a credit union at every one of these installations. This support came from servicemen of all ranks from privates to generals. Because of the support received for credit unions, the work of the subcommittee and the constant efforts of Chairman PATMAN, the Department of Defense launched a program of opening credit unions at military installations overseas. To illustrate how successful these credit unions have been and the reception they have received from servicemen, I would like to quote from the special subcommittee's report of October 1968, regarding the credit union operations in Germany:

> When the subcommittee visited the Pease Air Force Credit Union at Ramstein, the office was completely jammed with servicemen and their dependents waiting to deposit funds, apply for loans, or obtain credit counseling. It was estimated that there were nearly 50 people in the credit union at the time of the committee's visit. When the subcommittee visited the Andrews Air Force Base Credit Union at Weisbaden, it was 8:30 in the morning, an hour prior to the credit union's opening of its business day. There were already several servicemen waiting in line to get into the credit union and by the time the credit union opened its doors, there were 29 servicemen and their dependents standing in line. These two incidents, the subcommittee was informed by military and credit union officials, are typical of the situations that are occurring at all of the credit unions and clearly demonstrate the need and acceptability of credit union service among our military personnel stationed in Germany.

I think it is important that Members of the House are made aware of how much good the credit unions are doing for our troops. The following section of the subcommittee's October report states the case quite clearly:

> Without exception, every officer or enlisted man who testified before the subcommittee indicated that the operation of American credit unions in Germany was a great boost to the morale of the troops. Maj. Gen. Robert Ferguson, Commander of West Berlin, when asked as to the effect that the credit union in Berlin had on U.S. servicemen, replied "Just the fact that the credit union is here is a great morale booster. The troops now know that they do not have to go to loan sharks in order to get money." It should be noted that General Ferguson was the first member to join the credit union when it opened its doors in West Berlin. And, General Ferguson did not become merely a token member, since his initial deposit was $500.
>
> When the subcommittee visited Ramstein Air Base, Col. Winston Anderson, Vice Wing Commander of the 26th Tactical Reconnaissance Squadron, said that "the credit union provides a great morale lift to the troops and has made an important contribution to my men." Colonel Anderson pointed out that there had been instances of low morale because of debt problems prior to the credit union's opening but that these situations had been corrected by the credit union's operation. He also explained that the credit union provided a terrific initial morale boost to his troops because the stateside manager of the Pease Air Force Base Credit Union, Mr. Richard Grant, when he visited Ramstein to discuss a site for the credit union, made several loans to airmen prior to the official opening of the credit union. According to Colonel Anderson, this type of interest in the troops expressed by Mr. Grant and the credit union, made a lasting impression upon the airmen at Ramstein.

Lt. Gen. Andrew Boyle, Commander of the V Corps in Frankfurt, told the subcommittee that his area desperately needed a credit union since it was too far for the average serviceman to go to Wiesbaden, approximately 30 miles away, in order to get credit union service. General Boyle pointed out that in Frankfurt alone, there are 50,000 American servicemen and civilian Department of Defense employees eligible for credit union membership and when the Frankfurt suburban areas are included, that figure is increased to 80,000 or 90,000. General Boyle said that his men have been borrowing from finance companies in the area and although their rates are extremely high, their contracts are all legal. He expressed a desire to obtain credit union service so as to cut the cost of borrowing for his men. General Boyle said "credit unions are for the soldier. He knows he can get advice and counseling at the credit union and will not get a hard sell." General Boyle added that it was important to get a credit union because the serviceman in need of money, whether for an emergency or a frivolous purchase, will go to wherever he can get the funds and he is not worried about the interest rate at that time. It is partly because of the impulse borrowing that General Boyle feels his area needs a credit union.

It should be noted that during its hearings at Wiesbaden Air Base, the subcommittee stressed the view presented by General Boyle as to the need for a credit union in the immediate Frankfurt area. The manager of the Andrews Air Force Base Credit Union, which services Wiesbaden on a direct basis and also has Frankfurt in its geographical territory, said that arrangements were being made to establish a satellite office of the credit union in Frankfurt. The subcommittee feels that based upon the large Department of Defense civilian and troop concentration in the immediate Frankfurt area, that if a satellite office of the Andrews Air Force Base Credit Union is not satisfactory as far as providing full credit union service, that consideration should be given to opening a seventh credit union in Germany with its main suboffice in Frankfurt.

Brig. Gen. William McDonald, Chief of Staff of the U.S. Air Force in Europe, told the subcommittee that since credit unions had opened at European Air Force installations, and the Department of Defense had cracked down on debt practices, the Air Force Inspector General has had the fewest number of debt complaints from airmen of any 18-month period. When General McDonald was asked if the credit union helped morale, he answered: "It is difficult to set a yardstick to measure morale, but I do know that if I don't get any complaints and don't have any problems, I know that the morale of my men is up." In discussing what credit unions have meant in terms of reduction of debt complaints, a legal officer in USAFE Headquarters commented, "I have seen a revolution. There used to be numerous complaints about sharp practice operators and high-rate finance companies gouging the servicemen. We seldom get such complaints anymore." A sergeant at the hearing in Wiesbaden said that the credit union was an invaluable tool in the work of the first sergeants since they could send men with debt problems to the credit union for counseling and if loans were necessary in order to bail a man out of trouble, they could be obtained from the credit union at a reasonable interest rate.

Col. Norbert Treacy, commanding officer of Wiesbaden Air Force Base, told the subcommittee that they have had no real debt problems concerning sharp practice companies in 2 years. He said that he realized that there had been a great deal of problems in the Wiesbaden area during the subcommittee's earlier visit but that for the past 2 years, there has been a heavy emphasis on personal counseling of servicemen, as well as their wives. Colonel Treacy said that he was highly pleased with the operation of the credit union, and that although the credit union started slowly, "as soon as the word spread to the troops, it grew very rapidly."

Col. Fred Field, whose command includes the installations in Furth and Wurzburg, told the subcommittee that there are still some high-rate finance companies operating outside the gates of the military installations but they do not present any problems now that the credit unions have gone into operation. Colonel Field added that although there had been some respectable credit facilities in Europe, such as American Express, prior to credit unions that credit unions were the ideal setup since the average soldier could not obtain a loan from American Express.

Mr. Speaker, an independent agency will allow credit unions not only to continue the outstanding work that they are performing but will free those charged with regulating credit unions from having to sell their programs to an agency totally devoid of credit union expertise and, in some cases, interest.

Based on the support alone that credit unions have given our servicemen, I feel that there is enough justification for an independent agency. But when you consider all of the other areas in which credit unions have performed so admirably and the fact that this legislation will not result in the expenditure of any taxpayers' funds, I find that it is one of the easiest bills to vote aye on that I have cast a vote for during my terms in Congress.

Mr. GONZALEZ. Mr. Speaker, I wish to emphasize that H.R. 2 would not create another Government agency per se—it would merely elevate the existing Bureau of Federal Credit Unions to independent status as the National Credit Union Administration. It will place Federal Credit Unions, of which there are more than all other federally chartered financial institutions combined, under an independent agency which would provide a status similar to that enjoyed by banks and savings and loan associations.

Creation of a National Credit Union Administration as an independent agency is not a step toward expanding the role of Federal Credit Unions in relation to other financial institutions. It would merely improve their prestige and status and give deserved recognition to the 10 million-plus Americans who are Federal Credit Union members. Only Congress can change the Federal Credit Union Act and the powers it grants to the supervisory agency for Federal Credit Unions. By elevating the Bureau of Federal Credit Unions to independent status, we are not giving the agency or Federal Credit Unions any additional authority, privileges, or operational changes. Congress alone can change the Federal Credit Union Act, and any major changes in credit union legislation must be made by legislation passed by the Congress.

Actually this legislation will enhance congressional influence over Federal credit unions since it establishes a Board of Governors of the National Credit Union Administration which is required by the legislation to submit an annual report to the President for transmission to the Congress together with recommendations, including recommendations for changes in the Federal Credit Union Act. Such a report is not now required of the Bureau of Federal credit unions which only infrequently submits legislative recommendations. With such an advisory board, the National Credit Union Administration will have a direct pipeline of information from the field informing it of the needs and desires of Federal credit unions for changes in the Federal Credit Union Act. With this improved communication of experience data from the field, certainly the independent supervisory agency will be in a far better position to serve more effectively the over 12,000 Federal credit unions which it supervises.

I support passage of H.R. 2 for these reasons. It should provide an agency more responsive to the needs of Federal credit unions in this technological age, as well as providing Congress better information upon which to exercise our legislative obligations.

Mr. GETTYS. Mr. Speaker, one of the features of H.R. 2 which would elevate the Bureau of Federal Credit Unions to an independent agency status as the National Credit Union Administration is the provision which would establish a Board of Governors to advise, consult with, and give guidance to the Administrator on matters of policy. Such a Board of Governors would be composed of members appointed by the President from the various Federal credit union regions of the country. This would provide representation of Federal credit unions on a broad geographical basis. It would also provide for an expression of ideas and needs from the grassroots level to the supervisory agency. This is a feature which is woefully lacking in the present status of the Bureau of Federal Credit Unions.

All too frequently Federal credit unions and Federal credit union leaders are not consulted on major policy matters to secure their reactions, their advice, or their comments.

A case in point is the consolidation of certain Federal credit union regions which was effected in January of this year. At that time, the Department of Health, Education, and Welfare issued a directive which eliminated three Federal credit union regions by consolidating them into other existing regions. The New York region was absorbed in the Boston region; the Charlottesville, Va., region was absorbed into the Harrisburg, Pa., region; and the Kansas City, Mo., region was merged into the Dallas, Tex., region which was then moved from Dallas to Austin. This major reorganization which directly affected hundreds of Federal credit unions came as a complete surprise to them and to the credit union organizations representing them. Not one single Federal credit union nor one single credit union organization was informed of, or consulted with, on this action, prior to the issuance of the directive. The people and organizations directly concerned and who underwrite all the expenses of the Bureau of Federal Credit Unions were completely ignored on this matter. This arbitrary action was taken in a strictly bureaucratic manner.

A National Credit Union Administration with a Board of Governors representing the various Federal credit union regions in this country would eliminate actions such as this by giving varied reactions to such a far-reaching proposal. The Board of Governors would be able to bring a wealth of experience and background in credit union problems and attitudes to such major policy decisions. The members of such a Board of Governors would certainly give a much broader base of experience and viewpoints to guide a Federal credit union supervisory agency in the performance of its mission.

The requirement in H.R. 2 that the Board of Governors make an annual report to the President for submission to the Congress is another feature which will insure that Congress is informed on the problems and needs regarding legislative actions. Under the present setup no such report is submitted to the Congress, nor is the Bureau of Federal Credit Unions, in itself, directly answerable to the Congress for its actions.

Not only will H.R. 2 provide for an infusion of opinion from grassroots Federal credit unions into supervisory agency policymaking, but it will also insure more information to the Congress as well as more control by the Congress of Federal credit union policies and regulations.

Mr. DORN. Mr. Speaker, one of the important features of the bill—H.R. 2—elevating the Bureau of Federal Credit Unions to an independent agency status, is the fact that it provides a means for making the supervisory agency more responsive to the needs of the Federal credit union movement and the desires of Congress.

At the present time, the Bureau of Federal Credit Unions is more or less isolated in its communication with the Federal credit unions which it serves. This bill would create a Board of Governors who would be named by the President "by and with the advice and consent of the Senate" to serve for 6 year terms. The members of the Board of Governors would be appointed to represent each Federal credit union region in the United States. Thus, the independent supervisory agency would, in effect, have constant contact with the problems and need of Federal credit unions.

The Board of Governors, being composed of members representing broad geographical regions of the country, would be in a position to communicate and influence policy of the National Credit Union Administration.

At present, no such representation of Federal credit unions exists in relation to the Bureau of Federal Credit Unions. Only an informal liaison committee of CUNA International exists to bridge the communications gap between the Federal credit union movement and the Bureau. At best, this is inadequate.

The provision in this bill to create a Board of Governors to "advise, consult with, and give guidance to the Administrator on matters of policy" fills a long-standing need for closer relationships between the Federal credit union supervisory agency and the Federal credit unions which it supervises and serves.

Furthermore, I should like to point out one additional feature of such a Board of Governors. Under this legislation, the Board will be required to make an annual report to the President for submission to the Congress. In this report, the Board is required to summarize the activities of the National Credit Union Administration and to make recommendations to the Congress which it may deem appropriate. Obviously, this gives the Congress greater insight into the Federal credit union program than it now has and insures that the Congress will retain absolute control of the Federal credit union program.

Mr. BURLISON of Missouri. Mr. Speaker, H.R. 2 would create a National Credit Union Administration which would be headed by an Administrator who will be appointed by the President with the advice and consent of the Senate. The Administrator will be under the direct control of a board of governors representing membership from each Federal Credit Union region, plus a chairman to be appointed at large. Members of the board will be appointed by the President, by and with the advice and consent of the Senate. The members of the board will serve for a 6-year period, while the Administrator, in order to insure continuity with the President, shall serve at the pleasure of the President.

The National Credit Union Administration will be responsible for the regulation, supervision, and examination of Federal Credit Unions, and will perform all of the functions presently carried on by the Bureau of Federal Credit Unions.

One of the most important aspects of this legislation is that the establishment of the administration will not cost the taxpayers a single penny nor result in any appropriations by Congress, since all the operating costs of the agency will be borne by fees and assessments paid by the more than 12,000 Federal Credit Unions in the United States. For more than 15 years, the supervision and regulation of credit unions has been carried out without any expense to the taxpayers. In short, all costs of operating the National Credit Union Administration will be borne directly by credit union fees and assessments.

There are more credit unions in the United States—23,625—than all other financial institutions combined. And, there are more federally chartered credit unions, 12,689, than all other financial institutions chartered by the Federal Government. There are more than 20 million credit union members in the United States with savings in their institutions of more than $14 billion. More than half of the total membership and assets of the credit unions belong to federally chartered credit unions. Yet, despite the magnitude of credit unions, the regulation and supervision of these extremely worthwhile financial institutions lies buried in the Bureau of Federal Credit Unions, which operates at the third tier in the governmental organizational structure. The Bureau of Federal Credit Unions is a subagency of the Social Security Administration, which, in turn, is a subagency within the Department of Health, Education, and Welfare. The Director of the Bureau of Federal Credit Unions does not report directly to the Secretary of the Department of Health, Education, and Welfare, but instead must function through the Social Security Administration. The Bureau of Federal Credit Unions is not provided with full-time legal counsel but must depend on part-time legal help obtained from other sections of the Social Security Administration. This clearly is not an example of how a governmental agency, charged with such a great responsibility, should operate.

The Federal Credit Union Act was passed by Congress and signed into law in June of 1934. The first Federal credit union was chartered on October 1, 1934, by the Federal Credit Union Section which was established in the Farm Credit Administration. Federal credit union supervision and regulation was under the Farm Credit Administration until May 15, 1942, at which time there were approximately 4,100 credit unions with more than 1.3 million members. In May of 1942, Federal credit union regulation was transferred from the Farm Credit Administration to the Federal Deposit Insurance Corporation. For the next 6 years, under the FDIC, the Federal credit union program, rather than growing, actually decreased to 3,800 credit unions, although total membership increased by about 200,000. On July 28, 1948, the Bureau of Federal Credit Unions was established and transferred to the then Federal Security Agency, a forerunner of the present Department of Health, Education, and Welfare.

During the 35-year history of the Federal credit union program, regulation of Federal credit unions has been shuffled from one agency or department to another. Credit unions have earned and deserve the right to be regulated and supervised by an agency charged solely with overseeing Federal credit unions. The Bureau of Federal Credit Unions has consistently operated as a stepchild within the Federal Government. The upgrading of this agency to the status that it has earned is long overdue.

The Department of Health, Education, and Welfare, while agreeing that the status of the Federal credit union program within the Federal Government needs upgrading, opposed the enactment of H.R. 2 for the following reasons: First, the location of the credit union program in the Social Security Administration of the Department of Health, Education, and Welfare, has not hindered the growth of Federal credit unions; second, by being a part of the Department of Health, Education, and Welfare, the Bureau of Federal Credit Unions is better able to coordinate programs designed to improve the economic and social security of the American people; and, third, the establishment of another independent agency is not desirable from an administrative management point of view.

The objections are vastly outweighed by the need for a National Credit Union Administration.

While it can be pointed out that the number of credit unions has increased under the present location of the Bureau of Federal Credit Unions, it is felt that if there had been a separate credit union

agency during the period the Bureau of Federal Credit Unions has been under control of the Department of Health, Education, and Welfare and its predecessor agencies, the growth of the Federal credit union movement would have been equal to, if not greater, than the records established under the present arrangement.

The growth of the credit union movement is a tribute to the thousands of volunteer workers throughout the country who have formed credit unions and the millions of volunteers who operate these credit unions rather than the fact that Federal credit union supervision falls within the jurisdiction of the Department of Health, Education, and Welfare.

The innovative programs, such as Project Moneywise, which provides economic and consumer training for credit union leaders in low-income areas, are commendable efforts on the part of the Bureau of Federal Credit Unions. However, both Mr. Robert M. Ball, Commissioner of Social Security of the Department of Health, Education, and Welfare, and Mr. J. Deane Gannon, Director of the Bureau of Federal Credit Unions, told the committee that the programs such as Project Moneywise could be continued within the framework of an independent credit union agency. The objection to H.R. 2 on the grounds that such programs would not receive the coordination needed to carry them on, is not valid.

Mr. Speaker, as evidenced above, the Committee on Banking and Currency feels that a strong case has been made for creation of an independent Federal agency for supervision of federally chartered credit unions. I wish to echo those sentiments and feel that this legislation will be a forward step in serving those valuable members of our Federal service who participate in the Federal credit union movement.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 357, nays 10, not voting 65, as follows:

[Roll No. 126]

YEAS—357

Abernethy	Anderson, Tenn.	Barrett
Adair	Andrews, Ala.	Beall, Md.
Adams	Annunzio	Belcher
Addabbo	Arends	Bell, Calif.
Albert	Ashley	Betts
Alexander	Aspinall	Bevill
Anderson, Calif.	Ayres	Biester
Blackburn	Goodling	Natcher
Blanton	Gray	Nedzi
Boggs	Green, Oreg.	Nichols
Boland	Green, Pa.	Nix
Bolling	Griffin	Obey
Brademas	Griffiths	O'Hara
Brasco	Grover	O'Konski
Bray	Gubser	Olsen
Brinkley	Gude	O'Neal, Ga.
Brooks	Hagan	O'Neill, Mass.
Broomfield	Haley	Ottinger
Brotzman	Hamilton	Passman
Brown, Calif.	Hammer-schmidt	Patman
Brown, Ohio	Hanley	Pelly
Broyhill, N.C.	Hanna	Pepper
Broyhill, Va.	Hansen, Idaho	Perkins
Buchanan	Hansen, Wash.	Philbin
Burke, Mass.	Harsha	Pickle
Burleson, Tex.	Harvey	Pirnie
Burlison, Mo.	Hathaway	Poage
Burton, Calif.	Hays	Podell
Bush	Hechler, W. Va.	Poff
Button	Heckler, Mass.	Pollock
Byrne, Pa.	Helstoski	Preyer, N.C.
Byrnes, Wis.	Henderson	Price, Ill.
Cabell	Hicks	Price, Tex.
Caffery	Hogan	Pryor, Ark.
Camp	Horton	Pucinski
Carter	Hull	Purcell
Casey	Hungate	Quie
Cederberg	Hunt	Quillen
Chamberlain	Hutchinson	Railsback
Chappell	Ichord	Randall
Clancy	Jacobs	Rees
Clark	Jarman	Reid, Ill.
Clawson, Del	Joelson	Reid, N.Y.
Clay	Johnson, Calif.	Reifel
Cleveland	Jonas	Reuss
Cohelan	Jones, Ala.	Rhodes
Collier	Jones, N.C.	Riegle
Collins	Jones, Tenn.	Rivers
Colmer	Karth	Roberts
Conable	Kastenmeier	Robison
Conte	Kazen	Rodino
Corbett	Kee	Rogers, Colo.
Coughlin	Keith	Rogers, Fla.
Cowger	Kleppe	Ronan
Cramer	Kluczynski	Rooney, N.Y.
Culver	Koch	Rosenthal
Daddario	Kuykendall	Rostenkowski
Daniel, Va.	Kyros	Roth
Daniels, N.J.	Landrum	Roudebush
Davis, Ga.	Langen	Roybal
Davis, Wis.	Latta	Ruth
de la Garza	Leggett	Ryan
Delaney	Lennon	Satterfield
Dellenback	Long, Md.	Saylor
Denney	Lowenstein	Schadeberg
Dent	Lukens	Scheuer
Derwinski	McCarthy	Schneebeli
Devine	McClory	Schwengel
Diggs	McCloskey	Scott
Dingell	McClure	Sebelius
Donohue	McCulloch	Shipley
Dorn	McDade	Shriver
Dowdy	McDonald, Mich.	Sikes
Downing	McEwen	Sisk
Dulski	McFall	Slack
Duncan	McKneally	Smith, Calif.
Dwyer	McMillan	Smith, Iowa
Eckhardt	Macdonald, Mass.	Smith, N.Y.
Edmondson	Madden	Snyder
Edwards, Ala.	Mahon	Springer
Edwards, La.	Mailliard	Stafford
Eilberg	Mann	Staggers
Erlenborn	Marsh	Stanton
Esch	Martin	Steed
Evans, Colo.	Matsunaga	Steiger, Ariz.
Farbstein	May	Steiger, Wis.
Fascell	Mayne	Stephens
Feighan	Meeds	Stokes
Findley	Melcher	Stubblefield
Fish	Meskill	Sullivan
Fisher	Michel	Symington
Flood	Mikva	Taft
Flowers	Miller, Calif.	Talcott
Flynt	Miller, Ohio	Taylor
Foley	Mills	Teague, Calif.
Ford, Gerald R.	Minish	Thompson, Ga.
Foreman	Mink	Thompson, N.J.
Fountain	Mize	Thomson, Wis.
Fraser	Mizell	Tiernan
Frelinghuysen	Monagan	Tunney
Frey	Montgomery	Udall
Friedel	Moorhead	Ullman
Fulton, Pa.	Morgan	Utt
Fulton, Tenn.	Morse	Van Deerlin
Fuqua	Morton	Vander Jagt
Galifianakis	Mosher	Vanik
Gaydos	Moss	Vigorito
Gettys	Murphy, Ill.	Waggonner
Giaimo	Murphy, N.Y.	Waldie
Gibbons	Myers	Wampler
Gilbert	Natcher	Watson
Goldwater	Nedzi	Watts
Gonzalez	Nichols	Weicker
Whalen	Winn	Wyman
White	Wold	Yatron
Whitehurst	Wolff	Young
Widnall	Wright	Zablocki
Wiggins	Wyatt	Zion
Williams	Wydler	Zwach
Wilson, Bob	Wylie	

NAYS—10

Bennett	Gross	Rarick
Biaggi	Hall	Scherle
Burke, Fla.	Kyl	
Dennis	Pike	

NOT VOTING—65

Abbitt	Edwards, Calif.	MacGregor
Anderson, Ill.	Eshleman	Mathias
Andrews, N. Dak.	Evins, Tenn.	Minshall
Ashbrook	Fallon	Mollohan
Baring	Ford, William D.	Nelsen
Berry	Gallagher	Patten
Blatnik	Garmatz	Pettis
Bow	Halpern	Powell
Brock	Hastings	Rooney, Pa.
Brown, Mich.	Hawkins	Ruppe
Burton, Utah	Hébert	St Germain
Cahill	Holifield	St. Onge
Carey	Hosmer	Sandman
Celler	Howard	Skubitz
Chisholm	Johnson, Pa.	Stratton
Clausen, Don H.	King	Stuckey
Conyers	Kirwan	Teague, Tex.
Corman	Landgrebe	Watkins
Cunningham	Lipscomb	Whalley
Dawson	Lloyd	Whitten
Dickinson	Long, La.	Wilson, Charles H.
	Lujan	Yates

So the bill was passed.

The Clerk announced the following pairs:

Mr. Holifield with Mr. Bow.
Mr. Celler with Mr. Lipscomb.
Mr. Long of Louisiana with Mr. Watkins.
Mr. Kirwan with Mr. Hosmer.
Mr. Hébert with Mr. Cahill.
Mr. Evins of Tennessee with Mr. Andrews of North Dakota.
Mr. St. Onge with Mr. Ashbrook.
Mr. Charles H. Wilson with Mr. Don. H. Clausen.
Mr. Yates with Mr. Brock.
Mr. Abbitt with Mr. Berry.
Mr. Carey with Mr. Minshall.
Mr. Howard with Mr. Eshleman.
Mr. Patten with Mr. King.
Mr. St Germain with Mr. Hastings.
Mr. Gallagher with Mr. Brown of Michigan.
Mr. Garmatz with Mr. Johnson of Pennsylvania.
Mr. William D. Ford with Mr. Powell.
Mr. Edwards of California with Mr. Landgrebe.
Mr. Blatnik with Mr. Lloyd.
Mr. Teague of Texas with Mr. Anderson of Illinois.
Mr. Fallon with Mr. Devine.
Mr. Stratton with Mr. Mathias.
Mr. Hawkins with Mr. Halpern.
Mr. Corman with Mr. Conyers.
Mr. Baring with Mr. Burton of Utah.
Mr. Stuckey with Mr. Lujan.
Mr. Whitten with Mr. Cunningham.
Mr. Dawson with Mrs. Chisholm.
Mr. Mollohan with Mr. MacGregor.
Mr. Nelsen with Mr. Pettis.
Mr. Sandman with Mr. Ruppe.
Mr. Whalley with Mr. Skubitz.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

PROPOSED INCREASES IN THE EDUCATION APPROPRIATION

(Mr. JOELSON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. JOELSON. Mr. Speaker, when the House considers the appropriation bill for the Departments of Labor, and Health, Education, and Welfare this week, I intend to propose increases for education. In order that my colleagues may be informed about the nature of my proposal, I insert a chart, which follows:

PROPOSED INCREASES FOR EDUCATION

[In thousands]

Item number, program	Fiscal year 1969, appropriations	Fiscal year 1970, package	Over House committee	Increase over fiscal year 1969
1. Impact aid	$505,900	$585,000	$398,000	$79,100
2. ESEA title II, school library	50,000	50,000	110,453	0
3. NDEA title III, equipment	78,740	78,740		0
4. NDEA title V, guidance and counsel	17,000	17,000		0
5. ESEA title III, supplemental centers	164,876	164,876		0
6. Vocational education	248,216	488,716	331,500	240,500
7. Higher education construction, 4 year undergraduate	33,000	33,000	33,000	0
8. NDEA student loan	193,400	229,000	40,794	35,600
9. Title I, ESEA	1,123,127	1,396,975	180,800	273,848
Total	2,414,259	3,043,307	894,547	629,048

EXPLANATION FOR INCREASES

1. To provide sufficient funds for 90% of the authorization.
2. To provide funds equal to the amount appropriated in fiscal year 1969.
3. To provide funds equal to the amount appropriated in fiscal year 1969.
4. To provide funds equal to the amount appropriated in fiscal year 1969.
5. To provide funds equal to the amount appropriated in fiscal year 1969.
6. To provide additional funds to meet urgent needs in vocational education.
7. To provide funds equal to the amount appropriated in fiscal year 1969.
8. To provide necessary funds for increased demand for student loans.
9. To restore diminished funds for grants to local educational agencies resulting from amendments adding additional participating agencies and to offset increases in program costs.

Mr. Speaker, The above increases are endorsed by a group known as the Emergency Committee for Full Funding, which is composed of the following list of organizations:

Academy For Educational Development, 1424 16th St., NW.

AFL–CIO, 815 16th St., NW.

American Association for Health, Physical Education and Recreation, 1201 16th St., NW.

American Association of Junior Colleges, 1315 16th St., NW.

American Association of School Administrators, 1201 16th St., NW.

American Association of State Colleges and Universities, 1785 Massachusetts Ave., NW.

American Association of University Women, 2401 Virginia Ave., NW.

American Council of Education, 1785 Massachusetts Ave., NW.

American Educational Research Association, 1126 16th St., NW.

American Federation of Teachers, 1012 14th St., NW.

American Industrial Arts Association, 1201 16th St., NW.

American Library Association, The Coronet—200 C St., SE.

American Personnel and Guidance Association, 1607 New Hampshire Ave., NW.

American Society for Public Administration, 1225 Connecticut Ave., NW.

American Vocational Association, 1510 H St., NW Suite 300.

Appalacia Educational Lab, Box 1348, 1031 Quarter St., Charleston, W. Virginia 25325.

Association for Children With Learning Disabilities, 627 Allison St., NW.

Association of American Colleges, 1818 R St., NW.

Association of American Law Schools, 1521 New Hampshire Ave., NW.

Association of Classroom Teachers—NEA, 1201 16th St., NW.

Association of Research Laboratories, 1527 New Hampshire Ave., NW.

Association of School Business Officials, 2424 W. Lawrence Ave., Chicago, Illinois 69625.

Catholic Library Association, Trinity College Library.

Center For Urban Education, 105 Madison Ave., New York, New York 10016.

Central Midwestern Regional Educational Laboratories, Inc., 10646 St. Charles Rock Road St., St. Ann, Missouri.

Chief State School Officers, 1201 16th St., NW.

Committee for Community Affairs, 1000 Wisconsin Ave., NW.

Conference of Large City Boards of Education of New York State, 111 Washington Ave., Albany, New York.

Council for Advancement of Small Colleges, 1346 Connecticut Ave., NW.

Council of Graduate Schools, 1875 Massachusetts Ave., NW.

Department of Elementary School Principals, 1201 16th St., NW.

Educational Commission of States, 1860 Lincoln St., Denver, Colorado.

Educational Task Force, Washington Interreligious Staff Council, 2633 16th St., NW.

Far West Laboratory for Educational Research and Development, One Garden Circle, Hotel Claremont, Berkeley, California.

Jesuit Educational Association, 1717 Massachusetts Ave., NW.

Lutheran Council in the USA, 2633 16th St., NW.

Memphis City Schools, 2597 Avery, Memphis, Tennessee.

Michigan-Ohio Regional Education Laboratories, 3750 Woodward, Detroit, Michigan 48201.

Mid-Continent Regional Education Laboratories, 104 E. Independence, Kansas City, Missouri.

National Association of Independent Schools, Four Liberty Square, Boston, Massachusetts 02109.

National Association of Secondary School Principals, 1201 16th St., NW.

National Association of State Boards of Education, 604 Circle Drive, Bryan, Ohio 43506.

National Association of State Universities & Land Grant Colleges, 1785 Massachusetts Ave., NW.

National Catholic Education Association, 1785 Massachusetts Ave., NW.

National Commission for Multi-Handicapped Children, 339 14th St., Niagara Falls, New York.

National Commission for Cooperative Education, 52 Vanderbilt Ave., New York, New York 10017.

National Congress of Parents and Teachers, 9202 Ponce Place, Fairfax, Virginia.

National Council of Catholic Men, 1312 Massachusetts Ave., NW.

National Council of Jewish Women, 1346 Connecticut Ave., NW.

National Education Association, 1201 16th St., NW.

National Faculty Association of Community & Junior Colleges, Room 721, NEA Building.

National School Boards Association, 1616 H St., NW.

New York State Personnel and Guidance Association, State University of New York, 135 Western Ave., Albany, New York.

Northwest Regional Educational Laboratories, 710 S. W. 2nd, Portland, Oregon.

Regional Educational Lab for the Carolinas and Virginia, Mutual Plaza, Chapel Hill & Duke Streets, Durham, North Carolina 27701.

Rocky Mountain Educational Laboratories, 120 24th Ave. Ct., Greeley, Colorado 80631.

Saranac Community Schools, 149 Main St., Saranac, Michigan.

South Central Region Educational Laboratory, P.O. Box 6197, Little Rock, Arkansas.

State University of New York, 1730 Rhode Island Ave., Suite 500.

United Steelworkers of America, 1001 Connecticut Ave., NW.

University of Texas System, 1140 Connecticut.

Upper Midwest Regional Educational Laboratory, 1640 East 78th St., Minneapolis, Minnesota 55423.

Urban Coalition Action Council, 1819 H St., NW.

H.R. 2, SEPARATE FEDERAL CREDIT UNION AGENCY

(Mr. HANNA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HANNA. Mr. Speaker, assuming the bill H.R. 2 is considered on today's calendar, 20 million Americans will be recognized. When the House approves the Federal Credit Union Administration bill, 20 million Americans will become first-class citizens of our Nation's financial community.

This event is long overdue. The 23,625 credit unions have a combined savings of $14 billion. All of our Nation's other financial institutions combined do not equal the number of credit unions. More than half of these institutions are federally chartered.

Yet, our policy toward the encouragement and supervision of credit unions has not been consistent with their progress. While the credit union movement has increasingly become an important and vigorous segment of our savings and finance community Federal policy has been one of casual observation by bureaucrats buried deeply in the lower echelons of the organizational chart.

Unfortunately, the history of Federal policy toward credit unions suggests that our Government has considered these institutions the stepchildren of the bureaucracy. During the 35-year history of the Federal credit union program no less than three different agencies have had jurisdiction.

Today, the Federal Bureau of Credit Unions supervises the more than 12,000 federally chartered institutions. This agency is a small branch of the Social Security Administration. The Director of this agency is directly responsible to the Commissioner of Social Security. The Commissioner of Social Security is, of course, in turn responsible to the Secre-

tary of Health, Education, and Welfare. The irony of such a vital and growing organism as the credit union movement being relegated to a subtentacle of the welfare octopus is evident. The results of such unimaginative policy are disheartening.

For example, in the past 5 years the House Committee on Banking has had to initiate more legislation dealing with credit union problems than the Bureau. When the Bureau undertook a major reorganization of its structure no one in the industry was consulted. Although an advisory committee of credit union executives is available the Director of the Bureau can see no real need to consult them more than once a year.

Mr. Speaker, if I may be permitted an indulgence at this point, I would like to make a comment about the question of consultation. Surely, even a casual observer would have noticed the seriously problem-ridden state of the country's financial structure. It is absolutely amazing to me how anyone who is responsible for supervising credit institutions whose assets are in the billions could not see the need, nor have the imagination to realize the necessity of consulting with his advisory council in order to discuss the role credit unions might play in meeting the needs of the market.

During the hearings on H.R. 2, I had the opportunity to question both Social Security Commissioner Ball and Bureau Director Gannon. The questioning led me to this observation and exchange with Banking Committee Chairman PATMAN. I quote it because I believe it highlights the point I am now making:

Mr. HANNA. In terms of the association with HEW * * * it does appear to me that if you look at the history of our handling of particularly the welfare aspects of HEW, that the mentality has been more addressed to lifting problems than to solving problems. And I rather suspect that the dynamics of today would dictate that there are more areas of opportunity in financing for the country that the credit unions could solve if they had a more financial posture. And I would suspect, Mr. Chairman, it was your anticipation this legislation would put them in a position to be more dynamics in terms of helping to solve the problems.

The CHAIRMAN. You are certainly correct, sir.

Perhaps when the first credit union was chartered in 1934 we were able to afford to hold these institutions within a narrow perspective. Perhaps, during the quiet 6-year period when the credit union movement was under the supervision of the Federal Deposit Insurance Corporation we could allow unimaginative policies. Perhaps, even in the early years of the Bureau, the credit union movement did not warrant serious consideration.

Those days, however, are gone. Unfortunately, a great deal of the thinking which guided policy in those days remains. The bill before us today will make our policy toward credit unions relevant to 1969. An independent administration composed of people who know the business and the time will encourage and possibly accelerate the growth of the credit union movement.

One other point needs to be made. Pundits often tell us it is a rare occasion when the Congress does something meaningful for the workingman. No one would deny that this bill offers such an occasion.

The credit union movement in America is a workingman's movement. Credit union roots are deeply imbedded in the wage earning soil. And as is so typical of the strength and honesty of America's workingman their Credit Union Administration will earn its own way. There will be no cost to the taxpayer for the running of the National Credit Union Administration. The credit unions will pay the costs.

These facts, coupled with the unanimous support of credit union movement should persuade every member. I am proud to be a cosponsor of the National Credit Union Administration because I am proud of our Nation's credit unions.

I am hopeful the Congress will give this legislation the overwhelming support it deserves.

MOON CONTAMINATION

(Mr. THOMPSON of Georgia asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. THOMPSON of Georgia. Mr. Speaker, our Apollo astronauts are now in quarantine because of the concern of some of our most competent scientists that there may exist on the moon micro-organisms, bacteria or germs which may be harmful to life here on earth. For this reason we have isolated the astronauts for about a 21-day period to determine whether or not they will be affected by any unknown micro-organisms which they may have brought back with them from the moon.

Over the weekend, Mr. Speaker, I read press accounts wherein 14 NASA scientists have been contaminated through exposure to the moon dust and rocks which the astronauts brought back with them.

It appears to me, Mr. Speaker, that if our scientists were sufficiently concerned to require the quarantine of the astronauts who were encased in protective clothing and were constantly breathing filtered oxygen, then we should also be concerned about the effects of the exposure to the 14 NASA scientists who apparently were not so protected. If it is necessary to quarantine our astronauts then it is likewise necessary to quarantine all persons who are exposed to moon dust and rocks until it is determined that there are no harmful elements present which had not yet been determined.

Mr. Speaker, the moon has been with us for eons and we have just now been able to obtain actual samples of the moon. Does it not make sense that these moon samples could have also been quarantined—for a 21-day period—while awaiting the results of the quarantine of the astronauts to determine whether or not any harmful micro-organisms were present?

It is appalling to me that our scientists are so impatient that they could not resist the temptation to immediately start examining these samples until after the results of the quarantine were determined.

It is for this reason, Mr. Speaker, that I have today wired the head of NASA and requested that he immediately place in quarantine all NASA personnel who have become contaminated through contact with the moon dust and rocks and to quarantine the moon samples until it is affirmatively proven that such possible harmful micro-organisms do not exist.

NATIONAL RIFLE ASSOCIATION HAS A FRIEND IN THE WHITE HOUSE

(Mr. KOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOCH. Mr. Speaker, it is 6 years since the death of John F. Kennedy; and a little more than a year since the deaths of Martin Luther King, Jr., and Robert F. Kennedy. Those awful events precipitated legislative action providing Federal registration and licensing laws governing the ownership and use of guns. The law that was ultimately passed was wholly inadequate and a victory for the National Rifle Association. That law did not register guns or license gun owners.

It is shocking that the Nixon administration has now publicly stated its opposition to Federal gun registration and the licensing of gun owners. That opposition totally reverses the position of the prior administration. The salient facts which should move the Nixon administration into taking the lead for effective legislation are: First, every 2 minutes in this country someone is killed, maimed, or wounded by the use of a gun; second, since 1900, 800,000 Americans have been killed by guns which is more than all the lives lost in all the wars in U.S. history; and third, every day 10,000 guns are purchased in the United States and there are estimated to be between 100 and 200 million guns in private hands.

In 1968, the survey taken on the subject of gun control showed that 80 percent of the American people favored strong gun laws and that 65 percent of American gun owners favored strong gun laws. The latest statement on this subject by the Nixon administration indicates that the National Rifle Association has been most effective in lobbying not only in Congress but at the highest executive level—the White House itself. Surely it should not take another tragedy and martyrdom to arouse the American public so that this Congress and the President of this country will finally undertake the registration of guns and licensing of gun owners so long and so wrongly deferred.

TEXTILE IMPORT PROBLEMS

The SPEAKER. Under a previous order of the House, the gentleman from Arkansas (Mr. MILLS) is recognized for 40 minutes.

Mr. MILLS. Mr. Speaker, although I recognize that there are import problems involving several different types of construction and production, today I want to talk about only one of these

import problems, and that is the question of textile imports.

Mr. Speaker, I have just seen the latest Government figures on textile imports, and I am shocked at the increasing evidence that this situation is out of control. We now have foreign trade results for 5 months prior to June 1. In that period total imports of cotton, wool, and manmade fiber textiles rose to a new alltime high, despite the dock strike in the early weeks of the year.

The impact of this constantly rising textile import trend on our balance of trade is most serious. In fact, 1957 was the last year in which the United States had a favorable balance on the textile trade account, and our deficit in such trade for 1968 was $1.1 billion. Cotton, wool, and manmade fiber textile imports accounted for more than $800 million of this deficit, and in 1968 alone recorded a $300 million increase. I repeat, in 1 year we experienced a $300 million increase in our textile trade deficit. Obviously, our Government cannot ignore such developments.

The trend is clear: Imports are growing so much more rapidly than the domestic market that we must have a slowing of import growth if a healthy fiber and textile economy is to be maintained in this country. I have had an intense continuing interest in textile trade matters for many years. When the GATT control arrangements on cotton textile trade were developed some 8 years ago, I welcomed them as a reasonable solution to the unfair competitive pressures our cotton textile people were under from overseas producers who benefit from substantially lower wage costs. Unfortunately, no such control arrangements have yet been achieved for wool and manmade fiber textiles, and the results of the cotton arrangement leave a great deal to be desired. For the first 9 months of the seventh long-term arrangement year, cotton textile imports reached an alltime high, even though they are subject to an arrangement of voluntary control.

Manmade fibers today are substantially more than half of our total fiber consumption in this country; and it is precisely in manmade fiber textiles that imports are growing most rapidly. For the first 5 months of 1969, they rose 29 percent over the comparable period in 1968—a 29-percent rise over the comparable period of the year before—and in 1968 they recorded a 54-percent increase over 1967. Yet, there are no reasonable restraints whatsoever on this segment of our textile imports despite the fact that almost all other textile importing countries—I repeat, almost all other textile importing countries—do maintain import controls on such textile trade.

It is in the area of wool textiles that import penetration has been deepest, resulting in an intolerable situation today. Wool textile imports now exceed 25 percent of U.S. consumption—nearly twice the ratio existing as recently as 1961. Such unreasonable growth obviously cannot be permitted to continue.

It has been my hope that reasonable restraints on the imports of wool and manmade fiber textiles could be achieved by international negotiations and I have, therefore, been hoping for the success of the missions which Secretary of Commerce Stans has been conducting in Europe and Asia, looking toward such an agreement. I am very disappointed that up to the present, at least, his statesmanlike approach has not been reciprocated by our overseas trading partners. They are, in my view, being extremely shortsighted in this matter. The pressures for unilateral action for textile import relief are stronger than ever in the Congress and throughout the country.

I have taken the opportunity of discussions with representatives of various foreign governments concerned to stress to them my belief that it would be in their own best interests as well as ours for them to agree to negotiate international control arrangements covering the other fiber articles.

Unless such an agreement is reached by this fall—and I want you to catch the date—unless such an agreement is reached by this fall, I am confident that Congress will act. If the efforts of Secretary Stans to bring about a negotiated arrangement fair to all parties cannot succeed, there is no alternative but for the Congress to legislate on this subject before the end of the present session.

What is required is a new international arrangement making possible the establishment of import restraints on wool, manmade fiber and blended textile articles. Nothing else will suffice. Our textile trade patterns demonstrate clearly that because so many categories of textiles are subject to import penetration, an arrangement with comprehensive coverage is absolutely essential to an equitable solution of our import problem.

It is extremely difficult for me to understand the adamant position of our Japanese friends. Indeed, I believe that if the Japanese would agree to negotiate, the other countries involved would be quite ready to join in the discussions, and it is more than just a belief. Our trade deficit with Japan exceeds that which we have with any other country in the world. As a matter of fact, in some recent years just the increase in Japan's total exports—textiles and others—to the United States was greater than its total exports to any other country in the world. Here is the country with the second highest gross national product in the free world and perhaps the highest annual rate of growth anywhere in the world, and, among the developed nations of the world, Japan probably has the most restrictionist trade and investment policies. Yet, from all indications, it has refused to discuss with us a reasonable solution to our growing textile import problem.

We must have a viable growing textile industry in the United States. We need it as a major source of employment for all of our population groups, particularly in the South for our minority groups who are so employed in such great numbers in this industry whose jobs are now being threatened. We need it as a mainstay of many depressed rural areas of our country. It is located in North and South Carolina, I believe, Mr. DORN, in what is referred to as the Appalachia area.

We need it as a keystone in the prosperity of our cotton farmers and sheepherders, as well as our chemical and machinery industries for each of whom the American textile industry is a very important customer. And, we need it for national security reasons.

For all of these reasons I want to make it quite clear, if I understand the Congress of the United States, we have no intention of letting it go down the drain.

Our need is so great, our objective so reasonable, our resolve so determined, I know we will find a solution to the textile import problem. I hope it will be a negotiated solution, and not one unilaterally reached by Congress, but if any of our trading partners think that we lack the will, the wisdom, and the know-how to pass a unilateral arrangement here in the Congress, they are sadly mistaken. I hope it will not come to that, but I am saying to them that if they do not show more disposition to negotiate with our people who are now in Japan and who have been to the other countries, there is no resort left to the Congress.

Mr. LANDRUM. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Georgia.

Mr. LANDRUM. Mr. Speaker, as the distinguished chairman of the House Committee on Ways and Means, the gentleman from Arkansas has stated any action contemplated that would lead to controls of skyrocketing imports of textiles should apply to all categories of textile articles of all fibers.

This is absolutely essential in view of the experience of our country in attempting to keep imports of textiles from low-wage nations from flooding our markets and threatening an industry as important as the textile industry of the United States.

Most of you are familiar with the fact that the Geneva long-term arrangement, commonly known as LTA, an international control of exports of cotton textiles, is now in its 7th year. Although this arrangement has not provided the type of restraints we had hoped for, it nevertheless has established a means by which the United States can limit all its cotton textile imports.

In part, as a result of the LTA, there has been a shift abroad from cotton textiles to goods manufactured from manmade fibers and blends. This shift has further intensified the problems of all manufacturers of textiles in this country.

Even under the umbrella of the LTA for cotton textiles, foreign nations often were able to circumvent category limitations and concentrate on particular items to such an extent that certain portions of the industry were badly damaged.

But this was nothing as compared with what foreign textile interests did in shifting to manmade fibers for export.

The imports of manmade fiber yarns, fabrics, and apparel last year—1968—more than quadrupled their level of 1964.

In only 5 years the import total for manmade fiber goods jumped from 328

million equivalent square yards in 1964 to 1,440 million equivalent square yards in 1968. That shows what can be done by foreign exporting nations when there are no restraints whatsoever by our Government on imports. And through May, of this year, imports of manmade fiber textiles were running well ahead of the comparable period in 1968.

During the first 5 months of this year, imports of manmade fiber goods totaled 694.1 million equivalent square yards, as compared with 537.2 million yards in the same period of 1968.

At this rate, the imports of manmade fiber textiles would reach a total of 1,665.8 million square yards by the end of this year. This would mean an increase of 225.8 million yards over 1968.

Our woolen and worsted textile imports continue to maintain the highest degree of market penetration of any. Woolen textile imports constitute 25 percent of our market today. And, while in terms of total volume, wool textile imports may seem relatively small compared with those of cotton and manmade fiber this impact is very great.

The junior Senator from Georgia, Mr. TALMADGE, once aptly described the LTA as equivalent to daming half a stream, and that is not any dam at all.

Mr. Speaker, we have seen the number of countries shipping us textiles proliferate and grow. We have seen imports shift from one article to another, from one category to another. We can no longer afford to permit foreign nations virtually unlimited access to our domestic textile market.

Our Government is currently seeking an international arrangement that would permit us to establish restraints on imports of woolen, manmade fiber, and blended textile articles. We must have such an arrangement and it must cover all textile articles. To do less will not solve the problem. For it is only under the umbrella of a multilateral arrangement that we can responsibly and equitably restore orderliness to our textile trade.

We have had some experience with trying to moderate our textile imports through a bilateral agreement. A 5-year bilateral covering cotton textile imports was negotiated with Japan in 1956, and what happened? Other exporting nations simply filled the vacuum created by the limitations on Japan and our cotton textile imports actually grew.

The United States has got to be able to control its total textile imports regardless of the source and regardless of the fiber or article. This can only be achieved under one multilateral, international arrangement.

Time and time again, we have emphasized our position on this situation. Neither we, nor the textile industry, is seeking to cut off all imports. We are willing to accept an extremely large volume of textile imports in the interest of world trade. But we are not going to accept the thesis that our foreign friends, most of whom dwarf us in protective devices, have a preemptive right to our market.

We are aware of the flat refusal of Japan and Hong Kong to agree to negotiations with our Government on this most serious problem. We know the reactions of the Western European countries to Secretary Stans request for negotiations.

I can only suggest to such countries as Japan and Hong Kong that it is in their own best interest to meet with us at the negotiating table. This problem has grown in intensity and proportion. And we in the Congress are not going to permit it to go unresolved for much longer.

Mr. Speaker, I thank the distinguished gentleman from Arkansas for first taking this time during which to make this speech and to thank the gentleman moreover for yielding to me.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Speaker, I do not want to speak at length. I just want to commend the distinguished gentleman from Arkansas for his determined effort to solve the textile import problem. As I see it we must find the solution in the interest of our own textile industry, our cotton industry, and industry generally.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the distinguished gentleman from Massachusetts in order to get back to the Ways and Means Committee executive session.

Mr. BURKE of Massachusetts. Mr. Speaker, I wish to thank the distinguished chairman for yielding me this time.

Mr. Speaker, the distinguished chairman of the Ways and Means Committee has chosen a most opportune moment to emphasize again the necessity of attaining a meaningful solution to the textile import problem.

Like most other Americans, I favor healthy trade relations with all friendly nations. I do not, however, believe that we can afford any longer to be dogmatic about what this means in terms of foreign trade policy. The United States has participated in good faith in numerous postwar negotiations designed to lower tariff barriers and stimulate world trade. These negotiations have resulted in a steady erosion of the protection enjoyed by numerous industries in our manufacturing sector. Meanwhile, our traditional trading partners have developed new and highly effective barriers to our exports in the form of border taxes, administrative controls and positive financial incentives to their exporters who then are able to underprice our exporters in third markets. Most of these trade control devices are alien to American experience and are not to be found in our administration of trade relations with the rest of the free world. Their purpose, of course, is to foster and support adequate and balanced growth in manufacturing.

Yet when the Government of the United States becomes alarmed at the surging growth of textile imports and seeks the cooperation of other governments in the establishment of reasonable controls over the rate of growth of such imports, our leaders are informed that this is immoral and not to be countenanced. Japan has been especially uncooperative in this connection, notwithstanding the constructive and generous attitude the United States has taken toward her economic recovery and expansion since World War II. Thus, confronted with a community of nations in which all other governments accept the responsibility for maintaining balanced internal growth, we are asked to sacrifice one of our largest manufacturing industries on the altar of abstract economic theories to which no one pays any attention except when negotiating with us over our trade policies.

Mr. Speaker, this posture is no longer defensible, and we must proceed with determination to rectify the situation in textile trade before the deepening flood of imports does irreparable damage to our textile industry, its workers, and the communities dependent upon them. We applaud Secretary of Commerce Stans' vigorous and resourceful efforts toward this end and look forward to their success.

Mr. Speaker, again I wish to commend the distinguished chairman of the Committee on Ways and Means for taking this time to emphasize the importance of solving our textile import problem. The efforts of the chairman in this regard are deeply appreciated by the entire textile industry of our country and indeed our country as a whole.

Mr. MILLS. Mr. Speaker, I thank the gentleman for his comments.

Mr. Speaker, I now yield to the gentleman from South Carolina (Mr. RIVERS).

Mr. RIVERS. Mr. Speaker, I want to thank the distinguished chairman of the Committee on Ways and Means for taking this time to do what the gentleman has done today in bringing so forcefully to the attention of the country the problem involving those who are competing with the lifeblood and the lifestream of the second most important industry in America, our textile industry.

The quartermaster general in World War II said that next to steel the most important contribution in the war effort was made by the textile industry.

Over 10,000 items that are indispensable to our defense comes from the textile area.

We have been tolerant and we have been patient with Japan. The time has come for us to speak with authority. The chairman of the great and powerful Committee on Ways and Means has done this today. The way we have proceeded in the past has availed us nothing. I think Japan will get the message today. This is unfortunate.

No nation in the history of the world has gotten defense or protection for the price that Japan is paying for it. We are committed to their security, yet we cannot fly our combatant planes to the aid of our *Pueblo* off the cost of Korea because this would offend, or affect or compromise their national security under our treaty with Japan.

We cannot operate combatant planes to Vietnam because of this arrangement with Japan.

We have given them everything and yet they attack the livelihood of the people of our country and the very life of

our country itself. Why are they unwilling to resolve this important problem?

Japan is No. 2 in automobile production and they are way up in the electronic industry. But I think they will get the message that you have given them in language that they will understand. Secretary Stans is reasonable with his approach—Japan should not force our hand to resort to unilateral action. The question is now in Japan's hands. They can decide our future relations in this vital area.

Mr. MILLS. I thank the gentleman.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman.

Mr. JONAS. Mr. Speaker, throughout my service in Congress it has been necessary to wage a continuing fight to prevent serious damage to the textile industry from ever increasing imports from low-cost countries abroad. Those of us who have conducted this fight have been accused of being opposed to world trade and of favoring the erection of a high tariff wall around this country to prevent imports. These charges are unfounded. I do not know of a single Member of Congress against whom that charge would properly lie. It certainly would not apply to the spokesmen for the textile industry or to the 2½ million Americans who derive their livelihood directly from that industry or other millions who make a living out of allied industries. All that any of us have ever asked is that the increases in textile imports be limited so that domestic producers may have an opportunity to grow and retain a fair share of the domestic market.

The mere recital of a few statistics should convince any fair-minded person that the domestic textile industry, with its comparatively high labor costs, cannot long survive if low-cost producers from abroad are not restricted in the amount of exports they can send into this country. A few years ago the United States had a substantial textile trade balance but since 1957 this favorable balance has been transformed into a deficit and the deficit is now growing at an alarming rate. At the end of the decade following 1957, the U.S. textile trade deficit had grown to $766 million. The deficit increased in 1968 to $1.1 billion.

The result of this fantastic increase in textile imports has been the closing of many textile plants and the loss of thousands upon thousands of textile jobs. In January of this year the directors of a textile plant that had been operating in my district since 1891 decided to liquidate the operation. This is a mill that at one time gave employment to 1,600 people. It had been completely modernized a few years ago. This mill is now in the process of liquidation, brought about not because it was antiquated but solely because of an inability to continue to compete against low-cost producers abroad. So chalk up one more scalp to a Government policy which seemed to be based upon a willingness to stand by and see this great industry destroyed.

Realizing that some steps must be taken to stabilize this import situation for textiles, last August I sent a telegram to Mr. Richard Nixon, then campaigning for the presidency, pointing out the impact this continuing increase in textile imports was having on the millions of wage earners employed in the textile and related industries, and recommended that he announce a program to restore equity in international trade in textiles and apparel. Others who were aware of the situation sent similar telegrams. I was encouraged when, on August 21, 1968, Mr. Nixon responded in a telegram that received widespread circulation. In it he stated that his policies as President would be:

> I will assure prompt action to effectively administer the existing Long-Term International Cotton Textile Arrangement. Also, I will promptly take the steps necessary to extend the concept of international trade agreements to all other textile articles involving wool, man-made fibers and blends.

The position stated by Mr. Nixon has been reaffirmed on several occasions since his inauguration. He delegated to Secretary of Commerce Stans the responsibility for negotiating agreements with foreign producers to bring textile and apparel imports under control. Secretary Stans has been diligent and aggressive in his efforts to promote such agreements, and within the next day or two he will be meeting with Government officials in Japan, which will be his second trip to that country as a part of his mission, seeking to work out suitable arrangements—not to cut off Japanese exports to this country but to impose some reasonable limitation upon the future growth of textile imports from that country into the United States. Recently I had the pleasure of listening to Secretary Stans report in detail on his efforts and I was most encouraged by his obvious dedication to the cause and by his reasonable approach and presentation of our problems to the principal textile exporting countries.

Unfortunately, this reasonable approach to a very serious problem by Secretary Stans has not produced agreements. As previously stated, another effort is currently under way, and I believe officials of exporting nations would be well advised to meet this reasonable attitude of our Government, as enunciated by Secretary Stans, with reasonable reciprocation. The patience of millions of U.S. citizens, who see their very livelihood endangered if textile imports continue to escalate, is rapidly being dissipated. They cannot understand the attitude of foreign governments in demanding ever-increasing chunks of our market while strictly protecting theirs.

If the reasonable approach to this problem by our Government's representatives continues to be met with stony silence by foreign governments, then I see no recourse except for Congress to take affirmative action to impose mandatory controls. I do not know of anyone who wants mandatory controls. But it is unreasonable to expect the U.S. Government to stand idly by and witness the continued deterioration of an industry that is so vital to so many people and, indeed, vital to the national security of our country.

Recently I have noted reports in the press implying that an all-fiber comprehensive arrangement is unnecessary to the solution of this problem. It is being suggested that we single out specific products and seek import restraints only on those. Such an arrangement obviously would not provide much relief from a situation that is rapidly becoming intolerable.

Mr. Speaker, if there is any one thing we should have learned from our experiences with growing textile imports it is that such an approach as suggested will simply shift the burden of imports from from one article to another and that it will merely shift the supply of imports from one country to another. The only way this problem can be solved is through an all-inclusive arrangement, and it is for this reason that I strongly urge the President and his associates to stand firm against any suggestion that it be dealt with on a piecemeal basis.

Coming as I do from a textile-producing area of the country, I can report that there is growing concern that unless a limitation is placed on the growth of textile imports to this country an entire domestic industry, vital to the strength and security of this country, is going to be damaged severely. I think growth restrictions should be imposed by voluntary agreements but if foreign governments continue to be indifferent to this problem and oblivious to the dangers it poses for the entire U.S. textile industry and the millions of workers employed by it, there will be no recourse left except for legislative action.

As one who fully recognizes that trade is a two-way street, and who acknowledges that we have to be willing to accept some imports if we expect to export, and as the Representative in Congress of an important textile-producing district, I strongly urge the administration to persevere in its efforts to work out suitable overall limitations on textile imports into this country and also urge the foreign governments with whom conversations have been and are continuing to be held to meet our reasonable attitude with a reasonable one themselves. This problem can be solved by mutual agreements and I hope the current efforts to accomplish this will be successful in order to avoid a more drastic approach which will be necessary unless reason prevails.

Mr. MILLS. Mr. Speaker, because there is an executive session of the Committee on Ways and Means in progress right now, I would ask unanimous consent that the remainder of my time be yielded to the gentleman from South Carolina (Mr. DORN) and that he, in turn, be permitted to yield to others within that time.

The SPEAKER pro tempore (Mr. ALEXANDER). Without objection, it is so ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from South Carolina (Mr. DORN) is recognized.

Mr. DORN. Mr. Speaker, I want to commend the great and beloved chairman of the Committee on Ways and Means for recessing his own committee, which is involved in some of the most pressing problems the Nation has ever

faced, to come here in the well of the House today and tell us so frankly and forthrightly his position on this ever-increasing textile-apparel-fiber import problem.

We are all extremely happy about the position that Secretary Stans has taken. I thank he has been one of the finest leaders for the cause of the textile industry and its employees that we have ever had in my 21 years of experience in this Congress. I wish him well on his trip to the Far East today. He begins meeting tomorrow with his Japanese counterparts, and he, too, hopes that this problem can be resolved in a voluntary way.

He recently came before our House textile group, which has been reorganized, with the distinguished gentleman from Georgia, PHIL LANDRUM, who spoke to us a moment ago, as chairman. I am happy to say that the group elected as its vice chairman the distinguished and able gentleman from North Carolina (Mr. JONAS). So it is as it has always been a nonpartisan group.

Mr. Stans briefed us at our first meeting. I have never heard a finer statement, with the possible exception of the statement by the gentleman in the well a moment ago, Mr. MILLS. Mr. Stans assured us that he intends to exert every influence to achieve a voluntary and equitable agreement with our foreign trading partners to limit U.S. imports of textile articles. We wish him every success. But failing in his most reasonable approach, I was delighted to hear the chairman of the Ways and Means Committee say that this Congress at this session would take action. There will be absolutely no alternative.

I would like to remind my colleagues here today that when the distinguished Secretary of Commerce was in Japan several weeks ago, he was met with demonstrations and with a unanimous vote by the Lower House of the Diet opposing any negotiation or any conference whatsoever. I do hope that this time he will find more hospitality and more response.

I will say this, when the Prime Minister of Japan, Mr. Sato, comes here this fall, he will be received cordially and in friendship.

We want to resolve our textile problem voluntarily. But I must repeat what has been said here today, that if not as my colleagues have said before, this Congress will act.

Mr. Speaker, the problem of textile imports from low-wage-paying foreign producers is very real to South Carolina and its people. The textile industry is the predominant industry in our State. Fully two-thirds of the numerical and dollar payroll comes from textile and associated industries in South Carolina.

Some 53 percent of the wage earners in the State are employed directly in textiles, according to the latest annual report of the South Carolina Department of Labor. In addition, South Carolina has a larger percentage of textile workers in its overall industrial work force than any other State. And it has more textile spindles in place and more textile finishing production than any other State in the Union.

As the textile industry goes, so goes the State of South Carolina. The well-being of its economy depends upon a healthy textile situation. And since this is a fact, the people there are becoming more and more concerned—even alarmed and shocked—by the increase in textile imports.

Unquestionably, I think anyone would be alarmed if he felt his savings, his security, and his very future were threatened by some event beyond his control. This is the feeling of the average textile worker of South Carolina. Our textile employees are, however, well aware that the Government and the Congress can take positive action to insure his job security. He is aware that President Nixon and Secretary Stans have provided encouragement and hope for the future by strong public statements that action will be taken.

The losing of a job is a serious matter. It is even more serious for the textile worker, for the nature of the textile industry itself is different.

In South Carolina, for example, textiles have historically served as an agent in getting jobs for those who have no other source of employment, our young people, the displaced farmworkers, and farmers who have been the victim of a changing farm economy. These people, through textile employment, now have a comparatively good paying and steady job, along with an improved station in life. In the past, textiles performed this service for the whites; now it is performing it for the blacks as well.

The losing of a job is a serious matter for the local economy—and ultimately to the national economy. If we suddenly erased the textile industry from South Carolina, we would also erase the estimated payroll amount of $745 million a year that goes to textile workers. And we would erase nearly 60 percent of the wages paid to all the State's hourly paid workers at the same time. Filling stations, retail stores, barber shops, beauty parlors, banks, loan agencies, doctors, lawyers, and virtually every small business in South Carolina depends on textile employment and the textile payroll. Our textile industry is the economic lifeblood of South Carolina.

In South Carolina last year, textile workers spent nearly $162 million for food and related products; $190 million for housing; $60 million for clothing and upkeep; $79 million for transportation; $35 million for medical care; $33½ million for recreation; $16 million for personal care; and nearly $53 million for State, local, and Federal taxes. South Carolina textile workers are large consumers of beef, poultry, household appliances, automobiles, and various commodities from other sections of the country. The specter of 4-day workweeks, curtailment, and unemployment will hurt other businesses and jeopardize job security in other fields.

This Nation has come to know that joblessness in one area can haunt the entire country. Robert S. Small, president of Dan River Mills, Inc., which has corporate offices in Greenville, S.C., recently in a speech detailed the contribution made by textiles to the Nation's economic system. Mr. Small said that the United States needs gainful employment for all degrees of unskilled and skilled employees, and he added that the textile industry is providing steady employment in some of the most needy areas.

Mr. Small pointed out that Negro employment in the textile industry has advanced four times faster than the national average for all manufacturing since 1960. And he predicted that over the next decade the employment and promotion of Negroes and other minority groups by the textile industry will be a vital economic factor affecting the total economy.

The progress made in minority hiring cannot continue, however, unless some action is taken on textile imports. At present, industry figures show, more than 20 percent of the State's textile workers are black. In 1968, South Carolina textile plants employed 1,476 more nonwhite females and 2,098 more nonwhite males than in the previous year.

Not only that, the industry continues to move into the counties of South Carolina where there is a pressing need for industrial jobs. Two textile companies—J. P. Stevens & Co., Inc., and United Merchants and Manufacturers, Inc.—have in recent months announced plans to locate in largely rural sections of the State where job opportunity is lacking.

Mr. Speaker, my Committee on Public Works authorized the Appalachia program. In this session we are continuing this program. This program is designed to provide job security and job opportunity for our people in disadvantaged areas. It is costing over a billion dollars. It is successful; but Mr. Speaker, if we lose 400,000 textile jobs, or any portion of them in the Appalachia region, it will be a tragedy and could not be explained to the American people.

We have also authorized the Coastal Plains Commission which will take in 159 counties in North Carolina, South Carolina, and Georgia which will promote industrial and economic development. These programs cost money and the funds will help those in depressed areas to help themselves. Imports of textiles are threatening these areas and these people who are beginning to have hope.

The textile industry must be permitted to grow if these trends are to be maintained. They cannot, of course, be maintained unless some action solves the inequities of the present trade situation. Secretary of Commerce Maurice Stans recently was quoted as saying that the United States is the only free market for textiles and that imports had increased 300 percent in 7 years, with Japan getting more than its share of the increase.

While Japan has been prospering at the expense of the United States, that country has stubbornly opposed attempts to discuss relief measures. The July 4 issue of Time magazine points out:

> Though the Japanese complain about the injustice of textile quotas, they maintain a closed-door policy at home, shutting out considerable amounts of United States goods and capital.

The magazine goes on to quote a committee of the Organization for Economic Cooperation and Development that—

> No other advanced country confronts the foreign investor with the sort of obstacles presented by Japan.

These are not the only favorable competitive trade advantages enjoyed by Japan. The most obvious one is the wage structure difference between Japanese and American textile manufacturers. As Time stated:

> It is the documented United States business contention that Japan has been flooding American markets with goods made at far lower wage rates than any U.S. company could get away with paying.

Dan River's President Small pointed out that the American textile industry has increased its workers' wages eight times since 1961, and payroll costs, including fringe benefits, have been upped some 60 percent. In Japan—and in every other major foreign textile-producing country—the goods are manufactured at far below the legal minimum in this country. Latest figures show Japanese textile mills pay their workers less than one-sixth the average hourly earnings made by the textile worker in the United States.

In view of such policies, it is little wonder that the people of South Carolina are anxious and concerned.

Secretary Stans and his colleagues are making every effort to meet this growing import problem. His request for negotiations to work out a sound solution to this matter, unfortunately, have met with strong resistance to say the least. However, he has the support of a broad segment of the Congress in his objective, and we shall be prepared to take the steps necessary to obtain the kind of broad, comprehensive restraints on our imports of all textiles as are required to preserve this industry.

I now yield to my good colleague, the gentleman from Massachusetts (Mr. KEITH), who sat with me in President Kennedy's office 8 years ago, when efforts to work out this very problem were initiated on a global scale, and who has been dedicated to its solution ever since.

Mr. KEITH. Mr. Speaker, I thank the gentleman for yielding and I would like to associate myself with the forthright remarks of the distinguished chairman of the Committee on Ways and Means.

Mr. Speaker, 5 years ago I addressed this House on the subject being discussed today. At that time I said:

> The wool and cotton textile industries are at a crucial crossroads. Their ultimate survival depends to a great extent on the trade policies of the Federal Government. This industry, which is the largest single manufacturing employer in the Nation, has seen imports climb 1,100 or more percent in the past 15 years, while exports have dropped by almost half in that same period.

The situation, as outlined today by the gentleman from Arkansas, is, 5 years later, immeasurably more serious. While none of us in the Congress favor the erection of protective tariff walls or wish to see our trade partners excluded from the American market, the time has clearly come to provide some measure of relief for the U.S. textile industry. Thousands of jobs in rural and economically depressed areas are being endangered by the flood of imports. The viability of an industry vital to our national defense is seriously in question. This situation will grow worse if action is not taken in the near future.

Mr. Speaker, the distinguished gentleman from Arkansas is correct in urging our Japanese trade partners to agree to Secretary Stans offer to negotiate voluntary quotas. All of us should join him in this appeal. If no fruitful results are forthcoming from the Commerce Secretary's second trip to Japan, then clearly Congress must act. Unilateral quotas are preferable to the demise of a vital industry.

In a larger sense, however, there is another step which the administration should take to relieve the textile industry. This is to combat inflation more vigorously. Without a stabilization of the wage and price level in the United States, the penetration of our domestic markets and the loss of our foreign ones will accelerate.

Having made these points, Mr. Speaker, I wish to commend the gentleman from Arkansas for his perceptivity and concern in addressing the House this afternoon. The distinguished chairman of the Ways and Means Committee is widely known for his expertise and fairness in trade matters. He would not have made this forthright statement in favor of textile quotas if the situation did not warrant it.

Indeed, none of us would favor further barriers to free trade if the textile industry were not in such a precarious position. All of the growth of demand for textiles in the American market is being absorbed by foreign suppliers. The survival of the industry is now being threatened, and quotas must be established. We hope the textile quotas will be instituted voluntarily. We hope our trading partners will respond sympathetically and flexibly to the problems of our textile industry. But assuredly, action must be taken if we are to preserve a vital American industry.

Mr. DORN. I yield to my colleague, the gentleman from New Hampshire (Mr. CLEVELAND).

Mr. CLEVELAND. Mr. Speaker, I thank the gentleman for yielding. I wish to commend him and the gentleman from Arkansas (Mr. MILLS) and the other Members who have spoken out on this problem today. I think it was particularly appropriate that the gentleman from Massachusetts (Mr. BURKE) pointed out that much of the so-called free trade that we hear so many people talking about is not free trade at all. It is not even fair trade. I think those parts of Mr. BURKE's remarks should be underscored along with the other remarks that have been made here.

Mr. DORN. May I say to my colleague, who serves so ably on the Public Works Committee with us, that you know of the hundreds of millions of dollars that we have authorized for Appalachia and other regional programs throughout the Nation, including the great Ozark area and the Coastal Plains. Yet with 400,000 textile jobs in Appalachia at stake, they turn right back around and let imports from low-wage foreign friends undermine the whole Appalachia program. It seems ridiculous to the extreme, I am sure you would agree.

Mr. CLEVELAND. If the gentleman will yield further on that point, as the gentleman from Arkansas (Mr. MILLS) pointed out in his earlier remarks, one of the reasons why this problem is so intensely important is that these areas of Appalachia the gentleman from South Carolina has talked about and the areas of rural New England and other areas such as the Ozarks which we have been trying to help, are all areas where we find many of the people are dependent on jobs in the textile industry. These are some of the areas so-called poverty programs are aimed at and which they try to help.

The hearings in the committee have shown we could not spend enough money in the poverty programs to get people back to work if these jobs in the textile industry are lost to us.

Mr. Speaker, I would like to now add a few additional comments. Certainly the remarks of the gentleman from Arkansas (Mr. MILLS) are very timely in view of the fact that Secretary Stans is now preparing for his final effort to negotiate these matters in Japan. In this connection, the business section of this morning's New York Times carried an article by Edwin Dale summarizing the importance of Mr. Stans' visit to Japan. I shall include it at the end of my remarks.

Unfortunately, the so-called credibility gap has plagued the affairs of this land so long, that it may well be that our friends abroad will not really believe what we say. All we can do, as Members of Congress, is to stress, in this forum and everywhere else that we can, that we do mean what we say. It is true, as the gentleman from Arkansas (Mr. MILLS) stated, that, if we cannot dispose of this question through negotiation and mutual understanding, the Congress will have to act and act vigorously, effectively, and promptly.

Many of the Members now engaged in this discussion have lived with this problem longer than I, but ever since I came to Congress in January 1963 I have expressed my concern particularly because of the wool manufacturing industry in my district. My efforts to assist this beleaguered and vital industry have been unflagging since that day.

Before closing my remarks, I want to reemphasize my respect for the efforts of the gentleman from Massachusetts (Mr. BURKE) and to salute him for them. He has been immensely helpful to me, and, of course, he is a real champion to the working people as well as the management in the textile industry in his district and State. The success which I am certain we are going to have will be due in large measure to his efforts to bring sense to the arena of free trade.

The point he has stressed and which I think cannot be stressed enough is that few people realize in discussing this issue how absolutely unfair some of the import policies of other countries are against us. The Wall Street Journal today carried an article describing such a situation as

it obtains in Japan. It shows how totally intransigent the Japanese Government has been—and is—and how essentially protectionist their attitudes have been.

I shall offer this article at the end of these remarks also.

I was particularly interested to read of the Japanese situation because I have personal knowledge of a situation in which they have adopted policies designed deliberately—that is the only interpretation which I can make of the facts—to knock out a small but vital industry in our country. If successful, this would leave key elements of the national defense dependent on foreign suppliers, principally Japan. Our investigations, by the way, show that in this endeavor the Japanese may well be guilty of violating the antidumping laws and, through U.S. affiliates, of violating the antitrust laws.

That is a tale to be told in its time, however, and the time is not now. I mention it only to illustrate the strength of the deliberate power which is arrayed against us.

But it must be emphasized that in discussing free trade we should consider whether the beneficiaries of our free trade policies are in fact practicing fair trade.

And, for that matter, how are they treating their labor? How well are they paying the workers, and under what conditions do they work? If trade is to be free, it must be fair.

The above-mentioned articles follow:

[From the New York Times]

U.S. TRADE POLICY IS AT CROSSROADS—FIRST RESTRICTIVE LAW IN 11 YEARS IS POSSIBLE IF JAPAN WON'T CURTAIL EXPORTS—STANS SETS FINAL PLEA TO URGE VOLUNTARY ACCORD FOR RESTRAINT IN TEXTILES AT TOKYO CONFERENCE

(By Edwin L. Dale Jr.)

WASHINGTON, July 27.—United States trade policy faces a potentially major turning point this week—not in Washington but in Tokyo.

If Japanese Cabinet Ministers, as expected, tell their American counterparts that they will not accept voluntary limitation on exports of textiles to the United States, the Nixon Administration may in the end permit, without much opposition, the first seriously restrictive trade legislation in 11 years.

The change of 11 years ago, known as the "national security" clause in the permanent trade law, was vigorously opposed by the importing community and by free-trade groups generally. In practice, it has led only to restrictions on imports of oil, which was its purpose in the first place. Debate continues on whether oil-import restrictions are good or bad.

WIDER IMPLICATIONS

But the new restrictive legislation, assuming it is enacted, could have wider implications. Though its origin is the problem of textiles, it will be designed to handle the import problems—real or imagined—of shoes, electronics and other domestic industries.

The meeting in Tokyo, one of a regular series between the United States and Japan, is not supposed to negotiate anything. But in practice it is almost certain to represent the last try of the Secretary of Commerce, Maurice H. Stans, to solve the textile-import problem by a voluntary agreement among exporting countries. Without Japan, such an agreement stands no chance.

If Mr. Stans comes back empty-handed, as he did on his previous trip to Asia in May, it is probable that he will recommend to President Nixon a favorable attitude toward a sophisticated move, already under way in Congress, to give much greater Presidential authority for import limitation.

Mr. Stans has already submitted a paper to the President. Its contents are not known in detail. The paper aims in general at freer trade—in which Mr. Stans believes—but also suggests what should be done if the initiative for textile import limitations fails.

The move in Congress is being developed by Senator Ernest Hollings, Democrat of South Carolina. A political realist, Mr. Hollings has abandoned his nearly successful attempt of last year to impose, by law, quotas on imports of textiles alone.

Instead he is preparing an amendment—possibly to be attached to legislation as important to the President as the income-tax surcharge—that would do two things.

First, it would change the "escape clause" of present law to make it much easier for domestic industries to obtain relief, through higher tariffs or even import quotas, in cases where imports are rising rapidly and damage can be shown.

Second, it would establish a new Presidential authority to impose import quotas, beyond the present "national security" provision, probably based on a share-of-the-market principle. As far as is known, the Hollings amendment would not be mandatory on the President, but it would be a potent weapon in the textile dispute.

President Nixon, according to available evidence, has not faced up yet to the issue of the Hollings amendment. Mr. Stans is only one advocate, and there may be some on the other side, including Secretary of State William P. Rogers.

TWO SIDES OF PROBLEM

But, after the Tokyo meeting this week, Mr. Nixon cannot long avoid the problem. On the one side will be the "credibility" of Mr. Stans, who has argued to exporting countries that the textile problem is serious. On the other will be the President's clear desire to avoid major clashes with other countries, as revealed in the dispute with Peru over nationalization of the International Petroleum Company, a subsidiary of the Standard Oil Company (New Jersey).

In the background will be Senator Hollings and a Congress—though not outright "protectionist"—ready to listen to the cries of pain of a few domestic industries, led by textiles.

That is why a turning point is at hand in Tokyo, though Tokyo is only the dress rehearsal.

[From the Wall Street Journal]

JAPAN'S TRADE CURBS MAY BE LOOSENING, BUT UNITED STATES SEES FEW CONCESSIONS IN TALKS

(By William D. Hartley)

TOKYO.—There are faint glimmerings that Japan's government and businessmen are taking a fresh look at loosening this country's tightly restrictive trade and foreign-investment policies.

Only a few solid steps in this direction have appeared so far, trade observers say, but there seems to be a subtle switch in attitude. "The Japanese finally are beginning to understand they can't keep the doors closed forever," says one observer. "The outside pressure just is getting too great," adds Yoshizane Iwasa, chairman of Fuji Bank. "Now we are working for more liberalization with a more active attitude."

Still, "active" in Japan trade circles tends to mean "move, but move slowly." Japan isn't about to change policies overnight. By American standards, the Japanese have a long way to go in the direction of free trade.

Nor can American Cabinet officers, who begin meeting here tomorrow with their Japanese counterparts, expect many concessions. At best, one source says, "We might get a few door prizes." Indeed, the American Embassy here has begun stressing that the talks, the seventh meeting of the U.S.-Japan Committee on Trade and Economic Affairs since 1961, shouldn't be considered negotiations.

But beyond conferences, there has been some recent motion by the Japanese toward liberalizing trade, most of it done quietly. The Government in April removed quotas on six items, five of which were sought by the U.S. This public list wasn't impressive. It included such products as color movie film of 35mm. or greater, Bourbon, pet food and cow intestines.

INCLUDE SEWING MACHINES, LIGHT AIRCRAFT

At the same time, however, there were hidden relaxations that hearten traders. Reliable sources say Japan, without fanfare, increased quotas and is allowing more automatic import licensing on a wide range of industrial and agricultural items that have been on the American Government's "must" list for years. Among the food items were citris fruit, particularly grapefruit, which has been an item of high interest. On the industrial side, the relaxations included sewing machines and light aircraft.

"The U.S. didn't get all it wanted," says one source, "but it got quite a bit." Others warn, though, that the Japanese can easily reverse this as, officially, nothing has been done. On the books, Japan still has 120 import categories controlled by quotas, more than any other developed nation. Last week, the government announced it would halve that list by the end of 1971.

Another change, although small, is a recent decision to drop "end-user" information requirement for importers of machinery. This ordered an importer to specify to whom he was selling the item. Critics say it opened the buyer to pressure from government officials to purchase a domestic product instead.

There also are changes in the field of liberalizing foreign investment. The list of industries, in which foreigners can invest currently is unattractive. Ice-making and weaving of silk yarn are classic examples. But the Japanese are running out of dull industries and the next list, expected to contain more alluring areas, observers say.

The recent decision by Chrysler Corp. and Mitsubishi Heavy Industries Ltd. to form a joint venture here is prompting reevaluation of Japan's policy on automobile liberalization. Chances that the venture will be swiftly approved still are slim, but many in government say the move forces the Ministry of International Trade and Industry to speed up liberalization timing.

The ministry wanted to reorganize the local auto industry into two big companies from the half-dozen or so existing before allowing foreign investment. But that has been opposed by the industry and the ministry is having doubts it should push the plan. The apparent attitude now is to set a liberalization date and let the auto makers do what they please.

SAN FRANCISCO PARLEY

Part of Japan's switch in attitude, analysts say, is coming from an understanding that American feelings are stiffening. Many cite a June conference in San Francisco between U.S. and Japanese business figures. In the past, says one American in the Tokyo business community, "American attitude was divided, or disinterested, and not many businessmen did their homework for the meeting. The Japanese always did. This time, they found a unified U.S. business community up in arms and definitely growing opposition. It really set them back on their heels."

The Japanese also are beginning to appreciate the intensity of protectionist pressure in the U.S. Congress, it's believed. When Commerce Secretary Stans was here in May, he told officials there were 365 bills in Congress

aimed at cutting imports. The main hope of the cabinet conference this week, planners say, is to convince the Japanese of the necessity of more and quicker liberalization.

"Before this Congress adjourns, we have got to have some assurance from the Japanese," says Herman Barger, U.S. Embassy Minister for economic affairs. "If we're going to have a chance of getting a liberal trade bill through Congress, we must have a demonstration of trade restrictions around the world being removed."

Japan's other trade partners complain about restrictions, but it's the U.S. reaction that is the most important here. Nearly one-third of Japan's trade is with the U.S. Its favorable trade balance with America was $1.1 billion last year, greater even than exports to the next biggest customer, the European Economic Community. Mr. Barger estimates the trade imbalance this year will reach $1.5 billion.

DISPUTES WITHIN GOVERNMENT

Opinion here isn't monolithic and there are disputes within government over liberalizing. Observers say it ranges from the Foreign Ministry's desire to push liberalization to the Agriculture Ministry's defiant opposition. Most businessmen are stubborn, but some speak in favor of easing rules. "The Japanese business society has come to the opinion that Japan must (raise) the freedom of the economy to the level of advanced countries as soon as possible," says Norishige Hasegawa, president of Sumitomo Chemical Co.

Adds Mr. Iwasa of Fuji Bank: "Japan's economy has achieved tremendous growth in the past few years and our scheduled liberalization tempo couldn't catch up with that growth. But the government is trying to speed up our tempo and therefore we can't understand why the U.S. is demanding our hasty action or it will impose restrictions."

There are many hard-liners, though. This exchange with a senior vice president of one of Japan's biggest electrical corporations is instructive:

"As far as our industry is concerned," the executive says, "we are of the opinion Japan should liberalize because our industry already is enjoying major status in the world."

But when asked if that belief includes liberalizing the import of computers, currently tightly controlled, he responds:

"Oh no. Computers are a young industry in Japan. The industry is still weak. Liberalization wouldn't be good for that industry."

The lesson, analysts say, is that the Japanese dislike competition from outside unless they're more than able to defeat it. Even on an equal basis they accept in the home market only as much as they're forced to accept. Indeed, remarks one man, "All the rest of the world is treated as a Japanese colony, even the U.S., that supplies raw materials and to which it ships manufactured goods." Japan's trade pattern supports the charge. Nearly 88% of last year's imports were raw materials and agricultural goods, barely 2% were consumer goods and the rest was capital equipment.

HOST OF UNWRITTEN BARRIERS

So, cynics charge, even if Japan makes a grand gesture and does away with all quota restrictions, it will require an even greater switch in thinking to free its trade by world standards. Past practice has built up a host of unwritten barriers that hamper imports now and could be used with great effect even with "total" liberalization.

There is, for instance, what the Japanese call "administrative guidance." Major capital investment decisions in Japan often are discussed within an industry and with the government. There is the charge that a desire to buy, say, an American machine tool, is headed off in these discussions. Pressure, which the government denies, sometimes is used on distributors, others charge, to play down the foreign item in competition with domestic goods.

Restrictions take some odd forms. Not long back, an American company selling air conditioners decided to treat its distributors to a trip to the U.S. to see the factory. But the Japanese Fair Trade Commission ruled the trip an unfair trade practice. There have been reports some importers were ordered to license Japanese companies to make an item before they could import the same product.

Tomorrow's economic and trade conference begins with a televised opening ceremony and is expected to end about noon Thursday.

American participants in the conference include Secretary of State Rogers, Commerce Secretary Stans, Agriculture Secretary Hardin and Paul McCracken, chairman of the Council of Economic Advisers.

But, "The Japanese aren't terribly interested in an economic conference as such," says an embassy official. Japanese newspapers are billing this as the "second round" in the Okinawa reversion negotiation and Mr. Rogers is scheduled to talk with Foreign Minister Aichi and Prime Minister Sato on that subject. The first round was Mr. Achi's June visit to Washington. The Japanese are seeking return of Okinawa by 1972.

It's expected that the U.S. may gain from the conference some sort of commitment, though perhaps vague, from Japan to increase its aid to Asian countries. Also, it's understood there may be an agreement to do joint research in transportation and air and water-pollution problems.

The subject of voluntary cutbacks by Japan in textile exports to the U.S. is expected to arise again. Mr. Stans unsuccessfully sought such an agreement in May. The Japanese, Mr. Barger estimates, are more likely to try to fend off U.S. protectionist pressures by yielding on trade liberalization than by cutting their own exports.

Mr. DORN. Mr. Speaker, I thank my friend, the gentleman from New Hampshire (Mr. CLEVELAND).

I yield now to another able and distinguished committee chairman, my good friend, the gentleman from South Carolina (Mr. MCMILLAN), who represents a district in the Coastal Plains area.

Mr. MCMILLAN. Mr. Speaker, I associate myself with the remarks of my good friend, the gentleman from South Carolina, and the gentleman from Arkansas, Chairman MILLS, and the gentleman from North Carolina, and others who have already spoken. I think it is a great tribute to these gentlemen for them to be willing to come here this evening and speak on this very important subject.

Mr. DORN. Mr. Speaker, I thank the gentleman from South Carolina for his remarks.

Mr. Speaker, I yield now to my colleague, the gentleman from North Carolina (Mr. TAYLOR), whose district adjoins mine.

Mr. TAYLOR. Mr. Speaker, I thank the gentleman from South Carolina for yielding, and I commend him on his fine statement. I also commend our colleague from Arkansas for taking this time and bringing this to our attention.

Mr. Speaker, I too am deeply concerned over the import problem faced by the American textile industry and desire to associate myself with all that has been said. During the 90th Congress I was one of 195 House Members to introduce a bill designed to aid in solving the problem.

At a time when the United States is enjoying general prosperity, we find that imports of yarns and fibers and various textile products are displacing the products of American manufacturers and American textile workers. The textile industry has not contributed to today's problem of inflation. While the cost of most commercial commodities has increased greatly since the base period of 1957–59, the price of textile products has decreased by 2½ percent.

The shortened workweeks and layoffs of personnel at textile mills which have occurred in the latter part of 1966 and in 1967 are direct evidence of the effect of imported goods on the American market.

During the last 5 years, imports of manmade fibers increased 144 percent, while imports of manmade fiber fabric and apparel increased 274 percent.

Our textile workers deem it most unfair to suffer from shorter hours and unemployment while foreign low-wage competitors are supplying much of the American market.

In my congressional district, 52 percent of the 51,000 manufacturing jobs are textile-related. More than half of the manufacturing jobs in the State of North Carolina are in textile mills or manmade fiber and apparel industries.

In 1966 textile imports into the United States exceeded exports by $902 million. The overall U.S. balance-of-payments deficit in 1966 was $1.4 billion. This means that the textile trade deficit was equivalent to almost two-thirds of this balance-of-payments deficit. Solution of the textile import problem would contribute much toward solving the balance-of-payments problem that our Nation faces.

The United States has the most modern and efficient textile industry in the world and our workers are the best paid in the world. However, this industry finds it difficult to compete with countries whose textile workers are paid only a fraction of what ours receive.

The textile industry is in deep trouble, fighting for survival against its foreign competitors. Either we get quotas put on imports or many of our mills will close and unemployment in the textile industry will become a national problem. The future of one of our basic and most essential industries is in jeopardy, and we cannot afford to wait any longer for action.

Mr. DORN. Mr. Speaker, I thank my good friend, the gentleman from North Carolina.

Mr. Speaker, I yield now to the gentleman from Georgia (Mr. FLYNT) who has been on every conference at the White House and at the Commerce Department. The distinguished gentleman from Georgia (Mr. FLYNT) is always there.

Mr. FLYNT. Mr. Speaker, I thank the distinguished gentleman from South Carolina for yielding.

Mr. Speaker, I certainly associate myself with the remarks the gentleman has made, and also with the remarks which were made by the gentleman from Arkansas (Mr. MILLS) and the other speakers who have preceded me this afternoon.

Mr. Speaker, I thank the gentleman from South Carolina and the gentleman from Arkansas, together with the others who have set forth, in language which no one can misunderstand, the necessity for working out some kind of voluntary agreements on this very important subject. I do not think any language which has been used here today could be called a threat to anybody, but I think the time has come when we must let the governments of other nations know that we do not consider the American textile industry to be expendable.

I am sure the gentleman from South Carolina will agree with me, as I know he has before—and we have discussed this on literally hundreds of occasions, both in bilateral conversations and in group conversations—that this industry to whose rescue we are coming this afternoon, is as important both in time of war and in time of peace to the American economy and also the American defense effort as any industry in the United States. It is imperative, Mr. Speaker, that this industry remain strong and that it continue to grow and keep pace with the growth of the American economy and the world economy generally.

Speaking not provincially, but speaking as an American first and as a Georgian second, it is not necessary for me to recount the importance of this great textile industry to my own State. It is the largest single employer of Georgians of any industry in our State. In addition to that related industries employ many additional thousands of people.

It means so much to the economy of our State and of our Nation. It could literally be described as the lifeblood of the economy of the State of Georgia because of the employment which it provides.

The textile industry in our State is now undertaking capital expansion to provide additional employment for thousands of additional Georgians.

I certainly hope, Mr. Speaker, that the words which have been spoken here today will be listened to not only here in America but throughout the world, as we do our part to incorporate into voluntary agreements, if possible, the true principles of reciprocal trade. If satisfactory voluntary agreements are not reached, legislation will be necessary.

Mr. Speaker, I believe that the gentleman from South Carolina will agree with me that true reciprocal trade does not include the compounding of an imported surplus on an already existing domestic surplus. Rather, we should create and encourage a reciprocal flow of commerce and trade which will not be detrimental to any nation. Reciprocal trade agreements were never intended to be the vehicle through which any industry could be destroyed or placed in jeopardy.

Mr. DORN. The gentleman is absolutely correct, and has made a splendid statement.

Mr. GETTYS. Mr. Speaker, will the gentleman yield?

Mr. DORN. I yield to my colleague from South Carolina.

Mr. GETTYS. I thank the gentleman, my distinguished colleague from South Carolina.

Today perhaps might mark the beginning of the end of the tremendous textile import problem we have in America.

I want to join my colleagues in wishing for Secretary Stans a successful trip in negotiating a voluntary agreement to limit the imports.

I want to associate myself with the purpose of this special order, and to extend my best wishes and thanks to the distinguished Members of the House who have today expressed the crying need to cure one of the greatest domestic problems we have in this country.

I thank the gentleman.

Mr. DORN. Mr. Speaker, I now yield to my colleague from Maine, who represents a State similar to our Appalachian region, with a lot of small rural towns where the people are largely dependent on this great industry for their jobs.

Mr. HATHAWAY. Mr. Speaker, the textile import problem is affecting the textile industry in Maine and the Nation. Both management and labor are becoming increasingly concerned about the industry-depressing effects of low-cost foreign imports and have turned to Congress for help. Those of us who represent textile manufacturing States are determined to provide relief from excessive import competition for the domestic textile industry. The problems now facing the industry will continue to worsen unless import controls are worked out.

While I am in favor of arriving at voluntary controls through international agreements, I shall insist on legislative means to curtail the ever-increasing flow of foreign textiles to this country.

Maine has more than 12,000 people employed in the textile industry. Production of textile products for defense needs has minimized the effect of imports, but a sharp curtailment of Defense Department orders could deal the industry a severe economic blow. Action must be taken soon to keep the American textile industry from vanishing. The domestic producers must be assured a fair share of the present and future expansion of the textile market. We must not relax our efforts to effect voluntary or legislated quotas for nations exporting to this country.

Mr. STEPHENS. Mr. Speaker, will the gentleman yield?

Mr. DORN. I yield to my colleague from Georgia, who likewise joins our district on the South Carolina side and is tremendously interested in protecting and saving the jobs of our textile people.

Mr. STEPHENS. I thank the gentleman from South Carolina for yielding to me.

It is true, with Congressman TAYLOR on one side of you and me on the other, we all join hands in support of what has been said today.

The statements made by the gentleman from South Carolina (Mr. DORN) by Chairman MILLS and by Congressman LANDRUM are the most forceful ones we have heard on the floor of the House or in any meeting we have had.

I agree, too, with what Congressman FLYNT said about the basic economic factors in our section and in America.

We also ought to emphasize the fact that our textile people are a most integral and vital cog in the defense program of the United States. If we should let the textile industry go by the board, then we shall have failed to provide for the proper defense of America, because of the clothing for our servicemen and because of the clothing for all people who work in every kind of endeavor in America.

I cannot emphasize too greatly the fact that the defense program of America is dependent on the livelihood, well-being, and health of the textile industry.

Mr. DORN. I thank my colleague for an excellent statement.

Mr. Speaker, I yield to my colleague, the gentleman from Georgia (Mr. BRINKLEY).

Mr. BRINKLEY. Mr. Speaker, I appreciate the gentleman from South Carolina yielding to me.

I also rise to join this group and to associate myself with their remarks. I want to add this thought: When the busy season of the textile industry becomes their slow season, we all know that something is wrong. I can see it in my own hometown of Columbus, Ga., and I have heard of it happening in other areas from the discussions which we have had. I am glad to know that further negotiations with Japan are to take place. My hope is that they will be fruitful. If not, the Congress must act.

Mr. DORN. I thank my friend from Georgia.

The SPEAKER pro tempore. The time of the gentleman from South Carolina has expired.

Mr. WEICKER. Mr. Speaker, I ask unanimous consent that I be permitted to yield 15 minutes of my time to the gentleman from South Carolina.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. DORN. Mr. Speaker, I want to thank my colleague for his generosity. I know that these other gentlemen here who are waiting to be heard are indeed grateful to you.

Now, Mr. Speaker, I yield to my colleague, Mr. MANN, who represents the Fourth Congressional District of South Carolina, with perhaps more textile employees in it than any congressional district in the country.

Mr. MANN. Mr. Speaker, I thank the gentleman for yielding to me. Mr. DORN just stole my opening remark, but this session would not be complete without my speaking on behalf of the economy and the population of the Fourth District of South Carolina, which, as he indicates, not only probably has more textile spindles than any similar geographical area in the world but also is the site of the major textile expositions and shows of our country, including the American Textile Machinery show in my hometown of Greenville, S.C., this October. I hope that will be the occasion for the celebration of the completion of voluntary agreements. If it is not, then I join my colleagues in stating that I hope it will be the occasion for our enacting legislation which will accomplish that purpose.

One of the best barometers of the problems facing our domestic textile industry is the fact that capital investments within the industry dropped from $1.1 billion in 1966 to $750 million last year. In spite of this drop in investments, wages have continued to rise. In fact, they have risen 46 percent in the last 10 years, so that the $2.28 per hour wage rate in the United States is well ahead of the $1.33 per hour wage in Great Britain, $0.56 per hour wage in Italy, and $0.36 wage in Japan.

The amount of imports coming into the American market has continued to rise at an alarming rate. For example, manmade fiber imports have risen twenty-fivefold in the last 10 years, and cotton textile imports have risen threefold in that period. The overall value of imported textile goods has risen from $526 million in 1957 to $1.8 billion at present.

Profits in the textile industry, whether measured on sales or percent of equity, lag behind other manufacturing industries. Net profits after taxes, on sales, for 1968 were 3.1 percent, compared with the all-manufacturing average of 5.1 percent. Apparel industry profits are even lower.

The textile industry provides 75 percent of South Carolina's work force with employment, either directly in manufacturing or through related jobs.

All of us in South Carolina are grateful for the efforts being made by Secretary of Commerce Maurice H. Stans on behalf of the textile industry. We hope that his efforts in Japan will lead to a more equitable situation for our textile industry and the people of the United States.

One of the leaders of the textile industry in America is Mr. Robert S. Small, president of Dan River Mills, Inc. In a recent address to the Textile Section of the New York Board of Trade Mr. Small gave a very lucid and informative synopsis of the textile import problem. It is my privilege to present that address for the information of my colleagues at this point in the RECORD:

ROBERT S. SMALL SPEECH TO TEXTILE SECTION, NEW YORK BOARD OF TRADE, JUNE 19, 1969

I had two reasons for choosing as my topic: "Tell It Like It Is". One, it's the "in" thing to do, and if you don't believe me, visit any college campus (providing you have proper escort, of course), or ask your teenage child. Second, when you have the facts as the foundation for your story, why not "tell it like it is?".

Charlie Myers, president of the American Textile Manufacturers Institute, reminded a recent audience of an interesting editorial. The editorial said, in part:

"With its mature economy the United States has outgrown textile manufacturing as an appropriate livelihood . . . The point to remember is that no amount of protectionism can help the textile industry". Continuing, the writer observed:

"Efforts by the President to provide relief for the textile industry are temporary protection against the inevitable day when textiles as a major American industry will not exist."

This editorial appeared in the Washington Post in May 1961, just after the late President Kennedy announced his seven-point program for the textile industry. But shortsighted and ludicrous as the writer's observations were, they brought into focus the pat assumption that textile manufacturing is an easy-entry business, produces commodities so basic, relatively, that a technologically sophisticated and affluent society need not waste its resources, its talents, and energies on producing these things.

This contention is pure hogwash, of course. I'll tell you clearly that if this industry earned its livelihood from producing just basic necessities, the editor of the Washington Post would probably have seen his prediction come true. What he—and many others—fail to comprehend is this; namely, as a society's affluence and technological capabilities grow, its interpretation of needs undergoes evolution, too. Fulfilling a basic obligation to clothe society is almost incidental to our role today. Sure, we do this, but much more besides, and in the process, we not only compete with other textile firms here and abroad, we compete with boat builders, leisure time industries and a host of others. We, like most other industries, are competing for the attention of the rising discretionary purchasing power of the consumer. And in so doing, we have to produce the fabrics and products which suit the life style of a sophisticated, affluent people.

When you come right down to it, there is only one thing basic about the American textile industry—and that is its contribution to the American economic system. Textiles are the mainstream of industrial America! Textiles have a good case to sell to the American public—as mentioned earlier, you members of the board of trade have been our spokesmen in this important market since 1927—let's take a look at our case, both pro and con.

During the past 10 years, sales rose from 14 to 21.5 billion dollars: production increased over 38 percent; and the industry invested almost eight billion dollars in new plants and equipment—which incidentally is 50% of total textile plants and equipment—this is a modern industry!

The textile-apparel industries have 36,000 plants in all 50 states. Today, by any yardstick, the industry is large ($21½ billion annual sales volume), important to the economy (2.5% of GNP), and a significant employer of the Nation's labor force (.03% of the gainfully employed).

However, the full significance of the industry is far greater than these numbers suggest. The chemical industry, for example, depends upon the textile industry for over 50% of its sales volume. The cotton growers depend on the industry to consume most of their output. Moreover, numerous jobbers and middlemen are dependent upon distribution of the industry's products to durable, nondurable, and service industries across the Nation. The products of the industry supply two of the most basic needs of every individual—clothing and shelter. The Nation must have the capability of fulfilling both of these needs by domestic manufacturers in time of war and peace.

In the industrial skill ladder textiles are not at the top, but they certainly are not at the bottom. It would be wonderful if all of our industrial workers were all well-educated and had the potential for the most sophisticated skilled jobs. Clearly, this is not the case—and unlikely to be the case in the foreseeable future. The fact is—and let's tell it like it is—the U.S. needs gainful employment for all degrees of unskilled and skilled employees rather than welfare extension! It needs self-supporting jobs for all, especially in our underdeveloped areas and in our urban ghettos. Consider Appalachia for a moment which is a case in point. In the Appalachian region, embracing 373 counties in several major textile producing States, there are some 453,000 people employed in the textile industry alone. In many of these counties, textiles account for almost all manufacturing employment.

Another case in point is right here in New York City where over 325,000 persons are employed in the textile and/or garment trades.

The fact is we are providing steady, gainful employment in many of our most needy areas. Our theoretical economist would do well to recognize this.

Although textile wages are somewhat below the national average for all manufacturing, with the most recent wage increase just announced, textile wages will have been increased eight times since 1961 and payroll costs, including fringe benefits, upped more than 60%.

At the same time the wholesale price index for textile mill products shows an increase of only .06% over 1957–59. Many important textile items such as carpeting show a reduction in price. The wholesale price index for textile mill products throughout 1968 averaged 100.6 compared to the all-industrial commodity index in 1968 of (109%). Certainly, textiles are not contributing to the inflationary price spiral affecting almost all other consumer products.

How do you account for this tremendous performance? Maybe this way! For the past 23 years, the textile industry has increased its productivity at an average rate of 4.5% per year (which is absolute and does not include inflation) while American manufacturing as a whole has averaged only 2.8%. Somehow this impressive performance by our industry doesn't get the headlines which are accorded to more sensational subjects.

Closely associated with these facts, is the question of equal employment opportunity. The industry has made dramatic progress in recent years, newspaper accounts notwithstanding. It is ironic, indeed, that one of the newspapers which has pontificated regularly about the alleged sins of the textile industry in this regard found its own house was not in order, and that its performance in equal employment opportunity was something less than impressive. It will come as no surprise to you that this publication did not use its own pages to publicize its own shortcomings.

Negro employment in the textile industry has advanced four times faster than the national average for all manufacturing since 1960. While employment ratios vary from company to company and state to state, the textile industry offers unusual opportunities for unskilled Negro employees to become productive and skilled members of the manufacturing segment of our economy.

Since 1960, for example, the number of non-white employees in the industry has tripled, from only 3.3 percent to over 9.5 percent in 1968. It is undoubtedly higher today. In my own company, this figure currently is nearly double that—or more than 17 percent. And in some mills, as many as 50 percent of all new hirings in 1968 were Negroes.

The improving role of the Negro in the textile industry is reflected in both opportunities for initial employment and opportunities for advancement. U.S. Department of Labor statistics show that of the 984,000 production workers employed in primary textiles in 1968, approximately 94,000 were Negroes. This was an increase of 10,000 over 1967.

And, I predict that over the next decade the employment and promotion of Negroes and other minority groups by the textile industry will be the most important single economic factor effecting our total economy during this period. We will provide this opportunity as no other industry can.

Against this background of achievement, progress, and economic contribution to our nation's welfare, the future contribution of this vast industrial complex is being besieged by a steadily growing flow of low wage imports.

Let's take a realistic look at this import picture—

In 1968, textile imports exceeded 3¼ bil-

lion square yards. This left us with a textile trade deficit last year of $1.1 billion and the gap grows wider every year.

Worship at the altar of free trade has become one of the rituals of our age. Prominent among the worshippers—to mix metaphors—are those whose ox has not been gored by imports. But free trade simply does not exist. There is nothing free about trade unless the rules are the same for everyone. And this clearly is not the case. In this imperfect world, it is not likely to be in the future.

It is high time that some responsible economist or government official addressed himself—honestly—to the subject of so-called free trade.

There has never been free trade among independent nations—there is none now. Cordell Hull at least addressed it for what it was intended to be when he fathered our present trade policy with the "Reciprocal Trade Act of 1934". Reciprocal was the word then and the intent then. It should be now!

Somehow over the intervening years, we have lost the drive for reciprocity and have allowed our trade policy to be dubbed "free trade", by certain elements of the press and the professional economic fraternity. "Free trade" has become an unimpeachable clarion call, such as the Bible, the Bill of Rights, or motherhood. No man can question it, much less condemn it—except to risk castigation as an irresponsible profligate advocating the utter ruin of the world—not just the United States. But let's face it, there are circumstances when even motherhood is not the most desirable condition.

President Nixon has also seen fit to describe his trade policy as free trade. And, I hasten to add, I for one, believe there is no creditability gap in the White House. But why doesn't someone say it like it is and affirm a policy of organized trade!

Organized trade is flourishing in the world today and our trading partners recognize it as such. Our trade negotiators were astonished to learn last year that all of the members of the E.E.C. had secret import quota agreements with the Far Eastern countries, including Japan—and had had them for several years.

Before the so-called Kennedy round of tariff reduction agreements of 1967–68 were even begun to be implemented, our trading partners in Europe were increasing border taxes, custom duties and other trade impediments, in some cases by more than the tariff reduction.

Here are just a few of the hidden trade restrictions which exist among the so-called developed trading nations which to this date have been non-negotiable: Border taxes, custom duties, transportation tax, added value tax, import licenses, trading associations, government subsides, downright embargoes. I'm sure there are many more.

Now, let's speak specifically about Japan—

The arrogance of Japan in refusing to discuss quota restrictions on wool and manmade fabrics with the Stans' Mission last month is incomprehensible. If the facts were known, Japan, the free world's second most advanced country economically, is probably exporting directly or indirectly to the United States well over 35% of all imported goods, and possibly as much as 50% of manmade blends.

Do you realize that Japan is running a surplus trade balance with the U.S. of over $1 billion annually?

Do you realize that while Japan ships into this country over a billion yards of cloth annually, yet Japan effectively embargoes U.S. cloth from her market? What kind of reciprocity is that!!

Do you realize that Japan, a mature economic nation, pays her textile workers less than 40c per hour? And, in addition, frequently subsidizes her exports—by our standards both illegal—yet, our textile workers lose their jobs while our Government tolerates an ever increasing percentage of these imports.

Do your realize that Japanese have 100% owned textile plants in this country, yet U.S. textile firms are forbidden ownership in Japanese textiles?

Do you realize that Japanese manmade fiber producers are constructing or have constructed plants in Korea, Taiwan, Thailand, Indonesia, and are looking at the Philippines—in some cases aided and assisted by the Japanese Government?

Secretary Stans went to Japan, pointed out the fact that the U..S. was the only free market in the world for textiles, that imports of textile products had increased 300% in six years, and that Japan had gotten more than her share of this increase.

He indicated Japan would not be asked to reduce its exports to the U.S. but in addition would be allowed to participate in the annual anticipated growth of the U.S. market. All he asked was that Japan join with the U.S. and work out some orderly organization of this textile trade—he didn't even suggest that Japan lower her barriers to the U.S. textiles.

What did he get? An insulting rebuff. Responsible textile officials refused even to meet with him. No high American official in recent years has been treated so discourteously by Japan—a country, as I said, enjoying a fat trade balance over one billion dollars and whose budget for defense in effect is paid for by the American taxpayer.

There is a question of equity and fairness involved in the textile situation. What we are talking about is simply this. Must the U.S. carry almost the entire burden of reciprocity when it comes to the textile industry?

Less developed countries have been singled out as being readily adapted to the production of textiles. Consider the situation of 19 less developed countries in Latin America and Asia. In 1967 these countries had a favorable balance of trade in textiles with the U.S. of $318 million dollars. On the other hand, the E.E.C. countries with an aggregate population equal to the U.S., sold $50 million more in textile products to these 19 less developed countries than they bought from them. In the case of Japan again, that country had a favorable textile trade balance of $211 million with these same less developed countries.

In other words—and putting it bluntly—the U.S. is on the short shaft of both the developed and underdeveloped countries—and the shaft is sharp, not blunt.

In spite of these problems, whatever an American does or wants to do—go to work, drink cocktails, ski at Aspen, cruise the Bahamas, take a bath, camp at Jackson Hole, dance at discotheque—we provide him with a selection of products and a selection of prices.

The choice of textile products today is literally unlimited. When one considers what technology and fashion have accomplished with just three basic weaves of textiles, it's truly amazing.

The Bureau of Census publishes periodic production figures on more than 350 different variations of the basic weaves. When you count the blend possibilities of at least 14 generically different fibers, including cotton, manmades, wool and silk, we already have a near-infinite number of basic fabric possibilities.

Now add to this the more than 100 chemical and mechanical finishes—consider the fact that there are somewhere between 40,000 and 50,000 different printed fabrics in retail stores at any one time—bear in mind that the Bureau of Standards lists five million conceivable color possibilities for textile products—then consider that clothing design by itself offers virtually unlimited possibilities to the consumer.

All told, it's not difficult to conclude that every man, woman and child in the United States could easily be provided with a complete wardrobe—and no two garments would be exactly alike.

We are going to continue to offer to the American consumer exciting new products to stimulate the imagination and satisfy the demands of the world of tomorrow—we have every intention of meeting the obligations imposed on us by a changing economy and a viable social structure. We have done so in the past; we can do better in the years ahead, it is our purpose to do so.

We refuse to be tolerated or written off by the Washington Post or any other simplistic theorists who have deluded themselves into believing that textiles is a simple, elemental industry.

This industry is an integral factor in the Nation's complex economic system. We are an important and vital contributor to all facets of our national life. We will strain our talents and resources to assure this continues to be true. We insist we be recognized for what we are and what we do, and are ready to do combat with those who would cast us in a lesser role.

Gentlemen, that's telling it like it is and like it has to be!

Mr. DORN. Mr. Speaker, I thank my colleague from South Carolina. You have a good many people in the Appalachia region who are associated with the textile industry and who are living in small rural areas. Their jobs are being threatened by unfair, low-wage imports. There is no question of excessive textile imports keeping us from maintaining a vital economy in the gentleman's district.

Mr. PREYER of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. DORN. I yield to the gentleman from North Carolina.

Mr. PREYER of North Carolina. Mr. Speaker, I appreciate the remarks of the distinguished gentleman from Arkansas, Mr. MILLS.

I want to say thank you on behalf of the textile workers and on behalf of the grocery store operators, the filling station operators, and the school teachers of North Carolina to Chairman MILLS and the other distinguished gentlemen who have spoken today about the textile problem. In short I am expressing the appreciation not just of the textile industry but of the entire economy of North Carolina and of the South.

I believe it is an unchallenged fact of American history that our section of the Nation has traditionally supported a foreign policy that encouraged the participation of the United States in efforts for international cooperation.

We understand that trade has an important role to play in bringing the nations of the world together and that the United States accepts a large amount of textile imports in the interest of world trade. We cannot, however, allow other countries to prosper at the expense of our own domestic textile market, and thereby create additional economic problems in a part of our country only now realizing the profits of the industrial revolution.

The distinguished gentlemen who spoke before me gave you many alarming facts concerning textile imports. It is evident that restraints must be levied against rising imports in order that the best interests of our own domestic market be protected. What is needed is a new

international arrangement which would make possible these restraints. Japan, Hong Kong and other textile importing countries are going to have to agree to negotiations concerning this problem or this Congress will be forced to act out of necessity.

I would prefer that we achieve this protection through negotiation rather than unilateral action. That would be better for the country and better for the free world. It would certainly be better for the South. But I agree—if not soon that way, then Congress will have to act.

One statistic alone should be enough to convince us of the imperative nature of our need. That was cited by my friend and colleague from North Carolina (Mr. JONAS) an increase in the U.S. textile trade deficit from $766 million 10 years ago to $1.1 billion last year.

This is not just a selfish one State or one region interest. Our national welfare requires that the problem be resolved quickly and effectively.

Mr. DORN. Mr. Speaker, we are grateful to the gentleman from North Carolina for pointing up how the textile import problem affects virtually every business and every school in our area. There is a school district in my own congressional district where the tax revenue generated by a newly established textile plant helped so tremendously that they were able to erecte the new schools that they had long needed. In fact, the tax revenue produced by this plant made possible the erection of the first air-conditioned high school in the State of South Carolina. Now, however, increasing imports of textile articles jeopardize the future of this plant and in fact the fundamental economic base of my district and State.

The gentleman is absolutely correct. This means so much to education and to all segments of our economy in moving our Nation and particularly our area forward.

Mr. Speaker, I do want to say that the only real solution to this recurring problem is a multilateral agreement to limit a reasonable degree imports into the United States. No form of a one segment agreement will work, but it will take a multilateral agreement which will cover all categories; cotton, wools, blends, manmade fibers, and all other categories of the textile industry.

Mr. RIVERS. Mr. Speaker, will the gentleman yield further?

Mr. DORN. I yield further to my distinguished chairman of the Armed Services Committee who made an outstanding statement a moment ago that I believe will go around the world because he knows, perhaps, more than any man in the United States that our Armed Forces, that our space program and everything that we are engaged in with reference to the strength of America is dependent, next to steel and gunpowder, upon the textile industry, food and fiber.

Mr. RIVERS. I want to thank the gentleman from South Carolina. I want to thank the gentleman for carrying forward the cause of our textile mills.

Mr. Speaker, the gentleman from South Carolina (Mr. DORN) has kept our textile group together. He has given tremendously of his time, his wisdom, and his great experience. I think he has helped today to focus upon the activities of Japan and our other textile competitors the question of whether or not our friendly relations in this area will be affected or will the Congress be compelled to unilaterally act in this area which we strive to avoid.

I agree with the necessity of Secretary Stans and all who have been elected and selected to represent us at the varying places throughout the world on this subject. This is the only man who in my opinion has talked since so that I as a layman can understand what is going on.

It is my further belief that the message today will go forth since I have heard the distinguished gentleman from Arkansas (Mr. MILLS) speak as well as these other giants of the Congress in warning as to what may happen if this admonition is not heeded.

Mr. Speaker, I wish to again thank the gentleman from South Carolina who has done such a magnificent job for the State of South Carolina. The Nation is proud of him.

Mr. DORN. I want to thank my beloved and distinguished colleague, the chairman of the Armed Services Committee of the House of Representatives of the United States of America.

Mr. HAGAN. Mr. Speaker, I join with the Honorable WILBUR MILLS and many of my other colleagues in the House today to express my concern over the problem of textile imports into the United States. This is a matter of great interest not only to the Congress, but to the administration and virtually everyone in the U.S. textile industry.

The situation was brought to surface during the present administration when the President was touring in Europe earlier this year. Suggestions to curb the situation have been met with strong resistance by countries involved. With almost one-half of our Cabinet in Tokyo for meetings this week which will no doubt include the subject of textiles and with meetings to be held in other countries at a future date, everyone will be anxiously waiting to see if agreements can be met to provide a basis for fair and orderly participation by all nations involved in the U.S. market.

Looking at the overall import problem of textiles, those opposing import limitations declare that the industry has experienced a few good years, but by the same token, they concede that the problems of the present and the future do not resemble those of the immediate past. In effect, they have admitted there is a "serious import situation" in certain man-made fibers.

Apart from whatever economic justification can be made, the continuing requests for comprehensive quotas rest ultimately on the Congress if voluntary, quantitative restrictions cannot be negotiated at these meetings.

Textile imports have continued to move upward, and sometimes the flow has been tabbed at a very substantial rate. At stake are our balance of trade and our economy.

Because these countries have not placed voluntary restrictions on their exports, and because the textile import problem grows progressively more serious, several of us in the House and in the Senate have introduced import control legislation during the 90th and the 91st Congresses.

Some protections of the items not covered by the Long-Term Agreement for Cotton Textiles must be found and hopefully, this Congress will seize the opportunity to stem the tide of imports if the representatives of the foreign governments and industries cannot come to agreements with our elected officials.

Mr. ULLMAN. Mr. Speaker, the distinguished chairman of the Ways and Means Committee, the gentleman from Arkansas (Mr. MILLS) has again directed the attention of the House to the urgent need for an all-fiber solution to the import problem facing the U.S. textile industry. I applaud his initiative, and I reaffirm my position that a legislated solution to this problem will be necessary if the cooperation of other principal textile producing nations in achieving a negotiated solution is not promptly forthcoming.

I am concerned about the impact of wool textile imports, which have risen to 26 percent of U.S. consumption, approximately double their 1961 level. I am also concerned by the rapid rise in imports of manmade fiber textiles.

Secretary of Commerce Stans is now in Tokyo, where I understand he will this week renew his efforts to persuade the Japanese Government to agree to participate in the negotiations of an international arrangement on trade in wool and manmade fiber textiles. It is timely, therefore, that we review U.S. trade relations with Japan, particularly textile trade relations.

Between 1961 and 1968 Japanese exports to the United States of woven wool fabrics grew from 15 million square yards to over 49 million. Japan accounted for 76 percent of the increase in woven wool fabric imports into this country during that period. In the process, Japan increased its share of total U.S. imports of such cloth from 35 percent to 56 percent.

Japan has enjoyed for years the highest economic growth rate of any major country in the world and is now the second ranking manufacturing power outside the Communist bloc. The United States has contributed vitally to this remarkable achievement by technical and financial assistance following World War II, by opening our markets to Japanese exports and by tolerating Japan's restrictive trade policies regarding manufactured imports and foreign capital investment.

The importance of U.S. imports to Japan's manufacturing-oriented growth strategy—manufacturing accounts for about 30 percent of her gross national product and 87 percent of her exports—can be seen in 1967 statistics that show we absorbed fully 34 percent of her total manufactured exports. Japan's natural market area, the rest of the Far East, accepted about 33 percent of her manufactured exports, with the remaining 33 percent divided among the rest of the

world's nations. Total U.S. imports from Japan, overwhelmingly manufactured, more than tripled between 1961 and 1968 alone and exceeded $4 billion last year.

I am certain most Americans are pleased that we have been able to assist Japan in her postwar recovery and expansion, although they might have preferred to see other prosperous countries bear a more equitable share of the burden. But we have arrived at a situation in which the growth rate of Japanese exports to the United States, and in particular their concentration in textiles, is beginning to generate serious economic and social problems for this country. The gravity of the situation in textiles is such that we cannot afford to accept Japan's refusal to negotiate a solution.

Development plans recently published by the Japanese Government call for maintenance of an average annual real GNP growth rate of 12 percent between now and 1980. These plans depend to a unique degree upon growth in manufactured exports.

As sympathetic as I am to Japanese aspirations, we must not sacrifice our domestic textile industry—hence our domestic wool producing industry—so that Japan's Gross National Product will grow at a fantastic 12 percent per year.

We cannot sacrifice our textile industry and its workers on the mistaken assumption that we are helping a poor, developing nation. Japan is a developed, formidable industrial power. It is true that real incomes for the masses are low in Japan, notwithstanding its remarkable postwar growth, but this is because Japanese policy has kept them low, not because the country is poor or underdeveloped. Japanese planners and industrialists have chosen to channel 30 percent of her gross national product into capital formation rather than to permit more rapid expansion in consumption per capita. That is why wages are low.

Japan, of course, is free to determine how its economy is to evolve in the future, as well as how the proceeds of rapid growth are to be divided between workers and other income claimants. But Japan cannot expect the Government of the United States to stand idly by while its own essential textile industry falls victim to the effects of the export calculations upon which that nation's ambitious growth plans are clearly based, we have a right to expect the cooperation of the Japanese in solving this problem. Otherwise, the Congress must act—promptly and decisively.

Mr. GRIFFIN. Mr. Speaker, I commend the gentleman from Arkansas for initiating a discussion in the House on problems associated with textile imports.

Twenty-two percent of all manufacturing in Mississippi is in the apparel industry. Close to 40,000 families depend upon a strong apparel industry to provide economic necessities of life for themselves and their families. It is to be hoped that early, reasonable, and adequate solutions can be found to the ever increasing problems of imports of textile products. Otherwise, severe unemployment and more depressed areas are in prospect.

Mr. BURLESON of Texas. Mr. Speaker, the warning from our esteemed colleague from Arkansas on the critical situation in which we find our international trade cannot be overemphasized.

I would like to take just a moment to express my wholehearted support for the concern expressed by Representative MILLS, and illustrate just a bit of my concern for this situation.

Day by day we are finding our industries suffering more and more from the import of low-wage-level products. Of very serious concern to me and to my many fine constituents in Texas is the rapidly growing threat of unchecked imports of apparel and textile items.

Apparel manufacturing is a significant economic factor in my State of Texas. We now have nearly 57,000—56,600—apparel workers whose annual income is some $205 million. This employment, incidentally, has been increasing steadily since 1965, when we had 47,000 apparel workers.

There are numerous apparel industries located within my congressional district. Although not extensive, they are highly important to the economy of the area and, of course, to the employees of the industry.

Just to the southwest of my district is the city of El Paso, nestled in the foothills of the Rockies. Here is one of the major apparel producing areas in the United States. The apparel industry there is also a major employer of minority workers. It is significant to note, too, that nationally the apparel industry is a consistently greater employer of minority persons than most other industries. Last year, the national average for nonwhite workers in the manufacturing industries was at 9.7 percent. At the same time, however, the apparel industry's nonwhite employment stood at 12.7 percent considerably above the national average.

Mr. Speaker, we just simply cannot afford to lose an industry such as this that offers the low-skill threshold entry opportunity such as the apparel industry offers. This is the stark reality we face if the continued, unchecked growth of textile and apparel imports, particularly in wool and manmade fibers, is not governed by an orderly access arrangement whereby we can share the growth or decline in our markets with the developing nations of the world.

You know, Japan now enjoys the second largest gross national product in the free world, yet takes only 2 percent of the apparel exports from the developing countries of Asia. The United States takes 75 percent of these exports.

We are also talking about an industry that is doing much to alleviate the increasing unemployment in our other major underdeveloped area here in this great country—the core city. Just as in Texas, many of our Nation's apparel manufacturers are able to locate in rural areas, offering employment to individuals who might not otherwise be able to contribute to a family income. Offering this employment in the rural areas has a decided effect on the concentration of unemployed in our core cities, and the competition for available employment. Incidentally, these plants, modern in design and landscape, do not pollute our air, nor our vital water resources.

Just as an aside, I might point out that our two great cities of Dallas and Houston are now known as major fashion centers in this country, thus giving the apparel industry even greater emphasis in the Southwest.

Again, let me congratulate Representative MILLS and others for their very significant leadership in expressing our concern over the present international trade situation. I am confident that Commerce Secretary Stans enjoys overwhelming support for his position that any agreement in the apparel and textile import area must be for a total arrangement. Such an agreement must cover all fibers, whether natural or manmade.

The apparel-textile complex is an extremely vital segment of our industrial sector and we cannot afford the luxury of allowing it to decline.

Mr. ANDREWS of Alabama. Mr. Speaker, this Nation's strategic textile industry is facing a grave crisis in the form of foreign textile imports. Action must be taken now to save this vital industry, which time and time again has demonstrated its importance to our national defense and to the 2.4 million workers that it employs.

It is ludicrous to think that our American textile producers can compete with low-wage textile-exporting nations. We can no more force Japan to raise her industrial wage standards than we can force her to give us military assistance in Vietnam, where we have been fighting for the defense and indeed survival of a free Southeast Asia.

While our own Government requires our textile industry to pay the minimum wage, $1.60 per hour, it circumvents its own law by permitting a flood of textile imports, made with labor that is paid 15 to 30 cents an hour, to come into this country completely unrestricted. In other words, our Government is permitting foreign goods, made by cheap hourly labor, to put out of work the people the minimum wage law is supposed to protect.

In fact, all textile imports would be in violation of our U.S. statutes were they made here, because it is illegal to ship manufactured products from one State to another that are made by people who are paid less than the legal minimum wage.

Despite the fact that the textile industry operates with unmatched efficiency, has ample capacity to supply the needs of this country, and sells at prices less than they were 20 years ago, over 2 billion yards of imports caused mills in this country to run short time in 1967.

What we can and must do to protect our own industry and our own workers is limit textile imports from foreign nations that threaten to wreck this important segment of our economy.

It is easy to see the disastrous effect cheap foreign textile products are having on our domestic industry. This Nation imports about $800 million more in cotton, wool, and synthetic fibers than we export. This is a textile trade deficit that we can no longer ignore.

The dilemma facing textile manufacturers across the Nation was evidenced

recently when following a general wage increase that added about 6 percent to present wages, an Alabama manufacturer told one of his big customers that the wage increase would mean a slight increase in the price of knitted tee shirts to him. Whereupon, the customer declared that he would not consider paying any additional price increase at all and would buy his goods from the Japanese where he could get them cheaper. The loss of that customer meant that half a million dollars left my State.

The Secretary of Commerce has admitted that the worsening situation could mean the loss of some 600,000 jobs. Many of these jobs are being filled by the disadvantaged and unskilled, for whom the Federal Government has committed itself to spend millions of dollars. Are we to surrender our textile market to Japan and throw American men and women out of work for the sake of some political or diplomatic gratuity? To do so would be unthinkable and tragic.

Our textile industry can never hope to fulfill the vital role of employing the unskilled if it is forced to compete with the unregulated flow of imports from countries whose access to this market depends almost exclusively on the fact that the wages paid their textile workers would be intolerable in this country.

Our efforts at orderly trade in textile articles have been unsuccessful so far, since negotiations with Japan have produced an unwillingness by that country to agree to voluntary quotas. Of course, being rebuffed by foreign nations is certainly no new experience for the United States. Everyone wants the American dollar, and we have been ridiculously generous in the past, but no one wants to reciprocate.

It appears that voluntary limitations will not be adopted, based on the Japanese attitude to date. Therefore, mandatory quotas must be set for the essential protection of the American workingman and American industry.

Mr. Speaker, I know well the contributions of the textile industry to my State. It is the second largest industry in the State of Alabama, employing 42,200 people, and this year their annual wage will climb above the $200 million mark.

Textile men have been among the outstanding citizens, civic and government leaders in my district and State. They span the course of history, providing the canvas sails of the clipper ships in the commercial fleet of the United States soon after the War for Independence and now providing some of the latest textile needs for the Nation's space program.

This industry is essential to my State and to our national economy. I shall not stand by while hardworking American men and women are pushed aside and a great and valuable industry is given back-seat treatment for the sake of contributing to the economic boom of some foreign nation.

Mr. BLATNIK. Mr. Speaker, I would like to take this opportunity to express my appreciation to that great and able Representative from Arkansas for his very knowledgeable and authoritative remarks concerning our international trade situation. Let me assure you that we all share in your deep concern relative to this gnawing and growing problem.

One of the critical problem areas, of course, concerns the import of apparel and textile items. I would like to take just a moment to illustrate the importance of this vital industry to the economy of my area, and to the economy of a vast share of our great country.

Employment has been a chronic problem in my district due to the continuing depletion of the high-grade natural iron ores. Fortunately, the apparel industry has been able to move in and offer employment to many of these wonderful people who otherwise would be facing a serious employment crisis.

The apparel industry has been able to offer a similar economic uplift to other depressed areas of our country. The vast Appalachia area, for instance, stretching through a significant sector of our country, has felt the economic gain from this vital apparel industry. In this area, 25 percent of the manufacturing workers are in the apparel-textile industry. This is an industry which can provide jobs to relatively unskilled or semiskilled workers. Training can be done on the job after the person has been hired, and high educational levels are not needed for the majority of jobs in this industry.

This means that the apparel industry has also been able to offer a source of employment to another underdeveloped area—that of our core cities, where we have traditionally had the highest unemployment rates among the many minority groups. In the apparel industry, nonwhite employment runs consistently higher than the national average for manufacturing industries. In 1960, apparel employment of nonwhite workers was 11 percent, compared with the national average of 7.6 percent. In 1968 nonwhite apparel employment had grown to 12.7 percent, compared with the national average of 9.7 percent. Nonwhite employment in the apparel industry in 1968 is estimated at 180,000.

According to the Bureau of Labor Statistics, nonwhite employment for the first quarter of 1969 was running at a rate of 10.6 percent for textiles and 13.5 percent for apparel, or some 23,000 jobs ahead of last year.

These national figures, however, show only a part of the picture. The new hires in many individual firms are running as high as 40 to 50 percent.

Are we to allow these vital job opportunities to be sluiced away to oblivion because foreign imports from low-wage countries force our manufacturers out of business, or constrict their expansion plans?

Let me again urge each of you to heed the warning expressed so eloquently by the distinguished chairman of the Ways and Means Committee, the gentleman from Arkansas (Mr. MILLS). Unless an equitable international arrangement, covering the import of all major fibers and apparel is effected, the apparel-textile industry cannot make plans for growth, plans to hire more people, start up new plants, or enter the new areas where reserves of unemployed people are waiting to work. We cannot and should not settle for less.

Mr. FISHER. Mr. Speaker, as Representative of the principal woolgrowing district in the Nation, I have for years worked with my colleagues from fiber-producing and textile areas to provide some relief for the U.S. textile industry from the increasing disruption being caused by foreign imports.

I have seen wool-textile imports double their share of the U.S. market in the 8 years since the Government's textile program was initiated, with no sign of an abatement in the upward trend. And I am concerned, not only for the welfare of the textile industry and its employees, but because the woolgrowers of the United States have no market other than the wool manufacturers of this country.

As a member of the Armed Services Committee, I have been acutely worried over the erosion of the potential of our domestic wool-textile industry to meet essential defense requirements in the event of a national emergency. As Col. Robert T. Stevens, former Secretary of the Army, recently pointed out:

> In my considered opinion the American woolen and worsted industry as presently constituted is incapable of producing the huge quantities of fabric for military, medical and essential civilian use that would be required during any all-out emergency. I have testified to this effect before Committees of Congress. We have to turn the industry around pretty quickly if it is to survive as an important segment of the economy. The most vital step that can be taken is to put some rule of reason into effect now with regard to wool textile and apparel imports. Our national security is deeply involved in this situation. Suppose we had to fight in a temperate or cold climate. Are we going to rely on Japan for our uniform fabric? I don't think that is the desire of the Congress or the American people.

Congress has wisely declared that production of wool is essential to the security of the United States, but the security value of wool depends upon the existence within this country of capacity to manufacture it into usable textile products.

So, Mr. Speaker, I have been encouraged by the determined efforts of the present administration to deal effectively with the textile import problem. Secretary of Commerce Stans has our wholehearted support in his continuing attempt to negotiate an international arrangement on trade in wool and man-made fiber textiles. Secretary Stans, in an address in Tokyo on May 13 of this year, explained that—

> (1) The United States is the only remaining free market for textiles among the major nations of the world. All the others have imposed restrictions of one kind or another on imports. The United States just cannot absorb the entire potential output that all the producing nations can deliver. Isn't this understandable?
>
> (2) If this problem is worked out promptly, no jobs need be lost in Japan or anywhere. We are willing to allow all producers to share in the growth of our market. All we seek to do is to stop a growing wave of imports that will deluge our markets and bring catastrophe to our industry and its workers. Isn't this reasonable?

Therefore, we seek an international un-

derstanding on textiles. In view of the circumstances, we regard such an accommodation as necessary to preserve the overall thrust of our policy toward freer trade. An exceptional circumstance does not deny the major premise in open markets.

If Japan and the other major textile-producing nations of the world fail to heed the Secretary's words, a responsible U.S. Congress will have no alternative but to do so.

Mr. WILLIAMS. Mr. Speaker, in 1968, the importation of textiles reached an alltime record of 3.2 billion square yards. This is twice the yardage imported in 1964. This means that 1 out of 4 yards of textiles purchased in 1968 was imported. The impact of this on persons employed in textile and apparel mills is most serious. At the present level of importation, 200,000 jobs are being displaced annually because of the increase in textile imports. The trade deficit in dollars is $1.1 billion, which quite obviously has been damaging to our balance-of-payments situation.

The flood of imports must be brought under control. They are not entering the United States because foreign textiles are any better, for America manufactures the best textile products. They are entering this country because they are made at wage scales and under working conditions which would be illegal in this country.

Everywhere we turn we hear pleas for welfare programs to help this or that segment of our society. By bringing under control the burgeoning increase of textile imports, this Congress has an opportunity to help and protect a large group of hardworking Americans who are being unnecessarily oppressed by these low-wage imports.

Mr. FULTON of Tennessee. Mr. Speaker, I wish to associate myself with the remarks of the distinguished chairman of our Committee on Ways and Means. As usual, he has placed the issue in its proper perspective. I would hope that the representatives of our Government and, in particular, the representatives of the Government of Japan will take note and act accordingly in their deliberations in the joint United States-Japan economic ministerial meeting tomorrow in Tokyo.

The statistics on imports of textiles and apparel into the United States, particularly in recent months, make crystal clear the growing threat hanging over the heads of the textile companies and their workers. The rates of increase in imports of textiles and apparel can no longer be ignored or explained away by appeals for consistency in trade policy or sound international relations. For what is at stake is the maintenance of a sound and viable textile economy and just as important, continuation of textile and apparel production and jobs in literally hundreds of small communities throughout the country.

I believe the chairman is right in that congressional patience is wearing thin with continued delay on the part of the executive branch in reaching agreement on wool and manmade fiber textiles and apparel. Congressional patience is even more sorely tested by the intransigence of the Japanese Government, its textile industry, and those in Europe who continue to oppose a reasonable solution to the textile problem.

There seems to be a lack of appreciation that individual Congressmen must be responsive to the threat posed by the rising tide of textile and apparel imports. In my district, I have one of the larger manufacturers of work clothes. Even under the International Cotton Textile Arrangement, imports have poised a larger and larger threat to the health of this operation. Should some reasonable degree of import control on apparel imports of manmade fiber not be reached, the economic contribution that this plant makes to the economy of the community is in grave danger.

I believe that the Japanese textile industry and the Japanese Government should have some appreciation for the importance of the broad U.S. market not only in textiles but in a growing number of manufactured goods. The continuation of the unwarranted increases in textile and apparel exports to the United States threaten not only their share of the domestic textile and apparel market but their export interest in the market for other manufactured goods as well.

I can only echo the chairman's hope that reasonable controls on the exports of wool and manmade fiber textiles and apparel can be achieved through international agreement at an early date in order that the hundreds of small textile firms and their workers in the small communities throughout the country may be assured that they will have an opportunity to compete on a fair basis.

Mr. KUYKENDALL. Mr. Speaker, I am glad to join with the distinguished chairman of the Ways and Means Committee and my colleagues who have expressed their deep concern over the textile import situation.

While we do not grow much cotton in the Ninth District of Tennessee, the textile industry is a vital bulwark to the economy of Memphis and the surrounding territory. Every segment of this key industry, from the cotton producer to the manufacturer of finished textiles has a stake in the import policies concerning textiles.

In order to protect the hundreds of thousands of people who earn their livelihood in some phase of textile production, we must demand a realistic approach to control of cheap foreign imports. American businesses, American workers and American farmers must be protected against unfair competition if they are to survive.

For these reasons I believe the concern of the chairman of the tax writing committee is fully justified and I support his efforts to find a workable solution to a very serious problem.

Mr. RUTH. Mr. Speaker, the matter being discussed by the gentleman from Arkansas is of great importance to the residents of the Eighth Congressional District of North Carolina. Millions of dollars have been invested in the textile industry and thousands of workers are dependent on this vast business for their livelihood. The industry has established an enviable record of accomplishment. It is my hope that those officials representing our Government will present the position which will protect our people. It is no secret that there is a real effort being made to shift textile production in some areas of the world to the cheap labor market.

There is an urgent need to maintain the high level of production in our country and to protect our workers and our industry from the competition of cheap labor. It is my hope that the standard of living can be raised in all nations without injury to our own.

Mr. KYROS. Mr. Speaker, I would like to commend Chairman MILLS for his attention to this very important problem of textile imports, and I would like to associate myself with his remarks.

More than 12,000 residents of Maine are directly employed in the textile industry, and many more persons feel that their livelihood is directly threatened by the alarming increase in textile imports from foreign nations. I am especially disturbed by the decline which is taking place in the funds spent in Maine for textile plant modernization and equipment; it is all too obvious that manufacturers are uneasy about the future of the textile industry at a time when foreign imports are increasing at such a rapid rate.

The Secretary of Commerce has correctly pointed out that our textile industry can accept existing levels of imports. This industry is, however, far too large to be realistically assisted by remedial measures which do not stabilize future imports at a reasonable level. I would like to pledge my support to all efforts which will bring some very much needed clarity and stability to the future of our textile industry, for the future is cloudy and bleak indeed without such action limiting foreign imports.

Mr. BROYHILL of North Carolina. Mr. Speaker, I am glad that the gentleman from Arkansas (Mr. MILLS) has taken this time to explain to the Members of the House some of the problems facing the American textile industry. Simply stated, if imports of foreign textile products continues unabated, America stands to lose thousands of jobs in the textile industry. These are American wage earners and taxpayers. Why should we in the Congress permit such a great industry, employing hundreds of thousands of people, to go down the drain?

I do not think this Congress will permit this to happen.

I am pleased with the efforts of the Nixon administration to solve this import problem through negotiations with foreign governments. Secretary of Commerce Maurice Stans has made extensive trips to other countries in an effort to arrive at a settlement. President Nixon has personally stated on his trips abroad that the American textile industry deserves some relief. It seems to me that the Congress of the United States can back up and support these efforts. I know that Representative MILLS and many others on both sides of the aisle stand ready to assist in any way. I commend these efforts.

Mr. RARICK. Mr. Speaker, the need for some fairly administered, reasonable control on textile imports has never been greater than it is today. The flood

of imports from low-wage countries is threatening to destroy the domestic textile industry and in destroying this industry will take with it the domestic cotton industry which in turn would free 16 million acres of productive farmland for planting into other crops which in turn would destroy their markets.

The cotton industry is not asking that the level of imports be rolled back to the level of the early 1950's when total textile imports were much less than they are today. In the same respect, the cotton industry cannot live with a level of imports which gives to foreign manufacturers practically all of the growth in the American textile market. However, such a situation now exists. Virtually all of the growth in the American textile market is supplied by foreign manufacturers. While mill consumption of cotton in the past 20 years has increased by about 1 million bales, the increase in cotton imports in manufactured form has also increased by about 1 million bales. The need to correct this situation is urgent. The most responsible solution seems to be a fairly administered, reasonable restraint on textile imports which would allow the foreign manufacturers a reasonable portion of the increase in domestic markets while reserving for domestic manufacturers the bulk of the home market's growth.

This proposal does not seem unreasonable; yet representatives of our Government sent abroad by President Nixon to discuss the intolerable trend in textile imports constantly have been rebuffed by foreign officials. The time has come for the Congress to act if a lack of cooperation in solving the textile import problem persists among our trading partners around the world.

If we do not act, the United States will become the textile dumping ground for cheap labor manufacturers from all over the world, causing untold damage to our domestic economy. Today's threat against U.S. textile goods is tomorrow's threat against every U.S. manufacturer.

GENERAL LEAVE

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that all Members may have 3 days in which to extend their remarks on the subject of this special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina.

There was no objection.

CLOSING OF PASSPORT OFFICES

The SPEAKER pro tempore (Mr. ALEXANDER). Under a previous order of the House the gentleman from Connecticut (Mr. WEICKER) is recognized for 48 minutes.

(Mr. WEICKER asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. WEICKER. Mr. Speaker, I address my comments this evening to what has become a national disgrace.

It was over 2 months ago that I was informed of the closing of the passport offices in the Fourth Congressional District of Connecticut which it is my honor to represent.

I confess to you that as a freshman Congressman, I thought the resolution of the problem would be relatively simple. Yet the past 2 or 3 months have led me down a trail and in fact into the Aegean stables of confusion, personal jealousies and the disregarding of the warnings of many years, both in the elected and appointive areas of Government.

It is my purpose today not only to give the background to this confusion but along with my colleague ROBERT GIAIMO from Connecticut to propose a bipartisan solution. The situation in Connecticut was not at all different from that which existed throughout the United States. In fact at the same time the passport offices in Connecticut were being closed, threatened closures or actual closures were taking place in Anchorage, Alaska; Bridgeport, Conn.; New Haven, Conn.; Jacksonville, Orlando, Tampa, and Sarasota, Fla.; Detroit, Mich.; Minneapolis-St. Paul, Minn.; Dallas, Fort Worth, and Houston, Tex.; and Tacoma, Wash.

Why all of a sudden should this problem blossom out and create a huge inconvenience to the American public? History is clear that the circumstances of our life as a nation have changed during the past 25 years. Specifically, as our society has become more affluent, people have wanted to travel more while at the same time the issuing of passports by the Federal courts and the State courts of this Nation, was becoming an intolerable burden to these branches of the Government because of their increased workload of judicial items.

Why the cosponsorship of this bill? Because it was not a partisan matter and the mess that has been created has been created by Republicans and Democrats alike. I am today, along with Congressman ROBERT N. GIAIMO, of Connecticut, introducing a bill that will alleviate the increasingly difficult and at times even embarrassing and disgraceful situation which has developed to obtain a U.S. passport.

I am particularly mindful of the situation which exists in my own district of the State of Connecticut and I am also mindful that the same situation pertains throughout many other areas of the country. In many areas of the country our citizens cannot obtain a U.S. passport or even execute an application for a U.S. passport without great inconvenience.

Just in the last several weeks we have seen pictures of the lines formed at the Passport Office in the city of New York—but, after all, I suppose it is better to stand in line than not be able to obtain a passport at all. Yet for all practical intents and purposes such was the case for some 2.5 million citizens. In the State of Connecticut several months ago, because of the fact that the Bridgeport office had been closed and also the office in New Haven had been closed, it was necessary to make a 2-month appointment in order to get a passport in Hartford. Also the White Plains Passport Office which is adjoining my State was closed to Connecticut residents.

So, despite the warnings from the Passport Office during the last several years—in fact for the last 10 years—we had arrived at a situation where a very basic right was in practice denied to citizens of this country.

The Passport Office has 10 passport agencies, in addition to its Washington office, located in strategic cities throughout the country. However, in most areas of the country it is dependent to a large extent upon clerks of Federal and State courts to accept passport applications and to forward them to these agencies.

Recently some of these courts in various part of the country have refused to continue to accept applications pleading their own ever-increasing workload as a result of widespread crime and the lack of sufficient funds to hire additional clerks needed to perform this function. After all, the function was initially assigned to these courts only as a temporary measure and as one which inexpensively served the purposes of 25 years ago but is hardly adequate to meet the needs of today. The Passport Office of the State Department has little or no control over the clerks of Federal or State courts who accept passport applications. Judges of these courts decide whether they shall or shall not provide passport service to their areas, and there is nothing the Passport Office can do about it. This is exactly what happened in my own State of Connecticut and throughout the United States.

In other words, the system of using clerks of courts in many areas of the country to accept passport applications for the Passport Office is cracking under the strain of increased workload.

Last year Congress denied the request of the courts to provide 183 deputy clerks and we are now reaping the reward for such shortsightedness.

As presently constituted, the Passport Office is not authorized to take any constructive action to solve this national problem. Its existing 10 agencies and its Washington Office are buried under the avalanche of citizens who want passports to travel abroad.

I need only refer you to the recently well publicized "disgrace" of the New York passport agency. With its present inadequate complement of personnel and physical facilities, it is simply unable to meet the demands of the public. The same situation to some degree exists in almost every one of the nine other agencies. It has been necessary for these agencies to forward hundreds of applications to the already overburdened Washington Office for issuance. That Office, as well as the agencies, has already expended large amounts of money in overtime in an effort to cope with this problem. In the past fiscal year, over $89,000 has been spent in overtime pay for passport employees. But there is a limit to the amount of funds that can be spent in this manner and, even more critical, a limit to the physical endurance of the employees of the Passport Office and its agencies.

This situation is not new, nor is it unknown to the Department of State. This

crisis has increased year after year. The Director of the Passport Office has clearly and consistently warned her superiors in the Department of the growing travel explosion and of the need for more flexible measures to meet the challenge. Her warnings have fallen on deaf ears. Year after year the Passport Office has faced arbitrary cuts from its budget request, which is based on a very measurable product; namely, overseas travel by U.S. citizens. Consider the fact that there has been almost 13-percent increase in general travel of U.S. citizens in the past 5 years and a 6.2 percent in official and diplomatic travel.

Mr. Speaker, it is a fact that the Passport Office is one of those extremely rare Federal agencies who return a profit or revenue to the U.S. Treasury every year. In the last 5 years the Passport Office has returned over $33 million to the Treasury.

Last year it operated on a budget of $5 million. It brought in $13½ million and that is a profit of $8.5 million that was paid for by the taxpayers to the United States and returned to the Treasury of the United States.

Paid for what? Increased convenience? No. Increased personnel? Increased localities where to obtain a passport? No—not 1 cent that was paid for by the taxpayers has come back to him in any form whatsoever except longer lines and longer delays.

It is estimated that the Passport Office will return in excess of $20 million in the next 2 years. Why is it then that the Passport Office is refused the authority to open additional self-support field agencies? Why is the Passport Office denied additional personnel? Why, indeed, is this small, efficient, and popular public service cut in budget and cut in personnel instead of being supported and expanded?

There is a simple solution to this problem, Mr. Speaker, if we are willing to take the steps necessary to implement it—and not the kind of steps which have been advocated year upon year since the warnings were issued 10 years ago. It is not only a question of that shift of responsibility from the Department of State to the judicial branch of our Government, but rather of seeing to it that the particular Government agency originally charged with the responsibility of issuing passports to U.S. citizens be given the tools to see that the job is done correctly—and that is the Passport Office of the U.S. Department of State.

Even as I speak, go to any city where there is a passport problem and find out how it is being resolved.

Is it being handled with Passport Office personnel as requested by the gentleman from Connecticut?

Are temporary personnel of the Passport Office being assigned to handle it? Oh, no, it is the clerk of the Federal court or a clerk of the State court or foreign service officers in Houston, Tex., who are performing the function of a passport officer at considerably more cost on the basis of individual salary and turning out one-half of the number of applications of a Passport Office employee.

I propose that Congress establish a revolving fund in the Passport Office so that some of the revenue which it returns to the Treasury every year can be used to provide needed services to the public. This will eliminate the constant fiscal emergencies that confront the Passport Office year after year. This revolving fund does not provide the Passport Office with unlimited funds and they will be strictly accountable for every expenditure, but it will provide that office with the flexibility which it requires to solve the problems of today and to meet the challenges of the future.

I propose that the Passport Office be authorized to establish Passport Agencies or Passport Service Agencies out of these funds whenever and wherever the needs of the public justify it.

I propose that the Passport Office be authorized to establish passport agencies, passport service agencies, out of these funds referred to whenever the needs of the public justify it.

I propose further that in certain instances the clerks of the Federal courts designated to accept passport applications be required by law to accept these applications. It will then be necessary for the courts to provide in their budget for sufficient clerks to perform this function in those areas where there is not sufficient population to establish a need for a Passport Office.

There are indeed very few Members of the Congress who are not aware of the effectiveness of the Passport Office.

These three proposals, which I believe will solve the present passport dilemma and provide a needed service to the American people, I have incorporated in the bill which Congressman GIAIMO and I have introduced today. The American public is paying for those services with their taxes and their passport fees. They are entitled to receive the most efficient and convenient service possible.

In conclusion, Mr. Speaker, it is clear to those that are much more senior in the Congress than I, and who know the difficulties and the problems that have existed between this branch of the Government and the Department of State, and those conflicts that have been within the Department of State itself, that the solutions to the passport problems which have been devised over the past several years have been geared to individuals in Washington rather than the facts of a national problem. That is what this legislation attempts to cure, and I have a feeling that this is what the American traveler expects of the American politician.

Mr. GIAIMO. Mr. Speaker, will the gentleman yield?

Mr. WEICKER. I yield to my colleague from Connecticut.

Mr. GIAIMO. I thank the gentleman and I want to commend him for the effort and the concern which he has demonstrated in this area. I am happy to have joined with him today in introducing legislation designed to set up passport agencies and to provide passport service officers in those areas where there is a demonstrated need for service.

More and more Americans are traveling abroad each year, and therefore, requests for passports have increased astronomically. In our own State of Connecticut, it is estimated that upwards of 40,000 passport requests will be made this year. Yet we find that we are still operating in a horse-and-buggy era, insofar as the granting and processing of passport applications are concerned. In two of our major cities in Connecticut, for example, the gentleman's city of Bridgeport and my city of New Haven, the courts discontinued processing passport applications this past spring. Service was resumed only recently through emergency authorization of temporary help to process the passport applications.

It is obvious that the method which worked in the past—namely, having the district courts process these applications and send them to the nearest passport office, is not working today with this tremendous increase in the number of passports sought by the American people.

Also there have been added burdens placed on the clerk's offices of the U.S. district courts—the new jury system; much of the civil rights legislation; and the fact that people in our States are using the Federal courts today more than they did in the past. All of these have put additional pressure on an already overburdened court clerk's office. In addition, the tremendous increase in passport applications has meant delays and otherwise inadequate service. When we consider, then, that even this inadequate service was terminated in a State such as Connecticut and in other parts of the country, we recognize that we cannot make do with temporary solutions. We must find a permanent solution.

What would be a more logical solution than to expand the facilities and the operations of the Passport Office, which at the present time is limited to 10 offices nationwide? What would be more logical than to provide passport office facilities in the large metropolitan areas where they are needed—particularly since passport service is a function of the Government which, as the gentleman has pointed out, pays for itself? It operates on a yearly budget of approximately $5 million and turns back to the Treasury approximately $13.5 million to $14 million a year.

It seems to me that we must find a permanent solution to this problem rather than continuing the temporary route of using the U.S. district court offices for passport service in many of the large cities of the country. The legislation which we have designed and introduced today can solve this passport crisis which, I contend, must be done without further delay.

One has only to read news articles of the last several months in New York City, Detroit, Chicago, Connecticut, and in other parts of the United States to realize the long delays with which people are confronted whenever they attempt to obtain a passport. I think this situation is intolerable. I do not believe it is something which the American people are willing to tolerate, nor in fact is it something which they should have to tolerate any longer. The time is long past due when we must take proper, positive steps to resolve this problem which has grown

worse each year and which has reached crisis proportions this year.

At this point I wish to insert in the RECORD various newspaper accounts attesting to the interminable delays which confront passport applicants in many of our Nation's cities.

[From the Boston Globe, July 7, 1969]

VISIT TO PASSPORT OFFICE HECTIC JOURNEY ITSELF

(By Ann Dilworth)

The jangled nerves have calmed somewhat and the lines have gotten shorter.

The June flood of applicants at the Boston passport office has subsided to a steady stream in July.

"In less than 21 working days, our office processed 27,000 applications for passports," said John J. Flynn, passport agent.

"That is a 38 percent increase over last year and represents the largest business in the history of the Boston passport office," he said.

Passport applications all over the country have increased by 35 percent according to the New York Times.

Flynn attributes this rush to the greater affluence of Americans, and to the increased speed and decreased expense of travel abroad now.

"It's cheaper to travel to Europe than to Miami," said Flynn.

Twenty-seven people are on duty, some working overtime, to process applications at the four-desk office in Government Center. Boston handles all applications from Massachusetts and upstate New York.

The busiest time is lunch hour, when applicants rush from their work to grab a passport. Only, it wasn't that easy in June.

Some people waited 90 minutes only to find that they didn't have the right kind of pictures or a proper birth certificate.

Although the lines have gotten shorter in July, the same problems persist.

Take John Stevenson of Malden for instance. He was docked for time away from his job while trying to get a passport. Stevenson stood in line for what seemed a long time.

"You do not have a properly certified and dated birth certificate with the seal of this state imprinted on it," said the monotoned voice of the desk agent, who obviously had said the same sentence at least 400 times.

"But this says where and when I was born," said Stevenson.

"This is a photostatic copy, we can only accept the original birth certificate," said the expressionless voice. "You can get such a document at the state office building, room 272 . . ."

"Where is that place? Listen, I don't have time for all this," said Stevenson.

"Sir we have certain rules that must be followed to insure the safety of our country and of our citizens abroad. The original birth certificate is just such a regulation." The picture of the U.S. Capitol Building and the American and Massachusetts flags loomed in back of the agent to emphasize his point.

Stevenson sighed, "I'm not so sure I want to go to Europe."

Birth certificates seem to be the major problem, but passport pictures are another worry.

"Many people come here with vending machine pictures and expect to use them," said one of the agents. "These pictures fade after awhile and sometimes they melt at high temperatures."

Officials of the State Department's Passport Agency contend that insufficient Congressional appropriations were a basic cause of the "crisis" situation, the New York Times reported.

The agency officials attributed the situation to an inadequate number of passport offices across the country, as well as insufficient personnel and equipment, at a time of sharp rise in applications, the Times said.

"We just simply had an over-load on all our people and machines," Flynn said. "We processed these applications as fast as possible, and none took over two weeks. But we breathed a real sigh when July came," he said.

The lines at the passport office now are "only" three or four at the busiest times, Flynn said.

[From the Chicago Tribune, July 6, 1969]

PASSPORT APPLICATIONS INCREASING IN CHICAGO

(By Rudolph Unger)

Americans are going overseas in record numbers this vacation season and the trips are being led by midwesterners, the Chicago passport office reported yesterday.

"There has been an unprecedented flow of passport applications this spring and summer season," Elmo G. Poole, head of the Chicago office, said.

INCREASE ACROSS UNITED STATES

"In May, the latest month for which complete figures are available, applications across the nation increased 24.8 per cent over May, 1968, which was up from 204,311 to 247,792," Poole said. "And in the vanguard was Chicago, with a 37.5 per cent boost, from 22,471 to 30,891."

Increases in the nation's nine other regional passport offices ranged from Miami's 31.8 per cent to 15.3 per cent in Philadelphia.

And there was no let up in Chicago in June, Poole stated. Preliminary figures show a 36 per cent increase in the demand for passports here, up from 18,738 to 25,487.

STAFF WORKING OVERTIME

Poole reported that his 44-man staff has been working overtime and seven days a week in inadequate quarters with outdated machinery in an effort to keep up with the passport demand. Also, some of the applications have been sent to the Washington office for processing to meet the large number of requests, Poole said.

Waiting time for obtaining the passports has been running from three to four weeks in the rush season, compared to two weeks or less in the off season, he said. Emergency passports, however, can be handled in half a day, Poole said.

"In the week ending June 4 [the office's week runs from Wednesday to Wednesday], applications were up 70 per cent over a year ago," Poole said. "In the week ending June 11, they were up 75.5 per cent.

JUNE 9 BIGGEST DAY

"We have been averaging 1,250 total applications a day this rush season, with 300 to 400 applying in person and the remainder by mail.

"But June 9 was our biggest day on record. I have never seen anything like it. Some 1,500 appeared in person seeking application and scores had to be turned away when we locked the doors at 5 p.m."

Poole said the jam would have been even worse if Congress had not amended the law last August, making each passport good for five years. Heretofore, passports had to be renewed after three years.

COVERS SIX STATES

The Chicago office covers six states and part of a seventh. They are:

Illinois, Indiana, Missouri, Iowa, Minnesota, Wisconsin, and northern Michigan.

Robert D. Johnson, chief deputy to Miss Frances G. Knight, director of the passport office, which is an agency of the state department, told THE TRIBUNE that the office is badly in need of increased appropriations.

OPERATING IN BLACK

"The passport agency is one of the few government agencies operating in the black," Johnson said. "Last year, we turned over 18 million dollars to the treasury.

Johnson said the office expects to issue 2 million passports this year, compared to 540,000 in 1954.

[From the Washington Daily News, July 7, 1969]

PASSPORT OFFICES ARE SWAMPED

(By Richard H. Boyce)

The passport office and its 10 branches across the nation are swamped with a record backup of passport applications from affluent Americans who want to travel abroad this summer.

In some cities people have to stand in line up to two hours to make application for a passport, and the flood of requests has stretched the time it takes to get the needed overseas travel document from a few days to as much as two months in some places.

In May, 247,792 passports were issued, up 21 per cent from the 204,311 issued in May, 1968. But the number of passports issued in May ran 18,294 behind the number of applications received.

APPLICATIONS UP

Nationwide, passport applications in May were up 25 per cent over the previous May.

Passport employes handle up to 12,000 applications a day, an all-time high, according to Frances G. Knight, passport office director.

"Plenty of money and low-cost package tours abroad," are two big reasons for the boom, she said.

But two other factors aggravate the problem:

The State Department has not provided additional personnel to process passports, despite repeated warnings by Miss Knight the crisis was coming.

Thirteen courthouses in seven states recently have stopped processing passport applications, adding to a growing list of courts that have halted this service in the past six years.

Besides its Washington operation, the passport office has branches in New York, Chicago, Los Angeles, Boston, Philadelphia, San Francisco, New Orleans, Miami, Seattle, and Honolulu.

Persons living elsewhere can present their applications—this must be done in person, not by mail—to the clerk of the nearest state or Federal court, for forwarding to the passport branches. There are about 3,500 such courts in the United States.

STAND IN LINE

In the past few months, however, state courts in Sarasota, Fla., and Bridgeport, Conn., and Federal courts in New Haven, Conn.; Anchorage, Alaska; Jacksonville, Orlando and Tampa, Fla.; Tacoma, Wash.; Detroit, Minneapolis-St. Paul, Dallas, Fort Worth and Houston have stopped handling passports.

[From the New York Times, June 26, 1969]

LONG LINES JAM PASSPORT OFFICE HERE

(By Joseph P. Fried)

Thousands of New Yorkers applying for passports for summer travel are waiting in long lines that often move with agonizing slowness.

Officials of the State Department's Passport Agency said yesterday that the delays were part of a national situation that they considered a "disgrace."

An official of the agency contended that insufficient Congressional appropriations were a basic cause of a situation that the agency fears will assume "crisis proportions."

The agency officials attributed the situation to an inadequate number of passport offices across the country, as well as insufficient personnel and equipment, at a time of sharply rising applications for passports.

"My experience is that a situation like this has to reach crisis proportions before it gets better," a high official of the Passport Agency, who preferred not to be identified, said yesterday in Washington. "It's a national situation, but New York is getting the brunt of it," the official said.

For example, a Federal Court clerk who handles the passport applications in Detroit reported yesterday that the flow of applications was proving too much for his staff. The situation was described as serious in Texas also.

For residents of New York City and the surrounding area, the situation means the kind of experience that George Woshakiwsky and Mario Daddario had yesterday.

Mr. Woshakiwsky, a 22-year-old student who plans to go to Italy next month, walked into the New York office of the Passport Agency at 630 Fifth Avenue, between 50th and 51st Streets, at 12:30 P.M. yesterday.

With the application form filled out and the two required photographs in hand, he joined a long line at "Station 14" in the large office, whose blue and yellow walls surrounded a dozen such lines.

At 1:45, Mr. Woshakiwsky finally reached the head of the 15-foot-long line—having thus traveled a dozen feet an hour to apply for a passport that will permit him to travel to Rome at more than 600 miles an hour.

Mr. Daddario, an automobile dealer from Bridgeport, Conn., went to the New York passport office because, he said, the passport situation in Connecticut had deteriorated so badly that he might have had to wait more than two months for a passport if he had applied for one in Hartford. He and his wife plan to go to Germany July 12.

"Oh, my God," Mr. Daddario said as he reached the corridor outside the Passport Agency office here and saw the long lines through the glass doors.

Mr. Woshakiwsky's wait was typical of those currently being experienced by applicants who show up at the New York passport office in late morning and early afternoon, the only time available to many applicants—who often have to use their lunch-hour breaks—to take care of passport formalities.

The average wait on the application lines during those periods of the day is an hour and a half, Joseph R. Callahan, agent in charge of the New York office, said.

He noted that June was always a busy month in his office because of the large number of passport applications by persons planning summer-vacation trips abroad. But this June is shaping up as the busiest for his office, he said, and Passport Agency officials in Washington said that the same situation prevailed nationwide.

Peering at the statistics before him, Mr. Callahan noted that, from Thursday, June 5, through Wednesday, June 11— a "reporting week" in the Passport Agency—his New York office had received 13,592 passport applications. This, he said, was a 40 per cent increase over the corresponding reporting week last year.

In Washington, officials reported that, nationwide, there were 35 per cent more passport applications during the first 18 days of this June that there were during the corresponding period of June last year.

These statistics do not include passport renewals by mail. An applicant who has not had a passport before, or whose previous one was issued more than eight years ago, must apply in person. Passports are good for five years under current law.

In addition to the main office in Washington and the office here, there are Passport Agency offices in Philadelphia, Boston, Chicago, Miami, New Orleans, Los Angeles, San Francisco, Seattle and Honolulu.

Residents of other places must either go to the nearest office or apply for a passport in person at Federal or state courts, which forward the applications to the Passport Agency.

This is the arrangement that has broken down in Connecticut and is deteriorating in several other places.

According to Representative Lowell P. Weicker Jr., Republican of Connecticut, the State Superior Court in Bridgeport stopped handling passport applications about two months ago. He said the reason given was that the clerk who had handled passport applications had died and there was nobody to take his place.

Then, the Representative said yesterday, the Federal District Court in New Haven stopped taking applications "because they said the courthouse was being remodeled."

The Hartford Federal District Court then said that it had such a backlog that passport applicants would have to apply two months in advance, Mr. Weicker said. This, he added, was followed by a decision by the New York State Supreme Court in White Plains not to handle applicants from Connecticut residents because the New York court had enough work dealing with applicants from residents of its own state.

Hence Mr. Daddario's trip yesterday to New York City.

However, Mr. Weicker reported, some relief is in sight for Connecticut passport applicants. Partly as a result of his efforts, he said, two staff people from the office of the Federal Court Administrator in Washington will go to Connecticut, "probably next week," to accept passport applications.

In Detroit yesterday, Frederick W. Johnson, clerk of the Federal Court in the Eastern District of Michigan, reported that passport applications in his court were steadily rising and that his staff was having increasing difficulty in handling them.

He said his court wanted to stop handling the applications and had so advised the State Department.

A Passport Agency official asserted yesterday that more offices staffed by the agency itself were vitally needed and that overloaded courts could not cope with the passport applications by the rising number of Americans traveling abroad.

Mr. Callahan, the New York office head, urged those planning trips abroad in August or September to put off applying for passports until about a month before their scheduled departure. He said this would allow sufficient time for receiving the passports.

[From the Washington Post, July 17, 1969]

PASSPORT UNIT SNOWED UNDER BY BOOM IN FOREIGN TRAVEL

(By Marquis Childs)

Now it's a travel explosion. As though not a word had ever been spoken about seeing America first, the perils of the dollar balance and the gold outflow, Americans in unprecedented numbers are rushing off to foreign shores.

The fly-now, pay-later plan is said to account for a large part of the travel boom. The low rate on chartered flights is another reason. Clubs, often improvised for the purpose, sign up for a charter at a cost to members far below that of regular airline fares.

Travel bargains are attracting those who never before ventured out of the United States. An example is a 22-day escorted tour of six countries (if it's Tuesday, this is Belgium) for $495, which includes round-trip fare, meals and hotel. At that rate, the bargain hunter argues, you can hardly afford to stay home.

An unhappy consequence of the travel boom is a virtual breakdown, or at any rate a frustrating slowdown, in the issuance of passports. Long lines of irate citizens at every passport center, and particularly in New York, reflect the clogged passport machinery. The most irate citizen is Director Frances G. Knight of the State Department's Passport Office. The tart-tongued Miss Knight has run an efficient shop. She was caught in the travel deluge without the essential extra personnel through no fault of hers, according to her staff.

What happened is an example of the penny-wise, dollar-foolish economy policies prevailing in other departments as well as State. Miss Knight has asked State's budget makers for funds for the fiscal year just ended to hire an additional 22 persons on a permanent basis. For the current fiscal year she asked for another 24. A total of 64 is considered the minimum to handle the ever-rising demand.

Nothing quite like the present travel boom had been anticipated. Total applicants for passports in June were 36 per cent above June a year ago. The daily average is close to 12,000, running 30 per cent above 1968. The staff of the Passport Office is on a 10-to-12 hour-a-day schedule which includes Saturdays. Especially galling to Miss Knight is that the passport operation more than pays its way. The operating budget is $5 million, while the office takes in more than $15 million in fees.

The travel boom is expected to slacken as the rush of summer trippers subsides. The plight of the passport office is evidence of the urgent need for an overhaul of the system. Aside from the passport offices in 10 cities, reliance has been on Federal or state courts. With clogged court calendars there is increasing reluctance to perform this function. Passport applicants complain of delays of two months or more.

The passport tangle is only one comparatively small example of how the narrow frame of Government has been inadequate to encompass the swiftly expanding economy or the rise in the number of educated people bent on foreign travel. Both high-school and college students are on the move as never before.

The expansion has been sparked by a credit explosion. Ever-new credit devices have sent the debt total of private individuals soaring to unprecedented levels. How much fly-now, pay-later has contributed, it is too early to say, since this powerful appeal through every advertising medium is fairly recent.

The total of installment credit as of May 31 for autos, home appliances, television sets and the whole range of buy-now-and-pay-by-the-month goods was an almost incredible $91.8 billion. This represented a jump of $9.5 billion in the previous 12 months. An added $2.3 billion was outstanding in credit-card and check-credit plans. These figures do not include real estate and insurance loans.

The outflow of tourist dollars is an important factor in the balance of payments problem. Various cures were considered under the Johnson Administration, including taxes on airline tickets and a limit imposed on the amount the tourist could spend. The travel industry was powerful enough to fend off these remedies and now the Nixon Administration is faced with the same situation enhanced by the travel boom.

An effort has been made with limited success to offset the outflow by persuading foreign visitors to come to America. For the first five months of this year 557,948 foreigners bent on either business or pleasure came to the United States, an increase of 17 per cent over the same period in 1968. It did not include nearly 11 million visits of over 72 hours by Canadians and a half million Mexican visitors. Measured against the horde of Americans leaving by every available plane and ship, the offset is small.

A far more serious side of the narrow frame of Government is the airport and airways squeeze. At principal airports the overcrowding is intolerable and the air controllers repeatedly testify to the hazards

of hundreds of near misses in the corridors where traffic is heaviest. This is without the jumbo jets to come into service in the fall. The White House has proposed a long-range plan calling for quick expansion and the taxes to pay for it. Delay will imperil life and limb as well as a major industry.

Mr. GIAIMO. Mr. Speaker, I commend once again the gentleman from Connecticut for trying to resolve this problem and I thank him again for taking this time today to thoroughly explain this serious situation.

Mr. WEICKER. Mr. Speaker, I thank the gentleman from Connecticut (Mr. GIAIMO) a member of the Appropriations Committee, whose service in this Congress has been considerably longer than mine, for assisting in the drafting of this bill and for joining in this matter that really concerns people and which has nothing to do with party.

COMPREHENSIVE NARCOTIC ADDICTION AND DRUG ABUSE AND CONTROL ACT OF 1969

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. WILSON), is recognized for 10 minutes.

Mr. CHARLES H. WILSON. Mr. Speaker, today it is my pleasure to introduce, along with 22 concerned cosponsors, a bill that for the first time provides for a comprehensive and coordinated attack on the narcotic addiction and drug abuse problem. Because this bill not only addresses itself to the law and order aspects of the dilemma but also attempts to bring about greater understanding of the root causes underlying the fantastic spread of narcotic and other drug use in our country, I feel that it represents the most sensitive and realistic approach to the problem to date. Senator YARBOROUGH, sponsor of this proposed legislation in the other body, reports that he has been joined by 15 other Senators in a bipartisan effort to insure its promulgation this session of the Congress. We, both Members of the House and the Senate, are all attempting to approach this area with the sensitivity and understanding as well as the determination and strength needed to successfully resolve the problem.

Narcotic addiction and drug abuses are reaching epidemic proportions. No segment of the population is secure from the intrusion of these means to self-destruction and moral decay. The problem which was once fairly limited to slum ghettos can now be found as easily in suburban high schools and on the college campus. Perhaps the inability of middle-class Americans to identify the problem as being of relevance to their lives has brought about the situation with which we are now faced.

Perhaps had we all acted like our "brother's keeper" many of the tragic situations facing our land today would not have come into existence. In any event, the problem has been brought home for all to see and the consensus of public opinion has finally coalesced, demanding solutions now.

The proposed legislation that we introduce today calls for increased Federal funding for the construction, staffing, and operation of treatment facilities, the establishment of professional training and evaluation programs, the authorization for research and studies relating to drug use and addiction, the institution of drug abuse education activities, the dissemination of related instructive materials, and, the increased control of various dangerous substances.

In the facilities construction area, the Community Mental Health Centers Act would be amended to allow eligibility for Federal funding of operation and maintenance costs as well as construction and staffing expenses. It shall increase the allowable Federal participation in funding the costs of construction of treatment and rehabilitation facilities from 66⅔ to 90 percent, and in the costs of operation, staffing, and maintenance of these facilities to 90 percent for the first 2 years and then 75 percent for the next 6 years. In addition, authorization for future funding appropriations would be granted by the promulgation of this proffered legislation through the fiscal year ending June 30, 1974, as well as providing discretionary continuation grants covering fiscal year 1971 and each of the next 11 fiscal years.

In the area of professional training and education, provision has been made for development of specialized training programs and materials for the prevention and treatment of drug abuse and for the training of personnel to administer such programs and services. Research and study relating to current and projected personnel needs in the field of drug abuse as well as planning and conduct of surveys and field trials to evaluate the adequacy of State drug programs will be undertaken. Fellowships and grants for individual studies will be made available under the supervision of the Secretary of Health, Education, and Welfare with the approval of the National Advisory Mental Health Council. Grants will also be made available to the States and political subdivisions, as well as to public and nonprofit private agencies for the collection, preparation, and dissemination of educational materials and for the development and evaluation of programs of drug abuse education directed to the general public, school-age children and other high-risk groups. Dissemination of information shall be channeled through the Secretary acting in coordination with the National Institutes of Health.

In addition, the Public Health Services Act would be amended to authorize studies of depressant and stimulant drugs as well as studies of narcotics. A broad program of research into all phases of drug use with needed investigations and surveys will be begun along with construction of a National Addiction and Drug Abuse Research Center to be part of the National Institute of Mental Health.

Knowledge in this area will increase by geometric leaps and bounds and the root causes of the problem will be fully revealed for elimination by a now aroused citizenry. Drug abuse and narcotic addiction are national problems of such magnitude and seriousness as to call for the marshaling of Federal resources to meet the challenges that the use of these substances poses to our society. This challenge shall and will be met. The stakes are too high and the inability to surmount the difficulties in this area would portend serious consequences for our society, consequences that are more horrible since they first would be manifested by the deterioration and destruction of the physical and mental well-being of this Nation's youth. Rapid enactment of the Comprehensive Narcotic Addiction and Drug Abuse Care and Control Act of 1969 is a vitally needed step in the right direction.

Joining me in cosponsoring this bill are the following Members of Congress:

Mr. ADDABBO of New York.
Mr. ANDERSON of California.
Mr. BROWN of California.
Mr. BYRNE of Pennsylvania.
Mr. DONOHUE of Massachusetts.
Mr. EDWARDS of California.
Mr. FRIEDEL of Maryland.
Mr. GIAIMO of Connecticut.
Mr. HAWKINS of California.
Mr. JOHNSON of California.
Mr. LEGGETT of California.
Mr. MIKVA of Illinois.
Mr. MOORHEAD of Pennsylvania.
Mr. NIX of Pennsylvania.
Mr. PATTEN of New Jersey.
Mr. POWELL of New York.
Mr. REES of California.
Mr. ROSENTHAL of New York.
Mr. THOMPSON of New Jersey.
Mr. VIGORITO of Pennsylvania.
Mr. WHALEN of Ohio.
Mr. WRIGHT of Texas.

I now submit the full text of the Comprehensive Narcotic Addiction and Drug Abuse Care and Control Act of 1969 for my colleagues' information. In addition, I am including the text of my letter published in the Saturday, July 26, 1969, edition of the Washington Post in answer to their editorial of July 18 which asked: "Is it not time, in short, for a fresh approach to drug addiction—an approach designed not so much to vent anger as to offer help?" The bill that I introduce today offers such help. It also offers hope.

NARCOTICS BILL OFFERS DIFFERENT APPROACH

I have just finished your editorial of July 18 entitled "A Fresh Approach to Narcotics." At the end of your statement, you ask: "Is it not time, in short, for a fresh approach to drug addiction—an approach designed not so much to vent anger as to offer help?"

It is my opinion that such an approach has been found. On the day that Mr. Nixon delivered his message to Congress, Senator Yarborough introduced a bill which would provide for a comprehensive and coordinated attack on the narcotic addiction and drug abuse problem. It was my pleasure to introduce an identical bill in the House of Representatives the following day.

A reading of the bills so introduced will show significant differences from Administration proposals in specific recommendations, as well as in conveying a totally different tenor due to the utilization of another approach to the problem.

For example, marijuana, under the Yarborough-Wilson bills, will be removed from coverage under the Internal Revenue Code and added to the definitions of depressant or stimulant drugs in the Food, Drug and Cosmetic Act, thereby making it subject to the controls imposed on such substances rather than those provided for hard narcotic drugs in the Internal Revenue Code.

In addition, authority is transferred from the Attorney General back to the Secretary of Health, Education and Welfare to make findings that a substance is or is not an opiate, and to determine medical, scientific and other legitimate needs of the United States for the purpose of establishing export or import quotas in this area.

Furthermore, provision is made for increased Federal funding by amending Section 251 of the Community Mental Health Centers Act to cover costs of operations and maintenance of treatment facilities and coverage is extended to meet staffing expenses. The bill authorizes the appropriation of $200 million for the construction of treatment facilities and for the above mentioned operational needs for the period ending July 30, 1974.

Grants would also be provided for the development of specialized training programs and materials for the prevention and treatment of drug abuse and for the training of personnel to administer such programs and services. Funds will be made available for the collection and dissemination of educational materials, the conduct of public educational programs, the provision of technical assistance to state and local health and educational agencies and for the development and conduct of workshops and other institutions.

Further grants would be authorized to conduct broad research programs into all phases of drug use and abuse, to investigate and study improved diagnostic and treatment techniques, to develop and improve methods of operation and administration for appropriate state institutions, to conduct surveys to evaluate adequacy of treatment and prevention programs, and to support construction, staffing, operation and maintenance of regional centers for research.

In addition, the bill specifies that one of these research centers be established as a National Addiction and Drug Abuse Research Center to be located in close proximity to the National Institute of Mental Health central research facilities.

Other provisions which likewise treat the problem as a cancerous disease that has spread throughout our land are included. The root causes of narcotic and other drug abuses must be found and eliminated. Enactment of the legislation that I have introduced in the House will go a long way toward accomplishing this purpose. In other words, this legislation does not vent anger; rather, it offers help.

CHARLES H. WILSON,
U.S. Congressman.

WASHINGTON.

(ORIGINALLY H.R. 12882)

A bill to provide for a comprehensive and coordinated attack on the narcotic addiction and drug abuse problem, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Comprehensive Narcotic Addiction and Drug Abuse Care and Control Act of 1969".

DECLARATION OF FINDINGS AND PURPOSES

SEC. 2. (a) The Congress finds that—

(1) Narcotic addiction and drug abuse are major health and social problems afflicting a significant proportion of the public, and much more needs to be done by public and private agencies to develop effective prevention and control.

(2) Narcotic addiction and drug abuse treatment and control programs should whenever possible: (A) be community based, (B) provide a comprehensive range of services, including emergency treatment, under proper medical auspices on a coordinated basis, and (C) be integrated with and involve the active participation of a wide range of public and non-governmental agencies.

(3) There is an urgent need to educate young people and the public in general on the abuse of drugs and that insufficient manpower currently are available to undertake such educational programs.

(4) There is a serious shortage of professional and other personnel trained to work more effectively in relation to the prevention and treatment of narcotic addiction and drug abuse.

(5) Current knowledge regarding the causes, prevention, and treatment of narcotic addiction and drug abuse are inadequate.

(b) In order to preserve and protect the health and welfare of the American people in meeting these needs, it is the purpose of this Act to authorize the Secretary of Health, Education, and Welfare to establish a program of grants and contracts for the construction, staffing, operation, and maintenance of facilities for the prevention and treatment of narcotic addiction and drug abuse, for the development of narcotic addiction and drug abuse education programs, for the training of professional and other personnel, for the conduct of appropriate study, research, and experimentation, and for the creation of appropriate demonstration projects relating to narcotic addiction and drug abuse.

TITLE I—CONSTRUCTION, STAFFING, AND OPERATION OF TREATMENT FACILITIES

SEC. 101. (a) Section 251(a) of the Community Mental Health Centers Act is amended by striking out "of compensation of professional and technical personnel for the initial operation" and inserting in lieu thereof "of operation, staffing, and maintenance."

(b) Section 251(b) of the Community Mental Health Centers Act is amended by striking out "in excess of 66⅔ per centum" and inserting in lieu thereof "in excess of 90 per centum."

(c) Section 251 (c) of the Community Mental Health Centers Act is deleted and the following is inserted in lieu thereof:

"(c) Grants under subsection (a) for the costs of operation, staffing, and maintenance of a facility may be made only for the first eight years that such facility is in operation and the amount of any such grant shall not exceed 90 per centum of such costs for the first two years of the grant and 75 per centum of such costs for each of the next six years."

(d) Section 261(a) of the Community Mental Health Centers Act is amended to read as follows:

"(a) There are authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1970; $20,000,000 for the fiscal year ending June 30, 1971; $40,000,000 for the fiscal year ending June 3, 1972, $50,000,000 for the fiscal year ending June 30, 1973; and $75,000,000 for the fiscal year ending June 30, 1974; for construction, operating, staffing and maintenance grants under parts C or D. Sums so appropriated for any fiscal year shall remain available for obligation until the close of the next fiscal year."

(e) Section 261(b) of the Community Mental Health Centers Act is amended to read as follows:

"(b) There are also authorized to be appropriated for the fiscal year ending June 30, 1971, and each of the next eleven fiscal years such sums as may be necessary to continue to make grants for staffing with respect to any project under part C or D for which a staffing, operation, and maintenance grant was made from appropriations under subsection (a) of this section for the fiscal years ending June 30, 1970, through 1975.

"(c) For purposes of parts C and D, the term 'staffing' means salaries, fringe benefits, and travel allowances for professional, technical, and support personnel needed to provide services to administer, evaluate, operate, and maintain the facilities and program of a treatment center.

"(d) For purposes of parts C and D, the term 'operation and maintenance' means upkeep and repairs, supplies, utilities, rent, equipment cleaning, food and drugs, and similar items of cost incurred by a treatment facility."

TITLE II—TRAINING AND EVALUATION, AND DRUG ABUSE EDUCATION

SEC. 201. (a) Section 252 of the Community Mental Health Centers Act is amended to read as follows:

"TRAINING AND EVALUATION

"SEC. 252. (a) For the purpose of assisting in overcoming the critical shortage of scientific and professional personnel trained to deal with drug abuse and addiction, the Secretary is authorized to make grants to States and political subdivisions thereof and to public or nonprofit private agencies and organizations, and to enter into contracts with other private agencies and organizations, for—

"(1) the development of specialized training programs or materials relating to the provision of health services for the prevention and treatment of drug abuse;

"(2) the development of inservice or short-term refresher courses with respect to the provision of such services;

"(3) training personnel to operate, supervise, and administer such services;

"(4) the conduct of a program of research and study relating to (A) personnel practices and current and projected personnel needs in the field of drug abuse (including prevention, control, treatment, and rehabilitation), (B) the availability and adequacy of the educational and training resources of individuals in, or preparing to enter, such field, and (C) the availability and adequacy of specialized training for persons such as physicians and other health professionals who have occasion to deal with drug addicts, including the extent to which such persons make the best use of their professional qualifications when dealing with such persons; and

"(5) the conduct of surveys and field trials to evaluate the adequacy of the programs for the prevention and treatment of narcotic addiction within the several States with a view to determining ways and means of improving, extending, and expanding such programs.

"(b) Training grants under this section may be made only upon recommendation of the National Advisory Mental Health Council. Such grants may be paid in advance or by way of reimbursement as may be determined by the Secretary, and shall be made on such conditions as the Secretary finds necessary.

"(c) As used in this section, the term 'professional persons' shall include, but not be limited to persons in the fields of medicine, psychiatry, nursing, social work, psychology, education, and vocational rehabilitation.

"(d) There are hereby authorized to be appropriated for carrying out the provisions of this section $2,000,000 for the fiscal year ending June 30, 1970; $3,000,000 for the fiscal year ending June 30, 1971; $5,000,000 for the fiscal year ending June 30, 1972; $6,000,000 for the fiscal year ending June 30, 1973; and $6,000,000 for the fiscal year ending June 30, 1974."

SEC. 202. The Community Mental Health Centers Act is amended by redesignating sections 253 and 254 as sections 255 and 256 respectively, and by inserting after section 252 the following new sections:

"FELLOWSHIP GRANTS

"SEC. 253. (a) The Secretary is authorized to make fellowship grants (including such

stipends and allowances (including travel and subsistence expenses) as the Secretary may deem necessary) to professional personnel for training in relation to drug addiction and other drug-abuse related problems. Each applicant for a fellowship shall present a plan for his training which includes appropriate information regarding the participation of the institutions or agencies who will be providing the training.

"(b) Training grants under this section may be made only upon recommendation of the National Advisory Mental Health Council. Such grants may be paid in advance or by way of reimbursement as may be determined by the Secretary, and shall be made on such conditions as the Secretary finds necessary.

"(c) As used in this section, the term 'professional persons' shall include, but not be limited to persons in the fields of medicine, psychiatry, nursing, social work, psychology, education, and vocational rehabilitation.

"(d) The term 'fellowship' shall include such stipends and allowances (including travel and subsistence expenses) as the Secretary may deem necessary.

"(e) Training and fellowship awards under this title shall be made at such levels as may be required to facilitate the recruitment of the necessary professional manpower to this high priority area.

"(f) There are hereby authorized to be appropriated for carrying out the purpose of this section $400,000 for the fiscal year ending June 30, 1970; $600,000 for the fiscal year ending June 30, 1971; and $1,000,000 for each of the next three fiscal years.

"DRUG ABUSE EDUCATION

"SEC. 254. (a) The Secretary is authorized to make grants to States and political subdivisions thereof and to public or nonprofit private agencies and organizations, and to enter into contracts with other private agencies and organizations, for—

"(1) the collection, preparation, and dissemination of educational materials dealing with the use and abuse of drugs and the prevention of drug abuse, and

"(2) the development and evaluation of programs of drug abuse education directed at the general public, school-age children, and special high-risk groups.

"(b) The Secretary, acting through the National Institute of Mental Health, shall (1) serve as a focal point for the collection and dissemination of information related to drug abuse; (2) collect, prepare, and disseminate materials (including films and other educational devices) dealing with the abuse of drugs and the prevention of drug abuse; (3) provide for the preparation, production, and conduct of programs of public education (including those using films and other educational devices); (4) train professional and other persons to organize and participate in programs of public education in relation to drug abuse; (5) coordinate activities carried on by such departments, agencies, and instrumentalities of the Federal Government as he shall designate with respect to health education aspects of drug abuse; (6) provide technical assistance to State and local health and educational agencies with respect to the establishment and implementation of programs and procedures for public education on drug abuse; and (7) undertake other activities essential to a national program for drug abuse education.

"(c) The Secretary, acting through the National Institute of Mental Health, is authorized to develop and conduct workshops, institutes, and other activities for the training of professional and other personnel to work in the area of drug abuse education.

"(d) All grants made under this section can be made only upon recommendation of the National Advisory Mental Health Council.

"(e) There are hereby authorized to be appropriated for carrying out the purposes of this section $2,000,000 for the fiscal year ending June 30, 1970; $4,000,000 for the fiscal year ending June 30, 1971; $6,000,000 for the fiscal year ending June 30, 1972; and $8,000,000 for each of the next two fiscal years."

TITLE III—AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT FOR RESEARCH AND STUDIES RELATING TO DRUG USE, ABUSE, AND ADDICTION

SEC. 301. (a) Section 302(a) of the Public Health Service Act (42 U.S.C. 242(a)) is amended—

(1) by inserting "depressant or stimulant drugs and" before "narcotics" in the first sentence;

(2) by striking out "the use and misuse of narcotic drugs," in the first sentence and inserting in lieu thereof "(1) the use and misuse of depressant or stimulant drugs and narcotic drugs, and (2)"; and

(3) by striking out "at his discretion" in the second sentence.

(b) Section 302 of the Public Health Service Act is further amended by adding a new subsection (c) at the end thereof to read as follows:

"(c) The Secretary is authorized to establish a program of grants to be administered by the National Institute of Mental Health to—

"(1) support and conduct programs of research into all phases of drug use and abuse, including the origins, causes, incidence, and prevention of drug use and abuse, the abuse potential of drugs, and the therapeutic and rehabilitation agents and techniques;

"(2) make grants to State or local agencies and other public or nonprofit agencies and institutions, and to enter into contracts with any other agencies or institutions, for the conduct of investigations, experiments, demonstrations, studies, and research projects with respect to the development of improved methods of diagnosing drug addiction and abuse and of care, treatment, and rehabilitation of drug addicts and drug abusers;

"(3) make grants to State agencies responsible for administration of State institutions for care, or care and treatment, of drug addicts or abusers for developing and establishing improved methods of operation and administration of such institutions;

"(4) conduct surveys evaluating the adequacy of programs for the prevention and treatment of drug abuse and for necessary planning studies;

"(5) develop field trials and demonstration programs for the prevention and treatment of drug abuse;

"(6) establish a National Registry of Narcotic Addicts to facilitate research in drug addiction; and

"(7) make project grants to State or local agencies and other public or nonprofit agencies or institutions for the establishment, construction, staffing, operation, and maintenance of regional centers for research in drug abuse and related problems, one of which centers shall be established as a National Addiction and Drug Abuse Research Center as part of the National Institute of Mental Health, and shall be located in close proximity to the central research facilities of such Institute so as to avoid duplication of basic science laboratories and to allow for exchange of scientific information in collaboration between researchers in these closely related areas.

Any information contained in the National Registry of Narcotic Addicts, established under paragraph (6), shall be used only for statistical and research purposes and no name or identifying characteristics of any person who is listed in the Registry shall be divulged without the approval of the Secretary and the consent of the person concerned except to personnel who operate Registry. The Secretary may authorize persons engaged in research under this subsection on the use and effect of drugs to protect the privacy of individuals who are the subject of such research by withholding from all persons not connected with the conduct of such research the names or other identifying characteristics of such individuals. Persons so authorized to protect the privacy of such individuals may not be compelled in any Federal, State, civil, criminal, administrative, legislative, or other proceeding to identify such individuals.

"(d) The following amounts are hereby authorized to be appropriated:

"(1) For carrying out the purposes of section 302(c) (1) through (6), $3,000,000 for the fiscal year ending June 30, 1971; $10,000,000 for the fiscal year ending June 30, 1972; $10,000,000 for the fiscal year ending June 30, 1973; and $10,000,000 for the fiscal year ending June 30, 1974.

"(2) For carrying out the purposes of section 302(c)(7), $3,000,000 for the fiscal year ending June 30, 1970; $10,000,000 for the fiscal year ending June 30, 1971; $25,000,000 for the fiscal year ending June 30, 1972; $10,000,000 for the fiscal year ending June 30, 1973; $20,000,000 for the fiscal year ending June 30, 1974; and $15,000,000 for the establishment of the National Addiction and Drug Abuse Research Center, to remain available until expended."

TITLE IV—CONTROL OF DANGEROUS SUBSTANCES

SEC. 401. (a) The Congress finds and declares that the importation, manufacture, distribution, possession, and use of narcotic drugs and depressant and stimulant drugs for nonmedical and nonscientific purposes have a substantial and detrimental effect on the health and general welfare of the American people, that the medical and scientific use of such drugs are important elements of the practice of medicine and of scientific research, and that adequate provision must be made to insure the availability of controlled drugs for such legitimate purposes.

(b) The Congress further finds that there is a need for a single comprehensive code which makes the necessary distinctions among narcotic drugs and depressant and stimulant drugs with respect to the degree of control required and between their medical and scientific use as against their abuse for nonmedical and nonscientific purposes. It is therefore the purpose of this title to provide for the establishment of such a code, by utilizing the medical and scientific expertise of the Secretary of Health, Education, and Welfare, and the particular competence and expertise of persons versed in the fields of mental health and pharmacology.

SEC. 402. (a) In order to aid the States and communities, the medical and scientific professions, law enforcement authorities and other concerned groups and individuals in coping with the problems of drug abuse, while at the same time encouraging ready access to certain substances for scientific, therapeutic, industrial, or other legitimate purposes, the Secretary shall—

(1) carry out the studies and investigations pertaining to narcotics and depressant and stimulant drugs as directed by section 302(a) of the Public Health Service Act;

(2) determine which substances should be subject to control because of their ability to produce physical or psychological dependence which could lead to abuse;

(3) place these substances in such classes and categories as he shall find necessary, ranked according to the extent of their ability to produce physical or psychological dependence and their relative capabilities for abuse;

(4) promulgate a list of all such substances classified or categorized as directed by paragraph (3); and

(5) amend such list from time to time by adding, deleting, or changing the classifica-

tion or categorization of a substance as he shall find necessary in the light of new scientific knowledge.

(b) No substance may be included on such list unless it is a narcotic drug (as defined in section 4731 of the Internal Revenue Code) or is a depressant or stimulant drug determined under section 201 of the Federal Food, Drug, and Cosmetic Act and not exempted under section 511(f) of that Act.

(c) The initial list promulgated by the Secretary shall not take effect until after such list has been published in the Federal Register, and not less than thirty days shall have passed thereafter. If within such thirty-day period any person adversely affected by such listing shall require opportunity for a hearing, the Secretary shall provide for such hearing, in conformity with the procedures prescribed in section 701 of the Federal Food, Drug, and Cosmetic Act, with judicial review available in conformity with such section. After such list shall have become final, any change in the category of any substance may be carried out by the Secretary only after similar notice, opportunity for a hearing, and opportunity for judicial review in conformity with such section 701.

SEC. 403. Before making any of the determinations required by section 402, the Secretary shall consider the advice of the Advisory Committee on Narcotics and Dangerous Drugs, established by section 503 of this Act, and shall consult with the Attorney General.

CONTROL OF ILLEGAL TRANSACTIONS IN MARIHUANA

SEC. 404. (a) Section 201(v)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(v)(3)) is amended (1) by striking out "and any other" and inserting in lieu thereof "marihuana, and any"; and (2) by striking out ", and marihuana as defined in section 4761 of the Internal Revenue Code of 1954 (26 U.S.C. 4731, 4761)" and inserting in lieu thereof "of the Internal Revenue Code of 1954".

(b) Section 201 of such Act is amended by adding at the end thereof the following new paragraph:

"(y) The term 'marihuana' means all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant; its seeds, or resin; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil, or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination."

REGISTRATION OF RESEARCH ESTABLISHMENTS

SEC. 405. Title V of the Public Health Service Act is amended by adding at the end thereof the following new section:

"REGISTRATION OF RESEARCH ESTABLISHMENTS

"SEC. 513. (a) No person may conduct any research project with any narcotic drug (as defined in section 4731 of the Internal Revenue Code of 1954) or with marihuana (as defined in section 201(y) of the Federal Food, Drug, and Cosmetic Act) unless such research is conducted by an establishment currently registered by the Secretary under this section. Registration under this section shall be for one-year periods, and shall be renewable for like periods.

"(b)(1) No establishment may be registered under this section except pursuant to application which shall set forth—

"(A) the name of the applicant;

"(B) his principal place of business;

"(C) the number or other identification of any applicable Federal, State, or local license of registration, relating to narcotic drugs or marihuana, currently held by the applicant including the number or other identification of any such Federal license or registration previously held by the applicant;

"(D) procedures for accountability for drugs used in research projects of the applicant and the methods to be used and the safeguards to be instituted against diversion of the drugs used in such projects to nonmedical or nonscientific uses; and

"(E) any other information required by the Secretary by regulations.

The Secretary may not register an establishment under this section unless he determines that the applicant has established adequate procedures to provide for accountability for drugs used in research projects of the applicant and adequate methods to safeguard against diversion of such drugs to nonmedical or nonscientific uses, in accordance with regulations issued by the Secretary, with the concurrence of the Attorney General. Such regulations shall permit the conduct of double-blind studies.

"(2) Each applicant registered under this section shall, before any drugs are administered to human beings under a research project of the applicant, submit to the Secretary, in such form and containing such information as the Secretary may require, a research protocol, describing the research to be conducted, listing the investigators (each of whom must be registered under section 4722 or 4753 of the Internal Revenue Code, as applicable) and their qualifications to engage in such research, and otherwise conforming to the requirements of section 505(1) of the Federal Food, Drug, and Cosmetic Act. No such research protocol may provide for the dispensing or administration of drugs to human beings except by persons licensed to dispense or administer such drugs under applicable State laws.

"(c)(1) The Secretary may revoke or suspend the registration of any establishment granted under this section if he finds (A) that the application for such registration contains any untrue statement of material fact, (B) that research projects in such establishment are not being conducted in accordance with approved procedures or methods relating to accountability for drugs or safeguards against diversion of drugs used in such project to nonmedical or nonscientific uses, or (C) research projects involving the dispensing or administration of drugs to human beings are being conducted by persons not licensed under applicable State law to dispense or administer drugs.

"(2) Regulations of the Secretary shall provide for notice and opportunity for a hearing before revocation or suspension of registration under this section, except that, upon a finding of imminent hazard to the public health, such registration may be suspended or revoked prior to such hearing, but opportunity for a hearing shall be granted immediately in such cases."

AMENDMENTS RELATING TO DRUG RESEARCH IN REGULATED ESTABLISHMENTS

SEC. 406. (a) Section 4704(b) of the Internal Revenue Code of 1954 is amended by striking out the period at the end thereof and inserting in lieu thereof "; or", and by inserting immediately below paragraph (2) the following new paragraph:

"(3) RESEARCH.—To the dispensing or administration of narcotic drugs in the course of a research project conducted by an establishment currently registered under section 513 of the Public Health Service Act, if records of the drugs so dispensed or administered are kept as required by this subpart."

(b) Section 4705(c) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

"(5) RESEARCH.—To the dispensing or administration of narcotic drugs to any person in the course of a research project conducted by an establishment currently registered issued under section 513 of the Public Health Service Act. Such registrant shall keep a record of all such drugs dispensed or administered, showing the amount dispensed or administered, the date, and the name and address of the person to whom such drugs are dispensed or administered, except such as may be dispensed or administered to a patient upon whom a physician, dentist, veterinary surgeon, or other practitioner shall personally attend; and such record shall be kept for a period of two years from the date of dispensing or administering such drugs, subject to inspection, as provided in section 4773."

(c) Section 4721(5) of the Internal Revenue Code of 1954 is amended by striking out "research, instruction, or analysis" and inserting in lieu thereof "instruction or analysis, or for the purpose of research by an establishment currently registered under section 513 of the Public Health Service Act,".

(d) Section 4742(b) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

"(6) RESEARCH PROJECTS.—To a transfer of marihuana to or by a person in the conduct of a research project conducted by an establishment currently registered under section 513 of the Public Health Service Act. Such registrant shall keep a record of all such marihuana used in such project, showing the amount used and the name and address of the person using such marihuana, and such record shall be kept for a period of two years from the date of such use, and be subject to inspection as provided in section 4773."

(e) Section 4751(4) of the Internal Revenue Code of 1954 is amended by striking out "research, instruction, or analysis" and inserting in lieu thereof "instruction or analysis, or for the purpose of research by an establishment currently registered under section 513 of the Public Health Service Act,".

TITLE V—MISCELLANEOUS

TRANSFERS OF AUTHORITY

SEC. 501. The functions, powers and duties of the Attorney General under Reorganization Plan Number 1 of 1968 to designate a drug as a depressant or stimulant drug under section 201(V) of the Federal Food, Drug, and Cosmetic Act, and to make a finding that a drug or other substance is an opiate under section 4731 of the Internal Revenue Code of 1954, to determine the medical, scientific, and other legitimate needs of the United States for the purpose of establishing manufacturing quotas for narcotic drugs under section 509 of the Narcotics Manufacturing Act of 1960, and the amounts of narcotic drugs that should be imported or exported under sections 173 and 182 of title 21 of the United States Code, are transferred to the Secretary.

AMENDMENTS RELATING TO TRANSFERS OF AUTHORITY

SEC. 502. (a) The Internal Revenue Code of 1954 is amended as follows:

(1) Section 4702(a)(1) is amended by striking out "The Secretary or his delegate" where it appears after subparagraph (B) and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(2) Sections 4702(a)(3) and 4702(a)(5) are each amended by striking out "The Secretary or his delegate" where it appears in those sections and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(3) Section 4705(c)(2)(C) is amended by striking out "The Secretary or his delegate" and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(4) Sections 4731(g)(1) and 4731(g)(2) are each amended by striking out "The Secretary or his delegate (after considering the

technical advice of the Secretary of Health, Education, and Welfare or his delegate, on the subject)" and inserting in lieu thereof in each such section "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(b) Section 2(b) of the Narcotic Drugs Import and Export Act is amended by striking out "the board" and inserting in lieu thereof "the Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(c) Section 10(a) of the Opium Poppy Control Act of 1942 (21 U.S.C. 188) is amended by striking out "The Secretary of the Treasury" and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(d) The Narcotics Manufacturing Act of 1960 is amended as follows:

(1) The second sentence of section 5(b) (21 U.S.C. 503) is amended by striking out "The Secretary or his delegate and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(2) The second sentence of section 5(d) is amended by striking out "The Secretary or his delegate" and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(3) Section 6 (21 U.S.C. 504) is amended by striking out "The Secretary or his delegate" the first and third time it appears and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(4) Section 7(b) (21 U.S.C. 505(b)) is amended by striking out "if the Secretary or his delegate" and inserting in lieu thereof "if the Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(5) Paragraph (1) of Section 8(a) (21 U.S.C. 506 (a)) is amended by striking out "which will produce" and inserting in lieu thereof "which the Secretary of Health, Education, and Welfare, after consultation with the Attorney General, determines will produce".

(6) Section 11(a) (21 U.S.C. 509) is amended by striking out "the Secretary or his delegate" and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

(7) Section 11(b) is amended by striking out "the Secretary or his delegate" the first time it appears in that section and inserting in lieu thereof "The Secretary of Health, Education, and Welfare, after consultation with the Attorney General".

ADVISORY COMMITTEE

SEC. 503. The Secretary of Health, Education, and Welfare shall appoint a committee of experts to advise him with respect to any of the determinations pertaining to drugs which he is required to make under amendments made by this Act. This committee shall be known as the Advisory Committee on Narcotics and Dangerous Drugs. It shall be composed of not less than twelve persons of diverse professional backgrounds, including the fields of pharmacology, psychiatry, psychology and other behavioral sciences, manufacturing, and distribution, who, in the opinion of the Secretary, qualify as experts on the subject of narcotic drugs or depressant or stimulant drugs.

THE STUDENT TEACHER CORPS ACT OF 1969

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. STEIGER) is recognized for 15 minutes.

Mr. STEIGER of Wisconsin. Mr. Speaker, I am introducing today a bill entitled the "Student Teacher Corps Act of 1969." Joining me in cosponsoring this legislation are Representatives BIESTER, BRADEMAS, BROCK, BURTON of California, BUSH, COUGHLIN, ESHLEMAN, FREY, HATHAWAY, HAWKINS, HOGAN, LUJAN, MCCLOSKEY, MEEDS, REID of New York, RIEGLE, RUPPE, SCHEUER, VANDER JAGT, and WHITEHURST.

This legislation would establish a Student Teacher Corps within the framework of the existing Teacher Corps. The Teacher Corps would provide the leadership, but the program would be operated entirely at the State and local level. The proposal envisions a carefully structured program of recruitment, training, and deployment of tutors, drawn from high school, college, and to some extent, the adult community.

As under the regular Teacher Corps program, proposals would be developed at the local level by schools and universities working in cooperation with community members and with the approval of the State department of education. The Federal Government would pay training, administrative costs and 90 percent of compensation. After training, Corps members would serve in the schools in teams under a leader from the school system.

The act provides for an increase in the present Teacher Corps authorization from $56,000,000 to $80,000,000.

No method of compensation of volunteers has been provided for under this bill and this is a feature which I feel would have to be drafted in committee as a result of hearings.

Mr. Speaker, a recent Gallup poll survey found that over one-half of our present college students have done volunteer work among the poor. The study also found that "an extraordinarily high proportion of students today want to go into the 'helping' professions, notably teaching—29 percent indicated that they expected to be engaged in teaching at age 40."

The recent trip that I made with 21 of my colleagues to college campuses throughout the country confirmed this trend. We found an encouraging desire to do something to help overcome the problems of our society.

This dedication or commitment to help others is a hopeful, important area which should be encouraged—

We reported. Our report went on:

We also recommend establishing a Student Teacher Corps. Many more students are considering entering the teaching profession and this idea is one which we feel should be encouraged. In concert with the Teacher Corps, the student teacher concept can be a valuable tool to tap student potential and expand the learning opportunities for the disadvantaged.

President Nixon has also given his endorsement to the idea of a Student Teacher Corps. During the 1968 presidential campaign, Mr. Nixon said:

Young Americans have shown their idealism and their dedication in the Peace Corps and in VISTA. To these now should be added a National Student Teacher Corps of high school and college students; carefully selected, paid volunteers who would work at the tutoring of core-city children. What they might lack in formal teaching skills, they could make up in the personal bonds of friendship and respect. . . . It represents the kind of helping hand needed across the nation.

The Subcommittee on Education of the Senate Labor and Public Welfare Committee held hearings on this legislation on Tuesday, July 15. The Senator from Wisconsin (Mr. NELSON), has introduced this measure in the other body. Witnesses at the hearings include: Judge Mary Conway Kohler, director, National Commission on Resources for Youth, Inc., accompanied by Mr. Meredith Weaver and tutors and tutees from the Washington youth tutoring youth project; Mrs. Louise C. Johnson, supervising director, department of pupil personnel services, title I program, District of Columbia Public Schools; Dr. Harris Wofford, president, State University of New York at Old Westbury; Dr. Carl Megel, legislative director, and Mr. David Selden, president, American Federation of Teachers; Mr. Allen Toothaker, director, Tutorial Assistance Center, National Student Association; and Mr. Earl Avery, director, UCLA tutorial project, University of California, Los Angeles.

The energy and concern displayed by our Nation's youth is a logical and important source of manpower and talent to help us improve our system of education, and yet we cannot expect our young people to simply volunteer their time and energy without giving them encouragement and direction. Experience has shown that often the volunteer is discouraged and frustrated because the efforts that he made on his own initiative to offer his services are unappreciated or ignored. Studies of existing tutoring programs demonstrate that careful training, a strong program structure within the school system, and close cooperation with parents and community groups are essential if student tutorial programs are to be effective. The Student Teacher Corps offers such a program.

ADMINISTRATION OPPOSES EDUCATION FUNDS CUTOFF

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. BROCK) is recognized for 15 minutes.

Mr. BROCK. Mr. Speaker, the Nixon administration has made very clear its position on legislation that would cut off funds to colleges and universities because of campus disorders. Two weeks ago, Health, Education, and Welfare Secretary Finch and Attorney General Mitchell, at the request of the President, wrote congressional leaders stating that the administration is opposed to punitive or repressive legislation.

Secretary Finch further spelled out the administration's position on campus unrest legislation in remarks before the Conference of Regional Education Laboratories meeting in Washington, July 17, 1969.

Mr. Speaker, I think it appropriate that each Member be allowed to study the administration's position and the arguments in its favor. Accordingly, I insert the text of the Finch-Mitchell let-

ter and excerpts from Secretary Finch's speech to be printed in the RECORD at this point:

TEXT OF LETTER TO SENATOR EVERETT DIRKSEN AND CONGRESSMAN GERALD R. FORD, JULY 17, 1969

We understand that efforts may be made during House debate on future appropriations bills to add a rider which would cut off Federal funds to institutions of higher education which experience campus disorders, or would require them to develop certain rules of behavior and plans to control conduct as a condition of receiving assistance. The President has requested that we give you the views of the Administration with regard to such legislation.

We realize that Congress is rightly concerned with the situation on college and university campuses. Violence and intimidation must not be permitted to undermine the university institution. In our studied judgment, however, such legislation would be counterproductive, and would seriously jeopardize the relationship between the academic community and the Federal government which has been of such inestimable benefit to our society. We strongly feel the threatened cutoff of institutional funds is an entirely inappropriate way of dealing with a serious problem. More specifically, we feel:

First, forcing institutions to submit or certify that they have developed such policies and plans dealing with campus disorders would imply a Federal standard by which their policies and plans would be judged. The Federal government must not be placed in the role of enforcer or overseer of rules and regulations for the conduct of students, faculty, and other university employees.

Second, the administrative independence of colleges and universities is an essential element of the academic freedom which this Nation has always cherished for its institutions of higher education. Responsibility for the orderly maintenance of these institutions should not be preempted by any Federal agency.

Third, Federal legislation already exists which withdraws aid from students who engage in disruptive violent acts at college. To extend this cutoff to institutions would go beyond existing laws and punish the entire academic community—which is, after all, the victim, not the instigator, of violence.

We are actively studying ways in which the Federal government might constructively assist institutions and protect the right of all Americans to pursue their education without disruption.

The President has asked us to send you these views with the hope that you will call them to the attention of your colleagues, so that there may be no misunderstanding of the Administration position in case such legislation is offered in the House.

Sincerely,

ROBERT FINCH,
Secretary, Department of Health, Education, and Welfare.

JOHN N. MITCHELL,
Attorney General.

EXCERPT FROM REMARKS BY HON. ROBERT H. FINCH, SECRETARY OF HEALTH, EDUCATION, AND WELFARE, BEFORE THE CONFERENCE OF REGIONAL EDUCATIONAL LABORATORIES WASHINGTON, D.C., JULY 17, 1969

Let me turn now to the second core problem to which I referred earlier—to that of "student unrest . . . and what to do about it."

Today, the Attorney General and I sent a letter to the Congressional leadership setting forth the Administration's position with respect to proposals for punitive legislation against the Nation's campuses. We state our unalterable opposition to certain techniques that have been proposed.

A full-scale affirmative response to issues of student unrest would take me too far afield . . . into the complexities of institutional change and renewal . . . and that is not my purpose today. But I feel rather sure of what not to do about it—and I want to spell out my objections once again for the record.

I am speaking now of the fund cut-off technique that some propose, to punish institutions of higher education where student unrest persists. My Department, of course, has informed the Nation's colleges and universities of their enforcement responsibilities under existing Federal legislation. We have placed the burden for coping with ferment, and for undertaking educational reform, squarely where it belongs—with the authorities on each local campus.

In every State there are laws adequate to curb disruption and punish violence. Implementation of these laws is a local responsibility—and, if the concept of federalism means anything at all, so it must remain.

Even the Federal laws now on the books, the ones that terminate financial assistance under certain specified circumstances, can only be administered by the institutions themselves—and so, in fact, were they designed by Congress. This means that we in HEW have no master list of the nearly 1.5 million students who receive some form of Federal assistance. We channel almost every dollar through campus officials.

DeTocqueville once observed that Americans—perhaps because they began with a written Constitution—always have tended to reduce social and political questions to legal ones. But this tendency . . . this penchant always for passing law . . . can also become a barrier to rational—and effective—response.

Not all our problems are open to a legislative solution. And certainly this is the case with respect to proposals for fund cut-offs to universities that cannot, on command, quell campus disorders.

On the basis of hundreds of letters that have crossed my desk, and scores of personal talks, not a single educator—hard-line or soft-line or anywhere in between—favors this approach. They recognize that it does not address the causes of unrest, and I agree with this expert view.

Such a mechanism would not, in any case, really reach the wrongdoers—the militants on the barricades who, mostly, are children of the affluent and not of the poor. Financial pressures are just not operative on them—they can pack their bags and start trouble elsewhere. And to extend the cut-off to institutions would be to punish the entire academic community—which is, after all, the victim, not the instigator, of violence.

Furthermore, the technique of institutional cut-offs would play right into the hands of the extremists. They want the schools shut down. All they need is the cynicism to create a disruptive situation—and we know how easy that really is—at which point someone presumably decides that the quantum of ferment has been exceeded, and the green Federal juices dry up.

Many institutions would probably be forced to close their doors—which is fair neither to society, nor to the vast majority of students who want an education—and I am unalterably opposed to putting such an extortion weapon into the hands of the extremists.

The administrative implications of enforcing such fund cut-offs would, in themselves, raise a further range of unanswerable questions. Enforcement would have to proceed according to some arbitrary thermometer of revolt. How much disruption is too much? Is it to be measured by the institutions' own codes? If so—how are they, and how effectively do they preserve legitimate dissent?

There is no Federal code of student conduct—there can be none, and there never should be one. And Federal enforcement of State, local, and institutional codes would involve a Federal force of campus policemen numbering in the thousands—and would constitute an administrative nightmare, devoid of criteria for rational judgment.

One final objection—and this one perhaps the most fundamental of all. Such techniques of repressive Federal intervention into the affairs of each local campus violate the most deep-dooted, the most honored traditions of American education—and would, in the end, destroy its essential nature.

We want our universities to be centers of diversity . . . creative, independent, components of a vigorous pluralism. We do not want a monotonous and monolithic imposed unity—in which all our educational institutions conform to a Federal code of conduct, to a stifling Federal intervention.

To advocate such intervention, in my view, is a form of radical extremism—fatal, indeed, to the perpetuation of our free and pluralistic society.

COMPREHENSIVE PROGRAM FOR VETERANS EDUCATIONAL ASSISTANCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, to correct the deplorable circumstances which cause returning Vietnam veterans not to take advantage of their GI bill of rights, I have introduced H.R. 13006 to provide added educational and training incentives for returning veterans and to establish a predischarge education program.

The blatant inadequacies in the current veterans' law are disgraceful. Only one out of every 10 veterans is using the GI bill benefits today and those who need it the most—the disadvantaged and high school dropouts—are ignoring it.

Certainly we have an obligation to motivate these men and women to be just as valuable to their country in civilian life as they were in military life. Twenty-three percent of the 1 million men and women in the Armed Forces who will be discharged this year are high school dropouts, yet only 2.4 percent are participating in GI bill education programs.

The bill I have introduced is identical with the goals of similar legislation introduced by Senator ALAN CRANSTON, S. 2668. It would establish four programs administered by the Veterans' Administration. They are:

First. Educational assistance payments for college preparatory or academic deficiency courses in other than secondary schools.

Second. Direct allowances for expenses for refresher courses, tutorial or remedial aid, counseling or other special aid for veterans already enrolled in school.

Third. Allow noncredit deficiency courses to be counted toward full-time status to enable veterans to secure a full-time educational assistance payment.

Fourth. A predischarge educational program—PREP—providing veterans with education or vocational training prior to their discharge from active military duty.

The program would be financed by VA payments to the eligible veterans or on

their behalf to educational institutions. The VA would also consult with the Secretary of Defense and would draw upon the experience of the Office of Education in establishing these programs.

Before explaining how each of these programs would operate, I want to say a few words about the failure of the existing GI bill which was amended in 1967 to help educationally disadvantaged veterans. One of the reasons the program has failed is because benefit allowances are not sufficient for today's cost of living. Following World War II, 50 percent of the eligible veterans utilized the college and vocational aid available under the GI bill. But since January of 1966, only 21.4 percent of the Vietnam vets have utilized their benefits. One of the reasons for this is the lack of funding available for prospective college students. At the present time only $130 a month is available for a single man who wishes to continue his education. With the increase in prices since World War II, this amount is grossly insufficient. The gentleman from Texas (Mr. TEAGUE) has introduced H.R. 11959, which would raise these allotments. I heartily support his bill, as well as my own bill, H.R. 12461, which proposes an even larger increase in funding—a 50-percent increase to $190 a month.

But the real reason for the failure of the GI bill today is lack of motivation. The average 22-year-old returning veteran today does not look favorably upon the prospect of returning to high school—especially if he already has a family or plans to get married, and most of these programs until now have not really met the needs of returning GI's.

This is evident from the statistics on veteran utilization of GI benefits. After World War II, 50 percent of the veterans used their rights; after Korea, 42 percent used their rights. Today a little over 20 percent are using their rights.

Today, almost a quarter of the over 70,000 returning Vietnam veterans each month have not finished high school. Only a tenth are taking advantage of the existing programs available under the GI bill. Many of these young men are from disadvantaged backgrounds—from the Nation's ghettos as well as its rural wastelands where they have become alienated from the mainstream of American life.

It is essential that the country now does not lose the energy of these young men. President Nixon recognized this problem when he said, upon establishing his Committee on the Vietnam Veterans:

> Veterans benefits have become more than a recognition for services performed in the past, they have become an investment in the future of the Veteran and his country. The time has come for a careful re-evaluation of this investment. Just as there is a difference between the kinds of battles fought at Normandy in 1944 and in South Vietnam in 1969, so there is also a difference in the kinds of problems faced by the returning veterans of these battles. Therefore, we must be certain our programs are tailored to meet the needs of today's veterans.

The first of the four programs established under H.R. 13006 tries to help motivate veterans to use their educational benefits under section 1678 of title 38 of the United States Code. This program permits refresher courses to be taken at any appropriate institution offering such courses, including junior and senior colleges. At present these courses can only be taken at secondary schools which usually are not sensitive to the needs of veterans with records of failure in high school.

Under the 1967 GI bill amendments, the veteran who needed additional high school or equivalent training was entitled to receive full educational assistance allowances without having it charged against his entitlement. But the veteran was required to take these courses at a secondary school. The low utilization level—10 percent—which I previously mentioned has arisen from multiple causes which could be offset by this new program.

Presently, a veteran who needs a refresher or deficiency course in order to qualify for admission to an educational institution for which he is otherwise qualified, must take these courses at a secondary school. My bill would permit these courses to be taken at any qualified institution offering precollege assistance. This would include junior colleges, preparatory schools, community colleges, and special programs under the auspices of universities.

The second provision in H.R. 13006 provides for direct payment to the educational institution for expenses of refresher courses, remedial assistance, tutorial, counseling, or other assistance or training the veteran may undertake while enrolled there. This provision also falls under section 1678 which covers special training for the disadvantaged veteran. As in the first program, the payment is made directly to the educational institution involved and no charge is made against the veteran's period of entitlement under the GI bill.

The third provision would provide that noncredit courses, which the veteran must take because of some deficiency in his educational background, may be counted toward full-time status, so that he can receive the full-time educational assistance allowance.

For instance, if a veteran started college before entering the service and now wants to change his major, but he is deficient in certain areas, the noncredit prerequisite courses he would have to take would count toward his full-time allowance eligibility. This would not apply to any noncredit courses which the Veterans' Administration would be paying for under the second provision in this bill.

The veteran would be allowed to take the number of noncredit courses necessitated because of a deficiency, which when added to his credit hours would be the equivalent of a full semester load.

The final provision envisioned in the bill is the most far reaching. It establishes a predischarge education program—PREP—to provide educational vocational training to veterans prior to their discharge from active military duty. This would represent the farthest step yet taken to speed the assimilation of the veteran into civilian life.

As Senator CRANSTON so well stated, when introducing his bill:

> Increasing GI Bill utilization is the principal purpose of the PREP program which would be established by the bill. This program would seek to reach the Veteran before his discharge by involving him, in the last year of his military service, in education or training which would prepare him to pursue education or training under the GI Bill.

Joseph Cannon, the acting director of the veterans' affairs division of the Urban League has stated:

> Two major problems his organization faces are—
>
> The inability of emerging servicemen to get information in regards to pursuing education and available education program; and
>
> The failure of the average Negro GI to obtain skills in military service which can easily be transferred to any civilian jobs which offer upward mobility in either pay or status.

Although the PREP program is not limited to people from disadvantaged backgrounds, it is clear that they are the ones who are most in need of the assistance which PREP would provide. It would involve them in the program and then guide them in taking advantage of continuing aid available under the regular GI bill following their discharge.

The PREP program would operate as an extension of Project Transition presently run by the Defense Department. Project Transition was established in 1967. It is primarily for individuals who most need vocational training or education in order to make the change to civilian life. The in-service training is provided during the serviceman's last 6 months of duty and emphasizes counseling, training, education, and placement.

Thus far, the program has not reached its potential. Of the 940,000 men and women separated from the armed services during this period, only 60,000 were reached. Only 26 percent of the participants in the program have not finished high school. This is only slightly higher than the overall military level of 21.4 percent. Most of the training under Project Transition has been undertaken by the military services themselves. PREP would fill a link here by providing funds to entice private instruction, counseling, and guidance.

All members of the Armed Forces who have served at least 1 year of active duty and have 12 months or less of active duty remaining would be eligible. The Veterans' Administration, working jointly with the Secretary of Defense and the Commissioner of Education, would pay the expenses necessary for the program. It is important to note that the servicemen enrolled in PREP may only take courses required for, or preparatory to the educational training or vocation they plan to pursue following their release from active duty. As with the other provisions in the bill, the funds will be paid directly to the educational institution.

These four programs which provide educational and training assistance represent a giant step in repaying our obligation to our veterans and helping de-

velop them into worthwhile citizens of peace. Senator KENNEDY expressed this feeling recently when he said:

This nation has a rare opportunity to assist and benefit from the men who have broken out of disadvantaged background; and matured in the service. If we follow through with full veterans programs, including educational services for veterans, we can insure that returning servicemen will not revert to unproductive lives in ghettos or other areas. Rather, veterans whose horizon and aspirations have broadened in the service can continue to contribute to our national welfare as constructive, well-educated citizens. We have an obligation both to the men as individuals, and to society as a whole to give them a chance.

It is my feeling that the enactment of H.R. 13006 would be an investment in these men which would reap a profit for all the citizens of America.

JULY 25 IN PUERTO RICO

The SPEAKER pro tempore. Under a previous order of the House, the Resident Commissioner from Puerto Rico (Mr. CÓRDOVA) is recognized for 15 minutes.

Mr. CORDOVA. Mr. Speaker, the 25th of July is a date which has long been significant in Puerto Rico. Its original significance, while Puerto Rico was part of the once vast Spanish domain in America, lay in the fact that it is the feast day of the patron saint of Spain, the Apostle James—Santiago. It acquired a very special significance in 1898, when Gen. Nelson Miles and his troops landed at Guánica on July 25 and brought with them the Stars and Stripes which have ever since flown in Puerto Rico. A third dimension was added in 1952, when July 25 was selected, precisely because of its already significant importance in Puerto Rican history, as the date on which the Constitution of the Commonwealth of Puerto Rico should become effective.

In a very real sense, the 25th of July symbolizes not only some of the most significant elements of the history of Puerto Rico but also some of the most significant elements of its culture and its spirit. For Puerto Rico is proud of the Spanish heritage, the Christian faith, which are recalled on this date in the celebration of the feast of Santiago throughout the Spanish-speaking world. Puerto Ricans are proud of the citizenship which they share with 200 million other Americans in the 50 States of the Union. Puerto Ricans are proudly bearing the Stars and Stripes in remote regions of the world, in the service of their country, as they have previously done in all of the conflicts in which our Nation has been involved since the First World War. And Puerto Rico is extremely proud of the democratic tradition, and the principles of individual dignity and integrity which are embodied in the Constitution of the Commonwealth.

In observing this anniversary, Puerto Rica is particularly happy to salute the three men who have successfully terminated the most momentous journey in the history of man, and to give thanks to God for their safe return.

U.S.S. "PUEBLO"—A TRAGEDY OF ERRORS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BRAY) is recognized for 10 minutes.

Mr. BRAY. Mr. Speaker, after 5 months' work and extensive hearings, the Special Subcommittee on the U.S.S. *Pueblo* and the EC–121 of the Committee on Armed Services has finished its report. I had the honor to serve as ranking Republican member of this subcommittee. The result of long, painstaking work, the report, in its own words, lays bare "serious deficiencies" with "frightful implications" for our national security. The subcommittee felt it was beyond the scope of the report to make specific recommendations for solutions to the problems uncovered. But the subcommittee does recommend, to quote from the report: "that the President establish a special study group of experienced and distinguished civilian and military personnel to approach this problem on an emergency basis and make such recommendations for changes in both the National Security Act and the military structure itself that will provide our Nation and its military forces with a genuine capability to respond quickly and decisively to emergencies of a national security nature."

The report, quite lengthy, reflects the unanimous view of all nine members of the subcommittee. The consequences of the *Pueblo* are that the incident destroyed a 150-year-old image of prestige and invincibility, and did incalculable harm to our diplomatic credibility, as well as to our reliability as military allies. It is an extremely serious compromise of our Nation's intelligence capability. Following are some of the highlights of the report.

U.S.S. "PUEBLO" INADEQUATELY PREPARED

Loss of the ship itself, and its equipment, was relatively harmless. But, overall, considering loss of the documents aboard, as the report says:

We have sustained a most serious intelligence loss, a loss which could have been precluded entirely by appropriate planning for the intelligence collection mission.

There was inadequate preparation; this was the first intelligence-gathering mission directed against North Korea, but the *Pueblo* did not have adequately trained personnel. The ship had no provision for storage of registered publications, nor did it have a proper incinerator. A request by Commander Bucher for emergency destruction devices was turned down.

The security group detachment was never formally inspected. Its state of readiness was only assumed. The officer in charge of the detachment knew that the North Korean linguists on *Pueblo* were not qualified, but he failed to inform Commander Bucher of this. The linguists were incapable of obtaining and passing on information that might have been monitored from North Korean radio broadcasts, and this fact alone may have contributed materially to the situation.

The Navy had not allowed for delays in outfitting the ship before it left, and, as a result, many of Commander Bucher's requests for outfitting were never approved. And, although the Navy had some months earlier ordered installation of defensive armament on all ships, save hospital ships and submarines, the Commander Naval Forces Japan never received the directive. As a result, the *Pueblo* only received two .50-caliber machineguns; the least any ship was to receive was 20-millimeter cannon.

The *Pueblo* was inspected by higher authority at Japan, before it sailed, to check the effectiveness of destruction capability of classified material, but the inspection was found to have been "informal and cursory" and *Pueblo*'s capability was obviously inadequate. Commander Bucher was told in Japan that his mission was probably to be off North Korea, and that, if he was attacked, U.S. forces were prepared to act. But he was also told any rescue help would be too late to save the ship.

A POSSIBLE NORTH KOREAN REACTION TO "PUEBLO" IGNORED

The report is especially critical of failure of high defense authority to realize the high risk involved in the *Pueblo*'s mission. The risk was classed as minimal on the grounds that the ship would be operating in international waters, and on the very shaky and thoroughly unjustified assumption that North Korea would respect and observe international law in this regard. But, at the time *Pueblo* sailed, North Korea had been giving ample demonstration in various ways, for some time, of an increasingly hostile and belligerent attitude.

The National Security Agency, alone, deserves special praise for being alert to the risk. NSA, on December 29, 1967, sent a message to the Joint Chiefs of Staff and to the Joint Reconnaissance Center which, and I quote from the report: "questioned the minimal risk assessment assigned the U.S.S. *Pueblo* mission."

The report continued:

This message recited a history of North Korean incidents and suggested that in view of the evident increase in hostile actions taken by the North Koreans, it might be considered desirable to establish ship protective measures for the U.S.S. *Pueblo* mission.

THE LOST MESSAGE

This message never got from the Joint Chiefs, to the Chief of Naval Operations. It was lost somewhere in the Pentagon. A copy was sent to the Defense Intelligence Agency by the Pentagon's Special Communications Center but DIA took no action. When our subcommittee asked why, the explanation given was that the message came in at night over a holiday.

As the report says, about the handling of this message:

At best, it suggests an unfortunate coincidence of omission; at worst, it suggests the highest order of incompetence.

The existence of such a message was never even hinted at when the Pentagon briefed congressional committees immediately after the incident, and no mention was made of it until March 4, 1969. The impression is that there was a

deliberate attempt to conceal the fact the message had ever existed. Handling of it was bad enough, but trying to cover it up is worse yet.

NORTH KOREA OPENLY BELLIGERENT

In addition to this, North Korea's Radio Pyongyang, on January 8 and January 11, 1968, accused the United States of committing provocative acts along the east coast of Korea, and the North Koreans threatened retaliatory action. The *Pueblo* was seized on January 23, 1968; neither the commander in chief, Pacific Fleet Headquarters, nor commander, Naval Forces Japan, had been made aware of these newest North Korean threats.

Now, it has been known for some time that North Korea's Premier Kim Il-Sung is a reckless and quite possibly unstable man who will stop at nothing to get what he wants. A fellow-Korean has called him:

A Stalinist dictator whose fanatical dedication to revolutionary objectives is surpassed only by his brash audacity in seeking to carry them out in the face of all obstacles.

THE COMMUNICATION GAP

The Navy had no contingency plans for rescue of the *Pueblo* in case of an emergency. To compound this lack, the only forces on call that could have helped were air, but there was no provision for communication between the *Pueblo* and aircraft; the provisions were only for ship-to-ship transmission.

The report expresses great concern over, and uses the term "human inefficiency" to describe the delays in the two critical messages getting from *Pueblo* to higher authority, which could have acted. The report, incidentally, carries a full log of messages from the *Pueblo* and others, showing timelag until receipt.

I would like to cite some of these timelags. With the first message, it ranged from 23 minutes—to commander, Naval Force, Japan—up to 2 hours and 34 minutes—to the Joint Chiefs of Staff. With the second, it reached commander, Naval Forces Japan in 4 minutes, but did not get to the JCS for 1 hour and 39 minutes.

Lacking of emergency telephone procedures meant a 40-minute delay in the Navy's asking help from the Air Force. The Navy had a carrier about 1 hour's flight time away, but did not use it. At the same time, of the many Air Force bases in Japan, not one was alerted, nor was aid sought from them, by responsible authorities.

Air Force planes were eventually dispatched from Okinawa, but they did not have enough fuel, were diverted to South Korea, then kept from taking off again because of darkness. It seems the responsible commanders had both the authority and opportunity to act if they could have done so at once. But they could not, for the reasons outlined above.

REACTION OF COMMANDER BUCHER

I want to comment specifically on Commander Bucher's role when the ship was first threatened, then boarded. Our subcommittee studied transcripts of the messages sent to and from the *Pueblo*, from the time of the first threat to actual boarding. A complete log of these messages, with their content, and time of transmission, is included in the report. It is obvious from the text of the messages Commander Bucher sent, and from those going back to him, that he did not intend to resist, and that higher authority did not react to this, nor did they order him to take any other course of action.

Again, to quote directly from the report:

Therefore, the failure of Commander Naval Forces Japan and higher naval authority to officially respond to these communications and direct the *Pueblo* to take more aggressive and positive actions constitutes, in the view of the subcommittee, a tacit endorsement and approval by Commander Naval Forces Japan of the actions taken by the *Pueblo*.

EC–121

The subcommittee was also given responsibility for investigation of the EC–121 incident, when an air reconnaissance plane was shot down by North Korean planes in international air space, over the Sea of Japan, on April 14, 1969. Our response to this was quick, but, again, we found preparations had been lacking.

CONCLUSION

I wish to conclude by quoting directly from the "Summary of Findings and Recommendations" in the subcommittee's report:

The inquiry made by this special subcommittee into the U.S.S. *Pueblo* and the EC–121 incidents has resulted in the unanimous view that there exist serious deficiencies in the organizational and administrative military command structure of both the Department of the Navy and the Department of Defense. If nothing else, the inquiry revea's the existence of a vast and complex military structure capable of acquiring almost infinite amounts of information, but with a demonstrated inability, in these two instances, to relay this information in a timely and comprehensive fashion to those charged with the responsibility for making decisions.

As President Nixon recently said, "When a war can be decided in 20 minutes, the nation that is behind will have no time to catch up."

The reluctant but inescapable conclusion finally reached by the subcommittee is that because of the vastness of the military structure, with its complex division into multiple layers of command, and the failure of responsible authorities at the seat of government to either delegate responsibility or in the alternative provide clear and unequivocal guidelines governing policy in emergency siuations—our military command structure is now simply unable to meet the emergency criterion outlined and suggested by the President himself.

FEDERAL CONTRACTING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, I have today introduced legislation which would bar for a 2-year period Federal contracting and procurement officers from taking jobs with contractors or other direct beneficiaries of the contracts that they have participated in granting, awarding, or administering. It is the companion measure to legislation introduced by Senator PROXMIRE, of Wisconsin, last Thursday.

The country has increasingly become aware of the fact that prime military weapons systems contracts normally exceed their estimates by 100 to 200 percent, that deliveries can be delayed for years, that the quality of the finished product is frequently quite poor, and that defense contractors in many instances enjoy huge levels of profits.

By taking effective steps now to eliminate this kind of waste, billions of dollars could be slashed from the defense budget annually without affecting national security or reducing funds for the Vietnam war. A former official of the Defense Department's Office of the Controller puts the figure that can be saved for fiscal 1970 at $9.2 billion.

The Congress and the American people have the right to ask why the Defense Department not only has allowed this situation to develop but has attempted to cover it up once it was brought into the open.

I do not believe there is a conspiracy to defraud the American people. In the past many of the officers have performed valiant and even heroic service on behalf of the United States. The country is indeed grateful to them for their past service and for their patriotic endeavors.

But what can be said, and should properly be said, is that there are inherent factors in the present system of defense procurement which contribute to the waste and inefficiencies.

Primary among these is the fact that less than 10 percent of defense contracts are handled through open bidding. The advanced state of technology, we are told, has left the checks and balances of the free enterprise system inoperative. The highly specialized nature of military technology today has meant that only a few contractors, and in some cases only one, have the capacity to undertake many defense contracts. Turning this figure around, this means that over 90 percent of the $40 billion in defense contracts annually let are negotiated putting DOD personnel on one side of a table with personnel of the defense firm on the other.

A second major fact is the conglomerate nature of the defense industry. A handful of American firms control the overwhelming majority of the personnel and facilities needed to successfully complete a defense contract. The result is that only 10 defense contractors during fiscal 1968 accounted for 30 percent of all defense contracts.

But what makes these two facts so critically important is that so many Defense Department personnel end up working for defense contractors when they leave the Department. According to a report prepared by the Department in March, there are 2,072 retired military officers of the rank of colonel or Navy captain and above employed by the 100 contractors, which do the most business with the Defense Department.

I am sure this most dangerous and shocking situation is not a question of deliberate wrongdoing, but rather a question of what can be called the old school tie—a community of interest between the Defense Department official and the defense contractor which works

to the benefit of the large contractors who employ a large number of retired Defense Department personnel.

Former high-ranking military officials have access to the Pentagon that others do not have. Former high-ranking officials have personal friendships with those still at the Pentagon.

And in some cases former officers may even negotiate contracts with their former fellow officers. Or they may be involved in developing plans and specifications, making proposals, drawing up blueprints, or taking part in the planning process or proposing prospective weapons systems. And they may be doing this in cooperation with their former fellow officers with whom they served and by whom in some cases even promoted.

In addition, there is the subtle or unconscious temptation to the officer still on active duty. After all, he can see that over 2,000 of his fellow officers work for big companies. How hard a bargain does he drive with them when he is 1 or 2 years away from retirement?

Witness the case of five former Air Force officers who blocked efforts to cut costs on the Minuteman missile guidance and control system. In so doing they were helping the contractor. Subsequently, these officers accepted executive jobs with the system's manufacturer, North American Rockwell. According to the Justice Department, these officials violated no current law.

What we have is a 1969 version of the 5 percenters of the Korean war era—former Government employees who peddled their "influence" to contractors for a fee—usually 5 percent of the contract.

The bill I am introducing today would go a long way toward remedying this situation by making this type of activity a violation of Federal law, subject to criminal penalties.

My bill would bar an employee who participated personally and substantially in the granting, awarding, or administration of a contract or grant from taking a job within 2 years of terminating his Federal employment with anyone who has a direct or substantial interest in the contract or grant. The penalty for violating this bar would be a maximum fine of $10,000 and/or a maximum prison sentence of 2 years.

This legislation is designed to cut down on the incentive for Federal contracting and procurement officers to make lucrative awards to private companies and then leave the Federal Government to accept a generous job offer from one of those companies. The ultimate effect should be to cut down substantially on the tremendous cost overruns that the Federal Government has been experiencing on its contracts.

The bill will apply to those individuals who play an important role in the decisional process which confers a financial benefit upon a contractor, grantee, claimant, or any other beneficiary. However, I do not intend to prevent any Federal officer or employee who works for the procurement or grant office, or who has responsibility over it, from taking subsequent employment with any beneficiary of Federal largesse. My bill would only prevent such employees from taking jobs with those contractors or grantees who have benefited directly from some action on their part—the participation must be personal and it must be substantial. The pro forma signature of the Secretary of Defense on a procurement authorization, for example, would not, in my opinion, constitute personal and substantial involvement such as to bar subsequent employment under this bill.

The text of H.R. 13138 follows:

H.R. 13138

A bill to amend Public Law 87-849, approved October 23, 1962, to strengthen provisions relating to disqualification of former Federal officers and employees in matters connected with former duties and official responsibilities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Subsection (a) of section 1 of Public Law 87-849 approved October 23, 1962 (76 Stat. 1123), pertaining to disqualification of former officers and employees in matters connected with former duties or officials responsibilities, and disqualification of partners, is hereby amended by inserting after the word "responsibility" at the end of subparagraph (b) a new subparagraph (c) as follows:

"(c) Whoever, having been an officer or employee of the executive branch of the United States Government, or any independent agency of the United States, or of the District of Columbia, including a special Government employee, and who, having participated personally and substantially during the last two years of such employment as such officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in the granting, awarding, or administration of any contract, bid, grant, or procurement authorization whose total value exceeds $10,000, is employed in any capacity within two years after his employment has ceased by anyone other than the United States who has a direct and substantial interest in the contract, bid, grant, or procurement authorization in which he participated personally and substantially while so employed—".

SEC. 2. Subsection (a) of section 1 of Public Law 87-849 is hereby further amended by—

(a) striking, after the word "responsibility" at the end of the second subparagraph, the dash, and inserting in lieu thereof ", or";

(b) inserting after the words "That nothing in subsection (a) or (b)" in the third subparagraph, the words "or (c)";

(c) striking the period after the word "employee" at the end of the third subparagraph, inserting in lieu thereof a semicolon, and inserting further the following additional proviso: *"Provided further,* That nothing in subsection (a) or (b) or (c) prevents a former officer or employee from becoming employed by an agency of any State or local government or any educational institution if the head of his former department or agency shall make a certification in writing, published in the Federal Register, that the national interest would be served by such employment, and that such former officer or employee may act as agent or attorney during such employment on any matter formerly within his official responsibility or in which he has personally and substantially participated if the certification shall so state."; and

(d) striking at the beginning of the fourth subparagraph the clause designation "(c)" and inserting in lieu thereof the clause designation "(d)".

MACHIASPORT

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, for over a year now, Machiasport, Maine, has been in the news as a potential free trade zone. The establishment of this foreign trade zone and the building within it of an oil refinery and industrial complex could bring substantial economic benefits to all of New England.

The benefits of an oil refinery at Machiasport would save New Englanders as much as $158 million annually according to the enclosed editorial from the New York Times and reprinted in the Daily Eagle of Claremont, N.H.

I have included this editorial for the interest of my colleagues and urge Secretary Hickel to act favorably and promptly.

The editorial follows:

SERVICE FOR WHOM?

In an oblique attack on proposals to build an oil complex in Maine that would utilize imported petroleum at lower prices than currently available, Secretary of the Interior Walter J. Hickel told the National Petroleum Council the other day that the present import quota system for oil had "served well until we began to develop many exceptions."

There is no question that import restrictions have well served those who profit handsomely from protected, high-cost domestic oil production. But for the many New Englanders who are compelled to purchase petroleum products, oil quotas have meant hundreds of millions of dollars a year in excessive prices. Professor Joel B. Dirlam of the University of Rhode Island estimated before a Senate subcommittee last spring that the proposed Main refinery alone could result in savings for New England of as much as $158 million annually.

It is the responsibility of the Interior Secretary, who is a member of the presidential task force studying the Maine proposal, to serve a broader public interest than that of domestic oil producers.

INTER-AMERICAN DEVELOPMENT INSTITUTE

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, on behalf of six of my colleagues of the Committee on Foreign Affairs and myself, I am today introducing a bill to establish an Inter-American Development Institute. And I would like to say a few words about it.

Mr. Speaker, the cause of freedom, security, and economic progress in this hemisphere depends essentially on two factors: What the Latin Americans do for themselves, and what we in the United States do to assist them to bring about peaceful social and economic revolutions in their countries.

Both of those tasks are being closely reexamined at this time. The failures and the achievements of the Alliance for Progress are being reviewed and initial decisions are already being made about a new development strategy for the 1970's.

Last week, following 5 months of hearings and related studies, the Subcommittee on Inter-American Affairs of the House Foreign Affairs Committee issued a report recommending sweeping changes

in U.S. aid and trade policies aimed at Latin America.

We did not recommend increased foreign aid. But we did urge that some of the fundamental premises and emphases of our aid programs be carefully and thoroughly redirected.

For example, we recommended that instead of concentrating so overwhelmingly on economic development, the United States should apply increased attention and assistance to the task of promoting social and civic development of Latin America.

Among the new directions which the subcommittee proposed was the creation of an imaginative, flexible instrument through which the talents, ingenuity, good will and other resources of the American people could be brought to bear on that type of development.

These changes—changes in attitudes of peoples, in their skills, and in the basic organization of their societies—cannot be accomplished overnight.

They take a long time, require many inputs, and—generally speaking—can be advanced most effectively with maximum help and participation of the private sector.

Today, together with Congressmen JOHN S. MONAGAN, EDWARD R. ROYBAL, BENJAMIN S. ROSENTHAL, JOHN C. CULVER, F. BRADFORD MORSE, and JAMES G. FULTON, of Pennsylvania, I am introducing legislation to carry out this part of our subcommittee's recommendations.

The bill which we are introducing would establish the Inter-American Development Institute—a semiprivate entity, created by the Congress, and managed by a board of directors drawn partly from the private sector and partly from U.S. Government agencies involved in inter-American affairs.

This Institute would obtain its capital from a variety of sources—private and public, governmental and international—interested in promoting long-term social and civic change in Latin America.

And while connected with and guided by U.S. policies, the Institute would operate outside the formal U.S. presence in Latin America—outside our embassies and AID missions.

Mr. Speaker, the proposal which we are introducing today does not involve an increased authorization or appropriation for foreign aid. It would simply provide a better, more effective way of using some of the funds provided by the Congress for the Alliance for Progress.

At this point I insert the text of our bill, and the text of a memorandum explaining its purposes, in the RECORD:

H.R. 13120

A bill to promote the foreign policy of the United States and to provide for the establishment of the Inter-American Development Institute to promote developmental activities in the Western Hemisphere, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is created as an agency of the United States of America a body corporate to be known as the "Inter-American Development Institute" (hereafter in this Act referred to as the "Institute").

SEC. 2. (a) The future of freedom, security, and economic development in the Western Hemisphere rests on the realization that man is the foundation of all human progress. It is the purpose of this Act to provide support for developmental activities designed to achieve conditions in the Western Hemisphere under which the dignity and the worth of each human person will be respected and under which all men will be afforded the opportunity to develop their potential, to seek through gainful and productive work the fulfillment of their aspirations for a better life, and to live in justice and peace. To this end, it shall be the purpose of the Institute, in cooperation with national governments, regional and international organizations, and nongovernmental entities, to—

(1) strengthen the bonds of friendship and understanding among the peoples of this hemisphere;

(2) support self-help efforts designed to enlarge the opportunities for individual development;

(3) stimulate and assist effective and ever wider participation of the people in the development process;

(4) encourage the establishment and growth of democratic institutions, private and governmental, appropriate to the requirements of the individual sovereign nations of this hemisphere.

In pursuing these purposes, the Institute shall place primary emphasis on the enlargement of educational opportunities at all levels, the production of food and the development of agriculture, and the improvement of environmental conditions relating to health, maternal and child care, family planning, housing, and other social and economic needs of the people.

(b) The Institute shall carry out the purposes set forth in subsection (a) of this section through and with private organizations, individuals, governmental agencies and international organizations by undertaking or sponsoring appropriate research and by planning, initiating, assisting, financing, administering, and executing programs and projects designed to promote the achievement of such purposes.

(c) In carrying out its functions under this Act, the Institute shall, to the maximum extent possible, coordinate its undertakings with the developmental activities in the Western Hemisphere of the various organs of the Organization of American States, the United States Government, international organizations, and other entities engaged in promoting social and economic development of Latin America.

SEC. 3. The Institute, as a corporation—

(1) shall have perpetual succession unless sooner dissolved by an Act of Congress;

(2) may adopt, alter, and use a corporate seal, which shall be judicially noticed;

(3) may make and perform contracts and other agreements with any individual, corporation, or other body of persons however designated whether within or without the United States of America, and with any government or governmental agency, domestic or foreign;

(4) shall determine and prescribe the manner in which its obligations shall be incurred and its expenses allowed and paid;

(5) may, as necessary for the transaction of the business of the Institute, employ, and fix the compensation of, officers, employees, agents, and attorneys.

(6) may acquire by purchase, devise, bequest, or gift, or otherwise lease, hold, and improve, such real and personal property as it finds to be necessary to its purposes, whether within or without the United States, and in any manner dispose of all such real and personal property held by it and use as general funds all receipts arising from the disposition of such property;

(7) shall be entitled to the use of the United States mails in the same manner and on the same conditions as the executive departments of the Government;

(8) may, with the consent of any board, corporation, commission, independent establishment, or executive department of the Government, including any field service thereof, avail itself of the use of information, services, facilities, officers, and employees thereof in carrying out the provisions of this Act;

(9) may accept money, funds, property, and services of every kind by gift, devise, bequest, grant, or otherwise, and make advances, grants, and loans to any individual, corporation, or other body of persons, whether within or without the United States of America, or to any government or governmental agency, domestic or foreign, when deemed advisable by the Institute in furtherance of its purposes;

(10) may sue and be sued, complain, and defend, in its corporate name in any court of competent jurisdiction; and

(11) shall have such other powers as may be necessary and incident to carrying out its powers and duties under this Act.

SEC. 4. Upon termination of the corporate life of the Institute all of its assets shall be liquidated and, unless otherwise provided by Congress, shall be transferred to the United States Treasury as the property of the United States.

SEC. 5. (a) The management of the Institute shall be vested in a board of directors (hereafter in this Act referred to as the "Board") composed of seven members appointed by the President, by and with the advice and consent of the Senate, one of whom he shall designate to serve as Chairman of the Board and one of whom he shall designate to serve as Vice Chairman of the Board. Three members of the Board shall be appointed from private life. Four members of the Board shall be appointed from among officers or employees of agencies of the United States concerned with Inter-American Affairs.

(b) Terms of the members of the Board shall be at the pleasure of the President of the United States.

(c) Members of the Board appointed from private life shall receive compensation at the rate provided for level IV of the Executive Schedule (5 U.S.C. 5315), except that any such member serving as Chairman of the Board shall receive compensation at the rate provided for level III of the Executive Schedule (5 U.S.C. 5314). Members of the Board who are officers or employees of the United States shall serve without compensation in addition to that received for their services as such officers or employees. Members of the Board shall be reimbursed for travel and subsistence expenses in accordance with subchapter I of chapter 57 of title 5 of the United States Code.

(d) The Board shall direct the exercise of all the powers of the Institute.

(e) The Board may prescribe, amend, and repeal bylaws, rules, and regulations governing the manner in which the business of the Institute may be conducted and in which the powers granted to it by law may be exercised and enjoyed. A majority of the Board shall be required as a quorum.

(f) In furtherance and not in limitation of the powers conferred upon it, the Board may appoint such committees for the carrying out of the work of the Institute as the Board finds to be for the best interests of the Institute, each committee to consist of two or more members of the Board, which committees, together with officers and agents duly authorized by the Board and to the extent provided by the Board, shall have and may exercise the powers of the Board in the management of the business and affairs of the Institute.

SEC. 6. The Institute shall be a nonprofit corporation and shall have no capital stock. No part of its revenue, earnings, or other income or property shall inure to the benefit of its directors, officers, and employees and such revenue, earnings, or other income, or

property shall be used for the carrying out of the corporate purposes set forth in this Act. No director, officer, or employee of the corporation shall in any manner directly or indirectly participate in the deliberation upon or the determination of any question affecting his personal interests or the interests of any corporation, partnership, or oganization in which he is directly or indirectly interested.

SEC. 7. When approved by the Institute, in furtherance of its purpose, the officers and employees of the Institute may accept and hold offices or positions to which no compensation is attached with governments or governmental agencies of foreign countries.

SEC. 8. The Secretary of State shall have authority to detail employees of any agency under his jurisdiction to the Institute under such circumstances and upon such conditions as he may determine. Any such employee so detailed shall not lose any privileges, rights, or seniority as an employee of any such agency by virtue of such detail.

SEC. 9. The principal office of the Institute shall be located in the District of Columbia, but, there may be established agencies branch offices, or other offices in any place or places within the United States or elsewhere in any of which locations the Institute may carry on all or any of its operations and business.

SEC. 10. The Institute, including its franchise and income, shall be exempt from taxation now or hereafter imposed by the United States, or any territory or possession thereof, or by any State, county, municipality, or local taxing authority.

SEC. 11. Of the funds made available to carry out the provisions of Part I of the Foreign Assistance Act of 1961, as amended, not to exceed $50,000,000 shall be available for the fiscal year 1970 to carry out the purposes of this Act and, notwithstanding any other provision of the Foreign Assistance Act of 1961, as amended, funds used for such purposes may be used on a loan or gant basis. For subsequent fiscal years there are authorized to be appropriated such sums, to remain available until expended, as may be necessary from time to time to carry out the purposes of this Act.

SEC. 12. The right to alter, amend, or repeal this Act is hereby expressly reserved.

SEC. 13. The Institute shall be subject to the provisions of the Government Corporation Control Act.

BACKGROUND MEMORANDUM—WHY THE INTER-AMERICAN DEVELOPMENT INSTITUTE?

Social and civic development is a slow, difficult, at times painful process for the developing countries.

It may entail a wholesale change in the basic organization of a society, and the restructing of its human skills and attitudes.

Such changes are not easily achieved. They may require decades, even generations, of continuing effort.

Consequently, programs aimed at the promotion of social and civic change ought to be conceived as long-term undertakings. For maximum effectiveness, they should not have to depend for their sustenance on year-to-year fluctuations in the political climate and the recurring "ups and downs" in relations between sovereign countries.

In many cases, such undertakings can produce best results if they are divorced from the formal structure of inter-governmental relations and are managed by private or semi-private institutions.

This applies, in particular, to the following types of activities:

(a) *Title IX* undertakings aimed at increasing participation in the processes of change, and sharing of the products of development, by each and every man in his society;

(b) *Research and education* in the meaning and means of participation, more equitable income distribution, and key attitudinal barriers to an equitable society;

(c) *Support* of research and pilot efforts to solve the bottlenecks in educational systems, agricultural production and urban development which have denied large segments of the populations of the developing countries the opportunity to join the modern world;

(d) *Technical assistance* in local government, legislatures, legal systems, peasant and urban leadership, cooperatives, credit unions, democratic labor union promotion, adult literacy, civic education, taxation and the formation of private foundations devoted to socio-political progress;

(e) *Family planning* and population control;

(f) *Capital assistance* for small-scale, self-help projects at the community level designed to enhance the income of *Campesinos, barrio* dwellers, and urban workers; and for programs providing support for agrarian reform, education for the masses, community development and others.

AID's involvement in some of these activities has met with serious obstacles. It has aroused political opposition in the developing countries; it has caused problems for U.S. embassies; and it has been only partially successful because of AID's inability to embark on long-range undertakings, to recruit and keep the types of personnel required for staffing them, and to deal with certain private groups in the developing countries.

Moreover, the identification of these activities with the formal U.S. Government presence in the countries concerned has "turned off" some local groups while exposing U.S. embassies to criticism for "meddling" in sensitive internal affairs of other countries.

Witnesses who testified before the Inter-American Affairs Subcommittee during the 1969 hearings, and testimony of a number of experts who appeared earlier before the International Organizations and Movements Subcommittee, favored the creation of a separate agency or foundation to support social and civic development.

The proposed Inter-American Development Institute is intended to serve that purpose.

The Institute could gradually take over some of the politically sensitive activities of AID in Latin America—and do them better.

By having its own identity, a Board of Directors drawn partly from the private sector, multiplicity of sponsors, longer-term assurance of resouces, and greater flexibility in operations, the Institute could operate at a level at which the formal machinery of the U.S. Government cannot, by its very nature, be effective in promoting social and civic change.

The resources of the Institute would come in the first instance, from the U.S. Government. Specifically, $50 million of the funds authorized for Fiscal Year 1970 for economic development assistance under part I of the Foreign Assistance Act would be made available as the initial capital of the Institute. Later appropriations could be made, as necessary, when the Institute gets on its feet and it becomes clear which AID activities it can absorb.

In addition, the Institute would be empowered to accept funds from Latin American governments, from international organizations—for example, the World Bank and the Inter-American Development Bank—and from private sources in the United States in Europe and in Latin America itself.

In conclusion, three points should be borne in mind:

First, that in order to promote the kind of change that the Congress has said is desirable in Latin America, the U.S. Government must operate at two levels: the Government-to-Government level and the Nation-to-Nation (or people-to-people) level. The Institute will provide a useful, flexible instrument for dealing with development problems at that second level.

Second, while the Institute represents a new approach, it does not entail increased foreign aid. It simply provides a more effective instrument for doing some tasks which the United States presently funds through AID and through a number of international organizations. In time, by using private and public funds, and loan repayments, it can become self-sustaining. And—

Third, since 4 out of its 7 directors would be U.S. Government officials concerned with Inter-American relations, the Institute would be unlikely to depart from the major objectives pursued by the United States in Latin America.

CLEAN WATER RESTORATION ACT CONSTRUCTION GRANT PROGRAM

(Mr. DINGELL asked and was given permission to extend his remarks at this point and to include extraneous matter.)

Mr. DINGELL. Mr. Speaker, on July 10, 1969, I placed in the CONGRESSIONAL RECORD—on pages 19102–19121—responses from some 30 State Governors and the Governors of Guam and the Virgin Islands to my earlier request to them for information on the impact of short-funding of the Clean Water Restoration Act of 1966. As I stated at that time, "I am pleased to be able to report that a substantial majority of those who have responded support the efforts of myself and others to secure full funding of the Clean Water Restoration Act construction grant program for fiscal year 1970."

Subsequently, I have received additional responses from the Governors of several States, the Commissioner of the District of Columbia, and the Georgia State Water Quality Control Board. So that my colleagues may have an opportunity to be aware of the views expressed in these letters, I include their texts at this point in the CONGRESSIONAL RECORD:

STATE OF ALASKA,
OFFICE OF THE GOVERNOR,
Juneau, July 1, 1969.

Hon. JOHN D. DINGELL,
House of Representatives,
Rayburn House Office Building,
Washington, D.C.

DEAR MR. DINGELL: Thank you very much for your June 6, 1969, letter inviting me to comment on the implications to Alaska of the shortage of Federal funding of water pollution control programs.

For several years Alaska has made good use of its entire allocation of construction grant funding in the water pollution control program. Particularly, with the implementation this year of our new Water Quality Standards, I anticipate that substantial additional amounts could be used by our local governments for the construction of sewage treatment plants if these funds could be made available.

Best personal regards.

Sincerely yours,

KEITH H. MILLER,
Governor.

THE COMMONWEALTH OF MASSACHUSETTS, WATER RESOURCES COMMISSION,
Boston, July 18, 1969.

Hon. JOHN D. DINGELL,
U.S. House of Representatives, Rayburn House Office Building, Washington, D.C.

DEAR SIR: Massachusetts has adopted a most comprehensive water pollution control law featuring a $150M bond issue authorization with pre-financing capabilities and a strong enforcement program vested in a new

Division of Water Pollution Control under the control of the Water Resources Commission in the Department of Natural Resources. We also have provided two tax inducements for industry and a new and broad authority for control of oil pollution in the waters of the Commonwealth.

Since the inception of this program, grants have been made to communities reflecting about $55M worth of sewage treatment works construction. In recent years the Federal government's contribution to this program has been about $5.3M/year requiring the pre-financing of approximately $11.0M of State monies in anticipation of future Federal reimbursements. This has maintained the integrity of the implementation program adopted by the State up until now but as the larger community projects come due, the program will unquestionably be severely curtailed.

The Federal government has not honored its financial commitments to the State and as such one must question the advisability of continuing to subsidize the Federal share on eligible pollution control projects throughout the State.

The Federal interest in this program can only be confirmed by positive action in overcoming the accumulative Federal appropriation inadequacies and making provisions for a separate authorization to reimburse the states that have utilized their pre-financing capability.

Should alternative methods of financing be the subject of future Federal legislation, it is obligatory on the Congress of the United States to maintain the equitability of alternatives to the present construction grant percentages specified in the Federal Water Pollution Control Act. If a debt service contract approach is necessary, it is extremely important that the interest charges for the Federal share be borne directly by the Federal government.

I appreciate your concern in this matter and am hopeful my comments may be of assistance to you.

Very truly yours,

THOMAS C. MCMAHON,
Director.

STATE OF MINNESOTA,
OFFICE OF THE GOVERNOR,
St. Paul, July 23, 1969.

Hon. JOHN D. DINGELL,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: Thank you for your recent letter requesting information on the impact of the reduced level of Federal funding on water pollution abatement and control in this state.

Applications submitted over the last four fiscal years have been broken down as follows:

TABLE I

Fiscal year	Amount requested	Number of applications	Federal allocation
1970	$15,333,257	43	$3,931,000
1969	15,453,640	61	3,931,000
1968	11,843,586	41	3,728,000
1967	6,896,473	35	2,743,250

TABLE II

Fiscal year	Number of grants certified	Projects that proceeded under reimbursement
1970	[1]29	9
1969	36	14
1968	18	8
1967	10	2

[1] Assumes same level of funding as fiscal year 1969.

As can be readily noted in Table I the grant amount requested greatly exceeds Minnesota's actual or anticipated congressional allocation. Based on discussions with municipal officials or their representatives, we do not expect as many communities to utilize the reimbursement provisions of the Federal Act in FY70 as did in FY69 (see Table II). The main reason for this is the difficulty of arranging the necessary financing for the entire eligible project rather than only 70 or 67 percent as the case may be if a Federal grant were available.

Because of change in Minnesota's FY70 and 69 system for establishing priorities which split the congressional allocation based on population between what is known as the seven county metropolitan area (basically Minneapolis, St. Paul and some fifty suburbs) and the balance of the state, it was possible to certify a substantially greater number of applicants for grants (see Table II). Based on the 1960 Federal census, this results in a respective 45 and 55 percent split of funds between the seven county metropolitan area and the rest of the state. The seven county metropolitan areas has a much lower number of projects, however, substantially higher cost while the reverse situation exists for the remainder of the state.

No community outside of the metropolitan area in FY69 proceeded under the reimbursement provisions, nor do we anticipate that any will in FY70. While many larger communities which have an immediate water pollution control need have indicated their desire and are proceeding to comply with Minnesota's interstate and intrastate water quality standards, some have qualified their statements contingent upon the availability of Federal Aid.

In general, it can be stated that some projects have been delayed because of the lack of Federal assistance and any substantial increase over the funding level of FY69 will greatly assist in water pollution abatement and control.

Minnesota does not have a state grant program. A bill was introduced in the last legislative session but failed to pass. Instead a 1.5 million dollar program to pay the interest on the Federal portion of an eligible project was passed. It is still too early to predict what effect this program will have.

Your effort in securing full or a substantial increase in funding of the act for FY70 will be greatly appreciated.

If you have any questions, or if we can be of further assistance, please let us know.

Sincerely yours,

HAROLD LEVANDER,
Governor.

EXECUTIVE OFFICE,
Jefferson City, Mo., July 10, 1969.

Hon. JOHN D. DINGELL,
Member of Congress,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: This is in reply to your letter of June 6, 1969 concerning the impact on our pollution control program caused by the shortage of federal funds on our water pollution control program.

The funds authorized by the Water Quality Act would have provided sufficient federal funds for matching municipal projects in Missouri. However, the funds appropriated are only a fraction of those authorized. The result has been that construction of abatement works has been materially reduced. The backlog continues to grow, and if we are to make real progress in pollution abatement, federal funds and state funds must be increased.

During Fiscal Year 1969 and in Fiscal Year 1970, the Missouri Legislature has appropriated state funds to match all of the federal funds available to Missouri municipalities. A survey of municipal needs indicates that if the federal funds for Missouri cities were increased from $5 million to $12–15 million per year, and accompanying state grants of $6–7½ million were available, that the backlog could be wiped out in approximately five years.

Sincerely yours,

WARREN E. HEARNES.

STATE OF NEW MEXICO,
OFFICE OF THE GOVERNOR,
Santa Fe, July 3, 1969.

Re funding for water pollution control activities.

Hon. JOHN DINGELL,
Member of Congress,
House of Representatives,
Washington, D.C.

DEAR MR. DINGELL: I sincerely appreciate your letter of June 6, 1969. I can with pride report that the State of New Mexico has 100% of all sewered communities complete with secondary sewage treatment facilities.

In the past several years, the State of New Mexico has not completely utilized its construction grant funds under the P.L. 660 Program. Construction needs in the State are only those necessary to keep up with increased population and industrial growth of the State.

The funding which our State requires is in the administrative and regulatory area. We hope to improve operation of existing facilities by closer supervision. Anything which you can do to permit an increase for water pollution control funds under the State Program Grant Provision of the Federal Water Quality Act would be greatly appreciated and would benefit the State of New Mexico substantially more than an increase in construction grant funds.

Yours in water pollution control.

DAVID F. CARGO,
Governor, State of New Mexico.

STATE OF MONTANA,
OFFICE OF THE GOVERNOR,
Helena, July 18, 1969.

Re your letter of June 6 in which you ask for information relative to the impact which short funding of the Clean Water Restoration Act may have caused the State of Montana in the area of water pollution control and abatement.

Hon. JOHN DINGELL,
House of Representatives, Rayburn House Office Building, Washington, D.C.

DEAR CONGRESSMAN DINGELL: The short funding of this Act has not had a great deal of impact on Montana in the past, but possibly could have in the future.

In explanation, in Montana, all municipalities that were sewered have had treatment plants provided. This program was completed in 1966. The federal allocation of funds to the state has been more than adequate to meet the grant requests on these sources.

When the Water Quality Standards of 1967 were adopted, it was required that secondary treatment be provided for all municipalities and industries. Most municipalities were given until 1972 to upgrade their treatment from primary to secondary. This involved primarily our larger municipalities, approximately twenty of which are involved. In order to meet this need, it is anticipated that during the next three years there will be approximately thirteen million dollars spent on sewage treatment projects in their state.

The last two sessions of the Legislature have seen considerable activity by our larger municipalities endeavoring to have legislation passed authorizing the state's participation in construction grants for sewage treatment works. There were several reasons for the legislation not passing. However, the one that probably had the greatest influence on our Legislature was that the majority of our municipalities already provide secondary treatment of their wastes and these communities apparently question whether they should be responsible for providing funds for those that need additional treatment

when they have already paid for it themselves.

The problem is that by 1972 all municipalities will have to meet the standards set up by the Water Quality Standards of the 1967 Session of the Montana State Legislature. If the state does participate in helping provide funds to pay for secondary sewage treatment, this will mean that the Federal Government's share of funds towards completion of the secondary plants will be greater according to federal standards. The other alternative is if the Legislature did not fund construction grants for secondary treatment plants, many of the municipalities, which are waiting until the 1971 Legislature has met and considered this funding, will be applying for federal money at the same time in order to complete their secondary treatment plants by the deadline of 1972. This would mean a greater influx of requests for federal funds which might result in a shortage of the same.

I trust this is the information which you desired. I will be pleased to supply you with any additional information you may need.

Sincerely yours,

FORREST H. ANDERSON, *Governor.*

STATE OF NEW YORK,
EXECUTIVE CHAMBER,
Albany, July 22, 1969.

DEAR MR. DINGELL: Thank you for your letter concerning Federal funding under the Clean Water Restoration Act.

Municipalities, under the $1 billion New York State Pure Waters Bond Act, are provided a basic State construction grant of thirty percent, and prefinancing of the Federal share up to thirty percent; thus, the State guarantees to the municipality a sixty percent grant of the eligible project cost.

As you are aware, existing Federal legislation currently entitles municipal sewage treatment works projects to either a fifty percent of fifty-five percent Federal construction grant. Due to the short-funding of the Federal program, no project in the State of New York has received its full Federal grant. The national appropriation for Federal program for fiscal year 1969 was only $214 million, with the New York State allocation being only $15.8 million of this appropriation. If the active projects in the State were funded to the 50/55 percent figure, an additional $752 million in Federal grant funds would be required.

The failure of the Federal Government to match existing authorizations with appropriations has slowed our Pure Waters Program. If Federal funds were available, municipalities would be eligible to receive a total construction grant of eighty percent or eighty-five percent of the eligible project cost. This would then limit the local municipal share of the project cost to either twenty percent or fifteen percent; would make it easier for the taxpayers within the municipality to shoulder the fiscal burden; and would encourage the municipality to move ahead with its project to abate water pollution.

Your efforts to secure full funding of the Clean Water Restoration Act for fiscal year 1970 are very much appreciated.

Sincerely,

NELSON A. ROCKEFELLER.

GOVERNMENT OF THE DISTRICT
OF COLUMBIA, EXECUTIVE OFFICE,
Washington, D.C., June 16, 1969.

Hon. JOHN D. DINGELL,
House of Representatives,
Washington, D.C.

DEAR MR. DINGELL: Thank you for your letter of June 6, 1969, expressing your concern about Federal short-funding and its impact on the District of Columbia's water pollution control program.

We will be happy to provide the information you have requested. However, it will take a few days to get it together, and I will forward it to you as soon as we have it ready.

With best wishes,

Sincerely,

WALTER E. WASHINGTON,
Commissioner.

GOVERNMENT OF THE DISTRICT
OF COLUMBIA, EXECUTIVE OFFICE,
Washington, D.C., July 10, 1969.

Hon. JOHN D. DINGELL,
House of Representatives,
Washington, D.C.

DEAR MR. DINGELL: This is in further response to your letter of June 6, 1969, expressing your concern about the low-level funding of the federal sewage treatment construction grants program and its impact on the District of Columbia's water pollution control program.

The principal impact of funding below authorized levels has been to upset fiscal planning. The result has been more frequent and increased use of borrowing authority to keep the construction program going. Inasmuch as loan repayments must be made from revenue, that action, in turn, has reflected the need to increase sewer rates. Thus, existing authority to increase rates and to borrow has been reduced in increasing degree. This fact, coupled with an imminent, enlarged construction program of abatement facilities, will necessitate requests to Congress for additional borrowing and rate increase authority. Although the impact on our water pollution control program has not been significant in amount up to this point, since District funding for the expanded program did not begin until F.Y. 1969, nevertheless we are now faced with the necessity of requesting additional funding authority. Our 1970 program is unfunded by approximately $7.8 million, a large portion of which can be attributable to low-level federal funding.

According to Public Law 660, as amended, the District is eligible for grants of 55 per cent to aid with the construction of sewage treatment facilities. In order to meet water quality standards, we will need to upgrade basic treatment facilities over the next five years to remove 90 per cent of organic pollutants at a cost currently estimated at $108 million. The District's eligibility for construction grants on that amount would be $59.4 million. However, full eligibility cannot be realized since the formula in the Act would limit D.C. to $15.8 million even if appropriation of the full authorization were made. Recognizing that the Act expires in F.Y. 1971 and assuming that the present level of appropriation of $214 million will hold, we cannot expect more than $5.2 million on the above construction. Thus, it is obvious that local financing will have to make up the difference, $10.2 million in this case.

In the years ahead the District is faced with extremely large expenditures for waste water treatment. I am advised that it will cost not only the $108 million previously mentioned to upgrade our basic treatment facilities to provide 90 per cent biochemical oxygen demand (BOD) and suspended solids removal from flows expected in 1980, but, following this, additional expenditures of $170 million for advanced waste treatment for the same flows must be contemplated if water quality standards are to be met. Increased sewer service charges and borrowing authority to be requested together with anticipated federal grants will enable us to construct and operate the basic plant only. The method of financing of the advanced waste treatment facilities has yet to be worked out. This should show you the magnitude of our problem.

I hope the above information will be helpful. If I can be of further service, please let me know.

Sincerely yours,

WALTER E. WASHINGTON,
Commissioner.

STATE WATER QUALITY CONTROL BOARD,
Atlanta, Ga., July 18, 1969.

Hon. JOHN D. DINGELL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: We note from the Congressional Record of July 10, 1969, you wrote the Governors of the States requesting information related to construction grant needs under the provisions of the Clean Water Restoration Act. We have checked with our Governor's office and there is no record of your letter having been received. However, since this matter is so urgent to us, we are taking the liberty of providing you with the information anyway.

The failure of Congress to appropriate the funds authorized in the Act has left the State of Georgia in a very difficult position in obtaining effective water pollution abatement programs from local governments during the past three to four years. The implementation plan and water quality standards adopted by this State and approved by the Department of the Interior in 1967 are becoming less and less a reality.

This State now has seventy-four (74) applications and three (3) requests for supplemental grants pending which are requesting almost $35 million in FY 1970. Based on engineering reports already reviewed by this office, the situation will be worse next year.

By letter dated July 9, 1969, this office was informed by the Southeast Regional Office of F.W.P.C.A. that Georgia would receive $4,589,000 for FY 1970. This, of course, is based on an appropriation of $214 million. You can see that the bulk of the applications will remain in the drawer for another year.

Your interest and concern in this matter are vital. Your assistance in obtaining additional funding will be appreciated by many.

Best regards.

Sincerely,

WARREN O. GRIFFIN,
Assistant to the Executive Secretary.

(For R. S. Howard, Jr., Executive Secretary.)

POSTAL SERVICE

(Mr. OLSEN asked and was given permission to extend his remarks in the body of the RECORD at this point and to include extraneous matter.)

Mr. OLSEN. Mr. Speaker, I wish to call the attention of my colleagues to an article published in This Week magazine on Sunday, July 28, in which the Post Office has been awarded some long overdue praise. The author, Mrs. Yetta Horn Jay, and the publication are to be commended for bucking the trend of the day, which has been unrestrained criticism of the postal operation.

Mrs. Jay shows a complete understanding of the Post Office which most of the critical writers on the subject have not evidenced. In the third paragraph of her article she makes the most effective point on this matter I have seen in newsprint this year when she says:

> But unlike private industry the Post Office must take on all comers; it can't reject or control the growing demands made upon it.

Here Mrs. Jay underlines the fact that the Post Office is by and large an effective public service and she urges her readers to recognize it.

This Week magazine and Mrs. Jay have done the public a great service by publishing this article. We hear entirely too much criticism about a system that does a good job. We have seen the mail volume increase by 45 billion pieces and the population increase by nearly 50 million since the end of World War II: Yet each of us still receives daily, personal, efficient, and expeditious mail service. Somebody must be doing something right down at the Post Office.

The article referred to follows:

YOU ARE RUINING OUR POSTAL SERVICE

(By Yetta Horn Jay)

NOTE.—Mrs. Jay worked for the Post Office, as a mail sorter, at intervals over more than four years. She has received several awards from the Post Office for her suggestions on improving the service.)

America's postal system is headed toward a mammoth breakdown, due not so much to the glut of mail as to the negligence and sloppiness of those who mail it.

True, our mail volume is staggering: every day our Post Office handles more than one piece of mail for every man, woman, and child in our 50 States, moving twice as much mail as all the rest of the world postal systems combined.

But unlike private industry, the Post Office must take on all comers; it can't reject or control the growing demands made upon it. It is confronting this crisis head-on, using modern technology to help speed 83 billion pieces of mail annually, up from 38 billion in 1945. Postmaster General Winton M. Blount is planning a complete structural reorganization so our Post Office will serve us most effectively.

But our mailing habits are failing to keep pace with these changes—they are often inadequate, sloppy, and downright incorrect. Huge corporations and Joe Smiths alike constantly make the same errors. A conservative estimate is that *one out of every two First Class letters mailed today is mailed incorrectly.* Yet when a letter arrives too late or not at all, we shrilly play the national game called "Blame it on the Post Office."

Each of the following cases illustrates at least one major mailing error committed daily by thousands of Americans.

Case I. "Bundling's Great." One of this country's major mailers sent a number of highly important letters clearly marked "Airmail" and "Special Delivery" and correctly metered. Yet all arrived from 24 to 48 hours too late. *Blame it on the Post Office?*

No. The facts are these: Like most large firms, this one bundles its mail into canvas sacks, directly dispatching them to the Post Office. In this case, its mailroom clerks bundled in reverse: they put the Airmail Specials in first, then the regular First Class mail, then finally Third Class advertising matter which filled the sack's top two-thirds. On opening the sacks, the postal worker assumed that it contained all Third Class mail. Since First Class mail is always handled first, some time elapsed before the contents were processed and the error discovered.

Moral: No matter how large or small your mailing, *always bundle the most important letters on top.* Specials are always processed first, followed by Airmail and then First Class mail. Completely separate your First Class mail from other classes. Table workers at the Post Office toss bundled mail into the different bins in split seconds. They judge by the top letter. No one has the time to rifle through bundles.

Case II. "Ounces and Cents." A nonprofit club mailed several hundred routine monthly meeting reminders. The surprised local members got theirs Special Delivery, and the "out-of towners" were Airmailed. *Was the Post Office playing Santa Claus?*

Hardly. A common metered mail snafu occurred. The meter's prior setting had been for 48 cents. Failing to check, the club's mailer ran these reminders through at the same amount. He then threw the letters untied into the mailbox. The loose letters were dispersed into numerous trays worked by various clerks. Where the mailer's intention is not stated and the mailing is small, the Post Office matches service to postage. Had this mailing been bundled, the Post Office would have phoned the mailer to make sure of its intention. A postage refund could have been arranged. Instead, the club lost over $100.

Moral: *Watch your postage.* American mailers, large and small, are losing money by overpaid mail and losing good will by underpaid mail. Underpaid mail is sent directly to the mailee, who pays on receipt. Overpayments occur mostly in metered mail—and more than half of all First Class letters are metered. The meter operator forgets to check the setting or reverses the number. The routine First Class 0.06 zooms to 0.60, or the Airmail 0.10 skyrockets to 1.00.

One of the greatest underpayment culprits is the First Class heavy letter weighing over an ounce. Some senders just naturally put 6 cents on everything. Another culprit is the foreign Airmail letter whose sender forgets that these rates are in *half ounces.*

Case III. "Dead or Alive?" A woman invited her niece, who was visiting a cousin in a nearby city, to visit her. Her niece failed to get the invitation and soon returned to her far-off home. A family feud erupted with the aunt accusing the cousin of withholding the letter. Angrily, the cousin retorted she never saw it. *Letter lost in the Post Office?*

No. The letter was sent from a suburban private home to a big city high-rise apartment house. The aunt sent her letter directly to the niece, whose name differed from the cousin's. She also failed to include her own return address. Marked "Undeliverable," the letter was sent to the Regional Dead Letter office where it was opened for a possible clue to the sender or mailee. (*Note:* this is the *sole* exception to the rule forbidding the Post Office to open First Class mail.) The letter bore no clues, and was destroyed.

Moral: *Never omit your return address.* It's a vital part of your letter, and keeps it "alive." In order for a dead letter to become deliverable these steps are required: (1) letter returned to local Post Office; (2) letter sent to regional Dead Letter office; (3) letter opened; (4) clue searched for; (5) letter readdressed; (6) letter completely reprocessed. And all this for a mere 6 cents an ounce!

Case IV. "Dough Re Mi." A loving grandmother mailed her grandson a gift of money. Eventually he got an envelope marked "Damaged in Handling" containing no money. Wails the grandmother, *"It must've been stolen in the Post Office."*

It wasn't. Grandma sent several dollars in loose coins. Not caught in time, the envelope jammed up the stamp-canceling machine; coins flew in all directions, and her letter plus several others got mangled. A machinist had to repair the disabled canceler, the mangled mail had to be mended, the loose money (which letter did it come from?) wound up at the U.S. Treasury after endless paper work. All told, grandma's letter cost the Post Office considerably more than it contained.

Moral: *Never send loose coins in the mails.* This constant Post Office warning falls on many deaf ears.

Related is another moral: *Mark your slugs.* A slug is a bulky letter. You should print "Hand Stamp" on the front and back of the envelope in large red letters. The table worker will then immediately toss it into the slug bin. Unmarked slugs aren't always readily seen. Our Post Office constantly contends with unmarked mail containing lipsticks and other cosmetics, pens, pencils, calendars, material swatches, combs, bottle caps, razor blades. *Always tie your slugs together* to reduce the number of table-to-bin tosses.

Case V. "Time is Money." A rising firm sent a large national mailing announcing a new merchandise line. All the letters were delivered in A–I condition within 24 to 48 hours. That same day a competing firm in the same city put out a similar mailing, which arrived from one to three days after its rival's, and in poor condition. *Post Office efficient in one case, inefficient in another?*

Hardly. The first firm mailed its properly bundled letters early in the day. All its letters were Zip Coded.

The second firm committed almost every possible error. It sent its loosely tied mail out after 5 P.M. to attract attention, it used outsized envelopes, and these were poorly sealed. To save time and money, this firm used a window-type envelope. But since the letters were sloppily inserted, the last line of each address wasn't visible. Finally, not one letter was Zip Coded.

The first mailing arrived when the Post Office could give it maximum care, the second at a peak period. Harrassed clerks had to tear apart many letters which were glued together; then they had to shake each letter to see the address. Many had to be returned to their sender for better addressing. With no Zip Code, the mailable letters had to be sorted one by one. And the outsized envelopes got bent as the clerks tried to fit them into the pigeon holes.

Morals: *Mail early in the day.* Avoid the avalanche. *Seal your mail right.* Unsealed, partially sealed, and oversealed wet envelopes (which stick together) constantly eat up time and manpower. *Use standard envelopes.* Using today's mass methods and equipment—canceling machines, mail trays, pigeon holes—the Post Office is geared to standard-size mail. Thus undersized mail may get lost, while the outsized get bent and tattered. *Zip it!* No letter is correctly mailed without a Zip Code.

The Zip Code is the most radical change in Post Office history. It's the major solution to our mail deluge and our major hope for speedier delivery.

Zipping means mail will get faster transportation.

The word Zip stands for Zone Improvement Plan which is the extension, on national lines, of the local zoning idea. Each number in the Zip Code is vital. The first digit stands for one of our country's ten major geographical areas. The second and third digits narrow it down to a sectional center. The fourth and fifth digits pinpoint your local Post Office. Thus a Zip Code for Washington, D.C. is 20037; 2 is the specific geographical region, 00 means it's inside Washington, 37 is the local station that delivers the mail.

The Zip Code plus mechanization will bring speedy delivery. Fantastic new machines—handling 36,000 letters an hour—are gradually replacing present outmoded hand-sorting methods. But these machines can work best only with correctly Zip Coded mail. The machines can't read the Zip Code that isn't there, or appears in the wrong place (it should be on the last line, two to six spaces after the state name).

Unless we drastically reform our mailing habits today, we'll find our Post Office in trouble tomorrow—even with mechanization. For as helpful as our new machines are, they can't decipher illegible or incomplete addresses, or look through an envelope to see if its contents are fragile, or separate stuck-together mail, or rescue lost contents.

The solution is simple: let's start helping our Post Office now. We aren't doing all we can when one out of every five First Class letters mailed has no Zip Code, and 30,000,000 letters end up in the Dead Letter Office every

year. Let's weigh, mark, and bundle our mail carefully, correctly, and *early*, to allow the mechanical improvements to speed mail safely.

Let's stop playing "Blame it on the Post Office," and start playing by the rules.

A COMMON FRONTIER

(Mr. MORSE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MORSE. Mr. Speaker, throughout the hours of July 20 and July 21, most of the world watched what is probably one of the most spectacular events in the history of mankind—the lunar landing of the crew of Apollo 11. Scientists from all nations will benefit from the information they bring back with them. The entire world waited with shared anticipation and common hope for their safe return. For one moment in a world of divisiveness, on an earth marked by boundaries, natural and man made, separated into societies which differ by language, culture, race, and customs, and rent by rivalries and mistrust, we have been able to join together to thrill in the realization of a centuries-old dream.

The world beyond our world has for hundreds of years provoked the curiosity and stirred the imagination of men from all walks of life, from all nations, of all beliefs. Symbolically, we have all looked upward as we have joined together in spirit to share the anxiety, the hope and the joy of the Apollo 11 journey.

Although we bring our eyes downward as it returns to earth, we should not let this spirit, and the hope it can hold for the future of all mankind both on this earth and beyond, diminish. I am pleased, therefore, to join my colleague from Massachusetts, HASTINGS KEITH, in calling for steps which will allow and encourage the joint effort of all nations in the future exploration of space frontiers.

Not only will the combined knowledge and capabilities for the technologically advanced nations in a comprehensive space program allow greater progress in facing the problems of space, but the process of sharing the burden as well as the glory of the conquest of space will also create a basis of communication and cooperation which could be applied to the more earthly problems of our world.

The moon was a common goal. It, and the vastness of space beyond, are a common frontier as yet untouched by national rivalries, and we should make every effort to keep it that way. House Concurrent Resolution 305 is a vital and significant step in this direction.

THE COLEBROOK, N.H., NEWSPAPER BACKS SAFEGUARD ABM SYSTEM

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to incude extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, my friend, Judge Frederick J. Harrigan of Colebrook publishes the weekly newspaper, the Colebrook News and Sentinel. It is the northernmost newspaper in my district and, therefore, one of the northernmost papers in the country. It reflects the thinking of a broad area. It is published under the motto: "Independent, But Not Neutral," which I personally assure the House is an accurate description.

Publisher Harrigan, in common with all thoughtful citizens, has been wrestling with the troubling ABM issue. His editorial for July 16 states his conclusion. He recognizes the state of international politics for what it is: a balance of terror maintaining the peace, and nuclear terror at that. He feels it is sensible, at the very least, to keep the balance—and the peace—by constructing the Safeguard.

The editorial is well reasoned and well written. I draw it respectfully to the attention of my colleagues in the Congress as a very good indication of what thoughtful persons in the north country are thinking about the ABM decision, which is coming rapidly to a fateful climax.

The article follows:

RELUCTANT "YES" ON ABM

Perhaps by the time this reaches print, the Congress will have decided on the burning question of the A.B.M. "Safeguard" or, as Senator Aiken suggests, some workable compromise will have been reached. Along with just about everybody else (including, undoubtedly, Congressmen and Senators, themselves), we have been much troubled by this particular question.

Finally, trying to think it through as logically as possible, we have reached the conclusion that this limited anti-missile system, designed solely to protect our "second strike" potential, is justified. Justified, that is, if you can justify anything which contemplates the unleashing of forces more than sufficient to cause millions of deaths if not destroy the earth itself.

In fact, right there lies the heart of the dilemma. Bacteriological warfare, strikes with nuclear warheads—it's all terrible. But so is war itself, and where do you draw the line? To us, the parallel keeps occurring that both sides had poison gas during the World War II, but not even the German madmen in their final Gotterdammerung dared to use it. Along the same lines, given the pre-Hiroshima days all over again, one wonders whether our own authorities would ever have fired the first atomic bomb.

Treaties and diplomatic niceties don't seem to mean much any more, and neither does disarmament unless and until we reach that utopian age when not just one power, but all of them, will scrap their arms and forget about national boundaries. That day is far away, and in the meantime we have reluctantly concluded that the A.B.M. system is a necessary adjunct to preserving the nuclear stand-off which is the only thing keeping the big powers from each other's throats right now.

TAX BREAK FOR GI'S IN KOREA

(Mr. WOLFF asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WOLFF. Mr. Speaker, I am pleased to be able to report to the 205 Members who have sponsored companions to H.R. 9636—to provide hazardous duty tax exemptions for American servicemen in Korea—that a companion bill with a number of cosponsors has been introduced in the other body by the distinguished junior Senator from Hawaii, Mr. INOUYE.

This support in the other body is deeply appreciated, especially by the American servicemen who are constantly facing dangerous assignments in Korea. There can be no questioning of the basic fact that service in Korea is truly dangerous—witness the *Pueblo* and EC–121 incidents, along with the steady pattern of encounters with North Korean violators of the demilitarized zone.

This legislation is consistent with the precedent and would provide our GI's with the same tax advantage enjoyed by their counterparts in Vietnam. Enlisted men's pay and officers' pay up to $500 a month earned in the hostile area would be exempt from Federal taxation.

There is overwhelming support for this measure, as evidenced by the more than 200 Members cosponsoring the House bills. Now, with a companion introduced in the Senate, I respectfully urge the distinguished chairman of the Ways and Means Committee to give this matter his active attention just as soon as the current work on tax reform is completed.

Finally, Mr. Speaker, I want to express my appreciation and the appreciation of the cosponsors of this legislation, to the gentleman from Hawaii, Senator INOUYE, for taking the lead in introducing a similar measure in the other body.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PETTIS (at the request of Mr. ARENDS), for today, on account of official business.

Mr. CAREY (at the request of Mr. DANIELS of New Jersey), for Monday, July 28, 1969, on account of official business.

Mr. YATES (at the request of Mr. PUCINSKI), for Monday, July 28, 1969, on account of death in family.

Mr. BOW for Tuesday, July 29, 1969, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PICKLE, for 30 minutes, on July 29, to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. GIAIMO), to revise and extend their remarks and include extraneous matter:)

Mr. GONZALEZ, for 10 minutes, today.

Mr. FARBSTEIN, for 20 minutes, today.

(The following Members (at the request of Mr. WHALEN), to revise and extend their remarks and include extraneous matter:)

Mr. STEIGER of Wisconsin, for 15 minutes, today.

Mr. BROCK, for 15 minutes, today.
Mr. HALPERN, for 10 minutes, today.
Mr. CÓRDOVA, for 5 minutes, today.
Mr. BRAY, for 10 minutes, today.
Mr. BRAY, for 10 minutes, on July 29.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MICHEL in two instances and to include extraneous material.
Mr. EDMONDSON in two instances.
Mr. MCMILLAN, to extend his remarks in the RECORD prior to the passage of H.R. 9551.
Mr. DOWDY, to extend his remarks in the RECORD prior to the passage of H.R. 6947 and H.R. 9553.
Mr. GUDE, to insert his own remarks and the remarks of Mr. HOGAN, of Maryland, and Mr. BROYHILL, of Virginia, immediately prior to the passage of H.R. 8868.

(The following Members (at the request of Mr. WHALEN) and to include extraneous matter:)

Mr. KEITH in two instances.
Mr. HALPERN.
Mr. FULTON of Pennsylvania in five instances.
Mr. RIEGLE.
Mr. TEAGUE of California.
Mr. MORSE.
Mr. POFF.
Mr. SHRIVER in two instances.
Mr. POLLOCK.
Mr. FOREMAN.
Mr. WYMAN in three instances.
Mr. WYATT.
Mr. SCHWENGEL.
Mr. WATSON.
Mr. CHAMBERLAIN.
Mr. ZWACH.
Mr. SEBELIUS.
Mr. MIZE.
Mr. MCDADE.
Mr. BRAY in three instances.
Mr. STEIGER of Wisconsin.
Mr. COUGHLIN in two instances.
Mr. DERWINSKI.
Mr. ROBISON.

(The following Members (at the request of Mr. GIAIMO) and to include extraneous matter:)

Mr. ROONEY of Pennsylvania in two instances.
Mr. DINGELL.
Mr. CORMAN.
Mr. CONYERS in two instances.
Mr. BARING.
Mr. BROWN of California in two instances.
Mr. MINISH.
Mrs. GRIFFITHS.
Mr. KARTH in two instances.
Mr. PICKLE.
Mr. GONZALEZ in two instances.
Mr. DONOHUE in five instances.
Mr. EILBERG in two instances.
Mr. JACOBS in four instances.
Mr. MIKVA in six instances.
Mr. RODINO.
Mr. WILLIAM D. FORD.
Mr. GALIFIANAKIS in two instances.
Mr. HELSTOSKI.
Mr. ANDERSON of California.
Mr. FASCELL in two instances.
Mrs. GREEN of Oregon in four instances.
Mr. HUNGATE in two instances.
Mr. WOLFF.
Mr. OTTINGER.
Mr. EVINS of Tennessee in two instances.
Mr. ECKHARDT.
Mr. O'HARA in two instances.
Mr. BIAGGI.
Mr. ZABLOCKI in three instances.
Mr. KYROS in two instances.

ADJOURNMENT

Mr. GIAIMO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 44 minutes p.m.), the House adjourned until tomorrow, Tuesday, July 29, 1969, at 12 o'clock noon.

COMMITTEE EMPLOYEES

JULY 16, 1969.

COMMITTEE ON AGRICULTURE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Christine S. Gallagher	Clerk	$12,943.38
William C. Black	General counsel	12,943.38
Hyde H. Murray	Associate counsel	5,752.61
George F. Missibeck	Printing editor	7,498.44
Betty M. Prezioso	Staff assistant	6,921.18
Lydia Vacin	do	6,921.18
Martha S. Hannah	do	6,921.18
Catherine L. Bernhardt	do	6,921.18
Marjorie B. Johnson	do	6,921.18
Louis T. Easley	Staff consultant	10,239.00
Investigative staff:		
John A. Knebel	Assistant counsel	9,157.81
Fred T. Ward	Assistant staff consultant.	5,828.35
Nancy McQueen	Staff assistant	2,692.15
Mildred P. Baxley	do	6,921.18
Doris Lucile Farmarco	do	4,981.38
Mary Perry Shaw	do	4,882.40

Funds authorized or appropriated for committee expenditures	$100,000.00
Amount of expenditures previously reported	0
Amount expended from Jan. 1 to June 30, 1969	33,367.70
Total amount expended from Jan. 1 to June 30, 1969	0
Balance unexpended as of June 30, 1969	66,632.30

W. R. POAGE,
Chairman.

JULY 15, 1969.

COMMITTEE ON APPROPRIATIONS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Kenneth Sprankle	Clerk and staff director	$14,194.26
Paul M. Wilson	Assistant clerk and staff director.	14,194.26
Jay B. Howe	Staff Assistant	14,100.50
Robert L. Michaels	do	14,100.50
Robert M. Moyer	do	14,100.50
Ross P. Pope	do	14,100.50
Frank Sanders	do	3,033.33
G. Homer Skarin	do	14,100.50
Eugene B. Wilhelm	do	14,100.50
Hunter L. Spillan	do	13,346.04
Aubrey A. Gunnels	do	13,137.78
Samuel R. Preston	do	12,972.67
Henry A. Neil	do	4,233.28
Francis G. Merrill	do	12,489.82
Keith F. Mainland	do	12,030.82
George E. Evans	do	11,674.82
Earl C. Silsby	do	11,674.82
Carl W. Schafer	do	8,630.15
Peter J. Murphy	do	10,900.02
John M. Garrity	do	9,326.09
Robert Foster	do	2,420.20
Milton B. Meredith	do	7,776.96
George A. Urian	do	6,930.75
Dempsey B. Mizelle	do	6,690.90
Robert C. Nicholas	do	6,488.19
Thomas Kingfield	do	6,488.19
Donald E. Richbourg	do	6,194.64
Gary C. Michalak	do	4,372.02
Samuel W. Crosby	Special assistant	14,100.50
Lawrence C. Miller	Editor	10,054.61
Paul V. Farmer	Assistant editor	6,786.80
Howard E. Knox	Administrative assistant.	2,780.45
Austin G. Smith	Clerical assistant	5,592.83
Francis W. Sady	Administrative assistant.	5,386.11
Naomi A. Rich	Clerical assistant	5,150.76
Gerard J. Chouinard	do	5,073.04
Dale M. Shulaw	do	4,264.74
Daniel V. Gun Shows	do	3,327.84
Randolph Thomas	Messenger	4,241.43
Robert C. Gresham	Clerk to minority	13,939.86
Enid Morrison	Staff assistant to minority.	7,776.96
Patrick M. Hayes	Clerk-stenographer	5,433.18
Mary L. Moore	do	4,195.62
William J. Neary	do	5,433.18
Mary H. Smallwood	do	5,433.18
Catherine M. Voytko	do	5,433.18
Lorraine G. Inman	do	4,527.65
John F. Walsh	do	5,433.18
T. Robert Garretson	do	5,433.18
Margarita V. Turner	do	1,750.69
Joan A. Corbett	do	905.53
Jennifer J. Neilson	do	2,272.29
Ray Lawrence Oden	do	452.72
Arlene G. Genther	do	3,622.12
Peggy C. Cooke	do	5,433.18
Jimmy Ray Fairchild	do	5,433.18
Judith H. Quattlebaum	do	905.53
Patricia Hutchinson	do	5,433.18
Neta C. Messersmith	do	5,433.18
John A. Lindley	do	3,670.55
Winifred A. Pizzano	do	5,433.18
William T. Reece	do	5,094.30
Michael A. Forgash	do	2,716.59
Adrienne Buel	do	4,348.68
Katherine D. Coupe	do	5,433.18
Barbara B. Blum	do	4,527.65
David H. Kehl	do	4,504.10
Mary Ann Bond	do	2,936.44
Elizabeth Smith	do	1,697.01
Mike Crew	do	905.53

Amount of expenditures previously reported	$458,760.26
Amount expended from Jan. 1, to June 30, 1969	486,510.10
Total amount expended from July 1, 1968 to June 30, 1969	945,270.36

GEORGE MAHON,
Chairman.

JULY 15, 1969.

COMMITTEE ON APPROPRIATIONS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Robert G. Kunkel	Director, Surveys and Investigations Staff (to April 30, 1969).	$8,358.52
Paul J. Mohr	Director, Surveys and Investigations Staff.	11,363.16
Cornelius R. Anderson	Assistant Director, Surveys and Investigations Staff.	11,232.84
Leroy R. Kirkpatrick	do	3,744.28
Lillian M. Mackie	Stenographer	6,026.06
Mary Alice Sauer	do	5,698.40
Agriculture, Department of:		
Canada, T. C	Investigator	6,414.30
Robison, J. F	do	9,629.75
Werkman, K. S	do	3,912.01
Air Force, Department of: Hayes, J. J., Jr	do	3,770.95
Army Audit Agency: Boone, M. V	do	12,600.35
Civil Service Commission: Beane, J. C	do	3,617.81
Export-Import Bank: McNair, K. D	Editorial assistant	2,528.43
Federal Bureau of Investigation:		
Bennett, C. L	Investigator	10,206.48
Brummitt, D. A	do	9,257.04
Currall, W. G	do	9,969.12
Davis, W. L	do	7,568.16
Franklin, R. M	do	9,731.76
Funkhouser, P. K	do	7,595.52
Goedtel, J. G	do	9,731.76
Groover, L. C., Jr	do	7,801.92
Hanson, J. F	do	9,770.40
Keblusek, E. R	do	9,279.12
Kirkpatrick, L. R	do	7,060.32
Law, W. C	do	1,648.08
Linnert, F. C	do	1,693.44
McGahey, H. B	do	9,891.84
Magee, E. H	do	4,826.32
Michalski, J. E	do	9,731.76
Nolan, J. E., Jr	do	1,354.24
Scully, J. E	do	9,731.76
Shannon, A. J	do	10,206.48
Szoka, C. E	do	8,832.00
Walter, D. E	do	980.72
Welch, W. H., Jr	do	10,443.84
West, S. W	do	7,393.12
Wood, H. B	do	10,206.48
Wultich, N	do	980.72
Health benefits		1,024.48
Life insurance fund		674.68
Retirement fund		10,615.20
Federal Highway Administration: Marikle, H. J.	do	9,758.64
General Services Administration: Fishburn, R. T.	do	988.45
H. E. W., Department of: Read, M. J.	do	13,604.78
HUD, Department of: Messenger, P. H.	Editorial assistant	107.52
National Aeronautics and Space Administration: Carey, B. F.	Investigator	11,430.54
State, Department of: Hammond, N.	do	8,226.09
Veterans Administration:		
Austin, W. C	do	11,445.49
Casteel, R. T	do	5,057.72
Travel expenses		63,389.36
Miscellaneous expenses		291.67

Funds authorized or appropriated for committee expenditures	$890,000.00
Amount of expenditures previously reported	367,353.05
Amount expended from January 1, 1969 to June 30, 1969	411,403.88
Total amount expended from July 1, 1968 to June 30, 1969	778,756.93
Balance unexpended as of June 30, 1969	111,243.07

GEORGE MAHON,
Chairman.

JULY 7, 1969.

COMMITTEE ON ARMED SERVICES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John R. Blandford	Chief counsel	$14,746.30
Frank M. Slatinshek	Assistant chief counsel	14,667.46
Earl J. Morgan	Professional staff member.	14,534.54
William H. Cook	Counsel	14,534.54
Ralph Marshall	Professional staff member.	11,719.92
John J. Ford	do	11,719.92
George Norris	Counsel	11,253.18
James F. Shumate, Jr	Counsel (from Jan. 15)	9,916.78
Mary Jo Sottile	Counsel	7,505.40
Oneta L. Stockstill	Executive secretary	9,061.62
Berniece Kalinowski	Secretary	7,373.10
L. Louise Ellis	do	7,373.10
Edna E. Johnson	do	7,373.10
Dorothy R. Britton	do	7,373.10
Doris L. Scott	do	7,373.10
Innis E. McDonald	do	5,532.18
Ann R. Willett	do	4,600.50
Donna Carleen Poole	Secretary (from Jan. 3).	4,452.55
Brenda J. Graves	Secretary	4,127.19
Constance E. Hobart	do	4,015.17
Emma A. Brown	Secretary (from Mar. 1).	2,670.60
James A. Deakins	Clerical staff assistant	5,574.90
Issiah Hardy	Messenger	3,958.19

Staff, Armed Forces Investigating Subcommittee (from Jan. 3, 1969) (Pursuant to H. Res. 105 and 106, 91st Congress)

John T. M. Reddan	Counsel	$14,245.34
Richard A. Ransom	Professional staff member.	9,986.33
Labre R. Garcia	Assistant counsel (to Jan. 26).	1,562.65
John F. Lally	Assistant counsel (from June 23).	477.92
Albert Rhett Simonds	Professional staff member (from Apr. 1).	2,002.95
Phyllis M. Seymour	Secretary	7,291.17
Rose C. Beck	do	4,926.03
Adeline Tolerton	Clerk	4,438.72
Joyce C. Bova	Secretary (from Mar. 17).	2,225.32
William B. Short	Clerical staff assistant.	5,984.89
Sanford T. Saunders	Security officer	5,470.04
Kenneth W. Thompkins	Messenger (from June 10).	229.12

Funds authorized or appropriated for committee expenditures, H. Res. 106	$175,000.00
Amount of expenditures previously reported	0
Amount expended from Jan. 3–June 30, 1969	59,963.41
Total amount expended from Jan. 3–June 30, 1969	59,963.41
Balance unexpended as of July 1, 1969	115,036.59

L. MENDEL RIVERS,
Chairman.

JULY 15, 1969.

COMMITTEE ON BANKING AND CURRENCY

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee staff:		
Paul Nelson	Clerk and staff director	$14,746.30
Orman S. Fink	Minority professional staff member.	14,746.30
Charles B. Holstein	Professional staff member.	$14,081.78
Curtis A. Prins	Chief investigator	12,825.36
Benet D. Gellman	Counsel	13,463.61
Joseph C. Lewis	Professional staff member.	14,191.28
Mary W. Layton	Secretary to minority	8,370.30
Donald G. Vaughn	Assistant clerk	7,088.58
Jane M. Deem	Administrative assistant.	2,790.10
Daniel James Edwards	Chief economist	1,836.26
Total		104,139.87
Investigative staff (H. Res. 271):		
Jeanne Abrams	Secretary	4,245.06
Linda M. Barnes	do	4,217.35
L. Marie Chaillet	do	1,246.28
Mollie D. Cohen	Professional staff member.	6,864.88
Richard D. Cook	Minority staff investigator.	14,424.62
Lucien B. Crosland	Research assistant	1,402.07
Jane N. D'Arista	do	2,931.54
Diane DiPiero	Assistant clerk	3,961.39
James F. Doherty	Counsel	13,005.51
Dolores K. Dougherty	Assistant clerk	6,559.59
Linda Hechtman	do	2,300.25
Laurance G. Henderson	Professional staff member.	5,039.83
Helen Hitz	Assistant clerk	7,002.58
Linda Leah Hoff	Secretary	3,947.56
Joseph J. Jasinski	Professional staff member.	10,749.59
Mary-Helen Kesecker	Secretary	792.69
Mary E. Kirk	Assistant clerk	3,947.56
Mildred S. Mitchell	do	7,373.83
Margaret L. Rayhawk	Secretary	6,034.20
Alicia F. Shoemaker	Minority staff secretary	8,053.01
Elizabeth Stabler	Professional staff member.	9,147.42
Peter D. H. Stockton	do	4,625.10
Robert E. Torrance	Assistant clerk	3,331.05
Total		131,202.96

Funds authorized or appropriated for committee expenditures, H. Res. 271	$442,500.00
Amount of expenditures previously reported	
Amount expended from Jan. 3, to June 30, 1969	146,575.05
Total amount expended from Jan. 3 to June 30, 1969	146,575.05
Balance unexpended as of June 30, 1969	295,924.95

WRIGHT PATMAN,
Chairman.

JULY 15, 1969.

COMMITTEE ON BANKING AND CURRENCY,
HOUSING SUBCOMMITTEE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Anita F. Allison	Secretary	$5,675.00
Terrence Boyle	Minority research assistant.	2,587.35
Kenneth W. Burrows	Staff director	14,511.70
Michael T. Corbett	Assistant Clerk	4,031.29
Patricia A. Elsey	do	3,609.96
David Glick	Counsel	12,663.63
George Gross	do	5,101.04
Casey Ireland	Minority staff member	14,521.38
Barbara C. Kling	Minority secretary	4,162.05
Margaret J. Leary	Secretary	7,373.83
Gerald R. McMurray	Research associate	8,078.64
Margaret Seeley	Minority research assistant.	1,826.10

Name of employee	Profession	Total gross salary during 6-month period
Ellen Stamper	Secretary	$3,527.66
Doris M. Young	Assistant clerk	6,062.38
Total		93,732.01

Funds authorized or appropriated for committee expenditures, H. Res. 272	$250,000.00
Amount of expenditures previously reported	
Amount expended from Jan. 30 to June 6, 1969	98,339.69
Total amount expended from Jan. 3 to June 30, 1969	98,339.69
Balance unexpended as of June 30, 1969	151,660.31

WRIGHT PATMAN,
Chairman.

JULY 15, 1969.

COMMITTEE ON THE DISTRICT OF COLUMBIA

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to July 1, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Hayden S. Garber	Counsel	$12,558.36
Clayton D. Gasque	Staff director	9,834.96
Donald J. Tubridy	Minority clerk	9,315.18
Leonard O. Hilder	Investigator	8,794.98
James T. Clark	Clerk	14,081.33
Othello Steinkuller	Secretary	6,782.62
Betty C. Alexander	do	6,045.75
Peggy L. Thornton	do	5,778.45
Sara Anna Watson	Assistant counsel	6,429.48
Leslie S. Ariail	Stenographer	4,264.74
Camile G. Butler	Secretary	3,726.72
Susan E. Spitler	Stenographer	2,950.87
Victor Christgau	Investigator	6,615.24
Tempoary (January and June).	Clerk-typist, stenographer.	1,275.75
Total		98,454.43

Funds authorized or appropriated for committee expenditures	$100,000.00
Amount of expenditures previously reported	None
Amount expended from Jan. 1, to July 1, 1969	13,964.72
Total amount expended from Jan. 1 to July 1, 1969	13,964.72
Balance unexpended as of July 1, 1969	86,035.28

JOHN L. McMILLAN,
Chairman.

COMMITTEE ON EDUCATION AND LABOR—STANDING COMMITTEE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to July 1, 1969, inclusive, gether with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Robert E. McCord	Chief clerk and senior specialist (from Jan. 1 to June 30, 1969).	$14,746.31
Hartwell Duvall Reed, Jr.	General counsel (from Jan. 1 to June 30, 1969).	$14.746,31
William F. Gaul	Associate general counsel (from Jan. 1 to June 30, 1969).	14,746.31 14,746.31
Louise Maxienne Dargans	Research director (from Jan. 1 to June 30, 1969).	14,746.31
Benjamin F. Reeves	Editor of committee publications (from Jan. 1 to June 30, 1969).	14,340.28
Marian R. Wyman	Special assistant to chairman (from Jan. 1 to June 30, 1969).	10,958.90
Austin P. Sullivan, Jr.	Legislative specialist (from Jan. 1 to June 30, 1969).	9,187.22
Louise M. Wright	Administrative assistant to chief clerk (from Jan. 1 to June 30, 1969).	8,676.54
Minority: Michael J. Bernstein	Minority counsel for education and labor (from Jan. 1 to June 30, 1969).	14,746.31
Charles W. Radcliffe	Minority counsel for education (from Jan. 1 to June 30, 1969).	14,746.31

Funds authorized or appropriated for committee expenditures	Contingent fund
Amount of expenditures previously reported	None
Amount expended from Jan. 1 to June 30, 1969	$131,640.80
Total amount expended from Jan. 1 to June 30, 1969	131,640.80
Balance unexpended as of June 30, 1969	Contingent fund

CARL D. PERKINS,
Chairman.

JULY 15, 1969.

COMMITTEE ON EDUCATION AND LABOR

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Jeannine M. Anderson	Secretary (Jan. 3 to June 30, 1969).	$3,982.15
Donald M. Baker	Associate counsel (Labor) (May 5 to June 30, 1969).	4,703.84
Goldie A. Baldwin	Legislative assistant (Jan. 3 to June 30, 1969).	5,282.03
Donald F. Berens	Administrative assistant (Jan. 3 to June 30, 1969).	8,170.83
William H. Cable	Junior researcher (Jan. 3 to June 30, 1969).	2,870.37
Lelia T. Cornwell (Troup)	Administrative assistant (Jan. 3 to June 30, 1969).	5,073.39
Eydie Gaskins	do	5,072.64
Arlene Horowitz	Assistant clerk (Jan. 3 to Feb. 28, 1969).	1,064.59
Janet R. Inscore	Secretary (Jan. 3 to June 30, 1969).	3,539.92
Richard G. Lim	Junior researcher (Jan. 3 to June 30, 1969).	2,667.62
Shirley R. Mills	Secretary (Jan. 3 to June 30, 1969).	5,639.75
David E. Pinkard	Assistant clerk (June 16 to June 30, 1969).	175.08
Ruth A. Ruttenberg	do	175.08
Mary L. Shuler	Secretary (Jan. 3 to June 30, 1969).	5,072.64
Jeanne E. Thomson	Legislative assistant (Jan. 3 to June 30,	$7,422.00
John E. Warren	Junior researcher (Jan. 3 to June 30, 1969).	3,493.43
Robert C. Andringa	Minority professional staff assistant (June 30, 1969).	47.25
Rohn R. Buckley	Chief investigator (Jan. 3 to June 30, 1969).	11,375.62
Glenda D. Campbell	Secretary (June 16 to June 30, 1969).	217.52
Sue Ann Clark	Clerical assistant (Jan. 3 to June 30, 1969).	2,979.01
Robert L. Durst, Jr.	Clerical assistant (Feb. 28 to June 30, 1969).	2,737.37
Louise W. Finke	Secretary (Jan. 3 to June 30, 1969).	5,541.14
Mary Jane Fiske	Research analyst (Jan. 3 to June 30, 1969).	6,498.85
Thaddeaus A. Garrett, Jr.	Clerical assistant (June 1 to June 30, 1969).	550.65
Crawford C. Heerlein	Minority clerk (Jan. 3 to June 30, 1969).	10,125.23
Will Henderson	Assistant clerk (Jan. 3 to June 30, 1969).	3,774.43
Thomas W. Johnson	Clerical assistant (June 1 to June 30, 1969).	400.62
Peter Kobrak	Clerical assistant (Jan. 3 to Jan. 31, 1969).	395.85
Anita Kreke	Secretary (Jan. 3 to June 30, 1969).	3,989.10
Martin L. LaVor	Research consultant (Jan. 3, to June 30, 1969).	8,575.09
Dorothy I. Livingston	Secretary (Jan. 3 to June 30, 1969).	3,493.43
Ruth G. Macknet	do	5,822.51
James S. Nathanson	Research assistant (June 1 to June 30, 1969).	550.65
David E. Nelson	Research assistant (June 1 to June 30, 1969).	550.65
Stephanie A. Pedler	Clerical assistant (June 16 to June 30, 1969).	45.98
Warren Phillips Rockefeller.	Research specialist (Jan. 3 to Mar. 31, 1969).	3,539.94
Walter J. Sears, III	Clerical assistant (June 1 to June 30, 1969).	550.65
Mary Ann Wagosh	Secretary (Apr. 21 to June 30, 1969).	1,325.29

Funds authorized or appropriated for committee expenditures	$409,600.00
Amount of expenditures previously reported	
Amount expended from Jan. 3 to June 30, 1969	143,902.24
Total amount expended from Jan. 3 to June 30, 1969	143,902.24
Balance unexpended as of June 30, 1969	265,697.76

CARL D. PERKINS,
Chairman.

JULY 15, 1969.

SPECIAL SUBCOMMITTEE ON EDUCATION, NO. 1

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Virginia C. Ashby	Secretary (from Jan. 10 to June 30, 1969.)	$3,566.72
Harry J. Hogan	Counsel (from Jan. 3 to June 30, 1969.)	8,410.56

Name of employee	Profession	Total gross salary during 6-month period
Sally K. Kirkgasler	Research assistant (from Jan. 16 to June 30, 1969.)	$3,696.72
Terry Eileen Shupp	Assistant clerk (from Apr. 1 to June 30, 1969.)	713.22
Marilyn Rae Stapleton	Staff assistant (from Jan. 3 to June 30, 1969.)	6,196.59

Funds authorized or appropriated for committee expenditures	$60,000.00
Amount of expenditures previously reported	None
Amount expended from Jan. 3, 1969 to June 30, 1969	23,258.58
Total amount expended from Jan. 3, 1969 to June 30, 1969	23,258.58
Balance unexpended as of June 30, 1969	36,741.42

CARL D. PERKINS, Chairman.

JULY 15, 1969.

SPECIAL SUBCOMMITTEE ON LABOR, NO. 2

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Jeunesse M. Beaumont	Clerk (from Jan. 3 to June 30, 1969).	$4,829.59
Carol Linda Berkelhammer.	Assistant clerk (from Jan. 3 to May 19, 1969).	464.29
William Clarkson Dell, Jr.	Assistant clerk (from June 1 to June 30, 1969).	500.94
Carl Elliott	Consulting counsel (from Jan. 3 to Jan. 31, 1969).	93.76
Rogers Clark Martindell	Assistant clerk (from June 1 to June 30, 1969).	251.18
Daniel H. Pollitt	Special counsel (from Feb. 1 to June 30, 1969).	2,805.25
Anne Williamson Risdon	Assistant clerk (from June 16 to June 30, 1969).	130.47
George R. Steffener	Assistant clerk (from Jan. 3 to June 30, 1969).	846.94
Peter W. Tredick	Counsel (from Jan. 3 to June 30, 1969).	11,318.51

Funds authorized or appropriated for committee expenditures	$60,000.00
Amount of expenditures previously reported	None
Amount expended from Jan. 3 to June 30, 1969	22,160.57
Total amount expended from Jan. 3 to June 30, 1969	22,160.57
Balance unexpended as of June 30, 1969	37,839.43

CARL D. PERKINS, Chairman.

JULY 15, 1969.

GENERAL SUBCOMMITTEE ON LABOR, NO. 3

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Thomas J. Hart	Assistant clerk (from Feb. 1 to May 31, 1969).	$1,919.44
Adrienne Fields	Clerk (from Jan. 3 to June 30, 1969).	5,898.02
Robert E. Vagley	Director (from Jan. 3 to June 30, 1969).	11,524.62

Funds authorized or appropriated for committee expenditures	$60,000.00
Amount of expenditures previously reported	None
Amount expended from Jan. 3 to June 30, 1969	21,768.48
Total amount expended from Jan. 3 to June 30, 1969	21,768.48
Balance unexpended as of June 30, 1969	38,231.52

CARL D. PERKINS, Chairman.

JULY 15, 1969.

GENERAL SUBCOMMITTEE ON EDUCATION, NO. 4

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Cynthia A. Crites	Staff director (from Apr. 1 to June 30, 1969).	$4,001.16
Thomas J. Gerber	Assistant (from Jan. 3, to June 30, 1969).	3,947.56
John F. Jennings	Counsel (from Jan. 3 to June 30, 1969).	9,895.08
Alexandra J. Kisla	Clerk (from Jan. 3 to June 30, 1969).	4,213.24
Jeff M. Schecter	Research assistant (from June 15 to June 30, 1969).	213.66

Funds authorized or appropriated for committee expenditures	$60,000.00
Amount of expenditures previously reported	None
Amount expended from Jan. 3 to June 30, 1969	22,683.54
Total amount expended from Jan. 3 to June 30, 1969	22,683.54
Balance unexpended as of June 30, 1969	37,316.46

CARL D. PERKINS, Chairman.

JULY 15, 1969.

SELECT SUBCOMMITTEE ON LABOR, NO. 5

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Loretta A. Bowen	Secretary (Jan. 3 to June 30, 1969).	$5,548.20
Marcia Sue Gencher	Research assistant (Apr. 1 to June 30, 1969).	$2,251.29
Daniel H. Krivit	Counsel (Jan. 3 to June 30, 1969).	10,125.23

Funds authorized or appropriated for committee expenditures	$60,000.00
Amount of expenditures previously reported	
Amount expended from Jan. 3, 1969 to June 30, 1969	18,071.23
Total amount expended from Jan. 3, 1969 to 30, 1969.	18,071.23
Balance unexpended as of June 30, 1969	41,928.77

CARL D. PERKINS, Chairman.

JULY 15, 1969.

SELECT SUBCOMMITTEE ON EDUCATION, NO. 6

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Noel W. Beyle	Associate director (from May 26 to June 30, 1969).	$1,167.12
Jack G. Duncan	Counsel (from May 12 to June 30, 1969).	2,315.27
Joan FitzGerald	Research clerk (from Feb. 1 to Feb. 28, 1969).	602.64
Mary K. Gillespie	Staff assistant (from June 16 to June 30, 1969).	95.21
James B. Harrison	Director (from Jan. 3 to May 16, 1969).	8,362.22
Arlene Horowitz	Assistant clerk (from Mar. 1 to June 30, 1969).	2,202.60
Nancy A. Neilen	Clerk (from Jan. 3 to June 30, 1969).	3,315.19
Evelina P. Thompson	Assistant clerk (from May 15 to June 30, 1969).	450.69
Nancy J. Tyler	Special assistant (from Jan. 3 to June 30, 1969).	1,743.98

Funds authorized or appropriated for committee expenditures	$60,000.00
Amount of expenditures previously reported	None
Amount expended from Jan. 3, 1969 to June 30, 1969	20,548.75
Total amount expended from Jan. 3, 1969 to June 30, 1969	20,548.75
Balance unexpended as of June 30, 1969	39,451.25

CARL D. PERKINS, Chairman.

JULY 15, 1969.

COMMITTEE ON FOREIGN AFFAIRS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to June 30, 1969, inclusive,

together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Boyd Crawford	Staff administrator	$14,746.31
Roy J. Bullock	Senior staff consultant	14,746.31
Albert C. F. Westphal	Staff consultant	14,746.31
Franklin J. Schupp	do	14,335.14
Harry C. Cromer	do	14,194.26
Philip B. Billings	do	10,900.02
Marian A. Czarnecki	do	14,194.26
Melvin O. Benson	do	12,030.66
Everett E. Bierman	do	10,255.47
John J. Brady, Jr	do	8,690.94
John H. Sullivan	do	8,690.94
Robert J. Bowen	Clerical assistant	5,539.32
June Nigh	Senior staff assistant	10,639.62
Helen C. Mattas	Staff assistant	9,465.90
Helen L. Hashagen	do	8,697.48
Louise O'Brien	do	8,447.28
Mary M. Lalos	Staff assistant (resigned May 24, 1969).	4,562.50
Dora B. McCracken	Staff assistant	6,978.72
Jean E. Smith	do	5,182.56
Mary Burns	Staff assistant (resigned Mar. 31, 1969).	3,969.39
Nancy C. Peden	Staff assistant (effective Apr. 14, 1969).	2,146.02
Paula L. Peak	Staff assistant (effective May 1, 1969).	2,218.30

Funds authorized or appropriated for committee expenditures	$200,000
Amount of expenditures previously reported	
Amount expended from Jan. 1, 1969 to June 30, 1969	62,553
Balance unexpended as of June 30, 1969	137,447

THOMAS E. MORGAN,
Chairman.

JULY 11, 1969.

COMMITTEE ON GOVERNMENT OPERATIONS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

EXPENSES, JAN. 3 TO JUNE 30, 1969

Full Committee	$27,427.20
Military Operations Subcommittee	50,459.10
Government Activities Subcommittee	32,964.00
Intergovernmental Relations Subcommittee	51,666.41
Executive and Legislative Reorganization Subcommittee	29,038.78
Foreign Operations and Government Information Subcommittee	51,872.87
Legal and Monetary Affairs Subcommittee	33,207.81
Conservation and Natural Resources Subcommittee	54,264.05
Special Studies Subcommittee	47,411.31
Total	378,311.53

Name of employee	Profession	Total gross salary during 6-month period
Salaries, full committee, Jan. 1 to June 30, 1969:		
Christine Ray Davis	Staff director	$14,746.31
James A. Lanigan	General counsel	14,746.31
Miles Q. Romney	Associate general counsel.	12,957.30
Lawrence P. Redmond	Professional staff member (Apr. 1 to June 30, 1969).	4,387.74
Dolores L. Fel'Dotto	Staff member	7,081.26
Ann E. McLachlan	do	6,863.58
Charlotte C. Bickett	do	6,316.62
Gene P. Spory	do	6,266.22
Mabel C. Baker	Staff member (transferred to special investigative staff on Apr. 1, 1969).	3,043.89
John Philip Carlson	Minority counsel	13,851.81
William H. Copenhaver	Minority staff member	10,713.42
Full committee, special investigative staff, Hon. William L. Dawson, chairman:		
William P. Russell	Minority staff member (Feb. 1 to June 30).	$5,001.95
Clara Katherine Armstrong.	Minority research assistant.	6,246.43
Catherine S. Cash	Secretary	5,562.26
Mabel C. Baker	Staff member (transferred from full committee Apr. 1, 1969).	2,093.91
John L. Dodson	Clerical staff	4,106.70
Annie M. Abbott	Secretary (Apr. 1 to June 30).	2,798.13
John W. McGarry	Professional staff member (May 1 to June 30).	183.90
Expenses		1,433.92
Total		27,427.20
Military Operations Subcommittee, Hon. Chet Holifield, chairman:		
Herbert Roback	Staff administrator	14,590.75
Douglas G. Dahlin	Staff attorney	8,905.78
John Paul Ridgely	Investigator	8,328.09
Joseph C. Luman	Defense analyst	6,953.94
Catherine L. Koeberlein	Research assistant	5,956.71
Mollie Jo Hughes	Clerk-stenographer	5,562.26
Expenses		161.57
Total		50,459.10
Government Activities Subcommittee, Hon. Jack Brooks, Chairman:		
Ernest C. Baynard	Staff administrator	12,418.82
C. Don Stephens	Research analyst	6,337.89
Irma Reel	Clerk	5,562.26
Lynne Higginbotham	Clerk-stenographer	5,562.26
Druenette Lord Fleischmann.	Secretary (Mar. 5 to June 30).	1,549.06
E. S. Johnny Walker	Investigator (Jan. 3 to Mar. 4).	1,240.68
Expenses		293.03
Total		32,964.00
Intergovernmental Relations Subcommittee, Hon. L. H. Fountain, Chairman:		
James R. Naughton	Counsel	12,418.82
Delphis C. Goldberg	Professional staff member.	12,418.82
William Donald Gray	Research analyst	8,594.37
Bebe B. Terry	Clerk-stenographer	5,233.20
Dr. Robert S. McCleery	Consultant	8,535.64
Maureen A. Sheridan	Clerk-stenographer (May 16 to June 30).	1,066.19
Lexine Rollins	Clerk-stenographer (Jan. 3 to Apr. 30).	2,960.86
Expenses		438.51
Total		51,666.41
Executive and Legislative Reorganization Subcommittee, Hon. John A. Blatnik, Chairman:		
Elmer W. Henderson	Counsel	12,971.22
I. Warren Harrison	Legal assistant	7,167.23
Veronica B. Johnson	Clerk	6,246.43
Maryann Conway	Clerk (Mar. 17 to June 30).	2,601.49
Expenses		52.41
Total		29,038.78
Foreign Operations and Government Information Subcommittee, Hon. John E. Moss, chairman:		
Vincent J. Augliere	Staff administrator	12,418.82
Norman G. Cornish	Professional staff member.	12,418.82
Jack Matteson	do	11,188.31
James L. Nelligan	do	9,960.23
Elizabeth Jayne Bodecker.	Secretary	5,562.26
Expenses		324.43
Total		51,872.87
Legal and Monetary Affairs Subcommittee, Hon. Dante B. Fascell, chairman:		
M. Joseph Matan	Counsel	12,418.82
Charles A. Intriago	Assistant counsel	6,336.42
Stuart E. Bossom	Legal assistant	5,924.10
Millicent Y. Myers	Clerk	5,562.26
Shirley A. Sisson	Stenographer (Feb. 24 to June 30).	2,826.39
Expenses		139.82
Total		33,207.81
Conservation and Natural Resources Subcommittee, Hon. Henry S. Reuss, chairman:		
Phineas Indritz	Counsel	$12,418.82
Edna Gass	Professional staff member.	12,418.82
Laurence A. Davis	Assistant counsel	10,178.10
Gerald S. Schatz	Professional staff member.	6,055.38
Josephine Scheiber	Research analyst	6,395.90
Catherine L. Hartke	Stenographer	5,562.26
Expenses		1,234.77
Total		54,264.05
Special Studies Subcommittee, Hon. John S. Monagan, chairman:		
Louis I. Freed	Staff administrator	12,418.82
Jacob N. Wasserman	Counsel	11,177.71
Herschel F. Clesner	Counsel (June 1 to June 30).	1,917.24
Peter S. Barash	Legal analyst	7,913.40
Charles P. Witter	Staff member	6,552.47
Marilyn F. Jarvis	Stenographer	6,020.14
Expenses		1,411.53
Total		47,411.31

Funds authorized or appropriated for committee expenditures H., Res. 214, 91st Cong.	$850,000.00
Amount expended from Jan. 3 to June 30, 1969	378,311.53
Balance unexpended as of June 30, 1969	471,688.47

WILLIAM L. DAWSON,
Chairman.

JULY 11, 1969.

COMMITTEE ON HOUSE ADMINISTRATION

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Julian P. Langston	Chief clerk	$14,705.00
David S. Wolman	Personnel Analyst	11,719.92
Robert D. Gray	Auditor	11,036.67
Louis Silverman	Assistant clerk	7,776.96
Irene D. Stolman	do	3,705.60
Gurney S. Jaynes	do	4,684.44
Judith Kay Holes	do	4,495.62
Ava S. Jacobs	do	4,201.80
Rita A. Stewart	do	3,562.95
Rosemary Cockrell	do	1,315.35
Robert H. Frank	do	3,273.45
Elizabeth Melvin	do	1,210.22
Mary F. Stolle	do	700.09
Melvin M. Miller	Minority clerk	4,242.72
Judith M. Squires	Assistant clerk, minority.	633.98
John C. d'Amecourt	Staff director, Subcommittee on Library and Memorials.	3,221.88
Thomas J. Hart	Printing clerk	833.76
Carolyn L. Gurr	Assistant clerk	917.82
Gwenda R. Green	do	611.88
Henry L. Belsky	Legislative counsel	375.30
Stephen Rosenbaum	Assistant clerk	300.17
Margaret Ann Castor	do	260.25
Eric Honick	Assistant printing clerk	227.75

Funds authorized or appropriated for committee expenditures	$300,000.00
Amount of expenditures previously reported	0
Amount expended from Jan. 1, 1969, to June 30, 1969	16,662.34
Balance unexpended as of June 30, 1969	283,337.66

SAMUEL N. FRIEDEL,
Chairman.

JULY 8, 1969.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Sidney L. McFarland	Staff director and chief clerk.	$14,746.30
T. Richard Witmer	Counsel and consultant on national parks and recreation (retired Feb. 1, 1969).	2,333.33
William L. Shafer	Consultant on mining, minerals, and public lands.	13,953.90
Lewis A. Sigler	Counsel and consultant on Indian affairs.	13,359.90
Charles Leppert, Jr.	Assistant counsel and consultant on territorial and insular affairs (from Feb. 1).	10,305.35
Lee McElvain	Assistant counsel and consultant on national parks and recreation (from Feb. 1, 1969).	7,762.65
Dixie S. Barton	Clerk	7,205.40
Patricia Ann Murray	do	7,205.40
Virginia E. Bedsole	Clerk (resigned as of Mar. 15, 1969).	2,626.21
Patricia B. Freeman	Clerk	6,378.25
Susan W. Gardner	do	5,909.71
Kathleen Vance	Clerk (from Mar. 16, 1969).	3,480.57
Ch rles Leppert, Jr.	Assistant counsel and consultant on territorial and insular affairs (Jan. 3 to Jan. 31, 1969).	1,823.10
Lee McElvain	Assistant counsel (Jan. 3 to Jan. 31, 1969).	1,298.05
Kathleen Vance	Clerk (Jan. 3 to Mar. 15, 1969).	2,319.25
Edward Gaddis	Messenger	3,603.08
Marston L. Becker	Printing clerk (from Mar. 16, 1969).	3,735.06
Miriam Waddell	Clerk (from Mar 19, 1969).	2,822.78
Jim T. Casey	Consultant on irrigation and reclamation (from Apr. 13, 1969	5,078.63

Funds authorized or appropriated for committee expenditure	$115,000.00
Amount expended from Jan. 3 to June 30, 1969	27,181.71
Total amount expended from Jan. 3, 1969 to June 30, 1969	27,181.71
Balance unexpended as of June 30, 1969	87,818.29

WAYNE N. ASPINALL,
Chairman.

JULY 15, 1969.

COMMITTEE ON INTERNAL SECURITY

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee:		
Donald T. Appell	Investigator	$11,564.28
Anniel Cunningham	Chief of files and reference.	6,928.38
Glenn E. Davis	Editorial director (transferred from Inv. Comm. June 7)	1,667.14
Helen M. Gittings	Research analyst	6,906.78
Juliette P. Joray	Recording clerk	8,925.06
Alfred M. Nittle	Counsel (transferred from Inv. Comm. March 1)	7,759.16
Francis J. McNamara	Research director (res. June 6)	12,135.92
Josephine Randolph	Secretary (transferred to Inv. Comm. February 5)	826.71
Donald G. Sanders	Chief counsel (appointment February 5)	11,357.62
Chester D. Smith	General counsel (res. February 28)	3,854.76
Mary M. Valente	Administrative secretary.	7,387.02
Lorraine N. Veley	Secretary to investigators.	5,433.18
William A. Wheeler	Investigator	10,766.46
Investigating Committee:		
Bette Mae Ayers	Clerk-typist (res. March 21)	1,106.08
Margie Biggerstaff	Secretary to editorial director (appointment May 20)	883.60
Robert Lee Blackburn	Assistant documents clerk.	2,703.84
Barbara Gay Bolt	Information classifier	2,108.87
Daniel Butler	Assistant documents clerk.	4,040.88
Mary Jo Chapman	Clerk-stenographer	2,691.36
Sara Janice Coil	Secretary to counsel	4,233.57
Jean W. Curll	Secretary to director of research.	4,734.29
Susan Kay Daniels	Information classifier	3,197.94
Glenn E. Davis	Editorial director (appointed March 8, transferred to standing committee June 6, 1969).	6,182.29
Florence B. Doyle	Clerk-stenographer	3,428.70
David J. DuRoss	Clerk-typist (appointed June 16, 1969).	201.21
Elizabeth Edinger	Editor	6,266.21
Rochelle Epstein	Clerk-typist	2,662.44
Kathryn Fogle	Clerk-typist (resigned Jan. 20, 1969).	307.37
Emily Francis	Information analyst	3,747.54
James L. Gallagher	Research analyst	6,647.69
Christine Haynes	Information classifier	2,882.04
Darlyn B. Henderson	Clerk-typist (appointed June 16, 1969).	201.21
Paul C. Higgins	Information classifier (resigned Mar. 12, 1969).	1,152.82
Robert M. Horner	Chief investigator (appointed Apr. 14, 1969).	4,001.30
Doris R. Jaeck	Information analyst	3,491.08
Mildered James	Clerk-typist	2,868.30
B. R. McConnon, Jr.	Investigator	7,125.06
Wm. J. McMahon	Investigator (resigned May 9, 1969).	4,939.54
Kathleen C. Marche	Information classifier	2,882.04
Virginia Masino	Receptionist (appointed Mar. 17, 1969).	598.31
Artie Moreland	Secretary to general counsel (resigned Mar. 21, 1969).	2,365.50
David Muffley, Jr.	Documents clerk	3,948.54
Monica Rae Munger	Clerk-typist (appointed May 12, 1969).	753.05
Alfred M. Nittle	Counsel (transferred to standing committee Mar. 1, 1969).	3,712.72
Maureen P. Ontrich	Information analyst	3,595.01
Alma Pfaff	Research analyst	4,131.84
Peggy Pixley	Editorial clerk	3,595.01
Wm. T. Poole	Research assistant	3,560.40
Rosella A. Purdy	Clerk-typist	827.82
Josephine Randolph	Secretary (transferred from standing committee Feb. 5, 1969).	3,633.91
Herbert Romerstein	Investigator	6,892.38
Stephen H. Romines	Assistant counsel (appointed Mar. 10, 1969).	4,711.72
Richard A. Shaw	Investigator (appointed June 25, 1969).	267.48
Wm. G. Shaw	Research director appointed June 11, 1969).	1,111.15
Investigating Committee—Continued		
Freda Sheppard	Secretary (Jan. 1–2, 1969).	75.38
Linda Spirt	Secretary	3,816.84
Donald I. Sweany, Jr.	Research analyst (resigned June 30, 1969).	6,402.96
Barbara C. Sweeny	Clerk-stenographer	3,539.58
Katherine Taylor (White)	Information classifier	2,882.04
Neil E. Wetterman	Investigator	5,894.12
Billie Wheeler	Clerk-stenographer	2,691.36

Funds authorized or appropriated for committee expenditures	$400,000.00
Amount of expenditures previously reported	
Amount expended from Jan. 3 to July 1, 1969	160,955.01
Total amount expended from Jan. 3 to July 1, 1969	
Balance unexpended as of July 1, 1969	239,044.99

RICHARD H. ICHORD,
Chairman.

JULY 1, 1969.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Clerical staff:		
W. E. Williamson	Clerk	$14,746.30
Kenneth J. Painter	First assistant clerk	12,160.86
Mardella Johnson	Assistant clerk	7,219.92
Frank Mahon	Printing editor (from Jan. 12, 1969.)	8,513.39
Mary Ryan	Clerical assistant	5,710.26
Mildred H. Lang	do	5,710.26
Hazel J. Collie	Staff assistant	7,183.44
Elsie M. Karpowich	Clerical assistant	5,710.26
Edwin Earl Thomas	Staff assistant	5,376.66
Marion M. Burson	Staff assistant (minority).	12,160.86
Professional staff:		
Andrew Stevenson	Professional staff coordinator.	14,746.30
William J. Dixon	Professional staff member.	14,746.30
James M. Menger	do	14,746.30
Robert F. Guthrie	do	14,746.30
Additional temporary employees under H. Res. 116 and 320:		
Lewis E. Berry, Jr.	Minority counsel	14,746.30
Helen M. Dubino	Staff assistant (minority)	11,318.32
Barbara L. Bullard	Clerical assistant (minority)	4,517.74
Dolores D. Jones	Clerical assistant (minority) (to May 24, 1969)	2,682.87
Sarah L. Court	Staff assistant (minority)	3,806.04
John I. Burton	Staff assistant (to Feb. 28, 1969)	1,787.52
Eleanor A. Dinkins	Clerical assistant	5,710.26
F. Martin Kuhn	Staff assistant (from June 9, 1969)	1,222.98
Michael A. Taylor	Staff assistant (from Apr. 21, 1969)	3,891.32
Theodore H. Focht	Special counsel (from May 26, 1969)	2,307.46
Christine M. Fawcett	Clerical assistant (minority) (from May 25, 1969)	720.45
Walter J. Graham, Jr.	Staff assistant (from Mar. 1, 1969)	6,670.84
Joseph T. Kelley	Messenger (from June 16, 1969)	187.65
William S. Townsend	Staff assistant (from Apr. 1, 1969)	4,501.53

SPECIAL SUBCOMMITTEE ON INVESTIGATIONS

Name of employee	Profession	Total gross salary during 6-month period
Robet W. Lishman	Chief counsel	$14,746.30
Daniel J. Manelli	Attorney	10,463.80
James R. Connor	Staff assistant	9,834.96
Elizabeth G. Paola	Clerical assistant	5,710.26
George T. Turner	Special assistant (to Feb. 16, 1969)	2,681.43
Russell D. Mosher	Staff assistant	4,236.96
S. Arnold Smith	Attorney	10,225.56
William T. Druhan	Staff assistant	10,539.48
James P. Kelly	Chief investigator	11,395.20
William D. Kane	Staff investigator (to Feb. 15, 1969)	2,559.70
Martha J. San Fellipo	Clerical assistant (to Jan. 17, 1969)	378.34
James F. Broder	Special assistant (from May 19, 1969)	2,270.74
Robert L. Rebein	Staff attorney (from Feb. 1, 1969).	8,324.70
Benjamin M. Smethurst	Special assistant (from Feb. 1, 1969).	8,324.70
Elizabeth A. Hazes	Clerical assistant (from Apr. 17, 1969).	2,056.58
Lucy M. Gossett	Clerical assistant (from Apr. 1, 1969).	2,550.69

Funds authorized or appropriated for committee expenditures	$595,000.00
Amount of expenditures previously reported	
Amount expended from Jan. 3, 1969 to June 30, 1969	177,593.49
Total amount expended from Jan. 3, 1969 to June 30, 1969	177,593.49
Balance unexpended as of June 30, 1969	417,406.51

HARLEY O. STAGGERS,
Chairman.

JULY 15, 1969.

COMMITTEE ON THE JUDICIARY

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Bess Effratt Dick	Staff director	$14,746.31
Herbert Fuchs	Counsel	14,081.78
Benjamin L. Zelenko	General counsel	13,957.75
Garner J. Cline	Counsel	10,915.12
Donald G. Benn	Associate counsel	10,302.45
Jerome M. Zeifman	Counsel (from Mar. 24, 1969).	5,385.15
Frances Christy	Clerical staff	8,023.50
Jane C. Caldwell	do	7,359.18
Gertrude Clara Burak	do	6,546.90
Carrie Lou Allen	do	6,194.64
Lorraine W. Beland	do	6,194.64
Elizabeth G. Meekins	Clerical staff (through Feb. 28, 1969).	2,064.88
Roberta E. Eisenberg	Clerica staff	5,767.26
Pearl Cheilman	Clerical	3,468.99
Katherine L. Ely	Clerical (from Mar. 3, 1969).	2,626.09
James J. Faris	Counsel (from Apr. 14, 1969).	3,210.64
Paul S. Fenton	Associate counsel (from Mar. 3, 1969).	3,934.87
Howard W. Fogt, Jr	Assistant counsel	6,196.59
William B. Forti	Economist (from May 1, 1969).	2,918.66
Austin T. Fragomen, Jr	Assistant counsel (through Apr. 7, 1969).	2,923.53
Phyllis R. Goldberg	Clerical (from May 5, 1969).	936.09
Alma B. Haardt	Clerical	4,953.92
W. Thomas Hutton	Assistant counsel (from Mar. 3, 1969).	3,279.46
R. Frederick Jett	Counsel	$7,505.66
Mary Jordan	Clerical	4,085.93
Michael Kelemonick	do	5,233.20
John J. Lokos	Assistant counsel	7,045.89
Florence T. McGrady	Clerical	5,372.81
Bernice McGuire	Clerical (from Mar. 26, 1969).	1,981.51
Elizabeth G. Meekins	Clerical (from June 10, 1969).	731.75
Thomas E. Mooney	Assistant counsel	4,536.69
Macy Beatrice (Duckett) O'Brien.	Clerical (from Mar. 12, through Mar. 21, 1969).	208.58
Franklin J. Polk	Associate counsel	9,089.25
Donald E. Santarelli	Associate counsel (through Jan. 12, 1969).	375.31
O'Wighten Delk Simpson	Investigator (from Feb. 24, 1969).	3,176.82
Mary G. Sourwine	Clerical	4,758.47
Toni Alleyne Taylor	Clerical (from June 2, 1969).	604.88
Louis S. Vance	Messenger	3,774.43
John F. Winslow	Assistant counsel (from Mar. 10, 1969).	3,864.17

Funds authorized or appropriated for committee expenditures	$250,000.00
Amount expended Jan. 3 through June 30, 1969	102,587.42
Balance unexpended as of June 30, 1969	147,412.58

EMANUEL CELLER,
Chairman.

FUNDS FOR PREPARATION OF UNITED STATES CODE, DISTRICT OF COLUMBIA CODE, AND REVISION OF THE LAWS

A. Preparation of new edition of United States Code (no year):	
Unexpended balance Dec. 31, 1968	$37,945.81
Expended Jan. 1–June 30, 1969	27,456.24
Balance June 30, 1969	10,489.57
B. Preparation of New Edition of District of Columbia Code:	
Unexpended balance Dec. 31, 1968	62,300.26
Expended Jan. 1–June 30, 1969	27,045.79
Balance June 30, 1969	35,254.47
C. Revision of the Laws, 1969:	
Unexpended balance Dec. 31, 1968	15,248.14
Second supplemental, 1969	1,490.00
	16,738.14
Expended Jan. 1–June 30, 1969	14,885.48
Balance June 30, 1969	1,852.66

JULY 10, 1969.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John M. Drewry	Chief counsel	$14,746.30
Bernard J. Zincke	Counsel	14,194.30
Ned P. Everett	do	12,201.96
Arthur Pankopf, Jr	Minority counsel	7,031.25
Richard N. Sharood	do	4,420.55
Robert J. McElroy	Chief clerk	13,785.12
William B. Winfield	Clerk	9,597.72
Frances P. Still	Assistant clerk	7,414.86
Ruth A. Brookshire	do	6,052.14
Vera A. Barker	Secretary	7,095.90
Virginia L. Noah	do	6,719.64
Investigating committee staff:		
Donald A. Watt	Editor	$7,749.12
Gus Bakas	Counsel	9,174.12
Albert J. Dennis	Investigator	8,190.66
Norman M. Barnes	do	4,096.86
Lucye L. Summers	Secretary	4,431.96
Diane G. Kirchenbauer	do	4,096.86
Jane C. Wojcik	do	5,539.32
Richard A. Lidinsky, Jr.	Investigator	593.40
Pauline M. Dickerson	Secretary	279.46
Ronald L. Schwartz	Assistant clerk	160.97
Ernest J. Corrado	Counsel	388.88

Funds authorized or appropriated for committee expenditures	$135,000.00
Amount of expenditures previously reported	
Amount expended from Jan. 1, 1969 to June 30, 1969	50,261.19
Total amount expended from —— to ——	
Balance unexpended as of June 30, 1969	84,738.81

EDWARD A. GARMATZ,
Chairman.

JULY 15, 1969.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee staff:		
Johnson, Charles E	Chief counsel and staff director.	$14,746.31
Bray, B. Benton	Associate staff director	14,544.02
Martiny, John H	Counsel	14,544.02
Irvine, William A	Assistant staff director	14,544.02
Kazy, Theodore James	Senior staff assistant	14,544.02
Fortune, Francis C	Coordinator	11,178.72
Smiroldo, Victor C	Senior staff assistant (from May 5, 1969).	2,724.08
Thornton, Elsie E	Clerk	8,814.54
Wells, Barbara M	Secretary	6,719.64
Simons, Blanche M	do	6,474.96
Snipes, Justine P	Secretary (to May 4, 1969).	3,973.00

Investigative staff, pursuant to H. Res. 268 and 301 of the 91st Cong., 1st sess.

Barton, Richard A	Staff assistant	$7,624.50
Bates, Kathryn E	Secretary	4,847.22
Bebick, Joan E	do	3,442.56
Berner, Joan H	Secretary (to Feb. 28, 1969).	1,269.98
Bingaman, Deanne L	Secretary	4,337.04
Breeskine, Steven D	Junior staff assistant (from June 9).	318.26
Brown, Lorraine L	Secretary (from Mar. 1).	2,670.60
Davis, Stewart A	Staff assistant	7,281.66
Devlin, Ralph J	do	10,691.34
Dowd, Maureen B	Intern (from June 16)	162.68
Flanagan, Carol A	Secretary	4,531.11
Gabusi, John B	Staff assistant (from Feb. 1).	7,508.00
Gandel, Judith R	Intern (from June 16)	175.08
Gould, George B	Staff assistant (from Mar. 1).	6,670.84
Green, Thelma R	Secretary	5,433.18
Hardy, Leroy	Research assistant (from June 1).	1,314.90
Hart, Sally	Secretary (from Apr. 7).	1,869.42
Howard, Alton M	Printing editor (from Apr. 1).	3,752.70
Keating, Michael M	Staff assistant (to Feb. 28).	1,712.22

Name of employee	Profession	Total gross salary during 6-month period
Kennedy, Thomas R.	Staff assistant	$7,995.30
Lloyd, Max T.	Staff assistant (from Mar. 1).	8,241.94
Maginnis, Patricia A.	Intern (from June 16)	191.72
Maull, Cynthia	do	199.86
Matchett, Francis T.	Investigator	6,432.97
Moore, George M.	Senior staff assistant (minority) (from Mar. 1).	9,877.36
Myers, Lois G.	Secretary (from Apr. 1).	2,497.74
Napier, Margaret G.	Secretary	3,880.17
Noonan, Paula E.	Intern (from June 16)	175.08
Olson, Lynne	Staff assistant (from June 1).	375.30
Pendleton, Maria R.	Document clerk	6,467.76
Peters, Dorothy L.	Assistant document clerk.	5,525.04
Powell, John W.	Staff assistant (to Feb. 16).	1,809.65
Quigley, Michael A.	Intern (from June 16)	162.68
Snipes, Justine P.	Secretary (from May 5).	1,794.26
Tessler, Mark	Intern (from June 16)	167.68
Vaughn, Evelyn F.	Secretary (to Feb. 28)	1,290.76
Ward Sara L.	Secretary	5,898.91
Williss, Donna Linn	do	3,939.09
Contract consultant, pursuant to H. Res. 268 and Cong., 1st sess. (annual contract)		301, 91st
Winslow, Joseph E.	Position classification consultant.	1,500.00

Funds authorized or appropriated for committee expenditures	$412,000.00
Amount expended from Jan. 3 to June 30, 1969	147,342.54
Balance unexpended as of June 30, 1969	264,657.46

THADDEUS J. DULSKI,
Chairman.

JUNE 30, 1969.

COMMITTEE ON PUBLIC WORKS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing comittee:		
Richard J. Sullivan	Chief counsel	$14,743.42
Lester Edelman	Counsel	12,051.24
Clifton W. Enfield	Minority counsel	14,487.06
Stephen V. Feeley	Subcommittee clerk	9,315.18
Dorothy A. Beam	Executive staff assistant.	8,344.62
Meriam R. Buckley	Staff assistant	6,273.42
Sterlyn B. Carroll	do	5,310.74
Anne K. Gartland	do	5,150.76
Lloyd A. Rivard	Engineer-consultant (as of Apr. 5, 1969).	5,954.29
Investigating staff:		
Richard C. Peet	Assistant minority counsel (as of Apr. 1, 1969).	6,251.76
Thomas Smrekar	Subcommittee clerk (as of Mar. 10, 1969).	6,016.13
Audrey G. Warren	Subcommittee clerk	8,944.56
Sheldon S. Gilbert	Associate minority counsel.	7,939.74
Augusta P. Peterson	Subcommittee clerk	6,978.72
Robert F. Spence	do	6,978.72
Joseph A. Italiano	Editorial assistant	6,756.44
Erla S. Youmans	Minority staff assistant.	6,647.69
Sara B. Hilber	do	4,425.66
Linda Coberly	Minority staff assistant (as of Feb. 24, 1969).	2,826.39
Julie E. Wood	Staff assistant	3,560.40
Harvey C. Simms, Jr.	Clerical assistant (as of June 4, 1969).	289.81
Maurice B. Tobin	Subcommittee clerk (terminated Feb. 15 1969).	2,611.50
Jeannine A. Marcoux	Staff assistant (terminated Feb. 15, 1969).	$1,245.34
Florence S. Spaulding	Minority staff assistant (terminated Feb. 28, 1969).	1,479.88
Virginia Otterson	Staff assistant (terminated Mar. 31, 1969).	1,936.14

Special Subcommittee on the Federal-Aid Highway Program

Walter R. May	Chief counsel	$14,657.98
John P. Constandy	Assistant chief counsel.	13,809.48
Robert L. May	Assistant minority counsel (terminated Mar. 2, 1969).	4,777.29
Salvatore J. D'Amico	Associate counsel	10,526.10
John P. O'Hara	do	10,526.10
Carl J. Lorenz, Jr.	do	10,686.36
Robert G. Lawrence	do	9,507.76
George M. Kopecky	Chief investigator	13,110.00
Sherman S. Willse	Professional staff member.	10,526.10
Paul R. S. Yates	Professional staff member, minority.	10,965.63
Kathryn M. Keeney	Chief clerk	6,633.29
Stuart M. Harrison	Staff assistant	7,974.12
Mildred E. Rupert	do	5,404.91
Agnes M. GaNun	do	5,235.18
Shirley R. Knighten	do	4,509.60
Martha E. Downie	Minority staff assistant.	4,889.58

Funds authorized or appropriated for committee expenditures	$486,000.00
Amount of expenditures previously reported	0
Amount expended from Jan. 3 to June 30, 1969	231,790.52
Total amount expended from Jan. 3 to June 30, 1969	231,790.52
Balance unexpended as of June 30, 1969	254,209.48

GEORGE H. FALLON,
Chairman.

JULY 14, 1969.

COMMITTEE ON RULES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Laurie C. Battle	Counsel, Standing Committee (P).	$14,746.31
Mary Spencer Forrest	Assistant counsel (P)	8,344.62
Winifred L. Watts	Secretary (C)	6,323.92
Jonna Lynne Cullen	do	4,502.58
Anne Battle	Secretary (C) (June 16 to June 30).	191.72
Robert D. Hynes, Jr.	Minority counsel (P)	12,509.94
Total		46,619.09

Funds authorized or appropriated for committee expenditures	$5,000.00
Amount of expenditures previously reported	
Amount expended from Jan. 1, 1969 to June 39, 1969	852.12
Total amount expended from Jan. 1, 1969 to June 30, 1969	852.12
Balance unexpended as of June 30, 1969	4,147.88

WM. M. COLMER,
Chairman.

JULY 8, 1969.

COMMITTEE ON SCIENCE AND ASTRONAUTICS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Charles F. Ducander	Executive director and chief counsel.	$14,746.30
John A. Carstarphen, Jr.	Chief clerk and counsel.	14,320.90
Philip B. Yeager	Counsel	14,320.90
Frank R. Hammill, Jr.	do	13,904.70
James E. Wilson	Technical consultant	13,276.62
Mary Ann Robert	Secretary	5,809.98
Emily Dodson	do	5,567.82
Caro F. Rodgers	do	5,433.18
June C. Stafford	do	5,433.18
Virginia Robison	do	5,433.18
Richard P. Hines	Staff consultant	13,276.62
Harold A. Gould	Technical consultant	13,276.62
Peter A. Gerardi	Technical consultant (through June 8, 1969).	11,653.85
Philip P. Dickinson	Technical consultant	11,510.22
Joseph M. Felton	Counsel	9,003.06
Richard Beeman	Minority staff (through Mar. 19, 1969).	5,286.13
W. H. Boone	Technical consultant (from May 15, 1969).	3,700.79
William G. Wells, Jr.	Technical consultant (from Feb. 1, 1969).	9,208.50
K. Guild Nichols, Jr.	Staff consultant (from Feb. 1, 1969).	6,254.50
James A. Rose, Jr.	Minority staff (from June 2, 1969).	1,611.06
Frank J. Giroux	Printing clerk	6,762.84
Elizabeth S. Kernan	Scientific research assistant.	6,532.50
Denis C. Quigley	Publications clerk	4,953.12
Kieran U. Cashman	Secretary	4,495.62
Martha N. Rees	do	3,115.50
Patricia J. Speed	Secretary (from Mar. 24, 1969).	2,158.74
Richard K. Shullaw	Assistant publications clerk (from May 21, 1969).	517.67
Michael Torres	Clerical assistant (from June 16, 1969).	150.00

Funds authorized or appropriated for committee expenditures	$350,000.00
Amount of expenditures previously reported	0
Amount expended from Jan. 3 to June 30, 1969	187,573.18
Balance unexpended as of June 30, 1969	162,426.82

GEORGE P. MILLER,
Chairman.

JULY 1, 1969.

COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John M. Swanner	Staff director	$14,487.06
Bennett Wolfe	Assistant staff director	12,154.02
Robert G. Allett	Senior staff member	13,597.18
Mariann R. Mackenzie	Secretary	7,700.40
Tempie W. Whittington	Assistant clerk	3,636.66
Ute Debus	Assistant clerk (from Jan. 1, 1969 to Jan. 31, 1969)	900.82

Funds authorized or appropriated for committee expenditures (H. Res. 204, Mar. 12, 1969)	$20,000.00
Amount of expenditures previously reported	----------
Amount expended from Mar. 12, 1969 to June 30, 1969	170.30
Total amount expended from Mar. 12, 1969 to Mar. 12, 1969	170.30
Balance unexpended as of June 30, 1969	19,829.70

MELVIN PRICE, Chairman.

JULY 14, 1969.

COMMITTEE ON VETERANS' AFFAIRS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee:		
Oliver E. Meadows	Staff director	$14,746.30
Edwin B. Patterson	Counsel	14,081.78
Billy E. Kirby	Professional aide	11,782.54
John R. Holden	Professional staff member.	12,530.94
George W. Fisher	Clerk	14,081.78
Helen A. Biondi	Assistant clerk	8,272.00
Alice V. Matthews	Clerk-stenographer	6,052.14
George J. Turner	Assistant clerk	6,052.14
Morvie Ann Colby	Clerk-stenographer	5,881.20
Marjorie J. Kidd	do	5,353.82
Investigative staff:		
Chrystelle E. Fletcher	do	4,264.73
Helen Lee Fletcher	do	1,482.14
Audrey A. Powelson	do	4,432.62
Patricia J. Wilton	do	4,432.62
Thomas R. Link	Clerk-messenger	1,426.44
E. S. Johnny Walker	Investigator	3,428.58
Philip Eugene Howard	do	6,155.18
Thomas E. Laubacher, Jr.	Clerk-messenger	153.89
Richard C. Daddario	do	113.10

Funds authorized or appropriated for committee expenditures	$150,000
Amount expended from Jan. 1, to June 30, 1969	39,269
Total amount expended from Jan. 1, to June 30, 1969	39,269
Balance unexpended as of June 30, 1969	110,731

OLIN E. TEAGUE, Chairman.

JUNE 30, 1969.

COMMITTEE ON WAYS AND MEANS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John M. Martin, Jr.	Chief counsel (C)	$14,767.18
William H. Quealy	Minority counsel (P)	14,767.18
John Patrick Baker	Assistant chief counsel (P).	13,595.28
Robert B. Hill	Professional staff (P)	7,995.30
William T. Kane	Professional staff (P) from Mar. 1, 1969.	$8,670.60
James W. Kelley	Professional staff (P)	12,448.68
Harold Lamar	do	11,719.92
Francis Bremson	Staff assistant (C) to April 1, 1969.	1,873.77
Florence Burkett	Staff assistant (C)	4,924.86
Virginia Butler	do	6,683.64
William C. Byrd	do	4,488.60
Shirley Furnier	Staff assistant (C) to Jan. 2, 1969.	26.02
Grace Kagan	Staff assistant (C)	6,683.64
June Kendall	do	7,282.56
Jerry W. Knebel	Staff assistant (C) from April 1, 1969.	2,326.34
Elizabeth Price	Staff assistant (C)	5,023.74
Jean Ratliff	do	3,809.94
Gloria Shaver	do	6,109.14
Eileen Sonnett	do	5,596.26
Shirley Vallance	Staff assistant (C) from Jan. 3, 1969.	4,500.97
Carole Vazis	Staff assistant (C) from Jan. 3, 1969.	4,500.97
Richard C. Wilbur	Staff assistant (C)	12,503.52
Hughlon Greene	Document clerk (C)	5,150.76
Walter B. Little	do	5,150.76

Funds authorized or appropriated for committee expenditures	$50,000.00
Amount of expenditures previously reported	----------
Amount expended from Jan. 1 to June 30, 1969	2,089.12
Total amount expended from Jan. 1 to June 30, 1969	2,089.12
Balance unexpended as of June 30, 1969	47,910.88

W. D. MILLS, Chairman.

JULY 18, 1969.

JOINT COMMITTEE ON DEFENSE PRODUCTION

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Harold J. Warren	Clerk and counsel	$12,558.36
Charles S. Brewton	General counsel	10,282.55
George T. Ault	Professional staff member.	8,549.94
Cary H. Copeland	do	6,978.72
Richard W. Wilson	do	1,979.98
Mattie I. Echols	Secretary	4,425.66
Mary Donna Stone	Clerk-typist	505.52
Patricia Gail Abrahamson	do	505.52
Robert A. MacMasters, Jr.	Assistant clerk	381.63

Funds authorized or appropriated for committee expenditures	$107,950.00
Amount of expenditures previously reported	39,637.24
Amount expended from Jan. 1, 1969 to June 30, 1969	46,320.97
Total amount expended from July 1, 1968 to June 30, 1969	85,958.21
Balance unexpended as of June 30, 1969	21,991.79

JOHN SPARKMAN, Chairman.

JULY 9, 1969.

JOINT COMMITTEE ON INTERNAL REVENUE TAXATION

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to July 1, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
L. N. Woodworth	Chief of staff	$18,249.98
Lincoln Arnold	Assistant chief of staff	14,767.18
Arthur Fefferman	Chief economist	3,833.64
Nicholas A. Tomasulo	Legislation counsel	13,460.31
Robert R. Smyers	Refund counsel	13,415.13
Dennis P. Bedell	Assistant legislation counsel.	9,152.91
James H. Symons	Statistical analyst	12,790.65
John Germanis	do	9,755.85
James M. LaMarche	Administrative assistant.	9,943.65
Harrison B. McCawley	Refund attorney	9,867.87
Herbert L. Chabot	Legislation attorney	9,241.23
Joseph P. Spellman	do	8,652.96
Joseph E. Fink	Statistical clerk	8,302.92
Anastasia Connaughton	do	8,302.92
William Forti	Economic assistant	4,012.88
Joanne McDermott	Secretary	5,856.30
James L. Boring	Refund attorney	4,777.55
Blanche Nagro	Secretary (refund)	4,889.61
Linda Savage	Secretary	4,639.44
Elizabeth L. Ruth	do	4,833.12
June Matthews	do	3,935.64
Mary W. Gattie	do	4,369.68
Linda Buckley	do	398.73
Richard Trotter	Legislation attorney	3,414.84
Leon W. Klud	Economist	6,539.70
Marcia B. Rowzie	Secretary	3,695.55
Sheila Johnson	do	3,543.06
John Broadbent	Legislation attorney	9,322.53
Sharon M. Feinsilber	Secretary	3,219.84
Jamie L. Daley	do	4,205.31
Michael D. Bird	Economist	9,660.72
F. M. Hubbard	Attorney	2,501.40
Bernard M. Shapiro	Legislation attorney	5,136.63
Albert Buckberg	Economist	9,010.40
Jerome M. Zeifman	Legislation attorney	4,151.41
Hollis Dixon	Accountant	1,250.90

Funds authorized or appropriated for committee expenditures	$531,905.00
Amount of expenditures previously reported (July 1, 1968 to Jan. 1, 1969)	238,572.33
Amount expended from Jan. 1, to July 1, 1969	253,100.47
Total amount expended from July 1, 1968 to July 1, 1969	491,672.80
Balance unexpended as of July 1, 1969	40,232.20

WILBUR T. MILLS, Chairman.

JULY 15, 1969.

SELECT COMMITTEE ON CRIME

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Michael D. Petit	Assistant press officer (June 1).	$1,417.51
Raphael J. Madden	Messenger (June 1)	500.94
Mary M. Goulart	Secretary (June 21)	264.19
Eric D. Balber	Research assistant (June 1–8).	173.33
Avanell K. Bass	Secretary (June 19)	333.50
George R. Sullivan, S.J.	Research assistant (June 9).	398.73
Kathleen M. Mitchell	Secretary/research assistant (June 10).	380.60
Beverly Bondy	Secretary (June 23)	155.77
William Stoudenmire	Research assistant (June 23).	144.99
Amelia T. Lasser	Secretary (June 1)	833.76
Thomas McBride	Deputy chief counsel (June 6).	1,909.72

Name of employee	Profession	Total gross salary during 6-month period
John B. Culverhouse	Research assistant (June 10).	$380.60
Richard W. Kurrus	Chief counsel (June 6).	2,083.50
Andrew Radding	Assistant counsel (June 30).	36.13
Julian Granger	Investigator (June 30).	44.46
Leroy C. Bedell, Jr.	do	27.79
Albert W. Overby, Jr.	Associate counsel (June 29).	102.78
Mary G. Poore	Secretary (June 9)	519.54
Arthur E. Cameron	Associate counsel/ assistant to chairman (May 16).	2,501.56
John F. Kane	Hearings officer (May 16).	2,250.77
Joseph M. Cribben	Associate chief investigator (May 16).	2,501.56
Total		16,961.73

Funds authorized or appropriated for committee expenditures $375,000.00

Amount of expenditures previously reported .....
Amount expended from May 16 to June 30 (salary) 16,961.73

Total amount expended from May 16 to June 30 ..... 17,848.87

Balance unexpended as of June 30 ..... 357,151.13

CLAUDE PEPPER,
Chairman.

JULY 9, 1969.

SELECT COMMITTEE ON SMALL BUSINESS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1969, to June 30, 1969, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Gregg R. Potvin	General counsel	$14,340.40
Patricia Anne Bishop	Secretary	3,961.39
Justinus Gould	Counsel	12,648.56
Howard Greenberg	Consultant	7,599.17
Thomas J. Oden	Counsel	2,751.84
Henry A. Robinson	do	12,648.56
Marlyn Wilkinson	Secretary	3,609.96
Duane G. Derrick, Jr.	Research analyst	4,106.70
Myrtle Ruth Foutch	Clerk	6,680.58
Charles E. O'Connor	Counsel	13,692.21
Evelyn M. Blomquist	Secretary	3,664.78
William A. Keel, Jr.	Research analyst	13,846.50
Edward D. Boyt	Staff assistant	1,338.62
Bryan H. Jacques	Staff director	14,590.75
Berry C. Williams	Counsel	4,766.30
Joanna G. O'Rourke	Secretary	1,022.04
Christine A. Santoro	do	337.34
Jeanne Arnow McNaughton.	do	2,590.26
Donna M. Santoro	do	3,011.01
Harry A. Olsher	Consultant	6,494.16
Carol Ann Polk	Secretary	2,381.29
Sharon H. Davis	do	999.47
Marjorie Ann Mele	do	579.71
Fred M. Wertheimer	Minority Counsel	10,927.42
Marjorie N. Lisle	Secretary, minority	3,553.95
John M. Finn	Assistant minority counsel.	2,489.61
Julia G. Stivers	Secretary, minority	2,776.40
John J. Williams	Minority Counsel	2,330.87

Funds authorized or appropriated for committee expenditures 350,000.00

Amount of expenditures previously reported .....
Amount expended from ..... to .....
Total amount expended from Jan. 3 to June 30, 1969 ..... 162,563.13

Balance unexpended as of June 30, 1969 ..... 187,436.87

JOE L. EVINS,
Chairman.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

993. A letter from the Director of Civil Defense, Department of the Army, transmitting a report on property acquisitions of emergency supplies and equipment for the quarter ended June 30, 1969, pursuant to the provisions of subsection 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

994. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to carry out the recommendations of the Joint Commission on the Coinage, and for other purposes; to the Committee on Banking and Currency.

995. A letter from the Assistant Secretary of the Interior, transmitting a copy of a proposed concession contract authorizing continuation of the operation of Cedar Pass Lodge, Badlands National Monument, S. Dak., for a 5-year period from January 1, 1969, through December 31, 1973, pursuant to the provisions of the act of July 31, 1953 (67 Stat. 271), as amended by the act of July 14, 1956 (70 Stat. 543); to the Committee on Interior and Insular Affairs.

996. A letter from the Assistant Secretary of the Interior, transmitting a copy of a proposed concession contract authorizing continuation of the operation of El Portal Market, El Portal administrative site, Yosemite National Park, Calif., for a 10-year term from January 1, 1969, through December 31, 1978, pursuant to the provisions of the act of July 31, 1953 (67 Stat. 271), as amended by the act of July 14, 1956 (70 Stat. 543); to the Committee on Interior and Insular Affairs.

997. A letter from the Assistant Secretary of the Interior, transmitting a copy of a proposed concession contract authorizing continuation of ferry service and related facilities and services for the public at the Hall's Crossing site within Glen Canyon National Recreation Area, Utah, for a 5-year period from January 1, 1969, through December 31, 1973, pursuant to the provisions of the act of July 31, 1953 (67 Stat. 271), as amended by the act of July 14, 1956 (70 Stat. 543); to the Committee on Interior and Insular Affairs.

998. A letter from the Secretary of Health, Education, and Welfare, transmitting a report concerning current information on the health consequences of smoking, pursuant to the provisions of section 59(d)(1) of the Federal Cigarette Labeling and Advertising Act; to the Committee on Interstate and Foreign Commerce.

999. A letter from the Chief Commissioner, U.S. Court of Claims, transmitting copies of the opinion and findings of fact by the court in the case of *Mrs. Zdenka Ruchwarger, et al.* v. *The United States*, referred to the court by House Resolution 493, 90th Congress; to the Committee on the Judiciary.

1000. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to establish a Commission on Population Growth and the American Future; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of July 24, 1969, the following bill was reported on July 25, 1969:

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 4813. A bill to extend the provisions of the U.S. Fishing Fleet Improvement Act, as amended, and for other purposes; with amendment (Rept. No. 91-394). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted July 28, 1969*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PERKINS: Committee on Education and Labor. S. 1611. An act to amend Public Law 85-905 to provide for a National Center on Educational Media and Materials for the Handicapped, and for other purposes; with amendment (Rept. No. 91-395). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. House Joint Resolution 764. Joint resolution to authorize appropriations for expenses of the President's Council on Youth Opportunity (Rept. No. 91-396). Referred to the Committee of the Whole House on the State of the Union.

Mr. RODINO: Committee on the Judiciary. H.R. 4249. A bill to extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests and devices (Rept. No. 91-397). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 13112. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 13113. A bill to designate the bridge authorized by the act of October 4, 1966, as the "Light Horse Harry Lee Bridge," and for other purposes; to the Committee on the District of Columbia.

By Mrs. CHISHOLM:

H.R. 13114. A bill to provide Federal financial assistance to help cities and communities of the United States develop and carry out intensive local programs to eliminate the causes of lead-based paint poisoning; to the Committee on Banking and Currency.

H.R. 13115. A bill to amend the Federal Aviation Act of 1958 to authorize reduced-rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

H.R. 13116. A bill to provide Federal financial assistance to help cities and communities of the United States develop and carry out intensive local programs to detect and treat incidents of lead-based paint poisoning; to the Committee on Interstate and Foreign Commerce.

H.R. 13117. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 13118. A bill to provide for public disclosure by Members of the House of Representatives, Members of the U.S. Senate, justices and judges of the U.S. courts, and policymaking officials of the executive branch as designated by the Civil Service Commission, but including the President, Vice President, and Cabinet members; and by candidates for the House of Representatives and the Senate, the Presidency, and the Vice-Presidency; and to give the House Commit-

tee on Standards of Conduct, the Senate Select Committee on Standards of Conduct, the Director of the Administrative Office of the U.S. Courts, and the Attorney General of the United States appropriate jurisdiction; to the Committee on the Judiciary.

H.R. 13119. A bill to amend title 39, United States Code, to provide career status to qualified substitute rural carriers with 5 years of satisfactory service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FASCELL (for himself, Mr. MONAGAN, Mr. ROYBAL, Mr. ROSENTHAL, Mr. CULVER, Mr. MORSE, and Mr. FULTON of Pennsylvania):

H.R. 13120. A bill to promote the foreign policy of the United States and to provide for the establishment of the Inter-American Development Institute to promote developmental activities in the Western Hemisphere, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GERALD R. FORD:

H.R. 13121. A bill to authorize the disposal of nickel from the national stockpile; to the Committee on Armed Services.

By Mr. GARMATZ:

H.R. 13122. A bill to amend the Social Security Act to provide that a State's medical assistance program under title XIX of such act may include benefits in the form of institutional services in intermediate-care facilities; to the Committee on Ways and Means.

By Mr. GIAIMO:

H.R. 13123. A bill to provide more efficient and convenient passport services to citizens of the United States of America; to the Committee on Foreign Affairs.

By Mr. HANLEY:

H.R. 13124. A bill to modernize the U.S. Postal Establishment, to provide for efficient and economical postal service to the public, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. HANSEN of Washington (for herself, Mrs. MAY, Mr. MEEDS, Mr. PELLY, Mr. HICKS, Mr. ADAMS, Mr. BERRY, Mr. OLSEN, Mr. MELCHER, and Mr. REIFEL):

H.R. 13125. A bill to amend section 11 of the act approved February 22, 1889 (25 Stat. 676), as amended by the act of May 7, 1932 (47 Stat. 150), and as amended by the act of April 13, 1948 (62 Stat. 170), relating to the admission to the Union of the States of North Dakota, South Dakota, Montana, and Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HARVEY:

H.R. 13126. A bill to adjust agricultural production, to provide a transitional program for farmers, and for other purposes; to the Committee on Agriculture.

By Mrs. HECKLER of Massachusetts:

H.R. 13127. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. OLSEN (for himself, Mr. POLLOCK, Mr. CLARK, Mr. DENNEY, Mr. DORN, Mr. HOWARD, Mr. JOHNSON of California, Mr. KLUCZYNSKI, Mr. MELCHER, Mr. ROBERTS, and Mr. WRIGHT):

H.R. 13128. A bill to amend title 23, United States Code, to designate the Alaska Highway, and to authorize construction, reconstruction, and improvement of part of such highway, including a connecting highway; to the Committee on Public Works.

By Mr. PATMAN:

H.R. 13129. A bill to amend title 38 of the United States Code so as to entitle veterans of World War I and their widows and children to pension on the same basis as veterans of the Spanish-American War and their widows and children, respectively; to the Committee on Veterans' Affairs.

By Mr. POLLOCK:

H.R. 13130. A bill to amend title 5, United States Code, to authorize the retirement of employees upon completion of 30 years of service regardless of age; to the Committee on Post Office and Civil Service.

By Mr. QUILLEN:

H.R. 13131. A bill to amend the Internal Revenue Code of 1954 to provide that the first $5,000 of an individual's civil service retirement annuity shall be exempt from income tax; to the Committee on Ways and Means.

By Mr. RARICK:

H.R. 13132. A bill to continue for 11 months the existing rates of withholding of income tax, to provide for the application of surtax payments toward the purchase of U.S. obligations, and for other purposes; to the Committee on Ways and Means.

By Mr. STEIGER of Wisconsin (for himself, Mr. BIESTER, Mr. BRADEMAS, Mr. BROCK, Mr. BURTON of California, Mr. BUSH, Mr. COUGHLIN, Mr. ESHLEMAN, Mr. FREY, Mr. HATHAWAY, Mr. HAWKINS, Mr. HOGAN, Mr. LUJAN, Mr. MCCLOSKEY, Mr. MEEDS, Mr. REID of New York, Mr. RIEGLE, Mr. RUPPE, Mr. SCHEUER, Mr. VANDER JAGT, and Mr. WHITEHURST):

H.R. 13133. A bill to provide for support by the Teacher Corps of programs in which volunteers serve as part-time tutors or full-time instructional assistants; to the Committee on Education and Labor.

By Mr. WEICKER:

H.R. 13134. A bill to provide more efficient and convenient passport services to citizens of the United States of America; to the Committee on Foreign Affairs.

By Mr. WHITEHURST:

H.R. 13135. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. CHARLES H. WILSON (for himself, Mr. ANDERSON of California, Mr. ADDABBO, Mr. BROWN of California, Mr. BYRNE of Pennsylvania, Mr. DONOHUE, Mr. FRIEDEL, Mr. EDWARDS of California, Mr. GIAIMO, Mr. HAWKINS, Mr. JOHNSON of California, Mr. LEGGETT, Mr. MIKVA, Mr. MOORHEAD, Mr. NIX, Mr. PATTEN, Mr. POWELL, Mr. REES, Mr. ROSENTHAL, Mr. THOMPSON of New Jersey, Mr. VIGORITO, Mr. WHALEN, and Mr. WRIGHT):

H.R. 13136. A bill to provide for a comprehensive and coordinated attack on the narcotic addiction and drug abuse problem, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BLACKBURN:

H.R. 13137. A bill to amend the Elementary and Secondary Education Act of 1965, with respect to the denial of Federal assistance in certain cases; to the Committee on Education and Labor.

By Mr. FARBSTEIN:

H.R. 13138 A bill to amend Public Law 87-849, approved October 23, 1962, to strengthen provisions relating to disqualification of former Federal officers and employees in matters connected with former duties and official responsibilities, and for other purposes; to the Committee on the Judiciary.

By Mr. GILBERT (for himself, Mr. ADDABBO, Mr. BARRETT, Mr. BIAGGI, Mr. BINGHAM, Mr. BUTTON, Mrs. CHISHOLM, Mr. CLARK, Mr. DENT, Mr. FULTON of Pennsylvania, Mr. NIX, Mr. PATTEN, Mr. POWELL, Mr. ROONEY of Pennsylvania, Mr. ROSENTHAL, and Mr. SCHEUER):

H.R. 13139. A bill to amend title XVIII of the Social Security Act to authorize payment under the program of health insurance for the aged for services furnished an individual by a home maintenance worker (in such individual's home) as part of a home health services plan; to the Committee on Ways and Means.

By Mr. JOELSON:

H.R. 13140. A bill to implement the Federal employee pay comparability system; to establish a Federal Employee Salary Commission and a Board of Arbitration, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McCLURE:

H.R. 13141. A bill to establish the Idaho Star Garnet National Recreation Area in the State of Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. POLLOCK (by request):

H.R. 13142. A bill to provide for the settlement of certain land claims of Alaska natives, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROSENTHAL:

H.R. 13143. A bill to amend the Fair Labor Standards Act of 1938 to repeal the exemption for certain retail commission salesmen from the overtime compensation requirements of the act; to the Committee on Education and Labor.

By Mr. ROSTENKOWSKI:

H.R. 13144. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 13145. A bill to amend the Fair Labor Standards Act of 1938, as amended, to extend its protection to additional employees, to raise the minimum wage to $2 an hour, to provide for an 8-hour workday, and for other purposes; to the Commitee on Education and Labor.

By Mr. WIDNALL:

H.R. 13146. A bill to amend the Small Business Investment Act of 1958; to the Committee on Banking and Currency.

By Mr. BROTZMAN:

H.J. Res. 839. Joint resolution providing for the display in the Capitol Building of a portion of the moon; to the Committee on House Administration.

By Mr. BROWN of California:

H.J. Res. 840. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. KUYKENDALL:

H.J. Res. 841. Joint resolution to provide that World Day shall be a legal public holiday which shall be celebrated on July 20; to the Committee on the Judiciary.

By Mr. REES:

H.J. Res. 842. Joint resolution providing for the designation of a week in September of each year as "Industrial Security Week"; to the Committee on the Judiciary.

By Mr. WYLIE:

H.J. Res. 843. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ANNUNZIO (for himself, Mr. KLUCZYNSKI, Mr. MIKVA, Mr. PRICE of Illinois, Mr. MURPHY of Illinois, Mr. RONAN, Mr. SHIPLEY, Mr. DAWSON, Mr. PUCINSKI, Mr. NIX, Mr. HAYS, Mr. HICKS, Mr. MCCLORY, Mr. DERWINSKI, Mr. MATSUNAGA, and Mr. GRAY):

H. Con. Res. 307. Concurrent resolution expressing the sense of Congress relating to films and broadcasts which defame, stereotype, ridicule, demean, or degrade ethnic, racial, and religious groups; to the Committee on Interstate and Foreign Commerce.

Mr. RODINO (for himself, Mr. BARRETT, Mr. BYRNE of Pennsylvania, Mr. EILBERG, Mr. GARMATZ, Mr. GROVER, Mr. HELSTOSKI, Mr. HOWARD, Mr. MILLER of California, Mr. MINISH, and Mr. NEDZI):

H. Con. Res. 308. Concurrent resolution expressing the sense of Congress relating to films and broadcasts which defame, stereotype, ridicule, demean, or degrade ethnic, racial, and religious groups; to the Committee on Interstate and Foreign Commerce.

By Mrs. DWYER:

H. Res. 494. Resolution seeking agreement with the Union of Soviet Socialist Republics on limiting offensive and defensive strategic weapons and the suspension of test flights of reentry vehicles; to the Committee on Foreign Affairs.

By Mr. ICHORD (for himself and Mr. CLEVELAND):

H. Res. 495. Resolution amending rule XXXV of the Rules of the House of Representatives to increase fees of witnesses before the House or its committees; to the Committee on Rules.

By Mr. POLLOCK:

H. Res. 496. Resolution providing for the payment of transportation expenses of Members of the House of Representatives within the districts which they represent while on authorized trips to such districts; to the Committee on House Administration.

By Mr. RARICK:

H. Res. 497. Resolution to create a select committee to conduct a full and complete study of the demography of the United States with the view toward providing relief from racial tensions by more equal distribution of underprivileged racial groups throughout the several States and in the political subdivisions of each State; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

246. The SPEAKER presented a memorial of the Legislature of the State of Alabama, relative to discontinuances of passenger trains, which was referred to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of California:

H.R. 13147. A bill for the relief of Armando Neri Vila and Erlinda Sevilla Vila; to the Committee on the Judiciary.

By Mr. RODINO (by request):

H.R. 13148. A bill to provide compensation to certain industrial end-users claimants by authorizing the sale of silver bullion; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 13149. A bill for the relief of Ofelia Manrique; to the Committee on the Judiciary.

By Mr. DONOHUE:

H. Res. 498. A resolution to refer the bill (H.R. 4498), entitled "a bill for the relief of Branka Mardessich and Sonia S. Silvani," to the Chief Commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

189. By the SPEAKER: Petition of Allan Feinblum, New York, N.Y., relative to establishment of a Department of Peace; to the Committee on Government Operations..

190. Also, petition of the Congress of Micronesia, Trust Territory of the Pacific Islands, relative to the future political status of Micronesia; to the Committee on Interior and Insular Affairs.

191. Also, petition of Clarence Martion, Sr., Washington, D.C., relative to redress of grievances; to the Committee on the Judiciary.

192. Also, petition of Khafre H. Sellers, Baltimore, Md., relative to redress of grievances; to the Committee on the Judiciary.

193. Also, petition of Henry Stoner, York, Pa., relative to commemorating the birth of the 400 millionth American; to the Committee on Post Office and Civil Service.

194. Also, petition of Allen Feinblum, New York, N.Y., relative to various proposed investigations; to the Committee on Rules.

195. Also, petition of the City Council, Greenville, S.C., relative to taxation of State and local government securities; to the Committee on Ways and Means.

196. Also, petition of the Niagara County Legislature, New York, relative to taxation of State and local government securities; to the Committee on Ways and Means.

197. Also, petition of the Board of Supervisors, Rockland County, N.Y., relative to taxation of State and local government securities; to the Committee on Ways and Means.

SENATE—*Monday, July 28, 1969*

The Senate met at 11 o'clock a.m. and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Let your light so shine before men, that they may see your good works, and glorify your Father which is in heaven.—Matthew 5: 16.

O God, our Father, to whom all hearts are open, all desires known, and from whom no secrets are hid, give us the cleansing and the strength of Thy presence. Help us all through this day that we may honor the office we hold, serve the Nation we love, bring credit to the name we bear and hope to those who trust us. Give us grace to persevere when things are difficult, to be cheerful when things go wrong, to be clear when things are confused, and to remain serene when things are turbulent. Make our lives beacons of goodness, truth and justice, and keep us so faithful to Thee that when the day is done we may know the peace which the world cannot give nor take away. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, July 25, 1969, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar under rule VIII be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the speeches by the distinguished Senator from Hawaii (Mr. FONG) and the distinguished Senator from New Hampshire (Mr. MCINTYRE) there be a period for the transaction of routine morning business, with statements therein limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. The Senator from Hawaii (Mr. FONG) is recognized at this time for not to exceed 50 minutes.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. FONG. I yield to the distinguished Senator from Illinois without losing my right to the floor.

DECLASSIFICATION OF DOCUMENTS

Mr. DIRKSEN. Mr. President, the matter of declassification of additional documents that have been used from time to time in the hearings has come up. Actually, no procedure has been devised that formalizes it, and I suggested to the majority leader this morning that I thought in every case where declassification is sought by any Senator, if the Pentagon is willing to do so, it ought to be formalized through the Senate and that the Senate leaders ought to ask for unanimous consent to so declassify, on the recommendation of the Pentagon. If these requests arise, I believe that is the way they should be handled.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. The Senator does not refer to the use of classified documents being declassified so far as committees are concerned, only so far as the Senate is concerned.

Mr. DIRKSEN. That is right.

Mr. MANSFIELD. Mr. President, if my understanding of this matter is correct, if there is a secret or otherwise classified document under the jurisdiction and re-

sponsibility of the Pentagon or the Department of Defense and it is willing to declassify that document and will take the responsibility for so doing—because that is where it should lie with the origination of the document—I see no objection in the Senate indicating its approval, and I would go along with what the distinguished minority leader has said.

Mr. STENNIS. Mr. President, will the Senator yield on this point?

Mr. DIRKSEN. I yield.

Mr. STENNIS. I am a member of a committee that hears a good deal of this. I think any Senator is entitled to anything he wants to know, but I do not think it is our responsibility to say what is classified or unclassified. It can get us into serious trouble. The executive branch will have to take that responsibility. They have the experts.

Mr. MANSFIELD. The primary responsibility would have to be with them; what we would do, in effect, would be just to give an indication of approval to a decision which has been made by them, based on the responsibility which is theirs.

Mr. STENNIS. Yes. My position has been that a Senator is entitled to information on which he has to make a judgment.

Mr. DIRKSEN. If the Pentagon is willing, then ours is only a ministerial function, and that formalizes it as such.

FURTHER DEBATE AND HEARINGS ON PENDING BUSINESS

Mr. DIRKSEN. Mr. President there is another question I think I should raise, in view of the statements made on the floor of the Senate on Friday with respect to the possibility of further hearings by the Committee on Foreign Relations, and I thought the distinguished senior Senator from Tennessee also was thinking in terms of still another closed session.

We had planned—or we had hoped, shall I say—that perhaps a vote could come on the first amendment as early as Tuesday of this week. But in view of those circumstances, I wonder what that situation is now. That is the reason why I properly address this question to the majority leader.

Mr. MANSFIELD. If the Senator will yield to me, I may say that I can only speak indirectly on the matter, because the distinguished Senator from Mississippi (Mr. STENNIS), the manager of the bill which is the unfinished business, the distinguished Senator from Kentucky (Mr. COOPER), and the distinguished Senator from Michigan (Mr. HART) are directly concerned and they did have a colloquy on this matter. It is my recollection that so far as those three Senators are concerned, they want to get to a vote on the Cooper-Hart amendment as expeditiously as possible. However, it is my understanding that there is at least one Member of this body who feels that the vote should not be taken while the President is away on a very important voyage. Another Member has indicated that he intends to hold an executive meeting of his subcommittee on Wednesday, at which time he expects that some pertinent secret information will be made available. I do not know what is contained in that information. I must confess my ignorance.

It would appear that on that basis it might not be possible to get to a vote, let us say, before Thursday. So far as I am concerned, I am ready to vote today. So far as the Senators from Mississippi, Kentucky, and Michigan are concerned, they are ready to vote today, or at least tomorrow. But we are in a bind on this matter.

I would hope that this hearing would be held, and I hope it would be possible on Thursday or Friday to get to the first vote on this important measure. While many other amendments are piled up behind the one having to do with the ABM, I believe the icejam would be broken by such a vote and that the measure could be proceeded with more expeditiously. If we do not, then I think we had better get ready to stay with this bill through August 13, and be prepared to resume its consideration when we return after Labor Day.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. DIRKSEN. Let me make one observation.

I find it rather difficult, Mr. President, to counsel our Members that they have to stay here—and that means, of course, that they have to break engagements at home and elsewhere which they regard as quite important.

The Vice President, himself, is in something of a bind, in a sense. A conference of Governors is being held on the Pacific coast, and he would like to go. I think he has a meeting in Seattle, another meeting elsewhere out there, and meetings back here. In my latest discussion with him, I said, "I presume you will have to keep yourself rather fluid."

I say that to all our Members. But then nothing eventuates, and we continue with the discussions, and it puts the leadership in a difficult and somewhat awkward position. That is the reason why I raised the question. If this vote is going to be projected into the future—let us say until the President returns—then I think we should know it now, and we should give them liberty and say that insofar as these pressing engagements are concerned, they are fully ready to accept and should try to fulfill them if they can.

Mr. STENNIS. Mr. President, will the Senator yield to me?

Mr. FONG. I yield.

Mr. STENNIS. Mr. President, I think the Senator from Montana expressed the situation entirely correctly as to the willingness to make an agreement to vote by the authors of the amendment and the chairman of the committee.

There is one addendum. We are ready to agree to a vote but we had in mind that 48 hours would be the minimum notice; the time to vote would come no sooner than 48 hours later.

Mr. MANSFIELD. That is plenty of time.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. FONG. I yield.

Mr. COOPER. Mr. President, as the majority leader said, we had quite a discussion on this question. The Senator from Mississippi, the Senator from Texas, the Senator from Michigan, and I were here. The Senator from Michigan (Mr. HART) and I stated that as far as we were concerned, as the sponsors of the amendment together with a number of other sponsors, we were ready to proceed as quickly as we could to a vote. I did say I had been informed that the Senator from Tennessee expected to hold an executive hearing in his committee on Wednesday regarding some reports concerning ABM. I am not fully informed as to what they concluded. I assume he would not be willing to agree to a vote until after the meeting was held.

We agreed that this afternoon the Senate would attempt to agree on an hour certain; that we would meet here and we would expect all of those who are interested in this amendment, both those who are for it and those who are against it, to be here to determine whether or not we can arrive at a time.

The Senator from Michigan and I have brought the matter up with the Senator from Mississippi, and as far as I am concerned, I hope we can meet here at 3 o'clock or thereabouts and discuss the matter.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. FONG. I yield.

Mr. TOWER. It would appear that the Senator from Arkansas is the key to this question. He indicated he would like to delay the vote until after the President's return.

Mr. MANSFIELD. The Senator is correct. But there are two keys to the matter. The distinguished Senator from Tennessee is also to be considered. Unfortunately, he is detained on official business at this time. I feel as a matter of courtesy and to assure the protection of all interests that we should have both of those Senators on the floor when this matter is proposed and, hopefully, that we are able to arrive at a solution as to when the vote on the amendment will take place.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. FONG. I yield.

Mr. DIRKSEN. Mr. President, there is still another matter I am constrained to address myself to.

DECLASSIFICATION OF DOCUMENTS

The ACTING PRESIDENT pro tempore. If the Senator will yield, the Chair was not sure if the Senator was propounding a question to the Senate on the first proposition as to the declassification of secret documents.

Mr. DIRKSEN. Yes, I think I should do so; and I would ask unanimous consent, if that is necessary, that in every case where documents are declassified at the request of a Member of the Senate, and they are declassified by the Pentagon and the Senate is so advised, that it ought to formally approve the kind of declassification just as a matter of course.

The ACTING PRESIDENT pro tempore. That is the general rule. Without objection——

Mr. MANSFIELD. Mr. President, I wish to make it very plain that this would not apply to the declassification of documents for any committee or to the right of any Senator to go to the committee and see such documents; and it would apply only to matters that may appear on the floor of the Senate.

Mr. STENNIS. Mr. President, will the Senator state his unanimous consent request?

Mr. DIRKSEN. Where there is a request by a Senator to the appropriate authorities, which could be the pending one, that a document be declassified so it can be used publicly and used on the floor of the Senate, that it be so reported and that the Senate give its approval; and that case may not apply in any documents in the care of other committees as indicated by the majority leader.

Mr. STENNIS. Mr. President, reserving the right to object, and I am not objecting now, the Senator does have in mind that it is the responsibility of the executive branch of Government, through the Pentagon or otherwise, to pass on whether or not documents be declassified.

Mr. DIRKSEN. Yes.

Mr. MANSFIELD. Absolutely and without question.

Mr. DIRKSEN. But they send that to a committee, and committees are creatures of the Senate. I think the Senate as a body should be aware of it and it ought to have its approval.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears no objection, and it is so ordered.

TAX LEGISLATION

Mr. DIRKSEN. Mr. President, I should address myself to still another matter. In view of the fact that we are at something of an impasse with respect to the ABM and a vote on the first amendment, there is before us this very urgent matter of the tax bill. I am wondering, under those circumstances, whether we cannot lay the ABM matter aside for a little bit and proceed on the question of the surtax because it is so vital to the economy and interests of the country.

The majority leader and I have discussed the matter in a most friendly fashion, but I still feel that sense of urgency.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FONG. I yield.

Mr. MANSFIELD. Mr. President, I would point out that the Democratic policy committee met with the Democratic members of the Committee on Finance, as the Senator and the Senate well know. We spent 7 hours last week trying to arrive at an accommodation with the expressed interests of the Republican leadership and the administration; and we came up with the best solution that we could, which we did present to the distinguished minority leader, the Secretary of the Treasury, and the White House. To date no word has been received in the form of an answer.

I would point out that the House of Representatives today is considering a 15-day extension; and what will happen to that extension is anybody's guess, either in that body or over here.

If it comes over here it would be my intention to permit it to be referred under normal procedures to the Committee on Finance; I intend to discuss the matter with the chairman of that committee, the distinguished Senator from Louisiana (Mr. LONG). I would point out that we are approaching the deadline; that at midnight this coming Thursday, if no accommodation is reached, the surtax will automatically go out of existence. If that unfortunate time comes it means that the current withholding levels which have determined the tax revenues held back from the wage earners and the salaried employees would expire and that that revenue would have to be returned at an appropriate time. The revenues to the Government would be lost. It would appear to me also that if the surtax is allowed to die that it would be most difficult to revive it, if I read the sentiments of the Members on this side of the aisle correctly.

As the distinguished minority leader has said, we are faced with an impasse. I feel as if I am approaching the guillotine. We have tried to go as far as we could to reach an accommodation with the administration. I wish to assure the distinguished minority leader that as far as the Senator from Montana is concerned that he, figuratively speaking, almost shed some of his blood to get this extension for as long as was possible. I personally would have been willing to go along with the chairman of the Committee on Finance to the first of the year but overwhelming sentiment was against that; some Senators only wanted to go to the end of September and some to the end of October. This was the best we could get and I think it is the only accommodation available to us at this time. If there is any possibility to bring about a change I would have no hesitancy in so stating publicly at this time, but I cannot make such an assertion.

(At this point, Mr. INOUYE assumed the chair.)

Mr. DIRKSEN. Mr. President, will the Senator yield further?

Mr. FONG. I yield.

Mr. DIRKSEN. Mr. President, we have discussed it and I know that the majority leader has done his very best. But I point out in connection with the resolution that there is another specific; namely, that the date of April 18 is thoroughly nailed down so far as repeal of the dividend tax credit or the investment tax credit is concerned. Then it is committed to the hands of the administration and the minority leadership to accept. Frankly, it would put the minority leader in a very awkward position because I certainly cannot bind 43 Members on this side of the aisle. They share equal privileges and prerogatives in the Senate, and if any one of them would undertake to get up and offer and amendment when the bill comes before us, that would be his proper right to do so and I could not constrain him not to do it. I might talk to him and ask him not to do so. Whether he would so do, that would be the privilege he has. That is equally true on the majority side of the aisle.

Thus, in trying to assess the responsibility of the leadership and to talk for everyone, that becomes virtually an impossible undertaking.

Now I can recite, from the standpoint of the administration, that before he left, the Presdent made it crystal clear that he wanted that surtax bill because of the impact upon the country and upon all its commercial and industrial undertakings; and because, further, the withholding, of course, is still in effect, and if the surtax dies, as the majority leader points out, obviously those are withheld funds which will have to be restored to the taxpayers.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Hawaii yield?

Mr. FONG. I yield.

Mr. WILLIAMS of Delaware. I wonder whether the majority leader would not agree, since there seems to be a difference of opinion as to how long the surtax should be extended or whether it should be extended at all, that we should make it the pending business and let the Senate work its will. We could get unanimous consent for a limitation on time of debate so that it would not disrupt the ABM discussion, which I understand will be postponed for a few days anyway. Let the Senate work its will, and if a majority of the Senate wants the surtax to be extended only 2 months, 3 months, or 5 months, let it so take action, or if the Senate should decide to defeat it entirely, then so be it. But vote.

Mr. President, the point I make is that we should clear up this uncertainty as to whether we will or will not act. I am wondering whether we could not get agreement and proceed to a consideration of the tax bill.

The Finance Committee has completed the hearings and they are part of the bill which is on the Senate calendar. Therefore, could we not proceed and let the Senate work its will, as is customary with legislation before this body?

Mr. MANSFIELD. I could recognize the argument of the distinguished Senator from Delaware (Mr. WILLIAMS). I, of course, could not agree that hearings have been held on the bill now on the calendar. It was my understanding, subject to correction, that there really were no hearings and no witnesses——

Mr. WILLIAMS of Delaware. The able Senator from Montana is in error on that. Hearings were held and have been printed. We had, I think it was, 3 days of hearings. Anyway, they were completed and all the witnesses, both administration and public witnesses, who wished to testify were heard on the surtax extension and the investment credit, the phase of the bill as reported by the House. All the hearings have been completed in their entirety.

The parts of the hearings which were not held and to which the Senator from Montana refers were those which concerned the tax reform amendments that would be offered at a later date by some Members. But so far as the bill that came over from the House was concerned, the hearings have been completed. They are printed and have been available a couple weeks.

Mr. FULBRIGHT. Mr. President, will the Senator from Hawaii yield?

Mr. FONG. I yield.

Mr. FULBRIGHT. With regard to the investment credit, there certainly were not any completed hearings on that.

Mr. WILLIAMS of Delaware. Oh, yes, there were.

Mr. FULBRIGHT. There were a number of people interested in that aspect of the particular phasing out provisions, which they expected to be part of the hearings.

Mr. WILLIAMS of Delaware. I was present throughout the hearings, and the chairman specifically made the inquiry of whether there were any additional witnesses who wished to be heard, and there were no other witnesses. To my knowledge there has been no request for any additional witnesses since. The completed hearings are printed and available on the bill as it was reported to the Senate Calendar.

Mr. FULBRIGHT. Does not the Senator recall when it was voted out, that the Senator from Georgia (Mr. TALMADGE) was sitting there, ready, willing, and able to offer an amendment and all of a sudden the Senator made a motion, which motion carried, and he did not even get to present his amendments addressed to the phasing out? I also had a constituent placed in the same situation. As a matter of fact, I had thought there would be some further hearings——

Mr. WILLIAMS of Delaware. No. The hearings were held. The Senator from Georgia did have an amendment, but testimony was also heard on the Talmadge proposal to phase out the investment credit.

Mr. FULBRIGHT. The hearings were held and the committee took action without getting any action on any amendments——

Mr. MANSFIELD. On the basis of what the distinguished Senator has just said, I stand corrected; but in response to the specific question of the Senator from Delaware, the Senator from Montana just happens to be the lightning rod for the policy committee——

Mr. WILLIAMS of Delaware. I appreciate that.

Mr. MANSFIELD. On this side, and I act under the direction of that committee and in this instance not only that committee, which is charged with the scheduling of legislation, but also the Democratic members of the Senate Finance Committee; thus in view of their joint proposal of last week to extend the surtax for 5 months while we await the tax reform package, I would have to respectfully decline to accede to what the Senator from Delaware has requested at this time.

Mr. WILLIAMS of Delaware. I thank the Senator.

Mr. MANSFIELD. I wish to thank the Senator from Hawaii (Mr. FONG) for his kindness and patience during this colloquy.

ORDER OF BUSINESS

Mr. FONG. Mr. President, in view of the long colloquy which has just taken place, which has consumed approximately 20 minutes, I ask unanimous consent that my time begin as of now.

The PRESIDING OFFICER. Without objection, it is so ordered.

SAFEGUARD—DECISION FOR PEACE

Mr. FONG. Mr. President, I have been closely following the debate on the President's proposed Safeguard anti-ballistic-missile system. I have studied and analyzed much of the information, testimonies, and other relevant material that are in my possession, and I have carefully listened to the classified information presented in the closed session of the Senate. I have found that this is one of the most difficult issues to face the Senate this year, for a great many complex facts, assumptions, and policy considerations are involved.

We are all peering into the unknown future and trying to assess the possible threat to our Nation's security that may exist in the 1970's and what we, as a nation, should do to protect our people from that threat. Human judgments are required, and here is where knowledgeable and informed men do indeed differ.

At this juncture in the debate, which has been extensive and enlightening, yet at times contradictory, it occurred to me it might be helpful at the start of my statement to recite exactly what we in the Senate are asked to vote on at this time.

I. THE 1970 SAFEGUARD PROPOSAL

Before us is the bill (S. 2546) to authorize military procurement funds and military research and development funds for fiscal year 1970, plus funds for construction of missile test facilities at Kwajalein Missile Range. The total amount contained in this authorization bill for various defense needs is $20,059,500,000, plus $12,700,000 for constructing a missile test facility at Kwajalein.

Included in this figure is a total of $759.1 million for phase I of the proposed Safeguard anti-ballistic-missile system. Of this total, $400.9 million is for research and development; $345.5 million for procurement of elements in the Safeguard program; and $12.7 million for the Kwajalein missile test facility.

The record should show that in regard to Safeguard, the Senate Armed Services Committee unanimously recommended the research and development fund of $400.9 million and the test facility at Kwajalein fund of $12.7 million and by 10 to 7 recommended the procurement fund of $345.5 million.

II. NO COMMITMENT TO MORE SAFEGUARD SITES

Deployment of the Safeguard ABM at two sites, as authorized by the pending bill, is most emphatically not an automatic trigger for additional sites.

Last March, in announcing the Safeguard proposal, President Nixon made very clear that he intends to review the entire ABM question annually in the light of technological developments, in the light of the threat to America evaluated at the time of the review, and in the light of international events, such as arms limitation talks.

If the annual review discloses good and sufficient reasons to indicate America should proceed no further on an ABM system, I am confident President Nixon will so recommend.

Although the Nixon administration views the Safeguard ABM as a possible 12-site—with two optional sites additional—system, the President has made plain he is recommending now only a two-site deployment, at North Dakota and Montana, reserving judgment on the remaining sites until his annual review.

The Congress, in approving this bill, would likewise be reserving judgment on other ABM sites until we look at the entire matter again next year.

In this military authorization bill that is before us, we are not voting to authorize $10.3 billion, the administration estimate for the 12-site Safeguard system. Nor are we voting to authorize $40 billion, or $100 billion, as Safeguard opponents estimate the total system could cost.

The amount of Safeguard funds we would authorize if we approve this bill is $759.1 million. Of this sum, $413.6 million carries the unanimous recommendation of the Senate Armed Services Committee. The balance of $345.5 million was supported by a 10-to-7 vote of that committee. These funds will permit research and development of the ABM to go forward, so we can find out what technical bugs there are in the system and so we can begin to approach the knowledge the Russians have accumulated since 1962, when they began work on their ABM, which is now deployed.

The $759.1 million will also permit construction of a missile test facility at Kwajalein and will permit procurement of radars, computers, ground equipment, and hardware for long-leadtime components of the Sprint and Spartan missiles. These items are required to move ahead with deployment of the Safeguard ABM at two sites.

I want to make very clear my understanding that a vote for the $759.1 million to be used in fiscal year 1970, which ends next June 30, does not commit either the Senate or the Nixon administration to finance the entire Safeguard ABM system of 12 sites on the mainland of the United States, plus two optional sites in Alaska and Hawaii.

I repeat. A vote for the $759.1 million authorization for a start on deployment of Safeguard does not commit the President, does not commit his administration, does not commit the Senate, and does not commit any Senator to additional Safeguard sites.

There is just no validity to the contention that by voting for the limited Safeguard program in the pending bill we are thereby committing ourselves to any larger ABM program.

The decision we make at this time is not irrevocable.

It can be changed—and I am sure it will be changed if changed circumstances permit.

III. BOTH DEFENSE AND DOMESTIC PRIORITIES CAN BE MET

Now let us look at the priority aspect of the Safeguard proposal before us.

What we are talking about is the priority of our Nation's survival.

I believe any decision on deployment

of the Safeguard ABM at two sites should hinge on whether this is necessary to insure the survival of America as a Nation.

Certainly, America's survival as a Nation is top priority. For unless we survive as a Nation, we are not going to be able to take care of all the other high-priority programs we need.

I do not believe that the Senate today is faced with the "either-or" proposition that: either we must have Safeguard or we must have poverty programs, education programs, health programs, social security programs, aid for our cities, and all our other high-priority needs.

I believe that this Nation, this administration, and this Congress will find the ways to provide the wherewithal to finance the limited Safeguard ABM proposal before us and to finance education, poverty, health, social security, transportation, and many, many other programs.

I do not believe that a vote for the limited Safeguard program forecloses other high-priority domestic programs.

Nor would a vote for the limited Safeguard program contained in the pending bill be construed as evidence that we in Congress attach a far lower priority to urgent domestic problems crying out for solution.

To say that our national security has top priority in no way diminishes my concern or the concern of other Members of Congress regarding our pressing domestic problems. There are so many crucial problems, we would be hard pressed to assign any order of priority. We might as well be asked which of our children we love most. The fact is, we love each of them and we are concerned about each of them.

The fact that the limited Safeguard proposal was pending did not deter many Senators from voting to exclude education programs from the expenditure ceiling we approved in the second supplemental appropriations bill on June 18. Nor did it deter many Senators from voting to exclude health programs under the Department of Health, Education, and Welfare from the spending ceiling. I voted to exclude both education and health programs from the expenditure ceiling, thus insuring that no cuts are made in these two vital areas.

The fact that I support these programs does not preclude support for the Safeguard proposal before us today. My view is that if a program is essential to our Nation, we should authorize it.

With this as a prelude, let me now discuss the Safeguard ABM proposal and my position on it.

IV. AMERICA'S SUPREME GOAL IS TO DETER WAR; ABM WILL HELP

It is no secret that the only real defense against a strategic nuclear attack on the United States is deterring any would-be attacker from initiating such a conflict or from pursuing policies that might produce such a result.

Given present and foreseeable weapons technology—both offensive and defensive—and the calculations that have been made on gain and losses to be anticipated, deliberate recourse to strategic nuclear attack—first strike—seems unlikely.

But even if one assumes that the Soviet strategic forces are being built up not for a first-strike capability, but as a second-strike deterrent, the cold fact remains that this essentially second-strike force could be used in a first-strike role.

Moreover, the evolving character of the Soviet offensive forces, especially the SS–9 missiles, are well suited for a counterforce strike against our ICBM force if such a decision were ever made by the Russians. It is against this possible reality that the President has proposed to move ahead on providing additional protection for our Minuteman missiles.

Without adequate protection for our retaliatory ICBM's, America might well face a "deterrent gap" somewhere in the mid-1970's. The credibility of our nuclear deterrence would then no longer exist.

By influencing the attacker's calculation of his losses and prospective gains, an ABM deployment can contribute to deterring a strategic nuclear attack. It lends credibility to our nuclear deterrent forces.

The Cuban missile crisis was a vivid and real example where the strength and credibility of our strategic forces deterred war.

Why do you think the Soviet Union backed down in that nuclear confrontation?

Was it because President Kennedy used some persuasive and idealistic arguments? No.

What stopped the Russians was one basic factor—fear of, and respect for, the military might of the United States. The Soviets knew we had the ability and the capability to call their hand.

Today, since the Soviet Union has approximate nuclear parity with the United States and in addition has deployed an ABM system for her defense, the absence of a comparable U.S. defense capability could very well impair the effectiveness of our strategic deterrent force.

Beyond their mission as a deterrent to nuclear attack, our strategic forces play a very important role in our overall defense policy and posture. The capacity to deter lesser conflicts, or to limit conflict where it occurs, as in the Middle East, is significantly influenced by the balance of strategic forces. Consequently, this balance of nuclear terror tends to operate as a restraint upon conflicts at lower levels of intensity out of fear of unlimited escalation.

Unfortunately, this function of strategic forces has received little attention in the current ABM discussions.

Any weakening of our strategic capabilities would lessen our ability to control conflicts at lower levels of intensity and could also encourage the Soviet Union to pursue more adventurist policies, including the potential for "nuclear blackmail."

In the past, our strategic superiority was largely attributable to our offensive strategic forces. For the future, however, the defensive component of the overall U.S. strategic posture may become increasingly significant, vis-a-vis an enemy's calculations as to our likely response when American interests are challenged. An improved defensive component of our strategic forces could well contribute, in certain situations, the crucially important margin of strategic superiority necessary to deter war.

V. PRESIDENT'S SAFEGUARD PROPOSAL A DETERRENT TO WAR

On March 14, 1969, President Nixon announced to the American people that he had made a decision which he believes is "vital for the security and defense of the United States and also in the interests of peace, throughout the world."

The President disclosed his decision to recommend moving ahead with a limited deployment of a modified "thin" ABM system designed to preserve enough U.S. missiles to provide a credible deterrent against nuclear attack.

The President's Safeguard anti-ballistic-missile system is designed primarily to protect our offensive missile sites and will initially provide protection for only two of these sites.

It is the two-site proposal that is before the Senate now.

A. FOUR BASIC OPTIONS

Before the Nixon administration decided to go forward with the Safeguard plan, four major alternatives were seriously considered.

First. A thick deployment designed to defend U.S. cities against a massive Soviet attack.

Second. No deployment at all, but a continuation of research and development.

Third. The continuation of the thin Sentinel program approved by the preceding administration.

Fourth. The deployment of a modified system which would fulfill three objectives: Defense of our land-based strategic offensive forces against a first strike by the Soviet Union; protection of our major cities against a Chinese attack in the 1970's; and defense of our country against an accidental or small attack from any source.

The first alternative—heavy deployment—was rejected because such thick defense "still could not prevent a catastrophic level of U.S. fatalities from a deliberate, all-out Soviet attack." In addition, such a heavy deployment might be interpreted by the Soviet Union as a prelude to an offensive strategy threatening their deterrent.

The second alternative—no deployment—was also rejected because it does not leave the United States with any option to provide a defense for our deterrent on a realistic schedule that might be required by the Soviet threat, nor does it provide a defense against a Chinese threat or an accidental attack.

The third alternative—deployment of the Sentinel system approved by the preceding administration— was likewise rejected, because it would be inadequate to meet the emerging Soviet threat to our strategic offensive missiles. This third alternative could also be misinterpreted as—and could in fact have been—a first step toward the construction of a heavy system for the defense of our cities. Such a deployment could be interpreted as provocative by the Soviet Union.

After examining all the available alternatives, the Nixon Administration selected the fourth—a combination of approaches which the President felt provided the most realistic means of safeguarding our retaliatory capability. This system calls for a measured deployment

of an active defense of our retaliatory forces, structured to expand or contract as circumstances may dictate.

B. THE SAFEGUARD ANTIBALLISTIC MISSILE—FIRST PHASE

President Nixon has proposed for the current 1970 fiscal year that Congress approve a start on deployment of Safeguard ABM's at 2 ICBM sites, Grand Forks, N. Dak., and Malmstrom, Mont.

The sum requested for authorization is $759.1 million, being the first installment for the construction of two prototype installations to include:

The sum of $345.5 million for procurement of one missile site radar—Grand Forks; one missile site radar data processor—Grand Forks; training equipment; advance procurement for one other perimeter acquisition radar and one other missile site radar—Malmstrom; and leadtime missile parts—$600,000—which includes funds for the construction of missile test facilities at Kwajalein for the Safeguard system totaling $12.7 million, and funds for research and development for the Safeguard system in the amount of $400.9 million.

It will not be implemented according to some fixed, theoretical schedule. It will be deployed in a manner clearly related to our periodic analysis of the threat. The first deployment will cover only the two missile sites of Malmstrom and Grand Forks Air Force Bases. These two bases will include both the Spartan and Sprint missiles and are expected to be operational by 1974.

Additional congressional approval will be necessary if work is to proceed beyond these first two installations in the years ahead. Action of the Senate on this pending bill in no way commits either the administration or the Congress to construct any additional ABM sites.

President Nixon said on March 14:

Each phase of the deployment will be reviewed (by the Executive and Legislative Branches) to insure that we are doing as much as necessary but no more than that required by the threat existing at that time.

The President emphasized:

This program will be reviewed annually from the point of view of (A) technical developments, (B) the threat, (C) the diplomatic context, including any talks on arms limitations.

The entire system need never be built if Washington and Moscow can agree to freeze or limit deployment of offensive and defensive missiles.

VI. THREAT TO AMERICA'S DETERRENCE

A. THE RUSSIAN THREAT

The potential threat from Russia lies in its growing force of missiles which could destroy a substantial portion of our own nuclear deterrent. Since we cannot stop a massive Soviet attack on our cities, we are dependent on deterrence to insure that nuclear war does not start in the first place.

Unfortunately, the Soviet Union today is building at a rapid rate the kinds of weapons which could be used to erode our deterrent force.

According to our intelligence reports, "the Soviet ICBM force has more than quadrupled in the last 2¾ years from 250 operational launchres in June 1966, to more than 1,000 as of the end of March 1969." If the Russians continue to deploy ICBM's at the rate they did in 1967–68, they could have as many as 2,500 by the mid-1970's—two and a half times our present number.

At the present time, the greatest threat to our ICBM force is the large SS–9 ICBM which, with a warhead yield of up to 25 megatons and its presently estimated accuracy, could destroy a Minuteman in its hardened silo. The Soviets now have more than 230 of these missiles in operation or under construction.

A real concern is the prospect that the Russians might install highly accurate MIRV's—multiple independently targetable reentry vehicles—on their SS–9's. If this happens, and if their accuracy is improved to a quarter of a mile, the SS–9's "could probably destroy 95 percent of our Minuteman force."

Russia has tested and developed nuclear bombs that are 60 megatons in magnitude. The United States has not.

Russia has taken the initiative to develop a fractional orbital bombardment system. The United States has not.

To make matters worse, the Russians are going ahead with a massive program to build Polaris-type submarines, each carrying 16 nuclear missiles—SLBM. Secretary Laird has stated that the Russians could, by the mid-70's, pass the United States in Polaris-type submarines. At present, we plan to convert 31 of our 41 Polaris submarines to the Poseidon missile, which is capable of carrying 10 independently targetable reentery vehicles—MIRV. And there is no reason why the Soviet Polaris-type missiles could not have MIRV's just as we are planning for our own Polaris submarines.

In addition, these current developments in Soviet ballistic missile submarines are quite apart from the continuing growth of the Russian attack submarine force, which it is also feared might come to present a serious threat to our Polaris force.

This possibility was expressed by Defense Secretary Laird before the House Committee on Appropriations. On May 22, he testified:

The United States cannot preclude the possibility that the Soviets in the next few years may devise some weapon, technique, or tactic which might increase the vulnerability of our Polaris-Poseidon submarines. In that event, our strategic deterrent could be dangerously eroded, with all the consequences which would follow such a development.

The seriousness of these Russian buildups was confirmed by Gen. Earl Wheeler, Chairman of the Joint Chiefs of Staff. In testifying before the House Appropriations Committee this year, General Wheeler said:

In the light of these developments and after review by the National Security Council, the President announced his decision to modify the Sentinel and to deploy instead the phased Safeguard system. At the outset, let me affirm that the Joint Chiefs of Staff support this decision because it will add to the overall strategic posture of the United States and to our ability to deter nuclear war.

The Joint Chiefs of Staff believe that in light of the rapidly expanding Soviet ICBM and SLBM capabilities, it is prudent now to provide protection for a portion of the U.S. retaliatory force and that the phased Safeguard deployment meets this requirement.

B. THE CHINESE COMMUNIST THREAT

Mr. President, in addition to providing a significant margin of strategic superiority, the Safeguard system would provide adequate protection against the possibility of an irrational, accidental, or miscalculated nuclear attack by Communist China during the 1970's.

Former Defense Secretary Clark Clifford testified last January before the Senate Armed Services Committee on the Chinese Communist threat, saying in part:

We now believe that an initial operating capability with an ICBM will not be achieved until 1972 at the earliest, and more likely later.

Assuming that political and economic stability will be re-established within the next year or so, China could probably generate enough resources to support a moderate and growing ICBM deployment through 1975.

In May this year, Defense Secretary Laird told the House Appropriations Subcommittee on Defense:

By the latter part of the decade of the 1970's, the Chinese can have the capability of destroying tens of millions of people here in the United States with a force of less than 100 IBCM's.

The President's Safeguard proposal also includes a meaningful defense against a Chinese Communist attack in recognition of the danger that Red China's leaders may act irrationally. A thin defense could be effective against a light Chinese attack in the mid-1970's.

C. PRESERVING OUR DETERRENT FORCES

Although our deterrent forces and their protection are adequate today, Russia's current buildup of her first-strike capability compels the United States to further hedges against a possible unacceptable erosion of our deterrent in the future. To accomplish this, we can do one of several things.

First, we could remove the potential vulnerability of our ICBM's by planning to beat the Soviet SS–9 to the punch; that is, to launch our retaliatory force the minute we know an ICBM has been fired from the Soviet Union.

However, the firing may have been accidental, or the missile or missiles may not be aimed at the United States, or the warheads may be disarmed. If we launch our ICBM's at the first warning that a missile has been fired by the Soviet Union, we are irrevocably committed to nuclear holocaust. We need a response geared to accidental ICBM firings from whatever source.

Second, we could further increase our Minuteman, Polaris, and bomber forces to compensate for the increase of Soviet first-strike capability. Such a move, while providing some improvement of our deterrent, could easily be misinterpreted by Russia as an attempt to threaten its deterrent.

Third, we could further harden our ICBM's by putting them in more strongly reinforced underground sites. Unfortunately, studies show that hardening by itself is not adequate protection against foreseeable advances in the accuracy and size of Russian offensive forces.

Fourth, we could begin limited con-

struction on a defense for our retaliatory forces.

In selecting the fourth option, President Nixon clearly demonstrated that while providing for our country's security he did not want to provoke the Russians into another nuclear arms race.

In addition, we must not forget that the Russians have been deploying an ABM system around Moscow—the so-called Galosh system. It is estimated that this system calls for the deployment of some 100 missile sites around Moscow. Russia has a 4- to 5-year lead on the United States in developing an ABM system.

At the present stage of development, approximately 65 such sites are deployed, but it is believed that further construction has been held up. Although the real cause for this slowdown is not known, it is widely believed that the reason is to introduce a more sophisticated radar network. If this should prove to be true, then the modified Galosh system would obviously acquire a capability significantly greater than that with which it is now credited.

In light of these circumstances, why is it wrong for the United States to take steps to deploy two ABM installations to bolster our defensive posture and to preserve our deterrence?

D. CAPABILITIES AND LIMITATIONS OF THE SAFEGUARD SYSTEM

Supporters of the Safeguard system do not expect it, or any other system, ever to provide a perfect defense. The real question is whether deployment of the system would strengthen our national security either by enhancing deterrence or by reducing damage in the event of an attack.

At its present stage of research and development, it seems clear that the developers of the Safeguard missile system have high confidence that it will provide a substantial measure of protection against an accidental or irrational light attack. Although I share this view, I realize that there is a wide divergence of opinion as to its technological prospects.

There is even greater disagreement as to what level of effectiveness would prove meaningful, either as a deterrent or in limiting damage to our retaliatory forces in the event of a massive nuclear attack.

Mr. President, at just what level the degree of anticipated effectiveness is sufficient to warrant a deployment decision is a highly subjective matter. No one expects a perfect defense—but how good does the system have to be to be good enough?

There is an old Chinese saying, "The best is always the enemy of the good." What this simply means is that in the pursuit of the best solution, the attainable is often sacrificed.

The fact that the ABM, at its present stage of development, cannot provide an assured defense against a sophisticated missile attack is not a conclusive argument against deployment. An imperfect defense may be better than none and can be meaningful both in terms of lives saved and as a contribution to our overall strategic posture.

But, most important, an ABM system will give the President another crucial option in terms of having to choose between "humiliation and holocaust." At the present time, the only alternative courses of action that a President could take in response to an irrational or accidental nuclear attack would be, first, to release our massive retaliatory forces or, second, to do nothing.

However, with the Safeguard system the President would have the additional option of activating only those missiles that are designed to intercept and destroy the few incoming missiles. Thus, the President could handle an irrational or accidental attack without a great loss of lives and avoid the catastrophic consequences of a full nuclear retaliation.

If for no other reason than this—providing the President with an additional alternative to save lives—I think the Safeguard system is a worthwhile investment.

VII. MAJOR ARGUMENTS OVER SAFEGUARD

The major arguments advanced by the opponents of the ABM system have centered around the following:

Argument No. 1: The Safeguard components were designed for the protection of our major cities and not our ICBM sites. Therefore, opponents say that the design is inadequate or unsuitable to protect our missile sites. Consequently, they seek to delay deployment until further research and development will produce the desired design to protect our ICBM's.

The truth of the matter is, Mr. President, that the Safeguard components were selected from the Nike X development program which from the beginning had as a design objective hard-point defense. Several studies conducted in the last 2 years have verified that Sprint-class missiles and radars like the MSR are the preferred type of system components for the defense of our hardened ICBM forces.

Unlike the conceptually simple defense systems that are favored by some critics, the Safeguard components are designed with the possibility of growth in mind. This enables them to operate effectively against a growth in sophistication by the enemy's offensive threat.

Mr. President, those favoring delay want the research and development to be made at Kwajalein, away from the two proposed sites. It is difficult to see how research and development at Kwajalein, in a system of this nature, to be effective, would not necessarily embody deployment.

If we are to expend the necessary funds to deploy at Kwajalein, why not deploy at the two proposed sites and save the cost at Kwajalein?

There is no reason why our scientists and engineers at the two proposed sites could not work out the technical bugs and shortcomings that would be expected to show up before going ahead, if necessary, with total deployment. In this phased-deployment plan, the two missile sites are still in the experimental category—an extension of research and development. They will provide conditions which will not be present in a research and development environment.

Argument No. 2: The ABM is technologically too complex to work.

In this regard, Secretary Laird testified:

I am sure that on the basis of our present testing of the Spartan and the Sprint, the successful testing of the Missile Site Radar, the assurances that we have had from the Atomic Energy Commission, as far as the warheads are concerned, that this system will work.

Mr. President, have we already forgotten the amazing technological and scientific achievement of the past week? The ability of our scientists and technicians to send Americans to the moon and to return them safely to earth clearly demonstrated their technical and scientific prowess. If they can accomplish such an intricate and complex feat, I, for one, have faith that our country has the scientific, technological, and industrial resources to develop a Safeguard system that will work, critics notwithstanding.

I am reminded of similar divisions of scientific opinion in the development of the hydrogen bomb and the Polaris submarine.

Radars and computers were indispensable to the success of the Apollo moon-landing program, just as radars and computers are essential to the ABM. I am confident radars and computers can be modified to adequately service our Sprint and Spartan missiles in the defense of our ICBM's.

Argument No. 3: It would not increase security, because any defensive advantage can be negated by an increase in the offensive capability of the enemy.

This argument is based on the fallacious assumption that Safeguard equipment cannot be improved to meet a growing ICBM offensive threat. The ABM critics err in their arguments by assuming that we would not upgrade our Safeguard protection while the Russian offense grows.

If the Soviet threat continues to grow, even beyond the mid-1970's, then Safeguard installations can be improved on terms that are favorable to our defense. For example, adding an additional MSR at each Minuteman site would force the Soviets to double the size of their attack if they hoped to exhaust our ABM defense.

Likewise, if we were to double both the number of our interceptors and radars, the Soviets would have to quadruple the number of their offensive missiles required to exhaust our defense.

Argument No. 4: Safeguard deployment might prejudice arms control and arms-limitation negotiations.

I fail to see any inherent reason why deployment of a purely defensive system such as the proposed ABM system should imperil progress in arms control if the Soviets are seriously interested in reaching agreement on such measures. At the very least, it would appear that the Soviets do not see an incompatibility between deploying an ABM and attaining their objectives in arms-control negotiations.

In fact, Safeguard may give the Russians another incentive to negotiate. It should persuade them that any effort on their part to achieve a successful first strike is fruitless—that we will continue to protect our retaliatory forces effectively.

The Soviet Union, as we all know, had already constructed a limited ABM system around Moscow; it had also agreed

to strategic arms talks following the previous administration's decision to deploy the Sentinel system.

In fact, the Soviet Union agreed to strategic arms limitations talks a week after President Johnson announced his decision to deploy the Sentinel.

On June 27 of last year, 3 days after the Senate refused to delay deployment of the Sentinel ABM, Soviet Foreign Minister Gromyko announced that Russia was "ready for an exchange of opinions" on "mutual restrictions and subsequent restriction of strategic vehicles for the delivery of nuclear weapons—offensive and defensive including anti-missiles."

In addition, the Soviet press quoted President Nixon's favorable references to arms talks when he announced his decision on the Safeguard system and Premier Kosygin recently referred affirmatively to limitations on strategic arms in his message to the 18-Nation Disarmament Committee.

In other words, Premier Kosygin's message was delivered after President Nixon's decision was announced. There was no sign from Kosygin that the Safeguard system would interfere with the success of the talks on the limitation of strategic arms.

The receptive Soviet response leads me to conclude that if the Russians are truly sincere in their desire to reach an agreement on arms limitation, some type of arms limitation agreement can be reached.

Argument No. 5. Deployment of Safeguard would revive the nuclear arms race and would inevitably lead to war. However, there is no historical evidence to substantiate this conclusion. More frequently, it has been the unwillingness to match the growing military strength of a potential enemy that has invited aggression.

The Safeguard deployment away from our cities should convince the Soviets that we are not trying to gain a first-strike capability against them. It should reassure them that a negotiated arms control agreement that protects deterrence while limiting first-strike use of long-range nuclear weapons is possible.

Mr. President, this issue is so complex and involved that it is not possible to determine with certainty whether an "ABM race" or any other arms race is or is not likely to result from our decision to deploy the Safeguard system.

Likewise, and equally important, it does not necessarily follow that an arms race in strategic forces will be avoided if we refrain from the deployment of our Safeguard system. For the buildup of strategic offensive forces may occur independently of a defensive buildup.

In actuality, an arms race in offensive weapons is likely to prove far more provocative and destabilizing than a defensive arms race.

Argument No. 6: Money for ABM should be diverted to alleviate our domestic problems.

The $759.1 million authorization for Safeguard in the pending bill is about 1 percent of our total defense budget for fiscal year 1970. The $345.5 million of procurement for deployment represents about 4 days' cost in Vietnam. Surely, to bolster our Nation's defense and to give our President another option in case of accidental or irrational nuclear attack against America, we can afford to devote 1 percent of our defense budget to the ABM.

Many of those who object to the Safeguard ABM system on cost grounds say we should instead devote these funds to domestic programs. Yet, the Hart-Cooper modified amendment makes no such diversion. It would cost $759.1 million, the same amount as S. 2546 as recommended by the Committee on Armed Services. There is no diversion of any of these funds under the Hart-Cooper amendment to America's pressing domestic problems.

Insofar as funds for high priority domestic needs are concerned, as I have already stated I voted to exempt education and health programs from the expenditure ceiling for fiscal year 1970 approved by the Senate last month. I regard education and health as very high priority programs.

As a member of the Senate Appropriations Subcommittee on Labor, Health, Education, and Welfare, I expect I shall be voting to increase funds for libraries, impacted areas, and other education programs and for various important health programs.

As a member of the Senate Appropriations Subcommittee, a few weeks ago I supported an increase in food-stamp funds, bringing the total to $750 million, the full amount authorized by the Senate. I believe hunger is a high-priority program, and I am willing to provide the funds to alleviate hunger.

I am concerned about the plight of the millions of Americans on social security. I have introduced legislation to provide automatic increases in social security benefits as the cost of living rises 3 percent or more. I believe a social security increase is imperative for the millions of Americans who see their monthly checks eroded by inflation.

I am concerned about the millions of Americans living in poverty. I shall support President Nixon's proposal to make sure no one in poverty is required to pay Federal income taxes.

As a member of the Senate Appropriations Subcommittee on Labor, Health, Education, and Welfare, I shall have an opportunity to examine the antipoverty program in detail and see how it can be strengthened.

I cite these examples to illustrate that money is being applied to our urgent domestic problems and to show that authorizing $759.1 million for Safeguard will not prevent the Senate from voting additional funds for domestic problems.

As I said before, I believe we can do both—vote for the Safeguard funds and vote funds for domestic programs. We can do it by cutting waste and by insisting on prudent management.

VIII. CONCLUSION

Mr. President, to safeguard our Nation's security I strongly feel that the limited deployment of the Safeguard system at this time is mandatory.

I have come to this conclusion after heavily weighing the following reasons:

First. America's supreme goal is to deter war. To achieve this basic objective, America must maintain the credibility of her retaliatory force.

Second. The President's Safeguard system is a limited program designed to preserve the integrity of our deterrence. It will be flexible enough to expand or contract as circumstances may dictate.

Third. Congress is being asked to authorize $757.1 million for the deployment of only two prototype installations. This approval does not mean that we have made an open-ended commitment to the Safeguard system for future years.

Fourth. Our intelligence reports show that the Russians are developing a real threat to our ICBM's. If the Soviets install highly accurate MIRV's on their SS–9's and improve their accuracy, they could probably destroy 95 percent of our Minuteman force.

Fifth. The Chinese Communist are on the threshold of developing an ICBM threat in the mid-1970's. The President's Safeguard system could provide a meaningful defense against such a threat.

Sixth. The possibility of an irrational or accidental attack must always be considered. Safeguard could provide the United States with the protection against such an attack.

Seventh. At the present time, the only alternative courses of action that our President could take in response to an irrational or accidental attack would be to release our massive retaliatory forces or to do nothing. Safeguard would allow the President to cope with this type of attack without a great loss of lives and avoid the catastrophic consequences of a full nuclear retaliation.

Eighth. Safeguard in my opinion, would not be detrimental to arms control negotiations. The Soviet Union has shown no indication that the deployment of the Safeguard system would jeopardize meaningful arms negotiation.

Ninth. As I have indicated earlier, Congress and the President are well aware of our pressing domestic needs and they are not about to ignore them. I shall not ignore them. Funds for this year's Safeguard deployment will not compromise our efforts to meet the urgent problems—poverty, health, education, pollution, housing, and others—of the American people.

IX. A DECISION FOR PEACE AND SECURITY

Mr. President, prudence would seem to indicate a policy of limited action in the field of ABMs. When one considers what the Soviet Union is developing and deploying, the burden of proof on those who are contrary minded is very great.

I believe that there should be no compromise with our country's security and defense. As President Kennedy expressed in his March 28, 1961, message to Congress:

> Our strategic arms and defenses must be adequate to deter any deliberate nuclear attack on the United States or our allies. . . . Moreover we will not strike first in any conflict. But what we have and must continue to have is the ability to survive the first blow and respond with devastating power. This deterrent power depends not only on the number of our missiles and bombers, but on their state of readiness, their ability to survive attack and the flexibility and sureness with which we can control them to achieve our national purpose and strategic objectives.

I believe there is no cost or sacrifice too great to bear if it will insure peace through the deterrence of war.

At the same time, and equally important, I believe we must move toward talks with the Soviet Union in an effort to achieve some degree of stability in the arms race. This is why I was pleased by President's Nixon's statement that the Safeguard program will be under constant review to take into account the status of talks on arms limitation and reduction.

As for me, just as long as there is any chance that the President's decision could make the margin of difference as to whether or not this country is ever subjected to nuclear attack, I will support it. If the administration's projection of the nuclear threat to our national security does not materialize, we would have only expended about 1 percent of our 1970 defense budget.

On the other hand, if the opponents of ABM are wrong and we do not deploy Safeguard, then the United States faces the possibility of outright destruction or nuclear confrontation. And it is because I can conceive of circumstances in which this deployment could represent that margin of difference in insuring our national security that I support the Safeguard system.

Critics should realize that any decision on the ABM—even a decision to defer a decision—involves risks. Under present circumstances, I firmly believe that President Nixon has made a wise choice.

Mr. STENNIS. Mr. President, will the Senator from Hawaii yield?

Mr. FONG. I am happy to yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I have listened with great interest to the Senator's speech——

The PRESIDING OFFICER. The time of the Senator from Hawaii has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Hawaii may proceed for an additional 5 minutes, and that immediately following that the distinguished Senator from New Hampshire (Mr. McINTYRE) be recognized, according to the previous agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, I think the Senate owes a great deal to the Senator from Hawaii for the well-thought-out and carefully prepared speech which he has delivered with emphasis.

I agree with his major conclusions. I think they are sound. It is the only position left to take at this stage.

I particularly wish to point out the clarity with which the Senator expressed himself on point eight, that this step by us certainly would not—I repeat, would not—influence adversely the President's position and his power to negotiate with a chance of success in trying to work out some kind of arms limitation agreement with the Soviets. His facts are so clear. I am glad the Senator brought them out in such a fine way.

I believe that it will hurt the President's chances if we do not approve this program.

Again I commend the Senator from Hawaii for his fine speech.

Mr. FONG. I thank the distinguished Senator from Mississippi for his fine remarks. I agree with him 100 percent that if the President does not have this system to protect our deterrent, it would hurt us, and that this does not preclude the President from negotiating with the Soviets. I think that the Soviets have indicated that they are willing to negotiate even after we had announced the decision to deploy Safeguard.

Mr. MURPHY. Mr. President, will the Senator from Hawaii yield?

Mr. FONG. I am happy to yield to the Senator from California.

Mr. MURPHY. Mr. President, I should like to congratulate my colleague from Hawaii for a most scholarly presentation. Quite obviously, he has listened closely and carefully to all the debate, all the discussion, he has read the records, and he has put together, I think, as clear, as concise and as logical a basic presentation of this most important matter as could possibly be done.

He has touched on all the important considerations, including most importantly, the constant review so that at any moment, if the ABM Safeguard system is not needed, it can be discontinued.

He has also touched on the cost. I believe my colleague would agree with me that all the opponents and the expert witnesses agreed, one, that while the system may not be perfect, it is the only available system under the state of the art at the present time and, two, that we can never be certain until we build one. That is all the President is asking, that we build two. If they are built and turn out to be a success, as we hope they will be, then we will have set up a most important defense for this country. But then, with the agreement of all that there should be a continuation of research and development, I congratulate my colleague for pointing out that the only financial difference between the cost of research and development and the cost of actually constructing the two sites which the President has asked for, is a matter of less than $400 million—I believe it is $345 million.

I agree with my colleague that this is a very small price to pay for what may be the deciding defensive strength in the contest between this country and the Soviet Union until such time as we can come to a sane, sensible, and hopeful agreement whereby there will be arms limitation.

I think that my colleague has done a perfectly magnificent job in speaking for deployment. He makes the point very well that, after all is said and done, those who have access to all the information, after many hours of study, have decided it is in the best interests of the security of this Nation that they want the ABM Safeguard system, and that it is badly needed. It may be the best investment of any that has ever been made from our defense standpoint.

Accordingly, I heartily congratulate my colleague from Hawaii and thank him most sincerely. I join him enthusiastically in his endorsement of the ABM system and in the hope that it will be voted on affirmatively by the Senate.

Mr. FONG. Mr. President, I want to thank the distinguished Senator from California for his very laudatory remarks and to point out that the opponents of Safeguard do not ask that the money be cut, they propose to spend the same amount of money and deploy this system at Kwajalein. If they are going to ask that it be deployed at Kwajalein, we should deploy it at the two proposed sites.

ORDER OF BUSINESS

Mr. McINTYRE. Mr. President, I ask unanimous consent to proceed for 15 minutes.

Mr. JAVITS. Mr. President, reserving the right to object—and I shall not object—I am waiting for the morning hour and I would like to get a little idea of the time——

Mr. MANSFIELD. I think the request of the Senator from New Hampshire is a feasible one, which I am sure the distinguished Senator from New York will recognize. There was extended colloquy as soon as the Senate convened and it has made everything late——

Mr. JAVITS. I am not quarreling with anything.

Mr. MANSFIELD. No. I am just explaining. The Senator from New Hampshire is asking for 15 minutes.

Mr. McINTYRE. Mr. President, I ask unanimous consent to proceed for 15 minutes, to allow for the distinguished chairman of the committee and others to speak.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

ABM: TO SEEK A COMMON GROUND

Mr. McINTYRE. Mr. President, in recent years this Nation has been ripped with divisiveness. From turmoil in our cities to campus violence to the most unpopular war in history, the issues of the times have torn at our national unity with relentless savagery.

And now—in the very month when Apollo 11 brought us together again—we are confronted with the hour of decision on one of the most divisive issues of our time—the fate of the administration's Safeguard anti-ballistic-missile system.

Rarely if ever has a single issue—other than war itself—provoked such a public outcry or so sharply divided the Senate of the United States.

In truth, Safeguard has become a monumental new symbol of national disunity.

Yet this need not be.

If only the proponents and the opponents of Safeguard would agree to seek a common ground, we could resolve this issue, and it could become a symbol of unity at a time when we desperately need such symbols.

I am not asking either faction to compromise its principles on this issue, I am merely asking them to seek areas of agreement, and I sincerely believe there is a common ground which satisfies the basic concerns of both sides.

The critics of Safeguard fear that any action in which Congress does not clearly withhold authority to deploy the system could escalate the arms race, jeopardize strategic arms limitation talks, commit

us to massive expenditures for an untried system of questionable feasibility.

Mr. President, I agree.

Proponents of the Safeguard system argue that we must have the capability to meet any clear threat to our deterrent power and that we must act now in order to assure that capability by the mid-1970's.

Mr. President, I also agree to that.

And I am firmly convinced that those two viewpoints are reconcilable.

I contend that my alternative to Safeguard accommodates both convictions.

On the one hand it makes it absolutely clear that Congress is withholding authority to deploy the system, and it therefore prohibits construction of any operational ABM missiles or parts thereof; and it freezes money and authority which the Pentagon now has to build missile sites and to acquire land other than the two locations needed to conduct research and development in place.

And on the other hand it authorizes research and development in place, at Grand Forks, N. Dak., and Malmstrom, Mont. By so doing it retains the option of deploying the system with minimal delay and at minimal cost should the Congress later decide to deploy on the strength of new evidence of a clear threat to our deterrent. And so, Mr. President, there is common ground waiting for those who seek practical resolution—for those who want to avoid a direct rebuff of the President—for those who want unity instead of division.

In the 2 months that have passed since I first described this common ground in my alternative to Safeguard, I have been heartened by the widespread expression of support of my position.

The McIntyre amendment has been endorsed by the Washington Post and by the Christian Science Monitor as well as by two of the leading dailies in my home State, the Concord Monitor and the Portsmouth Herald.

Moreover, there is evidence that there are counselors within this administration who also feel that the Nation would best be served by our moving to this common ground.

I have hoped, indeed prayed, that these counselors would prevail. But so far they apparently have not.

The leaders of the administration have seemingly turned a deaf ear to the wise words of the Republican Senator from Vermont, GEORGE AIKEN, who on July 10 warned that it was "essential that the legislation now before us be modified" if the President was to receive the strong support from the Senate that he needed before entering into arms limitations talks with the Soviet Union.

So I am distressed by the adamant, no-compromise posture of the administration.

In contrast, I feel critics of Safeguard have been more willing to seek a common ground. I know there are members of this body who sincerely believe that there should be no move whatsoever toward an ABM system. Yet they have been willing to authorize a concentrated research and development program with no reduction in the request for funds. I sincerely hope that eventually they will be willing to authorize research and development in place so that neither time nor money will be lost if a later decision to deploy is made by the Congress.

Yet all I have is a hope. So far I have no firm evidence that many of the critics of the system would be willing to compromise further. And on the other hand, I have had no real encouragement that those friends and counselors of the administration who see the wisdom of the Nation uniting will prevail.

In this case how does a Senator vote when he deeply believes in the need for our seeking a common ground consistent with the principles of both sides?

I have concluded that the cause of accommodation would best be served if I voted for the Cooper-Hart amendment. I have decided that I cannot vote for the President's proposal unless it is modified. Whether the Cooper-Hart amendment prevails or not, I want to make it absolutely clear that I fully intend to offer my amendment.

If the Cooper-Hart amendment prevails, then the basic issue of congressional control of the decision to deploy will be resolved.

Once the Senate's desire to retain that control is made clear, then, hopefully, those counseling accommodation within the administration and among the critics will prevail and the administration, the Senate—and the Nation—can move to a common ground.

Let us bring this Nation together.

Mr. President, I ask unanimous consent that the four editorials I have referred to in my remarks be included at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, July 22, 1969]

ABM: WHAT KIND OF COMPROMISE?

It is not for us ordinary mortals to know what went on behind closed doors in the Senate on Thursday, when the ABM was debated in secret session. Such accounts of the proceedings as have become available indicate only that Senator Symington presented evidence in support of the assertion that the Safeguard system could be overcome with comparative ease by the Soviets and that Senator Jackson presented evidence that it could not be. Apparently there was also some controversy over the character and meaning of intelligence reports on the build-up of Soviet offensive strength as it relates to the proposed ABM. The direction in which the argument over the ABM has been moving in the past few months gives plausibility to reports that the secret session saw the lines drawn between two very stark positions: that which holds the deployment of the Safeguard system to be absolutely useless and that which holds it to be urgent and essential. It is not easy to remember any more that this is not what the debate was supposed to be about.

Necessarily, speculation and interpretation have loomed large in both sides' arguments. But increasingly these have been presented as certainties, whether they concern Soviet intentions, technological progress, or similar matters that cannot be asserted but only projected in a conditional way. Thus it is that the Senate (and the Administration) are now arguing an unprovable and even irrelevant case, namely whether a deployed Safeguard system is both necessary and efficient or neither of these, and the truth is that no one knows. Still, these positions are to a very great extent embodied in the two principal proposals before the Senate, and what has been lost to view for the moment is what the President originally asked for: authority to proceed in such a way as to preserve the ABM option.

By its sweep and harshness, the Hart-Cooper Amendment before the Senate, which is supported by the ABM opponents, would have the effect of denying the President that option by too severely limiting the kind of testing and development the Administration could pursue. Similarly, the bill containing the Administration program authorizes more than is required to meet Mr. Nixon's previously stated and relatively modest aims, so that it appears to incorporate a commitment to the program that is anything but tentative or reversible in nature. A proper ABM compromise could hardly find middle ground between the position that the Safeguard is a farce and the position that it is a national imperative. But it surely is possible to work out language which does not deprive the Administration of flexibility sufficient to preserve its option, yet which also does not give it a sort of latter-day Tonkin Resolution on the ABM. That is in fact what Senator McIntyre's substitute measure has been about.

The guessing in the past week has had it that the Administration is now a few votes ahead of its opposition in any Senate test. So the President may decide to go for a close, total win in the Senate. The alternative would be for him to give the signal that he is prepared to take enough of the McIntyre language to broaden his support by a dozen or more votes. The size of his majority and the backing it would imply could be of considerable use to him. Mr. Nixon is acutely aware of the importance of domestic support in prosecuting his foreign policy with a degree of success—at least he is aware of it in other contexts. The question of plausibility with those with whom we are bargaining is no less crucial in relation to the coming arms talks than it has proved to be in Paris on the question of Vietnam. Mr. Nixon stands to gain nothing by trying for a tight majority at the expense of the broader political support he will need when the arms control talks get underway.

[From the Christian Science Monitor, July 16, 1969]

WORKABLE COMPROMISE NEEDED

Nothing better illustrates the staggering burdens which rest upon the heads, hearts, and shoulders of government officials than the present national uncertainty and division over what to do about the deployment of the ABM (the Safeguard anti-ballistic-missile system). This question has split party lines. Most of those on each side have reached their decisions for or against such deployment after agonizing heartsearching. Each side presents strong and sincerely held arguments.

Thus the proponents, led by President Nixon himself and bolstered by the Defense Department, hold that the ABM system (a) is, plain and simply, necessary for the defense of the United States against present and future Russian missile developments, (b) cannot be deferred without surrendering to Russia a dangerous "lead time" in missile development, (c) will permit America to enter arms limitation talks with the Russians in a stronger position, and (d) is needed because Russia has begun positioning its own ABM system.

The opponents, on the other hand, say that (a) the system is highly vulnerable and it is unproven that it can protect America's "second-strike" capability by guarding the country's missile sites, (b) deployment risks triggering an even heavier arms race, (c) the ABM could put the Russians off arms talks, and (d) the money could be better spent on homeside civilian problems.

Each side believes that its position will best serve the cause of peace and the future interest of the United States. Neither side has lacked for technically competent experts to quote. Each has elicited a heavy amount of passionate public support.

Support in the Senate has been a hairline affair. As this is written, the proponents are thought not to have enough votes to ensure ABM's passage. On the other hand, it is also thought that last-minute all-out pressure from the White House might swing enough votes for success.

Under such circumstances, we believe that there is no other feasible procedure than to explore a compromise. That suggested by New Hampshire's Sen. Thomas J. McIntyre has much merit. It would permit the Army to build the first two ABM sites in Montana and North Dakota and deploy radio and electronic gear, but would withhold leave to produce and deploy the actual missiles. The problem here is how long a delay this would eventually produce in setting up a complete system if American-Russian arms talks broke down. Some have said up to two years. But the Senator's office insists that the Pentagon has told him that only four or five months would be involved.

We recommend that the Senate turn its thought to some such compromise. And, second, we repeat our own earlier suggestion that the first point of business when the Americans and Russians meet be an informal agreement by both sides to suspend all development and deployment of such weapons until and unless it becomes apparent that no general arms limitation between the two can be reached.

[From the Concord (N.H.) Monitor, June 3, 1969]

MCINTYRE PROPOSAL IS REASONABLE

Sen. Thomas J. McIntyre, D-N.H., has proposed a compromise in the development of the so-called Safeguard antiballistic missile system that is sure to satisfy neither the proponents nor the opponents.

Facts and mature considerations in the heated ABM controversy fast are becoming irrelevant. It has become a symbol of conflict between the liberal and conservative elements in our society.

Generally speaking, the liberals are opposed to deployment of the system President Nixon has proposed, which would cost somewhere between $8 billion and $13 billion, while the conservatives favor it.

Deeply tangled in this controversy is the question of exploding government spending and subsequent increased taxation, and growing public concern and suspicion over the unholy alliance between the nation's military establishment and the industries that furnish its hardware.

What Sen. McIntyre proposed was a delay in deployment of the missiles themselves, while research and development is pushed on the complicated radar and computer systems that would control the ABM.

One of the most telling arguments against the Nixon administration ABM proposal is that there is no assurance it will work. The McIntyre proposal says, simply, that we won't put the missiles in place until we know the other components will work.

The Senator estimates first-year spending on his plan would be less than $2 billion, but it's not clear how much this would be less than.

He told the New Hampshire Council on World Affairs last week that his alternative "could save us billions in misspent funds."

Sen. McIntyre, chairman of the Research and Development Subcommittee of the House Armed Services Committee, was under intense pressure to leap into one camp or the other.

His committee, heavily laced with and under the control of conservative southerners and right-wing Republicans, sought to get him to join the pro-ABM faction.

But liberal Democrats in New Hampshire, from whom he derives his support in the Granite State, threatened to turn against him and even turn off campaign money if he backed President Nixon's ABM proposal.

Thus from a political standpoint, the McIntyre alternative was a neat dance down the middle. Speculation still is rife on which side he would join if called upon to vote tomorrow "yes" or "no" on the Safeguard system.

Our view is that the McIntyre suggestion deserves concentrated study under congressional control. The military won't like it, so can't be trusted to give it a fair reading. Industries concerned will view it as a cutback in fat contract possibilities, so they can be expected to object.

We think slamming headlong into the ABM system now, with low-level certainty of success, would be foolhardy.

The cost is exorbitant; domestic crises too pressing; and we are not convinced the threat of Soviet attack at this time is all that imminent.

In addition, neither are we convinced that every avenue of an arms reduction agreement with the Soviets has been explored fully.

It is clear that we cannot dismantle our nuclear strike retaliation capability, nor allow ourselves to fall behind in the terrible reality of an escalating arms race.

But our government's crash program should be directed at the cause of the arms race, and not solely at reducing its possible effect.

[From the Portsmouth (N.H.) Herald, June 2, 1969]

SENATOR MCINTYRE DESERVES PRAISE FOR MODERATE APPROACH TO SAFEGUARD

From the Old Man of the Mountains to the Old Man of Seabrook, the state should be echoing the praises of Sen. Tom McIntyre, but we're afraid that it isn't.

Which simply goes to prove that people are inconsistent, a fact that was established as early as Adam and Eve and reestablished today.

McIntyre apparently has let the other shoe drop and has come out in opposition to the war lord's newest military toy, the Safeguard missile scheme. This is the gadgetry you'll remember which started out as a defense against Chinese aggression and wound up as a much modified protection for our Minuteman missiles.

No one can even verify that it will work, but it will cost a lot of money and does make the hate-Russia element in Congress and the nation happy; therefore, it must be worthwhile.

In New Hampshire Safeguard appeals to the same crew that has spent the last five months trying to wreck the state's budget, block any attempt at straightening out a messy, century-old tax structure.

So you'd think that McIntyre's opposition to a costly toy like Safeguard would immediately endear him to these thrifty souls. But not so. If there's one thing that some of them enjoy more than crippling the state economically, it's looking under their beds every night to make sure that the Politburo isn't hiding there.

This "Ax-the-Tax" crowd in New Hampshire would rather see billions blown on military hardware than a few billions spent in making this an even better nation in which to live.

McIntyre, and the other senators who are trying to withstand the raid by the military on the public treasury to finance Safeguard deserve our thanks. Whether or not they'll prevail against Nixon's profligate militarists is a question but the effort is based on good sense.

Safeguard has all the earmarks of another of the multi-billion-dollar weapons systems which can't even be credited as workable, simply because no one knows.

McIntyre, although he won't get any credit for this, is not burying his head in the sand. He does have a viable alternative to the all-out Safeguard scheme.

What the senator wants is further research, no immediate deployment of Safeguard, but development of the ability to put into effect without delay should need arise.

McIntyre believes that the very fact that the United States could deploy a Safeguard would serve as notice to Russians that we're far from defenseless and wrong moves by them will prove expensive.

This isn't what the warhawks want, but it is a prudent approach.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. McINTYRE. I yield to the chairman of my committee.

Mr. STENNIS. As usual, Mr. President, the Senator has thoroughly considered this matter. He is thorough by nature, and active by nature, too, and our committee in the Senate is indebted to him for some very hard, long work that he has done since January on many matters that are involved in this bill.

I note, if I may say so to the Senator from New Hampshire, that he recognizes a threat here and he wants to do something about it. The only difference between his position and mine, as I see it, is the question of when we should move forward. I think this matter has been in the process of research and development, trial and error, far longer already than have most major missiles; that it has shown reasonable progress and continues to do so; and that we are just needlessly burning some daylight, which might be extremely important, if we do not move on now.

I do not see that the Safeguard has become a monumental new system of national disunity. I respect the Senator's opinion, but, as I understand it, there is a strong, basic feeling among the people, as far as they have had a chance to think about it. They say, "Well, we may need this thing and we had better move along." I believe that sums up, the best I can express it, the way people feel generally. I do know, as I understand the President, that he feels he has limited this matter to the rock bottom that the lowest, bottom level of necessity will allow. As it is in the bill, it is a reduction and a compromise, in a way.

So I greaty appreciate the Senator's fine work. As he knows, I always encourage him to keep working with reference to his thoughts. I am sorry we are divided on this matter. Again, let me say I think he has made a contribution.

Mr. McINTYRE. I thank my distinguished chairman, who led our committee during the entire time we were considering the matter which was before us. I appreciate his remarks concerning my feelings in this matter. I would point to 1 or 2 aspects. First, I do feel, Mr. Chairman, that the important thing that is not in the bill is the absolute, specific control of the Congress over this weapon system, so that its deployment would, if it is ever employed, involve another vote by the Congress. Second, when I look at the count of Senators on this question, who are divided 50–50, or 49–49, that looks like a quite solid division in this august body.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. McINTYRE. I am happy to yield.

Mr. MUSKIE. I also would like to

compliment the distinguished Senator, first of all, on his decision to support the Hart-Cooper amendment, but, even more importantly, because, as a neighbor, I take pride in the quality of his performance in the consideration of this issue and his work on the bill before us over the weeks and months behind us. He has shown a capacity to work hard and thoroughly, a capacity to understand and analyze the complexity of this issue, and then a good, old Northern New England persistence in pursuing his own point of view. Even as he endorses the Hart-Cooper amendment, he demonstrates that persistence in continuing the effort to sell his own compromise. I compliment the Senator indeed.

Mr. McINTYRE. I thank my friend from Maine very much for those kind remarks.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. McINTYRE. I am happy to yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I join the distinguished chairman of our committee in congratulating the Senator on his typically analytical and concise position as expressed on the floor of the Senate today.

I, too, sympathize with his apprehensions about the degree of importance this ABM discussion has achieved, not only as to Congress and the relationship of Congress with the Defense Department, but also with respect to our position in the country itself, as well as what other people think all around the world.

I would hope, that just as the Senator has worked so long and so well on the technical facts of research and development in the subcommittee of which he is chairman, we will try, as we develop discussion of this matter on the floor, to stick to facts.

There have been many inaccuracies, not only in all the various pamphlets we and others have received about this matter, but also in debate on this floor. I have now had declassified a page of information which I will read into the RECORD behind the statesmanlike talk of the Senator from New Hampshire.

The statement has been made that: "All the components have been tested."

The facts are that the PAR has not even been built, let alone tested; and the PAR computer is scheduled for completion in the first quarter of 1971.

The MSR at Kwajalein has had some preliminary tests, and is scheduled to track an ICBM for the first time in November 1969; but the MSR computer does not yet have its necessary software.

A second inaccurate statement was: "Both the radars have been built in model form at Bell Laboratories."

The facts are that there are no PAR models at the Bell Laboratories or anywhere else.

The statement was made that the interceptor missiles of Safeguard have been used successfully against missiles sent from Vandenberg Air Force Base.

The facts are that the Spartan and Sprint have not been tested against targets. The first Spartan intercept at Kwajalein is scheduled for 1970. The first Sprint firing at Kwajalein is scheduled for September 1970. The Sprint is being developed at the White Sands Proving Ground.

Finally, a statement was made that the Safeguard system has been tested as an integrated unit in the area of Kwajalein.

The facts are that there is no intention to build the system as an integrated unit in Kwajalein. The only components which will be built at Kwajalein are the MSR, its computer, and Spartan and Sprint launch cells. Some of these have not yet been built, much less tested.

Mr. President, at the end of last week I received an extraordinary document. It came from the Committee to Maintain a Prudent Defense Policy.

The title of the document is, "Does the Supposed Softness of the Radars Render Safeguard Vulnerable?"

It is written by Mr. Clifford J. Hynning, who I find is a lawyer here in Washington. He is also the treasurer of that committee.

After reading this pamphlet, I honestly did not believe Mr. Hynning understands how the proposed system would work. I asked if he was a patent lawyer, or a lawyer with technical training qualifications, and found he is a lawyer in the international field. I shall not take further the time of the Senate today, but will comment tomorrow on the various statements in this latest brochure.

The PRESIDING OFFICER. The time of the Senator from New Hampshire has expired.

Mr. McINTYRE. Mr. President, I ask unanimous consent to continue for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SYMINGTON. I again commend the Senator for the way he has approached this problem, reasoned and not in any emotional manner. His position today is typical of his work in the Senate.

Mr. McINTYRE. I thank the Senator.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. McINTYRE. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I, too, would like to join my fellow Senators in expressing my satisfaction and gratification that the Senator from New Hampshire has adopted this view. I know it was a matter of long and difficult concern to him, and it is characteristic of his honesty and his dedication that he should have announced his conclusion in this very forthright way.

I should like to ask this question of the Senator: Is it not implicit—and the Senator has certainly heard everything that can be heard on this subject—in the Senator's statement that agreeing to the Cooper-Hart amendment will assert the paramountcy of Congress over this decision, inasmuch as we would have to vote again before there could be actual deployment? Is there not implicit in that idea the concept that until we do vote deployment, and until we deploy, there is a world of difference between everything that the Cooper-Hart amendment and the McIntyre amendment try to do, and deployment? It is only upon deployment that, like the men on the moon, we really step out on the new plateau which puts further away from us than ever an arms limitation agreement; do I correctly gather that, based on the Senator's knowledge, expertise, and study? Is that implicit in the Senator's position, and would he care to express his views on it?

Mr. McINTYRE. I am happy to. I think the controlling thought, with me, was that as to this ABM system—and I am now thinking of it in operation, with all its components—the reins on the whole issue should be held right here in Congress.

It should not be handed over to the Pentagon, or handed over to the administration, particularly given our costly experience with premature deployment, in the year 1969.

I was talking with someone the other day who said, "You think the C–5–9 overrun was bad; wait until you see this one." I think this was a central consideration for me.

I also expect the considerations the Senator from Mississippi is talking about. My amendment seeks to lose no time, but to give us at least a year to weigh the evidence on intelligence estimated about the Soviet threat and to pursue strategic arms limitation talks.

So, in sum, insofar as the question of the Senator from New York is concerned, the essence of my decision to support the Cooper-Hart amendment, though I find some things wrong with it, is on that basis of congressional control.

Mr. JAVITS. I thank the Senator.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. McINTYRE. I yield.

Mr. CHURCH. I am very highly impressed by the well reasoned and analytical address that the Senator has made, and I compliment him.

Mr. McINTYRE. I thank the Senator.

Mr. HART. Mr. President, will the Senator yield?

Mr. McINTYRE. I yield.

Mr. HART. Mr. President, though there is no need to state it on the record, let me express formally my appreciation to the Senator from New Hampshire. In addition to all else that has been said in reaction to his statement, he has perhaps more graphically than any of us been able to dramatize the fact that the key to the debate, the fulcrum of the discussion, and the heart of our concern is whether this year, this Congress is going to permit deployment of a system. That is the thing that has given rise to what the Senator from New Hampshire described as a very deep division across the country.

I would hope that the adoption of the Cooper-Hart amendment will make it very clear that this Congress does not wish to repeat what I think was a mistake of the last Congress: the mistake of agreeing to deploy Sentinel. Let us not make the same mistake in deploying Safeguard. Let us go forward with research, to make sure that if the decision later shall be to deploy, we will be deploying a machine that has greater probability of working.

I thank my friend for yielding.

Mr. McINTYRE. I thank the Senator.

I yield one-half minute to the Senator from Kentucky.

Mr. COOPER. Mr. President, I join with other Senators in paying tribute to the Senator from New Hampshire. As a member of the Committee on Armed Services, the Senator from New Hampshire has addressed himself to the issue with knowledge and deep concern to find a reasonable solution to the problem.

The conscientious effort of the Senator is another testament to his integrity and concern for the security and best interests of our country.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. McINTYRE. Mr. President, I ask unanimous consent that I may have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McINTYRE. Mr. President, I yield to the distinguished Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. MURPHY. Mr. President, I congratulate the distinguished Senator for the magnificent job he did as chairman of the Subcommittee on Research and Development and also for the obvious study and time that has gone into his speech.

I want to ask a direct question concerning his proposal that the control of military and armaments be maintained in Congress. Is it not a fact that this control is exactly what the debate is all about? And is it not true also that the actual appropriation of the money is still under the control of Congress and not under the control of the Department of Defense or the executive branch?

Mr. McINTYRE. Mr. President, in the debate here, I think it is so important that we specifically, in whatever part of the bill becomes law, spell out that the control will remain in Congress.

I take it from the remarks of the Senator he is implying that we could let the matter go and that the option should be with the President and with the Pentagon. If that happens, then Congress would have to come in the back door by denying authorizations or appropriations in order to maintain some influence at a later date.

I think that we should now spell out specifically what can and cannot be done.

Mr. MURPHY. That is the basis of the debate; is it not? The debate is on the authorization for military procurement and research. This is what the entire debate has been about, as to whether we in the Senate—having talked with the experts, having listened to the requests of the Defense Department and having listened to the requests of the executive branch—have to make a decision as to whether we think this is a proper request and whether it is necessary in our belief for the security of the country.

We will decide here whether we think the amount of money should be provided for the procurement or not. Is that not the basis of the debate?

Mr. McINTYRE. All of the amendments and the bill itself contain the funding requested. So, there is no question about anything in the debate on the floor. The amounts are in the bill.

Mr. MURPHY. Mr. President, the Senator missed my point. The Senator stressed the point that control should be maintained or retained in Congress. And I agree with him. However, I point out that the control is actually in Congress at the present time. And while it does not need any strengthening as far as I am concerned, more than a determination of the vote of the individual Senators as to whether they believe the request of the Department of Defense, backed up by the request of the President and their judgment after listening to the debate on the pros and cons of whether the program is needed and is capable of doing the job and is within the price range, the decision actually does rest in Congress at the present time. Is that not correct?

Mr. McINTYRE. That is where the Senator from California and the Senator from New Hampshire disagree. I say that the decision rests with the Senate and the House of Representatives, and that the bill should specifically contain a provision as to what can and cannot be done by the Pentagon.

Mr. MURPHY. I think then we are in agreement. I pointed out that we have control of the appropriations and, therefore, the determination does rest in the Senate and the House of Representatives at the present time. I see no particular purpose at the moment in stressing the fact that we are going to take more control because we think perhaps the Department of Defense and the executive branch ought to have less control.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McINTYRE. Mr. President, I ask unanimous consent that I be permitted to continue for an additional 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, I agree that many times in the past mistakes have been made here and that we wished we had a chance to redo a lot of the things that had been done. However, my point is that the control does rest here. That is what we are talking about.

The entire matter hinges on the authorization for military procurement, and the decision rests here as to whether we think it is proper and necessary and whether we should go along with the experts we have heard in secret as well as the public testimony and go along with the majority opinion of the Committee on Armed Services.

I thank the distinguished Senator.

Mr. McINTYRE. I thank the distinguished Senator from California.

Mr. President, I yield to the distinguished senior Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. AIKEN. Mr. President, I know that the Senator from New Hampshire has been working long and hard to try to get the administration to see the absolute necessity of agreeing to a modification of the proposal now before the Senate. It is a modification which will not in the least impair the national security of the United States, but will make it possible for us to get an authorization bill at a reasonable time and get on with our other work.

It has been pointed out that the issue may be whether Congress has the final say or whether it should leave the matter up to the administration or the Defense Department to decide. I believe that Congress should have the final and ultimate say. Congress is the branch of Government which is elected by the people at home and close to the grassroots feeling.

I certainly hope that the administration will see the necessity of reaching a satisfactory and workable agreement with the Senate. Otherwise, I suppose it is thought that after the bill goes to conference, the House might go along with the administration and the administration might win a victory.

If the administration does win a victory in this manner, it means that we will have to go all through this again in the conference report and the defense appropriations bill. Therefore, we ought to be getting to work at the earliest possible moment.

The administration can agree to a modification which will meet the approval of a large majority of the Senate. I think it would be most unwise of the administration to try to hold out for all it wants or nothing at all. If it does do that, the administration will get nothing—before the first of next year, anyway.

Mr. McINTYRE. Mr. President, I thank the distinguished Senator from Vermont. I agree with him thoroughly.

Mr. President, I yield the floor.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The PRESIDING OFFICER. Two hours having elapsed, the Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein missile range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous unanimous-consent order, there will be a brief period for the transaction of routine morning business.

Mr. EAGLETON. Mr. President, I ask unanimous consent that I be recognized for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE WAR IN VIETNAM

Mr. EAGLETON. Mr. President, as President Nixon tours Asia, he has dis-

cussed very candidly two subjects which will affect Asians and Americans for a long time to come.

The first deals with America's reappraisal of its role in Asia, a topic which will be discussed and debated in the months ahead. The second deals with the reason for the soul searching reappraisal, the tragedy of Vietnam.

The war in Vietnam continues to be America's No. 1 national agony and preoccupation.

Some individuals with great expertise and knowledge have set forth plans for extricating the United States from this tragedy; and surely the public craves the certainty of such plans.

I personally despair of spelling out any precise plan. In a sensitive and terribly complicated matter such as Vietnam, any plan must have innumerable contingencies and imponderables which are inevitably affected by a reaction from the opposite side.

The best one can hope to do is to choose those interim objectives and courses of action which seem to offer the best hope of advancing the cause of peace—and to abandon those which do not.

In the next 3 days, President Nixon will be engaged in such a process with some of his Vietnamese advisers in Bangkok. He has indicated that he may order a change in military tactics, a change opposed by many of the military in Vietnam. I would like to commend the President for considering a change, and express my hope that such a move is forthcoming.

What I am about to suggest here today is not meant to be construed as a magical panacea. I simply wish to spell out my thinking with respect to three interim objectives we might legitimately pursue in the present Vietnamese context: First, a cease-fire; second, broadening the base of the Saigon government; and third, elections.

Of these three, I believe two can contribute to a viable strategy for peace, and the third cannot.

CEASE-FIRE

Many months ago, on June 15, 1968, I initially addressed myself to the question of a cease-fire.

I said, "The first matter of business, above all others, must be to seek a cease-fire."

Mr. President, I feel more strongly today than I did on June 15, 1968. Since then, nearly 13,000 Americans have been killed in Vietnam and another 88,000 have been wounded.

The killing in Vietnam must be stopped, and the United States must take every reasonable risk to accomplish this.

A phased withdrawal, whether the Clifford formula, the Nixon formula, or some other formula—even though a step in the right direction—does not stop the killing soon enough. American casualties, although reduced now from 450 per week to 160 per week, continue.

In my judgment, a cease-fire is a necessary and reasonable interim objective which we must adopt in the pursuit of this goal. I believe we can today direct our diplomatic and military efforts toward achievement of a cease-fire with some hope of success.

There is currently a lull in enemy action in Vietnam. In General Wheeler's opinion, this lull represents nothing more than a tactical prelude to a further assault, and is not a response to President Nixon's peaceful gesture of troop withdrawal.

General Wheeler may be right. Whether he is or not, his prophecy is sure to fulfill itself if, as Secretary Laird has indicated, the United States continues a policy of "maximum military pressure."

But suppose we now interpret the lull, however the enemy conceives it, as the signal for a guarded scaling-down of our own efforts? Suppose we now welcome it as the enemy's first statesmanlike step in a mutual deescalation leading ultimately to a cease-fire? One cannot help recalling how President John F. Kennedy created the opportunity for peace during the Cuban missile crisis by choosing to acknowledge Nikita Khrushchev's first, emotional letter rather than the much more bellicose official policy communication which followed it.

The risk is high in this kind of action, especially in a hot-war situation. But there is high risk as well in being too inflexible, too unimaginative, too timid in the search for peace—the risk of killing thousands of young Americans and Vietnamese whom a cease-fire could save.

Mr. President, I say abandon the policy of "maximum military pressure." It is both futile and discredited—all the more so if General Wheeler's pessimistic predictions about enemy intentions are correct. Instead, let us seek and create every possible opportunity to achieve a cease-fire on the battlefield.

We have seen all too many missions like General Wheeler's produce optimistic predictions about U.S. military progress, Vietnamization of the war, and the enemy's crumbling morale.

"Time, just a little more time, and the enemy will feel the crunch and quit," we are told.

But time in Vietnam is not measured by minutes and hours—it is measured in American lives and dollars, and that kind of time has now run out.

I believe the risks inherent in undertaking a major unilateral deescalation at this time in hopes of drawing the enemy into a mutual cease-fire are far less than the elusive certainties of continued maximum military pressure.

BROADENING THE BASE OF THE SAIGON GOVERNMENT

Second, Mr. President, we are constantly told that, if the United States withdraws from Vietnam too rapidly, South Vietnam will fall. There will be no negotiated settlement, only capitulation.

Without belaboring history, I believe it is time to ask, "Why is this so?"

The preeminent reason is that today, as before, the Government of South Vietnam remains unrepresentative and unresponsive to the aspirations, both national and personal, of the vast majority of the Vietnamese people. It is composed of a military and social elite—an elite all too often engaged in the pursuit of personal gain and advantage, rather in the quest for social justice and reform. It is a government of Catholics, in a land of Buddhists—of emigres from the North in a land of strong regional loyalties—of military men in a land where the military has not been held in high regard—of men who fought for the French against their own people in a land where anticolonialism prevailed—and of men once again dependent on the force of arms of a foreign government in a land engulfed by the ferment of nationalism.

For over 14 years, the United States has bought time for the governments of Diem, Minh, Tho, Khanh, Huong, Oanh, Quat, Ky, and Thieu. Time has not been purchased on the cheap. The cost is over $100 billion, nearly 40,000 American lives, over 200,000 wounded or maimed, and a cost in human suffering to the Vietnamese themselves which is unmeasurable.

And yet these successive governments have failed to afford political representation to the many diverse elements that make up South Vietnam's population; more importantly, they have failed to respond to the needs of the people. Past governments as well as the present have made numerous and grandiose promises and proposed a myriad of programs. Yet in land reform, in refugee relief, in rural development, in curbing corruption and inflation, the record is clear. The challenges are unmet.

Of all these deficiencies, none is more glaring than the failure of the Thieu government to broaden its base of support to include various neutralists who are not pro-Communist, but pro peace.

We cannot continue to pin American hopes for a free Vietnam on the narrow, restricted base of President Thieu and Vice President Ky. To do so is to prolong the killing and to insure, ultimately, that Vietnam will become Communist. If the neutralists are continually frozen out and their leaders jailed, we are signing in advance the death warrant for any type of non-Communists government in South Vietnam.

We must face the fact, Mr. President, that it is power—mainly American power—and not legitimacy derived from the consent of the governed, that makes public policy in South Vietnam. We have great power in South Vietnam to grant or to withhold, and Messrs. Thieu and Ky know it.

I think we have the right to insist that the thousands of neutralists confined in jail be released, and that the censored press be unshackled—now.

This strategy is not new. President Eisenhower recognized the legitimacy of withholding support if reforms were not instituted.

So did President Kennedy and Johnson.

As President Eisenhower stated on October 23, 1954, in his original commitment of aid to South Vietnam:

> The purpose of this offer is to assist the Government of Vietnam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means. The Government of the United States expects that this aid will be met by performance on the part of the Government of Vietnam in undertaking needed reforms. It hopes that such aid, combined with your own continuing efforts, will contribute effectively toward an

independent Vietnam endowed with a strong government. Such a government would, I hope, be so responsive to the nationalist aspirations of its people, so enlightened in purpose and effective in performance, that it will be respected both at home and abroad and discourage any who might wish to impose a foreign ideology on your free people.

Unfortunately, to be effective a threat requires a willingness to act. We have been tested and found unwilling.

Unless and until we are willing to take the final step of withdrawal if reforms are not instituted, the small, elite group of Vietnamese running a government distinguished primarily by its corruption, repression, and inefficiency will continue to exercise great control over American lives, American wealth, and American destiny.

ELECTIONS

This brings me to point three: Elections and how they hold little hope as an instrument for securing peace in Vietnam in the foreseeable future.

Our great Nation came into being close to 200 years ago. As a democracy, we labored long and hard at the process of developing a broadly-based method of conducting elections.

Indeed, we in the United States are still struggling with the problem. Three of the key issues before this session of Congress are the questions of the electoral college, the right of 18-year-olds to vote, and the extension of the Voting Rights Act of 1965.

Thus, Mr. President, if we—with close to 200 years of experience and sophistication in the free electoral process—still struggle with this concept, can we expect that the South Vietnamese will successfully develop such a process instantaneously? Can we ask the American people to wait that long?

Mr. President, I believe that we in this country have become so impressed with our own method of government and its various processes—and I agree that we have much to be proud of—that our hopes and habits blind us to the fact that other peoples may not readily conform to our way of doing things.

While working toward the ultimate goal of free elections in South Vietnam, we must recognize that they are not in the immediate offing. We can neither afford to pin our hopes for peace on President Thieu's offer of elections—which he admits would take 2 years to set up—nor permit Hanoi's denunciation of that offer to deter us from seeking peace through other avenues.

Thus, I think it all the more important that we insist—and insist now—that the Thieu-Ky regime broaden its base. Then we should urge that this broadened regime negotiate in depth with the NLF and that whatever mutual accommodation is effectuated constitute the interim government of South Vietnam.

This interim regime might in due time call for some kind of referendum election to test popular feeling. It is a more representative regime, however—not elections—that should be our immediate objective. We must not be philosophically "hung up" on the election concept when, if we stop and think, we will realize that full-blown national elections with an unrestricted franchise are not in the offing.

CONCLUSION

Mr. President, I return to where I began. What I have said here today is not a magical, instant cureall. I hope it has been a realistic appraisal of three key elements in the search for a way out of the Vietnam nightmare.

While American soldiers continue to die, we cannot afford the security of great caution nor the luxury of utopian thinking in the quest for peace.

(At this point Mr. GRAVEL assumed the chair.)

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. EAGLETON. I yield.

Mr. MANSFIELD. Mr. President, thanks to the distinguished Senator from Missouri I had an opportunity to glance over the text of the speech he has just concluded. It appears to me that the distinguished Senator from Missouri has done a lot of research, a lot of delving, soul searching and thinking on what is the most important question before this Nation today. It is a question which is important in our relations with other countries. It is a question which is tied implicitly to the domestic problems which confront us at home, and a question which in one way or another must be faced up to in such a manner that a reasonable solution can be found.

The distinguished Senator from Missouri has given his views and they are worth the consideration of this body and the administration.

I would like to comment on only one aspect of the Senator's speech and that is the question of elections by the Saigon Government and the National Liberation Front on a comprehensive and broad basis, which the Senator emphasized.

The Senator will recall that a year ago last September elections were held. Those elections were received with a great deal of skepticism in this country, but I would point out that at that time there were two elements excluded from participation. One element was the so-called neutralists and the other was, of course, the NLF.

Now, what the Senator is advocating is an all South Vietnamese election process by which all the people in South Vietnam would be given the opportunity to participate and to make their choice or choices known.

I agree wholeheartedly with the Senator in that respect, and I would point out, as he has, that those in control in South Vietnam are in reality northerners. What he is advocating is an all-South Vietnamese election. I think it is mandatory that in some manner, somehow, it will have to come to pass because the citizens of South Vietnam, regardless of ideology or orientation are the ones in the long run who will have to settle their own affairs, come to agreement among themselves, and plan their future. It is not the responsibility of this country; it is the responsibility of the people who live in South Vietnam.

Mr. President, I commend the distinguished Senator from Missouri and compliment him for his candor. I commend him for the research and thought which went into the speech. I hope this is not his last speech on this subject or any other subject.

Mr. EAGLETON. Mr. President, I appreciate the remarks of the distinguished majority leader and the kind sentiments expressed in his statement.

Mr. YOUNG of Ohio. Mr. President, would the Senator yield?

Mr. EAGLETON. I yield.

Mr. YOUNG of Ohio. Mr. President, I also wish to congratulate the distinguished junior Senator from Missouri on his outstanding speech today. I am in complete accord with the statements he made.

Very definitely the Senator is correct in his views that the government of South Vietnam is unrepresentative of and unresponsive to the aspirations of the vast majority of the Vietnamese people.

The fact is that Thieu and Ky, who head the militarist regime in Saigon, could not remain in power more than a few days were we to withdraw our Armed Forces from Vietnam. The Johnson administration and now the Nixon administration imposed the Thieu government on the people of South Vietnam. The Saigon militarist regime has the support, it seems to me, of fewer than 20 percent of the people of South Vietnam.

During the 2 weeks from July 5 to July 19, despite the lull, so-called, in large-scale ground action in South Vietnam, 3,347 men of our Armed Forces were killed and wounded in combat. During that same period, only 2,658 men of the too-friendly armed forces of South Vietnam were killed and wounded. Unfortunately, in that same period 84 additional American GIs lost their lives in what the Pentagon terms "accidents and incidents." In World War II, when there was no credibility gap, so-called, and no effort on the part of the Defense Department to minimize casualties, most of such deaths would have been termed combat deaths.

This has become an American war to maintain in office General Thieu and Air Marshal Ky, whose military Saigon regime, as I have stated, lacks the support of at least 80 percent of the people of South Vietnam. When our troops leave South Vietnam, Air Marshal Ky and other ARVN leaders, our friendly allies, will be out of office. It will be safe to predict that almost before our last GI leaves they will rendezvous in Hong Kong and Switzerland with their unlisted millions.

Clearly, disengagement depends upon finding a political solution to the war. A political solution requires a coalition government in Saigon to serve during the period of foreign troop withdrawal and to conduct elections for a permanent government.

The Thieu government is a product of a rigged election in which Communists, neutralists, and many Buddhists were forbidden to vote. South Vietnamese soldiers paid with American funds were herded to the polls and often voted twice—at their bases and in their home villages.

It is ironic that when he returned to Saigon from the Midway Conference Thieu promptly threatened to throw in jail anybody who advocated a coalition. This is hardly in keeping with "the principle of self-determination" to which President Nixon and Thieu piously dedi-

cated themselves. Today, Thieu and Ky hold nearly 60,000 of their political opponents behind bars in jails in Saigon and elsewhere in Vietnam. Many of them are sympathetic to a coalition government.

The fact is for many years the tail has been wagging the dog in Vietnam. The United States has been the virtual prisoner of the Saigon militarist regime which is the principal obstacle to a political settlement of the war. So long as President Nixon remains its prisoner, the war will go on.

President Nixon should immediately order the withdrawal of 200,000 of our GI's and Marines from South Vietnam. The rest of our forces there should then be assigned to our coastal enclaves until they are returned home the same way they were sent to Vietnam—by ships and planes. It is obvious that only through making it clear to Thieu and Ky that the United States no longer intends to maintain their regime in power will they then take the steps necessary to help bring about a cease-fire and armistice in Vietnam.

Again, I express my admiration to the distinguished Senator from Missouri for his speech.

Mr. EAGLETON. I thank the Senator from Ohio.

Mr. HART. Mr. President, will the Senator from Missouri yield?

Mr. EAGLETON. I am happy to yield to the Senator from Michigan.

Mr. HART. I was fortunate in having the opportunity to read the remarks of the able Senator from Missouri and then, except for the brief time when I was called from the Chamber, to hear the delivery of his speech.

I rise to thank him for again compelling each of us to pause in whatever other assignments may be ours, to think about the overriding problem of Vietnam. I associate myself with the recommendations he makes. Most particularly, I think the Senator's reference to reducing field activity is of overriding importance. Until we have done that, I think we will continue to fall while the casualty lists mount.

I thank the Senator from Missouri very much for a very fine speech.

Mr. EAGLETON. I am very grateful to the Senator from Michigan for his comments.

I am pleased now to yield to the Senator from Idaho (Mr. CHURCH).

Mr. CHURCH. Mr. President, I want to compliment the distinguished Senator from Missouri for having spoken up on the subject of Vietnam in such a forthright way.

I commend him particularly for speaking out with such frankness about the issue of the proposed elections in Vietnam.

He says in his remarkable address:

> Thus, I think it all the more important that we insist—and insist now—that the Thieu-Ky regime broaden its base. Then we should urge that this broadened regime negotiate in depth with the N.L.F. and that whatever mutual accommodation is effectuated constitute the interim government of South Vietnam.

This, it seems to me, is wholly realistic and very likely constitutes the essential ingredient of any negotiated settlement.

From the beginning, the matter of elections has seemed to me to be not very realistic. The Senator puts his finger on the nub of the matter when he says:

> We must not be philosophically "hung up" on the election concept when, if we stop and think, we will realize that full-blown national elections with an unrestricted franchise are not in the offing.

I must agree with the Senator. It is a hard thing to say, but it is true. It is also a hard thing to say, but true, that we did not put much emphasis on the need for elections in the early phases of our involvement in Vietnam. It was only after it became clear that no military decision could be reached there, that we began to emphasize the importance of elections as a prime objective of American policy. But this is, indeed, a novel objective. It is not consistent with the pattern of our relations elsewhere in the world.

For a long while, we have embraced the regime of Chiang Kai-shek on Formosa, but never have we called for elections there. Never have we indicated that it was vital to consider that the people of Formosa be given the right of self-determination.

For many years we have extended generous amounts of military aid to Franco in Spain, yet I have heard no one in this Chamber stand up and assert the principle of self-determination for the Spaniards.

One could go on and cite many other examples.

I think that the call for elections in Vietnam has been a way to give a moral purpose to the massive involvement of the United States in the Vietnamese war, an effort, if you please, to find an exit from the war that would be acceptable to the American people.

Elections, Western style, so familiar to us in this country, unfamiliar to Vietnam, a country which has no prior experience in Western democracy.

Therefore, I think that the Senator is absolutely right in pointing out the extreme difficulty in ever getting unrigged elections in Vietnam. His emphasis upon the necessity to work toward a settlement there on the basis of some kind of interim government representative of the various political factions that exist in South Vietnam, in my mind still represents the most realistic approach holding much promise or hope for an eventual negotiated settlement of the war.

I commend the Senator for taking hold of such a hard and emotional issue, which is naturally close to the hearts of the American people who believe in, and are accustomed to, the election process, by pointing out the weakness of that posture in connection with bringing the war to a close in Vietnam.

Mr. EAGLETON. I thank the Senator from Idaho. I only wish that in my remarks I had used his words and possessed the eloquence of his delivery. I believe that he has hit the point even more directly and with greater depth than I did in my comments. He has summarized what I so inadequately tried to convey.

Mr. TYDINGS. Mr. President, will the Senator from Missouri yield?

Mr. EAGLETON. I am happy to yield to the Senator from Maryland.

Mr. TYDINGS. Mr. President, I join my colleagues in commending the junior Senator from Missouri on his excellent speech on the present posture of the United States with relation to the South Vietnamese Government.

The Senator from Missouri, to use a familiar phrase, is off to a very fast start in Congress. His contributions to the various committees on which he serves are adding great stature not only to himself but also to the State which he represents.

The three points he makes in his address today are points which could well be studied and reviewed by every concerned American citizen.

I am particularly pleased that the Senator has commented upon the actual conditions in the South Vietnamese Government today.

I would like to ask him a few questions. The first question is: Is it not a fact that the present government in South Vietnam is and has been riddled with corruption and black marketing, even to the point where corporal stripes are sold for a price?

Mr. EAGLETON. I think that is not only unqualifiedly true, but is the history of the South Vietnamese Government since 1954, beginning with the Diem regime.

Mr. TYDINGS. The Senator points out, in concise and clear language, the failure of the government to make any effort to broaden the basis of the government to represent any element of its populace other than those representing the top governmental leaders. I should like to ask the distinguished Senator from Missouri where the principal neutralist leaders, anti-Communist neutralist leaders, in South Vietnam are.

Mr. EAGLETON. Some of them are in jail, such as the person who ran second in the so-called elections of a year ago, as referred to by the Senator from Montana, elections in which only a token percentage of the total populace in South Vietnam participated. They are either shackled abroad or confined in jail. Even those who are afoot in Saigon are in the most restricted of circumstances in the expression of their philosophies and politics.

Mr. TYDINGS. Would it be a fair statement to say that any reference to the Ky government as a popular government, as democratic government, as a government representing the people of South Vietnam, as we know it in our country, is a complete myth; and that the government is maintained by virtue of the U.S. military power in Vietnam?

Mr. EAGLETON. I can think of even stronger words to respond to the Senator's question. I think not only is it a myth, but it is a gruesome distortion to refer to the Ky-Thieu government as a representative government or as freely elected.

Mr. TYDINGS. Let me commend the Senator from Missouri on his remarkably lucid portrayal of the U.S. posture, unhappy as it is, in South Vietnam. I think he has made a significant contribution to the dialog. I hope the President of the United States and his advisers

will read the distinguished Senator's speech.

Mr. EAGLETON. I thank the Senator from Maryland.

Mr. President, I yield the floor.

Mr. JAVITS. Mr. President, I have read the speech of the Senator from Missouri (Mr. EAGLETON) with great interest. I, also, am intending to speak on Vietnam today. I found much that was instructive in the presentation of the Senator from Missouri, but it deals essentially with the other aspect of the problem of Vietnam; that is, the Government of South Vietnam. I feel that the need for America to withdraw from the combat role is very real and so that this is the time when it can be done with the least risk to our security and also to the security of our allies.

NEW STEPS TOWARD PEACE IN VIETNAM

Mr. JAVITS. Mr. President, in the 2½ months since President Nixon's May 14 speech to the Nation the administration has effected a number of constructive and realistic changes in the Vietnam policy it inherited from the previous administration. In my judgment, these changes have not been accorded sufficient recognition and support. As a Senator who sharply criticized the absence of any apparent Vietnam policy changes in a speech just 5 days preceding the President's May 14 address, and while recognizing that much remains to be done to end our combat involvement in Vietnam, I wish to use this opportunity to commend the President for his constructive movement away from the dead-end policies of the past.

Specifically, I commend the President for the following four basic, substantive changes in Vietnam policy which I regard as highly constructive and realistic steps toward peace:

First, a decisive moving away from the concept of terminating the war through a battlefield victory.

Second, the initiation of a definite program to de-Americanize the war and phase U.S. troops out of the main combat role.

Third, recognition of the NLF as an indigenous factor with a base of material political support.

Fourth, efforts to end the veto over U.S. policy in Vietnam given, in effect, to the South Vietnam Government by the previous administration, and the beginning of efforts to end the link between the national interest and prestige of the United States and the political fortunes of the particular regime in Saigon.

These are all highly significant steps which deserve the support and approval of all Americans. In relative terms, the Nixon administration has certainly moved farther away from the rigid position of the previous administration than the Communist negotiators in Paris have moved from their own rigid positions of the past. It would be well for the Communist side to realize that this discrepancy in adjustment of negotiating positions—so marked in the U.S. flavor—has not gone unrecognized by people like myself who have been outspoken critics of U.S. policy in Vietnam.

One of the grave dangers still latent in the Vietnam situation is the possible persistence in Hanoi of the delusion that it can inflict a "defeat" and a "humiliation" upon the United States. Pursuit of any such ill advised goals by the Vietcong, the NLF, and North Vietnam would be a dangerous illusion. It could be one of the few things that would have the precisely contrary result of rallying opinion and support in this country behind those who would initiate new and major U.S. military determination to win on the battlefield in Vietnam.

It is no secret—at least here in the Senate—that the administration is disappointed by what it considers to be a lack of adequate recognition and support for the new realism, adjustment, and flexibility it has shown in Vietnam policy. But, in my judgment, a good part of the basis for this lack of proper recognition and support rests with the administration itself.

The overwhelming mandate given to President Nixon in November 1968 was to end the war in Vietnam. Against this background, the administration's timing was too slow for its critics in demonstrating to the American people that it really did have the intention and the plans to move the Nation on a course away from the sterile, military escalation policies of the past. Second, the administration decided to be low-keyed; hence it tended to make less dramatic the changes it has made in Vietnam policy.

By playing down the sharpness of difference between the policy innovations in Vietnam policy it has introduced and those of its predecessor, the administration made the least instead of the most of an important opportunity to win the support and acclaim among the American people—assets which the Administration now recognizes as crucial to the success of our diplomacy in Paris.

The Nixon administration's Vietnam policy has been much better than the rhetoric it has used to express it. Administration spokesmen have persisted—quite needlessly and counterproductively—in using many of the most sterile and discredited of the phrases and concepts of the previous administration.

In my judgment additional adjustments, beyond those introduced thus far by the Nixon administration, and additional evolution, are necessary if the goals of the President's Vietnam policy are to be achieved. The administration's "two track" approach—reducing the U.S. combat role on the battlefield and seeking a political settlement through the Paris negotiations—is wise and has already produced some results. But both of these "tracks," as being pursued by the administration, appear to have built-in limitations and the Paris talks have reached an apparent stalemate.

In order to reduce our involvement in Vietnam to proportions which are commensurate with our national interest and acceptable to the American people, the administration must have a policy which depends essentially on measures which are within our power to effect unilaterally. These steps cannot be subject to the veto of the Thieu government and must not rely upon step-by-step "concessions" and "reciprocity" from Hanoi.

That is the reason why I stated, in the hearings, to the Senator from Missouri (Mr. EAGLETON), that there was nothing inconsistent between the unilateral decisions required by the United States and what we very much wanted Saigon to do. They may not do it, Mr. President, and hence we also have to make our decisions based upon the theory that they may not.

The President has started the withdrawal of U.S. combat troops and has expressed his intention to proceed in this direction in a substantial way.

The central core of my presentation today, Mr. President, is that what is needed now is a definite timetable for the withdrawal of all U.S. combat troops by the end of 1970. This timetable for complete U.S. withdrawal from the combat role should be communicated to the Saigon government in clear and unmistakable terms. The fact of its existence—but not necessarily its details—should also be known to the world.

By proceeding in this way, the administration can make the process of U.S. combat disengagement serve as an incentive to both Saigon and Hanoi to reach a political settlement through negotiation.

The U.S. withdrawal timetable would be coordinated with a timetable for phasing equipped and trained ARVN forces into the combat role. The United States would continue to provide full logistic support to the ARVN forces as well as large-scale support including tactical air, naval, and artillery support.

Persons who have worked closely on this problem believe that the ARVN could have the capability to hold its own in combat against the Vietcong and North Vietnamese forces by the end of 1970—if a definite timetable, and requisite implementing plans, were decided upon now.

In my judgment, a clearly timetabled program for U.S. combat disengagement of the sort I have outlined above would be a much more effective inducement on Hanoi to negotiate politically than the kind of "threats" of U.S. military re-escalation which are sometimes heard from the diehards still among us.

A program of timetabled U.S. combat disengagement should disabuse Hanoi of the idea that it need only wait for U.S. public opinion to bring about a total and unconditional U.S. withdrawal from Vietnam—and a consequent realization of all of Hanoi's ambitions.

To be faced in the field by a viable South Vietnamese combat force would also undercut the Vietnamese Communists' now skillfully exploited argument that it is a native force locked in combat against the world's most powerful foreign army. In this context, there is an aura of glamor and heroism in the self-depicted Vietcong role which has helped it to gain political support within Vietnam, and which has helped it to recruit many of the bravest and most highly motivated young South Vietnamese.

If the Communist side continued to remain uncompromising in negotiations after the full combat role was taken up by the ARVN, then the psychological brunt of the war of attrition will have been shifted away from the American people and squarely onto the Vietnamese themselves.

As regards the Paris negotiations, in my judgment it is very important not to delude ourselves into thinking that every move we make to readjust our negotiating position is a concession to the other side. We are not—and should not be—making gratuitous "goodwill" concessions designed to appeal to the higher motives of our opponents. Efforts to describe our policy in such terms, and expressions of dismay over Hanoi's failure to respond in "good faith," are naive and lack credibility. This long and bitter struggle will not be ended on the basis of mutual good will.

The key to further progress along the Paris negotiating track, in my judgment, lies in the further delinking of U.S. policy from the fate of the particular government now in power in Saigon—the military regime of Thieu and Ky. It is essential that the United States make it clear to Saigon as well as Hanoi that our commitment to political self-determination in South Vietnam is not synonymous with the self-perpetuation of the political status quo.

This is the crucial point so far as the Paris negotiations are concerned. Hanoi has asked for a coalition government to hold elections. We have prodded Saigon into counter-offering—a coalition electoral commission to conduct elections.

The Saigon government has a strong incentive in sticking to its offer of a mixed electoral commission, as opposed to a coalition government. If the NLF accepted the Government of Vietnam's position it would be conceding the legitimacy of the Thieu government and accepting for itself the status of an "illegal" insurgency.

It seems unlikely that the NLF will accept these conditions, in view of the long fight it has put up, its near defeat of the Saigon government in 1965 prior to the U.S. involvement on the ground, and its bitter memories of the failure of the Diem regime to hold elections in 1956 as prescribed by the Geneva agreements of 1954.

The U.S. interest lies in seeing that a fair election is conducted to allow the people of South Vietnam to choose a government of their own volition. The U.S. interest does not lie in trying to force the NLF to bend its knee—in a symbolic but important way—to the Thieu government. Thirty-six thousand American lives have not been sacrificed for that. Our Nation's prestige and honor are in no way tied to this; nor is the credibility of our word as a nation nor is the bravery of our soldiers.

The ability of the ARVN to hold its own against the Communist forces after it has assumed the full combat role might tempt the Thieu government to stiffen its own resistance to a negotiated political compromise. However, the ARVN's dependence upon U.S. logistic and tactical air support would retain in President Nixon's hands powerful leverage to deal with any such possible Government of Vietnam stonewalling tactics—in other words, resisting absolutely any effort to really make a peace.

In his speech of July 11—which President Nixon has described as "a comprehensive, statesmanlike and eminently fair proposal for a political settlement"—President Thieu asserts he has "made relentless efforts and repeated acts of good will." Thieu cites his government's agreement to join and continue the Paris peace talks three times as "another important gesture of good will on the part of the Government of Vietnam."

In addition, President Thieu criticizes the Communists for "maintaining their absurd demands for the overthrow of the legal Government of the Republic of Vietnam."

He offers elections on the following terms:

> All parties and groups, including the "NLF" which is now bearing arms against us, can participate in the elections if they renounce violence and pledge themselves to accept the results of the elections.

Rhetorical sparring between Saigon and the NLF can continue indefinitely, unless we insist upon bypassing this stage and moving directly to a vote. Against the background as seen through the eyes of North Vietnam, of Diem's renege on the 1956 elections, and the irregularities of the 1967 elections—with even Big Minh barred from running and runner-up Dzu still languishing in political prison—the reluctance of the NLF to accept elections under the conditions offered by Saigon should not be surprising.

If the United States continues to allow its own freedom of action to be controlled by the details of procedural maneuvering and rhetorical posturing by the contending parties of Vietnamese, we will deprive ourselves of the chance to move forward to a creative new policy in Asia as a whole—based on the new realities of the 1970's rather than upon the obsolete echoes of the 1940's French colonial war.

The President has signaled this intent, and I ask very strongly that he go through with his intention in the best interests of our Nation and the people of the world.

There are urgent domestic problems which demand the attention and the resources of our Nation which are still being squandered in Vietnam. President Nixon is keenly aware of the need to redress the serious imbalance in national priorities which is so heavily attributable to President Johnson's ill-conceived Vietnam war policy. I urge him to move more swiftly and more decisively down the very paths he has now mapped out for the Nation. As a student of history, and as an admirer of General de Gaulle, he should take heart in the realization that de Gaulle's greatest achievement for France was his termination of the Algerian war.

I ask unanimous consent that the editorial from today's New York Times, entitled "The Withdrawal Strategy," be printed at the conclusion of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE WITHDRAWAL STRATEGY

The continuing delay by Hanoi and the National Liberation Front in opening serious private peace negotiations in Paris leaves the United States with no choice but to proceed with an alternative strategy, Vietnamization of the war.

The Paris talks of course will go on. The United States halted the bombing of North Vietnam on assurances—from the Russians, among others—that there would be serious negotiations. But if negotiations remain stalled, if forward-looking peace proposals from Washington and Saigon are unanswered, then other means of achieving American disengagement must be pursued.

The withdrawal of 25,000 American troops and President Nixon's statement that he hoped to bring home most of the remaining ground combat forces before the end of next year marked the first stage of this alternative strategy. It is a strategy based on strengthening and modernizing the South Vietnamese army and, starting immediately, turning over to it progressively the major combat responsibilities.

The rate of American withdrawal naturally will also be affected by the degree of North Vietnamese withdrawal. If the slowdown in reinforcement of North Vietnamese forces continues—leading to a gradual reduction of Hanoi's troops in South Vietnam—American troops can be brought home at a relatively rapid pace. A continuation of the present military lull, which increasingly calls for a reciprocal American gesture of de-escalation, might even permit the withdrawal of American troops to be speeded up. Most military men agree that the South Vietnamese can be prepared to take over all but helicopter combat operations—with, perhaps, some American logistical and continuing air support—in less than eighteen months.

There is always the possibility that South Vietnam's army will be defeated in battle. But that would force the United States to remain longer and it is unlikely that Hanoi would want to run that risk by testing Saigon's military prowess at this time—although there might well be such a test after a unilateal American withdrawal was completed.

Does unilateral American withdrawal encourage Hanoi to block negotiations in Paris and keep its troops in South Vietnam? The reverse is probably true. Hanoi's refusal to negotiate means continued warfare with the South Vietnamese armed forces of a million men—aided by American logistical and air support, which would still have to be negotiated out of the country one day. And that negotiation, at a time when American ground combat forces and casualties had been reduced to a minimum, would take place under conditions more favorable to the Administration in Washington.

Hanoi's choice is between a negotiated peace—which means early, speedy and complete American withdrawal, plus an important political role in South Vietnam for the N.L.F.—and a continued war with unforeseeable consequences. But whether Hanoi chooses peace or war, the American disengagement policy now is unlikely to be altered except as to the withdrawal rate.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. TOWER. Mr. President, I concur with the Senator. I hope we can move in that direction as quickly as possible. I think we are moving in that direction.

Mr. JAVITS. I said in the beginning of my speech that I thought the President was moving in that direction and that I thought he had the answer to the argument which many people make.

I am gratified to know that the Senator from Texas thinks as I do. I thank the Senator.

The Senator and I are as far apart on the ABM as we could be. However, we are together on this. Our judgment coincides. I would not refrain from agreeing with the Senator on this matter any more than he would refrain from agreeing with me.

I am delighted that the Senator asked me to yield.

Mr. TOWER. There is a growing feeling in the ARVN that they can do it themselves, given adequate resources. They think they can handle the problem. I say that based on my conversations with some of them.

I think we can expect the administration to continue to move in this direction.

I appreciate what the Senator has said. What the President is doing in that direction should not be interpreted as bugging out on our part.

We can yield to them more of the combat responsibility and will continue to do so.

Mr. JAVITS. Mr. President, I thank the Senator for his remarks.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MANSFIELD. Mr. President, I have had the distinct privilege of listening to two excellent speeches today on the question of Vietnam.

The distinguished Senators who have spoken, the junior Senator from Missouri (Mr. EAGLETON) and the senior Senator from New York (Mr. JAVITS), have not been in accord in what they have had to say. But I would say that there is a good deal of comity between the two if we really go into the details.

The speeches seem to be to indicate the tremendously difficult problem which the President has in trying to find a reasonable solution to the conflict in Vietnam.

It would be my hope that the suggestions made by the distinguished Senator from New York, as well as those made by the distinguished Senator from Missouri, will be taken to heart by the administration, as I am sure they both will be, and will be studied in detail to see what if anything—and I am sure that something can come forth—could be derived from the speeches which would be of benefit in finding an end to this barbaric, tragic, and brutal war in which we are so unnecessarily engaged.

I noted that the distinguished Senator said in effect that the time for rhetoric is past, the time for sparring is past, and the time to get down to bedrock is here.

The Senator uses as one of his illustrations an effort made by President Thieu a few weeks ago by means of which he said he was prepared to hold an election for all South Vietnamese.

I was encouraged by that statement until I found out a few days later that what he meant was that these elections would not even be called until 2 years after a peace agreement had been reached.

I was hopeful that what he meant was that within a minimum of 3 months and a maximum of 6 months, an election could be held by all South Vietnamese, of all factions, to the end that the South Vietnamese themselves could settle their own problems and decide on their own future and chart the course for their own country.

Let us hope that on the basis of the speech made by the distinguished Senator from New York, as well as the speech made by the distinguished Senator from Missouri, the advice seriously given is taken to heart not only in our own administration, as I am sure it will be, but also in Southeast Asia as well.

I commend the distinguished Senator for his well-thought-out remarks.

Mr. JAVITS. Mr. President, I think it is very kind of the majority leader to have been so gracious. I do not know of any praise that I would value more in the Senate than that of the majority leader.

I think we are finally embarking on the right doctrine, the two-track doctrine. I urge the President to bring home the fact that when President Thieu, or any government leader then in power in Saigon, feels that we are not underwriting or guaranteeing his continuation in power, he will be a lot more amenable to the arrangements and the compromises and the freedoms which we would urge on him or induce him to institute.

I noted with the greatest of interest—and I do not know whether the majority leader noted it—the appraisal yesterday in the New York Times that the administration had better listen more and more to the majority leader.

I think this discussion has lent added weight to that admonition.

I thank the distinguished majority leader.

PRESIDENT NIXON'S TRIP ABROAD

Mr. MANSFIELD. Mr. President, I have had the opportunity to read the excerpts from the unofficial account of President Nixon's meeting with reporters in Guam as published in the New York Times on Saturday, July 26, 1969. I must say that this unofficial account, allied with the evangelistic fervor the President displayed in explaining the purposes of his trip to Asia and Europe to the joint leadership last Tuesday, gave me cause for hope and good prospects for the future of our foreign policy in Asia. What the President is seeking to achieve, I believe, is time to reassess U.S. foreign policy, to do so on a long-range basis, and not to become captive to the shifts and turns of the moment.

The President is moving with caution and consideration but also with a sense of reality based on the changes which have occurred on this globe. He is not advocating isolationism, nor is he advocating the abandonment of Asia.

In his candid statements, both in this country and in Guam, he has emphasized that the United States is a Pacific power with peripheral interests on the Asian mainland.

The first two steps on the journey of understanding were in the Philippines and Indonesia, two nations which are primarily Pacific powers but with greater interests on the Asian mainland than the United States. What the President has done, in short, is to signal the less likelihood of American participation in wars on the Asian mainland in the future. The President has also encouraged the Asian nations to depend more on themselves in both internal security and military defense which, to me, seems to be a sound long-range policy. In short, what the President has stated broadly and plainly is continued support for the nations of Asia but with greater Asian participation and responsibility.

He has outlined a lessening in military aid programs and a greater emphasis on economic cooperation. His intent, I believe, is to avoid future Vietnams but, at the same time, to render what assistance is feasible and possible to the nations of Asia so that they can achieve economic and political stability and thereby be able to look after their own interests in a more strengthened fashion. The key words in our relations with these countries would be equality, understanding, and mutual cooperation. U.S. influence in the Pacific would be, if I understand the President's remarks correctly, one of balance throughout the area and not of primary responsibility, except in our own territorial areas. Perhaps the President's position—and he speaks for all of us—can best be stated in the remarks he made in Manila on July 28, when he said:

> The United States will play its part and provide its fair share, but peace in Asia cannot come from the United States. It must come from Asia. The people of Asia, the governments of Asia, they are the ones who must lead the way to peace in Asia.

The President has been candid and forthright in recognizing that changes have occurred in the world, that old line policies may well have lost their effectiveness, and that as the world changes, we must change with it.

On his trip the President is visiting old friends and renewing visits to countries which he has visited many times before. We wish him well on his visits to Thailand, India, Pakistan, and Romania; and we want him to know that he has our full support on the basis of what he has said in Guam and restated in the Philippines and Indonesia.

We are very pleased with the turnouts which have come out to greet him as the Chief of State of this Nation, and we look forward with anticipation to his report to the American people on his return.

Mr. President, I ask unanimous consent that the article previously referred to be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, July 26, 1969]

EXCERPTS FROM UNOFFICIAL ACCOUNT OF PRESIDENT NIXON'S MEETING WITH REPORTERS

(NOTE.—Excerpts from an unofficial account of President Nixon's informal news conference today during his stopover on Guam. Mr. Nixon spoke for publication but stipulated that he not be quoted directly.)

MANILA, July 25.—The President said he had seen some speculation about changes in his itinerary and added that he had no present plans to go to Vietnam. But, he said, Ambassador Ellsworth Bunker will be coming to Bangkok along with the ambassadors from the other Asian countries that he will not be visiting, and he intends to have a conversation with him there, which will be apart from the conversation he will have with the other ambassadors.

There is also a possibility that Gen. Creighton W. Abrams will be able to go with the Ambassador Bunker to Bangkok for that meeting, Mr. Nixon said.

Now, insofar as this phase of the trip was concerned, and he said he would speak first to the Asian phase and then later and briefly to the Rumanian phase, he thought that the backgrounders and the general statements that have been made from the State Depart-

ment had covered it pretty well. He thought what would be of greatest interest before questions is to give the perspective that he has with regard to Asia and America's role in Asia.

VISIT OF 1953 NOTED

He said his background here goes back a few years. It was in 1953 that he first visited this area. That trip was very, very extensive, with the usual four days in each country, a so-called state visit in each country. It provided an opportunity to meet the leaders, but more than that to know the countries in a very effective way.

In the 16 years that have passed, however, since that time, the changes have been very dramatic. He has returned to Asia on a number of occasions since then, and particularly to the countries that he will be visiting on this trip. Consequently, he has kept up with later developments and also, with the exception of President Agha Mohammed Yahya Khan in Pakistan, he knows each of the Asian leaders that he will be meeting and will be able to speak to them from that background.

Insofar as the general purpose of a trip like this is concerned, the President said he can understand some of the speculation to the effect that "why does a President of the United States think he learns anything by spending one day each in an Asian country?" Or, for that matter, as he did earlier, in a European country.

The answer is, and he might indicate what will be his general policy for the balance of his service in the White House, that he thinks a one-day trip is just as valuable as four days. In other words, if you take a one-day trip, and concentrate, as he does, on very little protocol, and a great deal of face-to-face conversation, an individual, in meeting the leader of the other country, will gain as much as if he stretched it out over a period of four days. He has been through both experiences, and, therefore, is somewhat knowledgeable in that respect, Mr. Nixon said.

SHORT PERIOD OF TIME

He feels, too, that when one considers the time that is available to a President in these periods, it is essential in order to cover all the ground that needs to be covered to limit, first, the amount of travel and the amount of time that is taken for each one of the stops. He mentioned that only as some of the reasoning that has gone into his decision with regard to covering a great deal of ground in a very short period of time: In this case, going around the world and, in the space of about eight days, after the moon shot, covering a number of countries.

Now, insofar as the individuals are concerned, having met all of these leaders previously, Mr. Nixon supposed the question could be raised, and with good reason, that once you know a leader, the contact with ambassadors would be sufficient. However, he has found in previous travels in Asia and in Europe as well, that as the situations change, it is vitally important to have a renewed contact with the leader in each of the countries involved, a renewed contact because his attitudes may change and in that way when the President reads, as he reads day after day, the cables that come in from all over the world, he can have a much better understanding of what those cables mean—the nuances—if he has more recently had a direct contact, face-to-face with the individual involved, the individual leader involved.

That is one of the reasons why he is a great believer in visits of this sort, where they are consistent with and can be taken at a time that will fit in with other very demanding parts of his schedule.

Now, a word about what is a very consuming interest in Asia, the President continued, a consuming interest because it is one he has had for a number of years, and one that now, as he looks at the perspective of history, is even more imperative.

ROLE IN ASIA

The United States is going to be facing, he hoped before too long—no one can say how long, but before too long—a major decision. What will be its role in Asia and in the Pacific after the end of the war in Vietnam? We will be facing that decision, but also the Asian nations will be wondering about what that decision is, Mr. Nixon said.

When he talked to Prime Minister John G. Gorton, for example, he indicated that in the conversations he had with a number of Asian leaders, they all wondered whether the United States, because of its frustration over the war in Vietnam, because of its earlier frustration over the war in Korea—whether the United States would continue to play a significant role in Asia or whether the United States, like the French before, and then the British, and, of course, the Dutch—whether it would withdraw from the Pacific and play a minor role.

This is a decision that will have to be made, of course, as the war comes to an end. But the time to develop the thinking that will go into that decision is now. Mr. Nixon said he thinks that one of the weaknesses in American foreign policy is that too often we react rather precipitously to events as they occur. We fail to have the perspective and the long range view that is essential for a policy that will be viable.

As he sees it, even though the war in Vietnam has been, as we all know, a terribly frustrating one, and, as a result of that frustration, even though there would be a tendency for many Americans to say, "After we are through with that, let's not become involved in Asia," he is convinced that the way to avoid becoming involved in another war in Asia is for the United States to continue to play a significant role, the President said.

UNITED STATES A PACIFIC POWER

He said that whether we like it or not, geography makes us a Pacific power and when we consider, for example, that Indonesia and its closest point is only 14 miles from the Philippines, when we consider that Guam, where he was presently standing, of course, is in the heart of Asia, when we consider the interests of the whole Pacific as they relate to Alaska and Hawaii, we can all realize this.

Also, as we look over the historical perspective, while World War II began in Europe, for the United States it began in the Pacific. It came from Asia. The Korean War came from Asia. The Vietnamese war came from Asia.

So, as we consider our past history, Mr. Nixon said, the United States involvement in war so often has been tied to Pacific policy or lack of Pacific policy, as the case might be.

As we look at Asia today, the President observed, we see that the major world power that adopts a very aggressive attitude and a belligerent attitude in its foreign policy, Communist China, of course, is in Asia, and we find that the two minor world powers—minor, although they do have significant strength as we have learned—that most greatly threaten the peace of the world, that adopt the most belligerent foreign policy, are in Asia—North Korea and, of course, North Vietnam.

When we consider those factors, we realize that if we are thinking down the road, down the long road—not just four years or five years, but 10, 15 or 20—that if we are going to have peace in the world, that potentially the greatest threat to that peace will be in the Pacific, the President said.

OTHER THREATS TO PEACE

He did not mean to suggest that the Mideast is not a potential threat to the peace of the world and that there are not problems in Latin America that concern us, or in Africa and, of course, over it all, we see the great potential conflict between the United States and the Soviet Union, the East-West conflict between the two superpowers.

But as far as those other areas are concerned, he said, the possibility of finding some kind of solution is potentially greater than it was in the Asian area.

Pursuing that line of reasoning a bit further, he said he would like to put it in a more positive sense: When he looked at the problems in Asia, he said the threat to peace presented by the growing power of Communist China, the belligerence of North Korea and North Vietnam, should not obscure the great promise that was here.

Mr. Nixon declared that the fastest rate of growth in the world is occurring in non-Communist Asia, Japan, in the last ten years, had tripled its G.N.P., South Korea had doubled its G.N.P., Taiwan had doubled its G.N.P., Thailand had doubled its G.N.P. The same was true of Singapore and of Malaysia.

The record in some of the other countries was not as impressive. But consider the Philippines, he said. The Philippines in 1953 was a major importer of rice. Today, as a result of miracle rice, it no longer had to import it. Some progress was being made in areas like that.

INDIA AND PAKISTAN CITED

The President mentioned India and Pakistan and the terribly difficult and traumatic experience they have had. Because of their conflict with each other, more than with the problems they have had from the outside, that picture tends to be rather black.

But India's rate of growth as a result of two good crop years, and a reasonably good one this year, has been at 6 per cent, he said.

As far as Pakistan is concerned, Mr. Nixon said, they are emphasizing growth in manufacturing. They are growing at the rate of 10 per cent per year in manufacturing and from 1965 to 1970, their agricultural production will go up 21 per cent.

The poverty in these two countries, he said, strikes one with tremendous impact. But having seen what it was in 1953 and seeing what it was again in 1957, the amount of progress that has taken place, even in those countries where the rate has not been as high as others, was a very, very formidable thing to see, he asserted.

ASIA'S THREAT AND HOPE

So, what he is trying to suggest is this, the President said: Look at Asia. It poses, in his view, over the long haul, looking down to the end of the century, the greatest threat to peace of the world, and, for that reason, the United States should continue to play a significant role.

It also poses, he said, the greatest hope for progress in the world because of the ability, the resources, the ability of the people, the resources physically that are available in this part of the world, and for these reasons, we need policies that will see that we play a part and a part that is appropriate to the condition that we will find.

One other point he made very briefly was that in terms of this situation we must recognize that there are two great new factors which you will see, incidentally, particularly, when you arrive in the Philippines—something you will see there that we didn't see in 1953, to show you how quickly things change—a very great growth of nationalism, nationalism even in the Philippines, vis-a-vis the United States, as well as other countries in the world. And, also, at the same time that national pride is becoming a major factor, regional pride is becoming a major factor.

The second factor, he went on, is one that is going to have a major impact on the future of Asia, and it is something that we must take into account. Asians will say in every country that we visit that they do not want to be dictated from the outside. Asia for Asians. And that is what we want and that is the role we should play. We should assist it, but we should not dictate.

At this time, he said, the political and economic plans that they are gradually developing are very hopeful, we will give assistance to those plans. We, of course, will keep the treaty commitments we have.

VISIT TO RUMANIA

But as far as our role is concerned, he said we must avoid that kind of policy that will make countries in Asia so dependent upon us that we are dragged into conflicts such as the one that we have in Vietnam.

This is going to be a difficult line to follow. It is one, however, that he thinks, with proper planning, we can develop, he went on.

He said he would just answer some of the speculation about Rumania by pointing out that this trip to Rumania is not directed toward the Chinese or toward the Russians, but toward the Rumanians, Mr. Nixon said.

He said he did not believe that the President of the United States should be able to accept an invitation to visit a Western European country, but should automatically have to decline an invitation to visit an Eastern European country.

Mr. Nixon said that this was an era of negotiation rather than confrontation. It would be more difficult, of course, to develop the communication with Eastern European Communist countries than with Western European countries, but he thought it was time that a beginning be made.

He said he would have discussions of bilateral issues with President Nicolae Ceausescu, the problems of Europe, East-West relations.

But this trip under no circumstances, he said, should be interpreted as an affront to the Soviet Union or as a move toward China.

The President said he hoped that if the trip worked out it would set the stage for more openings of this type with countries in Eastern Europe where it would be mutually beneficial to the United States and the other countries involved.

The President was asked, on the question of United States military relationships in Asia, a hypothetical question: If a leader of one of the countries with which we have had close military relationships, either through SEATO or in Vietnam, should say, "Well, you are pulling out of Vietnam with your troops. We can read the newspapers. How can we know you will remain to play a significant role as you say you wish to do in the security arrangements in Europe?" What kind of approach would he take to that question?

The President replied that he had indicated that the answer to that question was not an easy one—not easy because we would be greatly tempted when that question is put to us to indicate that if any nation desires the assistance of the United States militarily in order to meet an internal or external threat we will provide it.

ON COMMITMENTS, TWO POINTS

However, he said he believed that the time had come when the United States, in its relations with all of its Asian friends, should be quite emphatic on two points: one, that we would keep our treaty commitments; our treaty commitments, for example, with Thailand under SEATO. And, two, that as far as the problems of international security are concerned, as far as the problems of military defense, except for the threat of a major power involving nuclear weapons, that the United States was going to encourage and had a right to expect that this problem would be increasingly handled by, and the responsibility for it taken by, the Asian nations themselves.

He said he believed, from his preliminary conversations with several Asian leaders over the last few months, that they were going to be willing to undertake this responsibility. He said it would not be easy. But if the United States just continued down the road of responding to requests for assistance, of assuming the primary responsibility for defending these countries when they have international problems or external problems, they were never going to take care of themselves.

He added that, when he talked about collective security for Asia, he realized that at this time it looks like a weak reed. It actually was. But looking down the road—he said he was speaking now of five years from now, 10 years from now—he thought collective security, insofar as it deals with internal threats to any one of the countries, or insofar as it deals with a threat other than that posed by a nuclear power, was an objecive that free Asian nations could see and which the United States should support.

The President was asked whether, when speaking of internal threats, he included threats internally assisted by a country from the outside, such as we have in Vietnam?

INTERNAL THREAT IN THAILAND

The President replied, that generally speaking, it was the kind of internal threat that we do have in the Asian countries. For example, in Thailand the threat was one that was indigenous to a certain extent to the northeast and the north, but that would not be too serious if it were not getting the assistance that it was from the outside. The same was true in several of the other Asian countries, he said.

The President was reminded of his hope that his meetings in Rumania would open the way to other meetings involving Eastern Europe. Was it his hope that he would eventually be invited to Moscow to talk with the Russians, perhaps within the next six months of so?

The President replied that as far as any meeting with the Soviet Union was concerned, summit meeting, he had stated his position previously. He thought it would be well to restate it.

He did not believe that any summit meeting with the Soviet Union was useful unless a subject of major interest to both powers was to be discussed with some promise of finding a solution or at least making progress on that particular problem.

He said he believed, for example, as he looked over the history of summitry with the Soviet Union, that while, in all administrations, we had had the best of intentions, summitry had not been particularly helpful. He said this with regard to the spirit of Geneva, the spirit of Camp David, the spirit of Vienna and the spirit of Glassboro.

MEETINGS WITH SOVIET UNION

He felt that where the Soviet Union was concerned, for example today, there were three major areas where a summit meeting could be useful. If, for example, the time had come when we could make a breakthrough in the Mideast, and a summit meeting with the Soviet Union would play a significant part, he thought that could be considered.

The second area, Mr. Nixon said, is in the field of arms control. He said he had a long discussion with Mr. Smith just a few days ago, just before leaving, the day before leaving. As far as arms controls are concerned, at this time, the place and the forum in which the discussion should take place is at the ambassador level. There may come a time when a summit meeting may be the device that will make the breakthrough that we need to make in arms control.

Then at the top of the list he placed the problem of Vietnam where, if a summit meeting would serve a useful purpose insofar as Vietnam is concerned, naturally we would welcome that opportunity. That poses, however, Mr. Nixon said, a very significant problem because, whether the Soviet Union can be of assistance in Vietnam is somewhat dependent on its evaluation of whether such assistance should be so publicly provided as a summit, of course, would indicate.

The President was asked, as a background to his thinking on Vietnam, even though it is not to be a major subject of discussion, whether he could tell what sort of reports he had received from Gen. Earle G. Wheeler about the prospects for additional replacement of American troops, and on the question of whether the fighting had eased to the point where we can make some de-escalation move ourselves.

The President replied that he would rather not comment on that at this time. If, after his conversations with Ambassador Bunker and possibly with General Abrams, he feels that some comment would be appropriate, he will make it then. But he should correct one impression that he should not have left, and that is that Vietnam will not be a major topic for discussion. In each of the Asian countries he is going to raise with the Asian leaders the question of the extent to which they would be willing to participate in the international supervisory bodies for elections in South Vietnam and for the policing of ceasefires, provided we are able to get any kind of acceptance on the part of the North Vietnamese and the Vietcong on his proposal of May 14.

He believes, for example, Mr. Nixon said, that the international supervisory bodies, which Mr. Thieu has also agreed to, should primarily be made up of and come from Asian nations and the Asian nations that he visits will all be interested in this subject. He wants to get their views on that.

ISSUE OF WITHDRAWAL

The President was asked whether he anticipates in that connection that during his talks with the Asian leaders he is going to have to spend any significant amount of time perhaps convincing them that his plan for withdrawal of American forces from Vietnam will pose no threat to their security.

The President replied that one of the reasons for this trip is to leave no doubt in the minds of the leaders of non-Communist Asia that the United States is committed to a policy in the Pacific—a policy not of intervention but one that certainly rules out withdrawal, and regardless of what happens in Vietnam that we intend to continue to play a role in Asia to the extent that Asian nations, bilaterally and collectively, desire us to play a role.

He said he thought that some reassurance was needed because Vietnam is on the minds of all the Asian leaders. He believes, incidentally, that he will not have difficulty in providing that reassurance because, from the report that he did get from General Wheeler, he was told that the troop withdrawals have been accepted by the Thieu government and by the military in South Vietnam with not only very good grace, but that they have responded very effectively in meeting their own requirements, in handling their own defense. He thinks that he can give some reassuring comments to those Asian leaders who might raise the question, Mr. Nixon said.

DECLINES TO SPECULATE

The President was reminded that he mentioned that he felt that perhaps five years or ten years from now the Asian nations could collectively take care of their regional security problems. What is our policy to be in the meantime, he was asked, if a Vietnam type situation does occur?

The President replied that he would rather not speculate about one occurring. Each of these countries poses an entirely different question. He would simply say we are going to handle each country on a case-by-case basis.

But attempting to avoid that creeping involvement that eventually simply submerges you, he knows that we can learn from past experience and we must avoid that kind of involvement in the future.

The President said he could put it this

way: he recalled in 1964 some advice that he got from Mohammad Ayub Khan, who was then the President of Pakistan. This was before the United States had any significant troop commitment in Vietnam. Mr. Nixon asked him what his view was as to what our role should be. He said: "Well, the role of the United States in Vietnam or the Philippines, or Thailand or any of these countries which have internal subversion, is to help them fight the war but not fight the war for them." That, of course, is a good general principle, one which we would hope would be our policy generally throughout the world, the President said.

The President was reminded that the last time he met with reporters he mentioned that it was his hope that we might be able to withdraw all our combat troops, ground combat troops, in South Vietnam by the end of next year. In the light of that, he was asked if he had any plans for withdrawing the troops that we now have, or some percentage of them, from Thailand, and could he tell what he is going to tell the Thais about that?

WILL TELL THAIS FIRST

The President replied that he would tell the Thais first. But it is, of course, a proper question, he said.

He is reviewing not only our civilian personnel abroad, where he announced a cut a few weeks ago, but our military personnel abroad, including Thailand.

This is a matter, however, which will be discussed with the Thais, but it would not be appropriate to make any announcement as to what we were going to do until we have discussed it.

The President was asked whether in looking at the situation in post-Vietnam, and in countries other than Vietnam, it seemed to him that in terms of our military strength, the military men that we put into these other countries to help them, or military assistance or economic assistance, that in Asia, generally, we would have more or less of this type of assistance and aid in the years down the road than we have now.

The President replied less, if he got the question correctly, would there be more or less of military type of assistance.

He was asked about both in military and nonmilitary, since there are really two parts to this assistance problem, the economic part and the military part. Did he see us having a greater expenditure and a greater involvement in those respects or a lessened involvement as we look down the road?

The President replied that the military involvement, the military assistance, the military aid program and the rest, and particularly the commitments of military personnel, that that type of program would recede.

ECONOMIC AID STRESSED

However, as far as economic programs are concerned, and particularly those of a multilateral character—and here he had some new ideas that he will be expanding on in the months ahead—he would say that the level of United States activity would be adequate to meet the challenge as it develops, because it is very much in our interest in terms of economic assistance, economic assistance through loans and other programs, to help build the economies of free Asia, Mr. Nixon said.

For example, the President pointed to what has happened to South Korea, what has happened to Taiwan, what has happened to Thailand, what has happened to Japan. All of them now, or virtually all, are on their own feet, at least from an economic standpoint and are very good customers of ours.

PACT WITH THAILAND

The President was asked about quite a bit of speculation in the papers lately—both here and in Washington and in Thailand—as to whether or not there exists some sort of secret defense arrangement between the United States and Thailand.

Could he shed any light on the existence or nonexistence of such a thing and whether we have any similar arrangements with any other countries that might commit us beyond what his hopes might be?

The President replied that there is no secret defense agreement with Thailand. We, of course, have the SEATO treaty. We will keep our commitments under that treaty. We had the Rusk-Thanat communiqué, which simply spelled out the treaty.

We will, of course, keep our commitments set forth there as well, Mr. Nixon said.

But as far as any secret commitments are concerned, we not only have none in any of these nations, he will make none—and incidentally, he told Senator J. W. Fulbright that the other day, too.

The President was asked to give an evaluation of Red China's economic-political capability of inspiring further wars of liberation in the Asian nations. Are they able to continue that?

The President replied that Red China's capacity in this respect is much less than it was five years ago, even ten years ago. Because of its internal problems, Red China is not nearly as effective in exporting revolution as it was then. He thinks a pretty good indication of that is the minimal role that Red China is playing in Vietnam as compared with the Soviet Union, the President remarked.

Three years ago, Red China was furnishing over 50 per cent of the military equipment, the hardware, for the North Vietnamese. Now it is approximately 80–20 the other way around, he said.

PROBLEMS WITHIN CHINA

There may be other reasons for that coming about, and part of it is that Red China has enough problems within.

Another point he would make in that respect that bears on this: How things have changed since 1953, in country after country that he visited—and he was in every one that we are visiting here and all the others as well. The ones that Secretary William P. Rogers is going to visit on his trip—among most of the intellectual leaders and among many Government leaders, there was a real question as to what was the best path for progress, a question as to whether Communism, as it was developing in Red China, a Communist system was a better way to progress, or whether a non-Communist system was the better way.

Now, Mr. Nixon said, one of the significant developments that has occurred over these last 16 years, with all the bad things that have occurred, including the war in Vietnam, has been that that situation has reversed itself. The appeal of the Communist philosophy, for example, in Pakistan, in India, in Indonesia, in Japan, in any one of these countries, is less today than it was 16 years ago, 10 years ago, 5 years ago.

On the other hand, he would have to say that the effectiveness of subversive activities in many of these countries has not abated to the same extent. It can be on the upsurge. But as we look at the whole of Asia today, it is significant to note that what we have going for us more than anything else is this enormous rate of growth in non-Communist Asia as compared to Communist Asia. You compare Hong Kong with Communist China, you compare Taiwan with Communist China, you look at Japan with 100 million people, with a greater G.N.P. than China with 700 million people. Looking clear around the perimeter, from Japan through India, we find that free Asia's record of growth is a very significant factor in affecting the thinking of those who have to make the determination as to which path they are going to take, Mr. Nixon said.

NO MORE VIETNAMS?

The President was asked, when he said that the United States was going to continue to play a major role in Asia and that this was one message that he intended to take with him on this trip, whether another message was that there would be no more Vietnams.

The President replied that certainly the objective of any American administration would be to avoid another war like Vietnam any place in the world. He recalled he had said it and so had his opponent, Mr. Humphrey, during the campaign—that we should develop a policy that would avoid other Vietnams.

Mr. Nixon said it was very easy to say that. But he said that to develop the policies to avoid that was taking an enormous amount of his time and that of his associates.

But what he said he could do was to learn from the mistakes of the past. He believed that we have, if we examine what happened in Vietnam, how we became so deeply involved—that we have a good chance of avoiding that kind of involvement in the future, he said.

TROOP WITHDRAWALS DISCUSSED

Mr. Nixon was asked whether he intended to make it clear to the Asian leaders that if the lull in Vietnam continues, he would announce a substantial withdrawal of United States forces in August.

The President replied that he would not make any announcement, and no decision on, troop withdrawals on this trip, and, of course, he would not make any disclosures of plans in that respect to Asian leaders prior to the time that he had discussed it with the government of South Vietnam and then made the announcement jointly.

That is one of the matters, he said, that he still had under study, under consideration, that he would be discussing with Ambassador Bunker, that he did discuss with General Wheeler and that he might discuss with General Abrams.

TACTICS IN VIETNAM

The President was asked whether there is also a pending question as to whether his administration will change its policy of maintaining maximum military pressure on the enemy in Vietnam?

The President replied that he had been re-examining, since the time his administration came into office, our military tactics in Vietnam, and one of the subjects that he has discussed at great length with General Wheeler and General Abrams has been the character of our commitment and the tactics that should be used. He defers, naturally, to military men as to the conduct of a war because they are more expert than he is in this field, he said.

However, when we are in the process of negotiations, then military tactics become part of the negotiations and, therefore, we are re-evaluating our tactics in Vietnam, having in mind the fact that we have a parallel action going along in the negotiating field, the President said.

If we have any changes in this respect, he will, of course, announce them, he added.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

PROPOSED LEGISLATION CARRYING OUT THE RECOMMENDATIONS OF THE JOINT COMMISSION ON THE COINAGE

A letter from the Secretary of the Treasury transmitting a draft of proposed legislation to carry out the recommendations of the Joint Committee on the Coinage and for other purposes (with an accompanying paper); to the Committee on Banking and Currency.

REPORT ON HEALTH CONSEQUENCES OF SMOKING

A letter from the Secretary of Health, Education, and Welfare, transmitting pursuant to law, a report concerning current information on the health consequences of smoking, dated July 1, 1969 (with an accompanying report); to the Committee on Commerce.

PROPOSED CONCESSION CONTRACT FOR THE EL PORTAL ADMINISTRATION SITE OF YOSEMITE NATIONAL PARK

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract to operate the El Portal Market, a general merchandising service for the public, at the El Portal Administrative site of Yosemite National Park, Calif. (with accompanying papers); to the Committee on Interior and Insular Affairs.

PROPOSED CONCESSION CONTRACT TO OPERATE CEDAR PASS LODGE, BADLANDS NATIONAL MONUMENT, S. DAK.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract to operate Cedar Pass Lodge and provide related facilities and services for the public within Badlands National Monument, S. Dak. (with accompanying papers); to the Committee on Interior and Insular Affairs.

PROPOSED CONCESSION CONTRACT TO PROVIDE FERRY SERVICE AT THE HALL'S CROSSING SITE WITHIN GLEN CANYON NATIONAL RECREATION AREA, UTAH

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract to provide ferry service and related facilities and services for the public at the Hall's Crossing site within Glen Canyon National Recreation Area, Utah (with accompanying papers); to the Committee on Interior and Insular Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Congress of Micronesia; to the Committee on Interior and Insular Affairs:

"SENATE JOINT RESOLUTION 31

"A Senate joint resolution requesting the President and the Congress of the United States to consider seriously the future political status of Micronesia

"Whereas, by virture of the Trusteeship Agreement between the United States and the Security Council of the United Nations, the United States has undertaken in Micronesia to foster the development of such political institutions as are suited to the trust territory and . . . to promote the development of the inhabitants of the trust territory toward self-government or independence as may be appropriate to the particular circumstances of the trust territory and its peoples and the freely expressed wishes of the peoples concerned; and

"Whereas, the Future Political Status Commission of the Congress of Micronesia has for the past two years conducted a study of political alternatives which may be open to Micronesians with respect to their future political status, and has submitted its final report to this session of the Congress in accordance with law; and

"Whereas, proposals have been advanced by the President of the United States and considered by the United States Congress for the creation of a United States Commission to consider the future status of the Micronesian people but these proposals have not yet led to the actual creation of such a Commission by the United States Government; and

"Whereas, the Micronesian people are today ever more desirous than ever before of seeing a decision on their future status but believe sincerely that such a decision must be reached by the joint efforts of their representatives and those of the United States; now, therefore,

"Be it resolved by the Senate of the Third Congress of Micronesia, Second Regular Session, 1969, the House of Representatives concurring that the President and the Congress of the United States are urgently requested to give serious consideration to the future political status of Micronesia and the ways in which this status should be finally resolved; and

"Be it further resolved that certified copies of this Joint Resolution be transmitted to the President of the United States and the President of the United States Senate and the Speaker of the United States House of Representatives.

"Adopted: July 24, 1969.

"We hereby certify that the foregoing Joint Resolution was adopted by the Senate of the Congress of Micronesia, Third Congress, Second Regular Session in July, 1969, on the 22nd day of July, 1969.

"AMATA KABUA,
"President of the Senate.
"VICTORIO UHERBELAU,
"Clerk of the Senate.

"The House of Representatives of the Congress of Micronesia

"We hereby certify that the foregoing Joint Resolution was adopted by the House of Representatives of the Congress of Micronesia, Third Congress, Second Regular Session in July, 1969, on the 24th day of July, 1969.

"BETHWELL HENRY,
"Speaker, House of Representatives.
"CARL HEINE,
"Clerk, House of Representatives."

A resolution adopted by the Communications Workers of America, Washington, D.C., relating to hunger in America; to the Committee on Agriculture and Forestry.

A resolution adopted by the Communications Workers of America, Washington, D.C., relating to the Selective Service System; to the Committee on Armed Services.

A resolution adopted by the Communications Workers of America, Washington, D.C., relating to Presidential Nominees; to the Committee on Commerce.

A resolution adopted by the Communications Workers of America, Washington, D.C., relating to consumer protection; to the Committee on Commerce.

A resolution adopted by the Communications Workers of America, Washington, D.C., relating to automobile insurance; to the Committee on Commerce.

A resolution adopted by the Niagara County Legislature, Lockport, N.Y., remonstrating against the adoption of any tax reform measure which would reduce the attractiveness of municipal bonds to private investors; to the Committee on Finance.

A resolution adopted by the Communications Workers of America, Washington, D.C., relating to social unrest in America; to the Committee on the Judiciary.

A resolution adopted by the Communications Workers of America, Washington, D.C., relating to electoral reform; to the Committee on the Judiciary.

A resolution adopted by the Communications Workers of America, Washington, D.C., relating to minimum wage; to the Committee on Labor and Public Welfare.

A resolution adopted by the Communications Workers of America, Washington, D.C., relating to farm labor; to the Committee on Labor and Public Welfare.

A resolution adopted by the Communications Workers of America, Washington, D.C., relating to national education policy; to the Committee on Labor and Public Welfare.

A resolution adopted by the Communications Workers of America, Washington, D.C., relating to uniform voting laws; to the Committee on Rules and Administration.

A telegram, in the nature of a petition, from G. L. Pucci, M.D., of Kansas City, Mo., urging the resignation of Senator Edward Kennedy; to the Committee on Rules and Administration.

The petition of Allan Feinblum, founder, World Peace Appeal, New York, N.Y., protesting the actions of the United States in the war in Vietnam; to the Committee on Foreign Relations.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session, the following favorable reports of nominations were submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency:

Carter L. Burgess, of New York, to be an incorporator of the corporation authorized by section 902(a) of the Housing and Urban Development Act of 1968; and

Thomas Hal Clarke, of Georgia, to be a member of the Federal Home Loan Bank Board.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and a joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. FANNIN:

S. 2705. A bill to provide for medical and hospital care through a system of voluntary health insurance, and for other purposes; to the Committee on Finance.

(The remarks of Mr. FANNIN when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 2706. A bill to provide for Federal participation in the cost of improvements to streets and appurtenant facilities at the Army Reserve facilities in Helena, Mont.; to the Committee on Armed Services.

By Mr. RANDOLPH:

S. 2707. A bill to consent to the Interstate Compact on Air Pollution between the States of Ohio and West Virginia; to the Committee on the Judiciary.

By Mr. EAGLETON:

S. 2708. A bill for the relief of Kunihiro Yamamoto; to the Committee on the Judiciary.

By Mr. TOWER:

S. 2709. A bill to authorize the erection of a statue to commemorate the manned lunar landing and the placing of the U.S. flag on the moon; to the Committee on Interior and Insular Affairs.

(The remarks of Mr. TOWER when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. GURNEY:

S. 2710. A bill to provide for the awarding of Congressional Space Medals to Edwin E. Aldrin, Jr., Neil A. Armstrong, and Michael Collins; and

S. 2711. A bill to provide for the awarding of Congressional Space Medals to persons who contribute to the exploration of outer space; to the Committee on Aeronautical and Space Sciences.

(The remarks of Mr. GURNEY when he introduced the bills appear later in the RECORD under the appropriate heading.)

By Mr. COTTON (for himself and Mr. Prouty):

S. 2712. A bill to regulate interstate commerce by strengthening and improving consumer protection under the Federal Food, Drug, and Cosmetic Act with respect to fish

and fishery products, including provision for assistance to and cooperation with the States in the administration of their related programs and assistance by them in the carrying out of the Federal program, and for other purposes; to the Committee on Commerce.

(The remarks of Mr. COTTON when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. RANDOLPH (by request):

S. 2713. A bill to provide for the expansion and improvement of the Federal Airway System, for the imposition of airway user charges, and for other purposes; to the Committee on Commerce.

By Mr. MATHIAS:

S. 2714. A bill for the relief of Staff Sergeant Lawrence F. Payne, U.S. Army (retired); to the Committee on the Judiciary.

By Mr. MURPHY:

S.J. Res. 142. A joint resolution for the establishment of a Drug Commission between the United States, Mexico, and Canada; to the Committee on Foreign Relations.

(The remarks of Mr. MURPHY when he introduced the joint resolution appear later in the RECORD under the appropriate heading.)

S. 2705—INTRODUCTION OF A BILL PROVIDING FOR MEDICAL AND HOSPITAL CARE THROUGH A SYSTEM OF VOLUNTARY HEALTH INSURANCE

Mr. FANNIN. Mr. President, I introduce for appropriate reference a bill to provide for medical and hospital care through a system of voluntary health insurance.

The object of the bill is a simple one—to help all our citizens protect themselves against the cost of illness. The proposal would adopt the voluntary approach and would utilize our private insurance industry rather than an ever-increasingly expensive Government program. The system would be based on income tax credits.

Mr. President, I want to emphasize that this bill does not in any way affect the medicare program but it is aimed at offering at least one alternative to the expensive and cumbersome medicaid program. Certainly a proposal embodying this approach should be looked into before we expand any Federal program. I do not know the cost of this proposal—it will not be cheap—but it will, I submit, be less expensive and healthier than adding to our Federal bureaucracy.

Here is how the system would work. Tax credits would be provided to individuals and families for the purchase of hospitalization and medical care. The amount of credit would be equal to the applicable percentage of the aggregate of allowable premiums paid during the year for medical insurance policies. For married persons filing joint returns or unmarried individuals with dependents, the tax credit would be as follows:

If the taxpayer's adjusted gross income is:	(Applicable percentage)
Not over $5,000	100
Over $5,000 but not over $7,500	75
Over $7,500 but not over $10,000	50
Over $10,000	25

For persons filing separate returns and unmarried individuals the tax credit would be as follows:

If the taxpayer's adjusted gross income is:	(Applicable percentage)
Not over $2,500	100
Over $2,500 but not over $5,000	75
Over $5,000 but not over $7,500	50
Over $7,500	25

The bill provides that persons with low incomes who do not qualify for the tax credit be provided with a Government voucher that can be exchanged for medical care and hospitalization insurance up to the maximum dollar limitation applicable to credits.

Under the bill the allowable premium upon which the credit may be applied is the aggregate amount of premiums paid during the taxable year by the taxpayer under one or more qualified medical care insurance policies. Such aggregate amount may not exceed:

First, $150, in the case of a taxpayer who is not married and is not entitled to one or more exemptions under section 151(e) of the Internal Revenue Code—relating to additional exemption for dependents—for the taxable year;

Second, $200 in the case of a taxpayer who is married and who files a separate return; and

Third, $400, in the case of a joint return filed by husband and wife or in the case of a taxpayer who is not married and who is entitled to one or more exemptions under section 151(e) of the Internal Revenue Code.

Mr. President, I hope that the Finance Committee will give consideration to this proposal. It is not the only answer to the problem but it is one avenue of approach which deserves examination in any review of the medicaid program. This is my purpose in introducing this proposal.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2705) to provide for medical and hospital care through a system of voluntary health insurance, and for other purposes, introduced by Mr. FANNIN, was received, read twice by its title, and referred to the Committee on Finance.

S. 2707—INTRODUCTION OF A BILL CONSENTING TO THE WEST VIRGINIA-OHIO AIR POLLUTION COMPACT

Mr. RANDOLPH. Mr. President, I introduce today a bill which calls for consent by Congress, pursuant to section 102 of the Clean Air Act of 1963, to an Interstate Compact on Air Pollution between the States of West Virginia and Ohio, with provision that the Commonwealths of Kentucky and Pennsylvania may join at some future date.

Congress has long been aware of the dire consequences of polluted air. Beginning with the Clean Air Act of 1963, we have made it clear that our mandate from the people is to turn the tide against the increasing air contamination that imperils the health of our citizens, particularly the young and the elderly, and fouls property at costs ranging into the billions of dollars each year.

The West Virginia-Ohio compact is a major step in the direction of controlling air pollution across this Nation, regardless of arbitrary territorial boundaries. This compact should serve as a model for other areas of the country with overlapping air pollution problems.

It should be underscored that the original West Virginia-Ohio Interstate Compact was passed by the separate State legislatures in line with the Clean Air Act of 1963 and prior to passage of the Federal Air Quality Act of 1967. The Clean Air Act was substantially revised and strengthened during the 90th Congress, although the purposes of the legislation have remained as they were originally stated.

Last year, the chairman of the Committee on the Judiciary referred the original compact to the Committee on Public Works for review in light of the 1967 act and the latter committee's jurisdiction over air pollution matters. After extensive study, the Public Works Committee recommended several changes and conditions to bring the compact into line with more recent enactments and administrative guidelines.

The new compact has been reviewed by our Public Works Committee staff and found to comply in every respect with our recommendations and those of the Judiciary Committee. I commend the legislators of West Virginia and Ohio for taking time from other important matters to debate and pass—for the second time—a comprehensive air quality compact consistent with Federal laws and regulations.

Senator MUSKIE, chairman of the Air and Water Pollution Subcommittee, agrees that, because of the willingness of the States to meet the letter and intent of the Air Quality Act, there is no need for referral of this bill to the Committee on Public Works this year.

I hope the Committee on the Judiciary will be able to proceed expeditiously on this very important bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2707) to consent to the interstate compact on air pollution between the States of Ohio and West Virginia, introduced by Mr. RANDOLPH, was received, read twice by its title, and referred to the Committee on Judiciary.

S. 2709—INTRODUCTION OF A BILL AUTHORIZING THE COMMISSIONING OF A STATUE IN COMMEMORATION OF THE RAISING OF THE AMERICAN FLAG ON THE MOON

Mr. TOWER. Mr. President, all Americans shared a feeling of elation and achievement as a result of our recent successful epic voyage to the moon. This feat constituted a landmark in the history of man.

Since man first crawled out of the primeval ooze, he has progressed over the latitudes of time and space to this high-water mark of his striving. Now man has crossed the second threshold of human history.

We can all feel a great sense of pride that our technology has caused us to accomplish what few thought possible such a short time ago.

The high point of our accomplishment came late in the evening of July 20th when astronauts Neil Armstrong and "Buzz" Aldrin stepped onto the surface of the moon and erected there the flag of the United States of America.

I believe that an appropriate reminder of that historic achievement should find its place among our other reminders of past achievements, many of which were much less significant.

For this reason, I introduce for appropriate reference a bill to authorize the erection of a statue to commemorate the manned lunar landing and the placing of the U.S. flag on the moon.

I believe an appropriate reminder should take the form of a statue much like the Marine Memorial in Arlington Cemetery which depicts the raising of the American flag on Iwo Jima during World War II. The statue should depict, in my opinion, our astronauts raising the American flag on the moon.

In contrast to the Marine Memorial, which appropriately symbolizes American military victory, the statue which I propose would symbolize an American victory of another nature. It would symbolize a victory in the name of peace. Along with the American flag, our astronauts placed on the moon a plaque with these words:

Here men from the planet Earth first set foot upon the Moon, July, 1969, A.D. They came in peace for all mankind.

I would like to emphasize that this momentous achievement in the name of peace was made possible by the advanced technology we have reached through cooperation between Government and private industry, cooperation between business management and industrial labor, cooperation provided through what some have termed the military-industrial complex.

An appropriate site for a statue commemorating the lunar landing would, in my opinion, be at or near the Manned Spacecraft Center in Houston. However, I would not like to see this bill delayed because of any possible legislative wrangling over the location for the statue to be erected. I would not like to see it become the subject of political maneuverings aimed at getting the statue for one part of America over another.

For this reason, my bill states that the statue should be erected "at an appropriate place" and I leave the decision regarding its location to the Congress as a whole.

The important thing is, that an American achievement of such great significance as this be appropriately marked for posterity. My bill provides for that recognition.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2709) to authorize the erection of a statue to commemorate the manned lunar landing and the placing of the U.S. flag on the moon, introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 2710, S. 2711, AND SENATE RESOLUTION 225—INTRODUCTION OF BILLS AND RESOLUTION RELATING TO FLIGHT OF APOLLO 11

Mr. GURNEY. Mr. President, I am introducing legislation today to commemorate the crew of Apollo 11 and all the persons who paved the way for their heroic and historic mission to the moon.

The first bill provides that congressional space medals shall be awarded by the President of the United States, in the name of the Congress, to Neil A. Armstrong, Michael Collins, and Edwin A. Aldrin in recognition of their contribution to the exploration of outer space.

The outstanding performance of these three men and the spectacular success of the Apollo mission is something in which not only all Americans, but all mankind can take pride. Without question, it represents the most enormous single scientific feat ever attempted and achieved by man.

The simple words, "The Eagle has landed" spoke eloquently for many things left unsaid. At once, we know they paid tribute to the tremendous abilities of our scientific, engineering, and technical abilities. But we also recognize and acknowledge that they spoke just as clearly for what can be done under our representative form of government and its system of free political expression, and most especially our wonderful system of free and private enterprise. Most of all, these words testify to what man's courage and ingenuity can and will accomplish.

The feat of Apollo 11 represents the culmination of centuries of painstaking acquisition of knowledge in man's drive to conquer his environment. He has taken the first giant step in reaching beyond his own earth world. History will mark this epic journey as the turning point in man's continuing quest to extend his physical boundaries to his spiritual vision.

Without the pioneering spirit, competence, and bravery of the astronauts who came before, or the efforts of the men and women associated with the space program, this dramatic lunar landing would have been impossible. Each in his way contributed as much to the success of this historic mission.

I am, therefore, also introducing a broader bill to award a Congressional Space Medal, to be presented by the President of the United States, in the name of the Congress to each person designated by concurrent resolution in recognition of his contribution to space.

Mr. President, at present there is no appropriate means of conferring congressional recognition for past, present, and future achievements in the space program of the United States. The purpose of this bill is to provide such an award. It is only proper that the astronauts and men and women who made their accomplishment a reality should be recognized for their achievements by the Congress of the United States.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills, introduced by Mr. GURNEY, were received, read twice by their titles, and referred to the Committee on Aeronautical and Space Sciences, as follows:

S. 2710. A bill to provide for the awarding of Congressional Space Medals to Edwin E. Aldrin, Junior, Neil A. Armstrong, and Michael Collins; and

S. 2711. A bill to provide for the awarding of Congressional Space Medals to persons who contribute to the exploration of outer space.

Mr. GURNEY. Mr. President, in addition, I am submitting a resolution to express the appreciation and congratulations of the Congress for the magnificent contribution of the entire industry-NASA team associated with the space program.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 225), which reads as follows, was referred to the Committee on Aeronautical and Space Sciences:

"S. RES. 225

"Whereas the United States has completed its first decade in space, with the combined talents of Government, industry, and education having been effectively employed in the space program to open a new frontier; and

"Whereas in the development of the space program science and technology have been brought to new levels of achievement, and inspiration and intellectual stimulation have been generated not only for the people of the United States but for the entire world; and

"Whereas the mission of Apollo 11, representing as it does the first real step by mankind into the universe beyond the planet on which we live, is not only a great adventure but demonstrates substantial progress toward the achievement of the objectives originally expressed in the National Aeronautics and Space Act of 1958; and

"Whereas the achievement of these objectives—the expansion of human knowledge, the improvement of aeronautical and space vehicles, the development of information useful to our national defense, and the preservation of the United States' role as a leader in space science and technology and its application for peaceful purposes, with international cooperation in the peaceful application of the program's results—has importance for our Nation far beyond the specific areas of science and technology to which the program directly relates; and

"Whereas this mission provides a uniquely appropriate occasion for expressing public appreciation of the past achievements of the space program and public recognition of the potential of such program for benefits to mankind in the future: Now, therefore, be it

Resolved, That the Senate commends the magnificent team of men and women throughout the United States and the world at large, in Government, industry, and education, who have contributed so much to the accomplishments of our national space program; and expresses gratitude and appreciation, for itself and on behalf of the American people, for the outstanding dedication and tireless effort of all those who have been associated with the Apollo program in general and the Apollo mission in particular.

S. 2712—INTRODUCTION OF THE WHOLESOME FISH AND FISHERY PRODUCTS ACT

Mr. COTTON. Mr. President, believing that the U.S. Senate should not be entirely precluded from doing some business during these months while we have this constant repetitious debate on matters that could be voted on tomorrow morning, I had planned to make a 9-

minute speech and introduce a bill which does not concern the defense of this country nor the tax situation, nor attempt to scuttle the administration by immobilizing the Senate.

It does concern a matter of deep interest to the consumers and housewives and those interested in the health of this country. It has to be taken care of by the Committee on Commerce, of which I am a member.

Mr. President, earlier this month the Consumer Subcommittee of our Committee on Commerce held hearings on legislation which would provide for the inspection of fish and fishery products.

Two weeks ago on July 14, witnesses for the administration appeared before the subcommittee to testify on the pending measure and to propose alternate legislation. Unfortunately, this alternate legislation was not before the subcommittee at that time since it was not received by the Senate until the following day, July 15. It is this legislative proposal by the administration which I shall, at the close of these remarks, introduce on behalf of myself and Senator PROUTY.

This legislative proposal by the administration is, I believe, a meritorious one and I hope that, not withstanding its introduction subsequent to the hearing, that it will be given every consideration by our Committee on Commerce including, if need be, an additional opportunity for administration witnesses to appear once more and testify on the bill.

Federal inspection of food products is not a new concept. There has been some sort of such inspection since shortly before the turn of the century. More recently, we have had the Wholesome Meat Act and the Wholesome Poultry Products Act of the 90th Congress. Generally, the level of inspection has been dependent upon the complexity of the processing operation itself, the opportunities for adulteration, and the volume of production. The administration bill, I believe, takes these factors into account and meets the consumer protection needs in a direct manner with effective use of manpower and other resources. The estimated cost of the administration's bill, for example, under its concept of a continuous surveillance system would be $26 million, as compared with an estimated cost of $70 million under the measure now before our Committee on Commerce, S. 1092.

Quite frankly, I feel we should recognize the distinctions which do exist with respect to the inspection of fish and fishery products. Unlike meat and poultry, for example, and this is important, there is no plantsite slaughtering. This process takes place aboard the numerous fishing vessels which make the catch, and in the United States alone there are more than 80,000 such vessels. The inspection procedure for fish and fishery products, therefore, of necessity must commence at dockside with the arrival of the fishing vessel and accordingly is directed principally at processing.

In addition, there are approximately 4,000 fish processing plants in the United States—2,000 doing business in interstate commerce and 2,000 intrastate plants, the latter being under the supervision of State and local agencies. The administration's bill would propose to strengthen the State and local capability and authority for improving conditions in the fishing industry where such is found to be necessary.

We should also bear in mind that fishing and fish processing is a seasonal occupation. For example, as Mr. Lowell Wakefield, president of the Alaska King Crab Institute, pointed out in testimony earlier this month:

> There is, however, considerable merit in the argument of adequate vs, continuous inspection. Our Port Wakefield plant is one of about 30 fish plants on Kodiak Island. To carry out the provisions of this bill as now written would require about 20 full-time, year-round inspectors and about 10 additional seasonal ones. Yet, my town is an isolated village of some 400, and the plant has run only a couple of days a week for the last six months. To recruit a qualified man for such a job is not easy and to justify keeping him there all the time, difficult.

Finally, we also must recognize that the United States imports from foreign sources approximately 60 percent of its fish and fishery products. This bill makes no distinction between foreign and domestic products. It contemplates that the inspection procedures of such foreign sources will be at least equal to those imposed upon our own fishing industry.

Mr. President, the bill I introduce endeavors to take all of these sundry factors into account so as to establish a meaningful and a realistic fish and fishery products inspection program by vesting such authority in an appropriate regulatory agency, the Food and Drug Administration of the Department of Health, Education, and Welfare. It would accomplish this by appropriately amending and expanding the Federal Food, Drug, and Cosmetic Act so as to automatically retain all the existing authority and definition contained therein; by providing for a system of continuous surveillance with authority for continuous in-plant inspection where the Secretary of the Department of Health, Education, and Welfare deems such to be necessary; by establishing a National Advisory Committee for the inspection program with a majority of its membership drawn from the public sector so as to give the consumer interests a direct role in policymaking and in the evaluation of the adequacy of the inspection program; by providing the Secretary with authority to develop research and technical systems related to the inspection program; and by recognizing the personnel needs of the inspection program for additional qualified career personnel and by directing the Secretary of the Department of Health, Education, and Welfare to provide necessary or appropriate training for such personnel.

These are but some of the more salient features of this legislation.

Most importantly, however, Mr. President, this legislation has been drafted in an attempt to meet the specific problems associated with fish and fishery product inspection at a cost commensurate with such need. It also would seem to be in consonance with the declared congressional policy set forth in the Fish and Wildlife Act of 1956 which notes in part the following:

> SEC. 2 * * * The Congress further declares that the fishing industry . . . can prosper and thus fulfill its proper function in national life only if certain fundamental needs are satisfied by means that are consistent with the public interest and in accord with constitutional functions of governments. Among these needs are:
>
> (1) Freedom of enterprise * * * as well as freedom from unnecessary administrative or legal restrictions that unreasonably conflict with or ignore economic needs; * * *

Perhaps the President's Special Assistant for Consumer Affairs, Mrs. Virginia Knauer, best summed up the approach of this legislation in the following manner:

> But if the American public thinks they are getting continual inspection of the processing of meat, they are not. Because there is a patrol system, which I think you probably are aware of Mr. Chairman, in small establishments with a limited volume of production—this is meat products—which according to the Department, do not require constant supervision, and they are grouped together on a patrol assignment.
>
> This includes the boning and cutting of meat and poultry, preparation of fresh cuts for our hotels, slicing and packaging of bacon and ham and labeling the findings, preparation of pork skins and the curing of one item, beef brisquets, and of course, certification of products for export.
>
> They do not have mandatory, continuous inspection. They are grouped together. It would be like a visit as part of a patrol. This is an exercise in semantics, and I feel that the Administration bill, in the inspection of this fish processing, is stronger, actually, because it provides a great flexibility to the Secretary that he can institute continuous, intense inspection where he deems it necessary.
>
> And that can be as six men around the clock, if necessary, or more, as he deems necessary.
>
> May I ask from the housewife's point of view that any housewife in America would, I think, agree with me that if she has a clean kitchen and a clean back yard, that she doesn't need a continuous inspector from the city halls, Department of Health on her doorstep. Whereas her neighbor down the street, who may be a very slovenly housekeeper who has a dirty lawn piled high with garbage, which is, shall we say, a menace to the health of the neighborhood, would naturally need someone there at all times inspecting and certainly once that situation was cleaned up, a casual continuing inspection would solve the problem. I think most housewives would agree on this.
>
> So it is with processing plants, whether they are for beef or chickens or fish. There will be those that will have rather high standards which, after the initial intense inspection, probably will not need an inspection continually twenty-four hours a day but will continue that high inspection.
>
> But I think that the flexibility of the Administration bill would insure to the American consumers the real healthy produce.

Mr. President, while seeking to assure the American consumer of wholesome fish products, this bill also exemplifies appropriate fiscal responsibility to the American taxpayer. It is geared to meet the specific problem without undue cost. I would hope that others interested in maintaining such a proper balance between the tripartite interests and equities of the consumer, the taxpayer and the industry will be similarly so inclined to agree with the approach proposed to be taken in this legislation submitted by the administration which I now introduce for appropriate reference.

Mr. President, I send to the desk a bill

introduced on behalf of myself and the Senator from Vermont (Mr. PROUTY) for appropriate reference.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2712) to regulate interstate commerce by strengthening and improving consumer protection under the Federal Food, Drug, and Cosmetic Act with respect to fish and fishery products, including provision for assistance to and cooperation with the States in the administration of their related programs and assistance by them in the carrying out of the Federal program, and for other purposes, introduced by Mr. COTTON (for himself and Mr. PROUTY), was received, read twice by its title, and referred to the Committee on Commerce.

SENATE JOINT RESOLUTION 142—INTRODUCTION OF A JOINT RESOLUTION TO ESTABLISH A DRUG COMMISSION BETWEEN THE UNITED STATES, MEXICO, AND CANADA

Mr. MURPHY. Mr. President, I introduce a joint resolution which urges the President to seek and work for the establishment of a permanent International Drug Commission between the United States, Mexico, and Canada.

The drug problem is a clear and present danger to the health and morals of our Nation and our people.

President Nixon recognized this grave danger and has sent to the Congress a strong cure for this national menace. Along with Congressman BOB WILSON, DON CLAUSEN, and BOB MATHIAS of California, I wrote President Nixon making various recommendations for action in this field. I ask unanimous consent that our letter to the President be printed in full at the conclusion of my remarks. Naturally, I was pleased that the administration's recommended legislation incorporates some of the suggestions that we made.

Prior to that time I had also written to Assistant Secretary Charles A. Meyer, who also serves as a chairman and U.S. representative on the United States-Mexico Commission for Border Development and Friendship, after I discovered, upon reviewing the brochure of the Border Commission, that the drug problem was not even on the agenda of the U.S.-Mexico Border Commission. In my June 26 letter to Mr. Meyer, I urged not only that the drug problem be placed on the agenda, but that it be placed in a priority position.

On July 9, Secretary Meyer wrote to me saying that he had decided against my suggestion. I ask unanimous consent that my letter to Secretary Meyer and his response be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JUNE 26, 1969.

Hon. CHARLES A. MEYERS,
Assistant Secretary for Inter-American Affairs, Department of State, Washington, D.C.

DEAR MR. SECRETARY: I am writing you because of your chairmanship of the U.S.-Mexico Commission for Border Development and Friendship. I was pleased that Mr. Frank B. Dean stopped by my office to discuss Senate Joint Resolution 119, which would authorize an appropriation for expenses of the Commission.

Naturally as a representative of a state which shares a border with Mexico, I will be pleased to support the resolution. Certainly I applaud joint efforts to foster friendship and improve relations between our countries and our people.

In examining your brochure, "A New Pattern for Borderland Development," I observed that after studies and conferences, the Commission decided to work in the following eleven areas: housing, manpower, community centers and services, libraries, industrial and economic development, health and sanitation, transportation, recreation, planning and technical assistance, education and joint disaster relief. I was, however, concerned with what I regard as a most serious omission. I am referring to the fact that the drug problem does not appear to be on the agenda.

The drug problem, as you well know, is already serious and seems to be growing daily. This year, the Senate Health Subcommitte, on which I serve, heard testimony that the drug problem was spreading to the elementary school. Frankly, citizens in my state as well as in other parts of the country are rightfully getting angry over the continuous and apparently growing quantities of drugs coming into the United States. There is a feeling that Mexico is not doing everything it can to prevent the illicit and illegal traffic in drugs. Indicative of this feeling is the fact that over one hundred cities in my state have separately passed resolutions urging Congress to close the border to minors unless they are accompanied by a parent or a responsible adult. I have urged the Senate Labor and Public Welfare Committee to hold hearings in Southern California to examine the drug abuse problem in general and the border question in particular, and I am hopeful that the Committee will be coming to California in the near future.

In summary, the alarming increase in drug traffic and drug use is not only harmful to its victims, but it also is harmful to the good relations between Mexico and the United States, I would, therefore, urge that drugs be added to your agenda and that it be a first order of business of this most important Commission.

With best wishes, I am,
Sincerely,

GEORGE MURPHY.

UNITED STATES-MEXICO COMMISSION FOR BORDER DEVELOPMENT AND FRIENDSHIP,
Washington, D.C., July 9, 1969.

Hon. GEORGE MURPHY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MURPHY: Thank you for your letter of June 26, 1969 concerning the role of the U.S.-Mexico Commission for Border Development and Friendship. I am delighted that we can count on your support of Senate Joint Resolution 119 which would authorize an appropriation for the Commission.

In your letter you outline your great concern about the increasing problem of narcotics, dangerous drugs and marihuana trafficking, and you urge that this problem be added to the agenda of the Commission. I have given full consideration to this proposal and have decided against it, for three reasons:

First, we are attempting to limit the scope of the Commission to problems within the immediate geographic area of the border. The narcotics problem transcends such a geographic area, and as such, lends itself more readily to treatment through regular diplomatic channels, as well as through the arrangement of informal cooperation which already exists between the enforcement authorities of both countries.

Second, the Mexican Government has on repeated occasions resisted suggestions to have narcotics enforcement problems placed under a joint U.S.-Mexico commission. We estimate that a proposal to place narcotics problems on the CODAF agenda would be opposed by the Mexican Government.

Third, narcotics enforcement in Mexico is highly centralized under the Federal police. One of the principal aims of the Commission is to stimulate action on the local level in border communities. There appears to be little likelihood that meaningful local action on narcotics enforcement in Mexico is possible under present conditions.

While I oppose the inclusion of the narcotics problem as a separate item on the agenda of CODAF, I most certainly feel that it can and should be a part of certain other activities conducted by CODAF. For example, educational programs developed for primary and secondary-level schools should include information on narcotics and drug abuse. Similarly, there may be good possibilities of including rehabilitation of drug users and traffickers in certain community action programs. In any case, you may be assured that we will be alert to exploit any appropriate opportunity to emphasize to our Mexican counterparts our deep interest in eliminating the narcotics, dangerous drugs and marihuana problem from our border area.

In the meantime, I can assure you that efforts to solicit more effective Mexican assistance on enforcement are not being overlooked. A high level meeting of enforcement officials of both countries was held in June, and we are very hopeful this will be the basis of greatly increased cooperation in combatting the present situation.

I appreciate your taking the time to write to me on this matter, and I hope that I will continue to receive your guidance and suggestions whenever you deem it appropriate.

Sincerely yours,

CHARLES A. MEYER,
Chairman.

Mr. MURPHY. Mr. President, for some time, I have been deeply concerned about the drug problem, and in my capacity as a member of the Subcommittee on Health I supported last year, the Drug Abuse and Control Act. In addition to making the possession of stimulant, depressant, or hallucinogenic drugs a crime, the bill also increased the penalties for those who push and traffic in illegal drugs. Yet it is obvious, Mr. President, that additional steps are needed and new strategies need to be devised to deal with the alarming use of drugs. For, as President Nixon warned—

> It is doubtful that an American parent can send a son or daughter to college without exposing the young man or woman to drug abuse.

The National Institute of Mental Health estimated that one-third of our college and high school students have used marihuana or dangerous drugs. Surgeon General Williams Stewart told the Subcommittee on Health that drug use has spread to the elementary grades.

On July 17, the San Diego Union in a lead editorial pointed out the need for action now in the drug battle. The cartoon on the editorial page depicts the drug and dope problem as "the fifth horseman" galloping destructively across our country with a hypodermic gun labeled "dope." This is an apt description as evidenced by the frightening possibility raised in the editorial's conclusion which states:

And time as well as vigor is of the essence. Unless something is done quickly parents may not be able to send their children to playgrounds without exposing them to narcotics.

I ask unanimous consent that the editorial be printed at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MURPHY. Mr. President, during the past 6 years, customs officials have increased the seizure of drugs by 2,000 percent. While undoubtedly these increased seizures result from increased surveillance and controls, they also, I am certain, result from increased traffic in drugs. For drugs seized might be compared with the tip of the iceberg, allowing us to see the dangers, but not its size, real danger, or magnitude.

Mr. President, there is no doubt about it. The production of drugs in Mexico has become big business, and we must do all we can to stem this flood of narcotics which is entering our country. To be successful, we must have greater cooperation with the Mexican Government. For that reason, I am today submitting a resolution which urges the President of the United States to "seek of the President of Mexico and the Prime Minister of Canada the formation of a permanent commission to investigate ways and means of reducing the illicit traffic of narcotics and dangerous drugs within and between the United States, Mexico and Canada." Representative GONZALES, of Texas, introduced this measure on the House side on July 23.

Although in the past, there have been indications that the Mexican Government has not been receptive to this approach, I believe that the growing concern in both countries and the great danger posed by the alarming drug increase will result in the Mexican Government being more agreeable to cooperative action. In any event, it is incumbent upon this Nation to emphasize to Mexico the growing concern in the Nation about the rising use of drugs. The drug problem clearly has the potential of harming the good relationships we have enjoyed with our neighbors. This can be seen from the fact that over 100 cities in California have passed resolutions urging Congress to close the United States-Mexican border to minors unless accompanied by an adult.

In short, Americans are rightfully angry over the problem and are demanding that action be taken to stop the big drug business and traffic which is big profit to those who do not care how they make a buck.

I ask unanimous consent that an article written by veteran correspondent Francis B. Kent, published in last Sunday's Los Angeles Times, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the San Diego Union, July 17, 1969]

PRESIDENT WRITES PRESCRIPTION: DRUG ABUSE NEEDS LEGAL CURE

The most sobering part of President Nixon's message which urged a massive, concerted attack on the runaway narcotics problem in the United States of America was the paragraph relating to youth.

"It is doubtful," Mr. Nixon said, "that an American parent can send a son or daughter to college today without exposing the young man or woman to drug abuse."

Reams of statistics are available to support the President's inference that the national drug problem already has a strong grip on the emerging generation.

The National Institute of Mental Health estimates that more than one-third of all college and high school students today have used marijuana or a dangerous drug. It is estimated the number will nearly double before this decade ends.

Clearly this is a menace that will require a strong prescription. The days of molly-coddling an overt danger and exploring its social implications instead of taking strong legal cures must end. Otherwise the problem will be so immense that it may not be susceptible to either doses of law or of reason.

Mr. Nixon's prescription for control of the narcotics problem is both strong and timely medicine.

He recommends for approval of Congress a comprehensive program that will bring together for the first time all federal and state laws dealing with sale, possession, manufacturing and distribution of narcotics.

Especially pertinent, Mr. Nixon classes marijuana in the same general category as LSD, cocaine or heroin—which is realistic. The comprehensive approach should focus the energies of the federal establishment against the narcotics cancer which is eroding individual character and the national moral fiber.

Certainly the President's clear labeling of marijuana as a great danger should serve to halt a swelling attitude of permissiveness to this insidious threat.

It is ironic, but essential, that part of the fight against dangerous drugs has to be directed against decisions of the Supreme Court, which struck down sections of registration acts last year. Mr. Nixon's proposal to pattern laws requiring licensing and registration of persons possessing dangerous drugs is patterned after New York State law and should serve this purpose.

But implicit throughout the President's vigorous attack upon the dangerous drugs is the thought that it is a road that the federal government should not travel alone.

The visible part of the narcotics cancer is but a fraction of the total. The problem is so immense that it will require the full effort and cooperation of the federal government, states, institutions and families.

And time as well as vigor is of the essence. Unless something is done quickly parents may not be able to send their children to playgrounds without exposing them to narcotics.

[From the Los Angeles Times, July 27, 1969]

DRUGS SEIZED AT BORDER UP 2,000 PERCENT IN 6 YEARS; RISE REFLECTS NOT ONLY TIGHTER CONTROLS BUT MORE DEMAND FOR MEXICO'S NARCOTICS

(By Francis B. Kent)

MEXICO CITY.—The body in the coffin looked ordinary enough but there was something about the men accompanying it across the border into the United States that bothered the customs agents.

An informal autopsy revealed extraordinary contents: a fortune in heroin.

Not everyone connected with the illicit drug traffic goes to such bizarre lengths. Simpler techniques have been far more successful. Yet the incident serves to illustrate what U.S. customs men are up against and their task gets more difficult all the time.

In the past six years, according to customs officials in Washington, the quantity of narcotic drugs seized at border points has increased by 2,000%. Joseph Jenkins, the Customs Bureau's director of investigations, said this increase reflects not only intensified control efforts but a sharp rise in the dope traffic as well.

As a result of the growing demand among U.S. users, the production of illicit drugs has become a big business in Mexico. Just how big, no one knows, but the figures are sizeable.

CUSTOMS AGENTS

For example, U.S. customs agents along the 1,500 miles of border between Mexico and California, Arizona, New Mexico and Texas seized more than 32 tons of marijuana last year, plus more than 50 pounds of heroin, morphine and cocaine.

Mexican authorities, meanwhile, destroyed more than 7,500 fields of poppies, the source of opium and its derivatives, and burned off hundreds of acres of marijuana.

How much managed to get across the border and into the hands of users is anybody's guess. The consensus: considerable.

Illicit drugs cross the border in every conceivable manner. The young, long-haired marijuana smoker may smuggle it over concealed in his surfboard. The professionals are more likely to use trucks with false bottoms, boats or airplanes. Unpoliced coastal landings and airstrips proliferate on both sides of the border.

Arrests and stiff prison sentences appear to be no more than a minor factor in slowing the traffic. Border arrests for trafficking in marijuana alone numbered 945 in 1965, and by last year had risen to 2,273. Conviction, under the Narcotics Control Act of 1956, brings a mandatory 5- to 20-year prison sentence with no hope of probation or parole. A second offense means 10 to 40 years.

On the Mexican side the law is even tougher and Mexican jails are not renowned for their luxurious facilities.

Until relatively recently, narcotics had not been much of a criminal problem in Mexico. Indians had smoked what is now called marijuana and munched on hallucinatory mushrooms long before the Spanish arrived in the early 16th century. Marijuana came into more popular usage about 100 years ago when the peasant took it up to ease his hunger pangs.

Now its use has been noted among secondary-school students, and an occasional homicide has been attributed to organized crime's efforts to control distribution, not only of marijuana but the so-called hard narcotics such as heroin as well.

Just one thing keeps the international traffic alive: money. And, according to agents of the U.S. Treasury Department's Bureau of Narcotics, not all of it flows into the hands of that sinister organization known as the Mafia.

"Dope smuggling," one agent told The Times, "is about as exclusive as betting on the ponies."

LARGE PROFITS

Profits are enormous. The 2-pound brick of marijuana that nets its grower about $4 in Mexico sells for as much as $300 in the United States. The usual price in, say, Los Angeles or New York, is $150. Much more profitable are the hard drugs: morphine, heroin, cocaine. They come in smaller quantities and provide vastly more effective results.

Calculating the profit margin on hard drugs is next to impossible, since they are invariably diluted at every stage of processing and handling and the price varies not only geographically but according to the balance between supply and demand. Almost any illicit narcotic, though, is worth at least twice as much on the U.S. side of the border.

Controlling the production and processing of drugs in Mexico is no easy task. Much of the interior is virtually inaccessable except by Jeep or burro. Yet the authorities here have mounted what is generally considered to be the most effective grassroots campaign in Latin America.

Under the supervision of Asst. Atty. Gen. David Franco Rodriguez, federal agents work

closely with the army and with local and state police departments. Each spring, when the opium poppy is ripe for milking, mixed teams move out into the eight-state area where cultivation of the poppy is concentrated. Traveling by whatever means is necessary, often on foot, they descend on illegal plantations that have been spotted from the air, destroy the growth and arrest the grower.

Equally tough measures are directed against those in Mexico who serve as links in the narcotics traffic that originates in South America, the Middle East and the Orient. The South American countries of Bolivia and Peru are a major source of cocaine, a derivative of the cocoa leaf that is chewed by Indians. The Mideast and the Far East produce heroin.

TURKISH HEROIN

Heroin is a particularly nettlesome problem because it is manufactured legally, under government license, in Turkey and India. U.S. officials estimate that up to 15% of the Turkish heroin finds its way into the contraband market.

Getting narcotics across the border into the United States, despite increasingly strict controls, presents no great challenge. Literally millions of U.S. and Mexican nationals cross the border every year and to search every one would be physically impossible.

"If we did," a customs agent observed, "cars would be lined up for miles and the congestion at airports would be outrageous."

Still, the number of U.S. agents along the border has almost doubled, to a total of 92 since 1965, and the combined efforts of U.S. and Mexican authorities have produced results, as can be seen by the increase in seizures and arrests.

MEETINGS HELPFUL

Jenkins, the bureau's investigations chief, is convinced that further cooperation will pay even greater dividends in the future. Joint meetings such as the recent roundtable conducted here between U.S. and Mexican experts have been particularly helpful, he said.

What the authorities on both sides hope for and expect is a change of attitude on the part of young people, especially in the United States, where marijuana has acquired widespread acceptance.

Medically, according to a Narcotics Bureau agent, it has yet to be established that marijuana is harmless or not habit-forming, and the evidence indicates that its use often leads to hard narcotics.

"About 80% of our confirmed addicts," he said, "started with marijuana."

Jenkins, who was with the Customs Bureau in Los Angeles for 10 years before his transfer to Washington in January, recalls a grim courtroom scene in which a 37-year-old offender had just been sentenced to 40 years in prison.

"I don't think I'm going to make it," the defendant said.

"Son, you just do the best you can," the judge replied.

JULY 10, 1969.

The PRESIDENT,
The White House,

DEAR MR. PRESIDENT: We, the undersigned members of the California Congressional Delegation, having read the news accounts appearing in yesterday's Washington Post, wish to compliment and commend you for your bold and forthright proposals with regard to combatting the nation's drug problem.

Of particular significance, we believe, are the reported measures calling for stiffer penalties for habitual offenders and those involved in the illegal traffic and sale of drugs; and tighter restrictions, to include Federal licensing, of U.S. manufacturers of drugs, stimulants, and depressants.

As Californians, each of us has been actively involved for some time in trying to find a solution to our State's common and unique problems of drug abuse. As such, we wish to bring to your attention and urge you to consider the following additional recommendations which we believe should be included in the Administration's position on this critical subject:

1. *Border Surveillance:* As you know, California and other states bordering on Mexico have a unique and compelling narcotics problem as it applies to the illegal traffic in dangerous drugs and narcotics into and out of Mexico. We believe a concerted effort must be made to expand and strengthen our border surveillance activities so that a more effective program of "reducing the supply" can be waged.

2. *Relations with Mexico:* Since full cooperation and continued friendship between the U.S. and Mexico is seriously affected by the situation which exists, we urge that our mutual narcotics problems be included as a priority item of discussion at the up-coming meetings of the U.S.-Mexico Border Commission for Friendship and Development. At present, it is our understanding that this matter is not included on the proposed agenda for these meetings.

3. *Drug Abuse Education:* It is our common view, as well as your own, that any all-out effort to combat the spreading menace of drug addiction and "experimentation" cannot rely on law enforcement alone. Therefore, we strongly support and join you in emphasizing the dire national need for more effective drug abuse education. The 1962 White House Conference on Narcotics and Drug Abuse reported the "failure of schools to recognize the problem and provide instruction of equal quantity and quality as that provided for other health hazards". In our collective judgment, no significant or meaningful role has been assumed by the Federal Government to assist our schools in providing effective drug abuse education and the need for such education for students and adults alike has now become acute.

Please be assured, Mr. President, that we speak for a vast majority of the Members of Congress in saying that we stand ready and willing to assist you and your Administration in any way possible in helping combat this growing menace to the young people of America, their parents, and to the very moral fiber of our society.

Respectfully,

GEORGE MURPHY,
U.S. Senator, California.
ROBERT B. MATHIAS,
18th Congressional District, California.
BOB WILSON,
36th Congressional District, California.
DON H. CLAUSEN,
1st Congressional District, California.

Mr. MURPHY. Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 142) for the establishment of a Drug Commission between the United States, Mexico, and Canada, introduced by Mr. MURPHY, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD as follows:

S.J. RES. 142

Whereas the illicit traffic in narcotics and dangerous drugs exists; and

Whereas this problem is of international consequence; and

Whereas despite the border efforts of the United States, Mexico, and Canada the flow the illicit drug traffic continues at a dangerously high rate; and

Whereas this illicit traffic adversely affects the lives of young people who use barbiturates, marihuana and other dangerous drugs: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized, requested, and directed to seek with the President of Mexico and the Prime Minister of Canada the formation of a permanent commission to investigate ways and means of reducing the illicit traffic in narcotics and dangerous drugs within and between the United States, Mexico, and Canada.

ADDITIONAL COSPONSORS OF BILLS

S. 2523

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from New York (Mr. JAVITS) be added as a cosponsor of S. 2523, to amend, extend, and improve certain public health laws related to mental health.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2608

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Minnesota (Mr. MCCARTHY) and the Senator from Maine (Mr. MUSKIE) be added as cosponsors of S. 2608, to provide for comprehensive control of narcotic addiction and drug abuse.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF AN AMENDMENT

NO. 107

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Wisconsin (Mr. PROXMIRE), I ask unanimous consent that, at the next printing, the name of the senior Senator from Tennessee (Mr. GORE) be added as a cosponsor of amendment No. 107 to the military procurement bill.

The amendment requires annual disclosures by former high-ranking civilians and military Pentagon employees who leave the Government and go to work for major defense contractors.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 225—RESOLUTION EXPRESSING THE COMMENDATION AND GRATITUDE OF THE SENATE TO THE MEN AND WOMEN OF THE NATIONAL SPACE PROGRAM ON THE OCCASION OF THE APOLLO 11 MISSION

Mr. GURNEY submitted a resolution (S. Res. 225) expressing the commendation and gratitude of the Senate to the men and women of the national space program on the occasion of the Apollo 11 mission, which was referred to the Committee on Aeronautical and Space Sciences.

(The remarks of Mr. GURNEY when he submitted the resolution appear earlier in the RECORD under an appropriate heading.)

NOTICE OF HEARINGS ON S. 2624

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judiciary Machinery, I announce hearings on S. 2624, a bill to improve the judicial machinery in customs courts by amending the statutory provisions relating to judicial actions and administrative proceedings in customs matters, and for other purposes. The hearings will be held at 10 a.m., on August 4, and 5, 1969, in room 6226, New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the RECORD should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building.

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. ERVIN. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

H. Kenneth Schroeder, Jr., of New York, to be U.S. attorney for the western district of New York for the term of 4 years, vice John T. Curtin, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Monday, August 4, 1969, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

ANTITRUST ENFORCEMENT

Mr. HART. Mr. President, not long ago, I authored a magazine article on the enticing temptations to violate the antitrust laws. Among the attractions I listed were the great potential returns balanced against the very low odds for being caught.

Thankfully, antitrust enforcement is being resurrected, and there is reason to hope that the traditional "crime does not pay" warning once more may be valid in the antitrust field.

Two items tend to substantiate this hope.

The first is the report from Brussels—as contained in a story published in the Washington Post last Friday—that the Common Market has for the first time fined companies for antitrust violations.

One-half a million dollars in fines were levied on six European companies for operating a secret quinine cartel.

My pleasure over this action is mixed, I confess, with some pride, for the Common Market officials graciously pointed out that they had learned of the cartel through the work of the Senate Subcommittee on Antitrust and Monopoly.

The subcommittee uncovered the cartel, and in hearings in 1967 laid out its operation through the actual working papers of the members. Those documents were one of the most remarkable sights any antitrust lawyer might ever hope to see, for they spelled out just how the companies conspired to acquire the American stockpile of quinine and how they raised world prices after—with the cooperation of the State Department and General Services Administration—obtaining it.

Last fall criminal indictments were returned by a Federal grand jury against 15 companies and eight executives involved in the price fixing and other antitrust violations.

According to the subcommittee information, during the operation of the cartel, prices had gone up as much as 700 percent on quinine and similarly on quinidine—a lifesaving heart drug.

In addition to the action by the Common Market and the Department of Justice, private suits have been filed claiming millions of dollars in damages.

These private suits are in the nature of class actions. Under a class action, individuals who have suffered a loss too small to warrant hiring a lawyer join together to recover their damages jointly.

The growing popularity of these class actions justifies, I think, the hope the antitrust violations will become increasingly expensive. This, in turn, means that the congressional intent that private suits to collect treble damages would be a powerful deterrent to antitrust violations will carry new weight.

The class action has been brought to public attention most recently by the $120 million settlement to reimburse consumers who were forced to buy antibiotics when they were price fixed by the pharmaceutical companies.

This is the largest settlement in antitrust history, and it carried considerably more clout against a corporation than the $50,000 penalty accessable under the antitrust laws.

I would be remiss, I think, if I did not point out the role the Subcommittee on Antitrust and Monopoly also played in spotlighting the antibiotic case. This was first brought to general public attention by the drug extensive hearings and report carried out under the direction of Senator Kefauver.

In sum, all I am really saying is that so much of the time we grind our gears around here, and the temptation is great to think much of it is for naught.

In these two cases, I am sure the American consumer—and the European, with quinine—would say our efforts had been worth a great deal.

Mr. President, I ask unanimous consent that the Washington Post article on quinine and one on class actions, published in the July 26 issue of the New Republic, be printed in the RECORD.

I also ask unanimous consent for the printing of a boxed story, captioned "Deductible Wrongdoing," which appeared on one page of the New Republic, giving the consumer class story. It, too, has relevancy.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EUROMART FINES FIRMS FOR RUNNING SECRET DRUG CARTEL

(By Richard Norton-Taylor)

BRUSSELS, July 24.—Six European companies have been fined a total of $500,000 by the Common Market Executive Commission for establishing a secret quinine cartel, it was announced here today.

This marked the first time the Commission has imposed a fine for an infringement of the Market's antitrust regulations. The same six companies have been accused of forcing up U.S. prices on quinine by 700 per cent.

The drug companies concerned are Nedchem of the Netherlands, Boehringer and Buchler, both of West Germany, and three French companies, Pointet-Girard, Norgentaise (a Bristol-Myer subsidiary) and Pharmacie Centrale.

Together they control at least 50 per cent of the world quinine market. Nedchem of Amsterdam, the largest of the firms, has been fined $210,000, Boehringer $190,000, and the others considerably less.

Quinine, the traditional cure for malaria, is being used heavily in Vietnam, where new types of the disease have broken out. Quinidine, its derivative, is a drug used to combat heart ailments.

The European cartel was first spotlighted by the U.S. Senate Subcommittee on Antitrusts and Monopolies. The cartel's key objective was to eliminate competition among the various producers in 1959 in buying a U.S. stockpile of 14 million ounces of quinine, enough for 1½ to 2 year's world supply.

This stockpile was shared among the six companies. When new sources of supply emerged, the firms prolonged the market-sharing and price-fixing agreements they had established. Within the Common Market, the companies agreed to reserve home markets for each partner, and reserved the manufacture of quinidine to the German and Dutch firms.

This directly conflicts with principles laid down in the Common Market's Treaty of Rome. "The infringement was knowingly committed," said the Commission in a note released today.

"Despite expert legal advice the companies continued their practices, deliberately filed no notification, and took what they believed to be adequate steps to keep the agreement secret. Among other things, they instructed all members to destroy compromising documents," it said.

But this was not fully followed and some documents first came to light in the U.S. Senate Subcommittee in 1967.

The quinine cartel led to a 700 per cent rise in the price of quinine between 1960 and 1966. In the latter half of this period, prices skyrocketed by as much as five times when U.S. military authorities, having disposed of most of their earlier strategic reserves of quinine, reappeared on the market as large-scale purchasers because of the Vietnam war. This led to the Senate investigation.

The Common Market decision on the quinine cartel signifies a new determination in the European Commission's competition directorate to look into other fields, notably the European electric-lighting industry, where a series of market-sharing agreements have been in force for some time.

Some of the same European drug firms involved in today's announcement were included in a Federal grand jury indictment last October of 15 drug companies for fixing the U.S. price of quinidine.

The fines announced today followed antitrust charges brought yesterday by the U.S. Justice Department against two British and three U.S. drug manufacturers for an alleged restrictive patent-licensing agreement of a drug, iron dextran, used in the treatment of iron-deficiency anemia.

GIVING THE CONSUMER "CLASS"

(By David Sanford)

It is in the nature of consumer fraud cases that victims almost never recover their losses, since claims generally are smaller than the cost of paying a lawyer to go to court. A consumer can complain to the Federal Trade Commission, but even if the FTC is interested, investigates and finds fraud, the most it can do is order a merchant or finance company to stop defrauding its customers; com-

pelling restitution is not within the FTC's limited powers. Better Business Bureaus, Bess Myerson, Action Line, Consumers Union, and Ralph Nader all receive complaints, but they offer only cathartic relief.

There are signs, however, that Congress, the courts and other agenices are becoming interested in consumer class actions—suits by one or a few consumers in behalf of all consumers similarly abused. A lawyer is rarely interested in representing a poor client who has been done out of $400 by a finance company operating illegally, but if he can represent thousands of consumers identically defrauded, he has an interesting and potentially lucrative case.

All states and federal law provide for class actions by litigants who can establish a "unity of interest," but the laws are variously interpreted and, in most states inhospitable to class actions. In New York, according to Philip Schrag, a lawyer for the NAACP Legal Defense Fund, the courts go in for "metaphysical nitpicking," interpreting "unity of interest" to mean "that if 10,000 people sign the same contract—physically the same piece of paper—one person can sue in behalf of all of them. But if they sign 10,000 separate, identical, contracts then they don't have a 'unity of interest.'" The effect in New York and elsewhere is to discourage class actions. (Ironically, California, which has the same statute as New York, interprets it liberally and is a congenial place for class actions. In a recent Yellow Cab case a judgment required refund of overcharges to Los Angeles taxi users.)

Class actions may soon be more common across the country. In the antitrust field, for instance, lawyers representing 43 states have arranged an out-of-court settlement with five huge drug companies providing for refunds of $120 million in overcharges for antibiotic drugs sold between 1954 and 1966. A New York City federal court in December 1967 convicted Charles Pfizer & Co., Inc., American Cyanimid Co. and Bristol Myers Co., Inc., of conspiring to fix prices of tetracycline and related broad-spectrum antibiotics and of conspiring to monopolize the market in these drugs. (Olin Mathieson Chemical Corp. and Upjohn Co. were named as co-conspirators.) The conviction laid the companies open to civil antitrust suits by states, cities, hospitals, insurance companies, and individuals who had been overcharged. To avoid suits and conceivable judgments of as much as $500 million the companies, all the while denying liability, have offered to settle claims out of court for $120 million. [Last week the government filed a $25 million damage suit against Pfizer and Cyanimid alleging they obtained their patents for tetracycline fraudulently.]

The tetracycline settlement is the largest in antitrust history—an accomplishment for which David Shapiro, one of the lawyers retained by New York, deserves major credit, since he chose to sue not in behalf of New York alone but for New York "on behalf of all that state's ultimate consumers." The individual purchaser of the involved drugs—if he can locate his records or signs a notarized statement detailing his expenditures—will be compensated for the overcharge. (On Tuesday, July 1, the drug firms placed ads in daily newspapers throughout the United States explaining the procedure for refunds. The ads reportedly cost more than $200,000.) Consumers will thus benefit from a settlement that would never have been practicable had they sued as individuals with small claims.

The drug case was not, strictly speaking, a consumer class action, since it was brought by government in behalf of itself and its affected citizens rather by *a consumer* in behalf of all consumers.

In New York and elsewhere state laws allow groups with common interests to bring damage suits in the area of consumer frauds. Thus, the New York court of appeals early this month agreed to hear a suit brought by Edna Hall and William Russell, two low-income consumers, against the Coburn Corporation, a large finance company. The two contend that they are among thousands of persons who purchased furniture and appliances under installment contracts sold by stores to the Coburn Corporation. The contracts, it is alleged, were printed in type smaller than the eight-point type required by state law. On this technicality the two hope to recover for themselves several hundred dollars in service charges paid on the "illegally drawn" contracts, as well as refunds to thousands of other persons who signed identical documents. The $200 that Edna Hall hopes to recover is not enough to interest any lawyer, since thousands of dollars have been expended fighting her case, exclusive of lawyers' fees. But by fighting the case as a consumer class action, her lawyers hope to recover hundreds of thousands of dollars.

The Coburn case was dismissed in two lower courts as an improper class action and it now remains for the appeals court to determine whether that judgment is to be sustained; whether, that is, there is a true "unity of interest."

Philip Schrag has filed a second case in the U.S. District Court to recover damages for a group of students allegedly bilked by a ski-tour organizer. Schrag is basing his argument on a law (the Lanhan Act) under which businesses often sue competitors for false statements made in the interstate sale of goods and services. Schrag wishes to apply the law to *individual consumers* as well and in so doing open the federal courts to consumer class actions under the Lanham Act.

Paul Lurie, a Chicago attorney, is suing Montgomery Ward in behalf of about 6,000,000 Ward customers who last year were mailed unsolicited credit-life and disability insurance policies covering their Ward charge accounts. The policies were accompanied by a letter informing charge customers that they should notify Ward's if they did not wish to pay for such policies but that otherwise they would be billed. Lurie charges that the solicitation was a deceptive merchandising scheme, contrary to accepted merchandising techniques in which a customer's specific acceptance rather than his mere silence is required to consummate a purchase. Were Lurie representing a single client the suit would not be worth trying. Representing millions of clients, he stands to collect several million dollars for them if he is successful.

Mayor Lindsay's energetic Commissioner of Consumer Affairs in New York City, Bess Myerson Grant, has proposed to the City Council a consumer protection act which for the first time provides for restitution of money to victims of consumer frauds. The bill, which Mrs. Grant expects will be passed after hearings this fall, would give her agency power to bring suits on behalf of the citizens of New York. It would establish in her department an office of consumer's advocate, which would investigate and litigate complaints of fraud and when successful in court, arrange for money to be returned to those defrauded. Simon Lazarus, executive director of the City's Department of Consumer Affairs, says he anticipates that law will be copied by other cities and serve as a model for a federal consumer's advocate program.

Finally, at the federal level, Senator Joseph Tydings of Maryland will hold hearings of his subcommittee on judicial machinery July 28 and 29 to consider his bill to give the federal courts jurisdiction in consumer class action cases. It is Tydings' view that despite new laws and court decisions favorable to consumers, there is still no effective way under state laws for victims of fraud to recover losses. Because most states have laws hostile to class actions, Tydings would shift to the federal courts authority over all class actions nominally involving interstate commerce and the possible violation of state or federal law. Lawyers who represent a class of consumers would be eligible under Tydings' bill to collect as fees up to 10 percent of damages and financial penalties won in court.

A lawyer familiar with Tydings' thinking, says his strategy so far has been "to keep his bill very quiet, very private, very small and try to get it through the judiciary committee before the finance companies find out what's going on." He didn't send out a press release when he introduced the bill—a very rare thing. The reason for the secrecy, of course, is that if enacted, Tydings' "Class Action Jurisdiction Act" would give the individual consumer immense leverage. One consumer bilked of $20 has never been much of a threat. But a million consumers each similarly defrauded and represented in a single suit constitute a potential $20 million headache for a finance company or retailer. Such judgments would make the practice of consumer law very profitable for attorneys, and redress the balance of power in favor of the consumer.

TOO MUCH CRITICISM OF OUR WAY OF LIFE

Mr. MUNDT. Mr. President, in this day and age, when far too many editors and commentators seem to feel it is the sophisticated or "in thing" to do to fire broadsides of criticism at everything American, it is refreshing and reassuring to read an occasional editorial written by an outstanding editor which enthusiastically speaks up for what is right about America. I take pleasure in calling to the attention of Congress and the country to just such an editorial recently published in the Daily Argus Leader of Sioux Falls, S. Dak., the largest newspaper in the largest city of a contiguous five-State area in the Upper Midwest.

Widely known because of his extensive travels abroad and his regular attendance at international meetings of editors and publishers, as well as because he is a former officer of the American Society of Newspaper Editors, Fred C. Christopherson, the author of this editorial, has his editorials quoted frequently throughout the country. I sincerely hope this will be true of his editorial, "Too Much Criticism of Our Way of Life," which I ask unanimous consent to have printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TOO MUCH CRITICISM OF OUR WAY OF LIFE

Perhaps it is the function of those who comment on the passing scene to scold, nag and find fault, seeking thereby to effect an improvement in our way of life.

But it can be overdone. And I am very much of the opinion that it is being overdone now in the United States—overdone so much that the impression is being created that we, the people, are a miserable lot and that the world might be better off if we were to vanish from the face of the earth.

Almost from every side, the fusillade of the critics is being drummed into our ears and placed before our eyes. We are told that we have made a dismal failure in about every field—in the field of human relations in this country and in the field of international affairs.

If we are to believe the critics, we have done everything wrong and nothing right. We have polluted the earth, the sea and the

skies by our presence. We have despoiled our resources and utilized our talents to pillage, destroy and corrupt.

IMPROPER BLAME

An impressive array of statistics can be presented to demonstrate otherwise and the time has come, it seems, to point out with force and vigor the fact that man—the American man—isn't as despicable as the faultfinders say he is.

It has been said, for example, that adult Americans have made a mess of things. This is a common criticism voiced by youngsters. Reference is made to the wars of this country.

But who started World War I? We didn't, but we—the Americans—stopped it. Who started World War II? We didn't. We stopped it. And we didn't start the wars in Korea and Vietnam.

We entered these wars, all four of them, as a matter of principle and simple justice—to aid the oppressed and repulse the aggressors. That wasn't a bad motive. That wasn't uncivilized. That was, in fact, national nobility—a nobility of a type never before demonstrated on such a massive scale in the world's history.

The story could go on and on. The resources of our land and the fruits of our labors have been spread widely throughout the world—into almost every nook and cranny of all countries.

Within the United States, our aims and benefactions have been more generous than those of any other nation—so generous that they may be defeating the very purpose we had in the foreground. Those who were productive and self-reliant have sought to help those who weren't. It now appears that the good work may have been overdone—so much overdone that the yield has been worthless.

WHAT HAS BEEN DONE

Students have been aided in their apparent desire for a college education. But many of them have responded by seeking to destroy the institutions set up for their guidance. In countless incidents, the recipients of welfare have come to believe that their grants are something to which they are entitled.

Let us stress the fact that we have provided in the United States the highest standard of living in the world.

Let us also take note of the fact that we have in this country the finest spirit of democracy that exists—a people without the class distinctions that are so common in many other nations.

Note, too, that this is a country where the man of humble origin can rise to the top in industry, government and the professions—a fact evidenced by numerous examples all about you in Sioux Falls, in South Dakota, in Washington and in the nation as a whole.

REASON FOR PRIDE

Yes, we have been imperfect. We haven't done what we might or should do. We have lagged at times in doing what should be done.

But what nation has done more? And in what period of American history was there a better record?

Let's continue to point out possible improvements. As we do so, however, let us take pride in the tremendous accomplishment of America, of our true exemplification of the better principles of the brotherhood of man, of our conservation and practical use of natural resources, of the many instances where we have made the once sterile desert bloom with the fragrance and the beauty of a rose.

Recognize our shortcomings? Yes. Be mindful of our achievements? Yes. Above all, though, keep the scoreboard in balance and realize that as an American you have a strong reason for being proud of what you and your fellow countrymen have done.

OIL LEAKAGE IN SANTA BARBARA CHANNEL

Mr. CRANSTON. Mr. President, on July 28, Santa Barbara, Calif., will observe a day of infamy in its history. On that day 6 months ago an oil well on Federal tidelands 5½ miles offshore in the Santa Barbara Channel blew out and went out of control, pouring thousands of barrels of oil into the sea and onto the beaches of southern California.

Today, oil is still leaking from the sea bottom, still fouling the sea and the beaches, and there is no end in sight.

Secretary of the Interior, Walter J. Hickel, termed the oil spill "a disaster."

The former Secretary of the Interior, Stewart Udall, said it was "a conservation Bay of Pigs."

People from all over the Nation and the world are asking why this disaster happened and what, if anything, Congress and the Government will do to prevent future disasters like this one which threatens one of the most beautiful coastal and marine areas in the world, enjoyed every year by millions of Americans and foreign visitors.

People are asking if the despoilation of this area by pollution of the waters by leaks, blowouts, and spills and pollution of the seascape by the erection of enormous drilling platforms in the channel waters truly is in the national interest.

They are asking what values justify the risk of potential destruction of an environment cherished by millions.

They are asking if it is really necessary to continue to drill for oil in the Santa Barbara Channel.

I ask these same questions.

Clearly, in Santa Barbara as in other parts of our country and this planet we live on, it is time to ask what we are doing to our environment and whether the slow destruction of our air, our water, and our land may not threaten man's own demise.

The national policy issues of the use of our natural resources—our land, water, and air—have once again been brought into focus by the Santa Barbara disaster.

Once again we have an opportunity to study the effects of national policy on our environment and review that policy in light of our experience at Santa Barbara and other parts of the Nation.

For 300 years we have exploited our land—too often with few safeguards for the environment, too often with no thought for conserving our resources or properly utilizing them.

The lands that lie along the great coastal regions of our Nation contain trillions of dollars of national treasure, encompass great scenic and recreational areas, provide employment and a special environment for millions of shore residents, and sustain the rich and varied marine life which supplies us with food and sport.

They are indeed vast, measuring 805,300 square statute miles under the usual Federal claim of jurisdiction and an additional 478,700 square statute miles measured by international standards which the United States might be expected to invoke. The combined areas are about 35 percent as large as the total land of the United States and its territories.

The amount of proven reserves of oil and gas alone on the shelf is 2.9 billion barrels of oil and natural gas liquids, and 30.3 trillion cubic feet of gas. Sulfur reserves are estimated at 37 million tons, and there are an estimated 100 million tons of phosphorite deposits off California alone.

What has happened at Santa Barbara, and what is happening in other parts of our country both onshore and offshore, suggests that this national treasure, which is both our economic and defense security, is in danger of being squandered in a way that may permanently impair our environment and future security.

All of us in Congress have heard this story of depredation and neglect many times. We have seen it at firsthand right here in Washington where a once beautiful river has been defiled by actions of man along its banks. We see it in the strip mining in Appalachia, in the destruction of rich farmland by suburban sprawl, in the denuding of our forests and the alteration of our streams by dams and powerplants.

Each passing day and year sees the spread of this careless growth and exploitation.

Then one day an oil well blows out in the Santa Barbara channel or a Great Lake is found polluted, and we once again call into question our values, our national priorities and the policies which effect those values and priorities.

In Santa Barbara our values and priorities are clearly out of focus.

It is time that we asked how this happened and whether the national policies which guide development of our resources are adequate for the times we live in.

The question posed by the Santa Barbara experience is whether drilling for oil in the Santa Barbara channel is safe, given the geological conditions existing there and the current state of the technology of offshore oil production.

California is known as earthquake country, and Santa Barbara is very much in the geological center of earth movements.

In the last 150 years there have been at least 10 major earthquake occurrences in the Santa Barbara area. By way of illustration, in 1812 a huge tremor generated a tsunami tidal wave 30 to 50 feet high. Another major quake in 1925 caused $20 million damage in Santa Barbara, and in the summer of 1968 a so-called "swarm" of 66 small quakes centered right in the channel.

Today, although drilling is going on right now and the oil companies are planning to build huge platforms and drill hundreds of wells in the waters above the earthquake area, we still do not have an authoritative analysis of what might happen if a major quake or submarine landslide strikes the area.

And we are told by the Nation's most competent earthquake experts that there is almost a 100-percent certainty that California will be rocked by quakes at some time in the future. Charles Richter of the California Institute of Technology, a world authority on earthquakes,

points out that because geologically California is still young, quakes and earth movements certainly can be expected in the future.

What would be the effect of a major earthquake on the wells and on the drilling and pumping platforms? What would happen if a large tsunami or tidal wave struck the platforms and wells? What effect would a submarine landslide have?

We have no definitive answers to those questions.

Furthermore, all the expert testimony I have heard suggests that there is a good chance of another blowout, spill or accident of some kind that will produce another disaster at Santa Barbara in coastal drilling and producing operations.

The technology of offshore drilling and producing still is too new to provide assurance that there will be no future major pollution events.

In Santa Barbara, where there has been a tremendous amount of faulting, producing uncertain geological formations, we can certainly expect numerous technical problems that almost certainly will result in "accidents" of one kind or another.

Yet, in his testimony before Senator MUSKIE's subcommittee, former Secretary of Interior Stewart Udall, reviewing the decision of his office to drill for oil in Santa Barbara, said:

> The idea of a massive blowout that couldn't be controlled was not a fear that anyone raised and therefore never became a major policy consideration.

This failure to consider the major environmental threat from off-shore drilling illustrates a point I have made many times before: We cannot reasonably expect that people who profit from a program will give adequate consideration to the possible environmental dangers of the program. The demand for environmental safety and sanity will always come from the general public. Therefore, it is critically important that all governmental policy affecting the environment includes public hearings and participation as a mandatory part of the decisionmaking process.

At Santa Barbara, the Department of the Interior clearly evaded the environmental issue by proceeding with the leasing program in the channel without adequate hearings.

In a memorandum dated February 15, 1968, while the leases still were being discussed, an aide to the Assistant Secretary of Interior said:

> The department should not go the public hearing route—that we had tried to warn the Los Angeles district engineer of the Corps of what he faced and we preferred not to stir the natives up any more than possible.

I say to you, Mr. President, and to the American people, it is time to begin listening to the natives. They are telling us that our values and priorities are out of whack, and that the disaster off the coast of Santa Barbara is the latest stunning example of our folly.

The Federal Government has a special and overriding responsibility to States and local communities.

Santa Barbarans historically have fought the development of oil onshore and offshore in the area.

Santa Barbara is one small city of 70,000 citizens who are proud of their community and their long record of preserving it against commercial depredation. The citizens see themselves now as the victims of an all-powerful Federal establishment against which they have no recourse.

Under our system of government there will continue to be clashes between the interests of one group or one community against the wishes and needs of all of the Federal system. But if our system is to be wholly effective and representative, the wishes of one State and one community must somehow be given proper consideration and weight.

I raise these points because the Nation is confronted with serious problems that involve our resources, our environment, and the clash of technology with the desires of our people.

For too long the interests of technology, industrial development, and exploitation of resources have been paramount over environmental interests.

The balance may already have tipped too far, if we are to believe the warnings of some scientists that our atmosphere already has been changed so radically that it may alter the climate, our polar icecaps, and, eventually, the depth and character of our oceans.

It is not too late to reverse the process of destruction and change at Santa Barbara and elsewhere.

The Subcommittee on Minerals, Materials, and Fuels, under the judicious and concerned leadership of its distinguished chairman, the Senator from Utah (Mr. Moss), is now considering an amended version of my bill, S. 1219, to ban drilling in the Santa Barbara channel. The amendments would suspend drilling temporarily and instruct the Secretary of the Interior to report to Congress on various environmental, legal, economic, and technical aspects of further drilling versus no further drilling.

To the oil-drenched swimmers of our California beaches, and to the angry and disillusioned property owners of the Santa Barbara coastline, such a temporary suspension would be viewed as a very small step toward ending the oil disaster.

Yet, I believe, such legislation would be a giant step for all of our Nation. Congress would in effect be declaring that environmental concerns in Santa Barbara are preeminent over the business-as-usual demands of our economy. Now, after 6 months of the oil leak below flatform A, we cannot deceive ourselves that there is any other issue in the Santa Barbara channel.

MOVING EXPENSES OF EX-PRESIDENTS

Mr. WILLIAMS of Delaware. Mr. President, an article entitled "Preserving L. B. J. Records Is Major Task," written by Robert Walters, and published in the Washington Evening Star of June 16, 1969, points out a series of unnecessary expenditures in connection with the transfer of the Presidential files from Washington to Texas.

We all recognize the responsibility of the Government to assist in moving expenses of ex-Presidents, and there are certain necessary charges which are properly assumed by the taxpayers, but this article calls attention to what appears to be a series of unnecessary costs. There are a $10,000 typewriter, a $445 wastebasket, $159 stapling machine, and a $245 envelope opener to be used by $100-a-day consultants who are assisting in writing the former President's memoirs which in turn will be sold. These appear to be uncalled for expenditures charged to the taxpayers.

In reviewing the history of this legislation, it is clear that the appropriations did not cover expenditures during the transition period beyond the 6-months period after the election. While I recognize that the Comptroller General has ruled otherwise, nevertheless I do not think his ruling can be supported by the law as passed by the Congress.

I ask unanimous consent that the article outlining this extravaganza be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AN OVAL ROOM IN TEXAS—PRESERVING L. B. J. RECORDS IS MAJOR TASK

(By Robert Walters)

Former President Lyndon B. Johnson has carried to the central Texas hill country many of the accoutrements of the presidency, including a reproduction of the White House Oval Office.

Making full use of two relatively recent laws which authorize extraordinary retirement benefits for former presidents, Johnson has:

Acquired three separate Texas offices, with two others under construction, one of which will be part of a new $440,000 federal building for his tiny (population 385) hometown of Johnson City.

Retained on the federal payroll as a $100-a-day consultant Walt W. Rostow, former special assistant to the President for international security affairs.

Purchased with government funds more than $200,000 worth of office equipment, including a $10,000 IBM typewriter, almost $6,000 worth of dictating and transcribing equipment and a $445 Destroyit" waste basket which electrically shreds paper for security purposes.

Most of those expenditures are authorized under the 1964 Presidential Transition Act which provides for the payment of "transition" expenses to incoming and outgoing presidents.

The statute limits such payments to six months prior to inauguration day for the new President and six months after the inaugural for the retiring President.

However, the House Appropriations Committee, chaired by Rep. George H. Mahon, D-Tex., a longtime Johnson political ally, requested—and received on April 29—an "advisory opinion" from Comptroller General Elmer B. Staats extending from six months to 18 months the time in which Johnson can draw from the fund.

Under Staats' interpretation of the law, Johnson will be able to make purchases with "transition" funds until July 20, 1970. The period approved by Congress would have expired next month.

The General Accounting Office, which Staats heads, has acknowledged the existence of the unusual "advisory opinion," but has refused to make public a copy of the Staats letter or to explain the justification for changing the effective period of the law from six to 18 months.

The transition law authorizes the expenditure of a maximum of $900,000, to be divided into equal $450,000 portions between the

incoming and outgoing administrations. A total of $75,000 is allocated for use by the vice president of each administration, leaving $375,000 for each president.

Even after that law, providing for "the orderly transfer of executive responsibilities," becomes inapplicable to Johnson, he will qualify for the rest of his life for additional—but somewhat reduced—benefits under the 1958 Former Presidents Act.

That law authorizes the rental of "suitable office space, appropriately furnished and equipped," free mailing privileges and an annual allotment of $80,000 for staff salaries, printing expenses, office supplies, communications equipment and similar expenses.

Under that statute, Johnson also will receive a $25,000 yearly pension. In addition, he receives an annual pension, based on his own contributions, of about $22,000 from Congress as the result of his service in the House and Senate.

Confidential documents prepared by officials of the General Services Administration show that only a few months after leaving office Johnson's employes and consultants were receiving $454,981.

Included in that figure were $28,000 yearly salaries for an executive assistant and two special assistants. The executive assistant is Wyatt T. (Tom) Johnson Jr., who served as deputy White House press secretary during the Johnson administration. He is not related to the former President.

The special assistants are Robert Hardesty and Harry Middleton, both former White House speech writers, now engaged in helping Johnson process his papers and write his memoirs.

Rostow, also aiding in that task, is on Johnson's government payroll as a $100-a-day consultant working six days a week. He would thus receive $28,800 annually, in addition to his salary as a member of the faculty at the University of Texas.

Yoichi R. Okamoto, the White House photographer who took thousands of pictures of Johnson during the White House days, also is carried on the Johnson payroll as a $100-a-day government consultant, working a five-day week. His yearly salary on that basis would be $24,000.

Most of the government-paid staff—funded separately from the transition and former president legislation—is formally assigned to the Lyndon Baines Johnson Library, a $12 million complex being constructed on the University of Texas campus in Austin. Informal planning for the library began in 1966, and construction got under way in 1967.

A total of 29 government employes have been assigned to the library, on loan from other agencies. Some are expected to return later to their permanent assignments. In addition, there is a transition staff of 14 persons.

The library complex, scheduled to be completed next April, includes:

A 100-seat auditorium, a 205-seat lecture hall, and archives designed to hold 8,000 filing cabinet drawers filled with Johnson papers as well as more than 500,000 photographs taken by Okamoto.

A 100,000-square-foot presidential library, larger than any similar facility, and a 20,000-square-foot museum to recapture the Johnson story from his earliest days in politics.

An oral history project which will include the tape-recorded recollections of 500 public figures, a large audio-visual collection of radio and television recordings, and a massive microfilming project involving the copying of more than 2 million pages of documents.

A School of Public Affairs at the university, administering a two-year master's degree program for 200 students as well as fellowships for prominent government officials and public figures.

Funds for those programs are being raised by the federal government, the university and private donors, but the bulk of the money is expected to come from Washington.

It is at the library that the reproduction of the Oval Office traditionally the President's principal working quarters in the West Wing of the White House—is being built directly under the 50-foot helicopter landing pad on the roof of the structure.

The military helicopter which will ferry Johnson into Austin from his ranch 65 miles northwest of the city is held for him on a standby basis at an Air Force base outside San Antonio. It is authorized under an agreement which calls for the Defense Department to provide transportation for persons receiving Secret Service protection—which Johnson also receives for the rest of his life.

A detail of approximately a dozen Secret Service agents is assigned to the LBJ Ranch, where Johnson also has the benefit of a 6,300-foot blacktop airstrip constructed during his presidential days by the Air Force.

Until Johnson's eighth-floor office in the library is completed next year, he will be working from a variety of other quarters. The most lavishly equipped is a teak-paneled suite on the top floor of the new 10-story federal office building in downtown Austin.

Johnson and aides occupy about 20 offices on the 10th floor. On the second floor, there is a mail room whose multi-lingual staff handles sacks of correspondence daily.

The confidential documents Johnson accumulated during his presidency are stored in offices on the top floor, while another 22 million pages of documents accumulated during his 38 years of political life are stored in a 13,000-square-foot room on the building's ground floor.

Of the $208,400 worth of office equipment purchased for Johnson thus far, $148,550 is intended for the Austin offices—in the federal building, the library, and the Commodore Perry and Driskill Hotels.

Included in that total are a $10,155 IBM typewriter, two smaller models $7,210 apiece, $5,890 worth of dictating and transcribing equipment, the $445 waste basket, a $159 stapling machine and a $245 envelope opener.

While waiting for completion of the new facilities, Johnson also has access to an office in the basement of the Johnson City Bank. The government, which pays the bank $1 a year in rent, spent $10,418 to refurbish the quarters for the former President's use and paid an additional $59,850 for office equipment.

Those quarters will be abandoned when the government completes work on the $440,000, two-story-air-conditioned federal building and post office for Johnson. Among its features is a fall-out shelter.

The federal government currently spends only $1,860 a year to rent space occupied by both the Post Office and Agriculture Department in Johnson City, a small rural community whose principal industry is agriculture.

Last September, while Johnson was still in office, the government provided this justification for the new Johnson City federal building:

"The principal requirement for the building is to meet the growing needs of the postal service in the postal area served by the Johnson City post office, now located in inadequate leased facilities.

"In addition, the boyhood home of President Lyndon B. Johnson, located in the community, has been included in the National Register of Historic Places . . . The community thus attracts numerous visitors.

"It is appropriate, therefore, that federal activities serving the community and its environs be housed in a federal building which reflects the full dignity of its location."

OUR BEST DEFENSE IS PEACE

Mr. PROXMIRE. Mr. President, a nation's future rests on the experience of its citizens and the vision and goals of its youth. I cannot help wondering what the vision of our youth will be considering the experiences we face today. A child growing up now sees a society where violence and war is an everyday occurrence. News films of Vietnam flash across the television screen as casually as the commercial for the latest toy—which also is an item of the war in miniature.

Rightfully so, average Americans are now vitally concerned and openly debate the relativity of our military weapons systems. The era of the sacrosanct military is ending. This is all to the good. But it is disturbing that the overkill grows; and unless positive actions are taken, such as disarmament agreements and a Soviet-United States detente in the arms race, this growth will proceed.

Add to the controversies surrounding our weapons systems chemical and biological warfare. The 1925 Geneva Protocol would prohibit first-strike with chemical and bacteriological weapons. Why cannot the Senate of the United States lend ratification to this agreement. It would commit us to development on a defensive basis. Our pledge to the world is not to use these agents as offensive weapons.

Mr. President, empty words and empty phrases make robots of a nation and leave us in a position of reaction only—not action. We must give credence to our words lest our children be left as robots only to react to the mistakes we make today. Our best defense is peace. And we must make every attempt to bring peace to the world to give credence to our national dialog and to leave dreams for our children.

A NEWSMAN RETIRES

Mr. NELSON. Mr. President, there is something special about the newspaper profession in what it has given to this country and its importance to a democracy.

It is a profession that draws a special kind of man who spurns the normal monetary considerations that motivate other men and devotes himself to newsgathering and commenting on the issues of the day.

In Fond du Lac, Wis., the Commonwealth Reporter is losing one such man. Carl H. Keyser, its editor, and a veteran of 49 years in the newspaper profession, has retired.

It is sad that he is leaving, but Fond du Lac can be grateful that he gave so much. Hopefully he will find time in his retirement to write an occasional guest column or editorial for the paper.

Nothing I could say could be said better than the editorial published in the Commonwealth Reporter on July 7, 1969. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AN EDITOR RETIRES

Carl H. Keyser retired Saturday as editor of the Fond du Lac Commonwealth Reporter.

He was a man who disdained pretense.

He had no use for cluttered desks.

He wrote best about taxes and government and he drew on years of experience with city, county, state and federal prob-

lems—problems and issues which arose year after year, administration after administration—whether Democrats or Republicans were in office.

He disliked vacations or anything that kept him away from the flurry of events in the newsroom and the daily press run.

He felt comfortable with Republicans in office but he ripped into ineffective lawmakers regardless of their party.

He hit hard when he had to hit hard but he also could be gentle, and some of his best editorial writing described what he saw from the windows of his home on The Ledge . . . the first violets of spring, the first red leaves of autumn, deer tracks in the snow.

He had many friends at all levels of government. Early on election night last November when an entire editorial staff was straining to get the first report, an obscure township official got in touch with him to report Presidential totals and the news thus went winging into News Election Service headquarters, one of the first to be reported.

A decade ago when terrorists fired shots from the gallery of the House of Representatives in Washington, D.C., wounding several legislators, he got a call minutes later from Congressman William K. Van Pelt describing the scene.

He became so irked and irritated with the inefficiencies of three-man commission government, that he suggested in a series of editorials a change to the more modern council-manager form and within two years the City of Fond du Lac had a change in government.

He campaigned endlessly and tirelessly against the evils of the day as he saw them—incompetent government officials, federal waste and debts, death on the highway, pollution of air and water, rising taxes and the little demagogues of officialdom.

Carl H. Keyser started work for the old Fond du Lac Reporter in 1920 and was only the second editor of the merged papers, the present Commonwealth Reporter. He did everything a newspaperman is required to do to learn his trade in almost a half century of work. He was a general assignment reporter, sports editor, city editor, telegraph editor, managing editor and editor.

When he started newspapering as a young man, Harold Lloyd was starring in a two-reel comedy at the Idea Theatre and adult ticket prices were 35 cents, prohibition was being debated at the Democratic national convention in San Francisco, the county fair was to feature "a grand salute to aerial guns and an opening salvo of six World War I signal rockets," and Mertz, Zabel and Klevenow were the heroes of the Rueping baseball team.

In his 49 years with the Reporter Printing Co., Carl H. Keyser trained more than 150 men and women in news writing and editing. Among graduates of the Commonwealth Reporter editorial department today are three university professors, four editors of weekly newspapers, one of the state's top advertising agency executives, a physician, an Associated Press world services division writer, an AP bureau assistant manager, two managing editors, city editors and others in positions of responsibility in the newspaper business.

In the last month more than 40 former employes have written to their former boss and editor extending "best wishes" and congratulations on his 49 years wtih the Commonwealth Reporter.

Tom Masterson, for 30 years a top Associated Press foreign correspondent, put it well when he wrote to his former newsroom mentor: "Above all, your frequent admonition to write the story clearly and simply so the reader will understand it, served me well in writing about those complex happenings from countries far remote from the readers at home.

"Through it all—a civil war in China, riots in Singapore, the complexities of international summit conferences in Paris and the Arab-Israeli conflicts—you don't forget your first city editor, not if he was of the caliber of a Carl H. Keyser."

A newsman could prize no compliment more highly.

THE ABM

Mr. JAVITS. Mr. President, I ask unanimous consent that the text of my remarks, titled "ABM: The Stakes," delivered to the Edward R. Morrow World Affairs Forum of the Overseas Press Club of New York on July 10, 1969, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ABM: THE STAKES

With the opening of debate in the Senate, the "moment of truth" has arrived on the ABM issue. For, the ABM issue has acquired a symbolic importance beyond even the intrinsic questions involved. Its symbolic importance is twofold. First, the fate of the ABM is likely to determine the success or failure of the Strategic Arms Limitation (SALT) Talks now pending with the USSR; and second, if Safeguard is approved, it would establish a framework for U.S. policy that would place much heavier emphasis in terms of expenditure and national priority on military defense and security than on diplomatic and domestic considerations—including the grave crisis of the cities. That is why the stakes on this issue are so high.

The political coloration of the Nixon Administration's first term is in the making right now. The "Knowles Affair," the change in school desegration guidelines, and the proposal to deploy Safeguard tend to come down heavily on the conservative side; while the expansion of food programs to cope with hunger and the impending decisions in the war on poverty, unemployment compensation and Federal underwriting of welfare standards come down on the liberal side. Thus, the decision on deployment of Safeguard stands out as a critical phase of the struggle for the soul of the Nixon Administration.

The decision on Safeguard represents not the "war" but rather an important "battle," which could have a decisive effect on how the Administration will go in terms of the future of our nation and the world. It is in this repsect that I find it deeply regrettable that some advisors of the President have construed as political weakness the private efforts of Senate Republican moderates such as myself to reach a compromise on Safeguard. This compromise would involve deferring deployment for a year and is aimed at removing the issues of Presidential prestige and party loyalty from the difference of view over the ABM.

The future of arms limitation talks with the USSR is closely related to what happens in the ABM decision. If Safeguard wins, it will be much harder to bring about meaningful arms limitation. The die will have been cast for another step-up in the arms race and the Soviet Union will feel obligated to meet it. This does not mean that some lesser agreement would not be possible—as for example on prohibiting the use of the seabed for atomic weaponry—but a major arms limitations agreement will again have been put beyond practicability until both the Soviet Union and ourselves reappraise the new strategic situation in nuclear weapons created by the beginning of the Safeguard deployment. Thus, a major deficiency in the Administration's justification for the Safeguard ABM is the diplomatic deficiency.

Interestingly enough, neither our own nor the USSR negotiators seem to be sufficiently conscious of the likely blocking effect of the ABM deployment on arms limitation discussions now scheduled to start this summer. I feel the world has a right to conclude that there is a vast difference between coming to the arms limitations discussions with the United States, through the Safeguard deployment, having its hands in the cookie jar as the Russians already have with MIRV and other nuclear weaponry—and a situation in which the United States comes to the negotiating table, having foregone an alleged negotiating advantage. Self-restraint of this nature for a limited time not endangering our security would escalate nuclear arms limitation to the high level on which it should rest and help toward reaching a stopping point in the arms race. There are only two players in the game, the United States and the Soviet Union, and we certainly ought to try to come to the nuclear arms limitation agreement before throwing another chip—estimated to cost at least $8- to $15-billion—on the table. These are the true implications of the ABM decision as I see them.

The routine attitude toward nuclear arms control and the SALT talks contained in Secretary Laird's testimony is clearly inadequate to these historic circumstances, in my judgment. The truly effective way to prevent a major escalation of the arms race and to nullify, through prevention, the development of threatening new Soviet weapons capabilities is by international agreement. Yet, in his discussion of possible U.S. reaction to Soviet weapons developments, Secretary Laird gave only *pro forma* attention to the prospects for an arms control agreement. He said:

"One possibility, of course, is an agreement with the Soviet Union on the limitation of strategic armaments. I wholeheartedly support that objective, and we should do everything in our power to achieve a suitable agreement. But we must recognize that the issues involved are extremely complex and, even with the best of good will on both sides, it will be very difficult to work out an arrangement which truly safeguards the security of both sides."

From other remarks of Secretary Laird it seems that the Pentagon is determined to get the camel's nose under the tent with respect to the ABM. For instance, in describing ABM plans, Secretary Laird says: "How we would proceed from there would depend upon the outcome of the forthcoming talks with the Soviet Union on strategic arms limitations . . ." He makes this more explicit in another place: "Thus, it is entirely possible that a Soviet-United States agreement on strategic arms limitations might provide for a limited ABM defense on both sides."

This view on ABM presented by Secretary Laird, together with the developments on MIRV testing, indicate that the Administration may believe that the U.S. and the USSR can both "MIRV" a little and "ABM" a little without getting swept up in the "action/reaction" cycle of a major new round of the arms race. In my judgment, any complacency on this score is dangerously misplaced.

The real questions in the ABM decision, therefore, are:

(1) What is required by the security of the U.S. against strategic nuclear attack;

(2) What will best contribute to the success of negotiations (SALT) with the USSR regarding nuclear arms limitation and control;

(3) Does the expected technical capability of the Safeguard system really meet the tests set for its deployment;

(4) Is the alternative of limited delay in deployment the wise course; or, is there a better alternative to Safeguard deployment.

The past successes of the Pentagon in selling weapons systems to Congress has rested heavily on the technological presentations. But something extraordinary has happened with respect to the ABM—both in its Sentinel and Safeguard forms. The technological

arguments put forward by the Pentagon have been systematically and relentlessly challenged by independent civilian scientific experts. This spontaneous "revolt" by the scientific community is unique in our post-war history.

I wish to pay my personal tribute here to the many eminent scientists who have voluntarily stepped forward to challenge and refute on technological grounds many of the claims and assertions of proponents of Safeguard and Sentinel. If Congress denies authority to deploy the Safeguard system this year, perhaps the single decisive factor in turning the tide of debate will have been the patriotic vigilance of our leading scientists who have just refused to permit Department of Defense and Administration technological appraisals to go unchallenged.

I do not propose to review in detail the technological arguments on this occasion. But, I have followed the arguments on both sides in some detail. In my judgment, the "Commentary on Secretary of Defense Melvin Laird's May 22 Defense of Safeguard," written by three eminent scientific authorities—Drs. George Rathjens, Jerome Wiesner and Steven Weinberg—is a persuasive rebuttal to the case made by Secretary Laird. I agree with their conclusion:

"In a sense we may get the worst of all worlds with Safeguard: a poor defense of Minuteman; no significant defense of our cities; and yet because Safeguard uses the same components as Nike X and because the production lines for those components will have been established the Russians may react to our decision by expanding their offense just as if we were deploying a large scale defense for our population."

The most disturbing element of the case which Secretary Laird has been making for Safeguard is the deficient calibre and thrust of its basic, unstated intellectual concepts and assumptions. Also, controversy has developed concerning the national intelligence estimate of the Soviet missile threat—between the Secretary of Defense and the Director of Central Intelligence. The development of a credibility gap in this field could be a most dangerous precedent.

Pentagon testimony also strains credulity by attributing to the Soviet Union only the single-minded motive of an implacable will for conquest combined with a technological infallibility which our Department of Defense does not even claim for itself. Notably absent from this assumption regarding the USSR is any allowance for such considerations as the self-interest of Soviet civilians, including their demand for a better standard of living or the genuineness of their desire for peace.

When carried to extremes this sort of rigid thinking becomes contradictory and self-defeating. For instance, in one place Secretary Laird suggests that our Polaris submarine force will become vulnerable to Soviet weapons technology advances in the 1970's, and cites this as a reason why Safeguard is needed. But at another point he suggests that the USSR is planning to build a major fleet of Polaris-like submarines of its own—during the very years when he suggests that our superior version of the same weapons system may be unreliable—and he uses this hypothetical "threat" as another justification for Safeguard!

In my judgment, those responsible for preparing Secretary Laird's testimony on behalf of Safeguard have a view of the Soviet Union which is static and one-dimensional. As such it is dangerously inadequate to the judgments which must be made in the nuclear weapons field.

The complexities of weapons-systems design and war-gaming are onerously demanding in themselves and I do not blame the technicians who work in this field if work they have to on the basis of static and incomplete assumptions concerning the political motivations and intentions of such a vast and enigmatic society as the Soviet Union. But for those who must make the final judgments on these life and death matters, it is not enough to accept without challenge the arbitrary assumptions of the war-gamers—to wit, that the adversary is free to pursue without restraint or distraction a single-minded drive for pre-emptive nuclear war capability, and that the U.S. response should be one of accumulating a limitless counter arsenal of military hardware. If the political authorities on both sides listen only to their war-game advisors there can be no brake on the nuclear arms race other than mutual bankruptcy—or worse.

In my judgment, any future Soviet decision to provoke a nuclear confrontation with the United States will stem as much from an adverse assessment of our national unity, will and morale as it will from an audit of warheads and megatonnage.

This hypothesis has direct pertinence to the question at hand because the ABM has become a symbol in the debate over national priorities. If the disaffected elements of our society—young rebels, anguished blacks, frustrated intellectuals, and the millions condemned to a deteriorating quality of life in our sprawling urban areas—are given to understand that technologically dubious military hardware is to have first claim on national resources, then we may well witness the kind of spiritual depression and national divisiveness which could tempt an adversary into thinking the U.S. could be faced down in a threatened nuclear confrontation. Conversely, I am confident that any potential aggressor would be deterred by the prospect of a revitalized and reunified America which was in the process of achieving breakthroughs on urban, racial and economic problems.

In reviewing the intellectual deficiencies of the Pentagon's justification for Safeguard, it is also necessary to comment on the strange revival of the "Chinese threat" argument. The President dismissed that argument in one of his earliest press conferences on the ABM issue, and on May 22, General Wheeler, appearing with Secretary Laird before the House Appropriations Committee said: "The principal feature of this Sentinel deployment upon which the Joint Chiefs of Staff had reservations was its primary orientation against the Chicom ICBM threat."

Nonetheless, we find in Secretary Laird's testimony such extraordinary statements as: "Therefore, it is reasonable to conclude that our ability to deter Communist China with our strategic offensive forces is considerably less certain than in the case of the Soviet Union."

The Secretary then proceeds to conjure the following frightening prospect:

"The President of the United States, no matter who he may be at the time, could find himself in an extremely difficult position in a serious confrontation with a Communist China armed with a force of even 25 relatively primitive ICBMs. Our cities would be hostage to the Chinese ICBM force, and the President would have no alternative but to back down or risk the destruction of several major cities and the death of millions of Americans."

Indeed, Secretary Laird's remarks about the Chinese suggest that the Pentagon has learned very little about Asia from the Vietnam war. For all its rhetoric, Peking has been very cautious militarily with respect to nuclear weapons and, with but a handful of missiles, any decision by Communist China to use them would be suicidal—and Peking would know this.

In my judgment, this kind of argument, designed to play upon deep fears of an alleged "Yellow Peril" is no more creditable, or credible, than former Secretary Rusk's attempt to conjure up the frightening image of "a billion Chinese on the Mainland, armed with nuclear weapons" as a rationale for the Vietnam War at a beleaguered moment when the earlier justifications had lost their credibility.

The present moment may well prove to be one of the most decisive in our history. The United States and the Soviet Union are poised on the brink of a major new escalation of the arms race, as both sides edge closer to deployment of a new generation of weapons systems which could upset the entire strategic "balance of terror" that has prevailed for the past decade.

All of our experience of the nuclear age argues that there can be no stopping halfway—once begun, the next round of the nuclear arms race will have to be played out to its logical conclusion. The dangerous strategic destabilization involved—and the staggering cost of the new weapons system—literally in the tens of billions—can bend the development of human society in truly nightmarish ways.

We have a chance now, using the pause of both sides on a stable strategic plateau, to assert rational human control over the arms race. It may be that the wit and will of man will prove inadequate to foraging an effective agreement to control the terror of nuclear war. But surely we would be bitterly condemned by future generations if we do not at least try—if we do not make every effort now to break the "action/reaction" cycle through a negotiated nuclear arms control agreement.

THE PESTICIDE PERIL—XXXIII

Mr. NELSON. Mr. President, New York is one of the many States alarmed about the effect of DDT on fish and wildlife and is currently considering proposals to ban the use of this persistent, toxic pesticide.

The State division of fish and game is concerned that the DDT residue levels in lake trout in the State have increased significantly since the 1963 samplings of trout revealed an average of 5.6 parts per million of DDT residues—already 0.6 parts per million above the maximum amount permitted for fish in interstate commerce by the Federal Food and Drug Administration.

Also, in trout eggs taken from Lake George, the department reported "100 percent mortality in the young fry as early as the late 1950's," according to an article in the Ithaca Journal.

The department is expanding its sampling program so that by the end of this summer it should have a complete picture of the extent of pesticide pollution in the waters of New York State.

I ask unanimous consent that an article published in the Ithaca, N.Y., Journal of July 2, 1969, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DDT RESIDUE LEVEL IN CAYUGA LAKE

(By Helen Mundell)

"I'm deadly sure the (DDT residue) level has gone up in lake trout from Cayuga Lake," William Bentley, assistant director of the State Division of Fish and Game in Albany, told the Journal this morning in an interview.

A 1963 analysis showed fish in Cayuga Lake had as much as .1 parts per million of DDT residue, which is more than the 5 ppm which the Federal Food and Drug Administration considers safe.

"We're pretty concerned with it, frankly," he added.

Bentley also said that the division has had "decreasing success in reproduction" of lake trout eggs taken from Cayuga and Seneca Lakes, because of the DDT residues in the eggs, although he declined to give a percentage.

Bentley said he had no data for DDT residue levels for Cayuga Lake trout for 1968 or 1969. Fish from last fall and this summer are being analyzed at the Rome Pollution Laboratory of the State Conservation Department, as part of an intensified pesticide identification program.

Pressed for data from earlier years, he said the department has some data, but he said the department has found errors in it. He refused to release it, saying:

"I don't like to give hazy or scare data."

He said some of the earlier data gives some "tremendous" levels, which he said he doesn't believe are correct.

"Within a relatively short time we'll have Cayuga Lake data," he said.

The last published data for Cayuga Lake was from fish collected in 1963 in the Taughannock area. It showed that of three trout, one contained 7.1 parts per million of DDT residue; a second contained 6.2 ppm and a third contained 3.6 ppm, for an average of 5.6.

The federal Food and Drug Administration has set five ppm as the maximum amount permitted for fish in interstate commerce. Fish with more than that amount are seized and destroyed.

Bentley said that of three fish caught in 1968 in Lake George one had 143 ppm of DDT residue, a second had 118 ppm and third had 41 ppm. The largest amount of DDT was found in the largest, oldest fish, he said, as DDT builds up year-after-year as the trout feed on smaller fish containing DDT.

In trout eggs taken from Lake George, he said the department had had up to 100 per cent mortality in the young fry as early as the late 1950s.

Bentley said the eggs hatch normally, but after they hatch the young fish live on the yolk sac attached to their bellies for up to 30 days. DDT is concentrated in the fat in the egg yolk and just as the young fish is ready to begin feeding, it absorbs the DDT in a massive enough dose to be lethal.

The same things now happening with eggs taken from Cayuga and Seneca Lakes, he indicates.

He considers the lack of success in reproducing trout to be very significant, not only to trout fishermen but to everyone, because it is an indicator of what DDT is doing to "our total environment."

Because of the department's concern with pesticide pollution, it has expanded its sampling program from 12 lakes to 100. During the summer it expects to analyze at least three fish from each of at least six species from the 100 lakes, including Cayuga.

"We expect to go on a two-shift basis" in analyzing the samples, Bentley said.

"By the end of the summer we'll have a pretty good picture from throughout the state," he concluded.

AMERICAN BUSINESS OPERATIONS IN FOREIGN COUNTRIES

Mr. MURPHY. Mr. President, too often these days we hear those who are ever anxious to criticize the United States, speaking of American business "exploitation" in foreign countries. We hear far too little of the progressive and constructive advances which our businessmen have made possible through their operations in foreign lands.

There are many shining examples of companies which have introduced their products in Latin American countries utilizing a policy of local ownership. In such instances these countries have received great benefits from the standpoint of financial gains, employment, and general all-round better economic conditions.

Donald M. Kendall, the dynamic president and chief executive officer of PepsiCo., Inc., has constantly insisted upon such policies in administering the companies under his supervision. Pepsi-Cola is a good example. Mr. Kendall, recently named by President Nixon as head of the National Alliance of Businessmen, came to this job well prepared by his broad background in business and international affairs. It is not surprising that he would administer the affairs of PepsiCo., Inc., with policies that benefit mankind as a whole.

Considering the above, I thought that Senators would be interested in reading the detailed and well-researched article by the prominent Latin American writer of the Evening Star, Jeremiah O'Leary, dated July 15, 1969, in the business section of this newspaper. The article, entitled "U.S. Companies Find Policy of Local Ownership Is Best," concerns Mr. Kendall's excellent work in carrying out such policies. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. COMPANIES FIND POLICY OF LOCAL OWNERSHIP IS BEST

(By Jeremiah O'Leary)

Nothing is more irritating to Latin American governments and peoples than the real or imagined spectre of a giant United States corporation extracting the national riches, drawing down enormous profits and generally functioning as if the locals were colonials.

The syndrome has caused, and still does, seriously strained governmental relations, expropriations with or without compensation and violence. The unfortunate collision of interest has affected fruit companies, mining firms, communications companies and oil interests.

When there is trouble it can range from a few broken windows at the U.S. company offices to the burning of department stores. Few Latin countries have not experienced the turmoil aroused by the symbolism of a powerful American company amid the grinding poverty that is the lot of a majority of Latin Americans today.

In this framework of company-government-people relationships, Pepsi-Cola has offered an example for nearly 35 years of the fact that local ownership can benefit Latin and North America alike and that multinational business practices can make both social and commercial contributions of importance.

OUTLOOK EXPLAINED

Donald M. Kendall, president and chief executive officer of PepsiCo., described the firm's philosophy this way: "We found out in the U.S. a long time ago that a local bottler, well known in his community and an integral part of it, made a lot more sense than absentee ownership. The same concept holds true in Latin America where for many years we have made the products and the personnel as indigenous as possible and the companies are not merely an extension of a North American business.

"Around the world, we are in 115 countries with 44 different languages and dialects. The only reference to the parent company is in the trademark. Only nine of 151 plants in 29 countries and territories in Latin America are company-owned. In all the others, the operation is locally-owned and controlled in all cases by nationals of the respective companies. These operations are totally autonomous and PepsiCo., exercises control only over product quality and trademarks."

Kendall said Pepsi-Cola plants now represent an investment in Latin America of more than $160 million, employing 23,000 individuals in all categories and earning approximately $36 million. The annual retail value of Pepsi-Cola products sold through 650,000 outlets in Latin America is more than $250 million. He said PepsiCo gives direct employment to 2,800 people in Latin America and only 14 of these are North Americans. Worldwide, there are 10,000 direct employes and only 35 Americans among them.

Nearly everything except the working of the formula for the soft-drink originates in the country where the product is made. The essence or concentrates, the sugar, the cases, the glass for bottles are all supplied from within Latin America—not shipped in from the United States. Kendall said the annual value of the raw materials involved in bottling and distribution is $100 million and all is purchased in the local economy.

The contribution by the 151 operations to government revenues is estimated to be $25 million in the form of income and sales taxes yearly. Related services such as advertising, travel, freight and insurance comes to $22 million.

The company owns and operates concentrate manufacturing plants in Mexico, Puerto Rico, Brazil, Argentina, Uruguay, Colombia and Chile as well as food plants in Mexico and Venezuela.

Pepsi-Cola emigrated to Latin America in 1935 when a bottling plant was opened in Havana. The company expanded rapidly in Latin America through local investors under the franchise system. During the 23 years from 1945 to 1968, the number of bottlers in the Latin American and Caribbean region increased from 23 to 151 existing today. Company officials point out that in much of Latin America soft-drinks have a nutritional value as well as the accepted refreshment concept of the U.S. The company's president for Latin operations today is a Mexican; his predecessor was an Argentine.

Kendall and the parent company are convinced they have a corporate commitment to community development programs. The company was a charter supporter of Accion, a private self-help program similar to the Peace Corps. Kendall was formerly president and is now chairman of the board.

JANESVILLE GAZETTE ENDORSES DDT BAN

Mr. NELSON. Mr. President, the Janesville, Wis., Gazette is joining the effort to inform the public of the dangers to our environment and to human health from the continued use of DDT through editorials endorsing proposals for a ban on this particular pesticide.

I ask unanimous consent to have printed in the RECORD the Gazette's July 23 editorial commending the Wisconsin State Assembly for the passage of a bill to ban the sale, use, and distribution of DDT in Wisconsin.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ASSEMBLY DOES A GOOD JOB

The Wisconsin Assembly showed it is in tune with public thinking last week when it

voted 99–0 to ban the sale, use and distribution of DDT in this state. The bill now goes to the Senate, which we hope will display a similar public consciousness and join the Assembly in banning the persistent pesticide.

As passed by the Assembly, the bill provides that DDT may be used only when an emergency board decrees that it is needed to combat "an outbreak of plant diseases of epidemic proportion" or the outbreak of an "epidemic disease of humans spread by insects which can only be controlled by DDT." That makes the ban pretty complete, and that's the way the Senate should leave it.

The lion's share of the credit for passage of the bill goes to Assemblyman Lew Mittness of Janesville, who is the bill's chief author and main sponsor.

When Mittness first introduced the bill, its chances for passage appeared slim. But hearings in Madison, coupled with alarming reports on fish and bird deaths caused by DDT, mobilized public opinion against the pesticide. The outcry became so widespread that legislators realized it was in their political interest to support the DDT ban.

Mittness, along with the bill's other supporters in the Assembly, pressed hard to get the measure out of committee. They also were instrumental in beating down several attempts to weaken the bill with amendments and steered it to successful passage.

Mittness, who was delighted by the unanimous passage of the DDT ban in the Assembly, pledged to use his influence for the measure in the Senate. "I'm going to talk to some of the senators," he said. The Janesville assemblyman said he thinks the 99–0 vote in the Assembly will induce the Senate to act favorably on the measure.

We hope Mittness is right, because Wisconsin sorely needs a ban on pesticides like DDT that are killing our fish and wildlife at an alarming rate. While the DDT ban bill does not extend to other pesticides, it is an important beginning because DDT is one of the most popular and one of the cheapest pesticides on the market.

Michigan already has banned the sale of DDT and other states are expected to follow. Let us hope that Wisconsin is one of the first to join in.

THE OLD FRONTIER STILL LIVES

Mr. HANSEN. Mr. President, the New York Times carried an interesting article about the State of Wyoming, its past and its present.

Wyoming is proud of her past. It was our ancestors who had the desire, the courage, and the strength to settle the wild, unsettled frontier. They fought against almost insurmountable odds, found in themselves the qualities necessary to settle, develop and stay in Wyoming. They battled Indians, produced the farms and ranches, and used them to provide a way of life for their families. They set the stage for the present. We are proud of our past.

We are proud of our present. Wyoming provides the beauty, the people, and an opportunity that is hard to find. Wyoming's citizens are the "now" people, the people who grow with the times. Their kindness and friendliness, throughout the State, is the topic of discussion for a number of our visitors. We have a real interest in tourists and in helping folks. It is a fine trait and motivates people to return again and again.

We are proud of our future. Now industry and growth is what they seek. The industry, the growing economy, the opportunity raising its head, and the youth are the factors. The fervor of our youth is symbolized in the Casper Troopers. The space of our land, the peaks of our mountains, the green of our forests, and the recreation we provide draws the tourists. All of these factors, coupled with the people—our very real power—helps point up that our opportunities are unlimited.

I ask unanimous consent that the article from the New York Times be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WYOMING IN THE SPACE AGE: THE OLD FRONTIER STILL LIVES

(By Martin Arnold)

CASPER, WYO.—North from the hills, black with Ponderosa pine, the plains stretch out as far as the eye can see, barren of all but the sun-dried sagebrush tumbling in the wind. This is a land that appears as serene and as orderly as the hills and steppes where 75 years ago there were badmen and later in the early 1900's, fortunes were made overnight in oil, and shootings to protect claims were not uncommon.

There remains a quality of the frontier about this city of 40,000. While people in the urban centers to the east and west are wrestling with the problems of housing and welfare, of muggings and demonstrations, Casper, several generations after the Indians and badmen, still has its feuds between the ranchers and the prospectors, still concerns itself with the problems of people who live for such basics as shelter and water.

Now in July, when the cattle and sheep have been driven to pasture high in the cool mountains 100 miles away, the plain is mostly yellow and brown, although here and there it is suddenly purple beneath a cloud or white where the wind is stirring a sand mound.

The big sky is desolate as the sea, but its blue is lighter, clear, with a trace of pink. And the big sky is still, as if, like the plain below, it had been scorched by the sun.

But if you stand on the top of the hills and look down you see a tight mass of steel and concrete, of wood and stone and brick, of pipes and wires and poles, of roads and highways. Casper is imposed upon the plain's edge, where once the Cheyenne, the Arapahoe, the Comanche, the Black Foot and Sioux roamed even before the Oregon Trail passed this way bringing, first, the pioneers headed westward and then the fur trappers and the cattle up from Texas.

Casper does not strike out boldly into the emptiness around it. It inches out timidly, street by street. In the midst of hundreds of thousands of acres, its houses, in architecture similar to those in any New York City suburb, are strung together as close as beads on an Indian embroidery. "It's the covered wagon complex. We all want to be together," a resident said. "Maybe it's to protect ourselves from the weather."

The automobile stickers say, "Wyoming: Oil Is Our Bread and Butter." Oil was first drilled in the state in 1888 three miles northwest of Casper—and ever since, the city has been a "boom and bust" town.

It brags of its economic vitality, but the picture is somewhat misleading. Up to five year ago, 50 major oil companies had administrative offices in the city, but now most have pulled out, leaving behind only a small number of field workers. Mobil Oil moved 150 families several years ago. That was a severe blow, and the immediate effect was the closing down of half the shops in one of the state's largest shopping centers.

Many young people are leaving. Fred Goodstein, who arrived here 46 years ago as a junk dealer and who made millions in oil, says, "If we can make Casper College a four year college and then get a graduate school we can hold some of our youth. But there's no substitute for smokestack industry and unless we can get a larger labor force we wouldn't have that."

The lustiness that the city has comes not from the life-style of its natives, who are conservative people, but from its oil families, who are transients, moving on to new oil areas every few years.

Still, the plains immediately around the city are largely cattle and sheep land, and the Old West's earlier war between the ranchers and the homesteaders is now between the ranchers and the mineral prospectors. Walter J. Reynolds, a rancher, complains that there are "hundreds of unplugged drill holes" on his land and that because of claim jumping many portions of his ranch have been staked and drilled for claim validation three times.

In recent years, there has been an invasion of uranium prospectors, a secretive bunch. Howard Arnett, president of the Wyoming Mining Association, said, "It's a favorite Western plot. A guy goes out on the plains in his black hat and then rushes back and files his claim. Thousands of uranium claims are filed every month in the courthouses."

"When a man sitting at a switchboard in Kansas City can start a well pumping here, you can see that the city has to change from oil to mining to keep going," Mr. Arnett said.

It is the frontier in many ways. The people of Casper wear cowboy boots and ten-gallon hats and have front lawns that are decorated with wagon wheels. Horses often graze in their small backyards, and the city's business streets, although paved, are wide enough to allow the old freight wagons pulled by 22-horse teams to make U-turns.

One of the first things visitors are told about is the Casper Troopers, a drum and bugle corps composed of local men and women, who have traveled around the world winning international and national drum and bugle contests.

Old timers are proud of Goose Egg and Medicine Bow, just to the southwest and south, where Owen Wister's Virginian fell in love with Molly Wood, the Bear Creek schoolteacher, and feuded with Trampus, the range bully. They brag of Caspar Collins, who was killed July 26, 1865, when his horse panicked as he went to rescue a fallen trooper and carried him into a horde of oncoming Indians. An Army clerk misspelled his first name, and the city became Casper rather than Caspar, although the old fort, reconstructed at the bend of the North Platte River, a few miles out of town, is correctly Fort Caspar.

The Old West exists, however, in deeper ways. To a startling degree, the law of the sheriff prevails in Casper. Partly this is because of the national concern with law and order. Mainly, it's a deep-grained tradition, that the sheriff of the police are ever on the alert to keep out the badmen who drift in from the plains.

Maybe in 1969 it's just a motorcycle gang. Robin Axlund, 18, who had set up a fireworks stand at the edge of the city, said, "It's bad news on the plains, with everything so flat and dry and lonely. I told the sheriff the motorcycle gang was trying to get my fireworks. He told me to sleep out here with a gun and shoot them. I've got my gun now."

The lawmen are tough. Their cruisers follow the cars of strangers and some residents at night, and a simple question asked by a stranger brings, often, a surly answer. James W. Fagan, 41, an iconoclastic criminal lawyer, who used to work for Senator Gale McGee, says, "After 100 years of the Constitution, it doesn't matter out here what the Supreme Court says. It's irrelevant. The attitude of the county attorneys is that our state courts will uphold anything they do."

The North Platte River, near the site where Brigham Young built a ferry in 1847, flows around and into Casper, and the city likes to boast that it is the only river in the country once polluted but now clean, the entire cost of the cleanup having been done by the Standard Oil Company.

The river intrudes into the city in an area called the Sand Bar, several blocks from the main business section, where Casper's blacks—estimates range from 500 to 1,500—live in dilapidated one-story wooden shacks, most of which used to be brothels. Several of the shacks are still brothels, run by the blacks for a white clientele.

As far as white Casper is concerned there is no black problem. Blacks work as janitors and the Sand Bar will be replaced by a reluctantly accepted urban renewal project.

A polygot of Irishmen and Baptists, of Jews and Mormons, with a handful of Lebanese thrown in, the city has 49 churches and one synagogue. Casper is proud that there is no racial tension. The blacks are on the Sand Bar and the Indians are on a reservation, 100 miles to the west.

"Our children know when they get out of school there'll be some jobs for the white kids, but none for the black kids," the black proprietor of a brothel said. "Black kids have no money in their pockets to circulate, so most of them leave town."

"It's a happy city," said A. Deryl Safford, a certified public accountant. "I've moved away six times and have come back. It's a friendly, compassionate, helpful city. There's no such thing as a stranger."

DELPHIAN STUDY CLUB OF PADUCAH, TEX., URGES ESTABLISHMENT OF 100,000-ACRE BIG THICKET NATIONAL PARK

Mr. YARBOROUGH. Mr. President, the Delphian Study Club of Paducah, Tex., has recently adopted a resolution urging the establishment of a 100,000-acre Big Thicket National Park in southeast Texas, as provided in my bill S. 4.

The Big Thicket has long been a paradise for the hunter. In spite of long abuse, small game still abounds. Alligators forage along the sluggish bayous; America's four varieties of poisonous snakes can be found in the dense brush; wild cats, foxes, raccoons, squirrels and opossum abound; and the deep woods still produce an abundant crop of white-tailed deer.

However, the big game and unusual animals face extinction. Jaguars and ocelots, which were once found within the Thicket have not been seen for many years. Local hunters heatedly dispute whether or not a few bears and panthers still roam the remote swamps. But, as these remote areas disappear, this dispute becomes increasingly pointless.

This beautiful and unique area with its rich and diverse plant and animal life is disappearing at a rate of 50 acres per day. It has already been reduced from its original size of 3.5 million acres to about 300,000 acres. We must act now if we are to save this invaluable resource.

Mr. President, I ask unanimous consent that the resolution adopted by the Delphian Study Club of Paducah, Tex., be printed in its entirety, including the name of its signer, at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas, the Big Thicket of Texas is a meeting place for eastern, western and northern ecological elements; and

Whereas, this is the last stand in Texas of the nearly extinct Ivory-billed Woodpecker; and

Whereas, this beautiful and unique area is rapidly being destroyed by bulldozer and chain saw; therefore

Be it resolved that the Delphian Study Club of Paducah, Texas urges the preservation of at least 100,000 acres containing the most unique areas of the Big Thicket, these areas to be connected by environmental corridors; and

Be it further resolved that the Interior and Insular Affairs Committee of the Senate of the United States be requested to set immediate hearings on S4 which would create a Big Thicket National Area.

NELDA H. TYLER,
(Mrs. R. H.).
President.

THE JOINT ECONOMIC COMMITTEE

Mr. PROXMIRE. Mr. President, from time to time Senators have expressed interest about the present membership and structure of the Joint Economic Committee. I should like to discuss our present organization and membership, particularly since our chairmanship rotates every Congress and also because we have added two new members in this session.

As presently constituted, the committee is made up of 20 members, 10 from each House. Our chairman during this 91st Congress is the distinguished chairman of the House Banking and Currency Committee, Hon. WRIGHT PATMAN, of Texas, an excellent legislator and a dedicated public servant. It has been a pleasure and honor for me to work with him over the years. Mr. PATMAN was the floor manager of the original Employment Act at the end of World War II, and he has been steadfastly devoted to the great objectives of this act ever since. More than anyone in either House, he has served as a guiding spirit of the committee.

During the 90th Congress, it was my honor to serve as chairman of the Joint Economic Committee, and at the present time I am the vice chairman and the chairman of the committee's Subcommittee on Economy in Government.

The Subcommittee on Economy in Government has been making prolonged and extensive inquiry into national priorities and defense spending and I am most grateful to my associates on that subcommittee for their steadfast participation and support.

Chairman PATMAN heads the distinguished Subcommittee on Economic Progress, which over the years has contributed so much to our knowledge of economic growth, automation, and public investment. There are six other subcommittees covering Urban Affairs, Inter-American Economic Relationships, Foreign Economic Policy, Economic Statistics, International Exchange and Payments, and Fiscal Policy.

Mr. President, I ask unanimous consent to have printed in the RECORD a complete listing of our subcommittees and their members.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

THE 91ST CONGRESS OF THE UNITED STATES—
JOINT ECONOMIC COMMITTEE

HOUSE OF REPRESENTATIVES

Wright Patman, Texas, *Chairman.*
Richard Bolling, Missouri.
Hale Boggs, Louisiana.
Henry S. Reuss, Wisconsin.
Martha W. Griffiths, Michigan.
William S. Moorhead, Pennsylvania.
William B. Widnall, New Jersey.
W. E. Brock 3d, Tennessee.
Barber B. Conable, Jr., New York.
Clarence J. Brown, Ohio.

SENATE

William Proxmire, Wisconsin, *Vice Chairman.*
John Sparkman, Alabama.
J. W. Fulbright, Arkansas.
Herman E. Talmadge, Georgia.
Stuart Symington, Missouri.
Abraham Ribicoff, Connecticut.
Jacob K. Javits, New York.
Jack Miller, Iowa.
Len B. Jordan, Idaho.
Charles H. Percy, Illinois.

Committee staff

John R. Stark, *Executive Director.*
James W. Knowles, *Director of Research.*
Economist: Robert H. Haveman, Richard F. Kaufman, Loughlin F. McHugh, George D. Krumbhaar, (*Minority*), John R. Karlik, Frazier Kellogg, Douglas C. Frechtling (*Minority*).
Administrative: Esther S. Hickey, Hamilton D. Gewehr.
New Senate Office Building, G–133, Washington, D.C., 20510, Telephone: (202) 225–5171, Government Code: 180.

SUBCOMMITTEE MEMBERSHIP

Economic Progress

Representatives: Wright Patman, *Chairman;* Martha W. Griffiths, William S. Moorhead, W. E. Brock 3d, Clarence J. Brown.
Senators: William Proxmire, J. W. Fulbright, Herman E. Talmadge, Len B. Jordan, Charles H. Percy.

Economy in Government

Senators: William Proxmire, *Chairman;* John Sparkman, Stuart Symington, Len B. Jordan, Charles H. Percy.
Representatives: Wright Patman, Martha W. Griffiths, William S. Moorhead, Barber B. Conable, Jr., Clarence J. Brown.

Urban Affairs

Representatives: Richard Bolling, *Chairman;* Henry S. Reuss, Martha W. Griffiths, William S. Moorhead, William B. Widnall, W. E. Brock 3d, Clarence J. Brown.
Senators: Abraham Ribicoff, William Proxmire, Jacob K. Javits, Charles H. Percy.

Inter-American Economic Relationships

Senators: John Sparkman, *Chairman;* J. W. Fulbright, Abraham Ribicoff, Jacob K. Javits, Len B. Jordan.
Representatives: Richard Bolling, Hale Boggs, Martha W. Griffiths, Barber B. Conable, Jr., Clarence J. Brown.

Foreign Economic Policy

Representatives: Hale Boggs, *Chairman;* Henry S. Reuss; William S. Moorhead; William B. Widnall; W. E. Brock 3d; Barber B. Conable, Jr.
Senators: John Sparkman, J. W. Fulbright, Herman E. Talmadge, Stuart Symington, Abraham Ribicoff, Jacob K. Javits, Jack Miller.

Economic Statistics

Senators: Herman E. Talmadge, *Chairman;* J. W. Fulbright; Jack Miller.
Representatives: Richard Bolling, Martha W. Griffiths, Barber B. Conable, Jr., Clarence J. Brown.

International Exchange and Payments

Representatives: Henry S. Reuss, *Chairman;* Richard Bolling; Hale Boggs; William

S. Moorhead; William B. Widnall; W. E. Brock 3d.

Senators: William Proxmire, Stuart Symington, Jacob K. Javits, Charles H. Percy.

Fiscal Policy

Representatives: Martha W. Griffiths, *Chairman;* Hale Boggs; William S. Moorhead; William B. Widnall; Barber B. Conable, Jr.

Senators: William Proxmire, Herman E. Talmadge, Stuart Symington, Jacob K. Javits, Jack Miller, Charles H. Percy.

ESCALATING COSTS OF MEDICARE AND MEDICAID

Mr. WILLIAMS of Delaware. Mr. President, Congress has been concerned over the escalating costs of both the medicare and the medicaid programs, and the Finance Committee has been conducting a study to determine the basis of this escalation.

One point called to our attention was the manner in which nursing homes were having their cost basis substantially increased by changing hands at inflated figures or through reappraisals.

The increases resulting from this upward reevaluation feeds through in higher per bed and diem costs for medicare and medicaid patients.

A few weeks ago I visited the Department's Baltimore offices, and we discussed this point further, at which time specific cases were selected for more detailed examination.

I have just received a report from the Department of Health, Education, and Welfare with the results of one of these cases which was selceted for reauditing, and I ask unanimous consent that the report from Mr. Thomas M. Tierney, Director of the Bureau of Health Insurance, dated July 22, 1969, relating to this case be printed in the RECORD following my remarks.

This nursing home selected was a 48-bed institution, and as this report will indicate, its established book value was $342,020 with a per bed cost of $7,125.

This home was reappraised and given a new appraisal cost basis of $586,541, or an increase of 70 percent, with the result that the per bed cost was increased from the old basis of $7,125 to $12,220, or a corresponding increase of 70 percent.

It is significant to note that according to Mr. Tierney's report the intermediaries had approved without question this upward appraisal as the basis for determining increased medicare costs, and it is futher significant that HEW, with all of its audit force in Baltimore, had not discovered this discrepancy nor placed any objection to this higher determination until after it had been selected as a sample case.

The Department now confirms that this does represent an overcharge and advises that the intermediary has been instructed to reexamine the rate schedule and make the necessary adjustments recognizing the lower cost basis.

The most disturbing point, however, is the apparent lack of concern that we find in this Department in not having examined these cost factors prior to congressional action.

I ask unanimous consent to have printed in the RECORD a letter from Thomas M. Tierney, Director of the Bureau of Health Insurance, and an enclosure.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, SOCIAL SECURITY ADMINISTRATION,

Baltimore, Md., July 22, 1969.

Hon. JOHN WILLIAMS,
Senate Finance Committee,
U.S. Senate, Washington, D.C.

DEAR SENATOR WILLIAMS: We have now compiled the information you requested regarding the —— Nursing Home in New York. I am enclosing copies of the institution's balance sheet, the auditor's work papers and the appraisal reports.

The appraisal report has apparently been prepared by a recognized and reputable appraisal firm. While we are not in a position to make an expert evaluation of the appraisal itself, we do have difficulty comprehending the large differences between the recorded capitalized costs of assets owned by this proprietary provider and the valuation determined as a result of the appraisal. For this 48-bed institution, the per bed cost is as follows:

Book value, $342,020; per bed cost, $7,125.

Appraisal cost, $586,541; per bed cost, $12,220.

The appraisal was initially agreed to by the Hamilton Life Insurance Company which was then intermediary for this extended care facility. When Hamilton Life was terminated as intermediary and Travelers took over responsibility for the former's providers, it simply went along with the initial decision by Hamilton Life. Presumably, the provider's basis for requesting the appraisal was that its property records did not adequately reflect the cost of the facility.

Our position on this issue, which we have communicated to Travelers, is that since this is a proprietary provider and undoubtedly files tax returns, its tax returns should be used to establish the cost basis for its assets. The result is that although the appraisal reflects a substantially greater cost basis for assets of the —— Nursing Home, it will not be recognized for purposes of Medicare reimbursement. Instead, the intermediary has been instructed to reverse the entry, recognize the cost basis shown for Federal tax purposes and make the necessary adjustments.

Sincerely yours,

THOMAS M. TIERNEY,
Director, Bureau of Health Insurance.

REPORT ON INCREASE IN DEPRECIABLE BASES OF ASSETS —— NURSING HOME, ——, N.Y.

The balance sheet for the reporting period ended December 31, 1967, (copy enclosed) reflects a substantial increase in the depreciable base of the prover's fixed assets. This increase was the result of an appraisal of the historical cost of the assets (copy of appraisal report enclosed). The appraisal was requested by the provider and approval granted by the intermediary on July 12, 1968, (copy of approval letter enclosed). The appraisal was approved by the intermediary because the provider apparently did not have adequate evidence to support the historical cost of the assets.

The effects of the appraisal on the basis of the provider's assets are as follows:

Increase in Asset Values:

	Value before appraisal	Value after appraisal	Change
Land	$6,340	$18,000	$11,660
Buildings	342,020	586,541	244,521
Major movable equipment	80,923	86,683	5,760
Subtotal	429,283	691,224	261,941
Accumulated depreciation	(73,707)	(122,908)	(49,201)
Book value	355,576	568,316	212,740

RURAL HOUSING—NEED AND NONRESPONSE

Mr. METCALF. Mr. President, last month the first National Rural Housing Conference was held at Airlie House, in Warrenton, Va. The distinguished junior Senator from South Dakota (Mr. McGOVERN) was the keynote speaker. It is my understanding that the report of that conference will be available in published form in the next few weeks.

It is a commentary that this, the first national conference on rural housing, received so little attention in the press. The fact is, as is known, but seldom acted upon, that the rural areas and small towns of America contain more bad housing than the urban areas—not only in proportion to population but in flat numbers. Yet our national attention tends to focus on the urban areas and to neglect rural and smalltown needs. Certainly our Federal programs have largely overlooked the larger needs for the more concentrated ones.

How much attention, for example, are we giving to one rural group—the Indians—who are the worst-housed single group in the Nation? For Indians living on reservations, the incidence of indecent housing is not 1 in 10, as it is for the Nation as a whole, or even 1 in 2, as it is for the general population of those below the poverty line; it is 2 out of 3. In fact, if one considers the crowding aspect of housing, it is probable that 3 out of 4 families on reservations live in inadequate housing.

How much attention do we pay to the fact that incomes are lower but the costs of adequate housing higher in rural areas and small towns? Thus, while the average income of people living outside metropolitan areas is more than one fifth lower than people living in metropolitan areas, the Kaiser Committee found that a family outside a metropolitan area required as much as one third more income to secure adequate housing.

Surely it is time that we gave the housing needs of our rural areas and small towns at least as much attention and as much in the way of assistance for low-income housing as we do our great metropolitan areas. I hope that the work of the National Rural Housing Conference and the actions it took will mark the beginning of a real effort to correct this long and shameful neglect and the imbalance which has been its result. Specifically, I invite the attention of Senators to a background paper that was prepared for that conference by George Rucker, of the staff of the Rural Housing Alliance. It attempts to bring together some of the available information

on housing needs—past, present, and future—in rural America; and to compare the size of the need with the magnitude of our present efforts to do something about them. I would note that Dr. Rucker thinks that the official goal, in terms of assisted housing, adopted by Congress last year, is far too modest. Whether or not we agree in detail with this and other conclusions reached in his paper, I think that it makes both informative and stimulating reading. I ask unanimous consent to have printed in the RECORD the major portion of the paper, which is aptly titled "Rural Housing—Need and Non-Response." I have taken the liberty of leaving out some of the more detailed statistical tables and the various footnotes indicating his specific page references to other sources, since most of these are indicated in the body of the paper, at least in a general way.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

RURAL HOUSING—NEED AND NON-RESPONSE

In 1949, when the Congress declared as a national objective, "the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family," more than one out of every three households was occupying a substandard unit. In rural America the proportion was more than one out of every two, and (depending on your definition of "rural"), 60 to 80 percent of the nation's substandard housing was to be found in those sections of the country. This paper represents an effort, utilizing a broad definition of rural and small town, to assess the situation as the 1960's end—to estimate the housing needs that exist and can be expected to develop during the decade ahead, to take cognizance of the Federal programs which are intended to meet those needs, and to attempt some indication of the degree to which they can be expected to do so.

First, some matters of definition need to be dealt with. The Census Bureau defines as "rural" all farms, and all non-farm places with populations of less than 2,500. The Congress, in defining the jurisdiction of its major rural credit agency, the Farmers Home Administration, has recognized that this Census definition is too restrictive and authorized the agency to serve places which are "rural in character" and do not exceed a population of 5,500. It is the contention of this paper that a more realistic division of the American society into "urban" and "rural" would set the dividing line still elsewhere by including in the latter category those communities of less than 25,000 population which are not part of a metropolitan area. (The Census Bureau in fact recognizes a division akin to this in its concept of Standard Metropolitan Statistical Areas—SMSA's. These are counties or groups of counties which are contiguous in character and include at least one "central city" with a population of 50,000 or more.) Thus, rural areas and small towns (R & ST) is defined in this paper as the combination of what the Census Bureau considers "rural" and other communities with populations of 2,500 to 25,000 which are outside of SMSA's.

Similarly, various definitions of substandard housing are available. In its 1960 Census of Housing, the Census Bureau attempted to classify units as "sound," "deteriorating," and "dilapidated," as well as noting the presence or absence of adequate plumbing facilities in the first two of these categories. This presented problems of comparability with earlier data, though, and most analysts have used a standard/substandard division in which the latter term is applied to units which are dilapidated and/or lack adequate plumbing facilities. This paper follows their lead, though recognizing that some understatement of housing needs probably results. In part, this has been offset by adding to "needs" those standard units which are overcrowded (i.e., occupied by more than one person per room).

Data on the quality of occupied housing as reported in the 1950 and 1960 Censuses of Housing are presented in Table 1, together with estimates of what next year's Census can be expected to find. What is initially most striking about the figures is the apparent substantial reduction in substandard housing over the two decades. It should be noted, however, that this stems primarily from the change in the number of units with inadequate plumbing. The number of dilapidated units was also reduced substantially between 1950 and 1960, but not between 1960 and 1970. Note also that the amount of crowding in standard units increased between 1950 and 1960 and is not thought to have decreased significantly since 1960.

* * * * *

TABLE 1.—QUALITY OF OCCUPIED HOUSING, UNITED STATES AND RURAL AREAS AND SMALL TOWNS, 1950, 1960 AND ESTIMATED FOR 1970

[Thousands of units]

	1950	1960	1970
United States:			
Households and occupied units	42,826	53,024	62,425
Standard units	27,570	44,550	56,500
Standard but crowded	(2,682)	(3,957)	(3,900)
Substandard units	15,256	8,474	5,900
Dilapidated	(3,903)	(2,268)	(2,400)
Nondilapidated but without adequate plumbing facilities	(11,353)	(6,200)	(3,500)
Rural areas and small towns:			
Households and occupied units	21,700	22,800	26,600
Standard units	8,900	17,100	22,400
Standard but crowded	(900)	(1,500)	(1,700)
Substandard units	12,800	5,700	4,200
Dilapidated	(3,100)	(1,500)	(1,500)
Nondilapidated but without adequate plumbing facilities	(9,700)	(4,200)	(2,700)
Share of totals accounted for by rural areas and small towns (percent):			
Occupied units	51	43	43
Standard but crowded units	(32)	(36)	(43)
Substandard units	80	67	71
Dilapidated units	(79)	(64)	(61)
Other substandard units	(86)	(68)	(78)

Sources: 1950 and 1960 data for United States from Census of Housing, 1950 and Census of Housing, 1960; for R. & S.T. estimated from census data on basis of population ratios.

1970 data for United States, from Census Bureau projection of 1970 households, Series 2 (see Current Population Reports, P-25, No. 360), and TEMPO projections of substandard housing (interpolating on basis of data in table 23, "United States Housing Needs, 1968–78," vol. 1 of Technical Studies for President's Committee on Urban Housing); for R. & S.T. adapted from U.S. estimates, assuming it included 43 percent of households, 61 percent of dilapidated and 78 percent of other substandard units (see below on basis of assumptions).

Data on standard but crowded units, throughout, from table 10, "Urban Housing Needs Through the 1970's," by Frank Kristof (with incidence assumed to be the same inside and outside metropolitan areas, as 1960 data indicate).

Households and occupied units identical by definition.

Components do not always add to totals because of rounding.

Basis for assumptions regarding R. & S.T. share of householdt and substandard housing: relationship to nonmetropolitan pars of the country extrapolated from 1950 and 1960 data, and R. & S.T. estimated as 116 percent of nonmetropolitan; nonmetropolitan portion of all population interpolated on Census Bureau's 1965–75 projection (Current Population Reports, P–25, No. 415); nonmetropolitan portion of dilapidated and other substandard housing interpolated on basis of projections in USDA, Economic Research Service, "Prospective Requirements for Housing in Areas Served by Farmers Home Administration."

In any event, the improvement in housing over the past twenty years should not be allowed to obscure the fact that an estimated ten million households occupy substandard or overcrowded quarters as the 1960's end. And, while the incidence of substandard housing in rural areas and small towns was apparently reduced at a rate somewhat better than the national average during the 1950's, it has lagged behind the rest of the country in the 1960's. Thus, these areas, while accounting for less than half the population, account for more than two-thirds of the substandard housing.

The correlation of substandard incomes and substandard housing is both obvious and recognized. Less well known perhaps is the degree to which incomes are both lower and more maldistributed outside metropolitan areas than within. The most recently published data on family income, which are for 1967, reveal that the median income in nonmetropolitan areas is 22% lower than in metropolitan areas. For the nonwhite family in a non-metropolitan area, the gap is even more appalling. Their median income is only 37% that of a white family living in a metropolitan area—$3,364 as compared with $8,994. The net result of these correlations—between low income and bad housing and low income and non-metropolitan areas—is a sort of "double-whammy" for the rural poor. The 1960 data on substandard housing and occupant-income, presented in Table 2, make this clear. For the country as a whole, 36% of the households with incomes below $3,000 lived in substandard units; but for rural areas and small towns, it was 45%. This higher incidence of substandard housing was characteristic of every income level—even the $10,000 and above category.

* * * * *

For those concerned with doing something about rural housing, the most striking statistics in Table 2 are probably those on the final three lines. Rural areas and small towns account for only 43% of the households, but for almost 60% of those in the bottom income group; they account for two-thirds of substandard housing and for *three-fourths* of the substandard housing occupied by those in that bottom income category.

TABLE 2.—OCCUPIED SUBSTANDARD HOUSING, 1960, BY OCCUPANT INCOME, UNITED STATES AND RURAL AREAS AND SMALL TOWNS

[In thousands of units]

	All occupied units	Occupant income			
		Under $3,000	$3,000 to $5,999	$6,000 to $9,999	$10,000 and over
United States:					
All occupied units	53,024	14,802	16,771	14,469	6,982
Dilapidated units	2,268	1,460	588	182	38
Other substandard units	6,206	3,841	1,778	491	96
Incidence of substandard units (percent)	16	36	14	5	2
Distribution of substandard units (percent)	100	63	28	8	2
Rural areas and small towns:					
All occupied units	22,810	8,680	7,600	4,820	1,710
Dilapidated units	1,460	1,070	300	70	10
Other substandard units	4,220	2,840	1,070	250	50
Incidence of substandard units (percent)	25	45	18	7	4
Distribution of substandard units (percent)	100	69	24	6	1

TABLE 2.—OCCUPIED SUBSTANDARD HOUSING, 1960, BY OCCUPANT INCOME, UNITED STATES AND RURAL AREAS AND SMALL TOWNS—Continued

[In thousands of units]

	All occupied units	Occupant income: Under $3,000	$3,000 to $5,999	$6,000 to $9,999	$10,000 and over
Share of totals accounted for by rural areas and small towns:					
Occupied units (percent)	43	59	45	33	24
Substandard units (percent)	67	74	58	48	47

Source: "Census of Housing," 1960 (U.S. data from table A-4, vol. HC (2), No. 1; data for R. & S.T. estimated from table 3, "Rural Housing," volume, and table C-4, vol. HC(2), No. 1).

Components do not always add to totals because of rounding.

Incidence of substandard units means the percentage of all occupied units in that category which are substandard. Thus, while 16 percent of all occupied units in the country are substandard, 25 percent of all those in rural areas and small towns are substandard; while 36 percent of the units in the country which were occupied by households with incomes under $3,000 were substandard, only 14 percent of those occupied by households with income between $3,000 and $6,000 were substandard; etc.

Distribution of substandard units refers to distribution by occupant-income; i.e., 63 percent of all substandard units were occupied by households with less than $3,000 income, and 69 percent of all substandard units in rural areas and small towns were occupied by households in that income class.

Most important, from a public policy standpoint, *more than 90 percent* of substandard housing in rural areas and small towns was occupied by households with incomes below $6,000. To expect these people to attain "a decent home and a suitable living environment" without massive public assistance is indeed what Michael Harrington has called "the great American housing hoax."

* * * * *

CURRENT PROGRAMS

Roughly three-fourths of the people in rural areas and small towns (as defined in this paper) live within the service area of the Farmers Home Administration. From the beginning, this agency's programs have been designed to help bridge the credit gap in rural areas—a gap reflected in the sources of credit as well as the amounts available. Studies by the Department of Agriculture's Economic Research Service have found, for example, that while 72% of metropolitan mortgage money comes from savings and loan associations, mutual savings banks, and life insurance companies, and only 28% from commercial banks, individuals, and other sources; in rural areas the pattern is almost reversed, with 64% coming from the commercial banks, individuals, and others, and only 36% from the savings and loan association, mutual savings banks, and life insurance companies. In part as a result of this very different pattern of credit, the terms available to rural borrowers tend to be significantly more restrictive. The ERS studies report repayment periods for rural borrowers averaging 5 to 10 years shorter and interest rates generally a quarter of a percent higher—and these are where the rural residents could find the credit. In short, the need for a supplemental source of credit in rural areas would be justified, even were incomes in those areas not lower and more maldistributed.

While the Housing Act of 1949 included a Rural Housing title, this was limited to farm housing until the early 1960's. In addition to this late entry into the field, FmHA has been consistently hampered by lack of funds and lack of staff. As an example of the former lack, consider the water and sewer grant program, essential to upgrading the environment for adequate rural housing. Not enacted until the mid-1960's the program has received less than half the funds which FmHA has estimated as required ($104 million of $220 million over the four fiscal years '66-'69). The dimension of Farmers Home's manpower gap was indicated in testimony last year. Over the 1960's the level of outstanding loans made and being serviced went up by more than 300%, while the number of man-years available to do the job went up only 41%.

* * * * *

FmHA's housing program began as a direct loan program, but since the mid-'60's it has been predominantly an insured loan program (93% of the FmHA housing program budget in FY '69.) It is also predominantly a homeownership program, with these loans accounting for 88% of the total, compared to 4% for farm labor housing and 5% for other rental housing, and the remaining 3% going to home repair loans. While it can certainly claim to reach lower in the income scale than the Federal Housing Administration, FmHA only makes about half of its regular homeownership loans to borrowers with incomes under $6,000, and only about one-seventh of them to families with incomes below $4,000. (It reaches lower in the income scale with its direct loans for home repair, but these average about $1,200 in size and, though certainly helpful, hardly have any real impact in terms of transforming substandard to standard units.)

The primary housing agency for the nation is, of course, the Department of Housing and Urban Development, successor to the Housing and Home Finance Agency and to prior governmental agencies. HUD's major housing activity is in the field of insured mortgage financing, but this has traditionally been a program focused on middle-income families. Thus, for the Federal Housing Administration's major sales housing program, nearly three-quarters of the borrowers have incomes of $8,000 and above and only 5% fall in the below-$6,000 income range. Rental housing utilizing FHA-insured mortgages presumably reach somewhat lower in the income range but it is only comparatively recently that programs—such as rent supplements and interest subsidies—have been developed which are aimed at those in the lower-middle income ranges and below. The traditional HUD program for lower-income people has been, and largely remains, public housing, a federally-financed, but locally-controlled program.

Whatever the program, however, HUD has not been distinguished by its ability to serve those in rural and small town America. During the 1960's, for example, the nonmetropoltian areas of the country, with 37% of the population, have received less than 20% of the FHA-insured home mortgages and have accounted for less than 10% of the units in projects with FHA-insured mortgages. The disparity becomes even more evident when one narrows the target to nonmetropolitan communities below 25,000 in population. Table 6 presents data on some major HUD multifamily programs indicating the degree to which they reach into rural areas and small towns, as defined in this paper. Even for elderly housing, only 15% of the units will serve that 43% of the population which lives in the rural areas, and for the other programs the impact is little short of ludicrous.

TABLE 6.—UNITS IN FHA-INSURED MULTIFAMILY PROJECTS, UNDER SELECTED PROGRAMS, END OF 1966, UNITED STATES AND RURAL AREAS AND SMALL TOWNS

	Total units in United States	Units in R. & S.T.	R. & S.T. as percent of all
Market rate rental programs (secs. 220 and 221)	71,854	1,373	2
Below-market-rate program (sec. 221(d)(3)BMIR)	52,939	791	1½
Elderly housing program (sec. 231)	37,817	5,697	15

Source: FHA table 68, HUD's Statistical Yearbook, 1966.

Public housing, the only HUD program which has any real impact in the lower portion of the income scale, fails to make any better showing. While data on this program which are adaptable to our special definition of rural areas and small towns are not readily available, a close approximation is. Congressman Wright Patman of Texas has done his own analysis of public housing statistics to determine what proportion of them went into the non-metropolitan small towns (defined as having less than 10,000 population and located outside of SMSA's). * * * Congressman Patman found that less than ten percent of the units were located in these areas, and that almost three-fourths of those that are, can be found in the South. Even in that region, which has specialized in small (and segregated?) local housing authorities, the small towns come out on the short end. With 53% of its population in non-metropolitan areas, the South has less than 20% of its public housing units in these small towns.

* * * * *

The programs of two other Federal agencies need to be noted, in connection with low income housing in rural and small town America. One of these is the Bureau of Indian Affairs, which has almost 77,000 housing units in the consolidated tribal areas under its jurisdiction. To characterize the housing situation in these areas as appalling is pallid understatement. The following was the situation as of mid-1968:

Standard units (29%)	22,127
Substandard units (71%)	54,739
Total (100%)	76,866

Moreover, these figures do not tell the whole story, since the 77 thousand existing units were occupied by more than 90 thousand families, for an average of 1.18 families per unit. Of the substandard units, an estimated 19,438 (or 36%) were regarded as suitable for rehabilitation. The remainder will require replacement. Total needs in these tribal areas then are for 48,900 new units and 19,400 rehabilitated units. *If* the Bureau achieves its revised level of activity in the current Fiscal Year, and *if* there is no further increase in the number of Indian households under its jurisdiction, and *if* there is no further deterioration in the currently existing units; it can theoretically eliminate at least what it classifies as "substandard" Indian housing in the next ten-to-eleven years. If, however, BIA does no better than it did in the past six fiscal years, it will require more than half a century to do the job.

The last of the agencies to be noted is the Office of Economic Opportunity, which, both by logic and Congressional mandate, has an interest in low-income housing. "In government," as I. F. Stone points out, "the budget is the message." By that measure, OEO's interest in housing has tended to be peripheral. Of $6,833 million in appropriated funds, it has expended an estimated $35 million—or a half of one percent—on housing and housing related projects. Despite these limited re-

sources, however, OEO has made at least three important contributions to the current low-income housing scene. First, on the Rosebud Reservation in South Dakota, OEO, working with BIA, HUD, and the Public Health Service, initiated what, as far as this writer knows, is to date the only large-scale attack on the abysmal housing of a segment of our Indian population. During its 23-month duration, the project brought about the construction of 375 low-cost transitional houses for Rosebud-Sioux families.

Second, OEO has played a key role in the development of the housing development corporation as a new technique for securing low-income housing. It has funded, at least in part, about a dozen HDC's, including one in Appalachia and another specifically to work in the rural areas of a state. These OEO-funded HDC's have completed more than a thousand units of housing (both new construction and rehabilitation). The number is not staggering but none of the production statistics in the field of low-income housing are very impressive as yet.

Finally, OEO can justifiably claim to be a parent of the revived self-help housing movement in the United States. Building on the pilot project of the American Friends Service Committee in the San Joaquin Valley, OEO's Migrant Division has encouraged and supported the creation of other projects across the country, bringing the magic of homeownership to rural people at income levels that had never before been reached. Through April of this year, Farmers Home Administration, virtually the only source of mortgage credit for self-help housing in the United States, reported approval of more than 1,500 self-help loans. OEO cannot claim direct responsibility for all of these, but in its absence it is certain that the numbers would be small indeed, and the legislative base which the program achieved in the 1968 Housing Act highly unlikely.

ESTIMATING THE NEEDS OF THE 1970'S

Last year might well have been termed "the year of the housing goal." The Congress adopted, as part of the 1968 Act, the specific goal of securing "the construction or rehabilitation of twenty-six million housing units [within the next decade], six million of these for low and moderate income families." The figures adopted were taken from estimates presented in the Spring of 1968 by the Department of Housing and Urban Development. These HUD estimates, revised only slightly (in terms of annual production targets), remained the basis for the *First Annual Report on National Housing Goals* filed (as is required by the '68 Act) in January of this year. That report takes some pride in noting that, "the needs estimate has been endorsed by the National Advisory Commission on Civil Disorders, the National Commission on Urban Problems, and the President's Committee on Urban Housing." The unanimity is, in fact, a good deal less complete than that. The Advisory Commission on Civil Disorders (the Kerner Commission) did call for six million "assisted" units for low and moderate income families, but it called for them in the next five years, not the next ten. Moreover, the fact that the projections utilized by the Commission on Urban Problems (the Douglas Commission) and the Committee on Urban Housing (the Kaiser Committee) were within a million units of each other and of the HUD estimates obscures the fact that they each utilized different assumptions and, to some extent, different definitions of need.

Table 9 attempts a comparison of the three projections, utilizing summary data from each. (The projections utilized by the Douglas Commission were prepared by Frank Kristof, those used by the Kaiser Committee were prepared by General Electric's "think-tank," TEMPO.) As can readily be seen, there are substantial variances in the component parts of the three projections. Both HUD and TEMPO assume relatively high rates of houshold formation, while Kristof found the Census Bureau's lower projection more credible. HUD assumed a rather rapid increase in the vacancy rate, and then added a million more units "abandoned because of population shifts," while Kristof and TEMPO assume substantially lower vacancy rates. A similarly wide spread is found in the estimates of net losses of standard units. HUD assumed a decreasing number of losses over the decade, while Kristof assumed increasing yearly losses. TEMPO, like Kristof, assumed an increasing rate of losses, and also assumed that 2 million standard units would become substandard during the period, while Kristof expects much less *net* deterioration in the inventory of standard units. Finally, of the three sets of projections, only Kristof deals with the problem of overcrowding in standard units.

TABLE 9.—HOUSING NEEDS IN THE NEXT DECADE—A COMPARISON OF 3 ESTIMATES

[In thousands of units]

	1st annual report	Kristof study	TEMPO study
UNITED STATES			
New and rehabilitated units needed for:			
Additional households	13,100	12,300	13,400
Increase in vacancies	[1] 5,400	1,800	1,600
Replacement of net losses in standard units, including standard units which become substandard	[2] 1,800	2,400	5,000
Replacement of substandard units existing at beginning of decade	6,200	6,900	6,700
Elimination of crowding in existing standard units	([3])	3,900	([3])
Total, estimated needs	26,500	27,300	26,700
RURAL AREAS AND SMALL TOWNS [4]			
New and rehabilitated units needed for:			
Additional households	5,400	5,100	5,500
Increases in vacancies	[5] 1,800	700	700
Replacement of net losses in standard units	700	1,000	2,100
Replacement of existing substandard units	4,400	4,900	4,800
Elimination of crowding in standard units	([3])	1,700	([3])
Total, estimated needs	12,200	13,400	13,100

[1] Includes 1,000,000 units "To compensate for units abandoned because of population shifts," a category not separately estimated in the Kristof and TEMPO studies.
[2] Not shown separately in 1st annual report; figure used here is computed as a residual.
[3] No estimate of crowding in standard units in 1st annual report or TEMPO study.
[4] Assuming that R. & S.T. makes up 41 percent of population increase and the same proportion of needs developing during the decade, but makes up 71 percent of existing substandard units (as in table 1 estimates).
[5] Excludes any portion of the 1,000,000 units mentioned in footnote 1 above, on assumption that this is intended to reflect population shifts out of rather than in to rural areas and small towns.

Note that the data on existing substandard units in this table are not comparable to those in table 1 since these refer to all substandard units, table 1 to occupied substandard units only.

Sources: 1st annual report fron H. Doc. 91-63, "First Annual Report on National Housing Goals"; Kristof study from "Urban Housing Needs Through the 1980's," by Frank Kristof; TEMPO study from "United States Housing Needs, 1968-1978."

Thus, while a look only at the total in Table 9 would indicate a national need of 26.5 million to 27.3 million units in the next ten years and a need in rural areas and small towns of 12.2 million to 13.4 million units, differing combinations of assumptions provide a much wider range of needs. If one uses the "lowest" assumption for each component in the projections and excludes crowding as a need, the result is a national requirement of 22 million units and a rural and small town requirement of 11 million units. If, on the other hand, one takes the "highest" assumption for each component, and accepts Kristof's estimate on crowding in standard units, the national need for the decade goes to almost 35 million units and that for rural areas and small towns to 16 million units.

* * * * *

For the purposes of this paper, the Kristof estimates are accepted as *minimal* figures on housing needs in the 1970's. Any consistent estimate at a lower level than his would among other things—have to ignore crowding in standard houses, which means ignoring a major aspect of the problem.

Before proceeding to a comparison of current public program levels and the estimated needs, it is necessary to look at the concept of "assisted" starts and the level of need for them. "Assisted" is another way of saying "subsidized" and is used to refer to units built with mortgage financing which is at below-market-interest-rates (either because they are direct loans at less than market rates or the actual interest paid is reduced through some other mechanism), as well as low-rent public housing units. It is such "assisted" starts that the Congress had in mind for its "six million . . . for low and moderate income families." But here, as in the estimates of need, the agreement of the authorities implied by the *First Annual Report* is less than real.

Again, the Act's figure originated with HUD. A look at the method by which it was "arrived at" in instructive. It was estimated that a minimum income of $5,000 for nonelderly and 4,000 for elderly households, was the minimum required for adequate housing without assistance. The number of such households was projected to be 18.9 million by 1976. If one stops at this point it might appear that the number of assisted starts would be that rather than 6 million, but HUD didn't stop there. First it eliminated 6.1 million one-person households in the non-elderly group on the grounds that they "are assumed not to participate in the demand for traditional kinds of housing units." Then it dropped 3.9 million elderly households because it estimated that they already "own standing housing units, lowering their housing expenditures considerably. This is still further reduced by the estimated 900,000 "assisted units" already in existence.

This leaves 8 million households needing assistance, but HUD assumes that 2 million of these may get assistance by way of "increased social security and welfare payments, or through a loosening of the housing supply."

The Kaiser Committee did endorse the HUD figures, but it was apparently less confident in the chances of that last 2 million households, so it recommended "six to eight million Federally subsidized dwellings" in the next ten years. This is also in line with the TEMPO projections of "non-effective demand" for housing, which totaled 7.5 mil-

lion households in 1978. This presumably compares with HUD's 8 million households in need of assistance, but since TEMPO considered 20% of income as the appropriate budget share for housing and HUD used 25%, the fact that TEMPO came up with a *lower* total leads to one to conclude that they were working with substantially different estimates of income distribution.

In his study for the Douglas Commission, Kristof does not attempt to estimate "non-effective" demand or the need for assisted starts in any direct way. It might be noted that his projection of the components of inventory change during the 1970's concludes that there will be 18.4 million new standard units built and 1.2 million substandard units upgraded to standard status. When this is compared with his estimates of need, it reflects a "shortfall" of 7.7 million units. This "shortfall" is, in a sense, one measure of the gap which public policy may have to fill. Since Kristof's projection of almost 2 million units a year in construction and rehabilitation is about 1½ times what the nation has accomplished in any year since 1950. It is likely that his projection understates the "shortfall" by a fair amount.

It is true that the Douglas Commission called for "at least 500,000 units a year exclusive of housing for the elderly . . . [for] poor and moderate income families," and that Kristof's study itself discusses adding ".5 million aided units per year." But the latter goes on to say, not that this would eliminate substandard housing in a decade, but that it would "reduce urban housing needs to *negligible* proportions by *1980* [italics added]."

The $5,000 income level for estimated need for assistance (used by HUD for non-elderly households), strikes the present writer as a reasonable, if arbitrary yardstick. TEMPO's analysis of the 1960 Census data concluded that the minimum income required for adequate housing ranged from $3,400 for a white individual to $6,500 for a nonwhite family of six or more living in a non-metropolitan area. The fact that this is a minimum figure means that while smaller households may secure adequate housing on less than $5,000 a year, many households—and especially larger ones—actually require more than the minimum. Thus, $5,000 is utilized as an across-the-board figure, representing an *average* measure of need. If it is applied to those already occupying substandard housing, it means that 84% of them will require assistance to secure replacement of their current substandard housing with standard housing. This implies, on the basis of the 6.9 million substandard units in 1970 estimated by Kristof, a need for 5.8 million assisted units for the nation as a whole and 4.1 million assisted units for rural areas and small towns, *merely to replace already existing substandard units.*

To estimate the proportion of assisted units required to eliminate crowding in existing standard units and to meet the need for standard units developing during the decade, use of the general pattern of income distribution is probably more logical. The most recent data here, indicate that 35% of all households fall in the below-$5,000 income category. Applying this percentage to the remainder of the needs (including that represented by crowded standard units), as estimated by Kristof gives a figure of 7.2 million assisted units for the nation as a whole and 3 million for rural areas and small towns. Combining these estimates with those arrived at in the preceding paragraph gives totals of 13 million and 7 million, respectively, for the nation and for rural areas and small towns. While these estimates of the assisted units required for the coming decade are dramatically above those officially endorsed by Congress, as well as those used by the Douglas Commission and the Kaiser Committee, it should be noted that the National Housing Conference, in its 1969 annual meeting, called for "at least 1,000,000 units annually for these [low and moderate] income groups." It is also worth stressing that the need for assisted units in rural areas and small towns is almost certainly larger rather than proportional to the need in the rest of the country. Thus, Farmer's Home Administration . . . estimates that 56% of the required units in its service area will need public assistance. If this percentage is applied . . . to the estimate of needs for rural areas and small towns adapted for this paper from the Kristof estimates, the result is 7.5 million assisted units, a level even higher than that arrived at above.

CURRENT PROGRAM LEVELS

Federal programs in the field of low-income housing may best be seen in the perspective of a pair of ironies. The first of these is, as Michael Harrington has said, "the magnificent irony that the stated purpose of the 1968 housing legislation was to fulfill the stated purpose of the 1949 act." The second, and more telling irony is implied by a report of the Department of Health, Education and Welfare on the housing of public assistance recipients. It concludes that more than $1 billion a year in government funds is spent by welfare recipients on housing and that at least half of them are in quarters that are "considerably below accepted standards." When one compares this statistic with the fact that the annual cost of its low-income housing programs has been estimated by HUD at about $321 million, it becomes clear that the government is spending more money on bad housing than on good.

TABLE 10.—FEDERALLY ASSISTED HOUSING UNITS, FISCAL YEAR 1968, FISCAL YEAR 1969, AND PROPOSED FOR FISCAL YEAR 1970

[Thousands of units]

	Fiscal years—		
	1968	1969	1970
Public housing	51	69	130
Other HUD rental programs	62	64	142
HUD ownership programs	9	13	129
All HUD programs	122	[1]146	401
FmHA ownership programs	33	43	147
FmHA rental programs	2	3	3
All FmHA programs	35	[2]46	150
All programs	157	192	551
Estimated portion in rural areas and small towns	53	67	210

[1] Original target (in initial fiscal year 1970 budget) was 186,000 units; estimated slippage thus 21 percent.
[2] Original target (in initial fiscal year 1970 budget) was 47,000 units; estimated slippage thus 2 percent.

Sources: fiscal year 1968 data from May 12, 1969, statement of Secretary Romney before House Banking and Currency Committee (see table 2 appended to statement); fiscal year 1969 data estimated on basis of same source, projecting 9-month figures to a 12-month basis; fiscal year 1970 target figures for HUD programs from "Summary of HUD Budget, fiscal year 1970, "p. I–7; fiscal year 1970 target figures for FmHA from unpublished May 16, 1969, "Program Attainment Report." Estimates for R. & S.T. portion assumed that all FmHA units and 15 percent of HUD units are located in those areas.

We turn now to how likely our current program levels are to meet our estimated needs and eliminate those twin ironies at last. Table 10 presents consolidated data on the number of assisted starts and rehabilitations produced by HUD and FmHA programs in FY 1968, expected in the current fiscal year, and proposed for the coming one. Based on the assumption that 15% of HUD-assisted units are located in rural areas and small towns (as defined in this paper), it also indicates the level for that target area. It should be remembered that the 551 thousand units proposed for the coming fiscal year are related to the planned achievement of the ten-year total of 6 million units called for in the 1968 Act. . . . If the "slippage" that seems to have been experienced in the current fiscal year were to be characteristic of the next, the number of assisted starts would fall from 551 thousand to 464 thousand for the country as a whole, and from 210 thousand to 195 thousand for rural areas and small towns. Given the fact that the targets for FY '70 are so much more ambitious than were those for the current fiscal year, the chances for slippage are, in fact, larger.

The comparison of current program levels with estimated needs is a depressing business. We have estimated 7 to 7½ million assisted starts will be required in rural areas and small towns over the next decade. If this is the case, it would take a hundred years and more to do the job at existing levels of activity. Even if the current targets for next year are achieved, we would require nearly four decades to meet one decade's needs—hardly a winning proposition. It is the contention of this paper that it will not be enough to double or triple the current (i.e., FY '69) level of Federal housing activity in rural areas and small towns. That level must be increased more than tenfold if the stated goal of eliminating substandard housing in the next ten years is to be realized.

* * * * *

HEALTH OF CIGARETTE SMOKERS ENDANGERED BY PESTICIDE RESIDUES IN TOBACCO

Mr. NELSON. Mr. President, high levels of DDT and other pesticides are being found in cigarettes and are increasing the health hazards already facing smokers.

Research findings on pesticide residues in tobacco and cigarette smoke indicate the probability of additional health hazards to smokers and add to the massively accumulating evidence of the pervasiveness of persistent pesticides in the world environment.

The presence of these pesticides again demonstrates the urgent necessity of setting national standards to prevent the indiscriminate and uncontrolled use of these pesticides to protect the environment. It is already clear that such standards must include a ban on DDT.

I believe that the Department of Agriculture and the Department of Health, Education, and Welfare should take immediate action to set regulations limiting the amount of pesticide residues in tobacco and avoid compounding the health hazards already facing the smoker.

Recent studies have measured up to 38 parts per million of DDT residues in cigarette tobacco and up to 53 parts per million in cigars. The studies were conducted by North Carolina State University researchers and other laboratories.

Tobacco is the only consumable agricultural crop that does not have a tolerance level specifying when the pesticide residue is hazardous. Furthermore, no significant Government research has been done to determine the effect of the residues on the smoker's health.

It is of great concern that the existence of toxic pesticide residues in cigarette smoke entering the human body has been virtually ignored by both the Agriculture Department and the Department of Health, Education, and Welfare.

The Surgeon General has already identified certain substances in tobacco that can cause cancer, chronic bronchitis and pulmonary emphysema. Now there is evidence that the smoker's health is also besieged by poisonous pesticide residues flowing into his throat and lungs with cigarette smoke.

West Germany has recently set tolerance levels on a wide range of farm crops for 80 pesticides, including a zero tolerance for 14 persistent pesticides such as aldrin, dieldrin and endrin.

Under reported pressure from tobacco interests, the tolerance level for tobacco has been delayed until 1973.

According to North Carolina tobacco experts, if the present West German standards covered tobacco, virtually no American tobacco would be permitted on the German market.

Potential loss of the West German tobacco market has raised considerable concern among American tobacco interests. More than 700 million cigarettes and 88 million pounds of unmanufactured tobacco, worth $74 million, were exported last year from the United States to West Germany.

The tobacco industry knows that its products cannot even come close to the residue tolerance levels that West Germany has set for similar farm crops. Unless some drastic changes in pesticide use are made, American producers might as well forget about selling to that market or any other that follows West Germany's lead in establishing tolerance standards for tobacco.

This entire episode is causing the greatest repercussions throughout the tobacco empire since the Surgeon General's report on smoking and health.

In addition to finding DDT residues of up to 38 parts per million in cigarettes and up to 53 parts per million in cigars, the North Carolina studies have found up to 100 parts per million on the green tobacco leaf after harvesting.

By comparison, the tolerance level for DDT established by the Food and Drug Administration for similar leafy products, such as cabbage, lettuce, and spinach, is seven parts per million.

Under current food and drug laws, tobacco is not considered as food in the United States and no tolerance level for residues has been set. Tobacco growers and processors are free to use as much pesticide as they want.

In contrast, fruit and vegetable producers must carefully watch the pesticide residue level or risk having their crop banned from commercial markets.

The frightening thing is that insects feeding on tobacco are developing an increasing resistance to DDT and other standard pesticides. This has caused growers to use even greater amounts of pesticides.

Nearly 5,500,000 pounds of insecticides were applied to 2,566,000 acres of tobacco in 1964, the latest year when detailed Agricture Department statistics are available. The percentage of tobacco acreage treated with pesticides increased from 47 percent in 1952 to 81 percent in 1966.

A major problem exists because tobacco leaves have the characteristic of absorbing pesticides which cannot be washed off and persist even after the curing and manufacturing process.

As a result of increased pesticides use, tobacco tested in 1965 showed six times more residue than 3 years earlier and 12 times greater than in 1957.

Research officials at the Agriculture Department have confirmed that insecticide residues, particularly chlorinated hydrocarbons like DDT, exist in high amounts in tobacco even after processing.

The principal pesticides listed by the Agriculture Department for use on tobacco in 1964 included:

DDT: 1,187,000 pounds on 559,000 acres, 2.1 pounds per acre average.

TDE: 2,331,000 pounds on 657,000 acres, 3.6 pounds per acre.

Toxaphene: 292,000 pounds on 98,000 acres, 2.9 pounds per acre.

Parathion: 466,000 pounds on 340,000 acres, 1.4 pounds per acre.

Carbaryl: 331,000 pounds on 123,000 acres, 2.7 pounds per acre.

Malathion: 101,000 pounds on 43,000 acres, 2.3 pounds per acre.

Endrin: 150,000 pounds on 149,000 acres, 1 pound per acre.

Aldrin: 135,000 pounds on 85,000 acres, 1.6 pounds per acre.

Dieldrin: 93,000 pounds on 182,000 acres, 0.5 pound per acre.

I ask unanimous consent that an article entitled "Poisons in Cigarette Tobacco Increase" published in the Health Bulletin of September 18, 1965; a research report entitled "Insecticide Residues on Tobacco During 1962," published in the Tobacco magazine of September 18, 1964; and a comprehensive review of pesticides research entitled "Pesticide Residues on Tobacco," published in The Residue Review of 1967, be printed in the RECORD.

The articles follow:

There being no objection, the items were ordered to be printed in the RECORD, as follows:

POISONS IN CIGARETTE TOBACCO INCREASE

Cigarettes on the market today contain much higher residues of insecticides than cigarettes sold several years ago, according to tests made by an independent laboratory for Health Bulletin. Four popular brands were analyzed for DDT and endrin by the sensitive gas chromatograph technique and the results were compared with previous reports of insecticide residues in cigarette tobacco published in the technical literature.

The most recent published study available to Health Bulletin is the article "Insecticide Residues on Tobacco During 1962," authored by three U.S. Department of Agriculture staff members and published in *Tobacco Science* (Volume 8). That article reported levels of DDT in brand name cigarettes ranging from 2 to 6 parts per million, and levels of endrin from 0.5 to 2 parts per million—with most brands at 1 part per million of endrin or below. Because of the great toxcity of endrin, the authors of that article recommended that its use for the control of tobacco insects be discontinued. It is no longer registered for use on tobacco by the U.S.D.A.

Health Bulletin's test results, received on September 9, showed that levels of DDT have increased dramatically since 1962. Four popular brands of cigarettes tested showed DDT levels of 25, 28, 38 and 37 parts per million respectively. Those figures indicate an average six-fold increase in DDT content since 1962. Comparison with a study of DDT residues in cigarettes in 1957 shows that the level now is roughly 12 times greater than it was then. (Bowery, et al. "Insecticide Residues on Tobacco," Agric. and Food Chemistry, 7(10): 693–702, 1959.)

Endrin levels in cigarettes have increased since 1962, despite the fact that producers are not supposed to use that highly toxic insecticide for tobacco insect control. The four brands of cigarettes tested by Health Bulletin contained endrin in amounts of 1.3, 1.5, 1.6 and 1.6 parts per million. Those are roughly twice the amounts detected in the 1962 tests by U.S. Department of Agriculture scientists. The maximum amount of endrin in cigarettes detected in the 1957 tests was less than three-tenths of a part per million. *A later study by Bowery et al. showed that pesticide residues are present in mainstream cigarette smoke if they are also present in tobacco. (Agric. and Food Chemistry, 9(3): 193–7, 1961.)*

Controlling the levels of pesticide residues in tobacco is made difficult—if not impossible—by the fact that there is no law preventing farmers or processors from using as much insecticide on tobacco as they wish. Tobacco is not classified as a food, and therefore is not subject to the control of the Food and Drug Administration. The FDA would have the legal power to set tolerances for insecticide residues in tobacco if given jurisdiction in that area by Congress. The U.S. Department of Agriculture registers insecticides for use on particular crops and can control the information placed on insecticide package labels. But it has no legal control over insecticide use, and does not set tolerances for residues on crops.

Increasing resistance of tobacco insects to DDT and other standard insecticides has forced farmers to use much larger amounts of these poisons to achieve the same degree of control they got with smaller amounts in past years. "If the present trend continues," the Texas Agricultural Experiment Station said in May of this year, "it is possible that in the near future there may not be any insecticides available which will produce the level of control to which producers are currently accustomed."

Insecticides in tobacco have attracted little attention from health researchers, probably because there are enough other harmful aspects of the smoking habit to occupy their thoughts and efforts. The search for cancer-causing elements in cigarettes has concentrated on substances occurring naturally in the tobacco plant. "The possible role of these compounds (insecticides) in contributing to the potential carcinogenicity of tobacco smoke is not known," the Surgeon General's advisory committee on smoking and health commented in its 1964 report. A spokesman for the Public Health Service told Health Bulletin this week that his agency is doing no research now on the effect of pesticides in tobacco on health.

INSECTICIDE RESIDUES ON TOBACCO DURING 1962

(By F. R. Lawson, Calvin Corley, and Milton S. Schechter)

Before the development of DDT the insecticides most commonly used on tobacco in the United States were arsenicals. The arsenic content of commercial cigarettes increased from about 15 p.p.m. in 1917 to as much as 50 p.p.m. in 1951, and then declined to less than 5 p.p.m. by 1958 (Guthrie et al. 1959). Today arsenicals are seldom used on tobacco. Small and McCants (1962) found an average of 2.8 p.p.m. in soil in North Carolina and 1.5 in tobacco. About 1 p.p.m. was found in tobacco grown on Maryland soil with no previous history of arsenic applications, (unpublished reports, U.S. Dept. Agric.).

The decline in the arsenic content of tobacco since 1951 reflects the replacement of the arsenicals with chlorinated hydrocarbons and organic phosphates. Of these the persistent chlorinated hydrocarbons are of

chief concern on tobacco. Bowery et al. (1959) showed that application of these insecticides at priming resulted in high levels of TDE, DDT, and endrin on green tobacco and that more than half of such insecticide residues persisted on tobacco through commercial processing. They also found 8.0–17.2 p.p.m. of TDE–DDT, and 0.08–0.29 p.p.m. of endrin in commercial cigarettes in 1957. Detectable amounts of these insecticides occur in the mainstream smoke (Bowery et al. 1959), and (unpublished report, N.C. State College).

Increased concern over the possible presence of insecticide residues in various agricultural products has prompted a more critical look at the status of such residues in tobacco following the application of insecticides to control various insect pests. The objectives of this study were to determine residues of DDT, TDE, and endrin on flue-cured tobacco from 1962 auction markets in North Carolina, South Carolina, Georgia, and Florida; to determine the residue levels in cigar wrapper tobacco in Florida; and to obtain data on residues in manufactured tobacco products on the 1962 retail market.

MATERIALS AND METHODS

Samples of raw, cured tobacco, as prepared and sold by the growers, were obtained from auction markets in four of the five States producing flue-cured tobacco. Flue-cured tobacco is the principal ingredient of cigarettes. Samples of raw, cured cigar wrapper tobacco were removed from stored leaf produced by 95 growers. The outside leaf on many brands of cigars constitutes 3–5 per cent of the weight of the cigar. Other types of tobacco were not sampled.

Flu-cured tobacco to be sold on auction markets is placed in piles on the floors of large warehouses. Each pile belongs to an individual grower and is usually made up of similar leaves harvested from the same portion of the stalk.

Three market towns were selected in Florida, 3 in Georgia, 5 in South Carolina, and 5 in each of the three principal tobacco belts of North Carolina. The towns selected were those reporting the most tobacco sold in 1961. One warehouse with at least 100 piles of tobacco on the floor was selected in each town, except that in two towns in Georgia and two in Florida samples were taken in two warehouses in each town. In each warehouse, 50 representative piles of tobacco were selected and duplicate composite samples taken by removing two leaves from each pile and placing them in separate bags. Since each grower may have had several piles of tobacco for sale each day, the samples did not necessarily represent 50 growers but probably did in some cases. Manufactured tobacco products were purchased from stores in Oxford, North Carolina. The brands chosen were usually the leading ones of each of the principal companies.

The tobacco leaves, including the stems, were ground in a Hobart food chopper. After extraction with hexane and cleanup by column chromatography on Florisil-Nuchar mixture, aliquots were analyzed by gas chromatography with an electron capture detector. The sensitivity was 1.0 p.p.m. for DDT and TDE and 0.5 p.p.m. for endrin on a 1.0-mg. sample of tobacco. The presence of DDT was confirmed by infrared spectrophotometry in the samples of cigar wrapper tobacco from Florida. The presence of DDT, TDE, and endrin was confirmed by spot checking 25 samples of manufactured tobacco by thin layer chromatography. (Adams and Schechter 1963).

RESULTS

Data on the mean residues of TDE, DDT, and endrin found on 10 samples of cured tobacco from the various localities are given in Table 1. They show that residues of DDT and TDE were highest in the averages of the samples collected in Georgia and South Carolina. The presence of these residues can be related to the greater abundance and necessity for control of the tobacco hornworm (*Protoparce sexta* (Johannson)) and tobacco budworm (*Heliothis virescens* (F.)) in these States. The Florida samples showed more endrin and less DDT and TDE in flue-cured tobacco than Georgia or South Carolina. This result indicated considerable use in Florida of endrin. The highest residues of DDT and endrin were found on one composite cigar wrapper tobacco sample from Florida. With this type of tobacco even one or two small holes in a leaf will reduce its value; hence, insecticides are applied frequently, usually at least once each week and often twice.

The aliquots analyzed to give the data in Table 1 included stems. Data given by Bowery *et al.* (1959) did not. Since the amount of residue in stems is unknown probably the best basis for comparison is to assume that stems have no residue and correct for the weight difference by multiplying the figures in Table 1 by 1.282. On this basis, the mean residues of DDT and TDE on flue-cured tobacco from each area sampled in North Carolina were less than those reported for similar samples taken in 1956–58 (Bowery *et al.* 1959), but the mean residues of endrin were about the same. However, high residues of endrin were found on some of the samples of flue-cured tobacco in North Carolina as well as the cigar wrapper tobacco in Florida.

The results of the 1962 analysis of manufactured tobacco are given in Table 2. The quantity of TDE and DDT in commercial cigarettes has nearly doubled since 1957 (Bowery *et al.* 1959). All of the cigarette samples contained endrin, with half containing 1 p.p.m. or more. The maximum residue of 2 p.p.m. endrin found in one filter brand was 7 times greater than the maximum found in cigarettes in 1957.

TABLE 1.—INSECTICIDE RESIDUES ON CURED TOBACCO—1962 AUCTION MARKET

Type of tobacco and area	DDT Mean	DDT Maximum	Residues p.p.m. TDE Mean	TDE Maximum	Endrin Mean	Endrin Maximum
Flue cured:[1]						
Florida	2.50	4.5	18.83	60.0	2.13	5.1
Georgia	7.90	32.0	35.85	58.0	1.21	1.8
South Carolina	10.44	27.5	31.19	60.0	1.22	2.7
North Carolina:						
Eastern belt	4.65	15.0	2.80	7.0	2.40	3.1
Middle belt	4.80	22.0	7.20	18.0	.75	2.1
Old belt	3.00	10.0	4.30	20.0	.49	1.1
Cigar wrapper:[2] Florida		216.0		10.0		7.8
Check tobacco[3]	.0		.0		<.5	

[1] 10 Flue-cured tobacco samples (50 leaves per sample) from each area.
[2] Composite sample (100 leaves) from 95 growers.
[3] Since recovery analyses were 100 percent for DDT and TDE and 95 percent for endrin, no recovery corrections were deemed to be necessary for results in tables 1 and 2. Zero figures for endrin signify that none was detected within the sensitivity of the method employed. The figures <1.0 p.p.m. for DDT and <0.5 p.p.m. for endrin signify qualitatively detectable amounts below the levels of good quantitation.

TABLE 2.—INSECTICIDE RESIDUES OF DDT, TDE, AND ENDRIN IN BRAND-NAME TOBACCO PRODUCTS

Brand No. and type	DDT (p.p.m.)	TDE (p.p.m.)	Endrin (p.p.m.)
Cigarettes—1 carton each:			
1 regular	2.0	12.0	<0.5
2 regular	3.0	17.0	1.0
3 regular	4.0	18.0	.5
4 regular	4.0	18.0	1.0
5 filter	3.0	14.5	.5
6 filter	4.0	16.5	1.0
7 filter	6.0	21.5	2.0
8 king	3.0	20.0	<.5
9 king	4.0	23.0	.5
10 king	5.0	23.0	1.0
Cigars: 6 to 8 packages, 4 to 5 per package:			
1	53.0	10.0	.5
2	32.0	12.0	.0
3	10.0	15.0	.0
Pipe tobacco: 7 1 to 5 per 8-oz. cans or ½-lb. can			
1	<1.0	5.0	.0
2	1.0	10.0	<.5
3	<1.0	13.5	<.5
4	1.0	31.0	1.0
Snuff: 1 5-oz. jar or can:			
1	<1.0	14.5	.0
2	<1.0	17.0	<.5
3	<1.0	18.0	.5
4	1.0	22.5	2.0
5	1.0	29.0	.5

DDT residues in cigars were much higher than in any other product tested. The indicated high residues in Florida wrapper (Table 1) could account for part of the high residue in cigars, since the weight of a wrapper is 3–5 percent of the weight of the cigar. Endrin residue occurred in one of the three samples of cigars.

TDE residues in pipe tobacco and snuff were similar to those in cigarettes and cigars. Endrin was detected in 7 of the 9 samples of pipe tobaccos and snuff, with one sample of snuff running as high as 2 p.p.m. of endrin.

The results of the 1962 study corroborated earlier findings that high levels of TDE, DDT, and endrin residues occur on auction market tobacco and in commercial cigarettes and other manufactured tobacco products. The 1962 study also indicated an increased use of endrin. On the basis of these data, the Entomology Research Division no longer recommends endrin for the control of tobacco insects.

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PESTICIDE RESIDUES ON TOBACCO[1]

By F. E. Guthrie[2] and T. G. Bowery[3]

I. INTRODUCTION

Tobacco is a unique crop with respect to possible contamination by pesticide residues

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[2] Department of Entomology, North Carolina State University, Raleigh, North Carolina.

[3] Division of Research Facilities and Resources, National Institutes of Health, Bethesda, Maryland.

because it is not classified as a food nor a drug and is, therefore, exempt from tolerances by the Federal Food, Drug, and Cosmetic Act of the United States.

The purpose of this review is to discuss residue problems on tobacco from culture through the commercial processes and to consider the importance of pesticide [4] residues on tobacco. The specific relation of pesticide residues to the health aspects of tobacco use has been recently reviewed (Surgeon-General's Committee 1964). The review by Larson *et al.* (1961) is an excellent reference source for toxicological and clinical experiments concerned with tobacco.

To permit the reader fully to comprehend the residue problem on tobacco, a brief synopsis of the culture and manufacture of tobacco is presented. Figure 1 summarizes the events which might affect pesticide residues as a result of pest control.

Field tobacco is harvested by priming (pulling) the ripe leaves (two to three) each week for about five weeks. To control the insect complex, at least one insecticidal treatment is normally applied to protect the leaves during the priming period, and the biological effectiveness of this treatment should be 10 to 14 days. Essentially every grower applies one treatment per season, and two to three applications per season are not uncommon. One application of a growth regulator is commonly applied during the early priming period for control of suckers. Residues resulting from pesticide application to tobacco, as with other leafy products, are rather high due to the large surface-to-weight ratios. At curing, about 85 percent loss of water and 15 percent loss of dry matter occurs. When green and cured samples are to be directly compared, a factor of 9.2 (to place both samples on a dry weight, stemless basis) is frequently applied. Tobacco is either flue-cured (by placing leaves strung on a stick in a curing barn where the temperature is slowly raised to 160° to 180° F. over a period of four to five days) or air cured for several weeks in a case of burley and cigar tobaccos. During August to October for flue-cured and November to February for burley, tobacco is displayed by the farmer at warehouses throughout the tobacco area and sold to the tobacco companies by an auction system. It is aged in large hogsheads (50 cu. ft. barrels) from six months to several years depending on the demand for the grade of tobacco involved. The aging process is an active fermentation, and considerable changes in the chemistry of the tobacco result. As needed, it is removed from the storage process and the midvein is removed. The leaf is then shredded and made into the desired tobacco product. During smoking of tobacco, the burning zone of a cigarette is 854° to 913° C. (Touey and Mumpower 1957). The burning zone of cigars is 600° C. and of a pipe 560° C. (Greene 1955). The various aspects of the events which might affect insecticide residues on tobacco will be discussed.

II. INORGANIC INSECTICIDES

Arsenicals were the first insecticides to be recommended for protection against the insects which attack field tobacco (Howard 1900). The earliest report of insecticidal residues found on tobacco was that of Remington (1927), who reported the arsenic content of commercial cigarettes. A number of investigators (Popp 1928, Gross and Nelson 1934, Zeidler and Wagner 1937, Barksdale 1940, Griffon and Delga 1947, Daff and Kennaway 1950 a, and Satterlee 1956) monitored the increase in arsenic residues on tobacco through the appearance of synthetic insecticides around 1950. Data in these papers showed that arsenic in United States tobaccos increased from about ten p.p.m. in 1917 to about 50 p.p.m. in 1951. Holland *et al.* (1958 b) reported residues of 52 p.p.m. in 1957, but Weber (1957), Bailey *et al.* (1957), and Guthrie *et al.* (1959 a) reported a sharp decline in arsenic residues to near background levels about 1952. Figure 2 summarizes the residues of arsenic on U.S. tobacco. The content of arsenic on tobacco produced in Europe, Asia, and Africa has consistently been lower than from American tobaccos (Popp 1928, Bailey *et al.* 1957, Enercan 1954, Satterlee 1956, and Monnet and DuPont 1953).

Satterlee (1956) suggested that arsenic residues would be a permanent problem as tobacco grown on soils containing arsenical residues from repeated applications to cotton and tobacco would absorb appreciable amounts of arsenic. Weber (1957) concluded that there was no appreciable absorption of arsenic by tobacco grown on arsenate-contaminated soil, and this was subsequently confirmed (Small and McCants 1962). It is of interest to note that arsenic is of such universal occurrence in soils that it has been referred to as a "normal constituent," four p.p.m. being found in virgin soils (Greaves 1913). A completely synthetic "cigarette" (Vanguard), void of tobacco and introduced for sale in 1958, was found to contain 1.0 p.p.m. of arsenic (Small 1960).

Following normal cigarette smoking by humans, 60 percent of the arsenic was found to be primarily in the ash and about 25 percent was found in the stump of the cigarette (Bailey *et al.* 1957). These authors concluded that 7 to 18 percent was presumably volatilized during smoking, but the volatilized products were not portioned into side and mainstream components. This confirmed earlier work by Daff and Kennaway (1950b). Cigarette paper itself contains about 0.01 p.p.m. arsenic (Cooper *et al.* 1955). Experiments by Gross and Nelson (1934) and Thomas and Collier (1945) showed that approximately 12 percent of the total arsenic in a cigarette is present in the puffed smoke when two-thirds of the cigarette is consumed. Gross and Nelson (1934) proposed that the arsenic inhaled while smoking cigars, cigarettes, or pipe tobacco was an unimportant source of arsenic when compared to tolerances then established for food products. Holland *et al.* (1958 b) reported 35 percent of the arsenic to be volatilized (both side and mainstream smoke components): 31 percent was found in butts, and 33 percent in ashes of nonfilter cigarettes. They found the filter of a filter cigarette to remove less than four percent of the arsenic in the mainstream smoke. Cigarette smoke condensates from 100 cigarettes contained 0.026 mg. of arsenic (Garcia *et al.* 1959). Using a mechanical smoker with continuous suction, Barksdale (1940) found a transfer of 50 percent of the arsenic in the suction traps. Other workers found four percent of the arsenic in mainstream smoke (Cogbill and Hobbs 1957).

Studies on As^{74} mainstream smoke using rabbits in Holland smoking boxes (Holland *et al.* 1958 a) indicated that 0.01 percent of volatilized arsenic was retained by the animal. Distribution of arsenic in the respiratory tract two hours after smoking was discussed. After withdrawal of the rabbits from As^{74} tobacco smoke, the radioactivity in the respiratory tract of the rabbits decreased rapidly for the first two days and then tapered off slowly.

In a study with eight human volunteers who inhaled smoke impregnated with sodium arsenate in the distal ends of cigarettes, Holland *et al.* (1959) found 2.2 to 8.6 percent of the total As^{74} injected into cigarettes to be transferred to the respiratory tract. Approximately 50 percent of the inhaled arsenic was eliminated in ten days, primarily in urine. The remainder was "assumed to have been deposited in the body, exhaled, and/or eliminated in body secretions and excreta over a long period of time." The general distribution and elimination of arsenic has been reported by Lanz *et al.* (1950).

As lead arsenate was the primary insecticide used on tobacco until 1948, it is also of interest to note residues found for lead. Lead and arsenic residues in popular brands of cigarettes were found to be 5 to 25 times greater than tolerances for spray residues on fruits (anonymous 1936). On the basis of data obtained with a mechanical device simulating cigarette smoking, this same author hypothesized that 6.7 percent of the lead present in the smoked portion of the cigarette enters the smoker's mouth. Zeidler and Wagner (1937) found 22 p.p.m. of lead on Canadian cigarettes and less than 2:5 p.p.m. on Oriental tobaccos. Knegtering (1938) analyzed a limited number of cigarillos for lead, finding 0.69 mg. per cigarillo. Cigarettes were also analyzed, but no lead was detected. Although cigars were not included in his analyses, he concluded that the use of cigars might be a source of lead poisoning. Grotepass (1941) found tobacco smoke to be free of lead. Although 0.66 to 2.56 mg. of lead/100 g. of chewing tobacco was found, he concluded that it was an inconseqential source of lead poisoning. De Jong (1941) reviewed the published work on cigars, cigarettes, and chewing tobacco and concluded that there was little or no possibility of lead poisoning from consumption of these products.

III. SYNTHETIC INSECTICIDES

By 1956, there remained little doubt that arsenic residues on tobacco had been sharply reduced and would be expected to be further reduced. However, the magnitude of residues from insecticides recommended to replace the arsenicals was unknown. Studies were therefor initiated on flue-cured tobacco to determine the magnitude of insecticidal residues from more recently introduced insecticides on commercial tobaccos.

TABLE I.—INSECTICIDE RESIDUES ON TOBACCO SAMPLED DURING TOBACCO AUCTION SALES—1956 TO 1962

State	TDE[1] (p.p.m.)					Endrin (p.p.m.)				Dieldrin (p.p.m.)	Toxaphene[2] (p.p.m.)
	1956[3]	1957[3]	1958[3]	1969[4]	1962[3]	1957[3]	1958[3]	1960[4]	1962[5]	1962[6]	1957
North Carolina	39	29	44	27	8	1.5	2.2	0.2	1.2		7.2
Virginia				11				.7			
South Carolina				36	42			2.4	1.2		
Georgia				43	42			1.3	1.8		
Florida				46	21			3.6	2.1		
Tennessee				17				1.2			
Kentucky				30	[8]18				[8].5	0.3	

[1] TDE plus DDT.
[2] Bowery and Guthrie (1958).
[3] Bowery et al. (1959).
[4] Bowery and Guthrie (1961b).
[5] Lawson et al. (1964).
[6] Thurston and Caudill (1962).

[4] Chemical names of pesticides mentioned in the text by common name are shown in Table X.

(a) Residues on commercial tobacco

Residue data from warehouse samples of tobacco taken during annual sales are shown in Table I. A minimum of five warehouses in each of the states listed was used to establish these trends. Wide variations occurred among the different locations and years, probably as a reflection of requirement for control dictated by the severity of insect populations.

Commercial products (Table II) were sampled from purchases at local food stores. One comprehensive study of a large number of types of cigarettes purchased from widely separated geographical locations showed only slight differences among types and essentially no difference among locations (Bowery *et al.* 1959). This was expected, for commercial cigarette tobacco is a very homogeneous mixture even though large quantities of different types of tobacco are mixed to prepare the finished product. The quantities of TDE-DDT [reported as TDE in this review since 90 percent of the insecticide combination on commercial tobacco is TDE (Bowery *et al.* 1959)] in cigarettes approximately doubled between 1956 and 1962 but decreased appreciably from 1962 to 1966. The content of endrin in 1956 was barely detectable with the methods then available but was 1.3 p.p.m. by 1964. The reason for the reduction in amount of this insecticide from 1964 to 1966 is discussed in a later section.

As the 1957 analyses of commercial tobacco had shown residues to be present at detectable levels, an intensive study was initiated to determine the fact of insecticides during culture and manufacture of tobacco. Concurrently, studies were made to evaluate alternate methods which might control insects with reduced quantities of insecticides. Following (Table III) is a list of these alternate methods with appropriate reference. Only the use of alternate chemicals will be given further attention in this review.

(b) Magnitude of residues on green leaves and loss by weathering

If necessitated during harvesting, applications of insecticides to tobacco are recommended immediately after priming, providing maximal period of seven days between application and priming. Losses of residues following recommended application of chlorinated hydrocarbons were 50 to 80 percent after seven days of weathering, 50 to 150 p.p.m. of TDE and 5 to 13 p.p.m. of endrin remaining on the green leaf after this interval (Bowery *et al.* 1959). Similar data were found for Endosulfan and Telodrin (Guthrie and Bowery 1962). The loss by weathering of recommended rates of phosphate and carbamate insecticide over a seven-day period was much greater, about 90 percent, and residues on green tobacco after this period were 5 to 20 p.p.m. for Guthion and ten p.p.m. for carbaryl (Guthrie *et al.* 1959 c, Bowery and Guthrie 1961 a). Trichlorfon weathers quickly, and due to its water solubility, especially so following rain. It has been observed that once organochlorine insecticide residues on tobacco have dried following application, little residue is lost by rains (Bowery 1962), however. Except for Trichlorfon, the main loss of residues during weathering is attributed to growth and mechanical loss by agitation of tobacco leaves. Aircraft applications of DDT (1.75 lb./acre) resulted in maximum deposits on the upper surfaces of green leaves of 70 to 85 p.p.m. (Manson *et al.* 1962). Dust, emulsifiable concentrate, and wettable powder formulations of malathion (1.75 lb./acre) left initial residues ranging from 13 to 53 p.p.m., and approximately ten percent remained eight days after treatment (Wallis *et al.* 1957). The authors state that "no malathion residues have been reported on the cured tobacco, and it is unlikely that this insecticide would persist during the curing, redrying and aging processes."

(c) Loss during curing

The flue-curing process caused 40 percent loss in residues of recommended chlorinated hydrocarbon and 80 percent, or greater, loss of the phosphate and carbamate insecticides (Table IV). At this time, the residues of the organochlorine compounds go subsurface, and care must be taken thoroughly to release the chemicals from cured leaf lipids during chemical analysis or low values will be reported (Bowery *et al.* 1959). Considerable conversion of Guthion to oxyguthion occurs during curing. No attempt has been made to verify whether loss of residues during flue-curing is due to conversion to unidentified products or whether the materials vaporize. Thurston and Caudill (1962) found a much smaller reduction (15 percent) of endrin residues during air-curing than previously reported for flue-curing, as might be expected under the milder conditions of air-curing.

TABLE II.—INSECTICIDE RESIDUES ON COMMERCIAL TOBACCO PRODUCTS

	TDE [1] (p.p.m.)				Endrin (p.p.m.)					Carbaryl (p.p.m.)
	1956 [2]	1960 [3]	1962 [4]	1966 [5]	1956 [6]	1962 [4]	1963 [7]	1964 [8]	1966 [5]	1966 [5]
Cigarette	12.4		22	11	0.2	0.8	<1.0	1.3	0.7	<0.3
Cigar		17.1	44			.2				
Pipe tobacco		4.8	15			.3				
Chewing tobacco		4.3								
Snuff		5.4	20			.6				

[1] TDE plus DDT.
[2] Bowery et al. (1959).
[3] Bowery and Guthrie (1961 b).
[4] Lawson et al. (1964).
[5] Sheets et al. (1967).
[6] Bowery (1962).
[7] Wolfe et al. (1963).
[8] Anonymous (1964).

TABLE III.—ALTERNATE INSECT CONTROL METHODS WITH REDUCED QUANTITIES OF INSECTICIDES

Method	Description	Estimated reduction of residue (percent)	Reference
Directed application of chemicals.	Applied to top, immature leaves thus avoiding applications to lower, mature leaves and using ¼ the dose required for nondirected treatments.	30–60	Guthrie et al. (1959b).
Integrated control	Permit natural factors to control small (noneconomic) larvae if possible before chemical control effected on larger worms likely to cause economic damage.	40–100	Lawson et al. (1961).
Biological control	Use of artificial Polistes wasp shelters in place of insecticidal treatment.	0–100	Rabb and Lawson (1957), Lawson et al. (1961).
	Use of insect diseases when hornworms alone are problem.	100	Rabb et al. (1957).
Cultural control	Stalk destruction and MH–30 [1] effects which eliminate food of majority of overwintering hornworms.	50–100	Rabb et al. (1964).
Alternate chemicals	Dissipated during growth, dissipated during curing, dissipated during aging, dissipated during smoking, degraded in mammalian system.		Cited elsewhere.

[1] Maleic hydrazide.

TABLE IV.—EFFECT OF FLUE-CURING, PROCESSING, AGING, AND CIGARETTE MANUFACTURE ON RESIDUES OF INSECTICIDES APPLIED AT PURPOSEFULLY HIGH RATES TO EXPERIMENTAL TOBACCO

[Compilation from Bowery et al. 1959, Bowery and Guthrie 1961 a, Guthrie and Bowery 1962]

Insecticide	Green (p.p.m.)	Flue-cured (p.p.m.)	Cumulative loss after indicated process (percent)				
			Flue-cured	Stemmed, shredded, redried	Aged 1 Year	Aged 2 Years	Cigarette manufacture
TDE	784	463	41	43	44	44	44
Endrin	101	60	42	45	47	47	47
Guthion	356	[1] 96	73		[2] 73		
Carbaryl	132	15	89		[2] 89		
Telodrin	17	4	76				
Endosulfan	102	17	83				
Trichlorfon	213	0.1	>99				

[1] Guthion plus oxyguthion.
[2] Bowery (1962).

TABLE V.—TRANSFER OF INDICATED INSECTICIDAL RESIDUES ON EXPERIMENTAL TOBACCO INTO MAINSTREAM SMOKE

[Compilation from Bowery et al. 1959, Bowery and Guthrie 1961 a, Guthrie and Bowery 1962]

Compound	Residue (p.p.m.)		Loss during smoking (percent)
	Cigarette [1]	Mainstream smoke	
Endrin	55	10	82
TDE	440	82 (+90 deHCl TDE) [2]	81
Telodrin	100	5.1	95
Endosulfan	100	3.3	97
Carbaryl	150	1.8	99
Guthion	300	0.6 (+0.04 oxy) [3]	>99

[1] Purposefully treated at high levels to permit detection.
[2] Oxygen analog.
[3] Dehydrochlorinated TDE.

TABLE VI.—RESIDUES OF TDE AND ENDRIN IN MAINSTREAM SMOKE OF COMMERCIAL CIGARETTES

Cigarette	Number of brands tested	Micrograms/cigarette and "smoked" cigarette: Cigarette	Mainstream smoke	Loss during smoking (percent)
		TDE[1,2]		
Regular	7	12.7	1.6(+1.4deHCl TDE)[3]	88
King	10	14.7	1.7(+1.3 de HCl TDE)[3]	88
Filter King	13	10.3	1.6(+0.6 de HCl TDE)[3]	86
		Endrin[4]		
Regular	12	0.19	0.06	69

[1] TDE plus DDT.
[2] Bowery et al. (1959).
[3] Dehydrochlorinated TDE.
[4] Bowery (1962).

(d) Loss during commercial processing

Although there is considerable variation in the extent of storage of tobacco, a two-year period of aging is about normal. The residue content of the samples of tobacco treated at purposefully high rates of organochlorine compounds did not alter during a two-year aging period nor during subsequent steps to prepare the processed tobacco into cigarettes (Table IV). Similar samples containing Guthion and carbaryl were found to be unaltered during aging, which was somewhat surprising as the conditions during aging would be expected to offer ample opportunity for hydrolytic detoxication over such a lengthy period (Bowery 1962).

(e) Loss during smoking

Individual smoking habits vary enormously. A number of mechanical devices have been made to "simulate" smoking, however, and the L & M Smoking Machine was used to ascertain the effect of smoking on organic insecticides (Bowery *et al.* 1959, Bowery and Guthrie 1962, Mold and Walter 1957). Briefly, the cigarettes are placed on a wheel, and as each cigarette passes a diaphragm the mainstream smoke is sucked through a series of solvents of cellulose filters. No attempt was made to collect the vapors of the sidestream smoke, nor to identify the insecticidal components, if any, of the ash. Residues in the butt of smoked cigarettes (eight puffs of two seconds duration) were not appreciably different from those in the original cigarette (Bowery *et al.* 1959).

The proportional of insecticide appearing in the mainstream smoke of experimental cigarettes prepared from tobacco deliberately impregnated with high levels of insecticide was 20 percent for TDE (plus 20 percent dehydrochlorinated TDE), 20 percent for endrin, five percent for Telodrin, three percent for endosulfan, and less than one percent each for Guthion and carbaryl (Table V). Although levels of other commercially available insecticides have not been sufficiently high to study in commercial cigarettes, they have been studied for endrin and TDE (Table VI). These studies are fairly consistent with those from experimental cigarettes, although on a percentage basis slightly less TDE and slightly more endrin was found in the mainstream smoke of commercial cigarettes. It is suspected that there is a small (less than five percent) component of endrin coming through in the mainstream smoke as a breakdown product (possibly a *delta*-keto derivative), but this has never been substantiated. No appreciable difference was found in the quantities of TDE or endrin appearing in mainstream smoke from different types of cigarettes. While making a study of the various constituents in mainstream tobacco smoke of commercial cigarettes, Mold and Walker (1957) found an important fraction of their condensate to be TDE. Their results, reported after smoking 20,000 cigarettes, were in agreement with concurrent work of others.

The transfer of organic insecticides to mainstream smoke of pipe and cigar tobacco has not been studied. Recalling that the transfers into mainstream cigarette smoke for arsenicals and organic insecticides were somewhat similar, it would be suspected that the same pattern might apply, enabling one to estimate the transfer of organic insecticides to cigar and pipe smoke. Gross and Nelson (1934) found seven percent transfer of total arsenic into the puffed smoke for cigars and 26 percent for pipes.

TABLE VII.—RESIDUES OF TDE IN RABBIT TISSUES FOLLOWING EXPOSURES TO MAINSTREAM CIGARETTE SMOKE FROM CIGARETTES CONTAINING 48 UG. OF C^{14}-TDE/CIGARETTE

[From Bowery et al. 1965]

Tissue	Calculated as C^{14}-TDE (p.p.m.): 3 months' exposure: Organo-soluble	Total	6 months' exposure: Organo-soluble	Total	Organo-soluble components (percent): TDE	deHCl-TDE[1]	Unidentified
Avg. 4 tissue fats	0.026	0.027	0.023	0.042	43	56	0
Avg. 7 vital organs	.010	.011	.014	.062	59	41	0
Avg. 3 respiratory tissues	.007	.009	.006	.032	33	49	18
Avg. 6 other tissues	.006	.008	.022	.116	43	57	0
Blood ug./ml.		.011					
Urine ug./ml.		.409					
Feces ug./g.		.007					
Mainstream smoke					54	46	

[1] Dehydrochlorinated TDE.

(f) Residue retained during smoking

Although the aforementioned tests had shown that insecticidal components could be brought into the smoker's mouth, the question of retention during expiration of smoke remained to be clarified. A test was made using C^{14}-TDE experimental cigarettes in which one series was machine-smoked, one series was smoked by noninhaling smokers, and a third series was smoked by inhaling smokers. The human volunteer smokers exhaled the smoke (under slight vacuum) into a tube connected to three solvent traps. Analysis of the smoke showed that the noninhaling smoker exhaled essentially all of the TDE brought into the mouth whereas the inhaling smoker retained about 70 percent of the TDE inhaled in the mainstream smoke (Bowery *et al.* 1965).

(g) Fate of residue on inhaled smoke

The next step necessary to evaluate the impact of insecticidal residues in mainstream smoke was to determine if the quantities retained in a mammalian system via respiratory intake behaved differently from oral doses of insecticides. The problem was approached with a tracer technique (Bowery *et al.* 1965), using rabbits as "smokers." Rabbits specially selected for their willingness to accept tobacco smoke were placed in Holland smoking boxes. C^{14}-TDE added to cigarettes at levels simulating commercial cigarettes and at levels four times this quantity were "smoked" in the specially designed apparatus. A 45-cc. puff of smoke was released into the box containing a rabbit for a duration of two seconds during each minute. Those rabbits which did not breathe normally during the "smoking" process were eliminated from the tests. Seventy cigarettes were smoked each day, five days a week, for the various test periods. The rabbits were then sacrificed and the various tissues analyzed for content of TDE and metabolites. Table VII summarizes the data, and, although the tests did not include as large a number of subjects as would be desirable, the conclusions were that the fate of TDE inhaled during smoking was similar to that for ingested TDE. All of the animals were autopsied at the end of the experiment, and no untoward effects were noted.

IV. NATURAL INSECTICIDAL COMPONENTS

A discussion of insecticidal components of commercial tobaccos would not be complete without some mention of the naturally occurring component, nicotine. The content of nicotine in cured tobacco varies between one and three percent, and two percent is a likely average for American cigarettes. Table VIII summarizes the content of nicotine found in commercial tobaccos and the subsequent retention following use of various types of products. Quantities of nicotine received by the human system during smoking are appreciably greater than the quantities of synthetic insecticides received by the same route.

TABLE VIII.—MAGNITUDE AND FATE OF NICOTINE TRANSFERRED TO TOBACCO USERS

[Compiled from Larson et al., 1961]

Tobacco product	Mg./unit product	Percent: In mainstream smoke	Retained in lungs	Mg. absorbed/unit product
Cigarette	20/cigarette	15–20	65–90	1–3/cigarette.
Cigar	150/cigar		4–18	6–7/cigar.
Chewing tobacco	25/gram plug			8–88 mg./day.
Snuff				20–60 mg./day.

A large volume of literature indicates that mammals can tolerate nicotine in subchronic doses without ill effects for long periods of time, and, when administered slowly, at daily doses accumulatively much greater than lethal acute levels (Larson *et al.* 1961). The human body, particularly, seems to possess an extremely efficient mechanism for absorbing, distributing, metabolizing, and eliminating nicotine and its degradation products.

Nicotine was distributed to all tissues within 10 to 15 minutes (Hansson and Schmiterlow 1962). Rapid metabolism and excretion followed, and the liver, lung, and kidney were found to be the most important degrading tissues in the rabbit (Yammamoto *et al.* 1955). Over 90 percent of the total C^{14}-nicotine administered was recovered in excretory products in 16 hours from rats (Ganz *et al.* 1951) and 36 hours from dogs (Bennett *et al.* 1954). About ten percent of the excretory alkaloid was the intact molecule (Wolff and Giles 1950, Haag and Larson 1942). There was no evidence that nicotine was stored in the body of the rat, mouse, or dog (Ganz *et al.* 1951, Bennett *et al.* 1954). The fate of nicotine has been the subject of an exhaustive study by McKennis and his associates in recent years. The key metabolite is cotinine, and a summary of the work with a suggested metabolic scheme is found in a recent publication (McKennis *et al.* 1964). Cotinine is also a metabolite of aging nicotine residues, at least in some plant parts (Gunther *et al.* 1959). The Surgeon General's Committee (1964) stated that the nicotine inhaled during smoking "probably does not represent a significant health problem."

V. MISCELLANEOUS PESTICIDES

(a) *Fumigants*

Unpublished data available at the present time indicate that fumigants and other pesticides applied to tobacco in storage (dichlorvos, hydrogen cyanide, methyl bromide, acrylonitrile-carbon tetrachloride mixtures, and pyrethrins) would not be expected to leave objectionable residues as a result of treatment under normal conditions of storage and processing (Childs 1966).

(b) *Fungicides*

In the United States, fungicides are rarely applied to cigarette tobacco types in the field, and no data have been reported on residues of fungicides on commercial tobacco. Lucas (1966) reported residues following experimental Dyrene treatments for brown spot on tobacco (three weekly applications during weekly harvest at one lb./acre). Resulting residues on cured tobacco ranged from 0.48 to 38.4 (average 7.2) p.p.m. In other experiments where Dyrene was applied at two lb./acre and maneb at one lb./acre (six weekly applications during harvest), residues on cured tobacco were 34 to 111 (average 47) p.p.m. and 76 to 495 (average 198) p.p.m., respectively. Residues of these fungicides were shown to vary directly with number and rates of application and inversely with rainfall. Residues of Dyrene and maneb on tobacco placed in an accelerated storage test for six months were not significantly decreased by the treatment.

Anderson (1962) injected 500 p.p.m. of Dyrene into cigars subequently smoked in an artificial smoking apparatus. One percent of intact Dyrene was detected in mainstream smoke extracts, and 5.8 percent of a decomposition product, o-chloroaniline, was also isolated from the mainstream smoke.

In Europe, recent outbreaks of blue mold on green field tobacco have made frequent applications of fungicides a prerequisite to successful culture. The level of zineb on cured tobacco following field treatment (two to three lb./acre, 15 applications) was 1,050 p.p.m. for bright tobacco and 4,300 p.p.m. for burley tobacco (two to three lb./acre, 15 applications). When subjected to various manufacturing processes, the residues in the finished cigarettes were found to be 43 and 76 percent, respectively, of the original levels (Carugno and Pizzini 1963). In other tests, Chouteau (1963) found maneb and zineb residues on cured tobacco to be 1,873 p.p.m. and 2,890 p.p.m., respectively; rates of field application were not given but presumably they were recommended rates. When subjected to bulk fermentation, 78 and 62 percent of the residues disappeared. These authors observed that during air curing, zineb degrades very little whereas 30 to 40 percent of maneb is destroyed.

(c) *Herbicides and growth regulators*

Three herbicides, diphenamid, Pebulate, and Vernolate, are registered for use on tobacco, and all are applied within a week of the time tobacco is planted. No published information concerning residues likely to occur in the cured leaf or present in tobacco smoke is available.

Maleic hydrazide is frequently applied at the rate of 2.25 lb./acre to control adventitious buds when tobacco is topped. Cigarettes made from tobacco so treated contained 10 to 30 p.p.m. (Stone 1957 and Carroll 1957) of maleic hydrazide. When cigarettes containing 30 p.p.m. were smoked in an automatic smoking machine (35 cc. puff of two seconds duration once per minute until length of butt was 20 mm.), 93 percent was decomposed or transferred to the side stream. The cigarette butts contained 30 p.p.m. indicating no buildup due to sublimation or any loss due to hot smoke pulled through the butt (Stone 1957). Cigarettes containing ten p.p.m. were similarly smoked without detection of maleic hydrazide in the mainstream smoke at the limit of the colorimetric method used. In a third test in which 105 p.p.m. of C^{14}-maleic hydrazide was infused into cigarettes, 23 percent of the radioactivity was found in the mainstream smoke, a large part of which was postulated to be decomposition products.

When maleic hydrazide was applied to tobacco at the rate of 2.25 lb./acre, the green commercial leaves were found to contain 37 p.p.m. while the green sucker leaves contained 482 p.p.m. (Hoffman and Parups 1962). To determine the possible uptake of maleic hydrazide from accumulative soil residues, Hoffman *et al.* (1962) applied maleic hydrazide to soil in laboratory and field tests at concentrations up to five times the concentration normally applied to growing tobacco. Residues of maleic hydrazide disappeared more rapidly from sand and muck than from clay soils. About 88 percent of the original dose had disappeared from sandy soils within eight weeks. When tobacco plants were grown in soils containing five p.p.m. (five times the concentration which might occur if 2.25 lb. were applied directly to the soil) the green leaves contained 0.9 p.p.m. The authors concluded "that there would have to be an enormous amount of maleic hydrazide in the soil before any would be found in the plant."

(d) *Soil fumigants*

The uptake of organic chlorine or bromine by the tobacco plant following treatment with soil fumigants (DD or EDB) at recommended rates and normal weathering conditions is about 0.3 percent of chlorine and 0.15 percent of bromine above normal concentration (Gaines and Graham 1953, Moseley *et al.* 1953). There is no published information to indicate whether this slight increase in chlorine or bromine content is traceable to the parent compound, or metabolites, or whether it is a manifestation of normal physiology of the plant. From 2.8 to 5.9 percent of chlorine and 1.4 to 3.0 percent of bromine is transferred to mainstream smoke based on the total quantities present in the intact cigarette (Moseley *et al.* 1953).

VI. TOBACCO AND PESTICIDE RESIDUE TOLERANCES

Expressions regarding the need for the establishment of tolerances for pesticide residues on tobacco have been raised on occasions by those in the socio-political environment in the United States. This coupled with the serious thought being given to such an action on the part of one European country, West Germany (anonymous 1966), requires some discussion as to the unique factors that must be considered with this product over those normally utilized when tolerances are established for foodstuffs.

Since pesticide residue tolerances are usually established on the "raw agricultural commodity" one must immediately be concerned as to the applicability of this to tobacco since the product that is ultimately consumed by the public (tobacco smoke) bears little resemblance to the raw product. At first blush one might argue that the same argument holds in most cases since modern food processing can drastically alter the relationship between the raw product and the consumed product. However, pesticide residues on raw agricultural food commodities are usually altered only in a quantitative manner with little, if any, significant qualitative change taking place between consumer purchase and consumption. In the case of pesticide residues on tobacco, extensive degradation of pesticide does, or is likely to, occur during the consumption phenomena. Only after the commodity (smoke) that is to be consumed is produced do the tolerance requirements for ingested foodstuffs and ingested smoke appear to become analogous.

Therefore, any consideration of the application of tolerances to tobacco should account for the pyrolysis factor in some appropriate fashion. For example, the TDE-DDT content of cigarette tobacco is about 11 p.p.m., well above the tolerance limit of 7 p.p.m. permitted on many foodstuffs. However, the amount of TDE-DDT actually delivered to the consumer during smoking is about 1.8 p.p.m., well below tolerances for food.

This principle was utilized by the Entomology Section of the 20th *Tobacco Workers' Conference* in Columbus, Ohio, in 1964 when the following resolution was passed: "Insecticides should not be recommended for use on field-grown tobacco when the projected levels of such residues in the mainstream smoke of commercial cigarettes would exceed the tolerances established for raw agricultural products, such as leafy vegetables."

TABLE XI.—RESIDUES OF INSECTICIDES TO BE EXPECTED ASSUMING USE OF THE MATERIALS LISTED AT RECOMMENDED RATES AND WAITING PERIOD OF 7 DAYS BETWEEN TREATMENT AND HARVEST

[Compiled from Bowery and Guthrie 1962, Sheets et al. 1966]

Material	Anticipated on tobacco (p.p.m.)			Tolerance "expected" tolerance (p.p.m.)	Levels actually found in commercial cigarettes (p.p.m.)
	Green	Flue-cured	In smoke		
TDE	58	35.0	7.0	7	1.70
Endrin	7	4.2	1.2	0	.06
Endosulfan	20	3.4	.1	2	----
Telodrin	7	2.7	.08	0	----
Carbaryl	13	1.4	.01	10	<.3
Guthion	25	1.8	.001	2	----

Table IX summarizes the residues to be expected in the mainstream smoke of commercial tobacco following extensive use of recommended and experimental insecticides on tobacco. The state and federal recommendations for tobacco insect control in 1964 reflected the results for this action. Data for 1966, shown earlier in Table II, represent current analyses which indicate a marked decline in residues.

TABLE X.—*Common and chemical names of pesticides mentioned in text*

[Common name and chemical name]

Acrylonitrile: vinyl cyanide.
Carbaryl: 1-naphthyl *N*-methylcarbamate.
Cotinine: *N*-methyl-2-(3-pyridyl)-5-pyrrolidone.
DD: 1,3-dichloropropene and 1,2-dichloropane mixture.
DDT: 1,1,1-trichloro-2,2-bis(*p*-chlorophenyl)ethane.
Dichlorvos: *O,O*-dimethyl 2,2-dichlorovinyl phosphate.
Dieldrin: 1,2,3,4,10,10-hexachloro-*exo*-6,7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-1,4 - *endo* - *exo*-5,8-dimethanonaphthalene.
Diphenamid: *N,N*-dimethyl 2,2-diphenyacetamide.
Dyrene: 2,4,-dichloro-6-(*o*-chloroanilino)-*s*-triazine.
EDB: 1,2-dibromoethane.
Endosulfan: 6,7,8,9,10,10-hexachloro-1,5,5a, 6,9,9a-hexahydro-6,9-methano-2,4,3 - benzo - dioxathiepin-3-oxide.
Endrin: 1,2,3,4,10,10-hexachloro-*exo*-6,7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-1,4 - *endo* - *endo*-5,8-dimethanonaphthalene.
Guthion: *O,O*-dimethyl *S*-4-oxo-1,2,3-benzotriazin-3(4*H*)-ylmethyl phosphorodithioate.
Malathion: *S*-[1,2-bis(ethoxycarbonyl)-ethyl] *O,O*-dimethyl phosphorodithioate.
Maleic hydrazide: 6-hydroxy-3-(2*H*)-pyridazinone.
Maneb: manganese ethylenebis(dithiocarbamate).
Nicotine: 1-methyl-2-(3-pyridyl)-pyrrolidine.
Pebulate: *S*-propyl butylethylthiocarbamate.
Pyrethrins: insecticidally active principles of *Chrysanthemum cinerariaefolium*.
TDE: 1,1-dichloro-2,2-bis(*p*-chlorophenyl) ethane.
deHCl-TDE: 1-monochloro-2,2-biz(*p*-chlorophenyl)ethylene.
Telodrin: 1,3,4,5,6,7,8,8-octachloro-1,3,3a,4, 7,7a-hexahydro-4,7-methanoisobenzofuran.
Toxaphene: mixture of isomers of octachlorocamphene (67 to 69 percent chlorine).
Trichlorfon: *O,O*-dimethyl (2,2,2-trichloro-1-hydroxyethyl) phosphonate.
Vernolate: *S*-propyl dipropylthiocarbamate.
Zineb: Zinc ethylenebis(dithiocarbamate).

Summary

Residues of inorganic insecticides on tobacco have decreased sharply in recent years, and the levels of arsenic on tobacco are of little significance at the present time.

Organic insecticides applied for tobacco insect control can be detected at relatively high levels during the early phases in the culture of tobacco due to the large surface-to-weight ratio characteristic of leafy products. During the flue-curing process about 40 percent of TDE and endrin are dissipated whereas more than 70 percent of certain other organochlorine insecticides, phosphates, and carbamates are lost in this process. The content of TDE and endrin in the cured leaf remains constant during two years of commercial processing. During the smoking of cigarettes 80 to 90 percent of TDE, 70 to 80 percent of endrin, and 95 percent (or more) of carbaryl and Guthion are dissipated. Noninhaling smokers exhale essentially all of the TDE in the mainstream smoke whereas inhaling smokers retain the majority of the insecticide brought into the system. The fate of inhaled TDE in rabbits appears to follow similar pathways of storage and elimination as reported for oral doses. The intake of the most common insecticide appearing in tobacco smoke by the one-packper-day inhaling smoker is approximately equal to the intake of insecticide in his daily food (utilizing TDE plus DDT for comparative purposes).

The use of fumigants for control of stored tobacco insects, maleic hydrazide for sucker control, and fungicides for control of pathogens of minor importance on flue-cured tobacco do not presently appear to be a residue problem. Should plant disease problems on tobacco in the United States increase to the point where fungicide applications become a routine practice during the growing season, the residue problem which appears to presently plague European tobacco-producing areas could become critical.

Residue problems on tobacco deserving attention include monitoring of commercial tobacco, isolation and identification of side stream components of smoke, identification of decomposition products of mainstream smoke, and the retention of insecticide residues following use of cigar, pipe, snuff, and chewing tobaccos. Marked progress could be made to reduce the number of pesticide applications if economic threshold levels and accurate prediction systems could be incorporated into control programs.

Résumé [5]

Les résidus d'insecticides inorganiques sur le tabac ont fortement diminué au cours de ces dernières années, et les doses d'arsenic que l'on trouve actuellement sur le tabac sont faibles.

Les insecticides organiqués appliqués pour la lutte contre les insectes du tabac peuvent se trouver en doses relativement fortes durant les premières phases de la culture du tabac, en raison de la valeur élevée du rapport surface/poids qui caractérise les parties feuillues. Au cours du processus de séchage artificiel à l'air chaud, 40 p. cent environ de TDE et d'endrine se dissipent, tandis que 70 p. cent de certains autres insecticides organochlorés, de phosphaes et de carbamates sont perdus, La teneur en TDE et endrine de la feuille séchée reste constante durant deux années de préparation commerciale. Pendant la combustion de la cigarette, 80 à 90 p. cent de TDE, 70 à 80 p. cent d'endrine et 95 p. cent (ou plus) de carbaryl et de Guthion disparaissent. Les fumeurs qui n'avalent pas la fumée rejettent pratiquement tout le TDE dans la colonne principale de fumée, tandis que ceux qui l'avalent absorbent la majorité de l'insecticide introduit dans l'organisme. Chez le lapin, le TDE absorbé par inhalation suit un processus de rétention et d'élimination analogue à celui qui est rapporté pour l'absorpiton par voie orale. Pour le fumeur qui avale la fumée d'un paquet de cigarettes par jour, l'apport de l'insecticide qui apparait le plus couramment dans la fumée de tabac est approximativement égal à l'apport d'insecticed de la ration alimentaire quotidienne (si l'on prend comme élément de comparaison le TDE plus le DDT).

L'emploi de fumigants pour la lutte contre les insectes du tabac emmagasiné, de l'hydrazide maléique pour l'ébourgeonnement et de fongicides pour la lutte contre les agents pathogènes d'importance secondaire pour le tabac séché aritificiellement à l'air chaud ne pose, en ce moment, aucun problème de résidus. Si les maladies du tabac prenaient de l'extension aux Etats-Unis, au point de nécessiter un emploi courant de fongicides durant la période de croissance, le problème des résidus, qui semble être actuellement un fléau pour les régions européennes productrices de tabac, pourrait devenir critique.

[5] Traduit par S. Dormal van den Bruel.

Les problèmes de résidus sur le tabac, qui méritent de l'attention, comprennent le contrôle des tabacs commerciaux, la séparation et l'identification des composants des colonnes latérales de fumée, l'identification des produits de décomposition des colonnes principales de fumée, et la rétention des résidus d'insecticides faisant suite à l'usage du cigare, de la pipe, de tabac à priser et à chiquer. Des progrès notables pourraient être accomplis pour réduire le nombre d'applications de pesticides si des seuils économiques et des méthodes précises de prognose pouvaient être incorporés dans les programmes de lutte.

Zusammenfassung [6]

Die Rückstände anorganischer Insektizide haben in den letzten Jahren stark abgenommen und die Arsenikmengen auf Tabak sind z. Zt. von geringer Bedeutung.

Organische Insektizide, die für die Insektenbekämpfung auf Tabak Anwendung finden, Können während der frühen Phasen in den Tabakkulturen infolge des grossen Oberflächen-Gewichts-Verhältnisses, das für Blattpflanzen charakteristisch ist, in relativ hohen Mengen nachgewiesen werden. Während des "flue-curing Prozesses" des Tabaks gehen etwa 40% des TDE und Endrin zu Verlust, während mehr als 70% gewisser anderer Organochlor-Insektizide, Phosphate und Carbamate bei diesem Prozess verloren gehen. Der Gehalt an TDE und Endrin im behandelten Blatt bleibt während der zwei Jahre der Weiterverarbeitung konstant. Beim Rauchen von Zigaretten verschwinden 80–90% von TDE, 70–80% von Endrin und 95% (oder mehr) von Carbaryl und Guthion. Nichtinhalierende Raucher atmen im wesentlichen das gesamte TDE im Hauptstrom des Rauchs wieder aus, während inhalierende Raucher ein Grossteil des eingeatmeten Insektizids zurückhalten. Das Schicksal des inhalierten TDE beim Kaninchen scheint den gleichen Wegen der Ablagerung und Ausscheidung zu folgen, wie sie bei oraler Zufuhr mitgeteilt wurden. Die Aufnahme des am weitesten verbreiteten Insektizids, das im Tabakrauch des "eine Packung täglich -Rauchers" auftritt, ist annähernd gleich der Insektizidaufnahme in seiner täglichen Nahrung (wenn man TDE plus DDT zu Vergleichungszwecken benutzt).

Die Verwendung von Begasungsmitteln zur Insektenbekämpfung in lagerndem Tabak, von Maleinsäurehydrazid für die Bekämpfung von Schösslingen and von Fungiziden zur Bekämpfung weniger wichtiger pathogener Lebwesen auf "flue-cured" Tabak scheint gegenwärtig kein Rückstandsproblem darzustellen.

Sollten aber die Probleme the Pflanzenkrankheiten auf Tabak in den USA bis zu einem Punkte zunehmen, an welchem die Fungizidanwendungen zu einer Routinemassnahme während der Wachstumsperiode werden, dann würde das Rückstandsproblem, das z. Zt. die europäischen Tabakanbaugebiete zu bedrängen scheint, kritisch werden.

Rückstandsprobleme beim Tabak, die Beachtung verdienen, umfassen Warnung des Tabakhandels, Isoliering und Identifizierung von Nebenbestandteilen in Tabakrauch, Identifizierung der Zersetzungsprodukte im Hauptstrom des Rauches and das Zurückhalten von Insektizidrückständen nach Genuss von Zigarren-, Pfeifen- Schnupf, und Kautabaken. Ein wesentlicher Fortschritt zur Verringerung der Anzahl der Pestizidanwendungen könnte erzieldt werden, wenn ökonomische Schwellenwerte und genaue Vorhersagesysteme in die Bekämpfungsprogramme eingebaut werden könnten.

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[6] Übersetzt von O. R. Klimmer.

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A CITIZEN TAKES A HARD LOOK AT THE ABM DEBATE—AN ARTICLE BY DEAN ACHESON

Mr. STENNIS. Mr. President, I have before me an article entitled "A Citizen Takes a Hard Look at the ABM Issue," which was written by Dean Acheson, the former Secretary of State, and a well-known public official. The article was published in the Sunday Star of yesterday.

We all know Dean Acheson as a rugged individual, a man of vast experience in government, and a man who has faced the complicating questions of dealing with the Soviets. We know him as a gentleman who for many years was on the hot spot during the Korean war.

I think this article should be read by everyone who is interested in the ABM issue. It is a forthright exposition by a distinguished American. After leaving office, Dean Acheson continued to serve in an advisory capacity to more than one President. Some of the points made by Mr. Acheson should lay to rest some of the criticisms being leveled at the proposed program.

Mr. President, I ask unanimous consent that the article to which I have referred may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A CITIZEN TAKES A HARD LOOK AT THE ABM DEBATE

(By Dean Acheson)

Complexity is a serious obstacle to the working of the democratic process. This process requires a high degree of intelligent citizen understanding of issues that profoundly affect us all. Once an issue is wrapped in technological jargon and subtle misrepresentation, the citizen is tempted to throw in the intellectual towel and be pushed toward the conclusion favored by the vocal technocrats and other spokesmen who have captured the headlines and have sought to monopolize the positive symbols of peace.

This seems to be the course being followed in the debate over the President's proposal to deploy a modest Safeguard ABM system during the next five years to protect our Minuteman missiles against Soviet attack.

Four arguments, often wrapped in most confusing technical terms and resting on tendentious assertions, have been made against the Safeguard system:

1. The Minuteman missiles do not need protection.

2. The Safeguard ABM will not protect the missiles.

3. Safeguard will cost so much as to delay much-needed domestic programs.

4. A decision to deploy Safeguard will imperil strategic arms limitation talks with the Soviet Union.

Before we examine these arguments in layman's terms, let us first see what the situation is that has led the President to conclude that prudence requires the Safeguard defense system.

Over many years, we have sought to obtain Soviet agreement on the control of atomic energy and nuclear armaments. This effort did not succeed, and both the United States and the Soviet Union have developed a large number of intercontinental and medium-range missiles armed with nuclear warheads. The United States at one time had a great superiority in these weapons, but today, as a result of steady growth in the Soviet missile force and the leveling off of the U.S. force, the Soviet Union now can deliver slightly more nuclear megatonnage by intercontinental missiles than we can.

THREE TYPES

The American nuclear arms system has three principal types of weapons: land-based Minuteman missiles in concrete silos sunk in the earth, shorter range missiles carried by nuclear submarines deployed much nearer their targets, and manned aircraft armed with nuclear bombs, but more vulnerable than either of the other two.

Both countries have developed antiballistic missile systems (ABMs) that can destroy in space incoming missiles detected by radar. The Russians have deployed some 60 of these (around Moscow). We have deployed none in the United States. The President proposes that we deploy ABMs around Minuteman silo sites to add to their security—hence, the name of the program, Safeguard.

The major new and urgent reason for this proposal now is the rapid development and deployment by the USSR of their powerful missile called the SS–9. This missile will be so accurate by the mid-1970's that its nuclear warhead would strike close enough to a Minuteman missile to destroy it despite the protection of its buried concrete silo. Moreover, the SS–9 is so large that it can carry as many as three nuclear warheads—perhaps more—each capable of destroying a different Minuteman missile.

The slower, manned bombers of SAC are much more vulnerable than hardened missiles, and will become increasingly vulnerable as the deployment of Soviet nuclear submarines close to the United States reduces the warning time of an incoming attack. The increasing vulnerability of SAC bombers as well as Minuteman would reduce our reliance for nuclear retaliation chiefly to the Polaris-Poseidon system, thus simplifying Soviet military planning. No one can say how long it will be before some technical breakthrough also renders our submarines vulnerable. Any such result would strike at the central purpose of what has been thought of as our nuclear strategy—that is, deterrence.

It would have been much better if nuclear weapons had never been possible or invented. But they exist—and are likely to continue to exist in even more dangerous forms—and while they do, what security there is lies in deterring their use by either side. Winston Churchill called this "the balance of terror." Mutual deterrence depends on the incapacity of either great nuclear power to wholly destroy the opponent's capacity to retaliate with a crushing blow. The conviction that a nuclear attack will inevitably bring on doomsday for all is our principal hope of averting nuclear war. Anything that may weaken that conviction is a betrayal of mankind.

To protect the Minuteman's contribution to deterrence, to frustrate any Soviet plan aimed at removing this agency of retaliation, the President has asked for the Safeguard system. How valid are the objections to Safeguard?

First, it is said that the Minuteman silos do not need protection. The Russian SS–9s, it is argued, are not sufficiently dependable and accurate to take out all our missiles before some would be off on their missions to Moscow and other targets. It would be better, it is said, to invest in more Minuteman missiles and rely on instantaneous retaliation rather than fall into the fatal Maginot Line defensive attitude.

ESTIMATE ACCEPTED

It is difficult for laymen to judge the performance of the Soviet SS–9s. In the absence of convincing evidence to the contrary, I accept the estimates of the U.S. intelligence community, a group of highly trained professionals who examine these complex technical developments from every possible angle. Over many years I have had to decide questions on which experts differed. The truth may range somewhere between them, but usually nearer to the views of those who have most often done careful homework, who have been right in the past, and who have not interjected political factors into their technical judgment. Security based on an optimistic view of Russian incompetence rests on a ledge too narrow for safety. We had best assume that our opponent is as smart as we are.

Even worse, many ABM opponents advocate alternatives that would appear more provocative to the Soviet Union, would stimulate an arms race in offensive weapons, and would limit the military and diplomatic options of the President in a confrontation with a nuclear adversary.

Some of those who argue against ABMs urge the President to follow the "policy of the empty silo"—that is, to fire the Minuteman missiles at Russian cities on the first radar report of incoming missiles and thus avoid being stripped of our deterrent. The time available for such a decision precludes any deliberation by the President, or, perhaps, any notice to him.

Whoever in fact gives the order, the judgment to start action to destroy millions of Russian people bring counter-retaliation on millions of Americans might really be that of comparatively junior military officers. Having been through one radar alarm (happily false) of incoming hostile planes some hours before the presumed attack, I have little desire to see such decisions made in a matter of seconds.

Other opponents of deployment urge that we take a chance on the survival of enough Minutemen for counter-attack by building more, putting more concrete around the silos, and relying on Russian inaccuracy in hitting them. I understand the experts disagree on the efficacy of these measures. Whether they would protect Minutemen or not, the effect of this strategy would be to absorb on American soil, even though not directly on American cities, the brunt of the first attack, with the full effects of its fallout sweeping across the country. The ABM, on the other hand, seeks to confine the first nuclear exchange so far as possible to outer space, so that the destruction directly and through fallout will be far less and the consequences of error less ghastly. Also, it might give both sides one last clear chance to pause and think before plunging into the cataclysm of nuclear war between the superpowers.

Even though some attacking missiles would undoubtedly get through, the damage would be far less and, also, the temptation to steal an advantage by a surprise first blow, a nuclear Pearl Harbor. If the essence of sane nuclear strategy is deterrence, these are essential elements in strengthening it.

COUNTER MEASURES

Second, it is argued that Safeguard will not be effective in protecting Minutemen because Safeguard can be easily overwhelmed.

A few weeks ago some scientists were suggesting that a myriad of technical devices could be employed to render Safeguard ineffective. We heard a great deal then about penetration aids, precusor blasts, and the like, all presumed to be available to the Russians as well as being cheap, reliable, and effective. Indeed, every counter measure theoretically thought to be possible was offered as though it rendered Safeguard a hopelessly vulnerable victim to any device, even a gleam in a scientist's eye.

Much of this hasty prophesy has been quietly withdrawn—although not, to be sure, renounced. It quickly became apparent that the designer of Safeguard had thoroughly investigated the devices with which it will have to contend, knew their limits of cost, availability and effectiveness, and had taken them into account in the de-

sign of the system. So the air is somewhat cleared of chaff, electronic jamming devices, radar-blinding blasts, protected warheads, and decoys.

With the demise of the decoys, some perspective has been gained. The ground to which the doubting scientists have shifted is itself as doubtful. The claim now is that for the defense of Minutemen one would want a system different from Safeguard, because its radar is soft, and therefore an easy and inviting target. The ease with which radar—the "eye" of the system—can be destroyed is the contentious issue on which critics presently base their judgment that Safeguard can be "easily" overwhelmed.

Any antiballistic missile system requires a radar. Whether it is an easy target or a difficult one depends on whether it is defended, and, of course, Safeguard has, as a major function, defense of its own radar.

Defending the radar means having missiles available to intercept Soviet missiles aimed at its destruction. To overwhelm the system the Soviets must fire a number of offensive missiles sufficient to exhaust the interceptors. Now, there is no reason to believe that they will have this number by the time Safeguard will become operational. But reason has given way to invention here again, and some scientists have postulated a special Soviet missile force whose sole mission would be to attack the radars in large numbers.

This specialized force does not now exist. The Soviets lack the required technology to produce it. Their entire weapons program, unlike our own, has concentrated on the development of large, rather than small warheads. Precise costs are uncertain, but certainly high. Even if all of the necessary technology, production, testing, evaluation, and deployment could be managed, the required effort would be considerable. And we could make additions to Safeguard which, at substantially lower cost, could offset even this uncertain, difficult, and costly Soviet effort.

OFFENSE AND DEFENSE

Indeed, it is a reasonable hope that our willingness and capacity to frustrate a Soviet attack by forcing it to cope with Safeguard will induce the Russians to abandon efforts to develop the means for such an attack. What is certainly clear is that if we make it easy rather than difficult for them, and if we make it cheap rather than expensive, we will only encourage a posture that we have sought persistently, with great effort, to frustrate and dissuading them from developing.

While on this point, let me warn against the danger of underestimating defense even in nuclear war. Throughout military history the advantage has moved back and forth between the offense and the defense, but never to the elimination, or even great reduction in the importance of either. To use "a Maginot Line mentality" as a pejorative term is to be trapped by a cliche. The Maginot Line was good and useful strategically and tactically. It was never designed as the sole and sufficient defense of France. Its flanks and top had to be protected also.

The Germans never broke the Maginot Line; they outflanked it at its northern end through feebly-held Belgian positions and inadequate British and French mobile forces. The planned ABM deployment can be saturated but not by missiles it is planned to meet in the mid-1970s. If these are increased, Safeguard can be increased also. But to write off our bombers and land-based missile forces and rely only on submarines as critics suggest would be true Maginot psychology.

Third, it is argued that Safeguard will seriously interfere with much-needed social programs to improve our domestic life. This argument is untrue and based on the subtle misrepresentation that defense expenditures over the past several years have "taken away" resources for domestic needs. On the contrary, from 1964 to 1970 Federal expenditures on welfare programs increased 120 percent, while defense spending, including Vietnam, increased only 55 percent. Furthermore, our direct expenditures on the nuclear strategic forces have decreased by about 50 percent from 16 billion dollars to 8 billion dollars annually. During the same period the Soviet expenditures in the same field have increased by about 70 percent, from $10 billion to $17 billion.

The requested ABM Safeguard program for five years is projected at $10 billion, including research and development. On an annual basis this amounts to about one-fortieth of the current defense budget and less than one-fourth of one percent of our gross national product.

This comparatively small investment buys added security for a large portion of our retaliatory force. To give an idea of the order of magnitude involved, the needed expenditure by this country over the next five years to clear up pollution of the atmosphere would be about $150 billion.

Moreover, the critics who suggest that the total $101 billion cost of Safeguard could be saved for other uses are either misleading themselves or misleading the public. Virtually all the critics of Safeguard have advocated continuing research and development of ABM, which presently makes up more than three billion dollars of the total program cost. The critics themselves never cease to recommend alternatives to Safeguard which, if not as irresponsible as the "launch-on-warning" doctrine, are at the least costly, probably more costly than Safeguard.

The recent proposal that we double the number of our Minuteman missiles so that a sufficient number will survive a Soviet attack has been advocated largely on the grounds that it would cost less than Safeguard. Such a program would, however, almost certainly precipitate a dangerous increase in offensive missiles on both sides, as each struggled to maintain its position in an offensive arms race. The ultimate cost of such a program would be very much higher than Safeguard, as well as being open-ended and dangerously destabilizing.

WON'T HURT ANYONE

Fourth, it is argued that an ABM deployment will inhibit negotiation with the Russians about limiting nuclear armaments. This argument goes against both reason and experience. Safeguard does not add offensive weapons that Russians might believe they must match. The ABM will not hurt anyone, it will not enter Soviet territory. It is designed to meet and destroy an offensive weapon in space or above our territory. The Russians already have the ABM; they understand it. Our possession and deployment of these weapons will add greatly to their hesitancy to precipitate doomsday, but not to their fear that we will do so.

There have been no official or unofficial complaints by the Soviets, of which I am aware, concerning our proposals now and earlier to develop and deploy ABMs. Their leaders repeatedly assert the desirability of purely defensive weapons. Soviet strategic and political plans and agreements are made strictly in accordance with their own estimate of what is to their national interest, with what they call the calculus of forces. What we do is of interest to them in its effect, if any, on that calculus.

A decision by the Congress to reject the President's Safeguard proposal or to delay it pending negotiations with the Soviet Union would be seen in Moscow as a weakening of the United States deterrent forces. Either decision would materially reduce the chances for a successful outcome of those negotiations.

AUTHORIZATIONS OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. MONDALE. Mr. President, I should like to speak today on the critical issue of the anti-ballistic-missile system. I have spoken frequently against the recommendations of the Committee on Armed Services, and today I should like to speak in detail, setting forth the reasons for my opposition.

I certainly do not want to see this country undefended but I also do not want us to live under the illusion that the Safeguard ABM system will provide an adequate defense.

If I thought Safeguard would make our chances for survival greater, I would support it.

If I thought large expenditures of funds on an ABM system would provide an effective defense for the country, I would advocate spending the money.

I favor continued research, development, and testing for ABM systems. R.D. & T. serves a double purpose: it protects us against changes in the world nuclear situation and it either produces a workable ABM or provides the system unworkable. Also, it avoids fantastically expensive deployment costs on a system which may be unworkable or obsolete.

The Hart-Cooper amendment stresses further ABM research, development, and testing, but it carefully prevents deployment of any sort; nothing can go into the ground. The reasoning behind it is that deployment is what throws uncertainties into the arms race and disarmament talks; deployment is what commits us to a system.

If, as the amendment provides, there is to be no preparation of any site, research and development will not be conducted in North Dakota or Montana. The facilities at Kwajalein or the contractors' plants are far better suited for testing than installation facilities not yet constructed.

Any partial preparation of missile sites will commit us to further deployment; therefore, I support the Hart-Cooper amendment that will allow further ABM research and development, but bar the deployment of any components of the system.

The reasons for my position reflect my general views on the deployment of Safeguard. I have opposed it because I fear its effect on the crucial disarmament talks; question its technical feasibility;

believe there are better, cheaper, and more certain means of protection; am not convinced that the Russian threat is as immediate as the Pentagon would have us believe; and place a priority on domestic spending to meet our tremendous needs at home.

Nuclear clouds. Mushroom shaped. Scattered across the face of the earth. We live daily and have for the past two decades with the possibility. Occasionally, we worry about it publicly, as in the 1950's, when local schools, and municipal buildings were stocked with civil defense shelters and supplies, or in 1962, when we had a close brush with nuclear confrontation in Cuba.

Nevertheless, day in and day out, 1,054 intercontinental missiles wait to be released, 30 minutes from their anticipated destination in the Soviet Union.

Of the 656 sea-based missiles, about 400 are always beneath the sea waiting to be launched from 41 Polaris submarines.

Forty percent of the 680 intercontinental bombers, armed with four hydrogen bombs each, are kept on strategic alert, ready to take off in less than 15 minutes at warning provided by the ballistic missile early warning system.

The United States plans to double its more than 4,000 strategic nuclear weapons in the next few years.

Minuteman II, the third version of the U.S. intercontinental ballistic missile, currently is replacing the two earlier versions. If the Minuteman III force is set at 500 missiles, total individually aimed ICBM warheads will increase from 1,000 to 2,000. The submarine Polaris A–3, also a third-generation missile, is fitted with a cluster of three warheads. With completion of the planned Poseidon submarine force, individually aimed warheads on submarines will rise from 656 to more than 6,000. Within the next several years, about one-half of the bomber force will be replaced with new and faster aircraft. And none of this includes the tactical nuclear weapons we have positioned throughout the world.

Arrayed on the Soviet side are between 1,050 and 1,100 intercontinental ballistic missiles, about 700 of which have been deployed in the last 3 years. Two hundred of these missiles are the large and accurate SS–9 which, like the U.S. Minuteman II, may be outfitted with multiple individually aimed warheads in the future. The Soviet Union also has between 700 and 800 intermediate-range ballistic missiles aimed at Western Europe.

Within the past year, the Russians have launched several submarines comparable to the U.S. Polaris, carrying 30 long-range missiles. Their arsenal includes 10 to 15 other nuclear-powered submarines each carrying three missiles of a shorter range capability.

Obviously, the world nuclear destructive capacity has grown from the development of the atomic and hydrogen bombs to immense proportions, with the major powers having more than sufficient sophisticated delivery systems for hydrogen weapons. The United States maintains its numerical lead in every category of weapons, but both are confident of the capability to kill hundreds of millions of persons.

The capability exists and is deployed; however, it has not been used because of belief in mutual deterrence. Both Russia and the United States are deterred from launching a "first-strike" by the knowledge that the other would inevitably retaliate, and could destroy one-third to two-thirds of the attacker's population and industry.

This uneasy deterrence balance is threatened by the deployment of the American Safeguard anti-ballistic-missile system. The threat comes from uncertainties—the uncertainties as to whether an anti-ballistic-missile system can work because it is impossible to test under the circumstances of a real nuclear warhead attack, the uncertainties which come with the inevitable introduction of offensive weapons to negate the effectiveness of an ABM defense, the uncertainties which must be added when we spiral into a new round of nuclear weapons development and the uncertainties about our intentions when the deployment of more weapons indicates a decision to spend on military materials rather than on peaceful and domestic needs.

Unusable nuclear weapons offer us nothing but a balance of terror. After having stockpiled nuclear weapons with an explosive power of 15 tons of TNT for every man, woman, and child on earth, it seems absurd to be told that we must increase our nuclear armaments so that we can disarm from a position of strength. An equal absurdity is that the moment we begin the work on ABM's, we and the Russians also build the MIRV—multiple independent reentry vehicle—the weapon to circumvent ABM's.

The impact of agonies and absurdities surrounding the American defense posture of the past 20 years, Prof. George Wald, of Harvard, says, is what is bothering the students. "I think that what we are up against is a generation that is by no means sure that it has a future."

To straighten out the problems which Americans confront, both young and old, we must make clear that we are a nation of peace, not a nation of war; a nation of life and not one of death and destruction. The best way we can do this is by making every possible effort to achieve successful disarmament talks.

First. Ending the nuclear arms race is so important that we must let nothing jeopardize disarmament talks. I fear the effect of a decision to deploy Safeguard, creating uncertainties about our good intentions and difficulties for enforcing any arms accord. If we fail to take advantage of an opportunity to level off the arms race when both the Americans and the Russians feel that they have a secure deterrence, we forgo a rare opportunity to achieve peace and security.

Both the Nuclear Nonproliferation Treaty and the possibility for disarmament talks offer some hope of escape from the arms race. After China and France entered the category of nations with nuclear capability, we sought international agreement to stop the worldwide deployment of nuclear weapons. The treaty may be abrogated, but international negotiations and agreements, international good faith, are truly our only means of survival. The Nuclear Nonproliferation Treaty gives us a chance to step back, at least symbolically, from the international competition in arms, and to encourage other nations to do the same thing

Section VI of the Nuclear Nonproliferation Treaty requires the United States and Russia to do everything possible to halt the arms race, including disarmament talks. Whether or not we follow that specific encouragement, the U.S. acceptance of the treaty is hollow indeed if it is not followed by other efforts to dampen the arms race. However, our good faith will also be questioned if we move ahead with ABM deployment notwithstanding ongoing disarmament talks. Deployment of the ABM or any other new missile development such as the MIRV flies in the face of our proclaimed policy of nonproliferation.

I am terribly afraid that our deployment of ABM, even the initial authorization of deployment at two sites, and the further testing and installation of MIRVed warheads will seriously jeopardize any chance we have of achieving accord through disarmament talks. Therefore, I deplore the fact that the Air Force recently ordered MIRV warheads.

I joined with 40 other Members of the Senate to introduce a resolution calling upon the administration to enter into a mutual moratorium with the Soviet Union on testing the MIRV warheads. Although the Soviets possess the technology and capability to deploy MIRV, it is unclear whether tests of their version of the MIRV have begun. The best way to stop Soviet development of the weapon is a suspension of American tests as long as the Soviet Union refrains from testing as well. This would keep the situation stable until there is an opportunity to reach agreement on a limitation of both ABM and MIRV.

There simply is no need to develop either the anti-ballistic-missile system of MIRV if we can reach an agreement with the Soviets to stop mutual development.

On the other hand, President Nixon's policy for the talks seems to be negotiation of a weapons escalation. Mr. President, I will repeat the last sentence, because I am very fearful that what I say is correct. On the other hand, President Nixon's policy for the talks seems to be negotiation of a weapons escalation. The administration freely acknowledges and proclaims it is now deploying the MIRV system. The administration must intend to negotiate a workable MIRV and a workable ABM if it follows the line that we would put ourselves in the strongest position by having both an ABM system and a fully-tested MIRV when we go into the talks. The majority of the committee on Armed Services made explicit their view of the administration's position:

> The President believes that the backing of the Congress on his Safeguard program would strengthen his hand in the forthcoming negotiations with the Soviet Union on the limitation of offensive and defensive nuclear systems. If we unilaterally abandon all deployment of our ABM's, what incentive do

we give the Soviets to negotiate with us a limit or a reduction in their ABM deployment?

The Secretary of Defense, Melvin Laird, in his defense of the Safeguard system in hearings before a House Appropriations Subcommittee on May 22, 1969, brushed off the problems of achieving arms limitation while the Safeguard is being deployed:

Meanwhile, we have to deal with the world as it is today. Until an acceptable arrangement is achieved, we must continue to insure the sufficiency of our deterrent.

Noting the existence of the Galosh ABM defense which has been deployed around Moscow and contains 67 missiles—a system most observers term obsolete—Laird continued his testimony:

It is entirely possible that a Soviet-United States agreement on strategic arms limitation might provide for limited ABM defense on both sides.

He ignored, however, any problems of Soviet reaction or of inspection.

The obstacles, which deployment of ABM and MIRV could put in the way of achieving some type of arms limitation agreement are: First, what will be the Soviet reaction—and our counter-reaction—and second, assuming that the situation does not remain stable, once we have achieved even limited ABM and MIRV deployment, how can any limitation and its accompanying verification problems be achieved.

We must assume that the Soviet reaction to our deployment of ABM will be to either scale up the number of deterrent missiles, strengthen their own anti-ballistic-missile system, or put multiple warheads on their existing missiles. The response might well include all three. We should keep in mind that one of the reasons used by the administration for present deployment of the Safeguard system is that the Russians have deployed a limited anti-ballistic-missile system.

Of course, the fear of either country concerning the other's ABM system is that it may be effective, and if it is effective, it could end the deterrent value of existing missiles. Mutual deterrents depend not on the number of weapons maintained by each side, but on the assurance that either side will be able to retaliate to a degree that is unacceptable if attacked by the other. If one country can protect itself against attack, then it can use its missiles on an offensive, "first-strike" basis with impunity. Secretary Laird has argued that the Soviets are moving toward a "first-strike" capacity with the development of larger and more accurate missiles and a small ABM system.

The Soviets could argue that the United States is doing the same thing by deploying ABM and adding MIRV warheads to our existing nuclear weapons. Our ABM system contains at least 10 times as many missiles as the Galosh system around Moscow. A Soviet cost analysis would show that most of the cost of the proposed American Safeguard system goes purely for population defense although its proponents claim the system is intended to defend our missiles, bombers, and the center of command, Washington, D.C.

Safeguard presumes to protect nearly all of the United States from a "light" or accidental attack and it can be the basis for a "thick" city defense system which the Russians would fear as giving us the "first-strike" capacity. In addition, we have begun work on MIRV which can circumvent the ABM on the grounds that the Russians have deployed an ABM system around Moscow.

Developments by one nation inevitably breed developments by the other.

Although the Defense Department claims a rapid buildup in Soviet forces indicates their push toward a "first-strike" capacity, many other observers argue that the rapid Soviet buildup is only an effort to achieve parity with the number of missiles maintained by the United States.

If both the United States and Russia have ABM and MIRV, arms limitation negotiators, although they might be able to negotiate an acceptable limitation on the deployment of ABM and MIRV, would be faced with the problem of inspection. As ABM defense may include a large number of small missiles or missiles with multiple warheads which would be impossible to count unless onsite inspection were allowed. Equally difficult to check would be the performance of radars or computer programs. Deployment of ABM enhances the incentives to deploy MIRV, which makes the probability of arriving at an agreement even more complicated.

We have a chance in the ABM vote to assure meaningful disarmament talks—uncomplicated by the problems of onsite inspection—by demonstrating our good faith and slowing the deployment of ABM.

Proponents of ABM claim that it will strengthen the President's hand as he enters arms negotiations with the Soviets. The assumption is that if the Soviets enter negotiations with a deployed ABM system, we should too. However, if the United States argues that it should be allowed to catch up to the modest Soviet system, then the Soviets in turn could argue that they should be permitted to close the gap in submarine-launched missile capabilities and the strategic bomber force. The superiority of the American Polaris force offsets by many times the U.S.S.R. ABM system.

The United States would do better if all new strategic force deployment, both offensive and defensive, for both sides is terminated as soon as possible. If disarmament talks fail and if the United States is in danger of dropping behind in the arms race, we can then rapidly deploy more offensive nuclear weapons.

Of course, I recognize that we must not fail to insure the safety of the United States from nuclear attack. On the other hand, we must not fail to take any steps to reduce or terminate the possibility of such attack. At the moment, the two world power nuclear forces are balanced, and that balance exists at a level far above the number of weapons needed to inflict catastrophic damage. This dangerous fact can give us hope, hope of reaching some type of arms accord.

Soviet Foreign Minister Andrei A. Gromyko, speaking recently in Moscow to the Supreme Soviet, gave encouragement to an atmosphere which can produce meaningful talks; he said:

We are for the development of good relations with the United States and would like these relations to be turned into friendly ones because we are convinced that this would correspond to the interests of both the Soviet and the American peoples . . . when it comes to problems of safeguarding peace, the Soviet Union and the United States can find a common language.

He reaffirmed Soviet willingness to seek negotiations with the United States, but the Russians have yet to reply to the U.S. proposal to begin disarmament talks in the first 2 weeks of August. We should keep that fact in mind during our consideration of the effect of Safeguard deployment on Soviet willingness to talk about arms limits.

Our situation is well described at the conclusion of the "Over View" section by Abram Chayes, Jerome B. Wiesner, George W. Rathjens, and Steven Weinberg in "ABM: an Evaluation of the Decision to Deploy an Anti-Ballistic-Missile System."

We are now at a point where it can be said that both sides have a sufficiency, a moment of rare and precious strategic balance. That is why this moment seemed so hopeful for the conclusion of some kind of strategic arms limitation agreement, in which, as almost everyone agrees, the best hope for ultimate security lies.

If there are risks in deferring deployment for a time, we believe they are small. There are also risks in going forward now, because if this moment is lost, one like it will not come soon again.

Second. Safeguard is the most sophisticated system ever designed, and we have little assurance that it will work. More research, development, and testing should give that knowledge before we make a decision for deployment.

Assuming that what is for me the most important consideration—achieving arms limitation—is not a factor, will the proposed ABM system achieve its purposes?

The Safeguard system contemplates deployment at 12 sites within the continental United States: at missile bases, air bases and around Washington, D.C. The location of the sites provides light air cover for the entire continent. The Armed Services Committee has reported a bill which would authorize phase 1 of the Safeguard plan. Phase 1 allows acquisition of the sites at Grand Forks, N. Dak., and Malmstrom, Mont., and the missiles' radar and computer systems there.

The chief purpose of the ABM Safeguard system, we are told this year, is to defend American missile wings. At the same time, Safeguard is basically the Sentinel system proposed by President Johnson and intended to provide light protection for many American cities. By reducing the number of missile sites, increasing the radar capacity, and moving the missiles away from major cities, Sen-

tinel has become Safeguard, deployed not against a future Chinese attack on our cities, but against a future Soviet attack on our missile bases.

The shift is intended to allay Russian fears that the United States is building a viable defense that will protect it from the Russian deterrent. The basic components of Safeguard remain those of an area defense, providing a very light missile cover for nearly the entire continental United States.

Safeguard includes two separate radar systems: PAR—perimeter acquisition radar—a long-range radar design to detect incoming missiles at a range of 1,000 to 2,000 miles and track them until they come into the range of MSR—missile site radar—which performs surveillance and detection, target track, missile track, and command functions for the Safeguard antiballistic missiles. Their extensive range means the PAR's are not needed at every site.

The computers for this system, the largest and most complex ever built, are intended to interpret the radar signals, identify and track targets, distinguish between actual warheads and decoys, allocate and guide the Safeguard missiles, and fire them when they are within range of their target.

The two missiles in the system are the Spartan and the Sprint. The Spartan is a long-range missile, armed with a large warhead and designed to intercept incoming missiles in outer space. At that altitude effects from a nuclear explosion are felt on the surface of the earth. Spartan, therefore, is designed as a city defense, but an ineffective or open one because it is easy to fool the Spartan missile. All decoys, penetration devices and attempts to jam a missile are effective in outer space.

The other missile, Sprint, has a range of about 25 miles, is highly maneuverable, and has a high rate of acceleration. The Sprint is designed to pick up incoming missiles which escape the Spartan. It is less easy to mislead the Sprint with decoys because most of them burn up as the incoming missile enters the atmosphere.

The weakest link in the system is the radar. For radars to work they cannot be protected in silos such as the offensive missiles are. Consequently they are quite soft and vulnerable to less than a direct hit by an incoming missile. The radar sits exposed and virtually unprotectable—potentially as ineffective as a blinded Cyclops.

The long-range radar has little capability to discriminate between actual warheads and decoys. In addition, incoming missiles may be equipped with electronic jamming devices intended to mislead the radar. The Russians have developed FOBS—fractional orbit bombardment system—which delivers a missile on a much lower orbiting trajectory, accomplished by placing a missile in orbit and then breaking the orbit, giving the defensive radar scarcely 3 minutes warning. Intentionally caused fire storms or nuclear explosions screen incoming missiles from the defending radar.

No possibility exists for testing the system because it is impossible to simulate an incoming nuclear attack with simultaneous explosions.

The radars, computers, and missiles must operate in close coordination, and the system, to be effective, must be able to handle a large number of incoming missiles at a time when there may be many nuclear explosions and blackouts. Past experience with complicated radar and computer systems is not encouraging. The SAGE—Semi-Automatic Ground Environment—was a defense system designed to protect against manned-bomber attack through the use of radar and computer analysis. After 15 years of work and $20 billion, SAGE has not worked well enough to convince us of its reliability against a well-planned air attack. In this year's budget, the administration is asking for an airborne warning system (AWACS) because the ground-based radar was vulnerable in earlier warning systems; at the same time, the administration presses the expensive Safeguard which will be entirely dependent on ground-based radar.

Problems exist with each of the ABM components, and no one knows yet whether the system will work as a whole. All political questions aside, much more research and development and testing is needed before we deploy Safeguard.

I agree with the members of the Senate Armed Services Committee that we should continue research and development on ABM systems. The world situation may change, and we may later want to deploy an ABM of some type; I do not believe that we should close all doors to that possibility.

Third. Alternatives to Safeguard exist that are better, cheaper and more certain to achieve the purposes of an antiballistic-missile system.

Technical difficulties present different problems of varying seriousness of each of the specific defensive purposes.

The defensive missile site problems include the large number of Sprints which may be needed to destroy incoming ICBM's and the vulnerability of the radar. It would be much cheaper to either superharden the missile silos or increase the number of our offensive missiles so that more of them would survive an attempted preemptive first strike.

If a large number of offensive missiles are fired at one Minuteman site and if our ABM system at 95 percent effectiveness will allow one in 20 of the incoming missiles to penetrate the defense, it is difficult to expect the President to wait and see if the attack fails. Undoubtedly he would launch the Minutemen, and the ABM would be left defending open holes. If an enemy knows that the President will wait out a first-strike attack, it serves only to encourage that attack.

Cities are "soft" targets and extremely vulnerable to even one missile with a nuclear warhead eluding the defense. The Spartan missiles are especially designed to protect population centers, but decoys and penetration devices in outer space can mislead the radar and misdirect the Spartan.

No one claims that either the Sentinel or Safeguard system would be an adequate defense for cities. President Nixon, on March 4, 1969, warned—

> The heaviest defense system we considered, one designed to protect our major cities, still could not prevent a catastrophic level of U.S. fatalities from a deliberate all-out Soviet attack.

Secretary of Defense Laird presented the predicted fatalities from a Soviet first strike in the mid-1970's. A Soviet attack with no defense could kill between 110 and 120 million Americans. It was predicted that the Sentinel system would cut the deaths to 100 million, decreasing the death rate by only about 15 percent.

Bomber bases are the same soft targets as cities. Safeguard's protection for them is ineffective and unneeded because the warning system and radars give ample opportunity for aircraft carrying nuclear arms to be aloft by the time missiles arrive.

ABM is also sold as protection against the accidental release of a missile against the United States. A better protection against an accidental launching is the use of a self-destructive device on each missile; such devices should be a subject for negotiation at the strategic arms limitation talks. Indeed it is perplexing why we have not equipped our ICBM's already with a self-destruct mechanism to avert an accident on our part.

Finally, in the attempt to find a purpose for phase I of the Safeguard system, Secretary of Defense Laird on May 22 rationalized the deployment of ABM at two missile sites, Montana and North Dakota, on the grounds that it would provide an opportunity to test the system.

Neither the Governor of Montana nor the Governor of North Dakota is happy about the prospect of ABM development in his State.

The type of research and development Mr. Laird envisaged at the two missile bases would be possible only if offensive missiles could be fired into the States with a nuclear blackout of some sort which is impossible under the Nuclear Test Ban Treaty. It would be far wiser to continue the development and testing at Kwajalein where there are research and development facilities already and the possibility exists of firing ICBM's into Kwajalein to actually test the system in limited circumstances.

In response to Mr. Laird's May 22 ABM White Paper, George W. Rathjens, Jerome B. Weisner, and Steven Weinberg, pointed out:

> One cannot but wonder if all of the recent emphasis on the advantage of Phase I deployment for check-out and R&D purposes is an afterthought—an effort to find an acceptable rationale for the Safeguard decision, arrived at after it had become apparent that both the threat to our retaliatory force and Safeguard's actual utility as a defense for Minuteman had been much overstated.

The honorable Senator from Tennessee (Mr. GORE) has referred to the ABM system as a program in search of a mission. And indeed it is. We could have found and still can develop a better means of defending our ICBM's with an anti-ballistic-missile system which would be less expensive, and contain more, smaller missiles and a less sophisticated radar.

Chayes, Wiesner, Rathjens, and Weinberg outlined a good defense for our deterrent if a need were determined. First,

the ABM system would be concentrated to protect enough intercontinental ballistic missiles to assure the retaliatory capacity of the United States to any enemy first strike. They suggest that it protect two wings of missiles and not include the soft bomber bases. Second, it would not include Spartans and PAR's, intended for long-range use, and ineffective against heavy sophisticated attacks. Third, rather than using Sprints, it would use a simpler and cheaper weapon which could be deployed in greater numbers. The simpler weapon, although it would not protect cities, would be sufficient for the protection of hardened missiles sites. Fourth, it would use more, cheaper, harder radars at each missile site. And finally, the computer programing would be far simpler because most decoys and penetration tactics are less effective at lower altitudes.

Basically, it is much simpler to defend our missile sites because they can be defended at lower altitudes. And as long as we are sure that we have retaliatory capacities sufficient to destroy or inflict intolerable damage upon the attacking nation, the concept of mutual deterrence keeps nuclear peace.

We should step back from Safeguard. If we later decide that it is necessary to deploy a deterrent defense, then we should deploy one that is designed to be effective. The trouble with Safeguard is that it is basically a city defense system with much of its cost allocated to components designed to defend a city against a light nuclear attack.

Secretary Laird in his March 19 testimony said that one of the reasons the administration rejected Sentinel was that it could be interpreted by the Russians as a first step toward a heavy city defense. Although the Safeguard missiles are not deployed as close to cities, the system itself is basically the same and subject to the same interpretations. A city defense, if it makes us invulnerable to attack and gives us the capacity for a safe first strike—at least if that is what the Russians think it does—steps up the ante in an arms race. Safeguard gives us a poor defense of the Minuteman missiles, very little protection from attack against our cities, and makes the Russians believe that we are building the basis for a city defensive system.

If we are concerned about the potential Russian threat of the mid-1970's, we should choose a response which takes less leadtime to develop than the complicated anti-ballistic-missile system. Because it takes between a year and a half and 2 years from the start of construction to the operational availability of an ICBM—as compared to the 1976 availability of ABM—it is wiser to plan to deploy more Minuteman missiles if we need them based on the evidence we have in 1972 or 1973. That alternative would protect us as well by 1975 as would the provocative ABM.

Thus far, about $4.7 billion has been spent in research and development on land-to-air nuclear defense systems, including the Sentinel. Mr. Laird, to illustrate that the ABM system is ready for production and deployment, noted that some of the components are already being manufactured, and that $434 million has been obligated for procurement; as of March 30, 1969, $103 million in procurement funds had been expended. Although the bill before the Senate authorizes research and development, procurement and construction for ABM at a cost of about $760 million, the actual cost of fiscal 1970 expenditures on Safeguard is an appropriation request of slightly over $1 billion plus $350,000 carried forward from the past year.

Costs for the completed Safeguard ABM are estimated presently at between $10 and $13 billion. The senior Senator from Missouri, (Mr. SYMINGTON), citing the additional costs of the C–5A transport plane and the F–111—at 5 times its original price—said it is within the range of possibility that the "thin" system could cost at least $40 billion, and if we develop a heavier defense system, the cost could go as high as $400 billion, a figure greater than the current national debt.

The $40 billion figure includes sufficient missiles and radars for 95 percent effective protection of Minuteman missiles. This means that 1 in 20 offensive missiles would elude ABM, perhaps knocking out the system's radar and thus destroying the defense for a Minuteman wing. The price for ABM jumps to $100 billion if ABM is deployed to defend 50 cities; the additional cost covers many more missiles, radars, and computers. If 95 percent effective ABM protection is provided for the entire country, the cost may go as high as $400 billion, and still there is the chance that one in 20 missiles may get through.

The cost of any ABM system must be measured in the tens of billions of dollars; in contrast, we can duplicate the entire ICBM force or the entire Polaris fleet for about $5 billion. The cost of superhardening 1,000 Minuteman missiles is between $6 and $7 billion. Superhardening would protect three times as many Minutemen as Safeguard phase I which would cost $4 billion, and superhardening would increase the number of surviving missiles at least half again as compared to the number which would survive if protected by the full Safeguard program at a cost of more than $10 billion.

If we do not deploy ABM we will continue to have sufficient defense to protect us for some time to come: the Polaris missiles, the defensive measures already taken to protect the ICBM's, and the mobility and quick reaction of bombers. The Safeguard system is intended to protect our Minuteman missiles. However, those missiles are already in hardened silos which prevent their destruction unless the attacking missile is accurate and carrying a heavy warhead. The early warning system allows a sufficient time for the Strategic Air Command to become airborne. Safeguard, as presently designed, would not assist in a defense of bomber bases from a simultaneous Russian attack on bomber bases and nuclear sites because radars employed in the ABM, if they work as described, pick up an incoming missile in time to allow the bombers to leave the ground. The ABM is not intended to protect our Polaris missiles.

The key to our defense and stability has been, and will continue to be, the near-invulnerability of the deterrent force which arises from the diversity of weapons systems and the power of any single strategic weapon which we might send against an enemy urban target.

Fourth. The proponents of Safeguard base their case upon the threat of Russian missile development. They ignore the ease with which the Russians, if their threat is growing as fast as claimed, can nullify whatever ABM protection we deploy.

Our position is sufficiently strong for us to avoid the fears of a Russian buildup, but most military planners overreact to any new developments. We have been plagued with cries of "missile gap" for the past 15 years. The Senate Committee on Armed Services report on the ABM included minority views that the committee heard witnesses for deployment who said little other than to reemphasize fears of the Soviet Union. Questioning of Secretary Laird in the past few months indicates that this administration's justification for deploying a system to protect our missile sites from Russian attack is based upon the same evidence which allowed the previous administration to officially ignore the Russians and deploy a similar ABM system near cities to protect against a light Chinese attack.

Why the Russians accepted talks and what they plan in future missile deployment figures heavily in the thinking of proponents of ABM. President Nixon rejected canceling the Safeguard program and reverting to research and development because, according to Secretary Laird:

> He was convinced that the Soviet threat to our bombers and land-based missiles was more imminent than previously assumed.

The majority report of the Armed Services Committee also was based upon a number of presumptions about Russian intentions: what their position will be in negotiations on ABM; how they will react to the talks if the United States does deploy ABM; and when they will have a variety of new weapons.

The emphasis of the majority position coincided with the armed services minority summary of the evidence presented:

> It was noticed that witnesses who testified for deployment of the system devoted much if not most of their time to re-emphasizing their fear of the Soviet Union; whereas witnesses who opposed the proposed system expressed in detail why they believed the system would not work, or why and how it could be nullified in any real effectiveness by relatively minor additions to the Soviet SS–9 production.

The proponents of Safeguard, with the assistance of the Department of Defense, have declassified every possible piece of evidence about the Russian threat; at the same time they have refused to declassify how much more Russian development will be necessary to nullify our Safeguard system.

According to Wolfgang Panofsky, di-

rector of the Stanford linear accelerator and an expert on nuclear physics:

If the threat to Minuteman grows at the rate projected by the Defense Department, and if Minuteman become vulnerable at a certain time several years hence, then if the Safeguard system were installed and functioned perfectly, then the Minuteman would be just as vulnerable as before only a few months later . . .

It would . . . appear clear that if we proceed with these systems, the Soviet Union will respond by increasing its offensive strength so as to negate any possible advantage which might be derived from said Safeguard deployment. The result could only be a further escalation of the arms race.

The simplest offense against an ABM-protected installation would be to saturate it with incoming offensive missiles or with multiple warheads such as MIRV to the extent that all defensive missiles are used up. Experts have calculated that if we take into consideration a 30 percent failure probability for each missile, something that must be done under the present state of missile development, then three defensive missiles must be allocated to destroy each incoming warhead with 97 percent certainty. This requires that each missile base have three times as many defensive missiles as the number of offensive missiles they expect an attacker to use.

All of the Russian offensive missiles might be directed at several U.S. missile bases, and as long as the Russians have a slim margin of offensive missiles after the Safeguard defensive missiles are used up, they retain the ability to destroy the missile sites. An arms race between offensive missiles and the number of defensive missiles needed to destroy incoming warheads could spiral beyond control with neither side certain that it has the needed slim marg'n.

Fifth. The deterioration and uncertainty in American life raises a different security question; if we want to remedy domestic ills we must cut back our immense and disproportionate defense expenditures.

After three decades of war, World War II, the cold war, the Korean war, and the current war in Vietnam, Americans are tiring of military and defense spending consuming 40 percent to 60 percent of the Federal budget, especially as problems in the United States become less easy to ignore; they are becoming apprehensive of the warnings from the Pentagon which justify new projects.

Gen. David M. Shoup, retired commandant of the U.S. Marine Corps, wrote recently:

The defense establishment now devotes a large share of its efforts to self-perpetuation, to justifying its organizations, to preaching its doctrines, and to self-maintenance and management. Warfare becomes an extension of war games and field tests. War justifies the existence of the establishment.

And the Defense Establishment has become the largest organization in the world. The Pentagon spends almost 10 percent of the U.S. gross national product; its spending accounts for 43 cents of every Federal tax dollar. The Military Establishment employs directly or indirectly 8.5 million people—one of every nine jobs in the United States. As of 1968 there were over 23 million living veterans of U.S. military service.

Congress has finally taken the size of the military and General Eisenhower's warning of the military-industrial complex to heart. Close investigation of Defense Department practices reveals which companies benefit from military procurement, contract profit margins and cost overruns, inefficient or shabby performance on contracts, the relationship between the military research centers and the Pentagon, and former military personnel employed in the defense industries.

In the past 6 months we have learned that almost all large military contracts overrun their original cost estimates from 200 percent to 700 percent. We have seen billions of dollars expended on major missile or defense systems abandoned as obsolete or unworkable after years of research and development. Work on such projects as the B–70 bomber, the nuclear-powered airplane, the Dyna-soar, the Sea Master jet-powered seaplane, and the Skybolt continued long after the projects were declared unworkable. More than $15 billion of tax money has gone for missile systems produced, deployed, and then abandoned as out-dated or unworkable. The bad record of the military on keeping spending and costs under control decreases our confidence that the ABM is a system we can afford.

A commitment to an expensive, questionable ABM when taxpayers are caught between inflation largely caused by high rates of Federal spending—10 percent of the GNP is military spending—and high taxes—43 cents of every tax dollar goes to support the military—is unwise. I believe we should cut all funds for Safeguard deployment until we are convinced that there is a need, that there is no better alternative and that the system works.

But for now the question is whether we spend on destruction in the name of protecting life—which no one claims the Safeguard system can do—or on life-giving domestic programs.

Almost every great nation has been destroyed from within. If a nation will not spend money on problems within, then no amount of money spent on dangers from without will save that nation. A nation with the capability of destroying the world certainly must also have the capability for encouraging life.

Surely feeding the hungry, housing the poorly housed, remaking a livable environment, and providing adequate school and health facilities for millions of Americans must come before the deployment of yet another nuclear weapons system unless we find ourselves in a changed world position where the protection offered by our present deterrent is no longer effective. The administration states, however—

Notwithstanding the severe budget stringencies under which the Government will have to operate over the next fiscal year, President Nixon found it necessary to recommend this program to the Congress.

As Congress considers appropriations for domestic programs throughout the rest of the year, we shall realize exactly how expensive ABM is. One sacrifice of a human program to the military effort was the $100 million cut the Nixon administration made in the Job Corps. As a result of this cut, the number of Job Corps slots were reduced by more than half, ending training for 19,000 Corpsmen; 340 of them were at the Job Corps conservation camps at Lydick Lake and Tamarac, Minn.

The $1 billion ABM will cost in fiscal year 1970 could buy many other human programs. $1 billion could buy day care to provide Headstart opportunities for 625,000 more children. At least 500,000 welfare parents could receive job training and full supporting services to move into regular employment under the work incentive program (WIN) for $1 billion. $1 billion could buy 225,000 additional training-employment opportunities through the new careers program. And perhaps most striking, for less than half the cost of ABM we could provide children's allowances of $50 per month for all children under the age of 6.

Estimates supplied by the Department of Agriculture, the Agricultural Committee and the National Planning Association, the National Council on Hunger and Malnutrition, and the Bureau of the Budget indicate that to feed the hungry through school lunches, food stamps and direct commodity distribution will cost anywhere from $2 to $4 billion dollars a year.

Congress has never adequately funded the low-income housing programs, rent supplements, the homeownership program, or the model cities programs. The Department of Housing and Urban Development receives hundreds more applications than it can possibly fulfill. The Riot Commission called for 6 million new housing units in the next 5 years for low- and moderate-income families; the Housing and Urban Development Act of 1968 set a similar goal for 10 years. The price tag? $75 to $80 billion in Government assistance over a 10-year period—the military budget for 1 year.

Crime control and law enforcement.

Public transportation systems.

Clean air and water.

We are not the only nuclear power feeling the pressure of domestic spending needs. The director of the Russian Institute at Columbia University, Prof. Marshall D. Shulman believes that concern for the cost effect in the 1971–75 5-year plan of an upward-spiraling arms race led the Soviet leadership into accepting disarmament talks.

In a speech on the floor of the Senate recently, the Senator from Wisconsin (Mr. PROXMIRE) cataloged the Soviet economic position. He pointed out that the Soviet Union supports 10 percent more people than the United States on one-half the economic production of this country. Correspondingly, its military budget at less than $40 billion is about half that of the United States, after making allowances for price and wage differences.

The most severe Russian domestic spending pressures come from the agricultural and consumer sectors of the economy. Russia devotes seven times more people to agricultural production than does the United States, but it pro-

duces 20 percent less food. Industrial efficiency in the Soviet Union is coming more and more to depend upon motivation from the rewards of better housing, food and clothing. Soviet industrial investment must continue at the same rate to maintain the present growth of ouput necessary to support its military capacity. If the Soviet Union spends a greater share of its budget on the military, it will be to the detriment of a healthy economy and evenutally to the detriment of the ability to support a large war machine.

The American people have lived with fear of Soviet attack for a quarter of a century and have expended a thousand billion dollars on defense in recognition of possible danger. Many billions of the dollars spent have been wasted. Gigantic military expenditures have been detrimental to many other plans, programs, and policies which now appear equally important to the security and well-being of this Nation.

> If we had had more accurate information about planned Soviet strategic forces, we simply would not have needed to build as large a nuclear arsenal as we have today—

Said Secretary of Defense Robert S. McNamara on September 18, 1967. He continued:

> If the Soviet offensive-defensive threat does not increase beyond the highest level projected through 1972 and the latest national intelligence estimates, we will have more assured destruction capacity than we will probably need.

In the past it has proved impossible to defeat military plans. Patriotism and caution—the fear that if we do not spend every requested cent in protection of America, we may regret the day—have made military budget requests nearly sacred.

Are we now going to react with fear to statistics painting a supposed Russian nuclear buildup, fear which will drive us to another round of missile armament for an already filled nuclear arsenal?

We cannot allow the same forces which have operated in the past to draw us closer to nuclear holocaust. In the words of Albert Camus:

> I know that the great tragedies of history often fascinate men with approaching horror. Paralyzed, they cannot make up their minds to do anything but wait. So they wait, and one day the Gorgon devours them. But I should like to convince you that the spell can be broken, that there is only an illusion of impotence. That strength of heart, intelligence and courage are enough to stop fate and sometimes reverse it. One has merely to will this not blindly, but with a firm and reasoned will.

For these reasons, Mr. President, I strongly oppose the proposed deployment of the ABM system.

Mr. TOWER. Mr. President, will the Senator from Minnesota yield?

The PRESIDING OFFICER (Mr. HUGHES in the chair). Does the Senator from Minnesota yield to the Senator from Texas?

Mr. MONDALE. I yield.

Mr. TOWER. Does the Senator have some assurance that if we cease our development and deployment of the ABM, the Soviets will likewise arrest their contingent development of air superiority aircraft, that they will arrest their development and deployment of their offensive missiles, that they will arrest their development of deepwater silent submarines, that they will arrest the momentum of their development of military technology, if we merely, by a simple act, turn down the ABM?

Mr. MONDALE. I have two answers to the question posed by the Senator from Texas.

First, his question assumes that the ABM system is an effective deterrent to the alleged Soviet buildup. I have become firmly convinced, based upon the closed session held in the Senate recently, my reading of all the literature I could obtain, and the nearly 5 hours of secret testimony before the Committee on Foreign Relations which I sat through, that whatever the dangers alleged from the buildup of Soviet nuclear missile capability, the ABM system is a weak, a timid, and an insipid response.

I believe that if there is one thing we can afford to do, it is to wait a few months, or perhaps a year, in responding to a possible Soviet buildup—especially with an inadequate, inappropriate, and highly doubtful response.

The second point is that we have the advantage in every weapons system. The Senator from Texas refers to nuclear submarine capability. The Senator is surely aware that we have a massive margin over the Soviet Union in deliverable missilery propelled by nuclear submarines and fired from submerged positions, that even with their increased production, it will be many years before they could catch up.

We are far ahead of the Soviets in MIRV capability technology. We are far ahead in the number of manned bombers and in the number of missiles—and in practically every other category there is.

With the capacity to destroy the Soviet Union several times over, should we not now take a chance and use a reasonable period to see whether we can agree with the Soviet Union to limit the arms race before we become billions and billions of dollars poorer and far less secure than we are today?

Mr. TOWER. May I say I am not arguing the quality of the current capability of the ABM. I am not even at this point arguing whether or not it works, although I think it does. I think it will.

Mr. MONDALE. The Senator must know that even if it works the way the proponents say it will work, it does not help. If we could get the proponents to declassify a little of this material, we could specifically talk about that.

Mr. TOWER. The Senator implies that if we will stop it, the Russians will stop it and we can have some meaningful talks. I want to know what assurance the Senator has that if we stop it, they will stop it. They are ahead of us in some areas of technology. They have much better air superiority than we have. As a matter of fact, it is going to take us a long time to catch up with them, if we try. As far as submarine development is concerned, they are proceeding at a more rapid pace than we are. As far as hardened missile sites are concerned, they are proceeding at a much more rapid pace than we are. The point is, if we arrest our effort here, will they sit down and arrest their own?

Mr. MONDALE. I have two answers to make to the Senator. First of all, we will know whether they are arresting their development. If they escalate to the level which the Senator from Texas would have us believe they might, then we can always respond at that time. As the Senator knows, we know virtually every detail of the development of such things. They are observable. We know them.

Mr. TOWER. If I may interject at that point——

Mr. MONDALE. The second point is this. If the Senator could persuade the Department of Defense to declassify some of the evidence that has been presented to us to show how useless the ABM system is, perhaps we could debate that point with a little more credibility.

Mr. TOWER. I think what the Senator is referring to, as far as declassifying some information is concerned, are some "think" papers that were done 2 or 3 years ago. They are going to work them over again.

Mr. MONDALE. I have no doubt the Defense Department would like to work them over.

Mr. TOWER. There are subsequent papers that would have to be declassified in the process. There was classified material not even brought out in the discussions in the last closed session, because of its sensitivity.

But let us go back to the original point. The main thrust of the argument of Senators who have opposed the ABM is that if we will simply fail to develop and deploy the ABM, we are going to create a vastly more favorable climate for talks and the Soviets are going to have less zeal in the development of their own technology. If the Senator can give me some evidence of that, I will be on his side.

Mr. MONDALE. That is good news. First of all, let me say I am glad to hear the proponents of the ABM system have better information than that which was disclosed in the closed session, because I would like to think their fervor was based on more than the slim evidence that was disclosed. Perhaps it could be made available to Members of the U.S. Senate, so we could know all the facts.

Mr. TOWER. I thought the distinguished Senator from Washington (Mr. JACKSON), who is being denigrated, actually did a splendid job. By consensus, he pretty well answered all the questions that were raised in that session.

Mr. MONDALE. The Senator from Texas knows I have great respect for the Senator from Washington, but I do not recall his stating, at any time in that debate, that he had all kinds of new information that was not disclosed to the Senate, which was stronger than the evidence which was.

Mr. TOWER. I think the information is going to come before the appropriate subcommittee, and that is new information here. But I think we are working on the same ground here. We have been working on it for 3 or 4 weeks. I am a little disappointed that the opponents of the ABM are not prepared to come to a vote. I cannot understand the reason for the delay. I think every document

which the opponents bring forth will result in bringing forth another document on the part of the proponents. I think the lines are hardened. There seems to be a singular unwillingness on the part of some Senators who are opposed to come to a vote. To the credit of Senators HART and COOPER, they are disposed to bring it to a vote at the earliest opportunity. But we cannot bring it to a vote and we are holding up the work of the Senate.

Mr. MONDALE. As the Senator from Texas knows, this is probably one of the most important issues to come before the Senate in many years. If we continue to proceed on the theory that there is no way to negotiate a settlement on armaments with the Soviets; that there is no reason to believe that a few months spent in trying to reach an agreement with the Soviet Union could bring anything favorable; that the only security there is for the American people is to respond to every single appeal of the Defense Department for more and more arms and for new and different kinds of weapons systems; that all we should do, as we have done for years, is consult our suspicions and fears; and that we make no efforts to limit arms, then it seems to me this generation has lost any opportunity to deal with problems at home and is resigned to agree to a policy that is going to create far more tension and far less security than anything else.

Thus, how we decide on this issue is not a question that comes just before this body, but it is a fundamental question of what kind of world we want.

I say a couple of weeks of debate spent on that question is time well spent. If we had spent this kind of attention in the first place, instead of routinely passing favorably upon every request of the Pentagon, we would be billions of dollars richer and more secure. I am glad we are finally standing up and having the kind of debate we should have.

Mr. TOWER. I think 4 weeks of debate pretty well gets at all the answers and questions.

Mr. MONDALE. The Senator just mentioned that we have all kinds of new information at the Defense Department that we have not heard.

Mr. TOWER. I did not say it is new. It has been there. They have not chosen to disclose it.

Mr. MONDALE. Why have they decided not to provide the Senate with information of which we should be informed?

Mr. TOWER. I think it is available if the Senator decides to go after it. I have the distinct feeling that there is an effort to reach into the past to find "think" papers developed by the Defense Department to support conclusions already arrived at.

Let us be realistic. The lines have hardened. We all know how we are going to vote on this issue. I do not think any more argument beyond what has been had is going to change the outcome. The point I make is that while the proponents of the ABM are being accused of pitching our arguments on the basis of fearful arguments—in effect, we are being told that we are pushing the panic button of fear and suspicion—on the other hand we could probably make an equally good case that the proposals of the opponents of the ABM are based on visionary support and good faith that perhaps have no background in experience and history.

Mr. MONDALE. Why do we not just have talks with the Soviet Union and find out?

Mr. TOWER. I am prepared to have talks with the Soviet Union, but I am not prepared to have talks with the Soviet Union while we are doing nothing in the way of weapons development and they are doing everything. They are devoting far more to research and development than we are. They have far more updated facilities for research and development than we have. And technologically, they are going to be ahead of us in a very short period of time, if they are not now.

If the Senator can give me some assurance that they are going to arrest all this while we sit and bargain, then I will be in his corner.

Mr. MONDALE. The Senator from Texas knows that we enjoy an impressive margin in every one of the weapons fields. We can destroy the Soviet Union several times with our power, and there is no threat to that retaliatory power until the middle of the 1970's, at the very earliest. We are not romantic about the Soviet Union. What we are suggesting here is that we have negotiations, and see if we can agree to limit this tragic arms race. If we do, we will be richer and more secure than if we do not. That is a hardheaded, practical, realistic position.

The position of the proponents, basically, is that we should deploy a series of new systems such as the ABM and the MIRV, which make it exceedingly difficult to reach an agreement and even more difficult to enforce an agreement. In effect, the position of the proponents is to negotiate an escalation. We would like to negotiate a limitation. We think we would all be better off.

Mr. TOWER. I think we would be, if we could all just sit down and beat our swords into plowshares and our spears into pruning hooks. But I would like to say that the only reason we maintain a huge military establishment is to deter aggression on the part of others.

I do not think that the Senator from Minnesota would even hint that this administration, the previous administration, or the administration before that had imperialistic designs on the rest of the world. I do not think, even in the most partisan context, I could accuse the Johnson administration of that, nor that the Senator from Minnesota could accuse the Nixon administration of that.

The fact of the matter remains that there are nations in this world that do have designs on others. They would prefer not to resort to military means to accomplish those designs, but if they have to, including Czechoslovakia, they will.

I think what the Senator from Minnesota is arguing is that we cannot have meaningful negotiation unless we allow the Soviet Union to achieve military parity with the United States. Is that the thrust of his argument?

Mr. MONDALE. As the Senator from Texas well knows, and as I have repeated several times in this colloquy, we already enjoy a massive superiority.

Mr. TOWER. In certain areas.

Mr. MONDALE. And we well know, at any given time, what the Soviets are doing. We retain the right to expand production of Polaris missiles and Polaris submarines; and I happen to think that the Polaris is a better way than the ABM of meeting the Soviet challenge. We can always deploy more offensive missiles, as well as a number of other things.

What makes this situation critical is that ABM is a new weapons system, which, whether it be for offense or defense, upsets the whole structure and balance, making it increasingly difficult to reach an agreement. That is why I and many others think this is not the time to deploy a new system.

Mr. TOWER. Mr. President, the Senator says we know what the Soviet Union is doing at all times. I have no criticism of our intelligence gathering community, but I must say that the Soviets have a much easier time getting intelligence in this country than we have in getting intelligence in their country, because they are a closed society, and we are an open society.

We cannot always be sure what they are doing. I think, generally speaking, we have underestimated what they are doing, and this gets me back to the point that if we are going to negotiate in a meaningful way disarmament, we have got to have parity.

Again, that raises a number of questions. That means the Soviets have no imperialistic designs on anyone else. In the second place, what is parity? How do we determine parity? They are superior to us in a number of fields. Would the Senator be prepared to see us ask them to stop development of an air superiority weapon while we catch up with them in that field, or while we allow them to catch up with us in others?

How do we know whether we have parity, unless we have open inspection? Does the Senator believe a closed society like the Soviet Union is going to allow open inspection, so we can determine whether or not we have parity before we begin these talks?

Mr. MONDALE. As the Senator from Texas knows, we know by air surveillance what they are doing with their missilery. We know how many missiles have been deployed, we know the character and the kinds that are being deployed, and it is this information that the proponents of the ABM have been using daily to raise concern about the capacity of our retaliatory forces.

There is nothing about Soviet missile development that we cannot determine by our present surveillance and information-gathering sources. We can easily afford to go to negotiations now, and see if we can agree with the Soviet Union. We will keep up with the facts during the course of the negotiations. If developments such as those to which the Senator makes reference should occur, we can always review the matter at that time. The question is whether we are going to take this reasonable risk to end the insane, immoral, and outrageously costly arms race—one which strips this

Nation of its capacity to deal with its own problems, creating another security risk, perhaps a more serious security risk—or whether we are going to continue just consulting our fears and apprehensions, and accepting every single proposal the Defense Department sends down here because they would like to have us spend the money.

Mr. TOWER. If the Senator will yield further——

Mr. MONDALE. Gladly.

Mr. TOWER. What we are proposing in this bill is an expenditure of $759.1 million for research and development, and for predeployment procurement and preparation. We are not asking for operational deployment here. A year hence, we can come back and review the matter. All we want to make sure of is that the state of the art is sufficiently advanced, and valuable lead time is not lost, in the event the negotiations fail.

The Sovets themselves have said that they do not regard this as provocative, because it is a defensive weapon. They are employing or have deployed an ABM themselves. They say that that is defensive, not offensive.

The other option we can take is to put all our eggs in the offensive basket.

Mr. MONDALE. The Senator must know that the so-called Galosh ABM system is an old "Model T" system, so bad that even the Russians stopped deploying it. It is at the technological level of some of our earlier ABM systems, which we ourselves have abandoned. To raise that question is, I think, to create the impression that the ABM system in and around Moscow poses a serious or substantial or significant threat, when it does not.

Mr. TOWER. What would the Senator's reaction be if he found that they had ceased work on the present system because they were developing or had developed a better system?

Mr. MONDALE. That is the reason we need negotiations—to agree on these matters, to determine at what level we are going to place a ceiling on arms development, to decide if we are going to try to continue to outbuild other nations. Are we going to continue to spend increasing billions of dollars on such systems, many of which are highly dubious, to continue to consult our fears, and not try to reach an agreement on arms limitations?

Mr. TOWER. Therein lies the dichotomy between us.

Mr. MONDALE. As the Senator knows, the Hart-Cooper proposal favors continuing research, development, and testing of an ABM system. The distinction is on the deployment issue. The proposal to establish the system in Montana and North Dakota, obviously, is the beginning of a deployment of the system; and we hope through this proposal, to avoid that possibility.

Mr. TOWER. I cannot see why we cannot proceed with onsite research-and-development testing and evaluation as a prelude to deployment and be prepared to deploy if necessary.

Again, the whole argument is based on assumption. We are making an assumption—those of us on this side of the aisle—that the Russians will not negotiate and that we cannot have a satisfactory settlement or a satisfactory resolution of the arms race. The opposition is saying that we should risk it; that we should take a chance; that perhaps we can achieve some sort of negotiation to limit the arms race.

We are accused of basing our argument on fear; but our fear is well founded. It is based on history. It is based on experience. There is all the evidence in the world to show that the Russians desire to achieve military superiority to accomplish their imperialistic designs in the world. There is nothing to show that even if parity is achieved, they will be willing to negotiate to arrive at a satisfactory conclusion in the matter of a limitation of arms development.

Mr. MONDALE. Is the Senator from Texas suggesting that an effort to reach an arms limitation agreement with the Soviet Union would be futile; that there is no hope?

Mr. TOWER. I would be delighted if an arms limitation agreement could be reached with the Soviets. If it were a matter of determination that both of us should be equal, that would be fine, provided we had meaningful inspection. But I do not see that our placing ourselves in a position of inferiority or parity will necessarily help the negotiations along.

Mr. MONDALE. Mr. President, this past weekend, a public opinion poll prepared by Dr. Gallup showed that almost 60 percent of Americans polled expressed the view that they still did not understand all the factors that go into the ABM system and are having difficulty in fully understanding the debate.

I think this underscores the need to have fuller amplification, debate, and discussion, because the Senate does not operate in a vacuum. This body has a responsibility to debate in public, so that the public might have better knowledge of the issues and facts that bear upon matters that are dealt with in the Senate. Certainly that public opinion poll shows the need for further discussion and education on the ABM.

Mr. HART. Mr. President, will the Senator yield?

Mr. MONDALE. I am glad to yield to the Senator from Michigan.

Mr. HART. I had risen simply to congratulate the able Senator from Minnesota on his discussion and to intrude no further. But his very last point bothers me. I think it should bother all of us. Why is it that 58 percent of Americans are either unaware of the anti-ballistic-missile program or have not made up their minds about it? The Senator from Minnesota suggests that that would indicate the necessity for further discussion in the Senate. Perhaps so. But are we at fault? The discussion has been thorough and full, I should think.

One certainly cannot quarrel with the coverage of the discussion in the media. I suspect that newspapers are not sold and television channels are not kept locked in when someone explains or undertakes to write a technical discussion about the anti-ballistic-missile system. I think we all agree that we are talking about something that bears on a nuclear arms race which involves the survival of us all. Yet, more than half of the people in this country, we are told, have not heard about it or have not made up their minds.

Perhaps we, who are nontechnicians, really have undertaken to discuss too technically the anti-ballistic-missile system. Perhaps we count warheads and multiply them by three and get into sensors and radars, and I doubt if any of us could come close to being the equal of Dr. Seagraves in college physics. My grade in that subject was not very good 30 years ago.

Perhaps at the risk of being charged with oversimplifying the debate, we should bring it into more of a layman's context.

The argument is made that by our beginning to deploy an ABM system, the Russians will not be discouraged, but will recognize it for what it is, a defensive system. Then, why in heaven's name when the Russians began to deploy their ABM system, did we get in a lather and begin to MIRV because they had begun to deploy an ABM system? That is a system that we understand now is outmoded and ineffective.

We ought to get that point discussed and developed a bit further. We cannot have it both ways. We are wrong in one or the other of those analyses, are we not?

Mr. MONDALE. Mr. President, I agree with the Senator from Michigan. We have for the past few months been officially stating that the Russians are prepared for a first strike. "There is no doubt about that," said the Secretary of Defense.

I wonder what the response of the defense planners and political leaders of the Soviet Union is. I wonder if they really believe that we think the Soviet Union is prepared for a first strike.

What would their reaction be? And what would our reaction be if it were the other way around?

The only way I can see to sort out these suspicions and try to replace terror and a sense of insecurity with some stability is to have the strategic arms limitation talks. We must work out our differences, try to agree on a system that limits arms and provides an inspection system which would permit us to know without doubt that the agreement is being kept, and permit the Russians to have the same opportunity. We would both retain our mutual deterrence.

It so happens that we are now ahead of the Russians in every weapons system. We have nothing to lose and much to gain by eliminating the suspicions that have created the ever-increasing arms budget and ever-increasing environment of instability, uncertainty and terror.

Mr. HART. Mr. President, again risking oversimplification in an effort to broaden an awareness of the questions before us and in the minds of the people of this country, perhaps we should make this point: sometimes when we are proposing that we should delay deploying the ABM until we have had an arms control discussion with the Soviet Union, we are asked to prove, if we delay the deployment, whether the Soviets would withhold its action in developing some kind of a super rocket or bomber. We

ought to ask ourselves where the balanced budget is, who is really ahead, and whether there is anyone here that would trade the American weapons system.

Does anyone want to trade America's nuclear power for that of the Soviets? Would we be able then to go into discussion and negotiations?

Mr. MONDALE. Mr. President, I agree with the Senator from Michigan. I sat through hours of executive sessions and through the debate we had on the floor. There seems to be little, if any, doubt that we have a mammoth advantage in every critical strategic weapons system. It is well known that our MIRV technology is almost ready for deployment, if it has not already been deployed.

I think that the ABM system we are testing is not much of a defense. However, compared to the Galosh system, it is the difference between a modern Cadillac and a Model T.

If there ever is going to be a time in our history when we can and should determine to end the insane arms race, now is the time.

Mr. HART. Mr. President, in the hearing to which the Senator from Minnesota makes reference before the Committee on Foreign Relations, does he recall the statement of Dr. Marshall Shulman, professor of government and director of the Russian Institute at Columbia University, when he said:

It follows, also, Mr. Chairman, that it would not be wise to deploy an ABM system in the belief that it would improve our bargaining position in relation to the missile talks. To do so would be more likely, in my opinion, to strengthen the position of those on the Soviet side who are only too ready to argue that the United States is too committed by its system or its pressure groups to an arms race to be seriously interested in its abatement.

Mr. MONDALE. Mr. President, I do not recall that. However, I agree wholeheartedly with the point.

Mr. HART. Mr. President, I think it is important that we should remind ourselves of this periodically. Getting back to the point that persuaded me to do more than just thank the Senator from Minnesota, this Gallup poll of July 26, which he discussed as he concluded his remarks, indicates that a majority of Americans are either unaware of the ABM program or have not made up their minds about it. Fifty-eight percent of Americans are unaware or do not know. Yet, across the country, in full-page ads, captioned "84 percent of all Americans support an ABM system," is this ad by members of the Citizens Committee for Peace With Security, the chairman of which is William J. Casey. One need not be a Ph. D. in mathematics to know that that one does not add up.

Mr. MONDALE. Is that the Mr. Casey who is going to be with the Arms Control and Disarmament Agency?

Mr. HART. This is my understanding, yes.

Mr. MONDALE. It is no wonder, then, that the American public becomes confused, when a man who has taken a position as one who is supposed to be primarily concerned with limitation of armaments helps sponsor a poll which says 84 percent of the American people support an ABM system, and Dr. Gallup comes out a week later and says 60 percent do not understand the ABM issue.

Mr. HART. Or do not know about it.

Mr. MONDALE. According to the Gallup poll, how many support the ABM system?

Mr. HART. Twenty-five percent, if I read this correctly.

Mr. MONDALE. Twenty-five percent favor the ABM, and the ad says 84 percent. Is that within the normal margin of error?

Mr. HART. Well, it is, in the development of weapons systems cost estimates, but aside from that, I know no area where that range of mistake is so accepted.

Mr. MONDALE. I thank the Senator.

THE SURTAX EXTENSION

Mr. WILLIAMS of Delaware. Mr. President, earlier today an item appeared on the UPI wire service commenting upon the fact that the majority leader, speaking for the Democratic policy committee, has indicated that there will be no votes on the surtax extension, thereby leaving the impression that this tax is going to be allowed to lapse.

Approximately 3 hours later a second item appeared on the same wire service with a New York dateline.

I ask unanimous consent that both these items be printed at this point in the RECORD.

There being no objection, the two items were ordered to be printed in the RECORD, as follows:

TAXES

WASHINGTON.—Senate Democratic Leader Mike Mansfield raised the possibility today, Congress might quietly bury the 10 per cent income tax surcharge this week by letting paycheck withholding of the extra levy expire.

"The surtax expires at midnight Thursday," Mansfield told reporters, referring to paycheck withholding. The surtax itself expired June 30, but Congress extended withholding for a month while considering President Nixon's plea to extend the surcharge another year.

"If it goes out of existence Thursday, it would be very hard to revive it in view of the deep undercurrent in this body."

He referred to opposition by some Senators toward Nixon's surtax proposal, under which the 10 per cent levy would apply this year, then drop to 5 per cent Jan. 1.

Mansfield warned last week that Senate opposition to the surtax was increasing. He said the administration was calling it a vital anti-inflation tool but had no evidence it had slowed inflation so far.

The House passed Nixon's surcharge proposal a month ago, and the Senate Finance Committee approved it. But Mansfield's democratic policy committee has refused to put the bill on the Senate calendar until coupled with a tax reform measure.

Last week, Mansfield proposed a compromise—extend the surtax through November, enough time to get a tax reform bill ready. Then, he said, Congress could take up the surcharge and reform.

Senate Republican Leader Everett M. Dirksen told newsmen he rejected Mansfield's proposal. But Mansfield said Dirksen hadn't said the same to him and he was still hoping Dirksen and the administration would agree.

"I'm hoping the accommodation which was proposed would be accepted," Mansfield said.

Mansfield's veiled threat to let the whole surcharge package expire came in response to questions about a resolution, scheduled for a House vote today, which would extend withholding of the levy another 15 days.

Newsmen asked Mansfield whether he'd rush the resolution through the Senate. Unexpectedly, he declined to say he would. He said the proposal would go to the Senate Finance Committee, but declined to promise he'd then put it on the floor for a fast vote.

A week ago, Mansfield had offered to extend withholding up to 4 months. But today he said he was uncertain because so many Senators had since told him they opposed the surtax.

STOCKS

NEW YORK.—The gloom intensified on Wall Street today as the stock market took another tumble. It has been in a steady decline for more than three weeks.

The selling hit virtually all major groups. One exception was the airlines with some issues recording gains on the strength of new routes awarded several companies by the Civil Aeronautics Board.

The downdrift has been attributed by some analysts to concern by investors over the prospect of corporate profits and expansion. The failure of the Senate to extend the income tax surcharge has added to Wall Street's worries.

Mr. WILLIAMS of Delaware. Mr. President, I emphasize again that this lack of decision on the part of the Senate and the prevailing uncertainty as to what the Senate will or will not do with respect to the extention of the surcharge and what it will or will not do with respect to the repeal of the investment credit is creating chaos in our markets.

I hope the leadership in the Senate can be prevailed upon to allow the Senate at least to vote on this measure and to remove this cloud of uncertainty. Certainly there can be no excuse for the continued delay on the part of the Senate to act.

I most certainly do not attribute to the Democratic policy committee any ulterior motives; however, if this were part of a plan to create a recession in this country no other action that could be taken would be more fruitful in that direction than these unwarranted delaying actions.

I appeal to the leadership that we get action on this tax bill at an early date.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. JAVITS. I asked the Senator to yield because it would be so easy to dismiss the situation as a stockmarket decline: The stockmarket is going down, so what do we care? Most of the people in the United States are not materially affected. But people have to realize that it is not just the market going down. Housing starts are going down by a million; that is approximately 40 percent.

The economic pressure will be felt, because high interest rates are being built into every price, and wage settlements are taking that into consideration, going up approximately 6 or 7 percent. We are heading for a recession. There is no question about it. I do not know that it can be avoided, considering the way the Federal Reserve Board has put the brakes on in this situation. Certainly,

we are not helping it any by marking time as we are on the surtax extension.

I am delighted that the Senator is pressing the fight. It is interesting that he and I, in a sense, have joined in it; and I think it is quite symbolic of the situation the country faces.

Mr. WILLIAMS of Delaware. I thank the Senator, and I should emphasize what he has said.

When one speaks of disrupted financial markets he is speaking not only of the price of stocks as it affects investors but also of the climate in which the employers of America expand and operate their businesses. This can be carried over into increased unemployment, which I am sure none of us wants.

Interest rates have been climbing, and while I do not claim that extension of the surtax alone would change the interest rates or solve that problem, it is one of the factors with which we must deal, along with many others including the control of Government spending. All these are actions which must be taken as part of an overall correction of our fiscal dilemma.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. AIKEN. I read this morning that several utility companies have been permitted to add the surtax into their rate structure. My question does not concern that however. My question is, "Would it not be better to have a 4- or 5-month extension of the surtax than no extension at all?

Mr. WILLIAMS of Delaware. Except for this point. Even if the surtax were extended for 4 or 5 months the uncertainty is still not removed from American industry as to whether the surtax is going to be extended.

That uncertainty as to whether Congress will or will not face up to these hard financial decisions is what causes many of today's problems.

Another point is this: Under this proposal of the Democratic policy committee no action would be taken on the investment credit until November. Many companies file their tax returns on a fiscal year basis. One company in particular mentioned that its fiscal year ends on August 1. It has bought approximately $10 million worth of equipment since the April date. We all expect that there is a reasonable chance that this investment credit will be repealed retroactively. The company, however, would be in this position when it files its annual tax return. It must pay its taxes based on the law on the books on the date it files its return. The 7 percent tax credit has not been repealed. It is still the law. The company would have no choice except to take the tax credit. It can invest the money in 90-day Treasury bills, draw 6 percent, and if and when Congress does repeal the investment credit retroactively, it will have 60 days to file an amended return and to pay the tax to the Government. There is no choice except to give the company the 60 days without penalty or interest because, as Congress retroactively repeals this tax, a penalty cannot be put on a taxpayer for not having paid a tax which was not the law on the date he paid his tax.

So not only would the Government lose the use of that revenue during this interval, but also it would have to borrow the money, and perhaps borrow it from the same man.

Another point is that when the companies go to the bankers to arrange their loans they do not know the terms upon which they are going to purchase this equipment, whether the investment credit will or will not be allowed.

My suggestion is that we make this tax bill the pending business and that we proceed to vote. There are those who earnestly think that a 3- or 4-month extension would be better. If that is the will of the Senate I accept the will of the majority. On the other hand, let the Senate itself decide.

Surely it is not expected that all Senators blindly delegate to the Democratic policy committee our proxies to vote as they order.

Mr. President, if the Democratic policy committee is determined to repeal the surtax let the country know their position by voting on the bill. In that way we will know where we stand. Then the administration could cut expenditures accordingly; otherwise the Democratic policy committee could raise the debt ceiling to cover the additional deficits. I know of no reason why we should leave this matter hanging in the air with no action being taken. That is my point.

As the Senator from New York has said, this situation does contribute to the uncertainty that exists in the financial community. It has an adverse effect on interest rates.

A couple of weeks ago it was reported that the city of New York had sold a sizable bond issue. It was estimated that the interest rate was three-eigths percent higher than it would have been had it not been for the uncertainty as to whether or not Congress was going to change the tax exempt status of State and municipal bonds.

It is true, as the Senator from Vermont has said, that American industry, whether one is talking about utilities or manufacturers, makes allowances for taxes as a part of the cost of the operation.

On another point, suppose we do not extend the surtax or it is repealed. In that event the money that has been withheld from the employees would have to be refunded. It is true that wage earners would get the money back next year but it would be without interest. I think a great many inequities are being created in this situation.

There is now on the Senate Calendar a bill which was considered by the Committee on Finance. The hearings have been held, and the hearings have been printed. I have a copy of the printed hearings on my desk. They are available to all Senators. I do not see why we do not proceed to a vote on the bill, either up or down, and settle the question.

Mr. President, I made this same point last year when the Senate at that time was delaying action on the original tax bill. I could take the speech that I made last year in support of President Johnson's tax bill, change the dates, and make the same speech now while urging President Nixon's request for prompt action by the Senate on his proposed tax bill.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. AIKEN. Mr. President, I agree with the Senator that tax legislation is undoubtedly the most important legislation that will come before this session of Congress; that it ought to be considered and a decision made at the earliest possible moment.

But I have an elementary question about the surtax. Is the surtax intended to hold prices up or to hold prices down?

Mr. WILLIAMS of Delaware. As far as I am concerned the surtax is not a vehicle to control prices at all. It is needed to provide revenue to avoid an unbearable deficit.

Mr. AIKEN. Then, does it affect prices at all?

Mr. WILLIAMS of Delaware. Our Government will be operating at a deficit of $5 billion to $6 billion a year even with the extension of the surcharge. If we do not extend it we will have a deficit of at least a billion dollars a month. That is inflationary and as the Senate delays action now, fires of inflation are fanned in this country and prices are pushed higher.

Mr. AIKEN. I noticed just a few minutes ago on the ticker that the surplus as of June 30 was about $1.9 billion or nearly $2 billion more than anticipated. How much of this amount was due to the 10-percent surtax? Would it be all of it?

Mr. WILLIAMS of Delaware. It would be a part of it. The tax surcharge enacted last year provided about $9 billion in extra revenue. But I point out that when they talk about surplus today they are speaking of the overall collections of the Government, including trust funds. The Government did not close last year's operations with any surplus. It does not have the right to use trust fund money to defray the normal operating costs of the Government. For example, about $400 million of that amount is due to accumulation of surplus in the railroad retirement fund. That fund represents money paid by the employers and employees of the railroads. Not a dime of Government money goes into that fund. Yet the accumulation in that trust fund is treated for bookkeeping purposes as though it were Government money. The same thing is true with respect to the trust fund for social security. Those funds cannot be used to defray the normal operating costs of the Government.

When that fancy accounting now used for bookkeeping purposes is eliminated we come up with a deficit last year of $6 to $8 billion.

Mr. AIKEN. Mr. President, would the Senator yield further?

Mr. WILLIAMS of Delaware. I yield.

Mr. AIKEN. Mr. President, the news item stated that the surplus as of June 30 is the largest surplus since the $1 billion-plus surplus of 1960. But if I remember correctly, and I think I do, that surplus of 1960 was due to a $13 billion deficit in 1959.

Mr. JAVITS. Exactly.

Mr. AIKEN. As a citizen-taxpayer I do not think I understand the situation too well, but I do rely on the Senator from Delaware for good advice.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. JAVITS. Mr. President, I asked the Senator to yield to me. I know the Senator from Arkansas (Mr. FULBRIGHT) wants to be heard on this one point of the Democratic versus Republican tug-of-war here.

I would like to suggest to the Senator from Vermont (Mr. AIKEN), the Senator from Delaware (Mr. WILLIAMS), and our leader, that the war of nerves has to end because if it does not there will be nothing to fight about. We must end this war of nerves.

I understand the situation well. We know much about political infighting. However, in my judgment—and in this statement I do not bind the Senator from Delaware in any way—whether the time is to be 5 months or 1 year the Senate had better express itself and do it quickly because this is a situation that is deteriorating very quickly.

Whatever any Senator may say about my coming from the financial community—for which I do not apologize and never will—that is where the ear is to the ground. The situation is bad, and it is my position that the situation is not going to get better if we "horse around" with this matter.

I hope this war ends in a matter of days—and not weeks or months—because the economy of the entire country is seriously in jeopardy.

Mr. WILLIAMS of Delaware. I thank the Senator. That is my point. I respect those who feel this surtax should be extended only for 4 months or 6 months, and while I strongly disagree I shall abide by the decision of the Senate. But whatever the decision is let the Senate make it. If the Senate is only going to extend the surtax for 4 months, 6 months, a year, or repeal it, whatever we do let us do it, and let the taxpayers know the rules. That is my only point. I want a vote on the bill. The Senate has a right to work its will and under no circumstances can 100 Senators delegate to the Democratic Policy Committee the power to make or enforce its own will on the Senate regardless of what other members may think.

Who are these men who comprise this all powerful group?

I agree with the Senator from New York. This tax bill is not an issue that should be characterized as Republican versus Democrat, for it is not. I remind Senators that last year I joined with the then-Senator from Florida in a bipartisan effort to put through the surtax originally as it had been proposed by then President Lyndon Johnson. We introduced the bill which later became the law. We joined together not as Republicans and Democrats but as Members of the Senate. That measure was a bipartisan effort.

I am confident that whatever position I may take or whatever position others may take we will not find complete agreement of positions straight across the aisle. But this should not be a partisan question at all. I find no fault with any Senator who disagrees with my position, but I have a right to express it and to vote accordingly. Another Senator has just as much right to his position that the time should be perhaps, 4 months or 6 months. I think I am entitled to my position and he is entitled to his position. Whatever we do, let the Senate as a body make the decision.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. FULBRIGHT. The Senator has been in the Senate for as long as I have. He knows very well when we have a deadline, as we now have. The present law, I believe, expires Friday, does it not? The extension of the withholding?

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. FULBRIGHT. The Senator from New York is entirely correct. I do not quarrel with him although I come from a State having as little to do with the market as any State could have. I agree the situation is significant.

As a practical matter, the Senator from Delaware heard the majority leader express what I think is a reasonable proposal for a compromise; that is, the extension of the law to the end of November. That would do several things. It certainly goes part way toward the Senator's view, but it also gives us an opportunity in other areas to deal specifically with tax reform; and in addition to that the opportunity to have budgetary cuts.

The Senator from Delaware has made a great reputation in the past on his very effective activity in this field and his tax knowledge. If he would cooperate on some budgetary cuts it would be equally effective, if not more so, on the question of inflation and, as the Senator said a moment ago, bringing into balance the financial situation. This is a measure that the Senator from Delaware has long supported.

In view of the short time, I submit that everything indicates we should make the agreement. If there is serious objection to either side's position, the Senator knows it cannot be passed, really, between now and Friday. Therefore, it is a made-to-order situation in which agreement should be brought about. The majority leader, after consultation at great length with Members on this side of the aisle, and with the policy committee, has made clear his position. I do not think that is an unreasonable position. I do not understand why it does not go a long way toward meeting the views of the Senator from Delaware, giving us time really to work out a reasonable position on two or three other related situations, specifically tax reform and also budgetary matters. I do not see why the Senator objects to that.

Mr. WILLIAMS of Delaware. Mr. President, first as to the July 31 deadline, I did not object to its extension. I recognize, as do other Members, that we cannot finish action on this bill by July 31, to get it through conference, even if we tried. The House is sending over an extension of 15 days, or until August 15. The minority leader and I conferred with the majority leader this morning and suggested that we stop it at the desk and pass it.

There was a rumor we were going to try to attach the surtax to it. I assured the Senator and the majority leader that there is no truth to such a rumor so far as I am concerned. This extension could and should be passed without amendment. But the point I make is that we should then proceed—to a vote on the bill itself.

Mr. FULBRIGHT. That is only 15 days. That is no time for the other matter.

Mr. WILLIAMS of Delaware. If we will stop this filibuster and get down to business we can do it. There is no reason why we cannot. The Senator mentioned my past interest in budget cuts, I can assure the Senator that this is not just a past interest; it is a continuing interest, and I only hope I will have his support in the days ahead.

Going back to last year, one section of that law was a section requiring a mandatory reduction in expenditures by around $6 billion. Later, Congress, much to my regret, did whittle that down, but we retained a portion of that reduction.

Again this year I tried to get meaningful legislation requiring mandatory expenditure control to be written into the law. However, on a rollcall vote in the Senate I was defeated. The rollcall was about 80 to 16 I believe. I do not know whether the Senator from Arkansas was one of the 16 that tried to put meaningful expenditure control into the law, but, anyway I lost. After we lost, I took the next step available. Recognizing that we could not get votes in the Senate for a control over expenditures I discussed this with the White House and received a commitment from the President that he would support a real control over expenditures.

I had a letter from the President dated July 16 on this subject, which I shall be glad to read at this point:

THE WHITE HOUSE,
Washington, July 16, 1969.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS. I am aware of the concern over extension of the surtax and repeal of the investment credit unless expenditure controls are made clearly effective. Possibly some of this concern arises from the flexibility of the expenditure control provision of H.R. 11400 just passed by the Congress.

In this legislation the limit on expenditures for fiscal year 1970 would appear to be $191.9 billion—one billion below the $192.9 billion projected in my revised budget. However, the actual language (1) authorizes me to exceed this ceiling by two billion dollars for increases in specified items of uncontrollable spending, thereby raising the ceiling potentially to $193.9 billion; and (2) enables Congress to raise expenditures by any amount for any program, thereby permitting automatic Congressional increases in the ceiling.

There is an obvious advantage in having a precise ceiling—one which clearly specifies the maximum allowable expenditures. I therefore assure you and your colleagues—that includes the Senator from Arkansas—that I accept in good faith the $191.9 billion ceiling as passed by Congress. More than this,

barring a plainly critical and presently unforeseeable emergency, I will hold total expenditures for fiscal 1970 within the $192.9 billion indicated in my April budget proposals.

I will regard this $192.9 billion maximum as a ceiling on fiscal 1970 expenditures, on this premise—that when an increase is approved by Congress or develops in one program it will be offset by a corresponding decrease in another program, thereby keeping the total budget within the $192.9 billion maximum.

For the Executive Branch this means that if uncontrollable spending, such as interest on the public debt and social security benefits, should exceed the April estimates, or if other spending essential to the national welfare is approved, the additional spending will have to be offset by reductions elsewhere Further it means that, if the Congress should vote expenditures above those provided for in the breakdown of the $192.9 billion total, it will also need to impose compensating reductions in other programs. Failure to establish such priorities in allocating funds within the $192.9 billion total will compel the Executive Branch either to impose offsetting reductions itself in programs approved by Congress or to refrain from spending the increase.

I believe this firm expenditure control, prompt extension of the surtax and the excises, and repeal of the investment tax credit will give us the tools our country needs to brake and stop inflation. It is my understanding that the Ways and Means Committee and the Finance Committee will follow this action with prompt consideration of a major tax revision package which will include many of the reform proposals I recommended to Congress last April.

Working together, I am confident that the Congress and the Administration can establish sound priorities and keep within a $192.9 billion expenditure total for 1970. I assure you that I intend to see that this is done.

Sincerely,

RICHARD NIXON.

Mr. President, considering that we could not get the votes in the Senate I have gone as far as I could in getting expenditure controls. Without this cooperation of the President I could not have made this satisfactory progress in that direction.

I will join the Senator from Arkansas in trying to control them further, as the various appropriation bills come up.

I recognize that he and perhaps others feel that a 4-month or a 6-month extension of the surtax would be just as effective an action as a 1-year extension. I respect his position, but I disagree with it.

All I am asking for is an agreement that we just not let this drift as a state of uncertainty. Let us make the tax bill the pending business and go on and vote it up or down, letting the country know under what rules they are going to operate. That is all I am asking. I am not asking for a commitment on the part of any Senator that he is or is not going to support the bill as the administration requested or as we reported it. Let the Senate work its will. The Senator from Arkansas has been in the Senate longer than I have, but during our period of service we have never had a situation just like this before, a situation where we would be given an ultimatum that unless the Democratic policy committee can get a solid commitment that all Senators will vote in a certain manner, they will not make the tax bill the pending business. That is not the way for the Senate to operate. Let the leadership make it the pending business, and then each Senator who has strong feelings on the subject can try to persuade others to adopt and approve his position. If he fails, then the Senate proceeds to approve whatever position it wishes. That is all I am asking, that we remove this indecision, this uncertainty, and let the American taxpayers know the rules of the game under which we are operating.

Mr. FULBRIGHT. I thank the Senator; but I think the way to remove that doubt is the way the majority leader has suggested. I can remember a number of occasions—not relating to taxes—on which agreements were worked out between both sides and then, under unanimous consent, very controversial matters were solved. I was not always in agreement, but that is the way to do things when there are controversial matters to be acted on within a limited time.

I do not see how a provision for 15 days is going to work with respect to either the budget matter or reforms—obviously not the reforms. The main reason for the 4 months is that a number of those who are interested, and I am not among them, in some reforms insist upon having those reforms or not voting for the surtax at all. There is a very grave doubt whether the surtax standing alone could pass. Distasteful as it is—I voted against it last year—I am not sure I will vote for it this year unless it is a part of some arrangement in which some progress will be made—that was worked out as a compromise.

I think the majority leader did everything he could to find an area of agreement that would allow him some assurance of getting action, because he realizes the seriousness of the situation, just as the Senator from New York expressed it. It was a good-faith effort to arrive at an agreement which would be effective. The Senator knows this has been done on highly controversial matters, especially in the area of social legislation, where, after a long, drawn-out stalemate, it is solved by agreement. That is what the majority leader is trying to do.

With reference to the tax matter and the budget matter, I may point out that we have before us an authorization bill for appropriations. I hope the Senator from Delaware will join me and other Senators in being specific—without the generalized ceilings which are always subject to having holes punched in them—about adjusting the budgetary matters. I hope he will join us in that and in many other efforts that can be had between now and November, when we would have to vote on the bill.

Mr. WILLIAMS of Delaware. I agree with the Senator that we should arrive at a decision on the pending bill, and I appreciate that he would like to have me vote with him on the matter. I respectfully suggest to him that the roll be called right now and that the Senate proceed to vote on it. I have been ready to vote for 3 weeks. Let us call the roll.

I am not criticizing the majority leader. The Senator knows that the majority leader speaks for the Democratic policy committee. But what I am asking is that we be given a chance to vote. I feel very strongly that the Senate is creating an unnecessary disturbance in our financial community by its delayed action.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. SYMINGTON. The Senator from Delaware knows of my great respect for him, especially in the field of finance. I am not a member of the finance committee. So as to inform myself, I would ask the Senator a couple of questions.

Is it not true that, despite the fact this tax has been in effect about a year, it has at least not yet been successful in stemming inflationary tendencies?

I ask that question with the premise that last month, inflation for that one month increased 0.6 percent. If we agree to continue this tax until the 30th of November, it is my understanding the administration stated they would like to see the surtax cut from 10 percent to 5 percent next year? That to me eliminated the idea this was the basic answer to inflation.

There are people in my State who believe at least some tax reforms are necessary, say a $100 exemption relief in the lower brackets, and elimination of millionaires not paying any taxes. I do not mean millionaires in property, rather citizens of the country who have an income of $1 million who do not pay taxes, even though they do not have tax-free securities such as municipal bonds. Some thought those two could get by the Senate with the surcharge continued until the 30th of November, which would be only the difference of 1 month; and I understand it is planned to cut it then anyway.

I ask these questions because if anybody has made an impression on me—and I say this with great sincerity—on the importance of reducing Government expenditures, it has been the able and distinguished Senator from Delaware, with whom, over the years, it has been my privilege to serve.

We have a Federal budget now of some $193 billion. Six years ago, when I started talking about the growing danger incident to our continuing unfavorable balance of payments, some of my colleagues would kid me about it. The Senator from Delaware never did. I present to him that the last quarter to the best of my knowledge, was the worst quarter we have ever had in our history of balance of payments. If carried out on an annual basis, it would run some $11 billion a year.

Under those circumstances, I would ask the distinguished Senator from Delaware if he believes that prompt passage of this surcharge tax extension would take care of the inflation going on in the country today because—in my opinion—of the gigantic expenditures now characteristic of the Federal budget.

Mr. WILLIAMS of Delaware. I appreciate the questions of the Senator from Missouri. To the best of my ability, I shall try to answer them, but I first want to refer to the remarks he made earlier when he referred to his own attempts to alert the Senate to the problem of our balance of payments. It was a

timely warning. I regret that more attention was not paid to the warning he was presenting.

To get back to the question, do I think the enactment of the surcharge will check inflation? The answer is: As to that in itself, no. I do not think any one action, extending the surtax alone, or cutting the budgetary expenditures alone, or monetary policies alone, will in itself do the job, but I think it takes a coordination of all of them.

I go back to last year. The Senator is correct when he says the enactment of the surcharge last year did not check inflation as it had been anticipated it would do. There is no argument about that. But I am going to point out clearly why I think it failed. In the first place, President Johnson, and I am not necessarily carrying his banner, recommended to the Congress early last year, in January, the enactment of a surcharge as one necessary measure to reduce our staggering deficit and control inflation. I promptly endorsed it. I had advocated similar action months before. I thought we had to take that action, and I publicly endorsed it. Later the Senator from Florida and I joined in introducing the 10-percent surcharge, as advocated by the President, but we accompanied that with what in our opinion was an equally important measure; namely, expenditure controls. It takes both taxes and expenditure controls to do the job and to be effective. Congress enacted that package, but action was delayed then just as Congress is delaying action today.

While we introduced that bill in February and the President was appealing for prompt action just as Mr. Nixon is today, Congress did not get around to passing the bill or to putting it on the President's desk for signature until approximately July 1—6 months of unnecessary delay.

There was a delay of 6 months, during which time expenditures were running uncontrolled and deficits were mounting. The surtax was not as effective as it would have been because of the uncertainty for a period of 6 months as to whether it would be enacted. That in my opinion was one of the contributing factors as to why it failed.

There was another contributing factor. After the surtax had become law the Federal Reserve System in my opinion made a serious mistake by misjudging the economy. Instead of cooperating and moving with restraint the Federal Reserve pumped a substantial amount of additional credit into the country. It increased the flow of cash far above that needed. That action was highly inflationary and in direct contradiction of the action taken by imposing the surtax. To that extent the effect of the surcharge in controlling inflation was minimized.

Then there was a third factor. Along with the surtax was a proposal to reduce expenditures by $6 billion. That would have had a salutary effect, but Congress later enacted a series of exemptions for their special projects, with the result that only about one-third of the expenditure control remained effective. That resulted in about $4 billion more spending than was anticipated. Four billion more was poured into the economy than was anticipated at the time the bill passed. This undue delay in meeting the threat of inflation head on was the failure of Congress to act, not the formula itself.

In my opinion, those were the three contributing factors that to some extent nullified the congressional action on imposing the surtax.

Of course, no one can look back and say what would have happened "if," but there is no doubt a mistake was made.

The point I make today is that here again we see the pattern of Senate-delayed action developing. Again there is uncertainty as to what Congress will do. No one is more familiar with what problems such a situation can present than the Senator from Missouri, who made a great record in private industry before he came to the Senate. He knows that any industry, in making its plans, likes to know exactly under what rules it will be expected to operate.

They have a right to know as soon as possible what the tax rates will be.

When they plan to buy new machinery are they going to get the 7-percent investment credit or are they not? Many in business file tax returns on a fiscal years basis, and, as I pointed out earlier, there are problems for those companies that are filing on a fiscal year basis after July 1. As of July 1 the investment credit is still the law of the land, and companies that are filing tax returns must—they have no choice—take the 7-percent investment credit now, and later if we repeal it retroactively file an amended return and pay it back to the Government. Not only is this unnecessary work but it creates uncertainty. What excuse is there for delaying this decision?

I feel strongly that if the Senate delays action until the end of the year and lets uncertainty prevail as to whether we will or will not extend the investment credit, even though we then extend the surcharge and repeal the investment credit, we will have lost the wholesome effect as a brake on inflation that would prevail if we passed it today. That is the reason that I urge that whatever action the Senate wants to take we vote on it—4 months, 6 months, whatever it is, let us lay down the rule and eliminate this uncertainty. Frankly, I would take that same position if I thought the Senate would defeat the measure. If the Senate is going to defeat the proposed extension of this surtax let us do it now; and then let those who make this decision tell us how they plan to cope with the resulting $12 billion deficit, and let them assume full responsibility for the inflationary results of their action.

As the Senator knows, nothing in the world creates more disturbance in industry and in the financial community affecting interest rates and cost of living, than this uncertainty. Companies make all the allowances for the worst and must prepare for even worse than that which will actually develop.

As I said the other day, it is a good bit like the boy scheduled to get a whipping; anticipating the whipping and walking down to the barn with your dad is far worse punishment than the pain you experience after it is all over.

I think that is just what we are talking about in connection with this tax bill today. Whatever decision to be made make it quick.

I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, as a result of a conversation I had with the distinguished Senator from Delaware a little over 3 years ago, I recommended at that time to the Secretary of the Treasury that we recognize this problem on a fiscal basis as well, instead of just on a monetary basis. In other words, I recommended that he come in for a tax increase.

I would not argue in any way with what the Senator has presented today. He knows the facts far better than I. But I would ask him this question: Does he believe that the continuation of this tax will have a major effect, to the point where it will control the inflation now characteristic of our economy, or does he believe that it is also necessary to reduce expenditures, as many of us have been trying to do on this floor for some weeks? I am not referring to any particular item, I do not wish to get into a debate on any parochial line of reasoning. But is not the important thing for us to do now is to reduce spending?

Mr. WILLIAMS of Delaware. I agree with the Senator; and I have made this statement many times, but I repeat it again here: If we are only going to extend this surcharge to provide an additional $8 or $9 billion with which to expand the spending programs of the Government we will not only contribute nothing toward controlling inflation, but I think it would have an adverse effect. I think it would actually be more inflationary to collect extra taxes only to pour the money out in increased Government spending streams.

For that reason, I firmly believe we have got to have this act accompanied by firm control over expenditures. If I felt for a moment this was only going to serve the purpose of providing additional revenue to increase spending I would not support the tax bill myself.

That is the reason I said last year that I would not support the surcharge, even though I was the author of the bill, if the expenditure controls were deleted from it. I told the administration this year that after our failure here in the Senate to obtain, legislatively, a firm, meaningful control over expenditures I would be reluctant to support this surcharge extension. I could not argue for its enactment on the floor of the Senate unless we had a firm commitment worked out with the executive branch that there will definitely be controls over spending. That was the reason I solicited and received the letter from the President promising that the administration would hold the lid on expenditures. The Senator from Missouri, who has taken this line consistently, will agree with me that my voting record in the Senate has reflected that belief.

Mr. SYMINGTON. There is no question about that.

Mr. WILLIAMS of Delaware. One further point. The Senator mentioned the balance of payments and that in this quarter they are worse. I am sure he will

agree with me that last year's improvement in the balance of payments, about which there was so much boasting, was not a true correction of our balance-of-payments problem. It represented an unusually large inflow of foreign investment capital coming into this country and buying of American securities, bonds, and stocks; and that resulted in a mathematical improvement in the balance of payments, while at the same time our exports as related to imports were on the adverse side.

Mr. SYMINGTON. It also reflected the financial problems of a particular country.

Mr. WILLIAMS of Delaware. That is correct; there was a flight of capital from abroad coming into this country.

When we speak of the strength of the American dollar today, as some do, while it is in a little better position than it was a couple of times last year, to a large extent the dollar looks stronger today because we are comparing it to the weaker currency position of some of the other countries, which were stronger last year.

I do not think we can afford to gamble on the stability of the dollar. I remember very well, as does the Senator from Missouri, that during the debate on the question of whether the Senate would or would not enact a surcharge last year it was necessary for the administration to call the leadership of the Senate on a certain Friday and adjourn the Senate before we could have a vote. If we had had the vote, at that time it was almost certain to be adverse on the enactment of the surcharge. It was the opinion of the Secretary of the Treasury, the Chairman of the Federal Reserve, and others that the American dollar would have gone over the brink within 72 hours had the Senate defeated that surtax on that date.

When the Senate adjourned early that Friday and carried the vote over until the following Tuesday the administration mustered enough votes to pass the measure.

I plead with the Senate leadership not to let that happen again—but time is running out.

I say, let us not gamble with the stability of our dollar to that point again. That is the reason I think it is vitally important that we take action. I think any action would be better than inaction; that is the point I am making. I am not trying to say I have the only answer, but the Senate has a right to express its will. Let us take action and solve the impasse before it is too late; that is all I ask.

Mr. President, I yield the floor.

ORDER OF BUSINESS

Mr. DIRKSEN. Mr. President, I see the majority leader is present, and I would rather like to address what I have to say to him, and also to the distinguished Senator from Kentucky.

Mr. WILLIAMS of Delaware. Mr. President, I yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I thought when we finished the dialog that at 3 o'clock we were going to discuss some procedural matters with reference to the ABM issue pending before the Senate and then likely have a vote on the Cooper-Hart amendment.

Mr. WILLIAMS of Delaware. I am willing to yield the floor.

Mr. DIRKSEN. Mr. President, I accept the floor in my own right.

Obviously we are not going to get action on the tax matter unless we set aside the ABM debate and address ourselves to it.

Tomorrow it is expected that the House of Representatives will complete action on the tax bill and that it will be messaged over.

I discussed the matter with the majority leader, who thought that perhaps it ought to be committed to the Senate Committee on Finance. I uttered the hope that perhaps we could ask for immediate consideration and that if there be objection, it would then go to the calendar and could be called up at an appropriate time.

I think that one of the hazards involved in sending it to the Finance Committee is that if action is expected, there must be a physical vote. The question is how long will it take to get a quorum. That is one matter.

The second matter involves how much discussion there will be before that bill finally gets to a vote.

Since time is so important in this matter, I renew my hope that perhaps we can call it up and have objection made, if anyone so desires, and put the measure on the Senate Calendar. It will then be there to call up at any time. It has got to be here and ready so that when the ABM matter is set aside—and that matter has not been agreed to yet—we may then get to the tax bill.

However, that is a parliamentary problem that confronts us. And it has got to be solved first. There is no other answer to it.

That question anticipates whether a vote can be had on the pending amendment, the Cooper-Hart amendment.

Various objections have been registered. Some Senators say that we ought to wait and ought not to conclude the matter until the President returns. They say that there will be hearings in the Committee on Foreign Relations, that the senior Senator from Tennessee (Mr. GORE) is prepared to adduce heretofore unexplored material of high value. I do not know what it is. However, one can anticipate that all of this will take time.

The query is, without discussing the merits of any measure, whether it is the surtax or the ABM: When do we vote so that we can give a sense of certainty to the Members of the Senate as well as to the commercial community when we finally get around to the surtax?

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. Mr. President the distinguished minority leader did approach me earlier today about the possibility of putting on the calendar the 15-day extension of the surtax withholding levels.

I did not at that time express any enthusiasm for such a procedure, nor do I do so now. But I did say that I would be glad to discuss it, as a courtesy, with the distinguished chairman of the committee, the Senator from Louisiana (Mr. LONG).

It would be my preference this time to have the resolution, if and when it comes from the House, referred to the Committee on Finance, which is the proper procedural attitude to take.

The distinguished minority leader has indicated that it would be difficult perhaps to get the members of that committee together. I do not think it would be difficult at all, may I say, most respectfully, in view of the deadline of midnight this coming Thursday, at which time the surtax will go out of existence if it is not renewed in some shape or form.

My present guess is that it might well go out of existence. That would mean that the money withheld from salaried workers and wage earners would have to be repaid to them.

It would mean also, in my opinion, that it would be very difficult to get the surtax resurrected again in view of the undercurrent of feelings I have detected on this side of the aisle.

I would say that if the Committee on Finance can meet and report out on a 9-to-8 basis the extension of the surtax as reported from the House, with all of these factors in mind, there will be no trouble in getting a quorum present, and that, in view of the time expiration of midnight Thursday next of the present surtax, if not extended, it would be possible to get action at that time, too.

I am sure the distinguished minority leader, who is a member of that committee, would agree with that and understand the situation in which not only he finds himself, but I also find myself at the same time.

I have nothing more to add to what I have said twice today on this matter and what the Democratic policy committee and the Democratic members of the Finance Committee authorized me to state on Thursday last.

I am not the author of these proposals. I am the servant of the policy committee, and what the policy committee decides to do, I will do to the best of my ability and without any if's, and's, or butt's.

I am here as a lightning rod in a certain sense, because there is a lot of heat coming in my direction. But I do not mind that. It goes with the job and with the responsibility intrusted to me. And that responsibility will be carried out without fear or favor.

I am saying now that I am putting everything on the table, where it has always been, anyway, and it will be for the Senate to decide what to do within the next several days about this most important question which confronts us.

I can only repeat again that if I detect correctly the undercurrent of feelings on this side of the aisle as far as the surtax is concerned, if it ever goes off the books, it is very possible that it will not be put on the books again.

I do not know what the distinguished Senator from Tennessee (Mr. GORE) has in mind, except that he has called a meeting of his subcommittee in executive ses-

sion on Wednesday next. It will be my hope, in view of the developments which have become known on the floor of the Senate over the past 2 or 3 days, that it might be possible the next day, Thursday, to take up the ABM amendment.

If an agreement could be reached with the distinguished Senator from Tennessee, I would hope that the distinguished chairman of the Committee on Foreign Relations, the Senator from Arkansas (Mr. FULBRIGHT), would reconsider his position and perhaps come along. I do know that the Senator from Kentucky (Mr. COOPER); the Senator from Michigan (Mr. HART); the Senator from Mississippi (Mr. STENNIS); the distinguished minority leader, the Senator from Illinois (Dr. DIRKSEN), and the Senator from Montana—now speaking—would like to get a vote as rapidly as possible.

Speaking for myself, I do not think that, so far as the President is concerned, he cares one way or the other when the vote comes.

That is about all I can say.

Mr. DIRKSEN. Mr. President, I have one other question I should like to ask the distinguished majority leader.

Let us assume that the tax measure is referred to the Committee on Finance, and let us assume, also, that without an undue use of time it is reported to the Senate Calendar. Now, that implies that to get any action, the ABM matter—meaning the amendments—has to be set aside, and the majority leader, exercising his very proper province, must call up the tax bill. Under the circumstances, and in view of all that has been said, would the ABM matter and this amendment be set aside for that purpose?

Mr. MANSFIELD. If I may answer, with due respect to the chairman of the committee.

Mr. STENNIS. It is all right.

Mr. MANSFIELD. I would be loath to set the pending business aside unless some agreement, if possible, could be reached relative to the accommodation proposed in good faith by the Democratic policy committee and the Democratic members of the Committee on Finance to the distinguished minority leader and the administration, if it were given some consideration and perhaps, hopefully, approval. I do not take as a negative answer the fact that 2 hours after this accommodation was given to the distinguished minority leader, it was turned down; that it was turned down just because the press, the radio, and the TV said so. I received no word from anyone in the administration or from the Republican leadership which indicated that it was turned down. As a matter of fact, I think that last Friday the distinguished minority leader said that the door was still open, and I replied that I hoped the door would stay open.

But, frankly, this is about as far as we can go. It took a great deal of persuasion to get this far, and I think we are up against a proposition which cannot be compromised any further but which will have to be decided one way or the other at the proper time—and the proper time will not extend beyond midnight of Thursday next.

Mr. DIRKSEN. Mr. President, the awkward position in which the minority leadership finds itself—and very particularly the minority leader—is simply that what is contained in that resolution implied that the proposal would be accepted as such, without changing one jot or tittle. Now, then, that presumes that I would go to every one of the 43 Members on the minority side and ask them to concur. They may or may not concur. I have no control over that. Obviously, I cannot abrogate the privileges, the rights, and the prerogatives of any Member of the Senate. So if one of them should stand in his place and offer an amendment, or a series of amendments, obviously that is his right as a Senator. How shall the minority leader control that? He cannot control it. He might make some importunity. He might make a plea and say, "Please do not do it." But they might ignore him, for all his trouble, because everybody has a serious interest in the matter.

So I found myself in that awkward position, and I could not say to the distinguished majority leader, "We accept." I could say for myself, "I accept." But I could not say it for every Senator on this side of the aisle, and certainly I could not say it for those on the majority side of the aisle.

Mr. MANSFIELD. Nor could I. But there is such a thing as good faith and good understanding, and I have found that the word of the distinguished minority leader is as good as gold. He has never said anything to me that he did not back up; and I hope that, in reverse, my actions toward him have been on the same basis.

Mr. DIRKSEN. Mr. President, I trust it will always be that way, at the present value of gold.

Mr. MANSFIELD. Thirty-five dollars an ounce.

Mr. DIRKSEN. But I know, from what pours into my office every day, that there are people in the Capitol from all over the country. They are coming and appealing for modifications in the so-called investment tax credit:

> Can't you make a little modification so that we can buy some boxcars for our railroads? Those mean shipments; they, in turn, mean jobs. That contributes to the economy and to its viability. Can't you please do it?

What happens in my office is happening in every office—certainly in this end of the Capitol. So how can I say that somebody is not going to stand in his place and ask for a modification?

When one looks at the resolution of the majority policy committee, he sees how carefully—almost as if it were done by a genius—they nailed down the date; they nailed down everything in connection with it, so that, if you changed a comma, it probably would be a violation of the spirit of that undertaking by the committee.

I always want to play in the very best of faith. That is a chance we have to take. But the problem is, if it comes over here tomorrow, if it goes to the Committee on Finance, if we have a meeting the next morning, and if we report it to the Senate Calendar, do we then move aside the pending business of the Senate and get at it?

Mr. STENNIS. Mr. President, will the Senator yield on that point?

Mr. DIRKSEN. In just a moment.

On that question, I do not think there really has been a durable answer.

I yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I know the importance of this tax matter, as reported to the country and as reported to the Senate. Without lessening that, I wish to address myself briefly to the real pending business of the Senate—the Cooper-Hart amendment.

Let me underscore, too, that I want everyone, of course, to have full opportunity to debate that matter pro and con as much as he might wish. But, Mr. President, this is serious business. The debate on that issue has been going on since January of this year on the floor of the Senate, in addition to the debates we had theretofore.

This authorization bill contains all the hardware of the military program, and we have to have this every year. That is contrary to the usual pattern. We authorized various programs for 2, 3, or 4 years.

I was one of the principal sponsors of the amendment to the law that required this authorization and held out for it to the last, because I thought Congress should have the opportunity to pass on it every year. The argument against it was that it will be delayed; Congress will not act; it will drag along; too much time will be consumed. We finally overcame that argument. The Senator from Georgia was the author of the amendment. That became the law, and I think it is a very wholesome law.

But it certainly does put the bee on us. This is totally a legislative responsibility. We cannot blame the Defense Department; we cannot blame industry. We cannot blame anyone but ourselves. We are holding up this matter, which will take weeks at best after it passes the Senate. The House will have to act. It will have to go to conference. The report will have to come to the Senate. Everything in the bill will have to wait for the final decision. The House Appropriations Committee has had some very fine hearings. I understand their position is they have gone as far as they can go until these authorization matters are settled.

Therefore, we have a responsibility here. This measure involves hardware for Vietnam, if it continues to last over there.

One of the arguments against the ABM is that we already have the Poseidon program. We are converting now from the Polaris over to Poseidon. These submarines are held up now in the process of remodeling, as I understand the situation, pending disposition of this bill. So this is not a minor matter. We are dealing with matters vital to our security. Many other illustrations could be pointed out. I think there is a good chance that we could proceed to a vote before too long. With respect to the tax matter, I personally would like to know more about how we are going to proceed, but I believe we can find time for a tax matter. It would have to be largely by agreement, at any rate, as I understand it. I do not believe that is the real difficulty here.

News stories in some places suggest

that the ABM go over until after the August recess. Mr. President, that would be pitiful. Here are the authors of the amendment. They are ready to speak. They have taken a position on the floor of the Senate. Let us close ranks and in some way give the Senator from Tennessee an opportunity to have his hearing. I am not talking behind his back. He knows how I feel about that. Give him a chance to have his hearing and vote on this matter Friday. I think there should be 48 hours' notice. It takes time to travel and present the arguments. I am hoping that some day this week will be considered. I have just referred to Friday. I believe that is reasonably possible. I hope they will get the hearings all together. All the background material is known. We could finally get the bill to conference and still have requests for hearings. If we listened to some persons, we would still be having hearings on the atomic bomb.

I appeal to the Senate. Let us close ranks and get started on something definite. I propose Friday.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. DIRKSEN. Mr. President, the distinguished Senator from Mississippi has made a suggestion that we might be able to vote Friday. I just talked with the distinguished Senator from Arkansas. He would not feel inclined to agree to vote on Friday. If we could accomplish it only by a time limitation, and if there was an agreement, that would be the end of it. But if we do not lay it aside, what happens to the surtax? That is the problem.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. TOWER. Mr. President, we have been engaged in repetitious debate on this issue and we are now going into the fourth week. I cannot conceive of anything new that might be brought to light that would change the already hardened lines on this issue in the Senate. I think the lines are clearly drawn.

I think we do the people of this country a great disservice if we do not go ahead on this matter. If we cannot arrive at some agreement to vote, preferably on Wednesday or Thursday—that would give the Senator from Tennessee time to reveal whatever documents he wants to investigate in his committee meeting—I would feel a strong inclination to offer a tabling motion to force the issue and bring it to a vote because I do not think we are going to contribute any more to enlighten the Senate on this issue.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. TOWER. I do not have the floor.

The PRESIDING OFFICER (Mr. DOLE in the chair). The Senator from Illinois has the floor.

Mr. DIRKSEN. I yield.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. SYMINGTON. Mr. President, most of my discussion about this matter was in the closed session.

But I feel the Senator from Tennessee, who is not in the Chamber today, should also be present for this discussion, because some 2 months ago, as a guess, members of the engineering and scientific fraternity, suggested we look into some reports.

I thereupon asked that I be allowed to look at these reports. At first I was told the reports could not be located. This was done with complete sincerity. I do not in any way criticize that, but if there was any delay it was not the fault of the Senate.

Later on one of the reports was found and was promptly sent to the Senate. I think it fair to say that this report does not approve certain aspects of the design of the ABM. As is the case in much of this discussion, however, it is difficult to talk about it in open session because pertinent factors incident to such discussion have been classified.

Only last week another report was obtained and sent over. In both cases, I might add, these reports were not made by any opponents or proponents of this system or any other system. They were paid for by the taxpayers of the United States and were made at the request of the Department of Defense. One of them was made by a company headed by Gen. Maxwell Taylor, the other by a company called Aerospace. Both companies are nonprofit organizations which obtain their business from the Government.

I have been told there are other reports made by other companies.

Mr. President, this is the first weapons system I have opposed at its original presentation since coming into Government. When I was criticized for doing so I looked up the record. I found that since World War II I have worked for and voted for $953 billion for the Defense Department, which means at the end of this year that figure will be over a trillion dollars.

I do not criticize the delay of these reports, and believe everything was done to obtain them for us. I do not criticize in anyway people who are entirely sincere in their belief this system should be deployed now. But I do find there are statements in the two reports which would imply that considerable thought should be given to whether or not this Safeguard system should be deployed now instead of, as the Cooper-Hart amendment recommends, waiting a year before deciding on deployment.

In addition, there is another report which we learned about only last week. I do not know whether that is favorable or not. That is a report made by the Defense Science Advisory Board.

I understand that report is critical of the Safeguard system itself; not just any ABM system.

The scientists who told me about it—and two did—are universally respected. They would not be considered political scientists against the ABM system or political scientists for the ABM system; rather independents. They said that in their opinion it would be wise for the Senate to look at the reports before the vote as to whether or not to deploy now.

If we had known about the reports before, naturally we would have looked at them before. One has not yet been received. It is my understanding the distinguished Senator from Tennessee has requested it. I personally would like to see it.

From what I have read—and I have not tried to make any count—this will be a close vote; and I hope that it will be judged on the facts. I cannot imagine anything more valuable to a Senator, before he votes on this subject, than as much knowledge as possible of the facts.

The Senator from Tennessee is chairman of his subcommittee. He has scheduled a meeting on Wednesday to review these reports.

Now the distinguished Senator from Mississippi (Mr. STENNIS), chairman of the Armed Services Committee, knows that I have nothing but the most complete respect for him. Of all the men I have ever known, he has a wise concept of justice.

Inasmuch as the vote will be close, inasmuch as there is much pressure—let me emphasize that the pressure by no means is on only one side—we owe it to ourselves and the Senate to examine all reports made by independent experts who tried to obtain the facts.

Mr. FULBRIGHT. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I yield.

Several other Senators addressed the Chair.

Mr. DIRKSEN. Mr. President, will the Senator from Missouri yield to me so that I may yield the floor?

Mr. SYMINGTON. I yield.

Mr. DIRKSEN. Mr. President, I yield the floor.

Mr. SYMINGTON. Mr. President, I yield now to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I want to comment on what the Senator said relative to the hearing of the Senator from Tennessee which has been talked about here. I have also requested representatives from the Pentagon to come and discuss another aspect of this matter which has just been brought to my attention in the past few days.

If I may add one other thing, the Senator from Mississippi seems to take upon us a little more than usual blame for this delay. This is the first time—I believe it is correct—that I can remember this kind of bill was first submitted to the Senate. Normally, it is passed by the House first, is it not, and then sent on to the Senate? On this occasion I do not know whether they did. I do not wish to delay it beyond the time for reasonable consideration of this matter because it is extremely important; but I would not agree to a vote now, under these circumstances, on Friday.

It may be, after the hearings on Wednesday, if the matter is brought up on Thursday, that the Senator from Tennessee and the Senator from Missouri and others interested in this may wish to agree to it, so that I might not object. However, I think it would be preferable to vote next Tuesday or Wednesday.

In that connection, I do not see why we do not proceed with the tax matter. It has a time limit on it for Friday, or at least midnight Thursday. It is very important, as the Senator from Illinois has pointed out, that the last meeting of the President with the leaders of Senate and House was on the matter of the tax bill.

If this is not agreeable to the Senator from Mississippi, I have amendments to the pending bill which I am prepared to offer and to offer tomorrow morning, if the Senator would like, and utilize that time in disposing of certain amendments without any extended debate. They are simple amendments. That will make some progress in disposing of the military bill. If that is an agreeable procedure, I thank the Senator.

Mr. SYMINGTON. The Senator has mentioned something else that has come up, I believe I have a rough idea of what it is; namely, what happens when the air becomes filled with nuclear explosions and so forth.

Earlier this morning, I received a pamphlet which to the best of my knowledge is not entirely accurate. I am sure said pamphlet was sent to many other people because it is printed in rather deluxe fashion. It makes several statements which, to the best of my knowledge, are not correct.

As mentioned earlier today, I shall discuss this pamphlet briefly on the floor tomorrow.

What worries me is that if we could get a few figures declassified, we could clarify certain aspects of the system so that more people would understand its operation.

I took the two committees most thoroughly briefed on this matter and combined their votes—the only two committees that have been thoroughly briefed on this matter—and to my surprise, even though the Foreign Relations Committee has three less members than the Armed Services Committee, found that the vote on the Cooper-Hart amendment was 18 for, 14 against, 1 undecided; this out of the 33 members.

It has always been my conviction that the more facts we get, the more constructive the vote will be.

It is hard to discuss this matter intelligently without releasing classified figures; for example, the number of Sprints and Spartans involved in each missile field.

I am trying to figure a way, tomorrow, to say what should be said without violating security.

We have two reports. We are expecting two more. There may be more; so I would hope we could spend a little more time to understand the technical people, those not connected either politically against it or politically for it.

I should also say, with great respect, to my chairman, the distinguished Senator from Mississippi, that I do believe, generally, in connection with authorization bills, the Senate must proceed ahead of the House.

It is my understanding the House has not even started its hearings on the Army and Navy, and although they did start authorization hearings on the Air Force, those have been temporarily suspended.

Thus, I would hope that all Members of the Senate would have a little more time in order to understand to the best of their ability, what this is about, and not just the two committees most directly involved.

Mr. STENNIS. Mr. President, will the Senator yield to me quite briefly for a response?

Mr. SYMINGTON. Mr. President, I yield the floor.

Mr. STENNIS. Mr. President——

The PRESIDING OFFICER The Senator from Mississippi.

Mr. STENNIS. Mr. President, just by way of response to the Senator from Missouri and the Senator from Arkansas, there is nothing especially new about this authorization bill coming up in the Senate first. It should have been up in both Houses perhaps before now, but last year I was acting chairman on that bill, and it was taken up here first. I know that to be a fact. My recollection is that some previous years when I was acting chairman we took it up first. Certainly, the rule about the House taking up an authorization bill is not rigid; just appropriation bills.

Mr. FULBRIGHT. Just on appropriations.

Mr. STENNIS. Yes; appropriations are always handled in that order.

Mr. President, I know of no additional reports or additional information or as to what might be in them. I do not think any has been withheld.

I may mention, for the benefit of Senators who may not have heard Secretary Laird yesterday on one of the network programs, "Face The Nation," when he discussed this question, that Mr. Rowan said:

> Mr. Secretary, it was reported this past week that the Institute for Defense Analysis, which is sometimes described as the Pentagon's "think tank", has come up with a report saying that it would be wasteful to deploy an ABM system—an anti-ballastic missile system. Is there such a report? Have you seen it, and how do you react to it?
>
> Mr. LAIRD. Well, there are several reports that have been made by the Institute for Defense Analysis. The report you refer is an older report, on both the pros and the cons of the ABM system.

The rest of the answer is important:

> I think it's important from the Department of Defense standpoint to have these outside agencies look at both the pros and the cons. And we have had studies made outlining the adverse opinion on various weapon systems, as well as the supporting information. And we have reports from that group on both sides of this particular question.
>
> I study those reports, and then I make my recommendation after I have studied the reports to the President of the United States.
>
> Mr. SHEEHAN. Mr. Secretary, could you go into detail as to what is in these reports? The opposition in the Senate is making something of them, and claiming that they're new information—fresh information which says the system won't work—specifically that high altitude nuclear blasts would knock out the radars and the other communication networks within the system and make it unworkable.
>
> Could you comment on that?
>
> Mr. LAIRD. Well, I'd be very happy to, and I commented on that charge, in very great detail, before the House Appropriations Committee, and I would direct your attention to the detailed explanation of that that I went into on the unclassified record before the House Appropriations Committee, and this was covered in great detail.
>
> This program is just a short program, and I'm sure you don't want to get into that detail now. But I would direct your attention to the very thorough and complete answers that were given before the House Appropriations Committee when that very same question was asked.
>
> There's about ten pages of testimony in which, I think, that that question was very adequately dealt with.

The Senator from Arkansas made a legitimate inquiry last Friday, I believe it was, on that very point. I knew I had heard it gone into, but I could not give him the book and page.

Mr. FULBRIGHT. Does the Senator have the book and page now?

Mr. STENNIS. No, but I will get it and give it. I will have it for the Senator in 5 minutes.

Mr. FULBRIGHT. I thank the Senator.

Mr. STENNIS. We had this same manner in our Preparedness Subcommittee hearings, which the Senator from Missouri will remember. We always have to go into that question, and do.

I thank the Senator for yielding to me.

Mr. SYMINGTON. To the best of my knowledge, none of these reports have anything to do with the point brought up by the Senator from Arkansas. They do have something to do with—at least one of them does, and I know because I have read it—the vulnerability of the proposed radar system.

In effect, what the Senator from Tennessee and some others are asking for is the same knowledge the Secretary of Defense has with respect to these reports. He has read them and formed his opinion. If there is also a favorable report, we should have it. I did not have the privilege of listening to the Secretary of Defense, yesterday, being back in my State. If there is a favorable report from the Institute of Defense Analysis, inasmuch as I have one which is not favorable in some respects, I would also like to see the favorable report.

I did not want to leave the impression that these reports had anything to do with what the Senator from Arkansas was talking about. I do feel that in an atmosphere of this character, we would not want to be "tabled" out of any information.

We want and should have all the information we can get. It is not our fault people had trouble getting these reports together. They were made some time ago. I do not know the exact date.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to the Senator from Texas.

Mr. TOWER. I think the paper referred to by the Senator from Mississippi was written in 1966, a summer paper. Of course, the way this thing operates is that these academicians can get together and do these things ordinarily when they are deployed away from their respective universities. This is a "think tank" type operation. I have heard this paper described as "Thoughts that occurred to me while shaving." That is probably the best way to describe the report, because that is all they are. They are "think tank" type papers. A man makes proposals and says, "Why do we not see if this can work?" or "Why do we not see if it does not work?"

Relative to the matter of the Senator from Mississippi on the blackout, the

page and number are in the hearing before the House Appropriations Committee, page 61 of the hearings. I do not have the precise date. Anyway, during the course of the hearings, as appears on page 61 of the hearings before the House, on the possibility of the radar blackout, Mr. Lipscomb said:

Mr. Secretary, the charge is frequently made that the ABM system just won't work because of its nuclear environment. That the radars will be blacked out either from explosion from our shots or the shots that are coming in from the Soviet Union.

Secretary LAIRD. Mr. Lipscomb, thank you for your generous remarks. I miss sitting on that side of the table. The blackout will not invalidate the system. Over the past several years extensive analysis has been made of the effect of blackout on the ABM, both self-blackout caused by our own intercepts and the blackout caused by an enemy's high burst above the atmosphere, and also of weapon debris that escapes from the burst region at very high altitude detonation. But we believe that this can be handled by having an overlap of the PAR radar systems so that one PAR can cover the same area while another PAR is temporarily blacked out.

I would like Dr. Foster to comment on that point.

Mr. FOSTER. Mr. Lipscomb, the situation is as Secretary Laird has indicated. We made a test in 1962 to determine the effect on radar of nuclear explosions in the atmosphere. So also did the Soviet Union. From those tests we calculated the best kind of an attack to make against the Safeguard system. We also designed the Safeguard system to minimize the effectiveness of such attacks. As a consequence of these studies, we find that it is not worthwhile for the enemy to attempt a blackout attack.

I would also like to add that we have analyzed the Soviet ballistic missile defense around Moscow. We know how many missiles we would have to expend to make a blackout attack on their radars. We have decided that isn't a profitable venture either. We propose to go through that system by sheer exhaustion of the defense.

Several Senators addressed the chair.

Mr. STENNIS. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Mississippi has the floor.

Mr. STENNIS. The Senator from Kentucky has been waiting about an hour. He is the author of the amendment. I would like to yield to him.

The PRESIDING OFFICER. The Senator from Missouri yielded the floor, and the Chair then recognized the Senator from Mississippi.

Mr. SYMINGTON. Will the Senator from Kentucky yield to me?

Mr. STENNIS. Just a minute, Mr. President. I still have the floor.

Mr. SYMINGTON. I beg the Senator's pardon.

Mr. STENNIS. I will yield the Senator 5 minutes, or even 10 minutes, later, but I want to get to the Senator from Kentucky (Mr. COOPER) and to the Senator from Michigan (Mr. HART).

Mr. SYMINGTON. Mr. President, I would like to get to the Senator from Kentucky also. I have great respect for him; in fact I would not be present on the floor if he had not suggested I come over this afternoon. I did not know he was waiting, having not been here all the time.

Mr. STENNIS. Very well.

Mr. President, I yield for a reasonable time to the Senator from Missouri.

Mr. SYMINGTON. First, with respect to the matter just raised by the distinguished Senator from Texas, to the best of my knowledge it is not covered in any of the reports in question. Second, the report made by the Institute of Defense Analysis, I am told by the staff, was made in 1966 and delivered to the Pentagon in 1967. Third, the report made by Aerospace is dated 1968.

There is one other matter I would raise Mr. President; then I shall be through. We talk a lot about scientists and engineers, and technical pros and cons; but anyone who has any connection with the Pentagon knows there are many people in that building who are not in sympathy with deployment now of this proposed ABM system. It is not a scientific matter entirely. It must operate when it is installed. That is another reason why I thought it might be valuable to review these reports, so we could find out in a more practical way, perhaps, why it is there are people in the Defense Department who do not think now is the time to deploy.

Mr. President, I thank the Senator from Mississippi for yielding.

Mr. STENNIS. I was glad to yield to the Senator.

Mr. President, I yield now to the Senator from Kentucky. I suggest that the Senator from Kentucky obtain the floor in his own right. I yield the floor, Mr. President.

Mr. COOPER. Mr. President, I have no desire to interrupt my friend the Senator from Missouri. I want to come back to this issue of when a vote shall be taken, and I know the Senator from Michigan will join me.

The PRESIDING OFFICER. The Chair recognizes the Senator from Kentucky.

Mr. COOPER. The issue has been debated in the country, now, for more than a year. The debate in the Senate on the pending bill is now entering its fourth week. I should like to say, however, that I do not think there has been any unusual delay in reaching a decision on this amendment. It does have some importance. From the standpoint of costs, it involves a first phase cost of about $2 billion; and a phase 2 cost of $10.8 billion, and many competent scientists believe it will go far beyond that to $30 or $40 billion dollars.

The amendment is important to the security of the country, and to the arms talks. So I do not consider that time has been lost. During the first week, the sponsors of the bill had the obligation to explain their views not only on the ABM issue, but to explain on the entire bill. During the second week, there was no burden upon us to bring up the amendment: the moon shot occupied attention for 2 days, at least, and no debate was possible. Last week Senator HART brought up the amendment.

If one looks at the RECORD, he will find that many Members of the Senate have spoken for the amendment and have entered into the debate. If the debate has been, as is said, slow, I do not think it can be charged against our efforts to try to bring out the information we believe necessary for judgment. We have tried.

Mr. FULBRIGHT. Mr. President, will the Senator yield on that point?

Mr. COOPER. I yield.

Mr. FULBRIGHT. This has special reference to what the Senator from Missouri was saying. I do not wish to delay the vote, but the culprit seems to be me at this point.

On May 16, I wrote a letter to the Secretary of Defense, Mr. Laird, of which I shall read the first paragraph:

I understand that the Institute for Defense Analyses has prepared a paper, No. N-619, which is entitled: "Soviet First-Strike Counterforce Capability—Fact or Fiction." Will you please provide the Committee with a copy of that document?

They replied on June 2—Senators will note that they usually reply about 2 or 3 weeks later—and politely declined to furnish it. They said:

In summary, an IDA Internal Note is an internal working document for staff review, comment and criticism and is neither intended nor suitable for external distribution.

I have had this kind of response time and again from the Department of Defense. Sometimes, when the Senator from Missouri or a member of the Committee on Armed Services joins in a request, I get them, and many times I do not get them. In the same letter, I also requested a copy of the "Command and Control" study, going back to the Gulf of Tonkin. They did not then, nor have they yet, supplied it.

These are reports paid for by the taxpayers, material supplied by IDA or similar organizations, but they have refused to make them available, though finally after much effort, as the Senator from Missouri has stated, he sometimes will get one, or if the chairman of the Committee on Armed Services orders the Defense Department to make them available, as the Senator from Georgia once did in the case of the Gulf of Tonkin, we get them.

But I do not accept the idea that we are delaying the vote, when we are dealing with a matter of this importance, for the Department of Defense has no compunction about classifying anything they think is unfavorable to their position. I do not think we have delayed. I think a matter of this weight is entitled to much greater time for debate; and if there is anything further that I think we need, I shall not agree to a vote. I have already made it plain that I shall not agree to a vote on Thursday or Friday of this week. We will need to see what the hearings reveal on Wednesday.

It may be that nothing further will be revealed that has not already been revealed. Then I shall be willing to vote. I think the sensible thing to do would be to dispose of the tax matter—as I am prepared to do—and then to revert to this bill after the tax bill has been disposed of.

Mr. COOPER. Mr. President, the Senator from Michigan (Mr. HART) and I believe that as we are the original sponsors of the amendment; we have the duty to bring the issue to a decision. We have brought the question of

agreeing upon a time to vote, to the floor of the Senate so that Senators could state their views. Both of us are willing to move toward a vote on the amendment as quickly as possible. But it is the right of other Senators who believe that they need more time to object. We are at least arriving at some idea as to when the Senate can vote.

We knew, and so stated so on the floor last Friday, that the Senator from Tennessee (Mr. GORE) would hold a hearing and that he would not want a vote until after the hearing.

Certain other questions had been raised about information. One question arose after the closed hearing. We were advised on that day that we would have last-minute intelligence. We heard the most recent intelligence. Certainly we would not and do not question the credibility of Senators who offered the information, but we had no opportunity to go to the sources until the closed hearing was over. Whatever impression it carried had been made.

Several Senators said—at least one of them is in the Chamber today—that they had not finally decided until they had heard certain evidence which was given at the closed session. But those of us who oppose deployment had never heard the last-minute intelligence—until the closed hearing. We had no opportunity to challenge its meaning.

A statement by the Secretary of Defense before the House Subcommittee on Appropriations was amplified in last-minute intelligence offered in the closed hearings. Its meaning could have influenced Senators. Later I wrote to Secretary Laird and Dr. Foster and questioned them on the subjects, one of which was submarines. I received letters with answers to some of my questions, but not answering my questions on submarines.

Officials from the Department of Defense and the CIA came to my office and talked to me about the new information we had received in the closed session. I must say that their reports were in harmony, but on the subject, for which I had requested information—submarines—one could form a judgment either way. I asked, "Can you make a categorical statement that this fact is correct?"

The answer was, "No, but it is our judgment, based on certain phenomena, that it is correct."

So one could make his judgment either way.

The reports of intelligence, and their elusive nature is one of the problems we have faced in this debate. This has been brought out in the discussions on the floor of the Senate last Friday and today.

My position is the same, and I am sure that the distinguished Senator from Michigan (Mr. HART) will agree with me. We want to keep working every day toward a vote. If the tax matter comes up—and it is of great importance, as far as I am concerned—I would consider laying our amendment aside temporarily. However, I do not want to lay it aside on any other proposition, because if we were to do that, it would be necessary to start over again.

Mr. TOWER. Mr. President, will the Senator yield for a brief parliamentary inquiry?

Mr. COOPER. I will yield in a moment. I believe—and I know—that the matter of this last-minute intelligence has had a strong inhibiting effect on the matter of bringing the debate to a close.

Mr. TOWER. Mr. President, will the Senator yield for a brief parliamentary inquiry?

Mr. COOPER. I yield.

The PRESIDING OFFICER. The Senator will state it.

Mr. TOWER. Mr. President, cannot any Member of the Senate, when recognized, offer a motion to table a pending amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. TOWER. And if that motion is made, then it is not debatable and the vote must immediately ensue on the motion to table?

The PRESIDING OFFICER. The Senator is correct.

Mr. COOPER. Mr. President, I do not yield the floor for that purpose.

Mr. TOWER. Mr. President, for the benefit of the Senator, I might say that serious consideration is being given by some Senators to the possibility of offering such a motion on Wednesday or Thursday.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. STENNIS. Mr. President, I certainly hope that there will not be such a motion until after prior notice has been given for a certain reasonable time within which every Senator may have his say and debate the matter.

I am sure that the Senator from Texas does not want this done by surprise. We do not want anything like that done without notice.

Mr. TOWER. Adequate notice will be given.

Mr. HART. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. HART. Mr. President, the Senator from Kentucky has described very well our motive last Friday in undertaking to develop the possibility of arriving at a time for a vote and in reviewing the discussion this afternoon.

I rather think in view of the concern of the Senator from Tennessee and the pendency of the matter, I assume in executive session, in the subcommittee on Wednesday, that until that matter has concluded, none of us would push for a date certain.

We would all recognize the necessity and obligation to give the Senator from Tennessee an opportunity to develop whatever record there may be on Wednesday. We could then renew our discussion here.

The Senator from Kentucky has described exactly how we who offer the amendment feel. We are anxious to see the amendment go forward to a vote and that any debate that any Senator believes to be relevant to a prudent decision is available.

I am sure that no one would want the Senate to act after having notice that such a report is in existence until we have had that opportunity.

Those of us who support the amendment have the deep conviction that the deployment of the ABM system at this time would be wrong.

For that reason we would hope to win when we have a vote. However, more importantly, we hope that the vote will be the action that is correct and in our national interest.

A few days to insure that that is done is time well spent.

Mr. CASE. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. CASE. Mr. President, as the ranking minority member of the Gore subcommittee, I second the concern of our chairman and the concern of the Senator from Missouri, a member of the full committee, that we not set a time for any vote on this vital amendment until we are quite sure we have all the information that bears upon this question.

I appreciate, therefore, the assurance of the Senator from Michigan and the Senator from Mississippi on this point.

So far as the suggestion of a motion to table is concerned, I am satisfied that no matter what position the majority of the Senators might take on the final substantive question, the overwhelming majority would defeat a motion to table which they regarded as untimely because sufficient time for all information to be available had not been allowed.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. AIKEN. Mr. President, I hope that no one would be so shortsighted as to make a motion to table the Cooper-Hart amendment. That motion certainly would not carry. And if it were to carry, it would virtually assure the introduction of 100 other amendments which would mean that the debate would run on and on—until no one would know when it would conclude.

There is one question that I should like to ask the Senator from Kentucky. I have been hopeful that we might find some advantages for the civilian economy, with the ABM radar and computer systems.

I virtually had given up on that hope because of the great cost of the radars that have been proposed. I think the cost is estimated to be in the neighborhood of $100 million each. However, there will be other uses for these systems in the Defense Establishment.

Has the Senator from Kentucky found any alternative uses for the ABM radar?

Mr. COOPER. Mr. President, I am not an authority on this matter. I did make inquiry from scientists at the most respected laboratories concerned with radar whose names are well known in the radar field. Dr. Ruina is one.

Dr. Ruina informed me that the use of these radars in nondefense areas, would be prohibitive in cost. For example, radars used for air traffic control are about as large and expensive as any radars applied to civil uses, and their cost is only on the order of a million dollars. The cost of the MSR and PAR are

about 100 times greater. My inquiries revealed that the PARS and MSRS could be used for certain other functions such as early warning, observation of United States or Soviet missile tests, as an addition to the BMEWS and for satellite tracking.

Mr. AIKEN. Mr. President, as I understand it, there are six or seven uses to be made of the radars, in addition to being a component part of the ABM system.

Mr. COOPER. The Senator is correct.

Mr. AIKEN. Therefore, if the research and development work is carried on, the cost would not be a total loss in the event it turned out to be unadaptable to the ABM system alone. I think that is important.

Mr. COOPER. They could be used in several ways, should the Safeguard system never be deployed. For this reason research and development on the radars at recognized test sites would not be a loss to the military security of this Nation. Even if they are superseded, as now seems likely, we could put them to some constructive use.

Mr. AIKEN. Mr. President, so many of us are not only willing, but are also anxious to have the research and development work go on. However, we want reasonable assurance that the results of that research and development work will have some major value to our defense system, and hopefully, to our economic system.

Mr. COOPER. Mr. President, without question, Dr. Ruina said that we could make some use of the radars even if we decide never to deploy the system.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. PERCY. Mr. President, while the distinguished Senator from Mississippi is on the floor, I would like to comment on one portion of the comments of the Senator from Kentucky.

I would like to move forward with dispatch on the ABM vote. We all agree that the debate has been exceedingly informative and useful. There has not been a day gone by without a major speech being given by both proponents and opponents.

I think that we have learned a great deal. I think we would all want to have every bit of time that is necessary. As far as I am concerned, I would be ready to vote tomorrow or Friday. I think that I have all the information I need. On the other hand, I would want to be cognizant of the fact that there may be new information that has not yet been revealed.

I have seen no dilatory tactics of any kind, any place. We recognize the urgency of moving ahead.

When the distinguished Senator from Kentucky said he would be willing to set aside his amendment for the surtax bill, I think this is exceedingly important to the Committee on Armed Services. I do not know anyone who is a bigger purchaser in America and who would be more adversely affected by the inflationary spiral we have today. In one month we have had an increase in the cost of living of six-tenths of 1 percent, and if the Defense Department budget reflects this increase, it is costing the military services a half-billion dollars a month in just paper for which they are not getting any value. The value of the military appropriation is dwindling that rapidly.

Though the surtax is not a perfect answer for inflation, I will try on Wednesday to answer my distinguished colleague, the Senator from Missouri, on his question as to whether it has had any effect at all. I think it has had an effect in slowing down the gross national product and the growth of the economy. I can only ask. What would we have had for an inflationary spiral and growth if we had not imposed the surtax?

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. PERCY. I should like to complete my remarks.

To show the crisis we are in today in interest costs, which is a reflection of inflation, I point to last week, when the State of Connecticut, on triple A bonds, paid the highest interest cost that has ever been recorded in history. Last Thursday the State of Illinois tried to float a $48 million bond issue to finance higher education—double A bonds—and we could not get a single municipal bond dealer or banking company in this country to bid on those bonds.

Because of the demand for credit, we know that interest rates probably should go higher than they are right now; yet we know the distortions that that action would have.

So this problem of inflation is the only one I can see that would be cause for setting aside this very important debate on bringing the ABM issue to a vote as quickly as we can; as well as the rest of this military bill. We want to move forward, but that one exception, I think, is warranted by the circumstances that I see.

I yield to the distinguished Senator from Missouri.

The PRESIDING OFFICER. The Senator from Kentucky has the floor.

Mr. COOPER. I yield to the Senator from Missouri.

Mr. SYMINGTON. Let me assure the distinguished Senator from Illinois that when I asked questions of the Senator from Delaware it was with recognition that no one on the floor is more capable of discussing fiscal and monetary problems than the distinguished ranking minority member of the Committee on Finance. In asking questions, I was not taking a position, rather wanted to know from him whether or not he thought if we did this, we could control inflation. I know the Senator from Illinois will agree with me that if we extend the surcharge and it does not control the growing inflation, we will have to adopt something additional.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. JAVITS. We seem to be deadlocked on both sides, in the ABM and in the surtax. The American system has a way, when it seems that you are up against a brick wall, of showing a way out or causing you to take a way out, and it generally comes from the public, the press, and our own consciences.

I back the Senators who are sponsoring this amendment. I am a member of the Committee on Foreign Relations. I think they are absolutely right. We ought to vote on this Tuesday or Wednesday.

It is my conviction that we should deal with the surtax this week, so urgent is that. I do not think the matter should be set aside for anything but the surtax.

I can only express these things as the optimum way to proceed, because I do feel that under the American system, between now and tomorrow and the next day, it will bear in on us that we have to do what we have to do, and the positions which now seem so firmly fixed will yield, as they always have yielded, to the higher patriotic duty and responsibility which are involved.

Mr. COOPER. The Senator is always wise. I wish to clarify one thing I said earlier. In talking about laying this amendment aside for the surtax, I said I was simply expressing my own view. Of course, I would not agree to anything like that without conferring with the Senator from Michigan and those who support this amendment. But I do not want to see this laid aside for some other subject. I believe, with the Senator from New York, that after these hearings are held, we should fix a date and vote on this amendment. We cannot do it the latter part of this week.

Mr. JAVITS. May I make a suggestion?

Mr. HART. Let me thank the Senator from Kentucky for taking me off the hook. That was not a joint decision of the offerers of the amendment with respect to putting it aside for the surtax.

As I listened to the discussion about the inflationary fires that have to be banked by the surtax and that the Defense Department is the biggest sufferer from inflation, it occurred to me that it is also the biggest contributor to inflation; and if we had been doing this kind of work for the last couple of years, we would not need a surtax.

Mr. JAVITS. It may be that if the unanimous consent were arrived at tomorrow or the next day with respect to voting next week on the Cooper-Hart amendment, that would cause people to feel that the door is open to acting on the surtax this week. I make that as a suggestion, most respectfully.

Mr. HOLLAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Kentucky yield the floor?

Mr. COOPER. I yield, yes.

Mr. HOLLAND. Mr. President, I just want to say that here is one Senator who has been waiting a long time to vote against this amendment, has been waiting a long time to vote for the ABM program and to vote for this bill, has been waiting a long time to vote for the surtax extension, and he cannot understand these proceedings as being other than dilatory. The Senator from Florida has been through several so-called filibusters himself. He thinks he knows a filibuster when he sees it. He thinks he has seen a very skillful one in this very long, drawn-out debate. He wants the RECORD to show that he recognizes it as a filibuster, and he hopes there will be a chance given to vote on this amendment in the next couple of days.

The Senator from Florida wants to call attention to the fact that the surtax is in the wings and should be voted, and I think it is the patriotic duty of Congress to extend the surtax.

The second thing he wants to call attention to is that we are at the 28th of July. We have not passed a single appropriation bill that has gone to the President. We are talking about a vacation beginning August 13, for 3 weeks. We have not done anything worthy of the name up to now in this session, which has extended nearly 7 months.

The Senator from Florida just wants it to be clearly understood that this is a filibuster. He heard the Senator from Vermont, who has been in the Senate even longer than he, say a short time ago that if a motion was made and carried, it would mean that there would be 100 other amendments and that the debate would extend on and on and on and on. I believe those are the exact words used by the distinguished Senator from Vermont.

The Senator from Florida just wants to ask his friends to please bring this thing to an end; to leave the Senate in a position to determine this business, which is simply an authorization; to leave the Senate in the position to pass the surtax bill; and I hope to set aside the plan for vacation, when we have not passed a single appropriation bill for the current fiscal year that has been sent to the President.

Let us not have this continuous debate. If Senators want to have a filibuster, the Senator from Florida is not going to say that cannot be done; but he wants it to be clear in the RECORD, and the people to understand it, that that is what is going on.

I thank the Senator for yielding.

Mr. COOPER. I say to the Senator from Florida that that may be his view; it is not mine; and the fact that he announces it to the public does not make it a filibuster. I have gone through this about four times now, and I will do it again.

The first week certainly was the week during which the Senator from Mississippi presented the bill. The bill does not include only the ABM. Many other programs are included in the bill. Altogether it is a $20 billion bill. During the first few days the chairman was supported by quite a few Senators who are members of the committee. The next week a great many Senators were in the State of the Senator from Florida. Many of them were there for 2 days, and properly so. I do not believe we could put our minds on anything at that time except the beginning of that great trip to the moon. Monday was a holiday and the next day the Senator from Michigan introduced our amendment.

I do not consider that we have been in a long and useless debate in connection with the matter. This is an important debate. It involves the possible expenditure of at least $10 billion and many persons believe it will involve billions of dollars. It also involves the security of our country. The measure involves not only our security but also it deals with peace. It is not a simple measure.

The fact that the Senator from Florida calls it an authorization bill is not very descriptive of the amendment, in my view. Nevertheless, the Senator from Michigan and I are ready day after day to be here and to use our best efforts to arrive at a vote. We hope the vote will be the latter part of this week.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. HOLLAND. Mr. President, I do not object to the Senator continuing to speak. I have frequently spoken myself in filibusters. I think I know one when I see it.

Mr. COOPER. I must say I have joined the Senator.

Mr. HOLLAND. The fact that the Senator and his associates are willing to speak on and on and on indicates that they are engaged in a filibuster. I want to indicate that is what we are faced with.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. STENNIS. Mr. President, I appreciate the remarks of the Senator from Florida and his concern about the business of the Senate, and that this matter move along as well as the tax bill.

It is a fact that I have had many conferences with the Senator from Kentucky and the Senator from Michigan. Without any exception they have wanted to get their amendment to a vote and they have been ready and have gone to any length they could in cooperating on that score.

Mr. HOLLAND. Are they ready to vote now?

Mr. STENNIS. I think they are. I do not speak for them. However, they have come to the Chamber repeatedly for colloquies to see if we could get an arrangement to vote, and they did so today. We came here at 3 o'clock today for that purpose. I am sure that is their position. The matter is held up, nevertheless, and the Senator will address himself to that.

Mr. HOLLAND. The Senator from Florida is perfectly willing for Senators to talk, but he wants it understood that if they want to vote, he believes the Senate is ready to vote and as long as they keep talking when they say they are ready to vote, they are filibustering.

Mr. STENNIS. I appreciate the fact that the Senator is trying to get the Senate moving and I commend him for it.

Mr. HART. Mr. President, I appreciate very much the comments of our able committee chairman, the distinguished Senator from Mississippi (Mr. STENNIS).

I would be a little reluctant to quarrel with the distinguished Senator from Florida when he identifies our discussion as a filibuster. He is a better practitioner of that brand of medicine than the Senator from Kentucky or the Senator from Michigan.

Mr. HOLLAND. I thank the Senator.

Mr. HART. But I suggest in this case he ought to go back to the medical books. He is misreading some of the symptoms.

As the Senator from Mississippi said, the Senator from Kentucky and I have been here several days, not to filibuster, but to see if we could get a time to vote.

PROGRAM FOR TUESDAY

Mr. TOWER. Mr. President, I wish to ask the distinguished Senator from West Virginia what time the Senate will convene tomorrow.

Mr. BYRD of West Virginia. Under the order of Friday, July 25, 1969, the Senate will convene at 11 o'clock tomorrow morning.

Immediately following the prayer and disposition of the Journal the able Senator from New Hampshire (Mr. COTTON) will be recognized for 2½ hours, during which he and the able Senator from South Carolina (Mr. HOLLINGS) will discuss in executive session the nomination on the Executive Calendar, to wit, Carl J. Gilbert, of Massachusetts, to be Special Representative for Trade Negotiations, with the rank of Ambassador.

There is a likelihood that there may be a rollcall vote at the conclusion of the 2½ hours.

Mr. TOWER. Will the morning hour then follow the 2½ hours allotted to the Senators indicated?

Mr. BYRD of West Virginia. I do not recall that any request has been made that there be a period for the transaction of routine morning business, but that would pose no problem. I am sure we could have such a period if the Senator wishes.

Mr. TOWER. I thank the Senator.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that tomorrow, immediately following the disposition of the nomination on the Executive Calendar, there be a period for the transaction of routine morning business, for not to exceed 30 minutes, with statements made therein to be limited to 3 minutes.

The PRESIDING OFFICER (Mr. CRANSTON in the chair). Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order of Friday, July 25, 1969, that the Senate stand in adjournment until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 20 minutes p.m.) the Senate adjourned until Tuesday, July 29, 1969, at 11 o'clock a.m.

EXTENSIONS OF REMARKS

CHEROKEES HONOR GENERAL COUNSEL EARL BOYD PIERCE

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. EDMONDSON. Mr. Speaker, I was delighted to learn, in a recent edition of the Cherokee Nation News, of an honor extended to one of my distinguished constituents, the general counsel for the Cherokee Tribe, Earl Boyd Pierce, of Muskogee, Okla.

Mr. Pierce, one of Oklahoma's ablest trial lawyers and a recognized authority on Cherokee history, was honored with an appreciation dinner at the Restaurant of the Cherokees. The text of the Cherokee Nation News article reporting the occasion follows:

THE "COUNTRY LAWYER" IS HONORED BY CHEROKEES

(By Mrs. Anna Kilpatrick)

It could have easily been a birthday party for Mr. Earl Boyd Pierce, when a group of his co-workers surprised him and Mrs. Pierce with an appreciation gift and a dinner at the restaurant of the Cherokees on Monday evening—complete with his favorite dessert, a cherry cobbler. But as it was not his birthday, it turned out that his co-workers and friends felt in their hearts that Mr. Pierce had done a tremendous job in his capacity, appointed by Chief W. W. Keeler as chairman of the Provisional Committee in keeping the Cherokee Nation in continued progress the past five months while a general business manager was sought, and they wanted to thank Mr. Pierce in a small way for the tremendous job, thus the dinner.

Mr. Pierce, a highly regarded lawyer in our country, born and reared in Fort Gibson and with Cherokee Roll No. (Minor) 2609, is a Cherokee historian, and a master of the Cherokee law as well as an eloquent speaker.

It was Mr. Pierce's long, patient labor with his brother attorneys that finally resulted in the $14 million payment to the Cherokees for their land.

While Mr. Pierce was in charge of the Cherokee Nation, the Cherokee Nation Housing program continued its full activity in building low-cost homes for our Cherokees, the Cherokee Store House acquired much clothing and canned goods for the Cherokees who are in need, the Cherokee Arts and Crafts program made strides in its expansion; the second Arts and Crafts store will open soon at Catoosa, Oklahoma. The Cherokees' land, buildings and monetary values were carefully looked after. The "open door" policy of Chief Keeler was practiced so the faith and confidence in our programs among our Cherokees were re-established. The heart of every Cherokee felt proud of the added beauty created by the planting of the shrubbery around the Cherokee Nation Complex. Indeed, Chief Keeler had confidence in Mr. Pierce when he appointed him to see that the Cherokee Nation remain a nation proud of its great heritage.

Therefore, it was for these reasons and more that the co-workers and friends of Mr. Earl Boyd Pierce wanted to honor their "Country Lawyer" and a great Cherokee.

Bob Stopp, the new general manager of the Cherokee Nation, assumed his duties today. Mr. Pierce, after finishing some unfinished paper work, will leave for Washington on Tribal business.

UNITED STATES NEEDS BIT OF McCARTHYISM

HON. KARL E. MUNDT

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Monday, July 28, 1969

Mr. MUNDT. Mr. President, indicative of our changing times, and the fact that many Americans who had almost seemed to forget the menace of communism here at home are now reexamining our current scene with a new sense of realism, is an editorial recently written by highly regarded Fred C. Christopherson, of the Daily Argus Leader, and published in that widely read newspaper of the Upper Midwest. It is entitled "United States Needs Bit of McCarthyism."

Having known Mr. Christopherson intimately for more than 35 years, I know he was not an uncritical supporter of the former Wisconsin Senator, but I also know he realizes that the domestic perils of communism, of which Joe McCarthy talked so much, are still with us, were with us at the time of McCarthy's activities, and will continue to endanger our way of life until and unless more Americans come to grips with the realities of today's manifestations of serious dissension and revolt.

Mr. President, perhaps it is time once again for the House Committee on Un-American Activities under its new name and the Senate Internal Security Committee under its old name to reactivate programs of public hearings and private investigation to inform fully many naive Americans who seem unaware of the extent to which the Communist agents and their dupes here at home are still trying to tear down the great free institutions which have meant so much to many for so long here in our beloved United States of America.

I ask unanimous consent that the Christopherson editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

UNITED STATES NEEDS BIT OF MCCARTHYISM

Ever since the days of the late Sen. Joe McCarthy, it has been fashionable in pseudo-intellectual circles to belittle charges of any signs of Communist infiltration in the United States.

Such pseudo-intellectuals quickly pounce on persons who are bold enough—and, might I might add, wise enough—to suggest that Communists may be fostering disorder in this country. They call them witch hunters, assassins of civil liberties and nervous Nellies who aren't fit to be members of their elite society.

So frequent and vicious have been their assaults that many persons have been intimidated to the point that they have been reluctant to voice fears based upon developments.

This is an unhappy situation and one, unfortunately, that is made to order for those whose ambition it is to undermine the foundations of the American government. Under this protective shield, they can work extensively and effectively.

And that is what they are doing on a much broader scale than many realize.

HOOVER POINTS IT OUT

Director J. Edgar Hoover of the FBI, however, is one sturdy American who hasn't been intimidated. In report after report, he has directed attention to evidence of subtle Communist maneuvering behind countless episodes on the campuses of the nation, in some labor unions, in city rioting and in other manifestations directly contrary to the traditional pattern of the American way.

Because Hoover is held in such high esteem by many, the critics are hesitant to make a frontal attack on him. Instead they attack him indirectly and seek to minimize the extent of his findings. Meanwhile they continue their loud clamor and broadcast the cry of "McCarthyism" against others who refer to Communist influence in the promotion of unsavory incidents.

In consequence, the nation hasn't given the attention it should to internal security and to the erection of safeguards to prevent erosion of our vitality from the inside. The undermining process has gone forward so vigorously that many naive persons seem to feel that it is a mark of stupid provincialism to respect the flag and a sign of intellectual prowess to besmirch it.

SHREWD AGENTS AT WORK

This is another issue of significant importance that should be approached by thoughtful Americans with a full understanding of what it means. Evidence developed by Director Hoover should be appraised for what it is worth and what it means. And let us not for a moment be diverted from a proper campaign against internal sabotage by detractors who are either evil by intent or by guile.

Let us bear in mind that the international representatives of the Communists are shrewd and skilled operators. They have had long years of training and know all the tricks of propaganda and deception. They know how to capture the minds of the unwary. They understand well how to exploit the fears and the frustrations of the underprivileged and the distressed. They are also clever and adept in concealing their identity and in working surreptitiously far in the background.

A REAL THREAT

It is true that Joe McCarthy may have been guilty of excesses. It is also true that he may have operated in too much of a shotgun fashion.

But it is also true—very emphatically so—that he started out to do something that should be done. That was to bolster the American defenses against the enemy within.

As of today, the nation has gone much too far in the direction of a movement of anti-McCarthyism, so much so that an acute danger exists. What we need is a revival of a crusading spirit in behalf of stout and sturdy Americanism, coupled with a genuinely intellectual appraisal of forces arrayed against us both inside and outside of America.

Let us preserve normal civil rights. But let us also preserve the structure that makes it possible for Americans to enjoy the greatest freedom accorded to individuals in any nation on the face of the earth.

AMERICA'S ENERGY YESTERDAY, TODAY, AND TOMORROW

HON. ED FOREMAN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. FOREMAN. Mr. Speaker, sometimes the lack of reasonable understanding can be the cause of grievous injustice—not only in the social realm but in the economic realm as well. Recently, in answer to an elementary school classroom quiz, an imaginative little fellow replied:

Petroleum is a rich source of horse power—

And, he continued—

One horse power is the amount of energy needed to drag a dead horse 500 feet in 1 second.

Regretfully, this is comparable to the amount of understanding some people have about the vitally important domestic petroleum industry in the United States today.

Important issues affecting the petroleum industry are now the focus of more public attention—in the news media and in Congress—than for many years.

Wholesale tax reform plans have made tax provisions related to the petroleum industry, such as percentage depletion, the subject of widespread discussion and comments. A petition to allow a special import quota for a proposed refinery in Maine has brought about a Presidential commission to review the entire oil import control program. Prices of crude oil, natural gas, and petroleum products are in the spotlight.

The serious problems of the petroleum industry concern all of our citizens because they affect our Nation's energy supply and, indeed, our overall national security. Although the industry has seemed on the defensive in relation to these problems, the facts show that from the key standpoint of best serving the vital interests of our Nation and petroleum consumers, the industry has a strong and justified position on every one of them. Permit me to briefly outline some of the important aspects of the petroleum industry issues—and to encourage you, if you will, to look more deeply into them and examine them carefully.

Critics attack percentage depletion as one of several tax provisions alleged to be "loopholes." It is not a loophole at all—it is simply a depreciation allowance on a depleting capital asset.

Minerals, such as petroleum, by nature have a duel character. In the earth, they are part of their owner's capital assets. When produced and sold, part of the value received represents capital, and part income, making it difficult to establish an equitable taxation basis. In keeping with the basic principle that income, but not capital, should be taxed, Congress adopted the principle of percentage depletion which today applies to over 100 minerals, including oil and gas, as a means of fairly taxing the income derived by extractive industries.

A compelling reason for adoption of percentage depletion was to supply an incentive for owners of capital to accept the great risks involved in the search for and development of mineral resources which are so essential to our economy and security. History shows the incentive has worked well in achieving its purpose. It would be risky to discard or weaken a system which has worked well over a long period of years in supplying petroleum and other essential minerals.

Critics maintain that the oil industry does not pay its fair share of taxes. This simply is not true. In addition to income taxes, the petroleum industry pays a number of other direct taxes. One of these, the severance tax, is paid only by industries which extract natural resources. The fact is that in 1966—the latest year for which figures are available—the oil industry paid $2.5 billion in direct taxes, which amounted to 5.1 cents for every dollar of gross revenue. The direct tax burden for all U.S. business corporations was only about 4.5 cents per dollar of gross revenue, or about 10 percent less than petroleum's.

Percentage depletion has benefited the consumer by helping keep petroleum prices low. In fact, the price per gallon of gasoline today, before the taxes levied at the service station pumps, are the same as the price in 1948. This is even more impressive, when you consider the many improvements made to increase the delivery performance of a gallon of today's gasoline as compared to the gasoline of 1948.

That the consumer is the beneficiary is clearly shown by the oil industry's profit record. According to figures compiled by the First National City Bank of New York, from 1925—the first year's taxes to come under percentage depletion—through 1966, petroleum company earnings after taxes averaged 9.9 percent of invested capital. By comparison, the figure for all manufacturing companies was 10.7 percent. In 1966, this comparison was petroleum companies 12.6 percent, and all manufacturing companies 14.1 percent. Of the 25 leading U.S. industrial corporations on the basis of sales, seven are petroleum companies. But not one of these petroleum companies is in the first 75 on the basis of return on invested capital.

Critics charge that because of the percentage depletion provision, petroleum producers recover their costs many times over. The fact is that although the oil industry realizes about $1 billion a year through the operation of this provision, it invests about $5 billion a year in the United States in searching for and developing new petroleum reserves.

The principal objective of the oil import control program is to help insure our national security. Unlimited importation of oil would discourage exploration and drilling efforts of the domestic petroleum industry and critically impair its ability to supply our national demands when foreign sources were cut off. In the event of another international war, which, considering the nuclear standoff of the major powers, could well be nonnuclear and of long duration, the position of the United States would be critical. To realize the danger in relying on foreign oil, we have only to recall that oil movements through the Suez Canal have been cut off twice in the past 15 years.

Another result of inadequate import controls would be a weakening of our national economy due to the decline of the domestic petroleum industry. The economic impact would be felt by numerous levels of government deprived of tax revenue, and by several industries and thousands of small businessmen who rely on a healthy petroleum business for their existence. The outflow of capital to other nations, resulting from increased emphasis on exploration outside the United States and payments for increased imports of foreign oil, could seriously damage our Nations balance-of-payments positions and thus further weaken our economy.

Weakening both our national security and economy is a high price to pay for what would amount at best to only a small savings for consumers in prices of petroleum products. Moreover, the savings to customers would disappear within a short period of time. Already 21 percent of our Nation's oil supply is from foreign sources. If we become dependent on oil from foreign nations we know from experience that the foreign countries would then increase the price of their oil.

Facts show that existing petroleum industry provisions and programs have been working exceedingly well in providing consumers reasonable prices for petroleum products. For 1968, the average price of all items included in the Consumers Price Index had risen 21 percent over the 1957–59 base period. Yet the average nationwide retail price of gasoline in 1968, exclusive of taxes, was only 6 percent higher thar. the 1957–59 average. The price of crude oil in 1968 was 2 percent lower.

A person cannot properly evaluate the critical significance to our national interests of the factors which I have discussed here by examining them only one at a time. They must be considered as a combination in relation to the effect on our Nation's energy policy. For what is of overriding importance to the national interest is the net effect of all of these factors in fulfilling huge coming demands for petroleum.

Petroleum—oil and gas—supplies 75 percent of our Nation's energy needs. The U.S. Government predicts that demand for petroleum will rise by 50 percent of current levels by 1980 and will more than double between now and the end of the century. Yet, despite the coming requirements, proved domestic reserves of crude oil declined during the 1968 for the second year in a row and now stand at the lowest level in 10 years.

As for natural gas, exploratory drilling for this vital energy source in the United States has declined by over one-half in the past 10 years, mainly because Federal regulation of natural gas producers has kept natural gas prices unrealistically low. Since 1954, the year Federal regulation of producers began, the ratio of natural gas reserves to annual production has declined from 23 to 1 to less than 15 to 1. In 1968, for the first time in history, U.S. natural gas production exceeded new reserves added, and total proved reserves of this resource declined. In a statement to a congressional subcommittee this past April, John

F. O'Leary, Director of the U.S. Bureau of Mines, said:

We are beginning to discern already the outlines of a major shortage of natural gas.

In response to questioning in the hearing, he estimated that by next winter natural gas distributors will be unable to provide service to new customers because of supply shortage.

Speaking from a more personal point of view, Mr. Speaker, practically every single State in the Union, and a very large percentage of the congressional districts, would be adversely affected economically if we were to alter these long-proven, time-honored tax principles on the same 100 extractive industries. In my own State of New Mexico, we have substantial production in only seven of these industries—copper, manganese ore, molybdenum, perlite, petroleum, potash, and uranium—but alteration of the percentage depletion allowances would severely cripple our tax base from which we derive the income for the construction of our roads, the financing of our schools and educational programs, and other important services.

New Mexico is the sixth largest petroleum-producing State with production almost equal to that of Brazil, Chile, and West Germany combined. More than 13,000 New Mexicans are employed in some phase of the petroleum industry. Their payrolls amount to almost $73 million annually, or $73 for every man, woman, and child in the State. The petroleum industry spends almost $274 million annually for production supplies and equipment in New Mexico. Last year, oil and gas operations paid $60,130,000 in direct revenues to the State—not counting local taxes or approximately one-fourth of all New Mexico State tax revenues.

A careful examination of our past experiences indicates that certainly we must at least maintain these proven incentives and tax principles, not reduce them, if our Nation is to have sufficient, reasonably priced, reliable supplies of petroleum essential to its future security and economic strength.

JUVENILE COURT PROCEDURE—EXCERPTS FROM ADDRESS BY ASSOCIATE JUVENILE COURT JUDGE ORMAN W. KETCHAM

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Monday, July 28, 1969

Mr. MATHIAS. Mr. President, the adjustments in Juvenile Court procedure necessitated by the Gault decision of the Supreme Court have been the subject of some controversy. In a recent speech to the National Institute on Crime and Delinquency, in Boston, Associate Judge Orman W. Ketcham, of the Juvenile Court of the District of Columbia, made worthwhile observations on the value of those changes.

Mr. President, I ask unanimous consent that the excerpts from the speech, published in the Washington Post of July 20, 1969, be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

DUE PROCESS FOR JUVENILES BEATS FOLKSY "JUSTICE"

(By Orman W. Ketcham)

Many cries of havoc have emanated from judges, administrators and social workers in juvenile courts concerning the new and time-consuming burdens that the provision of due process of law for juveniles has occasioned. But the substance of our law should not be dependent upon the administrative convenience of our court system. In most urban courts today, the time devoted to a juvenile's case has become notoriously short. New procedures required by the Gault decision will now assure the juvenile a larger segment of his "day in court."

Those who expound the "parens patriae" philosophy believe that the introduction of due process of law will diminish the informality which has been the juvenile court's hallmark and circumscribe the discretion of the juvenile court judge. True. But those features have been tried and found wanting.

The first result of the advent of due process is to assure the juvenile a judicial hearing the outcome of which is not foreordained. It used to be the boast of the most jingoistic members of the "father knows best" philosophy that less than one-tenth of 1 per cent of all juveniles charged ever denied their offenses. Such a sudden candor and contrition from antisocial and alienated youth are so unbelievable that I submit that juveniles accused of offences in such courts were never given any opportunity to deny the charges. The presumption of their guilt was well-nigh irrebuttable.

A THERAPEUTIC PROCESS

In our American system we take pride in operating a government of laws, not of men. To set an example of this principle, due process of law should afford the juvenile the opportunity to dispute the factual assertions of policemen, school teachers, social workers and even his parents. This is granted not because all such adults are untrustworthy, but because some are.

After a fair and impartial judicial hearing, if the allegations are not accurate, the juvenile has been vindicated through a system of justice which rates high in his esteem. If the facts of the charge are correct, their careful establishment by legal rules will usually convince the juvenile that truth and justice are immutable, rather than dependent upon his cooperation or lack of it.

Either way, I believe that providing a juvenile with his proper day in court is a very therapeutic process which builds respect for law and justice.

The lawyer who represents a juvenile is in an unparalleled position to foster his client's greater understanding of the legal system which is the cement of our society. A boy charged with delinquency for the first time feels very much alone. Whether justifiably or not, he sees police, school authorities, court officials and even sympathetic social workers as demanding, judgmental and often hostile. In many instances, even his parents appear to be critical and antagonistic.

But his attorney, if he properly follows his ethical responsibilities, will be an adult firmly pledged to understand and present the best interests of the juvenile as the boy sees them. Court appointment of a lawyer can create a strong, new impression that the juvenile court law serves the boy, too, and is not just an agent of adult authority.

Providing a juvenile with tangible forms of due process of law, such as an effective and interested attorney, I believe, is a better way of expressing sincere concern for a youth in trouble than offering him a cigarette on his trip to the detention home.

A juvenile who is given effective assistance by his attorney will have the entire legal process explained and interpreted to him: the preadjudication process, the trial, the judge's decision and the dispositional decree. This should, and usually does, enhance the understanding of the youth and his parents of our judicial system and the law of the land.

LESS FOLKSY BUT FAIRER

Before the advent of due process of law in the juvenile court, the only limit which the law placed upon the "parens patriae" power of the judge was the requirement that he act in "the best interests of the juvenile"—a highly subjective and almost unchallengeable maxim. Due process of law now substitutes established legal procedures for unbridled judicial discretion.

Informality and the "arm-round-the-shoulder" approach to juvenile justice are being replaced by an arm's-length due process system of justice. Even adversary proceedings are available upon demand. The results should be less folksy, but lots fairer.

The post-Gault system sharply diminishes the paternalistic attitude of juvenile courts, which has been so hated by a majority of youth. Instead of a juvenile receiving justice (or leniency) as a matter of grace or adult "noblesse oblige," he is now entitled to the equal protection of the law just as an adult would be. An alienated juvenile will be treated as a first-class citizen with a full measure of individual rights.

Instead of the dominant father and the dependent child prototypes, the new philosophical approach stresses both equal opportunity and equal responsibility for each juvenile. Since the stated goal of our socialization and maturation process is the creation of mutual respect between individuals, this new principle of equality may well lay the groundwork for good citizenship which will last long after the relationship between probation officer and juvenile offender is forgotten.

Finally, the guarantee that a juvenile will be counseled by a lawyer (which I believe should be mandatory and unwaiveable) is an assurance of due process of law in itself. A good lawyer protects the interests of his juvenile client at every stage of the proceeding, even unto the treatment stage. For example, if the juvenile offender has an addiction to heroin, his lawyer can insist upon his "right to treatment" rather than settling for incapacitation or incarceration.

The advent of lawyers into the juvenile court also means that more of the organized bar will be indoctrinated in both the techniques and the problems of the court. There is no more powerful advocate of a budgetary cause before a legislature than a convinced lawyer. Hence, a lawyer may not only demand treatment for his client; there is hope that he will also obtain the funds necessary for the long-lacking facilities to rehabilitate youthful offenders and keep the promise of the juvenile court compact.

One of the canards most frequently stated about the introduction of due process of law into juvenile courts is that the juvenile is prevented from receiving the rehabilitative treatment he needs to save him from a criminal career. This begs several questions. An attorney for such juvenile must ask himself three vital subsidiary questions before answering the ultimate one:

1. Has the juvenile actually done the offense which is supposed to demonstrate his need for rehabilitation?

2. If he has done the offensive, is there a recognized behavioral science procedure or treatment that will correct his fault and save him from a criminal career?

3. If he has done the offense and there is a recognized treatment, can the juvenile court before which he will appear provide such treatment?

If the answer to those three questions is

"Yes," most lawyers will persuade the juvenile to acknowledge the offense and submit to the jurisdiction of the juvenile court. If any of the answers is negative, the attorney should not "throw the juvenile upon the mercy of the court." To protect his client's interest, he should contest the court's jurisdiction.

Immediately there comes to mind the juvenile who, in the eyes of the attorney and any impartial observer, did commit the offense but refuses to admit it. (This is much more characteristic than the case of the juvenile who admits his fault but whose attorney insists upon a trial.) In my opinion, the provision of due process of law for such a recalcitrant juvenile is most therapeutic.

He should (and will, if the police cooperate) be proven guilty of the crime despite his protestations of innocence. He will have had his day in court and have learned that law enforcement can and does arrive at the truth by fair, effective procedures. He will I believe, be several steps further down the road to rehabilitation than if he had—for the administrative convenience of the judiciary—been persuaded against his wishes to admit the offense and forgo his day in court.

To sum up in one sentence: I am firmly convinced that the extension of due process of law to juveniles—however burdensome or inconvenient it may be to police, social workers, judges and juvenile court personnel—is an unmitigated benefit to the juveniles concerned.

A GUIDE TO CONTEMPORARY GREECE

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. MIKVA. Mr. Speaker, on March 11, 1969 I placed in the RECORD an article by George Anastaplo entitled, "Greece Today and the Limits of American Power." On April 2, 1969 I placed in the RECORD an article by George Anastaplo entitled, "The Passions of Greece Today," and "Retreat From Politics: Greece, 1967." The former article dealt with the contemporary political situation in Greece and the dilemma we Americans find ourselves in—the dilemma of supporting and fostering the current undemocratic regime. The latter two articles presented a cogent analysis of how Greece appeared to a knowledgeable American observer who viewed it firsthand throughout 1967.

Today I would like to place in the RECORD selected portions of an article entitled "A Guide to Contemporary Greece, Especially for Greek-Americans." I think the excerpts of this article will be of special interest to anyone interested in current political developments as well as to Greek Americans.

The article referred to follows:

A GUIDE TO CONTEMPORARY GREECE, ESPECIALLY FOR GREEK-AMERICANS[1]

(By George Anastaplo)

JOHN ANASTAPLO. Good evening, ladies and gentlemen. We have as our guest this evening my brother Professor George Anastaplo, Lecturer in the Liberal Arts at the University of Chicago and Chairman of the Political Science Department at Rosary College in River Forest, Illinois. He also holds an appointment as Professor of Politics and Literature at the University of Dallas. Our guest is knowledgeable in contemporary Greek affairs and has published several articles on that subject. This is what he is here to discuss with those listeners in our radio audience who telephone us this evening.

We have on the news wires this weekend the following report from Salonika, Greece: "A Greek military tribunal has handed out sentences ranging from 13 months to life for 37 members of a Communist-led terrorist band.

"Three of the defendants were ordered deported. Two persons out of the 39 on trial were acquitted of charges of various conspiracies.

"The group was charged with plotting to assassinate former premier Constantine Kollias and with conspiracy to blow up the American consulate in Salonika and the NATO bases in the north of the country."

That is the report from Salonika. Perhaps some of you listeners heard the report earlier this week of the arrest of fifteen retired Army generals in Greece. Rumors circulated at that time that an attempt to oust the army-backed regime and to restore self-exiled King Constantine to power in Greece had been crushed before it actually got under way. All those arrested were known backers of King Constantine who fled to Rome, you will remember, after his unsuccessful attempt to oust the junta in December 1967. The "colonels", as they are called, have been in power now a little over two years. They seized power in April 1967.

Let's ask my brother George what he feels is going on in Greece these days.

GEORGE ANASTAPLO. I think, John, that the most significant development in Greece today, and the one we Americans should be most concerned about, is that American installations—the American consulate in the news report you just read, for instance as well as American automobiles, the property of American personnel stationed in Greece—are now beginning to be subject to attack. This indicates that resentment is beginning to be expressed violently at the role of the United States in Greece. And it is that role—the role of the United States in Greece today—that I am most concerned about. I am, of course, concerned also about the state of affairs in their country for the Greeks themselves—for, to put it simply, Greece today is living under a tyranny. It is a tyranny that is worse than some tyrannies in the world today and milder than some others, but I think it does no good to overlook the fact that it *is* a tyranny with all the consequences that that will have both for us as an ally of that tyranny and for the Greeks as the victims of it.

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JOHN ANASTAPLO. You were in Greece last fall when the election was held.

GEORGE ANASTAPLO. That is right, in September, when the constitutional referendum was held.

JOHN ANASTAPLO. Could every one vote in referendum who wanted to vote and could they vote for whatever they wanted to vote?

GEORGE ANASTAPLO. One could vote "Yes" or "No" on a constitution presented by the government. One could vote "No," but in many places outside the large cities the vote of "Yes" was the only vote that seemed safe.

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JOHN ANASTAPLO. Is there much resentment in Greece toward the military junta? Is there much outspoken resentment and dislike? You don't see much of it in evidence if there is.

GEORGE ANASTAPLO. One has to distinguish between two groups in the Greek population (or, for that matter, in any population). There are those who are somewhat independently informed and there are those who have their opinions formed by propaganda. The latter group will easily take their lead from the government in power, no matter what that government is, especially if there is no opposition permitted. This group can be the majority of a country. The former group—which includes in Greece the leading military officers, the intellectuals of the country, the university people, the former politicians and many of the most prominent businessmen—is most skeptical about this government. Many of these people are even bitter about it. But what can they do about it? The difficulty is that the informed Greeks recognize themselves to be prisoners of a ruthless military minority. They are not even prisoners of the Army, but of a small number of officers within the Army, a handful of officers who took power by deception one night, who are holding it by the use of whatever means they can employ, and who claim they have the support of the United States. It is difficult and dangerous in such circumstances to express openly one's resentment, but resentment and disaffection *are* there.

JOHN ANASTAPLO. Why is there so much support for the colonels' regime among Greeks living in this country?

GEORGE ANASTAPLO. For many Greek-Americans, the military stands for that force which after the Second World War saved Greece from Communism. So it is natural for Greek-Americans to say, "We don't want Greece to go Communist. We don't want it to go behind the Iron Curtain. The military saved Greece during the bitter civil war of 1945–1949. The military made great sacrifices to save Greece at that time. Now they are doing it again." What the Greek-American doesn't realize is that it is not the military that is ruling Greece today. All one has to do to realize this is to consider the widespread purges that have taken place in the Army at the hands of this particular clique of officers. The colonels are retiring from active duty virtually all officers senior to them in order to be able to continue to hold their power. This is not the military that is ruling Greece: this is a minority of junior officers who have broken their oaths to their king and their country, who have seized power with a well-executed conspiracy and who mean to hold it indefinitely.

JOHN ANASTAPLO. I suppose the most open display of disaffection toward the present government was at the funeral last November of George Papandreou.

GEORGE ANASTAPLO. There have been two significant displays of disaffection. That was the second one. The first great display was in December 1967 when King Constantine made his attempt to overthrow the colonels' regime. His attempt was poorly executed: certain forces which he had counted on were not available. What the people who are now ruling Greece are good at *is* conspiracy, and hence counterconspiracy. They were able to stop the King's effort before it could really get rolling. But the King, in the course of his attempt, visited the city of Kavalla, which had been for years anti-royalist. When the people of Kavalla heard the King was making an attempt to overthrow this government and that he was in their city—and this I have personally heard from people who were there that day—they filled the streets, picked up the King and carried him through the city in a spontaneous demonstration. Thousands upon thousands of people thus expressed themselves in a way that the colonels' government never has been able to arrange—whereas the Kavalla demonstration was anything but prearranged. In fact, the current premier of Greece dares not permit himself to be exposed in a crowd in this way: his security precautions are, I believe, unprecedented for a Greek premier. The other great demonstration against the colonels was, as you indicated, in Athens, in No-

[1] This article is a transcript of an unrehearsed interview, set out in its entirety, conducted by John Anastaplo on his nightly radio program, "Open Line," on Station WJOB (East Chicago-Hammond, Indiana), Saturday, May 31, 1969 (between 7:30 and 10:00 p.m.).

vember 1968, at the funeral of George Papandreou. Evidently, the central part of Athens was packed that day with people who expressed in this way their opinion of the colonels' regime. American reporters spoke of hundreds of thousands as having been involved in that demonstration—many more, evidently, than had voted against the constitutional referendum in that area six weeks earlier. They were thus expressing themselves in what they considered a genuine referendum.

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JOHN ANASTAPLO. Why has American aid to Greece been restored? It was cut off for awhile after the colonels took power in April 1967, but I understand it has been restored. What is the justification for this?

GEORGE ANASTAPLO. Aid was cut down in early 1967—it was never cut off completely—in the hope that the cut might publicly indicate that Americans are somewhat reluctant to ally themselves with this regime, perhaps even in the hope that it might help move this regime back toward constitutional government. After the constitutional referendum of September 1968 which we have referred to, the American government restored its military aid, perhaps under the assumption, "Well, they have had a referendum; now, the country is somehow back under a constitution." The first American mistake was not to cut aid off completely; then, it was a mistake to take that constitutional referendum as being anything other than a fixed election. Thus, I think it was a mistake to restore our aid; I think it is a mistake now to continue it. In fact, I believe that the American government is partly responsible for the continuation of the colonels' regime and that it will be held to be largely responsible by the Greek people in due time. The sooner we disassociate ourselves from that crowd now in Athens, the better off we will be in the long run. It is not difficult to work out a program of what the United States should do now—and this I have done and have presented to people in the State Department on several occasions. The interesting question for me tonight relates to something somewhat different, and that is the role of the Greek-American community in all this. Inside Greece the colonels' principal sources of support are the arms they have and the dread in the Greek people of another civil war: the colonels can use those arms against the Greeks and they know the Greek people will not resist as quickly as they might otherwise resist if they had not had so terrible a civil war only a generation ago. Outside Greece there are two principal sources of support for the colonels: first, the United States, because of its acquiescence in and its lukewarm support of the regime, and second, the attitude of the Greek community abroad, particularly the Greek-American community. It is very unseemly that Greek-Americans, living in a free country (most of them—the ones I am thinking—having been born in Greece, for it is primarily the older generation, I am referring to), should allow themselves to become the spokesmen and the supporters of a tyranny that is as bad for Greece as, say, the Russian tyranny is for the Czechs and the Slovaks.

JOHN ANASTAPLO. I noticed Bill Mauldin's cartoon in the Chicago *Sun-Times* last Wednesday, showing the prisoner's ball-and-chain on both the Greeks and the Czechs, with "Imported Tyranny" written on the Czech ball and "Domestic Tyranny" on the Greek ball.

GEORGE ANASTAPLO. Yes, that does sum it up neatly. The curious thing about the Greek-American support of the colonels is that the alternative to this regime—the most plausible, immediate alternative to this regime—is a government under a conservative, experienced Greek. I am referring, of course, to Constantine Karamanlis, who is now living in Paris. In fact, it is hard to think of any prominent politician in Greece who would not be an improvement over the tyranny of the colonels. But Constantine Karamanlis is the most plausible alternative. Why the leaders of the Greek-American community, instead of throwing their support to a government formed by Mr. Karamanlis—which is what most Greeks today would support and which is what the State Department would probably be relieved to go along with—why, instead of throwing their support to him, as an alternative to the colonels, that community and its leaders continue to support the band of usurpers which is ruining the country of Greece is very difficult for me to understand.

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LISTENER No. 1. In the event of a civil war in Greece, do you feel the United States would step in immediately?

GEORGE ANASTAPLO. That would be a serious decision. If we allow the situation to deteriorate to such a condition that the decent, informed and energetic people in that country begin to take up arms against their present tyrants, what should then be our position? It is hard to know what we would do. The people who will eventually put up armed resistance will have with them Greeks of the Left, including Communists, as well as Greeks of the Right and Center. The United States might then argue, especially when it detects in that armed resistance people who are labelled "Communists," "Well, the colonels we know. The other people we don't know. Therefore, we will support the colonels." We will thus have made a bad situation even worse. That is why I have been arguing that now is the time to get rid of the colonels and to allow the Greeks to replace the— with a conservative experienced leader such as Mr. Karamanlis.

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It is, as I said, very hard to lay down a requirement for other people to follow, especially when it means risking their lives. But that is not our problem. Our immediate problem is, What can we do, what should we do——

LISTENER No. 2. As Americans——

GEORGE ANASTAPLO. As Americans, in a situation where conditions are deteriorating and civil war is facing our ally? If we were confronting a situation where we had no responsibility at all for what is there or where we could do nothing at all once conditions had deteriorated, then we could justly say, "That is a Greek internal affair. Let the Greeks settle their own affairs." We could properly stay out of it. If that were really the situation, such a course of action on our part would be defensible, perhaps even necessary: we could sit back and watch. But that is not what is going to happen. We are going to be involved—we are involved, we have been involved—and I am wondering whether it would not be more intelligent to move now when we can help the Greeks replace the colonels by a friend of ours who is popular in Greece, who is experienced and reliable, and thus help the Greeks avoid a civil war which can lead to the destruction of all that we value in that country. That is the risk we are running by going along as we are with the colonels.

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LISTENER No. 2. It is not too late for Greece?

GEORGE ANASTAPLO. It is not too late for Greece. In Czechoslovakia we simply don't have the influence we have in Greece. In Greece, we have great influence—and not only the United States government, but the Greek-American community as well. The Greek-American community has allowed itself to be deluded about what is going on in Greece today and about what is good for the country of their relatives. The Czechs and Slovaks in this country, on the other hand, are not deluded about how things are in their homeland. Neither are the Hungarian-Americans. I cannot think of any people who are as deluded about what is going on in their homeland as are Greek Americans, and especially Greek-American leaders, at this time.

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LISTENER No. 3. Does all this mean there are no elections there?

GEORGE ANASTAPLO. No elections. In fact, the government has systematically removed from office, high and low alike, the officials the Greeks had elected over the years. It has replaced them by appointing, or reappointing, men considered loyal to the present government. The Greeks have had no elections for any office whatsoever since the colonels took over. Nor are they about to have any elections that mean anything. If they have any elections under this government, they will be like a Russian election. They had a referendum on a constitution last September, Russian-style. You know how that is: you vote for the government slate or you vote for nothing. There was no question about the outcome last September. Any parliamentary elections the colonels conduct will be roughly the same: any election conducted by them will be a fraud. Only the uninformed or the cynical will approve of them. One has only to consider how the extensively documented charges of deliberate torture in Greece are being handled by the Greek-American press and by the Greek government. It is time to be blunt with such people, for Greece's good.

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LISTENER No. 4. Do you believe the Greeks will have to go to war to regain their freedom?

GEORGE ANASTAPLO. I think it would be better if it didn't come to that, because if there is recourse to war, one cannot predict how it will turn out. One cannot predict how things will go. After all, we have our experience in Viet Nam, of which the Greeks are quite aware: things don't always work out the way one expects. The Greeks are no better equipped to set a limit to war than we have been.

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GA—GEORGE ANASTAPLO

LISTENER No. 6. Historically, it seems to me, we have been backing military juntas all over the world since the Second World War. I don't see why this should be any different.

GEORGE ANASTAPLO. We haven't been backing only military regimes. It's too bad, and even harmful, that our government has given our citizens generally the impression you have. In Europe, for instance, we have been backing for the most part constitutional governments, genuinely constitutional governments. Greece, we should remember, is part of our NATO alliance in Europe. Virtually every other country in the NATO alliance is a free government, that is, a government freely chosen by the citizens of its country. This means that Greece has become for us a sad exception in Europe. Furthermore, we are backing in Greece a minority of officers who are going to get us into serious trouble, militarily, politically and economically. That is to say, we are going to end up picking up the bill for the mess the colonels are making of the Greek economy; we are going to have trouble militarily, because if civil war does begin, we are going to have the problem of deciding whom we are going to back; and we are going to have trouble politically, because no matter how it all comes out, if we don't hurry up and do something decisively public about it, Greeks will for many years to come look back and say, "America was responsible for the years of tyranny we suffered." Whether that will be true or not, that is certainly what they are going to be saying. The sad part about it all, I want to repeat, is that the alternative, and the alternative that Greeks of all parties are generally willing to accept, is a man who is a conservative,

who is a friend of the United States, who is very experienced, who is very well regarded, who was for eight years prime minister, who is available and who would have very little trouble coming to power if American support for him should develop. That, of course, is Mr. Karamanlis, who is the most plausible alternative at this moment to the colonels. It is hard, I want also to repeat, to think of any prominent politician who would not be an improvement over the tyrants who now control Greece. Mr. Karamanlis is not indispensable. But he is, for several reasons, most convenient as an immediate alternative to the colonels.

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LISTENER No. 7. I am not Greek, but I am interested. What are the other NATO countries doing about the situation in Greece? Is there not a way for them to put on pressure, without the emphasis being just on America?

GEORGE ANASTAPLO. Severel of them have spoken out very strongly. For instance, the Scandinavian countries (some who are in NATO, some not) have been quite strong against the regime. Great Britain has spoken out as well. The Prime Minister of Greece denounced on the floor of the House of Commons what he called the "bestialities" of the Greek regime, referring to the tortures. That was last year, long before such things as the recent May 27th issue of Look magazine came out with its detailed account of what is going on in Greece. Public opinion is far clearer in Europe about what the nature of that regime is than ours here. The same can be said about the Greek communities in Europe, outside of Greece, as well as about the Greek-Canadian community.

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LISTENER No. 7. Are Greek-Americans afraid to take sides because they are getting two different points of view?

GEORGE ANASTAPLO. The ones I am thinking of are not afraid of taking sides. If they would refuse to take sides, that would be far better than what they are doing now. They *are* taking sides. I am talking about the older Greek-Americans, the "opinion leaders," the ones who have influence in Washington, the ones who have money, the ones who own the Greek-American press. The Greek-American newspapers, for instance, have been terrible. This is most recently evident in the way they have responded to the Look revelations about Greek tortures, tortures that informed and responsible men all over Europe have known about for at least a year now. If one follows Greek-American newspapers, one sees week after week that most of the articles on Greek affairs come from the Greek government. This seems to be true of many if not all of the Greek-American newspapers in this country: they are simply taking the stuff and printing it as it comes from Greek government sources. This one can notice just by looking through several of them, especially if one knows the sources. One often sees, for instance, material that is handed out by the Greek Embassy in Washington published as news by the Greek-American press.

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LISTENER No. 7. How is the press coverage about Greece in this country?

GEORGE ANASTAPLO. If you read the New York *Times* or the *Christian Science Monitor* or any of the European papers, you find that this regime is a failure. If you read the Greek-American press, you find it is a great success. Whom should you believe and why? Let me suggest something to you. You have Greek-American friends?

LISTENER No. 7. Yes.

GEORGE ANASTAPLO. Let me suggest some simple questions to ask them. Don't ask them what their peasant relatives say when they visit Greece, because peasants can't know what they are talking about on certain issues. It often takes a long time to get down to the peasants what is happening to their country. Ask them, if they have been following Greek affairs for years, "Of the man you once thought was the best man in Greece—whoever he was, whether you thought it was a man of the Left or of the Center or of the Right, whether you thought it was a general or the King—of the one or two or three men you thought highly of before 1967, what does that man, or what do those men, think of this regime now?" Now, that is a very safe question for me to suggest that you ask. I don't have to know who it was they admired, who they looked up to. But if they were following Greek affairs before 1967, they had somebody, some public figure, whom they respected, somebody in Greek politics or somebody in the Greek military or somebody in the social or cultural life of Greece. *Who* was he and what does that man say now? In almost every case, everybody who was once anybody is now against this regime. You can then challenge your Greek-American friend: "Look, you once admired a certain man—X or Y or Z, whether he was of the liberal party or of the conservative party, whether he was a royalist or an anti-royalist—you once admired him. Why is he also against the colonels? In fact, why is anybody against them? Why is virtually everybody who ever knew anything about Greek politics and the Greek government against these people?" Is it just a coincidence that this is so?

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LISTENER No. 10. Is there any Communist faction in the country at all?

GEORGE ANASTAPLO. This government is *said* to be anti-Communist. There are people who are resisting this government who are Communists. There are others who are resisting it who are non-Communists. This is evident in the two news dispatches my brother referred to at the beginning of this program. My impression is that, so far, more non-Communists than Communists resisting the government have been tried and imprisoned in Greece for opposing the present government.

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LISTENER No. 10. Do you feel we are now giving help to the dictators?

GEORGE ANASTAPLO. Certainly, we are helping the dictators of Greece. The American government admits that we are supplying arms to them. We are also supplying indirect aid of certain kinds. I think we should stop it completely. I also think that if we indicated very strongly what our position was—if we made it clear that we believe the colonels to be bad for Greece—, the Greek army would rise up and throw these people out.

LISTENER No. 10. Would there be leadership of any kind for such an uprising?

GEORGE ANASTAPLO. Yes, the best officers are still against this regime.

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JOHN ANASTAPLO. Wouldn't you say that leadership for a successful attempt to oust the colonels would have to come from this shore, from Greek-Americans, and that that leadership has been slow in coming?

GEORGE ANASTAPLO. That, it seems to me, would be the safest way for both the United States and Greece. It is only if the Greek-American community and the United States take a public position different from that which it is well known in Greece they have been taking up to now—only if that happens may bloodshed be avoided. I have been deliberately directing my arguments on this subject to those whom I can hope to reach, my fellow-citizens in this country. I leave it to others to tell the Greeks what they should do or to tell Europeans what they should do. It is important to emphasize at this time what we Americans can do. If we don't do what we should do, then the Greeks will be forced to do what they don't want to do, and that is to fight. Those now seem to be the likely alternatives.

MICHIGAN LEADER HEADS KIWANIANS

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Monday, July 28, 1969

Mr. GRIFFIN. Mr. President, recently Robert F. Weber of Detroit was elected president of Kiwanis International at the organization's 54th annual meeting in Miami Beach, Fla.

As a Kiwanian in the Senate who represents Michigan. I am pleased and proud that a distinguished Detroiter has been chosen to head this outstanding international service organization.

In a recent letter to me, Mr. Webei pointed out that Kiwanis International is launching a major emphasis program called "Operation Drug Alert." Under the program, each of the 5,000 local Kiwanis Clubs will tackle the growing problem of drug abuse as a major concern in 1969–70.

Mr. President, I can attest to the fact that Kiwanis has many other fine goals as well. I ask unanimous consent that resolutions adopted by the recent convention, indicating the scope of the organization undertakings, be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTIONS ADOPTED AT THE 54TH ANNUAL CONVENTION OF KIWANIS INTERNATIONAL IN MIAMI-MIAMI BEACH, FLA., JULY 2, 1969

1. WE BUILD WITH GOD

Whereas our first Object charges Kiwanians "To give primacy to the human and spiritual, rather than to the material values of life," and

Whereas our nations were founded, are presently sustained, and aniticipate the future through the providence of God, and

Whereas His strength supports us in proportion to our faith in Him,

Therefore be it resolved *by the delegates to the 54th Convention of Kiwanis International that in response to our stewardship of God's many gifts, we Kiwanians pledge to place spiritual values first in all matters of judgment, and*

Be it further resolved *that as we build with God, we renew our determination to remain at all times humble and subservient to His will.*

2. DRUG ABUSE

Whereas enlightened leadership throughout the world decries the illicit drug traffic which exists at the expense of millions of people and leads to their ruination, and

Whereas Kiwanis International has recognized the evils of drug abuse and its increasing prevalence in our communities, sapping our moral fibre and destroying the human being, and

Whereas drug addiction and dependence in their inception and continuance have spread from the areas of undesirable association with a criminal environment to a growing segment of our society at all economic levels, and

Whereas the lack of knowledge of the effects of drugs has combined with the permissiveness of our affluent society to stimulate an increasing trend toward drug abuse among our youth

Therefore be it resolved *that Kiwanis International, through its member clubs, combat drug abuse through the adoption of a major emphasis program wherein Kiwanis*

attention and activity will be focused worldwide on exposing the mental, physical, and financial hazards of such abuse; and

That all Kiwanians and Kiwanis clubs actively support regularly constituted authority in the enforcing of existing laws and the creation of appropriate new legislation designed to combat and eliminate the drug menace; and

That Kiwanis Clubs initiate and support programs designed to educate and alert their own members and their fellow citizens, with particular concern for the youth of their communities, to the harmful effects of illicit drug traffic and use.

3. THE RULE OF LAW

Whereas the second Object of Kiwanis International is "To encourage the daily living of the Golden Rule in all human relationships," and

Whereas all Kiwanians should respect the laws of their lands and the rights of their citizens, and

Whereas all Kiwanians should realize that crime is a growing menace to a free society, and

Whereas all Kiwanians should recognize the periodic need for change in existing laws of their lands to provide for an expanding and inquiring citizenship, and

Whereas all Kiwanians should encourage those who seek change to do so peacefully and within the framework of the law;

Therefore be it resolved *that Kiwanians everywhere pledge themselves to observe the rule of law in their society, reserving to themselves and to others the right of lawful dissent without infringing upon the rights or dignities of their fellowmen; and*

That Kiwanians everywhere be urged as responsible citizens to provide individual leadership in upholding the existing laws, making necessary changes in them, or initiating new laws as the situation demands; and

That Kiwanians everywhere emphasize the inherent danger of all forms of crime to the economy and to the future progress of their nations and implement action programs by the local Kiwanis Clubs to dispel general apathy, to make the public more knowledgeable and their members more effective against this menace; and

That Kiwanians everywhere support and voice their appreciation of deserving public officials and law enforcement officers for their dedicated service.

4. KEY CLUBS AND CIRCLE K CLUBS

Whereas Kiwanians recognize that our complex society demands increasing responsibilities of our youth and requires earlier leadership experience; and

Whereas sponsorship of Key Clubs and Circle K Clubs broadens the scope of opportunities for service; and

Whereas the basic concepts of the Objects of Kiwanis International can be furthered through meaningful guidance of young men in high schools and colleges;

Now therefore be it resolved *that every Kiwanian pledge himself to accept his responsibilities to Key Clubs and Circle K Clubs in order that young men of high school and college age may have the opportunity to perform service to their schools and communities; and*

That every Kiwanian, recognizing the benefits of education for leadership, provide this training by personal participation and example to the end that every Circle K and Key Club member shall be a responsible citizen and carry throughout his life the inspiration of Kiwanis devotion to freedom and individual enterprise.

5. DIALOG WITH YOUTH

Whereas highly knowledgeable, well educated, idealistic and morally sensitive young people represent our best hope for the future; and

Whereas it is recognized that there are legitimate student protests and that changes are inevitable in an ever-moving society; and

Whereas illegal protests and demonstrations, sit-ins, riots and other acts of violence interfere with the rights of the large majority of students, enrolled with the serious purpose of furthering their education,

Now therefore be it resolved *that Kiwanians foster opportunities for a more effective dialogue between youth and adults; and*

That every Kiwanian and Kiwanis Club activitly support school administrators and students who are working out their problems in a lawful and orderly manner; and

That Kiwanians again express their confidence in youth by appropriate recognition of their achievements.

6. PORNOGRAPHY

Whereas standing up for decency in literature and entertainment is expected of those who accept the Objects of Kiwanis International, and

Whereas many bookstores, newsstands, and some distributors traffic in magazines and books which even from their covers are obviously objectionable, and

Whereas in many films, stage productions, and other forms of public entertainment every traditional code of decency has been violated,

Now therefore be it resolved *that every Kiwanian as an individual citizen make known his concern for decency in literature and entertainment and show by example in his home and in public life his adherence to a personal code of decency; and*

That, in cooperation with others of like mind, he make known to sponsors, producers, distributors, and retailers his opposition to that which he finds objectionable; and

That Kiwanians everywhere support and voice their appreciation to those who adhere to a code of decency in literature and entertainment.

7. VOCATIONAL AND TECHNICAL CAREERS

Whereas the education and training of our youth is paramount to their proper growth and development into productive citizens; and

Whereas there are many students who should be oriented toward vocational and technical careers,

Now therefore be it resolved, *that increased emphasis be placed upon vocational-technical studies so necessary to our modern economy and that Kiwanians promote greater public encouragement of those who work in the trades; and*

That Kiwanians actively involve themselves through financial support and personal service in providing improved methods and facilities for vocational-technical education in their local communities.

8. CONSERVATION AND POLLUTION CONTROL

Whereas in no other age has man been blessed with a greater abundance of available natural resources or so great a capacity for creatively shaping his natural world to the benefit of all mankind; and

Whereas through the waste and misuse of such resources as air, water, land, and forest and through the accelerating demands upon such resources by an affluent and rapidly expanding population, modern man has reason to be deeply concerned as to the exhaustibility and pollution of such resources; and

Whereas man's abuse of nature has extended to his abuse of life itself, as evidenced in the tragic annual increase in crippling injuries and death from accidents; and

Whereas the full cooperation of our citizenry is essential to the preservation of our natural resources and to life itself.

Therefore be it resolved *that each Kiwanian and each Kiwanis Club be dedicated to positive action within the community to identify the greatest needs and opportunities for conservation of life and resources and apply, personally and collectively, intensive effort toward the satisfaction of such needs and the seizure of such opportunities.*

SCHEDULE OF MINNESOTA SIXTH DISTRICT GRASSROOTS CONFERENCES

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. ZWACH. Mr. Speaker, it is a great privilege for me, and I am highly honored, to represent the people of the Sixth Congressional District of Minnesota here in the Congress of the United States.

Minnesota is a great place to live and wonderful people live there. In the quality of life, all the aspects that provide for the better things of life: healthful climate, longevity, educational, medical, and cultural facilities, recreational opportunities, and opportunities for gainful and profitable employment, Minnesota ranks second of all the 50 States. You can see I am justifiably proud.

But we have more than quality of life and wonderful people. In Minnesota, we have a balance of green fields, forests, and sparkling lakes and streams found nowhere else in America.

In our Sixth Congressional District there are 3,871 lakes totalling more than half a million acres, an average of 134 acres per lake. Most of this water is still unpolluted, clear, blue, and drinkable. A dozen varieties of fish can be caught in their waters and waterfowl swim upon their surface and nest on the shorelines. In summer and winter these lakes provide the best in recreation, swimming, boating, water skiing, fishing, hunting, and ice skating.

Our forests provide a steady income from the harvesting of timber and pulpwood, providing employment in lumber and paper mills. Wildlife abounds in their shadowed depths.

With all of this, the Minnesota Sixth Congressional District is one of the most thoroughly agricultural districts in the entire Nation. We have 32,500 farms on which live some 130,000 people. Each farmworker provides food and fiber for himself and 44 others. Agricultural production in our district provides eventual employment for over 650,000 people. Our farms have 25 percent of Minnesota's dairy cows and 28 percent of our State's pigs. We are a leading producer of corn, soybeans, and flax.

We are proud of our public school system that ranks among the best. And we are a leader in vocational education for those who are not college bound. We are proud, too, of the seven colleges in our district whose graduates takes their places among the leaders of our great Nation.

Mr. Speaker, I am deeply grateful for the opportunity to be of service to the people of this most generously endowed area. My constant aim is to serve my constituents in the best way possible.

I keep in close contact with my people by regularly informing them of my ac-

tivities in Congress in news releases and columns mailed weekly to our 87 weekly and nine daily newspapers as well as our 21 radio stations which also receive a weekly radio report.

To enable me to be in touch with their thinking, each year I send a congressional questionnaire on the issues before the Nation to each of our 134,000 households. The response to these questionnaires is excellent.

As the Representative of this great district, I have considered it my duty not only to be well informed of the opinions of my constituents, but also to be of the greatest possible service to persons having problems dealing with agencies or departments of our Federal Government.

Each year I hold grassroots conferences throughout our district at times when Congress is not in session.

During the time when I am in Washington attending to official duties, I have a competent secretary in our district office in the Federal building in St. Cloud to assist callers and to help them with requests for aid in dealing with the Federal Government.

This year, during our official August recess, I am again taking time to hold these grassroots conferences throughout our district at convenient public buildings. Because of the shortness of the recess, I must confine these meetings to the county seats this year.

I deeply appreciate the fine cooperation of the many public officials who have made these meetings possible by making meeting places available so that I can render this public service.

I have arranged the following schedule. All of the meetings will be held in the county courthouse except that for Stearns County which will be held at my district office in the Federal building, St. Cloud.

Monday, August 18: 9 to 11:30, Granite Falls; 2 to 4:30, Willmar.

Tuesday, August 19: 9 to 11:30, Benson; 2 to 4:30, Morris.

Wednesday, August 20: 9 to 11:30, Ortonville; 2 to 4:30, Madison.

Thursday, August 21: 9 to 11:30, Montevideo; 2 to 4:30, Litchfield.

Friday, August 22: 9 to 11:30, Buffalo; 2 to 4:30, St. Cloud.

Saturday, August 23: 9 to 11:30, St. Cloud.

Monday, August 25: 9 to 11:30, Ivanhoe; 2 to 4:30, Marshall.

Tuesday, August 26: 9 to 11:30, Redwood Falls; 2 to 4:30, Olivia.

Wednesday, August 27: 9 to 11:30, Elk River; 2 to 4:30, Milaca.

Thursday, August 28: 9 to 11:30, Foley; 2 to 4:30, Little Falls.

Friday, August 29: 2 to 4:30, Brainerd.

Anyone wishing to see me may do so at the location most convenient for them. No appointments are necessary. I sincerely urge individuals and groups to call on me if I can be of help to them in solving any of their problems dealing with the Federal Government.

The knowledge I obtain for these conferences will enable me to render better service, both legislative and personal, to all of the people of our important Sixth Congressional District.

1776

HON. CHARLES M. TEAGUE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. TEAGUE of California. Mr. Speaker, I call to the attention of my colleagues the excellent editorial which appeared in the July 3 issue of Stars and Stripes. It was beautifully written by my old friend and former fellow townsman, Mr. Harry Say, and follows herewith:

IN 1776

This is not an editorial to publicize a theatrical play, but to make a point we can not escape mentioning the show. An evening some months ago at the National Press club in Washington, D.C., where a great many of the top newspaper and broadcasting experts of the nation gather, we listened to a veteran Washington representative of one of the great newspaper chains of America give this advice to a friend who had telephoned him.

"No—you will not want to spend your money for the show. It's just a corny revolutionary period costume deal—no real entertainment or sparkle in it. Wait till something better comes along."

The advice this veteran newspaper writer gave his friend dovetailed exactly with that of many of the expert critics on Broadway where the show later opened for its regular run. The production was "1776", the story of the creating of the Declaration of Independence.

At the time the Washington newsmen gave his expert advice, folk were already standing in line. It was sold out for every seat during its entire Washington run. The fact should have given the lofty critics up in New York a disquietng thought. But no. New York critics have a conviction that a Washington audience is not a normal one; that is made up of small town folk collected from over the United States to punch typewriters for the government. They still predicted the play would flop inside a week. They could not understand that something of history with a patriotic background would succeed.

In New York, "1776" has been a sellout week after week. Movie companies are competing to obtain screen rights of the play turned out by Sherman Edwards, a former history teacher who liked his subject, and felt history dramatically presented would attract audiences. He labored long to find a producer who shared his thoughts to the extent of taking the costly gamble of staging the play.

One can understand to a degree the side track on which the critics were thrown. No lavish sets. No pretty girls chorus, no sex in the daily use of the word. Just such characters as Benjamin Franklin, John Adams, Thomas Jefferson, John Hancock and their colleagues of 1776 debating and writing the Declaration of Independence. Oh, yes, there were a couple of women in the production—Thomas Jefferson's wife and Mrs. John Adams.

What the audience sees is history as it was made—these bold and far-sighted men of the Colonies struggling with the job of writing a meaningful declaration destined to last down through the centuries.

On the stage the signers finally finish their job. In silence they sit around their table. In the background the Liberty Bell tolls, louder and louder. The curtain goes down, and the New York audiences that the critics did not think would be there, break into cheering seldom heard by any producer or playwright.

A heartening sight it is 193 years since the great document was signed to observe the reaction of average Americans. Doubly satisfying it is to know that a high percentage of teenagers are enraptured by the show.

It gives one reason to believe this Fourth of July that underneath all the surface turmoil of riots, draft card burners, law breaking, political chicanery and such that the foundations on which the United States was born are still of solid stuff.

Our salute to the author and producer. They have provided that Americans still revere patriotism, find pride in their nation's history, and do not have to be baited to a theatre by sex or dirt.

DEMO CUTTHROAT POLITICS

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. MICHEL. Mr. Speaker, an editorial appearing in the July 24, 1969, edition of the Peoria Journal Star has some rather interesting and pointed comments regarding the activities of some of our friends on the other side of the aisle as well as other factions of the Democratic Party. With no further comment, I include the editorial in the RECORD at this point:

DEMO CUTTHROAT POLITICS

When one looks at the barrage of criticism now arising from the Democratic side of the aisle against Richard Nixon, it is a curious exercise to try to sort out the "new" positions from the "old."

Somehow, the Kennedy-Johnson space program was wonderful and untouchable—but since it has come under Nixon's authority, space has become a waste of time to its former boosters.

Once upon a time, Secretary McNamara was unassailable, a genius, a man whose judgments were fantastically beyond criticism or question—but since Defense has come under Nixon's authority, everything they did the last eight years was wrong! (Nobody mentions that these were McNamara's decisions, though). The attack is on "the Pentagon", and the impression is that all McNamara's alleged mistakes of yesteryear are really Richard Nixon's fault.

So it goes on program after program, area after area.

The most simple, cold turkey example of the role of partisan politics in decision-making involving the welfare of the country, lies in the vote record on the straight surtax levy.

One hundred and fifty-six Democratic Congressmen regarded the surtax as an absolute necessity when Lyndon Johnson was President. Two-thirds of the same congressmen are opposed to the surtax now that Richard Nixon is president.

Such is the influence of cut-throat politics on issues, as compared to the merits of the issue, itself . . . or the good of the country.

This brand of politics is a pretty smelly business.

Perhaps the most saddening example in the whole cast of "switchers" is Sen. Ed Muskie. He had given such an appealing impression of a craggy man of integrity just a year ago.

And now he is one of the howling mob, reversing his past attitudes, and leaping in strictly on the basis of every opportunity to throw a spear at the man now tied to the target stake of the Presidency.

When so many "leaders" are so busy making themselves too cheap for the job, where is the next presidential candidate coming from?

SUCCESSFUL APOLLO MISSION TO MOON HIGHLIGHTS HISTORY'S MOST FANTASTIC ERA

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. EVINS of Tennessee. Mr. Speaker, the successful Apollo 11 flight to the moon is one of the great achievements of the greatest period in history. And much of the success of the great achievements in this golden age of progress can be attributed to scientific work in Tennessee and the Fourth Congressional District which I am honored to represent in the Congress.

In this connection I place herewith in the RECORD my recent newsletter, Capitol Comments, because of the interest of my colleagues and the American people in this most important event:

(Capitol Comments by JOE L. EVINS, Fourth District, Tennessee, July 28, 1969)

APOLLO SPACECRAFT JOURNEY TO MOON AND SAFE RETURN HIGHLIGHTS HISTORY'S MOST FANTASTIC ERA

The successful flight of Apollo 11 to the moon is the most dramatic event of mankind's most fabulous age. Historians unquestionably will record the 20th century as mankind's golden age of progress. This is the era when the accumulated knowledge of centuries is being combined with new knowledge and new technology to produce a series of fantastic and unprecedented achievements.

The significance of the landing on the moon is as much the success in developing the technology required to achieve this goal as it is the physical exploration of the moon and the success in manned space flight. This new space technology already has resulted in progress in many other fields of science with practical application—in medical science, for example, and in many other areas.

As a matter of fact, many historians believe that the three most important achievements of this remarkable age are the successful moon landing, the splitting of the atom and successful penetration into the secrets of genetic life code in human cells. Tennessee and the Fourth Congressional District can be justifiably proud of the role of the scientific facilities in our area in achieving success in all three fields—at the Arnold Engineering Development Center at Tullahoma, in the testing of Apollo components and engines, and at the Atomic Energy Commission and Oak Ridge National Laboratory at Oak Ridge in the development of nuclear energy and in work on the genetic code which promises revolutionary innovations in medical diagnosis and treatment.

The raw courage of the three Apollo astronauts—and of all the astronauts that preceded them in the step-by-step progression of the program of space exploration—is a tribute to the resourcefulness and determination of all Americans and all mankind. As Astronaut Neil Armstrong said when he set foot on the moon:

"That's one small step for man—one giant step for mankind."

The courage of the astronauts coupled with American technology, determination and success in overcoming all obstacles is reassurance to all mankind that he can solve his problems through patience and perseverance. The three astronauts—Neil Armstrong, Edwin "Buzz" Aldrin and Michael Collins—deserve our commendation and our gratitude for their magnificent demonstration of achieving what was considered impossible.

Truly we are indeed fortunate to live in Twentieth Century America as man continues to achieve incredible breakthroughs for progress.

TRIBUTE TO DR. JEFFERSON GARNER

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. ANDERSON of California. Mr. Speaker, today I rise to pay tribute to an outstanding educator in the public school system of southern California, Dr. Jefferson L. Garner, superintendent of the Centinela Valley Union School District. Dr. Garner is retiring from his position as superintendent of schools and will assume a new post of visiting professor of education for the University of Southern California. As superintendent for the past 15 years, his record has been that of one remarkable accomplishment after another.

It is my intention this afternoon to extend recognition to the character of this influential educator. Dr. Jefferson Garner bestows a special blessing to all he encounters—a recognition of human frailty and the need to value the spirit and soul of man. He is warm with the compassion that comes only from a deep liking of fellow humans—a sensitive awareness that every man has his own sense of dignity and worth for which he must be respected and honored.

Dr. Garner received his A.B. from Chico State College in 1936; his M.S. in Education from U.S.C. in 1947; and his Ed. D. from U.S.C. in 1948. His background discloses a steady and progressive rise in concern for the educational program of the children in his area as he assumed greater responsibility regularly. Starting as an elementary school teacher in 1936, he became a principal in 1939, and the registrar of the Plumas County Union High School in 1942. In 1944, he became assistant registrar to the Los Angeles city schools and assistant superintendent of the Centinela Valley Union High School in 1947. In 1954, Dr. Garner assumed his latest position, superintendent of the Centinela Valley School District. He is a member of many professional organizations and is actively involved in the community service programs of the Rotary Club. I wish him well in his new post of visiting professor of education for the University of Southern California, and I am pleased that he will continue in his chosen field of endeavor that he has served so well.

The real spirit of this innovative educator is captured by the following article, which is reprinted from the June issue of the Centinela Valley Union High School District News:

JEFF GARNER

Every man eventually becomes known by one all-pervading quality—the essence, the heart—of his life, his work. With Jeff Garner it is his warm liking of people, a generosity of spirit; yes, a deep affection for the human race.

It is this quality that has permeated this school district during his superintendency, that underlies the concept that education, learning—call it what you will—is pretty much the reaching out of the hand of one human to another, that the great nourisher of learning is the warmth of human contact and feeling.

"One of the first things I learned about teaching was to keep out of the kids' way," Jeff once said. "Give him his head; he'll find his way—if you've really got something to give him."

Giving a human being his head, the freedom to fulfill his capacities, is a basic philosophy with Jeff Garner, as applicable to the adult world as to children.

A long-time friend of Jeff's related that many years ago in Jeff's presence he was effectively dissecting what he considered the abundant minus qualities of an individual. The friend was quite eloquent, and no doubt there were elements of hard truth in his observations. Jeff listened in non-committal silence for several moments before finally interrupting.

"There's only one thing you're forgetting," he told his friend. "You can ask only so much of a man. I think you'll find a man does the best he can if you let him alone and give him a chance. It's pretty much what we all want—the chance to do our best." He paused for a moment. "Do you think there just might be one good thing you could say about this man?"

"I've never forgotten that question of Jeff's," the friend said. "The idea has stuck with me ever since—that the one good thing you can say of another person far outweighs all the rest."

Jeff's greatest gift is his acceptance of human frailty, acceptance undiluted with the anemic toleration of "understanding," but warm with the compassion that comes only from a deep liking of fellow humans, a sensitive awareness that every man has his own sense of dignity, his own sense of worth for which he must be respected and honored.

"I've yet to hear Jeff Garner run a person down," observed a teacher who has worked closely with him for several years. "Even if you think a guy can't do much more than whistle by the time Jeff gets through extolling the talents of the whistler you walk away wondering how come you could be so stupid in not seeing such obvious talents yourself."

Jeff Garner's feeling for people is reciprocated in many ways.

During the reconstruction of Leuzinger High School there was a choice in the quality of seats to be used in the auditorium. One was handsome and expensive; the other, sturdily homely and lower in cost. Against the advice of those who counseled that the expensive seat was an invitation to teen-age destruction, Jeff insisted on the better quality.

"Have you thought of it this way?" he countered. "Kids appreciate good things like anyone else. Appreciating and liking a good thing, they'll be proud of the better seat. And when you have a kid who's proud of something, you can be darned sure he's going to take good care of it."

Those yet unscathed seats at Leuzinger testify to a man's faith in youngsters.

In another instance a recalcitrant youngster had exhausted all rules and regulations at one of the schools as well as the patience and tempers of the staff. It was decided that the young man must permanently depart the campus.

The distraught mother, her son in tow, appeared in Jeff Garner's office for a tripartite conference requested by the parent.

A teacher at the boy's school was surprised to see the boy the next day when he appeared on campus, apparently unshaken by what in the realm of any teenager's experience might be regarded as a confrontation of formidable potential.

"What happened?" the teacher asked.

"That Dr. Garner's real cool, man," the youngster answered, his face breaking into the first smile the teacher had seen in weeks.

"Well. . . . but what did you talk about?"

"He was telling me all the things he did as a kid," and after gleefully recounting some of the events of Jeff Garner's teen years, the youngster's face sobered. "I've got to make it now. I can't let him down." And the boy did make it.

And there have been others—staff members, students, friends—who have "made it" because of Jeff Garner's faith and helping hand when sorely needed.

Ever seeking a way around the prohibitions, restrictions, frustrations, educational cliches and jargon that stand ever ready to afflict kids, teachers, and schools with deadly boredom, Jeff Garner's free-wheeling approach to education emphasizes the unorthodox, the imaginative, the creative—the philosophy that learning, rather than being limited to a classroom, relates to the quality, color, and texture of human experience, and that often a youngster is infinitely the richer for appearing in a play or painting a painting than mastering the chapter of a text.

It is this same approach, Jeff Garner's faith and willingness to gamble on the productive creativity of his staff that has brought about many programs which have given this district a distinguished leadership among educational systems.

Honoring his retirement, the recent art show of Lennox High School was dedicated to Jeff Garner by the students. In the program notes of dedication were there words:

". . . you have made this district one of the rare places in secondary education where aesthetic values—the values of the spirit and soul of man—have a relevant and significant place in our educational framework."

The dedication by these fledgling artists of their creative efforts to Jeff Garner bestows a special blessing of its own—the recognition of a man whose life and work are characterized above all else by a warm sensitivity to those elements most cherished by youth (yes, and once-upon-a-time-youth)—the values of the spirit and soul of man.

PRAISE FOR JOB CORPS

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. PICKLE. Mr. Speaker, it is no secret that I am an admirer of a job well done, especially when it is done under fire. The Gary Job Corps Center has tossed aside the Washington-generated problems involving Job Corps nationally, and has continued to provide thousands of young men the best training they have ever had. The people who come to visit leave as supporters of the program.

In doing so, the Gary center has become somewhat a model for Texas teachers, and others, as is witnessed by this editorial from the Houston Chronicle, July 20, 1969:

PRAISE FOR JOB CORPS

The federal government's Job Corps vocational training program appears to be serving its purpose in a highly successful manner, at least in the Camp Gary Center at San Marcos.

A group of 30 Houston area school teachers has given unsolicited, enthusiastic approval of the Camp Gary program and recommended that it be expanded. The group recently toured the San Marcos center as a part of the Bill of Rights Institute summer program being conducted at the University of Houston.

The teachers spent several hours observing the training in metallurgy, masonry, carpentry, printing, welding, commercial arts and the use of heavy equipment and machinery. They saw classrooms used for basic training in reading, mathematics and social communications skills, and they talked individually with the corpsmen.

"We were impressed with this group of young men who were acquiring a quiet dignity within themselves as human beings and a genuine pride in their ability to master a vocation," the teachers reported. "I saw more hope on the faces of these men than you will find on the faces of students in a normal high school or college classroom," one teacher said.

The Job Corps program is valuable from the standpoint of providing a large segment of young people with the ability to hold constructive jobs and maintain a secure place for themselves in society. Unlike the programs based on the hand out system, vocational training represents an investment in young people who are willing to work.

CAPTIVE NATIONS WEEK

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. SHRIVER. Mr. Speaker, the third full week of July marks the 11th annual observance of Captive Nations Week. I join my colleagues in Congress, the people of the Fourth District of Kansas, and the rest of the Nation in commemorating the national observance of this week.

We, the American people, who so justly value and treasure our freedom of speech, freedom of religion, and freedom of assembly mourn the loss of these human rights and dignities by the East and Central European people to Soviet dictatorship. Through overt and inovert aggression we have seen the Russian Communist subjugation of the national independence of Albania, Bulgaria, Estonia, Hungary, Latvia, Lithuania, Czechoslovakia, Poland, and Romania. The so-called Brezhnev doctrine and the Czechoslovakia tragedy manifest for the free people of the world another grave reminder of Russian suppression. The Brezhnev doctrine is a symbol of tyranny by unpopular regimes and perpetuated solely by the military force of the Soviet Union.

Let us resolve anew to never forget the millions of people who are under the yoke of communism in East and Central Europe. One of our greatest, yet most inspiring and worthy challenges, is the pledging of our Nation and our people to the cause of freedom for all mankind. America must continue to be the beacon of faith and the personification of individual rights and human dignity for the suppressed European nations. Captive Nations Week manifests our awareness of the importance of freedom for the 100 million people in the Communist-dictated lands of East and Central Europe. The right of self-determination for all people is our confirmed obligation. Through our obligation, may the people of Europe see freedom from Communist dominance and suppression.

DEFAMATION OF OUR ETHNIC, RACIAL, AND RELIGIOUS GROUPS

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. HELSTOSKI. Mr. Speaker, I am pleased to be one of the cosponsors of the House Concurrent Resolution, offered by Mr. RODINO, dean of the New Jersey delegation; a resolution expressing the sense of Congress with reference both to defamatory films and broadcasts, as well as to the need for establishment and implementation of adequate standards for such films and broadcasts.

For quite some time now, many of our radio and television "comedians" have demeaned and degraded our ethnic, racial, and religious groups. Our protests to the networks, sponsors, and the performers have fallen upon deaf ears, thus requiring the Congress to take steps in dealing with this problem. No one will deny the fact that Congress has had much more important problems to cope with, but if the film and broadcast industries cannot police themselves on this subject, Congress has to take appropriate steps.

It appears that some action must be taken to curb such films and broadcasts which maliciously ascribe ethnic, racial, and religious origins to undesirable patterns of behavior.

While the first amendment gives every individual the right to speak out freely, it does not grant any individual to speak in a manner which is degrading and defamatory about his fellow Americans no matter what their ethnic, racial, or religious origins may be. America is no place where such demeaning characterization are to be condoned.

America has been, is, and will be the melting pot of the world, and each individual, regardless of origin, has contributed his share to the betterment of America.

As an American of Polish descent, I am proud of my heritage and I wish to call attention to some names which, I am sure, you will recognize immediately.

Generals Thaddeus Kosciuszko and Casimer Pulaski fought for us in our war for independence. And, General Pulaski is known as the "Father of the American Cavalry."

As Poles, Ignace Jan Paderewski and Fryderyk Chopin contributed much to the field of music and musical composition. Surely, everyone is familiar with the name of Madame Marie Curie-Sklodowska, the discoverer of radium, and with Nicholas Copernicus another great Polish scientist. Who, among baseball fans, is not familiar with Stan Musial.

The Americans of Polish descent do

not desire, or should be referred to as "Polacks." To them this is a very degrading appraisal of their national origin.

Among the Italians, we find such names as Enrico Fermi, an atomic scientist; Guglielmo Marconi, a scientist in the radio field; G. Galileo, an astronomer; Luigi Galvani, the developer of the galvanic battery; Columbus and Vespucci, navigators.

You know of Benvenuto Cellini and Leonardo da Vinci, as well as Michaelangelo. Do you remember the Dimaggio brothers? Joe has just been voted the best among the living players.

And, the Italians resent any reference to them as "Dagos." I applaud them in their desire to eliminate this reference to them, which is a derogatory description of a group whose national origin has made great contributions to our country.

I would like to suggest to these "comedians" that before they utter one word with reference to any of the ethnic groups, the racial groups or the religious groups, that they first study the contributions made by these people to our American way of life and for the betterment of all mankind.

One factor that we should all remember is that the people of these various ethnic, racial, and religious groups will remain long after those who degrade them in their "comic" performances are gone.

It is unfortunate that Congress must step into this picture, and it is only because the film and broadcast industries do not desire or cannot police themselves in this area.

While, at this time, we are only expressing the sense of Congress in dealing with this problem, the resolution proposes to establish three principles: First, it would call upon the producers and distributors of films and broadcasts to cease the production and distribution of films and programs which defame, stereotype, ridicule, demean, or degrade ethnic, racial and religious groups. Second, it would call on responsible persons in the motion picture and broadcasting industries to establish and enforce adequate standards. Third, in the event that the motion picture and broadcasting industries do not establish and enforce adequate standards within 1 year after enactment of this resolution, it would call on Congress to establish such standards through Federal legislation.

Mr. Speaker, I trust and hope that congressional concern on this problem will force the writers and performers to reassess their approach to the ethnic, racial, and religious groups and direct their performances toward uniting these groups into a solid American society. Never before in our history have we had the need for unity among those who are a part of this "melting pot" as we do now.

We are in the critical years of our American way of life and no one should take upon himself to degrade, demean, and ridicule anyone who is a part of these great United States or who has origins outside our boundaries.

OVERPOPULATION BIGGEST PROBLEM

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. MICHEL. Mr. Speaker, on July 18 the President sent a message to the Congress relating to the overpopulation problem bringing into clear focus the scope of the problem and offering some constructive suggestions as to what might be done to find some solutions.

An editorial appearing in the July 24, 1969, edition of the Peoria Journal Star discusses the problem in some rather straightforward and blunt language and I include the editorial in the RECORD at this point:

OVERPOPULATION BIGGEST PROBLEM

We are bringing more kids into this world than we can possibly provide for.

There isn't enough land to grow enough food to feed the numbers of kids being produced on this planet today. There aren't enough adults around to produce their needs or provide enough teachers to teach them.

It is a tragic, measured, analyzed reality that the figures simply don't add up. There aren't enough resources on earth to provide for the avalanche of babies. There aren't the crops, the land, or enough capable adults to provide services.

Where the reality has hit first and hardest, desperate steps are already being taken. In Japan, which once was the Number One population crowding problem on earth, abortion is open, legal, and being practiced. In India, where massive efforts to increase food production are outstripped by baby production, they have launched a massive campaign of outright sterilization—along with tens of thousands of planned parenthood centers.

That is the really dark side of these statistics about "more than half of population of Latin America is under 21", and such.

There just aren't enough able adults in good health still in their years of vigor to take care of such a staggering number of kids in need of food, clothes, and education.

Result: millions of those growing up to adulthood aren't well fed or educated or capable of solving the problems and contributing significantly to the feeding, sheltering, clothing and education of the still rushing tide—but they are capable of adding more and more babies to the problem.

The tidal wave inundates human progress and human hopes of a better life and higher standard of civilization as well.

Our own booming birth rate threatens to contribute to a similar slippage right here. In any case, the effects of this build-up toward disaster in the hemisphere and on earth certainly doesn't leave us untouched now—nor able to "tread water" and keep our heads out in future as the tide rises.

I don't know who said it first, but it is a plain fact:

"Whatever your present cause may be, it is a lost cause . . . unless we check the population explosion."

Yet we face this overriding reality in America, against a conditioned reflex that expects our local miracle of technology to provide all things for all men with no effort.

In short, we are looking in the other direction, living in a fool's paradise, unaware of the massive shadow of the tidal wave looming over us.

THE LESSON OF APOLLO 11

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. MIZE. Mr. Speaker, the adventure of Apollo 11 has few parallels in human experience. Our pride as a people in this accomplishment is utterly unbounded. Americans have met the challenge issued by the late President Kennedy "to put a man on the Moon and return him safely to Earth in this decade." President Nixon has said of this past week:

The world has never been closer together.

The President's profound observation is manifested in many, many ways. Men and women throughout the world can take pride in this magnificent achievement. The dignity of all men is enhanced by the courage and resolution of a few. Men have always lived in the reflected light of the distinguished and the dedicated among them. But more than that, Apollo 11 was the product—more than any other single event in history—of the commitment and struggle of the great thinkers and innovators of all the ages in human history.

From Galileo and Copernicus to Goddard and Von Braun, brilliant, untiring men throughout the world have contributed their lives and energies to the mission that culminated in the live television coverage of Neil Armstrong's first footfall on the surface of another world. It was a proud moment for every race, every creed, every sort of man; it was a moment of universal timeless participation in high adventure and discovery.

It was one of those few moments when technical achievement, courage, discovery, conquest, and the commitment of millions were all coordinated for peaceful purposes. "We came in peace for all mankind." Those words of our President and the astronauts will remain etched on a plaque on the moon, untarnished and undefiled throughout the eons ahead. They are words of commitment and words of hope. They are words this Congress, this Nation, and all humankind cannot ignore as space becomes a familiar medium for exploration and travel.

Perhaps, as we grow in wisdom and experience, we shall learn to accept the challenges of peace, in space and here on earth, as proper challenges for modern man. The challenges are limitless, just as space is limitless.

Hunger, serious disease, inadequate education, prejudice, and exploitation of men by other men—these are the curses that Americans can move against in the decades ahead.

The incredibly complex Apollo program has succeeded beyond our dreams and hopes. Its success should give us hope for future endeavors, future challenges.

Our earth is a resilient, fertile garden for men to cultivate. Men's minds and faith are resilient and fertile as well. With these gifts from God, an optimistic future is within our grasp.

"We came in peace for all mankind," and all mankind has joined us in the journey. That is the lesson of Apollo 11, and that is our hope. It must be our destiny.

FLAME ENGINEERING

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. SEBELIUS. Mr. Speaker, my remarks today are prompted by a letter and a newspaper article regarding one of a my constituents in western Kansas, Mr. Ralph Pivonka, an enterprising and successful businessman from La Crosse, Kans.

Mr. Pivonka is typical of our citizens in western Kansas and typical of his pioneering forebearers. Out of necessity, he and his son designed and built a propane torch with which to burn weeds and trash on the family farm. That homemade device has now led to a first-rate local industrial concern—a profitable business with incorporation plans.

Mr. Pivonka asks a most pertinent question: How can a successful businessman succeed in an area suffering from depressed farm conditions? How can he contribute to the revitalization of his home community? What can be done?

Mr. Speaker, I offer the article regarding this successful smalltown businessman from the June 12 issue of the Wichita Eagle along with excerpts from Mr. Pivonka's letter to me for inclusion in the RECORD. I think it is obvious that through the example of Ralph Pivonka we can revitalize rural and smalltown America. It is equally obvious Congress should do all that it can to aid in this effort before success stories like this one become a thing of the past.

The article and letter follow:

FLAME ENGINEERING,
LaCrosse, Kans.

Hon. KEITH G. SEBELIUS,
House of Representatives,
Washington, D.C.

DEAR SIR: As a struggling small manufacturer I appreciate your interest in our welfare and the welfare of rural Kansas, with conditions in Western Kansas not good from any point of view. If we cannot create something to hold our people, all but a few western Kansas towns will all but disappear. In LaCrosse, the last 6 months have seen 6 businesses close their doors. These were not exactly small businesses—a grocery, a clothing store, a variety store, a recreation parlor, a drug store, a shoe store. We have prospects of losing an auto agency, an implement agency, and—heaven forbid—our hospital. The hospital will surely close as our only active doctor is closing his office July 1; many other towns in this area are in the same position. Depressed farm conditions are closing businesses by the dozens.

As a small manufacturer, I am aware that there are a number of agencies within the government that are supposed to assist us in obtaining business. However, how to obtain this help is another matter. I have spent countless hours and several thousand dollars in visiting these agencies and have received the usual polite brushoff. The Agriculture Department and their Forest Service are buying thousands of dollars worth of equipment similar to what we manufacture, but to date, we have sold only $25.00 worth of our equipment to them. As small manufacturers, we are unable to support representatives in Washington to lobby for our interests. We need help desperately in obtaining some of the business that is going to Eastern manufacturers.

Your interest in our activity is sincerely appreciated. Perhaps with your help, we may overcome some of these difficulties.

Respectfully,

RALPH C. PIVONKA.

FATHER, SON'S PROPANE TORCH APPEARS BRIGHT

(By Darrell Morrow)

LA CROSSE, KANS.—Fourteen years ago Ralph Pivonka, 64, La Crosse, and his son, Mike, 32 designed and built a propane torch for use in burning weeds and trash on the family farm.

Now the father-son team devotes full time to manufacture and sale of propane torches for farm and commercial use. They produce patented Red Dragon torches under the partnership name of Flame Engineering.

"We started out of necessity. We needed a torch and got to building them. Neighbors would borrow them and never would bring them back, so we decided it maybe had some commercial value. The boy said, 'I'll make them if you'll sell them,'" said Ralph Pivonka.

Four years ago they expanded the business, then run mostly from the farm workshop, and entered the national market. Since that time demands for their products has extended into the international market.

* * * * *

Primary emphasis of the business is on the production of torch equipment for control of insects and weeds from farmlands.

"We use a method radically different than anyone else in the industry. We throw the propane on the ground and use a pilot light to ignite it. It is so darn simple that only a Kansas hayseed would think of it," Pivonka said.

The work of Pivonka and son attracted enough attention nationally that Ralph Pivonka was asked to present a paper at the Fifth Annual Symposium on Thermal Agriculture at Memphis, Tenn., in January 1968. The organization is composed primarily of scientists and researchers and barred speakers who had commercial or manufacturing ties from the platform, Pivonka said.

While other flaming equipment on the market uses vaporized gases from the top of the tank, his equipment uses liquid propane off the bottom.

"In any type of flaming the greatest amount of heat is created at point of combustion. When combustion takes place within the torch, only hot expanded gases are expelled. These gases are heated to incandescence, but because of their expanded condition lack the quality of adhering to the ground for any length of time.

"In liquid spray flaming, the natural tendency of propane to seek low levels has the advantage of creating a flame that adheres to the surface for considerable longer periods than normally is accomplished with conventional equipment. The super cooling of natural vaporization adds to the tendency to adhere to the surface to be flamed, in many cases even to penetrating into cracks in soil, into and under trash where initial combustion creates the greatest amount of heat.

"This initial combustion also creates considerable radiated (infra-red) heat. This radiated heat has penetrating qualities not found when combustion takes place at a point other than point of contact. Radiated heat penetrates deeply into fibrous material creating damage within the plant that destroys its ability to survive," Pivonka explained.

He advocates using the liquid spray flaming equipment during late fall or early spring to destroy insects, their eggs, and some weeds from alfalfa. The flamer is pulled at a speed of about five miles per hour on relatively windless days for best performance, he said.

The first flaming for field use designed by the Pivonkas was for that purpose, but Pivonka said they have had numerous requests for application of the principle to other uses. He said some farmers believe use of the flamer on alfalfa may extend useful life of a planting from three to four years.

"We had a request from Grand Forks, N.D., for a potato vine burner. The idea is to destroy the potato vine so the ground can dry up and farmers can get into fields to pick the potatoes. Flamers also are used to destroy old corn stalks."

A British company has enlisted aid in application of their flaming equipment to drying soil reclaimed from the ocean so it may be compacted more quickly. The company uses a "soil disturber" which aerates the soil by throwing it into the air. "The idea is to flame the soil and dry it while it is in the air," he said.

Experimentation may be undertaken at Houston, where the British equipment is being used to build a levee from reclaimed soil.

The father and son said the demands for their equipment has outgrown their capabilities to produce it. They have contracted much of the production with a La Crosse machine shop. They now devote most of their time to the development and distribution end of the business.

The business has outgrown its partnership status, they have been told by Internal Revenue Service, and they plan to incorporate probably late this year, Pivonka said.

From the single flaming torch which they initially built in the farm workshop for their use and later for sale in the LaCrosse area, they have expanded to 47 items, Pivonka said.

Development of one of their products was requested by bush pilots in Alaska. The pilots requested that they make a simple heater to be used for warming cold plane engines so they would start in frigid Alaskan winters. They previously had let the engines idle continuously.

"We came up with a 100,000 BTU heater that weighs 11 pounds and fits into a fiber suitcase," he said.

One of their requested requirements was that the heater connections be made of common four-inch stovepipe, commonly available anywhere in Alaska, in case extensions or replacements were needed.

A Wichita aircraft manufacturer has indicated interest in the heater for a cold start accessory for its executive plane, Pivonka said.

The aircraft manufacturer requested that the stovepipe be replaced with a fancier connection pipe and the kit packaged in a contoured flight suitcase, he added.

MOON CALL

HON. RICHARD H. POFF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. POFF. Mr. Speaker, I quote herewith an editorial from the July 22 issue of the Richmond Times Dispatch.

It strikes me that this editorial is a complete and conclusive response to the

editorial which appeared in the July 19 issue of the New York Times.

The editorial follows:

NIXONPHOBIA

It is curious how exceedingly petty certain segments of the population can become when the subject under discussion is Richard Nixon.

An editorial in last Saturday's *New York Times* is a case in point.

Under the heading, "Nixoning the Moon," the *Times* took the President to task for his "attempt to share the stage with the three brave men on Apollo 11" by talking with the two of them who were to be on the moon.

President Kennedy initiated the Apollo program, and Lyndon Johnson was the program's prime political friend and most strenuous advocate, said the editorial. But now, the paper continued, because Mr. Nixon is president "by accident of the calendar" when the moon shot actually was being made, he was engaging in a self-serving performance "unworthy of the President of the United States."

This truly reaches the depths of the picayune.

As unhappy as it makes the *New York Times*, the fact is that Richard Nixon is now the President of the United States. It was entirely fitting for him, as the representative of all the people of this nation, to commend the astronauts on their great achievement and to express to the largest worldwide television audience in history America's hope that this epochal scientific achievement will inspire man on earth to redouble his efforts to achieve lasting peace.

The President's message was eminently appropriate, and the sight and sound of the chief executive talking from the White House with the first men ever to set foot on the lunar surface added to the drama and significance of the historic occasion.

Only a bad case of Nixonphobia would lead anyone to view the President's telephone call, as the *Times* did, as nothing more than "a publicity stunt of the type Khrushchev used to indulge in."

HONORING DR. FRANK PORTER GRAHAM A GREAT AMERICAN

HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1969

Mr. GALIFIANAKIS. Mr. Speaker, 60 years ago this summer a great American, Dr. Frank Porter Graham, graduated from the University of North Carolina, one of the Nation's great universities. One major factor that contributed to this university's greatness was the many years of leadership by Dr. Graham as its president. This year we also commemorate his retirement from a useful and illustrious career of public service as an official of the United Nations.

I am pleased, Mr. Speaker, to honor Dr. Frank, as he was affectionately known to thousands of students. I cannot think of a more appropriate way to recognize this true statement than to repeat his own words expressing his hope and faith as an American:

THE FAITH AND HOPE OF AN AMERICAN

In the fulfillment of her heritage of freedom and hope of brotherhood may America more and more be a land in which free people become brothers in the sight of God and in the human heart. Here the autonomy of the human spirit, the freedom of the mind, the liberty of inquiry, speech, publication, association, enterprise, work and worship, together with a personal sense of moral and social responsibility, are essential to the dignity of the free individual in whom are the security of the state, the welfare of the people and the progress of civilization. Here the best answer to the totalitarianism of the police state is not scrapping the Bill of Rights but keeping the faith of our historic Americanism. In this land the equal freedom of people to organize for self-development, cooperation and creative participation in the agricultural, industrial, commercial, political, professional, cultural and religious life is now the moving frontier of our dynamic democracy. In the general life the daily toil of millions of men and women is above privilege and power, and the integrity of simple people is beyond price.

May this America be a land where the home, as the sanctuary of love, nurture and faith, is the source and measure of civilization, and the schools, libraries and playgrounds of the people are the chief hope of the equal opportunity of all the children in all the states to develop to the highest their individual capacities for a unified and useful life. In the cities, the towns and the country may the multiplication and acceleration of the mechanical contacts of civilization increasingly mean the enjoyment of leisure and recreation, the widening of information and sympathies, and the deepening of the cultural and spiritual content of the lives of the people. The commonwealth not only means the common responsibilities for the conservation and development of the natural resources and cultural heritage for this generation and the generations to come, but also more and more means the common opportunities of the people for free information, sound knowledge, equal suffrage, fair employment, decent standards of life and labor, social security against the hazards of modern society, good health and medical care within reach of the people, and lawful agitation to broaden the base of the general welfare and lift the level of human liberty "in the pursuit of happiness" in America and the world.

In this land of liberty, for which our fathers died, and for which we would live, work and give our all, may America become a country in which the highest and lowest and all the people equally together have the freedom to struggle for the higher freedom of truth, goodness and beauty; where democracy is without vulgarity, excellence is without arrogance, the answer to error is not terror and the response to a difference in color, race, religion, ideas, economic condition or social status is not discrimination, exploitation or intimidation.

Here is humility of repentance for our own wrongs, freedom of indignation against injustice and evil in places high or low, and courage in action for human decency and fair play. Our democracy is made fairer and stronger by the robust struggles of freedom, and life is made richer by the vigor and variety of the differences of the people. Where and when men are free, the way of progress is not subversion, the respect for the past is not reaction, and the hope of the future is not revolution; where the majority is without tyranny, the minority without fear, and all people have hope of building together a nobler America in a freer and fairer world.

These toiling and hopeful people, as pioneers along the free frontiers of the vast wilderness of our yet unmastered international society, seek to prevent both the destruction of human freedom and self-destruction of civilization and to share their generous strength for peace on earth and good will among men. In a dynamic world, in which a depression or a war anywhere involves human beings everywhere, the people of the American dream, against the lags of the conceptions of the absolute state, the superior race and the master class, patiently struggle in the atomic age through the United Nations, through regional re-enforcements of collective security, through economic cooperation and technical assistance programs, to end all wars and all depressions and to provide the basis for the self-determination and equal opportunity of all people. On the fresh continents of abundant resources, fronting east and west on the two great oceans between the Old World and the New, the people of America, are the grateful heirs of all the ages, races, regions, cultures, and hopes of mankind. With all their faults, frustrations and aspirations these people of this youthful nation would rise to the responsibility of their power and the opportunity for their gretaest to help give fresh hopes to stricken peoples for food and freedom and to help organize justice under law and peace among nations. In creative cooperation with all peoples, East and West, the American people would share their heritage, their toil, their strength and their dream in the unresting adventure of the human spirit in the long pilgrimage toward one world neighborhood of human brotherhood in answer to the prayers of the people for peace, freedom and justice on God's good earth.

THE SIGNIFICANCE OF MOON LANDING

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. SHRIVER. Mr. Speaker, the successful and historic mission of the men of Apollo 11 is over—and now a national discussion on the future of space exploration has begun. Under the leave to extend my remarks in the RECORD, I include editorials from the Newton Kansan and the Peabody, Kans., Gazette-Herald on the significance of the U.S. landing on the moon last week. The editorials follow:

[From the Newton Kansan]

MANKIND PROFITS FROM MOON LANDING

Man's dream of the ages came true Sunday night as Neil Armstrong stepped on the surface of the moon.

"It's one small step for man; one giant leap for mankind."

Armstrong and his companion, Edwin Aldrin, Jr., roamed over the moon's surface adjacent to their landing module as millions of watchers throughout the world watched them on television.

They picked up rocks and dust from the moon's surface to bring back to earth, and they placed gadgets on the surface of the earth's satellite to send back scientific information.

And what does all of this mean? Is it only a giant publicity stunt to demonstrate to the world that Americans are better scientists than are the Russians?

If that were the only significance of this giant leap it would be millions of dollars down the drain.

But there are many benefits that man will eventually reap because of the money spent, the hard, super-accurate work accomplished, and the confidence of the crew in their equipment.

For man is learning more about the universe in which he lives. Information brought back by the moon men will help scientists unlock the secrets of the origin of the earth, and possibly its eventual fate.

These products of the moon landing sound far out and unreal, but there will be more evident products also. Many of the skills learned, many of the gadgets invented, and much of the knowledge obtained in the project will eventually be used for products and for ideas that can help man make his life on earth a better one.

(From the Peabody (Kans.) Gazette-Herald)

IT'S BEEN QUITE A WEEKEND

This past weekend has been quite a time around here. First we had that fine Saturday night rain, and that certainly was welcome. Of course, on Saturday afternoon, we installed an air conditioner over at the Burns News Office—the first one ever in that establishment, and that must be some sort of a milestone.

Oh yes, there was that little matter of Neil and Buzz landing on the moon for a short stroll and a little rock hound work.

That trip to the moon held the interest of most Americans except some of the more sophisticated young and old. It was difficult to realize just what a historic and amazing event we were watching. You had to pinch yourself to realize that this was not another science fiction show, another simulation but the very real thing. That Armstrong and Aldrin were actually right there on the moon—another of the heavenly bodies—and that this means that man can travel and survive on some other chunks of the universe other than earth.

The implications for the future are so fantastic that we unscientific folks can only guess at them. More space travel is certainly in the offing. Last week Vice President Agnew's comments about the exploration of Mars were controversial. This week they seem almost academic.

For the moment—and that is the correct time reference—further exploration of the moon will be the goal. There must be mapping, scientific study of rocks and minerals and other research that may or may not bring economic and other benefits to earth men.

But further space exploration is such a sure thing, it hardly seems worth while talking about it. There simply is no stopping point from here on.

Which statement may bring us "back to earth" with a rather unpleasant thump. These space explorations are exciting and scientifically fantastic—and they are costly. Billions of dollars in tax money has been poured into the Apollo and previous projects. Billions more will be spent in further exploration of the moon. Explorations of Mars and other planets will be much more expensive.

We must go on—but what if the results are only interesting scientifically, and of no economic benefit? What if the benefits are only in the field of space knowledge, earth stature, and keeping ahead of the Joneses? How much of our economic life blood can we afford to pour into what may prove to be pure scientific research?

That's a rather worrisome question. Are we in danger of pauperizing ourselves to prove a scientific point?

There are, of course, numerous benefits in the fields of television, metallurgy, health, etc., which will be derived from the research going into the space projects. But will it be enough to really begin to pay back the economy for the strains the space program is going to put on it?

We may well have a space bear by the tail and not be able to let go of it. But what a wonderfully interesting, exciting, amazing bear it is.

And what a great trio of space explorers the U.S. has to welcome home this week from the most interesting, exciting and meaningful journey since Columbus broadened the horizons of the world by sailing across the Atlantic.

PREVENTIVE DETENTION NOT AN ANSWER TO PROBLEMS OF LAW AND ORDER

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. MIKVA. Mr. Speaker, the problem of mounting crime is perhaps the most perplexing and frustrating challenge facing this Congress. Rarely has this body been so united in determination to attack a social ill. Yet rarely has any issue less lent itself to meaningful legislative solution. The temptation to press forward with quick and easy sounding action to protect our citizens from danger is great. But the solutions are neither quick nor easy, and if we act unwisely and repressively we may at once both compromise the Constitution and delude ourselves into believing that substantial action has been taken to reduce crime.

President Nixon's recent crime fighting proposals reflect appropriate executive concern over this serious problem. But at least one of the administration proposals—the plan referred to as preventive detention—is an ill advised and unconstructive attack, which both rolls back the Constitution and misplaces the emphasis.

No less a concerned constitutional scholar than Senator SAM ERVIN of North Carolina recently described preventive detention as "unconstitutional" and warned it "smacks of a police state rather than a democracy under law." The Senator's fears are well grounded. The presumption of innocence until conviction by due process is an unequivocal principle of our judicial heritage. Moreover, pretrial imprisonment based on an ambiguous process of "pretrial trial" findings of substantial "probability" of guilt or "dangerousness" simply cannot be tolerated under any notion of fairness and due process.

Mr. Speaker, there are serious problems of protecting citizens from those awaiting trial. But the place to attack the problem is at the judicial end. The Constitution guarantees a speedy trial. The courts must be given the tools to swiftly and surely determine and imprison the guilty. This, rather than giving the State the tools to incarcerate those it extra-judicially terms dangerous, would provide the real base for meaningful attack.

I would urge my colleagues to read Senator ERVIN'S brief but incisive remarks on this question which can be found on page 19798 of the July 16, 1969, RECORD. I would also like to insert into the RECORD at this time a perceptive and revealing article from the March 8, 1969, issue of New Republic. The article, "Jail Before Trial," was written by Abraham S. Goldstein of the Yale Law School. A criminal law expert, Mr. Goldstein authored "The Insanity Defense" in 1967 and served as a consultant to President Johnson's Commission on Law Enforcement and the Administration of Criminal Justice.

The article follows:

JAIL BEFORE TRIAL

(By Abraham S. Goldstein)

Criminal procedure in the United States has only recently begun to narrow the gap between widely stated ideals and an unsatisfactory reality. Safeguards as elementary as the right to appointed counsel at trial and the right to be free of coercive interrogation or search without warrant are still in their infancy, furiously resisted by police and prosecutors. Meanwhile, mounting crime has drawn the controversy away from the courts and into the more volatile political arena. Provoked by student protests, black militancy and peace demonstrations, and by a pervasive feeling that "everything is coming unstuck," the forces of "law and order" are using basic institutions as scapegoats and threatening to distort them beyond recognition. One hoped that a lawyer President, determined to present himself as cool and unflappable, would not succumb to this intemperate mood. Regrettably, however, President Nixon's proposal for preventive detention before trial places him in the vanguard of those who would solve the crime problem by rolling back the Constitution.

The Nixon proposal brings to public view a problem, and a controversy, which has been nagging at students of criminal justice for quite some time: does it make sense to release persons charged with crime until they can be tried and convicted? President Nixon has said it does not, at least where the persons involved are, as he put it, "dangerous hardcore recidivists." The Constitution, on the other hand, has been construed fairly consistently as requiring release in noncapital cases, provided the accused can put up the necessary bail to assure that he will appear for trial. The rationale of this right to pretrial release is not just obeisance to the presumption of innocence, though that is hardly unimportant. The person denied release risks loss of employment, with all that may mean to his family and to the public welfare rolls; he is less able to locate witnesses and generally to assist in his defense; the pressure of detention may have an unduly coercive effect upon him, leading to waivers of preliminary hearing, pleas of guilty and waivers of jury trial; and, in the end, he is likely to draw a heavier sentence than his released counterpart.

Though the Nixon proposal has not yet been presented to the Congress, it speaks in broader terms than bills which have been introduced. These, which would be applicable in the federal courts and in the District of Columbia, include one by Senator Joseph Tydings (D., Md.), which would authorize detention only where the felonies charged involve actual or threatened "serious bodily harm," armed robbery, burglary and comparable offenses; another by Rep. William McCulloch (R., Ohio), would add narcotics offenders to the list; a third by Sen. Robert Byrd (D., W. Va.), would add the risk of "danger to other persons or to the community" to the risk of nonappearance which is now the exclusive citerion for pretrial detention. Nixon would subject "dangerous hardcore recidivists . . . [to] temporary pretrial detention when they have been charged with crimes and when their continued pretrial release presents a clear danger to the community." None of the proposals addresses itself to the problem of detention during a riot or emergency situation, where some sort of carefully limited detention may be justifiable.

Preventive detention before trial has long been formally recognized in European countries, including England. And it exists in fact, if not in law, in the United States as courts regularly set bail in amounts deliberately calculated to keep in custody persons who are regarded as dangerous, or persons who are thought to deserve punishment but are unlikely to be convicted. Indeed, the prac-

tice has been so widespread that fewer persons are released on bail in most of our states, where there is nominally an absolute right to bail, than in England where there is no such right. The current proposals would take this practice of preventive detention out of an illegitimate twilight zone and make it a regular part of the criminal process.

A measure very much like some now being considered was recently rejected by the Advisory Committee on Pretrial Proceedings of the American Bar Association. It recommended instead a statute patterned substantially on the federal Bail Reform Act of 1966. That statute, which is currently under attack, preserves the traditional standard, making release turn entirely on whether the person charged is likely to appear for trial. The tacit assumption on which it builds is that monetary bond may always be "excessive," in the constitutional sense, when indigent persons are being held, particularly if other factors such as ties to family, job and community make it probable that they will appear. But in assessing the probability of appearance, the court may consider "the nature and circumstances of the offense charged, the weight of the evidence against the accused, the accused's . . . character and record of convictions." The underlying theory, and it is by no means a new one, is that the more clearly guilty a person is, the greater will be his motivation to flee; the more heinous the offense and the worse the criminal record, the heavier will be the sentence and the less credible the promise to return for trial. These same characteristics, of course, may describe the preventive detainee, to the extent that they do, and are applied to retain in custody persons who are both likely to commit crimes, and unlikely to appear for trial, they serve the purpose of preventive detention. But even if such persons remain at large, the federal statute authorizes the court to impose a wide variety of conditions to increase the probability that the accused will appear for trial by reducing the probability that he will commit a crime during the pretrial period. These range from a promise to appear to probation-like supervision, from travel and employment restrictions to a requirement in appropriate cases that the defendant return to custody each night.

We have nothing that describes in any systematic way how these relatively new federal bail provisions have worked. At best, we have some anecdotal material, of the sort presented at the recent hearings of the Senate Judiciary Committee, which describes the occasional highly visible offender who has committed a crime during his release period. There is little to tell us of the extraordinarily large number who do not. Though this lack of evidence should in itself be persuasive where freedom itself is at stake, there is evidence that argues strongly against the change, at least as a serious effort to "solve" the crime problem. Everyone who has ever looked closely at bail has concluded that the bail amount is regularly manipulated by the courts to accomplish preventive detention. That, rather than release, is the *de facto* norm when "dangerous hardcore recidivists" are drawn into the criminal process. Whatever might be said in favor of bringing such use of bail into the open and legitimating it, it is grossly misleading to suggest that crime will be significantly reduced if we do no more than authorize the detention of those who would have been detained in any event, albeit illegitimately.

The Nixon proposal is especially offensive because it uses words and phrases like "hardcore recidivists" and "clear danger to the community" as if they really had content directly relevant to the questions of prediction inherent in preventive detention. It is impossible to say with much assurance who will commit a crime in the future; it is even less possible to say who will commit a crime within the limited period a defendant is awaiting trial, particularly if he is hedged about with restrictions as to what he may do and where he may go and if he is brought on for trial expeditiously.

It is not as if the question of probable danger were a new one. The history of our law represents in considerable part an effort to assess the distinction between the threat of danger and the fact of injury. In the law of attempts, incitement and conspiracy, in offenses like vagrancy and loitering, in provisions for civil commitment of the mentally ill, the sexual psychopath and the juvenile, we have confronted the question of probable danger and come away with very few guides for decision. We cannot say with any confidence how likely it is that yesterday's robber will rob tomorrow, that yesterday's man of violence will be violent tomorrow—especially if "yesterday" is many years past. There are no rules of thumb that can be carried over to a hearing on danger held promptly after arrest, before many facts can be accumulated.

This is dramatically evident in the materials surveyed by the DC Crime Commission. Though 7.5 percent of defendents released in a year were later charged with offenses committed while awaiting trial, only 4.5 percent were charged with crimes of actual or potential violence. More importantly, as the ABA committee pointed out, "Nothing in the DC statistics or any others now available indicates that those defendants who did commit crimes while released were distinguishable beforehand from other defendants who had similar records and charges but who did not commit crimes while released."

The only area where we have tolerated such detention before the facts are really in is that of emergency commitment of the mentally ill and, however unsatisfactory that often is in practice, it does turn on medical certifications and incapacitating mental illness. The new proposals would extend these extraordinary measures to persons charged with crime, with neither a predictive science at hand nor a body of concepts adequate to the need. It is a disastrous oversimplification to pretend we have the capacity to make the fine discriminations that these proposals demand. A pretrial detention procedure would inevitably lead to overprediction of crime, with undue emphasis given to the prior criminal record, the only hard fact available. Dangers imagined and feared by judges and the public rather than the fact of danger in the accused himself would become the touchstone of detention.

Nixon's emphasis on "hardcore recidivists" as the primary prospects for preventive detention is undoubtedly intended to reassure that the power to detain will not be used lightly. It is important to note, however, that such persons were probably subject to habitual offender laws after they had committed two or more felonies. Under these, they might have been sentenced for periods as long as thirty years or life. If they were not, it was because prosecutors chose not to proceed against them under such laws or because sentencing judges relying on the investigation of probation officers, concluded that they were not so dangerous as to warrant extended detention. Even where habitual criminal statutes are not available, the offenders have often committed many offense and prosecutors have either chosen not to charge them for all or judges have imposed sentences to run concurrently rather than consecutively. Finally, if such persons were incarcerated, they were probably released by parole officials who concluded that they could safely be at large. It may be, of course, that prosecutors, sentencing judges and parole boards are exercising their authority unwisely and releasing persons who should be kept in custody. But the remedy is not to imprison the unconvicted offender; it may be to use more effectively the power already existing for dealing with the convicted offender.

The preventive detention proposals seem to be aimed not at the ordinary property offender, the thief or the forger, who makes up some two-thirds of all offenders but rather at the man of violence, the sex offender or the narcotics addict, persons presumably so lacking in self-control that they cannot be relied upon to behave responsibly even when they are subject to bail or other conditions. The narcotics addict is the prime example. His physiological or psychological dependence may be such that he cannot be trusted. For him, in more and more jurisdictions, there are civil commitment procedures, which include provisions for emergency commitment. Similarly, the serious sex offender and the man of uncontrollable violence may be committable under special procedures for commitment of the mentally ill. However disagreeable it may be to think we already have preventive detention procedures, and however reluctant we should be to use them, the fact is they do exist and can be invoked for many of the cases to which publicity has been given.

Perhaps the most important point to be made against the proposal is that the principle of pretrial preventive detention, once legitimated, is likely to develop a life of its own. More and more crimes will be regarded as sufficiently threatening to warrant detention before trial. This will do irreparable harm to the presumption of innocence and to the more concrete interests described earlier. It will, in addition, add materially to already clogged court calendars and an overburdened judicial system as new procedures are created to determine the issue of probable danger and new provisions for appellate review are devised to make preventive detention more palatable. Over time, the result may well be more trial delays, more extended pretrial detention and, eventually, as some of the proposals contemplate, a requirement of release if the trial is not held within a stated period of time. This may lead, in turn, to a condition I have observed in at least one Latin-American country; trials rarely held and preventive detention an entire substitute for post-convention imprisonment.

The criminal law has always had to take into account that the restrictions we place on state power may cost us some measure of protection from danger. In the effort to avoid all danger, the proponents of preventive detention exaggerate what can be predicted about criminality to justify an indiscriminate practice if imprisoning persons whose guilt remains to be proved. Such a course would sacrifice too casually the liberty of too many persons for a negligible increase in public safety. Worse, it may delude us into thinking something substantial is being done to reduce crime.

LEGISLATION TO BENEFIT FEDERAL EMPLOYEES

HON. HOWARD W. POLLOCK

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. POLLOCK. Mr. Speaker, today I am introducing a bill which will benefit Federal employees. This legislation will enable them to receive retirement benefits after 30 years of service, regardless of age. It replaces the retirement at 65 plan with a procedure similar to that of our Armed Forces. Prospective employees will no doubt be attracted by the option of retiring early with the chance to pursue a new career or sample leisure activities. Present employees will surely be pleased. In addition, the bill is at-

tuned to the growing need in America to spread employment among the increasing labor force. The proposal is far-sighted in theory as well as immediately beneficial to those affected—two worthwhile objectives for this Congress to pursue.

IMPACTED SCHOOLS

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. BROWN of Ohio. Mr. Speaker, I am personally convinced that the rationale behind the impact aid program is still a sound one and that the Federal Government has an obligation to assist those school districts which educate the children of Federal employees impacting those districts. Today I only want to point out the unique situation which exists in my congressional district, in which Wright-Patterson Air Force Base is located.

My congressional district has the most schools receiving impact aid in the State of Ohio and receives the most impact aid. That aid is for 13,000 "B" students and 162 "A" students, because Wright-Patterson is not a "residence" base. The proposal of the Appropriations Committee would virtually annihilate the school districts surrounding Wright-Patterson. The school districts in the Seventh Ohio District would lose nearly $2.5 million in aid. Although 162 students would be aided, 13,000 would be cut off.

As a friend of the impact aid program, I am constantly reminded of the wealthy suburban Washington school districts and the irony of their Federal subsidies. It is unfortunate that the views of so many must be prejudiced by the location of these districts. The wealthy suburbs around Washington are not typical. Instead I would ask my colleagues to study the figures accompanying this statement which indicate the more typical impacted school—a district with a higher than State average tax rate, a lower than State average tax valuation per pupil, and a lower than State average expenditure per pupil. While Wright-Patterson is atypical among military installations in having little base housing, I feel that this economic picture of the average impacted school is more typical than the economic examples of impacted districts surrounding Washington. The schools in my district are already taxing themselves more heavily to accommodate the nearby military installation, a national burden; I do not think it fair to substantially increase the local burden for a national benefit.

I am shocked by the degree and abruptness of the cutback which the impact request would force. Due to the virtual absence of "A" pupils, the Federal contribution to these schools would drop from 88 percent of entitlement last year to absolutely nothing. Two school districts receive more than 10 percent of their budget from impact aid; several more receive nearly 10 percent from the Federal contribution. To eliminate this assistance, without warning, in 1 year is inconceivable and an orderly adjustment is not possible.

Another question in this connection concerns the congressionally authorized study currently being done by the Battelle Memorial Institute. I fail to understand the logic of killing the program through the budgetary process before the recommendations from that study are available.

Finally, I think that we must remember that the impact aid program is not part of the more recently enacted categorical programs for Federal aid to education. Impact aid is, in my opinion, more like an obligation of the Federal Government—a payment in lieu of taxes. We do not allow local districts to tax the Federal property but we insist upon their educating federally connected pupils. In the Seventh Ohio Congressional District the taxpayers are already tolerating higher tax rates and accepting a lower expenditure per pupil than the State average. I personally cannot rationalize asking them to do more to defray what is a legitimate national expense.

The table referred to follows:

RANKING OF SCHOOL DISTRICTS IN SEVENTH CONGRESSIONAL DISTRICT AMONG ALL DISTRICTS IN STATE, JUNE 196

[647 school districts in the State of Ohio, 1968-69 school year]

	Enrollment	Tax val. pupil	School millage	Total millage	Local tax rev./pupil	State aid per pupil
Beavercreek	42	519	83	112	404	155
Fairborn	30	550	157	81	492	211
Mad River-Greene	180	578	194	250	545	60
Mad River-Montgomery	46	627	90	120	592	9
New Carlisle	64	609	102	108	555	88
Xenia	34	499	142	137	426	154
Yellow Springs	493	284	27	51	114	346

COMPARISON OF TAX RATES OF IMPACTED SCHOOLS IN SEVENTH CONGRESSIONAL DISTRICT WITH STATE AVERAGE

[Based on school year 1968-69—fiscal year 1969]

School district	Operating tax rate (mills)	Bond tax rate (mills)	Total school tax rate (mills)	Tax valuation per pupil	1967-68 school year expenditures per pupil operating	Percent of budget, Public Law 874	Public Law 874 receipts represents (mills)	Enrollment October 1968
Beavercreek	31.00	5.70	36.70	9,096	507	5.5	3.50	7,840
Fairborn	28.20	5.70	33.90	8,367	481	10.0	6.50	9,450
Mad River-Greene	24.70	7.90	32.60	7,631	511	8.7	5.41	3,105
Mad River-Montgomery	28.80	7.73	36.53	5,800	548	14.0	17.50	7,328
New Carlisle	28.30	7.50	35.80	6,598	475	6.4	4.45	6,075
Xenia	28.20	6.20	34.40	9,353	539	3.9	2.16	8,511
Yellow Springs	36.30	5.30	41.60	12,924	675	8.5	3.00	1,117

LET US GET SOME ANSWERS ON INTERMODAL OWNERSHIP

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. ECKHARDT. Mr. Speaker, 10 cents of every dollar of agricultural and industrial production cost in the United States goes for the transportation of freight. No industry can so readily help produce an efficient economy or so quickly become a drag on expansion as the transportation industry. We are living in a time of rapid change when old policies and programs are constantly under review. There is a need for new thinking. George Peterkin, Jr., president of Dixie Carriers, Inc. of Houston, recently delivered a thoughtful paper to the annual meeting of the ICC Practitioners calling for a new drive by the ICC, the Department of Transportation, the Association of American Railroads, and the Water Transport Association to promote improved voluntary coordination or rail and water service. Mr. Peterkin believes that substantial savings in transport costs and, therefore, improvement in productive efficiency for both industry and agriculture would result from improved business cooperation of rail and water carriers. I would like to share the contents of this paper with my fellow Members and submit its introduction into the RECORD:

LET'S GET SOME ANSWERS ON INTERMODAL OWNERSHIP

I would like to add my word of welcome, as a Houstonian, to the ICC Practitioners Association annual meeting in Houston. I hope you have had a chance to see some of the transportation aspects of this city because they have a bearing on the topic of my speech. Here in Houston, perhaps more than any other place in the country, we have an example of what a man-made ship channel and a man-made intracoastal canal can do to help produce not only flourishing barge lines but flourishing railroads and flourishing truck lines and airlines. I think it can be said of Houston that part of our growth, over many years, has been attributable to a high degree of cooperation among the different modes of transportation. There has been a great deal of transportation business to do. In our many different ways, we have cooperated to get it done. And in large measure because of this cooperation the Gulf region is one of the fastest-growing regions in the country.

I would like to stress that point because the advocates of intermodal ownership have to prove that the only way to achieve needed cooperation is through intermodal ownership. I would be the first to say that cooperation could be better in the enlightened self-interest of all. But cooperation and

coordination do exist and more of it would exist, in my view, if a better job of business selling were done by carriers and shippers.

Speaking for myself, I believe with many others that we are in a time of rapid change and that we cannot afford to maintain doctrinaire positions on important issues of transportation policy. At the same time, we cannot afford to overlook the lessons of history. Those who do, as the saying goes, are compelled to relive the rough patches.

The emphasis of my remarks will be directed toward my field of particular knowledge which are the larger tonnage movements and this means in most cases rail and water transportation. Nevertheless the applicability of these thoughts holds true for all modes.

The history of railroad ownership of water carriers is an unhappy one, extremely well-documented and beyond dispute. In view of that history, a case has to be made that conditions have materially changed.

Instead of arbitrarily saying "no" to intermodal ownership, let's try to get some sensible answers to some obvious questions. Too much of the discussion of this subject is on an emotional level. Proponents make their appeals based on the "injustice" created by a law, which they claim now, is obsolete. They never get to the hard core of the issues. The result is that in the seat of decisions there is a failure of belief that conditions have changed or changed enough to risk letting down the bars to intermodal ownership.

The first relevant question should be the easiest to answer. Better coordination of water and rail service means the *substitution* of a water connection for a rail connection or a rail connection for a water connection. Would we see more of it or less of it than we see under today's independent ownership? The most economical use of transport resources on steel pipe shipped from the Pittsburgh district into the Southwest would be by barge to Memphis or Houston and rail beyond. Barge would be substituted for hundreds of rail miles if the public interest in the most economical use of transport resources were to govern. Up on the Great Lakes, for example, cost studies have shown that modern self-unloaders can transport coal so cheaply that a substitution of boat service even for so short a distance as 40 to 60 miles of rail service produces a lower overall cost, including all the costs of transfer to the vessel. Would that rail-lake route be preferred under common ownership?

There is a failure of belief among shippers and others that it would be and that the public would achieve the lowest possible cost transport service.

The second question is more complex. Would super-concentration of industry, which Mr. Nixon's Attorney General has said is a "danger" to "our economic, political and social structure," be stimulated if railroads went intermodal? Six railroads are now among the top 100 largest corporations in the country. The Attorney General's interest is in the top 200. Would railroad economic power become so overwhelming as to stifle transportation competition? Would transport pricing to all intents and purposes become administered or dictated by a few of the largest companies? That could, of course, be very good for the stockholders of intermodal companies, but could also serve to injure the public interest rather than enhance it as claimed by proponents of intermodal companies. The railroad merger trend, approved by the ICC, has clearly been disturbing to the Justice Department. The Canadian experience is often cited as an argument for the benefits of common ownership. The Canadian Pacific Railroad owns water and truck subsidiaries. But it seems to me, that the CPR is also the most compelling argument against common ownership. Only the Canadian Government is big enough to compete with it. It operates, at a substantial loss, the Canadian National Railway, which is, or at least is intended to be, a yardstick for the CPR.

Super-concentration of power in transportation already exists. There is a failure of belief that more of it would be in the public interest.

The third question has to do with the chronic shortage of capital in the railroad industry. From an insufficient stock of capital, would the railroad managements starve or foster an intermodal subsidiary? In the early 1970's very substantial investment will be required by the barge industry to re-equip itself with larger barges and more powerful towboats to take advantage of the completion of a 12-foot channel from Cairo, Illinois to New Orleans. In addition, the gross national product is expanding rapidly and substantial new investment will be needed to keep pace with public requirements for expanded and improved capacity? Would the barge shipper be better off relying on independent management to raise the capital required for change and expansion or would he be better off trying to get a proper priority from the railroad store of capital?

There is a failure of belief that water carrier subsidiaries of railroads would be able to command an appropriate share of the already insufficient capital resources of the railroads.

The fourth question relates to the structure of the barge industry. There are half a dozen barge lines with broad certificates of convenience and necessity to handle regulated products. There are many more than half a dozen railroads who would want to own barge lines if the bars were let down. So, overnight, if the present laws were changed, there would be a fantastic sellers' market in barge lines and all the major barge lines would probably be owned by railroads in very short order. How then would competition work?

Barge-rail competition over the past several decades has led to very substantial rail rate reductions, often reductions on the order of 50 per cent. Would a rail-dominated barge industry continue to produce reductions "to meet water competition?" There is a failure of belief that it would and the very thought that it would is ludicrous.

These, I think, are the questions which need some candid answers. Until satisfactory answers are supplied, I believe any proposal to charge the present state of the law is going to be met with understandable skepticism.

I do think, however, that a considerable change of climate could be achieved over a few years if the railroads would, by concrete action, demonstrate the seriousness of their interest in achieving improved coordination of intermodal service. What is most needed is a good faith showing by the railroads through their use of the voluntary means which lie at hand to bring about such improved coordination.

Many, and perhaps all the benefits claimed for intermodal ownership can be achieved and, in our view, much more appropriately achieved, through voluntary coordination without any of the risks of diminishing competition so obvious to everyone.

Our trade association, the Water Transport Association of New York, has been busy for the past year or more with a campaign to improve intermodal relationships. We take the view that the historic reluctance of the railroads to join with water carriers may well be based on assumptions which are no longer relevant. One cannot, of course, expect overnight success in a field where feet have been firmly set in cement for decades.

We have attacked the problem movement by movement. Our research has indicated a number of "willing partner" arrangements where higher earnings could be achieved by the railroad and the water carrier and lower overall costs made available to the public by joining the most efficient water service with the most efficient rail service.

We have been able to demonstrate savings in utilization of rail equipment, savings from new investment in transloading operations, savings from substituting water for certain portions of a rail haul.

We proposed to a joint meeting of the Traffic Executive Association—Eastern Railroads, the Executive Committee—Western Railroad Traffic Association and the Southern Freight Association last year that we jointly sponsor an intermodal rate bureau. We had a very cordial joint response. The idea was not acceptable at that time, but the railroad industry, the joint letter said, "desires to maintain an atmosphere of cordiality so that if situations arise in which closer coordination appears to be in the interest of two or more modes, there will be no obstacles to full exploration of the matter."

You might call that a polite brushoff. But ideas of this kind are not sold instantly. In the meantime, our "willing partner" program has achieved some new joint rail-barge rates and represents a focus around which to organize some new thinking. We have a considerable number of new ideas for joint rail-water service under study. The basic principle underlying this whole program is to achieve movements which make sound business sense for the railroads and ourselves as well as producing benefits for the shipping public.

We think there is great potential for improved water-rail coordination which would result in increased earnings for all modes, more efficient use of transport resources and savings to the public. Some of our water-rail studies have shown savings in the 15 to 30 per cent range.

Until there are better answers than now exist for the questions I have posed above, it makes sense to continue to promote the voluntary route. I am convinced that enlightened business self-interest will more quickly produce the desired results of efficient use of resources and low costs under independent ownership than through the creation of the intermodal super-giants. It has been said that by 1980 we will all be parts of intermodal companies. This may well be so, but if we run before we walk, if we upset the law before we upset entrenched prejudices on traffic movements, we may well end up in 1987 with a new Interstate Commerce Act designed to undo the damage created by the extinction of effective competition.

Instead of weakening the competitive process by absorbing competitors, why not try to get an objective new look at the great potential of voluntary cooperation? Perhaps the Department of Transportation or the ICC could work with the Water Transport Association and the Association of American Railroads on a national "willing partner" program to dig out those movements which would benefit from improved coordination, using as a basic yardstick the most efficient combinations of scarce transport resources. And if the earnings to the carriers and benefits to the public on particular movements are satisfactory for all, the question, overwhelming and unanswerable, will quickly become "why not?"

IT IS 1969, TIME TO "GO WEST (AGAIN) YOUNG MAN, GO WEST"

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. BARING. Mr. Speaker, a columnist in Las Vegas has saved me a lot of

time by writing about Las Vegas. I will bet, Mr. Speaker, that my staff and I must get 25 to 50 questions any given week, either by phone or in person, about Las Vegas and Nevada. Well, I will insert into the CONGRESSIONAL RECORD a column published in Mr. Hank Greenspun's Las Vegas Sun by columnist Mr. Paul Price.

I also hope some of the Senators on the eastern coast of this country read this closely and should they have further questions, I can answer them by mail or refer them to organizations within my State.

Mr. Speaker, here is Las Vegas, thanks mostly to the research of the Greater Las Vegas Chamber of Commerce and the Bank of Nevada quarterly reports:

DATELINE: LAS VEGAS

(By Paul Price)

(Note.—The following facts, figures and fascinating information were compiled from information provided by the Greater Las Vegas Chamber of Commerce and Bank of Nevada quarterly reports.)

The Las Vegas story, and you probably didn't know the half of it:

The original settlers of Las Vegas were not Mormons (surprised already?) but "massive prehistoric beasts that rumbled through the Las Vegas Valley, then a lush pasture land veined by sweetwater streams."

That was nearly 30,000 years ago and Las Vegas still remains a lush land but the greenery comes from flowing money and not growing grass. The inhabitants now are mostly human beings, practically all of them civilized although a few monsters still are present.

Time advanced and man-tribes, increasingly efficient and more intelligent as the ages passed, developed a pattern of growth and development that has never ceased and apparently never will.

The modern era of the one "lush valley" started with the early exploitation of Capt. John C. Fremont, noted explorer of the Rockies and the Pacific Coast. He discovered "a camping ground called Las Vegas" and we have named a street, hotel and school in his honor.

It was 10 years later, 1855, that Brigham Young sent a daring band of 30 Mormon settlers from Salt Lake to take a foothold and start developing the lands. They "established only the most meager hold on the valley" before the resident Paiute Indians banished them.

Suddenly some unknown and now long forgotten prospectors discovered gold and silver in the area. Word of the strikes flashed across the continent and the massive population boom erupted. Miners, prospectors, "take-a-chancers" and camp followers literally flowed into Nevada and spawned the boom towns of Searchlight, Goodsprings and Eldorado Canyon.

Vegas was a dusty tent town near the present Union Pacific depot and suddenly was turned into a desert metropolis when the railroad named it a division point. Land sales zoomed and in a two-day auction 1,200 residential lots sold for $265,000.

That was in 1905 and the combined worth of those properties probably would be incalculable today.

Then came the doldrums. Nothing much happened and the little town slumbered, sweated and mostly existed until 1930 when the Hoover Dam hydroelectric project began.

Las Vegas started to leap forward, even in those grim days of depression, and the pace was accelerated with the outbreak of World War II. Cheap power and land, according to the Chamber of Commerce, brought "thousands of new residents, among them the far-sighted individuals who envisioned the area as a year-round resort . . . and the era of the multi-million dollar hotel was born."

It was a case of boom-boom-boom from the late 1940s until today and nobody truly knows what the future holds—except more of the same and on a greater scale.

The chamber waxes lyrical indeed in its dreams of the future:

"It has become a growing industrial complex; a sophisticated scientific research center; a humming dynamo generating power for the Great Southwest, and one of the most aviation-oriented cities in the country where the sky is by no means the limit."

It also happens to be the greatest gambling and entertainment city in the entire world, and that may help a little.

What about Las Vegas today?

We currently have a population of nearly 300,000 in the greater Las Vegas area, of which 160,000 is credited to the city. This is an increase of approximately 18,000 over the same period of 1968.

Latest figures as compiled by the Bank of Nevada in its "First Quarter, 1969" report the following:

School enrollment figures, "a significant growth barometer," was 67,576 enrollees compared to 63,242 in 1968—up 6.8 per cent.

McCarran International Airport posted a record high in first quarter air travel with a "passenger service" of 965,519—up 172,950 for an increase of 21.8 per cent.

Central Telephone reported total services of 151,896, compared to 135,760—up 11.8 per cent over 1968.

There were 1,191 births in Clark County in the first three months of this year. The total labor force was 113,300, with only 5,700 unemployed. Service stations pumped 30,604,464 gallons of gas and 10,306 marriage licenses were issued.

Construction permits gained impressively in the first quarter of 1969. The aggregate total was $32,615,480, compared to $18,808,599 last year. That's a gain of 73.4 per cent!

Visitors are the number one factor in the Las Vegas economy. More than 3,522,000 passengers, "on and off," passed through McCarran in 1968—a figure that will be humbled this year.

A major attraction continues to be Hoover Dam, which attracted 8,878,040 visitors last year, most of them in 2,690,315 cars. That figure also is a cinch to tumble because in the first quarter of '69 alone, the Hoover Dam check reported 1,828,125 persons in 553,977 vehicles.

Real estate transactions were stupendous in 1968 and promise to be even more impressive this year.

Estimated real estate sales last year totalled $257,608,000 with $306,752,515 the total loan figure and 8,810 trust deeds recorded.

But in the first quarter this year, $70,412,000 already had been recorded in estimated sales. The loan figure was $92,957,680.

Where will it end? Who can hazard a guess?

This is a prosperous economy. Four of the five local banks—Bank of Nevada, Nevada State Bank, First National and Bank of Las Vegas—listed deposits of $447,281,194.

Compare this figure with the previous year—$381,941,948. It represents a whopping boost of 17.1 per cent.

Bank debits, considered an important economic barometer, increased last year by 18.9 per cent.

Following is some more incidental information:

Lake Mead is the largest man-made lake in the world and offers 550 miles "of secluded beaches and sandy coves."

There are approximately 150 churches in Las Vegas, representing a total of 35 different denominations. A percentage breakdown shows 49 per cent of the churchgoers to be Protestant; 25 per cent Roman Catholic; 22 per cent Mormon; and three per cent Jewish.

Conventions drew 206,709 persons to Clark County last year. Sales and use tax transactions totalled $525,349,351. Water consumption totalled 17,906,545,000 gallons.

The average maximum temperature is 79.7 degrees and the average minimum 52.4 with 3.72 inches of precipitation and 86 per cent possibility of sunshine.

The city is 289 miles from Los Angeles, 448 miles from Reno, 578 miles from San Francisco and 1,157 miles from Seattle.

Nevada has a three per cent sales tax, but under the optional sales tax law passed at the last Legislature the rate on July 1 will go to 3½ per cent in Clark County.

There is no inheritance or estate tax.

The city has two daily newspapers, five TV channels (one educational), six modern hospitals, 10 championship golf courses, 4,500 public, private and semi-private swimming pools and is serviced by eight major airlines, seven bus lines, the Union Pacific Railroad and about 500 taxis.

The next time the folks in Dubuque ask, "What kind of town is Las Vegas?" send them this column.

It will save you a lot of trouble and time.

So, Mr. Speaker, I hope my colleagues and their staffs will read this pretty closely. Because, you see, I represent the entire State of Nevada and quite happily so. Nevada's population is not certified by the U.S. Census Bureau as being over the so-called 500,000 mark, so I do not have as large a staff as some of my colleagues. And, we just do not have enough time to answer everyone's questions adequately in person or on the phone. Hopefully, they will read this and, if they want more, I will be glad to answer their letters requesting more facts or forward them to the Las Vegas Chamber of Commerce, Nevada Resort Hotel Association, or the State of Nevada, Carson City, or elsewhere, because we have the facts of Las Vegas, Reno, Lake Tahoe, and even Beowawe, Nev., and we have them in spades. Do not phone—write. Our phones may be tapped.

THE ECONOMICS OF STUDENT UNREST

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. MIKVA. Mr. Speaker, I would like to insert in the RECORD an interesting and intelligent artice by Mr. David Bakan of York University on the subject of student disorders.

Mr. Bakan's article is especially important because it gives this problem the attention it deserves. The article is not an attempt at a superficial "solution" of the problem through annihilation of protest, but a plea on behalf of the students that we listen to and understand their message.

We live in an era in which man has become locked in the powerful grip of his frightening inventions. As Mr. Bakan says, we can ill afford to overlook the potentialities of these inventions and the uses to which they are put. It is just this point which the students, through their protests, are attempting to make. It is

the young who have the greatest stake in the future. Let us heed, not suppress, their voices.

The article follows:

THE ECONOMICS OF STUDENT UNREST

(By David Bakan)

The worldwide condition of student unrest may be better understood in economic terms. It is erroneous to interpret student unrest as merely an expression of youthful idealism or mischievousness. It is erroneous to think of the activists as separate, divided from other students, and possessed of some private problem or ideology. Every group within a social body expresses something about the social body as a whole.

The root problem is in careers and income, and the place in society that is associated with careers and income. Student unrest may be compared to labor unrest of some decades ago. As the root problem was economic with labor, so is it now with the students.

The unrest is based on the fact that formal education has become very important to the economic future of students. Thus, students are rightly more ready to object if the education they receive is less adequate than their wishes or expectations.

Resources expended for education by a student, his parents, and public and private agencies, constitute a very large investment. A student, young though he may be, has a deep interest in seeing to it that this investment is properly managed. It is difficult to assess the average dollar value of each year of formal education. Yet, it is considerable.

Momentarily setting aside considerations of simple dignity associated with being human, a young person of college years may represent a total investment of, perhaps, as much as $50,000 or even $100,000; having received the benefit of public and private cash outlays for protection, food, clothing, shelter, pre-natal, and post-natal medical attention, dental attention, recreation, entertainment, and informal and formal religious and secular education for, say, about twenty years. This is in addition to all of the unpaid love and care associated with his upbringing. The college student, over and above all idealistic and selfish considerations, is a custodian of a substantial amount of the society's treasure. He is at once beneficiary, vessel, and custodian. It is his responsibility to provide for the future of that treasure, which is what his career represents to a very large degree. It is not only his right to protest if his education is in any way inadequate, it is his responsibility.

The university has become the major gateway to virtually every rewarding and important career possibility. The question is how the passage and processing in that gateway shall be managed. What kinds of educational experiences shall be provided, and for what kind of a future? And how shall we guarantee that access to careers will be managed with justice and competence? The wish on the part of the student activists to have a greater hand in the management of the gateway is indicative of discontent with the way in which the gateway has been managed.

Certainly, one cannot, in one's nonage, know whether the education one is receiving is shabby. Yet, on the other hand, who should know so well whether it is shabby as those for whom school is a daily and lifetime experience? Since we keep students in school well past their nonage, we should be obliged to take their assessments to heart.

Some of the best students—from an academic point of view—are among the activists. Berkeley, Chicago and Harvard have been main loci for student protest. There may be no universities in the world which have higher admission standards then these. Their activism is based on a wisdom, unclear and unprecise perhaps, of the unrealized potential of the university for themselves and others in the world of the future.

Among the great issues in education today is that between *technological* and *humanistic* approaches to the problems that beset mankind. The war in Vietnam is a special instance of this conflict, since warfare in general, and this war in particular, is a kind of supreme instance of efforts to solve the problems of mankind technologically rather than humanistically.

Students today tend to be more humanistically oriented than their professors. There is, for example, the characteristic disappointment of sudents with their first course in psychology because it is usually more technological and less humanistic than they would have liked it to be. The activists in particular tend to be more humanistically inclined than students who are less inclined to activism.

Typically, salaries and total professional incomes of professors who are technologically oriented are higher than those of their humanistic colleagues. Typically, the former are better supported in their research, more excused from teaching duties, more often called upon to give advice to business, industry and government, and have greater access to publication sources. Indeed, discussions of the "publish or perish game," into which professors are forced, characteristically overlook the fact that it is simply easier to publish a technological manuscript than a humanistic one. Publication pressure on faculty is—even if not intended—a subtle but powerful device that channels faculty interests in technological directions because publication of technological papers is easier.

Since the balance of power within most faculties is on the side of the technological, humanistically inclined students are often on their own, as it were, with little, if any, faculty support.

At issue is whether the resources of the future, and hence careers for students, will move in technological or humanistic directions. Most concretely, how will public moneys be distributed in the future between technological and humanistic activities? And how will public moneys be used to create career opportunities? If public budgets move more in technological directions, the humanistically inclined students will suffer with respect to career possibilities, and vice versa.

The future of mankind is being fought out on the campuses. If we take the biblical three score and ten as a lifetime, the twenty year old has fifty years with which to be concerned for both his selfish and altruistic interests. In a time when total destruction of the world is a concrete possibility everyone's selfishness and altruism must converge.

Humanistic education is desperately needed at the present time for all. The three main problems of man are *want, drudgery,* and *safety.* "In principle," technology has solved the problems of want and drudgery. It remains for men to learn to live properly with each other to achieve "in fact" what technology has given to us "in principle." Technology without adequate humanism often leads to reductions in safety as from war, pollution, radiation, and poisons. More humanistic work and education are needed to cope with these.

It has been a common complaint among teachers that students do not want to learn. Today we hear from the students that the teachers do not want to teach.

It has been a common complaint among teachers that students don't listen. It is now time that teachers, and the age groups that they represent, should listen.

Those who are closer to three score and ten may have a smaller vested interest in the future, and can afford to be cavalier about it. But those who are young cannot afford to neglect the future that easily.

DESERVED TRIBUTE

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. MCDADE. Mr. Speaker, on the 22d of July, the chamber of commerce of Scranton, Pa., honored Dr. H. Meecher Charmbury, secretary of mines and minerals, at a special luncheon held in his honor.

I wish to take public note of how deserving that tribute was. Dr. Charmbury is the finest secretary of mine and mineral industries the Commonwealth of Pennsylvania has ever had. Over the past several years, we have turned to Dr. Charmbury to give his advice and assistance in the many problems which have faced us in the Commonwealth of Pennsylvania overall, but particularly in my own Congressional district. His advice has been the wisest possible. His help has been the strongest possible.

Too often the misconduct of a public official is bruited about the Nation. Too seldom is there any publicity given to the overwhelming body of splendid civil servants who are responsible for running the Nation and the States. Dr. Charmbury is an outstanding example of what a fine civil servant should be. He is a brilliant scientist. He is certainly the most distinguished and industrious man you could find anywhere in this Nation. Above all, he has that deep understanding and human compasson to guide him in making his wise decisions.

I wish to pay my own personal tribute to Dr. Charmbury. I know that the Speaker and all my colleagues here in the Congress join with me in applauding this distinguished servant of the people. If we were to tally up the work and the worth of every public servant in America, I know no man who would excel my fine and splendid friend, Dr. H. Beecher Charmbury.

With your permission, Mr. Speaker, I will append herewith an article from the Scranton Tribune concerning this award and two editorials from the Scranton Tribune and the Scranton Times, which newspapers paid their own tribute to this magnificent man.

The article and editorials follow:

[From the Scranton (Pa.) Tribune, July 23, 1969]

CHAMBER OF COMMERCE FETES CHARMBURY—SERVICE TO AREA IS RECOGNIZED

At a special meeting Tuesday at Scranton Club, the Chamber of Commerce honored Dr. H. Beecher Charmbury, secretary of Mines and Mineral Industry at a luncheon.

C of C president William J. O'Hora cited exceptional service in the development of the Scranton area, and presented Dr. Charmbury with a recognition award for his interest and participation in the Scranton Scar-Lifting projects, the flushing of underground mine fires, and for his participation in a program to employ crush culm to fill in the voids under the city surface.

Representing the federal and state mining department were: Joseph Corgan, U.S. Bureau of Mines; Charles Kuebler, head of the U.S. mining office in Wilkes-Barre; Gordon Smith, deputy secretary anthracite

region, and Roger Howell, Pennsylvania Department of Mines.

The C of C gave the Bureau of Mines expert a special VIP attache case containing samples of industrial material manufactured within the Greater Scranton area. The C of C officials stated the products were manufactured locally by national corporate concerns due to the interest and involvement of the U.S. and Pennsylvania Department of Mines and Mineral Industries and especially the interest of Dr. Charmbury.

President O'Hora explained "The excellent cooperation between the local Industrial Development Corporations, SIDCo., LIFE, SLIBCo and the Pennsylvania Department of Mines under Dr. Charmbury's supervision was a most important factor in the industrial development of the Greater Scranton area and all former anthracite mining areas in Northeastern Pennsylvania."

In 1936 Dr. Charmbury received his B.A. degree in chemistry, cum laude, from Gettysburg College, and his master's degree in chemistry from Pennsylvania University the following year. He was awarded his Ph. D. degree in fuel technology from Pennsylvania State University in 1942.

Dr. Charmbury received an honorary doctor of science degree from Gettysburg June 9, 1969. The degree citation read in part:

"In the service of the commonwealth, you have brought your skill to bear on the problems of underground fires, strip mining and polluted air. You lead us to hope for a bright future for the commonwealth and its underground."

[From the Scranton (Pa.) Times, July 23, 1969]

A DESERVED AWARD

The honor paid Dr. H. Beecher Charmbury, head of the Pennsylvania Department of Mines and Mineral Industries, yesterday by the Greater Scranton Chamber of Commerce was one richly deserved. From the time that he was named to his position by former Gov. William Scranton in 1963 Dr. Charmbury has shown a keen awareness of the ills bequeathed to our community by coal operators of the past—surface subsidences, mine flooding, underground fires, burning culm banks and the like. He has been sympathetic and cooperative. He has been generous with his time and his energy in trying to solve our problems. The C of C at yesterday's ceremony presented Dr. Charmbury with a "recognition award"; the word "appreciation" could well be added.

[From the Scranton (Pa.) Tribune, July 24, 1969]

DESERVED TRIBUTE

Dr. H. Beecher Charmbury, state secretary of mines and mineral industries, was most deserving of the tribute paid him Tuesday by the Greater Scranton Chamber of Commerce. Dr. Charmbury was cited for exceptional service in the development of the Scranton area.

He received a recognition award for his interest and participation in the Scranton Scar-Lifting projects, the attack on underground mine fires and for his participation in a program to employ crushed culm to fill in the voids under the city's surface.

Dr. Charmbury, following his appointment to the state post by former Gov. William W. Scranton, became Harrisburg's best known representatives in the Scranton area. He has made countless trips to Northeastern Pennsylvania and his demeanor seldom changes—he is cool under pressure, extremely cooperative with newsmen and highly competent in his job.

Protesters prepared to find Dr. Charmbury a ready target for their wrath over ancient coal mining practices mellowed rapidly once its members came to know the man. He owns the disarming personality of a college professor, which he was before he answered the call from Governor Scranton.

He holds a B.A. degree in chemistry from Gettysburg and a master's degree in chemistry from Pennsylvania State University. He was awarded his Ph. D. in fuel technology from Pennsylvania State University in 1942.

The praise from the Greater Scranton Chamber of Commerce was a confirmation of the citation Dr. Charmbury received when he was awarded an honorary doctor of science degree from Gettysburg last June 9. The citation read in part: "In the service of the commonwealth, you have brought your skill to bear on the problems of underground fires, strip mining and polluted air. You lead us to hope for a bright future for the commonwealth and its underground."

It is significant that the U.S. Bureau of Mines detailed a representative to attend the C of C ceremony.

Close cooperation between federal and state agencies has resulted in the winning of the battle to remove coal mining scars from the terrain in the Scranton area.

REVENUE SHARING MORE URGENT THAN EVER

HON. R. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. COUGHLIN. Mr. Speaker, on June 3, I, along with 10 of my colleagues, introduced the Federal Revenue-Sharing Act, H.R. 11868.

The need for this legislation obviously is more urgent than ever. There is no doubt that many of our State and local governments are about to collapse financially because of their inability to raise the necessary funds from the restricted and limited areas of taxation available to them.

We must seek ways to enlarge and reinforce the fiscal foundations of these governments, and I believe H.R. 11868 is the vehicle that will provide the means to do the job.

Since the introduction of this bill, I have received numerous inquiries from both my colleagues and the public concerning the specific amounts that would be returned, under the provisions of the bill, to the various States.

I, therefore, asked the Legislative Reference Service to tabulate the returns on the basis that the funds available in the first year, as provided in the bill, would be 3 percent of the Federal income tax revenues, or $2.42 billion, according to the latest figures.

The LRS has done a magnificent job of research, and I include its breakdown of Federal revenue-sharing figures in the RECORD for the benefit of all those who wish to see this legislation enacted into law. The figures were compiled by Maureen McBreen, analyst in taxation and fiscal policy, and Beatrice D. Poindexter, reference clerk, Economics Division, of the Legislative Reference Service:

ESTIMATED DISTRIBUTION BY STATE OF $2.42 BILLION UNDER H.R. 11868

(1) State	(2) Total resident population, July 1, 1968 (thousands)	(3) State population, as a percent of total U.S. population	(4) State and local revenue from own sources, fiscal year 1967 (millions)	(5) Adjusted gross income, calendar year 1966 (millions)	(6) State revenue effort factor (col. 4÷col. 5)	(7) State revenue effort percentage (col. 6÷16.3)	(8) Col. 3× col. 7	(9) Unadjusted [1] State allotment (col. 8×$2.42 billion (thousands)	(10) Col. 9× .388484 percent [1] (thousands)	(11) Total State allotment [1] (col. 9—col. 10) (thousands)	(12) Local revenues as a percent of total State-local revenues	(13) Amount to be allocated to local governments (col. 11× col. 12) (thousands)
Alabama	3,558	1.78	$914.1	$5,611.6	16.3	100.0	1.78	$43,076	$167	$42,909	37.7	$76,177
Alaska	274	.13	139.6	626.7	22.3	136.8	.10	4,356	17	4,339	31.2	1,354
Arizona	1,663	.83	659.4	3,201.7	20.6	126.4	1.05	25,410	99	25,311	44.2	11,187
Arkansas	1,986	.99	498.4	2,801.7	17.8	109.2	1.08	26,136	102	26,034	35.7	9,294
California	19,300	9.65	9,699.4	52,361.5	18.5	113.5	10.95	264,990	1,028	263,962	58.8	155,210
Colorado	2,043	1.02	887.0	4,532.5	19.6	120.2	1.23	29,766	116	29,650	51.6	15,299
Connecticut	2,963	1.48	1,144.6	9,089.6	12.6	77.3	1.14	27,588	107	27,481	51.3	14,098
Delaware	534	.26	245.5	1,467.9	16.7	102.5	.27	6,534	25	6,509	28.1	1,829
District of Columbia	809	.40	314.5	2,100.1	15.0	92.0	.37	8,954	35	8,919	100.0	8,919
Florida	6,151	3.07	2,196.1	11,905.4	18.4	112.9	3.47	83,974	326	83,648	54.8	45,839
Georgia	4,568	2.28	1,339.3	8,420.4	15.9	97.5	2.22	53,724	209	53,515	43.4	23,226
Hawaii	780	.39	360.5	1,784.0	20.2	123.9	.48	11,616	.45	11,571	27.2	3,147
Idaho	703	.35	268.3	1,331.6	20.1	123.3	.43	10,406	.40	10,366	42.9	4,447
Illinois	10,991	5.49	3,891.4	31,077.7	12.5	76.7	4.21	101,882	396	101,486	57.7	58,557
Indiana	5,061	2.53	1,915.9	12,118.1	15.8	96.9	2.45	59,290	230	59,060	49.7	29,353
Iowa	2,774	1.38	1,131.0	6,258.5	18.1	111.0	1.53	37,026	144	36,882	51.8	19,105
Kansas	2,293	1.14	897.2	4,826.7	18.6	114.1	1.30	31,460	122	31,338	52.1	16,327
Kentucky	3,220	1.61	908.6	5,473.7	16.6	101.8	1.64	39,688	154	39,534	38.0	15,023
Louisiana	3,726	1.86	1,283.5	6,100.2	21.0	128.8	2.40	58,080	226	57,854	29.9	17,298
Maine	976	.48	311.2	1,921.6	16.2	99.4	.48	11,616	45	11,571	46.5	5,381

Footnotes at end of article.

ESTIMATED DISTRIBUTION BY STATE OF $2.42 BILLION UNDER H.R. 11868—Continued

(1) State	(2) Total resident population, July 1, 1968 (thousands)	(3) State population, as a percent of total U.S. population	(4) State and local revenue from own sources, fiscal year 1967 (millions)	(5) Adjusted gross income, calendar year 1966 (millions)	(6) State revenue effort factor (col. 4÷col. 5)	(7) State revenue effort percentage (col. 6÷16.3)	(8) Col. 3×col. 7	(9) Unadjusted [1] State allotment (col. 8×$2.42 billion (thousands)	(10) Col. 9×.388484 percent [1] (thousands)	(11) Total State allotment [1] (col. 9—col. 10) (thousands)	(12) Local revenues as a percent of total State-local revenues	(13) Amount to be allocated to local governments (col. 11×col. 12) (thousands)
Maryland	3,754	1.87	$1,451.5	$11,119.1	13.1	80.4	1.50	$36,300	$141	$36,159	49.0	$17,718
Massachusetts	5,469	2.73	2,279.1	14,244.6	16.0	98.2	2.68	64,856	252	64,604	52.7	34,046
Michigan	8,739	4.37	3,507.7	23,003.3	15.2	93.3	4.08	98,736	384	98,352	47.7	46,914
Minnesota	3,647	1.82	1,626.9	8,082.2	20.1	123.3	2.24	54,208	211	53,997	50.1	27,052
Mississippi	2,344	1.17	624.6	2,793.5	22.4	137.4	1.61	38,962	151	38,811	40.7	15,796
Missouri	4,625	2.31	1,490.1	10,357.2	14.4	88.3	2.04	49,368	192	49,176	52.9	26,014
Montana	693	.34	270.2	1,365.8	19.8	121.5	.41	9,922	39	9,883	54.1	5,347
Nebraska	1,439	.72	512.1	3,192.9	16.0	98.2	.71	17,182	67	7,1156	64.6	11,056
Nevada	449	.22	225.5	1,200.1	18.8	115.3	.25	6,050	24	16,02	54.8	3,302
New Hampshire	702	.35	213.9	1,662.0	12.9	79.1	.28	6,776	26	6,750	58.1	3,922
New Jersey	7,093	3.54	2,633.1	19,324.2	13.6	83.4	2.95	71,390	277	71,113	61.3	43,592
New Mexico	1,006	.50	402.5	1,675.5	24.0	147.2	.74	17,908	70	17,838	29.2	5,209
New York	18,078	9.04	9,984.0	51,873.8	19.2	117.8	10.65	257,730	1,000	256,730	53.3	136,837
North Carolina	5,122	2.56	1,400.0	8,726.0	16.0	98.2	2.51	60,742	236	60,506	31.6	19,120
North Dakota	627	.31	276.8	1,126.4	24.6	150.9	.47	11,374	44	11,330	42.1	4,770
Ohio	10,588	5.29	3,340.3	26,523.8	12.6	77.3	4.09	98,978	385	98,593	57.9	57,085
Oklahoma	2,520	1.26	871.7	4,592.9	19.0	116.6	1.47	35,574	138	35,436	39.7	14,068
Oregon	2,008	1.00	833.9	4,670.6	17.9	109.8	1.10	26,620	103	26,517	49.6	13,152
Pennsylvania	11,728	5.86	3,898.7	28,512.2	13.7	84.0	4.92	119,064	463	118,601	49.0	58,114
Rhode Island	914	.45	313.0	2,276.2	13.8	84.7	.38	9,196	36	9,160	45.4	4,159
South Carolina	2,664	1.33	649.6	4,049.6	16.0	98.2	1.31	31,702	123	31,579	28.7	9,063
South Dakota	656	.32	250.7	1,116.8	22.4	137.4	.44	10,648	41	10,607	52.2	5,537
Tennessee	3,975	1.98	1,048.5	6,956.8	15.1	92.6	1.83	44,286	172	44,114	45.2	19,490
Texas	10,977	5.49	3,278.8	21,559.3	15.2	93.3	5.12	123,904	481	123,423	49.8	61,465
Utah	1,034	.51	373.1	1,990.8	18.7	114.7	.58	14,036	55	13,981	39.9	5,578
Vermont	425	.21	152.2	805.6	18.9	116.0	.24	5,808	23	5,785	36.7	2,123
Virginia	4,595	2.29	1,343.8	9,457.3	14.2	87.1	1.99	48,158	187	47,971	42.8	20,532
Washington	3,276	1.63	1,419.5	8,102.4	17.5	107.4	1.75	42,350	165	42,185	37.2	15,693
West Virginia	1,802	.90	503.6	3,150.0	16.0	98.2	.88	21,296	83	21,213	34.3	7,276
Wisconsin	4,221	2.11	1,781.7	10,075.3	17.7	108.6	2.29	55,418	215	55,203	40.5	22,357
Wyoming	315	.15	158.8	674.4	23.5	144.2	.22	5,324	21	5,303	49.6	2,630
Total	199,861	100,000	76,121.4	467,271.8	[2] 16.3	100.0	100.39	2,429,438	9,438	2,420,000	[2] 49.2	1,190,537

[1] It was necessary to take a number of additional steps to arrive at the final distribution. By multiplying col. 3 (State population percentage) by col. 7 (State revenue effort percentage) by the $2.42 billion available for allotment, it was impossible to arrive at a total distribution which coincided with the $2.42 billion. In this case, the total unadjusted State distribution (col. 9) amounted to $2,429,438,000, or $9,438,000 more than the $2.42 billion available for allocation. Th is $9,438,000 represented 0.388484 percent of the $2,429,438,000 derived. We then multiplied this factor (0.388484 percent) by each State's unadjusted allotment (col. 9) and subtracted the result (col. 10) from the unadjusted State allotment and arrived at the adjusted State distribution given in col. 11.

[2] Average.

Sources: U.S. Department of Commerce. Bureau of the Census. Governmental finances in 1966–67. Series GF67—No. 3. Washington, U.S. Government Printing Office, 1968. Pp. 31–33 Population estimates. Estimates of the population of States, by age, 1965 to 1967, with provisional estimates for July 1, 1968. Series P–25, No. 420, Apr. 17, 1969. P. 12. U.S. Treasury Department Internal Revenue Service. Statistics of income, 1966. Individual income tax returns. Washington, U.S. Government Printing Office, 1968. P. 141.

MARTY LIQUORI

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. RODINO. Mr. Speaker, Cedar Grove, N.J., has every right to be very, very proud of their hometown boy, Marty Liquori, Jr., who as a 20-year-old student at Villanova has been recently beating the world's best milers.

An article concerning this young man's father follows:

FATHER OF PREMIER MILER HUMBLE ABOUT ACHIEVEMENTS

(By Don McKee)

A normal reaction to the comment, "If you think I'm fast, you ought to see my son," is "Oh, yeah, so what else is new?"

But when a Montclair service station dealer says it, he means it and in duplicate, too, since he is the father of the world's foremost miler as well as a 14-year-old, an Essex Catholic freshman who turned in better half-mile times than his brother at that stage.

And yet, Martin Liquori Sr. of Cedar Grove, who operates the Mountain Esso Service at 146 Valley Rd., admits, "Yes, the boy is good, isn't he?"

The boy is Marty Liquori Jr., a 20-year-old student at Villanova, a junior, who within the past year has emerged as the number one miler.

Young Marty obviously has a number of good racing years ahead of him, and the day may come when the results of a mile run will be announced in the following manner: First, Liquori, Second, Liquori.

Waiting in the wings for his chance to carve a niche for himself in track annals is 14-year-old Stephen Liquori, Marty's brother, Steve, as a freshman this past season at Essex Catholic High School was timed in 2:07 for the half-mile and has broken 5 minutes in the mile.

Louis Liquori of Bloomfield, the 74-year-old grandfather of the boys, maintains a keen interest in the racing activities of Marty and Steve. In the 1920's he ran cross country in New Brunswick.

Martin, Sr., Who was born and raised in Bloomfield, gave track a try at Sacred Heart School in Bloomfield under the tutelage of Johnny Gibson. However, when he matriculated at Bloomfield High School, from which he was graduated in 1947, he devoted much of his energies to working afternoons as a delivery boy for a typesetting outfit.

Following his graduation and the abandonment of plans revealed in the senior yearbook to follow a career as an FBI agent, Martin Sr. obtained a job with the former Lindsley Chevrolet Agency in Montclair. He became parts manager.

Between 1952 and 1966 he was assistant plant manager for an envelope company in New York City.

He assumed the operation of Mountain Esso Service here three years ago.

Martin Sr. is married to the former Sarah Tosone of Montclair, whose brother, James, operates an electrical contracting business just a stone's throw from his brother-in-law's service station, Mrs. Liquori was graduated from Montclair High School in 1947.

Members of the Liquori family have journeyed far and wide to see their son run, including a visit to Mexico last year for the Olympic Games. Several years ago they traveled to California to see a group of meets, in one of which Marty bested Dave Patrick. In the meet after they left, Marty broke the 4-minute mark.

Essex Catholic High School Coach Fred Dwyer, a former outstanding miler in his own right, and Villanova Coach "Jumbo" Elliott received much praise from Martin, Sr.

Two very avid rooters in the Liquori family are the boys' sisters, Lynn Ann, who attends East Orange Catholic High School, and Genevieve, a student at St. Catherine's School in Cedar Grove.

Another rooter is Joseph Liquori of Bloomfield, the proud uncle, described by Martin Sr. as "one of my key men here at the station."

Although Martin Liquori Sr. understandably is mighty, mighty proud of the cinder exploits of his sons, notwithstanding the successes he remains a very humble man, which is as it should be for one who is affiliated with the Humble Oil & Refining Company.

VALLEY FORGE SITE OF ARCHERY COMPETITION

HON. R. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. COUGHLIN. Mr. Speaker, the House and Senate have provided that the period from August 26, 1969, through

September 1, 1969, be designated as "National Archery Week" in tribute to the increasingly popular sport of archery among Americans of all ages.

I am pleased to note that the site of this competition will be Valley Forge State Park, Montgomery County, Pa., in the 13th Congressional District. Valley Forge, of course, occupies a place in American history without parallel. It serves as a magnificent park where people can visit the encampment and battlements where George Washington and his Continental troops endured untold hardships to forge the mettle of a fledgling nation.

In addition to its historical attributes, Valley Forge provides excellent facilities for events such as the 85th national archery championships scheduled from August 21 to August 24. Prior to this competition, the world archery championships will be conducted there from August 13 to August 20 with competitors from some 30 nations taking part.

Valley Forge State Park is fascinating and beautiful anytime of the year, but it will be an especially interesting place this August for visitors.

A MESSAGE FOR OUR YOUTH

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. KYROS. Mr. Speaker, Maine's Church World publication recently contained a fine article by a fine individual, James Page of Portland. Jim Page is a decorated veteran of World War II and the Korean war, and he continues, through his work, to show his dedication to our Nation. He is an adviser to the Diocesan Committee for Youth Activities, and has written a column which is of special relevance to our young people. While Mr. Page's remarks were originally directed to members of the Catholic faith, I feel that they are of equal importance to all persons, and I welcome this opportunity to bring these patriotic words to the attention of my colleagues:

PATRIOTISM AND YOUR COUNTRY

(By Jim Page)

The United States of America is not yet two hundred years old but it has become the recognized leader of the nations of the world. This mantle of leadership came to us with the advent of World War II. The nations of the world now look to your country for aid, guidance and protection.

Your country must now make world shattering decisions within moments and very often these decisions determine the survival of the entire earth. Thousands of young Americans are resting forever in the soil of a foreign land, victims for world freedom.

The past few years have brought about a decline in Patriotism among the teenage and young adult groups. Flag waving is "squaresville" and the "in thing" is to rip, tear, walk and spit on the American Flag.

No other nation on the face of the earth has been as richly endowed by God as this country. No other nation has given so freely of its natural and manufactured resources, no nation has offered so many of her youth as a blood sacrifice in the defense of others.

Now, more than ever, is the time to support and defend this country. There are enough people trying to tear us down. You would not think of denying your Catholic Faith; so, why would you desecrate the flag of your country? They go hand in hand, the Cross of Christ, the symbol of your Faith, and Old Glory the symbol of your America.

Soon you members of the CYO will be entering the adult world and in a few years you will become the "establishment." You will then realize that two things will sustain You, belief in God and love of Country.

I urge you to never apologize for your country to anyone. We are not perfect but, there is not a nation in the world that does not look upon us with either envy or respect. Take the opportunity to travel across this blessed land and see for yourselves what God has given you.

Soon the torch of freedom will be passed on to you. You will be expected to keep it burning bright for all the world to see. Young men, you may be called upon to defend your country. Will you run away from her or will you defend her?

Perhaps, in your greater wisdom, you may be able in the future to sit at the council tables of the world, and with the help of Almighty God you may be able to create a new world where the teachings of Christ prevail and lasting world peace will be enjoyed by all.

The future of this country is in your hands. Are you worthy of the task which will soon be yours? You can start by telling the world what is right with America. You can begin by respecting your Flag at every opportunity because the Flag is You.

Let it never be said that it was your generation which allowed the fires of freedom to die and plunged the world into slavery and darkness. Be a Square, wave the Flag.

BRIG. GEN. ROBERT E. LEE, USAF

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. CORMAN. Mr. Speaker, we in the Congress enact laws. We depend, however, upon other men in the executive branch to produce the results we intend. Thus, we may conclude that the most adroitly drafted legislation, blessed with the most clearly expressed intent, and colored by our deepest concern will fail of its objective in the absence of the will to carry out its provisions with intelligence and understanding. It is always extremely satisfying to find an individual who has carefully and accurately interpreted the congressional intent, and then gone "all out" to implement the legislation.

As chairman of the Subcommittee on Government Procurement of the House Select Committee on Small Business, it has been my distinct privilege and pleasure to observe at firsthand an individual whose intelligent and vigorous implementation of the Small Business Act has made a major contribution to the betterment of the small business community.

I speak of Brig. Gen. Robert E. Lee, USAF, who, for the past 3 years has been the executive director, Procurement and Production of the Defense Supply Agency. In this capacity, he has been personally involved on a daily basis with problems vitally affecting small firms doing business with the Department of Defense. As you know, the Defense Supply Agency purchases for the military services the common items of supply, such as food, clothing, lumber, tentage, and thousands of other articles which can be obtained from small business firms. General Lee's effective implementation of the Small Business Act in this particular area has been outstanding.

In his appearances before our subcommittee, he has been a highly cooperative and effective witness. In handling a multitude of questions brought to his attention by small business firms, General Lee has continuously displayed a sensitivity to the needs of, and the problems faced by, the small businessman. When cases were brought to his attention, no company could be too small nor its difficulty too routine to elicit a thorough analysis, sympathetic understanding, and a prompt decision.

On July 31, General Lee will retire after 28 years of military service. His departure will leave a void that will not be easy to fill.

I know that I speak for the members and staff of the Procurement Subcommittee in wishing General Lee success and happiness in the new and challenging career he will undertake after he leaves his present office.

FULL FUNDING TO MAINTAIN ADEQUATE EDUCATIONAL FACILITIES AND OPPORTUNITIES FOR AMERICAN YOUTH IS A NATIONAL IMPERATIVE

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. DONOHUE. Mr. Speaker, over these past few years and especially over these past several months there has been a great deal of rightful concern and discussion in the Congress on the subject of national spending priorities.

Within the next few days when this House is considering the bill containing the committee proposed appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, each of us will have the opportunity to register our convictions on the priority place that should be granted for the reasonable funding of adequate educational expansion facilities and opportunities for American youth.

On this score, practically every recognized educational administrator and organization, at all levels, have registered emphatic belief that the committee proposed appropriations for the proper educational encouragement and development of our youth are regrettably and woefully inadequate. They have registered their further and intense conviction that increased fundings in such vital educational areas as student loans, construction facilities, impact aid, library materials, under title II of ESEA, improving the quality of instruction in programs of title I of ESEA, vocational edu-

cation, and providing equipment under title III of NDEA should be at least held and approved at the 1969 fiscal year level and, indeed, could be justifiably increased substantially beyond that level.

Mr. Speaker, every Member here is, I know, rightly and patriotically concerned about our urgent legislative obligation to insure the most prudent Government spending of the taxpayer's money and each Member must meet that obligation in accord with his own wisdom and conscience. For my own part I intend to support the proposal to increase funding appropriations for the educational programs and objectives outlined above. I intend to do so because I conscientiously believe such an investment in our American youth and in the future of this country is a profoundly wise and prudent investment that eminently merits inclusion among the very highest spending priorities to maintain, improve and expand our national integrity, progress, and leadership for world peace.

I earnestly hope that every Member of the House will thoroughly and scrupulously examine the vital urgency and importance of the educational programs that will be presented to us very soon in H.R. 13111 and I further most earnestly hope the great majority will, in their wisdom, see fit to approve increased funding authoritatively held to be essential for their true effectiveness in the national interest.

TRUTH-IN-LENDING LOOPHOLES

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. HALPERN. Mr. Speaker, as a vigorous supporter and sponsor of the landmark truth-in-lending legislation passed last session, I am most anxious to see that this new law is implemented and proves to be truly helpful to all consumers in their credit transactions. I have been encouraged by the thorough Regulation Z developed by the Federal Reserve to implement truth-in-lending, as well as the conscientious activities of many businesses in seeking to comply with the new requirements.

However, through the research facilities of Consumers Union, it has come to my attention that, despite the design of Congress and the compliance of most businessmen, certain "loopholes" have become apparent which may seriously lessen the effectiveness of this measure. It is not yet clear whether new legislative or administrative action are necessary to close these "loopholes". But, I feel a first step must be recognition and awareness of the problems.

With this in mind, I would like to commend to my colleagues, for their thoughtful consideration, a recent report by Consumers Union:

TRUTH-IN-LENDING'S LOOPHOLES—YOUR HOME

(Prepared by Consumer Reports)

MOUNT VERNON, N.Y.—The new Truth-In-Lending Act, which goes into effect July 1, leaves open two tempting opportunities for lenders to understate—perhaps grossly—the finance charge and the annual percentage rate.

The first loophole favors lenders and credit merchants who take as security an interest in the borrower's house or land. The other deals with the purchase of a home.

This is the way the first works: A number of credit-connected charges can be loaded onto a loan secured by residential property without showing up in the finance charge or the annual percentage rate. The lender can charge for title examinations, for title insurance, for preparing deeds and other documents and notarizing them, for appraisal fees, and for credit reports. And cases have been reported in which those charges multiplied actual borrowing costs astronomically.

Those who exploit debtors have frequently used second mortgages and other types of real estate liens as their tools. Home owners have been induced to use the equity in their property as security for loans to consolidate debts, finance home improvements, or raise money for any number of other purposes—good or frivolous. And some installment sales contracts routinely name the buyer's house as security, without his knowledge.

It should be clear that not many reasons for borrowing are compelling enough to justify risking the loss of one's house.

CAN CANCEL IN 3 DAYS

Fortunately, a very prominent notice must go on every consumer-credit contract involving a real estate lien, second mortgage or security interest in your house if the loan is for any purpose except to finance the purchase of *that* house. The notice explains, in large type, that the customer may cancel the contract within three days of signing it, and without penalty or loss of down payment. To cancel, you merely fill in the blanks, sign the notice and mail it to the address shown on it before midnight of the third day, not counting Sundays or holidays when the post office is closed.

Because of the three-day cancellation privilege, it is expected that carpenters, roofers, electricians and other service firms will now be inclined to wait at least three days before starting a home repair or improvement—if they are operating under installment contracts secured in some way by a lien on your house.

But suppose your furnace suddenly must be replaced in the dead of winter, or your roof blows away. By preparing a written statement describing the emergency situation, you can relinquish your cancellation right.

THE SECOND LOOPHOLE

When you purchase a house, you should know about the second loophole—that the disclosures required by Truth-in-Lending in a first mortgage to finance a house do not have to include the finance charge in dollars.

First mortgages usually run for 20 or more years. Hence the total interest cost is likely to approach, equal or even exceed the many thousands of dollars of the original debt. In these days of record-high interest rates, the cost of financing the purchase of a house really mounts up. The total interest on a 20-year, 7½ percent mortgage of $30,000 will come to $28,000. If the loan runs for 25 years, the interest alone is $36,500. Amounts that large are reason enough for house hunters to be told the whole truth about finance charges. Since the law doesn't require disclosure, you should ask the mortgage lender to figure up the total finance charge.

Mortgage contracts must, however, disclose their anual percentage rate, which is really nothing new. Up until now, mortgage interest was about the only kind of interest on consumer loans that was regularly quoted as the true annual rate.

Yet it wasn't by any means always an accurate statement of borrowing costs, and to the extent that first-mortgage lenders may fatten their finance charges with unreasonable extra fees for title searches, credit reports and such, it may not be accurate in the future.

But one kind of fee *will* now have to be counted in. Those are "points" or "discounts," which mortgage institutions have used for many years to pad out interest charges. Under Truth-in-Lending, the extra cost of points must be reflected in the annual percentage rate.

HOUSING: COMMITMENT AND FRUSTRATION

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. FASCELL. Mr. Speaker, the Secretary of Housing and Urban Development, the Honorable George Romney, pointed out in a recent address that commitment is the difference between accomplishment and frustration in the struggle to meet our Nation's challenges.

In 1961, President Kennedy challenged us to reach out to the moon, and 8 years later, because of the commitment of $24 billion and the efforts of hundreds of thousands of Americans, that goal was realized triumphantly.

Twenty years ago the Congress of the United States declared it to be this Nation's policy and goal that every American should have a decent home. That goal was reiterated in 1968, but we seem to be no closer to its realization today than 20 years ago; and, in fact, it seems as far away as the moon must have seemed then.

Recently, Miss Elizabeth Virrick, one of Dade County's pioneers in social work and civic affairs, called my attention to an article published in Ink, a journal of civic affairs which she edits. It is a perceptive discussion of our failures and problems in providing decent housing for all Americans, and it includes an analysis of the recent Kaiser and Douglas reports.

I commend this article to the attention of our colleagues:

A DREAM OR AN ACHIEVABLE REALITY?

The vital question before this country is: Can housing be built for low- and moderate-income families? There is a feeling among some people that we have reached an impasse in our efforts to supply housing for those living in substandard housing and poor environment. The discussions, articles, books and reports of researchers and investigating committees are taking on a gloomy tinge. Few, of the general public, realize exactly what is involved, how it evolved and even fewer are aware of what the effects may be if we fail to solve this tremendously complex domestic crisis.

COSTS

Between the time this is being written and the time you read it, the costs of construction will have jumped several notches. Someone has said that for every ten cents an hour increase in wages of construction workers, $100 is added to the cost of a building. Recent negotiations of new contracts in all building trades have ended in large hourly wage rate increases, from skilled artisans to laborers. Each delay in construction caused by strikes and shut-downs adds heavily to the cost. Then, too, the cost of all building materials is skyrocketing at frightening

rates. The graphs showing increases in cost of construction have had upward lines for years, resembling the drawing of the side of a mountain. Now, the lines have exploded upward resembling almost perpendicular cliffs. All the while, mortgage interest rates also have climbed.

HOW EXPLAIN?

The handwriting on the wall spells inflation but this is only a word. None of it makes much sense (nor can it be satisfactorily explained) to those who have been led to believe that housing would be provided. And while it is bad enough not to meet the Housing Act's avowed goal of twenty years ago of a "decent home in a suitable environment for every American family," it is infinitely more culpable to be in the position of having held out hopes and then not live up to them. It requires no magician with words to explain the mischief that this causes and the understandable (though not condonable) acts of people caught in this melee whose frustration leads them to the only means they know of reacting to it.

Is Congress shadow boxing or playing games?

The strait-jacket imposed by Federal guidelines as to permissible room costs and unit ceiling costs set by Congress several years ago and never adjusted to take cognizance of increased costs, makes almost impossible all building of public housing or any building for low- and moderate-income families. Congress by failing to make appropriations for some of the new provisions in the 1968 Housing Act, has made it still more difficult to explain to those living in crowded, deteriorated and dilapidated housing who have waited patiently for years for housing to be built. It would seem to make sense for appropriations to follow inevitably and quickly on the heels of Congress' authorizations.

Nationally, Neighborhood Development Programs (NDP) have used up all the appropriations that were allotted to them and Washington has received applications for 75 millions of dollars more than is available of 1% mortgage loan applications. The NDP innovation in the 1968 Act that was hailed as a great step forward, also is already a victim of Congress' failure to appropriate funds for programs it has authorized.

A LOOK AT SOME OTHER OBSTACLES

Thousands of hard working, dedicated people all over the country have labored to bring into being housing authorized by the various Housing Acts and amendments since 1949 and to make Urban Renewal work to improve housing and living conditions in American cities. The difficulties that they have had to cope with would long since have discouraged less staunch people. Urban Renewal projects under the most favorable circumstances, have moved at a snail's pace, taking six, eight or more years, and then, only, if the redevelopment plan called for downtown malls, high rent apartments and the like. Rehousing the people who had always lived in the urban development area, multiplies the problems. Everywhere, people are trying to find out why progress is not faster. Many of the reasons emphasize the necessity to change time-honored systems and customs.

We have known for many years that our tax-assessment system is inequitable; that our building codes make sense only to those whose interest is in keeping the status quo and the cost of building high; that our zoning is archaic and tends to keep property values beyond the reach of many; that mortgage interest rates seem to be set to prevent moderate income people from owning a home and to keep rents high; all these together connive to escalate the cost of building a home, owning a home or for that matter, even renting a standard home at a rent within the means of those who most need standard homes.

TAX ASSESSMENTS

As to tax assessments, where is the justice in one man's profiting at the expense of others? Throughout Dade County, for instance, there are many large tracts of vacant land with built-up subdivisions around them and farther out. The man holding the vacant tract is able to do so because his assessment on undeveloped land is low. During the years that his land lies vacant, roads going to and beyond his land are built and maintained. Power and telephone lines are installed and police and fire protection are available. All this time, his land becomes more valuable and he will eventually profit from the developments created by others while the taxpayers have footed the bills for roads and utilities that run past land that produces less than its share of tax revenue. This type of land speculation helps keep the cost of land too high for many people to be able to acquire sufficient equity to be eligible for a loan to build.

Higher tax assessment on unimproved land could serve as a tax inducement that would spur more building.

BUILDING CODES

The South Florida Building Code has been made more stringent than almost any other code in the United States. One of the reasons is the overreaction to hurricanes. Yet, let someone explain why in the hurricanes, frame buildings even those with sketchy foundations, have generally ridden through the storms at least as well as almost any other construction. How important some of the rigid regulations are, is a matter still to be proved, but it is not necessary to demonstrate how expensive they are. Many architects claim that a less rigid code would result not only in lowering the cost of building, but would also give designers an opportunity to build more innovative and original structures.

Two important national investigating Commissions' reports, recently published, emphasize strongly the role of zoning ordinances, tax assessments and building codes, as well as high mortgage interest rates in hamstringing the construction of housing for low- and moderate-income families. These same handicaps bid fair to slow down all building to a point where the national economy will suffer severely. Recent reports on the number of building permits applied for and construction starts, show figures lower than at any time since 1958.

Kaiser and Douglas Reports on Housing.

These two documents of major importance, recently released, can supply whatever information anyone might want on housing. Former Senator Paul H. Douglas and his sixteen member National Commission on Urban Problems visited 22 cities (including Miami) and heard 347 witnesses in public hearings. Edgar F. Kaiser headed the President's Committee on Urban Housing, which was directed "to find ways to encourage the private building industry to play a larger role in rehabilitating the depressed areas of America's cities."

SOME OF THE FINDINGS

The two reports, while very different in size and focus, both arrive at very similar conclusions as to the amount of housing needed now and for the next decade. Both see America's task as monumental.

The Douglas report, among its 149 recommendations, calls for an annual goal of 2 to 2.25 million units including 500,000 for low and moderate income housing; the Kaiser report sets an annual average of 2.6 million new and rehabilitated housing units including 600,000 for lower income families.

The size of the job seems overwhelming when compared with past performance. The Kaiser's goals represent almost a "40-percent increase in the current housing stock, or 70 per cent more than the total production of the decade of the 1950's." The Kaiser report points out: "During the entire 30-year history of federal housing subsidies, only 800,000 subsidized (public housing) units have been built. Recent annual production rates were only around 50,000. In 1949 Congress set a six-year goal for public housing. In 20 years, only two-thirds of that goal has been met."

As reported in "City," the bimonthly publication of Urban America, Inc., "There are about 66 million housing units and 60 million households. Although there appear to be more than enough rooftops, an estimated 6.7 million occupied units are substandard dwellings—4 million lacking indoor plumbing and 2.7 million in dilapidated condition; 6.1 million units (both standard and substandard) are overcrowded with more than one person per room. Among the six million vacant units, only about two million are in standard condition and available for occupancy—the nation's lowest available vacancy rates since 1958. These estimates suggest a growing shortage of decent housing, not only for lower-income families but for the entire population."

The Kaiser Committee proposes that "the federal government grant eminent domain power to acquire land to be leased for development of subsidized housing. The committee also proposes that HUD should be granted limited powers to preempt local zoning codes and any exclusionary state codes or local ordinances from application to federally subsidized housing.

The Douglas Commission would encourage the use of state powers of eminent domain to provide sites for low- and moderate-income housing.

Both reports state that America can pay for the housing goals embodied in the 1968 Act if housing is given the high priority it needs. "So far, however, Congress shows little enthusiasm for reordering expenditures." As the Douglas Commission gloomily notes, "Recent action on the request for the 1969 fiscal year housing appropriations does not augur well for the future . . . Unless the new programs are funded more adequately, the new act cannot achieve its goals." In one of its major recommendations, the Commission urges that money for key programs be made available upon authorization "in order to avoid this traditional roadblock to the fulfillment of these programs—the failure of the appropriations committees, especially those in the House, to appropriate sums for the programs which the legislative committees and the Congress as a whole have passed and authorized."

RECOMMENDATIONS

"Restrictive labor practices add to the cost of construction and support antiquated building codes. To make building dollars go farther and to speed up the physical production of housing units, both reports suggest building code reforms and improvements in technology. The Kaiser report recommends that the federal government be given power to preempt local building codes and ordinances. The Douglas Commission would emphasize remedial action at the state and local levels with federal assistance power as persuasion: In its capacity as prime persuader, the federal government can make aid contingent upon establishment of model building as well as zoning codes."

Who will volunteer to take the part of David against these Goliaths of outdated, but firmly entrenched, building and zoning codes and tax assessment practices?

LAST BUT NOT LEAST

For each and every unit of public housing that has been built in Dade County, there has been a struggle, except for those built at the very beginning (1937) when housing was scarce and jobs were needed by depression-hungry people. Throughout the life of the Housing Authority, the hard working Board and staff carried on the good fight. In De-

cember, 1967, the Housing Authority was joined with the Urban Renewal Agency to form "Little HUD" (Housing and Urban Development) and the struggle continues.

There have been variations on the theme by those who have opposed the construction of low rent housing but the song is still recognizable. Of late, it has adopted a new refrain because no one can, or even attempts to, deny the desperate need for housing for low income people. The new chorus is: "Yes, we need public housing and we want public housing. But we don't want it in this particular location." By now this has been said in reference to so many areas that practically the entire County is covered by imaginary signs saying: "Not here—somewhere else." This leaves us with almost nowhere else.

Even scattered site housing, which is indistinguishable from its surrounding structures—often better—is opposed.

WHO SHALL SPEAK FOR WHOM?

Much of the opposition comes from people who do not realize that they are being callous and unthinking when they allege that their neighborhood will be deteriorated if public housing is built. Time and again there has been improvement in appearance and in property values where low rent units have been built. Then, too, grasping the larger issue, the question becomes: can we afford not to salvage our cities and its people.

Those who have the power of decision as to whether public housing may be built, are running short of time in which to hone their powers of perception to decide who is opposing and why, who has the right to dissent and thus wield an awesome power over the fate of others, but most important of all, whose voice should be heeded.

There are, in Dade County, thousands of people on the waiting list for public housing, in spite of the remarkable record that has been made by the Housing Authority and "Little HUD," even with all the difficulties. The following are some of their achievements:

5500 units of public housing;

96 units of public housing for large families—3, 4 and 5 bedrooms—will be ready for occupancy as soon as the vandalism can be controlled so that stoves and refrigerators can be installed;

3500 units committed to NDP areas for private leasing;

2000 units have been built since 1960—more than any other city in the South.

Relocation of over 900 families into public housing; over 2000 since 1964, without which the community would have been in deep trouble. In other words, sufficient families have been relocated in standard housing, mostly public housing, so that the first four parcels in the Urban Renewal Program have been able to get started.

Finished the acquisition of the land in the first Urban Renewal project, demolished the buildings and acquired some of the land in the other parts.

Placed on the boards another 2200 units of public housing, in spite of extreme opposition. One Hundred units designed by Alfred Parker under construction and another 700 designed by the same architect will be out for bids before the summer is over, plus 600 units for the elderly.

Dade County has supplied more relocation public housing than any other city of comparable size.

Was granted $26,000,000 for Neighborhood Development programs (NDP) for ten areas—one of the first in the country, the first in the southeast.

The Junior College site in downtown Miami will come out of this money. None of them would have happened without Little HUD.

Little HUD has out for bids $2,500,000 for water and sewer developments in the Model Cities area. This will complement the system that was put in by the Housing Authority in that area in 1962.

Built the first scattered site public housing in the South.

Obtained reservation of funds for 696 individual grants for rehabilitation of homes in the NDP areas.

Now modernizing James E. Scott Homes and Liberty Square public housing projects with a $2,500,000 modernization grant, including new lighting which is being installed in the James E. Scott area.

Procured a $515,000 government grant for a Park in the James E. Scott area—the first and only such grant for a park in the nation, using public housing money.

Minimum Housing Code Enforcement is also under Little HUD. There have been four times as many inspections as when the Department was under the City of Miami, in an equivalent time. The work force has been doubled.

Miami is the only city that qualified for the Kaiser "In-City" program. This project will start with fifty units, developed in accordance with innovative ideas that have evolved from several years of research.

SUGGESTIONS

We suggest that from the top to the bottom of the governmental hierarchy, the next ten years be proclaimed "The Decade of Building for People Now Living in Slums and Substandard Housing."

When opponents start putting forth objections to various programs, we suggest that the County Commissioners pierce through the verbiage and oratory and decide just who is speaking for whom and whether or not they are really speaking for the best interests of those they purport to represent.

We suggest that a short, direct way to get action be devised so that Little HUD can get on with its work without the roadblocks and delays that are caused by trying to follow a double set of conflicting guidelines—those of Metro and those of the Federal government.

SURTAX SAVINGS BILL

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. RARICK. Mr. Speaker, from time to time I have spoken on the subject of the surtax and its extension. I have repeatedly said that it is patently ridiculous to attack inflation by taxing the private sector of our economy to remove dollars from circulation only to pump those same dollars back into the economy by continued deficit financing and wild Government spending in the public sector.

I recently outlined the principal features of legislation which I proposed to introduce to correct this situation. It is quite simple. It sets aside the dollars removed from the private sector by surtax withholding. It prevents those dollars from being spent by the Government in the public sector. It encourages taxpayers' savings by returning them to the very individuals from whom they were taken, at the same rate of interest paid by the Treasury for other short-term loans, as soon as it is appropriate to terminate the emergency surtax. I have today introduced this measure.

At the time I outlined my purpose, I predicted that we would have the surtax collection extension before us again. Today, it was. In view of the imbroglio in the other body it is my confident prediction that another short extension will not be our final action on surtax collection.

I include the text of the surtax savings bill:

TEXT OF SURTAX BILL

SECTION 1. Congress finds that the extension of the surtax is designed, in pertinent part, to ease inflationary tendencies by reducing individual spending. It is therefore the policy of Congress to couple the extension of the surtax with provisions for applying funds collected under the surtax toward the purchase of United States obligations. Such a policy is intended to limit government spending of collected surtax charges, and, at the same time, provides a mechanism whereby surtax charges can be returned to taxpayers, with interest, at a time when it is hoped the economic posture of the country will be more stable.

SEC. 2. (a) Section 3402 of the Internal Revenue Code of 1954 (relating to income tax collected at source) is amended—

(1) by striking out "July 31, 1969" in subsection (a)(1) and inserting in lieu thereof "June 30, 1970";

(2) by striking out "August 1, 1969" in subsection (a)(2) and inserting in lieu thereof "July 1, 1970"; and

(3) by striking out "August 1, 1969" in subsection (c)(6) and inserting in lieu thereof "July 1, 1970".

(b) The amendments made by subsection (a) shall apply with respect to wages paid after July 31, 1969.

SEC. 3. (a) The Secretary of the Treasury shall apply the surtax collected from each taxpayer under section 1(c)(2) of the Internal Revenue Code of 1954 toward the purchase of interest bearing securities of the United States.

(b) The securities issued under this section shall be called "Surtax Savings Notes" and shall be issued under the Second Liberty Bond Act. By their terms or by regulations prescribed by the Secretary of the Treasury under the Second Liberty Bond Act, such securities shall—

(1) bear as their date of issue, the date of the first day following the date prescribed for the filing of taxpayer's income tax return;

(2) mature on the last day of the one-year period beginning on the date of issue;

(3) be transferable; and

(4) bear an interest rate equal to the average interest rate paid by the Department of the Treasury on short term obligations of the United States for the thirty day period preceding the issuance of such securities.

(c) In addition, the securities issued under this section shall be in such form or forms and denomination or denominations and subject to such terms and conditions (not inconsistent with this Act) of issue, conversion, redemption, payment, and time or times of payment of interest or interests, as the Secretary of the Treasury from time to time at or before the issue thereof may prescribe.

(d) The Secretary of the Treasury may prescribe such regulations as he deems necessary to carry out the purposes of this Act.

SEC. 4. The President is authorized to terminate the imposition of the surtax under section 1(c)(2) of the Internal Revenue Code of 1954 at such time as he deems it advisable.

3M CO. TRAINS HARD-CORE UNEMPLOYED MEN AND WOMEN IN ST. PAUL

HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. KARTH. Mr. Speaker, the Twin Cities Courier, a respected minority newspaper in my congressional district, recently carried an article on 3M Co.'s training and employment program.

With so many efforts of this kind failing to achieve their intended purpose, it is noteworthy to point out that success can be achieved if the company involved makes the super effort.

3M Co., has done just that. I join the Twin Cities Courier and the community I am privileged to serve in publicly congratulating 3M on their tenacious effort. 3M does not permit failures. When given a responsibility we all share, they do it first class. If we had more companies like them, a major portion of our social problems would be resolved.

I commend to you the following article:

ONE YEAR LATER 3M STILL KEEPS FOCUS ON TOTAL PERSON IN TRAINING, EMPLOYMENT

"The total person."

That was the focus in May 1968 when Minnesota Mining and Manufacturing Company (3M) opened a training center at 1197 University Ave., St. Paul, to give hard-core unemployed men and women an opportunity for gainful and meaningful work.

One year later the unique program, that goes beyond the usual on-the-job-training policy, speaks for itself.

From a modest, unheralded beginning May 1, 1968, when less than 20 trainees were enrolled at the center, the program has expanded to include 75 men and women (the maximum, at present) and marks 54 "graduates" now employed in local 3M plants in this vicinity, working regular shifts on regular production jobs at regular rates of pay.

Several recent graduates and one trainee, together with 3M officials and center executives, discussed the program with this newspaper June 27, evaluating "one year later" progress from the viewpoint of persons who had benefitted by the program.

Robert Mentey, formerly of Milwaukee and now employed at the 3M plant near Hastings, said he was out of a job and "desperate" when he learned of the Factory Training Center here. He admitted he was a high school dropout, going from job to job, trying to take care of his wife and four children, without too much success. "I had a little trouble getting past Don, but when I did get accepted, the program opened up a whole new life for me."

The "Don" he mentioned is Donald A. Williams, former TCOIC executive and now employment coordinator for the center. He explained the guidelines for admission to the program as "very flexible," depending principally on the individual's need, willingness to learn, desire to work and cultivation of good work habits. "In Bob's case," Williams said, "He had a physical disability he wasn't even aware of until the company gave him the routine examination.

Bob took up the story at that point. "They didn't just tell me I needed surgery and could come back again after I had it," he said. "These people care about a guy. They arranged things so I could go into Ramsey County Hospital, have the operation, then snapped me up the minute I was back on my feet. I didn't have a dime to help myself, so you better believe I know what this program is all about. Now I've got a good job, already been moved up a couple of notches, and still have plenty of chance for advancement."

Dan Rivera has been on his new assignment nearly two months and has a heavily bandaged forefinger to prove it. He treated the injury lightly last Friday, being much more enthused about the five month's training received at the center before starting on the regular plant assignment as trucker. Dan is one of a few trainees with a year of college to his credit, but was at "loose ends" until the center gave him incentive and real prospect of moving up the economic ladder. Now his earnings match his ability and offer a "decent future" for his wife and child.

Being single was no economic advantage for Cecil Wadena, who dropped out of school after the 10th grade. Cecil had plenty of drive but no skills until he enrolled at the center shortly after it opened in 1968. Sixteen weeks of training taught him everything he needed to know to take on the job of mixer at 3M's Chemical Division.

Patricia Riddle is one of few women taking advantage of center opportunities. She's now employed as a tape rewinder after finishing 13 weeks of training and says it's the best job and "best paying job" she's ever had. An 8th grade education and some business college studies were not enough to open up meaningful employment doors for the young woman who is head of her family and main support of four children. "The money isn't everything, although it does mean I can take care of my family and buy them some of the nice little things they want. But the training and my job make me feel important to the company. They make you feel needed . . . as if the work can't go on if you are not there."

Abram H. Weaver, center supervisor, agreed with this. "Every trainee and employee is important," he said. "That's why we stress good work habits, good attendance records, promptness and job interest. The center is in production, too, remember. Trainees produce tape and coated adhesives for use, not for demonstration. Of course they make mistakes. Doesn't everyone? But these men and women are doing productive work long before they move into the regular plants."

Tom Henderson takes pride in his work as a machine operator with 3M's Magnetic Products Division "because the center instilled pride in a job well done while I was in training those 14 weeks. The U.S. Army veteran was under-employed as a janitor when the center opened up new economic vistas and satisfying employment. "It sure makes a difference to the wife and kids (Tom has 3 children) when man is happy at his work," Tom said.

Derrel White of St. Paul has the unique distinction of being a center "dropout." Derrel began training last November, then left to find other employment. This May he returned to the program and appeared reluctant to discuss the interim experience. "Just say the center offers what I need to get ahead. But I had to find that out for myself." He's still in training as a general helper, and should move on to a regular production line by fall. The center doesn't object to giving anyone a second chance "or as many chances as a person needs, if he or she really wants the opportunity," said Don Williams.

John Broadway, assistant Maker Operator on a #1 Maker for 3M, had top billing at the Friday luncheon as a "charter trainee." John was one of the first 12 persons hired by the company after he completed four months training shortly after the program started. "These people give a man a chance to use whatever skill and brains he has," John said. As a machine maintenance man before taking training John speaks with the voice of experience, as if former employment was less than challenging. Two years of high school and natural mechanical ability had not taken John where he wanted to go, especially with a wife and three children, until he enrolled in the training program and found his regular employment niche." It makes a man feel good to put in a full day's work when he knows the company is depending on him to keep his end of the operation going as it should."

John was not the only trainee-turned-employee to praise 3M's shop foremen. Each vied with the other to declare his (or hers) the "best yet." They said the foremen "go out of their way" to help new employees understand new assignments and get familiar with every operation "without breathing down your neck." According to center "graduates," the men in charge make each employee feel important to the production effort and needed in any particular department. One said he had never felt that way in his life, as if his absence or carelessness on the job would "gum up the whole works. Just say it sure makes a guy feel worthwhile after he's been feeling mighty low before this came along."

The statement summed up the total-person concept initiated by 3M Company a year ago. Very few trainees drop out of the program after enrollment. Some, like Derrel, return. The scarcity of women was explained by Don Williams. "We're in heavy production and our employment is necessarily limited to women for that reason. But we do hire women, and welcome them at the center for training in suitable jobs. Many have gone into laboratory and clerical work, as well as light manufacturing.

"Our job at the center is to discover abilities many men and women were unaware they possessed. Then we train those abilities and skills, producing while training, and insisting each give his or her best in performance and work habits. This is self-half in action, not "make work" or any type of hand-out. These men and women earn their pay from the very start. When they go into regular production, they're worth every dollar they earn and the company knows and appreciates that," Williams said.

"We need this untapped source of the job market the unemployed and under-employed need us," said Weaver. "Too many able people are denied a chance at good jobs because of rigid requirements. The center fits the individual to meet the normal requirements necessary on any job."

Lack of education, prison or delinquency records, former poor job performance, nothing of this nature stands in the way of anyone wishing to enroll in the program, Williams explained. After a year in business, the Factory Training Center and its total-person concept received top evaluation from those who know, from experience, what it's all about. As one "graduate" said, "Give it a big fat A-plus in our book."

A NEW STAGE OF LIFE

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, one of the greatest tasks before this country today is to promote understanding between the generations, and to perceive accurately the causes of unrest among the Nation's youth.

An editorial appeared recently in the Attleboro Sun on this subject which offered some real insights into the problem. The article discusses Prof. Kenneth

Kenniston's thesis that youth is troubled both by "the urgent need to fulfill the promises of the past and at the same time, to define the possibilities of the future." This is well worth considering and I offer the full text for the benefit of my colleagues:

A NEW STAGE OF LIFE

Much is made of the fact that half the nation's population is under 30 years of age. This is often suggested as the explanation of student unrest.

But in all historical eras, the vast portion of the population has always been under 30, counters a psychologist. In primitive societies, most people die before they reach that age.

If chronological youth alone was enough to insure rebellion, the advanced societies—where more of the population reaches old age than ever before in history—should be the least revolutionary and primitive societies the most. This is not the case, says Kenneth Kenniston, associate professor of psychology at Yale Medical School.

More relevant factors, he says, are the degree of involvement of those under 30 with the established institutions of society and the opportunities that society provides for their continuing intellectual, ethical and emotional development.

It is difficult for us to believe it now, but until the end of the Middle Ages, no separate stage of childhood was recognized in Western societies. Infancy ended at 6 or 7 (the "age of reason" in Catholic teaching), whereupon children were integrated into adult society to work as junior partners of the adult world.

The recognition of adolescence as a separate stage of life is of even more recent origin, the product of the 19th and 20th centuries. Only as industrial societies became prosperous enough to defer adult work until after puberty could they create institutions—like widespread secondary-school education—that could extend adolescence to virtually all young people.

Today, in more developed nations, we are beginning to witness the recognition of still another stage of life. Kenniston calls this the stage of "youth." This stage, which continues into the 20s and sometimes the 30s, provides opportunities for intellectual, emotional and moral development that were never afforded to any other large group in history.

In the student revolts, thinks Kenniston, we are seeing one result of this.

What the advanced nations have done is to create their own critics on a mass basis. Young people in college have been freed from requirements of work, of gainful employment and even marriage, which permits them to criticize society from a protected position of disengagement.

It is not that industrial societies have failed to keep all their promises but that they have succeeded in some ways beyond all expectations. Many of today's students have never experienced anything but affluence, political freedom and social equality. Not all of them, but many of them, are searching for a new vision, a new set of values, a new set of targets "beyond freedom and affluence."

But they also know that millions have not yet achieved these benefits they take for granted.

"What characterizes student unrest in the developed nations," says Kenniston "is this peculiar mixture of the old and the new, the urgent need to fulfill the promises of the past and at the same time, to define the possibilities of the future."

A more generous appraisal of themselves, our favored youths could not hope to ask for.

THE MILITARY-INDUSTRIAL COMPLEX: A FOURTH BRANCH OF GOVERNMENT?

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. MIKVA. Mr. Speaker, one of the most significant developments in Congress during this first session of the 91st Congress has been the growing concern with the tremendous power and influence of the so-called military-industrial complex. With accusations and denials flying in all directions, it would be all too easy for the important aspects of this problem to become submerged.

Amid the confusion, occasionally a clear voice comes through which states succinctly and straight-forwardly the nature of the problem and the cause for concern. Such a voice is that of Edward R. Kantowicz, whose article entitled "The Military-Industrial Complex: A Fourth Branch of Government," I came across recently in one of Chicago's outstanding independent newspapers, the Polish America. I insert Mr. Kantowicz' article at this point in the RECORD for the benefit of my colleagues in considering the important problems raised by the existence of a "fourth branch of government" in America.

The article referred to follows:

THE MILITARY-INDUSTRIAL COMPLEX: A FOURTH BRANCH OF GOVERNMENT

(By Edward R. Kantowicz)

Though it has been eight years since President Eisenhower, in his farewell address, warned the nation against the military-industrial-complex, public opinion generally ignored this issue for most of those eight years.

A year or two ago the student and anti-war demonstrators discovered this issue. Those disillusioned with the Vietnam war sensed that the military-industrial-complex has been the only winner in Southeast Asia. Campus protesters realized that their professors have been working for years as servants of the Defense Department; and thus they added a new element to the issue, describing the defense establishment as the military-industrial-academic-complex.

Yet although the militants tried to dramatize this issue, most people ignored the substance of their complaints and were content to deplore their tactics. But finally, this year, the military-industrial-complex issue came out of the streets and has touched off a major, national debate in the Congress and the news media.

Many sources have fueled this debate. Disillusionment with Vietnam has become respectable, an economy-minded Congress has begun to examine the 80 and 90 billion dollar defense budgets rather than rubber stamping them, President Nixon's ABM plans have raised up fears of a new acceleration of the arms race, and the frequent military "accidents" of recent years—such as helicopter collisions, the Pueblo seizure, and the recent ramming of an American destroyer by an Australian aircraft carrier—have destroyed the illusion that the generals and admirals always know best.

In its simplest terms, the defense complex is an 80 billion dollar economic merger of higher education, heavy industry, and the armed services. Both state and private universities have become heavily dependent on federal aid to meet their rising costs, and this aid often comes in the form of subsidies for basic, scientific research related to military needs. American industry has had numerous ties, some proper, some improper, with government for a long time, but only in the last twenty-five years have billion dollar contracts bound industry so closely to the military. The military establishment itself has always been respected in the U.S., but, except in time of war, it has seldom had much political power. Our country has never been endangered by military coups, and the few generals who have become presidents were generally weak, benign political leaders.

But now that the generals are directly linked to the corporations and the universities, their ability to exert pressure on the government has been enormously enhanced. The universities provide the military with respected, articulate defenders. The corporations give them access to vast funds for lobbying and for strategically placed campaign contributions. Furthermore, the very size of defense contracts makes millions of ordinary Americans, employed in defense-related industries, stockholders in the military establishment. If a U.S. president wished to attack the complex head on, he would not only meet determined resistance from the Joint Chiefs of Staff and the corporate lobbyists; he would also engage thousands of workers in Seattle, Fort Worth, and Houston, where unemployment would follow cut in defense spending.

The power of the military-industrial-complex presents several obvious dangers. As long as defense budgets continue to be swelled by expenditures for missiles and bombers which are obsolete before they are even deployed, the amount of money available to deal with our nation's social needs will be limited. Secondly, the automatic requests for ever more sophisticated weapons systems effectively doom any hopes for controlling the arms race. Finally, the more weapons we have on hand and the more influence the military gains, the more likely it becomes that we will use these weapons. Many more Vietnams loom ahead.

But the most pervasive effect of the military-industrial-complex is its political power. The merger which created this complex has also constituted it as a fourth branch of government, insufficiently balanced by the other three.

All popularly-elected governments develop unofficial, long-lasting departments which give them a continuity transcending the changes caused by elections. In nations like France and England, where a permanent civil-service bureaucracy has long been entrenched, the bureaucracy makes most of the day to day decisions in government, untouched by changes in the top leadership. In America, spoils politicians have generally been able to continue their petty grafts and patronage policies undisturbed by the periodic reform attempts of presidents and public opinion.

Today, the military-industrial-complex has become the preponderant power in our government and is shortcircuiting the checks and balances. Presidents will come and go every four or eight years, Congress will hold periodic hearings, public opinion will flare up and then die down, but the defense establishment has become permanent. With just a little patience, this establishment can ride out the periodic attacks against it and still get most of its requests granted.

The news media give the impression that it is now open season on the military in Washington. But I doubt if the Pentagon is worried. A major disadvantage of the excellent news coverage which television and the press are now capable of is that such coverage often serves as a substitute for action. The people watch the news specials which explore the dangers of the military-indus-

trial-complex; then, reassured that these dangers have been exposed, they turn to other matters and the furor dies down. The public has had a catharsis, but the complex is untouched.

The best hope for the immediate future is that the political leaders will not let the current debate over military spending cease, that they will choose wisely the specific issues to debate—such as the ABM, the proposed war profits tax, arms limitation agreements—and that the public will not lose interest. The politicians and the people must be persistent if they wish to rule and not be ruled by this fourth branch of government in our political system.

THE FLIGHT OF APOLLO 11

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. CHAMBERLAIN. Mr. Speaker, the flight of Apollo 11 has ended but its ramifications have only begun. As with all great events the full measure of its significance cannot be immediately grasped but will only be revealed in the decades and even centuries ahead. Nonetheless the record of what was said in 1969 about this incredible accomplishment will be, I suspect, of almost as much historical interest in the years to come as the feat itself. For this reason I am pleased to make a part of that record the timely and illuminating editorial comments on the moon voyage of the three daily newspapers which serve the Sixth Congressional District of Michigan.

The editorials follow:

[From the Lansing-East Lansing (Mich.) State Journal, July 25, 1969]

MAN'S COMMON GOALS CAN BE ACHIEVED

They're back.

Man's most daring adventure is over, a complete success. So much so that it's still difficult for most of us to believe it could happen with such precision and virtually no snafus.

American astronauts have walked on the moon and planted a flag and a few scientific gadgets on the lunar surface. They even had time to chat for a few moments with the President of the United States by phone before they hopped in their space bug and zoomed back to earth.

Neil Armstrong, Edwin Aldrin and Michael Collins now will face the world acclaim they deserve for their deeds and cool courage. Their names will go into the history books.

Perhaps the most amazing part of the moon journey was that the astronauts calmly and deliberately seemed to make it look so easy. Of course, it was anything but that.

The moon conquest was the product of the greatest pooling of brains and technical genius in modern history and involved hundreds of thousands of men and women.

It cost the lives of some brave men and it shook the world.

Now comes the great debate which, in fact, has already started. For if man can master the techniques of travel to other planets, certainly we can also coordinate efforts in finding answers to the earthbound problems of war, poverty, pollution and strife.

The walk on the moon was not just a space spectacular, a mission accomplished and to be remembered only by future generations. It was an end but also a beginning of a new era in world history.

By accomplishing the impossible, the Apollo program has demonstrated what can be done when men set their minds and total energies toward a common goal.

The world needs peace, establishment of freedom, and decent living standards for all. It's possible that the moon mission may have been a long step toward helping people everywhere recognize that these are common goals and can be achieved.

[From the Lansing-East Lansing (Mich.) State Journal, July 21, 1969]

AMERICAN SPACEMEN HAVE OPENED A DOOR

The events of Sunday, July 20, 1969, leave the world in a state of awe unparalleled in this century.

There have been many incredible milestones during the past 69 years, but nothing quite so startling as the spectacle of seeing two men set foot on another planet for the first time.

As this is written, the American astronauts still face the perilous journey back to earth. Millions pray for their safe return from what certainly is the most spectacular pioneer exploration of all time.

With precision and cool courage they have pushed through the partly opened door of the new space age and stepped beyond. Thousands on earth who made it possible stood and held their breaths.

Now it is a fact.

Americans, once again, have accomplished what once was thought to be impossible and moved the human race toward a new era. The implications of putting men on the moon and what this portends for the future is still difficult to calculate.

But, as has been said many times, this achievement is equal to and perhaps surpasses al previous probes of man into the unknown.

It can only be hoped that by stepping among the stars, man can somehow recognize his smallness in the universe and learn to live in peace.

[From the Jackson (Mich.) Citizens Patriot, July 22, 1969]

MOON WALK PROVES PERFECTION POSSIBLE

Emotions of the human race piled up and tumbled over one another as Neil Armstrong and Edwin E. Aldrin, Jr., made their perfect landing on the moon and romped in the euphoria of one-sixth gravity like school boys playing with a pogo stick.

The technical perfection of the venture came to be taken almost for granted, although doubts and fears had to linger in the minds of the millions who watched.

Would the LM be able to take off from the moon on schedule? Would it be able to link up with Columbia, the command module? Would the ride down the chute of space to a pinpoint landing in the Pacific also be perfect? What would happen if . . . ?

Have we been taking too much for granted because the space flights have gone so well, with a few near-misses, but no disasters save one tragic fire which took place on the ground and not in space?

If doubts were raised in the mind of the great average American who is paying the bill for space exploration, it might be due to his own bad experiences with the products of American technology.

Maybe his new car has been called back to have a manufacturing defect corrected. Perhaps the washing machine he bought six weeks ago is making strange noises. His television goes on the fritz, even though less than a year old, just as he is ready to watch the moon walk pictures. Maybe the computers which perform vital functions where he works, have a way of going zany at critical moments. Sophisticated new processes in manufacturing develop bugs. He tries to direct-dial a telephone call to Kalamazoo and ends up talking to a recording in Powder River, Wyo.

He comes to understand the painful truth of Murphy's law: "If anything can go wrong, it will."

Then he kibitzes on man's greatest adventure and hears only reports of perfection. The space men's code word, "beautiful," or the phrases, "you're looking good," drones out of the TV or radio speaker hour after hour, telling the listener that no one in the technological chain of the space mission has goofed.

An average man learns that devices which could not be tested under field conditions—such as the gadgets the spacemen carried on their backs as they walked the moon—performed perfectly. Ingenious men and their clever computers had been able to anticipate and cancel out every threat implied in Murphy's law.

So we grow confident. The fear of possible disaster slips farther back into the consciousness. We begin to assume that the take-off from the moon will be perfect (it was); that the rendezvous will be right on the mark; that the trip back to earth will be so perfect that it borders on the boring, and that the spaceship, with its precious cargo, will splash down within shouting distance of the recovery aircraft carrier.

The technical prefection of the mission so far is all the more amazing because of its sheer complexity. The workaday jobs of industry and the professions, no matter how sophisticated they may seem, are child's play by comparison. The trick of designing and manufacturing a modern automobile, for example, probably involves less than one-thousandth of the technological moves necessary to put a man on the moon and bring him back.

Be that as it may, the perfection of the Apollo 11 mission gives those who worship at the altar of American technology new goals to shoot at. Maybe the example heralds the day when all cars will perform perfectly from the day they are driven off the assembly line; computers won't send bills to the wrong people for goods or services they already have paid for, airplanes won't dawdle for hours at the end of runways waiting for a slot to take off and something will be done to get people to work in the morning and back home at night with the relative ease with which the Apollo crew went zipping a quarter of a million miles into space for a rendezvous with destiny.

[From the Owosso (Mich.) Argus-Press, July 22, 1969]

WE LEAVE PLENTY OF "CALLING CARDS"

Astronauts Neil Armstrong, Edwin Aldrin and Michael Collins may have been short on human company during their lunar voyage, but there is no shortage of inanimate reminders of earth along their course.

In the brief time since the first Sputnik, less than 12 years ago, man has distributed an incredible number of his souvenirs in cislunar space—the 240,000-some miles separating earth and moon—and on the surface of the moon itself.

As of June 30, there were 1,730 manmade objects—functioning and spent satellites, rocket bodies and other debris—in space, according to the U.S. Air Force Aerospace Defense Command which catalogues all launchings. To which have now been added the castoffs of Apollo 11 and Luna 15.

Not only the United States and the Soviet Union, but France, Britain, Canada and Italy—using American rockets to launch their satellites—have contributed to the total. The U.S. count leads all others combined by almost three to one.

Strewn across the moon's surface are the remains, intact or shattered, of 22 American and Soviet unmanned lunar probes.

Apollo 11 added considerably to the total.

In addition to the flag and the lower half of the lunar module which serves as the launch pad for their blast-off from the moon, Armstrong and Aldrin left behind functioning scientific equipment and no longer needed items such as cameras, tools and even parts of their space suits.

It all adds up to some $15 million worth of space-age hardware—a bargain price for the few bags of lunar rocks for which it is being exchanged.

[From the Owosso (Mich.) Argus-Press, July 23, 1969]

A GIANT LEAP

Almost as astounding as the achievement itself is the rapidity with which it has been accepted.

All the doubts, the uncertainties, the fears that preceded the epochal moment, shared by hundreds of millions here on earth almost as firsthand experience, are eclipsed by the fact. Man has set foot on another world.

Space has not yet been conquered. But it will be, although the conquest is sure to be long, hesitating at times, filled with new doubts, uncertainties, fears and disappointments. We all know it now as certainly as do the men of Apollo 11.

Never before has so much of humanity been aware simultaneously of a turning point in the human story. Behind us lies the earth-bound past, the long milleniums of man's struggle up from primeval darkness. Ahead lies a future in the stars as yet only dimly perceived but, we are now certain, inevitable.

Prometheus bound has become Prometheus unbound.

It is indeed "a giant leap for all mankind," not only for the billions who inhabit earth today but for all the untold generations which have gone before. It is a link in the unbroken—and, we may hope, unbreakable—chain of human progress.

Cave dwellers who first turned stones into tools have contributed as surely as have the two men who have walked on the moon, the thousands who have participated in the Apollo program, the many more of different times and lands who have added bit by seemingly unrelated bit to theory and technology that have released man from earth.

The conquest of space truly transcends time and the divisions of man. It is as if all of human history has been preparation, a gathering of strength and knowledge and a focusing of purpose toward this moment. The men who first walked the moon happen to be American. But that is only because the organization that has shaped all that has gone before into successful achievement of the goal has been an awesome and indisputably American contribution.

Not the least of the achievements of Apollo 11 is the sense of unity it imparted to men on earth, not only among Americans but people of all lands who shared in the drama and saw it for what it is, a triumph for all men. If only a portion of this sense of community and interest can be retained, the moon program will be well worth the immense cost and effort.

Already attention shifts to what is to come. This November, Apollo 12 will land in the Oceanus Procellarum, the relatively smooth area that covers much of the moon's western face. Apollo 13 and 14 are targeted for rougher areas, first looks at the moon's tortured highlands.

Step by small but increasingly confident step, the exploration of the lunar surface will continue until Apollo 20, the last mission now definitely scheduled, sets down in the deep crater of Copernicus in July, 1972. By then, a new course to the planets will have been charted.

Neil Armstrong's "one small step for man" will have become a conquering stride.

WYATT POLL RESULTS

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. WYATT. Mr. Speaker, each year since I was first elected to this body I have issued a questionnaire on significant national and international issues to those I represent in Oregon's First Congressional District.

The same procedure was followed this year, with over 180,000 questionnaires distributed to my constituents, I received 30,894 replies, a record number of returns.

These annual polls are highly important to me, as they indicate the feelings of those I represent on matters to come before Congress. The tabulation of this year's questionnaire results has just been completed, and I would like to present it at this time for the benefit of my colleagues in this body:

	Yes	No	No opinion
1. If the Paris talks drag on with no apparent progress toward a peaceful settlement of the Vietnam conflict, would you favor a resumption of the bombing of North Vietnam?	57.8	31.0	11.2
2. Should the President be required to secure the approval of Congress before taking any action involving the commitment of American forces to hostile actions abroad?	73.6	21.0	5.4
3. Should the United States extend diplomatic recognition to Red China?	44.3	43.4	12.3
4. Do you favor President Nixon's recommendation for a limited antiballistic missile program?	51.9	31.8	16.3
5. Foreign aid:			
a. Should the United States continue to extend military assistance to other nations?	34.6	53.2	12.2
b. Should the United States continue to extend economic assistance ot other nations?	57.2	31.7	11.2
6. Once the Vietnam conflict has been resolved, would you favor replacement of the present draft system with an all-volunteer army?	52.9	38.0	9.2
7. Tax reform: Do you feel that there are substantial inequities and loopholes in the Federal income tax laws which require change?	92.7	3.0	4.3
8. Do you favor the banning of cigarette advertising on television?	64.7	26.4	8.9
9. Should Congress enact a statute to require the licensing and registration of all firearms?	34.7	60.7	4.6
10. Should the Congress create a Cabinet-level Department of Consumer Affairs?	38.7	34.7	26.6
11. Do you favor President Nixon's proposal to create a National Law Enforcement Academy to upgrade the competence of State and local police?	70.1	19.1	10.8
12. Should the National Labor Relations Act be amended to require that farmers recognize and bargain with unions representing their workers?	28.1	55.9	16.0
13. Should Congress place a ceiling on the total amount of Federal farm subsidy payments which 1 person may receive in any 1 year?	85.0	5.1	9.7
14. Do you favor President Nixon's proposal for automatic cost-of-living adjustments in social security benefit payments?	81.3	11.0	7.7
15. Should Congress propose a constitutional amendment to set the minimum voting age at 18 in all States?	24.6	69.5	5.9
16. Should Congress propose a constitutional amendment to permit voluntary nondenominational prayer in public schools?	70.8	20.8	9.1
			Percentage favoring
17. Electoral college reform is being advocated. Which of the following choices do you prefer? (Please check 1 only.):			
a. Abolish the electoral college system and provide for the direct popular election of the President			76.4
b. Provide for the election of presidential electors by districts within each state, rather than the present "winner-take-all" system of State at-large election			5.2
c. Provide for the proportional division of each State's electoral votes among the various presidential candidates in accord with the share of the popular vote each receives in the State			9.5
d. No change in the present system			5.1
e. No opinion			3.8

FEDERAL AID TO EDUCATION TO BE CONSIDERED

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. O'HARA. Mr. Speaker, tomorrow we will begin consideration of appropriations to fund Federal aid to education for the 1970 fiscal year.

A number of us were deeply concerned when the administration recommended sharp reductions in some very important programs, among them impact aid, library assistance, and guidance and counseling.

We were further disappointed when the Committee on Appropriations, while recommending the restoration of about one-third of the cuts proposed by the administration, still did not favor adequate funding for these programs.

School districts across the Nation are caught in the vise of limited property tax revenues on one side and soaring costs and increased numbers of students on the other.

In light of this, these programs are of critical importance to hundreds of school districts and to the students enrolled therein.

Recently, I solicited the views of a number of school superintendents in my congressional district.

I offer several typical replies which I think indicate why we must increase the funding for these educational programs. I also include for the RECORD a letter from Michigan superintendent of public instruction Ira Polley, which details the school financial situation for the entire State.

The replies and letter follows:

WARREN CONSOLIDATED SCHOOLS,
Warren, Mich., May 28, 1969.

Hon. JAMES G. O'HARA,
House of Representatives,
Washington, D.C.

DEAR JIM: Please know that we in the Warren Consolidated School District will deeply appreciate your effort to assure continued Federal support of E.S.E.A., Title II and N.D.E.A., Title III.

We realize you are aware of the rapidly escalating salary costs which this district must face as reality under collective bargaining This is hardly the time for withdrawl of federal support, even though some may regard the dollars involved as relatively insignificant.

Despite the generosity of our local people in approving millage, we face a curtailment of program particularly in the areas of media and specialized services to children. The aforementioned federal titles have provided real assistance in these areas in the past years. During 1968–69 fiscal year, we expect to receive in excess of $60,000—a small sum in terms of federal appropriations, but assistance which means much to us in terms of counseling and guidance, and library and classroom learning media.

Thank you kindly for your assistance.

Very truly yours,

CLAYTON W. POHLY,
Deputy Superintendent for Curriculum Services.

CENTER LINE PUBLIC SCHOOLS,
Center Line, Mich., April 29, 1969.

Hon. JAMES G. O'HARA,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN O'HARA: It is with a great deal of shock that I write to you asking your efforts be made in behalf of maintaining federal aid to education. You are well aware that at the state level we are experiencing a great deal of difficulty in keeping our heads above water. You have made me aware of the impact of the federal cuts in this program. While federal aid does not compare with state and local aid, it is indeed a shocking thing to know where we as a government are putting our greatest values.

I would like to commend you for your efforts in behalf of the boys and girls in the State of Michigan and throughout the United States.

Sincerely,

WAYNE WOODBY,
Superintendent of Schools.

CHIPPEWA VALLEY SCHOOLS,
Mount Clemens, Mich., April 23, 1969.

Hon. JAMES G. O'HARA,
Mount Clemens, Mich.

DEAR SIR: Thank you for your letter of April 16, 1969, bringing me up to date on the proposed Federal Aid reduction that would affect our School District.

On the local level we currently are levying 31.61 mills to build and operate our schools. The proposed change in the School Bond Loan Program in Michigan will require an additional 2.4 mills that our District will have to levy. In addition to this, a question will be placed on the ballot in June requesting from 4 to 6 additional mills for operation. The proposed Federal Aid reduction would be the equivalent of ½ mill in our School District.

Federal Aid will not make or break us but, at this point with the financial problems that Michigan schools are having, we sure hope that something can be done so another burden won't have to be added to our plight.

Sincerely,

GORDON E. PECKHAM,
Superintendent of Schools.

WARREN CONSOLIDATED SCHOOLS,
Warren, Mich., April 29, 1969.

Hon. JAMES G. O'HARA,
U.S. House of Representatives,
Washington, D.C.

DEAR JIM: It is most gratifying to be kept informed with regard to your stand with respect to education.

We certainly don't like to balance any budget by making our children suffer for it. Michigan schools are in serious financial difficulties. Many of them are now experiencing deficits. Within a year most of them will be in this critical condition. On the other hand, taxpayers are revolting on the local level. The pressure is on, and certainly this is not the time for the federal government to do less for the boys and girls of this nation.

Therefore, I would urge you to utilize every device at your command to resist any reduction in the Elementary and Secondary Education Act as well as in the Impact Area Aid. In fact, this is the time and the hour for our federal government to come to our assistance if they are willing to recognize the universal need to improve the quality of education across this nation.

Again, congratulations upon your courageous stand.

Sincerely yours,

PAUL K. COUSINO,
Superintendent.

EAST DETROIT BOARD OF EDUCATION,
East Detroit, Mich., April 16, 1969.

Mr. JAMES G. O'HARA,
House of Representatives,
Washington, D.C.

DEAR JIM: I appreciated receiving your position paper relative to P.L. 874 and Title II and the affects of the anticipated loss of these monies on our Macomb schools.

I first of all want to commend you in your leadership role to attempt to retain for us the anticipated losses in supportive monies.

The East Detroit libraries would not have been able to up-date their volumes without these supplemented monies. In a period of crisis in our millage votes for operating, just to maintain what we have, Title II has been a welcomed blessing.

Although our district has not participated in P.L. 874, I can appreciate the loss of these revenues to those districts so affected. We would favorably encourage the status-quo in that program also.

In conclusion, as a school leader, I welcome your timely "alerts" and concerns in behalf of education here at home. Keep up the good work, Jim.

Sincerely,

ROBERT K. SMILEY,
Superintendent.

MOUNT CLEMENS COMMUNITY SCHOOL DISTRICT,
Mount Clemens, Mich., April 21, 1969.

Hon. JAMES G. O'HARA,
House of Representatives,
Washington, D.C.

DEAR MR. O'HARA: Thank you for your letter of April 10. The Mount Clemens Community School District, at the present time, is operating with an above average millage levy. Our school district also qualifies for Section Seventeen which means that our citizens are also taxed high with municipal taxes. Therefore, the possibility of losing $51,000 for category "B" students is a concern to our Board of Education and the administration of this school district. One of the problems that this school district faces is the planning of the Colchester Project. Throughout the planning the planners have declared that this would be an ideal place for servicemen from Selfridge Field. Therefore, we face an increase in category "B" students. Your support to maintain these funds will be greatly appreciated in this matter.

Sincerely,

WILLIAM C. HARDING,
Superintendent.

WARREN WOODS PUBLIC SCHOOLS,
Warren, Mich., April 21, 1969.

Hon. JAMES G. O'HARA,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE O'HARA: I've been most appreciative of your informational letters of the past few weeks. You have an uphill fight ahead of you but certainly be assured there is support and appreciation for your efforts.

I unfortunately can't give you direct evidence of loss from 874 impact legislation. For some crazy reason our district just has never qualified to any extent. We have been out of that picture for years now. I do appreciate the value to some of my neighbors and would vicariously wish God speed in your efforts for them.

The matter of Title II under the ESEA legislation, Library Assistance, is quite another thing. We have benefited considerably under that program. Our allowances have been in the neighborhood of $10,000 a year and they have done much to increase our library services. As you know our district has been growing like a weed and maintenance of adequate library materials has been a very difficult task. To add to that problem of creating an adequate library, we have this year had a serious operating deficiency problem. We don't expect this problem to clear up for another year or possibly 2 years. One area in which we've attempted to save a little money has been in the library field. As a consequence, the bulk of the improvement registered this year has been from Title II money. Actually, we have operated this year on a dispensation from the State Department because our local money expenditure has decreased. In view of our financial plight they have however authorized us to proceed with our normal appropriation, thus Title II is a very real thing to us. I hope you can do some good in that area.

Again thank you much for your flow of information and particularly for your concern for us.

Sincerely,

ROBERT S. TOWER.

RICHMOND COMMUNITY SCHOOLS,
Richmond, Mich., April 21, 1969.

Mr. JAMES G. O'HARA,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN JIM: I appreciate your letter of April 10th calling attention to possible cuts in the amount of funds for education that are reportedly going to be a part of Mr. Nixon's budget recommendations. Of course I am very concerned. Someone, somewhere in this nation is going to have to decide that education is one of this nation's most valuable investments and that it does cost money. In Richmond unless we get additional funds before next school year, all of the students are going to be on half days. We are cutting our staff 20%.

In regard to the proposed cutbacks in P.L. 874, Richmond is not specifically affected nearly as much as some of the other districts in Macomb County. Our current count of eligible youngsters is below that required so we are being phased out of P.L. 874; however, for a district the size of Richmond, the loss of nearly $1,700 in the library services assistance is critical. Even this amount represents a reduction of nearly $1,000 from the amount we originally received. We have been able to substantially upgrade our library services because of this assistance.

Thank you for your efforts on our behalf.

Sincerely,

UREY B. ARNOLD,
Superintendent.

DEPARTMENT OF EDUCATION,
Lansing, Mich., May 9, 1969.

Hon. JAMES G. O'HARA,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. O'HARA: The purpose of this letter is to urge you to support full funding of elementary, secondary, and vocational education programs in 1969–70.

The purpose also is to express my huge

concern about the President's proposed reductions in Michigan's education programs. The President's budget proposes to eliminate all funds for:

Library books and resources to school children (ESEA II);

Acquiring equipment for critical instructional areas (NDEA III);

Supporting guidance and counseling (NDEA III);

Constructing new public libraries (LSCA II).

The budget proposes a 50% reduction in public library service grants and a 30% reduction in ESEA III programs.

Altogether, Michigan's school children, parents, and elected school boards will lose nine million in federal aid at a time when state and local resources are particularly strained.

I believe that the appropriate action for the House to take now is to vote appropriations equal to the $5.4 billion which has been authorized by the Congress for elementary and secondary education during the past year. There are several reasons why this is necessary:

(1) The most critical domestic budget issue facing our people today is the financing of the public schools. In the last three years local and state spending for elementary-secondary education has risen by twenty-five percent while the federal contribution has increased less than ten percent; and the President's budget will, in fact, bring federal spending below the 1965–66 level.

If the Congress truly believes in a partnership of federal, state, and local governments to meet urgent domestic needs, then education is an appropriate place to demonstrate its commitment, and full funding is a proper expression of that commitment.

(2) State legislatures are being called upon to vote new taxes and shoulder an even larger share of educational costs; and most are meeting their responsibilities. They should not be expected, in addition, to pick up worthwhile programs which the Congress has started and then discarded.

If the Governor's 1969–70 budget is passed the Michigan Legislature will have raised its contribution to K–12 education by fifty percent over 1965–6; if the President's budget is passed as presented, the Congress in the same period will have *decreased* its contribution by over five percent.

(3) The public expects local school systems to deploy resources wisely and to involve parents and residents in school programming. It is difficult enough for a school system to gain public trust in its own regular programs without having to bear the onus of bad faith and disorganized management which comes when the Congress suddenly withdraws a program which it has asked that system to undertake only three years earlier.

Yet this is what has happened in the recent reductions of ESEA I; and it surely will happen when ESEA II is cut out and ESEA III substantially cut back, as the President proposes.

The public confidence is essential if local school systems are to prosper; and the Congress cannot strengthen that public confidence unless it achieves consistent and adequate financing of the programs which it asks public schools to undertake.

(4) Children in Michigan visibly benefit from the particular programs which the President is proposing be eliminated. Parents, teachers, and elected school and public officials have supported these particular programs because the benefits are visible: For example:

More individual attention from talented teachers, possible through various ESEA III projects.

Libraries in schools and communities where there were no libraries before, made possible by ESEA II and LSCA I and II grants.

Equipment which can help a child of poverty improve his grasp of English, made possible though NDEA III grants.

Acceptance of these benefits by the people of Michigan warrants the maximum appropriation for these titles and for all other elementary and secondary education titles.

I plead with you to find an early opportunity to describe our concerns to your colleagues on the Appropriations Subcommittee on Education. I am sure the members of that Committee will be interested in your views and analyses.

Respectfully yours,

IRA POLLEY.

WORCESTER'S PROUD PARTICIPATION IN THE HISTORIC MISSION OF APOLLO 11

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. DONOHUE. Mr. Speaker, when the historic Apollo 11 vehicle successfully blasted off at Cape Kennedy last July 16, the special pride and prayers of the people of Worcester, Mass., rose with and accompanied it until the three astronauts were safely returned to the deck of the *Hornet*. I think, by now, that it is pretty universally known that the late Dr. Robert H. Goddard, the acclaimed "father of modern rocketry," was born, educated, and conducted most of his early study and experimentation in rocketry in the city of Worcester. His loyal, gracious, and gifted wife still resides in our city of Worcester, and has maintained an intense interest in the continuing remarkable projections of Dr. Goddard's original, inventive genius.

Of course, Worcester, being an internationally recognized industrial center, substantially contributed, through its skilled industrial workers and plants, to the unparalleled success of the Apollo 11 mission. In view of these extraordinary factors, it is only fitting that the city of Worcester would proudly celebrate its unique participation in the most historic space exploration achievement in the history of the world. The celebration was in the form of a luncheon sponsored by the Worcester Area Chamber of Commerce and Rotary Club.

At this point, I would like to include an article from the Worcester, Mass., Telegram newspaper issue of July 25, 1969, containing an account of the luncheon ceremony and the further article containing the text of remarks by Mrs. Esther Goddard at the luncheon:

MISSION'S SUCCESS CELEBRATED BY CITY

(By Walter Donway)

Mrs. Robert H. Goddard, widow of the Worcester scientist called by many "the man who made the moon landing possible," yesterday joined Worcester in celebrating the successful completion of the Apollo 11 moon mission.

And as the first of Dr. Goddard's dreams became reality, she expressed the conviction that the rest of them would also come true.

But in her remarks, as she recalled the prophetic writings and experiments of her husband, who was ignored and sometimes ridiculed in his own time, there was both a quiet satisfaction and a gentle chiding.

Speaking at a luncheon sponsored by the Worcester Area Chamber of Commerce and Worcester Rotary Club, Mrs. Goddard began her speech—only moments after the successful Apollo touchdown in the Pacific Ocean by saying:

"This occasion offers a rare opportunity to use one of the most irritating comments ever made by a woman: 'I told you so.'

TRANSCENDS TRIVIA

"Therefore I am not going to say it, for our subject far transcends such trivia.

"This week we have seen one of man's grandest dreams become reality. In my husband's early life, it was a dream only. In his lifetime he brought it to a reasonable scientific hope, not widely shared in the non-academic community."

But with the splashdown, she said, "We have attained reality. We have brought the stars nearer."

WAS CLARK PROFESSOR

Dr. Goddard, a physics professor at Clark University, performed experiments in the 1920's and 30's that won him more than 240 patents, some awarded after his death in 1945. They are said to form the foundation of the science of rocketry today.

The audience of 200 or more at the luncheon, who were also addressed by Mayor John M. Shea and City Manager Francis J. McGrath, gave Mrs. Goddard a standing ovation.

After the luncheon, she was a guest of honor at a public celebration in front of City Hall, where a brass band and a cannon salute greeted the return of the three astronauts.

COMPANIES LAUDED

Before the gathering of about 100, Shea and McGrath congratulated seven Central Massachusetts companies that contributed parts or technology to the moon flight. Representative of the companies briefly described to the crowd what their firms contributed to the flight. Represented were Wyman-Gordon Co., David Clark Co. Inc., Sprague Electronic Co. Inc. and AVCO Corp.

After congratulating the companies, Mayor Shea said, "We of Worcester have other cause to be proud of this day, because years ago, in Worcester, a man conceived the first practical idea of the feat three astronauts performed today. We in Worcester are proud of Dr. Goddard, whose many hard, lonely hours of work made this great undertaking possible."

City Manager McGrath praised "the three brave astronauts who carried this mission to fruition—and the backup men, not only at Cape Kennedy but throughout the country, who proved, in contradiction to communism, what capitalism can do."

City Councilor George A. Wells told the young people who came to give Mrs. Goddard a sketch of her husband, presented in behalf of the Worcester Boys' Club, "Dr. Goddard was a product of the Worcester school system. You youngsters never forget that."

MET WITH SKEPTICISM

In her address to the Rotary club earlier, Mrs. Goddard said that when her husband first published his findings on jet propulsion, "He met with skepticism and indifference, even though, with Yankee caution, he publicly mentioned only the moon as a goal. Now that this has been attained, perhaps his further dreams, as found in his papers, may be met with less elevating of the eyebrows."

Mrs. Goddard then explained some of her husband's insights about travel to the moon, presented in a report which Goddard filed with the Smithsonian Institution in March of 1920.

Mrs. Goddard is now editing a collection of

her husband's papers, which will include this document and others.

OUTLINED VISION

In this report, Mrs. Goddard said, "my husband outlined his vision of lunar and interplanetary travel and beyond."

As early as 1919, Mrs. Goddard said, her husband had foreseen "unmanned exploration of the moon with camera and instruments. The propellants would be liquid hydrogen and oxygen, and guidance in space obtained through small side jets.

"Since limitations of instruments would eventually become clear, manned explorations must then be undertaken."

"Today we are at this point in his plan," Mrs. Goddard said, "now may I read what he thought was to come?"

PASSAGES QUOTED

She then quoted long passages from the 1919 report in which her husband weighed the possibilities of using solar energy for interplanetary travel and intergalactic travel.

Goddard included in this part of the report a discussion of the possibility of using atomic energy as an earlier, better substitute for solar energy.

"It is perhaps worth emphasizing," Goddard wrote in his projection of "superspace" travel, that although a discussion such as this may seem academic in the extreme, it nevertheless poses a problem which will some day face our race as the sun grows colder."

He then explored the possibility of locating human beings on different planets near different suns.

There is a line in a song in "Finian's Rainbow," Mrs. Goddard concluded, "that goes 'I follow a fellow who follows a dream.' I am blessed to have seen part of his dream fulfilled today. I can do no less than to express the conviction that the rest will follow."

PRESENTED PICTURE

During the luncheon ceremony Mrs. Goddard was presented, on behalf of Richard C. Steele, president and publisher of The Worcester Telegram and The Evening Gazette, a color picture of herself standing in front of Clark University's new Goddard Library, which is dedicated to her husband. She was also given the plates from which the newspapers recently printed the text of her husband's three-page patent for his experimental rocket and the plates from which the graphic schema of the rocket was reproduced.

Gary Walsh of WTAG made the presentation.

MRS. GODDARD RELATES LATE HUSBAND'S IDEAS FOR BEYOND MOON AND PLANETS

(NOTE.—Text of Mrs. Goddard's speech at the Rotary Club luncheon yesterday:)

This occasion offers a rare opportunity to one of the most irritating comments ever made by a woman: "I told you so." There I am not going to say it, for our subject transcends such trivia.

This week we have seen one of man's grandest dreams become reality. In my husband's early life, it was a dream only: in his lifetime he brought it to a reasonable scientific hope, not widely shared in the nonacademic community. In the past 10 years, as a result of the most efficient and effective mobilization of scientific, technological, and managerial talents ever assembled on this planet, we have attained reality. We have brought the stars nearer.

Robert Goddard had a hard base for his dreams. He was a Worcester product, from a family which took part in the early industrial development of this city. In the shed attached to his home was a tidy workshop, where he learned to work with his hands. A set of Cassell's "Technical Educator" was on the bookshelves. Worcester also furnished a first-rate scientific and technical education, and helpful cooperation from many business establishments, including ceramic nozzle linings from the Norton Company.

When at last he dared to publish his findings on jet propulsion, he met skepticism and indifference, even though, with Yankee caution, he publicly mentioned only the moon as a goal. Now that this has been attained, perhaps his further dreams, as found in his papers, may be met with less elevating of the eyebrows. In a report filed with the Smithsonian Institution in March, 1920, my husband outlined his vision of lunar and interplanetary travel, and beyond. First, of course, would come unmanned exploration of the moon with camera and instruments. The propellants would be liquid hydrogen and oxygen, and guidance in space obtained through small side jets.

Since the limitations of instruments would eventually become clear, manned explorations must then be undertaken. Landing on the moon must be without jar, by reducing the velocity so that it becomes zero when the surface is reached. He pointed out that such landings were certain to yield results of great scientific value, even aside from the question of interplanetary-communication.

SAW FURTHER

Today we are at this point in his plan. Now may I read what he thought was to come.

"It was intimated, at the beginning of the present paper, that a frank discussion would be made regarding the further possibilities of jet propulsion, together with such related matters as pertain to traveling great distances from the earth's surface. It is evident, from the calculations made regarding the use of solar energy in space, that the most extreme speeds will be produced by solar, rather than by chemical energy. This assumes that the energy of atomic disintegration will either not be producible in practical amounts, or will not be controllable by means involving small weight. These assumptions may not be warranted.

"If it is possible to utilize atomic energy, the matter of transportation would be comparatively simple, and a large body could be sent from the solar system, thus affording protection to the contents from meteors. In this case, living beings might be carried, the necessary light and heat being furnished by radioactivity.

"Further, atomic disintegration may open the way from the creation of what might be called artificial atoms, in which energy might be stored by many high-speed particles. This tremendous amount of energy could be liberated when these artificial atoms were broken up, or the particles were removed gradually.

"INTERGALACTIC TRAVEL

"If we pass from interplanetary space to superspace, this can only imply intersolar-system space, or perhaps intergalactic space. It is perhaps worth emphasizing that although a discussion such as this may seem academic in the extreme, it nevertheless poses a problem which will some day face our race as the sun grows colder, even though, by dint of jet propulsion, we succeed in moving sunward.

"The most desirable destination would be a planet near a larger sun or suns, so situated that the temperature would be like that of the earth, but where the cooling would be slower. The destination should be in a part of the sky where the stars are thickly clustered, so that any further migration would be comparatively easy, the stars preferably being hydrogen or new stars. Because of possible danger from meteoric matter, expeditions should be sent to all parts of the Milky Way, where new stars are thickly clustered. With each expedition should be taken as much as possible of all human knowledge, in as light, condensed, and indestructible a form as possible, so that the new civilization can begin where the old ended.

"CREW HIBERNATION

"Possibly the point open to greatest question is the matter of maintaining the crew safely at a very low temperature. It has long been known, however, that protoplasm can remain inanimate for great periods of time, and can also withstand intense cold. It may be necessary to evolve suitable beings through many generations."

There is a line in a song in "Finian's Rainbow" that goes "I follow a fellow who follows a dream." I am blessed to have seen part of his dream fulfilled today. I can do no less than to express the conviction that the rest will follow.

THE CAIRO CREDIBILITY GAP

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. EILBERG. Mr. Speaker, it is a truism of warfare that few nations, defeated on the battlefield, will readily admit to its citizens the true facts of its crushing loss. The German war machine was not destroyed by the Allies in 1918, the German generals contended; rather, it was sold out by the actions of the civilian government.

Today, the Egyptian Government is using a similar ploy in regard to its warfare with Israel. While its army and air force suffer defeat after defeat, the Government, through its official voice, Radio Cairo, and the articles in the semiofficial newspaper Al-Ahram, continues to spew forth reports of crushing Arab victories.

In battle after battle, the Egyptians boast, it is Israeli planes which are shot down; it is Israeli soldiers who are killed; and it is Israeli fortifications which are destroyed.

None of these supposed victories can be or have been substantiated; they are merely figments in the imagination of the President of Egypt. Fabrications such as these, Mr. Speaker, have the effect of arousing the Egyptian masses to engage in further acts of terrorism; they in no way lead to peace.

Since it is imperative that a peaceful settlement be reached immediately by means of face-to-face discussions between the Israelis and the Arabs, it is incumbent upon us to reveal to the world the true purpose of these inflated boasts; that they are merely propagandistic lies which thwart the cause of peace.

President Nasser's speech, reported in the press on Wednesday, July 23, is a prime example of such a boast. The Arab States, cried the Egyptian President, are about to enter into the "liberation stage"; the period when the Arab armed forces will enter Israel and "liberate" the land from its rightful owners.

The effect of such a speech, Mr. Speaker, is quite obvious: it will lead to more bloodshed; it will result in a greater number of terrorist attacks; it will breathe new hatred of Israel into

the minds and hearts of the Arab people; but it certainly will not lead to peace.

It is words such as these, words of destruction and death, which are uttered constantly by President Nasser; words of peace, however, are seldom heard.

On July 14, the Israeli Embassy, in an attempt to deflate the lies emanating from Cairo, issued a backgrounder entitled, "The Cairo Credibility Gap." In this brief report, the Israelis have presented for all to read the true facts behind Egyptian "victories" and the correct statistics concerning Israelis and Egyptian ground and air losses.

Let me cite one example. Egyptian sources contend that the Israeli Air Force has lost 33 planes in the 4-month period between March and July 14, 1969. During the period covered by the report, from the June war of 1967 until July 14, 1969, Israel has, in fact, lost only three of its planes, all to Egyptian antiaircraft fire while Egypt has lost 28 of its aircraft, 22 in dogfights and six to antiaircraft fire.

In subsequent air battles over the Suez Canal, Mr. Speaker, the Egyptians have continued these fanciful boasts. Since July 14, reports Cairo triumphantly, no less than 30 Israeli planes have been downed. The true facts, however, are these: Israel has, in actuality, lost only two planes, while Egypt has lost 11.

In order to dispel the entire slate of Egyptian myths, I should now like, under unanimous consent, to submit this statement, "The Cairo Credibility Gap," for inclusion in the RECORD, as follows:

THE CAIRO CREDIBILITY GAP

1. A study of Egyptian communiques and official statements over the past two years leads to the conclusion that the armed forces of Israel must be reeling from defeat to defeat. Cairo's inventory of Israeli losses along the Suez Canal for the single period of March 3–July 10, 1969, reads as follows: 104 dead (plus additional reports of "numerous killed", with no numbers specified); 140 tanks destroyed, 66 vehicles destroyed, 79 observation posts destroyed, 29 gun and mortar batteries silenced, 2 anti-aircraft battalions and 7 missile positions silenced, and "large numbers of missile and artillery positions knocked out of action." Egypt goes on to claim the destruction of 4 army engineering units, 12 machine gun positions, 12 command posts, 12 regional administration centers, 7 arms dumps, "much engineering equipment", "numerous fortified shelters", and "many giant fires ignited".

2. *Nasser: 60% of Israel's Canal Fortifications Destroyed:* On May 1, 1969, President Nasser made the following declaration in his May Day address at Helwan, a suburb of Cairo (Radio Cario, 5/1/69, 17.04 hours GMT):

"The Israelis announced that they had built up a fortified line along the eastern bank of the Suez Canal; that they had named it the Bar-Lev Line and that the Egyptians could not demolish these emplacements . . . *War Minister General Fawzi informed me and the Cabinet last week that our armed forces have so far been able to destroy 60% of the Bar-Lev Line (applause). General Fawzi told us at the Cabinet that the armed forces will continue to implement their plan until they complete the destruction of the remaining 40% of the Bar-Lev Line (applause).*"

Two weeks later, the Egyptian press was able to report the destruction of the remaining 40%. On July 4, 1969, the Egyptian daily, *El-Akhbar,* announced that the destruction of the Bar-Lev Line "has finally compelled the Israelis to withdraw into the desert."

On May 6, 1969, foreign correspondents were invited to tour the Suez Canal fortifications on the Israeli side. They interviewed the soldiers, inspected the bunkers and reported the truth. Not one of the emplacements had been destroyed during the weeks of Egyptian shelling. (See, for example, the *New York Times,* May 7, 1969).

3. *Israel's Air Force "Bled White":* Every air skirmish ends in Egyptian victory according to Cairo communiques. These assert that Israel has lost to Egypt no fewer than 33 aircraft between March and July, 1969: 4 Mirages, 6 helicopters, 12 Pipers, "6 combat planes" (unspecified), "a jet" (unspecified), and 4 other unspecified aircraft. Add to these the alleged downings between June 1967 and March 1969, and the Israeli Air Force has, according to *Radio Cairo,* been almost "bled white."

Israel has, in fact, lost to date three aircraft to Egypt since the Six Day War:—two fighters and a Piper spotter plane shot down by anti-aircraft fire on July 25, 1967 and on December 1, 1967 and March 9, 1969 respectively. These planes were all shot down by anti-aircraft fire.

Egypt, on the other hand, has lost 28 combat aircraft, most of them MIG 21's, between July 4, 1967 and July 7, 1969. Twenty-two were downed in dog fights and 6 by anti-aircraft fire. Twelve Egyptian MIG 21's have been downed since May 1969. (See list ———).

4. *"Raids that Never Were":* The continuous violation by Egypt of the cease-fire agreement has elicited an Israeli response both along the cease-fire lines and deep inside Egypt proper. On 6 occasions since November 1968, Israeli commandos have struck at installations within Egyptian territory. Cairo has sought either to deny their having taken place or, when this has not been possible, to place the blame on lone Israeli aircraft. The Nag Hammadi raid of November 1, 1968, is a case in point. The *New York Times,* November 2, 1968, carried the following item, datelined Cairo:

"The United Arab Republic announced at dawn today that a single Israeli warplane had bombed a bridge and a power station in Upper Egypt, near Luxor. A communique issued from the Egyptian Supreme Military Headquarters said that the raid had occurred 10 PM yesterday."

The Israeli army communique, November 1, 1968, gave its version as follows:

"An Israeli army commando unit struck tonight at three targets in southern Egypt on the road between Cairo and Aswan, some 230 kilometres north of Aswan. The targets were a transformer plant and two bridges over the Nile. Our forces returned safely to base."

The *New York Times,* November 4, 1969, carried a report from the scene of the raid, Nag Hammadi, written by the *Times* Cairo correspondent, Eric Paco. The report states in part:

"More than a dozen residents of this sleepy area in Upper Egypt contend that helicopter-borne Israeli commandos, not Israeli bombers, caused the damage reported Thursday to a local dam, bridge and power station. An Egyptian officer flatly denied the reports of the residents, who today told their version of the incidents to Arabic speaking visitors . . . Colonel Ibrahim, a military commentator on television who sometimes serves as military spokesman, contended that the damage had been caused by a Israeli plane or planes using bombs, rockets and bullets. The visitors were not shown any bullets or bomb or rocket parts to support this contention. They were hustled out of the station after a short visit in the dark . . . After causing the damage the Israeli commandos disappeared into the night according to the residents who asked not to be identified for publication."

5. *Radio Cairo:* In a land of widespread illiteracy, where the people are dependent on village radios and on word-of-mouth facts that are too often fiction, the myths of the government-controlled *Radio Cairo* linger and are undoubtedly believed. Its stories on Israel are frequently hair-raising, sometimes comical. A random example of the type of news disseminated to the Egyptian people is this item monitored on July 6, 1969, 9.30 GMT. It reads:

"The Israel authorities have today cut off all water supplies to the Arab residents of Jerusalem in retribution for the Security Council resolution of July 3, (concerning Jerusalem). The aim is to compel the thirsty people to flee the city. The Jerusalem Arabs have expressed their determination not to give in to the Zionist terror tactics."

Foreign visitors by the thousands were in Jerusalem on that Sabbath day, among them foreign correspondents. Nobody reported the story. It was another myth.

6. *Nasser's Interviews:* President Nasser's natural propaganda skill has been attested to by foreign visitors to Cairo. He is graced with personal charm, is known to be keenly sensitive to the Western mood and thinking and is adept in measuring his words to audiences abroad. The Nasser interviews in the Western press carry passages that on the surface at least appear reasonable. Such passages never reach the Egyptian public. Without exception, every Nasser interview with a Western newsman is subjected to intensive editing and censorship before it is released for publication in the Egyptian press. Deleted or rewritten are any and every reference that might be interpreted as moderate or accommodating. This was true in the case of his interview in *Look,* March 10, 1968, his interview in *Newsweek,* February 10, 1969, his interview in the *New York Times,* March 2, 1969, and his interview in *Time* Magazine, May 16, 1969. In each instance the technique has been to doctor and rephrase the original text to make it conform to actual Egyptian policy.

A particularly significant and not atypical example is the Cairo treatment rendered to the *Look* interview (March 10, 1968). *Look* had asked Nasser whether he had perhaps been misled by suspicion and faulty information when, in 1967, he accused the U.S. and Britain of attacking his air force. He replied:

"You could say that, yes."

The Cairo press gave this as Nasser's reply to the same question:

"You may say so, but others say something else."

To this day the Egyptian public has not been told the truth and no doubt many still live with the fantasy that the Egyptian air force was destroyed by U.S. and British carrier planes.

7. *Al-Ahram Story:* One of Cairo's foremost propagandists is Heyseinan Heikal, a close confidant of Nasser and editor of the semi-official daily newspaper *Al-Ahram.* On February 19, 1969, the *New York Post* carried an AP dispatch datelined Cairo that read as follows:

"President Nixon has invited a 14 year old Egyptian girl whose father was killed in the 1967 Arab-Israeli war to visit him at the White House if she ever comes to the U.S., the semiofficial newspaper *Al-Ahram* said today. "The girl, Nagla Hilmy, sent Nixon a letter last month saying her father, Hedayat Hilmy, a pilot, was killed "with weapons America gave to Israel." Hilmy had piloted Nixon's plane when he visited Egypt in 1965, *Al-Ahram* said . . . *"Al-Ahram* said it would pay the girl's expenses for the trip she hopes to make during her school summer holidays."

The report quoted from President Nixon's reply to the girl's letter as follows:

"If we can achieve peace, fine men like your father will not be lost in future battles and instead, continue to contribute to the happiness of their families and the welfare of their countries."

The Washington Post, June 21, 1969, reported that Nagla Hilmy had arrived in Washington with her mother on June 19, 1969.

The facts are these: the late Hedayat Hilmy was not killed "with weapons America gave to Israel." He was not killed in the Six Day War, nor in any military action involving Israel. *Hedayat Hilmy was a transport pilot who lost his life in October 1967 when the Ilyushin–14 he was flying from Cairo to Alexandria collided with another Ilyushin transport. Al-Ahram*, September 8, 1968, carried his photograph and an obituary notice from the family, announcing the first anniversary of his death (according to the date of the Arabic lunar year). The notice gave details of a memorial gathering that was to be held on the following day in Cairo.

In an attempt to reap a cheap propaganda victory, *Al-Ahram* had shifted the scene and the date of the pilot's death. Whether the daughter knew the true circumstances of her father's passing—she was 12 years old at the time—is not known.

8. Prestige, Morale, Politics: The character and policy of the Egyptian propaganda machine has apparently changed little, if at all, since that time in June 1967 when Cairo fabricated the US-British mass attack on the Egyptian air force, invented an air victory involving the destruction of 167 Israeli planes, and told the world that Tel Aviv had been reduced to ruin. Relevant still are the words of the *Washington Post*, June 7, 1967, which spoke of Cairo's propaganda excesses in these terms:

"Fortunately, over the years, this cesspool on the Nile has so utterly destroyed its own credibility that truth itself would be rendered dubious by disclosure from such a polluted source. But a lying media of communication, even though notoriously unreliable, can work dangerous mischief in an inflammable situation. In a society where there existed independent sources of information, its capacity for evil might be diminished. But its monopoly multiplies its works of wickedness."

The monopoly control by the Cairo Government over the nation's mass media persists, as do the fantasies and the exaggerations. Considerations of prestige, morale and politics continue to take precedence over truth, with consequences that must, as they have in the past, prove grave to Egyptian society. In the words of the *Christian Science Monitor*, June 30, 1967, "The Arab Lands refuse to face facts and take haven in self-deceptions which will make it harder for them to face reality . . . They take refuge in fantasy, thereby only compounding their future difficulties.

EGYPTIAN AIR LOSSES SINCE SIX DAY WAR

4 July 67, Suchoy–7 downed by anti-aircraft fire at Raas Sudar.

8 July 67, MIG 21 downed in dog fight over Suez Canal.

11 July 67, Suchoy–7 downed by anti-aircraft fire at Romani.

15 July 67, 2 MIG 21's downed in dog fight over Suez Canal.

15 July 67, 2 MIG 17's downed in dog fight over Suez Canal.

15 July 67, Suchoy–7 downed in dog fight over Suez Canal.

15 July 67, 2 MIG 17's downed by anti-aircraft fire over Suez Canal.

28 August 67, Suchoy–7 downed by anti-aircraft fire over Suez Canal.

11 October 67, MIG 21 downed in dog fight over Suez Canal.

10 December 68, MIG 17 downed in dog fight in vicinity of Sharm-el Sheik.

8 March 69, MIG 21 downed in dog fight over Suez Canal (pilot captured).

14 April 69, MIG 21 downed in dog fight over Suez Canal.

21 May 69, MIG 21 downed by anti-aircraft fire over Suez Canal.

21 May 69, 3 MIG 21's downed in dog fight over Suez Canal.

23 June 69, MIG 21 downed in dog fight over Suez Canal.

26 June 69, 2 MIG 21's downed in dog fight over Suez Gulf.

2 July 69, 4 MIG 21's downed in dog fight over Suez Gulf.

7 July 69, 2 MIG 21's downed in dog fight in vicinity of Sharm-el-Sheik.

Total downed—28, of which 22 were destroyed in dog fights and 6 by anti-aircraft fire. Israel's losses during the same period on the Egyptian front were 2 fighters (25 July 1967 and 1 December 1967), and 1 Piper spotter plane (9 March 1969), all downed by anti-aircraft fire.

CAMPUS DISCIPLINING TOUGHER THAN BELIEVED

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, there has been much discussion in recent weeks about the actions of college and university administrators with regard to the handling of student disorders.

Attorney General Mitchell and HEW Secretary Finch have made clear the strong belief of the Nixon administration that the administrative independence of colleges and universities is an essential element of the academic freedom which this Nation has always cherished for its institutions of higher education. Responsibility for the orderly maintenance of these institutions should not be preempted by any Federal agency.

Some have claimed that college administrators have not dealt adequately with the problem of disruptive student action. This view, it seems to me, is not correct and for the information of my colleagues, I am including at this point in my remarks, information which details some of the action which has been taken by colleges and universities throughout the country:

[From the Los Angeles Times, June 23, 1969]

DISCIPLINING ON CAMPUS TOUGHER THAN BELIEVED—COLLEGES HAVE BEEN FAR FROM SOFT IN DEALING WITH SOME DISSIDENT STUDENTS

(By John Kendall and George Kannar)

From the cradle of the student movement, UC Berkeley, to the nation's oldest university, Harvard, scores of campus disturbances this school year have prompted the question:

"Why don't they just throw the troublemakers out?"

The question implies an easy answer: get tough. The implication is that nothing is being done.

But the fact is, universities and colleges have disciplined scores, probably hundreds, with more than clucks of disapproval and slaps on the wrist. During the last school year, for example:

UC Berkeley dismissed 15, suspended 35, placed 160 on disciplinary probation in three disturbances and collected some $20,000 in fines for property damage. Those totals do not include possible action against 273 students involved in the "people's park" incident.

HARVARD TAKES ACTION

Harvard dismissed 3, "separated" 13 for periods up to two years, placed 20 on probation and warned 99 against future misconduct after 400 policemen were called to clear University Hall of protesters.

Stanford University suspended 14, placed 77 on probation and levied fines totaling $5,425 after demonstrators disrupted the Jan. 14 board of trustees meeting and occupied Encina Hall on May 1.

University of Chicago expelled 43 and suspended 81 for periods up to six quarters for a two-week building sit-in and an invasion of the Faculty Club. Police were never called.

Dartmouth obtained a court order to clear a seized building. When it was violated, 40 undergraduates were arrested by police. Thirty-six of them were sentenced to 30 days in jail. Campus disciplinary hearings were under way at the end of the school term.

FORTY-TWO SUSPENDED AT OCCIDENTAL

Occidental College suspended 42 students for the remainder of the spring term after they sat in the placement office to protest on-campus military recruiting.

San Francisco State College expelled 1, suspended 27, placed 10 on probation and issued letters of reprimand to 97 students in a tumultuous period marked by repeated use of police on campus.

San Fernando Valley State College placed 46 students on disciplinary probation after the takeover of the upper floors of the Administration Building Nov. 4. The college has reserved the right to review the cases of 27 of the students waiting trial on felony charges.

Expulsion, dismissal or suspension may seem minor to angry citizens. But to a student who may lose his 2–S draft status or financial support, or who may fail to graduate, these are not small matters.

What's happened at UC Berkeley illustrates the effectiveness of university discipline, in the opinion of Chancellor Roger W. Heyns.

He told the Comstock Club in Sacramento recently that in the past two years "only 32" of more than 350 disciplined students have committed a second violation and five have committed a third.

Heyns said the impression that UC Berkeley ignores discipline and enforcement of rules among its students is a "myth" which survives outside the campus.

In the four years prior to 1969, the chancellor reported, more than 350 Cal students were disciplined for rules violations, not including what he termed "beer, sex, and cheating" cases. (There have been only two of this traditional type at Berkeley, since Jan. 1.)

Today political activity is the principal reason for rule-breaking, not panty raids, and just as the reasons have changed, so have the uninversity's methods in dealing with violators.

Going—if not gone—are the days when the dean of students handled each discipline case like a parent, judging the student informally with a minimum of rules.

BECOMES SPECIFIC

Lately, rules have proliferated along with statements of the rights and responsibilities of students. Instead of vague commands against misbehavior, many colleges and universities have become specific in spelling out offenses, punishment and procedures.

Last month, the Board of Trustees of the California state college system amended general rules which said any student may be placed on probation, suspended or expelled for:

A—Disorderly, unethical, vicious or immoral conduct.

B—Misuse, abuse, theft or destruction of state property.

New rules list cheating, forgery, misrepresentation, obstruction or disruption, physical abuse, theft, unauthorized entry, sale or possession of dangerous drugs, possession or use of explosives or deadly weapons, lewd or indecent behavior and soliciting others to do an unlawful act.

The new regulations define "deadly weapon" as "any instrument or weapon of the kind commonly known as a blackjack, slingshot, billy, sandclub, sandbag, metal knuckles, any dirk, dagger, switchblade knife, pistol, revolver, or any other firearm, any knife having a blade longer than five inches, any razor with an unguarded blade, and any metal pipe or bar used or intended to be used as a club."

As the rules become specific and as the number and types of offenses increase, the procedure for dealing with violators becomes more legalistic, taking on the appearance of an adversary proceeding—a trial.

Changes in the students themselves help foster the trend toward legalization.

Increasingly distrustful of what they think is secrecy and behind-the-scenes maneuvering, many students demand that everything must be conducted in the open. Many want the procedures written down so they know how to defend themselves against charges.

But "openness" itself has a positive value for some of them. At Yale University, for example, "open decision-making" is one of the most appealing revolutionary rallying cries. Opening the disciplinary procedures somehow seems to lead almost inevitably to regularizing them, and eventually making them more formal and legalistic.

At UC Berkeley, regulations issued more than a year ago guarantee due process for the accused student, including right of counsel at an impartial hearing, safeguards against self-incrimination and an adequate summary of the hearing.

To William Van Alstyne, general counsel of the American Assn. of University Professors, the system becomes "more judicious" as it becomes "more judicial."

But not everyone agrees that legalism is good. State College Chancellor Glenn S. Dumke doesn't.

PROCESS COLLAPSE

"There is . . . a very real danger that student discipline on university campuses is being jeopardized by the imposition of administrative injunctions, providing attorneys for the prosecution and for the defense, the use of legal rather than academic vocabularies, etc.," Dumke said in a recent speech.

"Not only can such judicial trapping provide a false impression of due process, but they can seriously slow down that process to a point where it simply becomes inoperative."

At San Francisco State College, one of Dumke's administrative headaches during this school year, the usual disciplinary process collapsed when the student body president refused to appoint student members to a student-faculty committee.

Emergency procedures were invoked by acting President S. I. Hayakawa. He appointed an associate as the coordinator for internal affairs, charged with gathering information about violations and conducting hearings before panels of volunteer faculty members.

"We've sort of staggered along as best we could under tremendous handicaps," says a college spokesman. "We have tried to make it a fair system although it has not been satisfactory."

This fall San Francisco State administrators plan to use the same emergency system, unless the Academic State approves a new one.

At UC Berkeley, a new judicial system was proposed by a student-faculty Study Commission on University Governance. In a report, issued last year the group said.

"We, too, share the nostalgia for a community whose limited size and shared purpose permit it to dispense with rules and procedures. Reality compels the admission that such a community does not resemble the Berkeley of 1968."

The commission proposed that the central adjudicatory function of the university community should fall to a faculty-student Student Conduct Court, divided into a preliminary hearing division and trial division. The planners foresaw the occasional need for a campus review court.

They called for formation of a legal services board, an agency composed of law-trained faculty members and students. The board would prepare cases, supply advisors to students brought before the courts and assist the courts in resolving legal issues.

The commission's stated objective was to provide for a judiciary independent of executive or prosecuting functions and to create judicial and rule-making machinery which is broadly representative of all campus interests.

RULES COORDINATOR

So far, nothing has been done about the recommendations.

With one exception, UC Berkeley's disciplinary machinery remained largely the same through the university's recent troubles. A difference is the appointment of a coordinator of rules and facilities, separate from Dean of Students Arleigh Williams' office, whose task is to initiate cases according to the time, place and manner of rules infractions.

Cases which Dean Williams thinks are serious enough are heard by the Committee on Student Conduct, composed of five faculty and four student members.

Williams admits that the volume of cases has had a "serious impact" on the university's disciplinary machinery, but he says the Committee on Student Conduct continues "to meet the calendar."

"I feel our system is fair and a very wise system," he says. "I think it has handled discipline in a very capable manner. It is not lenient, nor is it repressive. It is a system that is able to provide proper justice for persons accused of violating the rules."

Not so, says Charles Palmer, UC Berkeley's student body president this year.

"I think there are tremendous problems here," he says. "Many of the structures are irrelevant. Discipline often appears arbitrary and not terribly consistent. Lots of people are tried for what they couldn't be tried for in court. It has become a political thing. Some people are disciplined and some are not."

In Palmer's opinion, the system is not representative. He says it is run by faculty members appointed by the chancellor and by students who are "not our peers."

Palmer's view is strikingly different from that of Pat Shea, a member of the Council of Presidents at neighboring Stanford.

"I think Stanford has made tremendous steps in community government and community respect for its own laws," the political science major said.

Stanford's new president, Kenneth S. Pitzer, agrees.

At his recent inauguration, Pitzer said the university's new system is intact but "seriously overburdened." But, he said, "We are gaining, rather than losing in this area. I hope for further progress next year."

"We are moving forward in rebuilding the understanding and confidence among the constituencies at Stanford."

Stanford has attempted to involve the entire campus community in determining what constitutes a community disruption, then engage each element further in solving the problem and applying disciplinary measures.

To accomplish this, a Committee of 15 last year recommended a new legislative and judicial charter.

The charter, approved by faculty, students and administration members, places primary responsibility for enforcing campus rules in the Stanford Judicial Council, composed of four students and five faculty members.

Two other new groups were formed: a 65-member Academic Senate, small enough to discuss major topics, and a five-member Faculty Consultative Group for Campus Disruptions to provide a continuous link with the faculty during crises.

Then, last fall, acting President Robert J. Glaser promulgated a new policy on campus disruptions. Generally, it makes it a violation of university regulations for a faculty member, staff member or student to prevent or disrupt normal university functions or obstruct the legitimate movements of individuals on campus.

The policy was approved by the student legislature and Academic Senate.

Thus, by the end of 1968, Stanford faced the new year with a policy on disruption, a community-approved judicial process to enforce that policy and new means for student-faculty participation.

How well the new system worked is pointed out in a recent report by Gerald Gunther, a nationally prominent professor of constitutional law at Stanford and a member of the university's Faculty Consultative Group.

NEW MACHINERY

Gunther recalled that in May, 1968, students occupied the Old Student Union Building to gain amnesty for seven students disciplined for attempting to disrupt CIA recruiting. Subsequently, the Academic Council voted in favor of amnesty for students involved both in the original disruption and the sit-in.

Last month—a year later—when students occupied Encina Hall the new machinery began to work. Within an hour of the 1 a.m. occupation, the Dean of Students and 15 faculty members had entered the building to certify that a disruption existed and to ask demonstrators both to leave and to identify themselves. Identification was begun, and after consultation with the Faculty Consultative Group, a decision was made to call police.

At 7:30 a.m. more than 100 Santa Clara County sheriff's deputies arrived. As previously planned, faculty members entered the building with each arrest team.

Their purpose, according to Gunther, was to encourage students to leave, to prevent fear of police attack, to prevent misunderstanding afterward concerning what happened and "to give pause to those demonstrators who had hoped to follow the policy of radicalizing more students by provoking actual or apparent police brutality."

The sit-in protestors chose to leave Encina Hall voluntarily. Seventy-eight demonstrators were identified and placed on immediate temporary suspension and Stanford obtained a court order to restrain further disruptions.

The Judicial Council has recommended, and President Pitzer approved, suspension for 14 of the demonstrators and probation for 48 others. The suspensions are the first such mass penalty at Stanford in more than 20 years.

ACTION ENDORSED

The day after the Encina Hall sit-in the Academic Council virtually unanimously endorsed the action of Pitzer and the provost.

Gunther says it would be "utter foolishness" to imply that Stanford has arrived at permanent campus peace.

"But," he says, "the important thing to see is that the administrative methods used and the attitudes of the Stanford community

have undergone fundamental and pervasive changes.

"While no one is happy with the resort to police force—least of all the president and provost—the contrast in community support with the earlier sit-in and with results of many other campuses is marked.

"The university has learned new and more effective procedures for dealing with disruptions and the university community, while far from united on the issue, has worked together in enforcing its policy."

Van Alstyne of the American Assn. of University Professors, who recently taught at Stanford, says he knows of no other institution that "has done as much as Stanford to make its internal processes work."

He estimates, however, that perhaps a hundred universities and colleges have revised or are revising their disciplinary procedures because the volume and gravity of student disruptions have disclosed the weakness and arbitrariness of their machinery.

One school, Cornell University in Ithaca, N.Y., found its traditional disciplinary procedure painfully inadequate this year. In fact, the issue at Cornell which prompted disruptive student action was the disciplinary system itself.

In April black students, armed with shotguns, occupied an administration building to protest alleged arbitrariness of Cornell's all-white disciplinary structure, which had just recommended punishment for five black students involved in an earlier incident.

James Perkins, Cornell's president, agreed to drop the charges if the students would leave the occupied building peacefully. They did, but two days later the faculty repudiated Perkins' compromise and continued proceedings against the five students.

Two days later, with the specter of armed violence hanging over the campus, and with a member of the Black Students Union declaring over national television that "Cornell University has just three hours to live," the faculty changed its mind and stopped proceedings against the students.

In the end, no one was punished for anything by the university, although a handful of white SDS members face civil trespassing charges.

Cornell has decided not to discipline its students until it has a comprehensive plan for revision of the disciplinary system. A special committee set up to study the problem is expected to release its report soon. Meanwhile, only routine "beer, sex and cheating" cases are being handled.

At Harvard, the Faculty of Arts and Science approved the university's recent penalties for seizure of University Hall by a 342 to 29 vote, and adopted a resolution which said:

"We recognize the need to formulate, in the near future, a document that will emerge from the widest discussion within and will reflect a wide consensus of all members of the Harvard Community.

"This statement shall apply equally to students, to officers of instruction and to officers of administration."

In an interim statement, the Faculty of Arts and Science listed activities regarded as incompatible with the purpose of the academic community. They included:

Violence against any member or guest of the university community.

Deliberate interference with academic freedom and freedom of speech (including not only disruptions of a class but also interference with the freedom of any speaker invited by any section of the university community to express his views).

Theft or willful destruction of university property or of the property of members of the university.

The faculty members recommended appropriate discipline, including expulsion, dismissal, separation or requirements to withdraw.

Dartmouth has taken a similar approach during the past 18 months to establish college guidelines by community consensus.

If any campus communities are reluctant to deal with disciplinary problems, there are plenty of legislators from the state capitals to Washington, D.C., to prompt action.

Colorado has a new law providing penalties of up to $500 in fines and jail sentences up to a year, or both, for anyone interfering with the normal functioning of a college or university.

Ohio requires colleges and universities receiving state support funds to adopt regulations for the conduct of students, faculty members, staff members and visitors.

Between 80 and 100 proposals to deal with campus disturbances were introduced this session in the California Legislature.

Knowledgeable observers expect the proposals will be winnowed to two compromise bills—one dealing with changes in the penal code and one with the education code.

Perhaps the most striking provision in the penal code bill may be a proposal requiring a 10-day mandatory jail sentence for the second conviction of an unlawful act during a campus disturbance. A third conviction would bring a mandatory 90-day jail term.

SUMMARY OF DISCIPLINARY ACTIONS TAKEN BY SELECTED UNIVERSITIES IN CASES OF STUDENT UNREST

Dartmouth College—40 students jailed for 30 days, fined $100 each for failure to abandon occupied building.

Stanford University—78 students placed on temporary suspension pending hearings, after seizure of building. After hearings, 14 suspended, 48 placed on probation. Fines totalling $3525 levied.

University of California—(All campuses.) A total of 458 disciplinary actions, including 8 dismissals, 71 suspensions, for period Sept. 1967–Dec. 1968.

University of Kansas—56 students disciplined, including 33 suspensions, 13 delayed degrees.

University of Colorado—2 students expelled, action pending against four others after disruption of speech by Hayakawa.

University of Chicago—Action taken against 165 students after sit-in at administration building. Of these 42 were expelled, 85 suspended.

Duke University—48 students placed on year's probation for seizing administration building.

Columbia University—Action taken against 500 students in wake of last spring's troubles. 300 have been censured or placed on probation, 26 suspended.

State University of New York at Stony Brook—21 students jailed for 15 days after library sit-in, action pending for 68 for same incident. 12 others facing charges for interfering with civilian recruiter.

Occidental College—42 students suspended for sit-in protesting on-campus military recruiting.

San Francisco State College—One student expelled, 27 suspended, 10 placed on probation, 97 reprimanded for last year's disturbances.

San Fernando Valley State College—46 students placed on disciplinary probation after seizure of administration building. Felony charges pending for 27 others.

Harvard University—Three students dismissed, 13 separated for up to two years, 20 placed on probation, 99 given warnings in wake of University Hall seizure. 199 were arrested.

Univ. of Miami (Coral Gables, Fla.) 14 students arrested May 14, 1968.

Southern Univ. (New Orleans) 23 students arrested April 9, 1969.

Univ. of Illinois (Champaign) 244 students arrested September 9, 1968.

Univ. of Illinois (Chicago) 22 students arrested May 8, 1968.

Ohio Univ. (Athens, Ohio) 21 students arrested November 26, 1968.

U. of Conn. (Storrs, Conn.) 16 students arrested December 26, 1968.

Roosevelt Univ. (Chicago) 50 students arrested May 8, 1968.

Purdue Univ. (Lafayette, Ind.) 41 students arrested May 21, 1968.

So. Car. State College (Orangeburg, S.C.) 30 students arrested February 7, 1968.

Grambling College (Grambling, La.) 22 students arrested October 26, 1967.

Dartmouth College (Hanover, N.H.) 54 students arrested May 7, 1969.

Fisk Univ. (Nashville, Tenn.) 303 arrested April 1968.

George Washington Univ. (Washington, D.C.) 5 students arrested April 24, 1969.

Vorhees College (Denmark, S.C.) 25 students arrested April 29, 1969.

Univ. of Wis. (Madison, Wis.) 39 students arrested February 1969.

Oshkosh State Univ. (Oshkosh-Wis.) 102 students arrested November 21, 1968.

Queens College (New York) 39 students arrested April 1, 1969.

Ohio State Univ. (Columbus, Ohio) 34 students arrested June 4, 1968.

Kent State Univ. (Kent, Ohio) 53 students arrested April 16, 1969.

Central State Col. (Wilberforce, Ohio) 92 students arrested November 13, 1967.

Western Mich. U. (Kalamazoo, Mich) 37 students arrested April 4, 1969.

According to information presented to the Special Subcommittee on Education of the House Committee on Education and Labor, the following is a breakdown of the use of various forms of action.

	Percent
Unrecorded	21.7
Agreed to Demands	4.4
Total	26.1
Injunction	2.2
Disciplinary Action	6.4
Campus Police	4.4
Outside Police	26.3
National Guard	6.4
Arrests	25.7
Use of Firearms	1.8
Total	73.9

The definition of student disorder is:

"Use of force, disruption or seizure of property under the control of any institution of higher education to prevent students or officials from engaging in their duties or pursuing their studies."

The point that I wish to make is that it is apparent that universities and colleges do respond to student disorders and the bulk of unrecorded actions were nondisruptive within the context of the definition.

CAPTIVE NATIONS WEEK

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. MINISH. Mr. Speaker, this month we mark the 11th anniversary of Captive Nations Week. Since 1959, when President Eisenhower issued a Presidential proclamation to observe the event, Captive Nations Week has served as a valuable opportunity for the citizens of the United States to demonstrate their solidarity with, and concern for, the enslaved peoples of Eastern Europe.

Over the past two decades, Communist tyranny has thwarted the legitimate aspirations for freedom and self-determination of the 100 million persons of Eastern Europe. Czechoslovakia provides the latest evidence of the brutal character of Soviet hegemony. From that tragedy, however, the world learned once more that the freedom-loving peoples in Communist dominated lands have not despaired. Despite 20 years of repression, they continue to look to the day when they will at last be able to exercise their fundamental rights free of Soviet interference.

Mr. Speaker, by our annual observance of Captive Nations Week, we assist in keeping the light of freedom burning brightly in the hearts of the people of Eastern Europe. These brave individuals know the United States as the world's citadel of freedom. We must continue to support them in their difficult quest for self-government with freedom and justice.

CIVIL SERVICE RETIREMENT FINANCING AND BENEFITS

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. MILLER of Ohio. Mr. Speaker, I fully support measures to improve the inadequate financing of the civil service retirement system. It is imperative that confidence be maintained in the actuarial soundness of the retirement fund so that millions of Government employees and their families can be assured that money will be available to pay retirement annuities and survivors' benefits when they come due.

The American voters are already outraged, and justifiably so, about the 41-percent congressional pay increase that was run through this body earlier in the year over the strong objections of those of us who condemned the fiscal irresponsibility and political skulduggery acquiesced to by the silent majority of Representatives who are supposed to express the will of the people.

Just a few weeks ago this body passed legislation to temporarily extend the income tax surcharge which will continue the tax drain on our already overburdened wage earners and small businessmen. There was little question that extending the surcharge was a financial necessity to help hold the line against ruinous inflation and to prevent further rises in already unacceptably high interest rates.

When the Congress has made such demands on the American taxpayer, I cannot in good conscience vote for a measure to liberalize the retirement benefits of myself and my colleagues. When we force economic austerity on the Nation as a whole, we should not then liberalize our own benefits to be financed out of tax dollars.

I supported the amendments to strike from the bill the liberalizing retirement benefits for Congressmen. Unfortunately, those amendments were rejected; I, therefore, had no choice but to vote against final passage of the bill.

It may be construed that my vote is opposed to correcting the inadequacies of the retirement fund for civil service workers. As I have explained, this is certainly not the case. I fully support necessary measures to establish financial security for civil service employees retired now or in the future. But I cannot vote for any bill that increases financial benefits for Members of Congress, such as H.R. 9825 provided.

PAINTERS AS COMMUNITY LEADERS

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. McCARTHY. Mr. Speaker, I would like to take this opportunity to praise the work of the Painters Council, District 4, AFL–CIO, of Buffalo and western New York, in providing community leadership in the Buffalo metropolitan area. Under the able direction of Mr. Kenneth C. Carlucci, business manager of district 4, the Painters Council plays a vital role in a wide variety of civic tasks. Through direct contributions of money, through organization and labor, and through business management the Painters Council is helping to make Buffalo a better city to live in.

The council is taking the lead in arranging and managing a $10 million housing project on Buffalo's waterfront. It has painted innumerable public buildings free. It contributes to such worthwhile projects as a Girl Scout's camp, a dining room at the Crippled Children's Guild, and the Philharmonic Orchestra drive. And it leads the drive to send Christmas gifts to American servicemen in Vietnam.

In the fullest sense, Mr. Carlucci and Painters Council, District 4, are part of the Buffalo community. Without their leadership, Buffalo would be a poorer place to live. I would like to add my praise to that of the other citizens of Buffalo for the standard of excellence set by Mr. Carlucci and his associates. I am inserting in the RECORD for the further information of my colleagues an article by Anne McIlhenney Matthews, appearing in the Buffalo Courier-Express of June 26, 1969, describing the work of the council:

PAINTER'S CIVIC TASKS HAILED

(By Anne McIlhenney Matthews)

If all unions emulated the Painters Council, District 4, AFL–CIO, of Buffalo and Western New York all headaches and many of the problems in community relations would disappear.

"Bits and pieces" (as the British press puts it) have seeped into the news and into the consciousness of the community concerning what the council has done, is doing, and plans to do, but when you put them all together and assemble a whole story of the big "package" of the council's local enterprises it is big enough news to merit national and worldwide recognition.

The logical man to tell the story is Kenneth C. Carlucci, business manager of the council and therefore chief administrator of its endeavors. Carlucci succeeded James H. Wolford in this job six years ago when Wolford was promoted to general representative of the Brotherhood of Painters.

The biggest piece of news community enterprise-wise is that the council plans to get into big-time realty business as have other unions in the nation, notably like that of the restaurant-hotel employes union in Chicago. The council hopes to erect a $10 million, middle-income and luxury housing project on Buffalo's waterfront, west of the Marine Dr. apartments, east of the Thruway and on the man-made island that is projected by the city and state in their plans. A letter of intent has been sent by the council to the state director of urban development, Edward Logue, and the council is now awaiting the "go-ahead" to complete plans contingent on the preliminary site work to be done by the city and the state.

Under the plan the state will provide 93 per cent of the money for the housing complex but the council will provide the seed money and managed and administered the enterprise. The project calls for 2,500 housing units for middle- and luxury-income tenants.

Many of the council's community activities stem from collaboration by union painters and area contractors on a program created by both but administered by the painters council. This is a community "involvement" in its deepest sense, financed by a portion of the hourly wage of every union painter which goes into a fund. The "contributions" are forever lost to the individual painter and constitute a giant finance pool for charitable endeavors.

Last year this fund was tapped for a pledge of $1,500 for a pops concert to help put the philharmonic drive over the top. In other recent years union members have painted the Catholic Pamphlet Society in Fillmore Ave.; the West Side Rowing Club; Neighborhood House in Lemon St.; the Girl Scout Camp Aloha in Wales Center; the Children's Dining Room at the Crippled Children's Guide, 936 Delaware; and they have cooperated for the last five years with the Clean-Up, Paint-Up Week doing one major project each year.

In this connection they painted the Wilcox Mansion, scheduled to be a National Historical Shrine; all the Police Athletic League centers; and last year the old Warner Brothers Bldg. on Franklin St., now the head office for the Assn. for Retarded Children.

For the last three years they have sponsored and contributed prizes to an annual Christmas Lighting Contest for the best decorated homes.

For the last two years they have spearheaded a project of Christmas gifts for servicemen in Vietnam, sending more than 2,000 each year.

"We always hope we will never have to do it again," Carlucci said.

Immediately after the *Pueblo* crisis, the council bought 1,000 automobile bumper stickers from Cmdr. Bucher's wife and distributed the reminder, "Remember the *Pueblo*," among its membership.

Each Christmas they have a party in honor of the Buffalo Bills and their families at Leisure Land in Hamburg. To this they add their own families, plus a guest list of 200 orphans or retarded children. The evening is replete with gaiety, autographs from the Bills, games and gifts for every child. This now is agreed on as an "annual affair."

For the last five years they have bought a block of 25 seats at every Bills home game and each Sunday they have escorted a different group of retarded children to the stadium. Two summers ago they bought out the entire stadium for a special Bisons game and gave the tickets to Neighborhood Houses, boys clubs, and other such activities in the inner-city.

They have fun doing this too! They have taken groups of 50 senior citizens to the circus, realizing that the Big Top is not just

for kids. Several weeks ago they took 19 nuns (the Felician Sisters from Villa Maria College) to the Hamburg Raceway for dinner and a night at the races. Carlucci regrets that the painters escort didn't profit from prayerful guidance. The sisters "collected" on every race and all were winners on the "natural," a filly named "Sister Blue."

For the last two years they also have awarded two scholarships of $1,000 annually to children of union contractors and painters in the name of the James H. Wolford Scholarship Fund.

Both Wolford and Carlucci were cochairmen with Msgr. Franklin Kelleher of the Golden Gloves tournaments in recent years and the council has painted the old kitchen and auditorium of the Working Boys Home in Vermont St.

There are many more "bits" among the "pieces."

The council sponsored many bowling teams both for adults and youth; double A and midget baseball teams; midget football and touch football for adults, and dozens of other recreational programs.

One of their own personal projects also has vast community impact. This is the Painters District Council No. 4 complex at Virginia and Elmwood. One building is for the retraining of journeymen and apprenticeship training. One being completed will be a headquarters office building.

Long an "eyesore" corner featuring a dilapidated gas station and cleaners store with the upstairs rooms constantly raided by police as a bookie joint, the council wanted to buy the whole block bordered by Elmwood, Virginia, Mariner and Allen, tear down all of the houses which are in various stages of disrepair and erect a modern housing project for low and modern income tenants. The city blocked the endeavor with a ruling that it violated some sort of code endorsement.

However, it is still a council "dream" ardently backed by Allentown Village members.

After a recapitulation such as this one wonders where the man at the helm finds time to do all these things. But the adage "ask a busy man" applies particularly to Carlucci because "in addition" he is chairman of the Allocations Committee of the United Fund; on the state Joint Legislative Commission's Social Studies and Civil Service Committee; on the Regional Planning Committee of the State Legislative Commission; on the Executive Board of the AFL Central Body and also on its Port Council; vice president of the New York State Painters Conference; former executive secretary of the Town of Tonawanda Heart Drive and a director of the town's March of Dimes; past commander of Amvet Post 59; member of the Disabled Vets and the Loyal Order of the Purple Heart; life member of the Crippled Children's Guild, etc.

The "etc." means that he also is active in church work and, like Wolford who is noted for singing The Star Spangled Banner at local functions, he studied music with Miss Julia Mahoney at the Community Music School.

And, yes, I couldn't resist the cliche! I asked him what he does in his spare time!

NATIONAL GALLERY OF ART CALENDAR OF EVENTS FOR AUGUST 1969

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a real pleasure for me to place in the CONGRESSIONAL RECORD the Calendar of Events of the National Gallery of Art for the month of August 1969.

We in Washington are fortunate to have this excellent gallery in our Nation's Capital and I urge my colleagues, as well as visitors and citizens of Washington to visit the gallery and see their fine exhibits. The calendar follows:

NATIONAL GALLERY OF ART, AUGUST 1969

LABOR DAY FILM

Moulin Rouge, the award-winning film based on the life of the nineteenth-century French artist Henri de Toulouse-Lautrec and starring José Ferrer. Lecture Hall at 4:00 p.m. and 7:00 p.m. on Sunday and at 2:00 p.m. on Monday of Labor Day weekend. Running time is two hours.

SUMMER FILM LECTURES

A series of eight lectures combined with films and dealing with the history of art from ancient times to the present day. All programs presented by National Gallery staff lecturers on Sundays at 4:00 p.m. in the Lecture Hall. Continues through August 24.

AMERICAN NAIVE PAINTING

111 Masterpieces of American Naive Painting from the Collection of Edgar William and Bernice Chrysler Garbisch continues on exhibition in the ground floor galleries. Selection includes *Flax Scutching Bee, General Washington on White Charger (Jack),* and one of the famous scenes of the *Peaceable Kingdom* by Edward Hicks. Fully illustrated catalogue with foreword by John Walker and preface by Lloyd Goodrich, 9½" x 8½", 160 pages, 55 color plates, 56 black-and-white illustrations, $3.50 postpaid.

JOHN CONSTABLE

An exhibition of 66 paintings by Britain's foremost landscape artist, selected from the collection of Mr. and Mrs. Paul Mellon. Studies of sky and clouds, portraits, and a group of landscapes including the incomparable *Hadleigh Castle.* Fully illustrated catalogue with introduction by John Walker and notes by Ross Watson, 10" x 7½", 64 pages, 66 black-and-white illustrations, $2.50 postpaid.

RECORDED TOURS

The Director's Tour. A 45-minute tour of 20 National Gallery masterpieces selected and described by John Walker, Director Emeritus. Portable tape units rent for 25¢ for one person, 35¢ for two. Available in English, French, Spanish, and German.

Tour of Selected Galleries. A discussion of works of art in 28 galleries. Talks in each room, which may be taken in any order, last approximately 15 minutes. The small radio receivers rent for 25¢.

GALLERY HOURS

Weekdays 10 a.m. to 5 p.m. Sundays 12 noon to 10 p.m. Admission is free to the building and to all scheduled programs.

CAFETERIA HOURS

Weekdays, 10 a.m. to 4 p.m., luncheon service 11 a.m. to 2:30 p.m. Sundays, dinner service 2 p.m. to 7 p.m.

MONDAY, JULY 28, THROUGH SUNDAY, AUGUST 3

Painting of the week: Giovanni Bellini. *The Feast of the Gods* (Widener Collection) Galley 22 Tues. through Sat. 12:00 and 2:00; Sun. 3:30 & 6:00.

Tour: *Introduction to the Collection.* Rotunda; Mon. through Sat. 11:00, 1:00 & 3:00, Sun. 2:30 & 5:00.

Sunday film lecture: *Art of the Seventeenth Century; Speaker:* Carleen Keating, Staff Lecturer, National Gallery of Art, Lecture Hall 4:00.

Sunday film: *The American Vision,* 1:00.

Weekday films: *The National Gallery of Art,* 2:00; *The American Vision,* 4:00.

11" x 14" reproductions with texts for sale this week—15¢ each. (If mailed, 25¢ each.)

MONDAY, AUGUST 4, THROUGH SUNDAY, AUGUST 10

Print of the week: John James Audubon. *Columbia Jay* (Gift of Mrs. Walter B. James) Ground Floor; Smoking Lounge, Tues. through Sat. 12:00 and 2:00; Sun. 3:30 and 6:00.

Tour: *Introduction to the Collection.* Rotunda. Mon. through Sat. 11:00, 1:00 and 3:00; Sun. 2:50 and 5:00.

Sunday film lecture: *Art of the Eighteenth Century; Speaker:* William J. Williams, Staff Lecturer, National Gallery of Art, Lecture Hall 4:00.

Sunday film: *The American Vision,* 1:00.

Weekday films: *The National Gallery of Art,* 2:00; *The American Vision,* 4:00.

Inquiries concerning the Gallery's educational services should be addressed to the Educational Office or telephoned to 737–4215, ext. 272.

MONDAY, AUGUST 11, THROUGH SUNDAY, AUGUST 17

Painting of the week: Hals. *Balthasar Coymans* (Andrew Mellon Collection) Gallery 47; Tues. through Sat. 12:00 and 2:00; Sun. 3:30 and 6:00.

Tour: *Introduction to the Collection.* Rotunda, Mon. through Sat. 11:00, 1:00 and 3:00; Sun. 2:30 and 5:00.

Sunday film lecture: *Art of the Nineteenth Century; Speaker:* Ann W. Kaiser, Staff Lecturer, National Gallery of Art, Lecture Hall 4:00.

Sunday film: *The American Vision,* 1:00.

Weekday films: *The National Gallery of Art,* 2:00; *The American Vision,* 4:00.

For reproductions and slides of the collection, books, and other related publications, self-service rooms are open daily near the Constitution Avenue Entrance.

MONDAY, AUGUST 18, THROUGH SUNDAY, AUGUST 24

Painting of the week: W. H. Brown. *Bareback Riders* (Collection of Edgar William and Bernice Chrysler Garbisch) Gallery G–10. Tues. through Sat. 12:00 and 2:00; Sun. 3:30 and 6:00.

Tour: *Introduction to the Collection.* Rotunda. Mon. through Sat. 11:00, 1:00 and 3:00; Sun. 2:30 and 5:00

Sunday film lecture: *Art of the Twentieth Century; Speaker;* Ann W. Kaiser, Staff Lecturer, National Gallery of Art, Lecture Hall 4:00.

Sunday film: *The American Vision,* 1:00.

Weekday films: *The National Gallery of Art,* 2:00. *The American Vision,* 4:00.

MONDAY, AUGUST 25, THROUGH SUNDAY, AUGUST 31

Painting of the week: Giorgione and Titian. *Portrait of a Venetian Gentleman* (Samuel H. Kress Collection), Gallery 21, Tues. through Sat. 12:00 and 2:00; Sun. 3:30 and 6:00.

Tour: *Introduction to the Collection.* Rotunda, Mon. through Sat. 11:00, 1:00 and 3:00; Sun. 2:30 and 5:00.

Sunday films: *The American Vision,* Lecture Hall 1:00; *Moulin Rouge,* Lecture Hall 4:00 and 7:00.

Weekday films: *The National Gallery of Art,* 2:00, *The American Vision,* 4:00.

FAIR LABOR STANDARDS ACT

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. ROSENTHAL. Mr. Speaker, I am introducing today legislation which would repeal section 7(i) of the Fair La-

bor Standards Act. This section provides a special exemption from the overtime requirements of this act for certain, but not for all, commission salesmen employed typically in our larger retail stores. My bill would place all such salesmen on the same footing as other retail salesmen, including many commission salesmen, with respect to receiving overtime compensation.

The present exemption was included in the act in 1961 when Congress first extended the act's coverage to a substantial number of retail trade employees. Its inclusion at that time was considered desirable to avoid upsetting accepted practices in retailing when the industry was being required, for the first time, to adapt its pay practices to the provisions of the Federal law.

Certain safeguards were incorporated into the exemption such as a requirement that only highly paid commission salesmen could qualify for the exemption. In 1966, we amended the exemption in an attempt to clarify how it should be applied.

Since that time I have been in receipt of numerous communications from many of my constituents, as I imagine have other Members of the Congress, about the exemption. The complaints are first, that some employees are taking advantage of this exemption at the expense of commission salesmen; second, the exemption discriminates against the more productive salesmen; and third, that precise interpretations of the terms of the exemption are impossible, so that many employers are led, unintentionally, to violate the law. The 1966 amendment did not help to solve these problems.

In short, this exemption has proven, in practice, to be not only unfair, but unworkable. It should be repealed. That is what my bill would accomplish.

TIME FOR URBAN MASS TRANSIT

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mrs. DWYER. Mr. Speaker, it is a general rule of almost unexceptional validity that the longer public bodies delay in undertaking needed public action the higher the cost will be—not only in a financial sense but in social, economic, and political terms as well.

In the case of the Nation's neglected needs in the area of urban mass transportation, we have clearly reached the point where we can no longer afford further delay in committing ourselves to a meaningful effort.

This morning's New York Times describes the existing situation in the Metropolitan New York-New Jersey-Connecticut area, along with an article contrasting service in the Chicago area, and I include the articles in the hope that they will bring home more immediately to our colleagues the truly urgent character of the need.

The articles follow:

COMMUTER LINES AT CRISIS POINT—NEGLECTED FOR YEARS, RAILROADS SERVING CITY ARE FALTERING

No American city is as dependent on railroad commuter service as New York. But after decades of neglect, the state of the commuter lines has reached a point of acute crisis.

Last-minute cancellations of Long Island Rail Road trains are delaying and embittering more and more commuters every day. New Haven riders are finding their trains crowded, littered and late. The Penn Central is arguing with New York State's Public Service Commission over how to get badly needed cars for its Hudson and Harlem Divisions. And commuters throughout New York City's suburbs are wondering if they will be forced to pay higher fares for poorer service.

Perhaps the only plus in the metropolitan commuter rail situation is to be found in New Jersey, where two of the three commuter lines serving New York City are showing signs of improvement, in part through an infusion of state operating subsidies. But these gains have been made in a situation regarded as so unsatisfactory as not to afford much gratification to riders.

This picture has been drawn by The New York Times from interviews with rail officials, commuters and representatives of government and civic agencies concerned with the plight of the six railroads that bring a quarter of a million commuters into the city each working day.

Experts and observers say the inefficiency of metropolitan rail service spring from a variety of factors, including the need to turn from the railroads' long-term origins to rapid-service systems, an increase in vandalism over which the lines have little control, public indifference and a history of controversial management practices.

But increasingly the commuter who daily faces the threat of cancellations, breakdowns, overcrowding and long delays has been showing a lack of patience with such explanations.

"It's amazing what a stoic lot commuters have been," a New Haven rider remarked recently. However, this stoicism has been yielding to rage and activism.

T. David Reznik, a marketing analyst, doesn't ride the railroad to work these days—he walks the railroad to work. Instead of taking his regular Penn Central trains to and from Larchmont each day, he takes a variety of trains so he can go through the aisles distributing complaint sheets to his fellow passengers.

The printed sheets have blank spaces in which passengers can write in the number of "bulbs not working" and "fans not working" or the "minutes late" in arriving.

"I start in back and work my way forward, car by car," Mr. Reznik said. "The conductors keep threatening to arrest me." He said he had handed out 4,000 forms in the last three weeks, and the Federal Department of Transportation has been receiving the completed forms from passengers.

On Long Island, a drive is being organized to obtain 10,000 signatures on petitions asking for the removal of the top management of the state-owned Long Island Rail Road, and reports are current that Governor Rockefeller will seek the dismissal of the line's president.

Conductors are hearing more and more from angry passengers, and at least a few of them are growling back. Asked what the trouble was in a delay, one conductor told a fuming commuter recently: "I'll write you a letter."

Passengers are expressing a rising anxiety over railroad safety, especially on overcrowded trains. They suffer and swelter in cars with sealed windows when air-conditioning fails. With cinder blocks dropped on trains from overpasses and sharp rocks flung at windows by vandals, some riders feel like moving objects in a shooting gallery. Executives do not know at what hour they will get to work and their wives do not know what time they will reach home at night.

Frederick A. Menes of Old Westbury, L. I., has been getting up at 5:30 A.M. every weekday, half an hour earlier than usual, to be certain of getting a train that will bring him in on time to his job as general personned supervisor for the New York Telephone Company.

Mr. Menes begins his morning anxiously listening to radio reports of rail delays on the Long Island Rail Road. What has been canceled today? Until recently he counted on catching a 7:26 train out of East Williston that was due at Pennsylvania Station at 8:12.

If the 7:26 has been scratched. Mr. Menes dashes for the 7:02, changing at Jamaica for a packed train that is scheduled to arrive in Manhattan at 7:55.

But even if the 7:26 is running, it is not at all certain that it will arrive on time. If another train has been canceled, the 7:26—normally an express after Jamaica—may add some local stops in Queens, and may lumber into Penn Station at 8:30 or 8:35.

Such frustrations have important implications for New York City.

Late arrivals to work mean costly lost time and scrapped schedules for the city's businesses. Suburbanites who turn to their automobiles add to the city's traffic, parking and pollution problems and swell demands for new expressways or increased subway facilities. State officials confront demands for subsidies or even railroad takeovers that would shift costs to all taxpayers, including city residents who never ride the commuter lines.

"It's getting to the point at which something's about to blow," said Barrie Vreeland, director of the transportation department of the Commerce and Industry Association. Mr. Vreeland's office has been receiving a stream of complaints from corporate personnel officers worried about late arrivals at work.

Ralph C. Gross, president of the association, described the rail problems as "detrimental to business expansion and economic growth" here because "most of the top and middle-level executives who work in New York live outside the city."

Urban planners are generally agreed that there is no more efficient, or potentially faster, way of moving large numbers of people from suburban or urban business centers than by rail. Yet in much of the nation, railroad passenger service largely has disappeared.

The Federal Urban Mass Transportation Administration says only five American cities still have regular commuter rail service: New York, Chicago, Philadelphia, San Francisco and Boston. Most cities now have auto-oriented transportation systems.

As a result, experts say that billions of dollars of public money have been pouring into expressway systems while only a few millions have trickled into capital improvements for commuter railroads.

As urbanization chews up fields and meadows near the city, executives are moving farther out into the suburbs, sometimes well beyond the 50-mile range, and that makes high-speed rail transit more necessary for them. But suburbanites who turn from trains to autos put pressure on for the building of more highways.

The Regional Plan Association, the nongovernmental research organization, notes that "the autos required to transport the equivalent of one trainload of commuters is about four acres of parking space—eight times the area of the main concourse at Grand Central Terminal."

Fundamental to the railroads' problem is the fact that they were not designed to do the job they are now doing. According to Robert W. Minor, senior vice president of the Penn Central, the lines were originally long-haul carriers and were not engineered for the short-haul, high-speed service required today.

Commuter railroads here do not have the equipment needed for rapid acceleration and deceleration in the short distances between suburban stations. And the stations themselves generally lack the high-level platforms needed for fast loading and unloading of passengers.

Efforts are beginning to be made to change all this through the introduction of new equipment, financing and major reconstruction, but the overhaul is going to take years, according to railroad experts. And they note that the transition itself is contributing to delays and breakdowns.

Those who nourish a hope that things will soon get better have little to go on but optimism, in the opinion of most rail specialists.

The Regional Plan Association pointed out that the commuter lines are largely based on "the investments made in capital rail equipment prior to 1929." The Depression discouraged investments, then World War II came along, and then the postwar automobile boom, with its corresponding decline in riders using the rails.

According to records of the Amercan Railway Car Institute, the trade association of railway car manufacturers, there is no continuing industry in the manufacture of self-propelled "inter-urban or commuter cars."

In 1969, said Walter A. Renz, the association's president, only 25 cars have been ordered for all the commuter lines in the nation.

"The cars cost so much because there are so few orders," he said. "It's no secret that the railroads detest these passenger runs, and I haven't seen any real commuter car business for a long, long time."

Added to these problems are difficulties and prospects peculiar to each of the commuter railroads in this area. Some of these aspects are discussed on this page.

LONG ISLAND RAIL ROAD

In the barnlike Dunton Electric Repair Shop in Jamaica, Queens, a score or more cars awaited repairs recently. There are commuters who believe that the true symbol of the Long Island line should not be Dashing Dan (which the railroad is phasing out), but these disabled cars.

Anthony F. D'Avanzo, general chairman of the Brotherhood of Railway Carmen, Lodge 886, says the members of his union have been working an average 24 hours overtime to catch up on a servicing backlog that has restricted railroad efficiency for many months.

Moreover, Mr. D'Avanzo says, the work strain accounts for high absenteeism and this compounds the problem of how to find enough cars to take 90,000 regular commuters and 40,000 others into and out of the city each day.

On June 26, its worst day, as many as 223 of the Long Island's 774 electric cars—both old and new—were out of service for inspection and repairs. Thirty-five of 363 diesel and other cars also were not in use. As a result 19 of the line's 631 trains for that day had to be canceled, and each cancellation affected about 1,000 riders.

This was not an isolated situation on the nation's biggest commuter railroad. On a recent Friday, nine morning and nine evening rush-hour trains were scratched from the schedule.

Such cancellations cause more than just inconvenience.

"The other day I was not just uncomfortable, I was physically frightened," a young rider said. "With passengers from one of the canceled trains, my train, normally crowded, was dangerously crowded.

"At Jamaica an elderly woman was pushed into the car and her arm got caught and she cried, 'My arm, my arm!'

"You know that small area up at the front of the train, where the door is open and all they have is a chain across the front? Well, in that little space about four feet wide there were, as far as I could count, 23 people wedged in. I had my hand up, holding the edge of the door and I could not get my arm down. I couldn't turn my body either way and I could move my feet about an inch in either direction.

I WAS SCARED

"There wasn't any question of taking tickets. Impossible. So the conductors rode outside on the catwalk of the engine. I felt trapped and smothered and helpless. Usually I am just so angry I could choke somebody, but this time I am scared."

The line says its last major report of on-time performance was 97.1 per cent for the 10-year period ending Dec. 31, 1967. For 1968, it says record was 89.9 per cent; for the first six months of this year, 89.3 per cent. These are over-all figures, however, and do not indicate the performance of individual trains.

Another major problem for the line, which originated from older railroads, is that its routes are now often well away from areas of population growth. The Long Island's more modern electric service, for example, ends its eastward thrust at Babylon on the south, Mineola and East Williston in mid-island, Port Washington on the north.

Since 1966, the line has been operated by the Metropolitan Transportation Authority, which was created by the Legislature. When the authority took over, the line was in bankruptcy. The following year it obtained a $30-million Federal grant for improvement and extension of its electric system. The authority is now extending electric lines, rebuilding roadbeds and building high-level station platforms.

ELECTRIC CARS ORDERED

The authority has also sought to replace most of its antiquated electric stock. A fleet of 620 electric cars was ordered from the Budd Company of Philadelphia for delivery by October, 1970.

The first cars arrived Dec. 23. Dr. William J. Ronan, chairman of the M.T.A., says this was 25 weeks later than he anticipated.

So far, 108 have been delivered. They have not performed well. There have been repeated electric malfunctions. Brakes have locked. Air-conditioning has failed. Trains have broken down at rush hours.

The M.T.A. stopped formal acceptance after the first 94 cars arrived. By July 1, 52 were out of service on one day. This has since been reduced to about 30 in a day.

Setbacks such as these have led at least one of Long Island's militant commuter organizations to demand the ouster of Dr. Ronan. But the beleaguered chairman has his defenders, including Governor Rockefeller, whom Dr. Ronan formerly served as a key aide.

"Those new Budd cars, if they had all worked, would have meant progress," Ralph Gross of the Commerce and Industry Association said. "As we understand it, Dr. Ronan had a choice of two courses; Either to go on pouring money into keeping old and worn-out rolling stock going or to stop doing that and to put the money into getting badly needed new cars.

"We think the planning was logical and had the time-table been adhered to, things would already have been better on the line. All those breakdowns were not Dr. Ronan's fault."

The Long Island Rail Road deals with 17 labor unions representing 6,500 of its 7,000 employes. The dates on which contracts expire vary among the unions. The line says they have higher wages and more favorable work rules than the national average. Nevertheless, labor friction has been frequent, including strikes and work slowdowns that at times have made commuting a nightmare.

Dr. Ronan says labor-management relations have been improving. This is his hope for restoring the rate of inspection and repair to the level at which it stood before a dispute last August with the carmen that led to a three-week labor slowdown.

As a result of the slow-down, inspections and repairs were delayed on 288 cars on a single day.

NEW JERSEY CARRIERS

Anyone wishing to indulge a bout of nostalgia for the old days of railroading need not go to a railroad museum. He has only to go to Hoboken and board almost any Erie-Lackawanna commuter train.

Getting to Hoboken from New York City is the easiest part of the journey. On one of the hottest days of the year, at the height of the evening rush with the trains fully crowded, the Port of New York Authority's PATH cars were fully air-conditioned and completely comfortable. Next, however, the commuter boards an Erie-Lackawanna train.

"Well, I see they've got the heat on," a commuter grumbled as he boarded the 5:38 Boonton Branch train to Dover and sat in a car of great age that creaked as the train began its trip.

The 10 globe lights in the car—three of them out—afforded a very dim light and the blue paint on the ceiling and sides of the car was cracked and chipped, leaving large patches of rust.

The slow-motion fan in the center of the car could not have stirred tissue at eight feet, but the windows were wide open and a good breeze came in.

As the train got close to the end of its run, a conductor looked at a passenger and said, "Well, it won't be long now, thank heaven."

On summer days the sun can heat temperatures inside the line's old cars to extreme highs, but the railroad that calls itself "The Friendly Route" says its dependability is also lofty—98 and 99 per cent on time. Passengers, many of whom object to the line's old and dirty equipment, give it full credit for that.

SEVENTY THOUSAND JERSEY COMMUTERS

More than 70,000 commuters use the three major New Jersey railroads—the Erie-Lackawanna, the Jersey Central and the Penn Central. But as recently as 1967 both the Erie-Lackawanna and the Jersey Central were formally seeking to abandon passenger operations. It was then that they were put under the control of the State Department of Transportation.

David J. Goldberg, New Jersey's Commissioner of Transportation, said commuter traffic had increased on the three New Jersey railroads about 10 per cent since his department began operations in January, 1967.

The state pays operating subsidies to the Jersey Central and the Erie-Lackawanna, which is owned by Dereco, Inc., a holding company of the Norfolk & Western Railway. These subsidies are negotiated annually, $4.9-million and $4.5-million respectively for the year ended June 30. The Pennsylvania, together with others, gets state aid for equipment.

Mr. Goldberg said New Jersey had "purchased virtually all the coaches available around the country worth investing funds in to rehabilitate." Of 53 it bought from the Santa Fe Railway, 27 have been assigned to the Penn Central and 26 to the Erie-Lackawanna, some to start service in October.

But the outlook seems bleak for any large-scale modernizing of the lines.

William B. Hurd, assistant administrator of the Federal Urban Mass Transportation Administration, was asked: "With so few cars being built, isn't it probable that 5 and 10 years from now, commuters on the Erie-Lackawanna will be riding the same outdated cars they're riding now?"

His answer was, "I think so, yes."

For the Jersey Central, in receivership since April, 1967, the state has obtained an

agreement that the Norfolk & Western and Chesapeake & Ohio railroads would acquire the line as part of their merger plan and include it in Dereco. But the merger is still awaiting Interstate Commerce Commission approval.

STATE LEASES LOCOMOTIVES

Mr. Goldberg says that 13 new locomotives the state has leased to the Jersey Central have helped improve on-time performance, which had been "very poor."

Long-range plans call for electrifying the Jersey Central lines. But for interim service, the N. & W. and C. & O. are to provide 50 air-conditioned and rehabilitated coaches acquired from other railroads.

The state is also rehabilitating 60 Jersey Central coaches and beginning to buy new equipment, including 35 speedy Jersey Arrow self-propelled electric cars for the Penn Central.

But Spencer Scheffling, the Penn Central passenger statistician, said the 26 Jersey Arrows now in service had encountered "most persistent problems" in power transmission, couplers and doors. On a typical day, 8 to 10 are out of service for part of the day, he said.

HARLEM AND HUDSON

Not all commuters are uniformly incensed by their experience. Arthur Feldman, who was born and reared in the Bronx and who recently moved to Croton-on-Hudson, has a different perspective:

"It's a lot better than the subways," he said. "I take the 6:30 a.m. train from the Croton-Harmon station. It never leaves at 6:30 and it runs 5 or 10 minutes late, but to me that's nothing.

"The windows are so dirty you can hardly see out of them, but when I was on the subways could I see out of the windows? To me, it's a dream. I get a seat. In the subways, if I got a seat, it was a miracle."

Other commuters, who have the choice of subway or train, agree with his view, and are willing to pay for the difference.

At 5:38 p.m. a local train leaves Grand Central Terminal for Yonkers and Glenwood by way of 125th Street and several intermediate stops in the Bronx. A single fare of $1.10 is charged everyone boarding the train, whether they go one stop or to the end of the run.

VANDALISM A PROBLEM

The other night, the train was nearly filled but there were only five riders left in it by Yonkers. The others had got off at earlier stops; all rode in preference to the subway.

But many of the 24,000 daily commuters of Penn Central's Harlem Division and the 12,000 commuters of its Hudson Division are hardly enthusiastic about the service they get.

Between April 1 and June 16, the Harlem and Hudson Divisions had 18 fires that delayed a total of 300 trains, according to the Public Service Commission. Fourteen of the fires were caused by vandalism.

Vandalism is but one problem confronting these lines and their growing number of riders.

In 1967, the Public Service Commission found a "noticeable deterioration" in service, including "deficiencies in track maintenance" and worn shock absorbers that made passengers feel they were "riding on a washboard."

In June, 1968, the commission ordered the upgrading of track and equipment and it limited electric engines to 50 miles an hour speed, instead of 60, while this was being done.

One consequence was that on-time performance for the 120 rush-hour trains declined from 81 per cent to 60 per cent, according to George E. McHugh, chief of the railroad bureau of the State Public Service Commission.

In June, the railroad said, its over-all on-time record was 87 per cent for its 340 daily suburban trains. The divisions are under orders of the Public Service Commission to maintain 80 per cent on-time performances for each of its trains every month.

The state commission also has ordered the Penn Central to buy or lease 80 new self-propelled, multiple-unit cars to replace its Harlem and Hudson electric fleet within two years. The Penn Central is strongly resisting this as requiring an uneconomic investment in "1918-type" service.

TELLS OF IMPROVEMENTS

According to Leonard W. Maglione, Penn Central's suburban service manager, the railroad has made a number of major improvements in Hudson and Harlem service.

In the last five years, he said, 79 more trains have been added each weekday. Since 1965, 34 new multiple-unit electric cars have been received, and 40 mainline passenger coaches have been refurbished and placed in commuter service for non-electrified areas, with 12 more due by Oct. 1. In addition, 22 locomotives with both diesel and electric power have replaced antiquated equipment on the Harlem Division.

Since fares were restructured, service on the divisions is "operating on approximately a break-even basis," as opposed to "large and increasing deficits" before 1962, the railroad said. This gain has been cited by the Penn Central in its hotly contested bid to restructure fares on the New Haven.

THE NEW HAVEN

Frederick Gilbert, vice president and general manager of Time-Life Broadcasting, takes the crowded 8:04 A.M. New Haven train from New Canaan, Conn. It arrived at Grand Central at 9:10 one recent day.

"My goodness," Mr. Gilbert said. "We're in right on time. What'll we do with the rest of the morning? It's too early for a martini."

There was a touch of hyperbole in his observation, but the New Haven's report on operations for the Monday-to-Friday train for a full month ended June 26 showed that not one run was completed on schedule. Only three of the 23 trains met the New York standard of on-time performance—arrival within 5 minutes of timetable.

Woodlawn, in the Bronx, is a frequent slowdown point on the line. The New Haven, alone of the commuter railroads, runs the same train on two different electrical systems. In Connecticut it draws power from an overhead line carrying 11,000 volts of alternating current. At Woodlawn it changes over to pick up power from a third rail. When the connection goes even slightly awry, it takes tinkering—and time.

Delays, breakdowns and overcrowding have angered New Haven commuters at a time when the railroad, to help with its basic financial problem, is bidding for a restructuring of fares on a portion of its suburban service.

Last Tuesday, the Public Service Commission barred the Penn Central, which operates the New Haven, from imposing the new fare structure on 14,000 of its 23,000 commuters until the agency could investigate the request. The following day officials of Westchester communities served by the line assailed what they said was unsafe and unsanitary equipment.

New Haven officials say no other railroad except the Long Island has had a higher percentage of its total revenue coming from passengers—42 per cent, as against about 6 per cent on most lines.

BANKRUPT IN 1961

Lacking enough freight income to offset passenger deficits, the New Haven went bankrupt in 1961. Plant and equipment deteriorated.

The Penn Central took over the line last Dec. 31 and says it found the overhead electric system "grossly deficient," with some wires that draw the power worn to one-fifth their original size.

Nearly 10 per cent—about 24 of 264—of the New Haven's cars were soon scrapped. Almost half of the locomotive fleet was found to be long overdue for overhaul.

The railroad reports that it is overhauling 50 of its 60 passenger locomotives this year. Six stainless steel coaches are being refurbished each month out of a fleet of 100; other coaches will be run until scrapping time. This and other refurbishing are causing shortening of trains.

Penn Central officials say they believe that in the immediate future the line's lateness record will get worse and may remain so for some time. In its first four months as a Penn Central division, the New Haven experienced a 5 per cent reduction in number of trains—and an 82 per cent rise in number of trains late.

The Penn Central attributes these delays to the deteriorized equipment it inherited and to its efforts to modernize it. Track upgrading and round-the-clock restoration of the overhead electrical supply have delayed trains.

Vandalism also plagues the New Haven. Twenty-seven hundred broken windows have had to be replaced since Jan. 1 at $100 a window. Some riders pull down window shades as a shield against shattering glass when riding through the city.

$20.4-MILLION GRANT

In 1967, the Federal Government made a grant of $20.4-million to cover the cost of 144 new cars and modernizing other New Haven line facilities. The grant, made through the Urban Mass Transportation Act, was made jointly to the Connecticut Transportation Authority and to the M.T.A. for these purposes.

But the grant depended upon certain agreements between the two states and the railroad that have still to be fulfilled, so the money has not yet been pumped into the ailing line.

The expectation is that the M.T.A. will buy the New Haven's right of way, stations, shops and power installations in New York State. The Connecticut authority would lease most such facilities in its state.

The two authorities would then contract with the Penn Central for the operation of the commuter service and, with the help of the Federal grant, would pay for the new cars and other improvements.

"This seems to be close to settlement," a Federal official said. But then he added:

"Of course, it will take some years to procure the cars and do the other fixing up."

CUBS ARE TOPIC A ON CHICAGO TRAINS—COMMUTERS, UNLIKE THOSE HERE, GET GOOD SERVICE

(By John Kifner)

CHICAGO, July 27.—The major topic of conversation among commuters on the Chicago & North Western Railway is not the Chicago & North Western Railway. The railroad's officials think that is fine.

While passengers in New York fume over service and rickety equipment, C. & N.W. commuters sit placidly in clean vinyl seats reading under fluorescent lights about the Chicago Cubs on smooth-running double-decker coaches that whisk them back and forth—on time.

Further, the company's three commuter lines—which carry 90,000 passengers between here and the city's affluent northern and western suburbs—are reporting profits of nearly $2.5-million a year.

It was not always so. Thirteen years ago, the lines—the second largest commuter service in the country behind the Long Island Rail Road—were losing $2.5-million a year and service was terrible.

UMBRELLAS NECESSARY

Some of the commuter cars in use then dated to the turn of the century. Windows were broken, doors came off, the cracked sheet-metal roofs leaked and passengers sat under their umbrellas in the rain.

Schedules were all but fictional and there were often unexplained stops. The cars were drawn by coal-burning steam engines that frequently broke down, and the cab once fell off an engine during a run. The employes were surly.

The turnabout began on April 1, 1956, when a group of disgruntled stockholders pressed for control of the company and succeeded in installing Ben W. Heineman, a 42-year-old lawyer, as chairman of the board.

Mr. Heineman and his new managers found the road a shambles. Repair facilities were outmoded, the management structure was confused, and the company was $212-million in debt and selling its rails for scrap in order to meet the payroll.

Within 40 days the old steam engines were replaced by diesels, not by buying new ones, but by the simple expedient of reassigning diesels (some were being used as switch engines) and running them more efficiently.

GAMBLE WITH LONG ODDS

Then Mr. Heineman decided to gamble that a commuter system could be run efficiently and could make money—a bet that no other railroad had won.

The Chicago & North Western began to invest $50-million, much of it borrowed, in an ambitious modernization program.

The most noticeable feature of the program is the line's fleet of specially designed stainless steel cars. Each coach seats a little over 160 passengers on two decks. The vinyl used inside makes keeping them clean an easy task.

Mr. Heineman discharged about a sixth of the line's employes and eliminated 22 passenger stops in the city that duplicated the municipal transit service.

Then, in 1958, the Chicago's & North Western adopted a new schedule of fares that instituted an increase and a new commutation concept.

UNLIMITED RIDES

Instead of weekly or monthly cards good for a set number of rides, with the prices varying widely, the new basic unit for the railroad became a monthly pass good for an unlimited number of rides.

About 30 per cent of the riders also use a plan under which the pass is automatically sent out to them before the beginning of the month and they are billed for it.

The innovations began to take hold, and by 1959, the line showed a small but satisfying profit of $30,000. Then the automobile expressways into the city were completed and the Chicago & North Western lost $2-million in 1961 and 1962.

But the railroad picked up the passengers from three other commuter lines that folded because of the expressways and then began to win passengers back from the automobiles.

ATTRACTION IS SERVICE

The railroad's main attraction is its efficient service, but it also promotes it with effective ballyhoo.

One of the promotions is Rainstick Junction, a cart filled with unclaimed umbrellas from the lost and found department that is put out in the terminal on rainy days. The theory is that commuters will borrow the umbrellas when they need them and then put them back, but 90 per cent are never returned.

"They're robbing us blind," chuckled one railroad official. "But actually they're just stealing their own umbrellas back."

PRIDE AND PRAYERS OF THANKSGIVING AFTER ANOTHER TRIUMPH OF HUMAN INITIATIVE AND RESOURCEFULNESS

HON. ALLARD K. LOWENSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. LOWENSTEIN. Mr. Speaker, the world pauses now in wonder and admiration to salute three men whose valor and stamina brought mankind to the moon, and to offer prayers of thanksgiving for their safe return. We salute, too, at this time, the memory of President John F. Kennedy, whose vision and determination made this moment possible, and we pledge to apply ourselves with equal vigor and determination to some of the problems that still afflict this planet.

Finally, we join in tribute to the thousands of unheralded individuals throughout this Nation whose devotion, whose skills, and whose imagination made it possible to do the impossible in even less than the decade allotted by President Kennedy. As a personification of these anonymous men and women, our gratitude and admiration go out particularly to Mr. Thomas J. Kelly of Merrick, N.Y., the father of the lunar module *Eagle*. Mr. Kelly is responsible, more than any other person, for the development and construction of the extraordinary vehicle that carried men on that hazardous last step to the surface of the moon. The American people will want to remember Mr. Kelly and his dedicated fellow craftsmen as they celebrate another triumph of human initiative and resourcefulness over the unknown.

I include in the RECORD at this point the following article from the New York Times:

[From the New York Times, July 22, 1969]

FATHER OF THE LM: THOMAS JOSEPH KELLY

(By Sylvan Fox)

Among the millions who saw the Apollo 11 moon landing on television was one man for whom the experience was akin to a father's watching his son accomplish a formidable feat.

The man was Thomas Joseph Kelly, a slim, boyish 40-year-old with wiry brown hair, who designed the ungainly but efficient vehicle that carried Neil A. Armstrong and Col. Edwin E. Aldrin Jr. to the surface of the moon and off again.

Mr. Kelly was at Houston's Apollo Mission Control Sunday night watching the moon landing.

"It felt great," he said in a telephone interview yesterday. "Wonderful. A real culmination for a lot of people."

For Mr. Kelly, who was born in Brooklyn and grew up in Merrick, L. I., it was the culmination of a dream that began when he was attending the Mepham High School in Bellmore, L. I.

"I had always been interested in airplanes," he said. "The space field is sort of a logical extension. It's just higher, farther and faster, which is what the airplane business has been doing for years."

"And anyway," he said with a laugh, "I'm fascinated with the idea of being able to explore the moon and the planets."

DEGREE AT CORNELL

Mr. Kelly shows no defensiveness when the ugliness of his lunar module is pointed out.

"There was no need to streamline it," he says. "It operates only in space. There are no aerodynamics to contend with. It's designed functionally. Everything is there for some particular reason, not just for looks."

Mr. Kelly's career has been deeply committed to the space program almost from its beginning.

After graduating from Mepham High School, where he met the girl he was to marry, he got a Bachelor of Mechanical Engineering degree from Cornell University in 1951 and went to work for what is now the Grumman Aerospace Corporation in Bethpage, L. I.

"My remaining schooling," he said, "was all at night."

While working at Grumman, Mr. Kelly gained a Master of Science degree in mechanical engineering at Columbia University in 1956. He then went into the Air Force as a lieutenant, working in performance engineering. At the same time, he took courses at Ohio State University in aeronautical engineering.

When he left the Air Force in 1958, Mr. Kelly decided what he wanted to do with his future. "I wanted to get into space at that point," he said.

He worked for a year at the Lockheed Missiles and Space Company in Sunnyvale, Calif., then returned to Grumman.

"And I've been there ever since," he said.

In 1960, Mr. Kelly became the project engineer on a manned space study instituted by Grumman.

"This gradually grew in scope and ultimately led to our winning the LM contract as a result of an industrywide competition which was held in the summer of 1962," he recalled.

The contract was awarded to Grumman by the National Aeronautics and Space Administration in January of 1963, and Mr. Kelly became the lunar module project engineer, which he describes as "equivalent to being the No. 2 engineer."

Two years later, he became the No. 1 man or engineering manager. His titles have changed a couple of times since then as work on the lunar module progressed (manager of assembly and tests "when we were getting into the final assembly and checkout of our first lunar spacecraft" and for the last two years assistant program director for engineering), but his function has always been to get the lunar module from the drawing board to the moon.

With the LM's mission completed, Mr. Kelly's interests have already begun to turn elsewhere. Three weeks ago he began a one-year course at the Massachusetts Institute of Technology in industrial management. The course is expected to move Mr. Kelly into the management of Grumman Aerospace.

Mr. Kelly's associates describe him as "friendly and warm" but extraordinarily serious about his work.

"It seems almost ridiculous," one said, "that you can be on a program for six years and never have anything funny happen—but nothing ever has, really."

"He's an extremely knowledgeable type when it comes to the LM," said another. "I've never seen him stumped for an answer."

THE MOON AND GREEN CHEESE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. DERWINSKI. Mr. Speaker, there has been considerable press coverage across the country over possible reappraisals of our national space age targets.

One of the more succinct and practical commentaries was carried in the Calumet Index, a biweekly publication

serving the far South Side and adjacent areas, in the Wednesday, July 23 edition.

THE MOON AND GREEN CHEESE

In discussing the "miracle" of the moon landing, invariably the question is asked—"Should we spend all that money on space exploration when so many things on earth need doing?"

Our answer is, "Yes—so long as we continue to give it the same careful, thorough thought and planning as we have given it until now."

Billions upon billions have been spent over the years to solve the problems of poverty and pollution but the thought and planning given these solutions have been infinitesimal.

In all to many instances, our efforts in these fields have been under the direction of half-baked bureaucrats whose only qualifications for the job have been an affinity for politics and an ability to get out the votes for the "right" candidate.

The argument that all we need to eliminate poverty, pollution and slums is more money is one of the great and tragic falsehoods of our day.

What we need is thought and effort and planning and dedication—the money will take care of itself.

DRIVING COURSE FOR THE AGED

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. KEITH. Mr. Speaker, it is a common misconception that with retirement comes inactivity and a life of leisure for our older citizens. Nowadays, this is no longer true. The retired are filling their extra free hours with numerous projects which reflect not only a broad range of interests but also a realization of the importance of these projects in the community. All over the country members of Foster Grandparents, Inc., are volunteering to take care of children in family emergencies or welfare cases. And VISTA reports that an increasingly large number of older people are contributing their services to its program. In short, our older citizens are closing the generation gap and, one might say, becoming younger and younger.

Mr. Victor Lindstrom, associate area vice president for the American Association of Retired Persons in my district, recently informed me of the efforts of the AARP to provide safe driving instruction for its members. Mr. Lindstrom has himself taken the course and is now teaching it to others in the area.

Knowing the interest of my fellow members in the achievements of our senior citizens, I would like to include in the RECORD an article by Wendell Coltin about this course that appeared in the Boston Herald Traveler of March 16, 1969:

OLDER DRIVERS WIN POINT IN SURVEY

(By Wendell Coltin)

(NOTE.—Raise the question of highway safety and the older driver—or the older driver and highway safety—to David Jeffreys and you'll get strong arguments in behalf of the older drivers. Jeffreys is director of national affairs for the National Retired Teachers' Association and American Association of Retired Persons.)

The NRTA has 230,000 members, with an affiliate in every state and nearly 1000 local units. The AARP now serves 1,300,000 members and has 571 local chapters across the nation.

Back in 1967, when Jeffreys was in Boston, we were brought together in a telephone conversation by Victor Lindstrom of Harwich Port, who is the AARP's area representative, and at that time Jeffreys expounded on a driver improvement course underway for AARP members. In nearly two years, "just over 15,000 persons" have been given the course by about 400 volunteer instructors.

A few days ago, he appeared on the biennial conference program of the National Council on Aging in Washington and was flattered that 1500 of his members had figured prominently in a study conducted by the National Safety Council.

A council research report, delivered at the conference, pointed out that "chronological age—contrary to a widely held belief—is not the best indicator of a driver's continuing fitness, or lack of it, behind the steering wheel."

Dr. Thomas W. Planek, the Safety Council's research director and senior author, said the level of a driver's health would be much more meaningful for ruling a driver off the road than his health. Safety proposals that would rule some older drivers off the road based on their declining abilities generally are geared to some specific age, Dr. Planek said, largely because the information is easy to get and usually beyond dispute.

Jeffreys said the interest of AARP members in driver safety was re-emphasized by the fact that 1500 members in selected AARP chapters made better than a 52 per cent response to the questionnaire, the highest response rate in the study."

He recalled that a "good number" of AARP members were made available for participation in the national drivers' test a few years ago and they "racked up a better score than the younger test group."

He said, "Our members are not only interested in driver-improvement, we feel they are better and safer drivers and becoming even more so as a result of our special program—the Driver Improvement Program."

This, he said, is the Defensive Driving Course developed by the National Safety Council in 1965, which "proved its effectiveness in the training of professional drivers in commercial vehicle fleets; and is designed to make better and safer drivers of already-licensed drivers.

Jeffreys said the AARP Driver Improvement Program came into being because of a need expressed by the association's members.

Over a period of years, members in growing numbers had revealed their concern for highway safety and driving on today's freeways at today's speeds.

"They told us," he said, "of their concern over the sometimes traumatic experience of taking a driving test when their license was due for renewal, or when they moved to a different state. They told us of their concern over cancellation of their auto insurance, or skyrocketing premiums.

"All of this was related to their need to drive to maintain their mobility and, consequently, their independence. Many of our members were aware of the existence of driver-improvement courses, offered under a variety of auspices, but they were reluctant to take classes, sometimes held at night, with youngsters or truck drivers or traffic violators.

"When we decided to do something to help both our members and other concerned older persons, we turned to the National Safety Council, which had a definite interest in safety of older persons and also had a tried and tested Defensive Driving Course."

"The course," he pointed out, "is designed to make better and safer drivers of already-licensed drivers. It emphasizes the techniques of driving defensively in today's traffic, recognizing that nine out of 10 accidents involve improper driving and are preventable."

The course has proved popular with the more than 15,000 members who have taken it; and a feature is that the volunteer instructors are older persons—also AARP members, who have been trained to teach it. Jeffreys reported, "We are committed to a major expansion of the Driver Improvement Program in 1968."

Each student who completes the course receives a certificate and wallet card. He is also eligible for a 10 per cent discount on Driver Plan 55 Plus, a special auto insurance plan developed for AARP members by the American Maturity Insurance Co.

"There is a continuing need to train additional instructors, to make the course available in many more communities and to serve the many thousands of older persons who do not know of our association, or of this program."

NOTE.—The Massachusetts Safety Council, which has been offering Driver Improvement Courses in many communities, will give the subject attention at the annual Massachusetts Safety Conference in the Statler Hilton March 31 and April 1.

EULOGY FOR THE LATE TOM MBOYA

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. CONYERS. Mr. Speaker, a tragedy took place in Africa on July 5, a day that all of America was thinking about its independence. It was an act of an assassin that struck down a very important African, Mr. Tom Mboya, who had given all of his efforts in the service of his country for the betterment of his people and to the strengthening of ties between his country, Africa in general, and the United States.

I cannot add more to what his Ambassador, the Honorable Leonard Kibinge, stated in the eulogy that the Ambassador gave at a memorial mass for Mr. Mboya which was held in New York City on Tuesday, July 15. The mass which was offered by the Vicar of Harlem, Father Harry Salmon, was accompanied by a great American jazz musician Miss Mary Lou Williams, whose composition called a "Mass of Peace" attempted to convey to those present through music and the essence of the service the remarkable vitality of young Mr. Mboya who, at 38, gave his life for his country. Mr. Speaker, I would now like to include in the RECORD the eulogy that was presented at the service:

EULOGY FOR THE LATE TOM MBOYA

It was just a little over a year ago in this church that a mass was offered for another man who was taken from his family, his people, and his country by the act of an assassin. Today we are here because, like Senator Robert Kennedy, Tom Mboya was senselessly and suddenly shot down and he, too, taken from his loved ones, Kenya, Africa and the World.

It is difficult for me to express what a great tragedy the death of Tom Mboya is to Kenya and to Africa. Tom, who gave himself completely to his country, was described by our President, Mzee Jomo Kenyatta in the statement that Mzee made upon learning of Tom's death:

"Mr. Mboya was adamantly, ceaselessly and courageously reinforcing the efforts of those who had started the struggle for the emancipation of his people in Kenya as well as our

brothers throughout the continent of Africa. Had it not been for his efforts and personal sacrifice, Kenya's independence could have been hampered or seriously compromised. Mr. Mboya was an undiluted African nationalist who always viewed issues on their national as well as international repercussions. The part he played in welding the Kenya nation is invaluable and will remain an inspiration to all of us. Rarely in my life have I come across a man who was prepared to devote so much of his time and energy to the service of his nation and to the welfare of mankind."

Tom Mboya was a Kenyan.

He belonged to *no one group.*

He represented *all of us.* His continued efforts to serve and promote national unity was but one of his constant goals and one that he himself personally achieved through his success in elections. His was a constituency that represented more than 60% of Kenya citizens whose origin was different from that of his own tribe.

He felt quite strongly about this particular issue, namely the unity of the nation. He spoke out, and I quote: "That we are born of different tribes we cannot change, but I refuse to believe that because our tribes have different backgrounds and customs and cultures we cannot create an African community or a nation."

It was with this profound belief that he personified our concept of one nation.

Tom's devotion and dedication to Kenyan unity and development was a mark of his courage to address himself to the most complex of national and African problems. He, as Minister of Economic Planning and Development and Secretary-General of the Kenya African National Union, always grappled without hesitation with issues that some men, if possible, would have avoided or preferred not to recognize; but his gifts, talents and self-assuredness made him speak out when necessary, act when called upon, and not hesitate when fundamental questions were raised about the advancement of human dignity and freedom.

When one thinks about Tom Mboya, we think about the Tom of the present: the articulate, intelligent, courageous, able politician and statesman. But we have also to understand that the Tom we knew came from a simple family whose parents were illiterate, whose father worked as an ordinary laborer on a sisal estate, who was the first born of five brothers and three sisters and who, out of his father's small earnings, was able to begin his elementary education. As he grew and at the end of 1947 he could have continued his education for his Cambridge School Certificate, but he was unable to; why? because his family could not afford it.

This was an important development in his life.

He then trained as a sanitary inspector and joined the Nairobi City Council and was elected secretary of the African Staff Association. At this time he began to interest himself in active politics and became a full-time trade union organizer, converting the African Staff Association of which he was president, into the Kenya Local Government Workers Union and he soon emerged as the Secretary General of the Kenya Federation of Labor. It is from this position that he emerged as the voice of the Kenyan people in the absence of any other African organization to speak for them. Tom, *the worker,* the *trade unionist,* never lost his sense of social justice.

Tom Mboya's concern about Kenyan nationalism and Kenyan independence was highlighted in a speech that he gave in New York on the occasion of African Freedom Day in April, 1961: "Let me speak for a while about the father of my own country, Kenya, the man who perhaps more than any other represents the African personality, Jomo Kenyatta . . . the denial of freedom to Jomo Kenyatta and other detained peoples of Kenya is a mockery of justice . . . the present crisis in Kenya cannot be resolved until Jomo Kenyatta is given his unconditional freedom. Our people love him and are determined to make this undisputed leader of the African people the head of our first independent government. Our people respect him not only for himself but for his character, his integrity and judgment and iron will".

Tom's statement about Mzee was coupled with his actions in refusing to join an interim government in 1961 until Mzee was given the freedom to return to Kenya. But his acknowledged nationalism and pan-Africanism goes back to 1958 when he was elected chairman of the All-African People's Conference meeting in Accra, a distinction that he acknowledged as "the proudest moment of my life." His role on the African freedom movement as chairman of the All-African People's Conference . . . His stimulation of the pan-African freedom movement of East and Central Africa; . . . His dedication and strong support of the Organization for African Unity and the Economic Commission for Africa were all important aspects of his commitment to Africa.

He spoke to the 8th Session of the United Nations Economic Commission for Africa in 1967 "African development is at stake. Nothing less than a major effort both within Africa, and by our friends overseas can produce the progress we seek and make our continent a material contributor to the World economy.

The initiative and decision to cooperate must come from Africa itself." His concern with the economic development of his country and his continent was but one more example of his preoccupation with the needs of his people.

Approximately 10 years ago Tom showed another of his many qualities—his great respect for the education and training of Kenyans and other Africans. His desire to see young people of Kenya educated took the form of his pushing forward what we now know as the airlift of African students from Kenya and other African countries to the United States. From having about 60 students in the U.S. in 1956 by January, 1963, Kenya had over 1,000. In the development of the Kenyan airlift to educate Africans Tom justified what took place as "the need for educated people is so great that I often marvel at those persons who suggest expansion will produce too many educated people and there will be nothing for them to do and so a worse problem will have been created. My view is that no field in Africa today is saturated and to try to slow down the African desire for education or for specialization in various fields would mean strong resentment."

He also dealt with local education problems in a vocational secondary school, Starehe, in Nairobi to train ghetto children in Nairobi.

He himself well utilized his formal academic training at Ruskin College; but it was only one year of his life toward all that he gave in different ways to the education and training of others.

Tom Mboya was well-known in the United States. It was just 9 years ago that Tom appeared on an American national television network show called "Meet the Press". His brilliance coupled with his youth astounded Americans. His relationships with this country from the pre-independence period through the Kenya student airlift along with his visits made him conscious of a need for an informed American awareness about African development and real independence. He had an understanding of the assets and weaknesses of the United States towards Africa. In an article as far back as 1957, Tom stated "In the field of foreign policy, America's position in the eyes of Africa is rather disappointingly hazy. She has not lived up to their expectations, and internally the segregation problems have affected American prestige and moral standing. Her people are however, still regarded with friendship and expectancy, although it has become generally recognized that there exists a great deficiency of informed opinion on Africa."

The advent of independent African states and his own visits have contributed to the greater education and understanding between Africa and the United States. Kenya owes her very favourable image in the United States to Tom. The relations between our two countries could not be better.

Tom, however, never wanted to be known other than as a Kenyan involved in world affairs and as he ended his book "Freedom And After" he said, "Through our international policy of preserving positive neutralism, to the conclusion of friendship with all nations, we will be showing the rest of the world what freedom really means."

In the lives of all public men, it is often the close, warm family relationships that suffer. The dedication to national issues, public demands and international forums take the man of leadership away from his family. But most of all, in thinking about Tom, one has to think about his love for his wife, Pamela, and his three children. He and Pamela married in January, 1962 and with their three children attempted to keep together the little time they had among themselves. When time and work permitted they would go to Rusinga Island and he would give to his family the full but few hours that he carefully put aside.

It is Pamela Mboya and her three children who above all miss Tom the most, and it is to her and the children we can only say that their loss is greater than that of all other Kenyans. In this difficult hour, we offer Pamela and the children our heartfelt condolences and pray that God will give them strength and courage to face the future.

Tom's death cannot be meaningful no matter how one wants to interpret it. But, *if out* of this comes a renewed commitment on the part of all Kenyans to achieve what he wanted to uphold, and if we can but reflect in our commitments his dedication and efforts to the unity and the development of our country; to the contribution of Kenya in the evolution of a greater East Africa; to the strengthening of ties within Africa; and to the emphasized role of Africa in the World Community in its efforts towards peace and development, then we will have contributed in our own way toward an everlasting memorial to a great Kenyan, African and world leader, Thomas Joseph Mboya.

THE INNER REACHES

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. WOLFF. Mr. Speaker, the incredible journey of three brave men and the success of technology in a challenge are now a part of history. Yet, even before our three astronauts had safely returned to earth, there was considerable projection regarding the expeditions to come.

As Representative of the Third District, which contains Grumman Aircraft Engineering Corp., and many constituents dedicated to scientific advancement, I am certainly proud and enthusiastic about this feat. Nevertheless, I am still left with a nagging question: While we strive for the outer reaches of man's capabilities, what are we doing to preserve and encourage the inner reaches of man's concern for man? Surely our domestic problems cannot be ignorant to us for in height they measure far taller than the Saturn 5 rocket which thrust us into a new age.

My concern in this matter was recently presented in a most appropriate editorial in the Community Newspapers, Inc., within my district. Continually attuned to the most important issues of our time, it was not surprising to find such a thoughtful editorial in this chain of weeklies. I would, therefore, like to extend my remarks and include it in the RECORD:

LET'S MAKE IT AT HOME

The Eagle has landed, and it was the most courageous, daring, imaginative, mind-boggling, impressive, efficient adventure in our history. All of us on the North Shore, those who worked on vital parts of the Apollo 11 project at Grumman and at other plants and those whose taxes helped foot the bill, should take pride in the achievement.

Now we must use that same American courage, daring and imagination to tackle those problems which torment us here on earth: poverty, racism, the Vietnam war, alienation of our young, city renewal projects which dawdle along for years, drug addiction, foul air and fouler water, commuter trains which don't run and airplanes which stack up on the runways, leftists who burn up libraries and rightists who stockpile shotguns and grenades.

We've made it to the moon. Let's make it at home.

CALIFORNIA LEGISLATOR OFFERS PENETRATING ANALYSIS OF CAMPUS TURMOIL

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. BROWN of California. Mr. Speaker, response from the political community to the severe traumas which have so thoroughly shaken the American educational establishment generally has been that of extreme platitude. Rarely over the past months have I come across reaction from political leaders to campus unrest which indicates anything more than a surface knowledge of the factors which are causing turmoil to arise.

Recently, however, I was tremendously impressed by the scope and depth of analysis of the problem which has been made by California State Assemblyman John Vasconcellos. One of the youngest members of the California Assembly—and one of its most promising, he was named as "best freshman Assemblyman" in 1967 by the Sacramento press corps—Mr. Vasconcellos has made a major effort to really understand the campus revolution.

In June, Assemblyman Vasconcellos presented three statements which cut directly to the core of those elements which have led to unrest and confusion within the educational system. I believe his analysis and related 18-point program are easily the best I have yet seen from anyone in political office, and I insert them here in the RECORD with the hope that all my colleagues will also benefit from them:

CAMPUS UNREST—I

The people of California are sick and tired of campus unrest, disruption and violence—and so am I!

But it's time each Californian engaged in some cool and sober reflection—because the approach we've been using is a failure; it has failed; it is failing.

Even apart from moral questions, that approach—more laws, tougher penalties, namecalling, sloganeering, more police, sheriffs, highway patrol, national guard, guns, shotguns, buckshot, bayonets, tear gas, helicopters, mass arrests, jail farm atrocities, the killing of a young human being—is a failure.

Whether or not I like the approach—whether or not I like the conclusion—cool and sober reflection dictates my judgment—and I can't escape it, I won't run from it—that our approach to date is a failure.

If anyone doubts the failure, he need only ask himself two questions—without even seeking to place blame anywhere:

1. What kind of a society has to club and gas and shoot its own young?

2. Why has the Governor said: "But the way things are going now, I could start a riot just by showing up (to meet with students)"?

Even more thought provoking: To approach has had contrary results. In the past two weeks I've talked with or heard from students from the University of California at Davis, Berkeley, Santa Cruz, San Diego and Irvine, from the State Colleges at San Jose, Sacramento and San Bernardino, from Santa Clara University and the University of Southern California and Stanford University, from West Valley College and San Jose City College, from Bellarmine Preparatory, Del Mar, Camden and Willow Glen High Schools in San Jose. Anyone who's listening—with ears and minds open—knows the approach we've been using is having only one measurable result: it's turning conservative students into liberals, turning liberal students into radicals, and turning radical students into revolutionaries.

I'm not willing to live with failure, so I'm not satisfied with exclusively using an approach that is failing. I believe we can and must do better. The people of California have a right to something better.

Tho we needn't *abandon* the failing approach, we at least ought to try concurrently a new approach. It's long past time we explored alternatives.

It's time we turn the tide of fear and despair and polarization, into a tide of reconciliation and peace. It's time each Californian—I, each other legislator, the governor, each university regent, each college trustee, each educator, each student, each tax payer, each of the "street people"—turned our attention to a new approach—to seeking understanding of our problems, to searching out their causes, and to exploring positive and creative and human alternatives—that will lessen our fears, and restore our hopes.

We must ask ourselves why our approach to date has failed; we must ask ourselves why we experience the campus unrest, disruption and violence in the first place; we must explode the myths, and misconceptions and deal with the facts and the foundations, and then discover a realistic alternative approach.

I believe such an alternative approach is available, and I invite each and every Californian to join me in discovering it.

Shortly I will present my analysis of our failure, and the foundations for an alternative approach; thereafter I will present an 18-point program for an alternative approach, that I believe will turn us from failure towards success, from fear towards hope, from polarization towards reconciliation.

CAMPUS UNREST—II

Last week I indicated the failure of our current approach to resolving campus unrest, disruption and violence.

In analyzing our failure, I appeal to every persons who believes in our system, who believes in our democratic process, who believes in peaceful change, who believes in dealing with the truth.

A University of California at Berkeley student taught me best about our failure: "You're trying to solve internal problems with external pressures; instead of making necessary changes, you're only willing to use force."

While our approach may (and should be used to contain the problem), it fails to solve it. Our failure results because our current approach rests on four sets of myths and misconceptions:

1. Myths and misconceptions about students (and others) involved in campus unrest:

a. That students are children—to be seen and not heard.

(1) Untrue. More than any society in mankind's history, we've generously invested our resources in providing educational opportunity for our young; we have over 6,000,000 young persons in our California public educational system, including nearly 1,000,000 in higher education; we've educated them to be independent, critical, idealistic; they're bound to question us; we have much to learn from them, if we only listen.

b. That there are many outside agitators, and a large plot or conspiracy.

(1) Not true. While they exist, the number of outside agitators and conspirators is small; and they succeed only because we create conditions under which they thrive—our failure to respond to legitimate demands, our overreaction to illegitimate demands, provokes the many students who want to believe in peaceful means.

United States Commissioner of Education James Allen, appointed by President Nixon, recently denied the conspiracy theory, and pointed out that most of the campus militants are good students from typic: American families.

c. That these young persons—especially the most radical and militant—are foreigners and/or monsters.

(1) They aren't. They aren't Martians, not even Europeans; despite their sometimes outlandish appearance, their sometimes outlandish language, and their sometimes outlandish demands, they are in fact not outlanders; they are *our* very own, *our* own children, *our* heirs.

d. That there is a silent majority of students happy with the way things are.

(1) Untrue. It is true (as it should be) that the vast majority of students condemn methods used by radicals. However, a recent survey showed 80% of students agree with the goals and criticisms and demands for change that are being made; at University of California Berkeley, 85% of 15,000 students voting favored the people's park; "Fortune" magazine in January indicated that upwards of 15% of our students are solidly aligned with the demands for radical change; Republican Congressmen just completing a campus tour found much more dissatisfaction than expected.

e. That these students are a passing fad, that we can snuff out.

(1) They're not. Thruout the world—from Egypt to Japan to Czechoslovakia to Greece to France, young persons everywhere are questioning the way we have been doing things, demanding new answers, demanding a new and more human system and society.

f. That these students are unpatriotic, unAmerican.

(1) They aren't. In fact, they are radically conservative, in demanding individual freedom, equality of opportunity, liberty and justice for all, Christian brotherhood, local control, decentralization, freedom from government oppression, active participation in public policy decision making—they believed what we taught them about "liberty and justice for all," American ideals, democratic institutions.

g. That young persons today are the same

as we were at their age, the same as young persons have always been.

(1) They aren't (and like never again will be), for the American genius and free enterprise, technology, automation, cybernetics, have freed them from the stresses of the great depression; these young persons sense the freedom that each of us would like to have, and they sense it so strongly, they will not surrender it, even to force and fear.

h. Students are there to get an education. If they don't like it, they should get out.

(1) Sure, they're there to get an education—but that doesn't all come out of books and classrooms; and hopefully we're educating them to question, evaluate and improve—and if they didn't tell us taxpayers what's wrong in our educational institutions, who would?

i. That those who agree with the ideals of students, agree with their tactics, with disruption, with violence.

(1) Not *generally* true. Many persons, including myself, agree with many of their ideals, but neither defend nor condone nor encourage disruption or violence.

2. Myths and misconceptions about the University of California, the State Colleges, and our community colleges:

a. That our institutions of higher education are providing good, adequate education.

(1) They aren't. They are too big, too impersonal, too rigid, too dehumanizing, too stifling.

b. That the governing boards of our higher education institutions are representative and responsive and relevant to the persons they are governing.

(1) They aren't. The recent Harris survey demonstrated that the typical regent-trustee in the nation is nearly sixty years old, white, Anglo-Saxon, Protestant, a businessman or industrialist, who reads little outside his own specialty field—a far cry from the age, color, nationality, religion, and scope of interest of our nearly 1,000,000 students in higher education.

c. That campus administrators are doing a perfect job.

(1) Untrue. Too many campus administrators are inflexible, unresponsive to the need for changes, too concerned with their own power, unwilling to listen to students.

d. That faculty members are doing a perfect job.

(1) Untrue. Too many faculty members are inflexible, unresponsive to the need for changes, too concerned with research and writing, too uninvolved with their students, unwilling to listen to students, treat their students too impersonally, are too jealous of their own prerogatives.

e. That decisions can be made without consulting those persons most affected by them.

(1) They can't be. The premise of our society is consent of the governed; the ideal of a free man is one who has some say in decisions that dramatically affect him, his life, his future. Our students are listened to almost not at all.

f. That channels of communication, and of participation, are adequate.

(1) They aren't. Even Governor Reagan recently stated that the "channels of communication are clogged"—and they're clogged much, much worse than he indicated.

g. That a university's purpose is simply to train persons to fit into society, to get jobs, to be socialized.

(1) Only partly true. The broader purpose of a university, a college, higher education, is to learn how to become a better human being; to turn a person on to himself or herself, to lifelong learning, to building a better life for himself and for his fellow man; to develop his ability, and his judgment to serve his fellow man.

h. That a university shouldn't be involved with community problems.

(1) Wrong, it should be. Every human being, every human institution, has a constant and heavy responsibility to benefit mankind, to involve himself, herself, itself, in people-problem-solving.

i. That a university should be a quiet place.

(1) Nice-sounding, but not true. The purpose of education is to improve the lot of man; to move mankind forward, to learn from the errors of the past, to correct the errors of the present, to point the way to a better future. A person who is stagnant, an institution that is dormant, fails in responsibility—to fellow man, to all of mankind. And unless we're satisfied with things as they are (and who can be?) we should welcome the questioning, criticism and boat-rocking (so long as peaceful and non-disruptive) that comes from a university, and from its students, and from our young persons.

3. Myths and misconceptions about the causes of campus unrest:

a. That campus unrest is unrelated to the unrest and to the problems in our society.

(1) Untrue. Campus unrest is directly related to the problems of war and peace, the bomb, the draft, poverty and hunger, race and prejudice, even conservation. Until these problems are resolved, all persons should be, and certainly young persons—more idealistic—will be, unrestful.

b. That unrest needn't exist, that disruption and violence needn't be expected.

(1) Untrue. We have real tensions in our society—and whether we like it or not (and most of us don't), we have to expose and explore, even sometimes experience, those tensions—if we are to relieve and resolve them.

c. That peaceful dissent and protest are available and adequate.

(1) Unfortunately, channels of communication are clogged; unfortunately, we in power, in "the establishment" too often haven't listened to peaceful protest and dissent; even when students march peacefully we most often fail to respond. And if peaceful expressions, peaceful protest, go unheeded, then frustration grows, and violence ensues. It's like the farmer who had to hit the mule with a 2 x 4 to get its attention. When we give our attention to the peaceful dissent, only then can we prevent violent dissent.

d. That the minorities in our society, in our educational institutions, have equality of opportunity, etc.

(1) Untrue. Just walk into any ghetto, or barrio, and look around. And while black Americans comprise 10% of our population, and brown Americans 12% of our population, they comprise only approximately .09% and .08% respectively, of our student population in the University of California.

e. That no changes are needed in our higher education.

(1) Many changes are needed; and, as President Kennedy said: "Those who make peaceful evolution impossible, make violent revolution inevitable."

f. That our system is perfect.

(1) Wrong. With all its successes, much needs improvement, correction, change in our society.

4. Myths and misconceptions about our approach:

a. That there are simple answers to our problem.

(1) There aren't any; the problem is the most complex facing us.

b. That force and fear will solve the problem.

(1) They won't; they haven't; at best, they contain the problem, but they don't resolve it. These aren't ideal methods and motivations in a free society, and somehow, we've raised a generation that doesn't readily submit to force and fear, but instead is only further provoked thereby.

c. That name-calling and scape-goating help the situation.

(1) They don't—instead, they provoke it; too often, it's only an excuse for not observing and admitting our own shortcomings, our own lack of involvement, our own refusal to listen and to respond to needs for change.

d. That getting tough—suspension or expulsion or other forms of banishment will get rid of those causing trouble.

(1) It doesn't; those persons, as non-students, will still be around, and as long as the problems and root causes exist, there will be ample opportunity for them to promote destruction and violence (history demonstrates this).

e. That jail or prison or concentration camps will bring peace and quiet.

(1) They won't; we simply cannot jail an entire generation.

f. That we needn't wonder "why" young persons are restless.

(1) Untrue. There is always a "why" behind the behavior of each human being and, as human beings, we ought always to wonder "why"—for only then can we cope with the problems of human behavior.

Students and other young persons labor under myths and misconceptions also, and they should be dispelled:

1. That older persons, persons in power, persons in "the establishment" don't care.

a. Untrue. Most older persons were raised in totally different times; were taught to think and feel and perceive and judge, in a way that was appropriate to different times, particularly to the depression. But they are human beings also, and they do care.

2. That our system of government won't work.

a. Wrong. With all its failings, our system has produced this young generation and this level of awareness of its failings.

3. That the faults in the system justify disruption and violence.

a. Untrue. Disruption and violence primarily breed fear, and reaction, and repression—and close up the very persons who need to be opened up, for a free society to function as it should.

4. That there is no hope *within* the system.

a. Untrue. While our system, and the persons within it, have many shortcomings, it also has great strengths and resources on which we can draw. I witness great changes in persons in the system, changes in concern, in responsiveness, in attention, in values, in decisions, in understanding. And despite its shortcomings, no system has liberated so many so much: the amount of freedom and opportunity within our system is greater than in any other in the world, and the awareness of our weaknesses becomes possible only because we have achieved so much.

In summary, all of us lack faith and trust in each other, have forgotten that each of us—regardless of age, color, race, position, sex, wealth, or religion—is a human being with a desire to find understanding, to improve the society in which we all must live, to find the avenues to justice that are the only way that law and order will come ultimately, to achieve peace. We're too quick to jump to conclusions, to call names, to label each other—and too slow to recognize, and reached for, and touch the humanness that exists within each human being.

Because of this breakdown in trust, because of this reliance on myths and misconceptions—we have campus unrest, and we have failed in our approach to resolving it.

Tomorrow I will present an 18-point proposal to deal directly and positively, humanly and effectively, with campus unrest, disruption and violence.

CAMPUS UNREST—III

Recently I indicated the failure of our current approach to campus unrest, disruption and violence, and presented my analysis

of why our approach has failed, and why we experience unrest, disruption and violence on our campuses.

Today I propose a new approach—an alternative approach—to greatly increase our ability to prevent campus unrest, disruption and violence.

1. To every citizen: Seek to understand the facts and truths that underlie campus unrest; most important realize *you* can, *you* must, involve yourself in resolving it. Don't settle for myths, misconceptions, name-calling and sloganeering.

2. Change the composition of the University Board of Regents and the State College Board of Trustees—to include at least two student members and two faculty members as voting participants on each, and to include a broad cross-section of our population.

3. Reform the structure and governance of higher education, particularly towards decentralization and local control, for greater flexibility, responsiveness and participation by persons right on the scene and most affected by the decisions.

4. Include students on all decisions-making bodies on each campus of higher education—as recommended by the Assembly Select Committee on Campus Disturbances; responsibility is best learned by participating in making decisions that affect a person's own life.

5. Create permanent Student Affairs Advisory Committees—composed one-half of students—for the University Board of Regents, the State College Board of Trustees, and the Community College Boards of Trustees.

6. Extend the voting franchise (and civil and criminal responsibilities) to persons 18 years of age and older, to give to our young persons the sense they have power *within* the system, thru the ballot box, to affect the decisions that affect their lives, and to relieve the sense of powerlessness that leads to frustration, and too often explodes in violence.

7. Greatly broaden (financing, admissions, tutoring) our Educational Opportunity Programs, to give hope and opportunity for those minority persons who will become leaders in their communities.

8. Create ethnic studies departments where requested and appropriate—so that Third World persons may design education relevant to ghetto life and solving problems of persons living in ghettos.

9. Re-vamp curriculum. Too often the who, what, where, when, how and why of our educational system are hopelessly inadequate, even irrelevant, for our students today. Learning must become relevant to students as human beings, in our time, and for their future.

10. Broadly expand fieldwork in higher educational curriculum, particularly in the humanities and social sciences, so young persons may learn more relevantly, and so their idealism may, thru involvement, help improve society *now*, and give them a sense of helping *now*.

11. To Regents and Trustees: Recognize and relate to the human beings who are students—whose lives you dramatically affect; read broadly about education and the generation gap; individually meet with administrators, and with students (separately) in small groups; don't take your credibility and confidence for granted.

12. To administrators: Open up the lines of communication; treat students as intelligent, concerned human beings; get to know student leaders personally, and consult them frequently.

13. To faculty members: Get out of the shadows, and into the action. Relate personally to your students, to their ability, intelligence, idealism; treat students as human beings; relate to the community at large: go into the community and discuss with citizens and taxpayers the meaning and purpose and value and problems of higher education.

14. To leaders of "the establishment" (especially holding public office, and business and industry leaders): Get onto the campuses—participate in programs like "Interact" operating at University of California at Davis and pending at University of California at San Diego, and "Project Dialogue" at the University of California at Berkeley.

15. To "adults": Don't be part of the silent, apathetic majority: involve yourself personally in searching out positive alternatives; visit the campuses; invite students into your homes, service clubs, chambers of commerce, unions, bridge clubs, parents' groups; don't talk *at* students, don't talk *to* students—talk *with* students; don't just listen passively, but listen actively, to them and to what they are trying to tell us.

16. To students: Mobilize peacefully; channel your commitments, your ideals, into peaceful, nonviolent, missionary tactics; take your message to "adults" in our society: ring their doorbells, go to their service clubs, unions, churches, every group; engage them in dialogue, one-to-one and in small groups; persist until there results some openness, some understanding, some acceptance, some reconciliation; don't heighten the fear that separates us one from another, seek to reach and touch the humanness that unites us one with another.

17. To everyone: break the circle of force—break the cycle of escalation; have faith in ourselves, in each other, even in our system—which is as good as you—and I—make it. It takes a lot of faith to live in a free society—we've got to believe again.

18. Explore the proposals by "Look" magazine Senior Editor George Leonard in "Beyond Campus Chaos—A Bold Plan for Peace" in the June 10th issue of "Look"—for policy reforms in admissions, courses, lectures, exams, grades, buildings, war work, curriculum, open learning, research, communications and ceremony.

No one person, and no one approach, can promise simple or quick answers or peace—for we've generated so much change in our society, with technology and affluence and education and mass media—that our times are bound to be turbulent with adjustment.

The above approach isn't guaranteed to provide all the answers—but at least it asks the right questions—a healthier foundation than we have so far utilized.

We've got to appeal to the best—not the worst—in each other. With trust and faith in each other; with a recognition that as human beings we all have more in common than we have in conflict; with an openness to each other and to change, and to searching together for peaceful resolutions of our difficulties—we can minimize our problems, and maximize our potential—to really build a society in which each man and woman is free, has equality of opportunity, good education and housing and medical care. The elimination of poverty and prejudice are within our grasp—if we but bend ourselves, lend ourselves, to its attainment.

We stand on the threshold of a magnificent future—if we don't scare ourselves to death, if we don't kill each other off. A nation, a future, of real freedom awaits us, beckons us—if we do not run from it, if we do not seek escape in some prior time.

It is the task, the responsibility, of each individual human being living in California to involve himself and herself generously in our search—for only if each of us gives ourselves to our common struggle, will any of us find peace in our times.

I invite each Californian to join me in our search.

TRIBUTE TO DR. WERNHER VON BRAUN AND SUCCESSFUL SPACE TEAM THAT PLANNED AND CARRIED OUT FANTASTIC APOLLO MOON MISSION

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. EVINS of Tennessee. Mr. Speaker, as we contemplate the successful moon-landing mission of Apollo 11, the name and work of Dr. Wernher von Braun stands out as a great space leader and pioneer.

Dr. Von Braun was a leader in the German space team that came to the United States following World War II. Dr. Von Braun has always had the faith and belief that man could achieve this astounding feat and this famous scientist's ability and dedication played a vital role in the development of our Nation's space capability.

In this connection I also want to pay tribute to two colleagues of Dr. Von Braun, Dr. Kurt Debus, Director of the John F. Kennedy Space Center at Cape Kennedy and Dr. Robert R. Gilruth, Director of the Manned Spacecraft Center at Houston, who also provided great leadership in our program of space exploration.

I commend and congratulate these great space scientists for their perseverance, determination, and success.

In addition to his capabilities as a great scientist, Dr. Von Braun also has a remarkable and acute understanding of the relationship of space exploration to religion. In Dr. Von Braun's view, space exploration and additional knowledge of the solar system and the universe reassure man of the existence of a Divine being.

Because of the interest of my colleagues and the American people in space exploration and its religious implications, I place in the RECORD herewith recent newspaper articles which appeared in the Cookeville, Tenn., Dispatch and in the Los Angeles Herald-Examiner concerning Dr. Von Braun.

The articles follow:

[From the Cookeville (Tenn.) Dispatch]

GOD, MAN, AND THE MOON

(By Bill J. Austin)

Years ago when man's great mind began to solve some of the riddles of illness, when physicians became fully capable of isolating a speck of trouble on a tiny cell, when spare parts were assembled and put inside the body of men, when it seemed, really, that this walking around, talking, upright person was nothing more than something to be tinkered with and fixed at will, when these things came about, some people believed that Man, man alone, could do it all. Nobody else was needed. Man had just popped up. And modern medicine could solve his problems and woes.

But the more these great physicians and researchers looked, the more they probed, the more they searched, the more they came to believe that there was some delicate hand at the root of it all, some sort of Creator.

Then space scientists began to fling all

sorts of stuff into the heavens. They flung sputniks into the sky and then sent them swirling around the globe. They developed weather satellites, and communications networks which would send television pictures across the 10,000 miles in a twinkling of the eye. And then they hurled man into the sky and when nobody saw a God standing up there directing traffic, breathing fire and brimstone at this earthly intrusion, it seemed for certain, at least to some, that this Creator business was a bunch of puritanical nonsense.

That's what some of the "God is dead" crowd thought.

This is no sermon. The writer is not qualified to deliver one. But it is a way of noting the remarks of one of the great scientific minds of the world, and the man who developed the rocket which has placed two Americans on the moon, 250,000 miles from home. .

Dr. Wernher von Braun said last week that space travel is not only man's new physical frontier but also the gateway to keener spiritual awareness of God's sovereignty in the universe.

He said this space travel signals the start of the "cosmic age," a second phase in mankind's long development, an era in which the earth will be seen in truer perspective as a "planet among planets," and in which the magnificence of divine creation and power will become increasingly evident."

In a word, Von Braun believes in God.

"I started reading religious books," he said, "and the truth of Christ's teachings emerged like a revelation," he told a writer for the Miami Herald.

And he adds:

"Our outlook through this peephole at the vast mysteries of the universe only confirms our belief in the certainty of its creator . . . any effort to visualize God, to reduce Him to our comprehension, to describe Him in our language, beggars His greatness.

"We must learn to consider God as creator of the universe and master of everything. We need a greater Lord than we have had in the past. . . . Our religion, our environment and our outlook have been earthbound," Von Braun said.

Von Braun's genius got man on the moon. And the genius of great physicians have enriched our walk on this planet by providing the miracles of healing.

But in each case, it seems, when light is put to the darkness, when a disease is whipped, or a new journey experienced, it only validates the words of that onetime carpenter who gently trod this earth 2,000 years ago.

They cut short his teachings, forced marched him to the place called Golgotha, cut and slashed His body with nails and hung Him there to die.

Now, lo, these many years later man puts a microscope to a particle from a tiny cell, or he walks on the moon, and the truth emerges.

And still we continue to learn it all the hard way.

[From the Los Angeles Herald-Examiner, July 5, 1969]

VON BRAUN: SCIENCE AND RELIGION ARE COMPATIBLE

(By Louis Cassels)

Dr. Wernher von Braun, the German-born scientist who has played a major role in America's space program, is baffled by people who suggest that modern science has discredited belief in God.

As far as he is concerned, just the opposite is true.

Since he became director of the National Aeronautics and Space Administration's George C. Marshall Space Flight Center at Huntsville, Ala., von Braun has joined the Episcopal Church and has become an avid reader of theological books.

He discussed his religious beliefs in a recent interview with Adon Taft, religion writer for the Miami Herald. The interview will be published in the July issue of the magazine Christian Life.

Von Braun said he finds it as difficult "to understand a scientist who does not acknowledge the presence of a superior rationality behind the existence of the universe as it is to comprehend a theologian who would deny the advances of science."

Von Braun added: "There certainly is no scientific reason why God cannot retain the same position in our modern world that He held before we began probing His creation with telescope and cyclotron."

The God which many people find it hard to believe in, von Braun suggested, is actually a pathetic caricature constructed by limited human vision.

"Any effort to visualize God, to reduce Him to our comprehension, to describe Him in our language, beggars His greatness," the famous physicist said.

"I find it best to accept God as an intelligent will, perfect in goodness, revealing Himself in the world of experience more fully down through the ages as man's capacity for understanding grows."

Thus, in this age of space travel, which dramatizes the immensity of the universe, men must enlarge their concept of God and recognize that He is not a local deity of this planet but "the Creator and Master of everything."

"Manned space flight is an amazing achievement, but it has opened for us thus far only a tiny door for viewing the awesome reaches of space. Our outlook through this peephole at the vast mysteries of the universe only confirms our belief in its Creator."

Von Braun said he believes in "the continuity of our spiritual existence after death" for essentially scientific reasons.

"Science has found that nothing can disappear without a trace. Nature does not know extinction. All it knows is transformation.

"Now if God applies this fundamental principle to the most minute and insignificant parts of His universe, doesn't it make sense to assume that he applies it also to the masterpiece of His creation—the human soul? I think it does."

"MISS KATIE" HUTTO: A REMARKABLE LADY

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. WATSON. Mr. Speaker, recently I initiated a program designed to give my constituents an opportunity to suggest an idea that they would like to see enacted into law. Entitled "There Ought to be a Law," this form of public opinion poll attracted over 4500 entries. From this number, a distinguished panel of judges selected 10 finalists, or what they considered to be the 10 best suggestions for a law.

One of the finalists was Mrs. Katie W. Hutto of Orangeburg, S.C. Affectionately known as "Miss Katie," this remarkable lady has devoted a lifetime to the service of others. Coincidentally, at the time she was selected as a finalist in the law contest, Miss Katie decided to retire after 47 years of public service.

Mr. Speaker, in the July 25 issue of the Orangeburg, S.C. Times and Democrat, reporter Joyce Milkie wrote a very interesting and inspiring story about "Miss Katie." I recommend it to the attention of my colleagues and request that it be included as a part of my remarks as follows:

A BUSY WOMAN ALL OF HER LIFE, SHE PLANS NOW TO "SET A SPELL"

(By Joyce W. Milkie)

Miss Katie has been a busy lady all her life. After 21 years at the Orangeburg County Library, she finally decided it was time she found out what it's like to "set and rest a spell." So Mrs. Katie Hutto, known to at least two generations of Library patrons as Miss Katie, has made the decision to retire.

Of course, this is the third time in her 47 year career she has made this decision, but this time, she said, she really means it . . . this is it!

Miss Katie, nee Katherine Williams, was born and raised "right on Broughton St.," and claims nobody would ever know who she was if the story carried her name as "Katherine." She is the daughter of the late Dr. Frank Howard Williams and Mary Caroline Gleason of Charleston.

During the early part of her life, Miss Katie set the pattern for the latter part. She began to work and she's never stopped.

She attended Winthrop College, then married Purcell Hutto from Livingston and became a housewife and mother to two daughters, Mrs. Wilbur N. (Carolyn) Creech of Orangeburg and Mrs. Phil (Jean) Corker of Signal Mountain, Tenn.

Along with managing all this, Miss Katie worked for two years at Moseley's Dept. Store as an office employe then became a teacher. For 24 years, she taught the first grade at Livingston, S.C.

During the depression years, Mr. Hutto died, leaving Miss Katie with two daughters to raise and educate and a living to make.

"Well," she said consideringly, "I kept on teaching. Of course, we didn't make much money, but we managed. Then I worked at Moseley's Saturdays and summers all during the time the girls were in college."

After her husband's death in 1938, Miss Katie continued to reside in Livingston. When her second daughter married, the girls didn't think much of their mother staying by herself in Livingston and finally, in 1948, she returned to Orangeburg to stay, retiring from teaching.

This was her first retirement.

Since it's almost impossible to keep a good woman down . . . it wasn't long before Miss Katie was looking around for something to keep her busy, add to her income, and challenge her.

She found it at the Orangeburg County Library where she began work in August of 1948 and was on the Bookmobile for 18 years. For about 10 years at that time, her companion on the lumbering book wagon was Mrs. Mary B. Herbert.

"Everybody in the county," said Mrs. Herbert, "knows and loves Miss Katie. We made a team—she's fast and I'm slow—we complemented each other.

"This is a fine gal, you hear?"

Miss Katie blushed and protested.

"Well," Mrs. Herbert continued, "we always tried to conduct ourselves in a way to bring credit to the library. We always felt we represented the library . . . and the county."

In June of 1966, Miss Katie tried retiring again.

"I thought that was the time for me to quit," she said. "My doctor said, 'You're 65. No more truck driving for you.' So that was that.

"But when they called me to do part time work, I hurried on back and have been working in the library on a part-time basis ever since."

She lives in a small, pretty house. She loves her daughter's German Shepherd "Casey," and visits Casey every day, but she doesn't have a dog of her own. She's afraid she'd get too attached to it and be too upset if something happens.

Right now, she has few plans. She just wants to "stay home and read, which is her passion, and she especially loves mystery stories.

Mrs. Hutto is active in several professional organizations. She is a member of the Orangeburg-Calhoun County Retired Teachers; the S.C. State Retired Teachers and the National Retired Teachers Association. She is also active in her church, the First Baptist.

She loves children. And she gets a lot of pleasure from mature people hailing her on the street and saying, "Miss Katie, don't you remember me? You taught me in first grade!"

"If I don't know children," she said, nodding vigorously, "I don't know who does!"

She especially enjoys her four grandchildren, although none of them are very small anymore. One grandson, Charles Creech, is in the Marine Corps and studying data processing; Kathy Creech was given the Thackston Award for being an outstanding student this past year; Bob Corker is president of the student body at Chattanooga City High School in Chattanooga, Tenn.; and Phyllis Corker was chosen Miss Signal Mountain this year.

"They are all nice children," she said, obviously the proud grandmother.

She loves to walk and when it gets cooler weather, she plans to do a lot of that. She doesn't think she's a very good cook, and believes you are either born a good cook . . . or you'll never be one.

"I'm not a bit domestic," she said ruefully, "but I have worked and fought to educate my children. I have never made much money, but I was willing to do any job I could . . . and we have always gotten through.

"I went to work when I was 16 and I made 50 cents a day running errands for a milliner. My grandson, who is 16, made over a hundred dollars a week during the summer working in an ice house . . . and he couldn't understand why they took out income tax!"

She laughed heartedly at the difference between now and then.

"Well, I believe it is better for everybody to work . . . to keep busy. But now I'm going to relax and learn to enjoy a lot of things I haven't had the time for. I'll visit my children, I'll read, and walk and just relax.

"My children and my sons-in-law are wonderful to me. They are fine people. I'm a lucky old woman!"

Happy retirement . . . Miss Katie.

A BALL ON THE MOON

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. DULSKI. Mr. Speaker, the great achievement of Apollo 11 is being hailed widely—and rightfully. As the late President John F. Kennedy predicted early in this decade, an American has set foot on the moon in this decade and an American was the first to do it.

Acclaim has come from far and wide. I was particularly interested in the editorial which was published in a group of weekly newspapers in my district of Buffalo, N.Y. It appeared in the several editions of the Front Page, the South Buffalo News, and the West Seneca News. Following is the text of the editorial in the July 24 editions:

A BALL ON THE MOON

There will never be another event which will rival or overshadow the momentous landing on the moon of America's two gallant astronauts, Neil A. Armstrong and Edwin E. "Buzz" Aldrin, Jr.

The closest parallel of significance goes back to the Resurrection of Jesus Christ.

Now, as then, there are disbelievers and apathetic indifference among all kinds of people. This is most unfortunate since these same people do not fully comprehend the universal history which was made on Sunday, July 20, 1969.

Man has finally broken his confinement to one planet and has opened a new vista for travel to distant heavenly bodies. It was only a question of time before the mystery of space travel and planet landings was solved.

The Lord created many mysteries when he created this Earth and its human inhabitants. He also provided for ways to solve these mysteries—all man had to do was to place his accumulative brain power to earnest work. This was evident when good old Yankee know-how triumphed over the stumbling efforts of the Soviet Union to beat this country in space technology.

Any country which still does not have adequate sanitary facilities for its populace, and which still provides the communal use of one bathroom to six families in a so-called modern apartment building, is rated no threat to our scientific, technological or medical superiority.

The Soviet Union again pulled a celebrated bluff by sending Luna-15 around the moon at the time America was due to attempt the first moon landing. Its sole mission was to spy on our men and see if we actually would land men on the moon. The weak attempt to dull the tremendous breakthrough by sending the unmanned satellite around the moon only served to further embarass the Soviet Union. The Russians have themselves to blame for this since they awakened a sleeping giant when they sent Sputnik aloft and caught the whole world napping.

The Soviets have been afforded plenty of opportunities to join in a collective effort to conquer space and other planets. The lip service and refusals by the Reds have now served to blunt their boasting.

Their silence on all their space shots and the subsequent successes by the United States must make even the most hard-bitten Russian wonder just what kind of game his leaders are playing when the saber-rattling takes place each May 1.

Make no mistake about it—America has proved in every way it has participated in, and now with the successful moon landing, that this country is still the most powerful, the most knowledgeable—and, by far, the best—country in the universe.

Our words will never be able to convey our most heartfelt thanks to the men and women in our space program. History will now take a sharp turn in a different direction. New words, new worlds, new horizons will become a new part of our lives.

In the next 31 years, reaching for the Year 2,000, this old Earth will never be the same. New challenges will face us; somehow we have the feeling, backed up by proof, that "We shall overcome!"

RED DONALDSON—SAVANNAH'S MASTER HOST

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. HAGAN. Mr. Speaker, it is almost as though an era has been drastically diminished in Savannah because of the untimely passing of one of this proud city's most famous sons, Kermit L. "Red" Donaldson.

I cannot imagine anyone having been to the almost fabled Johnny Harris' Resturant not remembering the "master host." For Red Donaldson was just what that name implied—a rich personality with a fondness for the humanity that walked through his restaurant doors and a friendly exuberance with which he greeted all patrons.

There are many who will recall the famous "Johnny Harris barbeque sauce," especially the servicemen who were stationed at Fort Hunter and Fort Stewart and other nearby military installations during World War II and since.

Wesley Willis' article about Red Donaldson from the Savannah News-Press magazine describes him well. I feel once you read it, you will almost know him and will understand my keen feeling of pride in being among Red Donaldson's friends. The article follows:

RED DONALDSON—SAVANNAH'S MASTER HOST

(By Wesley Willis)

Many, many Savannahians and nomads will long remember and revere the warm greeting received as they entered one of three portals at Johnny Harris' Restaurant. The man responsible for energizing this nostalgia is gone. His epitaph, etched on the hearts of a multiude of people would have to read: Red Donaldson-Savannah's Master Host.

This is the Horatio Alger story about a man and his restaurant. The first chapter commenced shortly after the turn of the century, when Red was born on a farm in Nevils, Georgia. Even a city boy knows that hard work is no stranger to a boy reared on a farm. Thus, the key to his success, hard work.

Red, who preferred the excitement of city living, ventured into Savannah at an early age. His first job was in a service station. His genial personality and hard work soon built this station into a fine paying business for his employer. Yet he was not satisfied with this as his permanent livelihood and many lives here have benefited by his decision to change vocations.

Red Donaldson and Johnny Harris' Restaurant were a melding of one since the two became intermingled in 1927. The original location of the restaurant was at Victory Drive and Bee Road. This was the genesis of the success story of the Master Host. His first duties were varied and included dishwashing, cooking, manning the cash register or you name it. He was like a human pogo stick, full of bounce and energy, performing where his services were most needed. Red was diligent and thorough. His father taught him a lesson that stuck with him through the years. It was that success is within the reach of all men if they are willing to pay the price for this beautiful treasure called S-U-C-C-E-S-S. Red Donaldson was willing, otherwise there would be no harvest for the story you are reading.

Early in his restaurant career, besides working long hours, he walked to and from work in all kinds of weather. As the crow flies it is a long haul from Abercorn and Duffy streets to Victory Drive and Bee Road. An ordinary man would have succumbed to this tortuous pace. The big difference was that Red was an extraordinary man and this slight inconvenience was just the beginning of the man and his successful venture into the restaurant field.

The restaurant flourished and soon Red assumed managerial duties and became indispensable to Johnny Harris. The place became to cramped to take care of the crowds who came to feast on the two specialties of the house, barbecue and fried chicken. So

plans were made to expand. Rather than do patch work on that location it was decided to build a completely new facility.

On September 13, 1936, the new house that Red surely helped to build opened for business at the present location. Through the years the original specialties of the establishment have grown into a menu of many succulent foods that would please the palate of even a master gourmet. Yet, the most important entree' has never appeared on the menu. Red's real down to earth specialty was good clean fun. It was a commonplace sight to see a rabbi or ministers of many faiths dining with their wives and children. Then there were priests with their friends. All of them have dined in complete comfort with the Master Host. Really, the only go-go girls ever to perform there were the young daughters of customers, scurrying to the ladies room!

The fine foods of Johnny Harris' would not be complete without that tantalizing barbecue sauce. You will find it on every table in every booth. Some of you oldtimers will remember how it was at first dispensed in soft drink bottles to the many customers who wanted to drench their home foods with this delicacy. The sauce business is now full grown and can be procured in supermarkets and to the delicatessen trade throughout the Southland. Gift boxes are also shipped all over the United States and to our servicemen overseas. It is delicious on all foods and as one commercial states, "Johnny Harris' Barbecue Sauce is good on Johnny Harris' Barbecue Sauce!!"

Johnny Harris, the founder, died in April, 1942. Red continued on as manager and part owner. The business flourished under his competent leadership. This growth was due to a combination of fine food and the congeniality of the man. He met all with a smile and a sincere hello.

When ex-Savannahians return for a visit, Johnny Harris' Restaurant is the most likely mecca they seek for a chance reunion with old friends. The young daughter of a one-time citizen once remarked during one of their visits, "Mama and Daddy are going to Johnny Harris', the garden spot of the universe." And truly it is. It is a garden of beautiful friendship where good fellowship excels. Many long time acquaintances have been renewed under this roof. Also Johnny Harris' is where you are likely to find a member of the family in an emergency. Recently a mother passed away at midday. One brother was asked to locate his younger brother. His first call was to Johnny Harris' Restaurant. The brother was there.

As time will do, it went on and so did the ambitions of Red Donaldson. In 1955 he purchased full control of the restaurant. For the ensuing four years business continued to flourish under his supervision. Then to the sorrow of many, he decided to lease his restaurant. This took place in April, 1959. Suddenly the atmosphere lost the glow so well remembered by the legion of friends of the Master Host.

Finally, after much consultation with his innerself, Red decided in April, 1961 to return to the helm at his house of memories that he could not seem to relinquish. Immediately the building sang a joyous and triumphant melody. Red had returned to his natural habitat and following him as daylight moves behind darkness, there was again the warmth that only he could generate. Even the lights twinkled and took on added brightness.

Most people usually wait until the death of a man to shower the family with superlatives about him. Not so in the case of Red. His virtues were extolled by his friends almost daily to members of the family. Possibly these displays of fondness stemmed from his love and loyalty to his people. He was seen so often in hospital corridors, going to or from a visit with friends, that several nurses and hospital employees thought he was a minister. And truly he was a minister of goodwill and hospitality.

He was the patriarch of his clan of loyal workers. He had the capacity to sense and participate in another's feelings or thoughts. For this reason very few of his workmen were of the itinerant type. His barbecue cook, to cite an instance, has performed there for forty-five years and there is a waiter who has worn out much leather shuffling across the floors for twenty-five years. Red was also held in high esteem by his competitors, prominent business executives, leading political figures throughout the state and his fellow mortals from all walks of life.

Red believed in the epitome of atmosphere and food for his household of personalities. He was so congenial to all, regardless of social or monetary status, that all felt they were a guest, in his home rather than the paying clientele. Everyone will substantiate his policy of no rowdyism. Ladies could dine alone, sans the fear of being harassed by the male species. Some few who have tried to combat this policy are still on the outside looking in. He was long on patience yet all who knew him were well aware that he would not tolerate any hanky-panky episodes.

The illustrious career of Red Donaldson was terminated on May 13, 1969. He was stricken on his farm in Brooklet, Georgia and died a short time later at the Bulloch County Hospital in Statesboro. It was only fitting that his exodus took place only a short distance from his birthplace. Lord Baden-Powell once said, "Try and leave this world a little better than you found it, and when your time comes, you can die happy in the feeling that you have done your best." The Master Host surely must have passed on with a happy farewell to the better community he bequeathed to his fellow men.

The lights seem dimmer at Johnny Harris' Restaurant these days. Red will forever remain in the hearts of the lives that he brightened with his famous smile, sincere drawl and warm handshake. It was always difficult to think of him without Johnny Harris' Restaurant; it is almost sacrilege to imagine the restaurant without the Master Host, yet at each of the three doors and all through the edifice, his echo, "Hello my friend," will forever remain.

TWO SENTINELS OF THE STATUS QUO

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. CONYERS. Mr. Speaker, I would like to bring to my colleagues' attention the following speech delivered by the Honorable Senator FRANK CHURCH. It is one of the most perceptive analyses I have seen on the United States and the Soviet Union, observing that "in their foreign policies, the two superpowers, have taken on a remarkable resemblance." Neither policy is as honorable as its proponents envision it, nor as dissolute as its opponents would portray it. Each is ill-advisedly and contradictorily trying to protect the international status quo from subversion by the other. I include in the RECORD this excellent study as follows:

TWO SENTINELS OF THE STATUS QUO

An analysis of the parallel foreign policies of the United States and the Soviet Union

For all their immense physical power, the two dominant nations in the world—the United States and the Soviet Union—suffer from a neurotic sense of insecurity, although neither regards itself as being in imminent danger of attack by the other. At tremendous cost, their nuclear armories keep them at bay and, even if each were foolishly to add a new inventory of ABM missiles to the awesome stockpile, the delicate equilibrium will hold, leaving the two rivals in a state of chronic but only low-grade anxiety over the danger of attack by the other. It is a costly and desperately dangerous way of keeping the peace, but it is all we have shown ourselves capable of thus far.

The immediate threat that each superpower perceives from the other is its ideological impact on third countries, most particularly those that it regards as its protective buffers. It is one of the supposed realities of international politics—a kind of higher law transcending such legal documents as the United Nations Charter—that great powers are allowed to have spheres of influence made up of "friendly" neighbors. In the case of maritime powers such as the United States, the neighborhood may extend to the fringes of distant continents; but, whether or not the buffer is contiguous, the principle is the same: In order to guard itself against even the most remote or hypothetical threat to its security, a great power is held entitled to intervene in the affairs of its small neighbors, even to the extent of making the basic decisions as to how they will organize and run their own societies.

This is where ideology comes in. Neither the Soviet Union nor the United States seems to regard itself as being in danger of *direct* ideological subversion by the other, although there have been times—the period of Stalinism in the Soviet Union and of McCarthyism in the United States—when they did. In more recent years, the focus of great-power apprehension has been on their small-power buffers. Over these, each great power displays frenzied determination to exert ideological control. Within its sphere, the Soviet Union insists on the maintenance of Communist governments, inaccurately described, for the most part, as socialist; the United States, on the other hand, insists on the maintenance of non-Communist governments that we, for the most part incorrectly call free.

Starting with the assumption that ideology is an instrument of foreign policy through which the rival great power will establish its political domination over others, whenever and wherever the opportunity arises, each great power seems to look upon its own buffer states as peculiarly susceptible to ideological subversion by the other great power. It is further assumed that the ultimate aim of this subversion is to isolate and undermine the great power itself; that ideology, being contagious, is singularly suited to this purpose; and that, like a disease, it must therefore be isolated and destroyed before it can spread. These assumptions lead to the conclusion that it is no more than an act of self-defense for a great power to take such measures as it judges necessary to preserve the ideological purity of its sphere of influence.

Seen in this way, the various interventions of the United States and the Soviet Union are explained not only as legitimate defensive measures but as positive services. Thus, in the case of the intervention in the Dominican Republic in 1965, American policy makers were untroubled by the fact that the U.S. actions violated both the Rio Treaty and the Charter of the Organization of American States and that the revolution the U.S. suppressed was on behalf of a freely elected government that had been expelled by a coup. These were judged only superficial considerations when weighed against the need to defend America from the specter of a "second Cuba" while rescuing the Dominicans from their foolhardy flirtation with com-

munism. Similarly, in the case of Vietnam, far from wishing to impose anything on anybody, the United States, in former Secretary of State Dean Rusk's view, seeks only to save the world from being "cut in two by Asian communism." [1]

It remained for the Russians to devise a doctrine of ideological justification for the policy of interventionism. In a document that has come to be known as the Brezhnev doctrine, the Soviet government pointed out that, in invading Czechoslovakia, the Soviet Union and its proteges were doing no more than "discharging their internationalist duty toward the fraternal peoples of Czechoslovakia" and defending their own "socialist gains" against "anti-socialist forces" supported by "world imperialism" seeking to "export counter-revolution." [2] Turn this phraseology around, substitute "anti-democratic" for "anti-socialist," "world communism" for "world imperialism," "revolution" for "counter-revolution," and the resultant rationale differs little from the official explanation of our own interventions in recent years.

Whether or not the Russians actually believe their excuse, I would not venture to guess. At any rate, I don't believe it; I believe that the Russians—even if they persuaded themselves otherwise—suppressed the liberal government of Czechoslovakia because they feared the contagion of freedom for the rest of their empire and ultimately for the Soviet Union itself. Nor do I believe that, in suppressing revolutions in Latin America and in trying to suppress revolution in Vietnam, the United States is acting legitimately in its own self-defense. There are, God knows, profound differences between the internal orders of the United States and the Soviet Union—ours is a free society and theirs is a totalitarian society whose leaders have shown themselves to be terrified of freedom—but, in their foreign policies, the two superpowers have taken on a remarkable resemblance. Concerned primarily with the preservation of their own vast hegemonies, they have become, in their respective spheres, defenders of the *status quo* against the pressures of revolutionary upheaval in which each perceives little but the secret hand of the other.

THE IMPOTENCE OF POWER

Suppressing revolution in its own immediate vicinity is an easy if embarrassing task for a superpower. Suppressing it on a distant continent is more difficult; and, as we have learned in Vietnam, beating down a strongly motivated, capably led and well-organized indigenous force is a virtual impossibility. Confronted with rising nationalistic movements, the superpowers, to their own astonishment, sometimes find themselves muscle-bound. Their nuclear power, though colossal, is so colossal as to be unusable except for keeping *each other* terrified. But in dealing with the unruly "third world," as Presidential advisor Henry Kissinger pointed out, "Power no longer translates automatically into influence." [3]

Nor, one might add, does influence translate readily into desirable or usable power. In Europe before World War One, there was a significant relationship between influence and power and between territory and power—though perhaps even then, the correlation was less than it seemed. Yet, by conquering territory or forming alliances, a nation could hope to gain material resources and political predominance. Accordingly, the balance of power was maintained—more or less—by isolating and denying opportunities for territorial expansion to the most powerful or ambitious nation. In our own time, the balance of power is determined far more by economic and technological developments *within* countries than by alliances and territorial acquisition. China, for example, has gained far greater power through the acquisition of nuclear weapons than if it had conquered all of Southeast Asia.

Nonetheless, the great powers struggle to establish their influence in neutral countries. Guided by a ritualized, anachronistic, 19th Century concept of the balance of power, they seek influence for its own sake, as if it were a concrete, negotiable asset. I am thinking not only of Vietnam but of India, where we worry about Soviet economic aid, and to whom the President once even cut off food supplies because the Indian prime minister had sent birthday greetings to Ho Chi Minh. I am thinking of Laos, where we are not only fighting a proxy war against the Communist Pathet Lao but are engaged in an agitated rivalry with the French for the control of secondary education. And I am thinking of the global propaganda effort of the United States Information Agency, with its festivals and exhibits and libraries carefully pruned of books that seriously criticize America, all aimed at manufacturing a favorable image of the United States.

All this, we are told, is influence, and influence is power. But is it really power? Does it secure something valuable for either the other country or ourselves? If so, I have never heard a satisfactory explanation of what it is; and that, I strongly suspect, is because there is none. The real stake, I apprehend, is not power at all, but a shadow that calls itself power, nourishing an egotism that calls itself self-interest.

Vietnam, in this context, is a showcase of bankruptcy, a hopeless war fought for insubstantial stakes. As a war for high principle, Vietnam simply does not measure up: The Saigon government is neither a democracy warranting our support on ideological grounds nor a victim of *international* aggression warranting our support under the United Nations Charter. As an effort to contain Chinese power, the war in Vietnam is irrelevant as well as unsuccessful; even if a Communist Vietnam were to fall under Chinese control, as I do think it would, the gains to China would be trivial compared with those accruing from her industrialization and acquisition of nuclear weapons.

The case on which Vietnam must stand or fall—if it has not already fallen—is the theory of an exemplary war, a war fought not so much on its own intrinsic merits as to demonstrate something to the world, such as that America will always live up to its alleged commitments or that "wars of national liberation" cannot succeed. The stake, then, is ultimately a psychological one—influence conceived as power.

Knocking down the case for an exemplary war is at this point very nearly belaboring the obvious. How we can demonstrate faithfulness to our commitments by honoring dubious promises to the Saigon generals while blatantly violating our treaty commitments in the Western Hemisphere—as we have done no fewer than three times since 1954 [4]—is beyond my understanding. As to proving that wars of national liberation cannot succeed, all that we have proved in four years of bitter, inconclusive warfare is that, even with an Army of over 500,000 Americans, we cannot win a victory for an unpopular and incompetent regime against a disciplined, a nationalist insurrectionary force. In the harsh but accurate summation of a British conservative who was once a supporter of the war:

"Instead of the Americans impressing the world with their strength and virtue, they are making themselves hated by some for what they are doing, and despised by the remainder for not doing it more efficaciously." [5]

At least two prominent members of the Nixon Administration have explicitly recognized the bankruptcy of our Vietnam strategy. Henry Kissinger writes:

"Whatever the outcome of the war in Vietnam, it is clear that it has greatly diminished American willingness to become involved in this form of warfare elsewhere. Its utility as a precedent has therefore been importantly undermined." [6]

President Nixon's Ambassador to the United Nations, Mr. Charles Yost, has made the point as forcefully as possible:

The most decisive lesson of Vietnam would seem to be that no matter how much force it may expend, the United States cannot ensure the security of a country whose government is unable to mobilize and maintain sufficient popular support to control domestic insurgency. . . . If indigenous dissidents, whether or not Communist, whether or not supported from outside, are able to mobilize and maintain more effective popular support than the government, they will eventually prevail. [7]

Vietnam is only one—albeit the most striking and costly—instance of a general, if not quite invariable, American policy of opposing revolution in the developing world. In some instances, this policy has been successful, at least for the short term. With our support, repressive governments in Brazil and Greece and a conservative government in the Dominican Republic, to cite but a few examples, have successfully held down popular aspirations for social and economic change. Through our support of reactionary governments in Latin America and elsewhere, we are preserving order in our sphere of influence and momentarily, at least, excluding revolution. But it is order purchased at the price of aligning ourselves with corruption and reaction against aggrieved and indignant indigenous forces that by and large are more responsive to popular aspirations than those that we support.

This policy of preserving the *status quo* is an exceedingly shortsighted one. Sooner or later, there can be little doubt, the rising forces of popular discontent will break through the brittle lid of repression. So, at least, historical experience suggests. We did it ourselves in 1776 and much of the history of 19th Century Europe consists of the successful rebellion of nationalist movements—German, Italian, Belgian, Greek and Slavic—against the powerful European order forged by the Congress of Vienna in 1815. In the 20th Century, we have seen the great European empires—British, French and Dutch—break up in the face of nationalist rebellion in hardly more than a decade after World War Two.

Since then, the revolutionary tide has continued to swell across Asia, Africa and Latin America, and it seems unlikely that even the immense resources of the United States will prove sufficient to contain the tide much longer. We have all but acknowledged our failure in Vietnam. What would we do if Souvanna Phouma's government in Laos should collapse, as it probably would if we terminated our counterinsurgency efforts and as it may, anyway? Or if a popular rebellion should break out against the military dictatorship in Brazil? Or if a Communist-Socialist government should come to power in Chile through a free election, as it could in 1970? Would we send armies to these large countries, as we did to South Vietnam and the small Dominican Republic? With aid and arms, we have helped delay the collapse of regimes whose very existence is an obstacle to social and political justice. Eventually, there seems little doubt, they will collapse, the more violently and with greater upheaval for having been perpetuated beyond their natural life span.

Thus far, I have been talking of the fragility and shortsightedness of our policy of repressing revolution. Something should be said about its morals as well. "Order" and "stability" are antiseptic words; they do not tell us anything about the way human beings live or the way they die. The diplomatic historians who invoke the model of Metternich's European order in the 19th Century, usually

Footnotes at end of article.

neglect to mention that it was an order purchased at the cost of condemning millions of people to live under the tyranny of the Russian Czar, the Turkish sultan and other ignorant and reactionary monarchs. The absolute primacy of order over justice was neatly expressed by Metternich in his assertion that, "Barbarous as it is, Turkey is a necessary evil." In a similar vein—if not, let us hope, with equal callousness—when we speak of "stability" and "order" in the developing countries, we neglect to note that in more than a few instances, the order purchased by our aid and by our arms is one that binds millions of people to live under a feudalism that fosters ignorance, hunger and disease. It means blighted lives, children with bellies bloated and brains stunted by malnutrition, their parents scavenging food in garbarge heaps—a daily occurrence in the omnipresent slums of Asia and Latin America. Only the abstractions of diplomacy take form in high policy councils; to see its flesh and blood, one must go to a Brazilian slum or to a devastated village in Vietnam.

Besides being shortsighted and immoral, our policy of perpetuating the *status quo* has a third fatal defect—a defect that represents our best hope for formulating a new foreign policy: It goes against the American grain. That is the meaning of the dissent against Vietnam and of the deep alienation of so many of our youth. It is their belief in the values they were brought up to believe in—in the idea of their country as a model of decency and democracy—that has confounded the policy makers who only a few years ago were contending that we could fight a limited war for a decade or two without seriously disrupting the internal life of the United States. What they overlooked in their preoccupation with war games and escalation scenarios was the concern of millions of Americans not just with the cost but with the character of wars they fight and their consequent outrage against a war that—even at what the strategists would consider tolerable cost—has made a charnel house of a small and poor Asian country. In this moral sense, there is hope—hope that we will recognize at last that a foreign policy that goes against our national character is untenable.

AN ACT OF FAITH

The question to which we come is whether order, in the sense in which we now conceive it, is, indeed, a vital interest of the United States, or whether, in this revolutionary age, we can accommodate ourselves to a great deal of disorder in the world. My answer, as I am sure will be clear by now, is that we must and can learn to live with widespread revolutionary turmoil. We *must* because it is not within our means to stem the tide; we *can* because social revolution is not nearly so menacing to us as we have supposed—or at least it need not be. If we can but liberate ourselves from ideological obsession—from the automatic association of social revolution with communism and of communism with Soviet or Chinese power—we may find it possible to discriminate among disorders in the world and to evaluate them with greater objectivity, which is to say, more on the basis of their own content and less on the basis of our own fears. We should find, I think, that some revolutionary movements—including even Communist ones—will affect us little, if at all; that others may affect us adversely but not grievously; and that some may even benefit us.

All of which is to say nothing about the *right* of other peoples to settle their own affairs without interference by the great powers. There is, after all, no moral or legal right of a great power to impose its will on a small country, even if the latter does things that affect it adversely. Americans were justly outraged by the Soviet invasion of Czechoslovakia, not primarily because we thought the Russians could have endured Czech democratization without loss to themselves but because we thought the Czechs had a *right* to reform their system, whether it suited the Russians or not. Ought not the same principle apply in our relations with Latin America and, indeed, with small countries all over the world?

I believe that it should. I would go even further and suggest that we rededicate ourselves to the good Neighbor Policy enunciated by President Franklin Roosevelt 30 years ago. There is, of course, nothing new about the principle of non-intervention: We have been preaching it for years. What I suggest as an innovation is that we now undertake to *practice* it—not only when we find it perfectly consistent with what we judge to be our interests but even when it does not suit our own national preferences. I suggest, therefore, as a guiding principle of American foreign policy, that we abstain hereafter from military intervention in the internal affairs of other countries under any circumstances short of a clear and certain danger to our national security—such as that posed by Castro's decision to make Cuba a Soviet missile base—and that we adhere to this principle whether others, including the Russians and the Chinese, do so or not.

Surely, it will be argued, we cannot be expected to refrain from interference while the Russians hold eastern Europe in thrall and the Chinese foster wars of national liberation in Asia and both seek opportunities to subvert non-Communist governments all over the world. Would this not throw open the floodgates to a torrent of revolutions leading to communism?

Setting aside for the moment the question of whether Communist rule elsewhere is invariably detrimental to the United States, experience suggests a policy of nonintervention would *not* throw open the floodgates to communism. Communist bids for power have failed more often than they have succeeded in countries beyond the direct reach of Soviet military power—Indonesia and Guinea, for example. Of all the scores of countries, old and new, in Asia, Africa and Latin America, only four are Communist. There is, of course, no assurance that an American policy of nonintervention would guarantee against new Communist takeovers—obviously, our abstention from Cuba in 1959 was a factor in the success of Castro's revolution. But neither is there a guarantee that military intervention will defeat every Communist revolution—witness Vietnam. Neither abstention nor military intervention can be counted on to immunize against communism, for the simple reason that neither is of ultimate relevance to the conditions that militate for or against revolution within a country, in the first place.

We have, in fact, had positive benefits from pursuing a policy of nonintervention. There is no country in Latin America more friendly to the United States than Mexico, which expelled American oil interests 40 years ago, while seemingly enthralled with Marxist doctrines, and which even now pursues an independent foreign policy, including the maintenance of cordial relations with Cuba. The thought presents itself that a policy of nonintervention could now serve as well to liberate us from the embrace of incompetent and reactionary regimes, which ignore popular aspirations at home out of confidence that, if trouble develops, they can summon the American Marines, while holding us in line by the threat of their own collapse.

The critical factor is nationalism, which, far more than any ideology, has shown itself to be the engine of change in modern history. When an ideology is as strongly identified with nationalism as communism is in Cuba and Vietnam and as democracy is in Czechoslovakia, foreign military intervention must either fail outright or, as the Russians have learned in Czechoslovakia, succeed at such cost in world-wide moral opprobrium as to be self-defeating. My own personal feeling is that, in a free market of ideals, communism has no record of achievement to commend itself as a means toward rapid modernization in developing countries. But, be that as it may, it will ultimately succeed or fail for reasons having little to do with the preferences of the superpowers.

We could profitably take a leaf from the Chinese notebook in this respect. The Lin Piao doctrine of "wars of national liberation," often mistaken as a blueprint for world conquest, is in fact, an explicit acknowledgement of the inability of a foreign power to sustain a revolution without indigenous support. This is what Lin Piao said:

"In order to make a revolution and to fight a people's war and be victorious, it is imperative to adhere to the policy of self-reliance, rely on the strength of the masses in one's own country and prepare to carry on the fight independently even when all material aid from outside is cut off. If one does not operate by one's own efforts, does not independently ponder and solve the problems of the revolution in one's own country and does not rely on the strength of the masses, but leans wholly on foreign aid—even though this be aid from socialist countries which persist in revolution (i.e., China)—no victory can be won, or be consolidated even if it is won.[8]"

One hears in this the echo of President Kennedy, speaking of South Vietnam in 1963: "In the final analysis, it is their war. They are the ones who have to win it or lose it." Or, as Theodore Draper summed it up, "The crisis in 1965 in South Vietnam was far more intimately related to South Vietnamese disintegration than to North Vietnamese infiltration." [9]

Nationalism is not only the barrier to communism in countries that reject it; it is a modifier and neutralizer of communism in those few small countries that do possess it. As Tito has demonstrated in Europe and as Ho Chi Minh has demonstrated in Asia, a strongly nationalist regime will defend its independence regardless of common ideology; and it will do so with far greater effectiveness than a weak and unpopular regime, also regardless of ideology. It is beyond question that the Tito government has been a vastly more effective barrier to Soviet power in the Balkans than the old pre-monarchy ever could have been; and, as Edwin O. Reischauer has written:

"It seems highly probable that Ho's Communist-dominated regime, if it had been allowed by us to take over all Vietnam at the end of the war, would have moved to a position with relation to China not unlike that of Tito's Yugoslavia toward the Soviet Union." [10]

If freedom is the basic human drive we believe it to be, an act of faith seems warranted—not in its universal triumph, which experience gives us no particular reason to expect, but in its survival and continuing appeal. The root fact of ideology to which we come—perhaps the only tenet that can be called a fact—is that, at some basic level of being, every man and woman alive aspires to freedom and abhors compulsion. It does not allow from this—as, in the rhetorical excess of the Cold War, it is so often said to follow—that communism is doomed to perish from the earth as a distortion of nature, or that democracy, as we know it in America, is predestined to triumph everywhere. Political forms that seem to offend human nature have existed throughout history, and others that have seemed attuned to human needs have been known to perish. All that can be said with confidence is that, whatever is done to suppress them, man's basic aspirations have a way of reasserting themselves and, insofar as our American political forms are attunded to these basic aspirations, they are a long leg ahead in the struggle for survival.

Footnotes at end of article.

Faith in the viability of freedom will not, in itself, guarantee our national security. But it can and should help allay our extravagant fear of communism. It should enable us to compete with confidence in the market of ideas. It should free us from the fatal temptation to fight fire with fire by imitating the tactics of a rival who *cannot* be as sure of the viability of his ideas in an open contest. The Russians, when you come right down to it, have better reason to fear freedom in Czechoslovakia than we have to fear communism in Vietnam. Appealing as it does to basic human aspirations, the contagion of Czech liberty very likely *is* a threat, at least in the long run, to the totalitarian system of the Soviet Union; by no stretch of the imagination can Ho Chi Minh's rule in Vietnam be said to pose a comparable threat to democracy in the United States.

The greatest danger to our democracy, I dare say, is not that the Communists will destroy it, but that we will betray it by the very means chosen to defend it. Foreign policy is not and cannot be permitted to become an end in itself. It is, rather, a means toward an end, which in our case is not only the safety of the United States but the preservation of her democratic values. A foreign policy of intervention must ultimately be subversive of that purpose. Requiring as it does the maintenance of a huge and costly military establishment, it must also entail the neglect of domestic needs, a burgeoning military-industrial-academic complex, chronic crises and marathon wars—all anathema to a democratic society. Every time we surpress a popular revolution abroad, we subvert our own democratic principles at home. In no single instance is the self-inflicted injury likely to be fatal; but with each successive occurrence, the contradiction and hypocrisy become more apparent and more of our people become disillusioned, more become alienated or angry, while a few are simply corrupted.

Being gradual and cumulative, the malady went largely undetected for too long a time. Now, however, a hue and cry has been raised, and for that we may be grateful, because the great debate in which we are engaged can, if we wish, be corrective as well as cathartic, by laying the foundations for a new approach in our foreign relations.

The shape and content of a new foreign policy are still beyond our view. For the moment, all that comes clearly into focus are the contradictions of our present approach and a few basic inferences that can be drawn from recent experience, notably: that we need not rely on military intervention to give freedom a chance of surviving in the world; that, indeed, we cannot do so without compromising our own freedom; and that only by being true to our traditional values and our own best concept of ourselves can we hope to play a decent and constructive role in a revolutionary world.

FOOTNOTES

[1] Press Conference of October 12, 1967, *The New York Times*, October 13, 1967, p. 15.

[2] "Sovereignty and International Duties of Socialist Countries," *The New York Times*, September 27, 1967.

[3] Henry A. Kissinger, "Central Issues of American Foreign Policy," in *Agenda for the Nation* (Kermit Gordon, ed., Washington: The Brookings Institution, 1968), p. 589.

[4] The covert intervention against the Arbenz government in Guatemala in 1954, the Bay of Pigs in 1961, the intervention in the Dominican Republic in 1965.

[5] Peregrine Worsthorne, "Goodbye, Mr. Rusk," *The New Republic*, January 18, 1969, p. 8.

[6] "Central Issues of American Foreign Policy," in *Agenda for the Nation*, p. 591.

[7] Charles W. Yost, "World Order and American Responsibility," *Foreign Affairs*, October, 1968, pp. 9–10.

[8] Lin Piao, "Long Live the Victory of People's War!" *Peking Review*, No. 36, September 3, 1965, p. 22.

[9] Theodore Draper, "The American Crisis: Vietnam, Cuba and the Dominican Republic," *Commentary*, January 1967, p. 37

[10] "What Choices Do We Have in Vietnam?" *Look Magazine*, September 19, 1967, p. 27.

MEMORIAL TRIBUTE TO REV. A. D. WILLIAMS KING, SR.

HON. ALLARD K. LOWENSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. LOWENSTEIN, Mr. Speaker, the world and the Nation have yet to start recovering from the wound at the heart that came with the death of Dr. Martin Luther King, Jr.—if recovery is possible. We can only glimpse from our own anguish what that loss was to those closest to him, to the leadership of the Southern Christian Leadership Conference, to the Congregation of the Ebenezer Baptist Church, to his family.

And now a few months later we again bury a leader of the SCLC, a pastor of the Ebenezer Baptist Church, a member of this family: the Reverend A. D. Williams King, whose fate it was to be best known to the public as "the brother of Rev. Martin Luther King, Jr."

Those who knew this Rev. King cherished him as one of those rare spirits whose presence was a blessing wherever he appeared—one who needed to be no one's brother to be beloved in life and sorely missed in death, because he was in fact so genuinely everyone's brother.

Yet one of the remarkable things about this remarkable man was his relationship with his famous brother, for it is not always an easy thing thing to be known everywhere you go as the younger brother of one of the great folk heroes of your time, of one of the greatest men of all time. To be overshadowed without being jealous, to be compared without feeling competitive—in short, to take pride in another man's achievements and to give everything you have to help that man to do his work better: that was A. D. Williams King, truly his brother's brother.

On April 3, 1968, A. D. arrived in Memphis. "I heard my brother needed help," he said, and unheralded and unsung he came, as he always had, to give it. So the brothers embraced and laughed in the hallway of the fatal motel, and in the last hours of his life Martin King was strengthened and cheered as he could not otherwise have been.

There is no group of men and women on earth who bear more nobly than do the leaders of the SCLC, the best of mankind's spiritual heritage. There is no group of Americans who bear more devotedly the best of America's hopes and dreams. When they are hurt, all men are hurt who want a world at peace, who want an America with liberty and justice for all. Few families have given so much that is enduring and good to their times and to their country as has the King family of the Ebenezer Baptist Church of Atlanta, Ga. No family has given so much starting from such humble origins.

So again the heart of the Nation goes out to the congregation of the Ebenezer Baptist Church, to Dr. Abernathy and his associates in the SCLC, and to this extraordinary and beautiful family, smitten so soon again by so great a grief. And our prayers go especially to the widow and children of Rev. A. D. Williams King, and to his parents, gallant, gracious, indomitable, enduring.

What a debt we shall all owe to the King family and to the leaders of the SCLC if America ever becomes what America could and should become. And what an inspiration they provide to work for that kind of America. There has to be hope for a land that can produce people like these, and it has to be the duty of those of us who are left to do more than we have to see that hope realized.

I include in the RECORD at this point the memorial tribute to Rev. King from the program published by his church on the occasion of his funeral:

ALFRED DANIEL WILLIAMS KING, SR.
1930–1969

Alfred Daniel Williams King, Sr., was born July 30, 1930, the third child and second son of Alberta Williams King and Martin Luther King, Sr.

It was the destiny of this second son to live in the shadow of his great and honored brother. And yet, the Reverend Alfred Daniel Williams King, Sr., worked with such humility, such courage, such an abiding faith in the cause of his family, his people and mankind itself, that he now stands forever in his own right as a hero and a good man.

He was born into a family rich in tradition and prophetic in vision. His maternal grandfather was Adam Daniel Williams, second pastor of Ebenezer Baptist Church in Atlanta. His father had assumed that pastorate and became a legend in the struggle of the Negro people.

Christine King Farris, Martin Luther King, Jr., and A. D. Williams King were all born at 501 Auburn Avenue, N.E., in Atlanta, where they were brought up in a home of love, understanding and compassion. They also learned of injustice in the land.

"A.D." was educated first in the public schools of Atlanta, then at Palmer Memorial Institute in Sedalia, North Carolina. In 1960, he graduated from Morehouse College in Atlanta. He completed his formal education with studies at the Interdenominational Theological Center in Atlanta. He was honored in 1968 with a doctoral degree from the University of Haiti.

His heritage beckoned A.D. Williams King to the ministry, and though he resisted it, his humanity finally made him a preacher. His pastoral career began in 1957 at Mt. Vernon Baptist Church in Newman, Georgia. In 1961 he became pastor of the First Baptist Church of Ensley in Birmingham, Alabama.

In May, 1965, he was installed as pastor of Zion Baptist Church in Louisville, Kentucky. On that occasion, for the first time, three members of the King family preached successively in one day: M. L. King, Sr., in the morning; Martin Luther King, Jr., in the afternoon; the Reverend Joel King, brother of the senior Dr. King from Mansfield, Ohio, in the evening.

On April 4, 1968, Martin Luther King, Jr., was assassinated in Memphis, Tennessee. His younger brother, Alfred Daniel Williams King, had come to Memphis that day "to help my brother."

In August, 1968, A.D. Williams King accepted a call to become Co-Paster of Ebenezer Baptist Church.

On July 21, 1969, he was the victim of an accidental drowning at his home in Atlanta.

He is survived by his wife, the former Naomi Barber, married to him June 17, 1950, in Atlanta; their children, Mrs. Alveda Celeste King Ellis, Alfred Daniel Williams King, Jr., Derek Barber King, Esther Darlene King, and Vernon Christopher King; his parents, the Reverend and Mrs. Martin Luther King, Sr.; his brother-in-law and sister, Mr. and Mrs. Isaac Farris, Sr.; their children, Isaac, Jr. and Angela Christine; his sister-in-law, Mrs. Martin Lurther King, Jr.; her children, Yolanda Denise, Martin Luther III, Dexter Scott and Bernice Albertine; four aunts; three uncles; his son-in-law, Mr. Jerry Ray Ellis; his mother-in-law, Mrs. Bessie Barber Bailey; and numerous other relatives and friends who are legion.

Alfred Daniel Williams King, Sr., had an unheralded but significant career as a civil rights leader and freedom fighter.

He was in the sit-ins and the Freedom Rides of the early 1960's—a testament of bravery exhibited by few men of his time. He was also jailed many times in the cause of the nonviolent movement. He was in Albany, Georgia, in 1961; St. Augustine, Florida, in 1964; Selma, Alabama in 1965.

In the historic Birmingham, Alabama, Movement of 1963 he played a leading role. His home there was bombed as he assumed a leadership that challenged America and the world.

In Louisville, he organized the Kentucky Christian Leadership Conference and the Louisville Movement of 1967–68, which culminated in the first open-housing law below the Mason-Dixon line. In August, 1968, as the Southern Christian Leadership Conference, of which his brother served as Founding President, met in Memphis, the church of Rev. King was bombed.

After the passing of his brother, Rev. A. D. Williams King was everywhere he was needed. He was a faithful and valued Member of the Board of Directors of the Southern Christian Leadership Conference. He served and sacrificed in the struggles of garbage workers in Memphis, Atlanta, St. Petersburg and Macon. He was a leading strategist of the Poor Peoples's Campaign. He was the first representative of SCLC to appear in support of the historic strike of hospital workers in Charleston, S.C., a strike that recently ended in victory for all black and poor people.

History thrust Alfred Daniel Williams King, Sr., into a most delicate and difficult position. He assumed that position with grace and dignity.

He was a decent, generous, strong and gentle man.

He was the kind of brother, son, husband, father and leader that men hope to be.

Alfred Daniel Williams King, Sr., loved life and he loved people with a gorgeous and limitless passion.

People moved him so much because he loved them so much.

FEDERAL BIRTH CONTROL

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. JACOBS. Mr. Speaker, I insert this the following article, which appeared in the Indianapolis News on Saturday, July 12, 1969:

FEDERAL BIRTH CONTROL

Talk is cheap, and that's about all the public has heard from Washington concerning economies in government.

Expenditures keep going up and there is considerable speculation that the Federal government may spend up to $200 billion this fiscal year, which began July 1. While that figure is almost incomprehensible, it's not too difficult to see why the budget keeps rising when individual cases are considered.

For example, the Department of Health, Education and Welfare has announced a grant of a quarter of a million dollars to Indiana to provide family planning for the poor in the state's metropolitan areas. The $244,000 grant will provide counseling, medication and birth-control devices.

The public is assured by Dr. Joseph F. Thompson, who will have charge of the grant, that "there is no coercion involved. A woman must request the information or equipment before we give it out."

The lack of coercion doesn't answer the religious and moral objection many Americans have to the use of artificial methods of birth control. It is ironic that a number of people who are so eager to encourage young men to opt out of military service on religious grounds are also so persistent in getting the Federal government to force others to subsidize birth control.

We believe that birth control is a private matter among individuals and should be neither encouraged or discouraged by the government. It's another expense contributing to the high cost of government when the need is for a little common sense about the use of the taxpayer's money.

BUFFALO EVENING-NEWS ISSUES MEN-ON-THE-MOON EDITION

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. DULSKI. Mr. Speaker, all of us are bursting with pride—and rightfully—at the triumphant success of Apollo 11, allowing American astronauts to be the first to set foot on the moon.

The achievement staggers the imagination, coming on the heels of a long series of successes in the space program of our United States.

Yet, even at this time of great jubilation we must not forget the great sacrifices that have gone into our effort over the years. I refer, of course, in particular, to the tragedy on the pad at Cape Kennedy which took the lives of three of our brave and dedicated astronauts.

The successful voyage to the moon of Apollo 11 has been chronicled in a special edition of the Buffalo Evening News, published last weekend in my home city of Buffalo, N.Y.

I have today sent a copy of this excellent souvenir edition to every Member of the House and the Senate.

The lead article in the special edition of the News puts this achievement in focus, as follows:

OUR MEN ON THE MOON—FULL STORY OF MANKIND'S GREATEST ADVENTURE

The white-clothed human leg stretched down the ladder, probing carefully. It was motionless for a moment—and then it went downward those last awful inches to the surface below.

After his many millenia on earth, man was beginning the move into a new home in the vast mansion of space.

It was July 20, 1969, and Neil A. Armstrong was standing on the surface of earth's closest neighbor in the solar system, the silent, dusty wasteland of the moon.

Armstrong, who had reported the lunar module's arrival a few hours earlier with the eloquently simple words, "Eagle has landed," now spoke into the microphone inside his space helmet.

"That's one small step for man." His voice faltered on the last word. There was a moment of silence. Then he added, "A giant leap for mankind."

Another white-suited figure came down the ladder.

Edwin E. Aldrin Jr. hesitated near one of the space ship's spidery legs, turned uncertainly and then spoke reverently into his microphone about the "magnificent desolation."

Thousands of miles away, million of human beings were experiencing an excitement they never will forget.

Most of them in America had eaten Sunday dinner and then settled themselves in easy chairs before television sets with the same feeling of casual anticipation they would for a Sugar Bowl football game.

Suddenly, the full realization struck. They were watching one of the great moments in all of human history.

Many of the viewers wept. Many prayed. And many just stared in disbelief.

"In the beginning, God created the heaven and the earth," begins the Biblical chronicle of Genesis.

Over countless centuries, man had clung precariously to life on God's earth. He had made it a comfortable home—a "good earth." And he had made it a place of pain and tears, a place of hopeless poverty. He had soaked its fair meadows with the blood of soldiers and made wide stretches of it ugly as he seized its resources.

Now, man was moving out into God's heaven.

Then, incredibly, the solmenity of the moment evaporated. Armstrong and Aldrin were dancing and cavorting over the moon's surface—like two young boys dashing out to play in winter's first snowfall.

Deliberately or unwillingly, the two space travelers were demonstrating again the miracle of man's powers of adaptability. Suddenly, you knew that man would be able to live with what he found in space . . . that, in the words of human young, he'd "hack it" out there.

Returning to earth Thursday, the Apollo-11 astronauts are men apart for a while, quarantined against the possibility that, if moon bacteria exists, they could start deadly plagues.

Looking backward, it is strange to think that man's quest into space began less than a dozen years ago. On Oct. 4, 1957, a Russian rocket hurled a 184-pound sphere into an earth orbit.

The U.S. got into space Jan. 27, 1957, when the Army launched Explorer II—a basketball-sized orbiter.

Four years later, the first two men were in space within a month of each other.

Russian Yuri Gagarin rode a space ship for one earth orbit April 12, 1961.

On May 6, Alan B. Shepard rode a Mercury ship in a sub-orbital space trip down the Atlantic missile range.

The Russians scored their last major space victory on March 18, 1965, when Aleksea A. Leonov stepped out of a two-man capsule for history's first space walk.

On June 3, 1965, Edward H. White made the first American space walk and enjoyed it so much that his co-pilot, James A. McDivitt, had to coax him back into the capsule.

Both American and Russian space programs were jarred by tragedies in 1967. The first crew for the Apollo series—Gus Grissom, White and Roger Chaffee—died in a launch-pad fire as they were rehearsing in a liftoff simulation.

Three months later, the Russian Soyuz-1 crashed during re-entry, killing its pilot.

Both countries' space programs were slowed after the tragedies. The American NASA pro-

gram had to operate in the 1968 fiscal year on its smallest budget in six years.

The Russians were having their troubles, too. They were struggling with design problems for the manned lunar trip—problems that they apparently never have solved.

The world continued to watch the U.S.-Russian race to the moon, not knowing that the race already had been decided.

Apollo-8 made the first manned lunar orbits and the world was thrilled last Christmas Eve, as Frank Borman read the words of the Bible's Book of Genesis while he moved across the moon's wastelands.

The troublesome lunar module problems were shown to have been solved by its successful use during the Apollo-9 trip in earth orbit. The lunar module, or "Lem," was ridden during Apollo-10 by Thomas Stafford and Eugene Cernan, who made breathtaking passes over mountains on the moon in it. That set the stage for the historic Apollo-11 journey.

The future of space travel stretches ahead in inviting vistas.

But, aside from more detailed moon explorations, the next order of business is the prosaic job of putting big observatories, laboratories, and launching pads in permanent earth orbit.

The Saturn rocket will be the work-horse of the lunar age.

But work is well along on the designs of Nova-type and nuclear space engines.

Then, man will turn his attention to our planetary neighbors, Mars and Venus. Already, American probes are on the long voyage to Mars that will be climaxed when they photograph the "red planet" from close range. We'll be looking at those pictures before summer's end.

Sometime after the year 2000 man will depart on voyages to the vast reaches of space outside our solar system. Those trips will stretch over many years, but Einstein's findings tell us the voyagers will return to earth still young men—probably to find their grandchildren old and gray.

For the nearer future, the most interesting footnote has been spoken by America's first man in space, Alan Shephard.

He thinks future space travelers will not have to undergo the rigorous training of today's astronauts.

"I think there is no question that we could send a man into space without astronaut training," he says.

Maybe your grandchildren will be telling you about their trip to the moon.

No one would say that's impossible—not after the night of July 20.

Mr. Speaker, a feature on the front page of the special moon landing edition of the Buffalo Evening News was a poem written by our superintendent of schools in Buffalo, Dr. Joseph Manch.

Following is the text of the poem:

MOON WALK

We watched and waited, prayer in every heart,
And slowly learned this miracle of space
Was real, and that these men, with astral art,
Would walk the gray earth satellite whose face
Has known the poet's pen, the lover's plaint
And the philosopher's surmise. And so
The truth is clear and joy needs no restraint
To celebate the "giant leap" we know.

The wonder of it all! Our fearless men
Have stepped upon the moon and stirred the dust
Of eons and returned to us again
To give fresh promise of another thrust:
An orbit of the heart to find increase
Of hope—that men may walk the earth in peace!

—JOSEPH MANCH.

BECAUSE I AM AN AMERICAN

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. BROWN of California. Mr. Speaker, recently, Miss Mary L. Kulper, a constituent of mine from Alhambra, Calif., wrote to the Alhambra Post-Advocate a short statement presenting her feelings on what it is to be an American.

I agree with Miss Kulper that all of us would benefit from more personal expressions about our country and how we, as individuals, relate to it and to its continuing traditions. I found Miss Kulper's article quite interesting, and I now insert it into the RECORD so as to share it with the rest of my colleagues:

BECAUSE I AM AN AMERICAN

EDITOR,
Post-Advocate:

Lately I have been concerned about my fellow man. I feel as though Americans are forgetting what an American is and what their job as Americans is.

I have jotted down a few things that I feel Americans are forgetting. I realize that what I have written is just a small portion of what I feel as an American. If it meets your approval please print it in your paper. I think that if people see more and more articles dealing with what Americans feel maybe more and more people will start thinking what it is to be an American.

I wrote to my Congressman (Rep. George E. Brown) and asked if I could obtain a flag that has flown over the capital of the United States. I told him I would fly it every day. Well, I have flown it every day for almost a year.

Now, when I drive around Alhambra I notice more and more people flying their flags every day. It makes me feel good.

I want to thank you for taking the time to read this letter.

MARY L. KULPER.

ALHAMBRA.

(The flag that Congressman Brown sent to Miss Kulper was flown over the nation's capital on July 30, 1968—EDITOR)

I AM AN AMERICAN

(By Mary L. Kulper)

I am an American. Oh, that doesn't make me perfect, but it does make me a special breed of person. One thing an American is is a believer, and I believe in what my fellow man is striving for.

I am not capable of doing wrong when I believe in America, but today too many Americans are going too far—defacing and not accepting the flag. Oh, I realize that all that comprises a flag is a piece of cloth with some stars and stripes on it, but that is not all that our flag is. That flag of ours has been through every war America has fought, starting with George Washington. So we are not honoring only the flag itself but the Americans who have died for it. The flag represents freedom for all, no matter what color, race or creed.

People today are going too far and they want too much freedom. Sure, we fought for freedom for all, but there is a limit; if there wasn't things would have been much different than they are today. Today, like in the beginning of this great nation, we need people to protect our freedom so that we don't ruin a truly free nation.

People today also take every day's living too much for granted. These people don't realize or don't want to realize the hardship our forefathers went through—but I do, because I am an American.

When I see a flag waving in the breeze, I picture struggling men fighting for our freedom. I realize our life is a free life but we must all help each other to really benefit. We must truly be Americans.

FREEDOM FROM HUNGER FOUNDATION SPONSORS HIKE

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. JACOBS. Mr. Speaker, on May 17, the American Freedom From Hunger Foundation sponsored a successful "African Trek" of 24 miles through Rock Creek Park, in Washington, D.C.

Participants in the hike were matched by citizens who pledged to contribute varying amounts per mile walked by the various participants. The contributions were specifically for the purpose of food for hungry children.

Various Members of the Congress including the Honorable PATSY T. MINK of Hawaii, Hon. DONALD M. FRASER of Minnesota, Hon. CHARLES H. PERCY of Illinois, Hon. BROCK ADAMS of Washington, as well as John Mink, Jay and Mrs. Rockefeller and numerous other notables, donned their walking shoes for what was really a rather grueling physical experience, wearing out one kind of sole and uplifting another kind of soul.

Some of the other really outstanding citizens who participated in this altruistic event included Mr. Louis J. Mahern, one of the world's foremost authorities; the Honorable Joseph Palmer, Assistant Secretary of State and Mr. William Satterwhaite, Ambassador to South Africa.

At various checkpoints along the 24-mile course, various African embassies delighted the participants with displays reflecting the culture of various African States.

Though the hike was as exhausting as one might imagine, the very large proportion of the very young who participated was an inspiration in itself.

We older ones were inspired by the performance of the young people, particularly the high school boy who literally ran nearly the entire distance, finishing hours ahead of the hikers.

One could not help but be inspired by young Henry Schoelkopf who unfortunately had worn formal shoes which pinched a bit but who said, "Hurting feet aren't as bad as empty stomachs." Henry marched for more than 20 miles. Chaning and Chesley Jonker were among the youngest participants and as they learned to recite Kipling's "If" they inspired us all to persevere.

Mr. Speaker, the song goes, "If everyone would light just one little candle." The brilliant torch of concern for starving fellow humans was held high on May 17 by all these wonderful people and institutions who literally gave of themselves for the American Freedom From Hunger Foundation African Trek in Washington on May 17, 1969:

The Honorable Walter E. Washington.
The Honorable Senator CHARLES H. PERCY.
The Honorable BROCK ADAMS.
The Honorable DON FRASER.
The Honorable PATSY T. MINK.
The Honorable Joseph Palmer, Assistant Secretary of State.
William Satterwhaite, Ambassador to South Africa.
Lt. Robert Peck, District of Columbia Fire Department, Office of Public Safety.
Mr. Lee Thurman, Director, Civil Defense.
Clinton Mitchell, Special Assistant to Executive Director, Community Relations, Mayor's Office.
Dean Francis B. Sayre, Jr., Washington National Cathedral.
Canon Charles Martin, St. Albans School.
Mr. Edward Curran, National Cathedral School for Girls.
Detective Ray Wrenn, Police Boys Club.
Lieutenant Ellis, Special Events, Metropolitan Police.
Mr. Martinek, Superintendent, Park Police.
Washington Red Cross, Rescue Unit.
Georgetown University nurses—four nurses volunteered their services for first aid.
Dr. William Robinson, medical doctor on route all day.
Miss Condy Smith, in charge of manning checkpoints.
Mr. Phil Lee, transportation.
Mr. Ian Smith, Peace Corps Liaison.
Miss Linda Sawyer, radio stations WMAL, WTOP, WABA, and WOL.
Charles Cheng, Teacher Union, District of Columbia.
Mr. Robert Pellaton, route coordinator and map director.

In addition to the above, numerous letters were sent to African ambassadors, churches, schools, and neighborhood groups who contributed both their time and their energy to make the walk a success.

Organizations with more than three walkers were: Walt Whitman High School; Gordon Junior High School; Office of Economic Opportunity; Sidwell Friends School; St. Albans School; National Cathedral School for girls; Coolidge High School; Paul Junior High School; Peace Corps; Backus Junior High School; Howard University; St. Cecilia Academy; W. T. Woodson High School; First Trinity Walther League, Lutheran Church; VISTA.

Notre Dame Academy; Walter Johnson High School; Federal City College; Young Christians Movement; District of Columbia Teachers Union; Roosevelt High School; Western High School; Holy Trinity; American Institute; Sousa Junior High; Williamsburg Junior High; St. Anthony's; Bishop McNamara; Junior Neighbors Committee; Cardozo High School; Rabaut Junior High; Eastern High School; Anacostia High School; Kelly Miller Junior High; Taft Junior High; Deal Junior High; Wilson High School.

Former Representative Leonard Wolf of Iowa, executive director of the Freedom From Hunger Foundation is to be credited with the management of this entire philanthropic effort.

THE COMMUTER RAIL CRISIS

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. OTTINGER. Mr. Speaker, it is particularly timely that this week, with the Senate Subcommittee on Housing scheduled to conduct hearings on mass transportation and the House Banking and Currency Committee having before it proposals to create a mass transportation trust fund, a definitive report on the commuter rail crisis in New York, New Jersey, and Connecticut has appeared in the New York Times.

I and other Members of the Congress have pointed out repeatedly how vital fast, efficient, and economical mass transit is to our cities and suburbs but we still lack a meaningful national commitment in this area. We know now that we have the ability to place men on the moon with great precision and speed, but we cannot assure the commuter from Westchester, Putnam, Fairfield, or Bergen Counties that he can get to his job in New York in anything resembling a reasonable amount of time.

The crisis we face is the result of many different factors and government, the railroads and labor must all share the responsibility. But to point the finger of blame accomplishes little; our task must be to forge a meaningful program to develop balanced systems of public transportation for this Nation's metropolitan areas. This will take imagination, courage and vast sums of money, but above all, it will take an urgent sense of commitment, for we really have little time left.

A first step must be passage of the mass transit trust fund legislation pending in the House and Senate. I am proud to be a cosponsor of this measure, and I sincerely hope the chairman of the Committee on Banking and Currency will schedule hearings in the near future. Inaction on the part of the administration is no excuse for inaction on the part of this House.

So that there may be no question about the seriousness of the situation which faces us, I present, for inclusion in the RECORD, today's articles in the New York Times:

COMMUTER LINES AT CRISIS POINT—NEGLECTED FOR YEARS, RAILROADS SERVING CITY ARE FALTERING

No American city is as dependent on railroad commuter service as New York. But after decades of neglect, the state of the commuter lines has reached a point of acute crisis.

Last-minute cancellations of Long Island Rail Road trains are delaying and embittering more and more commuters every day. New Haven riders are finding their trains crowded, littered and late. The Penn Central is arguing with New York State's Public Service Commission over how to get badly needed cars for its Hudson and Harlem Divisions. And commuters throughout New York City's suburbs are wondering if they will be forced to pay higher fares for poorer service.

Perhaps the only plus in the metropolitan commuter rail situation is to be found in New Jersey, where two of the three commuter lines serving New York City are showing signs of improvement, in part through an infusion of state operating subsidies. But these gains have been made in a situation regarded as so unsatisfactory as not to afford much gratification to riders.

This picture has been drawn by The New York Times from interviews with rail officials, commuters and representatives of government and civic agencies concerned with the plight of the six railroads that bring a quarter of a million commuters into the city each working day.

Experts and observers say the inefficiency of metropolitan rail service springs from a variety of factors, including the need to turn from the railroad's long-term origins to rapid-service systems, an increase in vandalism over which the lines have little control, public indifference and a history of controversial management practices.

But increasingly the commuter who daily faces the threat of cancellations, breakdowns, overcrowding and long delays has been showing a lack of patience with such explanations.

"It's amazing what a stoic lot commuters have been," a New Haven rider remarked recently. However, this stoicism has been yielding to rage and activism.

T. David Reznik, a marketing analyst, doesn't ride the railroad to work these days—he walks the railroad to work. Instead of taking his regular Penn Central trains to and from Larchmont each day, he takes a variety of trains so he can go through the aisles distributing complaint sheets to his fellow passengers.

The printed sheets have blank spaces in which passengers can write in the number of "bulbs not working" and "fans not working" or the "minutes late" in arriving.

"I start in back and work my way forward, car by car," Mr. Reznik said. "The conductors keep threatening to arrest me." He said he had handed out 4,000 forms in the last three weeks, and the Federal Department of Transportation has been receiving the completed forms from passengers.

On Long Island, a drive is being organized to obtain 10,000 signatures on petitions asking for the removal of the top management of the state-owned Long Island Rail Road. and reports are current that Governor Rockefeller will seek the dismissal of the line's president.

Conductors are hearing more and more from angry passengers, and at least a few of them are growling back. Asked what the trouble was in a delay, one conductor told a fuming commuter recently: "I'll write you a letter."

Passengers are expressing a rising anxiety over railroad safety, especially on overcrowded trains. They suffer and swelter in cars with sealed windows when air-conditioning fails. With cinder blocks dropped on trains from overpasses and sharp rocks flung at windows by vandals, some riders feel like moving objects in a shooting gallery. Executives do not know at what hour they will get to work and their wives do not know what time they will reach home at night.

Frederick A. Menes of Old Westbury, L.I., has been getting up at 5:30 A.M. every weekday, half an hour earlier than usual, to be certain of getting a train that will bring him in on time to his job as general personnel supervisor for the New York Telephone Company.

Mr. Menes begins his morning anxiously listening to radio reports on rail delays on the Long Island Rail Road. What has been canceled today? Until recently he counted on catching a 7:26 train out of East Williston that was due at Pennsylvania Station at 8:12.

If the 7:26 has been scratched, Mr. Menes dashes for the 7:02, changing at Jamaica for a packed train that is scheduled to arrive in Manhattan at 7:55.

But even if the 7:26 is running, it is not at all certain that it will arrive on time. If another train has been canceled, the 7:26—normally an express after Jamaica—may add

some local stops in Queens, and may lumber into Penn Station at 8:30 or 8:35.

Such frustrations have important implications for New York City.

Late arrivals to work mean costly lost time and scrapped schedules for the city's businesses. Suburbanites who turn to their automobiles add to the city's traffic, parking and pollution problems and swell demands for new expressways or increased subway facilities. State officials confront demands for subsidies or even railroad takeovers that would shift costs to all taxpayers, including city residents who never ride the commuter lines.

"It's getting to the point at which something's about to blow," said Barrie Vreeland, director of the transportation department of the Commerce and Industry Association. Mr. Vreeland's office has been receiving a stream of complaints from corporate personnel officers worried about late arrivals at work.

Ralph C. Gross, president of the association, described the rail problems as "detrimental to business expansion and economic growth" here because "most of the top and middle-level executives who work in New York live outside the city."

Urban planners are generally agreed that there is no more efficient, or potentially faster, way of moving large numbers of people from suburban or urban business centers than by rail. Yet in much of the nation, railroad passenger service largely has disappeared.

The Federal Urban Mass Transportation Administration says only five American cities still have regular commuter rail service: New York, Chicago, Philadelphia, San Francisco and Boston. Most cities now have auto-oriented transportation systems.

As a result, experts say that billions of dollars of public money have been pouring into expressway systems while only a few millions have trickled into capital improvements for commuter railroads.

As urbanization chews up fields and meadows near the city, executives are moving farther out into the suburbs, sometimes well beyond the 50-mile range, and that makes high-speed rail transit more necessary for them. But suburbanites who turn from trains to autos put pressure on for the building of more highways.

The Regional Plan Association, the nongovernmental research organization, notes that "the autos required to transport the equivalent of one trainload of commuters use about four acres of parking space—eight times the area of the main concourse at Grand Central Terminal."

Fundamental to the railroads' problem is the fact that they were not designed to do the job they are now doing. According to Robert W. Minor, senior vice president of the Penn Central, the lines were originally long-haul carriers and were not engineered for the short-haul, high-speed service required today.

Commuter railroads here do not have the equipment needed for rapid acceleration and decleration in the short distances between suburban stations. And the stations themselves generally lack the high-level platforms needed for fast loading and unloading of passengers.

Efforts are beginning to be made to change all this through the introduction of new equipment, financing and major reconstruction, but the overhaul is going to take years, according to railroad experts. And they note that the transition itself is contributing to delays and breakdowns.

Those who nourish a hope that things will soon get better have little to go on but optimism, in the opinion of most rail specialists.

The Regional Plan Association pointed out that the commuter lines are largely based on "the investments made in capital rail equipment prior to 1929." The Depression discouraged investments, then World War II came along, and then the postwar automobile boom, with its corresponding decline in riders using the rails.

According to records of the American Railway Car Institute, the trade association of railway car manufacturers, there is no continuing industry in the manufacture of self-propelled "inter-urban or commuter cars."

In 1969, said Walter A. Renz, the association's president, only 25 cars have been ordered for all the commuter lines in the nation.

"The cars cost so much because there are so few orders," he said. "It's no secret that the railroads detest these passenger runs, and I haven't seen any real commuter car business for a long, long time."

Added to these problems are difficulties and prospects peculiar to each of the commuter railroads in this area. Some of these aspects are discussed on this page.

METROPOLITAN LONG ISLAND RAILROAD

In the barnlike Dunton Electric Repair Shop in Jamaica, Queens, a score or more cars awaited repairs recently. There are commuters who believe that the true symbol of the Long Island line should not be Dashing Dan (which the railroad is phasing out), but these disabled cars.

Anthony F. D'Avanzo, general chairman of the Brotherhood of Railway Carmen, Lodge 886, says the members of his union have been working an average 24 hours overtime to catch up on a servicing backlog that has restricted railroad efficiency for many months.

Moreover, Mr. D'Avanzo says, the work strain accounts for high absenteeism and this compounds the problem of how to find enough cars to take 90,000 regular commuters and 40,000 others into and out of the city each day.

On June 26, its worst day, as many as 223 of the Long Island's 774 electric cars—both old and new—were out of service for inspection and repairs. Thirty-five of 363 diesel and other cars also were not in use. As a result 19 of the line's 631 trains for that day had to be canceled, and each cancellation affected about 1,000 riders.

This was not an isolated situation on the nations biggest commuter railroad. On a recent Friday, nine morning and nine evening rush-hour trains were scratched from the schedule.

Such cancellations cause more than just inconvenience.

"The other day I was not just uncomfortable, I was physically freightened," a young rider said. "With passengers from one of the canceled trains, my train, normally crowded, was dangerously crowded.

"At Jamaica an elderly woman was pushed into the car and her arm got caught and she cried, 'My arm, my arm!'

"You know that small area up at the front of the train, where the door is open and all they have is a chain across the front? Well, in that little space about four feet wide there were, as far as I could count, 23 people wedged in. I had my hand up, holding the edge of the door and I could not get my arm down. I couldn't turn my body either way and I could move my feet about an inch in either direction.

"I was scared

"There wasn't any question of taking tickets. Impossible. So the conductors rode outside on the catwalk of the engine. I felt trapped and smothered and helpless. Usually I am just so angry I could choke somebody, but this time I was scared."

The line says its last major report of on-time performance was 97.1 per cent for the 10-year period ending Dec. 31, 1967. For 1968, it says its record was 89.9 per cent; for the first six months of this year, 89.3 per cent. These are over-all figures, however, and do not indicate the performance of individual trains.

Another major problem for the line, which originated from older railroads, is that its routes are now often well away from areas of population growth. The Long Island's more modern electric service, for example, ends its eastward thrust at Babylon on the south, Mineola and East Williston in mid-island, Port Washington on the north.

Since 1966, the line has been operated by the Metropolitan Transportation Authority, which was created by the Legislature. When the authority took over, the line was in bankruptcy. The following year it obtained a $30-million Federal grant for improvement and extension of its electric system. The authority is now extending electric lines, rebuilding roadbeds and building high-level station platforms.

Electric cars ordered

The authority has also sought to replace most of its antiquated electric stock. A fleet of 620 electric cars was ordered from the Budd Company of Philadelphia for delivery by October, 1970.

The first cars arrived Dec. 23. Dr. William J. Ronan, chairman of the M.T.A., says this was 25 weeks later than he anticipated.

So far, 108 have been delivered. They have not performed well. There have been repeated electric malfunctions. Brakes have locked. Air-conditioning has failed. Trains have broken down at rush hours.

The M.T.A. stopped formal acceptance after the first 94 cars arrived. By July 1, 52 were out of service on one day. This has since been reduced to about 30 in a day.

Setbacks such as these have led at least one of Long Island's militant commuter organizations to demand the ouster of Dr. Ronan. But the beleaguered chairman has his defenders, including Governnor Rockefeller, whom Dr. Ronan formerly served as a key aide.

"Those new Budd cars, if they had all worked, would have meant progress," Ralph Gross of the Commerce and Industry Association said. "As we understand it, Dr. Ronan had a choice of two courses: Either to go on pouring money into keeping old and worn-out rolling stock going or to stop doing that and to put the money into getting badly needed new cars.

"We think the planning was logical and had the timetable been adhered to, things would already have been better on the line. All those breakdowns were not Dr. Ronan's fault."

The Long Island Rail Road deals with 17 labor unions representing 6,500 of its 7,000 employes. The dates on which contracts expire vary among the unions. The line says they have higher wages and more favorable work rules than the national average. Nevertheless, labor friction has been frequent, including strikes and work slowdowns that at times have made commuting a nightmare.

Dr. Ronan says labor-management relations have been improving. This is his hope for restoring the rate of inspection and repair to the level at which it stood before a dispute last August with the carmen that led to a three-week labor slowdown.

As a result of the slowdown, inspections and repairs were delayed on 288 cars on a single day.

NEW JERSEY CARRIERS

Anyone wishing to indulge a bout of nostalgia for the old days of railroading need not go to a railroad museum. He has only to go to Hoboken and board almost any Erie-Lackawanna commuter train.

Getting to Hoboken from New York City is the easiest part of the journey. On one of the hottest days of the year, at the height of the evening rush with the trains fully crowded, the Port of New York's Authority's PATH cars were fully air-conditioned and completely comfortable. Next, however, the commuter boards an Erie-Lackawanna train.

"Well, I see they've got the heat on," a

commuter grumbled as he boarded the 5:38 Boonton Branch train to Dover and sat in a car of great age that creaked as the train began its trip.

The 10 globe lights in the car—three of them out—afforded a very dim light and the blue paint on the ceiling and sides of the car was cracked and chipped, leaving large patches of rust.

The slow-motion fan in the center of the car could not have stirred tissue at eight feet, but the windows were wide open and a good breeze came in.

As the train got close to the end of its run, a conductor looked at a passenger and said, "Well, it won't be long now, thank heaven."

On summer days the sun can heat temperatures inside the line's old cars to extreme highs, but the railroad that calls itself "The Friendly Route" says its dependability is also lofty—98 and 99 per cent on time. Passengers, many of whom object to the line's old and dirty equipment, give it full credit for that.

More than 70,000 Jersey commuters

More than 70,000 commuters use the three major New Jersey railroads—the Erie-Lackawanna, the Jersey Central and the Penn Central. But as recently as 1967 both the Erie-Lackawanna and the Jersey Central were formally seeking to abandon passenger operations. It was then that they were put under the control of the State Department of Transportation.

David J. Goldberg, New Jersey's Commissioner of Transportation, said commuter traffic had increased on the three New Jersey railroads about 10 per cent since his department began operations in January, 1967.

The state pays operating subsidies to the Jersey Central and the Erie-Lackawanna, which is owned by Dereco, Inc., a holding company of the Norfolk & Western Railway. These subsidies are negotiated annually, $4.9-million and $4.5-million respectively for the year ended June 30. The Pennsylvania, together with others, gets state aid for equipment.

Mr. Goldberg said New Jersey had "purchased virtually all the coaches available around the country worth investing funds in to rehabilitate." Of 53 it bought from the Santa Fe Railway, 27 have been assigned to the Penn Central and 26 to the Erie-Lackawanna, some to start service in October.

But the outlook seems bleak for any large-scale modernizing of the lines.

William B. Hurd, assistant administrator of the Federal Urban Mass Transportation Administration, was asked: "With so few cars being built, isn't it probable that 5 and 10 years from now, commuters on the Erie-Lackawanna will be riding the same outdated cars they're riding now?"

His answer was, "I think so, yes."

For the Jersey Central, in receivership since April, 1967, the state has obtained an agreement that the Norfolk & Western and Chesapeake & Ohio railroads would acquire the line as part of their merger plan and include it in Dereco. But the merger is still awaiting Interstate Commerce Commission approval.

State leases locomotives

Mr. Goldberg says that 13 new locomotives the state has leased to the Jersey Central have helped improve on-time performance, which had been "very poor."

Long-range plans call for electrifying the Jersey Central lines. But for interim service, the N. & W. and C. & O. are to provide 50 air-conditioned and rehabilitated coaches acquired from other railroads.

The state is also rehabilitating 60 Jersey Central coaches and beginning to buy new equipment, including 35 speedy Jersey Arrow self-propelled electric cars for the Penn Central.

But Spencer Scheffling, the Penn Central passenger statistician, said the 26 Jersey Arrows now in service had encountered "most persistent problems" in power transmission, couplers and doors. On a typical day, 8 to 10 are out of service for part of the day, he said.

HARLEM AND HUDSON

Not all commuters are uniformly incensed by their experience. Arthur Feldman, who was born and reared in the Bronx and who recently moved to Croton-on-Hudson, has a different perspective:

"It's a lot better than the subways," he said. "I take the 6:30 a.m. train from the Croton-Harmon station. It never leaves at 6:30 and it runs 5 or 10 minutes late, but to me that's nothing.

"The windows are so dirty you can hardly see out of them, but when I was on the subways could I see out of the windows? To me, it's a dream. I get a seat. In the subways if I got a seat, it was a miracle."

Other commuters, who have the choice of subway or train, agree with his view, and are willing to pay for the difference.

At 5:38 P.M. a local train leaves Grand Central Terminal for Yonkers and Glenwood by way of 125th Street and several intermediate stops in the Bronx. A single fare of $1.10 is charged everyone boarding the train, whether they go one stop or to the end of the run.

Vandalism a problem

The other night, the train was nearly filled but there were only five riders left in it by Yonkers. The others had got off at earlier stops; all rode in preference to the subway.

But many of the 24,000 daily commuters of Penn Central's Harlem Division and the 12,000 commuters of its Hudson Division are hardly enthusiastic about the service they get.

Between April 1 and June 16, the Harlem and Hudson Divisions had 18 fires that delayed a total of 300 trains, according to the Public Service Commission. Fourteen of the fires were caused by vandalism.

Vandalism is but one problem confronting these lines and their growing number of riders.

In 1967, the Public Service Commission found a "noticeable deterioration" in service, including "deficiencies in track maintenance" and worn shock absorbers that made passengers feel they were "riding on a washboard."

In June, 1968, the commission ordered the upgrading of track and equipment and it limited electric engines to 50 miles an hour speed, instead of 60, while this was being done.

One consequence was that on-time performance for the 120 rush-hour trains declined from 81 per cent to 60 per cent, according to George E. McHugh, chief of the railroad bureau of the State Public Service Commission.

In June, the railroad said, its over-all on-time record was 87 per cent for its 340 daily suburban trains. The divisions are under orders of the Public Service Commission to maintain 80 per cent on-time performances for each of its trains every month.

The state commission also has ordered the Penn Central to buy or lease 80 new self-propelled, multiple-unit cars to replace its Harlem and Hudson electric fleet within two years. The Penn Central is strongly resisting this as requiring an uneconomic investment in "1918-type" service.

Tells of Improvements

According to Leonard W. Maglione, Penn Central's suburban service manager, the railroad has made a number of major improvements in Hudson and Harlem service.

In the last five years, he said, 79 more trains have been added each weekday. Since 1965, 34 new multiple-unit electric cars have been received, and 40 mainline passenger coaches have been refurbished and placed in commuter service for non-electrified areas, with 12 more due by Oct. 1. In addition, 22 locomotives, with both diesel and electric power have replaced antiquated equipment on the Harlem Division.

Since fares were restructured, service on the divisions is "operating on approximately a break-even basis," as opposed to "large and increasing deficits" before 1962, the railroad said. This gain has been cited by the Penn Central in its hotly contested bid to restructure fares on the New Haven.

THE NEW HAVEN

Frederick Gilbert, vice president and general manager of Time-Life Broadcasting, takes the crowded 8:04 A.M. New Haven train from New Canaan, Conn. It arrived at Grand Central at 9:10 one recent day.

"My goodness," Mr. Gilbert said. "We're in right on time. What'll we do with the rest of the morning? It's too early for a martini."

There was a touch of hyperbole in his observation, but the New Haven's report on operations for the Monday-to-Friday train for a full month ended June 26 showed that not one run was completed on schedule. Only three of the 23 trains met the New York standard of on-time performance—arrival within 5 minutes of timetable.

Woodlawn, in the Bronx, is a frequent slowdown point on the line. The New Haven, alone of the commuter railroads, runs the same train on two different electrical systems. In Connecticut it draws power from an overhead line carrying 11,000 volts of alternating current. At Woodlawn it changes over to pick up power from a third rail. When the connection goes even slightly awry, it takes tinkering—and time.

Delays, breakdowns and overcrowding have angered New Haven commuters at a time when the railroad, to help with its basic financial problem, is bidding for a restructuring of fares on a portion of its suburban service.

Last Tuesday the Public Service Commission barred the Penn Central, which operates the New Haven, from imposing the new fare structure on 14,000 of its 23,000 commuters until the agency could investigate the request. The following day officials of Westchester communities served by the line assailed what they said was unsafe and unsanitary equipment.

New Haven officials say no other railroad except the Long Island has had a higher percentage of its total revenue coming from passengers—42 per cent, as against about 6 per cent on most lines.

Bankrupt in 1961

Lacking enough freight income to offset passenger deficits, the New Haven went bankrupt in 1961. Plant and equipment deteriorated.

The Penn Central took over the line last Dec. 31 and says it found the overhead electric system "grossly deficient," with some wires that draw the power worn to one-fifth their original size.

Nearly 10 per cent—about 24 of 264—of the New Haven's cars were soon scrapped. Almost half of the locomotive fleet was found to be long overdue for overhaul.

The railroad reports that it is overhauling 50 of its 60 passenger locomotives this year. Six stainless steel coaches are being refurbished each month out of a fleet of 100; other coaches will be run until scrapping time. This and other refurbishing are causing shortening of trains.

Penn Central officials say they believe that in the immediate future the line's lateness record will get worse and may remain so for some time. In its first four months as a Penn Central division, the New Haven experienced a 5 per cent reduction in number of trains—and an 82 per cent rise in number of trains late.

The Penn Central attributes these delays to the deteriorated equipment it inherited

and to its efforts to modernize it. Track upgrading and round-the-clock restoration of the overhead electrical supply have delayed trains.

Vandalism also plagues the New Haven. Twenty-seven hundred broken windows have had to be replaced since Jan. 1 at $100 a window. Some riders pull down window shades as a shield against shattering glass when riding through the city.

Grant of $20.4 million

In 1967, the Federal Government made a grant of $20.4-million to cover the cost of 144 new cars and modernizing other New Haven line facilities. The grant, made through the Urban Mass Transportation Act, was made jointly to the Connecticut Transportation Authority and to the M.T.A. for these purposes.

But the grant depended upon certain agreements between the two states and the railroad that have still to be fulfilled, so the money has not yet been pumped into the ailing line.

The expectation is that the M.T.A. will buy the New Haven's right of way, stations, shops and power installations in New York State. The Connecticut authority would lease most such facilities in its state.

The two authorities would then contract with the Penn Central for the operation of the commuter service and, with the help of the Federal grant, would pay for the new cars and other improvements.

"This seems to be close to settlement," a Federal official said. But then he added:

"Of course, it will take some years to procure the cars and do the other fixing up."

FREEDOM BECOMES ILLEGAL—VI

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. RARICK. Mr. Speaker, the quasi-judicial court decision outlawing freedom of choice in my State has produced so much bewilderment that the Louisiana School Board Association is asking popular support for an en banc reconsideration by all the member judges of the fifth circuit court of appeals.

Mr. Speaker, I include a letter from the president of the Louisiana School Boards and a statement for the press following my remarks:

LOUISIANA SCHOOL
BOARDS ASSOCIATION,
Baton Rouge, La., July 24, 1969.

Hon. JOHN R. RARICK,
House of Representatives,
Washington, D.C.

DEAR JOHN: The school boards of Louisiana are making an urgent and serious effort to secure an en banc hearing by the U.S. Fifth Circuit Court of Appeals on recent decisions deeply affecting public education.

Your help would be invaluable and I earnestly solicit your fullest assistance in using your position and influence to aid us in obtaining this full court hearing.

For your information, I am attaching a copy of a statement I have just released to the press and mailed to all judges of the Fifth Circuit.

With sincere belief that it is time for a full review in order to clarify these sweeping decisions and to prevent chaos, I appeal to you respectfully with the hope that you will lend your active and effective support to this effort to procure an en banc hearing.

Many thanks for your cooperation.

Yours sincerely,

JAMES J. ROBERSON,
President, Louisiana School Boards Association.

STATEMENT BY JAMES ROBERSON, PRESIDENT LOUISIANA SCHOOL BOARDS ASSOCIATION, JULY 21, 1969

Who has made a mistake? Who is right? The few Judges of the Fifth Circuit who have sat as three-man teams to issue orders for all schools in several states to be totally unitary by the 1969–70 school year or the District Judges from the many districts and the vast majority of the citizens who say freedom of choice is still the only workable way to maintain the school systems?

Only three Judges of the Fifth Circuit have participated on as many as four hearings pertaining to school desegregation. No one judge has sat on as many as one-half of these cases. Only three of 11 judges in active service have sat on as many as one-fourth of these. Moreover, 10 District Judges have sat on these cases.

After looking at these facts, it does seem that we do not have a decision of the Fifth Circuit. Rather, the decision of a few Judges of the Fifth Circuit and several District Judges sitting in place of members of the Fifth Circuit.

These facts alone should be reason enough for the Fifth Circuit to call an en banc hearing to decide how best to preserve public education. They have sat en banc in cases such as a white man who had been indicted by a Grand Jury which contained no Negro; a draft dodger; an ex-convict for carrying a deadly weapon; in interstate commerce; and in the case of a woman who lost a judgment to the United States over a loan.

Maybe, if they did sit en banc, they just might consider that there is a possibility they have made a mistake. They might accept some constructive criticism, of which there has been much—criticism from fellow Judges of their own Court, from three District Judges who have said, ". . . with every ounce of sincerity which we possess, we think freedom of choice is the best plan available." And from one District Judge who said, "There is in my opinion no authority in the law for this Court to issue such an order and it seems to me that the time has come for the Federal Courts to cease experimenting with the public school systems of this Country.

Secretary Finch has said, "That a vast majority of southern schools are in compliance with the Civil Rights Law," and has privately stated that the problems that needed attention were the school districts in our western and northern states.

With these and many other facts, there is a good possibility that the Fifth Circuit has made a mistake, that they should accept constructive criticism and have an en banc hearing of all of the Fifth Circuit Judges and with no District Judges participating.

I ask every Federal Judge and citizen to ask these honorable men of the higher Court to reconsider their orders pertaining to education. I will also ask all school board associations and citizens in other states to join together in asking for a full Court hearing.

SURVEY INTERVIEWS DETROIT WHITE COMMUNITY

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mrs. GRIFFITHS. Mr. Speaker, on Sunday, July 27, the Detroit Free Press featured two articles written by Philip Meyer, the first entitled, "What Do Detroit Area Whites Think Now on Race Issue? Survey Detects a Softening," and the second entitled, "What Young Interviewers Found, the Paradoxes of 'Prejudiced People,'" which presented the preliminary analysis of the 19th annual survey of the Detroit area study, a yearly survey run as a research and training program for the University of Michigan faculty and students. This year's survey directed by Prof. Howard Schumann of the University of Michigan in cooperation with the survey team interviewed a scientifically devised sampling of Detroit area white homeowners. For the benefit of my colleagues, I wish to include the preliminary results of this survey as reported in the Detroit Free Press by Philip Meyer:

[From the Detroit Free Press, July 27, 1969]

WHAT DO DETROIT-AREA WHITES THINK NOW ON RACE ISSUE? SURVEY DETECTS A SOFTENING

(By Philip Meyer)

The all-too-familiar story of rapidly growing racial tension among Detroit area whites may be a myth, a new survey by the University of Michigan has revealed.

A sizable proportion of metropolitan-area whites are frightened and hostile to Negroes—enough to cause a continuing problem for anyone interested in seeking racial peace. But their number appears to be shrinking, not growing.

This finding comes from the Detroit Area Study, a yearly survey run as a research and training program. The student interviewers talked to a probability sample of 330 Detroit-area residents, and many were troubled by what they found.

"I was surprised by the prevalance of drawn drapes, barking dogs, and inhospitable people. I got the distinct impression that Detroit has indeed become an uptight city," reported one of the students after the week of interviewing, in late April and early May.

But the answers to their questions showed that there are both short-term and long-term trends toward a softening of white attitudes toward blacks.

Early in 1968, when the riot was still fresh in the minds of Detroit-area residents, black and white, another survey of the city and its suburbs asked, "What do you think is the most important thing the city government in Detroit could do to keep a riot like the one in 1967 from breaking out again."

The answers were classified according to whether the first thing mentioned was a repressive measure—such as more police or giving police more authority—or something else, such as improving conditions for Negroes.

In that earlier survey, 72 percent of the whites in Detroit and its suburbs thought of repressive measures first. This year, the proportion with that kind of response had faded to 61 percent.

There was, however, no corresponding increase in the proportion of whites who volunteered the idea that conditions for blacks ought to be improved. Instead, more people this year said they couldn't think of any important anti-riot measures.

It is a small sign, but a hopeful one. A more dramatic shift was found by comparing white attitudes toward blacks over a much longer time span—nearly half a generation.

In 1956, a similar survey put this revealing question to Detroiters:

"One day a six-year-old asks her mother if she can bring another girl home to play. The mother knows that the other girl is a Negro, and that her own daughter has only played with white children before. What should the mother do?"

Three possible responses are offered: The mother should tell her daughter that she must never play with Negroes; or the daughter should be told that she may play with Negro children in school but not at home; or the Negro child should be permitted to come to the home.

Thirteen years ago, a majority of Detroit whites was against letting the Negro child

play at the white child's home. Today, three out of four say the black child should be invited to the home.

[In percent]

	1956	1969
The exact comparison:		
Don't play with blacks	12	2
Play at school only	47	22
Bring the child home	41	76
Depends, don't know, no answer	4	5

Detroit whites have come a long way in those 13 years toward bridging the gap between the races. But a hard-core reservoir of fear, hate, and distrust still exists. Yet, this reservoir is not as great as it sometimes seems.

Many whites who have basically friendly feelings toward blacks tend to think they are pretty much alone in feeling this way. the survey findings suggest that they are wrong.

For example, nearly half the people who answered the question about the Negro child this year said they didn't think most people in the Detroit area would agree with them. And almost all of these thought other Detroiters were less liberal than themselves.

An explanation for this discrepancy will have to await more detailed study and analysis. But one possibility is that racial problems have made people with liberal or tolerant views afraid to speak out. Publicity given riots in the past few years may have made well-meaning whites afraid to express their real views for fear of seeming different.

The discrepancy also turned up in a question about housing.

Eighty-one percent said their neighbors wouldn't want them to sell their house to a Negro. Most of them were wrong in this judgment. Because when the question was reversed to, "Suppose a close neighbor was selling his house and he had a Negro customer for it. What would you want him to do?" fully 50 percent either said they didn't care or that they would want the neighbor to sell to the Negro.

"It might be a rationalization," said Elizabeth Fischer, one of the student interviewers. "Respondents may want to present themselves to interviewers in the most favorable, least prejudiced light and blame it all on the neighbors . . .

"An alternative explanation would be that the most prejudiced people are also the most vociferous and that the people who say they wouldn't care if a neighbor sold his house to a Negro keep their mouths shut. Thus, people's perceptions of what the neighbors think would be dominated by what the most bigoted neighbors think."

If true, this means that white Detroiters are not as anti-Negro as they seem. It could also mean that people may hide their tolerant feelings because they don't want to seem out of step.

The survey takes a fairly precise measure of the mood of fear among Detroit whites today. Ever since the 1967 riot there has been the fear, encouraged by some black militant statements, that the next large-scale disorder will involve the invasion of white neighborhoods by rioting blacks.

It is an unreasonable fear for several reasons: no such incident has taken place in any American city, no matter how bad its racial troubles; and the dynamics of crowd behavior are such that riots can be sustained only where large numbers of people congregate. Even if a suburban target were singled out by an angry mob, the mob would cool off by the time it got there.

Yet, the fear persists. The question was, "How much danger, if any do you think there is of groups of Negroes from the inner city going out to white areas and suburbs to commit violence on whites; do you think this is a great danger, some danger, little danger, or no danger?"

The answers:

	Percent
Great danger	24
Some danger	36
Little danger	29
No danger	9
Don't know	1

These responses show that whites in Detroit are far more frightened of Negroes than Negroes are of whites. Last fall, a Detroit Free Press survey asked inner city Negroes if they had heard any stories about groups of whites planning to attack Negro neighborhoods. Only seven percent had heard and believed such stories.

The Negro groups who talk of organizing themselves for self-protection against whites have their white counterparts. One white person out of five in the survey said it would be a "good idea" for the whites to organize into groups for protection against violence by Negroes—a sign that there are a lot of frightened people in this town.

There are also a lot of poorly informed white people. Detroit Negroes have been surveyed repeatedly since the riot to see what they want, and one of the most consistent findings is that the great majority wants integrated housing.

Yet Detroit whites, for some reason, are unwilling to believe this. Fifty-four percent said they think most Negroes want separate all-black housing. Only 35 percent gave the correct answer: most Negroes want mixed housing.

The reason for this misinformation is unclear. Perhaps it is wish fulfillment on the part of whites who see segregation as the way out of the race problem. Or perhaps it is due to over-exposure in the news media of the black nationalists who do want separate Negro neighborhoods and claim to speak for more than the minority they actually represent.

Another myth persists in Detroit: that property values go down when Negroes move in. Fifty-one percent said they always or usually go down; 32 percent said they sometimes go down. But in areas where the effect of integration on property values has been carefully studied, it has been found that it normally causes property values to rise in the long run. There is a simple economic reason for this: Housing is scarcer for blacks than for whites. Therefore, blacks pay as much or more. However, panicky whites who don't know this often lose money when they sell to speculators who do.

Some common racial stereotypes are fairly widely accepted among Detroit whites: 60 percent said whites have more ambition than Negroes; 50 percent said whites have higher morals; 43 percent said Negroes are more inclined toward violence than whites.

However, the great majority of whites who believe in white superiority don't attribute it to basic racial differences.

For example, those who said whites have higher ambition than Negroes were then asked whether they think "whites are just naturally more ambitious or that it's something about the way they are brought up?" A five-to-one majority agreed that it was the way people are brought up that matters.

The survey revealed that whites are very badly misinformed of the effects of Negro crimes. They were asked, "Do you think the victims of Negro crimes are mostly Negro or mostly white?" Sixty percent said mostly white and 24 per cent said about half and half. Both were wrong.

The right answer—(mostly Negro)—was given by only 13 percent. According to the Detroit police department, from 60 to 65 percent of the victims of Negro crimes are Negroes. In homicide cases, the proportion of Negro victims is even higher—80 to 85 percent.

A majority of respondents in the survey were right, however, in assessing the proportion of crimes such as robbery and assault which are committed by Negroes. Sixty percent said more than half, and this is true, at least in the city of Detroit. The police department estimates that blacks commit about 80 percent of the robberies and 65 to 70 percent of the assaults.

The survey probed for subtle distinctions in racial attitudes with questions that described action situations requiring a decision. The question on selling a house to a Negro was built this way.

Thirty-seven percent said, without any qualifications, that if they owned a house, wanted to sell it, and a Negro couple offered to buy, they would sell it to them.

But nearly half of these people then admitted they would back down and not sell to the Negro couple if their neighbors came around and asked them not to.

Getting people to change their minds in the other direction was harder. Those who first said they would not sell to a Negro were asked what they would do if the buyer were "a respected doctor with very high references and you know he would not cause trouble in the neighborhood."

Seven out of eight said they still wouldn't sell to a Negro.

Favorable attitudes toward blacks held up more strongly when the subject was switched from housing to schools. This time, the question was:

"Suppose there was a proposal at your children's school to give Negro parents an opportunity to transfer in about 25 Negro children from a very over-crowded school. The principal of your school calls a meeting of all parents to decide on the proposal and you go to the meeting. Would you support or oppose the proposal at the meeting?"

Persons who had no children were asked to imagine that they did. Fifty-four percent said they would support the proposal for busing in black children, and only 40 percent said they would oppose it.

"Suppose," the student interviewers then said to the 54 percent who favored bringing in blacks, "several very worried friends come to you before the meeting and urge you not to support the transfer because they are concerned about what it may do to the school and to the education of their children. Would you be willing to change your vote to avoid causing them worry, or at least not to vote at all?"

Four out of five stood their ground and said they would still vote to bring the Negro pupils into the school.

When the topic switched to jobs, things got more complicated. Eighty-three percent said they think that employers should hire men for top management without paying any attention to whether they are white or Negro.

For many, however, this is not a very strongly-held conviction. The interviewers posed this problem situation:

"Suppose a good Negro engineer applied for a job as an engineering executive. The personnel director explained to him, 'Personally, I'd never give your race a thought, but the two men you would have to work with most closely—the plant manager and the chief engineer—both have strong feelings about Negroes. I can offer you a job as a regular engineer, but not at the executive level, because any serious friction at the top could ruin the organization."

Fifty-one percent of those interviewed thought the personnel director did the right thing. More, 54 percent, thought he was in the wrong, but this is still far less than the number who said they favor color-blind hiring practices as a general principle.

The typical white Detroiter, then, comes across in the survey as someone who has some sympathetic attitudes toward the prob-

lems of blacks but is not particularly willing to go to any trouble to help solve them.

The student interviewers, trained to stay neutral while they asked the questions, did have some reaction that came out later in term papers. The gap between thought and action struck some of them.

"Many of the respondents reflected a remarkable ability to admit the high degree of poverty and disorganization in Negro life," said one coed, Diana P. Wright. But she also noted "an equal unwillingness to give up anything, whether it be all-white neighborhoods, employment practices, and so forth."

One of the interviewers was a coed who wrote about the "stunning" differences between the university environment and the world outside.

"Most overwhelming and despairing," she said, "was learning the extent to which our present society is closed to real change."

HOW THE SURVEY WAS MADE

This study of racial attitudes of Detroit area whites was designed by Profs. Irwin Katz and Howard Schuman of the University of Michigan. It is the 19th annual survey of the Detroit Area Study, a research and training program for U-M faculty and students currently directed by Dr. Schuman. Each year, it covers a different problem. The survey is conducted in the spring and analyzed the following fall. Because of the urgency of this year's subject matter, the normal data processing routine was accelerated and a preliminary analysis carried out under the sponsorship of the Detroit Free Press. The information presented here is based on 330 interviews with heads of households and wives of heads obtained by graduate students. Another 300 interviews taken by professional interviewers of the U-M Survey Research Center show substantially the same results and will permit more detailed analysis.

[From the Detroit Free Press, July 27, 1969]

WHAT YOUNG INTERVIEWERS FOUND—THE PARADOXES OF "PREJUDICED PEOPLE"

(By Philip Meyer)

One of the troublesome things about the racial prejudice is that people can have it without knowing it.

Others can have it, know that they have it, and still find it logical from the point of their own limited words.

University of Michigan students, young and bright, were surprised to find this out when they fanned out across Detroit and its suburbs recently to gather information on white racial attitudes.

The students found that the world is not like the university. It is full of people with vastly different experiences and social and economic positions. And if they see things differently it is because they have experienced life differently.

"Given their information," said Rick Ogmundson of some of the people he interviewed, "there is usually a sort of understandable rationality to their world view. Furthermore, no matter how bigoted or prejudiced they were, most of them seemed to be pretty good people doing the best they could under the circumstances. My stereotypes of the evil bigot were shattered."

Elizabeth Fischer, who interviewed people in Warren, went back to Ann Arbor with a "more sympathetic view of my white suburbanite respondents and their prejudices and fears."

"The first stereotype to go," she said, "was that the inhabitants of the identical brick houses would also be identical. I found instead that they ranged from quite liberal to quite prejudiced, and their life styles also seemed very different."

She found that even those with prejudices can be nice. "My most prejudiced respondent was one of my most cooperative. He offered me a highball and had two himself during the course of the interview."

The student interviewers noted a very close connection between the racial attitudes of whites and the personal experiences, no matter how limited, they had had with blacks. And the data they gathered told the same story.

In general, the whites who were most sympathetic to Negroes and their problems were those who had had more everyday-life exposure to blacks. About half the people in the survey had gone to integrated schools, and they were more aware of racial discrimination, more ready to socialize with Negroes, and considerably less frightened than those who had gone to segregated schools.

For example, only 20 percent of those who had gone to school with blacks thought there was a "great danger" of groups of Negroes going out to the suburbs to commit violence. Among those without any integrated school experience, 31 percent saw such a "great danger."

Another finding was that people who are frightened of blacks are scared of other things as well. The students asked people how dangerous they think Communists are in the United States. Those who considered Communists a great danger, about 45 percent of the total sample, were twice as likely as other Detroiters to be scared of Negroes, too.

There was even a connection between fear of movies with nude actors and fear of Negroes. Among those who thought such movies should be banned, 31 percent think an invasion by violent blacks is a great danger. Among the majority who think adults should be allowed to see naked performers only 21 percent fear the mythical black invasion.

There is, therefore, in Detroit a fearful personality type, and racial attitudes are only a part of this general uptightness. This will not be news to many social psychologists, because faith in people, a sense that the world is a pretty good place and not a jungle, has long been known as a frequently-useful predictor of attitudes.

One interviewer encountered an example of this "the-world-is-a-jungle" attitude in a 41-year-old Wallace voter in a working-class suburb. He was a small man, dark and solidly built, and he talked for some time on his front porch where it was dark and cold before letting the interviewer inside.

"You can just look at it," he said, when asked to describe some of the main problems in the Detroit area. "The colored having the uprising, they're going to take over Detroit. There's nothing but problems. There's no respect for the right."

This man is for banning movies with nude performers and he is particularly anxious about dirty words. "They've got a song with the filthiest word there is, and they play it right over the radio," he said. The word is so awful he could not bear to say it himself, he said.

He is frightened of Communists. "I don't know why they let anything happen, an enemy of the country, why don't they send the commies out?" he asked.

He avoids his neighbors, even though he has lived 23 years in the same block. "I don't think you should get too close," he said. "I say, 'Hi,' to them. You have to."

Given this set of attitudes, his feeling toward blacks and their problems is fairly easy to guess.

"It's their own self," he said. "They won't work. They could get jobs if they wanted. There's lots of jobs. They just won't work."

Why did he think Negroes are like that?

"I don't know."

The survey included two items that measure a person's faith in people. They ask for agreement or disagreement to two statements. One statement is, "Most people can be trusted." The other is, "Most people will take advantage of another person if given a chance." If you agree with the first and disagree with the second, you rate high—as did 45 percent of all those interviewed—in faith in people.

And these questions are good predictors of racial attitudes in Detroit. Sixty percent of those who rank the highest in faith in people also believe that where Negroes lag in jobs or income or housing, it is mainly due to the way that whites have treated Negroes in the past.

Among those with the lowest faith in people, only about half as many believe that white behavior is to blame.

This low-faith-in-people group is, not surprisingly, the most ready to organize to defend white neighbors from the expected Negro attack. Forty percent in this category want to organize such groups, compared to only 13 percent in the high-faith category.

Education and age are also strong predictors of racial attitudes. A white person who is young and has finished high school is more likely than older, less educated people to let his children play with black children, attend parties with Negro guests and not feel uneasy, sell a house to a Negro, and to support fair housing practices.

To the extent that the young are becoming more visible and more influential and with the population becoming steadily more educated, this is a hopeful long-range sign. It means that white prejudices should continue to decrease as time goes by.

But meanwhile, there is still enough prejudice to cause trouble. And there are the people who are not really prejudiced but still don't want to inconvenience themselves to ease racial tensions.

When Angus Campbell and Howard Schuman surveyed 15 cities last year for the Kerner Commission, they sought to build a base for comparing the attitudes of whites and blacks and the relative antagonism in each city.

According to Schuman, Detroit ranks in the "low middle" in racial polarization—not the best, but far from the worst. Detroit contrasted sharply with Newark, the other city to have a major riot in 1967. The 15-city survey found "extreme" antagonism among both whites and blacks in Newark the following year.

Despite the riot, then, Detroit has a better basis for building good feeling between blacks and whites than many other cities. One thing that holds progress back is the fact that a great many white people here are simply unthinking: "I think I'm more liberal about race relations than the average American," said a 42-year-old department story buyer. One incongruous detail: throughout the conversation, she kept using the word, "nigger."

Interviewer Mary Sadowski found that most prejudiced whites knew that their prejudiced beliefs were a hindrance to getting along in the world efficiently, but, nevertheless held tenaciously to them . . .

"There are a few respondents whom I will remember for a long while. One was an elderly man, 68 years old, who lived with his wife in a modest brick home in a partially integrated neighborhood. He was definitely anti-integration and anti-civil rights, although he was doing his best to adjust to the racial mixture in his own area.

"He would comment on the different questions, saying he did not appreciate the Negroes living near him . . . However, he seemed somewhat apologetic for his statements, said he realized his views were not completely Christian and, as a strong Christian, he realized he should not discriminate so greatly."

The fact that seeing Negroes socially and having gone to an integrated school makes attitudes more tolerant might suggest that living in an integrated neighborhood improves racial feeling. But this is not the case in Detroit.

In general, residents of integrated neighborhoods—and 30 percent of the whites in the survey live within at least two or three blocks of Negroes—are more afraid of blacks than those in all-white neighborhoods. Probably in most cases, these people are not living in integrated neighborhoods by choice.

They are tense whites preparing to flee the central city.

Interviewer Robert E. Klein found "an enclave of largely poor whites who are surrounded by what they perceive as an encroaching, formidable black majority. The neighborhood is a last vestige of a once all-white area . . . A substantial number of young people, poor people who have probably migrated from the South in search for jobs in industrial Detroit, and a predominant number of poor, old people."

Klein asked some of his suburban respondents how often they get into Detroit. "They average maybe two trips a year," he said. "One housewife said that all the facilities she needs are where she lives. The problems of the inner city are alien to them."

This observation suggests a basic problem: where fresh contact is made between blacks and whites these days the whites being contacted are those least disposed to respond favorably. As the black population spreads outward from the poorer, older central part of the city, it touches first the poorer, less educated, most frightened whites.

It touches people like the retired auto worker who said, "There's no more socializing in the Detroit area. You can't go out at night without being assaulted. And the taxes are outrageous. Blacks migrating from the South are not paying taxes. As far as I'm concerned, Detroit is a dead area. I'm going to move out of here."

And a Redford Township man said he moved from Detroit "partly to get away from them . . . it kept getting worse."

One of the risks of living in a university community is that you tend to forget how different the rest of the world is. The student interviewers totally immersed themselves in Detroit, living during the interviewing period at the Andoria Hotel.

At the end of the third day, one of the coed interviewers was driving back to the hotel and suddenly realized that she was talking to herself. Later, she figured out why.

"For so many hours," she said, "I had to read a structured questionnaire and record responses which radically differed from my attitudes and remain neutral throughout. I had had to present myself as a proper . . . young lady who was completely impartial. In short, it was relief to talk with someone as rational as my myself again."

She was partly kidding, of course, but her point makes sense. White Detroit is not as progressive as its bright, educated young people. But it is getting there. This a tense and painful time, but there is no reason to suppose that it will last forever. If there are fear-breeding, destructive forces at work in Detroit, there are also civilizing influences, and the survey results offer hope that the latter will eventually prevail.

ANTICIVIL RIGHTS PROVISIONS IN H.R. 13111, LABOR, HEALTH, EDUCATION AND WELFARE APPROPRIATIONS FOR FISCAL YEAR 1970

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. COHELAN. Mr. Speaker, tomorrow, or perhaps the day after, the House will again consider the anticivil rights provisions offered by the gentleman from Mississippi (Mr. WHITTEN).

The provisions, if retained in the bill, would effectively repeal title VI of the Civil Rights Act of 1964 as it applies to education.

I will at the appropriate time introduce amendments to strike these obnoxious, anticivil rights provisions.

I solicit, and indeed I urge, your support for these amendments to delete the Whitten provisions.

LETTER TO THE MEMBERS OF THE HOUSE

I have in fact written to each Member of the House stating my opposition to the Whitten provisions and expressing my concern.

I include a copy of this letter at this point in the RECORD:

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 25, 1969.

DEAR COLLEAGUES: Next week the House will decide whether the Federal Government should be able to effectively encourage desegregation in schools which are unconstitutionally segregated. Beginning on Tuesday, July 29, the House will consider H.R. 13111, the HEW Labor Appropriations Bill for FY 1970. This bill as it stands would effectively repeal the Civil Rights Act of 1964 as it applies to education. This letter is to urge your support for amendments which will be introduced to strike these anti-civil rights provisions.

Sections 408 and 409 of the bill were added in committee on the motion of Representative Jamie Whitten of Mississippi. These sections are the same as provisions introduced last year by Mr. Whitten. At that time, the House approved the provisions on a teller vote, but later defeated the sections on two very close roll call votes on the conference report.

Mr. Whitten's provisions have nothing to do with bussing. Under the present law, federal funds may not be spent to force bussing. The provisions have nothing to do with school closings. HEW cannot under current law force any school to be closed.

These provisions have a lot to do with freedom of choice desegregation plans. Under the Constitution, as interpreted by the Supreme Court, freedom of choice plans are unlawful unless they promptly result in the abolition of unconstitutional dual school systems.

These provisions might also force the end of neighborhood schools. Under them, parents would be in the position of overriding local school board decisions regarding geographical pupil assignment.

This is clearly an issue of black and white. A vote against the amendments to strike will be a vote against Civil Rights, against the Constitution, and against elementary fairness and equality in education.

Sincerely yours,

JEFFERY COHELAN.

WIDESPREAD OPPOSITION

Mr. Speaker, these noxious antiblack provisions are opposed by every civil rights and civil liberties group in the country.

Major religious groups are adamant in their opposition.

Organized labor, too, is vigorously opposing these provisions. In fact just today I received a letter from Mr. Andrew Biemiller of the AFL–CIO strongly urging the deletion of the Whitten provisions. I include this letter from Mr. Biemiller at this point in the RECORD.

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Washington, D.C., July 28, 1969.

Hon. JEFFERY COHELAN,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN COHELAN: This year is the 15th since the Supreme Court ruled in its landmark *Brown* decision that racially-segregated dual school systems are unconstitutional. It has been five years since Congress declared in Title VI of the Civil Rights Act that federal funds may not be used to support activities which discriminate on the basis of race.

In January of this year, the Office for Civil Rights at the Department of Health, Education and Welfare released statistics showing that the desegregation figure stood at slightly more than 20 percent—that's one black child in every five attending school with whites—in 11 of the states whose school systems had, before *Brown*, been segregated under state laws. This progress, while encouraging, can hardly be called satisfactory when one considers that black children are continuing to be denied their constitutional rights.

Title VI has proven itself an effective instrument for school desegregation. That is why the AFL–CIO is particularly disturbed about two provisions of the Labor-HEW Appropriations Bill (H.R. 13111), as reported by the Committee on Appropriations. We refer to Sections 408 and 409 which would have the effect of undermining the HEW Title VI school desegregation program by requiring that the Department accept so-called "free choice" plans regardless of their effectiveness. The Supreme Court ruled just last year that the only acceptable free choice plan is one which is effective in ending the dual school system. Sections 408 and 409 are aimed at preventing HEW from requiring changes in assignment patterns to accomplish desegregation of dual, racially-segregated systems.

We must not permit this to happen, just a few months after Congress last fall rejected almost identical provisions in the 1969 Labor-HEW Appropriations Bill. We in the AFL–CIO commend you for the leadership you are providing in the effort to protect the HEW program to assure equal educational opportunity. We urge support for your amendment.

Sincerely yours,

ANDREW J. BIEMILLER,
Director, Department of Legislation.

ANALYSIS OF THE WHITTEN PROVISIONS

Mr. Speaker, I have had prepared a detailed analysis of the Whitten provisions. It is the conclusion of this analysis that the mention of bussing and school closings in the text of the provisions is simply a red herring designed to obfuscate the real purpose of the amendments which is to perpetuate unconstitutional segregation in schools.

I include this analysis of the Whitten provisions in the RECORD at this point:

ANTICIVIL RIGHTS PROVISIONS OF LABOR-HEW APPROPRIATIONS BILL

The following provisions were added to the Fiscal Year 1970 Labor-HEW Appropriations Bill by the Full House Appropriations Committee:

"SEC. 408. No part of the funds contained in this Act may be used to force bussing of students, the abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent.

"SEC. 409. No part of the funds contained in this Act shall be used to force bussing of students, the abolishment of any school or the attendance of students at a particular school as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school."

These anti-civil rights provisions are intended by their sponsors to undercut the Federal law prohibiting the use of Federal funds in school systems which discriminate on the basis of race, color, or national origin.

The House sponsor of these provisions was Congressman Whitten of Mississippi. If enacted, the provisions would seriously impede the efforts of the Department of Health, Ed-

ucation and Welfare under Title VI of the Civil Rights Act of 1964 to prevent discrimination in federally-aided education programs and to eliminate unconstitutionally segregated (dual) school systems.

Identical provisions were approved by the House Committee in 1968. However, both the full Senate and House modified the provisions so that their anti-civil rights effect was nullified.

ANALYSIS

Freedom of Choice—Sections 408 and 409 are intended to require that HEW accept so-called "freedom of choice" desegregation plans for Title VI compliance purposes whether or not such plans are effective in ending discrimination and unconstitutional segregation of schools. The courts have held that freedom of choice plans are acceptable only when these plans result in the elimination of discrimination and unconstitutional segregation. If, under a free choice plan, vestiges of a dual system remain, school officials must take additional steps to complete the desegregation of schools.

On May 27, 1968, the Supreme Court held in *Green* v. *School Board of New Kent County, Virginia,* that:

"The burden of a school board today is to come forward with a (desegregation) plan that promises realistically to work, and promises realistically to work *now*."

If, said the Court:

"There are reasonably available other ways, such for illustration as zoning, promising speedier and more effective conversion to a unitary, nonracial school system, 'freedom of choice' must be held unacceptable."

The Nixon Administration has stated its unequivocal commitment to ending racial discrimination in schools in accordance with the law and court decisions. In a joint statement issued on July 3, 1969, Attorney General Mitchell and Health, Education and Welfare Secretary Finch said:

"Our policy . . . will be as defined in the latest Supreme Court and Circuit Court decisions: that school districts not now in compliance are required to complete the process of desegregation 'at the earliest practicable date'; that 'the time for mere "deliberate speed" has run out'; and, in the words of *Green,* that 'the burden on a school board today is to come forward with a plan that promises realistically to work, and promises realistically to work *now*.' " * * *

"In accordance with recent decisions which place strict limitations on 'freedom of choice,' if 'freedom of choice' is used in the plan, the school district must demonstrate, on the basis of its record, that this is not a subterfuge for maintaining a dual system, but rather that the plan as a whole genuinely promises to achieve a complete end to racial discrimination at the earliest practicable date. Otherwise, the use of 'freedom of choice' in such a plan is not acceptable.

Busing and Closing of Schools—Sections 408 and 409 also refer to busing and closing of schools. These are spurious issues, designed to attract support for the real object of the provisions: the legitimization of unconstitutional freedom of choice plans.

(1) HEW does *not* require the transportation of students to overcome racial imbalance. It does require that federally-assisted school systems eliminate discrimination and unconstitutional segregation as a condition for receiving Federal funds. *How school systems eliminate discrimination and unconstitutional segregation is a decision for local school authorities.*

(2) HEW does *not* require the closing of schools. If schools were originally established for the purpose of segregating students by race and their continued operation has the effect of perpetuating segregation or denying equal educational opportunity to students of a particular race, color or national origin, such operation must be discontinued. In cases where clearly inferior schools are operated for minority students, it is sometimes necessary that they be closed in order to equalize educational opportunity within a school system. The only cases in which school districts have closed usable facilities have been where they elected to do so because school officials felt that white children would not attend them. *This is always the choice of the school district.*

FREEDOM OF CHOICE PLANS

Mr. Speaker, earlier this year the Civil Rights Office of the Department of Health, Education, and Welfare prepared a memorandum explaining the details of the freedom of choice issue.

This memo makes clear the point that freedom of choice plans are clearly unconstitutional unless they result effectively and promptly in the abolition of dual school systems.

I include this memo at this point in the RECORD:

FREEDOM OF CHOICE

A freedom of choice student enrollment plan is a system of assigning students to school by requiring all students, or their parents to make a choice of school. Experience has demonstrated that use of the so-called freedom of choice plan simply keeps in effect for the vast majority of Negro students a racially segregated school system with inherently resulting inequities and badges of servitude.

In many communities, direct intimidation, harassment and physical force were used to discourage the choice of a white school by a Negro. In other instances indirect social and economic pressures as well as the long established relegation of Negroes to subservient status have prevented a true exercise of choice.

Freedom of choice plans were listed, among other suggested plans, in the Department's first school desegregation guidelines issued in the spring of 1965 as a possible method of eliminating the dual, racially segregated school system, in accordance with the nondiscrimination provisions of Title VI of the Civil Rights Act of 1964. The guidelines emphasized, however, that the responsibility for establishing a unitary, non-racial system rested with local school authorities and that the free choice plan, or any other plan, was expected to achieve this purpose.

Many school authorities using freedom of choice contend they have complied with Title VI, as well as with the 1954 Supreme Court decision in *Brown* v. *Board of Education* outlawing racially segregated school systems, as long as a choice is offered to Negro students to attend the white schools.

In almost every case, however, this policy leaves unchanged the same illegal dual school system that existed before the free choice plan was adopted. In other words, most Negro children continue to attend all-Negro schools staffed by Negro teachers and white children attend predominantly white schools with white teachers. Obviously, this does not achieve the desegregation required by law.

Federal courts, the Supreme Court and the Department of HEW have determined that when freedom of choice failed to bring about a unitary, non-racial system, school officials were obliged under the law to use some other method or a combination of alternatives which would accomplish the legally required result. In short, the issue under the law is not the means, but the end result.

The unanimous Supreme Court decision made this clear on May 27, 1968, in *Green* v. *County School Board of New Kent County, Virginia:*

"In desegregating a dual system, a plan utilizing freedom of choice is not an end in itself . . . The burden on a school board today is to come forward with a plan that promises realistically to work, and promises realistically to work *now* . . . It is incumbent upon the school board to establish that its proposed plan promises meaningful and immediate progress toward disestablishing State-imposed segregation."

The court also quoted Judge Sobeloff in *Bowman* v. *County School Board:*

"Freedom of choice is not a sacred talisman; it is only a means to a constitutionally required end—the abolition of the system of segregation and its effects. If the means prove effective, it is acceptable but if it fails to undo segregation, other means must be used to achieve this end. The school officials have the continuing duty to take whatever action may be necessary to create a 'unitary, nonracial system.' "

Earlier, on December 29, 1966, a three-judge panel of the Fifth Circuit Court of Appeals ruled in seven school desegregation cases in Louisiana and Alabama that:

"School authorities are under the constitutional compulsion of furnishing a single, integrated school system."

The court added, on the basis of the Supreme Court's historic 1954 Brown decision:

"As Brown dictates, the decree places responsibility on the school authorities to take affirmative action to bring about a unitary, non-racial system. As the Constitution dictates, the proof of the pudding is in the eating; the proof of a school board's compliance with constitutional standards is the result—the performance. Has the operation of the promised plan actually eliminated segregated and token-desegregated schools and achieved substantial integration?"

The court also states:

"Freedom of choice is not a key that opens all doors to equal educational opportunities."

The three-judge ruling was affirmed by a majority of the full 12-judge appellate court in March 1967. This court has jurisdiction in the Deep South States of Georgia, Alabama, Florida, Texas, Louisiana and Mississippi.

GENERAL STATEMENT

Mr. Speaker, these Whitten anti-civil-rights provisions should be clearly understood—and rejected—for what they are:

They are an attempt to impose a Federal limitation on the flexibility of local school districts to decide locally the means they shall employ to eliminate discrimination in schools;

They are an attempt to legislate a requirement that so-called freedom of choice plans are acceptable means of desegregating schools even though such plans may fail to eliminate discrimination and unconstitutional segregation in schools;

They are an attempt to perpetuate the infamous and blatantly discriminatory "separate but equal" dual schools system in the South which was declared unconstitutional by the Supreme Court 15 years ago in Brown against Board of Education; and

They are an attempt to negate effective HEW enforcement of title VI of the Civil Rights Act of 1964, which prohibits discrimination in federally assisted education on account of race, color, or national origin.

Mr. Speaker, for these and many other reasons, I urge the deletion of these noxious provisions from the Health, Education, and Welfare, Labor appropriations bill tomorrow.

THE FIGHT FOR CONGRESSIONAL REFORM

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. RIEGLE. Mr. Speaker, I have been encouraged by the interest that outside individuals and organizations have shown in the vital issues of congressional reform. I have recently read an article in the Ripon Forum concerning the application of computer technology to congressional decisionmaking. As you know, I have joined with nearly 150 of my colleagues in sponsoring legislation to improve the operations of Congress—the use of computer technology is a very important section of this legislation.

Therefore, Mr. Speaker, at this point in the RECORD I am inserting the Forum article, entitled "Coming Soon: Systems Politics," by the past president of the Ripon Society, John S. Saloma III, as a further assertion of the pressing needs which the Congress has for the thorough and effective application of computer methodology to the congressional processes:

COMING SOON: SYSTEMS POLITICS

(NOTE.—Despite all the talk about the electronic age, the computer era is not really upon us yet. Its arrival awaits reductions in the net costs of acquiring, processing, storing, retrieving, and using information. As the next five or ten years witness the beginnings of this process, government as well as the rest of society will begin to feel the results of this new technology which will make possible an advance in human intellectual capacity comparable to the invention of language, arabic numerals and calculus.

(The consequences of computerization for the American system of checks and balances will of course be fundamental. With systems analysis will come "systems politics." John S. Saloma III, former president of the Ripon Society and associate professor of political science at M.I.T., working under a grant from the Carnegie Corporation to the American Political Science Association, has been studying the likely impact of a computer technology on the governmental decision-making process. His fascinating discussion of the potential changes in the balance of power among the Congress, the President, and the Bureaucracies that computers may spur is adapted from his book *Congress and the New Politics* published by Little, Brown and Company this month.)

(By John S. Saloma III)

Is the demonstrated success of the computer and the new information technology in business, industry and private institutions transferable to the arena of public policy? If Congress embraces the computer, the really significant result will be improved techniques of decision-making—operations research, mathematical analysis, systems modeling and simulation—used in conjunction with computers and a more adequate data base.

No matter how conservatively one views the future, computers, by virtue of their ability to store and process enormous amounts of data, to calculate at lightning speeds, and to simulate human and organizational decision-behavior, provide man with an intellectual tool of almost inconceivable power. Almost certainly the application of the computer will introduce a new era for both the social and political systems. There will be cumulative improvement in information processing and computer-assisted techniques for analysis. Together these advances will dramatically alter the decision-making context. Looking at the massive information problems in government today suggests the potential.

Information provides the premises for decision or action. By one definition, decision-making is simply "the process of converting information into action." Yet in a political system where information is a form of power, there are many limitations on acquiring the right information. The political decision maker needs, broadly speaking, two types of information: *technical* information defining the content of a policy issue and *political* information concerning the relative strength of competing claims and the consequences of alternative decisions.

CONGRESSIONAL DATA WOES

The Congress suffers from several specific information problems. It is dependent on the Executive bureaucracy, and that bureaucracy often cites Executive privilege as a justification for withholding information. In addition the widespread secret classification of material under the mantle of "national security" raises another powerful barrier to Congressional access to needed information.

Also, the individual member of Congress groans under a glut of paper and strains to acquire specific, reliable information as anyone familiar with "the Hill" will testify. Not surprisingly, a variety of simplifying devices are substituted for individual decisions; following party leadership, deferring to the judgment of the responsible committee, voting with state delegation, consulting members who are expert on the subject under consideration, etc.

The point is clear. Most of the limiting conditions that act to constrain decision-makers in a world of imperfect information are abundantly present in the contemporary Congress. Congressmen and Senators muddle through as best they can.

The question of interest to us is what difference will the new information technology make for the decision-making process in government. First we shall examine a range of technically feasible change; then, some of the political factors that will condition such change in the American political system.

One of the most obvious advances that will be made possible by the new information technology is increased quality of information (including factors such as relevance, precision, completeness, and timeliness) and quality of information processing (accuracy, speed, ability to handle complex relationships, inflexibility, and potential for codification in standard rules).

But, with the computer the problem of information overload will be more subject to the control of the individual decision-maker. He will have the potential to get "on top" of his work. The computer can be programmed to provide top decision-makers with "exception" information demanding attention or action.

Decision-makers may specify in advance what types of information they wish to receive on given subjects of interest as new information becomes available. Central libraries or document centers can then service the individual decision-maker according to his "interest profile" through a technique of "selective dissemination of information."

Instead of being a largely passive recipient of information, the decision-maker will be able to interact with the data system using it as an active search mechanism.

IMPORTANT CONTROLS INTRODUCED

Congressmen may continue to tap a variety of information sources on a random basis to obtain political information, but improved selective processing of relevant technical information (and even political information on their constituency) should significantly change the problem of information overload. The individual legislator will have an important degree of control over the amount and nature of information he receives.

The legislator will be provided with the capacity for systems thinking and systems analysis—that is, the dynamic behavior of complicated systems and the analysis of multiple variables. Such simulations will permit the preparation of major contingency plans. A lengthened time perspective, and a greater opportunity for strategic planning will replace the "remedial" orientation of incremental policy-making with orientation toward the future. He will be able to think ahead more, instead of exhausting himself just trying to keep abreast.

The incrementalist's view that "public policy problems are too complex to be well understood, too complex to be mastered" and that decision-makers develop "a strategy to cope with problems, not to solve them" will be replaced with a more optimistic perspective. The decision-maker will be "on top" of information. He will have analytical techniques and information processing capabilities that will give him new understanding of governmental and social systems and with this a sense that he can manipulate and control them. Where the incrementalists have rejected the impossible prescription to be comprehensive in favor of a more manageable strategy of "outright neglect." The new information technology will enable the decision-maker to develop a *more rational* and *aggressive* strategy of problem-solving.

But perhaps the greatest long-run contribution of the computer to man's problem-solving capacity will be its ability to facilitate two types of breakthrough in collaborative research. The first of these gains is the cumulative storage and preservation of solutions—a kind of division of intellectual labor. Since a computer never forgets, all gains or improvements in computation or analysis, no matter how incremental, are preserved until better techniques are perfected and may be retrieved, used and refined by contemporary and future generations of decision-makers.

One does not have to be a technological radical to appreciate the cumulative potential of computer programming. If most human decisions have an underlying structure, as disjointed, incremental, restricted in scope as that structure may be, in time computer programmers and analysts will discover and program the implicit decision techniques, rules, and coefficients. Already computer programs based on the analysis of past managerial behavior have proved more efficient than continued management practices (*i.e.*, rules of thumb) based on experience. Most computer experts do not expect the computer to replace the human decision-maker but rather to extend his planning and decisional capacities through the continued refinement of man-machine interaction. The computer will thus absorb the incrementalists in its inexorable accumulation of intellectual power.

"ON-LINE" COMMUNITY

Even more significant than the steady development of computer programs is the advent in prototype form of "the on-line intellectual community" based on man-computer interaction and computer-facilitated cooperation among men in a university setting. Carl F. J. Overhage and R. Joyce Harman describe the potential breakthrough based on the experience of Project MAC (research and development of Machine-Aided Cognition and Multiple-Access Computer systems) at M.I.T.:

"Because communication among men is fallible, and because heretofore men did not have effective ways of expressing complex ideas unambiguously—and recalling them, testing them, transferring them, and converting them from a static record into observable, dynamic behavior—the accumulation

of correlatable contributions was opposed by continual erosion; and the melding of contributions was hampered by divergencies of convention and format that kept one man's ideas from meshing with another's. The prospect is that, when several or many people work together within the context of an online, interactive, community computer network, the superior facilities of that network for expressing ideas, preserving facts, modeling processes, and information and the same behavior—those superior facilities will so foster the growth and integration of knowledge that the incidence of major achievement will be markedly increased."

Comparable networks will in time be available in business and government and among sectors of each of these communities with overlapping research interests. The potential of man-machine-man interaction for pure and applied research is one of the scarcely realized but most staggering potentials of the new information technology.

Before examining the overall significance of these factors on decision-making in government, it would be wise to examine some reservations about the revolutionary impact of information technology.

DILEMMAS PERSIST

Lessening the information constraints on and increasing the potency of the analytical tools available to decision-makers will not remove the dilemmas of decision-making. There are limitations that go well beyond information *per se*. As the information constraints on decision-makers are eased, other limiting factors and decisions will come into play:

1. The problem of values. If we define politics as a struggle for control stemming from conflict over the direction of social life and public policy, it is clear that the central problem of politics is one of values, not information. Decision-making involves values at all stages. Choice activity especially requires value criteria for decision. For instance, budgeting is a political activity and the problem of choice or allocation ultimately remains one of values.

2. The political use and abuse of information. Information systems in government may be used to serve the political purposes of the political actors who have the resources to control them. How then can one prevent the President or program-oriented bureau chief from consciously or unconsciously biasing an information system that Congress must use?

3. Cost factors. Government (and the taxpayer) must pay the bill for the computers, their programming and the personnel to man them. Balanced against this cost is the problem of final payoffs: how much tangible difference will all this new equipment make?

Acknowledging these reservations, however, we still believe that the combined and cumulative impact of the new information technology will bring some radical changes in the environment of governmental decision-making.

Mid-1970 is only six years away—is it impossible that improvements in the legislative process from wide use of advanced data systems will actually be achieved by 1975? Studies by RAND Corporation experts suggest that by the early 1970's computers will be small, plentiful, and inexpensive. Computing power will be available to anyone who needs it, or wants it, or can use it either by means of a personal console connected to some large central facility, or by a small personal machine. Additional projections foresee, by 1975, a computer that will make possible automatic libraries able to look up and reproduce copy; by 1978, automated looking up of legal information, and the widespread use of automatic decision-making at the management level for industrial and national planning. By the mid-1980's, the computer will begin to realize its potential as a research tool through modeling and experimentation, as an integral part of the educational system, and in areas such as medicine and biological sciences.

Assuming that the projected technology is largely realized within the Executive branch by the mid-1970's, we shall examine some of its consequences within the Executive and then go on to examine the potential impact on Congress.

NEW BUREAUCRATIC CLASS

First, there will result a centralization of effective decision-making authority at the Presidential and departmental levels. As the compartmentalized information resources of individual agencies are integrated into comprehensive information systems, political executives will have greater leverage over the bureaucracy. At the same time fewer people will be involved in policy decisions. The likely long-term trend in the Federal government is toward the development of highly trained professional "analyst" staffs within the Budget Bureau and at the departmental secretary level. The power of the analyst within the Executive branch will pose new problems for Congressional watchdogs. Congress must define new points of access and review in the decision-making process if the historical concept of balance is to be maintained.

Secondly, there will develop a more explicit candid style of politics which may complicate the problem of achieving political consensus. The above point to important secondary consequences for Congress.

THE IMPACT ON CONGRESS

In January, 1968, the Legislative branch acquired its first Analysis and Data Processing (ADP) installation directly involved in aiding the legislative process. The new online terminal system, installed in the American Law Division of the Legislative Reference Service, now enables LRS to record and store on magnetic tape descriptions of all bills and resolutions introduced in the 90th Congress. The system will compile by computer the "Digest of Public Bills" and eventually allow random recall of bills by number, title, and word descriptions, at the request of a Congressional office or committee. (Upwards of 26,000 bills and resolutions were introduced in the 89th Congress—an indication of the scale of the project.)

Congressman Robert McClory (R-Ill.) who in the 89th Congress introduced the first bill in either House directly applying ADP techniques to the work of Congress, has been the most articulate spokesman for Congressional action. Congressman McClory, concerned by the growing "information gap" between the President and Congress, proposed to equip the Congress with "an identified capability, based on automatic data processing devices and procedures, to retrieve selected information that is of priority value to the Members and committees."

After viewing the new system, Congressman McClory anticipated that some of the next ADP applications might be:

(1) Daily printouts summarizing the previous day's Congressional action;

(2) An automated index of congressional documents and legal periodicals;

(3) Up-to-the-minute information on legislative issues scheduled for debate;

(4) Vote summaries on bills already passed;

(5) The status of legislation pending in committee;

(6) Description of information stored on computer files in the Executive departments.

THE WIND IS SHIFTING

A quiet revolution in thinking appears to be taking place on Capitol Hill. Members privately express the desire to be aware of coming problems so they can "gear up" for them. A few Senators and Congressmen already sense that information technology is the "coming thing" and are investing their own time as well as that of their committee staff and/or their office staff in developing a greater familiarity with information systems.

A wide range of Congressional committees have been studying a variety of related problems (and educating their members in the process): the implementation of (PPBS) the Planning-Programming Budgeting System pioneered by former Secretary of Defense Robert S. McNamara; the development of social indicators and a system of social accounts; copyright legislation relating to information retrieval; the application of the systems approach to urban problems and environmental pollution; and, the consequences of computer technology for individual privacy. The committee publications of the Congress—hearings, staff reports and memoranda, selected documents—already constitute one of the most comprehensive and relevant sheafs of facts on the social and political implications of the new information technology.

While most Congressmen and their staffs have had only a brief introduction to information technology and its potential, a start has at least been made. The real change in Congressional attitude and skills will probably not be felt, however, until a new wave of political talent with practical experience with computers—through universities and the private sector—is elected to Congress. Some of the IBM experts have already turned up in the halls of Congress. One of them; formerly employed by the International Business Machines Corporation and a candidate for the Doctorate in Business/Government Relations from the Harvard Business School (then) freshman Congressman Donald W. Riegle, Jr., (R-Mich.), caused somewhat of a stir in Washington in the fall of 1967 by sending then Secretary of Defense Robert McNamara a request for a matrix of 85 specific data items for which he (Riegel) had written a computer program. Another freshman Senator with a combined engineering and law background, Senator Howard H. Baker, Jr. (R-Tenn.), lectured the Association for Computing Machinery about the impending nuclear power breakthrough in breeder reactors that could produce power at almost zero fuel cost and the need for a much broader Congressional overview and plan for the technological and social revolution that this implied. Senator Baker has been an articulate spokesman for a new Senate Select Committee for Technology and the Human Environment.

Impressive as these individual examples may be, Congress as an institution has yet to experience the potential of information technology. Widespread Congressional interest suggests a greater receptivity toward computers and information systems than might at first inspection have been anticipated. It is still likely, however, that Congress will lag behind the Executive in fully accepting the new technology.

HOW LONG WILL IT TAKE

How great a lag will exist by our projected date of 1975—assuming that Congress permits the Executive to implement the new technology without hinderances? We may posit three points on a continuum from (I) *Congressional resistance* to computer technology, notably the failure to fund any central computational facility for use by the Congress, the failure to budget any allowance for Congressmen to utilize other facilities, and the failure to provide analyst staff for the use of the committees and/or members; through (II) *limited Congressional acceptance* of computer facilities and analyst staff with access tightly controlled by the individual committees and/or party leaderships; to (III) *open Congressional acceptance*, with all members enjoying "free" use of computer facilities and full access to staff and data resources. According to our projection, Congress could have moved all the way to Situation III by the mid-1970's. A more realistic

estimate would place it somewhere between Situations II and III. Ultimately, in our estimate, Congress will operate in Situation III although the exact institutional *form* in which it organizes and applies these new resources remains to be determined.

Accelerating the acceptance of innovation are the built-in tensions between authorizing and appropriations committees both eager to control program decision; the publicity incentive for committee and subcommittee chairmen generally to identify themselves with innovations and the perennial Congressional fear that Congress is yielding initiative and authority to the President; party competition; and, the generational divide between "activists" and high seniority Congressmen.

Indeed, once he had access to the new data processing and systems analysis tools, the contributions of the individual legislator would be considerably enlarged. We have noted the contribution of individual legislators to Congressional initiative in legislation and investigation. Although only a minority of Congressmen will choose to play the role of legislative inventor or watchdog, the effectiveness of such members will be enormously increased by computer-assisted techniques of search and analysis. Members will be free to "browse" through the data archives in developing and assessing legislative alternatives. Some legislators will hire professional analysts on their office staffs or acquire analytical skills themselves. While such legislative diligence will still be the exception, one can readily foresee a Congressman sitting at a console in his office pouring over a computer print-out into the late evening hours and cutting through the paper arguments and justifications of Executive programs with penetrating lines of questions.

In addition, *ad hoc* congressional study and work groups would freely form and disperse as new challenging tasks arose at the interstices of committee power. The work of such study groups would be "collateral" to that of the standing committees but would introduce a needed flexibility into the Congressional organization.

CAN DEMOCRATIZE COMMITTEES

While information systems afford new possibilities for specialization and increased committee power—especially in the area of legislative oversight or control of the Executive bureaucracy, they should also afford possibilities to "democratize" committee power. Where limited information previously conferred important advantages on those few individuals who had the legislative seniority and central committee positions to accumulate such information, now generalized availability of information and program analyses would enable junior committee members and interested Congressmen not on the committee to gain a better understanding of the issues involved. The majority would have greater opportunity to influence committee action and to prevail against the committee on the floor when its action was not representative of the views of the entire membership.

Generalized information systems should enable Congress to satisfy both the necessity for specialization and the goal of comprehensive policy reviews. Where information on Executive agency activities has been compartmentalized within the Executive budget and the Congressional committee system, it would now be available to any curious Congressman. The "special analyses" of the federal budget already being developed by the Bureau of the Budget are a prototype of the kind of comprehensive information that Congressional committees will be able to tap. Individual Congressional committees, no longer limited to information within their agency jurisdiction, could become important loci for government-wide program review and coordination. Where the President alone has had the information to develop a measure of agency coordination. Congressional committees would now share that information, *and* the authority to use it, subject to the majority support of Congress.

NEW BALANCE OF POWER

While the application of information technology in government will have its greatest immediate political impact *within* the Executive (with important secondary consequences, as we have observed for the Congress), the longer term consequences of better information in government raise fundamental questions about the American system of separated powers. Congress and legislative bodies generally need *not* lose power to the Executive. The potential advance in information technology is theoretically equally accessible to *both* the President and Congress, with Congress standing to enhance its powers versus the Executive considerably. The thorny question of how power should be organized in the American politcial system will be faced once again.

Beginning roughly with the Budget and Accounting Act of 1921 and including the establishment of the modern Executive bureaucracy, the Executive staffs to the President, and the Legislative Reorganization Act of 1946, there arose a specialization of roles—Executive leadership and Congressional review or oversight. The model of "Executive-centered" government while tending to enhance the power of the President and reduce the autonomy of Congress, was based on a rationale that differentiated roles for President and Congress.

Simply stated, the President set the agenda for legislation; the Congress reviewed, amended, and passed legislation; the President supervised the execution of the laws by the federal bureaucracy; and the Congress reviewed administrative performance. Executive-centered government, however, conferred important relative information advantages on the President. The President was closer to the day-to-day operations of the Executive bureaucracy. He had access to the detailed information generated by the budgetary cycle and the numerous intelligence activities of the general bureaucracy. Moreover, the budgetary process and supporting central staff gave him a continuing framework for decision.

BLURRING DISTINCTIONS

A second major rationalization of authority has begun with the new emphasis on program budgeting and information systems in government. As this rationalization proceeds many of the assumptions underlying specialized roles for the President and Congress will have to be re-examined. The distinction between Executive decision-making and broad policy oversight will become increasingly blurred as the time perspective of governmental decision-makers is lengthened. As improved information systems yield better indicators of performance, reduce the time of the management information cycle, and permit real-time monitoring of governmental activities, the Congressional role of "oversight" (review after the fact) will be supplemented by new possibilities for "control" (legislative decision or activity prior to the relevant administrative action). The policy or control functions of the President and Congress will become less distinguishable as both develop the capacity to ask program questions and undertake analyses of data from the same generalized information systems or specially developed systems for their own use.

One restraint on a fully developed Congressional policy role in the past has been the unwillingness of Congress to build a parallel legislative staff bureaucracy. As a result, Congress has often had to "second guess" the Executive without the information to back its hunches. Now, as technology generalizes the availability of information, Congress can tap into Executive-based information systems, establish quality controls, and develop more limited information systems for its own specific requirements. Congress will review, evaluate, analyze and make its own determination of priorities. The process of making choices and analyses more explicit enables Congress to participate much more intelligently and vigorously, with a *limited* staff, in the decision-making process. In fact, there may even be a danger of too vigorous participation.

The new definition of the separation of powers that will evolve is a matter for speculation. If we assume the trends that we projected earlier, distinctive Presidential and Congressional biases may soon develop in the decision-making process. We might expect the Executive to overemphasize the benefits of rationalization in program formulation and administration, to overvalue economic and technical criteria of performance. If the new information technology leads to an increasing separation between operating missions, life styles, and social roles for those institutions and individuals involved in rationalized activities compared to those involved in nonrationalized ones, Congress, representative of a society embracing both lifestyles, would inherit the difficult task of mediating the impact of the former on the latter and restraining the tendency toward irrational and frustrated response. Congress would add elements of "political rationality," considerations of human costs and benefits to the decision-making process.

SYSTEMIC DISSONANCE

In this context, one rationale for the separation of powers—"systemic dissonance"—takes on new significance. We have suggested through this discussion that the revolution in information technology represents an almost immeasurable potential increase in man's knowledge—especially in his understanding of and ability to control his environment. The intelligent use of that knowledge and the power it confers is an awesome responsibility. In the United States it involves the democratic consideration of emerging technological possibility and consequences. The multiple perspective of the American system, the numerous points for developing, testing, and advancing ideas may ultimately prove to be one of the greatest assets of American democracy in the future.

DRUG ABUSE AND OUR PRESENT EFFORTS TO MEET THE PROBLEM

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, as a cosponsor of H.R. 9312, a bill to provide assistance to special education programs on the very serious drug problem we face, I was pleased to see the Nixon administration express its intention to work toward a solution to the problem.

In an effort to determine exactly what sources of Federal aid are presently available for the treatment and prevention of drug abuse, I have had the following compilations of Federal programs prepared. The first is a "Summary of Federal Laws Providing Aid to States and Localities for the Treatment and Rehabilitation of Narcotic Drug Addicts" prepared by the Library of Congress. The second is an abstraction

from the "Catalog of Federal Domestic Assistance" compiled by the Office of Economic Opportunity.

I insert these in the RECORD in the hope that a look at our past efforts at drug control may provide some insight into where our emphasis should be placed in the future:

SUMMARY OF FEDERAL LAWS PROVIDING AID TO STATES AND LOCALITIES FOR THE TREATMENT AND REHABILITATION OF NARCOTIC DRUG ADDICTS

COMMUNITY MENTAL HEALTH CENTERS ACT OF 1963

The Act provides for grants to States for the construction of public and other nonprofit mental health centers. The grant may range from one-third to two-thirds of the total cost of the project. Allotments to States are based upon population and need.

Under a 1965 amendment, grants are available to help pay salaries of professional and technical personnel employed in mental health centers. The funds are awarded on a decreasing percentage basis for a center's first 51 months of operation. Grants may cover 75 percent of eligible staff costs the first 15 months, 60 percent in the first subsequent year, 45 percent in the second, and 30 percent in the final year of support. Staffing grants are awarded by the National Institute for Mental Health directly to the facility on a 12-month basis. Construction grants go to mental health centers that will provide at least 5 services: consultation and education, emergency psychiatric help, partial hospitalization, and inpatient and outpatient services.

During consideration of the legislation in 1963, it was established that the Department of Health, Education and Welfare—responsible for administration of the Act—interpreted the term "mental illness" so as to include narcotic drug addiction. The community mental health centers, therefore, may be used (although not exclusively) for the treatment and care of narcotic drug addicts (however, see the Alcoholic and Narcotic Addict Rehabilitation Amendments of 1968, below).

As of March 1, 1968, 271 centers had received Federal support either for construction or staffing, or both. These centers are located in 48 States, the District of Columbia, and Puerto Rico. More than 1,000 institutions—universities, social service agencies, clinics, community and State hospitals—have aided in the development of these centers.

ECONOMIC OPPORTUNITY ACT OF 1964

The 1966 amendments to the Economic Opportunity Act of 1964 contained authorization for programs for the prevention of narcotic addiction and the rehabilitation of narcotic addicts. Such programs are to include provisions for the detoxification, guidance, training, and job placement of narcotic addicts. Although the amendments do not specify the amount of money to be spent for these programs, the conference report indicates that the committee explicitly agreed that no less than $12 million of the earmarked funds for health service programs ($61,000,000) or an equivalent proportion of such funds as may actually be appropriated, be used for narcotic rehabilitation. Subsequently, $11.2 million was appropriated for the anti-addiction programs for fiscal year 1967. No further appropriations have been made.

The funds are made available for the treatment and rehabilitation of narotic drug addicts through the Community Action Program (Title II of the Economic Opportunity Act), and in 1967 CAP supported eight narcotic control projects. The first of these to be funded was a narcotic addition program in San Antonio, Texas. The program provides for both hospitalization and job training. The rehabilitation program involves not only the addict but his family as well. Funds were also awarded to Puerto Rico, Chicago, Tacoma (Washington), New Jersey, Washington, D.C., New York City and Los Angeles in 1967.

NARCOTIC ADDICT REHABILITATION ACT OF 1966

The Act is designed primarily to promote the rehabilitation of narcotic addicts charged with or convicted of violating certain Federal criminal laws. In addition, it provides for procedures whereby an individual not charged with any crime may be committed to a Federal institution for treatment; and it provides for assistance to State and local governments and to other public and private organizations and institutions for the development and operation of addict treatment facilities.

Title I provides for the civil commitment of certain addicts charged with Federal law violation who desire to be treated for their addiction in lieu of standing trial. Title II provides for a sentencing procedure to commit for treatment those addicts (qualifying under the law) who are *convicted* of a Federal crime. Title III provides for civil commitment to a Federal institution of addicts who are not charged with any criminal offense. Title IV, Section 401, provides for the establishment of outpatient services for persons released after confinement under this or any other act providing for treatment of narcotic drug addiction.

Section 402 of Title IV authorizes the Suregon General to make grants to States, local governments and other public and private non-profit organizations and institutions for the development and operation of facilities for the treatment (including post-hospitalization treatment) of addicts. It also provides for Federal aid for field testing and demonstration projects, surveys and training programs. An appropriation of $15,000,000 was authorized for fiscal year 1966 and for the succeeding year.

Section 402 of the Act was repealed by the Alcoholic and Narcotic Addict Rehabilitation Amendments of 1968 (see below). Under these amendments the assistance program provisions are transferred from the Narcotic Addict Rehabilitation Act to the Community Mental Health Centers Act of 1963.

THE ALCOHOLIC AND NARCOTIC REHABILITATION AMENDMENTS OF 1968

These amendments amend the Community Mental Health Centers Act of 1963 by authorizing funds ($15,000,000 for fiscal year 1969 and $25,000,000 for fiscal year 1970) for grants for construction and staffing of facilities for the prevention and treatment of alcoholism and the prevention and treatment of narcotic addiction.

The grants are offered to public or nonprofit private agencies and organizations to pay part of the cost of construction of treatment facilities (including post-hospitalization treatment facilities) for narcotic addicts and to assist in meeting professional and technical personnel costs for the initial operation of such facilities. The grants for personnel costs may be awarded to those facilities constructed under Part A of the Community Mental Health Centers Act (providing for construction of mental health centers in general) or under the provisions of the new amendments. In addition, such grants may be made for the operation of new services in other treatment facilities for narcotic addicts.

Grants are to be administered on the same basis as are those made to general mental health centers as provided for in Parts A and B of the Community Mental Health Centers Act. The construction grants are made to the States, based on population and need, and are administered by State mental health agencies in accordance with such plans as have been approved by the Surgeon General. The amount of the Federal share of the total grant received by any one construction project may range from one-third to two-thirds.

Staffing grants are awarded by the National Institute of Mental Health directly to the facility. The funds are made available on a decreasing percentage basis during the center's first 51 months of operation. Grants may cover 75 percent of eligible staff costs for the first 15 months, 60 percent in the first subsequent year, 45 percent in the second, and 30 percent in the final year of support.

The amendments also contain authorization for training development and for the conduct of surveys to evaluate the addiction treatment and prevention programs funded under the Act.

The provisions of the narcotic addict rehabilitation section of these amendments are modifications of the program authorized under section 402 of the Narcotic Addict Rehabilitation Act. According to the House report accompanying the amendments, "The stated intent of this provision of the 1966 Act is to assist communities in the development of a network of comprehensive, aftercare, treatment, and rehabilitation programs. The legislative history clearly indicates that the development of these community-based programs was intended to be related to other community mental health services." The provisions of this program were transferred to the Community Mental Health Centers Act by these amendments and Section 402 of the Narcotic Addict Rehabilitation Act was repealed.

It was noted in the House report: "The purpose of the legislation is not to establish Federal programs for those problem areas, but rather to provide seed money to encourage the States and local communities to establish programs to deal with these health problems."

CATALOG OF FEDERAL DOMESTIC ASSISTANCE

ALCOHOLISM—PREVENTION AND CONTROL

Nature and Purpose of Program: This program provides for Federal assistance in the construction and initial staffing of services for alcoholics *and narcotic addicts* as *part of community mental health centers*. The purpose is to provide a wide range of services and continuity of care for alcoholics and also narcotic addicts.

Who Can Apply and How to Apply: Public and nonprofit private agencies may apply but they must be affiliated with a community mental health center, if one exists in the community. Applications received by Regional Offices of the Department of Health, Education, and Welfare are reviewed and approved by the National Institute of Mental Health.

For Information Contact: National Center for the Prevention and Control of Alcoholism, National Institute of Mental Health, 5454 Wisconsin Avenue, Chevy Chase, Md. 20203. Printed information available.

Authorizing Legislation: 42 U.S.C. 291 et seq.

Administering Agency: Public Health Service, Health Services and Mental Health Administration, Department of Health, Education, and Welfare.

INDIAN HEALTH FACILITIES CONSTRUCTION

Nature and Purpose of Program: This program provides for the construction of hospitals, sanitation facilities and health centers, including school health centers, and health stations for provision of health care for more than 403,000 Indians, Eskimos, and Aleuts who apply directly to the facilities for services. In certain locations the Service constructs personnel quarters, and it performs alterations to upgrade and modernize its facilities.

Who Can Apply and How to Apply: Communities may request financial assistance for construction of community hospitals from the Indian Health Service. The Service can

provide such assistance when it is deemed the most effective way of providing health care. Applications for assistance may be directed to the address shown below.

For Information Contact: Indian Health Service, 7915 Eastern Avenue, Silver Spring, Md. 20910.

Printed Information Available: The Indian Health Program of the U.S. Public Health Service; The Second Annual Report to the Indian People.

Authorizing Legislation: 42 U.S.C. 2001–2004a.

Administering Agency: Public Health Service, Health Services and Mental Health Administration, Department of Health, Education, and Welfare.

JUVENILE DELINQUENCY PREVENTION AND CONTROL

Nature and Purpose of Program: This program is designed to help States and local communities strengthen and improve their juvenile justice and juvenile aid systems, and to provide diagnostic treatment, rehabilitative, and preventive services to youth who are delinquent or in danger of becoming delinquent. To accomplish these aims, grants, technical assistance, and information services are authorized in the following areas: planning comprehensive anti-delinquency programs; providing rehabilitative services; implementing community-based prevention services; training professional personnel for youth work; supplying information services; and providing technical assistance.

Who Can Apply and How to Apply: States, local communities, public and private nonprofit agencies, correctional systems, courts, law enforcement agencies, youth agencies, universities, and school systems are among those eligible for assistance. Prospective grantees should write to the address shown below.

For Information Contact: Office of Juvenile Delinquency, Social and Rehabilitation Service, U.S. Department of Health, Education, and Welfare, Washington, D.C. 20201.

Printed Information Available: Public Law 90–445, regulations, guidelines, and application forms.

Authorizing Legislation: 42 U.S.C. 3801–3890, Juvenile Delinquency Prevention and Control Act of 1968, Public Law 90–445.

Administering Agency: Social and Rehabilitation Service, Department of Health, Education, and Welfare.

NARCOTICS AND DANGEROUS DRUGS—PUBLIC EDUCATION

Nature and Purpose of Program: This program is offered to assist any professional, service, social, educational, religious or other interested group in establishing an educational program on drug abuse. By exposing the interested parties to experts and available resources in the Field and advising various approaches to the problem, it is anticipated that the requesting organization will function as the program's proponent. The assistance offered by the Bureau is strictly advisory, exposing the technical advantages of our expertise to those planning to initiate programs. The beneficiaries of the programs are not limited, but emphasis is placed on those who abuse or misuse drugs and persons and their families who may be inclined to use, misuse, or abuse drugs.

Who Can Apply and How To Apply: Any service, social, professional, educational, religious or other similar organization interested in initiating a Drug Abuse Educational Program designed at eliminating drug abuse or its attendant problems may apply for technical assistance. Interested applicants should address applications to: Assistant Director for Science and Education, Bureau of Narcotics and Dangerous Drugs, 1405 Eye Street NW., Washington, D.C. 20005.

For Information Contact: Division Chief, Educational Programs Division, Bureau of Narcotics and Dangerous Drugs, 1405 Eye Street NW., Washington, D.C. 20005.

Printed Information Available: *Drugs on the College Campus*—Single copy free from Bureau of Narcotics and Dangerous Drugs; *Drugs of Abuse*, $.20—Available from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402; *Progress of Marihuana: Facts you Should Know*, $.20—Available from Government Printing Office.

Authorizing Legislation: Reorganization Plan, No. 1, 1968: Federal Register, Volume 33, No. 71, Apr. 1, 1968.

Administering Agency: Bureau of Narcotics and Dangerous Drugs, Department of Justice.

NARCOTIC ADDICT—CLINICAL CENTERS

Nature and Purpose of Program: The Clinical Research Centers at Lexington, Ky., and Fort Worth, Tex., are authorized to treat voluntary patients who are addicted to narcotic drugs and who are committed under the Narcotic Addict Rehabilitation Act.

The term "addict" means any person who habitually uses any habit-forming narcotic drug, the sale of which may be covered by executive order or Presidential, proclamation, under the Harrison Narcotic Act.

Users of barbiturates, alcohol, and other drugs are not eligible for acceptance by the centers unless they are also addicted to a narcotic drug cited in the Federal narcotics laws.

Who Can Apply and How To Apply: Those eligible are narcotic addicts who are committed by Federal courts. Application should be made to the U.S. Attorney in the Judicial District in which the addict resides.

For Information Contact: Chief, Narcotic Addict Rehabilitation Branch, National Institute of Mental Health, 5454 Wisconsin Avenue, Chevy Chase, Md. 20203.

Printed Information Available: *Narcotic Addict Rehabilitation Act of 1966; Community-Based Treatment Programs for Narcotic Addiction.*

Authorizing Legislation: 42 U.S.C. 341.

Administering Agency: Public Health Service, Health Services and Mental Health Administration, Department of Health, Education, and Welfare.

NARCOTIC ADDICTION REHABILITATION FACILITIES

Nature and Purpose of Program: This program provides for the civil commitment of narcotic addicts for treatment and rehabilitation. It gives the Federal government, for the first time, responsibility for providing aftercare for addicts. Addicts may be committed to treatment under Title I, II and III. Titles I and III are administered by the National Institute of Mental Health; Title II, which provides for the treatment of addicts convicted of a Federal crime, is administered by the Attorney General's Office.

Title I authorizes civil commitment in lieu of prosecution: addicts charged with but not yet convicted of a Federal crime may elect civil commitment in lieu of prosecution. Title III permits addicts to request commitment to inpatient treatment if State or other local treatment facilities are not available. Under Title IV, construction and staffing grants on a shared basis can be made to public or nonprofit private agencies for treatment facilities for narcotic addicts. Training and evaluation grants are also available.

Who Can Apply and How To Apply: Title I—Narcotic addicts charged with, but not yet convicted of a Federal crime. Apply through a court petition.

Title III—Persons who are, according to law, narcotic addicts. Before applying through court petition under this Title, it must be determined that State or other treatment facilities are not available.

Title IV—Community Mental Health Centers or organizations able to affiliate with such centers. Apply to the address shown below.

For Information Contact: Narcotic Addict Rehabilitation Branch, National Institute of Mental Health, 5454 Wisconsin Avenue, Chevy Chase, Md. 20203, or DHEW Regional Offices, or The local U.S. Attorney's Office.

Printed Information Available: *Community-Based Treatment Programs for Narcotic Addiction; Narcotic Addict Rehabilitation Act of 1966.*

Authorizing Legislation: 28 U.S.C. 2901–2906; 42 U.S.C. 291 et seq., Narcotic Addict Rehabilitation Act.

Administering Agency: Public Health Service, Health Services and Mental Health Administration, Department of Health, Education and Welfare.

NARCOTICS AND DRUG ABUSE—RESEARCH AND TRAINING

Nature and Purpose of Program: Grants and contracts are awarded for research into various aspects of the narcotic and dangerous drug problem under this program.

It is anticipated that through basic research, clinical investigations, surveys, *demonstrations,* and carefully monitored *treatment trials,* improved methods of dealing with these problems will emerge. Funds for the establishment of nonresearch treatment facilities are not available. Training support is offered universities, community mental health centers and other organizations engaged in this effort.

Who Can Apply and How To Apply: Individuals or agencies connected with teaching institutions or appropriate foundations engaged in this effort may apply to the address shown below.

For Information Contact: National Institute of Mental Health, Public Health Service, 5454 Wisconsin Avenue, Chevy Chase, Md. 20203.

Printed Information Available: *NIMH Support Programs,* PHS No. 1700.

Authorizing Legislation: 42 U.S.C. 241, 242, 242a.

Administering Agency: Public Health Service, Health Services and Mental Health Administration, Department of Health, Education and Welfare.

CATHOLIC PUPILS EXCELL IN BASIC SKILLS

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. EILBERG. Mr. Speaker, I rise today in recognition and praise of the Catholic school children in Philadelphia. These children scored 1½ to 2 years above the national average in a recent series of tests administered to 20,000 students. At a time when pressures and competition are great and educational accomplishment is of increasing importance, this is indeed a commendable achievement.

The archdiocesan schools, which educate 275,000 children in the Philadelphia area, have been striving to perfect their system through the reduction in class sizes and the introduction of new instructional techniques. These efforts have, indeed, been reflected in the performance of the students.

I applaud the accomplishments of these children, as well as the dedicated efforts of their instructors. For the RECORD I insert an account of their achievements from the Philadelphia Inquirer of July 24, 1969:

TWO YEARS ABOVE U.S. NORMS: CATHOLIC PUPILS EXCEL IN BASIC SKILLS

(By John P. Corr)

Catholic school children in this area score, on the average, up to two years above the national norms in basic skills, according to standardized tests given to 20,000 students this year.

The average child in Philadephia's Catholic school is doing better than 60 percent of the school children in America, and his progress is improving.

The average child in the archdiocesan school system has an I.Q. rating of 109.2. The national average is about 100.

The system-wide testing also revealed a direct relationship between economic status of children and their test scores, with children in inner-city, poverty area schools scoring lowest.

The same income relationship was found in similar testing conducted by the public school system in Philadelphia, which is slightly larger than the Catholic school system in terms of enrollment.

However, while Catholic schools score 1½-to-2 years above national norms, the public school system has been scoring 1½-to-2 years below.

There are a number of reasons for the disparity.

First, public schools must accept nearly all children applying to them, regardless of ability. Secondly, Catholic schools may—if they chose—get rid of children who are discipline problems.

Also, the fact that parents will undertake the extra expense to send their children to Catholic schools indicates a home environment in which children are urged to succeed in school.

Experts are virtually unanimous in pointing out that parental motivation is a key factor in the scholastic success of students—particularly at the elementary level.

In addition, the archdiocese has many schools in suburbs where they do not have to deal with the enervating effects of poverty. All public schools are in the city with its heavy concentrations of poverty-stricken families.

Catholic school children scored above average in every grade and in every subject tested.

The pattern of achievement through the grades appears to be the opposite of that of the public schools.

Public school children tend to slip further behind the national average as they progress through the grades. Catholic school children pull further ahead.

For example, in reading, first graders in the Catholic schools score 2–3 as compared to the national average of 1.8. In seventh grade, however, the average is 8.9 compared to the national score of 7.8.

First graders in the Catholic school system here are in the 67th percentile in reading nationally, second graders in the 73rd percentile and third graders in the 77th percentile.

Children registered dramatic gains in science, which is attributed to a new science curriculum introduced this year after children scored in the 46th percentile in national testing last year. This year, they rose to the 56th percentile.

MATH RANK DROPS

Although scores remain about the same, children in Catholic schools dropped 10 percentile points in mathematics, from the 71st percentile to the 61st.

School authorities attributed this to adoption of the "new math" by an increasing number of school systems during recent months. Catholic schools here have used "new math" for years. Drop in percentile level, however, does not indicate a lowering of achievement levels.

Some children were tested in each of the more than 300 elementary schools in the five-county archdiocese—which educates about 275,000 children.

AREAS INCLUDED

Children were tested in the areas of reading, language, arts, modern mathematics, social studies and science.

School officials did not express complete satisfaction with the results which, they say, indicate that the schools are doing a good job of educating the average child but need to do more for slow learners and exceptionally bright children.

The tests will be administered each year and a gradual improvement is hoped for in the near future. The principal reason for this optimism is the school system's campaign to reduce class sizes.

During the last eight years, the system has reduced its average class size from 50 to 39.

SOVIET HUMANISM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. RARICK. Mr. Speaker, the State Department announcement that the Bolsheviks of Russia are going to serve as a clearinghouse for gift packages to the American prisoners of war in Vietnam should surprise no one.

After all, to Moscow it creates little inconvenience because they can load the gifts going to our imprisoned servicemen in the same transport vehicles which carry munitions and weapons to the Communist enemy responsible for capturing our boys in the first place.

If our State Department is desirous of giving the Russian Communists a humanitarian image they could just ask that the Russians cease arming and supplying Hanoi. The American people know that without Russian support the war would end in short order without an American offensive in which case the American prisoners of war would be free before the gifts arrive.

Mr. Speaker, I include a news clipping following my remarks:

HANOI POW'S WILL GET GIFTS VIA MOSCOW

The United States has arranged to send packages to American prisoners of war in North Vietnam by way of Moscow, the State Department announced yesterday.

In a statement, the department appealed to North Vietnam to deliver the packages to the men even if they were received in Hanoi after Aug. 15—a cutoff date announced by North Vietnam on Wednesday.

The State Department said the original declaration permitting POW packages did not specify any cutoff date.

Furthermore, the department said that while 1,400 men, including civilians, are "missing or captured in Southeast Asia" many families are uncertain about sending gifts because the names of those held have never been released—nor has the total number been given by Hanoi.

"Families of missing and captured men," the statement said, "have received mailing information from the military services and arrangements have been made by the U.S. Post Office to get the packages to Hanoi by way of Moscow as quickly as possible.

"We would certainly hope, however, that packages received after Aug. 15 would not be turned back."

Hanoi said on July 3 that gifts for POWs would be accepted. At the same time it announced that it would release three U.S. pilots. They have not been freed and press officer Carl Bartch said they have not been identified.

A POSTAL WORKER'S VIEW OF THE POST OFFICE PROBLEM

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. DULSKI. Mr. Speaker, a former postal worker has put an interesting focus on the problems of the postal service in an article which she wrote for the July 27 edition of This Week magazine.

Mrs. Yetta Horn Jay, worked for the post office, as a mail sorter at intervals over more than 4 years and has received several departmental awards for her suggestions on improving the service.

Our Post Office and Civil Service Committee is completing 3 months of intensive full committee hearings this Thursday on postal reform. We have several reorganization plans before the committee, including my own H.R. 4 which was the basis for my starting the hearings last April 22.

Mrs. Jay looks at the postal problems from the more practical side of the ways in which the individual mail users ignore the practical rules of the game and then blame delays and mail losses on the Department. It is worthwhile reading. Following is the text of the article in This Week:

YOU ARE RUINING OUR POSTAL SERVICE

(By Yetta Horn Jay)

America's postal system is headed toward a mammoth breakdown, due not so much to the glut of mail as to the negligence and sloppiness of those who mail it.

True, our mail volume is staggering: every day our Post Office handles more than one piece of mail for every man, woman, and child in our 50 states, moving twice as much mail as all the rest of the world postal systems combined.

But unlike private industry, the Post Office must take on all comers; it can't reject or control the growing demands made upon it. It is confronting this crisis head-on, using modern technology to help speed 83 billion pieces of mail annually, up from 38 billion in 1945. Postmaster General Winton M. Blount is planning a complete structural reorganization so our Post Office will serve us most effectively.

But our mailing habits are failing to keep pace with these changes—they are often inadequate, sloppy, and downright incorrect. Huge corporations and Joe Smiths alike constantly make the same errors. A conservative estimate is that *one out of every two First-Class letters mailed today is mailed incorrectly.* Yet when a letter arrives too late or not at all, we shrilly play the national game called "Blame it on the Post Office."

Each of the following cases illustrates at least one major mailing error committed daily by thousands of Americans.

CASE I. "BUNDLING'S GREAT"

One of this country's major mailers sent a number of highly important letters clearly marked "Airmail" and "Special Delivery" and correctly metered. Yet all arrived from 24 to 48 hours too late.

Blame it on the Post Office?

No. The facts are these: Like most large firms, this one bundles its mail into canvas sacks, directly dispatching them to the Post Office. In this case, its mailroom clerks bundled in reverse: they put the Airmail Specials in first, then the regular First Class mail, and finally Third Class advertising matter which filled the sack's top two-thirds. On opening the sack, the postal worker assumed that it contained all Third Class mail. Since First Class mail is always handled first, some time elapsed before the contents were processed and the error discovered.

Moral: No matter how large or small your mailing, *always bundle the most important letters on top.* Specials are always processed first, followed by Airmail and then First Class mail. Completely separate your First Class mail from other classes. Table workers at the Post Office toss bundled mail into the different bins in split seconds. They judge by the top letter. No one has the time to rifle through bundles.

CASE II. "OUNCES AND CENTS"

A non-profit club mailed several hundred routine monthly meeting reminders. The surprised local members got theirs Special Delivery, and the out-of-towners' were Airmailed.

Was the Post Office playing Santa Claus?

Hardly. A common metered mail snafu. The meter's prior setting had been for 48 cents. Failing to check, the club's mailer ran these reminders through at the same amount. He then threw the letters untied into the mailbox. The loose letters were dispersed into numerous trays worked by various clerks. Where the mailer's intention is not stated and the mailing is small, the Post Office matches service to postage. Had this mailing been bundled, the Post Office would have phoned the mailer to make sure of its intention. A postage refund could have been arranged. Instead, the club lost over $100.

Moral: *Watch your postage.* American mailers, large and small, are losing money by overpaid mail and losing good will by underpaid mail. Underpaid mail is sent directly to the mailee, who pays on receipt. Overpayments occur mostly in metered mail—and more than half of all First Class letters are metered. The meter operator forgets to check the setting or reverses the number. The routine First Class 0.06 zooms to 0.60, or the Airmail 0.10 skyrockets to 1.00.

One of the greatest underpayment culprits is the First Class heavy letter weighing over an ounce. Some senders just naturally put 6 cents on everything. Another culprit is the foreign Airmail letter whose sender forgets that these rates are in *half ounces.*

CASE III. "DEAD OR ALIVE?"

A woman invited her niece, who was visiting a cousin in a nearby city, to visit her. Her niece failed to get the invitation and soon returned to her far-off home. A family feud erupted with the aunt accusing the cousin of withholding the letter. Angrily, the cousin retorted she never saw it.

Letter lost in the Post Office?

No. The letter was sent from a suburban private home to a big city high-rise apartment house. The aunt sent her letter directly to the niece, whose name differed from the cousin's. She also failed to include her own return address. Marked "Undeliverable," the letter was sent to the Regional Dead Letter office where it was opened for a possible clue to the sender or mailee. (*Note*: this is the *sole* exception to the rule forbidding the Post Office to open First Class mail.) The letter bore no clues, and was destroyed.

Moral: *Never omit your return address.* It's a vital part of your letter, and keeps it "alive." In order for a dead letter to become deliverable these steps are required: (1) letter returned to local Post Office; (2) letter sent to regional Dead Letter office; (3) letter opened; (4) clue searched for; (5) letter re-addressed; (6) letter completely reprocessed. And all this for a mere 6 cents an ounce!

CASE IV. "DOUGH RE MI"

A loving grandmother mailed her grandson a gift of money. Eventually he got an envelope marked "Damaged in Handling" containing no money.

Wails the grandmother, *"It must've been stolen in the Post Office."*

It wasn't. Grandma sent several dollars in loose coins. Not caught in time, the envelope jammed up the stamp-canceling machine; coins flew in all directions, and her letter plus several others got mangled. A machinist had to repair the disabled canceler, the mangled mail had to be mended, the loose money (which letter did it come from?) wound up at the U.S. Treasury after endless paper work. All told, grandma's letter cost the Post Office considerably more than it contained.

Moral: *Never send loose coins in the mails.* This constant Post Office warning falls on many deaf ears.

Related is another moral: *Mark your slugs.* A slug is a bulky letter. You should print "Hand Stamp" on the front and back of the envelope in large red letters. The table worker will then immediately toss it into the slug bin. Unmarked slugs aren't always readily seen. Our Post Office constantly contends with unmarked mail containing lipsticks and other cosmetics, pens, pencils, calendars, material swatches, combs, bottle caps, razor blades. *Always tie your slugs together* to reduce the number of table-to-bin tosses.

CASE V. "TIME IS MONEY"

A rising firm sent a large national mailing announcing a new merchandise line. All the letters were delivered in A–1 condition within 24 to 48 hours. That same day a competing firm in the same city put out a similar mailing, which arrived from one to three days after its rival's, and in poor condition.

Post Office efficient in one case, inefficient in another?

Hardly. The first firm mailed its properly bundled letters early in the day. All its letters were Zip Coded.

The second firm committed almost every possible error. It sent its loosely tied mail out after 5 p.m. To attract attention, it used outsized envelopes, and these were poorly sealed. To save time and money, this firm used a window-type envelope. But since the letters were sloppily inserted, the last line of each address wasn't visible. Finally, not one letter was Zip Coded.

The first mailing arrived when the Post Office could give it maximum care, the second at a peak period. Harassed clerks had to tear apart many letters which were glued together; then they had to shake each letter to see the address. Many had to be returned to their sender for better addressing. With no Zip Code, the mailable letters had to be sorted one by one. And the outsized envelopes got bent as the clerks tried to fit them into the pigeon holes.

Morals: *Mail early in the day.* Avoid the avalanche. *Seal your mail right.* Un-sealed, partially sealed, and oversealed wet envelopes (which stick together) constantly eat up time and manpower. *Use standard envelopes.* Using today's mass methods and equipment—canceling machines, mail trays, pigeon holes—the Post Office is geared to standard-size mail. Thus undersized mail may get lost, while the outsized get bent and tattered. *Zip it!* No letter is correctly mailed without a Zip Code.

The Zip Code is the most radical change in Post Office history. It's the major solution to our mail deluge and our major hope for speedier delivery.

ZIP MAIL IS FASTER

Zipping means mail will get faster transportation.

The word Zip stands for Zone Improvement Plan which is the extension, on national lines, of the local zoning idea. Each number in the Zip Code is vital. The first digit stands for one of our country's ten major geographical areas. The second and third digits narrow it down to a sectional center. The fourth and fifth digits pinpoint your local Post Office. Thus a Zip Code for Washington, D.C. is 20037: 2 is the specific geographical region, 00 means it's inside Washington, 37 is the local station that delivers the mail.

The Zip Code plus mechanization will bring speedy delivery. Fantastic new machines—handling 36,000 letters an hour—are gradually replacing present outmoded hand-sorting methods. But these machines can work best only with correctly Zip Coded mail. The machines can't read the Zip Code that isn't there, or appears in the wrong place (it should be on the last line, two to six spaces after the state name).

Unless we drastically reform our mailing habits today, we'll find our Post Office in trouble tomorrow—even with mechanization. For as helpful as our new machines are, they can't decipher illegible or incomplete addresses, or look through an envelope to see if its contents are fragile, or separate stuck-together mail, or rescue lost contents.

The solution is simple: let's start helping our Post Office now. We aren't doing all we can when one out of every five First Class letters mailed has no Zip Code, and 30,000,000 letters end up in the Dead Letter Office every year. Let's weigh, mark, and bundle our mail carefully, correctly, and *early,* to allow the mechanical improvements to speed mail safely.

Let's stop playing "Blame it on the Post Office," and start playing by the rules.

THE CORRUPTERS

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. JACOBS. Mr. Speaker, I insert an editorial from the Indianapolis News of July 26, 1969, at this point:

THE CORRUPTERS

It should by now be apparent, even to zealous advocates of expanded welfarism, that the notion of remaking society through handouts is not working.

Latest evidence of this fact is a dispatch from New Haven, Conn., which reveals that by 1971 this New England city will be blessed with a bumper crop of illegitimate babies—greater than the number of children born in wedlock.

This astounding projection is supplied by the city's public health director, Dr. John B. Atwater. The doctor made his prediction after a survey showing illegitimate births increasing rapidly in New Haven with the total birth rate declining. The survey disclosed, among other things, that a total of 100 women in New Haven had, over a five-year period given birth to no less than 340 illegitimate children.

Those results could, all too easily, be duplicated and even surpassed in other large American cities. Surveys in New York, Washington, D.C., and Los Angeles show administration of Aid to Dependent Children programs has put a premium on births out of wedlock. The more illegitimate children a woman has, the greater the subsidy.

The result of this is to insure that in many cases these women do not get married or, if they are married, that their husbands "get lost" in order to qualify the family for welfare. Sen. Robert Byrd discovered countless subterfuges being employed in Washington, D.C., to qualify for ADC, and the McCone Commission in Los Angeles found that "the unemployed male often finds it to his family's advantage to drift away and leave the family to fend for itself."

Under these circumstances, it is not sur-

prising that in the past decade ADC rolls have more than doubled—some 2 million new recipients being added to the relief rosters. We are in effect manufacturing a welfare population, replete with squadrons of illegitimate children, through the ministrations of the social-planners and handout artists who tell us they are going to abolish poverty in America.

The handout philosophy, in this instance, has clearly become an influence for corruption rather than improvement. It has created a system of incentives which makes it more profitable not to work than to work, more desirable to be irresponsible than to stand on one's own two feet, more seemly to exist on government checks than to labor for a living.

The purposes of relief programs, supposedly, is to help transform dependent citizens into useful ones; the real effect, as the above-cited figures indicate, is precisely the reverse. When the workings of welfare can bring a major American city to the point where it anticipates more illegitimate children than legitimate ones, we are in serious trouble.

SENATE—*Tuesday, July 29, 1969*

The Senate met at 11 o'clock a.m. and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O God, our Father, giver of grace and wisdom, we lift our tangled lives and jaded spirits into the light of Thy presence, beseeching Thee to make the work this day acceptable in Thy sight. Deliver us from any coldness of heart or callousness of spirit that would shut Thee out. Deliver us, too, from all weakness of will; from the indecision which cannot make up its mind; from the irresolution which cannot abide by a decision once it is made; from giving up or giving in too soon; from being too easily discouraged; from allowing any task to defeat us however difficult. Grant us the will to say "Yes" or to say "No" as conscience commands. May we walk and work with Thee this day with a clear mind, a gentle spirit, and a pure purpose.

Through Jesus Christ our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, July 28, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 10946) to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects.

The message also announced that the House had passed a bill (H.R. 13079) to continue for a temporary period the existing interest equalization tax, in which it requested the concurrence of the Senate.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, with the approval of the distinguished Senator from New Hampshire (Mr. COTTON) who will be recognized shortly, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

ADJUSTMENT OF LEGISLATIVE JURISDICTION OVER LANDS—ETHAN ALLEN AND UNDERHILL, VT.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 328, S. 59.

The VICE PRESIDENT. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 59) to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within the Army National Guard Facility, Ethan Allen, and the U.S. Army Materiel Command Firing Range, Underhill, Vt.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 59

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provisions of law, the Secretary of the Army may, at such times as he may deem desirable, relinquish to the State of Vermont all, or such portion as he may deem desirable for relinquishment, of the jurisdiction heretofore acquired by the United States over any land within the Army National Guard Facility, Ethan Allen, and the United States Army Materiel Command Firing Range, Chittenden County, Vermont, reserving to the United States such concurrent or partial jurisdiction as he may deem necessary. Relinquishment of jurisdiction under authority of this Act may be made by filing with the Governor of the State of Vermont a notice of such relinquishment, which shall take effect upon acceptance thereof by the State of Vermont in such manner as its laws may prescribe.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-335), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 59 is, as stated in the title, to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within the Army National Guard Facility, Ethan Allen, and the U.S. Army Materiel Command Firing Range, Underhill, Vt.

EXPLANATION OF THE BILL

This measure, if enacted into law, will grant general authority to the Secretary of the Army to retrocede such legislative jurisdiction as he deems necessary within the two Government-owned military resevations described above and over which the United States is now vested with exclusive legislative jurisdiction. This will permit the local authorities to afford these areas adequate police protection which is now lacking. This measure is identical with previous enactments on the subject with respect to other military reservations and is in keeping with the position of the Interdepartmental Committee for the Study of Jurisdiction Over Federal Areas Within the States.

BACKGROUND OF THE BILL

The two military reservations referred to in this bill are located about 12 miles apart in Chittenden County, Vt. Both are presently under the control of the Department of the Army and are licensed to the Vermont National Guard. Since over the years these installations have been alternatively used under various designations by the Army and the Air Force, a brief history of each may be helpful.

(*a*) The Army National Guard Facility, Ethan Allen, is situated in the towns of Colchester and Essex, County of Chittenden, Vt. It was originally established by the Department of the Army in 1892 as the Fort Ethan Allen Military Reservation on 600 acres of land, acquired in fee by the United States and was expanded by additional land acquisitions in 1896, 1918, and 1942 to a total of 1,203 acres. In 1952, the reservation was transferred to the Department of the Air Force for use as a cantonment and housing area and designated Fort Ethan Allen Air Force Base. In 1960, the airbase was inactivated, determined excess to Air Force requirements, following which, in 1964, the Army reacquired 822 acres by transfer for joint use by the Vermont National Guard and Army Reserve components. The remaining lands were disposed of by the Air Force and the General Services Administration. The reservation, now known as the Army National Guard Facility, Ethan Allen, currently comprises 822 acres of land and improvements, and is under license to the Vermont National Guard.

(*b*) The U.S. Army Materiel Command Firing Range, Underhill, Vt., is located in the towns of Bolten, Jericho, and Underhill, County of Chittenden, Vt. It was originally established by the Department of the Army in 1926 as the Fort Ethan Allen Artillery Range on 6,025.97 acres of land acquired in fee by the United States. In 1941, it was expanded by the acquisition of an additional 5,192.73 acres, making a total land holding of 11,218.70 acres. The installation was transferred to the Department of the Air Force in 1952 and redesignated Air Force Plant No. 55. In 1965, it was again transferred to the Army and assigned to the U.S. Army Materiel Command. Now known as the USAMC Firing Range, Underhill, it is licensed to the Vermont National Guard which uses the reservation jointly with Reserve components of the Armed Forces for training and testing purposes. Additionally, approximately 2,175 acres are used on a joint basis by the General Electric Corp. in conduct of testing activities for weapons and armament systems under contracts with the Army and Air Force.

The United States is vested with exclu-

sive legislative jurisdiction over all of the lands within both of these reservations by virtue of various acts of cession and the general statutes of the State of Vermont, generally granted coincidental to the dates of Federal acquisitions of the respective lands. From the time of the inactivation of these bases, an increasing need has developed for greater police protection and surveillance of the lands and buildings thereon. During recent years numerous incidents of vandalism have occurred and on two occasions, ammunition bunkers were broken into and live ammunition stolen. Neither the military departments nor the U.S. attorney, located 70 miles away, have sufficient staff to provide the necessary police protection. On the other hand, the State and the local municipalities do have sufficient law enforcement agencies to provide the necessary protection. However, the State and local agencies, while willing to do so, are without legal authority over these areas by reason that exclusive jurisdiction is held by the United States.

It is well established that, as long as the United States retains ownership of subject lands, legislative jurisdiction cannot be revested in the State unless authorized by an act of Congress. The Adjutant General of the State of Vermont, with the concurrence of the Attorney General, has urgently solicited the support of this Department in obtaining revestment of concurrent jurisdiction. It is anticipated that the ability to utilize the combined forces of the Federal, State, and local agencies will result in effective protection and law enforcement in the reservation areas. This bill, if enacted, would provide the requisite authority for the retrocession of jurisdiction to the State of Vermont.

FISCAL DATA

The enactment of this bill will have no effect on the budgetary requirements of the Department of Defense.

A SLIPPERY STEP FOR MAN

Mr. SCOTT. Mr. President, I am just asking a moment for a philosophical observation.

The astronauts reported, when they landed on the moon, that the footing was slippery. This does not indicate necessarily that the moon is made of glass, but it does suggest to me that, with our fiscal and tax problems what they are, with our concern over the pending bill, and with our concern over the defense of the United States, our footing on earth is not too sure, either.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar beginning with "New Reports."

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The nominations on the Executive Calendar will be stated, beginning with "New Reports."

HOUSING AND URBAN DEVELOPMENT ACT OF 1968 CORPORATION

The assistant legislative clerk read the nomination of Carter L. Burgess, of New York, to be an incorporator of the corporation authorized by section 902(a) of the Housing and Urban Development Act of 1968.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

FEDERAL HOME LOAN BANK BOARD

The assistant legislative clerk read the nomination of Thomas Hal Clarke, of Georgia, to be a member of the Federal Home Loan Bank Board.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Executive Calendar No. 473.

The VICE PRESIDENT. Without objection, it is so ordered.

The nomination will be stated.

The assistant legislative clerk read the nomination of Carl J. Gilbert, of Massachusetts, to be Special Representative for Trade Negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary.

The VICE PRESIDENT. Under the previous order, the Senator from New Hampshire (Mr. COTTON) is recognized for a period not to exceed 2½ hours.

Mr. COTTON. Mr. President, the nomination of Carl J. Gilbert is to a position of dignity and great significance. It is to the position of Special Representative for Trade Negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary.

Mr. President, I have the highest respect and regard for Mr. Gilbert. He is a man of unquestioned integrity. He is a man having long experience, dating back, I believe, to 1950, with membership on various trade committees and councils, and in advising and participating in our trade negotiations with other countries. He is skillful; he is a man of exceptional ability.

The reason why I am raising a question regarding the confirmation of his nomination is that he is a symbol, he has become a symbol, for devoted, dedicated adherence to a position of this country's having absolutely no restrictions of any kind upon importations from foreign countries, in a world in which practically every other nation engaged in manufacturing does, directly or indirectly, impose restrictions. The result is that this Nation has become a complete, open dumping ground for all kinds of foreign imports, which are, year by year, throwing more and more thousands of our workers out of their jobs and out of employment.

Mr. President, I believe in the two-party system. Ninety percent of the time I am a loyal supporter of the President and his administration. I want the President and Secretary Stans to have the people whom they want to assist them in their negotiations. I believe that this very week Secretary Stans is engaged in negotiations with the Japanese, particularly or almost entirely on the subject of textile imports and the problem of trying to obtain some voluntary agreement for restrictions.

But I think there should be a tangible indication that the Senate has some reluctance to confirm the nomination of a man for this significant position who is known to be and is frank in his disapproval of any restrictions on the part of the United States except those that are obtained by importuning other nations to exercise some measure of restraint in dumping their goods into this country, thus causing the destruction of American jobs.

Mr. President, I would remind Senators that through the past years—I do not know how many years, but it has been a reasonable number—I have come to the Chamber on an average of once every 2 months and sometimes every month. The word goes out to the offices of Senators who represent States that are being hard hit by foreign imports that Senator so-and-so is about to make a speech on the floor of the Senate about the destruction of our textile industry or about the coming destruction of our shoe industry or the electronics industry or something else. They say, "Will you please, Senator, come over to the floor and after the distinguished Senator has finished his speech we would like to have as many Senators as possible register their protests."

So we come over time after time and we have a full-dressed talkfest. Sometimes as many as 28, 29, or even 30 Senators rise and register their deep concern. They wring their hands about what has happened to our textile jobs, what is happening to our shoe jobs, and what is happening to jobs in the electronics industry, or steel, or perhaps some other industry.

Then, we all go back to our offices, having done our good deed for the day.

Mr. President, I have a feeling that unless we do something other than talk, unless there is a protest on the floor of the Senate, unless we register by our votes what we have been saying over the years, we are not going to be effective in trying to remedy this situation.

Mr. President, in stating this protest today, I am doing so with the feeling it is not hostile to the President, to the administration, to Secretary Stans, or even to Mr. Gilbert. I feel that it will strengthen the hand of the President.

There has been a good deal of discussion here over the past week about the assertion that the installation of the Safeguard system will strengthen the hand of the President at the conference table. I shall not go into the merits or demerits of that contention. It is a subject of contention. However, there is one thing I think I can say without fear of intelligent contradiction, whatever may be the facts about the Safeguard system being a weapon in the hands of the President in his dealings and negotiations

for disarmament. Certainly some tangible action or protest by Members of the Senate, evidenced by their votes, and not just by speeches, will be of value to the President, Secretary Stans, and even Mr. Gilbert, assuming that his nomination will be confirmed.

I do not think any of us like the matter of unilateral quotas or restrictions unless we find no other way. A vote will strengthen the hand of the President in dealing with other countries, if there is real evidence that Congress is becoming extremely restive and is getting ready to do something unless we have some satisfactory and reasonable agreement.

Mr. President, it should be unnecessary for me to remind the Senate that we are not seeking to freeze imports where they are today, even though they have jumped during the past few years. It is not the desire of those of us who are concerned about this matter to prevent a reasonable increase as the market grows. We do feel we must take steps to see that the increase in controlled; that it be 3 percent, 5 percent, or even 8 percent, or perhaps 10 percent, which would be a reasonable restraint on the continued increase, instead of jumping 25 percent and 30 percent yearly.

(At this point, Mr. ALLEN assumed the chair.)

Mr. President, when it was known that Mr. Gilbert's name was coming to the Senate for disposition, the distinguished Senator from Rhode Island (Mr. PASTORE) asked Mr. Gilbert to come to his office. I do not know who all of the Senators were who were invited, but he telephoned me and I went to his office. There I found Mr. Gilbert, the Senator from Rhode Island (Mr. PASTORE), and the Senator from Georgia (Mr. TALMADGE). The three of us had a heart-to-heart talk with Mr. Gilbert. He was very frank, he was very honest, and he was very cooperative with us in stating his position.

I have not lobbied Senators. It is quite possible the distinguished Senator from Rhode Island or the distinguished Senator from Georgia might feel some obligation to support the nomination of Mr. Gilbert after having had the conference. But I am very clear so far as I am concerned. While I appreciate his courtesy and frankness, I was not bound by anything said at that conference.

Mr. Gilbert made his position perfectly clear to us—and if it is necessary to take the time I shall do so but I do not intend to do it now—and he made it clear in his evidence before committees, including the Ways and Means Committee of the other body, the Committee on Foreign Relations, and the Finance Committee of the Senate.

His position is that he is now, as he always has been, absolutely and positively opposed in general to any kind of quotas or restrictions on foreign trade by this country except by mutual agreement. He made it perfectly clear that he considers textiles to be in a class by themselves; that he is prepared to the extent of his ability—and I take his word for this because I consider him to be a man of scrupulous honesty and honor—to back the President and Secretary Stans to the fullest extent in conferences regarding textiles seeking a voluntary agreement, but that he is not ready and has no intention of pressing for voluntary agreements, at present at least, on any other commodity, and that so far as textiles are concerned he is still opposed to any unilateral action by Congress, the Executive, or anyone else in imposing or attempting to impose restrictions of any kind whatsoever.

Let me say, first, that the attitude of Secretary Stans is that textiles are in a class by themselves and he wants to press, particularly the Japanese and others, for some voluntary restrictions. But when I addressed questions to Secretary Stans on another occasion, about shoes and footwear, he said, "We will take one thing at a time. I am not going to becloud our case on textiles by even pressing or talking about shoes, electronics, steel, glass, or anything else."

It was my distinct impression from what Secretary Stans said that he, too, was opposed, even as a last resort, to any action on the part of Congress to impose even a very, very slight and reasonable restraint on textiles.

Now, I do not need to remind the Senate that practically all the nations engaged in foreign trade—by various means are restraining exports from this country into their country.

They do so by various expedients. One, by import licenses. Two, by excessive port fees. Three, by indirect sales taxes. Four, by health, safety, and sanitary regulations. Five, by State trading, the setting up of monopolies by the State. Six, by border tax adjustments. Seven, by excessive health and safety inspection requirements of the kind which are entirely unrealistic and only a coverup and actually are a restraint upon our exports into their country. Eight, by discriminatory credit restrictions.

Now this very week, as I have already said, the Secretary of Commerce, his advisers and assistants met, and, I assume, even though he is not yet confirmed, that Mr. Gilbert is among them—and quite properly so—trying to deal with the Japanese.

Mr. President, in 1959, the late distinguished Senator from Kansas, Andrew Schoeppel, who was at that time the ranking minority member of the Committee on Commerce, and I, after holding hearings in the then Territory of Alaska on another matter within the jurisdiction of the committee, went to Japan.

I went there because of my interest in the textile situation. We went down to Kobe, where most of the Japanese textile mills are located. The Japanese are very courteous and polite. I was shown through their mills equipped with the best and most modern machinery that any plant in this world could possibly have—furnished by us, while our own mills were gradually limping along trying to modernize their machinery.

Former Senator Schoeppel and I had the opportunity to talk to the Japanese millowners. I have said that they are very courteous people and they were courteous enough to us, but when it came even to venture to suggest some kind of voluntary restraints on the flow of their textiles into the United States of America, they simply laughed at us.

I do not remember how they phrased it. They phrased it in somewhat smooth and stilted language. But what they said in effect was, "You fellows must believe in Santa Claus. It is ridiculous. Of course we are going to export our goods to the United States as long as we can and in as great quantities as we can"—by inference, until something is done to restrict the amount.

I do not think their attitude has changed. I recall Secretary Stans, in his report, talking about his visit to the United Kingdom, France, Italy, and then on to Japan and talking about his reception there. He reported that he felt encouraged that in many of the countries they had come to the point that they were willing, at least, to discuss and contemplate voluntary restraints on the increase of their exports to us. He reported that was so in every country except Japan.

Frankly, former Senator Schoeppel and I found no real, encouraging disposition on their part to consider such an agreement.

I hope that during negotiations this week, the Secretary finds something more encouraging.

I hardly dare to expect it.

I note that the distinguished chairman of the Ways and Means Committee in the other body made a statement yesterday in which he warned that he will support restrictive trade bills unless other countries reach an agreement with the United States on textiles.

Mr. President, I am being very frank. I suppose it is a poor lawyer and a poor advocate who gives away his case. I do not expect that the Senate will refuse to confirm the nomination of Mr. Gilbert. But I want to say, Mr. President, if a substantial number of Senators—and I have never challenged any Senator, I have never tried to embarrass any Senator, and I am not doing so now—but if only those Senators who have spoken repeatedly in this Chamber expressing their deep apprehension about the loss of jobs, if only they will cast a protest vote, not against Mr. Gilbert personally, not against the President or the Secretary of Commerce, but write it into the RECORD of the Senate that they recognize the time has come to act, then I believe it will have two beneficial effects.

First, it will serve notice on the administration that we are not prepared to sit quietly by and simply make sporadic speeches, but that we have come to the point where we are going to begin to take action.

Second, as I said before, it will help the President, it will help the Secretary of Commerce, it will help Mr. Gilbert himself, if that indication can be brought to his attention.

It is easy to say to representatives of other countries, "Well, if you do not come to some agreement, if you do not make some little concession, Congress will take the matter into its own hands and impose restrictions." But if we cannot point to one single vote that has been cast to back up the sentiments so many of us

have expressed, I do not think it is going to be very impressive.

Other Senators are waiting to speak, and I shall not prolong these remarks, but I just want to mention that, as far as textiles are concerned—and I am speaking now for my own section, for my own State, for New England—I am aware that long before foreign nations began to take away our textiles, our good friends from across the aisle from the Southern States did quite a job in getting our textiles away from us. But solicitous as I am about the textile industry, it is almost like locking the stable door after the horse has been stolen.

Finally, in the Kennedy round, we got some kind of protection for cotton fabrics; but so far as New England and my own State are concerned, the largest cotton mills in the world, the famous Amoskeag Mills that had existed for a century, closed their doors and went out of existence some years ago. So we have practically no cotton industry left.

Our woolen industry is fighting a last-ditch fight and needs protection.

There is, of course, the present problem of protecting man-made fibers.

I would like to mention, so it is in the RECORD, the fact that in the matter of footwear, we are starting down the same road. Apparently the administration and the Secretary of Commerce and Mr. Gilbert have not learned the lesson that an ounce of prevention is worth a pound of cure. While we are holding postmortems on much of the textile industry, the footwear industry is going the same way.

In 1966 the increase of exports over 1965 was practically 10 percent—9.7 percent. In 1967 there was a 34.2 percent increase over 1966. Last year, 1968, it was 35.8 percent—over 1967.

Thus, from 1965 up to the present time there has been a 100 percent increase in footwear imports into this country, mostly lower-priced footwear. The projection for 1975, if only the present rate of increase continues, is a 434 percent increase over 1965—in 10 years.

I ask unanimous consent to insert in the RECORD at this point the actual figures, in addition to the percentages.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

1965	87,632,000
1966	96,135,000
1967	129,137,000
1968	175,438,000
1975	468,000,000

Mr. COTTON. Mr. President, one-fourth of the sales for footwear in our domestic market has been taken by imports. If the growth is allowed to continue at the present rate, by 1975 over 50 percent of that market will have been taken over by foreign imports.

As to jobs lost, in 1968 alone there was a loss of 64,00 jobs in footwear.

I am using this as an example to show we do not talk only about textiles. It was 64,000 in 1968.

By 1975, if allowed to continue at the present rate—the jobs lost in this country will be 168,600.

Foreign workers in footwear receive about one-fourth, in most cases—in all cases less than one-half—the wages paid in the United States.

Three hundred footwear companies have gone out of business in this country in recent years. In New England 12 factories have closed in the past 10 months. In my own small State of New Hampshire three factories have closed since January. In my small State, 2,500 footwear jobs are done and the people are out of work.

Mr. President, Mr. Gilbert serves on certain committees, one of them as chairman and director of the Committee for National Trade Policy. That committee is almost entirely composed of executives of companies that have already built factories abroad. Their interest in maintaining jobs for American workers could not possibly be as keen—though I am sure they are interested, but they could not possibly have the same force of interest—as domestic companies and the interest of American workers.

It is a healthful sympton that organized labor has at last awakened to the situation and is beginning to make its voice heard.

That brings up another point, which I shall not go into, but company after company has been compelled to construct factories in Taiwan and in Hong Kong to avail themselves of cheap labor. So American concerns are going abroad and sending back into this country foreign constructed goods.

In the case of electronics, the Sprague Co., which has three plants in my own State and many other plants throughout the United States, is being compelled, reluctantly, to do so. It has already constructed factories abroad, but so far as I know, up to now it has used those factories only to send its goods into other foreign countries, not back into the United States. But its officials are very frank to say that they will be compelled to close many of their own factories in this country, and put our people out of work. Sprague makes electrical components that go into radios and television sets. It feels compelled, in order to compete, to send goods back into this country from its foreign plants.

Mr. President, that is a situation which absolutely calls for affirmative action. I do not know how long we are going to wait. I have bills I have introduced in the Senate, and the distinguished Senator from South Carolina (Mr. HOLLINGS) has bills, which we are pressing. I will not start talking about the Democrats. I will let them speak for themselves. I shall not intrude into their business. I will talk only about my own party. The last Republican National Convention wrote into the platform a promise "to work toward freer trade among all nations of the free world," but added, "But artificial obstacles to such trade are a serious concern."

Then the platform says:

> We promise hard-headed bargaining to lower the non-tariff barriers against American exports and to develop a code of fair competition, including international fair labor standards, between the United States and its principal trading partners.

It goes on to say:

> A sudden influx of imports can endanger many industries. These problems, differing in each industry, must be considered case by case. Our guideline will be fairness for both producers and workers, without foreclosing imports.

Then the platform continues:

> Thousands of jobs have been lost to foreign producers because discriminatory and unfair trade practices—

Practices which I have enumerated already—

> The State Department must give closest attention to the development of agreements with exporting nations to bring about fair competition. Imports should not be permitted to capture excessive portions of the American market, but should, through international agreements, be able to participate in the growth of consumption.

It goes on with three or four paragraphs more of plain, downright promises. I do not know whether the President or the Secretary of Commerce—as to Mr. Gilbert himself, I know nothing about his political affiliations—have refreshed his memory about this promise made by the Republican Party, in its convention, to the workers of America. I am not talking so much about the employers or manufacturers, although, if we are ever going to compete with the markets of the world, they also must have a chance—a chance to machine their mills, a chance to improve their efficiency and effectiveness, and do what America has done for generations, or we would not be where we are today—wherever that may be right now. They must have an opportunity.

I am speaking for the workers. I speak for the workers in my own State, who are my constituents, and who have been thrown out of employment every month in increasing numbers in the last 2 years and will continue to be unless something is done.

Those are some of the reasons. I could quote the statements of Mr. Gilbert, made to the committee. I have here a statement which he made in response to questions by members of the Senate Finance Committee, in which he said that he would consider textiles in a class by themselves, and he wanted to back up the President and the Secretary of Commerce in trying to get voluntary agreements. He would not say that in the absence of voluntary agreements he would ever approve of any unilateral restrictions on our part to counterbalance restrictions elsewhere.

I was in Spain, Mr. President, 3 years ago. The commercial attaché of the American Embassy told me that the Spanish people are eager to buy American-made goods, particularly radios, televisions, toasters, and all kinds of electrical appliances; but they could not buy them. Why? Because only perhaps half a dozen people in Spain were allowed import licenses; and those import licenses were restricted to minimum amounts.

Here we are, openly inviting and allowing everybody to dump their goods here; and not one of those countries—I do not care whether it was Japan, the United Kingdom, France, or any other—not one of the exporting countries has

failed to protect its own by restrictions in some form or other.

Mr. President, I have not had the opportunity to confer with the distinguished Senator from South Carolina (Mr. HOLLINGS), who just arrived in Washington a few minutes ago, but I would feel that the opportunity to vote on this matter—and by that I mean a record vote— should be afforded so that Members of the Senate, after all of the protests we have made in speeches, may be recorded. I think that a reasonably substantial protest vote, which is not a reflection in any way, shape, or manner on the skill or the integrity of the nominee, Mr. Gilbert, would be of great value, and would be a weapon in the hands of our negotiators as they negotiate with these other countries.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Chair recognizes the Senator from South Carolina.

Mr. HOLLINGS. Mr. President, I admire the character and courage of my distinguished colleague from New Hampshire, to be able to stand up and speak for the preservation of American jobs and the economic sustenance of our country. With respect to his desire that we have a record vote, that is also my desire. With respect to having a protest vote, I hasten, just on my short return to Washington, to point out to the distinguished Senator from New Hampshire that the other crowd has been working, and our crowd has been taken down the primrose path that "We are going to look out for textiles, so why vote against a guy who is supposed to go to bat for you, and get him irritated? Let us just sort of go along with this situation."

The fact of the matter is, Mr. President, that I speak not only for textiles but for all jobs. In the last 3 years, the U.S. Government has appropriated approximately $577 million to preserve the jobs of Americans. Last year and the year before, the style on the Senate floor was "jobs." Anywhere we could pour money into the urban areas, money into the ghettos—job training, OEO, any kind of programs—the key word was "jobs." And yet, at the very time that we were spending almost three-quarters of a billion dollars to create jobs, we actually exported jobs by the tens of thousands—an equal number of jobs. So our policy has been frustrated.

Simply and to the point, obviously Mr. Gilbert is very able to do very many jobs. He has character and he has ability. But from his past record, it is equally obvious that he would be a very poor negotiator for American jobs and for U.S. trade policy.

He defends himself by saying he is an advocate. You do not take the fellow who has been the attorney for arson cases for 19 years and appoint him fire marshal; you do not take the lawyer who has been defending drunk drivers for 19 years and make him highway safety director; you do not ask Melvin Belli to defend a personal injury case; and you do not ask the insurance lawyer to prosecute on behalf of the plaintiff in a personal injury case.

Specifically, you do not ask to negotiate for the sale of a horse with a man who has already characterized the horse as a nag, and dead, and out on its feet. This is the position that Mr. Gilbert has taken as to American industry.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HOLLINGS. I am happy to yield to the Senator from Rhode Island.

Mr. PASTORE. And you do not choose a fox to protect the henhouse.

Mr. HOLLINGS. Well, I was going to mention that, but the distinguished former Vice President and Presiding Officer of the Senate did not do too well. There are some around here who are willing to put the fox in the chickencoop, and I am holding back on that particular.

But the fact is that we reached this confirmation discussion, Mr. President, at a time very critical in America's trade history with respect to jobs and with respect to the credibility of the U.S. Government itself.

Referring specifically to jobs, we were common adversaries, known to each other, who had been working on both sides of the fence for 10 years—I on the one side in favor of a policy to help us compete competitively and preserve jobs, and Mr. Gilbert on the other side exporting them willy-nilly to any country. Do not give me the talk about competition. Let us specifically take the Japanese jobs. There is a $1.3 billion deficit in trade.

There is no antitrust act in Japan. There is no wage and hour law. There is no safety standard. There is no workmen's compensation. There is no overtime. There is no child-labor standard.

Most of those jobs—I would say 90 percent of those jobs—are performed under conditions that would be criminal in a manufacturing industry in the United States.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HOLLINGS. I yield.

Mr. PASTORE. Mr. President, I do not know if the Senator has brought out this point, but to me it is a very crucial and important point. During the campaign, the President of the United States recognized the problems of the textile and some other industries because of this great influx of imports. And he said that special consideration ought to be given to some of these domestic industries to make sure that we will not see their demise and thereby jeopardize American jobs.

I am inclined to believe that the President of the United States is very sincere about this matter.

Immediately after his inauguration and the appointment of the Secretary of Commerce, he expedited the trip of Maurice Stans throughout the world to have talks with these various nations exporting to the United States.

Secretary Stans appeared before a group of Senators. I was there. The Senator from New Hampshire was there. The Senator from South Carolina was there. And I think we were all impressed with the sincerity of Maurice Stans and believed he wanted to do something about the matter.

I think that our friends abroad who are exporting to our country at a tremendous volume began to understand that there was sincerity and resolve on the part of the administration to do something about bringing these matters under control, not by any false procedure, but by agreement.

Lo and behold, an appointment is made of an individual who represents everything contrary to what we are doing. After all, these foreign exporters are not fools. They are pretty smart people. One ought to deal with them to see how really smart they are.

What are they saying to themselves? They are saying, "You cannot possibly mean what you said during the campaign. You cannot possibly take this Maurice Stans seriously if you want to send someone to negotiate the agreements who does not believe in the same policy."

That is what we are up against. I think we have counteracted all the good we have done and all the progress we have made thus far, although it is limited progress, by appointing someone who exemplifies the opposite viewpoint and is a contradiction of everything that we are attempting to accomplish.

I think that the Italians, the Japanese, the French, and the people in Hong Kong are looking at us and saying, "You cannot be serious. This is double talk. You send Maurice Stans to us to tell us we have to control the exports to your country, and then by the same token you send a man to negotiate with us who does not stand for any control at all. What is this?"

This is the difficulty. This is the dilemma. And this is where the irreparable harm has been done.

I have nothing against the man. I have talked to him. I think he is a fine American. As a matter of fact, I think the people on the other side of the aisle think he is a fine American. I think that the Senator from New Hampshire is a fine American. He is a Republican and I am a Democrat, but we just do not agree on some things.

And that is all we are saying.

Mr. COTTON. The Senator is correct.

Mr. PASTORE. I am glad we agree on this matter.

That is all we are saying about Mr. Gilbert. We do not agree with him. We think he is a fine man of excellent character. This is no reflection on him. He has a right to believe as he does, as much as I have a right to believe as I do. I would not deny him that right. However, how can I in good conscience go along with the appointment when he is a contradiction of everything that the Senator and I have been striving for on the floor of the Senate and in private meetings for years and years? It does not make any sense to me.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. HOLLINGS. I yield.

Mr. COTTON. Mr. President, there is not a Senator who does not remember down through the years when the Senate has taken a certain position on a bill and the conferees appointed on the part of the Senate to stand by the Senate position in conference with the House have been those who were against the

Senate position and for the House position.

They were honorable men and they did their best. We have their confidence, but I have always had the feeling that we never go into a conference between the Senate and the House with the Senate conferees agreeing with the House in their hearts and come out as well as we would if we had in conference those who really had supported the Senate position. It is exactly the same situation here.

If the President had sent us the name of the distinguished Senator from Rhode Island or the distinguished Senator from South Carolina for this very important task of negotiator with the rank of Ambassador Extraordinary, of course, I would be in favor of that, although I would rather he had sent up the name of a Republican.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. PASTORE. Mr. President, I do not even want them to send up my name for the position, as extraordinary as it is. I would rather be a Senator.

Mr. COTTON. What I am saying is that everyone in the industry, whether employer or employee, would have really been reassured because they would know that this ambassador would conduct negotiations, believing in his heart in reasonable restraint on the industry.

Just as the Senator from Rhode Island and the Senator from South Carolina have so well said, the confirmation of this gentleman is notice that we are approving someone to negotiate that we know is not really in our corner.

Mr. HOLLINGS. Mr. President, in substance, I am sure that the distinguished Senator from New Hampshire would not want me to negotiate the Republican vote in New Hampshire, and I certainly would not want to call on him to negotiate the Democratic vote in South Carolina.

We have been working on opposite sides of the fence politically.

I think highly significant is not what he may say now on textiles, but his record through the years, because we will be negotiating in the main with the Japanese, for whom I have the highest respect. They are the toughest, canniest, wiliest, and cleverest of negotiators.

I have been working on the other side of the fence for about 10 years. I think I know a little bit about how they operate. Is not the Japanese trade negotiator going to say to Ambassador Gilbert: "Now, Carl, really, do you mean that? Do you not remember that in 1968 before the Merchandise Mart in Chicago, you said your domestic industry ought to discipline itself better and ought to be willing to be competitive and not be weaned by the Federal Government?"

Or they may later say: "Carl, now, really, before the House Ways and Means Committee in 1968, did you not say that import quotas you oppose, of all kinds, and now you are asking us to agree to something that you said you always opposed and opposed religiously and zealously for 19 years?"

Or, again, before the same committee, is the Japanese negotiator going to use the words "corruption," "catastrophic," and "explosive"? Is he not going to say, "Mr. Gilbert, are you not the one who says quotas would really demoralize and bring about corrupt practices in trade? Did you not say it would be explosive to put these things on that you want us to agree to now?"

Are they not going to say: "Mr. Ambassador Gilbert, when questioned by Congressman LANDRUM, before the House Ways and Means Committee, on trade policy, when Mr. LANDRUM pointed out the thousands of employees in the textile industry in Georgia that he was about to lose, are you not the one who told Mr. LANDRUM to go ahead and get in a different business and write off this industry as expendable and noncompetitive and archaic?"

Mr. President, is not the Japanese negotiator going to say: "Carl, are you not the one who says that this really has to do with national security; go ahead and give the money to the Pentagon and let the Pentagon give them a grant, but do not innovate import quotas as a policy for international trade?"

Those are the kinds of things that the negotiator, Ambassador Gilbert, would be confronted with, and as a result he would end up with being a very, very poor trade negotiator. And all the time, as the distinguished Senator from New Hampshire has pointed out, we Senators would run down and beat our breasts and indicate how we were so concerned about the American worker, concerned about the employees, and everything else back in the United States.

As I said earlier, to ask him to be the trade negotiator is like delivering lettuce by way of a rabbit. It will never arrive.

Back in 1960, after attesting before the Tariff Commission as a witness in the trade cases, we were told at that time by the then occupant of the chair in which the Presiding Officer is now seated—Richard Milhous Nixon—he said:

> Don't worry. The Tariff Commission is going to find with you on your textile case. You have lost about 400,000 jobs in a 10-year period.

This was in March of 1960, when I came into the Senate Chamber and shook hands with the then Vice President. He said:

> Don't worry. The Tariff Commission is going to come out all right. The Japanese realize the predicament they are in and how unfair and how uncompetitive this is. They have put on voluntary quotas; and rather than go into legislating, they are going to make a verbal finding in the Tariff Commission.

But on June 23 of that year, the Tariff Commission found again as they had found in many other hearings. Mr. Gilbert, in his testimony, time and again said: "Exhaust your remedies. You, as an industry, have not exhausted all your legal and administrative remedies."

We are already at the point of exhaustion. We were at the point of exhaustion in 1960; and I read the original letter of then Senator John F. Kennedy, who was exhausted:

> U.S. SENATE,
> *Washington, D.C., August 30, 1960.*
>
> Hon. ERNEST HOLLINGS,
> *Governor of the State of South Carolina,*
> *State Capitol Building, Columbia, S.C.*
>
> DEAR GOVERNOR HOLLINGS: I would, of course, be delighted to discuss with you and with textile industry leaders the problems of the textile industry and the development of constructive methods for showing the growth and prosperity of the industry in the future. The critical import situation that confronts the textile industry which you so eloquently describe in your letter is one with which I am familiar. My own State of Massachusetts has suffered and is suffering from the same conditions.

Mind you, this is the Carl Gilbert from Massachusetts, who at that time was working with the Massachusetts Ports Authority. He is now—up until his appointment about 3 months ago—chairman of that port authority. But then Senator Kennedy said that he recognized the problem in his own State.

Continuing Senator Kennedy's letter:

> The past few years have been particularly difficult for this industry. There seems to have been a basic unwillingness to meet the problem and deal constructively with it. During the first six months of this year imports of cotton cloth are twice what they were during the same period in 1959, the highest year on record. Similarly alarming increases are occurring on other textile and apparel products. Since 1958 imports have exceeded exports by constantly increasing margins. There are now 400,000 less jobs in the industry than there were 10 years ago. It is no longer possible to depend upon makeshift policies and piecemeal remedies to solve the problems which the industry faces.
>
> As you know, I supported the establishment of the Special Senate Sub-committee for the Textile Industry, under the chairmanship of Senator Pastore, of which Senator Strom Thurmond is a member. In an effort to help develop suggestions to improve the competitive position of the industry in the United States and world markets, this Subcommittee for the first time undertook a broad investigation of the problems of the United States textile industry and offered a number of constructive recommendations. With only minor exceptions, the Eisenhower Administration has failed to implement these recommendations.

This was in 1960. In a moment I shall come to President Nixon and Candidate Nixon, when he tells of the Johnson-Humphrey administration failure as to the industry. In August of 1960, the Eisenhower administration had failed to implement these recommendations.

The letter continues:

> I agree with the conclusions of the Pastore Committee that sweeping changes in our foreign trade policies are not necessary. Nevertheless, we must recognize that the textile and apparel industries are of international scope and are peculiarly susceptible to competitive pressure from imports. Clearly the problems of the industry will not disappear by neglect nor can we wait for large scale unemployment and shutdown of the industry to inspire us to action. A comprehensive industry-wide remedy is necessary.
>
> The outline of such a remedy can be found in the Report of the Pastore Committee. Imports of textile products, including apparel, should be within limits which will not endanger our own existing textile capacity and employment, and which will permit growth of the industry in reasonable relationship to the expansion of our over-all economy.

I will divert for a moment. After I had set in the RECORD—July 10, 1969—the answer to Michael Daniels of the Import Council and all his charges and paper that preceded Secretary Stans' visits to Europe and Japan, Senator GOODELL came up and said this was a novel approach, that the domestic industry should think that it had a fair share in the growth of domestic industry, in the percentage growth. It is not novel. It was in Senate John F. Kennedy's mind in August of 1960, and he so wrote:

We are pledged in the Democratic Platform—

The Senator from New Hampshire has pointed out the Republican platform. This is the same platform the Democrats have had over the years—

to combat sub-standard wages abroad through the development of international fair labor standards. Effort along this line is of special importance to the United States textile industry.

The office of the Presidency carries with it the authority and influence to explore and work out solutions within the framework of our foreign trade policies for the problems peculiar to our textile and apparel industry. Because of the broad ramifications of any action and because of the necessity of approaching a solution in terms of total needs of the textile industry, this is a responsibility which only the President can adequately discharge. I can assure you that the next Democratic Administration will regard this as a high priority objective.

Additionally, we shall make vigorous use of the procedures provided by Congress such as Section 22 of the Agricultural Adjustment Act and the Escape Clause in accordance with the intention of Congress in enacting these laws.

Lastly, I assure you that should further authority be necessary to enable the President to carry out these objectives, I shall request such authorization from the Congress.

I hope that these thoughts are helpful to you in your own deliberations and I reaffirm my interest in discussing problems of mutual concern with you.

With all good wishes, I am,

Sincerely yours,

JOHN F. KENNEDY.

Mr. President, President Kennedy was elected on a Tuesday in November of 1960. By Friday of the same week he called me on the telephone and said, "Let us go to work on that textile problem." We began meetings. I met with him at his home in Georgetown. We agreed to set up a Cabinet committee, which held hearings and made findings which thereafter culminated in his White House seven-point program.

Without reading the entire program, then, President Kennedy stated in a White House release of May 2, 1961:

The problems of the textile industry are serious and deeprooted. They have been the subject of investigation at least as far back as 1935, when a Cabinet committee was appointed by President Roosevelt to investigate the conditions in this industry. Most recently these problems were the subject of a special study by the Interdepartmental Committee headed by Secretary of Commerce Luther H. Hodges. I believe it is time for action.

It is our second largest employer. Some 2 million workers are directly affected by conditions in the industry. There are another 2 million persons employed in furnishing requirements of the industry at its present level of production. Two years ago, the Office of Defense Mobilization testified that it was one of the industries essential to our National security. It is of vital importance in peacetime and it has a direct effect upon our total economy. All the studies have shown that unemployment in textile mills strikes hardest at those communities suffering most from depressed conditions.

Mr. President, I ask unanimous consent to have printed in the RECORD the release dealing with the entire seven-point program.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

WHITE HOUSE PRESS RELEASE, MAY 2, 1961

The President today announced a program of assistance to the United States textile industry, designed to meet a wide range of the problems it faces as a result of rapid technological change, shifts in consumer preference, and increasing international competition. The program was developed by the Cabinet Committee, headed by Secretary of Commerce Luther H. Hodges, which was formed by the President on February 16, 1961.

In announcing the program, the President said:

"The problems of the textile industry are serious and deeprooted. They have been the subject of investigation at least as far back as 1935, when a Cabinet committee was appointed by President Roosevelt to investigate the conditions in this industry. Most recently these problems were the subject of a special study by the Interdepartmental Committee headed by Secretary of Commerce Luther Hodges. I believe it is time for action.

"It is our second largest employer. Some 2 million workers are directly affected by conditions in the industry. There are another 2 million persons employed in furnishing requirements of the industry at its present level of production. Two years ago, the Office of Defense Mobilization testified that it was one of the industries essential to our National security. It is of vital importance in peacetime and it has a direct effect upon our total economy. All the studies have shown that unemployment in textile mills strikes hardest at those communities suffering most from depressed conditions.

"I propose to initiate the following measures:

"*First,* I have directed the Department of Commerce to launch an expanded program of research, covering new products, processes and markets. This should be done in cooperation with both union and management groups.

"*Second,* I have asked the Treasury Department to review existing depreciation allowances on textile machinery. Revision of these allowances, together with adoption of the investment incentive credit proposals contained in my message to the Congress of April 20, 1961, should assist in the modernization of the industry.

"*Third,* I have directed the Small Business Association to assist the cotton textile industry to obtain the necessary financing for modernization of its equipment.

"*Fourth,* I have directed the Department of Agriculture to explore and make recommendations to eliminate or offset the cost to United States mills of the adverse differential in raw cotton costs between domestic and foreign textile producers.

"*Fifth,* I will shortly send to the Congress a proposal to permit industries seriously injured or threatened with serious injury as a result of increased imports to be eligible for assistance from the Federal Government.

"*Sixth,* I have directed the Department of State to arrange for calling an early conference of the principal textile exporting and importing countries. This conference will seek an international understanding which will provide a basis for trade that will avoid undue disruption of established industries.

"*Seventh,* In addition to this program, an application by the textile industry for action under existing statutes, such as the escape clause or the national security provision of the Trade Agreements Extension Act, will be carefully considered on its merits.

"I believe this program will assist our textile industry to meet its basic problems, while at the same time recognizing the national interest in expansion of world trade and the successful development of less developed nations. It takes into account the dispersion of the industry, the range of its products, and its highly competitive character. It is my hope that these measures will strengthen the industry and expand consumption of its products without disrupting international trade and without disruption of the markets of any country."

Mr. COTTON. Mr. President, will the Senator yield?

Mr. HOLLINGS. Mr. President, I yield to the distinguished Senator from New Hampshire.

Mr. COTTON. Mr. President, I believe that technically the Senator from New Hampshire is in control of the time.

The PRESIDING OFFICER (Mr. EAGLETON in the chair). The Senator is correct.

Mr. COTTON. Mr. President, we do not wish to monopolize the time on one side.

Mr. President, will the Senator from South Carolina suspend for the time being so that other Senators may have an opportunity to speak, particularly those who must go to the Republican policy committee meeting?

Mr. HOLLINS. I yield for that purpose.

Mr. COTTON. Mr. President, I ask unanimous consent that the Senator from South Carolina be recognized after certain other Senators have spoken, without the rule being applied with respect to a Senator speaking twice.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COTTON. Mr. President, I now yield such time as he may require to my distinguished colleague from New Hampshire.

Mr. McINTYRE. Mr. President, I ask unanimous consent to proceed for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McINTYRE. Mr. President, first I commend my senior colleague, along with the distinguished Senator from South Carolina (Mr. HOLLINGS), for bringing this matter of the nomination of Mr. Gilbert so forcibly to the attention of the Senate.

I have examined Mr. Gilbert's record at some length. I have read the transcript of the hearings conducted by the Committee on Finance. I have decided that my vote today will be cast against Mr. Gilbert's confirmation for one simple reason—the shameful, unfair, unjust, and obviously political attitude which he took in the Finance Committee hearings toward two industries of great importance, in very different ways, to my own constituents.

I refer to the shoe industry and the petroleum industry.

New Hampshire produces shoes, and the policy of the U.S. Government re-

garding shoe imports is of vital significance to the workers of my State.

New Hampshire consumes petroleum and petroleum products, and the policy of the U.S. Government regarding petroleum imports is of vital significance to the consumers of my State.

How does Mr. Gilbert react to the problems of the shoe manufacturers and petroleum consumers of New Hampshire? The answer is clearly given in the hearings before the Finance Committee.

There is "no question at all" in Mr. Gilbert's mind that the oil industry deserves the totally unwarranted quota protections which it presently receives. His reason is very simple.

He said:

> There has been a finding by the appropriate agency that it was important.

And he had no questions about that finding.

When it comes to shoes, however, Mr. Gilbert is far less sympathetic to the needs of domestic industry. He is, fortunately, aware that many of us in the Congress do have information indicating that the shoe industry is really in need of quota protection. Nevertheless, he feels that our views should be discounted in light of a Tariff Commission report which states that protection is not needed. My Small Business Subcommittee will be holding hearings early this fall to investigate in depth the problems being experienced by small shoe manufacturers and their workers. In New Hampshire alone over 1,200 workers have lost their jobs already this year as a result of plant shutdowns. These hearings should resolve once and for all the extent to which the recent flood of imported shoes into this country is responsible for these shutdowns.

Mr. President, I simply cannot, as a Senator from the State of New Hampshire, support the nomination of a special representative for trade negotiations who is perfectly willing to question the need for legitimate help for the shoe industry but who is unwilling to question the unwarranted and unfair subsidies granted to the petroleum industry.

We are not, in New England, asking for any more than our fair share of the benefits which can accrue from the National Government. But it is totally unfair for national trade policy to force us to pay outrageously high prices for petroleum while at the same time not permitting us to keep our citizens employed in the shoe industry. If Mr. Gilbert were consistent in his philosophy, I could probably find it possible to vote for his nomination, even if I disagreed with him. But when his inconsistencies add up to a totally unfair trade policy from the point of view of my own constituents, I must vote "no" on his nomination.

Mr. COTTON. Mr. President, I thank my colleague for his remarks.

Mr. HOLLINGS. Mr. President, I commend the Senator from New Hampshire for placing into focus vital considerations with respect to this particular appointment. It is very important to realize that Mr. Gilbert's record in his trusteeship jobs, as chairman of the Committee for a National Trade Policy, coupled with the knowledge that for 19 years Mr. Gilbert has been in favor of free trade against any kind of unilateral or import quotas, has sustained the fact that, while he is a man of character, his interest in this field has been established as representing those of a committee favoring a policy of free trade, which the leaders of our Government opposed in both 1960 and 1961.

The very seven-point program by President Kennedy, which I placed in the RECORD, was implemented with respect to cotton but not with respect to woolens and manmade fibers.

Specifically what is the power of a trade negotiator? For one thing, Mr. Gilbert thinks he does not have enough power. He has been a witness before the Congress many times. When the Trade Expansion Act was presented to the Congress in 1962, he attested that that office should have more power than it has, that it should be at the highest level, the ambassadorial level.

Specifically, I may mention the bill that was passed by the Senate last year and was before the committee of conference. We had the Senate speak on this important bill. We had over half of the Members of the House of Representatives endorse a similar bill, word for word. In fact, we told them we would accept theirs. But Ambassador Roth kept chastising us that it would be the end of free trade, that it would be the worst thing that could happen to the United States of America. He was representing the State Department viewpoint, which has been its position consistently from the time we began on this particular problem in 1959.

What was the position of President Nixon? As a candidate for the Presidency, he sent a telegram to Republican sponsors of textile import control legislation on August 21 of last year, during the campaign, which was given nationwide publicity. The telegram reads:

> As you know, my associates and I are continuing our evaluation of factors bearing on constructive development of the total U.S. economy in the years ahead. Among these factors is the ability of private enterprise to achieve real growth, thereby contributing most effectively to job preservation and opportunity.

Again answering the distinguished Senator from New York (Mr. GOODELL), there was placed in the RECORD an answer to the particular question of wherein we ever got the idea that domestic industry was entitled to such protection. The President of the United States, running on that platform, said so in this telegram, which I continue to read:

> One such consideration involves the impact of dramatically increasing imports on the 2.4 million people directly employed in the Nation's textile and apparel industries and the countless additional thousands involved directly or indirectly in related activity.
>
> Knowing of the concern you have demonstrated in these industries and their employees, as evidenced by your support of legislation designed to encourage orderly textile trade, I thought you might like to have my views on the subject.
>
> The Johnson-Humphrey Administration has failed to carry out the Program initiated by President Kennedy and reaffirmed less than four years ago.

There is the record. President Kennedy blamed President Eisenhower. President Nixon blamed President Johnson and Vice President Humphrey. Every time the people get a chance to vote on the question, this is the way they vote. They put the man in. Where does the policy come from? From the people. The policy we have before us is the policy of the people, and we should not have it destroyed by a negotiator who is representing the other side. I read further from the telegram:

> At the same time, it has permitted much of the rest of the world to establish or maintain barriers to the products of our industry while we have provided foreign textile producing nations virtually unlimited access to our markets.
>
> As President, my policy will be to rectify this unfair development and to assure prompt action to effectively administer the existing Long-Term International Cotton Textile Arrangement.

Mr. President, President Nixon said that, as President, he was going to rectify this unfair development, however, he is nominating a man who has opposed LTA from its inception and has insisted on nothing being done on wool and manmade fibers.

This raises the credibility gap. I conclude the reading of the telegram:

> Also, I will promptly take the steps necessary to extend the concept of international trade agreements to all other textile articles involving wool, man-made fibers and blends.
>
> Our goal will be the creation of an environment which will encourage job-creating growth of the domestic industry while permitting imports to participate fairly and in an orderly fashion in the future expansion of the domestic market. Opportunities for our own industries to participate on a reciprocal basis in the future expansion of textile and apparel markets in the rest of the world also must be assured.
>
> Minus such an overall policy I am convinced that the potential for tens of thousands of new jobs in these industries will be jeopardized. On the other hand, the program to which I am committed will provide this vast industrial-agricultural-fiber complex far-reaching opportunity for employment of American citizens in both rural and urban communities where jobs are needed most.

Mr. President, the importation, for example, of manmade fibers, has increased 100 percent during the first 4 months of 1969. By the same token, a specialized study by Arthur Anderson Associates was made of the textile industry, projecting a 25-percent lowering in jobs, at the present rate and under the present policy, by 1975, or 600,000 jobs.

This study was made during the last few months. And here is a President committing himself to rectify that situation, and appointing, if you please, a man who has opposed it religiously for 19 years. The credibility gap. This is what cursed us with foreign countries, with respect to manmades and woolens. Specifically, in December of 1961, when the Assistant Secretary of Commerce, Mr. Hickman Price, went to the London conference to represent the U.S. Government, he was preceded by State Department personnel, who advised the conferring nations, "Do not worry, have no fear, we are not serious about this thing; let Secretary Price make his noise, let

him go through his act, let him get his headlines; we will adjourn this conference and nothing will be done."

And that is exactly what happened. It was so bad that Mr. Price, after using the conference room for 4 hours one afternoon, was told by the authorities at the hotel that the rent on the room was over with. The State Department did not have any other place to meet and the meeting had to be adjourned. Mr. Price had to go and rent a room out of his own pocket and try to salvage the conference.

Time and again, the President has said one thing and the State Department another. President Johnson said in Rhode Island in September 1964, and in Georgia in October 1964, that he was going to implement the Kennedy program. But where was the State Department and Secretary Rusk? Where were Nick Katzenbach and that crowd last year, when we were working in direct opposition to the policy?

I think by now the Japanese have got the message: "If you stick with the State Department, do not worry, we will get all the jobs. Pour the coals on, boys, we have got a readymade situation."

As a result, they have almost no concern. They voted almost unanimously in their Diet—save one vote—not to even discuss the subject with Secretary Stans, Mr. Gilbert, or the U.S. representative—the country that we freed and nourished back to economic sustenence, the country whose textile industry we built with American payroll dollars. We are told: "We will not even discuss it with you," and on top of that, the administration appoints as its negotiator Mr. Carl Gilbert, and asks the Senate to confirm it.

Mr. President, in a speech before the 31st Chicago World Trade Conference on February 28, 1968, Carl Gilbert made a very stirring address in behalf of his position that he has stuck to for the past 19 years. Mr. John Hight, the executive director of the Committee for a National Trade Policy, on March 13 of that same year said this about the Gilbert speech:

> Although Mr. Gilbert spoke in his personal capacity, we feel that what he said represents essentially the viewpoint of this Committee. We know you are familiar with the problems discussed here and recognize that 1968 is a critical year both for maintaining a liberal trade policy and for beginning to solve our balance-of-payments problems.

Here are excerpts from the speech made by Mr. Gilbert:

> There seems to be complete agreement, verbally at least, to the proposition that of vital importance to our national future "is the ability to maintain and improve the competitive position of the United States", to quote the recent report of the Council of Economic Advisers. Virtually all of the private sector would agree on this proposition when talking in terms of the need of greater governmental restraint on inflationary forces. Yet those industries now seeking new protection from the forces of import competition seem hell bent on permanent and virtually irreversible impairment of their industries' capacity to compete by removing the restraining influence of competition. What is the ultimate end of this course of action?
>
> If any industry should have learned how ineffective are "jawbone" controls of the wage-price spiral, the steel industry, God knows, should have. If it weren't for the impossibly bad results on all the rest of us, I would almost like to sit back and watch the inevitable interplay of the forces involved if they should get the quotas some of the industry seem to think they want.
>
> With quotas in effect I would expect within a short terms of years to find the American steel industry permanently priced out of the international market and to be returning to the Congress again and again asking the Congress for further legislation to erect other and higher barriers to protect them against the inevitable consequences of the earlier measures enacted to enable them to avoid the restraining influences and stimulation afforded by competition.
>
> Most of us have learned the hard way the basic truth that in this hard world in which we live, no one is going to get anything of value for nothing. The same is true of whole countries in the field of national trade regulation. If new tariffs are imposed or quotas established by the United States at the instance of one industry, some other American industry or industries must be made to pay the price for that new protection, either by compensatory reductions in tariffs on imports in their fields or through consent by the U.S. to increases of foreign tariffs on U.S. exports. At its best, this is bad, since in its simplest terms this involves robbing Peter to pay Paul—a regrettable degree of direct participation by government in the allocation of foreign trade between industries.

How does Mr. Gilbert say to "compete?" Like all the other members of the Committee on a National Trade Policy, he says, "Go overseas and build your plant, and employ Japanese and Chinamen in Hong Kong, and the people in Pakistan; go to India and all the other countries."

Mr. President, that is what he says—to compete. He does not say anything about the wage and hour law. He does not say anything about unemployment compensation. He does not say anything about child labor standards, about safety standards and regulations. He does not say anything about the cost to the industry of health regulation and pollution control. He does not say anything about the antitrust laws in America which all American industry is beset with now. In Japan, they have the cartel system.

He is talking as if he were back in the Smoot-Hawley days of the 1930's. He says to compete, and to go ahead under noncompetitive conditions in manufacturing under circumstances which would be criminal within the United States.

On page 7 of his talk he says:

> God knows nothing stimulates research and development, process improvement and the drive for greater efficiency than the hot breath of competition, and we would be fools to seek to remove that stimulus or reduce its influence.

Mr. President, no one has ever asked for less than that in the American textile industry which is the most competitive. I have had cases of plagiarization where they have copied the exact pattern, cases where they had tried to develop, as we have done in the United States, modes and processes of manufacture. We are the most competitive industry. And we have been sustaining a limited growth in spite of all of this just because we are competitive and productive.

Mr. President, I again quote from Mr. Gilbert:

> In short, to a very great extent the industries now seeking quotas have not, to use the old lawyer's phrase, exhausted their existing specific remedies against some of these alleged evils, and instead seek to short-cut established procedures by going direct to Congress where the alleged evils can be asserted in terms of generalities rather than specifics.

Mr. President, we had during the 1950's over 20 escape clause cases which were brought before the Tariff Commission and in only two cases were there favorable findings.

As former Senator John F. Kennedy said in the earlier correspondence which I submitted for the RECORD, the industry was exhausted to the tune of 400,000 jobs. And the projection is that it will be exhausted under the present policy to the tune of an additional 600,000 jobs.

This is the lawyer running around making lawyer talk and saying, "You have not exhausted your remedies."

The only thing this policy has supported is jobs for lawyers before the Tariff Commission. It has not created any additional jobs. Let me point out the contrast between sophisticated jobs in some industries and the unsophisticated jobs in the textile industry. Everyone will agree that textile jobs are semiskilled.

Question: Is the United States satisfied with the policy where we will relegate to ourselves nothing but the sophisticated technology, the computerized type of industry and leave all of the other jobs for the countries importing into the United States?

Everyone talks about black power and black economy and black enterprise and giving them loans.

Seventeen percent of the textile industry is in black employment in the State of South Carolina. And since the first of the year, since January 1, 1969, they have had an increase in Negro employment of more than 10 percent.

This is what we are talking about. These are the job opportunities we need. But, instead, we get this runaround about being competitive and exhausting our remedies. We listen to Senators on the floor say how they stand for jobs and training to give the underprivileged, the undereducated, the unskilled an education and the economic opportunity to become a part of society. At the same time, we are exporting jobs by the thousands.

This is what we have to listen to and yet we are being asked to confirm this man.

I quote further from Mr. Gilbert:

> Perhaps it was a mistake for the U.S. to agree to this provision in the GATT in 1947, but the answer to the problems it creates today does not lie in unilateral action on the part of the U.S. It can come only from patient negotiation and agreement with the other GATT nations.

I quote further from Mr. Gilbert:

> It seems to me unfortunate that the heavy emphasis in the administration's 1968 program to remedy our balance of payments problems sound so strongly of protectionism. Restriction on the international movement of capital, of people, and of goods runs counter to all of our national aims.

This is the foreign investor talking who further stated:

What has happened to us as a nation when our government, as well as major segments of industry, faced with the disciplines of the international market place moves first to find ways to remove the immediate pressures to action which those disciplines provide.

It sounds to me as if the gentleman is more qualified to be the president of a military college. I never heard anyone talk about discipline in the Senate and never heard anyone in the world of international trade use that term.

Mr. Gilbert says further:

Have we lost our fortitude?

Now we get the adjectives. Have we lost our fortitude? We are losing our shirts. We are losing our economic subsistence. We are not losing fortitude.

Mr. Gilbert continues:

Are we confessing to the world that we haven't the moral stamina to justify our position of world leadership?

We are confessing to the world that we believe in the wage and hour law controls, unemployment compensation, a safe place for man to work, and that we believe in health standards and the right of competition protected by our antitrust laws. That is what we are saying to the world. We are not saying this gobbledygook about moral stamina and fortitude.

Mr. Gilbert continues:

There are these deeper issues involved in the question we have been discussing. I hate to believe that the answers to these questions are in the affirmative but I keep waiting for the clarion call from Washington to pull in our belts and fight to defend the things we believe in.

Here is a man chastising us and urging us to fight for the things we believe in. And after 19 years of fighting the American textile industry and the quota policy for Japan. Japan has a quota today and all of the trade countries have quotas. They were agreed to by 34 countries.

He wants to fight, he says, against what he has believed in for 19 years. I cannot take his word in a personal call when he says, "Don't worry, Fritz, I will look out for you on textiles."

I think it is more serious than that. I think we will lose textile jobs, leather jobs, electronic jobs, and all other kinds of jobs we can possibly think of to foreign trade under a noncompetitive situation.

I read further from Mr. Gilbert:

It has also seemed clear to me for a long time that national defense motivated support of a particular industry should be in the form of a direct open subsidy—rather than by way of inducement to industry wide price increases—and ought to be charged to the defense budget—if defense consideration are that direct and significant.

The businessman approach to the problems of America always destroys the human element. They get frustrated. They become a little restless. And they say to throw money into the problem. That is the guaranteed annual wage, the negative income tax. Then, when we have an industry that involves the national security, we are told to give them a grant through national defense and give them the money. We are told that we do not have to be competitive in free enterprise, as enunciated by Cordell Hull, but that we should give them a grant.

This is the fellow who will negotiate for the United States on this all-important question.

Mr. President, Mr. Gilbert appeared before the House Ways and Means Committee on June 11, 1968. At that particular time he testified for the Committee for a National Trade Policy as follows:

Our committee has always opposed import control legislation, because such statutes would impair the national interest. Once the United States starts a pattern of import quotas, allocating a fixed percentage of the U.S. market to American producers and the balance to foreign suppliers, we will find ourselves opening a Pandora's box of governmental controls.

Of course, Mr. President, we got import quotas under the long-term arrangement; and all we are asking for is the very same thing that President Kennedy talked about—a comprehensive, industrywide solution, to make it comprehensive or extend it to woolen and manmade fibers. No Pandora's box has been opened under the LTA for cotton.

The fact is that the wholesale price index has been increased .7 percent since 1961, when we had the 1-year short-term arrangement extended for 5 years under the LTA, and last year for a 3-year period, in comparison with a 6-point increase in the wholesale price index of all other commodities.

I continue to quote Mr. Gilbert:

A protected market inevitably leads to a spiral of price increases.

It has not led to price increases in cotton articles. For the cotton, in the shirts we wear, the cotton farmer gets less than does the launderer for cleaning it. The price of that shirt, relatively speaking, has increased by three times less than the average increase in the wholesale price index of other articles in America.

Mr. Gilbert further stated:

We could expect to see a wide range of Government intervention in the U.S. economy such as we have never experienced except in wartime, and one which could totally distort the competitive economy which has made America prosperous.

I will state what it does to the competitive economy, Mr. President. When I was Governor of South Carolina, a watch industry came to open up a plant—the Elgin Co., from Elgin, Ill. We even renamed the town of Blaney, S.C., to Elgin, S.C. South Carolina trained 425 employees for this plant. Within a year and a half, they were 30 percent more productive than the average employee at the Elgin, Ill., installation. There was nothing wrong with their training; there was nothing wrong with their skill. But they could not make a profit under Mr. Gilbert's concept of competitive enterprise. They came, exhausting their remedies before the Tariff Commission. The result: They were denied relief, and the plant has moved overseas. They do not make Elgin watches in Illinois or in South Carolina or in America. The directors and the stockholders of Elgin are making a grand profit now. But the American worker does not have a job. Unemployment—that is what we are talking about.

I quote Mr. Gilbert further:

In addition, we must anticipate that foreign suppliers, limited to a fixed share of the U.S. market, regardless of how efficiently they produce, will turn more and more to dividing up that share on a cartel-like basis, and will undoubtedly raise their prices in the process. The temptations to price rigging, and even corruption, will be great. And the price that will be paid by U.S. consumers will be a heavy one.

Now, Mr. President, here is a man who last year—within the past 13 months—believes that any kind of trade regulation to help a man hold a job in America and help the industry to compete on a fair and equitable basis is going to bring corruption. He said it regularly, constantly, persistently, and repeatedly for 19 years—until he was appointed trade negotiator. Then he said: "Oh, I believe there is something to be said for the textile industry. It deserves study. You know, if the President is thinking along these lines, maybe I could help."

I do not happen to think so. I think he has made such a sorry record in this regard that any fellow negotiating with him would put him in deep centerfield, and he would be completely powerless to represent the interests of the United States.

I quote Mr. Gilbert further:

Moreover, U.S. manufacturers who are big users of steel, and other important materials, will find themselves progressively priced out of world markets on their manufacturers and, in more and more cases, obliged to manufacture abroad not only to supply foreign markets, but even to supply their own normal markets in the United States.

Temporarily, Mr. President, steel is being taken care of. Oil is taken care of. They have a quota. Steel is taken care of. They have their quota. So we do not find the oil people around, and we do not find the steel people around, because they are temporarily taken care of.

But what is happening to black jobs, that everybody is talking about, on a national basis? Where are we employing them in the textile industry in South Carolina? What has happened to the semiskilled in Appalachia, for whom we are trying to get jobs? We are exporting the job overseas by giving them Gilbert. Do we understand why they riot and are restless and wonder about Congress? They wonder about this body. They give all this talk and get headlines on TV, but what do they give us? The Japanese negotiator—that is what they have.

Mr. JAVITS. Mr. President, I appear today in support of the confirmation of the nomination of Carl J. Gilbert to be the President's Special Representative for Trade Negotiations.

This is a key post in the trade field. The nomination has not been confirmed for 3 months. I do appreciate the sincerity of the opposition to the nomination. I have known Mr. Gilbert for a long time, and I have had a great interest in the trade policies of the United States under a series of administrations which go back over the past 20 years. Therefore, I felt it appropriate that I speak at this time.

Mr. Gilbert is an American who is unusually well qualified for this position. He has appeared at length before the Committee on Finance and the Committee on Foreign Relations, and has answered all questions fully. Both committees have reported his nomination favor-

ably. Yet, although a crucial trade conference is presently underway in Japan, and at a time when the new administration is actively formulating its new trade policies, the United States is being denied the use of the full services of Mr. Gilbert because the Senate has yet to act on the President's nomination.

I make this point because he is now leading the position of the United States in a very important area. We have a serious trade imbalance with Japan. Later in my statement I shall refer to some of the problems that are involved. The position of the United States becomes of great importance.

There can be no doubt of Mr. Gilbert's qualifications. A lawyer for 17 years in the Boston firm of Ropes, Gray, Best, Coolidge, & Rugg, he distinguished himself as a citizen with a cool, reasoned approach to complex issues. For the past 20 years he has served the Gillette Co. in various capacities and was chairman of the board at the time of President Nixon's nomination on April 10 of this year. His business affiliations are impressively extensive. As a former director of firms dealing with textiles, electronics, banking, and publishing, Mr. Gilbert would bring to this critical position the breadth that is so important in the formulation, coordination, and administration of our foreign trade policy.

The opposition to Mr. Gilbert has trained its guns upon his advocacy of trade liberalization. In fact, those most vehemently opposed to the nomination have expressed concern that Carl Gilbert would be anathema to the textile industry. I cannot concur with this opinion as this is not the impression I obtained from the Foreign Relations Committee hearings on the nomination and from my knowledge of Mr. Gilbert.

Under questioning by the Senator from Wyoming (Mr. McGEE), he agreed that the textile interests must be preserved but not overprotected. This is an eminently reasonable position. It is also important to note that the Senator from South Carolina (Mr. HOLLINGS) carefully questioned Mr. Gilbert at length before the Senate Finance Committee in regard to his position on foreign imports and quotas. The Senator from South Carolina (Mr. HOLLINGS) apparently was satisfied with Mr. Gilbert's answers, particularly with regard to Mr. Gilbert's stated firm intent to carry out the President's textile policy and general trade policy.

Yet, there is a potentially more critical aspect surrounding this recommendation. During the tenure of Ambassadors Christian Herter and William Roth, the Special Representative for Trade Negotiations has been responsible to the Executive Office of the President. This structure reflected the belief that U.S. trade policy should not be the hostage of a particular agency or department of the Government.

In order effectively to coordinate often conflicting views within the executive branch of our Government, it is important that the lines of responsibility run directly to the White House. Only then can U.S. commercial interests be clearly delineated and translated into an effective policy.

Mr. Gilbert has, much to my satisfaction, assured the members of the Foreign Relations Committee that this traditional structure will be preserved when he undertakes his duties as U.S. chief trade negotiator. It is worth repeating that Mr. Gilbert has publicly testified that as a representative of the President of the United States, he would carry out the trade policies of this administration to the best of his ability.

I should now like to explain why it is urgent that the Senate act on this nomination today. Indeed, we will act on it affirmatively.

With significant justification, we in Congress and the Nation have been concentrating our attention and efforts in recent months on the serious inflationary danger threatening this Nation. These problems certainly demand our concerted action, but we must not let it obscure our view of an integrally related and equally serious economic problem—our deteriorating international trade position. The Nation's balance of payments, the chief indicater of that position, skidded from a surplus in the fourth quarter of 1968 to a deficit of over $1.7 billion in the first quarter of the current year. Similarly, our balance of trade with the nations of the world showed a deficit of about $275,000,000 in the first quarter of 1969 in the area of general merchandise alone and an overall balance of payments deficit of up to $4 billion is threatened in 1969.

It must be remembered, the sharp reversal of the whole postwar trade history of the United States, when we had surpluses in trade of $5 billion to $6 billion consistently, year after year.

Although our balance-of-payments problem is longstanding and obviously not easily solvable, I rise now to bring to the attention of my colleagues one opportunity to begin the alleviation of this serious imbalance—the 7th annual meeting of the Joint U.S.-Japan Committee on Trade and Economic Affairs which has just opened in Tokyo. It is not mere coincidence that the eyes of the international economic community are viewing this conference with particular interest. Not only is Japan our greatest overseas trading partner—two-way trade exceeded $7 billion in 1968—but Japan as well makes the greatest contribution to the U.S. trade imbalance.

In the past year, Japan showed a surplus of over $1 billion in her export-import trade with the United States. In the first 5 months of this year alone, the Japanese surplus was more than a half billion dollars. In April and May, the Japanese trade surplus was running at a monthly rate of approximately $150 million. This contrasts with 1961 when our trade balance with Japan was $782 million in the black.

In terms of the health of the international trading and monetary system, a surplus of such magnitude needs careful handling. Surplus nations must act with a special sense of responsibility—and it is my hope that Japan will soon take the necessary measures to help in dealing constructively with this imbalance. I repeat, trade policies which result in a mere 9-percent annual rate of increase in 1968 of U.S. exports to Japan, while our imports from Japan increase by 35 percent over the same 1-year period, raise political and economic problems.

Yet, more than any other nation in the free world, Japan has erected the most severe nontariff barriers to U.S. goods and capital. Since the war, our corporations have actively promoted U.S. sales in the Japanese market, but have been faced with continuing and, in my view, increasingly unjustified trade and investment barriers. It is true that some easing of restrictions were enacted by Japan as a result of the Kennedy round and GATT. I am also gratified that the Japanese Government has just put 24 items including automotive engines, wool textile goods, color film, large electric generators, and machine tools on liberalized trade list. It is to be hoped that more significant items will be added to this list in the very near future.

But in reviewing these limited liberalization measures, I must ask whether a progressive, economically powerful country whose automobiles are now being sold in all principal markets of the world, should not move away from trade and investment controls more appropriate to the era of the model T. Is not the complex and comprehensive Japanese system of trade and investment controls, established when Japan was striving to rebuild its economy, in need of a complete model change? Would not, also, the Japanese consumer welcome the product diversification and lower prices that would result from trade liberalization?

Now, the reason I place these issues before the Senate is that they are the very issues with which the President's special representative for trade will be dealing in Japan—right now. It is with issues such as these which the President's Special Representative for Trade Negotiations must be integrally involved. Mr. Gilbert, a member of the American delegation to the meetings with Japan, is scheduled to make a major address concerning the need for an improved trading relationship between the United States and Japan. It should be obvious to us all that such an otherwise significant statement would have negligible impact if delivered by a man who has not yet been confirmed by the U.S. Senate.

Mr. HOLLINGS. Mr. President, will the Senator from New York yield at that point, so that I may ask for the yeas and nays?

Mr. JAVITS. I yield.

Mr. HOLLINGS. Mr. President, I ask for the yeas and nays.

The yeas and nays are ordered.

Mr. HOLLINGS. I thank the Senator from New York.

Mr. JAVITS. Mr. President, traditionally, the Japanese are a people more sensitive to the proprieties of proper protocol than perhaps are Americans. More than 3 months have passed since the President of the United States nominated an American of outstanding qualifications and character to become his special representative. Hopefully, if we do confirm him today, it will acquire much more significance to Japan and

I hope will have a measurable effect on them, which is certainly very badly needed.

The situation certainly calls for our immediate and positive action in the Senate on this nomination. Mr. Gilbert is over there, under the shadow of having been appointed 3 months ago. Although he is an outstanding man and very well known, he is still not confirmed by the Senate. How much more acceptable will be his speech and his representation of the United States in the ensuing negotiations if his status is confirmed by the Senate.

I, therefore, sum up as follows, Mr. President.

First. Mr. Gilbert is a man of outstanding qualifications, one of the most distinguished Americans who could be appointed in this field. He is a most desirable man for the United States to enlist in its services in this very critically important position.

Second, because of his assurance of objectivity and his profound awareness of the problems, particularly of the textile industry in terms of trade and tariff barriers, which he has explained to the committees of the Foreign Relations and Finance, which have caused them to report him out favorably.

Third, because he is right now in a conference of critical responsibility and great delicacy in which his confirmation will be of materially beneficial effect to the United States, I urge the Senate to confirm this nomination.

Mr. COTTON. Mr. President, I thank the Senator from New York for his contribution.

Mr. President, without losing his right to the floor, will the Senator yield 10 minutes to the distinguished Senator from Massachusetts (Mr. BROOKE), who must go to a policy meeting?

Mr. HOLLINGS. I am delighted to yield to the Senator from Massachusetts.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Senator from Massachusetts is recognized for 10 minutes.

Mr. BROOKE. Mr. President, I rise in support of the nomination of Carl J. Gilbert to be the President's special representative for trade negotiations. I believe that the President could not have chosen a better man to fill this key position.

I have known Carl Gilbert for many years. He has lived and practiced in Massachusetts since the late 1920's. In his career at the Harvard Law School, as a partner in the distinguished Boston law firm of Ropes & Gray, in his military service, as president and chairman of the board of the Gillette Co. in Boston, and as officer, director, and counsel for several major U.S. firms and organizations, Carl Gilbert has always distinguished himself.

His experience in the field of international trade has been extensive, deriving not only from his business associations but from his role in many trade-related organizations. Over the years he has served as chairman of the advisory committee on the Export-Import Bank, chairman of the Committee for a National Trade Policy, director of the Atlantic Council, and chairman of the Massachusetts Port Authority, to name but a few.

In appearances before both the Committee on Foreign Relations and the Committee on Finance, from which he received unanimous approval, questioning was extensive and detailed; and I believe a number of important points emerged which will be of interest to the Senate.

I know that much concern has been expressed regarding Mr. Gilbert's views on what has been referred to as "free trade." This is, of course, a relative term, for never in the history of the world has genuine free trade been in effect.

Mr. Gilbert readily acknowledged that as a spokesman for various organizations, and for the Committee for a National Trade Policy in particular, he had advocated freer trade among the many exporting and importing nations of the world. Freer trade, as he described it at that time was essentially an anti-inflationary measure; for where genuine competition exists, industries will make every effort to reduce prices and improve the quality of their goods.

But Mr. Gilbert also emphasized in his testimony that his commitment to freer trade was neither ideological nor irrevocable. First of all, he stressed that his previous arguments had been made as an advocate, in the fullest legal sense of the term. In his own words:

> My entire life has been spent either as a lawyer presenting my clients' views in the strongest terms of which I was capable, or as a member of an organization pursuing the organization's objectives with all the energy at my command.

He goes on to explain that—

> In these (previous) statements I was speaking, of course, as a private citizen, sometimes in terms of hyperbole.

Second, he readily agreed that our trade policy could not be decided in a vacuum. Considerations of national security, protection of domestic manufacturers, and preservation and expansion of employment opportunities, are also essential factors. "Free trade," or "freer trade," is not an unmitigated blessing and cannot be pursued as an end in itself. His previous positions will, therefore, be carefully reviewed in the light of the additional facts to which he now has access and his own larger responsibilities.

In other areas, Mr. Gilbert expressed grave concern over the expanding use of nontariffs by our trading partners, and he committed himself to insuring that not only the United States, but also the other nations of the world meticulously observe their international commitments. He promised to take a "much tougher approach" in policing present international trade agreements and committing ourselves to new ones. And he promised to take another serious look at the growing problems of such troubled industries as shoes, textiles, and steel.

As an advocate for international business and trade associations, Mr. Gilbert presented an eloquent and persuasive case for freer trade. As an administrator, with concerns encompassing the health of domestic industries as well as our role in world trade, I am certain that Mr. Gilbert will apply that same understanding and eloquence to representing the interests of all his "clients" fairly and effectively.

I have great confidence in Carl Gilbert's knowledge, judgment, and exceptional abilities. I urge that he be confirmed for the office to which he has been nominated, that of the President's special representative for trade negotiations.

I thank the distinguished Senator from New Hampshire and the distinguished Senator from South Carolina.

Mr. HOLLINGS. Mr. President, will the Senator from Massachusetts yield?

Mr. BROOKE. I yield.

Mr. HOLLINGS. Does the Senator from Massachusetts believe that the electronics industry of Japan, with no wage and hour controls, with no unemployment compensation, with no child labor standards, with no health and safety standards, is competitive with the Massachusetts electronics industry?

Mr. BROOKE. Not at all. I do not suggest that in my vote of confidence for Mr. Gilbert.

Mr. HOLLINGS. Does the Senator know that the nominee does not subscribe to competition?

Mr. BROOKE. No; and in his testimony before the Committee on Finance he did not so indicate.

Mr. HOLLINGS. Does the Senator know that on the contrary, before Mr. Gilbert testified before the Committee on Finance, he testified last year before the Ways and Means Committee and opposed legislation such as the Senator has offered on electronics and textiles as promoting corruption that would cause spiraling prices and wages, and that the industry should discipline itself?

Mr. BROOKE. As the Senator from South Carolina knows, I have long been an advocate and have worked very closely with him in these matters affecting the textile industry, the shoe industry, and the electronics industry. I can assure the Senator with all the persuasion at my command that I would not vote for the confirmation of Carl Gilbert if I thought he would not act fairly and equitably and in the best interests of American industry. I think that his statements before the Committee on Finance are statements upon which the distinguished Senator can rely because this is a man of exceptional ability and great integrity. As he said before those committees, he had acted as an advocate, as a lawyer by profession, and he represented his clients to the best of his ability. In dealing with other nations as representative of a larger and more diverse clientele, he will keep in mind the best interests of the United States and its industries. I believe him and I ask my colleagues to believe him.

Mr. HOLLINGS. It is not a question of his integrity. The question is with respect to how capable he would be in the position of trade negotiator as a result of his 19 years of advocacy of a different position. He has been zealous in opposing what the distinguished Senator proposed and voted for last year. The question is:

How is he going to answer the question from the country of Japan, when he proposes quotas on woolens and says, "This is what my Government wants. I have integrity and I am sincere," and the Japanese negotiator says, "Carl, forget it. This is the thing you said would promote corruption."

Does not the Senator think that compromises his position if he is the trade negotiator?

Mr. BROOKE. I do not think he can be or will be compromised.

Mr. HOLLINGS. Does not the Senator think that after 19 years of taking one position and the last 60 days taking another position, that that, in and of itself, is a compromise?

Mr. BROOKE. No, I do not think so. As I said, I think the man will represent the United States and its industries to the best of his ability and in keeping with the policies established by our Government.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. BROOKE. I yield.

Mr. COTTON. Mr. President, as I said earlier, I recognize the fact that since 1950 Mr. Gilbert has acted in various capacities. He is experienced in the problems of our foreign trade. His integrity has been brought out to me.

He has definitely said before the Committee on Finance and in conversation with the Senator from Rhode Island (Mr. PASTORE) and me, "I want it definitely understood that textiles are in a class by themselves. I am willing to do all I can wholeheartedly do to secure voluntary curtailment or some restraint of increasing imports in textiles. This is as far as I can go."

I asked him about shoes. He said he was not sure shoes needed protection.

In the Committee on Finance in response to a question by the minority leader, Mr. Gilbert said:

Mr. GILBERT. Well, my response was not intended to indicate that I had an opinion as to whether the shoe industry needed protection or not. It was to indicate that, on the record there are two conflicting views as to the need or lack of it. And my point was that I think this called for prompt and thorough examination of the facts to find out what the true facts are on the basis of which a judgment could be arrived at. I have no opinion on the subject at all, sir.

Senator DIRKSEN. Of course, Mr. Gilbert, it calls for something more than an investigation. It calls for some action, if what is related to me is the fact.

Mr. GILBERT. It is that "if" that we are talking about.

I cannot conceive of a man who has been concerned in his various capacities over the years since 1950 or earlier as director of the Foreign Trade Council and a former director of the Committee for National Trade Policy, and who has before him obviously the facts that we have that in 1968 alone 64,000 shoe workers lost their jobs; that in New England alone, in the last 10 months, 12 plants have gone out of business—incidentally, five of them in my little State of New Hampshire where we lost over 2,500 jobs—I cannot conceive his saying that he has no opinion at all or "I am not satisfied the shoe industry needs any protection at all. We have to start from the beginning and give it a study."

He is honest about it. He said, "I will go with you on textiles. I do not approve of any unilateral action taken by this country so as to get a curtailment on textiles. I am with you 100 percent in my assurance, but on nothing else." I think that that sort of proclaimed position, sincere as he is, and honest and able as he is, is just like sending the Senator from New Hampshire over to the House to sit in a committee on conference and when I sit down for the House position out of a belief in the House position as a matter of honor to carry through, I do not believe that the House Members will listen to me. I do not think this impresses people with whom we are bargaining.

Mr. BROOKE. Mr. President, I do not think anything will be gained by discussion and debate on protectionism at this time. As I understand it, what Mr. Gilbert was saying before the Finance Committee—and apparently he made his case because they unanimously voted to report his name to the Senate for confirmation—was that he was well informed about the textile industry, that he understood it, and understood the need for strengthening the textile industry's position. When it got to a question of shoes and other products, there are many who feel that we cannot have a blanket quota which would cover all the industries, that we should take each one separately and discuss it and investigate it and make a determination as to what each industry needs. A quota may not be the best thing; perhaps subsidies may be the answer to some industries. But I think what he was saying was that he had an open mind, and that he would do the work and make the investigations before he made a final determination.

I think Carl Gilbert is the kind of man we need in this position. The Senator from New Hampshire has said that the man has eminent qualifications for the job by virtue of the long service he has had. And his integrity is not in question.

When we have qualifications such as his, and the unquestioned integrity of a man who has always been honest with us, when he has been before the committee twice, and the committee being satisfied with what he said, I think that the distinguished Senator from South Carolina may have exaggerated fears concerning Mr. Gilbert. I would have fears myself if I did not believe that Mr. Gilbert could take a larger view in carrying out the policies of the President and the country, but I firmly believe he can do this, and will do it.

Mr. HOLLINGS. Mr. President, there is no question as to the character and integrity of George Ball and Christian Herter or of William Roth. But they have been the nemeses of our premise on textiles for the past 10 years.

When President Kennedy was trying to implement his own program, the State Department, through George Ball, dragged its feet. Mr. Ball said he did not believe in it.

That is not a question of integrity. It is a question of heart, of belief, of confidence in fair representation of the Government's position.

George Ball did not believe in President Kennedy's seven-point program and dragged his feet and undercut the program.

Later on, trade negotiator Christian Herter just sort of stood still. Although President Johnson came forward and said in Providence, R.I., and in Georgia, what he was going to do but nothing was done. Thereupon came Mr. Roth, who outright opposed what the distinguished Senator from Massachusetts and I voted for last year when it got over to the conference committee. So it is not a question of the man just coming up. I rather question it when they tell me, "You have got to fight." He says, "You have got to believe," when he talks about discipline in strong terms, just like a cheerleader in a ball game. But I find his heart has been on the other side. His word I respect, but I do not believe he has developed his heart in the past 60 days to represent the employees of America, underprivileged as they are. He thinks otherwise.

Mr. President, we never had any trouble with the pronouncement of President Eisenhower, but President Kennedy later said it was President Eisenhower's fault.

We never had any trouble with President Kennedy in his pronouncement, but President Johnson said it was President Kennedy's fault.

Now when we get to President Nixon, we did not have any trouble with President Johnson's pronouncement, but President Nixon ran on a program that the Johnson administration did not carry out what it was supposed to do.

All on account of one point: the trade negotiator. He has been the one ruining us every time when they bring up the bill on foreign trade policy and Mr. Gilbert, nominated for trade negotiator has been on the other side for years—for 19 years.

The Senator from Massachusetts says I have got unfounded fears. Well, there is no education in the second kick of a mule. I am now around to the fifth kick.

Mr. COTTON. Mr. President, unfortunately, I have the responsibility of controlling the time, and shortly all our time will expire, unless we are able to get an extension, in 10 minutes.

There is one Senator who wishes to be heard. I do not wish any one of us to——

Mr. BROOKE. I appreciate very much the time the distinguished Senator from New Hampshire has given me. Let me just say in conclusion that I think that the distinguished Senator from South Carolina has made out a case against all Presidents of the United States. I think that is where the power to make policy lies, so that is probably where he should lodge his complaint, not necessarily with the trade negotiator. The trade negotiator is only carrying out the philosophy and the policies of Presidents of the United States.

I believe we will see that Mr. Gilbert will be a pleasant surprise to us. The fears the Senator entertains at the present time are false fears.

Mr. COTTON. Let me say to the Senator from Massachusetts——

Mr. BROOKE. I hope that I am right.

Mr. COTTON. That in this respect every President of the United States I have served under since Harry S. Truman—who, incidentally was capable of telling the State Department to take a jump in the lake, every one since—Republican and Democrat—in this respect has knuckled under to the State Department time and time again. Thus, I am disappointed in our Presidents, as is my good friend from South Carolina.

Mr. BROOKE. I am not being critical, I assure the distinguished Senator. He knows that, of course.

Mr. COTTON. Mr. President, I am happy now to yield to the distinguished Senator from Wyoming (Mr. HANSEN).

Mr. HANSEN. Mr. President, let me say, first of all, that I have nothing but the greatest respect for Mr. Gilbert. Although I do not know him personally, everything I have read about him inclines me to believe that he is a man of extraordinary talent and ability, and of unimpeachable integrity. Certainly, he is a person in whom the President of the United States might well repose the utmost confidence.

Mr. President, let me point out that, philosophically, I am a free trader.

As a student many years ago of economics courses, it seemed to me to make good sense to contend that if a country can produce things which it is best equipped to produce, we would all have more in the long run.

It is only because of some very personal experiences and a rather long period of observation over the intervening years between my academic career and where I now serve, that I have become disillusioned with the argument that holds such great philosophical appeal for so many.

I would also like to point out that I am not unaware that the argument has been made repeatedly and pointedly and persuasively that to lower tariff barriers is, indeed, one of the surer and more direct routes to world peace.

Mr. President, I occupy, as it is my privilege to do, one of the two Senate seats of the State of Wyoming.

For those who may not know, Wyoming ranks fifth among the 50 States in oil production.

Wyoming is probably No. 2 in production of uranium at this time.

Wyoming is high up in the production of wool. Further, we consider ourselves to be an important beef-producing State, although we are not in the top 10. We also produce sugar beets.

For those who have been in the West and have visited Wyoming, I need not point out that we are, as my distinguished predecessor Milward Simpson pointed out, "a land of high altitude and low multitude."

We do not have many people in Wyoming. Our average elevation is perhaps 5,000 feet. As a consequence, there are not many crops that can be successfully produced in Wyoming.

Sugar beets happen to be one of those crops. They are our best cash crop.

The production of hay on the mountain meadows found throughout the State is an important source of winter forage for the cattle raised in our State and for some of the herds of sheep that are found in Wyoming.

I point out that we do not have all of the agriculture options some States have. We do not have an agricultural economy of sufficient flexibility to enable us to go into the production of other types of crops if we cannot raise and profitably market our sugar beets.

While I know the problem of sugar quotas is resolved in a separate act, nevertheless I want to point out that sugar beets happen to be one of the relatively few successful cash crops we have in Wyoming.

I would like to ask the question, Why does not free trade work? What is wrong? Where has this policy, which has such great appeal to many, many people, broken down?

Let us consider our declining trade balances. If we were to subtract from the balances in the last few years the amount of money that has been poured into different types of subsidized industry by the United States, we would have had a negative balance of trade long before this.

Why does not free trade work? In the first place, we ought to take note of the fact that the taxes the average businessman pays in this country represent a far greater investment in government than is true in many other parts of the world.

These taxes provide funds for some of the finest government services. They finance programs that are of interest to all of us. Therefore taxes necessarily represent a very important cost of doing business.

Secondly, and of prime importance, American wages and the American standard of living are higher in this country than in any other country in the world. While it can be contended philosophically that free trade makes sense, it does not make good sense when we compare, on the one hand, the wages paid in this country and the wages paid in other countries that are in competition for the American market.

I know something about the cattle business because I happen to be in that business. I have been observing that imports of beef into this country have been climbing steadily, almost without interruption, for the last 20 years. They have come from countries like Australia, New Zealand, and Ireland. Denmark imports a great deal of pork into this country. Those imports have come from areas of the world that do not start to pay the wages that the American livestock producer pays. They come from parts of the world where the contribution the livestock producer makes to his country does not start to approximate the contribution that is made here.

Why should that be of concern to us? It is of concern to me because actually what we are doing is exporting jobs. Every time we put an industry out of business, every time we make the economic stability of a business shaky, we threaten the jobs of the people who are engaged in that business.

It is unnecessary for me to point out, because distinguished Members of this body have already called attention to it, what has happened in the textile and shoe industries. The same thing is happening in other industries. As a matter of fact, just across the border in Mexico, one of the important electronic manufacturing companies that is based in the United States has a sizable number of employees in the nation of Mexico. The wage paid those Mexican workers is about 30 cents an hour.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COTTON. Mr. President, it is proposed that there be a quorum call in order that Members of the Senate who are now in committee can return in time for the vote. I ask unanimous consent that the limitation of time be extended for 5 minutes more.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Hampshire?

Mr. BYRD of West Virginia. Reserving the right to object, for how long?

Mr. COTTON. Five minutes.

Mr. BYRD of West Virginia. I have no objection.

The PRESIDING OFFICER. Without objection, the Senator is recognized for an additional 5 minutes.

Mr. HANSEN. Mr. President, it is of prime concern to all of us that we examine what is happening today. The American market is the most avidly sought after market in the world. That is true because of the purchasing power Americans have.

I say it makes little sense at all to destroy the purchasing power of our people by depriving them of jobs, which is precisely what we are doing when we permit different facets of American industry to go under because of competition from foreign countries where the wages paid do not even approximate what we pay workers in the United States.

For that reason, I must express my concern for the jobs not only of the people in my State of Wyoming but people throughout America, and for the kind of purchasing power that those jobs produce, in order that there may be a ready and a good market for the products we raise in Wyoming and throughout the rest of the country.

The oil business today is an important contributor to Wyoming's economy. If we were to lower all of the barriers that limit the importation of oil into the United States at this time, there is no doubt in my mind at all that the oil industry as we know it in the State of Wyoming would dry up and become practically nonexistent.

Likewise, if we permit the unlimited importation of beef, lamb, and wool these industries would suffer irreparable damage.

Such a course of action might have an initial appeal to consumers anticipating lower prices.

But I respectfully point out, Mr. President, that in the long run such actions would weaken the United States. It would wreak havoc to our schools in many districts of Wyoming, and elsewhere, because of the loss of taxes the cowman, the woolgrower, the oilman presently pay.

It would hurt our economy. The money these businesses generate would go to foreign producers—not our next door neighbors.

It would mean unemployment. No longer would the services of many now employed in the United States be needed.

The welfare and relief burden would be increased upon our remaining taxpayers and employers.

For these reasons, Mr. President, I shall vote "nay" on the matter of the confirmation of Mr. Gilbert in order that there can be no doubt about my position regarding the further lowering of our trade barriers to unlimited imports.

Mr. COTTON. Mr. President, I ask unanimous consent that an article in today's Washington Post, reporting on a speech by Representative WILBUR MILLS, chairman of the Ways and Means Committee of the House of Representatives, be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MILLS WARNS OF U.S. TRADE RESTRICTIONS

Rep. Wilbur Mills (D-Ark.), chief sponsor of trade legislation in the House, warned yesterday that he will support restrictive trade bills unless other countries reach agreement with the U.S. on textile exports.

Mills, in a House speech, said he would give other nations until this fall to accept a voluntary limitation on textile exports to the U.S.

Mills, chairman of the House Ways and Means Committee, indicated his remarks were mainly aimed at Japan. They were clearly timed to coincide with a meeting this week between Japanese cabinet ministers and U.S. officials, including Commerce Secretary Maurice Stans.

Mills said that if the Japanese would agree to negotiate, then other countries would follow.

Noting that during the first five months of this year U.S. imports of woolens and synthetic fibers were up 29 per cent over the same 1968 period, Mills declared that "this situation is out of control."

Mr. COTTON. Mr. President, there being no other requests for time, I yield back any time that may be left.

The PRESIDING OFFICER. All time is yielded back.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair, under the previous order, will now state the question.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, notwithstanding the previous order, the able junior Senator from Arkansas be recognized for a period not to exceed 5 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. FULBRIGHT. Mr. President, I merely report—not that it is new—that this nomination was referred to the Committee on Foreign Relations on April 14. There were printed hearings. I do not think there was any objection to the nomination in the committee.

As the Senate knows, this matter was really held up at the request of the chairman of the Committee on Finance. That committee has now looked at the nomination and, as I understand it, reported it back. It has been on the calendar again for 3 weeks.

I have known Mr. Gilbert for many years. He is a very reputable man of unquestionable integrity. He has been a great success in our private enterprise system. He has been nominated by the President. The Foreign Relations Committee approved his nomination unanimously, I believe.

We have insisted upon the jurisdiction of that committee over ambassadorial nominations. This matter was discussed at considerable length before. So I will not repeat that.

All I wish to say is that I think it is entirely proper that the Senate now pass upon the nomination of Mr. Gilbert. I hope the Senate will overwhelmingly approve him.

I realize that there is some difference of opinion about our present tariff policies. All of us have interests in our own States which conflict even within individual States. Certainly there is a conflict among the various States.

In my own State there is a degree of difference of view between the export segment of our economy, such as cotton, soybeans, and poultry producers.

I believe that it is in the interest of certainly a majority of the people in my State and in this country that we keep a high degree of freedom of trade. I realize that there are certain special situations that need special attention. I would not for a moment pretend that there is never a situation which does not warrant special attention. However, in general, I think the country has prospered and that we have done much better in a period of relatively free trade.

I am always apprehensive of the return to the principles of Smoot-Hawley following World War I, or not long preceding the great depression of the early 1930's.

I would hope that the Senate would endorse Mr. Gilbert, who, I believe, shares the views that, on balance, it is best for the industries of our country to maintain a relatively free trade, always acknowledging that there may be special cases.

I am very pleased, in any case, to support the nomination.

Mr. BYRD of West Virginia. Mr. President, several Senators must attend committee meetings at 2 o'clock. There has been considerable discussion on the nomination. If no other Senators wish to address their remarks to the nomination, I ask at this time that the Chair put the question.

The PRESIDING OFFICER. All time having expired, the question is, Will the Senate advise and consent to the nomination of Carl J. Gilbert, of Massachusetts, to be Special Representative for Trade Negotiations? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DIRKSEN (when his name was called). On this vote I have a pair with the distinguished Senator from Alaska (Mr. STEVENS). If he were present, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. BENNETT (after having voted in the negative). On this vote I have a pair with the senior Senator from Kentucky (Mr. COOPER). If he were present, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withdraw my vote.

The bill clerk resumed and concluded the call of the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Massachusetts (Mr. KENNEDY), the Senator from Utah (Mr. MOSS), and the Senator from Maryland (Mr. TYDINGS) are necessarily absent.

Mr. SCOTT. I announce that the Senator from Oklahoma (Mr. BELLMON) and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from Maryland (Mr. MATHIAS) is necessarily absent to attend the funeral of a friend.

The Senator from Kentucky (Mr. COOPER) is detained on official business.

If present and voting, the Senator from Oklahoma (Mr. BELLMON), and the Senator from Maryland (Mr. MATHIAS) would each vote "yea."

The position of the Senator from Utah (Mr. BENNETT), the Senator from Kentucky (Mr. COOPER), the Senator from Illinois (Mr. DIRKSEN), and the Senator from Alaska (Mr. STEVENS) have been previously announced.

The result was announced—yeas 61, nays 30, as follows:

[No. 58 Ex.]

YEAS—61

Aiken	Gore	Miller
Allott	Gravel	Mondale
Anderson	Griffin	Montoya
Baker	Harris	Mundt
Bayh	Hart	Murphy
Boggs	Hartke	Nelson
Brooke	Hatfield	Packwood
Burdick	Hruska	Pearson
Byrd, Va.	Hughes	Percy
Cannon	Inouye	Proxmire
Case	Jackson	Ribicoff
Church	Javits	Schweiker
Cranston	Jordan, N.C.	Spong
Curtis	Jordan, Idaho	Symington
Dodd	Long	Williams, N.J.
Dominick	Magnuson	Williams, Del.
Eagleton	Mansfield	Yarborough
Ellender	McCarthy	Young, N. Dak.
Fong	McGee	Young, Ohio
Fulbright	McGovern	
Goodell	Metcalf	

NAYS—30

Allen	Gurney	Randolph
Bible	Hansen	Russell
Byrd, W. Va.	Holland	Saxbe
Cook	Hollings	Scott
Cotton	McClellan	Smith
Dole	McIntyre	Sparkman
Eastland	Muskie	Stennis
Ervin	Pastore	Talmadge
Fannin	Pell	Thurmond
Goldwater	Prouty	Tower

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—2

Dirksen, against.
Bennett, against.

NOT VOTING—7

Bellmon	Mathias	Tydings
Cooper	Moss	
Kennedy	Stevens	

So the nomination was confirmed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDING OFFICER. Without

objection, the President will be notified forthwith.

Mr. PELL subsequently said: Mr. President, it was with the greatest of reluctance that I cast my vote against the nomination of Mr. Gilbert. I would not have done so if he were being nominated for any other position within the gift of the executive branch of our Government, because he is a man of singular intelligence, integrity, and ability.

However, the welfare of the textile industry is of particular importance to my own State, and that welfare depends in great part, upon the necessity for quotas on our imports of textile goods. Mr. Gilbert is opposed to quotas, and for that reason would be in a difficult position in working out and negotiating arrangements favorable to the textile interests of our area.

I hope, though, that at a later day I may have the opportunity to vote for the confirmation of Mr. Gilbert for any other job not directly related to this question of quotas.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which the clerk will state.

The LEGISLATIVE CLERK. S. 2546, to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Pursuant to the previous order, the Senate will now proceed for a period of 30 minutes to the transaction of routine morning business, with statements therein limited to 3 minutes.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

PROPOSED WATER USER ACT OF 1969

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to provide for the imposition of waterway user charges and for other purposes (with accompanying papers); to the Committee on Finance.

PROPOSED HIGHWAY USER ACT OF 1969

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to provide additional revenues for the Highway Trust Fund and for other purposes (with accompanying papers); to the Committee on Finance.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the costs incurred to preserve the Columbia River Basin as a source of salmon and steelhead trout, dated July 29, 1969 (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the Rockland County Board of Supervisors, New City, N.Y., praying for the continuance of tax exemption of bonds of local governments; to the Committee on Finance.

A letter, in the nature of a petition, from Francis L. and Lucile P. Cavendar, of Attleboro, Mass., expressing the hope that the recent accident will not adversely reflect upon Senator EDWARD KENNEDY, personally or professionally; to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency, with amendments:

S.J. Res. 140. Joint resolution to provide for the striking of medals in honor of American astronauts who have flown in outer space (Rept. No. 91-337).

By Mr. FULBRIGHT, from the Committee on Foreign Relations, with amendments:

S. Res. 205. Resolution to set forth as an expression of the sense of the Senate a basic principle regarding the recognition by the United States of foreign governments (Rept. No. 91-338).

Mr. BYRD of West Virginia subsequently said: Mr. President, I ask unanimous consent that the report on Senate Resolution 205, filed earlier today by the Senator from Arkansas (Mr. FULBRIGHT), from the Committee on Foreign Relations, be printed, together with individual views.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session, the following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

I. W. Abel, of Pennsylvania, Harold Brown, of California, William J. Casey, of New York, Douglas Dillon, of New Jersey, William C. Foster, of the District of Columbia, Kermit Gordon, of the District of Columbia, James R. Killian, Jr., of Massachusetts, John J. McCloy, of New York, Lauris Norstad, of Ohio, Peter G. Peterson, of Illinois, J. P. Ruina, of Massachusetts, Dean Rusk, of the District of Columbia, William W. Scranton, of Pennsylvania, Cyrus Roberts Vance, of New York, and John Archibald Wheeler, of New Jersey, to be members of the General Advisory Committee of the U.S. Arms Control and Disarmament Agency; and

Kenneth Franzheim II, of Texas, to be Ambassador Extraordinary and Plenipotentiary to New Zealand.

AUTHORIZATION FOR PERMANENT SUBCOMMITTEE ON INVESTIGATIONS TO FILE REPORTS

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Arkansas (Mr. MCCLELLAN), I ask unanimous consent that the Committee on Government Operations have until November 30, 1969, to file reports of its Permanent Subcommittee on Investigations. These reports are as follows:

"Riots, Civil, and Criminal Disorders in Houston, Tex., and Nashville, Tenn";

"Riots, Civil, and Criminal Disorders in Plainfield, N.J.";

"Riots, Civil, and Criminal Disorders in Detroit, Mich.";

"Riots, Civil, and Criminal Disorders in Newark, N.J.";

"Riots, Civil, and Criminal Disorders, OEO Grant to the Woodlawn Organization, Chicago, Ill."; and

"Riots, Civil, and Criminal Disorders, OEO Grant to Wilmington Youth Emergency Action Council, Wilmington, Del."

The PRESIDING OFFICER. Without objection, it is so ordered.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. MONDALE:

S. 2715. A bill for the relief of Dr. Venancio Tiu Jo; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 2716. A bill providing for a study of serious interruptions of certain essential services; to the Committee on Commerce.

(The remarks of Mr. SCOTT when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. ERVIN:

S. 2717. A bill to amend title II of the Social Security Act so as to permit certain additional individuals who become disabled prior to attaining age 31 to become entitled to disability insurance benefits; to the Committee on Finance.

By Mr. BENNETT (for himself, Mr. ALLEN, Mr. ALLOTT, Mr. BYRD of West Virginia, Mr. BURDICK, Mr. CANNON, Mr. CHURCH, Mr. COOK, Mr. COTTON, Mr. CURTIS, Mr. DOLE, Mr. DOMINICK, Mr. EASTLAND, Mr. ERVIN, Mr. FANNIN, Mr. GOLDWATER, Mr. GRAVEL, Mr. HANSEN, Mr. HARRIS, Mr. HRUSKA, Mr. JORDAN of Idaho, Mr. MANSFIELD, Mr. MCGEE, Mr. METCALF, Mr. MOSS, Mr. MUNDT, Mr. MURPHY, Mr. PACKWOOD, Mr. PEARSON, Mr. PROXMIRE, Mr. SAXBE, Mr. SCHWEIKER, Mr. SCOTT, Mr. SPARKMAN, Mr. STEVENS, Mr. TALMADGE, Mr. THURMOND, Mr. TOWER, and Mr. YOUNG of North Dakota):

S. 2718. A bill to modify ammunition recordkeeping requirements; to the Committee on Finance, by unanimous consent.

(The remarks of Mr. BENNETT when he

introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. TOWER:

S. 2719. A bill to prohibit the sending of certain unsolicited merchandise through the mail and to authorize treble-damage suits for injuries caused by such merchandise which is potentially harmful and unpurchased; to the Committee on Post Office and Civil Service.

(The remarks of Mr. TOWER when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. MURPHY (for himself, Mr. FANNIN, and Mr. GOLDWATER):

S. 2720. A bill to place additional restrictions on the political activities of members and commissioners of certain Federal agencies; to the Committee on Rules and Administration.

(The remarks by Mr. MURPHY when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. JAVITS (for himself, Mr. PROUTY, Mr. BELLMON, Mr. DOMINICK, Mr. MURPHY, and Mr. SCHWEIKER):

S. 2721. A bill to amend the Higher Education Act of 1965 to authorize Federal incentive payments to lenders with respect to insured student loans when necessary, in the light of economic conditions, in order to assure that students will have reasonable access to such loans for financing their education; to the Committee on Labor and Public Welfare.

(The remarks of Mr. JAVITS. when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. NELSON:

S. 2722. A bill to amend title II of the Social Security Act to provide a general increase of 25 percent in the amount of the benefits payable thereunder (with a minimum old-age benefit of $100), to provide for cost-of-living increases in such benefits in the future, to increase the amounts individuals may earn without suffering deductions from such benefits, and to amend title XVIII of such Act so as to include eye care, dental care, hearing aids, and routine physical examinations within the services covered by the insurance program established by part B of such title, and for other purposes; to the Committee on Finance.

(The remarks of Mr. NELSON when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. FONG:

S. 2723. A bill for the relief of Hermogenes Lucuesta Rana;

S. 2724. A bill for the relief of Estrella Baysa Garcia;

S. 2725. A bill for the relief of Burgos Jose Maglay; and

S. 2726. A bill for the relief of Ming Kam; to the Committee on the Judiciary.

By Mr. MILLER:

S. 2727. A bill to provide for the sharing of Federal tax receipts with the States and their political subdivisions for purposes of education; to the Committee on Finance.

(The remarks of Mr. MILLER when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. ALLOTT (for himself and Mr. DOMINICK):

S. 2728. A bill for the relief of James E. Fry, Jr., and Margaret E. Fry; to the Committee on the Judiciary.

S. 2716—INTRODUCTION OF A BILL PROVIDING FOR A STUDY OF SERIOUS INTERRUPTIONS OF CERTAIN ESSENTIAL SERVICES

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill providing for a thorough independent investigation of the causes and effects of electric power failure resulting from storms, severe or prolonged adverse weather conditions on transportation and other essential public services. Under my bill, the Director of the Office of Emergency Preparedness would be required to submit the results of his study to Congress within 1 year from the date of enactment together with any recommendations minimizing the adverse effects of electric power failures.

The introduction of my bill is prompted by the recent power shortage which nearly crippled the Northeast United States, as has happened at least twice in the past few years. We all well remember how New York, our Nation's largest city, was brought to a standstill a few years ago. I recall how millions of Americans, of whom I was one, groped about, flashlights in hand, in search of their cars, their homes, and their dinners. The New York blackout occurred in the cool autumn, not in the oppressive heat of summer when air conditioning is draining additional amounts of electric power. With the hottest period of this year still ahead of us, and already with one crisis just barely averted, we seem to be facing the real possibility of another blackout.

It should be noted that I introduced bills similar to the one which I am introducing today, following major blackouts, in both the 89th and 90th Congresses, but that no action was taken. With no pun intended, I would hope that in the light of recent events, my bill will now be considered favorably.

This month's power crisis was averted by prompt action of 12 major utility companies in four States, comprising one of the Nation's largest power combines. These companies were forced to appeal to their own customers to curtail the use of electricity to "avoid any widespread power failure." The four States involved, Pennsylvania, New Jersey, Maryland, and Delaware, represent approximately 20 million people, or one-tenth of our Nation's population. Officials of the Pennsylvania-New Jersey-Maryland interconnection, the power pool, said that the "potential emergency" this month existed due to the combined effect of very hot, humid weather and an "unexpected loss of generating capacity due to equipment failures."

Although it is an isolated example, I am aware of at least one instance of such equipment failure in my own Commonwealth of Pennsylvania. According to press reports, there is a malfunctioning at the Keystone Mine-Mouth generating plant near Johnstown, Pa. The plant, which normally puts out 1.8 million kilowatts, was down to only 650,000 when the emergency occurred. One of two generating units, which normally produce 900,000 kilowatts each, was shut down by mechanical failure on June 28. Since then, malfunction in the other unit has reduced its production to 650,000 kilowatts. If these reports are accurate, then we can ill afford to continue operating as we have in the past.

Mr. President, the recent power shortage underscores the great need for an in-depth look at the power setup which we utilize 24 hours a day. We must develop ways and means to avert the type of crisis which once again nearly caused us tremendous disruption. The study proposed in my bill should help in designing the framework necessary for an orderly approach to solving the problem, and I urge its prompt enactment.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2716) providing for a study of serious interruptions of certain essential services, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Commerce.

S. 2718—INTRODUCTION OF A BILL FOR REPEAL OF AMMUNITION REGISTRATION

Mr. BENNETT. Mr. President, I rise on behalf of myself and several other Senators to introduce a new ammunition bill. This is a slightly modified version of my previous bill, S. 845.

I should like to explain to the Senate the purpose for this new legislation.

It has been made quite clear to me that the House Judiciary Committee has no intention of considering and reporting any firearms or ammunition legislation in the 91st Congress. Consequently, in the end it would be a futile effort to have the bill reported by the Senate Judiciary Committee only to have it die in committee on the House side. The American sportsman deserves to have this legislation enacted. I feel an obligation, therefore, to the legitimate sportsman and gunowner who buys ammunition and to the 39 cosponsors of S. 845 to find a way to pass this bill.

I believe that I have accomplished this by redrafting the bill to amend section 4182 of title 26 of the United States Code which deals with firearms recordkeeping under the internal revenue part of the Code. This redrafting was accomplished with the full cooperation and support of the Treasury. By amending section 4182, which covers the recordkeeping responsibilities of the Alcohol, Tobacco, and Firearms Division in the Internal Revenue Service, it is entirely logical and reasonable to have this bill referred to the Senate Finance Committee.

The bill as written does precisely the same thing as did S. 845. It simply removes the recordkeeping requirements of the 1968 Gun Control Act with regard to ammunition. Of course, when this is done, the regulations drawn up by the Treasury Department in 1968 will also be abolished. These regulations, which require nine separate pieces of information, are nothing more than backdoor registration.

Under the Gun Control Act of 1968, the Secretary is required to record the name, age, and address of a person buying any type of ammunition. But, as the regulations came from the Treasury last year, a person is now required to give his name, address, date of birth, date, manufacture, caliber, gage or type of component, quantity of ammunition purchased and a driver's license or other type of identification. I do not feel from my reading of the act or the debate, that Congress intended such a procedure.

Now after administering that act for some 8 months, the Treasury is quite convinced that registration of persons buying shotgun, rifle, .22 caliber rimfire ammunition and component parts of the same types of shells is unnecessary and unrealistic.

I should point out that this bill, as did S. 845, will not eliminate registration requirements on the purchase of most handgun ammunition. The ammunition it deals with is the type used mostly in sporting types of firearms.

I also feel this bill should be enacted before the 1969 fall hunting season begins. Many of our sportsmen have not yet undergone the experience of purchasing ammunition under the present law, I predict that if we do not enact this before the fall season begins, we will hear from the law abiding, legitimate gunowners as never before.

I wish to express my thanks to the distinguished chairman of the Juvenile Delinquency Subcommittee who most graciously withheld consideration of S. 845 in the hearings which began last week. He has been most cooperative.

The following Senators have joined me in cosponsoring this new legislation:

Senators JAMES B. ALLEN, Democrat of Alabama; GORDON ALLOTT, Republican of Colorado; ROBERT C. BYRD, Democrat of West Virginia; QUENTIN BURDICK, Democrat of North Dakota; HOWARD CANNON, Democrat of Nevada; FRANK CHURCH, Democrat of Idaho, MARLOW COOK, Republican of Kentucky; NORRIS COTTON, Republican of New Hampshire; CARL CURTIS, Republican of Nebraska; ROBERT DOLE, Republican of Kansas; PETER DOMINICK, Republican of Colorado; JAMES O. EASTLAND, Democrat of Mississippi; SAM J. ERVIN, JR., Democrat of North Carolina; PAUL J. FANNIN, Republican of Arizona; BARRY M. GOLDWATER, Republican of Arizona; MIKE GRAVEL, Democrat of Alaska; CLIFFORD P. HANSEN, Republican of Wyoming; FRED R. HARRIS, Democrat of Oklahoma; ROMAN L. HRUSKA, Republican of Nebraska.

Also Senators LEN JORDAN, Republican of Idaho; MIKE MANSFIELD, Democrat of Montana; GALE W. McGEE, Democrat of Wyoming; LEE METCALF, Democrat of Montana; FRANK E. MOSS, Democrat of Utah; KARL E. MUNDT, Republican of South Dakota; GEORGE MURPHY, Republican of California; ROBERT PACKWOOD, Republican of Oregon; JAMES O. PEARSON, Republican of Kansas; WILLIAM PROXMIRE, Democrat of Wisconsin; WILLIAM B. SAXBE, Republican of Ohio; RICHARD SCHWEIKER, Republican of Pennsylvania; HUGH SCOTT, Republican of Pennsylvania; JOHN SPARKMAN, Democrat of Alabama; TED STEVENS, Republican of Alaska; HERMAN TALMADGE, Democrat of Georgia; STROM THURMOND, Republican of South Carolina; JOHN G. TOWER, Republican of Texas; MILTON R. YOUNG, Republican of North Dakota.

Mr. President, I ask unanimous consent that since this bill amends the Internal Revenue Code, it be referred to the Committee on Finance.

The PRESIDING OFFICER. The bill will be received and referred to the Committee on Finance, as requested.

The bill (S. 2718) to modify ammunition recordkeeping requirements, introduced by Mr. BENNETT (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance, by unanimous consent.

Mr. SCHWEIKER. Mr. President, I should like to congratulate the Senator from Utah on his worthwhile statement, and offer my strong support for his efforts to modify ammunition recordkeeping requirements.

I have been opposed to those gun control measures which have the sole effect of imposing burdensome requirements on sportsmen and other law-abiding citizens, but which have no effect on criminals, and do not serve to deter crimes. The existing ammunition reporting requirements are in this category, and I feel it is our duty to modify them.

This bill, by exempting shotgun shells, .22-caliber rimfire ammunition, and metallic ammunition suitable for use only in rifles, would relieve the buyers of these kinds of ammunition from the burdensome Internal Revenue Service reporting regulations, which I feel are beyond congressional intent when it passed the 1968 law.

Under the existing definition of "ammunition" records are required, even in routine sales of ammunition to law-abiding hunters and sportsmen, of the date of sale, the manufacturer and caliber of the ammunition, and the buyer's name, address and birth date. The buyer must also furnish a means of identification, such as driver's license, in order to buy his ammunition.

In addition, it is interesting to note that sportsmen, not criminals, load their own shells, yet under the current definitions sales of components to reload shells must be registered. This is bureaucratic paperwork at its worst, and I have asked Senator BENNETT to include the exemption of component parts in the amendment.

These paperwork requirements to buy a box of shells are an example of unnecessary bureaucratic excess. But more important, they are totally ineffective in terms of the purpose of the 1968 act; the control of crime and criminals. By removing rifle and shotgun ammunition from these paperwork requirements, we do not weaken the drive against crime in any way, but we do remove unnecessary and inefficient inconveniences from law-abiding citizens.

For instance, worthwhile measures which do deter crime are those which impose mandatory additional prison sentences for crimes committed while possessing or using firearms. I support these proposals, which can work, just as I oppose the inclusion of ammunition reporting requirements, which have no effect on crime.

Administrative complaints have not succeeded in clarifying the Internal Revenue Service regulations, and I therefore urge passage of Senator BENNETT'S bill to remedy these excessive procedures.

Mr. SAXBE. Mr. President, I think of this particularly in terms of its effect upon those who are trapshooters and skeetshooters and the difficulties which have come about through this law and the interpretations which have been changed several times.

This is a large and growing sport. A high percentage of these sportsmen load their own ammunition. They save the shells and buy simple components.

By forcing them into this intricate paperwork, and by making it difficult for gun clubs to acquire and dispense the ammunition on their grounds, they have discouraged a sport which has been one of the outstanding American sports to grow in this century.

I believe that, rather than discouraging these people, they should be encouraged. This bill, I believe, will go a long way toward encouraging them.

S. 2719—INTRODUCTION OF A BILL TO PROHIBIT THE SENDING OF CERTAIN UNSOLICITED MERCHANDISE THROUGH THE MAIL

Mr. TOWER. Mr. President, I am introducing today a bill that would prohibit the sending of certain unsolicited merchandise through the mail and authorize suit for triple damages for injuries sustained as a result of violation of this act. I am proposing this measure today because I have become increasingly aware of the need for a clarification of the consumers' rights and responsibilities in this area.

I became aware of this problem as a result of complaints from my constituents, and on further investigation, I began to see the need for legislation. At present there is no uniform law setting down the rights and responsibilities of the consumer with regard to the receipt of unwanted and unsolicited merchandise. Not knowing what is required of him, the consumer sometimes becomes obligated eventually to purchase merchandise which was never desired. This is because, many times, the burden is on the recipient to return the merchandise within a specified period of time in order to escape being billed. It may happen that the recipient inadvertently uses the merchandise, mistaking it for a sample, finding out only too late that he has obligated himself to purchase it. One would suspect that this would hit especially hard with respect to the poor, who are less informed with regard to legalities, and less able to pay. Mrs. Irma Angevine of the Consumer Federation of America, in response to my inquiries, indicated that, in her opinion, legislation would be very helpful. She stated that the problem was mentioned frequently in letters from consumers, and in question-and-answer sessions in her travels around the country. The Post Office Department also indicated that the problem would seem to be quite significant, if complaints and congressional inquiries are any indication.

My legislation would seek to relieve this situation by shifting the burden of action away from the consumer. The bill would prohibit the Postmaster General from delivering merchandise offered for sale, unless such merchandise is sent at the request of the addressee. Merchandise sent by nonprofit organizations exempt from taxation under section 501(a) of the Internal Revenue Code of 1954 would not be restricted by the provisions

of this bill. In addition to prohibiting the mailing of such merchandise, my bill would authorize suit for triple damages for injuries resulting from potentially harmful merchandise which has been transmitted through the mail in violation of this act, and which has not been purchased by the addressee. I include this provision to provide some relief for accidents which may occur when children come into contact with drugs, pesticides, and razor blades transmitted through the mail in violation of this act.

Mr. President, I feel that this legislation would be beneficial to all Americans. It would remove the burden of proof from the consumer, and hopefully avert some of the accidents involving potentially harmful products.

Mr. President, I ask that the text of this bill be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2719) to prohibit the sending of certain unsolicited merchandise through the mail and to authorize treble-damage suits for injuries caused by such merchandise which is potentially harmful and unpurchased, introduced by Mr. TOWER, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

S. 2719

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 51 of title 39, United States Code, is amended by adding at the end thereof the following new section:

"§ 4011. UNSOLICITED MERCHANDISE

"(a) Merchandise offered for sale through the mail is nonmailable matter, shall not be carried or delivered by mail, and shall be disposed of as the Postmaster General directs, unless—

"(1) such merchandise is sent at the request or upon the authorization of the addressee; or

"(2) such merchandise is sent by an organization which is exempt from taxation under section 501(a) of the Internal Revenue Code of 1954.

"(b) If any person is injured, or his property is damaged, as the result of potentially harmful merchandise which (1) has been transmitted through the mails in violation of subsection (a) of this section, and (2) has not been purchased by such person, he may commence a civil action in a district court of the United States against any person who caused such merchandise to be mailed. The civil action may be brought, without regard to the amount in controversy, in any judicial district in which the defendant resides, is found, has an agent, maintains a place of business, or in which such merchandise has been received. The person may recover in any such action three times the damages sustained by him, together with the cost of the suit and any expenses, including loss of earnings and reasonable attorney fees, incurred as a result of the prosecution of such suit."

(b) The analysis of chapter 51 of such title, immediately preceding section 4001, is amended by adding at the end thereof the following new item:

"4011. Unsolicited merchandise.".

SEC. 2. (a) Chapter 83 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 1735. UNSOLICITED MERCHANDISE

"Whoever knowingly deposits for mailing or delivery, or knowingly causes to be delivered by mail according to the direction thereon, any matter declared to be nonmailable under section 4011 of title 39, shall be fined a sum not to exceed $50 for each such violation, each mailing constituting a separate violation."

(b) The analysis of chapter 83 of such title, immediately preceding section 1691, is amended by adding at the end thereof the following new item:

"1735. Unsolicited merchandise."

S. 2720—INTRODUCTION OF A BILL TO PLACE ADDITIONAL RESTRICTIONS ON THE POLITICAL ACTIVITIES OF MEMBERS AND COMMISSIONERS OF CERTAIN FEDERAL AGENCIES

Mr. MURPHY. Mr. President, I introduce a bill and ask that it be appropriately referred. This measure would extend present prohibitions on political activity to the heads of the Federal Government's major regulatory agencies and the Civil Service Commission. My bill would extend existing laws' prohibitions on political activity to the following Federal agencies: the Atomic Energy Commission, the Board of Governors of the Federal Reserve System, the Civil Aeronautics Board, the Federal Home Loan Bank Board, and the National Labor Relations Board, the Federal Communications Commission, the Federal Maritime Commission, the Federal Power Commission, the Federal Trade Commission, the Interstate Commerce Commission, and the Securities and Exchange Commission.

Mr. President, the regulatory process and the regulatory agencies are an important part of our Government. Decisions rendered, regulations promulgated, and actions taken impinge on the daily life of every American. A decision to buy a television set, ride on a train or a plane, buy or sell common stock, make a telephone call, borrow or lend money, hire or fire an employee—all these and many more activities are affected to some degree by the actions of the regulatory agencies of the Government.

Shortly after assuming office in 1961, former President John Kennedy said of the regulatory agencies:

> The responsibilities with which they have been entrusted permeate every sphere and almost every activity of our national life. Whether it be transportation, communications, the development of our natural resources, the handling of labor-management relationships, the elimination of unfair trade practices, or the flow of capital investment—to take only a few examples—these agencies and their performance have a profound effect upon the direction and pace of our economic growth.

Under title V, section 7324 of the United States Code, Federal employees of executive agencies are prohibited from, first, using official authority or influence for the purpose of interfering with or effecting the result of an election or second, taking an active part in political management or in political campaigns. Subsection (d)(3) of this section provides an exception from taking an active part in the political management or in political campaigns prohibition for those appointed by the President with the advice and consent of the Senate. My bill would remove this exemption and thus prohibit partisan political management and campaigning by members of certain Federal boards and independent commissions.

Also, my bill would amend section 7323 of title V of the United States Code, which prohibits political contributions. The section provides that an "employee in an executive agency may not request or receive from, or give to, an employee, a Member of Congress, or an officer of a uniformed service a thing of value for political purposes." As is the case under section 7324, there is an exemption from this prohibition for one appointed by the President with the advice and consent of the Senate. My bill would eliminate the exemption for the major regulatory agencies previously mentioned and the Civil Service Commission. There is a comparable criminal provision in section 602 of title XVIII of the United States Code and there are no exceptions; however, this criminal provision covers only soliciting or receiving things of value, and it does not apply to giving. Therefore, it would be possible for a member of the regulatory agencies or the Civil Service Commissioner to give a political contribution to a Member of Congress.

Hence, there is a need for extending the prohibition on giving to the heads of regulatory agencies and the Civil Service Commissioner, and by removing the exemption of section 7323 for these agencies my bill does just that.

Upon reexamination of these exceptions from the political activity restrictions for persons appointed by the President with the consent of the Senate, I believe it is clear that the exemption for heads of regulatory agencies does not meet the rationale and purpose of the exemption. The exemption was put in the act in recognition that certain individuals who are in top policymaking positions and who are required to answer for the administration must of necessity be allowed to identify with and support the administration in power. But it is clear to me, Mr. President, that the heads of regulatory agencies, to whom my amendment would extend the prohibition or political activity restriction, are not in political positions. These individuals have tremendous power. They exercise quasi-judicial powers. They are not supposed to be answerable to the administration in power. They are not responsible for the formulation and execution of administration policy. Their task is to carry out the policy pursuant to the various statutes enacted by the Congress. In administering these laws, they decide cases and issues that have a tremendous influence on the lives of each of our citizens. Certainly, when one considers the great social and economic impact of decisions made by the regulatory agencies, the general public has every reason to demand—and my amendment helps provide—political neutrality in the exercise of their duty.

While I would be the first to admit, Mr. President, there has been overall little abuse in this area, nevertheless one

can recall the adverse publicity and reaction that resulted during the last Congress when the former head of the Civil Service Commission, Chairman Macy, participated in party fund-raising activities. In my judgment, it was particularly unwise and unfortunate for the chairman of the Federal agency responsible for the administering of Federal laws designed to prevent pernicious political activity of public employees to actively eject himself into partisan activities. The Civil Service Commission is charged with the responsibility of administering Federal laws deemed necessary to maintain an impartial and efficient civil service. I would observe, Mr. President, that my bill would extend the political restrictions to the major regulatory agencies, including the Civil Service Commission. The bill further provides that where the Civil Service Commissioner is involved in a violation, the Justice Department will act as the enforcement agency.

Also, Mr. President, my bill would amend section 7323 of title V so as to cure a present defect. This section, originally enacted in 1876, requires the removal of an employee violating its provisions, but it does not give a particular agency enforcement responsibility. My bill would assign enforcement responsibility to the Civil Service Commission. Finally, my bill would amend the penalty provision of section 7323 of title V of the United States Code to provide a range of penalties, instead of the sole penalty of dismissal as provided in section 7325 of title V of the United States Code.

Mr. President, this bill is very consistent with past efforts of mine. Where there is abuse or great potential for abuse, and there is in this instance, I have attempted to make certain that politics are removed from the programs. For example, when the President early this year announced that he planned to eliminate politics from the Post Office Department, I immediately issued a statement applauding his action. I ask unanimous consent that this statement be inserted at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

In addition, I led the effort beginning in 1965 to remove politics from the poverty program. As ranking Republican on the Senate Labor and Public Welfare Subcommittee on Employment, Manpower, and Poverty, I am convinced that these amendments have had a salutary effect on the program and are helping to assure that the funds are being used for the program's intended beneficiaries and not for political purposes.

Mr. President, because this bill makes good sense and because it deals with an area where abuse has occurred and where the potential for abuse is even greater, I urge that the Senate Post Office and Civil Service Committee give the bill its most careful consideration. The bill is most consistent with the administration's announcements and actions toward improving Government and restoring the people's confidence and faith in our governing institutions. I am optimistic that the measure will receive the administration's endorsement.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2720) to place additional restrictions on the political activities of members and commissioners of certain Federal agencies, introduced by Mr. MURPHY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Rules and Administration.

The statement, presented by Mr. MURPHY, is as follows:

EXHIBIT 1

WASHINGTON.—Senator George Murphy (R. Calif.), who in the 90th Congress led a successful effort to eliminate politics from the poverty program, today praised President Nixon's decision to take politics out of the Post Office Department.

"Ability, not party affiliation, must be the test of employment," Murphy said. "In the past, the party out of power has frequently urged the elimination of the 'spoils system' in the postal system. Already this patronage system has cost the taxpayers far too many dollars.

"Last year I supported a Republican amendment to the Legislative Reorganization Act which would have removed patronage from the Post Office. Although the amendment passed the Senate, the measure died when the House failed to take action prior to adjournment. By his decision, President Nixon demonstrated that performance, not promises, will be the hallmark of the Republican Administration."

Murphy said that hardly a day goes by in his office when he does not receive a complaint regarding the postal system. "There is general realization that the Post Office Department must be made to operate on a more businesslike and efficient basis. No business could survive which perpetuated a patronage system such as has existed in the Post Office Department since the days of Ben Franklin. A successful business must judge its employees on ability and performance, and so must the government," he said.

"This courageous political decision by President Nixon and Postmaster General Blount is in the best interests of the Nation, of postal efficiency, and of postal employees. I feel confident it will provide the bases for markedly superior postal service," Murphy concluded.

S. 2721—INTRODUCTION OF A BILL TO INSURE CONTINUATION OF GUARANTEED STUDENT LOANS

Mr. JAVITS. Mr. President, I introduce, for myself and Senators PROUTY, BELLMON, DOMINICK, MURPHY and SCHWEIKER, the Insured Student Loan Emergency Amendments of 1969. This is an administration bill.

As a result of soaring interest rates and the tight money market, an estimated one-third of the students seeking guaranteed loans in order to enter college this fall are being rejected. This measure seeks to forestall the crisis which these young people are facing as they make plans to return to college in a month or two. Because of the emergency situation, I intend to work for Senate action prior to the congressional recess. Hearings are already under way in the House.

This measure would permit the Secretary of Health, Education, and Welfare, after consultation with the Secretary of the Treasury, to prescribe an incentive allowance to be paid by the Government to eligible lenders whenever the statutory interest limitation of 7 percent—or current economic conditions—deter eligible lenders from making student loans. This Federal incentive payment may not exceed 3 percent per annum and rates may differ geographically. The amount of the incentive allowance is a percentage of the principal balance of all outstanding student loans disbursed by the lender on or after July 1, 1969. There is no additional cost to the student. The estimated Federal cost for fiscal year 1970 is between $5 million and $7 million. However, additional appropriations would not be required because of the availability of carryover funds from fiscal year 1969.

Last year alone more than 730,000 students obtained some $670 million in guaranteed loans and, as tuition costs and college enrollment increase, many more young people are expected to apply for the fall semester. The cost of attending college is now the second largest expenditure that a family can undertake—greater than the cost of a car which formerly held second place. Unlike the cost of a home—the largest expenditure—which can be spread over a long period of time, it falls due in a period of only 4 or 5 years. Thus, it is quite often necessary for this money to be borrowed. And, considering that college graduates earn at least $150,000 more during their lifetime than nongraduates, this loan is a wise investment in the future.

The law sets a 7-percent interest limit on guaranteed student loans. This rate is not competitive with other personal loans in the financial marketplace. Many lenders have informed the U.S. Office of Education that their activity at the 7 percent rate must either be halted entirely or restricted to children of favored customers.

The incentive grant approach which I propose has a number of advantages. As monetary conditions improve, the incentive payment may be adjusted accordingly, thus avoiding both the student and the Government being committed to artifically high interest rates. This plan will provide the immediate improvement required to get guaranteed loans flowing once more. It reflects current money market conditions. It is easier to revise downward than fixed interest rates. It avoids conflict with State usury laws and the fixed ceilings established by law in some State guarantee programs, as is the case in New York State. It is simple to administer. It is the least expensive solution to a nettling problem for, as money market conditions improve, the Federal Government is not committed to payment of inordinately high interest costs over a number of years. And, finally, costs are not increased to the student borrower, most of whom come from low- and moderate-income families.

I ask unanimous consent that a brief-

ing memorandum furnished me by the Department of Health, Education, and Welfare, be included as a part of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the memorandum will be printed in the RECORD.

The bill (S. 2721) to amend the Higher Education Act of 1965 to authorize Federal incentive payments to lenders with respect to insured student loans when necessary, in the light of economic conditions, in order to assure that students will have reasonable access to such loans for financing their education, introduced by Mr. JAVITS, for himself and other Senators, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The material furnished by Mr. JAVITS is as follows:

INSURED STUDENT LOAN EMERGENCY AMENDMENTS OF 1969

BRIEFING MEMORANDUM

This legislation permits an incentive allowance payable to eligible lenders whenever the Secretary of HEW determines that statutory interest limitations or other current economic conditions deter these lenders in making student loans. The amount of the incentive allowance is a percentage of the principal balances of all outstanding loans disbursed by the lender on or after July 1, 1969. The percentage (if any) may not exceed three percent per annum, it must be prescribed each six months by regulation, and the amount determined is payable after each such period.

When making the determination of the percentage, the Secretary may, at his discretion, set differing rates on an appropriate geographical basis or according to classification of the lender.

The Act is effective as of July 1, 1969.

Question. What kind of precedent does the "incentive allowance" proposal establish for other loan programs?

Answer. None, because this program in itself is not similar to any other program. In other words, this is a unique approach for a unique program to the problem of providing appropriate flexibility in the rate of return to lenders. One of the significant differences in the Guaranteed Student Program is that the Federal Government pays directly to the participating lender a portion of the interest on behalf of eligible student borrowers. In addition, the lender is "locked into" a long period of deferred repayment at a minimum fixed rate of interest. During this period, market conditions frequently change, and lenders develop liquidity problems which are not subject to the usual secondary market forms of relief. It should also be noted that under other federally sponsored programs there is a greater flexibility in the yield to the lender by virtue of additional charges in the form of discount (points) and application of finders fees. Some permit use of the "add-on" method in computing interest. Because of the availability of a higher yield, loans under these programs are thereby made more readily attractive in secondary market. Since these techniques are not permissible under the Guaranteed Student Loan Program, the availability of this proposed "incentive allowance" becomes all the more necessary if the program is to survive.

Question. Shouldn't the student pay a portion or all of the incentive payment to lenders?

Answer. It is anticipated that there may be reluctance on the part of Congress to increase the costs to students. One advantage of the incentive cost allowance is that it keeps the costs to the borrower on a level keel.

In the States listed below this additional cost to the student would be prohibited by State statute governing the respective student loan programs. The statutes of these States limit the interest rate to seven percent. Each of these States has just recently amended its laws to permit the seven percent rate authorized by the Higher Education Amendments of 1968 (P.L. 90–575). These States are Georgia, Louisiana, Maryland, New York, and Vermont.

These legislatures are not in session at the present time and therefore lenders in those States would be prevented from sharing in an increased return. No doubt the result would be for lenders to continue to limit the number of student loans they would be willing to make.

Question. Why are we rewarding lenders for past efforts?

Answer. There are two ways in which lenders might be rewarded for past efforts under the incentive allowance proposal:

1. The proposed incentive allowance is to be effective July 1, 1969, for all loans disbursed on or after that date. It is quite possible that the legislation will not be enacted until sometime later. Unless the legislation applies to loans made on or after July 1, 1969, we are sure that the lenders in many cases will not continue to process applications until such time as they are assured of the higher rate of return. As the peak application period is during the months of July, August, September and October, any delays could have severe implications as to the availability of funds for loans to students in FY '70.

2. As the incentive allowance is to be paid on loans outstanding, we will continue, if economic conditions deem it necessary, to pay the allowance in the future on loans which were made on or after July 1, 1969. This is important so that a lender's student loan portfolio will provide a return commensurate with current economic conditions. In addition, this will help create a secondary market as investors will be assured of a return which is consistent with current market conditions.

If economic conditions improve, the amount of the payment will be reduced or even eliminated.

Question. How will the Secretary of HEW establish the percentage rate that determines the amount of the incentive allowance?

Answer. It is anticipated that the percentage rate will be determined by the Secretary of HEW in consultation with the Secretary of the Treasury, the Chairman of the Council of Economic Advisors, and the Chairman of the Federal Reserve Board. Current economic indices such as Treasury Bill Rate, the prime rate, Federal Reserve re-discount rate, etc., may be taken into account in setting an appropriate rate.

Question. Why is the Administration recommending the incentive payment plan in contrast to a free rate?

Answer. The incentive plan, which reflects monetary conditions may be more easily adjusted downward as the prime rate is reduced, and will be withdrawn when the prime rate falls below the statutory loan maximum of 7%. This is consistent with the Administration's efforts to halt inflation and improve conditions in the money market.

Question. Why should we pay this incentive allowance on loans made to borrowers with an adjusted family income over $15,000?

Answer. The adjusted family income is calculated on applications for student loans *only* to determine who pays the interest on the loan. It was not intended that those borrowers with an adjusted family income over $15,000 be discriminated against. Regardless of who pays the interest, the lender's return is the same.

If the incentive allowance were denied to holders of loans made to students whose adjusted family income is over $15,000, lenders would no doubt hesitate to make loans to these students at all since their return would be reduced. Thus the original intent of the legislation would be thwarted.

Last year, the intent of Congress on this subject was quite clear when they approved the administrative cost allowance [1] for all student loans regardless of the adjusted family income.

Paying an incentive allowance only on certain loans would also create administrative problems which lenders would consider burdensome.

Mr. MURPHY. Mr. President, I am pleased to join in cosponsoring this emergency legislation, the Insured Student's Loan Emergency Amendments of 1969.

The legislation would allow the Secretary of Health, Education, and Welfare to prescribe an incentive allowance above the present 7-percent simple interest rate authorized by the guaranteed student loan program. The incentive allowance, which may not exceed 3 percent, may be paid whenever the Secretary determines that the statutory interest limitation or economic conditions are deterring eligible lenders from making student loans. With the Federal Government paying the incentive cost allowance, there would be no additional cost to the student.

In a few days, the peak student loan application periods of August, September, and October will be upon us. Already my California offices have been deluged with desperate calls from students urging that something be done to see that the loans will be made so that they might pursue their higher education. I recently read that it had been estimated that 200,000 of the youngsters applying for the guaranteed loan program may be turned down. We clearly cannot let this happen, and I know I speak for the many students in California and their parents in congratulating the administration and Secretary Finch in sending down this emergency legislation.

As a member of the Subcommittee on Education, I certainly hope that early and expeditious action will be taken so that the student loans may be made.

Financing higher education is a real struggle for many students and their parents. The Federal Government has various programs of grants, direct loans, and guaranteed loans to help them. The latter program was enacted in 1965 with the purpose of providing assistance in financing college expenses for those students from moderate-income families who had been excluded from loan and other assistance under the various Federal programs. Last year, the guaranteed loan program, as well as the other student financial assistance programs, were

[1] The Administrative Cost Allowance was authorized by P.L. 90–460 (August 3, 1968) in order to enable lenders to receive a yield of 7 percent in those States where a guarantee agency's authorizing legislation limited the rate charged to the borrower to 6 percent. This would be paid over the life of the loan, but only for loans made until not later than 120 days after the adjournment of the State's next legislative session.

extended as part of the Higher Education Amendments of 1968. I strongly supported the extension. During the hearings on the Higher Education Amendments of 1968, we also faced this problem and for this same reason.

Interest rates were ballooning with the result that the student loans were not competitive with other loans for which the rate of return was determined by the money market. As a result, the committee increased the then maximum statutory interest rate from 6 to 7 percent. With the higher interest rate, 730,000 students received loans totaling $670 million in the past year. In California, in fiscal year 1969, 76,054 students secured loans totaling over $69 million. Thus, this is a most important program in my State.

Inflation has continued, however, and interest rates have skyrocketed until the prime interest rate today of 8½ percent is the highest in the economic history of this Nation. All other installment loan interest rates are pegged upward from the prime rate. With interest rates like this, the student loans are once again not competitive.

Thus, Mr. President, the administration has sent to the Congress a unique proposal in response to an emergency situation. It has my strong support. The need for this bill illustrates yet another group—the students—who are harmed by inflation, and spotlights once again the necessity of taking actions to curb inflation.

S. 2722—INTRODUCTION OF A BILL AMENDING THE SOCIAL SECURITY ACT

Mr. NELSON. Mr. President, I introduce, for appropriate reference, a bill for major reform of our social security law.

It is almost 35 years since Congress accepted the concept of social insurance and enacted the first social security law. Twelve times since its passage—100 years late in coming—the social security law has been gradually upgraded, so that it has now become the very bulwark of our social programs.

Today over 92 percent of persons reaching the age of 65 are eligible for social security benefits. Nineteen of every 20 widows and young children are now eligible for survivors benefits. Close to 20 million people are enrolled under medicare.

But despite the program's broad coverage on paper, it still falls pitifully short of providing a decent living wage for the majority of elderly Americans.

It has often been said that the true measure of a nation's cultural greatness can be determined by how well it cares for its elderly citizens.

In the hurry-up, quickly changing life of today's hectic world, we frequently are guilty of too quickly shunting aside those people whose productiveness has made our own lives easier and more meaningful.

When one retires, the fact is usually overlooked that income does not remain the same, but usually is reduced by about 50 percent or more. At the same time, costs rise and purchasing power dwindles.

Through the genius of medical technology, we have succeeded in creating longer life for our generation of grandparents, but I question whether we have really made life more enjoyable and comfortable.

It is a sad fact that the aged are the single largest group making up the poverty rolls in America.

Nearly 6 million Americans over the age of 65 live in poverty. This represents almost one-third of all Americans over the age of 65.

It is particularly shocking to learn that the number of people in this category is steadily increasing, while the number of people under age 65 who live below the poverty line is steadily decreasing.

Our modest "War on Poverty" is clearly not reaching these people.

The solution is not education. It is not manpower training.

The solution lies simply in the guarantee of a modest and reasonable yearly income.

Although social security was intended to supplement other retirement incomes, only about 17 percent of social security recipients have outside resources. For the more than 80 percent remaining, social security benefits are their sole means of support.

For these people, social security payments are not enough to provide even the barest necessities of life.

The bill I am introducing today would make these basic changes in the social security law:

An immediate increase in minimum monthly benefit payments to $100 for single persons and $150 for couples accompanied by a 25 percent across-the-board increase in benefits;

An automatic increase in benefits to accompany rises in the cost of living of 2 percent or more;

A raise in the amount persons may earn without having benefits withheld from $140 a month to $200 a month;

Reduction in the heavy burden of social security taxes placed upon employer and employees by inclusion of general tax revenues into social security payments;

Inclusion under medicare coverage, of the cost of prescription drugs, eye, dental and hearing care, and routine physical examinations.

BENEFIT INCREASES

The present minimum monthly benefit of $55 is clearly inadequate. In 1967, when the Congress last amended the Social Security Act, and raised the minimum from $44 to $55, many of us in the Senate fought for a higher minimum. Finally, the Senate passed a bill with a $70 minimum, but even this modest increase was lost in the conference session.

Thirteen of my colleagues and myself registered our protests by voting against this weak conference committee report because we wanted to force the bill back to conference to accept the better Senate bill. Our "Nay" votes signified that we felt that our country was capable of doing more for its elderly and its poor; and we still do.

The 25 percent across the board monthly benefit increase I am proposing and the increase to a minimum monthly payment of $100 for single persons and $150 for couples would immediately remove an estimated 2 million elderly persons from poverty. Any benefit increase less than that would have little impact.

The administration has recommended a 7-percent increase to be enacted this year and others have proposed a 10-percent increase to be passed next year. But the effect of these minimal increases would be completely wiped out by the increases in the cost of living.

The Consumer Price Index has risen over 5 percent since the last benefit increase took effect in the beginning of 1968. By January 1970, when this legislation would take effect, the cost of living will have risen at least 9 percent.

Therefore, even with a 7-percent increase, the beneficiary who received a $100 monthly payment in January 1968 will receive only $98.16 in purchasing power in January 1970—or less than he was receiving prior to the benefit increase.

COST-OF-LIVING INCREASE

The social security program's biggest single defect is the lack of adequate benefits in the face of the rising cost of living. We have increased the benefits from time to time, but the increases merely keep pace with or even fall behind the current cost of living.

The need to tie social security increases to the rise in the cost of living has long been evident. In 1968 alone the Consumer Price Index rose by 4.7 percent. The CPI will rise an additional 4 percent over each of the next 4 years.

Congress cannot possibly make adequate adjustments in benefit increases to keep pace with these CPI increases. The 7.7-percent benefit increase enacted in January 1965 was accompanied by a 7.9-percent increase in the cost of living since the previous increase. Prices are rising even more rapidly today.

I believe that we should attack this continuing and nagging problem head on. This proposal provides that for each increase of 2 percent or higher in the Consumer Price Index, social security benefits would be increased by the same percentage. Such an adjustment, taking place not more than once a year, will greatly reduce the hardships of the elderly trying to budget their expenses on fixed incomes.

The Secretary of Health, Education, and Welfare would be required to report to the Congress whenever he determines that a cost-of-living increase is to be provided and to include in his report the effect of the increase on the actuarial status of the social security trust funds, together with his recommendations for meeting the cost of the increase.

RETIREMENT TEST

Today there are an estimated 1.8 million social security recipients who are

affected by the social security retirement test which places restrictions on the amount beneficiaries may earn in outside incomes. Under present rules, those under age 72 who wish to work may earn only $1,680 a year before they begin to lose their social security benefits. Between $1,680 and $2,880, they lose $1 for every $2 earned. After $2,880 they lose $1 for every $1 earned.

Elderly persons should be encouraged to work whenever they are willing and able. They should not be penalized because they are healthy and still able to be productive members of society.

The bill I am introducing today would increase the exempt earnings from $1,680 to $2,400 a year and beyond that would withhold only $1 for every $2 in benefits.

GENERAL TREASURY FUNDS

In order to finance necessary increases in social security benefits, Congress has throughout the years had to raise the tax rates of both employees and employers. In my judgment, that tax rate—now at 4.8 percent for both employers and employees—has risen as high as it can go.

While social security was originally established as an insurance program, it has been expanded from time to time to include certain welfare benefits to recipients who have not paid into the fund. Though these benefits are wholly justifiable, employers and employees who regularly pay into the fund should not be expected to pay for benefits to other social security recipients who have paid little or none of the cost of these benefits.

Under my proposal, the Treasury would contribute to the social security funds fixed percentages of the social security funds collected in a given year. For fiscal year 1970, general tax revenues would total 6 percent of the social security taxes collected and that figure would rise to 12 percent in fiscal 1971, 18 percent in fiscal 1972, 20 percent in fiscal 1973, and 25 percent in fiscal 1974, and each year thereafter.

MEDICARE COVERAGE

While the old age, survivors, and disability insurance provisions of social security have existed for many years, medicare is relatively new and is still being developed. There are several improvements which should immediately be added to the medicare law which I have included in this bill:

Expand medicare coverage to pay for eye care, including the cost of glasses, dental care, including dentures, and hearing aids, including the examination for the aid;

Upgrade medicare to include one free annual medical examination for elderly citizens;

Include the cost of prescription drugs under medicare;

Revise medicare payment formula so that the beneficiary pays one-third of the cost, and the Government pays two-thirds.

Drug costs make up a substantial portion of every older American's budget. Even though persons 65 or over constitute only 10 percent of the American population, they account for 20 percent of the $3.5 billion spent on prescription drugs every year.

Under this bill, reimbursement for drugs under medicare would be based on the lowest priced generic or brand name drug consistent with Federal Food and Drug Administration standards.

A formulary committee would be established to compile a list of necessary drugs and would disseminate that list once a year to doctors and pharmacists. The alphabetical list would include the name of each drug or biological by established name, and a list of brand name equivalents with prices. The list would apply only to prescription, and not over the counter drugs.

The proposals of this bill are not the only reforms needed in social security. They are simply the most basic, most urgent.

But cost considerations preclude enactment of all the needed reforms at one time. Reform is long overdue. The proposals set forth in this bill will correct some of the most glaring shortcomings. Adoption of the general tax revenue funding method will make possible a more equitable and realistic social security law.

Many in the Congress have spoken for so long of the distorted sense of priorities existing in our society. Social security reform is one national priority that cannot be further postponed.

I ask unanimous consent that the text of the bill and a section by section analysis of it be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the RECORD.

The bill (S. 2722) to amend title II of the Social Security Act to provide a general increase of 25 percent in the amount of the benefits payable thereunder (with a minimum old-age benefit of $100), to provide for cost-of-living increases in such benefits in the future, to increase the amounts individuals may earn without suffering deductions from such benefits, and to amend title XVIII of such act so as to include eye care, dental care, hearing aids, and routine physical examinations within the services covered by the insurance program established by part B of such title, and for other purposes, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2722

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 215(a) of the Social Security Act is amended by striking out the table and inserting in lieu thereof the following:

"TABLE FOR DETERMINING PRIMARY INSURANCE AMOUNT AND MAXIMUM FAMILY BENEFITS

"I		II	III		IV	V
(Primary insurance benefit under 1939 act, as modified)		(Primary insurance amount under 1967 act)	(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—		At least—	But not more than—		
----------	$27.46	$79.90 or less	----------	$118	$100.00	$150.00
$27.47	28.00	81.10	$119	122	101.40	152.10
28.01	28.68	82.30	123	127	102.90	154.40
28.69	29.25	83.60	128	132	104.50	156.80
29.26	29.68	84.70	133	136	105.90	158.90
29.69	30.36	85.90	137	141	107.40	161.10
30.37	30.92	87.20	142	146	109.00	163.50
30.93	31.36	88.40	147	150	110.50	165.80
31.37	32.00	89.50	151	155	111.90	167.90
32.01	32.60	90.80	156	160	113.50	170.30
32.61	33.20	92.00	161	164	115.00	172.50
33.21	33.88	93.20	165	169	116.50	174.80

"I		II	III		IV	V
(Primary insurance benefit under 1939 act, as modified)		(Primary insurance amount under 1967 act)	(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—		At least—	But not more than—		
$33.89	$34.50	$94.40	$170	$174	$118.00	$177.00
34.51	35.00	95.60	175	178	119.50	179.30
35.01	35.80	96.80	179	183	121.00	181.50
35.89	36.40	98.00	184	188	122.50	183.80
36.41	37.08	99.30	189	193	124.20	186.30
37.09	37.60	100.50	194	197	125.70	188.60
37.61	38.20	101.60	198	202	127.00	190.50
38.21	39.12	102.90	203	207	128.70	193.10
39.13	39.68	104.10	208	211	130.20	195.30
39.69	40.33	105.20	212	216	131.50	197.30
40.34	41.12	106.50	217	221	133.20	199.80
41.13	41.76	107.70	222	225	134.70	202.10
41.77	42.44	108.90	226	230	136.20	204.30

"TABLE FOR DETERMINING PRIMARY INSURANCE AMOUNT AND MAXIMUM FAMILY BENEFITS—Continued

"I		II	III		IV	V
(Primary insurance benefit under 1939 act, as modified)		(Primary insurance amount under 1967 act)	(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—		At least—	But not more than—		
$42.45	$43.20	$110.10	$231	$235	$137.70	$206.60
43.21	43.76	111.40	236	239	139.30	209.00
43.77	44.44	112.60	240	244	140.80	211.20
44.45	44.88	113.70	245	249	142.20	213.30
44.89	45.60	115.00	250	253	143.80	215.70
		116.20	254	258	145.30	218.00
		117.30	259	263	146.70	220.10
		118.60	264	267	148.30	222.50
		119.80	268	272	149.80	224.70
		121.00	273	277	151.30	227.00
		122.20	278	281	152.80	229.20
		123.40	282	286	154.30	231.50
		124.70	287	291	155.90	233.90
		125.80	292	295	157.30	236.00
		127.10	296	300	158.90	240.00
		128.30	301	305	160.40	244.00
		129.40	306	309	161.80	247.20
		130.70	310	314	163.40	251.20
		131.90	315	319	164.90	255.20
		133.00	320	323	166.30	258.40
		134.30	324	328	167.90	262.40
		135.50	329	333	169.40	266.40
		136.80	334	337	171.00	269.60
		137.90	338	342	172.40	273.60
		139.10	343	347	173.90	277.60
		140.40	348	351	175.50	280.80
		141.50	352	356	176.90	284.80
		142.80	357	361	178.50	288.80
		144.00	362	365	180.00	292.00
		145.10	366	370	181.40	296.00
		146.40	371	375	183.00	300.00
		147.60	376	379	184.50	303.20
		148.90	380	384	186.20	307.20
		150.00	385	389	187.50	311.20
		151.20	390	393	189.00	314.40
		152.50	394	398	190.70	318.40
		153.60	399	403	192.00	322.40
		154.90	404	407	193.70	325.60
		156.00	408	412	195.00	329.60
		157.10	413	417	196.40	333.60
		158.20	418	421	197.80	336.80
		159.40	422	426	199.30	340.80
		160.50	427	431	200.70	344.80
		161.60	432	436	202.00	348.80
		162.80	437	440	203.50	350.40
		163.90	441	445	204.90	352.40
		165.00	446	450	206.30	354.40
		166.20	451	454	207.80	356.00
		167.30	455	459	209.20	358.00
		168.40	460	464	210.50	360.00
		169.50	465	468	211.90	361.60
		170.70	469	473	213.40	363.60
		171.80	474	478	214.80	365.60
		172.90	479	482	216.20	367.20
		174.10	483	487	217.70	369.20
		175.20	488	492	219.00	371.20
		176.30	493	496	220.40	372.80
		177.50	497	501	221.90	374.80
		178.60	502	506	223.30	376.80
		179.70	507	510	224.70	378.40
		180.80	511	515	226.00	380.40
		182.00	516	520	227.50	382.40
		183.10	521	524	228.90	384.00
		184.20	525	529	230.30	386.00
		185.40	530	534	231.80	388.00
		186.50	535	538	233.20	389.60
		187.60	539	543	234.50	391.60
		188.80	544	548	236.00	393.60
		189.90	549	553	237.40	395.60
		191.00	554	556	238.80	396.80
		192.00	557	560	240.00	398.40
		193.00	561	563	241.30	399.60
		194.00	564	567	242.50	401.20
		195.00	568	570	243.80	402.40
		196.00	571	574	245.00	404.00
		197.00	575	577	246.30	405.20
		198.00	578	581	247.50	406.80
		199.00	582	584	248.80	408.00
		200.00	585	588	250.00	409.60
		201.00	589	591	251.30	410.80
		202.00	592	595	252.50	412.40
		203.00	596	598	253.80	413.60
		204.00	599	602	255.00	415.20
		205.00	603	605	256.30	416.40
		206.00	606	609	257.50	418.00
		207.00	610	612	258.80	419.20
		208.00	613	616	260.00	420.80
		209.00	617	620	261.30	422.40
		210.00	621	623	262.50	423.60
		211.00	624	627	263.80	425.20
		212.00	628	630	265.00	426.40
		213.00	631	634	266.30	428.00
		214.00	635	637	267.50	429.20
		215.00	638	641	268.80	430.80
		216.00	642	644	270.00	432.00
		217.00	645	648	271.30	433.60
		218.00	649	650	272.50	434.40"

(b) Section 203(a) of such Act is amended by striking out paragraph (2) and inserting in lieu thereof the following:

"(2) when two or more persons were entitled (without the application of section 202(j)(1) and section 223(b)) to monthly benefits under section 202 or 223 for the month of January 1970 on the basis of the wages and self-employment income of such insured individual, such total of benefits for such month or any subsequent month shall not be reduced to less than the larger of—

"(A) the amount determined under this subsection without regard to this paragraph, or

"(B) an amount equal to the sum of the amounts derived by multiplying the benefit amount determined under this title (including this subsection, but without the application of section 222(b), section 202(q), and subsections (b), (c), and (d) of this section), as in effect prior to January 1970, for each such person for January 1970, by 25 percent and raising each such increased amount, if it is not a multiple of $0.10, to the next higher multiple of $0.10;

but in any such case (i) paragraph (1) of this subsection shall not be applied to such total of benefits after the application of subparagraph (B), and (ii) if section 202(k)(2)(A) was applicable in the case of any such benefits for the month of January 1970, and ceases to apply after such month, the provisions of subparagraph (B) shall be applied, for and after the month in which section 202(k)(2)(A) ceases to apply, as though paragraph (1) had not been applicable to such total of benefits for January 1970, or".

(c) Section 215(b)(4) of such Act is amended to read as follows:

"(4) The provisions of this subsection shall be applicable only in the case of an individual—

"(A) who becomes entitled, after December 1969, to benefits under section 202(a) or section 223; or

"(B) who dies after December 1969 without being entitled to benefits under section 202(a) or section 223; or

"(C) whose primary insurance amount is required to be recomputed under subsection (f)(2)."

(d) Section 215(c) of such Act is amended to read as follows:

"PRIMARY INSURANCE AMOUNT UNDER 1967 ACT

"(c) (1) For the purposes of column II of the table appearing in subsection (a) of this section, an individual's primary insurance amount shall be computed on the basis of the law in effect prior to the enactment of the Social Security Amendments of 1969.

"(2) The provisions of this subsection shall be applicable only in the case of an individual who became entitled to benefits under section 202(a) or section 223 before the month of January 1970, or who died before such month."

(e) The amendments made by this section shall apply with respect to monthly benefits under title II of the Social Security Act for months after December 1969 and with respect to lump-sum death payments under such title in the case of deaths occurring after December 1969.

(f) If an individual was entitled to a disability insurance benefit under section 223 of the Social Security Act for the month of December 1969 and became entitled to old-age insurance benefits under section 202(a) of such Act for the month of January 1970, or who died in such month, then, for purposes of section 215(a)(4) of the Social Security Act (if applicable) the amount in column IV of the table appearing in such section 215(a) for such individual shall be the amount in such column on the line on which in column II appears his primary insurance amount (as determined under sec-

tion 215(c) of such Act) instead of the amount in column IV equal to the primary insurance amount on which his disability insurance benefit is based.

SEC. 2. (a) (1) Section 227(a) of the Social Security Act is amended by striking out "$40" and inserting in lieu thereof "$50", and by striking out "$20" and inserting in lieu thereof "$25".

(2) Section 227(b) of such Act is amended by striking out in the second sentence "$40" and inserting in lieu thereof "$50".

(b) (1) Section 228(b) (1) of such Act is amended by striking out "$40" and inserting in lieu thereof "$50".

(2) Section 228(b) (2) of such Act is amended by striking out "$40" and inserting in lieu thereof "$50", and by striking out "$20" and inserting in lieu thereof "$25".

(3) Section 228(c) (2) of such Act is amended by striking out "$20" and inserting in lieu thereof "$25".

(4) Section 228(c) (3) (A) of such Act is amended by striking out "$40" and inserting in lieu thereof "$50".

(5) Section 228(c) (3) (B) of such Act is amended by striking out "$20" and inserting in lieu thereof "$25".

(c) The amendments made by this section shall apply with respect to monthly benefits under title II of the Social Security Act for months after December 1969.

SEC. 3. (a) Section 202(b) (2) of the Social Security Act is amended by striking out "whichever of the following is the smaller: (A) one-half of the primary insurance amount of her husband (or, in the case of a divorced wife, her former husband) for such month, or (B) $105" and inserting in lieu thereof the following: "one-half of the primary insurance amount of her husband (or, in the case of a divorced wife, her former husband) for such month".

(b) Section 202(c) (3) of such Act is amended by striking out "whichever of the following is the smaller: (A) one-half of the primary insurance amount of his wife for such month, or (B) $105" and inserting in lieu thereof the following: "one-half of the primary insurance amount of his wife for such month".

(c) Section 202(e) (4) of such Act is amended by striking out "whichever of the following is the smaller: (A) one-half of the primary insurance amount of the deceased individual on whose wages and self-employment income such benefit is based, or (B) $105" and inserting in lieu thereof the following: "one-half of the primary insurance amount of the deceased individual on whose wages and self-employment income such benefit is based".

(d) Section 202(f) (5) of such Act is amended by striking out "whichever of the following is the smaller: (A) one-half of the primary insurance amount of the deceased individual on whose wages and self-employment income such benefit is based, or (B) $105" and inserting in lieu thereof the following: "one-half of the primary insurance amount of the deceased individual on whose wages and self-employment income such benefit is based".

(e) The amendments made by the preceding subsections of this section shall apply with respect to monthly benefits under title II of the Social Security Act for months after December 1969.

SEC. 4. (a) (1) Paragraphs (1), (3), and (4) (B) of Subsection (f) of section 203 of the Social Security Act are each amended by striking out "$140" wherever it appears therein and inserting in lieu thereof "$200".

(2) Paragraph (3) of subsection (f) of section 203 of such Act is further amended by striking out "except that of the first $1,200 of such excess (or all of such excess if it is less than $1,200), an amount equal to one-half thereof shall not be included" and inserting in lieu thereof "except that of such excess, an amount equal to one-half thereof shall not be included".

(b) Paragraph (1) (A) of subsection (h) of section 203 of such Act is amended by striking out "$140" and inserting in lieu thereof "$200".

(c) The amendments made by the preceding provisions of this section shall be effective with respect to taxable years beginning after December 31, 1969.

SEC. 5. (a) Section 1861(s) (3) of the Social Security Act is amended (1) by inserting "(A)" immediately after "(3)", and (2) by inserting before the semicolon at the end thereof the following: ", and (B) physicians' services, diagnostic X-ray tests, diagnostic laboratory tests, and other diagnostic tests involved in complete physical check-ups, except that there shall not be included more than one such check-up for any individual in a 12-month period".

(b) Section 1862(a) (1) of such Act is amended by inserting before the semicolon the following: "(except physical check-ups provided for in section 1861(s) (3) (B))".

(c) Section 1862(a) (7) of such Act is amended by inserting after "check-ups" the following: "(other than physical check-ups provided for by section 1861(s) (3) (B))".

(d) The amendments made by the preceding provisions of this section shall be effective with respect to services furnished for months after the month following the month in which this Act is enacted.

SEC. 6. (a) Section 1861 (r) (2) of the Social Security Act is amended by striking out "but only with respect to (A) surgery related to the jaw or any structure contiguous to the jaw or (B) the reduction of any fracture of the jaw or any facial bone".

(b) Section 1861 (s) (8) of such Act is amended (1) by inserting "(A)" immediately after "(8)", and (2) by striking out "(other than dental)", and (3) by adding thereunder the following new subparagraph:

"(B) dentures, eyeglasses, hearing aids, and other prosthetic devices relating to the oral cavity, jaw, eyes, or ears, including replacement thereof; and".

(c) (1) Section 1862 (a) (7) of such Act (as amended by section 5(c) of this Act) is further amended by striking out all after the matter in parentheses (which was added by section 5(c) of this Act) and inserting in lieu of the matter stricken a semicolon.

(2) Section 1862 (a) of such Act is further amended (A) by inserting "or" at the end of paragraph (11) thereof, (B) by striking out paragraph (12) thereof, and (C) by redesignating paragraph (13) thereof as paragraph (12).

(d) The amendments made by the preceding provisions of this section shall apply with respect to services furnished after the month which follows the month in which this Act is enacted.

SEC. 7. (a) The first sentence of section 1839 (a) (2) of the Social Security Act is amended by striking out "one-half" and inserting in lieu thereof "one-third".

(b) Section 1844 (a) (1) of such Act is amended by inserting "two times" after "equal to".

(c) The amendments made by the preceding subsections of this section shall be effective in the case of insurance premiums payable under the supplementary medical insurance program established by part B of title XVIII of the Social Security Act for months after June 1970.

SEC. 8. Title II of the Social Security Act is amended by adding at the end thereof the following new section:

"COST-OF-LIVING INCREASES IN BENEFITS

"SEC. 230. (a) During the month of January each year (commencing with the year 1971), the Secretary shall determine the extent (if any) by which the price index has increased over the price index for the month of January 1970. If he determines that the price index has risen by a percentage (of its level in the base period) equal to 2 percent or more, the amount of each benefit otherwise payable under this title shall be increased by a percentage equal to the percentage of the rise in such index (adjusted to the nearest one-tenth of 1 per centum), effective with respect to monthly insurance benefits under sections 202, 223, 227, and 228 for months in the 12-month period which commences with the following April, but only in the case of individuals who were entitled to such a monthly insurance benefit for such following April.

"(b) Any increase in the monthly insurance benefit of any individual under subsection (a) shall be applied only after all of the other provisions of this title which relate to eligibility for and the amount of such benefit have been applied; except that (1) the provisions of section 203 (b) through (1) and section 222(b) shall not be applied until after such increase is applied, and (2) in determining the amount of such individual's monthly benefit for purposes of applying section 203(a), any amounts payable by reason of this section shall not be regarded as part of such benefit.

"(c) If the amount of the increase in any monthly insurance benefit under subsection (a) is not a multiple of $0.10, it shall be raised to the next higher multiple of $0.10.

"(d) For purposes of this section, the term 'price index' means the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics.

"(e) Whenever, under the preceding provisions of this section, the Secretary determines during any January that a cost-of-living increase is to take effect the following April, he shall submit (at the earliest practicable date, and before such increase takes effect) a report to the Congress. Such report shall advise the Congress of the amount of such increase, the effect such increase will have on the actuarial status of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, and whether, in the opinion of the Secretary, additional moneys will be needed for either or both of such funds because of such increase. If the Secretary determines that additional moneys will be needed for either of such funds because of such increase, he shall submit, in such report, his recommendations as to the means through which such moneys should be obtained."

SEC 9. (a) (1) The third sentence of section 201(a) of the Social Security Act is amended—

(A) by striking out (in the matter of preceding clause (1) thereof) "amounts equivalent to 100 per centum of ——", and inserting in lieu thereof "amounts equivalent to ——";

(B) by striking out (in clauses (1), (2), (3), and (4) thereof) the term "the taxes" the first place it appears in each of such clauses, and by inserting in lieu thereof "100 per centum of the taxes";

(C) by striking out the period at the end of clause (4) thereof and inserting in lieu of such period a semicolon followed by the word "and"; and

(D) by adding after clause (4) thereof the following new clause:

"(5) for the fiscal year ending June 30, 1970, an amount equal to 6 per centum of the aggregate of the amounts appropriated pursuant to paragraphs (3) and (4) for such year; for the fiscal year ending June 30, 1971, an amount equal to 12 per centum of the aggregate so appropriated for such year; for the fiscal year ending June 30, 1972, an amount equal to 18 per centum of the aggregate so appropriated for such year; for the fiscal year ending June 30, 1973, an amount equal to 20 per centum of the aggregate so

appropriated for such year; for the fiscal year ending June 30, 1974, and for each fiscal year thereafter, an amount equal to 25 per centum of the aggregate so appropriated for such year; except that the amount appropriated pursuant to this clause for any fiscal year shall be reduced by an amount equal to the amount specified with respect to such year in clause (3) of subsection (b) of this section."

(2) The fourth sentence of section 201(a) of such Act is amended by striking out "clauses (3) and (4)" the first place it appears therein, and by inserting in lieu thereof "clauses (3), (4), and (5)".

(b)(1) The third sentence of section 201 (b) of such Act is amended—

(A) by striking out (in the matter preceding clause (1) thereof) "amounts equivalent to 100 per centum of ——" and inserting in lieu thereof "amounts equivalent to——";

(B) by striking out the period at the end of clause (2) thereof and inserting in lieu of such period a semicolon followed by the word "and"; and

(C) by adding after clause (2) thereof the following new clause:

"(3) for the fiscal year ending June 30, 1970, an amount equal to 6 per centum of the aggregate of the amounts appropriated pursuant to clauses (1) and (2) for such year; for the fiscal year ending June 30, 1971, an amount equal to 12 per centum of the aggregate so appropriated for such year; for the fiscal year ending June 30, 1972, an amount equal to 18 per centum of the aggregate so appropriated for such year; for the fiscal year ending June 30, 1973, an amount equal to 20 per centum of the aggregate so appropriated for such year; for the fiscal year ending June 30, 1974, and for each fiscal year thereafter, an amount equal to 25 per centum of the aggregate so appropriated for such year."

(2) The fourth sentence of section 201(a) of such Act (as amended by subsection (a)(2) of this section) is further amended by striking out "clauses (1) and (2)" and inserting in lieu thereof "clauses (1), (2), and (3)".

SEC. 10. (a)(1) Section 1832(a) of the Social Security Act is amended (A) by striking out "and" at the end of paragraph (1), (B) by striking out the period at the end of paragraph (2) and inserting in lieu thereof "; and", and (C) by adding at the end thereof the following new paragraph:

"(3) entitlement to have payment made to him (pursuant to sections 1833(a)(1) and (3) and 1845(a)(2)) toward expenses incurred in the purchase of qualified drugs."

(2) Section 1833(a) of such Act is amended (A) by inserting "or qualified drugs" after "incurs expenses for services", (B) by striking out the period at the end of paragraph (2) and inserting in lieu thereof "; and", and (C) by adding at the end thereof the following new paragraph:

"(3) in the case of benefits covered under section 1832(a)(3), the allowable benefit (as defined in section 1845(a)(2), or if lower, 80 percent of actual expenses incurred, for the purchase of qualified drugs."

(3) Part B of title XVIII of such Act is amended by adding at the end thereof the following new sections:

"ALLOWABLE BENEFITS FOR QUALIFIED DRUGS

"SEC. 1845. (a) For purposes of this part—

"(1) The term 'qualified drug' means a drug or biological for self-administration which (i) is included by strength and dosage forms among the drugs and biologicals approved by the Formulary Committee (established pursuant to section 1846(a)) and (ii) is dispensed by a pharmacist from a pharmacy licensed under the laws of the State in which the drug or biological is provided, or is otherwise dispensed in accordance with section 1861(s)(10).

"(2) The term 'allowable benefit', when used in connection with any quantity of a qualified drug means the payment amount established with regard to such qualified drug by the Formulary Committee and approved by the Secretary.

"(b) Notwithstanding the provisions of section 1842(b)(3)(B)(ii), amounts to which an individual is entitled by reason of the provisions of section 1832(a)(3) shall be paid directly to such individual in accordance with regulations of the Secretary prescribed pursuant to this subsection. No individual shall be paid any amount by reason of the provisions of section 1832(a)(3) prior to the presentation by him (or by another on his behalf) of documentary or other proof satisfactory to the Secretary establishing his entitlement thereto.

"(c) The benefits provided by reason of section 1832(a)(3) may be paid by the Secretary or the Secretary may utilize the services of carriers or such other agencies qualified for the administration of such benefits under contracts entered into between the Secretary and such carriers for such purpose. To the extent determined by the Secretary to be appropriate, the provisions relating to contracts entered into pursuant to section 1842 shall be applicable to contracts entered into pursuant to this subsection.

"FORMULARY COMMITTEE

"SEC. 1846. (a) There is hereby established a Formulary Committee to consist of the Surgeon General of the Public Health Service, the Assistant Secretary of Health, Education, and Welfare for Health and Scientific Affairs, the Commissioner of Food and Drugs, and five other persons who are members of the medical profession, to be selected by the Secretary. The chairman of such committee shall be designated by the Secretary and shall serve for such period of time as the Secretary deems appropriate.

"(b)(1) It shall be the duty of the Formulary Committee to—

"(A) determine which drugs and biologicals shall constitute qualified drugs for purposes of the benefits provided under section 1832(a):

"(B) determine, with the approval of the Secretary, the allowable benefit of the various quantities, strengths, or dosage forms of any drug or biological determined by the Committee to constitute a qualified drug; and

"(C) publish and disseminate at least once each calendar year among physicians, pharmacists, and other interested persons, in accordance with directives of the Secretary, (i) an alphabetical list naming each drug or biological by its established name and such other information as the Secretary deems necessary, and (ii) an indexed representative listing of such trade or other names by which such drug or biological is commonly known, together with the allowable benefit for various quantities, strengths, or dosage forms thereof, together with the names of the supplier of such drugs upon which the allowable benefit is based.

"(2)(A) Drugs and biologicals shall be determined to be qualified drugs if they can legally be obtained by the user only pursuant to a prescription of a lawful prescriber; except that the Formulary Committee may include certain drugs and biologicals not requiring such a prescription if it determines such drugs or biologicals to be of a lifesaving nature.

"(B) In the interest of orderly, economical, and equitable administration of the benefits provided under section 1832(a)(3), the Formulary Committee may, by regulation, provide that a drug or biological otherwise regarded as being a qualified drug shall not be so regarded when prescribed in unusual quantities.

"(3) In determining the allowable benefit for any quantity, dosage form, and strength of any qualified drug, the Formulary Committee shall seek to approximate the anticipated charges to beneficiaries and establish a payment amount that will include the acquisition cost to the ultimate dispenser of the qualified drug dispensed, plus—

"(A) in the case of a community pharmacy, (i) for a prescription-legend drug, a reasonable fee component to cover the costs of overhead and professional services attendant to the dispensing of a qualified drug and an amount representing a fair profit, and (ii) for other drugs determined to be of a lifesaving nature in accordance with section 1846(b)(2)(A), a billing allowance and an amount representing a fair profit; and

"(B) in the case of hospitals and extended care facilities, or when applicable, physicians (under section 1861(s)(10)), an allowance equal to the cost to the dispenser for providing the qualified drug.

In any case in which a qualified drug is available from more than one source, the acquisition cost of such qualified drug, for purposes of this section, shall be deemed to be the lowest cost of such drug, however named, which meets the quality and other standards for such drug required under the Federal Food, Drug, and Cosmetic Act, as amended. Whenever the lowest cost (to the ultimate dispensers thereof) of a particular drug or biological differs significantly in the various regions of the United States, or among the ultimate dispensers thereof, the Formulary Committee may establish, for the various regions of the United States, separate schedules of allowable benefits with respect to such drug or biological so as to reflect the lowest cost at which such drug or biological is generally available to the ultimate dispensers or among such dispensers thereof in each such region.

(4)(A) Section 1861(s) of the Social Security Act is amended by (i) striking out "and" at the end of paragraph (8), (ii) by striking out the period at the end of paragraph (9) and in lieu of such period insert "; and", and (iii) by adding immediately after paragraph (9) the following new paragraph:

"(10) qualified drugs for self-administration (as defined in section 1845(a)(1)) dispensed by a physician (i) in an emergency (but not routinely), or (ii) when adequate community pharmaceutical services are not otherwise available, as determined in accordance with regulations prescribed by the Secretary."

(B) Section 1861 (s) is further amended by redesignating paragraphs (10) through (13) as paragraphs (11) through (14), respectively.

(5) Section 1861 (t) of the Social Security Act is amended (A) by striking out "such drugs and biologicals, respectively, as are included (or approved for inclusion) in the United States Pharmacopoeia, the National Formulary, or the United States Homeopathic Pharmacopoeia, or in New Drugs or Accepted Dental Remedies (except for any drugs and biologicals unfavorably evaluated therein)" and insert in lieu thereof the following: "qualified drugs, as designated under section 1845(a)(1)", (B) by inserting "or extended care facility" after "hospital", and (C) by striking out "hospitals" and inserting in lieu thereof "institutions."

(b) The amendments to the Social Security Act made by this section shall become effective on January 1, 1971.

The material presented by Mr. NELSON is as follows:

SECTION-BY-SECTION ANALYSIS OF SOCIAL SECURITY BILL

Section 1, provides a general benefit increase of 25% with a minimum primary monthly insurance amount of $100 and $150 for couples.

Section 2, increases payments payable to certain uninsured persons under the Prouty

amendment to $50 a month for single persons and $75 for couples.

Section 3, repeals the $105 a month limitation on a wife's benefits.

Section 4, amends the retirement test to provide (a) a $2400 annual exempt amount, and (b) a $200 monthly exempt amount, and (c) a $1 reduction in benefits for each $2 in earnings above $2400.

Section 5, modifies prohibition on payments for routine physical examinations to permit one comprehensive physical examination each year for each enrollee.

Section 6, repeals provisions preventing payments for eye care (including glasses) dental care (including dentures) and hearing aids (including examinations for hearing aids).

Section 7, provides that beneficiary shall pay ⅓ of the cost of Medicare provision and government shall pay ⅔.

Section 8(a), provides that when the CPI rises by at least 2 per cent over the index for January 1970 benefits for the third month following the month in which the 2 per cent rise occurred, and for subsequent months, shall be increased by an amount equal to the percentage rise in the CPI. Only 1 increase may take effect in a 12 month period.

(b) The increase is applicable to all persons on the benefit rolls in the month in which the increased benefits are first payable.

(c) Requires the Secretary of HEW to report to the Congress whenever a cost-of-living increase is to be made, its effect on the actuarial status of the trust funds, and recommendations for meeting the cost of the increase.

Section 9, provides general tax revenues to be used in social security benefit payments.

General revenues will be contributed as a percentage of all social security taxes collected each year, on the following bases: (a) 6% for fiscal year 1970, (b) 12% for fiscal year 1971, (c) 18% for fiscal year 1972, (d) 20% for fiscal year 1973, (e) 25% for fiscal year 1974 and each year thereafter.

Section 10, extends Medicare provisions to include payment for prescription drugs. Establishes a Formulary Committee to determine for which drugs and biologicals reimbursement is to be made.

Reimbursement is to be based on lowest priced generic drug available, consistent with high standards.

Formulary Committee shall disseminate, once a year, to doctors and pharmacists, an alphabetical list of each drug or biological by established names, and include listing of brand name equivalents with prices.

Applicable only to prescription drugs.

ADDITIONAL COSPONSORS OF BILLS

S. 1781

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from West Virginia (Mr. RANDOLPH), I ask unanimous consent that, at the next printing, the name of the Senator from Wyoming (Mr. MCGEE) be added as a cosponsor of S. 1781, to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2518

Mr. HARTKE. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from California (Mr. CRANSTON) be added as a cosponsor of S. 2518, to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive insurance benefits thereunder.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2674

Mr. BYRD of West Virginia. Mr. President, in behalf of the Senator from Hawaii (Mr. INOUYE), I ask unanimous consent that, at the next printing, the names of the Senator from North Carolina (Mr. ERVIN), the Senator from New York (Mr. GOODELL), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Rhode Island (Mr. PELL), and the Senator from Alaska (Mr. STEVENS) be added as cosponsors of S. 2674, to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2689

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Hawaii (Mr. INOUYE) I ask unanimous consent that, at the next printing, the names of the Senator from Nevada (Mr. BIBLE), the Senator from Oregon (Mr. HATFIELD), the Senator from Washington (Mr. JACKSON), the Senator from New York (Mr. JAVITS), and the Senator from Alaska (Mr. STEVENS), be added as cosponsors of S. 2689, to amend the Internal Revenue Code of 1954 to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2691

Mr. PROXMIRE. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Indiana (Mr. HARTKE) be added as a cosponsor of S. 2691, to amend Public Law 87-849, approved October 23, 1962, to strengthen provisions relating to disqualification of former Federal officers and employees in matters connected with former duties and official responsibilities, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 226—RESOLUTION TO EXTEND THE AUTHORITY OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE TO INVESTIGATE PROBLEMS OF EDUCATION OF AMERICAN INDIANS

Mr. MONDALE, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 226) to extend the authority of the Committee on Labor and Public Welfare to investigate problems of education of American Indians, which was considered and agreed to.

(The remarks of Mr. MONDALE when he reported the resolution appear later in the RECORD under the appropriate heading.)

SENATE RESOLUTION 227—RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FUNDS BY THE COMMITTEE ON LABOR AND PUBLIC WELFARE—REPORT OF A COMMITTEE

Mr. MONDALE, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 227); which was referred to the Committee on Rules and Administration, as follows:

S. RES. 227

Resolved, That the Committee on Labor and Public Welfare hereby is authorized to expend from the contingent fund of the Senate, during the Ninetieth Congress, $1,500, in addition to the amounts, and for the same purposes, specified in section 134(a) of the Legislative Reorganization Act, approved August 2, 1946, Senate Resolution 141, agreed to July 17, 1967, and Senate Resolution 276, agreed to May 9, 1968.

SEC. 2. Section 4 of Senate Resolution 80, agreed to February 17, 1969 is hereby amended by striking out "$72,000" where it appears therein and inserting in lieu thereof "$93,000".

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH—AMENDMENTS

AMENDMENT NO. 108

Mr. PROXMIRE submitted amendments, intended to be proposed by him, to the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes,which were ordered to lie on the table and to be printed.

(The remarks of Mr. PROXMIRE when he submitted the amendments appear later in the RECORD under the appropriate heading.)

ADDITIONAL COSPONSOR OF AMENDMENT NO. 107

Mr. PROXMIRE. Mr. President, I ask uanimous consent that, at the next printing, the name of the Senator from Montana (Mr. METCALF) be added as a cosponsor of amendment No. 107 to S. 2546, the military procurement bill.

The amendment calls for annual disclosure of high ranking former civilian and military Pentagon officials who go to work for the major defense contractors.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARINGS ON S. 2453

Mr. WILLIAMS of New Jersey. Mr. President, as chairman of the Labor

Subcommittee of the Committee on Labor and Public Welfare, I announce hearings on S. 2453, a bill to further promote equal employment opportunities for American workers. The hearings will be held at 10 a.m., on August 11 and 12, 1969, in room 4232, New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the hearing record, should communicate as soon as possible with the Labor Subcommittee, room G–237, New Senate Office Building.

NOTICE OF RESCHEDULING OF HEARINGS ON VETERANS EDUCATION, TRAINING, AND MANPOWER BILLS BEFORE THE VETERANS' AFFAIRS SUBCOMMITTEE

Mr. CRANSTON. Mr. President, on July 23, 1969, I announced that the Veterans' Affairs Subcommittee, of which I am chairman, of the Labor and Public Welfare Committee would be holding hearings on July 30 and 31 on four bills pertaining to veterans education, training, and manpower. Unfortunately, I find that these hearings must unavoidably be postponed.

I am, therefore, announcing at this time, for the information of Senators, that the Veterans' Affairs Subcommittee will hold hearings on S. 1088, S. 2506, and a proposed amendment to it, S. 2668, and S. 2700 on August 8 and 12 at 9:30 a.m.

RADAR—THE ACHILLES HEEL IN THE SAFEGUARD SYSTEM

Mr. SYMINGTON. Mr. President, recently, my office received a brochure from the Committee To Maintain a Prudent Defense Policy, an organization with headquarters here in Washington, entitled "Safeguard: Does the Supposed 'Softness' of the Radars Render Safeguard Vulnerable?" This pamphlet is indeed an extraordinary document.

Yesterday, on the floor, I stated that Mr. Clifford J. Hynning was the author. I now find that is not accurate. The report was prepared by an unidentified "individual committee or staff member," and I hasten to make this correction.

I ask unanimous consent that this pamphlet in its entirety be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SYMINGTON. Mr. President, now let me present to the Senate why I believe the information contained in this pamphlet with respect to the radars is wrong.

The author opens his remarks by stating:

> Many opponents of Safeguard hold the view that the system is inordinately vulnerable because its radar is less than one-tenth as hard as the missile silos it is designed to protect.

As one of the "opponents" I share this view, but my objections are based on four additional criticisms which pertain to the radar of the Safeguard. These are as follows:

First. There is only one radar to protect an "entire site" of more than 100 missiles.

Second. The MSR radar is exceedingly expensive—between $150 and $200 million each—many times as much as that of each of the Minutemen it defends.

Third. The total number of interceptor missiles protecting the site is "exceedingly small."

Fourth. Only a fraction of even this small number of interceptor missiles protecting each Minuteman site has enough range to protect the radar.

The author claims that since the Sprint missiles defend the radar, the fact that it is soft does not matter. This is only true if the defense was "infinitely reliable" and if there were an "unlimited number" of interceptor missiles deployed for defending the radar.

It is the essence of the deterrent role of Minuteman that even if some silos are destroyed the rest are available to retaliate. By basing the entire defense on a single radar we make sure that if this one radar is hit the entire defense will collapse. All the enemy has to do is to dedicate a few of his missiles to exhaust that fraction of interceptors which defend the radar—then the entire Safeguard system is dead; and all Senators who have studied the classified information know how small is the number of interceptors.

Moreover, in order to destroy the radars, the Soviets would not have to use the SS–9's, those missiles which the proponents say are of sufficient power and accuracy to endanger Minuteman. We know they could either exhaust, or penetrate, the protection around the radars by using their smaller and less accurate SS–11 missiles, of which the Soviets now have some 800.

Here then the question of the "softness" of the radar comes in, because on this basis the destruction of the radar would not necessarily even subtract from any of those missiles which some estimate the Soviets are building in order to threaten Minuteman.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SYMINGTON. Mr. President, I ask unanimous consent to proceed for 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SYMINGTON. In fact, and based on this extraordinary pamphlet, it would appear that the writer has not really examined the Safeguard system, because he says:

> The radars are hardened to the efficient level required to give an extremely high probability that an incoming warhead will be intercepted and are located so that a single warhead could not destroy more than one of them.

Does not he know there is only one radar per missile site?

A radar supporting the defense of Minuteman would not have to be as hard as the Minuteman silos if first there were many such radars—say one radar per only a few Minuteman silos, and second, if these radars were less expensive than the missiles they defend.

In that case the radars need only be sufficiently hard so that if one radar were destroyed the neighboring one would not suffer; and as a consequence the price of admission for a Soviet attacker would be greatly raised if the cost per silo defended is low enough.

Experts in this field hope that such a system can be developed, and developed quickly, by deploying many more, and less complicated, radars.

Actually the Safeguard radar meets very few of the requirements which one would hope to have in effort to achieve "a proper defense" of hardened silos.

The remarks made in this brochure would appear to reflect a Maginot Line philosophy, about which I have already expressed my deep apprehension. It is proposed to employ exactly one radar as the eyes of the entire system; and then defend that one radar to the hilt.

If this defense is too thin, however, or has even the slightest flaw to the point where one enemy missile "leaks" through, the entire defense system then collapses; and in this connection, we know just how thin the Spint coverage is—would this information be made public—and how few things in this world are perfect.

I agree with the sentiment that, in the long run, increased hardening of silos will not assure their survival against the increasing accuracy and number of attacking warheads. Sooner or later, therefore, our fixed land-based missiles will become obsolete unless either:

First. We defend them with a system of multiple small radars and interceptors designed as proper for the job, or

Second. Replace them by a land-mobile system along with reliance on our moving Polaris submarine fleet, or

Third. Reach some "meaningful agreement" so as to halt the destructive race of military technology toward increased accuracy and multiple nuclear warheads.

In summary, Mr. President, we will never prevent obsolescence of the Minuteman force by protecting it with a defense which can be defeated before it is even built.

EXHIBIT 1

PAPER NO. 2—SAFEGUARD: DOES THE SUPPOSED "SOFTNESS" OF THE RADARS RENDER SAFEGUARD VULNERABLE?

(By the Committee To Maintain a Prudent Defense Policy; with the compliments of Dean Acheson)

Does the supposed "softness" of the radars render Safeguard vulnerable?

No. Many opponents of Safeguard hold the view that the system is inordinately vulnerable because its radar is less than one-tenth as hard [1] as the missile silos it is designed to protect. This view, while having a certain surface plausibility, reflects a fundamental misunderstnding.

That there is a difference in the hardness of the silos and radars is undeniable. That this difference is critical to the defense of the radar, however, is not true, and overlooks the central fact that the radar is defended primarily by interceptor missiles.

To say that a target is soft or only moderately hard is not the same as saying that a target can be easily destroyed.

(1) The radars in the Safeguard system are, in fact, hardened to a considerable degree.

(2) The radars are also actively defended by Sprint missiles.

[1] "Hardness" is the term used to indicate relative blast resistance and is generally measured in terms of overpressure (PSI).

Whether they are sufficiently hardened so that active defense of them will give us high enough confidence that they will survive an enemy attack is the critical question. They are in fact hard enough, and making them harder in the face of the improvements in missile accuracy expected in the 1970's would incur considerable costs without corresponding benefits in the form of a higher probability of survival under attack. With such missile accuracies, the offense can destroy with a high probability, either radars or silos *if there is no active defense to stop it.*

The chosen hardening is the modest level necessary to enable the defense to intercept an incoming warhead at relatively close range in order to get more than one shot at an incoming warhead. If the first Sprint fired at an incoming warhead should fail, there is sufficient time to fire another and even a third. Were the radars softer than they are, such a tactic—which has the effect of dramatically increasing the probability that interception will succeed—would not be possible. If, on the other hand, the radars were hardened beyond their planned level, no such improvement in the likelihood of interception would result. The critical point is that the radars rely for their defense not solely on hardening (which is a losing proposition in this period of rapidly improving accuracies) but on active intercept by Sprint and Spartan missiles.

While hardening alone is no longer adequate for the protection of our land-based missiles, it does play an important role in conjunction with the active defense provided by the Safeguard system. The missile silos are hardened so that a single enemy missile cannot destroy more than one Minuteman. The radars are hardened to the efficient level required to give an extremely high probability that an incoming warhead will be intercepted, and are located so that a single warhead could not destroy more than one of them.

THE COMMITTEE TO MAINTAIN A PRUDENT DEFENSE POLICY

Chairman, Dean Acheson; Vice-Chairman,[2] Albert Wohlstetter; Treasurer, Clifford J. Hynning.

Original members, Prof. Armen Alchian, Gordon Arneson, Max Ascoli, Ross N. Berkes, Amb. Charles Bohlen, Dr. Donald G. Brennan, Dr. Peter Clark, Dr. Joseph Cropsey, Dr. Paul Davis, Hon. Arthur Dean, Dr. Michael J. Deutsch, Dr. Freeman J. Dyson, Hon. Fredrick Eaton, Hon. Henry H. Fowler, Prof. Harry Gelber, Prof. William Griffith, Dean Edmund A. Gullion, Christian A. Herter, Jr., Dr. Charles M. Herzfeld, Prof. Jack Hirshleifer, Prof. Morton Kaplan, Lawrence R. Kegan, Amb. Foy Kohler, Irvin Kristol, and Dr. Harold Lamport.

Ernest Lefever, Dr. Willard F. Libby, Dr. David A. Little, Hon. Robert A. Lovett, Prof. Gordon MacDonald, Prof. C. Burton Marshall, Prof. William G. McMillan, Amb. Livingston Merchant, Dr. Lawrence H. O'Neill, Franz Oppenheimer, Prof. Paul Ramsey, Prof. Richard N. Rosecrance, Prof. Robert Scalapino, Prof. Paul Seabury, Dr. Frederick Seitz, Prof. Harold Smith, Philip Sporn, Robert Sprague, Sr., Dr. Kenneth Watson, Dr. John A. Wheeler, Frederick Bernays Wiener, Prof. Eugene P. Wigner, Prof. Aaron Wildavsky, and Prof. Ciro Zoppo.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield to the distinguished Senator from Arkansas.

Mr. FULBRIGHT. I want to ask the Senator, who is a member of the Armed Services Committee, what is the explanation of why there was almost no evidence taken, as far as I can find, with regard to the blackout effect of a radar by an atomic explosion in the vicinity—in other words, not having to hit the radar establishment itself? Why was there no evidence as to the blackout? I have heard before that this is a very important matter. I think I read in the press that in some of the tests over Kwajalein the communication system was out for quite a long time following an atomic explosion. I was wondering why there was no evidence taken on that point by the Armed Services Committee.

Mr. SYMINGTON. I know the Senator wants me to be frank. Without any implied criticism of anybody, I honestly do not know the answer to the question.

Mr. FULBRIGHT. It is inconceivable to me that a committee which is proposing a system which could run into $10 or $20 billion or more did not take any substantial evidence on the question of what would be the effect of an explosion in the vicinity of a radar. Our radars, as I understand, depend upon electromagnetic impulses for their operation. There is no wire. It is in the nature of radio.

Mr. SYMINGTON. Speaking in terms of electricity, it is a flux, not a current—a wave would be a better characterization.

Mr. FULBRIGHT. If blackout is a substantial problem, I cannot imagine why no testimony was taken on it.

Mr. SYMINGTON. My apprehension about this system has to do primarily with the working of the five major components; their working together after they are put together; and even more, the two chief objections I have to deploying it now instead of developing it further are, first, nobody has put up any logical argument of any kind that this radar which was designed for the Sentinel system, is the right radar for the Safeguard system. Second, nobody has answered the fact that a relatively small addition to the production of Soviet missiles would nullify almost in entirety any defense protection the United States would obtain from the Safeguard, even if the system worked perfectly.

Mr. FULBRIGHT. Tomorrow afternoon the Committee on Foreign Relations will hold a hearing which is intended to go into this matter. I am not at all certain that it will be as thorough as it should be, but it will seek some information about the effect of a blackout or of radioactivity upon communications, and will also include a briefing on the ease with which an ABM system can be knocked out by multiple weapons.

The PRESIDING OFFICER. The time of the Senator from Missouri has expired.

Mr. GORE. Mr. President, I ask unanimous consent that the Senator from Missouri may proceed for an additional 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to the able Senator from Tennessee.

Mr. GORE. Mr. President, tomorrow morning at 9:30 the Subcommittee on Disarmament will examine some classified reports that have recently become available. I do not propose to suggest a secret session of the Senate to discuss this material, but I do take this opportunity to invite any Senator either to sit in on the examination of the reports tomorrow morning or to come later to the committee room, where he will be permitted to take from the vault the reports and the colloquy and examine them to his own satisfaction.

Mr. President, will the Senator yield once more?

Mr. SYMINGTON. I am glad to yield.

Mr. GORE. In addition to the facts cited by the distinguished junior Senator from Arkansas that electronic and radio communication was knocked out for a period of hours in an area of some 800 miles in diameter as a result of tests in Eniwetok, one other matter to which Senators might wish to give some consideration is that test animals placed on ships at varying distances from the center of the explosion suffered some dire consequences. Rabbits on a ship 200 miles away were blinded. When we consider defending or undertaking to defend America by exploding nuclear bombs over our heads, we are considering matters having dire consequences.

On this question of possible first strike capability or first strike attempt, I wonder if the able senior Senator from Missouri has contemplated the effects of westerly wind currents and the possible danger to all other nations in the Northern Hemisphere from an all-out attack upon the United States, from fallout.

Mr. SYMINGTON. Mr. President, the distinguished senior Senator from Tennessee is a member of the Joint Committee on Atomic Energy, and therefore an expert on this subject. To be frank, it is not a subject that I feel competent to discuss. I presented today facts with respect to this extraordinary statement issued by one of the various groups organized in favor of the Safeguard, because I believe I do understand the radar aspects of the situation, and because it was explained to us what would happen if the Soviets increased slightly their production of missiles. On this particular subject of the effects of atomic blast the Senator—and I hope he will develop it to his satisfaction and that of the Senate—is a far better expert than I.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Rhode Island is recognized.

Mr. PELL. Mr. President, in connection with the last exchange, the Senator from Tennessee may recall that a panel of scientists before his subcommittee agreed that the Northern Hemisphere would be uninhabitable by man if there were any full exchange of nuclear weapons.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H.R. 2. An act to amend the Federal Credit Union Act so as to provide for an independ-

[2] Paul H. Nitze withdrew from active service as vice-chairman of the Committee, effective June 26, when he was appointed consultant to the Department of Defense on SALT.

ent Federal agency for the supervision of federally chartered credit unions, and for other purposes;

H.R. 6947. An act to amend the Act of October 13, 1964, to regulate the location of chanceries and other business offices of foreign governments in the District of Columbia;

H.R. 9551. An act to amend the act of July 11, 1947, to authorize members of the District of Columbia Fire Department, the U.S. Park Police force, and the White House Police force to participate in the Metropolitan Police Department Band, and for other purposes;

H.R. 9553. An act to amend the District of Columbia Minimum Wage Act to authorize the computation of overtime compensation for hospital employees on the basis of a fourteen-day work period;

H.R. 12671. An act to amend the act of May 29, 1928, to facilitate and encourage the employment of minors in the District of Columbia between the ages of 14 and 16 during the summer and other school vacation periods, and for other purposes;

H.J. Res. 236. A joint resolution authorizing and requesting the President of the United States to issue a proclamation designating the week of August 1 through August 7 as "National Clown Week"; and

H.J. Res. 614. A joint resolution authorizing the President to proclaim the week of September 28, 1969, through October 4, 1969, as "National Adult-Youth Communications Week."

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred, as indicated:

H.R. 2. An act to amend the Federal Credit Union Act so as to provide for an independent Federal agency for the supervision of federally chartered credit unions, and for other purposes; to the Committee on Banking and Currency.

H.R. 6947. An act to amend the act of October 13, 1964, to regulate the location of chanceries and other business offices of foreign governments in the District of Columbia;

H.R. 9551. An act to amend the act of July 11, 1947, to authorize members of the District of Columbia Fire Department, the U.S. Park Police force, and the White House Police force to participate in the Metropolitain Police Department Band, and for other purposes;

H.R. 9553. An act to amend the District of Columbia Minimum Wage Act to authorize the computation of overtime compensation for hospital employees on the basis of a 14-day work period; and

H.R. 12671. An act to amend the act of May 29, 1928, to facilitate and encourage the employment of minors in the District of Columbia between the ages of 14 and 16 during the summer and other school vacation periods, and for other purposes; to the Committee on the District of Columbia.

H.J. Res. 236. A joint resolution authorizing and requesting the President of the United States to issue a proclamation designating the week of August 1 through August 7 as "National Clown Week"; and

H.J. Res. 614. A joint resolution authorizing the President to proclaim the week of September 28, 1969, through October 4, 1969, as "National Adult-Youth Communications Week"; to the Committee on the Judiciary.

SENATOR KENNEDY

Mr. PELL. Mr. President, I rise at this time to express publicly my belief that the senior Senator from Massachusetts should not resign. And my advice to the citizens of that great Commonwealth would be to do their best to urge Senator KENNEDY not to consider resigning.

In speaking as a friend of his and as a Member of this body, I would add that the sooner he returns, the better off I think we are. I believe he is needed and wanted right here.

NIXON FUMBLES IN BANGKOK

Mr. PELL. Mr. President, I am disturbed at the tenor of our President's remarks made in Bangkok as he accepted the key to the city.

I ask unanimous consent that his remarks be inserted in the RECORD at this point.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

[From the New York Times, July 29, 1969]

EXCERPTS FROM NIXON'S TALKS

(NOTE.—Following are statements made by President Nixon shortly after his arrival in Bangkok today. The first is an excerpt from extemporaneous remarks made by the President as he accepted a key to the city. The second is the text of a statement prepared by the traveling White House on the flight to Thailand and distributed here in the President's name.)

As we drove in through the streets from the airport and saw the thousands of people gathered there, including many of the schoolchildren, we were reminded again of the association between the American people and the Thai people, association in war and association in peace.

We were reminded too of that when we came by the SEATO treaty building, and realized that the SEATO organization has its offices here. That leads me to say that everyone knows that Thailand and the United States are signatories of that treaty. We are bound together by that treaty.

A treaty can have many meanings. It can be just a scrap of paper with no meaning at all. But as far as Thailand and the United States are concerned, a treaty means far more because we share common ideals.

What we want for Asia and the world is the right of freedom which Thailand enjoys for all peoples here.

The treaty that we have with Thailand means that it is not just another treaty, not just another piece of paper, but that it is one that has a significance far beyond that—a significance which I have indicated time and again in public statements, and I indicate today in my first public statement as I visit Bangkok and this country.

We will honor our obligations under that treaty. We will honor them not simply because we have to, because of paper, but because we believe in those words, and particularly believe in them in the association that we have with a proud and a strong people—the people of Thailand.

We have been together in the past, we are together at the present and the United States will stand proudly with Thailand against those who might threaten it from abroad or from within.

Mr. PELL. I am concerned for two reasons. First, I do not believe that any treaty should ever be referred to as "just another treaty" or "just another piece of paper." Any treaty to which the United States adheres should have greater meaning than that.

Second, and more important from the viewpoint of our national interest, is President Nixon's statement that the United States "will stand proudly with Thailand against those who might threaten it from abroad or from within."

The most careful reading of the SEATO treaty gives no support to the views that, beyond consultation we have any obligation whatsoever to defend Thailand from enemies within. The most meticulous, careful, precise and, yes, Ruskian interpretation of the treaty would not give support to this thesis. Accordingly, what the statement of our President has done I believe, is, either to have enunciated a new policy for the United States in pledging protection of the Government of Thailand from domestic insurgency or to have publicly stated support for a private commitment that has already been made to this effect.

I deeply hope neither of these eventualities is true.

Even more important, so that those around the world may not misinterpret what our policies are—and, misinterpretation is more often the cause of crisis and war than is correct interpretation—I hope the President will straighten out the record in this regard.

He can do this either by saying he overspoke. Or he can say we indeed have such a newly visible policy vis-a-vis Thailand, in which case I would urge my colleagues to do all that we can to dissuade our Chief Executive from such a policy and seek to change it. It is certainly a policy inconsistent with the Senate commitment resolution passed a few weeks ago and with the words of President Nixon in Guam last week.

Mr. GORE. Mr. President, will the Senator yield?

Mr. PELL. I yield.

Mr. GORE. Perhaps it would be well for the RECORD of the Senate's proceedings today to show that the U.S. Senate has not approved the secret agreement between the United States and Thailand.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. PELL. I ask unanimous consent that I may have 3 additional minutes to yield to the Senator from Tennessee.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. This secret agreement was entered into between Thailand and the United States by the previous administration. It was not approved by the Senate or by Congress during the previous administration. This secret agreement was reaffirmed by Secretary Rogers earlier this year on his trip to Thailand. Such reaffirmation has not been approved by the elected representatives of the people. The President, past or present, is without the power or authorty to make a binding agreement upon the United States without the approval of the representatives of the people, the U.S. Senate.

The insurgency in Thailand is not a new political phenomenon. It has existed for more than a decade. I do not wish the insurgency well, but I am not sure that it is proper for the United States to intervene in a domestic insurgency, in civil strife within a small country. This is, in-

deed, primarily what we did in Vietnam. What President Nixon has done in Thailand is to invite another Vietnamese situation for the United States, and I want the RECORD to show that he is without power to commit the United States to such a course of action.

Mr. PELL. I thank the Senator from Tennessee for his interpretation and remarks, with which I am in agreement.

Mr. COOPER subsequently said: Mr. President, I have read the full text of President Nixon's statement and I do not interpret it as describing the treaties which we are a party as scraps or pieces of paper.

It seems to me that in the full context of his statement he intended to make it clear that his administration does not intend to act or fail to act with regard to the terms of treaties to which we are parties, in such a way as to cause them to be valueless.

Concerning the SEATO treaty I would assume that his remarks were made with full cognizance of its provisions. The SEATO treaty does not commit the United States to war. It provides, in substance, that if the security of a party is threatened by armed attack that each party would take appropriate measures in accordance with its "constitutional processes." As has been resolved by the Senate in the national commitments resolution, Senate Resolution 85, "constitutional processes" intends joint action by the Executive and Congress.

Again, the full text of the President's statement is in harmony with his statements made at Guam—emphasizing the responsibilities of the nations of Asia to defend and support themselves. I quote from his statement:

Our determination to honor our commitments is fully consistent with our conviction that the nations of Asia can and must increasingly shoulder the responsibility for achieving peace and progress in the area. The challenge to our wisdom is to support the Asian countries' efforts to defend and develop themselves without attempting to take from them the responsibilities which should be theirs. For if domination by the aggressor can destroy the freedom of a nation, too much dependence on a protector can eventually erode its dignity.

What we seek for Asia is a community of free nations able to go their own way and seek their own destiny with whatever cooperation we can provide—a community of independent Asian countries each maintaining its own traditions and yet each developing through mutual cooperation. In such an arrangement we stand ready to play a responsible role in accordance with our commitments and basic interests.

The United Press International ticker reports today the following:

Winding up the business part of his Thailand mission today, Nixon told leaders of this Communist-threatened southeast Asia nation that the 47,000 American airmen and support troops in Thailand would gradually be withdrawn as the Vietnam war deescalates.

All of this further supports his Guam statement concerning our relations—military and economic—to the Asian countries.

Mr. President, I ask unanimous consent that excerpts from President Nixon's talk and the full text of his statement as printed in the New York Times today be printed in the RECORD at this point.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM NIXON'S TALK AND TEXT OF STATEMENT

(NOTE.—Following are statements made by President Nixon shortly after his arrival in Bangkok today. The first is an excerpt from extemporaneous remarks made by the President as he accepted a key to the city. The second is the text of a statement prepared by the traveling White House on the flight to Thailand and distributed here in the President's name.)

BANGKOK, THAILAND, July 28.—As we drove in through the streets from the airport and saw the thousands of people gathered there, including many of the schoolchildren, we were reminded again of the association between the American people and the Thai people, association in war and association in peace.

We were reminded too of that when we came by the SEATO treaty building, and realized that the SEATO organization has its offices here. That leads me to say that everyone knows that Thailand and the United States are signatories of that treaty. We are bound together by that treaty.

A treaty can have many meanings. It can be just a scrap of paper with no meaning at all. But as far as Thailand and the United States are concerned, a treaty means far more because we share common ideals.

What we want for Asia and the world is the right of freedom which Thailand enjoys for all peoples here.

The treaty that we have with Thailand means that it is not just another treaty, not just another piece of paper, but that it is one that has a significance far beyond that—a significance which I have indicated time and again in public statements, and I indicate today in my first public statement as I visit Bangkok and this country.

We will honor our obligations under that treaty. We will honor them not simply because we have to, because of paper, but because we believe in those words, and particularly believe in them in the association that we have with a proud and a strong people—the people of Thailand.

We have been together in the past, we are together at the present and the United States will stand proudly with Thailand against those who might threaten it from abroad or from within.

STATEMENT BY THE PRESIDENT

In returning once again to Thailand, I am deeply conscious of the fact that Thailand has a special interest in the strength of America's determination to honor its commitments in Asia and the Pacific.

We will honor those commitments—not only because we consider them solemn obligations, but equally importantly because we fully recognize that we and the nations of Southeast Asia share a vital stake in the future peace and prosperity of this region.

Both geography and common interest link the United States with the nations of Southeast Asia.

We recognize the Pacific Ocean not as a barrier, but as a bridge. We recognize also that whether peace can be maintained in Asia and the Pacific will determine whether peace can be maintained in the world, and we recognize here in Asia the beginnings of patterns of dynamic development that can be of enormous significance.

Our determination to honor our commitments is fully consistent with our conviction that the nations of Asia can and must increasingly shoulder the responsibility for achieving peace and progress in the area. The challenge to our wisdom is to support the Asian countries' efforts to defend and develop themselves without attempting to take from them the responsibilities which should be theirs. For if domination by the aggressor can destroy the freedom of a nation, too much dependence on a protector can eventually erode its dignity.

What we seek for Asia is a community of free nations able to go their own way and seek their own destiny with whatever cooperation we can provide—a community of independent Asian countries each maintaining its own traditions and yet each developing through mutual cooperation. In such an arrangement we stand ready to play a responsible role in accordance with our commitments and basic interests.

Seven centuries ago, the great Thai King Rama Kamheng, father of the Thai alphabet, had his belief inscribed in the new written language.

"In the water there are fish, in the fields there is rice. Whoever wants to trade in elephants so trades. Whoever wants to trade in horses so trades. Whoever wants to trade in silver and gold so trades."

These words expressed the philosophy that a nation, like man, should be free to seek its own destiny. In Korea and again in Vietnam, Thailand has been in the forefront of those nations actively engaged in protecting this principle.

The Thai contribution to the struggle to preserve the independence of South Vietnam has been of great significance—as befits a nation that places so high a value on its own long history of independence.

As a nation which has shared so generously in the burdens of war, Thailand has a special interest in the strategy for achieving a durable peace—that is one which guarantees to the people of South Vietnam the right to determine their own future without outside coercion. In developing this policy, the Government of Thailand has been fully consulted and will continue to be so in the future.

I believe that the greatest problem before us is not the war in Vietnam, but the bringing about of a dynamic set of international relationships which guarantee peace and progress. This cannot be done by the United States alone. It must be a cooperative effort. We must contribute to relationships by which the peoples of the area can master their challenges and shape their future.

Thailand is one of the foremost examples of the promise that the future holds in Asia—in terms of its economic development, its commitment to advancing the welfare of its people and its larger view of new patterns of regional cooperation that can benefit all the nations and peoples of Asia. We are proud to consider Thailand our friend.

In this spirit I see the vision of King Rama Kamheng coming true not only for Thailand but for all of Asia.

EXTENSION OF TIME FOR TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, all time for the transaction of routine morning business has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the period for the transaction of routine morning business be extended for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

NEGOTIATE FROM STRENGTH

AMENDMENT TO LIMIT C–5A SPENDING

AMENDMENT NO. 108

Mr. PROXMIRE. Mr. President, I submit an amendment to the military procurement bill pending in the Senate which would cut off all funds for the second run of the giant C–5A cargo plane. I call it the negotiate from strength amendment.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table.

Mr. PROXMIRE. Mr. President, my amendment would allow the first run of 58 planes to go forward. But the amendment would cut out $533 million from the bill, the funds for additional planes. The amendment also calls for a study by the General Accounting Office.

This step is vital if the taxpayers are to be saved from the cruel consequences of the golden handshake provision in the Lockheed contract.

If we authorize run B, then the repricing formula letting Lockheed make up its losses would go into effect. Lockheed would then suffer little or no financial loss as a result of the huge $2 billion cost overrun on this plane.

We should stop this unconscionable giveaway. By denying funds for run B the Congress can give the Pentagon negotiators the backbone and steel they have lacked in the past when they agreed to the golden handshakes, the sweetheart clauses, and the get-well provisions on dozens of major weapons system contracts.

The just released Pentagon study on the C–5A vindicates those of us who have criticized the program but fails to propose the necessary action to give the Pentagon enough muscle to reverse their misguided contract provisions. On the one hand they admit the repricing formula on the C–5A is outrageous. On the other hand they fail to take that action; namely, stopping run B of the plane, which could prevent the detrimental results of the formula. This is true because a go-ahead on run B triggers the repricing formula. By cutting off the funds for run B, my amendment would put the Government in the driver's seat in future negotiations for the additional planes.

It is the only way the public interest can be served. The Government then could negotiate from strength.

Here is a contract in which another company, Boeing, was the original choice of the Air Force selection board. But Lockheed bought in by bidding $300 million less than the selection board's choice.

Now Lockheed is building the plane in a Government-owned plant, using Government-owned machinery, and receiving Government progress payments which essentially are interest-free loans of up to 90 percent of their working capital. It is a form of military WPA.

My amendment will put this right. As only five test models of the plane have been produced, and as delivery dates have already been delayed by 6 months, no harm can come to the interests of the United States in cutting off the funds for run B and giving the Government some real weapons to negotiate with.

The Pentagon now admits what they previously denied. They admit that the repricing formula in the contract was against the interests of the United States. They also grudgingly admit an overrun of $1.7 billion, or $300 million more than the $1.4 billion they have been claiming in the past. Our hearings showed that for a comparable plane with comparable spare parts, the actual costs increased by $2 billion between 1965 and 1968.

There is even some hope that finally the Air Force will stop protecting and making excuses for its contractors and crack down on both their own and the contractor's wasteful practices.

Under the amendment the GAO is called upon to determine and report in 90 days whether the C–5A is an economic replacement for the C–141 and other aircraft in view of the great increase in procurement and operating costs of the plane. In addition, the GAO is called upon to determine the extent of the Government liability, possible losses and termination costs, costs of repairs and modification due to the failure of the C–5 wing to meet structural strength requirements, and other crucial matters under the contract if run B is authorized.

The specific questions the GAO is called upon to examine are as follows:

First. Whether the C–5 is an economic replacement for the C–141 and other airlift capability in light of the great cost growth of both procurement and operating costs.

Second. Whether the fourth squadron of C–5's would add significantly to the deployment capability of U.S. forces.

Third. Whether purchase of the fourth squadron of C–5's would make the Government liable for all contractor losses and termination costs if the full six squadrons of run A and run B are not procured.

Fourth. Whether purchase of the fourth squadron of C–5's would make the Government liable for the cost of repairs and modifications necessary to correct the defect revealed in the recent failure of the C–5 wing to meet structural strength requirements.

Fifth. The current cost estimates to complete run A, the first 23 units of run B, and run B including spares and operating expenses over the next 10 years.

Sixth. The effects of applying the repricing formula on the cost to the Government of the first 23 units of run B and the complete run B.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. GOLDWATER. Mr. President, I asked the Senator to yield to make the point that this contract was not negotiated by the Nixon administration. We inherited it.

Mr. PROXMIRE. The Senator is absolutely correct. I think that is a legitimate and proper point to make.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the time for the transaction of routine morning business be extended for 5 additional minutes, and that the able Senator from Wisconsin be recognized for 2 out of the 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. STENNIS. Mr. President, I have listened to most of the Senator's statement. The Senator has done a great deal of worthwhile work on this subject.

It is very difficult to get at all aspects of any contract. This is a new type of contract, and it deserves and must have the greatest scrutiny and examination.

Apparently the Air Force has done a good job in getting into the involved aspects of this C–5A matter, some of which frankly were not recognized in the beginning, as the Senator from Wisconsin knows.

I think that the contract major is the question involved in the pending bill so far as the C–5A is concerned.

I point out that the C–5A has proven to be an extraordinarily good plane, particularly at this stage in its development. They have had some setbacks, but certainly none that begin to indicate that it is a faulty plane.

On the whole, it appears to be a superior plane. It is a complicated freight train of the skies, if I may use that expression.

Mr. PROXMIRE. Mr. President, as I understand it, there may well be some question concerning at least two aspects of the C–5A. One is with regard to a structural weakness in a wing, and the other is with respect to the capacity to land within a certain area with a designated payload. However, again, this is just in the exploratory stage.

A question has been raised as to whether it reaches the initial specifications in this regard.

Mr. STENNIS. That is correct. However, this is by no means a conclusion because we have not gotten to the conclusion stage as yet. It is in the testing period of its life at this time.

For the benefit of the Senate, the committee will have all of the facts relating to the plane, the contract, and the questions of policy involved in this type of contract for future use. Frankly, I do not lean toward a contract of this type.

The PRESIDING OFFICER. The 2 minutes of the Senator from Wisconsin have expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from Wisconsin may have an additional 2 minutes out of the remaining 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. GOLDWATER. Mr. President, the Senator raises a very interesting point that I would like to clear up at this time.

The Senator mentioned a short while ago that the airplane had a structural problem. This occurred at 128 percent of stress. I point out that the Air Force calls for 150 percent. I believe that 128 percent is about as high as we have ever gotten out of any plane. The FAA calls for 200 percent. However, in the Air Force, the Army, and the Navy, they realize that 150 percent is far more than they will ever be asked to sustain. In fact, 100 percent is asking for more than a pilot can sustain.

So far as any structural defect is concerned, it is not of major importance, but I am told by the Air Force that they will continue to look into it.

I had not heard about the landing question. The day I flew the airplane it landed in 1,500 feet, which is an extremely short distance for such a mammoth plane to stop in and is in keeping with Air Force and company specifications.

I agree with what the chairman of the Armed Services Committee said, that it is a good plane. I also agree with what the Senator from Wisconsin said, that it is a very queer contract.

Mr. PROXMIRE. Mr. President, I point out that the order is for 58 of these planes. I can see no damage whatsoever since only five test models of the plane have been produced and it will take perhaps 1 year to finish the five that have been produced before we would go ahead with the authorization for the remainder of the planes.

REFERRAL TO THE COMMITTEE ON PUBLIC WORKS OF S. 2635—HARTWELL DAM PROJECT, SOUTH CAROLINA AND GEORGIA

Mr. BYRD of West Virginia. Mr. President, at the request of my senior colleague, Senator RANDOLPH, I ask unanimous consent that S. 2635, a bill to provide for adjustments in the lands or interests therein acquired for the Hartwell Dam project, South Carolina and Georgia, by the reconveyance of certain lands or interests therein to the former owners therein, which was referred to the Committee on Armed Services, be rereferred to the Committee on Public Works; and I ask unanimous consent that a statement by Senator RANDOLPH be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT OF SENATOR RANDOLPH

As the members of this body know, the Committee on Public Works is responsible for recommending legislative authorizations to the Senate for the comprehensive water resources development programs carried out under the jurisdiction of the various Federal Water resources agencies, including the Corps of Engineers of the United States Army.

The Hartwell Dam and Reservoir is a project under jurisdiction of the Corps of Engineers and was previously approved by the Committee on Public Works and construction subsequently authorized by the Congress. The project was completed in 1963 and is in operation for multiple water resource purposes.

During the 89th Congress, a measure similar to S. 2635 was referred to the Committee on Public Works for consideration.

PROF. HENRY ROSOVSKY, CHAIRMAN, DEPARTMENT OF ECONOMICS, HARVARD UNIVERSITY

Mr. BROOKE. Mr. President, on previous occasions some Senators have seen fit to place in the RECORD an article by the eminent cartoonist Al Capp regarding the disturbances at Harvard University earlier this year.

It is not my purpose here to take issue with the thrust of that article. However, I should like to help correct a misapprehension which has arisen as a result of that article regarding the role of Prof. Henry Rosovsky, chairman of the department of economics at Harvard. Mr. Capp raised questions regarding Professor Rosovsky's role in the campus disturbances and his continuing position at Harvard. An article written by Alan Barth, clarifying the professor's role, was published in the Boston Globe on Thursday, June 26. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PROF. ROSOVSKY'S ROLE AT HARVARD

(By Alan Barth)

Depicted by Al Capp as the villain in Harvard University's recent student uprising, Prof. Henry Rosovsky turns out to have been one of its authentic heroes—and most of all, it would appear, from Al Capp's own point of view. In an article which appeared in the Globe Wednesday morning Mr. Capp made some harsh and completely mistaken statements concerning the Harvard professor. Two indignant letters appearing elsewhere on this page today set the record straight.

In a lengthy telephone interview, Rosovsky talked in detail about his part in the Harvard confrontation and about his views regarding the Black Studies Program which was an important aspect of that confrontation.

An economist by inclination and training—far from having any intention of quitting the University, he is going to become chairman of the Economics Department at Harvard on July 1—he was asked a year ago to serve on a committee created to survey the possibilities for an Afro-American Studies program at Harvard. After a year of intensive investigation, this committee came forward with a considered and comprehensive proposal to make Afro-American studies an integrated part of the Harvard curriculum.

Rosovsky has a strong feeling that Negro contributions to music, literature, the social sciences and other aspects of contemporary culture have been accorded altogether inadequate attention. He believes, however, that they cannot advantageously be treated as a separate discipline. Like area studies which have engaged the interest of a variety of the conventional disciplines, black studies, in his view, should draw to them historians, economists, sociologists and others—white no less than black—who want to focus on problems relating to black people in the United States.

Thus the committee on which he played a leading role, proposed that black studies should be not a distinct department at Harvard but a "combined major" working through small group colloquia in which students who had developed at least minimum competence in one of the standard fields could apply their knowledge to, say, the economic problems relating to ghetto real estate.

"We have a lot to learn," Rosovsky said. The relatively uncharted ocean of black studies gives it an appeal to students; at the same time, it creates a personnel problem which Rosovsky characterized as "hair-raising." He wants the field of study to be in every respect up to Harvard's standards and even better, if possible, than the conventional fields. But it is extremely hard to find really competent instructors. As a practical matter, the head of the program has to be a black man; but the most eminent black scholars are already engaged elsewhere and, interestingly enough, most of the contemporary Africanists are white.

Black studies programs in some institutions have been devised hastily, and sometimes cynically, as a sop to Negro aspirations. Often they embrace courses which have no relevance to the mainstreams of American life and which promise no future to those who may choose to pursue them. Too frequently they embrace courses, such as "black math" which defy definition even by their sponsors. While amorphous programs of this sort avoid what black militants look upon as the vice of providing "a ticket to Whitey's world," the trouble with them is that they provide a ticket to nowhere.

"I want you to know," Bayard Rustin said recently in indignation, "it is very cheap to turn to young Negroes who are in internal agony about the difference between their aspirations and their poor equipment for achieving and give them the hope of black studies that they can easily pass. It is unfair." Rosovsky was determined that no such unfairness should be perpetrated on black students at Harvard.

In the aftermath of the occupation of University Hall in the Harvard Yard and the forcible expulsion of the occupiers by the police, black militants presented demands for much more than the Rosovsky Committee recommended. And the Faculty of Arts and Sciences voted in favor of major concessions to these demands. Specifically, it gave its approval to putting Afro-American studies under an independent department, abandoning the concept of a "combined major," and, most serious of all, giving to students representatives chosen by a black student political organization on the campus equal voting power with faculty members in passing upon faculty appointments and tenure and on curriculum decisions.

Rosovsky regarded this rejection of his committee's recommendations as a vote of "no confidence" and, accordingly, resigned from the committee in protest—apparently just what Al Capp would have wanted him to do.

In Rosovsky's view, the essence of the problem of enhancing Negro opportunities at the great universities lies in recruitment. He has not the slightest doubt that plenty of thoroughly qualified Negro students are available around the country. But they have to be sought out, in his judgment, and "selected on a basis of merit." The idea of taking black students at random from urban ghettos as an act of expiation for past injustices to their race, spells, as he sees it, "absolute disaster."

He is particularly interested in the encouragement of qualified black students to stay on at Harvard for graduate work because such work, as he puts it in the jargon of economists, "has an enormous multiplier." He is convinced that at this level, too, "there

is no shortage of qualified black talent for the major universities."

These are the views of a man who believes at once in equality and in excellence, who seeks opportunity for every student to reach the limit of his potentialities without seeking any relaxation of scholarly standards. If this is conservatism, it is aimed at the conservation of ancient academic values.

THE HIGH COST OF CUTTING BACK ON BASIC RESEARCH

Mr. DODD. Mr. President, this is an economy-minded Congress, and rightly so. We have become increasingly aware of the fact that our revenues are limited and that there is a limit to how high we can push the rate of taxation. Meanwhile, there appears to be virtually no limit to the increasing roster of problems clamoring for Federal attention.

We are going to have to do more than we have been doing in the fields of poverty, housing, urban blight, water pollution, and air pollution, to list only some of the growing problems that confront us.

But where are the funds for these expanded programs to come from? Clearly, we are going to have to be far more frugal than we have been in the past; we are going to have to submit each item in the Federal budget to the most painstaking examination, with a view to keeping our expenditures in each area to the minimum realistic level.

The trouble is, that, when we start cutting, we frequently find that there is far less fat in our various programs then we had imagined. The process of cutting, therefore, sometimes becomes a very painful one. But the pressure to cut back on Federal expenditures is so great, that in several areas the administration and Congress seemed disposed to make cuts that are not prudent and for which our society may have to pay a heavy future penalty.

One such area is that of basic research. The budget now before Congress cuts back sharply on the appropriation to the National Science Foundation for the support of such research.

I have received from a Connecticut resident, Mr. Neal E. Miller, an eloquent letter dealing with this subject. Mr. Miller is a scientist of some note who has been awarded the President's National Medal of Science. In his letter he makes this point:

> Now that we have used up our Western frontier, and are exhausting our unusual bounty of national resources, such as the Mesabi iron ore range, we can maintain our position as a powerful "have" nation only by exploiting the momentum of scientific and technological superiority that we have built on these resources. Once we let our leadership in science and technology slip, we are on the road downhill like England, and it will be practically impossible to pull ourselves back up.

Because of the importance I attach to Mr. Miller's letter, I ask unanimous consent that the entire letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GUILFORD, CONN.,
July 8, 1969.

Senator THOMAS J. DODD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR DODD: As one who has been awarded the President's National Medal of Science, I urge you to correct the folly of the House of Representatives and the Nixon administration. In order to save an utterly insignificant proportion of the federal budget (compared, for example, with an overrun of several billion on a single plane of weapons system) they are cutting down on the appropriation to the National Science Foundation for the support of basic research. This is going to undermine the scientific leadership on which our national strength depends.

Basic research is the growing edge of science, like the thin growing cambium layer of the bark of a great tree, where shaving off a small girdle can cause great damage. The essentially standstill budget for the NSF and the NIH, which in time of inflation means that basic science is getting decreasing amounts of our increasing gross national productivity, has already in my own personal experience been observed to inflict much more harm than most people realize.

[Now that we have used up our Western frontier, and are exhausting our unusual bounty of national resources, such as the Mesabi iron ore range, we can maintain our position as a powerful "have" nation only by exploiting the momentum of scientific and technological superiority that we have built on these resources. Once we let our leadership in science and technology slip, we are on the road downhill like England, and it will be practically impossible to pull ourselves back up.] Our present superiority is built to a far greater extent than we like to admit on unusual conditions which produced a massive immigration to us of the best scientific brains from Europe and other countries. When you cut back on basic research, you discourage the brightest minds of our own younger generation from going into science and narrow their opportunities for learning by apprenticeship in such research. You slow down the discovery of new knowledge which is becoming increasingly essential for advances in the increasingly sophisticated technology that is becoming ever more important in the modern world. And when you have a shrinking purchasing power, it is the newest and most important developments that are likely to be the hardest hit, since each University and even each individual scientist is likely to have certain commitments to fixed expenses for ongoing activity which must be maintained at least for a while, so that it is the chance to go ahead with the most important lines of new development that is likely to be hardest hit. I personally know of two leading scientists who, because of reduced ceilings that were imposed on their Universities by the NSF when its budget was cut, have had to use all of their funds for the salaries of personnel to whom they were committed, so that they had nothing left over to buy new equipment and not nearly enough to spend on supplies—an extremely inefficient situation which greatly reduced their scientific productivity. I personally have had to spend an inordinately inefficient amount of time beating the bushes for funds to make up for the relatively small cuts that have prevented me from having the freedom to follow up important new leads. And I have been unusually fortunate.

Furthermore, there is a great lack of balance in the actions. The Nixon administration is recommending an 8.5 million reduction in the NIH but 85 million more to put extra men on the moon to do tasks that are less vital than health and could be done much more efficiently by instruments.

I cannot overemphasize the folly of trying to save money by cutting back on basic research. It is like burning your seed corn on a cold winter day; at the moment it may give you a trivial increase in heat. There are no immediate ill effects, but the results of the next winter are disastrous. By the time we realize that we are losing our scientific leadership, it will be too late. Technological superiority, which is becoming increasingly dependent on basic research, will, in the future, make the difference between our being a "have" and a "have-not" nation. I urge you to have the foresight to prevent us from taking the fatal turn toward the road that leads downhill.

Sincerely,

NEAL E. MILLER.

THE ABM

Mr. HATFIELD. Mr. President, at a time when arguments are heavily weighted in favor of or in opposition to the proposed deployment of an anti-ballistic-missile system, it is difficult for the public to find objective reporting designed to educate rather than persuade. The recent July 24 editorial which appeared in the Oregon Statesman was evidence of the educational function the press can serve during times when evaluation demands recognition of both sides of an issue. It is with praise of the Statesman's journalism and its public-minded approach to national, as well as local, issues that I ask unanimous consent that the "ABM Offers New Victory for Fear" be inserted in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ABM OFFERS NEW VICTORY FOR FEAR

The debate on the anti-ballistic missile sounds like a sequel to "Dr. Strangelove." In that satirical movie of a decade ago, American leaders wildly speculate about the numbers of people which will be killed in a nuclear holocaust and the possibility of sustaining human life underground for 100 years as the nuclear bombs begin to burst.

The concepts of counter-missiles erasing nuclear warheads in the skies above America and the speculation as to how many millions of lives would be lost sound like the musings of mad scientists. But such speculation is not a nightmare. It is real. It is now. Take this paragraph from a recent Business Week Magazine:

Soon, however, the MIRV and the ABM could make it feasible for one of the superpowers to launch the first blow without the risk of being devastated in return. Though some retaliatory warheads might slip through, the nation which struck first might calculate that it would survive while its victim would be shattered.

In the ABM debate we are forced to attempt to think about the unthinkable and imagine the unimaginable.

The information about the ABM system is confusing and contradictory. Expert opinions are available both for and against. Sen. Ted Kennedy commissioned a study which rejected the ABM as unsound. Arthur Goldberg heads a committee concerned about its deployment.

Former Sec. of State Dean Acheson heads another committee vigorously favoring the ABM. Dr. Henry Kissinger, the President's chief foreign policy adviser, endorses it.

The United States Senate is split almost exactly down the middle on the issue and Oregon's two senators are on opposite sides of the fence.

Such friends of the military as Sen. Stuart Symington, former secretary of the Air Force, oppose the ABM.

If the Vietnam War has proved anything, it is that America cannot afford guns and enough butter. Dare we risk diverting more multi-billions from the pressing domestic problems here at home? If we solve the ABM riddle, won't the Soviet find new means of circumventing it and leave us faced with spending multi-multi-billions to counter the new threat?

On the other hand, do we dare remain without a defense against Red Chinese missiles as that nation develops the potential of dropping nuclear weapons on our cities? Chinese leaders often have expressed the willingness to sacrifice hundreds of millions of their people.

Dare we wrench the policy-making decision from the hands of the President in this matter? He and his advisers are in possession of the top-secret information which is not available even to the 100 U.S. Senators.

Cost estimates for such defenses run a tremendous gamut. Whom are we to believe? The original figure for a limited Safeguard ABM missile program was $4 billion. In recent weeks, it is estimated at anywhere from $7 billion to $13 billion.

The ABM system would comprise the most complex computerized structure ever devised, and there would be no way of testing its effectiveness until fights of enemy nuclear missiles were descending on this country.

At this distance, without benefit of precise technical information and accurate enemy intelligence, we cannot make a definitive statement about the ABM.

We can say this, however, with complete assurance. If it is found necessary to invoke the anti-ballistic missile system, it will be another victory for fear.

Ultimately we must lead by example, not shield ourselves against a hostile world. We cannot build walls high enough or create enough ABMs to keep out the enemy when the real enemy is fear.

It is the enemy within, the fear, the insecurity, which is the ultimate foe. We are doomed to unceasing rounds of defense built upon defense, each more costly and more ghastly than its predecessor, until we are able to create a world in which we can live in peace.

ADDRESS BY CAPT. J. EMMETT SEBRELL BEFORE COMMODORE CLUB, LAKE WYLIE, S.C.

Mr. HOLLINGS. Mr. President, on July 4, 1969, a superb address was given by Capt. J. Emmett Sebrell, U.S. Navy, retired, before the Commodore Club in Lake Wylie, S.C. Captain Sebrell has had a distinguished military career participating in the South Pacific invasions from Guadalcanal to Bougainville, and he is a veteran of the Korean war. The thoughts presented in his speech are well reasoned and forceful, and I commend it to the attention of the Senate.

I ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY CAPT. J. EMMETT SEBRELL

Commodore Moore; Vice-Commodore Reed, distinguished guests, ladies and gentlemen—it is indeed a pleasure for me to be here today with you and participate in this wonderful occasion. As I look around your fine facility and take note of all the fine looking sea-going craft, I can't help but recall the words of John Paul Jones when he said, "I wish to have no connection with any ship that does not sail fast, for I intend to go in harm's way". Were he here today I know he would feel safe in sailing with you good people.

Freedom *is* our heritage. And every citizen owes a great debt to the many Americans who worked, and fought, and died to preserve it.

We might recall the authors of our Declaration of Independence who gathered nearly two centuries ago. These courageous men had faith in the principles of freedom. They were patroits; and they were revolutionaries. In his Inaugural Address, President Kennedy warned that, "we dare not forget—that we are the heirs of that first revolution." And he also reminded us that, "the same revolutionary beliefs for which our forefathers fought, are still at issue around the globe."

And indeed we should call to mind the struggle which set *our* nation free. We should often remind ourselves of those gallant rebels who demonstrated what a few staunch men *can accomplish*. For the *same* beliefs which sustained the Revolutionary Army at Valley Forge, are being tested once more throughout the world, and even in our own hemisphere. Those ragged soldiers, huddled around their fires in that snow-covered encampment, proved, as future Americans would prove again, in muddy trenches, in remote foxholes, in steaming jungles, and on stormy seas, that there is *no* convenient time, *no* comfortable place, to stand up for freedom.

Today freedom has been challenged anew. Once again, free men must be willing to stand up for their freedom—or risk its loss.

The Free World is faced with the grim challenge of godless communism, a challenge that extends to every area of human endeavor. As a nation, and as individuals, we find our heritage of liberty and justice threatened by those who have sworn to topple free civilization. The communists seek to degrade the dignity and the integrity, of the individual. As free men throughout the world face this relentless communist challenge, there can be no doubt that freedom is in jeopardy. Nor can there be any doubt as to the important stake of the United States in the crises, the disorders, which rack our troubled world. That is why we as a nation must strive to maintain our strength; why we must increase our national strength in every form, moral, political, economic, and military.

The military's primary responsibility is to preserve our freedom; and that is why the United States has developed the most powerful military force in the world. Our mighty Air Force, our modern Army, our fighting Marines, and our versatile, powerful Navy, stand ready to safeguard the rights of the individual to liberty and justice, wherever and whenever they are threatened.

As a military man, it is my job to understand the uses of military power; to evaluate the dangers of a military threat. But as a citizen, I must express my belief that the greatest danger that confronts our heritage of liberty—is not military. Rather, it is the possiblity that we may fail to recognize the grave obligations that our freedom imposes upon us; that we may fail to grasp the real meaning of freedom. For while the rights and privileges of freedom must be respected and safeguarded, we must remember that freedom involves responsibilities as well as rights, obligations as well as privileges.

Perhaps the blessings of freedom, and the passage of time, have concealed the two sides of freedom. Perhaps we have placed too much emphasis on privileges—on rights. Every day we hear of someone defending *his* right of free speech—*his* right to trial by jury—*his* right to equal opportunities. But how often do we hear someone insist on *his* right to carry out *his* responsibilities to their neighbors, to their community, to their country. Yet without a balance between rights and responsibilities, without a balance between privileges and obligations, freedom is a meaningless goal. Freedom in the abstract, freedom of and by itself, never made a society. Nor has freedom, all by itself, ever saved one. Rather—freedom is an opportunity.

As free men, living in a free society, we Americans have the opportunity to work out our individual destinies. We are able to live our lives in human dignity. Freedom furnishes the framework in which we can most effectively carry out our responsibilities. And that is why the vital issue in a free society is how *we* use our freedom. The vital question is whether or not *we*, we the people of the United States, will seize the opportunities that our freedom provides.

We live in a complex world, a world beset by increasingly complex problems. Very often, the vital role of the individual is obscured in a maze of pressing and intricate tasks. Yet, the individual *is* still the central figure. Our problems, world problems, national problems, domestic problems, are created by individuals. And these same problems will have to be solved by individuals.

The future of our nation, of all free society, depends upon the efforts of the individual citizen; upon the efforts of individual men and women, acting with a strong, courageous, and personal sense of responsibility. A strong, responsible community; a strong, responsible nation; is the direct product of strong and responsible citizens. The prime movers of history have not been blind force—but rather, stout-hearted men.

We have heard a great deal in the past decade of the common man. But the real achievements, the lasting achievements, spring from the uncommon man. Achievements spring from the man who sees his responsibilities; who accepts them, and who is willing to put forth the extra effort to discharge his responsibilities.

As responsible members of society, our first effort must be to understand the problems which we face. As citizens, we have to keep informed; we have to stay alert to the vital and pressing issues of local, national, and international significance. For a democracy begins with informed people. In a democracy, the government represents the will of the people. Yet even though we ought to understand our problems; to talk about them; to discuss them; all the talk, all the speeches in the world, can *never* be a substitute for action. Talk is only a prelude to action—to hard work.

People often hear so much about a problem they're apt to believe something is being done about it; if not by themselves, at least by someone else. But life doesn't work that way. Everyone here wants *our* country to be strong. We want *our* nation to be virile and dynamic. But if we want these things, you and I, as individuals, must do something about them. We have to act.

We must place greater emphasis on plain, old-fashioned, hard work. We must recognize the distinction between the excellent and the mediocre. We must be willing to discipline ourselves to achieve excellence, and to accept nothing less.

We expect our country to be an example of honesty, of justice, and of integrity. We expect the United States to furnish a moral image to other nations. But again if *we* expect our nation to set the standard, *you and I*, as individuals, must meet our own commitments. *We* must be honest and fair in our dealings with our friends, with our neighbors, with our business assaociates. As individuals, *we* must stand up and be counted wherever and whenever our principles are at stake. We must insure that our own image is not tarnished by lowering our standards, by evasion, or by moral cowardice.

We expect our country to lead the Free World with vigor and decisiveness. But if the United States is to lead, you and I, as individuals, must likewise accept the responsibilities of leadership whenever we have the opportunity. We worry a great deal about

the uncommitted nations of the world, but perhaps our greatest concern should be the—uncommitted Americans; Americans who fail to accept their responsibilities, who fail to use their freedom.

What we have today, what we are today, is primarily the result of what has been done in the past; the result of the hard-won achievements of our ancestors. What we will have tomorrow, what we will be tomorrow, depends on what we *do* today; the results of the decisions we make, the actions we take, as individuals, as citizens, and as a nation.

The United States was founded on faith in the individual, and that faith will be fulfilled in the accomplishments of the individual. I share that faith. I am confident we will use the opportunities our freedom provides.

DEFENSE OF ABM ADVERTISEMENT PUBLISHED BY MALCOLM E. SMITH, JR.

Mr. GOLDWATER. Mr. President, recently on the floor of the Senate, in his usual forceful and forthright manner, the senior Senator from Ohio (Mr. YOUNG) addressed some remarks against an ad which appeared in the Evening Star on Tuesday, May 27. This advertisement was bought and paid for by Malcolm E. Smith, Jr., of New York City. The chief assertions made by Senator YOUNG were to the effect that the ad contains lies.

Mr. President, I have read this advertisement very carefully and, while the Senator from Ohio may disagree with statements like "the Soviets are going for a first-strike capability and there is no question about it," made by Secretary of Defense Laird, the fact that the statement was made cannot be categorized as a lie. I am privileged to sit with the senior Senator from Ohio on the Armed Services Committee, and, after thoroughly reading this ad, can find nothing in it that I would categorize as a falsehood. I might not have said that Russia "is vastly ahead of the United States in numbers of missiles," but "vastly" is a term of explanation and, whether it is right or wrong, the Russians are ahead of us in missiles, and in the size of missiles. There might be some misconstruction of whether or not Russia has exploded a 100-megaton bomb, but there are those who say she has, and there are those who say it was 60 megatons. Regardless of what it was, it was big.

I defend the right of any Senator to say anything he wants on the floor of the Senate, or anywhere else, but I think we should be very careful in mustering our words to make sure that disagreement with a statement, whether it be printed or spoken, conveys the fact that we disagree, but that we do not disagree because statements made were lies.

Mr. Smith is a patriotic American who feels very deeply about the ABM; so deeply that he spent his own money to insert this ad. We who favor the ABM have not used the floor of the Senate to criticize full-page ads opposing it, the financing for which has never been discussed, nor do I think any one on our side every will, so I do hope that in the course of debate we can be very cautious about the explanation of our feelings.

COOPERATIVE PROGRAM IN TEACHER EDUCATION

Mr. MONTOYA. Mr. President, a unique educational program is being conducted at present at New Mexico State University.

The cooperative program in teacher education at New Mexico State University is the first of its kind in the United States. The program, approved in 1965, was put into effect in August 1965 with 20 students from New Mexico and Texas. The program, currently directed by Dr. Donald Ferguson, was proposed by Dr. Donald Roush and was implemented by Dr. Jack O. L. Saunders. The advantages of the cooperative program are threefold: First, it provides people with high academic potential who would ordinarily be unable to attend an institution of higher education an opportunity to do so by enabling them to earn their own way through college; second, it gives these students 2 years of experience in the school systems as teacher aides and instructors; third, the students are able to help present teachers be more effective by alleviating the heavy loads of large classrooms and time-consuming tasks.

The aim of the program is to produce experienced, devoted teachers. This is achieved through a 4-year program. The students participate in four work phases, one each year, and attend school as regular students the remainder of the time, including summer school.

In the first work phase, all students work in an elementary school. Their responsibilities consist of such tasks as grading papers, typing tests, and study guides, making bulletin boards, collecting milk money, and tutoring children.

In the second work phase, the students work in junior high schools as teacher aides. Tutoring has proved to be of special benefit to all concerned and at this level small group instruction takes place. The third year co-op is considered somewhat analogous to regular student teaching. Students work at the level of their choice where they teach a 6- to 8-week block in addition to the regular duties performed.

The final work phase is the most rewarding. Classified as "co-teachers," co-ops engage in a diverse program consisting mainly of teacher duties under the supervision of a cooperating teacher. The co-teacher is more on his own in the classroom.

One weekly seminar is required for all co-op students during each of the work phases to enable them to discuss experiences as well as to receive instruction from a variety of university professors in the content of professional education.

The pay scale for work phase is graduated starting at $2 an hour at the freshman level on up to $2.65 in the senior year. These earnings are supplemented by scholarships and student loans depending upon individual needs. Eighty percent of the program is financed by the work-study program of the Higher Education Act. The remaining 20 percent is provided by the State of New Mexico.

The study phases are one semester and two 6-week summer sessions annually. The student pursues his general education requirements and a depth preparation in his teaching fields during the study phases.

The requirements for receipt of a B.S. degree are similar to those of regular students. A special professional education curriculum taken during work phase replaces the typical professional courses taken by regular students.

Mrs. Mary Lou DiMarzio, senior group, informs me that the program is continually seeking to improve itself. A council composed of elected representatives from each group of co-ops meets periodically to discuss problems and new ideas.

It is hoped that the program will serve as a guide for future programs with similar goals: the preparation of experienced beginners in the field of education.

Mr. President, I commend Dr. Roush, Dr. Ferguson, Dr. Saunders, and others who are responsible for this most outstanding program and I ask unanimous consent that the names of the co-op students be printed in the RECORD.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

SENIOR GROUP

Terry Allman, Lovington, New Mexico.
M. Estella Avalos, Hatch, New Mexico.
Mary Lou DiMarzio, Truth or Consequences, New Mexico.
Jack Durkin, Hatch, New Mexico.
Kathleen Grijalva, El Paso, Texas.
M. Kathleen Hening, Albuquerque, New Mexico.
Grace Juarez, El Paso, Texas.
Danny Martinez, Hatch, New Mexico.
Susan Pickett, Las Cruces, New Mexico.
Luis Rodriguez, Anthony, New Mexico.
M. Lesette Smith, Tucumcari, New Mexico.

JUNIOR GROUP

Kenneth Aigner, Farmington, New Mexico.
Lucille Apodaca, Garfield, New Mexico.
Romolo Arellano, Arroyo Hondo, New Mexico.
Joe Avalos, Hatch, New Mexico.
Dolores Borrego, Santa Fe, New Mexico.
Ray Brito, Albuquerque, New Mexico.
Frances Cardoza, El Paso, Texas.
Kathy Cobb, Deming, New Mexico.
Irma Esparza, El Paso, Texas.
Rosemary Estrada, Las Cruces, New Mexico.
Celeste Faison, Las Vegas, New Mexico.
Cynthia Gomez, Las Cruces, New Mexico.
Virginia Gomez, Artesia, New Mexico.
Agapito Griego, Ranchos de Taos, New Mexico.
Linda R. Hackler, Hatch, New Mexico.
Judy Hanover, Alamogordo, New Mexico.
Linda Johnson, Roswell, New Mexico.
Antonio Lara, Berno, New Mexico.
Irene Martinez, Hatch, New Mexico.
Janet H. Morgan, Artesia, New Mexico.
Jane Ellen Neal, Clovis, New Mexico.
Carolyn Russell, Artesia, New Mexico.
Kathleen Weckel, Roswell, New Mexico.
Steve Wilkerson, Hobbs, New Mexico.

SOPHOMORE GROUP

Vonda Allman, Roswell, New Mexico.
Sylvia V. Alvarez, Santa Fe, New Mexico.
Antonette Archuleta, Valdez, New Mexico.
A. Gloria Atencio, Aztec, New Mexico.
Boydette Barnett, Roswell, New Mexico.
Anita Canul, Van Nuys, California.
Linda Doyal, Roswell, New Mexico.
Bonnie Hosie, Visalia, California.
Geraldine M. Jackson, West Nyack, New York.
Beverly Knight, Albuquerque, New Mexico.

Catherine Martinez, Espanola, New Mexico.
Emilia Medina, Lordsburg, New Mexico.
Nancy Mixon, Hobbs, New Mexico.
Emma Murillo, Anthony, New Mexico.
Manuel Palacios, Anthony, New Mexico.
Gloria Rios, El Paso, Texas.
M. Guadalupe Rios, Mesilla, New Mexico.
Mary Ann Robinson, Artesia, New Mexico.
Raul Salcido, Deming, New Mexico.
Sharon Smith, Artesia, New Mexico.
Barbara B. Spencer, Roswell, New Mexico.
Rose Marie T. Struck, Truth or Consequences, New Mexico.
Estella M. Torrez, Las Cruces, New Mexico.
C. Pat Trujillo, Sante Fe, New Mexico.
Kathleen Williams, Las Cruces, New Mexico.

FRESHMEN GROUP

Candace Bannerman, Grants, New Mexico.
Carolyn Byas, Santa Fe, New Mexico.
Linda H. Coaker, Albuquerque, New Mexico.
Carol Cox, Las Cruces, New Mexico.
Gloria Cruz, Albuquerque, New Mexico.
George Dodson, Hagerman, New Mexico.
Mary Dorey, Carlsbad, New Mexico.
Janice Dorris, Roswell, New Mexico.
Gwenetta Dunn, Roswell, New Mexico.
Nancy Garvey, Roswell, New Mexico.
Carmen Hernandez, Carlsbad, New Mexico.
Linda Hight, Alamogordo, New Mexico.
Renee Huber, Clovis, New Mexico.
Kathryn Jackson, Las Cruces, New Mexico.
Mary Jackson, Deming, New Mexico.
Dianne Johnson, Truth or Consequences, New Mexico.
Frutoso Lopez, Ranchos de Taos, New Mexico.
Carolyn Maddox, Clovis, New Mexico.
Susan Mehigan, Albuquerque, New Mexico.
Maria Orozco, Jal, New Mexico.
Teresa Romero, Tucumcari, New Mexico.
Yolanda Romero, Ranchos de Taos, New Mexico.
Terry Lyn Rosandich, Albuquerque, New Mexico.
Nancy Sanchez, Roswell, New Mexico.
Lynette Schultz, Deming, New Mexico.
Cynthia Shaw, Roswell, New Mexico.
Guadalupe Silva, Las Cruces, New Mexico.
Carol Singleton, Las Cruces, New Mexico.
Alice Thompson, Hatch, New Mexico.
Martha Valdez, Lordsburg, New Mexico.
Manuel Yanez, Mesilla, New Mexico.

INCOMING FRESHMEN GROUP

Mary Allen, Bayard, New Mexico.
Teresa Ann Augustinos, Clovis, New Mexico.
Charles L. Boyle, Espanola, New Mexico.
Debra Burnett, Clovis, New Mexico.
Maria Chavira, Lordsburg, New Mexico.
J. Dale Clark, Las Cruces, New Mexico.
Frances K. Doyal, Roswell, New Mexico.
Sandra Draper, Albuquerque, New Mexico.
Kathryn Eby, Clayton, New Mexico.
Diana Espinoza, Belen, New Mexico.
Marcie Eyer, Clovis, New Mexico.
John E. Farrell, Bricktown, New Jersey.
Magdalena Gandara, Lordsburg, New Mexico.
Bernice Garay, Hatch, New Mexico.
Yolanda Gomez, Artesia, New Mexico.
Lenora Gonzales, Carlsbad, New Mexico.
Patsy Harris, Farmington, New Mexico.
Henry Hudson, Deming, New Mexico.
Anita Kay Logan, Las Cruces, New Mexico.
Yolanda Martinez, Deming, New Mexico.
Susan Matkovich, Grants, New Mexico.
Linda Sue McBrayer, Roswell, New Mexico.
Alice McDonald, Clovis, New Mexico.
Wilma McHalffey, Lordsburg, New Mexico.
Joy D. Mehigan, Albuquerque, New Mexico.
Kathy Molina, Grants, New Mexico.
Dorothy Oliver, Hatch, New Mexico.
Franklin J. Pacheco, Santa Fe, New Mexico.
Blenda Carol Patton, Cuba, New Mexico.
Joyce Perry, Aztec, New Mexico.
Jonathan Phillips, Silver City, New Mexico.
Margarita Ramirez, Anthony, New Mexico.
Steve Rinehart, Albuquerque, New Mexico.
Debbie G. Sales, Las Cruces, New Mexico.
Steven C. Singleton, Las Cruces, New Mexico.
Nancy Sullins, Las Cruces, New Mexico.
Pamela S. Townsend, Roswell, New Mexico.
Laura Ann Wallace, Bayard, New Mexico.
Lynell G. Widner, Melrose, New Mexico.
Bonnie Yocom, Ft. Sumner, New Mexico.

STUDENT UNREST

Mr. PEARSON. Mr. President, the Senator from Ohio, Mr. SAXBE, has prepared a most perceptive article on student unrest for the current issue of the Cleveland State Law Review. He has investigated the causes of the unrest and laid down some very helpful recommendations for remedies.

Senator SAXBE served three terms as Ohio attorney general and is highly qualified to deal with the issues surrounding student unrest. This article is well-founded in legal knowledge and enlightening in terms of its perceptions of today's students and the issues which concern them. The article serves to stimulate positive consideration of the student viewpoint on these issues, which is certainly a step toward better adult-student communication.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STUDENT UNREST

(By Senator WILLIAM B. SAXBE*)

Many people have recently expressed alarm about the student unrest in our universities and on our college campuses. I am delighted to have this opportunity to submit an article to The Cleveland State Law Review, for it provides a forum for me to express my views on the subject.

By student unrest I do not mean anarchy. As Justice Thurgood Marshall said in a commencement address at Dillard College in New Orleans, "Anarchy is anarchy and it makes no difference who practices it. It is bad, it is punishable, and it should be punished."

In trying to understand the unrest in our land today, we must not confuse activism with violence; nor dissent with conspiracy. Therefore, I refer to unrest of the spirit and soul—not violence. The Gallup Poll reported on May 24 that a majority of students agree with the basic goals of the militants, but not their tactics. Students are genuinely concerned with the way things are on campus and the community and they want these things changed. Students are no longer concerned with a standard of living, but with a way of life—one that is just and moral.

Anyone who is past that time of life which is said to divide the young from the old, the trustworthy from the untrustworthy—the age of 30—may find it difficult to relate to many of the grievances which appear to activate many in our student population.

The temptation is strong to denounce vigorously the hair, the clothes, the morals, the living habits and never listen to what they say. Perhaps an equal danger but one only a few have succumbed to is to become a camp follower of the young, eagerly chiming in assent to anything they say or do.

It seems to me, however, that it is manifestly important that we not fall into either position. We must recognize that many serious and troubled young people are dissatisfied today with our society and our culture. That dissatisfaction has its roots not only in the way these young people perceive that society and culture but in a number of wrongs objectively part of that society and culture.

We can learn from this new generation, just as they can and must learn from us. "The present generation of young people in our universities is the best informed, the most intelligent, and the most idealistic this country has ever known. . . . The ability, social consciousness and conscience, political sensitivity, and honest realism of today's students are a prime cause of student disturbances." [1]

Learning requires communication, but the impasse between the generations more often than not involves a failure to communicate. Although both groups may harbor the same ideas, they express them in a slightly different manner. President Nixon said in his Inaugural address, "We cannot learn from one another until we stop shouting at one another—until we speak quietly enough so that our words can be heard as well as our voices." Simon and Garfunkel, folksingers and spokesmen for the young, expressed similar thoughts in the "Sounds of Silence," [2] one of the most popular songs of the younger generation in 1968.

For a mutual interchange to be even moderately successful, however, requires that we drop some of the slogans and habits of thought that block the way. Let us lower our voices and look at the problem as we see it today.

A major premise in the condemnation of violence on campus is that "our colleges and universities cannot perform their vital functions in an atmosphere that exalts the struggle for power over the search for truth, the rule of passion over the rule of reason, physical confrontation over rational discourse." [3] Professor Nisbet has stated that this is true because "The university is the institution that is, by its delicate balance of function, authority and liberty and its normal absence of power, the least able of all institutions to withstand the fury of revolutionary violence." [4]

College administrators must make very clear that they will not shrink from the normal disciplinary sanction of suspension and expulsion to preserve and protect the institutions of learning which they serve. Furthermore, "advance plans should be made to determine, insofar as possible, the circumstances under which the university will use (1) campus disciplinary procedures (2) campus police, (3) court injunctions (4) other court sanctions and (5) the civil police." [5] A successful university administrator is not different than a successful bartender who must be able and willing to throw out a ruffian in order to stay in business and keep his place of business from being destroyed.

Repression, however, by itself is not enough. Suppression of legitimate grievances may precipitate reaction outside of the peaceful avenues of change as it already has in some instances. Because a majority of students are in sympathy with the goal of the militants, but not their tactics, we must as responsible citizens and I must as a responsible legislator attempt to define these goals. We then can redirect the idealism of youth to constructive action rather than destructive despair.

THE CAUSES

The source of student discontent has been analyzed by many and the conclusions range from immediate definitive explanations to others which are less immediate and more esoteric.

"Students are unwilling to accept the gaps between professed ideals and actual performance. . . . Today's intelligent, idealistic students see a nation which has achieved the physical ability to provide food, shelter, and education for all, but has not yet devised social institutions that do so." [6]

The loneliness, emptiness, and frustration that students feel in their everyday lives have led to the rise of the antihero. For example, many of you are undoubtedly aware that Dustin Hoffman has become something

Footnotes at end of article.

of a hero of the younger generation by virtue of his confrontation with life's hypocrisy in the movie, "The Graduate."

Today's youth does not reject authority as such, but the hypocrisy which it finds inextricably intertwined with it. It finds this hypocrisy in a war which it cannot understand, a draft which it finds unfair, and a set of national priorities which are poorly structured.

We are in the midst of a worldwide revolution. In trying to better understand it, I think it is helpful to examine what has been said by men like Professor George Wald, the Nobel laureate from Harvard. Professor Wald believes that much of the restlessness manifesting itself on our campuses and in our cities can be traced to the realization by this generation that it is by no means assured of its future.

Today's young people grew up in the post World War II period, an era where we have always had a Pentagon, an increasingly large army, a draft, and now the war in Vietnam. They are further confronted with the threat of a nuclear holocaust, chemical and biological warfare, and the population explosion. The youth today see the future in terms of nuclear destruction or famine resulting from the population explosion. Is it any wonder that Professor Wald calls today's generation "a generation in search of a future?" [7]

It seems to me that the purpose of a democratic form of government is to institutionalize change through a peaceful political process. Yet, how do we explain to youth that violence is not an effective means of change when it has been used effectively to institute change, both at home and abroad. This group has witnessed in short order the assassination of President Kennedy, Medgar Evers, Martin Luther King, and Senator Robert Kennedy. The United States has enunciated ideals of peace and economic development, but has reacted violently abroad by sending troops to the Dominican Republic because we did not like what was going on there and dispatching over half a million troops to Vietnam to solve that problem.

Therefore, this present generation of students has come of age in one of the most turbulent eras of change we have known. Past generations have borne the marks of their formative years—the generation that came of age during the Depression probably made its mark in Postwar America's desire for stability and assurance against unsettling change. Characterizations could be made of many such generations. It should not be surprising that our students reflect much of their formative years and these years as I have shown have increasingly been characterized by violence.

I would like to set out another factor which appears to me to have stimulated and fed campus unrest. It has almost become a cliche, but there is much truth in the observation that relations between the student body and teachers and between each of these groups and administrators have grown increasingly strained. Where once there was a sense of community, a coming together of scholars, this was replaced by an olympian administration cut off from student contact, busily raising funds and promoting the development of increasingly close ties with business and the military; this was also replaced by an ever growing number of teachers so pressed for time in which to conduct research, often for government, and to prepare material for publication, on which advancement in teaching ranks is so dependent, that their personal contact with students decreased to a minimum. College administrators, by isolating themselves from the student body and fostering a system in which the teachers became more isolated, failed to provide what the students had a right to expect.[8] Let us not forget, teaching is the primary purpose of a university.

As Secretary of Health, Education and Welfare, Robert Finch, recently said, "I think we need to have a long hard look at what is behind this student unrest. It is not simply the Vietnam War. In my opinion, it is a failure of the governance of education, the governing bodies, the institutional apparatus to respond. Probably they have been more rigid than almost any other institution in our whole society . . . in the face of very fast changing conditions." [9]

There is another factor adding to the unrest, one that I believe cannot be overlooked in trying to understand our youth and its troubles. That factor is boredom. The role of boredom in today's unsettled world was discussed in a recent essay by Professor Robert A. Nisbet of the University of California. He noted that between boredom and brute violence there is as close an affinity historically as there is between boredom and insanity, boredom and cruelty, and boredom and nihilism.

"Youth is beyond question idealistic. But in our present society, youth is also bored. And it is from boredom that so much of the intellectual character of radical political action today is derived . . ."

"It is boredom born of natural authority dissolved, of too long exposure to the void; boredom inherited from parents uneasy in their middle-class affluence and who mistake failure of parental nerve for liberality of rearing; boredom acquired from university instructors grown intellectually impotent and contemptuous of a calling that explains the mindless purposeless depredations today by the young on that most precious and distinctive Western institution: the University." [10]

THE LAW

The law of the land is reasonably clear. It protects speech. Not only verbal speech but a wide range of "symbolic" speech is to remain free from government restraint. And we have long since resolved the argument in *Gitlow* v. *United States*, 268 U.S. 652 (1925), between Justice Sanford, who thought apparently that only discussion which was a "mere academic and harmless discussion" was entitled to claim the protection of the First Amendment, *supra*, 665, and Justice Holmes, who readily conceded that "[e]very idea is an incitement." *Supra*, 673. As Justice Brennan put it in *New York Times* v. *Sullivan*, 376 U.S. 254, 270 (1964), we have "a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide open."

Strangely enough, however, it was not until the present Term of the United States Supreme Court that it was unequivocally established that we were as committed to the principle when it was exercised by our student population as when we expressed our ideas and our grievances.

In *Tinker* v. *Des Moines Independent Community School District*, 393 U.S. 503 (1969), the Court held protected the wearing by high school students of black arm bands to signify distress at our Vietnam policy. "It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate." *Supra*, 506. Because the operation of the educational institution demands a great deal of order, conduct of students, in or out of class and stemming from the time, place, or type of behavior, which "materially disrupts classwork or involves substantial disorder or invasion of the rights of others," *supra*, 513, is subject to restriction by the authorities. Violence on campus is not immunized. See, *Barker* v. *Hardway*, 283 F. Supp. 228 (S.D.W.Va. 1968), *aff'd per curiam* 399 F. 2d 638 (C.A. 4, 1968), *cert. den* 37 Law Week 3335 (1969)

The line thus drawn seems to me reasonable enough. It will afford the student, college and high school, room in which to develop and make known his views, on both those academic matters which directly affect him and those wider public issues which may directly affect him or which may interest him as any other good citizen would be interested. We tend to restrict our thinking on this subject by our references to "children" or "kids" and this restriction operates to comfort us by its image of immaturity. But when the age at which most male students graduate from high school is the age at which they have to register for the draft and when male college students are confronted with the question of the draft during their entire college careers, it cannot be said that their interest not only in the mechanics of the Selective Service System but in the broader policy issues of war and peace is a "mere" academic one.

But even were the overriding issue of Vietnam and its satellite issues to fade tomorrow, we must recognize, I think, that the youthful student of today is bound to have a greater interest in, knowledge of, and desire to change the world about himself. Our children do mature earlier. The pervasive effect of television makes clear to them what a great, big complicated world there is out there. And their sense of morality and idealism, not yet blunted by too much contact with the "realities" we take for granted, is rightfully appalled at the gap between the ideals we profess and the lives we lead.

If it was once the province of the newspapers, in Mencken's phrase, "to comfort the afflicted and to afflict the comfortable," a province largely abandoned, we may, if we are willing to listen, find our youth assuming that role. That prospect, it seems to me, is more than sufficient to justify and rationalize the granting of greater freedom of expression to young people than most adults have been willing to consider. In the exercise of that freedom much will be said that is nonsense, or unfair, or trite, or simply wrong, but in those respects comparison with adult discourse would certainly reveal no great difference. But I remain confident that the remainder of the discourse would reveal fresh thought, insight, and perspective, for which we should be most grateful.

Unfortunately, there has appeared in the ranks of our student protestors some whose primary commitment seems to be to violence and senseless disruption. Whereas the great majority of student dissidents have been and are concerned with the quality of education offered at their institutions and with changing through the available political processes and local, state, and national policies with which they disagree, there is a significant minority about which it can only be said that the suspicion exists they prefer chaos for the sake of chaos. These people advocate freedom of speech for everyone expressing their particular views; those in disagreement will be hounded off the platform or out of the classroom. These people not only condone but advocate the use of violence. They constitute a danger to the academic community and a danger to the public at large.

There is very little that the Federal Government can or ought to do about this danger. The answer lies in adequate law enforcement at the local level; but perhaps more important than that, it lies in the ability of the dissidents among the students and the faculty at each of these institutions making clear that tolerance of violence has ended, that the "crazies," as they have been colloquially dubbed, are endangering not only the reforms that are sought but that they are perceived to be a menace by the peaceful dissidents. Until the campus revulsion drives the violent minority out, heavy-handed federal reaction will only add fuel to the flame.

Some fuel is already there, but it may be the minimum which the Federal Govern-

Footnotes at end of article.

ment should undertake to apply. I refer to § 504 of the Higher Education Amendments Act of 1968, P.L. 90–575, which is a fund cut-off provision authorizing school authorities to terminate financial assistance to any student engaging in conduct which works a "substantial disruption" of the orderly administration of the institution. It seems to me that the Government interest in not funding students addicted to violent conduct is adequately protected by vesting in the authorities administering the institutional affairs of colleges and universities the power to terminate funds.[11]

An inclination to be more harsh is revealed by § 411 of P.L. 90–557, the HEW appropriations act for fiscal 1969, and thus a temporary provision, which directs the termination of all federal funds to anyone convicted of any crime which "involves the use of or the assistance to others in the use of force, trespass or the seizure of property" of an educational institution. This provision removed any discretion from local administrators but on the other hand it did base termination on a criminal conviction.

In this Congress, however, the inclination to be tougher is stronger and, I am afraid, irresistible to the majority. A very prominent bill which has already been the subject of hearings is H.R. 10074, which would require the suspension of federal aid to colleges and universities which experience disorders and which fail to take unlisted appropriate corrective measures within a reasonable time to put down disturbances. A whole series of bills modeled on this one would apparently take away the discretion of college administrators with regard to the type of response appropriate to quell unlawful disturbances.

I can appreciate, of course, the frustration which many feel at the continued illegal disorders on many campuses. I too feel that some administrators have displayed less than valor in dealing with some disorders. But it seems that this early hesitation, understandable in view of the prevailing feeling on most campuses that the police should not be called in, is giving way to more firm and thoughtful handling, which should increase in effectiveness as experience accumulates. But it is simply not true that each crisis can or should be handled by summoning the police and the national guard at the first moment. As the experience in California indicates, this may only prolong and exacerbate the situation.

Thus, it seems clear that a federal measure which would compel college administrators to pull out all the stops in every crisis or pre-crisis period, or face the prospect of losing all federal financial assistance, is an overly harsh and ultimately ineffective response, akin to using a cannon where a rapier is more appropriate.

Still more disturbing is a bill like S. 1929, which would make it a federal criminal offense to disrupt the operation of federally assisted colleges and universities. The bill is disturbing in two respects. First, any act which it would make criminal is already covered by a host of state laws. We simply have no evidence that these laws are not being enforced, that they are inadequate, or that we need to clutter up the already burdened federal courts with hundreds of new offenses ranging from throwing a rock at the dean to arson. I wonder what value making these matters a federal case could possibly have over the present situation.

Second, the power of the Federal Government to reach these offenses is premised on the fact that of some federal financial assistance, whether directly to the college in the form of grants, loans, or contracts, or indirectly in the form of students paying tuition out of federal grants or loans. Very few institutions of higher education would not be reached this way. The premise is a tenuous one, however, and the precedent it would set for federal interference in and control over the day-to-day operations of these institutions is unnerving. If federal jurisdiction is so easily asserted, then we may be closer to the unitary form of government throughout the nation than many of us had thought.

These two proposals are only the forerunners of others that can be seen down the road we are traveling if the disturbances continue. And that prospect can only please the so-called militant minority which wishes to provoke the ultimate "confrontation" of government and dissidents.

A criminal jurisdiction the United States Government might well exercise, however, in a productive and helpful way, lies in the enforcement of sections of the 1968 Civil Rights Act. 18 U.S.C. §§ 2101, 2102. These sections prohibit the utilization of the facilities of interstate commerce in order to foment or to incite or to abet in fomenting or inciting a riot or to commit any act of violence in furthering a riot. If indeed there are people in this country who are planning and encouraging violence on our campuses, if indeed there are ringleaders of chaos, then it seems to me that the Federal Government ought to prosecute.

These sections are not directed at peaceful advocacy or peaceful protest. They do not reach marching and picketing protected by the First Amendment. They cannot restrain legitimate assembly and speech in the pursuit of change. What they can penalize is the advocates of destruction for destruction's sake, the misguided followers of Mao and Fanon, the eager insurgents who want to polarize our society.

There have been all sorts of allegations about planning and fomenting on a nationwide basis, if there is sufficient evidence, the Attorney General should cause the convening of a grand jury to consider indictments. Whichever way such a case turned out it might well clear the air and take from the shoulders of those pressing for needed change the suspicion that they are implicated in illegality and the burden of guarding their flanks from the disrupters.

THE FUTURE

I believe that student unrest is symptomatic of the current malaise confronting our country. It has been referred to as "the revolt of the diminished man." Archibald MacLeish believes that the younger generation has conceived a "new humanism."

"It is an angry generation, yes, but its resentment is not the disgust of the generation for which Beckett speaks. Its resentment is not a resentment of our human life but a resentment on behalf of human life; not an indignation that we exist on Earth but that we permit ourselves to exist in a selfishness and wretchedness and squalor which we have the means to abolish. Resentment of this kind is founded, can only be founded on belief in man, and belief in man—a return to a belief in man—is the reality on which a new age can be built." [12]

I came to Washington with a mandate from the citizens of Ohio to seek alternatives to our present dilemmas. We are currently faced with the revolt of the student and the revolt of the taxpayer. The two are related. Since the end of World War II, we have spent approximately one trillion dollars on armaments and armed forces. Today our Federal expenditures for defense and defense related costs are greater than all Federal, state and local outlays for social security, health, education, housing, and agriculture, and yet the military budget continues to grow, spurred by a seemingly self-propelled mechanism which operates with little or no attention to merit or national needs.[13]

We are presently in the midst of a missile gap scare—the third such scare since 1960. All three have been groundless. Nevertheless, we are on the brink of a new round in the arms race—more costly and more dangerous than any which preceded it. What, then, have we purchased with our money? How will the next generation of college students react when they are raised in an era of "first strike capability," Anti-Ballistic Missile Systems (ABM) and Multiple Independently Targetable Reentry Vehicles (MIRV)? To maintain our current foreign policy is, to me, a ticket on the Titanic!

Therefore, I have continually spoken out against the ABM and proposed a moratorium on MIRV testing, expressing my doubts about military effectiveness, enormous cost, and adverse effect on possible disarmament talks. I believe we should immediately proceed with strategic armament talks with the Soviet Union.

We cannot be the policemen for the entire world. Gunboat diplomacy ended with the creation of nuclear weapons. An arms race in a nuclear age is unthinkable. A halt to the nuclear arms race does not require unilateral disarmaments. We can maintain our nuclear deterrent provided by our Intercontinental Ballistic Missiles (ICBM), bombers, and Polaris submarines while we negotiate in good faith with the Soviet Union. This is what I mean when I say that we must confront the assumption of risk and turn it from a risk of war to a gamble for peace. This decision need not be irrevocable. It is a calculated risk—one that can be reversed if conditions or events change.

Because the present generation of students has come of age in one of the most turbulent eras in world history—an era marked by foreign and domestic violence, I believe that the elimination of a foreign policy characterized by violence may reduce the level of domestic discord.

Furthermore, I will continue to listen to the grievances of students. Many have refreshingly constructive ideas. Others have nothing to say. You can only learn what they have to say by listening to them. Maybe then, they will realize that our democratic form of government does institutionalize a process of change in a peaceful political manner.

FOOTNOTES

*William B. Saxbe, Ohio Republican, was elected to his first term in Nov. 5, 1968, after long service at the state level. Before moving to Washington, Saxbe served four terms in the Ohio House of Representatives and three terms as Attorney General.

Saxbe was majority leader of the Ohio House at age 34 and was speaker at 37. He also served as Attorney General longer than any man in Ohio history.

Saxbe was born June 24, 1916, in Mechanicsburg, Ohio, and still make his home there. He is a graduate of Ohio State University and the Ohio State University Law School and had been a lawyer since 1948.

The Senator and his wife, Dolly, have three children—sons William Jr. and Charles, and daughter, Juli, and one grandchild.

Saxbe is an Army veteran of World War II and Korea. His Senate committee assignments are Aeronautical and Space Sciences, and Labor and Public Welfare. He also serves on the Special Senate Committee on Aging.

[1] ". . . within the sounds of silence . . . And in the naked light I saw 10,000 people maybe more—people talking without speaking; people hearing without listening; people writing songs that voices never share; No one dare disturb the sound of silence . . . Hear my words and I might teach you. Take my arms and I might reach you. But my words like silent rain drops fell, but echoed in the well of silence."

[2] Report of the Fact Finding Commission appointed to Investigate the Disturbances at Columbia University (Cox Commission), p. 4 (New York, Vintage ed, 1968).

[3] Interim statement on campus disorder issued by the National Commission on Causes and Prevention of Violence.

[4] Professor Robert A. Nisbet, "When Authority Falls, Raw Power Moves In," reprint-

ed Congressional Record, June 5, 1969, pages 14847–14848.

[5] Interim statement on campus disorder, Supra 3.

[6] Interim statement on campus disorder, Supra 3.

[7] Speech of Professor George Wald, Kresge Auditorium, Mass. Institute of Technology, March 4, 1969, reprinted Congressional Record, March 26, 1969, pages 7688–7689.

[8] The Higher Education Act of 1965, Committee Report No. 650 89th Congress, 1st Session, p. 56 states: "The committee has noted that there has been a tendency in recent years for college teachers to devote less time to classroom instruction and to personal counseling of students than previously, factors which have become more evident as institutions of higher education have become larger and more impersonal. While recognizing the importance of research—which this committee has encouraged in other legislation—we nevertheless are hopeful that this act will serve to encourage the expert and the teacher to devote more time to the classroom and the student. We look to an equitable balance between research and teaching and between the outside lecture platform or publishing house and the classroom.

[9] Interview of Secretary of Health, Education and Welfare, Robert Finch, Wash. Post, pA4, May 11, 1969.

[10] Professor Nisbet, supra 4.

[11] "Existing laws already withdraw financial aid from students who engage in disruptive acts. Additional laws along the same lines would not accomplish any useful purpose. Such efforts are likely to spread, not reduce the difficulty. More than seven million young Americans are enrolled in the Nation's colleges and universities; the vast majority neither participate in nor sympathize with campus violence. If aid is withdrawn from even a few students in a manner that the * * * views as unjust, the result may be to radicalize a much larger number by convincing them that existing governmental institutions are as inhumane as the revolutionaries claim. If the law unjustly forces the university to cut off financial aid or expel a student the university as well may come under widespread campus condemnation." Interim statement on campus disorder, supra 3.

[12] Archibald MacLeish, "The Revolt of the Diminished Man," Saturday Review, June 7, 1969.

[13] Report of the Congressional Conference on the Military Budget and National Priorities, p. 3 and 4.

SENATOR RANDOLPH SUPPORTS SURTAX EXTENSION COUPLED WITH TAX REFORM

Mr. RANDOLPH. Mr. President, on Friday the distinguished majority leader, Mr. MANSFIELD, spoke on the proposed extension of the surtax and tax reform and outlined the compromise position determined by the Democratic Policy Committee and the majority members of the Senate Finance Committee. The statement of the senior Senator from Montana, together with the statement of the able minority leader, Mr. DIRKSEN, has received my careful study.

I commend the majority leader and the capable Chairman of the Committee on Finance, Mr. LONG, for placing before the administration and Congress a reasonable and responsible compromise. I am encouraged by the response of the minority leader, indicating that the proposal "is open for negotiation" and that it has not been rejected as reported in speculative news stories.

It is my genuine hope that the administration will accept this schedule and procedure on Senate consideration of the surtax and tax reform. The proposal to temporarily extend the surtax through November, by which time there will be an opportunity to vote on a tax-reform package, is, in my thinking, a commitment to press for the extension of the surtax and for enactment of tax reform. I am convinced that the surtax is necessary. It is my belief that we cannot take the chance of rejecting the extension urged by the administration. Nevertheless, I do not believe that it is essential—as argued by supporters of the surtax—that it be enacted immediately. I agree with the New York Times editorial of Saturday, July 26:

> So long as current income withholding tax rates remain in force, there is danger neither of budgetary deficit nor of a return to an inflationary monetary policy.

I reject the argument that our failure to enact the permanent surtax extension leaves open to question the determination of our Government to combat inflation. Such arguments appear to place the entire burden of an anti-inflation program on the surtax. Senators well know that the problem is more complex than the simple proposition of a surtax.

Mr. President, the policy committee statement is a firm indication that the Members of this body are committed to a comprehensive tax-reform package. The coupling of surtax and tax reform should be equitable and just for the people who bear heavy tax burdens. Tax reform is just as urgent as the surtax. And certainly in the interest of long-term benefits it is more urgent. In the final analysis, it may well be that the tax-reform package will be needed to carry through a surtax extension. This remains to be decided. But on one issue there is no doubt. The citizens of this Nation want tax reform. It is our responsibility to assure that this issue is brought into focus and that reforms are carried forward. The arrangement advocated by the policy committee provides this needed assurance.

Tax reform will not be left to come as it may. It will not be left to chance. I am convinced, despite considerable disagreement among the experts, that the temporary extension of the surtax, and final action coupled with tax reform will be supported by the overwhelming majority of our citizens.

The Democratic policy committee proposal is reasonable and responsive. It should be accepted by the administration. This will do more in the long run to stem the fears of what might happen to our economy and to avert the possibility of a defeat.

SENATOR EDWARD KENNEDY

Mr. RIBICOFF. Mr. President, Senator EDWARD KENNEDY is an outstanding Senator and an effective majority whip. I am sure that all of us recognize his ability and dedication to his duties as a U.S. Senator. Senator KENNEDY has many more years of constructive service to give to the people of this country and of Massachusetts, and I know that he will continue to have their support.

Much has been written these past days about the recent tragedy involving Senator KENNEDY. Of all the reports and insights provided, however, I believe that a column written by David S. Broader and published in this morning's Washington Post is among the best. It reminds us of our role in the lives of those around us. I ask unanimous consent that it be printed in the RECORD with the hope that it will be read by all thoughtful and concerned Americans.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POLITICIANS, PUNDITS PLAYED GOD WITH EDWARD KENNEDY'S LIFE

(By David S. Broader)

The power of genuine tragedy, as defined by Aristotle and understood by every generation since, lies in its demonstration that all men, even the powerful and the mighty, can be judged and found wanting just because we are all mortal and all have flaws.

It is tragedy's demonstration of our common susceptibility to Fate which Aristotle said must move any man to pity and terror. And it is this which unites the audience and the actors in any of the great dramas of literature or life.

Yet, in all that has been written this past week about the latest adversity in the life of Sen. Edward M. Kennedy, little has been said about the significance of the tragedy for those of us who have been caught up in its unfolding.

Honesty requires that the effort be made. For whatever fault may be attributed to Kennedy in the events surrounding the accidental death of his passenger, the reaction in the political-journalistic world of Washington shows unmistakably how far those of us who inhabit that world have succumbed to the sin of pride—the very sin for which the heroes of so many Greek tragedies were rebuked by the gods.

Our shock at what has happened is based, not just on our sympathy for the victim and her family and for Kennedy, but on our hurt that the future we had arranged for him—in our own minds—is now altered.

In this sense, the incident at the Poucha Pond bridge brings a rebuke to all of us—the politicians in both parties who were calculating how his 1972 presidential campaign could be made to serve their interests, the journalists who were anticipating the excitment and rewards of another Kennedy-Nixon contest—to all of us who in the arrogance of our pride had arranged his life in advance for him.

This reporter has no intimate acquaintance with Edward Kennedy, but I have seen him in a variety of circumstances since our first meeting at a coal mine outside Beckley, W. Va., in 1960. He impresses me as a man of some talent, of great industry and dedication and, most of all, of continued capacity for growth.

I would assert now, as I did before last week's accident, only one strong conviction about Ted Kennedy: Whatever his capacity for service to his country, Kennedy ten years from now—at 47—will have more to offer in the way of leadership than he does in 1969.

Yet there were many in politics and journalism who had determined in their superior wisdom that he must run for President in 1972. Kennedy has lived with this knowledge and the pressure it entails. Whatever his own wishes, he has known that, with every passing day, the choice was being taken out of his hands and being forced on him by politicians and pundits who—at minimal risk to their own careers—were recklessly brave in dictating what his course should be.

Ultimately, every man must set his own course and accept the consequences. In my lifetime, I have seen two very different men—

Adlai Stevenson and Barry Goldwater—persuaded to run for President, against their own best judgment. Neither case ended happily.

Yet, before Kennedy's accident, there were men in Washington with enough self-confidence (or whatever) to assert that of all the men in public office, only this one 37-year-old Senator had the capacity to "unite the Democratic Party." Even now, some have the temerity to argue that Kennedy's reputation must be rescued—not for its own sake, but so that he can run in 1972.

Some of these men are politicians and journalists who came to power and prominence with John Kennedy. Just 18 months ago, some of them were exerting a similar kind of pressure on Robert Kennedy to run.

But these counselors do not control the fates of the men they seek to manipulate. That must be clear now even to them.

All their planning and charting were for naught when the lives of the three famous Kennedy brothers crossed those of three obscure fellow-citizens, Lee Harvey Oswald, Sirhan Bishara Sirhan and Mary Jo Kopechne.

Two of the brothers are dead; the third's future is in doubt. Two of those Fate placed in their paths are dead; the third is under sentence of death.

Does it not behoove us all to stop playing God with other men's lives?

A VERY GOODLY BAY

Mr. TYDINGS. Mr. President, the Chesapeake Bay is the great natural treasure of Maryland. Its blue waters make up the most fertile marine pastures in this hemisphere. Its history is an integral part of our State's past. Its recreational potential is a prime reason why Maryland is known as the land of pleasant living.

As one who lives on the Chesapeake, I can only agree with Capt. John Smith's 1607 description of the bay as "a very goodly bay."

Like every body of water in America today, however, the bay is threatened by pollution. From industry and towns, from ships and nuclear powerplants, pollutants contaminate the bay, impairing its beauty and threatening its marine productivity. The latter is particularly disturbing for the bay provides most of the Nation's supply of bluecrabs and oysters.

Until recently this country did not recognize the importance of the bay and our other estuaries. By and large, they were ignored by many public officials and studied in depth by only a few scientists. Maryland provided an exception to this rule but even here the effort was not equal to the need. Our lack of knowledge reflected a lack of concern over our estuaries. This led to neglect which in turn has endangered these valuable bodies of water.

In order to fill this gap in our knowledge, I wrote the National Estuarine Pollution Study into the Clean Water Restoration Act of 1966. This study was carefully drafted so as to provide us with a comprehensive analysis of our estuaries as well as recommendations to protect them.

I also helped pass in 1965 legislation authorizing the Corps of Engineers to build a hydraulic scale model of the Chesapeake Bay. This would enable marine scientists to study the estuary and learn more about its currents, salinity levels, and tides. The model will be built on the Eastern Shore of Maryland and will provide us with the means to increase our knowledge of this great estuary.

In the June issue of Oceans, John O. Ludwigson presents an excellent article on the Chesapeake Bay. He writes of the great productivity of the bay and warns of the increasing threat from pollution. I regret that it is not possible to reproduce the lovely pictures which accompany Mr. Ludwigson's article, but I recommend his words to all concerned with the preservation and proper development of our marine resources. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CHESAPEAKE BAY

(By John O. Ludwigson)

Among countless tales of the seven seas, very rarely do you hear of the eighth sea, a landlocked micro-ocean that splits the state of Maryland and, with a little help from the U.S. Army Corps of Engineers, makes an island of most of Delaware.

Yet the Chesapeake Bay is, in many respects, a minor sea. It can claim its own unique internal circulation patterns, cultural variations that make the east and west shores virtually different countries, a thriving waterborne commerce and an increasingly flourishing tourist industry. Pirates once plied its waters, and the last shot in the recurring local wars has not yet been fired.

It is a peaceful sea, sheltered from the full force of the storms that howl over the other seven, but tricky enough sailing for anyone's stomach when the wind whistles up its 290-kilometer (180-mile) reach.

Perhaps most important for its future, Chesapeake Bay is a shallow sea, hardly more than 9 meters (30 feet) deep except in its central channel where only 37 meters (120 feet) of water cover its deepest spot. You can visualize this by imagining that the width of this sheet of paper corresponds to the width of the Bay. The average depth would then be one-third the thickness of the page.

This shallowness has been both the blessing and the principal weakness of the Bay—blessing, because it is a major factor in the Bay's remarkable biological productivity—weakness, because it makes the Bay especially vulnerable to pollution. Chesapeake Bay, today, is literally fighting for its life.

HISTORY OF THE BAY

It was a different story when Captain John Smith, freshly arrived from England, viewed it in 1607:

"There is but one entrance by Sea into this Country, and that is at the mouth of a very goodly Bay, 18 or 20 myles broad . . . within is a country that may have the prerogative over the most pleasant places knowne, for the large and pleasant navigable Rivers, heaven & earth never agreed better to frame a place for man's habitation."

He sailed up and down the "Chisapeack" Bay (dining, undoubtedly, on oysters), apparently delighted with all that he found. Captain Smith's diary contains the account of one fishing experiment on the Potomac River where the party found "that aboundance of fish, lying so thick with their heads above the water as for want of nets . . . we attempted to catch them with a frying pan . . . neither better fish, nor more variety of small fish had any of us ever seen in any place. . ."

There were Indians, too. Assateagues, Nanticokes, Susquehannocks, and Choptanks, all of Algonquian stock, and also found the Bay a pleasant place to live. Most of its geographic features today are named for them. Chesapeake, for example, may be a derivation of Tschiswapeki—"highly salty body of water"—or K'che-sepiack—"country on a great river."

On his way along the eastern shore of the Bay, Captain Smith encountered a series of islands first charted by Bartholomew Gilbert in 1587 and named the Russell Isles for that expedition's surgeon. On one of the largest, Captain Smith's diary says, "there was a myle or two of fresh water ponds [though the islands are almost at sea level]; fish and fowl, and the kindness of the soil makes it a nice place to live." He named the island Smith Island, for himself.

From the first settlement at Jamestown, Virginia, the colonists slowly moved up both shores of the Bay. One of the earliest settlements, in 1634, was a colony at St. Mary's City sponsored by Cecil Calvert, the second Lord Baltimore and first proprietor of Maryland. The town, near the mouth of the Potomac River, now has a population of about 200. The state capital was moved to Annapolis in 1694.

In the meantime, however, a band of dissidents—their complaint is lost to history—had left the colony and headed across Chesapeake Bay to form their own colony. They landed on Smith Island in 1657, liked it and stayed, dropping out of the mainstream of American history for 300 years.

For a time, in fact, Smith Island was a "kingdom." Though nominally a part of the United States, two of its leading citizens, Richard and Solomon Evans, ran the Island and were known as King Richard and King Solomon.

THE BAY TODAY

This brand of sturdy, isolation-fostered independence is still characteristic of the Bay's eastern shore watermen. Until 1958, when the eleven-kilometer (seven-mile) Chesapeake Bay Bridge opened, linking the eastern shore with Annapolis and the rest of the nation, they had almost no dealings with the outside world. Oysters, fish and good farming land supported them quite comfortably in an affluent Appalachian-like culture.

Smith Islanders and, especially, their neighbors on Tangier Island, a few miles to the south in Virginia, still speak an English that is very much akin to seventeenth century usage, though modern communications are introducing twentieth century American.

Like other such water-oriented communities along the Bay's shores, the Islanders depend on their "micro-ocean's" resources for a living. Yet, they and other watermen have been extremely reluctant in the past to accept sound management of conservation practices.

"God put the oysters there and when He doesn't want us to have 'em anymore, He'll take them away," was the prevailing philosophy. It would have been quite adequate if it were not for the outside world. Steady and largely uncontrolled dredging of the oyster bars ("rocks" in Virginia), for example, has resulted in a steady decline in the crop. Oystermen produced more than 53 metric tons (58 tons) of the delectable bivalves in 1880; the 1967 crop was only about 11 metric tons (12 tons).

Where the oysters went is suggested in a passage from an oyster culture booklet published by the Virginia Institute of Marine Sciences:

"In 1865 the citizens of New York City, which then had a population of less than 900,000, consumed 7,000,000 bushels of oysters. If this rate of consumption had persisted until today, about 61,000,000 bushels of oysters would be required by that city each year, many times the present oyster production of the entire United States."

Oysters are not, of course, the only product

extracted from the Bay, but they are the biggest moneymaker. Some other products, in order of their landed value in Maryland are blue crabs, clams (mostly soft shell), striped bass (known locally as rockfish or just "rock") and white perch.

The crabs are sold both as standard hard shells and soft shells. Soft shell crabs are a Tangier and Smith Islands speciality, though they are produced all along the shore. The crabber collects hard crabs from the Bay and sorts them into floating crab pens according to his estimate of how soon they are likely to shed. The day the crabs shed their shells they are scooped up and sold.

Crab conservation has proved to be unexpectedly difficult. It seems that, as a result of the unusually low crab harvest in 1968 (after years of bumper crops), an examination was made of the relationship between the number of spawning crabs and the subsequent population levels. The relationship turned out to be almost inverse! Large numbers of spawners never produced many off-spring, while small spawning populations always tended to produce great numbers of crabs. Within those general conditions, the annual crab populations fluctuated wildly, a phenomenon not yet explained satisfactorily.

Besides producing most of the nation's supply of blue crabs and oysters, Chesapeake Bay residents are also avid consumers. A favorite local institution is the crab feast. About five large, healthy crabs per person are steamed in a huge pot for 20 minutes over a pungent mixture of vinegar, pepper, salt, mustard and Tabasco sauce. Crab-eating fans and a generous supply of beer are arranged around long tables covered with multiple layers of newspaper. When the crabs have turned bright red, they are piled on trays and set in the middle of the tables. Then it's every man for himself!

Oyster production has been a different story. While the blue crab population seems to be almost independent of Man's actions, the oysters would soon be wiped out without help. The oyster bars were, in fact, rapidly being cleaned off when both Maryland and Virginia began to act to preserve this valuable resource. Maryland, especially, has plowed state money into rehabilitation of the bars that are the watermen's main source of income.

While many modern oyster collection and farming practices are still almost nonexistent—oyster dredgers must use sailboats, and private growing areas are difficult to obtain—production is rising. Since 1961, Maryland has spent about one and one-third million dollars a year on improvement and mangement of its natural oyster bars.

Even more significant, legislation enacted in 1967 and 1968 now provides a basis for putting the public oyster fishery on a self-sustaining, nonsubsidized basis. The sale of seed oysters, marine-related taxes, license fees and fines support a Fisheries Research and Development Fund, created in 1967 and administered by the state's Department of Chesapeake Bay Affairs.

Most important, and an indication of the way the state is moving, in 1967 the Department was authorized to sell to private oyster growers, at a fair market price, up to 50 percent of all seed oysters produced annually in excess of 35,240,000 liters (one million bushels). In 1967, that amounted to 4,903,750 liters (139,153 bushels).

That is not a lot of seed oysters, but it does represent a revolution on the Bay. For years, the watermen have defended their exclusive rights to the Bay's bounty. Lease of oyster bottoms, even presently nonproductive areas, to private planters would soon concentrate the industry in a few hands, they argued, and the hands would not be those of the traditional oyster harvesters.

However, as Joseph Manning, director of the Department, observed last fall, "A remarkable change in attitude of the oystermen has accompanied the State's successful efforts toward repletion of the oyster resource.

"It has been demonstrated," he added, "that an increase of more than 150 percent in production has had no significant effect on the unit price received by the public oystermen for their catch." A few private planters have existed for some time, Mr. Manning revealed, producing a bit under 10 percent of the annual oyster crop.

Virginia has taken the opposite policy, leasing nonpublic Bay and river bottom land freely. Though the private lands are naturally less favorable and less extensive than the 85,000 hectares (210,000 acres) reserved by the state, they have consistently outproduced the public areas in both quantity and value. Virginia, too, has permitted powerboats to dredge oysters, while Maryland has, until recently, stuck to sail.

Differences between the states' laws have not always been purely governmental matters. Oystermen, seeking to protect their rights, have occasionally employed bullets as persuaders. Poachers, like the pirates who plied the Bay before them, have shown little respect for rights, boundaries or the law.

Things have quieted down somewhat recently, but there was a time when the Maryland Department of Tidewater Fisheries' inspectors thought it prudent to mount one-pound guns on the decks of their ships.

They had in mind, no doubt, such incidents as the "Battle of the Choptank River," fought in 1888. In this encounter, the two steamers of the Inspector Force found themselves greatly outnumbered by illegal dredging schooners they surprised in the Choptank, which flows by Cambridge in the central eastern shore.

The battle seemed lost for sure when ten of the dredgers lashed their boats together and ambushed the steamer Governor McLane, floating silently to within rifle range. Defeat turned into victory, however, when the McLane's captain ordered his ship to ram the oncoming schooners, sinking two and taking two others captive.

Just after World War II, oyster poachers from the Virginia shore became a problem in the Potomac River, which is entirely Maryland waters. By this time, poaching technology had escalated and the illegal oystermen had equipped themselves with modern, fast powerboats, some with three large engines. The police countered by buying a war surplus PT boat which they armed with a .30 caliber (7.62 mm) machine gun. On one occasion this battleship of the Potomac rammed a fleeing poacher, slicing the boat in half. More often, the machine gun was used to shoot out the offenders' engines, thus sparing both men and boats.

In the last few years, technology has escalated again. Now it's citizens' band radios that make the waterborne culprits nearly invincible. With lookouts posted up and down a waterway, they turn into "peaceful sport fishermen" long before the Marine Police, as the force is now called, can reach them. This has forced the police to adopt guerrilla tactics.

One young policeman described an operation against some clam dredgers who were tearing up an oyster bar: "There wasn't any use trying to sneak up on 'em by water. We could hear them on the radio—they had friends on the dock even to tell them when we cast off!

"What we did, we tied up the boat down the river and got into my friend's car we'd left there. We took off our hats and slouched down so as not to attract any notice and drove up to a farm on a point opposite where they were dredging. Then we sneaked up on them, running from bush to bush and crawling along the ground to keep out of sight. We stayed there about an hour, copying down their numbers [registration numbers on the boats] and making a record of their activities.

"Then we drove back to the boat, cast off and went over to their dock and tied up and waited. About dark, here they came loaded down with clams. We were just lounging there, looking unconcerned, until they tied up so they wouldn't dump the clams overboard. Boy, were they surprised when we walked over and told them they were under arrest!"

Even crabs have not been safe. The Marine Police found it necessary late last year to issue a warning to would-be "crab snatchers" that they faced fines of $100 when arrested. (A crab-snatcher is one who empties other people's crab pots without, of course, their permission.) The police attributed a minor boom in that particular crime to the high prices paid for crabs in a year of lean harvest.

POLLUTION PROBLEMS

Chesapeake Bay, however, faces a greater danger than crab-snatching or oyster-poaching. In a variety of ways, some so subtle they are hardly noticeable at first, it is being slowly poisoned.

In some cases, such as Baltimore harbor, the upper Potomac River and a number of other, smaller tributaries, the process is not so slow. When Paul McKee, Maryland's Water Resources Director, asserted that the Bay is not yet polluted before a State Senate committee he ran head-on into an irate Senator and yachtsman.

"When I go out into the Bay in my boat and go in swimming," observed the lawmaker, "I'm a different color when I come up than when I went in. If the Bay is so good, why are we spending so much on research into its pollution problem?"

The answer, of course, is that there are stages and degrees of pollution and all the Bay is not yet as bad as he described. Nonetheless, Eugene Jensen, regional director for the Federal Water Pollution Control Administration, estimates that total annual fishery losses from pollution in the Bay and its tributaries amount to $3 million—and that is dockside value of the fish and shellfish. The total loss to the area's communities might be ten times as much, he guesses.

"Chesapeake Bay has a definite carrying capacity of people and activities, communities and industries," observes Dr. William Hargis, director of the Virginia Institute of Marine Science (VIMS). "If we're willing to have the Bay become an open sewer, there's no question that we can pack a lot more people and industry around it.

"But it's also pretty obvious that if we expect Chesapeake Bay to afford those uses and esthetic values that people seem attracted to, then the carrying capacity is going to be less."

VIMS is one of the three major academically oriented oceanographic institutions associated with the Bay. The others are the University of Maryland's Chesapeake Biological Laboratory at Solomons in the central western shore and Johns Hopkins University's Chesapeake Bay Institute which works out of Annapolis where its unique catamaran research ship ties up. VIMS is located at Gloucester Point, Virginia, at the mouth of the Bay. Together, the institutions comprise the Chesapeake Research Council, perhaps the largest grouping of estuarine scientists in the world.

In addition to providing a forum for exchange of scientific ideas and findings, the Council has undertaken a program of cooperative research on the Bay. Each of the three institutions regularly visits its portion of a pattern of oceanographic station sites that cover the entire Bay. When the data from all the points are assembled, they give a good picture of just what is going on in the Bay at any given moment.

Besides the Research Council institutions, the Federal Water Pollution Control Administration (FWPCA) and the Bureau of Commercial Fisheries—both a part of the U.S. Department of the Interior—maintain labo-

ratories at Annapolis and Oxford, Maryland, respectively.

FWPCA scientists also regularly occupy a similar series of oceanographic stations in the Bay, though there are necessarily fewer than in the Council's study. The pollution experts are looking for such things as the oxygen content of the water, bacterial counts and algal blooms that signal the onset of serious pollution problems. (One algal bloom in the Potomac last year actually reached the consistency of very thick green pea soup.)

One of the most interesting results of this intensive study of the "eighth sea" has been the discovery of a unique, two-layer internal circulation pattern. At the surface, everything seems normal. Water from the Susquehanna and Potomac Rivers flows into the Bay and on out to the Atlantic Ocean, just as expected. About three meters (ten feet) down, however, the flow comes to a halt. Farther down, the water is relatively salty and moving north very slowly, into the Bay.

The Bay's physical oceanography has been most intensively studied at the Chesapeake Bay Institute, headed by Dr. Donald Pritchard. Institute scientists have found that Baltimore harbor, a growing major national seaport, and most of the minor tributary creeks surrounding the Bay also have unique circulation patterns of their own.

At Baltimore, the harbor receives almost no freshwater inflow, yet there is complete flushing of its waters roughly every ten days. The reason is that a three-layered circulation exists, driven by salinity differences at various levels in the Bay and harbor. Bay water flows into the harbor at both surface and bottom while the third, intermediate layer, flows from harbor to Bay. The layers flow steadily at a rate of about 482,000 liters (630 cubic yards) a second throughout the year.

In the shallower tributaries, still another pattern prevails. Again due to salinity variations, which change seasonally, there is a two-layer flow. This reverses twice a year, however. In winter and early spring, the less saline Bay waters flows in over the saltier tributary waters which flow out along the bottom. During the rest of the year, salinity in the Bay increases, and the flow is in at the bottom and out at the top.

All this would hardly interest anyone but crabs and scientists if it were not for the growing problems of handling the sewage outflow from towns along the shore. In the Bay and Baltimore harbor there is the additional problem of disposing of silt and sediment dredged up in ship channel maintenance projects.

Obviously, it makes a great deal of difference where the sewage effluent is introduced into the Bay. Theoretically, it is quite possible for sewage poured in near the mouth of the Bay to wind up washing through Baltimore harbor, which already has enough pollution of its own to cope with.

Worse, there are the oysters. An oyster gets its food by filtering large quantities of water. Thus, it not only will pick up any pollutants in the water, it will concentrate them. Fortunately, oysters will clean themselves in from two to six weeks if transferred to clean water, but this adds expense. Several oyster areas in both Maryland and Virginia have already been closed because of pollution.

A major new worry for the conservationists is the nuclear electric power plant now being built for the Baltimore Gas and Electric Company on the Calvert Cliffs along the central western shore.

The Calvert Cliffs are one of the world's finest hunting grounds for Miocene fossils. The 30-meter-high (hundred-foot) cliffs stretch for about 48 kilometers (30 miles) along the shore, where they are continuously eroded by waves, exposing fossils by the thousands. At least one complete whale skeleton has been dug from the face.

At the power plant site, scientists followed the bulldozers leveling the cliffs in a project sponsored by the Maryland Academy of Science. Dr. Lincoln Dryden, director of the program, noted that it is the first thorough study of the rich fossil bed since the turn of the century.

What is worrying people, though, is not the fossils but the unknown and largely unpredictable effects of the plant's warm cooling water effluent. In full operation, the nuclear plant will pump a reported 11.4 billion liters (three billion gallons) of Bay water a day through its cooling system.

In trying to fathom the effects of this on the Bay and all it contains, the estuarine scientists are planning on the use of a hydraulic model of Chesapeake Bay. In 1965, the United States Congress authorized the U.S. Army Corps of Engineers to build such a model. Preliminary studies are being carried on now, and Maryland has donated a site near the eastern end of the Bay Bridge. The need to cut the Federal budget, however, has kept Congress from appropriating the funds for construction.

The model, presumably, would be constructed in the same manner as a similar facility, simulating the James River, run by VIMS and the Corps at Vicksburg, Mississippi. This large concrete model of the river includes every jetty, tributary, obstruction and meander. Metal "roughness strips" embedded in the bottom make it possible to "tune" the model to simulate exactly the river's flow conditions.

The Chesapeake model would cover almost four hectares (nine acres), surrounded by an additional nearly three hectares (seven acres) of shops, instrument labs and pumping facilities. It will contain about 1,840,000 liters (65,000 cubic feet) of water. A complete 12-hour and 25-minute tidal cycle will be simulated in about seven and a half minutes.

Is it worth it? United States Representative Rogers Morton (R., Md.) thinks so. "Let us just capitalize the fishery only on a 50-year basis at a conservative estimate of $100 million a year. Under this simple formula, we have an astronomical economic stake of $5 billion. The cost of the model and center is less than one-fourth of one percent."

There is more at stake than that, however. Maryland bills Chesapeake Bay as "the land of pleasant living." And so it is. There are 8,166 registered sailboats in that state alone, as well as 54,368 powerboats. Annapolis is the finest sailing harbor between New England and the Bahamas, as well as the home of the United States Naval Academy. Private homes now stand shoulder-to-shoulder along the shores where there were only farms a few years ago.

Public access to the water, in fact, is another of the current problems. You might say the Bay is in danger of being loved to death!

To protect the Bay, even from its friends, a group of concerned conservationists set up the Chesapeake Bay Foundation in 1966. From its Annapolis office, executive director Jess W. Malcolm quietly goes about his task of educating the public and urging the governments involved to action.

"People look at an industrial plant, as in Baltimore harbor, and they are offended. They're not inspired by it," he observes.

"Once the Bay is eroded so people no longer look on it as a thing of beauty, they'll no longer care about it."

They care now, though, and the fight is on to preserve the Bay.

OPPOSITION TO POPULAR VOTE FOR PRESIDENT

Mr. GOLDWATER. Mr. President, it is no secret that I come from Arizona, and it is also no secret that I want to see the more lightly populated States protected. Arizona falls into that category. We who live in these States, which are far, far more numerous than the more heavily populated ones, have no desire to see our Presidential elections controlled by nine or 10 of the larger States.

Even if we felt that all elections in large cities were always honestly conducted, we would still be opposed to the idea of a popular election vote for our President. This concept is wrong, wrong, wrong, and the Senate would be making probably the major mistake in the history of our Government if we ever voted to offer this to the American people in the form of an amendment. Changes are needed in the electoral college system. I have testified before the committee on the changes that I feel should be accepted, but I also testified, in as strong language as I could muster, against the popular vote concept.

The Indianapolis Star has published two very intelligent editorials on this subject. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

DO YOU WANT YOUR STATE DISENFRANCHISED?

WHY DISENFRANCHISE SO MANY STATES?

If the proposal to replace the electoral college with direct presidential elections succeeds, Arizona will be one of a number of states whose voters could in effect be disenfranchised.

There are, according to the 1969 national census, more people in New York State than in 19 other states combined. Theoretically, this means that the New York electorate could, under the so-called "popular" presidential election system, outvote the electorate of the following states:

Arizona, Alaska, Nevada, Wyoming, Vermont, Delaware, New Hampshire, North Dakota, Hawaii, Idaho, Montana, South Dakota, Rhode Island, Utah, New Mexico, Maine, Nebraska, Colorado and Oregon.

(Under the electoral college system, the worst that can happen is that New York's electoral vote can offset the electoral vote of 10 states.)

An election victory in New York and California could count more than an election victory in 26 other states combined.

Obviously, such a system could be disastrous in a nation which prides itself on its unique regional and geographical differences. Yet, the proposal for such a system has already been approved by the House Judiciary Committee.

In our earlier series of editorials, we explained the need for electoral reform. The present electoral college system is outmoded and in part downright unfair. But the proposed remedy, the one which is currently fashionable, would be far worse.

It would invite tampering with the ballot boxes in the large cities and states, thereby encouraging boss politics and political corruption. . . .

It would encourage the proliferation of splinter parties . . .

It would obviate the need for a genuine national consensus, in place of a momentary and perhaps temporary majority mandate . . .

It would undermine our federalist system, which helps restrain unchecked federal ambition by requiring that political actions be conducted through the machinery of the states. Thus it would replace our representative form of government with a so-called "popular" form . . .

And as noted, it could in effect disenfranchise a sizable number of states whose voters have just as great a stake in the presidency as do voters in the larger cities and states.

It is interesting that Indiana Sen. Birch Bayh is leading the drive for popular election of the President, when only two years ago he made a fiery, convincing speech opposing just such a proposal. It is also interesting that Sen. Ted Kennedy would be so strongly in favor of popular presidential elections, when his brother, the late President John F. Kennedy, delivered one of the most lucid arguments ever made against that so-called "reform."

It is true that there can be no progress without change. But it is also true that change, indiscriminate change, does not automatically lead to progress.

The changes proposed by the popular presidential election are a good example of the sort of change that could lead to calamity.

TO AVOID BOSS CONTROL

In the Senate lies the best hope for initiating a step toward sensible revision of the Electoral College, since it has in its Judiciary Committee a bill which would allot electoral votes on a district-by-district basis.

The House Judiciary Committee has reported out a bill which would abolish the Electoral College and substitute direct popular election of the president and vice-president. This would be the wrong way to go for a number of compelling reasons.

One is that direct popular election would make a fundamental change in the structure of the government. In 1956 Senator John F. Kennedy (D-Mass.), later President, pointed to this in defending the Electoral College against similar proposals. Direct popular election, he said, "while purporting to be more democratic, would increase the power of and encourage splinter parties, and I believe it would break down the federal system under which most states entered the Union, which provides a system of checks and balances to insure that no one area or one group shall obtain too much power."

The point Mr. Kennedy made about splinter parties is another of the reasons direct popular election would be wrong. We have seen in the recent example of the French election how proliferation of splinter parties can confuse the issues of an election, dilute the strength of major parties and cast doubt on the mandate of the vote. Under the Electoral College system splinter parties are inconseqeuntial. In direct popular election they can be spoilers.

A handful of states could control the election of the president and vice-president by direct popular vote, and this is a point which many Americans seem to miss. This may have been what was in John Kennedy's mind when he referred to "a system of checks and balances to insure that no one area or one group shall obtain too much power."

Under the present Electoral College system with the practice of casting each state's electoral vote in a bloc, a handful of the most populous states are regarded as pivotal. It is almost impossible to be elected without winning most of them. But they are only *pivotal*—winning all of them by whatever margin is not enough. It is still necessary to win in a substantial number of the rest of the states.

In a nationwide direct popular election a handful of states could *elect* the president and vice-president, regardless of what happened in the rest of the country.

This was pointed out in a recent article by Dr. George Comfort, professor of political science at Butler University. He noted that in the 1968 election 54.6 per cent of all the votes were cast in nine states embracing 12 of the largest cities. These states were California, Illinois, Massachusetts, Michigan, Missouri, New Jersey, New York, Ohio and Pennsylvania.

The vote in these states was largely determined by the vote in the 12 big cities. In Illinois, for example, more than half of the total state vote usually is cast in Cook County alone.

The significance of this is that political machines in 12 cities in 9 heavily populated states can pile up pluralities so big that the votes in the rest of the country would not matter in a nation-wide popular election.

Under the Electoral College system this does not happen because the influence of the big city vote stops at the state line. The candidates who seriously hope to be elected must pay attention to virtually all of the states. In a direct popular election they could concentrate their attention on the few most populous ones with the biggest cities. The rest would not matter.

"Today, we have a system which—in all but one instance throughout our history—has given us presidents elected by plurality of the popular vote," said John Kennedy in his 1956 Senate statement. "Nevertheless, it is proposed to exchange this system—under which we have, on the whole, obtained able presidents capable of meeting the increased demands upon our executive—for an unknown, untried, but obviously precarious system which was abandoned in this country long ago, which previous Congresses have rejected, and which has been thoroughly discredited in Europe."

That statement is just as pertinent and just as true in 1969.

The Electoral College system which we have is a sound and successful system. It could be improved by doing away with state bloc voting, which the district-by-district bill would accomplish. This is what should be done.

DISENFRANCHISED

One aspect of the popular vote amendment proposed by Sen. Birch Bayh of this state is the question of what such an approach would mean to the voters of Indiana.

The answer is that, depending on the variables of any given election, the voting strength of this state could be swallowed up by the population power of the largest states in the union. Equally to the point, votes cast honestly by citizens of this state could be nullified by dishonest votes in New York or Chicago or Kansas City.

This is an ironic development in view of the fact that one argument urged in behalf of the popular vote approach is that it would "equalize" election results, and that mathematical arguments have been brought forward to suggest Indiana and other states would gain proportionally if the popular vote went through. But these arguments, although interesting as arithmetic, ignore the hard realities of politics.

These realities include the fact that some nine large states, of which Indiana is not one, encompass some 51.9 per cent of the nation's population and could theoretically control the election. Moreover, within these states themselves a great part of the population is included in cities with a million or more inhabitants—cities which Indiana does not possess.

Under these circumstances, it seems apparent that electoral efforts would have to be focused heavily on these cities and these states, where the most voters counted by the head can be reached the most directly. It is therefore likely that the big cities and the big-city states would in point of fact wield as much influence or more than under the present system, even if their impact on the election is supposed to be reduced in theory.

The problem becomes more serious when we reflect that these cities are also the areas in which fraudulent votes are most chronic, and that the popular vote approach would create maximum incentives for such fraud. Without far stricter vote policing than has occurred so far or is presently contemplated, the quantum of fraud in these areas is almost certain to increase with the popular vote. This will accentuate the power of the big-city states still further.

Under this proposal, in short, we believe the citizens of Indiana, whatever the theoretical benefits being extended to them, stand in danger of being doubly disenfranchised. First, by the emphasis the popular vote system would place on the big-city states. And second, by the heightened incentive the system would give to fraudulent voting and the heightened impact of such voting on the final outcome.

MILITARY WASTE

Mr. MONDALE. Mr. President, over the past few weeks we have been focusing on the administration's ABM proposal as we consider the military procurement authorization for fiscal 1970. Although the issues involved in this debate are of the utmost importance, we must not forget that a number of other programs authorized by the bill deserve the most penetrating scrutiny if we are to come up with a lean, effective defense budget. Clearly, Congress has the duty to eliminate military waste wherever it can be detected.

In this regard I wish to draw the Senate's attention to an editorial recently published in the Waukesha, Wis., Freeman. The editorial touches on the contribution being made by the distinguished Senator from Wisconsin (Mr. PROXMIRE) and quotes at some length from his July newsletter to his constituents. As the editorial points out, reducing military spending not essential to the defense of the United States can sharply reduce inflationary pressures. In a sense, this sort of reduction may be said to contribute in substantial measure to the Nation's defense by strengthening our economic power. We cannot expect to maintain our position of power and influence among the nations of the free world if we continue to be wracked internally by soaring prices and faced with strong discontent on the part of a growing segment of our society.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PUBLIC HAS BIG STAKE IN MILITARY WASTE

The knack U.S. Senator Bill Proxmire has for reducing complex issues to their simplest denominator is illustrated in his July letter to Wisconsin constituents. In discussing what he alleges to be a $10 billion waste in this year's military budget, Proxmire claims every American family has a $200 stake in what he and some of his Senate colleagues are attempting to do. In short, they have organized to make a meaningful attack to reduce military procurement.

"For years," he states, "there has been talk of reducing military waste and occasionally an amendment on the floor of the senate would succeed in actually shaving it a little. But this year for the first time we are organizing to really do something about it."

He recalls that last year the Joint Economic Committee held an increasing number of hearings on the military budget and "we uncovered case after case of waste. This year we intensified our hearings. We have the best documented case against military waste we have ever had."

Proxmire then goes into an item after item recitation to substantiate the committee's claims, including the colossal weapons system failure (XB-70) of which two craft were built at a cost of $1.5 billion. One crashed and the other was placed in the Air Force

museum—a costly exhibit which we wouldn't believe the military is proud to display.

An even more serious indictment is the Wisconsin senator's allegation the committee has "repeated testimony by high Pentagon officials that defense contractors and the Pentagon deliberately lied to congress about the cost of weapons systems so that congress would authorize them."

This is the kind of arrogance which unchallenged power breeds. For far too many years members of congress have sheepishly and silently sat by while the Defense Department was given everything it asked for amid plaudits from those who simply assumed the money requests were honest and necessary.

Proxmire pledges he and the group supporting him as chairman, have a plan of action during forthcoming debates calculated to reduce the 80 billion defense budget and "greatly ease inflationary pressures that are pushing up both prices and interest rates. It could also be the most realistic way of giving you relief from the crushing federal tax burden."

The senior senator has built a reputation as an able critic of the establishment. He is making his presence felt in Washington and deserves the support of everyone interested in bringing a degree of sanity back into federal budget-making.

We wish him well.

FUTURE SPACE GOALS

Mr. ANDERSON. Mr. President, on July 27, the Washington Sunday Star published an editorial entitled "After Apollo—Time To Return to Earth," which I ask unanimous consent to have printed in the RECORD at the end of my remarks. While the title is somewhat misleading, several points are raised upon which I would like to comment.

First of all, I agree that now is not the time to commit ourselves to the goal of a manned mission to Mars. Without a doubt, men from the planet Earth will someday set foot on Mars, but it is too early to set a hard and fast time table for the project for the simple reason that the technology is not available and there are many intermediate steps that must be mastered before a reasonable schedule could be established. Furthermore, there is much knowledge that will be gained in the next few years in the various additional Apollo flights to the Moon and in the near-earth-orbit operations in the Apollo applications program. Also, our unmanned Mariner and Viking missions will greatly increase our knowledge of Mars in this period. The gathering and digesting of this information will be essential in planning an intelligence strategy for space exploration for the remainder of the century. We may find, for example, that establishment of a permanent lunar scientific base will be a more attractive intermediate goal.

Second, the fact that we have landed men on the Moon should allow use to exert greater effort to solve our earthly problems, but it would be folly to contend that the way to solve these problems would be to cut back on the space program. Rather, our magnificent Apollo achievement should inspire us to solve other problems, and a vigorous space program should be pursued in order to keep our technology, and hence our economy, strong.

Third, the Apollo program has not been a crash program, despite what some people think. It has been a fast-paced program with tight schedules. Despite the fact that sometimes these schedules have had to be altered, or slipped, they have been realistic and are essential to the efficient execution of the program. Whatever our future space goals, they should be done within a framework of careful scheduling lest they become inefficient and, therefore, more costly than need be.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AFTER APOLLO—TIME TO RETURN TO EARTH

The Apollo 11 mission is safely and gloriously completed. The trio that reshaped the world have come back to earth. It is time for the rest of us to do the same.

While Armstrong, Aldrin and Collins were on their historic mission, euphoria was the order of the day. Man had made good on his ancient dream. He had traveled to a world beyond his own. There he was, before the eyes of a disbelieving world, walking, running, hopping, working on the surface of the moon. Small wonder that men on earth—most of them—felt their horizons expanding as they began searching for a new dream to replace the one that had suddenly become a reality.

While Apollo 11 was still in the midst of its fantastic voyage, the visionaries went to work. Next stop, Mars. Then the rest of the planets. Then, of course, the stars of our galaxy in search for undiscovered worlds. Man was on his way, and the frontier was without limit.

These soul-stirring plans for the future were not being offered by the space planners whose function it is to conjure up visions of man's destiny in space. They were not the product of the science-fiction writers, who must move on to new far-flung pastures now that man has invaded their principal domain. They were set forward as desirable—almost inevitable—national goals by those whose duty it is to establish such goals: A senator, the vice president, and, by unmistakable implication, the President of the United States.

We agree that man has a destiny in space; that he has, in fact, a biological drive to extend his reach and to expand his life just as far as his capability permits. Apollo 11 has shown that space travel is a practical reality, that man can indeed land on worlds other than his own and that he can work and live, for a time at least, in strange and hostile environments. We have little patience with those who see the moon mission only as a waste of time and money, or with those who argue that it was nothing more than a bread-and-circus act calculated to divert attention from problems on earth.

But man is an animal that can and should respond to more than the basic urges that impel him to carry life as far as he can go. His instincts can be tempered and altered by his intellect. And the time has come for man to curb the excitement, the enthusiasm and euphoria that were the inevitable fallout from the moon mission, and to think very carefully about where we go from here.

Vice President Agnew, who heads the task force charged with setting future United States space objectives, was quite specific. We should, he said, go to Mars. We should land men on that neighboring planet by the end of the century. Senator Charles Percy went the vice president about a decade better. The President, in addition to his almost uncontrolled enthusiasm over the Apollo 11 mission, spoke to visiting foreign students about far-flung space explorations of the near future and of the assurance of finding life on unspecified planets.

This is not, in our opinion, a time to commit the nation to any hard timetable for another space spectacular, or to launch a crash program for a Martian landing comparable to the convulsive effort that has put us on the moon.

In the first place, a manned flight to Mars would require an expenditure of treasure that would make the $24 billion tab for the moon voyage seem like the fabled nickel ferry ride to Staten Island. A new generation of boosters would have to be developed. A vastly improved technology in guidance, spacecraft and life support would be required for the mission which, at the highest speeds attainable today, would take nine months for the 10-million-mile round trip.

Even with these drawbacks, Mars is the most inviting target in the solar system. Indeed, it may be our sun's only planet—besides our own—that is worth dropping in on. Venus, our closest neighbor, has a dense atmosphere of carbon dioxide and a surface temperature of 800 degrees. Jupiter, by today's standards, requires a four-year round trip. The other planets are simply too far, and for the most part, too hostile to life to make a visit worth while considering. As for the stars, even given a new rocket that could push man along at 100 times the present speed it would take 1,000 years to reach our nearest neighbor, Alpha Centauri. Assuming a real breakthrough would permit man to travel at the ultimate speed of 186,000 miles per second—the speed of light—it would still take nine years to get to Alpha Centauri and back again, with no time out for sight-seeing along the way or for exploring any planets that might be found.

But it would be a mistake, surely, to dismiss the possibility of vastly extended space flight on the basis that it is beyond the technical capability of man. The brief history of man's venture into space so far has demonstrated that yesterday's impossibility is today's commonplace. The plans for Mars and beyond should not be dismissed at all. But neither should they be approached at a fever pitch.

For the period immediately ahead—for the next decade at least—the focus of this country's attention should be on the domestic challenges that face us, and on the problems of environment, over population, disease, hunger and war that threaten the future of this fragile speck of matter that is our home. The excitement, the broadened vision, the proven ability of man to do what he sets out to do should be utilized to mount an attack on these long-neglected problems. Apollo 11 has cast a harsh light on life on earth, showing man's failures in sharp contrast to his breathtaking technical achievements. It is a vision that should not be blotted out. It should be exploited as an incentive to get the vitally needed jobs done on earth.

At the same time, the United States cannot withdraw from space. The huge investment in Cape Kennedy and Houston must not be let go to ruin. The vast aerospace industry must continue to function. The army of technicians and scientists must not be demobilized.

The complete Apollo program, calling for nine more flights over the next three years, should be funded. Beyond that, serious consideration should be given to the establishment of permanent manned stations on the moon so that we may truly explore and perhaps exploit the new world that we have already conquered. The manned orbiting station that NASA has proposed should be provided to test the ability of men to live and work for long periods in weightlessness. And far more emphasis should be placed, in the years immediately ahead, on unmanned probes of the planets—probes that can answer many of the questions at a fraction of the cost of manned flights.

None of these projects should proceed on an inflexible schedule as a top national priority. The minimum requirement should be enough momentum in the space program to prevent the structure from falling apart through disuse.

And always, during the decades ahead, every effort should be made by the United States to enlist the cooperation, the technical help and the financial support of any nation that is willing to contribute to the adventure that must finally be seen as the collective achievement of all mankind.

THE BANK CREDIT SQUEEZE

Mr. GOODELL. Mr. President, I urge the Federal Reserve Board to take prompt remedial action to deal with disturbing indications of an unusual stringency of credit in the large commercial banks.

The Federal Reserve Board has been pressing forward with its tight money policy to combat inflation.

One indication of tight money may be seen in the decline of the banking community's free reserves. These have declined since the end of last year by 27 times, to a present figure of minus $1.35 billion.

Another indication of tight money may be seen in the decline in the ratio of banks' liquid assets to total liabilities—less capital accounts. This ratio has declined by 21 percent since the end of 1968.

Vigorous monetary and fiscal measures are clearly needed to combat the inflation that now threatens our economy.

We must accept the fact that these measures, to be effective, cannot be wholly painless.

We must equally be aware, however, of the risks of putting on all the monetary brakes at once. The effects of monetary actions may take anywhere from 6 months to 2 years before they are fully felt. Monetary policy is a powerful and useful instrument, but we must be careful not to overdo its use.

I would like to call particular attention to the fact that the present condition of tight money is hitting one sector of the economy—the major banking institutions and their customers—particularly hard.

There have been disturbing indications of an unusual stringency of credit in the larger commercial banks. David Rockefeller, chairman of the Chase Manhattan Bank, in testimony before the House Banking and Currency Committee this June, spoke of the potential dangers of the current situation. He cited a serious problem his own bank was facing in honoring its loan commitments while meeting minimum liquidity requirements. Other large banks are apparently experiencing the same difficulty.

This is a disturbing problem because so many businesses—many of them too small to borrow directly in the money market—depend upon the large commercial banks for their immediate credit needs to finance current operations.

This is a matter which has not received sufficient attention.

This is a matter on which the Federal Reserve Board should take prompt remedial action.

Various remedies have been proposed.

One is to relax the 6¼ percent interest ceiling set by Regulation Q for large denomination bank certificates of deposit. This, it has been suggested, would enable the large banks to compete more effectively for funds in the money market, without increasing the overall supply of credit.

Another suggested remedy is to infuse a small amount of additional credit on an emergency basis into the banking system, subject to appropriate restrictions.

It is up to the Board and the administration's monetary experts to determine which particular remedy would be the most workable.

My purpose is to point out the existence and seriousness of this problem, and to urge that a solution be promptly sought.

THE PESTICIDE PERIL—XXXIV

Mr. NELSON. Mr. President, an editorial published in the New Republic of July 19 describes one of the major difficulties in establishing effective pesticide regulations: "Political Sanguinity in Washington."

Regulations and controls on the use of persistent, toxic pesticides do exist, but as brought out in recent hearings before the House Subcommittee on Intergovernmental Relations, enforcement is all but nonexistent. Examples of negligence and abuse of Federal regulations included a cockroach killer whose label warned on one side to "use only in well ventilated rooms" and on the other side directions to "close all doors, windows, and transoms"; authorization for an insecticide pellet vaporizer for use in restaurant kitchens, although the danger of food contamination had been cited by the Public Health Service and the Food and Drug Administration; and the continued presence of thallium rodenticides in some retail stores despite the cancellation of its registration in 1965.

Some States have already dealt with the pesticide threat by placing their own bans on the use of DDT, and many other States, in agreement that State action is necessary in the absence of Federal leadership, are currently considering measures to control DDT and other persistent pesticides.

I ask unanimous consent that the New Republic editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BALD EAGLES AND PEOPLE

The gradual extinction of the bald eagle and debilitating convulsions common among California grape pickers have a common cause—pesticides. The seven-year-old prophecies of Rachel Carson's *Silent Spring* are becoming realities as the billion-dollar pesticide industry goes on to peddle its wares unperturbed by actual or proposed federal regulation.

Two venerable Southern-agricultural institutions—the Senate Agriculture Committee and the Agriculture Department—are responsible for the industry's political sanguinity in Washington. Together they have successfully stymied any federal moves to control the sale and use of pesticides which, along with fertilizers, are responsible for the production of bumper crops on the limited acreage set by the farm subsidies program—another sacred cow of Southern agriculture. Year after year, the Senate Agriculture committee has killed Senator Gaylord Nelson's (D., Wis.) proposed ban on the interstate sale of DDT.

For a quarter of a century, the Agricultural Research Service of the Agriculture Department has vitiated the federal Insecticide, Fungicide and Rodenticide Act, which empowers it to register, prescribe labels for, and if dangerous, seize pesticides. Recent hearings before Rep. L. H. Fountain's (D., N.C.) subcommittee on Intergovernmental Relations have uncovered evidence of what is, at best, negligence and, at worst, venality. Some small samples:

A cockroach killer with a warning on one side of "use only in well ventilated rooms" and directions on the reverse side beginning with "close all doors, windows and transoms. . . ."

Insecticide pellet vaporizers being authorized for use in restaurant kitchens, despite the danger of food contamination pointed out to the ARS by the Public Health Service, the Food and Drug Administration and other federal, state and private agencies.

The dearth of ARS initiative, implementing its legal power to check company sales records and initiate multiple seizures of dangerous pesticides. For 22 years ARS has persisted in seizing only the lethal stocks in one or two individual stores. Despite 400 reported cases (with perhaps ten times that number going unreported) of thallium poisoning in 1962–63 (mostly of children), and their own cancellation of thallium's registration in 1965, thallium rodenticides may still be purchased in many retail stores.

A propensity to favor the products and complaints of certain companies. For example, Shell Oil company has registered, among 48 separate pesticide products, a "no pest strip" which only after several years of prodding by the Public Health Service, was finally required by ARS to carry a warning against its use in rooms where elderly people or infants are present. But it took only four days for ARS, upon receiving a complaint from Shell, to cancel the registration of a competing strip produced by a smaller company.

The coincidence of interests between the pesticide manufacturers (Shell, Dow Chemical, Union Carbide and American Cyanimid are among the major ones) and pertinent regulatory agencies of the federal government has only made state action that much more inevitable as the specter of ecological disaster becomes more visible.

DDT, the best known (its developer won a Nobel Prize for his feat) and most prevalent form of pesticide, has been singled out for special attention. New York stopped using it in city parks when its Director of Horticulture found natural predators, including the ladybug and the praying mantis, capable of doing a better, safer and cheaper job of controlling insect pests. Michigan, Arizona and California, finding their milk, fish and other food stuffs contaminated have placed controls on the use of DDT. Wisconsin has just completed several months of nationally audited hearings on pesticides. Their final report should encourage a number of other states to take action.

The focus of concern for pesticide regulation, however, may soon return to the federal level. The seizure of 4,000 pounds of DDT-contaminated salmon in Michigan last April prompted HEW Secretary Finch to appoint a commission to inquire into the benefits and dangers of various pesticides. Its final report is due next November. Meanwhile, the Department of Agriculture last week suspended the use of DDT and 8 other similar compounds for 30 days, pending another "review."

TIME IS SHORT FOR STUDENT FINANCIAL HELP

Mr. MONDALE. Mr. President, the need for full funding of the Federal student financial aid programs has never

been more serious than at the present time. The crisis that is presently before the students and their families is very simply stated: How to begin or continue a college education without the financial aid that, in effect, has been promised to them by the Federal Government.

Student motivation for a college education is not the issue. The problem that confronts the student who has planned for and committed himself to a college education is overwhelmingly one of finances.

The House of Representatives is at present considering the appropriations for the student financial aid programs in the overall 1970 fiscal year appropriations bill for the Department of Health, Education, and Welfare. I am particularly hopeful that, at the very least, the $16 million cut, by the Appropriations Committee, from the requested budget for the Educational Opportunity Grants program will be retored. The effect of this cut would be to reduce further the aid available to low-income freshmen.

Mr. President, I further call the attention of Senators to an article written by Eric Wentworth, and published in the Washington Post of July 26, relating to the financial aid programs and the special circumstances facing applicants for Insured Student Loans.

I should hope that we in Congress can better fulfill our commitment to students and their families by more adequately responding to their needs for higher education financial aid.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAPITAL EDUCATION: U.S. AID SQUEEZE HITS CAMPUS

(By Eric Wentworth)

Countless young Americans confident Uncle Sam would help them through college are getting a lesson they weren't bargaining for.

Call it Fiscal Botany 1A: The Government money tree, blighted by inflation, bears little fruit.

Needier students expecting Federal grants and direct low-interest loans are finding the funds in critically short supply. When they and their better-heeled brethren try the much-touted program of Government-guaranteed bank loans, they run into shortages there as well.

With less than two months before the fall term starts, Congress is deluged with demands to keep the faith and find the means to bail these students out. But there's no assurance at this point the lawmakers can turn the trick.

The first big test should come next week when the House is scheduled to debate the Health, Education and Welfare Department's money bill.

The House Appropriations Committee has increased the outlay for direct Federal loans to $188.2 million from the $161.9 million asked by the Nixon Administration, placing the funds available at roughly last year's level. The increase, however, comes to only about two-thirds the colleges' certified needs.

Furthermore, the committee has made it largely at the expense of money for direct Federal grants to low-income freshmen in the 1970–71 year. Money for such grants this year, appropriated earlier, falls far short of the sum of a year ago.

Prodded by hard-lobbying education groups, House liberals will likely try to boost the direct-loan funds as well as other outlays during the floor debate. If they fail, the often more-generous Senate may add some money when it gets around to the bill. But time is short.

Time is short, too, for efforts to resuscitate the guaranteed bank loan program which the Nixon team, like its predecessor, has counted on to make up for skimpiness in direct Federal aid. With its interest rate ceiling at 7 per cent while the commercial prime lending rate has soared to 8.5 per cent, this scheme is drawing at best a lukewarm reception from most bankers.

A House Education subcommittee chaired by Rep. Edith Green (D-Ore.) has been groping through meager statistics and sometimes conflicting advice for the best approach to this problem. The Administration, for its part, has wallowed in tedious internal debate on what it should recommend.

Meanwhile, the National Council of Higher Education Loan Programs warned Mrs. Green's panel Thursday that about one-third the students seeking guaranteed loans for the first time this fall could expect to be turned down. In round numbers, that could mean up to 200,000.

The District of Columbia, with a $2.4-million pool of guaranteed-loan money from 10 of the city's 14 banks, is in better shape than some locales, though director Robert A. McCormick complains the savings and loan associations have yet to kick in.

McCormick reckons, however, that the 1 million in the pool for first-time borrowers may have to meet a demand more than double that amount.

Requests for the higher-interest guaranteed loans are flooding in, naturally enough, from young people facing little or no chance of getting direct Federal grants, loans or work-study help. Locally, McCormick reports, many are low-income students.

The whole spectrum of student-aid resources, moreover, is being stretched as never before because an ever-larger number of needy students has been persuaded to pursue higher education. And they are heading for college at a time when tuition rates and other charges—reflecting the institutions' own efforts to make ends meet in the face of higher costs—are mounting anew.

Locally, tuition at George Washington University will be up $100 to $1800 this fall; at Georgetown University, up $200 to $2100; at Catholic University, up $200 to $1900. The University of Maryland is raising tuition and basic fees by some 25 per cent to $506, and boosting its charge to out-of-staters by $50 to $500.

Most deserving students who fail to receive the direct or indirect Federal aid they seek will probably attend college anyway this fall. They'll require greater sacrifice by their families, they'll look harder for part-time jobs, they'll be more Spartan in what they wear and eat.

But that's hardly the point. What counts is what they'll think about a Government which may well have led their hopes too high in the first place but in any event is failing to fulfill them. Their thoughts, undoubtedly, will be one more ingredient in the bubbling brew of student unrest that has already brought many campuses near the brink of breakdown.

WILLA MAE THOMAS: PEOPLE HELPER

Mr. HARTKE. Mr. President, from time to time we hear about the unusual efforts of an individual to make the world a happier home for all of us. Miss Willa Mae Thomas, of Indianapolis, is such a person. For the past 16 years she has worked tirelessly to foster a spirit of international good will. This she has done by helping approximately 3,000 high school and college students from foreign countries to find homes while they pursue their studies in Indiana schools. Her work has inspired those around her. I believe that her story, published in the Indianapolis Star, will prove similarly inspirational to a national audience. I therefore ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"WILLA THOMAS DAY" TO HONOR STUDENTS' FRIEND

(By Dennis J. Hoffman)

Miss Willa Mae Thomas could be called Indianapolis' ambassador to the world.

During the last 16 years she has helped approximately 3,000 high school pupils and college and post-gradate students from foreign countries find homes while they pursue their studies in Indiana colleges and universities.

Although she receives no pay for her work, Miss Thomas meets the students at the airport, makes certain they have proper clothing for Hoosier weather, and answers any questions they may have about life in this country, in addition to finding housing for them.

In an attempt to repay her for her years of services Mayor Richard G. Lugar has proclaimed July 20 as "Willa Thomas Day" and some of her friends are planning a testimonial dinner in her honor at 3 p.m. that day in the Atkinson Hotel.

For the four students who died during their stay here, she was left with the responsibility of making burial arrangements.

Miss Thomas also arranges for complimentary tickets for her students to see a fair, circus, sporting event or musical concert, if a student cannot afford the price of the ticket.

She has persuaded Mayor Lugar to present honorary citizenship certificates to her students.

"I tell the students I can help them with any problem they have except money," Miss Thomas said. "I don't have any and I don't expect any."

Miss Thomas has a scrapbook of letters from grateful students who remember how she made them feel welcome here. Many send her cards at Christmas while others have mailed gifts.

The students, from Japan, Southeast Asia, the Philippines, Europe, Africa and Latin America, phone her at all hours of the day and night with their problems and, like a dutiful mother, she offers common-sense solutions to her adopted family.

Miss Thomas sends letters of welcome to the foreign visitors before they arrive and gives going-away dinners when their student days are over. She helps those who want them, to find jobs and has been instrumental in getting scholarships for others.

She visits those who are sick or hospitalized, taking them a rose which is "all I can afford." She sends them birthday cards, attends their weddings and graduations, throws wedding and baby showers when appropriate On holidays such as Christmas and Thanksgiving she finds for those living in dormitories, homes where they can have a home-cooked meal.

As a child, Miss Thomas considered leaving her home in Mississippi to become a Baptist missioner to Africa. Today she still is very active in church affairs. She is religion editor of the weekly Indianapolis Recorder and she frequently checks up on her student family to make sure they're attending their respective churches regularly.

Miss Thomas decided to work with the foreign students after she received a warm welcome while attending a religious conference in Europe.

"The people I met in every country I

traveled in were so nice to me, speaking and helping in every way," she said. "So when I returned home I thought I should try to be nice to people of other countries when they come to ours."

She discussed this with friends who aided her in establishing the International Welcome Committee of Indianapolis.

This organization has sponsored 15 fund raising dinners to help the students, organized welcomes by city, state or church officials and helped set up an International Club for the students and other central Indiana residents from foreign countries.

The International Club sponsors two picnics, one each in the spring and fall, for members and friends.

"My purpose," she explained, "is to spread good will and understanding among all men to help build God's Kingdom of Peace on earth for men, that there may be love with harmony, and that all may live together."

Miss Thomas receives no money for her work but she has been honored by the Church Federation of Greater Indianapolis and other groups interested in international relations.

Some day Miss Thomas hopes to write a book on her experiences with the students. Proceeds from the book would go toward construction of an International House which would feature living space for exchange students as well as a soundproof music study room, a library, swimming pool and a spacious yard.

Miss Thomas' concern for her students leaves her little time to worry about her own problems. Two days after her testimonial dinner she is scheduled to enter the hospital to have a large tumor removed.

"I hope I'm recovered before Sept. 1," Miss Thomas said: "I have to attend a church convention in Florida then."

THE BOOK LOVERS' STUDY CLUB OF ALICE, TEX., URGES ESTABLISHMENT OF 100,000-ACRE BIG THICKET NATIONAL PARK

Mr. YARBOROUGH. Mr. President, I am pleased to announce that the Book Lovers' Study Club of Alice, Tex., has joined the growing list of supporters for a 100,000-acre Big Thicket National Park in southeast Texas.

The members of the Book Lovers' Study Club realize that we must take immediate action if we are to rescue the Big Thicket from its desperate reduction toward destruction. The Big Thicket has already been reduced from its original size of 3.5 million acres to about 300,000 acres. The ivory-billed woodpecker is rapidly becoming extinct because of the endless cutting of large trees in the bottomlands from which it gets its food. As thoughtful, intelligent, and responsible citizens, the members of the Book Lovers' Study Club and the many other organizations who join them in supporting a 100,000-acre Big Thicket National Park are doing everything they can to protect these invaluable natural resources.

Mr. President, I ask unanimous consent that the Book Lovers' Study Club's resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas the Big Thicket of Texas is a meeting place for eastern, western and northern ecological elements; and

Whereas this is the last stand in Texas of the nearly extinct Ivory-billed Woodpecker; and

Whereas this beautiful and unique area is rapidly being destroyed by bulldozer and chain saw; therefore be it

Resolved, That The Book Lovers' Study Club of Alice, Texas urges the preservation of at least 100,000 acres containing the most unique areas of the Big Thicket, these areas to be connected by environmental corridors; and be it further

Resolved, That the Interior and Insular Affairs Committee of the Senate of the United States be requested to set immediate hearings of S4 which would create a Big Thicket National Area.

THE HIGH COST OF ENVIRONMENTAL QUALITY

Mr. TYDINGS. Mr. President, it is ironic that on man's first mission to the moon he discarded some of the baggage brought along on the trip. Along with the glory evidently comes the garbage. While in this instance it was no doubt necessary, one cannot help but reflect that man seems inherently incapable of treating the land, sea, and air in which he lives with the respect they deserve.

Wherever he goes, man pollutes. I hope that in the decades ahead he will treat his space environment better than he has his environment on earth.

The May issue of News Front contains an article entitled "The Destruction of Earth." Its explanatory subtitle provides a clue to its content:

Men have polluted this planet to beyond the point of tolerance, and still they continue.

I do not think that anyone familiar with the quality of our environment would dispute this statement.

The article contains a number of well taken points: That the United States will soon face a basic choice between cleaning up the pollution and disturbing the present conditions of our economy or endangering the environment and maintaining these conditions; that "what makes the problem critical now is sheer massiveness;" and that it has been difficult so far to prove a direct causal relationship between certain pollutants and injury to health.

There is one statement, however, with which I take issue. Speaking of the costs of preventing pollution, the article states:

For, to put it bluntly, in the 1970's it still will be far cheaper to contaminate the environment than to set up preventive systems.

I do not think this is the case at all. In the first place, it ignores the long-term cumulative efforts of pollution. The further buildup of contaminants now means it will cost more later on to remove them. More importantly, the statement refers only to economic costs. But there are other kinds to consider. They can be summed up in that admittedly imprecise term "environmental quality." Contrary to Marx, man is more than an economic animal. The scope of his life is broad and decisions must reflect values other than dollars and cents. Only then can man achieve a quality environment. Economic factors are important, but they must not so predominate as to exclude other considerations.

The article is nevertheless well worth reading by anyone concerned with conservation. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE DESTRUCTION OF EARTH—MEN HAVE POLLUTED THIS PLANET TO BEYOND THE POINT OF TOLERANCE, AND STILL THEY CONTINUE

Man's flight to the moon could not be more timely—for he is now wearing out his welcome on earth.

After centuries of poisoning, the environment is finally getting "fed up." Air, water, land, which conveniently served as the cheap dispose-alls of pre-industrial society, are just not up to the task of continuously absorbing the vast and complex wastes created by today's military and industrial technologies, high productivity and widespread affluence.

If man persists in his reckless intrusions on the environment, say the experts, he will clash with nature and will eventually destroy the capacity of this planet to sustain life. But if he veers sharply onto the road of effective pollution control, there's a chance he may severely jar the economy and curb individual freedoms.

Sometime in the '70's, the U.S., as the nation where the problem is posed in its most acute form, will make a choice. That it will be for somewhat more stringent controls is certain. But many scientists doubt that the measures acceptable to the economy will be drastic enough to maintain the intricate balance of nature.

There's good reason for their scepticism. Except in moments of spectacular intrusion, as when an off-shore oil well recently dumped 21,000 gallons of raw oil daily for 12 days into the Pacific near Santa Barbara, Calif., it's difficult to arouse public concern, particularly when the full peril of the hazards may not be realized for generations.

Then there's the dearth of cost-accountable cause-and-effect information on specific pollutants. It's one thing to say that pollution is an important factor in lung cancer, emphysema, bronchitis and asthma—and quite another to name the specific villain and impose equitable legislative controls.

TOKEN LEGISLATION TO COMBAT AN EVERPOWERING PROBLEM IS ALMOST FARCICAL

The history of past programs is not encouraging. Congress first authorized a Federal program of research in air pollution and technical assistance to state and local governments in 1955. Eight years later, after few achievements, it passed the Clean Air Act, calling for expanded aid to states and more Federal research. This was amended in 1965, when standards for new motor vehicles were set up for initial application in the 1968 model year.

Then in 1968, the Air Quality Act was passed which called for a systematic regional effort to combat air pollution and the establishment of a 15-member Presidential Air Quality Advisory Board.

Concern about pollution is not new. To protect their drinking water from the wastes of 11 million inhabitants, the Romans built the Cloaca Maxima, one of the first major municipal sewers in history. In 1306, King Edward I prohibited the use of coal fires in London to help clear the air while Parliament was in session. And some 300 years later, John Evelyn voiced a familiar complaint in his diary when he exclaimed against the "hellish and dismal cloud" that enveloped London, producing "catarrhs, phthisicks, coughs and consumption."

What makes the problem critical now is its sheer massiveness. The motor vehicle, called by HEW the single worst source of air pollution, emits some 350,000 tons of carbon

monoxide, hydrocarbons and nitrogen dioxide gas into the atmosphere daily. Autos, factories and heating plants dump 3 million tons of contaminants into New York alone each year.

By the mid-'70's, oxides of sulphur from fuel combustion, the second biggest factor in air pollution, is expected to reach 40 million tons a year, some 10 million above the present level; while pollution from the destruction of solid waste from domestic, commercial and agricultural operations will climb from 170 million tons in 1966 to 230 million in 1976.

Escaping to the countryside won't help much, because the pollution is expected to extend at least 500 miles from the city, where the haze will diminish the solar energy reaching the farmlands.

Under a comparable assault, the surface waters of the U.S. are becoming so contaminated "as to lose their biological capability for purification within the next 20 years," according to a report by the National Academy of Sciences.

Lake Erie has already in effect died, overcome by a lethal dose of sewage, industrial wastes and the chemical runoff from heavily fertilized farmlands. Elsewhere, marine life in bays, inlets and coastal waters dwells in constant danger of extinction from malfunctioning of passing ships and off-shore wells.

The early '70's will bring a new threat. Nuclear power plants will discharge an estimated 50 trillion tons of heated water into U.S. rivers and streams. By the end of the decade, this thermal pollution is expected to double, at which time, according to some fish and game departments, it will seriously endanger the nation's fisheries.

Recently, man has attempted to divert dangerous chemical and nuclear wastes from water to land by building deep wells to serve as underground containers. There are over 100 of these now in use and about 300 are predicted by 1972. Some experts view them as hidden hazards, pointing out that if the wastes break out of their steel casings (and it has happened), there's no telling what effect they may have on plant and animal life—and ultimately on man.

IN SPITE OF COMMON SENSE, THE LACK OF SPECIFIC FACTS HINDERS ACTION

Air, water, land are all being contaminated at the level of "great worldwide danger" by DDT, according to one molecular ecologist. Another suspects the pesticide of threatening the supply of the world's oxygen. A third charges it may be inducing sex organ changes and interfering with the body's ability to respond to drugs.

Only a few scientists have really clashed head-on with the pesticide industry, illustrating what continues to be one of the big roadblocks to effective pollution control: the scarcity of hard facts.

"The general case is pretty well supported to show that pollution is bad for you," comments Dr. Richard Morse, chairman of the Commerce Department's Panel on Electrically Powered Vehicles. "But we can't say that X number of people died from nitric acid, or X number of people died from carbon monoxide; we don't have reliable information."

FEAR OF POLLUTION MUST BE STRONGER THAN FEAR OF ANTI-POLLUTION COSTS

Scientists do not interpret this admission as a warrant for indifference or inaction. By continuing to massively intervene in the environment without being aware of the harmful consequences until they are upon us warns Barry Commoner, chairman of the Department of Botany at Washington University, "we are conducting a huge experiment on ourselves." Thus he sees an urgent need for the scientific community to establish "some means of estimating and reporting on the expected benefits and hazards of proposed environmental intervention *in advance.*"

Some new tools for prediction and control may emerge from the report of the 55-nation International Biological Program on "Man's Survival in a Changing World," due in 1972. The American Association for the Advancement of Science is now studying "Unauthorized Environmental Hazards from Technological Intrusion." And there's a proposal afoot to set up a National Institute of Ecological Research, along with an agency to advise Congress on environmental change.

Skeptics shrug their shoulders and say while information-gathering of this kind is necessary, its only practical effect will be to confirm the scientists in their attitudes and leave the public where it is today:—momentarily outraged when pollution is publicized, yet hostile to legislation which would interfere with its autumnal rite of back-yard leaf-burning.

To mount popular support for tough control laws, say these observers, the "hard facts" will need to be clear and frightening enough to defeat the logic of cost. For, to put it bluntly, in the '70's it still will be far cheaper to contaminate the environment than to set up preventive systems.

Sophisticated incineration equipment will mean more taxes. To provide adequate sewers nationwide will cost $10 billion, plus $20 billion more to separate steam and wastes sewers, as will eventually be necessary. Higher rentals on apartments and steeper prices on homes will follow the control of sulphur oxide pollution from fossil fuels. And *used* cars owners will need to spend from $100 to $200 on devices to control carbon monoxide if the requirements for new cars are to make sense.

This leaves the responsibility for initiating programs with industry and government. The former has the option of developing technologies for cleaning up the air, water, land, or of facing legislative controls which may unsettle the balance of the economy while they restore the balance of nature. Either way the price is high.

A TECHNOLOGICAL REVOLUTION MAY BE NECESSARY TO INSURE MAN'S SURVIVAL

Some experts see the first step in an industry program consisting of research on causes and cost studies on effects. With specific causes isolated and measured, presumably systems and equipment could be invented to control effects. The last step would entail complete technological change-over. Instead of trying to clean up the combustion engine, for example, the automotive industry might switch to a reciprocating steam engine. Or combustion and nuclear plants might be supplanted by installations using the sun's energy to produce electrical power.

The shape of regulation and legislative controls would depend upon the political climate at the time. A nuclear accident, the final contamination of a national heritage, might bring about stringent measures, and the public might not think a limitation on its freedom too high a price to pay for protection against "ultimate intrusions."

More likely are the steps outlined by Edwin S. Mills of Johns Hopkins University in "The Economics of Air Pollution," which would entail direct regulation of pollution, with licenses, compulsory standards and zoning; payments, with subsidies for control devices and tax credits for investment in equipment; and fees for discharge of specific pollutants. Even these measures imply Federal intervention in the affairs of business and local communities on a big scale.

Predictions point to action by both industry and government in the early '70's, with one watching the other for significant moves. Thus the time announcement of a control innovation by industry may deflect the force of a control bill, while planned legislation may prompt the announcement of a technological break-through.

Somewhere behind the discussions of pollution and contamination the big payoff for effective control tends to disappear from view: it's no less than the survival of man on this planet. But there's another way of keeping the payoff in focus, and that's in terms of a particular town or city or region, where it means healthier people, better property values, new industries.

And for some it's a chance to reverse a downward trend, which is what Pittsburgh did in the '40's when, industralists, bankers and concerned citizens banding together, it fought its way out from under a choking cloud of smoke and discovered a new vitality.

To develop an ecological conscience may be too slow and arduous a process for man to attempt at this late date. But on a day when the smog bites into his eyes and he reaches fearfully for his next breath, he may decide once and for all to relinquish burning his leaves. It would be one step in the direction of where the air is clear.

So in the past 15 years, various laws and committees have been established to combat pollution. But they have made little real progress.

THE IMMINENT INCREASE IN ANTIPOLLUTION SPENDING WILL NOT BE ENOUGH

More money is forthcoming. In 1970, Federal funds allocated for pollution research will top $63 million, an increase of 17 percent over the previous year. Within a few months, the Department of Health, Education and Welfare—which has Federal responsibility for prevention and control—is expected to release the first detailed study of overall cost to government and industry of combined air pollution controls. Reliable sources estimate that the figure will be approximately $4 billion for the next decade.

There's little doubt the sum will be allocated. But all that money still won't clean the air.

OIL INDUSTRY SUBSIDIES

Mr. McINTYRE. Mr. President, our present tax laws have long been shameful in the magnitude and variety of special handouts from the public treasury to the oil industry. Now that Congress is talking seriously of putting an end to these longstanding subsidies, the industry has begun to marshal some counter-arguments. One of the more specious of these industry arguments was recently advanced by the Petroleum Industry Research Foundation.

According to the foundation, any reduction in the present depletion allowance available to the industry would be followed immediately by a hike in petroleum prices. And, since low-income families spend a higher percentage of their incomes on gasoline than the well-to-do, any such price hike would have a decidedly regressive effect. Thus, the foundation concludes, legislators concerned with the needs of the Nation's poor have no alternative but to support the present allowance.

An excellent appraisal of this curious line of thought was published recently in the form of an editorial in the Wall Street Journal. I ask unanimous consent that this trenchant editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AN UNPERSUASIVE OIL ARGUMENT

Now that Congress is talking of cutting the oil depletion allowance, the industry

naturally is mustering counter-arguments. Some of its points, however, seem singularly unpersuasive.

Under present law a producer can deduct 27.5% of the gross income from each well, up to 50% of the net income of that well. The House Ways and Means Committee has proposed a reduction in the allowance to 20%, and the idea has considerable support elsewhere in Congress.

Industry officials claim the companies could not absorb the added tax and would have to pass it along to consumers in higher prices, particularly for gasoline. The Petroleum Industry Research Foundation, Inc. estimates retail gasoline prices might rise by one cent a gallon.

It's perfectly true that corporate taxes are often passed along to consumers, if competition does not prevent it. And the oil industry is to some extent sheltered from competition by the oil import quotas, which raise domestic prices by limiting the inflow of less-expensive foreign petroleum. The industry's concern for consumers would be a bit more believable if it were also arguing for removal of quotas.

The Petroleum Industry Research Foundation stresses that a gasoline-price increase would hit the poor especially hard. Families with less than $3,000 in annual income spend 6.2% of their earnings on gasoline, the foundation says, compared with 1.5% for families earning $15,000 a year. By this argument, of course, the poor suffer most from the quotas and would gain the most from their elimination.

What's needed is a less emotional approach to the industry's economics. There's no question that petroleum producers, as they draw oil from the ground, are depleting their assets. The depletion allowance serves much the same purpose that depreciation deductions serve for other industries. Perhaps the allowance needs to be redesigned but its principle is sound.

In any case, the depletion allowance debate should be decided on the true economic issues. Not many legislators are likely to be swayed by the argument that, in supporting the allowance, they will be helping the nation's poor.

HISTORY OF THE GENEVA PROTOCOL OF 1925

Mr. PROXMIRE. Mr. President, I would like today to summarize briefly the history of the Geneva Protocol of 1925.

In 1921, at the Washington Conference on Limitation of Naval Armaments, a treaty was proposed that contained a prohibition on the use of poison gas in warfare. The United States signed the treaty, and the Senate ratified it unanimously, but it never went into effect because of France's failure to ratify it.

The Geneva Conference of 1925 was originally intended to restrict, if not to abolish private trade in arms. Though the conference made little headway in this area, the United States saw in it a chance to limit chemical warfare. To this end, the U.S. delegation introduced a proposal to prohibit international trade in poisonous gases for use in war.

This proposal ran aground on the arguments that it was impossible to distinguish gases intended for peaceful purposes from those intended for war, and that non-gas-producing countries' military preparedness would suffer if they could not import gases. Unable to find a midway point between unrestricted use and total prohibition, the conference decided on full prohibition, and drafted a protocol banning gases and bacteriological weapons that was very similar to the Treaty of Washington.

The United States, in keeping with its stand at the Washington Conference, signed the protocol on June 17, 1925, along with 37 other nations. Proponents of the treaty saw little obstacles to its ratification, particularly in view of the Senate's speedy action on the Treaty of Washington.

The protocol encountered considerable opposition in the Senate, however. The Senate Foreign Relations Committee considered the treaty in executive session, and reported it favorably more than a year after its signing, on June 26, 1926. The Protocol was vigorously opposed by veterans organizations, parts of the Military Establishment and the chemical industry. It became obvious that the treaty did not have enough support to be ratified, and it was sent back to committee on December 13, 1926.

For the nations that had signed it, the Treaty came into force on February 8, 1928. On April 8, 1928, the Soviet Union, which had not signed the treaty originally, acceded to its restrictions. By 1939, 42 countries had ratified the treaty. Though President Roosevelt reaffirmed our policy of using chemical and biological weapons only when attacked with them first, the Geneva Protocol remained in committee, unratified.

In 1947, President Truman removed the treaty from Senate consideration along with a number of treaties that had become obsolete. At this time about 60 nations, including all of NATO and the Warsaw Pact, have ratified the agreement.

RESIDENT ALIEN RADIO AMATEURS

Mr. GOLDWATER. Mr. President, 5 years ago legislation which I had introduced pertaining to certain aliens became law. This act permitted visiting aliens, who were practicing amateur radio operators, to operate radios within the United States. They could do this only if their countries offered reciprocal agreements and only after a careful review indicated that the national security would not be imperiled through this privilege. During fiscal years 1967 and 1968, 336 and 441 aliens received this authorization. I am pleased to say that in the opinion of all concerned, including administrators and beneficiaries, this program has been very successful.

Mr. President, after the inauguration of this program, we found that a most important group of aliens were excluded from the opportunity to use amateur radio equipment. This group consists of resident aliens who are attracted enough by our country to want to give up citizenship in their own native lands and to declare their interest in becoming U.S. citizens. These alien hams have fallen into a wide legislative gap which, on one side, benefits the visiting alien and, on the other side, the U.S. citizen. In March of this year, I attempted to close this gap through the introduction of S. 1466.

This measure would permit the Federal Communications Commission to issue a license for the operation of amateur radio stations to aliens admitted to the United States for permanent residence who have filed under section 334(f) of the Immigration and Nationality Act a declaration of intention to become a citizen of the United States. Like the visiting alien, the applicant under this bill would be subject to review by the appropriate Federal agencies to insure that the national security would be protected; and like the visting alien, the applicant can be summarily denied a license for security reasons. Unlike the visting alien, however, the declared alien would have to submit to the same examination and licensing procedures as those required for an American citizen.

During the past 5 years approximately 66,000 aliens have formally declared their intentions of becoming U.S. citizens. I mention this period because it is the usual waiting time imposed on resident aliens before they become eligible to petition for U.S. citizenship. While no accurate figures are available, it is estimated that a score or two of these declared aliens are radio amateurs. So you see, Mr. President, that this legislation will benefit only a few very important people. I fully appreciate the relative priorities of congressional concern. Within these priorities currently are such monumental matters as appropriations for space exploration versus those for poverty, decisions on the ABM system, and extension of the surtax and tax reform. Among these legislative behemoths, the problems of a very small and uninfluential minority are likely to be lost. I do not intend to let this happen. I believe that a quality Congress can deal effectively with large and small issues, and that this is a quality Congress.

Mr. President, were any of us to decide to change our citizenship, we can imagine some of the practical and emotional concerns that would be generated. There is no reason to add to these, in the case of foreign citizens admitted to our shores, by denying the amateur radio enthusiasts among these aliens the practice of this activity for a 5-year period while they await their American citizenship. It is interesting to conceive that we might enrich their motivation, dedication, and American patriotism by granting radio licenses to those who qualify. It may be that these new "voices of America" can do much to enhance our reputation abroad as many of our 265,000 amateur radio operators have already done.

Incidentally, I am pleased to announce that the American Radio Relay League, the nonprofit organization which represents most of the members of the ham fraternity in this country, has endorsed this proposal without qualification.

Mr. President, after working out the administrative details and procedures for security, opposition to the 1964 law enabling alien visitors to operate amateur radio equipment was almost nil. Opposition to legislation granting a similar privilege to alien residents devoted enough to the United States to announce their intent to become citizens should be completely nonexistent. I urge action at the earliest possible time to accommodate the interests of this very important group of

future citizens. In this regard, I ask unanimous consent to have printed in the RECORD several letters and articles pertinent to this effort.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

ZERO BIAS

Once again, in 1969, the Congress of the United States will attempt to rectify an error in the original "Reciprocal Licensing" measure passed in 1964. The error—or ommission—allowed amateur operation by foreign nationals visiting the U.S. (when proper applications were made, and when proper reciprocal agreements existed between the U.S. and the particular foreign government), but did not permit similar privileges for individuals who had emmigrated to the U.S. and were applying for U.S. Citizenship.

Last year, Representative Theodore R. Kupferman of New York took the first step in that direction with the drafting of a Bill (H.R. 16764) designed to permit such operation. Predictably, H.R. 16764 died in committee, but with the recent re-election to the Senate of K7UGA, Barry Goldwater, the hopes of immigrant would-be operators rose once again. Also, predictably, Senator Goldwater has taken the bull by the horns, and introduced in the 91st Congress a Joint Resolution "To amend the Communications Act of 1934 to provide that certain aliens admitted to the United States for permanent residence shall be eligible to operate amateur radio stations in the United States and to hold licenses for their stations."

The Joint Resolution labeled S.J. Res. 27 was introduced January 23, 1969, read twice and referred to the Committee on Commerce for study.

We sincerely hope that the efforts of Mr. Kupferman, Mr. Goldwater, and the firebrand behind the whole situation, George Pataki, ex-YO2BO, will not be in vain, and that we'll see the amendment become law during this session of Congress. Amateurs can help assure the success of the measure by making their feelings known to their state's Representative and Senators. A Post Card, Radiogram, Telegram or letter stating your desires may not move mountains, but when it comes time for a vote, Joint Resolution number 27 may sound familiar to *your* Congressman because of *your* letter. Please write today.

S.J. RES. 27

EDITOR, *CQ:* Please accept my thanks and appreciation for your second recent article (ZERO BIAS, March 69) regarding licensing of immigrants in the U.S.

As an immigrant (now citizen) and an amateur radio operator in Israel and now in the U.S., I can only hope that the thousands of immigrants from all over the world who will follow me, and many in this country at present, will not have to wait five full years to obtain amateur radio licenses.

I was an active ham operator before leaving for the U.S., and believe me, the waiting period was not easy. I had the means, the know how and the experience to obtain and operate a ham radio station but was not permitted to do so because of the existing laws.

I believe that many hams, after such a long period away from their sets may never return to them, and the loss is also ours. I know of many such cases.

I would like to remind all my fellow hams in the U.S. about S.J. Res. 27 and urge all to show their support by writing their congressman to support that resolution in the 91st Congress.

I hope that our medieval laws regarding licensing of immigrants will be changed and thereby enable us to accept many excellent hams and old timers into our growing society.

Thanks again, Dick, for your support, your fine article, the use of your editorial column and the pages of your magazine for such a good cause.

DAN B. LIEBRECHT,
WA2CRD/ex-4X4JS.

RIVERDALE, N.Y.

EDITOR, *CQ:* I like to thank you for taking a stand in favor of Senate Joint Resolution 27, in your ZERO BIAS editorial, March 1969. This bill, introduced by Senator Barry Goldwater, K7UGA, would amend the Communications Act of 1934, allowing immigrant radio amateurs with permanent resident status, to apply for a W license.

I have talked to many radio amateurs about this problem. All agreed with this proposed legislation but few of them took time to do something about it.

Hearings will soon begin on S.J. Res. 27. I wrote to the United States Senate, Committee on Commerce, in Washington, D.C., and to my U.S. Senators, in favor of this bill, but this is not enough. I urge American radio amateurs to write now to their Senators expressing strong support for this bill.

We former DX stations, now living in the United States and future citizens of this country, sincerely hope that the American amateurs will help us in getting S.J. Res. 27 passed.

GEORGE PATAKI,
ex YO2BO.

NEW YORK CITY, N.Y.

EDITOR, *CQ:* Like most hams, I heard of the Goldwater bill, Senate Joint Resolution 27, which would allow immigrants to this country the privilege of obtaining an American license, a privilege they are currently denied. Since many foreign nationals may operate here under reciprocal licensing agreements, it seemed only logical that immigrants who have applied for permanent residence in the United States be allowed the same privilege. Like most hams, I agreed with the idea of this bill and promptly forgot it.

Unlike many hams, however, I came in contact with several foreign hams who have actually been forced to give up their hobby because of the current regulations and whose only hope for operating is the passage of this bill. I have now written my Congressman urging support of Senate Joint Resolution 27 but my one letter will not do any good without support from others.

Will you be like most hams and forget the plea of the number of future Americans who are now denied operating privileges or will you take the few minutes required to write your Congressman and urge his support? Help someone else enjoy the privilege we have and send your letter today.

DENNIS MCALPINE,
W1DYE/2.

NEW YORK, N.Y.

IMMIGRANT OPERATORS

EDITOR, *CQ:* I am one of those people who has left his country to realize his dreams and is at the point of touching his life ideals. I am soon going to arrive in the USA as an immigrant with permanent residence and I hope to get US citizenship as soon as possible.

I am convinced that my dreams will soon become reality for in the USA—in the middle of American society where I shall live and work—it is easier than in any other country to bring those dreams into being.

Only one of those dreams, one to which I have devoted all my time, seems to be more difficult to touch.

I have been an active radio amateur in my former country (Romania) from 1954 to March 1969, and had a first class license to operate all categories of radio amateur stations, being one of the operators of Central Radio Club station, YO3RCC. My call was YO3LM. I am also a graduate electronics and telecommunication engineer.

I know that at this time in the USA it isn't possible, if you are an immigrant, to obtain a license for amateur radio; it's possible only after you get US citizenship. Amateur radio was all my life and it's very hard for me to be kept away from it. Dozens of American radio amateurs may remember our first contacts in two way single sideband and other contacts during ARRL or *CQ* World-Wide DX contests. I was always pleased to establish contacts with American stations.

Many immigrant ex-amateur radio operators with licenses are looking forward to becoming owners of a U.S. License.

I am one of them.

I ask that all United States radio amateurs help to support Senator Barry Goldwater's bill S.J. Res. 27 concerning the amendment to the Communications Act so as to provide aliens with permanent residence in the USA permission to operate amateur radio stations in the U.S. and to hold licenses for their stations.

Please write as soon as possible to the appropriate persons: Congressmen, Senators and let them know your feelings. It will make it easier for the amendment to become law.

SERGE COSTIN,
ex-YO3LM.

BAD DREUZEN, AUSTRIA.

GOLDWATER BILL FOR IMMIGRANTS

Senator Barry Goldwater has introduced S.J. Resolution 27 which would allow immigrants with permanent resident status, who have filed "first papers" for citizenship, to acquire amateur radio operator and station licenses. His earlier bill allowed visitors to operate here on a reciprocal basis; this did nothing for refugees whose licenses would have been cancelled by their former country, nor for immigrants who found an interest in radio after arriving here. The bill has been assigned to the Commerce Committee. (A similar bill was introduced in the House last year, but was not acted upon before Congress adjourned; such bills do not carry over into the next Congress, but must be reintroduced.)

LICENSE FOR IMMIGRANTS

Coming to the U.S. I was hoping to apply for a W call but here I realized that getting a U.S. license means to me a full 5 years waiting period. That is because the present law permits issuing of amateur radio licenses only for American citizens.

Senator Goldwater (KUGA) has introduced a bill in the Congress which, if passed, would allow foreign amateurs to get American licenses after they have received their "first papers."

A lot of other foreign amateurs are in the same situation. Now, I ask every W/K to express his support for this bill, called Senate Joint Resolution 27, sending a letter to the Chairman of the Committee on Commerce; Senator Warren G. Magnuson, Washington, D.C. 20510.

The American amateurs have been always friendly and helpful to me during thousands of QSOs and I sincerely hope they will give me now the necessary support to get a W call.—*Illie Nuculae, ex-YO4AAC, New York, N.Y.*

NO CITIZENSHIP REQUIREMENT?

The Communications Act permits foreign nationals who are neither citizens nor permanent residents of U.S. and probably never will be, to own and operate an amateur radio station but does not give the same right to the legally admitted immigrants who are permanent residents of United States and future citizens.

I feel that this particular regulations of Federal Communications Commission against which I am complaining is unfair

and discriminatory against of a group of new Americans and I am asking you to start an action to change it. I understand this can be done by an amendment passed by Congress.—*George Palaki, New York City, New York.*

I agree completely with Mr. Pataki's letter in the February issue concerning the citizenship requirement for a radio amateur license. Before I came to the United States I was holding a ham license in Germany. Here I cannot get a license because of the citizenship requirement. I was told that I could operate under my German license, but this license was revoked when I left Germany, because that country has a residence, rather than citizenship requirement. In the U.S. army I was entrusted with official communications, but "on the outside" an immigrant is not trustworthy enough to go on the air. Surely there are many others in the same boat and cannot wait until the 5 years required for US citizenship are up. I hope that soon the FCC will remember this forgotten group, maybe with the aid of the ARRL.—*Wolfgang Pfeifer, Inglewood, California.*

ZERO BIAS

A few years ago, in 1964, amateur radio in the US enthusiastically greeted the news that the US Congress had passed, and President Johnson had signed into law, PL 88–313, legislation permitting the US State Dept. to enter into negotiations and agreements with foreign governments for the purpose of allowing foreign amateurs to operate while in the US and possessions. In the years since the passage of PL 88–313, the US has negotiated "reciprocal privilege" agreements with 32 foreign governments, and amateurs from both sides of the borders have begun to enjoy new freedoms which had previously been denied. But a few flaws seem to exist in the law.

There seems to be no provision in the law covering the special case of political refugees and immigrants to the US, although alien operators *are* permitted to operate after proper application and authorization. There also is no provision for an alien applicant who has been denied an operating permit to find out *why* it has been denied.

Cases which have been brought to light recently involve political refugees from eastern European countries. These refugees have brought with them to the US great enthusiasm for the American way of life, enthusiasm for amateur radio, and great technological know-how. They have also signed written declarations of their intention to become citizens of the US, and have begun the long and arduous task of becoming naturalized citizens of the US. But a quirk of US law prevents these individuals from holding an amateur license until they are actually citizens, perhaps five years from now.

Are these political refugees a greater risk to US national security then, let us say, another alien here on vacation? Obviously not, so that line of reasoning for the laws is invalid. Then are they any less likely to be enthusiastic and law-abiding amateurs than a native born or naturalized citizen? No, the prime reason for this situation is legal laxity and oversight. No one has cared enough about the existence of the problem to say anything about it except, perhaps, the immigrants involved, and lacking a vote, they lack the tool of "constituent pressure" that a citizen can frequently bring to bear.

REFUGEE AND IMMIGRANT AMATEURS

DEAR OM: Having read your ZERO BIAS in January *CQ*, I wish to make a few comments on the subject. Having been a native of Germany and immigrated to the U.S. in 1961, I think I am qualified to speak on the matter of licensing immigrants and fully support your view in letting immigrants become radio amateurs in the U.S. However, if eligible for citizenship they should become citizens or else lose their license. This is the way our neighbors in the north (Canada) handle it. To wait 5 years is a long time and to me it seemed unfair to let foreigners operate while visiting U.S. just because they were hams in their own country. Thank you very much for your support and outspoken opinion on this matter, Dick. You most certainly have my support and let's hope our law makers can see it the same way.

HAL KOSTLIN,
WN6YNG.

ONTARIO, CALIF.

EDITOR, *CQ:* I am a holder of Telephone 1st, Telegraph 1st and Advanced amateur licenses and I wish to state that I am in favor of amateur license for permanent residents of our country.

Your editorial in January *CQ* certainly points up a problem which has been neglected or overlooked so far.

CARL H. PAULSON.

PEARL RIVER, N.Y.

DEAR DICK: As a reader and subscriber to *CQ*, I would like to congratulate you for your January 1968 editorial and for bringing to the attention of your readers a problem which has unfortunately received all too little care.

I know of one particular case of an Eastern European refugee who was an active amateur in his home country and who fled his native land in order to find new opportunity and a new future in the United States. Although he has declared his intentions to become a U.S. citizen and has filed the necessary papers to that effect, he is prevented from obtaining even a temporary amateur license. There is no logical reason for this injustice and I would hope that legislation can be passed to remedy the situation.

I, for one, am writing to my Senator in Washington in the hope that other amateurs may feel inclined to do likewise, and so bring this situation to the attention of our legislators. U.S. amateurs are, for the most part, extremely well treated when they visit foreign lands; there is no reason why we cannot at least extend some sort of courtesy to those who seek new homes in our country.

Thanks again for bringing up a timely and important topic in your editorial column.

IVES A. FEDER,
W1EOX.

CHESTER, CONN.

DEAR MR. ROSS: I am writing to you to commend you on your stand in ZERO BIAS concerning political refugees. I happened to know one of these fellows . . . and I am not surprised to realize how lucky they feel we are! The point he made was, we have so many people (inactive hams), who don't exercise their privilege! I'm afraid I had to agree with him . . . not only that, his dedication to the hobby was intense rather than a fly by night attitude.

After reading your article, I can't see where a temporary license could not be issued. It seems the least we can do under the circumstances.

Besides, these amateurs can offer a wealth of exchange information concerning all gear used. This country became great by the very acceptance of people like this and we should continue to be the one country in the world who make no conditions on citizens of the future.

WARREN JARVIS,
K2LUE.

BAYSIDE, N.Y.

ALIEN OPERATORS

EDITOR, CQ: In connection with your ZERO BIAS editorial from January 1968, I would like to make a few remarks:

I am one of those amateurs who came in United States as an immigrant and started with great hopes for a new life. Being a graduate of electronic and telecommunications engineer, I got a very good job and I work for CBS Television network in New York City. I have all the reasons to be very happy in this wonderful country, but I happened to be an enthusiastic radio-amateur and the Communications Act of 1934 prohibits me as a permanent resident of the United States, but not yet a citizen, to have my own station. In my native country, Romania, I had a license, my own call was YO2BO and I was the chief operator of YO2KAC club station. Only a ham can understand what means to me to wait 5 years to get citizenship and a license. It seems unbelievable that I can operate a professional broadcasting equipment for one of the biggest television net—of the world, but I can not operate my own amateur radio station. It is interesting to mention that many countries give amateur licenses to their immigrants, for example Canada does it. Other countries grant licenses not only to their citizens and residents but to all visitors interested in amateur radio. The Communications Act, based on Reciprocal Operating Agreements, permits to citizens of 33 foreign countries to operate their own amateur radio station here in U.S. but does not permit the same thing to the permanent residents of United States, people who live constantly in United States, work in United States and support the United States.

Here in the United States there are many immigrants from different countries who are also amateur radio operators and they all dream the "impossible dream" to get a W license.

I understand that only an amendment of the Communications Act by action of the Congress can offer a solution to our problem. For this we need the support of American amateurs, citizens will—to write to their Congressman, urging for support.

GEORGE PATAKI,
ex-YO2BO.

NEW YORK, N.Y.

WE NEED TO REDUCE THE MAXIMUM WORKING HOURS ON RAILROADS FROM 16 TO 12

Mr. YARBOROUGH. Mr. President, as a cosponsor of S. 1938, an amendment designed to revise the hours of service law to reduce the maximum number of working hours in a 24-hour period from 16 to 12 hours per day, I stress the importance of this piece of legislation.

Since its enactment in 1907, over 60 years ago, the hours of service law has not been amended in any material respect. At that time, the maximum number of hours that employees of a railroad could work per day was set at 16. In the years since that important act, machinery and railroading have changed vastly, and it is now recognized by all parties that it is not safe for a man to work on a railroad for such an extended length of time. The Post Office Department, for example, requires that a worker stop work if he has been on the clock for 12 hours in 1 day. There are numerous other measures which, in the interest of the workers and of public safety, limit the number of hours a man may work in a day.

This matter is especially pressing in light of recent developments in the railroad industry. Safety on the railroads has been deteriorating. Average weekly hours on duty for railroad engineers on passenger trains has risen from 30.5

hours in 1964 to 40.1 in September 1968. On local freight trains, the rise is from 55.5 to 62.5 hours per week. There is no reason why men should be subjected to such long hours of toil week after week. The hours on duty are so far out of line with the normal hours worked by other categories of employees in the various industries that immediate rectification thereof is required for reasons of social justice.

In far too many cases, workers have complained that they have been required to work during their vacation, that their relief or release periods were not sufficient to provide adequate rest, and that many of them felt that they were at the physical breaking point.

Mr. President, in other transportation industries in the United States as well as in the railroad industry in other countries, it has been recognized that limiting hours of work at a point below the maximum presently prescribed for railroad operating employees is necessary in providing those employees with adequate, unbroken rest from their tasks. Testimony presented by the railroads to the House Subcommittee on Transportation and Aeronautics in regard to the 1966 bills to amend the hours of service law reveals that over 9 percent of all engineers in the various classes of service for October 1965 worked on an average of 12 or more hours per trip or tour of duty. The material submitted also proved that about 30 percent of those engineers in local and way freight worked 12 or more hours per trip or tour of duty in the same period.

We have waited long enough to correct this dangerous situation. In this day and age, I know of no justification for a law which allows a man to work 16 consecutive hours without rest. It is inconsistent with every other principle in our society. I urge the Senate to effect the prompt approval of the bill.

ON THE SELECTION OF WINTHROP C. LIBBY AS PRESIDENT OF THE UNIVERSITY OF MAINE AT ORONO

Mr. MUSKIE. Mr. President, these are challenging times on American campuses. From what we frequently read in our daily newspapers, administrators and students appear incompatible and irreparably estranged.

This, of course, does not represent the situation on a majority of American college campuses. My belief is that where there is harmony on campus, there is an administration which listens to its students and trusts them.

Such an administrator is Winthrop C. Libby, the new president of the University of Maine, at Orono. At the time of his selection, Mr. Bill Caldwell, of the Maine Sunday Telegram, wrote an editorial page feature on President Libby, and the feature has been reprinted in the Maine Alumnus magazine.

I ask unanimous consent that Mr. Caldwell's article on President Libby be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LIBBY IS APPOINTED PRESIDENT

(By Bill Caldwell)

(EDITOR'S NOTE.—Winthrop C. Libby, 57, was named the 11th president of the University of Maine at Orono April 16 by the university's board of trustees at an executive session. President Libby has served for the past 10 months as acting president. His salary was set at $30,000 per year. A member of the university faculty and staff for 35 years, he became acting president of the University last July when Dr. Edwin Young resigned to return to the University of Wisconsin. A native of Caribou, President Libby was graduated from the University of Maine in 1932 and received his M.S. degree in agricultural economics from the university in 1933. He has also done graduate work in agronomy at Rutgers and Cornell Universities. He was awarded an honorary Doctor of Laws degree by Ricker College in 1968. Appointed to the staff of the department of agronomy in 1934, was made head of the department in 1943. He served as associate dean of the College of Agriculture in charge of resident instruction from 1950–57. He was named to succeed the late Dean Arthur L. Deerling as dean of agriculture in 1957. In this position he directed the work of the College of Life Sciences and Agriculture, Cooperative Extension Service, and Maine Agricultural Experiment Station. He was named vice president for public services in 1968. During his years at the university he has been engaged in research activities, extension programs, and many public service activities. In 1966 he was named to the President's Committee on Rural Poverty, a select group comprised largely of cabinet officers and administrative officials. The committee later made a report to the President on their findings. He is married to the former Elizabeth Tryon and the couple has a son and two daughters.

(Bill Caldwell, editorial editor of the Marine Sunday Telegram, in his weekly Downstreet column, described Libby as "The Spirit of Orono." The Alumnus, with Caldwell's permission, reprinted most of that column.)

Given bio-data like this, an IBM computer, programmed to choose a modern-day college president, would probably choke on Winthrop C. Libby's punch-card. Yet, few at Orono would doubt that among 7,500 students and 450 faculty, he is the best-liked, most trusted man-on-campus.

The reason is not because he is a Maine-bred and Maine-raised man from Caribou. Or because he is an agronomist. Or because he has been around the Orono campus for over 37 years. Those characteristics should, by rights, make Libby old-hat, hidebound, backward glancing at a 'golden age' of education which is dead and gone. This background should put Libby on a wave-length of thinking in collision and clash with the ideas and outlooks of today's students.

But, in an old-shoe way, Libby is a perverse contradiction of himself.

Instead of being 'old guard,' he is almost avantegarde. But, like a deer in the forest, Libby's Caribou exterior camouflages his attunement to the times.

"The Major Mission of the University of Maine," says Libby (talking 'Caribou'), "is the education of men and women." Libby's simplicity is no simpleness. He adds: "But the U of M, like any University worthy of the name, is a proving ground for ideas as well as a transmission belt of knowledge . . . It must be a place where different viewpoints can be discussed freely and openly in an atmosphere of candor . . ." Quietly preaching his gospel of openmindedness, Libby goes a long step further, saying "Experience convinces me that student disagreement is preferable to student apathy; that student commitment even to false gods is preferable to no commitment whatsoever; that students who believe in their own maturity and wisdom are preferable to those who expect the University to function as their parent."

The pomp and prerequisites of a university presidency hang loosely on Libby, almost unused. He has never moved into the President's house on campus. Instead he lives in his old home in downtown Orono and walks two miles to work in all weather, arriving at 7:30 a.m. in the President's office, first man on duty. At night his wife picks him up. He barely uses the President's car. When he takes a visitor to lunch, Libby takes his place in the cafeteria line. When he invites a visitor for a cup of coffee, he takes you to the undergraduates' Bear Den, where his table fills up with students. When President Libby drops you at the SAE fraternity house to change your shirt, he waits downstairs and in two minutes he is surrounded by 30 'brothers.' "I'm Libby," he says, stretching out a handshake to the counsellor on duty, when he carries your bag into the Gannett Hall dorm where you are spending a night. There is no "side" to this man.

Libby is proving to be an ideal conduit between the sometimes opposite poles of Trustees and Students. Trustees rely upon Libby because after almost 40 years on campus Libby knows more about Orono than any man living. Students trust Libby for the best of all reasons; he trusts them.

In the brief span of two years under Libby, Orono students have won and are exercising a bigger and more responsible voice than ever before in changing and improving student life.

For example, an excellent and new Disciplinary Code, enforced jointly by students and faculty (without administrators), now governs student conduct; student recommendations have resulted in liberalizing girl-boy visiting rules in the dormitories; a current student-faculty committee, with carte blanche from Libby, has just completed a thorough investigatve report into all phases of Student Activities, including such holy-of-holies at the Deans' Office, the office of the Director of Student Activities, the Student Union, Counselling and Placement Services. It will recommend major overhauls in many phases of university administration. And Libby hopes to move promptly on putting them in effect, wherever feasible.

Dialogue, frequent, meaningful, mutually respectful, between President and students is today part of the fabric of Orono. It happens half a dozen times a day. This is the kind of an interchange which minimizes the need of student revolt or administrative repression.

The relationship on campus at Orono might be an eye-opener for other troubled universities. And it all occurs in a natural, normal way, without the pressure of crisis pushing it or the fishbowl glare of publicity which follows after a campus collision between Students and Administration.

PSYCHOLOGICAL ASPECTS OF AMERICAN FOREIGN POLICY

Mr. FULBRIGHT. Mr. President, the Committee on Foreign Relations held a short but most interesting series of hearings earlier this year on the subject of the psychological aspects of foreign policy—a subject which both the public and the bureaucracy tend to ignore.

Miss Elizabeth Wharton, of the United Press International, wrote a brief but perceptive article on those hearings. The article has been printed rather widely.

In view of its succinct summary of the hearings and the fact that it focuses on some of the fundamental problems nations have in communicating with each

other, I ask unanimous consent that the article be printed in the CONGRESSIONAL RECORD. The article appeared in the Tampa Tribune-Times of Sunday, July 20, 1969.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BEHAVIORAL SCIENCES AS TOOL OF DIPLOMACY

(By Elizabeth Wharton)

WASHINGTON.—An American is brought up to look a man in the eye when talking to him. He also is conditioned by his culture to keep a certain distance from a person with whom he's conversing.

An Arab is taught from childhood that looking a man in the eye during conversation is extremely rude. He also is accustomed to stand quite close to a person with whom he's talking.

If an American meets an Arab, and neither is aware of the other's cultural conditioning, any conversation between them is likely to produce serious misunderstanding and mutual irritation. The American thinks the Arab is crowding in too close, so he steps back, which insults the Arab. The American thinks the Arab is shifty because he won't look him in the eye, and the Arab thinks the American is trying to stare him down.

Social scientists, particularly in the so-called behavioral fields of anthropology and psychology, recognize these cultural differences and understand how important they can be as a cause of friction.

Governments—and most people—do not.

In an effort to determine what insights social science studies might offer to smooth the path of international relations, Chairman J. William Fulbright of the Senate Foreign Relations Committee held a series of hearings on the subject of "anthropological and psychological aspects of U.S. foreign policy."

Witnesses were Dr. Margaret Mead, anthropologist, writer, and curator for ethnology at the American Museum of Natural History in New York; Dr. Karl Menninger, noted psychiatrist, founder and president of the Menninger Clinic and Menninger Foundation in Kansas; and Dr. Edward T. Hall, author and professor of anthropology at Northwestern University.

All three believe behavioral science could make a significant contribution to the quest for peace and international amity.

They cited the experience of World War II, when intensive U.S. research on Japanese culture yielded two outstanding successes and many minor ones.

The first achievement concerned treatment of Japanese prisoners of war. When American military commanders began taking their first prisoners in the Pacific islands, the Japanese not only freely discussed military secrets but even offered to help their captors track down installations and ammunition dumps.

"The Americans didn't trust the prisoners, of course, since Americans are conditioned not to give such information to their captors. We told them the prisoners could be trusted because the Japanese had never been conditioned to being taken prisoner," Dr. Hall explained. "Their culture decreed that they be good soldiers, and to them being good soldiers also meant being good prisoners. We were right, and the information proved very useful."

The second great success was in persuading the U.S. Government to permit the Japanese to retain the Emperor after the war—a recommendation made by the behavioral scientists within months after the attack on Pearl Harbor.

If the Emperor had been forced to abdicate, Dr. Mead said, Japanese society would have taken generations, instead of just a few years, to recover from the war.

Government-sponsored behavioral studies tapered off after the war, and the entire field of social science fell into dispute during what Dr. Menninger called the "rampant know-nothingism" of the late 40s' and early 50s'.

The three experts suggested that a number of national crises since then could have been averted, or, at least, ameliorated, if such research were still being done as a guide to government policy. Dr. Mead cited two examples:

The first was the Pueblo incident. To North Koreans, truth is an elastic concept in which bare facts are less important than the interpretation one chooses to place upon them. They knew the Pueblo was off-shore spying on them, and whether the ship was a few miles inside or a few miles outside an invisible line on the water simply didn't have anything to do with it.

But Americans rely on facts, and our instruments proved the ship was a certain number of miles outside the invisible line.

The final settlement, under which the United States agreed to sign a "confession" of invading North Korean territory—and promptly repudiated it—might have been reached much sooner than it was if the behavioral scientists had been consulted, Dr. Mead said.

Her second example was the violent disruption which resulted from the Supreme Court's school desegregation decision of 1954. Behavioral scientists had warned in advance, she said, that such a drastic change must be effected rapidly.

"To the human mind, anticipated change is frightening, while accomplished change is accepted," she explained. Therefore, she feels it was the clause in the decision which allowed local governments to move "with all deliberate speed" which caused all the trouble.

Hall said the practice of sending American representatives abroad without preparation on the mores of the society to which they were going subjected them to a "culture shock" from which they might never recover enough to do the job they set out to do.

He used time as an example. The United States, he said, is a "monochronic" culture which times everything to the minute and in which the people, the industry and the government function on a set schedule.

Latin America, on the other hand, is a "polychronic" society in which people set little store by schedules, and consider times set for appointments to be only an approximation.

"Both time systems work, but they work in different ways," he said. "What is more, they do not mix.

"I have observed a number of Americans . . . fail in their mission because they never learned to read the local time customs."

At the same time, Hall continued, Americans feel a terrible need to be loved, cannot tolerate criticism from others and don't think much of self-criticism either.

"We have to feel we are doing well all the time," he said. "It's a real problem, because it is self-defeating to be complacent."

All three witnesses agreed that consulting social scientists on national policy would give the United States an enormous advantage over the Communist world whose inflexible ideological framework has no room for unfettered social research.

Fulbright agrees, but says he has not yet decided how to go about trying to convince a U.S. bureaucracy which has a certain inflexibility of its own.

"We spend an enormous amount of money collecting information about the Russians," the Senator explained. "I should think it would be a very good investment to spend even a little money hiring behavioral scientists to interpret the information and draw conclusions from it."

TAX SURCHARGE PASSAGE

Mr. FANNIN. Mr. President, each day this body delays action on the extension of the surcharge, our Nation drifts farther down the road to fiscal irresponsibility. At the domestic level, fuel is added to the fire of inflation with our deficit spending continuing because our revenue does not equal our expenditures.

The grocery bag for the welfare recipient, or those on a fixed income, shrinks in size as prices continue to skyrocket. This results from many circumstances prevalent in our economy today, not the least of which is the loss of confidence in the American dollar.

Our dollar is also in jeopardy in the world money market if we do not stabilize our economy with a more favorable balance of payments. To improve our balance-of-payments position we must increase our exports, decrease our imports, or improve our dollar flow. Of course it could be a combination of these corrections that could result in a favorable fiscal position. We must convince the other nations of the world of our willingness to get our financial house in order. No one knows whether the economy might break during this critical waiting period while we await the passage of the surtax extension. It has happened before when circumstances did not seem any more threatening.

Because of inflation, we are losing the ability to compete; other countries are winning a greater percentage of world trade. The trend is starting to rapidly increase in their direction. Whether we talk about steel, motor vehicles, or a vast number of other products including sophisticated electronic equipment, we are losing the battle.

In recent years we have become net importers of iron and steel mill products and the gap is still increasing. We are net importers of paper, yarns, fabrics, and man-made fibers. Our trade position has swung to the deficit side with Canada since 1967, a deficit with Japan since 1964, and a deficit with Germany since 1965.

In a 5-year outlook, published in April of 1969, the U.S. Department of Commerce says this:

> Moderating U.S. inflationary pressures . . . is a basic prerequisite for improving the trade balance . . .

Millions of jobs are being lost to American workers by our loss of industry because we cannot compete with foreign manufacturers.

For years our finished products were our main sources of exports and finished products were a limited percentage of imports. Each day this is changing with a much larger percentage of finished goods included in our imports.

Just a few examples will illustrate what I mean. In radios, TV sets, and radio-photograph units our exports have remained at roughly the same dollar level—around $25 million. Our imports, on the other hand, have been steadily rising. U.S. Department of Commerce

figures show imports of radios, TV's, and phonographs at slightly over $100 million in 1962. By 1967 they had jumped to nearly $400 million and are still climbing. This cost Americans thousands of jobs.

Our apparel industry has been suffering. Exports have risen since 1962 from slightly below $100 million to slightly above $100 million in 1967—the latest year for which complete information is available. At the same time, imports of wearing apparel has risen from a 1962 level of $300 million to almost $600 million. The volume of imports has thus almost doubled while our exports have remained at almost the same level. The imports of foreign footwear shows a similar situation.

Perhaps the sharpest dollar increase has come in the automotive field. While the United States is still a net exporter of automotive products outside the field of new automobiles, our imports have far outstripped our exports in new automobiles in dollar amounts as well as rate of increase. In the 1962–67 period, foreign car imports jumped from around $425 million to more than $1,700 million. On the other hand, our exports have jumped from a level of less than $300 million to a level of around $800 million. Thus we are still a net importer of new automobiles by about $900 million per year and the gap is growing.

In the past few years we have gone from one monetary crisis to another with several shocking problems that could have proven disastrous. The next could be upon us with the least warning and coming during this critical waiting period now projected by some on this legislation could leave us without the financial strength to again weather the storm.

This is not a partisan matter since the collecting of taxes and spending the money is everybody's responsibility. Yes, and we all have the responsibility to do everything within our power to give relief to those people of limited income who are suffering most from our higher prices.

The Secretary of the Treasury has continuously outlined, over the past few weeks, the hazardous situation our Nation faces and the absolute necessity of passing this legislation. He has emphasized the sensitive situation involving inflation, sky-high interest rates, the difficulty of Government borrowing in addition to the problems that hinge on this measure in our financial dealings with foreign countries.

Psychology is a word little used in the realm of taxation and economics. It has become a prime aspect of the current fight to stem the inflationary tide. Too many people have resigned themselves to what they feel is the inevitability of inflation, and are advancing their expected purchases to avoid higher prices—the result is even higher prices.

We, as Members of the Senate, must recognize the cyclical effect of this inflationary psychology and try to break the cycle. If we do not, our senior citizens and low-income groups will bear a disproportionate burden of prior economic mistakes.

To delay passage of the surcharge, and engender accompanying doubts of its fate will only incite more frenzied anticipatory buying. To the extent that our inflation is of the demand-pull type, where the demand pulls prices higher due to limited supply, a delay would be very costly.

The rate of consumer prices has risen faster than last year's rate of 4.2 percent. It is also possible that unless inflation is checked it may reduce every dollar earned or saved by 6 cents in this year. In 1 year the dollar could drop to 94 cents. Every attempt must be made to assure a stable dollar.

I dislike heavy taxes as much as any Member of this Senate. But, I dislike rampant inflation even more. The surcharge is not destined to make anyone very popular—neither is the painful vaccination needle. For our personal well-being we will accept the pain. We must do the same for economic well-being.

We must coordinate and complement our economic policies in order to combat inflation. A good start has been made. There is a ceiling on Government spending and monetary policies are restrictive. The missing ingredient is the surcharge. Until the tremendous inflationary psychology has been brought under control it will be imperative to pursue restrictive fiscal and monetary policies.

The slowdown in real growth of the economy indicates that we are making progress against inflation. The 6-plus percent rate of growth in the second quarter of last year has been reduced to less than 3 percent in the first quarter of this year. To sacrifice this opportunity in order to wield pressure for tax reform is a case of doubtful priorities. The balance of revenues forthcoming from tax reform does not approach the amounts generated by the surcharge. Thus, even with tax reform the surcharge would be needed.

To expand on the problem, inflation is not only a problem within our domestic economic system but also with respect to foreign trade. Our balance of payments and especially our balance-of-trade account has been deteriorating. One prime reason is inflation. Much of this inflation is being caused by an ever accelerating series of wage demands. In the next 18 months an estimated 7 million workers in important industries will be up for contract renewals. This situation must be watched carefully to avoid a complete switch over from demand-pull inflation to the cost-push type.

The other aspect of course is the effect that higher wages have on our international competitiveness as I have already stated. Imports have risen 1½ times as fast as our exports over the last 6 years, and this rate is rising.

The question is, What do we do? It is quite evident that we will not be able to reduce wages or many of the other cost factors in production—at least in the near future. But, we can do something to thwart some of the current demand for goods and services. By convincing the American people and those abroad that the United States is determined to reduce inflation. We will remove much of the impetus to buy.

We cannot wait for tax reform. Action must be taken as soon as possible. Reform will not abate the need for the surcharge, but the delay required for reform will aggravate inflation. Bipartisan support is necessary to put our fiscal house in order and political machinations should be avoided where the sake of the Nation is involved.

To sum up, Mr. President, I would like to deal with several questions. First, extention of the tax surcharge, some argue, should await enactment of tax reform.

The President of the United States, the chairman, ranking minority member, and a majority of other members of the Ways and Means Committee, all have pledged their efforts for a good tax reform bill this year. The best way to get that reform is to pass the current Ways and Means package and let that committee return to its tax reform deliberations—much progress has already been made—then put a good reform bill through.

Extention of the surcharge could now be delayed only at the risk of seriously jeopardizing the anti-inflationary program and strongly bolstering inflationary expectations.

Second, some people ask why taxes should be continued at present levels if it is true that the budget is in surplus. Because failure to enact the tax package would throw the budget into deficit, even when measured on the basis of the new unified budget. The projected $5.2 billion surplus would be converted into a $4.0 billion deficit.

Third, with interest rates at their highest level in a century, some Members say they will refuse to vote for tax extension until something is done to bring them down again.

Nobody likes the high interest rates, not even the banker who is caught in the middle between record loan demands and a very tight monetary policy. To meet these demands, he is paying 10 percent or more for new money—in Federal funds and Eurodollars—and lending it out at a prime rate of 8½ percent.

The surest way to drive interest rates up even further is to kill the tax bill; the best way to bring them back down is to cool off the economy through continued fiscal and monetary restraint.

The previously stated desire of the distinguished majority leader to have tax reform legislation passed in this session is almost unanimously agreed upon. I do not intend to indicate all agree on every change that should be legislated. Many of the considerations are in the tax reform bill now under study in the House and will be sent over to the Senate for hearings in the Finance Committee.

In our discussions of the need for the surtax, no doubt a great deal will now be said about the surplus that has just been reported by the administration for the period ending June 30 of this year. Although it is not a very big surplus, around 1½ percent of the total spending, I will agree it is very important since it is the first surplus since the 1960 fiscal year.

The President, I am sure, is pleasantly surprised and gives thanks to the taxpayers for paying into the Government $2.8 billion more in taxes last year than even the Government had been predict-

ing. The prediction to which I refer includes both the Johnson and Nixon administrations. But, now lets realize we still face a very serious situation since even with a rosie prediction of a surplus in 1970 of $5.8 billion including the surcharge, we would have a deficit if the surcharge under consideration is not adopted.

In our elation that we finally seem to have our financial structure pointed in the right direction, let us not lose sight of the fantastically large deficits that have been with us over the last few years.

Let us realize that with the tax reform measures now under consideration in both the House and Senate, we will have both decreases as well as increases in the amount of taxes that will be added to the Treasury. There is just as much a chance that our tax collections will be reduced as there is that they will be increased.

Mr. President, the single most important factor affecting domestic and international confidence in the dollar today is the status of the tax surcharge. Failure to extend it could have disastrous consequences at home and abroad. I urge prompt passage of the bill we have under consideration.

A VIETNAM APPRAISAL

Mr. HATFIELD. Mr. President, as the Vietnam conflict continues I would like to reaffirm my position in regard to our involvement in this war and to state to the best of my ability the reasoning behind the stance which I have found necessary to take on this issue. All too often the events of the moment tend to make us forget the enduring problems which our Nation is facing. It is for this reason that at this time I wish to offer an appraisal of our involvement in South Vietnam and to reaffirm my efforts toward finding a lasting peace to this tragic war.

EVOLUTION OF A POSITION

Vietnam became an issue with me in 1945 when I found myself in Haiphong, Indo-China, as part of our naval forces there. Since that time I have revisited Southeast Asia many times in my memories and have followed closely the developments in that area of the world. From my initial experience with the Vietnamese people plus my continuing research into the present situation, it has remained my conclusion that the Vietnamese people have been fighting for over 30 years for the basic cause of nationalism. The desire of these people has been to rid their land of all forms of foreign domination—first the Chinese, then the French, then the Japanese, and now the United States—and not primarily a desire to spread communism. The indifference of the battle of ideology is mirrored today in South Vietnam, where the cause of anticommunism has largely failed to inspire the South Vietnamese. The distinctions of ideology are luxuries that only a well-fed, stable nation can afford to make. To the impoverished, hungry people of Vietnam, the primary consideration is to obtain a situation in their country in which they can support their families with food and a safe place to live. The present conflict makes that an impossible situation to obtain.

COMMITMENTS AS A SENATOR

On January 10, 1967, I took my oath as a Senator. Before that time my opposition to or polices in Southeast Asia had come from the privileged position of an onlooker—someone with a legitimate concern in the issue but no responsibility to resolve it. As a Senator my relationship to the Vietnam issue changed radically. In the office of Senator I had for the first time a legislative responsibility in foreign policy. Although my opposition to our involvement continued, I supported military appropriation bills under the conviction that our first duty was to support the men committed to Vietnam with all the material they needed. After seeking the advice of my more experienced colleagues I found that it is impossible to distinguish between those sums assigned to support troops already there and those intended to escalate the war or to finance other aspects of our defense effort. I, therefore, could not in good conscience oppose these apppropriation bills.

I did, however, utilize my speaking engagements to inform the people of the United States that the issue of Vietnam was not quite as simple as the administration sought to portray it. Only through the voices of the American people is this war to be ended. I intended, therefore, that my remarks would give people further information and therefore a new perspective on this issue. I hoped they would cause my listeners to examine critically the things they were told about Vietnam, encourage them to reevaluate their own thinking on this subject, and, hopefully, encourage them to reject our policies in Vietnam.

THE RESPONSIBILITY OF DISSENT

The responsible dissentors of our policies in Vietnam, whom I know, are sincerely convinced that those policies are wrong and that they must be corrected if the best interest of the United States are to be served. To argue that such dissent is prolonging the war and encouraging the enemy is fallacious. The entire reasoning behind this charge is based on the assumption that the enemy is demoralized, desperate, and hangs on only out of hope that American public opinion will demand an American withdrawal. I have seen no evidence that Hanoi or the NLF is either demoralized or desperate. In fact, the continuing aggressiveness and determination of these people only demonstrates that they are capable of pursuing the war indefinitely and determined to do so, irrespective of what critics may be saying in the United States. Yes, we do owe our men fighting and dying in Vietnam all the support and material they need, but we owe them more still. We owe them an uncompromising promise and total effort directed to extricating them from this war, to finding alternatives to futile policies that have failed for 20 years. This, to me, is the highest duty of those in positions to have their voices heard and their influence felt. This is why I, and others, have dissented from our present course in Vietnam.

But under this statement on the obligations which we have to the men in Vietnam special mention should be made of the over 13,000 men who are listed as prisoners of war or as missing in action. It is often very easy for us to forget these men when we are concentrating on peace overtures and the protection of the men now involved in fighting in Vietnam, but to thousands of families across the Nation the Vietnam war spells nothing but uncertainty and waiting. Thousands of women have banded together in the hope that their concerted actions will produce long awaited results in obtaining news of their loved ones. Some of these women have had to wait over 5 years without news of their husbands, sons, or brothers. For these families we owe a sincere dedication to supporting the recent administrative efforts to check on the treatment of these servicemen and to obtain a full list of names of those being held. In addition we need to support strong requests that North Vietnam respect the rules set out under the Geneva Convention. There is no way that the North Vietnamese Government can be forced to observe these rules except through repeated pressure by the United States at the negotiation table and though direct approaches to the Government in Hanoi. It is therefore our obligation to pledge our full support to such measures and to exert what pressure we are able to see the most expedient realization of this important issue.

GULF OF TONKIN RESOLUTION

There was and is one final role I could play as a Senator in attempting to guide our policies in Vietnam. I could vote on legislation affecting this conflict. Constitutionally, this should be a Senator's primary function, but through years of neglecting its role in foreign policy determination, Congress now finds itself in a position of virtual impotence. Congress was told by the Johnson administration that declarations of war are obsolete and that the President does not need the approval of Congress to send U.S. troops anywhere in the world he chooses and at any time he chooses.

In reference to the Gulf of Tonkin resolution of 1964, President Johnson said:

> It is just an expression and [Congress] just approved our position that we were taking.

To me this was and is a dangerous assumption in regard to the necessary checks and balances of our democratic Nation. Although the Gulf of Tonkin resolution was interpreted as granting a blank check of power to the President for conduct of the Vietnam war, this does not seem to have been the intent of Congress when the resolution was passed with only two dissenting votes.

The erosion of congressional power that seems to have begun with the Tonkin resolution will only be regained through a careful hold on the reins of Presidential power.

In February of 1968, I introduced a resolution that was not antagonistic to the President's policies in Vietnam but emphasized the need for Congress to participate in any decisions made that would alter the scope of the war and of our commitment. This resolution never came to the floor for vote. Today, Congress is still unsure of its position in foreign policy although attempts are being made to

seek a redefinition of that role. I support these attempts as an extremely necessary step toward reestablishing the important balance between the legislative and executive branches of our Government.

HISTORY

Numerous officials of the Johnson administration sought to portray the Vietnam war as a simple matter of aggression from the North. A 1967 State Department publication "Why We Fight in Vietnam" concludes:

If there had been no violation by North Vietnam of article 10 of the Geneva Agreement, calling for total cessation of hostilities there would be no war in Vietnam today.

The publication goes on to represent that since 1954 the North Vietnamese have been the sole cause of the conflict and that since that time Ho Chi Minh has organized and directed the struggle in the south.

To anyone who has seriously studied the historical circumstances of this conflict, these assertions must stand as a blatant distortion of fact. It is not necessary to trace in detail the evolution of the Vietnam conflict when there are numerous articles and books—by such outstanding Southeast Asian experts as George Kahn and John Lewis, Bernard Fall, Joseph Buttinger, Phillippe Devillers, et al.—that provide very thorough analyses of the history of this crisis. But I do want to emphasize certain points that are crucial to understanding the true nature of the Vietnam war.

The Vietnamese people have for centuries struggled to be independent of foreign domination. Since before the birth of Christ, the Vietnamese have feared and resisted domination by the Chinese. In this century they have openly fought the French, the Japanese, and now the Americans. Their struggle has always been primarily "nationalistic" for independence from foreign rule and exploitation. Since the 1920's this movement for independence has been lead by Ho Chi Minh. Although Ho is a Communist, his primary thrust and appeal to the Vietnamese people have been on the basis of nationalism.

Prior to the Second World War, Ho emerged as a nationalistic leader determined to drive out the French. During Japan's occupation of Indo-China in World War II, Ho organized the Vietminh to fight the Japanese and received American help in this effort. As evidence of his appeal to the Vietnamese as a nationalist, the Vietminh was a united front of both the non-Communist and the Communist elements.

After the Japanese surrender, the Vietminh selected a National Liberation Committee headed by Ho Chi Minh, the Emperor Bao Dai, a non-Communist, becoming its "Supreme Political Adviser." They called their country the Democratic Republic of Vietnam and eventually reached an agreement with the French that recognized this republic as a free state belonging to the Indochinese Federation and the French Union. But disagreements developed at to Vietnam's status as a free state, and by the end of 1946 the war for complete independence from the French had begun. According to Bernard Fall, the highly respected authority on Vietnam, Ho fought because he felt that Vietnam must be a single state, because it was not viable as a divided one, and because the French were trampling upon Vietnamese national dignity. We began aiding the French in 1950, spending over $1 billion abetting the French attempt to establish colonial status on a nation which wanted freedom. The French were defeated and withdrew with a list of casualties which numbered over 100,000.

The Second Indo-China War, as the current conflict is often called, began to fester shortly after the First Indo-China War was concluded with the 1954 Geneva Accords. Following the accords, Ngo Dinh Diem—a nationalist, anti-French, anti-Communist—came to power in South Vietnam with American backing. Diem was initially very successful in uniting the South, but as months wore on, his policies became repressive. In violation of a section of the Geneva Accords, he suppressed all forms of political opposition. With U.S. support, he violated another section of the accords, that called for a national plebiscite in Vietnam by July 1956. He refused to allow the elections to be held as it was obvious that Ho Chi Minh would easily win a popularity contest. President Eisenhower had estimated that Ho would have recevied 80 percent of the vote.

Perhaps the policy that most clearly and inevitably led to the initiation of revolutionary guerrilla activity was Diem's decision in June 1956 to replace the traditionally elected village chiefs or headmen with appointees, and by 1958 over 400 had been assassinated by the guerrillas. As the South Vietnamese people lost hope that the promised economic and social reforms would be undertaken, and as the corruption of the Diem regime multiplied, more and more people accepted the Vietcong as the only hope for change.

By 1967, when the United States committed military forces in an attempt to shore up the Diem regime, a major insurrection was already taking place in South Vietnam. South Vietnamese were fighting South Vietnamese, Communists fighting non-Communists, the landless fighting the landowners. It was a civil war then and remains basically a civil war today. The Geneva Accords did not divide Vietnam into two separate countries but provided for two "zones" that were to be reunited through elections. Can we legitimately call it a case of external aggression when the adversaries speak the same language, share the same cultural backgrounds and were raised in the same cities and villages? Can we really call it anything but a civil war when leaders in the government in the South were born in the North and vice versa?

To recognize that this conflict is a civil war is not to deny that Ho Chi Minh is aiding and encouraging the insurgency in the South. He clearly is. But this in no way makes valid the fantasy that the conflict was initiated, organized, and controlled from the start by Hanoi. The North Vietnamese were in no way the cause of Diem's outrageously repressive tactics. The refusal of the South Vietnamese leaders to provide the people with the kind of government they wanted was the cause of the conflict.

AMERICAN INVOLVEMENT IN VIETNAM

But if this is correct about Vietnam being basically a civil war, why did we ever get involved? At this point comes the plethora of reasons which lumped together produced the ugly phrase "credibility gap." Let me review a few of these stated reasons.

President Eisenhower: President Johnson used the ploy that he merely carried out the policies of his Republican predecessor. However, facts prove that in 1954 Eisenhower merely promised economic aid to South Vietnam with the understanding that Diem would institute the reforms necessary to gain the support of his people. When Eisenhower left office in 1961 there were only a few hundred U.S. military advisers in South Vietnam.

SEATO: Another reason for our involvement has been to state that we had to comply with out commitments under the SEATO Treaty. Again, the facts do not bear this out. The only specific act to which the operative section of this treaty commits us is to "consult immediately—with other parties to the treaty—in order to agree on the measures which should be taken for the common defense." The treaty in no way compels us to take the action which we are taking in Vietnam.

Honor our commitments: The Johnson administration also justified our involvement in Vietnam on the basis that if we do not stand by our commitments there "no nation can ever again have the same confidence in American promises or in American protection." Our involvement in South Vietnam breaks our commitment to respect the Geneva Accords which provide that no foreign armies would be based in Vietnam. And what about our commitment to the Charter of the United Nations, which provides that only the Security Council may determine the measures to be taken to maintain or restore international peace and which bars members from any unilateral resort to force? Third, our deepening involvement in Vietnam has reached such proportions that we are not in a position to offer any future assistance should a crisis arise in a country closed to our shores. And, finally, when other nations observe how we have literally destroyed South Vietnam in our zealous efforts to defend it, are they likely to want our help?

Defending freedom: This would be a legitimate reason for our involvement were it true. However, the South Vietnamese do not have freedom of the press; they only have limited religious freedom; they are denied freedom of speech and freedom to assemble and petition their government for a redress of grievances. Last, I suppose the ultimate freedom the South Vietnamese are denied is the one most required for a free society—honest elections. During the last elections there was no real choice for the South Vietnamese at the ballot box. The prerequisite to free elections was canceled in South Vietnam when the two candidates

who were likely to defeat the Thieu-Ky ticket were not allowed to run by decree of the military junta. Today Thieu and Ky follow the same repressive policies as Diem once did.

Containment of China and the domino theory: There are several unstated hypotheses in the so-called containment theory that must be proven before the argument has any validity. Some of these presuppositions are: First, that the conflict in Vietnam is truly a case of "aggression from the North;" second, that if South Vietnam goes to the Communists, other Asian countries will inevitably fall under China's power—the "domino theory," and third, that our willingness to fight in Vietnam will discourage China from interfering in the affairs of other nations.

First. I hope that I have pretty well established that this is not the case and that in fact a civil war exists in Southeast Asia. In recognizing this primary nature of the conflict, the Chinese are not likely to reach the distorted interpretation that a Vietcong success is proof that genuine, externally initiated wars of liberation will be victorious.

Second. The second presupposition is the so-called domino theory and it rests on the assumption that the Communist threat is primarily military in nature. It is not. The Communist challenge is basically political. I disagree with the domino theory on two bases: First, it is not logical to assert that what thrives in the political environment of one country will necessarily survive in the climate of another; and second, when the biggest domino of them all fell —that is China—this did not usher the fall of all the rest of the Asian nations to communism.

Third. China's capacity and inclination to aggravate unrest in its neighbors are not going to be retarded by our willingness to fight in Vietnam. If anything, our commitment in Vietnam is likely to encourage China to try to involve us in other conflicts. For one reason China is delighted to watch the Americans "bleed themselves dry" in a number of involvements. Second, to maintain support of hard-line orthodox Communist theory, Communists need enemies. By supplying this need in our role of "foreign imperialist devils," as they call us, the United States has helped the Communist countries more than harmed them. Finally, the Achilles' heel of communism is prosperity and plenty. Under conditions of abundance, the economic theories of communism are unworkable. If we want to forestall the spread of communism, therefore, we should direct our efforts and aid toward reducing the oppressive conditions that breed rebellion. We should redirect our policies toward correcting the social, political, and economic injustices, toward feeding starving people and improving living conditions. To accomplish such ends under combat conditions is virtually impossible.

SOLUTIONS TO THE VIETNAM CONFLICT

In view of all these reasons given as justification for our involvement in Vietnam, I find them inadequate in justifying the terrible price we are paying to wage this war.

Escalation: To believe that a declaration and implementation of "all-out war" will reduce the problems of this conflict is to ignore the conditions of the struggle that is taking place. Even if military victory were possible—which under humanitarian and moral reasons is not—the South Vietnamese people would still be vulnerable due to the lack of support of their own government. When we were pursuing a heavy bombing policy there was not a significant effect in reducing infiltration or supplies nor did it impair the North Vietnamese capacity to wage war. What the bombing of the North accomplished was a vast loss of lives, both military and civilian, and a loss of international good will and sympathy and perhaps a naive but growing fear by emerging nations that we were being colonial in our actions. The entire handling of accounts of "military progress" has left nothing but doubts in the minds of the American public. If we followed the Johnson administration's statements we were to have "won" years ago, but the present situation only established the Vietnam war as the longest and one of the most costly in history. Where we have failed in our battle is to attract the allegiance of the South Vietnamese people. As long as this is ignored there remains no possibility of genuine "victory."

But, let us imagine that we have an "all out war." What options are left to us? We could drop more bombs but on what targets? Military targets in North Vietnam are nearly nonexistent. We could destroy the Haiphong Harbor, destroying Russian and Chinese ships and, therefore, risking war with these two nations. If we increase ground activity, the draft calls are enlarged, fewer student deferments granted, taxes substantially increased, economic controls instituted, and the unrest at home may reach breaking point. The number of military and civilian casualties will increase sharply. We could adopt a policy of "hot pursuit" into Cambodia and Laos, thereby bringing these countries under fire and destruction. We could launch a successful and expensive invasion of North Vietnam, risking high casualties due to the prepardness of the North Vietnamese for just such an invasion, risking Chinese and Russian reaction and a vast growth in the scope and tragedy of the war. Should we win such an invasion, and assuming China accepts such action, there would still be hundreds of thousands of Vietcong nationalists in South Vietnam with which to contend.

No; escalation is not the answer. Escalation is far from a rational policy. As an article in the Bulletin of the Atomic Scientists pointed out:

> For both sides, the fact that the rising toll of human life still leads to no resolution of the conflict inevitably begets a sense of frustration.

This produces a wide sentiment for the Government to "do something" to break through the impasse. The sacrifices already made appear to justify an even greater escalation. The administration in the past sought to justify the policy of increasing military pressure on the grounds that this is the best way to achieve an honorable, negotiated settlement of the war. But the more we escalate, the more we sacrifice and the more difficult it becomes to accept compromise solution. And, only a negotiated peace can give meaning to these sacrifices because only a compromise solution—a peace without victory—can be lasting. Until we realize this, more lives will be lost as have over 13,000 Americans since the beginning of negotiations on May 13, 1968.

De-Americanization of the conflict: What must we do to bring about a solution to this conflict? As our main objective we must win the allegiance of the South Vietnamese people and to do this we must place our emphasis on seeing that the South Vietnamese Government prove worthy of allegiance and establish a concerned, meaningful relationship with the people. Currently, the NLF political workers represent the only effective force for economic reform and social justice for the people of South Vietnam. In addition we must abandon our Americanization of this war which has in essence made the South Vietnamese but spectators to their own conflict. How independent are a people which we are asking to fight for independence when we so dominate their government that it would collapse in days if we ceased to suport it? The complete dominance of South Vietnam by the United States further harms the development of self-sufficiency of the South Vietnamese in the political, economic, and social realms. The Johnson administration ambition in Vietnam was to establish an anti-Communist, democratic, self-sufficient, pro-American, anti-Chinese strong central government in Saigon. The South Vietnamese peasant wants something less grand and much more tangible. The loyalty of the people in rural areas of South Vietnam has never been to a central government but to their local hamlets and ethnic groups. They want reform, they want food. We must direct our policies to conform to the ambitions of the South Vietnamese people.

Troop withdrawal: Last, I am convinced that the possibility of negotiating a political solution to the war would be enhanced if the major adversaries in the conflict were Asian. For this reason I have for some time maintained that the first thing to be negotiated in Paris or elsewhere is the time and implementation of our military withdrawal from the Asian mainland. This would greatly enhance the possibility of finding a just solution to Vietnam within the framework of an Asian diplomatic offensive. For this reason I look with hope to President Nixon's promise of troop withdrawals over the next year.

COST

Vietnam is now the longest and one of the most costly in history. Despite peace negotiations, more than 600,000 Americans are still based in Southeast Asia. The greatest loss in the war is that of our young men. Every day young and promising men die in Vietnam as the result of trying to fight a war which cannot be won militarily—a toll of over 36,000 since the beginning of hostilities. Our young men are dying and yet we subsidize such senseless deaths. For every man, woman, and child in the United States our Government is spending $142.45 per year for the war in Vietnam. For every $100 of

your tax dollars expended by the Federal Government, only $1.26 is devoted to the protection and utilization of our natural resources; $1.84 for community housing and development; $2.49 for international assistance including foreign aid, food for freedom, and the Peace Corps. Education receives $4.04; health, $8.63; but the Defense Department receives $52.96, $19.50 of which goes to the war in Vietnam.

In another perspective, we spend $82 million per day for Vietnam. The total model cities program for a year affecting over 140 urban areas could be paid within 8 days of the cost of the Vietnam war. The Federal Water Pollution Control Administration receives for a year what the Government spends in Vietnam in 3 days. And, yet, we have over 11,000,000 units of substandard housing, and pollution is of such magnitude that it has become a health hazard. One thousand workers are forced into early retirement each month because of lung disorders and the economic losses resulting from dirty air exceed $11 billion a year. In spite of these costs, our Federal investment in air pollution abatement is only $78 million per year, less than 1 day of the cost of the war in Vietnam.

The 1960's began with bright hopes for the future, but these have dimmed during the decade due to the nagging problems of international rivalry and nuclear threats. Our dreams for a "great society" have been undermined by our apparent inability to use our economic and technological resources to solve the age-old problems of ignorance, disease, hunger, and poverty.

We have reached a point in the history of our country in which power politics, nationalism, and stringent ideologies can no longer play a part. The vast unrest across our Nation brings to mind a quote by the prophet Hosea:

> You have plowed iniquity, you have reaped injustice, you have eaten of the fruit of lies. Because you have trusted in your chariots and in the multitude of your warriors, therefore the tumult of war shall be among your people.

Security, like charity, begins at home. Yet, there is a grave imbalance between our needs and our priorities. Crime costs between $20 and $50 billion each year—in lost earnings, property damage and uncollected public revenues—and yet we invest but $5 billion on every aspect of crime prevention, enforcement, detention, and rehabilitation—about the same we spend on toiletries.

Twenty-two million Americans live in poverty despite 100 months of unprecedented economic growth and expansion. The cost of 4 months of the Vietnam war is about $10 billion—10 times the total combined cost of the war on poverty and the Teacher Corps.

Today, 28 percent of our young people are not graduating from high school and out of those children who entered the fifth grade in 1961, and would have graduated in 1969, more than 750,000 dropped out before obtaining their high school diplomas. The Federal Government spends but 4 percent of our tax dollar on education—perhaps the single most important force in developing a progressive and rational nation. This compares, again, with the 19.5 percent of our tax dollar spent in Vietnam.

The needs at home and the cost of the war: the disparity is too great to pursue such futile policies which reap nothing but tragic results. The war is not being won—the Defense Department already has over 50 percent of the Federal budget—our domestic crisis has reached a breaking point.

Because of these reasons I am opposed to our continuing involvement in Vietnam. I say with a clear conscience that the first thing to be negotiated is the immediate withdrawal of our military presence from the Asian mainland. President Nixon's moves in this direction are a very positive step in the right direction, and I look with hope to the complete withdrawal of troops in the near future. I also sincerely believe that we must see the day when a government will emerge in South Vietnam which truly reflects all of the political components of the country and proves responsive to the needs of all the people. Such move must be achieved before the long overdue peace will be accomplished for Vietnam.

EAST-WEST CENTER

Mr. INOUYE. Mr. President, I invite the attention of Senators to a recent press release from the East-West Center. I believe the story it has to tell exemplifies so well what we have to gain from international cooperation and specifically from the activities of the East-West Center. The contributions of Dr. Furusato Kazuo, a Japanese botanist, will long benefit the people of Hawaii and our many visitors from throughout the United States.

I ask unanimous consent that the press release be printed in the RECORD.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

HONOLULU, HAWAII.—A Japanese botanist who participated in an East-West Center sponsored training program held in Hawaii in 1968 has repaid his Hawaiian hosts by developing a carnation specially suited for making leis and a hybrid strawberry that will grow in Hawaii.

While in Hawaii to study local plant life, Dr. Furusato Kazuo, director of the Shizuoka Prefectural Useful Botanical Garden, noticed that the calyx (green base) of the carnation flowers had to be broken in order to string them for making leis.

The process seemed inefficient to Dr. Kazuo. So when he returned to Japan, he cross-bred various carnations until he created a flower with a much shorter calyx—hence, no need to break it.

Dr. Horace Clay, the director of the training program which brought Dr. Kazuo to Hawaii, passed through Japan recently and was given seed samples of the new carnation by his former student.

Perhaps it won't be long before Hawaiian lei-makers will be able to increase their lei-making production due to Dr. Kazuo's initiative.

Very few people have ever heard of Hawaiian strawberries, but they can be found growing on the side of Mt. Haleakala on Maui. Admittedly they are white in color and don't taste very good, but they are stawberries.

Dr. Kazuo also took seeds of these strawberries back to Japan determined to improve their color and taste. After crossing the seeds with a Japanese red strawberry, he succeeded in producing a good-tasting, hardier strawberry that looked like a strawberry should.

Dr. Clay also brought some of these hybrid seeds back with him so residents of Hawaii may soon be able to enjoy home grown strawberries.

For Dr. Clay, a senior program officer for the East-West Center's Institute for Technical Interchange, there is an important lesson to be learned from these seeds.

"We Americans assume that technical interchange is a one way street," he stated.

"To many of us, the United States is the expert teacher and the countries of Asia and the Pacific are the untrained students seeking our help. We often forget that the East can provide us with valuable technical knowledge as well."

He concluded by saying, "The East-West Center's basic goal is the interchange of knowledge between East and West to increase mutual understanding. This exchange of knowledge also applies to technical matters."

POLLUTION ATTENTION

Mr. NELSON. Mr. President, I am very much heartened to see the increased interest on the part of the news media in coverage of the Nation's environmental quality problems. With both hard-hitting daily newsstories and comprehensive, perceptive special pieces, they are bringing to the public attention, as never before, the facts about air and water pollution, and the myriad other problems we face in our relationship with our environment.

As an instance, Life magazine for August 1, devotes special attention to environmental quality concerns, and in an excellent editorial points out that the threats to our environment—and to us—are serious, that the potential losses are critical, and that the need for action is urgent.

It is my deep conviction that the great question which is facing man in America and worldwide in the last third of the 20th century is whether he can and will take the steps necessary to assure that he will survive in reasonable compatibility with his surroundings on earth. We can destroy ourselves; we can destroy earth as we know it today. As Pogo said:

> We have met the enemy, and they is us.

Hopefully, the Nation is beginning to address itself to the grave dangers we are creating for ourselves in a century of unsurpassed technological achievement and population growth.

I commend the news media for taking the lead in stating the problems and increasing our awareness of them. I ask unanimous consent that the Life editorial and essay in the August 1 issue be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

LIFE EDITORIAL

The story on the following pages shows a part of America that is threatened by our spreading civilization and growing population—the wilderness lands. These lands—10 million acres now under protection, almost all west of the Mississippi—have always held a magic. F. Scott Fitzgerald wrote of the early settlers arriving at the new world three centuries ago: "For a transitory enchanted moment man must have held his breath in

the presence of this continent, compelled into an esthetic contemplation he neither understood nor desired, face to face for the last time in history with something commensurate to his capacity for wonder."

That enchanted moment is long past. The continental wilderness has largely vanished, and what remains of it is threatened by our own increasing needs. Our capacity for wonder survives but less survives to be wondered at.

Vanishing wilderness is, however, only one aspect of the deteriorating quality of American life today, both in the countryside and in our cities. There are many others: pollution, endangered wildlife, smog, urban sprawl and that new catch-all term, "uglification." In later issues LIFE will show this deterioration and recommend ways to prevent it.

Change, of course, is inevitable; and progress, which is intelligently conceived change, is desirable. There must indeed be more jet airports, highways, housing and power plants, and it is foolish to maintain—as some conservationists do—that their encroachment must be prevented everywhere and at all costs. But too often the cost is too high. We are a rich country, but as Jean Mayer, a population expert and Special Consultant to the President, writes in *Columbia Forum:* "Rich people occupy much more space, consume more of each natural resource, disturb the ecology more, and create more land, air, water, chemical, thermal and radioactive pollution than poor people."

The population of the U.S. is headed toward 300 million in the next quarter of a century; our GNP will reach a trillion dollars in the next two years. This explosive combination of people and money will produce ever greater demands for more cars, dams, lumber, fuel, food, roads, land. These demands will lead, unless checked, to more pollution, garbage, trash, noise, desecration—and leave much less beauty to evoke our capacity for wonder.

What we now require is an intelligent and continuing weighing of the demands of "progress" against what might be sacrificed to them. Fortunately, some momentum in this direction already exists. Both government and industry have shown awareness—though not yet enough—of the environmental side effects of their activities. The Wilderness Act of 1964 set aside vital acreage for protection and provides a method for setting aside much more. Two months ago President Nixon established an Environmental Quality Council at Cabinet level, with himself as chairman and his scientific adviser Dr. Lee DuBridge as executive secretary. The same executive order set up a Citizens' Advisory Committee on Environmental Quality, with Laurance Rockefeller as its chairman. Both groups have a broad charter but have yet to show what they can do. Such industries as chemicals, oil and utilities have recently shown a greater responsibility toward the environment in which they flourish.

Public concern has also increased. The destruction of rivers by chemicals and detergents, the destruction of wildlife by insecticides, the destruction of landscape by indiscriminate and ruthless "development"—all are now less likely to occur without protest than was possible 10 years ago.

Nevertheless, not nearly enough information exists to enable government, industry and the public to determine whether or not specific projects should be approved. The Santa Barbara oil-drilling leases, granted by the U.S. Department of the Interior, might not have been granted if the full extent of the threat had been known. The use of DDT, a successful chemical against insects, is either being questioned or has been banned in 17 states because its damage to other forms of life is finally recognized. Marshlands that have been filled in and gobbled up by industry and housing might well have been protected if more people had realized that one acre of marshland potentially can produce 10 times as much animal protein (fish, oysters, clams, crabs) as one acre of farmland.

Quite aside from the purely physical destruction involved in careless exploitation are the esthetic losses. Even when no ecological damage is committed, we constantly afflict the eye with shoddy excrescences of bad design, ugly and haphazard travesties of modernity spattered across the landscape in the name of expansion.

Life will undertake to treat these themes in pictures and words. We will report the threats and attempt to show how they can be opposed and, if possible, defeated. We believe that the threats are serious, that the potential losses are critical and that the need for action is urgent.

WE HAVE MET THE ENEMY, AND THEY ARE US

The sight of a bear track on an Alaskan island, intimidatingly huge, a miniature amphitheater filled with three inches of water . . . the smell of spring in Hells Canyon, sweet and soft and fresh . . . the sound of a full and violent river, a ceaseless fast freight smacking along to some midnight rendezvous . . . a sudden stillness in a place vivid with life . . . the feeling of oneness with your tribal past, the ease of letting years blow away like blossoms in the wind . . . an echo off a cedar swamp . . . the suprising gentleness of nature . . . fear . . . wonder . . . solitude . . . mystery. "Wilderness," wrote one connoisseur, "holds answers to questions man has not yet learned how to ask."

Our history was written in prairies and mountains, not castles and cathedrals, and the raw spectacle confronted by the first Europeans on this shore had no equal in the Old World. Americans still live so close to the wilderness, figuratively if not often in fact, that it's difficult for many to see that it is practically gone. It doesn't *look* that way, flying over the country at 28,000 feet, but almost all that land down there is spoken for—it's being used to graze cattle or sheep, it's part of a military base or a testing site, it's been leased to a lumber company. Excluding Alaska, only between two and three percent of the U.S. qualifies for the federal definition of wilderness: "An area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain . . . [an area] without permanent improvement or human habitation." Most of that slender remnant has either been picked over once, or is about to be. The Wilderness Act of 1964 set aside nine million acres for permanent preservation (a million more acres have been added since then), but left the remaining *de facto* wilderness as a shrinking arena where the final scenes of an old American drama are being played—the conflict between the developers and the conservationists.

In the past the fight has never been even. From the beginning, when the last Conestoga was put on blocks and the boosters fanned into the countryside, building the dam has had clear precedence over listening to the river, clearing the woods has had the edge on getting lost in them. There have been isolated victories for the conservationists through the years—it comes as a revelation to learn that Yellowstone Park was set aside as a "public park or pleasuring ground" *97 years ago*—but those were exceptions.

The American creed was and is foursquare for growth; growth is seen to have a sort of *a priori* goodness, a moral value, and against that force the tender arguments of the wilderness lovers ("deep breathers" and "kissers of the wind," one developer calls them) were feeble indeed. Still, there was an ambivalence in the American mind: if conquest of the wilderness seemed necessary and therefore Christian and laudable, it was gradually subverted by the idea of wilderness as sanctuary, as escape, as the resting place of truth and beauty. It's a tough one: both ideas are wholly American, both impulses beat in the American breast, and thus the conflict is not so much a clash of two opposing groups as it is a collision of two ideas within the mind of each of us. "We have met the enemy," Pogo said, "and they are us."

Both sides indulge in what might be called the "last great" syndrome. In Hells Canyon on the Idaho-Oregon border, for example, private and public power companies have hankered to build a dam for half a generation, claiming that the middle Snake River represents the "last great source of hydroelectric power in the Pacific Northwest." The Sierra Club, a late-arriving but fiercely effective foe of any dam in the canyon, ripostes with the charge that the Snake is the "last great free-flowing river in the West." Both contentions are wrong, and both sides, in moments when candor gets the better of combat, will admit it.

But now the fight is a lot closer to even than it ever was. The reason, probably the only reason that could explain it, is that the public, or at least large segments of it measurable regularly in election returns, has become conservation-minded.

Nothing like reliable statistics are available to document this phenomenon, but its existence is conceded by both dam builders and river preservers, the former with a sour mutter that "the pendulum has swung too far the other way," and the latter with the kind of raucous victory shout peculiar to long-time losers.

Nirvana for the deep breathers is still beyond the sunset, however. David Brower, the eloquent conservationist recently ousted from leadership of the Sierra Club, explains that "there's plenty of power when the public gets excited about a specific issue like Grand Canyon or the redwoods, but there's still not enough day-in day-out support."

Brower's examples are not random; preservation of the Grand Canyon (from a dam which would have backed reservoir water into the canyon) and the redwoods (from the lumber industry) were victories for an army he commanded. Through dogged energy and charismatic flair, Brower built the Sierra Club to its present strength and letter-writing clout. In April he was voted out of office. Critics charged that he was authoritarian, spent too freely and acted without the consent of the club's board of directors. As a result, the conservationists are floundering momentarily for lack of strong leadership. The two most significant and visible leaders of the last decade, Brower and former Interior Secretary Stewart Udall, are currently without portfolio.

The best illustration of the growing strength of the wilderness forces is the sunburst of conservation legislation that emerged from Congress during the Johnson years. The Wilderness Act was only one of dozens that reflected an increasing environmental uneasiness—the scenic rivers bill, antipollution laws, establishment of new parks and others.

In the courts as well, the values of wilderness have begun to get a hearing. A federal appeals court ruled in 1965 that scenic, historic and recreational values had to be taken into account by the Consolidated Edison Company in its proposal to build a nuclear power plant on the Hudson River. A 1967 U.S. Supreme Court decision on the Hells Canyon dam issue introduced the same ideas into an order remanding the question to the Federal Power Commission, where it remains.

Industry itself has begun to show some long-absent sensitivity to conservation. Public relations men go to elaborate lengths to avoid offending the wind-kissers. Some firms have subsidized conservation studies, others have donated parks or wild land to local governments. This kind of thing cuts no ice with Brower, however. He calls it "cosmetics for rape." He is, of course, incorrigible.

Along with the growing power of the conservationists has come a change in the char-

acter of the movement. The wind-kissers, in fact, are in decline. The scientists, more specifically the ecologists, are increasingly important. Nowadays a stand of trees or a piece of sageland is worth preserving not necessarily for its beauty or its opportunity for solitude; it is more likely defended as vital to the balance of nature, the "chain of life" in a given area, or as a natural laboratory containing potentially valuable secrets. The ecologists talk less about the romance of wilderness and more about "ecosystems," distinctive networks of relationships between land and water, vegetation and wildlife.

This has led to some peculiar gyrations. Some scientists are trying to "quantify," in the good new American way, the values of wilderness. This is a ploy born in desperation. For decades developers have been able to show, in dreary charts of "cost-benefit ratios," what *specifically* might be gained from whatever project they have in mind—read: dollars. In reply the conservationists have fiddled with their fingernails and talked about beauty. Now they are groping for figures to fight the developers on their own terms; hence graphs that measure "scale of valley character" and assign numerical values to a view of a mountain or the presence of a bear.

"What it comes down to is this," says Brower. "If you can't measure a thing, measure it anyway for those who won't know anything about it unless you do."

The ecologists are running the palace, all right, but the troubadours are still skulking around outside in the high grass, practicing birdsongs, comparing backpacks, listening, frowning when they hear an airplane. Udall thinks the two sides, conservationists and developers, now have "a kind of parity of influence," but most conservationists disagree. "There's very little conservation legislation coming forward these days," says one congressman. "The logging and power interests are still damned strong. I'm pessimistic."

The one huge, dark fact dominating the entire question of land preservation is continued population growth. Any question of conserving space leads ultimately to a question of limiting the people with claims on that space. Most defenders of the wilderness are, at bottom, pessimistic about their chances, and spiraling population is the reason. It seems the final, ironic fruition of the "more is better" philosophy—to simply outgrow our resources. Nothing riles conservationists more than the celebration of growth for its own sake—ceremonies saluting the arrival of the 200 millionth American, the National Park Service's breathless releases on rising attendance figures. A Sierra Club poster is only about 20% facetious when it suggests that man, like the bald eagle or the flamingo, is now an "endangered species."

Another dark shadow on the future of wilderness is the state of public ignorance. Despite the growth of interest in the outdoors, most Americans remain urban, motorized and oblivious to the physical and spiritual wonders of the wild. The major recreation phenomenon of the past few years is the growth of trailers and camper trucks, motel rooms on wheels with names like Teardrop, Week-N-Der, Six-Pac, Rolls Royal and CharAkee. Most camper drivers get no closer to the wild than a national park campground.

On the other hand, though most Americans may personally feel no urge to tramp the back country, they are enchanted by the idea of its existence. The camper truck may become an outdoors teaser: as he sees a little of raw, splendid America, the driver may want to see more; he may even recognize that the easiest way is not necessarily the best way—but that's getting giddy.

For the men who draw up "master plans" and "long-range policy," then, there is this difficult series of questions: what does the majority want, open country or scenic overlooks? Do you strike a balance between tourist development and wilderness preservation and, if so, how? Is *everything* that remains worth saving, or just some of it? (When conservation pioneer Bob Marshall was asked how much wilderness was enough, he replied. "How many Brahms symphonies are enough?" He was incorrigible too.) How do we develop an ecological conscience in America? Through education, but why haven't we done so? Why aren't children taught to respect all living things? Wilderness is peculiar among American possessions in that it is not susceptible to compromise. To take some wilderness is still to take wilderness. Roads cannot be unbuilt.

The men who worry about these questions have come up with a few suggestions. (No ideas or initiatives have come from the new Administration, except for the President's creation of an Environmental Quality Council. "We're trying to steer clear of the controversial ones right at the start," says a high Interior Department official.) Here are the proposals:

The National Park Service is considering eliminating cars from some parks and operating campgrounds on a reservation system, as opposed to the present first-come, first-served method.

Some conservationists have urged that tax relief be granted to encourage the prevervation of open space. Pay landowners, in effect, not to develop their land.

Udall suggests that "environmental mediators" could arbitrate disputes between developers and conservationists in the manner of labor mediators.

Brower would like to see a sort of Fair Conservation Practices Commission, an independent nongovernmental agency with authority to review projects before and after construction.

Biologist Garrett Hardin proposes that access to wilderness be limited to those "of great physical vigor," willing and able to walk and to take the risks of the wild, and that wilderness and park areas be established at graded levels of difficulty according to ability.

Hardin's intriguing idea recognizes the final paradox: as more people learn to know and appreciate wilderness, more will want to experience it. Ultimately, their numbers might destroy it just as effectively as would highways or snack bars. It could be cherished to death.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The PRESIDING OFFICER. The time for morning business having expired, the Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCARTHY. Mr. President, I commend the efforts of the Senator from Michigan (Mr. HART) and the Senator from Kentucky (Mr. COOPER) and those who have worked with them over the last year in carrying the issue of the antiballistic-missile system to the Senate, and, beyond that, to the American people.

The matter of antiballistic missiles is one that has been before the country and before the Senate for nearly 10 years. Presidents Eisenhower and Kennedy both considered anti-ballistic-missile systems. They both decided against the deployment of the Nike-Zeus, although subsequently President Kennedy initiated development of the Nike-X system, which was never recommended for deployment, but from it developed the Sentinel and, more recently, what is called the Safeguard system.

Nearly 2 years ago, in September 1967, former Defense Secretary McNamara announced that the United States would deploy an anti-ballistic-missile system. Since the September 1967 announcement, the reasons given for the deployment have continually been changed.

At one time, in the first presentation by Secretary McNamara, we were told that we needed it because of the Chinese threat. Secretary of Defense Laird, the current Secretary, now stresses the Russian threat.

The Defense Department's public report of a new and expanded Russian threat followed the decision to deploy the ABM rather than preceded it. We were told, also, that it would provide protection in case of an accidental launch of missiles, and other incidental arguments were given.

It was also argued that deployment would not have a significant impact on the strategic arms race with the Soviet Union or upon our efforts to control that race. This was in 1967. Now we are told that deployment would have a significant effect upon the effort to bring about some kind of disarmament, in almost direct contradiction to the arguments which were made roughly 2 years ago, when the first presentation was made.

We have also changed the name of the system. The Nixon administration, having concluded that the Sentinel evidently was unacceptable, revised the name, changed its mission to some extent and offered it to us again as the Safeguard system. But, it is pretty much a matter of old wine in new bottles and old programs under new titles.

As I see it, the case against the deployment of this system is based on at least four points, all of which have been discussed at some length in recent debate in the Senate and, of course, developed over the years.

The first is the scientific and technical challenge. Repeatedly, scientific and technical witnesses have challenged the

capability of the Safeguard system to perform under attack or, indeed, of any ABM system to add very much to our security. The best examination of this point that I have seen is that of Prof. Robert Axelrod, of the University of California at Berkeley, who raises these three points:

First, he says the argument that the Soviet's deployment of the new SS–9 missile is a threat to American security is only true if the worst of a range of possibilities comes true on each of seven factors. These factors are the size of the payload of the SS–9, the accuracy of the missile, the yield/weight ratios the Soviets can achieve, the number of warheads on each booster, the number of boosters deployed, the Soviet political intent, and the vulnerability of both the Polaris system and our B–52 force. He says that if any of these factors are not as bad as Secretary Laird has been assuming, then the SS–9 is not a serious threat, and its existence and deployment would not justify the deployment of the ABM system. Professor Axelrod states:

I believe none of them are probably as bad as he has been supposing they just possibly might be.

Second, Professor Axelrod says that the Safeguard system in its first stage of deployment is meant to protect Minuteman missiles from a sophisticated attack. Yet, the components of the system were specifically designed to protect cities against an unsophisticated Chinese attack. At least, this was the explanation 2 years ago. As far as we know, the major components, such as the Spartan missile and the radar, have not been changed, and therefore we must assume that, if what we were told 2 years ago was true and accurate, they are not suitable to the new and sophisticated mission for which or against which they supposedly are now directed.

The third point he raises is that the second phase of the Safeguard system is meant to protect cities. If this mission is to be taken seriously, extensive civil defense preparations would have to be undertaken to protect against fallout. The Defense Department has chosen to tell Congress and the public about this need later rather than sooner, and no significant effort is being recommended or carried out in the area of civil defense.

The second general consideration, I think, is an economic one and one which should be considered as we attempt to deal with the question of the surtax. This has now become the great point at issue, through which inflation is to be controlled and the economy put back in balance.

The fact is that we anticipate a $2 billion surplus in the Federal budget, but that is not particularly important; it is not a question of a balanced budget or a $1 or $2 billion difference but, rather, a question of whether or not Government expenditures are for productive purposes. We could raise another $9 billion and have the surplus run to $10 or $11 billion; but if we are going to spend $30 or $40 billion on wasteful military expenitures which contribute nothing to the balance in the economy between consumption and production, pouring purchasing power in through salaries and payments on contracts, but do not produce anything on the other side to meet that real and effective demand, then we are going to have inflation and we are going to have, along with it, a kind of depression.

So to say that the surtax is the great issue relating to stability of the economy in this country, without taking into account the actual purposes of Federal expenditures, is, it seems to me, to oversimplify greatly the judgments that have to be made with reference to our economy.

In the last few years we have seen a kind of maturity in our own economic and capitalistic system. The old idea that Marx pronounced, that you had to have war in order to stimulate economic growth, is no longer true in this country. Every time there is now a rumor of peace, the stock market improves and all the indicators tend to lead up; whereas, if there is a rumor of expansion of the war—which was not true in Korea, in World War I, or in World War II—the indicators all go down.

In 1967 we had the automobile strike. It used to be that if you had an automobile strike, the stock market would drop, but in that case it went up. The only explanation is that the automobile industry was competing for the same materials, the same financing, and the same manpower that the war was competing for. I suppose if Marx were to write another book, he would add a chapter in which he would say that to keep the economy going, you have to have either war or the automobile industry; and from the economic point of view, there would be some substance to it.

We need to look, therefore, not only at the military aspect, which is subject to severe question, but also at the economic aspect of the ABM.

Dr. George Kistiakowsky of Harvard pointed out to the Foreign Relations Subcommittee chaired by Senator GORE:

. . . had the deployment of the Nike-Zeus been authorized in 1960–61, we would have just about now the full system in operational readiness, after spending what was then estimated as $20 billion and could have been, judging by analogy with other large weapon systems, twice as much.

I think his projection was on the conservative side.

Considering the current numbers and sophistication of offensive missiles now being deployed by the super powers, it is technically certain that the Nike-Zeus ABM system would now be of little value. It would be obsolescent or even obsolete, judging by the fact that the probably somewhat more modern Soviet ABM defenses around Moscow are rated of little value to the Soviet Union by our competent military experts.

The eventual cost of a "thick" ABM system has been estimated, for example by Dr. Herbert York, former member of President Eisenhower's Science Advisory Committee, at up to $100 billion.

The third consideration is psychological. To seek to deter aggression and at the same time prepare to limit damage at home is inconsistent. As Dr. George Rathjens of Massachusetts Institute of Technology stated in the April 1969 issue of Scientific American:

To the extent that one accepts the action-reaction view of the arms race, one is forced to conclude that virtually anything we might attempt in order to reduce damage to ourselves in the event of war is likely to provoke an escalation in the race. Moreover, many of the choices we might make with damage-limitation in mind are likely to make preemptive attack more attractive and war therefore more probable. The concurrent development of MIRV's and ABM systems is a particularly good example. . . . Hard choices must be made between attempting to minimize the chance of war's occuring in a time of crisis and attempting to minimize the consequences if it does occur.

The danger of the action-reaction phenomenon and the chain of escalation it produces has, in my judgment, been repeatedly demonstrated. For example, when the United States thought that the Soviet Union was going to install some 70 ABM's, even though they had not yet done so, we made the decision to proceed with MIRV's which, if continued, will give us some 7,000 warheads.

We are witnessing today, in the case being made for the ABM system, a demonstration of the rule that when one thinks defensively the threat always rises to the level of the deterrent and then surpasses it.

One observer has said that we are the first nation to have a Department of Defense. It might be better to call it the War Department. Or perhaps we might have two platoons, the Department of Offense and the Department of Defense. However, once you begin to think about the limits needed to be secure, a situation is arrived at where no matter how many preparations are made, it is like the Kafka animal in the burrow that is always apprehensive because he hears the scratching sound.

Secretary Laird says that our military policies and programs should not be based on what our intelligence indicates the enemy is doing, but should be designed to offset their capacity to do all that they can do. The next step, of course, would be to build a defense of sufficient strength not only to offset all that they can do, but to offset all they would do if they could. Thus we are approaching a complete reversal of the classical Clausewitz theory that war is an extension of politics, and in its place we will have a theory that politics is an extension of military program.

Finally, the argument comes down to the diplomatic and political which I think is most important and it is that aspect I wish to emphasize today.

No matter what the technicians or scientists may say about how good or bad the ABM system would be—it might be better if it did not work, and that might be the best argument for it. But whether it does or does not work, the diplomatic consideration is most important.

We have been told that we must approve the Safeguard system because the President needs it for a "card in his hand" in any forthcoming arms limitation talks with the Soviet Union. We are told that we must go into such talks with strength if they are to be successful.

But the whole history of arms control negotiations since World War II refutes this claim. The Soviet Union has never been willing to enter into discussions,

much less agreements, except in a situation of approximate equality. As far back as the days of the Baruch plan, when we alone had nuclear weapons and were willing to give them up if agreements could be reached, the Russians were unwilling to talk. They agreed to meet only when they, too, had developed nuclear weapons.

There has never been any evidence that the Soviet Union could be forced to the conference table or to agreements by the superiority of our force. In fact, the contrary appears to be the case. We tried, for example, to initate strategic arms limitation talks with the Soviet Union at the end of 1966, at which time we had a considerable superiority in weaponry over the Russians. They agreed to talk only in July 1968, when they had reached a position of relative equality. The idea of "superiority" is meaningless in a situation where each side has the capacity to destroy the other several times over.

In connection with the Soviet agreement to enter the arms limitation talks, it has been claimed several times that the vote in the Senate last year on the Sentinel system influenced the Soviet decision. This is unproven and, in my judgment, unprovable. The joint U.S.-U.S.S.R. announcement was made 3 days after the Senate vote, but we are all aware that joint announcements by the United States and the Soviet Union do not materialize overnight. The joint announcement had actually been the subject of discussion for some time prior to the Senate vote and, although the fact was not yet public, it was known during the debate that the Russians were willing to go into talks.

Finally, we cannot ignore the evidence from the history of the arms race that it is much more difficult to stop a development once it is started than to head it off. It seems clear that ABM deployment by the United States now, as well as continued MIRV development, will make it much more difficult to reach any worthwhile agreement with the Soviet Union on arms control.

Rather than Safeguard being helpful to the President, I believe that the President would be much more free to negotiate if we do not agree to deploy the ABM system.

I, therefore, hope that the Senate will vote against the deployment of this system and support the amendment offered by the Senate from Michigan (Mr. HART) and the Senator from Kentucky (Mr. COOPER).

(A this point Mr. HUGHES assumed the chair.)

Mr. HART. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. HART. Mr. President, this is my first opportunity to state on the RECORD my regret that my seatmate and good friend has concluded he will not seek to return to the Senate at the conclusion of his term. Let me get that on the RECORD first.

His remarks this afternoon, I think, are an indication of why I am sure all of us have that feeling of disappointment. He is talking about a rather technical subject, and yet he has been able in the course of a very few minutes to highlight some of the arguments that I have heard made before in a fashion and style that have distinguised him and brought him to the attention of the Nation.

He commented, as an example, that Safeguard is old wine in a new bottle. My impression has always been that old wine is good wine. Is that correct? That is not necessarily correct? My impression is that somehow or other old wine in new bottles is as good as old wine in an old bottle. It was good wine, whether in a new bottle or old, it would not hurt it. The point I make is that——

Mr. McCARTHY. We will straighten that out later. [Laughter.]

Mr. HART. What I mean is that it would not work in an old bottle labeled "Sentinel."

Mr. McCARTHY. That is right.

Mr. HART. Or in a new bottle labeled "Safeguard." The only thing we could be sure of is that it will cost an awful lot of money, whichever bottle is used.

In the style of the Senator from Minnesota, he has made that point so vividly that I rise to thank him.

Mr. STENNIS. Mr. President, will the Senator from Minnesota yield?

Mr. McCARTHY. I yield.

Mr. STENNIS. Mr. President, with reference to the observation made by the Senator from Michigan about the recently announced intentions of the Senator from Minnesota——

Mr. McCARTHY. I think I should warn the Senator that he does not want to say too many good things about me because I might have to reconsider and I may use anything said about me, but with restraint, of course. I am glad to yield to him on that basis.

Mr. STENNIS. I was going to say that I am not happy about that announcement. It does recall some very pleasant and delightful experiences that I have had with the Senator from Minnesota, as well as the valuable counsel, advice, and assistance which he has given me over the years. I am glad to tell him again that I appreciate it.

Mr. McCARTHY. I thank the Senator very much.

Mr. STENNIS. Wait a minute now—just yield to me a little further now—[laughter]—with all deference to the two Senators and their allusion to the biblical quotation, I do not want to make any bad suggestions but I hope that the Senators are not so tangled up regarding the missiles and the ABM as they were on that quotation. I know that the Senators from Michigan and Minnesota are experts in this field or they would not have ventured out into it.

Mr. McCARTHY. The question is whether new wine in old bottles is any worse than old wine in new bottles. It all depends on the wine.

Mr. STENNIS. Anyway, the reference here that the Senator makes, in all sincerity, I know, to the diplomatic or to the international implications of the ABM, the exclusion or the inclusion of the items in the bill, I do think that is a highly important point. It seems to me just the commonsense of it and the ordinary reasoning, that if the President of the United States—having determined that he wants this defensive weapon in his arsenal, and having determined that he is going to negotiate about the whole subject matter of arms—is sent over there stripped of one of his main positions, with his left hand at least tied behind him——

Mr. McCARTHY. I hope that the whole box of——

Mr. STENNIS. It would decrease his effectiveness and his position at that conference. I may be wrong. Will the Senator point out where I am wrong?

Mr. McCARTHY. I would hope that the whole box of moon rocks which the President is taking with him would be more helpful to him than the missiles, would not the Senator think? We would have to see how effective they are. The President has promised one to President Suharto in Indonesia. Apparently, he is going to give them out as he goes about his trip. This is a new weapon in the arsenal that he did not have when he proposed the Safeguard. He might use them to negotiate with the Russians.

Mr. STENNIS. I venture to say that the best thing that could happen to both the Soviets and the United States is to have an effective ABM system. If each country knew the other had it, they would come nearer to the stage——

Mr. McCARTHY. I think I quite agree. If we were to develop an effective ABM system and give it to the Russians, we would both have an effective ABM system. Then we would both have Maginot Lines and we could be certain that we were at about the same level. The projection of it now is that it would give us an advantage, since the Russians could not be effective against us. That seems to me to create a continuing imbalance which could only make the Russians suspicious and intensify both their defensive effort and their offensive effort.

As I recently have been challenging the President, I have some reservations about how much power Presidents should have. In another 3 or 4 months, I may have that same respect for the executive department that the Senator from Mississippi has just spoken of. I am in a transition phase right now.

Mr. STENNIS. I thank the Senator for yielding to me and appreciate his further discussion of this subject.

Mr. GORE. Mr. President, will the Sentor from Minnesota yield?

Mr. McCARTHY. I yield.

Mr. GORE. Does not the Senator recall how quick the Pentagon was to give assurance to the Senate, upon learning that the Soviets were deploying an ABM system around Moscow, that they could quickly saturate it, that it provided no real defense of Moscow and no major interference with the offensive capability?

Mr. McCARTHY. I recall that.

Mr. GORE. Or could it be that the Russians have stopped deployment of the ABM around Moscow because they, too, have discovered that it could easily be saturated and was really ineffective?

Mr. McCARTHY. I think that is quite possible.

Mr. GORE. Could it be that the French would have saved themselves from a false sense of security and an ineffective defense system had they realized that the maginot line could be flanked?

Mr. McCARTHY. There is no question.

Mr. DOMINICK. Mr. President, will

the Senator from Minnesota yield on the point the Senator from Tennessee just brought up again?

Mr. McCARTHY. I yield.

Mr. DOMINICK. I think that we have already shown, both in the closed session and the open session which is not secret, that the Soviets have not stopped the construction of their ABM system, but they are still continuing. I think that point should be made clear.

Mr. GORE. Mr. President, will the Senator from Minnesota yield?

Mr. McCARTHY. I yield.

Mr. GORE. I invite the Senator from Colorado to come to the committee room of the Foreign Relations Committee, and I will be glad to go with him and show him the testimony.

Mr. DOMINICK. I have already seen the testimony in our own Armed Services Committee.

Mr. HART. Mr. President, I notice that the Senator from Mississippi has left the Chamber for a moment. I wanted to ask the Senator from Minnesota to develop a little more fully his theory with respect to the suggestion that the Senator from Mississippi made; namely, that the President of the United States has told us he wants this system. In addressing the Senator from Minnesota, the Senator from Mississippi made that point. It occurred to me that, for the record, either now or later, all of us would be benefited by having the thoughts of the Senator from Minnesota with respect to the infallibility of Presidents.

Mr. McCARTHY. I did, in somewhat an indirect and theoretical way, talk about this in the course of the campaign last year, not just about military weapons but other powers. It is necessary to have a proper distribution of these powers and some control over all the powers of Government that the Constitution attempts to distribute among the three branches of Government. They are at least reasonably well distributed. Congress, and the Senate generally, accepts that we should not give the President everything he wants in the domestic field. For example, there is no real disposition to say that we should give him whatever tax program he wants, but we should review it. There is no disposition that we should give him whatever he wants in the way of a foreign aid program. All of these are instruments of administrative and Presidential power, to some extent, but are shared with the Senate and with the House.

It seems to me that when we move into the important area of military action and defense, it is even more important. It involves the largest item in the budget and actions which are likely to have the greatest bearing on the welfare of this country and its influence on the world. At that point we ought to do even more and be more restrictive and harsher in our judgments of the President's requests which come to us and also more willing to fulfill our responsibility under the Constitution.

I think in the case of the ABM we have what is not really a basic military question; it is a question not as much of military policy as it is a question of diplomatic or foreign policy. It is a question of how we want to deal with other nations in the world.

For those reasons, leaving out all considerations of science and technology, the Senate ought to put a "hold" on this by its action in the next few weeks.

CONGRESS MUST RECONCILE MILITARY SPENDING WITH DOMESTIC NEEDS

Mr. PROXMIRE. Mr. President, the great concern over the size of the military budget has at least reached the level of a full-fledged congressional debate. Most encouraging is the fact that the discussions are being conducted in the context of competing nonmilitary priorities. I consider this to be the most significant debate of public policy in my career as a U.S. Senator.

For years the shibboleth of "national security" has served to obscure the real military needs of this country while at the same time sacrificing its domestic needs. The common assumption has been that any increase in military spending represented an increase in national security. The enormous size of the military budget today—almost $80 billion—is a testament to the success of the purveyors of this assumption. Yet recent disclosures suggest that we would have more national security if we spent less on defense.

MILITARY INEFFICIENCY

For one thing, we have learned about the enormous inefficiencies within the military establishment. There is inefficiency in procurement, in the purchase of weapons systems. There is inefficiency in defense production. There is inefficiency in the management of Government-owned property. There is inefficiency in the use of manpower. Many are asking why these inefficiencies should be allowed to continue.

Why should the taxpayer have to foot the bill for huge cost overruns such as the $2-billion overrun on the C–5A and the more than $3-billion overrun on the Minuteman program? Why should we be spending billions of dollars on weapons systems which are canceled before they are ever deployed because they do not work or for other reasons? The Manned Orbiting Lab is only the most recent example of this kind of boondoggle. Why is the military allowed to spend $1.2 billion on the Sheridan/Shillelagh tank, hundreds of which are now in storage because they are defective?

Mr. TOWER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. TOWER. The Senator is aware, is he not, that NASA has announced it is going to orbit a laboratory, and therefore there might have been duplication in that effort? Probably the NASA-sponsored effort would accomplish the same thing. I am sure the technology gained is of some value to NASA.

Mr. PROXMIRE. I presume that proposal by NASA will be reviewed by the Congress. I hope we look it over very carefully.

Mr. TOWER. I meant to say "proposal."

Mr. PROXMIRE. No doubt there are many benefits from any kind of proposal by NASA or the Defense Department, but we have to put it in the context of other demands, including our economy and the inflated budget and that we need to cut back spending wherever we can without serious consequences. I think this is one area where we can and should.

In addition, serious questions have been raised about the basic assumptions underlying our military policy. These questions range from the definition of American vital interests and the nature of our foreign commitments, to the size of our general purpose forces, to the need for individual weapons systems. Perhaps the most basic of all assumptions now being questioned is the assumption that this Nation must be prepared to fight in two major wars and one minor war simultaneously. This is the so-called 2½-war contingency, and I must say, judging from discussions with my colleagues, the very existence of this assumption came as a revelation to some of the most distinguished and knowledgeable Members of the Senate when it was first discussed publicly a few months ago. Obviously, the 2½-war contingency has tremendous budgetary implications.

NO CHALLENGE OF MILITARY SPENDING

The unhappy fact is, however, that while inefficiencies and military policies are being questioned today, they have been allowed to develop in the past without serious challenge from those outside the Military Establishment.

A number of factors have enabled the military planners and the military spenders to claim their inordinate share of the public purse. The Nation as a whole, aware of the frequency of war and the possibility of foreign aggression, has generally supported requests for funds for the purposes of deterrence and defense. Unfortunately, however, modern technology and modern organizational techniques have made it extremely difficult for the average citizen and for the average Member of Congress to discern the difference between necessary military spending and unnecessary military spending.

In theory the Government functions in such a way as to minimize unnecessary spending. In the executive branch, the budgetary process is designed to coordinate and scrutinize the spending needs of the various agencies. With the aid of the Bureau of the Budget and the Council of Economic Advisers, the President is supposed to be able to make decisions about the size of the budget, including the military portion, and its impact on the national economy.

BUREAU OF THE BUDGET OUT OF ACT

We have learned that this theory is not working. The Bureau of the Budget, for example, went out of the business of conducting independent reviews of the defense budget several years ago. It has simply not effectively scrutinized the military budget. Its relations with the Department of Defense are vastly different from its relations with other agencies. It conducts independent reviews and thoroughly scrutinizes the budget requests of all agencies except one, the Department of Defense. As a result, the Military Establishment has created a

special relationship with the President and has successfully subverted the role of the Bureau of the Budget.

In April of this year the Joint Economic Committee urged that the Bureau of the Budget increase substantially its efforts to analyze and evaluate issues related to defense spending. The Committee made this recommendation because after its annual hearings on the economic report of the President it concluded that the Bureau of the Budget was not doing its job adequately. There have been indications that the BOB wants to more effectively exercise its responsibilities in this area. I sincerely hope that it is successful. We will know soon enough after we are able to evaluate its efforts with regard to the budget for next year.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the distinguished Senator from Colorado.

Mr. DOMINICK. Would the Senator not agree that the revision of the budget by President Nixon when he came into office to reduce military defense spending was good?

Mr. PROXMIRE. Yes, indeed; and I would say the emphasis that the President, or that Budget Director Mayo, put on military budget review, and the assignment by Mr. Mayo of Mr. Schlesinger to that area are good indications. As I say, it is going to take some time to see whether or not they are going to get results.

Mr. DOMINICK. Would the Senator not also agree that the action of the Armed Services Committee in cutting almost $2 billion from the proposed budget, as it came to us, was good?

Mr. PROXMIRE. Absolutely. I think the Armed Services Committee deserves great credit for taking that action. I was delighted with it. I am not surprised, because the Senator from Mississippi (Mr. STENNIS) has been very careful in scrutinizing military spending. He was in charge of the miltary construction appropriation for many years. That was the one appropriation bill which, year after year, was under the House level. In all other areas the Senate figure was over the House figure. I speak of the time I was on the Appropriations Committee and the Senator from Mississippi was in charge of that particular appropriation.

Mr. DOMINICK. I wanted that to be clear for the RECORD, because I was afraid that, as the speech was made and delivered, it would look as if it were an overall attack of the way the administration and the Armed Services Committee have worked.

Mr. PROXMIRE. It is not. I am sure the Senator recognizes that this is one area where we can dispense with partisanship, because it is an enormous responsibility for all of us, and it crosses party lines.

But the important point is that the Bureau of the Budget has not operated effectively with regard to military spending for many years. Its failure has deprived the Nation of one of the instrumentalities on which it has relied to check excessive military spending.

COUNCIL OF ECONOMIC ADVISERS IGNORES MILITARY

Similarly, the Council of Economic Advisers has been completely inadequate as a source of analysis and evaluation of the economic impact of military spending. The Joint Economic Committee in its annual report was sharply critical of the Council on these grounds. The report states:

> We have had little concrete analysis of the defense budget or guidance from the administration—

And, frankly, this does apply to the previous administration——

> of the important question of the allocation of our resources between military and civilian programs. This committee urges the Administration to focus attention on assessment of our nation's requirements and goals, the definition of long-range objectives of economic policy, and development of more realistic means of establishing priorities in public expenditure. We would expect the Council of Economic Advisers and the Bureau of the Budget to play a key role in conducting this effort. We feel that there are some limitations in the analysis of defense spending, in the report submitted to Congress. The annual report of the Council of Economic Advisers, for example, confines its analysis of defense spending to less than two pages.

And that was a report of well over 100 pages.

> We urge that the Executive Office of the President undertake on-going and comprehensive investigations of defense procurement matters and submit their findings to this Committee as part of the Annual Economic Report.

On June 12, 1969, the Chairman of the Council of Economic Advisers, Paul W. McCracken, testified before the Subcommittee on Economy in Government in the hearings on "The Military Budget and National Economic Priorities." In view of the annual report of the Joint Economic Committee and other criticism of the Council, I looked forward to Mr. McCracken's appearance to see if there had been any shift in emphasis by the Council toward the area of military spending. Frankly, I was most disappointed.

Specifically, I asked the Chairman whether the Council of Economic Advisers has undertaken a study of the manpower demand of defense spending or whether such a study is planned. The response: No specific study is underway now. I asked whether the Council was studying the impact of the high demands of defense contractors on the limited supply of engineers and technical personnel or whether such a study is planned. The response:

> Only in general as we are concerned with Labor-Management Council.

I asked whether the Council had undertaken a study of the enormous rise in defense prices for the past few years or whether such a study is planned. The response: "No." I asked whether the Council had undertaken a study of the economics of military procurement with the view toward eliminating the national economic inefficiencies. The response: "No."

The situation is deplorable. There seems little hope at this time that the Council of Economic Advisers is even contemplating a study of the impact on the national economy of defense spending. Apparently, where the CEA is concerned, the President can expect no counsel on matters relating to the defense budget and its impact. Perhaps we ought to rename this body "The Council of Economic Advisers for Civilian Affairs" and create a new "Council of Economic Advisers for Military Affairs."

For, in my opinion, the Council is keeping only one eye on the economy. It is using only half its vision to study fiscal policy, inflation, employment, poverty, and the other problems it concerns itself with. As far as military spending is concerned it has had and continues to have a serious blind spot.

MILITARY BUDGET UNDER CONTROL

The inadequacy of the Bureau of the Budget and the Council of Economic Advisers reflects a general pattern within the executive branch. None of the powerful or influential groups in the executive branch have had very much to say about military spending. The Department of Defense has been able to frame its own requests for funds and submit them directly to the President. The President has not had the benefit of expert, critical, and independent advice on the military budget. The forces that act as countervailing and balancing influences on most of the budget within the executive branch simply do not exist or do not operate with respect to the military portion.

In the recent hearings on "The Military Budget and National Economic Priorities," the former Secretary of the Interior, Stewart Udall, gave us an important though disturbing insight into the operation of the executive at its highest level. Mr. Udall spoke of a serious imbalance between military and civilian spending and between the manner in which military problems and civilian problems are approached in this country. I asked him whether, during the time he served with such great distinction, there was any opportunity to argue the civilian case for Federal funds within the administration, for example, at Cabinet meetings or other high-level conferences.

Mr. Udall responded:

> No, neither of the Presidents that I served under had any systematic institutional way whereby there was a forum where you could argue domestic priorities against military priorities. It just was not a subject that was discussed.

The question of domestic priorities versus military priorities has not been a subject for discussion in the highest councils of the National Government. This is one of the primary reasons the American people today face what Stewart Udall calls the military juggernaut.

CONGRESS ALSO FAILS TO CHALLENGE MILITARY

The situation in the legislative branch has been equally as bad and, in some respects, worse. The legislative branch has not developed even the appearance of a rational decisionmaking process. The executive branch and particularly the Department of Defense has at least formally adopted a system of analysis and evaluation for spending programs.

The executive decisionmakers are able to take advantage of comparisons of benefits and costs to be anticipated from a decision. They are able to weigh quantitative evaluations not only of the economic costs of programs but also of a variety of alternative ways of reaching similar goals.

Congress has lagged far behind the executive in this regard. While there is much evidence, in my judgment, that the decisionmaking process for military policy is distorted by irrational and self-interested influences in the executive branch, Congress does not even go through the motions of systematic analysis and evaluation.

The problems of congressional decisionmaking are not often discussed in Congress. It is a taboo here and the committee structure with all its inadequacies and shortcomings is regarded by many as some sort of a holy cow.

Yet the vast majority of us know that the authorization and the appropriation process often does not produce rational or good decisions and this is especially true in the area of military spending. I have stated before and I repeat today that the congressional appropriation process is a classic example of an inexplicit, closed, and uninformed decision process.

A congressional committee does not normally have the opportunity to compare alternative programs for obtaining objectives. It does not normally understand the benefits and costs of programs, particularly with regard to future costs.

Usually the executive comes before Congress with a single budget and a single set of programs. The committees might change the budget somewhat, and sometimes programs are modified. But changes and modifications are relatively slight. The executive knows it will get from Congress more or less what it requests.

Especially in the area of defense spending, the congressional committees have played a passive, noncritical, and overly permissive role.

At this point, however, I make the exception which the distinguished Senator from Colorado has already made. This year the Committee on Armed Services has done, I think, a very good job. They have made a good start in discriminatingly handling that budget. But I think my criticism has been true over the years, and of course that is what I am aiming at.

As John Kenneth Galbraith pointed out in the hearings on "The Military Budget and National Economic Priorities," Congress has sorely neglected the economics of defense.

The Pentagon and defense contractors have used fear, secrecy, propaganda, and monopolization to obtain fat budgets and fat contracts. Congress, up to this year, has acquiesced.

CONGRESS CAN AND SHOULD DO JOB

We have all heard the excuse that military affairs are so technical and complicated that decisions about weapons systems and military policy are best left to the experts. Of course, according to this logic, the experts reside only in the executive branch and in the Pentagon. I personally reject this argument for the abdication by Congress of its constitutional responsibility to provide for the common defense. For many years, Congress has succombed to the temptation of delegating its authority to the executive branch. The technical expertise argument has been used to rationalize this delegation of authority. I have even heard it said that Congress is not supposed to sort facts and technical arguments. Rather, according to this view, Congress should simply rely upon the knowledge of the experts in the executive branch, and exercise only commonsense judgments about the broader policy questions with the aid of its own wisdom and the political pressures it perceives. This, in my judgment, is ridiculous.

The function of the legislative branch is to make decisions on matters of public policy within its jurisdiction. National defense under the Constitution is clearly within the jurisdiction of Congress. In order to make intelligent decisions about these matters, however, Congress must be informed. It is precisely the lack of information about military affairs that forms the main obstacle to intelligent decisionmaking in Congress today.

Congress, in fact, is badly informed and often misinformed by the Pentagon. The numerous and shocking cases of large cost overruns, poor performance, and late delivery of weapons systems reflects very poorly on the ability of Congress has succumbed to the temptation breakdowns of military procurement, of course, also reflect very poorly on the Pentagon's ability to manage the affairs entrusted to it.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. DOMINICK. Mr. President, I once again repeat what I said before. The Senator will recall that one of the principal areas of the fight against the so-called TFX arose out of committee. And, despite all we could do, it was a civilian, Secretary of Defense McNamara, who pushed this through under the Johnson administration.

The committee was trying to stop it because it did not think it was going to work. We were unable to get enough support to do that until last year, not this year. Last year the committee took the steps to cut out totally the FB–111, the Navy version of the TFX.

I should think the distinguished Senator would agree that this was a good move.

Mr. PROXMIRE. Yes, indeed; and I think that over the years there are unquestionable examples—unfortunately, they are isolated and occasional—in which this kind of action has taken place. And it is highly commendable.

My point is that Congress by and large—and I think there were exceptions—has not been systematically informed. Congress has not conducted the kind of supervision it should have. Congress has not really compared alternatives and has not considered priorities, other than the military priority, with sufficient concern, so that we have not really had a basis for making a decision.

The Senator is correct, and I think the point he makes underlies and emphasizes the point I am trying to make. There are cases, and the TFX is a good example, where Congress has done a good job and has caught a mistake made by the Defense Department.

It is true that this has still cost the Federal Government and the taxpayers an enormous amount of money.

My point is that until we are much better staffed and informed and until the GAO does a much more comprehensive job than it has done in the past, we will not be able to stay on top of the problem the way we should.

Mr. DOMINICK. Mr. President, I would agree. We can certainly go along with having a more detailed analysis.

As the Senator knows, I have been involved in some of the procurement contracts myself and have managed to get some changes made because they were mostly noncompetitive, and they were expensive.

The Senator referred to the fact that the military put in the TFX. That is not quite so. The military was against the TFX. It was the Secretary of Defense that put in the TFX on his say so. And no one else did it. The Secretary of Defense was able to do it under his power as a civilian, as the Secretary of Defense, which is a civilian office.

As far as the Appropriations Committee is concerned—and, unfortunately, I do not serve on that committee, but my colleague from Colorado does—the committee when it starts to consider the bill cannot consider alternatives, because they are bound by what is in the authorization bill. So they cannot consider the alternatives under our system unless they are to be faced with the question of a point of order on the appropriations bill when it gets to the floor.

They are required by the method under which Congress and the Senate has worked for these many years to work within the confines of a military procurement bill.

I think that what the distinguished Senator from Mississippi (Mr. STENNIS) has done this year and what the Armed Services Committee has done in previous years has been pretty effective in trying to analyze the proposals.

We were not sure whether this was the right way in which to proceed. We did not have enough manpower to be able to investigate it fully, as the Senator has pointed out.

We have kept a lot of these projects in the research and development stage, and then when it seems that they are not working properly, we cut them out. We have done this over and over again.

I think that we can do something more and should do something more, as the Senator has said. However, I do not think it is fair to say that the total blame is on the military.

The military has to work on the policy that is given to them and they have to decide under that policy what weaponry they need to perform the job.

Mr. PROXMIRE. Yes, indeed. I would say that, far from the total blame being placed on the military, very little of it should be on the military. The military is doing its job.

If I were in the military or if the Senator from Colorado were in the military, our job would be to come to the executive department first and then go before a congressional committee and do the best possible job of trying to convince Congress or the Budget Bureau or the Secretary of Defense that in our judgment the weapon involved was desirable and workable.

The Senator is exactly correct.

My criticism has been directed at the executive branch and the Secretary of Defense and at the whole Pentagon operation. I am talking about the civilian part of the Pentagon, and also the Council of Economic Advisers, the Budget Bureau, and those of us in Congress.

I agree that the military itself cannot be held to blame.

We cannot expect the military to come in with a balanced program and consider all of the priorities. That is our job.

Mr. DOMINICK. Mr. President, I am glad the Senator has pointed that out.

We get carried away with a fervor and blame everything on the military because we do not like the war in Southeast Asia.

I do not like the war in Southeast Asia either. To make a personal reference, I have a son in that war. I do not like it a hoot, but he is there.

The question concerns whether this is the fault of the military. Some people say it is and some people say it is not. However, the ultimate policy decision has to be made by civilians. That is the point that we should keep in mind.

Mr. PROXMIRE. The Senator is exactly right. That is the thrust of my speech.

FEDERAL GOVERNMENT FAILURE ACROSS BOARD

In short, the Federal, Government is not doing a good job of controlling military spending.

The cost to the American taxpayer of this poor performance has been enormous. On the one hand the enormous increase in the defense budget from approximately $50 billion in 1965 to $80 billion last year has been a major contributing factor to the high rate of inflation during this period.

It is recognized that no one factor can be singled out as the sole cause of inflation, but it is also recognized that Government spending can be a major cause. Because defense expenditures make up such a large part of total Federal outlays, and because defense expenditures constitute an even greater share of relatively controllable Federal expenditures, they can have a profound impact on the national economy. Indeed, the defense budget today comprises approximately 80 percent of relatively controllable Federal expenditures. Obviously the defense budget since 1965 has had a profound impact on the economy.

In a study submitted to the Subcommittee on Economy in Government, Assistant Secretary of the Treasury Murray L. Weidenbaum analyzed the controllability of Federal budget requests for fiscal year 1969. He broke down budget requests for each department or agency, using data from the current budget document, to show which funds are relatively uncontrollable and which relatively controllable.

I make that point because when people talk about cutting Federal spending they seem to think that they can cut the entire $192 billion. Obviously we cannot cut the interest on the national debt or the pension paid to people on social security or to the veterans. Only about one-half of the budget is controllable.

According to Secretary Weidenbaum's analysis, of the $104 billion in relatively controllable budget requests last year, $77 billion was for the Department of Defense.

I ask unanimous consent that the table constructed by Secretary Weidenbaum illustrating this point be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PROXMIRE. Mr. President, obviously the Defense budget has a profound impact on the economy.

INFLATIONARY IMPACT OF MILITARY SPENDING

In my judgment, the failure of those of us who occupy responsible positions in the Federal Government to adequately control the defense budget has been the single greatest cause of inflation in the past 5 years. The surtax enacted last year was made necessary by the high rate of defense spending. It should be recalled that the surtax in the final analysis was and is a tax to support military spending. Its supporters have advocated it as an anti-inflationary device, but the inflationary pressures which this tax is supposed to relieve have been to a large extent produced by high military spending.

In my judgment it is more important to remove this primary cause of inflation—excessive military spending—than it is to deal with the symptoms of inflation through taxation. The surtax by itself may only be a prescription for recession. If military spending is not reduced in the near future, no amount of taxes piled upon taxes piled upon the shoulders of the taxpayers can have a salutary effect on the national economy.

The pending bill offers an excellent chance to start in that direction.

At the same time that inflation has brought about a de facto devaluation of the American dollar, reducing the value of savings and fixed income, excessive military expenditures have also brought into sharp contrast our failure to confront domestic nonmilitary problems. This failure, in the long run, may be the most disastrous of all.

DOMESTIC NEEDS IGNORED

Professor Galbraith, in his testimony before the Subcommittee on Economy in Government, said:

> By starving our public services, failing to live up to the goals that we have proclaimed and that we put before the younger members of the community, failing to make the kind of attack on housing, poverty, educational deficiency, environment—the things that we have talked about but have not accomplished—we have contributed substantially to the alienation of the younger generation from our Government.

The fact is that whether or not we agree with those who would shift resources from the defense budget into public services, the great difference in our attitudes toward military needs and civilian needs gives cause for great concern. In addition, we not only approach the two kinds of problems differently; we carry out our commitments in these areas in entirely different and contradictory ways.

Joseph A. Califano, Jr., whom almost all Members of the Senate know, was one of the ablest men working for President Johnson. Mr. Califano, former special assistant to President Johnson, has articulated this important distinction. Testifying in the hearings on the military budget and national economic priorities, he pointed out repeatedly that the Nation is urged to fulfill its military commitments. Needless to say, these commitments, whether to purchase weapons systems or spend blood for allies, are religiously kept.

FAILURE TO MEET COMMITMENTS

But how well do we keep our nonmilitary commitments to the American people? Mr. Califano made the following statement:

> I believe that we hear too much about these commitments and not enough about our commitments at home—about our commitments to the pressing needs of the American People. It is essential to consider our domestic commitments and weigh them against our military commitments.
>
> Because we have never hesitated to provide the resources or make the sacrifices that were considered necessary to protect our national security from foreign dangers, yet time after time we have failed to provide the resources and make the sacrifices necessary for all Americans to live at some minimal level of human dignity and spiritual tranquility.
>
> I believe that any one who reads the daily newspapers must realize that our domestic commitments involve the national security at least as much as do our military commitments abroad.

The Joint Economic Committee in its annual report discussed two of the national domestic commitments which the Federal Government has failed to keep. Housing is the most outstanding example of the Government's failure to fulfill its domestic commitments. In 1949 the Federal Government committed itself to helping every American family obtain a decent home and suitable living environment. Only last year, in the 1968 Housing and Urban Development Act, Congress recognized that this promise has not been kept and reaffirmed the 20-year-old housing goal.

In 1964 the Federal Government, through the Economic Opportunity Act, committed itself to the elimination of poverty. The Joint Economic Committee has reported that since 1964 we have not advanced beyond the stage of recognizing the problem, developing creative new responses, and raising the expectations of the poor. In my view, we have made some progress in the war against poverty, but not nearly enough. One can only wonder whether the Federal Government will renege on this promise too.

Similarly national commitments can be found in areas of education, transportation, pollution, and many other

areas of urgent and critical need. These obligations go unfulfilled while tens of billions of dollars are spent in the defense industry and in our far-flung network of foreign military bases.

It was with these facts and these imbalances in mind that the Joint Economic Committee reported:

The Committee believes present and past allocations of public and private resources to the economic development of our urban and rural areas have been inadequate. The place of economic development in our agenda of priorities should supersede less essential programs contained in the defense budget, space exploration, the supersonic transport, and certain public works projects.

I do not mean to say that an absolute transfer of funds from the military budget to the civilian budget will automatically bring us closer to our national goals. In my judgment, there is at least as much inefficiency and mismanagement in the administration of some portions of the civilian budget as there is in the military budget. In addition, even under ideal circumstances of Federal administration, there is no assurance that the expenditure of public funds alone will solve problems. In some instances, the expenditure of Federal funds have created more problems than they have solved. For example, according to the report of the Douglas Commission, in the past two decades we have demolished more housing by public action through such programs as highways and urban renewal than has been built under all federally aided programs.

BIG JOB: CUT MILITARY BUDGET

The reallocation of natural resources will be a difficult job in the years to come. But the immediate task must be to reduce the size of the military budget. Excessive military expenditures are frustrating the efforts of those who would like to see a reallocation of resources, as well as creating distortions and stresses in the national economy.

We would do well, before continuing our uncritical support of the military budget, to ask the questions raised by Senator WILLIAM FULBRIGHT in his testimony on "The Military Budget and National Economic Priorities":

What do we want our Nation to be?
Do we place a greater value on trying to mold foreign society than we do on eliminating the inequities of our own society?
What does the budget for defense mean in terms of dividing up the pie?

The budget, as Senator FULBRIGHT succinctly put it, tells the story. Our system of priorities is cockeyed. The way we allocate our resources is the fundamental barometer of our values as a civilized society.

What kind of a country do we wish America to be?

In the past Congress has shied away from these hard questions. Instead there has been a tendency for Congress to allow itself to become the tool of the military planners.

There are encouraging signs that Congress is breaking away from these bad habits and that it is beginning to assert its independence and exercise its responsibilities as a co-equal branch of the Government. The question is whether it is too late, whether too much damage has been done, whether we have either been terrorized or lulled into submission to the Military Establishment.

EXHIBIT 1

TABLE 1.—CONTROLLABILITY OF FEDERAL GOVERNMENT BUDGET REQUESTS, FISCAL YEAR 1969

[In millions of dollars]

Department or agency	Relatively uncontrollable				Relatively controllable	Total
	Trust funds	Permanents, indefinites	Fixed charges	Ongoing projects		
Funds appropriated to the President	1,324				4,819	6,143
Agriculture	68	735	3,831		2,896	7,530
Commerce	134	214			679	1,027
Defense—military	7		2,313		76,796	79,116
Defense—civil	9	4		950	344	1,307
Health, Education, and Welfare	37,670	41	7,456	13	6,190	51,370
Housing and Urban Development	159	1,821	358		3,004	5,342
Interior	97	268		180	312	857
Justice					542	542
Labor	4,095		145		596	4,836
Post Office		920				920
State	12	2			414	428
Transportation	4,703	70	51		1,701	6,525
Treasury	39	15,425			−54	15,410
Civil Service Commission	3,626		42		131	3,799
General Services Administration		1	2		327	330
Railroad Retirement Board	1,064		18			1,082
Veterans' Administration	746	12	4,664		2,368	7,790
NASA	1			2,133	2,235	4,369
Export-Import Bank		608				608
Farm Credit Administration	535					535
All other	773	97	91		896	1,857
Total	55,062	20,218	18,971	3,276	104,196	201,723

Note: Includes requested new obligational authority and loan authority.

Source: Based on data contained in "Budget of the United States Government, Fiscal Year 1969," and appendix.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield.

Mr. STENNIS. Mr. President, the Senator from Wisconsin has done a great deal of fine work in this field. He is always constructive and quite energetic.

The first part of his speech was a rather severe attack on the military budget, on the military bill before the Senate. I have a suspicion that he is digging up some atmosphere as a prelude to some of the far-reaching amendments he is going to have soon. I do not blame him for his amendments. However, I do want to point out to him and others that this committee has brought in a bill because we were selected by the Senate to put in writing the weaponry and other things that go with the military program which we think are most probably necessary for our security.

With all deference to the economists and the large number of other people whom the Senator from Wisconsin quoted, they do not have the responsibility of getting down to the nub of these problems and being specific. They do not have the responsibility of providing for a weapon or leaving it out of a bill. When we begin to write a bill and men are still dying every day in Vietnam, and a request is made for more helicopters, we might be doubtful on some point, but we are not going to decide the doubt by leaving helicopters out of the bill; we are going to include them. The Senator from Wisconsin would do the same thing, I feel certain.

Mr. PROXMIRE. I would; I agree to that.

Mr. STENNIS. That is an example of some of our problems. It is not a far-fetched illustration. We not only have to delineate a weapon specifically, whether to leave it in or leave it out, but we also have to put a dollar amount on it. That is under a mandate of the Senate that there must be an authorization bill which specifies amounts—at least, the top amounts. That is not an easy job. Often there is doubt about the figures. Where can we get accurate figures? None may be available.

Take a relatively simple item such as the cost of sending a son to college for 4 years and then to professional school for 3 years, 7 years in all. Many of the contracts for these items in the bill will run for 5, 6, or 7 years. How can we estimate accurately the cost of a relatively simple item to provide for 7 years of college? The Senator knows that that cannot be done. It may run from 10 to 20 or 30 or 40 percent. Is it an actual overrun of the estimate or value because of a shift or a change of circumstances due to inflation or other factors?

So, as the Senator knows, we cannot be specific about these things in the beginning. I think the word "overrun" is being abused. It is greatly overused because the contracts say on their face that they cannot be specific. Everyone in the trade recognizes that there is a target amount and then an ultimate amount.

I have already referred this afternoon to the contract for the C–5A. It was an experimental type plane. Perhaps because it was not being used in large numbers or for a long period of time, not much was known about it. The matter showed up as an illustration in the light of experience. I am illustrating merely what is involved.

We hear talk about a two and one-half war. That term has been kicked around longer than the Senator from Wisconsin might think. What really created these conditions was when we began to sign every proposed treaty guaranteeing every nation in the world its physical security and integrity.

It seems to be a situation of the more the merrier. I was in on it. I got tired of it and I stopped voting for some of those commitments. But that is the situation we are involved in and we cannot turn 180 degrees and get out. If we could renegotiate those agreements, we could cut down greatly on our commitment.

I hear talk like that from the President, but, Mr. President you cannot just stop in your tracks. Mr. President, what are you going to do with the Philippines and our guarantee as to them? They have not helped us much in Vietnam, it is true. However, we do have a definite promise, and until some substitute is given that promise must be met. What are we going to do about Japan. They have a constitutional provision there which we had put in and we told them we would take care of them. The Senator would not want us to walk out on that situation.

It is not enough to say we have piled up two and one-half wars. No one knows what may be involved. We have to protect ourselves first and, as best we can, carry out what is called for under those commitments. I want to reduce them as much as we can but I do not want to repudiate any of them because we would be laying the groundwork for more trouble later.

I am not being critical of the Senator but we have to keep both sides of the situation in view at the same time.

The Senator referred to the billions of dollars spent on missiles that were canceled before they were deployed. I want to point out that while we were writing up the bill, week after week and month after month, there was an indoor sport on the floor of the Senate talking about the billions and billions of dollars worth of waste that add up to $23.7 billion wasted—w-a-s-t-e-d. I do not think the Senator from Wisconsin used those words or referred to "wasted" with respect to missiles that are not now deployed.

The catch is in that word. Listed in that group was the old reliable Redstone missile, one of the finest missiles we ever had in the Army. It served a tremendous purpose. For one thing, it put us up with Sputnik. Then, the old Atlas is not remembered now. In time we have gotten a cheaper missile but for awhile it stood there as our sole deterrent in that field of possible intercontinental ballistic missile warfare which through God's good graces did not come. But we cannot charge that missile to waste any more than we could charge to waste the little old plane in which Charles Lindbergh flew to Paris, the first plane to cross the Atlantic Ocean.

I came to the Senate Chamber and undertook to answer that $23.7 billion charge. I showed where over $18 billion of that amount went for these useful missiles that did have a place and were deployed and did serve a time and a purpose. About $5 million of that amount was on missiles that did not turn out. They were like the automobile business. How many automobile businesses fell by the wayside because there was something the matter with them? That is particularly true in this new field of missiles.

The climax to all of the missiles is in the modern ones we have now. All of that money has been spent learning about missiles and is represented now in the better ones we have.

I point this out to the Senator and others with respect to the other side of the picture. The committee has to be specific and put down or leave out these items. It has to give an estimate as to what the approximate cost might be. We are trying to do a better job. We will not make headway in 1 or 2 years. I think the Senator has made a fine contribution by probing into these matters, but it takes time in this field as in other fields.

I thank the Senator for yielding.

Mr. PROXMIRE. Mr. President, I thank the distinguished Senator for his friendly and temperate remarks. They are characteristic of the distinguished Senator from Mississippi.

I would like to point out several things. Nothing I said indicates we can only make these cuts or should only make these cuts by foregoing some of our commitments or not meeting commitments.

As the Senator knows, Robert Benson, of the General Accounting Office, an able analyst, made a detailed and specific proposal arguing that we could meet our international commitments with $9 billion less in our military budget. The Congressional Quarterly last year made a similar analysis to the effect that we could save $10.8 billion without foregoing any of our commitments. Most recently, Fortune magazine—I noticed it in my office just before I came here—said that by 1972 we could cut $17 billion out of our military spending without betraying any of our international commitments.

I think it is possible here to argue that we do not have to reduce our commitments, although I think we should reduce some of them, and I think the Senator from Mississippi shares that view.

Mr. STENNIS. That is correct.

Mr. PROXMIRE. I think we could cut our expenditures sharply without walking away from any commitments we have made.

Mr. STENNIS. I think the Senator is correct. I am sure the estimates to which the Senator referred are not directed to the military bill we have before us now on military hardware. That estimate was out of the entire military budget.

Mr. PROXMIRE. The Senator is correct. In the Congressional Quarterly estimate, one-half of that amount was with regard to personnel.

This bill before us started out as a $23 billion procurement bill as the Johnson administration originally recommended; then the Nixon administration made it $22 billion; and the Senator's committee made it $20 billion. It made a substantial cut.

Mr. STENNIS. In round numbers that is correct, but in round numbers 60 percent of the military dollar goes for the salaries, personnel costs, operation and maintenance, general operations, upkeep, and they are not included in this bill at all. This bill represents research and development, testing and engineering and the weapons themselves, and it constitutes about 40 cents in round numbers out of the military dollar. As the Senator said, $3 billion has already been taken out for this year alone. When we add up the prospective cost of the new weapons we took out, it will run into many billions of dollars, because we just took out $20 million in one item that is a weapon system that would have cost $10 billion, we will say, in the course of the year.

One other illustration. Perhaps, when the shooting stops and after the adjustment period, I hope we can reduce the manpower personnel by 1 million men. I hope it would be back to what it was when the war started. If my arithmetic is correct, that would perhaps come to around $10 billion in savings right there.

Mr. PROXMIRE. I hope that we can reduce at least part, or part way in that direction, even before the shooting stops, although I think the Senator is correct that the big cut will have to come after the Vietnam cease-fire.

Mr. STENNIS. I agree. We cannot be certain about those things as long as the war is going on. It takes some time after.

Mr. PROXMIRE. I should like to make one other rebuttal to the Senator from Mississippi. I do not want to leave the impression that overruns are a result of inflation. The way a weapons system is designed, inflation and expectation of inflation is written into the contract and provision is made for that to begin with. In the second place, the inflation we have had in manufacturing in general, up until this year, has been modest over the past 10 years, at least substantially less than inflation in the consumer cost of living. Then, in the third place, the Pentagon itself, using its own figures, shows that a modest, relatively small proportion of the overruns can be accounted for, even based on their justification, on the basis of inflation. This is the result, by and large, of inefficiency, of very badly conceived plans, and many mistakes, and also of an extremely poor control system by the Pentagon and the executive branch generally, including the Budget Bureau, and I might also say the General Accounting Office.

Mr. STENNIS. Quite briefly, some of the contracts do have a sliding scale provision as to ordinary inflation, but some of them do not. Inflation, I think, has affected this picture. The Senator talks about inefficiency. That is the key word. We find it not only in defense contracts but also in contracts everywhere. I mean the workmen. Also the management; not just the workmen. We find it, according to my observation, in a lot of stores, service stations, and everywhere else, where the service is not up to what it used to be. The quality of the workmen is not up to what it used to be, either. That concerns me greatly, as I know it does the Senator from Wisconsin. I think we can improve on the contracts, too, a great deal. I believe that we will. I thank the Senator for yielding to me.

Mr. MURPHY. Mr. President, will the Senator from Wisconsin yield?

The PRESIDING OFFICER (Mr. PACKWOOD in the chair). Does the Senator from Wisconsin yield to the Senator from California?

Mr. PROXMIRE. I yield.

Mr. MURPHY. I have been most interested in the reports and comments of our distinguished chairman as he called attention to the many areas that need close scrutiny.

I join the chairman of the Armed Service Committee in his observations. I have had the privilege of serving on that committee this year for the first time. I have also had some experience in business methods. I was amazed at the thoroughness and care with which the chairman and the entire committee have approached their obligations in this matter. It is not just a matter of the Pentagon's sending down a request and everyone rubber stamping it. These things are gone over most carefully. They are questioned carefully. I am pleased that the distinguished chairman made the point clear.

I ask the distinguished Senator from Wisconsin, in the work of the committee, in looking for areas and different areas of concern where savings can be applied or arrived at, has he also looked into the matter of Government buildings?

I have been interested in one particular building that is supposed to have been finished, I think at least 12 months ago, and it is still not finished.

In the matter of overruns, which we hear generally applied to the military, I would be interested to know whether there has been any research or any examination into the matter of overruns in other areas, whether they are militarily so disproportionate, or whether they are some of the things that are brought on in the matter of Government buildings.

Mr. PROXMIRE. I just do not know of any in connection with overruns in this area. I would be shocked and surprised if there had been anything like that in another area that had not been called to the attention of Congress. The overruns go from $3.4 billion to $5.2 billion. An $1.8 billion overrun on one weapons system, one kind of ariplane, it seems to me is shocking and drastic. Think of it, $1.8 billion.

Mr. STENNIS. I agree.

Mr. PROXMIRE. There is nothing comparable to it in the civilian sector or in the nondefense govermental sector. I think the Senator knows that if anything like that occurred in private industry, whoever was responsible would be out of a job in a big hurry.

Mr. MURPHY. I was as shocked as he was when I heard it was being done. I must say that after listening to the questioning by the committee in public meeting of some of the people responsible, both civilian and military, in manufacturing, when I understood the conditions of their contract, when I understood the problems they were facing, and that the original contracts were all made on estimates, completely guessing estimates, because it was the type of operation that had never been conducte before, plus the fact that there had been no secret that Congress had been informed about the overruns as of a year ago, this really should not have come as such a surprise. Having seen the results of the contract, I think it is a shocking amount of money but I can easily understand how it was honestly and even carefully come by. I looked up the record on that same corporation that had the responsibility, and I must say that they have a good record of avoiding overruns in the past.

Mr. PROXMIRE. In April of 1968, the House Appropriations Committee was informed by the Air Force that the C–5A was in good shape, with no expectation of an overrun. It was in November of 1968 that the Economy in Government Subcommittee discovered the overrun and disclosed the overrun. Of course, the unfortunate aspect of this is that Boeing, which had been selected by the Air Force Selection Board as the best contractor, had been beaten on the bid by Lockheed, $300 million under Boeing's bid on the contract. But now the Lockheed contract is much more than $1½ billion over what Boeing had. So the Federal Government is out that much money on the basis of a commercial plane that Boeing has built, and we have no choice now but to spend a whale of a lot more money.

Mr. MURPHY. I agree with my distinguished colleague that in many areas unfortunate practices have grown up over the years in the matter of contracting. It is a difficult field. It is a complex field. It certainly needs as much scrutiny as the committee can give it. I am pleased that the chairman of the Armed Services Committee explained the care which was taken and, hopefully, these records on things which have happened in the past will be well served by the experience of this year and, hopefully, the committee will be able to do a much better and more efficient job in the future.

I thank the Senator from Wisconsin.

Mr. PROXMIRE. I thank the Senator.

S. 2727—INTRODUCTION OF A BILL TO PROVIDE FOR THE SHARING OF FEDERAL TAX RECEIPTS WITH STATES AND POLITICAL SUBDIVISIONS FOR PURPOSES OF EDUCATION

Mr. MILLER. Mr. President, I introduce and send to the desk for printing and appropriate reference a bill to provide for the sharing of Federal tax receipts with the States and their political subdivisions for purposes of education. I ask unanimous consent that the bill, along with a table prepared by the research staff of the Library of Congress showing the distribution of funds among the various States according to the formula in the bill, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and table will be printed in the RECORD.

(See exhibit 1.)

Mr. MILLER. Mr. President, for the citizens of this Nation today, the promise of America—of which novelist Thomas Wolfe once wrote—is in the development of our human resources through education.

Man is the shaper and the planner of his environment and his destiny. By his very nature, he must strive for the almost unlimited goals of the human spirit.

Education is an essential prerequisite to self-fulfillment of the individual and to social and economic progress of a nation. The National Education Association underscored these points when one of its writers in 1966 remarked:

> Education adds up to human dignity, to rational thinking, to a creative spirit, to self-reliance, to economic competence, to informed citizenship, and above all to lifelong opportunity for every American.

Our breakthroughs in space exploration and nuclear energy, our advances in health, social services, and in other areas are traceable to our citizens' enlightened view of education as a lifelong process. Our commitment to education is well known and is being emulated throughout the world.

Nevertheless, our schools and colleges face a financial crisis, born of the necessity and firm belief that every child should have the best education possible. Sources of money have been depleted by inflation while the needs continue to grow. The citizen-taxpayer is wondering when the demands on him will let up even as he knows we cannot afford to ignore our youth and our educational institutions.

As the financial problem becomes greater, we must reach out for innovative approaches to resolving it. We can no longer solely depend on present approaches to financing education, for a point of diminishing returns surely will confront us in the very near future.

We in Congress must share part of the responsibility, for the Federal Government has not measured up to its share of the burden of meeting our national commitment.

One of the problems in the educational field—and also in many other areas—is the proliferation of Federal programs of assistance to the States. In order to restore a healthy, viable Federal-State system, the present conglomeration of over 400 Federal grant programs should be consolidated. The cost of administration alone for education and all other Federal grant programs—estimated at $400 million annually—could be materially reduced. As an example, 21 of the Federal grants for education require the submission of separate State plans. An entire university could be operated with the manpower needed to prepare and review these plans.

Also, Federal aid, which logically should serve to strengthen our Federal system, in many cases actually undermines it. For example, of approximately 200 HEW grants, 146 are project grants, which are generally approved and administered solely by local government and private nonprofit community organizations. The resources of State government experts are ignored.

Many of these grants are so rigidly controlled by the bureaucracy in Washington that local initiative or enterprise in the administration of these grants is given little or no latitude. Thus, assistance from the Federal Government has too often been paid for by an unhealthy dependence on the Federal Government.

Many individuals, groups, and organizations have endorsed the approach of "block" grants to the States, particularly in the case of education, as opposed

to the so-called categorical grants-in-aid. Among these are the noted educator, Dr. James Bryant Conant, the Greater Cities Superintendents Association—comprising the 16 largest cities in the Nation—the American Association of School Administrators, the National Education Association, the Council of Chief State School Officers, the National School Boards Association, and the National Congress of Parents and Teachers.

One method is the sharing of Federal tax revenues for educational purposes with the States and also, through them, the local governments. This is the method set forth in the bill I am introducing today. In brief, my bill would return to the States and their political subdivisions 2 percent of total Federal tax collections for educational purposes. Based upon fiscal 1968 Federal tax collections of $153.6 billion, this would amount to some $3 billion. Federal tax sharing for education would avoid the problems associated with new and expanded categorical aid programs as well as help the States and local governments meet their growing fiscal crises. It is the best approach I know of to providing meaningful and sustained property tax relief.

The problem facing State and local governments is essentially one of steeply rising expenditures and inadequate resources with which to meet the growing demands for increased services, not only in the case of education but in all other areas of State and local activities as well. If our Federal system is to survive, the growing imbalance between the financial resources of the Federal Government and that of State and local governments must be corrected. The financial plight of the American system of government may be characterized as one of increased revenue at the national level but fiscal poverty at the State and local levels. Although somewhat overstating the case, John Kenneth Galbraith is essentially correct when he states:

> The great economic anachronism of our time is that economic growth gives the federal government the revenues while, along with the population increase, it gives the states and especially the cities, the problems. The one unit of government gets the money, the other gets the work.

Thus, while State and local governments have insufficient funds to embark upon new programs demanded by an increasingly sophisticated population, at the national level, the situation is reversed. The availability of funds at the national level oftentimes leads to approval of new programs and commitments without sufficient examination of the desirability or efficacy of such programs and commitments.

One only needs to contrast the Federal Government's vast income-gathering power with the growing income needs at the State and local levels to see the imbalance that has arisen. Between 1950 and 1968 Federal domestic—nondefense—spending rose 135 percent. In this same time, however, spending by State governments rose 295 percent and that of local governments 339 percent. Also, during this period, the national debt rose 35 percent while State government debt went up 578 percent, and local government debt rose 373 percent. Legal limits on debt and on tax rates are curtailing the local governments' ability to rely on existing revenue sources. Even without legal limits, however, more and more we are seeing State and local taxpayers voting against bond issues and higher taxes.

While this has been going on, State and local governments have not stood still in using their taxing powers. State and local tax revenues have increased from $17 billion in 1950 to $71 billion in 1968. As a practical matter, though, the National Government has preempted the graduated income tax as a major revenue source. According to 1966 figures, the Federal Government collected 67.5 percent of all tax revenues in the Nation while State governments collected only 17.5 percent and local governments 15 percent. The income tax, which is the tax most responsive to economic growth, is overwhelmingly dominated by the Federal Government, which collected 92.6 percent of all personal income taxes paid in the United States in 1966. The three major sources for the bulk of State and local revenue—property taxes, sales taxes, and income taxes of flat or only mildly progressive rates—have not kept pace with inflated prices and the mushrooming demands of a growing population for improved governmental services.

In the face of these facts, State, and local goevrnments have had to rely increasingly upon financial assistance from the Federal Government. Between 1950 and 1968, Federal aid to the States increased by 732 percent.

I ask unanimous consent to have printed in the RECORD at the end of my remarks a New York Times article which appeared in the Mason City, Iowa, Globe Gazette of Monday, July 14, 1969, entitled "State Taxes in U.S. Climb." This perceptive article shows the predicament the States are in and what some of them are doing about it.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. MILLER. Mr. President, I have received numerous letters from concerned constituents in my State complaining of high property taxes. I have had to respond to such persons by pointing out that property taxes are levied by the State and local governments and, therefore, are not a direct responsibility of the Federal Government. The Federal Government could help property owners, however, by sharing its tax receipts so that the tax burden on the States would not be so great. The bill I am introducing today would do this because in most States property tax revenues are used to support the local schools.

Unless legislation is enacted whereby Federal tax revenues are shared with State and local governments with a minimum of strings attached, the trend will continue toward more grant-in-aid programs, with increasing Federal intrusion into decisionmaking which can best be made at the State and local levels.

A revenue-sharing measure such as I am proposing will significantly help the State and local governments to meet their growing responsibilities while, at the same time, retaining primary operational independence. Basic Federal laws, such as the Civil Rights Act of 1964, would naturally continue to be effective. With the percentage of Federal revenue approach, there would be less Federal bureaucracy, and thus the foundation for future possible control from this direction would be eliminated. A law which would simply allocate a percentage of the Federal revenue collections to the States "for education purposes" would, once put into effect, have a status not unlike the annually recurring appropriation to pay interest on the national debt, and would be in little danger of amendment or restriction by the Appropriations Committees. Thus, the percentage-of-Federal-revenue approach which I have advocated for 9 years now, with increasing support each year, would be a major step forward in helping the States and local communities meet their needs for education—some being improved teachers salaries, some being classrooms, some being laboratories, some being assistance for higher operating costs, and some being all of these items—without Federal administrative waste and control. Furthermore, achieving a better fiscal balance between Federal, State, and local governments will greatly strengthen our unique system of federalism.

I realize that several other revenue-sharing measures have already been introduced in the Congress. Some of them allow the shared funds to be used for any purposes that the State desires, while some limit them to various activities. I believe that since revenue sharing would be a new approach, and since education is so important to the future of this country, any revenue sharing that is authorized should be limited, at first, to educational purposes, and that is what I have done in my bill. It has been shown that much of the increase—more than 40 percent—in general expenditures by State governments between 1955 and 1966 went for education. Therefore, it could be argued that even if it were not specified that the funds could be used only for educational purposes most of them would be used for those purposes anyway. Nevertheless, I believe it wise to limit revenue sharing to educational purposes—to put first things first. After we have had some experience with such a program, the purposes for which the money could be used could be expanded as the revenues shared are increased.

The principal provisions of my bill are as follows: The bill would establish a tax-sharing fund in the Treasury and would appropriate to such fund for the fiscal year beginning July 1, 1971, and for each fiscal year thereafter, an amount equal to 2 percent of total Federal tax collections received during the preceding fiscal year. The Secretary of the Treasury would be directed to pay the State allotments from this fund at least quarterly.

The allotment to each State would be determined primarily on the basis of the population of each State between ages 5 and 20 inclusive. Each State's basic allotment would be increased or decreased by the percentage that the State's annual per capita income is lesser or greater, respectively, than the average annual per capita income of all the States. This for-

mula, while primarily distributing the funds on the basis of school age population, would assure that the lower income States would receive an added amount.

The bill contains a pass-through provision to assure that the local governmental units would receive a fair share of the State allotment. The amount passed through to each political subdivision would be determined by the ratio that expenditures of such subdivision for education—exclusive of State aid—bear to the total expenditures for education by the State and all of its political subdivisions.

The States and their political subdivisions could use their allotment under the bill only for activities, programs, and services in the field of education, including activities, programs, and services provided with respect to elementary and secondary schools, vocational and technical schools, and institutions of higher learning.

If a State uses any of its allotment for other than educational purposes or if it does not obligate its allotment within 2 years after it was made, the Secretary of the Treasury, after notice and opportunity for hearing, would be required to subtract such amount from subsequent allotments to that State. Also, the States must give the Secretary assurances and certify that they will use fiscal control and fund accounting procedures necessary to assure proper disbursement and accounting of their allotment, make accounting reports to the General Accounting Office, and comply with all applicable laws, including title VI of the Civil Rights Act of 1964. If the Secretary finds any State or political subdivision not in substantial compliance with these requirements he would be required to cancel any subsequent payments to that State and reallocate such amount to the other States. Determination by the Secretary would be subject to appeal to the U.S. District Court for the District of Columbia, as a matter of preventing hardship due to any arbitrary decisions by administrative officials.

The bill (S. 2727) to provide for the sharing of Federal tax receipts with the States and their political subdivisions for purposes of education, introduced by Mr. MILLER, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2727

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Tax-Sharing Education Act of 1969".

SEC. 2. (a) There is hereby established in the Treasury of the United States a fund to be known as the tax-sharing fund. The tax-sharing fund shall consist of amounts appropriated to such fund as provided in this section.

(b) There is hereby appropriated to the tax-sharing fund, out of any money in the Treasury not otherwise appropriated, for the fiscal year beginning July 1, 1971, and for each fiscal year thereafter, an amount equal to 2 per centum of the total Federal tax collections received during the preceding fiscal year.

(c) The Secretary of the Treasury (hereinafter referred to as the "Secretary") shall, from time to time, but not less often than quarterly, transfer from the general fund of the Treasury to the tax-sharing fund the amounts appropriated by subsection (b). Such transfers shall, to the extent necessary, be made on the basis of estimates by the Secretary of the amounts referred to in subsection (b). Proper adjustments shall be made in the amounts subsequently transferred to the extent that prior estimates were in excess of or less than the amounts required to be transferred.

SEC. 3. (a) The Secretary shall, during the fiscal year beginning July 1, 1971, and during each fiscal year thereafter, pay to each State, from amounts appropriated to the tax-sharing fund for the fiscal year in which payments are to be made, a total amount equal to the allotment of such State in such fiscal year computed under this section. Such payments may be made in installments periodically during any fiscal year, but not less often than quarterly.

(b) (1) From the total sum of the amounts appropriated to the tax-sharing fund pursuant to section 2 for any fiscal year, the Secretary shall allot to each State in such fiscal year an amount which bears the same ratio to such total sum as the population of such State between the ages of five and twenty, inclusive, bears to the total population of all of the States between the ages of five and twenty, inclusive. The allotment of each State in any fiscal year so computed shall be reduced or increased in accordance with the provisions of paragraph (2) of this subsection.

(2) Each such allotment computed under paragraph (1) shall be increased in the case of those States whose annual per capita income is less than the average annual per capita income of all of the States and shall be reduced in the case of those States whose annual per capita income is greater than the average annual per capita income of all of the States. The amount of any such increase or reduction to be made with respect to the allotment of any State shall be computed by multiplying such allotment by the percentage by which the annual per capita income of such State is less or greater, as the case may be, than the average annual per capita income of all of the States.

(c) For purposes of this section—

(1) The population of a State between the ages of five and twenty and of all the States between the ages of five and twenty shall be determined by the Secretary on the basis of the most recent data available from the Department of Commerce.

(2) The per capita income of a State and of all the States shall be determined by the Secretary on the basis of the most recent data available from the Department of Commerce.

SEC. 4. (a) Except as provided in subsection (b), each State may use payments from its allotment in any fiscal year under section 3 for activities, programs, and services in the field of education, including activities, programs, and services provided with respect to elementary and secondary schools, vocational and technical schools, and institutions of higher learning.

(b) (1) Each State receiving an allotment under section 3 for any fiscal year shall in turn allot and pay from such allotment to each political subdivision of such State an amount which bears the same ratio to such allotment as the amount of expenditures by such political subdivision for activities, programs, and services described in subsection (a) during the preceding fiscal year (exclusive of expenditures made with funds received from the State or the United States), bears to the total amount of expenditures by the State and all of its political subdivisions for activities, programs, and services described in subsection (a) during the preceding fiscal year.

(2) Each political subdivision of a State may use payments from its allotment in any fiscal year under paragraph (1) for activities, programs, and services described in subsection (a).

(3) A State may, in order to comply with the provisions of subsection (c) or of section 5, subtract amounts from allotments, or cancel payments, to any of its political subdivisions.

(c) Whenever the Secretary, after giving reasonable notice and opportunity for a hearing to a State, finds that such State or a political subdivison of such State (1) has used any amount of such allotment for purposes not within the scope of subsection (a), or (2) has not obligated any amount of such allotment within two fiscal years immediately following the fiscal year in which such allotment was made, the Secretary shall give notice of his intention to subtract, from any subsequent allotment or allotments to such State, a total amount equal to the amount referred to in clause (1) or (2). The State may, within thirty days following notice of such intention, appeal the decision to the United States District Court for the District of Columbia. In the event of any reduction in the allotment of any State in any fiscal year under this subsection, the Secretary shall reallot and pay the amount of such reduction to other States in proportion to the original allotment to such States under subsection (b) of section 3 for such year.

SEC. 5. (a) (1) Any State desiring to receive its allotment in any fiscal year under this Act shall certify and provide satisfactory assurance to the Secretary that such State and its political subdivisions will—

(A) use such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for any allotment paid to such State;

(B) make accounting reports to the Secretary and the Comptroller General, in such form and containing such information as the Secretary and Comptroller General may reasonable require to carry out their functions under this Act; and

(C) adhere to all applicable Federal laws in connection with any activity, program, or service provided solely or in part from such allotment.

(2) For purposes of this subsection, the provisions of title VI of the Civil Rights Act of 1964 shall be deemed to be applicable to any activity, program, or service provided solely or in part from any allotment received by a State or a political subdivision under this Act.

(b) Whenever in any fiscal year the Secretary, after giving reasonable notice and opportunity for hearing to a State, finds that such State or any of its political subdivisions are not in substantial compliance with subsection (a), the Secretary shall, subject to appeal as provided in subsection 4(c), cancel any subsequent payments to such State under this Act in such fiscal year and reallot any remainder of the allotment of such State for such fiscal year to other States in proportion to the original allotments to such States under subsection (b) of section 3 for such fiscal year.

SEC. 6. The Secretary shall report to the Congress not later than the first day of March of each year on the operation of the tax-sharing fund during the preceding fiscal year and on its expected operation during the current fiscal year. Each such report shall include a statement of the appropriation to, and the disbursements made from, the tax-sharing fund during the preceding fiscal year and an estimate of the expected appropriation to, and disbursements to be made from, the tax-sharing fund during the current fiscal year.

SEC. 7. As used in this Act, the term "State" includes any of the several States and the District of Columbia.

EXHIBIT 1

ESTIMATED DISTRIBUTION OF FUNDS BY STATE UNDER SENATOR MILLER'S FEDERAL TAX SHARING BILL

State	Population, 5 to 20 years, July 1, 1967		Col. 3 times $3,073 million (thousands)	Per capita personal income, calendar year 1968	$3,412 divided by col. 5	Unadjusted State allotment (col. 4 times col. 6) [1] (thousands)	Col. 7 times 3.641 percent [1] (thousands)	Total allotment (col. 7 minus col. 8) [1] (thousands)
	Number	Percent of total						
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1. Alabama	1,173	1.9	$58,387	$2,329	1.465	$85,537	$3,115	$82,422
2. Alaska	106	.2	6,146	4,124	.827	5,083	185	4,898
3. Arizona	554	.9	27,657	2,983	1.144	31,640	1,152	30,488
4. Arkansas	618	1.0	30,730	2,304	1.481	45,511	1,657	43,854
5. California	5,884	9.6	295,008	4,012	.850	250,757	9,132	241,625
6. Colorado	659	1.1	33,803	3,371	1.012	34,209	1,246	32,963
7. Connecticut	872	1.4	43,022	4,231	.806	34,676	1,263	33,413
8. Delaware	169	.3	9,219	3,888	.878	8,094	295	7,799
9. District of Columbia	224	.4	12,292	4,516	.756	9,293	338	8,955
10. Florida	1,802	2.9	89,117	3,081	1.107	98,653	3,592	95,061
11. Georgia	1,491	2.4	73,752	2,743	1.244	91,747	3,341	88,406
12. Hawaii	270	.4	12,292	3,514	.971	11,936	435	11,501
13. Idaho	239	.4	12,292	2,728	1.251	15,377	560	14,817
14. Illinois	3,319	5.3	162,869	3,994	.854	139,090	5,065	134,025
15. Indiana	1,593	2.6	79,898	3,421	.997	79,658	2,901	76,757
16. Iowa	867	1.4	43,022	3,391	1.006	43,280	1,576	41,704
17. Kansas	722	1.2	36,876	3,333	1.024	37,761	1,375	36,386
18. Kentucky	1,031	1.7	52,241	2,597	1.314	68,645	2,500	66,145
19. Louisiana	1,264	2.0	61,460	2,615	1.305	80,205	2,921	77,284
20. Maine	308	.5	15,365	2,857	1.194	18,346	668	17,678
21. Maryland	1,188	1.2	36,876	3,712	.919	33,889	1,234	32,655
22. Massachusetts	1,602	2.6	79,898	3,796	.899	71,828	2,616	69,212
23. Michigan	2,837	4.6	141,358	3,674	.929	131,322	4,782	126,540
24. Minnesota	1,188	1.9	58,379	3,318	1.028	60,022	2,186	57,836
25. Mississippi	822	1.3	39,949	2,057	1.659	66,275	2,413	63,862
26. Missouri	1,380	2.2	67,606	3,220	1.060	71,662	2,610	69,052
27. Montana	236	.4	12,292	2,917	1.170	14,382	524	13,858
28. Nebraska	453	.7	21.511	3,220	1.060	22,802	830	21,972
29. Nevada	135	.2	6,146	3,992	855	5,255	191	5,064
30. New Hampshire	209	.3	9,219	3,268	1.044	9,625	350	9,275
31. New Jersey	2,064	3.3	101,409	3,907	873	88,530	3,223	85,307
32. New Mexico	371	.6	18,438	2,695	1.266	23,343	850	22,493
33. New York	5,103	8.3	255,059	4,133	826	210,679	7,673	203,006
34. North Carolina	1,666	2.7	82,971	2,606	1.309	108,609	3,954	104,655
35. North Dakota	215	.3	9,219	2,808	1.215	11,201	408	10,793
36. Ohio	3,350	5.5	169,015	3,487	.978	165,297	6,019	159,278
37. Oklahoma	762	1.2	36,876	2,860	1.193	43,993	1,602	42,391
38. Oregon	611	1.0	30,730	3,325	1.026	31,529	1,148	30,381
39. Pennsylvania	3,445	5.7	175,161	3,409	1.001	175,336	6,385	168,951
40. Rhode Island	270	.4	12,292	3,537	.965	11,862	432	11,430
41. South Carolina	924	1.5	46,095	2,339	1,459	67,253	2,449	64,804
42. South Dakota	222	.4	12,292	2,916	1,170	14,382	524	13,858
43. Tennessee	1,231	2.0	65,460	2,553	1,336	82,111	2,990	79,121
44. Texas	3,584	5.9	181,307	3,016	1,131	205,858	7,496	198,362
45. Utah	370	.6	18,438	2,810	1,214	22,384	815	21,569
46. Vermont	131	.2	6,146	3,017	1,131	6,951	253	6,698
47. Virginia	1,475	2.4	73,752	3,049	1.119	82,528	3,005	79,523
48. Washington	1,026	1.7	52,241	3,676	.928	48,480	1,765	46,715
49. West Virginia	567	.9	27,657	2,491	1.370	37,890	1,380	36,510
50. Wisconsin	1,346	2.2	67,606	3,407	1.001	67,674	2,464	65,210
51. Wyoming	107	.2	6,146	3,139	1.087	6,681	243	6,438
55. Total	62,057	100.0	3,073,000	[2] 3,412	1.000	3,189,131	116,131	3,073,000

[1] Under the formula given in this bill, it was impossible to arrive at a total distribution which coincided with the $3,073,000,000 available for allotment to the States. The total unadjusted State distribution amounted to $3,189,131,000 (col. 7) which is $116,131 000 more than the $3,073,000 000 available for distribution to the States. This $116,131,000 represented 3.641 percent of the $3,189,131,000 derived. We then multiplied this factor (3.641 percent) by each State's unadjusted allotment (col. 7) and derived the adjusted State distribution given in col.

[2] Average.

Source: U.S. Department of Commerce. Bureau of the Census. U.S. Department of Commerce. Office of Business Economics. Survey of Current Business. April 1969, pp. 26–27.

EXHIBIT 2

[From the Mason City (Iowa) Globe Gazette, July 14, 1969]

STATE TAXES IN U.S. CLIMB—21 STATES ADD OR HIKE LEVIES

NEW YORK.—The hands of state legislatures are probing deeper than ever this year into taxpayer pockets in a sometimes desperate search for funds to meet the mounting costs of modern life.

In at least 21 states new taxes have been imposed or old ones increased. Others are in prospect.

And in the heat of summer, some states—among them Massachusetts, California, Pennsylvania and Ohio—have been enmeshed in protracted struggles, sometimes in an atmosphere of crisis, about how state governments are to cope with their fiscal problems.

Other states have deferred the struggle, but only temporarily, and a rare handful have yet to face it at all.

"In terms of state tax efforts," said William G. Colman, executive director of the Advisory Commission on Inter-governmental Relations in Washington, "this is probably the most eventful year since World War II."

Events, some of them precedent-shattering abounded:

North Carolina enacted the largest program of new or increased taxes in its history, including its first tax on cigarettes.

Illinois and Maine introduced income taxes, bringing to 38 the number of states now imposing them.

Connceticut passed the largest tax increase program in its history.

New York raised its sales tax by 1 per cent, meaning that residents of New York City, which already imposed a 3 per cent sales tax, now pay a total of 6 percent in sales taxes.

South Carolina passed its first major tax increases in a decade, and many states raised taxes of such items as beer, liquor, cigarettes, gasoline, rooms and meals in efforts to bolster revenue.

OTHER STATES

Other states that have raised their taxes this year include Alabama, Colorado, Delaware, Maryland, Missouri, Montana, Nevada, New Hampshire, North Dakota, Oklahoma, Rhode Island, South Dakota, Tennessee, Vermont and Wyoming.

Iowans were not subjected to a general tax increase this year. The last big jump in Iowa taxes was in 1967.

In several instances, the revenue debates, continuing and resolved, were marked by acute awareness on the part of legislators than many taxpayers already regard themselves as taxed beyond endurance.

As some officials see it, the public clamors for more services—better schools, better transportation, improved welfare systems, upgraded housing and hospitals—and then squeals with rage at the thought of paying for it.

In Massachusetts, for example, Gov. Francis W. Sargent put before the legislature a tax program designed to raise $90 million. Earlier, he recommended pay rises for the state's 55,000 employees that would total $40 million.

PAY HIKE PROBLEM

But early this month, the legislature enacted a bill, retroactive to Jan. 1, to provide raises that would total $92.5 million, thus consuming all the new revenue the governor had sought and presumably facing him with the prospect of seeking additional taxes or reducing other programs.

The governor recently rejected the pay-rise package and offered a counterproposal calling for $64.7 million in raises retroactive to May 1. Presumably, with $90 million in new revenue in prospect, no other new levies would be needed.

Jack Flannery, the assistant to the Republican governor, says that the problem

illustrated by the pay rise "symbolizes perfectly the financial situation that the governor in particular, and most governors generally, are confronted with."

Flannery continues: "Law-making bodies, representing the people, freely vote money that they are not prepared to produce in the form of revenue programs. Nobody wants to pay the piper, yet everybody wants the piper to keep on playing."

States and localities are paying more for teachers, policemen, for welfare and for construction. And the demands on them are relatively larger, and more immediate, than those on the federal government.

Compounding the states' difficulties is the fact that, for the most part, their revenues do not increase in line with the growth in the economy, authorities say.

Federal revenues rely heavily on income taxes, which quickly reflect and outpace the climb in the gross national product, so the federal government can see its income growing steadily without raising the tax rate.

But state and local taxes are based largely on sales and real estate, values which grow more slowly. So state and city officials are more often forced to raise taxes to attain needed income.

Because of this, federal taxes now take only about 14 per cent of the gross national product against 16 per cent in 1946, Colman estimates. But state and local taxes in that time have risen from 5 per cent to more than 8 per cent of the gross national product.

And an increase in tax rates often leads to voter retribution, Colman, of the advisory commission, said.

"In most political situations, this (tax policy change) sets off a panic signal in the legislative halls and anxiety in politicians' hearts," said one tax authority.

"Citizens have underscored this aversion by defeating candidates for public office who venture to say candidly that higher taxes will be needed to support expenditure programs desired by the electorate," said a recent report by the Advisory Commission in Intergovernmental Relations.

THE NEED FOR THE SURTAX EXTENSION

Mr. COOPER. Mr. President, the Senate Finance Committee has reported favorably to the Senate H.R. 12290, the administration's tax bill.

This bill should be taken up by the Senate before the August recess. It is needed to provide necessary revenues to support the budget. It is needed as a fiscal measure to check our mounting inflation.

I would like to comment first on the importance of this bill as a revenue measure and its relationship to the 1970 budget and, second, on its importance as a means of relieving the inflationary pressures on our economy.

Upon taking office and after reviewing the proposed Johnson budget for fiscal 1970, President Nixon effected a reduction of $2.4 billion in outlays, the net result of $4 billion in cuts of controllable programs and a $1.6 billion upward adjustment in estimates for uncontrollable programs. Even with these reductions, the administration estimated its total outlays in 1970 to be $192.9 billion, some $7.3 billion higher than in 1969. This increase includes the following:

First, $3.4 billion for social security benefit increases;

Second, $2.8 billion for civilian and military pay raises, effective July 1, 1969;

Third, $1 billion increase in interest costs of the public debt; and

Fourth, $1.1 billion public-assistance grants to States, including medicaid and the removal of the aid to dependent familiies.

However, in signing the Second Supplemental Appropriations Act on July 22, the President commented on title IV, the "limitation on fiscal year 1970 budget outlays" section of the bill. That act by Congress limits expenditures in fiscal 1970 to $191.9 billion, $1 billion under the administration's estimated budget, at the same time giving the President authority to adjust the ceiling upward for social security, veterans' pensions, interest, and farm price supports. The President emphasized the need to hold expenditures to the administration's budget estimate of $192.9 billion and noted that since the April 15 estimates were made, he anticipates further increases totaling $2.5 billion in expenditures for uncontrollable items.

In addition, the President commented on the failure of Congress to act on the administration's recommendations for a postal rate increase to be effective July 1, 1969, and recent actions taken by the Congress which would increase expenditures over his 1970 budget and add at least a billion dollars net to Federal spending in 1970. Thus the total anticipated increases on spending would amount to $3.5 billion.

In view of these additions to Federal spending the President stated the policy that his administration would follow:

Given our commitment to hold Federal spending to the April figure of $192.9 billion there is only one course of action open to the Administration, and we are taking it. I am directing the heads of all Departments and agencies to reduce spending in the fiscal year just begun by an additional $3.5 billion, the amount necessary to bring current estimates back in line with the $192.9 billion target figure we set in April.

Mr. President, I ask unanimous consent that the President's statement of July 22 be included in the RECORD at this point:

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE PRESIDENT,
JULY 22, 1969

I have today signed into law the final supplemental appropriations bill for the fiscal year ended June 30. In addition to providing budget authority for the federal government's operations last year, the measure removes a restriction that had been placed on federal hiring by the Revenue and Expenditure Control Act of 1968.

Written into the law is another ceiling—on federal spending during the fiscal year 1970, the one we just entered. The ceiling is set at $191.9 billion—one billion dollars below my own expenditure recommendations of last April.

However, the Congress has made this new ceiling somewhat flexible. There are a number of categories in the federal budget—such as medicare, interest on the public debt, social insurance benefits and farm price supports—where costs can rise without new appropriation action. Congress has determined that increases in these items—up to $2 billion—will be exempt from the $191.9 billion ceiling.

There are other items such as military expenditures in Southeast Asia, public assistance, medicaid benefits and veterans benefits, where it is also very difficult to budget a precise figure. Any additional appropriations the Congress votes in these categories—above our 1970 revised budget estimates—will result in an upward adjustment of that $191.9 billion ceiling.

There is another side to the proposal. If, after voting this new lower ceiling, Congress fails to cut the budget to fit under it, the President must take over and finish the job. On the other hand, if Congress should cut the budget below the $191.9 billion—that new lower figure automatically becomes a new ceiling. The latter hypothesis does not appear at this point to be a strong probability.

In making the new ceiling somewhat flexible, the Congress has acted wisely. However, the new ceiling will be of little help in keeping federal spending under control—if the Congress that imposed it does not cooperate actively with the Administration in meeting it.

Last April I presented a revised 1970 budget to the Congress. That budget contained specific reductions totaling $4,000,000,000 from the budget left by the previous Administration. It brought the proposed federal spending figure for this fiscal year down to $192.9 billion, a figure I still believe reflects a responsible fiscal policy in our highly inflationary environment. If we hold the line on that spending figure, as I intend to, and if the requisite revenues are provided, this fiscal year will leave us the kind of budget surplus needed to cool off an economy that was dangerously overheated before we assumed office.

Three months have passed since the Administration's revised budget was sent to the Congress. We are already three weeks into the 1970 fiscal year—and the Congress has not completed its action on a single regular 1970 appropriations bill. It seems apparent that it will not be known until the late fall just how much of a contribution the Congress intends to make toward meeting the spending ceiling Congress itself has imposed.

In the meantime, since April, the budget picture has worsened. We now anticipate further increases of approximately $2.5 billion in expenditure for uncontrollable items in the budget such as interest on the public debt, Medicare, social security, civil service retirement benefits, reduced receipts from off-shore oil leases, public assistance, and veterans' benefits.

Congressional action to date has been inconsistent with a number of my proposals in April. For example, Congress has not acted on my recommendation for a postal rate increase effective July 1. Nor has it terminated the special milk and agriculture conservation programs as I recommended. Instead of reducing aid to schools in impacted areas, it is moving to increase such aid. These, and similar actions, could add at least another billion dollars net to Federal spending in 1970.

Thus our current estimate of fiscal 1970 spending has risen to $196.4 billion even though we in the Administration have done nothing in the way of discretionary action to add to our earlier $192.9 billion estimate.

Given our commitment to hold federal spending to the April figure of $192.9 billion there is only one course of action open to the Administration, and we are taking it. I am directing the heads of all Departments and agencies to reduce spending in the fiscal year just begun by an additional $3.5 billion, the amount necessary to bring current estimates back in line with the $192.9 billion target figure we set in April.

No federal program is above scrutiny. Some highly desirable programs will have to be

stretched out—others reduced. The dollar reductions will be accompanied by a further lowering of the personnel ceilings established last April.

I know Congress shares my determination to make the budget an effective instrument against the inflation that has wrought so much damage to the income and savings of millions of Americans. If Congress did not share that commitment, it would not have imposed this spending ceiling. However, this general expression of support for fiscal restraint must now be matched by specific acts of the Congress.

Congress should also recognize that if it approves further increases above the April Budget estimates, we cannot live within the $192.9 billion figure unless more off-setting cuts are made.

I would prefer that the Congress make these off-setting cuts in programs it considers of lesser priority, when and if it votes increases over my April budget for activities it considers essential. If it does not do so, the duty of making such cuts clearly becomes mine.

Mr. COOPER. Mr. President, these estimates are, of course, based on the assumption that Congress will enact H.R. 12290 which would provide some $9.3 billion in revenues. In his statement to the Senate Finance Committee on July 8, Secretary Kennedy estimated that first, the extension of the surcharge at 10 percent to December 31, 1969, and at 5 percent to June 30, 1970 would yield $7.6 billion in fiscal 1970; second, the postponement for 1 year the reduction in excise taxes on automobiles and telephone services would provide $540 million; third, the repeal of the investment credit tax, would produce a net revenue yield of $1.35 billion; and fourth, the low income allowance would result in a reduction in revenues of $270 million.

What, we may ask, would be the status of the budget if Congress did not enact H.R. 12290?

On a unified budget basis we would shift a projected budget surplus now estimated to be $5.2 billion to a deficit of $4 billion, and increase the projected deficit in the administrative budget from $5.1 billion to a deficit of $14.3 billion. Furthermore, these projected deficits would be increased by the amount of any additional expenditures, excepted from the limitations of the $191.9 billion ceiling contained in Public Law 91–47.

Mr. President, I ask unanimous consent that the statement by Secretary of the Treasury Kennedy, and Director of the Budget Mayo, before the Senate Finance Committee on July 8, in support of H.R. 12290 be included in the RECORD at this point.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT OF THE HONORABLE DAVID M. KENNEDY, SECRETARY OF THE TREASURY, BEFORE THE SENATE FINANCE COMMITTEE, TUESDAY, JULY 8, 1969

Mr. Chairman and members of the Committee, I am grateful for this opportunity to testify in behalf of H.R. 12290—a bill which contains the anti-inflation measures proposed by the President.

Specifically, H.R. 12290 would—

1. extend the surcharge at 10 percent to December 31, 1969, and at 5 percent thereafter to June 30, 1970, producing a revenue yield of $7.6 billion in fiscal year 1970.

2. defer for one year the reduction in the excise taxes on automobiles and on telephone and teletypewriter exchange services, producing a revenue increase of $540 million in fiscal year 1970.

3. repeal the investment credit, producing a revenue increase of $1.35 billion in fiscal year 1970 and more than $3 billion in annual revenue in later years. The House bill incorporates certain transition rules for repeal of the credit, similar generally to those used in the 1966 suspension of the credit, reducing the revenue yield in fiscal year 1970 from the President's recommendation by about $150 million.

In addition, the President had recommended as a part of his initial reform proposals the adoption of the Low Income Allowance to remove the burden of the income tax from persons with incomes below the poverty level and to reduce the tax burden on persons with incomes just above this level.

The Low Income Allowance was incorporated by the House in H.R. 12290 with minor changes, effective January 1, 1970. It involves a revenue reduction of $270 million for fiscal year 1970 and of $625 million for a full year. Since it had been recommended by the President as a reform measure and had been taken into account in revised budget estimates for fiscal year 1970, its insertion in the bill did not affect the revenue estimates.

Mr. Chairman, I submit that the economic case for speedy action on these tax proposals is overwhelming. During 1969 consumer prices—the significant shopping basket indicator—have risen at an annual rate of 6.1 percent and wholesale prices at a rate of 6.3 percent.

It is not necessary to point out to this panel the very real dangers our country faces if inflation is allowed to continue unchecked. Inflation of this magnitude could lead to a serious economic readjustment accompanied by a painful high level of unemployment.

Failure to extend the surcharge would amount to a cut in taxes at a time of accelerating inflation. The consequences of failing to pass this legislation are unthinkable.

Even delay poses serious risks.

Delay contributes to a loss of confidence by our people in the determination of government to bring an orderly halt to inflation.

Delay feeds inflationary expectations and thus makes inflation even more difficult to control.

Delay weakens our balance of payments and foreign confidence in the integrity of the dollar and contributes to unsettled conditions in the international monetary markets.

In view of the clear need to continue the fight against inflation, we must not contemplate delay.

Let me turn to an argument that many raise for opposing this bill. These people feel that passage of the tax surcharge must be linked with tax reform in order to insure enactment of significant reform.

I understand the sense of frustration of those who hold this position. However, we must remember that essentially there are two separate and distinct problems before us. One, the control of inflation, is immediate and urgent. The other, tax reform, is vitally important, highly complex, and requires careful action both by the Congress and the Executive branch.

Linking these two problems may mean that we fail in both of our objectives.

I agree with those who believe the wait for meaningful tax reform has been "too long." But I would point out that the Ways and Means Committee has met in lengthy public hearings and executive sessions to consider tax reforms. On May 27, the Committee announced tentative decisions on tax reform subjects, and the Chairman of the Committee has announced that reform would be before the House prior to the August recess.

Moreover, President Nixon fully supports these efforts and is determined to bring equity to our Federal tax system.

On April 21 the President submitted to the Congress a major tax reform package, including the low income allowance which has become a part of the bill before you. In addition, it contained these broad proposals:

A *limit on tax preferences,* which puts a limit of 50 percent on that portion of a person's income which could enjoy a preferred status, and an *allocation of deductions* proposal preventing double benefits from tax preferences. In addition to these proposals, the President's initial proposals include meaningful reforms dealing with mineral production payments, private foundations, charitable contribution deductions, business income of tax-exempt organizations, tax treatment of corporate securities frequently used by conglomerates, multiple corporate surtax exemptions, stock dividends, dividends out of accelerated depreciation reserves, restricted stock plans, farm losses, multiple trusts, moving expenses, and a number of other important items.

(With the consent of the Committee, I would like to ask that a summary of the Administration's interim tax reform proposals of April 22, 1969 be inserted in the record of the hearings at the conclusion of my statement.)

In that April 21 message, President Nixon said: "Fairness calls for tax reform now; beyond that, the American people need and deserve a simplified Federal tax system, and one that is attuned to the 1970's."

He has repeatedly pledged—and in a letter to the House of Representatives just last week stated again—that he supports and is determined that there shall be significant, meaningful, and fair tax reform.

In addition, House and Senate leaders on both sides of the aisle have pledged to themselves and to their constituents that there will be tax reform this year.

Gentlemen, there is no need to hold up the extension of the tax surcharge pending enactment of tax reform. The commitment to tax reform has been made to the American people, and I pledge to you that this Administration will honor that commitment. I feel confident that the Congress will respond in like spirit. I know that the American people will accept nothing less.

Before concluding, I would like to mention several areas where the House-passed bill differs from the President's recommendations. Then I would be happy to answer any questions you may have about those changes or any other aspect of the legislation.

First, as I noted earlier, the Low Income Allowance recommended by the President as a part of his interim tax reform proposals, has been included in this bill. Action on this measure should be recognized as a commitment to tax reform, and we endorse adding it to this bill on the assumption that reform will be enacted.

Secondly, the transition rules adopted by the House in connection with the repeal of the investment credit will reduce the revenue yield from repeal of the credit by about $150 million in fiscal year 1970 as compared with the rules initially recommended by the Treasury. The transition rules in the bill would allow the credit for certain expenditures after April 18, 1969, even though there was no binding contract on that date. They are, however, generally the same rules adopted in 1966 on suspension of the investment credit to deal with cases in which there is an economic commitment evidenced by expenditures constituting more than half the cost of a facility prior to the cut-off date. There are some extensions of the 1966 rules to cases of generally similar nature. However, any further extension beyond these rules would be a mistake. The binding contract rule and these additional rules provide equitable treatment in the most deserving

cases, and they represent the most reasonable cut-off point.

Finally, the House bill provides that certain capital facilities acquired to reduce air or water pollution may be amortized over five years instead of their normal useful lives. This acceleration of cost recovery will provide an incentive for installation of anti-pollution facilities. While we did not recommend it, it is reasonable if the Committee agrees that such an incentive is justified. However, we have serious reservations about the scope of the House provision, as I will indicate. The provision as contained in the House bill will result in no substantial short-term revenue loss but will result in a long-term revenue loss which will reach $300 to $400 million annually by 1975.

A revenue loss of this magnitude deserves careful scrutiny. We have concluded on further study of the House provision that the five-year amortization provision need not be made available to *new* plants constructed in the future which install anti-pollution control facilities. Technological advances which are occurring in the control of pollution will greatly reduce the burden on industry in designing new plants to meet anti-pollution standards. In these cases, a major tax concession to provide incentive and achieve cost-sharing is not nearly so important as in the case of existing plants where the burden is much clearer.

It is also our conclusion on further study of the provision as passed by the House that it provides too great a benefit to property which has a long useful life. Thus, anti-pollution property qualifying under the bill which has a useful life of 50 years would receive a tax concession equivalent to an investment credit of approximately 20 percent. The rapid amortization provision is intended to replace the investment credit for anti-pollution facilities, but an increased benefit of this magnitude is not warranted. The Treasury therefore proposes that a limitation be placed on the rapid writeoff so that its benefits would be available only for the first 15 years of the life of any property. Thus, property with a 50-year useful life could obtain the benefit of the rapid writeoff for 30 percent of the cost of the facility and use regular depreciation methods for the remaining cost of the property. Such a provision has precedent in the rapid amortization permitted for emergency facilities constructed during World War II.

Finally, the definition of a pollution control facility needs to be tightened so that the rapid amortization provisions will apply only to treatment facilities which are clearly identifiable as serving only anti-pollution purposes. Under the present broad definition, a smokestack or sewer pipe might qualify for the rapid writeoff, even though these facilities would be installed in any event and perform functions other than pollution abatement of the type this tax concession is designed to give special encouragement.

I urge this Committee to take prompt action on this bill. The existing 31-day temporary extension of current withholding rates will expire on July 31. As you know, business payrolls are a complicated matter. An enormous burden would be imposed upon American business—not to speak of the administrative nightmare for the Internal Revenue Service—if they were required to re-program their payroll systems to withhold at tax rates without a surcharge and then were required in a month or so to re-program again to include the surcharge.

STATEMENT OF ROBERT P. MAYO, DIRECTOR OF THE BUREAU OF THE BUDGET, BEFORE THE SENATE FINANCE COMMITTEE ON THE PRESIDENT'S TAX PROGRAM FOR FISCAL YEAR 1970

INTRODUCTION

Mr. Chairman and Members of the Committee: Secretary Kennedy's statement properly emphasizes the urgent need for passage of H.R. 12290 to help bring inflation under control.

Our current economic predicament—characterized by persistent inflation, exceedingly tight money markets, and historically high interest rates—reflects past miscalculations in managing the Nation's economic affairs. These miscalculations set in motion a series of events that produced a pervasive and deeply imbedded inflationary psychology, which makes continued and even increasing inflation a distinct possibly. This situation will not be changed easily. But change it we must. To do so, we need the economic restraint that would be provided by H.R. 12290, together with appropriate monetary restraint and previously announced spending reductions in the budget for fiscal year 1970.

Bringing inflation under control and restoring the economy to a balanced and sustainable rate of economic growth are, together, the primary domestic task of this Administration. We must bring inflation under control to eliminate the distortions that have developed in the economy. We must restore balanced and sustainable economic growth, or the infation will inevitably lead to painful economic consequences.

We can achieve our anti-inflationary objectives only if we maintain a restrictive fiscal policy in the year ahead. The consequences of relying on overly restrictive monetary policy, in the absence of an appropriate fiscal policy, should be clear to us now. The "credit crunch" of the late summer of 1966 forced housing to bear the brunt of economic restraint, but the swift run-up in interest rates during that period reflected more widespread dislocations in financial markets. The economy did not recover quickly from these disruptions. In short, we cannot leave the task of controlling inflation to monetary policy alone because this course compounds the task of achieving balanced and sustainable growth.

LESSONS OF THE RECENT PAST

Movements in the general price level are caused by many things, not the least of which is the Federal fiscal position. The delayed influence of fiscal policy on the behavior of prices during recent years is suggested by Table 1.

TABLE 1.—BUDGET TOTALS AND CHANGES IN THE GNP IMPLICIT DEFLATOR AND THE CONSUMER PRICE INDEX, FISCAL YEARS 1965–70

[Dollar amounts in billions]

Fiscal year	Budget receipts	Budget outlays	Budget surplus or deficit (—)	Percentage change in— GNP implicit deflator	Percentage change in— Consumer price index
1965	$116.8	$118.4	—$1.6	1.8	1.3
1966	130.9	134.7	—3.8	1.9	2.2
1967	149.6	158.4	—8.8	3.1	3.1
1968	153.7	178.9	—25.2	3.4	3.3
1969 (estimate)	186.5	185.6	.9	4.0	4.8
1970 (estimate)	199.2	192.9	6.3	(1)	(1)

[1] Not available.

Outlays for military programs increased sharply after the escalation of our activities in Vietnam in the summer of 1965. This increase was not offset by lower outlays for other programs. Nor was it offset by higher taxes until fiscal year 1969. The budget deficit rose from $1.6 billion in fiscal 1965 to $25.2 billion in fiscal year 1968, stoking an already overheated economy. Excessive demand was generated and price rises became progressively greater.

Modest fiscal restraint was exercised through changes in tax collection regulations, but the primary instrument of restraint was monetary policy. Increasingly restrictive monetary policy produced the credit crunch of 1966, gross inequities in the degree of restraint imposed on the economy, and a fear of "overkill" that led to subsequent errors of judgment.

Legislation imposing fiscal restraint—through an income tax surcharge and expenditure control—was adopted in June 1968, about two years after it was first needed. With it came a shift in expectations both at home and abroad. It was generally anticipated that the U.S. economy would experience a slowing in its rate of growth and that less stringent financial market conditions would result and would permit an easing of monetary policy. For a few weeks these expectations were borne out as interest rates declined. But prices did not slacken their pace. Moreover, in a short time, interest rates turned up again. By the end of the year, it was clear that the economy was still overheated. The fiscal restraint imposed in June of last year was partially offset by a monetary policy that became too accommodating—largely because of the fear of "overkill" and because the strength of the inflationary pressures was underestimated. Monetary policy shifted back toward restraint late in the year. Nevertheless, doubt lingered that fiscal and monetary policymakers meant business about curbing inflation. Consequently, a new surge of inflationary psychology developed. Our task today is difficult primarily because of the depth and strength of this psychology.

We should not be surprised or dismayed by the difficulties we are now having in bringing inflation under control. An extended inflationary period such as we are experiencing engenders expectations of further inflation and, therefore, has a major impact on wage and price setting. It also provides an incentive for not postponing buying for consumption or investment purposes. The resulting continued strong demand helps neutralize the influence of the restraining forces at work in the economy. For this reason, we need time to root out the inflation that has invaded our economy.

We need time and we need coordinated and complementary economic policies:

Continued restraint on demand, which would result from the President's tax program for fiscal year 1970,

Continued vigorous efforts by the Congress and by the Administration to control Federal spending, and

Appropriate monetary restraint.

Each is important in its own right, but none can be fully effective except as part of a coordinated set of policies.

THE BUDGET OUTLOOK

This Administration recognizes that rapid growth of Federal spending has been a major cause of inflation since 1965 and that expenditure control is essential to sound fiscal policy and responsible management of Government activities. Accordingly, soon after taking office, President Nixon directed his agency heads to undertake an intensive review of the January budget of the prior administration.

The Federal budget reflects the Nation's priorities as perceived by the President and by the Congress. At any point in time—and

for at least one year into the future—it consists largely of "uncontrollable" programs, whose levels are determined by existing laws and previous commitments. For this reason, substantial reductions in individual elements of the budget do not often occur from one budget to the next.

President Nixon knew the strength of this momentum in the budget when he took office in January. He did not expect major reductions in the 1969 budget but was determined to begin, with the 1970 budget, the difficult task of bringing Federal outlays under control and of trying to shift the course of Federal programs toward his Administration's objectives. These efforts did not cease when the April 15 Review of the 1970 Budget was published. Indeed, they are being intensified now that we have begun the 1971 budget process.

The intensive review of the January budget was concluded and a report summarizing the results was issued in April. Revised estimates for both 1969 and 1970 were contained in my May 20 testimony before the House Ways and Means Committee on the President's tax program.

Fiscal year 1969

For the year that ended a week ago yesterday, the budget published in January estimated receipts at $186.1 billion and outlays at $183.7 billion, with a surplus of $2.4 billion. Our May 20 estimate indicated receipts of $186.5 billion and outlays of $185.6 billion, reducing the projected surplus to $0.9 billion. Preliminary data on actual receipts and outlays for the year will be published in the *Monthly Treasury Statement* late this month. When those data are published, we expect them to show that both receipts and outlays will be somewhat higher than our May 20 estimates.

Fiscal year 1970

For the fiscal year we have just entered, the January budget estimated receipts to be $198.7 billion and outlays to be $195.3 billion, resulting in a projected surplus of $3.4 billion. On May 20, we estimated that receipts will be $199.2 billion and outlays will be $192.9 billion, with a surplus of $6.3 billion. Of course, a most important influence on the budget will be congressional action.

Receipts

The net increase of $0.5 billion in estimated receipts over the January budget figure—from $198.7 billion to $199.2 billion—results from: (a) a combined increase of $2.5 billion due to higher than anticipated tax yields and economic activity—and accompanying higher prices and wages, (b) a downward revision of $0.4 billion in estimated receipts from corporation income taxes and customs duties, and (c) a net decrease of $1.6 billion due to changes in proposed legislation and the anticipated dates of enactment, largely in proposed employment taxes associated with social security legislation. One of the reasons for being conservative about higher receipts in 1970 is that the January budget contemplated some receipts based on the assumption that the necessary legislation would become effective by June 30. No such legislation has yet cleared the Congress.

Outlays

As our May 20 statement indicated, increases in uncontrollable items raised January budget outlays for 1970 from $195.3 billion to $196.9 billion and budget authority from $210.1 billion to $211.4 billion. However, this Administration's review of the 1970 budget produced reductions in outlays from the corrected January budget totaling $4.0 billion. Budget authority was reduced $5.5 billion.

Since May 20, interest rates have risen even higher and the pace of rising costs under the Medicare program has been more rapid than anticipated. These and similar other factors will probably lift outlays at least $1 billion above the May 20 estimate. To be sure, there will be some offsetting decreases. On the other hand, the net effect of congressional action to date on fiscal year 1970 appropriations requests has been to increase estimated outlays. The House actions are expected to reduce Treasury, Post Office, and Executive Office spending by $36 million and Independent Offices and Housing and Urban Development outlays by $43 million, but to increase Agriculture outlays by $173 million—a net increase of nearly $95 million. Senate actions to date would reduce Treasury, Post Office, and Executive Office outlays by $31 million but increase Agriculture outlays by nearly $570 million—a net increase of nearly $540 million.

There are a number of uncertainties concerning 1970 outlays. These include the fact that congressional decisions on many appropriation requests and on a possible outlay limitation are yet to be made. For now, we are inclined to hold to the $192.9 billion estimate of May 20, but recognizing, for the moment at least, that pressures for higher outlays seem greater than prospects for additional reductions by the Congress.

Indeed, the $192.9 billion outlay estimate is a tight one, despite the fact that it will be about $7 billion higher than 1969 outlays. The $7 billion increase includes:

Social security benefit payment increases of $3.4 billion;

Civilian and military pay raises, effective July 1, 1969, under existing pay comparability legislation of $2.8 billion;

Interest on the public debt, reflecting refinancing at the currently higher rates of interest, amounting to about $1 billion; and

Public assistance grants to States, including Medicaid and the removal of the Aid to Dependent Families program freeze, of $1.1 billion.

The above four items account for more than the $7 billion increase in the total, which means that there is a net reduction for all other programs.

CONCLUSION

Our current economic situation is primarily the product of past decisions. Similarly, the future will be largely the product of what is done now.

It takes time for fiscal policy and monetary policy to take hold. We will need a period of balanced, reduced growth to turn the forces of inflation, for throughout much of the economy, supply factors (labor and material costs) keep pressure on prices for some time after demand pressures ease.

Economic restraint cannot be successful if it is applied only intermittently. This is the lesson of the recent past. We need now a further, gradual slowing of the rate of economic expansion in the months ahead if we are really to bring inflation under control. Failure by the Senate to act favorably and quickly on H.R. 12290 will result in either more inflation or too heavy reliance on monetary restraint—and a loss of confidence by persons at home and abroad in the seriousness of our Government's determination to bring an orderly halt to inflation.

It is crucial in the months ahead that we continue the coordination of monetary and fiscal policy that we have had since the first of this year. Only if a fiscal program is adopted that will keep these policies in concert for the curent fiscal year, are we likely to have a balanced and reasonably even slowing of growth rates across major sectors of the economy.

The question has been raised as to why the President's tax program is necessary in view of the projected budget surplus of $6.3 billion for fiscal year 1970. The answer is that there would be no surplus unless there is an extension of the surcharge, for the extension would produce $7.6 billion in receipts. Without the surcharge extension, we would shift from the surplus we are now running to a deficit—a strongly expansionary move that is clearly not appropriate in the current economic environment. It would also be inappropriate in that it would shift the Federal Government from being a net supplier of funds to being a net demander of funds during the full course of the fiscal year, which would put an additional burden on the Nation's financial markets at a time when they are already under heavy pressure. Thus, the President's tax program will provide the fiscal restraint that is synonymous with responsible economic policy.

This Administration has no desire that the income tax surcharge be extended a day longer than is necessary. The proposed reduction of the surcharge on January 1 is in line with the President's intention to propose complete elimination of the surcharge as soon as military and economic conditions permit.

In our budgetary planning for fiscal year 1971, we will take this intention into account. It will provide a brake on the growth of the budget in that year. The restraint that characterizes the 1970 budget cannot be regarded as transitory. It will also characterize the 1971 budget.

In coming years, the Nation will be facing a whole new set of problems and challenges. In that environment, we will be constantly reevaluating our priorities and reallocating resources. To have a healthy economy growing at a reasonable, sustainable, and noninflationary rate, and to protect the dollar at home and abroad, we must maintain prudent and responsible economic policies. The appropriate first step was taken in the coordination of fiscal and monetary policy toward the end of last year, and the second step was the $4 billion reduction of expenditures in the 1970 budget; the third step should be the passage of the President's tax program, including continuation of the surcharge. Only in this way, can we have a well balanced mix of monetary and fiscal policy.

Failure to adopt the President's tax program runs the risk of boom and bust at home and deterioration of the value of the dollar both here and abroad. Stop-and-go economic policy has never worked in the past—in this country or anywhere else; there is no reason to expect that it would work in the period ahead.

I urge your early support of H.R. 12290 to provide the restraint needed to return the economy to balanced and sustainable noninflationary growth.

Mr. COOPER. Mr. President, some oppose the extension of the surtax, arguing that since the inflationary trend has increased during the first 6 months of 1969 with the surtax in effect and, therefore, any continuation of the surtax could not attain the desired goal of arresting inflation.

The Senate Finance Committee report on H.R. 12290 attributes the slowness of effectiveness of the 1968 surcharge as due, in part, to the easing of monetary policy in the last half of 1968, which offset some of the restricting effects of the surcharge and, in part, to the buildup of inflationary pressures over a long period of time. The committee comments as follows:

1. RESTRAINT OF THE 1968 SURCHARGE

Reasons for slowness of effect.—While in the past the surcharge has exerted a useful restraint on the economy and prices, it is clear that it has not yet exerted the full impact intended at the time it was imposed. In part, this lack of effectiveness was due to the unfortunate easing of monetary policy in the last half of 1968 which offset some of the restraining effect of the surcharge. This policy

was reversed about the first of 1969, however, and should, therefore, no longer deter the effectiveness of the surcharge if it is continued until next June.

In part, the slowness of the effect of the surcharge has been attributable to the extent of the growth of inflationary pressures during the long period before it was possible to obtain sufficient expenditure restraint. These pressures increased the length of the time which otherwise would have elapsed before the effects of fiscal action are generally felt. In the case of the surcharge, the time lag in consumer response has been substantially longer than the one which followed the 1964 tax reduction. The impact of the surcharge was delayed because consumers did not initially reduce their spending as their disposable incomes decreased; instead their first response was to reduce their rate of saving.

Overall, I believe that a large part of these price increases may be due to what has been called an "inflation psychology."

I concur with the statement made by the distinguished chairman of the House Ways and Means Committee (Mr. MILLS) in the House debate on the bill, when he expressed his view that there is an "inflation psychology" prevalent in the country today.

So the American businessman buys today what he thinks he may need tomorrow, but that he will have to pay more for it. That is true of the individual in many respects in supplying all of his own individual needs. That is inflation psychology. I think that has been part of our trouble during the last year—the last half of 1968 and through the first part of 1969. * * * Yes, a lot of it is psychological, but if we do not pass this bill today—say what you want about continuing withholding for 31 days—you will have added oil to the flames of this inflationary psychology. Unfortunately this is a serious part of the total ingredients of our present situation. How serious it is none of us is certain but certainly it is a most important part.

In its report, the Senate Finance Committee makes this same observation:

It may also take time for the public to become convinced that it will work. It appears that we are at the point now where part of the public is convinced that there will be a lessening of price increases in the future and part of the public remains skeptical. If the surcharge is extended and the investment credit repealed, this should not only directly reduce inflationary pressures, but also gradually remove the inflationary psychology, as more and more people become convinced that inflation will be controlled. If workers and businesses do not believe that inflation will be controlled, they can be expected to act in ways that will make inflation far more difficult to control. In the absence of the surcharge extension, their expectations could become a self-fulfilling prophecy. But with extension of the surcharge, the committee is thoroughly convinced that there will be no basis for this inflationary psychology.

One provision of the bill that is designed to check inflation is the repeal of the investment credit tax, which is estimated to produce $1.35 billion in revenue for fiscal 1970, and $2.6 billion in later years.

In 1962, when we passed the investment tax credit, annual expenditures for new plant and equipment were $37.31 billion. In 1968, these expenditures totaled $64.08 billion and are estimated to reach $72.17 billion in 1969. The 1969 estimate indicates an increase over the prior year of 12.6 percent, a tremendous increase.

One consequence has been an excessive demand by the business community for bank funds to finance this expansion in plant and facilities. Since the demand for loans has been far greater than the supply of bank funds available banks have increased the prime interest rate as a mechanism for rationing funds among their customers. On December 2, 1968, the prime interest rate rose from 6 to 6½ percent. By June 10, 1969, the prime rate had risen to 8½ percent, the highest since the Civil War. And there is talk today of further increases. We are all aware of the consequences on all segments of the economy and in particular, on the supply of mortgage money to the housing industry.

With respect to the repeal of the investment credit tax, the House has added an amendment—which was not recommended by the administration—to cushion the economic impact that the repeal would have on the investment by industry in air and water pollution facilities.

In the past, I have supported and introduced bills similar to the House amendment. It would allow the cost of new pollution control facilities to be amortized over a 5-year period. Because these facilities often have a useful life of as much as 20 years or more, the usual depreciation deduction per year is inadequate.

Hearings held by the Public Works Committee, of which I am a member, over the past 6 years have established clearly the need for a financial incentive to industry to acquire and install air and water polution control equipment if the Nation is to make headway in meeting the ever-mounting problems of water and air pollution. I would like to see this particular amendment retained but, at this time, it is more important that the Congress make a decision with respect to the surtax.

I now turn to the present procedural situation in the Senate concerning the scheduling for Senate consideration of H.R. 12290 and a tax reform bill.

The distinguished majority leader (Mr. MANSFIELD) proposed on the floor of the Senate last Friday that the Senate extend the surtax for a 5-month period to November 30, 1969, by attaching this proposal as a Senate amendment to a House passed bill. The administration bill, H.R. 12290, would remain on the Senate Calendar until a tax reform bill is reported by the Senate Finance Committee. The chairman of the Finance Committee (Mr. LONG) has given assurances that a tax reform bill will be reported by the committee to the Senate on or before October 31, 1969. In addition, the proposal would retain April 18, 1969—the date specified in H.R. 12290—as the cutoff date for the repeal of the investment tax credit.

I find myself in agreement with the conclusions reached by the distinguished minority leader (Mr. DIRKSEN), minority members of the Senate Finance Committee, and the Secretary of the Treasury, Mr. Kennedy, when they say that a 5-month extension would not meet our country's fiscal problems and, at the same time, would not dispel the uncertainty among businessmen and all individuals and could create an unmanageable situation with respect to the fiscal 1970 budget. However, because the resolution continuing the withholding of the surtax will expire on Thursday midnight of this week, it may be that we will have no other alternative than to pass a 5-month extension.

I wholeheartedly support tax reform proposals that would provide a more equitable distribution of the tax burden among various categories of taxpayers. In this regard I would like to add that I would hope the committee would also consider ways and methods to simplify the present tax forms so that they may be more readily understood by the taxpayers. I think this one area deserves the committee's attention, and the committee could perform a great service to the American taxpayer by making recommendations for more simplified and more readily understood forms.

The President in a major tax message to Congress on April 21 has made tax reform recommendations and, in addition, the Treasury Department has added further recommendations. The distinguished chairman of the House Ways and Means Committee (Mr. MILLS) and the next ranking majority member of the committee and majority whip (Mr. BOGGS) and the ranking minority member of the committee (Mr. BYRNES) have given their assurances that a tax reform bill would be before the House before the August recess. The committee has taken testimony from over 600 witnesses to date on tax reform proposals. It has been meeting almost daily in executive session and has reached tentative agreement on many difficult and far-reaching amendments to present tax laws. I note that the Ways and Means Committee plans to have its tax reform bill completed by Friday of this week and to bring the bill before the House the following Wednesday, August 6.

I know from mail and from talks with constituents that there is a strong opinion in my State and in the country that our tax laws should be reformed and made more equitable and that Congress must act this year to do so. I have no doubt that Congress will act and act responsibly.

EXTENSION OF AUTHORITY OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE TO INVESTIGATE PROBLEMS OF EDUCATION OF AMERICAN INDIANS

Mr. MONDALE. Mr. President, I am sending to the desk an original Senate resolution unanimously reported from the Committee on Labor and Public Welfare this morning which would extend the authority of the Committee on Labor and Public Welfare to investigate problems of education of American Indians, and ask unanimous consent for its immediate consideration.

I have cleared this matter with the majority and minority leaders and with the distinguished chairman of the Committee on Interior and Insular Affairs (Mr. JACKSON) and the Committee on

Rules and Administration (Mr. JORDAN of North Carolina).

The PRESIDING OFFICER. The resolution will be stated.

Mr. MONDALE. Mr. President, I ask unanimous consent that the reading of the resolution be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MONDALE. Mr. President, this resolution will allow the Indian Education Subcommittee an additional 3 months within which to file its final report, and will allow the continued expenditure of the funds for the work of this subcommittee which have been previously authorized. This time is needed so that the Senators on the committee may themselves have the opportunity to fully consider and evaluate the record of hearings which have been held by the subcommittee and to arrive at such recommendations as may be appropriate to bring before the Senate.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 226) was agreed to, as follows:

S. RES. 226

Resolved, That Senate Resolution 80, Ninety-first Congress, approved February 17, 1969, is amended as follows:

(1) In section 2, strike "July 31, 1969" and insert in lieu thereof "November 1, 1969".

(2) In section 3, strike "July 31, 1969" and insert in lieu thereof "November 1, 1969".

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I had expected to be engaged in a colloquy at this time, but events over which I have no control have intervened; so I yield to the distinguished Senator from Colorado, and express the hope that when he completes his remarks, we can get underway.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. ALLOTT. Mr. President, there will be one virtue in my remarks. They will be on the subject which is the matter of debate on the Senate floor, the Safeguard anti-ballistic-missile system.

Mr. President, as with most Senators who are charged with the responsibility of making the final decision regarding the wisdom of deploying an ABM system at this time, I try to follow the debate as closely as I can here on the floor. When other responsibilities have kept me from the floor I read the RECORD of each day's debate with the closest of attention in order to fully inform myself with regard to the progress of the information which is being imparted for the benefit of the Senate, indeed, of the country.

Thus, it was with a great deal of interest that I read the statements contained in the colloquy between the Senator from Arkansas (Mr. FULBRIGHT) and the distinguished chairman of the Armed Services Committee on Friday, July 25, beginning at page 20826 and continuing over to 20827 in the CONGRESSIONAL RECORD. I noticed that the subject was mentioned again in yesterday's RECORD. They alluded to the possible effects of radiation upon radars, electrical communication systems, computers, and their mutual interaction in fulfilling the command and control function for Safeguard.

I believe that the distinguished Senator from Arkansas was referring to the effects of the electromagnetic pulse or, EMP. EMP is created when gamma rays and X-rays from an exploding thermonuclear warhead strike electrons in the air, causing them to rapidly move away from the burst. The overall effect is somewhat like that caused by a flow of electrons accelerating in only one direction.

I should like to point out that this phenomenon is not unique to the ABM. It is, in fact, probably much more relevant to offensive ICBM's and it relies on the same basic mechanism by which the Spartan missile neutralizes incoming warheads.

For many years the effects of radiation on missile systems have been openly discussed in the technical and nontechnical literature. For instance, the January 2, 1967 issue of Technology Week states:

> Growing concern over the vulnerability of U.S. missiles to X-rays from nuclear warheads of anti-missile missiles is leading to new specifications for ICBM guidance systems.

The May 26, 1967 issue of Time magazine stated:

> Nearly 80% of the energy released by the explosion of the new warheads, believed to be in the one-megaton range, is in the form of high-energy X-rays.

This article continues:

> Even if the shock wave fails to set off the warhead's conventional explosive, it can damage electronic components or cause sufficient changes in the critical shape of internal cavities within the warhead to prevent a nuclear explosion.

In addition to these radiation effects which are now well known, weapons designers recognized some time ago that they had to contend with the EMP phenomenon. Although EMP has not received the notoriety that has been accorded to X-rays, neutrons, and some other effects of thermonuclear explosions, it is extremely important. In its issue dated November 29, 1968, Time magazine stated further:

> EMP produces powerful currents in any electrical conductor it crosses . . . these induced currents are strong enough to blow fuses or melt wiring and other metallic components in ground installations and aircraft. They would probably have the same effect on the missile and guidance firing systems.

This article goes on to point out that electronic defenses and offensive missiles are susceptible to EMP.

Mr. President, I believe the Senator from Arkansas referred to the fact that under the Nuclear Test Ban Treaty, "it is not easy to conduct a nuclear explosion in the air to test its effect upon communications."

This is manifestly apparent, of course. As Senators will recall prior to the ratification of the nuclear Test Ban Treaty the Russians detonated their so-called superbomb with a yield in the neighborhood of 100 megatons. The argument was made then, not without a great deal of merit, I believe, that the United States should postpone ratification of the Test Ban Treaty until this country has had a chance to detonate a similar high-yield nuclear device. Such a detonation was suggested merely for the purpose of studying the myriad phenomena of such a high-yield nuclear explosion, including, of course, the EMP phenomenon.

Those Senators who argued against such a postponement carried the day, the treaty was ratified, and the United States has since been precluded from studying the radiation and EMP effects in an atmospheric environment.

Thus, Mr. President, it is not inconceivable to this Senator that the Russians may have learned a great deal more than we now know with regard to this EMP problem. It must be pointed out, of course, that our Minuteman sites and ICBM forces in their present silos depend on communications systems which were developed and tested 10 years ago, long before the EMP phenomenon was clearly understood. Perhaps this is not the case, but if it is a matter which is of an unclassified nature, I would like to have the Senate informed on this question. But, clearly the EMP problem raises some serious questions with regard to our assured second-strike capability.

Recognizing this danger to our missiles, the United States has developed large machines in order to realistically simulate the phenomena induced by electromagnetic radiation. It is well known from unclassified sources that the Defense Atomic Support Agency—DASA—views this as a critical problem about which more information is needed.

In summary, EMP is undoubtedly an important problem. It is not a new one; it is not one which has suddenly appeared with the ABM. It is probably most important, however, in its potential to degrade the second-strike capability of our offensive, land-based ICBM's. This is because many of our offensive missiles were deployed before the full importance of EMP was recognized and because there are many more offensive missiles than planned defensive ABM's. Last year Senator HENRY JACKSON stated that despite 5 years of research, EMP still poses a serious problem to the Nation's communications, radar, and the missile systems. I believe this, rather than mitigating

against ABM deployment, furnishes additional reasons for approval of Safeguard. Safeguard gives the defense one more option in keeping a credible second-strike capability, by providing one more way of protecting our missile sites from the EMP produced by thermonuclear explosions.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I understand that the distinguished Senator from New York (Mr. JAVITS) desires to speak for not to exceed 2 or 3 minutes.

PETITION FROM AD HOC COMMITTEE OF NEW YORKERS AGAINST ABM

Mr. JAVITS. Mr. President, there was presented to me today by Representative REID, of Westchester County, N.Y., and by Representative BINGHAM, of Bronx County, N.Y., a petition signed by 10,000 individuals throughout the State of New York, expressing from the depths of their being their conviction on the deployment of the anti-ballistic-missile system. It is so spontaneous a movement, so individual in its character and so profound in its conviction, that I wish to call it to the attention of the Senate. The petition, which is signed by these thousands of individuals, reads as follows:

> We the undersigned citizens, protest the Administration's recent decision to deploy an Anti-Ballistic Missile System for the following reasons:
>
> 1. Such deployment would waste many billions of dollars of the taxpayers money;
>
> 2. The ABM system is of unproven effectiveness. Most scientific testimony indicates that it probably would not work;
>
> 3. Deployment of the ABM would accelerate the nuclear arms race;
>
> 4. Deployment of the ABM would seriously endanger nuclear disarmament talks between the United States and Russia.
>
> We urge the Congress to take appropriate measures to insure that this unfortunate decision is not implemented.

The petition, signed with the names and addresses of 10,000 persons from all over the State of New York, was gathered by a highly responsible committee. Any Senator is invited to examine the petition.

Mr. GORE. Mr. President, will the Senator yield.

Mr. JAVITS. I yield.

Mr. GORE. Mr. President, I have not had the pleasure of examining the petition. It is indeed voluminous. The voice, through the signature of 10,000 citizens of the State of New York, is eloquent indeed.

I note that the petition expresses doubt as to the workability of the ABM, even if deployed and even if needed. Would not the senior Senator from New York agree that in the event that it should become necessary to detonate ABM's in an attempt to defend against incoming nuclear missiles, it would indicate our policy of deterrence would have already failed?

Mr. JAVITS. The Senator is correct. I think that is the deep feeling from their hearts that these thousands have expressed.

Mr. GORE. So the question of its workability, however fraught with doubt that is, is a secondary matter indeed. The real question for the country is what action it can take that would most likely lead to an agreement on nuclear arms limitation. This is true, because the only measure of security between the two major nuclear powers, each possessing the power to destroy the other, is the avoidance of nuclear war.

So the first question is whether ABM is necessary, whether it will contribute to an arms limitation agreement, or, conversely, whether it will interfere, hinder, make more difficult the achievement of an arms limitation.

Mr. JAVITS. I agree with the Senator.

Without imposing on the time so graciously granted by the Senator from Montana, I only say that this does not inhere in what the parties may momentarily think they will do. They will do a lot more if we do not deploy than if we do.

AMENDMENT OF FEDERAL AVIATION ACT OF 1958, AS AMENDED

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1373.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1373) to amend the Federal Aviation Act of 1958, as amended, and for other purposes, which was to strike out all after the enacting clause, and insert:

That the Federal Aviation Act of 1958, as amended, is further amended as follows:

SECTION 1. Section 407(b) (49 U.S.C. 1377 (b)) is amended by adding the following additional sentence: "Any person owning, beneficially or as trustee, more than 5 per centum of any class of the capital stock or capital, as the case may be, of an air carrier shall submit annually, and at such other times as the Board may require, a description of the shares of stock or other interest owned by such person, and the amount thereof.".

SEC. 2. Section 408 (49 U.S.C. 1378) is amended by striking subsection 408(a)(5) in its entirety, and inserting in lieu thereof the following:

"(5) For any air carrier or person controlling an air carrier, any other common carrier, or any person engaged in any other phase of aeronautics, or any other person, to acquire control of any air carrier in any manner whatsoever: *Provided*, That the Board may by order exempt any such acquisition of a noncertificated air carrier from this requirement to the extent and for such periods as may be in the public interest;".

SEC. 3. (a) Section 408 is further amended by deleting the first sentence of subsection 408(b) and substituting in lieu thereof the following: "Any person seeking approval of a consolidation, merger, purchase, lease, operating contract, or acquisition of control, specified in subsection (a) of this section, shall present an application to the Board, and thereupon the Board shall notify the persons involved in the consolidation, merger, purchase, lease, operating contract, or acquisition of control, other persons known to have a substantial interest in the proceeding, and the Attorney General of the time and place of a public hearing."

(b) Section 408 is further amended by inserting in the third proviso of subsection 408(b) after the words "determines that no person disclosing a substantial interest" the following: "or the Attorney General".

SEC. 4. (a) Section 408 is further amended by adding the following new subsection 408 (f):

"Presumption of control

"(f) For the purposes of this section, any person owning beneficially 10 per centum or more of any class of the capital stock or capital of an air carrier shall be presumed to be in control of such air carrier unless the Board finds otherwise."

(b) That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the heading "SEC. 408. Consolidation, merger, and acquisition of control." is amended by adding at the end thereof the following: "(f) Presumption of control."

SEC. 5. The provisions of this Act shall take effect on the date of the enactment of this Act.

Mr. MANSFIELD. I move that the Senate disagree to the amendment of the House to S. 1373, a bill to amend the Federal Aviation Act of 1958, and ask for a conference on the disagreeing votes of the two Houses, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MAGNUSON, Mr. CANNON, Mr. HART, Mr. COTTON, and Mr. PROUTY conferees on the part of the Senate.

EXTENSION OF THE SURTAX

Mr. MANSFIELD. Mr. President, today I was fortunate enough to have the opportunity to discuss on the telephone the situation in which the Senate, and I believe Congress, finds itself in relation to the extension of the surtax and its connection with meaningful tax reform.

I discussed possibilities with the Vice President this morning. I discussed possibilities later with the distinguished minority leader. Shortly after the Senate convened, I met, in the office of the Vice President, with the Vice President, the minority leader, and the distinguished senior Senator from Delaware (Mr. WILLIAMS). At that time they discussed the possibility—and these discussions were most friendly—of a 15-day extension of the withholding section of the surtax bill.

I stated that, in view of the action taken by the policy committee in conjunction with the Democratic members of the Committee on Finance, it was my opinion that the response would be negative so far as that joint membership was concerned. However, I did state that I would be most happy to call the policy committee together, with the chairman of the Committee on Finance and the Democratic members of that committee, to lay before them the questions which had been raised in the various conferences today and to find out what their judgment would be. I promised that once I found out what their judgment would

be, what their position was, I would notify the Vice President, the minority leader, and the senior Senator from Delaware.

So, at the conclusion of that meeting, which unanimously, without exception, agreed to hold fast to the stipulation which was unanimously agreed to on Thursday last, I dispatched a copy of the minutes of the meeting to the three members mentioned.

At the same time I sent a letter to my beloved friend the distinguished Senator from Illinois, the minority leader, which accompanied the statement which I made at that time. The letter reads as follows:

JULY 29, 1969.

Hon. EVERETT M. DIRKSEN,
Minority Leader, U.S. Senate, Washington, D.C.

DEAR EV: In an attempt to carry out my promise at our meeting this morning in the Vice President's office, I am sending this statement to you, the Vice President, and Senator Williams so that, if you desire, you can discuss it with your colleagues.

I have been instructed by the Policy-Finance Committee to make a public statement on this situation today. I will not do so, however, until you have completed your discussion and are on the floor.

With best personal wishes, I am,

Sincerely yours,

MIKE MANSFIELD.

Copies to: the Vice President; Senator JOHN J. WILLIAMS.

Mr. President, that is all I have to say, except that to keep the RECORD straight I shall ask unanimous consent that a copy of the statement which was delivered to the Vice President, the minority leader, and the Senator from Delaware (Mr. WILLIAMS) be printed in the RECORD.

Mr. President, I will read the statement. I had thought it was distributed. This is the unanimous finding of the policy-finance committee at its meeting today.

STATEMENT OF SENATOR MIKE MANSFIELD

The Democratic Policy Committee met with the Democratic members of the Finance Committee today. The joint membership agreed unanimously that a further 15-day extension of the withholding rates would not meet the problem of surtax-extension. Rather it would serve only to postpone a decision and create an unnecessary pall of uncertainty.

The group agreed further that the previous offer to the minority to support an extension of the surtax until November 30, 1969 on a separate House-passed bill—with the understanding that the general tax reform measure would be reported by October 31—should be renewed as offering the best prospect of passing a surtax-extension and still meeting the public demand for the removal of the inequities in the present tax structure.

The Democratic Policy Committee-Finance Committee group agreed unanimously to renew the effort to secure a five-months extension of the surtax provided, of course, that the approach receives the accord of the Administration and the minority leadership. This endorsement seems necessary to preclude the offering of extraneous amendments to the House-passed bill which would be used as a vehicle for effecting the extension of the surtax until November 30.

If the Administration and the Minority Leadership give the word on the acceptability of the compromise, the Leadership is prepared to move today—in an effort to bring the surtax extension before the Senate for prompt disposition. I would hope for the assistance of the distinguished Minority Leader and the ranking Republic member of the Finance Committee on this urgent and difficult matter.

The House-passed bill, H.R. 9951, which is on the calendar would provide the vehicle. The controversial amendment in this bill dealing with foundations would be removed—as per the earlier offer of Senator Williams—since this matter is being considered in the general tax reform package. The extension of the surtax—and nothing more—would be offered as a substitute for that committee amendment.

Without clearance all around, it is difficult to say how an extension of the surtax can be brought about at this time.

Mr. DIRKSEN. Mr. President, what the distinguished majority leader has said is quite correct.

It was on Thursday last, after meeting with the majority policy committee, that a statement had been prepared, but there was such a surge of newspaper, television, and radio people in the corridor at the time that the majority leader could not well make his way over to my office, and so he telephoned and delivered the statement that had been prepared. It was of sufficient moment I thought for me to convene the minority members of the Committee on Finance and, likewise, the Secretary of the Treasury because it contained two distinct proposals: One proposal dealt with the surtax, and the other proposal dealt with the investment tax credit. It dealt with the latter in rather meticulous detail so as to nail down the date and the circumstances so that there would be a full understanding as to what the majority policy committee had in mind. It contained also language about acceptability by the administration and by the minority leadership.

Before we finished our deliberation of the matter it was well into the evening, and so there was nothing more to be done that day. We did have some further discussion of the matter on Friday in one place or another, as I recall, but off and on I have been rather pursuing this matter, because I saw the uncertainty that was developing in the commercial channels of the country, and in the industries of the country, and I thought surely we cannot permit an impasse to prevent us from getting something done on this very vital matter. After all, on an annual basis, there is involved in that surtax something over $7.5 billion, and that is a lot of revenue under any circumstance. I thought, "How, then, do we get this thing done?"

I had occasion to speak with the distinguished majority leader about the prospect of intercepting the House bill when it was messaged to the Senate. The bill I refer to is the one that would extend the time for the withholding tables for a period of 15 days.

They undertook to call up that bill in the House yesterday. However, there was objection and the leadership found it necessary to go to the Rules Committee for a rule. I made inquiry. They said it would be the customary rule for 1 hour and they would probably ask for an hour's discussion on the resolution. Evidently they did not try to bring up the matter today, as I recall, so nothing will be done about the withholding table or the resolution relating thereto until tomorrow.

However, in the first sentence of this new resolution which came to light today the majority policy committee and the majority members of the Committee on Finance deal with this whole matter. As the majority leader has so well said, I called this morning and I know the Vice President called him; and at an appropriate moment we met in the office of the Vice President. There we had a discussion, and the Vice President raised the hope that they could convene the majority policy committee again and have a further discussion of this whole matter. The majority leader graciously agreed, and at about noontime or a little thereafter I noticed that members of the Committee on Finance were going into his office. So I assumed that the meeting was in progress about that time. This was the regular day for the minority to have its policy luncheon, attended by evey minority Senator. In the course of the luncheon meeting this noon, the majority leader was kind enough to send me the note that he read and a copy of the statement that was uttered with the approval of this joint committee, the Committee on Finance, and the Democratic policy committee.

Now, in the first paragraph there is this recital:

The Democratic Policy Committee met with the Democratic members of the Finance Committee today. The joint membership agreed unanimously that a further 15-day extension of the withholding rates would not meet the problem of surtax-extension. Rather it would serve only to postpone a decision and create an unnecessary pall of uncertainty.

In view of that estimate of what that 15-day bill would do—I thought I read that reasonably and fairly—that no action would be taken, that we could not intercept the bill when it came over and try to get immediate consideration, which I knew ran the hazard of an objection and, thereafter, it would have to go to the calendar. The majority leader contended that, properly speaking, it should go to the Finance Committee.

Certainly, I have no quarrel with that viewpoint, because that is what committees are for. When a matter that comes within the purview of their jurisdiction is sent here, it is quite the customary thing to send it to committee.

But I thought this sounded something of a death knell for that 15-day extension because of the general opinion uttered here that it would create an unnecessary pall of uncertainty.

The new statement deals only with the surtax extension. At first, it was proposed, on last Thursday, to have an extension until the 31st of October. That has been modified, and in the statement it would be an extension to the 30th of November. There is phraseology here that has given me some difficulty——

Mr. MANSFIELD. Will the Senator from Illinois yield right there?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. There has been no change, may I say most respectfully, in the date. Last Thursday it was November 30, and it still is.

Mr. DIRKSEN. The Senator is correct.

Mr. President, here is the language that offers difficulty:

If the administration and the minority leadership give the word on the acceptability of the compromise, the leadership is prepared to move without delay. It is prepared to move today.

I did not finish pointing out that in the earlier statement of last week, they did deal with the so-called investment tax credit. That, however, does not appear in today's statement. This deals only with keeping the surtax alive until the 30th of November.

Mr. President, I cannot arrogate to myself the authority actually to speak for the administration. The President must do that and, momentarily, he is out of the country. I did summon for our meeting today the Secretary of the Treasury, the Director of the Bureau of the Budget, and some White House staff; but, frankly, I presume they would have difficulty in speaking for the administration, also.

Now, a query: Could we get the President on the telephone and would that be the appropriate thing to do?

I had hoped that perhaps the whole matter could wait until the President returned; but, unfortunately, we are up against a deadline, not only with respect to the extension of the surtax tables, but also on a deadline so far as the surtax itself is concerned.

Obviously, there are only days available to us before some kind of action might be contrived. Consequently, I felt in duty bound, when the majority leader indicated that he would like, in fact, for me to indicate to him what the situation was, to be frank to say to him that actually I could not speak for the leadership.

If we formalize the leadership, it consists of five members of the minority. Well, I have not talked to them and, consequently, I could not feel that I should speak to them, not if there was one dissident viewpoint. Thus, I could not comply with that request of the minority leadership. I can speak for one member of that leadership, and no more.

I have some views that were not actually consonant with some views I have heard expressed today, nor can I speak for the administration. That was the reason for summoning those identified with the executive branch for whatever kind of statement they might be able to make.

Accordingly, under those circumstances, Mr. President, I cannot say that the proposal is rejected. I cannot say that it is accepted, because I am in a slightly awkward position and not quite able to say exactly that.

So that it would be pursuant to and also responsive to the very language of this statement from the joint committee that I explain the whole story.

I might add to it that, in my book, this is such an important thing, one cannot fail to consider what is happening in the markets today, the uncertainty in business and elsewhere, without feeling that it is that uncertainty that, somehow, beclouds business judgment. We see it in the trade markets and in the press: Exactly what is Congress going to do?

I had, of course, hoped if we could have done this for 6 months, it would seem a little more reasonable. One month may not seem so much. However, if we are dealing on a fiscal year basis, it takes us to the end of the first 6-month period. If we are dealing on a calendar year basis, it takes us to the end of the calendar year. It brings us up to the time when business begins to make its purchase plans, when it begins its inventories and when it determines the models and so many other things. So that the impact of taxes is so important in every one of those economic decisions which are made.

That is why, in my judgment, this is so extremely vital. I had hoped that it would come to certainly a better end than what appears at the moment.

So, now what happens at the other end of the Capitol, I cannot say.

Obviously, this must come to their attention and it could readily have some impact on how they feel about going ahead with that 15-day extension.

That was all that was involved this morning at the meeting in the Vice President's Office; namely, how quickly to get that 15-day extension, because there would be some maneuvering room and we could take a further look in the hope that out of sweet reason we might come to a satisfactory conclusion.

Mr. MANSFIELD. Mr. President, I can find very little fault with what the distinguished minority leader has said today and on previous occasions.

He has been most gracious and most considerate. He has tried to keep the door open and do what he could, and, based on the limits of his responsibility and authority, to bring this matter to a head.

All I can say, Mr. President, is that today's offer—that we are prepared to move without delay in an effort to bring the surtax extension before the Senate for prompt disposition—applies not only today, but it applies to tomorrow and it applies to Thursday. If it is necessary to call the President—and I understand that that has been done since he has left the country—to discuss matters of prime interest—no pun intended—I think that is the way it will have to be, that is the way it must be.

But I want to say on the part of the Democratic membership of this body—and I think I can speak for practically all of them—what we want to do is to extend the hand of accommodation to the President of the United States. We think that by extending this provision for 5 months, we are helping the President, getting out of a deadlock, living up to our responsibilities, and laying the groundwork for a tax reform bill, as well as a full 12-month surtax extension, with all its attributes, being considered in plenty of time.

That, I think, is a gesture which I hope would not be misinterpreted, because I have said this before—I will say it again—there is no politics involved in this accommodation, but I realize that politics will be charged and alleged. And that is the way it is. That is the way you have to go. There is nothing personal in this accommodation, and that statement I am sure will not be disagreed with.

As far as the Senator from Montana is concerned, there is nothing in the way of prestige connected with it. As I have said many times before, I could not care less about such things. But it is an honest attempt to try to reach an accommodation.

I want to thank the distinguished minority leader for the strenuous efforts he has made in this area. I want to thank the distinguished Senator from Delaware (Mr. WILLIAMS), the ranking minority member of the Finance Committee, for the strenuous and honest and respectable efforts he has made to try to reach an accommodation. All I can say is that what I have stated today bears the imprint of the approval of all the Democratic members of the Finance Committee and all the members of the Democratic policy committee.

I would hope that a solution to this matter could be found shortly, because, if nothing is done by midnight Thursday, it is a new ball game; and if something is attempted after that time, my guess would be that it would be very, very difficult to revive the surtax at that time.

It is a situation in which I can well understand the dilemma in which the distinguished minority leader finds himself. I may point out that we are in a dilemma as well.

But again I want to say to whoever calls the President of the United States and explains this situation to him that, let it be clear to the President that as far as the loyal opposition is concerned, we are extending the hand of accommodation. We think we are acting responsibly. We are quite sure that if this accommodation is accepted, the matter of surtax extension and tax reform of a meaningful nature will be complied with, in our opinion, in plently of time before the 30th of November.

Mr. LONG. Mr. President, the Senator from Louisiana has done the best he could, to bring together honorable men of differing opinions.

It took some time for us on the Finance Committee to understand what those on the policy committee had in mind. At one point the Senator from Louisiana undertook to invite the policy committee to meet with the Finance Committee so we could discuss the matter and see if we could reach some agreement as to just exactly what both groups were attempting to do and to see if there could be some kind of agreement as to procedure and also whether there was some condition as to what the committee was expected to do if the bill was to be called up.

The majority leader felt—and I am now convinced quite properly—that it would not be proper for the policy committee to sit with the Finance Committee, because the policy committee spoke for Democrats and did not speak for Republicans. He was quite willing to have the policy committee sit with the Democrats on the Finance Committee and discuss their position, because the policy committee represented Democrats. Accordingly, we did that, and we were able to come to an agreement as to the procedure that we thought would be appropriate to meet the conditions of all concerned.

Unfortunately, before we could do that,

a motion was made in the committee to report the surtax extension bill and the admendments to it precisely as it passed the House of Representatives. Two Democrats voted with seven Republicans, and it was voted out 9 to 8.

Since that time it was made clear that the leadership did not propose to call up that measure until we were in a position to vote on a rather sweeping type of tax reform bill, the type of measure which is being considered in the House of Representatives.

It was the point of view of the leadership that they were perfectly willing to move a measure which could carry an amendment to extend the surtax, which is the really unpopular provision in that bill, as far as October 31.

After we met, the majority leader was willing to go the extra mile, at my urging, to suggest that the date be November 30, and that we should have until October 31 to report out of committee our recommendations on reform.

As a practical matter, if I were trying to look after the President's business on the floor, I would look at the bill and say, "Here is a bill for $10 billion and the Democrats are offering us $4.9 billion on the surtax extension. They are telling us that they will help us get the other $1.3 billion on the investment tax credit by repealing that provision, and they are reserving judgment with regard to about $3 billion which will expire unless they are accorded the opportunity to vote on their amendments and have the kind of reform package that might be voted on by the committee or as sent by the House of Representatives."

As a practical matter, if this suggested compromise is agreed on, looking at it in terms of revenue, the administration will get nearly two-thirds of what it is asking for, as temporary matters, which is a generous offering the Democrats make when they insist on having an opportunity to offer their amendments and have an opportunity to vote on the reforms offered by the House of Representatives to the Senate.

If one expects those who take the view that there must be some consideration of tax reform, in connection with the surtax extension bill, to go any further than that, it seems to me it is unreasonable. The administration is getting more than half of what it would like to have as a part of this proposed compromise.

As one who has tried to help this administration get the revenue necessary to balance the budget and to stabilize the economy, it seems to me Members on this side of the aisle are asked to go as far as they can be expected to do to help the administration act responsibly, unless they are to prejudice their chance to prevail upon reform proposals.

If the 15-day extension took place, what bothers me is that in 15 days we certainly could not give due consideration to all the legislative representations made by the House. I have not even tried to understand them, feeling it would be well to wait until we got them here and had an opportunity to let people testify on them.

But the Senate wants to vote on that; at least the Democratic majority in the Senate wants to vote on those recommendations, and they do not want to let the administration get all its revenue bills through, to have its fiscal house completely in order, without having a chance to vote on the amendments Senators want.

That is not limited to this side of the aisle, to the Senator from Tennessee, or to any other Senator. As far as I am concerned, I have felt that the biggest loophole in the tax law at this point is the investment tax credit. It is my understanding that the Senator from Delaware has felt the same way. The Senator from Delaware, the Senator from Tennessee, and I would have joined to move for the repeal of the investment tax credit on the first big revenue bill that came to us.

The President foresaw that, and recommended its repeal himself, which I think was a very wise thing for him to do. The Senate Finance Committee has voted to do it. The Democratic policy committee, almost unanimously, with the votes of all committee members except one, went on record as favoring repeal of the investment tax credit, as did the House of Representatives.

So we are pretty much united as to everything except one thing: What are we going to do with the surtax as of November 30?

It would seem to me that the wisest thing to do and the best way to proceed to give the Government the revenue it needs would be to extend the surtax until November 30, and by that time we would expect to have a comprehensive revenue bill before the Senate—in fact, a month before that time—on which the Senate could work its will.

I think the leadership has gone about as far as it could be expected to go. It would seem to me that if the majority leader would make an effort to work this thing out with the minority leader, they could work something out within the general area on which there is agreement. It would seem to me further to serve no purpose at all to have a 15-day extension. What would that accomplish, except to make it necessary to ask for another extension? The House of Representatives did not want a 92-day extension, or a 60-day extension; they wanted only a 31-day extension. We gave them that. Now I would propose that, responsibly, we ask them for such time as we would require to act responsibly on a measure such as the Senate desires. That is only fair. It is difficult for me to understand how those statesmen in the House of Representatives can ask us for such time as they require, and then deny us 50 percent as much time as they have spent working on a revenue bill. That is about par for the course; we usually take half the time they take, but it does pose for us somewhat of a difficult task to have them send us a bill and expect us to make it law the day after they send it to us.

If they take 8 months on a bill, it would seem to me that the Senate would be entitled to take 4; or if they take 6 months, that the Senate would be entitled to 3. But for us to take their bill, on which they have spent 7 or 8 months, and when, in many instances, they wrote the bill after they had concluded their hearings, so no one had a chance to be heard on their ideas at all, and be asked to pass it the day after it gets here, is asking too much. It is also asking too much to ask us to do it in 15 days.

I have tried to be accommodating to the majority leader, the minority leader, the majority on the committee, and the minority on the committee; and if this suggested compromise, which the Democratic policy committee has proposed is accepted, no one will be denied the opportunity to be heard, we will provide the Government with the revenue it needs, and everyone will have a chance for a vote on his proposal.

If Senators want to have their amendments considered, if they can obtain a majority vote in connection with some legislation which the President feels some need to sign, they can do so. I do not think he can ask the Democrats who insist on tax reforms to go any farther than they have gone. So I would very much hope that a compromise can be worked out along the lines that have been suggested here.

Mr. WILLIAMS of Delaware. Mr. President, I appreciate the position of the majority leader, who is speaking for the Democratic policy committee, and as much as anyone else would I like to work out some agreement whereby we could proceed. But many of us, including the chairman of the committee, felt that an important part of this package was the repeal of the investment tax credit.

In all of the arguments that we heard in the testimony before our committee the testimony was that this investment credit was subsidizing the expansion of industry at a time when we did not need new plant capacity. It represents on an annual basis about a $3 billion subsidy for American industry, something which we as a committee felt was not desirable. As I recall the vote it was practically unanimous; there may have been one or two votes against the repeal of the investment credit, but I think it was nearly unanimous, as I believe the chairman will bear me out.

We felt this was a vital part of the measure in order to combat inflation at this time, because the repeal of this 7-percent investment credit has the double objective not only to repeal a $3 billion unwarranted subsidy for American industry, which we felt at this time was not justified in the light of the revenue condition of the Government, but also to stop encouraging expansion of plant capacity at a time when we do not need it. It puts an added drain on the financial markets to finance that new capacity at a time when money is short, thereby contributing to pushing interest rates still higher, and its retention places an added drain on materials, supplies, labor, and so forth, at a time when our economy is already overheated. Many of us are of the opinion and feel very strongly that the repeal of this investment credit is an important part of any inflation control package.

Yet at the same time I respect the position of the majority Members who want to make sure that we are going to get some meaningful tax reform later, and I am just as anxious on that point and have been working for a major re-

form of our tax laws as long as any other Senator. But I think there is a way that this objective can be met and satisfy both sides.

There is in the surtax extension bill that came over from the House of Representatives the proposed extension of excise taxes on telephones and automobiles, which represents, as I recall it, around $2.5 billion to $3 billion additional revenue. These do not expire until December 31, 1969, but they were to be extended another year. Certainly those excise taxes are an important part of the administration's package. To my knowledge there is not a single member of the committee who opposed the extension of those excise taxes, and they do not expire until December 31; but they will have to be acted upon prior to December 31.

Why could we not defer action on those excise taxes and leave them on the calendar? They would be a hostage, so to speak, something that the administration would be vitally interested in, with action on their extension to be acted on as a part of the major tax reform bill. Thus, we could proceed now to act on the surtax extension and the repeal of the investment credit. If we could reach such an agreement I would agree to withdraw the foundation amendment which I have on the bill now on the Senate Calendar, which is somewhat controversial—although it is not controversial as I examine it—and make that a part of the reform bill, to be acted on at a later date. That would give us a clean bill before the Senate that deals only with the accelerated payments on the withholding taxes, and I would be willing, as one Member and speaking only for myself, to enter in advance into a unanimous-consent agreement that when that bill was made the pending business it would be subject to only those amendments dealing with the question of extension of the surtax and the repeal of the investment tax credit, with the further understanding that no amendment relating to any other subject would be germane; that would give us a chance to work our will on these two proposals together. Then, if it is the will of the Senate to extend the surtax for 1 year, 6 months, 5 months, or 3 months, that could be worked out by rollcall votes in the Senate.

At the same time, the Senate would be taking final action on the repeal or nonrepeal of the 7-percent investment credit.

By this advance unanimous-consent agreement, the Senate leadership would be sure there would be no nongermane amendments other than those two subjects dealt with on that bill. I would be willing to enter into such an arrangement and I think this could be an area of agreement.

I do think, though, that those of us who do feel very strongly that this surcharge should be extended a little longer than the 5-month period should have the right to vote on it. I am perfectly willing to abide by the decision of the Senate. I might state that, as the majority leader knows, it is not unanimous on our side of the aisle either as to whether it should be extended the full year or whether it should be extended at all.

At the same time the Senate would be extended the privilege of voting and deciding the question as to whether the 7-percent investment credit will or will not be repealed and if repealed what exemptions will be made. In that manner American taxpayers would be in a position to make their plans with the knowledge of what the law would provide.

I am not trying to persuade any Senator as to how he should or should not vote. I do think, however, that when we vote on a matter as important as this we as individual Senators should be able to express our own opinions.

I hope that the majority leader will not close the door, but at least let the Senate have an opportunity to vote. As the minority leader has said he will talk further with those who speak for the administration.

I am only speaking for myself. However, I do think it is very important for the Senate to deal with the two subjects before any August recess. Certainly the Senate will not take a vacation and leave this tax bill in abeyance.

I mentioned this argument the other day, but I shall repeat it again if the Senate will bear with me. I point out that if we do not act on the investment tax credit and make a final decision now we will have a most confused situation. The 7-percent investment tax credit is the law of the land until Congress will have taken final action, whether it be in November or whatever date in the future it may be.

In the meantime those companies that operate on a fiscal year basis have no choice except to deduct the investment tax credit as they file their tax returns. Suppose they bought equipment after the April 18 date, which we generally accept as the ultimate date to be agreed on. They will continue to deduct the investment tax credit until the law is actually passed, and if this is the case it is estimated that by November this will amount to nearly $200 million. As one company official said, he will invest it in 60- or 90-day Treasury bills drawing 6 percent for the time that lapses until Congress is making its decision. The company could draw interest on the Treasury bills for 60 more days after Congress does act. The Treasury Department would have no choice, based on precedent, except to allow them adequate time after final congressional action, to file an amended return and pay the tax. The Department could not put a penalty on that company for a retroactive tax because the taxpayer would be paying the proper tax under the law as of the date his tax returns were filed.

I realize that there is a difference of opinion in the Senate as to whether Congress should or should not repeal the 7-percent investment tax credit. As the Senator from Louisiana knows, he and I suggested that we repeal it. However, let the Congress make its own decision either to repeal it or not to repeal it. I am willing to abide by the decision of the Senate. Why not enter into an agreement that we confine our actions to these two items alone and let the Senate work its will on the surtax and investment credit?

That is all we ask—just a chance to vote. Surely the nine Members comprising the Democratic policy committee are not going to try forcing their views on the remaining 91 Senators under the threat that either we agree in advance to vote as they dictate or they will deny the Senate an opportunity to vote at all.

Mr. LONG. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LONG. Mr. President, the most urgent thing and the first question that should be settled is whether we will extend the surtax or not. If we bring the matter to a vote, it can be settled speedily. And I think that if there is any delay, it will not be on our side of the aisle. So far as I can determine, while some people want to vote against the measure, they are willing to vote and I think the votes will be there.

The second question comes on the investment tax credit. There are people who feel that there are two sets of problems involved.

In the first place, it can be pointed out that there are inequities in the bill the House sent us. There are Senators who are perfectly willing to go along with a repeal of the investment tax credit, but they are insisting that amendments be considered so as to clear up the inequities contained in the House bill.

Other Senators feel that the investment tax credit should not be repealed completely, at least insofar as the transportation industry is concerned.

Some feel that the railroads need rolling stock or that the airlines need additional aircraft which they must acquire. Some feel that shipping companies have signed contracts relying on the investment tax credit.

Many feel that there a special exception should be allowed.

It seems to me that we have the votes to repeal it. But we ought to separate the two matters and take some other revenue bill as a vehicle to repeal the investment tax credit.

One came over today, which I would like to have held on the calendar. If we could reach some agreement, some other bill could be amended to take care of the investment tax credit problem for the time being.

Then industry would have its answer and would know where it stands between now and November 30.

And as far as the investment tax credit is concerned, they would know where they stand forever in the future.

We could be in the position then of guaranteeing Senators that they would have an opportunity to vote with regard to a further extension of the surtax and with regard to an extension of the excise taxes, or with regard to whatever reform amendment they want to offer.

That is what the policy committee agreed to do, to go along with those of us on the Finance Committee in saying we were going to put the repeal of the investment tax credit on some bill, not specifying what bill, so that once we

get the first item settled, we would then have no difficulty in settling the second.

However, on something that should be passed by Thursday, if we try to put it all together, it is open for all amendments. Everyone has a different point of view. Even though we can agree on the matter of what we want to do, it is subject to Senators offering amendments in good faith and dragging the thing out for some time.

I certainly hope that the Senator will find it in his heart to go along with an extension of the surtax until November 30.

I would then be willing to cooperate with the Senator in finding some vehicle that may already be on the calendar by which we may repeal the investment tax credit.

When we get that big reform bill here, we can go to work on that part of it and see what we can do with respect to the big problem which will take many hours of work.

Mr. WILLIAMS of Delaware. When I said we could get a unanimous-consent agreement limited to amendments dealing with extension of the surtax and the repeal of the investment tax credit I meant that it should be limited to those two subjects. I did not mean that we would preclude the right of a Senator to offer an amendment dealing with a modification of either the investment tax credit or the surtax. For example, if someone wanted to change the formula for phasing out the investment tax credit as provided in the House bill, if someone wished to include an exemption for some industry that he felt was justified, if someone suggested an amendment to retain the credit with respect to a smaller business, and so forth, they would be in order. I had in mind considering those amendments on their merits on the basis that they were related to the issue. The same would be true of amendments relating to the period for which the surtax was to be extended or at what rate.

I think there was general agreement in the Finance Committee that the investment tax credit should be repealed in some form. However, uncertainty presently prevails in industry concerning the question, "Will I be one of the lucky ones to get exempted from the repeal?" That is what I would like to settle.

This uncertainty as to what action Congress will ultimately take on these two points is creating great disturbance in our financial markets. This delay is only adding fuel to the fires of inflation.

Mr. LONG. Mr. President, why should any Senator who wants to protect the transportation industry give unanimous consent to vote if it were to mean that he would be foreclosed from having an opportunity to protect the transportation industry?

Mr. WILLIAMS of Delaware. I did not say that. They would be protected under this proposed agreement.

Mr. LONG. Well, if we are going to follow this thing through and it means that the industry must carry the burden with respect to the investment tax credit of filing an amendment return and paying the money back, why would such a Senator give unanimous consent?

Mr. WILLIAMS of Delaware. The Senator misunderstood me.

I said that in the unanimous-consent agreement we could start with the language of the House bill as it deals with the surtax extension and the repeal of the investment credit.

That would be a good bill with which to start. Then let Senators who want to modify those sections offer their amendments. For example, some may wish to retain the investment tax credit for the transportation industry then they could offer such an amendment and have it voted up or down in the Senate on its merits.

It would be a germane amendment. It would relate to the subject under the agreement.

The nongermane amendments I was thinking of, for example, are the ones that are part of the reform package. There would be various amendments of that sort. I have a half dozen of my own that relate to correcting inequities in our tax laws. Those would be nongermane on this bill.

Certainly any amendments dealing with the investment tax credit or the surtax extension would be germane.

I have not made any survey; but why not try to get a unanimous-consent agreement to limit it to amendments germane to those two subjects? Why not get an agreement to limit the debate on each amendment so that there will be no undue delay and so that action can be expedited?

I am willing to enter into an agreement. There is an exemption or two in the House bill relating to the investment credit that I would like to have deleted That would be in order under this agreement. Such amendments can be considered on their merits, but they can be disposed of expeditiously.

Then the Senate could start consideration of the reform package coming over from the House. The extension of the excise taxes on automobiles and telephones could be included as a part of that bill.

I offer this suggestion, that rather than make the final decision now let this be considered as a possible area in which we could reach an agreement under which the Senate can proceed to a vote.

Mr. LONG. In my judgment, any Senator who is opposed to the extension of the surtax is going the extra mile to permit that matter to be brought to a vote in the fashion suggested. He is going the extra mile to accommodate the Senator in doing that. I believe we might be able to get some kind of unanimous-consent agreement to vote on an extension of the surtax to November 30.

But with regard to the investment tax credit, I should think that any Senator who wanted to assure the railroads of their right to have the credit on their rolling stock, or if he wanted to correct certain inequities in the House bill which adversely affect industries which have big investments in his State, or if he wanted to protect some other phase of the transportation industry, or if there were some other problem on which he was determined to win, if he gave that unanimous consent, he would not be very smart; because he might have a chance to win if he made his case and presented his witnesses. On the other hand, he would be left in the position of trying to repeal a bill that was a fait accompli if he gave the Senator that agreement and let it go through the way it is likely to happen under such an agreement.

I do not think the majority leader would want to ask for a unanimous-consent agreement to which Senators would not agree had they been present to hear the request. He would not want to prejudice them. No majority leader would want to do that.

I think the type of agreement the Senator has in mind would be difficult to achieve. But if he is talking about providing the revenue that this Government needs to sustain itself, to balance the budget, and to stabilize the economy, there is really no problem in getting this done. I believe that proceeding the way the Senator would like to proceed would involve a unanimous-consent request which could not be obtained—not at this time, anyway.

Mr. WILLIAMS of Delaware. Surely the Senator from Louisiana is not suggesting that we only get an agreement to bring up a bill for a vote in the U.S. Senate under conditions that the Democratic policy committee would get unanimous consent of 90 Senators that they all will vote as they dictate. That is incredible. We are not going to get that kind of agreement because the Senator realizes that each Member is going to insist upon the right to make up his own mind and to cast his own vote.

I think that what I have suggested here today may be an area in which we could get the matter before the Senate. The Senate could then work its will—if the majority of the Senate saw fit it could extend the surtax without acting on the investment credit. Let the Senate as a whole decide.

Mr. ALLEN. Mr. President, as a newcomer to the Senate, I have been interested in the game that is being played by the distinguished Senators. I am somewhat at a loss as to whether the name of the game is "poker," "brinkmanship," or the game that some of our reckless teenagers in my section of the country play, called "chicken." In that game, one teenager will get at one end of the field, in a car, and another teenager will be at the other end of the field, in another car, and they will head toward each other at rapid speed. The first one who gives away is called "chicken."

I have listened very carefully to the proposal of the majority leader. I am not a member of the policy committee. I am not a member of the Committee on Finance. So I can view the matter objectively. It seems to me that the Democratic vehicle is not going to give way in the proposal that has been made.

The proposal is made that action can be taken on the surtax as early as today and that will provide plenty of time for passage before the law expires on Thursday at midnight. The extension would be for 5 months, but that would provide ample time for the consideration of reform measures that all concede must come. The administration asks for the extension of the surtax.

The action of the Democratic policy committee and Finance Committee assures that a vote can be had on the surtax. It can be had, possibly today, certainly by tomorrow. What more could the other side want? I might say, parenthetically, that I plan to vote against the extension of the surtax, but I should like to see it come to a vote, so that we might then proceed to the further consideration of the ABM, for which I shall vote. I believe that the extension of the surtax for 5 months, with an opportunity then to vote on its further extension, is certainly a fair and reasonable proposal, one on which the Democratic Party could certainly go before the people, because if that proposal is not accepted by the minority party, and the surtax is allowed to expire, certainly the blame would lie at the door of the minority party.

So I believe that the Democratic "automobile" will not veer from the straight and narrow path that it is on.

Something has been said about the inability of Senators of the opposition party to speak for the administration. I should think that it would be the first time that they have been unable to speak for the administration if they are not able at this time to do so. To have 43 Senators not able to act on a bill in the legislative process would certainly indicate to me that there has been a great delegation of power to the executive on the part of a portion of the membership of the Senate.

I should like to see the majority leader's proposal accepted and the bill come to a vote. I believe the proposal is fair and reasonable, one that I would certainly be willing, as a member of the Alabama Democratic Party, but not a member of either of the two committees, to stand by and support.

Mr. ALLOTT. Mr. President, I shall not speak at length, but I feel that one remark that has just been made should be answered. I think the Senator from Alabama has not read carefully the message of the majority leader (Mr. MANSFIELD) to the minority leader, in which he made it specific that not only would the leadership of the minority speak, but also that the administration would speak—and, of course, the administration is the President of the United States, and no one needs to be told what the present situation is with respect to that.

There are two or three other things that I would want to make clear tonight. We have been regaled in the last few weeks with a lot of weeping about tax reform. I might tell my friends on the other side of the aisle that they do not have any monopoly on an interest in tax reform. We have had Democratic Presidents for 8 years. They had the overwhelming majority of the Members from their party in Congress for 8 years. I did not see any great enthusiasm in those last 8 years for any tax reform.

I feel somewhat sensitive about this, because my own great former colleague from Colorado, the late Senator Millikin, probably—and without doubt, in my mind—broke his health and perhaps caused his death by working so hard on the last great tax reform bill that came before the Senate, the tax reform bill of 1954.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. ALLOTT. I yield.

Mr. MURPHY. I wish to ask the Senator if the effort made in 1954 was the last attempt at a tax reform bill.

Mr. ALLOTT. No. I believe there was a subsequent effort. Perhaps the Senator from Louisiana could give us the date. Was it 1957?

Mr. LONG. We had a comprehensive bill in 1962 and another comprehensive bill in 1964.

Mr. ALLOTT. It depends on what one would call "comprehensive." I did not call it comprehensive. We patched up some excise taxes and things of that nature, but it was not a comprehensive bill.

The last comprehensive bill that I recall, when we went through the tax structure, was 1954.

Mr. LONG. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. LONG. Mr. President, I am now compiling a statement on this matter. However, if one will look at the bills that were passed in 1962 and 1964 he will see that those bills pretty well covered everything in the Internal Revenue Code so far as income taxes were concerned. Another act, in 1965, pretty well covered the excise tax provisions. I think one of them included more than 10 so-called reforms and the other about 20 so-called reforms. But both of those bills in 1962 and 1964 attempted to go through the entire Internal Revenue Code, but they did not look at the gift tax or the inheritance tax.

Mr. ALLOTT. And they did not look at foundations or other things.

Mr. LONG. The Senator will find we did something about foundations. I think it was in the 1964 bill.

Mr. MURPHY. Mr. President, will the Senator yield further?

The PRESIDING OFFICER (Mr. ALLEN in the chair.) Does the Senator yield?

Mr. ALLOTT. I yield.

Mr. MURPHY. Mr. President, I have listened attentively. I think that sometimes in debates or discussions some of the basic precepts involved get lost. We are in a vexing situation. The majority party has made an offer to be accepted by the minority party. They have had meetings and decided this is a concession. As I read the offer, it was an offer either to be accepted immediately or withdrawn. I did not realize when I heard the reading of it that it could be accepted tomorrow or Thursday, as the Senator from Louisiana suggested.

For purposes of clarification I would like to ask my distinguished friend, the Senator from Colorado, to go back to the beginning. As I recall, there are two matters confronting the Senate. One matter is the tax reform, upon which all agree. I know of no one who disagrees that we should not immediately and as quickly as possible have a complete and really comprehensive tax reform.

However, there is a separate matter.

Mr. ALLOTT. Mr. President, on that subject, I wish to say that I find no less enthusiasm on this side of the aisle for tax reform than I have heard expressed on the other side of the aisle.

Mr. MURPHY. I had been talking about it even before I thought of running for the Senate.

The other matter has to do with the emergency crisis situation. It has nothing to do with the long haul, but it has to do with the immediate problem which has been building up over the years, and which was even recognized last year when there was a joint effort to try to alleviate the situation, which did not go through the way it was planned. The distinguished Senator from Delaware was very active in connection with that measure.

This is an emergency situation wherein the President has asked that the surtax be continued. Everybody agrees that inflation is possibly the most important and the most serious question we face in this body at this time. Nobody wants the surtax. Certainly I do not want it. I think our people have been taxed far too heavily, and I think it is time we became more cautious and we should have better ways for raising revenue. But the surtax at long last is beginning to show signs of having the effect we all desire of slowing down the inflationary spiral.

These are two separate and distinct matters. I wish to ask the Senator from Colorado whether I am correct or whether I am in error.

Mr. ALLOTT. Mr. President, I thank the Senator, He is entirely correct and proper, except in the minds of those who want to utilize one as a wedge for the other.

Mr. MURPHY. That was to be my next question. Does it not appear, with full realization that the emergency exists, that the surtax is only an instrument for the situation and is not to be considered a part of the tax structure on a permanent basis? It is not at all. It is merely an instrument to try to stop inflation.

Mr. ALLOTT. As one of the instruments.

Mr. MURPHY. As one of the instruments. Would it not be reasonable that we ask that these be separated and one matter be taken up; and in the meantime there is no question about the desire to have a complete tax reform. I do not know that it can be accomplished in 4 months, 6 months, or a year. I think it is so important and it has been so long that it is going to take our very best effort to get it done by the end of this session.

But I wish to ask the Senator if it would not be practical, if it would not be thoughtful, if it would not be with full consideration of the welfare of the financial structure, and the welfare of individual citizens that we separate these two matters and decide whether or not the surtax should be continued; and that we should separately how fast we can move ahead to write a complete tax reform?

It seems to me that to continue to tie the two considerations together at one

point would indicate a reluctance on the part of some Senators. I know of no such reluctance and I know of no such disagreement. This is what concerns me. These two matters are intermingled in an impractical way and I get the feeling there is a use of coercion, which at best is not wise and at worst it is not worthy of the dignity of this great body.

Mr. ALLOTT. I thank the Senator. I could not agree with him more. I was about to discuss two or three of these things which I feel should be part of the RECORD today.

We heard the important discussion between the Senator from Louisiana and the majority leader. It was said, in effect, that the 15-day extension would not meet the problem. I could not agree with him more; that in a true sense the 15-day extension does not meet the problem. But—and it is a big "but" on the end of that—the 15-day extension would bring us past the date when Congress is supposed to begin a summer recess. We may have a little discussion about that recess before we are through here, because I do not think we can mess and tamper with the basic fiscal soundness of the Federal Government while we run off on a recess.

The significance of the 15-day extension is that this would bring it to the 15th of August. Congress is supposed to recess on the 13th of August. But at the meeting held at the White House a week ago this morning at which members of the Ways and Means Committee, the Republican and Democratic leadership of the House, and members of the Finance Committee of the Senate, both majority and minority leaders of the Senate were present, this matter was discussed in great detail.

As to the people in the House, I must say in all frankness that the chairman of the Ways and Means Committee was not there, but the ranking minority member was. The next to the senior member, next to the chairman on the majority side, was there.

At that time, he laid out in no unequivocal language that we were tampering with the safety of the Government if we did not pass the surtax bill for the entire year. This is from the other party, not from our party.

At the same time, four Secretaries of the Treasury were there. Bob Anderson was there, who was Secretary of the Treasury under President Eisenhower. Douglas Dillon was there. Henry Fowler was there, Secretary of the Treasury under the last administration, as well as David Kennedy, the present Secretary of the Treasury. They were all there. They said that passage of the legislation on extension of the surtax was an absolute "must" for the continued fight against inflation.

No one contends that the surtax alone will cure inflation. It will not. There are all sorts of means which will have to be employed to do that. We will have to employ the means to cut expenditures and to cut wherever we can. We will have to employ means which Congress has been so reluctant to do, is the thing the majority leader himself has advocated time and again; namely, the exercise of legislative oversight, taking some of the ill-conceived and rapidly written laws which have been placed on the statute books in the past few years, and no matter how meritorious they may have been, they should be rewritten to the point that they are workable so that the Government's money—which is the people's money—will be well and beneficially spent.

The significant thing that occurred at that meeting last Tuesday morning was that both majority and minority members of the Ways and Means Committee committed themselves—I repeat, committed themselves—to have a tax reform bill passed in the House before August 13, when we adjourn.

Thus, when we considered the 15-day extension in that context, it means that, at that time, for those people who say, "Well, I want to be assured of tax reform before I vote on a surtax," it means that those people—those in the Senate committee in which they have a majority—could have a meaningful tax reform bill in the Senate by the time we adjourned.

Whether, with the action taken today, we will still see those pledges lived up to, I am not sure. Upon the basis that the surtax was a vital necessity in this country, they made that flat commitment there, and I am sure that each and every one of them intended to do it.

Mr. MURPHY. Mr. President, will the Senator from Colorado yield at that point for a question?

Mr. ALLOTT. I yield.

Mr. MURPHY. Then it is the opinion of my distinguished friend from Colorado that it is not necessary the two considerations be tied together?

Mr. ALLOTT. I cannot see how they need to be tied together, because there are other so-called tax reforms in the surtax bill. The continuation of the excise tax, of course, is not a tax reform, but, for example, there is the termination of the investment credit and also provision for a low-income allowance for individuals and for other purposes.

Before the House passed that bill, it was only passed, as I recall, by a majority of five votes.

Mr. MURPHY. Five votes.

Mr. ALLOTT. Before they passed that bill, they had to put in those two reforms, granting some 3 million persons in this country in the lower income brackets relief from income tax, and then the repeal of investment credit.

They had to put those two reforms in the bill when it came over here. The Senator from Delaware (Mr. WILLIAMS) had another one with relation to foundations which he has shown great statesmanship, I believe, in stating that he was willing to waive his position temporarily if we could move this.

Knowing how strongly he feels about that particular amendment, I think he should be congratulated upon his great and generous offer to remove that particular amendment so that we can move forward on this bill.

There is another point I think we should make, that the surtax will raise approximately $7.5 billion. With the proposal made today, that will be reduced to about $4.1 billion.

Mr. President, the people who do that have got to assume the responsibility for what cuts will have to be made in many of the social problems we have to deal with in this country today.

I have been examining in the past few weeks, and have been sitting in on the hearings of the Independent Offices Subcommittee, of which I am the ranking member, appeals for money for urban affairs, model cities, for section 235 funds, and section 236, the interest subsidy funds. This administration is putting more money into them than has ever been done before. Yet, what are we going to do when we come to November and we do not have the assurance of the income from the surtax to take care of that?

Something will have to give at that time. The ones we will hear the most from, the ones who will speak the loudest at that time will be the same ones who are in the Chamber here saying that we need more money in the cities and ghettos and for social services. They will be those who in December, and in the latter part of November, will be talking the loudest that we have got to do more for these people. Yet, today, if we go through with this plan, we will be chopping off $3.4 billion which the Government needs to carry on the various services.

Mr. MURPHY. I wanted to make certain that I had a clear understanding, that the entire dilemma as it appears to me, and the reason it is taking this unique form at this time is caused by the decision to tie the necessary crisis consideration of the surtax to what we all agree has been a long needed attempt to do a complete rewriting job of the entire tax bill. Had these not been tied together, the condition that exists now, at this 11th hour decision—almost on a take-it-or-leave-it basis—would not have prevailed. Is that a fair statement of fact?

Mr. ALLOTT. Let me put it this way. The other body, I think, has exercised good judgment and has attacked the surtax problem first. As I stated a few moments ago, in order to get that through the House, they had to put certain tax reform provisions in that bill, which they did, particularly on the investment tax credit and taking 3 million low-income people off the tax rolls of this country—a provision, incidentally, which was suggested by the President. So they acted upon that first. They apparently did not have—and I frankly do not think a deliberative body of this kind could consider intelligently—a comprehensive tax bill to raise revenue and a tax reform bill. It would take weeks and weeks and months.

We may all have different ideas about what constitutes reform. I suppose that there would be, on either side of the aisle, all the variations one could think of about what constitutes tax reform. But we know that some reforms are needed. We know it is unconscionable that any American could so invest his money that he could walk away from any tax at all while living in luxury. I do not think that is justice. It has never been my idea of justice, anyway.

That is what they are trying to do in the House on that second tax bill—take care of the investment tax credit, about

which there was so much hue and cry, and take care of the President's suggestion that we cut 3 million low-income people off the tax rolls.

Then they turned around and tackled a tax reform bill. I know, of my personal knowledge, that they have been working like beavers—I hope they do not take umbrage at that term; that is the word we use when we consider somebody working hard to try to fill the commitment which was made by both the Democrats and Republicans at the White House meeting a week ago today—to have that tax reform bill brought here by the time we adjourn.

While it is not a significant reform, or anything of that sort, that is why the continuation for 15 days becomes very important. Those who say, "I want to see a tax reform within my grasp before I vote for a surtax," can have a reform bill in the Senate. It can be referred to the Finance Committee, of which the distinguished Senator from Louisiana is chairman. They have the majority to vote that bill out of the committee almost at their will. But they will have that bill here. So it cannot be said that anybody is blocking them from having a reform bill. The commitment was made that morning that it would be here.

I do not understand why we talk in circles around here to the effect, "You cannot have a surtax because I want to be assured of reform." I cannot assure them of reform, as a member of the minority party, but surely the majority leader and the chairman of the Finance Committee can assure them that they will have a reform bill before we adjourn this year.

There is a lot of other mischief. The distinguished Senator from Delaware, a while ago, mentioned some of the uncertainties and difficulties, not the least of which is that with the uncertainty in the tax situation people are hedging against inflation. If there is going to be inflation, the thing to do is to buy things that a person will use in his business and stockpile them for the future, because prices are going up.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. MURPHY. Having had some experience in business, I do not know of any business that operates on a projection as short as 4 months

Mr. ALLOTT. Neither do I.

Mr. MURPHY. I do not think this would do anything except cause utter confusion, when there is already enough confusion.

Mr. ALLOTT. Even my corner druggist does not operate on as short a projection as 4 months.

Mr. MURPHY. Particularly with the ending date about the end of the year, I fail to understand it. The longer I consider it, the more I am afraid it is going to complicate matters, rather than help.

Mr. ALLOTT. I thank the distinguished Senator for his help and his remarks, because they are very meaningful.

I would just like to conclude with two or three observations. It seems to me that the November 30 date causes a lot of difficulties. What it actually means is that every corporation is going to have to proceed on an eleven-twelfths year and a one-twelfth year basis.

As I understood the majority leader this afternoon, what they are proposing is to consider, at a later time, the surtax before it expires again. Well, all that is done is to compound uncertainty in this country. If we create an atmosphere of certainty as to what was going to be done in the surtax area, and resolve the question of the investment credit, and resolve the tax situation as to poor individuals who certainly cannot afford to pay a tax on the incomes they have, but who by our laws are required to pay an income tax, then I think we would be taking another step toward curing the inflationary problem.

Let there be no mistake about it, inflation is not just something people talk about; inflation has been said to be the cruelest tax of all. No matter how we go about it, a poor man cannot meet inflation. The man who has a great deal of money can invest in certain types of securities and make money and get rich, as hundreds of them have in an inflationary period. I would say it is not an overstatement. I do not say this is true of any Member of the Senate at the present time, but there are people in this country—many of them, perhaps thousands of them—who are just hoping to God that the Senate does not pass a surtax extension, because they want more inflation. They have perfected the techniques of making money out of inflation.

So we have the uncertainty. We have the mischief that is going to be caused by corporations having to operate on a eleven-twelfth-year and a one-twelfth-year basis. Most of all, we have done anything for tax reform.

When the people from the other body got up last week and said, "We will have a tax reform bill in the Senate by August 13, when we adjourn," I believed them. I believe only the occurrence of a cataclysm or a catastrophe could keep us from having such a bill by that time. That being so, I really cannot see any justification for the argument that we must have a tax reform bill on the Senate calendar before we consider the surtax extension.

With the assurance that has come not only from Members of my party but from the ranking Members of their own party in the House of Representatives, it would make much more sense to put the surtax extension to the first of the year, because they have assurance that they are going to have a tax reform bill. Let them vote on individual items. Each individual amendment is, of course, up to every Senators' own conscience. But the bill will be here. For that reason, there is not any justification for not extending the surtax now until the first of the year, at the minimum.

Mr. President, I yield the floor.

ORDER FOR ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM TOMORROW TO THURSDAY, JULY 31, AT 11:30 A.M.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at the completion of business on tomorrow, the Senate stand in adjournment until 11:30 on Thursday morning next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR AIKEN ON THURSDAY, JULY 31, 1969

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, upon the completion of the prayer and the disposition of the reading of the Journal on Thursday morning next, the able senior Senator from Vermont (Mr. AIKEN) be recognized for not to exceed 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS ON THURSDAY, JULY 31, 1969

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, on the completion of the address by the able senior Senator from Vermont (Mr. AIKEN) on Thursday morning next, there be a period for the transaction of routine morning business, with statements therein limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 41 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, July 30, 1969, at 12 o'clock noon.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 29, 1969:

SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

Carl J. Gilbert, of Massachusetts, to be Special Representative for Trade Negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary.

HOUSING AND URBAN DEVELOPMENT ACT OF 1968 CORPORATION

Carter L. Burgess, of New York, to be an incorporator of the corporation authorized by section 902(a) of the Housing and Urban Development Act of 1968.

FEDERAL HOME LOAN BANK BOARD

Thomas Hal Clarke, of Georgia, to be a member of the Federal Home Loan Bank Board for the term expiring June 30, 1973.

HOUSE OF REPRESENTATIVES—*Tuesday, July 29, 1969*

The House met at 12 o'clock noon.

Rabbi Baruch Korff, Congregation Agudath Achim, Taunton, Mass., offered the following prayer:

Eternal God, we humbly acknowledge Thy gifts to mankind and the divine image with which Thou hast endowed us; the ability to endeavor and the fortitude to strive with wisdom for the abiding glory of human life.

We beseech Thee, Father of all men, to strengthen and motivate this august body of our Nation's legislators to meet the trials of life and liberty. May their faith and vision lead them to work together with resolution, and speed the approach of Thy kingdom on earth. May they brave every hardship Thy will to perform and proclaim Thy sovereignty in witness of Thy truth.

Bless our Nation, Almighty God, keep us ever steadfast and just that no weapon formed against us may prosper and no adversary endure.

For the roadway our forefathers charted we give thanks unto Thee, O Lord, who has called this Nation in righteousness and set it for a light among the planets.

How goodly is our portion;
How blessed our lot;
How beautiful our heritage.
Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

TRIBUTE TO RABBI BARUCH KORFF

(Mrs. HECKLER of Massachusetts asked and was given permission to address the House for 1 minute.)

Mrs. HECKLER of Massachusetts. Mr. Speaker, it is my privilege as a Representative of the 10th Congressional District of Massachusetts to welcome as our chaplain today Rabbi Baruch Korff, who has served as the spiritual leader to the Congregation Agudath Achim in Taunton, Mass., and surrounding towns for 15 years. Besides being a noted Talmudic scholar, Rabbi Korff has generated during his years in Taunton a renaissance in the Jewish community and has achieved wide reknown for his varied activities and achievements.

Rabbi Korff is not only personally in demand as a speaker, but he has brought to Taunton numerous other distinguished speakers to enrich and challenge both the congregation and the community as a whole. He is known and respected, too, for his great gift as a teacher, and many seek his counsel and guidance, particularly the young people. Few men have managed to establish such a rapport with the youth of today, and, in fact, Rabbi Korff has recently been named to a special mayor's board to study the problems of youth and drug addiction.

For 15 years, Rabbi Korff has also served as chaplain to the Taunton State Hospital and the Paul A. Devers State School and devoted much of his time to helping the mentally ill and the mentally retarded. His visits, counsel, and patient understanding as well as his personal dedication have again achieved wide respect since his efforts far exceeded the normal duties of chaplain.

It is almost unnecessary to mention his other accomplishments and honors, but I would like to note that Rabbi Korff has served as director of the Emergency Committee To Save the Jewish People of Europe during World War II; was appointed by President Roosevelt as Adviser to the War Refugee Board; was executive vice president for the Political Action Committee for Palestine. In 1942 he was awarded the Good Will Cup of the New York State Interfaith Movement and since that time has received many other honors and distinctions.

Again, I consider it a great honor for this body to have Rabbi Korff as our chaplain today.

NATIONAL COMMISSION ON POPULATION GROWTH AND THE AMERICAN FUTURE

(Mr. CARTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER. Mr. Speaker, as a member of the Republican task force on earth resources and population, I strongly commend the proposal of President Nixon for a National Commission on Population Growth and the American Future. I urge my colleagues in the Congress to give the creation of the Commission their immediate consideration.

The President's statement emphasizes, I think very rightly, the important tie, too little realized, between population growth and its tragic problems of starvation and undernourishment, social disorder, environmental destruction, poor education, and ill-housing. For this reason, as the President pointed out, the structure of the Commission must be flexible; because of the far-reaching effects and abundant problems with which the Commission must deal, it is desirable that Congress allocate for the Commission an expansionary budget.

A serious lack of coordination characterizes the efforts of the numerous agencies and groups which are presently dealing with population planning and family planning, both domestically and overseas. Under a National Commission on Population Growth and the American Future, we can proceed to coordinate and correct this significant defect.

It is doubly desirable, in view of the upcoming 1970 census, that the Commission be created as soon as possible to take advantage of the new census data which will be available.

RAISE THE TAXPAYER'S EXEMPTION

(Mr. MONAGAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, I am happy to see the activity in the Ways and Means Committee in its consideration of the problem of tax reform and to learn of the progress that has been made toward completing a bill for action by the House. Many of the items have demanded treatment for a long time. These include the requirement that no taxpayer capable of paying a tax should escape, the broad principle that the tax burden be spread equitably among taxpayers, and that every attempt be made to prevent the average individual taxpayer from shouldering an unfair share of the common burden while taxwise individuals or organizations took advantage of unforeseen loopholes.

In view of the substantial increase in tax revenues which will come from the introduction of these reforms, it is my belief and recommendation that a substantial portion of these revenues be used to increase the standard exemption of the individual taxpayer. While it is true that an increase in the exemption requires very substantial revenues from other sources, nevertheless it appears quite possible for a sizable increase to be made and it is my judgment that an increase in this area would be fair to the individual taxpayer and not disruptive of orderly financing.

The individual taxpayer, most of whose income is derived from personal earnings, is in an exposed position and cannot escape the tax bite. It is, therefore, only fair that when we eliminate some of the loopholes and tax havens we should give the benefit to the individual who has suffered from the discrimination.

I, therefore, urge Mr. Speaker that the Ways and Means Committee who are currently engaged in the final writeup of the tax bill do everything in their power to increase the individual exemption and thus strike a blow for equality of tax treatment.

CALL OF THE HOUSE

Mr. PELLY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 127]

Anderson, Tenn.	Dawson	Moorhead
Ashley	Evins, Tenn.	Murphy, N.Y.
Boggs	Gallagher	Ottinger
Bow	Gray	Powell
Brasco	Halpern	Reid, N.Y.
Brooks	Hanley	Riegle
Burton, Utah	Hanna	Rosenthal
Carey	Harsha	Ruppe
Celler	Hébert	Scheuer
Clark	Kirwan	Stuckey
Clausen, Don H.	Lipscomb	Teague, Tex.
Daddario	Lloyd	Wampler
	Lujan	
	Minshall	

The SPEAKER. On this rollcall 394 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

RABBI BARUCH KORFF

(Mr. ROONEY of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROONEY of New York. Mr. Speaker, I was deeply moved by the opening prayer delivered this morning by one of the great spiritual leaders of American Jewry, Rabbi Baruch Korff. I have known Rabbi Korff for many years going back to the days when we met in the common cause of aiding the victims of the Nazis and establishing an independent State of Israel. Rabbi Korff was an adviser to the War Refugee Board established by President Roosevelt and in that capacity, lent great support to our efforts to establish a refugee camp at Oswego, N.Y. His devotion to the unfortunate victims of the Nazi holocaust never waned and our paths crossed constantly in those years through the Political Action Committee for Palestine. He was, and is, a truly dedicated man. It is very fitting that Rabbi Korff is here today for this marks his 15th anniversary with his regional congregation, Agudath Achim in Taunton, Massachusetts, and his 15th anniversary as chaplain with the Department of Mental Health of the Commonwealth of Massachusetts. He is still giving of himself that this world may be a better place for all men. To my old friend I would just like to say how good it is that he is here today. Shalom.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE AND RELATED AGENCIES APPROPRIATIONS, 1970

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13111) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes, and pending that motion, Mr. Speaker, I ask unanimous consent that general debate continue not to exceed 3 hours, the time to be equally divided and controlled by the gentleman from Illinois (Mr. MICHEL) and myself.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 13111, with Mr. HOLIFIELD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous consent agreement, the gentleman from Pennsylvania (Mr. FLOOD) will be recognized for 1½ hours and the gentleman from Illinois (Mr. MICHEL) will be recognized for 1½ hours.

The Chair recognizes the gentleman from Pennsylvania (Mr. FLOOD).

Mr. FLOOD. Mr. Chairman, this is the one you have been waiting for. This is the one you have read about, and this is the one you have talked about. This is the one you have been talked to about.

The labor, health, education, and welfare bill for the fiscal year 1970 totals $16,651,000,000. But this is only part of the iceberg which is above the water.

Now you take your copy of the report that you have—that you may have in your office or you may have here. I direct your attention to pages 44 and 45 of the report. You will read that the permanent—now hear this—the permanent obligational authority for the two departments and related agencies which is mostly trust funds, totals $47,815,000,000.

Did you hear that figure?—$47,815,000,000. I want you to hear these figures because very few of you have heard them before.

The total amount of the funds in the 1970 budget for these two departments and related independent agencies—now wait until you hear this—is $64,466,000,000—$64 billion.

Well, it does not take very much imagination to foresee that this budget—and properly so—will very soon exceed the budget for the Department of Defense. I have been on the Appropriations Subcommittee of the Department of Defense since it was organized right after World War II. I am not unacquainted with that budget either.

Well, I hate war—a great President also said—and as as a great American general said, "War is hell." Of course, it is. If, and when, with the help of God this can of worms in Vietnam is finished, I would expect to see this budget of the Department of Defense cut $20 billion. I will demand, as chairman of this subcommittee, that at least $5 billion come into the budget for Labor and Health, Education, and Welfare.

The people will demand that and I hope and pray it will happen.

Now it is all very well to say if we can afford a war, then we can afford all these increases people are talking about for education, health, and other domestic programs, and if we can go to the moon, then we can afford this and we can afford that.

The fact remains, Mr. Chairman, there is a war in Vietnam—now—and in my judgment there will be for the life of this specific appropriation bill we have before us today, June 30, 1970. It pains me to say that I believe there will be a war. This bill must face the war in Vietnam. Do not come down here today and say, "Oh, we have a war. If we could afford the war, then we could afford this and this and this." You cannot. You cannot.

Some say we wasted billions on a shot to the moon? This House voted for every dime for the shot that went to the moon. Thanks be to God, it was a success. But you must pay for it, whether you like it or not, and you must pay for this war, whether you like it or not. And I do not like it. How do you like that? But those are the facts. So let us have a minimum of breast-beating dehors the facts as I have just stated them.

Here is another fact that most people do not realize. Wait until you hear this. Of the $16,600,000,000 in this bill, $9,600,000,000 is for uncontrollable items. Do you know that? More than half of this bill is uncontrollable by your Committee on Appropriations. Is that not something? It is for grants to the States for public assistance, payments to the Social Security trust funds and, oh, a long list. I shall not recite the litany of the long list of grants that are uncontrollable. You know them. You voted for them all in various legislative bills.

This committee, however, is recommending no phony cuts. Oh, that has been the practice here for years, for many appropriation subcommittees to come down here and boast, "We have cut the budget x millions of dollars." Those statements on these so-called uncontrollable items are as phony as a three-dollar bill. This is not a phony subcommittee or full committee. There are no phony cuts.

So, Mr. Chairman, out of almost $64.5 billion in the budget for these agencies, there is only $7 billion that is controllable under our appropriation process—$7 billion out of nearly $65 billion is all we can talk about today. Is that not astounding? Do we see what is going to happen to our appropriation process? Out of $64.5 billion, we can control about $7 billion. So we are not so important, are we? That is only $7 billion. Think about that. See what we are doing? We should be very careful today, should we not?

Everyone knows this is a tough year so far as the Federal budget is concerned and that we have to economize wherever it is reasonably possible. This we know. We have been voting for that all this long year. However, the committee has not been blind to the great need for proper financing of the important programs, the most important programs. We have not ignored them, nor, Mr. Chairman, do we consider the President's budget sacrosanct—not for a minute. This is the Appropriations Committee. The budget is no sacred cow for us. We can just take a glance at the table at the end of the report, and it will reveal many pluses and many minuses where

our committee, Mr. Chairman, has worked its will on this budget.

This year, Mr. Chairman, for the first time since I have been chairman of the subcommittee, we are recommending a net increase over the budget request—over, through the ceiling. We have, but with a rule of reason.

Oh, there is an invitation to be dramatic. A great invitation exists to be dramatic with the subjects. They just drip with it, do they not? Can the Members imagine me not taking advantage of a dramatic opportunity? God save the mark. It is strength of character, indeed.

Well, we have resisted. We have applied the rule of reason when we went above the budget. There are gross increases here totaling over $277 million, and almost all of it is accounted for by what? By hospital construction and the various line items in education.

I am against education? I married a schoolteacher. Can Members imagine me being against education? Why, I would die without the priest. In my hometown of Wilkes-Barre they are going to dedicate, with very sound judgment, in October, a $3.5 million elementary school named after DANIEL J. FLOOD. I think that is great. Do Members not agree with me? That is to be done in a couple of months. I am against education? How silly can we get?

It is just how far are we going to go. There is no greater bleeding heart in this whole committee than mine about education—but there is reason, not just emotions and theatrics and big figures.

Now, Mr. Chairman, I will go to some of the individual items in the bill. There are over 100 appropriation items in this bill, and Members will be pleased to know I am not going to parade through all of them.

It would go on like Tennyson's brook.

In total for the Department of Labor there is an actual slight cutback from the 1969 level except for manpower development and training activities, and that we are for, beginning with me. You know where I come from. I know the need in the coalfields.

For MDTA we recommend a cut of $20 million in the request of $675 million, but we are still putting in this bill an increase of $248 million above 1969. Now, as the saying goes, "That ain't hay."

This increase, by the way, is almost entirely for two programs. One is the now well-known and very successful JOBS, the JOBS program, which is sponsored by the National Alliance of Businessmen, started by the Ford people. They made a great presentation to our committee. We were very impressed last year. They are going well. They are doing well. The private sector has manned the barricades in this JOBS program all through this Nation. There is no horizon to what good that program can bring, no horizon. I am amazed, frankly, that it has been embraced so generally by the private sector throughout the Nation. Is that not good?

And there is what we call the CEP, which is the concentrated employment program, the job training programs back in the communities. I have one in mine. It is a wonderful thing. Many of you have such programs in your districts. I am sure the result is the same as in mine.

The revised budget contains a requested increase of $2 million and 130 positions for the Labor-Management Services Administration. By the way, if you are looking at your reports, that is on page 6. I see some of you have reports out. What I am talking about is on page 6, so you can read while I am talking, if you wish.

This is for the organized crime program. The justifications for the proposed budget state, and I quote:

> A large number (about 150,000 annually) of the reports submitted to the Office of Labor Management and Welfare Pension Reports contain a wealth of information essential in the fight against organized crime. Typical of this information are the names of persons who administer and control over $100,000,000,000 of the welfare and pension funds, as well as the fees paid to such persons as brokers agents, accountants, attorneys, and others. The reports also contain information as to party-in-interest transactions. In the fight against organized crime this information is not only invaluable, it is indispensable.

With this we agree. As deputy attorney general in charge of prosecution of the great State of Pennsylvania, I know what this means. Others have been prosecutors and share this view. I see my friend from Alabama (Mr. ANDREWS) is present. He knows, as do many of you; we have no quarrel with this.

While the Department of Labor has never before called to the committee's attention any significant problem in this specific area, it is obvious that a potential for serious crime does exist in this area. However, all those reports, Mr. Chairman, are public information, and they certainly are readily available to the Department of Justice for use in their law enforcement activities.

Mr. Chairman, the committee will expect the Department of Labor to be cooperative with the Department of Justice in their activities against organized crime, but it feels that the main responsibility in this area is that of the Department of Justice and it would be a mistake for the Department of Labor to becomes so heavily involved as proposed in this request. Every record Justice wants is a public record, and we will help them get it. There should be no problem.

Now, going to the Department of Health, Education, and Welfare, under "Consumer protection and environmental health services," here there are internal adjustments. The Department of Health, Education, and Welfare has been engaged in organizations and reorganizations and internal readjustments and more reorganizations throughout the last 4 or 5 years. So much so that I think the next reorganization should be a reorganization against any more reorganizations, if you know what I mean. We get it annually. But that is the way it is. It is a can of worms. However, the increase is $8.4 million. That will cover their mandatory costs. They have a job to do and they are doing it well.

The first increase above the budget is for mental health. You will be the first to agree, Mr. Chairman, that that is the way it should be. It is a net increase of $2,398,000. That results, first, from the addition of $4 million to the budget. We have added $4 million to the budget for the program to assist communities to provide treatment services for alcoholics that was authorized by you in the Alcoholic and Narcotic Addicts Rehabilitation Act of 1968.

Then, there is an item of $1,102,000 to start a new program. This is what you must watch in these departments; the starting of a new program; letting the camel get his nose under that tent. You know, there is nothing more permanent in Washington than a temporary agency or a temporary building. You must be gun shy on these new things. This one is "Early child care demonstrations." Now, would not that break your heart? Here is this cruel FLOOD and his subcommittee. I am against children. Mr. Chairman, this House and this Congress rejected this program last year and we reject it again this year because we already have at least five separate and distinct programs, doing much the same thing that they want this $1 million for.

And wait until you hear this one. They want $500,000—which they will not get—for this. Now, most of you do not remember Maury Maverick. When he was here he gave birth to the term gobbledygook. Oh, Maury, if you can hear me, listen to this: $500,000 to award contracts for research on a number of significant contemporary social problems.

Mr. Chairman, the original budget for 1970 carried $4 million for the programs I have just mentioned. This was deleted, and I cannot understand why. But this was deleted by the Bureau of the Budget and the budget amendments, but the committee is in complete disagreement with the budget. Mr. Chairman, we have restored the full $4 million contained in the original budget estimate.

Mr. Chairman, there are approximately 5 million alcoholics in the United States in need of medical and social services. The effects of alcoholism are costly both in dollars and in human suffering. Industry alone loses an estimated $2 billion every year as a result of alcoholism associated with absenteeism and reduced production. Annually, 10,000 deaths are attributed to alcoholism. Problem drinking has been identified as a factor in over 50 percent of all fatal traffic accidents. Compared with the cost of alcoholism, this appropriation is miniscule. We put it back.

Now, I have discussed, Mr. Chairman, with this House before, and I think it is appropriate for me to again point to research on mental illness, as a striking example of tangible results obtained through medical research. What do we get for our money? What do you get for your money? Ah, here is exhibit A. There is no doubt that this research which is carried on under the National Institute of Mental Health and elsewhere has not only resulted in a great reduction in human suffering, but also has actually saved much more money than it has cost. In the words of the Institute's Director before the committee:

> Our progress is reflected in the continuing decrease in the number of Americans residing in the Nation's mental hospitals. Thir-

teen years ago, that number was well over one-half million. Today, after more than a decade of steady advances in research and treatment, there are 401,000—a reduction of nearly 30 percent.

Now, I want you to hear this. Listen to this. This is dramatic:

Last year alone saw a decline of 25,000 patients, or 5.9 percent, including, for the first time, a decrease of 2 percent in the crucial 12–16 age group.

Had the rising mental hospital population seen before 1955 gone unchecked, we would today be confronted by 731,000 patients in our mental hospitals—or nearly twice the actual number.

That is what you got for your money.

The revised budget, Mr. Chairman—and I am talking about now page 11 of the report—the revised budget makes no change in the total amount requested under the comprehensive health planning and services program. Both the original and revised budget—and when I say the "original budget" I mean the Johnson budget, and when I say the "revised budget" it is the Nixon budget. So, if you hear me make a play on these terms, the original budget is the Johnson budget and the revised budget is the Nixon budget. The sum for partnership for health grants is $190 million in both budgets, and that is what we have in this bill.

However, Mr. Chairman, there is quite a significant internal adjustment in the revised budget to decrease project grants to the States for health activities by $18 million and increase formula grants by the same amount. One of the basic purposes of the partnership for health amendments to the Public Health Service Act was to shift more of the responsibility for determining priorities in expenditures of health grants to the States. As a general proposition, the committee agrees with this approach. However, Mr. Chairman, the administration proposes that funding of tuberculosis control programs be removed from the project grants category of funding and transferred to formula grants. In 1963, because it was dissatisfied with the lack of progress in controlling tuberculosis, the committee instigated a complete review of tuberculosis control in this country. The resultant report of the task force on tuberculosis control stated that the project grant was the most effective method of providing Federal support to State and local tuberculosis programs because it gave recognition to the fact that the tuberculosis problem is unevenly present among the States and localities. The committee and the Congress have supported tuberculosis control through project grants because they get funds to areas where the problem is greatest. Reports of progress over the past 5 years demonstrate conclusively the wisdom of the committee action. Because formula grants are allocated to States on the basis of population and per capita income with no relevance to specific disease problems the Committee recommends that the Department phase out the project grant support of tuberculosis control activities gradually.

Mr. Chairman, I cannot pass this appropriation for comprehensive health planning and services without mentioning a most dramatic new program that we initiated. This Congress, this House, initiated this program in the last supplemental appropriation bill that you voted on just a short time ago, and we are further implementing it in this bill. What is it? It is rubella—German measles—a vaccination program.

The last German measles epidemic—ah, you who are husbands, fathers, you who have children or expect to have more, tell your wives about this, if they do not know. Let me tell you this, and you tell them—the last German measles epidemic occurred in 1964, and resulted in over 20,000 children being born with birth defects ranging from relatively minor deficiencies like a missing toe or finger, if that is minor, to children born with severe mental retardation and those by the thousands born deaf, or blind, or both, because of German measles—rubella. The total eventual cost of that epidemic has been established as high as $2.8 billion. The U.S. Public Health Service gave us a conservative estimate, that the cost of the 1964 epidemic will be over $1 billion.

Mr. Chairman, through the research of the National Institute of Allergy and Infectious Diseases and the Division of Biologics Standards an effective vaccine has been established against German measles. Scientists now predict that this disease with its horrible consequences can probably be eliminated in the United States within a few years—thank God—through this vaccination program. That is what you are doing with some of the dollars you are appropriating. I am convinced that we can make rubella as much of a rarity in this country as polio, if we all support this program—as we did support the polio vaccination program and campaign. Do you remember that?

Mr. Chairman, we have not earmarked a specific number of dollars for this because it was not necessary. But I am sure I speak for every man in this House when I say we expect the Public Health Service to move forward with this program vigorously. If the funds are insufficient to really meet the needs of the program, I, for one, will say to them—and so will you—we hope they will come back to the Committee on Appropriations and request supplemental funds for this program. I never said that before in my life—or in the last 25 years that I have been in this House—never have I made such an invitation. But here we mean it.

The next rather significant item is a reduction of $24 million—and now I am on page 12 of the report—$24 million from the $100 million request for regional medical programs.

Let me tell you about that. This is my pet pigeon. This is FLOOD's baby. We started out with a heart, cancer, and stroke program. Then some of us soon saw that the idea was so good—"let us not waste time on this—let us go on"—and we created the regional medical programs, so every person in every region in the United States will be embraced and served by this wonderful program.

So when members of my subcommittee went after this—and let me tell you my friend, the gentleman from Kentucky (Mr. NATCHER)—he sure went after them—I sat there along side of him while he took them apart bit by bit, and I could just feel my heart turn over. I thought he was going to crucify them. Well, he roughed them up but he did not crucify them. The fact of the matter is I was worried about this. But the fact remains, I must admit, the program has failed by substantial amounts to utilize the funds available in every year since it was initiated. Now it is getting off the ground. Now it is underway. We have implicit confidence in the program.

Now look at page 13 of the report, if you are still with me. The hospital construction program budget. The hospital construction program budget proposed a significant shift—a shift in the method of financing construction and modernization of hospitals and related facilities. You have a lot of mail on this. When you go home during the recess a lot of people are going to talk to you about this.

I am on the boards of two hospitals back in my district. They talk to me. They will talk more at the first meeting I go to when I get back. You, too. The original 1970 budget request was practically at the same level as the appropriation for 1969. The Nixon budget, the revised budget, cut that by $104,400,000. They cut hospital construction and allied facilities grants by that amount. Then there was a proposed shift to what they call a mortgage guarantee program. That was entirely in keeping and entirely consistent with the philosophy of the present administration and their legislative proposals. They were consistent with their legislative philosophy in making that cut.

What happened to them was this: The legislative proposal made by the administration was turned down by this House. So where does that leave your committee? Not on the horns of a dilemma, but in a difficult situation. The legislative proposal has been turned down, and we must do one of two things. Your committee must either approve a budget that would cut hospital construction $104,400,000 or go over the budget by that amount.

Do you know what we did? Do you know what this bad, heartless committee did? Do you remember when everybody was calling Hitler names and trying to outdo each other on names you could call Hitler, and they made great speeches and used big words to describe how bad Hitler was, no good, blah, blah, blah? Winston Churchill went on the floor of the House of Commons, after everyone had talked for hours attacking Hitler, and do you know what he said? "Hitler is a bad man," and he sat down. Of course. Well, this bad committee, what did they do? They went over the budget $104,400,000 for hospital construction. How do you like that? These heartless workers.

I now refer to page 13 of the report. The total in the bill for all the items now carried under the National Institutes of Health—and the discussion goes on from there for several pages—the total of the bill of NIH is $1,453,000,000, a net increase of $1,041,000 over the budget, and only $44 million over the amount appropriated for 1969. This increase of 3 percent is obviously less than

enough to cover increased costs and so, in total, is going to mean some reduction in the program level. Due to rather substantial increases of approximately $46,000,000 for the item "Health manpower" and $41,000,000 for construction of health educational facilities, both aimed at greater output of trained medical and health personnel, the regular Institutes such as the Cancer Institute, Heart Institute, Arthritis and Metabolic Diseases, and so forth, are actually cut back below the 1969 level. Thus, what most of us think of as the National Institutes of Health will not only have to absorb the increased costs in 1970, but actually will be cut over $27 million below the 1969 funding level.

The amount in this bill for the appriation "Health manpower" is $218 million. That is the exact amount of the request and it is an increase of $46 million over 1969. That is an increase. Mr. Chairman, I do not think it is beyond anyone's doubt that this increase had to be made. This is the output of doctors. More doctors, more nurses, more dentists—that is what we need and by the thousands.

The construction funds, of course, go hand in glove with the grants to increase this manpower; $126 million is in this bill, and that is $41 million over 1969.

We did not hesitate—not a minute—in approving the increase in the budget for both of these. The committee, in effect, is indicating its agreement with both the Johnson and the Nixon administrations on the importance of this problem. The current situation dictates a shift of emphasis. Every administration, Mr. Chairman, has a catch phrase. We remember them all down through the years. I will not recite them. This year for this administration, the catch phrase is "a realinement of priorities." Is that not beautiful? The only thing the matter with it is that I did not think of it. This will shift emphasis from research to delivery. That is the important thing. But, with so much public attention on the need for delivery of services, there might be a tendency in certain quarters—and there is—to consider research an expensive luxury. It is not. We know it is a most profitable investment, I assure the Chairman. It is no luxury. The fact is that the practice of medicine has been drastically changed during the past decade as a result of what we have done for research—we in this House.

NIH research grants provide 70 percent of the funds for medical and health-related research conducted in academic institutions, hospitals, and other nonprofit research institutions and about 40 percent of the funds expended for all medical research in this country. Most of the biomedical research done in this country in recent years has been to some extent dependent, and in many cases very heavily dependent, on funds made available through the NIH appropriations. The pervasive role played by this research support and the complex, interlocking pattern of many separate research achievements that eventually result in the solution of a disease problem make it very difficult, and rather meaningless, to classify accomplishments by source of support. It is, however, undeniable that the impressive progress would not have been possible without the extensive support provided by NIH.

This year, Mr. Chairman, I have bowed to what appears to me as the inevitable, under all the circumstances, and have agreed to support appropriations for medical research that are woefully inadequate to exploit the leads we have to the answers of so many medical problems. I will certainly strongly endorse, and I think the American people will demand, the proper support for these activities as soon as we can put our fiscal house in order.

I was very impressed with the testimony of Dr. Howard Bierman on May 22, when he told my Subcommittee on Appropriations of a mass screening technique for cancer of the lung and cancer of the uterus which he said was called Cytec.

Every cancer specialist in the country agrees that early detection of cancer of the lung and cancer of the uterus would save thousands of lives each year. This means mass screening. The Cytec process, if it fulfills its early promise, may well be the answer to the problem. There are not enough pathologists in the country to process smears from 90 or 100 million people who might want and need tests for lung and uterine cancer. Therefore, we have to have an electronic or mechanical device of some kind to do the screening and this is what Cytec seems to be. The pathologists of the country would be relieved of the enormous amount of time they spend testing smears which are negative. This should be done by machine so that the pathologist can use his time examining the positive smears which will enable diagnosis to be made.

This process would give real meaning to the Pap smear, which was such a great discovery in itself. It is the reading of the smear that needs to be done on a mass basis. If this could be done as rapidly as the Cytec process suggests it will realize the full potential of the work of Dr. Papanicolaou. It would make the Pap smear available to millions of Americans who do not get it now. The American Cancer Society is to be congratulated on sponsoring the original Cytec studies in New York. I hope they go ahead now with large-scale studies to determine beyond any doubt the value of the process.

It may be necessary at some point for the Federal Government to participate in these tests. Mass screening for these forms of cancer is so important. There has been continuing cooperation between the American Cancer Society and the National Cancer Institute, so it would be no problem to have them cooperate in a joint venture like this if further developments indicate that it is advisable.

It is refreshing to have people come before our committee and report what is being done outside the Federal structure. The people are to be commended on their initiative and enterprise. I wish them well.

Let us turn now to page 32 of the report, and starting on that page look at the budget reductions in the Office of Education—and these have generated a great deal of correspondence—more so than all the rest of the items in the bill put together. Do Members think they have received stacks of mail? Well, if the Members have received stacks, I have received stacks and stacks and stacks—open end. There is nothing wrong with that. That is the right of petition. It can be overdone. It is entirely possible that it has been. There is such a thing in poker—of course, I know, Mr. Chairman, the chairman would never play poker, but I am very good at it—and there is such a thing as overplaying one's hand.

You know; overplaying your hand. In the theater, Mrs. REID, there is an old expression: There is only one prime sin in the theater. If a man cannot act, very well, he cannot act; that is just too bad. But if he can, and overplays a scene, that is a crime. Never overplay a scene, if you have an audience. I am advised I have an audience. All right.

I agree with the protestants. This committee unanimously agrees with these protestants that the budget sent to us for education was unrealistically low. There is no doubt about it.

On the other hand, I think it adds perspective to compare what is proposed in the budget—now, wait until you hear this—to compare what is proposed in the budget with what was actually appropriated a few years ago. The revised budget for the Office of Education for 1970, in round figures—now hear this, in 1970, for the budget—is $3.2 billion. Put that in your head.

What was it in 1965? For 1965 do you know what it was? The total appropriation for the Office of Education in 1965 was $1.5 billion; $1.5 billion in 1965.

Now hold your hats. Now hear this. Do you know what it was for 1960, 10 years ago? Less than $500 million. Less than half a billion dollars.

Education has been neglected? Education has been neglected by this Congress? They were starving to death until you, Mr. Chairman, and this House realized and recognized the need in this burgeoning Nation for education. You took the lead. You bared your breast year after year. Do not forget that when the tears start falling about how education has been neglected and nobody cares in this heartless House. As my grandfather would say, God rest his soul, put that in your pipe and smoke it.

Why, if anybody would have proposed 10 years ago a budget of $3.2 billion for education they would have had the guy with a white coat from St. Elizabeths standing out in the hall to pick him up.

For elementary and secondary education the committee recommends the amount of the budget request for title I which will make $1,216,175,000 available for this purpose, which is $93,048,000 more than the amount available for 1969.

Now, Mr. Chairman, just a few weeks ago, under the able leadership of the gentleman from Kentucky (Mr. PERKINS), the chairman of the Committee on Education and Labor, we passed the education bill. This included what came to be known as the Green amendment. What did the Green amendment do? The Green amendment created a package.

The Green amendment created a package, and into this package went these four items.

Mr. Chairman, following the action of this House, this committee is recommending one lump sum for supplementary educational services, under title III of the Elementary and Secondary Education Act; library resources, under title II of the Elementary and Secondary Education Act; guidance, counseling, and testing, under title V of the National Defense Education Act; and equipment and minor remodeling, under title III of the National Defense Education Act. The bill includes $200,163,000 for this purpose compared with $116,163,000 in the budget, all of which was earmarked for supplementary educational services. The budget requested nothing at all for library resources; guidance, counseling, and testing; and equipment and minor remodeling.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I will in just a few minutes. As soon as I finish.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I will in a few minutes. We will have lots of time.

So your committee, Mr. Chairman, reversed that. We put everything back into a package as suggested by the Green amendment. There were other things in the Green amendment, but I am just speaking of this part. Then we went above the budget by $84 million.

Mr. PERKINS. Mr. Chairman, will the distinguished gentleman from Pennsylvania yield to me?

Mr. FLOOD. Well, I said that I would not yield until I had finished my statement, but, of course, how could I refuse the gentleman from Kentucky? I simply could not do it.

Mr. PERKINS. First of all, I wish to compliment the distinguished gentleman from Pennsylvania for perhaps the most eloquent speech that I have ever heard since I have been here during the past 20 years. But on the last issue——

Mr. FLOOD. Did you get that, Mr. Reporter? Are you sure you have that down?

Mr. PERKINS. On the last issue you have raised I think the Bureau of the Budget and the Committee on Appropriations have thwarted and thrown aside the intent of the Green amendment.

First, the Green amendment does not take effect—that proposal, if it becomes law, until 1971.

Mr. FLOOD. That is correct.

Mr. PERKINS. And it left in the hands of the States, the State departments of education the discretion as to how much would go for each of these activities.

The CHAIRMAN. The gentleman from Pennsylvania has consumed 1 hour.

(By unanimous consent (at the request of Mr. NATCHER) Mr. FLOOD was allowed to continue for 10 additional minutes.)

Mr. PERKINS. Mr. Chairman, will the gentleman yield further?

Mr. FLOOD. Of course I yield further to the gentleman from Kentucky.

Mr. PERKINS. Here you come along and place the discretion in the Office of Education.

Mr. FLOOD. Well, I shall have to interrupt the gentleman because of that gavel which the gentleman just heard.

Mr. Chairman, I have taken too much time and I will attempt to explain the committee action on the rest of the bill in a more expeditous manner.

I know you all have heard about the impacted school areas. I have been called many things in life, but I have never been called naive. There are 385 Members of this House who have a share of this pie and I will not debate it because I do not have the time.

However, I know perfectly well and you know perfectly well that an amendment is going to be introduced, probably by a member of this subcommittee, the gentleman from Kansas (Mr. SHRIVER), to restore a large part of these funds and I am not going to bare my breast again and again against the inevitable because I know the amendment is going to pass.

So, under the circumstances it is unnecessary for me to redefend this old argument. As has been said by the gentleman from Illinois, the able minority whip, there has never been a pancake so flat that it does not have two sides.

Now, Mr. Chairman, my time is running out. I will leave out the asides and cover the rest in just a few minutes.

For higher education the committee recommends an overall increase of $5,000,000, and has made adjustments which will take $16 million from the scholarship program, $5,306,000 from the teacher fellowship program, and add $26,306,000 to the NDEA direct student loan program. This will result in the scholarship and fellowship programs, and the loan program, all operating at approximately the 1969 level.

Vocational education is another program that has generated stacks of mail. There is a concerted drive by the proponents of this program to get Congress to appropriate $100 million over the budget. I am personally convinced, and a majority of the committee was convinced, that this program is important enough that it should be funded at a higher level than proposed in the budget. The committee is recommending $357,216,000, or $78,000,000 above the request, composed of $70,000,000 for the basic grant program and $10 million for the work-study program, with a slightly offsetting decrease of $2,000,000 budgeted for transfer to the Secretary of Labor for studies of manpower needs.

You have all been visited I am sure by the librarians. The committee has not recommended restoration of all of the reduction below 1969 that was recommended in the budget, but has approximately split the difference and included $126,209,000 in the bill, an increase of $18,500,000 over the budget and a reduction of $16,935,000 below 1969.

The balance of the Department of Health, Education, and Welfare portion of the bill includes some very large sums of money; but, with a few exceptions, for relatively routine and, in large part, uncontrollable items. The largest is the appropriation "Grants to States for public assistance," which is continuing its upward trend. The bill includes the exact amount of the budget request of $7,351,551,000, an increase of $935 million over 1969. The main elements of the increase are $115,195,000 for aid to families with dependent children, $292,145,000 for old age assistance, $121,661,000 for aid to the permanently and totally disabled, $333,322,000 for medical assistance and $100,442,000 for social services and administration at the State and local level. This is the largest of the uncontrollable items included in the bill.

Some of you have likely gotten correspondence or calls from people interested in vocational rehabilitation. The budget is an increase of $130,793,000, but there would be an additional increase of $53 million were it not for a limitation which provides that the allotment base be held to $500 million rather than $600 million as provided in the basic legislation. The committee agrees with the administration that the increase of $131 million is rather liberal even for such a worthwhile program as this, and has approved the proposal contained in the budget.

Some of you have undoubtedly also received complaints with regard to the reduction of $2,200,000, in the revised budget, below the amount included in the original budget for training staff for the university affiliated mental retardation centers. This was in connection with the appropriation. "Maternal and child health and welfare." The committee has made three changes in the revised budget. First, it has restored the $2,200,000 to which I have just referred. Second, it has deleted the increase of $2,500,000 for research in maternal and child health and crippled children's services, which leaves $6,200,000 in the bill for this purpose. Third, it has deleted the increase of $200,000 for the research and demonstration program in child welfare, which leaves $4,400,000 in the bill for this purpose.

I think I should mention one other item in HEW. The revised budget contained an increase of $5 million over the original budget for "Cooperative research or demonstration projects." All of the increase was earmarked for income maintenance experiments which will make $9,700,000 available for that purpose. The proposal is to launch several income maintenance experiments at an estimated annual cost of $1,000,000 to $1,500,000 for each experiment.

The committee approved this proposal with some hesitation, however, most people are of the firm belief that the Nation's welfare system is badly in need of major reform. Many different approaches have been offered to remedy defects in the current system, but all of these suggested changes raised a number of key questions on which information is essential if a sensible long-term program of reform is to be undertaken. If these experiments result in any significant improvement in our current programs in this area, they will be worth many times their cost.

The related agencies section of the bill is rather routine this year since it does

not include the Office of Economic Opportunity. As you know, the authorizing legislation to extend the life of OEO has not yet been reported out of the House and Senate legislative committees. We, therefore, recommend that action on the budget request of slightly over $2 billion be deferred.

Mr. Chairman, we held 4 months of hearings. We heard 659 witnesses. Our hearings have 8,500 pages. The members of this subcommittee, I am proud to let you know, sat through every minute of these hearings.

Mr. Chairman, I assure you that we did not casually or precipitously handle this bill. Under all the circumstances—under all the circumstances—plus the rule of reason, Mr. Chairman, this is a good bill. I urge its support.

Mr. ANDREWS of Alabama. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I am happy to yield to the gentleman from Alabama.

Mr. ANDREWS of Alabama. Mr. Chairman, I would like to say to the distinguished gentleman from Pennsylvania that in my 26 years in the Congress the gentleman from Pennsylvania has made one of the finest presentations I have ever heard. The gentleman knows his subject well.

As he has described it, this is a can of worms. I served on this committee for one term, and unless one has served on that committee one does not know the problems the members of this committee have. So I say the gentleman from Pennsylvania has done an outstanding job, not only of conducting the hearings before the committee, but in presenting the bill on the floor of this House, and I think the gentleman is entitled to the support of all of the Members.

Mr. FLOOD. Mr. Chairman, I thank the gentleman. He is very gracious and I appreciate it.

The CHAIRMAN. The gentleman from Pennsylvania has consumed 1 hour and 5 minutes.

The Chair now recognizes the gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, this is the first year that I am privileged to make the leadoff presentation for the Labor, Health, Education, and Welfare appropriations bill for our side.

The shoes of our good friend, former Congressman Melvin Laird, now serving as our Secretary of Defense, are mighty big ones to fill indeed, and while I cannot expect to match his performance, I am very grateful for his tutelage during the past 10 years that I have served on this subcommittee.

I want to pay special tribute to our chairman, the gentleman from Pennsylvania (Mr. FLOOD) and all the Members on the majority side for their very cooperative spirit in the makeup of this bill. On our side we are happy to have the charming and hardworking gentlewoman from Illinois (Mrs. REID) added to our subcommittee and she and the gentleman from Kansas (Mr. SHRIVER) have attended our meetings religiously and contributed greatly to our deliberations. I think it should be noted that our hearings this year extended over a 3-month period. We heard 659 witnesses and the testimony developed covers nearly 9,000 pages.

This is a bill that reaches in some way into every household in the country and I dare say touches the life of every individual in one way or another.

As you well know, there are many items in this bill as pure and sacrosanct as God, mother, and country, and when we talk about appropriations for funding these very worthwhile and laudable programs, it would be so much easier if we never had to arrive at some arbitrary figure, for regardless of what we decide upon ultimately, there will always be those who will argue with our figures.

We do the best job we know how and, personally, I think we are bringing a pretty good bill to you today.

As the chairman has indicated, the total amount carried in this bill is $16,651,039,700, but it should be borne in mind that unauthorized items included in the budget on which our committee has taken no action includes the Office of Economic Opportunity at roughly a $2 billion level; advance funding for title I of the Elementary and Secondary Education Act—nearly $1¼ billion; some $28 million for the aging; and some $10 million for assistance to the Indians in primary and secondary education.

Over and above this, there is permanent legislation authorizing the continuation of certain Government activities without consideration by the Congress during the annual appropriation process to the tune of $47,803,501,000 for the fiscal year 1970. These are in the main the trust fund accounts, so you really have a grand total involved in this bill for the fiscal year 1970 of $64,500,000,000, exclusive, as I said, of those aforementioned unauthorized items.

Mr. GROSS. Mr. Chairman, will the gentleman yield, or would the gentleman prefer that I wait until he concludes his presentation?

Mr. MICHEL. I will be happy to yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I thank the gentleman for yielding, and I would say to the gentleman that in addition this bill does not provide a dollar for the pay increases of July 1 of this year, does it?

Mr. MICHEL. The gentleman is absolutely correct.

Mr. GROSS. And that would be a very substantial addition to the bill, is that correct?

Mr. MICHEL. There is no question about it.

Mr. GROSS. Again I thank the gentleman for yielding and say to him that although this bill is in my opinion, much richer than it should be, the gentleman from Illinois (Mr. MICHEL) has voted consistently for economy and fiscal responsibility.

Mr. MICHEL. I think this is the toughest appropriation bill of any on which to make reductions, and I suspect that we are doing well as a committee when we simply hold our own. But we have done more than that this year in deference to those many, many Members who have pleaded with us by word and communication to add money to the bill in the fields of education, student loans, vocational education, and hospital construction. As the chairman pointed out, we have $155.8 million over the budget estimates in our bill.

Unfortunately, over $9.6 billion in this bill are for programs classified as "relatively uncontrollable" in the budget message of the President, so all we really have to work with is the $7 billion balance of controllable items.

It is no secret that there are many Members unhappy with our bill and a number of amendments will be offered to increase it substantially.

I made the point yesterday and I will make it again here today that many of those who will be sponsoring amendments calling for increases in this bill of $900 million or a billion dollars are the very same Members who voted against extension of the tax surcharge just a few weeks ago.

On Tuesday, July 22, the President issued a statement when he signed the final supplemental appropriation bill for the fiscal year ended June 30, and in that statement made mention of his revised 1970 budget that contained specific reductions totaling $4,000,000,000. He went on to say:

> Since April the budget picture has worsened. We now anticipate further increases of approximately $2.5 billion in expenditure for such uncontrollable items as interest on the public debt, medicare, social security, civil service retirement benefits, reduced receipts from offshore oil leases, public assistance and veterans benefits.

The President went on to say that he has no alternative but to direct "the heads of all departments and agencies to reduce spending in the fiscal year just begun by an additional $3.5 billion—the amount necessary to bring current estimates back in line with the $192.9 billion target figure we set in April."

The President concluded this statement by saying:

> The Congress should also recognize that if it approves further increases above the April budget estimates, we cannot live within the $192.9 billion unless more off-setting cuts are made.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I am happy to yield to the gentleman.

Mr. HAYS. Did the gentleman read the paper today about the amount of surplus we had at the end of the fiscal year? When only last week they were estimating $900,000 and it turned out to be $3½ billion.

Mr. MICHEL. Yes, I read that. The point I am trying to make is even though there was a glowing account of a $3½ billion surplus, since April we have eaten up $2½ billion in that in uncontrollable items. So really we are just about where we started from.

Mr. HAYS. I am sure the gentleman from Illinois knows what he is talking of when he talks of uncontrollables. But the point I am trying to make is that I would not put too much stock in what the Bureau of the Budget says about anything if they cannot make estimates from

one week to another without making a $2½ billion mistake.

Mr. MICHEL. Mr. Chairman, we have our work cut out for us, and I would hope the House would reject these amendments to increase our bill and sustain your Appropriations Committee.

Mr. Chairman, our committee has drawn a pretty taut line on research and demonstration projects throughout this bill. As a matter of fact, Secretary Finch was very interested in the budget request of $25 million for demonstration schools, but since the testimony was so vague as to what the Department had in mind, your commitee disallowed every dime of the request. I am not sure whether or not it is possible to spell out in any better detail what we are hoping to accomplish with this kind of research and demonstration request, and I for one would have been willing to give a little on this item.

At the same time, we did keep the money in here—$9.7 million, as a matter of fact—for cooperative research for demonstration projects in income maintenance experiments.

Under any other situation or given set of circumstances, I would be inclined to have written off this request, except for the fact that we have got to do something to turn this whole welfare situation around. Mind you, we have in this bill a total of $7,351,551,000 in grants to the States for maintenance, medical assistance, and social services and administration—in other words, public assistance. It is a shocking and frightening figure that continues to rise at an alarming rate. As a matter of fact, this item alone is over $935,000,000 more than we appropriated for last year. The Secretary has given us repeated assurances in his testimony that "this is not a proposal for a guaranteed annual income, but that we want to key in on the incentive to work," manpower development programs, mobility, especially the rural migration matter, family stability, and size of family, and finally the demand for social services. These are the questions we hope to get some answers to in the Department's proposal to conduct a series of "well-controlled and carefully designed experiments, each of which will be an integral part of an overall plan."

Before getting into more specifics of this bill. Let me touch on two subjects which we find ribboned throughout our hearings, namely family planning and nutrition. The Department of Health, Education, and Welfare alone will be spending $65,899,500 on family planning services, which includes training, research, public information, and direct services.

These programs are carried on under the Social and Rehabilitation Service, Public Health Service, Health Services and Mental Health Administration, National Institutes of Health, and the Office of Education. Now, besides all these bureaus and divisions of this Department getting into the act, you will also find five other Federal agencies involved in one way or another in family planning, including the Department of State, the Department of the Interior, the Office of Economic Opportunity, the National Science Foundation, and the Agency for International Development. As a matter of fact, we found out the latter agency gave the National Institutes of Health a million and a half dollars for this activity. So, we simply scaled down the Department's request in this amount and more, where we felt it justified.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—POPULATION AND FAMILY PLANNING ACTIVITIES—OBLIGATIONS
FISCAL YEAR 1966-70

Agency and program	Fiscal year 1966	1967	1968	1969	1970 (recommended in H.R. 13111)
Total, Department of Health, Education, and Welfare	$13,380,000	$19,719,000	$29,255,000	$47,242,000	$65,899,500
SOCIAL AND REHABILITATION SERVICE					
Maternal and child health:					
Maternal and child health formula grants to States	1,800,000	2,500,000	3,500,000	3,500,000	3,500,000
Project grants for maternity and infant care	1,200,000	2,500,000	2,500,000	14,500,000	26,300,000
Research and training in maternal and child health	600,000	500,000	500,000	500,000	1,700,000
Public assistance:					
Social services	2,000,000	3,000,000	6,300,000	8,300,000	10,300,000
Medical assistance	1,000,000	1,500,000	3,000,000	4,500,000	6,400,000
Cooperative research to prevent and reduce dependency			200,000	200,000	300,000
Subtotal, Social and Rehabilitation Service	6,600,000	10,000,000	16,000,000	31,500,000	48,500,000
PUBLIC HEALTH SERVICE					
Consumer Protection and Environmental Health Service: Food and drug administration, research contracts		82,000	569,000	843,000	1,118,000
Subtotal, Consumer Protection and Environmental Health Service		82,000	569,000	843,000	1,118,000
HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION					
Patient care and special health services			160,000	220,000	254,000
Indian Health Service	152,000	181,000	273,000	323,000	425,000
National Communicable Disease Center		20,000	000	38,000	43,000
National Institute of Mental Health	416,000	481,000	554,000	635,000	644,000
National Center for Health Statistics				64,000	314,000
Comprehensive health planning: Partnership for health		125,000	171,000	391,000	500,000
Subtotal, Health Services and Mental Health Administration	568,000	807,000	1,178,000	1,671,000	2,180,000
NATIONAL INSTITUTES OF HEALTH					
National Institute of Child Health and Human Development	5,257,000	7,219,000	8,113,000	9,632,005	10,391,000
Health Manpower, training grants	81,000	199,000	417,000	483,000	443,000
Subtotal, National Institutes of Health	5,338,000	7,418,000	8,530,000	10,115,000	13,588,000
Subtotal, Public Health Service	5,906,000	8,307,000	10,360,000	12,586,000	14,089,000
OFFICE OF EDUCATION					
Elementary and secondary education:					
Supplementary educational centers and services	63,000	502,000	1,485,000	1,500,000	1,500,000
Grants to States for guidance, counseling, and testing	233,000	233,000	233,000	161,500	161,500
Dropout prevention program				8,000	20,000
Higher education:					
Grants to States for community service and continuing education	175,000	225,000	315,000	380,000	410,000
Prospective elementary and secondary teacher fellowships	72,000	121,000	121,000	100,000	162,000
EPDA Institute programs				230,000	200,000
Adult Education: adult basic education programs	317,000	317,000	644,000	720,000	800,000
Grants to States for vocational education	14,000	14,000	14,000	14,000	14,000
Subtotal, Office of Education	874,000	1,412,000	2,812,000	3,113,500	3,267,500
Scientific activities overseas [1] (Special foreign currency programs, Public Law 480)			314,000	2,400,000	3,500,000

[1] Not included in the Department of Health, Education, and Welfare total.

So far as nutrition is concerned, there is an increase of $4 million in the budget and the Secretary has recently reprogramed an additional $1 million in HEW.

DEPARTMENT OF LABOR

Mr. Chairman, getting to the specifics so far as the Department of Labor is concerned, the biggest item is $655,605,000 for the manpower and development training program, which represents an increase over the 1969 funding level of $248,113,000. This should practically double the number of trainees in the JOBS program from some 75,000 up to 140,000 and increase the number of trainees in the CEP—concentrated employment program—up to more than 156,000. We cut the revised budget request by $20,000,000 for the so-called "State supplements." The majority of the committee was inclined to believe that grant programs in this area should be consolidated rather than proliferated, notwithstanding the fact that the Con-

gress in amending the Manpower Development and Training Act in 1968, made provision for this program in title V. The Secretary of Labor has told us that the States are ready and willing to accept this responsibility of providing at least 25 percent of the total cost of projects conducted under title V, and that 24 States report that funds are available, or have been requested, to match the 75 percent Federal grants during fiscal year 1970. As I said before, with the serious restraints imposed upon us by budget limitations, the majority of the committee decided to delete this $20,000,000 from the bill.

While in the Office of the Manpower Administrator, we see an increase over 1969 of $8,690,000, this increase is entirely due to transfers to this appropriation from other activities in the Bureau of Apprenticeship and Training, Bureau of Employment Security, Office of Economic Opportunity, and the work incentive program. We have also made a reduction in the budget request for the experimental demonstration and research program to hold that to the 1969 funding level, although I must say that I have some reservation about this reduction, for it denies the request for $1,582,000 for: First, a study of seasonality in the construction industry; second, the continuation of experiments in financing the move of workers to areas where jobs can be secured; third, the insuring of security bonds for workers which permits them to be employed. We were told that without this insurance, employers are often unwilling to take a risk with workers who have prison records.

I am inclined to go along with the view that studies that lead to the reduction of seasonality in construction would provide fuller employment for the individual worker, lead to a reduction in the cost of construction, and further assist in meeting the critical housing needs of the country. You may remember that this program was also specifically provided for by the Congress in the 1968 amendments to the MDTA.

We also denied the request for $2 million under the labor-management services item that would have provided the Justice Department with information about undesirable elements in the management of workers, welfare, and pension funds. Actually, this was a request for 130 new positions and while we certainly do not want to be standing in the way of the Department of Justice's war on organized crime, we did not feel the Department of Labor ought to be saddled with this additional number of employees to be working for all practical purposes for the Department of Justice, and we say so in our committee report.

In the Office of the Secretary, we have provided for the increase in 31 positions to take over the audit function due to increases in manpower training activities, and this reflects the dollar increase of $477,000 over the appropriations for 1969.

In concluding my remarks with respect to the Department of Labor, I would like to give a résumé of the reorganization of the Manpower Administration, so that Members might be brought up to date.

REORGANIZATION OF THE MANPOWER ADMINISTRATION, DEPARTMENT OF LABOR

On March 14, 1969, the Secretary of Labor announced a sweeping reorganization of the Manpower Administration within the Department of Labor. This reorganization was the result of an intensive study of the organization that was launched by the Secretary shortly after he took office. The study revealed many structural weaknesses that had developed as manpower programs became more and more complex and began to outstrip the ability of the organization to deal with them.

There were too many lines to the field, too little coordination of the planning and operating aspects of the programs, and too much duplication of effort. The States, cities, and towns deserved a more efficient, understandable, and responsive Federal partner.

In order to remedy these deficiencies, alternative organizational structures were considered and an explicit plan was circulated to interested parties, including Members of the Congress.

Once general approval of the idea was obtained, the process of reorganization was started—that effort is now virtually complete, and the following represent some of the major changes that have grown out of it:

First. The top executive management capability of the Manpower Administration was strengthened by reestablishing the Assistant Secretary for Manpower and the Manpower Administrator as separate positions.

Second. The Manpower Administrator has been able to assume operating management responsibilities with improved staff support.

Third. A single direct line of administration was established from the Office of the Manpower Administrator to the regions. This arrangement replaces the multiple lines of administration from the national office to the field that existed under the previous structure.

Fourth. Duplication and overlapping authority in the administration of manpower programs at the national level was reduced by combining the U.S. Employment Service and the Bureau of Work-Training Programs.

Fifth. The status and effectiveness of the Employment Service function has been enhanced by moving responsibility for this function to a higher position in the Manpower Administration.

Sixth. Duplication in the provision of administrative and management support services to program offices is greatly reduced by moving resources and responsibility from the bureaus to the staff components of the Manpower Administration.

Seventh. Decentralization of operating authority, responsibility, and accountability to the Regional Manpower Administrators and the consolidation of the Manpower Administration field staff under their direction has lead to significant improvements in program operations at the State and local level with the concomitant improvement of service to the public.

Thus, the newly organized Manpower Administration will be able to meet the challenge of new and expanding programs in an efficient and timely manner.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

FOOD AND DRUG CONTROL

The first specific item in the Department of Health, Education, and Welfare is food and drug control, and our bill includes $72,007,000. The amount of the request and an increase of $3,122,000 above the amount appropriated for 1969. Incidentally, 10 years ago the appropriation for food and drug control was a mere $13,800,000, so you can see what is happened in that relatively short period of time. The only program increase is $717,000 for the very important work of expediting the review of new drug submissions from industry, and this increase is offset by decreases of $282,000 in other activities.

AIR POLLUTION CONTROL

The next item is Air Pollution Control and this is one of the major problem areas, and as we say in our report, "More must be done if we are going to make reasonable progress in correcting the problem." We have an increase here of $5,067,000 above the amount appropriated for 1969. Just 5 years ago, the appropriation for this item was less than $22,000,000.

ENVIRONMENTAL CONTROL

For Environmental Control, our bill includes $55,208,000, the amount of the request, which is $12,213,000 above the appropriation for 1969. Incidentally, 5 years ago the appropriation for this item was just a shade over $9,000,000. As a committee, we would like to see a reprograming of some activities to increase the availability of funds for the solid waste program.

MENTAL HEALTH

Moving on to the very vital field of mental health, we have $360,302,000, which is slightly over the budget request, and represents an increase of $96,762,000 over the appropriation for 1969. Ten years ago we were appropriating just $68,000,000 for this item.

The larger items in this increase are $4,000,000 for the programs to assist communities to provide treatment services for alcoholics authorized in the Alcoholic and Narcotic Addict Rehabilitation Amendments of 1968; and $2,931,000 for the narcotic addict treatment program, of which $2,500,000 is to provide aftercare services for approximately 1,300 narcotic addicts under contracts with community agencies.

Unfortunately, there are approximately 5 million alcoholics in the United States in need of medical, psychological, and social services. Testimony before our committee discloses that industry alone loses $2 billion yearly as a result of alcohol-associated absenteeism and reduced work efficiency. Ten thousand deaths annually are attributed to alcoholism, and problem drinking has been identified as a factor in nearly 50 percent of fatal traffic accidents. So, I think it is quite fair to state that compared with the cost of alcoholism, this appropriation item is indeed minuscule.

One of the striking examples of tangible results obtained through medical research comes in this field of mental illness. It was very enlightening to learn that there has been a significant decrease in the number of Americans residing in our Nation's mental hospitals. Thirteen years ago there were well over a half million persons committed to mental hospitals. Today, after more than a decade of steady advances in research and treatment, there are 401,000, or a reduction of nearly 30 percent. Last year alone, we were told, there was a decline of 25,000 patients, or 5.9 percent, including, for the first time, a decrease of 2 percent in the crucial 15–26 age group. Had the rising mental hospital population seen before 1955 gone unchecked, we would today be confronted by 731,000 patients in our mental hospitals—or nearly twice the actual number.

HEALTH SERVICES RESEARCH AND DEVELOPMENT

The bill includes $44,975,000, the amount of the request, an increase of approximately $4,000,000 over the amount available for similar activities in 1969. This appropriation relates to research and development in the area of actually rendering health services in much the same manner as the appropriations to the National Institutes of Health relate to research and development in the field of medical science. Both the original budget and the amended budget stress the importance of doing more in the area of getting the advances medical science translated into health services that are actually available to the people who need them. Our committee agrees entirely with this attitude and has approved the request in full.

COMPREHENSIVE HEALTH PLANNING AND SERVICES

The bill includes $207,143,000, a reduction of $6,890,000 from the request, and $30,853,000 above the appropriations for 1969. The reduction made by the committee represents the increase requested for migrant health grants. The bill includes $7,200,000 for this purpose, the same amount as was available in 1969.

The significant change from 1969, in the budget, was to increase by $23,968,000 the amount for formula grants to States for health activities, under which the States make the decisions as to priorities; and to decrease by $6,600,000 the amount available for project grants to the States, under which the Federal Government makes the decisions as to priorities.

REGIONAL MEDICAL PROGRAMS

The bill includes $76,000,000, a reduction of $24,000,000 from the request, and an increase of $14,093,000 above the amount appropriated for 1969. As our chairman said in recommending a reduction of $24,000,000 from the request, the committee has no intention of curtailing the regional medical programs. On the contrary, the committee strongly supports this program and is disappointed that it got started so slowly.

We do have an item in this section to provide $500,000 for a demonstration project to "find out more about the causes of violent behavior that results in death or critical injury to others and seek to develop medical means to help prevent people from undertaking senseless violence." There was considerable division of thought in the committee on this item and I personally am taking exception to it, for I cannot conceive our learning anything new about the subject that we do not already know.

COMMUNICABLE DISEASES

The bill includes $38,638,000, the amount of the request. It is interesting to note that during the Hong Kong flu epidemic in 1968–69, the virus was isolated in Hong Kong by July 25 and it was submitted to World Influenza Center in London on the 29th. The Communicable Disease Center is the International Reference Center for the Western Hemisphere. After establishing that the strains were different from the last flu here, the strains were furnished to the Division of Biologics Standards and by November 19 the first vaccine reached the market. Also, a vaccine has been licensed and production started for the expected epidemic of German measles this fall. With regard to venereal diseases, we are working on a diagnostic blood test for gonorrhea. We are spending approximately $1 million on this. The increase rate is approximately 14 percent last year. The total for VD is $4,937,000.

HOSPITAL CONSTRUCTION

The bill includes $258,323,000, an increase of $104,400,000 over the request. The chairman has explained the reasoning of the majority of the committee on this item, although I would personally have preferred to defer action to give the administration's legislative proposal a chance.

The bill also includes $72,224,000—the amount of the request—for patient care and special health services.

NATIONAL INSTITUTES OF HEALTH

Now we turn to the National Institutes of Health. As has been pointed out, the budget estimates for the NIH this year reflect, for the first time, the expanded organization and broader role of NIH as one of the three agencies into which the Department's health functions were recast in April 1968. NIH, which for many years has been justly proud of its preeminence in the conduct and support of biomedical research, now also has the responsibility for the health manpower and biomedical communication programs of the Department.

DIVISION OF BIOLOGICS STANDARDS

For the Division of Biologics Standards the bill includes $8,225,000, the amount of the request. I think it is interesting to note that this Division played a major role in the development and licensing of the Rubella vaccine, and helped in the development and fast production of the influenza vaccine last winter.

NATIONAL CANCER INSTITUTE

The amount in the bill for the National Cancer Institute is $180,725,000, the amount of the request. In 1969 cancer will claim 615,000 new victims and 325,000 lives in the United States. This is only exceeded by heart disease. Cancer mortality is increasing at a little less than 1 percent a year. Even with the best methods of treatment under optimum conditions, one-half of the victims would die. Lung cancer, in particular, is rising at an alarming rate and few of its victims can be cured.

In the area of detection it is interesting to note in just one type that available methods are not being used. Less than 30 percent of the women who should be getting the pap smear are doing so. Out of approximately 60 million women who should have had the test in 1968, only 18 million were tested. However, over the years the percent of women participating is growing: 1960, 8.3 percent; 1963, 15.8 percent; 1965, 22.5 percent; 1968, 30 percent.

NATIONAL HEART INSTITUTE

The bill includes $160,513,000 for the Heart Institute, the amount requested. Diseases of the heart and the circulatory system are the major cause of death in the United States. They account for 54 percent of all deaths. They strike down over 1 million Americans each year—three times as many as all forms of cancer and nearly twice as many as all other causes of death combined. Work is continuing on artificial hearts and perfecting heart transplants.

NATIONAL INSTITUTE OF DENTAL RESEARCH

The amount the committee is recommending for the National Institute of Dental Research is $29,289,000, the amount of the request. This Institute has launched a national program aimed at the complete preventability of tooth decay by 1980. This is the most prevalent of diseases, affecting 98 percent of all Americans.

NATIONAL INSTITUTE OF ARTHRITIS AND METABOLIC DISEASES

For the National Institute of Arthritis and Metabolic Diseases, the bill includes $137,668,000, the amount of the request. The committee this year heard testimony on the successful development of more effective artificial kidneys, with proven performance in clinical trials, which will be able to maintain patients with loss of kidney function more simply and less expensively than the equipment available heretofore.

NATIONAL INSTITUTE OF NEUROLOGICAL DISEASES AND STROKE

For the National Institute of Neurological Diseases and Stroke the bill includes $101,256,000, the amount requested. The Institute will continue its head and spinal-cord injury program and expand it as funds permit. The committee heard very dramatic testimony in the treatment of patients with Parkinson's disease with the use of the drug L–Dopa.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

The bill includes the amount of the request, $102,389,000 for the National Institute of Allergy and Infectious Diseases. This Institute was also very much

involved in the fast delivery of the Hong Kong flu vaccine last year.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

The amount is the bill for the National Institute of General Medical Sciences is $154,288,000, the amount of the request. The Institute is starting a program in the research of trauma. The objective being to reduce the death rate, suffering and disability caused by injuries of all types.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

The amount included in the bill is $73,098,000, reduction of $2,754,000 from the amount requested. The reduction is in the area of family planning research. As I mentioned earlier, there is $65 million in the bill for family planning activities.

NATIONAL EYE INSTITUTE

The bill includes $23,685,000 for the National Eye Institute which is the amount requested. This activity was formerly under the National Institute of Neurological Disease and Stroke.

It is interesting to note that more than 1 million persons have glaucoma and half of them are unaware of the problem. Every year 3,500 persons are blinded by the disorder. Obviously, the deterioration could be stopped if some of these people saw a doctor. It is estimated that 2 percent of the population over 40 has glaucoma.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

The bill includes $18,328,000, the amount requested, for the National Institute of Environmental Health Sciences.

GENERAL RESEARCH AND SERVICES

The bill includes $73,658,000 for general research and services which is an increase of $3,960,000 above the amount requested. The increase in the request is in the area of clinical resource centers. The committee felt that increased hospital costs were curtailing the activities of this program and therefore restored it to the original budget request.

JOHN E. FOGARTY INTERNATIONAL CENTER FOR ADVANCED STUDY IN HEALTH SCIENCES

The bill includes $2,954,000, the amount requested.

HEALTH MANPOWER

The bill includes $218,021,000, the amount requested, and an increase of $45,845,000 over the amount appropriated for 1969. Under the revised budget for the health manpower appropriation, the committee was informed of the administration's plan to encourage a substantial increase in medical school enrollment. The objective of this physican augmentation program is to expand the output of physicians as rapidly as possible by assisting schools of medicine and osteopathy to increase first-year enrollments in the fall of 1970 by an additional 1,000 students. As an increase of 600 was already expected, the total increase will be 1,600.

Similar increases are projected for new entrants in each of the next 3 years so that by the fall of 1973 there will be an increment of 4,000 medical students over the number that could otherwise be expected. The cost of this program will be $10 million for each contingent's first year, of which $5 million is for "start-up" costs; for example, renovation, equipment, and so forth—and $5 million for each subsequent year of the 4-year curriculum. Under this plan total funding for the program will thus be $10 million in 1970 rising by $5 million per year to $25 million in 1973 after which the cost will level off to $20 million per year.

The committee endorses the new program and approves the budget except that it directs that the increase of $5,500,000 for nursing scholarships be transferred to direct loans in nursing, and that the increase of $4,781,000 budgeted for scholarships for "medical, dental, etc.," be transferred to direct loans for "medical, dental, etc."

DENTAL HEALTH

The bill includes $10,722,000, a reduction of $165,000 from the amount requested, and an increase of $498,000 over the amount appropriated for 1969.

CONSTRUCTION OF HEALTH EDUCATIONAL, RESEARCH AND LIBRARY FACILITIES

The bill includes $126,100,000, the amount requested, and an increase of $41,300,000 over the amount appropriated for 1969. The amount requested, plus an unobligated balance of $22,900,000, will make $149 million available for these matching grants for construction which is $24,874,292 less than the amount available for obligation in 1969.

Of the amount in the bill, $94.5 million, an increase of $34.5 million, is for construction grants for teaching facilities at schools of medicine, osteopathy, optometry, podiatry, veterinary medicine, and public health. For schools of dentistry, $23.6 million, an increase of $8.6 million, is included. In view of the urgent need for substantially greater numbers of the professional personnel trained at these schools, these amounts seem modest.

NATIONAL LIBRARY OF MEDICINE

The bill includes $19,682,000, the amount requested, and an increase of $1,521,000 over the amount appropriated for 1969.

The funds included in the bill will provide for the library's direct service operations at approximately the 1969 level and for the further implementation of its computer-based reference system, Medlars II.

OFFICE OF EDUCATION

Now let me move to a very critical part of this bill for the Office of Education. We know there are going to be amendments offered to increase a number of these figures substantially. But let me sketch out again what we have done here. In the first place, for elementary and secondary education our bill includes $459,523,700, which represents an increase of $65,000,000 over the request and an increase of $3,671,000 over the amount available for the same activities for 1969.

For title I we are providing $205,360,700, which added to the advance for 1970 included in our bill last year will make $1,216,175,000 available for this purpose. This is the exact amount of the authorized portion of the request and is $93,048,000 over the amount available for 1969.

Personally, I was in favor of adding some money for the specific titles II and III of ESEA, and titles III and V of the National Defense Education Act. But the committee felt that since the House in acting on the legislative proposal H.R. 514 provided for a lumping together of supplementary educational services, library resources, guidance, counseling, and testing, and equipment and minor remodeling, we simply added to the $116,163,000 earmarked for supplementary educational centers another $84,000,000 to bring the total for these four categories up to $200,163,000.

There was an amendment offered in our full committee by the gentleman from New York (Mr. ROBISON) that would have added a total of $110 million to the bill to restore the 1969 level for titles II and III, ESEA, and titles III and V of NDEA, but it was defeated and I suspect there will be an effort made later to do the same here on the floor.

As I said, I personally have been somewhat in favor of earmarking myself for specific categories in keeping with the views expressed to me by many of the educators out in my home district and State of Illinois, but the whole concept underlying H.R. 514 is to give the States more discretion in the use of Federal funds to meet their own special needs.

It should be borne in mind that we provide an increase of about $103 million over 1969 for title I. This was the figure recommended by both the Johnson and Nixon administrations, and we are not, I repeat not, cutting back 1 dime in title I.

According to the justifications, the increase will provide for a 5.5-percent increase in cost of education, and for an increase of 235,000 children in the number of children counted for entitlement as a result of updating AFDC data as required by the law.

The reasons for not increasing the amount in the bill for title I are primarily the general reasons for not increasing the budget—the need to curb inflation, and the fact that Federal expenditures estimated for 1970 already exceed the previous estimates by $3.5 billion.

In addition, however, it is clear that there is a need to evaluate the effectiveness of the title I program. The Office of Education is making an effort to get the States and school districts to concentrate their title I funds in the areas where they are most needed, rather than spreading them around so thinly that results are not apparent. There have been reports and studies indicating that many title I projects are not as effective as they might be. The Office of Education feels that there should be a thorough evaluation of the title I program, as well as other elementary and secondary education programs. There is an increase of $4,250,000 in this bill for these evalua-

tion studies. We think a good look should be taken at this program before pouring additional funds into it.

Before moving on to the impacted-aid items I should point out that for drop-out prevention we have held to last year's level of expenditure of $5 million. This is a substantial reduction of $14 million from the request, but we put this reduction over into the education account to help provide that $84 million increase.

For bilingual education we provide for $10 million, which was the budget figure and this is $2.5 million over the appropriation for 1969.

IMPACTED AREA AID

Mr. Chairman, our subcommittee gave a lot of thought to the question of what to do about the 1970 appropriations for impacted area aid under Public Law 874.

Some 4,600 school districts are involved in this program. Perhaps more importantly, this program affects the districts of around 385 Members of the House of Representatives.

The Eisenhower, Kennedy, Johnson, and now the Nixon administrations have all attempted to cut this program, but it has increased every year in spite of all their efforts. The Congress has not only increased the budget, but has repeatedly liberalized the authorizing legislation to expand eligibility for payments. We have just liberalized it again—but not with my vote—this session by making children living in low-rent public housing eligible for payments—H.R. 514.

This law is inequitable. It is bad. It is outrageous. It was originally enacted during the Korean war to help school districts which found themselves overstrained by an influx of children from military installations. There are still a lot of school districts which need and deserve such help from the Federal Government. But most of this money is not going to them. It is going to districts which qualify for funds simply because they have children whose parents work in Federal buildings. These people pay local real estate and sales taxes just like everyone else. Some of these districts are among the most affluent in the United States.

The suburbs of Washington, D.C., are a good example of how this program works. Fairfax County, Va., got almost $10.5 million in fiscal year 1969. Of that total, $10.2 is for the so-called "b" children—whose parents work on Federal property, but do not live on Federal property. Prince Georges County, Md., is getting over $9 million. Montgomery County, Md., is getting $5.8 million. All of these counties have high per capita income and a high level of homeownership. They are far more capable of educating their children with their own tax resources than many areas which receive no Federal impact aid at all.

The subcommittee is going along with the administration's budget proposal, which would pay full entitlement for "a" children, whose parents both live and work on Federal property, but allows no payments for "b" children. This will undoubtedly work a hardship on a few school districts which has a legitimate claim to Federal impact funds. But we know of no other way to call the attention of the Members to the gross inequity of this law and its enormous cost to the Federal taxpayers.

Mr. Chairman, I will include at this point with my remarks a table showing the 20 largest recipients of Public Law 81–874, the so-called impacted aid legislation:

20 LARGEST RECIPIENTS OF PUBLIC LAW 81–874, SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

School district and application number	1969 entitlement		1969 appropriated		1970 entitlement	
	Sec. 3(a)	Sec. 3(b)	Sec. 3(a)	Sec. 3(b)	Sec. 3(a)	Sec. 3(b)
Alaska, E–1	$11,955,177	$469,688	$10,520,555	$143,325	$13,748,453	$540,141
Fairfax County, Va., E–8	260,456	11,640,690	229,201	10,243,807	299,524	13,386,793
Prince Georges County, Md., E–6	444,882	10,232,093	391,496	9,004,241	511,614	11,766,906
Hawaii E–1	4,950,935	5,445,479	4,356,822	4,792,021	5,693,575	6,262,300
Montgomery County, Md., E–4	69,295	6,566,835	60,979	5,778,814	79,689	7,551,860
San Diego Unified, Calif., E–105	1,968 161	4,590,474	1,731,981	4,039,617	2,263,385	5,279,045
District of Columbia, E–1601	248,303	5,684,904	218,506	5,002,715	285,548	6,537,639
New York City N.Y., E–1701	917,309	4,293,427	807,231	3,778,215	1,054,905	4,937,441
Brevard County, Fla., E–2	564,230	3,707,142	496,522	3,262,284	648,864	4,263,213
Los Angeles, Calif., E–1718	425,004	4,103,388	374,003	3,610,981	488,754	4,718,895
Norfolk City, Va., E–15	1,063,264	2,812,259	935,672	2,474,787	1,222,753	3,234,097
Philadelphia, Pa., E–1012	296,536	3,450,745	260,951	3,036,655	341,016	3,968,356
Chicago, Ill., E–1711	24,743	3,438,585	21,773	3,025,954	28,454	3,954,372
Albuquerque, N. Mex., E–5	710,017	2,381,841	624,814	2,096,020	816,519	2,739,117
Virginia Beach, Va., E–22	281,836	2,564,353	248,015	2,256,630	324,111	2,949,005
Anne Arundel County, Md., E–2	861,857	1,857,948	753,434	1,634,994	991,135	2,136,640
Charleston County, S.C., E–2001	638,514	2,013,617	561,892	1,771,982	734,291	2,315,659
El Paso, Tex., E–45	896,981	1,726,633	789,343	1,519,437	1,031,528	1,985,627
Bellevue, Nebr., E–1008	1,837,876	749,497	1,617,330	659,557	2,113,557	861,921
Okaloosa County, Fla., E–201	821,305	1,744,995	722,748	1,535,595	944,500	2,006,744

EDUCATION PROFESSIONS DEVELOPMENT

Moving on to other items in this educational field we are providing $95 million for education professions development, which is the amount of the request, and the same as that appropriated for 1969. In our report we make mention that stronger emphasis should be placed upon summer workshops for teachers of the disadvantaged and upgrading the skills of teachers.

Mr. Chairman, I include at this point in the RECORD a Report of Human Heart Transplants as of April 1, 1969.

REPORT OF HUMAN HEART TRANSPLANTS, AS OF APR. 1, 1969

No.	Recipient Age	Recipient Sex	Donor Age	Donor Sex	Date of transplant	Survival	Reported cause of death	Country
1	53	M	25	(1)	Dec. 3, 1967	18 days	Pneumonia	South Africa.
2	2 17	M	2 2	M	Dec. 6, 1967	6½ hrs	(1)	United States.
3	58	M	24	M	Jan. 2, 1968	Surviving		South Africa.
4	57	M	43	(1)	Jan. 6, 1968	15 days	Internal hemorrhage	United States.
5	58	M	29	F	Jan. 10, 1968	8½ hrs	Heart failure; donor heart ½ size	Do.
6	27	M	19	F	Feb. 17, 1968	3 hrs	Pulmonary hypertension	India.
7	66	M	23	M	Apr. 27, 1968	53½ hrs	Embolism/brain damage	France.
8	40	M	43	M	May 2, 1968	3½ days	Pulmonary embolism	United States.
9	47	M	15	F	May 2, 1968	2 6 mos., 6 days	See No. 87	Do.
10	45	M	26	M	May 3, 1968	46 days	Lung/kidney infection	England.
11	48	M	15	M	May 7, 1968	8 hrs	(1)	United States.
12	62	M	36	M	May 7, 1968	7 days	(1)	Do.
13	65	M	35	M	May 8, 1968	2 days	(1)	France.
14	56	M	39	(1)	May 12, 1968	Surviving		Do.
15	54	M	17	M	May 21, 1968	4 mos., 23 days	Reiection/cardiac arrest	United States.
16	54	M	58	M	May 25, 1968	7 days	Total reiection	Do.
17	23	M	41	M	May 26, 1968	28 days	(1)	Brazil.
18	56	(1)	38	(1)	May 30, 1968	4 hrs	Lung/kidney complication	Canada.
19	54	M	47	M	May 30, 1968	5 days	Neurological complication	Argentina.
20	39	M	29	M	May 31, 1968	Died on table	Malfunction of right ventricle	United States.
21	41	(1)	20	(1)	June 10, 1968	1¾ hrs	(1)	Do.
22	49	M	23	M	June 28, 1968	5 mos., 2 days	Asphyxiation following indigestion	Canada.
23	24	F	32	(1)	June 28, 1968	4 mos., 13 days	Brain infection	Chile.
24	48	(1)	50	(1)	July 2, 1968	4 mos., 26 days	Heart attacks due to reiection	United States.
25	49	F	46	M	July 9, 1968	5 hrs	(1)	Czechoslovakia.
26	58	M	33	F	July 20, 1968	Surviving		United States.
27	57	(1)	16	(1)	July 23, 1968	5 mos., 2 days	Tissue reiection	Do.
28	48	M	32	M	July 25, 1968	58 hrs	Congestive heart failure	England.
29	49	F	40	F	July 29, 1968	25 days	Cardiac arrest	United States.

Footnotes at end of table.

REPORT OF HUMAN HEART TRANSPLANTS, AS OF APR. 1, 1969—Continued

No.	Recipient Age	Recipient Sex	Donor Age	Donor Sex	Date of transplant	Survival	Reported cause of death	Country
30	18	M	20	M	Aug. 7, 1968	80 days	Acute respiratory insufficiency	Japan.
31	5	F	11	M	Aug. 18, 1968	9 days	Cardiac arrest/acute reiection	United States.
32	50	M	37	F	Aug. 19, 1968	68 days	Cardiac arrest	Do.
33	43	M	21	M	Aug. 22, 1968	46 days	Pneumonia	Do.
34	43	M	17	M	Aug. 24, 1968	Surviving		Do.
35	58	[1]	35	[1]	Aug. 30 1968	11 days	Stroke	England.
36	50	M	20	[1]	Sept. 1, 1968	Surviving		United States.
37	46	M	22	M	Aug. 31, 1968	do		Do.
38	50	M	39	M	Aug. 31, 1968	do		Do.
39	42	M	39	M	Sept. 2, 1968	do		Brazil.
40	50	M	25	F	Sept. 4, 1968	do		United States.
41	47	M	17	M	Sept. 5, 1968	8 days	Cardiac arrest	Do.
42	52	M	36	F	Sept. 8, 1968	Surviving		South Africa.
43	48	F	27	M	Sept. 10, 1968	4 mos., 6 days	Hepatitis	United States.
44	21	M	24	F	Sept. 13, 1968	14 hrs	Kidney trouble	India.
45	52	M	20	M	Sept. 15, 1968	3 mos., 20 days	Pneumonia	United States.
46	[4] 2	F	[2] 1	F	Sept. 15, 1968	14 hrs	Cardiac arrest	Do
47	45	M	27	F	Sept. 16, 1968	6 hrs	Cerebral hemorrhage	Venezuela.
48	44	M	46	F	Sept. 17, 1968	2 days	Acute kidney insufficiency	Spain.
49	16	M	36	M	Sept. 17, 1968	Surviving		United States.
50	49	M	37	M	Sept. 17, 1968	do		Do.
51	57	M	46	M	Sept. 19, 1968	88 days	Lung infection	Do.
52	46	M	17	M	Sept. 23, 1968	12 days	Cardiac arrest	Do.
53	51	M	19	M	Sept. 27, 1968	67 days	Infection/kidney complications	Canada.
54	58	M	16	M	Sept. 29, 1968	4 mos., 1 day	Rejection	Do.
55	21	M	17	[1]	Oct. 1, 1968	Surviving		Chile.
56	46	M	43	M	Oct. 2, 1968	5 days	Acute heart seizure	United States.
57	54	F	28	F	Oct. 5, 1968	61 days	Pneumonia	Do.
58	54	F	28	F	Oct. 3, 1968	5 mos., 15 days	Inflammation of the small intestines	Do.
59	19	F	35	[1]	Oct. 15, 1968	15 hours	Complication in blood coagulation	Argentina.
60	50	M	20	M	Oct. 17, 1968	Surviving		United States.
61	42	M	29	[1]	Oct. 19, 1968	do		Canada.
62	45	F	20	[1]	Oct. 21, 1968	47 days	Acute rejection	Do.
63	49	F	30	M	do	Surviving		United States.
64	57	M	29	M	Oct. 22, 1968	44 days	Hemorrhage following surgical complications	Australia.
65	19	F	19	M	Oct. 23, 1968	6 days	[1]	United States.
66	42	[1]	41	[1]	do	6 hrs	Cardiac arrest	Do.
67	52	[1]	49	[1]	Oct. 25, 1968	4 mos., 3 days	do	Do.
68	35	[1]	25	[1]	do	2 mos., 3 days	Rejection	Canada.
69	54	[1]	20	[1]	Oct. 26, 1968	Surviving		United States.
70	[1]	[1]	[1]	[1]	Oct. 27, 1968	do		France.
71	45	[1]	20	[1]	Oct. 28, 1968	8 days	Pneumonia	Canada.
72	32	[1]	24	[1]	Oct. 30, 1968	18 days	Rejection	United States.
73	40	[1]	42	[1]	Nov. 3, 1968	4 days	Failure of liver/kidneys	Do.
74	53	[1]	28	[1]	do	Surviving		Canada.
75	50	[1]	27	[1]	Nov. 5, 1968	7 days	Rejection	United States.
76	25	F	19	[1]	do	33 hrs	Progressive weakness of heart complicated by changes in lungs and liver.	Russia.
77	55	[1]	27	[1]	Nov. 9, 1968	48 days	Bacterial pneumonia	United States.
78	53	[1]	15	[1]	Nov. 11, 1968	38 days	Acute rejection	Canada.
79	34	[1]	[1]	[1]	Nov. 12, 1968	15 days	[1]	France.
80	54	[1]	22	[1]	Nov. 13, 1968	7 days	Stroke	Canada.
81	40	[1]	40	[1]	do	14 hrs	[1]	Australia.
82	50	[1]	38	[1]	Nov. 16, 1968	Surviving		United States.
83	53	[1]	50	[1]	Nov. 17, 1968	40 days	Rejection	France.
84	54	[1]	18	[1]	Nov. 17, 1968	Surviving		Canada.
[5] 85 / [5] 86	56	[1]	[1]	[1]	Nov. 20, 1968	3 days	Stroke	United States.
[6] 87	47	M	[1]	[1]	Nov. 20, 1968	do	Rejection	Do.
88	49	[1]	[1]	[1]	Nov. 22, 1968	Surviving		Do.
89	30	[1]	[1]	[1]	Nov. 22, 1968	3 hrs	[1]	Chile.
90	40	F	14	[1]	Nov. 22, 1968	18 hrs	Liver ceased functioning	Turkey.
91	37	[1]	47	[1]	Nov. 24, 1968	14 hrs	Irreversible kidney failure	France.
92	48	[1]	[1]	[1]	Nov. 24, 1968	Surviving		Do.
93	26	[1]	51	[1]	Nov. 25, 1968	39 hrs	Cardiac insufficiency	Turkey.
94	56	M	26	[1]	Nov. 25, 1968	10 weeks	Rejection	United States.
95	33	[1]	57	[1]	Nov. 26, 1968	20 hrs	Cardiac arrest	France.
96	48	[1]	25	[1]	Nov. 27, 1968	Surviving		Do.
97	54	[1]	40	[1]	Nov. 29, 1968	13 days	Rejection	United States.
98	54	M	23	[1]	Nov. 29, 1968	3 mos. 13 days	Cerebral thrombosis	Canada.
99	38	[1]	22	[1]	Dec. 2, 1968	Surviving		United States.
100	40	[1]	[1]	[1]	Dec. 6, 1968	14 days	Kidney failure/pneumonia	Israel.
101	22	M	21	[1]	Dec. 16, 1968	43 days	Congestive heart failure	United States.
102	28	[1]	30	[1]	Dec. 22, 1968	Surviving		France.
103	[2] 8	[1]	[2] 2	[1]	Dec. 25, 1968	5 hrs	[1]	United States.
104	50	M	24	[1]	Dec. 27, 1968	91 days	Progressive failure of heart	Do.
105	62	[1]	48	[1]	Jan. 1, 1969	Surviving		Do.
106	35	[1]	[1]	[1]	Jan. 4, 1969	Died on table	[1]	Poland.
107	59	[1]	14	[1]	Jan. 5, 1969	37 days	[1]	United States.
108	44	[1]	54	[1]	Jan. 5, 1969	7 days	Lung ailment	Do.
109	48	M	47	[1]	Jan. 6 1969	6 days	Brain hemorrhage/pneumonia	Do.
110	52	[1]	23	[1]	Jan. 7, 1969	Surviving		Brazil.
111	49	[1]	38	[1]	Jan. 17, 1969	3 hrs. 52 min	Progressive pulmonary hypertension	United States.
112	47	[1]	13	[1]	Jan. 23, 1969	3 days	Brain damage/edema of brain	Do.
113	7	F	6	M	Feb. 8, 1969	30 days	Lung infection/rejection	Do.
114	43	M	[1]	[1]	Feb. 8, 1969	Surviving		Do.
115	36	[1]	35	[1]	Feb. 13, 1969	1 day	Vital functions of organs destroyed	Germany.
116	55	M	24	M	Feb. 15, 1969	10 days	Rejection	United States.
117	36	M	57	M	Feb. 20, 1969	Surviving		Do.
118	58	M	23	F	do	do		Do.
119	56	M	26	M	Mar. 3, 1969	do		Do.
120	43	M	24	M	Mar. 17, 1969	do		Do.
121	38	M	[1]	[1]	Mar. 22, 1969	1 day	[1]	Germany.

[1] Information not available.
[2] Age in days.
[3] Received 2d transplant Nov. 20, 1968. See No. 87.
[4] Age in months.
[5] This patient received 2 transplants.
[6] Received 2 transplants. See No. 9.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I am glad to yield to the gentleman from Iowa.

Mr. SMITH of Iowa. So that the Members might know what to expect, I might mention last year a $520 million maximum was available under the formula. This year that maximum jumped to $650 million or a $130 million increase in 1 year. I have just gotten the estimates for next year, and they are $1,050 mil-

lion. That represents a little over double the amount in 2 years on this program.

Mr. MICHEL. Yes.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr MICHEL. I yield to the gentleman from New Jersey.

Mr. JOELSON. I merely want to remark that in spite of the amount of the appropriation it is still about 28 percent of the authorization in impacted areas.

Mr. SMITH of Iowa. The gentleman is far from right. It was almost 100 percent last year.

Mr. JOELSON. This year it is 28 percent of the authorization.

Mr. MICHEL. You are talking about the figure that was in our bill.

Mr. JOELSON. Yes. In your bill.

Mr. MICHEL. We are quite aware of that.

Mr. SMITH of Iowa. It is 100 percent for category A.

Mr. MICHEL. That is right.

TEACHER CORPS

So far as the Teacher Corps is concerned we are providing $21,737,000, a reduction of $9,363,000 from the request and an increase of $837,000 above the amount appropriated for 1969. We are told that this is the sum estimated to be necessary to carry the Teacher Corps program at last year's level, including "forward funding" of preservice training.

HIGHER EDUCATION

The bill includes $785,839,000, an increase of $5 million over the request, and an increase of $85,452,000 over the amount appropriated for 1969. The committee made three changes within the total request. First, the request for $175,600,000 for educational opportunity grants was reduced to $159,600,000. Second, college teacher fellowships were reduced from $61,469,000 to $56,163,000. Third, the amount for direct student loans was increased from $161,900,000 to $188,206,000. The action with regard to the reductions for educational opportunity grants and college teacher fellowships is applied entirely to funds available for first-year students and will hold such availability to the 1969 level. The addition of these funds plus $5 million to direct student loans will also place the fund availability for this program at approximately the 1969 level.

HIGHER EDUCATION CONSTRUCTION

The committee has gone along with the administration's proposals for funding construction of facilities at colleges and universities. There is $43 million in the bill for construction grants for public community colleges and technical institutes. There is $6 million in the bill for State administration for higher education construction programs, and there is $11,750,000 for interest subsidy grants, which, together with the funds for interest subsidy grants contained in the second supplemental bill for 1969, will support about $435 million in loans for higher education construction. There is no money in the bill for direct Federal loans, or for grants for 4-year colleges or graduate schools, other than the interest subsidy grants.

The interest subsidy grants were authorized in the Higher Education Act Amendments passed in the last session of Congress. They offer a way of helping colleges and universities to build without large Federal outlays. The committee thinks that it is worth giving a try in a period of severe fiscal stringency, when we are trying to hold down Federal expenditures.

Of course, most colleges would rather get a direct Federal grant than go to a bank for a loan. However, if the Federal Government makes a grant, it has to obtain the funds by borrowing in the private lending market.

There are dire predictions that some colleges will not be able to get loans under this program. The committee is adopting a wait-and-see attitude on this. If it turns out to be true, it can be corrected in next year's budget.

The budget places top priority on assistance to the 2-year community colleges and technical institutes, and the committee agrees with this priority.

VOCATIONAL EDUCATION

The committee bill provides an increase of $78 million over the budget request and $109 million over the 1969 appropriations for vocational education.

The 1970 estimate for vocational education was the same in both the Johnson and the Nixon budgets, $279,216,000. The committee has already indicated the high priority which it places on vocational education by increasing this figure by $78 million.

The amount recommended by the committee will permit the States to put in effect most of the new programs authorized in the vocational education amendments passed in the last session of Congress, without cutting back on the existing vocational education programs. The committee also added $10 million for the vocational work-study program, which was not funded at all in the budget request.

The budget problem which has been bothering the vocational educators around the country and producing a flood of mail to Members of Congress is that the vocational education amendments now require the States to set aside 40 percent of their basic grant funds for specific programs as follows:

Fifteen percent for postsecondary programs, 15 percent for special programs for the disadvantaged, 10 percent for special programs for the physically handicapped.

Since the budget proposed about the same total dollar level for the State grant program as 1969, this meant that in order to meet the "set aside" requirements, States would have to reduce support for ongoing vocational education programs. By adding $70 million to the budget for the basic grant programs, the committee has eliminated this problem.

Other new vocational education programs which are funded for the first time in this bill include: $14 million for cooperative education, $13 million for innovative programs, $2 million for curriculum development, $1 million for planning and evaluation.

VOCATIONAL EDUCATION RESEARCH

The budget shows only $1,100,000 for vocational education research compared with $11,375,000 in 1969. Actually, the reduction in vocational education research is not as great as these figures would indicate.

The Office of Education witnesses testified that, in addition to the $1,100,000 specifically earmarked in the budget for vocational education research, $4 million of the funds budgeted for general education research will be spent on vocational education, and the $2 million budgeted under vocational education for "curriculum development" will be spent for research, for a total of $7.1 million. Thus, the reduction in vocational education research is about $4.2 million.

The committee did not wish to increase appropriations over the budget request by earmarking additional funds for vocational education research. The Commissioner of Education has indicated that he is reviewing and reorganizing the whole research program of the Office of Education to make it more effective, and the committee thinks such a review would be highly desirable. We are, frankly, not convinced that the rather substantial amount of money which is going to educational research at the present time is all that its cracked up to be. If, after his review, the Commissioner decides that a larger share of the funds budgeted for research ought to go into vocational education research, he can recommend it in next year's budget.

LIBRARY PROGRAMS

Library programs were rather hard hit by the revised budget for 1970:

The 1969 appropriation for grants for public library services was cut in half, from $35 million to $17.5 million; and

No funds were provided for public library construction—$9,185,000 was appropriated in 1969; no funds were provided for school libraries under title II, ESEA—$50 million was appropriated in 1969; funds for college libraries were reduced from $25 million to $12.5 million; funds for training of librarians were reduced from $8,250,000 to $4 million; funds for the Library of Congress were reduced from $5.5 million to $4.5 million.

The committee felt that these reductions were too drastic, and has added funds over the budget in those programs which seemed to be of highest priority. These are: $17.5 million for public library services; an indefinite amount for school library resources under elementary and secondary education—a share of the $200,163,000 available for titles II and III, ESEA, and titles III and V, NDEA; $1 million for the Library of Congress for acquisition and cataloging of foreign language materials.

The amount in the bill for public library services restores this program to the 1969 level of $35 million. Our committee did not wish, however, to add to inflationary pressures on the economy by restoring funds for library construction. We think that a deferral of appropriations for construction for a year will not seriously damage the Nation's libraries. The only places in the bill where the committee has added funds for construction are for hospital beds and vocational rehabilitation facilities. We did not feel that libraries fell into the same category of urgency.

EDUCATION FOR THE HANDICAPPED

Our bill provides $84,540,000, reduction of $1,250,000 from the request, and an increase of $5,690,000 over the amount appropriated for 1969. The reduction from the request represents the amount of the increase over 1969 which was budgeted for research. The main increases over 1969 are $2,055,000 for early childhood programs, $1,500,000 for regional resource centers, and $1 million for the deaf-blind centers.

RESEARCH AND TRAINING

Our bill includes $85,750,000, a reduction of $29,250,000 from the request, and a reduction of $3,667,000 below the amount appropriated for 1969. The big increase in the budget was for the $25 million for experimental schools which I mentioned very early in my presentation. We say in our report that when this was first submitted to the committee, the written justifications were extremely vague and subsequent oral testimony, while a considerable improvement, left us with the impression that the Department should be given a considerably longer period of time to prepare their plans before any sum of money such as that suggested was made available.

We are not dismissing the proposal as being invalid, for we will have no objection to the use of funds in this appropriation account for planning purposes. And finally, Mr. Chairman, on this item we also disallowed the increase of $4,250,000 requested for "major demonstrations".

STUDENT LOAN INSURANCE FUND

The bill includes $10,826,000, the amount of the request. In accordance with the Higher Education Amendments of 1968, the student loan insurance fund now covers defaults up to 100 percent of the principal amount of the loss on federally insured loans and up to 80 percent of the principal amount of the loss on reinsured loans made by State and private nonprofit agencies. This is, of course, purely an estimate, but seems reasonable in view of the fact that approximately $2.2 billion in loans will be outstanding in 1970. No appropriation has been made to this fund since 1967.

NDEA STUDENT LOANS

Now so far as NDEA student loans are concerned we have increases totaling $26,306,000 over the 1970 budget request.

Our bill provides for an appropriation of $188,206,000 for 1970 for the NDEA student loan program compared with $193,400,000 appropriated for 1969. However, the total dollar level of NDEA student loans will increase from $265,100,000 in fiscal year 1969 to $277,005,000 in 1970, an increase of $12 million. This is because collections of loan repayments are going up each year, and these funds are available to the universities to make new loans.

Funds are also available to students through the insured loan program. The budget predicted that $641,250,000 worth of insured loans would be made by banks and other lending institutions in fiscal year 1969, and that $794,241,000 worth of loans would be made in fiscal year 1970 or an increase of over $150 million. There has been considerable doubt as to whether the 1970 estimate will hold up, since the prime interest rate has risen to 8½ percent, and the law limits the interest which may be paid on insured student loans to 7 percent.

However, the most recent information we have received from HEW indicates that almost $65 million worth of insured loans were made in the month of June. This is over twice the amount of loans which were made in June last year. The data we have from the Department also indicate that the total loan level for fiscal year 1969 was $672 million, or $30 million over the estimate in the budget.

If, as some alarmists are saying, the insured loan program is going to collapse because of the tight money market and the 7-percent statutory interest rate ceiling, the way to deal with the situation is not to increase Federal expenditures by adding more money to the bill for direct student loans, but rather to amend the authorizing legislation at once to remove or raise the interest rate ceiling. We understand that HEW has proposed such amendments to the Budget Bureau, but that they cannot reach agreement on the details. If the administration cannot make up its mind about this, then Congress ought to initiate its own amendments to keep the insured student loan programs going.

Student aid programs are not being cut back in this bill. They are being increased. The total amount for undergraduate student aid programs recommended under the appropriation for higher education increases from $568,100,000 in 1969 to $609,917,000 in 1970, an increase of over $40 million.

This includes the educational opportunity grants, the NDEA student loans, interest payments for the insured loan program, the work-study program, and special services for disadvantaged students, such as Talent Search and Upward Bound. It does not include, of course, the dollar value of insured loans made by banks.

HEALTH PROFESSIONS STUDENT LOANS

The budget request included $15 million for loans to students of medicine, dentistry, and related professions. The bill, as recommended by the committee, would raise this by $4,781,000 to $19,781,000. This is $4,781,000 above the 1969 appropriation.

Even though the recommended appropriation for health professions students loans is higher than the 1969 appropriation, the total amount available for these loans will go down in 1970. This is because funds in the student loan revolving fund are being exhausted, since there have been no sales of participation certificates recently which would replenish these funds. Total available: 1969, $26,255,000; 1970, $20,894,000.

The President's budget message indicated that medical and dental students are eligible for the Office of Education's guaranteed student loan program. The administration is presenting proposals to Congress designed to make these loans more attractive to private lenders in the present money market. The budget estimated that the guaranteed loans would increase by about $150 million in 1970, from $641 million to $794 million.

Medical and dental students should not have difficulty in repaying these loans, since their future income after graduation is likely to be quite high.

SOCIAL AND REHABILITATION SERVICE

GRANTS TO STATES FOR PUBLIC ASSISTANCE

Mr. Chairman, this is that better than $7 billion item I made reference to earlier in my remarks, and will say again that these public assistance payments are almost entirely beyond administrative control, so far as our Federal administrators are concerned.

WORK INCENTIVES

The bill includes $129,640,000 the amount of the request, and an increase of $12,140,000 over the amount appropriated for 1969. The original budget request was for 164,640,000 and was revised to the lower figure solely on the basis that the program was not progressing as planned.

GRANTS FOR REHABILITATION SERVICES AND FACILITIES

The bill includes $499,783,000, the amount of the budget request, and an increase of $130,793,000 over the appropriation for 1969. The main increase proposed in the budget is an increase of $125,100,000 for basic support grants. This is in addition to the 1969 base amount of $345,900,000 and will provide rehabilitation services for an estimated 241,000 disabled individuals or an increase of 11,000 over the estimate of 1969. While under the allotment base of $600,000,000 authorized in the Vocational Rehabilitation Amendments of 1967, the required increase in the appropriation for basic support would be $178,100,000, we believe that an increase of over one-third in such a year of fiscal austerity is very generous, even for such a worthwhile program as this.

We disallow $3,500,000 requested to start a new program of services for migratory agricultural workers, which is consistent with action taken by Congress on a similar request last year, and add this sum to the funds budgeted for rehabilitation facilities under section 12. The budget request included no funds for construction. The committee is earmarking all of the $3,500,000 for construction of rehabilitation facilities which will cover only a small fraction of the need. Since this is such a small amount, the committee will expect that the Department revise or waive its regulations concerning the geographical allocation of such funds by region and, instead, allocate these funds strictly on the basis of the merit of individual projects and the hearing record will show those we believe to be most meritorious.

MENTAL RETARDATION

The bill includes $33,629,000, the amount of the request, and an increase of $1,073,000 above the appropriation for 1969.

After adjustments are made for comparability largely because of unobligated balances of funds for construction carrying forward from 1968 to 1969, the funds available for obligation in 1970 are estimated to be $5,440,000 less than in 1969. This net decrease is made up of a decrease of $13,582,000 in funds for construction of community service facilities and construction of university-affiliated

facilities, and an increase of $8,142,000 for services.

MATERNAL AND CHILD HEALTH AND WELFARE

The bill includes $284,800,000, an increase of $19,400,000 over the amount appropriated for 1969.

We made three changes in the revised budget. First, we restored the $2,200,000 increase contained in the original budget for training through university-affiliated mental retardation centers that was deleted in the revised budget. Second, we deleted the increase of $2,500,000 for research in maternal and child health and crippled children's services, which leaves $6,200,000 in the bill for this purpose. Third, we deleted the increase of $200,000 for the research and demonstration program in child welfare, which leaves $4,400,000 in the bill for this purpose.

JUVENILE DELINQUENCY PREVENTION AND CONTROL

The bill includes $5 million, a reduction of $10 million from the request, and the same amount as was appropriated for 1969. At the time of our hearings on this budget request, planning grants had not even been made. We would like to know more about the specific plans for this program before proceeding with an increased appropriation.

REHABILITATION RESEARCH AND TRAINING

The bill includes $60 million, the amount of the request, and a reduction of $4 million below the amount appropriated for 1969.

COOPERATIVE RESEARCH AND DEMONSTRATION PROJECTS

The bill includes $11,500,000, the amount of the request, and an increase of $8,350,000 above the amount appropriated for 1969. I spoke earlier of the proposal to launch several income maintenance experiments at an estimated annual cost of $1 million to $1.5 million for each experiment, so that should be sufficient.

SALARIES AND EXPENSES

The bill includes $28,780,000, a reduction of $2,720,000 from the request, and an increase of $1,163,000 over the amount appropriated for 1969. The amount allowed will support 60 more positions than were authorized for 1969. The revised budget would have provided for 160 additional positions, but we believe that a very creditable job can be done in administering these programs with the amount allowed.

SOCIAL SECURITY

Twenty-five million persons are receiving monthly benefits under the social security program. One out of eight Americans are now receiving a monthly social security cash benefit. While retired workers and their dependents are the largest group, almost a fourth are under 60. At the end of 1968, about 90 percent of persons aged 65 and over were either receiving cash benefits or would have been eligible for such benefits if they or their spouses had not been working.

Moreover 95 percent of all older persons in the country have elected to be covered under the voluntary supplementary medical insurance plan which covers primarily the cost of physicians' services.

For payment to trust funds for health insurance for the aged the bill includes $1,545,413,000, the amount of the request and $185,186,000 over the amount appropriated for 1969. The request is simply a mathematical calculation of the amount that will be required under the Social Security Act. The increase includes $152,035,000 for payment to the hospital insurance trust fund for coverage of medicare beneficiaries who are not insured under the social security or railroad systems, and $33,151,000 for payment to the supplementary medical insurance trust fund to match the monthly premiums of $4 paid by persons enrolled in the voluntary medical insurance program.

There is $105 million included in the bill for payment for military service credits, which is the amount of the request, and the same amount as was appropriated for 1969. This appropriation covers the reimbursement to the Federal old age and survivors insurance trust fund, the Federal disability insurance trust fund, and the Federal Hospital insurance trust fund for benefits paid on the basis of noncontributory military service credits of veterans of World War II and certain veterans of the post-war period. These payments are required by law.

For payment for special benefits for the aged the bill includes $364,151,000, the amount of the request and $138,606,000 over the amount appropriated for 1969. This is another uncontrollable item. It covers the payment of social security benefits to uninsured persons over 72, which was authorized by the 1966 amendments to the Social Security Act.

The limitation on salaries and expenses amounts to $901,500,000, which is the amount of the request and $94,008,000 over the amount appropriated for 1969. This appropriation is from the social security trust funds and does not involve any expenditures from general funds of the Treasury.

Mr. LANGEN. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman.

Mr. LANGEN. Mr. Chairman, I want to extend my compliments to the gentleman in the well, the gentleman from Illinois (Mr. MICHEL), as well as to the chairman of the subcommittee and the other members of the subcommittee for the attention which they gave to the work-study program. This has served the country and the students who have participated in the program very well.

Last year we had a mixup as to the understanding of the use of those funds. I am pleased to note that the committee has taken action which should place this program back on a functional basis.

Mr. MICHEL. As I told the gentleman, there was nothing in the budget on the work-study program. However, we have put $10 million into that particular item.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from New Jersey.

Mr. JOELSON. Before there is given to the gentleman and to the members of the subcommittee too many congratulations with reference to the high priority which it has given vocational education, I would point out that the figure recommended for appropriation is less than 50 percent of the authorization.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MICHEL. Mr. Chairman, I yield myself 10 additional minutes.

The CHAIRMAN. The gentleman from Illinois is recognized for 10 additional minutes.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Minnesota.

Mr. QUIE. With reference to the program of vocational education the gentleman from Illinois I note that you accept part C of title I of the Vocational Education Act which is the program by which 10 percent of the money is set aside for research and training. However, the principal part of this program in which I am interested—and I realize that later on you put in $1.1 million for part D of that section—is really the training and dissemination of information on vocational education.

At one time vocational education involved pretty much only cabinetmaking and things of that sort. That is not the case today because there is a tremendous need for the dissemination of information and a need for upgrading the trainees and the teachers in vocational education.

I do not feel that this represents an adequate amount for these purposes.

I was wondering if the gentleman would care to elaborate upon the reasons for including such a low figure for these purposes.

The figure that most people have been talking about is $34 million in that area.

Mr. MICHEL. I would respond to the gentleman from Minnesota by saying first of all that the Office of Education witnesses testified that it might be cut—$1.1 million is specifically earmarked in the budget and $4 million of the funds budgeted for general education research will be spent on vocational education and that $2 million budgeted under vocational education is for curriculum development and will be spent for research, for a total of $7.1 million. Thus, the reduction from the 1969 level of $11,375,000 is only about $4.2 million. If you take those figures into account you come up with a little different picture.

Mr. QUIE. A little different picture from the $1.1 million, yes. It is not adequate, but I appreciate the gentleman pointing out the fact that $7 million will be expended for research.

Mr. MICHEL. Frankly, and for the sake of the record, I might make the point that the other new vocational educational programs which are funded for the first time in this bill include $14 million for cooperative education, $13 million for innovative programs, $2 million for curriculum development and $1 million for evaluation of the program.

Mr. RHODES. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Arizona.

Mr. RHODES. As the gentleman from Illinois knows two of our hospitals in the Phoenix area are now engaged in a program with reference to injuries to the spine. The program has generated great interest nationwide as a pilot program.

However, one of the needs involves funds to be used for helping to pay for the treatment of indigent people who have spinal injury.

As the gentleman recalls, I testified before the subcommittee and requested some $900,000 for this particular purpose as a demonstration project.

Will the gentleman from Illinois tell me whether or not there are funds in the bill which could be used for that purpose?

Mr. MICHEL. Yes. We recall very well the gentleman's very eloquet testimony before our committee which laid this program out to us in no uncertain terms.

We have an item under rehabilitative research and treatment, an item for $60 million for research.

A review of the testimony that comes from Government witnesses attests to what the gentleman said, and more so, that it is a wonderful program, and that surely within the $60 million somewhere there ought to be enough to cover this program.

Mr. FLOOD. Mr. Chairman, if the gentleman would yield, I would like to say that the gentleman from Arizona appeared before our subcommittee and gave a much better presentation and testimony than anybody else in support of this program. It is the unanimous opinion of this committee that the proposal of the gentleman from Arizona be carried out by the Department. We know the seriousness of the situation, and we know that it is a good program. The gentleman has contributed much to the thinking of the committee.

Mr. GROSS. Mr. Chairman, would the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I thank the gentleman for yielding. I would ask the gentleman if it is not true that if you consider the effect of the advanced funding for fiscal year 1970 which was granted by this Congress last year, that the pending bill is $1.3 billion over 1969 rather than the $705 million figure as set forth in the report.

Mr. MICHEL. I would say to the gentleman from Iowa that of course I cannot be sure without checking it specifically, but I think the gentleman is generally correct in his statement.

Mr. GROSS. It is $1.3 billion above rather than $705 million, as set forth in the report.

Does the gentleman have an estimate of the cost of the package deal that is supposed to be offered here today, or tomorrow? Is it not about $1 billion?

Mr. MICHEL. I understand it is something in the neighborhood of $900 million. I believe it is $894 million. And as I indicated earlier in my presentation I thought that it would be just unconscionable to have our bill raised to that extent when we are in the throes of the financial problem that we have.

Mr. GROSS. And when the bill is already $1.3 billion over last year.

Mr. MICHEL. The gentleman is correct, but I want to say, as I believe has been indicated earlier, that there will be other amendments offered other than that package. That is certainly not the only thing we have to contend with this afternoon.

Mr. GROSS. The gentleman would not think that kind of additional spending would be designed to win the battle against inflation, would he?

Mr. FLOOD. Mr. Chairman, if the gentleman will yield to me so that I may respond to our friend from Iowa, actually, we are over the 1969 level by only $154,700,000 in controllables. The gentleman is talking mainly about the uncontrollables, those that we cannot touch.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. MICHEL. I yield further to the gentleman from Iowa.

Mr. GROSS. When you speak of controllable and uncontrollable items, the Congress of the United States can control, can it not?

Mr. FLOOD. The public assistance grants are uncontrollable as far as this bill is concerned. They are controlled by the organic law, of course. That is the big problem, and the big item, and that cannot be controlled through this appropriation bill.

Mr. GROSS. But there is no such thing as an untouchable, or an uncontrollable appropriation.

Mr. FLOOD. Of course not.

Mr. GROSS. Not insofar as the Congress is concerned, if the Congress wants to change it.

Mr. FLOOD. That is true, but it has to be changed in the organic law. It cannot be, under our rules, in this bill.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the remarks of the gentleman about the cooperative research project, and I appreciate the reluctance of the committee, as recorded in the report, in approving of this suggested legislation. For the information of the Members, can the gentleman define for me—as a result of the committee hearings—the difference between "income maintenance experiments," and "guaranteed annual income" experiments?

Mr. MICHEL. Well, I must confess to the gentleman from Missouri that it is a difficult differentiation to make, or a clearcut line to be drawn. But as the chairman pointed out, and as I have earlier, and we had the Secretary on the griddle, and we just told him "You know, this Congress will never go for a guaranteed annual income."

I thought the gentleman from Michigan (Mr. CEDERBERG) had a good response one day when he said we wanted a guaranteed work program, not a guaranteed annual income program.

But we have to do something here, and as I said, there is $9,700,000 here for experimentation on how we can turn this tremendously and rapidly increasing welfare program around and the Secretary keeps on telling us, "We want to concentrate and work on incentives and this is the kind of project we have to have for them and something has to be done and we cannot turn our back on it."

Mr. HALL. I agree with the need for research. But does the gentleman know of any pilot projects that were ever started that came to a satisfactory end, especially at the behest of Congress?

Mr. MICHEL. I will say to the gentleman, a demonstration project in New Jersey is bearing some fruit by way of information. But here there are only male heads of households participating in this kind of demonstration. What we are talking about is one of the biggest problem areas where there is no man head of the household. That is a wide base area to be further explored.

Mr. HALL. I agree with the definition of the gentleman from Michigan (Mr. CEDERBERG), but I think the time has come on these projects that we should see if people are willing to relocate to those places where job opportunities are available, before training them and subsidizing them with stipends and benefits galore.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman.

Mr. FLOOD. I am in entire agreement, I may say to my friend, that the welfare system as we now have it is a debacle and it is a system that must be changed. Everybody knows that—even the recipients.

The Secretary came to us with this proposal that something has to be done to change the entire facade of the organization and operation of the welfare system in this country. This is the first step.

Mr. HALL. I appreciate the gentleman yielding. I appreciate the work of the subcommittee and I would only add that by definition, welfare in terms of social security is a failure.

Mr. MICHEL. Mr. Chairman, I appreciate the attention of my colleagues.

I know others of my colleagues wish to speak on these questions, and there are several items that will be mentioned conceivably in the questions that other Members might have and presentations of other members of the subcommittee and these matters will be covered.

The CHAIRMAN. The gentleman from Illinois (Mr. MICHEL) has consumed 41 minutes.

Mr. MICHEL. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas (Mr. SHRIVER).

Mr. SHRIVER. Mr. Chairman, the Labor-Health, Education, and Welfare appropriations bill being considered by the House today is symbolic of the budgetary and social problems facing our Nation. In this bill, second in size only to the Defense appropriation, we find programs which directly affect every citizen of this country. These programs educate and train our children for the future strength of our economy. They furnish research and resources for improving systems of health care. They investigate the mixed blessings of a modern industrial environment. And they provide assistance, however imperfect, to those of our citizens who cannot help themselves.

The needs in the area of labor-health, education, and welfare are great. Resources are great, but limited. Obviously, the committee had to set priorities.

As every Member on this floor can attest, there is no general consensus across this country today as to how these priorities should be established. The mail we have been receiving has been unanimous in only one respect: a very genuine opinion on the part of each writer that the programs which most directly affect him should have highest priority.

The committee is well aware of this problem. After 10 weeks of departmental hearings, 659 private individuals and organizations and their representatives in Congress stimulated an additional 1,400 pages of convincing testimony. Let me say here I greatly appreciate the hard work and excellent work of our chairman, the gentleman from Pennsylvania, and the diligence and cooperation of the ranking minority member, the gentleman from Illinois (Mr. MICHEL).

At the end of these hearings, however, the committee had to assume its responsibility. The task was not merely to decide how much to spend on each program; it was how to spend what was available. This the committee has done.

The recommendation before us now represents many compromises on the part of individual committee members which were necessary in a bill encompassing such a broad range of programs. As is evident in the number of amendments to be proposed, some disagreements still exist.

The new budget authority recommended in this bill for fiscal year 1970 totals $16,651,039,700. This figure represents a decrease of $705 million below the fiscal 1969 appropriation, but an increase of $155.8 million above the administration's budget requests. Most of this increase is for hospital construction grants and for certain education programs.

Included in the bill are $976.9 million for the Department of Labor, $15.6 billion for the Department of Health, Education, and Welfare, and $78.4 million for related agencies.

The committee report provides an excellent capsule summary of what we are getting for our $16.6 billion. I will mention just a few highlights.

The committee recommends increases of $192 million for the job opportunities in the business sector program and $44 million for the concentrated employment program. These two programs can go far to bring together unemployed and underemployed people with labor scarce areas in our economy.

The bill includes $360 million for mental health activities. It was revealed during the hearings that the population of America's mental hospitals has been reduced by 30 percent over the past 13 years, due in large part to our active research programs.

There is an increase of $44 million over 1969 for the National Institutes of Health.

These are noncontroversial items for the most part and, as a result, receive little publicity. The American taxpayers should know that with their basic health research investment, we now have in operation a program capable of solving the cancer problem; death from high blood pressure has been reduced by almost half over the past two decades; we now have a national program to prevent tooth decay completely by 1980; the programs to combat cystic fibrosis and kidney disease are making real progress; an effective German measles vaccine has been developed; and experiments in the treatment of Parkinson's disease are very promising.

These are dramatic developments. However, with hospitalization costs increasing 55 percent between 1965 and 1969, and expected to increase by another 15 percent this year, it is evident that basic research is not enough. Thus, the committee recommends $45 million be spent on health services research and development. It is imperative that the advances accomplished by NIH be translated into health services that are actually available at reasonable cost to the people who need them.

Another step toward better health services was endorsed by the committee. That is the administration's new physician augmentation program, which will increase the number of incoming medical students by 4,000 annually by 1973.

In response to needs pointed out in testimony before the committee and by thousands of letters from our constituents, Funds have been provided for elementary and secondary education library resources; guidance, counseling, and testing; and equipment. Increases are also included for direct student loans, vocational education basic grants and the work-study program, and for libraries and community services.

It is obvious that I have mentioned only a small percentage of the items in this bill. But it is important that our taxpaying citizens know that much is being accomplished in these fields.

I do not agree with everything in this bill. I definitely do not agree with the impacted area education program on which I will have more to say later, as I intend to have an amendment. I would emphasize that given the demands presently being made on our resources, this bill is a responsible, constructive effort to continue our efforts toward a better life for all of our people. The committee has spent many hours studying the details of these programs, both the accomplishments and the remaining problems. I would urge you to consider very carefully any changes which will be advocated later today.

I yield back the balance of my time.

Mr. MICHEL. Mr. Chairman, I yield 10 minutes to the gentlewoman from Illinois (Mrs. REID).

Mrs. REID of Illinois. Mr. Chairman, as a new member of the Subcommittee on Labor-HEW Appropriations, I would first like to pay sincere tribute to our distinguished and able chairman, the gentleman from Pennsylvania (Mr. FLOOD), and to our ranking minority member the gentleman from Illinois (Mr. MICHEL). It is a pleasure to serve under the responsible and capable leadership they provide. To serve with these colorful, dynamic members along with other members of the committee makes this an interesting one on which to serve to say the least.

The appropriation bill for the Departments of Labor, Health, Education, and Welfare, and related agencies for fiscal 1970, which is before the House today, represents the bipartisan decisions of the members of our subcommittee after over 3 months of intensive hearings. As the seven volumes containing over 8,000 pages of printed hearings indicate, the subcommittee conducted a very thorough investigation of the requests presented. Representatives from the executive agencies, as well as those outside of the Federal Government, made excellent presentations. I am sure all of us are aware not only of the growing needs in the field of manpower, health, education, and welfare, but also the necessity to place these needs in a realistic framework of priorities in view of current budgetary limitations.

It has been pointed out by other members of the committee that this is the largest of the appropriation bills excluding Defense. Naturally, in an appropriation of this size—and dealing with matters which are related so closely and directly to people—there are bound to be honest differences of opinion regarding specific amounts. The needs in all of these areas are great, and many of these programs have much merit. Certainly more funds could be utilized if available, but we must remember that our resources are not unlimited—and we must do our best to allocate these limited funds wisely and where they will prove to be most effective.

In this regard I would like to point out some of the specific areas which have been of particular concern to me and many others. For instance, library services—I am sure we are all aware of the importance of good books and library services in the whole learning process. The assistance given to libraries has proven to be one of the best investments the Federal Government has made in the education field. Therefore, I supported the increase of $17.5 million over the budget recommendations for library services, restoring the appropriation to the 1969 level of $40.7 million.

For elementary and secondary education the committee followed the guidelines of the authorization bill passed recently and included in one sum the funds for supplementary educational services, school libraries, guidance, counseling, testing, equipment, and minor remodeling. The bill includes $200.1 million for these purposes—compared with the budget request of $116.1 million. These items have been of vital concern to school administrators.

In my opinion, too, one of the most effective ways to strike at the root causes of poverty and discontent and to open new doors for millions of young in both urban and rural areas is to improve and expand occupational education and vocational training. I have supported such programs in the past and feel that the increase of $78 million above the budget request for this item is a wise investment. The programs of vocational-technical education are among the Nation's best efforts to reduce unemployment and eliminate occupational shortages.

Our subcommittee also heard impressive testimony concerning the programs of the National Institutes of Health. For

instance, 55 clinics are now participating in the National Heart Institute's coronary drug project and have enrolled 8,000 patients in a long-term study of the efficacy of drugs in prolonging the survival of heart attack victims. As requested in the budget, we have included an additional $1 million to bring this study into full operation. Also, recognizing that cardiac replacement may often be the only hope for a patient with an irreparably damaged heart, the committee further directed the Heart Institute to devote more study to heart transplants and the development of an artificial heart.

Another area of progress is the development of a more effective artificial kidney with proven performance in clinical trials, which will be able to maintain patients with loss of kidney function more simply and much less expensively than the equipment available heretofore.

In addition, I think all of us were impressed by the leading role the National Institute of Allergy and Infectious Diseases has played in the development of vaccines against German measles or rubella, the first of which was recently licensed. This disease—while usually very mild in children—can have serious effects when it strikes an expectant mother. It is estimated that the rubella epidemic of 1964 caused some 50,000 abnormal pregnancies, and from 20,000 to 30,000 infants were born with severe birth defects.

I believe no one would question that we have better medical care in this country than anywhere in the world. However, we know there is a critical shortage of trained medical personnel—hospital costs are high and still rising—and there are many diseases for which there is still no cure. This is why it is very exciting when medical science discovers a method of preventing a disease.

In another area, the committee heard alarming testimony from representatives of the National Institute of Mental Health on the use of marihuana and other drug abuses on the part of students—and incredible as it may seem this is even becoming prevalent in the elementary grades. This points up the need for more and better educational programs to demonstrate the devastating effects of drugs.

In a continuing effort to meet the shortages of personnel in the health field, the committee has included $218 million for the health manpower program. The committee was informed of the administration's plan to encourage a substantial increase in medical school enrollments—also the size and quality of the dental manpower pool. Certainly more physicians, dentists, nurses, and other health personnel are vitally needed.

Mr. Chairman, in my judgment the bill before the House is a good compromise in that we have made every attempt to establish priorities among those programs which have proven their worthiness for the health, education, and welfare of our people. It was not an easy task under the very difficult fiscal situation which faces our Nation at this time.

Mr. MICHEL. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. ROBISON).

Mr. ROBISON. Mr. Chairman, this subcommittee—under the able leadership of the gentleman from Pennsylvania (Mr. FLOOD) and the gentleman from Illinois (Mr. MICHEL)—has faced up well to its unenviable task.

This bill, providing as it does over $16.5 billion for some of the most sensitive activities in which the Federal Government is today involved, is a natural for controversy and protracted debate. This would be so under normal fiscal conditions—whatever those might be, it being so long since we have enjoyed the comparative luxury of that kind of situation that most of us have forgotten. And it is especially so during protracted periods demanding budgetary restraint of the sort we have experienced these past several years.

For it is then that the question of relative priorities—on a program-by-program basis—becomes all important.

By and large, I think the subcommittee has done well—exceptionally well under the circumstances—in sorting all those priorities out, and I would wish to compliment its members for that fact.

But it has faced a dilemma all along with respect to the competing programs funded through this bill for the Office of Education. That dilemma will become more apparent as debate wears on this afternoon, and as we reach the amendment stage. In short, it relates to the probable political fact that, before we finish with this vehicle, the House—and in this instance, I think, in its questionable wisdom—will have voted a good many millions of dollars more for the purposes of the so-called impacted aid programs than the subcommittee has recommended.

I do not know how many millions of dollars more—that remains to be seen. But I think one can safely assume that the final figure for such purposes will be at least equivalent to the amount appropriated therefor for fiscal 1969.

And it is that situation, Mr. Chairman, that impels me to speak on this bill as I now do and, later on, to offer an amendment which I will describe for you in a moment.

But, first, let me make my position clear: Although the impacted aid programs are of some importance to my district—and certainly to my State—I believe that the so-called section 3(b) portion thereof, under which payments are made for children whose parents work, but do not live, on Federal property and the like, to be an ill-conceived program, badly in need of review and revision if not abandonment. Like the summer showers we have been experiencing, its benefits do not fall evenly across the Nation. It does not address itself to areas of demonstrable need—the best illustration of which remains the dollars liberally poured under this section into Montgomery County, Md., where I, as the parent of a public school child, am counted for collection purposes even though I am a property owner in Montgomery County and pay school taxes on that property.

Few such dollars flow into the school systems in city ghetto areas, and fewer still into rural school districts struggling with the ever-increasing costs of providing their children with an adequate education out of an inadequate tax base.

I am, therefore, in full support of the subcommittee's recommendations in this respect, and will vote to maintain that position when the time comes—and it is this attitude that prevents me, though with some regret, from supporting the so-called Joelson package that may be offered by way of amendment to this bill.

However, if that package proposal does not carry, political realism dictates the probability that the subcommittee's position on impacted aid still cannot be held. And, if that proves to be the case, then we will end up with those programs funded at or above last year's levels while other—and in my judgment more desirable—educational programs will be cut back.

I would like to speak to you now about four such programs. You will find them referred to in the bottom paragraph on page 32 of the report where it is noted:

> The Committee has included in one sum the funds for (a) supplementary educational services, (b) library resources, (c) guidance, counseling, and testing, and (d) equipment and minor remodeling.

Then it is stated—and I invite your attention to the report—that—

> The bill includes $200,163,000 for this purpose compared with the budget request of $116,163,000 all of which was earmarked for supplementary educational centers.

So the subcommittee has attempted to improve on the budget request in this connection—and I congratulate it for that—but what the report does not tell you is that the recommended figure for these combined programs is still $110,453,000 less than was separately appropriated for these same purposes in the fiscal year just concluded.

The amendment I intend to offer—if opportunity arises—would be one simply increasing the subcommittee figure for these four programs by that $110,453,000 which, if adopted would bring the funds for these four programs—though still on a combined basis—up to last fiscal year's combined total.

The only difference between my proposed amendment—as just described—and that relevant portion of the so-called Joelson package, is that I would consolidate the funds for these four programs in the same way the committee has, whereas the gentleman from New Jersey (Mr. JOELSON) would individually fund—or "earmark"—them. Such a consolidation would be in accordance with a provision in the ESEA Amendments of 1969—H.R. 514 as passed by the House—requiring the consolidation of such programs beginning in fiscal 1971, but would move that requirement up 1 fiscal year for reasons that seem justifiable.

Now, Mr. Chairman, let me also say this: If I thought the subcommittee's position on impacted aid might be held, perhaps I would not offer such an amendment—accepting the indicated cuts in these four programs, unfortunate though that would seem to be, in the interests of overall restraint. But since, as I have

said, everyone seems to feel that there will be full funding for impacted aid, then I feel I must make this effort in an attempt to get our priorities back into some better order.

For these are four good educational programs: The supplemental educational services program, under title III of ESEA, which can be compared to research and development into ways to improve the processes of education—sort of after the fashion of the great experimental stations in agriculture; the highly useful effort under ESEA's title II to improve the library resources of both public and private schools at the elementary and secondary levels, and to provide such schools—on a basis of relative need and not on a per pupil basis—with textbooks and other instructional materials, all of which has been of especial benefit to ghetto schools and the small, rural school districts where money remains scarce for such purposes; the extremely important effort under title V–A of NDEA to improve—or establish—guidance and counseling programs in the schools at such levels as well as in junior colleges and technical institutions, and also to support testing programs in the same institutions, all of which—under the local budgetary pressures now felt by nearly every school board in the land—can hardly be maintained without the continuance of Federal aid at at least last year's level; and, finally, the familiar program under title III of NDEA—a matching program with the States on a 50–50 basis so we know our investment here is being put to good use—under which laboratory and other instructional equipment has been acacquired by thousands of school districts badly in need thereof, along with such minor remodeling of the school plant as may be needed to accommodate the same, the need for all of which is an ongoing thing that, again, the States and local districts cannot be expected to pick up.

Mr. Chairman, as one whose reputation for being something other than a "big spender" around these parts ought by now to have been well established, let me say I know $110,453,000 is still a lot of money. But perhaps not so much, after all, in the relative sense, for we spent $15.8 million, so I understand, to build that laboratory in Houston where the three Apollo astronauts and their lunar rocks are now quarantined, plus who knows how much more to operate that lab, and we are spending—what?—somewhere around half a billion dollars a week in Vietnam. Looked at in that light this is not so much money.

Besides which, though the subcommittee members—or most of them—will have to oppose my amendment, if I have a chance at offering it, from a reading of the hearings and their comments on the underfunding of these four programs it would appear that they do not all agree that what I would propose is so wrong.

These four programs, Mr. Chairman, have demonstrated their value, the continuing need for them is apparent and, if the impacted aid program is to go forward full speed then so, too, should these; that is my position, and I uge your support thereof at the appropriate time.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MICHEL. Mr. Chairman, I will be happy to yield the gentleman an additional 2 minutes.

Mr. ESCH. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I am glad to yield to the gentleman.

Mr. ESCH. I would like to compliment the gentleman from New York on his detailed analysis and wish to associate myself with his remarks.

Mr. ROBISON. I appreciate the gentleman's remarks.

Mr. Chairman, I now yield back the balance of my time.

Mr. MICHEL. Mr. Chairman, I am happy to yield 8 minutes to the gentleman from New York (Mr. PIRNIE).

Mr. PIRNIE. Mr. Chairman, the legislation under consideration today—the Departments of Labor and Health, Education, and Welfare appropriations bill—is one of the most important measures we will consider this session. As we recall the glory of Apollo 11 and the technology which made it possible, we cannot help but be reminded of the contributions made to that endeavor by our educational system. As we look toward greater human goals we must be sure that we have the tools to accomplish them. Certainly, one of the most critical of these is the Federal commitment to education.

In my view, there can be no lessening of this commitment, and in April I wrote the President urging that his administration maintain the support to education necessary to continue the progress in this field which has been and is continuing to be made. In that letter I mentioned specific areas of great concern to me and called for full funding for both. The Higher Education Facilities Act and the impacted areas program are two of the many items included in this appropriations bill but, in my judgment, they are worthy of special comment.

I was very disappointed that the administration did not recommend any new budget obligations for the construction of educational facilities in 4-year undergraduate institutions. Last year, $33 million was allocated for higher education facilities construction and we should at least match that sum during the current fiscal year.

It is somewhat puzzling to me that the administration would request and receive $43 million for the construction of educational facilities at 2-year community colleges and yet not request one penny for construction at 4-year institutions. While there is no question that community colleges of the 2-year variety are the thing of the future and serve a very critical need, our 4-year institutions are also of great importance. My district has a balance of both the 2- and 4-year schools. Both types serve useful and necessary functions, and I believe both should have the opportunity to expand to accommodate their differing constituencies.

The impacted area program interests me, not only because the thousands of children in my district benefit from it, because it has contributed substantially on a national basis to our educational system. For example, last year over 52 percent of all the school districts in America received Public Law 874 funds. No other Federal program can match this record.

I recognize that there is a great deal of discussion on the merits of this program and I agree that certain alterations in the qualification requirements may be necessary, but eliminating the category B students by not providing adequate funds for it will diminish the quality of educational services to thousands of students. I have long advocated and so testified before the Labor-HEW Subcommittee of the House Appropriations Committee that the correct procedure is to change the authorizing legislation after indepth hearings.

In the absence of that procedure, it is well to look as this program, not from the view of the Washington suburban areas, but from the standpoint of the small communities who are directly and materially affected by the existence of Federal installations. I would be the first to agree that there is questionable justification for the schools in suburban Maryland and Virginia to qualify for federally impacted area funds for those residents who work in the District of Columbia for the Federal Government.

It should be noted, however, that the original law did not allow the school districts in these suburban communities to receive Public Law 874 funds for those residents employed in the District of Columbia. Only a subsequent amendment authorizing those who were within "commuting areas" made them eligible. In my view, the rationalization for Public Law 874—at least as far as most of the country is concerned—is as valid today as it was when it was enacted; namely, that military installations and Federal properties are not taxable by States or localities, despite the fact that the students of the parents who work on these facilities must be educated by the States and localities. In the absence of providing these communities with the authority to levy taxes on these facilities, we have an obligation which must be met.

Generalizations are always risky and in the case of generalizing from the example of suburban Virginia to Rome, N.Y., in my district, it is like comparing apples and oranges. Adjacent to this upstate New York community of about 50,000 is Griffiss Air Force Base—a large installation estimated by the Air Force to be worth $125,921,000 in both land and improved structures. The Rome School District receives less than $1 million in Public Law 874 funds annually, yet if the tax rate currently in force in Rome were applied to Griffiss Air Force Base, the amount would be nearly double the annual Public Law 874 allotment. Furthermore, of the 4,000 impacted students in Rome, 2,800 are in the B category. Under the terms of the bill now under consideration, the Rome schools would not receive a penny for them. While this is a disaster in itself, it would be especially critical because of the fact that all funds would be cut off immedi-

ately. If this program is to be reduced, it ought to be done over a period of years—not in one fell swoop.

As we consider the course to follow, we should all be mindful of the fact that earlier in the year, the Office of Education awarded a $167,000 contract to the Battelle Memorial Institute to conduct an indepth study of Public Law 874 and to make recommendations for change. The report is due late this year, and unless we are willing to admit that we just threw that $167,000 of the taxpayers money in the street, we should await the results of that study before either eliminating or broadening this program.

In the meantime, schoolchildren in most of the congressional districts will be returning to school in about a month. The question we answer today in deciding whether to provide near-full funding or the pittance contained in H.R. 13111 is, Will they have the resources necessary to get a good education this school year? That is the question. If we provide the $585 million necessary for the 90 percent of the entitlement under Public Law 874 for both A and B category students, the answer will be "yes." If we fail to do that, we will have denied educational services to hundreds of thousands of students in every corner of this country. This must not happen and it can be prevented by supporting the amendment to be offered later in the debate to increase Public Law 874 funds for fiscal year 1970 to $585 million.

Mr. FLOOD. Mr. Chairman, I yield 10 minutes to the distinguished chairman of the legislative Committee on Labor and Education, the gentleman from Kentucky (Mr. PERKINS).

Mr. PERKINS. Mr. Chairman, again I want to pay my respects to this distinguished subcommittee, and to the distinguished gentleman from Pennsylvania (Mr. FLOOD), who chairs the subcommittee, and to all the members of the subcommittee who have worked diligently in bringing this bill to the floor.

Mr. Chairman, I well realize that it is a difficult task to work out an equitable solution to all the problems that are presented in such a large bill. It would be difficult under any circumstances and I have no doubt that my distinguished colleague from Pennsylvania and the member of the committee would not have brought a bill to the floor with these kinds of cuts for education had the budget surplus picture appeared at the time the bill was reported as bright as it does today. The downturn for education started by the Budget estimate in fiscal 1969 when they decided to cut back funds for certain programs.

The funds in this bill amount to 36 percent of the authorization, and that is all. Thirty-six percent. The Johnson budget of $3,591,614,000 for the Office of Education has been cut back by the committee more than one-quarter of a billion dollars. This cut takes education almost to the point of destruction.

Mr. Chairman, I fully support the package amendment that will be offered today. Time and again many of my distinguished colleagues in this body have come to me over the years and expressed concern over the mounting welfare costs and the obvious need for retraining, rehabilitation and remedial-type programs. The costs for these programs are indeed mounting and are a heavy burden for the taxpayer.

In 1965 the Education and Labor Committee sought to do something about them.

I recognize, as I think every Member of this body recognizes—that if we are to reduce the burden of welfare costs—that if we are to eliminate hard-core unemployment which saps the vitality of the economy, if we are to erase the dropout problem—we must begin to do those things which increase educational opportunities in the early processes of education and in those areas which lack the financial ability or the motivation to adequately provide the programs at the elementary and secondary school levels to equip our young people with the basic educational skills necessary for them to enter occupational training, employment or higher education.

Thus, in 1965 the Elementary and Secondary Education Act was enacted. The major program among several authorized by that legislation is title I which provides grants to local school districts to strengthen educational opportunities in schools with concentrations of disadvantaged children. Children who are not provided with adequate learning opportunities today will present problems for our country tomorrow.

I have been greatly impressed with what educational specialists and school administrators have said across this land with respect to the importance of this program and the success it is having in enabling our young people to achieve better in school and gain the basic educational skills so necessary in fulfilling a responsible role in our society.

At the same time I think it is clear from the evidence before our Committee and from what I have observed in the school systems it has been my privilege to visit—that the effectiveness of this program has been greatly reduced by our refusal to fully fund it.

Appropriations for title I have been at a level of less than 40 percent of the authorization. If we are really serious about strengthening educational opportunities in our Nation's schools so as to really enable our children to participate fully in the complex technological world of today, title I should be fully funded. The additional amount provided in the package—$180 million—falls short of doing this, but at least it is a step forward and will permit a continuation of programs, now operating, in the face of rising school costs.

Mr. Chairman, I support this package, because I realize as I think my colleagues do that the educational system of this Nation is a very broad and complex one. In order for there to be meaningful educational opportunities, it is not sufficient for us to think in terms of specialized geographical areas such as we do in the impact aid program or to think of only the grade schools or to ignore the needs of children who have dropped out of school or the needs of children who do not attend public schools.

Nor can we simply look at one segment of the educational process and focus entirely at the elementary or secondary level.

The needs are great in the fields of vocational and technical education—in our newly emerging community college system—and in our colleges and universities.

While the constituency influences upon my distinguished colleagues will incline some to favor one program against another, the fact remains that the children and the parents of each congressional district represented here today have a great stake in what we do with respect to the needs of the entire extent of the education system—what we do to enable young people to have an opportunity for college education—what we do to enable young people to obtain the vocational technical training they desire—what we do to assure young people with the necessary basic skills to enter upon further education and training at the higher levels.

These are the basic reasons that I support a package approach in meeting what I feel to be great deficiencies in the level of funding proposed by H.R. 13111.

The package approach would restore funds for impact aid, bringing it up to 90 percent of the authorization. It would bring our school library, textbooks, and other instruction program, title II of ESEA, to the 1969 appropriation level. It would do the same for the National Defense Education Act equipment program—title III. It would provide funds to the 1969 appropriation level for guidance and counseling programs under title V–A of the National Defense Education Act as well as for the supplemental education centers program under title III of ESEA.

The package approach would provide $488,716,000 for vocational education, assuring that present programs in vocational education would not be reduced because of the set asides required in the 1968 amendments and further, would enable the States to make substantial progress in providing programs of occupational training for young people now on waiting lists of technical schools.

The package approach would enable grants to be made to institutions of higher education for the construction of undergraduate facilities to accommodate increased enrollments, a program that would be discontinued entirely if the provisions of the Committee bill were allowed to prevail.

The package would provide an additional $40,749,000 to the National Defense Education Act student loan program to provide a source of financing a college education for many students who are unable at this time to secure a loan under the guaranteed loan program because of the level of interest rates.

If we look at fiscal year 1968, the appropriation was $1,191 million. Since that time we have had more than 10 percent inflation. We have had added groups of migrant children and handicapped children that must be first supported fully.

School districts are getting partially paid for about 7.2 million children and

we are serving more than 9 million. So by all means the amount of money should be increased for title I. Let me show you the funding history of the programs affected by the package amendment, as reflected in the table hereby submitted for the RECORD.

The table follows:

HISTORY OF APPROPRIATION OF PROGRAMS AFFECTED BY PACKAGE AMENDMENTS TO H.R. 13111

[In thousands of dollars]

	1968 appropriation	1969 appropriation	1970 revised budget	1970 appropriation bill, H.R. 13111	H.R. 13111 plus Joelson package	H. R. 13111 plus package, compared to 1968 appropriation	H.R. 13111 plus package, compared to 1969 appropriation
Impact aid	486,355	521,253	202,167	181,000	585,000	+98,645	+63,747
ESEA II school libraries	99,234	50,000	0	200,163	50,000	−49,234	Same
NDEA III–A equipment	75,680	75,740	0		75,740	+60	Same
NDEA V–A guidance and counsel	24,500	17,000	0		17,000	−7,500	Same
ESEA III supplemental centers	187,876	164,876	116,393		164,876	−23,000	Same
Vocational education	284,216	248,216	279,216	357,216	488,716	+240,500	+240,500
HEA construction, 4-year undergraduate	200,000	33,000	0	0	33,000	−167,000	Same
NDEA II student loan	184,000	193,400	161,900	181,306	229,000	+45,000	+35,600
ESEA title I	1,191,000	1,226,000	1,226,000	1,216,175	1,396,975	+205,975	+273,848
Total	2,696,861	2,462,612	1,985,676	2,141,860	3,040,307	+343,446	+613,695

Let me now refer to titles II and III of ESEA and titles III and V of NDEA. Here in H.R. 13111, for fiscal year 1970 you are tying these different programs together, contrary to the Green amendment which let the States have the discretion—in H.R. 13111 you provide that the Office of Education shall have the discretion—and in the Green amendment consolidation is effective in 1971—here you make the U.S. Commissioner's authority to allocate these funds effective—now.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from New Jersey.

Mr. JOELSON. I certainly agree completely with the distinguished chairman.

I would like to make clear that under the package amendment which I will offer at the appropriate time, this matter will be dealt with so that the discretion will be taken away from the commissioner of education and specific sums will be allocated for each specific purpose.

Mr. PERKINS. I wish to say to the distinguised gentleman from New Jersey that, what he has said is my understanding of the package amendment and that is just and proper. That is the minimum, in my judgment, that should be expended by this Congress for these various educational programs. I do not think this Congress wants to tear up and destroy title II of ESEA, the library title, and that is what this bill (H.R. 13111) does. It would destroy title II.

The example. The Bureu of the Budget put nothing in the budget for title II, leaving it to the discretion of the Office of Education, and they will not turn one dime loose, in my judgment, for titles that they are in disagreement with.

I say to you, it would be a grave injustice if this Chamber permitted legislation of this type on an appropriation bill, where the standing committee of the House has carefully worked out this situation and heard hundreds of witnesses, and there is no authority in the law anywhere to group these titles together as they have been grouped together simply because the bureaucrat does not like the library program, does not like the supplemental educational centers, and does not like the equipment title and does not like the guidance and counseling title. Now, that is it. In concluding my remarks let me turn to title V–A of the National Defense Education Act:

The NDEA of 1958 stimulated and strengthened the growth of guidance and counseling services for our nation's children and youth. Then only 13,000 school counselors existed while 38,000 were needed. Now after a decade of Federal support authorized by Congress, we have reached a goal of 37,-915. Yet elementary, secondary and vocational school populations of youth continue to increase. More than 70,000 such counselors are needed in our nation's schools and communities today.

NDEA Title V–A funding authorization for fiscal 1970 is $40 million. A critical need exists today for a substantial appropriation for guidance and counseling at a minimum of $25 million to the maximum of $40 million.

Guidance services in elementary schools have grown remarkably with the seed money support of NDEA to the states. In California, Georgia, Illinois, Kentucky, Pennsylvania, Tennessee, Texas and elsewhere across the nation, actually hundreds of new elementary guidance programs have developed because of NDEA support.

Counselor ratio to numbers of students which nationally was one to 960 students in secondary schools in 1958 has now been reduced to a ratio nationally of one counselor to 450 students. These gains must be preserved.

The ratio of elementary school counselors to pupils is now one to 6,485 elementary children. Of the more than 26 million pupils in elementary schools in 1967, only 11 percent were receiving guidance services in programs meeting state standards.

In the high schools in 1967 only 64 percent of the 17 million students were reached by approved guidance services.

These tragic gaps in guidance and counseling must be filled. NDEA Title V–A funding at substantial levels is imperative.

The facts for selected states of guidance growth and support stimulated by our Congressional action to provide NDEA Title V–A funding are: (These fiscal 1967 data based on a $24.3 million appropriation are documented in *Review of Progress*, Title V–A, National Defense Education Act, released July 15, 1969.)

	NDEA funds	State and local support funds
California	$2,200,000	$34,700,000
Georgia	571,000	4,200,000
Illinois	1,300,000	13,700,000
Kentucky	407,000	2,200,000
Pennsylvania	1,300,000	16,900,000
Tennessee	486,000	2,900,000
Texas	1,400,000	6,300,000
Total	7,700,000	80,900,000

It should be noted for these seven states alone that Federal NDEA support of $8 million stimulated a ten-fold state and local funding support of $81 million for guidance and counseling services for children and youth.

The task is unfinished; in fact, we have just begun. At least eight critical needs exist which require Federal support and stimulation:

1. Early childhood development must be emphasized.

Research and experience in elementary schools give evidence that services in depth and at the earliest possible age are essential to prevent mental retardation, especially among disadvantaged children; to remove beginning difficulties in learning; and to correct or minimize effects of physical and psychological handicaps. The history of dropouts from high school commonly reveals signs of emotional and learning difficulties that were known and might have been corrected in the first few years of school.

Furthermore, services directed toward early and individual treatment of highly gifted and creative children have the potential of producing the future leaders so greatly needed in today's complex world. The lack of professional help at the right time may prevent a potentially gifted artist from making any contribution to society.

2. A broader concept of pupil personnel services is necessary to meet fully the developmental needs of the individual child.

The concept of "guidance," broadly interpreted, includes all of the services that keep children fit to learn. These are commonly called "pupil personnel services" and usually consist of guidance and counseling, psychological, social work, health, attendance, and sometimes speech and hearing services.

Pupil personnel services are needed by all children because all children face common obstacles in growing up, and many have serious problems. Multiple services are mandatory for those children whose families cannot provide the physical necessities, home training, and psychological support required for normal progress.

3. Effectiveness of pupil personnel services could be strengthened through greater coordination of program whatever their source of funds.

4. New sources must be topped for support personnel.

An increasing number of experiments suggest that pupil personnel services can be enriched and extended to serve more children by the use of para-professionals, aides, or support personnel. Para-professionals from certain socio-economic backgrounds and age groups may be able to help children from similar backgrounds with even greater understanding of their problems than some specialists possess.

5. More research is needed in pupil personnel services.

In the emerging structure of pupil personnel services, it is essential that the organization of services, roles of practitioners, and techniques of helping children and youth be based on valid research experience.

6. Existing services should be expanded for maximum impact.

(a) Guidance services in elementary schools should be increased.

(b) More extensive services should be provided for school dropouts at all educational levels.

(c) Guidance and personnel services in post-high-school education are in urgent need of expansion.

7. More attention needs to be given to the involvement of parents in the guidance process.

Events reported throughout the United States attest to the mounting independence and alienation among youth, and to the failure of educators and parents to understand the changes taking place. Confusion of adults has led to frustration and antagonism, less frequently to sympathy for a generation that is caught between two worlds. The generation gap is real.

At the same time, teachers and parents should be helped to understand and appreciate an informed, sensitive, and determined generation of youth.

8. Greater emphasis upon career development and the relevant use of computer systems is necessary.

The counselor's role in shifting, to the assistance of counselees to plan careers which will allow them to change the nature of their work several times during their lives.

In the near future, it is probable that information about institutions for training and job openings will be programmed into computers along with student data relating to education, abilities, interests, experience, and even values associated with work.

Mr. HANNA. Mr. Chairman, the city of Anaheim, Calif., has always prided itself on the excellent educational opportunities it has provided for its children. Today, however, this city's educational leaders are seriously facing the possibility of reducing, and in some cases eliminating, valuable programs from their curriculum.

The anxiety of the Anaheim educators is being caused here in Washington since the House of Representatives will today decide whether the students of Anaheim have access to field trips and an updated English language program. The Members of this House will determine whether Anaheim can afford to purchase valuable instructional equipment and continue intradistrict competitive athletic events. The Congress will have to decide whether the youngsters of Anaheim will have the educational advantage of four language laboratories and continued curriculum improvement and enrichment through pilot projects.

I am sure if the schoolchildren and parents of Anaheim were asked if they wanted these educational opportunities there would be little doubt as to the answer. Yet there is considerable doubt about the answer Congress will give.

I expect that in the course of this debate on financing education we will hear the fine rhetoric reminding us of the importance of education to the Nation's future. I have little doubt someone will appeal to us not to shortchange our youth. And someone will remind us of the growing generation gap, and the need to restructure our priorities.

No doubt these are excellent arguments. Many have employed them in the past and I personally believe they are still valid, and relevant to today's debate.

What is unfortunate is that we need to repeat these arguments at all. Perhaps I have been laboring under a gross misassumption when I believed the Congress had made, some years ago, a continuing commitment to service our country's educational needs.

What I cannot understand, and what the educational leaders of Anaheim and the leaders of thousands of school districts like Anaheim cannot understand is why has the support for education suddenly been withdrawn?

When the Appropriations Committee reports legislation which completely eliminates funds for section B students of Public Law 874, when vocational education, and title I ESEA funds are drastically cut, and when little or no money is made available for needed library services or vital instructional equipment, one can only conclude that our continuing commitment to education is at an end.

If the Appropriations Committee recommendations are followed the credibility of the House will be seriously damaged. The fact the bill was reported with its present contents has undoubtedly eroded confidence in this body's ability to follow through with its commitments.

Obviously more important than the veracity of this institution will be the impact the committee's recommendations will have on educational programs throughout the Nation. At the beginning of this statement I pointed out some of the choices the Anaheim School District faces. I have received similar letters urging my support for full funding from virtually every school superintendent in my district. These letters will appear at the conclusion of my remarks. Thousands of schoolchildren in the 34th Congressional District will find themselves facing a barren school year unless the House restores to 90 percent of authorization the funds for Public Law 874. Multiply my district by hundreds across the Nation and it will not take a prophet to predict the impending crisis in education. If any Member has a doubt about whether to support the Joelson amendment, I suggest he read his mail. The concern of almost every local educator is being heard and it will be a tragedy if we do not respond.

The Washington Post summed up the situation fairly well this morning in an editorial in which it was clearly pointed out that—

Every economical American ought to hope that Congress will approve these proposed increases in aid to education. There is nothing in the least spendthrift about them. They would do no more than meet the fundamental obligation of a civilized society to its younger generation.

President Nixon said when he was campaigning for the Presidency:

When I look at American education I do not see schools, but children, and young men and women—young Americans who deserve the chance to make a life for themselves and ensure the progress of their country. If we fail in this, no success we have is worth the keeping. We are on the brink of failure as the price of parsimony. Generosity affords the only hope for redemption.

The material referred to follows:

ANAHEIM UNION
HIGH SCHOOL DISTRICT,
Anaheim, Calif., July 18, 1969.

Subject: Pending Legislation, Public Law 874 Funds.

Hon. RICHARD I. HANNA,
Representative, 34th District,
House Office Building,
Washington, D.C.

DEAR MR. HANNA: The Anaheim Union High School District has received, during the past several years, approximately $200,000 annually under subject Federal Authority to help finance approximately 1,000 pupils educated at this District and classified as subsection 3(b)2 pupils (Pupils—Parent employed on Federal property—pupil not residing on Federal property). We understand that a new fiscal year appropriation in the amount of $187,000,000 will come to the floor of the House during the week of July 21, 1969. This limited appropriation would remove present entitlement of this District to any funds received under the above law.

Without PL-874 funds this District would have to curtail expenditures of approximately $200,000. We would have to stop all transportation for field trips and intradistrict competitive athletic events. We would have to reduce desirable expenditures for renewal of instructional equipment and cancel the planned updating of the English language program through the purchase of four language laboratories. We would have to limit our efforts to improve education through pilot projects.

We respectfully request that you support this bill to provide additional funds for the Category 3(b)2 students educated at this district. Your attention to this request is sincerely appreciated.

Yours truly,

R. KEN WINES,
Deputy Superintendent.

CENTRALIA SCHOOL DISTRICT,
Buena Park, Calif., July 8, 1969.

Hon. RICHARD T. HANNA,
House of Representatives,
Washington, D.C.

DEAR MR. HANNA: This has been a very interesting year in terms of school finance, both in the state and on the national scene. As you know, it has been increasingly difficult to get tax overrides or bond issues passed in the State of California during the last few years. The threat of the removal of Public Law 874 funds has added considerably to the strain in terms of financing many of the school districts in California. It is a sort of paradox—everyone seems to want more and better education but seem at a loss to know which way to turn in order to get money to pay for it.

I have before me a pamphlet prepared by Dr. Gordon Harrison, who appeared before the Senate Sub-committee on Education on behalf of maintaining the Public Law 874 for support at its present level. This report indicates that the total entitlements amount to $45,840,253 and the entitlements for 3B students is $32,909,678. This is an enormous amount of school support and it could not be replaced in most instances by applying more taxes at the local level because most of us are at the limit of our taxing power at present. We are caught in a squeeze. We must be competitive in salaries to get the people we want, and we must at least try to keep up with the modern approaches to education in terms of program. I imagine that you find pleas and pressures brought to bear upon you by many special interest groups, so you are quite familiar with all sorts of problems of this kind.

We in education would certainly appreciate any help that you can give us in maintaining Public Law 874 support at its present level. In some districts any appreciable cut

will mean severe cuts in educational programs, which will result in doubtful savings to the people we serve in the long run.

We thank you in advance for any help you can give us in this matter.

Sincerely,

PAUL DOSS, Ed. D.,
District Superintendent.

CALIFORNIA SCHOOL BOARDS ASSOCIATION,
Sacramento, Calif., July 22, 1969.

Hon. RICHARD T. HANNA,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: The California School Boards Association requests your support of all approved Congressional programs of Federal aid to education. Last year California schools received over $230,000,000 from all Federal aid programs currently in existence. This constitutes over 6% of the total support of California public schools. It is imperative for the welfare of California's educational systems that these programs be continued and fully funded.

In addition, the Association is opposed to the inauguration of any new Federal aid projects that would be funded from any of the existing programs currently approved by the Congress. It is the firm position of this Association that new aid projects should be accompanied by new sources of revenue. This is the only procedure that will guarantee that California school districts will not be harmed by a shift in the basis of Federal support.

Your consideration and support of this position is respectfully requested.

Sincerely yours,

JOSEPH M. BROOKS,
Executive Secretary.

LOS ALAMITOS SCHOOL DISTRICT,
Los Alamitos, Calif., July 23, 1969.

Hon. RICHARD T. HANNA,
House Office Building,
Washington, D.C.

SIR: Your support for full funding of Public Law 874, Section 3(b), is crucial for the Los Alamitos School District. If these funds are cut from our recently adopted budget for 1969–70, all reserves will be depleted and we will be left in a deficit position.

In addition, the completion of 202 housing units on the Los Alamitos Naval Air Station will place a heavy financial burden on the district, which is far below state average in assessed value per pupil. Continuation of funds under Section 3(a) is equally vital.

We need your help in support of full funding for Public Law 874.

Very truly yours,

GEORGE PLUMLEIGH,
Superintendent.

LOS ALAMITOS, CALIF.,
March 25, 1969.

Hon. RICHARD T. HANNA,
House Office Building,
Washington, D.C.:

Please support H.R. 514. Extension of section 3(b) of Public Laws 815 and 874 is essential to our school district. Loss of funds from any section of Public Law 874 would be a catastrophe to this school district.

Dr. E. L. GREENBLATT,
Superintendent, Los Alamitos School District.

NEWPORT-MESA UNIFIED SCHOOL DISTRICT,
Newport Beach, Calif., March 27, 1969.

Hon. RICHARD D. HANNA,
House Office Building,
Washington, D.C.:

Respectfully request you attend hearing on H.R. 514 (Public Law 874) to be held on March 31. This district receives $100,000 in Federal funds from P.L. 874 occasioned by proximity of El Toro Marine Base and the Marine Air Facility in Santa Ana, urge continuance of Public Law 874 in its present form as loss of these funds will create severe financial blow in the operation of this school district.

WALTER ADRIAN,
Director of Budget and Business Services.

GARDEN GROVE, CALIF.,
March 25, 1969.

Hon. RICHARD T. HANNA,
Washington, D.C.:

We urge your support of P.L. 874 funds as recommended by committee maintaining 3B category.

DAVID H. PAYNTER.

FOUNTAIN VALLEY SCHOOL DISTRICT,
Fountain Valley, Calif., April 24, 1969.

Hon. RICHARD T. HANNA,
House of Representatives,
Washington, D.C.

DEAR MR. HANNA: We were happy to receive your letter of March 6, 1969 in response to my letter of February 17 regarding funding of Public Law 874.

We have just learned that H.R. 514 was amended on April 16 to delete the entitlement for all Category B students. If allowed to stand, this amendment would eliminate PL 874 funds for our district as well as many other districts in California.

The current entitlement of $80,470.56 represents an average of $9.25 for each student in the Fountain Valley School District. Since you are familiar with our district, you can readily see that deletion of Category B students would cause an extreme burden upon the district.

Your efforts in helping to reestablish Category B students, as well as maintaining the Public Law 874 program, will be greatly appreciated.

Sincerely,

CHARLES A. WOODFIN, Ed. D.,
Associate Superintendent.

GARDEN GROVE UNIFIED SCHOOL DISTRICT,
Anaheim, Calif., July 28, 1969.

Hon. RICHARD T. HANNA,
Cannon House Office Building,
Washington, D.C.:

Respectfully request your support on inclusion of P.L. 874 subsection 3B2 students in current appropriation bill.

DAVID H. PAYNETER,
Superintendent.

Mr. MICHEL. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. COHELAN).

Mr. COHELAN. Mr. Chairman, today or perhaps tomorrow, we as Members of the House of Representatives will be called on to decide whether we really mean what we say when we advocate a restructuring of our national priorities.

Today or tomorrow we will have the opportunity to either add $900 million for education or to pass an emaciated education budget providing something like 40 percent of the sums we have so glibly authorized for education.

In short, we will soon be put to the test. Do we really want better schools, better colleges, better research facilities? Or do we want to limp along with decaying school systems, overcrowded colleges and underfunded research?

We have gotten to the moon on the investments we have made in education in the last generation. The question of whether we will be capable of similar technical feats in the next generation will depend largely on whether and how well we educate that generation. Education costs money. The Federal Government has authorized the expenditure of more than $8 billion for this fiscal year. Yet, the administration and the Appropriations Committee have suggested that we spend only a little more than $3 billion this year for education. It was not this sort of pittance funding or our half-hearted commitment which got us to the moon. We devoted enormous sums and 100-percent dedication to the task of a lunar landing.

We cannot and we should not make a lesser commitment to our own children as they prepare for their generation of leadership and new ideas.

Amendments will be offered to the Labor/HEW appropriations to restore funds previously authorized by the Congress for education of the culturally disadvantaged, for school libraries, for equipment, experimentation, guidelines and counseling in our elementary and secondary schools, for vocational education, for college construction and student assistance, for impact aid. These are all vital and important programs providing desperately needed Federal aid to education.

I would like to take just a moment at this time to explain some of the thinking which underwrites the package amendments which will be introduced.

ESEA TITLE I

In the Elementary and Secondary Education Act Amendments of 1967, the Congress provided that statewide programs for disadvantaged students should be 100-percent fully funded, even if the Congress failed to appropriate the full sums authorized by the Congress. Since we have not ever appropriated more than about 40 percent of the sums authorized for title I of ESEA, each local educational agency—that means schools—has received a prorated share well below the authorized levels, yet the statewide programs have received full funding. Because of the increase in the number and size of these statewide programs it is necessary in the current fiscal year to provide $80,800,000 in additional funds above the committee's bill simply to assure that each local school district in fiscal 1970 receive a Federal payment at least as large as the payment received in previous years.

In 1968 we were provided $210 for each disadvantaged pupil who qualified under ESEA guidelines. At the funded levels suggested by the administration and the Appropriations Committee, we would be providing only $170 for each such pupil this year. In short, at the funding level of this bill we would be taking a giant step backward.

And at the same time we are taking this step backward, education costs have been increasing at the rate of at least 5 percent per year. In 3 short years, education costs have escalated more than 15 percent. For this reason, too, under the sums suggested by the committee we would be moving still further to the rear. It is then for reasons of attempting to maintain current funding levels for local schools and to meet the problems of increasing educational costs that we have

thought it appropriate to include more than $180 million in additional funds for programs to serve educationally disadvantaged students.

HIGHER EDUCATION

Two major schemes which provide Federal assistance to our colleges and universities are not working under current conditions.

We have recently created a new program of interest subsidies for the construction of university facilities.

Under this program colleges and universities are allowed to borrow money at commercial rates and then to seek reimbursement from the Federal Government for their interest payments. The trouble is that in 15 or 20 States public educational institutions cannot borrow money on the commercial markets. Thus, in these States the interest subsidy program is of no benefit. Yet, in the administration's amended budget all funds for the construction of facilities at 4-year colleges and graduate schools have been deleted. It seems unconscionable for us to deny our universities funds they so badly need to keep pace with ever increasing college population. It seems doubly so when we have so recently devised a program to provide low-cost assistance to these institutions for this type of construction.

To make our college construction programs work we have included in the package amendments $33 million for construction at 4-year undergraduate institutions. This is the same sum we appropriated in fiscal year 1969. There is no increase to take care of inflation or the growing demand. We are merely attempting to hold the line.

There is another program of benefit to higher education which has failed entirely. Under the guaranteed student loan program the Federal Government insures commercial banks against losses on loans made to students at qualified 4-year colleges. The law provides, however, that these guaranteed loans are to bear not more than 7-percent interest.

The trouble is that today the prime interest rate is 8½ percent. The banks just are not making loans to anybody at 7 percent. In short, there are no 7-percent student loans for the Federal Government to guarantee.

If we are to continue to provide assistance to college students, we must do so through a program of Federal loans. The best of these programs is a student loan authorized by title II of the National Defense Education Act. The administration has requested $162 million for this program this year. This sum is considerably under what we appropriated last year.

The Appropriations Committee has recommended an increase in the title II NDEA loan funds to $188 million. But even with this increase, it is still less than the sums we provided for this program last year.

To get back to where we were last year and to make up for the failure of the guaranteed loan program we just simply need more money. It is for this reason that the package amendments will provide an increase of $40 million over the subcommittee recommendation for guaranteed student loans.

SCHOOL LIBRARIES

Mr. Chairman, as you know, the amended administration budget for fiscal 1970 provides no funds for school libraries. It provides no funds for school equipment or minor remodeling. It provides no funds for guidance and counseling. It provides diminished funds for education demonstrations.

I find it incredible even with our current fiscal problems that we must cut back so drastically on these basic educational services.

The package proposal for these items does not ask for the moon. It merely provides funds at the levels we appropriated last year. It provides $50 million for school libraries. It provides $17 million for guidance and counseling. It provides $78 million for equipment. These are all the same sums we have expressed a willingness to support in the past. We can surely maintain that support today.

Under these educational service programs we provide the only Federal assistance for outreach programs for our libraries—programs which have brought bookmobiles and librarians to the inner city for the first time. We provide guidance and counseling to youngsters with emotional problems, development problems, and just plain career problems.

Can anyone really say that these are superfluous programs? Can anyone say these are Federal giveaways or a waste of Federal money? I think not. I think we must restore these funds.

VOCATIONAL EDUCATION

Under the administration budget request we would spend less than a third of the $750 million authorized for vocational education. We would be appropriating this small fraction of the authorization for vocational education in a year in which we know that a million people will leave our school systems without being able to read and without being able to find a job. We would spend this pitiful fraction in a year in which we know that we are conscious of attempting to cool off the economy in order to reduce the number of jobs. So we know that in this year we will be creating unemployment and we will be turning out another crop of unprepared workers for the job market.

Under the vocational education programs, grants are given to the States to provide job training through established schools, to school dropouts, to those who have jobs but want better jobs, to those who have no skills but recognize the need for skills.

It seems to me that in a year in which we can expect grave pressures on those in the work forces and those entering the work forces to have marginal preparation, we cannot in all good conscience cut back on our efforts to help these people. The least we can do is to provide more funds for vocational education. The package includes $131 million for this purpose.

IMPACT AID

In 1969 local schools received 90 percent of the sums authorized for them under Public Law 874, section 3(b) impact aid program. With this 90 percent of entitlement funding level we appropriated $505 million for impact aid. To maintain this 90-percent funding level in the current fiscal year will require the appropriation of $585 million. The package of amendments provides this sum.

Again, we are only attempting to do this year what we did last year.

Impact aid is a form of generalized aid to education. It provides unearmarked money which local schools can spend entirely as they deem appropriate. These are vital funds.

And while many of us may be concerned that the impact aid allocation formula is not all that it could be or should be, it seems to me clear that until we can be certain that we can obtain this several hundred million dollars in Federal aid for a better program, we must continue to support it.

Mr. Chairman, in the strongest possible terms I urge the support and adoption of the package amendments for the Office of Education appropriations.

Mr. Chairman, I also rise in opposition to sections 408 and 409 of this bill.

This effort is repetitious. We have all been through this exercise before during last year's consideration of this bill. At that time, the Whitten amendments, which would have surely turned back the clock to the "separately but equal" era, provoked a heated and lengthy debate and were put down only by a very close margin. This was an important victory for civil rights, and for equality.

Now, we find this issue before us again. The fact that it has reappeared so inexorably is the very reason we must act to defeat it. The renewal of this effort undermines the good that the Congress has done in the name of civil rights, underscores the point that all the laws in the world will not change prejudicial attitudes. The law is the instrument that will effect climates of decency and equality under which free men can live with dignity and honor. These laws must be properly enforced to protect this climate.

It is imperative that we take immediate action to remove sections 408 and 409 from this bill. If we do not, we are paving the way for further prejudicial and discriminatory practices. This bill as it now stands, will drastically reduce the effectiveness of the Civil Rights Act of 1964, by obliterating title VI as it applies to education.

If we are honest, we will admit that we all know these facts. But the monster has reared its ugly head again, forcing us to scrutinize the issues before us. Let us take a close look at these provisions, for they must be clearly understood and rejected for what they are:

SEC. 408. No part of the funds contained in this Act may be used to force busing of students, abolishment of any school, or to force any student attending any secondary school to attend a particular school against the choice of his or her parent.

SEC. 409. No part of the funds contained in this Act shall be used to force the busing of students, the abolishment of any school, or the attendance of students at a particular school as a condition precedent to obtaining funds otherwise available to any state, school district, or school.

In effect, these provisions are an attempt to perpetuate the blatantly discriminatory

"separate but equal" dual school system concept which was declared unconstitutional by the Supreme Court 15 years ago.

They attempt to impose Federal limits on local school board decisions regarding desegregation policies.

They are an attempt to undercut and negate the Department of HEW's enforcement efforts to prevent discrimination in federally aided education programs and to eliminate unconstitutionally segregated school systems.

They speak of busing and forced closings—emotion charged issues inspired to trigger old, obsolete, and irrational arguments. There is in fact, no real issue here. The Federal Government cannot and does not require busing of students as a mechanism to end segregation.

In the same sense, the Federal Government does not force closings of schools. Local districts have in the past resorted to closing schools in order to avoid desegregation. In some instances, schools were closed because they were too inferior and inadequate to continue in operation.

These provisions have little to do with busing and abolishment of schools. Their clever insertion in this bill was to detract from the real issue which is to allow certain southern districts to revert to unconstitutional discrimination and segregation.

In the final analysis, we see these provisions as an attempt to legitimize the "freedom of choice" plan as acceptable and workable means of desegregating schools, even though such plans have proven ineffective and inadequate, a point determined by the courts just last year.

To pass this bill with sections 408 and 409 intact would be tampering with the present civil rights laws. These sections are obstructionist devices representing a blatant denial of our national commitment to end unconstitutional segregation.

This we cannot tolerate. We have fought hard in the past to get responsible and equitable legislation to provide and protect the basic rights of our citizens. It worries and frightens me to think that we have once again come so dangerously close to reversing our position. Can we afford to retreat on so vital an issue at this point in our history?

We are a great nation—a first-rate power abounding in wealth, affluence, and prestige. However, we remain a paradox, for in our greatness we continue to harbor poverty and ignorance which breed dissension and unrest. Not only do we harbor these ills, but today we may take steps to perpetuate them.

We are a troubled nation, a people at unrest. Our only hope, and all of us know this, is through education. How then can we even consider taking steps which will have no effect other than to deprive great numbers of our people of equality of education? How can we in conscience, in fairness, and in justice consider passage of this bill with sections 408 and 409?

This relentless attempt to reinstate these anti-civil-rights measures must be met with relentless resistance. These measures would undermine not only our objectives and goals in civil rights, but our accomplishments so far. We must be ever mindful of the citizens who suffer the consequences of discrimination and of the society which pays the price of social unrest, unemployment, undereducation, and all the rest of the bitter fruit of a segregated society.

This whole issue is an outrageous attempt to disregard the Constitution, the several properly enacted civil rights laws, the Supreme Court ruling on desegregation and discrimination, and the intent of the Congress as manifested by the defeat of these provisions last year.

The only assurance provided in these provisions is a guarantee of delay, confusion, increased discontent by white and Negro citizens alike, and a renewed and revitalized era of suppression of minorities. We cannot let this happen.

I cannot overstate the seriousness of this question. I appeal to my fellow colleagues in the House for a rational and mature consideration of these issues. And I urge and solicit support for amendments which I will introduce at the proper time to strike these clauses from this bill.

This is an issue of black and white.

A vote against my amendments will be recorded all across the country as a vote against civil rights, against our Negro citizens.

Mr. Chairman, I include the following items on sections 408 and 409.

These compelling materials are an editorial from today's Washington Post, a moving letter from Leadership Conference on Civil Rights, and a detailed factual statement on the level of desegregation as found by the U.S. Department of Health, Education, and Welfare.

The material follows:

[From the Washington (D.C.) Post, July 29, 1969]

SON OF THE WHITTEN AMENDMENT

It has not even been a full year since Congress last dispatched the Whitten Amendment—or thought it did anyway. The Amendment, which is the work of Rep. Jamie Whitten of Mississippi, is an artful bit of legislative language which would, in effect, undermine a number of Supreme Court desegregation decisions and gut Title VI of the Civil Rights Act—its vital enforcement section—so far as the schools are concerned. In October of 1968, Mr. Whitten's Amendment was narrowly rejected by the House. Now it is back: the Labor-HEW appropriations bill coming before the House today once again has the Amendment appended to it, courtesy of the full Appropriations Committee. By tonight there may have been a vote.

Mr. Whitten is chiefly at pains to engineer a congressional blessing for his own district's resistance to the law. Yet his Amendment has a certain surface appeal for Congressmen who ordinarily would not tamper with the Civil Rights Act or the Court's rulings on this question. That is because it seems only to say that HEW may not use its appropriated funds to "force busing," a proposition generally approved by Northern and Southern legislators alike. The hitch is that "forced busing" for the sake of overcoming racial imbalance is already forbidden by law. The really important parts of the Whitten Amendment would forbid HEW from using funds to "force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent." And HEW would also be enjoined from "forcing attendance of students at a particular school as a condition precedent to obtaining Federal funds otherwise available . . ." The first effect of the Amendment would be to retrieve the discredited "freedom of choice" plans under which Southern districts were, for the most part, merely playing at desegregation.

The language of the Whitten Amendment has not changed much since last October but circumstances have. It is worth remembering how the Amendment came to be defeated that time around. It was touch and go until Rep. Melvin Laird passed the word that the candidate, Mr. Nixon, did not support the Amendment, but was in fact opposed to it. Perhaps the Nixon Administration, or someone who can speak for it, has a similar last-minute instruction in mind. But up until very late in the game, the Administration has kept its silence. If it is really serious about sending a message to the South to the effect that it does not plan a wholesale retreat on desegregation, then a forthright position against the Whitten Amendment is—to put it mildly—indicated. As of yesterday afternoon, there was no official statement. To let the Whitten Amendment go by without opposition would provide a very clear signal to the South and further undermine the efforts of Mr. Nixon's appointees at HEW.

LEADERSHIP CONFERENCE ON CIVIL RIGHTS,

Washington, D.C., July 28, 1969.

DEAR MR. CONGRESSMAN: When the House votes this Tuesday afternoon on the Labor-HEW Appropriations bill (H.R. 13111), we urge you to vote against the anti-civil rights riders that have been added to it.

A statement we have just issued on behalf of the 126 national labor, religious, civil rights and civic organizations in the Leadership Conference sums up the reasons for our opposition. It declares:

"It is shameful and scandalous that the Appropriations bill for the Departments of Labor and Health, Education and Welfare has emerged from committee with the same anti-civil rights amendments Congress rejected last year. The sole purpose of these amendments is to destroy the school desegregation program.

"Earlier this month the Administration declared it was 'unequivocally committed to the goal of finally ending racial discrimination in schools, steadily and speedily, in accordance with the law of the land.' If the Administration means that, it has a clear obligation to come forward now and publicly condemn the amendments and work to have them rejected. Every member of Congress who was in the overwhelming majority that voted for the Civil Rights Act of 1964 will have an opportunity now to reaffirm that commitment to first-class citizenship by voting against the Whitten amendments. Every member of Congress who realizes the extent to which the cancer of racial discord is infecting our society should vote against them.

These amendments are an illegal attempt to legislate on an appropriations measure, a blatant attempt at blackmailing members to accept terrible injustice as the price of getting funds for badly needed educational programs. The amendments should be stricken from the bill."

Sincerely yours,

CLARENCE MITCHELL,
Legislative Chairman.

SCHOOL DESEGREGATION DATA

[News release of Department of Health, Education, and Welfare]

Preliminary analysis of the 1968 data on school desegregation in the 11 States of the Deep South shows that 20.3 percent of the 2.5 million Negro students in these districts or a total of 518,607 Negro children are attending schools with white children. (Table 1). This figure compares with 13.9 percent for the 1967–68 school year.

TABLE 1.—ALL DISTRICTS REPORTING, FALL 1968

PUPIL DESEGREGATION IN 11 SOUTHERN STATES

State	Number of districts reporting	Enrollment		Desegregation [1]	
		Total	Negro	Number of negro students	Percent negro students
Alabama	89	588,639	204,365	15,039	7.4
Arkansas	173	376,470	94,791	22,048	23.3
Florida	57	1,160,644	282,226	67,961	24.1
Georgia	144	883,287	268,044	38,196	14.2
Louisiana	50	774,140	299,152	26,354	8.8
Mississippi	100	398,725	193,602	13,839	7.1
North Carolina	143	1,120,602	330,449	92,028	27.8
South Carolina	76	486,509	196,203	29,198	14.9
Tennessee	120	843,525	140,287	34,098	24.3
Texas	501	2,264,881	306,648	119,259	38.9
Virginia	115	992,047	236,023	60,587	25.7
Total	[2] 1,568	9,889,469	2,551,790	518,607	20.3

[1] The Office for Civil Rights estimates that the data on which the 1968 preliminary analysis is based accounts for 85 percent of the estimated 11,677,684 public school students in the 11 Southern States.
[2] Includes all districts with total enrollment over 3,000 students and a sampling of districts with less than 3,000 students enrolled.

At the same time, the data reveals that in the school districts desegregating under the requirements of Title VI of the Civil Rights Act of 1964, 25.6 percent of the one million Negro children in those districts or 272,281 are attending schools with white children.

The overall desegregation figure, 20.3 percent, includes districts desegregating under court orders as well as those desegregating under voluntary plans.

The voluntary plans under which the districts are desegregating have been developed locally and have been submitted to the Office of Civil Rights of the Department of Health, Education, and Welfare.

The 25.6 percent figure, contained in survey data released today by the Office for Civil Rights, HEW's Title VI compliance agency, compares with the 19 percent or 202,794 Negro children reported in desegregated schools in the same districts during the 1967–68 school year. The districts are in the following States: Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas and Virginia.

All of the school districts in the 11th Deep South State, Alabama, are desegregating under court order.

A comparison of the voluntary plan desegregation progress in the 10 Deep South States for 1966–67, 1967–68 and 1968–69 is shown in Table 2:

TABLE 2.—VOLUNTARY PLAN DISTRICTS [1]

PUPIL DESEGREGATION IN 10 SOUTHERN STATES (3-YEAR COMPARISON)

State	Number of districts reporting	Enrollment		Desegregation [2]	
		Total	Negro	Number of Negro students	Percent of Negro students
Arkansas:					
1966	99	173,130	73,545	6,058	8.2
1967	124	217,378	82,215	13,821	16.8
1968	97	179,755	66,199	14,417	21.8
Florida:					
1966	47	296,344	81,917	11,018	13.5
1967	41	264,273	76,226	14,213	18.6
1968	42	297,726	78,772	25,253	32.1
Georgia:					
1966	114	543,254	149,117	11,081	7.4
1967	125	588,291	141,208	19,128	13.5
1968	115	567,991	146,739	26,975	18.4
Louisiana:					
1966	3	20,482	4,301	454	10.6
1967	3	19,502	3,853	623	16.2
1968	3	20,351	4,168	1,001	24.0
Mississippi:					
1966	34	133,234	52,459	2,200	4.2
1967	35	150,058	59,898	3,768	6.3
1968	40	161,588	65,322	7,842	12.0

TABLE 2.—VOLUNTARY PLAN DISTRICTS [1]—Continued

PUPIL DESEGREGATION IN 10 SOUTHERN STATES (3-YEAR COMPARISON)—Continued

State	Number of districts reporting	Enrollment		Desegregation [2]	
		Total	Negro	Number of Negro students	Percent of Negro students
North Carolina:					
1966	102	774,225	244,770	31,339	12.8
1967	97	836,452	243,081	40,236	16.6
1968	90	724,322	232,896	63,554	27.3
South Carolina:					
1966	72	467,868	180,922	9,433	5.2
1967	57	349,835	143,975	10,257	7.1
1968	70	459,043	182,987	28,207	15.4
Tennessee:					
1966	40	171,802	23,466	7,699	32.8
1967	43	160,457	30,223	11,550	38.2
1968	31	155,674	25,240	12,051	47.7
Texas:					
1966	334	886,046	166,341	47,936	28.8
1967	323	989,704	177,798	63,008	35.4
1968	177	850,013	142,071	62,374	43.9
Virginia:					
1966	50	371,386	107,311	18,410	17.2
1967	54	431,799	117,148	26,190	22.4
1968	53	370,799	119,676	30,607	25.6
Total:					
1966	895	3,837,771	1,033,693	145,628	14.1
1967	902	4,007,749	1,075,625	202,794	18.9
1968	718	3,787,262	1,064,070	272,281	25.6

[1] The Office for Civil Rights estimates that the data on which the 1968 preliminary analysis is based accounts for 86 percent of the estimated 10,846,023 public school students in the 10 Southern States. (All districts in the State of Alabama are under Federal court order to desegregate.)
[2] For 1966, a desegregated school was defined as one which had 5 percent or more white enrollment. For 1967 and 1968 this definition was changed to schools which had 50 percent or more white enrollment.

A desegregated school is defined, as in 1967–68, as one attended by minority group children in which at least 50 percent of the students are white.

Preliminary analysis also showed that:

1. Desegregation progress in Deep South school districts desegregating under court orders was sharply below the voluntary plan desegregation figure. Data from court order districts showed that only 11.5 percent or 149,000 of the Negro students in those districts are attending school with white children. (Table 3 below.)

2. In those school districts in the 10 Deep South States which have submitted forms certifying they have eliminated their dual systems (Form 441), 51.6 percent of the Negro students are attending schools with white children.

TABLE 3.—COURT ORDER DISTRICTS [1]

PUPIL DESEGREGATION IN 11 SOUTHERN STATES (2-YEAR COMPARISON)

State	Number of districts reporting	Enrollment		Desegregation [2]	
		Total	Negro	Number of Negro students	Percent of Negro students
Alabama:					
1967	113	690,393	232,021	12,528	5.4
1968	89	588,639	204,365	15,039	7.4
Arkansas:					
1967	10	60,055	20,426	3,516	17.2
1968	10	61,503	21,427	3,629	16.9
Florida:					
1967	16	766,494	164,894	30,507	18.5
1968	12	617,412	143,881	31,149	21.6
Georgia:					
1967	4	163,121	83,564	5,730	6.9
1968	10	251,367	114,169	8,966	7.9

TABLE 3.—COURT ORDER DISTRICT [1]

PUPIL DESEGREGATION IN 11 SOUTHERN STATES (2-YEAR COMPARISON)

State	Number of districts reporting	Enrollment		Desegregation [2]	
		Total	Negro	Number of Negro student	Percent of Negro students
Louisiana:					
1967	43	644,041	255,784	16,771	6.6
1968	47	753,789	294,984	25,353	8.6
Mississippi:					
1967	36	131,176	78,998	2,405	3.0
1968	55	226,811	126,002	5,408	4.3
North Carolina:					
1967	14	186,697	59,041	10,496	17.8
1968	18	214,199	71,807	17,286	24.1
South Carolina:					
1967	2	14,549	6,473	401	6.2
1968	6	27,466	13,216	991	7.5
Tennessee:					
1967	25	365,166	124,571	11,365	9.1
1968	19	302,125	100,992	9,495	9.4
Texas:					
1967	13	445,928	124,903	12,163	9.7
1968	11	429,178	116,836	18,975	16.2
Virginia:					
1967	22	240,653	96,681	12,961	13.4
1968	20	215,699	91,381	12,709	13.9
Total:					
1967	300	3,708,273	2,273,127	118,843	9.5
1968	297	3,688,188	1,299,060	149,000	11.5

[1] The Office for Civil Rights estimates that the data on which the 1968 preliminary analysis is based accounts for 85 percent of the estimated 11,677,684 public school students in the 11 Southern States.
[2] For 1966, a desegregated school was defined as one which had 5 percent or more white enrollment. For 1967 and 1968 this definition was changed to schools which had 50 percent or more white enrollment.

These preliminary figures account for approximately 85 percent of the students attending schools in the 11 Deep South States. The reports were to be completed and returned to HEW by October 15, but school districts which account for approximately 15 percent of the students in these States failed to return reports or returned incomplete information.

The only large system which has not yet reported data is Dallas, Texas. Dallas is under court order.

A breakdown of the extent of school desegregation in the 11 Deep South States for all types of school districts (voluntary plan, 441, court order) is shown in Table 4:

TABLE 4.—PUPIL DESEGREGATION IN 11 SOUTHERN STATES: TOTALS, BY CATEGORY, FALL 1968

Category	Number of districts reporting	Enrollment		Desegregation [1]	
		Total	Negro	Number of Negro students	Percent Negro students
Voluntary plan	718	3,787,262	1,964,070	272,281	25.6
441's [2]	553	2,414,019	188,660	97,326	51.6
Court orders	297	3,688,188	1,299,060	149,000	11.5
Total	[3] 1,568	9,889,469	2,551,790	518,607	20.3

[1] For purposes of this fall 1968 tabulation, Negro students are considered to be enrolled in a desegregated school only when the white population of that school is at least 50 percent.
[2] Includes all districts with total enrollment over 3,000 students and a sampling of districts with less than 3,000 students enrolled.
[3] The Office for Civil Rights estimates that the data on which the 1968 preliminary analysis is based accounts for 85 percent of the estimated 11,677,684 public school students in the 11 Southern States.

STATUS OF TITLE VI COMPLIANCE—PUBLIC SCHOOL DISTRICTS IN 17 SOUTHERN AND BORDER STATES

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—OFFICE FOR CIVIL RIGHTS

	Total previous week	Total current week	Ala.	Ark.	Del.	Fla.	Ga.	Ky.	La.	Md.	Miss.	Mo.	N.C.	Okla.	S.C.	Tenn.	Tex.	Va.	W. Va.
1. Total school districts (2+3+4)	4,476	4,476	118	390	51	67	195	199	67	24	[1] 149	512	156	850	92	151	[1] 1,265	135	55
2. Assurances (HEW-441)	2,994	2,994	11	240	51	3	21	185	.....	15	2	505	31	816	.....	92	921	49	52
3. Court order districts	369	369	107	11	.....	16	17	5	54	.....	65	1	17	1	10	20	15	28	2
4. Voluntary plan districts	1,107	1,107	.....	139	.....	48	157	9	13	9	80	6	108	33	82	39	325	58	1
5. Districts under review (6+7)	338	338	.....	47	.....	19	43	5	3	3	15	2	50	10	32	15	73	21	.....
6. Court order	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
7. Voluntary plans	338	338	.....	47	.....	19	43	5	3	3	15	2	50	10	32	15	73	21	.....
8. Referred to General Counsel	386	390	.....	54	.....	22	101	11	10	1	60	.....	20	2	43	4	48	14	.....
9. Under G. C. review	150	150	.....	33	.....	9	33	11	.....	.....	11	.....	3	2	17	1	26	4	.....
10. Notice sent	43	48	.....	7	.....	3	9	.....	.....	1	4	.....	7	.....	3	1	11	2	.....
11. Hearing held	18	18	.....	1	.....	2	7	.....	.....	.....	1	.....	3	.....	.....	1	3	.....	.....
12. Hearing decision filed	52	52	.....	2	.....	4	15	.....	.....	.....	6	.....	7	.....	8	1	6	3	.....
13. Termination order sent to Congress	3	3	.....	.....	.....	1	1	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	.....
14. Termination order in effect	120	119	.....	11	.....	3	36	.....	10	.....	38	.....	.....	.....	14	.....	2	5	.....
15. Total enforcement proceeding presently in effect	236	240	.....	21	.....	13	68	.....	10	1	49	.....	17	.....	26	3	22	10	.....
16. Terminated districts returned to compliance	73	74	19	2	.....	.....	5	.....	15	.....	21	.....	1	.....	3	2	.....	6	.....
17. Proceedings dismissed (districts returned to compliance status)	223	223	52	14	.....	7	24	.....	11	.....	34	1	29	3	29	8	5	6	.....
18. Total cases initiated (15+16+17)	532	537	71	37	.....	20	97	.....	36	1	104	1	47	3	58	13	27	22	.....

[1] 2 districts in Mississippi and 4 districts in Texas, no jurisdiction.

Source: Operations Division OCR/HEW, and OGC/HEW.

Mr. FLOOD. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey (Mr. JOELSON).

Mr. JOELSON. Mr. Chairman, I listened with interest and admiration to the eloquent remarks of the gentleman from Pennsylvania (Mr. FLOOD). I think he deserves a school being erected in his district and named after him, and I hope after I am through today or tomorrow, I will have a school named after me, and perhaps even a college.

I am going to offer a series of amendments, and I would like Members of the House to know these amendments are backed by an extremely wide range of opinion. For instance, we have the U.S. Conference of Mayors, from which we have received a letter, and a companion group, The National League of Cities. It is signed by the mayor of Nashville, Tenn., C. Beverly Briley, and the mayor of San Leandro, Calif., Jack D. Maltester. This is also backed by labor groups such as AFL–CIO, and by almost every distinguished educational group we can think of, and by religious groups.

This is not politically oriented. It is an attempt to try to do justice.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield for an observation?

Mr. JOELSON. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, Jack D. Maltester, whom the gentleman mentioned, is now the national president of the League of Cities.

Mr. JOELSON. Yes. He wrote a very warm letter in support of this package.

Mr. Chairman, I would like to explain what my amendments would do. With respect to impact aid, it would restore most of the funds authorized to 90 percent, so instead of the amount the committee has recommended, we could have an additional $398,000,000. With respect to vocational education, we bring that figure up by $331,500,000.

So instead of the program being funded at only a percentage which is very small, 46 percent of the authorization, we would now go to 63 percent of the authorization.

With regard to title I, we would bring that up another $180 million, so that instead of being funded for a very meager 38 percent of the authorization it would be funded at 44 percent of the authorization. This is not wild. This is not extravagant. It is still less than half of the authorization.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Why would the gentleman want to fund the impact aid at 90 percent and title I at only 44 percent? Is that not discriminating against the disadvantaged children?

Mr. JOELSON. It is realistic. That is why I do it. I believe by doing this realistically I can get this package passed. I believe it would be better for those kids to have $180 million more than nothing.

Mr. SMITH of Iowa. In other words, this package does not represent what is fair, just, and right; it represents only what you can get?

Mr. JOELSON. It represents what is fair, just, and right, and possible; yes.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from California.

Mr. COHELAN. Is it not true that this was a matter worked out in consultation with Members on both sides of the aisle?

Mr. JOELSON. Yes.

Mr. COHELAN. In the hope that we could get a broad basis of support?

Mr. JOELSON. I am very hopeful we will get bipartisan support.

I am skipping, because I have only 5 minutes, but I want the Members to think about the student loan program for a minute. The students cannot get loans from banks because of the high interest situation. They must refer to the direct loan program.

The committee proposed to fund the loan program at 65 percent of the authorization. I would raise that to 83 percent of the authorization.

With regard to college construction, the committee does not give anything. There is an authorization in the amount of $711 million. I am proposing $33 million, a meager 4.6 percent.

So I feel that the package I am going to propose later is a reasonable one, one we can all support, and one that will do justice to the schoolchildren of this land.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I am glad to yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Chairman, I compliment the gentleman from New Jersey for sponsoring these amendments. The amendments he will offer are most important to continue to carry out the educational programs—particularly the great programs proposed by the 90th Congress.

As the gentleman knows, a number of his amendments which will be included in the package were offered in the full committee last week, and they were defeated by a relatively small margin of votes. I compliment the gentleman on the package, and I intend to support him in all the amendments he has to offer.

Mr. MICHEL. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I cannot help making a comment right at this particular point, in view of the remarks by the gentleman from New Jersey (Mr. JOELSON) as to those organizations which are supporting his package.

I was rather astounded to see that among those sponsoring groups, so-called, are the Appalachia Educational Laboratory, the Michigan-Ohio Regional Education Laboratories, and a whole list of educational laboratories which we have been funding practically 100 percent with Federal money. We have a kind of situation here where taxpayers' money is being used to lobby the Congress for increased money, a shocking conflict of interest.

Following is a list of the supporters:

ORGANIZATIONS SUBSCRIBING TO STATEMENT OF PRINCIPLE OF EMERGENCY COMMITTEE FOR FULL FUNDING

Academy For Educational Development, 1424 16th St., NW.

AFL–CIO, 815 16th St., NW.

American Association for Health, Physical Education and Recreation, 1201 16th St., NW.

American Association of Junior Colleges, 1315 16th St., NW.

American Association of School Administrators, 1201 16th St., NW.

American Association of State Colleges and Universities, 1785 Massachusetts Ave., NW.

American Association of University Women, 2401 Virginia Ave., NW.

American Council of Education, 1785 Massachusetts Ave., N.W.

American Educational Research Association, 1126 16th St., NW.

American Federation of Teachers, 1012 14th St., NW.

American Industrial Arts Association, 1201 16th St., NW.

American Library Association, The Coronet—200 C St., SE.

American Personnel and Guidance Association, 1607 New Hampshire Ave., NW.

American Society for Public Administration, 1225 Connecticut Ave., NW.

American Vocational Association, 1510 H St., NW Suite 300.

Appalachia Educational Lab, Box 1348, 1031 Quarrier St., Charleston, W. Virginia 25325.

Association for Children With Learning Disabilities, 627 Allison St., NW.

Association of American Colleges, 1818 R St., NW.

Association of American Law Schools, 1521 New Hampshire Ave., NW.

Association of Classroom Teachers—NEA, 1201 16th St., NW.

Association of Research Laboratories, 1527 New Hampshire Ave., NW.

Association of School Business Officials, 2424 W. Lawrence Ave., Chicago, Illinois 69625.

Catholic Library Association, Trinity College Library.

Center For Urban Education, 105 Madison Ave., New York 10016.

Central Midwestern Regional Educational Laboratories, Inc., 10646 St. Charles Rock Road St., St. Ann, Missouri.

Chief State School Officers, 1201 16th St., NW.

Committee for Community Affairs, 1000 Wisconsin Ave., NW.

Conference of Large City Boards of Education of New York State, 111 Washington Ave., Albany, New York.

Council for Advancement of Small Colleges, 1346 Connecticut Ave., NW.

Council of Graduate Schools, 1875 Massachusetts Ave., NW.

Department of Elementary School Principals, 1201 16th St., NW.

Educational Commission of State, 1860 Lincoln St., Denver, Colorado.

Educational Task Force, Washington Interreligious Staff Council, 2633 16th St., NW.

Far West Laboratory for Educational Research and Development, One Garden Circle, Hotel Claremont, Berkeley, California.

IUE–AFL–CIO, 1126 16th St., NW.

Jesuit Educational Association, 1717 Massachusetts Ave., NW.

Lutheran Council in the USA, 2633 16th St., NW.

Memphis City Schools, 2597 Avery, Memphis, Tennessee.

Michigan-Ohio Regional Education Laboratories, 3750 Woodward, Detroit, Michigan 48201.

Mid-Continent Regional Education Laboratories, 104 E. Independence, Kansas City, Missouri.

National Association of Independent Schools, Four Liberty Square, Boston, Massachusetts 02109.

National Association of Secondary School Principals, 1201 16th St., NW.

National Association of State Boards of Education, 604 Circle Drive, Bryan, Ohio 43506.

National Association of State Universities

& Land Grant Colleges, 1785 Massachusetts Ave., NW.

National Catholic Education Association, 1785 Massachusetts Ave., NW.

National Commission for Multi-Handicapped Children, 339 14th St., Niagara Falls, New York.

National Commission for Cooperative Education, 52 Vanderbilt Ave., New York, New York 10017.

National Congress of Parents and Teachers, 9202 Ponce Place, Fairfax, Virginia.

National Council of Catholic Men, 1312 Massachusetts Ave., NW.

National Council of Jewish Women, 1346 Connecticut Ave., NW.

National Education Association, 1201 16th St., NW.

National Faculty Association of Community & Junior Colleges, Room 721, NEA Building.

National School Boards Association, 1616 H St., NW.

New York State Personnel and Guidance Association, State University of New York, 135 Western Ave., Albany, New York.

Northwest Regional Educational Laboratories, 710 S. W. 2nd, Portland, Oregon.

Regional Educational Lab. for the Carolinas and Virginia, Mutual Plaza, Chapel Hill & Duke Streets, Durham, North Carolina 27701.

Rocky Mountain Educational Laboratories, 120 24th Ave. Ct., Greeley, Colorado 80631.

Saranac Community Schools, 149 Main St., Saranac, Michigan.

South Central Region Educational Laboratory, P.O. Box 6197, Little Rock, Arkansas.

State University of New York, 1730 Rhode Island Ave., Suite 500.

United Steelworkers of America, 1001 Connecticut Ave., NW.

University of Texas System, 1140 Connecticut.

Upper Midwest Regional Educational Laboratory, 1640 East 78th St., Minneapolis, Minnesota 55423.

Urban Coalition Action Council, 1819 H St., NW.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I am happy to yield to the gentleman from New Jersey.

Mr. JOELSON. I am not ever shocked by the fact that taxpayers lobby the Congress. It happens every day. It is in the very best interest of democracy. Who else should lobby us? Aliens?

Mr. MICHEL. Not at the taxpayers' expense. If the taxpayer himself wishes to do it, fine, but I think this is a situation where the taxpayer is getting racked up for more taxes to lobby for more spending against his will. It is wrong.

The CHAIRMAN. The time yielded by the gentleman from Illinois has expired.

Mr. MICHEL. Mr. Chairman, I am happy to yield 5 minutes to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Chairman, I rise today to support an amendment to H.R. 13111. It would amend the bill to provide additional funding for vocational education in the amount of $131.5 million.

You will recall that the Vocational Education Act of 1963 was a real turning point. It provided a new foundation from which we have continued to move ahead. In fact, during the 1966–67 school year, 50 percent more persons attended vocational education classes than did in 1963–64.

But we did not stop there. We passed the Vocational Education Amendments of 1968. They represented an important next step in the ladder to better and greater opportunities for more of our people. And they were designed to meet the needs of an increasingly complex and technical society.

Three basic facts were recognized when we considered the amendments last year. First, the emphasis in education has shifted from high school to college. Second, the number of high school dropouts has increased, especially among the disadvantaged. Third, our economy has become so technical that many high school training programs are no longer adequate for a lifetime career.

Mr. Chairman, I can attest from my own personal experience—I attended a vocational high school—to the need for improving the quality of these training programs and for doing it with a total commitment. This need is the result of many factors, foremost among which is the failure of our schools to do as much for the noncollege bound student as they have for the college bound student.

There is another important factor I would like to mention; namely, the very serious domestic crisis we have in our cities. There have been countless reports on the causes of urban unrest. They have consistently maintained that high unemployment and a lack of job opportunities are major causes of the unrest. Perhaps some of you do not realize the extent of the problem. For example, last year it was estimated that the unemployment rate among youth in disadvantaged and minority groups was 35 percent.

We have to do something about this—and now, before it is too late. And we have to do the best job possible. The noninstitutional manpower programs we have are just not the long-term—or in some cases even the short-term—answer. They often tend to frustrate those they try to help. Besides that, they are very expensive when compared to vocational education programs.

Mr. Chairman, I want to see our vocational education programs funded adequately. The budget authority recommended in the bill before us is only 46 percent of the authorization for fiscal 1970. This amendment would increase the budget authority to 63 percent of the authorization. Specifically, budget authority would still be $277.9 million below the authorized level of $766.6 million. This increase would, nonetheless, permit continuation of the programs at a respectable level.

Mr. Chairman, I am hard put to think of a better investment in the future of our Nation. By funding the vocational education programs adequately, we will be giving a new life to millions of our youth who for one reason or another do not enjoy the benefits of college. And at the same time, we will be making them productive citizens, ready to meet the challenges of an increasingly technical society.

I am thankful for the opportunity to support this amendment.

Mr. FLOOD. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennslyvania (Mr. BARRETT).

Mr. BARRETT. Mr. Chairman, I rise in the interest of supporting the package amendments.

Mr. Chairman, at a time when still fresh in our minds are the very recent magnificent accomplishments of our space efforts we appropriately have before us the bill, H.R. 13111, to provide funds for the fiscal year 1970 for the Department of Labor and the Department of Health, Education, and Welfare. It is appropriate because this bill is to provide the funds for the federally supported education programs. Of the $16.3 billion in the bill, a total of $2.3 billion is provided for education. We have heard many statements here today, with which I wholeheartedly agree, that this figure is inadequate for today's educational needs.

It is an established fact that all of man's achievements, for himself and society, are vitally connected with his education and training. The Congress has recognized the Federal role, the benefits to the Nation, of supporting educational programs. To skimp in providing the necessary funds to fully fund these programs is unthinkable.

Mr. Chairman we are dealing here with funds necessary to educate the youth—our children—of this great Nation.

The gentleman from New Jersey (Mr. JOELSON) will propose to increase the amount of funds for the educational programs by approximately $550 million. I will support this effort, whether it be a package amendment or individual amendments. The House must again show its determination to provide for the education and training of our youth and I urge my colleagues to support this effort.

Mr. FLOOD. Mr. Chairman, I yield 5 minutes to the distinguished gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK. Mr. Chairman, those of us who come from districts which have a large involvement with Federal installations find ourselves each year with a fight on our hands to save education funds which the Congress in 1950 voted to authorize our local school agencies.

Some argue that these funds under the impact program should be used to meet other more urgent needs of education such as urban and ghetto education. I would be the first to agree that our country needs to commit more of its resources to the cities and to the poorer communities who lack the tax base to adequately support a good educational system. But in taking that position to urge larger expenditures for education for our poorer disadvantaged children, I do not support the argument that we should in any way reduce our effort of supporting our 4,263 school districts who depend on Federal support under Public Law 874.

The argument that inadequate education of the poorer children who live in the cities is due to lack of an adequate tax base is certainly valid, but it is equally valid and the basis for the Public Law 874 legislation.

It is my personal opinion that the Appropriations Committee is mindful of the needs of our school districts who depend upon impact aid funds provided in Public Law 874. Their failure to provide any funds whatsoever for category "b" children is due to their belief I am told that the funds should be provided for by a

floor amendment. To the extent that this belief is valid I am prepared today to ask for the restoration of our entitlement up to 90 percent of the estimates. It would have been more gratifying to have had the full weight and support of the members of the House Appropriations Committee for our program which affects the lives and education of 45 million schoolchildren in the 4,263 school districts. It is true that only 3 million children are counted in allocating these funds under impact aid, however since these funds are paid into the general school budget once allocated, its denial will deprive the entire 45 million schoolchildren who are part of these 4,263 school systems. There is no possible way in which these school districts could make up the lost funds. In many school districts tax revenues are fixed, and loss of these impact funds will necessarily mean a drastic curtailment of their program.

Since the very beginning from fiscal year 1951, Public Law 874 has received full congressional support for 100 percent funding, except for the last fiscal year where the funding level was set at 90 percent. In the first year of the program, sections 2, 3, and 4 of the program received 96 percent of their entitlement; in fiscal 1955 sections 2, 3, and 4 received 99.5 percent of their entitlement; and in fiscal 1967 sections 2, 3, and 4 received 98.7 percent. These distributions were due to errors in estimates and not because of the Congress intention to fund these programs at any lower level than the full 100 percent of entitlement.

Only because of the budget situation, which incidentally may not be as critical as we have been told, since I read by this morning's paper that we had a $3.074 billion surplus at the fiscal year end on June 30, 1969, I have agreed at this time to ask for only 90 percent of our entitlement for fiscal 1970. If the fiscal year 1970 budget situation appears to improve further by early next year, I intend to rise at the appropriate time to ask the House to consider a supplemental appropriation to raise the funding level to 100 percent of our entitlement.

In my own State of Hawaii during our 1968–69 school year there were 17,131 students whose parents lived on and worked on Federal property. My latest figures from the Hawaii State government show that there are 57,791 military dependents in my State. These 17,000 children who live on base are covered under category "a" of Public Law 874. While it is true that the Appropriations Committee has provided full funding for these children under Public Law 874, what is not widely known is the fact that this so-called full funding pays for less than 50 percent of the cost of educating these children. The formula in Public Law 874 provides that these "a" children shall receive 50 percent of the average per pupil cost in the school year 2 years previous. This means that for the 1967–68 school year, the average per pupil school costs used are those costs for the 1965–66 school year. Thus while the average per pupil costs for the 1967–68 school year in Hawaii was $637.32 in calculating what was due these "a" children we had to use $538.33 as the cost base which was what the average was 2 years previous.

Further since we do not receive the full costs, but only 50 percent of costs, instead of receiving 50 percent of costs in the 1967–68 school year, or $316 per pupil, we received only $269.12 per pupil; $269.12 comes to only 42 percent of the actual average school per-pupil costs which the State of Hawaii received in that school year for the education of our "a" children. The balance of 58 percent was paid by the State of Hawaii.

We have justified over the years our continuance in this program only because the funds we received from the category "b" children were such that the State cost of educating the "a" children was subsidized by the "b" category funding. If "b" funding is denied, a State subsidy of $7 million for the cost of educating only the "a" children, will have to be borne immediately this fall by the State. This could not be done without jeopardizing the quality of education for the 180,000 children in the total school system. Thus we would be left with the possible necessity of transferring the education of the "a" children to the Federal Government as is provided for such cases by section 6 of Public Law 874. With 100 percent funding of the "a" and "b" children under Public Law 874 Hawaii would receive $11 million, but our total current school costs beginning September 1969 will be $13 million just for the "a" children above. However the appropriations committee has provided Hawaii with only $5.7 million for the "a" children. It is impossible for the State to find the $7.3 million needed to maintain the on-base schools for the "a" children, unless the category "b" funds are fully provided.

This is my case for full funding for category "b" children under Public Law 874. I urge this House to look upon this program as essential to the maintenance of the quality of education for 45 million children in America. I know of no one who would jeopardize the welfare of these children, and I hope that when the time comes for these funds to be added to this bill, that this will be the consideration upon which the House acts to restore these much-needed funds.

I thank the chairman of this subcommittee for his generous allotment of time to me.

Mr. DOWNING. Mr. Chairman, as is the case with most of us whenever we rise in support of specific funding legislation, my purpose is somewhat a selfish one on behalf of my district. It is by no means the sole reason that I am concerned with the impacted areas' funds; for the problem which my district faces is one that is shared by every section of the country which contains Federal installations. My district is perhaps better off in this regard than some and undoubtedly in a worse position to others. I am not here to make comparisons, simply to state the case as it concerns the people who have sent me here to represent them.

Because of its strategic location the First District of Virginia has a heavy concentration of defense establishments and numbers of other supporting Federal installations. Some of these have large numbers of dependents living on them, but there are far more civilians working on these establishments who live in the civilian communities and whose children must be educated in the local school systems.

It is true these Government workers pay local real estate taxes on the homes they own. They pay sales taxes, state income tax, buy automobile licenses, and in general contribute to regular tax revenues like all other citizens with one notable exception. Their employer pays no tax on the real estate which he occupies and no tax on the volume of business which he does.

I would like to show you the cost to one locality by giving you one small set of figures from one of the 11 local Governments in my district. One county, which happens to be the most heavily impacted county in my district, is the smallest county in Virginia in land area. It contains a mere 78,000 acres of land. Of this small area almost 31,000 acres are owned by the U.S. Government. This is just under 40 percent of the total land area of the county. This means that almost 40 percent of the normal real estate tax base of this county is exempt from taxation.

How could any section of the country expect to operate if 40 percent of its major source of revenue is cut off. This is a prime example of what these impacted areas are faced with. This is why I feel it is imperative that we in the Congress accept a rightful share of the cost of educating the children of those who work for an employer who is exempt from taxation.

And then, too, whether or not you agree with the philosophy of category "b" funding, there is another important factor which should not be overlooked.

These school districts, which have been depending on these funds for years, have received no warning that they will be cut off. Their plans have been formulated and their budgets made. For many of them, it will be too late to appeal to their localities for more money. To cut them off this quickly would be most unfair and would be detrimental to our national educational effort.

Mr. PETTIS. Mr. Chairman, there is nothing more important that we can do for our country than to provide a quality education for every American. There is, however, a threat to quality in education which was not recognized in the appropriations bill presented to us today. The drastic reduction of $5 billion in programs authorized by the House and the amount recommended in H.R. 13111 would break faith with our children and shatter the credibility of Congress and an administration which was elected on a pledge of full support for education.

I am disappointed that President Nixon did not lend his support to the long-established obligation of the Federal Government to assist with school financing in federally impacted areas. It appears the President has been influenced by those who feel Public Law 874 is outmoded. I would like for them to help me explain to the taxpayers in my district just why it is outmoded. These are taxpayers who are paying the lion's

share of the cost of educating the children of Air Force families, Marine Corps and Army families, who live in the communities surrounding the bases in my district.

Most of these families live in modest homes which return, in property taxes, only a fraction of the costs of educating the children who live in them. Even fully funded, section 3B pays only half the cost of educating these children. With this section eliminated, as recommended by the President and the Appropriations Committee, an intolerable burden will be placed on those families, and on the other taxpayers in those areas. Keep in mind that the burden will fall the heaviest on enlisted men of our military services who are trying to support their families on their limited military pay. They are the ones who will have to make up the difference, in the form of increased taxes on their homes, if they happen to own their homes, or in higher rent if they do not. In some school districts, even this will not be possible, because they are already operating at the statutory limit of the property tax rate—and these are among the highest rates in the Nation. The only alternative they will have, if we do not fund section 3B, will be to fire teachers, increase the size of classes, cut down on the purchase of textbooks and other materials—in other words, offer those children a second rate education.

It is not fair to require federally employed families, military and civilian, to live in communities where they cannot obtain a good education for their children. It is foolish economy, and it could be disastrous to the generations who would be deprived by our shortsightedness.

I find it hard to believe that the President and this Congress are so insensitive to the need that they cannot recognize the danger. If Federal school aid to federally impacted areas is outmoded, I would like to know what they have in mind to replace it. I believe that studies are being made to determine the type of program needed to replace Public Law 874. That is fine. But until these studies have been completed and new programs devised, we must continue Public Law 874, with both sections 3A and 3B fully funded.

I ask my colleagues to join in support of this amendment—or substitute—which will provide the money our schools must have to continue the most important job in America today—the job of educating our children.

Mr. MICHEL. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Chairman, I commend the Committee on Appropriations for bringing out a bill which at least increases the appropriation for education to the extent of $123 million over the budget request. It shows that the committee recognizes there was a mistake made in the budget for education and that it was too low.

Mr. Chairman, my own feeling is that the committee is still too low for what is needed. When you look at the educational needs in America today, one of the major mistakes which the administrations have made in the last couple of years has been reducing the appropriation for education. The Congress made the mistake last year to go along with the education appropriation cuts.

Once a school gets geared up for a certain amount of Federal money, then they depend on it for the future, and they budget for that purpose, and it is very difficult for them to pick up that money from either State or local sources.

One of the principles that we should maintain is when we begin funding at a certain level from the Federal Government that we ought to continue that. If it is too high, we should not have gotten into it in the first place.

So, when the gentleman from New York (Mr. ROBISON) talked about those four programs that were packaged at about $200 million in the committee bill, that figure is still $110 million less than was appropriated last year, and we ought to bring it up to last year's figure.

Last year it was cut from the year before. The year before, fiscal year 1968, it had been even $80 million higher for those four titles. So I think the least we can do is reinstate the four titles, library resources, equipment, supplemental centers, and guidance and counseling, to that $310 million appropriation level of 1969.

I hope that my colleagues will support that amendment when it comes before the House.

There are two areas in which we need to move in order to avert what is virtually a crisis situation in education. One is the national defense student loan program, since the guaranteed loan program in which the banks make money available to the students, is just not working now. The prime rate of interest is higher than the statutory limit of the guaranteed loan program. Therefore the only help we can give to the poor students—the ones who come from poor families—is under a tried and true program that has been in operation since 1958, our national defense student loan program. I believe an amendment to bring the NDSL appropriation to $229 million is the minimum we can do.

Another area in which we ought to move above any level that has existed before is in vocational education, because so many of our young people today do not have the skills that are necessary to secure a job. It is estimated that only one out of six has received any skill training by which they could secure a job after they have finished school. There are many who are dropping out of high school because their education appears irrelevant to them. Vocational education is relevant. There have been dramatic changes since the 1963 Vocational Education Act was adopted, and we provided the legislation and the authorization in 1968. Congress has provided good vocational education authorization for the young people who are in our secondary schools, and the area vocational schools, but insufficient appropriations.

The proposal I have heard some of my colleagues talk about, which is completely unreasonable to me, is the $80 million increase in impacted aid over and above what it was last year. That is to me an unacceptable part of the Joelson package.

Now, I do not blame those of you who want to see a substantial amount of impacted aid in their congressional district, and who are taking up the task of their school superintendents to maintain the expenditures of last year, but to go $80 million above last year is completely unreasonable, because last year was more than a $100 million increase over the year before.

In 1968 the appropriations for school funds in federally affected areas was $414 million, and the amount last year was $520 million. In fiscal year 1968, because of the budget deficit that the Federal Government had run into, the Committee on Appropriations had cut the appropriations from $530 million down to $414 million. So last year the effort of the gentlewoman from Hawaii was to bring it up to about that level that the Committee on Appropriations had set it at before the reduction due to the financial difficulties.

Now, this year the proposal is to go even higher than $520 to $585 million for Public Law 874 plus $15 million for Public Law 815.

With all of the needs in education—and there are dramatic needs—if we are going to set sound priorities for the use of Federal money, I do not see how we can possibly decide to put in for an additional amount of money for impacted aid above last year. I realize that you have the votes to set it at the level of last year's figure of $520 million but $600 million would mean an increase of $186 million in 2 years.

I grudgingly will accept last year's figure of $520 million. But I hope you will not go any further than than but rather appropriate increased amounts for programs with higher priorities.

Mr. BRADEMAS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

One hundred and thirty Members are present, a quorum.

Mr. MICHEL. Mr. Chairman, I yield to the gentleman from Florida (Mr. FREY) such time as he may desire.

Mr. FREY. Mr. Chairman, 19 years ago the U.S. Congress recognized the Federal Government's responsibility for the impact which certain Federal activities have on local educational agencies in areas where these activities occur. The committee report—H.R. 7940, Public Law 874, 81st Congress, second session, Report No. 2287—stated clearly the philosophy of the Federal Government as follows:

> Section 3 of the bill seeks to compensate school districts in reasonable amounts for the cost of educating children who, because they reside on tax exempt Federal property or because their parents are employed on such property, do not in effect pay their own way. The underlying philosophy of this section is that the Federal Government, as a property owner, should pay to each local educational agency which furnishes education to children residing on or whose parents are employed on Federal property an amount. Under this principle, Federal payments to school districts are more closely related to

the "burden imposed" than to the value of the Federal property.

This program was first funded in 1951. Last year was the first time that the 4,235 school districts throughout this country who have relied in various degrees on this program did not receive 100-percent entitlement. The amount necessary for full entitlement for fiscal 1970 is $650 million. The budget as proposed by former President Johnson and accepted by this administration is for $187 million, while the Appropriations Committee voted for a $202 million figure. In both instances, the payments under section 3(b) for children whose parents work, but do not live, on Federal property are entirely eliminated.

Both the administration and the majority of Appropriations Committee members apparently feel that parents living off Federal property do provide for their children's education by paying county property taxes on their homes. I would like to point out that a large percentage of the revenue from property taxes which goes to education is paid by business and industry. In impacted areas, this critically needed revenue paid by industry is not realized from Federal facilities, which pay no taxes.

It does not seem fair to require local taxpayers to absorb the major costs of educating children from federally employed families. Likewise, it does not seem fair to children of nonfederally connected families to decrease the quality of education in an area through massive Federal impact.

Two counties in the Fifth Congressional District I am privileged to represent in Congress clearly show the severity of this problem. In both Orange and Brevard Counties, the greater majority of Federal employees and their children do not live on Federal property. While Orange County would lose approximately $1,000,000 in aid under the present provisions of section 3B of Public Law 874, Brevard County would lose more than $4,000,000.

Brevard County, the home of the Kennedy Space Center, had a total of 16,972 students enrolled in the public school system in June of 1959. Today, the enrollment has increased by 245 percent to 58,599 students, 29,956 of whom are federally connected while the remaining 28-643 are nonfederally connected. Only approximately 2,000 of the so-called federally connected students are living on Federal property. Therefore, if the proposed recommendation is enacted into law, the county will receive $600,000 and will lose $4,137,900. I do not think I have to point out to you what this loss would mean to the school system in the county.

The school boards in these counties feel they cannot meet their responsibility to provide an adequate education to all children without their full Federal impact aid funds. Even those of my distinguished colleagues who feel that funds to the "b" category children should be eliminated would, I hope, want this done in an orderly fashion and over a period of time. To do otherwise would be to destroy the public education system in many areas of the country.

I therefore call on my fellow House Members to act within the intent of Congress and vote for the full restoration of the impact aid.

(Mr. HOGAN (at the request of Mr. Mr. MICHEL) was granted permission to extend his remarks at this point in the RECORD.)

Mr. HOGAN. Mr. Chairman, providing education for our children is to give them the greatest gift of all: the means to make their own way in the world. But a halfhearted backing of their education is no gift at all—but rather a denial of their future and that of our Nation.

Unfortunately, this is what H.R. 13111 does. Many of the programs which are necessary in making education a purposeful and meaningful experience are gravely neglected by this bill.

For this reason, I will support amendments which will increase funds for our schools and colleges in such programs as impacted aid, school libraries, educational equipment and materials, vocational education, guidance and counseling, construction grants for colleges, and national defense student loans.

We cannot expect our primary schoolchildren to have a full educational experience if the schools they attend have poorly stocked libraries, outmoded equipment and materials, and little or no guidance staff. We will have to take the blame if this generation of schoolchildren does not have the chance to perform to the best of its ability.

We cannot expect our industrial needs to be filled, nor insure the employability of our youth if we neglect vocational education. In our present economy, the unskilled are not needed; the highly skilled are in short supply. We could remedy this by giving vocational education the support it warrants.

Furthermore, we cannot expect our colleges and universities to provide our future leadership, if we do not give both the student and the institution the support they so desperately need. This year the need for an increase in national defense student loans is especially needed. The soaring interest rates on bank loans make it difficult for both middle-class students and the increasing number of students from poverty groups to finance higher education. Direct Government loans are necessary if we expect those students to enter college this fall.

We must make a firm commitment to effective education. We must keep faith with our youth. We must not become the Congress which broke faith with the Nation and jeopardized its future.

I am fully committed to reducing expenditures by the Federal Government, but as far as I am concerned education is not an area to move backward in the interest of fiscal economy.

Mr. MICHEL. Mr. Chairman, I yield such time as he desires to the gentleman from New York (Mr. HORTON).

Mr. HORTON. Mr. Chairman, the bill that is before us now, the labor, health, education, and welfare appropriation bill, may be the most important bill the 91st Congress will consider. This legislation is so crucial because it is symbolic of our intentions over the next 12 months to make good the Federal promise of meaningful and adequate resources needed to solve domestic problems.

There has been much criticism leveled at programs which have been labeled "patchwork" approaches to the problems of poverty, unemployment, and underemployment—programs which treat the effects and not the causes of these problems. But no one can question that the very best possible assurance that these problems and their detrimental effects on people and on society as a whole will be reduced or eliminated is to insure that young Americans, particularly the disadvantaged, are given the educational opportunities they need to achieve their full potential as productive, tax-paying citizens.

We realized several years ago that this kind of educational opportunity could only be made available on a nationwide basis with substantial Federal help. The Elementary and Secondary Education Act, the Higher Education Acts, the Vocational Education Act, the National Defense Education Act, the Bilingual Education Act, the International Education Act, the Education Professions Development Act, the Health Manpower Act and many others are legislative landmarks to our commitment to Federal education assistance at many levels and in many spheres.

Our enactment and extension of these laws and the funding authorizations they contain constitute a continually reinforced Federal promise to provide certain kinds and amounts of education assistance to State and local government and to educational institutions. Because many of the education facilities and opportunities in both urban and rural areas of America are seriously deficient, and because to a man, the States and localities and privately funded educational systems and institutions are facing severe limitations in available revenue and financial resources, the fulfillment of this collective promise to help educate our people is the most important item in our Federal budget.

When the new administration took office, the new Secretary of Health, Education, and Welfare wisely sought meaningful increases in many categories of education aid in the 1970 budget. Soon after the press reports of these sought-after increases, it was reported that Secretary Finch was being instructed by the Budget Bureau to cut the level of education aid requests by as much as 5 or 10 percent. Even the increases which Secretary Finch sought would not have brought 1970 funding levels up to the implied promise of the authorization bills. But they would have been sufficient to serve notice on the educators and on the families of America that this Government intended to pursue educational excellent in this country, even at a time of budgetary difficulty. Instead, the cutbacks were sought, compromised and recommended to Congress. In effect, the needed national commitment to fulfilling these promises was postponed at least another year by budget planners, in the face of rising inflation and a tight budget. I have no quarrel with the goal of a balanced Federal budget during a serious inflationary period. My only quarrel is with the priorities which had to be employed in order to produce rec-

ommended cutbacks in crucial education programs. I cannot, in conscience, place education after farm subsidies, or after the ABM, or after public works, or after costly new weapons systems and countless other budget items which, despite their worthy nature, cannot supersede the need for providing the world's best educational opportunities for American youngsters.

I commend the Labor-HEW Appropriations Subcommittee for restoring some $123 million of requested cutbacks. And I further concur with the administration's and the committee's judgment and the impacted school aid program should be trimmed, as the lowest priority program and as one of the most costly Federal education programs. But I cannot agree that our outlays for education aid in general should fall short of 1969 expenditures by more than half a billion dollars. If this bill is passed in the same form it was reported by the Appropriations Committee, it would mean a deep cut in the most crucial education programs.

Programs for library assistance and construction, for education of disadvantaged youngsters in inner-city schools, for desperately needed work-study grants and student loans to open college doors to deserving students who otherwise would never achieve their potential, for higher education facilities, for innovative title III programs which can find new ways of retrieving children now lost to productive society because of a hostile environment—all of these must be given the resources they need to have impact.

School systems today are faced with a funding squeeze at every turn. Where annual budgets are increased, larger and larger portions of the increases are eaten up by either higher teacher and staff salaries or by higher enrollment, leaving little or nothing to improve the quality and impact of the education program. In fact, many schools are having to phase out so-called low priority aspects of their education program, such as athletics, physical education, driver education, after-school clubs and activities and others. At the same time that local and State resources are becoming scarcer, it is proposed that the Federal aid portion of local budgets now also be trimmed back. These Federal funds are the only education funds which schools must spend on program improvement and enrichment. Without them, and without these funds in sufficient quantity, some schools can do little more than keep their doors open from September through June, and some cannot even accomplish that.

Mr. Chairman, I realize that I am taking a considerable amount of time to express my concerns about this bill, but I do not feel there has been a more crucial debate since Congress convened in January.

While there is not time to read all of the many constituent letters I have received urging full funding of these programs, I would like to read a partial listing of public officials, educators and knowledgeable citizens in my district who have expressed their concerns to me about the future of education assistance commitments. The nationally known superintendent of the Rochester city schools, Dr. Herman R. Goldberg has spoken with me at length about the importance of following through on ESEA commitments in title I and title II programs. Others whose counsel I value include Robert R. France, associate provost of the University of Rochester; Harold S. Hacker, director of the Monroe County Library System; Carl Hallauer, chairman of the board of Bausch & Lomb, Inc.; Joseph J. Kolczynski, district vice principal, Clyde-Savannah Central School; the Very Reverend Charles J. Lavery, C.S.B., president of St. John Fisher College; Evaline B. Neff, director, Rochester Regional Library Council; the Right Reverend Monsignor William Roche, superintendent of schools for the Diocese of Rochester; James T. Ryan, president of the board of trustees of the Rose, New York Free Library; Mrs. Pauline P. Spare, secretary of the Wayne County Library System; and Dr. Byron Williams, director of services of the Genesee Valley School Development Association.

At least 50 more educators, parents, and concerned citizens both within and outside my own district have written or wired urging my support of adequate funding of Federal education programs. These people, for the most part, see the deficiencies and the benefits of education every day of their lives, either through the eyes of their youngsters who attend school, or as professionals responsible for our educational system.

Their appeal is not a selfish one. These people are not indifferent to the problems of inflation and Federal budgeting. They are in a position to identify a high priority national problem and to seek what they believe is a proper and adequate response to this problem from the Federal Government. We must respond to this need—at all levels from Headstart and kindergarten through graduate and post-graduate studies—by supporting significant increases in the most crucial of these programs. There is no better, surer way to treat the cause of our domestic and urban ills than to invest today's tax dollars in the futures of millions of soon-to-be taxpaying Americans, some of whom, without this investment, would have merger features at best, to look forward to.

I urge my colleagues to place on education assistance the importance and priority it deserves and to support efforts to adequately fulfill the promises we have made to strike, through education, at the root of human problems in America.

(Mr. FISH (at the request of Mr. MICHEL) was granted permission to extend his remarks at this point in the RECORD.)

Mr. FISH. Mr. Chairman, I sincerely hope the House will increase the HEW budget presently before it in several needed areas.

There are several gaps in the appropriation bill before us—total omissions if you will. Nothing at all is directly appropriated in this bill for ESEA title II school library funding, NDEA title III equipment, NDEA title V guidance and counseling. Nor for higher education construction for 4-year undergraduate institutions. All of these items should be funded to at least fiscal year 1969 level.

I further believe the vocational education appropriation must be increased. The need is real and present for occupational training programs for the disadvantaged as well as providing funds for vocational educational research, essential in developing new teaching methods.

Student loan funding at 62 percent of what Congress has authorized is far too low and also must be raised. This is an investment in America.

(Mr. PELLY (at the request of Mr. MICHEL) was granted permission to extend his remarks at this point in the RECORD.)

Mr. PELLY. Mr. Chairman, in connection with H.R. 13111, providing appropriations for the Departments of Labor and Health, Education, and Welfare for fiscal year 1970, I wish to indicate my support for full funding of educational programs. I have set my highest priority this year on education because to me education is basic to most of our domestic problems. With a budget surplus as of June 30, of $3 billion, I am encouraged now to support funds to reestablish previous program levels for school libraries, national defense educational equipment, and guidance and counseling and college facilities and to provide needed funds for Public Law 874—impact areas aid—and vocational education.

I actively support the package amendment offered by the gentleman from New Jersey (Mr. JOELSON) which includes an additional $894,547,000 for education.

This is a lot of money, Mr. Chairman, but I am told each Apollo flight to the moon will cost the taxpayers $350,000,000, and the amount called for in this amendment is less than the cost of three of these space flights. Yet the value to all Americans is beyond measure.

I strongly urge support of this amendment.

Mr. FLOOD. Mr. Chairman, I yield such time as he may require to the gentleman from New Jersey (Mr. MINISH).

Mr. MINISH. Mr. Chairman, I rise in qualified support of H.R. 13111, the bill to appropriate $16.6 million in fiscal year 1970 for the Department of Labor, the Department of Health, Education, and Welfare, and related agencies. I certainly hope the House will act today to increase the woefully inadequate funds provided in this legislation for education and for libraries.

The education of the youth of our Nation should hold the very highest priority for the Congress. Through the Elementary and Secondary Education Act, the National Defense Education Act, the Higher Education Act, the Library Services, and Construction Act, and other landmark progressive, farsighted legislation, we have committed ourselves to the goal of quality education for all Americans. We cannot now shirk our responsibility in this important field.

The measure before us contains funds providing $155.8 million more for fiscal 1970 than requested by the Nixon administration. In education, the committee has increased the budget request by

$123.4 million. But the administration had already drastically cut the Office of Education from its fiscal 1969 level—from $3.7 billion to $3.2 billion. The committee action, therefore, restored only a small fraction of the actual dollar reduction from 1969.

Many vital programs are affected by these shortsighted economies. For example, although the committee has allowed $188.2 million for the NDEA loan program, or $26.3 million more than the amount requested by President Nixon, this is $5.2 million less than was appropriated for the 1969 fiscal year and comes to only about two-thirds of the certified needs of our institutions of higher education. I regret the committee's decision to reduce the amounts requested for the educational opportunity grants and for the NDEA fellowships program. This is no time to dilute our commitment to afford an opportunity to all able, eager young people to secure a higher education, and make a valuable contribution to our society.

Another shocking cut is contained in the appropriation for construction of community facilities and construction of university affiliated facilities for the mentally retarded. These funds have been reduced $13.6 million below last year's figure, and, if left intact, will have a catastrophic impact on programs for the mentally retarded throughout the Nation. In New Jersey, for instance, the voters last year approved a $5 million bond issue to finance 60 percent of the construction cost of community facilities for the mentally retarded. The other 40 percent was to come from the Federal Government. Of course this will prove impossible if the program is not adequately funded.

The allocation for library resources, materials and construction is similarly insufficient. Despite the existence of 40,000 schools in our Nation without their own library, no funds whatsoever are provided for library construction in the coming fiscal year. Over the past 3 years, through the assistance of this legislation, New Jersey has established 300 new public school libraries, while 1,998 libraries have increased their acquisitions. Yet there is still a crying need for library assistance in my State. In my own congressional district, the city of Newark recently came perilously near to closing its city library due to a lack of funds. The city of East Orange will shortly be faced with a critical situation if these cuts are allowed to stand. This city's predicament is illustrative of that confronting many other communities. The excellent East Orange Library, which serves seven communities with a population of 292,000 has greatly augmented its services in recent years and there has been a tremendous increase in the use of all the services. The library building which was originally built in 1903 with an addition in 1915 is approximately one-half of the space actually needed now and one-third of the space needed by 1980. As Mr. Eugene M. Fahey, president of the library's board of trustees, has commented:

> With all the additional advantages we have been able to offer through federal and state aid, a new building is essential. Federal recognition of this need through a grant of construction funds would give a considerable boost to our building program. It is unbelievable that libraries, and especially public libraries who serve the whole public, should be cut from Federal Aid when our people need access to the best educational materials and information available.

In his 1967 education message to the Congress, President Johnson said:

> I believe that future historians, when they point to the extraordinary changes which have marked the 1960's, will identify a major movement forward in American education.

The former President was correct. In the 89th Congress alone, more quality education measures were enacted than ever before in the history of our country.

We are now confronted with the following choice: Do we continue to move forward, building upon our accomplishments, or will the 1970's someday be characterized as an era of "a major movement backward in American education." The education funds in H.R. 13111 provide us with a very poor start indeed. I believe this unfortunate situation can be altered, and that we should begin the alteration today by increasing substantially the appropriation for the Office of Education.

Mr. Chairman, no nation can be both ignorant and great. How can we continue, in good conscience, to allocate more than $80 billion for the defense of a country which proposes to spend only the barest minimum on the education and enlightenment of its citizenry. I urge my colleagues to support the effort which will be made today on the floor to increase the dangerously low level of funding for education programs.

Mr. FLOOD. Mr. Chairman, I yield to the gentleman from Virginia (Mr. ABBITT) such time as he may require.

Mr. ABBITT. Mr. Chairman, I rise in support of section 407 of the bill presently before us.

I commend the House Appropriations Committee for including provision in the Labor-HEW appropriations bill to prohibit the use of Federal funds to provide assistance to those who engage in campus disorders. This is a matter of grave national importance and one with which this Congress needs to deal forthrightly before the resumption of classes in the fall.

Many of our people are profoundly concerned about the widespread campus disorders which occurred during the last term and judging from statements made by some of the militant leaders of student groups, it would appear that a resumption of these confrontations can be expected next fall.

Literally millions of dollars in Federal funds are being spent in college campuses all over America. Loans are going to individual students; research grants are going to professors and students; and millions of dollars are being spent in capital improvements and development projects at many institutions.

It is vital that the Federal interest be protected and it is inexcusable that in the face of recent history the Federal Government should be put in the position of subsidizing those who are creating disorder.

Anarchy has reigned on many campuses and administrative personnel have been harassed and literally driven out of their offices. The ROTC program has been placed in serious jeopardy and military research projects of various kinds have been picketed and threatened. To say that there is no Federal interest is in fact to close our eyes to the situation that confronted us last year.

Figures provided by the Office of Education indicate that at practically all of the educational institutions which were involved in disorders last year, a large percentage of the student body was receiving student loans. It has also been widely reported that at some institutions most of those who were actively involved in the disorders were receiving Federal aid of one kind or another. It is ridiculous that the Federal Government should be put in the position of subsidizing those who are undermining its authority and creating disturbances which, carried to their logical conclusion, would mean the closing of the institution which they are attending. It seems to me that Congress not only has a responsibility to see that Federal funds are properly administered but also to protect the rights of those law-abiding students who are being frustrated in their attempts to secure an education.

The whole purpose of Federal education programs is to enhance and increase the educational opportunities for young Americans. To have one segment of college students causing disruption and threatening the operation of the institution while the remainder of the student body is prevented from pursuing their normal activities is defeating the purpose of the program.

Certainly I do not relish the idea of any extension of Federal authority. I do not want to see the Federal Government controlling our colleges nor do I feel that Federal officials should be telling college administrators how to run their schools. I do feel, however, that it is incumbent upon Congress to take such steps as are necessary in order to see that Federal funds are properly spent. This does not mean that Federal funds will be withdrawn or that the operation of the institutions will be unnecessarily bothered. It simply means that Congress will be saying to those who participate in disorders that they are doing so at the risk of losing their entitlement to Federal financial aid. As long as there is no disorder and the college programs are carried on as they are intended to function, there will be no implementation of this section. However, if disorders erupt, those who participate will have to pay the penalty. I think this is only just and fair and is indeed necessary in the situation we now face.

I strongly support the provisions of section 407 and hope that they will remain in the bill.

Mr. FLOOD. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa (Mr. SMITH).

Mr. SMITH of Iowa. Mr. Chairman, a good deal has been said about the need for further input of part of our national resources into education.

I certainly agree with that, over a period of time. However, I think there are two other considerations that are

very important, for the good of education. The first is how fast we increase individual programs. I would remind you, that the moon shot cost $24 billion; but we could not have put the $24 billion into 1 year's appropriations in 1962 and done the job. You have to build a good program over a period of years.

The same thing is true of some of the other educational programs. They have to be increased at the proper rate so that the money can be used efficiently and so that it does not merely incorporate into inefficient systems more money to do the same kind of job they have been doing.

Vocational education is in point. I am strong for vocational education, but you may founder this program if you try to double it each year for 2 years. Many of the States in most need of upgrading programs are not ready. It must be done at a rate so the effective systems can be channeled more money and the ineffective systems will not get the money until they do the job.

In addition, I wish to mention the fact that it is important how you get the money, because the Budget Bureau has been under stress, especially the last 2 years, to find ways to avoid the debt limit and to avoid showing up as an expenditure certain funds. For this reason, with regard to college construction, they came up with the idea of using interest subsidies as a complete substitute for grants and loans. This might be all right if it were not for the fact that colleges cannot use more bonded indebtedness. They have in this appropriation a little item of $11,750,000, of which over $7 million is for the first year on a contract that will cost this Government over $300 million. This is in lieu of $107 million in grants and loans.

It will cost three times as much to use interest subsidies than for appropriations for the amount in the Johnson budget. I tell you here today that $107 million given this year in grants and loans will do the colleges and universities more good than it will to go in debt for over $300 million for interest subsidies. They do not want more indebtedness. If they try to float more bonds on top of what they have to float anyway, interest rates will skyrocket. What they must have are some grants and loans.

In addition, I want to mention that I was somewhat disappointed on some matters, but I go along with the committee usually because a committee member must make whatever adjustments a majority will accept and try to work these things out. I would like to see more money for loans to college students. At the appropriate time, I shall offer an amendment to provide more aid to college students.

There are 126 items in this bill. There is no chairman who could come in with a bill of 126 items and satisfy all the Members. The fact that most opposition seems to be concentrated on only four or five items is really a great credit to the chairman of the subcommittee, and I think these things should be taken into account, to look at the overall bill instead of just picking out certain items and saying, "The bill is bad," because they do not like a particular item.

Overall this bill increases and shifts some money to places that badly need funds and also supports the budget requests for a large number of items.

Mr. PIRNIE. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from New York.

Mr. PIRNIE. I thank the gentleman for yielding. I wish to commend him for his emphasis on the student loan program. I do believe it is one way in which we can stimulate education in a proper way and still create responsibility.

Mr. Chairman, the pursuit of educational excellence is a noble venture demanding our continuing attention and support. There is no more worthy domestic objective than the attainment of an environment in which equal and full education opportunity is available to all of our citizens.

The emphasis—first, last, and always—must be on quality. But we must also be concerned with quantity. It is not merely desirable, it is essential that we make it possible for our greatest national resource—our young people—to travel the road to new and higher plateaus of achievement. It is in their interest, it is in our long-range interest, it is for the good of all mankind that we pave the way for individuals to journey as far as their abilities and ambition permit.

Fortunately, we are endowed with a great number of young people who are academically prepared and properly motivated for higher education. They are eager to learn and anxious to apply themselves. Unfortunately, far too many of these bright and promising youths never reach their full potential because they don't have the financial backing needed to pay their way.

For millions of young Americans, the cost of a college education is prohibitive. Their parents, engulfed in an inflationary whirlpool that makes it difficult, and in some cases impossible to make ends meet, are not able to provide the needed dollar assistance. The result is an American tragedy of the first order. We all ultimately share the loss when prospective scholars are denied access to an academic environment and the knowledge they enthusiastically seek. Who knows which one of these might someday contribute significantly to solving the problem of war, disease, famine, and deprivation?

Congress long ago recognized the Federal Government's obligation to assist deserving students who wished to continue their education. Since enactment of the National Defense Education Act in 1958, millions of dollars have been made available for undergraduate student loans and graduate fellowships and loans. The national defense student loan program has been an outstanding success, it has passed the test of time and has demonstrated its value in support of our continuing quest for educational excellence. Much has been accomplished, much more remains to be done—the task is unending.

The measure before us provides in excess of $188 million for the NDSL program. That sounds like a lot of money, and indeed it is, but is is not enough. There is a completely justifiable need for more dollars to permit an expanded program to reach more deserving people and I urge my colleagues to give this matter serious thought. I sincerely believe that an examination of the facts will prompt the support required to amend this measure by earmarking an additional $40 million to the NDSL program in fiscal year 1970.

The facts and figures of the NDSL program—past, present, and projected—speak more eloquently about the urgent need for additional funding than all the rhetoric we are able to muster in this debate.

The bill under consideration calls for $188,206,000 for the NDSL program for fiscal year 1970, only a slight decrease from the $190,000,000 which was available last year. On the surface, logic would dictate an unemotional response to these figures, a variation from one year to the next of less than $2 million in such a sizable program, especially during a period in which every effort is being made to hold the line on Federal spending, is not very dramatic. In the absence of any compelling arguments to the contrary, one would almost be prompted to applaud what would appear to be fiscal restraint. However, there is more to the story.

I have received a great many letters from constituents who point out that their children have sought financial aid to attend college but have been told that while they qualify for aid on the basis of need, aid will not be forthcoming because funds are lacking. Each year I anticipate receiving a few such letters because I recognize that there is a limit to the amount of money available for the NDSL program and it can only go so far. But this year the mail has been enormously heavy. In checking with my colleagues, I learned that they were having a similar experience. This prompted me to delve deeper into the problem. What I was able to uncover has led me to support the plea for more NDSL funds.

According to student loan specialists with whom I have conferred, there are presently on file "approved" requests for $268,191,099 in NDSL funds for the 1969–70 academic year, the year covered by this measure. This is the total amount requested by students and prospective students who have been determined in need of outside assistance in order to pursue higher education. The approval does not mean the applications will be funded, it merely means the applicants are eligible, based upon need, for a portion of the funds which will eventually be appropriated by the Congress.

Now let us review some very important figures. On the one hand, this bill contains a request for roughly $188 million for the NDSL program in fiscal year 1970 and on the other hand, it has been clearly established that there is an urgent need for over $268 million to fund already-approved applications for assistance during the same period. There is a difference of $80 million between what is called for and what is needed. It would appear that the proposal I am supporting

only goes halfway toward meeting the need. This is not the case.

First of all, I am advised by officials of the Office of Education that there will be approximately $23 million in carryover funds from fiscal year 1969. Mainly these funds were obtained through repayment of loans by students who borrowed to get through college and now are earning their way in the outside world. It must be remembered that this is not a grant program, it is not a massive giveaway, it is a loan program and there is an obligation to repay. At this point I would like to add that the default rate is minimal, less than 3 percent are 1 to 3 years in arrears.

Second, during the next fiscal-academic year, more loans will be repaid, bringing in additional money to the program, money that will be available for future student financial assistance requests. According to educated estimates, $85 million will be coming in through this process. However, because the repayments are scattered throughout the year, not all of this $85 million will be utilized since much of it will not come in until after the semester is underway when the applicants will have abandoned their plans for college.

The additional $40 million requested in the amendment, added to the $23 million carryover from last year and the amount of money that will become available during the coming year through repayments will bring the requests for aid and the amount available more nearly in line. Such action will be a great service to our people and a worthy investment in our future.

Before closing I would like to bring to the floor one more statistic. It is a projection that I hope will never become a reality. If we fail in our effort to provide the $268 million required to fund the applications for NDSL loans on file, an estimated 45,000 young Americans will be denied the opportunity to explore new horizons through higher education. We will deny them and in the process rob ourselves.

If an individual has confidence in himself, if he is academically qualified, properly motivated and willing to gamble on his future by borrowing to finance an advanced education, we should support him. It is a gamble that in the long run will pay a big return for us all.

Mr. DONOHUE. Mr. Chairman, few if any, measures coming before the Congress equal the importance and impact to and upon the continued and expanding progress and security of this Nation than the measure now before us to grant appropriations to the Departments of Labor, and Health, Education, and Welfare, and related Federal agencies.

All of us are deeply concerned, of course, about the proper operation of each activity within these major units of the executive department of the Government, and all of us are, I think, very specially concerned today about the full and proper functioning of the particular programs coming under the direction of the U.S. Office of Education. We are very particularly concerned with these programs simply because of their tremendous effect upon and meaning to American youth at a turbulent point in our national history. Under these circumstances, Mr. Chairman, I suggest that the basic legislative challenge facing us today, in our consideration and decision on this bill, is our determination of the priority position in Government spending that will be granted to the educational needs of our American youth in the fields of formal, occupational, and vocational educational training and development and related areas of student loans, college facilities, school equipment, library services and materials and impact aid.

Mr. Chairman, every Member here is, I know, rightly and patriotically concerned, as I am, about our urgent legislative obligation to insure the most prudent spending of the taxpayers' money and each Member must meet that obligation in accord with his own wisdom and conscience.

On this score, practically every major educational organization, as well as most labor, library, and scholarship groups, have registered emphatic belief that, in this bill before us, the committee-proposed appropriations for the proper educational encouragement and development of our youth are regrettably inadequate. They have all registered their further and intense conviction that increased fundings in such vital educational areas as student loans, construction facilities, impact aid, library materials under title II of ESEA, improving the quality of instruction in programs of title I of ESEA, vocational education, and providing equipment under title III of NDEA should be reasonably increased, because of advanced costs and justifiably projected school system planning, in my district and throughout the country, to or above the 1969 fiscal year levels, if these programs are to be continued with any substantial significance or real vitality in meeting the very urgent needs of our youth today.

In order to adequately fulfill these needs, appropriate amendments will be offered. In my judgment, the amendments represent a realistic and responsible effort to fulfill our congressional promises to the Nation's youth, while remaining within the stringent standards of true economy in present and long-range national commitment.

For my own part, therefore, I intend to support these amendments to increase funding for the educational programs and objectives I have outlined. I intend to do so because I conscientiously believe such an investment in our American youth and in the future of this country is a profoundly wise and prudent investment that eminently merits inclusion among the very highest spending priorities to maintain, improve and expand our national integrity, progress, and leadership for world peace.

I also and most earnestly hope that the great majority of the Members here, after full consideration, will, in their wisdom, see fit to approve the proposed increased funding of these educational programs, authoritatively held to be essential for their true effectiveness in the national interest, now and in the future.

Mr. MOORHEAD. Mr. Chairman, I would like to say a few words concerning the Equal Employment Opportunity Commission in support of the amendment offered by the gentleman from New Jersey. Since the day the Commission opened its doors, it was besieged by individuals seeking redress from employers because of alleged job discrimination.

As the public grew more aware of the activities of the Commission, and as the Commission's jurisdiction was expanded to include employers of 25 or more, the number of charges pending before the Commission increased dramatically.

Due to this tremendous workload and occasional harassment by recalcitrant EEOC foes—the Commission has found it impossible to obey the mandate given it by Congress—to process all cases within 60 days from the date of filing. Indeed, the period it takes to process a charge now is nearer to 2 years.

Two years, Mr. Chairman, means more than just an administrative backlog. It means that a man with a family who is denied a job because of his race must wait 2 years before the Commission can even attempt to right this wrong.

It means that a woman who is denied equal pay because of her sex, must wait 2 years before any attempt to obtain what is rightfully hers is made.

Mr. Chairman, the Congress of the United States has passed the Civil Rights Act of 1964. This body has declared that it is unlawful to discriminate in employment because of race, color, religion, sex, and national origin, and we have charged the Equal Employment Opportunity Commission with enforcement of this law.

Can we now, in good conscience, deny the Commission the wherewithal to do its duty? If we do so, Mr. Chairman, we are breaking faith with all of our citizens who are protected by this law. It is a pleasure for me to support the amendment offered by Mr. JOELSON.

Mr. LANGEN. Mr. Chairman, I rise to compliment the able members of the Labor and Health, Education, and Welfare Subcommittee of the Committee on Appropriations. These men have labored long hours in the face of pressure from all sides to put together the bill we will consider today. I am proud particularly of the work they have done with respect to education. This subcommittee has seen the need for funding the many vital programs that will widen the horizons of America's young people and will make the best education possible available to the greatest number. Their attention to the entire scope of education meets with my hearty approval and, I am sure, the approval of educators across the Nation.

I take great pleasure in pointing out one of the very significant if not one of the major aspects of the appropriations bill before us today. I refer to the appropriations for the Office of Education in the Department of Health, Education, and Welfare. Within the schedule of funds recommended to the full House is an item of particular importance to me as its prime advocate. I refer to the appropriation of $10 million for vocational work-study programs.

The importance of this program cannot be overemphasized. We are lending a hand to the students who need it the most and we are most likely to use that money to the advantage of themselves,

their communities and, ultimately, this Nation. These students are the ones for whom college is not practical but whose abilities and talents must not be overlooked. They are the students from disadvantaged homes where, in many cases, training beyond high school would be financially impossible. These are the students for whom training in a needed skill will yield indefinite social and financial returns. These are the students who have dedicated themselves to developing a career in a field of established economic value but who might be consigned to the role of unskilled labor were help not available to them.

In my State of Minnesota, as in many other States, there are many fine vocational-technical schools in which many bright, energetic, and determined students may develop skills in auto mechanics, aircraft technology and maintenance, electronics and radio-television repair, appliance maintenance, and many other skills. These same schools teach medical and dental technicians their trade. They educate a great many of our nurses and policemen. In short, vocational and technical education for many is the alternative to quitting school after high school graduation.

In addition, many of these same schools provide programs for those for whom high school graduation was impossible. Economic problems at home, illness, family tragedy, and other reasons cause all too many of this Nation's prime resource to drop out of school before graduation. In Minnesota, the vocational-technical schools help these students to get their high school equivalent degree and then proceed with further programs aimed at skills and abilities our communities need so desperately.

The $10 million figure is small in terms of the good it can do. This program functions where it is increased in its significance by the determination of the students who take advantage of the help they get because they understand the advantage they are given. It is increased again by the dedication of the teachers who work in the program realizing that their contribution will pay off handsomely in years to come.

Mr. Chairman, the money is the same as was appropriated last year. Last year, however, the program was listed under the Neighborhood Youth Corps where it was all but forgotten. It may not have been sound judgment to place the program under NYC and, because of administrative difficulties, the program was nearly lost. I testified before the Labor-Health, Education, and Welfare Subcommittee in May asking that these funds be returned to the Office of Education where they could again be directed toward the students who so desperately need them and so diligently use them. I am very much appreciative of the moves made by that subcommittee toward that end.

Mr. PODELL. Mr. Chairman, we are confronted by a massive challenge in the form of an administration effort to financially eviscerate many ongoing Federal aid-to-education programs. Immediately upon taking office, the President cut approximately a straight 10 percent from the Office of Education budget left to him by his predecessor. This came to about $370 million.

Not content with such potentially disastrous fiscal surgery, President Nixon then proceeded to cut the heart out of Government aid to libraries, completely eliminating one $42 million program. And $12 million sought for guidance and testing was totally eliminated. Impact aid to poorest school districts is slated for drastic deprivation of funds. These cuts will imperil schooling for needy children, college construction grants, college student loans, vocational education, guidance, counseling, and purchases of school equipment.

Simultaneously, schools and colleges around the entire Nation are inexorably running short of funds. Up to now, Congress has appropriated only about one-third of total funds authorized for their aid programs. In short, it is plain for all the Nation to see that this administration is boldly making war across the board on existing Federal programs which directly aid all levels of education in this country. No program has been spared some surgery. None has emerged truly intact. All are threatened by this giant step backward.

Does the President actually envision what will transpire if Federal aid to impacted school districts is set at the present $318 million below actual appropriations for fiscal year 1969? Does he really understand what cutting out all aid for school library books and materials will mean to so many? Does he know what will happen if all funds for title III and title V of the National Defense Education Act are deleted, as he presently recommends? Has he full comprehension of what his massive cuts in funds for public library services and college library materials will mean?

Surely, we must spend at least as much in fiscal year 1969 as we did in fiscal year 1968 for these programs. The President hailed the triumph of American technology and education in the form of the recent landing on the moon. By what means does he think this was accomplished? Did we surpass the Soviets by good looks and good will?

There are some extremely short memories downtown these days. Presidents Kennedy and Johnson fully realized what had to be done with American education on all levels. Laboriously and painfully, the Nation made a supreme commitment to educational excellence. Congress and the entire Nation reaffirmed it in a series of aid to education acts allowing National Government to allocate major sums to upgrade and totally develop educational potential of our Nation. The fruits of these efforts are today self-evident. We have only to look to the moon, and note that it was not a Russian but Neil Armstrong who took that first step.

A "giant step," he called it. Forward was the direction. That single step was a monument to America's dedication to education. Does the President propose to take as giant a step backward in American education to compensate for Armstrong's step forward on the moon?

Shall we abandon our commitment as a nation to educational excellence by Government's faltering example? Is this to be seriously contemplated? Is it to be suffered quiescently by the American public? Is ground so tortuously gained to be given up so blithely?

This Congress must act to save Federal education programs by government from dismemberment by the administration. Once lost, this ground shall not be regained with ease. Who shall suffer? Children of the land. Dedicated students. Teachers and librarians. Our future. Our heritage. All shall be that much weaker for each education denied—each library unbuilt—each unfilled classroom—each dollar unspent. There can be no compromise whatsoever.

For these reasons, the cuts must be restored and these programs continued at least at fiscal year 1968 spending levels.

Mr. ADDABBO. Mr. Chairman, H.R. 13111 is a good bill in many of its provisions, going far in providing for the health and welfare of the people of this Nation. However, I believe in several instances it falls short of the needed funding to reach the true goal in education. Although I support H.R. 13111, I will rise to support those amendments which will give true funding and a proper priority to our educational requirements which also include the many library services and I urge my colleagues to restore a sense of priority to the Nation's education needs.

As a member of the House Appropriations Committee, I opposed all cuts for education on the grounds that until we commit ourselves to a meaningful investment in education, we cannot begin to solve the crisis of our cities or poverty in rural America.

H.R. 13111 appropriates $3.3 billion for the Office of Education, a reduction of $800 million from the fiscal 1968 appropriation, a reduction of $400 million from the fiscal 1969 appropriation, and an increase of only $123 million for the revised budget request.

Among the more drastic cutbacks are the reduction of funds for title II of the Elementary and Secondary Education Act covering school library books and materials and a 50-percent cut in funds for public library services and college library materials under the Library Services and Construction Act—title I—and the Higher Education Act—title II–A.

The need for belt-tightening and restraint in Federal spending is recognized by the great majority of Americans, but I cannot understand why we tend to cut basic programs like education which affect the cycle of poverty and every social goal of our Nation.

This summer New York City announced that a number of public libraries would be closed this fall as a result of the lack of Federal or local funds. This appropriation bill would sign the death certificate for those libraries in Queens, Brooklyn, and other areas of New York City.

Cuts in the National Defense Education Act—titles III and V—will deprive high schools of needed equipment and guidance counseling assistance. How can we justify these reductions and still maintain that we are meeting our responsibility to set priorities?

The revised budget request from this

administration would have eliminated all funds for school library books and materials. The Appropriations Committee has restored a token amount but we must do more. I favor an increase in the Office of Education budget which will raise the appropriation to the fiscal 1968 level of $4.1 billion and I urge my colleagues to support the amendments which would restore education to a high place on our list of national priorities.

Mr. EILBERG. Mr. Chairman, I rise today to express my alarm and dismay at the amounts which the committee has recommended to fund the education programs of this Nation. The amounts recommended bear little or no relation to the actual needs of the Nation and even less resemblance to the amounts which we so carefully deliberated and decided on when the authorization legislation for these programs was considered. The simple fact of the matter is that while the Nixon education budget requests were some $5 billion below the authorized spending level for our education programs, the committee bill only reduced this gap by between $100 and $200 million. Thus, we still have a situation in which the amounts we will be asked to approve for our education programs in H.R. 13111 are a pittance—they are over $4 billion below the amounts we have authorized and about $300 million below the minimal education budget which was submitted to us by the outgoing Johnson administration with its apologies.

I know there will be many, many amendments offered to this bill to restore some of the money which we must have if our education programs are to be maintained as viable programs. If these amendments are not successful, we will have let down the Nation. I believe the people of the United States expect us to be pennywise, but on the other hand they certainly do not want us to be pound-foolish when we are considering the funding levels for programs which could well mean the difference between success and failure for millions of American youngsters in their quest of the American dream. Education, as we all know, unlocks the limitless doors of opportunity. Without the funds which are absolutely essential for our education programs to do the job, these doors will remain closed for many of our children and the toll in terms of unfulfilled ambitions and resentment toward the systems will just not be worth the few pennies that might be saved by being pennywise with these most urgent of all governmental programs. How can this Nation, which sent a man to the moon and back such a short time ago, sit idly by and watch its representatives in the Congress show such little concern about the Nation's desire to win the battle to improve the minds of all its citizens through education.

I believe that our national priorities are mixed up. Education has to have the top priority. For, without an educated people what can this great Nation hope to achieve? Our constituents are being asked each year to shoulder heavier and heavier tax burdens by almost every level of government. Education is one of the areas in which they deserve to see a concrete return on their investment in terms of an effort on a sustained basis by the Government to improve the minds of their children. Adoption of the administration's education requests which have largely been endorsed by the committee could well set our educational system back some 50 years. I believe that we cannot afford such a foolish situation at this crucial juncture in our history.

There are many, many areas which are not funded at near what they should be by H.R. 13111. Here I would like to comment on three of them. First of all, I recognize that the committee increased the amount of funds available for the title II ESEA program and the other programs which we consolidated when we considered H.R. 514 earlier this year to continue the authorization for the Elementary and Secondary Act programs. The increase certainly is a step in the right direction; but it comes nowhere near the level at which these programs were funded in the 1969 fiscal year nor the $1 billion level at which we authorized these programs to be funded.

The simple fact of the matter is that the funds for this group of programs will have to be increased by some $110 million to reach even the low level at which they were funded last year. If the committee level of funding for these programs is approved, the city of Philadelphia will lose up to $500,000. This is divided almost equally between the public and nonprofit private schools in the city.

Since the 1965–66 school year, the public elementary and secondary schools in the city have received over $1.5 million in title II money. Even though they suffered a reduction of 50 percent in the amount they received last year as compared to the prior school year, much has been done with even these limited funds. Prior to the availability of title II money, the book collections and programs of existing libraries in the Philadelphia school district were grossly inadequate. At the time, there was an average of about two library books for each child. National and State standards call for a minimum of 10 books per child. Even though these schools still are not up to standard, through the assistance which the title II library resources program has provided, these schools have now an average of five books per child. In addition, title II funds have made libraries available to many children who had never even been in one before. The accessibility and availability of a wide range of instructional materials, so essential to the needs of modern education, have also been made available through the programs.

The same situation has occurred in the nonprofit private schools in the city. Four years ago, the city nonprofit private schools were seriously concerned about the lack of library resources in its schools. Through the title II programs, more books have been made available, more schools now have access to books and also many parents have volunteered their time to help staff the library facilities. For the first time, there has been a willingness on the part of parents to contribute not only their time but their limited funds so that additional library resources could be provided in addition to those which the limited Federal funds from the title II program were able to provide. Since the Federal Government was doing its part, parents reasoned they should do theirs. The completely inadequate funding level for this program which the committee bill suggests will, no doubt, cause these parents to lose faith in the Federal Government's pledge to help those who help themselves.

On the matter of the committee suggestion with regard to funding of the program of assistance for school districts with concentrations of Federal employees, I can only confess that once again this year, as I have been since I became a Member of Congress, I have been completely baffled by the position of the administration and the committee with respect to funding the portion of the program which provides some reimbursement for school districts for the cost of educating youngsters whose parents work on Federal installations. If the amounts which the committee has suggested are approved, the school district of Philadelphia will lose about $3½ million. No longer, under the terms of the legislation we are now considering, will any money be provided to the school district for the 15,000 children which it educates because their parents work on a Federal installation and live in the city. The impacted areas program is one of the least complicated programs of educational assistance which we have. It ought to be continued in operation at its full funding level. If it is not, I fear that in urban centers throughout the Nation there will be a taxpayers' revolt, the likes of which we could not imagine. If the city of Philadelphia loses $3½ million from its general education fund, it will mean additional taxes paid by my constituents. I believe their taxload is already too heavy, and I will do my utmost to see to it that they do not have to shoulder any heavier burden.

I could go on and on about the inadequacies of the committee bill, but I will not at this time. Just let me add that the administration and the committee have failed miserably to fund those programs which are designed to return something to the middle-income taxpayers. The library resources program, the impacted areas program, the student assistance programs, the higher education facilities construction programs, all have been reported at funding levels which will cause a severe dislocation in the educational community and the Nation as a whole. Therefore, I urge all my colleagues to remain on the floor today and act when the votes are counted to put education where it belongs, as our highest national priority.

Mr. GAYDOS. Mr. Chairman, I would like to add my objections to the proposed reductions in funds for education and libraries. I am particularly concerned with the recommendations to eliminate money for elementary and secondary library programs under title II of the Elementary and Secondary Education Act.

It is my understanding these funds were cut last year by nearly 50 percent in many cases and the complete elimination of them now will place added financial burdens on school districts already fighting to keep from being

swamped by the tidal wave of rising taxes and inflation.

In the 20th Congressional District which I represent, we have approximately 20 public school districts, several of them in urban areas where municipal governments also are forced to increase taxes year after year.

These school districts, despite the fact that they are nearing the limit of their taxing capacity, still must plead with the State and Federal governments for more funds in order to remain competitive with their more affluent neighbors. The money is vital if the urban districts are to attract a better caliber of teachers and improve existing educational programs.

These districts depend on State and Federal grants if they are to furnish the quality of education demanded by the Constitution and deserved by the child. They cannot be expected to meet this obligation if such help is cut off. This results in a heavier financial load on the districts which as a matter of course must be shouldered by the individual taxpayer.

I need not remind you gentlemen of the hue and cry being raised today throughout the Nation for tax relief. The outcry is unprecedented. I am sure that each of you has received as I have, mountains of mail calling for Congress to institute such relief and quickly.

I fail to see where eliminating the library funds will help the taxpayer. In just five of the 20 school districts in my area, the funds total $33,000. I realize that this is a mere pittance when compared to other expenditures being considered by the Congress, but these funds provide educational materials for 32,000 children and their education cannot be measured in dollars.

I might also point out the school enrollment in these five districts does not include another 6,000 parochial students who use public school library facilities.

I have checked with educators in these five districts and they have expressed deep concern over what the elimination of these funds will do to their educational programs.

How can we equip our children for the competitive world of tomorrow when we take away their tools of knowledge today?

Mr. POWELL. Mr. Chairman, I would like to address the House as to the merits of the pending budget appropriation for the Equal Employment Opportunity Commission.

We have spent billions of dollars putting man on the moon and millions of dollars in aid to foreign countries, but we have done little to assure that all of the American people are able to provide for their own welfare. We have recently allowed the schools of our Nation to slow their move in the area of desegregation of the public schools. Let us not also allow our Commissions to slow their moves toward an end to discrimination. As the leaders of the Nation and the makers of laws that govern all our citizens, we have failed to bring all our citizens up to a level of subsistence and dignity when it is our sworn duty to uphold the Constitution by doing exactly this.

The minority groups of this Nation have not been incorporated into any long- or short-range involvement concerning the improvement of their situation, and they cannot be left without any solutions to their problems.

In the face of the civil disturbances during the past few years, I find it hard to believe that there can be any question as to our responsibility. We must now take this opportunity to let America know that we are running the Government in behalf of all of the people.

Welfare, poor education, and civil disturbances all contribute to the continuing alienation of the minorities from the mainstream of American life. It has cost the American people more to run the welfare organization than it would cost to support the efforts of the EEOC in ending job discrimination which is the cause of the heartbreaking circumstances responsible for welfare recipients. A poor education only contributes to the dejected circumstances of minority groups, but with equal job opportunity, the poorly educated can become a functioning part of our society instead of an economic burden.

The President's Commission on Civil Disorders discovered that many minority group Americans feel so alienated that they can only resort to violence as a means to effect the response from the establishment needed to resolve grievances.

Civil unrest is part and parcel of this administration, and if we continue to ignore the unfortunate conditions of the minority groups in the country, we will find ourselves using nerve gas instead of tear gas in order to stop civil disturbances. We must now abolish even the need for tear gas, for we have other solutions if we will use them.

Let us move forward together. Let us be part of the solution and not part of the problem. I urge you to endorse the EEOC budget proposal and make a concrete step toward ending discrimination in employment. Then we may say in truth that we are moving the country forward together.

Mr. RODINO. Mr. Chairman, while the debate today will naturally center around the question of the Federal Government's adequate and responsible level of funding for public education throughout the United States, I want, at this time, to raise the question of our Federal commitment toward programs to alleviate the incidence of the lifelong burden of mental retardation.

My home State of New Jersey has a mental retardation planning board that has the special responsibility of coordinating local, State, and National programs that affect all mental retardates in the State of New Jersey.

The Federal Government's commitment toward helping local and State efforts in the field of mental retardation has only recently been recognized.

In fact, money for construction of facilities for the retarded first became available in 1965, and staffing funds were first authorized in fiscal year 1968 and the first appropriation of $8.3 million was only released in fiscal year 1969.

I believe it is factually clear that the Federal Government's interest and responsibility in offering aid and assistance to local and State program efforts in the field of mental retardation has been developed late in time and short in cash. With that background in mind, I would like to unequivocably state that the Nixon budget, instead of making up for lost ground, carries us back to the day when a national program for aid to mental retardates was only a dream.

Mr. Chairman, I support, as a matter of principal, the concept that our appropriation for educational and vocational rehabilitation ought to match the original authorization. I view measures relating to these subjects as items of highest domestic priority. I want to conclude my remarks by a simple statement of hope that this Congress will not renege on its flowery rhetoric of years passed, and yet its very practical outlook of what is best for the American public by appropriating the maximum amount of funds for education and social rehabilitation.

This, of all times, is not the time to lose heart. Without objection, I would like to enclose a statement from the Mental Retardation Planning Board of the State of New Jersey:

STATEMENT OF THE MENTAL RETARDATION PLANNING BOARD OF THE STATE OF NEW JERSEY

The Mental Retardation Planning Board of the State of New Jersey wishes to express its concern regarding the serious retrenchment at the federal level of programs for the mentally retarded. The proposed budget for the Division of Mental Retardation in the Rehabilitation Services Administration, Social and Rehabilitation Service, of the U.S. Department of Health, Education, and Welfare illustrates the situation. The requested FY 1970 budget totals $39,129,000 compared with the FY 1969 estimated budget of $44,569,085, a decrease of $5,440,085. In addition, only $33,629,000 of the $39,129,000 represents new monies, the balance being transferred and unobligated funds which are being forwarded.

This budget decrease has serious implications for state and local program development in the field of Mental Retardation. The policy determinations implicit in these budget reductions represent a great weakening of Federal commitment towards support of essential research and services for retarded persons and their families. If we allow this to go unnoticed we would not be fulfilling our responsibility as members of the Mental Retardation Planning Board to both the providers and consumers of mental retardation services.

The Mental Retardation Planning Board finds the retrenchment in programs and services for the mentally retarded in the FY 1970 federal budget recommendations untenable. The Board seeks to make the drastic effects of this proposed austerity perfectly clear, and particularly the disparity between the appropriation request and the actual amount authorized by Congress.

The Mental Retardation Planning Board believes that the FY 1970 budget recommendations constitute a monumental danger to the continuation and improvement of services to the retarded and their families. The Board urges that all action necessary to reverse the reduction of programs and services be taken so that our commitment to the human and civil rights of the retarded may be more fully realized.

APPENDIX

The following data are appended to highlight the current crisis:

Under the *Mental Retardation Facilities Construction Act*, as amended, grants are allowed for both the *construction* of facilities and for initial *staffing* with professional and technical personnel. Money for *construction of facilities* for the retarded first became available in 1965, for which the full authorized amount of $10 million was appropriated and released. As of December 31, 1968, 242 projects had been funded nationally. Of these, 55 projects are completed and in operation, 101 are under construction and 86 projects have been approved and are now in the architectural planning stage. Estimated total cost of these projects is $143.5 million and the estimated Federal share is $43.3 million.

The federal authorizations for this construction program through FY 1969 total $97.5 million. However, only $61.5 million has been appropriated of which only $5.5 million will remain to be obligated in 1969–70, the lowest carry over of any year to date. The Nixon Administration budget request for new construction money for the period 1969–71 is only $8 million (the lowest appropriation to date) against an authorization for $50 million for 1970.

The Mental Retardation Planning Board sees in the following summary of budget figures (in millions of dollars, rounded) an erosion of the once-firm federal commitment to the construction of facilities for the mentally retarded:

Construction	1967	1968	1969	1970
Appropriation authorized (new funds)	$15.0	$30.0	$30.0	$50.0
Appropriation requested by President	15.0	15.0	6.0	8.0
Appropriation enacted by Congress before cutback	15.0	18.0	6.0	.....
Allotment basis after cutback	15.0	12.0	12.0	8.0
Carried over from previous year	11.7	12.6	11.5	[1] 5.5
Transferred from mental health	3.3	3.6	[2] 2.0	.....
Actually obligated including carryover and transfer	15.7	16.7	[2] 20.5	.....

[1] Estimated May 1, 1969.
[2] Estimated.

The 1970 budget request for construction funds, then, totals $13.5 million ($8 million requested plus $5.5 carry-over) compared with the 1969 figure of $18 million, a decrease of $4.5 million. And this in spite of the fact that federal officials estimate 1,500,000 retarded persons nationally need facilities and services not presently available to them!

Construction grants are made on a formula basis, with a matching formula of approximately 60% local and 40% federal funding. The following table records the federal funds authorized and the funds actually made available to New Jersey to date for construction under the amended *Mental Retardation Facilities Construction Act*:

	Funds authorized	Funds actually made available
Fiscal year:		
1968	$859,723	$328,075
1969	863,800	330,780
1970	1,439,667	195,564
Total	3,163,190	854,419

On the basis of the federal commitment to participate in the development of community facilities for the mentally retarded, New Jersey designed a programmed plan for 21 county day care centers and other community facilities which proved so attractive that the people of New Jersey voted in the Fall of 1968 to invest $5 million of their own capital in this construction program. The people of New Jersey, then, have earmarked $5 million, some portion of which would be their 60% matching funds. The federal funds now proposed to match the $5 million total $854,419 (not 40% but 16%)! The proposed federal retrenchment for FY 70 means instead of the $1,439,667 authorized by Congress, New Jersey is confronted with the prospect of $195,564. The total funds made available, then, for FY 68, 69 and 70 are less than the authorization by Congress for FY 68.

This erosion of federal commitment is not only a grievous reversal of pledges to the retarded, but may make impossible the implementation of the program to which the populace has dedicated $5 million. To suffer this shrinkage is not only to outrage the retarded and their families and to embarrass State officials who carried this program to the people, but it is to call into question the confidence of the people in a federal commitment. It should be carefully remembered that the people of New Jersey have invested $33 million in institutionalized construction in the past 5 years. In May 1964 there were 1357 retardates wait-listed for admission to a State institution. So the people of New Jersey built the Woodbridge State School and the Hunterdon State School. And this May 1969 there were 1203 retardates on an institutional waiting-list and 516 retardates additionally are privately placed on a purchase-of-care basis. The people of New Jersey believe they are meeting their commitment to the mentally retarded and their families. Where is the federal response?

The Mental Retardation Planning Board views as critical that:

(1) Appropriations requested for construction in Fiscal Years 1968, 1969, and 1970, have fallen far below authorizations which in turn have run well below need as estimated by the President's Panel on Mental Retardation in 1962.

(2) Since allotments are made among the States, with a requirement that no State receive less than $100,000 a year, the first $5 million appropriated is absorbed in meeting this requirement, making the allotments to the larger states disproportionately small.

(3) Since the construction funds are available for a two-year period many States encumber a significant portion of their allotments in the second year of availability of the funds. In FY 1968, the Bureau of the Budget did not release the full amount appropriated in the year of appropriation. As a result the "carry over" funds from the first year coupled with the appropriation for that year, make it appear that a substantial amount of funds are available. This tends to create an impression of higher cumulative expenditures than has, in fact, been made. For example, the 1970 budget appendix shows $18 million to be obligated in FY 1969 and $13.5 million for 1970. However, the appropriation for FY 1969 is $12 million with $11.5 million carried over from FY 1968. The FY 1970 budget requests an appropriation of $8.0 million with an estimated $5.5 million to be carried over from FY 1969.

The Mental Retardation Facilities Construction Act, as amended, also makes grants for the initial *staffing* of facilities with professional and technical personnel.

The *staffing funds* were first authorized in FY 1968, and the first appropriation ($8.3 million against $10 million authorized) was released for FY 1969. As of May 1969, 285 applications had been received, requesting Federal funds in the total amount of $14.4 million for the initial year.

The Nixon Administration revisions did not affect the Johnson Administration budget for staffing for FY 1970, i.e., requests are for $5 million for *new* staffing grants, and $7 million for the second-year *continuation* of grants initiated in 1969 when New Jersey received $251,459. By contrast, the original *authorization* for FY 1970 for *new* grants is $14 million; the *appropriation* requested is $5 million. This request represents a decrease of $3 million from last year for new programs. It is perfectly clear that these monies will, in no way, meet the needs of the 50 states. The budget figures (in million of dollars, rounded) for the staffing program are as follows:

Staffing	1967	1968	1969	1970
Appropriation authorized (new grants only)	[1]	$7	$10	$14
Appropriation requested (new grants only)	[1]	0	8	5
Continuing grants	[1]	[1]	[1]	7

[1] Not available.

To propose to reduce further funds for staffing is to make ludicrous this component of the program. As stated above, New Jersey received $251,459 in 1969–70 staffing grants. The FY69 operating budget of the community facilities for the retarded constructed in New Jersey over the past two years was $882,078 and $1,220,300 has been budgeted for FY70. It is seriously doubted that the $200,000 New Jersey would receive under the proposed FY70 budget would cover the cost of administering the new facilities for the retarded for the construction of which the people of New Jersey voted $30.1 million of its own capital in the 1968 bond issue approvals.

The proposed FY70 budget will also sharply penalize New Jersey under the *University-Affiliated Facilities* construction program. The Medical School of Rutgers, The State University has submitted an application to construct a Mental Retardation Diagnostic and Evaluation Center (as part of the Rutgers Psychiatric Institute of the developing Rutgers University Medical Center) under Part B, Title I, P.L. 88–164. The projected cost of the Diagnostic and Evaluation Center is $1.6 million, of which $1.2 is sought from federal sources, and $.4 million will be Rutgers-provided. In the proposed FY70, federal budget there is *no request* for construction of *University-Affiliated Facilities*, compared with a 1969 funding estimate of $9.1 million!

The Mental Retardation Planning Board finds the federal retrenchment, particularized in the foregoing instances, spread across all FY 70 budget requests for programs and services for the mentally retarded and their families. This retrenchment is found in program areas such as: Residential Care of the Mentally Retarded; Training of Personnel for the Service of the Retarded; Vocational Rehabilitation; Special Education.

Even in the *Research* area, where the $126,000 requested for FY 70 does not differ from the 1968 and 1969 budget figures, the Mental Retardation Planning Board is gravely cencerned. It recognizes that these monies can fund only three research grants throughout the nation and that, to date, very little research emphasis has been placed on social and behavioral research or on the evaluation of existing programs. The Mental Retardation Planning Board gives applied research a high priority and considers $126,000 for support of critical social, behavioral research and program evaluation as totally inadequate.

The Mental Retardation Planning Board of New Jersey finds the reductions in the proposed FY 70 budget for programs and services for the retarded and their families less than responsible and potentially disastrous. In keeping with its mandate, the Board so alerts its publics among whom it importantly numbers its legislative representatives.

The CHAIRMAN. The time of the gentleman from Iowa has expired. The time of the gentleman from Pennsylvania has expired.

Mr. MICHEL. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The time for general debate having expired, the Clerk will read.

The Clerk read as follows:

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For expenses necessary for the Office of the Solicitor, $5,978,000, together with not to exceed $144,000 to be derived from the Employment Security Administration account, Unemployment Trust Fund.

Mr. BELL of California. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

One hundred and seven Members are present, a quorum.

The Clerk will read.

The Clerk read as follows:

AIR POLLUTION CONTROL

To carry out the Clean Air Act, as amended, and the functions of the Secretary of Health, Education, and Welfare under the provisions of section 48(h)(12)(C)(ii) of the Internal Revenue Code of 1954 (80 Stat. 1508, 1512), including hire, maintenance, and operation of aircraft, $93,800,000.

Mr. HECHLER of West Virginia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am surprised and disappointed that the Committee on Appropriations has recommended a reduction of $2 million from the budgeted funds for air pollution activities. In the context of appropriations for health-related programs, funds earmarked for air pollution research and control have special significance. Every dollar the Nation invests in finding solutions to the problem of air pollution is an investment in preventive medicine, because improvements in the control of air pollution ultimately will reduce illness and death from chronic diseases associated with exposure to polluted air. Thus, a dollar invested in seeking solutions to the air pollution problem may save the Nation many dollars in expenditures for the care and treatment of chronic disease victims, not to mention the savings that will accrue from keeping people healthy and productive.

I note that the Committee on Appropriations has recommended that the proposed $2 million reduction be taken out of funds for air pollution research and development activities. I am informed by the Department of Health, Education, and Welfare that this cutback will result in a delay in the development of a process for reducing the sulfur content of coal. Representing the largest coal-producing State in the Union, I am impressed with the important work which needs to be done. This particular process would be of substantial value in the Nation's effort to control sulfur oxides pollution. It would help to make low-sulfur coal available to fuel users whose facilities are not suited to other means of dealing with the sulfur oxides problem. Thus, this process would have the two-fold advantage of permitting continued use of the Nation's coal resources while also contributing to progress toward cleaner air.

In summary, restoration of the $2 million would be a bargain from more than one standpoint. It is a bargain that I believe the Congress and the Nation cannot afford to pass up. Accordingly, I hope that these funds will be restored to the budget for air pollution activities.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

NATIONAL CANCER INSTITUTE

For expenses necessary to carry out title IV, part A, of the Public Health Service Act; $180,725,000

AMENDMENT OFFERED BY MR. YATES

Mr. YATES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YATES: On page 18, line 13, strike out "$180,725,000" and insert "$185,149,500".

Mr. YATES. Mr. Chairman, my amendment seeks to restore the appropriations for the National Cancer Institute to last year's level. I would like to offer amendments that would continue those appropriations.

Mr. GIAIMO. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

One hundred Members are present, a quorum.

The gentleman from Illinois is recognized in support of his amendment.

Mr. YATES. Mr. Chairman, the committee has provided all the funds in the budget requested by the National Institute for Cancer, but the budget for the National Institute for Cancer is ridiculous. It provides less funds than were provided last year and the Institute is more active. The Nixon budget is woefully inadequate.

The budget for this Institute is approximately $6 million below the appropriation for last year. And that appropriation for last year is below the budget for the Institute for the previous year. We keep going down year by year in the appropriations not only for the Institute for Cancer but for all of these Institutes.

Does it make sense to cut back the appropriations for a National Institute that is doing a good job?

If Members will look at the report, on page 15, they will find the committee statement that the Institutes are doing an outstanding job. It wants the NIH to brag a bit about themselves. It says:

The Committee has found NIH spokesmen almost prudishly restrained in claiming credit for the research accomplishments of its grantees. This reticence does both NIH and the medical research community a serious disservice. In the present climate of opinion the high dividends paid by investment in research must be well-advertised if its support is to compete successfully with other urgent demands on the public purse.

Mr. Chairman, the Institutes are doing a remarkable job and it is incredible to me that the committee should cut the budget, for in effect that is what is being done. Do I have to recite the achievements already gained? New advancements which have been made in research in the field of cancer have been demonstrated time and again. There was the Pap test for women, which reduced drastically cancer of the cervix. Skin cancers have been treated. We are on the verge of a breakthrough in chemotherapy, yet in this bill vote "no confidence" in the Cancer Institute.

Can one image what this budget would have been like had the predecessor to our friend from Pennsylvania still been in office? I have great respect for my friend, Mr. FLOOD, who is chairman of this subcommittee. He does a very good job. But when I think of the HEW appropriations bill, I remember the great Congressman from Rhode Island, John Fogarty. We all recall his fights on this floor to provide funds for the Nation's health. The National Institutes of Health were built by his eloquence, his sincerity, and his integrity. It was he who fashioned this remarkable institution. It was he who fought through the House, with your support, the research money that inaugurated a new concept of research, a massive effort to eradicate the killing and crippling diseases that plague mankind. Restoring adequate funds to carry on this fight would be a realistic tribute to our late beloved friend, John Fogarty.

There is no reason to cut these programs back. We must vote our confidence in these institutions by voting at least the same level of appropriations they had last year.

Mr. Chairman, I urge that the House support my amendment.

Mr. FLOOD. Mr. Chairman, I rise in opposition to the amendment.

I remind you, Mr. Chairman, we are talking about the Cancer Institute. If there is anyone in this room who knows more about cancer than I do, I should like to hear from him. Can you imagine me being a party to damaging, retarding, injuring, or casting a shadow upon anything having to do with treatment or research on the killer cancer? Me? That is nonsense.

The emphasis of the Johnson administration and the emphasis of the Nixon administration has now been placed upon delivering service, taking the research and putting it at the bedside of the person who needs that treatment. So there have been some small reductions in these research activities.

However, let me remind you that there is $180,725,000 for research, and related activities, in cancer now. This committee, led by the gentleman from Pennsylvania, under no circumstances, would permit anything drastic to happen to research in cancer.

Mr. Chairman, I oppose this amendment and suggest and hope it will be defeated.

Mr. TIERNAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. OLSEN. Mr. Chairman, will the gentleman yield?

Mr. TIERNAN. I am glad to yield to the gentleman from Montana.

Mr. OLSEN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. One hundred and seven Members are present, a quorum.

The Chair recognizes the gentleman from Rhode Island (Mr. TIERNAN).

Mr. TIERNAN. Mr. Chairman, I just want to commend the gentleman from Illinois on his fine statement with regard

to John Fogarty whom I succeeded in Congress.

I support the gentleman from Illinois (Mr. YATES) in his efforts to restore the appropriations for the National Institutes of Health to the level of spending at which they are this year. I am sure the committee will support them in their efforts.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. TIERNAN. I am happy to yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, some years ago when the appropriations for the National Institute of Cancer was under attack, John Fogarty defended that appropration in eloquent speech in which he said:

I do not know how much we have expended on cancer research. I do not care. I do not know whether it is $100 million or $3 billion, but if any part of that was a help in finding this new technique in diagnosing cancer in a stage early enough to cure 100 percent of cancer of the cervix in women, every dime that we have expended has been well expended by the Congress of the United States.

Dr. Sidney Farber, of the Children's Hospital of Boston also appeared before our committee. He is an outstanding expert, not only in this country but in the world, in the field of leukemia which is cancer of the bloodstream, especially in children. He was the man who pioneered in the use of antifolic compounds in the treatment of leukemia. He has used these compounds to treat one boy since 1947. He discovered their use in Boston, with the help of funds from this appropriation, if you please. As a result of that discovery, for the first time in medical history a young boy afflicted with acute leukemia is still living after 10 years. How much is his life worth? I do not know, but to me it is worth every dime we have put into these programs over the past 10 years.

The Institutes stand as a living memorial to the greatness of John Fogarty. They will continue to be dynamic, constructive organizations so long as adequate appropriations support its research efforts. Without funds, the Institutes must wither. The research teams built up so painstakingly over the years must be disbanded and their work disrupted. The tendency now is in the direction of retrenchment, rather than advancement. That must be checked.

Mr. Chairman, let us not move backward. I am asking $6 million in my amendment to bring the level of cancer research to the same level for the next fiscal year as it is for this fiscal year. The Institute for Cancer is doing outstanding work. The committee agrees, but unfortunately it accepted the recommendation of the Bureau of the Budget which cut the funds.

I think that this House ought to vote its encouragement to the National Cancer Institute by at least placing it at the same level as it has been for this current year. I hope the members of the Committee will sustain my amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. YATES).

The question was taken; and on a division (demanded by Mr. YATES) there were—ayes 23, noes 78.

Mr. YATES. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. YATES and Mr. FLOOD.

The Committee again divided, and the tellers reported that there were—ayes 59, noes 91.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

NATIONAL HEART INSTITUTE

For expenses, not otherwise provided for, necessary to carry out title IV, part B, of the Public Health Service Act, $160,513,000.

Mr. YATES. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I had intended to offer other amendments to increase the appropriations for the other National Institutes which suffered reduced appropriations but in view of the action just taken by the House I have decided not to offer them. I believe their level of funding should at least be equal to this fiscal year's level but I do not think the House is in a mood to increase the appropriations.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

HEALTH MANPOWER

To carry out, to the extent not otherwise provided, sections 301, 306, 309, 311, title VII, and title VIII of the Public Health Service Act, $218,021,000: *Provided*, That the amount available for scholarship grants to schools of nursing for the current fiscal year under such title VIII shall include, in addition to funds appropriated herein, funds appropriated for nursing educational opportunity grants for the fiscal year ending June 30, 1969, but not allotted to States for that fiscal year.

AMENDMENT OFFERED BY MR. REID OF NEW YORK

Mr. REID of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REID of New York: On page 21, line 8, after "Public Health Service Act," strike out "$218,021,000" and insert in lieu thereof "$232,821,000".

Mr. REID of New York. Mr. Chairman, the budget request for loans to medical students under the health professions student loan fund is almost 50 percent below the money available last year. The gentleman from New York (Mr. ROSENTHAL) and I are jointly offering this amendment on page 21, line 8, to strike out the figure of $218 million, and to insert $232 million.

This amendment will provide an additional $14,800,000 for loans to medical students under the Health Professions Student Loan Fund—part C, title VII, of the Public Health Service Act.

The appropriation must be increased by this large an amount for two reasons. First, the need for loan funds is already far outrunning the money available. There are 100 medical schools in this country with a total enrollment of 34,018. The schools have requested a total of $20,983,026 for loans for this fiscal year. The budget allots $7,924,353 of that request. This is just about half of what was available last year and about one-third of what is needed to insure that enrolled students and new students will be able to continue or begin their medical education. Some 23,000 students received loans last year and if the appropriation is not increased, many thousands will have to drop out or not enroll at all because of terminated or reduced loans.

The additional $14,800,000 would maintain support to schools previously participating in this program at the 1969 level; provide support for new schools entering the program for the first time; and allow for expanding enrollments of continuing schools, particularly for needs of disadvantaged students being admitted to first year classes. A total of $17,943,353 would then be available for the loan program.

The second reason that the appropriation must be increased is that the report accompanying this bill directs that the increase in scholarships for health professions students—about half of whom are medical students—be transferred to the loan program. For several reasons, I believe it most unwise to do this, and, while the parliamentary situation under which this bill is presented does not make it possible to amend the bill in this regard as this item does not appear in the bill itself, the legislative history of this amendment will show that the loan fund appropriation is increased by sufficient funds to allow the scholarship moneys not to be transferred, thereby leaving the scholarships at the same level as the budget requested.

The scholarship funds cannot be transferred, first of all, because the awards have already been made for the new school year. We are, in effect, directing medical schools to tell students who are counting on scholarships that what they were told last month must be rescinded. This is an unconscionable breach of faith on the part of the Congress. Second, these scholarship funds are needed to give such aid to all four classes of students. Until fiscal year 1970, only three classes were covered. With the increase of $4,781,000 that the budget requested for this fiscal year, the fourth class would also be covered as intended in the basic legislation.

The administration had hoped that the guaranteed loan program of the Higher Education Act of 1965 would be able to assist many medical students whose health professions loans would be reduced or terminated. That hope has unfortunately not proven to be a fruitful source of funds because the tight credit market is making it exceedingly difficult for any students to get loans under this program and because the reduction in loan funds was made known to medical schools only earlier this month—some 6 weeks before the new school term begins. Whatever guaranteed loans might have been available have long since disappeared, and medical students are left but a short time before school begins with no source of support.

The Department of HEW estimates that we need 52,000 more physicians right now, and that by 1976 we will still need 41,000. Our 100 medical schools now produce about 8,500 graduates a year—clearly an insufficient number. The administration, in its budget request, indicated its interest in encouraging the physician augmentation program in order to produce some 4,000 additional doc-

tors by 1973. This is indeed a laudatory objective but I cannot understand the logic in financing this program by taking $5 million from the funds allotted to medical student loans, as the report directs on page 30. Frankly, I do not understand how it is proposed that these additional medical students—not to speak of present medical students—are to finance their education if the loan funds are reduced.

Many students have expressed eloquently the hardships they are undergoing to finance their medical educations, and the greatest deprivation, if not termination of their careers, that will ensue from a reduction in loan funds. Such a situation will surely not close the gap between the number of physicians this Nation needs and the number we are now educating. It is simply the most shortsighted and cheap sort of economy to cut in half the funds that enable potential physicians to be trained.

I should like to insert in the RECORD at this point a paragraph from a letter I have received from Dr. Harry Gordon, dean of the Albert Einstein College of Medicine in New York, and a table of the appropriation history of medical student loan funds. Dr. Gordon writes:

It is appalling that the Federal and State Governments have not taken into consideration the fact that there is an increasing number of minority group students unable to support their education and an expanding number of students from low and middle income families who find it extremely difficult to attend medical schools. At a time when we have become increasingly aware of our acutely understaffed medical services, this will have a socially undesirable effect on our recruiting policies for health expansion.

MEDICAL STUDENT LOANS

	1968	1969	1970
Number of medical schools	93	98	100
Enrollment	34,018	35,962	37,558
Medical schools request for loan funds	$16,885,425	$19,030,340	$20,983,026
Appropriation	$14,736,357	$14,240,726	$7,924,353
Students receiving loans	23,255	23,000	(1)

[1] Not available.

Source: Public Health Service.

Mr. Chairman, I will not belabor the figures except to say when our Nation is able to send men to the moon and make such a magnificent achievement as that, this is hardly the time to cut back on needed scholarships and loans for our doctors, especially since there is a shortage of doctors throughout the country.

It is time to keep faith with our medical students. I would urge the House to add these rather modest, additional funds to the bill so that medical students will be able to complete their courses and we will be able to keep faith with those who are trying to become doctors and serve our Nation.

Mr. ROSENTHAL. Mr. Chairman, I rise in support of this amendment. In almost every medical school of this country, and in thousands of homes of medical students, basic decisions about future doctors are being made today and throughout this summer. It is now less than 2 months before medical schools resume for the 1969–70 year. Yet many students, and their schools, do not yet know how they will finance next year's schooling.

This situation results from several unusual factors which affect medical education. First, training for medicine is an arduous, lengthy, and very expensive undertaking. Second, doctors, once trained, are very well paid. Third, scholarship and loan aid for medical students has always been very limited because both private and public sources have been understandably, though regrettably, reluctant to help students who eventually will earn handsome incomes.

These factors in turn contribute to several serious problems in providing the medical care our country needs and deserves. Physician production has fallen increasingly short of our requirements. The doctors we do produce are selected from a too-narrow economic and social segment of our population. Too many doctors' sons become doctors. Social attitudes of medical care as a privilege, of the sanctity of fee-for-service as the only way of providing medical care and similar narrow values tend to become perpetuated in each successive generation of doctors because of the selection process for medical schools.

To face these problems, Congress gradually undertook programs both to increase physician production and to provide for more scholarship and loan programs for a wider variety of medical students. These programs, and these students are in a situation today which borders on desperation.

The administration seriously underestimated the results of attempting to economize on medical student loan funds. Under this misunderstanding, a funding was proposed for these funds which cut loan availability by about 50 percent.

Schools which had been encouraged by Congress to increase medical student enrollment discovered one morning this spring that their enrollment for September 1969 would almost certainly be reduced, in some cases drastically, by the administration's reduction in loan funds. These schools have already been advised of these proposed cuts. Medical school deans are confused and dismayed by these events. Students and their families are searching desperately for funds so that their education can proceed.

The administration's calculations in reducing the health professions student loan fund was based on an assumption, now clearly repudiated, that the guaranteed loan program of the Higher Education Act of 1965 would provide funds to medical students who would no longer need the health professions loan fund. The rise in the prime rate of interest and the general scarcity of private loan funds for educational purposes, made this assumption a cruel, though unintentional, deception for medical students.

When medical schools announced that existing loan funds would be reduced this fall, students went to local banks for guaranteed loans. There was simply no money available. Today, these students still have no fair prospects for financing their education in the school year which starts in 2 months.

To abandon these students to disruption or termination of their medical studies is unthinkable. To rely on the private credit market is impossible. The solution must come in additional funds for loans for medical, and other students, whose careers in medical care are both a public responsibility and in furtherance of a public good.

My colleague from New York (Mr. REID) and I have prepared an amendment to provide funds for the health professions student loan fund sufficient to insure the operation of that program at the fiscal year 1969 level. A sum of $14.8 million is needed for this purpose. This amount, we should recall, is not for grants or scholarships to students but for loans which are repayable.

The $15,000 to $20,000 which medical school training costs is a burden which society must share if we want to improve our medical care system by providing more and better doctors. Medical students have already had the considerable expenses of college training to finance by the time they start their specialized studies. After medical school they have 3 to 4 years of internship and residency training. To allow this long and costly burden to fall on students and their families alone will perpetuate the present inbred system of medicine and deprive our country of those new sources of health manpower we need so badly.

I urge my colleagues to support this amendment. Before we vote, I urge every Member to consider our past commitments to improved medical care which this amendment will help preserve and confirm.

Mr. FLOOD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, you will recall that in my statement earlier in the day, I went to some lengths to point out how this committee has shifted the emphasis from research to delivery and to service.

There is an increase in the bill, over 1969, of $46 million for training doctors, dentists, and nurses, and $41 million for construction of facilities where these students, studying to be doctors, nurses and dentists, can be trained—we have no quarrel with this, we are all for it and we put it in the bill.

Let me point this out to you. On this very item that is the subject of the pending amendment, this committee raised the budget $4,781,000. Further than that, the Nixon budget came in at $15 million—the Johnson budget was $20 million. This committee, because of the reasons I stated earlier, because we do believe in training and teaching doctors, nurses, and dentists, and building facilities for them, has done this.

We applied the rule of reason again, after consulting the experts who best know. We raised this item over $4,700,000, practically equal to the Johnson budget of $20 million, because of the reasons I have stated and stated earlier.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Iowa, who is well experienced in this program.

Mr. SMITH of Iowa. Mr. Chairman, I agree with what the gentleman from New York has said, except for one thing, and that is his statement that we did not

increase these funds. We did. It is a little difficult sometimes to see exactly how these things are handled. What happened is that the administration proposed a big increase in scholarship money. We took that money and put it into loans. We believe that as long as there is not enough money for all the students who want it, we ought to emphasize loans instead of scholarships, because this money will come back and be used again at some time in the future.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from New York.

Mr. REID of New York. It is my understanding that we are taking money from the scholarship program for the loan program. The problem is that there have already been commitments to certain students that scholarships would be provided.

Mr. SMITH of Iowa. It would not affect them one iota, because every dollar provided last year for scholarships is in the bill. All we took out was the increase in scholarships.

Mr. REID of New York. If the gentleman will yield further, it is my understanding that the medical schools of the United States have asked for an increase of $10 million. The reason I have requested an increase to $14 million is that the committee has transferred, if I understand correctly, $4 million from scholarships to loans, and the increase in the commitments in terms of classes that now exist would require an additional increase of $10 million. So there would be need for $14 million in scholarships to maintain the medical schools at the levels that were set.

Mr. SMITH of Iowa. If the gentleman will yield further, I do not know what somebody asked, but I know that we took the extra money that they wanted for scholarships and put in into the loan program. There will not be any reduction in the scholarship money previously provided. Our agreement in the committee was that we ought not to provide an increase in the scholarships, but to put the money into the loan program.

Mr. FLOOD. The gentleman from Iowa has stated the record and the facts. There was no intention on the part of the subcommittee under any circumstances to cut the scholarship program below the 1969 level.

Mr. Chairman, I ask that the amendment be defeated.

Mr. OTTINGER. Mr. Chairman, I move to strike the requisite number of words.

I would like to say a few words in support of the amendment. As a member of the Committee on Interstate and Foreign Commerce, which deals with substantive health legislation, I can tell you that one of the prime reasons for the tremendous increase in medical costs that we are experiencing all over the country is the inadequate numbers of doctors and inadequate facilities to train doctors to service the people who have medical needs.

In the medicare program and the medicaid program we supplied a vastly increased number of dollars with which people can pay for services, and that increased number of dollars is chasing an inadequate number of doctors, thus bidding up the prices all over the country. This is a classic case of inflationary pressure.

If you want to do something to provide adequate medical service for people who are not presently receiving it—if you want really to do something to decrease medical costs—there is no better way you can do it than to provide funds for the additional medical training set forth in the amendment of my colleague from New York.

I earnestly urge your support for the amendment.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I am glad to yield to the gentleman from New York.

Mr. REID of New York. Is it not a fact that there was a commitment to provide increased funds in the sum of $4.7 million for scholarships to enable all four classes to get scholarships, and that an additional $10 million, at the minimum, is necessary to provide loan funds close to the amount requested by the medical schools? Is it not correct that the effect of our action today would be to make it impossible for some of the students in their third year to complete their fourth year in the medical curriculum, and, therefore, the effect is to break faith with these students and actually cut back on the number that would be trained had this $14 million been made available?

Mr. OTTINGER. That is my understanding.

Mr. SMITH of Iowa. The fact is that that would have happened if we had not shifted funds; new students would have gotten scholarship money, and others may not have. We restored the money so the third-year students could get the money.

Mr. REID of New York. It is my understanding that transferring the $4.7 million will hurt students presently enrolled and all I am asking now is that we consider maintaining the amounts necessary so that those who have completed a portion of their medical training can complete their final years.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from New York (Mr. REID).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF EDUCATION

ELEMENTARY AND SECONDARY EDUCATION

For carrying out titles II, III, V, VII, and section 807 of the Elementary and Secondary Eductaion Act of 1965, as amended, section 402 of the Elementary and Secondary Education Amendments of 1967, and title III–A and V–A of the National Defense Education Act of 1958, $254,163,000; of which $200,163,000 shall be for school library resources, textbooks, and other instructional materials under title II and supplementary educational centers and services under title III of said Act of 1965 and for equipment and minor remodeling and State administrative services under title III–A and guidance, counseling, and testing under title V–A of said Act of 1958 (to be distributed in accordance with regulations promulgated by the Secretary of Health, Education, and Welfare); and $29,750,000 shall be for strengthening State departments of education under title V of said Act of 1965.

AMENDMENT OFFERED BY MR. MICHEL

Mr. MICHEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MICHEL: On page 25 strike out line 9 and all that follows on page 25 and insert in lieu thereof the following:

"For carrying out titles II, III, V, VII, and section 807 of the Elementary and Secondary Education Act of 1965, as amended, section 402 of the Elementary and Secondary Education Amendments of 1967, and title III–A and V–A of the National Defense Education Act of 1958, $254,163,000; of which $200,163,000 shall be for school library resources, textbooks, and other instructional materials under title II and supplementary educational centers and services under title III of said Act of 1965 and for equipment and minor remodeling and State administrative services under title III–A and guidance, counseling, and testing under title V–A of said Act of 1958 (to be distributed in accordance with regulations promulgated by the Secretary of Health, Education, and Welfare); and $29,750,000 shall be for strengthening State departments of education under title V of said Act of 1965.

"For an additional amount for grants under title I–A of the Elementary and Secondary Education Act of 1965 for the fiscal year 1970, $205,360,700: Provided, That the aggregate amounts otherwise available for grants therefor within States shall not be less than 92 per centum of the amounts allocated from the fiscal year 1968 appropriation to local educational agencies in such States for grants.

"For carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), $521,067,000, of which $505,900,000 shall be for the maintenance and operation of schools as authorized by said title I of the Act of September 30, 1950, as amended, and $15,167,000 which shall remain available until expended, shall be for providing school facilities as authorized by said Act of September 23, 1950."

Mr. O'HARA. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. O'HARA. Mr. Chairman, I make a point of order against the amendment on the ground that the paragraph which it amends has not yet been read.

May I be heard on the point of order, Mr. Chairman?

The CHAIRMAN. The Chair recognized the gentleman for that purpose.

Mr. O'HARA. Mr. Chairman, when the amendment was offered, the Clerk had finished reading the paragraph which begins on line 9, page 25, and concludes on line 24, page 25.

At that point amendments to that paragraph were in order. But the amendment of the gentleman from Illinois does not change so much as a comma in that paragraph; it repeats it absolutely verbatim. It is not an amendment to that paragraph. It is only in subsequent paragraphs that any amendment is made.

As a matter of fact, it goes on through another paragraph without any change whatsoever before it makes an amendment. The amendment does not come until the paragraph beginning on line 9 of page 26.

I would make the point of order, Mr.

Chairman, that the gentleman from Illinois will have to wait until that paragraph is read before he can offer an amendment to it.

The CHAIRMAN. The Chair will hear the gentleman from Illinois on the point of order.

Mr. MICHEL. Mr. Chairman, I submit that really all I am doing is adding to that first paragraph; therefore, it is very much in order.

The CHAIRMAN. The Chair has considered the arguments both for and against the point of order. The Chair sees no inconsistency in the gentleman's amendment repeating the paragraph on page 26 which the Clerk had not yet read. It is a different paragraph, but the Chair feels that the following paragraph can be consolidated with an amendment to the total paragraph.

Mr. O'HARA. Before the Chair rules, may I be heard further on the point of order?

The CHAIRMAN. The Chair will hear the gentleman further.

Mr. O'HARA. Mr. Chairman, under the rules of the House, when a bill is to be read by paragraph and a Member wishes to amend a paragraph that has been read and several succeeding paragraphs he is permitted to offer an amendment at the time the first of those paragraphs is read that he wants to amend and then at the same time give notice that if his amendment, which goes beyond the first paragraph and into several others, is adopted he will move to strike the succeeding paragraphs.

In the first place, the gentleman from Illinois gave no such notice, but let us not dwell on that. Let us dwell on the danger of upholding the amendment he is offering.

The gentleman from Illinois, I am sure, will agree that he makes no change whatsoever in the paragraph just read; absolutely no change.

If the Chair is going to hold that one can offer an amendment at any place one wants in the bill in order to get a provision that comes a page later, or two pages later, or 10 pages later—and that is what he has done; he has offered an amendment here that changes nothing but gets at something on the next page—and if we are going to say that the precedents of this House say one can offer an amendment any place and repeat some language until it gets to the thing he wants to amend, we are heading for legislative chaos, Mr. Chairman.

I believe this is a very serious problem, and I most earnestly ask the Chair to carefully consider his ruling, because otherwise it might be possible to offer an amendment to repeat the language for the next 25 pages until it gets to the thing one seeks to change. I believe it is terribly important that this amendment be considered out of order, Mr. Chairman.

Mr. HANNA. Mr. Chairman, a point of order.

The CHAIRMAN. On the amendment?

Mr. HANNA. On the point of order pending.

The CHAIRMAN. The gentleman will be heard on the point of order.

Mr. HANNA. Mr. Chairman, would I be correct in assuming that in the event amendments of this type were allowed, where you repeat language and then make changes further on down in the bill, that those persons desiring to change that language which has been incorporated in toto without change would have to make an amendment to the gentleman's amendment in order to be appropriately given recognition? If that is so, it indicates another problem which would arise in this kind of an amendment.

Mr. GERALD R. FORD. Mr. Chairman, may I be given the opportunity to comment on the point of order and urge disallowance of the point of order?

The CHAIRMAN. The Chair will recognize the gentleman for that purpose.

Mr. GERALD R. FORD. Mr. Chairman, it seems to me, first, that obviously that part of page 26 between lines 8 and 22, inclusive, are all germane to the subject matter of this legislation.

Second, according to the format of the bill H.R. 13111, you will notice that between the first paragraph that begins on page 25 and the second paragraph that begins on page 26 there is no numerical division by title or subtitle or otherwise.

Third, let me point out, as I understand the amendment offered by the gentleman from Illinois (Mr. MICHEL) in the preparation of his amendment he was careful to strike out the language which is included on page 26, line 8, entitled "School Assistance in Federally Affected Areas." So in effect he was considering not only paragraphs on page 25 and paragraphs on page 26 which are all germane, but there is no breakdown in numbers or in articles as far as this portion of the bill is concerned.

Therefore, I think it is logical and is sound reason for disallowing the point of order.

The CHAIRMAN (Mr. HOLIFIELD). The Chair is prepared to rule. The Chair is presented with a most difficult ruling at this time. He has resorted to a precedent in "Hinds' Precedents," volume V, page 404, paragraph 5795, which reads as follows:

> When it is proposed to offer a single substitute for several paragraphs of a bill which is being considered by paragraphs, the substitute may be moved to the first paragraph with notice that if it be agreed to, motions will be made to strike out the remaining paragraphs.

The Chair notes that the gentleman from Illinois did not give such notice. The amendment goes beyond the paragraph which has been read and in effect modifies a paragraph which has not yet been read.

The Chairman, therefore, sustains the point of order.

The amendment in the form in which it is offered is not in order.

AMENDMENT OFFERED BY MR. JOELSON

Mr. JOELSON. Mr. Chairman, I offer an amendment to the paragraph just read which is a simple substitute to several paragraphs of the bill dealing with the Office of Education, and I hereby give notice that after the amendment is agreed to I will make a motion to strike out the paragraphs appearing as follows: the paragraph on page 26, lines 1 through 7; the paragraph on page 26, lines 8 through 22; the paragraph beginning on line 13 of page 27 and extending through line 21, on page 28; the paragraph beginning on line 22, on page 28, and extending through line 17 on page 29.

The Clerk read as follows:

Amendment offered by Mr. JOELSON: On page 25 strike out lines 9 through 24 and substitute in lieu thereof the following paragraph:

"For carrying out titles II, III, V, VII, and section 807 of the Elementary and Secondary Education Act of 1965, as amended, section 402 of the Elementary and Secondary Education Amendments of 1967, and titles III–A and V–A of the National Defense Education Act of 1958 $364,616,000; of which $50,000,000 shall be for school library resources, textbooks, and other instructional materials under title II of said Act of 1965; $164,876,000 shall be for supplementary educational centers and services under title III of said Act of 1965; $78,740,000 shall be for equipment and minor remodeling and State administrative services under title III–A of said Act of 1958; $17,000,000 shall be for guidance, counseling, and testing under title V–A of said Act of 1958; $29,750,000 shall be for strengthening State departments of education under title V of said Act of 1965; $5,000,000 shall be for dropout programs under section 807 of said Act of 1965; $9,250,000 shall be for planning and evaluation under section 402 of the Elementary and Secondary Education Amendments of 1967; and $10,000,000 shall be for bilingual education programs under title VII of said Act of 1965. For an additional amount for grants under title I–A of the Elementary and Secondary Education Act of 1965 for the fiscal year 1970, $386,160,700: *Provided*, That the aggregate amounts otherwise available for grants therefor within States shall not be less than 92 per centum of the amounts allocated from the fiscal year 1968 appropriation to local educational agencies in such States for grants. For carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), $600,167,000, of which $585,000,000 shall be for the maintenance and operation of schools as authorized by sections 3, 6, and 7 of said title I of the Act of September 30, 1950, as amended, and $15,167,000 which shall remain available until expended, shall be for providing school facilities as authorized by said Act of September 23, 1950. For carrying out titles III and IV (except parts D and F), part E of title V, and section 1207 of the Higher Education Act of 1965, as amended, titles I and III of the Higher Education Facilities Act of 1963, as amended, titles II and IV of the National Defense Education Act of 1958, as amended (20 U.S.C. 421–429), and section 22 of the Act of June 29, 1935, as amended (7 U.S.C. 329), $859,633,000, of which $159,600,000 shall be for educational opportunity grants under part A of title IV of the Higher Education Act of 1965 and shall remain available through June 30, 1971, $63,900,000 to remain available until expended shall be for loan insurance programs under part B of title IV of that Act, including not to exceed $1,500,000 for computer services in connection with the insured loan program, $154,000,000 shall be for grants for college work-study programs under part C of title IV of that Act (of which amounts reallotted shall remain available through June 30, 1971), including one per centum of such amount to be available, without regard to the provisions in section 442 of that Act, for cooperative education programs that alternate periods of full-time academic study with periods of full-time public or private employment, $43,000,000 shall be for grants for construction of public community colleges and technical institutes and $33,000,000

shall be for grants for construction of other academic facilities under title I of the Higher Education Facilities Act of 1963 which amounts shall remain available through June 30, 1971, $11,750,000, to remain available until expended, shall be for annual interest grants under section 306 of that Act, $222,100,000 shall be for Federal capital contributions to student loan funds established in accordance with agreements pursuant to section 204 of the National Defense Education Act of 1958, and $12,120,000 shall be for the purposes of section 22 of the Act of June 29, 1935. For carrying out the Vocational Education Act of 1963, as amended (20 U.S.C. 1241–1391) (except part E of title I), and section 402 of the Elementary and Secondary Education Amendments of 1967, $488,716,000, of which not to exceed $357,836,000 shall be for State vocational programs under part B and $40,000,000 shall be for programs under section 102(b) of said Vocational Education Act of 1963, including development and administration of State plans and evaluation and dissemination activities authorized under section 102(c) of said Act, and $10,000,000 for part H of said title I, not to exceed $1,680,000 for State advisory councils established pursuant to section 104(b) of said Act, $13,000,000 for exemplary programs under part D of said Act of which fifty per centum shall remain available until expended and fifty per centum shall remain available through June 30, 1971, $15,000,000 for consumer and homemaking education programs under part F of said Act, and $14,000,000 shall be for cooperative vocational education programs under part G of said Act.

PARLIAMENTARY INQUIRIES

Mr. GERALD R. FORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. GERALD R. FORD. Mr. Chairman, would the Chairman or the gentleman from New Jersey clarify whether the amendment offered by the gentleman from New Jersey was offered as a substitute or as an amendment to the section?

Mr. JOELSON. If the Chairman will permit me to reply to the gentleman from Michigan, I would state to the gentleman from Michigan that it is an amendment which is a single substitute to several paragraphs of the bill.

Mr. GERALD R. FORD. It is an amendment.

Mr. JOELSON. That is correct.

Mr. GERALD R. FORD. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. GERALD R. FORD. A substitute for the amendment offered by the gentleman from New Jersey (Mr. JOELSON) would be in order if offered by someone?

The CHAIRMAN. The Chair will state that a substitute for the amendment would be in order.

Mr. GERALD R. FORD. I thank the Chairman.

Mr. MICHEL. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. MICHEL. Mr. Chairman, if the amendment offered by the gentleman from New Jersey (Mr. JOELSON), the entire package, is defeated, would it then be in order to amend different sections in this area, in this whole part?

The CHAIRMAN. The Chair will state that if the amendment is defeated, why, of course, we would be right back where we started.

Mr. MICHEL. And open to amendment at any point?

The CHAIRMAN. The paragraphs would be read, and they would be open to amendment.

PARLIAMENTARY INQUIRY

Mr. QUIE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. QUIE. Mr. Chairman, the entire substitute, as I understand, is open to amendment at any point, but insofar as the bill is concerned is the paragraph on page 25 which was read by the Clerk also open to amendment?

The CHAIRMAN. The gentleman is correct.

The Chair recognizes the gentleman from New Jersey (Mr. JOELSON).

Mr. JOELSON. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes to explain this amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

Mr. SMITH of Iowa. Where is a copy of this amendment so that we may know what we are doing?

Mr. JOELSON. There is a copy at the desk.

Mr. SMITH of Iowa. Is that not the usual procedure so that the Members may know what we are doing, and to have a copy of an amendment as long and as complicated as this?

Mr. JOELSON. If the gentleman will yield, I am asking for an additional 5 minutes so that I can explain my amendment to his satisfaction. If I have not done so, I will ask for another 5 minutes.

Mr. HALL. Mr. Chairman, reserving the right to object, I would suggest the gentleman ask for permission at the end of his first 5 minutes.

Mr. JOELSON. Mr. Chairman, I withdraw my request.

The CHAIRMAN. The gentleman from New Jersey is recognized in support of his amendment.

Mr. JOELSON. Mr. Chairman, during general debate, in order to indicate the widespread support for my proposal, and that it was not limited to one party or to one segment of the economy or limited to one type of interest. I gave the names of some of the sponsors and I think I should do that again.

Today I received a letter from the U.S. Conference of Mayors warmly endorsing the proposal signed by Jack D. Maltester, mayor of San Leandro.

I also received a letter from the National League of Cities signed by the mayor of Nashville, Tenn., C. Beverly Briley.

Included in the list of organizations in support of this proposal, there is the AFL–CIO, the American Association of Junior Colleges, the American Association of School Administrators, the American Association of State Colleges and Universities, the American Federation of Teachers, the American Library Association, the American Vocational Association, the Catholic Library Association, the Lutheran Council in the United States, the National Congress of Parents and Teachers, the Council of Catholic Men, and the National Education Association.

There are others, Mr. Chairman. There are some 50 to 60 sponsors.

Mr. Chairman, I would like to explain what my proposal would do.

First, let us start with the largest item, which is impacted aid. My proposal would increase by $398 million the recommendation of the full Committee on Appropriations. This would provide sufficient funds for 90 percent of the authorizations. I must confess I am very puzzled by the committee approach which now says, "We will fund you for the people who work on the Federal property and who live there, but if they live across the street, they are not covered."

I think this seems to be just folly. So my proposal would be to lump these two together and to fund them as one. So the appropriation would be an increase over the House committee, as I said, of $398 million.

Going to vocational education, my proposal would increase the committee proposal by $131,500,000.

But I would like to point out to you that the bill, as authorized by the Committee on Education and Labor, would provide a figure that even with my amendment would come up to a figure only 63 percent of the full authorization.

Going to title I of the Elementary and Secondary Education Act, that is ESEA, I would increase the figure of the House committee by $180 million. But I want to point out very clearly that even with the increase I have proposed, the percentage of the total authorization is 44½ percent, less than a half of authorization even with my increase. The committee would fund only 38 percent of the full authorization.

Now we go to this one group containing four items. One is title II of ESEA pertaining to school libraries; title III of NDEA concerning equipment; title V, of NDEA providing for guidance and counseling; title III of ESEA, providing for supplemental centers. The full committee did what, to me, is an absurd thing. They did not fund each item. They took one lump sum and then they said to the Commissioner of Education, "You divide it up as you like. No matter what you do, it is OK with us."

What I would do is to provide funds for each one of these items specifically: $50 million for school libraries; $78,740,000 for equipment; $17 million for guidance and counseling; and $164,876,000 for supplemental centers.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

(By unanimous consent, Mr. JOELSON was allowed to proceed for 5 additional minutes.)

Mr. JOELSON. We also propose to increase two items for higher education. I am very, very disappointed to have to tell you that with regard to construction, the committee, although they were authorized $711,360,000, appropriated not one penny—nothing. I would propose to ap-

propriate $33 million. Do you know what percentage of the total authorization that would be? 4.6 percent of the total authorization.

Again, going to student loans, I do not have to tell you, for I am sure you have received letters, that young people who want to go to college cannot get loans from banks because of the high interest rates. I propose an increase for student loans so that instead of funding the program at 62 percent of the authorization, as the committee would have you do, I would fund it at 83 percent, which would be an increase in the appropriation of $40,794,000.

I might also let you know that even with my increase, many of the items would not be increased. In title II, school libraries are not increased over the appropriation for 1969. Title III, for equipment, not increased over fiscal 1969, even with my amendment. Title V, for guidance and counseling, not increased over 1969. Title III, for supplemental centers, not increased over 1969. And higher education construction not increased over 1969.

We hear about taxes. I want you to know, and I am sure you know, that the school bills are paid by the local taxpayer; the little guy, the little homeowner. The money will have to be spent for local education. What we are saying to the little homeowner is, "You are strapped. You are against the wall. The Federal Government has greater resources than just you little homeowner, and we are going to help you out." So we are not really raising more taxes; we are just distributing the load.

I would like to remind you that we have an authorization bill here. We just cannot turn everything over to the Appropriations Committee, and I am a member of that committee, but we must not give it the right to decide everything because then we would not need any legislative committees.

Mr. Chairman, when I leave Congress, if I am remembered for a week or two, I would like to be remembered as an advocate of educational opportunities for our youth. I am sure you would, too. I think it is good Government. I think it is good politics. I think that is what the people want. It is our way of expressing faith in our young people, our way of acknowledging their potential, and helping them to realize it is to supply the money that I am urging. I ask you, please, to join me in this constructive effort.

Mr. KARTH. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from Minnesota.

Mr. KARTH. Mr. Chairman, I commend the gentleman from New Jersey particularly for increasing substantially the amount for student loans. Let me explain why.

Last year when a young lady by the name of Jean Johnson graduated from a high school in my district, and because she graduated with honors, I sent her a letter of commendation and urged her to continue her education through college. Today she sent me a letter in which she said she desperately wants to go to college but can only do so by taking advantage of the student loan program the Congress has previously authorized. However, try as she did, she could not find a financial institution in the entire Twin Cities area that will grant her a student loan, even though there is statutory legislation to that effect on the books.

Mr. Chairman, she went to the 10 leading financial institutions in the Twin Cities metropolitan area. The biggest financial institution said if she had 1 year of college and had a substantial savings account at their bank, then they would talk to her about a student loan. Sorry you do not qualify.

The second financial institution said if she had been a customer of their bank and had a savings account for 6 months they would consider her request. Sorry.

The third one said they were sorry also, but all the money for student loans had been used up.

The fourth one said they were sorry, all they do is provide installment loans and installment loans only.

The fifth one said they had discontinued participating in the student loan program in April 1969.

The sixth and seventh institutions of finance said they were sorry but student loans were of no interest to them.

The CHAIRMAN. The time of the gentleman from New Jersey has again expired.

(On request by Mr. KARTH and by unanimous consent, Mr. JOELSON was allowed to proceed for 1 additional minute.)

Mr. KARTH. Mr. Chairman, if the gentleman will yield further, the last institution said they were sorry, they do not sponsor the student loan program at all, and they never had.

Mr. Chairman, this is the only way this young lady can continue with her education.

I commend the gentleman from New Jersey and certainly indicate my strong support for his amendment, because there are so many other Jean Johnsons around the country who will not be able to go to college unless we do something more substantive in the student loan program.

Mr. Chairman, I thank the gentleman from New Jersey for yielding.

Mr. JOELSON. Mr. Chairman, I thank the gentleman from Minnesota for his comments.

Mr. McCARTHY. Mr. Chairman, I rise to support the package of amendments offered by the distinguished gentleman from New Jersey (Mr. JOELSON). This package would mean about $1,050,000 in urgently needed additional aid to Buffalo schools.

Let me state the specifics:

First. Under title I of the Elementary and Secondary Education Act, the board of education of Buffalo would receive $500,000 more than the present bill calls for. The level in the bill as it now stands does not even meet rising salaries and costs. Buffalo would have to curtail programs for the disadvantaged. It is already planning to cut all programs and eliminate several programs. Among the victims, without the Joelson amendments, would be Buffalo's "early push" program. Similar to Headstart, it has been so successful in Buffalo that it has been designated by Washington as a "Follow Through" city. Other victims would be the remedial reading programs in Buffalo and other compensatory programs.

Second. Under title II of the Elementary and Secondary Education Act, all schools in Buffalo, public and parochial, would stand to gain $200,000 for books and other library materials.

Third. Under title III, as it now stands, Buffalo will lose about $25,000 for instructional equipment material such as audio-visual aids, foreign languages and the like.

Fourth. Under the National Defense Education Act and VA, Buffalo would lose about $80,000 as the bill now stands which is desperately needed to improve guidance counseling services. The ratio of guidance counselors to students in Buffalo now stands at one counselor to 400 boys and girls. It should be one counselor to 250 young people.

Fifth. Under Elementary and Secondary Education Act, title III, Buffalo expects it would have to curtail innovative and experimental programs to the tune of $60,000.

Sixth. Under vocational education, Buffalo would stand to lose $25,000 under the present bill. This would mean that needed equipment at Buffalo's seven excellent vocational and technical high schools would not be purchased. It costs twice as much to educate a youth in a vocational school, but New York State provides nothing extra. In the opinion of Buffalo's School Superintendent, Dr. Joseph Manch, every high school should offer vocational education so that every student could have it available to him.

Seventh. Under impacted area aid, Buffalo would stand to lose $160,000 as the bill now stands. This is $160,000 that has already been budgeted as anticipated funding. I should note here that the Buffalo Board of Education estimated that for this present fiscal year it would need $6,000,000 more just to carry out the same programs as last year on the same level. But it got only $16,000 more. The State failed in its responsibility and compounded the emergency.

So that the total comes to $1,050,000 that is desperately needed by the schools of Buffalo, I hope the House will see its way clear to passing the Joelson amendments.

Mr. ADDABBO. Mr. Chairman, I rise in support of the Joelson amendment. Specifically, the focus of my remarks will be directed to title II of the Elementary and Secondary Education Act. The legislation is aimed at remedying some of the deficiencies in the area of school library resources, textbooks, and other printed and/or published instructional materials existing in our Nation's schools. In fiscal year 1969 there was appropriated in support of this legislation $50 million out of an authorization of $162.5 million. For fiscal year 1970, against an authorization of $200 million, the committee has recommended that no specific amount be appropriated in support of title II, but rather that funds for this purpose be included in a general

fund that would cover not only title II of ESEA, but title III of ESEA, and titles III–A and V–A of NDEA as well. In fiscal year 1969 there was appropriated in support of all these titles a total of $311.61 million. The committee recommends that we appropriate in fiscal year 1970 the sum of $200.16 million to support all these titles. Since this is $110.5 million under fiscal year 1960 levels, it is clear that title II of ESEA will suffer a severe blow if the committee recommendation is accepted by this body.

All evidence clearly established a continuing need to fund title II ESEA at substantial levels. As of March 1968, there were 36,000 public schools in our Nation that lacked library facilities. Increasing enrollments are placing more and more demands on those school library facilities which already exist.

Texts and other instructional materials, already in short supply in many school districts, are bound to become obsolete through extended use if funds are not available for replacement. While the Joelson amendment will not provide funds sufficient to overcome these deficiencies, it does insure—to some extent—that programs under title II will not be allowed to backslide to a point where gains made in the last 5 years will be canceled out. I, therefore, urge you to vote yes for the Joelson amendment and for the youth of America.

SUBSTITUTE AMENDMENT OFFERED BY MR. MICHEL FOR THE AMENDMENT OFFERED BY MR. JOELSON

Mr. MICHEL. Mr. Chairman, I offer an amendment as a substitute for the amendment offered by the gentleman from New Jersey (Mr. JOELSON).

The Clerk read as follows:

Amendment offered by Mr. MICHEL as a substitute for the amendment offered by Mr. JOELSON: On page 25 beginning with line 9 and continuing to line 17 on page 26, insert the following:

"For carrying out titles II, III, V, VII, and section 807 of the Elementary and Secondary Education Act of 1965, as amended, section 402 of the Elementary and Secondary Education Amendments of 1967, and title III–A and V–A of the National Defense Education Act of 1958, $254,163,000; of which $200,163,000 shall be for school library resources, textbooks, and other instructional materials under title II and supplementary educational centers and services under title III of said Act of 1965 and for equipment and minor remodeling and State administrative services under title III–A and guidance, counseling, and testing under title V–A of said Act of 1958 (to be distributed in accordance with regulations promulgated by the Secretary of Health, Education, and Welfare); and $29,750,000 shall be for strengthening State departments of education under title V of said Act of 1965.

"For an additional amount for grants under title I–A of the Elementary and Secondary Education Act of 1965 for the fiscal year 1970, $205,360,700: *Provided*, That the aggregate amounts otherwise available for grants therefor within States shall not be less than 92 per centum of the amounts allocated from the fiscal year 1968 appropriation to local educational agencies in such States for grants.

"SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

"For carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), $521,067,000, of which $505,900,000 shall be for the maintenance and operation of schools as authorized by said title I of the Act of September 30, 1950, as amended, and $15,167,000 which shall remain available until expended, shall be for providing school facilities as authorized by said Act of September 23, 1950."

Mr. MICHEL (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read inasmuch as it is the same as the amendment I previously offered.

Mr. O'HARA. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The Clerk will read.

The Clerk proceeded to read the amendment.

Mr. MICHEL (during the reading). Mr. Chairman, I ask unanimous consent that the substitute be considered as read inasmuch as it is the same as I offered previously.

The CHAIRMAN. The Chair would suggest the gentleman explain the meaning for his request. There was no objection.

Mr. MICHEL. Mr. Chairman, it is only in the interest of time.

The CHAIRMAN. Will the gentleman explain the meaning of his request? Does the gentleman wish to tell the committee what he told the Chair just now?

Mr. MICHEL. Mr. Chairman, I simply asked unanimous consent that my substitute for the amendment be considered as read, inasmuch as it is in the same form as that which I offered previously.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. QUIE. Mr. Chairman, reserving the right to object, does the gentleman make the announcement about striking out later paragraphs in the bill?

Mr. MICHEL. Mr. Chairman, there is no need for that kind of announcement. I have offered an amendment.

Mr. JOELSON. Mr. Chairman, further reserving the right to object, did the gentleman make the announcement that he will serve the same type of notice I served, that this is the same type of amendment?

The CHAIRMAN. Under the circumstances of the gentleman's amendment, he does not have to serve that notice.

Mr. O'HARA. Mr. Chairman, a parliamentary inquiry.

Mr. MICHEL. Mr. Chairman, I withdraw my unanimous-consent request, and ask that the substitute amendment be read.

The CHAIRMAN. The Clerk will read.

The Clerk concluded the reading of the substitute amendment.

The CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes in support of his substitute amendment.

PARLIAMENTARY INQUIRY

Mr. QUIE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Illinois yield for a parliamentary inquiry?

Mr. MICHEL. I yield.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. QUIE. If the substitute amendment of the gentleman from Illinois prevails, is the remainder of the title still open to amendment, which would have been amended if the amendment offered by the gentleman from New Jersey (Mr. JOELSON) had prevailed?

The CHAIRMAN. If the substitute amendment offered by the gentleman from Illinois is agreed to and the Joelson amendment as thereby amended is agreed to, then there are some remaining paragraphs which have not been read and they would be next for consideration and subject to amendment.

Mr. QUIE. So the announcement of the gentleman from New Jersey that subsequently those further paragraphs he would move to delete would no longer prevail; is that correct?

The CHAIRMAN. The Chair is not faced with that situation. If a motion to delete the remaining paragraphs is made, that would be for the consideration of this Committee.

PARLIAMENTARY INQUIRY

Mr. JOELSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Illinois yield for that purpose?

Mr. MICHEL. Mr. Chairman, may I ask if this is coming out of my time?

The CHAIRMAN. It is coming out of the gentleman's time.

Mr. MICHEL. If the gentleman would consent to an additional 5 minutes, I would yield.

The CHAIRMAN. Does the gentleman make that request?

(By unanimous consent, Mr. MICHEL was allowed to proceed for an additional 5 minutes.)

The CHAIRMAN. Now does the gentleman from Illinois yield for a parliamentary inquiry?

Mr. MICHEL. I yield, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. JOELSON. If the gentleman's amendment should carry, what would he move to delete?

The CHAIRMAN. If action is taken on the Michel substitute amendment and it is agreed to, and then the Joelson amendment is agreed to, then we would proceed to read the succeeding paragraphs which have not been read and amendments of various kinds may be made to those paragraphs.

Mr. JOELSON. Mr. Chairman, may I ask the gentleman a further parliamentary question?

Mr. MICHEL. I yield to the gentleman.

Mr. JOELSON. Does your amendment refer to any subject matter not contained in my amendment?

Mr. MICHEL. Not to my knowledge.

Mr. JOELSON. Thank you.

The CHAIRMAN. The gentleman from Illinois will proceed.

Mr. MICHEL. Now, Mr. Chairman, the gentleman from New Jersey has sweetened up his package here for those 385 Members in this House who get a little piece of that action, that is, the federally-impacted aid money. In our bill we held to the budget request of $202 million, but we recognized that these 385 Members would probably want to do something additional for their districts with respect to impacted aid.

At this point, Mr. Chairman, I would like to yield to the original author of the amendment to increase that amount up to last year's level, the gentleman from Kansas (Mr. SHRIVER) and have him take the ball at this particular point. Before doing so may I say that the first part of my amendment here would hold the committee figures to our $84 million increase for the four categories of Supplementary Educational Centers, library resources, guidance counseling and testing and equipment and minor remodeling.

Mr. PERKINS. Mr. Chairman, will the gentleman yield to me?

Mr. MICHEL. I am sorry. I have to yield to my friend from Kansas.

Mr. SHRIVER. Mr. Chairman, I thank the gentleman from Illinois for yielding to me.

Mr. Chairman, my amendment will restore $318.9 million to the Public Law 874 program. This would make $505.9 million available for school assistance in federally affected areas which is the same amount as appropriated for 1969.

Nearly 19 years ago the Congress established a program of Federal assistance to school districts which were affected by Federal activities. The program recognizes the inequity of forcing local taxpayers to pay the extra costs of educating an increased enrollment of new pupils as a result of expanded Federal activities in local school districts. The number of Federal installations used as a basis for Public Law 874 funding in fiscal 1968 was 5,601; 85 percent of these were military bases. Payments are also made under Public Law 815 to assist in constructing schools in areas where enrollments are increased by Federal activities. The request for this item in fiscal 1970 is $15,167,000.

The Public Law 874 program is based primarily on two categories of children. Those who live on Federal property with a parent employed on Federal property are "a" pupils, and children who either live on Federal property or live with a parent employed on Federal property are "b" pupils. The amount paid for the "a" category child is roughly one-half of the yearly per pupil cost, and the amount paid for "b" category children is roughly one-fourth of the cost per child.

This year the committee has accepted the administration's request for $202,167,000 for the impacted-area programs. This would include $154.7 million for category "a" children, $32.3 million for the full cost of educating 52,400 pupils under section 6, and $15.2 million for Public Law 815 construction costs. No funds are provided for category "b" pupils.

According to testimony before the committee, there are approximately 2.5 million children in the "b" category, or about 5½ percent of our total number of elementary and secondary school pupils. Actually, 52 percent of all public school children attend schools receiving this aid. The elimination of "b" funds has created a pending crisis for local school districts. They are, in many cases, awaiting action by Congress on this matter to determine local tax levies for the coming year. Failure of the Congress to restore these funds to their 1969 level could mean the difference between holding the line or increasing property taxes in many school districts.

I have heard the argument that category "b" parents contribute to the upkeep of these schools through State sales taxes, but it is well known by those who pay the bills that the major source, by far, for education expenses is the local property tax, not the State sales tax. At any rate, many of these category "b" school districts are inhabited by low-income enlisted personnel with large families and stays of short duration. Many of these bases provide post exchanges for these low-income people, thus removing a large part of local income from these installations and from State sales tax income.

It is depressing to note that with the reported recommendation, after the $32 million for section 6 is taken off the top, the remaining funds would pay only 28 percent of full entitlement if both "a" and "b" children are included.

If these programs were to be funded in full for fiscal 1970, a total of $650.6 million would be needed. In addition to this, the low-rent public housing amendments which were added to the education authorization by the house earlier this year would add nearly one-quarter of a billion dollars per year to this program. Also, if full entitlement were granted for the construction program, that would add nearly $65 million to the bill.

On a number of occasions in the past. I have supported funding of this law up to full entitlement. These days, however, are not ordinary.

The difficulties in obtaining Senate passage of the surtax extension only serve to add weight to the burden of inflation. I believe it would be irresponsible at this time for the house to add $145 million included in a so-called full-funding amendment.

Such action may also be impractical. If the full-funding amendment is adopted, it would be probable that the full amount would not be allocated by the Bureau of the Budget. We have faced that problem before. Thus, local school districts still would not know what to do about their local tax levies. We would at least be on firmer ground with this amendment which holds fiscal 1970 spending to the fiscal 1969 level.

Over the years, the impacted areas program has proven to be one of the most effective and least-complicated programs providing Federal assistance to education. We all know there are some inequities in this program. For example, there are many wealthy counties in the country, such as suburban communities outside Washington, D.C., which are large beneficiaries of this aid when, in fact, Federal activities in the area constitute tremendous economic advantages for those school districts.

My own children have been counted in Fairfax County, Virginia's allocation of funds, and I own my home and pay most of the taxes of the State and area, so there is not any real impact upon the school system because of my employment on Federal property. There have been several studies advocating a change in the impact aid program. There is presently another study being conducted. Changes, however, should be made by the legislative committee after hearings and careful consideration, not by the Appropriation Committee—nor in an appropriation bill.

Last year, we appropriated $200,000 for an evaluation of the program to determine whether or not the payments were too high or too low in some categories. The survey will be completed in December by the Battelle Memorial Institute of Columbus, Ohio. We should wait until those recommendations are made before making major funding changes, be they increases or decreases.

I believe that restoration of Public Law 874 funds in the same amount as voted in 1969 is a reasonable and responsible compromise at a time when we are endeavoring to fight inflation. It also honors the longtime commitment of the Federal Government with 4,235 school districts in the country which have relied in part on this 19-year-old program. I urge you to support this amendment. It is reasonable; it is responsible in this point of time and with the fiscal problems we face; it is the proper compromise while we await the studies and the Legislative Committees consideration of changes in this program. It does not violate any prior commitment.

We are endeavoring to fight inflation. This action would honor the long-term commitment of the Federal Government to the 4,235 school districts in the country which have relied, in part, upon this program for the period of 19 years.

So, Mr. Chairman, I urge the members of the Committee to support the amendment which has been offered by the gentleman from Illinois (Mr. MICHEL).

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I shall be happy to yield to the distinguished chairman of the full Committee on Appropriations.

Mr. MAHON. Mr. Chairman, there seems to be some considerable uncertainty and confusion as to just what is pending before us.

Let me ask the gentleman from Illinois: Is it true that with respect to this portion of the bill, he is proposing no change in the bill as it is printed and as it is before all of the Members of the House? He is making no change whatever, except that he is adding $319 million above the budget for impacted aid.

Is that the only issue involved and is that the only change being proposed by the gentleman from Illinois?

Mr. MICHEL. The chairman is altogether correct.

Mr. MAHON. I wish to say, Mr. Chairman, that I strongly support the gentleman's substitute.

Mr. MICHEL. As I indicated in the first part of my statement——

Mr. ANDREWS of Alabama. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Alabama.

Mr. ANDREWS of Alabama. Will this $319 million proposed by your amendment take care of the so-called category "b" schools?

Mr. SHRIVER. Mr. Chairman, will the

gentleman from Illinois yield to me in order to respond to that question?

Mr. MICHEL. I yield to the gentleman from Kansas.

Mr. SHRIVER. It would.

Mr. ANDREWS of Alabama. If the gentleman will yield further, at the same level of funding for 1969?

Mr. SHRIVER. Mr. Chairman, if the gentleman will yield further; no, not the same level of funding because we do not know how many students there will be, but at the same rate of category "a" students.

Mr. MICHEL. The category "a" and "b" students would be at the same level.

Mr. ANDREWS of Alabama. In other words, there would be no change in their status?

Mr. MICHEL. There will be no distinction between the two.

As I started to say, in the first part of this amendment we added $84 million to the four items where there was only $116 million for supplementary educational centers and nothing for library resources, guidance and counseling and equipment.

In summary what we added in committee and what I am proposing to add for impacted aid we are $402 million over the budget on the items included in my substitute.

I am certainly not proud of supporting those kind of increases, but I see the handwriting on the wall and would much prefer this to the $894,547,000 increase as proposed by Mr. JOELSON.

Mr. ANDREWS of Alabama. I thank the gentleman.

Mr. BOLAND. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the substitute and in support of the amendment offered by the gentleman from New Jersey (Mr. JOELSON). I say this because it seems to me that if one listened carefully to the argument of my beloved and distinguished chairman of the full Appropriations Committee and to the response of the gentleman from Illinois (Mr. MICHEL), the ranking minority member on the Labor-Health, Education, and Welfare Subcommittee, one should vote against the substitute.

Mr. Chairman, let me repeat that if one listened to the arguments advanced by the chairman of the full Appropriations Committee—a giant of this Congress, or any other Congress, for that matter, and a man I love and admire—and if one listened to the response of the gentleman from Illinois, a distinguished and highly respected Member of Congress known for his diligent work on the Appropriations Committee, it would appear that their comments are really in support of the Joelson amendment rather than in opposition. I say this because the only aid-to-education program in which they appear to be passionately interested is the one that offers financial assistance to federally-impacted school districts—the one that has elicited the support of 385 Members of this body, as the distinguished gentleman has cited, because they have some kind of military installation in their areas.

So they are concerned about federally impacted areas—and justly concerned. I feel that all 385 Members have a right to believe the Federal Government must honor its commitment to provide financial assistance under Public Law 874—not only for category "a" students but for category "b" students as well.

That is enough on impacted areas. All of you know this issue well. All of you know how you are going to vote on it.

But I think we should be just as concerned—just as passionately concerned—about the poor, the disadvantaged, the disinherited millions that live in the Nation's rotting ghettos and ruined countryside towns. The programs that would help the children of these millions to realize their educational goals would be given at least a modicum of financial strength under the amendment sought by Mr. JOELSON. Programs such as ESEA, title II and title III; NDEA, title III and title V; vocational education, higher education grants, and the student loan program would continue stimulating education in the United States if Mr. JOELSON'S amendment carries. These programs are the ones we should fund most amply because they are the ones that will eventually help solve the country's major problems—poverty, unemployment, injustice, and all the social ills that attend a lack of educational opportunity.

Mr. Chairman, I do not come to the well of this House with a bleeding heart; nor do I come here as one who is impressed with what we spent on aid-to-education 5 years ago or 10 years ago.

I come here only to urge that we accept our responsibility to fund education programs as adequately as possible. The problems faced by our school systems are mounting. They are difficult. They are complex. One of the best ways to help solve them is in the legislation now before us.

So we should stand up and be counted on the funding of education programs that the legislative committees have strived so hard to develop over the past years, and with which the Labor-HEW subcommittee has cooperated so well over the same period of time.

We must not compromise our Nation's school systems.

The sweeping cuts sought in fiscal 1970 Office of Education programs would jeopardize the school systems responsible for educating American children, and, in turn, would jeopardize the very future of the United States.

It would be the most arrant brand of false economy to carry out wholesale budget cuts in aid-to-education programs—programs, that school systems throughout the country need, to meet their responsibilities in this era of increasing social and technological sophistication.

Such cuts, in fact, would be tantamount to taking a $5 oar away from a boatsman struggling to row $5,000 worth of cargo across a river. "Sorry," we would have to say to him. "But we have to do this in the interest of economy."

In 1965 we made an historic commitment to the improvement of education at all levels and to the expansion of educational opportunity. I think that the question confronting us today is whether we are willing to compromise that commitment.

In 1965 President Johnson proposed "a program to insure every American child the fullest development of his mind and skills." Subsequently in his education message he declared:

> We want this not only for his sake . . . but for the Nation's sake. Nothing matters more to the future of our country; not our military preparedness, for armed might is worthless if we lack the brainpower to build a world of peace; not our productive economy, for we cannot sustain growth without trained manpower; not our democratic system of government, for freedom is fragile if citizens are ignorant.

These remarks set the tone of the 90th Congress. They reflected, too, the depth of our commitment and signaled a new direction in Federal aid to education. Someone has suggested that children do not fail but rather that schools fail our children.

Education deficiencies so blatantly clear by 1965 would seem to substantiate this claim.

Then Secretary of Health, Education, and Welfare Celebrezze and Commissioner of Education Keppel both underscored the close relationship between education attainment and family income. At that time enrollments in elementary and secondary schools were expected to increase by 4 million within the next 5 years. It was also estimated that almost this same number of young people would drop out of high school before receiving their diplomas.

The greatest education deficiencies were then and are now in the schools that serve the children of the poor in the heart of our large cities and in many rural communities.

No less an educator than our present Commissioner of Education and then Commissioner of Education in the State of New York, James E. Allen, Jr., underscored the seriousness of the situation. No one painted a more vivid and disturbing picture of the plight of schools that house the children of racial minorities and of the economically deprived.

Commissioner Allen said:

> It is abundantly clear, that a society committed to the principle of equality and with the means to achieve it, must act swiftly and massively with measures appropriate to the need.

I agree with Commissioner Allen. I, too, believe that we have the means to achieve educational equality. But the proposed HEW budget certainly does not reflect that capability. As Commissioner of Education in New York, Mr. Allen noted that even with the full funding of title I of the Elementary and Secondary Education Act it "would be only a modest beginning on a tremendous task." I believe that this is applicable on a national scale.

That is why I am wholeheartedly supporting the package of amendments introduced by Representative JOELSON.

The authorization for fiscal year 1969 for title I of ESEA was $2.184 billion and slightly over half of that amount was appropriated. For fiscal year 1970 some $2.359 billion is authorized, yet the administration is asking for only $1.226 billion. The Appropriations Committee seeks even less—only recommending $1.216 billion.

The amendment sought by Mr. JOEL-

SON would increase title I appropriations to nearly $1.4 billion for fiscal year 1970. With elementary and secondary enrollments skyrocketing, I do not see how we can expect education agencies to maintain, even their present efforts, for disadvantaged children on a lesser amount.

Another revision Mr. JOELSON proposed would maintain intact the individual appropriations for titles II and III of ESEA and titles III–A and V–A of the National Defense Education Act.

H.R. 514 as passed by the House this year would allow a combined appropriation for these titles. The danger of this approach has been demonstrated in the meager budget request of only $116,-163,000—all of which has been earmarked for title III of the ESEA.

It is extremely difficult for me to understand how the needs and accomplishments of other titles can be conveniently ignored. There are pages and pages of testimony from all sources in the 1965 ESEA hearings concerning the importance of books, libraries and educational equipment in the education process.

The proposed budget would seem to indicate that these have now become low propriety items.

The testimony before an Appropriations Subcommittee on this cutback of library and equipment funds was weak, indeed. The gist of the Office of Education's reasoning was that since so much has already been accomplished under these programs, and since we have, what was termed a "very constrained budget," we could put these programs aside for a while. However, one administration witness went on to say that, "I would suspect, in subsequent years, we would come before you and reiterate the importance of using Federal resources to help purchase books, equip libraries, and provide equipment to the schools."

None of this makes sense to me. I believe that it is necessary to make specific appropriations for each of these programs or some—quite obviously, will be cut back entirely.

Financial jargon such as "a year of stringent budget" and "realigning of our priorities" and "constrained budget" is simply begging the question.

Many of HEW witnesses before the Appropriations Subcommittee are the same people who testified 4 years ago on the pressing need for greater Federal support for elementary and secondary programs, for college facilities and student aid, for expanded public libraries, for better vocational education programs.

If our educational needs were critical 4 years ago then they are no less critical today. I do not believe that the needs of our disadvantaged, handicapped, migrant, Indian and Spanish-speaking children, of our potential dropouts, of our potential college and vocational school students can be economized.

I vigorously support the amendment to appropriate $50 million for title II of ESEA, the same amount appropriated last fiscal year; to appropriate $78,740,-000 for title III of the NDEA, a figure also equal to last year's funding level; to appropriate $17 million for title V of the NDEA; and to appropriate $164,876,-000 for title III of ESEA.

Aid to federally impacted school districts, the districts charged with educating the children of Armed Forces personnel and Federal employees, is still another program that must be adequately funded. Yet the legislation now before us seeks a fiscal 1970 appropriation of only $202,167,000, a sum that would assist in the education of category "a" students, but that would wholly ignore category "b" students.

In enacting Public Law 874, the law authorizing financial assistance to impacted school systems, the Congress recognized its responsibility to help thousands of communities throughout the Nation.

These communities, faced with soaring school enrollment rates spurred by manpower buildups in the Armed Forces and the defense industry, are caught in a financial squeeze, of almost unprecedented severity.

Military personnel and defense workers are often transients living on Federal installations or in rented apartments, contributing very little to the tax base of a community. The school systems responsible for educating their children have drafted budgets and educational programs with the assumption that the Congress would honor its commitment under Public Law 874.

Major budget cuts in this program would create educational chaos in these school systems.

Chicopee, Mass., for example, is a city in my congressional district that must educate the children of personnel at nearby Westover Air Force Base. This community would be shortchanged by hundreds of thousands of dollars if category "b" is not funded. Other communities in my district would be similarly hard hit—Springfield, Ludlow, Wilbraham, the Hampden Wilbraham School District, Granby, South Hadley and Belchertown.

For the sake of these communities, and thousands more like them throughout the country, I urge adoption of the Joelson amendment proposing $585 million for Public Law 874.

Several areas of post-secondary education have been subjected to the slash of the budget cutter's knife, areas where I do not believe we can afford to economize.

Vocational education has become increasingly more important in the past few years because the need for post-secondary education has become increasingly more important.

It is just as necessary to provide adequate vocational education to motivated students as it is to provide high quality, higher education for qualified students. Legislation enacted by the 88th Congress in 1963 provided a major thrust forward in achieving this goal. Efforts were reinforced by extensive amendments in 1968.

The Vocational Education Act and its amendments can accomplish little, however, if we fail to provide adequate funding. That is why Mr. JOELSON's proposed amendment would appropriate a substantial increase, for vocational education programs over last year's amount. Under the amendment $488,716,000 would be available for vocational education in fiscal year 1970.

Another area in which we must maintain at least last year's level of funding is the construction of undergraduate academic facilities. The proposed budget calls for phasing out grants for the construction of undergraduate facilities, and would substitute instead, some $11,750,-000 for annual interest grants on construction loans obtained from private sources.

Building costs have been skyrocketing in the past few years—moving upward at a rate approaching 12 percent annually. Spiraling college enrollments make it undesirable at this time to consider the phasing out of this program. The proposed amendments would appropriate the amount of $33 million for fiscal year 1970, the same amount appropriated last year.

One final program that would be strengthened by the amendment package is the NDEA student loan program.

The administration's budget seeks only $161,900,000 for the loan program—$31.5 million less than last year. The committee recommendation is that the program be increased to $188.2 million for fiscal year 1970.

In any testimony or study I have ever read the NDEA student loan program has been lavishly praised particularly because it enabled many students to pursue their educations. The NDEA loan program is focused on the needy student, the one who would not be able to attend college without such assistance. And there are many such students.

The cost of higher education is putting college farther and farther out of the reach of increasing number of students. I do not believe that the existence of an insured loan program obviates the need for the NDEA student loan program. If anything, the tight money market and the reluctance of many banks and lending institutions to participate in the program dictate that we not only maintain the NDEA student loan program but that we expand it.

The Joelson amendment would appropriate $229 million for fiscal year 1970—a modest increase.

Mr. Chairman, I am sure that all of us are alarmed by the overheated economy and its inflationary trends. This necessitates a tightening of our belt.

Certainly we must scrutinize the budget very closely this year. We must eliminate waste and duplication. We must reconsider the expansion of existing programs and the initiation of new ones.

I would hope, however, certain fundamental goals are not subject to cutbacks. Educational excellence and opportunity are two such goals. We have undertaken to achieve these goals. We must not compromise them!

The Joelson amendments merely maintain our present effort in education. They would simply prevent us from backtracking. If we are to have the future scientists, educators, doctors, elected officials, trained technicians, and informed citizens, we must support our schools.

I strongly urge my colleagues to join

me in supporting the Joelson amendments.

Mr. DULSKI. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman.

Mr. DULSKI. Mr. Chairman, I am disappointed in the action of the Appropriations Committee in dealing with certain areas of the budget for the Office of Education.

The committee's recommendations follow pretty much along the line of the revised budget of the Nixon administration.

But these recommendations, to my mind, ignore the facts of life with regard to the financing of many of our school systems today.

The details of school budgets are not new to me. I formerly served on the common council of my home city of Buffalo, N.Y., which handles the budget for the Buffalo school system.

Since I am particularly familiar with the current crisis in the Buffalo school budget and its relation to the current appropriation bill, I am going to use the Buffalo situation as my example.

Let me be specific:

On ESEA I, the committee has recommended $3.8 million—about the same amount allocated in fiscal 1969. This is not nearly adequate for fiscal 1970. I believe the amount needs to be increased at least 7 percent just to cover the cost-of-living factor. If Buffalo is held to the fiscal 1969 allocation, it will mean that Buffalo will be forced to curtail programs for the disadvantaged and to cut or eliminate other programs. The costs of education are not static, they are increasing; it is essential that the Federal share be increased to at least maintain the status quo for our local school budgets.

On ESEA II, the proposed fiscal 1970 appropriation provides no funds and this will mean a loss of $200,000 for library resources in the Buffalo school system. The effect of this cut is obvious.

On NDEA III, there is no allocation for fiscal 1970, which will mean a loss for the Buffalo system of about $25,000 for instructional equipment and materials. Another backward step.

NDEA V–A also is not funded under the bill, which will mean a loss of about $80,000 for the Buffalo system being used to improve guidance services. This is a program which we most certainly cannot afford to curtail.

ESEA III does receive certain funding in this bill, but it is our understanding that the amount is not adequate and probably will require curtailment of innovative programs.

The most serious budget setback for Buffalo and many, many other communities in the Nation is the slim budget allocated in this bill for impacted area aid.

The allocation of $187 million is only about one-fourth of what is needed. The need is for $650 million. If the proposed allocation in the bill is not increased, it will mean a loss of Buffalo's entire allocation of about $160,000. Please note this is only six figures. Yet, tc our school budget in Buffalo it is significant and will produce a deficit in our current operating budget. Indeed, this is the only general Federal aid used as support for current operations.

Mr. Chairman, I hope sincerely that the House will increase these budget items for the Office of Education because of the vital importance to our individual communities which already are having severe budgetary problems.

At this point, Mr. Chairman, I would like to include the text of a statement which was made June 26 to the Senate Subcommittee on Education by Dr. Joseph Manch, Buffalo superintendent of schools, in testifying on public housing amendments to Public Law 874. While this is not directed specifically to the bill now before the House, it outlines the problems which our city is having in trying to meet the educational needs of our young people.

The statement by Dr. Joseph Manch, Buffalo, N.Y., superintendent of schools follows:

STATEMENT OF DR. JOSEPH MANCH

As Superintendent of schools in Buffalo, New York, I have long been interested in proposals to achieve equity in federal-state-local partnerships in financing large city schools. One major element of such a move toward equity is the recognition of federal impact in the large cities.

When Congress amended Federal Law 874 several years ago so that Buffalo's substantial numbers of federally connected children were to be recognized in the aid formula, a step toward justice was taken. The step was aborted, however, when Congress failed to underwrite the cost of the plan with the necessary appropriation.

The following two years the funds were made available and Buffalo received aid for those children whose parents served the federal government. Now I note with deep concern that the present budget stance in Congress would eliminate Buffalo and many other districts entirely from participating in PL 874 funds next year.

When in 1967, it was suggested that Federal school aid be paid on the basis of public housing in the large cities, I strongly supported such a move in testimony before this committee. Again in 1968 and still again early this year, I, along with our School Board President, confirmed this support in statements before the House Education Committee and the Big City Council of the National School Boards Association.

Let me recapitulate our position.

Low-rent public housing produces concentrations of socially and economically disadvantaged families whose children relate primarily to each other. The result is to reinforce the cycle of disadvantagement and to add to the already costly problem of meeting the special educational needs of these children.

It is not yet possible to quantify the excess social and educational cost resulting from this advertency, using objective and conclusive data. If we judge the educationally disadvantaged child to be one who is academically retarded at least 1 year, however, then it can be estimated that the cost of erasing that disadvantage is at least the current average cost of a year's schooling—$900 per pupil.

The Buffalo Municipal Housing Authority reported in September 1968 that federally-aided housing developments in Buffalo include 4,231 units occupied by families whose median income is $2,628. The largest proportion of these families is on the welfare rolls, broken families outnumber standard families, and the proportion of non-white families is considerably greater than the citywide average. Approximately 4,200 children of school age live in these housing units.

Ironically, as special educational needs are fostered and reinforced in a public housing situation, the means to a financial solution are simultaneously weakened. This results from the fact that such property is excluded from the tax rolls and the property tax is the mainstay of local revenue for both city and school purposes.

Federal payments for these properties in lieu of taxes amount to $220,000, but none of this is available to the schools. If these federally-aided developments were subject to taxation, however, they would produce over $1.1 million in property tax revenue.

In summary, the factors of added needs and reduced resources which I have just outlined mean an added cost burden of some $1,000 per pupil. The federal government, through ESEA Title I, and New York State, through its special urban education aid, are at best supplying about $200 towards financing this added cost.

It is recommended, therefore, that federal legislation be adopted to provide payments recognizing the federal impact on school financing that results from such public housing. In this respect, I would support Senate bill 2834 by Senator Javits or Senate bill 2147 by Senator Eagleton, with the single reservation that neither appears to provide sufficient funds to recognize equitably the federal responsibility in this matter.

For ease of data-gathering, a bill such as S. 2834 basing payments on housing units rather than pupils, would be more operable, although municipal housing authorities could be required to report data in either manner.

In any event, I would urge this committee to recommend and support legislation which would have the federal government assume its proper share of school support, particularly in this situation where federal responsibility is so clear.

Mr. COHELAN. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, in general debate I did not have time to go over some of the things contained in the package amendment. I would like to emphasize them at this time.

Also I would like to take this opportunity to concur in the very eloquent remarks of my colleague, the gentleman from Massachusetts (Mr. BOLAND) because they absolutely square with the facts.

You will recall that this morning we sent out a letter fully supporting the package amendment, along with the major education, religious and labor organizations.

We recognize that the sums requested in the amendment do not fill the entire $5 billion gap between the present authorizations and appropriations. However, the Joelson amendment will at least permit the continuation of ongoing programs and more adequate funding of others such as impacted aid, vocational education, and title I ESEA and NDEA student loans.

This letter, Mr. Chairman and members of the Committee, was signed by seven members of the Committee on Appropriations and most of the members of the Education and Labor Committee.

What I would like to do in the few minutes that I have is to stress something that I am terribly interested in. That is indeed a package, most of which receives widespread support throughout

the community among our schools and colleges.

ESEA—TITLE I

But I would like to speak for a minute on title I. In the ESEA Act Amendments of 1967, the Congress provided statewide programs for disadvantaged students should be 100 percent fully funded, even if the Congress failed to appropriate the full amounts authorized by the Congress.

Since we have not ever appropriated more than 40 percent of the funds authorized for title I of ESEA, each local educational agency, and that means the schools, has received a prorated share well below the authorized levels.

Yet, the statewide programs received full funding.

Because of the increase in number and size of these statewide programs, it is urgently necessary for the current fiscal year to provide $80,800,000 in additional funds above the committee's bill simply to insure that each school district in the fiscal year 1970 receives a Federal payment at least as large as the payment received in previous years.

For example, in 1968 we provided $210 for each disadvantaged pupil who qualified under the ESEA guidelines.

At the funded levels suggested by the administration and our subcommittee, we would be providing only $170 for each pupil this year.

In short, at the funding level of this bill, we would be taking a giant step backward and at the same time that we are taking this backward step costs of education are increasing at the rate of at least 5 percent a year. As I told the committee and as I said during general debate, in my own congressional district we are in a terrible condition.

We cannot even pass a school bond issue or raise. People talk about Federal aid to education. Where are we going to get the money? Sixty percent of the children in the Oakland school system are blacks, and we cannot get local government to support the kind of finances that are required to maintain the standards of our public schools. What ESEA is all about is to help disadvantaged students and to help the schools in districts serving these students. Many of these school districts exist throughout this country. In 3 short years education costs have escalated over 15 percent. It is for this reason that, under the suggestion of the committee, we would be moving still further to the rear.

It is for these reasons of attempting to maintain current funding for the local schools to meet the problems of increasing educational costs that we felt it necessary to appropriate and to include more than $180 million additional funds for programs to serve the educationally disadvantaged kids.

HIGHER EDUCATION

On higher education—and I come from a community with a great university, the University of California at Berkeley—two major schemes which provide Federal assistance to our colleges and universities are not working under current conditions. We recently created a new program of interest subsidies for construction of university facilities. Under this program colleges and universities are allowed to borrow money at commercial rates and then to seek reimbursement from the Federal Government for their interest payments. The trouble is that in 15 or 20 States public educational institutions cannot borrow money at the commercial market rate. These institutions need direct Federal grants for construction.

For these and many, many more reasons I strongly urge the defeat of the Michel substitute and the adoption of the Joelson package amendment.

AMENDMENT OFFERED BY MR. ROBISON TO THE SUBSTITUTE AMENDMENT OFFERED BY MR. MICHEL

Mr. ROBISON. Mr. Chairman, I offer an amendment to the substitute amendment offered by the gentleman from Illinois (Mr. MICHEL).

The Clerk read as follows:

Amendment offered by Mr. ROBISON of New York to the substitute amendment offered by Mr. MICHEL of Illinois:

"Strike the figure $254,163,000 and substitute in lieu thereof the figure $364,616,000, and strike the figure $200,163,000 and substitute in lieu thereof the figure $310,616,000."

The CHAIRMAN. The gentleman is recognized.

Mr. ROBISON. Mr. Chairman, I would appreciate having some order, if I could, because the situation already is confused enough without it becoming further confusing by virtue of the fact that Members cannot hear me.

What my amendment to the Michel substitute would do would be best understood by you if you would all turn to page 25 of the bill, which language has not been changed by the Michel substitute, and if you will then read on page 25 of the bill down to line 13 thereof, you will find the figure $254,163,000. My amendment to the Michel substitute would increase that figure by $110,453,000.

Then, on line 14 of the same page you will also find the second figure of $200,163,000. My amendment would also increase that by the same $110,453,000, making that figure $310,616,000.

Precisely what does this do? What this amendment to the susbtitute would do would be to raise to fiscal 1969 levels the appropriated funds for the four programs shown and lumped together by the committee in the bottom paragraph on page 32 of the report where the committee refers to them as being: first, supplementary educational services; second, library resources; third, guidance counseling, and testing; and fourth, equipment and minor remodeling.

The bill, as the committee report states, includes $200,163,000 for this purpose—or these purposes—compared with the budget request of $116,163,000. But what the report does not tell you is that the committee figure is still $110,453,000 below the funds appropriated for these purposes in 1969.

Mr. Chairman, what my amendment to the Michel substitute would do, then, would be to bring the moneys to be appropriated for these four valuable, necessary and ongoing education programs up to the same appropriation levels they had in fiscal year 1969, just concluded.

Mr. Chairman, as I said earlier today, I am not an admirer of the impacted aid program, particularly section 3(b) thereof. But it is as evident to me, as it is to everyone here, that the amount the subcommittee recommended for impacted aid is going to be substantially increased, either to the Michel figure or that proposed in the Joelson package.

And if it is, Mr. Chairman, then it is my position that these four programs that I have just mentioned, programs that have demonstrated their value—and the continuing need for which is apparent—if the impacted aid program is to go forward full speed, ought to go forward at full speed as well.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, I commend the gentleman for his amendment. I have serious misgivings about the Michel substitute amendment and the original Joelson amendment as well, but if the Michel substitute is to be adopted, clearly these four titles deserve to have increases in money available also.

I support the Robison amendment and congratulate the gentleman for having offered it.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I yield to the gentleman from Ohio.

Mr. FEIGHAN. Mr. Chairman, earlier this year, Paul W. Briggs, superintendent of the Cleveland public schools, told the House Education and Labor Committee that the major problems in urban living as they relate to education are isolation, poverty, unemployment, and drabness.

With a school enrollment of 153,000 children, Cleveland contains only 7 percent of the total school population in Ohio. However, Cleveland schools enroll 30 percent of the total number of children in Ohio who receive public assistance. The demands on the city, therefore, to provide even greater educational opportunities for their young people are tremendous. The city of Cleveland has recognized this challenge and has embarked on a series of innovative and effective programs to broaden the educational experience of its pupils. In their efforts, the city has utilized Federal funds for a wide variety of elementary and secondary education programs. In fiscal year 1969, the city's budget reached $5.5 million for just title I programs from the Elementary and Secondary Education Act.

It is well known that Cleveland is heavily dependent on Federal financial assistance to meet its critical program needs and I intend to do all I can to see that these requirements are met. Cleveland schoolchildren have benefited from a vast array of federally sponsored programs. If approved by the other body, authorized impacted aid funds will benefit over 15,000 Cleveland children alone who reside in low-income housing and attend public schools in Cleveland. In addition, thousands of youngsters have profited from special instruction at supple-

mentary educational centers, from up-to-date library books and materials, guidance counseling, and new educational equipment. The excitement of learning has been a wonderful experience for the thousands of disadvantaged children who have participated in these programs and the wonders of knowledge continue to offer unlimited possibilities for the undereducated.

I speak specifically of these programs only to emphasize their tremendous importance and to alert my colleagues to the danger of their impending demise.

The administration, in an effort to reduce its educational costs, excluded funds for school library materials or equipment for elementary and secondary schools. Neither did it request any money for counseling and services. It appears that little thought was given to the value of these programs when budget priorities were made because if any consideration had been given to the obvious educational advantages derived from these services, the full amount authorized by the Congress would have been requested. In an attempt to do justice to these vital programs, I recently joined with several other Members in urging the Subcommittee on Health, Education, and Welfare Appropriations to restore the educational and library budgets to their fiscal year 1968 level. Although sympathetic, the committee chose to include in one sum the funds for these three programs together with funds for supplementary educational centers. The bill thus provides for $200,163,000 to be appropriated for this purpose, an increase of approximately $84,000,000 from the administration's request for supplementary centers. While this action was certainly a major step forward, it is not, in my opinion, the most desirable method of funding these programs. Under the "package" amendment, however, offered by the distinguished gentleman from New Jersey, these programs would be funded separately and at a higher level than presently provided in the bill. The Joelson amendment restores these programs to their fiscal year 1969 levels and appropriates $50 million for school libraries under title II of the Elementary and Secondary Education Act; $78,740,000 for equipment under title III of the National Defense Education Act; $17 million for guidance and counseling services under title V of the National Defense Education Act; and $164,876,000 for supplementary educational centers under title III of the Elementary and Secondary Education Act.

In each instance the needs are even greater than provided for by this amendment. It is evident that the continuation of services is absolutely essential to those institutions which currently have operating programs, but it is of the utmost importance to stress the need for these services at schools which have felt the Federal financial pinch and have not yet been able to participate.

Education is the most precious opportunity we can provide to our young people and it is vital that we continue to advance the progress we have made thus far. This is why it is positively crucial for the Joelson amendment to pass. We recognized the pressing responsibility we had to our young people when we authorized almost $5 billion more for education than what is called for in House Resolution 13111. The Joelson amendment is the very least that we can do for our constituents since its primary purpose is to insure that certain programs receive the same amount of money this year as last. In five areas, it simply keeps programs at their fiscal year 1969 level. In the areas of impacted aid, the Joelson amendment provides for 90 percent of the money originally authorized by the Congress. I have already mentioned the more than 15,000 Cleveland children who benefit from these funds. Close to $3 million has been authorized by this body to meet the needs of these Cleveland pupils and the failure to appropriate the necessary funds for this program would severely reduce the number of children who stand to benefit from it. We must not allow aid to impacted areas to be cut back. We must not permit the program to be crippled. Instead, we must give it our resounding support.

Our efforts should not be limited to the programs I have described. Our losses to our young people and ultimately to our Nation, would be considerable if the Joelson amendment is not approved in is entirety. We must recognize the consequences that would be inevitable should this amendment fail. The progress that has been made on local, State, and Federal levels because of these programs would be halted. When children have had a taste of the wonders of learning, we cannot destroy their desire for more. We must nourish it.

This year I have received an unusual large number of letters and telegrams from educators in Ohio. The tenor of these messages is the same throughout—deep concern that vital educational programs will be crippled by the Congress. I have heard from elementary and high school teachers, college professors, librarians, guidance counselors, and vocational educational instructors as well as the students themselves. Everyone is frightened that all the good work we have accomplished will be undone. This apprehension is easy to appreciate because it unfortunately is too realistic a possibility.

In addition to these programs, there are other valuable programs that deserve special mention. The Joelson amendment seeks to implement those portions of the 1968 amendments to the Vocational Education Act which call for occupational training programs for the disadvantaged, and funds for vocational educational research. The necessity for effective occupational training opportunities has become increasingly apparent in recent years and last year's act was written in response to the growing awareness of the importance of vocational training in our society. We cannot now fail to fulfill those amendments which we so enthusiastically approved 1 year ago.

The student loan program under the National Defense Education Act has enabled millions of people to obtain a college education. Students at all levels from high school graduate to Ph. D. candidates are eligible for long term, low interest loans approved directly by their colleges. The rapid rise in interest rates has seriously reduced the availability of guaranteed loans and has made it absolutely imperative for additional funds to be made available for direct student loans. The $229 million figure in the Joelson amendment will permit many students to continue their college education and will also enable freshmen in financial need to participate in the program. Many of the young people who have worked for me have been able to attend college only because they had NDEA loans. There is no question that this program, particularly this year, must be expanded to meet the swelling enrollments of our colleges and universities.

Elementary and secondary schools, vocational institutions, colleges and universities in Cleveland and all around the Nation will be watching closely today to see what the House of Representatives does regarding educational funds. Cleveland has an urgent need for all the programs I have described. To combat the problems of isolation, poverty, and unemployment it is incumbent that we endorse the entire package amendment, not just segments of it. I urge the Members to give this amendment their unqualified support.

Mr. TIERNAN. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I yield to the gentleman from Rhode Island.

Mr. TIERNAN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New Jersey. His amendment would add nearly $900 million for vitally needed educational programs.

It is disheartening for me to think that while we are spending $20 to $30 billion a year in Vietnam, billions more in space, and untold millions in such widely diverse projects as research in chemical warfare and new weapons systems, we seem not to be able to afford the paltry sum of $900 million for the education of our children.

The glaring need for a reordering of our Nation's priorities has never been in more evidence than it is today when one looks at the figures in H.R. 13111. I submit to my colleagues that there is no greater need, no more fruitful an endeavor, no more necessary a task, than the continuing upgrading of the educational systems that are made available to our Nation's youth.

I urge all of my colleagues to consider this amendment in the light of what it can realize for tomorrow. For it has been said that "the youth of a nation are the trustees of posterity." Let us not play partisan politics with the best hopes for our country and the world.

Mr. BUCHANAN. Mr. Chairman, will the gentleman yield?

Mr. ROBISON. I yield to the gentleman from Alabama.

Mr. BUCHANAN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York (Mr. ROBISON) and commend him for giving the Members opportunity to register their support for these vital programs. I must confess, however, serious reservations about both the amendment offered by the gentleman from New Jersey (Mr. JOELSON) and the substitute of the gen-

tleman from Illinois. The former provides for an increase in Office of Education programs of $894.5 million over the amount provided for in H.R. 13111—Labor-HEW appropriations for fiscal year 1970. This amendment provides for the above increase in a package which covers nine major areas of education appropriations. The Michel substitute increases the impact funds to last year's appropriation level.

Mr. Chairman, there is no question but that all of us here are vitally concerned that the best possible education be provided for our Nation's schoolchildren and that the Congress do all in its power to provide the financial assistance to our State and local education agencies which is necessary to make this education available. At this particular time, however, the Congress also has a solemn obligation to the citizens of this Nation to bring about a reversal of the inflation which is so rapidly reducing the purchasing power of their dollars. Not only is inflation the cruelest tax of all upon our citizens' hard-earned incomes, but it substantially increases the costs of such vital programs as those education programs we are considering in the Congress today.

Thus the task before us now is to find a way to fulfill our obligations both toward the educational needs of our schoolchildren and toward the fiscal responsibility which is absolutely essential in order to control inflation. This obviously poses a difficult problem and one which, in my judgment, cannot be solved by attempting to meet our responsibilities to education on a combination, or package, basis.

Included in the package amendment offered by the gentleman from New Jersey are funds for ESEA title I for the education of children of low-income families; impacted area aid; vocational education; NDE student loans; supplementary centers; guidance and counseling; library resources; equipment; and college construction. Because many of us do not see equal merit in each of these appropriation areas and because of the obligation to fiscal responsibility referred to above, it seems to me that we ought to deal with these appropriations on a more selective basis.

In specific reference to some of the education programs included in Mr. JOELSON'S amendment, I would fully support increased appropriation requests for such vital programs as vocational education, NDEA student loans, funds for title I of ESEA, and library funds.

Vocational education programs have always received my full support in the belief that they are a vital answer to our Nation's crucial problems of unemployment and poverty. Increased funds over the amount provided for in H.R. 13111 are particularly essential at this point to implement the 1968 Vocational Education Act Amendments, including those important provisions which call for occupational training programs for the disadvantaged.

In enacting title I of the Elementary and Secondary Education Act the Congress similarly sought to meet these problems by providing financial assistance to local educational agencies for the education of disadvantaged children. The provision of additional funds for this program would not only improve the quality of instruction for participating students, but would allow the expansion of the program to include more needy children. It is my understanding, however, that even with the additional funds provided for in Mr. Joelson's amendment the program will still be underfunded by as much as 60 percent.

The NDEA student loan programs have enabled countless students, who would not otherwise be able to do so, to complete their college educations. With the ever-increasing costs of higher education, together with the rapid rise in interest rates on loans, more Federal funds must indeed be made available to insure the successful continuation of this important program.

Compared with the above important programs, however, an increase in appropriations over that provided for in H.R. 13111 for impacted area aid cannot in my judgment be justified in the face of our current fiscal problems. In many cases the school systems benefiting from impacted area aid are already receiving taxes from those Federal employee families which enable them to qualify for the aid. As a result of this program many taxpayers in other places are being required to pay for the education of both their own schoolchildren and those children being schooled in Federal impacted areas.

In reiterating the need to carefully consider all these appropriations in the light of our responsibility to control inflation, I would like to close by calling attention to the President's recent call for congressional support in his efforts toward greater fiscal responsibility at the Federal level. In signing the Second Supplemental Appropriations Act for 1969 on July 22, the President directed the executive departments and agencies to make further spending reductions of $3.5 billion in order to conform to the expenditure ceiling established in that act. The ceiling of $191.9 billion on spending for fiscal year 1970 is $1 billion below the President's expenditure recommendations of last April. In the President's words, however—

> The new ceiling will be of little help in keeping federal spending under control—if the Congress that imposed it does not cooperate actively with the Administration in meeting it.

AMENDMENT OFFERED BY MR. SMITH OF IOWA TO THE AMENDMENT OFFERED BY MR. JOELSON

Mr. SMITH of Iowa. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from New Jersey (Mr. JOELSON).

The Clerk read as follows:

> Amendment offered by Mr. SMITH of Iowa to the amendment offered by Mr. JOELSON: On page 2 line 26 delete all beginning with "$33,000,000" in line 26 on page 2 through line 4 on page 3, and insert in lieu thereof the following: "$87,000,000 shall be for grants for construction of other academic facilities under title I of the Higher Educational Facilities Act of 1963 which amounts shall remain available through June 30, 1971, $20,000,000 to remain available until expended shall be for grants for construction of graduate academic facilities under title II of the Act, $3,920,000 to remain available until expended shall be for annual interest grants under section 306 of that Act $229,100,000 shall be for Federal capital contributions to student loan funds."

Mr. SMITH of Iowa. Mr. Chairman, the Joelson amendment is very unfair to higher education. The increases for higher education facilities in the Joelson amendment are very negligible as compared to what they should be.

The big bulge in the student load in this country is not in the elementary grades. It is in the colleges. That big bulge in elementary grades has passed. We did not do enough during those years, but those children did not stay that age. They moved on and are now in college or soon will be. Between now and 1975, we will have a 50-percent increase in the need for college facilities. It is not the elementary students where we are going to have the bulge. It is the college level.

This Joelson amendment has a mere $33 million in it for college facilities. That is only what was provided last year, and last year it was reduced drastically, because some money was shifted over to some other categories and because of the Expenditure Control Act. A very minimum amount needed is $107 million. That was the amount that was in the Johnson budget. This is a piker amendment as far as colleges are concerned. They are shifting from funds needed for the college level and putting it in other categories.

In addition to that, on the student loans, the very minimum needed is $229 million in the student loan fund. We have considerable evidence that the Department was very wrong on the amount of loan funds needed, but since that time we find there is even more need than was assumed at the time these hearings were closed, and we marked up this bill.

So I have added some money for student loans in this amendment.

Another thing we talked about is the interest subsidy. I agree with what the gentleman from California (Mr. COHELAN), said about this interest subsidy program. Some of the institutions cannot use it at all, but it is going to cost three times as much to go the interest subsidy route as it would under my amendment. The $7 million in here for interest subsidy is going to cost this Government $300 million over a period of years, and it will not do them as much good as the $107 million I have put into this amendment.

I suggest that the priorities on higher education are very much out of kilter in the Joelson amendment. I urge the adoption of this amendment to the Joelson amendment.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from New Jersey.

Mr. JOELSON. I agree with the gentleman. My recommendations for higher education, for construction and for the NDEA student loans are very meager. That is why I cannot understand why the gentleman is supporting the bill, which has nothing. At least, meager as my amendments are, they are more than is in the bill.

Mr. SMITH of Iowa. The gentleman is

very much in error. The bill provides $188 million for student loans and we increased the budget on that item and I made it clear in the full committee and everywhere else that I am for more money in these two categories and I am very disappointed that the gentleman would let these other people run away with money needed for higher education.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Do I correctly understand that the gentleman's amendment does not affect adversely any increases in the Joelson amendment for elementary and secondary education?

Mr. SMITH of Iowa. It deals only with college facilities and student aid in the form of loans.

Mr. EDMONDSON. The gentleman would increase only the higher education features, and the amendment does not affect adversely the Joelson amendment in the other features.

Mr. SMITH of Iowa. There is one additional feature. It takes out the authorization for additional interest subsidy contracts which would cost $300 million, and the colleges and universities cannot use it as well as $107 million in grants and loans.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield further?

Mr. SMITH of Iowa. I yield.

Mr. EDMONDSON. I want to commend the gentleman for his amendment, which I believe is urgently needed by higher education in connection with this bill. I support his amendment and support the Joelson amendment once this amendment has been added to it.

Mr. Chairman, news in this morning's newspapers of a $3 billion surplus in the past fiscal year reinforces my conviction that we can afford to give education a higher priority than it has been given in the appropriation bill now being considered.

The dollar amounts carried in this bill approximate 1½ percent of our Federal budget.

That percentage should be doubled by this Congress, and we should be allocating at least 5 percent of our Federal budget to education within the next 3 years.

We should also provide advance funding to eliminate the uncertainties that continue to hamstring orderly administrating of Federal aid programs in our schools.

I will support the efforts of Chairman PERKINS of the House Committee on Education and Labor to secure full funding of the Elementary and Secondary Education Act and will vote for the so-called Joelson amendments to provide full funding of the impacted districts and to supplement budgeted funds for higher education, vocational education, library services, and other ESEA programs.

In my judgment, it will be pennywise and pound-foolish economy of the worst kind to cut back on our student loan and scholarship assistance programs at this time, particularly in view of the encouragement we have been giving low-income youth to continue education after high school.

The need for a higher level of funding for construction assistance to college and to vocational and technical schools have never been greater, and are compounded by today's high interest rates.

The most compelling need of all, I believe, is found in the elementary and secondary schools of the country, where we have begun to open the doors of full educational opportunity to millions of children living in lower income areas of the Nation—and must increase our efforts, rather than cut them back at this time.

Let me call your attention to some of the views of educators and school leaders in my own State of Oklahoma:

Here in summary, are the views of some Oklahoma educators on the critical issue of Federal funding before us today:

L. R. Harrington, Rogers County Superintendent of Schools—Title II ESEA: "A cut back here would drastically reverse what we have been programming for the future for girls and boys of this county . . . These funds are vital to the educational need of the schools in Rogers County. Whenever a good thing is removed from our schools, the girls and boys are the ones that really get hurt."

James E. Sooter, Coordinator, Vinita City Schools—Title II ESEA and Title III NDEA: "The acquisition of these instructional aids have enriched and upgraded our curricula offerings. It is my opinion that these programs are vital to educational needs in our Oklahoma schools. Education has many problems and retrenchment is not the solution to any of them."

B. J. Traw, Superintendent of Vian Public Schools: "Without Federal Aid it would be impossible to operate the Vian Public School."

Mrs. Billy M. Douthitt, Librarian, Picher Public Schools—"Our town is a former mining town on Indian land, and our school funds are very inadequate. In 1964, our school library was very poor with outdated books. After these years of Title II, there has been noticeable improvement."

Cliff Hudgins, Superintendent, Stilwell Public Schools—P.L. 874: "It would be hard for me to list all of the industries which the Federal Government is subsidizing. But tell me truthfully is there any of these any more important than the education of the youth of our nation?"

Frank Beck, Jr., Principal, Porter Public Schools: "A dollar spent for guidance and counseling services now will later save many dollars in institutional care."

Mrs. Lela Parkhurst, Counselor, Vinita High School: "If the gains that have been realized the past years are going to be pushed aside in this sweeping economy move, I wonder where we are placing our values."

Harold W. Jones, Principal, Picher Elementary School—Title II, III, V: "These agencies, since they were started . . . have done more for Picher Schools in 4 years than has been done in all the other 33 years that I have been in the system . . . Through funds furnished by these agencies we now have a central library . . . a science and mathematics room with a qualified teacher, a reading laboratory for grades 1, 2, and 3, playground equipment, a small gymnasium and a testing program. We have also received help through Title I, to feed the 30% of our students who eat free in the school cafeteria. The money that we have received has been spent wisely, with the thought in mind of getting those items which would help the largest number of children for the longest period of time."

Robert O. Williams, County Superintendent, Mayes County—Title II, III, and V: The elimination of these Federally financed education programs would . . . be a great loss to our schools. I feel these Federal programs are vital to the educational needs in our Oklahoma schools."

C. T. Mustain, Superintendent, Commerce Public Schools: "Some cuts may be mandatory for sound fiscal responsibility but surely education needs more, not less help."

D. D. Creech, Oklahoma State Superintendent of Schools: "Reductions . . . would be fatal for the education programs in some of these school districts . . . the State Department of Education . . . couldn't possibly absorb this kind of a reduction in funds without a critical curtailment of services and personnel."

Marvin B. Traw, Superintendent, Westville Public Schools: "With Title III funds we have been able by matching these funds to purchase much needed equipment and supplies in the areas of math, science, English, reading, history, civics, and geography. . . . With Title V funds we have provided a testing program for every junior high and senior high student . . . to provide counseling services . . . Title II . . . funds . . . we have been able to raise the quality of instruction and the standard of our schools with the use of better and more up-to-date instructional materials Many of our students are from low income families. Few students have access to good books other than through our school library . . . We have endeavored to use these funds to the best advantage of all our students."

W. Leslie Waid, Coordinator of Mathematics, Muskogee City Schools—Title II and III: "We are not a rich district and the withdrawal of these funds would place a great hardship upon the district and will deprive children of the poor district . . . of many of the instructional and supplemental materials needed to give them a well-rounded up-to-date education."

Claude Eubanks, Superintendent of Roland Public Schools: "I am very much against the proposed cuts to three of our Federal School Programs—Title II ESEA, Title III NDEA, and Title V NDEA. We are struggling now! We don't necessarily need more federal programs . . . We simply need 100% funding of the programs we do have."

William T. McCarty, Superintendent, Eufaula Public Schools—P.L. 874: "It is the feeling of those of us in the impacted areas that this just cannot be allowed to happen. Any of these proposed changes would drastically affect our school district. It is extremely urgent as far as we are concerned that P.L. 874 be left as is."

Sister Ann Rosera, Muskogee Christian Learning Center—Title II: "Financially our school cannot afford to provide its own library resources. We need the help of Title II, ESEA. Since Title II started our help from the government has decreased yearly instead of being increased and now there is the possibility that it will be cut out all together. We definitely need an increase in the help of the government rather than no help at all as is being proposed."

Sister Bridget Anne Parisi, Principal, Muskogee Christian Learning Center—Title II: "Since the initiation of this funding by the Federal Government, our students have been able to utilize twice the amount of library materials previous to its instigation. It greatly concerns me that this service is in danger of being terminated."

Resolution of the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges: ". . . the delay in implementing Phase II in the College Program for the State will result in increasing cost and the denial of opportunities for college education to many Oklahoma citizens.

Robert B. Kamm, President, Oklahoma State University: ". . . if Federal funds are not available, Phase II of the College Pro-

gram for the State of Oklahoma will be seriously curtailed."

The University of Oklahoma Regents: "The people of Oklahoma have extended themselves to a maximum in their efforts to borrow against anticipated sources of revenue to meet the needs of a rapidly escalating enrollment . . . To accomplish this proposed building program it will be necessary for the University of Oklahoma to have access to federal funds to supplement the anticipated allocations from the recent state bond issue and gifts from private individuals and corporations."

Irvin Hopson, Director of Financial Aid, Panhandle State College: "You have urged us to seek out the economically handicapped student with talent and to assure him that if he wanted to go to college he could get financial help from his government. We have done so and now that we have him planning to come to college we get a notification from HEW cutting our NDEA allocation 31% from what it was last year. What do we tell the student?"

Joe McCormick, Head Student Financial Aid, Oklahoma State Tech: "Oklahoma State Tech provides very needed opportunities to the youth of Oklahoma and the nation in the field of technical and vocational education. Student Financial Aid can play a very important role in providing such opportunities to the disadvantaged youth of Oklahoma. To accept reductions in our financial aid program now would be very disturbing not only to me but to many Oklahoma students that could be helped."

Gary L. White, Assistant Director for Student Loans, Oklahoma State University: "We have been encouraged . . . to seek out the student from the low-income areas of Oklahoma, and urge him to attend college through the benefits of the federally funded programs. If the anticipated level of funding for next year is to be a reality, we will have to turn away many of these people that we have urged to attend college."

Mr. Chairman, these are only a few of the many, many views I have heard in recent weeks, as the time for debate on this bill drew near.

I have talked to one school superintendent in Oklahoma who tells me his school term will be cut by more than a month, if we do not restore the cuts in education funds that are contained in this bill.

Another superintendent has told me his school year will be shortened by nearly 2 months, if the cuts are not restored.

Mr. Chairman, I am sure this is a story that could be told in many parts of the country.

We cannot afford the kind of economy that is recommended in this bill.

The Nation cannot afford it.

Future generations cannot afford it.

We must restore the funds that assure to education the priority our children deserve.

I urge all Members to vote accordingly.

Mr. SMITH of Iowa. In summary, Mr. Chairman, this amendment would add about $114 million this year but save $300 million over a period of years.

Mr. JOELSON. Mr. Chairman, will the gentleman yield again?

Mr. SMITH of Iowa. I yield to the gentleman from New Jersey.

Mr. JOELSON. I believe it is a good amendment. I would be happy, if I had the power, to accept it.

Mr. SMITH of Iowa. I am always glad to have the gentleman's support.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from California.

Mr. COHELAN. I want to say to the gentleman I did not have an opportunity to complete my remarks on higher education, but they concur perfectly with what the gentleman has said.

I want to explain that the package amendment proposed was done in consultation, trying to win agreement. So far as my personal feelings are concerned, they are exactly the same as those of the gentleman, and I personally will support his amendment.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, sitting and listening to the various amendments and substitutes which have been offered, and listening to the arguments made in behalf of the various substitutes and amendments, I believe the only responsible amendment or substitute to be approved here today or tomorrow is the amendment or the substitute offered by the gentleman from Illinois (Mr. MICHEL).

I must say that I am almost overwhelmed by the inconsistency of some of of the actions taken and statements made here today in light of what was done within the last month or so by some Members of this body.

The gentleman from Massachusetts, a good friend of mine, a fine Member of this body, urged every Member here today to stand up and be counted to vote for more money. I did not hear anybody—in the main those who are urging that we spend more money—telling people to stand up and be counted to provide more tax money to pay the bills.

It is about time we get a little consistent around here.

Now we are even faced with another situation—and I am for it—which is the requirement for a tax reform bill. That will be on the floor of the House next week, and I am for that. At least with such legislation on the agenda and hopefully approved we can count on support for the surtax.

However, some of you are here today urging that we spend on the amendment offered by the gentleman from New Jersey $580 million more than the amendment offered by the gentleman from Illinois (Mr. MICHEL). Most of you who are urging that an additional $600 million be spent are the ones who are fighting or have fought any increases in taxes to pay the bill. It is about time you be a little consistent. Let me add this——

Mr. ALBERT. Mr. Chairman, will the gentleman yield to me?

Mr. GERALD R. FORD. I am glad to.

Mr. ALBERT. Did I understand the distinguished gentleman from Illinois who offered this amendment to indicate that the impacted area money would be a bonanza? Is that not what he said in general debate? And if he did, is this amendment being offered to promote impacted area aid or to circumvent the Joelson amendment?

Mr. GERALD R. FORD. I think it is being used as a practical solution to the problem of 385 Members who have impacted area aid programs in their districts to get them to be reasonable and rational in the consideration of our Federal fiscal problems.

Now let me go on to one further thing and then I will close. I would like to ask some of the Members around here a question. On July 9 the House approved a $191 billion limitation on expenditures for the current fiscal year. As far as I know, there was no vote in oppositon to that or certainly no recorded vote in opposition to it. There were few voices raised in opposition to it on that date. Now some of you are wanting on this occasion, through the Joelson amendment, to add $580 million that was not budgeted and which in effect would not be included within the limitation of $191 billion. Talk about standing up. Did you mean what you said on July 9 in that limitation? Are you not going to provide any money in necessary taxes to pay the bills? I think you ought to be consistent, I think you ought to be rational, and I think you ought to be constructive. To take this kind of action on the Joelson amendment today or tomorrow or whenever you do it I think would be irrational, confusing, and inconsistent. I just hope that a majority of the Members of this body will be practical enough and constructive enough and consistent enough to support the Michel amendment and beat everything else. That is the proper way to do it.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. GERALD R. FORD. I am glad to yield to the gentleman.

Mr. COHELAN. Mr. Chairman, I would like to remind the gentleman that on the supplemental appropriation this one member of the Committee on Appropriations took vigorous exception to the ceiling. It was voted on by a voice vote there. We even went further than that and offered a substitute to that which would include the Department of Defense in any ceilings that were set.

Mr. GERALD R. FORD. Did the gentleman from California try to get a rollcall vote?

Mr. COHELAN. I certainly did.

Mr. GERALD R. FORD. The gentleman could have. There was no problem about it.

Mr. COHELAN. We had great difficulty. The gentleman is quite aware of it. However, the record stands for itself. I am trying to say that I have been getting a whale of a record here this afternoon of people talking about what is controlled and what is not controlled. That is exactly why I am voting for this.

Mr. MAHON. Mr. Chairman, I move to strike the last word.

I think some clarification of the situation is in order.

The Committee on Appropriations recognized that there would probably be additional funds provided for impacted aid. We granted the budget estimate, but we decided that the House itself would want to work its will on the impacted

aid issue. So, we reported the full amount of the estimate.

Now, in the substitute which has been offered by the gentleman from Illinois (Mr. MICHEL), it is provided that we increase the budget estimate for impacted aid by $319 million, making the total about one-half billion dollars—about $521 million. That is the situation on impacted aid funds.

I have always supported impacted aid funds, as many of you have. I recognize that the program has many deficiencies, but there does not seem to be any practical way to cope with it other than by changing the existing legislation. So, I shall vote for the Michel substitute and the additional $319 million.

Now, the Michel substitute does something else. It adopts the committee recommendation to go above the budget in the sum of $84 million to meet a need about which many of you have heard. That is the $84 million which would go for library resources, for guidance counseling and testing, for equipment and minor remodeling, and for supplementary educational services.

These additional funds should make this bill acceptable. The grand total of the bill as submitted to the House is $156 million above the budget requests. With the Michel substitute it would be nearly one-half billion dollars above the budget.

We have been talking about not raising taxes. We have not been talking about increasing expenditures, but about expenditure limitations. This package, it seems to me, is as far as we should consider going under all the circumstances.

I hope no one will be stampeded by the thought that the decision on the Michel substitute will foreclose any attempt that may be made to provide additional funds for education. We are talking here only about pages 25 and 26 which include about $1 billion. We are not talking about page 27 which has $95 million for the Education Professions Development Act and which will be subject to amendment.

We are not talking about the $22 million for the Teacher Corps which will be subject to amendment.

We are not talking about higher education. That item still remains to be considered and amendments will be in order when we get to that paragraph.

Vocational education is not involved here. We can also work our will on that at the appropriate time.

Mr. Chairman, I would earnestly hope and trust that we can vote down the additional amendments which would add still another one-half billion dollars above the budget, in view of the fact that there are limitations to the resources which are available.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. MAHON. Yes, I yield briefly to the gentleman from Minnesota.

Mr. QUIE. I would raise the point, however, that those four titles and the paragraph that is being amended by both the Joelson and Michel amendments, that if the Michel amendment is adopted then the Committee would not have an opportunity to raise the figures for equipment, library resources, guidance, and counseling. Therefore, the Robison amendment will be necessary to add to the Michel amendment.

Mr. MAHON. That is another angle, of course. If you want to vote for more for these purposes then, of course, you have the opportunity in the Robison amendment.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Ohio.

Mr. HAYS. The gentleman from Texas read off a whole series of things that are yet to come up which could be raised. Is the gentleman implying that he is going to support some increases in appropriations for any or all of those items?

Mr. MAHON. I am going to stoutly resist any such additions to the bill. This bill includes more than $16 billion and I think adding one-half billion dollars above the budget is certainly far enough to go.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

(On request of Mr. FLOOD, and by unanimous consent, Mr. MAHON was allowed to proceed for 1 additional minute.)

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. MAHON. Mr. Chairman, I yield to the gentleman from Mississippi (Mr. COLMER).

Mr. COLMER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I have listened very intently, as one of those who are interested in the impacted areas, as some 380-odd Members, according to the statement of the gentleman from Illinois are interested.

The thing that impressed me about all of this debate and on the amendments, and particularly the amendment offered by the gentleman from New Jersey (Mr. JOELSON), is that I am reminded of the old Aesop fable about the dog that was crossing a bridge and had a bone in his mouth, and he saw an image in the water below the bridge of a bigger bone down there, and dropped the one that he had in his mouth in order to get the miraged one. Thus he lost the bone he had.

It seems to me that those who are interested in the impacted areas should vote down the Joelson amendment and then approach these other matters as they come up. Let us not lose the real bone in an effort to achieve the miraged unrealistic larger one.

Mr. MAHON. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. FLOOD. Mr. Chairman, I ask unanimous consent that all debate on the pending amendments and all amendments thereto close in 1 hour, the last 5 minutes to be reserved by the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania.

Mrs. MINK. I object, Mr. Chairman.

The CHAIRMAN. Objection is heard.

MOTION OFFERED BY MR. FLOOD

Mr. FLOOD. Mr. Chairman, I move that all debate on the pending amendments and all amendments thereto close in 1 hour.

The CHAIRMAN. The question is on the motion offered by the gentleman from Pennsylvania (Mr. FLOOD).

The question was taken; and on a division (demanded by Mr. PERKINS) there were—ayes 204, noes 76.

So the motion was agreed to.

The CHAIRMAN. The Chair will now proceed to note the names of Members who desire to participate in the debate under the 1-hour limitation of time.

Members who wish to participate in debate will please remain standing until their names are noted and will other Members who do not plan to participate in debate please be seated.

The Chair will note the names of Members standing.

Mr. PUCINSKI. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is present.

Mr. FLOOD. Mr. Chairman, I ask unanimous consent that the order limiting debate to 1 hour be vacated.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. ARENDS. I object.

MOTION OFFERED BY MR. FLOOD

Mr. FLOOD. Mr. Chairman, I move that the order to limit debate to 1 hour be vacated.

The CHAIRMAN. The question is on the motion offered by the gentleman from Pennsylvania to vacate the order.

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. GERALD R. FORD. Mr. Chairman, I demand tellers.

Mr. HAYS. Mr. Chairman, a point of order.

I make the point of order that a quorum is not present. I would like to have a count on it.

The CHAIRMAN. It is evident to the Chair that more than 100 Members are present and the Chair will not count. A quorum is present.

Mr. GERALD R. FORD. Mr. Chairman, I withdraw my demand for tellers.

The CHAIRMAN. The gentleman may do so only by unanimous consent.

Mr. GERALD R. FORD. Mr. Chairman, I ask unanimous consent to withdraw the request for tellers.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan (Mr. GERALD R. FORD)?

Mr. HAYS. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Tellers were ordered, and the Chairman appointed as tellers Mr. FLOOD and Mr. GERALD R. FORD.

The Committee divided, and the tellers reported that there were—ayes 115, noes 70.

So the motion was agreed to.

Mr. FLOOD. Mr. Chairman, I ask unanimous consent that all debate on pending amendments and amendments

thereto terminate in 2 hours, the last 5 minutes to be reserved to the committee.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, I submit there are so many Members here who in good faith want to speak 5 minutes or so against this, that we should not be deprived of that opportunity. If there are no more than 40 Members who want to speak, perhaps we could do that, but if there is a move to take all the time, then I think we ought not to agree to that request. I just think we ought to find out how many Members would like to speak on this title of this bill.

The CHAIRMAN. The Chair will state there are approximately 72 names at this time on the list.

Mr. PERKINS. Then, Mr. Chairman, I will have to object.

Mr. FLOOD. Mr. Chairman, I have asked unanimous consent.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. HAYS. Mr. Chairman, reserving the right to object, may I be heard?

Mr. FLOOD. Mr. Chairman, I have asked for 2 hours. That is a long time.

Mr. HAYS. Mr. Chairman, reserving the right to object, I would ask the gentleman to make this request tomorrow. There may not be as many people who want to speak tomorrow. For instance, I have a very burning desire to make a speech tonight about consistency, and I may not have such a strong desire tomorrow. I know there may be some other Members who will feel about it in the same way.

I think if the gentleman would make his request tomorrow, we might be able to get it limited to 2 hours, or maybe less. No one knows how many will want to speak tomorrow.

Mr. FLOOD. Mr. Chairman, I withdraw my unanimous-consent request.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. PRICE of Illinois) having assumed the chair, Mr. HOLIFIELD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 13111) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to extend their remarks in the general debate on this bill (H.R. 13111).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CHANGE OF LEGISLATIVE PROGRAM

(Mr. ALBERT asked and was given permission to address the House for 1 minute.)

Mr. ALBERT. Mr. Speaker, I take this time to advise the House that tomorrow the bill H.R. 13080, the extension of surcharge withholding tax rates for 15 days, will be taken up as the first order of business, under a closed rule with 1 hour of debate.

TECHNICAL CORRECTION OF MICHEL SUBSTITUTE AMENDMENT

Mr. MICHEL. Mr. Speaker, I ask unanimous consent that the amendment which I offered as a substitute for the Joelson amendment be technically corrected to read:

Amendment by Mr. MICHEL, offered as a substitute for the amendment proposed by Mr. JOELSON: On page 25, strike out line 9 and all that follows through line 22 on page 26 and insert in lieu thereof the following:

"For carrying out titles II, III, V, VII, and section 807 of the Elementary and Secondary Education Act of 1965, as amended, section 402 of the Elementary and Secondary Education Amendments of 1967, and title III–A and V–A of the National Defense Education Act of 1958, $254,163,000; of which $200,163,000 shall be for school library resources, textbooks, and other instructional materials under title II and supplementary educational centers and services under title III of said Act of 1965 and for equipment and minor remodeling and State administrative services under title III–A and guidance, counseling, and testing under title V–A of said Act of 1958, to be distributed in accordance with regulations promulgated by the Secretary of Health, Education, and Welfare); and $29,750,000 shall be for strengthening State departments of education under title V of said Act of 1965.

"For an additional amount for grants under title I–A of the Elementary and Secondary Education Act of 1965 for the fiscal year 1970, $205,360,700: Provided, That the aggregate amounts otherwise available for grants therefor within States shall not be less than 92 per centum of the amounts allocated from the fiscal year 1968 appropriation to local educational agencies in such States for grants.

"SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

"For carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C. ch. 13), and the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), $521,067,000 of which $505,900,000 shall be for the maintenance and operation of schools as authorized by said title I of the Act of September 30, 1950, as amended, and $15,167,000 which shall remain available until expended, shall be for providing school facilities as authorized by said Act of September 23, 1950."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

LEGITIMATE FOUNDATION ACTIVITIES ARE BEING WRONGFULLY ATTACKED

(Mr. KOCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KOCH. Mr. Speaker, the time is fast approaching for a showdown on the tax reform bill to be soon reported out by the Committee on Ways and Means. Most of the measures forthcoming from that able and hard-working committee I will wholeheartedly support. The reforms are long overdue and correct many of the inequities in our tax system.

However, I oppose certain of the recent decisions made by the committee with respect to the tax treatment of private foundations. I understand there may be additional revisions made by the committee but at this time, I am opposed to:

First. The decision to place a tax on the investment income of private foundations;

Second. The decision to prohibit a private foundation from providing funds for vote registration drives;

Third. The decision to prohibit a private foundation from engaging, directly or indirectly, in any activities intended to influence the decision of any governmental body; and

Fourth. The decision to prohibit a private foundation from making grants directly to individuals for certain educational purposes.

All of these changes single out the private foundation as opposed to churches, schools, and foundations receiving the bulk of their funds from governmental units or the general public.

All of these changes go beyond anything recommended by the Johnson and Nixon administrations.

All of these changes are punitive and discriminatory with no relation to genuine tax reform which admirably closes loopholes and raises revenues.

It angers me that many who have long sought to deny the Federal Government a role in matters of social concern now seem bent on denying that same role to private charitable foundations which often provide the only alternative to governmental action. I suspect some people just do not want any institution, public or private, to challenge the status quo. They should not be allowed to prevail by using tax reform as a smokescreen to restrict the scope of charitable programs during this period of domestic crisis.

I take great pride that there are over 1,000 foundations located in my congressional district representing 40 percent of America's philanthropic wealth. I shall urge consideration be given to the modification or elimination of these measures before a tax reform bill is reported out by the committee or passed by this House.

The public interest is well served by the tax reform efforts of Chairman MILLS and his committee. There have been abuses by some foundations, particularly the small single donor type, and I am supporting the proposals of the Ways and Means Committee which deal with them. One important reform deserving of support is the proposal now being considered which would bar the payment by any foundation of any fee

or honorarium to any public officeholder on a local, State or Federal level.

However, the public interest is not served by a vindictive assault on the philanthropic efforts of private foundations. They can not adequately defend themselves—we in Congress must come to their support. The record of the overwhelming number of foundations engaged in philanthropic work has been exemplary and their good works ought not to be curtailed.

TAX REFORM FIRST, THEN SURTAX EXTENSION—PERHAPS

(Mr. PODELL asked and was given permission to address the House for 1 minute to revise and extend his remarks and include extraneous matter.)

Mr. PODELL. Mr. Speaker, again requests are heard from the administration that we extend the most unfair levy of recent times—the 10-percent surtax. I feel tax reform must come first at all costs. The Nation demands it. Our citizens require it. A glance at the erosion of our prosperity and economic vitality in the past 6 months reveals inability of the administration to come to grips with the real problems besetting our economy.

When this administration took office, unemployment had hit an alltime low. Prosperity was the order of our day. Interest rates were within reasonable bounds. Some precedence was being given to social priorities. The business community seemed confident, reflecting our overall situation in daily surges of common stocks. How quickly times have changed.

As of today, the prime interest rate has soared to an alltime modern high of 8½ percent, penalizing tens of millions of lower- and middle-income citizens. Banks record vast profits, enticing borrowers into their offices to borrow at such rates. The administration accepts their specious argument that these exorbitant interest rates are in the interest of curbing inflation. The efficacy of their argument is shown by an inflation that rages on and ever on. Food prices skyrocket. Loans are refused. Basic industry feels the pinch. Let us see them blame all these ominous portents on previous administrations.

Simultaneously, our business community is beginning to stagger. Lagging confidence is reflected in a plummeting stock market, which seems to be spelling out "recession" in plain language. Odd, is it not, that once again the touch of these gentlemen revives old economic fears of our past? Already unemployment rates are inching upward, first among black Americans—eventually reaching out for jobs of many others. Is it hindsight to remember Mr. Humphrey's campaign predictions that this would happen? Do we not hear a few echoes from a depression- and recession-cursed past?

Ignoring domestic priorities, the administration plunges onward. On all sides we see slashes in basic programs. A general 10-percent cut in aid to education and libraries. Job Corps emasculated. Clean-water funds hamstrung. The sad list goes on and on. Yet the piece de resistance is still to come.

All over America, millions have at last awakened to the unrivaled scandal which is our tax system. Favoring vested interests who have punched loophole after loophole in our tax laws, we are hagridden by a doubletalk-ridden morass which penalizes lower- and middle-income citizens. From across the land the cry is heard ever louder, tax reform of the most all-encompassing sort. Does this administration pay any attention to such demands? Does it show responsiveness to a truly national request? Look at what its priorities are for your answer.

Surtax extension is the title of the blinders worn by the gentlemen downtown. Needs of the mass of Americans being intolerably squeezed between millstones of inflation and taxes go unanswered. All these people are concerned with is continuation of the most unfair tax in recent history. It is a tax aimed at further penalization of the average citizen.

If we extend the surtax without first obtaining reform, we shall never obtain tax justice for our people. For myself, I shall not vote for extension for a single day until the most comprehensive tax-reform measure in recent history is signed into law.

CRIME WAVE REQUIRES ACTION NOW

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ROGERS of Florida. Mr. Speaker, the seriousness of Washington's crime is pointed up again today with the report that even the U.S. Courthouse here has had to place security locks on its self-service elevators because of complaints ranging from molestation of secretaries in the building to the theft of equipment from court offices. Just last week it was also reported that the White House Police will take over protection of foreign embassies because of harassment, vandalism, and crime which the city police are unable to control.

It is a sad state of affairs when the city is unable to provide for the safety of foreign visitors. It is even more critical, however, that American tourists are not safe in their own Capital City and that the residents of the city are in constant threat.

During the campaign last fall the American people heard a great deal about the Washington crime problem, and the failures of the then Attorney General. I listened, and I agreed for the most part, since I had long before brought these matters to the attention of the Congress as had other concerned Members. But now we have a new Attorney General, a new chairman of the city council, and a new President. And we have an even greater crime problem, with June reflecting a 23.9 percent increase over the same month last year.

The President and his Attorney General, and their reappointed mayor and new city council president, must take action now to begin a fight on crime using existing authority.

The President may be able to walk down the street safely with Secret Service protection, and foreign diplomats may be safer with White House Police guarding their doors. But even the President's own private secretary has been a victim of a burglary. The ordinary citizens of this city, and the tourists who visit here, have every right to expect a major effort to end this lawlessness now.

It has taken 5½ months to get a crime bill from the White House to the Capitol, and it is sufficiently complicated and controversial to take the rest of this year for consideration. Local police are not able to fill existing vacancies, much less start on the new proposed authorizations.

The people of this city and this Nation look to the new administration for the kind of action that was indicated in the campaign oratory last fall. A 23.9 percent increase in crime in 1 month is not tolerable.

MEMBERS INTRODUCE ANTIPORNOGRAPHY LEGISLATION

(Mr. WOLFF asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WOLFF. Mr. Speaker, my constituent mail in recent weeks has reflected a sharp rise in unsolicited pornography, being sent through the mails. These pandering advertisements, many of which are aimed at young people, are increasing not only in volume but also in the repulsive nature of the enclosures.

Accordingly, I am today introducing legislation, cosponsored by 24 other Members, to place a severe financial burden on those who mail such unwanted pornography. Under the terms of the bill, the smut merchant sender would have to pay double postage and administrative costs when the recipient returns such unsolicited filth.

This entire problem has been complicated by certain recent Supreme Court rulings and it is imperative that we act to control these disreputable mailers the only possible way—through their pocketbooks.

I appreciate the cosponsorship of the Members named below and invite others to join us. Under leave to extend my remarks I also wish to include a copy of the legislation and its cosponsors.

H.R. 13168

A bill to amend title 39, United States Code, to provide for the return to the sender of pandering advertisements mailed to and refused by an addressee, at a charge to the sender of all mail handling and administrative costs to the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 4009 of title 39, United States Code, is amended by adding at the end thereof the following: "The Postmaster General shall return to the sender all pandering advertisements mailed by the sender in violation of the Postmaster General's order under this subsection, at a charge to the sender

of the cost of the return of such advertisements, plus an additional charge, allocable to the sender as determined by the Postmaster General, sufficient to reimburse the United States for its administrative costs under this section.".

COSPONSORS OF ANTIPORNOGRAPHY LEGISLATION

Mr. Addabbo, Mr. Anderson of Tennessee, Mr. Andrews of Alabama, Mr. Baring, Mr. Blackburn, Mr. Carver, Mr. Chappell, Mr. Cleveland, Mr. Duncan, Mrs. Hansen of Washington, Mr. Horton, Mr. Kyros, Mr. McKneally, Mr. Matsunaga, Mr. Melcher, Mr. Moss, Mr. Price of Illinois, Mr. Rarick, Mr. Rees, Mr. Vanik, Mr. Wright, Mr. Zion, Mr. Derwinski, and Mr. Murphy of Illinois.

Mr. ABERNETHY. Mr. Speaker, would the gentleman yield to me at this point?

Mr. WOLFF. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. I think I could make a suggestion as to one way you can cure the mailing of this pornographic literature through the mails and this is what I intend to do: Tell the recipients to mail it to the residence of the Justices of the Supreme Court.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. WOLFF. I yield to the gentleman from Florida.

Mr. HALEY. Mr. Speaker, I want to compliment the gentleman upon the introduction of the bill to which he has made reference. I and my colleague from Florida have introduced a similar bill and I hope we can get some action on it because, certainly, it is a critical situation.

Mr. WOLFF. I thank the gentleman for his comments.

DRUG SMUGGLING PRESENTS INCREASINGLY SERIOUS PROBLEM

(Mr. DE LA GARZA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DE LA GARZA. Mr. Speaker, as the Representative from the 15th Congressional District of Texas, which borders on the Republic of Mexico, I am sadly aware that the smuggling of marihuana, heroin, and other illegal or dangerous drugs across the border from Mexico to the United States presents an increasingly serious problem.

In a special message to Congress, President Nixon called attention to the fears and worries of Americans concerning the illegal use of drugs—especially among young people. The President specifically stated that drug abuse "constitutes a national threat to the personal health and safety of millions of Americans." He cited a frightening 800 percent increase in juvenile arrests involving the use of drugs between 1960 and 1967 and noted that "half of those now being arrested for the use of drugs are under 21 years of age."

The International Good Neighbor Council, a notable organization that concerns itself with problems common to the United States and Mexico, took cognizance of this situation in a resolution recently adopted by its International Affairs Committee. This resolution, suggesting that wide publicity be given to the severe penalties attached to crimes of drug abuse, urged the U.S. Customs Service and the Departamento de Aduana Fronteriza of Mexico to post large and legible signs in suitable locations at all ports of entry warning people of the possession of illegal drugs when crossing the Mexican-United States border.

Copies of this resolution have been forwarded to the appropriate authorities of the Governments in Washington and Mexico City, with the request that increased attention be given to this grave problem and that the two Governments work together in every possible way to stop the illegal traffic in marihuana, heroin, and other illegal drugs—a traffic which poses deadly danger to our young people.

Public officials in the Republic of Mexico, fully aware that much of this traffic is conducted across their national border, are greatly concerned, as I learned when I took the matter up at the United States-Mexico interparliamentary meeting in Mexico. We can count on their cooperation.

Mr. Speaker, the time is due, and past due, to launch a comprehensive and coordinated attack on this problem.

With that purpose in view, I have introduced H.R. 13031 designed to help prevent and control narcotic addiction and drug abuse. The bill proposes authorization of Federal aid in the construction, staffing, operation, and maintenance of facilities for the prevention and treatment of narcotic addiction and drug abuse; in the development of educational programs; in the training of professional and other personnel; in the support of appropriate demonstration projects relating to narcotic addiction and drug abuse, and in the conduct of needed research, study, and experimentation.

My bill would provide increased Federal funding under the Community Mental Health Centers Act to cover costs of operation and maintenance, with coverage extended to meet staff expenses. The Secretary of Health, Education, and Welfare would be authorized to make grants, upon the recommendation of the National Advisory Mental Health Council, to develop specialized training programs for the prevention and treatment of drug abuse and to conduct surveys and field trips to evaluate the adequacy of State programs in this area. Grants also would be authorized for specific purposes to State or local agencies and to public or nonprofit agencies.

This bill would establish an Advisory Committee on Narcotics and Dangerous Drugs to assist the HEW Secretary, this committee to consist of 12 members of diverse professional backgrounds, including the fields of pharmacology psychiatry, psychology, and other behavioral sciences, and representatives of the drug manufacturing and distributing business.

Mr. Speaker, evidence appears every day in the media that no element of American life has immunity against the threat of the drug problem. No parent can be certain that his children are safe. This matter is critical. Effective Federal action must be initiated now.

CONGRESSMAN ANNUNZIO TESTIFIES BEFORE DISTRICT OF COLUMBIA CITY COUNCIL ON CRIME INSURANCE

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, on May 21, 1969, I introduced H.R. 11512, the Small Business Crime Insurance Act of 1969. Since that time, 93 Members of the House, on a bipartisan basis, have joined with me in cosponsoring the legislation.

At this time I will not go into a detailed explanation of the bill since that was done when the legislation was first introduced. Basically, however, the legislation would provide for the direct writing of crime insurance to small businessmen by the Federal Government. The coverage would be handled through the Small Business Administration.

The problem that the small businessman has in obtaining insurance is commonplace throughout every major city in our country. It is a particular problem here in the Nation's Capital where small businessmen in the northeast and southeast sections of the city have found it impossible to purchase insurance.

The Government Operations Committee of the District of Columbia City Council has been holding hearings on insurance problems in the District of Columbia for the past week.

Today, I appeared before that body to discuss my proposal and to ask for the support not only of the District of Columbia but of every city and town in the United States.

I have included in my remarks today a copy of my testimony this morning as well as a press release concerning the legislation. These two documents will serve to keep Members of the House current on the status of the legislation:

INNER-CITY SMALL BUSINESS WILL PERISH WITHOUT INSURANCE HELP PREDICTS CONGRESSMAN ANNUNZIO

"Congress and the White House must decide whether or not small businessmen will be able to keep their doors open in our major cities," Congressman Frank Annunzio (D., Ill.) told the Government Operations Committee of the District of Columbia City Council today.

Testifying on the need for adequate crime protection insurance, Annunzio said that without crime insurance, "we will not have small business in our major cities."

The Chicago Democrat told the Committee that insurance companies will not write crime coverage in major cities, and in Washington, it is almost impossible for a small business in the Northeast or Southeast area to obtain crime insurance. He added that even if the policies are available, the premiums are three or four times higher than the standard rate.

In order to correct the problem, Congressman Annunzio has introduced legislation which has been cosponsored by a bipartisan group of 93 Members of the House of Representatives, calling for the direct writing of crime insurance for small business by the Federal government. The insurance would be written through the Small Business Administration and would be available to small

businessmen who cannot obtain the insurance at reasonable rates through private insurance companies.

Congressman Annunzio, who in 1967 authored successful legislation to study the impact of crime upon small business, warned the Committee that "unless crime insurance at reasonable cost is available to small businessmen, the time is not too far off when there will be no small business in our inner cities. The trend has already begun and it is time now to take action."

The insurance industry, Congressman Annunzio explained, has completely turned its back on the need for crime insurance by small businessmen. He told the Committee that although insurance representatives had promised him two years ago that they would come to grips with the problem, nothing has been done.

"For this reason," said Congressman Annunzio, "I have introduced the Small Business Crime Insurance Act of 1969, which provides for the direct writing of crime insurance for small businessmen by the Small Business Administration."

Although the Annunzio legislation calls for an initial $50 million loan from the Treasury to start the insurance program, Congressman Annunzio does not feel that the money would have to be spent. "The funds would merely serve as a reserve since there would be premium income flowing into the insurance pool from the very beginning and the only time the Treasury funds would have to be tapped would be in the event that losses exceeded premium income," said Congressman Annunzio. He added that even if losses do exceed premium income, Congress and the White House must be prepared to appropriate the money to make up the differences or write the end to small business in our inner cities.

Congressman Annunzio predicted that with proper supervision and regulation, the program would be self-sustaining since the legislation would allow the Small Business Administration to require small businessmen to improve the risk factor of their business as a condition to obtaining insurance. Under such a plan, SBA for example, would tell a grocery store operator that it will only insure his market if he obtains a burglar alarm. Congressman Annunzio has also asked the Small Business Administration to provide low-cost loans for the purchase of such protective devices. "For too long," Congressman Annunzio said, "the insurance industry has sold policies with the attitude of a man who only wants to hold the winning ticket on a lottery. If a merchant in Northeast called an insurance company and asked for burglar coverage, he would not be able to get a policy, but if he asked for earthquake insurance, I am certain he would be sold the policy immediately. For such a policy in the Washington area would, indeed, be a winning ticket for the insurance company."

STATEMENT BY THE HONORABLE FRANK ANNUNZIO, U.S. REPRESENTATIVE, SEVENTH DISTRICT OF ILLINOIS, BEFORE THE GOVERNMENT OPERATIONS COMMITTEE OF THE DISTRICT OF COLUMBIA CITY COUNCIL ON INSURANCE PROBLEMS IN THE DISTRICT OF COLUMBIA, JULY 29, 1969

Mr. Chairman and Members of the Committee: I sincerely appreciate the opportunity to appear before this Committee to discuss the insurance problems facing small businessmen in the District of Columbia, particularly the effect that crime has upon the problem.

In the simplest terms, the problem is that small businessmen in certain areas of the city, particularly in the Northeast and Southeast sections where small businessmen have found it virtually impossible to obtain insurance for crime-connected losses, or if such insurance is available, it is at rates three to four times as high as standard rates. The problem is not unique in the Washington area. I think we can safely say it is prevalent in every major city in the United States, at least that is what the flood of letters that I have received on crime insurance indicates.

Quite clearly, Mr. Chairman, something must be done if small business is to survive in our major cities. I do not come here as a prophet of doom or gloom but I do feel quite certain that unless crime insurance, at reasonable costs, is made available to small businessmen, the time is not too far off when there will be no small businesses in our inner cities. The trend has already begun and it is time now to take action.

I first began work on this problem in 1967, when I introduced the Small Business Protection Act to provide for a study to determine the best ways that small businessmen could protect themselves from criminal acts.

I do not contend that the study is the solution to the crime problem but rather that it does set out areas of investigation where a majority of efforts should be concentrated in solving the problem. I am unhappy that the study devotes too much space to the statistical side of crime against small business and not enough space in telling the small businessman how to safeguard his property from hoodlums and vandals.

I sincerely hope, Mr. Chairman, that your Committee will not fall victim to the statistical syndrome that seems to arise whenever the question of crime is raised. At this point, we do not need studies to show that crime is, indeed, a problem to small businessmen. We can learn this by picking a newspaper from any metropolitan city. In fact, in many cities, including Washington, the crime rate has risen to such an extent that the newspapers do not have enough space to devote to crime stories but, instead, must summarize the crime news on a "boxscore" basis, much the same way the statistical aspects of the Senators' baseball games are reported.

Mr. Chairman, I do not want to go into psychological reasons for the crime increase nor do I wish to attempt to affix the blame for the problem. We have heard a great deal about who is responsible for controlling crime. I do know one thing though. It is not the small businessman who is responsible for the crime rise; it is not the small businessman who can crack down on the increase of crime; but it is the small businessman who is paying for the effects of criminal acts. If ever there were an innocent victim of crime, it is the small businessmen of our country.

Mr. Chairman, when I introduced my crime study bill in 1967, I did so in hopes that it would cause the insurance industry to do something about making crime insurance available to small businessmen. When I introduced the study bill, a member of my staff received a telephone call from an insurance executive inquiring whether the bill contained any provision for a direct program of government insurance. The insurance executive was told that the bill did not contain such a provision but that if insurance was not made available that my next step would be in that area. The insurance executive assured my staff member that would not be necessary since the insurance industry was ready to come to grips with the problem and to find ways to help the small businessman.

That was more than two years ago, Mr. Chairman, and we still have not seen any progress on the part of the insurance companies. For this reason, I have introduced the Small Business Crime Insurance Act of 1969, which provides for the direct writing of crime insurance for small businessmen by the Small Business Administration. This legislation has been cosponsored on a bipartisan basis by 93 Members of the House of Representatives. Let me take just a minute or two to discuss a few highlights of my bill. The legislation quite simply would establish a new position in the Small Business Administration—the Associate Administrator for Insurance. The Associate Administrator, working in conjunction with the Small Business Administration Administrator, would establish a schedule of insurance premiums based on the needs of the small businessmen and the type of risk to be covered. To be eligible for the insurance coverage, a business owner would have to qualify as a small business under the size standards set by the Administration, and, as in the case of Small Business Administration loan program, the small businessman would have to show that he is unable to obtain insurance at reasonable rates and terms.

The funds for the insurance pool would be obtained with a $50 million loan from the Treasury Department. As premiums were paid, the funds would be placed in a separate revolving fund within the Small Business Administration. At the end of each year, the amount of claims paid during the year would be deducted from the revolving fund. An adequate portion of the remaining money would be set aside for reserves and the balance would be used to repay the loan from the Treasury Department. Eventually, as the reserves increase, there will no longer be a need to borrow funds from the Treasury and the program will become self-sustaining.

Since the money obtained from the Treasury will be a loan and not a grant, this program will not cost the taxpayers any funds except for the personnel administration of the program, and I do not feel that this is too great a price to pay for assisting small businesses. To me, Mr. Chairman, the most important aspect of this legislation is its simplicity. Since it does not provide for the creation of a new bureau, agency, or department, there would be a minimal delay in establishing the insurance program and it could be in operation as quickly as the regulations were established.

In the beginning, the insurance coverage would be limited to coverage for losses due to criminal acts. This would still give the insurance industry the opportunity to write other forms of insurance for small businesses and, hopefully, correct some of their premium inequalities. However, I want to make it clear that if the insurance industry does not exercise its responsibility in this area, then I will offer an amendment to the legislation to provide for the direct writing of all small business insurance. I would add that, based on past experience, I am not optimistic that the insurance industry will cooperate.

Although the legislation calls for an initial loan of $50 million from the Treasury Department, such a loan could be, in reality, a paper transaction. The funds would merely serve as a reserve since there would be premium income flowing into the insurance pool from the very beginning and the only time the Treasury funds would have to be tapped would be in the event that losses exceeded premium income.

I personally do not feel that, except for perhaps the start-up period, that there will be losses in excess of premium income. But for the sake of argument, let us consider that there may be losses in excess of income. We must be prepared to make a value judgment. If we do not provide the insurance coverage, we will not have small business in our major cities. That is the value judgment that Congress and the White House must make. And, if we lose these small businesses because we are unwilling to appropriate the money to get the program started, we will be the victims of an economic mistake for every time a small business closes its door, we lose tax revenues at the city, county, state and Federal level. My bill speaks of an appropriation of $50 million. But Mr. Chairman, that is but a drop in the bucket compared to the amount of money that would be lost if small business is allowed to die in our cities. On the other hand, I feel very strongly that we will make the government insurance program a self-sustaining operation. My legislation would give the Small Business Administration power to require small businessmen to improve the risk factor of their business

property as a condition to obtaining the insurance. Thus, the SBA might tell a grocery store operator that it will only insure his market if he obtains a burglar alarm. I have also asked the Small Business Administration to make low-cost loans for the purchase of such protective devices. Or the Small Business Administration might require bars to be placed across a clothing store's display windows during non-business hours before it would insure the store.

Before the Small Business Administration can loan money to a small businessman, the loan applicant must show that he is unable to obtain the money from other sources on reasonable terms. The same procedure would be followed in handling the insurance. The small businessman would have to present proof to the Small Business Administration that he is unable to obtain crime insurance at a reasonable premium. Thus, SBA would not be competing with the private industry since private industry will not handle this type of insurance. Therefore, the charge of government interference cannot be made. I think it is quite clear from the apathy expressed by the insurance industry in the two years during which I have waited for them to take action proves my point quite clearly.

In order to cut down on the manpower and red tape, it is my plan that the government insurance will be sold through commercial insurance agents who will pay a fee to the government to be licensed to sell this insurance. Of course, we will have to make certain that we have agents in every part of the city who are accessible to the small businessman. The same procedure can be used by processing claims. It should be remembered that the insurance agent is also handicapped by the reluctance of insurance companies to write crime insurance. If the agent cannot sell policies, quite simply, he cannot make a living. While the plan to write direct government crime insurance may be new, it is not without precedent. We already have government insurance for home mortgages, bank deposits and crop damage. These programs have been highly successful. The mortgage insurance has been one of the main reasons why Americans enjoy the highest standard of living.

In review, Mr. Chairman, allow me to draw on a small piece of history. When Congress first considered the Federal Deposit Insurance Act, it was during the height of the depression and was shortly after the famous bank holiday in which thousands of banks across the country failed. When the Congressional sponsors of the bank deposit insurance bill first introduced the bill, they were ridiculed and almost laughed off the Floor of the Congress. The argument was made that such a program would bankrupt the country, since the government could not stand to pay all of the bank losses. But the bill was finally passed and instead of bankrupting the country, the federal deposit insurance program has resulted in the strongest banking system in the world. We must have faith that the same thing can be accomplished for small business.

In conclusion, let me say that I reject, categorically, the insurance industry's arguments that they cannot afford to write crime insurance. Insurance companies are making record profits. In fact, the insurance industry is much the same as the Nation's banking industry, which contends that it has to raise interest rates because of the shortage of money. However, bankers neglect to tell their customers that bank profits are at a record high.

For too long, the insurance industry has sold policies with the attitude of a man who wants to hold only the winning ticket on a lottery. If a merchant in Northeast called an insurance company and asked for burglary coverage, he would not be able to get a policy but if he asked for earthquake insurance, I am certain he would be sold the policy immediately. For such a policy in the Washington area would, indeed be a winning ticket for the insurance company.

I do not believe that small businessmen represent losing tickets. For this reason, I hope that the Small Business Crime Insurance Act of 1969 will become law and I ask the help of this body and every citizen of Washington, D.C., to making it a reality.

BOB MATHIAS—A CHAMPION SEES TEXAS

(Mr. BELCHER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BELCHER. Mr. Speaker, it was my privilege to visit the 18th Congressional District of Texas over the past weekend. Together with my colleagues from the Committee on Agriculture, I participated in a very thorough and well-organized tour of the agricultural community in the Texas Panhandle which is so ably represented by my good friend BOB PRICE.

During our visit we saw many examples of excellence in agriculture—cattle feeding—milo production—irrigated vegetable production, for example.

Included in our group which visited this championship area of American agriculture was a sports champion who once brought fame to our Nation and who now represents the 18th District of California.

I am, of course, referring to my distinguished friend and colleague, the gentleman from California, BOB MATHIAS.

In the Sunday edition of the Amarillo News Globe there was a story about BOB MATHIAS and his visit to Texas. I include this story in the RECORD at this point:

ROBERT BRUCE MATHIAS, A CHAMP REVISITED

(By Carlton Stowers)

As a youngster struggling toward manhood in rural West Texas I spent a good deal of time entertaining thoughts of what future achievements might be mine—millionaire, President of the United States, and perhaps most important of all, Olympic decathlon champion. For good measure I also planned to marry Mitzi Gaynor and be the first man on the moon.

The mere fact that there stands no bronze statue of myself on the Runnels County Courthouse lawn is stark testimony to the fact that I never realized any of the above goals.

I knew, I suppose, that my chance of gaining any great wealth was somewhat bridled by my financial bloodlines and, since I could hardly stand the idea of wearing a tie for even the two hours Mother required each Sunday morning, I was aware of the hard time I would have ever becoming President. Mitzi Gaynor never even gave me a second glance and, well, you can see what happened on the moon deal.

Which left the Olympic decathlon championship; something which I thought maybe I still had a shot at. Particularly after I had set a new all-time Runnels County indoor and outdoor record for seeing "The Bob Mathias Story" the most times. The more I watched, the more I realized the 1948–52 Olympic champ and I had a great deal in common.

After all, didn't Bob's folks make him take a nap two hours every day after lunch even if the rest of the kids in Tulare, Calif., made fun? And, wasn't he addicted to oatmeal cookies and a little scared of real girls? And like old Knute Rockne once pointed out, didn't he put his pants on one leg at a time just like me?

This amazing parallel of Bob Mathias' athletic career and mine ended, alas, when I stepped on the field of battle. Thus another ambition bit the dust.

Viewing my plight with the advantage of retrospect, I can, with a minimum of rationalizing, see where my final failure was not so great as you might be led to believe. Goodness knows there have been a lot of men who have lived in the White House. Wall Street can't keep up with the number of millionaires. And Mitzi's love life is no secret.

You could take the number of 17-year-old kids who have won Olympic championships, however, count them, and have several fingers to spare. Which is to say Bob Mathias was a youngster who was a man before Graduation Day. You name it, he could do it. Run, hurdle, pole vault, high jump, throw the javelin, broad jump and Heaven knows what all. He's the kind of guy they talk about when they call an athlete versatile. Pressure? Bob Mathias thrived on it.

He made up his mind to take a shot at making the '48 Olympic team four weeks before the decathlon trials and wound up amazing 70,000 fans in London by defying the rain, long hours and a Frenchman named Ignace Heinrich to capture the gold medal, thus becoming the youngest track and field performer to ever step to the top of the winner's stand.

For good measure he turned the trick again at Helsinki in 1952. In between he led Stanford to the host spot in the Rose Bowl. When he returned from London, President Truman was there to shake his hand. They changed the name of his hometown to Mathiasville. Paramount Studio signed him to a contract after his competitive days were over, saying that no one but Bob Mathias himself could handle the lead in his own life story. They signed up Ward Bond to play the role of his coach and wound up taking every cent of my soda pop bottle money before the movie left town.

Still a striking figure at 38, Mathias, now a Congressman in his homestate, has spent the weekend as a guest of fellow politico Bob Price, touring the agricultural accomplishments of the Panhandle. Just looking at him one still gets the idea that he could do just about anything he sets his mind to do. That's how it is with the true champions.

Which is a way of saying that, though I never quite managed to achieve some of them, you can't say I didn't set my goals high enough.

MOON SAMPLES BELONG TO THE PEOPLE OF THE UNITED STATES

(Mr. BRAY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BRAY. Mr. Speaker, the first moon samples brought back to earth belong, by right, to the American people—all the citizens of our Republic—and it is to them these samples should go before any are given away to foreign heads of state. I am introducing a bill today providing for this.

Of course, it is completely understood that none will be given to anyone until scientists have had ample time to thoroughly examine them. Dr. Robert Jastrow, one of our most eminent astrophysicists, has called the moon the "rosetta stone of the planets" and it is believed some of the deepest secrets of creation itself will be unlocked through examination and analysis of this less than 100 pounds of rock fragments.

Use any figure you wish for the ultimate cost of Apollo 11—$25 billion, or more, or less—but the hard fact remains that the billions required came from one source, and one source alone: the pockets of the American taxpayers. Therefore, by right, our citizens have first claim on them.

This is especially so since I firmly believe that all of our citizens, with the exception of a sour-grapes collection of professional soreheads, are immensely proud of what has been achieved in this solely American endeavor, and feel their money was well spent.

In time, I am sure, museums throughout the country will have for permanent display samples from the moon—if not from Apollo 11, then from subsequent flights. But, for the Apollo 11 samples, next only to the urgent scientific need for them, it is most important that they go to the people whose money, faith, and yes, prayers, made bringing them back to earth a reality.

Therefore, I have introduced legislation providing that as soon as practicable, after scientific requirements have been fulfilled, and at a time to be determined by the National Aeronautics and Space Administration, one sample be delivered to each Governor of each of the 50 States, for permanent display in, and to be permanent property of, the State and its people. Place of display is to be determined by the Governor. Many of our State capitals are centrally located, and besides, having 50 locations in the American Republic where these samples could be seen would make it much, much easier for Americans to see them firsthand.

The American people gave their Government the money that made it possible to get these samples. The Government of the United States owes it to its citizens to make it as easy as possible for them to see just what their money achieved.

Following is the text of my proposed bill:

H.J. RES. 844

Joint resolution providing for distribution of the Moon samples brought back by Apollo 11 to the Governors of each of the fifty States

Whereas Apollo 11, the most significant achievement of mankind in all of his recorded history, to date, was a solely American undertaking and endeavor, and,

Whereas the American taxpayer made it possible by providing the billions needed, and

Whereas by virtue of this, right of ownership is of Apollo 11's Moon samples is unequivocally invested in the American people; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That as soon as practicable, after necessary scientific requirements of study, examination and analysis have been fulfilled, and at a time to be determined by the National Aeronautics and Space Administration, and before any part of these samples shall be delivered by the Government of the United States into the permanent possession of any foreign government, one sample in quantity or shape suitable for public display shall be delivered to the Governor of each of the fifty States. These samples are to be retained as permanent property of the States, and shall be placed on permanent, public display in such a manner and at such a location as the Governor of each State shall determine.

SOVIET NAVAL SQUADRON IN THE GULF OF MEXICO

(Mr. EDWARDS of Alabama asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. EDWARDS of Alabama. Mr. Speaker, a naval squadron of the Soviet Union today is cruising in the Gulf of Mexico. It is the squadron of seven ships which left Havana Sunday after helping Fidel Castro note the Cuban Communist celebration of July 26.

It is the squadron which steamed south along our east coast earlier this month and which ventured into the Gulf of Mexico just before the Havana stop, sailing to within about 400 miles of New Orleans.

Today the squadron has split up. The ships are all traveling in a westerly direction, four of them about 500 miles west of Key West, one submarine tender about 300 miles west of Key West, and the two other ships not far south of the tender.

This latest evidence of the growth of Soviet sea power follows the well-planned schedule the Kremlin set up shortly after the Cuban missile crisis in 1962 exposed Moscow's need for naval strength.

They sent ships into the South Atlantic for the first time in 1967. In 1968 they made their first voyage into the Persian Gulf and Indian Ocean.

Today they are in the Gulf of Mexico with a 4,300-ton guided missile cruiser with eight launchers for Shaddock surface-to-surface missiles with a range of about 450 miles.

I have been speaking of the significant growth of Soviet sea power, including all its elements of naval strength, merchant marine capability, fishing fleet, and oceanographic capacity, for 4 years.

Its significance is exceedingly great in terms of our overall national security.

Permit me to quote just one way of saying it, taken from the report of June 1969, of the Center for Strategic and International Studies of Georgetown University called "Soviet Sea Power":

The timely presence of Soviet naval units at a scene of local instability involving U.S. interests could restrict the actions of Washington or cause U.S. allies to lose confidence in the will of the United States to react in support of political forces favoring U.S. interests.

The magnitude of this is even more clearly seen in the light of yesterday's report of the special Armed Services Subcommittee on the *Pueblo* incident. That report found that the U.S. "military command is now simply unable" to respond swiftly to the needs of a major crisis.

All of this is clear indication, if we needed any new indication, that we must give far greater attention to sea power as a requisite of our national security.

STATEMENT IN SUPPORT OF INCREASE IN EDUCATION FUNDS

(Mr. MOLLOHAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MOLLOHAN. Mr. Speaker, when Congress passed comprehensive amendments to the Vocational Education Act of 1963, it authorized $766 million for the fiscal year 1970 to implement that program. The Congress did so in the knowledge that there were more than a million children who had left high school before graduation and in the knowledge that many many more needed special skills as a prerequisite for useful employment.

Yet, we are asked to provide less than half of the money necessary to fulfill our commitments under this legislation. This is nothing short of a national disaster. There are many things in our national budget that can be postponed even though they are necessary but education is not one of them.

How do you tell a young man or woman "come back for job training next year, we don't have the money this year?" Yet, this is exactly the effect of appropriating less than half of the money needed.

The hard, cold facts are that the crime rate among the young people in this Nation is sky-rocketing and the unemployment rate among the young people is the highest of any category. In the cities the unemployment rates runs up to 30 percent. The correlation of unemployment and crime is too close to ignore.

This appropriation is the most important piece of legislation that this House will consider so far as my State of West Virginia is concerned, because 60 percent of those graduating from high school are not going on to college and they must have advanced skills to be effective in today's labor market. Yet, where West Virginia should be receiving nearly $9 million, this appropriation will cut that in half.

West Virginia cannot afford that loss and the Nation cannot afford that loss either. Our labor needs are dynamic—they change and are changing rapidly. But high school education is still geared largely to college preparation. As a result, vocational education is of highest priority for providing a useful education to everyone.

PROHIBITING STATE AND LOCAL INCOME TAXES ON OUT-OF-STATE RESIDENTS

(Mr. HUNT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HUNT. Mr. Speaker, there has been no other time in memory that public opinion has been so unanimous in protest of high and inequitable taxes at all levels of government. There is no relief in sight. Instead, virtually every taxing jurisdiction in the Nation is persistently seeking new sources of tax revenues. Where the voters have had the opportunity to express themselves by referendum, an opportunity afforded only at the State and local levels, the trend in recent years has been to reject new taxes. Federal taxes are not subject to the final approval of the public except to the ex-

tent that each of us must ultimately answer to his electorate. But there exists still another situation in which the individual who is taxed has no vote or representation, and this is the case of State and local income taxes on out-of-State residents.

My attention was first drawn to this problem because of a local condition affecting several thousand of my constituents who work in nearby Philadelphia. It must first be noted that New Jersey does not levy an income tax. Neither does Pennsylvania, but in that State, political subdivisions are empowered by State law to impose income taxes on all persons whether they are residents, nonresidents (of the city, but residents of the State), or out-of-State residents. There is no distinction made among these classes of taxpayers as all are required to pay the tax at the rate of 3 percent on gross income. I might add that the 3-percent rate became effective on July 1, 1969, and was an increase of 33 percent over the 2 percent immediately prior to that date and a 100-percent increase over the rate first established by the Philadelphia Income Tax Ordinance of December 13, 1939.

In response to this problem, and not unmindful of the pitfalls in dealing with any tax legislation, I reintroduced a bill, H.R. 849, to prohibit any State or political subdivision of that State from levying income taxes on nonresidents of the State. Insofar as such taxes are imposed on out-of-State residents, I believe this is a subject for the consideration of the Congress in view that the taxes so imposed are interstate in application, presenting a clear-cut case of taxation without representation, and the only body with the jurisdiction to resolve this issue is the Congress in the absence of voluntary and cooperative action among the States.

Subsequent to this legislation, it has become increasingly apparent to me that the injustice of the Philadelphia wage tax on New Jersey domiciliary residents is not singularly unique. There are 11 other States that do not levy an income tax at present wherein similar conditions exist or are likely to occur. Each of the 50 States has dealt with the taxing of out-of-State residents as it has seen fit. More recently, the prevalence of this problem surfaced with the introduction of the District of Columbia Revenue Act of 1969. For the first time, it includes a title cited as the "District of Columbia Nonresident Tax Act," which provides for the imposition of a tax on commuters based on income.

In all fairness, Mr. Speaker, Congress has made the first substantive move on the problem of taxes levied by States on the incomes of out-of-State residents with the adoption of the so-called Smith of Iowa proposal in the form of an amendment to the Interstate Taxation Act. While the nature of the amendment, which essentially prohibits double taxation of individual incomes by more than one State, indicates a legitimate concern of the Congress and is a step in the right direction, I firmly believe the issue warrants further serious consideration. For example, the amendment leaves unresolved the plight of taxpayers in 12 States, where an income tax is not imposed, who work in a State where such taxes are levied. Furthermore, and perhaps more fundamentally, it does not concern itself with the issues of taxation without representation or double taxation in the sense that regardless of the primary revenue source, be it property or income taxes or a combination thereof, there is a class of individual taxpayers that pays a high property tax in the absence of State or local income taxes while at the same time paying an income tax at the full rate in an out-of-State taxing jurisdiction without the benefit of an offsetting credit.

It is argued by those taxing jurisdictions which tax nonresidents that such individuals receive certain public benefits for which they should share the costs. This argument is not without merit, but there exists no national standard by which State and local taxing jurisdictions may fairly and equitably apportion the tax burden between residents and out-of-State residents taking into consideration the relative benefits derived by each class. In this context, my proposal may seem drastic, but I believe the situation to be serious enough to justify drastic action with a view to devising and implementing new approaches respecting the taxing of out-of-State residents. Merely because commuter taxes have not been voided by the courts and are easily administered does not relieve us of the responsibility to represent the interests of a voiceless class of taxpayers with a legitimate grievance.

In my earlier remarks on the subject, I stated, "With respect to taxation versus benefits, I am fully cognizant of the fact the courts have consistently recognized that equal tax burdens do not necessarily require equal benefits. I do not infer from the attitude of the courts in this regard, however, that it is a mandate to any taxing jurisdiction to gouge the helpless taxpayer, especially the nonresident who has no voice at the polls or representation in the disposition of his tax dollar. Rather, I believe the courts view this issue of taxes versus benefits as one to be resolved as fairly as practical by the political instruments of government."

Returning once again to the legislative proposal to provide for a commuter tax on nonresidents of the District of Columbia, this is a unique situation in that Congress will have the opportunity to pass upon the issue. Because of the initial intent of the legislation to encompass all taxing jurisdictions in the Nation, I am today introducing a new bill to perfect its coverage by including the District of Columbia.

I am encouraged that others share my concern over this problem and list the following new sponsors of this legislation: Mr. ASHBROOK, Mr. BLACKBURN, Mr. DEVINE, Mr. GOODLING, Mr. PELLY, Mr. SCOTT, Mr. STEIGER of Arizona, Mr. TEAGUE of Texas, Mr. SCHERLE of Iowa, and Mrs. DWYER.

We respectfully urge the House Judiciary Committee to give this legislation a fair hearing in the interest of those taxpayers whose only recourse is now through the Congress.

ACTION BY THE INTERNATIONAL MONETARY FUND

(Mr. HANNA asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. HANNA. Mr. Speaker, at a time when there are so many things that are being pointed out that are going wrong with the world, it is kind of a refreshing experience to find some things that are going right.

Mr. Speaker, all of us are aware of the great prospective benefits that our exploration on the moon have created. However, not so many of us are aware of another very important step in terms of the position of the United States and its prestige among the nations of the world. The adoption by the IMF of special drawing rights, SDR's, as they are called, is one of the things that has been accomplished quietly and out of the spotlight which, I think, down the corridor of history will stand out as being a landmark accomplishment in terms as to where the world is going and how it is going to be able to live peacefully and prosperously in the future. I think that the gentlemen who have brought this about are to be highly commended. They have brought silently, but through patient and persistent effort, constructive change in our times.

To move dramatically ahead in facilitating the great growth of trade between nations the major European traders had to first be persuaded to drop the "Linus blanket" of the old gold exchange standard. The new SDR's will be based upon a percentage of gold backing but they will multiply the effectiveness of the limited world gold reserve held by the IMF.

In the recently adopted new program the industrial nations have agreed to subscribe to $9.5 billion in SDR's over a 3-year period. In addition, they have committed themselves to doubling of their quotas from $4 to $8 billion when and if these steps are ratified by the IMF. This will give extended leverage for the growth of trade and it achieves an important though diluted goal sought for years by the U.S. representatives in the IMF and in the Treasury.

There remains now the two other major goals the United States rightly seeks. First flexibility in the currency exchange rates. A greatly needed improvement to avoid wild speculations in currencies and hot money flows which so upset the stability and long-term predictability necessary for trade improvement on the one hand and reduction of domestic politics as an operative fact in international trade on the other hand. Second, we need to get broader concessions for emerging nations in the financing of trade and development.

Let us hope Mr. Speaker that these improvements will add to the luster of the present success quite soon.

I would like to see us mark this as one

of the accomplishments that we have found for a positive country a positive position in the future.

TRUTH IN LENDING: A TRIBUTE TO PAUL DOUGLAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. MIKVA) is recognized for 30 minutes.

Mr. MIKVA. Mr. Speaker, on July 1 truth in lending became a reality. Any man who has suddenly found himself imprisoned by debt because he did not understand the fine print knows the import of this occasion. His gratitude belongs above all to one man, a man for whom July 1 was the coming to fruition of a dream of fairness in the loan market, and the end of a long fight against powerful interests, a man without whose long, lonely struggle truth in lending might never have come to be. I refer to my most distinguished constituent, former Senator Paul Douglas of Illinois.

For 7 lonely years two forces had been opposed on the battlefield—the powerful business and creditor interests on the one hand and the consumer, represented by Senator Douglas, on the other. Each year for 7 years Senator Douglas reintroduced his bill, wrote article after article, and made speech after speech in support of it, driven by his own sense of justice and by the importunings of the desperate consumer. And each year for 7 years hearings were held and investigations made, piling up more and more evidence behind the economic necessity for the bill. And each year for 7 years the constant pressure of those who would be hurt by fair lending practices laid the bill on the committee table.

Senator Douglas was not totally alone. Presidents Kennedy and Johnson saw the need for legislation in this area and endorsed truth in lending in general terms. But the Senator's fight was no less frustrating for their support. In 1964 it was only the voice of the Senator from Illinois which was to be heard crying out on the Senate floor against the forces of resistance to truth in lending; it was only the voice of Senator Douglas announcing that during the next scheduled meeting of the committee he would call for a vote by the committee on the bill which had long been before it. The next scheduled meeting was canceled. For another year the chamber of commerce had had its way.

And so it was for 2 more years. More hearings, more speeches, more recommittals to the subcommittee. And then the vagaries of politics removed Senator Douglas from the scene.

In 1968 truth in lending was passed and now it has become a reality. But let us not forget the man who kept this matter before the public conscience. Let us not forget the man who can watch with pride from his present role as active citizen as his dream becomes reality—Senator Paul Douglas.

Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and that the gentlemen from Illinois, Messrs. ANNUNZIO, YATES, and PRICE, be allowed to extend their remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, I want to commend my good friend and colleague, Hon. ABNER J. MIKVA of the Second District of Illinois for taking this special order today in order to mark the date, July 1, 1969, that the Consumer Credit Protection Act went into effect, as well as to pay tribute to Hon. Paul Douglas, the distinguished former senior Senator from Illinois.

Congressman MIKVA, since his election to the 91st Congress, has displayed a keen insight into the legislative problems affecting not only the people of his district, but of Illinois and of our Nation as well. I congratulate Congressman MIKVA for his dedication to the legislative process and for the outstanding service he is giving as a member of the House Judiciary Committee and the 91st Congress. The people of the Second District of Illinois are justifiably proud of the significant contribution he is making as a Member of this body.

It is indeed appropriate that Congressman MIKVA has taken this special order to note the outstanding contributions to this country that Senator Douglas has made, foremost among which is the truth-in-lending law which became effective on July 1, 1969.

More than any other man in this country, Paul Douglas has been responsible for setting consumer credit on the road of simplicity and full disclosure. As an economics professor at the University of Chicago, Paul Douglas first proposed uniform language for stating the rates charged on consumer credit.

Later, in the U.S. Senate, he continued his fight for full disclosure. He proposed, late in 1959, to his staff on his Banking Subcommittee that a bill be drafted and supported which would bring uniformity out of the confusion and deception which were almost universal in consumer credit charges. Through all of the subsequent years of hearings and debates, he consistently maintained that the simple annual percentage rate was the basic language for disclosing the price of consumer credit. His insistence on this fundamental prevailed, and today all extensions of credit to consumers must be made in the same language.

Senator Douglas can truly be called the father of the truth-in-lending bill for it was he who first conceived the idea and guided its progress through the early turbulent years when so many objections were raised to his proposal. During the 18 years that Mr. Douglas served in the Senate, he was a pioneer in the fight to achieve truth in lending. On many occasions he stood alone, but he never wavered. Thanks to his efforts, this month, for the first time in the history of our country, the open disclosure of the financial facts of transactions has become a reality. Now the families of the Nation have been given the means to acquire the information with which they may make consumer credit truly productive, each for himself, and together, for the whole economy.

I am certainly pleased that as a member of the Consumer Affairs Subcommittee of the House Banking and Currency Committee, I was one of the sponsors of the truth-in-lending bill which was enacted into law by the Congress of the United States.

The Congress did not expect all consumers to change overnight into rational and expert shoppers for credit when truth in lending became required of creditors. But the Congress did know that without truth in lending, consumers never could become rational and efficient in their use of credit, in their decisions about when to save and pay cash and when to postpone payment. The Congress, therefore, has made possible the rational and efficient use of income and credit by requiring creditors to make uniform disclosures, in language which permits comparison of sources of credit, and of the costs and gains of credit and of savings.

The open disclosure of the financial facts of transactions is going to make financing consumer transactions more productive for consumers, and more profitable and generally smoother for the efficient creditor.

Mr. Speaker, today as we mark this milestone in the financial development of our country, it gives me great pleasure to congratulate my friend of many years, Senator Douglas, not just for the part he played in achieving open and honest disclosure of consumer credit, not just for what he has contributed in the fields of social security, full employment, minimum wage standards, and civil rights, not just for his present contributions as chairman of the National Commission on Urban Problems, but for his championship of the cause of social justice during the entire span of his career of public service. For more than 50 years, he has battled for the poor and the downtrodden and the disadvantaged regardless of race, creed, or color, and he is continuing that fight today.

The magnitude of Senator Douglas' efforts in behalf of the people of America was aptly summed up by former Vice President Hubert Humphrey when he said in Chicago in 1966, "There is no Member of the Senate today who has his name stamped on more major issues, major bills, and major legislation than Paul Douglas."

I take this opportunity to extend my best wishes to Senator Douglas for abundant good health and continuing fruitful service in behalf of the people of America.

Mr. YATES. Mr. Speaker, I appreciate this opportunity to say a few words about Senator Paul H. Douglas. Beginning this month, the major provisions of the Consumer Credit Protection Act will go into effect. Though the act was passed after his Senate career came to a close, truth-in-lending legislation bears that unmistakable stamp of Paul Douglas. Because of his unflinching efforts, millions of Americans will be spared the scourge of unscrupulous credit practices.

The Consumer Credit Protection Act is characteristic of Paul Douglas because of its fundamental rightness. The idea that citizens, especially poor citizens, could be hoodwinked into committing themselves to financial obligations without an adequate understanding of the size and du-

ration of debts which they were incurring is alien to the canons of elementary fairness. Paul Douglas understood that and undertook a lonely fight against a whole panoply of hostile interests who would be served by a perpetuation of the abuses in the consumer credit industry.

The fact that truth-in-lending legislation is now a part of the law of the land stands as testimony to the perseverance and moral vision of Paul H. Douglas. But those of us who know Paul Douglas well cannot be surprised by that victory, because we know him to be a valiant, dedicated man—a man who realizes that even an idea whose time has come requires hard work if it is to become law.

Though Paul H. Douglas no longer spends his time on Capitol Hill, he is anything but inactive. Last year, he published a book entitled In Our Time, which is a remarkable discussion of contemporary America and the challenges that must be met if the American dream is to be made a reality. The book contains the combination of scholarship, pragmatism, and indignation out of which Paul Douglas fashioned his exemplary Senate career. His work on various councils and advisory commissions provides him with a continuing forum from which to challenge America's conscience.

Paul H. Douglas commands a measure of respect afforded few men. I can well imagine the satisfaction he must feel as the legislation he masterminded and for which he fought takes effect. Millions who will benefit from his truth-in-lending legislation may never know who their benefactor was, but those of us who watched it evolve will not forget the man who made it possible.

Mr. PRICE of Illinois. Mr. Speaker, nothing gives me greater pleasure than to join my colleague from Illinois who has arranged for this special order to pay tribute to the one man who led the often lonely fight for truth-in-lending, the beloved former Senator Paul H. Douglas of Illinois. Paul Douglas more than anyone else set the stage for the eventual enactment of this important consumer law. Despite the innumerable obstacles that he faced during the tortuous course of the Credit Protection Act's legislative history, Paul Douglas has been able to see the day when his vision has become reality.

I served in the House with his devoted wife, Emily Taft Douglas and I first met Paul Douglas at the end of World War II when he returned home with a battle wound suffered as a marine in the South Pacific.

The truth-in-lending law he authored is a measure of his worth as a public servant. It reflects his deep abiding trust in the people and his unswerving devotion to the public good. His legacy of excellence in pursuit of this legislative goal has nurtured those who have followed him in the fight for truth-in-lending. Our distinguished colleague from Missouri, the Honorable LEONOR K. SULLIVAN, and the distinguished Senator from Wisconsin, the Honorable WILLIAM PROXMIRE, carried forward the work begun by Paul Douglas.

Truth-in-lending is tied in the minds of Congress and the public with the name of Paul H. Douglas. Rarely has any legislation so justifiably borne the name of one man as has truth-in-lending, the antecedents of which always were referred to as the Douglas bill. This was not a bill prepared in a department or sent up the Hill to find a sponsor, or the product of some school or some lobby. The central idea of the first and the subsequent truth bills came from Paul Douglas' mind and hand.

He described the contents of the first bill for the draftsman. He held firm to those ideas against all proposals of halfway disclosure, without the yardstick of the annual percentage rate.

In developing the truth-in-lending bill, Paul Douglas' approach, which is reflected in the act which now is in effect, was essentially to minimize Federal interference and control. He could have proposed an act which would make the Federal Government the regulator of every aspect of consumer credit—the rates charged, the terms permitted, the treatment of defaults, et cetera. But instead, he sought the limited objective of requiring all those who extend credit to state the price of credit in the common language of the grade school textbooks and of the home mortgage, to state in full the cost of the credit, and to make all of these disclosures before the consumer become liable for the debt. He sought disclosure of the facts in language which all can learn and understand, which is the same from retailer to retailer, retailer to banker, banker to sales finance company, et cetera; and then left to the informed consumer in the marketplace the responsibility of using his income and the credit resources available to him for the greatest benefit. In the first weeks of discussion of the first bill, Paul Douglas proposed that the Federal Government step aside from enforcing the terms of the act whenever a State enacted and enforced a disclosure statute of at least equally high standards.

Paul Douglas set the tone of the discussion of truth in lending at his first hearings, when he sought statements of people, who had experience with the personal aspects of consumer credit, rather than seeking academic and statistical analyses which would try to show, for example, that the business cycle was a product of consumer credit.

The practices which had grown up in the various branches of consumer credit were shown to produce bewilderment, confusion, and unnecessary and wasteful expense to all consumers who used credit. Paul Douglas' approach to aiding them to use credit productively was to require that information be disclosed to them, so that they might learn to act independently to gain the greatest benefit from the resources they could secure. Truth in lending began as an aid to the ordinary family to seek its own welfare and the welfare of all—of the efficient creditor and the ethical merchant—by their own actions based on adequate information.

Consistent with the Senator's approach, all interested parties were invited to appear at hearings in Washington in 1960, 1961, 1962; then, in the next 2 years, hearings were held outside of Washington, in order to provide opportunity to many more consumers than would be able to finance a trip to Washington for a few minutes of oral testimony. These investigations were basic to the Truth-in-Lending Act.

Truth-in-lending brings the benefits of factual communication to transactions running to more than $100 billion per year, where comparisons always have been more than most people could manage, either because disclosures were not made in time to permit consideration before the consumer went into debt, or were made in terms special to a trade and which were unlike those used by the possible alternative source or credit. As consumers accumulate the information necessary for full judgment of when and where to use credit, their incomes will go farther for them; the efficient retailers and lenders will gain a greater share of the market; and the more productive economy will lower costs to consumers.

Paul Douglas' record of accomplishment is not limited to consumer affairs. The truth-in-lending victory is not a unique event in his career. It is merely a part of his overall record of solid achievement and an example of his philosophy that the business of government is to serve the people. Whether it is conservation, tax reform, welfare, urban affairs, civil rights, social security and medicare, or government waste, Paul Douglas has been in the forefront of the efforts to improve the quality of American society.

Paul Douglas is a man of the people. The truth-in-lending law exemplifies his devotion to the people. It is a long-sought measure of protection for the American consumer.

In closing, I would like to say how proud I am that I have been able to serve in the Congress with Paul Douglas. He has given me inspiration, and his integrity and vision have made him a legend in his own time.

Mr. KLUCZYNSKI. Mr. Speaker, I am pleased to have the opportunity to join my colleagues in emphasizing the importance of the truth-in-lending legislation and to pay a well-deserved tribute to former Senator Paul Douglas, who perhaps more than any other individual is actually responsible for this legislation.

It has been my privilege to know and work with Paul Douglas for many, many years. Personally and professionally he has reached distinguished heights in many fields, but there is probably none in which he took as dedicated and determined an interest as in legislation for the protection of the average citizen in his everyday dealings in the marketplace.

Paul Douglas is an absolutely honest man himself and he is dedicated to truth in every area. Even though this legislation was enacted after he had left the U.S. Senate, his years of tireless effort are almost certainly responsible for its ultimate success.

HIGH SPEED GROUND TRANSPORTATION PROJECT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas (Mr. PICKLE) is recognized for 30 minutes.

Mr. PICKLE. Mr. Speaker, nearly 5

years has passed since we first set up the research and demonstration project for the high speed ground transportation project. Over 1 year has lapsed since the Congress authorized a demonstration site for the high speed ground transportation project. Although we have at long last seen the start of the Metroliner service between here and New York, this is still not a project fulfilled as originally contracted.

Almost every week accusations, reports, surveys and denials are issued by the railroad companies, the Interstate Commerce Commission, the equipment manufacturers, the Office of High Speed Ground Transportation and the Department of Transportation—each either surveying and viewing with concern and alarm, but most of them generally wallowing in a roadbed of timidity, uncertainty, and delay.

Regularly, the newspapers in the northeast corridors piously editorialize about the need for more passenger service and usually speak with disdain of the weaknesses of the ICC or the railroad companies' lack of vision.

While all of this analysis is going on, we still have not selected a demonstration site. I submit to you, Mr. Speaker, that this is the key weakness of this entire program: DOT has not yet recommended or selected a site to commence the demonstration of the various means of developing techniques that we know must be brought forth.

We must have new techniques for moving large bodies of people, particularly in the thickly populated urban areas. The new Metroliner service is a great improvement. The 110 miles-per-hour trains that have reduced traveling time between Washington and New York by almost 1 hour are the greatest improvement. We have new cars and somewhat improved roadbeds. The Pennsylvania Central Railroad primarily, as well as manufacturers, have reason to be proud of the advances thus developed, but I submit to you, Mr. Speaker, that the real answer in the high-speed ground transportation problem does not lie alone in improving the present system, that is, wheels on trains. The real answer lies in developing some means of tracked air cushion vehicles, linear electric motors and tube vehicles. We do not know what will be the best system, and while we must continue to improve the present methods, the ultimate answer lies in developing some type of new system that will shoot people quickly between big cities and at a reasonable cost. Before we can really produce this system, it seems to me that we must have a demonstration site.

And yet, DOT and the High-Speed Ground Transportation Office have refused to assume meaningful leadership in this field. As I will point out later, some recommendations have been made by subordinates but no one has bitten the bullet, no one down the street has really measured up to the responsibility. What makes it more disappointing now is that there are strong rumors that inaction on the site selection is based on political motives. I understand that new guidelines have been recommended to determine the methods for selecting a site and that these new procedures or guidelines are broad enough that the Secretary of Transportation can choose one of these sites strictly on a political basis. I do not believe the Secretary of Transportation would want to be placed in that position.

If that is the situation, Mr. Speaker, that is a reprehensible state of affairs. I therefore call on the House Commerce Investigating Subcommittee to call before it responsible officials to ascertain if these statements of recommendations have been made. It is not enough to say that we need new surveys and research analysis now. What we need instead is action. If we had a site to actually build the demonstration project, we might get underway. We were promised a year ago by DOT that this would move forward quickly and yet the entire project is now frozen on the tracks. If we wanted to do something immediately, we could put into operation the rapid train service already developed in Japan or we could demonstrate the air cushion tracked vehicle as in France.

There is plenty of knowledge available to start this type of project, but a combination of negative thinking has locked us in.

It is for that reason that I think the entire responsibility of the project should be given to one department—the DOT—with a clear mandate from Congress that something be done about it. A close examination of this project today would probably show as much bumbling confusion and uncertainty as any project which has come down the tracks in recent years.

It is for this reason, Mr. Speaker, and it is against this setting that I wish to address the House today on our serious transportation crisis.

The day-to-day routine and necessities of our urban society are pointing more and more to the fact that we will have to have new innovative steps in transportation unless we are satisfied to become bogged in our own mire of congestion. The problem is not simply a problem of highway congestion; of airport and airway congestion; nor of a declining rail passenger outlook.

Instead, it is a problem of deciding whether we will see the problem and deal with it rationally or simply let the times and events carry us listlessly on.

It does not take a great deal of foresight to know that we cannot continue for the future in the same vein followed in the past.

Air service in the so-called northeast golden triangle has already reached the point on some runs at which it is quicker to drive. But at the same time, we see recent studies by offices of the New York Highway Department showing that by 1980, Manhattan will need an additional 60 lanes of freeway in and out to provide adequate service.

In my view, we simply cannot tolerate this kind of uncontrolled expansion. New and more efficient ways of moving people must be found, and the strong indications are that the answer will be in one form or another of high-speed ground transportation.

Congress agreed to look into this possibility almost 4 years ago when final approval was given to the Department of Commerce transportation research program, Public Law 89-220. The report of the House Interstate and Foreign Commerce Committee indicated a relatively clear picture of the problem:

> It is unnecessary to set forth here at length the evidence respecting the overburdening of these facilities. Every Member of the House personally has experienced the inadequacies of our crowded air terminals and facilities, has observed the overcapacity loading of our highways, and is well aware of the demand constantly being made for the enlargement of both types of facilities. But what every Member has experienced and what he has observed is as nothing compared with what lies ahead.
>
> The time has come to see whether passenger traffic on the ground can be made attractive to people; to see whether it is possible to provide facilities that are convenient and economical and which people will use; to see whether this kind of transportation might relieve air congestion and save on the cost of additional air facilities.

In short, Congress saw the problem and made a commitment to solve it. We enacted an intensive research and development program to examine the feasibility of alternative forms of transportation. The program was complete with demonstration projects, and later test sites, to give us a fully tested system for determining both economically and technically what answer was best.

In large measure, the work to be done under this program was analytical and research in nature.

But at the same time, there were two projects which were quite firmly planned at the time the 1965 act was passed, and two others later appeared.

These projects were: First, the demonstration rail project initially between Boston and Providence, R.I., and later extended to New York; and second, the demonstration rail project between New York and Washington. The two which later appeared are: First, a project to determine the operational practicality and feasibility of piggybacking private passenger cars from Washington to Florida; and second, a high speed ground test facility to examine problems found in relation to tracked air cushion vehicles, linear electric motors, tubed vehicles, and other advanced technology.

Mr. Speaker, the original program was for 4 years, with June 30, 1969, slated as the expiration date of the act.

Possibly, the Congress and the Departments of Commerce and Transportation were a little overoptimistic in their estimates as to how much work could be done within this period of time. One factor is that the step-ups in the Vietnam situation was not anticipated, with the consequent cutback in funding. But the long and short of it is that the timetable was missed by a mile.

The emphasis and attention Congress brought to the area of high-speed ground transportation soon became frustrated in the performance of the contractors. To listen to the problems encountered by the car builders and suppliers, and the Penn Central Railroad, and DOT is like a primer of confusion.

First, the problem was an industrial one: the railroads and their suppliers, faced with the need to update their technology, found that they had completely underestimated the problem and the demands which it would make. In short,

there was the problem of an industry drained of resources having suddenly to come alive.

That alone, might not have been insurmountable; Americans are supposed to be engineering experts. But that was not all. In addition to technical problems, there were legal problems and institutional problems which proved just as dilatory. On October 12, 1968, the Washington Star reported that the New York-Boston demonstration had been hit by "a mountain of minor problems." The operating line, the New Haven Railroad, was threatened by a Federal court order to shut down, unless taken over by the Penn Central company; because of a labor disagreement between the New Haven and the Brotherhood of Locomotive Firemen and Enginemen, the cabs of the cars demonstration run had to be rebuilt to make room for a fireman; and finally, the trustees for the New Haven said they would not sign any contract that committed the bankrupt railroad beyond the date of its sale.

By mid-November 1968, the situation had become so log-jammed that on the New York-Washington demonstration, Secretary of Transportation, Alan Boyd, was reported as threatening to drop the project. As reported in the Washington Star on November 12, 1968:

UNITED STATES THREATENS TO DROP FAST TRAIN PROJECT

(By Stephen M. Aug)

Secretary of Transportation Alan S. Boyd, unhappy over a continuing battle between two railroad-equipment suppliers, has threatened to pull the government out of the New York-Washington high-speed passenger-train project.

Boyd's remarks—in a letter to Sen. Gordon L. Allott, R-Colo.—brought a flurry of conflicting statements over whether any work was even being done on the high-speed cars.

Boyd charges that work had stopped on cars with defective Westinghouse meters. Penn Central Co., which is to operate the trains, said it is testing two Westinghouse-powered cars. Westinghouse said it hadn't touched the cars since Aug. 26.

A spokesman for the Budd Co. said the company had not worked on the Westinghouse cars since it returned them to Westinghouse last Aug. 26. Budd was selected by Penn Central to build the cars.

If the Westinghouse statement is true, it could be next August before its 20 coaches are operating—at least according to testimony before a Senate subcommittee.

If the demonstration project ultimately proceeds without the 20 Westinghouse cars—as Penn Central says it may—the result could be that only snack-bar coaches and parlor cars with limited seating capacity would be available for the high-speed runs, which already are more than a year late in starting. The New York-Boston section of high-speed train service is not involved in the threatened pull-out.

The article later goes on to explain:

MOTORS AT ISSUE

The problem centers about Westinghouse motors supplied for 20 so-called Metroliner cars that were built by Budd. When the motors are started, a sudden in-rush of electric power results in short-circuiting, a Penn Central spokesman said. Such a problem does not exist with respect to 30 cars having General Electric Co. motors.

Until now, Budd has blamed Westinghouse for supplying faulty motors, and Westinghouse has claimed that Budd built cars that are too heavy for the motors—in effect, that Budd didn't follow the specifications.

Unfortunately, this is the kind of bottleneck that seems to be the general rule in connection with the high-speed project. By early 1968, we were to have had operational the two northeast corridor demonstrations, and by the middle of calendar 1969, the auto-on-car Florida project was to be operational.

The New York-Boston, the first demonstration project to open, got underway 6 months to a year late; the Penn Central began operating Metroliners a little over a year late, and it has not yet become operational on a full scale.

I am of course concerned over the time we have lost on these two demonstrations. Also, I cannot understand why the Florida project has not spent all the money appropriated for it prior to fiscal year 1968. This is a good project and one which in my opinion should not be sacrificed so quickly. From reports appearing in the papers this week, I am led to believe that this money will be spent on boxcar development, rather than on something which might help in the passenger area. I cannot understand the railroad's continuous desire to push freight activities to the disregard of passenger service.

Admittedly, Congress did reduce the funding under this program, but it certainly did not give cause to believe that the idea had been abandoned.

Also, on the project dealing with the high-speed test site, more progress should have been made. This is the only project in which all of the critical elements reside within the authority of Government offices, and yet this is one of the slowest to develop.

The latest word I heard from the Department of Transportation was that the test facility project is being delayed to consider the possibility of including in the same test site, programs necessary under automobile testing programs. That might sound like a good and economical objective, and yet DOT has been looking at this possibility for over a year and a half now. In hearing before the Transportation Subcommittee of the House Appropriations Committee on April 25, 1968, the following colloquy took place:

HSGT TEST FACILITY

Mr. BOLAND. On the test facilities you spent some time on that. Do you have any indication from the Federal Highway Administration that they would be interested in the joint use of a test facility such as you propose?

Mr. NELSON. The most likely possibility for a joint use of the Federal Highway Administration is in the facilities that they may set up under the traffic safety program. We have approached them several times and until recently we have been informed that they were not in a position to know for sure what kind of facilities they wanted. I understand that within the last month or several weeks that they have begun to focus on precisely what their needs are going to be, and we have arranged for a meeting with them to talk about the possibilities of joint use.

Mr. BOLAND. There is some indication on the part of a lot of people that the Federal Highway Administration, particularly the Highway Administration itself, does require some test facilities for the development of vehicles which can stand some of the impacts which occur in accidents today. Now you indicated the requirement of $950,000 for the proposed high-speed ground test transportation facility. This amount is for the building itself, for the support building.

Mr. NELSON. Well, it is more than the support building. It is, for example, for the acquisition, I believe, in that first year of a crane that will be able to remove the vehicle from the track and put it in the shop. I think I have a complete breakdown here.

Mr. BOLAND. Supply that for the record.

Mr. NELSON. Yes, sir.

(The information requested follows:)

5-YEAR PROGRAM—TEST FACILITY

	Fiscal year—							
	1968	1969	1970	1971	1972	1973	1974	
Engineering	315	150	250	250	350	300	200	Prepare construction bid packages, master planning, supervision of construction, fiscal year 1969, LIM and TACV; fiscal year 1970, 3-foot-diameter tube; fiscal year 1971, power collection and communication fiscal year 1972, full-scale tube; fiscal year 1973, mag. suspension.
Construction:								
Access road, construction and maintenance		25	150	50	50	50	50	Includes snow removal.
Buildings		300		150	180	150		Fiscal year 1969, main building; fiscal year 1971, tube vehicle support buildings; fiscal year 1973, additional support buildings for tube vehicles; fiscal year 1972, power and switch station.
Security			50	50	50	50	50	Includes security personnel; fiscal year 1970, fencing for LIM and TACV tracks; fiscal year 1973, fencing for 20-mile tube track.
Cranes		75			50			Fiscal year 1969; LIM and TACV; fiscal year 1972, tube vehicles.
Utilities		25	25	75	75	100	125	Power, water, sanitary, telephone, and heat.
Snow-ice maker			150					
Instrumentation: Equipment and Installation		100	200	100	100	200	100	
Maintenance:								
Mobile equipment			275	25	50	50	75	Track grinder; crane; snow removal equipment; automotive equipment.
Shop machine tools		75	150	100	150	100	50	Drill presses; lathes, millers, and small tools.
Electronics			50	25	25	25	25	
Labor			100	150	150	200	250	
Operation-test support: Labor		200	400	400	450	500	600	
Total	315	950	1,800	1,375	1,680	1,725	1,525	

As the above statements show, Dr. Robert Nelson, the Director of the Office of High Speed Ground Transportation, did indicate that the Bureau of Public Roads was considering the possibility of joining in the test site. But at the same time, the material he submitted for the record indicated that the project would be far enough along in fiscal 1969 to warrant the expenditure of substantial amounts of money for construction and access roads.

There has been no such construction, and moreover, there has not even been the selection of a site. I question now whether there has been or is now contemplated any serious action to select a site. This is a flouting of congressional intent and direction.

Possibly one of the strongest reasons for this delay is that the responsibility for selection of the test site was taken from the Office of High Speed Ground Transportation last October and placed in the Office of the Secretary of Transportation. At the time this change was made, a selection process had already been completed. A great many sites had been examined, and it was certainly possible that a reasoned selection could have been made.

At appropriations hearings in April 1968, Dr. Nelson indicated that they had looked at over 100 sites, about 25 of which warranted careful examination. One site with which I am quite familiar lies just to the north of my congressional district in Texas. It seems to fill the requirements on most all points. I am not in a position to know whether it came out as the top contender, but at least it, and I assume several others, were very much in the running.

Some of the background which went into the question of site selection prior to this October 1968 transfer is set out in the following discussion in the appropriations hearings in 1968:

Mr. MINSHALL. How many sites have you actually looked at now and can you tell us where they are?

Mr. NELSON. 25,000 acres in more or less a square is very difficult to find.

Mr. BOLAND. Except in Nevada.

Mr. NELSON. But that land is not available because the AEC and the Air Force have taken over a good part of it.

But we have looked at well over 100 sites. Obviously, a very large number of them were rejected almost immediately because they were impractical. But we have looked very carefully at about 25 sites. We are in the process of reducing that now to about five. We will give a very careful engineering evaluation to about five sites.

Mr. BOLAND. You will select a site this year. Is the item of $950,000 you have in this budget for the purpose of constructing buildings with reference to the site?

Mr. LANG. Yes, and that is all.

Mr. BOLAND. So you will select a site this year?

Mr. LANG. It should be understood that we don't plan to physically occupy all 25,000 acres, but in order to get the oval track, the center of which we don't need at all, we need the 25,000 acres.

With this much work having gone into it, I cannot understand why we are still left without a site to continue the testings.

Mr. Speaker, as I mentioned earlier, I can see no good reason for this kind of delay. We have seen delays throughout the high-speed test program, and I believe it is time that Congress give greater support to this program. We have a strong duty to ask questions and demand answers.

The original program was designed to run for 4 years, and there were certain things which were to be completed within that time. It was expected that the demonstrations would have been operational and providing information to determine "the public response to varying levels of speed, cost, comfort, and convenience of improved passenger service." That is how the demonstrations were described in the August 1965 report of the House Interstate and Foreign Commerce Committee. Also, that report indicated that:

During the actual demonstration of improved service, statistical tests would be conducted to find out what are the changes in the pattern of passenger utilization.

A significant amount of work was completed on the project by the 4-year deadline, but because of technical problems in the supply industry and cutbacks in funding, the program had to be extended.

During the latter part of 1968, at the request of the Department of Transportation, Congress considered and enacted H.R. 16024, Public Law 90–423, a 2-year extension of the program. This extended the termination date to June 30, 1971, just a little less than 2 years from today.

What I would like to know now is where we will stand 2 years from today. My fear is that this program is not being given the attention and emphasis it deserves either from Congress or the White House. There is not the spirit of urgency at administration levels that exists every day on our Nation's freeways and airways. There is not the push here that was felt when President Johnson announced the HSGT program 4 years ago and Congress determined that we needed more work in the field of ground transportation.

The bill extending the program through 1971 established authorizations which were designed to get us back on the track, but we are not even seeing budget requests which meet these authorizations. For fiscal year 1970, of an authorization of $21.2 million, the HSGT project under the Johnson budget was earmarked for $17 million; under the Nixon budget, for $14 million.

The program which started out as a recognition of the fact that a lot of catchup was needed, is ending up as a program which has had top-level neglect and which consequently could not withstand the pressures of the budget reducer's knife.

Mr. Speaker, I believe it is important now that Congress make a strong effort to instill a greater sense of urgency and give it greater resources.

In all fairness, I would like to present a portion of the evidence submitted by the Office of High-Speed Ground Transportation in support of its request last year for an extension of the program. On the two northeast corridor demonstration projects, this is the statement they make concerning the delay involved:

The timing of both the Washington-New York and the New York-Boston demonstrations of rail passengers service deserve an explanation.

Undoubtedly in the winter and early spring of 1966 when the demonstrations were being set up an optimistic view prevailed as to the time that would be required for the engineering, the building and the testing of new equipment. Considering that none of the equipment suppliers had built equipment of this kind before delivery commitments could not be based on prior experience. Nevertheless the car builders for both demonstrations accepted in their contracts penalty provisions for late delivery. Based on the estimates of time of delivery for equipment starting dates were set for the demonstrations. In the case of the demonstration between Washington and New York the time required for up-grading of the roadbed was thought to be the critical element and it governed the starting date. In April 1966, before the contract for the building of the Washington-New York demonstration cars was awarded, the Department of Commerce and the Pennsylvania Railroad agreed that ". . . the demonstration was expected to start in October 1967."

About 8 months after the award of contracts for construction of the equipment it became apparent that the Budd Co. would have difficulty in delivering equipment on time for the Pennsylvania Railroad to start the demonstration on October 29. A decision had to be made on the Railroad and the Government as to whether to hold to the original starting date. The Government took the view that an extra effort should be made by the Budd Co. to get equipment built as soon as possible. On this basis the Government agreed to pay for overtime and extra costs incurred by Budd up to a total of $220,000. Also the Government insisted that October 29 be retained as a target for starting the demonstration and public statements were made to that effect by the director of the Office of High Speed Ground Transportation.

Very clearly at this time the Pennsylvania Railroad, the Budd Co. and the electrical suppliers had very serious doubts that enough equipment could be ready for service by October 29. The office of High Speed Ground Transportation is responsible for holding to the original starting date.

The Government believed that there was an urgency (and there still is) to get the information which would be provided by the Washington-New York demonstration and in light of this urgency that it was desirable to set an early date for the start.

The measure of success or failure, however, in getting equipment designed, built, tested and into operating condition expeditiously should probably rest more on a comparison with the time required to carry out their similar projects than on whether or not an early estimate of time of delivery was met.

In making this determination it should be understood first that there is not an easy basis of comparison between this equipment and other rail passenger equipment which has been built in recent years. The electrically propelled cars which are to operate between Washington and New York are the most technologically advanced ever built. The complexities in the control system have required much more testing than was anticipated.

Mr. Speaker, I believe that the technical problems do, of course, give partial justification for the delays. But I do not think it is adequate reason to excuse the lack of support for this program.

At this point, I believe what the program needs more than anything is that the entire Office of High-Speed Ground Transportation demonstration project, including work on the high-speed ground

test site, be transferred from the Federal Rail Administration to the Office of the Secretary of Transportation.

Apparently, it will take this kind of muscle to get all of the related offices in agreement. I understand this possibility has been discussed and that the reason given for not making such a transfer is that the demonstration projects were associated in the public mind with the railroads. But it appears that the advantages we stand to gain from such a transfer outweigh the problems of associating the demonstrations with the Federal Rail Administration.

If a move of this nature were made, then I submit that Congress would be in a better position to oversee this program and to follow its progress. Secretary Volpe has stated a strong desire to improve our transportation picture both in the air and on the ground. If this is to be done, I believe Congress will be willing to assist.

The problem to this point has been one of getting adequate support for the project both in the executive branch and through congressional funding. I hope this picture improves substantially in the future.

But to get the problem off dead center, it is going to take more than just one branch of Government making noise about the need for high speed ground transportation. It will take a cooperative effort and a great deal of dedication.

I think the HSGT work deserves the prestige of being directly responsible to the Secretary. The organizational questions were not specifically spelled out in the initial legislation in 1965. But we must realize that the program is more than just a new-type railroad project, and that by being in the Federal Railroad Administration it does not necessarily receive the attention it should.

The program in its inception was meant to be a bold, innovative endeavor. It was meant to confront a very real and critical problem. I hope now that we are not losing sight of this.

In summary, Mr. Speaker, I suggest that the demonstration site for this high-speed ground transportation project has not been recommended or selected because subordinates down the street want to "restudy" the project and establish new guidelines, perhaps based on guidelines that would allow the Secretary of Transportation to make the site selection on a political basis. I recommend that the site be selected and we eliminate the confused line of administrative authority by transferring the entire responsibility to the Secretary of Transportation. Moreover, I think it is time that proper officials be called before the House Commerce Investigating Subcommittee to receive answers to these charges and to give the committee a full accounting on these developments.

It is well and good for the newspapers to lambast the ICC for allowing passenger service to be discontinued when indeed, the ICC is probably the only agency that has kept the passenger service alive at all. Though many discontinuances have been allowed, we still have a skeleton of passenger services. I agree with the ICC that we should establish a national need for passenger service, but assuming this study and blueprint, we are still years away from accomplishing our task because of the delays which we are experiencing now. There are a lot of individuals and agencies at fault: And the Congress is not blameless. But I think we ought to stop this business of pointing a finger at the ICC or the railroads or the manufacturers and establish a clear objective that this demonstration project will get underway and that clear responsibility be given to one department. Until that happens we are still traveling on the same old roadbeds, bumping over the same rough grade crossing and rolling over basically the same oval wheels.

GENERAL LEAVE TO EXTEND

Mr. MIKVA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order.

The SPEAKER pro tempore (Mr. PRICE of Illinois). Is there objection to the request of the gentleman from Illinois?

There was no objection.

INFANT MORTALITY AND NUCLEAR TESTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California (Mr. HOLIFIELD), is recognized for 20 minutes.

Mr. HOLIFIELD. Mr. Speaker, on Tuesday, July 22, 1969, I spoke about the "instant" experts in this country who will speak for hours on any subject whether they know anything about the subject or not. We have a classic example of a radiation physicist who speaks like an epidemiologist, radiobiologist, and physician. This paragon of knowledge will expound for hours on any subject—you name it. This year the subject happens to be infant and fetal death—due to the fallout of strontium-90. If you want to get a point home, hit the mother in the crib. These accusations are extremely serious because they have been irresponsibly tied to the ABM.

The so-called expert to whom I am referring is Dr. Ernest J. Sternglass, a physics teacher at the University of Pittsburgh. Dr. Sternglass' major thesis is that the strontium-90 in the fallout of fission products causes an increase in fetal and infant deaths. He states that he developed this thesis by recently examining the fallout from the first nuclear detonation—Trinity—on July 16, 1945. He is wrong from the word "go."

In articles and TV appearances—the last being his appearance on the "Today" show, Thursday, July 24—Dr. Sternglass has made very frightening statements concerning fetal and infant mortality, attributing the cause to radioactivity. At the conclusion of my remarks I would like to include the transcript of the "Today" show covering his appearance and the transcript of the Monday, July 28 show in which Dr. Sagan, of the Palo Alto Clinic, an authority on radiation and a former member of the Atomic Bomb Casualty Commission, and Dr. Storer, Scientific Director for Pathology and Immunology of the Oak Ridge National Laboratory, appeared to present the scientific facts on the matter.

First of all we would like to point out that Dr. Sternglass' information with respect to the direction of fallout resulting from the Trinity shot in Alamogordo, N. Mex., in 1945 is incorrect. By the testimony of his own reference, which is a book called "Day of Trinity" on page 253, it states:

> The main cloud went north from the site of detonation and finally wrapped itself around Gallinas Peak, 65 miles to the north there to break up and disappear for good.

Dr. Sternglass states that the cloud passed eastward and settled in the southern tier of the United States, that is, Texas, Louisiana, Arkansas, Alabama, Mississippi, Georgia, and the Carolinas.

The cloud, in fact, went north-northeast, as established by weather data and fallout measurements, corroborating the data in the book "Day of Trinity." These were collected by the people who participated in the shot itself and by representatives of the Weather Bureau. While the major deposition of fallout was in New Mexico itself, smaller portions of the cloud did pass northward into the States of Colorado, Nebraska, and Kansas.

The infant mortality experience in New Mexico itself, the State that received the heaviest fallout from the Trinity shot continued to decline steadily until 1958—13 years after the Trinity shot, when the rate of decline slowed.

Dr. Sternglass, whose title is professor of radiology and director of radiation physics at the University of Pittsburgh is not a physician. He is a physicist. As such, his background and experience in the area of study of infant mortality is limited.

Dr. Sternglass' thesis is that infant mortality which had been declining at a rapid rate prior to the early 1950's then slowed in its rate of decline. This he refers to as the "leveling off effect," which he attributes to fallout. If one examines individual States throughout the United States one sees a great discrepancy between the arrival of fallout and the leveling-off effect. In some States the leveling-off effect occurred long before the testing program began. In other States, the leveling-off effect, as in New Mexico, occurred many years afterward.

Infant mortality indeed has continued to decline in the United States with the exception of 2 years, 1957 and 1958, when there were slight increases considered by the U.S. Public Health Service to be associated with the coincident influenza epidemic. Dr. Sternglass, in referring to infant mortality rates as "excess," implies that rates have been climbing. This is untrue. They have indeed been declining steadily. No physician I know of supports Dr. Sternglass' contention that infant mortality rates should have indefinitely continued to decline at the rate they were declining prior to the early 1950's. Physicians are unanimous in believing that at some still unknown level there must be a basic threshold or basement level of infant deaths below which we cannot hope to go. These deaths will be due to uncontrollable genetic causes, accidents, or diseases as well as causes still not understood.

The levels of radiation to which the

U.S. population was exposed from fallout have been relatively small. Best estimates are that the increased exposure due to fallout when added to background radiation has added less than 5 percent to the total, and strontium-90 probably accounts for only a few percent of the genetic dose due to fallout. The question of harmful human effects to exposed populations from such levels of fallout have been carefully evaluated by a number of national and international organizations.

Dr. Sternglass' views on the effects of radiation run counter to the conclusions of objective scientific evaluations including extensive reports of the United Nations Scientific Committee on the Effects of Radiation, the reports of the National Academy of Sciences, and the reports of the Atomic Energy Commission.

Epidemiologists are in agreement that to analyze this kind of a problem one would need to expound, without recourse to the infant mortality data, a specific hypothesis predicting when the change in infant mortality would be anticipated in various geographic locations. Having done this, one would then examine the data for the various geographic locations to observe how often the hypothesis is supported and how often it is not supported. This would need to be done for areas in which increases are anticipated as well as in areas in which they are not anticipated. Unfortunately, Dr. Sternglass did not do this.

Dr. Sternglass has written a magazine article which, according to an advertisement, might influence the ABM argument. His military and weapons expertise is as deficient as his medical expertise. Dr. Sternglass' colleagues, who also write for the Bulletin of Atomic Scientists, should have told him that a 2-megaton fission ABM warhead would so mess up the sky that a radar would have difficulty seeing through it. Therefore, the ABM warhead must have something less than 2 megatons of fission. Where now will he get his 10,000 to 30,000 megatons of fission?

Also, since the long-range ABM warhead will be detonated exoatmospherically, it will take many years for the fission products to reach the earth's surface, and this means the entire earth's surface—so that we are talking about concentrations like millicuries per square mile.

Portions of the transcript from the July 24 and July 28 "Today" show follow:

TRANSCRIPT OF TAPED RECORDING OF A PORTION OF THE TODAY SHOW, JULY 24, 1969

Mr. DOWNS. This is Thursday, July 24th. It is Today. Barbara Walters is here. I am Hugh Downs. Frank Blair will bring you the news in just a few moments.

This half of the hour we have a guest, Dr. Ernest Sternglass. He is of the University of Pittsburgh, a man who has studied the problem of nuclear fall-out, and he concludes that it poses immense dangers, far beyond anything we have previously believed, to future generations. His conclusions have been disputed. Now we will be looking forward to talking to him.

Nuclear fall-out as a cause of lung cancer and leukemia has long been established. Defense planners take their probable rate into account when they calculate lives to be lost in a nuclear war. However, our guest today is a radiologist who says that the really massive dangers of fall-out have been overlooked, and that they may be far greater than anything we believed.

The threat he is talking about is to human reproduction and his argument is every time a nuclear blast releases debris into the atmosphere the lives of countless thousands of children, not only unborn but not yet conceived, are in deadly jeopardy. His evidence is new and has not been widely substantiated, and the Atomic Energy Commission says flatly that his conclusions are not borne out by the facts, but we think it should be heard, especially in view of our guest's claim that it has a vital implication for the current debate over the antiballistic missile system.

Before we talk with our guest, this graph may be helpful. I want you to take a look at it. This line—you will see a line here. This is years going down here. This is deaths—per thousand. Ranges from 10 to 60. The line does not go down to zero. If you take a close look at the line, you see it shows what our guest says was expected to happen in our time to infant mortality—that it would drop off dramatically. There was every indication that would happen, and it did until early 1950's.

But impose these indicators of periods of bomb testing. The first was the A-bomb test here that took place in 1945—right—and the Nevada and Pacific tests of the 50's. This is thermonuclear in the 60's.

Then the dots that we superimpose now are the actual rate of infant mortality. You see how it was falling off below this line here, and on down through—there is a little delay there, but now it rises. It doesn't actually rise, but the fall-off is not as fast as was expected. You see the correlation that our guest's research points toward.

Then this map—the site of the 1945 A-test—shows the distribution. This is the site here and the distribution of the fall-out by the prevailing winds. By 1950 in this tier of southern states, the downward trend and rates of death of infants under one year slowed down from what was expected—not the deaths, but the rate, the downward rate. In the rest of the country the rate continued to drop, and our guest says the cause was genetic damage caused by nuclear fall-out.

We are going to introduce our guest. Barbara, if you want to give a proper introduction, we have a lot of questions to ask him.

Miss WALTERS. Our guest is Dr. Ernest Sternglass. He is Professor of Radiology and Director of Radiation Physics at the University of Pittsburgh School of Medicine.

His studies have been presented and disputed at several scientific conferences, and he published articles on his findings in the April and June issues of the Bulletin of Atomic Scientists, and in Washington yesterday, Dr. Sternglass appeared before a panel of concerned congressmen.

Dr. Sternglass, scientists have warned us long ago that nuclear radioactivity can cause bone cancer and leukemia. Now you are saying this fear is dwarfed by the damage to human reproduction. As I recall from reading some of your articles, it is the children in future generations are born smaller, weaker than other children, not that they are necessarily born with deformities. So it is very hard to trace these weaker children to the radioactive fall-out.

In your opinion, what does this fall-out do to the reproductive process which causes these smaller, weaker children?

Dr. STERNGLASS. Well, apparently, according to studies on experimental animals that were performed in Sweden by Dr. Luning at the Swedish Research Establishment, it seems to affect the division process of cells in the early stages of the embryo's development causing, among other things, excess fetal deaths when injected into the male mouse, and apparently reducing the chance for resistance to disease and things of that sort.

Mr. DOWNS. I have to ask you on that southern states thing where you showed path of fall-out, hasn't there been an increase in poverty in those areas lately that would account for the effects on infant mortality rather than radio activity?

Dr. STERNGLASS. No, not in that sense. In fact, the argument has always been that it has been the movement away from the poor South into the urban centers of the North that has led to, supposedly, this increase or this failure of infant mortality to go down.

Furthermore, there is another way in which we can show that it is not related to poverty because it declines with distance out to the Atlantic, exactly as we now know nuclear fall-out intensity decreases in the wedge states. It declines from 25 percent increase above normal to 15, to 10, to 5 with increasing distance away from New Mexico.

Mr. DOWNS. Does it follow the inverse square law?

Dr. STERNGLASS. Not quite. Somewhere between the inverse first and the inverse square law. It is described in the book of Nuclear Weapons Effects.

Mr. DOWNS. I see. What do children of—I won't say genetically damaged parents, but those whose reproductive mechanism may be damaged, what do those children die of?

Dr. STERNGLASS. Mainly of infectious diseases because of an apparent lower ability to form antibodies and to resist infections and to recover. Another thing is, of course, congenital malformations, another is simply immaturity, underweight. We know that in the United States for many years now, relative to Europe, children have been consistently born underweight, and that by itself—2 or 300 grams—almost doubles the chance the infant will not make it in the first year.

Miss WALTERS. Doctor, let me ask one question just for clarification. In recent years, in the years since atomic bomb testing have the infant mortality rates increased to that degree so that our scientists say something must be wrong somewhere?

Dr. STERNGLASS. Yes, in fact this noticeable change in infant mortality had been a source of worry for the Public Health Service for many years. They have held international conferences on the subject and tried to discover what the cause was without being able to do so.

Mr. DOWNS. I was just going to say the Atomic Energy Commission called us yesterday. They were concerned about your appearance on the program today. They say that their experiments with animals show that there are no damage to offspring at all from parent animals given strontium 90 in those low dosages that we get.

What makes you so sure their research is wrong?

Dr. STERNGLASS. It is not a question of being right or wrong. You have to do this on millions of animals and at very low doses to see this kind of effect. No one has as yet been able to do such experiments, but the experiments on animals carried out by Dr. Luning and Neilson in Sweden have shown chromosome damage and abnormalities in the offspring of mice in Sweden, and more recently at the University of Utah with tritium and Germany using tritium, which is another product of nuclear bombs—that in every case the embryo has been found to be at least 20 to 50, or possibly a hundred times, more sensitive to internal radiation than to external x-rays completely upsetting all our calculations as to what would happen in a nuclear war.

Miss WALTERS. Doctor, the Atomic Energy Commission does have its own tests and its own research. If you are so certain that your research is correct, how do you explain their opposition?

Dr. STERNGLASS. For many years, the Atomic Energy Commission, like every other scientist had really believed, as I did too, that there were not likely to be very serious effects on our population. I did not discover this until last October myself, and I've been

interested in this problem for at least ten years. In other words, it was totally unexpected.

Mr. DOWNS. How do your findings relate to the question of whether the United States should build an anti-ballistic missile system? What are your feelings about that?

Dr. STERNGLASS. Well, you can look at it this way. According to these figures that we now have on our computer calculated program, one in a hundred children apparently died, one in a hundred of children born, as a result of 200 megatons of fission products released during all of the period of testing.

But we are now talking about massive strikes of 20,000 megatons. If one wants to shoot them down, one needs tens of thousands of megatons to try to detonate these things before they hit their target, but the fall-out from the ABM's being long-lived strontium 90 would spread around the world in a matter of 10 days to 2 weeks, and, therefore, reach Russia and cause the Russian children to die in the next generation thereby representing effectively national suicide for Russia if they launched such an attack.

Mr. DOWNS. Would that make you in favor of the ABM?

Dr. STERNGLASS. No, in the sense that the shelter program, if it had been carried through, by now would have been totally ineffective against these long range radiations, and the ABM program would merely introduce more and more and more of this biological poison into the atmosphere.

Miss WALTERS. How do you feel about something like radiation from x-ray?

Dr. STERNGLASS. I think my studies show that, fortunately, we are very lucky that external x-rays from x-ray machines are much less serious than internal isotope produced radiation due to ingested strontium 90 which comes into your body with, like the calcium you need to form your teeth and bones and so on. So internal strontium 90 now appears to be far more harmful than any external radiation.

Mr. DOWNS. If I understand correctly, external radiation, when it is turned off, that is the end of it.

Dr. STERNGLASS. Right. That is the fortunate part about it.

Mr. DOWNS. Internal radiation continues——

Dr. STERNGLASS. Continues with you for years and years and, in fact, it would take 28 years for it to die down to one half of its intensity. In other words, it would be with us for centuries if it were to be released into the atmosphere.

Mr. DOWNS. In the case of the Panama Canal and the use of nuclear blasting for something—peaceful uses—that sort of thing, does this, in your mind, pose a hazard?

Dr. STERNGLASS. Yes, I believe it is a very serious hazard. It has not been possible to find ways to eliminate the fission products or to prevent them from escaping when the bombs are detonated close to the surface, and you have to do that to dig a ditch.

Mr. DOWNS. What about bomb testing deep underground?

Mr. STERNGLASS. That is much less harmful.

Mr. DOWNS. I read a newspaper article where you said——

Dr. STERNGLASS. It to can be if it is done in a highly populated area. It is a question of where you do this thing. If you do it out in the Nevada desert and under carefully controlled conditions, then the hazard is very much less.

Miss WALTERS. Is this what you discussed yesterday when you met before Congress?

Dr. STERNGLASS. Yes, as a matter of fact, Mr. Holifield was there, who has been one of the top people in the program to bring to the attention of the American people the various potential hazards of nuclear weapons and nuclear war. In fact, he was very concerned and said, "You don't really need these long range effects to make it evident that a ten thousand megaton attack by either side would essentially represent the end of society as we know it, in light of all these things."

I think the argument now is more or less one of degree. I think most scientists are agreed today that because of the tremendous sensitivity of the early developing mammal—and all of us are mammals—we are simply a hundred times more sensitive than any of the computer programmed studies in the past had ever imagined.

Mr. DOWNS. Thank you, Dr. Sternglass.

In closing, I should say Dr. Sternglass' interpretation of facts is challenged by the Atomic Energy Commission and other scientists. But thank you for appearing today.

TRANSCRIPT OF A TAPED RECORDING OF A PORTION OF THE TODAY SHOW, JULY 28, 1969

Mr. DOWNS. Last Thursday one of our guests was Dr. Ernest Sternglass, who is Professor of Radiology and Director of Radiation Physics at the University of Pittsburgh School of Medicine. He said that nuclear fall-out causes great damage to human reproductive cells and that this increases infant mortality.

We pointed out at the time the Atomic Energy Commission disagrees with that, and to present the other side we want to talk now with two scientists who have worked directly for the AEC, but who now have positions with related agencies. They are Dr. John Storer, who is Scientific Director for Pathology and Immunology in the Biology Division of Oak Ridge National Laboratory, and Dr. Leonard Sagan, Associate Director of the Department of Environmental Health, Palo Alto Clinic in California. I want to welcome both of them to Today.

Barbara and I asked Dr. Sternglass some questions and we want to ask you some now. We had a graph at the time, which I have learned since had been destroyed shortly after, but you who saw it remember that the graph Dr. Sterngrass brought showed a projected rate of decline of infant mortality—what was expected for about a decade or a little over a decade. And the actual decline in infant mortality didn't conform to that line. It went a little bit higher in connection, he said, with some of the atomic testing starting with the Bikini H Bomb testing.

It is clear that you don't believe the levels of fallout that anyone has yet received can cause any reproductive damage but I understand you also see no link between fallout and the incidence of bone cancer and leukemia. What is the story on this and why do you believe that it is not dangerous?

Dr. STORER. Let me preface our remarks by pointing out, Hugh, that a tremendous amount is known about radiation. Radiation has been studied for 70 years, and it has been studied intensively for the past 25 years, not only in this country but throughout the world.

There is general agreement among scientists that radiation is probably the most thoroughly studied and best understood of all man's environmental hazards. It is against this background of accumulated information, as well as some specific criticisms we have of Dr. Sternglass' interpretation, that is the basis for disagreement.

To go back to your specific question, there is just no evidence that the very small amounts of radiation have caused leukemia or bone cancer any place in the country or any place in the world.

Mr. DOWNS. In any higher incidence than would have occurred, you mean, in normal life.

Dr. STORER. That is correct. There is just no evidence.

Mr. DOWNS. The background count has increased slightly, but I understand percentage-wise that would be miniscule compared to what would be required to do damage.

Dr. STORER. The increase is about 4 percent over what naturally occurs and what has always been with us, and if we include radiation exposure from medical uses and put that average in, then the radiation dose from fall-out would amount to one or two percent of what the average dose is to an American.

Mr. DOWNS. You don't argue that none of the fall-out is at all dangerous, do you? You say "of human hazards" so you link it as a hazard and say it has been studied.

Do you want to try that Dr. Sagan?

Dr. SAGAN. I don't think that is really a question any more argued. I think scientists now almost universally agree that the levels of radiation to which the American public was exposed from the fall-out source have been harmless.

Mr. DOWNS. How would you account then for Dr. Sternglass' graph that did show that, in fact, there was—this is hard to explain—a slowing up of the decline of infant mortality? What other causes could—

Dr. SAGAN. I think the information on that graph is entirely correct. It rather falls apart if you examine information state by state. For instance, there are a number of states in which the plateauing or leveling off, as you call it, occurred much before fall-out appeared, and contrary-wise in other states leveling off didn't occur until many years after the fall-out.

Mr. DOWNS. I see, so this was an average.

Dr. STORER. This is an average and gives an appearance that doesn't hold up very well on closer examination.

Mr. DOWNS. You think maybe there is coincidence that it coincides——

Dr. STORER. That is exactly what I think. It is coincidence.

Miss WALTERS. Doctor, I remember recently we had a guest—and I don't remember his name—who had written a book about the industrial uses of atomic energy and was concerned that they affected the human being and now Dr. Sternglass has added his report, and yet you say scientists, if I understood you correctly, are almost in complete agreement that fall-out is harmless.

Are these people just mavericks—just one or two among thousands? Is that what you are saying?

Dr. STORER. You have to, Barbara, consider dose levels. At high doses there is no question but that radiation can be damaging. It can produce leukemia and cancer, but these levels that we are talking about that occurred with fallout are really quite trivial. There is no evidence that they produced any of those effects.

Mr. DOWNS. We are going to be back in a moment with our guests because there are some other questions to ask, but right now this is Today on NBC.

We will go right back now to talking about the effects of fall-out and so forth. Public fear is not to be dismissed lightly, and we tend, as the public, to be afraid of things that are unfamiliar, and we can at times be out on a limb. I am sure that the manufacturers of thalidomide at one point felt it was a pretty safe thing, and they turned out to be resoundingly wrong.

In the case of certain radioactive things where there is a half life of over 5,000 years as in the case of one of the carbon isotopes, what if there was an error? It would be almost not correctible, and I think this is the reason people are afraid? Is there any danger that we might be out on a limb that we just don't know about at this time?

Dr. STORER. I don't see how we possibly could be in view of all the research that has been done in 70 years——

Mr. DOWNS. Because it is more studied——

Dr. STORER. We know a great deal about radiation effects.

Miss Walters. The other day, on Thursday, when Dr. Sternglass was on, he cited a Swedish study, I believe, in which he said strontium 90 was found when they tested mice. Strontium 90 was carried to their pelvic bones, and they were found to suffer damage in their reproductive cells and that these

tests had been reported and confirmed by scientists.

How do you explain that?

Dr. STORER. We agree that is precisely the case in that study. That was a well conducted study. But he neglected to point out that the range of the radiation from strontium is very short. It travels a very short distance. A mouse is a small animal—like so. The reproductive tissue is close to the bones in a mouse so the reproductive tissues can be irradiated from the trontium in the bone, but in the larger animal, such as man, reproductive tissue is out of the range of strontium radiation.

Mr. DOWNS. And that would only be concentrated in a bone like the pelvis.

Dr. STORER. That is correct.

Miss WALTERS. It would not just sort of seep into the body and affect the organs?

Dr. STORER. It goes to the bone—concentrates in the bone.

Mr. DOWNS. One other thing, Dr. Sternglass had a graph showing fall-out going across those southern states where he showed a higher incidence of infant mortality.

Do you want to comment on that?

Dr. STORER. Yes, that would be a persuasive argument except for the fact the fall-out didn't go in that direction. It went north—northeast up through New Mexico, a corner of Colorado and on into Kansas.

New Mexico has had higher levels of fall-out through 1954—nine times, as a matter of fact, more than the southern states and yet that is a state where Dr. Sternglass reports very little what he calls excess deaths. This another inconsistency in the argument.

Mr. DOWNS. I see. Did you want to add to that, Dr. Sagan?

Dr. SAGAN. No, I did have a comment I wanted to add to John's answer to Barbara's question——

Mr. DOWNS. We have only a few seconds——

Dr. SAGAN. In respect to those rates that is a question again of dose. The dose those rates received would be enough if given to man, to kill a man——

Mr. DOWNS. So it wasn't a parallel——

Dr. SAGAN. It was a massive dose.

Mr. DOWNS. Thank you very much. We have have to take a station break now.

We will use our last few moments to review what our guests said. Dr. Storer and Sagan said two things which I really hadn't thought too much about, but it is certainly worth repeating, I think, regarding atomic energy and the dangers of fall-out and how thoroughly studied it has been. First of all there is nothing new about radiation. We have been subjected to radiation since there has been man and the earth from cosmic radiation and so forth. So it is not new.

The faint increase due to the amount of nuclear activity we have had, they say is negligible and one of the reasons for public alarm, which is proper—the public should be informed and take an alert view of these things—is because it was introduced to atomic energy by the bomb, which is a destructive thing. But there are certainly other uses for atomic energy and perhaps what we will get rid of really is the tendency to destroy ourselves and each other and not merely try to get rid of the atom, which is here with us for the rest of time.

PROTECTING THE RIGHTS OF THE AMERICAN INDIAN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Arizona (Mr. RHODES) is recognized for 5 minutes.

Mr. RHODES. Mr. Speaker, certain apprehensions have been expressed by the Indian community concerning the possible abridgment of their property rights and rights of self-government under the Civil Rights Act of 1968. Due to the manner in which the Indian provisions were enacted—without any hearings held in the House—a number of amendments to that act may be in order.

Today I am introducing legislation along with 10 of my colleagues representing the six Western States with over 70 percent of the Nation's Indian reservation population which will clarify, to some extent, the rights of the American Indian under this act.

First. This bill makes it clear that title II of the act—25 U.S.C. 1302—shall not be construed to affect tribal sovereignty or property rights secured by law or treaty except to the extent expressly set forth in that title.

Second. The bill would also extend from July 1, 1969, to July 1, 1973, the deadline before which the Secretary of the Interior is required to complete the model code of Indian offenses provided for in title II.

Third. The bill makes it clear that the model code will apply only to those tribes that have adopted it through the action of their tribal council or appropriate legislative body.

The Senate passed an identical bill—S. 2173—on July 11, 1969, and I am hopeful that the House will promptly enact this needed amendment.

TEAMS OF TRAVELING MAGAZINE SOLICITORS LEAVE BURDEN OF GUILT ON LEGITIMATE SALESPEOPLE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania (Mr. ROONEY) is recognized for 20 minutes.

Mr. ROONEY of Pennsylvania. Mr. Speaker, for the last few months I have been speaking out on consumer abuses brought about by the deceptive practices of many door-to-door magazine solicitors. The record of methods they have used in duping the consumer with deceptive schemes is unfolding in disgusting detail. The economic burdens they have placed on the consumer also are well documented. The full impact of the practices of unscrupulous magazine solicitors cannot only be measured by the hardship placed on the consumer. Their methods have also had an impact on reputable companies selling products door to door.

In examining the impact of their activities on responsible direct sellers, we find that the unethical salesman has created pressures for legislation at the State and local levels to regulate and control door-to-door selling. As is usually the case, the companies striving to uphold quality marketing practices must suffer the consequences of the activities of the rascals in the marketplace. After a team of magazine solicitors moves into an area, disrupts the community with deceptive practices and sales techniques bordering on outright harassment, they leave for the next town with the police and other Government officials demanding the licensing of all door-to-door salesmen.

Since the magazine solicitor often has moved on, the licensing requirement falls the hardest on residents of the community earning their livelihood or supplementing their family income by selling the products of reputable companies. The efforts to regulate the unethical salesman do not, unfortunately, exempt the Fuller brushman, the Avon representative and representatives of other fine companies.

Even at the State level the unscrupulous door-to-door salesman has caused more and more legislation to be sponsored condemning his practices and creating a burden on the legitimate salesperson as well.

It is clear that fraud and deception in the marketplace not only affect the consumer but also have an adverse effect on legitimate companies at the same time. We can only protect the consumer and legitimate business by eliminating the unethical practices. Local licensing is not the desirable solution. The fraud and cheat leaves town after his economic rape of a community, leaving the consumer and the legitimate salesperson with the burdens of his deception. One answer to this problem lies in strict enforcement of existing laws and beefing up the powers and staffs of agenices charged with the responsibility of bringing to justice the practitioners of fraud and deception. Both the consumer and the legitimate businessman would welcome such action.

Mr. Speaker, I have been pressing the magazine subscription sales industry and the Federal Trade Commission to deal with this problem.

My own investigation of deception and fraud in the door-to-door sale of magazines demonstrates clearly that more rigorous action is needed. I look with hopeful anticipation to the Federal Trade Commission for firm action to deal with the magazine sales frauds which flourish today, despite an FTC-endorsed industry code of fair practices.

The existing code-enforcement program is not working. But the FTC has the authority to achieve what the code has failed to achieve. The faith of the consumer and the legitimate businessman is at stake and cannot be dealt with lightly.

THE UNITED STATES-WEST GERMAN OFFSET AGREEMENT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 20 minutes.

Mr. REUSS. Mr. Speaker, the United States and West Germany have just concluded another agreement to offset the foreign exchange costs of the 220,000 American troops, and their dependents, in Germany. Under the agreement, America's nearly $1 billion annual balance-of-payments costs of this commitment is to be offset on the order of 80 percent by West German purchases in the United States of $760 million a year for 2 years.

In a remarkable editorial of July 20, 1969, the Chicago Tribune discusses the illusory nature of such an offset agreement. The Tribune relies largely upon a study by Dr. Joseph Aschheim of George Washington University, published in the April 1968, hearings of the Joint Economic Committee. That study contains the following conclusions:

First. The foreign-exchange cost of the American military presence in Germany

has continued unrequited by the Bonn government in spite of United States-German offset agreements since 1960. In other words, the offset agreements have essentially been window dressing.

Second. In addition to imposing a balance-of-payments burden, our defense presence in Germany imposes on American taxpayers a still more important fiscal burden of several times the size of the balance-of-payments burden.

Third. Granting that the United States is equally as interested in the American military presence in Germany as is the German Government itself, the fiscal burden of this presence should be shared on an equal, 50–50, basis between the two countries.

Fourth. Such equal sharing would amount to cash reimbursement of the U.S. Government by the German Government in the mark equivalent of at least $2 billion annually.

It is unnecessary to agree with Dr. Aschheim's precise suggestion for 50–50 sharing of the budgetary cost, or with his suggestion that West Germany alone, rather than West Germany in concert with other interested NATO powers, should do the requiting. Yet there needs to be an answer to his central point: The American budget, and the American balance of payments, should not bear the entire real burden of what is essentially a joint venture in the security of Europe.

The Chicago Tribune editorial follows:

TWO BIRDS WITH ONE STONE

For several years now the American public has been witness to an astonishing economic paradox. The giant among free nations in economic as well as military power, the United States, has been watching its currency weaken on world markets in the face of one governmental measure after another intervening in the freedom of private payments. This weakening of the dollar threatens the very existence of the present international monetary system, for an American devaluation would endanger the reserve-currency status of the dollar, still the world's leading reserve currency.

In contrast, the free successor to our principal vanquished adversary in World War II, the Federal Republic of Germany, has emerged over the last decade with the strongest and most coveted currency in the world. Indeed, the strength of the German mark has been a growing source of an embarrassment of riches to the German government. Having been upvalued in relation to the dollar once already, the mark has been the repeated object of sizable speculation on the prospect of a second upvaluation, most recently this spring.

Preceded by a massive rise of Germany's gold reserves while United States gold reserves have been declining, the recent refusal of the German government to upvalue the mark has become an object of major controversy in the German government itself, as well as in the German public generally. In May, a group of about 100 German economists, including some of Germany's most prominent university professors, addressed and open letter to Chancellor Kurt Georg Kiesinger, expressing their dissatisfaction and disappointment with his refusal to upvalue the mark. Similarly, influential pressures for mark upvaluation from other countries are bound to rise.

Germany has been a persistent source of both official and unofficial suggestions to the United States that the United States government put its fiscal house in order. Germany certainly shares with the United States a major stake in preventing the collapse of the international monetary system. In return, what should the United States counsel its German ally to do in regard to mark revaluation? No country has a greater interest in Germany's foreign exchange policy than the United States. The United States cannot, and it must not, be silent on this subject.

Official American influence has been exerted on the side of mark upvaluation. The Tribune regards this American stance as a blunder, itself the result of persistent hoodwinking of the American public by the United States department of state, grown to the dimensions of a national scandal.

For a generation now, Germany has been the locus of a substantial American military presence. Even since Germany joined NATO as a full-fledged ally of the United States, some 220,000 American troops (and their dependents) and some of the most advanced American military equipment have remained on German soil. Germany, of course, is not the only military and political beneficiary of this American presence; the United States is no less a beneficiary. Yet the American taxpayers alone have been paying the costs of this presence.

Under the impact of the United States' balance-of-payments and gold-drain problem, Germany entered a series of annual agreements with the United States, with the avowed aim of offsetting the United States' dollar drain attributable to United States defense expenditures resulting from the American military presence in Germany. From 1960 through 1967 these "offset" agreements had gone virtually without public attention, with tacit faith that the United States state department had fully looked after American interests in its annual renewal of these agreements.

It was not until December, 1967, that the joint economic committee of Congress commissioned Dr. Joseph Aschheim, professor of economics at George Washington university, Washington, D.C., to study the economic nature and operation of the "offset" agreements. The results of his study were published in April, 1968, as "The Dollar Deficit and German Offsetting," constituting part IV of the committee's hearings on the President's economic report. His findings, also summarized by Dr. Aschheim in a letter to the Voice of the People last June 17, amount to nothing less than an indictment of the state department of being a party to an economic fraud upon the American people. At the same time, his findings suggest a constructive proposal for a simultaneous and equitable resolution of the United States and German balance-of-payments problems.

Specifically, Dr. Aschheim's study shows that whether the so-called "offsetting" under the agreements was by German arms buying or by German lending, it was no more than window dressing. In other words, no economically genuine offsetting was instituted by the agreements at all. From the German viewpoint, the agreements were a masterstroke of German shrewdness, outwardly conveying the impression of their title, "offsetting agreements," while substantively being empty, or as the German saying goes, "Ein Tittel ohne Mittel" [a title without power"].

Furthermore, Dr. Aschheim's study shows that the attempt to imbue offsetting-by-buying or offsetting-by-lending with substance would be economically irrational, because it would imply a misallocation of resources for both parties. As acknowledged pace-setter in the liberalization of international trade, the United States should hardly be a party to agreements that palpably imply misallocation of resources.

Finally and most importantly, Dr. Aschheim's study shows that the United States' balance-of-payments burden due to the American military presence in Germany is but a fraction of the *fiscal* burden upon American taxpayers directly due to this presence. He finds that, at the very least, this fiscal burden amounts to 4 billion dollars a year. Because both the United States and Germany are beneficiaries of the American military presence in Germany, he proposes an equal, 50–50, sharing of this burden between American and German taxpayers. Thus, every year, according to the Aschheim plan, the German finance ministry should reimburse the United States treasury in the mark equivalent of 2 billion dollars.

Even such future reimbursement would still not begin to be restitution for the minimum of 15 billion dollars imputable to Germany for the period mid-1960 to mid-1969. Such future reimbursement, however, would terminate the hoodwinking of the American people that the annual "offset" agreements since their inception in 1960 have constituted.

Yet, tragically, the state department has persisted in its hoodwinking course even since publication of Dr. Aschheim's memorandum. Indeed, in the Nixon administration, the state department announced on July 9 a two-year offset agreement with Germany which, tho more complicated in detail, is still not a reimbursement agreement. Thus, risen out of the ashes of war to become the richest of our NATO partners and to possess the hardest of the world's currencies, Germany is slated to continue its evasion of the fiscal burden that American taxpayers have carried by themselves.

Yet perhaps all is not lost, and the spectacle of our richest ally beseeching us to put our fiscal house in order, while this ally fails to do its own share in our fiscal house reorder, may still be stopped. For, as reported by the Tribune's Washington bureau on July 12, "Chancellor Kiesinger of West Germany will face a tough problem when he visits Washington next month. Congress wants the Germans to pay more for American troops in Germany." So Congress may still be emboldened to rectify the state department's blunder.

To visiting Chancellor Kiesinger we extend a welcome. Addressing him and the 100 German economists who, in their open letter, have urged the upvaluation of the mark, we say: "German friends, do your fair share. Your reimbursement to the United States of 2 billion dollars per year will prove your genuine partnership with America. You will thereby have solved both the United States and the German balance-of-payments problems at the same time. The dollar will then have been spared devaluation, the mark will have been spared upvaluation, and the stable exchange-rate system will have been restored to viability."

In sum, Congress should invite Chancellor Kiesinger and President Nixon to redraw the 1969 offset agreement. The institution of equity of treatment to American taxpayers and the restoration of freedom of payments to the dollar cannot be safely put off for another two years. Before the international monetary system is engulfed, there is still opportunity for the two allies to join in their common concern.

FEDERAL PROCEDURES DESIGNED TO PROTECT MEMBERS OF MINORITY GROUPS FROM DISCRIMINATION ON FEDERALLY ASSISTED CONSTRUCTION PROJECTS

(Mr. McCORMACK (at the request of Mr. ALEXANDER) was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. McCORMACK. Mr. Speaker, in my remarks I include a copy of a letter that I have sent to Hon. Arthur A. Fletcher, Assistant Secretary of Labor, in relation to the "careful study of the

operation of Federal procedures designed to protect members of minority groups from discrimination on federally assisted construction projects," and in particular having the "Philadelphia Plan" made applicable to other cities throughout the United States, and particularly that the second city to apply this plan through should be the city of Boston:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., July 29, 1969.

Hon. ARTHUR A. FLETCHER,
Assistant Secretary of Labor,
Department of Labor,
Washington, D.C.

DEAR MR. SECRETARY: I have had called to my attention by the Massachusetts State Advisory Committee of the United States Commission on Civil Rights a recommendation that the Advisory Committee has made and called to the attention of the Labor Department, and under your jurisdiction, namely the question of the careful study of the operation of Federal procedures designed to protect members of minority groups from discrimination on Federally assisted construction projects, and particularly call attention to what is known as the "Philadelphia Plan," and that this Plan should be applicable to other cities throughout the United States, and particularly that the second city to apply this plan through should be the City of Boston.

It is my opinion, and concurred in by Congressmen Burke, O'Neill and Macdonald of Massachusetts, and also other Members from Massachusetts, that Boston should be designated as the next city in which the so-called "Philadelphia Plan" should be put into operation. While I have referred to the Philadelphia Plan, my examination of it fails to disclose the fact that there is a training program provided therein. It is my opinion that such a program should be included in its application to the City of Boston, if Boston is selected as the next city in which this field of human endeavor would be put into operation by the Labor Department.

I am also aware of the fact that the Federal Executive Board of Greater Boston has endorsed the recommendations submitted by Reverend (Fr.) Robert F. Drinan, S. J., Chairman of the Massachusetts State Advisory Committee, and those associated with him on this Advisory Committee, and those associated with him on this Advisory Committee. Coming from this source, such endorsement lends great support to the proposal submitted to the Massachusetts State Advisory Committee in relation to the City of Boston.

In any event, Mr. Secretary, it appears to me that every effort should be made along these lines to assist members of all groups who are economically depressed, and with particular emphasis in relation to those of the Black race and Puerto Ricans. I can assure you that I will do everything I possibly can to cooperate in conveying to the members of the construction industry, and to the unions relating thereto, the importance of their complete cooperation in a program of this kind. Such a program is completely consistent with the very theory upon which our government is predicated.

If you have any suggestions to make as to how on the congressional level I can cooperate with you on this program, please have no hesistancy in communicating them to me. In any event, I strongly urge immediate action in the carrying out of the Plan known as the "Philadelphia Plan" in its application to the City of Boston, with the additional suggestion I herein mentioned in my letter in relation to emphasizing every activity possible in the training of those who will benefit from this Plan.

I will appreciate it if you will keep me advised of the action taken by you and the Labor Department on this matter.

With kind regards, I am,
Respectfully yours,
JOHN W. MCCORMACK.

PUBLIC LAND LAW REVIEW COMMISSION'S HISTORY OF PUBLIC LAND LAW DEVELOPMENT

(Mr. ASPINALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ASPINALL. Mr. Speaker, the Public Land Law Review Commission, which I have the honor to chair, will submit its report and recommendations next year. In the meantime, the staff has been engaged in a comprehensive research program, based on which the Commission has been coming to grips with various facets of public land law and administration.

One of the works, prepared under direction of the staff, is basic to a full understanding by all those who are interested in public lands. It is a "History of Public Land Law Development," prepared for us by Prof. Paul Wallace Gates of Cornell University with a chapter by Prof. Robert W. Swenson of the University of Utah. The book was published by the Government Printing Office and is available from the Superintendent of Documents at $8.25 a copy; I commend it to all as an invaluable reference work which is both interesting and informative.

A review of the "History of Public Land Law Development" appears in the current issue of "Forest History," which is published quarterly by the Forest History Society at Yale University. Because of its timeliness, under permission previously granted, I insert at this point of the RECORD the full text of the review which was prepared by Marion Clawson who is a former Director of the Bureau of Land Management.

The review follows:

REVIEW BY MARION CLAWSON OF "HISTORY OF PUBLIC LAND LAW DEVELOPMENT"

(NOTE.—Mr. Clawson is director of the land use and management program of Resources for the Future, Inc. He is the author of many publications on land policy; most recently, The Leland System of the United States (1968).)

To those of us interested in the public lands—and our number seems to be growing in recent years—the publication of either of these books would have been a happy event. To have the two of them published, and within the same three-month period, is a greater reward for our interest than anyone could have expected. Each is a real find, worth reading and buying. Different in many ways, they tend to complement one another nicely, although apparently each was prepared independently of the other.

Professor Gates prepared his study under contract to the Public Land Law Review Commission. If the other studies of the Commission are as outstanding, and if they are made publicly available, then the Commission will be a success almost irrespective of its own findings and recommendations. Gates, with only 18 months to produce this book, had graduate students help him, and enlisted Professor Swenson of the University of Utah to write one three-part chapter on mineral resources exploitation. Still, a book of this length, detail, and scholarship could never have been done in the time allowed were it not for nearly 40 years of previous research in this field. To a very great extent, the Commission and all of us are benefiting from this long record of research, in what is now a comprehensive book.

The primary organization of the book is topical. There are chapters on private land claims, credit sales, cash sales (2), preemption, military land bounties, grants to states (2), railroad and other grants, homesteading, dry farming and stock raising, and others. Within each the treatment is primarily chronological. This method of subject organization enables one to follow an idea from inception to legislation, criticism, and later modification or repeal. These are substantial advantages, especially valuable in such a long and detailed treatment of a very complex and detailed subject. The chief disadvantage of this approach is that the interplay between different programs, and among different actors, is often not as clearly evident as a simpler historical treatment might afford.

Gates has written in the general tradition of Hibbard (*History of the Public Land Policies*), Robbins (*Our Landed Heritage*), Peffer (*The Closing of the Public Domain*), and others. His book is distinguished in that it is somewhat longer and more detailed, places less emphasis upon origin and history of legislation, tries (not always satisfactorily) to show how laws worked out in operation, and, of course, is more up-to-date.

Perhaps Gates's greatest contribution to public land history is the outstanding way in which he has shown that there has almost never been a single coherent and consistent set of federal land laws. As he clearly demonstrates, Congress is not a single body with a single mind, but a group of men representing diverse and usually conflicting interests. And often the easiest way to resolve a conflict is to include something for everyone, sometimes in the same act. The incongruity of the homestead law and the public land sales—which were continued for more than 25 years after homesteading was initiated—have been traced by Gates in earlier publications and are further illustrated here. But grants to railroads overlapped with grants to states; federal land reservations such as the forest reserves overlapped with both; sales could be made and homesteads taken—and both were—in the same areas, and so on. Neatness, orderliness, and ship-shapeness were precisely what the federal land laws never had.

Gates shows—as have earlier writers, but he does it in more detail—how Congress repeatedly sided with the land claimant, the "settler" as against the government agent and agency. This was most marked, perhaps, with private land claims where Congress repeatedly granted land claims rejected as fraudulent by generous commissions, while the land agent who caught a timber company in trespass was likely to be not only repudiated but also punished (by loss of job or otherwise).

The readers of FOREST HISTORY may find of particular interest the two chapters on federal forest land management and the one on federal grazing land management. Gates follows what might be called the "conservation line" in the interpretation of forest and grazing history of the past three decades or so; the federal agencies are the good guys, the ranchers and forest industry often the bad guys. Perhaps because of my own personal experiences, I found these less objective and somewhat less complete than earlier chapters; but they are nevertheless factual, and I think it clear that Professor Gates has done his best to report the record as he saw it.

Malcolm Rohrbough, associate professor of history at the University of Iowa, is a relative newcomer to the field of public land history, although his doctoral dissertation

did cover some of the subject matter included in his book. He deals with a much shorter time period than does Gates; early public land history, though complex enough in these early years of the nation, is obviously far simpler than history for that same period and the more than 100 years since, combined. Rohrbough digs much more deeply into the actual operations of the land laws and brings to our attention far more new material than has any writer thus far. To anyone reasonably familiar with American land history, the story Gates tells is mostly known, though he does bring in new detail and new perspectives; but I found far more that was new to me in Rohrbough. He has gone much less into the history and the politics of land legislation, and much more into the actual operations of these laws on the land, including the operations of the General Land Office as an organization.

Rohrbough's book is replete with incident and detail that cannot well be summarized here. I found it a fascinating story. For instance, I had not realized how much competition there was in the early days for government surveying contracts—not because they were profitable in themselves, but because they were a prime mechanism for ascertaining, at public expense, the character of the land in areas soon to be opened. Many of the largest land speculators had their surveying organizations and bid upon government contracts, taking their real profit in terms of the advance and detailed information on land quality yielded by the surveys. Other surveyors lacked such direct connections with land speculators, but made copies of their maps and notes which they sold or loaned for a fee to would-be land buyers.

One may summarize much of the detail in Rohrbough by saying there was a persistent and generally successful effort by people on the frontier—"settlers" and "frontiersmen" were words of praise, "speculator" was not—to make the federal land laws work as they wanted them to work, whether or not this was the way Congress intended them to work. The settlers association (perhaps more marked at a later date) that Bogue and others have studied, the efforts (usually but not always successful) to inhibit or prevent competitive bidding for land offered at public sale, and other actions were part of this. In Alabama around 1820, the competitive bidding really was competitive; a speculative fever swept the bidders, and prices reached heights not previously dreamed of—nor long sustained.

Each of these books suffers somewhat from being "trees" rather than "forest"; that is, one wholly unfamiliar with American land history—a foreigner, for instance—would probably find each too detailed and bewildering. If on the other hand one is even modestly knowledgeable about American land history, each is rewarding, rich with important detail, and well worth having in one's memory and library. One must assume that the authors achieved their objectives.

AND THE SLAUGHTER GOES ON—WHEN ARE WE GOING TO CURB IMPORTS AND SALES OF WEAPONS? WHEN ARE WE GOING TO REGISTER AND LICENSE EVERY WEAPON IN THIS COUNTRY?

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, the Nixon administration has formally announced its opposition to Federal gun registration and licensing of gun owners. This is a position diametrically opposed to the Johnson administration's advocacy of such controls.

The administration claims that effectiveness of last year's Gun Control and Crime Control and Safe Streets Act is as yet unmeasured. It also pleads invasion of States rights and prohibitively high costs of administering national gun registration. One city, Toledo, Ohio has adopted an ordinance requiring handgun owners to obtain permits. As a direct result, murders there have fallen by 65 percent, and other major crimes have shown similar significant dropoffs.

Last year's act, barring importation of cheap, concealable-type handguns, is being defeated by domestic manufacturers of these weapons, or by importation of foreign-made parts for assembly here. How then, can anyone seriously suggest leaving it to the individual States? Twenty-six of them have virtually no restrictions on sale or ownership of firearms. Few jurisdictions show signs of acting to prevent the ongoing slaughter.

Such weapons from abroad were flooding our domestic market; 1.15 million foreign handguns entered our country in 1968, about half from West Germany. All were easily available to criminals, juveniles, and the mentally unbalanced from discount stores or through local "grapevines." The law passed last year allows importation of foreign weapons parts so long as the frame of the pistol is fabricated here. Restrictions do not apply to domestically manufactured handguns. So we are back where we started, except that the gun lobby is attacking even the thin seive of defense this law presently provides.

We could and should forbid importation of parts for guns which are already banned from importation as a complete unit. But we will not, even though it is right.

We could and should control domestic manufacture of these murder weapons by applying the same standards of size, barrel length, quality, and safety specifications that now comprise import restrictions on pistols made here. But we will not, even though it is right.

We could and should ban them as unsafe products by applying similiar standards under FTC legislation, which regulates quality of other domestic goods. But we will not, even though it is right.

We could and should register and require a permit for every weapon in the Nation, from the smallest caliber rifles and pistols to the heaviest weapons available and sold. But we will not, even though it is right.

As we meet here today, every drug addict, hardened criminal, juvenile delinquent, militant, lunatic, and assassin is free to acquire long weapons, ammunition, cheap domesitc handguns and other armaments. Daily the slaughter continues of innocent small business people, pedestrians, bystanders, and other innocents.

All the while, the National Rifle Association piously proclaims that Americans have an inalienable right to blow one another's heads off in the name of constitutionality. A President, a U.S. Senator and a great civil rights leader lie in their graves along with tens of thousands of other innocent victims of our beknighted gun laws. Still the gun lobby raves on about the right to self-defense in terms of freely purchased weapons. If moon men invade us, we should all be able to take pot shots at them from our hedges and dormer windows. Marvelous.

Such arguments are as bereft of sense as a herring is bare of fur. All have been struck down and proven false again and again. Yet like some mastodon or dinosaur of long ago, the gun crowd bleats louder and rumbles on—braying its specious arguments to all who would hear. Now they have been joined by the Nixon administration, which rattles on of States rights and difficulty and expense of administration. Other countries have been able to withstand the expense and administer the programs. We cannot?

Mr. Speaker, what will it take for us to act rationally and end this monstrous evil? No one is safe. No street will be secure until weapons are prevented from reaching those who prowl them. In the meantime, the slaughter goes on—and on—and on—and on. Who will be next?

SHORTCHANGING ELDERLY AMERICANS, OUR NATIONAL SHAME—PODELL CALLS FOR EXPANDING MEDICARE TO COVER ALL RELATED BENEFITS FOR SENIOR CITIZENS

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, American goes to the moon, wages futile war in Vietnam, and pours billions into military spending programs. Yet the everyday needs of almost 20 million older Americans are not being met. Government is turning away from its partially realized goal of assuring that these fellow citizens are accorded their fair share of America's substance and prosperity.

I am heartily disgusted with those who pay lipservice to the needs of these people, while turning around the next moment and ignoring their pledges. We have created medicare and allowed it to be abused by some segments of the professions. We have promised our elderly an end to subsistence living, and have failed to keep that sworn word. We have assured them social security benefits would reflect financial realities of the marketplace. In this too we have fallen far short.

Other nations have caught up with and passed America in areas of necessary benefits provided to the elderly. These include everything from housing and social services to medical services, drugs, and dental care. In the name of one excuse or another, we are standing by as a nation while those citizens quietly go on doing without. So they live with a little extra pain than most, a little worse diet than most, and much less security than most. Such is the national disgrace of the United States. If we exist as a nation for 10,000 years, this blot upon our escutcheon will remain.

For several years, Congress has had placed before it a measure to provide free outpatient drugs to all the elderly under medicare. I have introduced this bill as a Member of this Congress, and

it lanquishes as medicare did for so many years before final enactment. Is there any excuse, except that major drug companies oppose it? It is a fact that although older people constitute 10 percent of our population, that pay approximately 25 percent of all national costs for prescription drugs. Not only, therefore, should we make this concept a legal reality, but should add to it several other natural adjuncts flowing from the original medicare concept. I am introducing a group of these measures today, each aimed at fleshing out the framework of medicare. By their passage, we would make available to our elderly a full range of medical benefits, treatments, and medically beneficial devices to vastly enhance the quality of their lives.

The first bill in this new packet of legislation would provide one routine annual physical checkup for persons insured under medicare's supplementary medical insurance benefits program.

Such a checkup would include physician's services, diagnostic X-ray, laboratory, and other diagnostic tests involved in complete physical checkups.

Next is a measure eliminating a requirement that an insured person must first have been admitted to a hospital to qualify for extended medical care services under medicare. It also expands posthospital extended care services under medicare to include therapeutic as well as nursing care.

A further measure amends that section of medicare dealing with home health services. Under it, transportation would be provided to a place where health services are given to those eligible for benefits under home health services. This is a case where health services cannot be provided at the particular home of a recipient.

Still another essential measure would affect the limit on posthospital extended care services, now limited to 100 days for any spell of illness under the medicare program. This bill removes the 100-day limit, so benefits would apply for any length of posthospital extended care.

My final measure would amend title XVIII of the Social Security Act—medicare; part B. It would include dental care, eye care, dentures, eyeglasses, and hearing aids among benefits provided by the medicare insurance program. Our Social Security Administration has already estimated that a program for this bill would cost $500 million annually for dental care, $150 million for eye care, and $100 million for hearing care—a total of $750 million.

Cost to those electing part B coverage would be an increase from $4 monthly to $6 monthly. There would be an equivalent increase in the Federal share for such benefits if the existing formula was utilized. Under this measure, the financial formula would be changed so that Government, not the beneficiary, would bear the load of any added costs. Present sharing of costs on a 50–50 basis would be changed to a one-third/two-thirds sharing by this bill.

Here, then, is a package of basic legislation which would combine to extend the umbrella of medicare out to its fullest extent to cover our elderly. Such complete ranges of service are available in numbers of countries, including many in Europe. It is worth noting that Bismarck's Germany in 1870 offered most of these services to the elderly of that time.

None of these measures is questionable from a merit standpoint. None threaten exorbitant demands upon any segment of society. Each would provide a fair minimum, which our older citizens surely have a right to ask for. None inhibits the physician, hospital, or prescribing pharmacist in the least. None threatens already massive profits already being enjoyed on all levels of the medical and related professions. Each would lessen apprehension, suffering, and pain. Each would be a potent reaffirmation of the promise of American life. We can do no less.

Daily the plight of 20 million senior citizens worsens. Pain goes unalleviated, fears remain unallayed, minimal security is jeopardized, and quality of their lives constantly lowers. We can change all of this by living up to promises already made. These bills are vehicles for such change.

THE DANGERS OF STUDENTS FOR A DEMOCRATIC SOCIETY

(Mr. CEDERBERG asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CEDERBERG. Mr. Speaker, since I made my remarks some time ago on the radical Students for a Democratic Society I have received hundreds of letters requesting copies of the RECORD containing my comments and asking for further information on this subversive organization. Almost daily today we read of various industries which have become aware of this group's efforts to infiltrate their plants for the purpose of stirring up trouble. Trade publications have published the "Work-In Organizer's Manual" in full as an effort toward keeping their members informed of the dangers presented by the SDS and its aims.

One of the best, and most well-documented, histories of this group which I have come across in my reading on this subject is the booklet, "Students for a Democratic Society," published by the Church League of America. In a readable and comprehensive, yet relatively short volume this organization has presented a picture of the growth and development of the SDS from its patently socialistic origins. The Church League has published other documentary-type materials which relate to groups which threaten to destroy the institutions of our society. These include "The Black Panthers" and "By Our Enemies You Will Know Us"—an exposé of student revolutionary plans.

I am advised that the Church League, of 422 North Prospect Street, Wheaton, Ill. 60187, will make this material available to Members of Congress on request.

It will not be too long before students begin to return to their campuses and again face the possibility that the doors will be closed due to the irrational and anarchistic behavior of a few. Some will be facing the challenge of the university for the first time. It is my hope that we will be able to bring about enough of an awareness of the dangers of groups such as those mentioned above that we will be assured that our young people will direct their energies into constructive rather than destructive channels.

As I have mentioned before, I do not challenge the right of individuals, in any institution, to work for the betterment of the society in which we live. This is the direction in which we all wish to move. I would, however, deny to anyone the right to destroy that which he dislikes, and that is my objection to organizations such as the SDS.

AID TO FEDERALLY IMPACTED AREAS

(Mr. MIZE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MIZE. Mr. Speaker, once again the Congress must debate the level of funding for education assistance to federally impacted areas. For 19 years, Public Law 874 has authorized funds for operation and maintenance of schools in school districts on which nearby Federal installations have placed a burden.

These payments have always gone to school districts with no strings attached and this aspect of the program has contributed mightily to its popularity over the years. Until fiscal year 1969, the authorization was never less than 98 percent funded in the appropriations process.

But popularity aside, the concept of Federal payments to school districts in impacted areas is sound on its merits. Military installations with substantial numbers of young families living on base are clearly a heavy burden on local schools. In some cases the rapid buildup of Federal activity has outpaced the capacity of local authorities to respond with adequate education facilities. Public Law 874, for 19 years, has been an appropriate response to this challenge.

COMMITMENT VERSUS PERFORMANCE

Mr. Speaker, today this body considers appropriations for the Departments of Labor and Health, Education, and Welfare and related agencies. Over the years, the Congress has made commitments to all the people through the enactment of authorizations for various education programs. Today, we shall see to what extent we are able to live up to those commitments for fiscal year 1970. As I review this appropriations legislation, I apprehend that we shall fall somewhat short of our promises.

This legislation fully funds category A of Public Law 874. Thus, it provides the full cost of educating those children whose parents both live and work on Federal installations. Payments under this provision are part of permanent law.

But this bill provides nothing under category B. Thus, school districts with children whose parents either live or work on Federal installations will receive

no relief during fiscal year 1970. If the legislation as it now stands becomes law, school districts in my State of Kansas, for example, will lose nearly $8 million of their 1970 entitlement under existing law.

School districts in California will lose over $75 million, those in New York will lose over $16 million, and those in Alabama will lose nearly $10 million. Mr. Chairman, the effect of this legislation will be clear: local authorities will be forced to substantially increase property taxes in the face of congressional unwillingness to meet an historic commitment.

IMPERFECT AUTHORIZATION LEADS TO DILUTION OF A MERITORIOUS PROGRAM

Mr. Speaker, I do not suggest that Public Law 874 is without faults. Over the years, this legislation has been expanded to the point where school districts are entitled to payments that cannot be justified under the original concept of the act. Indeed, in some instances, the presence of a Federal installation actually increases the tax base for a community rather than the other way around. In further instances, Federal installations have attracted families with income and taxpaying ability substantially above the community average.

The legislation has been expanded to include payments to schools with children from public housing developments.

The net effect has been to extend the authorization to an entitlement for fiscal year 1970 in excess of $650 million. The Bureau of the Budget and the Congress are unwilling to commit such large sums to this single education program in this year of record spending and inflation.

Mr. Speaker, in view of the fiscal realities this year, I urge a compromise in the funding of Public Law 874. I support the amendment which would fund the program—both category A and category B—to the fiscal year 1969 level. This would mean that Kansas, for example, should receive about $8.5 million, California should receive about $78 million, and Alabama should receive about $9.5 million.

Regardless of whether this compromise succeeds, the Congress should soon begin a thorough review of all authorizations under Public Law 874. Those students from families actually contributing to an increased tax base should not be eligible for assistance in future years. Those communities with Federal installations that contribute substantially to increased revenues at the local level should not receive additional windfalls from the Federal Government under legislation specifically designed to assist school districts adversely affected by the Federal presence.

Mr. Speaker, I support a compromise to fund Public Law 874 at the 1969 level. I urge the Congress to undertake rational reform of the basic legislation in the near future, to avoid destructive dilution of the program. Only through such reform can we protect those districts which, on the merits, deserve substantial Federal payments under Public Law 874.

JOBS FOR WELFARE CLIENTS SEEN AS ALTERNATIVE TO GUARANTEED INCOME

(Mr. TALCOTT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. TALCOTT. Mr. Speaker, the welfare system devised way back in the 1930's, and patched up ineffectively ever since, is a failure for everyone concerned—the recipient, the administrators, the taxpayers, and society.

Many suggestions for change have been proposed and considered—negative income tax, family maintenance, guaranteed annual wage, insured income, and a dozen others.

It seems to me that many of the advocates of change in our "welfare system" are promoting only new labels for old ineffective methods.

The National Chamber of Commerce has given this matter of welfare considerable study.

Mr. Karl T. Schlotterbeck, director, manpower programs for the National Chamber of Commerce, had written an article which should be read by every Member of Congress.

Guaranteed full employment or guaranteed job opportunity are concepts which deserve more consideration. Our efforts to reform and improve the welfare system require sharper distinctions. The able must be more clearly separated from the unable. There must be clearer penalties for remaining on welfare; there must be better incentives for getting off welfare. The taxpayers are entitled to as much consideration as the tax user.

Mr. Speaker, I insert the article of Mr. Schlotterbeck at this point in the RECORD. I urge that this concept be considered among the many others:

JOBS FOR WELFARE CLIENTS SEEN AS ALTERNATIVE TO GUARANTEED INCOME

(By Karl T. Schlotterbeck, director, manpower programs, National Chamber)

The idea that all Americans should be guaranteed a regular income, whether or not they are able or even willing to work, will soon be up for decisive action.

Advocates, gathering in strong legislative battle formation, include such high officials of the Nixon Administration as Robert H. Finch, secretary of Health, Education and Welfare, and Daniel P. Moynihan, assistant to the President for urban affairs.

Guaranteed income legislation is pending in Congress, and President Nixon is expected to submit his own plans on the subject soon. A President's Commission on Income Maintenance Programs, appointed by President Johnson to make a thorough study, is planning to issue its report this fall. Chairman Ben W. Heineman is committed in advance to the income guarantee.

The businessman or anyone else who doesn't bother to learn what is involved here, and make his opinion heard where it counts, may soon come to realize that one of the proudest traits of the American people has suddenly vanished while his back was turned; that self-reliance, which built this nation, has been reduced from an ideal to an option.

To encourage idleness, waste potential manpower, increase consumer demand of able-bodied adults who produce nothing, or risk more federal deficit spending under present inflationary conditions—all of which a guaranteed income program would do—would be to "sweeten" welfare at the expense of those being hurt by inflation. Many persons, living on once-adequate fixed incomes, are now being dragged down toward poverty by the declining value of the dollar. *Their* rights need some attention.

To contend that inflation is only a temporary evil, and that a guaranteed income would be a permanent virtue, is to presume that our economy can grow sufficiently to afford these and all other costs of government without strain.

The guaranteed income would become a pressure to raise minimum wages. If an able-bodied adult and family is to have a higher income, guaranteed, the minimum wage might have to be raised to induce him to work. And experience shows that when wages rise at the bottom, workers at each succeeding level of skills up the line will insist on maintaining their pay differentials, thus intensifying the wage-price spiral.

Taking the inflation problem as it stands right now, we see:

(1) Widespread shortages of skilled workers.

(2) Pay rates rising faster than productivity, which inexorably brings on still higher production costs and higher prices.

(3) A growth of welfare costs at all levels of government as the unskilled and other disadvantaged persons become more costly to maintain, and impatient for a larger share of the general affluence.

(4) An incipient revolt of taxpayers against needed tax increases—and even present taxes.

As the Administration endeavors to hold the line on government spending to reduce inflationary pressures, some states and cities—burdened with a continuing growth in the welfare caseload and costs—look to the Federal Government for more help.

The natural tendency is to ask: Why not put to work many of those on welfare? This would make it easier to hold down government expenditures. It would give encouragement to oppressed taxpayers. It would help many employers desperately in need of more workers.

MISINFORMATION ABOUT WELFARE

Many heads of dependent families would welcome the opportunity to get off the welfare rolls. After all, personal dignity and self-respect cannot be purchased with a relief check. They can only be earned.

This solution, however, does not appeal to the "hand-out" artists who argue that there is very little work potential among welfare recipients.

About a year ago, one federal spokesman said that 95% of those on welfare, or eight million persons, were aged, disabled or children, and thus unable to work. The remainder, he said, were mostly mothers needed at home. He estimated that only about 50,000 of the 8.4 million on welfare were employable unemployed males.

That would be a most discouraging prospect if it were true. But it isn't.

Not only is our welfare system clouded by misinformation; not only is it perpetuating human apathy, hopelessness and idleness among able-bodied adults, but it is also badly in need of administrative reform. Procedures for getting monthly income to those in real need are cumbersome, costly and demeaning. There are numerous complaints about the indignities of the welfare "needs test."

Against these criticisms, the virtures of some form of a guaranteed income are proclaimed. Types most often mentioned are the so-called Negative Income Tax and the Family Security Plan.

Essentially, these propose that the U.S. Treasury pay money directly to those with incomes below certain income levels. A modified work incentive would be built in as an inducement to the able-bodied. The NIT idea

is being tested now on a small scale with money from the federal poverty program.

Right now, before there is a new national commitment to any plan for dealing with the related problems of manpower and welfare, and before we take further risks with our economic well-being, the businessman and other taxpayers should be demanding answers to basic questions.

What is "welfare"?

Why are they on welfare?

Where is the welfare growth occurring?

How do they qualify?

How substantial is the manpower potential?

WHAT IS WELFARE?

This term usually refers to the five federal-state programs of public relief—Old-Age Assistance (OAA) for people 65 and older, Aid to the Blind (AB), Aid to Families with Dependent Children (AFDC), Aid to Permanently and Totally Disabled (APTD), and Medicaid. The first three were in the 1935 Social Security Act. The fourth was added in 1950 and the last in 1965.

The purpose is to aid people who are destitute and in want. In the first four, need is met in part or in full by cash payments. In the fifth, medical care is paid for.

All 50 states have the first four of these programs. Medicaid pays for needed medical and hospital care for those on the other welfare programs. By law, every state must have a Medicaid program by 1970, and most do now.

WHY ARE THEY ON WELFARE?

The aged, the blind, and the disabled simply have insufficient income for a minimal living and, by and large, have no potential for earning through employment. Families receiving AFDC also have inadequate income and, hence, are in need. While many of the family heads are potential workers, immediate health problems or presence of young children (in families headed by women) may prevent their holding a job and earning a living.

The dependent child program accounts for virtually all the growth in the four cash welfare payment programs since 1960. According to HEW, the number of recipients (adults and children) has doubled from three to six millions.

The figures in millions of persons are:

Numbers of recipients in December

	1960	1968
OAA	2.3	2.0
AB	.1	.1
APTD	.4	.7
AFDC	3.1	6.1

Costs of benefit payments

	(*In billions*)	
OAA	$1.6	$1.7
AB	.1	.1
APTD	.3	.7
AFDC	1.0	3.3

Note. These data do not include administrative costs, which in some jurisdictions will add another 30%.

HOW TO QUALIFY FOR WELFARE

A person (or family) in one or another of the four categories—aged, blind, disabled, or with dependent children—can qualify by *proving to be in need.* This is the "needs test." They must show that their available income and other resources are inadequate to provide a minimal or subsistence level of living, a level defined by state law and regulations and varying from state to state. The "needs test" involves considerable investigation—case by case—to verify an applicant's statements about income and other resources.

WHAT IS THE MANPOWER POTENTIAL OF THOSE ON WELFARE

The 2.8 million aged, blind and disabled who are on welfare have little or no work potential. In their case, it might be feasible to replace the present "needs test" with a simplified income test, and thus eliminate some of the administrative costs.

This is being tried now on an experimental basis. To maintain state and community concern for these people, the programs for aged, blind and disabled should continue to be financed jointly by the federal, state and local governments.

To appraise the manpower potential among the six million receiving aid for dependent children, we need more facts.

WHO GETS AFDC HELP?

By updating the figures from an HEW sample survey made in 1967, we can reasonably estimate that:

There were approximately 1.5 million families with 4.6 children on AFDC in December, 1968.

More than one million of these families live in the 130 cities with populations of 100,000 or more.

Almost 800,000 families are white; more than 700,000 are nonwhite.

About 1.1 million families—73% of the total—are headed by the mother.

Typically, but perhaps surprisingly to some persons, the AFDC family is not large. Fifty per cent, or 750,000 of the families had no more than one or two children to support. Another 450,000 families had only three or four dependent children.

A substantial part of the caseload growth results from loss of job income by the head of the family. At the same time, many families drop off the AFDC rolls as the family heads get jobs.

About one million of these families were receiving near the end of 1967 less than $200 monthly from AFDC—less than the monthly pay at the $1.60 minimum wage.

In summary, the adults in the families receiving aid for dependent children represent a substantial manpower potential. They are highly concentrated in our larger cities. Their income needs are not extraordinarily large. A number of them have had job experience, including those mothers who are heads of families. A substantial number—even with no prior work record—have sufficient schooling to be trainable for job openings.

In the light of these and other facts, there should be a new direction for Aid to Families with Dependent Children. But these data are for the nation as a whole. A sample survey should be made in each of the 130 larger cities to determine the manpower potential of adults on AFDC. Then this potential could be developed.

HOW CAN WE DEVELOP MANPOWER POTENTIAL?

The primary objective should be occupational rehabilitation of the family heads. A financial incentive should be offered to encourage them to take training, and basic education, if needed. A family living allowance should, of course, be provided while in training. Quite possibly, many of those with prior work records will need some additional skill training to qualify for jobs that will pay enough to help them off welfare.

Child-care facilities may have to be arranged if mothers are to take training and hold full-time jobs. Illegitimacy and father-abandonment are substantial contributing causes of families being on relief. Family planning information and devices should be freely available to adults on AFDC.

NATIONAL CHAMBER POLICY

This is the kind of program that would do most to bring out the manpower potential of adults on AFDC. It is based on a policy adopted this year by the National Chamber after a six-month study by a special Committee on Welfare Programs and Income Maintenance. The essence of this policy:

1. Needy persons, such as the elderly and disabled, who cannot care for themselves, should be provided for by the public.

2. Able-bodied adults in need should be given opportunities and incentives to work.

3. Guaranteed income arrangements should be rejected. At best they tend to preserve the status quo rather than to improve conditions for the needy.

It will be up to business to take an active part in rehabilitation programs. An appropriate slogan of the National Chamber referring to the welfare mother caring for dependent children is, *"If you won't hire her, don't complain about supporting her."*

Business, of course, is not alone in this responsibility. Other segments of the community—education, churches, labor and government at all levels should share in the endeavor.

Secretary of Labor George P. Shultz has said that "manpower [training] programs can increase the supply of useful labor and thereby increase the ability of the economy to match the output and demand." Clearly, occupational rehabilitation, in place of a guaranteed income, is the proper way to relieve both the welfare and inflation problems at the same time—and give these people a helping hand to rise up out of poverty.

LIBRARY SERVICES AND CONSTRUCTION ACT

(Mr. HOLIFIELD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HOLIFIELD. Mr. Speaker, I wish to commend the Appropriations Committee for reporting out a figure of $40.709 million for funding of titles I, III, and IV of the Library Services and Construction Act. While this amount is still short of the program level for fiscal year 1969—$49.894 million—it is gratifying that the committee has acted to appropriate nearly the same level as last year. I am hopeful that when this bill is considered in the other body, the full amount from the previous fiscal year can be reached.

The figure of $40.709 million is the same as that recommended by the Johnson administration. More significant however is that the Appropriations Committee has reported out a figure which is $17.5 million above the amount requested by the Nixon administration for this vital program. The lesson should be clear to all. In California particularly, the lesser amount as requested by the Nixon administration would have meant the end of many valuable State library services.

The need for education is one of the most fundamental needs of this century. Our recent achievements in space would not have been possible if our schools and teaching resources had fallen short of the excellence we must have to maintain our position of world leadership in many areas. The public library stands as one of our greatest educational resources.

It is inconceivable to me that the present administration would seek to curtail the many great services provided by the Library Services and Construction Act. Prior to the inception of the Library Service Act in 1956, only one-half the amount needed for minimum service was provided for public libraries. At that time, State library agencies recorded that only 25 percent of the population had adequate library service, with 89 percent of the inadequately served living in rural areas. The need for im-

proved facilities and services existed in all areas but passage of this act was most directly concerned with rural areas.

The need in urban areas received recognition with the Library Services and Construction Act, signed into law on February 11, 1964, by President Johnson. At that time, he stated in part:

The central fact of our times is this: books and ideas are the most effective weapons against intolerance and ignorance.

The 1966 amendments to this act added to its purpose the promotion of interlibrary cooperation and provision of assistance for specialized State library services.

Over the past decade, these acts and their amendments have benefited over 85 million Americans in new and improved libraries. Over 27 million books and other materials were purchased under the program with Federal, State, and local funds during the first decade.

It is indicative of the success and popularity of this program in California, and in my congressional district, that I have received considerable mail and other communications urging full funding of the Library Services and Construction Act. A recent address by the California State librarian. Mrs. Carma R. Leigh, delivered in Norwalk, Calif., on July 19, is worthy of inclusion at the close of my remarks. Following Mrs. Leigh's speech are some additional documents which demonstrate the need for continued funding of this program, as well as its considerable accomplishments in California to date. I insert these materials in the RECORD at this point:

REMARKS OF CALIFORNIA STATE LIBRARIAN, CARMA LEIGH, AT DEDICATION OF LOS CERRITOS REGIONAL LIBRARY OF LOS ANGELES COUNTY PUBLIC LIBRARY, NORWALK, CALIF., JULY 19, 1969

Dr. Ringwald, Supervisor Bonelli, County Librarian William Geller, all other distinguished platform guests, and all of you as friends and owners of this new regional library facility, the most distinguished and important of all: I bring greetings from the California State Library, and, as State Librarian, greetings on behalf of the other libraries of California.

This building you dedicate today with so much pride, pleasure, and anticipation for the future, is one of 60 such public library buildings in California which the State Library has assisted financially with grants of approximately one-third of their cost. These grants have come from federal funds under the federal Library Services and Construction Act Title II that has been in effect since 1964.

This cooperative local-state-federal public library building program has brought to California $10,772,507 of federal funds since 1964, to which $22,964,888 of local funds has been added, to make a total of $33,737,395 for California public library building purposes. This approximately thirty-three and three-quarter million dollars has provided 1,095,830 square feet of new public library space, in 60 buildings.

Los Angeles County Public Library has received 11 of those grants:

From Federal LSCA II funds	$2,221,061
From Los Angeles County funds	4,858,929
Total	7,079,990

This Los Cerritos Regional Library building represents the largest of the federal grants to Los Angeles County Public Library: $459,711 of federal funds, to $919,423 of Los Angeles County funds, for a total cost of $1,379,134 for 39,000 square feet of space.

Besides the 11 grants to Los Angeles County Public Library, there have been 5 other federal LSCA II grants for public library construction to other independent public libraries in Los Angeles County. These have made lic library buildings in: Altadena, Long Beach, Monrovia, Palos Verdes Peninsula, Pasadena.

Plus, of course, the grants to 44 other localities throughout California, from Siskiyou County on the Oregon border to San Diego County on the Mexican border.

This is a most gratifying record of local initiative, state and federal assistance, and overall accomplishments, for 60 California communities in California's cities and counties.

We wish we could go on helping toward similar accomplishments in other California communities. But it is coming to an end. There will be no more federally assisted public library building construction program—unless Congress acts to restore funds to the federal appropriations budgets under consideration this month of July, in the House of Representatives. Action on these appropriations is expected to be final on the House floor by July 30. If you are interested, and wish to have other communities benefit from federal assistance in constructing needed public library buildings, you may wish to tell your Congressmen, your representatives in the House of Representatives in Washington. Some 40% of California public library buildings are over 40 years old, out of date, and hopelessly overcrowded, despite all the new buildings recently constructed.

In addition, many newly settled areas where our fast-growing California population has moved have no library buildings at all to serve the new populations.

I greet and congratulate you today on bringing to completion this largest of Los Los Angeles County Public Library's regional library buildings. I know you will use and enjoy it many years into the future, and I hope many other Californians will be able to do the same.

APPLICATIONS RECEIVED IN FISCAL 1969 FOR FEDERAL LIBRARY SERVICES AND CONSTRUCTION ACT FUNDS WITH WHICH TO SUPPORT LOCAL LIBRARY IMPROVEMENT PROGRAMS, CALIFORNIA STATE LIBRARY, SACRAMENTO

Title I—Services

Number of applications received	22
Number of applications that could be funded	3
Number of applications that could not be funded	19

APPLICATIONS FUNDED

Black Gold Cooperative System, on behalf of 7 member libraries in 3 counties (see list of systems and members) for development of Reference and Information Center to serve all member libraries.

Eureka City Library, on behalf of north coast libraries, to plan for a system of coordinated library services, including all types of libraries. (Some Title III funds involved, for inter-type-of-library cooperation.)

Metropolitan Library System (See attached 4-page list of members of this 16-member cooperative system in Los Angeles County.) To develop library service to the economic community of all 16 cities.

APPLICATIONS THAT COULD NOT BE FUNDED

East Bay Cooperative System, on behalf of 4 member libraries in 2 counties (see list), for demonstration of bookmobile service to minority population areas, including films and records; also staff to coordinate system-wide services.

49–99 Cooperative Library System, on behalf of 8 member libraries in 5 counties, to acquire and provide educational films for entire area.

49–99 Cooperative Library System (see list of members) for reference materials to serve entire area: 5 counties.

Long Beach Public Library, for intensified service to economically & socially disadvantaged areas of Long Beach.

Los Angeles County Public Library, for extended hours for 4 community libraries in "curfew" (disadvantaged) areas of unincorporated Los Angeles County.

Metropolitan Library System (see list of members) to establish strengthened library services for the families of children enrolled in or eligible for participation in the Head-start Program.

Metropolitan Library System, for educational but not curriculum-oriented films & videotape recordings for people of 16 cities.

Mountain-Valley Library System, on behalf of 7 libraries in 5 counties (see list), to establish a film circuit of 16 mm. & Super 8 cartridge films for use throughout the mountain and valley counties.

North Bay Cooperative Library System, for development of central physical processing of books and other materials for 16 libraries in 6 counties north of San Francisco Bay. (See list of members.)

North State Cooperative Library System, on behalf of 16 libraries in 9-county area of 27,995 square miles, for establishment of strong reference and information service for entire area. (See list of members.)

Richmond Public Library, for acquiring books, written materials, audio and visual materials, for strong, well-rounded cultural enrichment program in the area of Shields Park, with a black population, in cooperation with Contra Costa County Library.

Sacramento City-County Library, for Libros en Espanol (Books in Spanish for 75,000 Spanish-speaking population in the greater Sacramento area, in cooperation with the non-profit corporation, Sacramento Concilio.)

San Luis Obispo County Library, for establishment of bookmobile, small library bus, and extended mailing service to residents of remote areas of the county, Spanish-speaking, and elderly, who are unable to get to regular library outlets.

San Jose/Santa Clara/Sunnyvale Cooperative Library System, for special library services to reach shut-ins and senior adults throughout the 3 cities.

San Joaquin Valley Library System, for library service to physically handicapped and aging throughout 6 cities and counties.

Santa Clara Valley Library System in conjunction with the San Jose/Santa Clara/Sunnyvale Library System, for strengthened reference and information services for 5 libraries in Santa Clara County.

Santa Clara Valley Library System, to establish special business and industrial library services in Santa Clara County.

Santiago Library System, to acquire foreign language collections to serve needs of 4 member libraries in Orange County.

Solano County Library, for intensified library service to disadvantaged areas of Solano County.

$3,116,365 would be required to fund all these programs in the first year, and $2,138,656 in the second year of their operation, making a total of $5,255,021.

California will receive only $1,154,367 under Title I, if the 50% cutback in LSCA I appropriations prevails, in Fiscal Year 1969–70.

MULTILIBRARY SYSTEMS

Berkeley-Oakland Service System: Berkeley Public Library, Oakland Public Library.

Black Gold Cooperative Library System: Lompoc Public Library, San Luis Obispo County Library, San Luis Obispo Public Library, Santa Barbara Public Library, Santa

Maria Public Library, Santa Paula Public Library, Ventura County and City Library.

East Bay Cooperative Library System: Alameda City Public Library, Alameda County Library, Contra Costa County Library, Richmond Public Library.

49–99 Cooperative Library System: Amador County Library, Calaveras County Library, Lodi Public Library, Modesto Public Library, Stanislaus County Library, Stockton-San Joaquin County Library, Tuolumne County Library, Turlock Public Library.

Inland Library System: Colton Public Library, Corona Public Library, Ontario Public Library, Riverside Public Library, San Bernardino County Library, San Bernardino Public Library, Upland Public Library.

Metropolitan Cooperative Library System: Altadena Library District Library, Azusa Public Library, Covina Public Library, Glendora Public Library, Monrovia Public Library, Monterey Park Public Library, Palos Verdes Library District Library, Pasadena Public Library, Pomona Public Library, Redondo Beach Public Library, Santa Fe Springs Public Library, Santa Monica Public Library, Sierra Madre Public Library, South Pasadena Public Library, Torrance Public Library, Whittier Public Library.

Monterey Bay Area Cooperative Library System: Carmel (Harrison Memorial) Public Library, Monterey County Library, Monterey Public Library, Pacific Grove Public Library, Salinas Public Library.

Mountain Valley Library System: Auburn-Placer County Library, El Dorado County Library, Lincoln Public Library, Marysville Public Library, Roseville Public Library, Sacramento City-County Library, Sutter County Library.

North Bay Cooperative Library System: Calistoga Public Library, Healdsburg Public Library, Lakeport Public Library, Marin County Library, Mill Valley Public Library, Napa City-County Public Library, Petaluma Public Library, St. Helena Public Library, Santa Rosa-Sonoma County Library, Sausalito Public Library, Sebastopol Public Library, Solona County Library, Sonoma Public Library, Ukiah-Mendocino County Library, Vacaville Unified High School District Library, Vallejo Public Library.

North State Cooperative Library System: Butte County Library, Chico Public Library, Colusa County Library, Modoc County Library, Orland Public Library, Oroville Public Library, Plumas County Library, Shasta County Library, Siskiyou County Library, Tehama County Library, Trinity County Library, Willows Public Library.

San Joaquin Valley Library System: Coalinga Unified School District Library, Fresno County Library, Hanford Public Library, Kings County Library, Madera County Library, Tulare City Library.

San Jose-Santa Clara-Sunnyvale Cooperative Library System: San Jose Public Library, Santa Clara Public Library, Sunnyvale Public Library.

Santa Clara Valley Library System: Mountain View Public Library, Santa Clara County Library.

Santiago Library System: Huntington Beach Public Library, Orange County Public Library, Placentia Library District Library, Yorba Linda Library District Library.

Sierra Library System: Carlsbad Public Library, Chula Vista Public Library, Coronado Public Library, National City Public Library, Oceanside Public Library, San Diego Public Library.

SINGLE LIBRARY SYSTEM

Kern County Library.
Long Beach Public Library.
Los Angeles County Public Library.
Los Angeles Public Library.
San Francisco Public Library.
San Mateo County Library.

NEW FINDINGS ON THE EFFECTS OF NUCLEAR FALLOUT: RELEVANCE TO "FIRST STRIKE" TALK

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, on behalf of my colleague from Michigan, Congressman LUCIEN NEDZI, and myself, I wish to inform the House of a most interesting open seminar which we conducted last week to look into some disturbing new developments regarding the effects of nuclear fallout—particularly strontium-90—on infant mortality. Congressman NEDZI and I concur as the significance of the information and opinions revealed in this informal session.

Three months ago, on April 24, 1969, I inserted into the RECORD new research on the effects of radiation from fallout on infant mortality conducted by Dr. Ernest Sternglass, a well-known radiation physicist from the University of Pittsburgh. Dr. Sternglass' startling findings, while still tentative and quite controversial, suggest that the effects from nuclear fallout may be many times more severe and persistent than the Atomic Energy Commission or anyone else has ever indicated or supposed, particularly upon children born within a period of years after nuclear blasts. They suggest, also, that these severe effects would not be geographically limited, but would very likely extend across the entire hemisphere in which multiple nuclear blasts might occur. It was for the purpose of giving wider exposure to these possibly crucial findings that I called attention to this material earlier this year.

In an effort to learn more about the Sternglass findings, which are very new, and also to learn more about the view of scientists who are dubious about his work, Mr. NEDZI and I invited Dr. Sternglass and two other prominent radiation scientists to review their knowledge of this field in an open seminar last week. The two scientists appearing with Dr. Sternglass were Dr. Shields Warren, professor emeritus of pathology of the Harvard University Medical School, and Dr. George Hutchison, an epidemiologist from the Michael-Reese Hospital in Chicago. Dr. Warren was formerly head of the U.S. delegation, United Nations Scientists Committee on the Effects of Radiation, 1957–62, and Director of Biology and Medicine at the Atomic Energy Commission, 1947–52.

Various interested Members of the House were invited to attend this open seminar and participate in the discussion and questioning. We were honored to have with us the distinguished Chairman of the Joint Committee on Atomic Energy, Chairman HOLIFIELD, and Congressmen GEORGE BROWN, FRASER, and ROYBAL.

Several things become evident in the course of our discussion. First, the correlation Dr. Sternglass has discovered between the presence of radioactive strontium–90 from nuclear tests and infant mortality in the United States appears to be the only explanation currently available to explain the excess infant mortality in this country noted in recent years by the Public Health Service. As a result of this excess infant mortality, the United States has dropped from second or third from the top of the list of developed nations with regard to low rates of infant mortality, to 18th on that list. Despite many efforts to find an explanation for this phenomenon, various possible causes have been eliminated as possibilities, and no theory currently has much evidence to support it, other than that now offered by Dr. Sternglass.

Second, Dr. Sternglass seems to be the first researcher to look into the relationship between strontium–90 radiation and infant mortality on a comparative basis in various States of the Union and various nations of the world which, over the past 25 years, have been subject to nuclear fallout.

While the Atomic Energy Commission and various scientists working both independently and under contract to the AEC have kept careful and continuing track of radiation in the atmosphere in search of possible health effects, and while the AEC has sharply attacked Dr. Sternglass' findings, it appears that the precise relationship, or apparent relationship, identified by Dr. Sternglass has not been specifically studied or investigated by any of these analysts.

Finally, while such replication and additional research will be needed adequately to verify Dr. Sternglass' findings, the implications of those findings are such that we may not be able to afford the time required fully to verify the findings before we change our national policies in various fields in response to them. It may be necessary to assume that Dr. Sternglass' findings are substantially correct and to act accordingly now, rather than risk the thousands of unnecessary infant deaths and deformities that might result if we ignore Dr. Sternglass' findings and they are eventually shown to be accurate.

In the view of Congressman NEDZI and myself, the most significant inference that must be drawn immediately from the Sternglass work is its implication for the "first strike" argument that is so widely used to justify proposed new nuclear weapons systems like the ABM and MIRV. If the Sternglass findings are correct—that even low levels of strontium-90 may have devastating effects on subsequent generations of all nations in the same hemisphere where a nuclear first strike occurs—such a first strike becomes "unthinkable" for any nation, if it is not unthinkable already. Even if the Soviet Union, or the United States, were tempted to strike first on the basis of a belief that such a strike would render the other side incapable of retaliation, the striking nation would have to face the certainty that succeeding generations of its own people and succeeding generations of allied nations would suffer infant mortalities and deformities in very large proportions; those born fit might be forced to destroy the overwhelming number of unfit in order to have any hope themselves of surviving.

In short, the greater the certainty and magnitude of the devastation a nation

contemplating a first strike would face not from a retaliatory strike—which it might hope to preempt—but from the explosion of its own first-strike weapons, the less likely it would be to launch such a first strike. The Sternglass findings, which are well known to Soviet scientists, have plausibly, if not yet conclusively, posed a much more frightening picture of the total effects of any nuclear blast for all nations in the same hemisphere than has ever before been even tentatively documented. It is our view that given the strength of these findings, the lack of immediate evidence to refute them, and the enormity of their implications should they eventually turn out to be true, the only reasonable and responsible thing for world leaders to do is to assume that they are true unless and until they are refuted, and act accordingly in the meantime. These findings thus lessen substantially the prospect that either the United States or the Soviet Union will ever launch a first strike against the other, leaving both sides with correspondingly less justification than can now be mustered for the immense increases being contemplated in our nuclear capabilities.

It is particularly significant that Dr. Shields Warren, although skeptical of Dr. Sternglass' precise findings, agreed that extensive multimegaton attacks, whether in the form of a United States-Soviet exchange or of a first strike, would be "terribly harmful" throughout the Northern Hemisphere, that there would be a "tremendous increase in the number of abnormalities, in still births," and that "there would be a pretty horrible degree of problems for a great number of generations."

Key portions of the discussion, unedited by the participants, follow. The complete transcript of the seminar will be available as soon as participants have had an opportunity to review and edit their remarks.

Mr. BROWN. I gather that Dr. Sternglass would agree that the hypotheses he is making are not fully substantiated. They are intriguing and it leads to a speculation as to the effects of a nuclear exchange.

Let's postulate that we have a nuclear exchange of the type set forth in the Defense Department, which would result in 10 to 6 times the 20 kilotons perhaps you are talking about in the paper here. Of course, the physics of that exchange would be important as to whether it was a ground blast, air blast or water blast. But, assuming that something of that magnitude and recognizing again that we are talking in hypothetical terms, what would be your extrapolation as to the effects upon infant mortality?

Dr. STERNGLASS. Well, I can only go on the basis of quantitative results the computer produces for us, and the results are something like this:

For a ground burst of 20 kilotons in New Mexico, one out of 100 children born downwind as much as 1,000 miles away died presumably in terms of some effect, presumably due to immaturity or other factors that caused an infant to die more readily.

If, therefore, one were to have 100 20-kiloton bombs in a ground detonation, there would be essentially few children surviving born in the next generation for the next ten to twenty years, in that area.

Now, for air bursts of megaton weapons the situation is somewhat different. There, our figures show that for 200 megatons released in the stratosphere in different parts of the world, one child out of 100 born in the United States may have died as a result of this release. Again, therefore going from 200 megatons to what is needed for an effective first strike, namely 20,000 megatons, one again has a factor of 100, or coming close to the situation where even if you and I are adult survivors, might survive, to see a large fraction, of not all children, subsequently born to die of the effects of this massive deposition of long-lived fallout.

Mr. NEDZI. I think one of the crucial questions, assuming the Soviet Union originated an attack, is the effect on the Soviet Union 3,000 miles or 6,000 miles away.

Dr. STERNGLASS. Let me explain this. If strontium 90, and I say if this continues to be confirmed, and if strontium 90 is the primary agent responsible, then we are dealing with a very long lasting effect. So that since strontium 90 has a half life of around 28 years, it would not disappear or decrease significantly in the time required for the fallout to drift back to Russia in the matter of some 5 to 10 days since the upper stratospheric winds move at a typical velocity of 60 to 100 miles an hour, the material circulates the entire world in about a period of two weeks, so that this is a short time compared to the time necessary for a strontium 90 to die away. As a result, this is in effect a suicidal type of attack.

Mr. BINGHAM. Do you have any information about Soviet views or findings in this?

Mr. STERNGLASS. I do indeed. At the very meeting at which I presented this at Hanford, Russian scientists presented similar data showing very surprisingly strong effects on animals at very low radiation doses.

In addition, the Russians have for many years been very concerned about the effects of the central nervous system. They have taken young Beagles and during pregnancy exposed them to only a few rads of external X-ray, and found significant differences in their ability to train these Beagles subsequently to make them respond in their Pavlovian experiment. So the Russians are extremely concerned.

In addition, Dr. Sakarov, whom we all know released his famous statement that was reproduced in New York Times, has expressed personal concern repeatedly about the genetic effects of carbon 14 produced by nuclear weapons even in the absence of any fission materials whatsoever, in the so-called clean weapons releasing only or producing only carbon 14. He has himself written an article pointing this out in Russian magazines and, more recently, he has pointed out that nuclear war would be suicidal for mankind.

Mr. NEDZI. Dr. Warren, can you comment on that?

Dr. WARREN. I have no doubt that nuclear war would be a very devastating thing. Suicidal is a very strong term to use. One of the things that impresses one about almost any species of animal, including man, is its ability to survive under a wide variety of adverse conditions.

We have been trying to get rid of rats probably ever since man tried to store food. The rat population today is larger than it ever has been.

I don't think that there is any absolute answer that that can be given here one way or another. If one accepts Dr. Sternglass' hypothesis that there is something peculiarly bad about the placement of the radiation from strontium 90, I think that very worrisome figures would result from a quantitative study of this.

I find myself that it is difficult to assume that one type of beta radiation varies greatly in its effect from another type and I would not take as pessimistic a view as Dr. Sternglass.

However, I think there is no question but what any nuclear exchange of any magnitude would have very serious effects as far as the world as a whole is concerned.

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Mr. FRASER. May I ask a couple of questions? One is if at a given level of radiation you get one additional death per thousand—I may not be asking the question right—if you double radiation would you get a linear rise?

Dr. STERNGLASS. As a matter of fact I wrote a paper on this which was published in Science in June, 1963, in which I showed that based on the evidence then available from X-rays given to pregnant women, there was a direct relationship you might say a straight line relationship—between the num- of X-rays given the mother and the likelihood that the child would develop leukemia even down to one X-ray.

Now, at higher levels, such as encountered in Hiroshima, linearity was established from about 50 rads up to 1,000 rads long before the article. Of course, precise linearity is not necessarily the most important point. Even if there is some curvage in the line, what is really important is that by now, in contrast to what we knew 15 years ago, there is no reason to suppose that even very low level radiations do not produce some effect. That was the so-called "threshold issue."

Now we have much more data suggesting that there is no evidence, again this is threshold, for most genetic effects. There is some healing and there is some indication of some slight curvature, but I think basically most radiobiologists today, including the Federal Radiation Council in its recommendations to the Government, has assumed that the conservative approach requires us to assume that we do have, in fact, a direct linear relationship at levels of a few rads. Wouldn't you say that?

Dr. WARREN. I think that is quite a fair statement. I think probably the few rads that you speak of lie somewhere around 50 or 100 rads.

It is much better established at higher levels.

Mr. HOLIFIELD. This is a very important point I think, that has been made. It is true that this assumption has been made, but it is not an assumption susceptible to proof. It is made on the basis of having a cushion of protection far greater than we can at this time say. The Federal Radiation Council was set up statutorily by my Committee for the expressed purpose of giving it independence to set standards.

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They are men that are completely objective. They are scientists who are contributing their professions, putting their professional judgment on the line when they do this.

There is one thing that I think Dr. Warren will testify to, that the Joint Committee has done from the very beginning, it has placed safety as their primary duty, that nothing should be done from an economic standpoint or any other standpoint, where in the best judgment they would say it is detrimental. In other words, if there were going to be any mistakes made, it would be mistakes on the side of safety.

We have spent literally hundreds of millions of dollars in research and development on all kinds of animals, mice; and the genetic work that the two brothers down in Oak Ridge——

Dr. STERNGLASS. The Russell brothers.

Mr. HOLIFIELD. Russell, yes. And the famous geneticists out in Indiana, Dr. Mueller and others, that worked over the years, Always we have abjured them and we have adjured the Commission to take no chances, put a factor of safety as far as you can in everything that you do.

Dr. WARREN. This is absolutely true. I have been at times directly responsible for carrying out these instructions, and I have always

been very much impressed by the attitude that Mr. Holifield and all of the other members of the Joint Committee have shown, as well as the AEJ.

I think it is worth saying that this is a clear demonstration over the years that safety in a new and unknown field can be bought if you are willing to pay the price for it.

Mr. NEDZI. Dr. Hutchison, could we get a comment from you on the relationship between dosage and damage?

Dr. HUTCHISON. The comment that Dr. Warren had a moment ago, I think, it is important to put it in reference to the question of linearity. The doses in which we can speak of a demonstrated effect, starting someplace at 50 or 100 rads, I think we can talk about it at a somewhat lower dose.

Dr. STERNGLASS. Right.

Dr. HUTCHISON. We can speculate, and it is speculation to say that linearity is the most likely way the thing works at lower doses. But this must remain as speculation.

Of course, it has to be true for higher doses, because there are only limited doses that can be observed in the human population. However, for the ranges at which we have good observational data, a linear sit is pretty good.

Mr. FRASER. Let me pursue this question. I get the impression, among other ways of getting at this too general kind of investigation, one would be attempting to establish the specific causal relationship where you have controllable experiments. The other is kind of a macro-analysis, where you deal with general, long-term trends and try to establish causal relations.

I gather that is what Dr. Sternglass has been trying to do.

On that score, the Public Health Service obviously is very much interested. You made an observation that there has been a conference to find out—have the others pursued the same kind of inquiry you have been making? And, if they have, I am curious as to what kind of answers are being developed.

Dr. STERNGLASS. There has recently been a book published by Drs. Schlesinger, Nesbitt and Shapiro, published by Harvard University Press, devoted entirely to the problem of infant mortality changes in the United States. It includes a discussion of fetal, childhood, and maternal mortalities, because for every child that dies there are some mothers that also perish at the time.

So, in this book, a careful analysis was made, a review of all the things that the Public Health Service had uncovered in its attempt to find an explanation.

The general conclusion of the book is that there is, at the moment, no known medical, sociological, or other single factor that could account for the difference observed between the United States and other countries, despite the enormous efforts that have gone into this. Radiation was the only factor that I know of that was not considered.

Mr. FRASER. The book does not seek to explore that?

Dr. STERNGLASS. It does not mention the word "radiation."

Mr. FRASER. It apparently rules out other—

Dr. STERNGLASS. Other variables, such as the introduction of sulpha drugs, or the introduction of various other new drugs, the thalidimide series situation, the effect of the population movement in the United States, all these other factors have been examined and looked at in his book and found not to explain these abnormal patterns in the United States.

Mr. FRASER. Dr. Sternglass, are there not other investigators——

Dr. STERNGLASS. There are still people working on it.

Mr. FRASER. Of radiation?

Dr. STERNGLASS. Not in the relation of fetal mortality. No one has ever looked at it, not even myself. I, myself, have been obviously concerned about possible low level fall-out effects since 1959, 1960 and 1963. Even though I was very concerned, it never occurred to me to tie the well-known poor performance in infant mortality to radiation until last October, when I ran into this data.

Mr. FRASER. Your work here is——

Dr. STERNGLASS. It is new, within the last four, five or six months. In fact, it is for this reason that it has been so difficult to have it fully studied and examined. And this is what one likes to do. These procedures generally take many years for something of this magnitude to be widely studied, and to be fully accepted.

But I am afraid that we may not have the time. That has been my concern. The reason why I brought this up at these meetings in the Health Physics Society and others and why I wrote a letter to the New York Times, is that I felt a very intense concern that this fact, although not yet, by any means, fully proven, should be examined as soon and as widely as possible because of this vast implication if it turns out to be true.

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Mr. FRASER. Let me see if I have this. You are apparently the first one attempting to make a study of this correlation?

Dr. STERNGLASS. That is correct.

Mr. FRASER. Since that is the case, others may follow along, and develop either identical or different solutions not yet available?

Dr. STERNGLASS. That is right.

This is very early data and it has not yet had a chance to be widely discussed in the scientific literature.

Mr. FRASER. Let me put a question. Your conclusions, at the moment, are considered to be uncertain or controversial?

Dr. STERNGLASS. Surely, both.

Mr. FRASER. Prior to your work, starting in October, this is really not a fair question and only a lawyer would ask it—have you been publishing papers and taking positions with respect to the effects of radiation?

Dr. STERNGLASS. For years.

Mr. FRASER. Which evoked a similar controversy?

Dr. STERNGLASS. Certainly, because in 1963, at the time of the Test Ban Hearings, I published a paper in "Science," in which I took some of the data of Dr. MacMahon and Dr. Stewart and drew attention to the point that they suggested they did not exclude the possibility of linearity; and that, therefore, low level fallout from continued testing in the atmosphere was likely to produce serious defects, even though one could not prove this. Since this was clearly a hypothesis, it could not be proven beyond a shadow of doubt.

It was, by its very nature, controversial. But I did not hesitate to bring the evidence to the attention of the scientific community at the time, because of the potential importance of this matter.

For this reason, I believe that this is a similar situation now. Through forces of circumstance, I ran into a totally unexpected but potentially serious matter, which, if it were merely a scientific matter, could be left to internal discussions within the scientific community without affecting the health and safety of our society as a whole. But, being also a father of young children, and hopefully a grandfather, and being humanly concerned of crippled children—and I happen to be living next to a home of crippled children, through no circumstances that I could control—I had a natural concern for these matters. And I don't believe that, as a scientist, I need to separate my driving motives from my interest as a scientist to look at the facts and have others study them.

I certainly have a clear concern about bringing these matters to the attention of the people.

Mr. BROWN. Dr. Warren, has the AEC pursued this kind of analysis, do you know?

Dr. WARREN. In this specific form, as I am aware, it has not. I believe that there is a staff study of Dr. Sternglass' work being made at the present time. I have not seen this, however.

Mr. BROWN. You don't know of any other independent——

Dr. WARREN. No.

Mr. BROWN. You are in agreement that there is very little inquiry other than Dr. Sternglass' pursuits?

Dr. WARREN. Yes. I think it would be, perhaps, fair to say that the method of determining this excess mortality, which Dr. Sternglass has used, is not a widely used procedure. I think it is probably worthwhile to make some very careful estimates along these lines.

Mr. BROWN. It is a case that the Public Health Service has developed a concept independently of his research?

Dr. STERNGLASS. Yes, without a cause.

Dr. WARREN. It is true this is one of the tools which is used. However, in almost no human mortality problem can one ever hope to get a zero point, carrying the straight line on to zero.

Dr. STERNGLASS. May I correct that impression?

These are logarithmic plots, and they do not go to zero. They have no bottom. In other words, they go to 100 cases per thousand. There is no zero; and the straight line does not mean that I anticipate someday there will be zero infant deaths. It is a logarithmic plot. Really a plot of exponentials, when plotted on a linear scale, gradually and slowly approaches zero as an infinity, but never actually reaches it.

Mr. BINGHAM. Dr. Warren, is it true that the Public Health community has found a mystery here with regard to this fluctuation or trends of infant mortality that has puzzled a lot of people, and it has not been explained?

Dr. WARREN. I think it is fair to say that there is not complete agreement. No, there is no consensus as to why the U.S. mortality rate for infants apparently has stayed so high. I am not a statistician, but perhaps Dr. Hutchison, who is much more of one, would care to comment here.

Dr. HUTCHISON. It has been a surprise. It has been studied very extensively. I don't know that it is thought of as more of a surprise than any other things that one sees in statistic trends that are gotten by similar investigation. But it is a well known phenomenon, the fact that the United States infant mortality rate has fallen from its high position to a relatively low position in the Western world.

Mr. FRASER. In relative terms.

Dr. STERNGLASS. Right. Might I just once answer this. In my Hanford paper, I quote, as pointed out in the summary of the Special International Conference on the paranatal and infant mortality problem in the United States, held May 13th, 14th, 1965, there seems to be "No simple, concise explanation for the leveling off or for the unfavorable position of the infant mortality rate in the United States. No single statistical demographic or medical factors appear to account for the international differences observed in the paranatal and infant mortality rate."

The quote is taken from Reference 39 of my paper; and it essentially refers to the following: a report of the International Conference of the paranatal and infant mortality problem of the United States, report series four, three June, 1966, National Center for Health Statistics, U.S. Public Health Service; and also a reference of the same pointing out, the same anamoly in Public Health Report, Volume 75, page 391, 1960. There the early evidence on the leveling trend in the United States is first pointed out.

Mr. BINGHAM. I would like to ask a question particularly in light of what Dr. Warren has said. We have talked about the effects of a nuclear exchange, and everybody agrees

that such an exchange would be a pretty bad thing. But what I would like to ask, in light of the discussion, is this: There has been discussion of the possibility of a Soviet first-strike against this country.

Now, assuming that they might conclude that they would wipe out, in one blow, our capacity to retaliate by, let's say, an attack on all ICBM's, they could knock them out with one strike with their SS-9—or whatever it is —and produce explosions of five to ten megatons on the ground—how serious from their point of view would it be? How serious would they have to consider the problem of fallout to be, as it might affect (a) themselves from that attack, and (b) countries such as Cuba nearby that are their friends?

Mr. NEDZI. Or the other way around. What affect would it have on the United States if our leaders determine that we have a capability of a first strike against them?

Dr. WARREN. I have had, in the aggragate, about 400 R of radiation through some foolish experiments that I did when I was young and should have known better, and other things. This was spread out over a long period of time. I have attempted to do some rough calculations of what the fallout average might be from an exchange of this sort.

These are not, in any way, statisticated, they are essentially off the cuff. I think, using the U.N. Scientific Committee's information and the effects of atomic weapons, we could assume that a very good share of the U.S. and of the U.S.S.R., and for that matter most of the Northern Hemisphere, would probably in 30 years subsequent to such an event aggragate perhaps in the 300 to 400 R range of radiation.

Dr. STERNGLASS. I would concur with that calculation. I have carried it out myself.

Dr. WARREN. I am glad we have the same figures.

This spread out and protracted radiation would be harmful, terribly harmful spread out over a huge population. It probably would not be completely lethal, not completely suicidal. It might not have serious effects as far as the living population was concerned. And one would, hence, have to figure out how hard boiled, so to speak, the rulers are—to what extent they are concerned about the future of the Northern Hemisphere.

Mr. NEDZI. Could you discuss or describe the effect it might have on future generations?

Dr. WARREN. I cannot, with any degree of accuracy, except that I am sure there would be a tremendous increase in abnormalities, in still births, and that the surviving population might have to change its entire social atmosphere, and instead of caring for the unfit, kill the unfit so the few fit can survive.

However, the changes inherent in the genes pool, the germ plasma as a whole would be very seriously damaged. There would be recurrences of a pretty horrible degree of problems for a great number of generations.

I think it all comes back to what we have said earlier, that there is no question but what this would be the most serious catastrophe that mankind has ever faced. It could be quite comparable with some of the epidemics of the Black Death in the Middle Ages.

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MORE DICTATORIAL AND ANTILEGAL ACTS

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, the present leadership of the United Mine Workers of America, fearful of losing out on its high salaries, special benefits and nepotism, apparently is accelerating its efforts to block the nomination of Joseph (Jock) Yablonski for UMWA president against incumbent W. A. Boyle.

Reports of attempted bribes, threats, and other illegal activities in the coal fields to keep Joe Yablonski's name off the UMWA ballot are becoming more commonplace.

There follows an article from the August 2, 1969, New Republic magazine and another letter to the Secretary of Labor giving some of the details of the rough-shod tactics being used in this most important election:

THE MINERS PLAY ROUGH ELECTING A UNION PRESIDENT

For the first time since 1926, when John Brophy ran against John L. Lewis, the United Mine Workers of America will have a real contest for the union presidency. On May 29, Joseph Yablonski, a member of the International Executive Board, announced his candidacy against the incumbent Tony Boyle. If Yablonski loses, it won't be for a lack of a case against the incumbent. The union leadership, enjoying its high salaries, special benefits and nepotism, has lost contact with the rank and file.

When the wildcat strikers of the black-lung movement in West Virginia marched on Charleston last spring they booed the district UMWA headquarters, which had ordered them to go back to work. The spontaneous strikes and demonstrations produced a revision of the state's workmen's compensation laws. In Pennsylvania, where black-lung laws give more protection to the miners (Yablonski figured prominently in the lobbying effort), coal miners are troubled about other matters. The union and anthracite companies, most of which are in Pennsylvania, recently announced a contract that includes an outrageous "slave labor" clause giving companies the right to force miners to work seven days a week. When Boyle and his boys addressed miners at Gallitzin, Pa., they were drowned out by jeers and catcalls.

John L. Lewis was a tidal force. Tony Boyle is not. He is described by close associates as "moody and suspicious." But he is running hard now. When he spoke at Welch, W. Va., July 13, spot advertisements were carried hourly for several days on at least five radio stations in the area. Press releases including a biography and picture of Boyle were sent to the papers and TV stations. Buses, allegedly paid for out of union funds, carried Boyle supporters to the rallies. The UMW president arrived surrounded by union officers. Burly sergeants-at-arms were stationed at strategic spots in the hall. Behind the speakers' platform hung a larger-than-life picture of Boyle. He defended his six-year record, attacked the "do-gooders" who would "run this union," and called for union solidarity against "those who would split us." Emphasizing it was not a political speech, Boyle informed the miners of a new UMW department of occupational health, created on June 23 by a special session of the International Executive Board.

On the same day, Yablonski spoke to a small group of miners in the bleachers of an old and neglected athletic field in Matewan, W. Va. News of the meeting was passed around by word of mouth. Three union district representatives were present, writing down the names of those they recognized. Yablonski stood among the miners. He said he wanted to make the union both democratic and militant. He talked about changes in safety laws and in the union pension fund which would make coal mining more humane.

The miners understood. Although they get a basic daily wage of $32 while in the mines, they receive pitifully small sums when they are disabled. A miner's widow also has a hard time of it. An average of 300 miners are killed each year. Their widows get between $30 and $90 each month from the state and $2,000 for funeral expenses from the UMW pension fund. After 12 months the union takes away their hospital cards which had entitled them to free hospital care when their husbands were alive.

The Mine Workers Journal fawningly covers every activity of the union officers. (Its editor depends upon Tony Boyle for his job.) A recent 24-page issue carried 28 flattering pictures of Boyle; the discontent of the miners voiced at the Gallitzin rally was blanked out. Yablonski's announcement of his candidacy—reported by *The New York Times*, the *Washington Post* and *Newsweek*—got no mention by the *Journal*. However, the *Journal* staff wrote an eight-page scandal sheet entitled "Election Bulletin," in which Yablonski was called ". . . the ex-convict, the thief, the deserter of his family, the shake-down artist and the informer on his brother union members." (In 1931, by his own admission, Yablonski spent eight months in jail for breaking into a slot machine, which had taken his money.)

Since declaring his candidacy Yablonski has been fired as director of the union's Labor Nonpartisan League, threatened with a loss of salary, and physically assaulted. On June 28, after talking to local union leaders in Springfield, Ill., he was knocked out from behind by a karate chop. According to the doctor who treated him, the blow would have been fatal if it had landed one-quarter of an inch closer to the spinal nerve. A day later, 50 "pickets," paid $20 apiece and organized by a certain John Karlavage (he's paid $15,400 a year by the UMW as an International Representative), broke up a pro-Yablonski meeting at a school in Shenandoah, Pa. Karlavage is also the president of the Shenandoah Borough Council; he had tried to convince the school board secretary to lock out the meeting. Although unsuccessful he managed to deter the town police from giving the meeting requested police protection.

Back in the days when unionists were fair game for Pinkerton goons, union solidarity was a necessity and elections a luxury. As a result, most of the 23 union districts have traditionally had presidents appointed by the International. Boyle recently eliminated two more districts which still had elected presidents: now there are only four districts with autonomous officers. District organizations supply ready-made, union-paid campaign committees for the incumbent. In District 30, for example, the Committee for the Re-Election of our International Officers operates out of the district headquarters in Pikesville, Kentucky. The chairman of the committee has a salary of $11,130 as a district representative, the secretary of the committee is secretary to the district president. The district has a fund, supplied by the international, of $55,000 for "expenses," partly used it's said to bankroll the campaign committee. The committee bought a newspaper advertisement in nearby District 29, which ominously warned Yablonski, who was addressing a rally there, to "stay out of District 30." It has mailed the "Election Bulletin" to all District 30 union members.

In brief, Boyle is financing his campaign with money from the rank-and-file miner. Two of every five dollars paid in monthly dues go to the international. The international has utilized money from the $169-million pension fund by placing $70 million of its assets in a no-interest checking account, at the National Bank of Washington. The UMW owns 75 percent of the bank.

Against such well-financed organization,

Yablonski can summon only a small staff of volunteer miners who work for him over vacations or in their spare time.

Union locals are now voting on nominations for international officers. Five years ago, nominations from only five locals were needed to win a place on the ballot. Steve "Cadillac" Kochis, a relatively unknown candidate, received the requisite number of local nominations for President and proceeded to win 20 percent of the miners' votes. That was too much. So in 1968, the number of locals necessary to put a man on the ballot was raised to 50 by an International Convention stacked with Boyle delegates. That convention was held in Denver, Colo. The cost of sending delegates was prohibitively high for many small locals. The international paid their expenses and in some cases even supplied "delegates"—but it did it selectively.

Approximately 500 of the UMW's 1,100 locals are "bogus locals," which have less than the ten active miners required by the union constitution. These are dominated by pensioners. (70,000 of the union's 185,000 members are pensioners.) When John L. Lewis died this past June, Boyle took his place as a director of the UMW pension fund. He promptly raised the pensions of bituminous miners from $1,380 to $1,800 per year. Pleasing pensioners is good union politics. The nomination made by a "bogus local" with four or five active miners and a majority of pensioners is equal to the nomination of officers made by a local with 600 members. The international disbanded all such "bogus locals" in District 5, where Yablonski was once elected district president. "Bogus locals" in all other districts were not touched.

On weekends during the nominating season (July 9 to August 9) when most locals hold their meetings, the district officers and international and district representatives are busy men. Nominating elections are arranged and then announced only to a few members who support Boyle. Where Yablonski men appear to be present in sufficient numbers to win the local, ballots are counted in a back room, and Boyle is announced the winner.

Supporters of Yablonski are alternately offered jobs on the union payroll and threatened with the loss of their company job. The coal companies feel very comfortable with Boyle and are willing to cooperate in blacklisting dissident miners. They are especially alarmed by some of Yablonski's ideas for encouraging better observance of safety. He has suggested, for example, that the companies be required to pay $100,000 above regular state compensation to the widows of miners killed in accidents.

On July 9, Yablonski asked the Labor Department to investigate and monitor the nominating procedures, but to date there has been no response. Unofficially, (the UMW will announce the official results after August 9), Yablonski has already won thirty of the fifty locals necessary for a nomination. With two more weekends to go there is a good chance he will be on the December 9 ballot for the general election in which miners vote as individuals.

If the tactics used during the nominating procedures are any indication of what Yablonski may expect in the general election, the chances are good that another election will be held after December 9. Under the Landrum-Griffin Act, the Secretary of Labor may supervise a new election where illegal tactics are in evidence.

JULY 25, 1969.

Hon. GEORGE P. SHULTZ,
Secretary of Labor,
Department of Labor,
Washington, D.C.

DEAR MR. SECRETARY: This letter is a request for reconsideration of your letter of July 23, 1969. During our meeting yesterday afternoon on this same subject, I set forth a number of reasons why the investigation should go forward at this time, and I also set forth additional violations of law which have come to our attention since my letter of July 18, 1969. As agreed, I will not repeat in this letter all of the many reasons I gave for reconsideration, but simply set forth the new violations. Some of the worst violations (see e.g. paragraph 15 hereafter) came to our attention even since our meeting with you yesterday afternoon. They are listed below:

1. On the night of July 19, 1969, Mr. John Aiello, a paid employee of UMWA trusteed District 17, who illegally blocked the nomination of Mr. Yablonski at Local 7113 (Paragraph 10, July 9 letter), telephoned Mr. Charles Shawkey, the pro-Yablonski president of UMWA Local Union 9616, Boomer, West Virginia, and threatened to kill him.

2. Officers of UMWA Local Union 6086 placed an advertisement, under the union seal, in the Williamson, Kentucky *Daily News* of Saturday, July 12, 1969, demanding that Mr. Yablonski "stay completely out of District 30".

3. On July 19, 1969, Boyle henchmen pulled a new trick at UMWA Local Union 1577, Girardville, Pennsylvania. This is the background. As has been the case elsewhere on numerous occasions, no notice was given that nominations would be conducted, as required by Section 401(e) of the LMRDA and the UMWA Constitution. Second, and again this practice is widespread, Mr. John Karlavage (Paragraph 8, July 18 letter) and Mr. William Rogers, both International Representatives of the UMWA and non-members of of the local union, were present in the vicinity and at the meeting in order to intimidate local union voters and otherwise to manipulate a Boyle nomination by illegal means. That afternoon (July 19, 1969) Mr. Karlavage telephoned Mr. Al Albert, a Yablonski supporter, and warned him to stay away from the meeting that night. Nevertheless, about forty local union members supporting Mr. Yablonski appeared and waited outside of the meeting hall for the 6:00 p.m. meeting to begin. At this time, Mr. Rogers approached one Julius Savitsky, a Yablonski supporter, and offered him five dollars to leave or to vote for Mr. Boyle. When Mr. Savitsky refused, Mr. Karlavage offered him five more dollars, but this bribe also was rejected. Finally, when an outdoor clock and the watches of the Yablonski supporters reached the designated hour of 6:00 p.m., they entered the meeting hall, in which the clock had deliberately been set forward to read 6:10 p.m., and were informed that a Boyle nomination had already been conducted by those other members (approximately 20) who had entered earlier.

4. William J. Savitsky, a Yablonski campaign worker (and no relation to Julius Savitsky, *supra*), sought to observe nomination meetings at UMWA Local Unions 1443 and 7226 and was barred therefrom by paid UMWA officials supporting Mr. Boyle.

5. Even the old trick of spreading rumors about the death of the rival candidate has been tried. In the Nashville, Tennessee, coal area, efforts were made to plant this rumor. The Associated Press finally killed it.

6. UMWA Local Union 1376, Hazelton, Pennsylvania, held its nomination meeting on July 18, 1969. Present were non-member UMWA International Representatives "Jimmy" Thomas and Boley Overa (also a leading instigator of the illegal activities in Shenandoah, Pennsylvania, referred to in Paragraph 4 of the July 9 letter). In order to assure a Boyle nomination, one Steve Crowbar, a paid UMWA employee, brought to this meeting more than ten persons who were identified by Mr. Joseph Onduko and Mr. Rex Marshall, an active local union member for more than fifty years, as not being members of Local 1376.

7. It is a regular practice for UMWA District officials and employees to show up at nominating meetings to intimidate the voters. Especially intimidating is the effect upon small pensioner locals with only a few persons present, where up to a dozen paid district officers and representatives have appeared at the nominating meetings. Examples of this intimidation occurred at Local Unions 4917 and 5600.

8. On July 17 Local Union 1451, Girardville, Pennsylvania, held a regularly scheduled meeting. No notice had been given that nominations would take place, so only about 10 members out of at least 124 appeared. Mr. Boyle was nominated by a vote of 6 to 4. Many members have told Mr. Savitsky that they would have gone to the meeting and voted for Mr. Yablonski had they been notified of the nomination election.

9. With further reference to Paragraph 9 of the July 18th letter, Mr. Karlavage, after most of those at the meeting had left, declared the earlier nomination illegal, re-held the meeting with only 5 members present (less than a quorum under the UMWA Constitution), and declared Mr. Boyle nominated. Mr. William J. Savitsky and Mr. Joseph Monaghan witnessed portions of this illegal maneuver.

10. In paragraph 7 of the July 18th letter, it was pointed out that a secret ballot had been refused at the UMWA Local Union 1686 meeting. Again, a secret ballot was not taken in the 4–3 vote nomination of Mr. Boyle on July 19, 1969, at the Snap Creek Coal Company Local Union, Logan County, West Virginia. Notice of nominations was not given prior to this meeting either. And also on July 19, 1969, a nomination election was scheduled for UMWA Local Union 1443, Shenandoah, Pennsylvania—but again under the watchful eyes of UMWA International Representatives Karlavage and Rogers. The members attending this meeting demanded a secret ballot vote, and three times a vote by show of hands was passed by hefty margins in favor of a secret ballot election. Three times George Humetsky, the Boyle "floor manager", conferred with Mr. Karlavage and was told to "make them stand". Thereupon, amidst great confusion and while several members were walking about or leaving in disgust, Mr. Boyle was declared nominated in a standing vote. These are clear violations of LMRDA Sections 401(c) and 401(e). Certainly LMRDA did not intend to provide secret ballot only at the general election and not at the nomination stage when it is equally, if not more, important.

11. Local 7604, Kopperston, West Virginia, held a regularly scheduled meeting on July 19, 1969. No notice was given that there would be nominations. As a result only about 40 people showed up, whereas there are at least 700 members of that local. This is a union where the majority was clearly for Yablonski but he did not get the nomination because of the failure of notice.

12. Nor was notice provided for the nomination meeting of Local 6553, Brownsville, Pennsylvania, where only eight members attended and nominated Mr. Boyle. Subsequently, more than 25 members of that local have personally contacted Mr. Yablonski and complained that they had wanted to vote for him but had received no notice of the meeting. And finally, clearly inadequate notice was again omitted with respect to the nomination election of Locals 1868, Schuylkill County, Pennsylvania and 1443 referred to in paragraph 10 above.

13. With respect to paragraph 16 of our July 18th letter, Mr. James Manfredi offered Mr. Robotny five dollars to vote for Mr. Boyle. Mr. Robotny rejected the bribe.

14. With respect to paragraph 4 of our July 18th letter, the attempted discriminatory dechartering of pro-Yablonski Local 7488 has now been completed, even though this local has approximately 75 members, fifteen of whom are currently working mem-

bers, and the UMWA Constitution provides that locals may be chartered with only ten working members (hundreds of UMWA locals, still chartered, have less than 10 working members). Furthermore, although no final action has yet been taken, in May, 1969, shortly after Mr. Elmer Brown had announced his candidacy for International Vice-President, UMWA trusteed District 17 President R. R. Humphries announced that Local Union 8752, which has 102 members and of which Mr. Brown is President, and the strongly pro-Brown "Lando" local, which has 27 members, would be merged into UMWA Local Union 6001, which has about 50 members. (All three of these locals are in Delbarton, West Virginia).

15. Nor is the Boyle camp satisfied merely with illegally blocking Yablonski-Brown nominations by vote of local union members. The UMWA Constitution provides that local recording secretaries shall forward the nomination blanks containing the names of those persons nominated to reach UMWA Secretary-Treasurer Owens' office not later than August 9, 1969. On Saturday, July 19, 1969, UMWA trusteed District 28 Acting President Ray Thornsbury ordered the local presidents and recording secretaries within that District, including one Ray Hutcheson, president of UMWA Local Union 1374, Oakwood, Virginia, to report to the principal offices of District 28 in Norton, Virginia. There, Mr. Earl Brown, the paid District 28 official alluded to in paragraph 4 of our July 18th letter, pursuant to the instructions of Mr. Thornsbury, ordered each local official to refrain from mailing the nomination blank in time to reach Mr. Owens by August 9, 1969, in the event that such official's local nominated Mr. Yablonski and Mr. (Elmer) Brown. At the same time, Mr. Earl Brown presented to each such official numerous copies of a libelous sheet concerning Mr. Yablonski, which sheet was prepared under the direction of Mr. Thornsbury, and a written directive, signed by Mr. Thornsbury in his official capacity, ordering these local officials to post copies, in their official capacities, of the libelous sheet on the bulletin boards of their respective local unions.

* * * * *

When I left your office yesterday afternoon, I predicted that, unless you acted, there would be an acceleration in violations of the law you are charged with enforcing. As we spent last night rechecking the oral allegations I had made to you, we also validated that prediction. The gauntlet has now been laid down to us and to you by the Boyle crowd—*even if we get the fifty nominations, they will find a way not to count them* (see paragraph 15).

Tomorrow and Sunday the largest number of local unions will hold their nomination meetings. It is not too much to say that only your announcement of an investigation of illegal activities inside the UMW election process can prevent fraud and intimidation and possible violence from one end of the mining country to the other.

We are seeking some measure of internal democracy in the upcoming UMWA election in line with the spirit and purpose of LMRDA. We know that is your spirit and your purpose, too, and we beseech your action now.

Sincerely yours,

JOSEPH L. RAUH, Jr.,
Attorney for Joseph A. Yablonski and H. Elmer Brown.

EDWIN LAHEY DIES

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, Mrs. Pepper and I were shocked and saddened by the recent death of Ed Lahey, an old friend and wonderful man who enjoyed an illustrious career as a newspaperman. Ed was a journalist for better than 40 years and widely respected by his associates and those whose names he struck with the keys of his typewriter.

Ed Lahey combined the skill of a poet, the charm of a leprechaun, and the diligence of a hunting dog. He had great professional skill and dedication, as well as human warmth and understanding. He was a good and decent man whose public self was dedicated to informing others, while his private self always sought to understand and appreciate them. Mrs. Pepper and I will miss him. So will we all.

Mr. Speaker, I would at this point like to include in full the notice of Mr. Lahey's death as reported in the Washington Post of Friday, July 18:

NEWSMAN EDWIN LAHEY DIES

Edwin A. Lahey, who emerged from the Chicago railroad yards to become one of the most illustrious newspaper reporters of the modern American scene, died here yesterday at age 67.

In more than 40 years of journalism, Mr. Lahey had been a leading crime and labor reporter in Chicago and chief Washington correspondent for the Chicago Daily News and for the Knight Newspapers. He had been in declining health for several years due to emphysema.

Mr. Lahey described himself as a grammar-school dropout and he often maintained that he wrote "for the people who move their lips when they read." Nonetheless, he was the friend and confidant of Presidential candidates, Supreme Court justices, labor leaders and many other National figures.

President Nixon yesterday called his death "a real loss to American journalism" and hailed Mr. Lahey as "an excellent practitioner of the kind of hard-hitting, direct but always fair reporting that seeks to cover every area of political life."

The list of news beats that he scored in his years of Washington reporting was, Newsweek said in 1962, "practically endless."

His 1952 interview with a brooding Sen. Robert A. Taft, whom Mr. Lahey tracked to Quebec, was credited with leading to Taft's Morningside Heights reconciliation with Republican Presidential candidate Dwight D. Eisenhower.

In 1953, he scored a national beat in reporting the resignation of Labor Secretary Martin Durkin, the "plumber" in the Eisenhower Cabinet of millionaires.

In 1956, when communist Gilbert Green decided to surrender to Federal authorities after jumping bail, he made his decision known in a special delivery letter to Mr. Lahey.

A small man with twinkling eyes and winning Irish wit, Mr. Lahey possessed a gift for penetrating and sometimes devastating phrases. His lead sentences—the first lines of news stories—were legendary.

When "Machine Gun" Jack McGurn was killed during a Chicago shooting match in the 1930s, Mr. Lahey wrote a sympathetic obituary taking note of the mobster's love for golf. His story began:

"Jack was killed last night. He died in the low Eighties," (an address on the Chicago South Side).

When Richard Loeb of the Loeb-Leopold murder case was killed in prison after making a pass at a fellow inmate, Lahey wrote: "Dickie Loeb, despite his erudition, today ended his sentence with a proposition."

In 1956, Mr. Lahey was selected as a pool reporter to observe the first hydrogen bomb tests in the Pacific. His story began: "Megatons, shmegatons. It was a hell of a blast." Later, during a wave of National debate about fallout shelters, Mr. Lahey wrote that "the only defense against nuclear blast is a state of grace."

His journalistic credo was "Fawn Not Upon the Great," a quotation from Thomas A. Kempis, and in his long career he rarely breached it in print or private.

He described Lyndon B. Johnson as "not the kind of guy you'd like to be stuck in a bus station all night with." Mr. Lahey summed up the 1960 Presidential election in simple terms: "Nixon had the wrong kind of kisser. Kennedy sends the women."

Lahey covered every Presidential campaign from 1944 through 1964, but he did not count himself as a pal of Presidents. "I have advised my associates," he once wrote, "to preserve one paragraph in my obituary to point out that in my long career as a Washington correspondent, five Presidents have ignored me at press conferences."

Mr. Lahey was a devout Roman Catholic and active in Alcoholics Anonymous. He was a member of the Gridiron Club and, because of his year at Harvard as one of the first group of Nieman Fellows, a member of the Harvard Club. He lived at 3863 Chevy Chase pkwy. nw.

He is survived by his wife, Grace; two daughters, Mrs. Allen Kobliska of Washington and Mrs. Bernard Nigro of Alexandria; two brothers, James and Joseph; a sister, Gertrude Meiers, and five grandchildren.

Funeral services will be held at 11 a.m. Saturday at the Blessed Sacrament Church, 6001 Western ave. nw. John Hightower, president of the Gridiron Club, asked that members attend.

MANDATORY RETIREMENT: PRO AND CON

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, it was my privilege recently to accept the kind invitation of the American Legion magazine to write a brief article for its "Washington Pro and Con" feature on the proposal that mandatory retirement ages be established for members of the legislative and judicial branches of our Federal Government. My distinguished colleague, Congressman GEORGE BUSH, of Texas, took the affirmative and I took the negative opposing arbitrary limits upon the service of the Members of Congress and our Federal judges. I believe these articles might be of interest to our colleagues, and I therefore include the texts, as follows, in the RECORD:

SHOULD WE HAVE A MANDATORY RETIREMENT AGE FOR MEMBERS OF THE LEGISLATIVE AND JUDICIAL BRANCHES?

"YES"

(By Representative GEORGE BUSH, Republican, Seventh District, Texas)

In developing a premise for the argument favoring mandatory retirement age for members of the legislative and judicial branches, one is ultimately confronted by the maximum—if a minimum age, why not a maximum age?

In researching the many whys and why nots of this issue (which I did extensively before proposing legislation on the subject), I found myself continually referring back to the Constitution. Although the document does specify a minimum age limit for members of Congress, and does qualify the terms of judges by stating that they should

hold office "during good behavior," nowhere is there found any specific reference to the matter of a maximum age limitation for those in Congress and the federal judiciary.

Over the years, Congress has provided for a retirement age for civil servants, yet it has exempted itself and the courts. Even though the retirement benefits for members of Congress and judges are highly appealing, they have not exactly induced an unbridled rush for retirement row among those now qualified. Indeed, the allure of these benefits has had a relatively negligible effect upon those eligible for retirement.

Accordingly, I feel the time has come for us to consider a mandatory retirement age for judges and members of Congress. I have introduced a resolution proposing a Constitutional amendment that would do just this.

Specifically, my bill calls for a mandatory retirement age of 70 for members of Congress, the Supreme Court and other federal judges. In deference to those in office, it would not apply to any member of Congress serving at the time of enactment.

In proposing this legislation, I am not advocating that anyone be "retired just for the sake of retirement." I do think, however, that all of us reach a certain point in our later adult years when our talents for existing jobs are not as complete as they once were, though we still may maintain an inherent interest in the routine of the work. Case in point: the involved and demanding daily work load that a Congressman faces; one which often becomes extremely difficult and physically demanding for older members. I would hope that these older members could be called upon to give their services—on a voluntary basis—in some other capacity. I would also hope that I am offering them a new approach—an alternate avenue through which these older members might better apply their talents. I feel that the adoption of this amendment by Congress and the American people would result in a more efficient Congress and a more effective court system.

I have always believed that one of the primary rules of life is change. What I am arguing for here decidedly represents change—change that, I feel, will ultimately mean a constructive manner of progress.

"NO"

(By Representative CLAUDE PEPPER, 11th District, Florida)

My opposition to a mandatory retirement age for members of Congress and federal judges may appear to be self-serving. But I suggest that there are objective reasons for rejecting this well-meaning but ill-advised proposal.

The unfortunate consequences that might flow from its adoption are easily illustrated. A mandatory retirement age of 70 would have prevented many distinguished political leaders in Great Britain, France and the United States from serving, and serving well, their respective countries.

For example, Henry Palmerston could not have served as Prime Minister of England from 1855 to 1865, because he became 70 in 1854. Benjamin Disraeli could not have served as Prime Minister of England from 1874 to 1880, for he turned 70 in December of 1874. William Gladstone, who became 70 on December 29, 1879, would have thrice been prevented from serving as Great Britain's Prime Minister—1880–1885, 1886 and 1892–1894. And Winston Churchill, who became 70 in 1944, could not have been Prime Minister from 1951 to 1955.

In our own country, a mandatory retirement age of 70 would have prevented Henry Clay from serving a final term in the Senate. It would have denied the House of Representatives valuable years of service by Joseph Cannon, Sam Rayburn and John McCormack as Speakers. It would have eliminated eight years of service by John Marshall, nine years of service by Charles Evans Hughes and eight years of service by Earl Warren as Chief Justices of the United States. These men rank among the most active and brilliant justices to serve on the high court.

The point is simple but cogent: mandatory retirement for members of Congress and federal judges would deprive the country of valuable leadership.

I support voting at age 18 because I believe young voters would counterbalance an electorate weighted with age and would have a beneficial effect on politics in our country. I do not discount young people because of their age, nor reject a member of Congress or a federal judge because he has passed the age of 70. So far as a member of Congress is concerned, the electorate can determine when he is too old to serve, and that determination is best left in their hands. Most federal judges, I am convinced, retire when they deem themselves too old to perform the duties of their office.

There is no proof that a man's usefulness is finished at age 70, and until I can be convinced otherwise I remain opposed to mandatory retirement age.

MEMORIAL DAY, 1969—ADDRESS BY WILLIAM A COBLENZ

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, every year the Lincoln Group of the District of Columbia and their friends make it their business in the District to pay proper tribute on significant days. It has just been called to my attention my good friend and for years a good friend of the Congress, Mr. William A. Coblenz, was selected to deliver the address on Memorial Day. I would like to place his remarks on permanent RECORD.

I should point out, Mr. Speaker, he is a former public affairs specialist in the Legislative Reference Service of the Library of Congress. He delivered the principal address at the Memorial Day exercises on the Battle Ground National Cemetery, Brightwood, May 30, 1969.

The occasion was given under the auspices of the Ladies of the Grand Army of the Republic, the GAR Memorial Day Corporation, the Lincoln Group of the District of Columbia, the Brightwood-Manor Park Citizens Association and the Wheaton-Silver Spring Civil Air Patrol, Cadet Squadron.

Mr. Coblenz is a volunteer veteran of both World War I and World War II, and was for more than 7 years before his Library of Congress service, the Acting Director and Assistant Director of the Division of Public Information in the Department of Justice. Before that he had been a Boston newspaper reporter, editorial and feature writer, and daily columnist.

Without either agreeing or disagreeing with the substance of this excellent memorial address I nevertheless regard it a thoughtful, vigorous, and searching commentary on the campus turmoil of our time and related subjects and feel it deserves wide and respectful circulation and consideration from us all:

MEMORIAL DAY 1969—BATTLE GROUND NATIONAL CEMETERY, BRIGHTWOOD, D.C.

These are solemn and—as I see them—tremendously important memorial services.

They are important because of the turmoil of the era in which we live.

They are important because they enable us to draw some kind of contrast between the age when these men gave their lives for their country and the age today in which not a few of our youth insult the flag and cast shame upon themselves and the tradition of this free and open society.

So I, as a citizen, feel grateful to the group of patriotic organizations who made this thoughtful and reverent function possible and I am immensely proud to be your speaker.

The age in which we have our being right now is at once the most decent, the most humane, certainly the most civilized since man first began to walk erect—and it is also the most barbaric, and the most ungrateful since man first began to communicate with man.

The contrasts on this planet in this hour are dramatic, dynamic and terrifying.

We have the means at hand, stored, labelled and ready, to totally destroy ourselves and all life on this planet.

And we even have those who have the will and the drive to do it. But we can also fly to the moon.

What confronts us like a monster spewing fire is the extremism of the left actually feeding, by reaction, the extremism of the right.

Between these two violent and massive mob-stupidities rests a central force, which I hope is mightier than the other two, and which I call the current maturity of western civilization.

I mean in fact this audience before me here on this battleground.

We here in these environs today stand in the midst of a solemn and simply magnificient historical fact:

This is the sacred graves of the dead upon whose lives and sacrifices our nation was built.

Our own generation—at least mine, the adult, the midle-aged, the elderly—stands accused of having failed our youth.

They say we gave them Vietnam.

They say we gave them outworn, unchanging, decaying, misused, inadequate and mismanaged institutions of higher learning.

They say we gave them the premonition of total doom on the very doorstep of their future which we threaten, by our mistakes, with annihilation.

They say—some of them—we gave them an exploitive and materialistic society, and a false sense of values.

They say we are callous to the needs of the poor and the disadvantaged.

They say we are supinely servile to the rich and the powerful.

Our society, they say, is the flunkey and the handmaiden of the military-industrial complex.

The colleges and universities are the very entrance gates, they say, to the total dominance of our civilization by the entrenched minions of cupidity, greed and ruthlessness.

On the other hand they, the dissident students and their associates, would have us believe that they are the advance troops for the millenium and the harbingers for the coming of the Messiah. They may be against soap but they are wholeheartedly for flowers and for love.

Taking these complaints and these boasts, all in all, I know of no greater fraud since demagoguery first became an amazingly successful technique for organizing, promoting and advancing anarchy and nihilism. There has been nothing like it since the Communist manifesto.

This demagoguery is particularly ugly because it cloaks itself in the robes of civil rights, justice and equality.

They have already succeeded in befuddling the minds and paralyzing the will of some of our most distinguished university administrators.

A student who commits a criminal act is not a criminal—he is a dissident.

These young malefactors pretend to idealism. They enjoy the immense charisma of youth.

The inherent awfulness of this special kind of demagoguery is that it uses what may very well be a profound wrong or a whole catalogue of wrongs, and, under the guise of righting them, creates a far greater wrong.

First let me put down this basic proposition:

There has never been a moment in the history of mankind when man has achieved for himself the degree of decency, justice under law, and grandeur of character that invests this government today on this soil, under this flag.

The noble dead we honor on this Memorial Day bear testimony to this divine truth. For they helped create it, and not by burning their draft cards, or doing what would have been the equivalent in their time.

Now then, if against what I have just said, we want to catalogue the crimes against decency and against humanity that exist today, all of us, of course, can present a long and formidable indictment. And this indictment I am honest enough to say goes far deeper and is much longer than anything the socially and judicially backward Students for a Democratic Society have so rudely shoved forward so far.

My answer is that our society—our open society—has an answer to these evils and is correcting them even as they happen.

That's the great, the profound, the monumental difference!

The key phrase is: Open society.

What does that mean?

When the conspiracy came to light in the plumbing industry of this country only the other day fifteen of the country's largest manufacturers of plumbing fixtures were convicted of raising, fixing and stabilizing prices against the law. Twelve of the fifteen were fined a total of $370,000 by Pittsburgh's Federal District Court. Millions of dollars are yet to be returned to those who have been cheated.

We've had Senator Gaylord Nelson, Senator Warren G. Magnuson, the late Senator Estes Kefauver expose irregularities in our massive automotive industry, in our giant and ruthlessly profiteering pharmaceutical industry. We've had some of the corporations in the extremely powerful and financially unlimited electric appliance industry brought before the bar of justice, heavily fined and some of its major executives jailed for rigging bids. They included some twenty-four corporations and they made huge and dishonest profits.

But what is the answer?

The answer is that under the system these radical students condemn, under this flag, under this basic law of the land—the Constitution of the United States, these immensely powerful corporations, were brought to book. Some went to jail. Millions of dollars were returned, under law suits, to those whose pockets, economically speaking, had been picked, and for as long as this nation's business history is written, this chapter of our economic chronicle will show these violators of our economic laws to have contributed a very sad chapter, indeed, to the economic history of the United States.

Thus to this degree at least our industrial system was washed clear and clean with the simple, severe, commanding detergent of law, of equal justice under law, the detergent of congressional investigation, the detergent of a free and widely sweeping press and communications network, the printed, the pictorial, the magazine, the graphic processes of publicity.

Consider what it means to a free and open society, so unquestionably free and open, that whether you agree with him or not, a relatively unknown, unmoneyed, unsubsidized, young lawyer, fresh out of the Harvard Law School, and himself a student only yesterday, found it possible to bring the greatest industrial giant of all time—General Motors—and the whole automobile industry, to its knees. His contribution to automobile safety is one of the greatest contributions to the public interest in the last two decades, decades in which upwards of 53,000 of our people have been slaughtered on our highways annually. And the motor industry's effort to find a scapegoat by blaming it on drunken driving failed miserably to hold water. What we have today (Federal regulation) is not what I would ordinarily recommend, but it turns out to be the best solution under the circumstances.

The solution is that Washington is now, under the legislative cudgal which the industry brought upon itself, telling Detroit how to design an automobile. What has done is to shove more and more socialism down its own throat and the throat of the American economy and the American people.

But what is my point?

My point is that evil will always be with us, whoever governs and whoever is enriched, but that what all this history teaches us is that we have the will, the means, the courts, the press, the public opinion, to correct, to wipe out, to diminish or eliminate these evils as they occur.

Dissent against economic crime? Dissent against judicial impropriety? Dissent against legislative malfeasance? Dissent against executive abuse?

Of course there is dissent!

And under our system, under law, under due process, we manage to renew and to rededicate ourselves to the tradition and to the nobility, to the honor, to the sense of fairness and fair play, that has made us great—the greatest nation of all time. The sense of duty and patriotism we memorialize today. If the Pentagon perpetrates a lie and a deliberate misrepresentation of contractual and fiduciary facts, we find it exposed, emblazoned as if in Neon Lights, editorialized upon, discussed in our mass circulation magazines, and detailed on television, with the actual faces and voices of those involved.

Against this what is the ground for complaint? Who is complaining, and how do they complain?

This Federal Government, whose flag they trample upon and whose draft summonses they burn, now pays nearly a quarter of the total cost of American higher education. I repeat: a quarter of the total cost of American higher education!

Did you get that in your struggle for an education?

Did I?

The National Defense Student Loans promised by the Johnson administration reached a total of $270 million. It is now not the inconsiderable sum of $155 million, under the Nixon administration. Is this something to complain about? These are low-interest, long-term loans that benefit lower and middleclass families.

As I speak some half-million students out of a total of 6½ million students now derive their higher education from these loans.

Nor is that all:

There are college work-study programs. The idea here is to provide decent paying jobs for needy students working their way through college. The sums involved were $211 million and now come to $146 million.

Is this neglect of our youth?

There are all manner of scholarships available now that were undreamed of two generations ago. Our country on every level of industrial talent; skilled, unskilled, superskilled is crying out for men and women, the disadvantaged, the discriminated against, the advantaged, the super-advantaged, to please come and fill these jobs and situations at prices and fringe benefits that would have meant paradise to my generation. They are offered everywhere and the pages of the newspapers are full of classified appeals for employe-help—engineers, professional, nonprofessional—if only those applying are qualified. If they *excel* the salary rates are nothing short of phenomenal compared to what the generation of our time got that did not riot, that worked hard, that toiled its way to higher education on its own, and that made the success they enjoy solely on their own merit and effort.

How did the generation—our generation, yours—complained against so violently today let our youth down?

I ask how?

This is the generation of Americans who fought their way through two savage and astronomically costly world wars—*and won both!* The whole of mankind, including—and especially including Germany and Japan—had their liberties preserved for them because of there gargantuan sacrifices that are, as of now, the greatest wars in the whole chronicle of human conflict. This is the mass of Americans who valiantly and courageously legislated their way through the greatest depression known in the whole long tragedy of modern economics, the tragedy of economic cycles, panics, depressions, recessions, prosperity and bankruptcy. The legislation on our books today, effected by the generation complained of, is a magnificent and brilliant deterrent to these economic catastrophes. The very liberty, the very prosperity, the very security created for those who constitute our radicals, in and out of the universities, is precisely what made possible the very freedoms they enjoy and abuse.

The generation complained of is the generation that after the world's most savage and barbaric war created the Marshall Plan. That plan alone from 1949 to 1952 poured twenty-two billion dollars into foreign aid, military and economic. Altogether our foreign aid program up to June 30th, 1968, shovelled a total of one hundred and thirty-six billion—I repeat 136 billion dollars of our taxpayers' money, the money and treasure of our time, into the *very Christian* business of helping the impoverished and the war-ridden.

We, the United States and mostly the generation complained of, were the very foundation force in the rehabilitation of Germany and Japan, our enemies of yesterday, who are now—because of this enlightened statesmanship—our allies of today.

Was this creating danger and havoc and hopelessness for our youth?

When in the history of man was there such an implementation of the teachings of Holy Writ?

And on such a scale?

And with such an immense national effort, personal sacrifice, total altruism?

Who are these mostly young people who tear down, and burn, and insult, and take possession?

I ask:

What is their approach to curing the ills that afflict us?

Their immediate approach is the gross degradation of the human spirit.

It is a violent rejection of elementary good manners.

It is a contempt for the respect owing to teachers and parents and elders. It is insult to scholars and men of the mind.

It is the most supine and abject imitation and emulation of Hitler's bully-boys when Nazism was in flower and in the ascendancy in Germany.

Before the Nazis insulted the whole of mankind they insulted their own German nationals, their universities, their great physicists, their Nobel prize winners and the best and decentest among their folk.

They ran amuck as these student agitators are running amuck today.

A student militant with a meat cleaver in his hand was photographed leaving a con-

ference between the warring students and the administration at Harvard.

The Secretary of Defense, invited to speak at Harvard, found himself the target of every imaginable verbal and physical outrage and contumely so that he couldn't speak and had to be spirited away from those who—for all we know might have killed him—by sneaking him through a series of interconnecting cellars.

That was Secretary McNamara.

In another incident this type of student shoved a banana into the mouth of an instructor who differed with him.

With certain differences in style but not in technique this very thing happened all across the country. Under these tensions the President of Swarthmore dropped dead. A Harvard dean had a stroke. You saw the authentic photographs of armed students, with rifles and knives and shotguns, coming out of a university building they had seized at Cornell in Ithaca. You all know what happened at CCNY and the University of California at Berkeley; at Howard University here in Washington. President Ray L. Heffner resigned as President of Brown University and President Buell G. Gallagher from City College in New York. President Grayson Kirk resigned from Columbia University under vicious and unjustified attack. College and University boards all over the country have to beg for qualified administrators to take over this thankless job of running these institutions of higher learning.

This irreverence, this contempt for order, this scurrility, this obscenity, this hoot and jibe, this business of girl-students insulting President Mary Bunting of Radcliffe with language that would make a guttersnip wince, is said in some quarters to be the freedom of expression of youthful idealists.

Is it unreasonable to ask:

What are these progressive young idealists, these young geniuses of the world of tomorrow, these brilliant, top-drawer students, doing in such inferior institutions of alleged higher learning as: Harvard, Brown, CCNY, Dartmouth, Berkeley, San Francisco State and a dozen others? If they cannot find universities to equal their intellectual prowess, their idealism and their talents, what stops them from creating a university of their own?

At least one?

All it takes, if they are sincere, is a shelf of books and a boarding house. They can get their faculty easily from among the radical professors who support them.

Or could they?

If they were genuinely sincere and they did that—created a university of their own—even people like myself, might contribute however modestly from our modest means to help them.

Don't tear down the other people's schools, like Harvard, in existence for 331 years; build up one of your own.

If you hate the school you are in, why don't you leave it?

I saw the recent presidential inaugural marred by some young misguided hoodlums a few blocks from the White House.

Of course they have a right to protest.

But not on the scene and on the day when the United States is swearing its duly elected President into office. I believe that the local authorities were dead wrong in granting any kind of permission to protestors on the day of the inauguration. The dissidents have a right to hire their own hall, make their own speeches, yell their immature and thoughtless heads off, to their own audiences within their own environs, or any permitted environs, so long, to repeat an obvious cliche, as they do not interfere with the rights of the rest of us.

On this solemn Memorial Day, amid these graves of our honored dead, whose sacrifices for us—for all of us—put to shame the disrupters and revolutionaries of our time, what does all I've said add up to?

Basically the noise and the theatrical pretentiousness of this peculiarly privileged criminal class hopelessly exceeds its substance, its validity and its durability. They have seized on some more or less obvious wrongs to create a great deal of black smoke. The fundamental truth according to the best available statistics is that the student criminals and near-criminals, the dissidents and the doctrinaries, constitute no more than, or less than *one-half of one per cent* of the nation's students. Their case—that part of it that does make sense—if wisely and fairly presented, would, perhaps slowly, have a good chance to prevail at the court of collegiate and public opinion. Changes and corrections in college administration and curricula would have been affected in any case.

Harvard is not today what it was 331 years ago; nor is Columbia today what Columbia was when Alexander Hamilton was a student there. This Nation—an open society—constantly undergoing change, often depthful change, is itself capable of improving its social conditions without resorting to violence.

We did marvelously well through the decades.

The fortunate weakness of this campus hue and cry rests in the fraud of its pretentions and the dishonesty of its claims. It is not just a lunatic fringe; it is an example of hard-core psychotic unbalance. That makes it its own enemy. And, as such, it will disappear in the pages of the history to which it has added an unpleasant and an ugly footnote. What will endure so long as freedom is the goal of man is the the respect and the memory, the infinite values which have been left to us by these men whose graves we honor today and who gave us and freedom striving mankind, their last full measure of devotion.

Ladies and gentlemen: We salute them and I salute you for honoring them.

EDUCATION IN THE UNITED STATES

(Mr. LOWENSTEIN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. LOWENSTEIN. Mr. Speaker, this week the House of Representatives is considering legislation that will deeply affect the future of education in the United States. This is, therefore, a most appropriate time to remind the House that we ought to give early consideration to the question of the minimum age at which Americans can vote in national elections.

Hardly a politican opens his mouth these days without inveighing against those young people who have given up on "the system," without urging young people to participate in "the system" as the best way to redress their grievances and to affect their country's policies. Now the bedrock of participation in a democracy is surely the right to vote, but for reasons so obscure that hardly anyone can conjure them up from memory we continue along with the minimum voting age set at 21. Does anyone doubt that 18-year-olds today are better educated, better informed, and more involved in public matters than 21-year-olds were when 21-year-olds were given the vote? Does anyone suggest that there is wisdom or fairness in a situation that finds half the men who are killed in Vietnam were too young to have taken part in the election of those who made the policies that sent them to their deaths?

The franchise in America has been extended gradually—to the nonpropertied, to blacks, to women, to those who don't speak English. Each extension has strengthened democracy and strengthened the Nation. The vigor and political sophistication of our 18 to 21-year-olds—to say nothing of their broadening frustration with things as they are and with the way decisions are made that affect their lives—all argue that now it is time once again to extend the vote to another disenfranchised group of Americans.

Both Democratic and Republican 1968 party platforms supported the idea of an 18-year-old minimum voting age. So did President Eisenhower, President Kennedy and President Johnson, and President Nixon in his campaign last year. One of the most general and most bitter complaints of young Americans is the disparity between statements and actions of the political leadership of the country. That disparity suggests a cynicism, a hypocrisy, on the part of the leadership that creates further spirals of cynicism and despair among young people. Is it really helpful or honest to urge young Americans to seek social change through democratic channels when they continue to show more readiness to participate in the democratic process than we have shown to admit them?

If we think for a moment how good it would be for the electoral process in America, as well as for the health of the public dialogue on the great issues that now divide us, I believe we would move to lower the voting age with as great dispatch as the cumbersome machinery of constitutional amending permits.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. FISH, for Wednesday, July 30, for personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HOLIFIELD, for 20 minutes, today and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. FISH), and to revise and extend their remarks and include extraneous matter:)

Mr. RHODES, for 5 minutes, today.

Mr. TALCOTT, for 30 minutes, on Thursday, July 31.

Mr. SCHWENGEL, for 15 minutes, today.

(The following Members (at the request of Mr. ALEXANDER), to revise and extend their remarks and to include extraneous matter to:)

Mr. GONZALEZ, today, for 10 minutes.

Mr. ROONEY of Pennsylvania, today, for 20 minutes.
Mr. REUSS, today, for 20 minutes.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SIKES in five instances and to include extraneous matter.
Mr. BELCHER, and to include extraneous material.
Mr. HANNA, immediately following the remarks of Mr. PERKINS in the Committee of the Whole today.
Mr. MCCARTHY to revise and extend his remarks following remarks of Mr. JOELSON.
Mr. DOWNING to extend his remarks immediately following the remarks of Mrs. MINK.
Mr. ROSENTHAL to extend his remarks immediately following those of Mr. REID of New York on the amendment on page 21, line 8, of H.R. 13111.
Mr. COHELAN to revise and extend his remarks and to include extraneous matter and tables during general debate on H.R. 13111, today, in the Committee of the Whole.
Mr. ADDABBO to extend his remarks following those of Mr. JOELSON, on his amendment, today.
Mr. PETTIS to extend his remarks following those of Mr. DOWNING, today.
Mr. MICHEL to include extraneous matter and tables with his remarks made today on H.R. 13111 in the Committee of the Whole.
Mr. PUCINSKI (at the request of Mr. MIKVA), to extend his remarks in connection with Mr. MIKVA's special order today.
(The following Members (at the request of Mr. FISH) and to include extraneous matter:)
Mr. SANDMAN in two instances.
Mr. MCCLURE in two instances.
Mr. ASHBROOK.
Mr. MCDADE in two instances.
Mr. PELLY.
Mr. HALPERN in two instances.
Mr. CARTER.
Mr. WYMAN.
Mr. HOGAN in two instances.
Mr. WOLD.
Mr. WINN.
Mr. POLLOCK.
Mr. SCHWENGEL in two instances.
Mr. CONTE in two instances.
Mr. HORTON.
Mr. BUSH.
Mr. LANDGREBE.
Mr. DICKINSON.
Mr. RUPPE.
Mr. ESCH.
Mr. HOSMER in two instances.
(The following Members (at the request of Mr. ALEXANDER), and to include extraneous matter:)
Mr. EDWARDS of California in two instances.
Mr. ROSENTHAL in five instances.
Mr. TEAGUE of Texas in eight instances.
Mr. GIBBONS in two instances.
Mrs. CHISHOLM.
Mr. CHARLES H. WILSON.
Mr. OTTINGER.
Mr. DIGGS in three instances.
Mr. RARICK in three instances.
Mr. ROONEY of New York.
Mr. HAWKINS.
Mr. GONZALEZ in two instances.
Mr. BIAGGI in two instances.
Mr. HUNGATE in two instances.
Mr. MOORHEAD in six instances.
Mr. OLSEN in two instances.
Mr. MINISH.
Mr. POWELL.
Mr. STEPHENS in two instances.
Mr. KASTENMEIER in two instances.
Mr. ANDERSON of California.
Mr. BOLAND.
Mr. FRASER.
Mr. BURTON of California.
Mr. WOLFF.
Mr. HELSTOSKI in two instances.
Mr. MAHON.

ENROLLED BILLS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2785. An act to authorize the Secretary of the Interior to convey to the State of Tennessee certain lands within Great Smoky Mountains National Park and certain lands comprising the Gatlinburg Spur of the Foothills Parkway, and for other purposes.

H.R. 3379. An act for the relief of Sfc. Patrick Marratto, U.S. Army (ret.).

H.R. 5833. An act to continue until the close of June 30, 1972, the existing suspension of duty on certain copying shoe lathes.

H.R. 6585. An act for the relief of Mr. and Mrs. A. F. Elgin.

H.R. 10946. An act to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects.

ADJOURNMENT

Mr. ALEXANDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 54 minutes p.m.), the House adjourned until tomorrow, Wednesday, July 30, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1001. A letter from the Comptroller General of the United States, transmitting a report on a survey of progress in implementing the planning-programing-budgeting system in executive agencies; to the Committee on Government Operations.

1002. A letter from the Comptroller General of the United States, transmitting a report on financing of costs incurred to preserve the Columbia River Basin as a source of salmon and steelhead trout, Department of the Interior; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 499. Resolution for consideration of H.R. 12829, a bill to provide an extension of the interest equalization tax, and for other purposes (Rept. No. 91–398). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 500. Resolution for consideration of H.R. 13018, a bill to authorize certain construction at military installations, and for other purposes (Rept. No. 91–399). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 501. Resolution for consideration of H.R. 13080, a bill to continue for an additional 15 days the existing rates of income tax withheld at source (Rept. No. 91–400). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CLANCY:

H.R. 13150. A bill to provide for orderly trade in footwear; to the Committee on Ways and Means.

By Mr. GIBBONS:

H.R. 13151. A bill to amend title II of the Social Security Act to increase, in certain cases where an individual entitled to a widow's or widower's insurance benefit remarries, the portion of such benefit which such individual may continue to receive after the remarriage; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 13152. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to provide for the continued payment of supplemental annuities in accordance with present law; to the Committee on Interstate and Foreign Commerce.

By Mr. HALEY:

H.R. 13153. A bill to designate certain lands within the Island Bay Wildlife Refuge in Florida as "wilderness"; to the Committee on Interior and Insular Affairs.

By Mr. HUNT (for himself, Mr. ASHBROOK, Mr. BLACKBURN, Mr. DEVINE, Mr. GOODLING, Mr. PELLY, Mr. SCOTT, Mr. STEIGER of Arizona, Mr. TEAGUE of Texas, Mr. SCHERLE, and Mrs. DWYER):

H.R. 13154. A bill to prohibit any State from levying income taxes on nonresidents of the State; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 13155. A bill to amend title XVIII of the Social Security Act to include dental care, eye care, dentures, eyeglasses, and hearing aids among the benefits provided by the insurance program established by part B of such title; to the Committee on Ways and Means.

H.R. 13156. A bill to amend title XVIII of the Social Security Act to provide for the coverage, under the supplementary medical insurance benefits program established by part B of such title, of one routine physical checkup each year for individuals insured under such program; to the Committee on Ways and Means.

H.R. 13157. A bill to amend title XVIII of the Social Security Act to permit payment thereunder, in the case of an individual otherwise eligible for home health services of the type which may be provided away from his home, for the costs of transportation to and from the place where such services are provided; to the Committee on Ways and Means.

H.R. 13158. A bill to amend title XVIII of the Social Security Act to remove the present limit on the number of days for which bene-

fits may be paid thereunder to an individual on account of posthospital extended-care services; to the Committee on Ways and Means.

H.R. 13159. A bill to amend XVIII of the Social Security Act so as to eliminate, in certain cases, the requirement that an insured individual have first been admitted to a hospital in order to qualify under such title for the extended-care services provided thereunder; to the Committee on Ways and Means.

By Mr. PRICE of Illinois:

H.R. 13160. A bill to implement the Federal employee pay comparability system, to establish a Federal Employee Salary Commission and a Board of Arbitration, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROUDEBUSH (for himself and Mr. BRAY):

H.R. 13161. A bill to adjust agricultural production to provide a transitional program for farmers, and for other purposes; to the Committee on Agriculture.

By Mr. SHIPLEY:

H.R. 13162. A bill to implement the Federal employee pay comparability system, to establish a Federal Employee Salary Commission and a Board of Arbitration, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. STAGGERS:

H.R. 13163. A bill to amend the Community Mental Health Centers Act to extend the programs of assistance under that act for community mental health centers and facilities for the treatment of alcoholics and narcotic addicts, to establish programs for mental health for children, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas (by request):

H.R. 13164. A bill to provide for an annual audit by the Comptroller General of the accounts of the AMVETS (American Veterans of World War II); to the Committee on the Judiciary.

H.R. 13165. A bill to amend section 3101 of title 38, United States Code, to prevent consideration of proceeds of, or transfer of proceeds of, U.S. Government life insurance, and national service life insurance for Federal estate tax purposes; to the Commitee on Veterans' Affairs.

H.R. 13166. A bill to amend chapter 1, title 38, United States Code, to provide a statutory presumption of service-connected death of any veteran who has been rated totally disabled by reason of service-connected disability for 20 or more years; to the Committee on Veterans' Affairs.

H.R. 13167. A bill to amend subchapter IV of chapter 81 of title 38, United States Code, to authorize the Administrator to contract with hospitals (or medical schools or other medical installations having hospital facilities) for the use of hospital beds when not needed for the care and treatment of veterans; to the Committee on Veterans' Affairs.

By Mr. WOLFF (for himself, Mr. ADDABBO, Mr. ANDERSON of Tennessee, Mr. ANDREWS of Alabama, Mr. BARING, Mr. BLACKBURN, Mr. CARTER, Mr. CHAPPELL, Mr. CLEVELAND, Mr. DERWINSKI, Mr. DUNCAN, Mrs. HANSEN of Washington, Mr. HORTON, Mr. KYROS, Mr. MCKNEALLY, Mr. MATSUNAGA, Mr. MELCHER, Mr. MOSS, Mr. MURPHY of Illinois, Mr. PRICE of Illinois, Mr. RARICK, Mr. REES, Mr. VANIK, Mr. WRIGHT, and Mr. ZION):

H.R. 13168. A bill to amend title 39, United States Code, to provide for the return to the sender of pandering advertisements mailed to and refused by an addressee, at a charge to the sender of all mail handling and administrative costs to the United States; to the Committee on Post Office and Civil Service.

By Mr. DELANEY:

H.R. 13169. A bill to amend the Internal Revenue Code of 1954 to provide a basic $5,000 exemption from income tax for amounts received as annuities, pensions, or other retirement benefits; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 13170. A bill to provide for the orderly expansion of trade in manufactured products; to the Committee on Ways and Means.

By Mr. GALLAGHER:

H.R. 13171. A bill to provide for Federal Government recognition of, and participation in, international expositions proposed to be held in the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GRAY:

H.R. 13172. A bill to amend the Humane Slaughter Act of 1958; to the Committee on Agriculture.

By Mr. MIKVA:

H.R. 13173. A bill to amend the Consumer Credit Protection Act to provide minimum protection to citizens of the United States from garnishment for debts due for State or Federal taxes; to the Committee on Banking and Currency.

H.R. 13174. A bill to amend the Internal Revenue Code of 1954 to provide minimum protection to citizens of the United States from garnishment for debts due for Federal taxes; to the Committee on Ways and Means.

By Mr. MILLER of Ohio:

H.R. 13175. A bill to amend title XVIII of the Social Security Act to eliminate the inpatient hospital deductible which is presently imposed under the hospital insurance program upon an individual's admission to a hospital; to the Committee on Ways and Means.

By Mr. MOLLOHAN:

H.R. 13176. A bill to amend title II of the Social Security Act to provide that a widow or surviving divorced mother who has been entitled to mother's insurance benefits may generally continue to receive such benefits, without regard to her age, even though none of the children of her deceased husband are any longer entitled to child's insurance benefits; to the Committee on Ways and Means.

By Mr. RHODES (for himself, Mr. STEIGER of Arizona, Mr. MCCLURE, Mr. HANSEN of Idaho, Mr. OLSEN, Mr. FOREMAN, Mr. STEED, Mr. CAMP, Mr. BURTON of Utah, Mr. LLOYD, and Mr. MELCHER):

H.R. 13177. A bill defining and limiting the application of certain acts of Congress to Indians and Indian tribes; to the Committee on Interior and Insular Affairs.

By Mr. SPRINGER (for himself and Mr. GERALD R. FORD):

H.R. 13178. A bill to amend the Federal Hazardous Susbtances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BRAY:

H.J. Res. 844. Joint resolution providing for distribution of the moon samples brought back by Apollo 11 to the Governors of each of the 50 States; to the Committee on Science and Astronautics.

By Mr. BROTZMAN (for himself, Mr. SCHADEBERG, Mr. PELLY, Mr. WYMAN, Mr. HANSEN of Idaho, Mr. OLSEN, Mr. MESKILL, Mr. BEALL of Maryland, Mr. RHODES, Mr. MAYNE, Mr. WHITEHURST, Mr. HOSMER, Mr. CUNNINGHAM, Mr. THOMPSON of Georgia, Mr. STEPHENS, Mr. LUKENS, Mr. FULTON of Pennsylvania, Mr. UTT, Mr. ADDABBO, Mr. CHAMBERLAIN, and Mr. PEPPER):

H.J. Res. 845. Joint resolution providing for the display in the Capitol Building of a portion of the moon; to the Committee on House Administration.

By Mr. EDWARDS of Louisiana (for himself, Mr. LONG of Louisiana, Mr. HÉBERT, Mr. CAFFERY, Mr. RARICK, Mr. PASSMAN, and Mr. WAGGONNER):

H.J. Res. 846. Joint resolution proposing an amendment to the Constitution of the United States relating to the freedom of choice; to the Committee on the Judiciary.

By Mr. VANDER JAGT (for himself and Mr. CORBETT):

H.J. Res. 847. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. WOLFF (for himself, Mr. ADDABBO, Mr. BIAGGI, Mr. BLANTON, Mr. BRASCO, Mr. CHAPPELL, Mr. DON H. CLAUSEN, Mr. DENT, Mr. DUNCAN, Mr. FLOOD, Mr. FRIEDEL, Mr. GALIFIANAKIS, Mr. GILBERT, Mr. HANNA, Mr. HORTON, Mr. MATSUNAGA, Mrs. MINK, Mr. MOORHEAD, Mr. PETTIS, Mr. PRICE of Illinois, Mr. PUCINSKI, Mr. ROBISON, Mr. ST. ONGE, Mr. SANDMAN, and Mr. VIGORITO):

H.J. Res. 848. Joint resolution authorizing the Civil Air Patrol to erect a memorial in the District of Columbia; to the Committee on House Administration.

By Mr. DICKINSON (for himself, Mr. HAYS, Mr. DENT, and Mr. DEVINE):

H. Res. 502. Resolution relating to the per annum gross rates of pay of certain positions under the House of Representatives; to the Committee on House Administration.

By Mr. FRIEDEL:

H. Res. 503. Resolution providing additional postage for Members and officers of the House of Representatives; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 13179. A bill for the relief of Teodosia Bocoboc Bueno; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 13180. A bill for the relief of Giovanni and Marie Cordara; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 13181. A bill for the relief of Mr. Giuseppe Cavallo; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 13182. A bill for the relief of Frank E. Dart; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 13183. A bill for the relief of Jimmie Kazu Uyemura and others; to the Committee on the Judiciary.

By Mr. MOLLOHAN:

H.R. 13184. A bill for the relief of Niko Lencek; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 13185. A bill for the relief of Iris Kathleen Preddie; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 13186. A bill to provide private relief for Lt. Comdr. LeRoy E. Coon, Supply Corps, U.S. Navy (ret.), continued on active duty in a retired status after June 30, 1967; to the Committee on the Judiciary.

By Mr. VANIK:

H.R. 13187. A bill for the relief of Eva Lengyel; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

JONES T. BOND SPEAKS TO LION'S CONVENTION

HON. ROBERT G. STEPHENS, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 28, 1969

Mr. STEPHENS. Mr. Speaker, on June 3, 1969, the Georgia State Lion's Convention of District 18F met in Augusta, Ga. My Good friend, Mr. Jones T. Bond, of Greensboro, Ga., delivered the main address entitled "Lionism in Action."

I think this speech will be of interest to all of the Members of Congress. I submit it, therefore, for insertion in the RECORD:

ADDRESS BY MR. BOND

Ladies, Lion District Governors, international counselors, fellow Lions, first, I want to thank District Governor Newby for allowing me to come before you and talk on this occasion of the Lion's Convention of District 18F breakfast meeting here in Augusta, Georgia at the Town and Country Motel on this morning of June 3rd, 1969.

Should I choose a subject to talk on, it would be "Lionism in Action."

The same principles of success that apply to life, to a nation, or to any business, must also apply to a Lion's Club.

The first fundamental is finances: We must have finances in order to run our club. Every club has a fixed overhead, just like a government, or business and we must not contract for more than our income.

The second fundamental is membership. We must have membership if the club is to exist.

The third fundamental is business methods: our club must be managed on a sound business basis; or like any business it will fall into the hands of receivers—dues must be collected and properly spent—it is not how much money we have but how we spend it that counts.

The fourth fundamental is attendance. Of course, we must meet in order to have a club. We have to get together in order to know each other, in order to keep up the members' interest, to get the other fellows point of view, to broaden and develop ourselves.

The fifth fundamental is co-operation. It is team work that counts.

The sixth fundamental is "enthusiasm," the greatest asset in the world—it surpasses money, power and influence—let us stress "enthusiasm" in our clubs—it means joy, pleasure and satisfaction, as well as success.

The fruits of these fundamentals is a good fellowship, which is one of man's inherent qualities.

"A minute's success pays the failures of years," said the poet Robert Browning.

When success comes, it is sweet enough to offset the failures of the past, and history bears this theory out. It can be applied to the lives of great men and it can be as well applied to every life.

One of our greatest Presidents had a life of failures preceding his years of success. His business failed in 1831, he was defeated for the State legislature in 1832; and failed again in 1833. He had a nervous breakdown in 1836 following the death of his sweetheart in 1835 and was defeated for speaker of the House in 1838.

He was defeated for Congress in 1843 and 1848. Was defeated for the Senate in 1855, for the Vice-President in 1856 and for the Senate in 1858. Of course, this great failure was Abraham Lincoln and he was elected President in 1860. Ask any American to name our greatest President and Lincoln's name will be on the list.

George Bernard Shaw said, "the people who get along in this world are the people who get up and look for circumstances *they* want and if they can't find them; *make them.*" This pretty well describes the type of person Lincoln was, and this *isn't* reserved for people with political aspirations. Anybody can make *his own* in almost any situation.

In our Lion's Club we can obtain success through our work, not individually but as a club, by carrying out our goals and projectives which we have set up.

Throughout our success we obtain our rewards of Lionism by what we can do for the unfortunate, the "down on their luck" people throughout our community and the world.

It is an eye operation for a child and the smile that breaks across his face after the bandage is removed and the eye blinks the great gift of sight to an anxious mother—it's a library to the school of our community; it's a food order to tide a family over and many, many more works of love. And our own personal rewards—rewards money can't touch—are the many great friendships made in our club and the wonderful feeling that comes from actually seeing those good deeds done—this—I think, is success.

Now, I wish to, at this time, pay a special tribute to the late great international secretary, Lion Melvin Jones whom I had the pleasure to know personally and visit in his home club in Chicago, Ill., which was most inspiring.

Lion's Club International is one of the few civic clubs which has survived the buffeting and trials of wars and depression.

Lion's International has passed its 50th birthday and I am proud to be able to say I attended this great convention in Chicago as a delegate from the Greensboro Lions Club of Georgia—I have been a charter member of the Greensboro Club for 35 years—and I hope we will pass the one million membership soon.

What is Lionism? Prognosticating is a risky business—founder Jones whose birthday was this past January 13th knew this. When he was asked for a prediction he would answer, "I hope there will always be a land of beyond for Lion's International!! A goal that will keep growing larger and larger as we approach it, yet will keep out of reach, challenging us to run faster, work harder, think bigger, and give more."

I wish to close with this thought and quote from the Bible, in which "Christ promiseth comforter." "Peace! I *leave* with *you* (not as the world giveth, gave I unto you) let not your heart be troubled, neither let it be *afraid.*"

It is an honor to be here as a delegate from the Greensboro Lions Club and to speak to you and in the language of Tiny Tim I say "God bless us every one"—Thanks.

POEM BY W. SPENCER McCALL, OF GREENVILLE, S.C.

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, July 29, 1969

Mr. THURMOND. Mr. President, the admiration and devotion Americans had for General Eisenhower has been felt in the months following his death. This is but a reflection of the high esteem which they held for this great American. A poem expressing this feeling was sent to me by a fellow South Carolinian.

I ask unanimous consent that the poem, entitled "President Eisenhower," written by W. Spencer McCall, of Greenville, S.C., be printed in the Extensions of Remarks.

There being no objection, the poem was ordered to be printed in the RECORD, as follows:

PRESIDENT EISENHOWER

(By W. Spencer McCall)

He was both soldier and statesman,
And he wielded great power,
He was a great American,
And his name was Eisenhower.

From the heart of the land he came,
And though his beginning was small,
In war and peace he won great fame,
Always answering duty's call.

Across the ocean he did go,
To defend liberty and right,
Loved by friend and feared by foe,
Loving peace, but ready to fight.

He fought—and tyranny was crushed,
And there was peace for which we yearned,
At last the cannon's voice was hushed,
Then to the homeland he returned.

Again to him the call went forth:
Would he the nation's leader be?
And this man of proven worth
Heard his fellow countrymen's plea.

He then agreed to their request
By piloting the ship of state,
And, as history will attest,
He was just and considerate.

Valiant soldier and wise statesman!
We now honor his memory.
Injustice he sought to ban,
He served the cause of liberty.

WASHINGTON WORKSHOPS GIVES STUDENTS AND CONGRESS RARE OPPORTUNITY

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. McDADE. Mr. Speaker, I would like to commend to the attention of my colleagues a most unique and worthwhile study program on this Congress for the country's young people. The program is sponsored by the Washington Workshops, a private nonprofit educational foundation founded and directed by Mr. Leo S. Tonkin, and its purpose is to offer on-the-scene study of our American Government in action and to encourage a much-needed dialog between the Nation's leaders and its young people.

Nearly 150 high school youngsters, most of them about ready to enter college, are here in Washington right now. They have journeyed here to their Nation's Capital from every background and part of the country. Every day they

made their way about Capitol Hill—sitting in on committee hearings, discussing with the Members of this Congress the issues most critical to them and the country, and meeting with their own Representatives. They are also holding sessions with Cabinet members and key officials from the executive branch as well as the judiciary—including the Supreme Court. What is more, several foreign embassies are hosting receptions for the students to offer an experience in international education and friendship.

In addition to the regular Washington Workshops congressional seminars, 65 of last year's outstanding workshop students are here again this summer participating in an advanced workshop on the Congress. These students are here for 4 weeks to do 2 weeks of intensive independent study and research and to serve a 2-week voluntary congressional office assignment. By the time they have completed the workshop, they will know more than just the legislative process and the critical issues that confront our Nation. They will have experienced what kind of work must be done, day in and day out, if this Congress is to meet these challenges head on.

By the end of this summer some 1,000 young Americans will have had the opportunity to hear and be heard here on Capitol Hill. I know many of my colleagues in this House and in the Senate—Democrats and Republicans of every political persuasion—have joined me in meeting with these young Americans, and I am hopeful that both the students and my colleagues have found this experience as educational, stimulating, and encouraging as I have. It is vitally important that the country's young people and leaders share their thoughts, hopes, and goals with one another. The Washington Workshops are giving us just that opportunity.

CHEYENNE FRONTIER DAYS, THE "GRANDDADDY OF EM ALL"

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. WOLD. Mr. Speaker, the Apollo 11 moon landing was undoubtedly the most exciting event of the past week. The second most exciting had to be the 73d annual celebration of Cheyenne's Frontier Days.

The greatness of the United States has resulted from many factors. Surely, among the most important has been the ability of our people to change—to be innovative—to adapt to new realities. But the foundation upon which all this rests are the fundamental symbols and values that go from our Star Spangled Banner to the Constitution and beyond.

Frontier Days—"The Granddaddy of Em All" as it is affectionately known to rodeo fans—is a living symbol of the spirit that made our Nation and keeps it continuing.

It is made possible—just as was the Apollo program—by the ingredient that secured our frontier 100 years ago—by the willful cooperation of individual human beings.

It was this "let's work together" spirit that settled Wyoming and the West; it was the spirit that brought our Forefathers to the New World—and it was the spirit that made possible the footprint of man on the moon.

The spirit is especially evident during Frontier Days.

The whole shebang is put together by literally hundreds and thousands of people. They however, are given direction by the Greater Cheyenne Chamber of Commerce and a nine-man directing committee. The occupational range of the committee reflects the diversity of the citizens who make Frontier Days possible every year—a high school track coach, an attorney, a CPA, a dairy operator, an insurance representative, and so forth.

Even a rodeo requires special action, however. Livestock have to be collected, fed, dispersed, events have to be timed; a million and one chores have to be done.

A heel is ordinarily thought of as a not so nice person. But during Frontier Days it is the Heels that handle the specialized chores of the arena. As are everyone else, they are volunteers—in this case, men.

But the women of the community are not to be outdone. They are organized as Wheels to keep the 3-day parade rolling. In fact, most of the citizens of Cheyenne help out with everything from cooking up free flapjacks to timing bucking horse rides.

The population of Cheyenne triples during Frontier Days—and it is easy to see why. First of all, there is the world's greatest rodeo. It is a tradition among cowboys that a man is not a champion until he has won at the "granddaddy of 'em all."

For the visitor who wants to see the West as it really was, Frontier Days has authenticity that is impossible to duplicate. The town really goes Western with displays ranging from the world's largest collection of horse-drawn vehicles to the out-and-out cowboy.

Besides all the rodeos, visitors are kept entertained by evening shows, Indian dances, a carnival, and parades.

The heart of the rodeo is still the struggle between man and nature, between the cowboy and the bronco.

In a sense, the rodeo is a microcosm of the world in which we live and it shows pretty clearly that victory goes to the courageous and to the bold.

So to all of you who have never made it to Frontier Days, Cheyenne, Wyo., I extend an invitation for next year's ripsnorter so you can see Frontier Days for yourself.

IN DEFENSE OF THE INDEFENSIBLE

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. HUNGATE. Mr. Speaker, I would like to say a few words in defense of the indefensible. Our Nation has a lifetime subscription to the Puritan ethic. Yet we spend more on liquor than libraries, more on cigarettes than schools. Great industrial and agricultural States like New Jersey—and until lately Illinois—rest their fiscal hopes on horseplayers, rather than the graduated income tax.

No Roman emperor was more aristocratic than Gen. Douglas MacArthur. Yet, we may owe our freedom to his military genius and leadership.

Gen. George Patton's purple language made a Marine drill sergeant sound like a Boy Scout applying for a God and Country Award. Yet one cause of our Vietnamese failure is our failure to find a general—a Patton—for that war, one who grasps those tactics and has the egotism and courage to pursue a victorious course, despite intraservice obstacles and critical winds at home. Under pressure, Patton's personal conduct toward his troops was indefensible. But those who overrode him left East Germany a 20-year supply of Russian troops.

Our White House has seen men who fell victim to a moral lapse. One fine President's illegitimate parenthood was so well known it gave rise to a campaign jingle:

> There's your ma.
> Where's your pa?
> Gone to the White House.
> Ha, Ha, Ha!

The mansion has seen generals as President whose private lives are described as infinitely more colorful—and in some cases more productive—than their public careers.

We all want to live in the house by the side of the road, but our heroes are the men on the moon.

A leader who prefers Edgar A. Guest to Edgar Allan Poe, and a President who prefers Guy Lombardo to Jose Feliciano probably will not get you into trouble. Indeed he probably will not get you anywhere.

ON LOSING OUR NERVE

HON. PAGE BELCHER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. BELCHER. Mr. Speaker, recently I had the privilege of attending a luncheon of the National Press Club and hearing the new president of the National Chamber of Commerce, Jenkin Lloyd Jones, who is, incidentally, the editor, and publisher of my hometown newspaper, the Tulsa Tribune, deliver an address entitled "On Losing Our Nerve." I feel this is a very frank, challenging, and optimistic statement on the present state of this Union. I include the material at this point in the RECORD:

ON LOSING OUR NERVE

(By Jenkin Lloyd Jones)

One of the functions of a good reporter is to keep his editor from coming to stupid conclusions. I have been rescued many times from making editorial gaffes by the boy from our state capitol bureau or the city hall who who begins a sentence, politely, "But you overlook——"

One of the greatest hazards in the newspaper business is obsolete information. We sometimes fail to learn quickly enough of the new trend, of the sudden damming of one

stream of history and the hurling of the waters into a new channel.

My fellow Oklahoman, Will Rogers, once said, "Ignorance ain't the trouble in this world. Everybody knows plenty. It's what they know that ain't so that's the trouble."

It has been a quarter of a century since Wendell Willkie, seeing a rosy future beyond the most horrible of all wars, wrote his book, "One World." It all seemed so simple. With fascist tyranny and Japanese militarism swept away what could have been more logical than a drawing together of the peoples of the world, first by their common cause in war, and secondly by the dynamics of ever-easier travel and communication?

The only trouble is, Willkie knew a lot that wasn't so. We have seen, not One World, but an unprecedented era of splittings. The majority of the votes in the UN are now cast by nations that have less population than Chicago.

With the removal of the disciplines imposed by colonial powers India has divided into warring Hindu and Moslem nations, Nigeria into an unstable compound of Ibos, Yorubas and Hausas, and much of the rest of Africa into tribal states.

Scottish nationalists drew cheers for swiping the Stone of Scone, and I note that the lunatic fringe among my brother Welshmen is threatening to spoil the investiture of Bonnie Prince Charlie the Third with some sort of rhubarb.

It would be dangerous to say that Wendell Willkie will be wrong forever. We may eventually get One World. Indeed, it could be imposed upon us by one victorious superpower that could arrogate to itself and keep a monopoly on cataclysmic weapons. Whether you like the prospect or not depends, of course, on who gets the monopoly.

But Wendell Willkie's optimistic forecast has been wrong up to now because he underestimated centrifugal forces. And editors like me who bought Willkie's promise were wrong, too.

I have the temerity to stand before you today as an expert on everything because I have just completed my third trip around the world. I don't have to warn you that travel is dangerous for newspapermen because it feeds our delusions of omniscience—a disease that afflicts even those of our brethren who rarely get out of the county.

But it is difficult to travel widely without seeing new vistas from new perspectives. And I would like to unload upon you a few fast conclusions.

I believe that in some areas the age of ideology is beginning to fade and the ancient forces of good, old geopolitics are winning out again. C. L. Sulzberger of The New York Times, certainly a better-traveled man than I, has a theory that the basis of the Russo-Chinese hatreds is Mao's conviction that no white nation can be tolerated as a co-savior of humanity as outlined in the Communist dogma.

I would disagree. I think the imbroglios along the Ussuri River would be conjured up by governmental systems of any kind that find themselves in deep internal trouble. The Chinese and the Russians, being of different races and holding contiguous territory, make far more believable enemies for each other than the distant Americans. The more an authoritarian government falls short of delivering on its promises the more necessary an external peril becomes. Such governments cannot be turned out of office by elections, but they are always in danger of revolt. Nothing dampens revolt like the prospect of a common enemy.

Some distinguished optimists have suggested that our efforts to achieve a detente, i.e., an understanding, a lessening of tensions, with the Communist world should be increased now that there are serious divisions among the Reds, themselves.

I see no hunger among Communist leaders for a detente with the West based on anything less than unilateral concessions and surrenders by the West. With prospects brightening for a total American defeat in Southeast Asia, and with internal problems apparently becoming more serious in both Russia's European empire and Red China, I would think a lessening of external tensions would be the last thing the Communist leaders, however much they may hate each other, would want.

I suppose the best chance of world peace would be provided by a communist system that worked. If such a system delivered the dream of Marx—prosperity for all, total justice, a flowering of the humanities, the greatest leisure—then all the nations of the world, like ripe apples, would fall into communism's lap and there would be nothing left to fight about.

Unfortunately, this system has yet to be discovered, even though the SDS seems to think it knows how to discover it. What we have seen for half a century, instead, is a system that has failed most spectacularly in achieving human values. And, whether in the jailing of Russian poets or the seizure of peasants' grain by Chinese troops, more and more we see the outlines of old and traditional tyrannies that have nothing to do with revolutionary ideology.

The trouble is, old tyrannies can be pretty effective tyrannies, given the techniques of modern propaganda. As an example, the constant drumming by Moscow and Peking on the thesis that the Americans are engaged in a cruel, reckless and selfish imperialist war in Southeast Asia has been amazingly successful, not only among our traditional friends, but among ourselves, as well.

It is sad enough that our old pals, the Swedes, have apparently bought in toto the idea that Lyndon Johnson was a Genghis Khan and that our sleaziest deserters are heroes in the fight for human freedom. But it is even more remarkable that Harvard can burst into tears at the sight of a Vietnamese baby burned by American napalm while ignoring completely the windrows of Vietnamese bodies left after the Viet Cong's departure from Hue.

We are becoming pariahs in the world. Some of it, as our British friends wryly remind us, is the historic fate of front-running nations. Some of it is more apparent in the headlines and on the TV news than in fact. A small disciplined minority properly positioned for maximum exposure can give the impression that an entire community or even a nation has exploded in disgust at the Americans.

But we have seen an American President cancel a trip to Japan because the radical young Zengakuren threatened to stain the streets with blood. We have seen one secretary of state spirited away from a New York City speech through an adjoining garage to avoid a well-led chorus of hatred. We have seen other cabinet officers shouted down by riotous claques in college audiences. Our present President a few years ago was nearly killed in Colombia and we have recently observed the governor of New York, first, literally driven from South America, and then return to hold a second meeting, not in the national capital where it was scheduled, but in a small and well-policed resort.

The American people read these headlines. The American people know that we have poured more than a quarter of a trillion dollars into foreign aid and that our defense commitments gobble up one-tenth of our gross national product. The American people are hurt by taxes. So it is not remarkable that there is a rising spirit of neo-isolationism, led, oddly, by some able and articulate senators who, only yesterday, were our most eloquent internationalists.

President Nixon has now been drawn into a distressing numbers game. With the Paris peace talks getting nowhere he is pressured on every hand to announce ever-larger withdrawals of American troops, and whatever number he announces is sure to be denounced as "tokenism" by his opponents.

Does anyone wonder why the Viet Cong and North Vietnam see no sense at this point on talking peace in any terms except their total victory?

Two weeks ago in San Francisco I sat in on a meeting on Japanese-U.S. trade problems which was attended by some of Japan's leading industrialists and exporters. And they were full of rosy expectations of booming trade opportunities in Southeast Asia as soon as the Vietnam war was "settled," as they put it.

It is not cricket at such a meeting to mention politics, but I quit the cricket game briefly to suggest that how the war was settled might have a lot to do with the trade opportunities of Japan or any other noncommunist nation.

It is my understanding that Walt Rostow's "domino theory" is in general disrepute, not only among the distinguished guessers on our faculties of political science, but among Washington intellectuals, as well.

The counter-theory is that all Southeast Asian states are highly nationalistic and will gravitate toward political solutions that suit their own people, regardless of what may happen in Vietnam.

This certainly provides a comfortable rationale for an American bug-out from an intolerable situation. But, at the risk of being thought a troglodyte, may I say that I am still a domino man. I think if all the friends of the Saigon government and all the supporters of the Americans wind up with their throats cut it may have more than a little effect upon the rest of Southeast Asia.

I believe most influential Southeast Asians will not let abstract principle interfere with the more urgent business of keeping their heads on his shoulders. I believe the spreading of terror and chaos by the systematic assassination of village chiefs—a technique brought to a high polish by the Viet Cong—will work equally well in Laos, Cambodia, Thailand, Burma, Malaysia—yea, and Indonesia, too.

As a matter of fact, this technique is now a clear and present danger in northeast Thailand, and who can say that it is purely coincidental that the Huks are stirring again in the Philippines, that Red terrorists are showing up once more in Malaysia, that that most Quixotic king of Cambodia, who only yesterday was denouncing Americans for their "aggressions," is now yelling for their help.

It is argued that even if these nations eventually succumb to leftist coups there will be no real change in the power balance of the East because the people of these nations have always looked upon the Chinese with suspicion and distaste.

I can only say that with the British out of the area, with the Japanese disarmed, and with the Americans gone it would take some imagination to imagine that a treasurehouse of oil, rice and minerals would be ignored by a state of 800 million people that has a huge standing army and is short of everything.

This has sounded like a lugubrious speech. I do not mean it so. I think we are approaching a crisis because so many good things are happening. I feel that the reason why there is so much pressure upon the American people now to make foolish and short-sighted decisions is because our enemies, themselves, are pressed.

Here, let me hasten to point out that intelligent gentlemen of undoubted loyalty to this country have arrived at opposite conclusions to mine. I refer to the sincere purveyors of the doctrine that we can depart from Southeast Asia under any or no terms without hazard to ourselves or the so-called "Free World." I point no fingers at brilliant

American statesmen who say that we can watch Russia build all by itself an antiballistic missile system without any qualms because, in the first place, it won't work, and, in the second place, if we built one it would be provocative.

One of the troubles with being a newspaper editorial writer in the late Twentieth Century is that he is increasingly called upon to reach definite conclusions on matters about which he has little ability to judge.

If you would ask me whether a soldier should be equipped with a muzzle-loader or a breech-loader I could give you a pretty wise opinion. If you should ask me whether percussion caps should replace flintlocks I'd be pretty smart. But that's the wrong century.

As one who does not yet completely understand the crawling lawn sprinkler I have no way of knowing whether an ABM will work or not. I do know that some presumably intelligent gentlemen in Russia seem to think it is worth a try.

I do believe that a balance of terror is better than an imbalance of terror, that the peace of the world might be in very great jeopardy if our friends in Moscow ever arrived at a position where they could inflict unacceptable casualties on us while risking only acceptable casualties on themselves. We would then be in the same position we would have been in if Josef Stalin had ever found himself the exclusive possessor of the atom bomb.

There are those who say that the age of raw aggression has passed. If so, it has passed recently for I was in Czechoslovakia last summer.

There are those who say that atomic holocaust is "unthinkable." But atomic blackmail may not be. If I were a Western European I would worry about the day when the Americans, if they ever lost their ability for a devastating counter-strike, would have to decide whether to watch the immolation of our cities or let Western Europe go.

I am interested in the program of the so-called New Left. Let's tick it over:

End millitary research by American universities.

End the training of officers in the ROTC.

Pull out of Vietnam now—period.

Take the ABM money and put it into more generous social services.

Encourage desertion and dissension in the American armed services.

Dismantle the so-called "industrial-military complex."

I don't believe all this was spontaneous inspiration of idealistic young collegians. I detect a sort of professional flavor that rings a bell or two as I review the history of the past half century.

Gentlemen, I think we're in trouble because Marxism is in trouble. I think that as we enter the eighth decade of the Twentieth Century we are under increasing attack because collectivist theories are not working out, and because those who are dedicated to them are fearful.

I think we are seeing an ably managed effort to tip a military balance in favor of a system that has steadily lost hope of winning by example.

Your committee invited me here, today, not because I'm a prairie editor and an old member of this club, but because for a brief period I am president of the Chamber of Commerce of the United States. Therefore, let me get in my commercial.

Karl Marx and Friedrich Engels thought they had a formula for licking 19th Century capitalism. Perhaps they did. For that was the capitalism of monoply and cartel, of little social conscience and less taxes, of ever-greater concentrations of land-holdings and of wealth, and a perpetual war on workers. Some of this capitalism still survives, particularly in Latin America.

What Marx and Engels didn't know about was something not yet invented—a people's capitalism in which equity ownership was widespread, even among labor, itself. People's capitalism is heavily taxed for the commonweal and is subject to the disciplines of the marketplace, which is another way of saying the approval of the consumer.

Among its freedoms is the freedom to go broke. Unlike enterprises operating under government ownership and enjoying monopoly this new capitalism must respond to demand or perish. It must meet not only competition in price and quality, but competition in wages that it pays.

This is what is frightening the communist world, for it is becoming increasingly apparent that communist dogma is obsolete and out of touch with reality, that it is overdue for revision, and that no revision which can come close to meeting the rising demands of the people will be achieved by anything short of the dismantling of centralized controls and a lessening of the power of a self-perpetuating elite.

The communist leadership does not wage war against the people out of choice, but desperation. The Berlin Wall was humiliating. Sending the tanks to Budapest was, no doubt, the result of an agonized appraisal. Calling out the Red Guards, then trying to call them back, then exiling them to the country, then sending the soldiers out to overawe both the Guards and peasants were not, I am sure, the way Mao and Lin would like to run China. And the flattening of Czechoslovakia, with all the damage to the Russian image that it entails, represented the lesser of two fears.

Gentleman, I don't know the solution to Vietnam. I have ridden the patrol boats and the helicopters. I've seen the corruption and the agony. I've looked upon the oblong boxes under the flags crowding the warehouses at the Saigon airport. It's not the kind of war I'd choose, even for my enemies.

But I think we should understand why at this moment we are under such pressure to let go, why all the powers of propaganda on a worldwide scale are concentrated on alienating our former allies, making us disbelieve in ourselves, and euchering us into a position where we may some day have to accept the choice between surrender or destruction.

We are in this peril, not because the institutions of economic freedom have failed, but because they have been so successful. Our enemies threaten and rampage, not because their philosophies have been successful, but because they have so uniformly failed.

I would say that this is a ridiculous time to lose our nerve.

QUESTON AND ANSWER PROGRAM, MR. JENKIN LLOYD JONES, NATIONAL PRESS CLUB LUNCHEON, THURSDAY, JUNE 26, 1969

Mr. HEFFERNAN. The range of questions I have here, Mr. Jones, suggest that the audience does not take your strictures to heart, about you're not being an expert and not being able to answer the questions because they persist in bringing them up. The first question is "As president of the United States Chamber of Commerce what is your prediction as to the U.S. economic situation? Are we headed for inflation, or depression, or both?"

Mr. JONES. I don't know about a depression. Of course, we are told that we have now machinery for adjusting government expenditures, and so forth, that would make a depression out of the question. But I do think there is no prosperity such as we have known it that can survive a ten-cent dollar.

I do believe that we have reached a point in which, I think it was Tennyson who spoke of vaulting ambition that overleaps itself.

We have a vaulting economy that overleaps itself and that even months after the very high discount rate has gone on and the very high interest rates spread throughout the country, we are seeing still an increase in the pressure to buy, and the pressure to build and, of course, the wage settlements recently have been highly inflationary.

We, in the Chamber of Commerce, take the position, that nothing good can happen to the business community, to labor, to domestic peace and tranquility, to the government itself if we ever get in a situation where all pensons are swept away, where all insurance policies become valueless, where people acting together can no longer float bond issues for the commonweal, where you begin to get a headlong flight into things like gold and land, and so forth, and we repeat the history of Germany in the 20's.

We think we are close enough to the runaway point, so that we as a Chamber of Commerce are going to have to recommend some things we hate to recommend, such as an extension of the surtax, such as the crunch that may over-slow business as the brakes, instead of being applied slowly, suddenly grab. We are more frightened at the prospect of inflation than anything else facing this country right now and the attitude of the Chamber's Board of Directors is to take some risks with a high level of prosperity in an effort to save the dollar.

Mr. HEFFERNAN. Your eloquent words on Vietnam anticipated many of these questions, but I think we should go over them again if you don't mind. Perhaps I can lump them together. "Can the United States tiptoe out of Vietnam, safely, without having all that part of the world becoming Communist?" "What do you think is the ultimate solution in Vietnam?"

Mr. JONES. Well, of course, I have already said that I don't think we can tiptoe out, or rush out, without creating a power vacuum in which I think the power that remains closest to that point would take over.

I would say that unless our military has been lying to us utterly, the Viet Cong have been very badly hurt, the North Koreans have been very badly hurt and you can't say that the Chinese economy is booming.

I would think that we should look at the fact that there is an awful lot of things that a de-escalation of the war in Vietnam could do for the relief of pretty desperate conditions among our enemies.

We find that they are having great recruiting problems and certainly the casualties, although our casualties are very substantial, they have never gotten down to a ratio where I have ever thought that they can continue accepting the casualties, at the rate they are suffering them, indefinitely.

I would say simply this, that I think we have got to show determination, to pursue this very bloody, desperate, horrible war for some time longer. Because I think that if we show that determination and if it looks as though those casualties are going to be inflicted upon our enemies for some time in the future, then there will begin to be some progress in Paris.

But the way so many Americans are talking, and the way the TV commentators have sounded and the great number of my brother editorial writers have sounded, I think that the Viet Cong, the North Vietnamese and the Communist Chinese are utterly convinced that we are ready to surrender outright, and I don't see why they should move as long as they are convinced.

Mr. HEFFERNAN. Going back to the economic situation, where does the Chamber stand on the 10% surtax and what is the Chamber doing about one of our most serious problems—our communities?

Mr. JONES. On the surtax, the Chamber of Commerce firmly believes that we are not going to get inflation under control until we have some solid and long range cuts in government spending. A great deal of government spending is nonproductive. It has gotten away from us, that substantial cuts can be made without doing violence to any

essential government or social services, and we would like to see the 10% surtax dependent upon previous cuts and expenditures.

But I think the Chamber of Commerce is realistic. You can't redo the whole federal budget while we are up against a deadline on the surtax problem and I think the Chamber of Commerce is going to be willing to, as I said, see that businessmen pay an awful lot of taxes which some of us don't think are entirely necessary, if this is going to slow down this floating down Niagara River, which is where we are right now, in the opinion of most of the Chamber board.

Now, as to what we are doing about the problem in the communities. The Chamber of Commerce of the United States, composed of about 2700 individual chambers of commerce, about 1100 trade and professional associations, and we have felt that a great number of government programs, particularly some of those hastily conceived, and hastily put together on the poverty war, did not do a job. We see no reason why it should cost $9,000 to train a chambermaid down in Florida.

But, a job is essential. So we feel that much more good can come out of programs initiated by Chamber of Commerce members, businessmen, industrialists and so forth in which solid, serious, definite programs with training the hard core and bringing the young people, who are now out of school, into the labor force, can be spread from community to community.

And we feel that we are in an unusually good position to spread the word on workable programs. What did Wilkes-Barre do? What did Yuma do? What did Spokane do?

What specifically was done in specific communities to meet a social ill?

We are not only engaged, as many government agencies are engaged, in abstract studies in the so-called problem of the city, but we are very heavily engaged in spreading the word about what we consider our pragmatic action programs, in which some good was actually done.

We do have the feeling that businessmen by their natures are pragmatic people, they have to be, if you are not pragmatic you do go broke and out of business. We feel that there is much the business community can do to solve these social ailments if we spread the word about the workable programs and this is one of our chief functions.

Mr. HEFFERNAN. This one seems to come from someone who is not a member of the U.S. Chamber of Commerce. "Would you deny that our business practices constitute a gyp economy, false labels, fake packaging, rigged bids, military industrial deceptions, income tax dishonesty contracts rigged for special benefits to business, pharmaceutical fakes and profiteering on the poor and sick and indigent, outrageous advertising frauds, conglomorate Wall Street scandals. Is the United States Chamber of Commerce the apologist for this massive corruption and are you its chief prophet?"

Mr. JONES. I would deny it, and I don't have to apologize for what I have denied.

Mr. HEFFERNAN. I was despairing of ever getting a question on the students. There is one now. "What would you do about the SDS?"

Mr. JONES. That is a very interesting thing, I was brought up, as I have said, I am the only president of the Chamber of Commerce who cast his first vote for Norman Thomas.

I was brought up a young radical, and one of my roommates, John Scott, son of Scott Nearing, the head of the Communist party of the United States at that time, who went over to Russia as a Stakhanovite and married a beautiful Russian girl and gradually got cured. Then they wouldn't let his wife out and so then he got very cured. He is now one of the assistants to the publishers of *Time* magazine and one of the great experts on the Russian system.

But neverthless, we were all young radicals and I cut my teeth on the Manifesto and Das Capital and I read a great deal of the League for Industrial Democracy literature at that time.

About three years, I was back at my old alma mater the University of Wisconsin and I dropped into a little hole-in-the-wall bookstore and I pick up something called the New Left Notes, and the fascinating thing about it was this was straight Marxism all over again, the Marxist Action Program, the League for Industrial Democracy program, this was the sabotage program, it was the infiltration program, it was the Molotov cocktail program (which hadn't been heard of when I was a kid in college but is only an extension of other devices).

So I wrote a piece about the Red plan for colleges, and this was three years ago. No faculty paid any attention to it.

There was some yahoo editor from Oklahoma suffering from a fright syndrome about the Communist. And yet everything that was written in the New Left Notes was worked out first on the Berkeley campus and then, of course it spread East.

I would say that we have to recognize that the SDS is a subversive organization.

The very interesting thing about this was, I thought that you newspapermen would be interested, I was down at the IAPA meeting in Dorado Beach, Puerto Rico, almost two year ago, Dr. Jaime Benitez, the president of the University of Puerto Rico came over and made his speech to us and said: "I have been reading the news from Berkeley." He said: "The thing that amazes me is that you American editors haven't the foggiest idea what's about to happen to you." Then he went on back to the history of the thing. He said that the University of Cordoda in Argentina in 1918, shortly after the Third International was established, erupted in a student program in which the president was thrown out of his office; the files were all seized; the administration building was captured, and it was dictated that the university could not be reopened except with permission of a student committee that would pass on the qualifications not only of the professors, but also of the courses to be taught.

He said this was the business of turning the university from a producer of a stable middle class, which is the last thing the Communist dialecticians wanted, into a cadre for revolution. And, he said this thing spreads first to the University of Santiago, then the University of Lima, then to the University of Caracas, it began to spread all over Latin America and the conservative professors were driven out of their jobs. Left Wing activists, regardless of how poor the academic qualifications were, were installed. It was decreed that the military should not appear on the campus regardless of the provocation.

He said the result was the ruination of the South American university system and I noticed the President got himself in real hot water when he mentioned that, a couple of months ago.

Well, Jaime Benitez said, look this has been two years ago, he said "I'll make you a prediction that within nine months a great eastern American university will be seized according to this formula." That was six months before Columbia.

And the utterly ridiculous situation is the fact that we have faculties who keep trying to carry on meaningful dialogues with young men who have spelled out the program for hanging 'em.

Well, as one of the professors of political science down at the University of Chicago said, and I thought was quite interesting, "You know the interesting thing about the average college faculty member, he regards himself as a liberal. He has excellent defenses against the right. Let him be attacked by the John Birchers or the DAR or the American Legion, he knows exactly what to do. He has no defenses against the left, because the moment he is attacked by the left, he fears that he has not been liberal enough."

And, as Dr. Hayakawa says, they are all like the defenses of Singapore, all the guns point in the wrong direction.

Mr. HEFFERNAN. This one came up a little late for the previous economic question; I'll go through it. "Do you think wage and price controls are necessary to control or contain inflation?"

Mr. JONES. Well, we found out that it is very difficult to run a war, an allout war, where there is this tremendous demand and an extreme shortage of goods, without wage and price controls. This really does cause runaway inflation, and causes the type of profiteering that was so apparent in the Civil War.

Now, how big a crunch do you have to get before you resort to this very strong medicine? Remember, when you go into wage and price controls you leave the free economy and you go to the managed economy.

And this then is where somebody in Washington, with the best intentions in the world, but with the inadequate information, just like the bureaucrat in Moscow, must try to decide what something is worth both in terms of the commodity labor, which is requited in wages, and the commodity, the physical commodity, which of course, is paid for in money.

We feel that if it ever gets to the point where you have to leave the free economy to save us from one runaway inflation, this a confession of stupidity, that you never should have got into this condition, even with a gnawing Vietnam war and with the other problems we have had.

We feel that this must be avoided at all costs, because once you get wage and price controls down you have set your economy in reinforced concrete. The imbalance is started one second after you enact the law and it is a long, long way to recover from this.

I remember, I was in Germany in 1947, and we had a lot of young government officials over there, and we were giving Germany and France all kinds of advice of how you recover. We went into France and said now look, you have got a shortage of everything and so forth, so you keep on those wage controls and you keep on those rent controls, and you keep on those price controls, and let's not let this economy get away from you.

And we went over to Germany and we said the same thing and the Germans said the hell with you. We are going free right now. And they did. And because half the housing in the country was ruined, immediately the price of husing went skyhigh. A hall room closet cost as much as the week's wages. It was a terrible crunch, but because there was such demand, everybody and his brother got in the business of building houses. And the result is, Germany recovered in three years from a housing crunch that France is still in. So we do go on the theory that if we have to ever go to wage and price controls it is because we have been stupid about other things in our economy and we don't think this is necessary—at least not in the foreseeable future.

Mr. HEFFERNAN. A question about your column on Japan recently: "The Japanese gravy-train is at the end of its run." Can you explain this observation and a similar question, "What role should Japan take in Far Eastern affairs to stabilize that area?"

Mr. JONES. Japan has become a great big powerful boy, who would like to have bottles of warm milk delivered as usual, every two hours. Japan has grown up, Japan is one of the world's greatest success stories. And it is a success partly because the Americans endowed the flattened Japanese industry with the latest machinery that we had; the latest techniques that we had. Many American industries that couldn't afford, under our tax system, to modernize completely found

themselves in competition with Japanese factories where the entire plant had been built by the Americans. But, it was a smart thing that we did, because these are an industrial people; they are a very able people; they are a very hard working people, and we couldn't have done better than set them back on their feet.

Now the next question is why is the gravy-train at the end of its run? It's at the end of its run because the American Congress is not going to accept very much longer unilateral situations in which the Japanese can invest in anything that they want in Alaska, wholly-owned corporations all there for taking. We can't invest substantially in anything in Japan, we are held out. The Japanese flood the American market with their automobiles, you can't put an American automobile into Japan at any price.

They have all sorts of artificial restrictions. They are perfectly willing to let us import to Japan anything that they don't make. That's not very much, because they are very clever people and they cover the industrial spectrum very well.

Well, we are simply trying to make the point that unless we get more quid pro quo treatment out of the Japanese, Congress is, probably out of resentment, going to start imposing stringent import quotas on Japanese goods and maybe retaliatory tariffs and the bias of the Chamber is for the freest trade possible consistent with the avoidance of the crunch that you get when you dump a lot of cheaply-made products, such as the textile situation.

If the Japanese don't meet us—won't meet the realities of their new strength—we are afraid that these very cordial relations are going to be less cordial.

Mr. HEFFERNAN. As a modern day philosopher, do you think we will ever see the day when one, Presidents get along with Congress; two, Oklahoma gets along with Texas; three, business gets along with labor; and four, the Cowboys get along with Indians?

Mr. JONES. The reason that Oklahoma doesn't get along too well with Texas is because there is no profit in getting along well with Texas, because the United States government wouldn't let Texas conquer us. If it weren't for the United States Army we would get along with Texas very well.

Mr. HEFFERNAN. How do you think Nixon is doing?

Mr. JONES. Well, it has been said of course, up to now the President has attempted to achieve a very low silhouette because he is up against a Democratic Congress. Because the less partisan he can make his program look, the better. The more Democratic holdovers he can manage to keep in government, the more pleasant his relations with Congress may become and so forth, and I think there is a great deal of truth in that.

I think that the time is now coming where the President is going to have to take some positions that are probably going to be unpopular with Congress, and take some positions that will probably be unpopular with the people.

I'm not privy in Mr. Nixon's plans. Mr. Nixon's plan so far has been to cool it.

He has sensed some popular ground-swells, discussed the conditions in the street, discussed the position of law and order. I'm sure he believes sincerely in law and order. I think he has capitalized on that, because that has something to do with his popularity.

They said three months ago that it is too early to say how Mr. Nixon is doing. I would say that at the present moment that it is still too early to see, because he hasn't come to grips with Congress on the major issues where I think they may be a cross purpose. He has only got a limited time for this honeymoon which is running out pretty fast.

Mr. HEFFERNAN. Before I ask the last question, Mr. Jones, I would like to present to you this certificate of appreciation from the National Press Club, awarded in recognition of meritorious service to correspondents.

Mr. JONES. Thank you very much.

Mr. HEFFERNAN. To go along with it, a handsome addition of the National Press Club tie.

Mr. JONES. Thank you very much.

Mr. HEFFERNAN. And now the final question: "How did one of our boys, a reporter and editorial writer ever get to be president of the United States Chamber of Commerce?"

Mr. JONES. As I say one of your boys, Spike Canham, preceded me as president of the United States Chamber of Commerce so the thing is not unprecedented and I thank you gentlemen very much.

URBAN BROADCASTING WORKSHOP

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. DIGGS. Mr. Speaker, in the essentially negative atmosphere which surrounds so much of our existence these days, it is truly refreshing, and I think, noteworthy to stop and mark an event of something extremely positive in character.

I am referring to the beginning of the Third Annual Urban Broadcasting Workshop for high school students from the Washington area. A joint university-industry sponsored project for the benefit of promising high school juniors selected by school counselors, NAACP, Urban League, and others, the program is designed to provide a tuition-free 1-month summer workshop in broadcasting.

Beyond the experience gained in the classroom and from visits to actual operating installations, the program is concerned with the future growth and development of these students. Scholarship assistance and loans for college studies, summer broadcast employment and job placement upon graduation are included.

The idea for the program originated with Dr. Roger Penn, former station manager of WAMU–FM and associate professor of communications at the American University here in Washington. Victor Sussman, a producer for WAMU–FM and currently a member of the English faculty there assisted Dr. Penn. Money was raised from local commercial radio and television stations.

This year the workshop has also received a grant from the Corporation for Public Broadcasting.

The implications of programs like this are apparent. Providing an opportunity to learn about a career in the communications industry and then being the recipient of continuing attention through school and into the beginnings of a professional career will certainly benefit the individuals participating.

It also offers the broadcast industry potential personnel who otherwise would probably not become interested in the field.

Mr. Speaker, I believe these sponsors of the current session of the workshop ought to be singled out for recognition. They include:

WAMU–FM, the American University.

WGMS–AM–FM, RKO General, Inc.

WRC–AM–FM–TV, National Broadcasting Co.

WTOP–AM–FM–TV, Post-Newsweek Stations.

WTTG–FM–TV, Metromedia, Inc.

WWDC–AM–FM, AVCO Broadcasting Corp.

WOL–AM, WMOD–FM, Sonderling Broadcasting Corp.

Corporation for Public Broadcasting.

Association for Professional Broadcasting Education.

National Association of Broadcasters.

National Association of Educational Broadcasters.

The American University, Washington, D.C.

THE ABM

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. POLLOCK. Mr. Speaker, the enclosed information from the special ABM Subcommittee of the American Security Council was brought to my attention recently. I think it is a very good article and therefore I include it in today's RECORD.

TEXT OF SUBCOMMITTEE REPORT

Make no mistake. At this very moment the Soviet Union already is well ahead of the U.S. in overall strategic missile strength. The most urgent matter before the Congress and the American people today is deciding what to do about it.

The American Security Council urges that all of the facts be given careful consideration . . . and believes that a carefully reasoned evaluation of those facts leads to a single, irresistible conclusion: America needs to begin building a Safeguard ABM missile defense system at once.

COMPARISON OF STRATEGIC MILITARY TRENDS

Although the American gross national product is almost twice that of the Soviet Union, the USSR has for years been spending up to 3 times more than we have in strategic military forces. The current trends warns us that the Russians will have spent up to $100 billion more than us on strategic weapons between now and 1975.

At this moment the total of Soviet strategic missiles is estimated at 2,750 compared with our own 1,710 (including ICBMs, intermediate and medium range missiles and sub-launched missiles). We're not building any more missiles. They are!

But that's not the whole story. By 1975 the Soviets will, at the present rate, have deployed close to 500 mammoth SS–9 nuclear rockets with 20 to 25 megaton warheads. Each missile will be about 25 times more powerful than our own present Minuteman missiles—each will be about 1,000 more powerful than the Hiroshima bomb.

The Soviet Union has a missile defense. We do not!

THE SOVIET UNION'S MOTIVES

It no longer is necessary to "suppose" that the Russians are aiming for strategic military superiority. We now know that their objective is clear strategic superiority because they have already passed the balance point and are still building at a rate that suggests an all-out war economy. In both word and deed, the Russians have shown that they regard the world struggle as a fight to the

finish—a fight that the Soviets intend to win at any cost. Not a single political or military authority has been able to offer any reasonable explanation for the current Russian buildup of staggering destructive power, except in terms of deliberate, coldly calculated aggressive intentions . . .

Like the Soviet intentions and what followed in Czechoslovakia . . . Cuba . . . Vietnam . . . the Berlin Wall . . . Hungary . . . Poland!

The facts about this threat to our security have been carefully studied by a special Committee of distinguished Americans appointed by the American Security Council. Members of the Committee are outstanding experts in their respective fields. They include two Nobel prize winning scientists; the developer of the H-bomb; the developer of over-the-horizon radar; a former chairman of the Joint Chiefs of Staff; the general who headed the development of our own ICBM forces; the present head of the A.E.C.'s weapons division at Los Alamos; a former commander of the Strategic Air Command; a former chairman of the Atomic Energy Commission; a former commander of the Polaris Submarine fleet and 20 other such authorities whose combined credentials clearly establish them as the most qualified independent group ever to study this complex problem. None of them are "armchair strategists." They know what they are talking about. We believe their collective voice should be heard by every American!

THE ASC COMMITTEE'S RECOMMENDATION

The Committee has presented its findings and conclusions in the form of a highly readable 72-page book which, summed up, tells us this:

"An American ABM system is the soundest insurance for peace—and AGAINST war—that the United States can buy in 1969 for its security and protection in the 1970's.

The Committee urges that a dependable Safeguard ABM system can and MUST be built at once. Their report observes, "far from being an offensive weapon, the ABM is, in reality, insurance against war. It may well be, in fact, the single most important step the United States can take toward a real and lasting peace at this moment in history." . . . and they further emphasize that ABM has become a symbol of our determination to keep America strong. All major defense decisions in the next decade will probably be affected by the acceptance or rejection of ABM on Capitol Hill in the next few weeks!

Can anything stop us from building a workable Safeguard ABM System? Just one thing: A LACK OF NATIONAL RESOLVE. It is ironic that—not technology . . . not "hardware" . . . not money . . . but our failure to pull together for a strong America might be the single factor responsible for our downfall.

As a matter of plain common sense, the Russians will have us either by violence or by blackmailing us with the threat of violence, if we allow them to increase their nuclear superiority. History does not reassure us with a single instance of an aggressor nation that restrained itself, once that nation believed it could start a war and win!

SPECIAL ABM SUBCOMMITTEE OF THE AMERICAN SECURITY COUNCIL

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Peter Bruce Clark, President and Publisher, The Detroit News.

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Vice Adm. Fitzhugh Lee, USN (Ret.), Former Commander, National War College.

Vice Adm. R. E. Libby, USN (Ret.), Former Deputy Chief of Naval Operations.

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Dr. Kenneth Street, Jr., Professor of Chemistry, University of California (Berkeley).

Dr. A. D. Suttle, Research Scientist.

Dr. Edward Teller, Nuclear Scientist.

Rear Adm. Chester C. Ward, USN (Ret.), Former Judge Advocate General, USN.

Dr. Kenneth Watson, Professor of Physics, University of California (Berkeley).

Gen. Albert C. Wedemeyer, USA (Ret.), Chief U.S. Strategist, World War II.

Dr. Eugene P. Wigner, Physicist, Princeton University.

GRATITUDE FOR MEN AND WOMEN IN NATIONAL SPACE PROGRAM

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1969

Mr. JONES of Alabama. Mr. Speaker, I enthusiastically support House Resolution 487 which recognizes the splendid effort of the men and women involved in our Nation's magnificent space program.

The design, manufacture, and assembly of the hundreds of thousands of individual components into the single, though complex, space vehicle called Apollo 11 is a tribute to the vast knowledge, skills, and techniques of the men and women who worked so carefully and accurately in the space effort.

I am particularly proud that the powerful launch vehicle, the Saturn V, was a result of the work of the citizens of Huntsville, Ala., in the district I represent.

Beyond that, the basic concepts of Dr. Wernher von Braun, Director of the Marshall Space Flight Center in Huntsville, are widely acknowledged to have been a most significant factor in the realization of our national goal to have man explore the moon and return to earth successfully.

Every citizen of my State is justly proud of the work Dr. von Braun and his dedicated teammates have accomplished for science and the advancement of mankind in this, the world's greatest rocket development.

We stand on the threshold of interplanetary explorations which can bring new dimensions to all mankind and which offer such great promise for improvement of man's earthly problems.

The accomplishments of the past few days border on the miraculous. Especially impressive has been the technology which allowed us all to be participants at this, the beginning of a new age in history through the open and public broadcasting of this epic journey.

Again, I salute the dedication of the entire NASA team to the perfection which made this journey a reality.

CAPTIVE NATIONS WEEK

HON. CHARLES W. SANDMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. SANDMAN. Mr. Speaker, in 1959, the Congress designated the third week of July as Captive Nations Week in remembrance and tribute to those living behind the Iron Curtain under totalitarian governments. It has been 11 years since Congress began observance of this week. During these years, the people of the United States have continued living in freedom. Americans have continued to exercise their rights to think, to speak, and to act as individuals.

A "captive nation" is defined as one existing under Communist domination, one in which there is no freedom of personal expression, one which serves as a solemn reminder to the American people of the freedoms which we possess, and one whose people deserve our sympathy and support for the struggle that constitutes their way of life.

On August 23, 1939, the infamous Nazi-Soviet Pact—Ribbentrop-Molotov Pact—between Hitler's Germany and Stalin's Russia was signed. The "nonaggression" pact paved the way for Soviet aggression against the Baltic States of Estonia, Latvia, and Lithuania as well as the Russian-German division of Poland. Since that day, twenty-five more nations have become Communist controlled.

As a free nation, America cannot forget those which are no longer free. We must support the right of all nations to a free choice of government, and we must preserve their hopes of freedom.

This goal can be accomplished by the Congress in a practical and effective way through enactment of legislation which I introduced early in the 91st Congress.

House Resolution 182 would establish a nonpartisan committee, the Special Committee on the Captive Nations, which would conduct a study of all the

captive non-Russian nations. These nations include many in the Soviet Union, Asia, and Eastern Europe. This study would make special reference to the moral and legal status of Red totalitarian control over these nations, facts concerning conditions in the countries, and most importantly, means by which the United States can assist them by peaceful processes to alleviate their present plight and aid in their aspirations to regain national and individual freedoms.

I urge consideration of this resolution as a further positive expression of our dedication to the cause of freedom for all peoples. I am privileged to join with my distinguished colleagues in reaffirming sympathy and support for the struggling peoples of the captive nations, hoping the injustices forced upon them may be quickly and peacefully rectified.

THE EAGLES MERE PLAYHOUSE

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. McDADE. Mr. Speaker, my State is justly proud of its varied cultural achievements which include some of the foremost theaters in the country. One of these fine playhouses is located in my congressional district at the lovely resort area of Eagles Mere in the beautiful Endless Mountains of Sullivan County.

The Eagles Mere Playhouse is a landmark in the history of central Pennsylvania. First used for Chautaqua, it was established as a professional theater about half a century ago. The first producers, Thomas R. Long and Bernard Moss, now in their 5th year of operation, have continued the traditions and the standards which have made the playhouse one of the leading attractions in central Pennsylvania, earning a reputation as one of the outstanding summer theaters in the Eastern United States.

I was delighted to have one of these producers, Mr. Moss, visiting in my office just this morning.

In presenting the finest of theatrical productions, including special performances designed for young people, and in bringing to Eagles Mere well-known personalities from the Broadway stage and television, the Eagles Mere Playhouse fills a vital role in the cultural and economic development of central Pennsylvania.

The contribution of the Playhouse to the continuing progress of the Endless Mountains area has been acknowledged by the Sullivan County Chamber of Commerce, the Eagles Mere Resort Bureau, and leading public officials. Former Governor Scranton wrote to the playhouse in 1965 as follows:

> The group has my wholehearted support and encouragement in its efforts to bring professional theatre to Sullivan County and to Central Pennsylvania.

I join wholeheartedly in these sentiments and express my best wishes to all associated with the Eagles Mere Playhouse.

THE VAST WASTELAND

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. OLSEN. Mr. Speaker, television holds the potential of being a vital media combining education, entertainment, and information. Yet more and more all of us hear it referred to as a "vast wasteland," and, as the three major networks announce the programs to be presented in the new season, I predict still harsher criticism of the television fare.

There is growing evidence that our major networks are, at best, inconsistent in applying their rules of censorship, program control, or taste. A general rule which the networks constantly refer to insists that prime time entertainment programs should not include editorial or news comment. Yet all of us have seen examples in which this rule has been ignored including the obvious exception which is made each year to broadcast the Bob Hope editorial/comedy hour on Vietnam.

I do not criticize the networks for broadcasting the Bob Hope show. Although I have misgivings regarding our involvement in Vietnam, I believe, personally, that we should give our boys fighting there our complete support as long as they must remain.

Rather, I criticize the networks for censoring statements or entertainment material made on television by performers speaking for a significant number of sincere critics of this Nation's involvement in Vietnam. I use this only as an example. The network control over programing has extended much further to include the blocking of healthy satirical skits or songs dealing with contemporary problems.

Recently I had the opportunity to join with a number of my colleagues in viewing selected passages which had been censored from a popular, prime time television program. I was shocked—not at the content of the material, but at the fact that material of such an innocuous nature would be censored.

A significant reason why this Nation has become and remained strong has been a jealous and cautious protection of the individual's freedom of thought and expression. We have thrived on a diversity of views and encouraged thoughtful debate on the major issues and problems of the day.

It is inconsistent with our efforts to preserve and protect free expression for our major networks to take it upon themselves to impose their criteria of "taste" or censorship on all Americans.

We hear more and more about the generation gap. I submit our networks are contributing to this gap by ignoring it. Our educational institutions are doing a better job than ever before in stimulating our young people to consider and accept the challenges of today. It seems to me that the networks are performing a disservice to young people and the Nation if they insist upon eliminating material of a contemporary, stimulating nature from entertainment programing.

Mr. Speaker, I want to call the attention of all of our colleagues to an excellent letter dealing with this problem which was written by my distinguished colleague ANDREW JACOBS of Indiana. Representative JACOBS' statement is just one example of a growing concern in the Congress about the threat corporate censorship poses for our democratic way of life. I am hopeful this concern will blossom into a thorough study of the roles of television and television networks in America today.

The letter follows:

MAY 7, 1969.

Mr. ERNEST F. ANDREWS,
Editor, RTNDA Bulletin, TV–Radio Department, Syracuse University, Syracuse, N.Y.

DEAR MR. ANDREWS: Please forgive my delay in responding to your letter which, because of my travels has only just caught up with me.

Unfortunately, the UPI story to which you referred did not adequately reflect my remarks on the occasion to which it referred.

As was indicated by the story, a tape of the rejected Smothers Brothers Show was played in a Washington studio for Members of Congress and others.

Following the program a UPI reporter asked my opinion of the action taken by CBS in canceling both this specific show and the Smothers Brothers contract altogether. My response was far closer to what follows than what was reported:

Q. What is your purpose in being here?

A. Truth.

Q. Well, all right. But what is your opinion of the CBS action in cutting off this program and canceling the Smothers Brothers contract altogether?

A. It was really pretty awful. In this program I saw no "sex" and I saw no "violence," only music and comedy which included current events topical humor. Topical humor is an art form least deserving of censorship in a free society. It is forbidden usually in societies which are not free or are in the process of losing their freedom. There was no controversial humor under the Soviet Communists. In fact, Alexander Dubcek was canceled yesterday. (4–21–69).

Following the showing of the CBS proscribed material, people present looked at one another and shrugged, "Where's the obscenity?" There was none.

This whole episode is reminiscent of an incident which occurred during my law school days when I was a police officer. Our Department was called upon by a private censorship group to confiscate literature the group had listed and arrest those found selling it.

Included on the list was Mad Magazine. When asked how this satirical magazine found its way onto a list of obscene literature, a member of the censorship group promptly explained that the magazine was Communist inspired because it made fun of America's great leaders.

Comedy has to be about something. And while there are those in our society who have an appetite for bland comedy about trivia, the success of comedians like Bob Hope indicates there are many in our society who favor topical humor about current events. A truly free society eschews holy cows. And whether it is Hope's humor about Humphrey or Smothers' humor about Pastore, or Will Rogers' humor about the inheritance tax, it all seems natural enough to me living as I do in what is generally a free society.

Suppression of such humor conjures up chilling visions of repressive authorities insecure in their own beliefs. Churchill described the powerful potentate, surrounded on all sides by his armed forces with bayonets at the ready, who nonetheless would shrink in terror at the appearance of a tiny mouse of an idea.

Error of opinion and reasonable opinion are matters of viewpoint, but part of the dream of Jefferson was that in America, ". . . error of opinion can be tolerated when contract marks the first time ever that a reason is left free to combat it."

The cancellation of the Smothers Brothers' network stopped a show whose ratings were good and for which advertising was secure.

The Smothers Brothers Show was clearly not in the position of the stuttering radio announcer who was sure he had been turned down for radio employment because of his beliefs.

The Smothers were not turned down for employment. They were already working for CBS. They had produced no pornography. And their show was a profitable venture for the network. So what is left? Thought control.

America is supposed to be a place where it is safe to be unpopular. Apparently some of the liberal political humor on the Smothers Brothers Comedy Hour has been unpopular with some people. The same can be said of the political humor of Bob Hope and Red Skelton, which more often runs along conservative lines. In my judgment neither brand of humor should be silenced. Both should be aired as responsive to each other in order that each individual television viewer might decide for himself which is error and which is reason. We call this "giving both sides." It is a concept which seems as applicable to the performing arts as to the more formal and direct areas of news commentary.

President Kennedy said that part of the work carried on by artists is building bridges of understanding among people. That understanding can never be accomplished if the bridges are permitted to touch only one side. If I believe one way and you another, each of us must hear the other out in order to accomplish the understanding necessary to resolve our differences peacefully. And the essence of art is the illustration of deeply felt ideas. It was true of Michelangelo and of Aristophanes and Dickens and Shakespeare and all the others whose special talents enabled them to express with beauty the deepest and sometimes most controversial thoughts of their patrons.

Should these principles, when applied to television and radio be the subject of legislation? Should there be an Equal Time For Art Law? I don't know. But so important a question probably deserves congressional hearings and debate.

The questions with which you suggest analogy between the electronic and printed media are certainly thought provoking. On the one hand we have the First Amendment guarantee of freedom of the press. Yet, on the other, we have the reality that the vital affairs of the nation are governed to some extent by the information which is disseminated by the wire services as news.

Obviously, the wire services are physically incapable of carrying all materials or opinions made available to them. A judgment must be made. And the ultimate question is whether the responsibility for that judgment should be restricted to the corporate limits of the wire services themselves. Government censorship has an odious ring. Yet corporate censorship in the case of printed media can be just as deadly damaging to the public interest. This dilemma deserves the most serious study by all of us who deeply wish to ensure the survival of freedom.

In answer to your question concerning whether a newspaper should be required to carry every column of a syndicated writer whose rights it buys, I would suggest that the deletion of words within a column the paper does run is more clearly objectionable than the failure altogether to run a given column. I should think the most serious offense against open discussion would be represented by the failure to print a column because of strong disagreement with it, rather than need for its space on a given day.

I have read H.R. 9566, but I do not expect fully to form my opinion concerning it until I have had the benefit of congressional hearings. At first blush it seems like a rather stringent regulation, which has yet to be justified to my satisfaction.

When one considers the apparent fact that the NBC Today Show is programmed by NBC News, he cannot be glib on the question of whether news programming holds "some position different from general entertainment on radio and TV." Surely the difference between the two suggested categories is not so great that a little entertainment should never be found on a news program and a little news should never be found on an entertainment program.

In any case, has history not taught that there is far less danger in rules which require that a person be allowed to say what he thinks than those which forbid him to do so?

With best wishes and appreciation for the trouble you took to write,

Sincerely,

/s/ANDREW JACOBS, Jr.

A BILL TO CORRECT SHORTCOMING IN OUR SOCIAL SECURITY PROGRAM

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. GIBBONS. Mr. Speaker, today I am introducing a bill to correct a serious shortcoming in our social security program which discourages widows who get social security benefits from remarrying.

Under present law, a widow who remarries may receive a serious reduction in her income. The law now provides a widow with a benefit which ranges from 71½ percent to 82½ percent of her deceased husband's benefit amount, depending on how old she is when she comes on the social security benefit rolls. If she remarries, however, her widow's benefit is cut to 50 percent of her former husband's benefit amount. For a widow who was drawing the full benefit of 82½ percent, this means that she experiences a 39-percent reduction in benefits.

Presently, a widow who remarries can get a wife's benefit equal to 50 percent of her new husband's benefit amount, if the wife's benefit is higher, but often it is not. In many cases, under these provisions of law, a widow's remarriage substantially reduces her income. A number of widows who would like to remarry do not do so because they cannot afford to.

Under my bill, an aged widow who remarries could continue getting the widow's benefit she had been getting. However, the total payment to her and her new husband together could not be more than the amount she and her former husband would have been paid as a couple. The widow could, of course, get a wife's benefit equal to 50 percent of her new husband's benefit amount if higher payments would result, just as she can now do under present law.

A similar provision for aged dependent widowers who remarry is included in my bill.

Mr. Speaker, the change this bill seeks to make may seem like a small matter, but to those persons who are directly involved—and there are many such persons in my district—this is an important matter. I therefore intend to do all in my power to see that this amendment receives early and full consideration.

HELICOPTER AMBULANCES FOR USE IN THE HIGHWAY WAR ZONE OF THE UNITED STATES

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. HOGAN. Mr. Speaker, pertinent to the Ambulance Service Corps bill which I recently introduced, I insert an article which appeared in the Government Executive magazine of May 1969. I am sure that my colleagues will find it very informative. This article points out some facts concerning the use of helicopters as ambulances. I am sure all are familiar with their effectiveness as demonstrated by military use in combat. The article also sets forth some glaring problems attached to emergency services when such a vehicle is applied to civilian use. I think this clearly demonstrates the great need, not only to consider favorably a separate ambulance service corps, as contained in my bill, H.R. 12552, but that such an organization as envisioned by the legislation, can only reach maximum effectiveness by the use of the latest rescue techniques and equipment. The latter should include helicopters. To have the very best of emergency services would result in a reduction of the timelag from notification to treatment and the helicopter has proved itself to be the instrument for such a reduction in certain cases.

Aside from the discussion of equipment, the article substantiates the need for a well-trained and separate ambulance service corps dedicated completely to the singular purpose of giving victims the optimum chance for survival.

The article follows:

THE REAL WAR ZONE

Young men who demonstrate bitterly against going to war in Vietnam might be a little less vociferous if they knew they'd be safer there than on their own country's highways. According to the National Center of Health Statistics in Washington, 48,000 males, 15 to 24 years old, were killed in highway accidents in 1966 through 1968 (approximately 12,000 more U.S. men than have been killed in all the years of the war added together).

From reports so far, that tragic track record will get no better in 1969. One thing that might, however, is the saving of people's lives after they've gotten into an accident. The way: applying a lesson learned in Vietnam, i.e. the use of helicopter ambulances to the highway war zone in the U.S. An expert in one company (Fairchild Hiller Marketing Corp.) actively pushing the program, estimates: "If applying military medical transportation techniques to highway accidents makes just a one-eighth improvement, we could save 5,000 lives and about $200 million in damage claims a year."

In Vietnam, using helicopter ambulance ships manned by trained medics to transport

the wounded to base hospitals, rough rule of thumb already is that if a medic can keep the wounded man alive for just five minutes after he's reached, his life probably will be saved. But getting the same helicopter techniques installed on the Nation's highways faces a mountain of problems. Among them:

Just about every conceivable form of state, city and local government jurisdiction is used around the country to provide ambulance service—and most of the officials in them, jealously guarding their entrenched traditions, have no knowledge of nor appreciation for helicopters.

No statistics are kept anywhere on how many people die in an accident and how many really die on their way to or at the hospitals later. So, in cold-blooded terms, no specific measure exists to gauge a helicopter's worth—except by extrapolation of the military experience and a few isolated cases in the U.S. where a helicopter has been used to transport the sick and injured.

In addition to the Government jurisdictional snarl, making it extremely difficult for the helicopter industry to find the man with authority to sign a contract, Government owns another built-in roadblock. The only Federal requirement of an ambulance driver is that he have a chauffeur's license. (Helicopter-borne military medics have had at least advanced first aid training.) Result, verified in Highway Safety Bureau films, is often appalling treatment of highway accident victims by ambulance personnel. Again, however, no one has studied how much this adds to the death toll.

Real point, however, at least to Fairchild Hiller, is that a potentially invaluable answer to the mounting highway death rate exists—and isn't even being checked out.

CAB'S FARE CRISIS—TOO MANY FLIGHTS

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. HAWKINS. Mr. Speaker, 20 Members of Congress, including myself, have petitioned the Civil Aeronautics Board to institute a general rate investigation. As a part of that investigation the Members have suggested the Board give consideration to the revenue-hour approach as a way to improve the consistency in the level of airline earnings.

Recently a very interesting pamphlet prepared by the Air Transport Association of America was brought to my attention. It is entitled "Too Many Flights?"

In reviewing this booklet I could not help but note that the association discussed its members' expenditures and, therefore, revenue needs in terms only of revenue-hours:

When an airline establishes a schedule it commits the capital investment of a jet costing up to $7 million—equivalent to the cost of a large industrial factory—and the associated operating expense of at least $1,200 an hour or more. (Page 5.)

Considering the minimum $1,200 per hour operating expense, airlines expect to operate a schedule for at least six months and usually well beyond that. (Page 7.)

In view of the amounts involved, it seems rather a shame that we do not have similar traffic and revenue data on this basis. It might be useful.

In our petition, the Members also pointed out to the Board that:

One of the key factors which has historically been recognized in determining the future earning potential, unit cost-of-service, and "just and reasonableness" of a rate is load factor. The relationship between cost, price, and load factor underlies the whole area of airline profitability.

We then went on to note that the Board's staff itself had recognized this relationship in its own study:

It seems equally clear, however, that the fare level affects the volume of service offered by the several carriers in the market and that a fare set well above costs, based on a reasonable load factor, may contribute to the operation of excessive capacity and resulting inefficient use of resources.

As a result, I could not help observing the extremely low occupancy of the flights in figure 4 of the ATA's pamphlet departing at 7 a.m. and 10:30 p.m.

I have been told that a trip on the Dallas-Chicago route is something in the neighborhood of 2 hours, so that the minimum revenue required by the airline to just break even would be around $2,400 per day. If this is true, then three of the nine trips are losing money, four are just making a reasonable return, and the remaining two are making up the loss of the first three. Consequently, I cannot help wondering if the Board has in this case given sufficient consideration to the relationship between cost, price, and load factors in approving these fares; if the present fare schedule is not contributing in some way to the operation of excess capacity, especially at nonpeak times; and if a different rate schedule based upon reasonably obtainable overall load factor guidelines might not bring about a more efficient use of the airlines' financial resources. For example, higher load factor standards might encourage the airline to reduce its cash operating costs by combining the 8:35 p.m. and 10:30 p.m. flights into one service.

Airline scheduling is admittedly a complex subject about which we all need a little more information, hence the full text of the pamphlet follows:

TOO MANY FLIGHTS?

In a real sense, it is the public that schedules an airline. For it is the traveler who demands good connections and departures at the magic hours—requirements that contribute to "peaking," that overworked and almost totally misunderstood synonym for airport congestion.

The demand for airline service does peak quite heavily around certain afternoon hours, flights catering largely to "get-me-there and back-the-same-day" businessmen. The largest number of passengers are in fact traveling on short or medium-haul trips, and for business reasons. Peaking of customer demand in this situation is as inevitable as the morning and evening rush hour peaks on the New Haven Railroad, Hollywood Freeway or any other big-city commuter artery.

CHAOS OR SERVCE

Some basic facts must be understood:

Airline schedules are tied to public demand.

The financial stakes, soaring into the billions, are too high for airlines to indiscriminately reschedule those peak-hour flights dictated by increasing public demand.

Airlines do not deliberately peak service. Such limited peaking as does occur is normally involuntary due to geography and time zones beyond the carrier's control.

While an airline does not deliberately hold planes idle awaiting the peak period, neither can it afford to hold planes idle during the peak period when the public most wants to travel.

Wholesale schedule adjustments would result in chaos and disruption.

THE GOLDEN THREADS

Between 1968 and 1971, the nation's scheduled airlines will invest well over $10 billion in new passenger and cargo aircraft, in new terminals, in personnel training and for such ground equipment as computerized reservations systems and mechanized baggage handling facilities. This massive investment is based on the forecast that passenger traffic will triple by the 1970's when the huge Boeing 747, scheduled to enter service late this year, and supersonic transports still under development promise to launch a new era of luxury and efficiency in commercial aviation.

Still, schedules are the golden threads in the fabric of air transportation. Schedules tie the system together and determine how well it works—efficiently for customers; economically for the airlines.

Schedule juggling is not the simple panacea for curbing the present increase in air traffic congestions over major airports.

Demand for air transportation should not be stifled in order to compensate for a lack of airport and airways capacity. The reason most frequently given for this lack of capacity is that public acceptance of jet travel grew so fast that it outstripped forecasts by even the most optimistic experts.

Conservative forecasts, however, are symptoms—not causes. The true cause of our undercapacity today is that for many years government expenditures for new facilities, for air traffic controllers, and for research and development in air traffic control have have actually declined. This decline was in the face of actual and predicted rising demand. There is no more effective way to produce undercapacity than to cut back on modernization, new equipment and manpower in the face of rising demand.

THE CHAIN REACTION

Whatever the cause of peaking, a logical question would be: Why don't the airlines readjust schedules anyway, so as to adjust periods of sustained high level peaking, wherever they occur?

It is here that public service and economic factors come into play. It would be economic suicide for an airline, for example, to force a plane arriving at 4 p.m. to sit unproductively during the period of greatest passenger demand until 9 or 10 p.m. in order to deliberately avoid the peak period. And since passengers do have their travel preferences, such action would not only cause serious inconvenience to many travelers, it would also force enormous penalties on the airlines in loss of dollars and good will.

For example, take a 5:45 p.m. flight out of congested New York to Dallas and Mexico City. In these three cities, Flight 25 receives connecting traffic from, or delivers connecting traffic to, a total of 100 other flights. This, significantly, adds up to 15,000 passengers yearly and $1.2 million in New York-Dallas revenue for the carrier.

Any schedule change would result in a disastrous chain reaction, disrupting service for 15,000 passengers, a million dollar-plus loss to the airline and the fouling of service on subsequent legs not even involved in the New York congestion problem.

Why? Well, the 5:45 p.m. flight out of New York becomes, at Dallas, the 8:45 p.m. departure for Mexico City with an arrival at 10 p.m. If the plane were held idle in New York for a 9 or 10 p.m. departure, the shift would mean a 1 or 2 a.m. arrival in Mexico—so unattractive to the public that the carrier would probably be forced to cancel outright the Dallas-Mexico City portion of the flight.

BUT THE CHAIN GOES ON

But the chain reaction still isn't over. When the original flight arrives in Mexico City, its equipment overnights there and goes out the next morning as Flight 58 to San Antonio, Dallas and Washington. *IF* it were cancelled because of the 1 or 2 a.m. arrival, there would be no plane available the next morning for Flight 58, so that would have to be cancelled too. And the chain reaction, including the frayed tempers of disgruntled customers, rumbles on.

By way of further illustration, a combined 1,800 schedules a day serve Chicago's O'Hare International and Midway Airports. They serve more than 85,000 people a day and link Chicago with 203 points, including 17 foreign countries. Schedule changes would obviously have an adverse chain reaction impact all over the nation and overseas.

When an airline establishes a schedule it commits the capital investment of a jet costing up to $7 million—equivalent to the cost of a large industrial factory—and the associated operating expense of at least $1,200 an hour or more. Consider the Dallas-Chicago route where the demand for a 5:30 p.m. flight is nearly twice as great as the trip that leaves three hours later at 8:35 p.m. (Figure 4) In a year, the revenue earned by the peak-hour 5:30 p.m. flight is $700,000 greater than the one departing three hours later.

DALLAS-CHICAGO FLIGHT LOADS AND REVENUE VALUES

Departure time	Average passengers June 1968	Daily passenger revenue	Annual revenue
7:00 a.m.	40	$1,540	$523,000
8:30 a.m.	61	2,340	797,000
10:20 a.m.	72	2,770	942,000
12:00 noon	78	3,000	1,200,000
1:20 p.m.	78	3,000	1,200,000
3:00 p.m.	116	4,460	1,517,000
5:30 p.m.	121	4,650	1,582,000
8:30 p.m.	65	2,500	850,000
10:30 p.m.	25	960	327,000

An airline cannot ignore this enormous economic leverage. It cannot lightly absorb the impact of deferring flights to avoid congestion, the chain reaction spill-over affecting other routes and, equally important, the sometimes permanent loss of regular customers to another carrier.

Economics and customer demand aside, there are a multitude of factors that must be taken into account every time any single schedule is changed:

The departure time out of one airport determines when an aircraft will be available for another flight out of the next airport.

Aircraft schedules are the basis for flight crew schedules which, in turn, must conform to rigid federal requirements for rest periods and layover times.

A schedule operating into a maintenance base must conform to the ground time requirement for safety inspection, cabin cleaning and other ground maintenance functions.

One schedule must integrate with other schedules in occupancy of available gate space and in the flow of connecting traffic from one to the other.

Schedules are not developed on whim, caprice or just for a few days' operation. Considering the minimum $1,200 per hour operating expense, airlines expect to operate a schedule for at least six months and usually well beyond that.

PEAKING AND CONGESTION: FACT OR MYTH

In the ten years since the introduction of jets, the air travel market has expanded at a phenomenal pace for good reason—the public's steadily increasing demand for service. During this decade, the nation's population has expanded by 14 per cent and the Gross National Product by 50 per cent. But air travel has surged ahead by 170 per cent.

The airlines have invested heavily—$3 billion for 600 planes in the past three years alone—to meet this growing demand. They have also cut fares for wives, children, military and youth passengers; *spent* additional millions to improve meals, develop speedier reservations systems, attractive departure lounges, baggage systems and other improvements.

Significantly, however, the carriers have not increased schedule frequency as rapidly as the market has grown. Since the advent of large jets, New York area passenger volume has increased by nearly 150 per cent; but schedule frequency has increased only one-third as fast.

The larger jets of the 70s will further accommodate rapid travel growth, with less-than-proportionate increases in schedules.

Yet, the impression widely exists that the airlines deliberately bunch flights at a few peak hours and that airport congestion could be materially eased if schedules were spread out. This misconception is understandable. Anybody going to an airport around 4 or 5 p.m. would see large numbers of passengers together with their baggage, taxis, friends and relatives. This horde would logically create the impression that there must surely be a corresponding peaking of flights.

Why don't the airlines step up the tempo during peak periods? Quite simply, for economic reasons. To intensify schedule activity for a few hours each day, they would need extra planes, gates, flight and ground crews over and above the levels needed for the rest of the day. They could not afford the luxury of having $7 million planes sitting around idle for most of the day awaiting a few hours of peak assignment.

Figure 5 (not printed in the CONGRESSIONAL RECORD) shows a typical routing of an airliner throughout the day. In the peak period, this plane flies a 5 p.m. trip from New York to Buffalo. But it does not sit idle all day. It previously performed a 7:15 a.m. mission from New York to Syracuse, a 9 a.m. flight back from Syracuse to New York, a 10:30 a.m. trip from New York to Washington and so on. This aircraft started its day's work close to 7 a.m., and didn't finish until 10 p.m. Day-long utilization is an economic necessity in the airline industry, and necessarily prevents any airline from holding planes idle awaiting the peak periods when passenger demand is heaviest.

THE TIME-ZONE PROBLEM

However, there are situations in which an involuntary peaking occurs because of geography or other factors beyond airline control. This is principally a function of long-haul service, involving destinations separated by several time zones. When we looked at the routing of a plane on short-haul service, we observed that these short hops brought the plane in and out of New York airports all day long.

Now, let's see what happens when an airline operates planes on a long-haul, transcontinental route. The flights are started as early as the public will travel on this kind of route—8 or 8:30 a.m. out of California. The five-hour time-zone loss, from west to east, means a late afternoon arrival in New York—usually about 4:30 p.m. After normal servicing, loading and unloading, the plane takes off again at 6 p.m. for the return to California.

This again, is consistent with the doctrine of getting full, day-long utilization of the plane. It just doesn't get into the New York area until late afternoon—which happens to be the congested period.

And at Kennedy International, the carriers must not only consider the effect of domestic transcontinental time zones, but also the time zone effect of transatlantic services. With the five hours lost going from New York to London, many departure times are impractical because of inconvenient arrival times in Europe.

For example, a mid-afternoon departure from New York—say 2 p.m.—would mean a 1:40 a.m. arrival in London. This is scarcely the hour at which a traveler would like to cope with customs, immigration, currency exchange, hotel check-in and so forth. So international departures peak in the evening—the busiest part of the day at most airports—so that they will arrive first thing the next morning.

Thus, an airline's total schedule represents a tightly woven, highly interrelated pattern governed not only by public demand, but by economics, time zones, maintenance and crew requirements. Moreover, almost every schedule is tied in with other schedules because of connecting flights, equipment routing or other factors.

WHAT MUST BE DONE

These comments do not suggest that the airlines are totally powerless to make any scheduling adjustments to help alleviate congestion. Indeed, some steps have already been taken, particularly in shifting flights to less congested airports. Other adjustments are possible, and some are in progress.

The Federal Aviation Administration late in 1968 announced a rule imposing specific limits on the number of flights per hour at airports in New York, Washington and Chicago. A scheduling committee, composed of all domestic, foreign and supplemental airlines serving these airports met for almost two months during early 1969 to arrange their schedules in such a way as to accommodate these artificial restraints while minimizing the effect on air travelers.

Some flights were discontinued and many others reshuffled at the five airports involved in order to keep total flight operations within allocations established by the government. The effect is a reduction in planned air carrier service this summer at the five airports.

With aircraft movements rationed, the convenience of jet travel could begin to evaporate. The businessman who once enjoyed the convenience of hourly flights between cities may now find them scheduled less frequently. Vacation travelers will also feel the pinch.

Relief of congestion through schedule adjustment and government-imposed flight restrictions is not the answer. Undue reliance on this source of relief can have drastic consequences on the service rendered the public, and on the future growth of the air transport industry in this country.

MORE AIRPORTS—BETTER AIRWAYS

The real answer lies in improving our national airport and airways system. Airport facilities and air traffic control systems—radar, control centers and air traffic controllers—simply are not keeping pace with the rapid expansion of air transportation. The recent delays experienced at some airports due to traffic congestion will seem minute to what the industry and travelers face in the future if massive corrective measures are not taken.

Congress must appropriate more funds for the Federal Aviation Administration, approximately an additional $150 million a year, to fully automate air navigational and control systems and to train more controllers. An estimated $6 billion capital improvement program is needed to expand and modernize the nation's airports, especially runways and passenger facilities, between now and 1975.

All of these things must be done, coinciding with the massive investment already programmed by the nation's airlines, to make air travel safe and efficient in the supersonic seventies.

OUR NATION'S PASSENGER TRAINS: WAITING FOR THE FUNERAL?

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. PELLY. Mr. Speaker, the Interstate Commerce Commission has urged Congress to launch a study aimed at formulating a national policy on rail passenger service and whether the Federal Government should subsidize such service.

But there is much more that needs to be done, as well appointed out in a recent Washington Star editorial entitled, "Waiting for the Funeral?"

It is being clearly demonstrated in the use of passenger train service between Washington and New York City that the traveling public wants and will use good clean, dependable train service, and it is our responsibility to see to it that such service is provided.

For the information of my colleagues, I include the editorial at this point in the RECORD:

WAITING FOR THE FUNERAL?

The Interstate Commerce Commission recently completed a nine-month investigation into the costs of operating passenger trains. The well-documented report clearly shows that while the railroads, using the ICC's own accounting methods, have for years been vastly over-stating losses incurred from operating passenger trains, the fact is that these trains do run at a big deficit. The eight railroads studied could have saved perhaps $118 million in 1968 had they not run any passenger trains.

At the same time the ICC has urged Congress—now that the costs of running passenger trains are known—to launch a study aimed at formulating a national policy on rail passenger service. It would determine what type of service is necessary, and whether the federal government should help subsidize it.

Having said that, the ICC goes back to its usual slumber—handling the tricky-track of minuscule trucking operating rights cases—content that it has done its job by telling Congress what to do.

But the ICC hasn't done its job. The commission has for more than a year been sitting on top of the most important railroad passenger case ever before it—a case in which one of its examiners has urged the ICC to assert that it does indeed have the power to protect the traveling public, and require at least a bare minimum civilized services aboard trains—such as sleeping and eating facilities.

The examiner, John S. Messer, issued his historic report in April 1968 in a case that has been at the ICC since 1966. The commission heard arguments on it last September—and for 10 months since has dawdled over the matter while train after train has been discontinued, and while services aboard those remaining have dwindled.

There is no doubt Congress must set forth some national policy on rail passenger service. But Congress also is busy with such pressing matters as inflation, taxes and the war. Congressional action on rail passengers could take years. And while Congress deliberates, and the ICC waits, more trains make their final trips, and those still running are downgraded. Eventually, as things are going, the railroads will kill all of their remaining service.

Then, of course, there will be no need to rule in the Messer case because there will be no more trains. But the ICC could always say, "well, we tried—we told Congress it ought to act."

FEDERAL BUDGET RESULTS, FISCAL YEAR 1969

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. MAHON. Mr. Speaker, on yesterday the Secretary of the Treasury and the Director of the Budget released a preliminary statement of Federal budget results for the fiscal year 1969 which ended on June 30 last. For the information of Members and others, I am inserting the full text of their joint statement summarizing the results.

Budget receipts were $1.8 billion higher than had been projected in the budget last January by President Johnson and in the April 15 budget revision of President Nixon.

Budget receipts in fiscal 1969 were some $34.2 billion above those for fiscal 1968.

Budget outlays—expenditures and net lending—were $1.1 billion higher than had been projected in the budget last January by President Johnson. They were $132 million below the April 15 revised budget projection of President Nixon.

The budget surplus for 1969 is reported at $3.1 billion, or some $700 million higher than the $2.4 billion surplus projected in the January budget by President Johnson. The $700 million improvement over the January budget derives from the increased receipts of $1.8 billion offset in part by the $1.1 billion of higher expenditures.

In comparison to the preceding fiscal year 1968 budget results, receipts in fiscal 1969 were $34.2 billion higher. Budget outlays were $5.9 billion higher. Thus there was a turnabout of $28.3 billion from a budget deficit of $25.2 billion in 1968 to a budget surplus of $3.1 billion. Increased revenues flowing from continued high economic activity of a growing economy and enactment of the 10-percent surtax last year made the difference.

Mr. Speaker, the joint statement also includes a report on the expenditure cutback provision in last year's tax bill, directing a cut of at least $6 billion in nonexempted areas of the 1969 budget. There was $8.2 billion cut from the nonexempt areas, but this was partially offset by overruns of $6.9 billion in exempted areas, with the result of a net cut of $1.3 billion from the original budget expenditure projection for fiscal 1969.

The joint statement follows:

JULY 28, 1969.

JOINT STATEMENT OF DAVID M. KENNEDY, SECRETARY OF THE TREASURY, AND ROBERT P. MAYO, DIRECTOR OF THE BUREAU OF THE BUDGET, ON BUDGET RESULTS FOR FISCAL YEAR 1969

SUMMARY

The June Monthly Statement of Receipts and Expenditures of the United States Government released today provides preliminary budget totals for fiscal year 1969. It shows receipts of $187.8 billion and outlays of $184.8 billion for the fiscal year 1969, which ended on June 30. The budget surplus was $3.1 billion.

Receipts were $1.8 billion above the estimate made by the President on April 15, reflecting higher than expected levels of individual income tax receipts.

Outlays were $.1 billion below the April 15 estimate.

The *budget surplus* was $1.9 billion higher than estimated in April, primarily because of the increase in tax receipts.

FEDERAL FINANCES, FISCAL YEAR 1969

[Billions of dollars]

Description	Apr. 15 estimate	Actual	Change from Apr. 15 estimate
Budget receipts, expenditures, and lending:			
Expenditure account:			
Receipts	186.1	187.8	+1.8
Expenditures	183.5	183.3	−.2
Expenditure surplus	2.6	4.6	+2.0
Loan account: Net lending	1.4	1.5	+.1
Total budget:			
Receipts	186.1	187.8	+1.8
Outlays	184.9	184.8	−.1
Budget surplus	1.2	3.1	+1.9
Means of financing:			
Borrowing from the public	(1)	−11.1	(1)
Reduction of cash and monetary assets, increase (−)	(1)	−1.8	(1)
Other means	(1)	9.8	(1)
Total budget financing	−1.2	−3.1	−1.9

[1] Means not available because the data were not compiled on Apr. 15.

Note: Detail will not necessarily add to totals because of rounding.

RECEIPTS

Budget receipts in the fiscal year 1969 were $1,751 million greater than the April 15 estimate (which was the same as the January budget estimate). Revised estimates showing receipts to be about $400 million above the April figures were issued on May 20, after the tax returns filed in April had been analyzed.

Income tax receipts provided most of the excess of actual receipts over the April estimate, but individual and corporate income tax receipts showed contrasting results. Receipts from individual income taxes were $2,826 million above the estimate, while corporation receipts were $1,404 million below.

Approximately $600 million of the higher individual income taxes resulted from bookkeeping adjustments between the income tax account and employment tax trust funds, and do not affect overall receipts totals. Another $300 million reflected lower refunds than were anticipated. The remaining $1,900 million excess represented payments of final taxes on calendar year 1968 liabilities and declaration payments on 1969 incomes substantially above the amounts estimated.

About $400 million of the $1.4 billion decline from the April estimate of corporation taxes was due to larger-than-expected refunds. The remaining $1.0 billion reflected shortfalls in final payments of 1968 liabilities and declaration payments of 1969 liabilities that were below the amounts estimated earlier.

Employment taxes were almost $600 million less than estimated because of the reallocation to the individual income tax account, mentioned above. Excise taxes exceeded estimates by $413 million, reflecting high levels of economic activity. Estate and gift tax receipts contributed $278 million and

miscellaneous receipts $207 million to the overall receipts excess.

OUTLAYS

Total outlays in fiscal year 1969 were $184.8 billion, $0.1 billion lower than was estimated April 15, 1969. This change was the net result of a number of increases and decreases.

The principal increases:

Department of Health, Education, and Welfare outlays were $333 million above the April 15 estimate, due principally to unanticipated increases in the cost of the Medicare program.

Payments of *interest on the public debt* were $313 million above the April budget estimate, accounting for most of the $358 million increase in *Treasury Department* outlays.

Net outlays of the *Department of Agriculture, excluding* the *Commodity Credit Corporation,* were $295 million higher than estimated, primarily because tight money conditions prevented the planned sale of some insured loans of the Farmers Home Administration.

Outlays for the *Military functions of the Department of Defense and Military Assistance* exceeded the April estimate by $276 million. Approximately two-thirds of this increase was in the military assistance program.

Net outlays of the *Export-Import Bank* were $81 million above the April estimate, resulting from lower-than-anticipated sales of loans from the Bank's portfolio.

The principal decreases:

Department of Housing and Urban Development outlays were $480 million under the April estimate as conversion of urban renewal projects to annual programs resulted in deferrals of progress payments, as lower foreclosures of Federal Housing Administration insured mortgages resulted in fewer insurance claim payments, and as fewer than anticipated project completions resulted in reduced disbursements in such programs as college housing loans and Government National Mortgage Association special assistance mortgage purchasers.

Department of Agriculture Commodity Credit Corporation net outlays were $273 million below the April estimate, reflecting in part lower international food shipments under P.L. 480.

Net outlays of the *Department of Transportation* were $242 million under the April 15 estimate, mainly because of reduced spending for the Supersonic Transport program and the stretchout of several major equipment acquisitions within the Federal Aviation Agency and the Coast Guard.

Foreign economic assistance outlays were $130 million below the April 15 estimate, reflecting a lower rate of spending for Vietnam, Alliance for Progress loans, and development loans.

IMPACT OF REVENUE AND EXPENDITURE CONTROL ACT IN FISCAL YEAR 1969

Section 202 of the Revenue and Expenditure Control Act of 1968 (P.L. 90-364) established a ceiling on 1969 outlays which limited outlays to $6 billion below the amounts recommended in the 1969 budget document (which was sent to the Congress in January 1968). However, in setting this limitation, the Congress excepted certain programs from the required reductions and subsequently added other exceptions. These exceptions, which are shown in the following table, amount to over one-half of total 1969 outlays.

The preliminary 1969 year-end results show that total outlays were $184.8 billion, $1.3 billion below the original January 1968 estimate. This decrease is the net result of:

An increase of $6.9 billion in programs excepted from the P.L. 90-364 limitation, and

A decrease of $8.2 billion in programs covered by the P.L. 90-364 limitation—$2.2 billion more than the reduction required by the law.

BUDGET OUTLAYS IN FISCAL YEAR 1969—RELATIONSHIP TO PUBLIC LAW 90-364

[In billions]

Description	January 1968 estimate	Actual	Change
Programs excepted from Public Law 90-364 limitation:			
Special support of Vietnam operations	$26.3	$29.1	+$2.9
Interest	14.4	15.9	+1.5
Veterans benefits and services	7.3	7.7	+.4
Social Security Act trust funds	36.0	36.7	+.6
Old-age and survivors insurance	(24.6)	(24.7)	(+.1)
Disability insurance	(2.6)	(2.6)	(—)
Health insurance	(5.8)	(6.6)	(+.8)
Unemployment insurance	(3.1)	(2.8)	(−.3)
Tennessee Valley Authority (portion financed from power proceeds and borrowing)	.1	.1	(+)
Commodity Credit Corporation (price support and related programs)	2.8	3.7	+.9
Public assistance grants to States (including medicaid)	5.7	6.2	+.6
Aid to schools in federally impacted areas (special 1968 supplemental payments made in 1969)		.1	+.1
Subtotal, excepted programs	92.6	99.5	+6.9
Remainder covered by Public Law 90-364 limitation	93.5	85.3	−8.2
Total	186.1	184.8	−1.3

[1] Less than $500,000,000.

Note: Detail will not necessarily add to totals because of rounding.

BUDGET RECEIPTS AND OUTLAYS

[Fiscal years—In millions of dollars]

Description	1968 actual [1]	1969 January budget	1969 Apr. 15 estimate	1969 Actual	Change from Apr. 15 estimate
RECEIPTS BY SOURCE					
Individual income taxes	68,726	84,400	84,400	87,226	2,826
Corporation income taxes	28,665	38,100	38,100	36,696	−1,404
Social insurance taxes and contributions:					
Employment taxes and contributions	29,224	34,842	34,842	34,245	−597
Unemployment insurance	3,346	3,300	3,300	3,325	25
Contributions for other insurance and retirement	2,051	2,366	2,366	2,350	−16
Excise taxes	14,079	14,800	14,800	15,213	413
Estate and gift taxes	3,051	3,200	3,200	3,478	278
Customs	2,038	2,300	2,300	2,319	19
Miscellaneous	2,493	2,784	2,784	2,991	207
Total receipts	153,671	186,092	186,092	187,843	1,751
OUTLAYS BY MAJOR AGENCY					
Legislative branch and the judiciary	346	401	402	386	−16
Executive Office of the President	28	33	33	31	−2
Funds appropriated to the President:					
Appalachian regional development programs	111	231	181	161	−20
International financial institutions	201	140	140	121	−19
Military assistance	654	610	610	783	173
Economic assistance	1,844	1,925	1,925	1,795	−130
Office of Economic Opportunity	1,888	1,914	1,880	1,801	−79
Other	214	334	334	299	−35
Agriculture:					
Commodity Credit Corporation	4,509	4,809	5,492	5,219	−273
Other	2,799	2,841	2,917	3,212	295
Commerce	807	872	872	854	−18
Defense:					
Military	77,373	77,790	77,790	77,893	103
Civil	1,300	1,247	1,247	1,268	21
Health, Education, and Welfare	40,576	46,259	46,259	46,592	333
Housing and Urban Development	4,140	2,017	2,017	1,537	−480
Interior	235	541	889	834	−55
Justice	430	516	517	520	3
Labor	3,271	3,688	3,503	3,475	−28
Post Office	1,080	929	929	987	58
State	424	434	434	435	1
Transportation	5,732	6,011	6,211	5,969	−242
Treasury:					
Interest on the public debt	14,573	16,000	16,300	16,613	313
Other	82	272	303	348	45
Atomic Energy Commission	2,466	2,451	2,451	2,450	−1
General Services Administration	413	453	413	430	17
National Aeronautics and Space Administration	4,721	4,247	4,247	4,247	
Veterans' Administration	6,858	7,719	7,719	7,670	−49
Civil Service Commission	2,704	1,724	1,705	1,754	49
Export-Import Bank	790	165	165	246	81
Railroad Retirement Board	1,333	1,489	1,489	1,491	2
Small Business Administration	284	66	100	111	11
U.S. Information Agency	186	191	190	183	−7
Other independent agencies	1,032	387	342	244	−98
Allowances, undistributed		100			
Undistributed adjustments:					
Federal employer contributions to retirement funds	−1,896	−2,105	−2,105	−2,091	14
Interest credited to certain Government accounts	−2,674	−3,000	−3,000	−3,099	−99
Total outlays	178,834	183,701	184,901	184,769	−132
Budget surplus (+) or deficit (−)	−25,162	+2,391	+1,191	+3,074	+1,883

[1] Amounts for 1968 differ slightly from those shown in the 1970 budget document released Jan. 15, 1969. The additional time since January has permitted greater precision in making the accounting changes recommended by the President's Commission on Budget Concepts.

Note: Detail will not necessarily add to totals because of rounding.

NEW JERSEY'S DEAD IN VIETNAM

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. HELSTOSKI. Mr. Speaker, with your permission, sir, I would like to insert into the CONGRESSIONAL RECORD the names of 141 young men who gave their lives in the conflict in Vietnam. These names show the grim results of war, a war that we should not have been in at all.

These young men who died on the field of battle between the dates of January 1, 1969, and May 31, 1969, are American boys who left their homes, jobs, schools to fight in an area far remote from our shores.

They are irreplaceable, to their families, their communities, and their Nation. They have had their life cut short in a war that I feel has no intelligent purpose and without any long-term accomplishment.

The individual potential of each of these men is not known to us, but collectively they could have contributed much to the spiritual, economic, and intellectual well-being of this Nation. But these 141 men will never be able to do so, for they are far beyond our reach to recruit them into our endeavors to make our Nation a better place to live in. They have made their greatest sacrifice in a job that is not yet finished and no one knows when it will be. I hope that the day will soon come when we do not have to release these casualty lists.

Even if this immoral war should end today, the results of it will be with us forever—in the hospitals, in seeing men without arms, without legs, and with other reminders of the Vietnam conflict. What can we say to them who shall suffer throughout the remaining years of their lives? Just how far will this Nation go to repay them for their sacrifices? We must plan now for what we desire to do for them later. This Nation has always been the first to aid other nations, but when it comes to taking care of our own, we minimize our efforts to go forward toward a better American for all of our citizens.

Mr. Speaker, following is the list of New Jersey casualties of the conflict in Vietnam:

NEW JERSEY—LIST OF CASUALTIES INCURRED BY U.S. MILITARY PERSONNEL IN CONNECTION WITH THE CONFLICT IN VIETNAM, JAN. 1–MAY 31, 1969

Name and grade	Date of casualty	Home of record
DEATHS RESULTING FROM HOSTILE ACTION		
ARMY		
Baker, George Arthur, Sp4	Jan. 29, 1969	Little Ferry.
Bastian, Michael Francis, Sgt	Jan. 2, 1969	Sewell.
Bell, William Brent, 1Lt	Mar. 27, 1969	Essex Fells.
Biddle, Joseph Lenord, Sgt	Mar. 2, 1969	Berlin.
Biesantz, Howard Stanley, Pvt	Feb. 23, 1969	Newton.
Boyce, James Franklin, Pfc	Jan. 20, 1969	Plainfield.
Brunn, Richard Conrad, 1Lt	Feb. 25, 1969	Westfield.
Callan, George Allan, 1Lt	Mar. 5, 1969	Pennsville.
Carlough, George Gerald, Cpl	Jan. 22, 1969	Pompton Lakes.
Coll, Dennis Joseph, Sp4	Mar. 3, 1969	Springfield.
D'Adamo, Albert L., Jr., Sp4	Mar. 28, 1969	Wanamassa.
Danchetz, Lester, Pfc	Mar. 9, 1969	Rahway.
Davis, Charles Henry, Pfc	Jan. 12, 1969	Camden.
Farawell, George Thomas, Pfc	Mar. 18, 1969	Linden.
Flaherty, Paul James, Pfc	Jan. 7, 1969	Gloucester City.
Foulks, Charles, Jr., Pfc	Feb. 19, 1969	Browns Mills.
Francisco, James Leonard, Pfc	Feb. 5, 1969	Laurence Harbor.
Francisco, William, Jr., Sp4	Jan. 10, 1969	Summit.
Gaines, James, Jr., Pfc	Feb. 2, 1969	Jersey City.
Grover, Thomas Roy, Sp4	do	Trenton.
Hanlon, James Paul, Sgt	Feb. 27, 1969	Irvington.
Jackson, William, Pvt	Mar. 15, 1969	Bayonne.
Johnson, Guy Frederick, WO	Mar. 26, 1969	Chatham.
Johnson, Ralph Edward, Sp4	Jan. 25, 1969	East Orange.
Joynes, Frank Dennis, Jr., Sp4	Mar. 6, 1969	Newark.
Kulbatski, Francis Kenneth, Cpl	Feb. 15, 1969	Jersey City.
Laird, Jerry Proctor, Maj	Jan. 22, 1969	Allentown.
Lopez, Jose Lius, Pfc	Jan. 6, 1969	Passaic.
Markovich, Douglas Joseph, Sp4	Mar. 1, 1969	Madison.
Marshall, Willie, Jr., Sp4	Jan. 13, 1969	Newark.
McCallum, Peter John, Jr., Cp	Mar. 30, 1969	Passaic.
Mendez, John William, Sgt	Feb. 13, 1969	Maywood.
Miller, Robert Theodore, Sgt	Jan. 19, 1969	Westfield.
Moon, Theodore Edward, Jr., Pfc	Mar. 28, 1969	South Orange.
Moore, Leon David, Sp4	Jan. 27, 1969	Summit.
Moran, Vincent, Sgt	Mar. 28, 1969	Iselin.
Morris, Robert John, Sp4	Jan. 2, 1969	Collingswood.
Nofford, Clarence, Sp4	Mar. 9, 1969	Newark.
O'Shaughnessy, James John, Cpl	Mar. 25, 1969	Closter.
Oliphant, Joseph B., Jr., Pfc	Feb. 25, 1969	Ventnor City.
Peterson, John B., Jr., Sp4	Mar. 10, 1969	Dover.
Price, John William, Sp5	Mar. 15, 1969	Westfield.
Pryor William Jackie, Cpl	Feb. 5, 1969	Paterson.
Reed, Stanley Majure, Sp 5	Feb. 23, 1969	Teaneck.
Rivera, Euclides, Sgt	Jan. 27, 1969	Irvington.
Ross, Roger Alan, WO	Dec. 24, 1968	Morrestown.
Smith, Joseph John, 1st Lt	Feb. 4, 1969	Bogota.
Spence, Roger James, Sgt	Mar. 7, 1969	Roselle Park.
Tully, Walter Busill, Jr., Maj	Mar. 2, 1969	Madison.
Van Winkle, Harold, J. Jr., Sp 4	Feb. 16, 1969	Paterson.
Warnett, Ronald Leonard, 1st Lt	Mar. 5, 1969	Linden.
West, John Hayden, Pfc	Mar. 7, 1969	North Bergen.
Brenner, Richard Irving, Cpl	Apr. 13, 1969	Teaneck.
Cama, Dennis Rocco Sp 4	Apr. 19, 1969	Hazlet.
Derbyshire, James Wilbert, Pfc	Apr. 15, 1969	Bridgeton.
Mahurter, Lawrence William, Pfc	Apr. 27, 1969	Fair Lawn.
Morgan, Jerry Jr., Cpl	Apr. 21, 1969	Long Branch.
Palma, Gerard Vincent, Capt	Apr. 19, 1969	Hammonton.
Rasmussen, Peter Terence, Sp4	Apr. 15, 1969	Paramus.
Romero, Ricardo Ibrahin, Sp4	Apr. 13, 1969	Jersey City.
Van Houten, Nelson Omar, Pfc	do	Paterson.
Atkinson, Franklin G., Jr., Sp4	May 2, 1969	Hurffville.
Barnes, Alfred, LtC	May 12, 1969	Montclair.
Cerrato, Nicholas Frank, Sp4	May 10, 1969	Paterson.
Deitman, Edward, Sgt	May 17, 1969	Clifton.
Eggenberger, William Gary, Sp4	May 13, 1969	Lyndhurst.
Folger, John Vincent, Pfc	do	Bayonne.
Ga Nun, Paul Huntington, Cpl	May 18, 1969	Asbury Park.
Hinson, Alvin Crawford, SSgt	May 12, 1969	Westville.
Klaniecki, Edward Matthew, Sp4	May 9, 1969	Fanwood.
Lawson, Birden Jerome, Cpl	May 18, 1969	Newark.
ARMY—Con.		
McCants, Joseph, Jr., Sgt	May 17, 1969	Trenton.
Myers, Thomas Wayne, Pfc	May 27, 1969	Middlesex.
Nelson, Paul Vincent, Cpl	May 31, 1969	Belleville.
Walters, Michael Arthur, Pfc	May 11, 1969	Gloucester City.
MARINE CORPS		
Beaumont, Herbert Michael, LCpl	Mar. 17, 1969	Trenton.
Burke, William Gregory, Pfc	Mar. 31, 1969	Saddle River.
Carlton, Randall Mark, Pfc	Feb. 21, 1969	Harrington Park.
Davis Richard Wayne, LCpl	Jan. 4, 1969	Vineland.
Grassia, Joseph, Jr., Pfc	Mar. 9, 1969	Paterson.
Green Otis, LCpl	Feb. 4, 1969	Bridgeton.
Hayes, Michael John, Jr., Pfc	Mar. 14, 1969	Bound Brook.
Kurtz, Charles John, Pfc	Feb. 26, 1969	Absecon.
Lamanna, John Michael, Pfc	Feb. 1, 1969	Fair Lawn.
Lunapiena, Nathan Charles, Sgt	Feb. 22, 1969	Hoboken.
Mokuau, Kenneth William, Jr., LCpl	Jan. 22, 1969	Wenonah.
O'Shea, William II, LCpl	Feb. 19, 1969	Newark.
Presley, Avey, Pfc	Mar. 25, 1969	Elizabeth.
Sargent, Gordon Leroy, Jr., Pfc	Mar. 2, 1969	Newark.
Satterfield, William Hurle, Lcpl	Feb. 23, 1969	Orange.
Sellitto, Michael Joseph, Lcpl	Mar. 26, 1969	Towaco.
Sincavage, Richard, Cpl	Dec. 14, 1968	Elizabeth.
Burr, Stewart Samuel, Pfc	Apr. 23, 1969	Passaic.
Byrne, John Patrick, Pfc	Apr. 30, 1969	Sayreville.
Christiansen, Bernhard M., Lcpl	Apr. 12, 1969	Willingboro.
Crane, Dennis, Cpl	Jun. 15, 1968	Spotswood.
Giordano, Daniel J., III, Pfc	May 10, 1969	Hi Nella.
Jarmolinski, Chester, Jr., Lcpl	Apr. 16, 1969	Jersey City.
Melnyk, Mikolaw, Lcpl	Apr. 5, 1969	Linden.
Quarles, Wayne Robert, Lcpl	Apr. 15, 1969	Camden.
Romaine, Thomas Gilbert	Apr. 13, 1969	Saddle Brook.
Tulp, Guyler Neil, L. Cpl	Apr. 30, 1969	Clifton.
Williams, Fred Thomas, Pvt	do	Paterson.
Blevins, Thomas Lee, Jr., Cpl	May 31, 1969	Middletown.
De Lorenzo, Ronald, Pfc	May 12, 1969	Trenton.
Hoffmann, Thomas Martin, L. Cpl	May 19, 1969	Palmyra.
Newton, Barrie Myron, L. Cpl	May 5, 1969	Cherry Hill.
Ryan, William Cornelius, Jr., 1st Lt	May 11, 1969	Bogota.
Winters, John, L. Cpl	May 25, 1969	Clark.
AIR FORCE		
Alexander, Calvin Eugene, S. Sgt	Mar. 1, 1969	Newark.
Baumann, Ludwig, Maj	Jan. 30, 1969	Plainfield.
Dinan, David Thomas, III, 1st Lt	Mar. 17, 1969	Nutley.
McCollum, James Patrick, Capt	May 23, 1969	Pleasantville.
Rios, Noel Luis, SSgt	Mar. 7, 1969	Newark.
NAVY		
Bauer, Alfred, FN	Jan. 16, 1969	Keansburg.
Mc Fadyen, Bruce Searight, Lt	Jan. 17, 1969	Montclair.
Melady, Richard Raphael, TM1	do	Dumont.
Pawlowski, Edward Wesley, LtJG	Mar. 23, 1969	Union.
Pearce, Henry Ellwood, II, HN	Jan. 23, 1969	Stamhope.
Gillies, Robert Knell, HM3	Apr. 21, 1969	Mantua.
Russell, Peter Fransson, Lt	May 23, 1969	Wharton.
Menter, Jerome, HM3	May 12, 1969	Englewood.
DEATHS RESULTING FROM OTHER CAUSES		
ARMY		
Colasurdo, Joseph Peter, Sp4	Jan. 3, 1969	Edison.
Engedal, John, Sgt	Mar. 21, 1969	Matawan.
Harbienko, Andrew, Sp4	Feb. 10, 1969	Elizabeth.
Johnson, Lester, Jr., Sp4	Feb. 3, 1969	Hightstown.

NEW JERSEY—LIST OF CASUALTIES INCURRED BY U.S. MILITARY PERSONNEL IN CONNECTION WITH THE CONFLICT IN VIETNAM, JAN. 1–MAY 31, 1969—Continued

Name and grade	Date of casualty	Home of record
DEATHS RESULTING FROM OTHER CAUSES—Continued		
ARMY—Continued		
Lang, James L., Sgt	Nov. 17, 1968	Neptune.
Melendez, Rafael, Pfc	Feb. 6, 1969	Hammonton.
Newman, Thomas McKnett, 1LT	Mar. 21, 1969	Saddle River.
Pierson, Robert Emmett, Pfc	do	Chatham.
Russell, Wayne Howard, Sp4	Mar. 31, 1969	Rutherford.
Tipton, John Edward, Sp4	Mar. 1, 1969	Pennsauken.
Zicchino, Darrow Frederick, Sp4	Jan. 28, 1969	Carlstadt.
Haver, Dale Harry, 1Lt	Apr. 11, 1969	Whitehouse.
Wemple, Earl Scott, SMaj	Apr. 21, 1969	Netcong.
Wilson, Elroy, SP4	Apr. 12, 1969	Jersey City.
MARINE CORPS		
Cancelliere, Frank Anthony, Cpl	Mar. 15, 1969	Belleville.
Leary, John Dennis, LCpl	Apr. 27, 1969	Collingswood.
Snyder, Thomas Wayne, Pfc	Apr. 16, 1969	Millville.
Nichols, Daniel Clement, 1Lt	May 13, 1969	Westfield.
NAVY		
Franke, William Thomas, EO3	Feb. 2, 1969	Williamstown.

FIFTY CONGRESSMEN SIGN BIPARTISAN STATEMENT CRITICAL OF GREEK JUNTA

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. EDWARDS of California. Mr. Speaker, 50 Members of the U.S. Congress have joined in writing Secretary of State William Rogers a bipartisan letter expressing their deep concern over the situation in Greece.

These Members of Congress, including three U.S. Senators and 47 Members of the House of Representatives, have joined in calling for "clearer signs of U.S. moral and political disapproval of the dictatorship—in Greece—be given and sustained."

Mr. Speaker, I will include the letter in the RECORD.

In addition the situation in Greece has been detailed in a series of newspaper articles published in recent days. These articles describe the concern of my fellow Members of Congress and I, including the rape of the Greek judiciary and the destruction of the educational system. I will also include them in the RECORD.

The material follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 30, 1969.

The Honorable WILLIAM P. ROGERS,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: We are writing to you because of our deep concern over the situation in Greece, the only European nation in the Western Alliance in the post World War II period to fall to a military coup.

Authoritative reports indicate that in junta-led Greece the economy is in decline, fundamental civil liberties are suppressed, and people continue to be arrested and jailed without charge. What's more, anti-Americanism is reportedly on the increase because our long-time friends believe the United States is the principal support of a military dictatorship which has no popular base.

Our policy of occasional, tepid expressions of "hope" that the junta will return to democracy stands in rather hollow contrast to the repeated instances of high-ranking American military figures being pictured and quoted in the controlled Athens press lavishing generous comments on the junta.

Thus we find ourselves in a situation where at a time of moral and political crisis in Greece, our traditional friends of liberal, centrist, and conservative persuasion believe with bitterness that the United States supports the dictatorship and the dictatorship, on the other hand, boasts about it. In the short term, and in the long term, we are in danger of reaping the whirlwind of anti-Americanism, especially when the junta falls, as it inevitably must.

America's attitude is critical to the survivability of the junta. The sooner the junta falls, the greater the prospect that a responsible, democratic, western-oriented successor government will emerge to bind the economic and political wounds. The longer the junta lasts, the grimmer the prospect of political polarization, turmoil, bloodshed, and unpredictable consequences to Greece and our own political, moral, and military interests.

Accordingly, we respectfully urge your consideration of the following action:

1. Since the post of U.S. Ambassador to Greece, presently vacant, has taken on a growing symbolic and practical value, that it be filled by an experienced, civilian-oriented diplomat of superior credentials and not be treated as a political reward or routine promotion.

2. That a clearer sign of U.S. moral and political disapproval of the dictatorship be given and sustained.

3. That U.S. military aid to Greece should not be increased, and indeed, should be curtailed.

Sincerely,

Hon. Joseph P. Addabbo, Hon Glenn M. Anderson, Hon. Jonathan B. Bingham, Hon. John Brademas, Hon. George E. Brown, Jr., Hon. Phillip Burton, Hon. Daniel E. Button, Hon. Shirley Chisholm, Hon. Jeffery Cohelan, Hon. John Conyers, Jr., Hon. James C. Corman, Hon. R. Lawrence Coughlin, Hon. Charles C. Diggs, Jr., Hon. Don Edwards, Hon. Joshua Eilberg, Hon. Donald M. Fraser, Hon. Jacob H. Gilbert, Hon. Seymour Halpern, Hon. Augustus F. Hawkins, Hon. Henry Helstoski, Hon. Floyd V. Hicks, Hon. Daniel K. Inouye, Hon. Charles S. Joelson, Hon. Robert W. Kastenmeier, Hon. Edward I. Koch, Hon. Robert L. Leggett, Hon. Allard K. Lowenstein, Hon. Abner J. Mikva, Hon. Patsy T. Mink, Hon. William S. Moorhead, Hon. John E. Moss, Hon. Lucien N. Nedzi, Hon. Gaylord Nelson, Hon. Robert N. C. Nix, Hon. Richard L. Ottinger, Hon. Bertram L. Podell, Hon. Adam C. Powell, Hon. Thomas M. Rees, Hon. Ogden R. Reid, Hon. Henry S. Reuss, Hon. Peter W. Rodino, Jr., Hon. Benjamin S. Rosenthal, Hon. Edward R. Roybal, Hon. William F. Ryan, Hon. William L. St. Onge, Hon. James H. Scheuer, Hon. Louis Stokes, Hon. Frank Thompson, Jr., Hon. Jerome R. Waldie, and Hon. Stephen M. Young.

WHY CLING TO THE ATHENS JUNTA?

(By Clayton Fritchey)

The Council of Europe, which includes most of the NATO countries, has warned the Greek military dictatorship to restore basic human rights by December or face expulsion from the 18-nation body. But the junta is not impressed.

There is only one nation (the U.S.) which has decisive influence with the colonels; and as long as the U.S. does not show any signs of reacting like the Europeans, the junta can afford to snub the council's threat.

Instead of organizing or even going along with outside pressure on the colonels to reinstate democratic government in Greece, the U.S. has resumed much of the military aid it has been pouring into Greece for over 20 years. Our tanks were supposed to be used by the Greek army to contain communism, but mostly they have been used to contain the Greek people.

Many European military observers have doubts as to how much help the Greek army would be in a showdown between the NATO and Warsaw pact forces, for the junta has been purging the armed forces of some of its best officers, many trained at enormous U.S. expense. The test of an officer is no longer ability, but political reliability.

As a putative ally, Greece has also been weakened by the obvious incompetence of the colonels in managing the economy. Since the military coup two years ago, the gross national product has been slipping steadily. Theoretically, Greece is NATO's southern anchor, but in practice it is more like a soft underbelly.

If the free democratic countries of Europe can afford to cast off the junta, why does the U.S. need to cling to this tyrannical government? The old anti-Communist justification no longer has any validity. After all, the junta overthrew not a leftist, but a conservative government.

It is a tragic conclusion of the brave effort launched in 1947 by President Truman to save democratic government in the cradle of democracy. After being a virtual satellite of the U.S. for two decades, the country succumbed to military dictatorship without a struggle. It was hardly a tribute to the spirit of democracy that the U.S. was supposedly fostering in Greece all those years.

Even the situation in nearby Czechoslovakia is better than that. About the time the U.S. moved into Greece, the Russians moved into Czechoslovakia, but after 20 years of Soviet domination the passion for freedom was still so ardent that the Czechs openly defied their masters. Not even the return of Russian troops has altogether quelled it.

Leaders of the Greek resistance feel their cause is hopeless as long as the U.S. cooperates with the junta. Washington's response is confined to vacuous assertions of interest in the "full restoration of civil liberties" and the "achievement of representative government in Greece."

These pious statements do not trouble the leaders of the junta. The Deputy Premier, Stylianos Patakos, recently met with President Nixon while on a visit to Washington. Upon returning to Athens he said no American officials had raised with him any questions about Greece's internal affairs.

More importantly, Patakos, since his Washington trip has openly dashed any hopes for

a return to constitutional government. The junta had been encouraging hopes that the dictatorship would be lifted in the near future, but now Patakos says he and his fellow officers are going to stay in power indefinitely.

"There are serious grounds for being disturbed by U.S. policy toward Greece," says Elias Demetracopolous, the exiled editor of a conservative Athens newspaper now closed down. He thinks the grounds require "a basic and urgent review of the U.S. position by the Nixon administration, which is in the advantageous position of having no responsibility for the events and policies of the last few years."

TIMID GREEK JUDGE SUFFERS FOR UPHOLDING PRINCIPLES

(By Alfred Friendly)

ATHENS, July 24.—Harassment of Greece's highest judge, who recently ruled against the government and refused its demands to resign, has reached the point where his physician was apparently pressured to declare him able to face an inquisition when, in fact, he had just suffered a heart attack.

The judge is Michael Stasinopoulos, president of the Greek Council of State. His illness is thought to be the result of the ordeal he was subjected to after he ordered the reinstatement of 11 Supreme Court judges fired by the junta. His physician is dependent on the government's favor for keeping his job in the state medical care system.

The 67-year-old jurist, subjected to attempted intimidation by a police officer who accused him of faking illness, has, so far avoided the command to appear before the junta's No. 2 personage, the deputy prime minister. Another doctor, engaged only in private practice and accordingly not subject to official intimidation, was called in by Stasinopoulos and has declared that he is indeed seriously ill.

The history of the continuing ordeal of the judge was disclosed in circumstantial detail by a thoroughly informed source. The story that emerges is of a timid, conservative, ultra-cautious man forced to become a hero in spite of himself, when there was no escape from putting his legal principles on the line.

The chronicle begins more than a year ago when the government purged some 60 judges, getting around the provision that they had permanent status by suspending the constitution, by official decree, for three days.

MORAL CALIBER

Among those ousted were 11 judges of the Supreme Court, the highest appeals tribunal for all cases in which the state itself is not a party. The principal grounds were that the incumbent either had been identified with a political party in a way that rendered him unfit to serve, or was not of the requisite "moral caliber." Those purged were also disbarred.

The jurists appealed to the Council of State, the highest appeals court for matters in which the state is directly involved. They won their case on rescinding the disbarment, only to have the government overrule it by decree the next day. Thus they remain forbidden to practice.

In a different case, based on provisions of the new constitution that the junta itself prepared and had confirmed in a national referendum last September, the judges appealed their ouster on grounds that the constitution provided them lifetime tenure.

Stasinopoulos realized the dilemma the case would present him and his 22-judge court. A small, fragile man, chosen for the presidency of the council by the colonels themselves, he had no stomach for a fight. A deep-dyed conservative, he is distinguished, if at all, as the author of rather mediocre poetry and as someone who has tried throughout his tenure to keep his court from coming into conflict with the regime.

His thesis has been that the Council of State, an institution created in 1930, does not have the Marbury v. Madison tradition ernment acts and will only get into trouble—especially with the present dictatorship—if it tries.

CASE STALLED

For a year, Stasinopoulos tried to duck the case, stalling it, urging the appellants to withdraw, arguing that whatever the outcome, both they and the court would lose. He did not heed the warnings, which he got anyway, from his first cousin, Gen. Hadjipetros, head of the Greek equivalent of the FBI, to "be careful."

But in the end, the case was not to be avoided. In June Stasinopoulos summoned a public session of the full court. The case had been thoroughly debated and the president may or may not have known how the vote would go. He made a short speech, bidding his colleagues to take into account the position of the state but also to reflect on the requirements of their honor as judges.

Under the usual procedure, an open vote was taken, with each member, beginning with the most junior, announcing his vote and the reasons for it. By the time the tally reached the president, it was 10 to 10 (there was one absentee). Stasinopoulos voted to sustain the appeal.

He chose the narrowest possible of the six grounds on which the appeal was based, due process. He ruled that the judges could not be dismissed without first having been formally presented with reasons and charges, and having the opportunity to answer them, and being given a proper legal finding.

For the first time since it took power more than two years ago, the hitherto cool regime publicly lost its composure. It has been proceeding ever since from one flagrant action to another.

JUDGE SUMMONED

Premier Georges Papadopoulos immediately summoned Stasinopoulos to his office and, in a rage, demanded his resignation.

At 9 the next morning, the judge presented a letter to the Ministry of Interior refusing, on grounds of the self-respect of the judiciary, to resign merely because the Premier told him to. An hour later, the official gazette published a governmental decree "accepting the resignation of the President of the Council of State" and naming his successor.

Whereupon, the 10 members of the council who had voted with Stasinopoulos submitted their resignations, also as a matter of self-respect. The chief judge's successor, meanwhile, showed himself to be a good lawyer too. He pointed out that he was not the legal President of the council until the incumbent had formally resigned, and that until then a litigant could impeach any decision on grounds that the court was illegally constituted.

The pressure on Stasinopoulos to submit a predated resignation was now immense. He was chivvied and argued with. His phone was cut off and police were placed in front of his dwelling to challenge all visitors and examine their papers.

The heart attack ensued. Shortly thereafter, about three weeks ago, Stylianos Patakos, the deputy prime minister phoned the judge—it turned out that the phone could be put back into operation when it suited the regime's convenience—and ordered him to present himself at Patakos's office. He replied that he was in no condition to leave his bed.

Next day, Stasinopoulos' physician made his morning call and without examining his patient told him he looked fine. The sick man protested that he felt terrible. At this point, the commandant of the regional police station pushed his way into the sick room and engaged in muttered conversation with the doctor. It was clear that some collusion was afoot. In a few moments, the doctor turned back to the judge and declared loudly: "You are now in good health."

FAKE ILLNESS

"So," said the police officer to the judge, "you've been faking illness. The doctor says you are well and therefore at 9 next Monday morning"—two days hence—"you will be in Gen. Patakos' office."

The judge's wife called in a physician in private practice. He has succeeded so far in forestalling Patakos's demand for Stasinopoulos' appearance.

Frustrated and all thumbs, the regime went Andrew Jackson one better, declaring that the court's ruling was not only unenforceable but unfounded because the subject matter was "excluded from its jurisdiction."

Also, it immediately disbarred and ordered one year banishment to a small island and to two remote hamlets for the three lawyers who had argued the Supreme Court justices' case.

George Christopoulos, Greece's ambassador to Paris, a former undersecretary of state and the Junta's nominee, reported the nature of European reaction. According to those who have seen it, the gist of his message was that Greece could not expect to remain in the Council of Europe, which is considering ousting it, unless it chooses to abide by the conventional legal and moral standards of other member governments, otherwise, it should resign from the council before it is kicked out.

The regime's response was to fire Christopoulos and replace him in Paris with a general.

GREEK COLONELS NURTURE UNREST BY CRUSHING SCHOOL FREEDOM

(By Alfred Friendly)

ATHENS.—The young professor at the University of Athens teaching penal law was a runaway favorite. After all, he wasn't 70 years old and he spoke to the students on their own terms, lecturing as if he cared about his subject and his listeners.

But he was the cousin of, and had the same name as, the Athens lawyer George Mangakis, who had defended many targets of the regime and who is now disbarred and banished for his pains. The young professor also doubtless indulged in some extracurricular political activity himself.

So in due course it was last March he was dismissed. He chose to make something a little special of his last class and spoke, therefore, on his own conception of the role of justice and the role of law in today's world. And he disclosed, of course, that he had been sacked by a process and for reasons that mocked those principles.

When he finished, a student leaped to his feet and called for getting up a petition urging the government to rescind the dismissal. Another student—a boy from the island of Crete, whose inhabitants, the novelists tell us, wear their passions on their sleeves—upped the ante, proposing that the students take to the streets in a demonstration.

At that moment, three members of the class got to their feet simultaneously, lunged at the speaker, pinioned him, and, after a scuffle, dragged him off to arrest, along with the first student, the petition-urger. They obviously had authority for their act.

"That's what bothers most of the students: not knowing who is sitting next to you, a student like yourself or a government informer," said the young man, himself a fourth-year law student, who told me the story. "It's that, probably more than the other interventions the government has made into the—how shall I say—intellectual life of the university."

Those other "interventions" have been, principally:

The wholesale sacking of professors who were known to look without favor on the dictatorship that took power in Greece in April, 1967.

"It's worst in the political science and economics faculties," the young student explained. "You begin a semester thinking you'll have three good professors in the course, and you find only one left."

The recent installation in every institution of higher learning of a military officer, a governor or commissionar—commisar would be the right word—from the regime. He sits in on faculty meetings, reviews every act, and presumably has veto power over the officials of each school. He determines what lectures shall be given, what courses shall be taught and what the contents should be.

But the class stoolies—the knowledge of their existence but not of their identity (except, as in the story above, when they blow their covers)—makes the sour taste in the students' mouths, a taste that grows steadily more rancid. (In Greek Universities, it should be explained, middle-aged bona fide students are commonplace, so that the appearance of an older person in a class is not an automatic revelation of an interloper.)

There is an ironic aspect to the regime's corrosion of its own educational institutions. One of the colonel's announced aims was "to create a new generation of Greeks"—by implication a generation that would be properly contemptuous of degenerate institutions like democracy, free choice and open criticism.

But what the commissar in the classroom seems to be doing is injecting a political fire into the students and awareness and loathing of Big Brother at a considerably earlier age than in the past.

Most students in Greek universities and other institutions of higher education are from the villages, from middle-class or even peasant families. (The upper crust, with money and a background of educational and especially linguistic attainments, send their children to Europe for their education.) To these young people of relatively humble origins, the university degree is the passport for escape from the primitiveness and poverty that was their parents' lot. In Greece, one's whole future depends on the university degree. Accordingly, not since Byron's day have the students been the young firebrands by whom revolutions are made, and they still are not.

Nevertheless, Greek undergraduates are not born devoid of a sense of outrage, and a recognition of it when they see it. They are not utterly quarantined from the viruses—and the vitamins—affecting students elsewhere. The guess here is that in a year or two the Greek students will begin to organize in earnest for political action. The embryos of future groupings are beginning to be seen and, as might be expected, the most developed is one with heavy Communist influence.

At the moment, the Communist Party is so badly battered, with a thousand or two of its activists in the junta's prison camps, that it lies low. But extremes breed extremes. If the Greek students are, like their parents, denied democratic organizations in which to operate openly and effectively, and if they remain subjected to the academic repression the junta has now decreed, it is not hard to visualize what kind of a "new generation of Greeks" will be created.

INDIANA DUNES

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. LANDGREBE. Mr. Speaker, I wish to direct my remarks toward the statements in the RECORD of July 22, by the gentleman from Indiana (Mr. BRADEMAS) on the subject of the Indiana Dunes National Lakeshore, and the amendment I introduced to H.R. 12781, the 1970 appropriations for the Department of the Interior and related agencies. I make these comments in order to clarify a number of false statements and implications which have been raised regarding my intention in introducing such an amendment.

The amendment I introduced would have prohibited funds to be "used to enter into contracts to extend boundaries of the Indiana Dunes National Lakeshore beyond the boundaries set forth in H.R. 11084 of the 91st Congress." This bill which I introduced on May 8, 1969 (H.R. 11084) specifically defines, in legal terms, the boundaries of this national park in northwest Indiana. The boundaries of this park, a park created by an act of Congress in 1966, were only vaguely outlined on a map drawn by the National Park Service. The act creating the park never defined the specific boundaries. It only gave the Secretary of the Interior the authority to buy land within a general outlined area. This area included more than 6,000 acres of land. Within its borders lie more than 500 private homes and businesses, bus and railroad lines, highways, and public utility lines and services.

The Park Service has been engaged in buying land since 1966. As of this date they have spent $12½ million and bought 1,038 acres of land, in addition to 383 acres presently under condemnation. Because the boundaries of this park are indefinite, and more importantly, because so many private homes and businesses will be destroyed and residents forced to move to other areas, I introduced this bill to specifically define the boundaries of this Federal park and to exclude the highly developed areas of the region from acquisition by the Park Service. The effect of my bill is to reduce the size of the approximate acreage which the Park Service has been authorized to purchase. However, the areas encompassed in my bill approximate 3 square miles, including almost 2 miles of Lake Michigan shoreline.

In this regard, the comments of my colleague from Indiana, Mr. BRADEMAS, bear some revision and correction in a number of instances. He states on page 20330 that—

> The bill would have affected, some persons advised me, up to 90% of the land authorized for this park.

On the next page he states—

> This legislation would not define the boundaries of this national park, but would properly reduce the size of the lakeshore by over three-fourths (or 75%) of its presently authorized size.

As anyone can see, his own statements are in conflict and neither is factual. The bill I have introduced, if the gentleman would care to read it, does, in fact, define in legal terms the boundaries of the national lakeshore. Its effect is, as I have said, to reduce the size of the original authorization by a little more than 60 percent. As I have explained, I have taken this action in response to urgent requests of the residents of this area and I believe it to be necessary and imperative in order to protect the many homes and businesses from destruction and confiscation. In this action I have been supported by hundreds of residents in this area, by resolutions from the town boards of Ogden Dunes and Dune Acres and by the full support of all the county commissioners of Porter County, in which the national lakeshore lies.

Second, there are a number of acres of land which have already been purchased by the Park Service which lie outside the boundaries defined in my bill. Mr. BRADEMAS says rightly that—

> Never in the history of the National Park Service have lands authorized for a national park and purchased under such authorization been subsequently removed from any park.

But I do not believe that we need to be intimidated by such past policy. I believe the situation is important enough to warrant the action I have taken and, therefore, if the Congress approves the bill I have proposed, then we will provide the National Park Service with the appropriate authorization to resell the land at the purchase price. Mr. BRADEMAS asserts in his statement that under the present law the land would have to be sold by the General Services Administration. This, in fact, is not the case, as the Federal Property and Administrative Services Act does not permit the disposal of park land by the GSA. I, therefore, intend to make provision for the disposal of this land by an amendment to my original bill.

Mr. Speaker, I would like to conclude by saying that I completely support the idea of the Indiana Dunes National Lakeshore and of the need and value of conservation as well as providing areas of recreation and esthetic enjoyment. But I believe that the present plans of the Park Service to condemn and purchase land which is highly developed and in one of the fastest growing communities in our Nation is an unwarranted and excessive intrusion of the Federal Government into the private lives of the residents of this area, particularly when many homes and businesses will be destroyed for the sake of recreation. I can only support conservation and recreation when it does not involve the destruction and disruption of vast areas and people.

I realize full well, as I am sure my colleague does, the need for a recreational area in this section of our Nation, a rapidly growing area of people and economic activity. I need not remind my colleague of the existing 2,100-acre Dunes State Park in this area. My proposal for the Indiana Dunes National Lakeshore doubles the present area available for recreation; but I cannot support the plans of the Federal Government to destroy homes and businesses in order to replace them with a Federal park. The idea is outrageous and unreasonable and the costs are excessive.

This is the explanation of my position and the reasons that prompted my action, not only in introducing the amendment to the appropriation bill, but also in introducing the original bill, H.R. 11084, defining the boundaries. I urge my colleague from Indiana and all Members of the House to give this matter their closest attention and support.

KENTUCKY'S LONG-LOST COMPOSER OF A WORLD-FAMOUS MELODY

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. CARTER. Mr. Speaker, the mysteries concerning the life of a noteworthy native son of Kentucky have been the subject of the research of a distinguished Ohio jurist, who has written a very fascinating account of his findings.

Judge Earl R. Hoover, former judge of the court of common pleas in Cleveland, Ohio, and an authority on early American music, went to great lengths to unfold the unknown details of the life of the author of some of our best loved native music.

Jonathan E. Spilman, born in Maysville, Ky., and the composed of the melody we know so well in association with the words to "Flow Gently Sweet Afton" and "Away in a Manger," was the subject of this interesting study by Judge Hoover.

As a contribution to the history of American music, and as an attribute to this talented son of Kentucky, I will place in the RECORD this article by Judge Hoover which appeared in the Register, a leading historical quarterly in my State:

J. E. SPILMAN, KENTUCKY'S LONG-LOST COMPOSER OF A WORLD-FAMOUS MELODY REDISCOVERED

(By Earl R. Hoover)

Accidentally I found a lost world celebrity—a native Kentucky song writer—J. E. Spilman. I did not set out to find him. I did not even know he was lost. When suddenly I awakened to that fact, it took me years to prove that the Spilman I discovered was the real Spilman for whom the authorities were searching. The life I turned up turned out unbelievably fantastic.

I first bumped into Spilman about a half century after he was dead. It was around 1943 in an antique shop in Harrodsburg, Kentucky. Ohio's Civil War song writer Benjamin R. Hanby, who wrote the history-making song, "Darling Nelly Gray" (about "the old Kentucky shore"), and the child's Christmas song, "Up On the House Top," had long enslaved me as a hobby, and I really was trying to find something pertaining to him—old song books containing his songs. I had never heard of Spilman.

The antique shop's proprietor was James P. Spilman. When he learned that I was interested in song writer Hanby, he had to drag out his own song writer. He did not realize he was handing me double trouble (a hobby is just that) by volunteering that his great-uncle had been a song writer, too— Rev. J. E. Spilman—who had composed the music to the old favorite, "Flow Gently Sweet Afton."

That fact alone would not have aroused me. It was the story he told me that did. He said that Spilman had married a niece of President Zachary Taylor; that he was a Presbyterian minister at Maysville, Kentucky; that his parsonage overlooked the Ohio River; that his wife was drowned when she was a passenger on an Ohio River steamer, the *Magnolia*, and its boiler blew up and it was destroyed as it sailed past parsonage right in front of her family's eyes; and that shortly thereafter, in grief, the Reverend composed the music to "Flow Gently Sweet Afton."

The great-nephew was not able to cite anything ever written about his great-uncle. He did not know any dates. As research later proved, he knew very little about the song writer, and much of it was inaccurate. Nevertheless it bore the earmarks of a story so exciting that there was incentive to give it chase.

Back home in our great Cleveland Public Library, I thought I could immediately verify the whole story that I heard in Harrodsburg, but for years stone walls stopped me—encyclopedias, musical and biographical dictionaries, treatises, histories, magazines. If the Empire State Building were to disappear it would be no less baffling.

The great-nephew's erroneous designation of the steamer as the *Magnolia* helped to deflect me from the scent because I did find a steamer *Magnolia* whose boilers exploded near Cincinnati on March 18, 1868, killing about eighty people, but no Mrs. Spilman was listed among the dead.

I was to learn that the identity of J. E. Spilman had been puzzling, even fooling leading music historians. Putting a few facts together this seemed impossible. In song books I did find the name "J. E. Spilman" printed over the music to "Flow Gently Sweet Afton." This tied Spilman up with a world immortal because the words to that song were written by Scotland's Robert Burns. Too, it is obvious that this same melody of Spilman's is also one of the most popular ones set to another famous song, "Away In A Manger." The authorship of the words to the Christmas carol, though disputed, has been frequently attributed to another world immortal, Martin Luther, and has often been called "Luther's Cradle Hymn." How can you lose a man tied up with Robert Burns and Martin Luther!

J. E. Spilman married President Zachary Taylor's niece, Eliza Taylor, daughter of Hancock Taylor. That means that Spilman's wife was a cousin to Zachary Taylor's daughter, Sarah, who married Jefferson Davis. That made Spilman's lost identity even more baffling. How could a man just drop out of sight who was tied up with four such famous people—a great poet—a great theologian—a president of the United States—and the president of the Confederacy? A man who, more than a century before, had written a melody still known the world over, even to children? A man who created something immortal—a tune sung to two world famous lyrics? A man whose name appeared over his melody in millions of old favorite song books, a copy of which was in almost every home? A man, as shall later be revealed, who was tied up with other well known figures?

On checking, I found that the late John Tasker Howard, then head of the American Music Division of the New York Public Library, said nothing about Spilman in his monumental, 841-page *Our American Music*. Other treatise writers were also helpless in penetrating the mystery.

In his equally monumental, 729-page *A History of Popular Music in America*, the late Sigmund Spaeth lavished just two sentences on Spilman, and used up two words to call him "a Philadelphian" which later proved to be entirely erroneous. I wrote the authoritative Mr. Spaeth asking for his authority for this. He replied, "I am not sure that I can give you the exact source of my information . . . but I know that this has been printed several times in the past and is generally accepted as the truth."

I wrote to the late Elliott Shapiro, of the music publishing firm, Shapiro, Bernstein & Co., Inc., of New York City, who was co-author of the book *Early American Sheet Music*. He suggested that I write to Richard S. Hill, Music Division, Library of Congress, saying "Spilman seems to be a fairly unknown proposition."

I wrote the late Richard Hill, thinking that surely in his great library, of thirty-six acres of floor space and hundreds of miles of book shelves, he had an instant, conclusive Spilman clue. He replied, "I am delighted that you have chosen J. E. Spilman as your next hobby. He is so complete an enigma that I would not be surprised if you could make him into your life work." "Besides," he added, "were I to hand you all the answers on a silver salver, it would completely ruin your fun."

Hill had already been on the Spilman hunt; and that "Philadelphia" red herring had harassed him too, for he wrote me, "I had a brief fling at trying to find a few answers to questions about him (Spilman). . . . The only intriguing lead is that family of Spilman's in Philadelphia. The name is spelled so many different ways in the different entries that you can almost hear the accent—I would guess that the name is really Spielman—that the family arrived in this country from Germany not long before their first appearance in the Philadelphia directories in 1837, and that some of the children were born abroad. This must have been true of 'J. E.' if my guesses are correct, since "Flow Gently" was first published in 1838. A good deal of hard digging, however, is going to be needed to establish even this much about the family—particularly since I am by no means certain that 'J. E.' was one of the barber's sons or relatives."

In my hunt, two irksome things were those initials "J. E." For what did they stand? In the original sheet music and in most song books they were just "J. E." To add to the annoyance, I found one song book giving it "James E." and another giving it "Jonathan E." The forces that lost Spilman seemed purposely to be throwing up confusion to keep him lost. I met another "err-itation"—Spillman spelled with two l's. In my bewilderment I had good company. Richard Hill wrote me, "I have a hunch that you will find that 'Jonathan' and 'James' are nothing better than surmises. I would be hard put to say why, but it would not surprise me in the least if it turned out that J. E. stood for Jane Eliza. At any rate, I am quite certain that it would be thoroughly unwise to shut out one's mind to the possibility that J. E. was a lady."

When I wrote Hill that I believed Spilman was a preacher, he cautioned me, "If you look over these titles (meaning Spilman's seven songs in the Library of Congress) . . . you will agree that the editor who added 'Rev.' to his name was making a . . . wild guess. . . . None of the songs refer to him as a 'Reverend'."

With such noted music historians stumped, I may have been up a tree if the Harrodsburg antique dealer had not placed in my hands some leads that the historians apparently did not have. He had said that the song writer was a Presbyterian minister at Maysville, Kentucky. Surely the Commonwealth of Kentucky and Presbyterianism had the answer.

I wrote to the Kentucky Historical Society with headquarters in the Old State House at Frankfort. It replied, "We find very little information about Spilman," but it did identify him as "a Philadelphian." I wrote back and asked for its authority for this statement. It replied, *"A History of Popular Music in America* by Sigmund Spaeth." Apparently it had borrowed the mistake that Sigmund Spaeth had borrowed from Richard Hill.

This was the most baffling of all. One can imagine some states that might lose such a son, but not history-conscious Kentucky, because as we shall see, Spilman was born in Kentucky and lived there about fifty years. Yet I found no leading Kentucky history that credited him with his world-resounding achievement. At Bardstown, the Commonwealth of Kentucky has gone all out to honor a native Pennsylvania song writer, Stephen Foster, but it has done little, if anything, to

honor its own son. Significantly, in a letter to me, Richard Hill rated Spilman favorably with Foster in one respect. Referring to the above list of Spilman's seven songs, he commented, "It would be surprising indeed had he managed to turn out more than one song in seven that would live for a century. Stephen Foster's average was no better."

To make it more astounding I was to find that Spilman wrote his immortal song in Kentucky—in the part steeped in tradition—in the Blue Grass Country—right at the core of that country—Lexington; yet today the Blue Grass is not conscious of Spilman or of the fact that while living there he did something immortal that was destined to become known to more people than any single piece of horseflesh ever bred in the Blue Grass.

In fact, another lead was to prove that Spilman attended historic Transylvania College at Lexington, oldest college west of the Allegheny Mountains. It is said to have had the first library, first football team, first medical school and first law school in the West. Spilman graduated from that law school. Among its famous sons, Transylvania boasts of George Rogers Clark, Stephen F. Austin, Jefferson Davis and John C. Breckinridge. Perhaps no one of them created any one thing that has been known and loved over so long a period by so many men, women and children here and beyond the seas, as has Spilman. He even wrote his world-famous melody on the campus while a student, but Transylvania is not aware of his achievement today.

Pursuing the Presbyterian lead, I did find a book entitled *Ministerial Directory of the Presbyterian Church, U.S. 1861–1941*, compiled by Rev. E. C. Scott and published in Austin, Texas, in 1942. Though listing a "Jonathan E. Spilman," it did not mention that he was a song writer or wrote an indelible melody. It did, however, raise some hope. It indicated that Spilman had held a pastorate at Maysville, Kentucky. I wrote to the directory's compiler, but he advised me that he wasn't able to find anything about this Spilman being the composer of the melody to "Flow Gently Sweet Afton." So did The Presbyterian Historical Society.

I mention these things in no critical sense, but only to show how completely the song writer had been lost. We no longer have to guess Spilman's name or sex. I corralled conclusive authority—his own statement, contemporary publications, his granddaughter, his obituary and his tombstone. He is a he, and he is Jonathan. By his middle name you can determine for yourself after whom he was named. In full, he is Jonathan Edwards Spilman. There is a reason why "Reverend" does not appear on the original sheet music. He was not a preacher—yet.

Space does not permit detailing the many letters written and received. The mystery was cracked and a dramatic life story obtained mainly through three sources: The First Presbyterian Church, of Maysville, Kentucky; Illinois College, at Jacksonville, Illinois; and the song writer's granddaughter, Mrs. O. C. (Jeanne) Anderson, of Xenia, Illinois. I shall not attempt to spell out the particular information supplied by each of these, but shall tell how I made these contacts, then relate the colorful Spilman life story and buttress it with the citations of authority gathered.

I wrote to the late Rev. Robert Von Thurn, pastor of the Maysville church, and was somewhat taken back by this reply:

"Some people have endless nerve in what they ask others to do for them. To collect all the data you have asked for would require several full days of work. I have no time for that. Your letter has been turned over to Miss Mary Wilson, 8 West 4th Street, Maysville. Miss Wilson is capable of doing this work for you, and a very reasonable charge, for all that, would be $10.00. And when you write to Miss Wilson, won't you enclose an addressed and stamped envelope? Down in this country, gentlemen do that."

I never spent $10.00 more productively or had more helpful assistance from a more delightful person than the late Miss Mary Wilson. Later, at Maysville, I met her and Mr. Von Thurn.

Another equally helpful contact came from an article I stumbled onto, written in 1909, which, though having some blatant errors, indicated that Spilman graduated from Illinois College, at Jacksonville, Illinois. I wrote to the college president, H. Gary Hudson, who supplied a wealth of material.

Much later, almost by accident, personally I was to meet Spilman's granddaughter, Jeanne Anderson, in Xenia, Illinois, who supplied valuable pictures and family records. Somehow Spilman's thrilling life has missed the main stream of history, and had to be rediscovered and recovered on the back streams of local history.

The story begins with pirates and, as suspected by Richard Hill, a change of name. The song writer's first paternal ancestor to step on America was his great grandfather, Henry Spilman. He came from England and he really wasn't a Spilman, but a Spelman. At sea, pirates murdered his father, also a Henry. Young Henry settled safely in Westmoreland County, Virginia. Due probably to his extreme youth, he started mispelling the name with an "i". Henry's son, James, lived in Culpeper County, Virginia. Among James' eight children was Benjamin Spilman, the song writer's father, who in 1790 married Nancy Rice. Immediately they plunged to Kentucky. Benjamin was just twenty-three. The song writer was born on April 15, 1812, at Greenville, seat of Muhlenberg County, Kentucky, the twelfth of their thirteen children. James Madison was president. The War of 1812 was about to start. Lincoln was three years old.

The hardships of pioneer travel from Virginia to Kentucky did not quell the restless Benjamin Spilman. About 1818, the year young Jonathan became six and Illinois was admitted to the Union, the Spilmans plunged Westward again, settling in White County on the plains of Illinois. There Jonathan grew up.

In 1831 Jonathan entered Illinois College at Jacksonville, whose president was Rev. Edward Beecher, the brother of Henry Ward Beecher and Harriet Beecher Stowe. Their father, Lyman Beecher, later an eminent Cincinnati preacher and president of Cincinnati's Lane Theological Seminary, has been called the "father of more brains than any other man in America."

In time, Illinois College would count among its sons, orator William Jennings Bryan and Lincoln's law partner, William H. Herndon, but now it was so shiny new that Spilman was a member of its first graduating class (1835). He had the honor, too, of being valedictorian. Of course, the class had only two graduates, but do not underestimate the competition. Today just a handfull of statues stand on the grounds of the Illinois State Capitol. One is that of Kentucky-born Abraham Lincoln. Another is that of Richard Yates, the Kentucky-born, Civil War governor of Illinois, United States senator and Spilman's classmate.

There could be only one valedictorian, but generous Jonathan Spilman eased the disappointed Yates by allowing Yates to become the first person to receive an Illinois College diploma.

Referring to the commencement, Yates later humorously said, "I am referred to as the first graduate of Illinois College. Now, for the honor of being the first graduate, I have always contended; but candor compels me to say, that it is a question which admits of some controversy. At the time I graduated I was not the only graduate and most certainly, I did not receive the first honors of the institution. The valedictory was very properly awarded to a generous and noble classmate, now an eminent barrister in the State of Kentucky. But I was not so far behind as you might suppose, for I received next to the highest honors of the institution. I was second best. I confess, I was somewhat in the condition of the boy at school, who boasted to his mother that he was 'next to head' which was all very well till the hopeful youth was interrogated as to the number of his classmates and he had to reply 'there was only two of us.' In this way I received too the highest honors of Alma Mater, 'for there were only two of us.' "

"Well, my classmate being a liberal fellow, in consideration that he walked off with the valedictory, out of the plenteousness of his compassion and generosity, agreed that I should receive the first diploma. Having received the first diploma—a beautiful sheepskin with blue ribbons and big Latin, I made my bow to the President and Faculty, and walked off the stand the 'First Graduate.' And if I ever entertained any feeling of envy toward my friend Spilman on account of his valedictory, it has always had ample revenge in the fact that I was the 'first graduate.' "

Spilman now reversed his life plan. Twenty years later he would reverse his reversal and resume his original plan. If he had not shelved his original purpose he might never have written his immortal melody because the stray circumstance that inspired it might never have discovered him elsewhere. Spilman had entered Illinois College to prepare for the ministry. As graduation neared he wavered, doubted his call and tabled it for later consideration.

In the fall of 1836 Spilman and his classmate, Richard Yates, entered Transylvania's law school. There the warm friendship that had grown between them at Illinois College became more firmly cemented. Spilman graduated in 1837, but returned the next year for an extra course of lectures as a resident graduate. After Transylvania the paths of the two classmates separated forever except for one brief moment. Yates, though a native of Kentucky, returned to Illinois for the big role that destiny was saving for him. Spilman remained in Kentucky. They met but once again, for an hour's conversation in Springfield when Yates was Governor.

There in his native Kentucky, destiny singled out Jonathan Spilman to be one of the fortunate few who create something that will live. As the hour approached for him to write a deathless song he was young—only about twenty-five. It was a beautiful 1837 summer day. The young law student was taking advantage of it, too, as he sat in the shade of a tree on the Transylvania campus enjoying a book of Robert Burns' poems.

Musically inclined, he turned over in his mind, one by one, the tunes he knew to which various poems of Burns had been set. He came to those lines to Mary and a river. To his surprise he could think of no music to them. He must be mistaken. That just cannot be. So he read the lines over, then over, then over again. Somewhere there must be music for such words. And suddenly there was! Under the spell of immortal poetry, from some unknown somewhere, there came to Jonathan Spilman the strains of an immortal melody—strains that neither he nor anyone had ever heard—strains that fit into the company and do honor to the lines of a Robert Burns. And Jonathan Spilman, student of law who had tabled a call to the ministry, jotted them down there that day under a black locust, Transylvania campus tree.

At the house, piano in hand, he worked out the accompaniment. He did not realize what he had created. How could he? He took a copy to his sweetheart. She sang it to friends. They suggested publication. He laughed. They continued urging him. He mailed it to an Eastern publisher frankly admitting that such a thing was out of his line, but saying that if the published thought the song worthy he could publish it. Spilman emphasized that he took no responsibility. To

his elation he received a laudatory reply and twenty-five printed copies.

This is how it happened that, in 1838, one of the 19th Century's leading publishers, George Willig, of Philadelphia, issued a new song in sheet music by Kentucky's J. E. Spilman entitled "Flow Gently Sweet Afton":

"Flow gently sweet Afton, among thy green braes,
Flow gently I'll sing thee a song in thy praise;
My Mary's asleep by thy murmuring stream,
Flow gently, sweet Afton, disturb not her dream."

It sold many editions.

You recognize immediately that Spilman's tune is also sung to the words of another old favorite—one of the most loved Christmas songs—sometimes called "Away In a Manger" and sometimes called "Luther's Cradle Hymn";

"Away in a manger, no crib for his bed,
The little Lord Jesus lay down his sweet head.
The stars in the heavens look down where he lay,
The little Lord Jesus asleep on the hay."

After Transylvania Law School, Spilman practiced law for eighteen grueling years in Kentucky—at Nicholasville from 1838 to 1849, then at Covington until 1856. He was a law partner of Judge Samuel M. Moore, later of Chicago, and of Judge John W. Menzies, later a Congressman.

Grueling years turned into crushing years when Spilman's partner entered politics saddling him with extra heavy legal loads. He broke down. Fearing permanent injury, he sold at great sacrifice. A little place in the country restored him. There he had time to reconsider the matter he had tabled more than twenty years. In 1858, he returned to work and to his original life plan—a Christian minister. He was forty-six years old. For thirty-eight years he preached—mostly in small towns—Covington, Nicholasville and Maysville in Kentucky; Canton in Mississippi; Carmi and Flora in Illinois.

There was romance and heartbreak along the way. In 1840, when almost twenty-eight, at Nicholasville he married Mary B. J. Menefee, daughter of Major John Menefee, of Jessamine County. She died three years later, three days after the birth of their only child. The baby died just nine months later. In 1845, now thirty-three, he married Eliza Sarah Taylor, daughter of Hancock Taylor, of Jefferson County, Kentucky—brother of Zachary Taylor. They had ten children.

The great heartbreak in the Rev. J. E. Spilman's life, I discovered, came when he held the pastorate at Maysville, Kentucky—an almost unbelievable story. On the night of Tuesday, August 7, 1866, tragedy stalked the Presbyterian manse as the clergyman and his wife, Eliza Taylor Spilman, retired for the last time.

The manse perched on a picturesque panorama. The Spilmans had lived there about two years. And what a scene on which to live! Nostalgic steamboating days were plowing their deepest wakes on the Ohio River. The Spilman house was a loge. The Ohio River was a stage. The hills of Ohio were a backdrop. Below, the giant actors puffed and paddle-wheeled their cues.

Tonight Eliza Spilman was particularly excited because tomorrow she would leave her spectator's seat to become an actress in the river's thrilling drama. If she could scan the script tonight she would turn back her part, for in this very theater the curtain would roll up on tragedy and she was cast as tragedienne.

Yes, taking a steamer on this shimmering O-hio-way, tomorrow she will visit down river in Covington and Louisville after first meeting her son, Charles Spilman, in Cincinnati.

The boat will be the Cincinnati-Portsmouth packet, the elegant, new *Bostona No. 3*, built at Jeffersonville, Indiana, and owned by David Gibson (½), Preston Lodwick (¼), both of Cincinnati, and W. E. Z. Moore (¼), of Portsmouth. The boat's master was Cincinnatian, Preston Lodwick.

This last night the family planned a unique, gala "bon voyage" for Eliza Spilman. The manse was downstream from the town wharf. They will put her on the *Bostona No. 3*, rush home, take their stations, and, as the steamer passes the manse, all will wave handkerchiefs in farewell.

The next day, Wednesday, August 8th, these plans are faithfully executed. It was twilight as the great ship pulled away from the Maysville pier and pointed toward Cincinnati. It was weighted down with passengers and freight including a few hundred gentle creatures from which ordinarily one could expect no harm—sheep. A violent storm was gathering.

As the majestic *Bostona No. 3* approached the Spilman home, the family saw Eliza at the ship's rail and she saw them. From ship to shore and from shore to ship happy handkerchiefs shouted "goodby," but now something injected itself that wasn't planned. As they waved suddenly the family became aware of a danger of which Eliza was not aware.

Something horrid had happened during the short interval between the boat's leaving dock and its arrival near the Spilman home. The night watchman had gone back to the locker underneath the ladies' cabin to fill his lamp with coal oil, and startled sheep had knocked the lamp out of his hand. Immediately the rear of the boat was wrapped in flames.

Terrified, the family suddenly realized that there, in front of her home, a mother and wife was sailing on a blazing inferno unaware of her peril.

A moment later the fire alarm shrieked. Word flashed throughout the boat. Passengers were exhorted to save themselves. Panic gripped the ship, but a steel-nerved pilot stayed at his wheel. Fortunately, not too far away, there was a sand bar near the Ohio shore, and he rammed the bow into the bar. Passengers rushed to the bow and scrambled down to the bar. Most were saved.

Attempting to escape, Eliza Spilman ran into a broken steam pipe and was severely scalded. She reached the hurricane deck and there sank, exhausted and unable to move. People came to her aid, either carrying her from the burning vessel or throwing her into the river. In a drenching rain they rowed her across the Ohio on a skiff. She hobbled up the steep hill to her home. In excruciating pain, she died two days later, Friday morning, August 10, 1866, and was buried in the Maysville Cemetery. The splendid *Bostona No. 3* was totally destroyed—loss $160,000.

Spilman was fifty-four; Eliza, forty-four. They had been married twenty-one years. About half of their ten children were living including Charles, the oldest, who was nineteen, and Lewis Hopkins, the youngest, who was only six. One daughter, Mrs. Julia Byrd Dewey, of Palm Beach, Florida, a writer, was recognized in *Who's Who In America*. The son, Lewis Hopkins Spilman, a lawyer of Knoxville, Tennessee, was also a writer who made *Who's Who*. Spilman lived thirty more years but never remarried. What irony that he should gain fame imploring a river to be gentle! His is the drama of a man in whose life two rivers play—two that flow thousands of miles apart in different hemispheres. One that he never saw, brought immortality; the other, flowing beneath his home, death.

Up the Ohio River about 170 miles from Louisville and 65 from Cincinnati—Maysville is still one of the nation's picturesque river towns. Rising from the shore into scrouging hills that help hem it between land and water and decorated with enough colonial homes to make New England green-eyed, it is a delight. It was the home of Stanley Reed, Justice of the United States Supreme Court; and it is the birthplace both of singer Rosemary Clooney and of the late John R. Marsh, the husband of the late Margaret Mitchell who wrote the best-seller, Civil War novel *Gone With The Wind*.

Though J. E. Spilman is forgotten in Maysville today, downtown there still stands the stately First Presbyterian Church where he preached in the 1860's. Forgotten too, though once the focus of a tragedy that rocked the whole valley, there still stands on the west side of town not far from the river, the house where the Spilmans lived.

In my quest there were years of correspondence to New York, Pennsylvania, District of Columbia, Kentucky, Georgia, Mississippi, Texas, Illinois and California. I made field trips to Kentucky and Illinois. At Maysville, I beheld the manse from which helpless loved ones once saw Eliza Spilman in distress. The story unfolded in dramatic detail, and I had authority for everything—well, except for one thing.

I was hunting that last link on July 6, 1951, when Mrs. Hoover and I entered the little town of Flora in Southeastern Illinois—population 5250. Knocking on the door of the Presbyterian parsonage, I asked hospitable Rev. F. D. McMartin if he could give me some information about a Rev. J. E. Spilman who wrote "Flow Gently Sweet Afton" and who, I understood, was once the pastor of his church.

He had never heard of Spilman, but he kindly telephoned Arthur Holt, a church official who had the church's old records. Holt had never heard of Spilman either, but he invited me to go to his home where his wife would show me the records. Gracious Mrs. Holt was waiting for me. Neither had she heard, but soon we were scouring the old "Minutes of the Session of the Presbyterian Church of Flora, Clay County, Illinois." And sure enough, there in these more than a half-century old, handwritten minutes for April 2, 1893, we discovered that "Rev. Jonathan E. Spillman, D.D., was engaged to supply the Pulpit on the Sabbath days when Rev. J. F. Flint would be absent at Odin or elsewhere, which was extended after Mr. Flint's departure."

But was this "Spillman" the "Spilman" who wrote "Flow Gently Sweet Afton?" The minutes did not say. At this anxious moment we found preserved in the old minute book, a printed program of the 85th anniversary celebration of this church. I perused it and beamed. Eureka! There, in a list of the church's pastors was "J. E. Spillman"; and after mentioning that he preached there until 1895 when physical infirmities compelled him to resign, it continued: "It is with pride that we can inform you that Rev. Spillman was the composer of the music to the beloved ballad, 'Flow Gently Sweet Afton.'" Yes, this was the right man, and I was near the end of the trail in the search for that last link.

I asked Mrs. Holt if there were any residents old enough to have known Spilman. Yes, there was—a Miss Grace Hundley. Mrs. Holt telephoned her. Miss Hundley had not only known Spilman, they had been near neighbors. That called for the big question—and Mrs. Holt asked it over the telephone—was this last link located in Flora? Yes, it was; and Miss Hundley told her where it was.

By now Mrs. Holt sensed that we were in search of something of historical significance. I did not have to ask her; she volunteered to guide me to it. We drove across town, entered a beautifully landscaped terrain, started hunting—and we found it!

There, in the heart of these United States, in Elmwood Cemetery, on the edge of this little community that did not know he was there, not only lost to Flora but lost to the world, we looked upon he grave of the man

who among the world's countless billions had done something immortal—the man whose name is associated with Robert Burns and Martin Luther.

The humble shaft gave no inkling of what he had done, or that here lay buried a world figure. It simply said, "Jonathan E. Spilman, April 15, 1812. May 23, 1896. That they may rest from their labours, And their works do follow them."

Yes, the man of two rivers and two professions who attained fame with his hobby even before starting to work, died in Flora at the age of 84.

We drove to the home of Miss Hundley on the west side of Flora. She still lived in the same house at #333 W. North Ave., where she lived in the 1890's when Jonathan Spilman lived diagonally across the street and to the left at #418. There the song writer spent his last years. In 1892, at the age of eighty and while preaching at Carmi, Illinois, he was, at his request, retired from active work because of his advancing years and because he wanted to be near relatives. He moved to Flora to be close to his daughter, Clara Lee Spilman Andrews (Mrs. George W.), the mother of Jeanne Andrews Anderson.

He built the little cottage that still stood across from Miss Hundley, and became supply pastor of the Flora church. There he lived with his maiden daughter, Anna Louise, just four feet eleven inches tall, and affectionately known as "Aunt Tantie." The Andrews also lived diagonally across the street from Miss Hundley but a little to the right. So Miss Hundley's eagle eye guarded the short highway path from Jonathan Spilman's to the Andrews'.

Fifty-five years had gone since Miss Hundley had seen Jonathan Spilman on that path. It had grown from a village street to a bustling transcontinental highway. Pointing to the Spilman cottage, she said, "Just as if it were yesterday, I can see him walking up the road from his house to the Andrews'. He was tall, handsome, kindly and slightly stooped, with long white hair and beard, but he looked like an aristocrat. He died at the Andrews' house. When he became sick, the Andrews brought him to their home so they could take care of him." Fire swallowed up the Andrews' home in 1948. On its historic site the Moose had built a building.

Mrs. Holt was perplexed that Miss Hundley knew all this, and Flora did not.

Then Mrs. Holt and Miss Hundley took me to the old church building in which Jonathan Spilman had held his last pastorate. To make way for a new church building, it had been moved from its original site at the corner of Second and Locust Streets; and then stood on East Second Street. Neither sermon nor hymn had echoed therein for many years, for it had been devoted to something else—something colorful but definitely a part of the vanishing scene. Through its weather-beaten emaciation still beamed the attractive lines of an old, frame, New England meeting house. Inside all was chaos and clutter. Miss Hundley pointed out the places where once the choir sat and the pulpit stood. Here, where long ago Miss Hundley had heard the voice of Jonathan Spilman, now we heard the voices of the anvil and forge of Ray Winter's blacksmith shop.

I left Flora happy that I had found Jonathan Spilman, but puzzled that a world could lose such a man. Perhaps Illinois will make amends. Flora is on Route 50 connecting Washington, D.C., and San Francisco. Spilman's cottage is too. Just as it did for another adopted Kentucky son, Abraham Lincoln, perhaps Illinois will enshrine Jonathan Spilman's grave and home so that a neglectful world may come and pay its overdue homage.

CONGRESSMAN JAMES A. BURKE: RECIPIENT OF THE NEWEL PERRY AWARD FOR HIS EFFORTS ON BEHALF OF THE BLIND

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. BOLAND. Mr. Speaker, Congressman JAMES A. BURKE of Massachusetts was the guest of honor of Mr. Kenneth Jernigan, the president of the National Federation of the Blind on July 3, 1969, in Columbia, S.C. At that time Congressman BURKE received the Newel Perry Award. The nature of this award can best be revealed by reading Mr. Jernigan's remarks as he presented the award to Congressman BURKE.

The remarks follow:

NEWEL PERRY AWARD

Like the Nobel Peace Prize, the Newell Perry Award is granted only as often as distinguished accomplishment merits it. It is given to those who have made outstanding contributions toward the progress and independence of the blind. It is, therefore, a great honor and pleasure to present this award, last bestowed in 1966, to the Honorable—James A. Burke, renowned statesman and Congressman from Massachusetts.

Nationally recognized as a leader in the Democratic Party, Congressman Burke has been acclaimed by Democrats and Republicans alike as one of the ablest members of the House of Representatives. He has been elected and reelected from the Eleventh District of Massachusetts since 1958. He is a legislator of the highest caliber, guided always by principle rather than expediency, with the courage, the independence and the determination to fight for his beliefs.

We of the National Federation of the Blind have much cause to know and appreciate Congressman Burke's qualities. All Federationists have become familiar with his name as he has labored in the 91st Congress to secure enactment of our long-time supported bill to liberalize Federal disability insurance for the blind. Congressman Burke is a staunch supporter of Federation's corner stone concept: he shares with us the belief that the blind have the same right as others to band together for the purpose of striving toward economic independence and social equality. He supports our conviction that the blind themselves should chiefly determine the direction of programs designed to assist them. His support is evidenced by his vigorous efforts to transform disability insurance under the Social Security system into an insurance against the economic disadvantages of blindness inherent in a predominantly sighted society.

Tonight we of the National Federation of the Blind honor Congressman Burke for his legislative labors on our behalf, and though this labor has been great, we honor him for much more: we honor Congressman Burke for his attitude toward us and our aspirations, for his understanding of our goals and our objectives.

Congressman Burke is not like so many who wish us well, promise us much, and then promptly forget us; who profess deep sympathy for our problems, and then act with cavalier indifference toward them. He is much more than a willing but remote friend he is a member of our crusade, a coworker who joins with us in our struggle to gain independence and dignity. He joins with us to change dreams into reality, and he asserts with us that all men, whether blind or sighted, have the right and the need to function to their fullest capacities.

Congressman Burke, this is why we honor you tonight. We want you to know—we want all to know—that we thank you for joining with us in our cause. We thank you for the strength you have added to our movement. Above all, we thank and honor you for your understanding and recognition of our goal: the complete integration of the blind into society on equal terms with others.

Mr. BURKE joined a most distinguished list of recipients, which include:

Governor Edward Johnson of Colorado;

Donald Overbeay, superintendent of Overlook School for the Blind in Philadephia;

Senator VANCE HARTKE of Indiana;

Kenneth Jernigan, distinguished president of the National Federation for the Blind;

Perry Sunquist, former director of works in California;

John Mungovan, director, Commission of the Blind, from my own State of Massachusetts;

Former Vice President Humphrey; and

Congressman THOMAS CURTIS of Missouri.

Mr. BURKE received this award for introducing H.R. 3782, a bill to amend title II of the Social Security Act in order to liberalize the conditions governing eligibility of blind persons to receive disability insurance payments. That night, Mr. BURKE said:

I would do all I could to secure the enactment of H.R. 3782 in the 91st Congress. My purpose has not changed. I am as zealous as ever and will prove to be unalterable in my course. Even though, H.R. 3782 has a greater number of congressmen committed to it than any other bill now pending before the House, it will need even a greater show of support if the members of the Ways and Means committee are to be convinced that they should approve H.R. 3782.

The increased amount of insurance a blind citizen would be entitled to would not be just coins tossed in a tin cup. It would extend the benefits a blind citizen could receive thus enabling him to be, in many cases, completely self-sufficient. This is an important feeling to have whether you are young or old, black or white, blind or with sight.

To be an indiivdual, and what is more important, to feel that you are an individual, is a right inherent in every democracy. Since blind people are citizens, unfortunately afflicted with a physical defect, they deserve our assistance towards realizing their full rights. This is not a plea for pity, because they do not want pity, only recognition and help towards reaching their full potential.

The formation of the National Federation of the Blind proves the unwillingness of a great number of blind citzens to be useless people. I commend them for forming this organization. I commend them for not sitting back, but rather exerting their right of self-expression, for it is not enough to just have rights but it is the duty of every citizen to actually exert them. The members of the National Federation of the Blind have done just this.

The attitudes of the National Federation of the Blind can best be described by reading the following portion from Mr. Jernigan's article entitled "Blindness: New Insights on Old Outlooks."

BLINDNESS: NEW INSIGHTS ON OLD OUTLOOKS

(By Kenneth Jernigan)

We are accustomed, in our day, to talk and hear about revolutions: revolutions past and revolutions present; revolutions violent and revolutions nonviolent; revolutions political, economic, technological, racial, social, cultural, and generational. They are of many varieties, these revolutions; but they have at least one thing in common—namely, their historical reality. Either they happened in the past, or they have happened in our own time.

I wish to speak to you, however, about a revolution that has just begun to happen—a revolution of the future as well as of the present. This revolution is one that should have run its course already; and it is one that will, irresistibly, come to fruition and make good its promise in the years ahead. Moreover, it is a revolution which I intend to stir, foment, and agitate; and I hope to solicit your active support in fanning the flames. In fact, if we can get enough people to join us on the barricades, we will not only have set the revolution on its course, but we will have won it.

For the revolution that has just begun to happen is a revolution in the public mind—in the minds of us all—a revolution in our attitudes and assumptions, our deepest premises and prejudices, concerning blindness. It is a revolution to replace old outlooks with new insights.

In a world of many revolutions—of constant novelty and change, of experiment and originality, of new thoughts and fresh ideas—in such a world it is astonishing that we can still be ruled, in any sphere, by superstitions that date to the caveman and images more appropriate to the ice age than the space age. Yet that is still in simple fact the state of our thinking (and, therefore, of our teaching, planning, and programming) about the blind.

This is not to say that there has been no progress. On the contrary, the revolution is well begun; it is on the right track; and it is steadily gathering force and gaining ground. Ever since the National Federation of the Blind came on the scene a generation ago, bringing with it the nerve of independence and the shock of recognition, there has been a shaking of the foundations throughout the field of work with the blind—and in the world beyond. But in view of the immensity of the task before us—even in its preliminary phase of ground-breaking, mind-clearing, and institutional renewal—it is clear that the revolution has barely been launched. To paraphrase Winston Churchill, it is not yet the beginning of the end; it is not even the end of the beginning; but it is the beginning of the beginning. Our revolution is under way. It cannot now be stopped or pacified until it has achieved its goal of overthrowing the graven image which looms as a stumbling block in the path of the blind—that image of their nature and limitations which is graven in stone upon the public mind, stamped upon the yellowing pages of the statute books, and nestled in the dusty corners of custodial institutions.

What then are the outlines and features of this graven image? First, it is an image of *helplessness*—not just of visual disability but of total inability. Second, it is an image of *abnormality*—not just loss of sight but loss of mental and emotional stability. (The blind man, in short, is thought to be not just affected in the eyes but touched in the head.) Third, it is a *"broken image"*—an image of impairment, of imbalance, and disharmony rather than of wholeness and symmetry—an image that calls attention to what is missing rather than what is present, to lacks and losses rather than strengths and talents. Helplessness, abnormality, incompleteness: these are the essential ingredients of a bitter and explosive brew—thoroughly aged and definitely sour—which flows like bile through the veins and capillaries of the body politic.

And what does all of this mean? What is the significance of these acts and attitudes on the part of government officials and workers with the blind? It is not merely that these several isolated incidents occurred. It is not even that they are symptomatic of a broader pattern of thought and deed, and therefore not isolated at all. It is rather that they bespeak the dominant theme of public and official opinion which everywhere characterizes the image of blindness.

That is the dark and threatening significance of the events which I have laid before you. But such events as these, however common, however destructive, no longer stand alone. Of still greater significance is the positive fact that we have come to recognize these sordid myths and misconceptions for the lies which they are; that we have organized; that we have *mobilized* ourselves into a powerful movement to change the total landscape of the country of the blind; that we have not only won friends and influenced people in our cause but have won battles and influenced the course of public policy.

It is significant, too, that more and more professionals in the field of work with the blind—in the private agencies, in government, in the foundations and universities—are receiving our message and rallying to our cause. It is significant that more and more blind persons are employed, in better and better careers. It is significant, most of all, that despite the heritage of old outlooks, despite the deep hold of the graven image upon their minds, the general public is beginning to show itself ready to listen to learn, and to understand.

The challenge is ours, and the time is now. Our revolution will not wait, and it will succeed—but only if we take the lead and take the risks. It is for us to persuade, to participate, to perserve—and to prevail—and prevail we will!

The words of Abraham Lincoln, spoken a hundred years ago, are no less applicable to us today: "We cannot escape history. No personal significance or insignificance will spare one or another of us. This fiery trial through which we pass will light us down in honor or dishonor to the last generation. We, even we here, hold the power and bear the responsibility."

The time is now, and the challenge is real. I ask you, with all that the question implies: will you join me on the barricades?

Mr. Speaker, their revolution started on a national level in 1940 when Jacobus Tenbroek, with the help of Dr. Newel Perry and Perry Sunquist, formed the National Federation of the Blind. The prototype of this organization was the California Council of the Blind, which Perry and Sunquist started in 1934. Here is a section from a letter written by Newel Perry on May 29, 1946, explaining why a national organization for the blind should be formed:

NEWEL PERRY LETTER

A conviction almost universally entertained by the blind to the effect that they are frequently unjustly treated by the Social Workers is allowed to go unexpressed, due to fear. Membership in an organization of the blind, for the blind, and by the blind, will help to remove this fear, and frank and bold criticism would reach the ears of legislators and would help greatly by enabling your Congressman and the members of your legislature to understand your needs. Be assured these men do not now understand your problem. However, much of your dissatisfaction now vented on your social workers—is misdirected. For example, your bitterness over the fact that your meager earnings are taken away from you through reductions in your aid, is not to be blamed on your social worker. On the contrary, the fault rests with your Congressmen. Congress has forbidden the State authorities to permit you to retain any of your earnings. To whom, then, shall we address our complaints? The answer is clear. We must complain to our Congressmen in Washington. Through what vehicle, then, shall I communicate my wants and my criticism to the Congressmen in Washington? The answer is not a State organization, of the blind. Remember, Congress legislates—not for a particular State—but for all the States. If, therefore, we wish to petition Congress, we must look to Washington for relief, it follows that we must communicate with these Federal legislators through a nationwide organization which speaks, not for the blind of a particular State only—but for the combined blind of the whole country.

We have every reason to be very proud of the achievements of the N.F. of B. Practically every Congressman has already become aware of our national organization and regards it with respect. We must not return to our follies of former years. We must not make the mistake of sending forty-eight separate groups to explain our needs to Congress. Such a procedure would inevitably result only in giving Congress the impression that the blind do not know what they want, and as a natural consequence it would decline to take any immediate action.

To impress Congress, we must send to Washington our most able and best trained representatives. Fortunately, under the energetic administration of our President, we have done just that. Our campaign in Washington has been intensive and carried on by men who possess ability, industry, zeal, and understanding of the present needs of the blind. Let us continue to present a united front in Washington.

Kindly convey my greetings to your State Convention, particularly to the pleasant persons I met at Des Moines and other gatherings. I hope it will be my good luck to meet both you and them in St. Louis.

Cordially yours,

DR. NEWEL PERRY,
President, California Council for the Blind.

In conclusion, Mr. Speaker, we must never become so involved with the many that we forget the few. We represent all the people which infers that we are responsible for all their needs. Let us not forget these few who need our help.

POLISH-AMERICAN ADDRESS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. PUCINSKI. Mr. Speaker, last weekend the Polish-American Congress held its 25th anniversary banquet here in Washington. The energetic and highly respected president of the Polish National Alliance, who also serves as president of the PAC, delivered the following address which I place in the RECORD today. Mr. Mazewski today speaks for more than 15 million Americans of Polish descent. His inspiring address follows:

AN ADDRESS OF ALOYSIUS A. MAZEWSKI, PRESIDENT OF THE POLISH-AMERICAN CONGRESS, DELIVERED AT THE ORGANIZATION'S 25TH ANNIVERSARY BANQUET AT THE SHOREHAM HOTEL, WASHINGTON, D.C., ON SATURDAY EVENING, JULY 26, 1969

Twenty five years ago, Americans of Polish origin were deeply disturbed by the events

that were unfolding in the diplomatic area of history.

World War Two was drawing to a close. They had a vitally important stake in its outcome both as American patriots and as an ethnic entity, conscious of spiritual, cultural and historic ties with its ancestral home—Poland.

They were concerned with saving Eastern Europe for Europeans—for Poles, Czechs, Slovaks, Hungarians, Rumanians, the Baltic peoples, and with restoring to them their right to full freedom and independence.

They rightfully appraised Poland as the keystone to East and Central European peace and stability, and, consequently, a vital factor in American security.

Because these historically proven concepts were endangered, and the fruits of victory gained with considerable contributions of these peoples were being dissipated, the Polish American Congress came into being on June 1, 1944 in Buffalo.

Among its founders were religious dignitaries of such stature as the late Bishop Stanislaus Bona, the late Bishop Leon Grochowski, a host of Monsignores and priests. Lay leadership of Polonia was represented by Charles Rozmarek, Honorata Wolowska, John Olejniczak, Ignatius Nurkiewicz, Valentine Poranski, Zygmunt Stefanowicz and 2,000 delegates representing Polonia from 32 states.

Although the question of a free and independent Poland had been the rallying cry for this Convocation in Buffalo, the founders of the Polish American Congress fully realized that the time had arrived for redefinition and renovation of the sociological, cultural, economic and political structure of ten million Americans of Polish ancestry.

They were giving the full measure of devotion and sacrifices to America's war effort. Approximately one million of their sons and daughters served in the United States Armed Forces, according to statistics published in 1941 in Washington. And they claimed their right to express their opinion, advice and criticism in the crucial area of post-war settlements.

Thus, at the very inception of the Polish American Congress, two objectives were merged:—that of true Americanism as it is demonstrated in our pluralist society; and that of an ethnic group whose more intimate knowledge of East European history moved it to the forefront in the struggle against communist conspiracy and Soviet imperialism.

War-time and post-war exigencies took a turn different from that advocated by the Polish American Congress, and the problems that were not resolved with foresight and boldness in 1945, are still with us today.

The sudden and foreboding glare of the Atomic Age, and the awe-inspiring attainments of the Space Age which we had witnessed last Sunday, did not and will not alleviate the fundamental needs and longings of people subjugated against their will, to Soviet imperialism and communist tyranny. The struggle for their freedom and independence—in justice, security and economic well-being goes on, not on battlefields, but in the area of ideology.

Thus, at this solemn occasion, when we pay tribute to founders and first leaders and activists of the Polish American Congress, we re-dedicate to these principles which we hold to be of primary importance:

We shall continue in our efforts to help the Polish people regain their freedom and independence, in a state secured within the boundary of the Odra Nysa Rivers in the West and the Riga Treaty line in the East;

We shall continue to support economic assistance from the United States to the Polish nation, based principally on the most favored status in trade, and meaningful extension of cultural exchanges between the American and the Polish people;

We shall support the psychological resistance of the Polish nation against communism and Soviet aggrandizement by all means available within the context of America's enlightened self-interest.

For ten million Americans of Polish ancestry, we pledge concerted, carefully planned activities to help them attain well deserved positions of responsibility and influence in education, in cultural activities, in economics and politics:

We pledge to our younger generations more opportunities for higher education;

We pledge continued researching of Polish American history in order to correct the faults of omission in the past and to present to our young generations a true picture of the contribution of our forebears to the growth, development and defense of the United States;

And we pledge to implement the wide spectrum of proposals, purposes and objectives presented recently to the Polish American Congress by a convocation of American intellectuals of Polish origin, held at Alliance College in Cambridge Springs, Pa., firmly believing that the appraisals and projections for Polonia's future, submitted by men of bold vision and high academic stature, offers splendid opportunities for our ethnic group in the mainstream of American life.

I would be lacking in candor, however, if, at this moment, I did not touch upon the current political realities and their abrasive effect on a considerable number of Americans of Polish origin.

We have men and women eminently successful in all walks of American life; people experienced in serving the public; people occupying positions of trust and responsibility.

However, we have not yet received proper recognition in politics on all levels—municipal, state, and especially federal.

This lack of recognition is glaringly apparent nowadays.

I do not wish to put blame for this state of affairs on any one. Certainly not on President Nixon.

I feel, though, that the time has come to remind the young and often brash White House functionaries, that ours is a pluralist society, deriving its strength and unity from the rich and diversified mosaic of ethnic backgrounds that contributed so much to richness, stamina and beauty of the American Way of Life.

Neglecting them or slighting them through political inexperience or whimsy, could in time, result in the corrosion of the political cohesiveness of our land.

In this area of Polonia's perspectives, we feel hurt, slighted and angered. These emotions could have far reaching consequences in many sectors of our national politics.

In conclusion I wish to state, that with this anniversary banquet we close one era of Polish American history.

The torch of idealism, of the love of freedom, of national and international justice, peace and security has been passed into the hands of another generation.

We revere the past, its attainments and its leaders.

And from this vantage point of history, we scan horizons searching for the promise and fulfillment of a better future of American Polonia.

We know the measure of efforts and sacrifices that are required of us. We are ready for them, inspired by the past achievements and goals of the Polish American Congress.

Indeed, it has been rightly stated in ancient Greece—that the Past is a Prologue.

FOREIGN AID

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. CONTE. Mr. Speaker, I have worked closely with the subject of foreign aid during my 11 years on the Foreign Operations Subcommittee of the House Appropriations Committee. During that time, foreign aid has come under attack from all sides.

I have on numerous occasions expressed my support for the basic concept of foreign aid. However, I have never maintained, nor do I intend to now, that the foreign aid program is perfect. The fact of the matter is that it is not perfect, and this has resulted in a lot of constructive criticism. Unfortunately, it has also given fuel to those who oppose the entire concept of foreign aid.

I was very interested to read an article in the Washington Post on July 27, 1969, to the effect that foreign aid has strong support throughout the country. The most surprising finding in the poll, referred to in the Post article and conducted by the University of Michigan, is that there is support for aid even though a majority of those interviewed had a highly exaggerated idea of its cost.

Because of the importance of the subject and the effect that this poll may have upon it, I include the article in the RECORD at this time:

FOREIGN AID SCORES IN NEW POLL

(By Carroll Kilpatrick)

With foreign aid programs extremely unpopular in Congress, a new opinion poll shows wide public support for this country's foreign assistance efforts.

A study by the Institute for Social Research of the University of Michigan shows not only strong support for aid but an overwhelming opposition to a go-it-alone foreign policy.

Perhaps the most surprising finding is that there is support for aid even though a majority of those interviewed had a highly exaggerated idea of its cost.

About half of those interviewed guessed that foreign aid spending amounted to between 15 and 40 per cent of the Federal budget. Some thought it cost even more.

Only 3 per cent said that it was about 2 per cent of the Federal budget, which it is, exclusive of Vietnam military aid costs.

Even with this exaggerated notion of the cost (and interviewees were not told what the correct figure was), 46 per cent said they supported the aid programs, 32 per cent said no and 22 per cent expressed varying degrees of support and opposition.

The strongest support was found in the Northeast (49 per cent) and the weakest support was found in the West (40 per cent). College-educated persons favored aid by 58 per cent to 18 per cent, with 24 per cent expressing reservations.

Democrats generally support aid programs more vigorously than Republicans. Among those interviewed who considered themselves strong Democrats, 52 per cent said the United States should continue to give aid to other countries. Among those who considered themselves strong Republicans, 42 per cent favored the aid programs.

On the question of whether the United States would be better off to stay at home and not concern itself with the problems of other parts of the world, 76 per cent said no. Only 24 per cent approved the proposition that we should not concern ourselves with the rest of the world.

Among those with a college education, the opposition to an isolationist role was 88 per cent. Of those with a grade-school education, the opposition was 60 per cent.

These figures would indicate stronger support for President Nixon's controversial speech last month at the Air Force Academy in which he attacked the new isolationists than the outcry from some members of Congress would suggest.

The figures also would indicate much stronger support for aid than the critics in Congress would have anyone believe.

NOISOME NOISES

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. EDWARDS of California. Mr. Speaker, I wonder if any other Members of Congress woke up today with a headache, at least with a headache not caused by the pleasures of the night before.

I may have picked the most inappropriate place in the universe to make my complaint, but and briefly, I would like to suggest that we need a program to abate noise, to eliminate noise pollution. And for those who are annoyed by the noises that sometimes rise from this floor, tone, content, or lack of content, let me remind the Members, and the public, that there are many more noisome noises than the voice of Congress. At least I hope so.

On my way to work this morning I heard one. It practically lifted me out of the seat of my car as one of those jets headed for National Airport. But I cannot claim that my experience was unique. I would have faced the same noise, only worse, if I had been driving down Highway 17 in San Jose across from the Municipal Airport. Those jets fly so low California highway patrolmen have threatened to cite them for speeding and failure to obey the muffler laws.

We also are graced by the sound of concrete mixers, autos, trucks, motorcycles, jackhammers, telephone, people, machines, televisions, rock music, transistor radios, and political candidates of the opposition party. For a change I would like to hear a bird sing, quietly, without interruption and to completion. It does not seem possible that such simple sounds will be heard by any of us much longer. We are building new jets to make more noise, including such happy bangs as sonic booms. As a result we will, I fear, soon have new business, akin to the hearing aid business, but providing the opposite in services.

The public is not altogether pleased by this kind of noisy progress. Again to be parochial, some of the residents of my district in California have sounded off—excuse the phrase, please—against a proposed new airport backing up to their homes. I sympathize. I do not even like National Airport from my sounding board on Capitol Hill.

In the interest of noise abatement I will end my remarks here and merely ask that an article by Donald F. Anthrop, "Environmental Noise Pollution: A New Threat to Sanity," published in Science and Public Affairs in May of 1969 be reprinted in the RECORD. I recommend it to my fellow Members of Congress for a few moments of quiet reading, hopefully followed by silent contemplation and action.

The article follows:

ENVIRONMENTAL NOISE POLLUTION: A NEW THREAT TO SANITY

(By Donald F. Anthrop)

(NOTE.—Standards developed by the U.S. Air Force (the largest employer in the country with a very noisy environment) have led to a recommendation that ear "defenders" be worn if the noise levels exceed 85 decibels. What is not generally recognized is that the level of "ordinary" noise in a community frequently exceeds the 85 decibel level—which has been found injurious in industry. And the end is not even in sight. Just over aviation's horizon is the supersonic transport airplane and its sonic boom. Dr. Anthrop is a research chemist at Lawrence Radiation Laboratory, Berkeley, California. He is a conservationist, and is doing research in noise abatement.)

The sources of noise today seem almost limitless. From the kitchen in the modern home comes a cacophony that would require ear defenders in industry to prevent hearing loss. In a series of measurements made in one kitchen, a dishwasher raised the noise level in the center of the kitchen from 56 to 85 decibels, while the garbage disposal raised it to more than 90 decibels. A food blender produces about 93 decibels. Power lawn mowers and leaf rakers, outside air conditioners, and power tools such as saws contribute to the noise in the home. But for most Americans, construction and transportation sources, particularly trucks, motorcycles, sports cars, private airplanes and helicopters as well as commercial jets and military aircraft, are the most serious offenders.

CONSTRUCTION NOISE

Particularly in large cities, construction noise is a very substantial and seemingly continuous nuisance. This noise can be substantially reduced with existing technology and without great cost. In December 1967, Citizens for a Quieter City in New York demonstrated a muffled air compressor developed in Great Britain and used there for the past five years which reduced the noise level from 86 to 79 decibels at a distance of 25 feet. The compressor is enclosed in a plastic housing lined with foam plastic. This organization also demonstrated a muffled jack hammer which produced significantly fewer decibels. Tests at the British Building Research Station have shown that jack hammer noise can be muffled considerably without any great impairment of performance. Many European cities are already using muffled jack hammers and air compressors equipped with sound attenuating devices. Some of the techniques that can be employed were illustrated by the Diesel Construction Company in the construction of a 52-story office building in lower Manhattan. Foundation blasting was muffled with special steel wire mesh blankets, demolition was done during late hours and weekends when few people were in the area, and steel beams were welded rather than riveted together.

MOTOR VEHICLE NOISE

Transportation constitutes the principal source of noise in most American cities. There are now 81 million privately-owned passenger cars in the United States compared with 25.5 million at the end of World War II. Each year seven million of these wear out or are junked, but in the past few years an average of 10 million new ones have been produced or imported each year. Thus, the number of automobiles is increasing at the rate of nearly four per cent a year. As if 81 million automobiles didn't create enough congestion and noise, there are also 2.4 million motorcycles and 16.6 million trucks.

Motor vehicle noise has been primarily an urban problem. In a recent study of noise in Boston schools, a mean reading of 78 decibels was recorded in a school playground in downtown Boston. In Wellesley, a suburb of Boston, the noise level in the school playground was only 58. Thus, children in the city school were exposed to a noise intensity 100 times greater than the suburban Wellesley children. But the rapid increase in the number of motor vehicles, the production of larger and noisier trucks, the construction of the interstate highway system, and the exodus of people from city to suburb has increasingly brought noise pollution to suburban areas and the countryside.

One of the most comprehensive noise surveys ever made was the London survey in 1961. Noise measurements were made at 540 locations in central London, and 1,400 residents at those locations were interviewed. At 84 per cent of the points traffic noise predominated. About one-third of the people specifically mentioned motor vehicle noise as a major irritant. Furthermore, traffic noise appeared to be as important an annoyance as all other noises together.

A number of surveys have estabilshed beyond doubt that the noise problem near high-speed highways arises principally from trucks, motorcycles, and sport cars. In 1964 the California Highway Patrol conducted a series of tests along California highways in which noise levels of 25,351 passenger cars, 4,656 gasoline trucks, and 5,838 diesel trucks were measured. Noise levels of the passenger cars, measured 50 feet from the road, varied between 65 and 86 decibels with the average falling at about 76. On the other hand, noise levels for diesel trucks ranged from 68 to 99 decibels with the average at about 87.

ANTI-NOISE LAWS

The results of these various surveys demonstrate quite clearly that in order to achieve quieter living conditions, cities must reduce motor vehicle noise. Yet governments at all levels have thus far failed to achieve any meaningful reductions. In 1965 the State of New York enacted a law limiting the noise a motor vehicle can produce at a distance of 50 feet to 88 decibels while traveling 35 miles per hour. In 1967 California enacted legislation which sets a limit of 92 decibels for motorcycles and trucks of three tons gross or more, traveling at speeds above 35 miles per hour. All other motor vehicles are limited to 86 decibels. That these limits are much too high is suggested by the fact that in 1961 California hired an acoustical consulting firm to make a survey of motor vehicle noise and to recommend limits consistent with existing technology and currently available noise measuring techniques. The firm recommended maximum limits of 87 decibels for trucks and motorcycles and 77 for other motor vehicles.

Even these lower limits were deemed to be easily attainable with existing technology. Furthermore, no valid argument has been advanced to justify higher noise limits for motorcycles than for passenger cars. There is no reason why a 50-horsepower motorcycle should be allowed to make as much noise as four 300-horsepower Cadillacs. Yet the new California noise law permits precisely this situation. Worse yet, the law is not being enforced, particularly with respect to motorcycles, which have become a real threat to sanity in city and back-country alike.

A substantial fraction of the motorcycles being operated in California today have altered mufflers or no mufflers at all, and many bear no registration plates. All such motorcycles are being operated in violation of the state motor vehicle code irrespective of any noise laws. The unwillingness of some local governments to use the tools already at their disposal to achieve quieter communities is a hindrance to the enactment of more effective noise control legislation.

The future of our cities depends in no small measure on how successful we are in reducing traffic noise and congestion. Three approaches are open to us: (1) reduce the noise of the source; (2) eliminate the source through the use of quiet, underground mass transit systems; (3) reduce the noise near freeways by depressing the roadway or constructing a sound barrier along the right-of-way.

While highway design features can greatly reduce the noise nuisance in communities near freeways, motor vehicle noise in our existing cities can only be reduced by quieting or eliminating the source. The origins of noise in motor vehicles are primarily direct radiation from the exhaust, inlet, engine, transmission and tires, and complex vibrations of the outer surfaces of the vehicle. The exhaust is the predominant source of noise in an unsilenced internal combustion engine. It has been demonstrated that complete silencing of the exhaust of a 10-ton diesel truck by means of a series of large mufflers reduces the noise 10 to 15 decibels in the low frequency range. Silencing of the engine inlet produces a smaller noise reduction but over a wider frequency range.

Control of noise produced by the engine structure is somewhat more difficult. One approach has been to build an acoustically-lined enclosure around the engine. In any case, the noise level of nearly all motor vehicles could be reduced by 10 to 15 decibels in the near future at small cost.

Finally, substitution of electrically or steam-powered vehicles for the internal combustion engine would not only result in a major reduction of urban air pollution, but would enormously reduce traffic noise. The brightest hope for the future clearly lies in such vehicles coupled with underground systems for the movement of goods.

AIRCRAFT NOISE

Since there are now nearly 1,200 jet airliners, about an equal number of piston aircraft, and more than 100,000 private airplanes in service in the United States, the aircraft noise problem has become very widespread. Today millions of Americans are affected by this aural assault: Congressmen Benjamin Rosenthal and Herbert Tenzer whose Long Island communities lie under the flight paths for La Guardia and Kennedy have warned that the mood of their constituents has become one of desperation, not just unhappiness.

The courts have held that insofar as the operation of aircraft is concerned, the federal government has preempted the field. A 1963 ordinance of Hempstead, Long Island which regulated the altitude and flight path of aircraft while over the city was ruled invalid in a 1967 court suit. Ordinances such as the recent one passed by the city of Santa Barbara banning supersonic flights over the city also would probably be declared invalid in a court test.

Noise levels in some communities near our major airports have become so intolerable that many residents cannot continue to live in those communities. Lawsuits totalling $200 million are pending in the courts. A few people have been awarded damages where it was shown that property values had declined or where some directly measurable economic penalty had been incurred. But generally, the private citizen has been able to get little compensation for the abuse he has suffered. Recently the airport operators, who consider the reduction of aircraft noise to be primarily the responsibility of the manufacturers, charged the airlines and manufacturers with smokescreen tactics on the noise abatement problem and withdrew from the industry-wide National Aircraft Noise Abatement Council.

One does not have to be directly under the flight path of a large jet on take-off in order to receive an ear-splitting roar. When a 707-320B jet is four miles from the point of brake release at the end of the runway it has attained an altitude of about 800 feet and the noise level on the ground one-half mile on either side of the flight path is approximately 85 decibels.

FEDERAL EFFORTS

Federal officials should not be surprised by the magnitude of the present problem. In 1952 President Truman received a report, "The Airport and Its Neighbors," from his Airport Commission. The Commission said greater consideration should have been given residents living in an area when airports were first built and that civil and military officials should make much greater efforts to reduce take-off noise over residential areas.

But federal officials are just now beginning to do something about the problem. In August 1968, President Johnson signed into law a measure requiring the Federal Aviation Administration to undertake control and abatement of aircraft noise. The FAA was not particularly eager to have this responsibility, for the law appears to make the FAA liable for damage suits arising from aircraft noise.

The FAA has initiated noise control procedures at some airports, but until quieter engines are built, there is not a great deal it can do with regard to jet transport noise. The noise control procedures that have been implemented are directed almost solely at reducing the noise level in communities lying directly under the flight path while the plane is at low altitude. While reductions have been achieved in such communities, the result has often been to spread the noise around to other communities. This is precisely what has occurred at the Washington, D.C. National Airport where the FAA requires departing aircraft to climb as quickly as possible to 1,500 feet and then cut back the power and follow the Potomac River northward. Flights over the White House, the Capitol, the Washington Monument, and the U.S. Naval Observatory are prohibited. But since Washington National Airport is just across the Potomac River from the Lincoln Memorial, central Washington is still bombarded by the constant roar of jets, and communities such as Georgetown are now directly under the flight path. Why should residents of Georgetown be subjected to the noise while congressmen on Capitol Hill are protected from the din? If the congressional office buildings rather than residential communities were under the flight path, Congress would long ago have taken steps to end the nuisance.

The solution to the aircraft noise problem in the District of Columbia is to close Washington National Airport. Few people presently use Dulles because it is so far from the city, but it would be much more attractive if a rapid transit system connected the airport with downtown Washington. Furthermore, a substantial percentage of the traffic at Washington National Airport consists of Washington-New York and Washington-Boston commuter service. If high-speed rail service were available between these points this traffic could be almost eliminated.

GETTING AT THE SOURCE

While flight procedures can bring relief to some communities, the only solution to the aircraft noise problem lies in quieting or eliminating the source. NASA is financing research and development to develop a new "quiet engine." Preliminary tests indicate the new quiet engine will reduce take-off noise by 15 decibels. In static test with a Pratt and Whitney J-57 engine, Boeing claims to have obtained a noise reduction of nearly 40 decibels by use of acoustical linings in the engine. There are reports that the proposed European airbus will use advanced engines which will produce a 75 decibel noise level on take-off. For comparison, the Boeing 707-320B in normal operation (that is, in the absence of FAA noise control procedures) produces about 107 decibels on take-off. Clearly, then, the manufacturers can build quieter aircraft if they are forced to do so. When can we expect some relief? Manufacturers say the giant Boeing 747, scheduled for late 1969, is already in production and cannot be fitted with new engines even if they were available. The 747 is expected to produce a 100 decibel noise level on take-off. The airlines argue that to retro-fit existing turbojets with the new quiet engine would cost $6 million per plane and that they cannot afford it. Thus, if the present trend continues, we cannot expect any relief before the late 1970s. But by that time any noise reduction will be partly offset by the doubling of air traffic expected between now and 1975. The fact is that the present exasperating noise problem exists because the aircraft manufacturers and the airlines have operated on the basis of their own short-range economic interests and have failed to devote the efforts and resources needed to solve it.

If the already grave situation is not to become worse, some bold steps will have to be taken:

1. The federal government should provide a greatly increased funding level for quiet engine research so that take-off noise will be reduced by 40, not 20 decibels.

2. Whenever a substantially quieter engine is developed, the FAA should require existing aircraft to be retro-fitted with the new engine. If the airlines cannot afford the cost without increasing fares, then fares should be increased. The small percentage of the population that uses the airlines should be required to assume part of the burden for providing a livable environment for the millions of people who suffer from the noise but derive no economic benefit from it.

3. Particularly in densely populated areas such as the Northeast Corridor, the Chicago-Pittsburgh region, and the San Diego-San Francisco corridor, high-speed rail transportation could substantially reduce air traffic.

4. Future airports should be planned according to the principles used at Dulles International Airport and the new one now being planned for Dallas where 18,000 acres are being purchased to prevent encroachment of residential dwellings.

5. New airports should be located 20 or 30 miles from the metropolitan area, as Dulles International Airport is, and serviced by high-speed surface transportation.

FAA AUTHORITY

When Congress passed the Aircraft Noise Abatement Act, the FAA was clearly given authority to regulate noise from private planes. Yet the FAA has so far done nothing about this growing menace and has indicated little interest in doing anything. The light planes of today are more powerful and far noisier than they were a decade ago. Worse, there are a lot more of them. One can reasonably ask why a single businessman in an executive plane should be allowed to create a noise nuisance that irritates literally thousands of people in the communities along his flight path? Furthermore, noise from private planes is becoming a frequent intruder into the solitude of national parks and wilderness areas.

The present noise levels produced by light aircraft are quite unnecessary. The FAA should prohibit private planes from flying below 8,000 feet over populated areas and should require that all private planes be

equipped with mufflers and acoustical materials to reduce engine noise.

While a feeble first step has been taken to reduce the noise produced by civilian aircraft, the deafening roar of military planes continues unabated, for the FAA does not have jurisdiction over military planes or flight operations. The Department of Defense has made no effort to develop quieter jet aircraft, claiming that it cannot afford the weight penalty that quieter engines would impose. Instead of making a serious effort to reduce noise levels in communities near military installations, Defense has embarked upon a public relations campaign to convince the American public that they should not only tolerate but welcome this assault on their eardrums because the military establishment is defending them. This country's military brass seems quite willing to destroy our environment in the name of defending it.

A case in point is the Alameda Naval Air Station which lies adjacent to the city of Oakland, California in the very heart of a metropolitan area. Over 1.75 million people live within 12 miles of the runway. Berkeley and Oakland residents frequently find themselves rudely awakened early Sunday morning by jets streaking over the East Bay hills with afterburners blazing. If an aroused public demands the closure of some of these poorly situated installations, perhaps the Defense Department will be motivated to develop quieter aircraft.

SONIC BOOM AND THE SST

The worst is yet to come when—and if—Boeing's supersonic transport (SST), built with federal financing, goes into service in the 1970's. Whenever a plane flies faster than the speed of sound (about 344 meters per second) it generates shock waves which trail out behind the plane on both sides of its path. When these shock waves intercept the earth, they produce the thunderclap we call "sonic boom." Typically the boom is felt along a belt that extends 40 miles on each side of the plane's flight path. The severity of the boom depends on the plane's size and altitude, but there is no known way to eliminate the boom itself. There exists a common misconception that this sonic boom is produced only once when the plane first exceeds the speed of sound. In fact, it is produced continuously along the plane's path while it is in supersonic flight.

The whole SST program places in serious question the commitment of the FAA, the Department of Transportation and Congress to noise reduction. Thus far, Congress has appropriated $653 million for SST. Worse yet, on July 11, 1968 the Senate defeated an amendment to the Aircraft Noise Abatement Act which would have prohibited the SST from flying at supersonic speeds across continental America. The proponents of SST in Congress argued that prohibition of overland flights was unnecessary because the FAA probably would not permit such flights anyway. But the very fact that Congress was unwilling to legislate against sonic boom indicates overland flights by the SST are anticipated. And since the FAA is the agency responsible for the direction and funding of the entire SST development program, asking it to regulate sonic boom is like putting the fox in the chicken coop. The attitude of the Department of Transportation on the sonic boom issue is illustrated in a statement made by Major General Jewell C. Maxwell, the chief of the SST program: "We believe that people in time will come to accept the sonic boom as they have the rather unpleasant side effects which have accompanied other advances in transportation."

This is a myth which so far has survived scientific evidence to the contrary. Aircraft noise studies have shown that people become more intolerant of jet aircraft as the number of fly-overs or the duration of each fly-over is increased.

In order to assess public acceptance of sonic boom, the FAA conducted tests in Oklahoma City in 1964. During a six month period, 1,253 supersonic flights were made over the city. Oklahoma City was one of the most favorable locations the FAA could have chosen to get public acceptance of sonic boom since nearly one-third of the city's residents depend on the aviation industry for their living. Furthermore, no sonic booms were made at night—the really critical test. Yet 27 per cent of the people said they could never learn to live with the sonic boom and over 4,900 residents filed damage claims against the FAA. Most people found the booms more irritating at the end of the tests than at the beginning.

Operation of the SST over continental United States would not only shatter the solitude of nearly every park and wilderness area in the country, but could do extensive damage to some of these places as well. Between August 11 and December 22, 1966 some 83 sonic booms, several of which caused extensive damage, were recorded in Canyon de Chelly National Monument, Arizona. One of these booms loosened an estimated 80 tons of rock which fell on ancient Indian cliff dwellings and caused irreparable damage. Damage has also been reported in Bryce Canyon National Park, Utah.

Canada has already banned the operation of supersonic aircraft over its provinces. Both Switzerland and West Germany have indicated they will prohibit supersonic flights within their borders if their citizens complain.

BOONDOGGLE PROGRAM

The whole SST program is an economic boondoggle, the prime beneficiary of which is the aircraft manufacturing industry. The FAA has committed $1.3 billion or about 83 per cent of the estimated development cost and Congress has already appropriated half this amount. But low cost estimates and delays in the program now indicate the cost to the federal government will be at least $3.5 billion before the first plane is sold. The FAA talks glowingly of estimated sales between $20 and $48 billion, but not long ago the Institute of Defense Analysis issued a report which indicated that if supersonic travel were restricted to overwater flights, there would be a market for only 279 planes and the whole project would become an economic disaster.

Even if the SST is initially operated at supersonic speeds only on overwater flights, mounting economic pressures to expand the market for the plane will almost certainly result in overland routes across the United States. Former Transportation Secretary Alan Boyd has said: "I think it will be entirely possible to operate a route over the Plains area and possibly across the Canadian border without discomfort or inconvenience to people on the ground."

The operation of such a route would reduce the flying time between Chicago and San Francisco only about 30 minutes. If supersonic flight on overland routes is not restricted, 150 SST's may be in domestic operation by 1990. Must 50 million people be subjected to perhaps 30 booms a day so that a few can reduce their travel time by 30 minutes?

While the abatement of much of the noise that presently plagues our society is in part a technical problem, both the impetus and the money for solving it must come from the political arena, and the sonic boom problem is entirely political. A quieter society will only be achieved when a concerned public demands a new system of priorities from the politicians.

NEEDLING UNEMPLOYMENT

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. WOLFF. Mr. Speaker, the issues of our times can frequently be compared to the maxim about the weather: Everyone always talks about it, but no one ever does anything about it.

I am pleased to say, however, that I have had the opportunity of knowing certain persons who believe the armchair approach to domestic issues. One fine example is Mr. Richard Cerbone of Port Jefferson, N.Y., whom I have known for a number of years and who has never ceased to amaze me with his capacity to put ideas into action in the most facile way.

Moreover, I am certain that I am not the only one who will vouch for his talents. Both the International Ladies Garment Workers Union and a group of Long Island underprivileged high school students would certainly add their chorus of praise for Mr. Cerbone. For without his help they might never have developed the mutually beneficial program that they now have, one which virtually needles unemployment.

Recently the Long Island Press ran a story telling how Mr. Cerbone brought these two groups together. I would, therefore, like to extend my remarks to include this worthwhile and interesting article in the RECORD:

ILGWU AIDE SOLVES LABOR LOGISTICS POSER

(By Austin H. Perlow)

Putting two and two together isn't nearly as simple as it sounds. But Richard Cerbone of Port Jefferson did when he was confronted with poverty and a critical shortage of skills in the needle trades.

Cerbone, the business manager of Locals 57–77, International Ladies Garment Workers Union, AFL–CIO, in Jamaica, went to the underprivileged high school students of Long Island to find the operators needed for the sewing machines of the needle trades.

It wasn't easy, because with the exception of Queens Dist. Atty. Thomas J. Mackell and Nassau County Executive Eugene H. Nickerson, the community wouldn't listen to Cerbone. With their help, he has started a training program for high school girls leading to well-paid jobs in the needle trades.

The Queens program has already produced its first graduates and the projected Nassau program is about to get under way.

"The idea behind it," Cerbone said, "is to allow the girls to complete their high school educations. But they get time off every day from their classes to learn the trade in the shop."

The program covers the senior year in high school, plus three additional months of training in the shop following graduation. Through the intercession of Mackell, Jamaica Vocational High School has joined the program with the enthusiastic cooperation of Samuel Stein, placement counsellor.

Two graduates are already at work at Howard Uniforms, Woodside, where they are sewing nurses' uniforms. Following the current "slow" season, there'll be six graduates working there.

In Nassau, where employers are desperate for help, the program appears to be headed for even bigger things. Glen Cove Manufac-

turing had indicated it was willing to set up a school in its plant. Cerbone and Nassau Labor Commissioner Robert W. MacGregor have been conferring with Out Islander Sportswear in East Rockaway, Grove Dress in Freeport, Ben Mark Dress, Westbury, D.V.S. Dress, Elmont, and Preferred Foundations, Freeport, on taking apprentices into their shops.

"It all started," Cerbone said, "when the ILGWU mapped out a program to alleviate the hardship of the poor.

"There are many girls who leave high school unable to go to college or even to find a job. At the same time, our needle trade shops in Queens and Nassau are desperate for help. All we did was put two and two together."

The first "graduates" are Margot Johnson and Laverne Lantt, both of South Ozone Park, Theresa Stanziola of New Hyde Park and Leezella Lawrence of Brooklyn.

Graduates can earn from $75 to $150 a week operating sewing machines on a 35-hour-a-week schedule under a union contract. There's only a nominal charge being made for an ILGWU card.

THE ABM ISSUE

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. McCLURE. Mr. Speaker, as the ABM issue becomes more clearly focused it is healthy to see the ground swell of public opinion in favor of the proposal.

Radio station KFXD is an outstanding broadcasting organization located in my district, the First of Idaho. General Manager Wayne Cornils recently aired a series of four editorials on the subject of ABM. These were clear, concise, and remarkable in impact. Here, I would like to insert the third of these statements which was aired on Friday, July 11, 1969 from the station in Nampa, Idaho:

We believe that a strong America is a safe America. One of the three major objections offered to the ABM System is the cost. Current estimates are from six to ten billion dollars over a period of six years or approximately $5.00 per person per year. The argument is that the defensive Anti Missile System costs too much and that those billions of dollars should be spent on urban problems. In our opinion, common sense tells us, that if we build the ABM System and never use it, we have gambled and lost six to ten billion dollars. Conversely if we do not build ABM and are attacked we have gambled and lost 200,000,000 Americans lives and won't have to worry about urban problems. The question must be asked—Is your life worth $5.00 per year?

The U.S. Senate will decide the fate of the ABM sometime in the next three weeks. The House has already voted its approval. One Idaho Senator has publicly stated he will vote against ABM. The second is thus far uncommitted. The KFXD All Americans urge you to write, wire or phone your two Idaho Senators today and urge them to vote in favor of the President's ABM Defensive System.

Someone must work to enlighten our people with regard to the critical issues of the day. This should be the function of media in order to prevent hasty and unwise decisions. This is the excellent role which has been played by station KFXD in regard to ABM.

I would also like to point out that the orientation of Mr. Cornils and his staff toward public affairs and the reflection of this idea in programing has caused their ratings to climb. This is difficult in the highly competitive Boise Valley radio market.

I hope that all of our media will become conscious of the strong necessity for spirited public discussion and look to the example of KFXD in Nampa, Idaho.

ISRAEL AND THE MIDDLE EAST

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. OTTINGER. Mr. Speaker, earlier this month a fine article, written by Mr. Ben Wattenburg, on the increasingly important role Israel has assumed in the Middle East appeared in the Washington Sunday Star.

I believe our colleagues may find this article to be of interest and I am pleased to insert it herewith for inclusion in the RECORD:

[From the Washington (D.C.) Star, July 6, 1969]

MID-EAST'S AGE-OLD CLICHES RESENTED BY MODERN ISRAELI

(By Ben J. Wattenberg)

TEL AVIV.—My grandfather was S. Ben-Zion, a Hebrew poet and teacher who, in 1910, moved his family to a plot of vacant sand dunes in the Palestinian desert just north of the city of Jaffa. Today on that same site rises the 34-story Shalom Tower—the tallest building between Milan and Toyko—and around it sprawls Greater Tel Aviv, now a city of 700,000.

If one says—as some do—that modern Israel can be dated from the founding of its major metropolis, then Israel will be 60 years old next year.

But David Ben-Gurion, a little man with a voice like thunder, still spry, visionary and opinionated in his 83rd year, will have none of that. For Ben-Gurion, a nation starts with land and farmers, not cities and writers.

His blue eyes flashing, his brow curled in reminiscence, Ben-Gurion insists that modern Israel dates back to 1870—a hundred years ago. That was when Mikveh Israel, the first agricultural school in Palestine, was established. Ben-Gurion came to Palestine from Russia in 1906 and he says that what his generation did as farmers on the desert land and on the swamp land was not a beginning but a continuation of what began at the Mikveh Israel agricultural school.

But to many others, modern Israel is regarded neither as 100 years old nor 60 years old. The standard cliche now afloat around the world goes something like this: "Israel is a tiny, 20-year old state established by the United Nations and the conscience of the world because of what Hitler did to the Jews in Europe." To which the Arabs add that the Jews in Israel are an artificial, Westernized, neocolonial foreign body surrounded by a sea of 100 million Arabs. The Arab position has its allies. At a cocktail party recently one middle-level American diplomat who had spent most of his career in the Arab states described Israel as a "monster state."

Artificial. Tiny. New. Surrounded. These are the words that send Israelis up the walls and they are the words that confound most of the attempts to see the Middle Eastern situation for what it is.

MANY NATIVES

There is first the matter of "artificiality." It is perhaps a bit too easy to note that Ben-Gurion has lived in Israel far longer than Nasser has lived in Egypt. But there is a seed of an important truth there. For when one looks at the Israeli demography one does *not* see a group of European newcomers set down in the Middle Eastern desert. Of the Jews in Israel today:

42 percent were born in Israel.

29 percent were born elsewhere in the Middle East (mostly Algeria, Morocco, Egypt, Iraq and Yemen).

10 percent were born in Western countries but immigrated to Israel before World War II.

Only 19 percent are "non-Middle Eastern, relatively recent immigrants" (within the last 30 years).

The official Arab position is that they hold no grudge against the 29 percent of the Jews born in Arab lands—not, conceivably, even their children, who comprise a good portion of the 42 percent "born in Israel."

There is no reciprocity to this kindly view. While many Israelis of European origin display a love-hate fascination with Arabs, the Jews from Arab lands feel little but contempt for the Arabs. They have lived under Arab rule for centuries and their attitude is simple: "They have their countries, we have our country. Let the Arabs stay in their own countries and we'll stay in ours."

So, the Israelis don't feel artificial. More than half are from the Middle East; eight in 10 are native-born, Middle Eastern or residents of Israel since before most of the Arab guerrillas were born.

Israel is habitually described as "tiny." Today, there are 2.5 million Jews in Israel, compared to the 80,000 when my grandfather built his house on the first street of Tel Aviv. Since the Six-Day War the birth rate has risen slightly and the immigration rate has risen substantially.

EXPANDING MARKET

Each year, between birth and immigration, about 60,000 new Jews are added to the net population. Two and a half million is a small population by the standards of India or the United States but is more than that of Jordan or Lebanon or Libya. There are more Israelis in Israel than there are Irish in Ireland or Uruguayans in Uruguay. There are, in fact, enough Israelis so that Israeli economists now begin to talk of "a domestic economy of scale," which suggests that there are now enough people to provide a domestic market large enough to profitably produce certain goods that require large set-up costs.

Chaim Sharrett is the son of the late Israeli Prime Minister Moshe Sharrett, and his parents grew up in early Tel Aviv on the same street as my grandfather, childhood friends of my mother. Chaim Sharrett lives now on a kibbutz near the Jordanian border (where his children sleep in underground bomb shelters). Each morning he commutes to a small factory in Haifa where he directs a small new enterprise that manufacturers fiberglass sailboats of a new design. The basic market for the boats will be Israel—the 2½ million Jews, none of whom live very far from the Mediterranean Sea. In the last 10 years, Israel's population has grown by more than 35 percent and per capita income went from $740 to $1,350. Before that economic and demographic surge, a fullscale domestic market for products like sailboats did not really exist. Most new industry had to be predicated on an always risky export market. Now Chaim Sharrett still has his eye on exports to be sure, but he sees that his business can survive on a domestic market.

What is small? As measured by dollars of gross national product, Israel produces more

than Portugal, more than Taiwan, more than Guinea, Ghana, Senegal and the Ivory Coast combined, more than Peru or Algeria or Iraq or Saudi Arabia and not very much less than Egypt with her 32 million population.

What is small? With the current boundaries, Israel is roughly the same size as Hungary or Austria. It is 350 miles from the Northern tip of the Golan Heights to Sharm el Sheik at the Southern tip of the Sinai. Even with the old boundaries and adding in Jerusalem and Golan the area of Israel is not much different from that of Holland or Belgium.

"SEA OF ARABS"

"Surrounded by a sea of Arabs" is also misleading. If one puts the point of a compass on Tel Aviv and inscribes a 2,000-mile arc around the nations of the Middle East the resultant population breakdown works out something like this: 88 million Arabs (all the Arab nations except Morocco and Algeria, each more than 2,000 miles away) and 92 million non-Arabs (Israel, Turkey, Iran and Ethiopia). Israel has friendly and productive relations with the non-Arab nations and these non-Arab states are quite anxious to see to it that Nasser's dreams of Pan-Arabism for the entire Middle East do not reach fruition, particularly not Pan-Arabism sponsored by Moscow. In short, Israel, like most of the nations of the world, has neighbors of different kinds—some friendly, some not. Like many other nations of the world the Israelis live in an "undefused" situation; not dissimilar to the U.S. and Russia, or Russia and China, or North and South Korea, or India and Pakistan. Have you ever spoken to a Hungarian about what he thinks of Romania? Such "un-defused" situations have been known to last for generations, even centuries.

The point is a simple one. Israel is not a freak state. Not artificial, not tiny, not new, not really surrounded, Israel has come of age. The time for clucking over the precocious infant is past—and the Israelis realize this today better than anyone else.

As a successful non-freak national entity, Israel and her leaders and people can be expected to behave in normal national ways. As a state confronted by enemies, that means, firstly, that Israel will do what it must do to remain secure. And that means that international pressure is not going to push the Israelis to do what they feel is detrimental to their own national interests. They are prepared to do it all themselves if they have to. Some of the military ramifications are fascinating.

THE GENERAL

Gen. Ezer Weizman, tall, dashing and candid, is 45, and was born in Tel Aviv. He was formerly the Commander of the Israeli Air Force and is now deputy chief of Staff of the Israeli armed forces. He has fought in four wars, starting as a Spitfire pilot with the R.A.F. in World War II.

Before the Six-Day War, when he was still Commander of the Air Force, he told a skeptical Israeli columnist that if war came, his fliers would destroy the Arab air forces in three hours. On June 5th 1967, an aide of Weizman's called the columnist and said: "Ezer said to tell you he miscalculated. It only took two hours and 55 minutes."

Today, Weizman believes that the Egyptians may try war again in the future and knows that the Israelis will win again if they do. Flying over Sinai with Weizman and several other Israeli officers, one is inclined to accept their word. At an air-base in the Sinai one sees the sleek jet fighters on quick-alert leaning forward in their hangars as if on a short leash, only about 10 minutes flying time from Cairo. At one such base in Sinai stands a former Egyptian Officers Club, where in May of 1967, Gamel Nasser toasted his pilots: "If Rabin wants a war, we'll give it to him." That remark is remembered by Israeli military men when the rhetoric of Egyptian power floats across the Nile.

To Ezer Weizman, native-born Israeli and professional military man, Israel today is in good shape.

The Suez Canal is constructed as if it were designed to be the world's best anti-tank ditch. The Sinai desert is Orchard Beach as far as the eye can see, apparently designed by a God of History as the perfect buffer zone, with a wealth of oil thrown in for good measure.

As one travels through this vast expanse of desert (15,000 square miles crossed only by a few roads), the wonder of it all is how the Egyptians were able to evacuate it so quickly. Weizman, a former air general, says: "With air power we could hold this territory against any force on earth," and one of his tank commanders mutters in Hebrew: "Also without air power."

SINAI THE KEY

Militarily, the Sinai would seem to be the key to the Middle East situation. The Egyptians are the only Arab force that are even in the same league with the Israelis. To wage war, they must make a complex amphibious or airborne landing, only to get to an open, invulnerable desert—a highly dubious proposition. For this reason, many Israelis see no serious territorial war in the immediate future. The Arabs can't; the Israelis won't.

(That, at least is the rational way of looking at it. But there is that potent old story about the scorpion and the camel that haunts any rational approach. It seems that the scorpion wanted to cross the Nile and, not being able to swim, asked a nearby camel for a lift. "Scorpion," said the camel, "I am not crazy; if I give you a ride across the Nile you'll sting me and I'll die." The scorpion considered that for a moment and countered, "Camel, this is nonsense. If I sting you while we are crossing the Nile together, we'll both drown." The camel was convinced, and the two set out to cross the Nile. Midway across the river—wham!—the scorpion stings the camel and soon the camel is floundering. It is apparent that both camel and scorpion will soon meet a watery grave. The camel talks: "Scorpion, idiot, why did you do it? Now we'll both die." The scorpion pauses thoughtfully as the water inches up to his neck and then says quietly, "Camel, you forgot one thing. This is the Middle East.")

Middle-Eastern irrationality aside, most Israeli military men regard the Arab guerrillas as no real threat. They are thought of as killers, not fighters, who will squeal on their brothers and are vastly overpublicized and overrated, only a few thousand in number drawn from a pool of millions of Arabs and capable only of nuisance value within the borders of Israel.

(That Israel is secure within her own borders can be verified by Wattenberg's First Law of Human Behavior, which states, "If there is something to be nervous about, Wattenberg will be nervous about it." And to a traveler in Israel these days the feeling is not one of nervousness despite the roadblocks leading into major cities and the Uzzi machineguns slung on the shoulders of young soldiers who are just in from the front. There are many Israelis who also claim they are not nervous when traveling through the Arab towns on the occupied West Bank of Jordan—but they are crazy. I found Wattenberg's Law clearly applicable in Jenin, Nablus and other West Bank Arab communities.)

EARNED CURRENCY

To Ezer Weizman, Israel's current military security and her economic, psychological and demographic booms are not providential gifts from the Six-Day War. They are earned currency accumulated by Israelis by many years of back-breaking work, by many dead soldiers, by boys today who volunteer for paratroop training, and by mothers who in a classic reversal of the Jewish Mother story now plead with the generals to get their boys in the paratroops so that there will be peace in the house.

Weizman's view of recent Jewish history has variations in emphasis from Ben-Gurion's. Of course, like Ben-Gurion, Weizman likes to remind a visitor that there have been Jews in their land for 4,000 consecutive years, but he also notes that if Israelis ever have to cross the Suez Canal they will find pyramids built by Jewish slave labor in the time of the Pharaohs. He remembers that the Sinai is not historically a part of Egypt but only an uninhabited region that has been tacked on to that country for the last 50 years. He remembers that in his boyhood there was a great national celebration each time the Jewish National Fund was able to purchase land from the Arabs, and he sees lots of purchasable land in the West Bank territory that would be ideal for Jewish settlement. He remembers that the Palestine of the 1917 Balfour Declaration included both sides of the Jordan River (as did Biblical Israel) and that if there is an "artificial" state in the Middle East it is Jordan.

As Weizman flies a military plane from base to base around Israel, he often observes: "It's a big country now," and it is clear that he wants it to stay big even if this means that the present deadlock will have to continue. If shells must fall, better they fall in Suez and Sinai than on Tel Aviv and Jerusalem. And that seems to be the mood throughout the rest of the country, unless some real peace can be guaranteed.

If Weizman is regarded as somewhat of a hawk, Israel's Ambassador-At-Large, Michael Comay, former U.N. Ambassador for Israel, is certainly not a hawk in any man's aviary. Yet, in London earlier this year he described in blunt terms what would be the results of any imposed solution regarding the Mideast. "If you dictate a solution that Israel does not accept," he said, "you must be prepared to see it become a worthless scrap of paper or else mount an invasion of Israel. Are you prepared for that?"

DOOMSDAY TALK

The same question can be asked of the U.S., of France—and of Russia.

When the hour is late and the drinks are low and Israeli military men gather, the doomsday possibilities surface, as they do with military men all over the world. Because the Arabs pose no real military threat in the foreseeable future the military guessing game turns to what the Russians might or could do.

The ultimate questions are asked. Question: "Could the Russians invade?" Answer: "Very doubtful militarily. It would make Vietnam look like a tea party." Question: "Suppose the Russians attacked Israel with missiles?" The retort is quick: "Nuclear-tipped or conventional warhead?" And the breakdown is that the idea of Russians using nuclear missiles on the Israelis is most far-fetched, that conventional missiles hurt no worse than bombers, and that Tel Aviv could survive bombing from Egyptian or from Russians if it ever came down to it.

Political and economic pressures are another matter, and they could most effectively be wielded by the United States. The Israelis are deeply friendly to the United States, by kinship and by ideology. They are grateful for past help and understand that good relations in the future are crucial. But they know that the first order of national business is survival, and they are aware that no pressure that the U.S. can bring to bear could make them risk that survival. Israel's survival, they know, is ultimately in Israel's hands.

So Israel today is settled down for the long pull.

David Ben-Gurion looks to the future and says the Arabs could conceivably win a fifth or sixth or seventh war and what Israel needs for long-term survival is more Jews. He says that if Hitler had not killed the European Jews the current population of Israel might be 5 million or 7 million instead of 2½ million. Still, there are 14 million Jews in the world, 11½ million not living in Israel. Ben-Gurion is hopeful that many Russian Jews and some American Jews will one day find their way to Israel. He also hopes the Jewish birth rate in Israel will rise, and to this end supports plans for new and larger forms of housing, for creating part-time jobs for working mothers, for nursery schools. In Israel these days one also hears talk about making abortions much more difficult to obtain.

A FEW

Ben-Gurion views Jewish history as an eternal struggle of quality versus quantity. Moses said the Jewish nation would be "a few among people." This has proven to be true, but Ben-Gurion and most other Israelis are casting about for ways to boost the quantity in order to preserve the quality for the generations ahead.

In the meanwhile, the quality is still there. My grandfather's family has flourished and prospered. In their number today are a leading artist, a bulldozer driver, an agronomist, a micro-biologist, several English teachers, and my beautiful young cousin whose mother didn't let her compete in the Miss Israel contest (she would have won.)

Two years ago one of the great-grandsons of my writer grandfather was in the Israeli Army force that stormed the Golan Heights. A slight young man with horn-rimmed glasses, he was creased by a bullet that came within an inch of his heart. He continued up the Heights and boarded a half-track that pursued the Syrians across the plains. The half-track hit a mine and shrapnel pierced his legs. He climbed aboard another half-track, which also hit a mine and sent additional shrapnel into his legs. He was on his way to a third half-track when he fainted from loss of blood.

Today, he is fine and preparing to take entrance exams for the Hebrew University. The shrapnel is still working its way out of his legs.

He is a fourth generation Israeli. He does not feel that he is in a new, or tiny, or artificial, or surrounded nation. He is there to stay.

He is the young man to remember while the dance of the diplomats continues in the capitals of the world.

THE 25TH ANNIVERSARY OF THE POLISH-AMERICAN CONGRESS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. PUCINSKI. Mr. Speaker, the 25th anniversary of the founding of the Polish-American Congress was fittingly honored here in Washington this past weekend during a 3-day meeting of this very worthwhile organization's officers and executive board, headed by Mr. Aloysius A. Mazewski, president of the Polish-National Alliance who also serves as president of the Polish American Congress.

The Polish-American Congress was organized in 1944 when it became quite apparent that the heroic people of Poland would not be able to negotiate for themselves at the peace table a future of freedom for which they so gallantly fought in World War II.

It became abundantly clear to outstanding Americans of Polish descent and Americans not necessarily of Polish descent that representatives of the free Polish Government would not be permitted a full voice in negotiations for postwar Europe. These negotiations were dominated by representatives of the Soviet Union, Great Britain, and the United States, and the Communists were cleverly beguiling both the American representative and the British spokesman into accepting for postwar Europe a cordon sanitaire of Soviet-dominated East European captive nations which to this day keeps 180 million people in Communist bondage.

The people of Poland were helpless at the peace table despite their heroic and gallant contributions toward the victory won by the Allies in World War II.

The 25th anniversary of the Polish-American Congress makes it crystal clear that the goals of demanding justice and freedom from Communist oppression for the people of Poland, which were established by the Polish-American Congress in 1944, are just as valid today as they were 25 years ago. For Poland continues to remain in the grip of a Marxist-Communist group of self-styled leaders who have the same contempt for human dignity today as their Stalinist predecessors had 25 years ago.

Very little has changed in Poland in the past quarter century and her people continue to be the victims of Soviet deceit and chicanery.

During the weekend here in Washington we had an opportunity to see outstanding Americans of Polish descent from all over the United States assemble to rededicate their determination that the work of the Polish-American Congress shall continue to be necessary until that glorious day when the people of Poland will again rejoin the family of free nations.

It gives me great pleasure to place in the RECORD today the resolution adopted by the board of directors of the Polish-American Congress.

Let this document serve notice both on the Communist leaders of Poland and the leaders of the Soviet Union that America's vast Polish-American community will not rest in its efforts to "secure freedom and independence for Poland."

The Polish-American Congress resolution follows:

RESOLUTION ADOPTED BY THE BOARD OF DIRECTORS OF THE POLISH-AMERICAN CONGRESS AT A MEETING HELD ON JULY 26, 1969 IN WASHINGTON, D.C.

1. As we gather to celebrate the 25th Anniversary of the Polish American Congress, we pause to pay tribute and take inspiration from man's epic achievement—landing of American astronauts on the moon, thus culminating the revolutionary concept of universe advanced by the Polish astronomer Mikolaj Kopernik (Copernicus) over 400 years ago. Indeed, this unique feat, combining unsurpassed technological superiority with the magnificent spirit of free man, represents, to quote Neil A. Armstrong's historic phrase "one giant leap for mankind".

More than ever before we are proud to be Americans. And as we look back to 350 years of Polish American participation in the development and growth of our nation, we salute the Polish pioneers of Jamestown, Va., and legions of those who in the succeeding years came to these shores from far-away Poland and who gave freely of their skills, talents, loyalty and perseverance, to help make this country the great leader of freedom the world over.

As we stand awed by this dramatic display of the seemingly unlimited technological capabilities of man, let us echo the words spoken to Neil A. Armstrong and Edwin E. Aldrin by President Nixon: "as you talk to us from the Sea of Tranquility it inspires us to redouble our efforts to bring peace and tranquility to Earth"; let us re-dedicate ourselves to use this vast potential to eradicate from the surface of the Earth mankind's scourges; hunger, disease, hatred and oppression, so that all the nations may enjoy the benefits of our civilization in peace and freedom.

2. The Polish American Congress was organized 25 years ago with the express purpose of continuing Polish nation's fight for freedom, independence and the integrity of its frontiers, at the time when as a result of unjustified concessions granted Soviet Russia by the Western Allies during World War Two and its aftermath, they were being subjugated by Russian tyranny.

We pay tribute to those of our leaders who had the foresight and vision to lead the Polish American community in this just and solemn cause, and to thousands of men and women, who supported their efforts with sacrifice and zeal.

Then, as now, our position reflects the conviction, that peace based on the supremacy of Soviet Russia over the nations of East-Central Europe is contrary to the principles of freedom, democracy and self-determination cherished by the American people.

Then, as now, we espouse the principle, that freedom—the right of each nation to choose its own path of economic, cultural and political development, while safeguarding individual dignity of man, is the only guarantee of durable peace.

Events of the past few decades proved the soundness of our judgment.

The nations of East-Central Europe have never accepted their enforced status of Russia's satellites. Rumania maintains a sustained, though limited defiance of Russia's omnipotence; Czechoslovakian experiment in progressive economy, and humanization of Communism had to be suppressed by brute force; similar reform movements in Poland, as well as the open revolt in Hungary in 1956, have been rolled back in the successive years by subservient to Moscow Communist governments of Poland and Hungary; yet, the free spirit of Poland demonstrated itself again in the spring of 1968.

East-Central Europe remains tense and apprehensive, leaving open the possibility of sudden conflagrations which may constitute a real threat to peace in Europe.

On our home front, America's involvement in two major wars, in Korea and now in Viet Nam, presence of Communist power 90 miles from the shores of this country in Cuba and the enormous cost of our defense budget, which annually drains our national resources of some 80 billion dollars, urgently needed to combat the evils, which threaten the continued progress and well-being of this nation, are direct consequences of world tensions resulting from Russia's imperialistic policies after World War Two.

3. The atomic age precludes the possibility of liberation of nations now dominated by Russia through an armed conflict. Instead we must pursue these goals in hard bargaining with Soviets.

True, there is no reason to believe, that the Kremlin leaders are inclined to relinquish willingly their absolute rule over the

nations of East-Central Europe. Indeed, it is clearly apparent, that what they aim at is the confirmation of the status quo in Europe and the acceptance by the Western Allies of the principle of non-intervention in the affairs of the Soviet-bloc nations.

This is the meaning of the so-called Brezniev doctrine, which proclaims Russia's right to intervene militarily in order to reimpose the Moscow oriented brand of communism, which she unilaterally considers to have been undermined by the so-called "forces of imperialism".

The said doctrine having been promulgated by Brezniev in Warsaw, emphasizes the key position of Poland in the Soviet satellite system of East Central Europe.

The Brezniev doctrine and its enforcement in Czechoslovakia, the overthrow of Dubcek's reform regime indicates that Russia intends to exercise complete control over the satellite countries. It serves notice, that to this end Russia will tolerate within these countries only regimes completely subservient to its will.

Yet, there are developments in the world political situation, which provide an opportunity for a determined western diplomatic offensive.

There is a widespread discontent with the communist rule in East-Central Europe.

Chinese threat to Soviet Asiatic empire looms over any future decisions, which affect security and stability of Russia's western frontier.

Evidence is mounting of growing unrest within Russia itself. Young intellectuals and technocrats are beginning to question ideological infallibility of the orthodox old-guard, while the Soviet-bloc economy fails to sustain a reasonable rate of growth and is unable to meet the ever expanding demands of frustrated populace.

Clearly, there are stressed within the Russian monolith which may force its rulers to be amenable to resolute Western insistence of relaxation of rigid controls over its satellites.

Thus, for the first time since 1945 there appears a possibility for the United States to influence developments in East-Central Europe in the direction of open societies, national independence and economic cooperation, creating conditions favorable to eventual establishment of peace based on freedom and democracy.

However, in order to succeed our government must approach negotiations with Soviet Russia with these goals clearly and forcefully formulated, supported by a nation determined to use its unmatched potential to realize an American dream of freedom and peace for all.

4. We regret that Polish American participation in the political, economic and intellectual life of this country is not fully recognized and does not reflect the potential of our community.

Accordingly, the Polish American Congress will continue and expand its efforts to increase our effective participation at all levels of the governmental civic, educational, cultural and economic areas of American life.

We condemn the unwarranted actions aimed to defame the Polish nation and the American Polonia.

We dedicate ourselves to project in the American society an objective image of Poland and of Polnoia and the many contributions of our people to the development of world culture and the growth of this country.

5. As we celebrate the 25th Anniversary of the Polish American Congress, which coincides with the 30th Anniversary of the savage invasion of Poland by Germany and Soviet Russia, we pledge to continue our efforts to secure freedom and independence for Poland, and to support our government in its efforts towards this ultimate goal, realization of which will add another glorious chapter to the history of the American people.

FINE TEACHING AND RESEARCH PROGRAM OF HADASSAH

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to place in the CONGRESSIONAL RECORD the excellent remarks of Mrs. Max Schenk, national president of Hadassah, the Women's Zionist Organization of America, Inc.

These remarks were made before the Foreign Affairs Committee of the House of Representatives and I am glad to place them in the CONGRESSIONAL RECORD for the consideration of my colleagues.

The remarks follow:

TESTIMONY PRESENTED JULY 29, 1969 TO COMMITTEE ON FOREIGN AFFAIRS BY MRS. MAX SCHENK, NATIONAL PRESIDENT, HADASSAH, THE WOMEN'S ZIONIST ORGANIZATION OF AMERICA, INC.

The name is Mrs. Max Schenk (Faye). I am the President of Hadassah, an American voluntary organization, incorporated under the laws of the State of New York as the Hadassah Medical Relief Association, Inc. My appearance today is to request an amendment to the Foreign Assistance Act that will provide for part of the dollars required for the expansion of Hadassah's teaching and research program, as will be outlined hereafter.

The estimated cost of this program, which we hope to implement over the next five years, is approximately 66.7 million Israeli pounds, or about 19 million dollars. Of this about 23 million Israeli pounds or 6.5 million dollars represent foreign exchange requirements. The balance represents local expenditures, that is, Israeli pounds. A breakdown of these expenditures is submitted for the record. (Table I)

It is expected that practically all of the foreign exchange component will be spent in the United States for items such as elevators, air conditioning and related building needs, as well as medical, communication and transport equipment. It is in this area—the United States purchases—that Hadassah requests inclusion in the section of the Foreign Assistance Act dealing with Aid to American Schools and Hospitals Abroad. Specifically, our request is for a 5 million dollar grant for a five-year period.

Hadassah was founded in 1912 by Henrietta Szold, an American woman, and has grown over the 57 years of its existence into an organization of 318,000 members working as volunteers through 1320 chapters and groups in every state of the United States and Puerto Rico. We are registered with the President's Advisory Committee on Voluntary Foreign Aid, under the aegis of the Department of State.

Hadassah's work is carried out in the United States and Israel. In each respect, it has been instrumental in developing ties between the people of the United States and the peoples of Israel. The impact of our programs reaches hundreds of thousands of families in the United States through our membership and our widely circulated publications. The result of our efforts is evident in our work in Israel, affecting the lives of many throughout the country. The goodwill and friendship which is developed through this has importance in the public image of the United States in Israel. It is another tie between two democratic nations with common interests and mutual goals.

WORK IN THE UNITED STATES

An objective, non-partisan program, identified as American Affairs, enables our members to understand, protect, and strengthen the role of democracy as a force for freedom and peace abroad. Its thrust is to stimulate interest in major issues by providing factual information. Our members cooperate as volunteers in civic affairs, participating in communal programs and those of the Federal Government, especially those directed towards the disadvantaged and deprived.

Hadassah supports the United Nations. We are recognized as a non-governmental organization. Our chapters participate in such activities as United Nations Day and sale of UNICEF materials.

Our Education Program provides study, discussion and book review groups, courses in Bible and Hebrew language, seminars and institutes. These are designed to equip our members for creative Jewish living and to help them understand their Jewish heritage as inherent in the development and enrichment of their lives as Jews and as Americans.

A dynamic youth program is supported, including summer camps in the U.S. directed to Jewish education, with additional programs to give opportunities for study and work in Israel.

ISRAEL PROGRAMS

In Israel the programs are: Medical Services; Youth Aliyah; Vocational and Educational Schools; Land Reclamation and Afforestation.

Although this presentation is directed towards our Medical Services, which I shall discuss in greater detail later, I would like to include a brief statement of our other projects, each important in and of itself.

YOUTH ALIYAH

Since its founding in 1933, thousands of young people coming from 72 lands have been settled and trained to assume a vital role in the agricultural, industrial and cultural development of Israel. Special schools are maintained for the rehabilitation of those disturbed or retarded. Hadassah is the official representative in the United States of Youth Aliyah under the auspices of the Jewish Agency for Israel.

VOCATIONAL AND EDUCATIONAL SCHOOLS

We maintain the Hadassah Israel Educational Services, which comprise the Louis D. Brandeis Center and the Alice Seligsberg Vocational School. These schools are designed to train youth for the expanding economy of Israel. They provide a range of technical and home economic courses, such as precision mechanics, printing, instrument making, nutrition, fashion, as well as training for secretaries and laboratory technicians.

In addition, a vocational guidance bureau is maintained to service the Jerusalem area as well as other parts of Israel. In cooperation with Government and public institutions, it engages in follow-up, training and research work.

LAND RECLAMATION AND AFFORESTATION

In cooperation with the Jewish National Fund, Hadassah participates in this important work in Israel, opening up new areas for colonization, restoring the land, and planting hundreds of thousands of trees.

Before developing the basis of the request for a grant under the Foreign Assistance Act, Hadassah records deep appreciation and heartfelt gratitude for the 1 million dollar grant provided through the Foreign Assistance Act of 1967 and for the cooperation given by the Agency for International Development in its implementation. This grant, received in Israeli pounds, has been used for building, equipping, and furnishing a physicians' residence in the John F. Kennedy Memorial Building attached to our Medical Center, adding and equipping a fourth floor to the existing Henrietta Szold School of Nursing, adding and equipping a second floor to the existing building for the Division of Social Medicine and Public Health, and extending the Kiryat HaYovel Family and Community Health Center (Public Health). These buildings have now been completed and equipped, and are being used to maxi-

mum advantage. They have materially increased opportunities for teaching and training for Israeli students and those students coming from foreign countries (especially from Africa and Asia), as well as broadened service for patients.

In addition, operating assistance was provided by the 1967 grant for additional professional personnel responsible for medical, nursing, public health, dental training and education.

Coming now to the main purpose of this presentation, *our Medical Services*, I would like to outline them as they have developed over the years and indicate the increased needs for which assistance is sought through the present grant request. I resist the temptation, in the interests of brevity, to give the long history of Hadassah's medical work, first in Palestine and now in Israel, and I shall concentrate upon the immediate past and future plans.

Our work is centered in Jerusalem. It is carried out through the Hadassah Medical Organization. It consists of a wide range of medical services emanating from the Hadassah-Hebrew University Medical Center at Ein Karem, located on the Judean hills outside Jerusalem. It services the entire population of Jerusalem and outlying areas and, since the Six-Day War in June 1967, many of the inhabitants of the Israel-administered areas of the West Bank. It was originally designed as a 500-bed hospital and to serve as clinical facilities for the Hadassah-Hebrew University Medical School. There has been a steady growth in the need for services due to the constantly rising number of patients, the increased number of medical and dental students, the added disciplines to the services performed, the inclusion of foreign students, principally from African and Asian countries, the expansion of the public health facilities, and the emphasis placed on training and research. These increased needs at Ein Karem can be divided under the following headings and for the reasons outlined:

1. Services

The annual volume of services in the Medical Center divided into general hospital categories is:

Outpatient	288,000
Inpatient	18,000
Emergency	80,000

for a total of 386,000. This heavy load is the result of:

(a) service to a population increased by 30 percent;

(b) changes in the content of medical care for a people whose pathology of disease is undergoing continuous change;

(c) change in knowledge of the medical sciences and their application to medical care; and

(d) change in the overall administrative set-up of health service in Israel and its application to Hadassah's clinical facilities.

2. Teaching

The Hadassah-Hebrew University Medical Center has a total teaching load of approximately 2700 comprising undergraduate, graduate, and post-graduate students. The number of students in the various medical disciplines ranges from 683 in the School of Nursing, 551 in the Medical School to 4 in Clinical Psychology.

The urgently needed increase in the number of students to be admitted to the Medical School (up to 120 from 80) will necessitate an increase in clinical material for teaching purposes in both the outpatient clinics and the inpatient services. Ten beds are required per student for providing adequate clinical material. There is a serious shortage of young physicians, especially in outlying areas and smaller hospitals. Accordingly, there is a demand for more doctors and nurses.

To the added number of medical students (which includes Arabs), we must provide for an increased intake of nursing students, enlarging the present average of 50 to 75. Additionally, seminars, and short refresher courses are held for doctors from East Jerusalem to provide opportunities for presenting the growing knowledge and developments in the medical sciences as practiced in the Hadassah-Hebrew University Medical Center.

3. Research

Over 600 physicians and scientists are engaged in research. Each department has its own research program carried out in 39 types of laboratories. In 1967, 248 separate research reports were published in world-wide medical literature by staff of the center. This is a constantly expanding area, demanding additional facilities and personnel to meet the needs for clinical work and to provide background for teaching and training.

4. Outpatient department

It is noteworthy that the original functional program of the outpatient clinics was based on a maximum annual intake of 200,000 patients distributed over 30 specialized services. Today, the total intake has reached 288,000 patients spread over some 60 departments and units.

5. Emergency

The Emergency Department in the original functional program called for 6 beds to serve 5000 patients annually. Shortly after opening the Medical Center in 1961, this had to be increased to 16 beds serving 20,000 emergency patients and 50,000 emergency treatments. Today, with the added Israel-administered area population coming to the Medical Center for emergency service, and the unfortunate increase in traffic accidents, the Emergency Department must be enlarged, not only for service, but to provide teaching and training in meeting emergency needs.

6. Inpatient facilities

Inpatient needs have become such that additional beds have been required, bringing the present total to 660. With the completion of the Institute of Oncology, now projected, 60 more beds will be added, bringing the total number to 720—all required for clinical teaching and training purposes. In addition, 10 beds will be needed for a Burns Unit with specialized facilities for skin grafting and related services, making the grand total of beds at Ein Karem 730.

With the expansion of the student body, as heretofore pointed out, 10 beds are required for optimum teaching purposes. Accordingly, with a projected increased student body, it is apparent that at least 1000 beds are required in the immediate future.

7. Diagnostic laboratories

In view of the increased patient load and added bed capacity, there is obvious need for increase in the facilities for diagnostic laboratories. The laboratory load is made even heavier by the quality and type of laboratory examinations. These are constantly increasing in variety and number as medical knowledge spreads. For example, since 1961, biochemical tests have risen by 130%; microbiological tests by 50%; pathological examinations by 66%; hematology laboratory examinations by 300%. As the work done in diagnostic laboratories is an essential part of teaching and training, it is urgent that new areas and equipment for these facilities be made available for the increased incoming student body.

Further, recent advances in genetics and physics demand that additional facilities be provided for a genetics laboratory and a medical physics department. The latter will serve all departments with its specialized knowledge and its application to medicine.

8. X-ray department

The increased patient load necessitates added space and equipment for the x-ray department. This department is a major need in the care of the patient and is of growing importance in view of the variety and complexity of x-ray examinations. The number of examinations has increased by 50% since 1961 and will be further increased as the number of patients grows. The part of x-ray in teaching and training is so well established that the needs for this department require no further elaboration.

What has been outlined with reference to increases in facilities applies as well to space and equipment for *operating theatres, post-operative recovery rooms, acute care units, pharmacy services, the occupational and physiotherapy departments, the central sterile supply department, laundry, kitchen and dietary services, and stores.* For example, consider that 5000 major operations were performed in 1961, while in 1968 the number was 7200. Prescriptions issued in 1961 amounted to 254,299, while in 1968 the number was 466,223. In 1961, the central sterile supply department supplied 365,000 items; in 1968 it supplied 910,000. Expanded facilities for meeting these needs must be provided, as present facilities are overtaxed.

It must be emphasized that all the services which I have discussed are essential in maintaining the high standard clinical facilities required for teaching and training provided by Hadassah.

Inherent in the enlargement of the areas described, provision must be made in the Medical Center complex for added lines of communication, such as elevators, both passenger and freight, and enlargement of the telephone exchange with provision for added inter-communication equipment.

It is evident that space must be provided for administrative personnel required to meet the enlarged services which have been described in broad outline.

Over and above the teaching and training responsibilities which Hadassah has for the the Medical School, there are responsibilities for providing for additional students of the Dental School; The School of Nursing; The School of Occupational Therapy; The School of Postgraduate Education; and the Graduate Residency Training.

In the case of the Dental School, it is anticipated that the annual student intake will rise from 25 to 65 requiring added space and equipment. The Nursing School intake is to be enlarged to 75 from the present annual student intake of 50. It will require additional housing for these students, as well as more living quarters for graduate nurses. Also, facilities will be needed for 10 additional students in the School of Occupational Therapy, the present 20 students to be increased to 30. Physicians taking courses in the School of Postgraduate Education, usually in residence while studying, require living quarters during their training period. The number of such physicians runs into several hundred registrants, from which as many as possible are selected. Presently, there are 300, with anticipated needs indicated as 1000. This School of Postgraduate Education also requires one 150 and two 50 seat lecture rooms for in-service training programs for interns, resident physicians and lay staff. There is special need for physicians undergoing specialized resident training. Of our 250 physicians, 30 are involved in this program which extends over a period of four to six years, according to the specialty concerned.

During this time, a large part of their time is spent within the hospital where they undergo practical as well as theoretical instruction. Living quarters for these physicians is badly needed, as due to their limited tenure of office and reduced income while training, they cannot afford to provide their own living accommodations.

Even at the risk of repetition, the need for the added facilities and equipment in the various schools and department which has been outlined, cannot be over-emphasized. This need must be met to assure the maintenance of the high level and standard of

teaching and training for which Hadassah is known to provide for the increased student body of Israelis, Arabs and those coming from abroad, for undergraduate work and for post-graduate or refresher courses. As shown in Table I, the Ein Karem expansion is estimated to cost about 28 million Israeli pounds, of which almost 7 million Israeli pounds—or $2 million—are hard currency needs. Table II indicates these needs by broad categories.

The complex of the Hadassah-Hebrew University Medical Center is to include the Moshe Sharett Institute of Oncology. Hadassah recognizes the increasing role of cancer as a cause of death and invalidism. We are concerned that in the developed countries, there are as many as 2000 new cases of cancer per million of population each year, and that cancer has become the second most common cause of death in those countries, reaching 1511 deaths per million of population annually. Cancer in Israel is not dissimilar to cancer in Western countries. The incidence of the disease amounts to 1920 per million, while mortality reaches 1119 per million of population—the second most common cause of death after cardio-vaccular diseases. Recognizing this, Hadassah has undertaken to extend its existing Department of Oncology by establishing a Center for the care of patients suffering from cancer and allied diseases. This Center will provide not only patient care, but also basic and clinical research facilities which will contribute, we hope, to the etiology of cancer and its prevention, its early detection, diagnosis and treatment, as well as early rehabilitation of patients. Apart from this, it is to be a focal point for teaching and training undergraduates, graduate and postgraduate students of the medical and para-medical professions in all areas relating to cancer and allied diseases.

The projected Institute of Oncology will service, it is estimated, approximately 2,500 patients, being about one-half of the cancer victims in Israel. It is estimated that one-half of this 2,500 will need radiotherapy and one-half hospitalization. In addition to meeting these patients' needs, the Center will serve for epidemiological and clinical research studies. Clinical, diagnostic, therapeutic, rehabilitative facilities will be required, as well as nursing care in the hospital, at home, and for follow-up.

The Institute of Oncology will provide the most advanced equipment for diagnosis, treatment and research, such as isotope laboratory facilities, deep x-ray therapy, chemotherapy, hormone therapy, a betatron, radiation equipment (cobalt for irradiation), and a cyclotron. It will serve to teach students, train specialists, and offer possibilities for conducting basic and clinical research in the fields of cancer and allied diseases. Even before the completion of the Institute, Hadassah, in its present Oncology Department, is providing treatment, through a special program, for cancer victims in the Israel-administered areas, cooperating with the World Health Organization under an agreement providing for this service.

Total costs for the Institute of Oncology are estimated at 14.7 million IL. Of this, over half will be required in hard currency expenditures. Table III shows a general breakdown of the $2.3 million required.

With the return to Hadassah of its buildings located on Mt. Scopus, Hadassah has undertaken to rehabilitate the hospital there as a general hospital to serve the Jewish and Arab populations of Jerusalem, the West Bank and Gaza area, and even patients from across the Jordan. It should be recognized that although forcibly isolated, Mt. Scopus has always been a geographic part of Israel and so recognized by the United Nations. Our hospital there was unavailable to Hadassah from 1948 to 1967 and stood unused following an Arab attack on a Hadassah convoy in which 78 medical and other personnel were killed. When restored, the hospital will function as an extension of the Medical Center at Ein Karem, with departments linked with their opposite numbers. It is planned that the medical personnel is to include Arab doctors and nurses, both as staff and for training. The 230 beds in this hospital will provide for this and, related as they are to the services at the Medical Center, will offer possibilities for teaching and training. It is planned to include facilities for rehabilitation in the set-up of this hospital, especially for the disabling and degenerative diseases, such as cardiac cases, cancer, brain injury, arthritis, and paraplegics. The Mt. Scopus renovation, estimated to cost 24 million IL, will require about $2.2 million in hard currency purchases. Table IV gives a general category breakdown of these expenditures.

This is a general outline of Hadassah's work and plans for the coming five years. Necessarily, this statement is only in outline form in regard to all of Hadassah's programs.

I shall be delighted, of course, to answer questions, and to provide the Committee with further information, together with such documentation as may be required. An important item in this presentation cannot be overlooked. It is that Hadassah holds itself responsible for the continued maintenance and support of the Hadassah Hospital and related facilities and is dedicated to their development and growth. We believe that the Medical Center is a personal link with Israel for our 318,000 Hadassah members. We are glad that we have helped to build bridges with leading medical centers throughout the world, and that we are able to provide teaching and training for nurses and doctors in Israel and in developing countries. This, together with carrying out medical programs in these countries, has helped to forge links of friendship throughout the world and especially in parts of Africa and Asia. In a world beset with many problems, where there is so much emphasis on destructive forces, we dare to believe that in some way our work for people of all races and creeds will help to build that better and peaceful world which all of us seek.

TABLE I.—SUMMARY OF COST ESTIMATES, HADASSAH DEVELOPMENT PROGRAM SHOWING TOTAL AND FOREIGN EXCHANGE REQUIREMENT

Purpose	Total requirement (in thousands of Israeli pounds)	Foreign exchange requirement: Amount (in thousands of Israeli pounds)	Foreign exchange requirement: Amount (in thousands of dollars equivalent)
Oncology Institute (new)	14,650	8,050	[1] 2,300
Ein Karem expansion	28,000	6,965	2,000
Mount Scopus renovation	24,000	7,890	2,231
Total	[2] 66,650	22,905	[3] 6,531

[1] Includes $700,000 for cyclotron, gift.
[2] Equal to $19,042,000.
[3] Exact equivalents lost in rounding.

TABLE II.—*Ein Karem: Foreign exchange estimates for planned expansion*

Clinical analysis and research:	
Diagnostic laboratories and X-ray	$300,000
Operating theaters and post-operative rooms	75,000
Occupational and physiotherapy departments	50,000
Central sterile supply and laundry [1]	300,000
Kitchen equipment	50,000
Elevators (freight)	150,000

[1] To also service Mount Scopus.

TABLE II.—*Ein Karem: Foreign exchange estimates for planned expansion*—Con.

Clinical analysis and research:	
Internal communications—telephone	$50,000
Outpatient departments, including medical emergency department	125,000
Inpatient department	100,000
Standby facilities: air conditioning and mechanical equipment	200,000
Dental school	600,000
Total	2,000,000

TABLE III.—*Institute of Oncology: Foreign exchange estimates*

Scientific equipment list (see appendix A)	$760,000
Elevators—2 passenger, 1 freight	120,000
Air-conditioning equipment	350,000
Mechanical equipment, water, steam, sanitary, plumbing	220,000
Electricity and telecommunication	100,000
Generators and transformers	70,000
Cyclotron	[1] 700,000
Total	$2,300,000

[1] To be received as gift from individual donor.

TABLE IV.—*Mt. Scopus renovation foreign exchange requirements*

Clinical equipment—270-bed facility including:	
All medical equipment, x-ray, operating theaters, diagnostic laboratories, beds, mattresses, etc	$900,000
Engineering:	
Elevators (7)	243,000
Boiler plant equipment	143,000
Kitchen equipment	100,000
Generators	43,000
Air-conditioning material and equipment	171,000
Water, steam, sanitary (pipes and plumbing equipment)	
Incinerators	29,000
Electricity and telecommunication	130,000
Laboratories	143,000
Transport—ambulances, etc	43,000
Total	$2,231,000

RESOLUTION OF THE COUNCIL OF THE CITY OF BOWIE, MD., URGING THE IMMEDIATE RELEASE OF SUBWAY CONSTRUCTION FUNDS

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. HOGAN. Mr. Speaker, I am pleased to call attention of my distinguished colleagues to a resolution adopted by the City Council of the City of Bowie, Md., which is in my district. This resolution points out quite emphatically the great concern and the note of urgency for action now for the release of subway construction funds for Metropolitan Washington.

By bringing this problem to the attention of Congress, this community emphasizes the needs of all the communities surrounding the District of Columbia. These communities want—and need—this service to be initiated as soon

as possible in order to be able to cope with a chaotic transportation situation.

The city fathers of Bowie are well aware of the serious effect that this delay in funding is causing them and they have seen fit to call it to our attention by passing this resolution. I commend them for their community interest, an interest which includes the entire Greater Washington area. I hereby place that resolution in the RECORD so that my colleagues may know the feelings of one of the many communities which are to be served by the projected subway system. While I support a balanced transportation system which includes adequate freeways and buses as well as subways, I urge that the funds be made available now so that construction of the subway system can begin.

The resolution follows:

RESOLUTION OF THE COUNCIL OF THE CITY OF BOWIE, MD., URGING THE IMMEDIATE RELEASE OF SUBWAY CONSTRUCTION FUNDS

Whereas, after many years of planning a regional rapid rail transit system has been adopted by the Washington Metropolitan Area Transit Commission and all of the participating jurisdictions; and

Whereas, most of the participating jurisdictions have expended large sums of money for administrative and planning purposes in preparation for construction of the adopted regional rapid rail transit system; and

Whereas, an immediate start in the construction of the rapid transit system is in the public interest, benefitting the citizens of Bowie and every part of the Metropolitan Washington area and the nation as a whole by improving transportation in the Nation's Capital;

Now, therefore, be it resolved by the Council of the City of Bowie, Maryland, that the Executive and Legislative branches of the Federal government be urged to take immediate steps to release subway construction funds to permit construction to begin at the earliest possible date; and

Be it further resolved that copies of this resolution be sent to the President of the United States, all United States Senators and Congressmen from Maryland, all members of the District of Columbia Appropriations Committees and Public Works Committees, the Secretary of the Department of Transportation and the Chairman of the Metropolitan Washington Council of Governments.

Introduced and passed by the Council of the City of Bowie, Maryland at a Regular Meeting on ——.

LEO E. GREEN,
Mayor.

Attest:

EDITH MAYLACK,
City Clerk.

THE NIXON APPROACH TO THE DRUG PROBLEM: A LACK OF SENSITIVITY AND UNDERSTANDING?

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, increasing criticism is being leveled at the administration's approach to the narcotic addiction and drug abuse problem. This criticism emanates from all parts of the political spectrum and apparently voices are being raised in opposition to the President's "off with their heads" attitude within the administration itself.

William Robbins reporting in the New York Times yesterday stated that "a confidential memorandum urging the Department of Health, Education, and Welfare to oppose the bill in its present form, composed by one of the agency's top health officials, drew strong support last week, but it was turned down at the highest echelon in the Department." Later in the same article, Mr. Robbins quotes an HEW official who considered Mr. Nixon's proposal "regressive legislation."

As sponsor of the proposed "Comprehensive Narcotic Addiction and Drug Abuse Care and Control Act of 1969," I and 22 cosponsors have sought to provide a realistic approach to the problem, an approach that will get to the root causes of drug abuse as well as eliminate its outward and apparent manifestations. The Nixon treatment of this area, in my opinion, will not bring about solutions and will not provide the help desperately needed by those who have fallen prey to the sickness that narcotic addiction and drug abuse is. I had thought that the days of bedlam would be only a matter of historical interest in these "enlightened" times. Should the President's proposal be promulgated, as it now stands, we shall have witnessed a most unfortunate and regressive day that will set back the many efforts being made to solve the drug problem that we face today. The reemergence of a bedlam-type approach to our problems is the last thing our Nation needs at this time.

For my colleagues' information, I now include into the RECORD the full text of the Robbins article:

DISPUTE IN ADMINISTRATION ON NIXON BILL TO STIFFEN DRUG PENALTIES MAY BREAK INTO OPEN

(By William Robbins)

WASHINGTON, July 27.—Disagreement within the Administration over the stiffened penalties in President Nixon's drug abuse bill is threatening to break into open conflict.

A confidential memorandum urging the Department of Health, Education and Welfare to oppose the bill in its present form, composed by one of the agency's top health officials, drew strong support last week, but it was turned down at the highest echelon in the department.

It was understood, however, that there would be no pressure to prevent experts in the health agencies from stating their professional reservations about the bill when called on to testify in Congress.

The opposition has focused on the general law enforcement emphasis of the bill, the penalties on users, and certain administrative prerogatives that would be given to the Justice Department.

The bill would establish a minimum of two years' imprisonment for possession or use of such substances as marijuana and LSD, although it proposed possible probation for first offenders. It would provide higher penalties for distribution or possession with intent to distribute.

DRUGS WOULD BE GRADED

The bill would also classify substances and grade them as to the degree of danger their use might involve as well as the penalties provided. It would give the Attorney General the authority, in consultation with health advisers, to make some changes in the classifications as well as add new substances to the list.

It also charges the Justice Department with the responsibility for research into the problems involved.

The ferment brewing among the mental health and drug experts of the Health, Education, and Welfare Department could break into the open tomorrow when two high officials, who are known to oppose the stiffening of penalties for drug possession and use, are scheduled to appear before a Congressional subcommittee.

They are Dr. Joseph T. English, administrator of the Health Services and Mental Health Administration, and Dr. Stanley F. Yolles, director of the National Institute of Mental Health. They will appear before a Senate Labor and Public Welfare Subcommittee that is considering extension of the Community Mental Health Centers Act.

EGEBERG'S TESTIMONY

The subject of the drug bill could arise naturally, observers say, because of such sentiments as one expressed recently by Dr. Roger O. Egeberg, Assistant Secretary for Health and Scientific Affairs, Dr. Egeberg, the Administration's top health official, said in Senate testimony leading to his confirmation that the law enforcement approach to drug problems would require "building stockades" because so many people were involved.

In any case, these observers say, it is likely that Senator Ralph W. Yarborough, Democrat of Texas, will try to draw out the opinions of the two drug experts. Senator Yarborough is the author of one of several bills that seek to curb drug abuse through education and research. He is also the sponsor of a mental health center bill.

The confidential memorandum calling for opposition to the Administration bill, it is understood, was submitted last week during conferences attended by Dr. Egeberg and Secretary Robert H. Finch.

If it had been adopted, it would have produced the unusual circumstance of two Administration departments taking conflicting public stances on a Presidential program.

At the end of the week, however, Creed C. Black, Assistant Secretary for Legislation, said that the Health, Education, and Welfare Department would not oppose the Administration bill. But he added, "We certainly are not going to ask any professional people to take a position that is contrary to their professional beliefs."

Health officials questioned were unanimous in their opposition to the bill in its present form, although only one, Dr. Sidney Cohen, would speak for attribution. Dr. Cohen is director of the Division of Narcotics Addiction and Drug Abuse of the Institute of Mental Health.

Dr. Cohen said: "This isn't the way to solve the problem. I am not concerned with the penalties for the pushers, but I am concerned about the young person who might be caught with a marijuana cigarette and thrown into jail for a long period of time. I would hope that we could find a more sensible approach."

The approach that Dr. Cohen and most other experts have urged has been that of research leading to education that would discourage abuse as well as to new forms of treatment of addicts.

"This is regressive legislation," said another official. "If I am called upon, I will have to say so."

CALLS BILL DETRIMENTAL

A top health official in the department who is an authority on drugs remarked: "This bill is more detrimental than helpful."

A "hair-raising" provision of the measure, he said, is that it will make simple possession of marijuana a felony. He added:

"The hooker in it is that possession with intent to distribute would bring a minimum of five years in jail with no probation or parole. That means that a student who had some marijuana intending to give it to another, could be thrown in jail for years.

"And if a college senior 21 years old gives a freshman under 18 a marijuana cigarette, the penalty can be doubled. It gets into the realm of the ridiculous.

"There's nobody here [in the department's health agencies] who wouldn't come out strong against that."

The official reserved some of his strongest comments for the provisions placing responsibility for research in the Justice Department.

"It's like having the police, judge and jury in the same identity," he said.

The department's top authorities on drug abuse were not consulted on the penalties, he said, and they were not able to see a final draft of the proposed legislation. He added that "some of the people at Justice are just sick, too, about those penalties."

It was understood that much of the pressure for increased penalties had come from White House aides.

"It's all part of the law-and-order theme," one official said.

DISTRICT OF COLUMBIA—DEMAGOGS IN THE URBAN JUNGLE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. RARICK. Mr. Speaker, again I call attention to the shocking condition of our Nation's Capital—the constitutional responsibility of the Congress.

The District Democratic chairman, attacking the honest, loyal, working, taxpaying Americans who are the backbone of this Nation—calling them "all the nice white middle-class people opposing tax increases"—issues a thinly veiled call for racial violence.

The 27th murder of the month occurs.

Among the weekend rapes is the mother of a wounded Vietnam veteran, gang-raped when she left Walter Reed Army Hospital after visiting her son.

The police forces request buildup to three regiment size.

Another bank robbery, downtown in broad daylight.

Special security measures at the U.S. courthouse to stop the molestation of secretaries and the theft of typewriters.

Twenty armed robberies and another rape on Monday.

Left-wing "protesters" on the Capitol steps.

Mass again interrupted at St. Matthew's Cathedral.

I include local news clippings:

[From (D.C.) Washington Daily News, July 26, 1969]

MOTHER OF VIETNAM VET ROBBED, RAPED

The mother of a wounded Vietnam veteran was gang raped last night just after she had visited her son at Walter Reed Army Hospital, District police said.

Police said the 42-year-old resident of Ohio, who is white was walking north on Georgia-av near the hospital when a Negro man threw a sweater over her head, forced her into a car and drove her to an unknown location, where he and five friends robbed her of $120 and raped her.

She was treated at D.C. General Hospital and released.

Police earlier said a Southeast woman, 20, Negro was attacked while getting her laundry out of the washing machine in the basement of her apartment.

She told police a Negro man put a sharp object to her neck, pushed her into a boiler room, raped her, and took her gold wedding band.

On leaving, he said, "I'm sorry."

[From the (D.C.) Washington Daily News, July 28, 1969]

A 33-year old Glover Park woman was raped early today by two teenagers, police said.

They said the woman, returning from her job at Maryland nursing home, was grabbed by two Negroes in their late teens as she was entering the front door of her apartment building.

The woman, white, was robbed of $3 and a ring and forced to a parking lot behind the building where both men raped her.

[From the Washington (D.C.) Evening Star, July 28, 1969]

TERRIS SUGGESTS DISTRICT OF COLUMBIA ACT BOLDLY ON SELF-RULE

The District's Democratic chairman yesterday suggested from the pulpit that if Washington residents want self-rule they will have to act as drastically as American colonists did.

In a sermon at All Souls' Unitarian Church, 16th and Harvard Streets NW, Bruce J. Terris recommended a boycott of banking institutions that refuse loans to inner-city homeowners. He also suggested an increased effort by churches to support housing programs.

Terris suggested a taxpayers' revolt. "If the answer to our forefathers was to dump tea in Boston Harbor," he said, "maybe we will have to take similar action to prevent the collection of taxes in this colony.

"If tyranny justifies the taking of life, maybe it at least justifies continuous picketing of the homes of congressmen who act as arbitrarily over the District as King George did over the colonies."

He criticized "all the nice white middle-class people opposing tax increases" that apply to them, but remain silent on revenue proposals for social needs.

The contemporary prophets act rather than just talk, Terris said.

He mentioned as examples Reginald H. Booker, chairman of the Emergency Committee on the Transportation Crisis, and Sammie A. Abbott, the group's publicity director, "who breaks up meetings to stop freeways from being driven through black neighborhoods."

"The great sin of our blacks and of our young people," Terris said, "is that they are neither so cynical nor complacent that they have ceased to take our proclaimed values seriously."

Patience, he indicated, is not entirely virtuous.

"It is wrong to demand change at a rate which is impossible, which destroys more than it accomplishes," he said.

"But it is even more wrong to hide behind the need for patience when we can easily do far more to remedy the gross evils of our society."

POLICEMAN, SHOT IN EYE, WILL RETIRE

Capt. John F. Reynolds, the 48-year-old police official who lost the sight of his left eye during a wild shootout in February in which three private citizens were killed and seven officers injured, will be granted a disability retirement effective Friday.

Reynolds, an official in the Traffic Division, was hit on the left side of the face by a shotgun blast during the Feb. 21 gunfight. A shotgun pellet damaged the optic nerve, leaving him permanently blind in that eye.

The shootout took place at 1420 Madison St. NW., a rooming house owned by Mrs. Lela M. Bannister. When two policemen answered a call that a woman had been shot inside the house, they were hit by a shotgun blast as soon as they stepped from their squad car.

MAN FATALLY STABBED IN NORTHWEST ARGUMENT

A Northwest Washington man was fatally stabbed Saturday night during an altercation with an unidentified assailant in front of an apartment house in the 300 block of Sheridan Street NW, police reported.

Police said Louis Reed, of the Sheridan Street address, was found about 9:45 p.m. with a wound in his chest. He was pronounced dead at Washington Hospital Center.

POLICE FORCES SEEKING BEEFUP—TO THREE REGIMENTS

(By Ronald Sarro)

The Nation's Capital will have enough policemen to fill the ranks of more than three Army combat regiments if all pending requests for additional men are filled.

The latest force to request an increase is the 250-member White House Police, which initially wants to more than triple its size and assume major responsibility for protecting foreign embassies here.

After increasing its strength to 850 men immediately, the force probably go up to 1,000 in a couple of years, Secret Service officials told Congress last week.

The size of the Metropolitan Police Department was increased last year from an authorized strength of 3,100 men to 4,100 men, and the department has been working on filling these 1,000 vacancies.

An appropriation request now before Congress with strong conservative backing, would increase the authorized strength of the city department by another 1,000 men—to 5,100 men during the next year.

This second 1,000-member increase has a good chance of passing Congress despite the fact that no one will be able to measure the impact of the first 1,000 additional men on crime until they are hired and go on the street to fight it.

In addition to the total of 3,000 more men the Washington and White House police seek for the future, smaller police departments with jurisdiction in the nation's capital also are seeking more men.

The U.S. Park Police here have an authorized strength of 363 men, and have a budget request pending to add 35 more. But the department says it really needs a total force of 450.

Another force is the U.S. Capitol Police, which protects the congressional homestead. It has a strength of 600 men, but has held off asking for any additional help by the fact that it has run out of locker space.

Even the 26-member National Zoological Park Police, who protect the zoo and its animals, say they could use two or three more men.

If all of these aforementioned requests were filled, there would be more than 7,150 policemen active in the city. A combat regiment, ranges between 1,500 and 2,400 men, not counting headquarters personnel.

That 7,150 figure does not count a number of smaller police forces, hundreds of federal building guards, FBI agents, Secret Service or CIA agents in Washington.

THE METRO SCENE—SONGFEST AT CAPITOL PROTESTS ABM, WAR

The week-long vigil on the Capitol steps against the controversial anti-ballistic missile system erupted yesterday afternoon into an anti-war and anti-ABM songfest, complete with accordion accompaniment.

For about an hour and a half, tourists were treated to such homemade ditties as "O Beautiful for ABM" and "Hymn to the Pentagon Monster."

The informal chorus of about 16 voices was lead by Carlos Van Leer, 62, local member of Veterans for Peace in Vietnam. Van Leer said he fitted the new words to the well-known tunes "because satire is the best sermon for today."

Capitol police reported no trouble with the group, although they said they warned the protesters to keep their signs and posters out of view.

An informal coalition of Washington area opponents of the ABM has conducted the continuous vigil since July 20, and a spokesman for the group said they plan to continue their protest until the Senate votes, possibly this week, on the measure.

NEW PROTEST INTERRUPTS MASS AT ST. MATTHEW'S

(By William Willoughby)

Two 12:30 services were held at St. Matthew's Cathedral yesterday after the pastor, the Rev. John Kuhn, ordered about 200 protesting Catholics out of the church when they refused to be seated during the reading of the Epistle, as is customary.

As Kuhn continued the interrupted mass in the sanctuary, an impromptu service was conducted by the Rev. George Malzone, a priest disciplined last year by Patrick Cardinal O'Boyle for resisting him on the birth control encyclical.

The outdoor service, on the center section of the steps, took on many of the forms of a combined fundamentalist street meeting and a freedom rally.

Kuhn interrupted the lay reader of the Epistle after all but the protesters had sat down. He read from a prepared statement, obviously anticipating that some kind of disruption would take place. This marked the 10th time a "teach-in" was attempted at the seat of the archdiocese.

He began his statement by telling the congregation of the events that led to the arrest last week, in the sanctuary, and during the services, of James Gibbons, a leader in the Center for Christian Renewal, which sponsors the teach-ins.

"I can only interpret the actions of the group from the socalled Center for Christian Renewal again today as a disregard for the law of this land," Kuhn said, "as they have repeatedly disregarded the rights of St. Matthew's parishioners upon whom they choose to force their aggressive and uninvited presence and their unwarranted opinions."

Although the particular portion of his statement was not read yesterday, one paragraph made it clear he was ready to press for additional arrests if the provocations became serious enough.

This was the biggest show of strength the protesting group, which is contending that "racism" is practiced in the archdiocese, had made to date.

Once outside the church, Gibbons challenged the followers to "fight from within . . . We must show them we're not just a movement of kookie people . . . that we're not trying to tear down anything." Charges against Gibbons following last week's arrest have been dropped, but he was warned he would be prosecuted if he was again arrested.

When he asked the group what counteraction they wanted to take, the initial suggestion was to go as a group for communion. Soon the reaction had simmered down and the decision to hold a service outdoors "as a witness" prevailed.

When the parishioners—only a small number of protesters belong to St. Matthew's—came out, most stayed clear but many muttered in disgust. "What the hell is this world coming to?" one man said.

After the service, Kuhn renewed charges against the protesters that their attack on racism is not legitimate. "They're only trying to keep us from doing what we might be doing."

[From the Washington (D.C.) Post, July 29, 1969]

HIDDEN CAMERA FILMS SUSPECT—DISTRICT OF COLUMBIA BANK ROBBED OF $2,000

A robber fled with more than $2000 in cash yesterday morning from a crowded downtown bank.

"Don't be alarmed. Don't look up. Just fill this brown paper bag," the bandit had written on a deposit slip that he handed to teller June E. Quarles, 23, in The First National Bank of Washington, 509 7th st. nw., police reported.

They said Miss Quarles stuffed the money in the bag as directed. The robber was last seen walking out of the bank into the rain.

Most of the bank employes and customers, who were waiting in long lines to be served, were unaware a robbery had taken place until police and FBI agents arrived at the bank shortly after the holdup at 11:33 a.m., police said.

The FBI later released a sequence of six photographs of the robbery suspect that agents said had been taken as he walked "almost directly" toward a concealed surveillance camera.

OWNER IS FOUND SLAIN IN NORTHWEST LUNCHEONETTE

The owner of a Northwest Washington lunchroom was found bound and gagged and savagely beaten to death yesterday morning.

Police said the body of Pantels Scarvelakis, 63, was found about 6 a.m. in the Arcade Lunchroom, at 3308 Georgia ave. nw., by one of his regular customers and a waitress after they found the front door locked but the back door open.

Scarvelakis was lying face down on the floor, according to police, who said his hands and feet were bound, his eyes blindfolded and his mouth gagged with strips of white cloth.

The proprietor was pronounced dead of head injuries at the scene by Deputy Coroner William Brownlee.

Police said no weapon was found. They said the slaying apparently took place after Scarvelakis surprised someone inside the lunchroom or was followed inside when he started to open for the day's business.

Scarvelakis, whose home address was listed by police as 5512 13th st. nw., had owned the lunchroom for the past 11 years, police said.

His death was the 153d District homicide this year, compared with 104 homicides at the end of July last year.

YOUTH ARRESTED IN FATHER'S MURDER

A Northwest youth was arrested by police yesterday in the stabbing death of his father during an argument Saturday night.

Police said they have charged Lawrence Reed, 19, of 1709 Lamont st. nw. with second-degree murder. His father, Louis Reed Jr., 57, of 530 Sheridan st. nw., was stabbed in the chest about 10 p.m. Saturday in front of his home, and died shortly after at the Washington Hospital Center.

CITY LIFE—U.S. COURTHOUSE SECURITY TIGHTENED

In the latest in a series of measures to combat an outbreak of petty crime at the U.S. Courthouse, security locks have been installed on all self-service elevators in the building.

Complaints ranging from the molestation of secretaries to the theft of typewriters led to the precautions taken during the past month by the building's guard force.

Use of the self-service elevators in the courthouse at 4th Street and Constitution Avenue nw. is now limited to persons equipped with elevator keys issued by the guards. Others must use the public elevators, which are manually operated by Government employes and do not run at night or on weekends.

Entry into the courthouse during non-business hours is now limited to persons carrying a night, weekend and holiday pass signed by Maj. Howard McGonigal, chief of the security guards.

And only those persons carrying a separate pass authorizing the removal of property are permitted to take any equipment out of the building, which is directly across the street from police headquarters.

THREE WOUNDED POLICE STUDY RETIREMENT

(By Alfred E. Lewis)

Three Metropolitan policemen, each of whom was wounded last February in the left eye during a shooting siege that left three civilians dead are expected to terminate their service with the force.

Capt. John F. Reynolds, 48, of the Traffic Division, who lost the sight in his eye, said yesterday he is retiring as of Thursday. He has served 22 years with the Police Department.

Sgt. Robert Householder, 36, of the Sixth Precinct, a veteran of 10 years on the force, appeared before the police board of surgeons on July 15 and expects to be retired, it was learned.

Police said that while he has not lost the sight of his eye. Householder suffered other injuries at the time of the shootings.

The third policeman, Officer Ronald Bennett, 39, said that he had never regained full vision in his left eye after he was shot. He said that while he has not asked for retirement, he is considering it. On the force for three years, Bennett was attached to the Sixth Precinct at the time of the shooting.

None of the officers has returned to duty since the shooting.

Thomas Walton, 36, a construction laborer, shot and killed his landlady, Lela Bannister, 65, at her home at 1420 Madison st. nw., also killed her maid, Ethel White, 66, and then shot himself to death after he had held some 75 policemen at bay with a shotgun the morning of Feb. 21.

Two other tenants in the house scrambled to safety after the building was set on fire, apparently by a tear gas shell containing incendiary fragments.

TWO BEATEN IN HOLDUP OF RESTAURANT

Two men robbed a Northwest Washington restaurant of an undetermined sum of money Sunday after a fight with the manager and a customer, police reported.

Arthur L. Seabolt, manager of the Little Tavern at 5100 Georgia ave., told police that two men, one armed with a gun, entered about 3 p.m. demanding money. He said the gunman hit him in the face with a raw hamburger and pulled the trigger of the gun, but it failed to fire.

According to police, one of the men then struck Seabolt over the head and knocked him to the ground. The other man floored a customer, Max Steinmetz.

Seabolt told police the assailants then took the money from the cash register and ran out the front door where they were joined by a third man.

Seabolt was treated at Washington Hospital Center and released, police said.

In other serious crimes reported by area police up to 6 p.m. yesterday:

ROBBED

William Boyd, of Washington, was robbed of $70 at about 5:45 a.m. Sunday by two men who approached him while he was sitting with a friend in his car in the 2000 block of Benning Road ne.

Willie Boones, of Washington, was treated at Rogers Memorial Hospital for injuries he suffered at about 6:25 a.m. when he was beaten to the ground at 8th Street and Massachusetts Avenue ne, by several men who took $8 from his pocket.

Charlie Goodman, of Washington, was robbed of $25 at about 12:30 a.m. by three men, one armed with a gun, who approached him at 4th and V Streets nw.

Frank J. Hollis, of Washington, was beaten to the ground as he was getting out of his car in the 5500 block of 14th Street nw., by several men who escaped with his keys and wallet at about 9:55 p.m. Sunday.

Frager Daniels, of Washington, was robbed of $6 and a watch by two youths who beat him to the ground at about 2 a.m. in the 500 block of Rhode Island Avenue nw.

Esso Gas Station, 900 11th st. se., was robbed of $50 at about 3:05 a.m. by four men who attacked the night manager while he was in the grease pit and took the money from his pocket.

High's Dairy Store, 3518 Georgia ave. nw., was robbed of an undetermined amount of money at about 10:55 p.m. Sunday by a man who appeared to have a gun.

High's Dairy Store, 5002 1st. nw., was held up by two gunmen who obtained an undetermined amount of money at about 5:45 p.m. Sunday.

High's Dairy Store, 8th and Upshur Streets nw., was robbed of an undetermined amount of money at about 4:25 p.m. Sunday by two men, one armed with a hand gun.

Buddy Norwood, of Washington, was treated at D.C. General Hospital for wounds he suffered when two men, one wielding a knife attacked him at about 3:30 p.m. Sunday at the underpass at 7th Street and Virginia Avenue se. One of the men cut Norwood on the hand and chest and the other man took $100 from his pocket.

James E. Livingston, 49, of Washington was attacked at about 10:55 p.m. Sunday at the corner of 12th and H Streets ne., by three men who took $26 from his pocket.

Janice Thomas, 22 of Washington, was treated at Rogers Memorial Hospital for injuries she suffered when a man grabbed her at 12th Street and Maryland Avenue ne., and beat her in the face and head with a revolver, at about 11:30 p.m. Sunday.

James A. Lincoln, 42, of Washington, was admitted to Rogers Memorial Hospital with a gunshot wound in the thigh. Lincoln told police he was sitting at the corner of 5th and D Streets ne., at about 8 p.m. Sunday when he was approached by three men one of whom fired a shot at him.

Carl M. Smith, 18, was treated at Rogers Memorial Hospital for stab wounds in the back which he received when a man armed with a knife attacked him in the 600 block of H Street ne., at about 7:45 p.m. Sunday.

Jack F. White, 19, of Kentland, Md., was treated at Prince George's Hospital for stab wounds he suffered during an argument at about 1:30 a.m. at 73d Avenue and Forest Road, Kentland, in which White was stabbed in the chest and cheek by a youth armed with a pocket knife.

Joseph A. Gibbs was robbed of $150 by a man armed with a revolver who jumped into his car when he stopped at 18th and Church Streets nw. Gibbs was forced to drive to an alley in the 1300 block of Riggs Street nw., where the theft occurred.

Unico Wine and Liquor Company, 2645 Connecticut ave. nw., was robbed of an undetermined amount of money at about 1:20 p.m. by a man armed with a pistol who ordered the manager to turn over the money from the cash register. The man then demanded more money and followed the manager, Irving Levin, into a back room where he struck him on the head several times with the gun. A witness told police he saw the bandit enter a drug store, walk out the rear door and drive away in a waiting car.

The Adelphi Terrace Pharmacy, 9107 Riggs rd., Adelphi, was robbed by two armed men of $436 yesterday at 9:30 a.m.

Samuel Brookbank, a truck driver for the Central Distributing Co., was robbed by two men, one armed with a gun, yesterday at 2 p.m. in a parking lot next to 1701 Kenilworth ave., Beaver Heights. They took $2 in coins and Brookbank's watch.

ASSAULTED

A 33-year-old Washington nurse was raped and robbed at about 2:30 a.m., by two youths who approached her as she was entering her Northwest apartment building. The woman told police they took a ring and $3 from her and then both of them raped her in a parking lot near the building.

LOWERING THE VOTING AGE TO 18

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mrs. CHISHOLM. Mr. Speaker, our young Americans will one day inherit the management and maintenance of our political system. In order for our system of government to work at its best it must produce the greatest good for the greatest number of people while it continues to protect the basic rights and liberties of each individual.

At a time when there is a great amount of talk and interest throughout the country about the rights and welfare of minority groups and at a time when we have just finished celebrating the basic holiday of our democracy—July 4—I would like to enter a plea for what is estimated to be either the first or second largest minority group in our country. That minority group is the youth between the ages of 16 and 21.

The U.S. Bureau of Census in July 1968 estimated the size of that age group at 21,679,000—close to 10 percent of the population of the country. The size of that figure alone would seem to warrant their occasional refusal to participate in the war in Vietnam and other salient activities and aspects of our society on the basis that they have no direct representation.

The reason that I quote the statistics for the age bracket between 16 and 21 is very simple. If we wait 2 years to pass a bill lowering the voting age, approximately 200,000 youths will have joined the ranks of that unrepresented minority group.

In the war the average age of those who fight and die are under 21. In fact in Brooklyn, where my home district is, there was a recently reported case of a young marine who, at only 15, acquired the distinction of being our youngest fatality in Vietnam.

Many youths are now politically involved and have a deep concern for the complex social problems that now plague the country. At present there are about 5,000 VISTA volunteers on active duty in this country and there have been more than 16,000 since inception. The overwhelming majority have been youths between 18 and 21.

In this past election many young men and women were actively involved in political campaigns, but there were also many who were not. Those who were not were youths who have been discouraged from participating in the political system for various reasons. One of these reasons was to be found in the response of the general electorate in the last election involving the late Robert Kennedy, Senator EUGENE MCCARTHY and the recent primary mayoralty election in New York City.

At the age of 18 young Americans must bear arms if called upon, and are considered adults in civil and criminal courts of law. The age of 18 is and has been considered the age of maturity in America.

Opinion polls have shown that 64 percent of the American voting public favors a lowering of the voting age to 18.

Young people, because of educational emphasis in the high schools on politics and our particular life—style, are generally more aware politically than their parents.

They are well-steeped in the belief that the right to vote is the fundamental requirement for citizen participation in our democracy. They are as aware as we are that this country came into being because American colonists would not stand for taxation without representation. They are aware of the close parallels between their present situation and the position of earlier Americans. They are also aware of the close parallels between their situation and the struggle of black Americans for political freedom in this country because many of them are black.

We cannot, in good faith, continue to deny these young adults the rights and privileges of adulthood while calling upon them to exercise their restraint and responsibilities.

House Joint Resolution 18 follows:

H.J. RES. 18

Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are eighteen years of age or older

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, to be valid if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress:

"ARTICLE —

"SECTION 1. No citizen of the United States who is eighteen years of age or older shall be denied the right to vote by reason of age.

"SEC. 2. The Congress shall have power to enforce this article by appropriate legislation."

GARBAGE BY ANY NAME

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. DERWINSKI. Mr. Speaker, it was with great interest that I noted a lighthearted editorial commentary in the Chicago Heights, Ill., Star, Sunday, July 20, discussing present-day political debate phraseology.

In view of the fact that the editorial carries some practical suggestions that

might be pondered here in Washington, I hereby insert it into the RECORD:

GARBAGE BY ANY NAME

Not too long ago, in a suburban municipal election campaign a candidate referred to an opponent's material as "hogwash." Even at that level, it seemed that the term was lacking in class. And in the particular case, we weren't sure a well-bred hog would "buy" the stuff, much less eat it.

Under the circumstances, we were a little surprised more recently to note that Illinois Senator Charles Percy classified as "hogwash" some of President Nixon's remarks concerning the anti-ballistic missile system.

For our part, we are among the thinning ranks of non-experts who are neither dogmatically opposed nor unreservedly in favor of the BM, although if an error is to be made, we should prefer to have it made on the side of self-defense rather than self-neglect. But irrespective of the junior senator's position, it is somewhat disappointing—having supported him for governor and for his present post—to see him employ a somewhat tasteless word in referring to a fellow Republican.

Perhaps we can take comfort in the suspicion that Senator Percy was attempting to reintroduce a down-to-earth quality in the American dialogue. The tendency has been toward bandwagon adoption of new words and phrases. And although "mainstream," for example has almost run its course downstream, "thrust" and the like might be with us for a long time.

And on television, anyway, one no longer talks about a question or subject; he talks to it, resting assured that it cannot talk back. Not only that, but the lexicographers have at length caved in, and "host" is a verb in fact as well as in misdeed.

But "hogwash"? The junior senator might do better to mend his political fences and build upon the good start he made in the Senate with his low-income housing plan.

WAITING FOR THE FUNERAL?

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. ROBISON. Mr. Speaker, in my address to the House, Tuesday, July 22, 1969, on the subject "Let Us Go Down To The Station And Watch America's Last Passenger Train Come In," I tried to focus attention on the growing problem of the decline of railway passenger service as one of the greatest examples of legislative and administrative neglect that I could think of. In this regard, I was most interested in the following editorial from yesterday's Evening Star which takes the Interstate Commerce Commission to task for inaction in this area, and I recommend its message to my colleagues:

WAITING FOR THE FUNERAL?

The Interstate Commerce Commission recently completed a nine-month investigation into the costs of operating passenger trains. The well-documented report clearly shows that while the railroads, using the ICC's own accounting methods, have for years been vastly over-stating losses incurred from operating passenger trains, the fact is that these trains do run at a big deficit. The eight railroads studied could have saved perhaps $118 million in 1968 had they not run any passenger trains.

At the same time the ICC has urged Congress—now that the costs of running passenger trains are known—to launch a study aimed at formulating a national policy on rail passenger service. It would determine what type of service is necessary, and whether the federal government should help subsidize it.

Having said that, the ICC goes back to its usual slumber—handling the tricky-track of minuscule trucking operating rights cases—content that it has done its job by telling Congress what to do.

But the ICC hasn't done its job. The commission has for more than a year been sitting on top of the most important railroad passenger case ever before it—a case in which one of its examiners has urged the ICC to assert that it does indeed have the power to protect the traveling public, and require at least bare minimum civilized services aboard trains—such as sleeping and eating facilities.

The examiner, John S. Messer, issued his historic report in April 1968 in a case that has been at the ICC since 1966. The commission heard arguments on it last September—and for 10 months since has dawdled over the matter while train after train has been discontinued, and while services aboard those remaining have dwindled.

There is no doubt Congress must set forth some national policy on rail passenger service. But Congress also is buy with such pressing matter as inflation, taxes and the war. Congressional action on rail passengers could take years. And while Congress deliberates, and the ICC waits, more trains make their final trips, and those still running are downgraded. Eventually, as things are going, the railroads will kill all of their remaining service.

Then, of course, there will be no need to rule in the Messer case because there will be no more trains. But the ICC could always say, "well, we tried—we told Congress it ought to act."

CAPTIVE NATIONS—CLEVELAND URGES SPECIAL HOUSE COMMITTEE

HON. JAMES C. CLEVELAND

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. CLEVELAND. Mr. Speaker, last week marked the 11th annual observance of Captive Nations Week, first proclaimed in 1959 by President Eisenhower.

The plight of the countries made captive by the Communist empire greatly concerns our freedom-loving Nation. For the past 11 years, our nationwide observances of Captive Nations Week in July have demonstrated the determination with which the American people support the hopes of freedom-loving people everywhere.

For us, this is not an idle exercise. Our Nation is rooted in the hatred of tyranny which drove our forefathers to the stark shores of the New World. Many thousands of our citizens today are refugees from European lands submerged beneath the tides of Red oppression. Many thousands more have kinfolk in those oppressed lands. All look to America as the bulwark—the last remaining bulwark of liberty.

Each year thousands of persons flee or attempt to flee to the West from the Communist world. At the risk of life and limb, these refugees vote with their feet and they vote for freedom.

It is important to support them. For this reason, I have again introduced legislation to establish a special House committee on the captive nations. This committee would maintain a constant surveillance of the captive nations. It would periodically summarize its findings concerning the totalitarian control of these unfortunate nations and publish them on behalf of the legislative branch of the Government. The knowledge that such a committee in the U.S. Congress was at work would hearten the people of the captive nations. Its reports of tyrannical behavior by the Communist overlords would help to embarrass the Communists in the eyes of world opinion.

There are some overt indications on the part of the Soviet Union of a softening in its view of the West. Past history gives us no reason to consider this attitude as anything more than temporary—probably due to internal troubles and divisions within the Soviet Union. The regime will, as always, defend itself. As with Czechoslovakia, it will strike down any deviations toward liberty. It will do so with whatever ruthless force is necessary, even accepting the risk of war with the West in the process.

In this atmosphere, which promises to cloud our affairs for years yet to come, I strongly believe that the American Congress should equip itself with a Select Committee on Captive Nations. We are the leading legislative assembly in the world. All which threatens freedom is of deep concern to us.

I strongly urge the House to adopt House Resolution 349, my bill to establish a Select Committee on the Captive Nations.

DELBERT WRIGHT

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. McCLURE. Mr. Speaker, at this time I would like to commend some outstanding Job Corps people from my State of Idaho.

Delbert Wright, corpsman and editor of the Snake River News which is the newspaper of the Marsing, Idaho, Job Corps Civilian Conservation Center, received a gold first-place trophy in the recent newspaper competition sponsored by the Corpsman, official Job Corps newspaper.

Also honored with a certificate of recognition was Mrs. Helen Branson, editorial coordinator for the newspaper.

I think it is significant that Editor Delbert is an Idaho corpsman. He has lived in Arizona and California but now his family is in Burley, Idaho.

The contest which he helped so much to win was among Job Corps Center newspapers and was sponsored by the Corpsman, with the cooperation of the American Newspaper Guild. The judging was conducted by Robert Asher, city bureau chief of the Washington Post, Mrs. Walter Swanston, the Washington Star, and Michael Bernstein, the Daily News. I am terrifically proud of the

Snake River News and the award they have won in this national competition.

I also think that a word of praise is in order for Cleve Bolingbroke who is the director of the Marsing camp. The boys and organization under his direction have brought a lot of credit to the Job Corps concept through their work in the area. The Lake Lowell project and Caldwell municipal golf course work are only two examples of helpful projects undertaken by the Marsing Center.

Delbert, Mrs. Branson, Cleve, and all others associated with the camp have a lot to be proud of. They are an example for others to follow.

CHINESE AMERICANS IN SAN FRANCISCO

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. BURTON of California. Mr. Speaker, at least one-quarter of the 300,000 Chinese Americans in the United States reside in the city of San Francisco where they are highly respected by their fellow citizens as patriotic, constructive, hard-working members of the community.

The San Francisco Chronicle of July 6, 1969, printed an editorial which clearly points to the unfortunate—and I certainly hope unintended—conclusions drawn from testimony before a subcommittee of this House. The editorial in the San Francisco Chronicle stated:

In the course of drumming up more men and more money for his FBI, Director J. Edgar Hoover has been warning Congress again about the Communist menace—but now it is the Chinese Communist menace in place of the traditional Muscovite.

On the evidence of the "blatant, belligerent and illogical statements" of some Red Chinese spokesmen, Director Hoover has concluded that the United States is beyond doubt Red China's "No. 1 enemy." The opinion clashes with recent events on the banks of the Ussuri, and with the respected testimony of numerous Sinologists, but the director is entitled to it.

On the other hand, when he speaks of Red Chinese infiltration and cites the fact that there are "300,000 Chinese in the United States, some of whom might be susceptible to recruitment," he oversteps the bounds. He is irresponsibly slurring a large substantial segment of American citizens and he ought not to do it.

Mr. Speaker, the testimony referred to by this eminent newspaper was made by Mr. Hoover before a subcommittee of the Committee on Appropriations of the House of Representatives. Mr. Hoover stated:

We are being confronted with a growing amount of work in being alert for Chinese Americans and others in this country who would assist Red China in supplying needed material or promoting Red Chinese propaganda. For one thing, Red China has been flooding the country with its propaganda and there are over 300,000 Chinese in the United States, some of whom could be susceptible to recruitment either through ethnic ties or hostage situations because of relatives in Communist China.

Mr. Hoover further testified:

In addition, up to 20,000 Chinees immigrants come into the United States each year and this provides means to send illegal agents into our Nation.

The inference invited by his testimony denies the basic heritage of our Nation, that we all have roots from other countries. We or our forebears settled in this land to build a better life, bringing the cultural diversity which has made this Nation great.

George Washington appointed our first Ambassador to China in 1786, Maj. Samuel Shaw, and the impact of Chinese art and culture on colonial and early American life can be seen even today by those who visit historic shrines like Mount Vernon, Monticello, or Williamsburg where intricate objects of jade, ivory, and porcelain are to be found.

The transcontinental railroad, whose centennial is marked this year, would have been impossible without the effort of the forebears of today's Chinese Americans.

Chinese-American citizens have lived in California since before she was a State. Thousands have fought and died in our Nation's wars. Their contribution to the arts and sciences, to the advancement of freedom and the development of this Nation and its history are too well known to belabor.

I am sure that all thoughtful Americans regret the unfortunate connotations which may be drawn from Mr. Hoover's poorly conceived comments.

POWER SHORTAGE AGAIN

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. DULSKI. Mr. Speaker, the shortage of electric power which threatened a large section of the Eastern United States last week is one more example of the need for legislative action to give the Federal Power Commission authority and responsibility to oversee the adequacy of all major transmission lines, interconnections, and capacities.

I introduced enabling legislation last February.

Except for prompt action on the part of power companies and the cooperation of consumers, notably the Federal Government, there could have been another catastrophic breakdown in power service at the height of a summer heat wave last weekend.

The Washington, D.C., Evening Star carried a perceptive editorial on this matter on July 28, as follows:

POWER SHORTAGE

The recent power shortage throughout the middle Atlantic states should have come as no surprise to anybody—especially anyone who follows matters at the Federal Power Commission.

The FPC's outgoing chairman, Lee C. White, has been warning for years that unless the utilities increased their plant capacity—and fast—we could face the disaster of massive blackouts or power shortages.

Instead of moving quickly enough, however, the utilities dawdled—but all the time telling us to increase our electricity consumption. How ironic. During the winter some utility companies tell us to buy air conditioners so we won't swelter during the summer. Then summer comes, and they tell us—during the hottest days of a heat spell—to shut off our air conditioners because they haven't enough electricity available.

It's not only electric utilities, however. The FPC warns us that we face a potential shortage of natural gas unless the producing companies expend more effort on exploration. And in New York City especially—though elsewhere as well—telephone users have complained bitterly that their calls are not going through because the telephone company hasn't expanded its facilities to meet needs.

Obviously, we cannot tolerate a telephone plant inadequate for our needs any more than we can power shortages during the heat of summer—or a potential gas shortage hitting some winter.

At the same time, however, the utilities are caught in a squeeze. They realize they must modernize to meet ever-increasing demands for more service caused by an increasingly affluent population. But in order to build new facilities they must borrow at current exorbitant interest rates being demanded by bankers. If they opt to pay these high rates, the additional money will come from utility users or from stockholders' dividends. They also face public opposition to nuclear-fueled power plants.

Locally, Potomac Electric Power Co. has decided that for the first time in 65 years it will omit its cash dividend for two quarters and instead give shareholders more stock in the company. By doing this it is saving $10.5 million. PEPCO contends it has taken the step because of lower earnings and continuing construction needs.

PEPCO apparently has found at least a temporary way to keep pace with growth. But the ultimate solution lies in a change of basic philosophy by all utility companies. While the public must realize the stockholders who own these companies are entitled to a fair return on their investment, the utilities must realize that as long as they are granted virtual monopoly franchises, in their respective fields, service to the public must come first.

ECONOMY IN THE DEFENSE DEPARTMENT—WHERE?

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. ANDERSON of California. Mr. Speaker, several weeks ago I protested to the Department of Defense two proposals for centralized supply procurement. Although the Defense Department has replied, I do not consider their reply either responsive, realistic, or in the interest of economy. I have, therefore, felt it necessary to report to the people of my district with respect to the Department of Defense proposal. A copy of my report follows:

REPORT BY HON. GLENN M. ANDERSON

One of the most frequent concerns mentioned in letters from the people of the 17th Congressional District is for increased economy in government. It is a concern that I share fully with my constituents, but I am equally concerned by two recent proposals of the Department of Defense which I strongly oppose as false economy.

Both of the Department of Defense suggestions for, in their opinion, improved government efficiency involve the transfer of supply procurement personnel into centralized purchasing and procurement offices for perishable and nonperishable food supplies. Nonperishable commodity procurement would be centralized in Philadelphia and branch offices in California would be shut down. For perishable items, a West Coast office would be retained but the district offices in Los Angeles and Seattle would be concentrated into one central office in Oakland.

Considering the Defense Department's sizable activity and involvement in the western part of the United States and the level of military activity in the Pacific theater, it does not appear consistent nor in the realm of efficient planning to consolidate and centralize procurement activities on the eastern seaboard.

To the contrary, business is discovering that the most efficient method of operation is to centralize its data processing equipment but decentralize the personnel who deal with suppliers and customers. With modern communications methods, these personnel scattered throughout the nation can remain in instant contact with a centralized office while remaining physically near the sources of supply.

People are not like bricks. There is no need to dismantle the Defense Supply Agency's offices throughout the nation and expand the concentration of government personnel on the eastern seaboard where they are less responsive to the citizens they serve in other parts of the nation.

The Department of Defense argues that centralizing procurement offices will reduce costs, but an examination of some statistics supplied by the Los Angeles Chamber of Commerce graphically illustrates the effect closing the Los Angeles office will have on procurement costs.

During the 1968 fiscal year, the Defense Supply Agency office in Los Angeles accounted for the purchase of $59.6 million worth of meat and dairy supplies compared to $28.8 million for Oakland and $13.5 million for Seattle. The proportions remained the same for all perishable commodities with the Los Angeles office doing more business than the other two combined. D.S.A. deals with more than 600 suppliers in the Los Angeles area, more than double the number for Oakland.

Thus the relocation of the D.S.A. procurement offices to Oakland—and to Philadelphia for nonperishable items—is a highly unrealistic policy for two reasons: (1) On those items with a limited number of suppliers, cost to the government will rise because of higher liaison costs. (2) On those items with many competitive bidders, those bidders whose operations are near the procurement office may either enjoy an advantage in bidding or make a higher profit while remaining competitive with more distant bidders.

In either case, there appears to be no advantage to the government and there seems to be an increase rather than a decrease in costs.

HOUSE REPUBLICAN TASK FORCE ACTIVITIES

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. BUSH. Mr. Speaker, during the past 2 weeks the House Republican research committee task force on earth resources and population, of which I am chairman, has heard from Gen. William H. Draper, Jr., national chairman, Population Crisis Committee, Mr. J. Steele Culbertson, director, National Fishmeal and Oil Association, and Dr. William Moran, president, Population Reference Bureau.

In order to keep the Members informed of the program of the task force activities, I offer the highlights of these hearings for the RECORD:

HEARING HIGHLIGHTS OF THE POPULATION CRISIS COMMITTEE, JULY 15, 1969

Gen. William H. Draper, Jr., National Chairman, Population Crisis Committee.

Members Present: Bush, Gubser, Horton, McCloskey, MacGregor, Henry Smith, Taft, Wold.

Special Guest: Frank Borman.

General Draper claimed that because decisions on the population problem do not face federal officials every day, the problem is like a rising tide. We don't realize the full implications until we are up to our necks.

Despite political promises of prosperity, economic growth in the underdeveloped nations has been neutralized by the population explosion. In India and Pakistan, public frustration is beginning to show in political, economic and social breakdowns.

General Draper stated, "Our strivings for the individual good will become a scourge to the community unless we use our God-given brain power to bring back a balance between the birth rate and the death rate."

The governments of Latin American countries realize the significance of their own population growth rates, but cannot politically support family planning programs due to the opposition of the Roman Catholic Church.

General Draper stated that he would like to see the number of people assigned to population control in AID increased from the present 67 to approxamately 400.

General Draper pointed to three areas which are related to population control, which have not been adequately covered:

(1) the 1970 and 1971 censuses should be supported on a world-wide basis.

(2) contraceptive research should be accelerated both here and abroad.

(3) the World Health Organization should step up its proposed international programs.

Referring to a possible trend to liberalize abortion laws, General Draper pointed out that the Executive Committee of Planned Parenthood World Population has adopted a policy resolution claiming that abortion is not a legal matter, but rather one for the husband, wife and doctor to decide without the help of the state.

Col. Frank Borman added that he personally couldn't see any hope for a meaningful life on earth, "living in a cubical apartment with a bowling alley in the basement."

HEARING HIGHLIGHTS OF THE NATIONAL FISHERIES INSTITUTE, JULY 17, 1969

Mr. J. Steele Culbertson, Director, National Fishmeal and Oil Association.

Members Present: Bush, Frey, Horton, Lukens, McCloskey, Pettis.

In order to negotiate beneficial fishing treaties with the Russians, we need an expanded research program in the United States. Mr. Culbertson explained that very little is known about the migratory patterns of our Atlantic specie and that by negotiating we are "taking a broad step in the dark."

According to Mr. Culbertson, the death of the California sardine fisheries can be attributed to a lack of research. In the 1930's those fisheries were producing 1.5 billion pounds of fish annually, until the fish began to inexplicably disappear. Research projects were begun too late to save the industry.

The meat-feed ratio for poultry is approximately 1 pound of meat for 2 pounds of feed. Producing 1 pound of catfish meat requires only 1.6 pounds of feed. Ten pounds of catfish can be produced on 17 cents of fishmeal feed.

Mr. Culbertson claimed that harmful marine pollution can be prevented by careful plant processes analysis. In Alaska pulp mills are allowed only if they use a magnesium process which does not endanger the salmon industry.

Our national fish production has decreased from 23 pounds per person to 10 pounds per person in the last 10 years. Mr. Culbertson predicted that without federal action that in five years we would be producing only 5 pounds per person.

HEARING HIGHLIGHTS OF THE POPULATION REFERENCE BUREAU, JULY 24, 1969

Dr. William Moran, President, Population Reference Bureau.

Members present: Bush, Horton, McCloskey, Pollock, Smith, Taft, Wold.

Dr. Moran, President of the Population Reference Bureau expressed considerable concern over projected resource consumption rates. In 1900 the United States used 40.9 billion gallons of water. In 1960 that amount had increased to 322 billion gallons of water annually. Furthermore, these growing consumption rates apply to almost all of our resources.

One of the major problems the United States has in resource management is attitudinal. Dr. Moran feels that we have adopted a "frontiersman" attitude and seem to believe that there will always be new resources available. The fact is that we are already failing to replenish some of our most essential resources. For instance, in the Southwestern United States we are tapping fossil water, or water left from the last ice age.

In this country today we produce only 60% of the oxygen we consume. We have introduced into our atmosphere more carbon dioxide than our plants can absorb and convert to meet our oxygen requirements.

We have in the United States, 6% of the world's population, but we are presently using ¼ to ½ of the world's resources. If the world is to someday manage its resources better, the U.S. must assume an important leadership role.

Dr. Moran believes that our efforts should be spent convincing young couples that their family will be happier and that their children will have a better chance for an education if family planning is practiced. Finding a way to convince and motivate the general public should be our first priority.

The Population Reference Bureau concentrates a great deal of its resources in both Latin and South America. Dr. Moran explained that the influence Catholicism has over national family planning programs varies with each country. Nationalism in countries like Brazil also limits the extent to which family planning services may be introduced. Brazil allows only 15% of those women who are considered fertile to receive any family planning services or information.

SCHOOL PROJECTS ARE GUILLOTINED

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. CONTE. Mr. Speaker, we are currently debating appropriations for Labor, Health, Education, and Welfare, and related agencies. The extent to which funds have been cut back has been pointed out time and time again. The

effect that these cuts will have upon our educational system has also been mentioned on numerous occasions.

I read a most interesting article on the extent to which schools would be affected by these cuts in the Sunday Star on July 20, 1969. The article is entitled "School Projects Are Guillotined" and is by Sylvia Porter.

I think the Star article is especially good reading and, therefore, I include it in the RECORD at this point:

SCHOOL PROJECTS ARE GUILLOTINED

(By Sylvia Porter)

A House Appropriations subcommittee is about to complete a bill to provide cash for the national education budget during the 12 months ending July 1970. In the form prepared by the Nixon administration, this bill would downgrade education to a very low place on the list of national priorities. It would, in fact, erase several education advances achieved under the three previous administrations of Eisenhower, Kennedy and Johnson. Specifically, in its Nixon administration form, this bill would:

Reduce the total Office of Education budget from $4.1 billion in fiscal 1968, to $3.2 billion in fiscal 1970, a reduction of 25 percent at a time when more and better education is a must;

Reduce to zero funds for school library materials under the Elementary and Secondary Education Act of 1965;

Reduce to zero matching funds for materials and equipment for elementary and secondary schools under the National Defense Education Act of 1958;

Reduce to zero funds for guidance and counseling services, also under the NDEA, passed during Eisenhower's administration;

Cut in half funds for college library materials, under the Higher Education Act of 1965;

Cut in half matching funds for public library programs and materials under the Library Services & Construction Act of 1956, another Eisenhower education law.

In summary, eliminate entirely three education-library programs and emasculate another two and shrink to less than 1½ percent of the federal budget the total for education-libraries.

The fact that this is a very real threat and may well happen is just starting to penetrate education circles; until now, educators could not believe that the Nixon administration would adopt such policies of retreat on education in a period of explosive social unrest.

They are fighting back. A National Citizens Committee to Save Education & Library Funds (SELF) under the chairmanship of Detlev W. Bronk, president emeritus of the Rockefeller University, is publicizing the crisis.

On July 9, 150 trustees of libraries from 33 states marched on Washington to obtain pledges of votes for restoration of the funds from 100 lawmakers.

A fight on the House floor seems a certainty.

No one denies the need for curbing federal spending now; this is imperative to dampen inflationary psychology and control the price-wage spiral. But what is swelling the federal budget are such items as military spending in general, the Vietnam war in particular, skyrocketing interest on the national debt. As one comparison, Texas Democratic Senator Yarborough cites the fact that we are spending $21,666 per American for ammunition to fight the Vietnam war—against 25c per American for libraries and teaching materials. As another, while our national education budget is threatened with mutilation to the $3 billion a year range, interest going to owners of the U.S. debt is soaring above an annual $17 billion.

These cutbacks would wipe out libraries in areas where the need is greatest; for instance, many bookmobiles would disappear in regions of New Mexico where the Indian pueblos and Spanish-American migrants live. Thousands of children would suffer; the key cause of failure in school is inability to read.

In the words of New York GOP Senator Javits: "Guillotining the education budget is not responsible fiscal belt tightening." Or even more to the point, as Yarborough asks in obvious disgust:

"What kind of priorities do we have in this country?"

MASS TRANSPORTATION TRUST FUND

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. MOORHEAD. Mr. Speaker, on May 28, in my CONGRESSIONAL RECORD comments, "Money for Mass Transit—Let Us Get Moving," I said that "the gravity of the transportation situation in our cities demands prompt Federal action to help cities and States build modern mass transportation systems to meet tomorrow's needs." I further stated that those of us in the Banking and Currency Committee who have been advocating money for mass transit would welcome the support of Secretary Volpe who has stated that this is top priority. But we are still waiting for the administration's message.

Meanwhile, our colleague, the gentleman from New York (Mr. KOCH) has shown great perception of the problem since coming to the Congress, and I would like to insert at this point in the RECORD his very fine testimony of July 23—urging the trust fund approach—before the Housing and Urban Affairs Subcommittee of the Senate Banking and Currency Committee, for the thoughtful attention of my colleagues.

The testimony follows:

TESTIMONY OF HON. EDWARD I. KOCH OF NEW YORK BEFORE THE HOUSING AND URBAN AFFAIRS SUBCOMMITTEE OF THE SENATE BANKING AND CURRENCY COMMITTEE ON THE MATTER OF THE MASS TRANSPORTATION TRUST FUND, JULY 23, 1969

Mr. Chairman, I am pleased to appear before your Committee today, and I must say that I feel something like Paul Revere in coming over here to tell your Committee of the forces marshaling in the House for a mass transportation trust fund and of the support that I have found all over the country for such a program. In getting here, however, I rode not a horse, but the House subway costing $7.7 million and the Senate subway costing yet another $2.4 million. A total of $10.1 million for 1,728 feet while only $175 million was appropriated for all of the nation's mass transportation needs in Fiscal Year 1969. Mass transit is expensive, the facilities in most cities are antique and grossly inadequate, and the municipalities, overburdened by other urban problems, cannot support the expenditures for capital improvements.

On February 18th I introduced a bill in the House to provide $10 billion over the next four years for capital improvement grants to mass transportation. The bill, H.R. 9661, is identical to S. 2656 introduced by Senator Alan Cranston of California now before your Committee; and it is similar to Senator Williams' bill with, however, some major exceptions. Briefly, the bill provides for the establishment of a trust fund, financing by the existing 7% automobile manufacturer's excise tax—and provision for the excise tax's continuation at this level, a change in the present mass transportation program's 2/3 federal share to 90%, and the elimination of the 12½% limitation on funds going to any one state.

Since February, 95 Members of the House of Representatives have joined in sponsoring the bill.

In addition to gaining support for the trust fund in the House, I have established an action alliance, ZOOMass Transit, to organize the interest that exists all over the country for an increased federal financial program for mass transit. I have written over 1,000 letters to mayors, city and state legislators, local chambers of commerce and transit authorities across the country, giving particular attention to the 25 largest cities.

These 25 metropolitan areas present a vivid picture of the desperate situation of urban areas in not being able to provide adequate public transportation. Highways simply do not meet the needs of our cities. They demand too much space. 20 lanes of highway are needed to carry the traffic supported by one set of railroad tracks. As a result, cities like Los Angeles find more than 50% of their land area covered by ribbons of concrete and asphalt.

In my own City of New York two highways had been mandated by the City's administration, namely the Brooklyn Clearview Expressway and the Lower Manhattan Expressway. Fortunately, because of the ever continuing pressures and demonstrable outrage of the community, the present administration of the City of New York has finally seen the light and killed those particular highways.

The responses which I have received from a number of mayors and city legislators have overwhelmingly affirmed the need for more federal funds for mass transit. At this time 70% of our population lives in urban America. Unfortunately, their mass transit needs until this day have never received adequate attention.

It is my understanding that there have been some in the Administration who suggest that we need more time to plan and have questioned whether an amount of $10 billion could be committed in the next four years if indeed it were made available. The information which I have received indicates that it surely can. Plans have already been made by a number of our cities and are ready to be executed once the funds are available. Mass transit like highways require advance planning. The plans are there; unfortunately, the money has been wanting.

There also have been members of the Administration who take the position that while they support an expenditure of $10 billion over the next four years or perhaps over the next 10 years on public transportation, the money should be made available out of the general treasury and through annual Congressional appropriations. If we were to do that and set a goal of $10 billion over the next four or more years and simply provide that it shall be annually appropriated, then we here in Congress would be perpetrating a hoax upon the American public. I believe it is most unlikely that Congress will annually appropriate the funds necessary to do the job. To confirm my feeling in this area, one only need look at the goals set forth in the Housing Act of 1968 which contemplated 26 million new units of housing over the next ten years. The funding to start toward that goal would have required at least $4 billion this fiscal year. Instead, the House has appropriated $1.7 billion.

Our cities, aware of the unreliability of the

annual appropriation method and already faced with enormous demands on their limited revenues, cannot commit their own share of funds necessary for the kind of long range planning and construction required by mass transit without knowing in advance that the federal funds will be available at the time they are needed so that contracts can in fact be entered into.

To substantiate my assertion that cities are able to go forward with construction based on sound plans already developed, I should like to bring to the Committee's attention information on some of the projected costs I have received from transit authorities across the country.

In Atlanta, Georgia, the Metropolitan Atlanta Rapid Transit Authority was organized in 1965 and has spent over one and a half million dollars on planning. The plans for mass transit capital improvements and expansion call for a total of $751 million over the next nine years ($235 million in the next five years); but, just recently the execution of these plans was thwarted by the public's defeat of a $500 million bond issue. According to Mr. W. P. Maynard, President of the Atlanta Transit System, the bond issue referendum was "defeated by a vote of 57% to 43%, primarily because there was no substantial long range federal help in view." Mr. Maynard continued, "Even though the urgent need for a rapid transit system was recognized by voters, there was a strong feeling that this was such a large financial undertaking that the total financing could not be borne locally."

In Seattle, a bond issue was similarly defeated and the effects of that can best be testified to before this Committee by the Honorable James D. Braman, Assistant Secretary of the Department of Transportation and former Mayor of Seattle.

Once again, in New York City with which I am most conversant, the Metropolitan Transportation Authority estimates that the metropolitan regional needs for the next seven years will be in the order of magnitude of some $2.1 billion. Dr. William Ronan, Chairman of that authority stated in a letter to me that "the missing ingredient is federal funds in sufficient amount and timely enough to help bring this whole program into realization. Time is of the essence as construction costs mount daily, making all such programs increasingly expensive."

To give you just a couple more project cost estimates, may I briefly note that the Chicago Transit Authority has plans for a capital program of 1.5 billion dollars in the next five years and part of its $2.4 billion ten year program, and in Washington, D.C., execution of the Regional Rapid Rail Transit Plan and Program will require an expenditure of at least $2.5 billion.

For the record, Mr. Chairman, I would like to submit some of the letters which I have received from the mayors of several of the larger cities. These letters explain further the urgent need for a mass transportation trust fund and an expanded program of federal financing. I would like to submit a list of the Members of Congress who are cosponsors of H.R. 9661 and city and state legislators who have responded to my letters setting forth the mass transit trust fund concept and telling them of the founding of ZOOMass Transit.

In closing, I wish to pay particular respect to Senator Harrison A. Williams, Jr. of New Jersey as being the leader in the field of mass transit. I know that we are indebted to him for the enactment of the 1964 Urban Mass Transportation Act, and he has been the standard bearer for all the Congress in recent years as the program has developed. I know that when I first came to Washington in January and expressed my interest in mass transit, everyone responded, "Pete Williams has been the leader of the fight for years. Support him." Gentlemen, I am—along with over a hundred other Congressmen who have joined together in support of the mass transportation trust fund and adequate funding now.

AN OPEN INVITATION TO THE ALLENTOWN FAIR

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, on Friday of this week one of the Nation's oldest and best known fairs will open its 114th exposition, in Allentown, Pa.

The great Allentown Fair, sponsored by the Lehigh County Agricultural Society which was formed in 1852—117 years ago—was unable to stage its annual exposition only three times in its history. One year during the Civil War the fairgrounds were occupied by an encampment of a Pennsylvania militia unit. And for 2 years during World War I, the fairgrounds were utilized as a training site for the U.S. Army Ambulance Corps.

I am pleased to call the attention of my colleagues to the great Allentown Fair of 1969, which opens August 1 and closes August 9. I extend to each of you an invitation to visit the fair and to enjoy the countless exhibits and activities, the huge midway and the star-studded afternoon and evening programs and shows on the fairgrounds' trackside stage.

Lehigh County has long been an agricultural area, and even today, as its economic base grows more diversified industrially, the traditions of agriculture and the agricultural industry continue to play an important role. The fair, in turn, helps to maintain these traditions with outstanding competitions and exhibits of livestock and agricultural products.

And the fair does more. In the belief that a fair is an excellent showcase of a community, the great Allentown Fair works hand in hand with local government, local industries, and civic organizations to promote goods and services of the broad Lehigh Valley. The fair annually draws more than a half million visitors, a great percentage of which are from outside the immediate area. Through the hundreds of exhibits and displays, they have the opportunity to view the progress of a hard-working people and a growing area. The fair also provides free space for a large number of exhibits from the agencies of the Federal Government and from the embassies of foreign countries.

The fair opens each year with Government Day. Leaders from Federal, State, and local governments are invited, as are members of the clergy, industrial and civic leaders, and the press and veterans organizations. The program opens with a veterans memorial service and includes a salute to all men and women in Government service. This year, the U.S. Army Field Band and the Soldiers Chorus will take part in this opening program. The U.S. Navy Sea Chanters will take part in the fair Saturday and Sunday, August 2 and 3.

Stage shows will begin August 1 and 2 with Lawrence Welk and his orchestra. Johnny Cash, with June Carter, the Statler brothers, Carl Perkins, and the Tennessee Three will be on stage August 4 and 5. The Harlem Globetrotters, making their first fair appearance, will be on stage August 6 and 7, and Merv Griffin, John Davidson and the Doodletown Pipers will close out the week with shows on the 8th and 9th.

Afternoon events will include harness racing August 2 and 3 with TV's Gentle Ben, the lovable bear, on stage between the races; a demolition derby, the famed Tamburitzans from Duquesne University and Dan Fleenor's Hurricane Hell Drivers.

APOLLO 11 SUCCESS

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. MARSH. Mr. Speaker, all Americans can take pride in the success of Apollo 11. I think the following editorial is very timely when we examine the achievements of the space program:

[From the Staunton (Va.) Leader, July 23]

NOW IT'S A MIRACLE

Only yesterday, there were those in Congress and other high places who tried to make the term military-industrial complex a dirty word. Today, speaking of the voyage of Apollo 11 to man's first moon landing, the tune has changed. Now it is a miracle of industry-government teamwork.

There were 17,000 companies that supplied the component parts of the Apollo series, including 9,000 that made substantial contributions and 20 that developed highly important parts. Also there was the group of companies who built the rocket, the engines, and the rest. With the precision assembly the final touch of another industrial cooperation, so it is this same teamwork that has kept the United States in the forefront in defense.

The military-industrial complex, to call it by the no-longer dirty word appellation, includes most of the top names of American industry. Theirs has been the dedication, the scientific know-how, the technology that put the hardware together for the whole space program from its inception to the moon launch.

It is time we recognized this industrial-government teamwork for what it is, the first line of defense behind which the world's most prosperous nation, and the world's people with the highest standards of living have been protected from the Communist world that covets our hard-earned wealth and well-being.

Although President Eisenhower inadvertently mentioned its power, he nonetheless called upon it to keep our defenses strong. John F. Kennedy, a Democrat, called on this massive industrial-military complex to put a man on the moon before 1970. Lyndon B. Johnson, another Democrat, rode hard on the team and saw it begin to produce astonishing results. Richard M. Nixon, another Republican, carries on this tremendous teamwork for its climatic event.

It has been a nonpartisan job. Politics has only shown its head recently when some challenged the top priority of the task. As for ourselves, we say well done, and let's put an end to questioning the worth of the great military-industrial complex which made it all possible and kept us all free.

OPPORTUNITY FOR CREATIVE WORK NEEDED IN OUR COUNTRY'S EDUCATIONAL SYSTEM

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. MOORHEAD. Mr. Speaker, a few weeks ago I was delighted to bring to the attention of my colleague an editorial from the Washington Post praising one of my constituents, Fred Rogers, for his outstanding children's television program, "Mister Rogers' Neighborhood."

Speaking to a group of the Nation's school administrators recently, this expert on working with our younger people made the point that since all children are unique, it is the opportunity to reach this uniqueness in the individual and nurture the creative self-expressions which is the real challenge of our educational system today.

I include his very perceptive and interesting remarks before the Advanced Administrative Institute at Harvard on July 18 for the attention of my colleagues:

ADDRESS BY FRED M. ROGERS

What you are about to hear is an old story. Oh, the characters may have different names and the walls have different colors, but the plot is the same. The drama has been going on ever since a group of children was first herded into a classroom, told to sit down and be nice and quiet, not to look at each other's papers or to ask each other any questions or to wiggle in their seats or to let their minds wander anywhere beyond the walls of that classroom. This story is as old *and as new* as a teacher confessing to fellow teachers, "I spend 75% of my time with discipline."

My question to you is a simple one. Why is the story such an old one? Why has it gone on so long?

I am not an educational historian so I'm not qualified to answer that question. I am, however, a creative artist who has chosen to work with children, so it is with this identity that I look at the revolutions of youth today.

I know a 12-year-old girl who finally had to give up studying piano because she had too much homework. I know two high school seniors who spent every evening for two months preparing a one-act play for an English class because it was the only assignment in four years in which they were really interested. (These two children said that the course was so crammed that you could hardly get a seat.) I know fourth graders who have three and four hours of homework every night and during the summer vacation don't want to even *look* at a book, and you know hundreds more children than I do just like these: different names, but the plot's the same.

It is my conviction that the Youth who are in revolt today are being revolted by our failure to know who they really are. They are tired of being enrolled, assigned, programmed, graded and molded from without. They are weary of the passive verbs of education and they want to work at their own developmental level of becoming who they really are.

Compare a child in a healthy nursery school, building highways and skyscrapers with wooden blocks, trying on big hats and shoes and making pies out of mud and deciding which song to sing when his turn comes—compare that child with that same child 12 years later. Somewhere along the way everything that was important to that alert, curious young person, everything that he felt he was creating was somewhere, somehow labeled extra-curricular. The child's own growth tasks, his own inner ways of coping with his environment, as well as his feelings, were all labeled as unimportant and the business of memorizing somebody else's book and doing what he's told became the only way to PASS. What happened to the highways and skyscrapers, the grown-up hats and shoes and food and songs and choices? How did they turn into alleys and cellars and nudity and pot—monotone and copout?

Why do nursery school children who are so ready to identify with the grown-up graduate from high school already revolting against what they once dreamed of becoming?

Why? Because we, their parents and teachers, have taught them that their dreams of becoming like us were of no value, that the creative work of growing from within, of using and appreciating each unique endowment was not the way to succeed. By our stifling opportunities for creative expression, we have blown up their highways and skyscrapers which were miniatures of ours, we have ripped off the hats and shoes which were just like our own, we have withheld the food and the music and the choices which they always wanted to make, and we have told them that that kind of world was no good, that the things of great value were letters, numbers, lesson plans, homework (never home-fun) and examinations. And so they have taken the assignments that we've given them and little by little they have given up wondering whether some day they might be asked to do something which *they* felt was important. It is we who have done the violence—not they. Why should they want to become like us. Why should they want to become people who limit opportunities for creative expression?

My thesis, therefore, is that *Creative work is absolutely essential to the healthy growth and development of the human personality. It is the mode by which new solutions for every field evolve, and therefore the opportunities for creative work must be greatly expanded in our country's educational system.*

A few weeks ago I had the opportunity of spending a fortnight in Britain. Besides reviewing some excellent television work, I was privileged to assist in several sessions at the Hampstead Nursery School and Clinic with its director, Anna Freud. Incidentally, this nursery school is for children within the normal range of development: a demonstration center for all those working in pathology to use as a place where they can keep in constant touch with the norm! After the presentation of developmental material of one of the nursery school children (a four-year-old girl by the name of Maria whose earlier years were filled with the uncertainties of moving a large family two at a time from Italy to England), after hearing the latest observations of this little girl, Miss Freud leaned back in her chair and with her beautiful Viennese accent said so simply, "What fascinates me about this child is that with all the difficulties in her young life how she turns out to be such a normal little girl. This is what we must constantly search for what we must constantly build upon." This spirit pervades that place and I learned again what my earlier work at our Arsenal Family and Children's Center in Pittsburgh had helped me discover that respect of persons breeds respect of persons. But I've found this also beyond the halls of psychoanalytic centers.

By now, most people who are the least bit interested in education have heard of the work of some of the Leichester schools in Great Britain. On the chance that I could see some of this expression of primary education firsthand I called for an appointment. To make a long search story short, I discovered that these poor schools have been so swamped by American visitors that they simply are refusing most people who request a time to come. One inspector said to me, "It seems that every American who buys an airplane ticket to England thinks he should be able to observe in our schools. We just can't begin to handle them all." Well, to tell you the truth, I'm glad my request was refused because otherwise I might not have discovered the John Hamden Junior School of Thame, a tiny town 17½ kilometers London side of Oxford. It was a cool morning when I drove there and the school from the front didn't look much different from any old school building, but what went on inside surely was. Gordon Cumming, teacher of nine and ten year olds greeted me and showed me to the headmaster's office. Vernon Hale is the headmaster and his office consists of three armchairs, a round coffee table, a bookshelf, a telephone, and children's original paintings on the walls. This is a state school (a public school in our terms). It's the public school of a very small town. Well, Vernon talked about his views of education, of that school's policies of allowing the children to create their own work from within and I was impressed with his own excitement about *his* own work.

I know that this kind of work is beginning in this country and the main thing which holds it back is the old tyranny of college entrance exams. Well, when examinations are revised and the ways of administrating them are civilized, then we needn't fear the adoption of creative innovation in education. Then teachers won't have to be tested every month to see if their kids have delivered what they have been told to have them deliver.

Every week day I make a television visit to millions of children throughout the United States. The object of these visits is to remind children that each one of them is unique and that each one has something special to bring to any relationship. I help them to discover that people's feelings are mentionable as well as manageable and that each one of us has endowments of which we can be proud. I let them know in very certain terms that *I need them* in order to be who I am. In fact the very beginning of a new recording entitled "You Are Special" which I just made goes like this:

"You really *are* special to me. Do you know why? Well, you see, I'm a man who likes to talk and sing with children so I need someone like you who likes to listen to a man like me. After all, it's you who make your Dad a father and it's you who make your Mom a mother and it's really you who make me your special friend. I need you. See why you're so special to me?"

And then we go on to talk and sing about such things as the assets of being small, and age-appropriate worries like just what does the barber cut off with his scissors and just what does go down the bathtub drain and just what is it like to have an injection and just what is the difference between thinking of something and doing it.

Oh, to be sure there are lots of times that we play with letters and numbers and weights and measures and poetry and science and opera and machines for they are all part of the world about which children are so naturally curious. But the child's real triumphs are reflected in his abilities to cope with his own feelings to make the most of his own unique endowment and those are the tri-

umphs which I applaud. Those are the triumphs which must not pass unnoticed. It is a person's creativity which allows him to make something of himself. It is this natural human creativity for which I have such deep respect. It is this creativity which must be fostered far beyond the five-year-olds.

How do we go about encouraging creative expression in young people (which of course means also how do we go about encouraging young people to bring about change constructively rather than destructively)?

Well, first I think that just by our being here we admit that our present system needs revision. You have ways of bringing about constructive change of which I couldn't even dream and I trust you to use all your resources for that change. Being a producer in a medium such as television I'm used to problems, but I'm also used to finding solutions to problems. After having observed children's development for a good many years, I'd like to make just one specific suggestion today and that is that all of us should turn our attention to creative adults of all kinds: such people as designers, dancers, writers, painters, sculptors, musicians, mechanics, printers, carpenters, actors, basket-makers, dress-makers, shoemakers, cooks—anyone who uses his craft as a creative mode of expression and finds deep satisfaction in it—*and* that we should woo these people into the educational fiber of our country so that our children have as many contacts as possible with these creative adults.

There was a sculpter once at our Center who loved his work. He didn't *teach* clay to the children; he *delighted* in it. The children have never used clay so freely as they did when that man sculptured in their midst.

When a pianist and puppeteer came to our staff, dusty pianos and unused puppets began to have great appeal for our children. They dramatized and sang about intimate themes of growing, of coping with age-appropriate tasks.

We *must* make available this kind of opportunity if we are to expect our children to be able to develop their own constructive modes of expression. There are creative adults in all fields who already care deeply about children who will welcome the invitation to become something other than extracurricular. They will welcome the opportunity of reinstituting the age of Apprenticeship; and who knows, some of the almost-forgotten hand-crafts of the past may not have to die but rather may gain new dignity in the hands of the young. And what's more, our children will be exposed daily to images of constructive change in the adult world—they will be in touch with the adults who actually design the highways and build the skyscrapers, adults who sew the clothes and make the shoes, adults who cook the pies and write the songs and make the decisions because they've found their way of expressing who they are. And then the children will find their way, too—along the route of lifelong learning with the magnificent sense of being truly worthwhile.

SPACE AND MAN'S FUTURE

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. TEAGUE of Texas. Mr. Speaker, Dr. Thomas O. Paine, Administrator of the National Aeronautics and Space Administration, thoughtfully discusses the future of our national space effort in the August 1969 issue of Pace magazine. Dr. Paine points out, "Man's future in space is limitless." Because of the significance of Dr. Paine's remarks and the urgent need for decisions in our national space effort I am including this article in the RECORD:

SPACE AND MAN'S FUTURE

(By Dr. Thomas O. Paine, Administrator, National Aeronautics and Space Administration)

Space exploration is to me the greatest adventure of the human mind and spirit. In the last decade space travel has opened up an entirely new destiny for man—and, indeed, for terrestrial life. We who are alive today are taking part in a fundamental new step in the evolution of life, perhaps as significant as the ancient emergence onto land of primitive organisms from the sea. We are providing the most exciting possible answer to the age-old question: Can life exist on the moon and other planets? The answer is, Yes!

With advancing science and technology, men of vision and spirit, working together, can send forth life, upward and outward into limitless new frontiers beyond its original home on the blue planet Earth.

This exciting prospect has been sensed by thoughtful people around the world who view the American Apollo program as a venture of, and for, all mankind. The global satellite-communications network has been born in the human drama of space travel. At Christmas, television screens in Moscow brought into Russian living rooms that awesome close-up view of the lunar surface from Apollo 8, with the crew's voices reading clearly across 240,000 miles the opening verses of Genesis. More than a hundred million Europeans watched Apollo 10's beautiful color-TV pictures from the moon.

If our Mariner probes to Mars perform well this summer, TV viewers everywhere will learn more about the red planet's surface in a few hours than generations of astronomers have learned with earth-bound telescopes. Two spacecraft from Russia recently plunged into the cloud-shrouded atmosphere of Venus, radioing back new data on that white planet. The age of space travel by piloted and automated spacecraft is advancing rapidly in full view of all mankind.

As with all bold new movements, however, dissident voices are being raised. Doubters ask whether space holds any practical economic promise, and couldn't we better work on projects here on earth, or shouldn't the world's social ills be cured before we proceed further? These are reasonable questions that deserve thoughtful answers.

Space does have substantial practical economic benefits, direct and indirect. Global satellite communications and worldwide weather forecasting via meteorological satellites are two major direct benefits already realized in the first decade of space. You can buy stock on Wall Street in the ComSat Corporation; it is a going venture of sound economic worth.

Savings from weather satellites may run into the billions; TIROS III's spotting of Hurricane Carla made possible the evacuation of 350,000 people from the Texas coast with a great saving of human life.

Beyond this, we forsee navigation satellites, geodetic satellites, TV broadcast satellites, data link satellites, and earth resources satellites of major future economic value. The potential of earth resources satellites alone, in mineral surveys, petroleum prospecting, agriculture, forestry, oceanography, hydrology and other fields may be sufficient in the long run to pay for our entire space program.

The indirect values of space exploration are more difficult to assess. To get to the moon, we have had to advance U.S. technology on an extremely broad front, with many breakthroughs spinning off new techniques into other fields. Space has challenged our universities and our industry—and they have met the challenge magnificently. We cannot yet say precisely what new economic developments will emerge; the lead time is often a decade. History tells us, however, that from the challenge of World War II emerged a number of new multibillion-dollar industries that today play a major role in our economy: computers, jet transports, synthetic materials, antibiotics, nuclear power, microwave communications and others.

Space-age advances will undoubtedly create similar new wealth in the 1970s and 1980s. This is an important reason why we should proceed vigorously with our space program. This work is, of course, all done down here on earth: the benefits accrue to all people.

To improve conditions in our society we need to create more wealth through greater productivity based on new technology. We should be restless and dissatisfied with our slowness in overcoming social ills, and I hope that the space program will continue to spur us onward here. If we can go to the moon, why can't we build great and shining cities? Why can't we eliminate ignorance, crime and poverty? If our space program highlights such questions and helps form a national commitment to find new solutions, it will have served the nation well.

Our space advances should embolden the nation to proceed forward with increased confidence in these other areas. Our Apollo program has demonstrated anew what Americans can accomplish given a national commitment, capable leadership and adequate resources.

Man's future in space is limitless. We have embarked on a new stage of evolution that will engage all future generations of men. We face the unknown in countless areas: What are the effects of sustained zero and artificial gravity? Of time-extending flight at nearly the velocity of light? Of societies genetically selected for extraterrestrial living?

We must find the answers. We must move vigorously forward in space. The practical benefits alone justify this venture, but there are many other compelling human reasons. Progress in space should continue to spur us onward to find new solutions to our age-old problems here on Spaceship Earth. We must make the blue planet Earth a home base, worthy of the men who will set forth one day on journeys to the stars.

THEY COME UNNOTICED FROM WAR

HON. WILLIAM L. DICKINSON

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. DICKINSON. Mr. Speaker, today we live in an age of computers, space technology, and rapid communications. It is an age where the pace is so fast that we often fail to remember our heroes—the soldiers who live, fight, and much too frequently, die alone and forgotten.

Patriotism and Americanism are two words that are becoming extinct from our vocabulary. It is indeed unfortunate that this is now more the rule than the exception.

Recently, I was privileged to read an excellent article in the Montgomery Independent by Joe Azbell. It is a very well-written, succinct statement of his frustrations, and I believe this article well reflects the feelings of the average American.

I was so impressed with the article, Mr. Speaker, that I would like to incorporate it into the RECORD at this point and share its contents with the Members of the House:

[From the Montgomery (Ala.) Independent, July 29, 1969]

I'M SORRY I DIDN'T SAY THANKS—THEY COME UNNOTICED FROM WAR

(By Joe Azbell)

You're back home.
Here on a railway platform.
I didn't say "thank you, soldier."
I'm sorry, fellow.
I should have.
No excuses.
Maybe I can make up for it a little now.
Maybe you will understand.
I know you never expected to come home in this casket box.

All alone. Here on a cart on a railway platform with all the hissing brakes and steaming engines and clanging noises and people passing.

None of the people know who you are.

That you died for them.

I wouldn't have known myself. A porter told me. He said it like a bulletin: "He's one who didn't make it." He explained with one word: "Vietnam."

I never saw your face. I didn't know you. Or maybe I did. You were young. All your life in front of you. Full of plans and ideas. A whole world to conquer. All kinds of dreams of fun, excitement and joys you will never know.

All that is left is the lifeless shot up corpse in this casket box.

And I didn't say "thank you."

And I'm sorry.

Your mother and father raised you and loved you and took care of you when you were hurt and did the best they could by you and never intended that you die 12,000 miles from home shot to pieces by a Viet Cong.

And that young girl you married and with whom you hunted up second-hand furniture and installment payment appliances to outfit a little apartment and the baby whose picture you carried but whose chubby little hands you never touched or loving smile you never knew—they'll miss you too.

And I didn't say "thank you."

And I'm sorry.

Your mother didn't believe the telegram. A mother never does. Any minute now she thinks you'll walk in the door and throw your big arms around her and say "Hi, Mom." But you won't. Never again.

Your wife and baby will know you are gone most. A young girl in an apartment with a job to make ends meet and a baby left with a maid. A girl too young to be a widow. A baby boy who should have a father to teach him to fish and box and to pin to the floor and look up to tall.

Your wife will re-read your letters and touch the gifts you sent her and re-read your letters again.

The government will send her your medals. She'll frame them and put them up on a wall. But they will be little comfort on lonely nights when she'll remember all about how it could have been if the bullet from a sniper's rifle of a yellow skinned man in black pajamas hadn't hit you.

People will keep reminding her. It will tear at her. Certainly she's proud of what you did. But it hurts. She is like you, fellow. She doesn't really understand why you had to die in a little sweathole of a jungle country 12,000 miles from home. She keeps saying to herself, "Why?" and holds your baby close to her.

You didn't understand either. Not really. They said it was for freedom and liberty and to preserve America and it was hard to understand. You went with a lot of courage and a lot of fear and a lot of doubt about what it was all about. But you went there where you didn't understand the language or the people or the war. You went because they said you were needed. And you came back in a casket box.

And I didn't say "thank you."

And I'm sorry.

* * *

I probably saw you on the street. Or a thousand others like you.

Soldiers. Men in uniform. You figure "so they're soldiers."

In World War II, you would have been a hero in a military outfit to everybody.

People would have stopped you on the street, slapped you on the back. And said "give 'em hell, buddy."

They would have let you know you were doing something for your country and them. But not today.

Today there are too many like me.

We see a uniform and we don't ask a soldier if we can do anything for him. We don't say a word.

There's no Sunday dinner for the boy away from home. No free phone calls home. No pat on the back.

There's no picking up the meal check to let the boy know somebody cares and appreciates.

There's no signs in the windows that say "We're Proud Of You" or flags waving or parades or people seeing soldiers off.

You go away unheralded and some of you come back in a casket box. And the funeral crowd is small and the service is brief.

And yet you go. You go with a brave face and a tight heart and fight in the most fearsome war in the history of our country 12,000 miles away.

We never say "thank you."

Not me. Not anybody else.

It's like we expect you to die for us without a word of appreciation.

It's wrong. I'm sorry. I'm one of them.

And how brave you fight. How brave you live. Just being in that jungle country with a strange language and a strange people where the next second could end your life with a booby trap or a mine or a sniper's bullet takes guts.

And what gutsy men you are. Sure you're the young generation. But there's no generation gap when it comes to your guts and loyalty.

When others are trying to burn America down with a torch in the streets you are trying to keep our communist enemies from burning America down by fighting them in Vietnam.

And I never said "thank you."

And I'm sorry.

I know you didn't understand all the headlines. Assassinations. Riots, College kids protests. Demands to the college board. I know how you felt.

You read about college kids protesting and said to yourself. "Boy, have they got gripes! They ought to be over here. They ought to wake up in a jungle camp in steaming heat not knowing if a bullet from a tree sniper will get you before you get coffee. They ought to be here where your every step could explode a hidden mine. Then they'd have something to protest about."

And you shook your head and threw down the paper from home and laughed at the bums on the campus with their phony protests. Then you picked up a rifle and went on patrol and never knew if you would get back.

You didn't protest.

You didn't make up a list of demands you wanted "or else."

You went into battle for your country. You never really understood what it was all about. But you didn't protest.

And I never said "thank you."

And I'm sorry.

And when you read about people burning down cities and rioting and killing people you wondered if it was all worth your being over there.

Maybe you talked about it. Maybe you wondered about it. But you picked up your rifle and did your job anyway. Why? Because you loved this land, your home. You loved freedom. You loved the right to worship God and own a mortgaged home of your own and say your piece about things and work hard to get ahead and to raise your family decently. And you were willing to fight for it.

And I never said "thank you."

And I'm sorry.

Now you're home. You came home in this casket box. They draped a flag over your casket. There'll be a little notice in the newspaper about a funeral.

But there will be too many like me.

They'll read the newspaper notice and it'll be a statistic. They'll read it and say "it's a stinking war." Then they'll finish their morning coffee and go to work and forget until they read another statistic. Then they'll say again "It's a stinking war." And forget to attend the funeral. Too much trouble.

You can't hear me now, soldier.

You are dead. Killed. Gone.

You won't see your loved ones ever again.

A bullet voided your sweet taste of life on this earth.

The clock stopped forever.

You can't hear me now in this casket box.

You can't hear me say "thank you."

But I'm going to say it anyway.

Maybe somehow you'll know.

Thank you for dying for my freedoms.

Thank you for dying for my country.

Thank you for dying for my children.

Thank you for dying for my rights.

Thank you for dying for me.

I'm sorry I didn't say "thank you" sooner.

I should have.

Everybody should have.

MINORITY AID

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. MINISH. Mr. Speaker, none of us can be satisfied with our rate of progress in providing equal opportunity to all our citizens, but it is a heartening fact that many ambitious men and women are being given the chance to establish profitable business enterprises, especially in ghetto areas.

Following the Newark riots of 1967 the Graduate School of Business Administration of Rutgers University dedicated itself to a program of working with minority group entrepreneurs. There have already been very real achievements and now with a Ford Foundation grant of $65,400 and a contribution from E. I. du Pont de Nemours & Co., Dean Horace J. De Podwin and his dedicated faculty will be able to accelerate and expand the program.

The news clippings reporting these grants follow below. The nine business-

men who have been helped under the program are forging out satisfying, profitable careers. Their success will inspire others to take advantage of the new opportunities for participation in our free enterprise business system. I commend these fine citizens and the graduate business school for their excellent work. The articles follow:

[From the Sunday Star Ledger, Newark (N.J.) July 13, 1969]

BLACK CAPITALISTS FIND IT REWARDING IN NEW PROGRAM

(By William Harvey)

Black capitalism is beginning to take root in Newark, largely due to the foresight and imagination of a Rutgers University business professor and a desire by black citizens to improve their lot in life.

Within the past two years, Professor Louis German has helped to establish 11 black-owned business concerns in the greater Newark area, and six more applications for loans are on file with the Small Business Administration.

This year, with the aid of a $65,400 grant from the Ford Foundation, to the Rutgers Graduate Business School in Newark, Prof. German plans to initiate an expanded program to assist 25 minority group members in opening their own businesses.

The program is the outgrowth of work started after the Newark riots in 1967 by Prof. German and Dr. Horace J. De Podwn, dean of the graduate business school. They worked closely with the Interracial Council for Business Opportunity and the SBA.

SEMINARS SERIES

Prof. German gave a series of 10 seminars to minority group people to give them a grounding in the rudiments of profitable small business operations and accounting. To encourage participation, a certificate of attendance was offered to those persons who were present at eight of the ten meetings.

In addition, he helped some promising students to ge. special training, assistance and financing to start or expand businesses. None of the applicants had adequate financial resources and some of them were flat broke.

Nevertheless, local banks and the SBA made loans available on little more than the borrower's display of ambition to go into business and some indications of ability to make a go of it.

GOOD RESULTS

With the help of Prof. German, and a financial base of support, the new businessmen began their operations. "Not everyone was an overnight sensation, but the high degree of success is extremely gratifying," said Prof. German.

"We give the guys a chance if they have the incentive and a little gumption to do something on their own," he added. "More than that, we give them encouragement and show them there is a void they can fill."

Prof. German views black-owned shops and markets as "the way to get real progress in the inner city."

Among some of the successful graduates of Prof. German's lecture series are a factory worker who, trained as a mortician, converted the first floor of his house into a funeral chapel; an upholsterer who formerly worked as a stevedore, and a drycleaner who was burned out during the 1967 riots, but now has three stores.

After their first year of graduate school, Rutgers business students are permitted to work with black entrepreneurs through the school's minority group business program to get first-hand experience concerning the problems of a black or Puerto Rican businessman.

"The students see if they can help the business to increase sales by putting into operation certain business techniques they have learned," Prof. German said.

"We want the student to benefit himself and the merchant he is working with, and we also want them to see how poor people live and how things are in the real world."

"With the Ford Foundation grant," he continued, "we can make some studies and improve our operations. Also we can ask some of our former students to come back and join our board of directors where they can make suggestions and contribute their ideas."

In addition to the Ford Foundation grant, a $5,000 grant has come from E. I. duPont de-Nemours & Company to support the same program. Additional aid from industry is in prospect, Dean De Podwin said.

"These grants will permit Rutgers University to work more effectively toward the solution of the most critical problem facing the nation—helping minority group members break out of an economic cycle which generates so much misery and despair," concluded Dean De Podwin.

[From the Camden, (N.J.) Courier-Post July 11, 1969]

FORD FOUNDATION GIVES GRANT TO RUTGERS

NEWARK, N.J.—The Ford Foundation yesterday granted $65,400 to Rutgers University's Graduate Business School in Newark to expand its program of helping minority group persons to go into business and be profitable.

The grant will support a comprehensive program at the business school that links minority group businesses with students and faculty, according to Dr. Horace J. De Podwin, dean of the school.

The program, he said, has already helped ambitious persons with small businesses including a laundromat, a television repair service, a fish market, a funeral home, a meat store, an upholstery shop and a dry cleaning chain.

MANAGEMENT ADVICE

The objective for 1969–1970 is to help establish 25 new minority group businesses.

The grant will allow the school to expand its program of management advice and technical assistance to minority businessmen in Newark, Camden, and Paterson.

Faculty members of the Graduate School of Business will offer courses in these cities, supplemented by technical assistance to new and existing enterprises. The school will work closely with the Newark Chapter of the Interracial Council for Business Opportunity and the Small Business Administration.

A $5,000 GRANT

A $5,000 grant has come from E. I. DuPont deNemours & Company to support the same program. Additional aid from industry is in prospect, De Podwin said.

"These grants will permit Rutgers University to work more effectively toward the solution of the most critical problem facing the nation—helping minority group members break out of an economic cycle which generates so much misery and despair," he said.

[From the Newark (N.J.) Evening News, July 10, 1969]

MINORITY AID—$65,400 TO RUTGERS

The Rutgers University Graduate School of Business has been awarded a $65,400 grant from the Ford Foundation to expand its program of helping minority group persons get into business, it was announced today.

The funds will be used to help establish 25 new minority group businesses, according to Dr. Horace J. De Podwin, dean of the school.

Under the program which was started in 1967 after the Newark riots, the university offers management advice and technical assistance to minority businessmen in Newark, Camden and Paterson.

The original program was developed by Dean De Podwin and Prof. Louis T. German in conjunction with the Interracial Council for Business Opportunity and the Small Business Administration.

The new grant is in addition to a $5,000 grant recently from the E. I. duPont De-Nemours & Co. to support the same program.

[From the Newark (N.J.) Sunday News, July 20, 1969]

BLACK-OWNED BUSINESSES NO LONGER JUST A DREAM

(By Chester L. Coleman)

To be black and own a business in the Greater Newark area is no longer just a dream. Such a vision has become a reality for nine aspiring minority group entrepreneurs.

The potential of black capitalism is at hand and its growth is, in some cases, due to the foresight of the Rutgers Graduate Business School.

Rutgers hopes to establish a minimum of 25 minority group businesses each year for the next three years, at an annual cost of $50,000, according to Dr. Horace J. DePodwin, dean.

Last week the school was awarded a $65,-400 grant from the Ford Foundation to expand its program of aiding black and other minority group members to go into business. E. I. duPont deNemours and Co., recently gave a $5,000 grant to support the same program.

The original program was developed by De Podwin and Prof. Louis T. German two years ago in conjunction with the Interracial Council for Business Opportunity and the Small Business Administration.

SEMINARS HELD

The program is the outgrowth of work started after the Newark riots in 1967, German started a series of seminars for minority groups where the rudiments of operating a small business and accounting were discussed.

Among those who have already established businesses, some in areas where the rioting occurred, is Willie Pool, 40, and Wilbur Richardson, 31, partners of the Sky-View Radio and TV Co., 708 Springfield Ave., Newark.

Pool said he was inspired to go into business 12 years ago when he could not get a "break" while employed at a factory in Lancaster, Pa. "I was limited," says Pool, "but in my own business I can push myself and if I fail it's my own fault."

Pool and Richardson, who is married and the father of two children, repair television and radio sets and electrical appliances. They also buy sets in need of repair, recondition them and offer the sets for sale as used equipment.

HELPED WITH LOAN

The two men attended the Rutgers seminar on small business and worked with German in September, 1968. The next month the school helped them obtain a bank loan for $2,500. Together, they applied for a $20,000 Small Business Administration loan and now gross $45,000 a year, after being in business 20 months.

In another case, a man who had a persevering, though unsuccessful record operating small window washing and porter service, was drawing unemployment insurance, but also had his eye on a grocery business.

The man, William O. Wright, an Air Force veteran, attended the Graduate Business School's seminar, and in October of last year he became the proprietor of a grocery-delicatessen at 537 South Orange Ave., Newark.

"I just couldn't get ahead," Wright said, "and I never had money to save for those rainy days."

German estimates that in the first year Wrights income will be approximately $10,-000. Wright, 31, said that the food stamp

program recently started in Newark, is a "great asset" to his business.

Benjamin Joseph, a 32-year-old Newark fireman, said he had dreamed of owning a small business for years so he decided to attend the lectures.

Joseph was able to purchase a laundromat at 139 Belmont Ave., Newark, for $20,000 in July of last year entirely on borrowed money.

"I just walked up to the owner one day and made him an offer for the business . . . I didn't have a dime in my pocket at the time," Joseph explained.

SUCCESSFUL LAUNDROMAT

Today he estimates that his business will produce a net income of $25,000 in its second year. The coin-operated enterprise is described as the largest in the city, with 46 washers and 15 dryers. The firefighter supervises the operation, when he is off duty. He employs one other person.

A highly-motivated entrepreneur had started several small businesses, but saw them go up in smoke in the Newark riots of 1967.

This serious-minded person is John Mitchell, 32, of South Orange.

However, following German's counselling, Mitchell was granted a loan and started a cleaning business at 120 W. South Orange Ave., South Orange. He now has two other stores, one in Newark and another in Westfield.

Mitchell said that by attending the lectures he was taught how to make money and how to spend it wisely. "I was given the strength to help myself and others too," explained Mitchell.

He employs 10 persons and operates the only black-owned business in the South Orange shopping center.

LeRoy Brickus, a trained mortician, had once been a factory worker. He now operates his own funeral chapel at 183 Littleton Ave., Newark.

Brickus, 40, said that by attending German's course, he obtained knowledge that was the "key" to his success. "It had been but a dream so long," Brickus admitted, "but I had the desire to have something of my own.

He received his training at the American Academy in New York and has been in business since April, 1968. His wife, Marie, who is active in civic and social organizations, said, "It's hard work, but the benefits are rewarding."

Another Newark resident who has established his own business under the Rutgers program, is Freeman Thomas, a skilled refrigerator and appliance repairman who obtained a loan to expand his operation at 504 Springfield Ave., Newark.

He received bank financing that helped him provide storage facilities for some 3,000 refrigerators, air conditioners, stoves and washing machines.

WASN'T MAKING IT

Norris Knott, a Montclair fish merchant, had been in business for a little over a year but "wasn't making it."

He was ready to close his shop at 154 Bloomfield Ave., and seek employment, but instead Knott decided to attend the Rutgers course and he gained advice on better management and purchasing policies.

Knott had purchased the business in November, 1967, and his volume was approximately $200 a week. German said his prices were too high and his volume too small because he purchased fish from a wholesaler who would make deliveries and carry the accounts receivable week-to-week.

Knott needed a truck, but he did not have the cash. It would have enabled him to go to New York to buy fish more cheaply.

German assisted Knott in getting a small business loan for $8,000 and with this money he purchased a truck. The professor said it is estimated that Knott's income will now be approximately $10,000 per year.

John Cheatam, father of 10, was referred to Rutgers by Knott. Cheatam is an assistant shop steward with a stevedoring company and had been doing upholstering work from his home, 579 Orange St., Newark, on a part-time basis.

He received a $1,000 loan from a Newark bank with the assistance of the school and has opened a small upholstery store in Newark.

German said that a program to offer classes for minority group persons who are interested in learning "how they can help themselves" is now under way in Paterson, Camden, New Brunswick and Newark.

Associate Dean David W. Blakeslee said, "We want them to learn how they can help themselves in the approach to government agencies and banks, and ways and methods to improve their businesses."

Benjamin Zwerling, a consultant to the Rutgers business school, said: "This is a program whereby black people with no assets except their initiative and drive, can build a business and eventually hire workers of their own race."

RARICK ON FREEDOM OF CHOICE—LET MY PEOPLE GO

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. RARICK. Mr. Speaker, last week I addressed my constituency on the controversial decision of the U.S. Court of Appeals of the Fifth Circuit, which has denied freedom of choice to my people and, in effect, made every child in my district hostage.

I include the text of my televised address to my people:

TELEVISION SPEECH BY JOHN R. RARICK, JULY 27, 1969

Hello. I'm John Rarick, your representative in Washington. I'm happy for this opportunity to visit with you on another important issue in government—one which I feel will touch almost every family in our District.

I want to talk to you today on the crisis facing education in our State . . . a crisis which has been forced upon you parents and your children as a result of the tragic decision by the Fifth Circuit Court of Appeals which has outlawed freedom of choice and forbidden a child to attend a school of theirs or their parents preference.

What these appointed judges have done is to outlaw freedom of choice because you, the people, as a free people did not choose to change to a radical social order that you did not ask for merely to satisfy some federal bureaucrats' whims.

By their ruling, the federal judges have, in effect, convicted every parent and child in the affected school districts of a new kind of crime against their government . . . that crime being that you acted like free people who exercise your freedom to choose, to accept and to reject. Your crime is then that as free people you did not voluntarily cooperate with the federal bureaucrats to overthrow your existing society and change your entire way of life.

In courts of law, in any civilized country, a prejudiced judge or a judge who has passed on the case before the trial, is universally held to be disqualified and unfit to sit in judgment on the case. There has never been a greater showing of judicial prejudice . . . to the point of outright tyranny . . . than that exhibited by the Fifth Circuit against the freedom of our individual citizens. It is obvious that the judges have collaborated with the litigants who oppose our people. That they counseled with HEW and the Justice Department in unprecedented non-judicial activity.

These extremist judges have made a mockery out of the very purpose for which federal courts were established by Congress. That is, to protect the individual in his God-given, Constitutionally secured rights from the ever-present threat of tyranny from big government . . . and that includes unelected bureaucrats. I say they have defeated their purpose because who now can have faith in appointed justice where they have misused their trust and revealed themselves as veritable rubber stamps—"judgment signers"—under the influence of H.E.W. and the Justice Department who blatantly notify the judges in advance of hearings or trials . . . without regards to the facts, or the law . . . what the court's ruling must be.

There is no bona fide trial or hearing in the American sense of the term when the conclusion is foregone. There is no justice when a case is prejudged. The dignity of impartial justice is then reduced to a sham—a kangaroo court.

Let no scalawag confuse you into thinking that some law has made freedom illegal in our country. In our state and in most other civilized countries, law is considered a solemn expression of legislative will except where the legislature has exceeded constitutional limitations. The Fifth Circuit cites no law or authority to support its decision. Its decision was based only on its own previous misguided utterances. In fact, the laws enacted by the U.S. Congress and the Bill of Rights of the U.S. Constitution are not silent on the subject. Rather, they are expressly worded to prohibit exactly what the court has here set out to do.

The Fifth Circuit ruling far exceeds desegregation or even any concocted theory of a compulsory use of education to bring about integration as a so-called national goal. Never before in America has the shadow of tyranny fallen so darkly over our people.

The philosophy and social ideology is foreign and alien to our people and many seek the cause of provocation. Americans who have known tyranny fully realize that public acceptance of this edict can only be followed by more severe restrictions in the future. The so-called national goals are extra-constitutional and for political propaganda purposes only. Certainly you people never voted on or set any such goals. Nor are they authorized under any of our basic laws.

The Fifth Circuit ruling cannot be made any sensible outgrowth of *Brown vs Topeka* handed down by the Warren court in 1954. The Brown case only held that no child could be denied admittance at a public, tax supported school solely because of his race. Racial percentages of students and teachers, bussing, pairing, dual schools, and bi-racial committees weren't even mentioned . . . and guidelines hadn't even been heard of.

Even federal judges must find difficulty in maneuvering the Brown case—which called freedom of choice the ultimate in justice—to any justification of the Fifth Circuit decision which would deny freedom of choice to all the people.

I've talked with many of our people and my office has been swamped with letters and phone calls from concerned people and local officials asking what can be done for our little children and to save our schools.

I can't tell you what to do with your children—but then, neither can the federal government, federal judges, HEW or the Justice Department. They're your children and the decision belongs to you and you alone. It's your duty to rear them, to guide them, and take care of them as you know you must.

There's no one to whom you can delegate your responsibility as a parent.

Because of the tremendous frustration and increased tensions this court's decision has wrought upon our people, I have—with other members of the state delegation—met with the U.S. Attorney General, members of the Justice Department and H.E.W. in exerting every effort to point out the inequities and illegality of this high-handed court action. But to no apparent avail.

Determined to exhaust every available avenue as your voice in Washington, with other members of our delegation, we were able to gain a personal audience with the President of the United States.

This unnecessary crisis facing you parents was discussed in detail and your fears were presented firsthand. In all fairness, the President was most attentive and indicated genuine surprise over the extreme measures being undertaken against our children. President Nixon's interest seemed to lie in securing quality education for all and maintaining our public school system.

It was made clear by those of us who had asked for the audience that we felt it our duty, as representatives of our people, to report firsthand to the President the seriousness of the school situation as it now exists and our grave concern for the consequences if no relief is forthcoming.

On leaving the meeting, I was somewhat encouraged that the people in control are fully advised and understand the crisis facing our educational system. But I was also disappointed because I fear there can be no material help to ease the pressures of our problem before school opens this Fall.

I might add here that it was truly frightening to see the powers of government concentrated in the hands of a few men who are so far removed and so well insulated by a complex bureaucracy that they seldom are made personally aware of conditions in various parts of the country. Indeed, our fears of impersonal and unrealistic rule by a centralized government are well justified.

In some instances, of course, the court rulings may eventually be appealed and the guidelines altered or the judgments modified.

It grieves me no end to tell you as a parent you should anticipate no easy or early let-up through the court. If you expect to fight for your schools, you should start considering using the existing legal channels for remedy.

You are the descendants of a free people—you have known freedom as no other individuals. What will you do to preserve it? You, as parents, are the front line in the defense of your children. Your children are the future of our country. Tyranny disguised as progress and reform which would take your child knocks at your front door.

What can you do? I am deeply concerned by talk repeated in the streets, and shops, and business places indicating a mood of mass retaliation suggestive of a form of direct violent response. I do not suggest, nor do I encourage violence or rash action. Why should we have to take to the streets? The children are in your homes and in your custody. The ultimate decision of whether you send them or where you send them is yours. If the federal governments demands to take your children from you forcefully, then let it be the government who is the aggressor . . . without provocation on your part. If those of the party in power are so desperate as to chance a police state reaction by exerting overwhelming powers . . . then let it be the decision-makers in government who become violent.

Freedom of choice is not the real issue—it has been made the present issue because it was forced upon our people by the same federal judges who now would discard it because they do not trust freedom to attain prescribed social goals as rapidly as they would like. The real issue is, and has been, where does the power of government reside? With the people, the parents of children, or with a bunch of emotionally confused bureaucrats—some of whom don't even fully understand the crisis they have created and the tyrannical course they are pursuing.

Nor is race an issue—although it is discussed and exploited to silence opposition. We do not accept the meaningless cliche advanced by a few agitators that freedom is racism. It may be, or it may not be. But doesn't freedom also grant the right to choose or to refuse—the right to discriminate or not. Racism in its emotional current usage can only be eliminated if all freedom is destroyed. To realize the deep significance of the ruling toward making us all puppets, let's see what would happen if we carried the guidelines to a logical conclusion.

The judges, in a manner of speaking, would put us all in a box, shake it up, redivide us and relocate us at their pleasure.

Having regrouped us, the question arises—how will the judges keep us from relocating or redividing—I think the term is "resegregating."

We all know that free people act like free people. They don't stay put and unless they are chained can be expected immediately to start moving and relocating themselves to seek their own associations—and better school facilities. Can we expect these judges, H.E.W., and the Department of Justice to sit idly by and permit the people to resegregate their schools? Or isn't it more likely they would assume the function of a court of housing control. Can we not expect that judges who have been so extreme as to outlaw freedom will utilize every power at their disposal to perpetuate their created social order? And wouldn't this include denying parents the right to move? Even refusing employment transfers—unless the parents first appear before a judge to get permission to move. And we can assume permission would depend on a showing that moving or a new job was not intended to escape the ordered school program? Every unconstitutional usurpation of power necessitates an endless chain of additional usurpations.

These judges have already ruled you don't own your business—aren't in control of your labor union—don't know what is best for your child—that your home ownership is subject to their caprice. Don't think they can't develop their wishy-washy thinking to rule that you can't move.

Our schools in Louisiana were not the product of any socialistic federal program, nor were they built overnight. Our Louisiana public school system had been achieved over many years through the sacrifices and dedicated efforts of thousands of sincere parents and conscientious educators and paid for by Louisiana taxpayers.

As a parent, you are the God-appointed guardian of a tender life and soul, and until your child matures, you and you alone bear the awesome responsibility for his guidance.

THE CRISIS IN EDUCATION

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. HALPERN. Mr. Speaker, America's hopes and aspirations are tied to the education of its children. For the quality of American life depends largely on whether each generation can learn to govern itself and expand democracy's horizons. Indeed, the Nation continues to grow because we have invented a marvelous weapon to fuel our freedom—education.

And yet, today we are being asked to slash away at the growing Federal commitment to education. Instead of giving to education the same kind of urgency we imbued the space program with, we are reducing, not increasing, appropriations.

Congress is being asked to reduce total Federal spending for education by 25 percent. And what does all this financial aid to public schools, colleges, libraries, and students equal? Less than 1½ percent of the total Federal budget.

Even if the full authorization set for educational programs was appropriated, it would still be less than that spent on getting a man on the moon. The sad fact is though, we have never appropriated over 50 percent of the money Congress has authorized for the major educational program, the Elementary and Secondary Education Act.

Something is dreadfully wrong when Congress is asked to emasculate funds for school and college library materials; in effect, practically eliminating major national library programs.

Something is dreadfully wrong when Congress refuses to increase its aid for building more and better college classrooms and libraries and cuts back on aid to guidance and counseling services.

Something is dreadfully wrong when Congress puts the squeeze on today's youth, refusing to vote needed funds to enable students to borrow money to attend college.

Indeed, something is dreadfully wrong when Congress is asked to help the Nation's ghetto children and responds by appropriating $1 billion less than that authorized.

It seems to me that if we want the same kind of results from our schools as we expected from the space program—then we better infuse it with the same sense of national urgency and priority spending.

For schools are where we prepare our young for life. Education is at the heart of the learning process. Education must be the front line of innovation, the creator of ideas and the test-tube of experimentation.

Yet our school system seems to limp from one crisis to another. Although public education is at the top of the Nation's priorities, its problems seem almost insoluble. It started over a decade ago with Sputnik. Where did American education go wrong? New ideas abounded, curricula and teaching methods were revised and new equipment was purchased. Then James Conant of Harvard warned us of the "social dynamite" created by the deep gap between urban and suburban schools, the affluent and the poor. The Nation was told segregation stymies Negro children's ability to learn. Honest efforts at school integration were often obstructed. However, textbooks were changed to reflect city life, instead of the cows and chickens most children never see. And teachers taught that prejudice hurts.

But the reforms were not sufficient. Schools didn't change fast enough; school budgets weren't adequate for burgeoning suburban populations; and decaying urban schools offered little to black youth yearning to escape poverty.

Crisis overtook the schools as stagnation set in again. Underpaid teachers started striking; dissatisfied parents demanded more control of their children's future, and student behavior reflected a new era of youth questioning the older generation's wisdom.

As demands are intensified today, public schools totter on the brink of disaster. Children spend only 30 hours a week in school—less than a fifth of their time—yet parents expect formal education to outweigh the home and family influences. Studies indicate the greatest differences in children relate to factors schools do not influence. If we expect more from education, then perhaps schools should be equipped to do more.

Some 43 million children across America need better education. Teachers and students are victims of outdated classroom procedures, antiquated equipment, and a shortage of resources. Schools must learn to involve ghetto parents in the learning process. The curriculum must reflect Negro history and the lifestyle of minority groups more accurately. And most of all, greater effort must be made to integrate schools and halt the shameful miseducation of another generation of black children.

Although Negroes are fast becoming majorities in many large cities, school integration plans have succeeded in hundreds of smaller communities. Experts respond to taunts that integration is a failure by observing that generally, it has not been tried. Studies also prove that most homeowners flee cities because they seek better lives for their families. Very few actually "fear" the onslaught of lower-class minorities.

Integration, of course, is no panacea for a decaying urban school system. White children need new classrooms as badly as black and Spanish-speaking children. But the educational gap between the races must be reduced. Conclusive evidence proves that Negro children do better in integrated schools than they do in segregated schools, while not adversely affecting white children's learning ability. Indeed, educators have found that black children in integrated schools perform as much as 2 years better than their counterparts in ghetto schools.

To get around the reality of large urban Negro and Spanish-speaking masses creating a de facto form of segregation in cities, new educational concepts are being proposed. In cities, like Boston, Washington, and Philadelphia, educators are experimenting with ways of altering artificial school boundaries and isolated schools that inhibit children from learning to live and play together.

But some educators believe school problems are so vast that the educational system itself must change. Negro educator Dr. Kenneth Clark says:

> There's been a massive breakdown in the education program, so massive I think it requires massive restructuring. The Federal or State governments should literally take over the schools and reorganize them.

Public education traditionally is a local prerogative in America and it is doubtful whether parents would allow the Federal Government to "control" schools. But parents and local communities cannot continue to finance public education on their own. Last year public education cost the Nation $28.3 billion, and it will more than double within a decade.

Who pays the bill? Last year, State and local governments paid 92 percent of the cost for public education, the Federal Government only 8 percent. The revenue comes from income taxes, sales levies, and corporate taxes. But over 50 percent comes from one source—local property taxes, the escalating assessments that create havoc with the budgets of American homeowners.

What can be done? The distinguished economist, Leon Keyserling, recently issued a 10-year blueprint for nationwide educational excellence that will insure all children an opportunity for quality schooling, while alleviating the pressure on property taxes. Commissioned by the American Federation of Teachers, Keyserling's study indicates that by 1977 we must spend $70.1 billion annually for education—a yearly increase of 9.5 percent. The Federal Government would pay almost 40 percent of the cost, $27 billion.

The minimum standards of excellence would include raising per pupil outlays in 1977 to $1,534, compared to a nationwide average of $660 in 1967. The ratio of accredited teachers to enrollment should be 1 to 20; it is now 1 to 24 (rising to 1 to 35 in ghetto schools). And the number of classrooms should rise from 1.7 million to 2.3 million in a decade. This means building 123,000 new classrooms annually.

Can we afford such a multibillion-dollar education program? Economists feel it is well within our financial capabilities in a prosperous economy. The question is, can we afford not to spend billions on our children's education?

Quality education means spending enormous sums. Massive Federal aid, emphasizing the needs of decaying cities is imperative. Existing programs like Headstart, the Teacher Corps, the Elementary and Secondary Education Act, and the growing Federal sponsorship of teacher-training must expand.

And there can be no compromising on the question of school integration. The 14th amendment to the Constitution and most State constitutions guarantee equal education for all children. The U.S. Supreme Court has unequivocally stated that in a multiracial society such as ours, "equal" means integrated.

Aiding the growth of education then, must be one of the Nation's first priorities. Anything less will not suffice, for education is democracy's greatest weapon.

AN INDONESIAN PERSPECTIVE ON SOUTHEAST ASIA: PARTS I AND II

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. ZABLOCKI. Mr. Speaker, the Indonesian Ambassador to the United States, His Excellency Soedjatmoko, recently delivered two outstanding addresses as part of the Dillingham Distinguished Lecture Series at the East-West Center in Honolulu, Hawaii.

Ambassador Soedjatmoko, one of Indonesia's outstanding intellectuals, provides some interesting and relevant insights into the problems and prospects for Southeast Asia in his lectures.

With President Nixon's trip to Southeast Asia indicating a review of U.S. policies for that part of the world his ideas should prove particularly pertinent.

I am, therefore, pleased to insert into the CONGRESSIONAL RECORD the text of both lectures. The first address, given May 12, is titled "The Re-Emergence of Southeast Asia: An Indonesian Perspective"; the second address, delivered May 14, is titled "Southeast Asia in World Politics." I urge my colleagues to give both speeches their close attention.

The speeches follow:

THE RE-EMERGENCE OF SOUTHEAST ASIA: AN INDONESIAN PERSPECTIVE

Adlai Stevenson is reported to have said that the job of an ambassador consists of one-third protocol, one-third alcohol and one-third Geritol. Although lately I have been made uncomfortably aware of its basic truth, this job description makes no reference to one redeeming feature, namely the opportunity to travel and to meet interesting, as well as interested people. I am, therefore, very glad to be here in your midst.

The subject I am going to discuss with you today deals with the re-emergence of a region of many cultures, inhabited by many races. To be able to do so on this beautiful island, with its own history of racial and cultural interpenetration, very significantly adds to this pleasure. Because of the cultural sensitivity that must have developed from your history, and the resulting awareness of the opportunities that cross-cultural relations provide, Hawaii has a good chance to develop into a real center of a distinct Pacific community. Given its geographic location, it will entirely depend on the intellectual strength and creativity as well as on the commercial vigor and resourcefulness of its people, whether the state of Hawaii can play this role. The institution of the Dillingham Distinguished Lecture Series certainly demonstrates the presence of both these qualities, and I deem it an exceptional honor to have been asked to open this series. That the East-West Center is sponsoring this endeavor, only lends substance to its reputation of imaginative intellectual leadership.

The region I am going to discuss with you today is a constituent element of that Pacific community. At the same time it is also part of another group of countries bordering the Indian Ocean. The history of this area has been very much determined by this geographic location, and by its function as a link between these two great ocean basins. By the same token, this region has felt the contradictory pulls that these two basins have exerted upon it, one towards the Pacific, one towards the Indian Ocean. This is still very much the situation today.

It has been one of the ironic corollaries of independence that in breaking through to a new future the nations of Southeast Asia have been much more deeply and much more forcefully made aware of their history and its continuing impact into the present. During the struggle for freedom almost all of us only looked *forward* toward a future of freedom, toward the creation of new societies. There was in the nationalist movements of that period generally a radical rejection of the past, of traditions and the institutions that went with it. There was as openness for new ideas, a feverish and bold experimentation; many of us struck out in new directions. It was from that period that in many countries of the region a new literature

began, new pictorial styles developed, new genres in music and dance, new attitudes towards religion, and new political beliefs.

Independence, however, also brought the need for self-identification, for defining the national self in relation to the outside world. The requirement to build political organizations of mass support and participation, the need to make people share in the new freedom and modern political concepts in terms that made sense to them, likewise compelled a renewed emphasis on the particular and the traditional in our cultures. After the attainment of independence, moreover, all the new nations found themselves saddled with a number of intractable problems that could only be overcome on the basis of a clear understanding of their historical roots. It is the awareness of their history that is to many of these nations the source of their strength and their weakness. It is in their history that their pride and their sense of identity is rooted. To understand present day Southeast Asia, therefore, its problems as well as the motivational forces that determine the thrust of its movement, one inevitably has to start by turning, however briefly, to the history of the area.

Southeast Asia's early history, from roughly the fourth to the thirteenth or fourteenth century, was shaped by the confluence of the cultural and commercial currents emanating from the two great centers of culture and power of the time, India and China. Each of them left, rather unevenly, its mark in different areas and in different ways. In these areas, indigenous popular systems of beliefs, closely tied to a developing system of wet rice cultivation, were re-formulated and integrated into the higher religions that came from these centers. It should be noted, however, that these higher religions changed as well in the process. It was this syncretic adaptation of the higher religions which in many important ways influenced social organization. In those areas where more elaborate power structures developed into inland kingdoms like Khmer and Mataram, they shaped the concepts of power, of kingship and of the state.

The shift of communications on the Asian mainland from land routes to the sea subsequently promoted the growth of a number of trading principalities and even empires, side by side, and very soon, in competition with the older inland kingdoms. Of these, one of the greatest was the Kingdom of Criwidjaja near Palembang on the southern east coast of Sumatra. Up to the eighth century it exercised predominant control over the trade between China and Indonesia and between Indonesia and India. The struggle for hegemony over the important waterway of the Straits of Malacca has dominated much of Indonesian history. And when in the early part of the sixteenth century the Portuguese, the Spaniards, and a little later the Dutch, arrived to participate in the spice trade, they too became involved in the struggle for control of this vital artery.

It was through this trade route that both Islam and Christianity were introduced, spreading quickly throughout the insular part of Southeast Asia. From that time onwards, much of the history of Southeast Asia has been a history of multicornered rivalries, sometimes under the banner of different religions, skillfully exploited by the Europeans to increase their own power. The sequence of trade-religion-political control became in this way the standard pattern in the development of colonial rule. It was only after the industrial revolution in Europe, however, and the building of iron ships, that the definitive change in the balance of forces occurred. Until then, Europe had only been one of the many forces in the area, operating more or less on an equal footing.

If we now make a cross-cut through Southeast Asian history, the picture that emerges is one that resembles a layer cake with layer upon layer of cultural-religious sediment, some of them thick in some places while thin or entirely absent in others. Depending on the area under observation, one commonly finds an indigenous animist layer, a subsequent layer of Hindu or Buddhist sedimentation, or Hindu with an overlay of Buddhism in its Indian or Chinese variety. On top of this comes Islam or Christianity, either Catholic or Protestant, or both. In the political field, primitive beliefs in magical powers, covered by a layer of more sophisticated concepts of statehood and kingly power, related to concepts of the cosmic order. On top of that, more or less modern notions about state, society and politics.

Like all similes, the analogy of the layer cake does not, of course, convey the full picture. Elements of the earlier layers continue to be present in the superseding ones, up to the very top, even to this day. And more important than the origin of the various influences on the region is the fact that none of these influences retained their original identity. Whether they came from India, China, Arabia or from modern western Europe, all of these influences were changed in the process of their absorption and integration, however incomplete sometimes, into the previous cultures of the region.

It would seem to me that the capacity of the peoples of Southeast Asia to digest and adapt these influences according to their own genius does represent the most striking element in this acculturation process. As a result, the cultures of Southeast Asia emerge with an autochthony quite distinct from the sources which have helped shape them. Viewed in this light, there are sufficient grounds to assume that in developing their answers to the problems of the post-independence era, and to those which accompany their transition into the twentieth century, the nations of Southeast Asia will eventually come up with responses, structures and institutions that are once again very much their own, differing from those prevailing in either the liberal-capitalistic or communist models.

Another set of factors should be borne in mind when we look at present-day Southeast Asia from this perspective of history. The first is the cultural and political heterogeneity in the Southeast Asian region as a whole; the wide variety of historical experience and response; and thirdly, the existence in many nations of deep religious, ethnic or racial cleavages, here and there reinforced by the remnants of traditional conflicts of a dynastical nature.

The consolidation of colonial rule in Southeast Asia, as of the middle of the nineteenth century, further complicated the situation. Many of the boundaries along which Southeast Asia was balkanized by the colonizing powers were drawn quite arbitrarily, sometimes by the whim of the local colonial administrator, sometimes on the basis of erroneous assumptions, sometimes formulated in Europe as part of the effort to establish a new balance of power in the post-Napoleonic period. Colonial boundaries often cut across populations of the same ethnic origin. In several instances the colonial ruler used one ethnic group preferentially above others for purposes of administration or to facilitate and protect colonial rule in certain areas.

It was not surprising, therefore, that when the decolonization process set in, the old tensions, rivalries and conflicts, and many of the problems that had remained frozen in the general social stagnation that is characteristic of colonial rule, came to the fore again. What was more, they became heavily intertwined with the new problems of independent statehood: serious political discontent in one form or another because of neglect, sluggish economic growth, uneven distribution of wealth, population pressures or sometimes plain managerial inability on the part of the new government.

One further observation should be made. While on the one hand colonialism has led to social stagnation, stunting the natural growth of our societies, it also upset the traditional social fabric of these societies, starting from within the modern economic enclaves. In doing so, it released new creative forces from which the modern nationalist movements for independence eventually sprang.

With the attainment of independence, then, the new nations were faced with three different sets of problems. The *first* revolves around the very obvious question of how to run their country as a free nation: how to build the political and social institutions that would serve to inculcate among the population at large a sense of nationhood and shared responsibility; how to integrate the often disparate groups, at various levels of political development, and of various ethnic or racial origin, into a single political system that would enable the country effectively to deal with the need for rapid economic development; how to break out of the lopsided colonial economy they have inherited. The *second* set of problems arises out of the arbitrariness of colonial boundaries, the inequalities and injustices resulting from colonial favor and privilege. The *third* concerns the deepest motivational forces for social action that are rooted in the religious substratum of the traditional societies of Southeast Asia.

As all-encompassing systems of integration, the great religions have in the past determined the manner in which man sees reality and relates to it. They have helped shape social organization and have defined the terms in which man perceives the meaning of his life as an individual, his relations to his fellow man as well as his relations to the Divine. Colonial rule as well as modernity in general has wrought radical changes in this state of affairs, by setting in motion a largely autonomous process of rapid social development in a new direction.

Once the religiously determined system of values and attitudes, which was attuned to relatively simple, static agricultural societies, had broken down, the traditional religions in all these nations faced the problem of perceiving the new social realities and of developing a relevant relationship to them. Many of the intractable political problems that the new nations have to cope with are rooted in the crisis in which these traditional religions are now finding themselves. The depth of the religious and cultural crisis that these nations face, therefore, shows how deep the roots of political instability go and how superficial the categories of communism, anti-communism or socialism are, either as a means to understand the social and political processes that are going on, the dynamics of political choice, or the shape and structure of society toward which these nations are moving.

It should also be clear by now that the real dynamics of economic development are only partially reflected and can only be partially measured by external, quantifiable indices such as growth rates, per capita incomes, export rates and the like. When we speak of development, we speak of movement, of goals, of values, of motivation. We are essentially concerned with developing a new sense of direction for society, and with the deepest, often moral, motivations for social action. When we speak of development, we are really speaking about the modernization of the soul.

It is only when the goals of economic development and the need for social and cultural change can be shown to make sense in terms of traditionally accepted, religiously determined values and purposes, or can be shown to make sense in terms of newly acceptable structures of meaning, that the full

mobilization of the motivational forces especially within the traditional sectors of these societies become possible. Addressing themselves to this problem is for the new nations almost as important as questions of savings and investments.

No wonder then that before new value systems have crystallized we are beset by such deep emotions, of fear, insecurity, but also of hope. The emotional upheavals, the political convulsions and the instability of these countries in general should, therefore, be seen as a reflection of these deeply rooted problems that are inescapably part of the process of modernization.

Against the magnitude of these problems the importance of nationalism as an integrative and constructive force becomes obvious. Nationalism is essentially the expression of a nation's will to reassert its own authenticity. In turn, it has the capacity to release other creative forces, for freedom is the essential condition for creativity and the blossoming of all human faculties. Nationalism is in the early stages the only force of sufficient cohesive strength to consummate the process of nation building and to set into motion the process of economic, social and political development. It is inevitably accompanied by the drive for social justice as well.

It should also be stressed that the many problems I have mentioned above will remain insoluble as long as the present level of poverty in the area persists. The absence of hope for a better future reinforces the inclination to cling in desperation to traditional and familiar institutions, attitudes and concepts. Or, to the tactics of violence and destruction. It is only at a higher level of economic life, when the most pressing problems of material want have been reduced in intensity that these tremendous problems will lend themselves to solution.

The first prerequisite facing all these governments, therefore, is rapid economic development. It goes without saying that economic development in the final analysis rests on the peoples of the Southeast Asian region themselves. It will very much depend on their will and their determination to pursue this path, on their capacity to create a political system that will make possible the fullest mobilization of all internal resources. It requires in short, the reorganization of these nations for development purposes and the capacity to harness the desire for a better life that exists among the people in general.

The role of foreign assistance is crucial in the development effort, however small it may be in relation to the magnitude of the national effort that is required. It is important for the transfer of capital or skills that are nonexistent or in short supply, thereby speeding up the development process, and as a vehicle for the transfer of developmental values and the ethos of work, efficiency and progress that is necessary to make economic growth a self-sustaining process. Even more important, it can alleviate the burden to be carried by the indigenous population, thereby reducing the need for coercion in the mobilization for development. Foreign assistance in the economic development of the new nations, therefore, will help determine in a crucial fashion what kind of societies will eventually emerge in the Southeast Asian area. Will they be open or closed societies, increasingly free or increasingly repressive, friendly or hostile to the West? It will be an important factor in determining whether nationalism in Southeast Asia will turn towards the world its aggressive, xenophobic face or its constructive and cooperative aspect.

For we should not forget that post-colonial nationalism also has its pathological sides. By now we are all familiar with the deep suspicion, the potential xenophobia, the irrationality, the egocentricity or ethnocentricity and intolerance of which it is capable.

The question, therefore, of what kind of societies will emerge in Southeast Asia, open or closed, is a question that is important not only in terms of the immediate future. It is of even greater importance when we think in terms of 30 or 50 years from now, at which time we will have moved into the 21st century. One thing seems certain to me, and that is that Southeast Asia *will* progress economically, *will* industrialize and *will* develop the degree of national power that will enable it to hold its own in the future. If we look at the changes that have taken place in the last ten years, however slow they may seem in our day-to-day observations, the strides that have been made in developing modern technologically oriented economies have been truly impressive.

In looking at Southeast Asia, therefore, we should not merely be obsessed by its difficulties and its instability. Against the background of the history and the motivational forces that I have tried to present to you, the dominant feature that emerges is that the whole region of Southeast Asia is still in the process of philosophical and ideological reorientation, and of political formation and consolidation. Of very few countries in the area can it be said that their political systems have yet found their final expression. In almost all, the search for a viable and adequate system is still going on. In almost all, some degree of political reform is bound to take place before their systems will be able to accommodate the cultural and political pluralism of their societies; absorb the social tensions that inevitably accompany rapid social and cultural change; integrate racial or religious minorities; and absorb into their political elites ever wider groups demanding political participation and responsibility.

As I have stressed before, the political systems should, above all, make possible the pursuit of rapid economic development, the harnessing of the creative energies of the people, and the mobilization of the financial resources needed to this end. At the same time, they should be able to withstand the stresses that arise out of demands for greater social justice, out of the discrepancy between the heightened expectations which political consciousness brings and the limited growth capacity of developing economies.

The depth and magnitude of the cultural re-orientation process that is part and parcel of modernization, should also make us aware of the depth of the emotions that are involved. Hope, uncertainty, fear, despair and even hatred will be the constant companions of the change, revolutionary growth and development through which the peoples of Southeast Asia are going at present. In a few other new nations outside Southeast Asia too we have seen some terrible expressions of the pathology of fear and despair. In a way, the attraction which Mao's type of communism still holds in some areas is very much a function of this despair, with an admixture of age-old chiliastic expectations.

Be that as it may, there is no doubt that it will be some time before the countries of Southeast Asia will have worked out their own, viable political systems. Nor should we be frightened by the likelihood that in this process the viability of some of these countries as nation-states will be severely tested. What we will need is time and the opportunity to work out these problems ourselves. Already a number of developments are taking place that have made it possible for us to look at the future with a greater degree of confidence.

First, there is the so-called Green Revolution. The development and increasing utilization of the new miracle strains of rice and wheat have already dramatically changed the outlook on the future. For the problem of hunger now seems, in principle at least, to be soluble. But it is also beginning to dawn on us how vast and revolutionary the consequences will be that arise out of the systematic utilization of these new strains and the new technology that they require. For it is bound to lead to fundamental social changes in the villages, the emergence of new types of economic and technologically-oriented local leadership, an increased demand for storage, transportation, and marketing facilities, for irrigation works large and small, all serving as an incentive to the development of agriculture-supporting industries. And the end may yet not be in sight.

Secondly, there is the fact that besides the already industrially developed countries of Japan and Australia, some of the new nations in the Western Pacific recently moved into their industrial phase. South Korea, Taiwan and of course China fall within this category. This has opened the perspective of new intra-regional trade patterns, which will further accelerate the development of the Southeast Asian region as a whole, and possibly the emergence of a new regional identity. In fact, this process has already set in. To the west of the region, India's entry as an exporter of manufactured goods will, in time, likewise affect the trade patterns across the Indian Ocean basin. An increased exchange here will no doubt provide a powerful pull in this direction again.

Thirdly, I should point to what may very well be the most important event in Southeast Asia, namely the emergence of the first post-independence, post-revolutionary generation in positions of power. This generation grew up, or was born in a free Southeast Asia. Their souls have not been scarred or twisted by the pain and humiliation of the colonial experience. More self-confident, less bothered by the sense of inferiority with which their elders were afflicted, they are also, perhaps helped by changing world conditions, less afraid of the specter of imperialism. Though no less patriotic than their parents, they are therefore less ideologically inclined, more pragmatic, less suspicious and more open to the outside world. They are no longer inclined to blame colonial rule or outside forces for their present difficulties and are quite willing and ready to face up to these problems themselves. But even more important than these attitudes is their acceptance of and their familiarity with science and technology. It is almost impossible to exaggerate the crucial importance of these new attitudes. In general, this generation realizes that the rate of economic development is not determined by the ideological orientation of the country, but rather by the size of investment, the application of technology and science, managerial effectiveness and efficiency and sustained commitment to the priority of development. It would be a mistake, however, to look at them only as a generation of technocrats. They themselves are too deeply aware of the structural changes in society that are required before modern techniques, skills and technology can be effectively applied. They themselves are too deeply conscious of the need to relate developmental goals, i.e., goals that pertain to the improvement of material life, to other purposes that give meaning to man's life in this world. Social justice for instance is one of these. This generation does not speak of crisis, but of challenge, and they are determined to succeed.

It is essential, therefore, that the advanced countries respond positively to the emergence of these new creative forces by helping to provide them with the means to succeed. In doing so, the forms and the manner in which assistance and cooperation is given will be of decisive importance.

For all its differences in orientation, this generation is no less nationalistic than its predecessors. History since World War II has shown that if fears of neo-colonialism and capitalist exploitation are to be avoided, economic assistance and cooperation will have to be based on new concepts and instrumen-

talities. This requires a search for new forms of cooperative endeavor, which will break with the unequal relationships of the past and effect the closer integration of foreign investment into the purposes and patterns of national development. It also means that in developing trade and investment, deliberate efforts should be made to accelerate the growth of an indigenous commercial and entrepreneurial middle class. Here the traditional American inventiveness and ingenuity could make an important contribution. On the whole, without denying their essential nature as profitmaking organizations, the creative role that private foreign business could play not only in speeding up the process of economic and social development, but also in fostering regional economic cooperation, should not be underestimated.

Beyond this, it should be realized that without foreign aid at adequate levels, private foreign investment could not play the creative role envisaged here. In a number of Southeast Asian countries, private foreign investment could only operate profitably and socially effectively after the infra-structure has been sufficiently developed. For this the continuation of government-to-government aid at adequate levels is essential. American business, therefore, also has a stake in the continuation of United States aid to these countries. To think that private foreign investment could take over the function of foreign aid is an illusion.

In the political field, an understanding of the developing nations on which economic cooperation could be based would require an awareness of the necessity as well as the inevitability of social and political change and a degree of instability resulting therefrom. Hence, a measure of political instability, should not be seen as a condition to be removed before economic development can be started. Rather stability should be seen as the end result of economic development begun under conditions of relative political instability. To be sure, certain elementary preconditions are necessary, as for instance a commitment to economic development on the part of the political elite, within as well as outside the government of the day. Also required is an openness towards private economic enterprise. But beyond this, the insistence on political stability as prior condition for economic development and for international support of economic development is both unrealistic and self-defeating. And it is even more important to understand the basic creative drives that underlie the complex situations in the new nations and to relate to them.

Within this framework we will then be able to understand that the problems these countries face and the developments they go through are inherent in their condition of underdevelopedness, and that their efforts at building political and social institutions that can effectively cope with the problems of poverty and backwardness are rooted in the underlying search for a new meaning of life.

In this first lecture I have deliberately avoided speaking about the concrete political problems that the Southeast Asian nations face, the threats to their security, or the impact of external forces on them. These aspects I intend to discuss with you in my second lecture. My purpose in doing so has been to first bring out as clearly as is possible within this brief compass some of the basic problems with which we are wrestling some of the motivating forces inherent in the region that, over and beyond the short term vagaries of international politics, constitute the region's essential dynamic thrust.

Hopefully this has also made clear the importance of the continuation of the United States' role in Southeast Asia in supporting the developmental impulses that exist in the region. It may have a crucial bearing on the way in which we will solve our problems and the manner in which consolidation will take place. In the further development of the relationship between the United States and Southeast Asia it is not only the statesmen and politicians, but the intellectuals and businessmen as well who will have to play an active role.

Inevitably this problem is bound up with the process of re-examination of basic values and purposes of American society and the re-ordering of its national priorities through which the United States is going at this juncture of its history. The developing nations of Southeast Asia can only hope that the American people, throughout their own process of transition and re-definition of their identity as a nation, will remain true to their traditional universalistic vision of mankind that has been the source of their strength, their generosity and their world leadership.

SOUTHEAST ASIA IN WORLD POLITICS

Having given you in my previous lecture, with very rough brush strokes, a picture of the history and of the motivational forces that account for much of Southeast Asia's problems and internal dynamics, let us now turn to the international realities of the situation and try to make some projections about the future. For the political animal that is man, it is the vision of the future that guides his actions in the present.

I must warn you, though, that I have left my crystal ball at my Embassy in Washington, D.C. Do not, therefore, expect any predictions from me. What is possible, however, is to identify the elements that will in all probability go into making up the constellation of forces in the post-Vietnam period.

From the outset, it is important for the clarity of our vision to free ourselves from the obsession that all of us inevitably have with the Vietnam war and the manner of its resolution. After all, the fture of the Southeast Asian region will not be determined solely by the outcome of that war. Firstly, the population of Vietnam, or even of the whole of erstwhile Indochina together, constitutes less than one-third of the total population of Southeast Asia. On the other hand, Indonesia's population alone accounts for almost half of that total. In keeping the Vietnam war in its proper proportions, it is important to realize that if Indonesia had become a communist country, any military gains in the Vietnam war would have been nullified.

The other point that should be made here concerns the so-called "domino theory." One pertinent aspect which I have tried to bring out in my previous lecture is the largely autochthonous origin of the problems that underlie the political instability in the area. I tried not only to show the magnitude of these problems, but also to convey the long period of time that will be needed to develop the stable political structure capable of coping effectively with the requirements of national integration and economic development simultaneously. What I have tried to say was largely a plea to see and to accept that many of the problems of Southeast Asia are problems in their own right. Whether a country starts off from a liberal-democratic, a traditional, a militaristic, or a communist base, the pressure of its historical problems is bound in due course to give the political structures that emerge a complexion very much their own. This holds especially true, inasmuch as the communist tide that at one time threatened to engulf the third world seems to have largely dissipated its expansive force. It is, therefore, not the political color of a regime that counts in the end, but its capacity for nation-building and development. More important than the question whether a country will turn towards communism—however important that may be to the country concerned—is the question whether in doing so it will become a satellite of outside forces or not. For underlying my whole argument is the conviction that in the present world situation no outside power can for long force any Southeast Asian country to do its bidding. The Southeast Asian nations do not constitute lifeless entities that automatically fall one way or the other, depending on which way their neighbor falls. History does not operate that way. What matters is the will, the political will, the determination of a nation to preserve its own identity. Out of our own national experience, we in Indonesia more than ever believe that this is the crucial element in the equation. Without such a will and determination, the infusion of external power will fail to make much difference. The domino theory, therefore, is to us rather a gross over-simplification of the nature of the historical processes that go in the area. It obscures and distorts rather than illuminates our understanding and offers no guide-lines for realistic policy.

Having thus cleared the obstructions from our angle of vision on the future, one observation inescapably emerges: the *multipolarity* of the new constellation of forces in the post-Vietnam era. The actual configuration of forces is inevitably still unclear at this point, for very much will depend on some fundamental decisions which, before too long, have to be made in Moscow, in Tokyo, in Peking, as well as in Washington, D.C.

One new element in this constellation of forces is going to be the continued presence of Soviet power in Southeast Asia. One of the ironic features of the Vietnam war is that, more than anything else, it has helped to solidify the Soviet Union's direct interest in the region. It seems quite unlikely that the end of the Vietnam war will see a reduction of this presence.

The level as well as the direction of Soviet interest in the area will in the first place be determined by the question whether the world is going to move towards an East-West *detente* or towards an intensification of the cold war. Much will depend also on the balance the Soviet Union will manage to strike between her responsibilities as the other super-power and her need to retain the ideological leadership of the communist movement in the world in the face of Chinese competition. Thirdly, it will be influenced by the development of Soviet interests in the Indian Ocean basin, and finally, by the manner in which both China and the United States will react to her presence in the Southeast Asian region.

The second element in our equation is Japan. Because of her tremendous industrial growth, her need for raw materials from the Southeast Asian area, her investments in resource development, and her support of Southeast Asia's developmental programs, Japan at present is already deeply involved in the affairs of the region.

Having reached the stage of now being the third industrial power of the world, she is becoming increasingly conscious of her accomplishments and potentialities and of the need accordingly to redefine her national purposes and the place and role she ought to assume in the present international order.

Specifically with regard to Southeast Asia, or more broadly, the Western Pacific region, Japan is approaching the point where she has to make a fundamental choice, affecting her own future security policies as well as the security of the area as a whole. The options available to her in this respect appear to run between two basic courses: either continue to emphasize and enlarge the predominantly economic role she is playing now, or assume a direct political and military role.

The first course offers her the convenience of not having to carry the full load of expanded defense expenditures. At the same time it provides her with the opportunity to enlarge her contribution to the development efforts of the Southeast Asian region, thus speeding up the region's own security capability. But its weakness is that it will place

her in a position of continued dependence in security matters on the United States. How long this course could be maintained, in the face of the growing assertiveness of Japan's newly-found national pride and self-respect, however, remains to be seen.

On the other hand, if Japan decides to assume a military role, the mere existence of China's nuclear capability will make it impossible for her not to go nuclear as well. This in turn will compel her to move out from under the American defense system and to assume a political and defense posture of her own. Japan's implicit desire not to tangle with Communist China and simple calculations of warranted risks as against national interest, will in all likelihood propel her in this direction.

One sometimes has the impression that those in the United States who are eager to see Japan shoulder part of the military burden in the Pacific do not all fully realize the far-reaching implications of such a proposition. While it is possible to argue that Japan's assumption of an enlarged military role many conceivably add to the security of the region as a whole, this may very well mean a reduction of United States control. The manner in which this dilemma between security and control will be resolved in the coming years will have an important bearing on the constellation of forces that will constitute the environment in which Southeast Asia will have to find its place.

It should be said, that in Japan itself at the moment there is still strong psychological resistance against such a military role. Still, when the time comes to make the decision, it may very well be psychological factors, more than anything else, that will tip the scale.

To an important degree, these factors relate to some specific aspects of Japanese-American relations. Of these, the Okinawa question and the impending review of the U.S.-Japan Security Treaty in general, appear to present themselves as the first crucial tests of the direction in which things will move.

Moreover, as Japan's life depends on her trade and her access to markets in developed countries, a development towards protectionism in the United States would inevitably affect the manner in which Japan will position herself in relation to the countries of the Western Pacific, including the Asian part of the Soviet Union, mainland China as well as Southeast Asia. An abandonment on the part of the United States of its vision of the world as a single economic unit by withdrawing into a protectionist isolationism, will clearly open the door towards the development all over the world of closed systems of economic spheres of influence. I think it would be folly to minimize the fear that within these spheres, the price for progress that the underdeveloped nations would have to pay might well be the acceptance of a neo-colonial relationship.

The configuration of forces of which I am speaking will further be influenced by China's stance and where she moves once the Vietnam war is over. The crucial question that will soon come up before her is whether she should persist in a hostile isolation or break out of it. The prospect of a global understanding between the United States and the Soviet Union and the consolidation of a new balance of power in the Southeast Asian and Western Pacific region may make it advisable for China to break out of her isolation. As to whether, within the context of her own domestic balance of forces, China will have the capacity to do so, is of course a different matter. Here again, the manner in which the United States conducts its search into the possibilities of a Chinese rapprochement will to a large extent condition China's initiatives and reactions in the years to come.

Two more elements, I think, should be briefly mentioned to complete the picture at this stage. First, Australia's decisions regarding her defense strategy and her relationship to Southeast Asia; the choice she has to make between concepts of forward defense or a "fortress Australia" posture, and her defense relations with the United States. Secondly, the development of strategic significance in and around the Indian Ocean, to which I have referred earlier.

It appears possible then at this juncture to draw a few tentative conclusions.

First and foremost, one is struck by the tremendous extent of interaction and the far-reaching implications of the decisions that will have to be taken by the countries I have just mentioned. It is obvious also how greatly the manner of this inter-action is going to affect the scope within which the nations of Southeast Asia themselves will have to work out their own destiny. Thus, for example, political decisions taken by the United States in the context of her global policies vis-a-vis the Soviet Union, Japan and others, as well as her economic decisions related to her balance of payments difficulties will inescapably affect the Southeast Asian environment.

The second conclusion that logically presents itself is that as long as Southeast Asia is unable to fill the power vacuum left in the wake of decolonization by its own indigenous strength, or in other words, without a Southeast Asian indigenous component, the constellation of forces in the Western Pacific will remain unstable.

Lastly, it appears valid to assume that it is against the interest of Southeast Asia to see any single force within this constallation emerge in a position of paramount power. If my reading of American history is correct, this conforms also to the traditional position the United States has taken in the past with regard to her interests in the Pacific.

This brings us to the question of the relationship between Southeast Asian security and the re-definition of the American defense posture after Vietnam. The importance of the power umbrella provided by the nuclear guarantee and naval presence of the United States is beyond question and needs no elaboration. It seems to me, that in further defining the American military role in Southeast Asia, the new logistical deployment capabilities which have been developed could be an important element in giving greater flexibility to the United States defense strategy. But beyond this, I would imagine that it will also very much depend on the way in which the Southeast Asian nations themselves see their security problem, and on their readiness to assume responsibility in meeting that problem.

Let us, therefore, first have a look at the nature of the threat to the security of the Southeast Asian area. Provided that the present stability of mutual nuclear deterrence remains, I think it is realistic to assume that the danger of massive open military aggression against this region is very small. China's capacity to project its military strength outside its boundaries is for a long time going to be quite limited. While her growing nuclear capability undoubtedly will give her some diplomatic and political leverage, the rationale for a nuclear threat or for nuclear blackmail against any of the Southeast Asian countries seems rather distant, if not absent. The threat to the security of Southeast Asia, therefore, lies not in China's military capacity, but rather in the fact that China constitutes a political and ideological high-pressure area, that is bound to exert an influence on the shape and direction of political discontent within the Southeast Asian countries. The primary threat, therefore, is one of internal subversion and insurgency.

It is not primarily a nation's military capability that will determine its capacity to overcome these threats to internal security, but rather the cohesion of its political system, the viability and the effectiveness of its government in dealing with the problems of poverty, social inequalities and injustices, in bringing about economic development and in continually expanding its base for popular participation. Here again it is not only factors of economic growth, but beyond that the elements of will and determination that are decisive, as well as the people's loyalty to the government and faith in its purposes. As Indonesian Foreign Minister Adam Malik once remarked: "In dealing with the defense against insurgency it does not suffice for the people to make verbal expressions of loyalty. It requires a government for whom they are willing to die."

In this light, therefore, military alliances will add little if anything to a nation's capacity to cope with the problems of insurgency. One might even say that at this stage of political formation and consolidation through which Southeast Asian nations are going, the infusion of external military power runs the risk of becoming a destabilizing factor, leading to a false polarization of forces in the country or giving its leaders a false sense of security and a corresponding unwillingness to engage in necessary political and social reform.

Recently, President Soeharto of Indonesia reiterated this viewpoint in unambiguous terms. When asked by the press how he viewed probable developments in Southeast Asia after an end to the Vietnam war, he said: "I do realize that the general situation in the area after Vietnam will give the communists a bigger scope for infiltration and subversion in the countries of the region. The main threat, however, will not derive from communist military strength but rather finds its source in ideological fanaticism. This threat should not be met by military pacts or military power, but by strengthening these countries' national will and capacity to resist, through international and regional cooperation in the fields of economic development, culture and ideology. The strengthened will and capacity to resist in the countries of the region will form the strongest defense against this infiltration and subversion."

It is important, therefore, to see ASEAN, the Association of Southeast Asian Nations, not as a prelude to a military alliance, but very definitely as an attempt to speed up the economic development and political viability of the region as a whole, as well as that of the individual member countries. ASEAN is an expression of the will and determination that exist among its member nations to shape their own future and to work out their problems of stability and economic development in freedom.

We of course realize that to transform potential into reality, much more is needed than pious intentions. Even at this moment, unresolved tension and conflict among ourselves, such as manifested by the dispute over Sabah, threaten to disrupt the fragile structure of our preliminary efforts. But if we understand the nature and basic causes of instability in the region, then we will understand that problems like these will continue to crop up, as the unavoidable agonies in a process of growth.

It does, however, point to the need for Southeast Asia's leaders to bring up the kind of statesmanship capable of preventing the deterioration of this conflict into a state of self-destructive armed hostilities. It also reveals the necessity for ASEAN to develop as quickly as possible the organizational machinery for peaceful conflict-solution in the area. As for Indonesia, we remain confident that within the context and in the true spirit of ASEAN, the current tensions over Sabah can and will be overcome in due course.

It should be noted that ASEAN, in its present composition of Thailand, the Philippines, Malaysia, Singapore and Indonesia, was from its inception only seen as a beginning. I do not think that its members have relinquished the hope that eventually ASEAN will include all other nations in Southeast Asia. The possibility of a neutralized Indochina emerging from a peaceful settlement of the Vietnam war would open new possibilities along these lines.

Let me now recapitulate very briefly the major internal requirements that will have to be met if Southeast Asian regional cooperation is to become a reality. *First*, there should be a continuing top-priority commitment to economic development on the part of the political leadership in each of these countries. *Secondly*, these countries should be able to develop a mechanism for regional conflict resolution which would obviate the need or compulsion to arm against each other and to seek solutions by force of arms. *Thirdly*, plan harmonization; though given the strength of narrow nationalist feelings, this will take some time, they must gradually develop the willingness to agree on the most suitable location of certain industries in terms of their overall regional impact. This means a willingness to sacrifice short-term national interests. *Fourthly*, increased intra-regional trade, common endeavors in the field of price stabilization of primary commodities, joint marketing operations and eventually, after all the countries of the area have developed a sufficient manufacturing capability, a regional common market. This may still take a very long time, but it is the direction in which we have to move. *Fifthly*, effective population control.

The nations of Southeast Asia must be able to develop these capabilities if regional cooperation is to mean anything in the immediate foreseeable future. Above all, there is an urgent need for clarity of vision as to the community of destiny in which their future is bound up; the realization that there is no future for each of them, unless they jointly work together to secure their common future.

The awareness of the historic opportunity that has opened, and the will to move in that direction, should inspire not only the statesmen of Southeast Asia, but its intellectuals, scientists and businessmen as well. These are the internal requirements.

There are, of course, certain external requirements, the most important of which is the continued willingness of countries like the United States, Japan, Australia, Europe, and hopefully the Soviet Union and the Eastern European countries in continuing foreign assistance at adequate levels to the countries in this region.

The recent announcement by the Japanese Government of its intention to allocate aid at substantially higher levels was therefore welcome news indeed. In a way it further emphasizes the crucial importance for us in Southeast Asia of the decision that the United States will have to make regarding the level of her aid program in coming years as well as the new concepts underlying it. More than anything else the United States could do in relation to Southeast Asia, the continuance at adequate levels of her aid program would significantly bolster political morale, accelerate the indigenous capacity for development, and commensurately the indigenous capacity of these nations to deal with their own security problems. Without it the U.S. military role in the security of the Southeast Asian area would become politically meaningless.

One other aspect should be mentioned here. One of the side effects of the Vietnam war has been an annual outflow in recent years of close to two billion dollars from the United States to East Asia for expenditures that were related to the war. Many of the countries in this area have benefitted considerably from this transfer of resources. I think that Indonesia may be the only country which did not derive any benefits from this. It would be a sad commentary indeed on the quality of the present international order if peace in Vietnam, for which we are still hoping, would also come to mean the cessation of a transfer of resources of this order of magnitude, which would give rise to a serious depression in this general area. It would seem to me that economic cooperation of a stable and mutually beneficial nature would require the development of a capacity for the continuation of the transfer of such resources *without* war.

The search for new and more effective concepts of aid is, of course, a legitimate and needed endeavor. The increasing attention that is being paid to multilateral aid, whether through international organizations like the United Nations, the World Bank, IDA, ADB, or through formal or informal arrangements between a number of countries, is an important development in this connection. It makes possible better coordination, more objective assessments of requirements, a more integrated development strategy by the receiving country, at a lower political cost. The multilateral emphasis tends to reduce the fear of undue influence or political domination by a single donor nation. It also reduces the possibility of bilateral aid programs being too closely tied to specific private investment projects from the donor nation concerned, which would give rise to fears of the development of eocnomic neo-colonialist enclaves in the receiving country.

As an interesting side effect of this new emphasis it should be noted that it has at the same time made it possible for bilateral aid to operate more effectively and at a lower political cost as well, for both the donor and the receiver nation.

A review of aid strategies for development in Southeast Asia could not ignore the importance of price stabilization for primary commodities. This, as well as putting a stop to the worsening terms of trade for these primary products, would significantly reduce the need for much higher levels of aid input. It would have additional beneficial effects as well. Very little really has been achieved in the way of increasing trade rather than aid, and the failures of both the UNCTAD I and UNCTAD II conferences is a matter of great concern to most of the countries in Southwest Asia.

The failure of these conferences, like the failure of the UN Development Decade to reach its targets, has made it obvious that unless there are fundamental changes in the state of the world, in its present divisions, its preoccupations, and its levels of tension and conflict, there is little hope for a major redirection of world resources to effectively cope with the problem of international poverty. Still, international stability and security at the subnuclear level will largely depend on this. At the same time it is only one of the problems that mankind is facing today.

For too long already has the fear engendered by the cold war, and the corresponding flight for security into a blind reliance on military hardware, made it impossible for many nations, rich as well as poor, adequately to respond to new and pressing needs resulting from major social and cultural changes, in their own societies as well as in the world at large. For too long has man been locked into frozen postures, attitudes and concepts that made sense in the fifties, but are inadequate to our understanding of the problems that have emerged in the meantime.

It has been the unrest of youth that has now made us realize that for the continuation of civilized life on this globe the mere avoidance of nuclear extinction is not enough, and that it will be necessary to come to grips with problems like the depersonalizing effects of modern life and its institutions, the destruction of human ecology, the problem of race, the problems of the cities, the population explosion, and domestic and international poverty. These are the problems that will really determine the shape and the quality of life in the decades ushering in the twenty-first century—if we ever make it.

The reorientation of our thinking,. the development of new and more appropriate concepts, and especially concepts of security that allow for social change, imply a reordering of our priorities and a redirection of our resources; to do these things however, is only possible at a lower level of international tension.

The attainment of strategic parity between the U.S. and the U.S.S.R. provides a new, unique—and maybe the last—opportunity mankind has to make the effort at developing a new world order that is more responsive to the new and crying needs of man, poor as well as rich; a world order, more morally satisfying, based not only on power and the calculus of power, but also on trust and compassion, motivated by a clearer and stronger universal vision of man, of human solidarity and a sense of international social justice.

Southeast Asia's future is certainly bound up with the success of this endeavor.

RENEWING OUR FAITH

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. DINGELL. Mr. Speaker, on July 4, 1969, Dr. Lee A. DuBridge, the distinguished and able science adviser to the President of the United States, made a powerful and moving speech to a large audience at Greenfield Village in Dearborn, Mich., at the celebration by that great museum of the founding of this Nation.

Because of the outstanding character and ability of Dr. DuBridge, and the very appropriate nature of his remarks, I am proud to insert this excellent speech in the RECORD:

RENEWING OUR FAITH

(Address by Dr. Lee A. DuBridge, science adviser to the President, at Greenfield Village, Detroit, Mich., July 4, 1969)

I regard it as a great privilege to be able to participate in this glorious 4th of July celebration. It is inspiring indeed to see so many people here to commemorate the founding of our nation, to pay tribute to those far sighted men and women who risked their lives and fortunes to make this country free and to reassert our faith in the ideals of freedom and justice and hope on which our nation was founded, and toward which we have striven for almost two hundred years.

We are here today because we are patriotic, because we love our country and believe in it. We believe in its present—we believe in its future. We have already pledged allegiance to the symbol of our nation and we reassert our faith in the theme of this occasion "Let Freedom Ring".

It is inspiring also to know that in addition to the many people gathered here today, there are similar gatherings throughout the country where in thousands upon thousands, hopefully millions, of our fellow citizens, are setting aside their time on this date to renew with us our pledge of allegiance to a great and free nation.

And yet, I must sadly remind you that there are other millions of people, especially young people, who will refuse to join with us in our pledge of allegiance, who would even denounce our assertions of faith and loyalty, who have indeed lost all faith in our nation's ideals, in its government, in the very foundations of our society.

I feel sorry for those people. It is a tragic thing to lose faith—whether it be faith in God, faith in our country, faith in our fellow men, and specially faith in ourselves. For without faith there is no hope and life itself loses its meaning.

Now we all recognize some of the reasons why young people have lost this faith. We cannot claim that our society or our nation is perfect. We cannot claim that we have achieved the ideals which we often proclaim. We cannot assert that we, as a nation, have done all we could do to insure freedom and justice to all our people, to assure opportunity for every person to live a decent and a fruitful life. We have fallen short of our ideals. But can anyone name a nation that has done better?

We know too that these are dangerous times. We know of nations in the world that are not friendly to our democratic ideals, who do not believe in the kind of free society which we have built on this continent and who would gladly, if they could, or if they thought they could, undermine and even destroy the civilization which we have built. We are vastly distressed and frustrated by this situation. We all dislike the nuclear arms race. We would all like to see an end to the tragic loss of many American lives in a far distant place. We would like to see an end to all wars and threats of wars. We would like, in other words, to see the time soon arrive when we could live in peace, tranquillity, friendship with all peoples.

That time has not arrived and many of our fellow citizens are so angry with the nature of the world in which they live that they want to withdraw from it, to denounce it, possibly even to undermine and destroy the institutions which they find nearest at hand on which to vent their anger—their schools, their colleges, their universities and their government.

We do not cure the ills of our society by destroying it or even losing faith in it. We do not cure the ills of all the world by weakening a great nation which strives for freedom and justice and peace. Our nation has faced grave dangers before and it has surmounted them. We can surmount them again, if we loyally and energetically unite to seek out our dangers and our defects and remedy them one by one.

The troubles of recent years, at home and abroad, have emphasized and sometimes exaggerated the things which make us unhappy. Let us see what we can do about them and let us look at what we are doing.

First let us look at our colleges and universities which have been under attack and under severe strain. Our system of higher education has been denounced from within and berated from without. But is our system all that bad? I think a case can be laid for the thesis that in this country our system of higher education is the victim of its own success. If our system were not such a success, why would so many millions of students flock to our colleges and universities? There were seven million enrolled during the year just ended. Some 50% of our high school graduates now seek to enter a college or university. To them and their parents higher education surely must seem to be a pathway to a better life.

Within my own lifetime there has been a vast change. A college education was once a privilege reserved for the very few. In the early years of this century only 5% of our young people ever thought about going to college or even believed that it had great value. It was all right for those who wanted to be doctors or lawyers or engineers, but it was hardly a prerequisite for life in business, agriculture or the service trades. But year by year Americans began to realize that a college education really prepared young people for a better life. Also the nature of our society was changing and there was more and more demand for educated men and women. A large number of educated citizens became a necessity for our business, agricultural, industrial, educational and governmental systems. So our colleges grew—and indeed grew much too rapidly for their own good. Hence they became short of money, short of building space, short of good teachers, short of adequate libraries and laboratory equipment.

And yet students continued to flock to our colleges and universities and after graduation went out into successful careers. The colleges saw no need to change their ways of doing things. They were doing fine. The professors and administrators were so busy with their daily chores that they had no time to ask the question of whether the rapid changes in the world around them required changes in the academic policies of the institutions themselves. They were so devoted to the ideal of providing educational opportunities to a larger and larger fraction of our young people that they did not give adequate attention to the question of whether the kind of education they were providing these young people was adequately fitted to the world into which they would be going.

Today, however, our colleges and universities are no longer complacent. Though in certain institutions violent uprisings have left wounds that will take a long time to heal, in many other universities a peaceful self-examination is going rapidly forward. Curricular policies are being revised, administrative structures altered, relations between students, faculty and administration are undergoing healthy changes. A spirit of unity is being revived and new approaches to problems of higher education are being invented.

I cannot claim that all of our problems in higher education will be quickly solved or that our colleges and universities will overnight become new centers of excellence in a changing world. But there is reason for faith, there is reason for hope, there is reason for greater and more concerted effort. Our universities have been in the past great fountainheads of freedom, of learning, of understanding, of innovation and progress. They can be, and I am confident they will be, even greater assets to our society in the years to come. But not without more perceptive public understanding, patience and support.

Let us turn to another major institution of the American society, our Federal government. In our democratic system the Federal government is not supposed to do everything, in spite of what some people seem to believe. But it can and must do some things and let us inquire as to some of the things that are now going on which give hope for the future.

First, of course, we all know that President Nixon is making an energetic attempt to bring to an end the American involvement in Vietnam. This is not an easy task, even though there are plenty of people who think they know easy solutions. But the determination to find the right way out is there and days and nights of determined effort are being directed to this task. We need no longer be hopeless nor lose faith.

The Federal government is aware of the grave dangers and potential disasters in the nuclear arms race. The President and the National Security Council and a large number of people in many departments of government with the help of many private citizens are working long and earnestly trying to develop proposals to make to the Soviet Union to bring this race under control. There is a real expectation that next month will see the beginning of serious talks with representatives of the Soviet Union and serious proposals will be presented by the United States for practical first steps in de-escalating this fruitless and costly enterprise. I personally believe there is hope that the Soviet Union is anxious to end this race too, and while we should not expect sudden miracles, there is reason for faith and reason for hope.

Within our own country we face grave problems. Poverty and hunger and racial conflict still exist in this affluent land. Our cities are decaying and we are desperately seeking ways to stop the decay and make them better places to live. We continue to degrade our environment, polluting our air, our water and strewing waste products around our land.

But again these crises are now recognized. Mechanisms have been established within the government to provide Federal leadership and to provide Federal cooperation with states and cities to analyze their problems and take measures to solve them. The Urban Affairs Council and the Environment Quality Council, both under the active leadership of the President himself, are mobilizing the talents in our government to seek these solutions. Solutions will not be found overnight but the problems are now recognized and are no longer neglected. There is reason for faith, there is reason for hope.

But, as President Nixon has frequently said, while a nation must examine its own internal problems and give them energetic attention, it must, even in times of troubles, look outward, upward and forward. A nation must search for new knowledge, must search for enlightenment, must seek beauty and inspiration, must foster idealism and encourage great achievements. "We stand at a crossroad in our history" the President has said. "We shall reaffirm our destiny for greatness or we shall choose instead to withdraw into ourselves."

One week from next Wednesday three astronauts will take off from Cape Kennedy headed for the first manned landing on the moon. Four days later, we all hope, their spacecraft will rest on the moon and two human beings will step on the surface of the moon for the first time in all history. Hundreds of millions of people all over the earth will watch this event on their television screens, will hear about it on their radios, will read about it in their newspapers; and hundreds of millions of human beings will rejoice in a great new human adventure and a great human achievement. All over the world that night people will look at the moon with a new sense of awe and wonder, knowing that two human beings are there. And they will be inspired at the power of the human intellect and of the human spirit. And for a time, at least, the troubles of the world will be forgotten as the great potential of man is so visibly displayed.

On this point also President Nixon has expressed his views eloquently. "The journey of the astronauts is more than a technical achievement," he said. "It is a reaching out of the human spirit. It lifts our sights. It demonstrates that magnificent concepts can be made real. (It) inspires us and at the same time teaches us true humility."

For untold millions of years the human animal was chained to the surface of the earth. Sixty years ago he found a way of soaring into its atmosphere. Ten years ago he learned to break the chains of gravity and to soar out into space. This month the first man will set foot on another world. Later this month two spacecraft will reach Mars and send back new information about that Planet. Americans will have no reason to be ashamed of their nation on those days. Is it worth while? Is it worth while to lift the spirits of millions of human beings? If not, what else is worth while?

There are, of course, those who ask why, if we can land on the moon, we can't clean up our cities? Well, we can. Of course, we can. And we will. But I must emphasize the point which is often forgotten—namely that developing the technology of landing on the moon was relatively easy. The laws of nature which made it possible have been well known for a long time. The engineering skills required to put the spacecraft together were available and were brilliantly organized. Hundreds of thousands of Americans worked together to make this dream come true. They had faith and they had hope.

The problems of our cities and the other social problems which beset us are not all that easy. In this area human beings are not working together but are in conflict. We find that we do not yet know the cause of these troubles nor do we yet have the mechanisms for curing them. Hence we must study, we must experiment, we must try and we will often fail.

We have learned how to discover and use the laws of inanimate nature. We do not understand and thus cannot use the laws governing human nature. This challenge is still ahead. It will be a far more difficult task to understand the human mind and the human heart than it is to understand the physical universe. It is the easy problems that always can be solved first. The tougher ones still lie before us. But they constitute our great challenge.

And yet we are beginning to learn something about human behavior, about social behavior. We are developing some of the tools required to enable the human intellect to address itself more effectively to the problems of our society. We are a long way from their solution. But there is reason for faith; there is reason for hope.

If we were not a democratic society we might solve our problems more easily. An authoritarian state can order people who live in the cities to move back to the farms. It can force people to accept menial jobs whether they want to or not. It can fail to make enough automobiles to cause traffic congestion. It can fail to provide consumer goods for people to buy so all the productivity of the nation may be used for the purposes of the state. It can control the press so the people only learn of those things that the state wishes them to know about. A ruthless military machine can maintain law and order. A dictator can do many things, except the one all important thing. He cannot provide freedom to his people. He cannot adopt the motto "let freedom ring". He cannot grant freedom of religion or freedom to learn. He cannot allow faith. He cannot allow hope. He can only dictate. Is that what we want?

Free men, of course, face many problems. They face the problem of earning their freedom, of preserving it and making it worth while for themselves and all their fellow men.

But the power of the free human mind and of the unfettered human spirit is endless. It may face frustrations and tragedies, as has happened so often since man came to this earth. But these frustrations and tragedies only challenge men to greater efforts and higher achievements. Man never solved any of his problems overnight. To solve problems requires study, imagination, energy, devotion and sacrifice. Men have learned that before they can act effectively they must try to understand what they are doing and to invent effective methods of doing it. This often takes time and in this rapidly changing and very dangerous world, time is getting short. But panic will not solve the problems faster. It may only lead to fruitless actions which make the problems worse. We are often tempted to attack symptoms because we cannot find, do not understand, or do not know how to attack causes. We must frequently admit that we have failed and then seek to do better. And we shall learn from our failures.

Human beings, we must admit, are still ignorant. They are not as ignorant as they were a thousand years ago, or even ten years ago. They are slowly but surely learning how to learn. And even though learning seems to come sometimes with agonizing slowness, we still see that our capacity to learn is without visible limits.

Providing the opportunity and the encouragement for learning is one of the great achievements and great assets of a free society. We encourage and support our schools and colleges. (And let us not fail to do this!) We support science and new technology—because we know that the discovery and application of knowledge has been our mainstay of past progress and is a major hope for the future. We encourage research in social science, economics, political science and urban problems—because we are not chained to a fixed ideology which is inflexible and unadaptable to new insights and new understanding. We encourage the humanities and the fine arts because they can elevate the human spirit, and because free human beings have always yearned to do something more than just satisfying their daily physical needs. "Man achieves his own greatness," President Nixon said, "by reaching out beyond himself. And so it is with nations."

Our nation is at a time of testing, a time of challenge. And in a time of testing we must not abandon but must renew our faith; not abandon but renew our hope; not abandon but renew our determination, renew our energies, reaffirm our unity, rededicate ourselves to our highest ideals.

ROSES, RIVERS, AND ELEPHANTS

HON. EDITH GREEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mrs. GREEN of Oregon. Mr. Speaker, recently Ford Times magazine carried a delightful story by Oregon freelance writer Ellis Lucia about Portland, Oreg., the elephant capital of the United States and pride of the Oregon country.

Mr. Lucia, well known on the west coast for his tales of the Oregon country and its inhabitants, is also the author of an exciting account of the great 1962 windstorm and a popular book full of advice and admonitions to visitors to our State entitled "Don't Call It Or-e-gawn."

The Ford Times article contains many interesting and relatively unknown bits of Portland history which I would like to share with my colleagues.

ROSES, RIVERS AND ELEPHANTS

(By Ellis Lucia)

About seven years ago, the eyes of the world of zoos were turned on Portland, Oregon, because of a blessed event: Belle, the great gray lady of the Portland Zoo, was elephanticipating.

News media in the City of Roses issued daily bulletins on Belle's condition. Stores featured pachyderm toys, books and pictures. School children drew elephants in their art classes. Portland had completely flipped over an elephant.

There was good reason. Since the first elephant landed in this country in 1796, only six had been born here, and four did not survive. There had been no birth in nearly half a century. No one was sure what would happen—nor when. Facts were very sketchy about elephant births, occurring as they usually did in the privacy of remote jungles.

At long last, on April 14, 1962, the youngster arrived and was gently nudged to his feet by his apparently amazed mother. Packy was popeyed, very hairy and 41 inches long.

He also sported an oversized schnozzle over which he constantly tripped. Next day, when zoo attendants managed to weigh him, Packy checked in at 225 pounds. He soon became a celebrity throughout the land.

Since then, the City of Roses has also gained a reputation as the City of Elephants. Six more calves have been born since Packy, who now weighs over two tons. More are believed on the way. Portland has become a world center for the scientific study of elephants and their breeding habits.

Other zoos hopefully ship their female pachyderms to Portland for mating with Thonglaw, a swaggering young 12,000-pound bull. Until Packy was born, Thonglaw was the only bull in captivity that could be handled. But when he strangely showed only scant interest in one pair of visiting females, it was discovered that, after dark, ladies of his harem were jealously bumping the newcomers into the moat.

The zoological gardens in the city's West Hills are one of Portland's most popular attractions—part of a major educational-recreational development of the past two decades. The zoo's inhabitants range from South Pole emperor penguins to giant Russian bears, obtained in a secret trade for Oregon beaver at the Brussels Fair. The area also contains a rapidly growing Oregon Museum of Science and Industry. A new Forestry Building is to be built nearby, replacing the giant log cabin of the 1905 Lewis and Clark World's Fair which burned to the ground a few years ago.

PORTLAND'S GREEN BELT

The West Hills of tall timber, large parks and magnificent old homes with beautiful gardens provide a green belt setting visible throughout the city. Council Crest, where Indian tribes once gathered, affords a sweeping view of Oregon's largest metropolis, the broad rivers and the snowy peaks. The 140-acre Hoyt Arboretum contains 500 trees.

Included too are the international rose test gardens and the new Japanese Gardens of Washington Park, one of the largest and oldest of Portland's 125 parks and playgrounds. There's a bird refuge, the municipally-owned Pittock mansion for public viewing, and 3,535-acre Forest Park with its deep-woods trails, the largest wilderness area inside any American city, a spectrum of color in the fall.

The Portland Zoo Railroad maintains half a dozen narrow-gauge trains. Built by local hobbyists, the railroad is adult-sized, radio-controlled. The trains twist, turn and snake through the woods, overlooking awesome ravines. They are of various vintages, ranging from 19th century to modern streamliner. Most popular, however, is a diamond stack live steam locomotive, styled like its forebears of the 1880s, which puffs up steep grades as did Oregon logging trains of yesteryear.

Portland's interest in all kinds of railroads is long-lived. Railroads and river boats actually built the community, as many historical markers attest. Today it is one of a few cities served by five major lines.

It came close to not being a city at all, though. Many pioneers were unimpressed with the site, and favored instead Oregon City, 13 miles up the Willamette River.

"BLUE RUIN" ARRIVES

However, in 1842,, a buckskinned trapper, Bill Johnson, built a log cabin a few miles from where the Willamette joins the mighty Columbia. Johnson started brewing a con-

coction called "Blue Ruin" and his place became mighty popular until the Provisional Government closed him down in Oregon's first vice rail.

But "Blue Ruin" indirectly attracted attention to the thickly timbered area. Eventually two New Englanders staked out a village that went nameless because each partner favored his home town (one was Boston, Massachusetts, and the other was Portland, Maine). The flip of an 1835 copper cent settled the matter. Even so, originally folks called it "Stump Town" because of the rooted tree butts everywhere. Settlers splashed them with whitewash for after-dark visibility.

The city's name troubles were not to end quickly. A century later, local author Stewart Holbrook suggested it be changed to Multnomah or to Willamette to avoid mail confusion. The resulting cries of anguish shook Mount Hood, 60 miles away.

Portland life is keyed to its rivers, for this is a major west coast seaport. An average of 1,700 ships annually, one every five hours and flying the world's flags, ply the 125 miles up the Columbia to Portland's harbor. Lumber, wood chips, grain, livestock, agricultural and manufactured goods arrive by river barge, truck and rail from the vast inland Pacific Northwest. An enticing Import Plaza displays the goods of the world. Local drydocks are a major repair station for private vessels and even those of the U.S. Navy.

Colorful sternwheelers once plied these waterways. Only one is left, used for maneuvering big ships past the city's many gaily-colored bridges. The *Portland* puts on quite a show with her great thrashing paddlewheel. She is best watched from aboard the *River Queen*, the former San Francisco ferryboat, that is now a swank waterfront restaurant.

In lumbering's heyday, the old North End loggers and mariners found the docks as wild and dangerous as San Francisco's famed Barbary Coast. Many a celebrating lumberjack wound up on the high seas. Often he had been the shanghaied guest of Bunco Kelly, who got $50 a head for these unwilling crew members. It is told he once smuggled a cigar store Indian aboard an outbound ship to filll the desired quota.

The air of robust color and romance of the 1800s is retained by Harvey Dick's Hoyt Hotel and its Barbary Coast restaurant-nightery, an entire block surrounded by gas lights. Everything there is genuine—an amazing collection from bullet-scarred mahogany bars and a tinny rinky-tink player piano to crystal chandeliers, gold-framed paintings, statuary and plush trappings of the early days when Klondike Kate was a familiar figure on Portland's streets.

CITY'S FACE HAS CHANGED

Portlanders respect their heritage but never let it hold them back. Thirsty pedestrians may quaff the water from bubbling brass fountains, the long-ago gift of a wealthy lumberman who hoped his loggers might decide to patronize them instead of the saloons. But freeways, high rise apartments, a new coliseum and remodeled auditorium have changed the face of the city and—along with top grade eateries—make it a lively and exciting convention town.

Sprawling Lloyd Center best exemplifies the new and modern Portland. Built on land of stagecoach mogul Ben Holladay that long lay idle, it's really a city within a city. There are 120 acres of cool malls, flowered walkways, over 100 shops, hotels, motels, apartments, offices, an auditorium, parking space for 8,000 cars and an ice rink larger than that of Rockefeller Center. Lloyd Center, with its gay atmosphere even on rainy days, is a setting for everything from political rallies to top entertainers, from strolling minstrels to balloon races.

IN SPRING . . . ROSES

Everything in Portland reaches a feverish pitch in late spring when lawns and parks of the tree-lined residential streets are festooned with bright azaleas, rhododendrons and roses. Portland was paying homage to the rose long before there were hippies. No one dares reside here long without at least one rose bush. They even grow in parking lots. Business men wear roses in their lapels. Police display the rose on their patrol cars. The public transit system is called "Rosy"; so is the zoo's first elephant. And the international test gardens of 900 varieties and 14,000 bushes are a sight to behold during Rose Festival time in June.

Even the elephants enjoy the roses. Presented a bouquet for his birthday, Packy will eat the blooms right along with the peanuts.

DESALTING PLANT IN ISRAEL

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. ROSENTHAL. Mr. Speaker, today I offered a statement to the Foreign Affairs Committee in support of an amendment to the Foreign Assistance Act which provides for a U.S.-Israel partnership in the construction, operation, and maintenance of a prototype desalting plant in Israel. Congressman Frelinghuysen has cosponsored this amendment with me.

The United States would greatly benefit from the desalting technology derived from the operation of this plant, for there are many areas in this country which suffer from a lack of water. The same technology could be applied for agricultural purposes to help feed hungry people throughout the world.

The fact is that for years the United States has been committed to advancing desalting processes as a way of solving our own water problem. In working with Israel on this venture, the United States would be engaging a partner with the experience, the environmental conditions, the trained personnel, and the commitment to participate in a large-scale experiment that could offer a valuable contribution to mankind.

My statement, and a related editorial by C. L. Sulzberger which appeared in the New York Times on July 27, 1969, follow:

STATEMENT OF REPRESENTATIVE BENJAMIN S. ROSENTHAL OF NEW YORK, BEFORE THE HOUSE COMMITTEE ON FOREIGN AFFAIRS, JULY 29, 1969.

Mr Chairman: I appreciate this opportunity to testify in support of United States assistance for the cooperative construction of a dual-purpose desalting and power plant in Israel.

I personally believe that the proposed amendment to the Foreign Assistance Act, sponsored by Representative Frelinghuysen and myself, would give us a unique opportunity to attack a problem of alarming dimensions. Staggering water shortages offer a challenge that few countries are willing to confront. But pressing water needs throughout the world can no longer be ignored.

Israel is the only country with the commitment and technical capability to effect a breakthrough in converting usable salt water into fresh water. By assisting Israel in the construction of a prototype desalting plant we can develop a process which will insure the survival and growth of vast regions and whole countries which today face aridity and economic desolation from lack of water. This project represents, therefore, a real contribution to peace in the Middle East and the world.

It would be difficult to exaggerate the world-wide need to immediately develop new sources of fresh water. In some sections of the United States, water shortages already threaten to turn flourishing communities into insignificant back lands. The Commission on Marine Science, Engineering and Resources reported to the President in January of this year, "As increasing numbers of people move to the Pacific Coast, the problem of providing additional increments of water will become acute".

Our country faces a rapidly growing population, an expanding percentage of which will live in arid and semiarid lands. Progressive industralization, a rising standard of living, and the further development of irrigation agriculture has made the availability of water a matter of grave concern.

Currently, the United States is using fresh water at the rate of approximately 360 billion gallons a day—almost three times the rate of 30 years ago. In 20 years, our requirements are expected to triple. Indeed, as I speak here, the water use in the United States increases at the rate of 25,000 gallons per minute.

The problem, as grave as it is in the United States, is even more acute in other areas of the world. According to a recent survey of the World Health Organization, "About 450 million urban people in 75 countries of Latin America, Asia and Africa will need new or extended supplies of water by 1977." As the population of these regions expands, the demand for fresh water will mount. Further economic growth—in some places even survival—urgently awaits the development of new water sources.

This problem exists in Israel to an alarming degree. The last of Israel's meager natural water resources will have been fully utilized by the 1970's. Over 95 percent of the available water has been already tapped. The remaining natural waters in the south will probably be completely exploited in the next few years.

Israel now has 2,775,00 inhabitants. Planners estimate 1,600,000 more by 1981. Unless 36 million additional gallons of water daily can be produced by that time, these people will face severe problems. Israel's already densely-populated areas will swell in size if the arid land in the south cannot be cultivated, and economic development will soon have to be drastically curtailed.

Desalination holds the greatest promise as a long-range method of coping with water shortage. Almost 75 percent of the earth's surface is covered with water. Most of it, however, contains about 3½ percent salt, making it unsuitable for human use or consumption. Until recently, methods of lowering this salt content on a large-scale were technically unfeasible. Oceangoing ships carried distillation plants for this purpose but more extensive projects were far too costly.

The depletion of natural sources and the advancement in desalting techniques offers dramatic new opportunities. Small-scale desalination plants exist in some 20 countries. Israel, herself, has one in Eilat with the capacity of 1.5 million gallons a day. In the United States a plant was opened in Key West, Florida in 1967 capable of providing 2.2 million gallons per day with excellent water quality. The cost of the water provided by these plants has exceeded $1 per 1,000 gallons. With larger plants and better technology the costs will significantly decline.

The Office of Saline Water of the Department of the Interior estimates that a 100 million gallon per day desalination plant can operate at less than 25¢ per 1,000 gallons. This competes favorably with the cost of today's chemically purified water and should make the water available for agricultural use.

Desalination permits the location of plants in the areas of greatest need. It also affords

the production of electricity, another critical requirement for these arid regions. Finally, the desalination process may be used to purify polluted and brackish water as well as sea water and hence can play a major role in conservation. It is no wonder that the Marine Science Commission in January recommended that the United States initiate "an aggressive and diversified desalination research program, with increased emphasis on very large-scale applications."

The plant which this Act will help to construct is an essential step—a crucial prototype for this larger enterprise. To the maximum of $40 million over a five year period which the United States would contribute, Israel would add about $100 million.

With American assistance the cost would be about 35¢ per 1,000 gallons. In the absence of this plant, the cost would soar to about 60¢, probably making the construction of a large-scale plant financially prohibitive.

The completed plant would produce almost 40 million gallons per day or 10 times the currently largest yield from existing desalination plants. In addition, the plant will generate 450 megawatts of electricity.

For the Ashdod region in which the plant will probably be built, this can mean intensive irrigation of approximately 25,000 acres of land and dispersion of electricity to the nearby Gaza area where increasingly parched soil threatens the citrus industry of the 350,000 Arab residents and refugees. It can also be piped to the south to provide energy and permit irrigation for the development of the Negev desert.

The people of Jordan also badly need new water supplies. The development of a desalination technology may pave the way for the construction of such plants in Jordan and in other countries of the Middle East. This would provide jobs for refugees, irrigate the desert, and establish a broad base for cooperation in agricultural ventures between the Arab world and the Israelis.

Israel provides a unique opportunity and location for the development of a prototype plant. Its urgent need for water makes Israel willing to accept the great financial burden which construction of this plant would entail. Having the most knowledgeable scientists and technicians in the field of desalting, Israel can also easily assume the great responsibilities of constructing and running the plant, collecting data, making reports, and performing all the other myriad maintenance duties.

Israel has also developed the methods necessary for utilizing expensive water. For the past five years, Israel has experimented with environmental agriculture to permit increasing the yield of crop acreage under adverse conditions. By varying the inputs of humidity, fertilizer, sunlight, and chemicals, Israel is able to utilize to its fullest every drop of water.

Representative Frelinghuysen and I are not the first to recognize the great needs and unique capacities of Israel in the field of desalting. The idea of a larger-scale U.S.-Israel desalting project has been gaining legislative steam and bipartisan support since 1964. On February 3 of that year, President Johnson announced that the United States and Israel had "begun discussions on cooperative research in using nuclear energy to turn salt water into fresh water." In July 1965, the American-Israel Desalting Board reported that a plant producing 100 million gallons of water and generating 200 megawatts of electricity was feasible. They projected that it could be completed by 1972 at a cost of $200 million.

The next major consideration of the project came from former President Eisenhower and the former Chairman of the Atomic Energy Commission, Lewis L. Strauss. They recommended a regional plan to attack simultaneously the water and the refugee problems. Their proposal envisioned three plants with a combined capacity of about one billion gallons to be constructed on the Mediterranean and the Gulf of Aqaba. This proposal, while commendable for its recognition of the water needs of the area, is not feasible because of the political climate and technological obstacles to the undertaking. Desalting complexes of the size envisioned would require the prior testing of equipment and techniques. This would only be accomplished through the development of a prototype of more limited capacities. The amendment offered by Congressman Frelinghuysen and myself provides for that prototype.

In August 1967, Senator Baker introduced a resolution embodying the principles of the Eisenhower-Strauss Plan. Thirty-two Republican and twenty Democratic Senators cosponsored the proposal. Former Secretary of Interior Udall supported the measure and it was adopted by the Senate. No action was taken on the resolution in the House. Through the efforts of Representative Frelinghuysen and others of the Republican Coordinating Committee, it appeared as a recommendation of the 1968 Republican platform.

Gradually, however, Members of Congress and of the Executive Branch had come to recognize that this regional plan for desalination was not practical.

In 1968 the Johnson Administration supported a proposal that the United States participate in the "construction of a dual-purpose electric power and desalting plant in Israel." This measure set a limit of $40 million as the United States share in costs. It had the merit of recognizing the immediacy of the water problem while not requiring, as did the Eisenhower-Strauss Plan, that a solution await the cessation of all hostilities.

By developing a desalting technology that could be used by all countries of the Middle East, the desalting plant could actually strengthen the possibility of a permanent peace in that region. As President Nixon said after his 1967 trip to the Middle East, "There is within the United States an increased recognition that, for any peace settlement to become permanent, a solution must be found, with Western assistance, to two underlying *casus belli* of the Middle East—the problems of water and refugees."

I am also reminded of a particularly relevant statement President Kennedy made in 1961:

"No water resources program is of greater long-range importance—for relief not only of our shortages, but for arid nations the world over—than our efforts to find an effective and economical way to convert water from the world's greatest, cheapest natural resources—our oceans—into water fit for consumption in the home and by industry. Such a breakthrough would end bitter struggles between neighbors, states, and nations—and bring new hope for millions who live out their lives in dire shortage of usable water and all its physical and economical blessings, though living on the edge of a great body of water throughout that parched lifetime."

Those words are even more compelling today.

Foreign Affairs: Water and War

(By C. L. Sulzberger)

Paris.—The last foreign policy initiative of the Johnson Administration was to pledge American help in constructing a water desalting plant in Israel. The test of continuity in U.S. policy is about to come as Congressional hearings on the project start.

Johnson's scheme is tangentially related to that of former President Eisenhower, who proposed two or more nuclear-powered desalinization installations (with American aid) on both the Arab and Israeli sides of the disputed frontier, thus abetting the cause of peace by offering water, irrigation and power to the disputants and providing the basis for refugee settlements.

Johnson's formula

The Johnson formula is more modest and differs in three major respects. (1)—It concerns Israel alone. (2)—It would not necessarily involve atomic energy. (3)—It eschews any connection with the diplomatic and political problems of peace making.

Johnson first charged Ellsworth Bunker with investigating water-producing and water-sharing prospects. After Bunker's assignment as Ambassador to Saigon, his previous task was allotted to George Woods, former head of the World Bank.

On Jan. 17, 1969, just before leaving the White House, Johnson cabled the late Premier Eshkol of Israel: "I have accepted Mr. Woods's recommendation for United States participation in the construction of desalting plant in Israel which could produce forty million gallons of desalted water per day. . . . Accordingly, as one of my last official acts, I have included request for authorization of a maximum of $40 million for this project in the legislative program which I am recommending to the Congress for our fiscal year 1970."

Woods's team of experts envision distillation processes powered either by fossil fuel or atomic energy. The Israelis would prefer to depend on petroleum or gas for energy. Jerusalem is especially eager to get the project started soon and inexpensively because it recognizes that Israel faces a serious water shortage in the nineteen seventies.

An Israeli report forecasts: "Israel's water economy must rely, as of the middle of the next decade, on the large-scale sea water desalination that will form, from then onwards, an integral part of its national water-supply system." The report claims Israel is unequaled in "inventory of water resources" or "water management practices."

The report also foresees a shrinkage of per capita growth rate in the national product and predicts that "the country's population towards the end of the century is likely to reach the figure of five million or more." The present population figure is under three million.

What is carefully omitted is any definition of the final frontiers within which the proposed new water supply would be disseminated or the population would dwell. These borders are now one of the most contentious subjects of the current international scene and the source of steadily increasing military pressures.

Gen. Efraim Ben Arzi, Israel's principal negotiator for the project, specifically assures that the water is envisioned for use within Israel's borders as they existed prior to the Six-Day War and that the desalting plant would be erected between Tel Aviv and Ashkalon.

Nonpolitical scheme

Ben Arzi, the personal representative of his Premier says, the present scheme "is based on our previous frontiers and therefore has no political significance." The suggested new water source would be linked to Israel's existing national pipeline grid.

It is obvious, nevertheless, that despite efforts to isolate water from frontiers and refugees, it will be difficult to separate this long-time peace project from war's immediate fury. Anything the United States does to assist Israel economically will be seen by the Arabs as developing its war potential.

The fact remains that continuing conflict cannot be allowed to stultify economic development. An American-assisted water supply is an approximate Israeli equivalent, on a smaller scale, to the Russian-assisted Aswan Dam program in Egypt.

Unacceptable alternative

In each case living standards are improved, thereby strengthening the country involved;

but the alternative of allowing people to decline, starve or die of thirst between rounds of ceaseless battle is too grim and too idiotic to contemplate.

One may hope economic development will not only persevere but that some day its benefits may exert a calming atmosphere on the passionately emotional Middle East. If that day ever arrives it could perhaps prove possible to go ahead on the grand scale of water power, prosperity and peace envisioned for both Arabs and Jews by Eisenhower in the last great dream before his death.

THE FITZHUGH-LEE HOUSE—HISTORY OPENS ITS DOORS IN ALEXANDRIA

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, during this month in which we observed not only the anniversary of the birth of our Nation but also the successful completion of our Nation's greatest technological achievement—albeit the most daring feat ever undertaken by man—it seems fitting that we take time to recall and to revere the memory of those great men who on that day 193 years ago placed their signatures on the document that founded our Nation.

It is fitting too that we preserve as much as is practical of the setting and physical surroundings in which these and other great men of our history lived and moved. Fortunately, the greatest historic shrine in the United States, Independence Hall at Philadelphia, where the Declaration of Independence was signed and our Federal Constitution written, has been preserved through the years. Much effort, time and money have been expended by the Department of the Interior in recent years to refurbish this monumental building and protect it against any future physical decline. This is a great accomplishment. But there are many other buildings of historic and architectural interest which have housed or been frquented by the great men and women in American history which also deserve preservation. I think it is appropriate as we approach Independence Day, our greatest national holiday, that we direct our attention and bend some efforts toward further preservation of such buildings wherever they may be located in the United States.

Right here in the greater Washington area there are such buildings. And one in particular, in our National Capital's sister city of Alexandria, Va. For some time, I maintained my own Washington area residence in Alexandria, and during that period there was opened to the public for the first time a historic mansion which deserves the attention of all of us in Congress and of the visiting public from around the Nation.

Known for decades as the Fitzhugh-Lee House, and standing near the heart of Alexandria's historic Old Town section, the building was well known to George Washington. For he was a dinner guest there many times—the last time being as late as November 1799, only weeks before his death. The house was known also to the Marquis de Lafayette, who visited there in 1824. And it was the boyhood home of Gen. Robert E. Lee, who spent 9 of his first 18 years there, leaving the house to enter the U.S. Military Academy in 1825. Lee had been brought to the house first at the age of five by his father, Gen. Henry "Light Horse Harry" Lee, one of Washington's most trusted generals and who as a Member of Congress first described the Father of Our County as "First in war, first in peace, and first in the hearts of his countrymen."

The Fitzhugh-Lee House was built in 1795 by a Pennsylvanian, John Potts Jr., another friend of Washington. Potts was a member of the family that built historic "Potts Grove" and gave its name to the city of Pottstown, Pa.

Through the efforts of another native Pennsylvanian, Jay W. Johns, who became a Virginian some 40 years ago, the Fitzhugh-Lee House was taken over by a historic preservation society and opened to the public 2 years ago. Mr. Johns, a resident of Charlottesville, Va., since 1930, is one of the remarkable men of our time. Eighty years old, and sightless, he has worked to preserve for posterity a number of historic houses in old Virginia. He was born at Uniontown, Pa.

The singular story of Mr. Johns' altruistic activities and the fascinating history of the Fitzhugh-Lee House has been compiled by John Koenig, Jr., and published in recent issues of the New York Times and the Washington Post. Mr. Koenig, now a resident of Alexandria, is a native Philadelphian and former reporter and writer for the Associated Press bureaus in Washington and at the Pennsylvania State capital at Harrisburg.

I offer for insertion in the CONGRESSIONAL RECORD a copy of each of these stories drawing attention to a valuable historic shrine. Visitors to our National Capital could well profit from a side trip to Alexandria and the Lee boyhood home. It should be of interest to them also that Alexandria from the 1790's until 1846 formed a part of the District of Columbia—so it's not a long trip from downtown Washington. The articles follow:

[From the New York Times, Feb. 2, 1969]

OPENING HISTORIC DOORS IN VIRGINIA

(By John Koenig Jr.)

ALEXANDRIA, VA.—A handsome, red-brick structure that served as the boyhood home of Robert E. Lee, and which is believed to be the last house in which George Washington dined as a guest, is becoming a leading tourist attraction here.

The house stands at 607 Oronoco Street, near the heart of Alexandria's "Old Town" section. The section, a little more than a mile square, includes one of the best-preserved, but still inhabited, 18th-century neighborhoods in America. As a result of all this development, Alexandria as a whole is gaining ground as a major target for visitors to the Greater Washington area.

It was in this house that young Lee spent nine of the first 18 years of his life; he left in 1825 to attend the United States Military Academy. The home also has associations beyond the young Lee and the elder Washington.

In 1824, Lee's mother, Mrs. Henry Lee, entertained the Marquis de Lafayette, who had come to pay his respects to her as the widow of Gen. Henry Lee, his comrade-in-arms in the Revolutionary War. The general was better known as Light Horse Harry Lee.

OPENED LAST YEAR

The house, which was opened to the public in 1967, was constructed in 1795. Its acquisition by a historical preservation society, Stonewall Jackson Memorial, Inc., and the assurance of its continued existence can be attributed to the foresight of a blind man, Jay W. Johns of Charlottesville, Va.

Indeed, the 80-year-old Mr. Johns, founder and head of Stonewall Jackson Memorial, Inc., has saved a half-dozen other historic homes and tracts in Virginia for posterity. He never actually has seen any of them, having lost his sight some years ago. Despite his handicap, he travels continually around Virginia and elsewhere to handle business pertaining to the historic properties.

In the case of the Lee boyhood home, the owner indicated that he was planning to keep the house, but parcel off the extensive garden into small, separate lots for the construction of new, luxury town houses. This plan was opposed vigorously by some of Alexandria's history-minded citizens, who feared that the old house itself might suffer a similar fate.

BIRTHDAY ANNOUNCEMENT

Into this breach stepped Mr. Johns. Realizing the historic, architectural and romantic value of the Georgian mansion, he made the necessary arrangements for its purchase. The acquisition was announced on Jan. 19, 1967, the 160th anniversary of the birth of Lee.

Since that time, the ubiquitous Mr. Johns has been busy rounding up funds to meet the $180,000 cost of the house. He has also bought or borrowed rare and beautiful period furniture to fill its rooms, and has enlisted the aid of Alexandria women to act as hostesses for visitors.

The city of Alexandria provided $10,000 toward the purchase of the house, and the Commonwealth of Virginia, through Mr. Johns' effort, has provided additional funds. Mr. Johns is hopeful of attracting 20,000 or more visitors a year, whose admission payments will help further.

"The beauty of the house and its strategic location should draw more and more people as time goes by," he says.

NEAR WASHINGTON

The building, about six miles from the White House, is just off Washington Street, Alexandria's main thoroughfare.

The house was built by John Potts Jr., a friend and business colleague of George Washington and a member of the family that gave its name to Pottstown, Pa. It was purchased four years later, in 1799, by Col. William Fitzhugh, a relative of the Lees and another friend of Washington. The Lees first came here to live in 1812, when Robert E. was 5 years old.

As one enters the Lee house through its high-stepped front doorway, he finds himself in a spacious center hall containing an elegant turning stairway. The paneled woodwork is in the manner of James Adams, one of the two brothers who were architect-designers to King George III and whose woodwork appeared in many Virginia manor houses.

Opening from the center hall on each side is a large family room. One of these is known as the Lafayette Room, since it is believed to be the room in which Mrs. Lee entertained the visiting French dignitary in 1824. Upstairs are two massive front bedrooms. Other living quarters are contained in an "ell," a wing extending to the rear.

SUNKEN DINING ROOM

Bedrooms line the second floor of the ell. The first floor includes a kitchen, pantry and sunken dining room.

It is believed that this dining room was the scene of Washington's last meal away from home. On Nov. 17, 1799, about a month

before he died, Washington recorded in his diary that he "went to church in Alexandria and dined with Mr. Fitzhugh."

A later visitor to the Fitzhugh house was George Washington Parke Custis, grandson of Martha Washington and adopted son of the President, who was courting Colonel Fitzhugh's daughter, Mary Lee Fitzhugh. The two were married in this house on July 7, 1804, and went to live at "Arlington," now known as the Custis-Lee House, in what is now Arlington National Cemetery.

LEE'S WIFE

There was one daughter born to this union, and she became the wife of Robert E. Lee after his graduation from West Point.

Stonewall Jackson Memorial, Inc., is a nonprofit organization that now maintains seven properties in Virginia, including the home of Gen. Thomas (Stonewall) Jackson in Lexington and Jackson's military headquarters in Winchester.

[From the Washington (D.C.) Post, May 4, 1969]

HISTORY ON TOUR: THE LEE HOME

(By John Koenig Jr.)

It took foresight of a blind man to open to the public one of the most historic and architecturally interesting houses in the National Capital Area.

Due to the efforts of Jay W. Johns, the boyhood home of Gen. Robert E. Lee in Alexandria, which also has important associations with George Washington and the Marquis de Lafayette, can now be visited any day of the week. A drive is under way to make it an important tourist attraction.

The Lee House, a red-brick, Georgian-type structure nearly filled with valuable period furniture, is a "natural" as a tourist site but the project has had its problems. For one thing, the preservation organization headed by the 80-year-old Johns assumed a sizable debt in acquiring the house for purely altruistic reasons. Secondly, the house has not yet been synthesized into the group of "name" shrines the visitor to Washington and Alexandria is usually familiar with and wants to see.

Johns, who spends much of his time traveling around Virginia by plane, train and even bus to handle the business of historic houses, has obtained financial support for the Lee House project and has sought to have it added to the list of stops of the organized tours.

The house, at 607 Oronoco st. in Alexandria's "Old Town" section, was purchased from a private owner in the name of the Stonewall Jackson Memorial, Inc., on Jan. 19, 1967, the 160th anniversary of Lee's birth. This price for the old mansion and its garden was $180,000. The city of Alexandria contributed $10,000 and has posted signs to direct visitors.

Since then, private contributors have helped reduce the debt substantially, and the Virginia Legislature pledged $30,000 to be made available when the debt can be paid off. Money still will be needed, however, for additional furnishings.

As for making the site better known, Johns has received a promise of cooperation from the Virginia State Conservation Commission, which advertises the State's attractions, and from the Metropolitan Washington Board of Trade, which provides information for planning visits to this area. A $1 admission charge will help maintain the property.

Johns has had considerable experience in preserving historic homes. In 1930, he bought Ash Lawn, the Charlottesville, Va., home of President James Monroe. He used the house as his own residence for a while and then dedicated it to history lovers by opening it to the public.

Some years later, he formed the Stonewall Jackson Memorial, Inc., a nonprofit organization, which now maintains seven properties in Virginia, including the home of Confederate Gen. Thomas (Stonewall) Jackson at Lexington and Jackson's military headquarters at Winchester. Some are battlefield sites that Johns has slated for future development. Ironically, he lost his sight 16 years ago and has never seen some of the properties.

The Lee House has become his favorite. Built in 1795 by John Potts Jr., a friend and business colleague of George Washington, the house is a prime example of the brick classical construction of the day. It was sold in 1799 to Col. William Fitzhugh, a relative of the Lee family and another friend of the first President, who as a resident of nearby Mount Vernon and property owner in downtown Alexandria, was a frequent visitor to the house.

In one of the last recordings in his diary, Washington wrote that he "went to Church in Alexandria and dined with Mr. Fitzhugh." That was on Nov. 17, 1799.

Gen. Henry Lee, one of Washington's dependables in the Revolutionary War and better known as "Light Horse Harry," moved with his family into the Fitzhugh house in 1812, when one of the sons, Robert was five years old. Here young Lee spent nine of his first 18 years and left for the U.S. Military Academy in 1825. Just the year before, his widowed mother entertained the Marquis de Lafayette at the house on the occasion of Lafayette's last visit to the United States.

The rooms of the house now feature furniture pieces of the late 18th and early 19th century, much of it on loan from old Virginia families and collectors. Col. Fitzhugh's daughter, Mary Lee Fitzhugh, was married at this house in such a setting on July 7, 1804, to George Washington Parke Custis, grandson of Martha Washington and adopted son of George Washington. The couple then went to live at "Arlington," now known as the Custis-Lee House in a part of what has become Arlington National Cemetery. There was one daughter to this union, and she became the wife of Robert E. Lee after his graduation from West Point.

It is easy to get to the Lee Boyhood Home from downtown Washington. One of historic house preserver Jay Johns' laments is that too many visitors drive right by on their way to Mount Vernon. Instead of continuing on through Alexandria, he declares, some of these sightseers should turn left from Washington Street (part of the George Washington Memorial Parkway) into Oronoco st. and go one block east. There the house stands—at the corner of Oronoco and St. Asaph streets.

The Lee House actually is a twin, with the next door dwelling having been occupied by Benjamin Hallowell, a Quaker schoolmaster who tutored young Lee in mathematics to prepare him for West Point.

Few people are aware of it now, but when Gen. Light Horse Harry Lee, a three-time Governor of Virginia, took his family to live in Alexandria, the city was not Virginia territory. During the entire Lee family tenure there, Alexandria actually was part of the District of Columbia, having been ceded to the Federal government upon ratification of the U.S. Constitution. It was not retroceded until 1846.

COLLEGES MOVE ON STUDENT UNREST

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. ESCH. Mr. Speaker, inherent in today's debate on the appropriations provisions dealing with student dissent is the implication that the colleges and universities of the Nation have failed to take any action to deal with this problem on their own. The implication is that the Federal Government must step in because the institutions of higher education themselves have failed to take appropriate action to meet the problem.

This simply is not true. Both on an individual basis, and through their associations, the colleges and universities of this Nation have begun to deal with the problems of dissent and have taken action to quell future disorders.

First, they have taken strong action against individual students who have been involved in violence. Although the press has given the strong university disciplinary action little attention in its headlines, in school after school, campus administrators have taken strict disciplinary action against those who have disobeyed the law. The Los Angeles Times recently cataloged some of the actions taken by individual campuses.

Of the eight colleges surveyed, some 75 students had been expelled for their part in the disorder. 265 students were suspended. 346 students were placed on probation and many more were warned about further disruption. As the Times points out:

Expulsion, dismissal or suspension may seem minor to angry citizens. But to the student who may lose his 2–S draft status or financial support, or who may fail to graduate, these are not small matters.

Under unanimous consent, I submit the article by John Kendall and George Kannar for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Los Angeles Times, June 23, 1969]

DISCIPLINING ON CAMPUS TOUGHER THAN BELIEVED—COLLEGES HAVE BEEN FAR FROM SOFT IN DEALINGS WITH DISSIDENT STUDENTS

(By John Kendall and George Kannar)

From the cradle of the student movement, UC Berkeley, to the nation's oldest university, Harvard, scores of campus disturbances this school year have prompted this question: "Why don't they just throw the troublemakers out?"

The question implies an easy answer: get tough. The implication is that nothing is being done.

But the fact is, universities and colleges have disciplined scores, probably hundreds, with more than clucks of disapproval and slaps on the wrist. During the last school year, for example:

UC Berkeley dismissed 15, suspended 35, placed 160 on disciplinary probation in three disturbances and collected some $20,000 in fines for property damage. Those totals do not include possible action against 272 students involved in the "people's park" incident.

HARVARD TAKES ACTION

Harvard dismissed 3, "separated" 13 for periods up to two years, placed 20 on probation and warned 99 against future misconduct after 400 policemen were called to clear University Hall of protesters.

Stanford University suspended 14, placed 77 on probation and levied fines totaling $5,425 after demonstrators disrupted the Jan. 14 board of trustees meeting and occupied Encina Hall on May 1.

University of Chicago expelled 43 and suspended 81 for periods up to six quarters for a two-week building sit-in and an invasion of the Faculty Club. Police were never called.

Dartmouth obtained a court order to clear a seized building. When it was violated, 40 undergraduates were arrested by police.

Thirty-six of them were sentenced to 30 days in jail. Campus disciplinary hearings were under way at the end of the school term.

SUSPEND 42 AT OCCIDENTAL

Occidental College suspended 42 students for the remainder of the spring term after they sat in the placement office to protest on-campus military recruiting.

San Francisco State College expelled 1, suspended 27, placed 10 on probation and issued letters of reprimand to 97 students in a tumultuous period marked by repeated use of police on campus.

San Fernando Valley State College placed 46 students on disciplinary probation after the take-over of the upper floors of the Administration Building Nov. 4. The college has reserved the right to review the cases of 27 of the students waiting trial on felony charges.

Expulsion, dismissal or suspension may seem minor to angry citizens. But to a student who may lose his 2-S draft status or financial support, or who may fail to graduate, these are not small matters.

What's happened at UC Berkeley illustrates the effectiveness of university discipline, in the opinion of Chancellor Roger W. Heyns.

He told the Comstock Club in Sacramento recently that in the past two years "only 32" of more than 350 disciplined students have committed a second violation and five have committed a third.

Heyns said the impression that UC Berkeley ignores discipline and enforcement of rules among its students is a "myth" which survives outside the campus.

In the four years prior to 1969, the chancellor reported, more than 350 Cal students were disciplined for rules violations, not including what he termed "beer, sex and cheating" cases. (There have been only two of this traditional type at Berkeley since Jan. 1.)

Today political activity is the principal reason for rule-breaking, not panty raids, and just as the reasons have changed, so have the university's methods in dealing with violators.

Going—if not gone—are the days when the dean of students handled each discipline case like a parent, judging the student informally with a minimum of rules.

BECOME SPECIFIC

Lately, rules have proliferated along with statements of the rights and responsibilities of students. Instead of vague commands against misbehavior, many colleges and universities have become specific in spelling out offenses, punishment and procedures.

Last month, the Board of Trustees of the California state college system amended general rules which said any student may be placed on probation, suspended or expelled for:

A—Disorderly, unethical, vicious or immoral conduct.

B—Misuse, abuse, theft or destruction of state property.

New rules list cheating, forgery, misrepresentation, obstruction or disruption, physical abuse, theft, unauthorized entry, sale or possession of dangerous drugs, possession or use of explosives or deadly weapons, lewd or indecent behavior and soliciting others to do an unlawful act.

The new regulations define "deadly weapon" as "any instrument or weapon of the kind commonly known as a blackjack, slingshot, billy, sandclub, sandbag, metal knuckles, any dirk, dagger, switchblade knife, pistol, revolver, or any other firearm, any knife having a blade longer than five inches, any razor with an unguarded blade, and any metal pipe or bar used or intended to be used as a club."

As the rules become specific and as the number and types of offenses increase, the procedure for dealing with violators becomes more legalistic, taking on the appearance of an adversary proceeding—a trial.

Changes in the students themselves help foster the trend toward legalization.

Increasingly distrustful of what they think is secrecy and behind-the-scenes maneuvering, many students demand that everything must be conducted in the open. Many want the procedures written down so they know how to defend themselves against charges.

But "openness" itself has a positive value for some of them. At Yale University, for example, "open decision-making" is one of the most appealing revolutionary rallying cries. Opening the disciplinary procedures somehow seems to lead almost inevitably to regularizing them, and eventually making them more formal and legalistic.

At UC Berkeley, regulations issued more than a year ago guarantee due process for the accused student, including right of counsel at an impartial hearing, safeguards against self-incrimination and an adequate summary of the hearing.

To William Van Alstyne, general counsel of the American Assn. of University Professors, the system becomes "more judicious" as it becomes "more judicial."

But not everyone agrees that legalism is good. State College Chancellor Glenn S. Dumke doesn't.

PROCESS COLLAPSES

"There is . . . a very real danger that student discipline on university campuses is being jeopardized by the imposition of administrative injunctions, providing attorneys for the prosecution and for the defense, the use of legal rather than academic vocabularies, etc." Dumke said in a recent speech.

"Not only can such judicial trappings provide a false impression of due process, but they can seriously slow down that process to a point where it simply becomes inoperative."

At San Francisco State College, one of Dumke's administrative headaches during this school year, the usual disciplinary process collapsed when the student body president refused to appoint student members to a student-faculty committee.

Emergency procedures were invoked by acting President S. I. Hayakawa. He appointed an associate as the coordinator for internal affairs, charged with gathering information about violations and conducting hearings before panels of volunteer faculty members.

"We've sort of staggered along as best we could under tremendous handicaps," says a college spokesman. "We have tried to make it a fair system although it has not been satisfactory."

This fall San Francisco State administrators plan to use the same emergency system, unless the Academic Senate approves a new one.

At UC Berkeley, a new judicial system was proposed by a student-faculty Study Commission on University Governance. In a report, issued last year, the group said:

"We, too, share the nostalgia for a community whose limited size and shared purpose permit it to dispense with rules and procedures. Reality compels the admission that such a community does not resemble the Berkeley of 1968."

The commission proposed that the central adjudicatory function of the university community should fall to a faculty-student Student Conduct Court, divided into a preliminary hearing division and trial division. The planners foresaw the occasional need for a campus review court.

They called for formation of a legal services board, an agency composed of law-trained faculty members and students. The board would prepare cases, supply advisors to students brought before the courts and assist the courts in resolving legal issues.

The commission's stated objective was to provide for a judiciary independent of executive or prosecuting functions and to create judicial and rulemaking machinery which is broadly representative of all campus interests.

RULES COORDINATOR

So far, nothing has been done about the recommendations.

With one exception, UC Berkeley's disciplinary machinery remained largely the same through the university's recent troubles. A difference is the appointment of a coordinator of rules and facilities, separate from Dean of Students Arleigh Williams' office, whose task is to initiate cases according to the time, place and manner of rules infractions.

Cases which Dean Williams thinks are serious enough are heard by the Committee on Student Conduct, composed of five faculty and four student members.

Williams admits that the volume of cases has had a "serious impact" on the university's disciplinary machinery, but he says the Committee on Student Conduct continues "to meet the calendar."

"I feel our system is fair and a very wise system," he says. "I think it has handled discipline in a very capable manner. It is not lenient, nor is it repressive. It is a system that is able to provide proper justice for persons accused of violating the rules."

Not so, says Charles Palmer, UC Berkeley's student body president this year.

"I think there are tremendous problems here," he says. "Many of the structures are irrelevant. Discipline often appears arbitrary and not terribly consistent. Lots of people are tried for what they couldn't be tried for in court. It has become a political thing. Some people are disciplined and some are not."

In Palmer's opinion, the system is not representative. He says it is run by faculty members appointed by the chancellor and by students who are "not our peers."

Palmer's view is strikingly different from that of Pat Shea, a member of the Council of Presidents at neighboring Stanford.

"I think Stanford has made tremendous steps in community government and community respect for its own laws," the political science major said.

Stanford's new president, Kenneth S. Pitzer, agrees.

At his recent inauguration, Pitzer said the university's new system is intact but "seriously overburdened." But, he said, "We are gaining rather than losing in this area. I hope for further progress next year.

"We are moving forward in rebuilding the understanding and confidence among the constituencies at Stanford."

Stanford has attempted to involve the entire campus community in determining what constitutes a community disruption, then engage each element further in solving the problem and applying disciplinary measures.

To accomplish this, a Committee of 15 last year recommended a new legislative and judicial charter.

At the same time, I think it is well to point out that student unrest and concern need not necessarily deteriorate into violence and disruption. Although the headlines and the television screens focus attention on the violent disruptions which have occurred throughout the Nation, the hundreds of college campuses which have dealt with the problem in an amicable and cooperative fashion have been ignored. The Association of American Colleges has furnished me with reports on the way in which eight colleges and universities throughout the Nation handled their student dissent problems successfully, avoiding violence, meeting those legitimate concerns which moderate students were expressing and

avoiding capitulation to the demands of the radicals. I submit the reports of those colleges, the University of Delaware, Colby College, Franklin and Marshall College, Mundelein College, Ohio Wesleyan University, Southern Methodist University, Wesleyan University and the University of Pennsylvania for inclusion in the CONGRESSIONAL RECORD, as follows:

UNIVERSITY OF DELAWARE

Land-grant university, located in Newark, Delaware; coeducational—12,000 students.

The action taken by the University over the past two years is summarized in the following extract from a letter from the Dean of Men.

TWO YEARS OF CHALLENGE

1. Early in the spring of 1967, prior to any problem, Vice President Hocutt asked the Student Government Association to consider the issue of disorders on campus and to suggest a policy. The result was a brief statement expressing the right to dissent provided the rights of others were not infringed upon. We have reiterated this basic premise (orally and in print) on which there was agreement by all and it now appears firmly established.

2. In the fall of 1967 a protest against ROTC gave us an opportunity to apply the policy making clear to the campus that the University intended to enforce it. Specifically, seven students who disrupted an ROTC class were suspended.

3. Continuing and intensive discussion of the policy and the suspensions by all segments of the community led to a high degree of consensus before the year was out. Of course, the Columbia tragedy helped, too.

4. Large amounts of patience, talk, flexibility and firmness have been key ingredients in dealing with the provocations and confrontations of recent years. Hand in hand with this approach has been the acceleration of student involvement in the governance of the University via increased participation on faculty committee and an enlargement of the role of student government.

5. During the past year student, faculty and staff committees through many hours of work together have reached consensus on a statement of student rights and responsibilities, a new Student Government constitution and a revised judicial system. These significant steps have reduced the need for confrontation and demonstration and have kept the majority of students separated from the activists.

6. A challenge to our policy and practice came via an attempted building takeover in December 1968. Patience, persuasion and firmness caused the effort to be aborted without the need for outside assistance. This event appears to have established a widespread awareness that the University means to manage its affairs and protect the rights of all members of the community.

7. Continued success appears to hinge on working out a structure which will permit easy and regular communication between all segments of the campus and the resolution of issues by persuasion and compromise.

COLBY COLLEGE

Liberal arts college located in Waterville, Maine—independent, coeducational—1500 students.

The action taken by the College in response to a student sit-in is described in the following extracts from a letter from the president.

"In late February the Student Government presented me with a list of nine "demands," accompanied by a somewhat peremptory letter, and evidently they had succeeded in working the campus up to quite a pitch of excitement over what everyone regarded as an assertion of student rights. I won't trouble you with what ensued other than to say there were times when it was quite unpleasant. The administration succeeded in convincing the students that reasonable proposals were more appropriate than "demands" and we went on from there on that basis.

There was for a period of two and a half weeks a somewhat distasteful occupation of the college Chapel, a sort of extended live-in, teach-in, and love-in, but we managed to avoid panic and by dint of not forcing the students out but rather mostly ignoring them we avoided the polarizing of the campus that often takes place under such circumstances. Spring vacation finally got them out of the Chapel and we did not let them return. Committees with equal representation of students on the one hand and faculty and administration on the other were established by mutual consent of the administration and Student Government to discuss at length the nine proposals. Not all these issues have been resolved as yet but some good results have emerged.

Meanwhile student representation had been going on for two years, on all major faculty committees. I thought this was a healthy move, and with only a few exceptions the students demonstrated both insight and a constructive purpose.

Toward the end of April we had a special meeting in Boston of about a dozen trustees, about a dozen students, and six of us from the faculty and staff to discuss openly and frankly the difficulties of the spring term. It was agreed by everyone there that we should establish some sort of mechanism to deal rationally and intelligently with proposals in the future without having to go through quite as much trauma as we had this spring. The upshot of the Boston meeting was a recommendation, enthusiastically endorsed later by the Board of Trustees in full assembly, that early in the fall we have a "Constitutional Convention," the purpose of which will be to re-examine the governmental structure of the institution and to make suggestions for constructive change. A planning committee has been established which will meet for overnight sessions on three occasions during the summer here in Waterville, and again two or three more times in September. This planning committee will lay the ground work, prepare the agenda, prepare position papers, and generally establish the modus operandi for the "Constitutional Convention," which will take place in October.

On the planning committee there are ten students representing among them all three of next year's upper classes, two members of the senior class just graduated, about eight trustees, three members of the administrative staff (the President, the Dean of the Faculty, and the Dean of Students), six faculty members chosen from among the three different academic divisions by the elected division chairmen, five alumni chosen by the Alumni Council, and three or four parents chosen by the Parents Association. This seems a representative group, and the composition is endorsed with enthusiasm by the students, the faculty, and the trustees along with one alumni representative who formed a steering committee to set up the planning committee during the month of May.

It seems to me that what has been accomplished here is a clear recognition of the proper role of students in the decision-making process. There will surely be some discussion of the appropriate role the students should play in academic policy and in the social framework of the college. I am sure that the lines of communication among all our constituencies will be improved by this planned conclave in the fall, and I am confident that as an institution we will be strong enough thereafter, if the Board of Trustees sees fit to accept the recommendations of the Convention, to withstand most of the kinds of attack on peace and order that have become commonplace in academic communities. To be sure, there are always a small minority of dissident students, and sometimes faculty, whose purposes may not be entirely constructive, but I think our best protection against the kind of influence such groups might have is the establishment of a realistic governmental structure with which the students themselves will feel some identity and for which they will be willing to take some responsibility.

I probably am making this all sound easier and simpler than it is, but at least we think we have found a way not only to set our own house in order but to provide safeguards to preserve that order through future generations of students and the changing times."

FRANKLIN AND MARSHALL COLLEGE

Liberal arts college for men, located in Lancaster, Pennsylvania—independent—2300 students.

The action taken by the college after two disruptive incidents occurring in the spring of 1969 is summarized in the following extracts from a statement addressed to the College Community by the president on May 25th.

"For years, Franklin and Marshall has been second to none among colleges and universities in affording freedom to its faculty and students, and in defending that freedom against the forces of erosion. This has been a healthy freedom. The College has been justified in placing its confidence in the belief that the members of the College would use freedom responsibly. With only rare exceptions, they have done so, and in those exceptions, the strong disapproval of the responsible majority has brought the remedy.

The absence of repression and labyrinthine regulations, the preoccupation with affording equity, mutual respect and unhampered communication among the members of the College, the whole concept of collegiality—all these things stem from the College's dedication to providing an atmosphere of freedom in which learning can best take place.

Twice within the last year, these values have been put in jeopardy by the actions of small groups. The strains resulting—not from violence because no violence has been perpetrated, but from the threat of violence—have shown how deeply everyone within the College must cherish the concept of freedom indivisible for all.

We must learn all we can from the incidents we have faced. The subtle shadows they cast have demonstrated the natural history of disruptive confrontation. Without ever having matured into full-scale disruption, happily, they have nonetheless revealed the vulnerability of a college to the threat of violence, reaction, polarization and escalation. They have shown how quickly a trigger issue can get lost in other emotional-laden concerns. We have seen how rapidly and surrealistically two or more logically unrelated events or issues can become one morass of confusions and discontents. We have learned that the academic process cannot operate in a climate of crisis. We have learned that in every incident, we are limited by human frailty and the myopia of the moment.

Now I am advised, correctly, I am sure, that it is no longer sufficient simply to depend upon the spirit of the College and our sense of common purpose. Some greater specificity is required to guide those who may, unknowingly or by intent, with valid cause or evil design, seek to express their dissatisfaction in ways that exceed the limits considered tolerable by the College. We must make clear our expectations of the members of the College.

While a college operates in democratic mode, with high regard for individual dignity and individual desires, and while it attempts

to give students leverage and influence in the decisions affecting them, it cannot operate on a balance-of-power basis. An overriding obligation rests with the faculty and other educators to exercise carefully reasoned professional judgments in the maintenance of the academic integrity of the institution.

There can be no compromise with our belief that violent disruption or forcible interference with the orderly activity of Franklin and Marshall is intolerable. Where it occurs, we must be in a position to deal with it promptly, with firmness and fairness.

It is not tolerable for anyone to use means involving real or threatened physical restraint, intimidation, or coercion of others.

It is not tolerable for any of the college community or guests of the College to be denied ingress or egress to offices, classrooms or other facilities of the College by force or the threat of force.

It is not tolerable for anyone to disrupt the activities or the orderly conduct of the academic processes of the college by any intimidative means.

If despite all that has been said, a use of force in disruption of the College's activities were to occur, our response would be prompt and firm. Our first concern, of course, would be with the imminence of restraint or harm to persons, or the danger of serious property damage. In any steps taken, we would hope to exhaust the resources of the College before calling upon civil authority, unless the extremity of the circumstances dictated otherwise, in which case our action would be swift and purposeful. In most such cases, conditions permitting, I would hope to employ the judicial injunctive process. Where time permitted and the urgency of circumstances allowed, if police assistance were to be requested, I would hope to be joined by faculty observers. I would request also that concerned students assist by keeping curious spectators and others away from the scene, by establishing a rumor control center and by helping to keep the campus cool.

In the event of a disruption impending or in process of settlement, time and information are our most valuable commodities. I earnestly call upon all members of the College to inform the officers of the College promptly when they see a crisis in being or in process of development.

It is neither wise nor possible to publish a script for every succeeding step to be taken. In the first stages of a disruption, however, I would be inclined to invite a meeting with the disrupters or their chosen spokesman at a stated time and place where, with such officers and members of the faculty as I might find it appropriate to assemble, their concerns could be freely discussed without interruption of the activities of the College.

If that invitation were not accepted, I would be inclined to remind the disrupters that their actions were in violation of College policy, remind them of the possible consequences of their action, and give them a reasonable brief time to cease the disruption and repair from the scene.

If they then did not cease, I would inform them that if they did not stop their disruptive actions before a reasonable deadline in the near future, they would be subject to immediate suspension.

It might be at this point, then, if not required earlier, that I would seek an injunction, after due warning, which would, when served, inform them that if they did not desist, they would be in violation of a law and subject to the actions of civil authority. There are of course other resorts to civil authority, and those would be chosen which provided the most appropriate means of assuring order and free movement of individuals, and of restoring College facilities to normal use.

If the suspension were invoked, it would of course be in effect until, through the instrumentalities providing due process, it were confirmed, revoked or amended. After due consideration, the suspension might, of course, result in expulsion.

I see no other way to provide for the swift decisions necessary to deal with a violent disruption. Whenever possible, consultation is desirable, but that the responsibility for action rests with the President of the College in urgent circumstances is clear. . . .

The approach above has the virtue that it provides for the prompt response and decisive action necessary to preserve the order and integrity of the institution while at the same time assuring individuals protection from injustice. Firm administrative action can be used to prevent violence, cool tempers, avoid escalations. The due process of hearing and review of those decisions made in the swift flow of events assures fair treatment of individuals.

But again I would emphasize that all members of the College can best find their remedies in reasoned discussion.

MUNDELEIN COLLEGE

Liberal arts college for women, located in Chicago, Illinois—independent but historically-related to the Roman Catholic Church—1500 students.

The College's responses to the recommendations contained in the Association of American Colleges statement of July 1968 on *Student Unrest* are as follows:

Statement (1): "to accord students, as members of the academic community, an appropriate share in the determination of institutional policies in respect to both the instructional program and its social framework."

At Mundelein such matters as Curriculum, concert-lecture programs, Academic Affairs, etc. are discussed at Committees made up of students, faculty and administration.

A College Council of College Administration and Student Officers meets regularly to discuss problems and creative projects at the college. Students and faculty are on some trustee committees and have attended and participated in trustee meetings.

Statement (2) "to involve the several components of the academic community in the determination of such rules for the conduct of its members as may be necessary for effective realization of institutional policies."

The Student Dormitory Council studies student needs and makes recommendations in regard to policy to the Administrative Council. For example, this year they requested a new no-hours policy for sophomores as well as juniors and seniors and the removal of a dress code for class attendance. Each floor of the dormitories has a student resident-assistant who is in charge of the floor and implements policy.

Statement (3): "to make it known that these rules, representing the common will of the community, will be enforced through procedures that include a guarantee of the due process to anyone accused of breaking the rules."

At the regular meetings of the College Council any difficulty in interpretation of policy or rules is discussed. Such meetings are open to all students if the agenda is important enough to attract them. Due process, as established by the student congress, is described in the Student Handbook.

Statement (4): "to establish recognized lines of communication among all parts of the community."

In a small school, the student finds it possible to communicate easily with the administrator in question. The president and other administrative officers have made special efforts this year to be frequently and informally available for exchange of ideas.

Statement (5): "to make definite plans, including both academic sanctions and resort to civil authorities, for countering any wilful attack on the peace and order of the academic community."

It is the opinion of faculty, students and administration of this campus that the open exchange of ideas should be such that a major difference of opinion could not go undetected very long. Readiness to listen and frequent opportunities for meaningful exchange, open faculty meetings—with students free to speak, and regular committee discussions are the present means used to make attacks on peace and order unnecessary. Campus discussions of nation-wide problems have helped to focus attention on the need to keep our own house in order.

Such meaningful statements as those of the Association of American Colleges and the American Council on Education have been distributed to faculty and student leaders and discussed by them.

OHIO WESLEYAN UNIVERSITY

Liberal arts college, located in Delaware, Ohio, related to Methodist Church, coeducational—2500 students, 65 per cent out-of-state, 84 per cent white American Protestant, 1.2 per cent American Negro.

Council on Student Affairs, with Student majority, has full authority for all non-academic regulations.

Student newspaper is completely unsupervised and uncensored.

Choice of visiting speakers is unrestricted.

Students have voting representation on all faculty standing committees except faculty personnel committee.

Typical black student demands (1967–68) were met by intensified recruitment program, appointment of black admissions counselor, enlarged academic program in African culture and Afro-American programs, and provision of social center for primary but not exclusive use by black students.

Single incident of drug use and sale (1967) was dealt with through established disciplinary procedures: thirteen students were suspended without unfavorable reaction from student body.

Current tensions—Vietnam, the draft, race and poverty—all felt on campus. SDS chapter has existed and has conducted orderly demonstrations. But disruptive violence has been avoided as a result of constructive reforms, open communication and clear disciplinary procedures.

Student morale shown by record contribution in June 1969 to Senior class gift fund—over $18,000 from graduating class of 545.

SOUTHERN METHODIST UNIVERSITY

Privately controlled university located in Dallas, Texas—related to the Methodist Church; offering bachelor's, master's and doctoral programs; coeducational—9300 students.

In the spring of 1969 the president was presented with a document containing a number of demands formulated by a recognized student organization called the Black League of Afro-American and African College Students. After giving a chronological summary of the events of April 25–May 2, the University newsletter *SMU Today* concludes as follows:

"At no time during the president's meetings with the black students did these students cause any disruption or destruction. They were present in the president's office by appointment.

SMU has made very clear, both to white students and to students from minority groups, that this University will not allow disruption of the University's normal functioning. There has been no disruption.

The University has made it very clear that it will fulfill all of its commitments to all of its students, faculty, and staff.

The University has made it clear that admission to SMU will continue to be per-

mitted on the basis of a student's ability to do the work expected by SMU.

The University has made it clear that financial aid will continue to be given to any admitted student on the basis of need, as far as available resources permit.

The due process followed by the president during his meetings with the black students has assured the University that duly authorized groups are expected to carry their appropriate responsibilities. The duly constituted authority of the faculty over its areas of responsibility was honored. The responsibility of students was honored. The administration, charged with a wide variety of responsibilities—including the peaceful, normal functioning of SMU—made clear by its actions, restraints, and preparations, that SMU will function normally, to the interest of all the members of the University community.

The president's handling of his conversations with the black students was given the unanimous approval of SMU's Faculty Senate, a prolonged applause from the 400 members of SMU's General Faculty, and a standing vote of approval and appreciation from the University's Board of Trustees.

Three student leaders bearing concerns that the majority view of students might not be represented in the University's actions on the BLAACS' document met for an hour in the president's office May 16th with the president and other members of the administration and later issued statements—in behalf of a larger group of student leaders—supporting the University's actions.

SMU intends to live through these difficult days of unrest with a clear understanding of its particular purpose, and under the leadership of an administration and a faculty which will seek to be wise, firm and compassionate. They are encouraged in this effort by a student body which has clearly indicated that the students of SMU want their University to stay a university committed to its primary objective of teaching and learning.

WESLEYAN UNIVERSITY

Liberal arts college for men, primarily undergraduate but offering a number of doctoral programs; located in Middletown, Connecticut; independent—1700 students.

What follows is an extract from a letter addressed by the president in May 1969 to the Joint Education Committee of the Connecticut Legislature in response to a request from the chairman of the committee.

"ATTITUDES TOWARD CAMPUS DISRUPTIONS

"The fundamental conditions of university life are rationality, civility, integrity, humanity, mutual respect and cooperation. Any significant erosion in these conditions tends to jeopardize academic and social freedom and, at some extreme, to demoralize the institution. For these reasons, the objectives we share are as follows:

"(1) The university must maintain order and equity in the conduct of its affairs;

"(2) Every individual in the university must be free of intimidation and of harassment;

"(3) Peaceful, non-obstructive forms of protest (including demonstrations, picketing, etc.) are rights to be protected;

"(4) Protest methods which violate and subvert principles of freedom of expression, academic freedom, and freedom of movement—or any of those—are not rights to be protected in our society or on our campuses; and

"(5) Any protest which deprives any person of the right to speak or be heard, or which involves disruption of educational or related processes, or which inhibits the freedom of movement or the legitimate privacy of any person, is contrary to basic principles of civil liberties and is incompatible with the purposes of a university.

"The confrontation technique—in some cases an effort to produce instant change or instant capitulation by establishing or threatening an inconvenience—has been embraced by some as a quick and sure method for producing change. And change *has* resulted in many places. But this type of confrontation substitutes coercion for persuasion. It is based on conflict, not on participation; it is negative, not affirmative; it leads to hit-and-miss change which may not be genuine improvement.

"This type of confrontation provokes resistance and slows the pace of considered reform by turning administrators and others into keepers of the peace. It is an illegitimate and self-defeating extension of the type of peaceful protest and dissent available to those who object to policies and who have exhausted traditional remedies through use of established channels of communication.

"Confrontation based on coercion ultimately forces a choice between freedom and peace: freedom lost as a result of the actions of those who use coercion, or peace lost through the use of counter-force by or on behalf of the university.

"The need for reform is recognized at Wesleyan and at every other reputable university. At Wesleyan, academic policies are being reoriented; institutional structures and decision-making procedures are being redesigned; methods of self-governance are under review; and restraint has been exercised in dealing with both individuals and group challenges during a year when every university has experienced some degree of unusual pressure.

"It is obvious that crisis, confrontation, confusion and coercion are unacceptable as norms of university life. But flexibility has been and remains important. Colleges and universities must be permitted to deal with questions of order and discipline just as they are entrusted with other responsibilities. Campus officials must retain the right to determine when (if ever) the support of public authorities is needed, and what (if any) discipline may be warranted. Legislation designed to prod campus officials into particular patterns of response to events which cannot be pre-defined would not be in the public interest.

"CODES AND PROCEDURES FOR SELF-GOVERNANCE

"At Wesleyan University, disciplinary authority is delegated by the Board of Trustees to the president, who is technically accountable to the Board and morally accountable to the entire University.

"Students live under principles set forth in a University Code and by procedures set forth in a Constitution. Each document was adopted and may be amended by students, subject to concurrence by the faculty and the president.

"A Student Judicial Board (of students) has initial jurisdiction over questions of student discipline. Its findings and penalties are subject (on appeal) to review by a faculty-student committee and (in any case) to review by the president, who may reduce or enlarge penalties. Severe penalties (probations, suspensions, explusions) are meted out from time to time.

"An elected faculty committee is available—in accordance with procedures recommended by the American Association of University Professors—to consider questions of faculty conduct which may be raised by the president. The president may initiate a dismissal proceeding in a case of serious misconduct and the Board of Trustees is the ultimate decision-making body.

"We have not had a riot or other calamity at Wesleyan. But we have had difficulties and tensions which prompted the creation, this year, of a faculty-student Review Panel to find the facts and make comments to the president if there should be a disruption.

"Actions in response to conflicts

"Wesleyan University attempts to keep channels of communications open and to maintain the atmosphere of mutual trust and commitment to reason so essential to civilized academic life. This year, the administrative apparatus was supplemented by the election (by students, from a faculty-nominated slate) of three faculty Ombudsmen, prepared to help students and others get appropriate attention to policy questions raised but not resolved. The faculty has, in addition, been responsive to students in establishing new programs (e.g., a Center for the Humanities, an Afro-American Institute, an Experimental College) and in reconsidering the extent of student participation in decision-making processes.

"If there should be a disruption in spite of the attempt to remain open and responsive to student and faculty interests, the reaction would be guided by the following initial and immediate objectives:

"(a) to avoid violence and to protect persons from injury and the threat of injury;

"(b) to protect property;

"(c) to protect freedom of movement and expression for all, including demonstrators;

"(d) to avoid interruption of normal processes, such as classes, research, public events, and administrative functions; and

"(e) in the event of such interruptions, to respond so as to effect de-escalation as promptly as possible.

"It is well to remember that a university is not a collection of bricks and mortar: it is a place of learning. A disruption—however severely the conduct may be judged on review—may not in itself imperil the life of the institution or call for any particular action such as an immediate confrontation or police intervention.

"If there were an acute difficulty threatening or involving injury, serious property damage or major disorder, we would be conscious of the fact that an academic institution may turn to public authorities for help. We are aware of court procedures which can be invoked: the restraining order in the event of an identified thereat; the injunction in the case of an established difficulty. When a university uses such procedures, it removes itself from the business of law enforcement. It should do so if it has reason to believe its own mechanisms for self-governance will not be effective. Wesleyan would make this decision if necessary.

"A university can, without turning to public authority, establish its own conditions: it can find equivalent facilities for those who are inconvenienced; it can warn disrupters that they are, by their own actions, setting themselves apart from the university; and it can recognize that fact through suspensions which can be continued or made permanent after judicial review. I advised the Wesleyan community of these possibilities in a written statement this winter."

UNIVERSITY OF PENNSYLVANIA

State-supported Ivy League university, located in Philadelphia, Pennsylvania; coeducational—22,000 students.

The following extract from a letter from the Vice-Provost for Student Affairs explains the origin and development of the *Guidelines on Open Expression* which have been adopted by the university and of which a copy is annexed.

"The Guidelines arose out of an earlier demonstration about 18 months ago at which time it became apparent that we did not have a proper mechanism or manner of response to the confrontation tactics being utilized with recruiting officers on campus. The President appointed a committee of stu-

dents and faculty as a result of that demonstration who held hearings and after about four months of work came up with a document which is the core of the document which is attached. The document which they first brought forward was subjected to conversation in open meetings of the student body, in the Faculty Senate, and in various parts of the administration. It was modified by the Senate (which is the formal body of the University Faculty), and the Forum (which attempts to bring students, faculty, and administrators together in open conversation) and finally was approved at the highest level of decision making in the University, the University Council. It was then put out for student referendum and received a sufficient majority to now be considered in effect.

In the demonstration that we had in February of this year, the Guidelines had not yet been adopted so that we took them to the demonstrators and suggested that they might be approved by them and by the administration in the situation in which we found ourselves. Inasmuch as the thinking had been going around the campus for about 12 months there was a certain background of acceptability of utilizing those Guidelines at that time. I do want to reiterate however that they were adopted by both parties in the midst of the demonstration and were not in effect previous to that demonstration.

This brings me to a third and rather sensitive point and that is the whole background of how decisions are made on a university campus is probably key in this whole area under discussion. Earlier conversation and lines of communication become a base upon which you can build in times of duress and if they are not present in those moments of duress, I have the feeling they must be virtually impossible to create at that particular time. Thus the Guidelines are in and of themselves important and the process by which those Guidelines are arrived at which brought persons from the several sectors of the University together to draw up the Guidelines is also important. At the same time if other informal networks of communication are not being carried forward and easily available, then in the midst of times of utmost urgency these will be impossible to construct.

UNIVERSITY OF PENNSYLVANIA GUIDELINES ON OPEN EXPRESSION

(Draft approved by the University Council on April 9, 1969)

I. PRINCIPLES

A. The University of Pennsylvania, as a community of scholars, affirms, supports, and cherishes the concepts of freedom of thought, inquiry, speech and lawful assembly. The freedom to experiment, to present and to examine alternative data and theories; the freedom to hear, to express, and to debate various views; and the freedom to voice criticism of existing practices and values are fundamental rights which must be upheld and practiced by the University in a free society.

B. Recognizing that the educational processes can include demonstrations and other forms of collective expression, the University affirms the right of individuals and groups to assemble and to demonstrate on campus within the limits of these Guidelines. The University also affirms the right of others to pursue their normal activities within the University and to be protected from physical injury or property damage.

C. The University should be vigilant to ensure the continuing openness and effectiveness of channels of communication among members of the University on questions of common interest. To further this purpose, a Committee on Open Expression is hereby established as a standing committee of the University Council. The Committee on Open Expression has as its major tasks: monitoring the communication processes to prevent conflicts that might emerge from failure of communication, recommending policies and procedures for improvement of all levels of communication, advising administrative officers where appropriate, and participating in evaluation and resolution of conflicts that may arise from incidents or disturbances on campus.

II. COMMITTEE ON OPEN EXPRESSION

A. Composition

1. The Committee on Open Expression consists of twelve members: five students, five faculty members and two representatives of the administration.

2. Members of the Committee are appointed by the Steering Committee in the following manner:

a. Student members shall be nominated from undergraduate students, graduate students and graduate-professional students by a means arrived at by representative student groups. If the students are unable to agree upon such a procedure, and instead propose several different procedures, the Steering Committee shall make an interim choice between the student proposals. Students selected by an interim process shall serve only until their peers have established a permanent selection process.

b. Faculty members shall be nominated by the Senate Advisory Committee. The administration members shall be nominated by the President.

c. Each member shall be selected for one year. Any individual may not serve for more than two consecutive terms.

3. The Chairman of the Committee shall be selected by the Steering Committee from among the members of the Committee on Open Expression.

B. Jurisdiction

The Committee shall have competence to act in all issues and controversies involving open expression under these Guidelines. The Committee's functions include, but are not limited to, the following:

1. Giving advisory opinions interpreting the Guidelines at the request of an interested member of the University. If the Committee does not give a requested opinion, it should indicate its reasons for not doing so.

2. Reviewing administrative decisions taken under these Guidelines, without prior consultation with the Committee.

3. Issuing rules for interpreting or implementing the Guidelines. Before adopting a rule, the Committee should hold an open hearing on the text of the proposed rule and receive the views of interested individuals or groups. An affirmative vote of eight members is required for any such rule to be effective.

4. Recommending to the University Council any proposals to amend or repeal the Guidelines. An affirmative vote of seven members is required to make such recommendations.

5. Publishing an annual report to the Council and the University on the status of the Committee's work.

6. Advising administrative officials with responsibilities affecting freedom of expression and communication, including particularly the use of University facilities for meetings and the utilization of force to terminate a demonstration.

7. Mediating in situations that threaten to give rise to incidents that may possibly violate the Guidelines.

8. Evaluating and characterizing incidents that have occurred, both to determine whether the conduct of any group, considered as a whole, has violated the Guidelines, and to attempt to discover and remedy any failures in communication that may have caused or contributed to the incident. The Committee does not act as a disciplinary body to try charges against individual students and impose punishment, but its interpretation of the Guidelines shall be conclusive in any disciplinary proceeding that may ensue.

9. Adopting procedures for the functioning of the Committee, varied to suit its several functions consistent with these Guidelines. Procedures that are not wholly matters of internal Committee practice shall be published in advance of implementation.

C. Procedures

1. Seven members of the Committee constitute a quorum. No member may participate in the consideration or decision of an issue in which he is or may become involved.

2. The Committee can authorize subcommittees, selected from its own members, to act for the Committee in any matter except the issuance of rules interpreting or implementing the Guidelines, or the making of recommendations to amend or repeal the Guidelines.

III. STANDARDS

A. The right of individuals and groups peaceably to assemble and to demonstrate shall not be infringed.

B. The substance or the nature of the views expressed is not an appropriate basis for any restriction upon or encouragement of an assembly or a demonstration.

C. The University should permit members of the University, upon suitable request, to use any available facility or meeting room for purposes of open or private discussion.

1. The responsibility for determination of the policies and procedures for assigning University facilities should be lodged specifically in the office of the President or his delegates.

2. The Committee on Open Expression should be consulted in the determination of the substance of the policies and procedures and the manner of their publication to the University.

3. Specific attention should be given in the policies and procedures to the groups of organizations, other than recognized student, faculty or administration organizations, entitled to request use of University facilities.

4. Before a request of a University group to use any facility is rejected, for reasons other than the prior commitment of the facility or the like, the President or his delegate should consult with the committee on Open Expression to obtain the advice and recommendation of that body.

D. Groups or individuals, including faculty, students, administrators, and other University personnel, planning or participating in demonstrations should restrain their activities in accordance with the following standards:

1. Conduct that causes injury to persons or damage to property, or which threatens to cause such injury or damage, is impermissible.

a. Demonstrations should not be held inside laboratories, museums, computer facilities, libraries, or the like, because of the risk of loss, damage or destruction of rare or irreplaceable documents, collections or equipment.

b. Demonstrations should not be held in places where a significant hazard of fire or building collapse or falling objects is presented.

c. Demonstrations should not interfere with the operation of hospitals, emergency facilities, communication systems, utilities, etc.

2. Demonstrations should be conducted in a manner that keeps within reasonable bounds any interference with or disturbance of the activities of other persons. The reasonableness of conduct may be determined by such factors as the time and place of the demonstration and the general tenor of conduct.

a. Demonstrations should not be held inside libraries or private offices, or inside class-

rooms or seminar rooms in which meetings or classes are being held or are immediately scheduled.

b. Demonstrations should not interfere with free and unimpeded movement in and out of buildings and rooms and through all passageways. This will generally be satisfied if at least one-half of each entrance, exit, or passageway if free from obstruction of any kind.

c. Noise level is not of itself a sufficient ground for making a demonstration improper, but may possibly, in particular circumstances, interfere and disrupt the activities of others in an impermissible way.

3. The refusal of persons participating in a demonstration to follow the instructions of the Vice-Provost for Student Affairs or his delegate to modify or terminate the demonstration is a violation of these Guidelines. The Committee on Open Expression plays a vital role in such situations, either in an advisory capacity or in immedately reviewing the instructions.

4. When the Vice-Provost for Student Affairs or his delegate considers that an individual or a group has violated the Guidelines, he may request to examine their matriculation cards or other University identification. Failure to comply with this request is a violation of the Guidelines.

E. Supervision of demonstrations, where necessary, is the task of the Vice-Provost for Student Affairs and his assistants.

1. In carrying out this responsibility, the Vice-Provost obtains the advice and recommendation of the Committee on Open Expression whenever feasible, but it is recognized that he is the responsible administrative official who may have to act in emergency situations without prior consultation.

2. All members of the University are expected to comply with the instructions of the Vice-Provost or his delegate at the scene of a demonstration which he finds violative of the Guidelines, the fire laws and other laws, ordinances or regulations relating to occupancy of the University's buildings. Such compliance is a defense to any disciplinary proceedings under these Guidelines for the immediate conduct to which the instructions are responsive, unless the violators are found to have caused or consciously threatened injury to persons or damage to property or to have demonstrated wilfully in a protected area, as defined in D1 and D2 above.

3. Terminating a demonstration by force is a most serious step. It is frequently a mistake to terminate a demonstration by force, as this may exacerbate existing tensions and lead to personal injury and property damage.

a. Avoidance of injury to persons by the continuation of the demonstration is a key factor in determining whether it should be forcibly terminated. Property damage and significant interference with educational processes are also factors to be considered, and may be of sufficient magnitude to warrant forcible termination.

b. Whenever possible, the Vice-Provost should consult with the Committee on Open Expression before seeking a court injunction against the demonstrators or calling for police action.

c. The Vice-Provost or his delegate should attempt to inform demonstrators that he intends to seek an injunction or call for police intervention before he does so.

4. When a demonstration is forcibly terminated, a full statement of the circumstances leading to the event should be published by the Vice-Provost within the University.

e. Attendance at demonstrations of unarmed campus police is a normal and useful aid to the Vice-Provost and his assistants.

I am convinced that such instances are not rare. Indeed, I am confident that every Member here today can point to similar instances where student dissent has been dealt with successfully within their own districts. Certainly this is true in my own district in Michigan where both the University of Michigan and Eastern Michigan dealt promptly, firmly, and rationally with student problems. These campuses and others such as Adrian College have dealt with the issues successfully because the lines of communication between faculty, administrators and students were truly open so that problems and questions could be dealt with in a frank and open basis.

The success of many colleges in dealing with the problem of student dissent is something which can be capitalized on by other schools. Although no two schools are identical, the experience of one school can be most helpful to administrators in other schools in reacting to similar problems at their university. The advantages of shared experiences are obvious and I therefore wrote to the major associations of colleges and universities early this summer suggesting that national and regional conferences be convened to discuss means of dealing effectively with campus dissent. The reaction has been overwhelmingly favorable. In several instances, conferences have already begun, or are being planned. There is clearly a widespread and deep interest and concern on the part of college and university officials in meeting their responsibilities in this area. As evidence of that concern I submit my letter, plus a number of the replies that I received, for inclusion in the CONGRESSIONAL RECORD, as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 11, 1969.

DEAR ——— ———: I write to you, a leader in the higher education community, urging you to take immediate action which might contribute constructively to the problems associated with the present unrest on our college campuses.

Having served on the Education and Labor Committee and having visited college campuses during the past two months and having constant contact with the public constituency, I believe the time is fast approaching when every representative organization must reappraise its efforts in responding to student unrest. The problem on the campuses is more structured and of greater potential intensity than many of us are aware. The results of continuing disorders and the resultant publicity are finding a restive audience in the American people.

For some time politicians, columnists, the news media, professional observers, and government officials have been berating, commenting or praising the motives and actions of our campus youth. If nothing else, this inconsistency is creating a demanding and an active majority in the American people who want to know what is or is not acceptable behavior in their society. In time, if allowed to continue in this manner, campus disorders may well result in the appearance of restrictive state or federal legislation which will have the ultimate effect of controlling the operating procedures of our colleges and universities. Further, as evidence has shown, the public reaction will curb the expenditures of local, state, and federal funds used to support the finest educational system in the world.

I will not support, nor will I vote for repressive legislation nor do I believe that the majority of students should be penalized by the cutting back of operating funds in order to punish a few.

Currently under consideration before our Education and Labor Committee is H.R. 11941. While I believe that the role of this bill is laudable in that it attacks the major problems inherent in our college campuses today, I am nonetheless concerned that it may set an unhealthy precedent.

Therefore, at this time I am calling upon your Association and urging that you join with others and convene a series of national and regional conferences of college and university administrators. Such meetings can have a positive effect upon this growing crisis. They would help to create better communication and understanding on the part of the American people, aid administrators in developing practices regarding discipline and conduct of students and faculty, and establish new means of communication with students. The interface which could be obtained by such a meeting would be most valuable to college leaders in providing an experience base for dealing with student problems. It would provide suggestion for solidifying the support of the large silent majority on our campuses and ideas for isolating the behavior and motives of militant reactionaries.

In general their purpose would be to develop concepts which would replace the current atmosphere of disruption and disorder on our campuses with a new positive force of creative interchange. I do not envision the conferences to establish standard regulations or practices as each college and university community is diverse and unique and must be governed by the factors within its environment. The independent operating integrity of each institution must be protected. Voluntary efforts on the part of the educational community must begin now.

I also recognize the limitations of such a conference and that there is no panacea for today's unrest.

The leadership your Association has shown in developing informal and overt actions in regard to this problem is most assuredly recognized. However, the urgency of this crisis requires the efforts of a massive coordinated breakthrough to bring about positive results.

It is my opinion that the National Administration is concerned about protecting the operational autonomy of our colleges and universities and they will be willing to participate cooperatively in any voluntary effort toward this end. I have written the President and members of his staff requesting this support.

I urge your consideration of my proposal and await your urgent response.

Sincerely,

MARVIN L. ESCH,
Member of Congress.

THE ASSOCIATION OF
AMERICAN UNIVERSITIES,
Washington, D.C., June 16, 1969.

Hon. MARVIN L. ESCH,
U.S. House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE ESCH: I wish to acknowledge with appreciation your letter of June 11, 1969 in which you express concern about current campus disorders and particularly for your desire to have order restored without resort to federal or state legislation which conceivably might be repressive.

With reference to your specific request that the Association of American Universities join with others in convening a series of national and regional conferences of college and university administrators, I shall refer this question to our Association's Executive Committee for consideration. You are aware, I am sure, that some conferences have been held already and it is my guess that if additional meetings are needed, the American Council on Education should take the initiative in convening them. I may say that in the case of the Association of American Universities, which meets semi-annually and is an organization of university presidents,

I cannot recall a single meeting of the Association since October, 1964 when a great deal of consideration has not been given to these very matters which are of concern to you. These discussions and exchanges have been helpful to all of our members and will doubtless continue in the future, but I believe most if not all of our members firmly believe that remedial action can and should be taken at each institution by its own trustees, administrators, faculty and students. We are already encouraged to believe some institutions are proving the efficacy of this procedure. . . .

Sincerely yours,

CHARLES P. MCCURDY, Jr.

AMERICAN COUNCIL ON EDUCATION,
Washington, D.C., June 30, 1969.

Hon. CARL PERKINS,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: I should like to bring you up to date on the activities of the American Council on Education as we plan this summer to undertake an action program on the causes and prevention of campus disruption. As the principal coordinating agency for all of higher education we feel a particular responsibility to address ourselves to this problem and to try to come up with constructive proposals for educational institutions prior to the opening of the next academic year.

In retrospect it is easy to see that the academic community was ill-prepared to cope with the revolutionary tactics of a very small but admittedly very militant minority of students and faculty. It is equally apparent that communication lines between large numbers of moderate students and their counterparts in the facilities and administrations had broken down to an extent we had not realized.

As a result, we announced last week and are moving immediately to appoint and put to work a Special Committee on Campus Disruption. We shall involve administrators, faculty, students, trustees, and lay leaders in the work of this Committee. We hope very much that through workshops, seminars, and a collection and analysis of existing information to have ready for the new academic year in September some practical guidelines to offer our institutions.

We know that at the same time the Department of Health, Education, and Welfare is studying the implications and the implementation of Section 504 of the Higher Education Amendments of 1968. This legislation was enacted by the Congress in an effort to provide to institutions tools that might be useful in the settling of campus disputes. Assertions have been made that this legislation has not been used. This may or may not be the case. The higher education community has consistently maintained that once it understood the nature of its problems, it had adequate machinery to deal with them. We are now getting closer to such an understanding and are in the process of putting our machinery to use.

For these reasons, it would seem to us wise for the Congress to await a report on how existing legislation has been utilized before moving to still additional legislation. It would also be our hope that the Congress would give the higher education community generally and the ACE specifically time to put its own planning into effect rather than forcing us to adjust to a whole new set of problems that would be raised by new legislation in this area.

Sincerely yours,

LOGAN WILSON.

[A news release from the American Council on Education]

WASHINGTON—The American Council on Education today (June 16) announced establishment of a Special Committee on Campus Disruption which will propose ways to strengthen procedures of self-regulation by colleges and universities.

In announcing the board action, Council President Logan Wilson said the committee "will focus on more effective decision-making, appropriate means of presenting grievances and proposing changes, clarification of due process and the use of campus and civil authority in response to disorder, and improved communication both within the academic community and between it and the public."

The action was taken by the Council's Board of Directors at its regular June meeting. As the nation's major coordinating agency for higher education, the Council has a membership of 1,538 colleges, universities, and education associations.

President Wilson said he is proceeding at once to name the chairman and members of the special committee in consultation with leaders of representative higher education associations.

A specific objective of the committee will be to formulate ways to deal effectively with campus disruption while protecting the academic or constitutional rights of members of the academic community and avoiding resort to repression or counter-violence.

The special committee will be asked to begin its work as soon as it is appointed and to report its findings to the Council's president and board at the earliest feasible date.

Establishment of the committee is one of a number of actions initiated within recent months by the Council in its concern about campus disorders and its historic interest in critical problems of campus governance.

In May 1968 the Council, acting jointly with the University of Denver Law School, sponsored, and distributed the proceedings of, a national conference on "Legal Aspects of Student-Institutional Relationships." The Council's Office of Research is conducting extensive research into the causes of campus unrest. In April the Council issued "A Declaration on Campus Unrest," a statement formulated by prominent educational administrators, trustees, and foundation officers. Most recently the Council published and distributed to its members the June 9 statement on campus disorder issued by the National Commission on the Causes and Prevention of Violence. In October the Council's Annual Meeting, in Washington, will focus on "The Campus and the Racial Crisis."

A DECLARATION ON CAMPUS UNREST

(NOTE.—This statement was formulated by a group of educational administrators, trustees, and foundation officers who met April 4–5, 1969 in Chicago under Council auspices. Those present were three Council officers—President Logan Wilson, Vice-President Kenneth D. Roose, and David C. Nichols II, assistant to President Wilson—and the following:

(Louis T. Benezet, president, Claremont Graduate Center; Landrum R. Bolling, president, Earlham College; Herman R. Bronson, president, Central State University; Robert D. Clark, president, San Jose State College; Fairfax M. Cone, trustee, University of Chicago; Thomas H. Eliot, chancellor, Washington University; Robben W. Fleming, president, University of Michigan; David D. Henry, president, University of Illinois; Theodore M. Hesburgh, C.S.C., president, University of Notre Dame; James M. Hester, president, New York University; Ralph Hetzel, trustee, Pennsylvania State University; Roger W. Heyns, chancellor, University of California, Berkeley; Joseph F. Kauffman, president, Rhode Island College; William R. Keast, president, Wayne State University; Malcolm Moos, president, University of Minnesota; Mrs. Henry Owen, trustee, Washington State University; Harvey Picker, trustee, Colgate University; Alan Pifer, president, Carnegie Corporation of New York; Wesley Posvar, chancellor, University of Pittsburgh; Nathan M. Pusey, president, Harvard University; John Ritchie, dean, Law School, Northwestern University; John S. Toll, president, State University of New York at Stony Brook; Edmund A. Stephan, trustee, University of Notre Dame; F. Champion Ward, vice-president, The Ford Foundation; Herman B. Wells, chancellor, Indiana University; Charles E. Young, chancellor, University of California, Los Angeles; and Edwin Young, chancellor, University of Wisconsin, Madison Campus.

(The statement was subsequently approved by the Council's Board of Directors, comprised of the following individuals:

(Mason W. Gross, president of Rutgers—The State University, chairman; Anne G. Pannell, president of Sweet Briar College, vice-chairman; Gustave O. Arlt, president of the Council of Graduate Schools in the U.S., secretary; Fred Harvey Harrington, president, University of Wisconsin; Grayson Kirk, president emeritus, Columbia University; Frederic W. Ness, president, Fresno State College; Alan Simpson, president, Vassar College; Thomas A. Spragens, president, Centre College of Kentucky; Sharvy G. Umbeck, president, Knox College; Kingman Brewster, Jr., president, Yale University; G. Homer Durham, president, Arizona State University; Samuel B. Gould, chancellor, State University of New York at Albany; Darrell Holmes, president, Colorado State College; Kenneth S. Pitzer, president, Stanford University; Edgar F. Shannon, Jr., president, University of Virginia; Joseph P. Cosand, president, Junior College District of St. Louis; Theodore M. Hesburgh, C.S.C., president, University of Notre Dame; Roger W. Heyns, chancellor, University of California, Berkeley; Martha E. Peterson, president, Barnard College; Calvin H. Plimpton, president, Amherst College; and Willis M. Tate, president, Southern Methodist University.)

The unprecedented, comprehensive, and often unpredictable changes that are taking place in this age both disturb and alarm large segments of our society. Most of the changes and attendant alarms affect the operations of our institutions of higher learning. They are also related to the values, concerns, and behavior of our young people. In coming to grips with the compelling issues, all who would think seriously about them must recognize that present-day society—in America and in many foreign lands—is in serious trouble on many fronts. We see around us racial conflict, continued poverty, and malnutrition midst unparalleled prosperity and seemingly unlimited promise. We are confronted by pollution of our environment, decay of our cities, the continuation of wars and the threat of war and everywhere a vague but widespread discontent with the general quality of life.

These problems affect all of society not the university alone or the young alone. We must all be concerned to deal intelligently and responsibly with these problems that are neither the exclusive discovery nor the sole responsibility of the young. Yet the depth of feeling among young people in many countries today about the issues, their general dissatisfaction with the slow-moving ways of society, and the extreme behavior of a small minority of students are evidence of the profound crisis that involves our entire society and, specifically, the university community.

The university itself has often become the immediate target of student discontent, sometimes couched as legitimate complaints about the deficiencies of the universities, sometimes devised as a softening-up exercise for assault on the wider society.

How to deal with campus crises arising from the widespread protests has become a major public issue and the cause of confused and angry debate. That there should be deep anxiety about the course of the con-

flict and its possible outcome is understandable. No social, racial, or age group that perceives itself and its values to be seriously threatened will fail to strike back. Increasingly there are blacklash temptations to enact strong, often ill-considered, and largely futile measures to cope with a youth rebellion that none of us fully comprehends, not even the youth themselves.

Certain balanced judgments are proper to make, however, as we search for understanding and solutions:

1. It is important for the public to understand that, despite the nationwide publicity given to student disorders, the great majority of American campuses have remained peaceful. On campuses where conspicuous disorders have occurred, educational programs generally have gone along their normal ways. Most students and faculty have continued to carry on their regular work. In the main, good teaching and good research, as traditionally defined, have been uninterrupted.

2. On the undisturbed campuses and among the majority of orderly students, however, there are widely shared discontents which extremists are at times able to manipulate to destructive ends. Moreover, even in the absence of violence, there has developed among some of the young a cult of irrationality and incivility which severely strains attempts to maintain sensible and decent human communication. Within this cult there is a minute group of destroyers who have abandoned hope in today's society, in today's university, and in the processes of orderly discussion and negotiation to secure significant change. Students and faculty are increasingly aware of the true nature of this group and are moving to deal with its destructive tactics. The necessity to deal with extremists, however, is placing an extraordinary burden upon the whole educational enterprise and upon those who man it. Consequently, universities are having to divert their energies and resources from central educational tasks in order to deal with student unrest in its various forms.

3. The spectacular events precipitated by the extremists should not be allowed to obscure the recent accomplishments of those students, faculty, and administrators who have serious interest in constructive changes in society and in the university. They have broadened the curriculum and improved teaching. They have moved toward a more open and participating pattern for university governance. And they have begun to make the work of universities more meaningful in dealing with the problems of society. Those efforts must continue. Reform and self-renewal in higher education are ongoing imperatives.

4. Meanwhile, the speed and scale of social change have imposed many kinds of demands upon educational institutions for which their programs, their capabilities, and their funding are not always adequate. Moreover, universities are increasingly asked to perform functions for society, particularly in reshaping the behavior, values, and lifestyles of the young, on which the family and other social institutions have already had major influence—or lack of influence. Some of society's expectations for universities are quite unrealistic. Insofar as these expectations can be dealt with, they involve a sharing of responsibilities among diverse social institutions. Many of society's demands require new resources and fresh approaches to old and new problems.

5. Recognizing the right of and even the necessity for constructive dissent—and allowing for inevitable arguments over what is in fact constructive—certain axioms must be accepted as basic to the operation of any university:

a. Disruption and violence have no place on any campus. The academic community has the responsibility to deal promptly and directly with disruptions. If universities will not govern themselves, they will be governed by others. This elementary reality is increasingly becoming understood by all components of the university community. Student and faculty groups, including the American Association of University Professors and the National Student Association, have recently joined in efforts to improve disciplinary procedures and to formulate clear and realistic codes for dealing with misconduct, and more particularly with violence and disruption. Also, by involving students and faculty effectively in the governance of the university, it can be demonstrated that there are better ways of getting views considered and decisions made than by disruption.

b. The historic concern of the university community with academic freedom needs to be restated, reaffirmed, and vigorously defended against all, within or without the university, who would obstruct the right of scholars to investigate, teachers to teach, or students to learn. This reiteration is not to claim for the university special privileges that put it above the law or that free it from critical public appraisal—rather it affirms that the university must maintain a basic institutional integrity to function as a university.

c. Violations of criminal law must be dealt with through the ordinary processes of the law—and universities must attempt to deal with disruptive situations firmly before they reach the stage of police action. Governmental attempts to deal with these problems through special, punitive legislation will almost certainly be counterproductive. Meanwhile, students and faculty whose consciences demand that they express dissent through law violation must be prepared to accept the due processes and the penalties of the law. They should not be encouraged to expect amnesty from the effects of the law. Such an expectation would be the ultimate use of the *in loco parentis* concept against which many young activists passionately protest. Nor should they expect amnesty from academic discipline, which is the most effective sanction in disruptive incidents.

6. The education community needs to undertake a far more comprehensive effort than ever before attempted to study the underlying bases of youthful discontent and alienation and the broad social problems to which they are related. As social critic, the university must help society understand and solve such problems.

7. All universities should give particular attention to a continuing search for ways, including new social inventions, by which the life of rationality and civility, shared concern, and mutual respect may be supported and strengthened within the university community. The survival of the university and its long-term contribution to society depend upon the ability of the institutions to make their everyday life reflect that spirit and pattern.

OFFICE OF THE PRESIDENT,
June 23, 1969.

HON. MARVIN L. ESCH,
Cannon House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ESCH: Thank you for your recent letter regarding campus disorders and seeking ways to stop them. I agree completely with your point that these disorders should be stopped by changing the causes rather than by punitive and repressive treatment of the symptoms.

I am enclosing a copy of the position taken by the NEA Legislative Commission at a meeting last month. It is, of course, a statement of principle with specific reference to pieces of legislation that had been proposed at that time. It did not take into account the range of proposals that have been made lately, such as H.R. 11941.

In addition to this statement, the Legislative Commission has been directed by the Executive Committee to make a thorough study of the matter of student unrest and develop a statement of NEA's position on related legislation. If such a statement is approved by the Executive Committee, it will become official NEA policy. I shall, of course, let you know the outcome of this process.

Meanwhile, NEA would be more than willing to cooperate with other groups in setting up conferences with higher education personnel as you suggest. Any improvement in communication must result in an improvement in the situation on our campuses. NEA recognizes its responsibility as the leader in the educational field to make every effort to secure peace and the rights of all individuals on campuses.

I look forward to working with you and others toward these goals.

Sincerely,

GEORGE D. FISCHER,
President, National Education Association.

POSITION OF N.E.A. LEGISLATIVE COMMISSION

The National Education Association reaffirms its support of peaceful dissent on college and university campuses but abhors the violence so frequently connected with protest. NEA is concerned, however, with the rights of individuals who may suffer injustice as a result of such dissent. Federal legislation, in Section 504 of the Higher Education Amendments of 1968, provides recourse to institutions in dealing with disruptive individuals and should be retained. In addition to Section 504, NEA recommend enactment of legislation to create a mediation service to mediate disputes among students, faculty, and administrators of colleges and universities.

AMERICAN ASSOCIATION OF
JUNIOR COLLEGES,
Washington, D.C., June 25, 1969.

HON. MARVIN L. ESCH,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. ESCH: Dr. Gleazer is on vacation so I am taking the liberty of responding in his behalf to your letter of June 11.

We see great merit in your idea of a series of regional conferences among college administrators and other concerned leaders which would examine the issues behind campus disorders. I am confident that such conferences, given broad sponsorship including White House support, would attract most of our two-year college presidents. We would like to work with you as your plans develop.

Personally, I share your deep distress over the way the campus disorders have been sensationalized, particularly in Congress. Unfortunately, most of the hearings have brought out only one side of the issue. They have presented a distorted picture of the searching change which is occurring in campus life. By stressing only the bizzare, they have given a carnival image to a reformation that has a very positive side.

The college campus is a much more open society today than it ever was in the past. The student bodies are much more heterogeneous. For every agitator on the average campus, there are at least a hundred disadvantaged youth who are quietly trying to make the most of the crack at college they would never have had in an earlier generation. Of course, we have only just begun to move toward equality of opportunity in higher education. We still have a long way to go to correct the old inequities. Perhaps the conferences you propose would help us chart a clearer course. Surely, they would help develop a fuller, more balanced picture of campus change.

Certainly we are pleased that you see the folly of repressive legislation. Such legislation can only injure the programs that Congress has worked so hard in the last decade

to develop. Congress must face up to the fact that it has contributed to the campus unrest. The disorders in deeper significance reflect the rising expectations that Congress helped to foster through the imaginative programs it has recently enacted for education. Congress has delivered only a fraction of the resources and opportunities promised in these programs. Perhaps the conferences you are promoting can help the Congress, as well as the public and the colleges, see more clearly the need for a new order of national priorities.

Thank you again for sharing your concerns and your plans with us.

Sincerely yours,

FRANK MENSEL, *Director, Governmental and Urban Affairs.*

ASSOCIATION OF AMERICAN COLLEGES,
Washington, D.C., June 19, 1969.

Hon. MARVIN L. ESCH,
U.S. House of Representatives,
Washington, D.C.

DEAR MARVIN: Since receiving your letter of June 11th, members of our staff have been in touch with you and your office several times concerning information at least partially responsive to your inquiry and suggestions. Because of the urgency of affairs in the Committee on Education and Labor, we have all wanted to act as quickly as possible in any and all ways that might be helpful to you and other Committee members.

Meanwhile our giving attention to these matters has delayed this more formal response in writing to your letter itself. We are grateful for your constructive posture and ideas on the very complex questions of student unrest and related legislation. More specifically, your idea of timely conferences strikes a very responsive chord. It would be inappropriate and inefficient for us to proceed alone on this, and my understanding is that several other national associations are also giving active consideration to the idea. A number of us are meeting together this afternoon, and I believe the proposed conferences are one of the principal topics on our agenda. None of us wants to delay any action that promises to be of any assistance to the colleges.

With all good wishes,

Sincerely yours,

RICHARD H. SULLIVAN,
President.

THE COUNCIL FOR THE ADVANCEMENT OF SMALL COLLEGES,
Washington, D.C., July 2, 1969.

Hon. MARVIN L. ESCH,
U.S. House of Representatives,
Washington, D.C.

MY DEAR MR. ESCH: We wanted to answer your letter in detail and thus I am sending you more information about what it is we are doing during the first week in August at Michigan State University in cooperation with their Department of Administration and Higher Education.

First, let me say how pleased and encouraged we are that there are some members of Congress, including yourself, who are expressing a more enlightened view toward the current campus and student unrest. We are deeply concerned about some of the restrictive state and federal legislation which has been introduced in recent months. We are further disturbed to know that some of this legislation at the state level is evidently going to pass. However, we are hopeful that men such as yourself will not support nor vote for any kind of repressive legislation which, as you indicate in your letter, would penalize the majority of students by cutting back operating funds in order to punish a few.

CASC is beginning a program this summer entitled "In-Service Training of Top-Level Administrators and Members of Boards of Trustees of Small Colleges." This is a three-phase program and will involve a national level summer program to be held on the campus of Michigan State University from August 3–8. The second phase will take place during the 1969–70 school year and provide for up to six regional institutes with as many trustees as possible attending from each institution. The third phase will also be conducted during the 1969–70 academic year and will include consultant service and visitations to those member colleges requesting such consultation with their boards of trustees. On the second day of our summer institute the program will be devoted partially to "Today's College Student." Dr. Richard Gross, Dean of Gordon College, and Dr. Eldon Nonnameker, Professor of Higher Education and Associate Dean of Students at Michigan State University, will be the major speakers for that particular session. It is during this time that we can well devote some time to the topic of the current student unrest on our campuses. Later that same day we are having a panel discussion devoted to the topic "Who's in Charge?" We expect that student representatives will be present for both the earlier sessions and to take part in this particular panel. By providing for student participation in this program we are attempting in a small way to "establish new means of communication with students" as you have called for in your letter.

Once again thank you for the support which you have indicated in your letter, and although we are unable to convene a special conference of college administrators and faculty members, we do hope that our special program for trustees with its feed-in of student participation will add to the atmosphere of increasing communication between students and administrators. Thank you for your educational leadership in these very trying times for our society and for our institutions of higher learning.

Sincerely yours,

RICHARD M. WITTER,
Assistant Executive Director.

AMERICAN ASSOCIATION OF STATE COLLEGES AND UNIVERSITIES,
Washington, D.C., June 16, 1969.

Hon. MARVIN L. ESCH,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. ESCH: In response to your letter of June 13th and in anticipation of the House hearings this morning before the Committee on Education and Labor, I have taken the liberty of doing two things over the weekend.

Firstly, the American Association of State Colleges and Universities has asked Chairman Perkins if a member of our Board of Directors, Dr. Darrell Holmes, President of Colorado State College, might be allowed to testify this morning anent the concerns of your letter. Secondly, I have prepared, along with President Holmes, a statement which he will present if given the floor by Chairman Perkins. I enclose a copy of that statement along with material which the statement alludes to.

I trust this strategy on our part is adequate in terms of the intent of your letter, Mr. Esch.

If I may be of further assistance at any time in the future, please call on me.

Best regards.

Sincerely yours,

JAMES E. CIPRIANO,
Executive Assistant.

TESTIMONY BEFORE THE HOUSE COMMITTEE ON EDUCATION AND LABOR, ON BEHALF OF THE AMERICAN ASSOCIATION OF STATE COLLEGES AND UNIVERSITIES ON H.R. 11941; BY DARRELL HOLMES, PRESIDENT, COLORADO STATE COLLEGE, GREELEY, COLO.

Mr. Chairman; members of the Committee: My name is Darrell Holmes. I am President of Colorado State College in Greeley, Colorado and a member of the Board of Directors of the American Association of State Colleges and Universities. AASCU consists of 254 institutions and 14 statewide systems of state colleges located in 45 states, the District of Columbia, the Island of Guam and the Virgin Islands. Approximately 1.6 million students—or over one out of five college students in the United States attend the type of institution represented by the Association. The institutions are the fastest growing degree-granting institutions in the nation.

With this overview in mind, I should like to point out in explicit, unequivocal terms that AASCU member institutions are doing much about the present unrest on our college campuses. First, in connection with campus disorders, we must not confuse dissent with genuine concern on the part of students about problems which we have not been able to solve . . . we must not confuse dissent and genuine concern with violence. We must not confuse orderly activism with disruptive and irresponsible actions. In the latter, I know of no president in our Association who has turned his back on the law. Every president, I know has administered the law as it was meant to be.

Our Association has been active for several years in considerinng student dissent. Let me list some of our activities:

1. The theme of our annual meeting was "Who's in Charge Here?" I should like to place on file with you the proceedings of that meeting. A variety of means for involving students in institutional policy matters was explored. It was clear that the governing board of the institution is responsible for campus policies and that the college or university president is the board's chief executive officer and is held accountable for all activities on the campus.

2. A statement of due process as it relates to student discipline will soon be published by AASCU. We see the need for students to be accorded their due rights, and actions are being taken on our member campuses around the country to guarantee them.

3. In cooperation with the Association of Student Governments, our Association is presently exploring the possibility of a joint and voluntary mediation service to help resolve campus disturbances.

4. We have published a statement on student rights and responsibilities. A copy is hereby placed on file.

5. AASCU also has in operation a Consulting Service which assists member institutions meet and solve campus difficulties. Consultants with a backlog of experience in state colleges and universities are available to visit, study, and make reports and suggestions in areas where member institutions may wish for objective advice.

6. We are planning a statement about alternative responses to different kinds of campus disorders. We believe that a simple plan cannot be developed that covers all possible disorders. Rather workable alternatives must be ready for immediate use for a given kind of problem.

7. Student participation in program and policy consideration is being broadened around the country. For example, most of the Association's institutional committees contain student representation—yet it is clear that the faculty continues to be held accountable for academic affairs. In at least one instance, students sit with the Board of Trustees and in another, students sit on a statewide policy committee which is advisory to a council of presidents.

8. We have asked presidents of our 254 member institutions to give serious consideration to joining with other higher education associations in convening a series of national and/or regional conferences of college and university administrators. The general purposes of such conferences would be to pursue and create better communication and understanding on the part of American people, aid administrators in developing practices regarding discipline and conduct

of members of the campus community, and to establish and maintain effective means of communication with students.

9. We favor the passage of legislation only when it is in the national interest to do so, and only when state and local laws are inadequate. For example, legislation prohibiting the interstate transfer of fire arms from being carried, displayed or used on campuses illustrates a possible needed federal law. The problem of fire arms is most serious. On the other hand, it is our firm conviction that the Congress should be very careful about getting into the management of the internal affairs of the college and determining in advance an approved administrative course of action for a situation that might occur at some future date. We can and have administered our institutions in accordance with laws which govern all people. We should not be confronted with a law which dictates methods of compliance. In connection with the administration of the Civil Rights Act, you did not require us to explain how we intend to implement the law. The Federal Administration does, as you know, run a compliance review. This is a much more reasonable approach than passing laws which dictate method of compliance which is suggested in HR 11941.

You may rest assured that our institutions are firmly committed to the maintenance of the rights of every student to free inquiry, study, and expression in the academic community. Laws which preserve these freedoms are most welcome.

The Federal Government, too, has started constructive action to coordinate college efforts to deal with dissent. The Office of Education has been involved in informal conversations with college administrators, members of college faculties, and college trustees. An informal conference between leading representatives of the higher education community and the Office of Education was held on July 12.

It is my understanding that this conference resulted in the recognition that the Office of Education can assume great leadership as the advocate of change and relevance in higher education. The Office of Education can and must play an important role as a national spokesman, a coordinator and the interested, but neutral third party.

As a result of the conference, the Office of Education has under consideration at the present time the possibility of a National Conference on Higher Education.

Mr. Speaker, I strongly support this role for the Federal Government not as an all-knowing overseer and/or as a national policeman but as a coordinating and encouraging force to bring about orderly change in the campus community. The Nixon administration has pledged its support of such a Federal role and I hope that the Congress today will not override that Federal commitment.

MSGR. JOHN A. CASS

HON. ALLARD K. LOWENSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. LOWENSTEIN. Mr. Speaker, I want to pay tribute to a good and honorable man, Msgr. John A. Cass, who died recently in the city of Long Beach, N.Y., at the age of 79, still young in outlook and vigorous in spirit, working until the end for the well-being of the people of his parish, his community, and the Nation.

Monsignor Cass was the founder of St. Ignatius Martyr Church in Long Beach and its pastor for almost half a century, emerging during that time as the leading citizen of the town and as one of the few men genuinely beloved by all its sections and factions. He did everything anyone could do to tend to those in need, spiritual or material, and managed somehow to remain a simple, unpretentious, cheerful man despite all the burdens of the years and of his own increasingly fragile health. He knew no bounds of race or caste, and took the world as it came, making it a better place for those whose lives he touched.

Monsignor Cass was for 55 years a priest of the poor and the unfortunate, a priest for the lonely and for those without hope. He was often ahead of his time in his dreams and ideas, as he was always a vital part of it in his works. He will be deeply missed by all who came in contact with him, and by large numbers of people as well who never knew him but who sensed and benefited from his presence and his leadership in troubled times. He brought great credit to his church, his profession, and his hometown, and we are grateful for the privilege of having passed his way.

I include in the RECORD at this point the memorial address delivered by Monsignor Cass' successor, Msgr. Edgar P. McCarren, and a remarkable and elegant prayer for unity and justice offered recently by Monsignor McCarren. It is good to know, as we struggle to make do without Monsignor Cass, that his successor is a man of similar spirit and energy, and of equal commitment to help all who are in need. The material follows:

RT. REV. MSGR. JOHN A. CASS

For most of his life—fifty-five years as a priest—Monsignor John A. Cass, founder of St. Ignatius parish, Long Beach, and pastor for forty-one years, began each morning at Mass. He prayed, in the words of the sacred psalmist, to the God who gave joy to his youth. And he died a young man, although he would have been eighty next November 17. He had young blood and a young mind to the end.

The spirit of the pioneer was in his veins. He delighted in talking about his parents traveling in a covered wagon out west to the prairies of Kansas where he was born and where he began his initiation into the eternal priesthood by baptism into Christ Jesus. All his life he had an open and venturesome mind. His gaze was always toward the future, toward the improvement of the human condition.

In many and varied ways he was a man far ahead of his time. He was interested a generation ago—long before anyone dreamed of Vatican Council II—in the ecumenical dialogue among Christians, and between Christians and Jews. In the prime of his life he was already passionately committed to social reform and the activation of Christian social principles.

In the last decade of his life he was the man with the vision to see the need and to create (with the help of Cardinal Cushing) the Pope John XXIII Seminary for older men to study for the priesthood.

One who knew Monsignor Cass as a young priest has said that he could excel at almost anything to which he put his mind. He was an unusually talented man, specially gifted by God. His shy and quiet manner could be very deceptive.

He walked with the easy natural grace which betrayed the born athlete he was. His reflexes were faster than men twenty-five years younger (by their own testimony). His intense competitive spirit was revealed in his abiding interest in sporting events of all kinds: football, baseball, prize-fighting, horse-racing, basketball, hockey—you name it. His loyalty to his favorite teams was undying.

In his own activities he made everything look easy and effortless. In his youth he was a fine second baseman and later a crack shot with a rifle. Still later he was to become a budding architect, an author of many writings, a musician, and a musical composer.

All of these accomplishments of his were a reflection of his deep appreciation of human achievement in all its many and varied facets. A long forward pass, a fast double-play, a knock-out punch: these and other physical attainments fascinated him along with an admiration for the great masters of spiritual effort in art, music, and literature.

He had impeccable taste and his response to beauty in any form was immediate.

Everything human interested him. This accounts for his love of place. He loved not only Long Beach and New York, but the great historic cities of Paris and Rome. He had a real feeling for the history of a place and the people down through the ages who had made the place what it was.

In a word, he loved life—he loved people in all their variety—people of all colors and all creeds—people of East and of West—people old and young. This man who was so loved (with good reason) by the poor, was never ill-at-ease with the rich and powerful. The innate courtesy of the country boy from the Kansas cornfields had grown into a man of urbanity, poise, charm and sophistication. But he never lost the common touch.

He was humane to his finger tips. He not only looked distinguished; he *was* distinguished.

But the real man was much more. He was a genuine intellectual. He loved good books and he reveled in the world of ideas. He was as interested in ideas as he was in people—which is saying a great deal. He enjoyed nothing more than stimulating and lively conversation about the great issues of the day—political, economic, social, philosophical and theological. He had an alert and enquiring mind to the very end of an advanced age. He was always a great listener. He was a scholar in the most authentic sense.

The moral character of Monsignor Cass was shaped (in the providence of the God he loved so much) by unusual suffering. For most of his life he battled frail health. As a young priest he was disabled for four years by a serious lung ailment. His great fear at this time was that he would not be able to return to active duty as a priest. Perhaps at this time he developed the patience and outer serenity so characteristic of him.

His priesthood was threatened by an even worse kind of suffering. He was viciously accused before ecclesiastical authorities with lie and calumny. These very serious charges had a superficial plausibility. His accuser was one of that strange and dangerous breed of trouble-maker who specializes in the half-truth—who would never think of telling an outright lie—who loses all reverence for truth as he spreads hilf-lies everywhere he goes.

This kind of suffering was worse for John Cass than physical illness—to have his reputation as a priest placed in jeopardy. But this priest of God, ever young, never quitting, never giving up, survived a deadly sickness, overcame calumny, and struggled on to serve the people of God for more than half a century.

This was a man of faith, of prayer, of hope, of Christian optimism. It was no accident that his great heart always went out so swiftly and so compassionately to anyone who had a problem. Suffering was more than a word for him—it was a way of life.

He was proud of the beautiful buildings of the parish plant, but he once said that for every brick there was a tear. His own tears and the tears of his people.

Monsignor Cass was, above all, a priest of God. It was his whole life. He loved the priesthood. This man of faith, who spent so many hours of prayer before the Blessed Sacrament, loved both God and man who was made in God's image. After fifty years of service, he insisted that from a human point of view the life of the parish priest was the perfect life.

When he was almost eighty years of age he still delighted in bringing God to men and men to God: in hearing confessions and counseling the weak, going on sick calls, distributing Holy Communion on Sunday at one Mass after another, preaching and teaching his favorite themes of the mercy and love of God. Christ was his light and his life.

His love of the poor and the disadvantaged has become a legend. The alcoholic, the narcotic, the broken in spirit sought him out with a sure instinct. He was an easy mark for a touch. It was not that anyone fooled him. He was too intelligent for that. It was just the conviction by his Christian faith that Christ was present especially in the poor and unfortunate. Before anyone ever heard of the Poverty Program, he had a program of his own thirty years ago.

Only God knows how many lives he helped to rebuild by his compassion, his charity, his generosity, his forgiveness of human weakness.

Good priests come in all shapes, all kinds, all temperaments. This man had the heart of a *great* priest. He was a complex and many-sided man. Widely admired, he was rarely fully understood and certainly never fully appreciated.

He appeared to most to be a gentle, kindly man (and he was that) but he had more than a heart of feeling. He had a heart of great courage. He could be tough as well as tender. He could be very angry when there was good reason.

He was a man of passionate convictions. Behind the soft-spoken voice was a strong will and steel in his backbone. He had the incredible endurance of a man of the frontier. His erect carriage almost to the end proclaimed that here was a man!

With it all, the twinkle in his bright blue eyes was a signal to those with discernment of his ever-present sense of humor and hinted at the flexibility of a man who never took himself too seriously.

The inner turmoil and tension of this man who lived life to the full was disciplined by an outer serenity, a self-control won at great cost. Because of his presence, a sense of peace pervaded the rectory like a sweet and pleasant odor. He was a strong support to countless priests who, like all humans, are often in need of help.

Hospitality was his middle name. He loved the priesthood of Jesus Christ and he loved priests. When he died—typically—he left everything he possessed to the Church and the missions.

His retirement from the active ministry was a great cross which he accepted with faith and obedience to the voice of the Church in Vatican Council II.

This was a real man, a good Christian, and a great priest—truly another Christ. St. Ignatius parish was privileged to have him as its shepherd and pastor for two generations. He served this parish more by what he *was* than by what he did, and he did much.

Priests come and priests go—the priesthood of Christ is eternal—but the people of Long Beach should never forget John Cass. If he could speak now he would beg for continuing prayers. He cared so much for us; we should care that much for him.

Once again ahead of his time, he wrote a book in 1950. "The Quest of Certainty," in which he said, prophetically, that loss of the certainties of life had "made men of today restless, unhappy and even desperate."

It was his conviction that the basic truths *are* attainable. He hoped that his argument for his position would encourage others to "recognize that where they see shadows there is also substance; where it is cold, there is warmth; and in spite of the apparent darkness, there is light."

A PRAYER FOR UNITY AND JUSTICE

God of Abraham, of Isaac, and of Jacob.

God of black, of white, of red, of yellow, and of brown.

Unknown God of those who honor the human ideal.

God of us all.

God of Infinite Intelligence and Love without limit in whose image of intelligence and love we are all made.

God who fashioned the mystery deep in the heart of things.

God who designed each of us in beauty with tender and loving care each of us unique—set apart; isolated; alone in a crowd—unique.

God who shaped us, each in our basically incommunicable person yet members of the one family of man.

God who made all of us with an eternal destiny; a destiny of intimate love with you; a destiny which begins its journey, step by step, as we learn to love one another.

O God, pity and help us all.

Help us to remember always: That our similarities are far greater than our differences; that man is one, even though religions and cultures and civilizations may be many; that diversity is opposed to uniformity, not to unity.

Help us to remember always: That it may be more cruel to deny a man freedom than to deny him bread; that the first freedom is freedom of worship—or non-worship—in the Sudan and Biafra as well as in Israel and northern Ireland, on the sidewalks of New York as well as in the valleys of eastern Europe.

Help us to remember always: That the right to human life is even more sacred than the right to the better life; that reverence for human life must extend to all human life no matter how old, or how young, no matter how maimed or how handicapped; that genocide begins with discrimination, grows into persecution, and explodes into extermination.

Help us to remember always: That most of our pains and most of our joys come from one another; that the root of war is simple hostility between individuals and small groups; that violence (real or metaphorical) is the mark of Cain; that a knife point (real or metaphorical) pressed against the skin—no matter what its color—causes red blood to flow from the wound just like our own.

Help us to remember always: That peace cannot be created out of nothing by mere words; that the enemy of man is not war, but injustice (the cause of war); that there is no peace without justice; that one hungry man is one too many.

Help us to remember always: To keep trying: life is not television, in which every human problem is solved in one hour; to keep being patient, but not too patient; to keep reaching out to one another; to keep clasping our hands not only in prayer but in the friendship of our common humanity; to keep loving justice and hating evil.

For to love justice is to love you, O God. Amen.

RADIATION STUDY FINDINGS

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. KASTENMEIER. Mr. Speaker, full-page advertisements in the New York Times and Washington Post today have called the public's attention to the publication soon of some rather startling findings by Dr. Ernest Sternglass. While limited attention has been given Dr. Sternglass' earlier revelations on the correlation of infant mortality with nuclear testing, this latest extension of his thesis to ABM defense is particularly cogent now and deserving of the most serious consideration. Briefly stated, Dr. Sternglass believes that given the relatively low level of radiation necessary to cause genetic and fetal damage, any future "successful" use of an anti-ballistic-missile system against incoming warheads could threaten the very existence of the entire next generation of children.

Mr. Speaker, while I am not a scientist, I appreciate the compelling logic of the conclusions reached by Dr. Sternglass on the basis of his data—particularly the charts in the April Bulletin of Atomic Scientists—clearly showing the relationship between infant mortality and nuclear testing in the atmosphere. I am afraid that I find rebuttals of the Sternglass thesis by Government scientists unreassuring and unscientific. The gist of their rebuttal is that Dr. Sternglass is unduly alarming the public—and very well he might.

I believe that Dr. Sternglass' findings can be dismissed out of hand only at our peril. Certainly, Atomic Energy Commission spokesmen cannot claim to be disinterested parties in judging the validity of his allegations, given their direct involvement in nuclear testing.

I believe that each one of us owes it to ourselves, our loved ones, the American people, and to all of mankind to see to it that this subject is most thoroughly and honestly investigated, and that a full report is presented to the Congress and the American people.

Mr. Speaker, what we are dealing with here is not merely the expenditure of billions of dollars for an ABM system, or which strategy to assume in arms control negotiations, but the very existence of human life on this planet. I, for one, am not satisfied with the very general statements by administration officials to date, and think that it is incumbent that Dr. Sternglass' thesis be painstakingly examined by our Government.

I include Dr. Sternglass' letter to me on this subject, and the New York Times July 28 account of the Government scientists' rebuttals in the RECORD:

SCHOOL OF MEDICINE,
UNIVERSITY OF PITTSBURGH,
Pittsburgh, Pa., July 11, 1969.

DEAR CONGRESSMAN KASTENMEIER: The current argument for an ABM system is that it is required to prevent the destruction of our deterrent forces by a massive first-strike of Russian SS-9 missiles carrying thousands of multiple warheads.

However, in view of new evidence on the toally unexpected action of Strontium-90 on the human reproductive cells, the threat of such an attack loses all credibility since the vast amounts of long-lived Strontium-90 necessarily released into the rapidly circulating world's atmosphere would lead to the death of all Russian infants born in the next generation, thus ending the existence of the Russian people together with that of all mankind.

The unanticipated genetic effect of Strontium-90; presented at the June meeting of the Health Physics Society, follows both from an increase of infant mortality along the path of the fallout-cloud from the first atomic test in New Mexico in 1945, and from a detailed correspondence of state-by-state infant mortality excesses with yearly changes of Strontium-90 levels in the milk.

The computer-calculated infant mortality was found to have reached close to 1 excess deaths in the U.S. per 100 live births due to the release of only 200 megatons of fission energy by 1965. This indicates that a release of some 20,000 megatons anywhere in the world, needed in offensive warheads for an effective first strike or in the thousands of defensive ABM warheads required to insure interception, would lead to essentially no infants surviving to produce another generation.

This conclusion would not be significantly altered by the development of "cleaner" hydrogen bombs, since even the cleanest weapons detonated so far still produce more than one-third as much Strontium-90 per megaton as the early hydrogen weapons, aside from the genetically damaging long-lived Carbon-14 generated even by an ideally pure hydrogen bomb containing no fission trigger at all.

Since ABM systems, whether effective or not, force an escalation of the total number of warheads, their net effect would be to seal the biological doom of mankind that much more firmly if the resulting unstabilized deterrence should ever fail.

ERNEST J. STERNGLASS,
Director of Radiation Physics, Professor of Radiology.

PHYSICIST'S THEORY THAT FALLOUT KILLED MANY BABIES IS DISPUTED

WASHINGTON.—A University of Pittsburgh radiation physicist suggests that radioactive fallout from nuclear tests may have caused the death of more than 400,000 babies in the United States since 1950. Government scientists vigorously challenge his theory.

One Atomic Energy Commission scientist described the stated theory of Dr. Ernest J. Sternglass as "potentially dangerous and unnecessarily frightening to the public."

Dr. Sternglass says he has acquired "totally unexpected" statistical evidence suggesting a serious potential genetic hazard from fallout that he says has hitherto been unrecognized. The evidence, he says, is backed by animal research in Sweden.

Dr. Sternglass, who has been challenged in the past on other concepts regarding fallout, suggests in his latest one that the alleged genetic hazard persists even though atmospheric tests by most nuclear powers have ceased since 1963.

He further suggests that there is a potential genetic hazard from underground nuclear blasts designed for peaceful purposes, such as carving out canals.

He expressed such views in a recent article in The Bulletin of Atomic Scientists, in remarks attributed to him in an article in The London Observer newspaper, in a seminar arranged by some Congressmen on Capitol Hill last week, and in an appearance on the National Broadcasting Company "Today" show on Thursday.

His theory includes the following points:

Genetic damage has been caused to many parents by fallout radiation, and this has been responsible for a leveling off, since around 1950, in the previously sharply declining infant mortality rate in the United States.

One per cent more baby deaths, both in the infant and fetal stage, than otherwise would have been expected have occurred in the United States alone as a result of fallout from "200 megatons of testing" of nuclear weapons by the United States and other nations since the initial American test in New Mexico in 1945. A megaton is the equivalent of one million tons of TNT.

Evidence, in recent years, of increased numbers of prematurely born babies in the United States is linked with fallout.

The Government scientists—who challenged his theory in separate interviews—were: Dr. William Bibb of the Atomic Energy Commission's Division of Biology and Medicine; Dr. Arthur Wolfe of the Health, Education and Welfare Department's Consumer Protection and Environmental Health Service, and Dr. Frank Falkner of the Public Health Service's National Institute of Child Health and Human Development.

Representative Chet Holifield, Democrat of California, chairman of the Joint Senate-House Atomic Committee, said that Dr. Sternglass' theories had already "been sharply criticized by a number of knowledgeable people who say his conclusions are based on mistaken use of data."

NO SUPPORT FOUND

Dr. Bibb said:

"The A.E.C. for many years has supported long-term, intensive studies of fallout, including measurements of actual fallout rates, and of low-level radiation effects. The results of these studies, and those of others not connected with the A.E.C. simply do not support Dr. Sternglass' thesis. Dr. Sternglass has based his theory on what we consider to be incomplete and inaccurate data.

"We are convinced that such statements as Dr. Sternglass' are potentially dangerous and unnecessarily frightening to the public and should not be allowed to stand unchallenged."

Dr. Falkner said there was evidence suggesting that in recent years, the birth rate of premature babies had increased in the United States and conceivably in other countries. He said that "increased effects of poverty" appeared to be a more likely explanation than the Sternglass theory.

Dr. Wolfe said:

"While Dr. Sternglass may have statistical correlations between fallout rates and infant mortality rates, scientific evidence does not support his conclusions.

"The Swedish studies with mice to which he refers in support of his theory involved radiation doses several orders of magnitude higher than those possible from fallout."

BISHOP ZIELINSKI OF BUFFALO IS FIRST AMERICAN-BORN BISHOP TO HEAD POLISH NATIONAL CHURCH

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. DULSKI. Mr. Speaker, the Right Reverend Thaddeus F. Zielinski, D.D., bishop of the Buffalo-Pittsburgh Diocese of the Polish National Catholic Church is the first American-born bishop to become bishop-primate of the church.

He ascended to the top administrative position in the church upon the death in Poland on July 15 of the Most Reverend Leon Grochowski, 82, primate of the church.

This is not the first "first" for Bishop Zeilinski in his church life. He was the first American to be named a bishop of the church, the first Polish Catholic bishop to ordain priests and deacons for another church, the Episcopal Church, and the first to participate in the consecration of a new cathedral for the Independent Church of the Philippines in that country.

Indeed, this is a well-deserved promotion for Bishop Zielinski and I am certain that he will be a great credit to his church in his new responsibility.

Mr. Speaker, as a part of my remarks I am including an article on his elevation, an article on the bishop's frequent "firsts," and two editorials:

[From the Buffalo (N.Y.) Evening News, July 18, 1969]

BISHOP ZIELINSKI TO HEAD POLISH NATIONAL CATHOLICS

Bishop Thaddeus F. Zielinski of the Buffalo-Pittsburgh Diocese of the Polish National Catholic Church will be installed as presiding bishop of the church in America and Canada within the next 90 days.

His succession to the office of prime bishop follows the death in Poland Tuesday of the Most Rev. Leon Grochowski, 82, who suffered a heart attack while preparing for a conference of bishops in Warsaw.

Bishop Zielinski had been chosen to succeed Bishop Grochowski at a 1967 synod in Manchester, N.H.

Until his formal installation in St. Stanislaus Cathedral, Scranton, Pa., Bishop Zielinski will be the administrator of the Polish National Catholic Church and remain in Buffalo at Holy Mother of the Rosary Cathedral.

ORDAINED IN 1927

As primate of the church he will administer a religious jurisdiction comprising 172 parishes in the U.S. and 18 in Canada. There are three dioceses in Poland: Warsaw, Cracow and Wroclaw.

The church was established there after World War I by missioners from the church in America. The church in Poland has been autonomous since after World War II.

Bishop Zielinski, 65, is a native of Wilkes-Barre, Pa., was ordained to the priesthood in November of 1927 after graduating from Savanrola Seminary in Scranton. He came here from Dickson City, Pa., as administrator of the Cathedral, was elected bishop in August of 1954 and consecrated in Buffalo the following September.

His present diocese includes 32 churches, extending from Rochester to Pittsburgh. Four are in western New York: The Cathedral, All Saints in Grant St.; Holy Trinity, Lackawanna and St. Michael's, Niagara Falls.

TO CALL COUNCIL MEETING

The elevation of Bishop Zielinski will give him the title of most reverend; he has had the title of right reverend.

The funeral for Bishop Grochowski will be in Scranton, Pa., central diocese of the church and the place where it was founded in 1897. However, a date cannot be set because of problems concerning the return of the body from Poland.

Bishop Zielinski said he will call a meeting of the church's Supreme Council in Scranton after the funeral. This session will concern itself with succession and other administrative subjects.

The Polish National Catholic Church separated from the Roman Catholic Church in 1897 as the result of a dispute over church administration.

[From the Buffalo (N.Y.) Courier-Express, July 19, 1969]

"FIRSTS" FREQUENT FOR BISHOP

(By Camille Curro)

The Rt. Rev. Thaddeus F. Zielinski, the new bishop primate of the Polish National Catholic Church who is "looking forward to service as the head of the church with great anticipation," has a history of "firsts" in his life.

The Buffalo-Pittsburgh Diocese bishop, who became the church's administrative head upon the death Thursday of the Most Rev. Leon Grochowski, the former primate, is the first American-born bishop to achieve the position.

He was also the first American to be named a bishop of the church, the first Polish Catholic bishop to ordain priests and deacons for another church, the Episcopal Church, and the first to participate in the consecration of a new cathedral for the Independent Church of the Philippines in that country.

Striving to give "youth a place to speak their own minds," he initiated a three-day youth convocation in 1964. Held annually since then, the convocations give young people an opportunity to study church matters and make known their own thoughts on church problems.

Instrumental in introducing the use of the English language in all aspects of church life, Bishop Zielinski in 1961 celebrated the first Mass in England in his church, Holy Mother of the Rosary Cathedral, 108 Sobieski St.

He translated and published the first English catechism, prayerbook and ritual books and introduced the first translations of church hymns from Polish to English.

On Aug. 3, he expects to present still another first for his church, the administration of Holy Communion in both forms of bread and wine.

"The method of intinction, dipping the bread into consecrated wine, will be practiced for the first time," he said. "This is very important to me and to our church."

This breaking of church tradition so prevalent in his life is paralleled by the institution of the Polish Catholic Church itself, he believes.

"Ours is the only church I know of which originated in the United States and was carried back to the homeland in Poland," he said. "In most cases, it has happened the other way around."

The bishop predicted no great changes in the church's future under his administration, though he expressed a wish to strengthen ecumenical ties with other churches, notably the Old Catholic Church of Europe, the Independent Church of the Philippines and the Orthodox and Episcopal Churches of the U.S.

The elevation, he said, "Took me completely by surprise." Though he had been elected to succeed Bishop Grochowski at the 12th General Synod of the church in 1967, he said:

"I never thought I would fill the post by the next synod in 1971. Bishop Grochowski was on in years, but his health and vigor were good. His death was a complete shock."

In succession procedures instituted in 1949, general synods are held every four years. At this time, a successor to the primate may be elected or reelected. Bishop Zielinski was elected at the last synod, but, he said, another bishop might be chosen in the next synod.

"Bishop primate is not a life-time position," he said. "It is discussed at each synod."

Bishop Zielinski described his predecessor as a man "known for his great religious stability and devotion. He devoted his whole life to the church in America and in Poland. We all feel his loss."

BISHOP ZIELINSKI TO BE HEAD OF POLISH CHURCH

The entire Western New York community joins in the prayers and expressions of best wishes extended to the Rt. Rev. Thaddeus F. Zielinski, bishop of the Buffalo-Pittsburgh Diocese of the Polish National Catholic Church, who became administrative head of the church Thursday upon the death of the Most Rev. Leon Grochowski in Poland.

The consecration of Bishop Zielinski as primate of the Polish National Catholic Church in America will take place in Scranton, Pa., within the next few months and it will be a singular honor for the only American-born bishop the church as ever had.

We extend to members of the church our sincere condolences on the passing of Bishop Grochowski as well as our sense of pride in the succession of Bishop Zielinski whose deep sensitivity to the human condition was expressed in a 1968 Eastertime message which said in part that "each human being is infinitely precious in the sight of God, created not for just a time but for eternity."

[From the Buffalo (N.Y.) Am-Pol Eagle, July 24, 1969]

BISHOP ZIELINSKI RICHLY DESERVING OF ELEVATION

A lifetime of service devoted to God and to the community was justly rewarded with last week's elevation of the Rt. Rev. Thaddeus F. Zielinski to the position of Bishop primate of the Polish National Catholic Church.

Those who have known Bishop Zielinski since his coming to Buffalo in 1953, have been amazed by the seemingly tireless efforts of the Bishop. Even under the pressures of a very demanding schedule, Bishop Zielinski has always managed to find time to lend his support to a worthwhile cause or project whenever and wherever it is sought. One example of this is his fine efforts as a member of the Broadway-Fillmore Community Corporation, a group of religious and civic leaders working towards revitalization of the upper East side area.

Being named the first American-born Bishop primate of the Polish National Catholic Church marked the second time that Bishop Zielinski has been a pioneer in his church. He was also the first American to be named a bishop in the church when he became the head of the Buffalo-Pittsburgh Diocese sixteen years ago.

We would like to congratulate Bishop Zielinski on his well-deserved elevation. May God be with him in all his future endeavors. Our only regret is that Bishop Zielinski will be leaving Buffalo as a result of his elevation. He will be sorely missed.

CAPTIVE NATIONS WEEK, 1969

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. DERWINSKI. Mr. Speaker, as in previous years, Radio Moscow let it be known to the world that the Russian regime and its associated totalitarian members view the annual Captive Nations Week observance with disdain and displeasure, especially since they seek "normalized and harmonious relations" with the United States and the West. In continuous news broadcasts on July 17 and 18, this mouthpiece of the Kremlin portrayed the 1969 observance as "a dinosaur lurking in the cities of the United States" and its "anti-Communist supporters seeking to impede better relations between the U.S.S.R. and the United States of America." They went on to show how the peaceful spirit of Mr. Andrei Gromyko's address before the Supreme Soviet contrasted sharply with the anti-Communist tone of Captive Nations Week and how our mutual interests as already reflected in "our being wartime allies" and in "the Sputnik leading the way for the Apollo today" emphasize "the dinosaur character of these Captive Nations Week observances.

Now, plainly, all of this and more demonstrates how deep a thorn the Captive Nations Week resolution is in the side of Moscow's policy of Soviet Russian imperio-colonialism and eventual world domination. One of the prime requisites of this policy is the attainment of our acquiescence to the territorial integrity of the Red empire. For well over a decade, Moscow has been endeavoring to realize this objective as an expression of "better relations between the U.S.S.R. and the United States of America." If this were realized, it would mean a tragic loss to us of natural allies from the Danube to the Pacific and over to the Caribbean, and a formidable and much-needed base of security for Moscow and its global plans. As Moscow so well knows, the Captive Nations Week observance annually crystallizes our opposition to its imperio-colonialist rule and influence over all the captive nations, particularly those in the U.S.S.R. itself, and thus serves as a monumental reminder that our people will never acquiesce to the permanent captivity of close to a billion human souls.

From all reports, the 10th anniversary of the Captive Nations Week resolution was a necessary success. As further indications of this success, supplementing those I gave in my address on July 16, are the following:

First. Proclamations by Gov. Nelson A. Rockefeller, of New York; Gov. Edgar D. Whitcomb, of Indiana; Gov. John J. McKeithen, of Louisiana; Mayor John V. Lindsay, of New York; and Mayor Bruno E. Giordano, of Stanford, Conn.

Second. An address by the Honorable John A. Volpe at the 10th anniversary captive nations banquet in Washington, D.C.

Third. Commentaries on Captive Nations Week in the July 18 issue of Korea's Freedom Center News; an article in the July 20 Washington Post on "Captive Nations"; and a resolution passed by the Chicago Captive Nations Committee.

Fourth. An address by Dr. Ku Chengkang at the Phoenix Captive Nations rally, along with his biography.

Fifth. A message by President Chiang Kai-shek on the week in the Free China Weekly of July 13, 1969, and messages from Senator Jacob K. Javits and Representative Frank Horton to the 10th anniversary banquet in Washington.

Sixth. A typical program presented by the Captive Nations Week Committee of New York, a brief address delivered by Dr. Austin J. App at the Philadelphia observance, and a commentary on the week in the July 12 issue of the Vietnam Newsletter.

Seventh. The program of the Arizona Capitive Nations Week Committee and

characteristic press coverage by the Arizona press.

The above-mentioned material follows:

PROCLAMATION, STATE OF NEW YORK

Our commitment and our basic belief as a nation is that all societies should be able to choose the political systems under which they live.

America has provided a haven for the oppressed, and we have benefited from their coming here.

We in New York State are deeply in sympathy with and support the just aspirations for freedom and independence of captive people everywhere.

Now, therefore, I, Nelson A. Rockefeller, Governor of the State of New York, do hereby proclaim July 13–19, 1960, as Captive Nations Week in New York State.

By the Governor:

NELSON A. ROCKEFELLER.

Attest:

ALTON G. MARSHALL,
Secretary to the Governor.

PROCLAMATION, STATE OF INDIANA

For Captive Nations Week, July 16th to July 22nd, 1969, to all to whom these presents may come, greeting:

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Latvia, White Ruthenia, Estonia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples for freedom and independence;

Now, therefore, I, Edgar D. Whitcomb, Governor of the State of Indiana, do hereby proclaim that the week of July 16th to July 22nd, 1969, be designated Captive Nations Week in Indiana.

By the Governor:

EDGAR D. WHITCOMB,
Governor of Indiana.

Attest:

WILLIAM N. SALIN,
Secretary of State.

STATE OF LOUISIANA PROCLAMATION

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples for freedom and independence;

Now, therefore, I, John J. McKeithen, Governor of the State of Louisiana, do hereby proclaim that the week commencing July 13, 1969, be observed as Captive Nations Week in Louisiana, and call upon the citizens of Louisiana to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

By the Governor:

JOHN J. MCKEITHEN,
Governor of Louisiana.

Attest:

WADE O. MARTIN, JR.,
Secretary of State.

PROCLAMATION, CITY OF NEW YORK

The Congress of the United States by unanimous vote passed Public Law 86–90 establishing the 3rd week in July of each year as Captive Nations Week and inviting the people of the United States to observe this week with appropriate prayers, ceremonies and activities expressing their sympathy with and support for the just aspirations of captive peoples for freedom and independence; and

Whereas: The people of Eastern and Central Europe as well as those in other parts of the world are being denied fundamental human rights in pursuing their own destiny; and

Whereas: The desire for liberty and independence by the over-whelming majority of peoples in these conquered nations constitutes a powerful deterrent to tyranny and aggression; and

Whereas: The freedom-loving peoples of the captive nations look to the people of the United States for leadership in attaining their freedom and independence.

Now, therefore, I, John V. Lindsay, mayor of the City of New York, do hereby proclaim the week of July 13–19, 1969, "Captive Nations Week" in New York City, and call upon our citizens to observe this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

By the mayor:

JOHN V. LINDSAY.

PROCLAMATION, STAMFORD, CONN.

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Lavtia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples for freedom and independence:

Now, therefore, I, Bruno E. Giordano Mayor of Stamford, Connecticut, do hereby proclaim that the week commencing July 13, 1969, be observed as Captive Nations Week in Stamford, and call upon the citizens of Stamford to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

JOHN C. PUSARO,
Acting Mayor.
BRUNO E. GIORDANO,
Mayor.

REMARKS BY JOHN A. VOLPE AT THE TENTH ANNIVERSARY CAPTIVE NATIONS BANQUET

Thank you for this award. I am truly grateful. To be honored for civic service is a source of great pride, but to be honored by one's old friends for this service is the greatest tribute a man could receive. I promise each and every one of you here tonight I shall do everything in my power to be worthy of it.

As the son of Italian immigrants, I have long felt a close association with the National Captive Nations Committee and I know well the determined spirit and dedication of all of you people here tonight.

It was ten years ago—just ten years ago tomorrow—July 17 that our late beloved President Dwight Eisenhower signed the original Captive Nations Proclamation here in Washington. At that time President Eisenhower said:

"While I am here, America will never concede that there has been a sound, durable or working peace that could be called global until these Nations have the right to express their own convictions, their own opinions and desires about their own fates; and then as far as the United States was concerned, it would never cease to use every peaceable means—and I have always emphasized that word peaceable—to give them such an opportunity."

And I know too, that President Nixon is equally determined to carry out that pledge. As our then-Vice President, he, too, was active in the cause of the captive peoples. And he was the man, of course, who engaged Premier Krushchev in that famous "kitchen debate."

As you know, my field is not foreign relations; but I have the greatest respect for President Nixon's ability and the ability of my fellow cabinet members whose responsibility it is to deal with such things. I see these men regularly. I work with them and respect them and I know them as dedicated men.

But the job of Government today is not theirs alone. We individual citizens must also join in. We have a job to do.

Our task is to discover, each in his own way, the way in which we can make this Nation better, and we can do it by starting where we are, with what we have, by joining those who, all over America, unknown and not praised, daily turn their backs willingly on the comforts we all love in order to help others and to become better informed and better neighbors and better citizens.

And above all, we must keep alive within ourselves the American dream—the faith that ours is still the land of opportunity—

that a free man regardless of his race, color or background—can work out his own destiny. I had that faith instilled in me early—very forceably.

That faith has never left me.

I know of another American who also shares that faith—another man who will be helping us with our task of making freedom work.

I speak of our President.

He too has been faced with the choice of comfort and duty. He too has had to choose between political safety and doing battle for what he knows is right.

He has made the hard choice.

He has chosen to settle for nothing less than a just peace in Vietnam. It would be easy, oh so easy, for him to listen to the arguments which so insidiously equate compassion with political shrewdness; it would be easy for him to say: "Everyone wants peace. Let's use this or that gimmick to get peace."

This man wants a just peace. He knows it would be easier for him to adopt some gimmick in order to appear to have achieved a just peace.

It would have been easier for him to say a few months ago: "We don't need an ABM system. We don't need a defense against missile attack." I am aware, of course, that there are those who conscientiously oppose the deployment of the "safeguard" ABM system. But let me say that on this issue I stand solidly in support of the President. I am convinced that his decision is proper and necessary.

President Nixon knows that there is a difference between doing what you want to do—and doing what you *have* to do.

That, in a sentence, is the essential heart of this Administration. When all the arguments have been given, when the purple rhetoric of the vehement critic fades away, when the attempts to obscure, cajole, and goad have been made by those who either don't know or don't care how hard this man has worked for peace and justice and freedom . . . when all this is over, what remains is the undeniable fact:

President Nixon would rather do what he *has* to do than what he would *like* to do. Duty before popularity. Duty before ease. Duty before the natural, human desire for agreement.

And although the critics do not or will not recognize this, the people do. The polls reflect it, congressional mail reflects it, you hear it everywhere. The people know that this is a man who is going to do what is right, not what is easy.

They know that Richard Nixon is a man who will never settle for ease if ease means rejecting duty.

I hope you will continue to give your support to this Administration as it tries to build bridges of understanding at home and abroad. In peace, we can be certain that the captive nations will one day evolve a better form of life. They will regain their dignity, their independence, their identity.

Truth is an irresistible force against which nothing can prevail in the long run. And that is why I have faith that political freedom and personal choice will come again to the lands between the Baltic and the Adriatic. The captive people have given much to the greatness of man—in the arts, in philosophy, in science—and they will find a way to achieve their political greatness too by undermining the foundations of tyranny.

In time—with patience and planning, persistence, and skillful diplomacy on our part—these men and women of the captive nations will enjoy a new birth of freedom.

Again, let me thank you for the honor you have shown me. I am proud of your medal. It has given me new determination. I am deeply appreciative. God bless you all.

[From the Seoul (Korea) Freedom Center News, July 18, 1969]

DISPROPORTIONATE WITHDRAWAL LEAD VIETNAM TO THE LIST OF CAPTIVE NATIONS

The National Captive Nations Committee in Washington, D.C. asserted that shifting schemes of coalition government in Vietnam, the ouster of the Thieu leadership, enclave arrangements, disproportionate pullout and the like would in time add the Republic of Vietnam to the long list of captive nations."

Marking the 10th anniversary of the Captive Nations Week Resolution which U.S. Congress passed in July, 1959 and late President Eisenhower signed, Dr. Lev. E. Dobriansky, chairman of the National Captive Nations Committee in Washington who is concurrently professor of economics at Georgetown University said Monday that "a real and genuine victory in Vietnam can still be realized if we have the guts not to fear either Moscow or Peking.

The chairman of NCNC also pointed out that the Russian rape of Czechoslovakia has sobered many Americans on the reality of the captive nations. "The long-run importance of the captive nations movement," he observed, "has never been stronger."

A 10th anniversary ceremony was to be held on Wednesday at the University Club in Washington. Prominent senators and congressmen were scheduled to speak. Dr. Ku Cheng-kang, council chairman of the World Anti-Communist League in Seoul, and ten honorables of the U.S. government was to be honored.

[From the Seoul (Korea) Freedom Center News, July 18, 1969]

SEOUL CITIZENS OBSERVE CAPTIVE NATIONS WEEK IN A RALLY

A citizens rally, condemning the Communists and pledging to emancipate people under Communist rule, was held Monday at Citizens Hall with about 3,000 citizens attending. The rally, held at the beginning of the third week of July every year under the sponsorship of Korea Chapter of the World Anti-Communist League, adopted a resolution pledging the full-hearted spirtual and material support for people under the Communist yoke.

Culture-Information Minister Shin Bumshik said in a speech read by Vice Minister Yi Chum-song that the Communists are bringing to themselves total collapse with their own self-conflicts and feuds. Participating in the rally were also Eung-joon Lee, chairman of the league's Korea Chapter, Jose Ma. Hernandez, secretary general of the League and Louise Yim, president of Chungang University.

[From the Washington (D.C.) Post, July 20, 1969]

CAPTIVE NATIONS: TIMES HAVE CHANGED SINCE CONGRESS PASSED RESOLUTION THAT IRKED KHRUSHCHEV

(By Chalmers M. Roberts)

Ten years ago this coming Thursday, Richard Nixon and Nikita Khrushchev indulged in their famous "kitchen debate" at the American exhibition in Moscow. The two men had gone there from a Kremlin meeting during which Khrushchev had charged the United States with a serious "provocation" in the form of a congressional resolution designating Captive Nations Week.

That resolution, proclaimed by President Eisenhower, asked Americans to pray for liberation of "enslaved peoples" in Eastern Europe.

This past Monday, President Nixon, under the same congressional authorization, again proclaimed Captive Nations Week, which ended yesterday. Mr. Nixon noted in the proclamation, however, that in the intervening decade "there have been many changes in international affairs."

One was apparent when White House Press Secretary Ronald Ziegler was asked whether Rumania was one of the Captive Nations. He replied that "the proclamation speaks for itself." The proclamation named no nations.

Mr. Nixon, of course, is soon going to Rumania. One of his comments in the proclamation was that one thing that has not changed in the past decade "is the desire for national independence in Eastern Europe," a phrase which fits the Communist regime in Rumania.

But more than Rumania has changed in the decade. The big change, on the Communist side of the world, is the Sino-Soviet split. Compared to that split, Rumania's ability to operate with a degree of independence from Moscow in foreign affairs—though important—is a puny thing indeed.

The Rumanians are engaged in a delicate balancing act, keeping their lines open to both Moscow and Peking. The day after Mr. Nixon flies out of Bucharest, the Rumanian Communist Party Congress is due to open with both Chinese and Soviet observers on hand.

Washington's fascination with the Sino-Soviet split grows as the split gets worse. The Russians have closed the Trans-Siberian railroad to foreigners, which adds credence to reports that Moscow is beefing up its Far East military forces just in case.

There is disbelief here that war, in contrast to past border skirmishes, could really break out between the two Communist giants. Still, officials are beginning to think it is not all that impossible.

As one put it recently, "A year ago I would have ridiculed this and said it was no more than a 2 per cent possibility. Today I would have to say it is about a 10 per cent possibility."

Yet this official and others can see no real gain for either side unless the Soviets engaged in the massive kind of strike necessary to destroy China's nuclear capability. And that, it is felt here, would be counterproductive to the Kremlin's hopes for a post-Mao regime favorable to Moscow; it would rally all dissident elements around Mao and create a lasting hatred of the Russians.

Whether Mr. Nixon or Rumania's Ceausescu will touch on any such delicate issues is doubtful. But that the subjects are on both minds is certain. The official American position, as stated by Secretary of State Rogers, is that the United States does "not intend to exploit any differences that might exist" between Russia and China.

RESOLUTION, CHICAGO CAPTIVE NATIONS COMMITTEE

Whereas, the Senate and the House of Representatives have authorized the President of the United States of America to proclaim a Captive Nations Week, and whereas the Russian and Chinese communism continues to build up its vast colonial empire and threatens the peace, security, and independence of the Free World, carrying out subversive conspiracies in Latin America, Africa, and even in our own country, conducting open, aggressive warfare in South Viet-Nam, neighboring countries of Laos, Cambodia, and Thailand, having made deep inroads into Arab countries, and building up its threatening military power in the area of the Mediterranean;

Now, on the occasion of the 10th anniversary of the Proclamation of Captive Nations Week, we feel a particular urgency and a sacred obligation to speak on behalf of the millions of human beings under the tyranny of the communist colonial empire,

Therefore, be it resolved by the Chicago Captive Nations Week Committee, to urge

the United States to assume the role of leadership by taking a course motivated by the most sacred human obligations; the horrible fact that one-third of mankind is already enslaved by the communist imperialism necessitates a new policy which would encourage the aspirations and movements for self-determination of all enslaved peoples by an expressed and unequivocal commitment of the United States of America to support, by all means possible, such aspirations for national freedom;

Be it further resolved, that in view of the indivisibility of freedom and peace, the restoration of the sacred rights of all the nations based on principles of democracy, self-determination and sovereignty within their respective ethnic boundaries, is of paramount importance to establish freedom, security and stability of the entire world. Consequently this policy is in the best interest of our country for the present and in years to come,

Be it further resolved, that we at this very critical and perhaps fatal moment for the entire free world support unreservedly the United States' resistance to Communist aggression in South Viet-Nam and the building up of forces of freedom in that part of the front of the free world; in this spirit we salute the members of the United States and Allied Armed Forces.

Be it further resolved, that following the anniversary year of the Proclamation of Human Rights and in view of the flagrant violations of these same rights by the Soviet Union through the suppression and occupation of Czechoslovakia during that very year, the United States Ambassador to the United Nations place on the agenda of the United Nations the following demands:

1. the absolishment of slave labor, mass deportations, all concentration camps, and all forms of genocide,

2. to guarantee a free return to their countries all the deported and exiled who survived the communist ordeal,

3. free elections for all enslaved nations under the supervision of the United Nations Organization,

Be it further resolved, that we oppose the admission of the Chinese Communist regime to the United Nations Organization;

Be it further resolved, that we oppose "One-way Bridges" and the opening of a Russian Consulate in Chicago;

Be it further resolved, that since every nation has the right for self-determination this right belongs also to the Biafras; in the name of humanity we most urgently appeal to the United States government to help the suffering and starving human beings being murdered in masses by the Nigerian aggressors, armed by the Russian barbarians and the British labor government,

Be it further resolved, that special efforts must be made by the United States towards an awakening and strengthening of all moral forces particularly at a time when we are warned by the burning martyrs in the interest of freedom; it is frightening that at this time we are faced by an unparalleled loss of ethical concern and incredible callousness towards the enslaved, abandoned to their ordeal,

Be it further resolved, that the United States government stop building up the communist empire, particularly the Soviet military power by selling it important military equipment,

Be it further resolved, that the United States government stop trading with the communist countries because in so doing, it helps them to tighten their grip on the enslaved; whatever is gained at great risk by the desperate, enslaved men and women through sabotaging Soviet economy is completely destroyed through trading,

Be it further resolved, to appeal to the United States authorities to undertake utmost efforts in the interest of the sacred values in cultural, social, and educational institutions so vital for the preservation of freedom. It is appalling to see how free men let themselves be used in the portrayal of anarchism, nihilism, defeatism, amoralism, pacifism, and atheism in the service of the blood-stained Red Empire,

Be it further resolved, that this Committee reiterates its support for the establishment of the permanent Captive Nations Committee (House Resolution 211) and Freedom Academy; there is a desperate need for a forum in which the free world would have confidence; the U.N. has failed to be such a forum to handle the issues of injustice and crimes against humanity; the recent appeal of 54 citizens of the USSR which has been ignored up to this day speaks for itself; the Unesco's decision to commemorate the centenary of Lenin by peddling this criminal as a humanist is an insult to the civilized world community and reveals the real interests of this organization; by the establishment of a trustworthy forum, the United States will prove to the entire world that it will not cease in its efforts until all the Captive Nations are able to enjoy their God-given rights in their sovereign states.

VIKTORS VIKSNINS,
General Chairman.

———— ————,
Chairman, Resolution Subcommittee.
ULANA CELEWYCH,
Secretary.
(And 13 others).

ADDRESS BY DR. KU CHENG-KANG AT PHOENIX RALLY

Coming from Asia where people have suffered the most at the hands of the Communists, I am privileged to attend this rally of great significance. I bring to the people of America the respect and admiration of all the peoples of Asia for your fight for the freedom of all mankind.

The "Captive Nations Week" movement has become a moral support to peoples everywhere who are opposed to Communist slavery. America's advocacy of this movement has further engraved in the hearts of peoples throughout the world her long record of fighting for freedom during the past two hundred years as well as her contribution.

The Declaration of Independence and the Constitution of the U.S.A. clearly state that freedom is the inalienable right of all men. The United States has fought in two World Wars in defense of this right for all men. In both the Korean War and the Vietnam War, the United States has, in upholding the spirit of her founding Fathers, stood side by side with Asia's free peoples.

Since, the initiation of the movement in 1959, however, mankind's struggle for freedom is still beset by serious difficulties. The continued existence of the Iron Curtain is in itself a tragedy of mankind, and its expansion constitutes a serious crisis of our time.

The expansion of Communist influence has not only deepened the agonies of the enslaved peoples but is also endangering the Free World's remaining free. From the Hungarian uprisings of 1956 to Czechoslovakia's liberalization movement last year and the relentless anti-Communist uprisings on the China mainland including the major uprisings in Tibet, countless patriots in Asia, in Europe and in Cuba have laid down their lives for the cause of national freedom and independence.

Unless such gallant struggles receive the support of the world's freedom forces, the world may see the extinguishing of the flame of hope in the hearts of the peoples behind the Iron Curtain who may be forced to become tools of the Communists external and armed expansionism. The dangers are evident to anyone, the Iron Curtain must be destroyed at an early date.

The Communist tyranny will not perish by itself. The present divisions and chaos within the Communist bloc are not accidental. The awakening of the Free World against Communist aggression, the rising of nationalism, the progress made in the democratic countries including the improvement of social well-being have stopped the Communists' external expansion. In the face of progress achieved by the Free World, the people within the Iron Curtain have continued to struggle for freedom, rendering the Communist domestic rule increasingly difficult and causing international Communism to decline. We freedom-loving and democratic peoples must unite and work harder for the early restoration of freedom for all captive peoples and nations.

As a Chinese who has fought Communism for many years, I wish to point out that the most important thing in our fight for freedom is to actively support the peoples behind the Iron Curtain in their struggle against tyranny. Indeed the situation there as the Communist rulers themselves have admitted, is one which has "major contradictions between the government and the people". These contradictions have led to internal power struggles and a split within the Communist bloc.

However, without the onslaught of freedom forces, the Communist regimes relying on brute force and may bring about still greater troubles for the free world. And faced with the imminent threat of internal revolution, the Communist rulers will also resort to every means of suppression. The tragedies of Hungary and Czechoslovakia and the Chinese Communists' so-called "Cultural Revolution" and "Rebellion of the Red Guards" are concrete examples.

Ten years ago while proclaiming the designation of the Captive Nations Week, President Eisenhower said: "I . . . urge them to study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of those captive nations." Today this appeal is still refreshing and forceful. With the sharp split between Soviet Russia and the Chinese Communists and the utter chaos within the Chinese Communists camp, conditions are highly favorable for the liberation of those nations and peoples.

Hence, we must now unite all the forces of freedom to establish an international front against Communism. In the past, expansion of the Communist tyranny was due to the fact that the freedom forces were scattered. Now is the time for the freedom loving nations to join forces against a splintering and disintegrating Communist world.

Since 1959, the "Captive Nations Week" has become an important link in the international movement for freedom and has received the support of the Asian Peoples' Anti-Communist League (APACL). The World Anti-Communist League (WACL) organized two years ago has advanced the call to struggle for the freedom of mankind. From this Common basis, we must work for an international front against Communism and urgently-needed regional security systems.

Ladies and gentlemen, the Declaration of Independence is revered throughout the world because of its lofty ideals and moral courage, embodying the spiritual basis and tradition of the United States. However, I must point out that that spirit and tradition are being subjected to the most serious challenge and trials in your history. Certain mistaken views and compromising statements concerning Communist aggression and especially those views urging the United States to disentangle from world affairs and mind her own business have blurred the image of the United States. Such talks have even shaken the world's confidence in the United States as leader of the democratic nations in defending democracy and freedom. The Com-

munist bloc has been encouraged to move in and intensify infiltrations and subversions to cripple the United States from within.

At this decisive moment for the honor of the United States and the destiny of mankind, I wish to reiterate the words of President Nixon in his speech to the graduates of the United States Air Force Academy. He said, "I believe a resurgence of American idealism can bring about a modern miracle—a world order of peace and justice." I believe that the firm stand of the United States in the peace talks with regard to Vietnam and a firm attitude towards the Chinese Communists, the source of evils in Asia, are the premises for establishing this new world order. I wish to remind you that the Chinese Communist regime is at once the most dangerous aggressor and basically most vulnerable. To shatter the Iron Curtain and eliminate the danger of a nuclear war, we must have the courage to support the liberation struggle of the people on the China mainland to seek the realization of this new world order at an early date.

The paths of history are circuitous and uneven. I believe with you, however, that justice and truth never perish. The people behind the Iron Curtain are longing for liberation, and that task is our unavoidable responsibility. Verily we cannot remain free while our brothers are still slaves. Now is the time for us to extend helping hands to the one billion people behind the Iron Curtain.

In China, the phoenix symbolizes good fortune. It is my hope that our meeting will bring to the enslaved peoples good tidings of liberation from their purgatory.

[From the Chinese Information Service]

KU CHENG-KANG: A BIOGRAPHY

At the sixth council meeting of the Asian Parliamentarians Union in Manila last June, Ku Cheng-kang headed the Chinese delegation in his capacity as a member of the presidium of China's National Assembly.

When the World Anti-Communist League was inaugurated in Taipei in September, 1967, Mr. Ku was unanimously chosen as president by some 200 delegates and observers from seventy countries and territories. He was later elected chairman of the WACL Council, in recognition of his 13 years of hard work as president of the China Chapter of the Asian Peoples' Anti-Communist League. Many who have attended the annual conference of the APACL and the WACL, regard him actually as "Mr. APACL."

Mr. Ku is concurrently director of the Free China Relief Association, which in the past two decades has sent relief packages to millions of Chinese on the mainland and brought over 76,000 mainland refugees to Taiwan for resettlement. Under his direction, the association has provided assistance to over two million mainland escapees stranded in Hong Kong, Macao and elsewhere in the world.

A veteran Kuomintang leader, Mr. Ku was again elected a member of the standing committee of the party's Central Committee at the Tenth National Congress last April.

His friendship with numerous government and civic leaders of Japan made Mr. Ku chairman on the Chinese side of the Committee for the Promotion of Sino-Japanese Cooperation. The Committee meets annually with its Japanese counterpart, and has been instrumental in solving many knotty problems between the two neighbors.

He is also advisor to President Chiang Kai-shek and his views are eagerly sought after in the highest government circles.

At 68, Mr. Ku is perhaps one of the busiest men in free China. Indeed, any one of his many posts is a herculean job requiring the fullest devotion of time and energy of a man much younger in age. That he has held them simultaneously for so long and with such dynamic drive has surprised many of his acquaintances as well as strangers.

The National Assembly, membership of which now stands at 1,435, exercises on behalf of the people the rights of election, recall, initiative and referendum. It elects the president and vice president of the republic, and approves proposed constitutional amendments submitted by the Legislative Yuan by referendum. It is the only organ invested with the power of amending the Constitution and altering national boundaries. According to an interpretation of the Council of Grand Justices, the National Assembly, together with the Legislative Yuan and the Control Yuan, is equivalent to the parliament or congress of Western democracies. Formed in 1946 and convening once every six years, the National Assembly now has an 85-member presidium, committees on credentials, screening of draft resolutions, discipline and others, and a secretariat. Mr. Ku, a member of the Assembly since its inception, was its secretary-general from 1960 to 1966, and is now a member of its presidium. In this capacity, he has headed the Chinese delegation to the Asian Parliamentarians Union meeting for the past five years and is a vice chairman of APU. He is also vice chairman of the National Assembly's Constitutional Research Committee.

As one of the founders of the Asian Peoples' Anti-Communist League, inaugurated in Chinhae, Korea, in 1954, Mr. Ku has been president of the China Chapter of APACL ever since. It is the only going concern of its nature in the world today. He has been so devoted to the anti-Communist cause that it was only natural that when the World Anti-Communist League was established in 1967 Mr. Ku was elected its first president. He is now honorary president of WACL, which has chapters in 58 countries and areas organized under six regional leagues. To its second conference held in Saigon last December, 28 additional countries and areas sent observers. The third WACL conference is scheduled to take place in Bangkok, Thailand, on December 3–7 this year.

Occupying a major portion of Mr. Ku's time is the job of providing relief to Chinese compatriots suffering on the mainland as well as the millions who escaped to free areas. The Free China Relief Association, established in Taipei in 1950, has provided relief to millions of persons. It has helped a total of 76,772 mainland escapees to resettle in Taiwan. In the early fifties, it sponsored 166 airdrop "mercy missions" over the mainland, supplying 4,648 tons of rice, 693,247 food and medicine parcels, and over 240 million leaflets and letters. As of June, 1968, FCRA provided various assistance to 2,139,464 refugees who fled the Chinese mainland and are now living in Hongkong, Macao, Burma, Vietnam, India and other Asian countries. In the case of those brought to free China for resettlement, FCRA has helped them get job training, employment, and medical care. With an annual budget of a scant US $1 million, FCRA has done its best to solicit contributions from people at home and abroad.

Born in Kweichow, a mountainous province in southwestern China, in 1901, Ku Cheng-kang received his advanced education at the Berlin University. He was appointed a member of the Legislative Yuan in 1933. When the Constituent National Assembly was inaugurated in 1946, he was elected a delegate from Kweichow, and made president of that body which functioned as the predecessor of the present National Assembly.

During the war years, Mr. Ku served as member of the Supreme National Defense Council (1941–1945), Minister of Social Affairs (1940–1949), and Minister of Interior (1950).

Mr. Ku joined the Kuomintang when he was a student in Germany. He was a member of the KMT Central Executive Committee, 1931–1950, and from 1949–1950 was director of the Political and Party Affairs Department of the party. From 1950–1952, he was a member of the KMT Central Reform Committee. At present he is one of the 21 members of its Standing Committee.

Mr. Ku is married to the former Miss Meishiu Wang. They have five daughters and two sons.

[From the Taipei (Taiwan) Free China Weekly, July 13, 1969]

PRESIDENT CHIANG: FREE WORLD MUST CONCENTRATE ITS STRENGTH TO STRIKE FINAL BLOW AT PEIPING REGIME

President Chiang Kai-shek said that the free world must concentrate its strength and dispose of the Mao regime, which he describes as the most evil enemy of humankind.

The President warned that the Communists seek to conquer the whole world and all humankind. The free nations should combine in joint operations against them, he added.

He said, "We are confident that in winning anti-Communist hearts on the mainland and joining with formidable anti-Mao forces, we can deal blows from within and without that will sound the death knell of the Mao regime".

President Chiang made the remarks on July 10 in his message to a rally held in Taipei to observe Captive Nations Week.

Vice President and Prime Minister C. K. Yen also addressed the rally and urged "all freedom-loving countries and people of the world to step up their support to enslaved peoples. "Let us arm ourselves and clear away the inky appeasement shadows in a global movement of self-purification. The free world can win the ultimate victory in the anti-Communist revolution through steadfast struggle," Yen said.

Yen pointed out, "From Korea to Vietnam, from Asia to Africa, and from the Middle East to Latin America, virtually not a single place has been spared from the violence incited or instigated by the Maoists. The fall of the China mainland to the Communists, therefore, resulted in the erection of the world's biggest Iron Curtain and has posed a prime threat to world peace".

The Vice President went on to say, "Our righteous call has engendered towering anti-Communist tides on the China mainland and has directly or indirectly prompted schisms in the Chinese Communist Party, violent struggle among Red cadres and demoralization in the ranks of the Red forces.

"With the situation becoming increasingly favorable to us, we feel an urgent need to intensify our political march, hasten the collapse of the Peiping regime and thereby eliminate a major source of all the evils in Asia and the world," Yen added.

The rally was presided over by Ku Cheng-kang, chairman of the Captive Nations Committee in China. Some 2,000 people attended.

Ku left Taiwan two days later to attend commemorative activities for Captive Nations Week in the United States.

American Ambassador Walter P. McConaughy and U.S. Congressman Edward J. Derwinski (Rep.-Ill.) came to Taipei on July 8 for the meeting as the representative of the U.S. Captive Nations Committee.

Captive Nations Week started on July 10 and will continue through July 17 with a series of activities, including the launching of balloons from Kinmen (Quemoy) to the China mainland. The ballons carried leaflets calling on the Chinese people to rise against the Mao regime.

Messages poured in from anti-Communist organizations in many parts of the world to the preparatory committee of civic organizations that are marking Captive Nations Week in free China.

Dr. Lev E. Dobriansky, chairman of the U.S. National Captive Nations Committee, said that the observance of Captive Nations

Week by Chinese civic organizations year after year have served as a model and a tremendous source of inspiration to the free as well as the captive peoples.

Jozef Lettrich, chairman of the Assembly of Captive European Nations, said that the "morale of captive brethren is strengthened when they see that such prominent Asian statesmen, as President Chiang Kai-shek of China, find common cause with the spirit of resistance to Communist oppression."

Robert N. Thompson, member of the Canadian parliament, pointed out that "it becomes imperative that we who understand the cruel and harsh taskmaster that dialectic Communism is, hold the torch of freedom high and rededicate and recommit ourselves to the cause of these captive peoples that they too might share in the hope and liberty of true freedom."

Dr. Alfrede Ferlisi, Italian observer at the First Conference of the World Anti-Communist League held in Taipei in 1967, said that he has no doubt that President Chiang's message to the Taipei mass rally will "heighten the indomitable spirit of the Chinese people against all the oppressors and make the enslaved brothers feel that every possible effort will always be made for their liberation."

PRESIDENT CHIANG KAI-SHEK'S MESSAGE TO THE TAIPEI RALLY SUPPORTING CAPTIVE NATIONS WEEK, JULY 10, 1969

Since 1959, the United States has been observing the third week of July as Captive Nations Week to support the aspirations of people all over the world for justice and freedom. This movement has elicited a profound response and has had a far-reaching effect throughout the world. Sympathy and support have been aroused for captive peoples, strong anti-Communist tides have been raised behind the Iron Curtain and lethal blows have been dealt against the dark reign of Communist wickedness.

MAO AT ROPE'S END

As I have said before, the Chinese Communist regime is the source of all the evil in Asia and must be destroyed before the evil can be eradicated. This means that the free world must concentrate its strength and finally dispose of the Mao regime, the most evil enemy of humankind within the Communist camp, so that the people can be delivered from slavery. In the last few years Mao Tse-tung has carried out a "cultural revolution" in an attempt to seize power, prolong his personal totalitarian rule and destroy the cultural traditions of the Chinese people. Last spring he brought together a nondescript group for the so-called Ninth National Congress. This represents not the end of the "great cultural revolution" but the beginning of another round in the bloody struggle of power-seizure. The evidence of this is clearly to be seen in the mounting anti-Maoism within the Communist Party and the anti-Communism outside the Party. Now at the end of his rope, Mao Tse-tung can be expected to lash out in a last frenetic struggle and to subject our mainland compatriots to more atrocious persecution and pull tighter the bonds of slavery.

NATIONAL SALVATION

We have always felt the suffering of our mainland compatriots as though it were inflicted on us. We have never failed to push forward in our task of preparing for early counterattack to deliver them from their crucible of suffering. The anti-Mao struggle that our mainland compatriots have carried out in diverse ways is now a solid, substantial movement of Mao suppression and national salvation. This assures a new opportunity for our counterattack and guarantees final success. We are confident that in winning anti-Communist hearts on the mainland and joining with formidable anti-Mao forces, we can deal blows from within and without that will sound the death knell of the Mao regime.

WORLD PEACE

I have often said that we do not need even one soldier from other countries of the free world in our counteroffensive against the traitors on the mainland. What we do require is the free world's moral support. Anti-Communism is the common responsibility of all free people. The Communists will never limit their aggressive ambitions to one country or one region. They seek to conquer the whole world and all humankind. In their counterattack, the free nations should not fight individually and run the risk that the Communists will defeat them one by one. Adopting a consistent strategy, we should combine together for joint operations. World peace, security and freedom are not divisible. The loss of any one of these anywhere in the world will affect the destiny of all of us.

TOTAL VICTORY

Because the root cause of Asian turmoil and insecurity lies in the Maoist usurpation of the Chinese Mainland, we must deliver the Chinese people from Maoist slavery and restore their life of freedom and democracy. Only then can we assure the stability of Asia and the world. All the people of this island bastion of the Republic of China, civilians and military alike, have joined hands with the anti-Mao and anti-Communist freedom fighters on the mainland and have sworn to fight to total victory in this sacred struggle. We pray that the people and countries of the free world will understand that man cannot exist half free and half slave. If they do so, they will surely summon their courage in the cause of justice and make the sacrifices required to rescue those who are enslaved and to assure peace with honor and freedom without qualification for all the people of the earth.

WASHINGTON, D.C.

THE NATIONAL CAPTIVE NATIONS COMMITTEE,
Washington, D.C.:

Regret unable to attend this evening 10th anniversary banquet. I am pleased to pay tribute to the courageous people of the world who live in captive nations. We must help them maintain their hope for freedom and independence despite fears of suppression. The hope for freedom must be kept alive. Please convey my best wishes to all those present.

JACOB K. JAVITS,
U.S. Senator.

WASHINGTON, D.C.

WALTER PRETKA,
Rockville, Md.:

Regret am unable to attend 10th anniversary captive nations week banquet. Please extend congratulations to award recipients and convey my greetings to all present.

FRANK HORTON,
Member of Congress.

TENTH ANNIVERSARY OF CAPTIVE NATIONS WEEK—NEW YORK CITY

"It is easier for us to break the bonds of gravity which God has forged than for us to break the chains of cruelty, prejudice and tyranny that bind many people on Earth."

—Very Rev. S. K. Pastukiv

To those who bear these chains under Communist slavery, today's program is solemnly dedicated.

This Captive Nations day begins with a parade along Fifth Avenue to the Central Park Mall.

PROGRAM

Religious Services, Rev. Serhiy K. Pastukhiv, Chief Celebrant, Administrator of the Ukrainian Orthodox Church in Exile; plus clergymen of other Captive Nations.

U.S. National Anthem, Miss Vaike Turi, Soloist, Miss Frederike Tanner, Pianist.

Proclamation of Captive Nations Week, Miss Brigita Zajak.

Hon. Matthew J. Troy, Chairman, Captive Nations Committee of New York.

Byelorussian Singers, Mr. A. Machniuk, Soloist, Mrs. R. Kosciuk, Mrs. L. Machniuk, Mrs. H. Petisch; Mrs. L. Scors, Pianist.

Hon. Jaroslav Stetzko, Former Prime Minister of Ukraine, and current World President of the Anti-Bolshevik Block of Nations.

Resolution to free the Captive Nations, Mr. Charles Andreanzsky.

Ukrainian Dances, Ukrainian-American Youth Assn. Anssemble "Verchovinci" under direction of Mr. O. Genza.

Benediction, Rumanian Orthodox Priest, Rev. O. Rossi.

Master of Ceremonies, Dr. Ivan Docheff, Chairman of AF-ABN, and Vice Chairman of Captive Nations Committee of N.Y.

Following Central Park Rally, a luncheon at Hotel Commodore for advance ticket holders only.

Nations slowly dying under Communist enslavement include:

Albania, Armenia, Azerbaijan, Bulgaria, Byelorussia, China Mainland, Cossackia, Croatia, Cuba, and Czechia.

East Germany, Estonia, Georgia, Hungary, Idel-Ural, Latvia, Lithuania, Mongolia, North Caucasus, and North Korea.

North Vietnam, Poland, Romania, Serbia, Slovakia, Slovenia, Tibet, Turkestan, Ukraine, and Kurile Islands.

EXCERPTS FROM PUBLIC LAW 86-90 ADOPTED BY THE U.S. CONGRESS IN JULY 1959

Whereas the submerged nations look to the United States, as the citadel of human freedoms, for leadership in bringing about their liberation and independence and in restoring to them the enjoyment of their Christion, Jewish, Moslem, Buddhist, or other religious freedom, and of their individual liberties; and

Whereas it is vital to the national security of the United States that the desire for liberty and independence on the part of the peoples of these conquered nations should be steadfastly kept alive; and

Whereas the desire for liberty and independence by the overwhelming majority of the people of these submerged nations constitute a powerful deterrent to war and one of the best hopes for a just and lasting peace; and

Whereas it is fitting that we clearly manifest to such peoples through an appropriate and official means the historic fact that the people of the United States share with them aspirations for the recovery of their freedom and independence: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a Proclamation designating the third week of July, 1959, as "Captive Nations Week" and inviting the people of the United States to observe such week with appropriate ceremonies and activities. The President is further authorized and requested to issue a similiar proclamation each year until such time as freedom and independence shall have been achieved for all captive nations of the world.

LIBERATING THE CAPTIVE NATIONS: AMERICA'S DUTY AND CHALLENGE

(By Austin J. App, Ph. D., chairman, Captive Nations Committee of Greater Philadelphia)

Greetings: Master of Ceremonies, Mr. Ignatius Billinsky; Guest of Honor and Main Speaker, Dr. Ku-Cheng-kang, chief delegate of the Republic of China to the Asian Parliamentarians Union; Representative of Governor Raymond P. Shafer; Representative of Mayor James H. J. Tate; Members of the Clergy, ladies and gentlemen:

I thank Mr. Billinsky, editor of the Ukrainian Daily *Amerika* and our Executive Vice-Chairman, for his kind introduction.

As chairman of the Greater Philadelphia Captive Nations Committee, I warmly welcome all of you to our eleventh Observance on this 10th Anniversary of the Congressional

Resolution of July 17, 1959. This requests the President annually to proclaim the third week of July "Captive Nations Week . . . until such time as freedom and independence shall have been achieved for all the captive nations of the world." By 1959 the Christian West—England, France, Holland, Belgium—had liberated virtually all their Asian and African colonies, so that the twenty-two nations Congress enumerated were ones enslaved by "communist imperialism" and subjugated "since 1918 by the imperialistic policies of Communist Russia . . . through direct and indirect aggression."

Since 1959 the West has continued its policy of liberation, but Soviet Russia has not liberated one single satellite or captive nation. On the contrary, it has subverted new ones like Cuba, and last August 1968 it ruthlessly invaded Czecho-Slovakia and with tanks and guns crushed the precious tendrils of liberty that had become manifest.

GRATEFUL FOR CHINESE SPEAKER AND OFFICIAL PROCLAMATIONS

I am especially glad to welcome our guest of honor from National China, Dr. Ku-Cheng-kang, as our main speaker. His country is divided and Mainland China a Communist slave-state because from 1945 to 1949 traitors or dupes in our State Department forced Chang Kai-shek to form a coalition with the Reds whom they called well-meaning agrarian reformers, as later they designated Fidel Castro of Cuba!

We are grateful to Governor Shafer and Mayor Tate for issuing proclamations for our Observance and sending representatives to read them. Our Committee is happy, most of all, to see such a fine audience, some in native costumes, some with their national banners, all testifying by their presence to their idealism of liberty for the Captive Nations—the Soviet-Zone Germans, Poles, Hungarians, Ukrainians, Czechs, Slovaks, Lithuanians, Estonians, Latvians, Armenians, Rumanians, Cossacks, Byelorussians, Cubans, Bulgarians, and others.

On July 14, President Nixon proclaimed Captive Nations Week, he more than his predecessors experienced the impact of the 1959 Resolutions on the Soviet Russians. Just when it was first passed, he as Eisenhower's vice-president was visiting Moscow. The Kremlin's reaction to the policy of liberation for the Red enslaved nations was violent and significant. Premier Khrushchev denounced it in a high-pitched voice, frequently pounded the table, said the Resolution "stinks" and spelled out what he meant in earthy four-letter words.

(See Lev. E. Dobriansky, *The Vulnerable Russians*, p. 30).

CAPTIVE NATIONS OBSERVANCE PINPOINTS SOVIET-RUSSIAN VULNERABILITY

The Resolution's call for the liberation of the Captive Nations so upset the Kremlin because it exposes the powder-keg upon which the Red dictators sit. The USSR is not a union of peaceful federated states, like the United States of America, nor are its satellites willing ones, but a Soviet Russian tyranny, bounded by a Berlin Wall and an Iron Curtain, over some twenty-two conquered peoples, each with its own language and culture, each yearning for independence, and plotting the overthrow of its Red dictators. In all these captive nations, facsimiles of the East Berlin revolt of 1953, of the Hungarian in 1956, of the Czecho-Slovak in 1968 are forever in the making, waiting for the signal to rise and throw off the Red-Russian yoke.

And the day when enough of them do it in concert, and confident in the moral, diplomatic, and material support of the Free World, the Soviet Russian Empire will collapse, the Captive Nations will be free—and for the U.S. and the world, the threat of the third world war will have been averted. That is why Khrushchev fumed and ranted at the Captive Nations Resolution in 1959, and Premier Kosygin again during the Glassboro Summit with President Johnson in June, 1967. The Kremlin dictators know that no empire can permanently suppress the righteous aspiration for independence of civilized captive nations—if the informed public world opinion is aroused in their behalf. The worst tyranny does not have enough guns forever to defy mass public opinion on the side of right and freedom!

That is why our Captive Nations Observance is so important.

THE HUMANE AND MORAL DUTY TO SUPPORT LIBERATION OF THE CAPTIVE NATIONS

As a pure matter of humanity and justice the United States and the other Free countries must do what they can morally, diplomatically, and materially, to further the independence of the oppressed Captive Nations.

And the United States has an even more compelling obligation. It was American lend-lease and Unconditional Surrenderism, and the shameful Rooseveltian appeasements at Yalta, which very directly delivered most of Eastern Europe into the Soviet-Russian tyranny. Had America in 1945, which was before Russia had the atom bomb, honored the Atlantic Charter, there would be no Iron Curtain down the middle of Christian Europe, and no Berlin Wall. The enslaved nations now have a claim to American support for a reversal of those sell-outs.

But if "Our purpose is not to overturn other governments," as President Johnson assured the Red Puppet regimes on October 7, 1966, then how, for example, can Germany be reunited and Ulbricht's Zone and Gomulka's Poland be liberated? For fifty years Soviet Russia has clamored for the overthrow of all Western colonial governments. How can we honorably or otherwise then also demand the overthrow of the far more tyrannical Red puppet governments of the Soviet-Russian imperialism? We should as a matter of course proclaim our purpose to want all Red puppet regimes replaced by governments freely elected by the people.

LIBERATION OF THE CAPTIVE NATIONS AVERTS THREAT OF A THIRD WORLD WAR

To announce to the world this purpose is not to risk the third world war. It is on the contrary the surest, perhaps the only way of reducing the threat of such a nuclear holocaust. A Soviet Russia, whose Union of Soviet Russian Republics, plus Satellites, is exposed for the sham that it is, whose captive peoples are encouraged to agitate for their independence in the confidence of the world's good will, cannot afford to be a threat to world peace Such a Soviet Russia will hesitate to supply North Vietnam with its Migs, Castro's Cuba with its missiles, and will call back some of its ships from the Mediterranean and its submarines from Western hemisphere waters.

It is Soviet Russia, while it controls the manpower and know-how of the twenty-two captive nations, that threatens the nuclear peace of the world, not really Red China which still is short of technique. If Soviet Russia has freed its Captive Nations, is brought down to size, it will have no interest in endangering the world, and the Free World will have no more interest in worrying about its internal Communism.

Let us arouse enough public opinion to get the Captive Nations freed—be it by diplomacy or internal revolts—and the threat of a nuclear third world war will have faded. Thank you!

[From the Vietnam Newsletter, July 12, 1969]

CAPTIVE NATIONS WEEK TO BE CELEBRATED BY WACL

SAIGON, July 9.—As in previous years, WACL member-units will commemorate the tragic fate of the peoples under Communist rule by holding a Captive Nations Week from July 13–19, 1969.

The Captive Nations Week was first celebrated in the United States in 1959, by the people who escaped from Communist countries, immediately after the United States Congress passed the Captive Nations Week Resolution and the late President Eisenhower signed it into Public Law 86–90. Since then, the annual observance in symbolic behalf of the captive peoples has steadily grown and expanded among free nations.

From reliable sources, it was learned that the WACL China Chapter will sponsor a mass rally in Taipei on July 10, to be presided over by Dr. Ku Cheng-kang, WACL Honorary Chairman. Similar commemorations will also be held in other capitals of the Free World during the period June 13–19, 1969.

Meanwhile, Dr. Phan Huy Quat, WACL Council Chairman, in a message addressed to WACL member-units, urged them to denounce Communism and to support the fight for human freedom and national independence waged by the peoples behind the Iron Curtain, in compliance with the resolutions adopted at the Second General Conference in Saigon, last December 1968.

CAPTIVE NATIONS WEEK, JULY 15, 1969, PHOENIX, ARIZ.

ARIZONA BRANCH, NATIONAL CAPTIVE NATIONS COMMITTEE, SALUTES THE HONORARY PRESIDENT, WORLD ANTI-COMMUNIST LEAGUE, DR. KU CHENG-KANG

I am most proud to know that so many Arizonans have the conviction and perseverance to voice so effectively concern for the lost basic freedoms and human rights of the millions captive by the Communist totalitarians throughout the world.

My thoughts are with you as you observe Captive Nations Week, and may your dedication influence enough world leaders that free peoples might one day unify to break the yoke of totalitarian rule in all captive nations.

SAM STEIGER,
U.S. Congress,
Third District, Arizona.

PUBLIC LAW 86–90, 86TH CONGRESS, SENATE JOINT RESOLUTION 111, JULY 17, 1959

Joint resolution providing for the designation of the third week of July as "Captive Nations Week"

Whereas the greatness of the United States is in large part attributable to its having been able, through the democratic process, to achieve a harmonious national unity of its people, even though they stem from the most diverse of racial, religious, and ethnic backgrounds; and

Whereas this harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of peoples everywhere and to recognize the natural interdependency of the peoples and nations of the world; and

Whereas the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples; and

Whereas since 1918 the imperialistic and aggressive policies of Russian communism have resulted in the creation of a vast empire which poses a dire threat to the security of the United States and of all the free peoples of the world; and

Whereas the imperialistic policies of Communist Russia have led, through direct and indirect aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Al-

bania, Idel-Ural, Tibet, Cossackia, Turkestan, North Viet-Nam, and others; and

Whereas these submerged nations look to the United States, as the citadel of human freedom, for leadership in bringing about their liberation and independence and in restoring to them the enjoyment of their Christian, Jewish, Moslem, Buddhist, or other religious freedoms, and of their individual liberties; and

Whereas it is vital to the national security of the United States that the desire for liberty and independence on the part of the peoples of these conquered nations should be steadfastly kept alive; and

Whereas the desire for liberty and independence by the overwhelming majority of the people of these submerged nations constitutes a powerful deterrent to war and one of the best hopes for a just and lasting peace; and

Whereas it is fitting that we clearly manifest to such peoples through an appropriate and official means the historic fact that the people of the United States share with them their aspirations for the recovery of their freedom and independence: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating the third week in July 1959 as "Captive Nations Week" and inviting the people of the United States to observe such week with appropriate ceremonies and activities. The President is further authorized and requested to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world.

Approved July 17, 1959.

PROCLAMATION: CAPTIVE NATIONS WEEK, 1969

Whereas Americans always have maintained an air of deep compassion for those around the world who enjoy far less than the freedom which is our great heritage; and

Whereas responsible individuals are developing a growing and deep concern for the human rights of those persons who live within the boundaries of the captive nations of the world; and

Whereas an annual observance of Captive Nations Week is conducted by the National Captive Nations Committee, as called for under the terms of Public Law 86–90; and

Whereas Arizonans join in support of the aim of this observance, which is to reaffirm this nation's moral support for those persons who are now under the domination of world Communism, and who seek the freedom which is justly theirs;

Now, therefore, I, Jack Williams, Governor of the State of Arizona, do hereby proclaim the period from Juy 13 to July 19 to be Captive Nations Week, 1969, and do urge and encourage all Arizonans to honor this observance fully in its spirit and its great goals.

In witness whereof, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Done at the Capitol in Phoenix this 7th day of July in the year of Our Lord One Thousand Nine Hundred and Sixty Nine and of the Independence of the United States the One Hundred and Ninety-fourth.

JACK WILLIAMS,
Governor.

Attest:

WESLEY BOHN,
Secretary of State.

HONORARY ADVISORY COMMITTEE

Barry Goldwater, Honorary Chairman, U.S. Senator.
Paul Fannin, U.S. Senator.
John J. Rhodes, U.S. Representative.
Sam Steiger, U.S. Representative.
Jack Williams, Governor of Arizona.
Wesley Bolin, Secretary of State.
Wilson D. Palmer, Clerk of Superior Court.
Rt. Rev. Msgr. R. J. Donohoe.
Elwood Driggs, Esq.
Thomas J. Dunlavey, Esq.
Lou Grubb, Esq.
Ned Mullan, Esq.
Arthur L. Peterson, Ph. D.
Charles S. Poling, D.D.
Eugene C. Pulliam, Esq.
Weldon P. Shofstal, Ph. D.
Rev. Paul D. Urbano.

NATIONAL CAPTIVE NATIONS COMMITTEE, ARIZONA BRANCH

Executive committee

Walter Chopiwskyj, President.
Vytas Mozart, Vice President.
Albert T. Koen, Executive Director.
Shirley Beckman, Secretary.
Wayne Wallick, Treasurer.
Joe Jeziorski, Public Relations.

Committee members

Mykola Burda, James F. Crispelle, Burton C. Johnson, Ethel M. Johnson, Emily Josen, Eva A. Krone, Mintauts Kukainis, Janina Rimavicius, Alimpija Velimirovic, Saveta Velimirovic, and Fern Wallick.

CAPTIVE NATIONS WEEK OBSERVANCES

(Program, July 15, 1969—Grady Gamage Auditorium, Temple, 8 p.m.)

Scottsdale Boys Band, Concert.
National and Armed Forces Colors, U.S. Marine Corps, U.S. Air Force, U.S. Navy, Arizona National Guard, Boy Scouts of America.
Invocation, Rev. Charles S. Poling, D.D.
Pledge of Allegiance, Mike Sanera, Pres. YAF.
Role Call of Nations, Norman Seeley.
Welcoming remarks, Walter Chopiwskyj, Pres., AB–NCNC.
Band selection, Scottsdale Boys Band.
Proclamation, Hon. Jack Williams, Governor of Arizona.
Recognition of distinguished guests, Norman Seeley.
Tribute to our fighting men, Albert T. Koen, Lt. Col. USAF (Ret.).
Taps & salute, Scottsdale Bays Band & That Certain Sound.
Keynote address, Dr. Ku Chen-kang, Republic of China.
Songs, That Certain Sound.
Band selection, Scottsdale Boys Band.
Dance group, The International Mia Dancers.
Band selection, Scottsdale Boys Band.
Songs, Impact '69.
Band selection, Scottsdale Boys Band.
Day for decision, That Certain Sound & Combined Group.
Benediction, Rev. James A. Borror, Th.D.
Dismissal of flags, Norman Seeley.
Stars & Stripes, Scottsdale Boys Band.
Master of Ceremonies, Norman Seeley, KOOL Radio & T.V.

PATRONS

Mr. & Mrs. Ted Andreyka.
Mr. & Mrs. Robert A. Bailey.
Mr. & Mrs. Mykola Burda.
Mr. Walter Chopiwskyj.
Mr. & Mrs. Mykola Czopiwskyj.
Mr. & Mrs. Wm. A. Faber.
Mrs. Lydia Harris.
Mr & Mrs. Richard & Naome Johnson.
Mr. & Mrs. Albert T. Koen.
Mr. & Mrs. Sam & Dorothy Medigovich.
Mothers' Crusade For Victory Over Communism.
Mr. & Mrs. Vytas Mozart.
Nicholls Sav-Mor Pharmacy.
Mr. & Mrs. Clergue & June Okerlund.
Mr. & Mrs. Paul Polishchuk.
Mr. & Mrs. Nathan E. Rider Jr.
Mr. & Mrs. Bill Sawicky.
Mr. & Mrs. Michael Schmigelsky.
Mr. & Mrs. Vytautas Sinkus.
Mr. & Mrs. Leonard Strikauskas.
Mr. & Mrs. Don Swenski.
Rev. Anthony Valiuska.
Mr. & Mrs. Wayne E. Wallick.
Whitney & Murphy Funeral Home.

BOOSTERS

Mr. Tom Austeiman.
Miss Barbara Barton.
Mr. Mike Bojeczko.
Mrs. Pat Champagne.
Mr. Thomas Kanneman.
Mr. & Mrs. Frank Krosnicki.
Mr. Tomislav Krstic.
Mr. & Mrs. Vince Minor.
Mr. & Mrs. Stanley Pudinas.
Mr. Gene Ries.
Mrs. Jean Riklaitis.
Miss Konstancija Rudaityte.
Mr. & Mrs. Joe Sesser.
Mr. James Wilson Smith.
Mr. Zdravko Tufegdzic.
Mr. & Mrs. Alimpije Velimirovich.

[From the Phoenix (Ariz.) Republic, July 4, 1969]

CAPTIVE NATIONS COMMITTEE SCHEDULES RALLY JULY 11

The Arizona branch of the Captive Nations Committee has announced a rally July 15 in Grady Gammage Auditorium to highlight the 11th annual observance of Captive Nations Week.

Dr. Ku Cheng-kang, deputy foreign minister of Nationalist China, will be the featured guest speaker at the 8 p.m. program.

Entertainment will be provided by the Scottsdale Boys Band, That Certain Sound, and the Impact singers. The international Mia Dancers also will perform folk dances.

Admission is $1 for adults. Students and children will be admitted free.

[From the Phoenix (Ariz.) Gazette, July 14, 1969]

"CAPTIVE" COUNTRIES RALLY SET

The highlight of an 8 p.m. rally tomorrow in Grady Gammage Auditorium under auspices of the Arizona branch of the National Captive Nations Committee will be an address by Dr. Ku Cheng-kang, deputy foreign minister of Nationalist China.

Entertainment will be provided by the Scottsdale Boys Band, That Certain Sound, the Impact Singers and folk dances by the international Mia Dancers.

Admission is $1 for adults, while students and children will be admitted free.

The rally emphasizes the annual observance of Captive Nations Week, proclaimed by President Nixon and Governor Williams.

[From the Phoenix (Ariz.) Republic, July 9, 1969]

RALLY SLATED FOR TUESDAY AT TEMPE

The Arizona branch of the Captive Nations Committee will rally at 8 p.m. Tuesday in Grady Gammage auditorium, Tempe.

It will be in observance of Captive Nations Week which begins Sunday.

Dr. Ku Cheng-kang, deputy foreign minister of Nationalist China, will be the featured speaker.

Admission will be $1 for adults. Students and children will be admitted free.

Entertainment will be provided by the Scottsdale Boys Band, That Certain Sound and the Impact singers. Folk dances will be performed by the international Mia Dancers.

Recently named to the 1969 honorary advisory committee in Arizona were, Sen. Barry Goldwater, honorary chairman; Sen. Paul Fannin, Rep. John J. Rhodes, Rep. Sam Steiger, Gov. Williams, Wesley Bolin and Marshall Humphrey.

Also, Wilson Palmer, Msgr. R. J. Donohoe, The Rev. Charles S. Poling, The Rev. Paul D. Urbano, Elwood Driggs, Eugene C. Pulliam, Thomas Dunlavey, Lou Grubb, Ned Mullan, Arthur L. Peterson and Weldon P. Shofstall.

[From the Phoenix (Ariz.) Republic, July 15, 1969]

CHIANG AIDE BELITTLES SINO-SOVIET HOSTILITY

Jauntily waving a straw boater, Dr. Ku Cheng-kang, policy adviser to Formosa president Chiang Kai-shek since 1931, arrived at Sky Harbor yesterday and immediately disputed recent public statements by Communist nations.

Dr. Ku, who is in Phoenix to speak at a Captive Nations Rally at Grady Gammage Auditorium in Tempe at 8 p.m. today as part of Captive Nations Week, scoffed at declarations by the Soviet Union and Communist China that each was the "number one enemy" of the other.

"Their conflict is more over leadership than over basic differences," Dr. Ku told The Arizona Republic through an interpreter.

When questioned about a statement by a Chinese Communist spokesman that war with the Soviet Union was imminent, Dr. Ku said, "The statement was made for the purpose of diverging the people's dissatisfaction. Skirmishes, yes. War, no."

Dr. Ku, who at 68 is a youngster compared to his 81-year-old chief, disparaged reports in the American press that arrangements have already been made for Chiang's son to succeed him.

"The vice president is expected to succeed him," Dr. Ku said.

"Recent medical examinations reveal no medical trouble for Chiang," Ku added. "He has the health of a 50-year-old."

Ku also shrugged at reports of internal dissention between mainland Chinese on Taiwan and native Taiwanese. An emigre group in Japan is currently calling for Taiwanese independence from the Chinese who came over with Chiang after the Chinese civil war, but Ku's comment on dissension was:

"We have dissension in the sense of provincial differences—like Arizonans and New Yorkers—but major dissension we do not have because of our common purpose."

[From the Phoenix (Ariz.) Gazette, July 15, 1969]

CHIANG ADVISER HONORED HERE

The honorary president of the World Anti-Communist League, Dr. Ku Cheng-kang, policy adviser to Formosa President Chiang Kai-shek, today has a new decoration—a blank blue button presented him by Arizona Young Americans for Freedom.

The button has become a symbol of opposition to radical leftist revolutionaries of the nation's school campuses, according to Mike Sanera, AYAF state chairman and an Arizona State University student.

The button is a token of mutual commitment to a freedom offensive. Sanera indicated, as he and other representatives of the group welcomed Dr. Ku to Phoenix.

The 68-year-old Chiang adviser will address a Captive Nations Rally at 8 o'clock tonight in Grady Gammage Memorial Auditorium at ASU.

Earlier, Dr. Ku met with Governor Williams for a Captive Nations Week (this week) proclamation ceremony at the Capitol, and a press conference at Hotel Westward Ho.

The rally at ASU is sponsored by the Arizone Branch, National Captive Nations Committee, whose national chairman, Dr. Lev E. Dobriansky, resides here.

Dr. Ku told newsmen war between Russia and Red China will not occur, a Red Chinese statement that war with Russia was imminent was simply to divert the people's dissatisfaction.

He disparaged reports that arrangements have been made for Chiang's son to succeed the 81-year-old chief of state. The successor would be the vice president, he indicated.

Sanera, presenting the blue button to Dr. Ku, told him that "your dedication to individual freedom, free enterprise and opposition to totalitarian philosophies such as communism is completely in accord with the Young Americans for Freedom."

[From the Phoenix (Ariz.) Gazette, July 2, 1969]

CHINA OFFICIAL TO SPEAK HERE

Dr. Ku Cheng-kang, deputy foreign minister of Nationalist China, will be principal speaker at the annual Captive Nations Week rally at 8 p.m. July 15 in Grady Gammage Auditorium in Tempe.

The rally will be the highlight of the week, proclaimed by President Nixon and Governor Williams. Local sponsor is the Arizona Branch of the National Captive Nations Committee, headed by Walter Chopiwskyj of Phoenix.

[From the Tempe (Ariz.) Daily News, July 10, 1969]

CHIANG ADVISER RALLY SPEAKER

Dr. Ku Cheng-kang, deputy foreign minister of nationalist China, will be featured speaker for an open-to-the-public rally marking Captive Nations Week, to be held Tuesday, July 15, at Arizona State University's Gammage auditorium.

The 8 p.m. rally, planned by the Arizona Branch of the Captive Nations Committee, will also feature folk dances by the internationally acclaimed MIA dancers, patriotic and religious music by the Impact '69 singers, Ron Patty's That Certain Sound musical group and Scottsdale Boys' Band.

Chief foreign policy adviser for Nationalist China President Chiang Kai-shek, Dr. Cheng-kang is expected to speak on the plight of captive people behind the Bamboo curtain, in keeping with the purpose of the annual rally—an observance to remind of the many people enslaved in captive nations.

During his Valley stay, Dr. Cheng-kang and members of his party will be escorted by members of the Arizona Young Americans for Freedom organization.

The Tuesday rally is also planned by the Captive Nations Committee to pay tribute to the "silent multitudes of young people" who love and have faith in their country.

The rally, with its accent on youth, will be open to children and students free of charge and to adults at $1.

It will highlight Valley observance of National Captive Nations Week, July 13–19.

The sponsoring National Captive Nations Committee is an educational organization founded shortly after the passage of the Captive Nations Week Resolution by U.S. Congress in 1959. It is an affiliate of the World Anti-Communist League which sponsors the observance of the annual week.

Among members of the 1969 honorary advisory committee for the Arizona Branch of the Captive Nations Committee are Senator Barry Goldwater, honorary chairman; Sen. Paul Fannin, Reps. John Rhodes and Sam Steiger, Governor Jack Williams, Arizona Secretary of State Wesley Bolin, Rev. Msgr. R. J. Donohue, Rev. Charles Poling, Rev. Paul D. Urbano and Tempean Weldon P. Shofstall.

[From the Tempe (Ariz.) Daily News, July 14, 1969]

CAPTIVE NATIONS RALLY AT ASU TOMORROW NIGHT

Youth groups and the deputy foreign minister of Nationalist China will join the Arizona branch of the Captives Nations Committee in highlighting the 11th annual observance of Captive Nations Week with a public rally at Gammage Memorial auditorium here Tuesday (tomorrow) at 8 p.m.

The rally is held annually to remind Americans of the plight of the unfortunate people in the Communists' captive nations.

Featured speaker at this year's rally will be Dr. Ku Cheng-kang, deputy foreign minister of Nationalist China and chief foreign policy advisor to President Chiang Kai-shek. Cheng-kang will be discussing the plight of captive peoples behind the "Bamboo Curtain."

This year's rally is also planned to pay tribute to the "silent majority" of American young people.

"With the riots and turmoil caused by many college students today, we lose sight of how the majority of our people really feel about this great land of ours," a Captive Nations Committee spokesman said. "Tomorrow, we will have a chance to witness the true spirit of today's youth as some of the 'silent majority' express their love and faith in this country of ours through their participation in the rally program."

Eagle Scouts from various Valley troops will be presenting the flags of the captive nations for the rally. Scottsdale Boys' Band will be providing music.

Other youth groups participating will include Ron Patty's new group, That Certain Sound; the national Impact '69 singers; and the internationally-acclaimed Mia Dancers who will be performing their famous folk dances for the event.

The public is invited to attend the rally. Admission will be $1 for adults; children and students will be admitted free.

Captive Nations Week was established by resolution of the U.S. Congress in July, 1959, to—in addition to calling attention to the plight of captive peoples in captive nations—symbolize the firm dedication of America to the freedom and independence of captive people.

"More than any event," said a committee spokesman, "it shows the right things about America stand out most when contrasted with the combination of political oppression and rampant economic poverty that exists in the Red Empire, particularly the Soviet Union.

"If we, the people of the United States, through inertia and paralysis of our power to resist, permit the internationally mistaken conspiracy against freedom to engulf us, this is what the follow-up will be in our own beloved land of freedom."

[From the Tempe (Ariz.) Daily News, July 7, 1969]

EMPHASIS ON YOUTH AT CAPTIVE NATIONS RALLY

A tribute to America's "silent majority" of young people is in the offing when the Arizona branch of the Captive Nations Committee stages its 11th annual rally at Grady Gammage Memorial auditorium on the Arizona State University campus, Tuesday, July 15.

The 8 p.m. program, open to the public, will be a Valley highlight of national Captive Nations Week, July 13–19, a week initiated by resolution of the U.S. Congress in 1959 as a time for observances to remind the world of the plight of the people in captive nations of the Red Empire. It also symbolizes, for billions of captive peoples, the dedication of America to their freedom and independence.

The accent will be on youth at the Tuesday rally with participants for the evening to include Ron Patty and his new group, That Certain Sound; the Impact '69 singers; the internationally acclaimed Mia Dancers; Scottsdale Boys' Band and Valley Eagle Scouts who will be presenting the flags of the captive nations.

Featured speaker for the evening will be Dr. Ku Cheng-kang, deputy foreign minister of Nationalist China.

Patriotic and religious songs will be presented by That Certain Sound and Impact '69. The Mia Dancers, who have been seen on the Ed Sullivan television show as well as in appearances throughout the world, will present their colorful folk dances for the program. Scottsdale Boys' Band will provide the instrumental music.

Said the spokesman for the Captive Nations Committee, "With the riots and turmoil caused by many college students today, we lose sight of how the majority of our young people really feel about this great land of ours. On July 15, we will have a chance to witness the true spirit of today's youth . . . as these youth groups join in expressing their love and faith in this country of ours as we remember those peoples who have lost their basic freedoms and human rights—the one billion captive peoples of the captive nations behind the Iron, Bamboo and Sugar Curtains.

Admission for the rally will be $1 for adults, children and students admitted free.

[From the Phoenix (Ariz.) Republic, July 16, 1969]

U.S. IDEALS ON TRIAL, CHINESE SAYS

(By Connie Cobb)

TEMPE.—American ideals "are being subjected to the most serious challenges and trials in your history," the chief policy adviser to Chinese President Chiang Kai-shek said here last night.

Dr. Ku Cheng-kang, speaking at a rally of the Arizona Branch, National Captive Nations Committee, said mistaken views and "compromising statements concerning Communist aggression" have cast doubts on the United States' avowed dedication to freedom for all.

". . . Especially, those views urging the United States to disentangle from world affairs and mind her own business have blurred the image of the United States," he told about 900 persons in Grady Gammage Auditorium at Arizona State University.

Dr. Ku said these views "have even shaken the world's confidence in the United States as leader of the democratic nations in defending democracy and freedom."

But without the support of "freedom forces," he added, "I am afraid the world may see the extinguishing of the flame of hope in the hearts of the peoples behind the Iron Curtain" and further Communist-inspired "troubles for the free world."

Dr. Ku said the most important factor in the fight for freedom "is to actively support the peoples behind the Iron Curtain in their struggle against tyranny.

"We freedom-loving and democratic peoples must unite and work harder for the early restoration of freedom for all captive peoples and nations," he added.

Walter Chopiwskyj, Arizona committee president, agreed with Dr. Ku that the "more than 1 billion people living in the 28 nations under Communist rule today . . . look to the United States . . . for leadership in bringing about their liberation and independence."

He said observance of Captive Nations Week, through Saturday, serves "as a clear demonstration . . . that the people of this country share with them their aspirations for the recovery of their freedom and independence."

The adult speakers' words were echoed by the youthful patriotic appeals of Impact, That Certain Sound, the International Mia Dancers and the Scottsdale boys' and girls' bands.

COMMENDING LYNDON JOHNSON FOR HIS PART IN THE APOLLO PROGRAM

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. ZABLOCKI. Mr. Speaker, as we rejoice over and pay tribute particularly to three brave men—Neil Armstrong, "Buzz" Aldrin, and Mike Collins—upon their amazing feat and the successful flight of Apollo 11, we would be remiss if we did not pay special thanks to the man who did more than any other man in America to make this event possible—former President Lyndon B. Johnson.

It is true that the Apollo 11 moon walk was the fulfillment of John F. Kennedy's prophecy that we would put a man on the Moon and return him to Earth within the decade of the 1960's.

However, as in so many things, it remained for Lyndon Johnson to make this dream become a reality.

Undoubtedly, history will record former President Johnson's leadership in our space program as one of his foremost accomplishments.

It was he who insisted on the United States embarking on this program, and who pushed and prodded our Nation into accepting the great challenge of conquering space.

Without his strong and inspiring leadership while serving as Senate majority leader, Vice President, and President, there is every reason to wonder when and even if we would have achieved this goal.

It is my fervent hope that the accomplishments of the Apollo 11 crew will help to lead mankind toward an era of peace and friendship and to solve the common problems of the world.

This would be the truly fitting reward and tribute to President Johnson, Astronauts Armstrong, Aldrin, and Collins, and indeed all their colleagues, associates, and personnel of the National Aeronautics and Space Administration.

A recent Milwaukee Journal editorial, "Lyndon Johnson's Part," succinctly expresses President Johnson's involvement in our space program. It is a pleasure for me to insert the editorial at this point in the RECORD:

[From the Milwaukee Journal, July 22, 1969]

LYNDON JOHNSON'S PART

One American who watched the moon flight from the take-off—to which he was invited by President Nixon—to the conclusion must have taken deep personal satisfaction in it. That was former President Lyndon Johnson, who has been out of the limelight and under a self-imposed silence for half a year since retiring.

No one had more to do with our success in space than Lyndon Johnson. He worked hard for it as a senator and majority leader. He was given chief responsibility for space by the late President John Kennedy, who made the commitment to reach the moon by the end of this decade. As president, Johnson continued his deep interest and support.

It was fitting that he was present at the launching. He said little but what he said credited a wide group of people for the successful space program. And those of whom he spoke, who have been dedicating their lives to the project, know that Lyndon Johnson deserves as much credit as anyone.

SENATE—*Wednesday, July 30, 1969*

The Senate met at 12 o'clock noon and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, who has taught us in Thy word that in quietness and confidence shall be our strength, at this noonday pause in the heat and burden of testing times, strengthen us that we may keep inviolate the sacred altar of our inmost being. Help us, O Lord, not only here where our work is seen and our voice is heard, but also in the solitary place where, in the secret of our hearts, we decide what to do here. Make us conscious of the eternal verities which outlast the deeds of a day. Enable us to bring to our tasks not only our resolute convictions but also the reconciling grace which Thou dost freely give to all who call upon Thee.

Answer in us the prayer of the hymn writer:

"Breathe on me, Breath of God
Fill me with life anew,
That I may love what Thou dost love,
And do what Thou wouldst do."

EDWIN HATCH, 1886.

In the Redeemer's name we pray. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, July 29, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the joint resolution (S.J. Res. 85) to provide for the designation of the period from August 26, 1969, through September 1, 1969, as "National Archery Week," with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 8868) to authorize the District of Columbia to enter into the Interstate Compact on Juveniles, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 2785. An act to authorize the Secretary of the Interior to convey to the State of Tennessee certain lands within Great

Smoky Mountains National Park and certain lands comprising the Gatlinburg Spur of the Foothills Parkway, and for other purposes;

H.R. 3379. An act for the relief of Sfc. Patrick Marratto, U.S. Army (retired);

H.R. 5833. An act to continue until the close of June 30, 1972, the existing suspension of duty on certain copying shoe lathes;

H.R. 6585. An act for the relief of Mr. and Mrs. A. F. Elgin; and

H.R. 10946. An act to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects.

HOUSE BILL REFERRED

The bill (H.R. 8868) to authorize the District of Columbia to enter into the Interstate Compact on Juveniles, was read twice by its title and referred to the Committee on the District of Columbia.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The nominations on the Executive Calendar will be stated.

AMBASSADOR

The bill clerk read the nomination of Kenneth Franzheim II, of Texas, to be Ambassador Extraordinary and Plenipotentiary of the United States to New Zealand.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

The bill clerk proceeded to read sundry nominations in the U.S. Arms Control and Disarmament Agency.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 330 and 317.

The VICE PRESIDENT. Without objection, it is so ordered.

GOLD MEDALS IN HONOR OF AMERICAN ASTRONAUTS

The Senate proceeded to consider the joint resolution (S.J. Res. 140) to provide for the striking of medals in honor of American astronauts who have flown in outer space which had been reported from the Committee on Banking and Currency with amendments on page 1, line 9, after the word "program," insert "and to the widow of any such astronaut who is now deceased,"; on page 2, at the beginning of line 4, insert "There is authorized to be appropriated to the Secretary of the Treasury not to exceed $20,000 to carry out the provisions of this section."; in line 23, after the word "Mint" strike out "for" and insert "from the proceeds of the sale of"; and on page 3, line 2, after the word "Administration" strike out "Any revenues received from the sale of such medals shall be deposited in a revolving fund which is hereby established in the Treasury of the United States. After making from the fund any payments required by section 2(c), the remaining moneys in the fund shall be expended for grants for scientific scholarships to such persons; in such amounts, and on such terms, as the Administration considers appropriate." and insert "Any revenues received from the sale of such medals shall be used to pay the cost thereof as provided in section 2(c). Any revenues in excess of sums required to pay such cost shall be paid into the Treasury as reimbursement of expenses incurred by the Government under the first section of this joint resolution. Any additional revenues so derived shall be covered into miscellaneous receipts of the Treasury."; so as to make the joint resolution read:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in honor of the continuing achievements of American astronauts in space exploration culminating in the landing on the moon, the President is authorized to present in the name of the people of the United States and in the name of the Congress to each American astronaut who has flown a vehicle in outer space under the Mercury, Gemini, or Apollo space program, and to the widow of any such astronaut who is now deceased, a gold medal with suitable emblems, devices, and inscriptions to be determined by the National Aeronautics and Space Administration, subject to the approval of the Secretary of the Treasury. The Secretary shall cause such medals to be struck and furnished to the President. There is authorized to be appropriated to the Secretary of the Treasury not to exceed $20,000 to carry out the provisions of this section.

SEC. 2. (a) The Secretary of the Treasury shall strike and furnish to the National Aeronautics and Space Administration not more than five hundred thousand duplicate copies of such medal in bronze. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

(b) The medals provided for in this section shall be made and delivered at such times as may be required by the National Aeronautics and Space Administration, and in quantities of not less than two thousand, but no medals shall be made after December 31, 1971.

(c) The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and the Administration shall make payment of such cost to the Director of the Mint from the proceeds of the sale of any bronze medals so struck and furnished.

SEC. 3. The National Aeronautics and Space Administration is authorized to sell the bronze medals at a premium, to be determined by the Administration. Any revenues received from the sale of such medals shall be used to pay the cost thereof as provided in section 2(c). Any revenues in excess of sums required to pay such cost shall be paid into the Treasury as reimbursement of expenses incurred by the Government under the first section of this joint resolution. Any additional revenues so derived shall be covered into miscellaneous receipts of the Treasury.

Mr. DODD. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the amendments are considered and agreed to en bloc.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. DODD. Mr. President, I am pleased that the Senate has seen fit to pay tribute to our space program by passing Senate Joint Resolution 140.

I am especially grateful to the distinguished chairman of the Banking and Currency Committee, and to the leadership for clearing this legislation so promptly.

In introducing Senate Joint Resolution 140, I sought to commemorate our lunar landing as a turning point in the history of mankind, for the flight of Apollo 11 was perhaps the greatest technological event ever witnessed by man.

It was demonstrable proof of what this Nation can accomplish when it sets a goal and initiates a total commitment to reach it.

The astronauts of this mission performed flawlessly. Yet their great contribution would never have been possible without the efforts of those astronauts who preceded them.

In passing Senate Joint Resolution 140, the Senate honors these gallant, dedicated, and courageous men who blazed the trail from the earth to the moon.

I hope the House of Representatives will join the Senate in taking prompt and favorable action on this joint resolution.

Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–33), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

GENERAL STATEMENT

This joint resolution would provide for the striking of medals in honor of the American astronauts who have flown a vehicle in outer space.

Under the joint resolution, the President is authorized to present in the name of the people of the United States and in the name of the Congress to each American astronaut, or if the astronaut is deceased, his widow, who has flown a vehicle in outer space under the Mercury, Gemini, or Apollo space program, a gold medal with suitable emblems, devices, and inscriptions to be determined by the National Aeronautics and Space Administration, subject to the approval of the Secretary of the Treasury. The Secretary shall cause such medals to be struck and furnished to the President.

The joint resolution also provides that the Secretary of the Treasury shall strike and furnish to the National Aeronautics and Space Administration not more than 500,000 duplicate copies of such medals in bronze. No medals shall be made after December 31, 1971.

The Secretary of the Treasury shall cause the bronze medals to be struck at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and other expenses.

The joint resolution includes an authorization for the appropriation of not more than $20,000 to cover the cost of the gold medals. The joint resolution also authorizes the National Aeronautics and Space Administration to sell the bronze medals at a premium, to be determined by the administration, to cover the cost of minting the bronze medals and also to cover the costs of the gold medals.

AMENDMENTS TO THE JOINT RESOLUTION

1. The joint resolution, as amended, permits gold medals to be issued to the widows of deceased astronauts.

2. The joint resolution, as amended, provides an authorization of $20,000 to pay the initial costs of striking the dies and other costs of the gold medals. This cost will be recouped from sale of the bronze medals.

TOCKS ISLAND DAM-DELAWARE RIVER BASIN HYDROELECTRIC POWER DEVELOPMENT

The Senate proceeded to consider the bill (S. 2678) to amend section 203 of the Flood Control Act of 1962 to provide for optimum development at Tocks Island Dam and Reservoir project.

Mr. COOPER. Mr. President, this bill has been on the calendar for some days, for I asked that it be carried over so that I could speak on it briefly. I may say that I probably will be asking for additional time, because I do not believe I can complete my remarks in 3 minutes. I will summarize the statement I have prepared, and ask unanimous consent that my full statement be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. COOPER. S. 2678 has been reported to the Senate by the Committee on Public Works, of which I am a member. It is a bill to amend section 203 of the Flood Control Act of 1962 to provide for optimum development at Tocks Island Dam and Reservoir project. The bill was reported favorably by the committee, and all members of the committee voted to report it, with one exception. I voted against the bill. I wish to give my reasons for doing so.

I will first give a brief description of the Tocks Island Reservoir project. The Tocks Island Reservoir was authorized by the Congress in 1962 as part of the comprehensive plan of development for the Delaware River Basin. It is the largest project in that plan, and is justified by the Corps of Engineers as the "key project" in the development of the water resources of the Delaware River Basin. It would be located on that portion of the Delaware River which divides Pennsylvania from New Jersey and lower New York State, about 5 miles upstream from the Delaware Water Gap—an area designated also as a national recreation area to be administered by the Department of the Interior.

A dam 160 feet high and 3,200 feet long would create a 12,500-acre lake expected to attract millions of visitors annually—for the primary benefit of the reservoir is now recreation. Draining an area of 3,827 square miles, the reservoir would control half the Delaware River Basin runoff above Trenton, N.J. Estimated cost of the reservoir is $214 million. Of that amount, approximately $8.6 million has been obligated, and $4 million is requested in the budget for fiscal 1970. This issue is now before the Committee on Appropriations.

The funds appropriated have been used for engineering and design, which is about half done, and for initial land acquisition. For example, 85 percent of the funds requested this year are for land acquisition, toward the total land and relocation cost now estimated at $83 million. Construction has not begun; work on the outlet tunnel is scheduled to begin in July 1971.

The multipurpose Tocks Island project as presently authorized includes recreation, water supply, flood control, and power benefits, in that order. It is interesting to note that the cost of this project has more than doubled since 1962, as cited in the committee report and my individual views made a part of that report, and that now the chief purpose which enters into the cost-benefit ratio is recreation, which accounts for just over half the annual benefit of $22.8 million.

As originally proposed and presently authorized, the Tocks Island project provides for a conventional powerplant to be built by the Corps of Engineers, having two turbine driven generators of 35,000 kilowatts each and dependable capacity of 38,000 kilowatts "firm power," at a cost of $29 million, reimbursable to the Federal Government from the sale of power.

S. 2678 would modify the 1962 authorization "to permit use of the head and water releases of Tocks Island Reservoir" as part of a much larger pumped storage hydroelectric power project proposed at that site by a group of private utilities. The private utilities proposed to secure a license from the Federal Power Commission which would permit them to build a pumped storage type of power development, using also the water flows from the Tocks Island Reservoir. This pumped storage facility would develop approximately 1,300,000 kilowatts, about 30 times the amount of power that would be developed if the conventional type of power facility now authorized were to be built by the Corps of Engineers. I want to say, in all fairness, that this may be a more economical way of developing the power resource at the site than the proposal of the Corps of Engineers authorized by the Congress, and of course it would provide a much larger quantity of power.

I voted against this proposal for several reasons, and I will try to develop them.

First, there were adequate hearings and very thorough consideration in executive session by the Committee on Public Works. Yet, I cannot escape my conclusion that we deviated somewhat from the best procedures of the Committee on Public Works and of Congress. As the Tocks Island Reservoir was originally proposed, and as a project beginning authorization by the Congress, we had the benefit of very comprehensive reports by the Corps of Engineers, including the specific comments of all affected agencies, and the opportunity to hear in detail the findings and recommendations of the Corps of Engineers and other agencies. The bill now before the Senate was not introduced in the Senate, and in effect we were developing a bill in the committee, a kind of private bill, to permit a group of utilities to go before the Federal Power Commission and say, "We have a blessing from the Congress to secure and develop the power at the Tocks Island Reservoir." I do not believe that is a good procedure.

Second, as originally conceived, the power that was to be developed at this reservoir was to be available to rural electric cooperatives, municipalities, and other public bodies on a preferential basis. As proposed by the utilities, they opposed providing any of this power, from a project built at a cost of $214 million of taxpayers' money, being made available to municipalities and cooperatives.

The Senator from Maine (Mr. MUSKIE) offered an amendment in committee, which I joined in and supported, to insist that if this bill is approved at least these private utilities shall provide the cooperatives and public bodies the amount of power that would have been developed under the presently authorized plan, and at no greater cost—about 38,000 kilowatts from the 1,300,000 kilowatts that the private utilities will produce. They opposed even this small concession to public power, but the Public Works Committee did support and agree

to the amendment proposed by the Senator from Maine.

Another issue developed involving conservation values around Kittatinny Mountain, on the New Jersey side of the reservoir and within the national recreation area, on top of which the utilities intend to construct the upper pool of the pumped storage project. There is a small lake there, said to be of unique beauty, known as Sunfish Pond and presumably developed during the glacial period. At first, the utilities had proposed using Sunfish Pond itself as the upper pool of the pumped storage project, and little consideration was given to protecting the lake. But after protests by conservation groups and local residents, and through the interest expressed by Senator CASE and others, that plan was abandoned and the Delaware River Basin Commission and the utilities developed a plan to save Sunfish Pond, which I believe has now been deeded back to the State of New Jersey. We were able to secure in committee amendments, incorporated in section 2 of the bill, which would require the Federal Power Commission, in acting upon the application of these utilities, to take into account the question of conservation, and to include as a condition of any license requirements to protect the recreation and conservation values of Sunfish Pond, and for minimum disruption of the natural environment.

Mr. President, I raise my fourth point now and I shall be brief. I have found during my experience on the Committee on Public Works that the private utilities of this country oppose every public power project. I do not speak against the interests, the legitimate interests, of the private utilities because we need them to develop necessary electrical energy in this country—and they do produce over 80 percent of that energy. Nevertheless, every time a proposal comes before the Congress to develop a public power project, and many of them are needed, the entire group of utility companies in the United States join in opposing such projects.

I simply raise this question. Tocks Island is a public project with an estimated cost of $214 million. When the $26 million estimated construction cost for conventional power is deducted, there still remains $188 million of taxpayers' money which will be used to build this giant project. Now, the utility companies, which oppose every public power project, are very willing to come along and build upon and use an appropriation of at least $189 million. In my judgment, the cost to build this facility could be $250 million before it is completed. The utility pumped storage generating facility could be a very lucrative facility for them, in my opinion, and certainly at rather modest remuneration to the Federal Government.

The Federal Government would receive not less than $1 million a year under the terms written into the bill by the committee, presumably for the period of the license, which would be for 50 years. Under one formula, or computation of hypothetical alternatives, the payment might reach $2 million.

Mr. President, I repeat the reasons for my opposition to S. 2678: First, because this procedure seems to give this group of private utilities a blessing as they go before the Federal Power Commission to apply for a license, seeking approval of their project; second, because of their obstinacy, even on a small amount of power for public use; third, because we found it necessary to write into the bill measures which would try to protect the interests of conservation; fourth, I raise a question—and I hope to give consideration to it in the future—about the payment of $1 million a year from power revenue or perhaps even $2 million a year as proper remuneration to the Federal Government for use of the facilities of the entire project, the great dam, and the reservoir costing the taxpayers at this moment an estimated $188 million.

I believe that in the future we should look at these matters more carefully. I would say, in commendation of our chairman, the Senator from West Virginia (Mr. RANDOLPH), that full consideration was given to this matter, following hearings, by the committee. However, I do repeat that in the future we should examine with the greatest care proposals of private utilities, which oppose all Federal power projects and yet are willing to use for their own business interests the facilities built by the taxpayers.

Mr. President, I shall vote against the bill.

STATEMENT OF SENATOR COOPER ON S. 2678

The Tocks Island Reservoir was authorized by the Congress in 1962 as part of the comprehensive plan of development for the Delaware River Basin. It is the largest project in that plan, and is justified by the Corps of Engineers as the "key project" in the development of the water resources of the Delaware River Basin. It would be located on that portion of the Delaware River which divides Pennsylvania from New Jersey below the New York line, about 5 miles upstream from the Delaware Water Gap—an area designated also as a National Recreation Area to be administered by the Department of the Interior.

A dam 160 feet high and 3200 feet long would create a 12,500-acre lake expected to attract millions of visitors annually—for the primary benefit of the reservoir is now recreation. Draining an area of 3,827 square miles, the reservoir would control half the Delaware River Basin runoff above Trenton, New Jersey. Estimated cost of the reservoir is $214 million. Of that amount, approximately $8.6 million has been obligated, and $4.0 million is requested in the budget for fiscal 1970. The funds have been used for engineering and design, which is about half done, and for initial land acquisition. For example, 85 percent of the funds requested this year are for land acquisition, toward the total land and relocation cost now estimated at $83 million. Construction has not begun; work on the outlet tunnel is scheduled to begin in July 1971.

The multipurpose Tocks Island project as presently authorized includes recreation, water supply, flood control, and power benefits, in that order. The power plant would contain two turbine-driven generators of 35,000 kilowatt capacity each. Operating from a 95-foot head, or elevation of water impounded by the dam, this authorized conventional power development would have an annual benefit of $2,094,000, and its cost of $29 million would be reimbursable to the Federal Government. Like all public power, it would be available of course on a preference basis to cooperatives, municipal systems and other public bodies, at rates sufficient to repay its cost, including maintenance costs and interest on the Federal investment.

Senate bill 2678 would modify the 1962 authorization "to permit use of the head and water releases of Tocks Island Reservoir" as part of a much larger pumped storage hydroelectric power project proposed at that site by a group of private utilities. The utility pumped storage plan would use the Federal reservoir as its lower pool, construct an upper pool on top of Kittatinny Mountain within the National Recreation Area near Sunfish Pond, and could generate 1.3 million kilowatts—a very large capacity—through daily pumping from the Federal reservoir to the diked impoundment on the mountain, with releases either back to the reservoir or through the turbines between the dam and the river below. In the latter case, the drop from the main reservoir level through the so-called "tandem turbines" to the river below the dam would constitute "use of the head and water releases" of the public project which the bill would authorize to the private utilities.

I point out here that the bill S. 2678 would authorize a single applicant and no other to develop the pumped storage power resource adjacent to, connected to, and using water from, the Tocks Island dam being built with public funds. That is, in the language of the bill at the top of page 2, the "applicant presently seeking approval to undertake such development before the Delaware River Basin Commission"; namely, Public Service Electric & Gas Co., Jersey Central Power & Light Co., and New Jersey Power & Light Co., which are jointly held and represented and referred to by themselves and others as the New Jersey electric utility companies.

The report on which the Congress based its authorization found (1) "pumped-storage power facilities at this site suitable for development as either a Federal or non-Federal project," (2) that such a project would decrease the cost of other functions of the Tocks Island project, and (3) that analysis of benefits and costs show that pumped storage power would probably be feasible as either a Federal or non-Federal venture. Pumped storage was not authorized in 1962, however, and the present bill does not authorize Federal development of pumped storage in the event the New Jersey utilities do not obtain a license or decide not to proceed, nor does it even authorize pumped storage development by any other group.

The Committee held hearings on this subject on March 18 and 19. In general, the hearings dealt principally with conservation issues raised by the pumped-storage proposal, including the preservation of Sunfish Pond. As I understand the testimony of the conservation groups and local residents, they still oppose the pumped storage plan even though Sunfish Pond itself will be preserved and has subsequently been returned to the State of New Jersey.

Later, the full Committee met in executive session on April 15, May 15, May 26, May 27 and June 19, and explored much more exhaustively the effect on costs and benefits of the proposal, and the position of the rural electric cooperatives and municipal systems entitled to preference in the distribution of public power from the presently authorized conventional Federal power plant. During this time, the Committee modified, amended, and I am sure improved the proposal before it, then in the form of a "Confidential Committee Print." The bill introduced on July 22, together with the Committee Report on S. 2678, is a result of those long and intensive discussions, following specific instructions for additional information. In retrospect, it might have been better to have held hearings on the specific language of a bill, receiving the testimony of the Corps of Engineers, Department of the Interior, Federal

Power Commission and others on that specific language, and making available the comparative cost-benefit data developed by the Committee inquiry to municipals, cooperatives, conservationists and others, including the principal proponents such as the New Jersey utilities and the Delaware River Basin Commission. But I am satisfied that the proposal was not early recognized as so complex or controversial, and that the Committee indeed gave it very thorough attention.

It has been stated that the effect of the bill is to amend existing law to permit the New Jersey utilities to apply to the Federal Power Commission for a license to construct and operate hydroelectric facilities at the Tocks Island project. At that time, the FPC will request comment from appropriate Federal agencies, including the Corps of Engineers. The Corps has testified that a definitive finding must await development of more detailed plans and careful analysis of costs and benefits, and that submission of making such a comparison and definitive finding. The Corps stated similarly before the Senate Appropriations Subcommittee that the private power company plans were not firmed up in sufficient detail to permit an evaluation of the merits.

In endorsing the general proposal of the New Jersey utilities, the Executive Director of the Delaware River Basin Commission testified that the Commission's amendment of its comprehensive plan did *not* constitute an action on the actual detailed proposal of the utilities, which it had not received. The Federal member of the Commission, then Secretary Udall, had filed a non-concurrence on the same grounds of insufficient information and lack of a detailed plan.

If this bill should be adopted by the Congress, the record should be clear that specific appraisals must be made on the basis of facts not yet at hand. But I am concerned that the action of the Committee, and of the Congress if the bill passes, will be interpreted or represented as an approval of pumped storage power development at Tocks Island by the New Jersey utilities, rather than authorization to make application to the FPC which, with all other concerned agencies, must then make a judgment in the public interest on the facts developed and on the merits.

The bill S. 2678 does include amendments to the original proposal which are significant and important.

First, it provides that the charge payable by the utilities for use of the Tocks Island project shall not be less than $1 million annually. Information developed during Committee consideration indicated a net annual power benefit to the utilities of $4,316,567, so that under FPC practice the annual payment to the Federal government might be $2.15 million for 50 years—but that is based on the Susquehanna alternative, later cast in doubt.

Second, section 2 of the bill provides, at my suggestion, that the Secretary of the Interior, who has responsibility through the National Park Service for the Delaware Water Gap National Recreation Area, shall insure that planning and construction of any pumped storage project shall not impair the recreation and conservation values of Sunfish Pond, and shall be accomplished with minimum disruption of the natural environment. It provides further that any license issued by the FPC shall include conditions considered necessary by the Secretary to accomplish this purpose.

Third, section 6 of the bill, while not including the time limitations and study of optimum power development suggested by the Corps, does provide protection to the United States for costs incurred in anticipation of pumped storage developed.

Fourth, and highly important, the amendment offered by Senator Muskie in which I joined, incorporated in section 3 of the bill, requires that there be reserved to the preference customers entitled to public power from the project as now authorized, an equivalent bloc of power and energy at a cost no greater than would have been available to them from the Federal power plant. In a letter to me dated 14 April 1969, the Corps cites the Department of the Interior estimate of that cost at 5.5 mills per kilowatt hour, compared to payments now by REA preference customers in the area of 8.5 to 9.7 mills.

While I believe in the maximum development for public purposes of Federal projects—in this case public power from pumped storage if that is the best development of Tocks Island—the Muskie-Cooper amendment at least preserves for cooperatives and municipal systems the power to which they are entitled by the 1962 authorization of the Congress. In effect it reserves for them the power benefits from reservoir, as these benefits would have been developed by the conventional Federal plant. And since the utilities claim their plan will be much more efficient, and in any event will generate 20 or 30 times as much power, this condition should impose no great hardship on them. Without the amendment, this power benefit from the Federal dam itself, as distinguished from pumped storage alone, would be turned over to the private utilities for sale at their market rates.

Section 3 of the bill specifies also that the Delaware River Basin Commission be considered a preference customer—as it would be if determined to be a "public body" for the purposes of Section 5, the preference provision of the Flood Control Act of 1944. The Secretary of the Interior would allocate among the preference customers, including the Commission, the relatively small bloc of reserved power, and the Delaware River Basin Commission has submitted an impressive list of power requirements. The Commission would not, of course, sell or distribute power, nor thereby provide any "yardstick" by which public power generally encourages more economical rates for consumers.

I am sure the Delaware River Basin Commission does good work, and it is a pioneer in its field. So I pointed out that it has, in addition, another avenue to economical power for its needs. The March 1, 1961, Agreement of Exchange between the State of New Jersey and the New Jersey Power and Light Company included provision for the company to transfer water, at the replacement cost of pumping energy, needed for public water supply by the State. After the Delaware River Basin Commission came into existence, taking over responsibility for water supply in the States it serves, the New Jersey utilities suggested, in connection with their Tocks Island pumped storage application, that if the State of New Jersey would assign to the Commission its contractual rights to have the utilities supply transmountain pumping, and assuming the utilities would have available the power and energy from the head of the dam and the downstream releases (as provided in S. 2678), the utilities would make available to the Commission 20 megawatts of dependable power and 281.5 million annual kwh on an *incremental* cost basis. This arrangement is referred to in the January 12, 1966, statement of the utilities proposing pumped storage to the DRBC, in their statement at the August 17, 1967, hearing before the DRBC, and last May 8 before the Senate Subcommittee on Public Works Appropriations, even more clearly than during the hearings of our Committee.

I point out, and it should remain clear, that this power "on very favorable terms" or at "only the modest incremental cost thereof" as the utilities have stated, arises from the obligation of the utilities under their 1961 contract with the State of New Jersey, which can be assigned to the DRBC. It does not represent, and apparently never represented, preference power to cooperatives and other public bodies entitled under the 1944 Act to power from the authorized Federal plant.

That the offer to the DRBC of power at its incremental cost—which I understand may be on the order of 3 or 4 mills—grew from the 1961 agreement was made clear by the drafts of the bill first considered by the Committee, which specifically provided that the power and energy to be made available on "favorable terms" to the Delaware River Basin Commission would be considered power and energy provided pursuant to the agreement of March 1, 1961. The bill before the Senate contains no such provisions. I assume that the contractual rights of the State of New Jersey, and the opportunity for the DRBC to secure in this way very low cost power, are preserved.

I make this point because there has been some confusion about it—perhaps not intentional—and because it seems to me that under Section 3 of the bill, power at an estimated cost of 5.5 mills could be allocated to rural electric cooperatives and nearby municipal systems, and that in addition the Delaware River Basin Commission could secure power at 3 or 4 mills from an assignment by the State of New Jersey of its rights under the 1961 agreement, as proposed by the utilities.

I hope all these elements—the increased cost of Tocks Island, its justification based now primarily on recreation benefits, the number of families to be displaced by the project and by the National Recretation Area, the conservation values offended by the pumped storage plan, the position of rural electric and municipal preference customers, the need of the DRBC for low-cost power, the effect of private pumped storage development on costs and benefits, and the proper charge for use of the reservoir by private utilities—will be considered by the House Committee, and if the bill passes, by the Federal Power Commission, the Secretary of the Army, and the Secretary of the Interior.

I have opposed the bill because it appeared at first, and may still represent, an effort by the private utilities to secure de-authorization of the public power portion of a Federal project—one of the very few ever authorized in the Northeast high electric cost area. I opposed it as an effort, to "take over the most profitable part of this multiple-purpose project while allowing the taxpayers to finance flood control and other non-reimbursable features."

During my service in the Senate over a period of more than 20 years, I have observed that the power companies oppose all public power projects—I think without exception. The private utilities attack, fight, and attempt to delay all Federal projects that include public development of hydroelectric power resources—they do so at every step. That is their right. But in this case—and it is rare in the Northeast as my friends from Maine know so well—the Congress has authorized a project that includes a very modest amount of public power.

The original proposal of the utilities for pumped storage would have de-authorized that public power, and the present proposal may result in the same net effect—if there is long delay or if no power is allocated under section 3 to cooperatives. At best, and with the significant improvements included in the Committee bill, the power company plan uses a Federal installation, one to be constructed at large public cost, as the necessary base for what is conceded to be a highly efficient and presumably very profitable generation plant of massive capacity. The site has been called ideal for pumped storage hydro-generation of peaking power. It is also located in the heart of the Delaware Gap National Recreation Area. Obviously there are conflicting values to be resolved. But if the remaining conservation issues are to be laid aside, if the site is ideal for pumped storage generation and peaking

power is in keen demand, if the Tocks Island reservoir itself remains feasible and, together with the recreation area, is worth its cost in public funds and in the removal of thousands of families, I would favor public development of the entire project—pumped storage and all—with the benefits accruing to the public from public power, water supply, recreation and flood control.

I do not believe in dividing these great public works projects so that private companies have a free ride—or if not a free ride return to the government only half the net benefit they derive from use of the Federal project, as calculated under some formula for an alternative which they consider practicable. I do not consider the electric utilities necessarily more efficient than the Army and our rural electric cooperatives. I think it has been established, in Kentucky and elsewhere, and again in the TVA area, that they are not.

I have opposed this bill because I suspect it could result in a windfall to the utilities which have pressed for it so long and expertly, and which are its chief sponsors, together with the Delaware River Basin Commission for whom the utilities made their original plan very attractive.

It is for these reasons that I voted against the bill in the Committee, and vote against it today.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. SCOTT. Mr. President, I appreciate the concern of the Senator. I am very glad he is not opposed to the bill.

Mr. COOPER. I am opposing it. I recognize however, that it will pass; everyone else on committee voted for it. I shall vote against the bill, as I did in the committee.

Mr. SCOTT. I am very glad the Senator is expressing his opposition, but that he is good enough to recognize that the action of the committee was overriding.

I want to say that my concern about Tocks Island and the Delaware Valley recreation area is very great. It has represented many years of work by Members of Congress in both bodies.

I do support and urge favorable action on the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-328), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of this legislation is to modify the congressional authorization for the Tocks Island Dam and Reservoir, to be located in the Delaware River, between Pennsylvania and New Jersey, to clarify the authority of appropriate Government agencies to consider an application providing for the use of Tocks Island project water releases as part of a proposed comprehensive pumped storage hydroelectric power development by certain New Jersey electric companies.

The existing Tocks Island authorization provides for use of those releases by a conventional Federal powerplant. The modification clarifies the authority of the licensing agencies to consider a proposal that such releases be used by New Jersey companies, instead, as part of a comprehensive pumped storage development.

ANALYSIS BY SECTIONS

Section 1.—Amends the provisions of the Flood Control Act of October 23, 1962, Public Law 87-874, relating to the Tocks Island Dam and Reservoir, Delaware River Basin, to permit the head and water releases of that project to be utilized as part of a comprehensive pumped-storage hydroelectric power project by certain New Jersey electric companies having an application now pending before the Delaware River Basin Commission. Language in this section makes the use of such releases as part of the aforesaid proposal subject to the provisions of this act, the Delaware River Basin Compact and the Federal Power Act. In the event the DRBC and the FPC license the combination power proposal, this section provides that the annual payment required by section 10(e) of the Federal Power Act to be made for the use of Government property at Tocks Island shall be not less than $1 million. Exact amount of such annual payment will be determined by the Federal Power Commission.

Section 2.—This section effectively prohibits use of Sunfish Pond, a small pond atop Kittatinny Mountain, as an upper reservoir of the comprehensive pumped-storage project. It incorporates by reference those provisions of the Delaware River Basin Commission amendment of its comprehensive plan for the Delaware River Basin which provide that Sunfish Pond shall not be so used and its recreation values not significantly impaired, that construction of the alternate upper reservoir be accomplished with minimum disruption of the natural environment, that the project penstocks, powerhouse and transmission lines extending therefrom on the western slope and top of Kittatinny Ridge be underground, and the area restored and landscaped.

Section 3.—This section provides that power equivalent to that which would have been available to preference customers from the presently authorized Federal conventional plant, if built, will be made available to them by the licensee. The Delaware River Basin Commission is considered a preference customer for this purpose. The Secretary of the Interior is to allocate the equivalent of such power among such preference customers on an equitable basis.

Section 4.—This section directs the licensee to furnish power to the United States free of cost for operation and maintenance of the Tocks Island Dam.

Section 5.—This section requires the Tocks Island project and, if built, the companies' proposed combination power development both to be constructed in a manner that will not preclude Government installation of the authorized conventional powerplant at any time.

Section 6.—Pending a decision as to the development of the hydroelectric features of the project, and in order that there will be no delay in the prosecution of the Tocks Island project, the Corps of Engineers will proceed with planning and construction of the project so as to permit either Federal or company development of the conventional power potential. This section provides that the companies and the Government shall enter an agreement or agreements as necessary providing that, in the event a license is issued to the companies for combined power development, the companies shall pay the cost incurred by the United States to preserve the suitability of Tocks Island Dam for installation of both the combined power development and the authorized powerplant; and that in the event a license is not issued for the combined power development, the companies shall pay the cost incurred by the United States to preserve the suitability of Tocks Island Dam for installation of the combined power development. The section further provides that in the event the companies and the Government fail to reach timely agreement regarding the amount of such payment to be made by the companies, the amount shall be set by the Secretary of the Army subject to review by the Federal Power Commission.

GENERAL STATEMENT—TOCKS ISLAND DAM

The Tocks Island Dam and Reservoir is the key project in the comprehensive plan for the development of the water resources of the Delaware River Basin, authorized by the Flood Control Act of 1962. It is the largest project in the comprehensive plan and the only mainstem dam on the Delaware. The damsite is located at the downstream end of Tocks Island in the Delaware River about 5 miles upstream from the Delaware Water Gap and about 7 miles northeast of Stroudsburg. The dam will rise 160 feet about the river bed, be 3,200 feet long and contain about 9 million cubic yards of earth and rock. A spillway 383 feet wide will be cut in the New Jersey abutment. The project will serve four authorized purposes of flood control, water supply, recreation and power.

Tocks Island Reservoir, with a drainage area of 3,827 square miles, will control virtually half the Delaware River Basin runoff above Trenton, N.J. There is an urgent need for relief from flood damage at important centers such as Easton, Reigelsville, New Hope, and Yardley, Pa., and Belvedere, Phillipsburg, Trenton, and Burlington, N.J. Operating in conjunction with other projects in the basin plan, the reservoir would have reduced the stage of the August 1955 flood at Trenton by about 7.3 feet.

Combined with the remaining authorized Delaware River Basin projects, long-term storage provided by the Tocks Island Reservoir will meet the basin water supply needs to the year 2000. It is expected to satisfy the immediate water needs of the Trenton, N.J., Philadelphia, Pa., and Wilmington, Del., areas. Reservoir storage capacity will also be used to augment low flows in the Delaware River.

The 12,500-acre lake to be created by the project and development of its directly related recreation facilities will accommodate an initial estimate of 4.2 million visitors annually. There is an existing demand for the recreation facilities at this time. Ultimate attendance for directly related project recreation, estimated at 9.6 million visitors annually, will be accommodated by future incremental development of facilities.

The conventional power capacity authorized by the 1962 act consists of 46,000 kilowatts (20,000 kilowatts dependable, the rest available only part of the time), and average annual energy of a little under 300 million kilowatt-hours, based on certain river-flow ranges. Later studies by the corps indicate that available water may be released from the dam at higher rates over shorter periods of time, without requiring downstream reregulation, thus permitting a larger installed capacity. The current design thus calls for an installed conventional capacity of 70,000 kilowatts (38,000 kilowatts dependable on the basis of short-term peaking operation, and the rest interruptible), with an average annual generation of a little over 300 million kilowatt-hours.

The direct economic impact of the project will be important. Recreation development will stimulate business related to tourism and recreation. Improved water supply and stream quality will better the economic climate for industrial development. Pike and Monroe Counties, Pa., bordering the west side of the reservoir, are in the Appalachia region and will receive economic benefits during and after construction of the project.

The cost of this needed, highly important water resource development has increased from an estimated $90 million at the time of authorization to an estimated $214 million in 1968, excluding interest during construction.

REFERRAL OF POWER DEVELOPMENT MATTER TO PUBLIC WORKS COMMITTEES

The surveys and investigations staff of the Committee on Appropriations, House of Representatives, recently prepared a report on

the complexities and problems associated with the Tocks Island project for the use of that committee. Based upon the findings of this investigation, that committee in its report on the fiscal year 1969 Public Works Appropriation bill (H. Rept. 1549, 90th Cong.), stated that one of the issues requiring resolution before the Tocks Island project plans and economics can be finalized concerns use of the project water releases as part of a proposed comprehensive pumped storage development by the New Jersey companies, instead of for the authorized conventional Federal powerplant. In addition, the Senate Committee on Appropriations in its report on that bill (S. Rept. 1405) urged an early review by the legislative committees and such amendment in the original Tocks Island authorization as may be deemed appropriate.

NEW JERSEY COMPANY PROPOSAL

For several years three New Jersey electric companies (Public Service Electric & Gas Co., Jersey Central Power & Light Co., New Jersey Power & Light Co.) have had an application before the Delaware River Basin Commission for expansion of their existing Kittatinny Ridge-Yards Creek pumped storage project. Kittatinny Ridge, in New Jersey, stands between Yards Creek below on the east and the Delaware River, including Tocks Island, below on the west.

The proposal set forth in the pending application before the DRBC calls for combining the Kittatinny Ridge-Delaware River pumped storage potential and the water releases of Tocks Island Dam in a single comprehensive pumped storage development of 1.3 million kilowatts. The design permits discharges through the company-proposed underground powerhouse adjacent to the dam to be made either back into Tocks Island Reservoir or downstream as the flow requirements of the river and the Tocks Island project require. The specific facilities attached to the pumped storage project works which would utilize the so-called conventional releases of the dam, consist of certain additional conduits and valves and three small turbines attached to the main shafts of three of the five, large pumped storage turbines. These additional, attached facilities, which would produce essentially the same power and energy as the authorized conventional powerplant, can be installed in such manner as not to preclude later installation of the authorized conventional plant and use by it, instead, of the conventional releases.

Due to certain opposition to the use of Sunfish Pond on Kittatinny Ridge as one of the upper pools of the pumped storage development, the Delaware River Basin Commission last year amended the provisions of the comprehensive plan for the Delaware Basin which relate to Tocks Island to prohibit use of Sunfish Pond for pumped storage purposes. By that amendment the DRBC also provided that, subject to the enactment of appropriate legislation, as here, the multipurpose concept of the Tocks Island project permits combined development of its available conventional and pumped storage hydroelectric power potential as proposed by the companies. Each of the four Delaware River Basin States unanimously approved the amendment; the Federal member of the five-man DRBC filed a formal exception in the interest of preserving maximum freedom by Federal agencies to consider the combination power development matter further. The committee received no unfavorable comment on the company proposal from any of the agencies, however.

The record of the committee's hearings shows that the company proposal is decidedly attractive and deserving of detailed consideration by the licensing authorities of the DRBC and the FPC. In this connection the corps testified to the committee:

"Based on data available in 1966, the Corps of Engineers made a preliminary comparison of the relative merits of the alternative plans of power development.

This early comparison indicated a definite advantage, from the standpoint of first cost, in favor of the utilities power plan, and that the modified plan could likely offer a more optimum development of the power potential of the site. * * *

In addition, non-Federal construction of power facilities at the project would be contingent on issuance of a license by the Federal Power Commission. The coordinating procedure followed in processing a license application through the Federal Power Commission would afford an appropriate means of making such a comparison and definitive finding. Under this procedure, the Federal Power Commission would submit the plan of the power companies to the Corps of Engineers and other Federal agencies for review prior to the issuance of a license."

As noted in the sectional analysis, the committee has taken particular care to insure that the company proposal will preserve Sunfish Pond. The record shows the company, instead, will construct a single additional pumped storage upper reservoir immediately adjacent to the existing Yards Creek Upper Reservoir on Kittatinny Ridge. Early this month the companies donated Sunfish Pond and 68 acres of its surrounding woodlands to the State of New Jersey, free of charge.

PUBLIC HEARINGS

The Subcommittee on Flood Control-Rivers and Harbors, held 2 days of public hearings, March 18 and 19, 1969, at which the views of 15 expert witnesses representing both Federal and non-Federal interests testified as to the desirability of modifying the existing project provisions as they relate to hydroelectric power development. Favorable testimony was received from Hon. Richard J. Hughes, Governor of the State of New Jersey, representing that State as well as the Governors of the States of Delaware, Pennsylvania, and New York, all of whom are members of the Delaware River Basin Commission. A statement was received from Hon. Harrison A. Williams, Jr., urging that the committee favorably report to the Senate legislation which would permit the combined power development proposed by the New Jersey companies and permit the Tocks Island project to proceed to construction.

Favorable testimony was also received from Hon. John P. Saylor, House of Representatives, who urged modification of the Tocks Island authorization to permit the New Jersey companies' combination power development since it would result in a material contribution to the economic integrity of both the Tocks Island project and the Delaware Water Gap National Recreation Area, which is so dependent upon Tocks Island. In addition, favorable testimony was received from the Corps of Engineers, the Department of the Interior, the executive director of the Delaware River Basin Commission, the New Jersey electric companies, the New Jersey State AFL–CIO, the New Jersey Manufacturers Association, and associations interested in the development of the Delaware River Basin. Favorable testimony was also received from the former Director of the National Park Service, Mr. Conrad L. Wirth, who made personal inspections of the area to be developed and concluded that the pumped-storage feature of the Tocks Island project can be developed in a manner that is consistent with and does not significantly impair the public recreation and scenic features of the adjacent area.

The Lenni Lenape League, a group of local outdoorsmen, informed the subcommittee that its main purpose was the preservation of Sunfish Pond and that it opposed any pumped-storage at Tocks Island. Opposition to the pumped-storage was also expressed by the conservation chairman of a north New Jersey group of the Sierra Club. New Jersey State Senator Wayne Dumont opposed use of Sunfish Pond.

Testimony was received from the Pennsylvania Municipal Utilities Association and the Sussex County, N.J. Rural Electric Cooperative, urging that provision be made to insure that an amount of power equivalent to the output of the Federal conventional plant be reserved for marketing to the preference customers in the general vicinity of Tocks Island.

In addition to verbal testimony, statements were received from a number of individuals and associations expressing their views on the matter. These statements were made a part of the published proceedings.

COST TO THE UNITED STATES IF LEGISLATION IS ENACTED

While precise data are not available at this time for the comprehensive pumped-storage development, present estimates indicate that a substantial savings will be realized by the Federal Government if the so-called conventional releases of Tocks Island Dam are developed as part of the comprehensive pumped storage project by private industry. Figures furnished the committee staff by the Corps of Engineers indicate that the Federal first cost of construction of Tocks Island Dam with the authorized conventional powerplant is $214 million, and $188 million without it, both excluding the Federal cost of interest during construction. If the conventional power potential of Tocks Island is developed by private industry, the Federal Government will realize an initial savings in construction cost of $26 million, which represents the presently-estimated construction cost of the authorized conventional powerplant, excluding the cost of interest during construction. In addition the bill provides that the company licensees will make annual payments to the United States for use of the Federal project in an amount not less $1 million annually. The exact amount of such payments will be determined by the Federal Power Commission after construction of the power facilities.

The effect on the Federal cost of Tocks Island through installation of privately financed power facilities is tabulated below:

[In millions]

Total estimated Federal construction cost of project with conventional power	$214.0
Savings in construction cost through substitution of privately financed power development:	
Cost of Federal project with power	214.0
Cost of Federal project without power	188.0
Total	26.0
Federal cost of project without authorized power	188.0
Less total annual payments to be made by companies for use of Government dam ($1,000,000×50 years)	[1] 50.0
Total	138.0
Less reimbursement for water supply	[2] 54.0
Net Federal cost of Tocks Island development	84.0

[1] Contribution to be made by companies for use of Government facilities is based on an assured payment of $50,000,000, as provided for in section 1 of bill. Actual assessment, to be made by Federal Power Commission when project is completed, may result in a greater contribution.

[2] Water supply cost allocation made on the basis of estimated Federal cost of $214,000,000.

COMMITTEE VIEWS AND RECOMMENDATIONS

The committee has given serious consideration to the proposition of permitting New

Jersey companies to develop the conventional power potential at Tocks Island, subject to the approval of the Delaware River Basin Commission and the Federal Power Commission. As noted, the estimated cost of this highly important water resource project has increased from about $90 million at the time of authorization to $214 million in 1968; available data show the company proposal would make a more efficient, more economic use of the so-called conventional releases than the authorized conventional plant, and would permit a sizable reduction in the presently estimated net Federal cost of Tocks Island.

The committee has taken particular care to insure that Sunfish Pond will be preserved. The prohibition against its use and the associated safeguards provided by the bill are expressly designed for this purpose. They make it clear that, however attractive the company comprehensive pumped storage development may be, Sunfish Pond shall not be used for pumped storage purposes. This should facilitate detailed consideration of the company application by the licensing agencies.

The committee wishes to make it clear that the existing authorization for the conventional Federal hydroelectric plant remains intact: Nothing in this bill is to be construed as deauthorizing it. The company facilities and the authorized Federal plant cannot use the so-called conventional releases at the same time, of course. In the event the licensing agencies conclude the so-called conventional releases should not be developed by the companies, or in the event they are developed by the companies but at some future date Congress should conclude that the power potential of those releases should nonetheless be developed by the Government, installation of the authorized Federal power facilities could proceed subject to the appropriation of funds.

The Governors of the four Delaware River Basin States urged that the equivalent of the authorized conventional plant's potential output be made available to the Delaware River Basin Commission for pumping water for municipal water supply, pollution abatement and related purposes. The committee has made that equivalent available to all preference customers in the marketing area and has directed that the DRBC shall be treated as a preference customer for purposes of this act. The Secretary of the Interior is designated to make an equitable distribution of the energy reserved for preference customers.

The Tocks Island project will be highly instrumental in alleviating drought conditions that have plagued the Delaware River Basin in recent years. In addition, it will protect the area from devastating floods and will provide water-based recreation for nearly 10 million visitors annually, in a region where it is estimated nearly 50 million persons reside. However, the cost of this badly needed project has escalated seriously since it was authorized in 1962. There is need for reducing the large Federal expenditure this project requires in order to go forward. There is also need for producing electric power for a large heavily industrialized region. As mentioned elsewhere in this report, net Federal expenditures for construction of this project can be reduced by about $76 million by means of the company proposal. In view of these considerations, the committee recommends enactment of this legislation.

The VICE PRESIDENT. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2678

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the project for comprehensive development of the Delaware River Basin, as authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 522, 87th Congress, by section 203 of the Flood Control Act of 1962 (76 Stat. 1182), is hereby modified to permit use of the head and water releases of Tocks Island Reservoir as an incident to a pump storage hydroelectric power development threat by applicant presently seeking approval to undertake such development before the Delaware River Basin Commission, subject to the provisions of this Act and the pertinent provisions of the Delaware River Basin Compact and the Federal Power Act, including section 10(e) (16 U.S.C. 803 (e)) providing for payment of annual charges to the United States: *Provided,* That the annual charge payable by applicant for use of the Tocks Island project by the aforesaid pumped storage development including use of project head and water releases shall be not less than $1 million.

SEC. 2. The Secretary of the Interior shall insure that the planning and construction of the aforesaid pumped-storage project shall be undertaken in accordance with the conditions and requirements relating to Sunfish Pond and Kittatinny Mountain set forth in paragraph numbered (3)(A) of Resolution Numbered 68–12 adopted October 28, 1968, by the Delaware River Basin Commission: *Provided,* That the Federal Power Commission shall adopt, as part of any license to construct, operate, or maintain the aforesaid pumped-storage project, those requirements and conditions determined by the Secretary of the Interior to be necessary to insure conformance with the provisions of paragraph (3) (A) of such resolution: *Provided further,* That in no event shall the upper pool of the applicant's proposed pumped-storage project be located on land other than that owned by applicant on April 15, 1969.

SEC. 3. Any license issued by the Federal Power Commission subject to the provisions of this Act shall be conditioned upon the licensee delivering power and energy in an amount not less than, and at a cost not greater than that which would have been delivered from installation of power facilities heretofore authorized, to all preference customers eligible to purchase power from such heretofore authorized facilities: *Provided,* That for the purposes of this Act the Delaware River Basin Commission will be considered a preference customer. The Secretary of the Interior is hereby authorized to allocate such power as may be available under this section on an equitable basis among such preference customers.

SEC. 4. Power and energy shall be made available by any licensee to the United States free of cost for operation and maintenance of Tocks Island Dam.

SEC. 5. The Tocks Island project and the aforesaid pumped-storage development shall be constructed in such a manner as not to preclude installation at any time of power facilities heretofore authorized at Tocks Island Dam and use of its head and water releases for power purposes by the United States.

SEC. 6. In carrying out the purposes of this Act, the Secretary of the Army and the applicant shall enter into an agreement providing for the payment by the applicant to the United States of such economic costs as may be incurred by the United States in the design, construction, and operation of the Tocks Island Dam necessary to preserve its suitability for the aforesaid pumped-storage development by applicant and power facilities heretofore authorized. In the event a license is not issued for the aforesaid pumped-storage development and the United States constructs the heretofore authorized power facilities, the costs incurred by the United States to preserve the suitability of the project for the installation of such authorized power facilities will be borne by the United States. In the event of failure to reach timely agreement, the Secretary of the Army shall determine the payment to be made to the United States, and the applicant shall be liable therefor: *Provided,* That such determination shall be subject to review by the Federal Power Commission.

EFFECT OF THE SURTAX ON THE STATE OF OREGON

Mr. PACKWOOD. Mr. President, I should like to speak for a moment about the effect of the surtax on my State of Oregon, whatever the situation may be in the next 2 days as we consider its extension.

I thought that yesterday, or the day before, we had reached some kind of agreement at least on extension of the surtax and, hopefully, that some kind of tax reform could be passed.

I speak with a certain degree of fear for my own State because each time we suffer an increase in inflation, it may give the country a cold but it gives my State of Oregon pneumonia. Oregon is heavily dependent upon the lumber industry, and lumber, of course, is directly dependent upon the homebuilding industry.

We saw 1.7 million homes projected for construction at the start of this year, and we see now those projections reduced to 1.5 million. In all likelihood, they will be reduced even further as we witness the slowdown in building.

We sit here in the Senate, as the House considers sending us a worthwhile bill, and argue about whether we will extend the surtax until November, or argue whether we will hold up passage of the surtax and the reforms in that bill until we have another tax reform bill to go with it.

I am tired of Oregon's being a pawn in this political chess game. I am tired of my State's having to suffer because some of the leaders in the Democratic Party have decided that the time has come to pass tax reform and the time has come now.

Mr. President, the Democrats have had control of the Senate for the past 14 to 15 years. There is no reason why tax reform cannot be passed today, tomorrow, or next week, if that is the wish of the Democratic majority.

They have an added advantage this year in that they have the pledge of the Republican minority leadership and the pledge of President Nixon that tax reform is urgent and should be passed.

There is no need for, and no conceivable reason for, the passage of the surtax to be held up while we are waiting to debate tax reform. There can be only one reason——

The PRESIDING OFFICER (Mr. ALLOTT in the chair). The time of the Senator from Oregon has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from Oregon may proceed for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PACKWOOD. Mr. President, there can be no reason, so far as I can assess it, for the wish of the Democratic majority to hold up passage of the surtax on the pretext of passing tax reform, unless their real reason is merely to kill the surtax altogether.

President Nixon has made a valiant effort in terms of cutting Federal expenditures to bring in a budgetary surplus, at least under present accounting methods, as of the end of the last fiscal year and has projected a larger one next year, if the surtax can pass. That is what we will have to have in order to stem inflation.

I know of very few Members in the Senate, myself included, who are opposed to tax reform. I can conceive of no reason why a meaningful tax reform package is not going to be passed this year unless the Democratic majority does not want it to pass this year.

However, that is no reason and it should not be involved in the attempt to dampen the fires of inflation by passage of the surtax, after the Democratic majority made the offer to extend the surtax until November 30.

Last night, President Nixon, by telephone, rejected that offer. That offer was reported in the Washington Post this morning in an article entitled "Nixon Firm on Surtax Extension," written by Frank C. Porter, which I ask unanimous consent to have printed in the RECORD.

Mr. President, I yield the floor.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NIXON FIRM ON SURTAX EXTENSION

(By Frank C. Porter)

President Nixon flatly rejected last night a Democratic offer to extend the surtax through Nov. 30. In doing so, he overruled his chief lieutenant in the Senate, Minority Leader Everett M. Dirksen of Illinois.

He also indicated he plans to take his case to the American people—presumably on television—when he returns from his world tour Monday.

Mr. Nixon's decision, relayed through Vice President Agnew, climaxed a hectic day on Capitol Hill during which it appeared at one point that the impasse over the controversial surtax might be broken.

This came when Dirksen went before the Senate Republican Policy Committee to urge acceptance of a new Democratic offer as the best that could be done under the circumstances.

The Democratic leadership proposed earlier in the day an immediate vote yesterday afternoon on a five-month extension of the surcharge as an amendment to a House-passed bill on unemployment compensation.

Dirksen was unable to obtain approval of the full GOP leadership and he avoided either rejection or acceptance of the compromise when he took to the Senate floor later. Even so it appeared that the Republicans were moving in the direction of accommodation when Congress shut down for the day.

All that changed and the stalemate appeared more hopeless than ever when Agnew issued a statement late last night charging that the Democratic strategy "invites still higher living costs, continued record-high interest rates, and a weakened dollar abroad."

The proposal to extend the surtax only through Nov. 30 "is unacceptable to the Administration," said Agnew.

The Vice President had conferred by radiotelephone earlier with the President, then in Thailand.

He said Mr. Nixon "is deeply concerned by the inability of the Senate to act and the injury this threatens to every citizen."

He accused the Senate Democratic Policy Committee of applying a "pocket veto" on a House-passed one-year extension of the surtax by refusing to call it up for floor action.

The Administration has been insisting that only a full year's extension of the income-tax surcharge will have sufficient impact to curb inflation psychology and convince the Nation and the world that the Government means business in its battle to halt the price spiral.

But Majority Leader Mike Mansfield of Montana and the Democratic Policy Committee took the position that citizen unrest over tax inequities demands that comprehensive tax reform be considered simultaneously with the surtax extension. To pass the surtax first, they have argued, would take all the impetus out of the drive for reform.

Last Thursday, however, they offered an "accommodation whereby the surtax would be extended through Nov. 30 and Senate Finance Committee Democrats pledged to report out tax reform by Oct. 31. The surtax then could be extended the remaining seven months through June 30.

This the Republican leadership would not buy, although they gave no formal answer—until the Vice President's blast last night.

The surtax died June 30 but the Congress continued present withholding rates another month in expectation of its retroactive renewal. Those rates are now expected to fall back to pre-surtax levels at midnight Thursday.

Yesterday the House Rules Committee cleared a further 15-day extension for House action today.

But a noon meeting of the Senate Democratic Policy Committee and Finance Committee Democrats agreed unanimously that the further 15-day extension "would not meet the problem of surtax extension. Rather it would serve only to postpone a decision and create an unnecessary pall of uncertainty."

Meanwhile, the hard-driving House Ways and Means Committee formally voted a long list of tentative reforms ranging from a tightening of capital gains taxes to a revision of rules on charitable deductions. Chairman Wilbur D. Mills said he hopes to complete the comprehensive reform package Thursday and expects a House vote a week later.

This is part of a stratagem to break the Senate deadlock. Mills testified before the Rules Committee yesterday that early House passage would send the reform bill to the Senate in time for action before the Aug. 13 recess.

There even were suggestions that the Senate could tack the reform bill onto the House-passed surtax extension, thus satisfying the Democratic leadership's insistence that both bills be considered simultaneously. But this was considered unlikely since the Senate would almost certainly want to put the reform bill through lengthy Finance Committee hearings.

Those present reported that Dirksen ran into considerable rank-and-file opposition within the Republican Policy Committee when he sought support for the Democratic compromise.

Obviously disappointed, Dirksen later told reporters that "when you can't get a whole loaf, you get as much bread as you can."

Sen. John J. Williams (R-Del.), ranking Finance Committee Republican who initiated the original surtax legislation last year, gave qualified support to the Democratic compromise. Last week he had firmly opposed it.

Williams even agreed to withdraw a controversial amendment he had offered to the unemployment compensation bill so that it wouldn't impede passage of the temporary surtax extension.

Agnew had broken off a Western speaking tour and hurried back to Washington yesterday to enter the behind-the-scenes negotiations at the Senate.

The following is his statement in full after his long-distance conversation with Mr. Nixon:

"The refusal of the Democratic Policy Committee to let the Senate vote on a full year's extension of the surtax and outright repeal of the investment credit invites still higher living costs, continued record-high interest rates, and a weakened dollar abroad.

"Through a parliamentary device, the Policy Committee is in effect applying a 'pocket veto' to the legislation. Senators, not members of the Committee, are being denied an opportunity to vote on this vital issue.

"The Policy Committee's proposal to extend the surtax only through Nov. 30 is unacceptable to the Administration. It would raise grave doubts as to the determination of this Government to stop the rising prices that are undermining the earnings and savings of every American. Simple extension of the surcharge through November would also leave hanging the important matter of repealing the investment credit and removing poverty level citizens from the tax rolls.

"The Policy Committee's procedure in effect rules out the possibility of open debate on this issue.

"The Administration welcomes open debate on both proposals—that of the Policy Committee and the Administration's proposal, which has been passed by the House of Representatives and duly reported to the Senate by the Finance Committee.

"I have been in communication with the President on all of these developments. He is deeply concerned by the inability of the Senate, to act, and the injury this threatens to every citizen.

"He intends to discuss these matters frankly and fully with the American people upon his return on Monday."

TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, the CONGRESSIONAL RECORD of July 29, 1969, does not show that the period for the transaction of routine morning business for tomorrow, Thursday, is to be limited to 30 minutes.

However, the unanimous-consent request was made and granted. It is my fault that it does not so appear in the RECORD. But it does so appear in the Journal.

I just wished to clarify the reason why it does not show in the CONGRESSIONAL RECORD, and I repeat that it is my fault.

The PRESIDING OFFICER. The Chair is informed that it does so show in the Journal.

Mr. BYRD of West Virginia. Yes. So, Mr. President, the period for the transaction of routine morning business on tomorrow is limited to 30 minutes, but if Members wish to extend the time, they can do so by unanimous consent.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that

the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNFORTUNATELY, AMERICAN MILITARY POWER SUSTAINS DICTATOR FRANCO'S REGIME

Mr. YOUNG of Ohio. Mr. President, we hear a great deal about the power of the military-industrial complex. Also, more and more we are learning of the unparalleled arrogance of some of our generals. Those patriots who drafted the Constitution of our country thought they had provided that in the United States civilian authority would always be supreme over military authority. We should not permit militarists to run unbridled.

While it may not be known generally to Americans, the facts are we maintain three major Air Force bases, a major naval base, and 19 minor military and naval installations in Spain. More than 10,000 American servicemen are permanently stationed at those bases.

It seems that our generals and admirals at the major bases in Spain have demonstrated a feeling of kinship and admiration for Generalissimo Franco, the dictator of that unhappy country.

Spanish military officers are regularly brought to the United States for training and some American officers attend the Spanish military college. In addition, in recent years a series of joint exercises have been undertaken. A number of them are designed to coordinate Spanish-American air defense and antisubmarine warfare capabilities—efforts that have some logic in the context of joint defense of the bases.

Now, without any authority whatever from any civilian officials in Washington, American military maneuvers have been held in Spain, termed "Pathfinder Express I" and, more recently, "Pathfinder Express II." These maneuvers bring together ground forces of the two countries in a manner that portrays a joint effort against insurgent armed forces in Spain proper. Such maneuvers must, of course, have been conducted under authority of the military command in Europe. It is stated that twice in the past 2 years our forces in Spain have conducted major exercises and maneuvers to practice crushing a theoretical uprising to replace Generalissimo Franco and send him into exile. As far as I know, none of our generals at NATO or in Spain have any authority whatever to conduct exercises with the Armed Forces of our country in Spain for the purpose of preparing to assist the Fascist dictator, Franco, to smash any future uprising of the Spanish people against his regime.

Just recently a directive has been issued from our State Department that such practices are prohibited in the future. Americans should be informed of just what is the commitment our State Department and our military leaders have made to Franco and whether or not there is any congressional authority claimed for such commitment.

It was unfortunate that recently without entering into any treaty with the Spanish Government, officials of our State Department and Defense Department simply gave dictator Franco weapons of war which cost American taxpayers $50 million. This, to buy an extension of leases on our submarine base at Rota and of our air bases near Madrid.

Unfortunately, Franco has been sustained in power by the presence in Spain of American Armed Forces during recent years. Now, that support apparently is demonstrated to be an all-out commitment designed to show oppressed Spanish civilians that it is useless for them to seek to overthrow the government of dictator Franco as his Fascist regime has the backing of our Armed Forces.

Dictator Franco's regime is an affront to liberty-loving people the world over. There should be a thorough investigation of the recent exercises of our Armed Forces in Spain termed "Pathfinder Express I and II." We must not tolerate our generals in the Pentagon, in NATO, in Spain, or anywhere else in the world influencing or making U.S. foreign policies in accord with their whims and idiosyncrasies.

ORDER OF BUSINESS

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent to proceed for 5 minutes on another matter.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

LET US REMAIN NEUTRAL IN THE CONFLICT BETWEEN COMMUNIST CHINA AND THE SOVIET UNION—LET US SEEK NUCLEAR ARMAMENT LIMITATION TREATY WITH THE SOVIETS

Mr. YOUNG of Ohio. Mr. President, bitter fighting is being waged along the 6,500-mile common border between Communist China and the Soviet Union. To date some hundreds of Chinese soldiers and civilians have been killed and wounded, and also some Russian soldiers. It may be that this is an added reason for Soviet Foreign Minister Gromyko's recent friendly speech toward our country, proposing immediate negotiations for arms limitation. Also in recent days Soviet newspapers have lavishly praised our landing men on the moon.

I call to your attention also the fact the our late, great President, John F. Kennedy, and his ambsassador, Averell Harriman, achieved a limited nuclear test ban treaty with the Soviet Union, banning altogether the testing of nuclear weapons on the ground, on water, or in the atmosphere, permitting only limited nuclear tests underground. The Soviet Union and the United States have both complied with the provisions of this treaty which our late, great President said was the first step in the long journey toward permanent peace.

It is evident that the two great Communist powers are dangerously close to an all-out war. Some Sino-Soviet specialists say that war between these two Communist powers is not only near but inescapable. Already, Peking officials have ordered emergency storage of foodstuffs.

It is apparent that Gromyko and other leaders of the Kremlin are seeking to make sure that they do not have to face a cold war with NATO countries in Europe and at the same time a hot war on their eastern frontier with Red China.

Now is the time for a conference with leaders of the Soviet Union. Let us hope that it is a summit conference. Furthermore, President Nixon would do well to have that truly great American and patient negotiator, Averell Harriman, assisting him. It must be made crystal clear to chiefs of state the world over that the Government of the United States seeks to undertake without delay a cutback and really an end to any nuclear arms race between the two great nuclear powers.

In addition, leaders of the Nixon administration must convince the Chinese Communists and also the Kremlin leaders that the United States is not about to become allied with Russia in its quarrel with Peking. The United States must not step into this conflict. Calm, cool, and persistent neutrality is the only sane course. If these two mammoth and powerful Communist nations, China and the Soviet Union, continue hostilities which have been accelerating in recent months, we must not permit either side to have any cause to believe that our Nation will side with either nation. Also, that neither has or will have America's blessing and goodwill in the fighting they are waging and in a possible war waged against each other.

At this time, without doubt, the Soviet Union is stronger militarily than Communist China, which probably has been weakened by Chairman Mao Tse-tung's cultural revolution. Furthermore, at this time the Soviet Union has powerful offensive and defensive nuclear weapons comparable to, though considerably weaker than, the nuclear arsenal of the United States. Communist China has but a crude nuclear capacity.

It must be the announced policy of the U.S. Government that our Nation would be happy to have a so-called détente with the Soviet Union, but that such a situation of diplomatic friendship between the two great powers is entirely unrelated to any Sino-Soviet conflict.

It should be comforting to the rank and file of Americans that the leaders of the Soviet Union have not seemed disturbed at all over the fact that administration leaders in the Senate have been denouncing the Soviet Union and urging deployment of ABM's to overcome the very limited missile deployment of the Soviet Union around Moscow.

Incidentally, this is a good period in the history of the world for American men and women in government and out of government to keep in mind that throughout World War II the Soviet Union was our ally and friend. Americans should remember that in World War II, Hitler, without any provocation whatever, hurled his supposed supermen in a huge invasion of the vast territory of the Soviet Union. This sudden attack was without any declaration of war. The Russians fought back valiantly. Over a period of many months much of the territory of the Soviet Union in eastern Europe was conquered by the Nazis. Its cities were mercilessly bombed

by the German Luftwaffe. In World War II Americans should remember that 10,500,000 Russian soldiers and airmen were killed in combat by Hitler's soldiers or died of wounds. In that same period Hitler's forces killed 20 million Russian civilian men, women, and children, and exterminated in gas chambers, 1,050,000 Russian Jews.

President Nixon should withdraw his ABM proposal to deploy Safeguard missiles and seek talks relating to limiting nuclear missiles. Foreign Minister Gromkyo stated:

> We have noticed President Nixon's statement that after a period of confrontation, the era of negotiations has arrived.

In view of that fact he explicitly stated:

> We favor the good development of relations with the United States.

Our official and immediate response should be to seek a meeting between representatives of our two countries, the only two great nuclear powers, to confer together on the details of a treaty regarding nuclear missile limitation. Now the opportunity seems at hand to achieve an understanding with the leaders of the Kremlin for a nuclear arms limitation. Mr. President, we should grasp it.

A defeat of the ABM proposal by the Senate will be helpful to attain that end and to advance the hope of a treaty to limit deployment of nuclear weapons.

ORDER OF BUSINESS

Mr. CHURCH. Mr. President, I ask unanimous consent to proceed for 5 minutes.

The PRESIDING OFFICER (Mr. SAXBE in the chair). Is there objection? Without objection, it is so ordered.

U.S. ARMS AID: MORE INCRIMINATING EVIDENCE

Mr. CHURCH. Mr. President, today, I am heartened by the initial success of the Organization of American States in its efforts to end the war between El Salvador and Honduras. If the agreement by El Salvador to withdraw its troops from neighboring Honduras is carried out, it will certainly be a credit to both nations; most of all, it will be a credit to the OAS.

In this instance, also, the diplomatic role of the United States has been exemplary. We did not intervene; we stayed in the background; we supported the efforts of the OAS.

For the sake of the future of the OAS as a force in the hemisphere, it was most urgent that its peacemaking efforts succeed. Without this result, other Latin American countries might have been encouraged to follow the warlike example of Honduras and El Salvador. Also, one of the arguments used for years to hold down Latin American spending on armaments has been that the OAS would not permit a war between two Latin American states. This argument remains intact.

For the moment, it is more important to end the war than to assign responsibility for beginning it. Doubtless there were provocations on both sides. I do not think we should let the matter pass, however, without examining the contributory role of U.S. military promotional programs in both countries.

From the end of World War II through the fiscal year of 1968, the United States furnished military assistance—including grants from excess stocks—of $6.4 million to El Salvador and $8.2 million to Honduras. This included military training of one kind or another to 832 Salvadoran and 1,348 Honduran citizens. Among those trained was one Fidel Sanchez Hernandez, who happens now to be a general and the President of El Salvador.

In addition, we maintain inflated military missions in both countries. For reasons which escape me, the Defense Department conceals the size of these missions by classifying the information. Possibly this is because the Pentagon seeks to avoid criticism for padding the personnel.

I am not suggesting that the guns we supplied, or the military training we gave these two small countries caused the Salvadoran-Honduran war; feeling on both sides has run so high that the war might well have occurred anyway. However, I am saying that our military training and grants-in-aid made it easier for both sides to fight the war, each using weapons acquired from us and techniques learned from us. Although the diplomatic role of the United States has been exemplary since the war began, this does not conceal the mistaken character of the U.S. military role prior to the outbreak of the fighting.

In the Defense Department presentation of the military assistance bill currently pending before Congress, military aid to both El Salvador, and Honduras is justified in identical terms:

> The military assistance program for El Salvador (Honduras) seeks to promote the increased involvement of the Armed Forces in civic action activities, while encouraging the development and maintenance only of those military forces and equipment essential to the legitimate needs of the country. U.S. assistance encourages regional cooperation of El Salvadoran [Honduran] security forces with those of other Central American nations, especially through the Central American Defense Council.

I doubt that any of us would describe the border war between Honduras and El Salvador as "essential to the legitimate needs" of either country. Nor, do I suppose, would anyone suggest that the conflict represented laudable "civic action" or an acceptable form of "regional cooperation."

All of this, Mr. President, is just another example of how our military assistance program keeps involving us unnecessarily in troubles abroad. It is used against us by increasing numbers of Latin Americans who see it as a prop for armies that stand guard over the status quo, while diverting themselves occasionally with Gilbert-and-Sullivanesque border escapades. Within our own Government, the military aid program has acquired a momentum of its own which is quite unrelated to the reasons officially set forth in justification of it.

The real reasons for the program are not "civic action" or Central American "regional cooperation." These are excuses. The real reasons are bureaucratic inertia, the desire of the Pentagon to have an outlet for its surplus or obsolescent armament, and the fact that the program provides a good many cushy assignments for officers who regard these Latin American berths as plush duty.

I believe it is time to stop our military grant-in-aid programs throughout Latin America. It is time to bring our military missions home. I intend to offer amendments to this end when the Foreign Relations Committee marks up the foreign aid bill.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF THE SURTAX

Mr. YOUNG of Ohio. Mr. President, I noted a headline in the Washington Post of yesterday regarding the expiration of the 10-percent surtax.

The article states that the White House hopes to extend the income tax surtax another year, but that this alleged keystone of the war on inflation has encountered fresh frustrations.

One of the frustrations mentioned was that the surprisingly large Federal surplus, $3.1 billion, in the fiscal year just ended, against estimates of only $900 million 2 months ago, was seen as taking some of the edge off administration arguments for the surtax.

Mr. President, when the 10-percent surtax was proposed by President Johnson as a step against inflation, I spoke in the Senate against the imposition of that tax on a tax. More than a year ago, when that proposal came to a vote, I voted against the surtax. I considered it an atrocious tax to impose on top of the tax burden already imposed upon Americans.

What happened after the 10-percent surtax that was to end inflation became the law of the land?

In the year since the 10-percent surtax became law, we have had greater and more uncontrolled inflation in our country than ever before.

Taxes of State and local governments are already too high and too oppressive. On top of that, the Federal income taxes paid by average American families with incomes ranging from $3,300 a year to $14,000 and $15,000 a year are

already very burdensome. To me it seemed then, and it seems now, that to impose an additional surtax, a tax on top of a tax, against already heavily burdened American individuals and corporations was just too much. It violates every sound principle of just taxation, one of which is that taxes should be levied according to ability to pay.

Mr. President, I assert that on fiscal matters I am a conservative.

I assert that the urgent need at this time and over the years that I have been a Member of the Senate is and has been to cut unnecessary Government spending, to put an end to duplication and waste in Federal spending and to eliminate the fantastically expensive boondoggles which have afflicted us. As an example, I cite the useless civil defense program which has cost our taxpayers about $2 billion. No citizen is better protected because of it. As the Presiding Officer knows, despite the fact that there is violence in the streets in my home city of Cleveland, some seven policemen are assigned entirely to civil defense work. They are sitting around and waiting for the bomb to drop. They are going to schoolhouses and lecturing on civil defense matters. This is just one example of the many expensive boondoggles which waste billions of dollars of taxpayers' money.

Mr. President, it is essential that Congress should enact during this session substantial income tax reform legislation. We should try to equalize our tax system. We should not even consider continuing to impose the obnoxious 10-percent surtax unless we at the same time close tax loopholes and institute genuine tax reforms.

I give some good reasons for that. Due to tax loopholes such as the depletion allowance and the creation of tax-exempt foundations by the ultrarich, it is possible for them to evade taxes. These are just two of the notorious loopholes that we must eliminate.

In 1967, it is astonishing to narrate, 21 men and women in the United States with incomes exceeding $1 million paid no income tax whatsoever. Thirty-five men and women with incomes exceeding $500,000 and 150 individuals with income exceeding $200,000 paid no income tax whatever at a time when the small corporations in every State of the Union paid heavy taxes on their net profits and at a time when families with incomes of from $3,300 a year to $15,000 a year bore a very heavy income tax burden.

We must ease the tax burden now imposed on low- and moderate-income families.

Mr. President, President Nixon's proposal to continue the 10-percent surtax should not be considered unless it is made part of a wide-ranging tax proposal to effectively close tax loopholes.

The personal income tax exemption must also be increased from the present $600, which at the time it was created really amounted to something. Because of the inflation since that time, the present exemption is almost meaningless. It should be increased from $600 to $1,000 a year.

Private tax-exempt foundations should be subjected to some small income tax on net investments. This would bring in additional billions of dollars. We must have broad ranging tax reform all along the line so that the ultrawealthy of this country cannot, by means of buying turnpike and municipal bonds and other securities which are entirely tax exempt, evade paying their just share of the taxes.

Mr. President, it seems to me that we must not extend this atrocious 10-percent tax on a tax unless it is accompanied by wide-ranging and real tax reform.

THE ABM SYSTEM

Mr. MURPHY. Mr. President, in the past several days, I have asked to have printed in the RECORD editorials published in California newspapers which have expressed outspoken support for President's Nixon's Safeguard anti-ballistic-missile system. Now the Santa Monica Evening Outlook and the Sacramento Union have joined such distinguished newspapers as the Los Angeles Times and San Diego Union in endorsing this proposal.

The Outlook concludes its editorial, entitled "Fear Fatal to U.S. Survival" by saying that "it is essential for the survival of any nation that its people show they have the will and the means to fight back—especially the will."

The Sacramento Union asks:

What happens in the world when the power and authority of the United States is dissipated, or when we abandon our commitments?

I ask unanimous consent that these editorials, from the July 19 Evening Outlook and July 14 Sacramento Union, be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

FEAR FATAL TO U.S. SURVIVAL

Among all the arguments for and against an ABM system of nuclear defense, one seems to us unanswerable and beyond debate. It is the fear-of-nuclear-war psychosis which will gain an apparent victory if the ABM proposal is voted down.

This fear psychosis was well described in a recent letter to the editor by Veronica Andrews of Santa Monica, who wrote: "Most people . . . equate nuclear attack with death and have no faith in retaliation. Nuclear war means the end. The remote possibility of survival holds no attraction for them in view of the desolate after-effects of nuclear war.

"War on any basis is undesirable. Nuclear war is unthinkable. As a means of resolving human conflict war is old-fashioned and remains the mode for lack of a better way. We shall not find that way by preparing to repulse nuclear attack. No matter how realistic nuclear war may seem to the Pentagon . . . it is all 'Alice in Horrorland' to the rest of us."

We would point out that if this nation is to be ruled by such fearful thinking, we shall be ready victims of the first threat of nuclear blackmail by our enemies.

Nuclear war is not "unthinkable" to the leaders of Soviet Russia and Red China. In the Cuban missile crisis of October 1962, the Russians promised to withdraw their offensive missiles from Cuba because they feared our nuclear power which then was greater than theirs. Since then they have given top priority to increasing their nuclear armament and have constructed an advanced missile defense system to protect Moscow and other vital centers.

Defense Secretary Melvin Laird, who is not an alarmist, has warned that at the present rates of arms spending by both countries, Russia in a few years will possess a decided margin of nuclear superiority over us.

It is equally clear that nuclear war is not unthinkable to the leaders of Red China. They have achieved a nuclear capability in less time than was thought possible, and Mao has indoctrinated his followers with the belief that war must be the final means of Communist world victory, and that China could win a nuclear war, because she could afford much greater human losses than any other nation.

We may discount these Chinese boasts and wishfully believe that the Kremlin wants nuclear war no more than we do. But the grave fact is that the Russian leadership has not ruled out, as we have done, the possibility of an overwhelming, surprise nuclear attack paralyzing an enemy nation and forcing it to surrender within 24 hours.

If the Kremlin sees that American defeatism has prevented us from creating even a modest and partial defense system against enemy attack, we think it more than possible that we shall be subjected sooner or later to nuclear blackmail.

As recently as last August the Kremlin, after much dissembling, used force to crush Czechoslovakia—and followed this up with new threats against West Germany. If the Kremlin thought the American people would surrender to a mere threat of nuclear war, it would be strongly tempted to test this belief in Europe, the Near East or the Caribbean.

Our best hope of averting a nuclear confrontation lies in persuading the Russians that we are psychologically prepared to meet it—that we would not surrender but would instantly use all our means of nuclear retaliation.

For this reason we think an affirmative vote on the ABM system is very important to the future security of the United States. Granted that this partial defense system will not provide us with security in the event of a nuclear attack, it will do much to convince the Russians that we would not be bluffed into surrender by any threats they could make.

It is essential for the survival of any nation that its people show they have the will and the means to fight back—especially the will.

SURRENDER WON'T BUY PEACE FOR THE UNITED STATES

The debate in the United States Senate on the anti-ballistic missile issue is more than an argument over its practicality or even its necessity.

Winston Churchill once remarked that he had not become the queen's first minister only to preside over the liquidation of the British Empire.

He meant, we believe, that he would not willingly allow England to surrender its role in the world. But a Socialist Labor Party later took over. The Socialists hurried to disarm Britain's soldiers and retire her fleets and pull back from her advance positions on the rims of Western civilization.

As a result, England's days of greatness seem to be behind her. She survives in an uncertain world largely because of the power of the United States.

Now are the echoes of England's retreat sounding through the chamber of the United States Senate?

Senators rise to declaim that their country can no longer afford the luxury of an

optimum defense, that we do not have the ability nor the stamina to fulfill the international obligations that circumstances has brought us, and that we will have to place our faith more in the good will of our enemies than in guns.

Perhaps it is time for people to ask themselves whether our energy and our purpose have run their course. We cannot believe that they have.

But we have almost half of 100 senators who are opposed, in varying intensities, to installing an additional system of defense against the growing power of Communist missiles.

No one can guarantee that an ABM system will be as effective as the great majority of our scientists expect. But that is not the issue—the issue is whether we are going to make the effort to maintain the United States as a superior power.

England chose not to do so.

The liberal-left contends that reduction of our military strength will have the effect of making war more remote, and thus transform man into a necessarily more peaceful being.

But all we have to do is look around our own cities. Lift the restraints of law and order and you have rioting in the streets and rebellion on the campuses.

What happens in the world when the power and authority of the United States is dissipated, or when we abandon our commitments?

Winston Churchill was a man ahead of his time. When Neville Chamberlain, as prime minister of England, attempted to buy peace with appeasement instead of strength, Churchill said of him that he had a choice between war and dishonor, and that he chose dishonor and got war.

Can the United States buy peace with surrender? All history tells us differently.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER (Mr. ALLEN in the chair). Is there further morning business?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that I may proceed for 8 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ABM DEBATE—PARITY OR SUPERIORITY

Mr. GOLDWATER. Mr. President, it is my desire today to direct my remarks to the portions of the funding bill dealing with a Safeguard ABM system and the arguments which have been raised by its opponents.

It seems to me that the opposition to President Nixon's recommendation for a Safeguard ABM system to protect this Nation's deterrent capabilities are as follows:

First. That the deployment of a Safeguard ABM system would be ineffective against a possible enemy attack and consequently would be a complete waste of taxpayers' money which could better go for badly needed domestic projects.

Second. That the approval of the Safeguard system would set off a new round in the nuclear arms race with the Soviet Union and, thereby, greatly endanger the overall peace of the world.

Third. That the development of a Safeguard system would endanger the chances for the successful negotiations of an arms limitations treaty with the Soviet Union.

Mr. President, I intend to deal with each of these arguments and show that they are ill-conceived and in some instances mutually self-defeating.

To begin with, Mr. President, I believe the arguments for and against Safeguard as a feasible and workable system for the defense of our nuclear deterrent capabilities are equally persuasive. However, the question arises as to whether those who believe that we could not develop an adequate system can be given credibility inasmuch as these same arguments were raised by some of the same people in connection with America's development of the H bomb. We were told at the time the H bomb was first proposed to President Truman that the bomb would cost too much and probably would not work. But we went ahead anyway and both arguments proved to be wrong.

At the same time, let me state as strongly as I possibly can that the possibility of failure has never in our history stopped Americans from going ahead with projects that they felt to be desirable and essential. In this instance the project is one which the President of the United States, our Commander in Chief, tells us is essential to the defense of 200 million Americans as well as to our strategic interests as a nation and as a leader of the free world. I, for one, have enough faith is our Yankee "know-how," if you will, and in the ability of our scientific and industrial communities to believe that we can develop a system which will do the job.

Now, Mr. President, that brings me to point number two in the list of arguments against development of Safeguard, Strangely enough, the same people who tell us that the President's ABM system will be ineffective and will not work, are the same people who tell us that the mere approval of such a system by the Senate will so frighten the Soviet Union that it will immediately escalate the arms race.

In this connection, let me point out that we are not, in this instance, racing the Soviet Union; we are trying to catch up with the Soviet Union in a move they made on the defensive side of the nuclear power balance 5 years ago when they began the development, production and deployment of the massive, three-stage Galosh ABM system around the major Russian cities.

If our attempt to erect a very rudimentary type of missile defense to protect our retaliatory power is interpreted by the Soviets as an unfriendly act or as an act requiring an acceleration of the arms race, then we are left with only one conclusion: That the Soviet Union will never be satisfied with mere nuclear parity; but will always insist on nuclear superiority.

Although the establishment of a nuclear parity was obviously a goal of the McNamara regime in the Defense Establishment, it stands to reason that no parity of any kind exists in the area of missile defense. If the critics of ABM are seriously interested in parity, why are not they arguing for the development of Amercan systems whch can match those already in existence by the Soviet Union?

One of the great fallacies in the whole argument which says that the establishment of nuclear parity between the super powers will become a stabilizing influence which can reduce world tensions is that it overlooks the fact that the Soviets are not interested in parity, nor stability, nor in the reduction of world tensions. The Soviet Union, rather is interested in nuclear superiority, a nonbalance of power in its own favor and world tensions of its own manufacture in places of its own choosing.

There can be no doubt that this is the Soviet goal. They do not even attempt to hide it. They have told us time and time again and they have shown us time and time again that their objective is world domination, not world stability.

My esteemed colleague from Washington, Senator JACKSON, has presented us with a brilliant and sobering picture of our Soviet adversary. He has made it abundantly clear that we can never reach sound judgments on questions of national defense unless we understand what our Soviet adversary is up to. And he has shown us that Russia is today ruled by men who are the first generation of rulers who are the products of a Stalin system of repression and terror. He warns that the repressive measures employed to intimidate, frighten, and stifle expressions of dissent within the Soviet-bloc nations approach those used in the 1930's and 1940's.

Mr. President, our failure thus far to match the Russians in the matter of an ABM system, has done nothing to reduce the Soviet thrust for newer and heavier armaments. Five years have passed since the Russians first began their ABM system. If they were to be convinced that our failure to go ahead with one of our own was an earnest intention to stabilize the arms race, why have they moved ahead in every other area of military armament. I suggest that the Russians could care less whether we develop a defensive system so far as their own move for arms superiority is successful.

Our failure to keep an up-to-date navy and to develop a fleet of nuclear powered ships certainly has not led them to overlook this element of the arms race. Instead, Russia today is building the most powerful, far-cruising navy the world has ever seen. While we sit on our hands, they are developing fleets which are now challenging us in the Mediterranean, the Baltic, the Atlantic, and the Pacific. Before long, according to expert opinion, there will not be one waterway left in the world where American strength is not only challenged but overwhelmed.

In other words, Mr. President, some of the ABM opponents seem to be trying to sell this Nation on a lopsided program of

disarmament in the naive belief that the Soviets will follow suit.

The argument that approval of the Safeguard system would endanger the chances for successful negotiations with the Soviet Union on arms limitations is ridiculous on its face. Who among us would believe that an honorable, lasting agreement could be reached with a superpower which builds a powerful missile defense system around its major cities and then objects to our building a skeleton system around our deterrent capabilities.

If the Russians are this touchy, Mr. President, you can bet the negotiations would be foredoomed at the start.

But let us, for the sake of argument, assume that the Soviets would enter into an honorable attempt to reach an agreement which would make it unnecessary for the United States to go ahead with a missile defense. It would require, of course, a promise on the part of the Russians to dismantle their own version of the ABM so it would be unnecessary for us to build one.

And I think we can certainly count on Russia's long, historical preoccupation with the whole idea of defending the homeland to make such a concession on their part entirely unlikely.

In this connection, of course, we have to remember that the Russians stand in fear of Communist China as well as the United States. It is unlikely that they will dismantle their ABM system merely because we do not have one—unless some assurance could be attained from China. This, too, is extremely unlikely.

So I submit, Mr. President, I can find no validity in any one or in any part of the major arguments advanced by the opponents of the ABM system.

I reject completely the idea that we would be unable to build a workable system.

I reject entirely the thesis that if we attempt to catch up with the Russians in the area of nuclear defense we will, in some strange way, precipitate a new dimension in the international arms race. The Soviets have been off and running for years, and its about time we think about catching up—especially in the field of nuclear defense.

And I firmly believe that if our attempts to erect a skeleton ABM system will destroy the possibility of negotiations with the Soviets, the negotiations were not worth thinking about in the first place.

In conclusion, Mr. President, I think that we are smack up against a real problem affecting the safety of the American people. I do not think we can afford the luxury of any wishful thinking or any attempt to invest our Soviet adversaries with any particular noble intentions. We have no sound, lashing agreement looking toward a reduction of arms and world peace. But we do have a possible adversary who is moving ahead full tilt in an effort to build the most powerful military system ever devised. We can only ignore this reality at our extreme peril.

I, for one, do not want to be part of any Senate decision which will prevent our Commander in Chief from taking every step he believes is necessary to protect and defend our people, our Nation and our form of government.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF THE DIRECTOR OF SELECTIVE SERVICE

A letter from the Director, Selective Service System, transmitting, pursuant to law, a report on the operations of the selective service during the period from July 1, 1968, to December 31, 1968 (with an accompanying report); to the Committee on Armed Services.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on a survey of progress in implementing the planning-programing-budgeting system in executive agencies, dated July 29, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need for improvement in the receipt and storage of militray supplies and equipment, Department of Defense, dated July 30, 1969 (with an accompanying report); to the Committee on Government Operations.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest and requesting action looking to their disposition (with accompanying papers); to the Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. MCGEE and Mr. FONG members of the committee on the art of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A memorial of the Legislature of the State of Florida; to the Committee on Interior and Insular Affairs:

"HOUSE MEMORIAL 2219

"A memorial to the Congress of the United States requesting that the land mass named Cape Kennedy be redesignated as Cape Canaveral, its historic name

"Whereas, the name 'Cape Canaveral,' as applied to the land mass and not the government facility, has had historic association for the people of Florida and the United States for several hundred years, and

"Whereas, the people of Florida applaud the renaming of the United States Missile Test Center in memory of President John F. Kennedy who was a pioneer in the American space effort, and

"Whereas, it is appropriate that the Cape itself be known by its historic and familiar name of Cape Canaveral: Now, therefore, be it

"Resolved by the Legislature of the State of Florida, That the Congress of the United States is hereby requested to provide that Cape Kennedy, Florida, be again designated as Cape Canaveral, the historic name of the Cape; be it further

"Resolved, That copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the Congress of the United States.

"Filed in Office Secretary of State July 3, 1969.

"TOM ADAMS,
"Secretary of State."

Resolutions adopted by the General Federation of Women's Clubs, Washington, D.C., supporting the Government in its effort to prevent Communist aggression, and urging its member clubs to continue their support of Radio Free Europe; to the Committee on Foreign Relations.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

S. 2729. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the establishment of a national drug testing and evaluation center, and for other purposes; to the Committee on Labor and Public Welfare.

(The remarks of Mr. NELSON when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. BURDICK:

S. 2730. A bill for the relief of Winnie C. Saunders; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 2731. A bill to provide for the protection, alteration, reconstruction, relocation, or replacement of highway and railroad bridges, trestles and other structures, over the Columbia River, the Snake River, or their navigable tributaries; to the Committee on Public Works.

(The remarks of Mr. MAGNUSON when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. RIBICOFF:

S. 2732. A bill for the relief of Carmen Soto Velasquez; and

S. 2733. A bill for the relief of Edna May Pitkin; to the Committee on the Judiciary.

By Mr. RIBICOFF (for himself, Mr. DODD, Mr. JAVITS, and Mr. GOODELL):

S. 2734. A bill granting the consent of Congress to the Connecticut-New York railroad passenger transportation compact; to the Committee on the Judiciary.

(The remarks of Mr. RIBICOFF when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. MCGEE (for himself and Mr. HANSEN):

S. 2735. A bill to provide for the conveyance of certain public lands in Wyoming to the occupants of the land; to the Committee on Interior and Insular Affairs.

By Mr. STEVENS:

S. 2736. A bill to amend the Internal Revenue Code of 1954 to permit certain employees to establish qualified pension plans for themselves in the same manner as if they were self-employed; to the Committee on Finance.

(The remarks of Mr. STEVENS when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. STEVENS (for himself and Mr. GRAVEL):

S. 2737. A bill to authorize an increase in the average cost of dwelling units in certain federally assisted housing in Alaska; to the Committee on Banking and Currency.

S. 2738. A bill to amend the Interstate Commerce Act and to extend regulation under the Interstate Commerce Act to carriers not previously regulated under this Act; to the Committee on Commerce.

(The remarks of Mr. STEVENS when he introduced the bills appear later in the RECORD under the appropriate heading.)

S. 2729—INTRODUCTION OF A BILL ESTABLISHING A NATIONAL DRUG TESTING CENTER

Mr. NELSON. Mr. President, I am today introducing a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the establishment of a National Drug Testing and Evaluation Center which shall be operated and maintained as a part of the Food and Drug Administration subject to the supervision and control of the Secretary of Health, Education, and Welfare. Significant provisions of the bill are as follows:

First. The Secretary of the Department of Health, Education, and Welfare shall be responsible for conducting all tests for investigations on new drugs submitted to him for approval in order to determine whether such new drugs should be approved for commercial distribution, and shall be responsible for conducting tests or investigations on drugs which have been approved to determine whether or not approval of such drugs should be withdrawn.

Second. Although the center will do some testing itself, the Secretary will be authorized to contract out such studies to qualified individuals, organizations or institutions and it shall be his responsibility to insure that the testing or investigation of any drug is conducted by experts qualified by scientific training and experience to investigate the safety and effectiveness of drugs.

Third. The sponsor of any drug submitted to the Secretary for testing and investigation shall, upon request, be provided with a report every 60 days on the results of the testing or investigation of such drug.

Fourth. The sponsor of any new drug submitted to the Secretary for testing or investigation shall be liable for the expenses incurred, including a proportionate share of the cost of staffing, maintaining and equipping the Center.

Fifth. A fund is established which shall be available to the Secretary for the purpose of establishing the National Drug Testing and Evaluation Center, for the purpose of furnishing initial working capital, and for other specified purposes.

Sixth. Nothing in the bill prohibits the sponsor of any drug from conducting tests or investigations on such drug in accordance with other provisions of the Food and Drug Act.

Seventh. Procedural safeguards are provided to protect the legitimate interests of industry as well as the public.

Mr. President, I ask unanimous consent that the full text of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2729) to amend the Federal Food, Drug, and Cosmetic Act to provide for the establishment of a National Drug Testing and Evaluation Center, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2729

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Drug Testing and Evaluation Act of 1969".

SEC. 2. The testing of drugs by manufacturers prior to the approval of such drugs for commercial distribution has resulted in lengthy delays because of poor quality studies used in conducting the necessary tests on such drugs. Abbreviated studies, ineptly designed protocols, and deficiencies in clinical investigations are some of the reasons which prevent new drugs from being approved for general use by the Department of Health, Education, and Welfare. Many of these new drugs may be extremely useful and even lifesaving compounds which should be made available to the public as quickly as possible consistent with proper testing and evaluation. Procedures under present law require that any drug manufacturer which wishes to market a new drug must sponsor studies sufficient to establish that such drug is safe and efficacious for its intended uses. Advance approval by the Secretary of Health, Education, and Welfare of the nature and design of these studies is not required, with the result that mistakes and oversights frequently occur necessitating further testing and additional costs. Much of the testing by drug manufacturers under present procedures involve similar or identical compounds and consequently is often duplicative and wasteful. In addition, deliberate falsification of test results on new drugs has occurred in this vital area of health protection. The Congress, therefore, finds and declares (1) that the Federal Government should assume responsibility for the necessary testing of drugs and determine whether such drugs meet the requirements for approval for commercial distribution, and (2) that drug manufacturers, which will be relieved of the burden and expense of such testing, should bear the expense incurred by the Secretary of Health, Education, and Welfare in conducting such tests, including the expense of establishing and maintaining a National Drug Testing and Evaluation Center where most of such testing would be conducted by the Secretary of Health, Education, and Welfare.

SEC. 3. Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351–360b) is amended by adding at the end thereof a new section as follows:

"TESTING OF DRUGS; ESTABLISHMENT OF NATIONAL DRUG TESTING AND EVALUATION CENTER

"SEC. 513. (a) The Secretary shall be responsible for conducting all tests or investigations on new drugs submitted to him for approval under sections 505 and 512 of this Act for the purpose of determining whether or not such new drugs should be approved for commercial distribution, and shall be responsible for conducting tests or investigations on drugs which have been approved under such sections in order to determine whether or not approval of such drug should be withdrawn pursuant to section 505(e) or 512(e), as the case may be.

"(b) Whenever the Secretary receives an application from any person for approval of a new drug pursuant to section 505 or 512 of this Act, he shall, as soon as practicable provide for the necessary testing or investigation of such drug by the Center established pursuant to subsection (c) or by any qualified individual, organization, or institution which the Secretary may engage to conduct such testing or investigation. It shall be the responsibility of the Secretary to insure that the testing or investigation of any drug is conducted by experts qualified by scientific training and experience to investigate the safety and effectiveness of drugs.

"(c) The Secretary is hereby authorized to establish, staff, equip, and maintain a National Drug Testing and Evaluation Center (hereinafter referred to as the 'Center') for the purpose of testing and investigating drugs for which approval is required pursuant to sections 505 and 512 of this Act. The Center shall be operated and maintained as a part of the Food and Drug Administration, subject to the supervision and control of the Secretary.

"(d) In any case in which the Secretary determines that a period of more than one year is necessary to develop the necessary data to support or deny approval of any drug, for which approval has been requested under section 505 or 512, he shall notify the applicant to that effect and indicate the amount of additional time needed for such purpose. If the applicant objects to the extension of time proposed by the Secretary he may file an objection thereto with the Secretary within thirty days after the date of notification to him by the Secretary, and the question of whether an extension of time should be granted and the period of such extension shall be submitted to a Drug Testing Review Panel provided for under subsection (g) of this section.

"(e) The sponsor of any drug submitted to the Secretary for testing and investigation shall, upon request, be provided with a report every 60 days on the results of the testing or investigation of such drug. Such report shall disclose the pertinent facts relating to the testing or investigation of the drug, including the procedures being used in such testing or investigating. If the sponsor objects to the manner, scope, or procedures used by the Secretary in testing or investigating the drug, he may notify the Secretary of his objections and request that the matter be submitted to a Drug Testing Review Panel provided for under subsection (g) of this section. The review panel shall resolve any such matter raised by the sponsor.

"(f) Whenever a drug has been submitted to the Secretary by a sponsor for approval pursuant to section 505 or 512, the sponsor shall make available such amounts of the drug as the Secretary determines is necessary for adequate testing and investigation; but in any case in which the sponsor of the drug believes that the quantity of the drug requested by the Secretary is excessive, the sponsor may request that the question be decided by a Drug Testing Review Panel appointed under subsection (g) of this Act. Notwithstanding any other provision of this Act, the Secretary is authorized, pursuant to such rules and regulations as he may prescribe, to permit the shipment of any drug for testing or investigation under this section.

"(g) (1) Whenever the sponsor of a drug, which is being tested or investigated by the Secretary under this section, requests that a matter to which the sponsor objects under subsection (d), (e), or (f) of this section be submitted to a Drug Testing Review Panel, the Secretary shall provide for the prompt review of such matter by such a panel.

"(2) A Drug Testing Review Panel shall be composed of three members, one to be selected by the Secretary, one by the sponsor, and the third to be selected by the first two. In the event the member selected by the Secretary and the member selected by the sponsor are unable to agree on a third member within fifteen days after their selection, the President shall select the third member of the panel.

"(3) Any matter submitted to a panel appointed under this subsection shall be decided by the panel within thirty days after such matter was submitted. The panel shall base its decision on the evidence presented by both parties. A decision by the panel shall be made on the record in accordance with procedures of due process prescribed under chapter 5 of title 5, United States Code. A decision of the panel in any controversy submitted to it pursuant to subsection (d), (e), or (f) of this section shall be final and the Secretary and the sponsor shall be bound by such decision.

"(h) The testing or evaluation of any drug shall be terminated as promptly as

practicable by the Secretary upon receipt by him of a written request from the sponsor of such drug to discontinue such testing or investigation; and the sponsor shall cease to be liable for the payment of any charges for any testing or investigation of such drug conducted after the effective date of the termination request. The Secretary shall prescribe by regulations the procedure for terminating the testing or investigation of any drug and the effective date for any such termination; but in no event shall the sponsor of a drug being tested or investigated under this section be liable for the costs of any tests or investigation conducted more than ten days after a request to terminate the testing or investigation of such drug has been received by the Secretary.

"(i)(1) The sponsor of any new drug submitted to the Secretary for testing or investigation under this section shall be liable for the expenses incurred in carrying out such testing or investigation, including a proportionate share of the cost of staffing, maintaining, and equipping the Center. The Secretary shall prescribe by regulation the manner in which charges shall be made for the testing or investigation of any drug.

"(2) If any amount of the charges for testing or investigating a drug under this section is unpaid after the due date, as prescribed by regulations, interest shall accrue thereon at the rate of 6 per centum per annum. Past due charges and interest thereon shall be recoverable by civil action brought in the name of the United States in the appropriate district court of the United States.

"(j)(1) There is hereby created a National Drug Testing Evaluation Center Fund (hereinafter referred to as the 'Fund') which shall be available to the Secretary without fiscal-year limitation as a separate fund for the purpose of establishing a National Drug Testing Evaluation Center for the testing, studying, and investigation of drugs pursuant to this section and for the payment of the testing and investigation of drugs carried out by qualified individuals, organizations, and institutions engaged by the Secretary for such purpose.

"(2) The Fund shall consist of appropriations made pursuant to this subsection and all amounts received by the Secretary under this section as charges and interest.

"(3) All expenses incurred by the Secretary in carrying out this section, including refunds of overpayments for charges prescribed pursuant to this section, shall be paid from the Fund, subject to such limitations, if any, as may be provided in appropriation Acts.

"(4) For the purpose of furnishing initial working capital for the Fund and from time to time, if necessary, supplying additional working capital pending collection of charges under this section, there are authorized to be appropriated to the Fund, without fiscal-year limitation, such sums as may be necessary; and such sums shall, at such time or times as the Secretary determines, be repayable to the Treasury from charges collected under this section. There is also authorized to be appropriated such sums as from time to time may be needed to conduct tests and investigations on drugs which have been approved under section 505 or 512 of this Act.

"(k) In administering the provisions of this section, the Secretary is authorized to utilize the services and facilities of any agency of the Federal Government and of any other agency, institution, organization, or person in accordance with appropriate agreements, and to pay therefor either in advance or by way of reimbursement as may be agreed upon

"(l) A request for termination of the testing or investigation of any drug by the sponsor of such drug prior to one year from the date such drug was submitted to the Secretary for testing shall constitute sufficient basis for the denial of an application for approval under section 505 or 512 of this Act.

"(m) Nothing in this section shall be construed as prohibiting the sponsor of any drug from conducting tests or investigations on such drug in accordance with other provisions of this Act."

Sec. 4. (a) Subsection (b) of section 505 of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 355(b)), is amended by striking out clause (1), and by redesignating clauses (2) through (6) as clauses (1) through (5), respectively.

(b) Subsection (c) of such section 505 (21 U.S.C. 355(c)) is amended by striking out "Within one hundred and eighty days", and inserting in lieu thereof the following: "Subject to the provisions of section 513 of this Act, within one year".

(c) The first sentence of subsection (d) of such section (21 U.S.C. 355(d)) is amended to read as follows: "If the Secretary finds, after due notice to the applicant in accordance with subsection (c) and giving him an opportunity for a hearing in accordance with such subsection, that (1) the results of the tests conducted pursuant to section 513 show that such drug is unsafe for use under the conditions prescribed, recommended, or suggested in the proposed labeling, or do not show that such drug is safe for use under such conditions; (2) the methods used in, and the facilities and controls used for, the manufacturers, processing, and packing of such drug and inadequate to preserve its identity, strength, quality, and purity; (3) the information submitted to him by the applicant as part of the application was insufficient to permit the Secretary to accomplish all the tests necessary to determine whether such drug is safe for use under such conditions; (4) evaluated on the basis of tests conducted under section 513 and all information submitted to him by the applicant, there is a lack of substantial evidence that the drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the proposed labeling thereof; or (5) based on a fair evaluation of all material facts, such labeling is false or misleading in any particular; he shall issue an order refusing to approve the application.".

(d) The second sentence of subsection (d) of such section is amended by striking out "clauses (1) through (6)" and inserting in lieu thereof "clauses (1) through (5)".

SEC. 5. (a) Subsection (b) of section 512 of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 360b (b)), is amended by striking out clause (1), and by redesignating clauses (2) through (8) as clauses (1) through (7), respectively.

(b) Subsection (c) of such section (21 U.S.C. 360b (c)) is amended by striking out "Within one hundred and eighty days" and inserting in lieu thereof the following: "Subject to the provisions of section 513 of this Act, within one year".

(c) Paragraph (1) of subsection (d) of such section (21 U.S.C. 360b (d) (1)) is amended to read as follows:

"(1) If the Secretary finds, after due notice to the applicant in accordance with subsection (c) and giving him an opportunity for a hearing, in accordance with said subsection that—

"(A) the results of the tests conducted pursuant to section 513 show that such drug is unsafe for use under the conditions prescribed, recommended, or suggested in the proposed labeling thereof, or do not show that such drug is safe for use under such conditions;

"(B) the methods used in, and the facilities and controls used for, the manufacture, processing, and packing of such drug are inadequate to preserve its identity, strength, quality, and purity;

"(C) the information submitted to him by the applicant as part of the application was insufficient to permit the Secretary to accomplish all the tests necessary to determine whether such drug is safe for use under such conditions;

"(D) evaluated on the basis of tests conducted under section 513 and all information submitted to him by the applicant, there is a lack of substantial evidence that the drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the proposed labeling thereof;

"(E) upon the basis of the tests conducted pursuant to section 513, and upon the basis of information submitted to him as part of the application and any other information before him with respect to the drug, the tolerance limitation proposed, if any, exceeds that reasonably required to accomplish the physical or other technical effect for which the drug is intended;

"(F) based on a fair evaluation of all material facts, such labeling is false or misleading in any particular; or

"(G) such drug induces cancer when ingested by man or animal or, after tests which are appropriate for the evaluation of the safety of such drug, induces cancer in man or animal, except that the foregoing provisions of this subparagraph shall not apply with respect to such drug if the Secretary finds that, under the conditions of use specified in proposed labeling and reasonably certain to be followed in practice (i) such drug will not adversely affect the animals for which it is intended, and (ii) no residue of such drug will be found (by methods of examination prescribed or approved, by the Secretary by regulations which regulations shall not be subject to subsections (c), (d), and (h)), in any edible portion of such animals after slaughter or in any food yielded by or derived from the living animal;

he shall issue an order refusing to approve the application. If, after such notice and opportunity for hearing, the Secretary finds that subparagraphs (A) through (G) do not apply, he shall issue an order approving the application."

(d) Paragraph (3) of subsection (d) of such section is amended by striking out ", including field investigation,".

(e) The first sentence of subsection (e)(1) of such section is amended by striking out "subparagraph (H)" in subparagraph (B), and inserting in lieu thereof "subparagraph (G)".

Sec. 6. This Act shall become effective two years after the date of enactment, but to the extent that facilities and funds are available, the Secretary of Health, Education, and Welfare, shall conduct tests and investigations on new drugs submitted to him for approval under sections 505 and 512 of the Federal Food, Drug, and Cosmetic Act, as amended, prior to the effective date of this Act.

Mr. NELSON. Mr. President, in the Bulletin of the Atomic Scientists for January 1969, there appears an article by Dr. William O'Brien, associate professor of preventive and internal medicine at the University of Virginia, entitled "Drug Testing: Is Time Running Out?" The answer is clearly "yes," as reflected by Dr. O'Brien's article which is confirmed by the testimony of the expert medical authorities who have appeared before the Senate Small Business Committee's Monopoly Subcommittee in its study of the drug industry.

According to Dr. O'Brien:

Over the past 30 years, this country has experienced several major therapeutic disasters. Many patients were needlessly killed or badly injured by indiscriminate use of certain new drugs. It is said that this is a price we must pay for progress. If a good scientist examined the records of these dis-

asters, he would have to conclude that if testing were conducted in a totally impartial, highly scientific manner, all of these catastrophes could have been avoided. But the Pollyannas of the drug industry assure us that new disasters are impossible.

A few Cassandras, however, prophesy even worse calamities. Pharmaceutical companies are producing new and highly toxic compounds at a startling rate and the number of new drugs being introduced for clinical testing is rapidly increasing.

Dr. O'Brien also points out that evaluations of these drugs are not getting any better:

In 1960, McMahon and Daniel, reporting in the Canadian Medical Association Journal, found only five percent of published trials met even the crudest scientific standards. The trials I reviewed in 1967 were not any better.

Although the FDA is charged with the grave responsibility of assuring that the drugs permitted to be marketed are both safe and efficacious, the decisions they make are based upon the evidence submitted to them by the very companies which seek to market the drug. As the law reads at present, the Food and Drug Administration determines the safety and efficacy of a drug solely on the basis of information supplied by the drug company making the application. The pitfalls inherent in this arrangement are many.

The dangers involved in the dependence on drug firms to perform, direct or arrange for the testing of drugs in which they have a financial interest is obvious. Since drug firms are anxious to get new drugs on the market and to increase their sales volume there is an inevitable tendency—no matter how conscientious the firm—to emphasize the positive features and deemphasize the negative. Many of the people they engage to do their testing are equally anxious to secure additional contracts for drug testing. FDA has found that the accuracy and objectivity of some of these drug testers leaves much to be desired.

A physician who turns in unfavorable reports on the drugs he is testing may not have his contract renewed. The simple fact is, that in case after case, some firms have been guilty of misrepresenting, distorting and even withholding information developed in their testing of drugs which might in any way be detrimental to their application to market them. Injury and deaths have resulted from such actions.

In the testing of the drug MER/29, for example, toxicological data was altered by officials of the Richardson-Merrill Co. to prevent the FDA from getting a true picture of the drug's dangers. For this the firm was convicted in a criminal case, with officials getting suspended sentences.

Again, in connection with the thalidomide case now going on in Europe, evidence was developed that even though two witnesses had supplied information raising serious doubts about the use of this drug, their findings were ignored and this resulted in great tragedy for thousands of families with deformed babies.

Still more, the subcommittee's hearings record shows that in the testing of the drug, Dornwall, manufactured by Wallace & Tiernan, the company "knowingly and willfully concealed material information and submitted false and fictitious statements in writing and orally to the FDA." Unfortunately some people died as a result of taking this drug, as noted in a letter dated June 5, 1961, to the then Attorney General of the United States from Dr. Herbert Ley, who was at that time Director of the FDA's Bureau of Medicine. I will quote from this letter: "in which they—the company—knowingly and willfully concealed material facts from the Food and Drug Administration, to wit, medical evidence that Dornwall was the causative agent of a severe and often fatal blood dyscrasia—disorder—in man."

The firm pleaded nolo contendere and was found guilty.

The drug, Flexin, a product of McNeill Laboratories—a subsidiary of Johnson & Johnson—is another example of a "company knowingly and willfully concealing information in making its application to the FDA." Again, some people died of hepatitis which they contracted as a result of taking this drug. In a letter dated April 20, 1964, to the then Attorney General of the United States from Mr. William W. Goodrich, Assistant General Counsel, Food and Drug Division, the following information is contained:

The firm (McNeill Laboratories) had been informed of 50 cases of Flexin-related liver damage including 11 deaths.

All of these situations, Mr. President, are due to withholding of vital information from the U.S. Government by some of the members of the drug industry in their efforts to get new drugs on the market. In many of these cases the firms involved were convicted in criminal cases brought by the Government against them, but because the firms were allowed to plead nolo contendere there was no trial with attendant publicity.

Both the past and present Commissioners of the Food and Drug Administration have expressed their dissatisfaction with the way in which drugs are being tested at present.

In a speech before the Pharmaceutical Manufacturers Association as long ago as 1966, Dr. James L. Goddard, then Commissioner of the Food and Drug Administration said:

I have been shocked at the materials that come in. . . . In addition to the problem of quality, there is the problem of dishonesty in the Investigational New Drug stage. . . . I will admit there are gray areas in the IND situation.

But the conscious withholding of unfavorable animals or clinical data is not a gray-area matter.

The deliberate choice of clinical investigators known to be more concerned about industry friendships than in developing good data is not a gray-area matter.

The planting in journals of articles that begin to commercialize what is still an Investigational New Drug is not a gray-area matter.

These actions run counter to the law and the ethics governing the drug industry.

The present Commissioner of Food and Drug Administration, Dr. Herbert Ley, says very frankly that we have not yet seen the degree of improvement in the quality of clinical data from drug testing which we must have. In a speech before the Educational Conference of the Food and Drug Law Institute last December, Dr. Ley disclosed that out of 406 drug marketing applications received by the FDA in 1967, only 59 were approved.

He said:

More than half suffered from deficiencies in clinical studies and inadequacies in efficacy data and many were so low in quality as to be not approvable.

When Dr. Ley appeared before the committee on May 27 of this year, he further amplified his views by saying:

The major problem in industry submissions to FDA is still the poor quality of both the basic data and the summaries. The most important single step that industry can take to speed up the processing of new drug applications by FDA—and to improve the chance for new drug approval—would be to ensure that the data presented in support of efficacy is true to the statutory requirement of well-controlled studies.

Mr. President, the frequent use of potent drugs to treat disease demands better methods and more safeguards. It is crystal clear that the prevention of dangerous drug reactions begins with the evaluation of the drug. It is equally clear that there is imperative and urgent need for a better system for the testing of drugs prior to their approval for marketing. Steps must be taken to reduce the possibility of bias to a minimum. One way or another, testing of drugs should be done by specialists who have no direct relationship with the manufacturer, who cannot benefit financially from the results, who are not motivated even subconsciously by the desire to get anything but the truth. We must remove the responsibility for testing drugs from the applicant who has a financial interest in the drug, as well as from those who are paid directly by the company to evaluate it. This responsibility must be placed with an evaluating group which has no interest at all in whether or not the drug gets into the market other than the interest of the public.

FDA has made some strides in its efforts to correct the inadequacies of the present system of drug testing, but it has a long way to go.

There has not been sufficient support from organized medicine for correcting these inadequacies and the Government must therefore step in to protect the American people. For this reason I have today introduced this bill to establish an evaluation and testing center for drugs.

Mr. President, I ask unanimous consent that Dr. O'Brien's article as well as an article by Mr. Morton Mintz on this subject entitled "The Immunization of Drug Testers," which appeared in the Washington Post of January 9, 1969, and the previously mentioned article from the Bulletin of the Atomic Scientists be placed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Jan. 9, 1969]

THE IMMUNIZATION OF DRUG TESTERS

(By Morton Mintz)

The quality of testing of prescription drugs is one of those problems whose complexities elude the grasp of most of us but whose im-

plications are of life and death importance. For if poor testing is allowed to conceal from a physician that a medicine is useless, inferior of even positively harmful, it is not the doctor but the patient (or hundreds, thousands or even millions of patients) who may be exposed to needless exploitation, delay in obtaining effective therapy and even injury or death.

Periodically something happens to make the problem surface. There were, for example, congressional investigations by the late Sen. Estes Kefauver, Rep. L. H. Fountain and former Sen. Hubert H. Humphrey. Some testing was "superb," Humphrey once said. He found other instances of outright fraud. But much more often, he said, "mediocre and substandard testing was . . . conducted on good, bad, or indifferent drugs."

Humphrey's inquiry ended in 1964, when he ran for Vice President. Then, just three years ago, a tired industry-oriented Food and Drug Administration got a new Commissioner with a rock 'em, sock 'em style. A mere 11 weeks after Dr. James L. Goddard was sworn in he told the Pharmaceutical Manufacturers Association that he was "shocked at the quality" of much of the test data PMA members had submitted to the agency. "The hand of the amateur is evident too often for my comfort," he said.

Last July 1, Dr. Herbert L. Ley Jr. succeeded Dr. Goddard. Dr. Ley's style is anything but rock 'em, sock 'em. For five months he made no public speeches at all. But when he did, last Dec. 3, he, too, focused on unsatisfactory testing of drugs.

"I must tell you frankly that we have not seen the degree of improvement in the quality of clinical data from drug investigations that we would like," Dr. Ley told an educational conference sponsored by the FDA and the Food and Drug Law Institute.

He documented his point with a capsule review of the 406 drug-marketing applications received by the agency in the fiscal year ended last June 30, Only 59 were approved—about one-fifth as many as were so low in quality as to be "not approvable." Of the rejected applications, Dr. Ley said, more than half "suffered from deficiencies in clinical studies and inadequacies in efficacy data."

"I intend to give this matter renewed attention . . . and possibly call upon experts outside the agency as well to see if we cannot find means to correct existing shortcomings," he said.

As if to underscore his point, the FDA soon thereafter disclosed that it intends to halt the sale of six antibiotic-containing combination drugs for which investigation showed there was little if any scientific evidence of efficacy—but which nonetheless were widely advertised and, over the years, prescribed for millions of patients.

Two days after Dr. Ley spoke, support came from an unexpected quarter. In the Dec. 5 *Medical Tribune*, spokesmen for two major pharmaceutical houses were reported to have made a joint statement in Geneva, Switzerland, that despite improvement in recent years, "the vast bulk of clinical work with new drugs that is published is of abysmally low quality."

This fact often is held against the drug industry, Drs. H. Bloch of CIBA, Ltd., in Basel and G. E. Paget of Smith Kline & French Laboratories, Ltd., acknowledged at a meeting sponsored by the Council for International Organizations of Medical Sciences in cooperation with the World Health Organization and the United Nations Educational, Scientific and Cultural Organization. But, the two doctors said, "it is as much to industry's disadvantage as to medicine's that this situation exists. This unsatisfactory state of affairs does not come about because industry seeks third-rate investigators to carry out these [drug testing] trials in the hope that they will thereby obtain an unreasonably favorable outcome . . . It arises because of the dearth of investigative facilities and first-class investigators throughout the world." As they saw it, the answer lies in "a complete revolution in the attitude of medical schools and teaching hospitals to the clinical investigation of drugs and the training of investigators."

Their advice is not out of proportion to the seriousness of the problem. But alone it is not enough. The Government might well look upon the training of drug investigators as a public health necessity and pay the bill. Apart from that, as witnesses have told the continuing drug hearings led by Sen. Gaylord Nelson, steps must be taken to eliminate the possibility of bias in testing. As it is, manufacturers commission testing. Those who do it know what company is paying the bill, whether a gift to a favored medical school may somehow be in the balance, whether there will be such forms of ego massage as honorariums for speaking at a conference in a distant city, whether a favorable result will cause a rise on the stock market from which personal advantage may be derived.

One way or another, testing should be done by specialists who do *not* know the identity of the manufacturer, who *cannot* benefit financially from the result, who are *not* motivated even subconsciously by a desire to get anything but the truth. If war is too important to be left to the generals, so is drug testing too important to be left to manufacturers and to investigators who have not been immunized against possible bias.

[From the Bulletin of the Atomic Scientists, January 1969]

DRUG TESTING: IS TIME RUNNING OUT

(By William M. O'Brien)

(NOTE.—Dr. O'Brien, who is associate professor of preventive and internal medicine at the University of Virginia, Charlottesville, discusses the hazard of drug testing in the diseased human being. He contends that the FDA should be strengthened by improving its scientific status and upgrading the quality of its scientists; that drug testing should be taken out of the hands of the pharmaceutical industry, which he criticizes for showing unwarranted optimism about drugs.)

The vast majority of physicians feel that the best way to test drugs is to use the "art of medicine"—every doctor should be allowed to try out a new drug and see how it works, and the doctors' testimonial should be sufficient evidence. After all, shouldn't a drug be tested and judged just as it is used—by the physician in his office?

A second approach considers medicine to be a science and not an art, and demands rigorous experiments in drug testing. Since the course of most diseases is highly variable, a control period is essential. Testing a new drug implies a comparison with a standard established remedy or, if there is no evidence that drugs in any way benefit the disease being studied, a comparison with an inert dummy medication, usually referred to as a placebo. The drug and placebo treatments are randomly assigned to comparable patients and, to avoid any possible bias, the physician evaluating the response and the patient are unaware of which medications are active. The second approach is rarely used. Most clinicians are skeptical of controlled trials, and particularly distrust the final statistical analysis which is required to insure that the investigator has not been misled by chance or deceived by natural fluctuations in disease activity. Drug companies prefer the first approach; uncontrolled trials are easier, and the resulting testimonials are apt to be favorable. A famous physician once remarked: "Drug trials can be divided into two groups; enthusiastic trial with no controls and controlled trials with no enthusiasm."

The uncontrolled trial—the "art" of testing new drugs—is, however, full of logical traps. Caring for disease is depressing, and both physician and patient may become wildly enthusiastic about new remedies. Sir William Osler is reputed to have remarked: "We must use drugs quickly before they lose their power to heal." A new drug is introduced, has its fling, and then is discovered to be of little value or comes to be associated with severe toxic reactions. This pattern has repeated itself over and over again.

FLIPPING THE COIN

Another trap concerns the widely used technique of placebo substitution. Consider a disease with a highly variable course. Let us suppose that a patient has just experienced a severe exacerbation of disease activity. The physician, confronted with a patient who is doing poorly, decides to start a promising new drug. He gradually increases the dose of the drug, and eventually the patient has a remission of the disease process. Now the physician substitutes an inert dummy medication, a placebo, and the patient soon gets worse. He repeats the process several times, and each time obtains a verdict in favor of the drug. But has the favorable effect been due to the drug, or is it due to the cyclical nature of the disease? This is the same fallacy as a coin-flipping game with the rules which require that if it's heads I win; but if it's tails, you don't win, we flip again. Under these circumstances, it is hardly a fair game; if the game goes on for a number of coin tosses, the chances of your winning becomes virtually nil. Placebo substitution is an example of just such a logical fallacy, since the physician can decide to substitute the dummy whenever he wishes. The rules of the game must be determined before the game begins, not during the play.

In a recent congressional hearing on the adequacy of drug testing, when the fallacy in the placebo substitution technique was pointed out, a vice president in charge of research at one of the largest drug companies defended it: "To imply that these clinical investigators purposely chose to institute placebo at the point in the patient's disease when the patient is about to experience an exasperation of his illness, is sheer nonsense, and is a reflection on the scientific integrity of the observer and also on his moral character." Most physicians would agree, and would still prefer the "art" approach, in spite of this and many other fallacies in the use of these uncontrolled techniques.

A final problem in the art of drug testing revolves around payment for the tests. The companies must have favorable reports in order to market new products. If a physician constantly produced scientifically sound but unfavorable reports, would he continue to receive support from the drug industry? My experience would indicate that he would not. If a physician consistently produced favorable testimonials, would he receive generous support? One physician is known to have received considerably more than $32,000 for results of drug tests praising new remedies over a two-year period. The Food and Drug Administration (FDA) later produced evidence that these trials involved gross fraud and the physician was convicted in Federal Court. This is hardly an isolated example. Marketing of the pain killer Norgesic was based on tainted data, and numerous other instances could be cited. One wag suggested a second way to classify tests: "Drug trials can be divided into two groups: fraud and gross fraud."

DRUG PROMOTION

I am a specialist in rheumatic diseases, and through my career I have watched the development of a series of new drugs for the treatment of rheumatoid arthritis. I, and many other rheumatologists, have considerable doubt that any drug is really effective in arresting the course of rheumatoid arthritis, so surely our first concern should be *primum non nocere:* first not to injure the patient. Often it seems, however, that for the long-suffering arthritic the purported cure is worse than the disease.

Early in my career, corticosteroids were being widely acclaimed. Unfortunately, they cause a variety of severe and even fatal side reactions including psychoses, peptic ulcers, osteoporosis, fractures, cataracts, diabetes, and so forth. Another great hope was phenylbutazone, which was moderately effective, but which unfortunately caused peptic ulcers, and even worse caused severe depression of the bone marrow and occasionally resulted in leukemia. Next was chloroquine, which was relatively weak, but seemed almost free of side effects.

Unfortunately, after a few years of therapy, some patients became totally blind. Then came indomethacin, another rather weak drug, which had numerous serious side effects. More recently dimethylsulfoxide (DMSO) was proposed as a panacea. This drug probably has no effect at all, but acts as a classical counter irritant. When rubbed on the skin, it causes redness, scaling, burning, and pain—the skin hurts so badly that the patient forgets his arthritis. Some patients developed ocular changes, and a few died of shock after receiving DMSO; human use of the drug is now prohibited. Today, we are beginning the era of the immuno-suppressives, which can cause total depression of the blood-forming elements in the bone marrow. These are the most dangerous agents ever used in treating rheumatoid arthritis, and we can only wait to see what will result.

THE INDOMETHACIN STORY

Indomethacin is a good example of how a drug is tested and promoted. The drug was developed at the research laboratories of Merck, Sharpe and Dohme, and the basic studies represented careful pharmaceutical research. By 1964, extensive clinical testing of the drug was underway. The only requirement of present U.S. law is that a drug be safe and effective as labeled. Advertising is legally defined as labeling. By June 1965, the FDA felt that the drug met these requirements and that it was relatively safe if used as labeled, so they allowed the drug to be marketed.

Merck immediately embarked on an ambitious advertising campaign. By early 1966, most medical journals contained eight-page color advertisements with headlines stating that indomethacin was "the most promising antirheumatic agent that has been made available for clinical investigation since the introduction of cortisone." Many physicians might misinterpret this statement as meaning the drug could be used in any rheumatic disease. In fact, it has been tested and approved in only four specific diseases. The advertisements also stated in large type that the drug "extends the margin of safety in long-term management of arthritic disorders." Again, this implied that the drug was safer than other drugs and it could be used in any form of arthritis. Unfortunately, it did not specify what indomethacin was safer than.

The advertisements also contained four testimonial statements by eminent practitioners, two of which stated indomethacin was "the drug of choice," implying this drug in comparisons had been found more effective than other drugs when in fact such comparisons had not been made. One physician claimed that he had found the drug "extremely helpful in over 500 patients." Later, FDA officials indicated Merck's own records revealed the physician had never treated anywhere near 500 patients. The claim was also made that the drug did not increase susceptibility to infection. They omitted mentioning that these claims were based on experiments in a few rats with a system involving bacterial endotoxins, evidence which certainly could not be projected to claim that all infections in human beings would behave in a similar fashion. In fact, the drug increases human susceptibility to infection. Further, the advertisements stated periodic blood counts were not necessary, implying that the drug did not depress the bone marrow: the drug is known to cause total fatal marrow depression.

The direct promotion of the drug to physicians seemed even more distorted than the advertising. One regional sales manager instructed detail men under his supervision: "It is obvious that Indocin will work in that whole host of crocks and cruds which every general practitioner . . . sees everyday in his practice." (The drug is too toxic for routine use in minor complaints, and the "crocks and cruds" indicates considerable contempt for the public.) Further, the salesmen were told to play down side effects.

A SEMANTIC PROBLEM

In the summer of 1966, officials of the FDA demanded that Merck drastically alter its advertising. Officials felt that the advertising did not contain sufficient information on toxicity and overstated the usefulness of the drug, particularly in implying that it could be safely used in any form of rheumatic disease or arthritis. Merck complied for a brief period, but in November 1966 the firm began an even more objectionable campaign, resulting in a second crackdown, and a request by the FDA to the Justice Department that the company be criminally prosecuted for the November advertisements. At the Senate hearings on indomethacin, the president of Merck and Company pleaded:

"Language is not a perfect method of communication, and it may well be that words and phrases that we used in the belief that they mean one thing may have been interpreted by some physicians to mean something else. Such are the complexities of semantics."

This company's advertising converted the legally approved labeling of "Indocin itself may cause peptic ulceration . . ." unto "Ulceration of the stomach . . . has been reported." The difference is hardly semantic, since the second statement implies doubt as to causality, while the first does not. Even worse "semantic" difficulties were arising over the use of the drug in children.

In late 1964, the FDA had recommended to Merck that the prescribing directions for the drug state that this drug should not be used in children. No experiences in children had accumulated and children often react differently to drugs than do adults. Unfortunately, in the prescribing directions issued with the drug, this warning was altered to read "not recommended for use in children," rather than an absolute prohibition. In the fine print in the advertising, this was further changed to "Safety in pediatric age groups . . . has not been established," implying that the drug was safe in children, but little experience had accumulated as yet.

This language was, indeed, not a perfect method of communication, and physicians did use the drug in children. By July 15, 1966, the FDA had learned of sudden deaths due to overwhelming infection in several children receiving indomethacin. The officials requested that Merck immediately warn all American physicians by letter against the use of this drug in children. In addition, the FDA required that the labeling include additional warnings, contraindications, and clear indications of adverse reaction and precautions.

By November 1966, the Canadian Food and Drug Directorate became increasingly concerned about deaths in children. Rather than rely on the company to warn physicians, the Directorate sent letters directly to every Canadian physician, stating:

"Several deaths have been reported in children with severe forms of rheumatoid arthritis, dermatomyositis, and rheumatic fever who were receiving indomethacin. Some of these children succumbed to an intercurrent infection, the severity of which may have gone unrecognized during treatment. The exact relationship to indomethacin was difficult to determine in these reports. However we recommend that indomethacin should not be used in children until the results of further studies become available."

A PILL PER ILL

In early 1967, further disquieting news appeared. Previous evidence of the effectiveness of indomethacin had been based almost solely on testimonials by physicians and much of this information had never been fully published in reputable scientific journals. In early 1967, for independent, careful, double-blind trials were published in leading medical journals. In these trials two groups were used, one receiving indomethacin and another receiving some contrast medication (either a standard drug such as aspirin or an inert dummy). Neither the physician nor the patients knew which capsules were active. All four of these independent scientific trials (none of which relied on art or clinical opinion) failed to show that indomethacin had any more potency than simple aspirin. The trials could not substantiate any of the claims made in previous reports, which had indicated that 60 per cent of patients had improved.

The company declared some of these trials were totally invalid and in later testimony urged that drugs be evaluated in an uncontrolled fashion by physicians who were expert in the treatment of rheumatic diseases. While no one could question that many of the company-sponsored physicians were expert clinicians, the question of whether they were performing scientific experiments remains unresolved. The company also implied in later testimony that the controlled trial is something new in medicine. An excellent controlled trial was performed in 1747 on board the British warship *Salsbury* by Dr. James Lind. Twelve seamen with scurvy were divided into six groups of two. He tried different therapeutic regimens on the similar groups and found that only the two sailors who received citrus fruits were cured. The technique of controlled experimentation is hardly anything new in either science or medicine and the issues in drug testing really boil down to art versus science and testimonials of "experts" versus numerical evidence.

Certainly the public desperately hopes that the medical profession will provide a pill for every ill. The public realizes that pharmaceuticals are important and represent a potential cure for any disease. But the public is also coming to realize that they may be killed by drugs, and particularly, that they may receive new and untested drugs without even being informed of the potential dangers. Even worse, the physician himself may be unaware of the potential dangers of the drug. The medical profession responds that every physician should use new drugs and get acquainted with them and that it is only in this way that the public will receive instant benefit from latest advances. Doctors certainly like to try the newest remedies. About one third of American thalidomide babies were born to wives of physicians who had received free samples of the drug.

SPEND $900 MILLION ON ADS

The average physician's utilization of drugs is at best disturbing. In a study of 408 cases of bone marrow depression due to chloramphenicol, of which one half resulted in death, the drug was prescribed for a valid reason in only six per cent of the cases, and was given for common colds in 12 per cent. The drug industry spends about $3,500 per physician on salesmen who personally "detail" the doctor on the latest breakthroughs. A total of $900 million is spent on advertising, about three times the amount spent on medical education. And the advertising is successful. A recent survey of drugs dispensed by the mail order drug service of the American Association of Retired Persons revealed that Peritrate, an expensive, long-acting dilator of the coronary arteries, was the most commonly prescribed drug in old persons. This is indeed a triumph for the hard sell Madison Avenue campaign which modestly

billed the drug as "life sustaining," for several careful scientific trials have shown the drug has no pharmacologic effects of any kind on coronary artery disease. Of the 12 top drugs prescribed for these retired persons, two were expensive substitutes for aspirin, and four were expensive substitutes for phenobarbital. The use by physicians of fancy, dangerous, and expensive substitutes for old standard remedies undoubtedly contributes to the staggering costs of medical care.

In a survey of 1,014 consecutive medical admissions at Yale University's teaching hospital, 10.3 per cent of patients had a drug reaction; in 1.4 per cent the reaction threatened the patient's life; and in 0.4 per cent the patient died as a result of the reaction. A similar survey at Johns Hopkins of 714 medical patients revealed 17.1 per cent had reactions and 1.55 per cent were fatal. Even if only one-tenth of one per cent of all hospital admissions died of drug reactions, the deaths would approach 29,000 per year. Deaths due to drugs would be a major public health problem comparable in importance to infectious disease, cancer of the breast, and nephritis as a cause of mortality. I would be the first to admit we have no idea what the magnitude of the problem is, but I would violently disagree that no problem exists.

Physicians are not legally required to report drug reactions to the FDA. In fact, it is to their advantage not to report reactions since it might involve them in a possible lawsuit on the part of the injured patient. Just what percentage of drug reactions are not actually reported is unknown, but most informed sources feel that it is less than one per cent. Lowinger recently reported in Science magazine that only 10 of 26 reports on drug safety which he had submitted to 19 pharmaceutical manufacturers had ever been forwarded to the FDA. He further stated that 14 companies which failed to submit toxicity reports included some of the largest and most scientifically capable pharmaceutical houses. We do not know the extent to which adverse reactions to drugs are a problem in American society, and probably we will never know since the physician and the drug company both attempt to conceal evidence of toxicity.

NATIONAL TESTING POLICIES

The medical profession has generally felt that the practitioner should be allowed to use any drug in any way he sees fit. Attempts to control his use of drugs or to prevent him from using new compounds would be interpreted as an infringement of his basic right to practice medicine and to prescribe in a way in which he sees fit. The FDA does not actually prevent doctors from experimenting with new drugs, but does request the physician to register with the agency, keep accurate records, and that either he or his sponsor promptly informs the agency of adverse reactions. The American Medical Association, which receives over half its income from drug industry advertising, has not been vigorous, in fact not even feeble, in demanding careful clinical testing, honest advertising, or the control of highly toxic drugs.

The pharmaceutical industry itself has demanded a hands-off attitude and has vigorously fought every attempt at any inquiry into drug testing or drug toxicity and has opposed all legislation aimed at controlling drugs in any way. It has done little to police itself and undoubtedly will do little in the future. The industry has established warm and cordial relationships with, and donates funds to, medical organizations. In return, the pharmaceutical industry has an undue influence over the policies of these organizations.

America's great disease-oriented foundations, that rely on public contributions to study cancer, heart disease, arthritis, and so forth, have not made any major attempt to protect the public against drug reactions. This is perhaps understandable, since most of the fund-raising abilities of these organizations is based on promising the public a cure, usually by drugs, and scary stories about toxic reactions to drugs will hardly help fund raising. Furthermore, these foundations have strong ties with the drug industry.

The nation's medical schools are too poor financially to do much to promote either better trials or good postgraduate education on the use of drugs. The faculty of medical schools probably represents the only major source of physicians with the talent and skill required to scientifically test and evaluate new drugs. Contrary to what most people believe, the drug industry is not pumping money into medical schools to support research on drugs. During 1965–66 the medical schools' total expenditures for sponsored research was $375 million. Of this, they received $3 million from nongovernment sources for unrestricted research. If one assumed half of this came from the drug industry, this would amount to about one half of one percent of the total research budget of the schools. The widely publicized Pharmaceutical Manufacturer's Association Foundation, which devotes itself to the "betterment of public health," had awarded only $55,000 in faculty development awards in clinical pharmacology up to the end of 1967. A few companies—notably Burroughs Welcome—provide excellent faculty fellowships, but these are few and far between—about 20 in the entire country. Considering the numbers of MDs and PhDs which the drug industry consumes annually, they may actually make no net contribution and may even represent a drain on the resources of the schools.

NIH SUPPORT

The only substantial source of support for good testing and research on drugs comes from the National Institutes of Health (NIH). The total expenditures for support of research on drugs are about $50 million, of which $3.5 million is specifically earmarked for drug testing. This amount, less than five percent of the total NIH budget, is hardly enough to support all the work that needs to be done. Because of the difficulties in obtaining funds for clinical pharmacology, most departments have drifted to where the money is: basic molecular biology. The result has been good, but medical pharmacology has become lopsided. Most departments are headed by molecular biologists, and emphasize basic research. Only two or three real departments of clinical pharmacology are to be found in the entire country. The bright young clinical investigator finds support difficult to obtain for testing drugs, and tends to gravitate into other areas where funding is easier to obtain.

Unfortunately, many medical school investigators whose research programs are funded by NIH also receive personal honoraria from the drug industry. While federal funds are paid only to the medical school and can be used as prescribed in strict budgets, the industry funds may be received as personal income outside the framework of medical school salary scales. Some of these investigators seem far more concerned about the welfare of the pharmaceutical industry than they do about the tax-paying public, even though the public actually provides most of their support. The industry has every right to pay their consultants as they see fit, but publicly-supported investigators should not be permitted to be involved in serious conflict of interest.

The FDA is the only real organization solely devoted to protecting the American public. This agency is the stepchild of two great drug catastrophes: the Food, Drug and Cosmetic Act of 1938 was passed as a result of the elixir of sulfanilamide catastrophe in which 108 children died, and the 1962 Harris-Kefauver amendments were enacted because of the thalidomide catastrophe. The powers of this agency are limited by law and the officials are subject to political pressure. If anyone in the medical profession wishes to criticize or belittle the FDA, he can find an immediate audience in almost any medical journal and his efforts will bring him rich rewards from the pharmaceutical industry. Claims are continually being made that the agency is interfering with research and depriving the public of life-saving drugs. The truth, more likely than not, is that the agency has prevented doctors from poisoning patients with some new, expensive drug of questionable merit.

This agency has a long way to go. Under Commissioner James Goddard many improvements came about. Officials gradually began to insist on better quality trials, and a crackdown on false advertising was begun. Although Goddard was overly frank, and the drug industry capitalized by both misquoting him and exploiting his candor, the public owes him a great debt for improving the Administration. There is every expectation that his succesor, Dr. Herbert Ley, will continue to serve the public interest, and see that the FDA becomes even more effective in its mission.

FUTURE THERAPEUTIC CATASTROPHES

Over the past 30 years, this country has experienced several major therapeutic disasters. Many patients were needlessly killed or badly injured by indiscriminate use of cetrain new drugs. It is said that this is a price we must pay for progress. If a good scientist examined the records of these disasters, he would have to conclude that if testing were conducted in a totally impartial, highly scientific manner, all of these catastrophes could have been avoided. But the Pollyannas of the drug industry assure us that new disasters are impossible.

A few Cassandras, however, prophesy even worse calamities. Pharmaceutical companies are producing new and highly toxic compounds at a startling rate and the number of new drugs being introduced for clinical testing is rapidly increasing. What are the possibilities of another major drug disaster? Dr. H. Friedman, in a letter to Science magazine, stated:

"Let us assume that a drug (such as a combination psychic energizer and diuretic) with no known side effects is aggressively promoted and very widely used throughout North America and Europe. Some 16 years after its adoption, the first hints of unexpected side effects begin to appear and several more years are required before they are confirmed. All children born to mothers using this drug during the first three months of pregnancy (effective as it is for morning sickness) are found to be sterile. The use of the drug for 20 years has affected the larger proportion of an entire generation so that populations of countries affected will drop sharply for several decades and require several additional decades to recover if given the opportunity.

"The effects of thalidomide were relatively easy to discover and limit, but how readily can we detect more subtle effects in time to prevent the possibility of a history-changing catastrophe? In contrast to such a situation, the individual tragedies attributed to past and present drugs would seem rather tolerable."

All the elements for vast future catastrophes are present: lots of new, highly toxic drugs, sloppy and dishonest testing, and hard-sell, dishonest advertising campaigns, to which the average doctor is highly susceptible.

WHAT CAN BE DONE?

I think we can expect little stimulus for correcting the inadequacies of our present system from organized medicine. Physicians' organizations and our disease-oriented foundations have been sweethearts and finan-

cial dependents of the drug industry too long to desire any effective change: drug testing must be cleaned up.

Tests are not getting any better. In 1960, McMahon and Daniel, reporting in the Canadian Medical Association Journal, found only five per cent of published trials met even the crudest scientific standards. The trials I reviewed in 1967 were not any better. The doctrine that other parts of medicine are science, but that drug testing is a mystic art which can be performed by only uncontrolled dabblings of so-called experienced clinicians is a sham. Further, it is ethically unacceptable to subject human beings to dangerous drugs unless the experiments are scientifically excellent. The FDA has made some feeble beginnings, but society must demand that only scientific experiments which produce meaningful numerical results be acceptable. Drug testing should be taken completely out of the hands of the pharmaceutical industry. They have repeatedly been guilty of irresponsible optimism about drugs, and their use of paid testimonials is a shallow substitute for good scientific trials.

The distorted Madison Avenue approach used in the promotion and advertising of drugs must be completely eliminated. How can society, which spends only $250 million on medical education, idly stand by and watch the drug industry spend $900 million annually on the post-graduate miseducation of physicians? The public eventually foots not only the bill for the advertising, but also the bill for the new, dangerous, fancy substitutes for the old established remedies. The annual $5 billion drug bill could easily be reduced by $2 billion. Claims that advertising is necessary, and that promotional efforts serve a useful purpose are a joke. The physicist would hardly think of announcing the discovery of a new particle by an aggressive advertising campaign. Why can't physicians get information on new drugs from scientific journals? This is exactly the manner in which they learn about the latest observations on complications of pneumonia, or electrocardiographic changes in heart block.

New legislation is needed. The present laws require only that a drug be safe and effective as labeled. A drug must meet no pressing need, and a more toxic substitute for a standard drug can be marketed. The penalties for violations of the present laws should be increased. Convictions for serious fraud in advertising may carry only a maximum penalty of $1,000 under the present legislation. The penalties are so trivial and prosecution so infrequent, that huge settlements in personal liability suits resulting from drug injuries have a much greater influence on controlling the drug companies' advertising than does federal legislation. A lawsuit to attempt to collect damage for a death is a very poor substitute for preventing the death.

A STRONGER FDA

NIH should surely expand its work in clinical pharmacology, making every effort to upgrade it as a precise science. But simply providing more support is not enough. The public must be assured that investigators who receive public grants are loyal to the public cause, and are not involved in any financial conflicts of interest.

The FDA likewise should be further strengthened. FDA officers receive a constant diet of abuse and rarely if ever congratulation for the vital public service they perform. All of us have a role to perform in refuting frequent unfounded attacks on officials of this agency. At the same time, every scientist should in any way possible prod the FDA to improve its scientific status and the quality of its staff.

Scientists must urge the public not to accept excuses for drug catastrophies or for excessive medical costs due to drugs. The scientist must particularly guard against the jargon games used by the pharmaceutical industry in obscuring any problem. Endless demands for proof positive, suggestions for long-term studies, and frightening announcements that any action will destroy the entire pharmaceutical industry are all part of this game. Dr. I. D. J. Bross, in *Science*, has particularly warned against the fallacies:

"The only way to close the credibility gap is for the spokesmen for science to speak plainly, honestly, and bluntly—without minimizing mistakes, evading responsibility, rewriting history, or otherwise trying to cover up unpleasant facts. Language games in technical jargons have long been a favorite academic sport, but this is too dangerous a game to play when human lives and well-being are at stake."

Finally, the physicist or other scientist who is totally removed from the sphere of medicine and drugs should not ignore this area. Obviously the medical profession itself has been remiss in demanding the highest ethical and quality standards. Nowhere is the American public more exposed to the fruits of good scientific research than when it benefits from drugs which are useful in combatting disease. Likewise, the public is never more conscious of bad scientific research than when it is the victim of a therapeutic catastrophe. We must all face the unpleasant fact that adverse reactions to drugs are major public problems. Surely all scientists should do everything possible in their public roles to see that the quality of scientific research in drug testing is upgraded, and that the public interest is always first.

Mr. NELSON. Mr. President, in his article Mr. Mintz states:

The quality of testing of prescription drugs is one . . . whose implications are of life and death importance. For if poor testing is allowed to conceal from a physician that a medicine is useless, inferior or even positively harmful, it is not the doctor but the patient (or hundreds, thousands, or even millions of patients) who may be exposed to needless exploitation, delay in obtaining effective therapy and even injury or death.

An outstanding story by Walter Rugaber in yesterday's New York Times presents evidence that the drug testing problem in this Nation is even more serious than we on the committee had been led to believe over the long hours of testimony on the subject over the past 2 years.

I ask unanimous consent to have this article placed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRISON DRUG AND PLASMA PROJECTS LEAVE FATAL TRAIL

(By Walter Rugaber)

WASHINGTON, July 28.—The Federal Government has watched without interference while many people sickened and some died in an extended series of drug tests and blood plasma projects.

The profits generated by these activities have gone to an enterprising contractor for the nation's biggest pharmaceutical manufacturers.

The immediate damage has been done in the penitentiary systems of three states. Hundreds of inmates in voluntary programs have been stricken with illness and serious disease. An undetermined number of the victims have died.

In a broader sense, countless millions of American consumers have been involved.

Potentially fatal new compounds have been tested on prisoners with little or no direct medical observation of the results.

Prisoners failed to swallow pills, failed to report serious reactions to those they did swallow, and failed to receive careful laboratory tests.

These studies have generated data that have in turn been used to justify the sale of drugs at prescription counters across the country.

This forbidding trail has been marked out by an Oklahoma-born physician named Austin R. Stough and corporations in which he owns a substantial interest. Despite his importance in two vital fields, he is practically unregulated in either.

As a general practitioner who reports no formal training or education in pharmacology, he is said to have conducted between 25 per cent and 50 per cent of the initial drug tests in the United States.

The 59-year-old doctor, whose companies have been blamed for the repeated use of dangerous methods and inadequate equipment, is estimated to have produced the plasma for about a fourth of an important byproduct that is widely used to protect people exposed to infectious diseases.

These prison-based enterprises have regularly incurred local disfavor. Dr. Stough was evicted from one prison by the Oklahoma authorities in 1964. He was forced out of an Arkansas prison by officials there in 1967. One of his corporations is now under orders to close down prison operations in Alabama.

But Dr. Stough (rhymes with HOW) is said to retain financial interests in some private blood banks in Birmingham and Dallas, and he is known to be seeking connections with prison systems in new areas.

He can do so freely. He has incurred no penalties, and dissatisfaction with his performance in one state has not prevented a repetition of it in another.

The Federal Government and the pharmaceutical industry—the two forces with enough broad power to compel safe practices from state to state—have maintained a general indifference at every turn.

Several agencies within the Department of Health, Education and Welfare have known the details of Dr. Stough's plasma collections and drug tests for years. They have not curtailed them.

Some officials in Washington have attributed their inaction to gaps in the law and in the regulations under which they work, and a shortage of specific Federal standards is occasionally apparent.

But critics in Congress and elsewhere have blamed bureaucratic inertia and timidity for the failure to regulate drug and plasma operations, and a lapse in enforcement is also occasionally apparent.

For example, the Food and Drug Administration employs only a single physician to conduct field investigations of all the studies underway in the United States, and the agency's inquiries rarely go behind the dry scientific data.

METHODS CALLED DANGEROUS

The Division of Biologics Standards, a unit of the National Institutes of Health that is responsible for the regulation of blood products, recently asserted that the safety of plasma donors was not its concern.

Several major pharmaceutical manufacturers have recognized that some of the methods employed by Dr. Stough were extremely dangerous. They continued to support him with large sums of money.

An executive of Cutter Laboratories once acknowledged, for instance, that gross contamination was apparent in the areas where the largest blood plasma operations were conducted. The rooms were "sloppy," he observed.

When a Government doctor asked why Cutter continued to reward such an enterprise with hundreds of thousands of dollars' worth of business, the executive explained that the Stough group enjoyed crucial "contacts" with well placed officials.

FEES AND PARTNERS

These contacts involved, among other things, the payment of sizable retainers to influential lawyer-legislators and the establishment of "partnerships" for a number of prison physicians who remained on the public payrolls.

With neither Government nor industry intruding, with most of their records held in secret, with officials passing the problem on to someone else, Dr. Stough prospered at his work throughout the nineteen-sixties.

He has generally declined to talk with local newspapermen about the controversies involving him. And he recently refused to grant an interview with a reporter for The Times.

"We've taken the position of no comment," Dr. Stough said during a recent telephone conversation with a reporter who had asked to see him. "I don't think we're interested in airing anything in the newspaper."

"We think some people have made a mistake," he remarked, referring to the medical observers, editorial writers and state officials who have assailed him. But, he added, "I'm not looking for revenge on anybody."

Efforts to photograph Dr. Stough were unsuccessful, and an extensive search of newspaper files and other sources turned up the pictures of the physician.

STARTED IN OKLAHOMA

Dr. Stough graduated from the University of Tennessee Medical College, spent a one-year internship in Oklahoma City, and opened a private practice in McAlester, site of the Oklahoma State Penitentiary, late in 1937.

He soon began to serve, on a part-time basis, as the prison physician. With direct access to more than 2,000 inmates, his drug tests began to grow extensively. In the meantime, he started a new endeavor.

On March 25, 1962, the inmates at McAlester began lining up to participate in a medical procedure called plasma-pheresis. Under it, a unit of whole blood is drawn and the plasma, a fluid that makes up about 55 per cent of the blood, is taken out.

The remaining cells are reinjected. That was the critical step on Sept. 19, 1962, when one of Dr. Stough's technicians processed an inmate named Tommy Lee Knott, 47, an illiterate prisoner with a long criminal record.

Knott's blood type was O-positive, but he subsequently charged in a lawsuit that after the plasma had been drawn off, the technician pumped another man's cells, which happened to be A-negative back into his veins.

ORGANS DIAGNOSED

Unfortunately for Knott, his liver, lungs, brain, kidneys and other organs were injured, his nervous system underwent shock, and his weight dropped 58 pounds in 17 days.

In suing Dr. Stough and two associates for $270,000 in damages, Knott also reported that the incompatible blood had caused a double hernia, permanent secondary anemia and a 10 per cent reduction in life expectancy.

The defendants managed to settle out of court for $2,000 after Knott, who had been removed from the penitentiary for treatment, went off on a crime spree that landed him in a small town jail.

Only three months after this inauspicious episode, Dr. Stough embarked on an ambitious expansion effort. The financial rewards inherent in his initial plasma-pheresis program would now be greatly multiplied.

He brought his plasma operation to Kilby Prison, a drab institution near Montgomery, Ala., in December, 1962, and in the following year he began drawing blood in two more of the state's prisons, Draper and Atmore.

In October, 1963, he started a plasma program at the Cummins Farm, a sprawling unit of the Arkansas state penitentiary that was quietly going through an era of general brutality and neglect.

PROTEINS EXTRACTED

Plasma itself can be used in the treatment of shock, but it also contains a number of proteins, including gamma globulin, that can be extracted and employed to counteract a variety of medical difficulties.

The gamma globulin from most donors contains enough antibodies against such diseases as measles and hepatitis to be effective when it is reinjected into a person who has been exposed to those diseases.

This is not the case, however, with diseases such as mumps, whooping cough, tetanus and smallpox. Groups of donors receive vaccinations to build up the antibodies in the gamma globulin intended to treat these illnesses.

The result is known as hyperimmune gamma globulin, and much of the plasma Dr. Stough extracted was used by manufacturers to produce this serum. It can be a hazardous process.

Dr. Stough demonstrated this immediately upon his arrival in Arkansas. Andrew Buddy Crawford, a 45-year-old inmate at the Cummins Farm, received the first in a series of whooping cough shots on Nov. 23, 1963.

DIED AFTER 8TH SHOT

More amounts of the vaccine were injected weekly for a time, and on March 7, 1964, after a two-month lapse, Crawford received his eighth shot. He became ill about a week afterward.

Crawford died slowly and in very painful fashion, and three Little Rock physicians, who reported the process with the lack of patients' names often encountered in medical journals, said it was probably the result of the repeated vaccinations.

It was left to The Pine Bluff (Ark.) Commercial to report, only last January, that the man who died on June 13, 1964, was Andrew Buddy Crawford, and that the program involved was directed by Austin R. Stough.

As a measure of his grip on the market at about this time, a Government source calculated that Dr. Stough's plasma would produce 193,970 cubic centimeters of hyperimmune gamma globulin solution monthly.

Since only about 800,000 cubic centimeters of this type of plasma product were distributed each month throughout the United States, Dr. Stough's output was the source of practically a fourth of the entire national supply.

OTHER PRISONS EYED

"With demand exceeding supply," a Government doctor wrote of the boom, "inquiries were made in other states concerning the possibility of opening plasmapheresis centers in other . . . prisons."

A certain style had developed. In Oklahoma, Dr. Stough himself was the prison physician. The salary of $13,200 a year was inconsequential by his standards, but the standing it gave him within the prison was invaluable.

So, in Alabama, he awarded Dr. Irl R. Long, the senior prison physician, a financial interest in the program. Until a few weeks ago, Dr. Long simultaneously received a salary of $942 a month from the state.

A committee of the Alabama Medical Association remarked in a report issued earlier this year that "this unconscionable situation, regardless of reason, should never have been permitted to come into existence."

The prison physician in Arkansas, Dr. Gwyn Atnip, was paid $20,000 a year for his work in the plasma program there. As a desperately needed doctor among the inmates, he received $8,000 annually from the state.

GOT POLITICAL AID

Dr. Stough also lined up political support outside the prisons, a tactic that demonstrated its importance when members of the Oklahoma Legislature began to ask whether his penitentiary operations were sanctioned by law.

One of Dr. Stough's most vehement opponents was Gene Stipe, then a State Senator. But early in 1963 Senator Stipe changed sides and successfully pushed a bill that firmly established the physician's standing in the prison.

Later it was discovered that at about the time this change of direction occurred and the saving law was enacted, Mr. Stipe, a lawyer, began to receive a $1,000-a-month retainer from the concern headed by Dr. Stough.

A spokesman for the organization asserted that the money was for legal services only. Mr. Stipe agreed. Henry Bellmon, then Governor, expressed displeasure but noted that the state had no applicable conflict-of-interest law.

The political nature of the matter was usually most apparent when Dr. Stough moved to enter the penitentiary system in a new state. His drive on the major prison at Reidsville, Ga., was an example of the technique.

CHECKED WITH CENTER

Dr. Joseph Arrendale, the institution's medical director, one day telephoned Dr. Ronald F. Johnson, then on the staff of the National Communicable Disease Center in Atlanta.

Dr. Johnson had followed Dr. Stough's plasmapheresis operations for some time, and Dr. Arrendale wanted advice. In a memorandum of the conversation, Dr. Johnson reported as follows:

"It was clear that Dr. Arrendale did not favor [a plasma program]. However, he felt that Dr. Stough might be 'bringing political pressures to bear through the state legislature' which could clear the way for such a program."

The Georgia campaign ultimately failed, and a similar move on the state prison at Parchman, Miss., was also turned back. But by then Dr. Stough had encountered serious difficulties in his existing programs.

The five prisons in which he was operating by the end of 1963 all were drastically in need of operating funds, and all exhibited obvious signs of longstanding general neglect.

NO RECORDS

The factors pertinent to Dr. Stough's activities included a lack of medical attention (it bordered on the nonexistent in Arkansas), an absence of records, and an atmosphere of isolation and secrecy.

Still, Dr. Stough's trail remains vivid at each significant turn, and its progress behind the high walls of Kilby Prison serves to illustrate the type of infection that was spread through four other institutions.

By April, 1963, five months after Dr. Stough had opened his plasmapheresis center at Kilby, the incidence of viral hepatitis, an often fatal disease of the liver, was climbing sharply.

From none or one or two cases a month, the disease now rose to more than 20 in a single period. Moreover, the outbreaks held generally firm between 10 and 15 a month through the following November.

The rates then soared again. There were 29 cases in December, 22 in January, 1964, 23 in February, 27 in March, and 27 in April. A tenth of the prison population had been admitted to the Kilby hospital.

Joe Willie Tifton, 46, died on March 18. Emzie B. Hasty, 42, died on April 14. Charlie C. Chandler Jr., 31 died on April 16. David McCloud, 27, died on May 22. Each death was attributed to infectious hepatitis.

Little bits and pieces then began to leak to the outside world. A penciled note from one inmate said, "They're dropping like flies out here."

But a prison spokesman said:

"The doctors are quite confident that there is no connection between the plasma program and the cause of hepatitis and jaundice."

Dr. Stough's partner, Dr. Long, spoke as the senior prison physician.

"That same program is being carried on at Draper and Atmore," he declared, "and there have been no cases reported there."

This assurance was published in The Montgomery Advertiser on May 24.

INMATES AFFLICTED

Actually, the records show that by the end of May, at the time he spoke, 37 inmates had been hospitalized at Atmore and six sent to the infirmary at Draper, all with the same symptoms.

It was not then mandatory in Alabama to report hepatitis cases to the public health authorities, and in that respect Dr. Long overlooked not only the cases at Atmore and Draper but also those at Kilby.

Dr. Ira Myers, the state's public health officer, told the National Communicable Disease Center as late as June 5 that an epidemic "apparently" was under way in the prisons. There was, he said, "no direct confirmation."

The exact number of hepatitis cases in the five prisons was never established and is never likely to be. Too many medical histories vanished, too many were never completed, and too many were improperly kept by "inmate doctors."

Some 544 cases were firmly established, and that conservative figure is the one most often used. But the communicable disease center records also contain estimates of more than 800 and evidence that the figure could run to more than 1,000.

The number of deaths is similarly undetermined. In addition to at least the four in Alabama, there were reports of at least one in Arkansas and at least one in Oklahoma.

The dimensions of the disease were more clearly and precisely stated in sets of percentages, or "attack rates," that measured the incidence of hepatitis among those who gave plasma and those who did not.

At Kilby, for example, 28 per cent of the men who participated in Dr. Stough's program came down with the disease. For those who did not take part, the rate was only 1 per cent.

The rate for participants in one of the barracks at Kilby was 39.1 per cent. At the four other centers, the illness struck between 20 per cent and 26 per cent of the donors and from 0.9 per cent to 1.8 per cent of the nondonors.

FIRST ALLIED TO JAUNDICE

The Federal investigators, reflecting scientific caution, initially referred to the prison cases as "illnesses associated with jaundice." A number of their records employed this phrase.

Jaundice means a yellowish skin, and while it is a symptom of hepatitis its presence is not conclusive. After extensive testing and study, however, the Government doctors concluded:

"The illnesses seen in these prisons seemed to be indistinguishable with viral hepatitis. It is not felt that any serious question of the nature of the illnesses need be entertained."

Hepatitis is a threat in every blood and plasma program, but the careful use of properly designed equipment can reduce the danger virtually to zero. Dr. Stough managed a double play: technique and apparatus both were cited in the epidemics.

The details are complicated, but the general picture drawn by the experts was reflected by K. T. Kimball, an executive of Fenwal Laboratories who had observed some of the plasma operations and who reported to Dr. Johnson of the Atlanta center, according to a written memorandum, as follows:

"Mr. Kimball directed the conversation to the general level of care exercised by Dr. Stough's technicians. He felt that collection of large amounts of plasma in a rapid operation using equipment of simpler design that Dr. Stough approved might easily lend itself to a high level of contamination of technicians' hands and surfaces of tables, equipment, and the actual bags and tubing used in the procedure.

"He felt that contamination of these objects by the plasma of all donors could have occurred, and that absence of strict medical supervision could easily have led to short cuts in and inadequacies of sterile technique."

SAYS HE WAS "APPALLED"

This was equally apparent to Byron Emery, an official of Cutter Laboratories who also visited some of Dr. Stough's operations and who also talked with Dr. Johnson. Another Federal memorandum reported:

"Mr. Emery stated that when he visited Alabama in April, 1964, he was 'appalled at the situation' he found. He said the plasmapheresis rooms were 'sloppy' and that gross contamination of the rooms with donors' plasma was evident.

"Mr. Emery stated that [Dr. Stough and an associate] . . . could not be trusted to carefully supervise such a plasmapheresis program.

"I then asked Mr. Emery why Cutter did not choose to operate such plasmapheresis programs by themselves without using Dr. Stough's group as an intermediate company . . .

"Mr. Emery replied that Dr. Stough had contacts at the prison and it was through him the permission was obtained from the prison officials to operate the program."

REMAINED BIG CUSTOMER

Cutter nevertheless remained one of Dr. Stough's biggest customers.

Alabama shut down the plasmapheresis centers in the middle of the epidemics and blocked Dr. Stough's efforts to start them up again. Oklahoma had taken over the plasma and drug-testing programs almost simultaneously just before the Federal investigation.

In Arkansas, where he had never tested drugs, Dr. Stough was permitted to continue his plasma operations for three years before a quasi-public foundation successfully replaced him.

And although the Alabama authorities had stopped the traffic in plasma, they permitted him to continue his drug tests without interruption The enterprise was quickly stepped up

A pharmaceutical manufacturer generally develops a new product in the laboratory, tests it on animals, and then notifies the Food and Drug Administration that a three-phase tryout on human beings is ready to begin.

Phase one is in many ways the most delicate step of the three because it is designed to establish basic factors such as toxicity, safe-dosage rates, metabolism, absorption, and elimination.

Because of their critical nature, the first-phase tests are usually carried out on healthy subjects. The drug is tried on people who suffer from the target disease only after the phase one hurdle is cleared.

Phase two involves limited administration of the drug to "carefully supervised patients," and phase three embraces "extensive clinical trials" that can include studies by doctors in private practice.

COMPANY JUDGES DOCTOR

The Food and Drug Administration is responsible for * * * the advance from phase to phase. The role of the individual manufacturer is substantial, however.

It is basically the company, for example, that judges a doctor's qualifications as a drug investigator, chooses him to do the job, directs the testing, assembles the results and pays the fee.

Healthy prisoners who by definition exist in closely controlled circumstances are perfect for phase one studies, and Dr. Stough remained in heavy demand by pharmaceutical concerns.

The Food and Drug Administration, citing regulations of the Department of Health, Education and Welfare, refused requests by The Times to examine its records on Dr. Stough.

A spokesman for the agency said, however, that since 1963 the physician has carried out some 130 investigational studies for 37 drug companies. Other types of tests and work by an associate involved 45 additional programs.

The F.D.A. declined to disclose the names of the drugs that Dr. Stough examined or the names of the companies for which he worked. Some of the information has been obtained from other sources, however.

BIG COMPANIES

The companies included the Wyeth Laboratories Division of American Home Products Corporation; the Lederle Laboratories Division of American Cyanamid Company; the Bristol-Myers Company; the E. R. Squibb & Sons Division of Squibb Beech-Nut Inc.; the Merck, Sharp & Dohme Division of Merck & Co. and the Upjohn Company. These concerns, according to the current directory published by Fortune Magazine, are among the 300 largest corporations in the United States.

An investigation of Dr. Stough's work for these and other concerns began earlier this year after Harold E. Martin, editor and publisher of The Montgomery Advertiser, wrote a series of highly critical stories about the drug studies.

The State Board of Corrections asked the Alabama Medical Association to name a committee of inquiry, and Dr. Tinsley R. Harrison of Birmingham, a nationally known cardiologist, was selected as chairman.

Even when the committee dealt with the welfare of the inmates its investigation inevitably raised broader issues, for Dr. Stough's "findings" became data and the data helped to justify public sale.

The medical association investigators concluded not only that Dr. Stough's work had been "bluntly unacceptable" but also that as one result, "the validity of the drug trials themselves must occasionally be seriously in doubt."

Because of the Food and Drug Administration's refusal to permit an inspection of its files, it is impossible to determine conclusively whether Dr. Stough ever reported unfavorably on the drugs he was paid to test.

However, he has published a number of scientific articles on his findings, and a review of those cited in the comprehensive Cumulated Index Medicus since 1960 discloses not a single critical appraisal.

It was learned from independent sources that one of the drugs Dr. Stough had tested was Indocin, a best-selling product of Merck, Sharp & Dohme that is used in the treatment of rheumatoid arthritis.

Dr. Stough's findings on Indocin are unavailable, but it went on the market after largely favorable data had been generated by company-paid investigators, and the subsequent controversy points up the broad significance of testing.

Indocin was assailed * * * the Senate Subcommittee on Monopoly. Contrary to findings of the initial data, witnesses said, careful tests had found the drug no more effective than aspirin, and it produced serious effects as well.

A careful medical examination in advance of a drug test is regarded as essential to insure that the prisoners involved do not show signs of subtle disabilities that would make the study invalid.

A member of Dr. Harrison's committee recalled during an interview that one day he and another investigator turned up at Kilby Prison to discover that 80 inmates had been examined for a new program in just four hours.

Since that meant an examination every three minutes, the investigators asked to see

the records. None were found on the premises—not for a single prisoner. The records that existed were said to be at Dr. Stough's headquarters.

The committee noted in its report that prisoners about to embark on a new test had "received a rapid explanation of the purpose" that left "considerable variation in the understanding of what had been said."

NO DOCTOR PRESENT

The committee continued:

"All this had seemingly been done by technicians with no physician being present as far as could be determined. Two of the four prisoners who were interviewed indicated that they had never been examined by a physician while they were in the prison although they had been on several drug trials."

The fundamental purpose of a drug test is to spot any adverse effect and report it. There were breakdowns in Dr. Stough's operation, and Dr. Harrison's committee cited a number of examples.

First, it encountered a Mr. Howell, "a man with very little previous medical training whose experience before entering his present position had been that of a venereal disease inspector."

"It was stated with pride by this individual who functions as hospital director, that he himself was able to deal with nine out of every 10 patients who came to him so that the doctor was not bothered."

A number of qualified medical sources said that that without a physician regularly on hand to look over the inmates who took drugs, it would have been "totally impossible" to gauge reactions.

PRISONER FEES VARIED

Dr. Harrison's committee took up the question of fees paid by Dr. Stough to inmates who participated in drug tests. These varied widely, but a man could usually make at least $1 a day for taking a series of pills.

This was big money for people who otherwise received only 50 cents every three weeks for incidental spending, and it created what one investigator called "a built-in negative feedback."

Prisoners often covered up severe reactions in order to keep on with the tests, and several told The Montgomery Advertiser that they shammed taking pills and later spit them out. The medical group said of one inmate:

"He had hung on to the end [of a test] although he had been feeling very ill and had not complained of this illness because it would have meant his losing the pay which he was hoping to receive for his participation."

One conscientious experimenter who has gone deeply into the question of fees believes that a prospective subject should be offered no more than two or three times the amount he would receive without taking part.

NUREMBERG CODE CITED

The medical investigators underlined the importance of the fees and inadequate explanations of the tests by attaching to their report the Nuremberg Code, developed after the concentration camp excesses of Nazi doctors.

The code calls for "free power of choice" and holds that a subject "should have sufficient knowledge and comprehension of the elements of the subject matter involved as to enable him to make an understanding and enlightened decision."

The Alabama committee also inspected Dr. Stough's laboratory. Its role in analysis samples taken from the inmates was especially important since the direct medical observation was rated low.

In one instance the group found an error of about 40 per cent in the control agent against which laboratory samples from about 20 prisoners were being measured. The investigators said:

"This was pointed out to the laboratory director and he excused it [on grounds that the committee rejected]. His attitude to us was unacceptable and reflected poor technique."

The operation "probably compares favorably with many small hospital laboratories in Alabama," the group concluded. But it "lacks the better qualified personnel and more careful quality control seen in better run laboratories."

The committee reported that on top of the other problems, both Dr. Stough and Dr. Long had "limited training in basic pharmacology." The available biographical information shows they had no formal education in the field at all.

"You might say they have had a lot of on-the-job training and background," one clinical pharmacologist said. "But this is a weak argument. Nowadays, with the sophistication of modern drugs, you need more than this."

Last May, after the State Board of Corrections had a look at the committee's report, Dr. Stough received another eviction notice and started to close down the drug studies in Alabama.

Thus, Dr. Stough suffered another setback. As before, a state saved its prisons from any further trouble. But as usual, the Federal authorities and the pharmaceutical companies remained silent.

ONLY ONE PHYSICIAN

The single physician employed by the Food and Drug Administration to investigate drugs tests throughout the United States has visited Dr. Stough's operations twice, an agency spokesman said.

Some citizens tend to think of the agency as an eternally vigilant organization, and in his dealings with local officials and newspapermen Dr. Stough has turned this misapprehension to advantage.

"They [F.D.A. officials] love to close people down," he said in the brief telephone conversation in which he refused to grant an interview. "So if I was off-color, they'd be on me like a hawk."

"That's one of the reasons the [Alabama Corrections] Board wasn't concerned," explained Frank Lee, the state's commissioner. "We knew they [F.D.A. officials] came in here and looked into the operation."

Dr. Herbert L. Ley Jr., the F.D.A. Commissioner, branded Dr. Stough's assertion "a non sequitur."

The Food and Drug Administration's lone medical inspector is alert to "flagrant" dishonesty, and there have been men who tested drugs on nonexistent people and who produced imaginary results.

But an inspection is limited mostly to checking data that have been submitted to the sponsoring drug company to insure that it agrees with data sent to the agency. There is little or no effort to look behind the figures.

"Our responsibility is not the direct supervision of the [drug] investigators," Dr. Ley said in an interview. "Our responsibility is to evaluate the data that come in to us. We can't be omnipotent or omniscient."

While the agency has never found occasion to reprimand Dr. Stough, its inspector, Dr. Alan B. Lisook, did make some "suggestions" earlier this year about "the lack of medical supervision of patients."

NOT ENOUGH SUPERVISION

"We told him we thought there should be more supervision," Dr. Lisook said, "and he admitted there was not as much as he would like because of the volume of drugs being tested."

This was virtually an acknowledgment by Dr. Stough that more tests had been undertaken than could be adequately overseen, but the F.D.A. did not require change.

The agency "frowns" on insufficient supervision, Dr. Ley said, but under present policies there are no specific minimum standards. In the gray area that results, frowning is about the limit.

Since between 25 per cent and 50 per cent of the phase one studies have been concentrated in Dr. Stough's hands, Dr. Ley was asked whether volume alone—quality aside—concerned his agency.

"It's a red flag, there's no question about that," he replied. But the commissioner explained that neither law nor regulation permitted the agency to force a cutback in the number of studies assigned to a single man.

There is no step short of outright disqualification for obvious misconduct, Dr. Ley said. That is an action the F.D.A. has taken no more than a dozen times in its history.

SHORTAGE CHARGED

The drug companies contend there is a shortage of investigators, and Dr. Ley said that while he believed there were enough to study the "really new drugs," he wanted to avoid charges that the agency blocked progress.

"It's harder to get a driver's license in the United States than it is to get fatal drugs." complained Dr. William M. O'Brien, an associate professor of preventive and internal medicine at the University of Virginia. He added:

"To get a driver's license you have to take tests, show you know how to drive, and so on. For drugs, you just walk in the door and say, 'I'm an M.D. I want to test drugs.' It's fantastic. It's unbelievable."

It is difficult to measure the precise sums of money that the pharmaceutical industry has poured into Dr. Stough's operations, but a number of reliable clues are available.

Operating within at least nine separate corporations, the major one of which is Southern Food and Drug Reserach, Inc., Dr. Stough has a gross income in a good year probably approaching $1-milion.

SMALL OVERHEAD

He has not carried a high overhead. His net income in Alabama in 1967 was nearly $300,000 (on a $500,000 gross), and his profit before taxes in Arkansas in 1966 was about $150,000.

The Alabama Medical Association's committee treated the drug manufacturers with circumspection in its report, suggesting that the companies could hardly police the state's prisons.

But it pointed out that the makers, as well as the Food and Drug Administration, had engaged in monitoring of the drug tests that might have been "too superficial and too remote to provide maximum safety."

The committee also found that in sponsoring Dr. Stough's tests the drug concerns had given "tacit approval" to his research. In this, it reported, the companies had "demonstrated some lack of discretion."

"Our companies are usually pretty careful about who they have doing phase one work," said Dr. C. Joseph Stetler, president of the Pharmaceutical Manufacturers Association. "They aren't interested in guys who aren't doing a first-class job."

Mr. Stetler said that some concerns might make more rigorous over-all studies of potential investigations than others and that in some instances the day-to-day supervision "gets to be seemingly routine."

DOUBTS NEED FOR BARS

Heavy demand for phase one work may also be a factor in quality, Dr. Stetler added. But he said he was not sure the Government should restrict an investigator's work for high volume if the "end product" was satisfactory.

Each of the pharmaceutical companies that could be identified as having retained Dr. Stough was asked to comment on his drug testing, and each defended the validity of the data he submitted.

For example, Merck, Sharp & Dohme said in a prepared statement that Dr. Stough's "facilities, staff, volunteer group, and prior experience were particularly suited" for the studies it required.

The physician has conducted 14 projects for the concern since January, 1968, and, the company's statement concluded, "in our

opinion the studies were properly conducted and the data provided have been sound."

Merck, Sharp & Dohme asserted that practically all of the studies carried out by Dr. Stough had been "extensively studied and clinically used" by others and that some of the drugs had already been approved for marketing.

LACK OF CRITICISM

A spokesman for Lederle Laboratories pointed out that Dr. Stough's testing operations at the Oklahoma State Penitentiary had not been criticized publicly by qualified medical observers.

Wyeth Laboratories said it had retained Dr. Stough for only a single study. The company said he was hired in 1964 to test an experimental drug that was never placed on the market and has not been used since.

One company official, who asked not to be identified, remarked: "How he [Dr. Stough] operated, how he had his machinery set up—they didn't even know at the prisons."

To ship blood products in interstate commerce requires a license from the Division of Biologics Standards, and when a manufacturer obtains one he must face and continue to face regular inspections.

DOCTOR NOT LICENSED

Dr. Stough does not have and never has had a license from the division. Under the so-called "short supply provision" of the agency's regulations, a licensed company can pick up the scarce plasma at Dr. Stough's door and ship it to its laboratories without violation.

Serious things can happen if the slightest thing goes wrong once the plasma reaches the hands of a licensed company. Nothing can happen, so far as the standards division is concerned, if everything goes wrong before that time.

Dr. Stough incurred no Federal disfavor for the hepatitis epidemic in three states because the disease apparently was routinely killed out in the manufacturing process that turned his plasma into gamma globulin.

"The conclusion that we came to was that the quality of the product was not affected," recalled Dr. Roderick Murray, the division's director, "and therefore we had no backing to tell them (the companies) not to use plasma that came from Stough."

INVITATION REJECTED

This is felt so keenly at the division that Dr. John Ashworth, then an agency official, refused an invitation from Dr. Johnson just to go and look at a plasmapheresis operation.

"He said that his appearance at the plasmapheresis center would not be consistent with the policy of D.B.S.," Dr. Johnson wrote, because the policy did not include "direct supervision or policing of the actual procedures."

"Any time that we've attempted to write into the regulations elements that are designed to protect the donor," Dr. Murray said, "this has been disallowed because there's no statutory authority."

What about the communicable disease center, which traced the hepatitis epidemic directly to Dr. Stough's programs? That agency, a spokesman said, is only a consultant to the states. Enforcement is up to the state authorities.

The question thus is put to the Alabama public health officer, Dr. Myers. He answers that the State Health Department has "no specific jurisdiction in the prisons."

S. 2731—INTRODUCTION OF A BILL RELATING TO HIGHWAY AND RAILROAD BRIDGES OVER THE COLUMBIA RIVER, THE SNAKE RIVER, OR THEIR NAVIGABLE TRIBUTARIES

Mr. MAGNUSON. Mr. President, I introduce, by request, a bill to compensate the owners of bridges on the Columbia and Snake Rivers for modifications to such bridges which are made necessary by Federal river projects. Under present law, when a Federal dam raises the water level so as to flood the footings and towers of a bridge which are located in the bed of the river, the cost to the bridge owner of altering the bridge is not compensable by the Government, even though the work is made necessary solely as a result of the Federal project, even though the bridge is not an obstruction to navigation, and even though there is no benefit to the bridge owner from the project.

Under the Truman-Hobbs Act of 1940, if the bridge is an obstruction to navigation, the Government pays a portion of the cost of modification; but that act does not apply if the bridge is nonobstructive. Furthermore, the Truman-Hobbs Act is not prospective in application, so if the bridge is nonobstructive before the dam is built, but will become so when the pool is raised, the Government does not share in the cost of alterations done while the water is low, but it would share in the much greater expense of altering the bridge under deepwater conditions.

This bill would permit reimbursement even though the bridge is nonobstructive or if the bridge would become obstructive because of the raised water level. It would appear to follow the pattern established by Congress in the act of November 21, 1941, as amended last year by Public Law 90–524, which deals with bridges affected by the Tennessee Valley Authority. I believe that serious consideration should be given to taking similar action with respect to bridges on the Columbia-Snake River system.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2731) to provide for the protection, alteration, reconstruction, relocation, or replacement of highway and railroad bridges, trestles and other structures, over the Columbia River, the Snake River, or their navigable tributaries, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

S. 2734—INTRODUCTION OF A BILL GRANTING THE CONSENT OF CONGRESS TO THE CONNECTICUT-NEW YORK RAILROAD PASSENGER TRANSPORTATION COMPACT

Mr. RIBICOFF. Mr. President, I introduce, for appropriate reference, a bill authorizing congressional ratification of an interstate compact between the States of Connecticut and New York.

This joint effort of Connecticut and New York is an integral element in preserving and improving the railroad services between the two States.

Connecticut and New York have agreed in principle on a plan to revitalize operations of the Penn Central's commuter services. This plan would permit the two States to receive Federal money to modernize facilities and purchase urgently needed railroad equipment. The agreement is in the form of an interstate compact which under the Constitution must be ratified by the U.S. Congress.

The railroad lines of the Penn Central's New Haven division are a vital passenger and commercial artery. If service should ever cease on these lines, thousands of commuters would be without transportation and New England industry would be seriously crippled.

Today, Connecticut and New York State commuters are suffering the burdens of deplorable traveling conditions. Many must stand daily in dirty, crowded aisles on decrepit passenger cars. Equipment, which receives inadequate maintenance, is often unworkable, causing late departures and arrivals.

Today, Connecticut and New York State freight shippers are suffering the burdens of delayed freight service as years of patchwork minimum maintenance on railroad tracks, signals, and electrical overhead wires cause unrepairable failures.

Therefore, I ask Congress to ratify a compact between the States of Connecticut and New York so that these States will be able to help provide new equipment and facilities necessary to end delay, disrepair, and disappointment, and keep this vital artery running and providing service.

If this compact is approved, the States of Connecticut and New York will be able to put into action an $80 million modernization program on the New Haven's line: $36 million will be spent for new cars; $16 million will be spent to rehabilitate existing cars; $9 million will be spent to modernize stations; $13 million to rehabilitate the electrical system and replace the old Cos Cob power station; and $6 million to modernize and improve rights-of-way including signal systems and installation of maintenance facilities.

Mr. President, I urge favorable Senate consideration of this legislation and, I am pleased to announce that Senators DODD, JAVITS, and GOODELL have joined in sponsoring this bill.

I ask unanimous consent that the bill be printed in full at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2734) granting the consent of Congress to the Connecticut-New York Railroad Passenger Transportation Compact, introduced by Mr. Ribicoff, for himself and other Senators, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2734

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the Connecticut-New York Railroad Passenger Transportation Compact in substantially the following form:

"CONNECTICUT-NEW YORK RAILROAD PASSENGER TRANSPORTATION COMPACT

"ARTICLE I

"For the purpose of continuing and improving the railroad passenger service of the New York, New Haven and Hartford Railroad (and its successors) between the city of New Haven in the state of Connecticut and the city of New York in the state of New York, including branch lines which are tributary to the main line of that railroad between

the said cities; Metropolitan Transportation Authority, a governmental corporation of the state of New York, and Connecticut Transportation Authority, an agency of the state of Connecticut, acting individually, but in cooperation with each other, or as co-venturers where they deem it advisable and practical, are hereby authorized to do the following where permissible under the enabling laws of their respective states:

"(a) To acquire through eminent domain proceedings, or by gift, purchase, lease or otherwise, the ownership interest in or the right to the use of all those assets of the said railroad (or of any successor in interest to such assets), be they real property, personal property or a combination of the two (including rights arising out of contract, franchise or otherwise), which are or may reasonably be expected to become necessary, convenient or desirable for the continuation or improvement of such service;

"(b) to repair and rehabilitate such assets, or to acquire by gift, purchase, lease or otherwise, such new or additional assets and rights as they deem necessary, convenient or desirable for such continuation or improvement;

"(c) to dispose of any such assets, new and additional assets and rights, or of the right to the use of the same, by conveyance, lease or otherwise (including, without limitation, the grant of trackage rights) when and to the extent that they are not needed for such service by the said agencies; and to abandon or discontinue portions of such service when advisable; and/or

"(d) to operate such service, or to contract for the operation of the whole or any part of such service by others.

"To accomplish the foregoing objectives, the said agencies are authorized, individually and jointly, to apply for aid, federal, state or local, to supplement those funds appropriated or otherwise made available to them under the laws of the party states.

"ARTICLE II

"The provisions of this compact shall be construed liberally to effectuate the purposes thereof. Amendments and supplements to this compact to implement the purposes thereof may be adopted by concurrent legislation of the party states.

"ARTICLE III

"This compact shall be of no force and effect unless and until the Congress of the United States of America, on or before December thirty-first, nineteen hundred sixty-nine, has consented thereto."

SEC. 2. The right to alter, amend, or repeal this Act is expressly reserved.

S. 2736—INTRODUCTION OF A BILL TO EXTEND THE KEOGH PLAN TO ALL EMPLOYEES IN AMERICA

Mr. STEVENS. Mr. President, today I am introducing a bill to amend the Internal Revenue Code to provide incentives for private individuals who are neither self-employed nor employed by an employer, either corporate or noncorporate, who provides his employees with a retirement plan. The incentive this bill would provide would be in the form of a tax incentive. The tax incentive in the plan I am proposing actually brings about an equity in the present law for persons who neither have tax-free moneys placed into a retirement fund by their employers for them nor have the option of placing a certain portion of their earnings into a pension plan without paying taxes on those moneys. This bill is a logical extension of the Keogh plan sponsored by former Congressman Keogh, of New York, and will equalize the tax treatment of income set aside for retirement by persons not now qualified for such tax treatment and income set aside for retirement by those who participate in either corporate or self-employed plans.

According to an article in the April 1968 issue of the Social Security Bulletin, private pension and deferred profit sharing plans covered 27.6 million workers as of the end of 1967. Using the average number of workers in private employment during 1967 as a standard—54.4 million—this means some 30.8 million employees do not have any private pension coverage. It should be pointed out that 80 percent of those covered were in manufacturing, transportation, public utilities, and mining, and coverage is generally found in the case of employees of the larger employers. By contrast, a relatively small proportion of employees were protected by pension plans in the trade and service industries at least partly because of such factors as the smaller size of the business involved and the higher rate of turnover.

This bill would particularly benefit employees in my home State of Alaska. Alaska is a growing frontier area in which small business does the major share of employing. In addition, employment in Alaska is seasonal and in many cases is of marginal return to the employer and hence he cannot afford to provide pension plans and hire people at the same time. I feel that it is unfair to residents of my State not to extend the kind of tax treatment enjoyed by employees of larger employers in the rest of the country. In addition, this plan would allow lower income employees, both in Alaska and the rest of the country, to enjoy the same tax treatment that is now enjoyed by more well-to-do employees.

It is the case that the availablity of pension coverage with tax benefits becomes more probable as the individual needs it less and less and almost nonexistent for those for whom a pension plan would do the most good. I introduce this bill in hopes that its passage will extend the benefits of tax sheltered retirement plans to those who can least afford to pay taxes on money they set aside for their senior years. It is the individual who works long hours at low pay and who has the most difficulty saving for the future, and it is this very group that does not have access to the same kinds of advantages that individuals in the moderately well-to-do sectors of our economy do in saving for retirement. I offer this bill in hopes that we can end these inequities.

Under the plan as I propose it any individual who wishes to participate may set up a retirement savings plan with any financial institution subject to the approval of the Secretary of the Treasury or he may purchase retirement plan bonds from the Treasury Department as now qualified individuals are presently doing.

Mr. President, I ask unanimous consent that the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2736) to amend the Internal Revenue Code of 1954 to permit certain employees to establish qualified pension plans for themselves in the same manner as if they were self-employed, introduced by Mr. STEVENS, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2736

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 401 of the Internal Revenue Code of 1954 (relating to qualified pension, profit sharing, and stock bonus plans) is amended by redesignating subsection (j) as (k), and by inserting after subsection (i) the following new subsection:

"(j) Certain Employees—

"(1) General rule.—An individual who is not covered under a plan of any employer which meets the requirements of subsection (a) and, if applicable, subsection (d), may elect (at such time, in such manner, and subject to such conditions as the Secretary or his delegate shall prescribe by regulations) to become entitled to the benefits provided by this part to the same extent as if he were a self-employed individual.

"(2) Effect of election.—For purposes of applying the provisions of this part to an individual who makes an election under paragraph (1), such individual shall be treated—

"(A) as an employee within the meaning of subsection (c) (1), as owning the entire interest in an unincorporated trade or business, and as his own employer, and

"(B) as receiving earned income in an amount equal to the compensation paid to him by the employer described in paragraph (1) (A).

"(3) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this subsection."

(b) The amendments made by subsection (a) shall apply to taxable years beginning after the date of the enactment of this Act.

S. 2737—INTRODUCTION OF A BILL TO RAISE REMOTE HOUSING LEGISLATIVE PER UNIT DWELLING COST FROM $7,500 TO $10,500

Mr. STEVENS. Mr. President, today I am introducing for myself and Senator GRAVEL a bill which will allow a vitally important housing program for the Alaska remote villages to continue its implementation with a revised and realistic per dwelling unit legislative cost ceiling, a ceiling which will reflect today's cost of materials and not the cost of such materials in 1966 upon which the present legislative ceiling is based. The program I speak of is the Alaska remote housing program. It was enacted in 1966 and received its initial appropriation of funds in fiscal year 1969.

This highly important housing program to our Alaskan natives is based on the principle of maximum owner participation in construction of the homes to aid in keeping the costs at a minimum, maximum use of local materials, and a combination of grants and loans to recipients based on their ability to pay for their homes. It is funded through the Department of Housing and Urban Development with primary responsibility for implementation residing with the Alaska Housing Authority.

The original act of 1966 set an aver-

age cost ceiling of $7,500 per unit dwelling. This covers the cost of materials, freight, and that small amount of labor which is paid for—approximately 3 percent. This amount is an incredibly low cost for a home, and, we believe, speaks strongly for the program's goal of involving the homeowner and local materials in the building process so that as many homes as possible may be constructed in rural Alaska under this program.

However, as we are all so fully aware, costs have accelerated immensely since 1966, and today we face the situation where this average cost per unit dwelling must be revised upward if we are to maintain the quality of homes originally envisioned in the act. The executive director of the Alaska State Housing Authority has been concerned and expressed the need for such a revision in the authorizing legislation to my office.

At this point, I wish to add to the RECORD a quote from correspondence I have received from him on this matter and, following that, a table developed by the Alaska State Housing Authority showing the cost comparison of a home in 1966 and then in 1969 under this program.

As you well know, prices have changed measurably since the original calculations were made for the cost of the homes in the Remote Housing Program. Although Section 1004 became law in November, 1966, funding was not provided until October, 1968. The homes are constructed using a high percentage of lumber products, and these products have received the greatest amount of increase over the last two and one half years as indicated on the attached cost comparison breakdown. Additionally, it was anticipated when the program was in its formulative stage that no electrical facilities or plumbing facilities would be included. With the possibility of electrification in the immediate future through the activities of the Alaska Village Electric Cooperative, Inc., we are now providing interior electrical wiring. If prices permit we will be providing plumbing fixtures. For comparison purposes our breakdown has been prepared on the premise that these items would have been supplied in the beginning, and a straight-across-the-board increase in prices has been shown. The result is a total of 40% increase in overall costs making $7,500 of materials in the November, 1966, market cost $10,475 as of March, 1969. These figures were checked closely with the information that the Department of Housing and Urban Development has in Washington and coincided almost exactly with theirs.

COST COMPARISON OF REMOTE HOUSING

Item	Percent of House	November 1966 cost	March 1969 cost	Percent of increase
Lumber	62.0	$4,637	$7,348	58.47
Tools	.5	40	44	10.00
Plumbing	5.6	420	462	10.00
Electrical	1.4	105	116	10.00
Stove	4.5	350	385	10.00
Freight	23.0	1,723	1,895	10.00
Labor	3.0	225	225	0
Total	100.0	7,500	10,475	40.00

We feel that it is imperative that a revision to this $7,500 average cost ceiling per dwelling be made to reflect today's increased cost of materials. If the homes constructed in this program are to adequately serve the housing needs of rural Alaskans, such a revision to $10,500 is clearly called for in the authorizing legislation.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD immediately after my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2737) to authorize an increase in the average cost of dwelling units in certain federally assisted housing in Alaska, introduced by Mr. STEVENS (for himself and Mr. GRAVEL), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2737

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1004(a) of the Demonstration Cities and Metropolitan Development Act of 1966 is amended by striking out "$7,500" and inserting in lieu thereof "$10,500".

S. 2738—INTRODUCTION OF ALASKA WATER CARRIERS ACT

Mr. STEVENS. Mr. President, I have today introduced the Alaska Water Carriers Act, which should substantially benefit the people of the State of Alaska.

Confusion presently exists in the regulation of water carriers serving Alaska because both the Federal Maritime Commission and the Interstate Commerce Commission exercise jurisdiction over certain carriers, or certain types of carriage performed by the same carriers.

At the time Alaska was admitted to the Union, Congress decided that established procedures for the regulation of water carriers should not be disturbed without further study. One result of such further study was the enactment of Public Law 87-595, which conferred jurisdiction on the Interstate Commerce Commission, under certain circumstances.

In the past decade confusion has persisted and grown. Despite two recent court of appeals decisions, the fact remains that dual regulation continues to confuse Alaska's waterborne transportation industry.

The Alaska Water Carriers Act eliminates the problem of dual regulation, and recognizes the two court of appeals decisions which substantially reduced the jurisdiction of the Federal Maritime Commission over the great majority of the ocean trade to Alaska, which it previously regulated.

With the passage of the Alaska Water Carriers Act five specific goals would be accomplished.

First. The regulation of Alaska's waterborne interstate traffic would become identical to the regulation of such traffic between the 48 contiguous States.

Second. The shippers of Alaska would have one commission clearly established as the regulating agency for all surface transportation—truck, bus, rail, or water—as is the case in the 48 States, thus greatly simplifying procedures for the shippers of Alaska.

Third. Since water carriers would be certificated under part III of the Interstate Commerce Act, Alaska's citizens would have assurance that any carrier would provide service and assume responsibilities as required by the act—otherwise the carrier would risk suspension or revocation of his certificate. Fly-by-night operators could not endanger the public welfare.

Fourth. The establishment of through routes and joint rates between all modes of carriage—including air—would be simplified and encouraged.

Fifth. The Federal regulatory system based on statutes, regulations, and decisions which has developed with the cooperation of the States since passage of the Interstate Commerce Act in 1887 would apply to Alaska's interstate commerce, as it does to traffic between the 48 contiguous States—and Alaska would have made another important step toward full partnership with other States.

I ask unanimous consent that the text of the Alaska Water Carriers Act be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2738) to amend the Interstate Commerce Act and to extend regulation under the Interstate Commerce Act to carriers not previously regulated under this act, introduced by Mr. STEVENS (for himself and Mr. GRAVEL), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2738

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Alaska Water Carriers Act of 1969".

STATEMENT OF PURPOSE AND TRANSFER OF FUNCTIONS

SEC. 2(a) All transportation of persons and property by water between places in the State of Alaska and places in other states of the United States or the District of Columbia shall be subject to the provisions of the Interstate Commerce Act, 49 U.S. Code, sections 1 et seq., as amended, and as it hereafter may be amended, including Part III thereof, notwithstanding any other laws or provisions of law including, without limiting the generality hereof, the Shipping Act, 1916, 39 Stat. 728, as amended, and the Intercoastal Shipping Act, 1933, 47 Stat. 1425, as amended. It is the intent and purpose hereof to make the regulation of the transportation of persons and property by water to and from places in the State of Alaska subject to the Interstate Commerce Act in the same manner and to the full extent that transportation of persons or property by water to and from places in other states of the United States now or hereafter may be regulated by or subject to the provisions of the Interstate Commerce Act. All functions of any Department, Commission, Agency, Board or Bureau with respect to such transportation by water to and from places in the State of Alaska, except as otherwise provided in this Act, are hereby transferred to the Interstate Commerce Commission.

(b) Subsection (a) of this section shall not be construed to repeal any of the following provisions:

(1) Section 205 of the Merchant Marine Act, 1936 (46 U.S.C. 1115), as amended, or

any provision of law providing penalties for violations of such Section 205.

(2) The third sentence of Section 2 of the Intercoastal Shipping Act, 1933, as amended (46 U.S.C. 844), as extended by Section 5 of such Act, or any provision of law providing penalties for violations of such Section 2.

(3) The provisions of the Shipping Act, 1916, as amended, insofar as such Act provides for the regulation of persons included within the term "other persons subject to this Act", as defined in such Act, but this reservation shall not include persons who do not operate vessels but who have been held to be water common carriers under that Act or the Intercoastal Shipping Act, 1933, as amended, regardless as to whether such persons are water common carriers subject to part 111 of the International Commerce Act or freight forwarders under Part IV of that Act.

(4) Sections 27 and 28 of the Merchant Marine Act, 1920 (46 U.S.C. 883, 884).

(5) The provisions of Section 15 of the Shipping Act, 1916, as amended (46 U.S.C. 800), so as to prevent any water carrier subject to the provisions of the Interstate Commerce Act from entering into any agreement under the provisions of such Section 15 with respect to transportation not subject to the provisions of the Interstate Commerce Act in which such carrier may be engaged.

(6) Any law of navigations, the admiralty jurisdiction of the courts of the United States, liabilities of vessels and their owners for loss or damage, or laws respecting seamen, or any other maritime law, regulation, or custom not in conflict with the provisions of the Interstate Commerce Act.

TRANSFER OF RECORDS AND DOCUMENTS: EXISTING ORDERS, REGULATIONS, CONTRACTS, ETC.; PENDING PROCEEDINGS; "GRANDFATHER" RIGHTS UNDER INTERSTATE COMMERCE ACT

SEC. 3 (a) Except to the extent that they are required by the Federal Maritime Commission in connection with its continued jurisdiction, all files, reports, records, tariff schedules, contracts, agreements, and other documents in the possession of the Federal Maritime Commission relating to the regulation of transportation by water between places in Alaska and other places in the United States and between places in Alaska, and carriers engaged in such transportation, shall be transferred to the Interstate Commerce Commission. To the extent that such records and documents are retained by the Federal Maritime Commission, copies thereof shall be furnished to the Commission upon request.

(b) Notwithstanding Section 301(a), all orders, rules, regulations, tariffs, contracts, or agreements in effect at the time this section takes effect, pertaining to transportation by water between places in Alaska and other places in the United States and between places in Alaska, to the extent they were issued, authorized, approved, entered into or filed pursuant to authority of the Federal Maritime Commission or under any provision of law repealed by Section 301, shall continue in force and effect until lawfully changed by act of the parties involved or until changed, modified, or set aside by action of the Interstate Commerce Commission.

(c) Any proceeding, hearing, or investigation commenced or pending before the Federal Maritime Commission at the time this section takes effect, to the extent that it relates to rates, fares, charges, classifications and tariffs and regulations and practices relating thereto, pursuant to any provision of law repealed by this Act, shall be continued or otherwise acted upon by the Interstate Commerce Commission as though such proceeding, hearing, or investigation had been instituted under the provisions of the Interstate Commerce Act.

(d) Any judicial proceeding pending on the date this section takes effect, and arising under any provision of law repealed by the provisions of Section 301, shall be continued, heard and determined in the same manner and with the same effect as if such provision had not been repealed; except that in the case of any such proceeding to which the Federal Maritime Commission is a party, the court, upon motion or supplemental petition, may direct that the Interstate Commerce Commission be substituted for the Federal Maritime Commission as a party to the proceeding or made an additional party thereto.

(e) If any provision of this title or the application thereof to any person, or commerce, or circumstance is held invalid, the remainder of this title and the application of such provision to other persons, commerce, or circumstances shall not be affected thereby.

AMENDMENTS TO SECTION 306 OF INTERSTATE COMMERCE ACT WITH RESPECT TO TRANSFER AND FILING OF TARIFFS, AND SCHEDULES OF CERTAIN WATER CARRIERS

SEC. 4 (a) Section 306(a) of the Interstate Commerce Act, as amended (49 U.S.C. 906 (a)), is amended by striking out the period at the end thereof and inserting a colon and the following: *"Provided,* That tariffs (or copies thereof) of common carriers by water containing rates, fares, charges, classifications, rules, regulations, and practices for the transportation in interstate or foreign commerce of passengers or property between places in Alaska and between places in Alaska and other places in the United States in effect and on file with the Federal Maritime Commission on the date this proviso takes effect, pursuant to the requirements of the Shipping Act, 1916, as amended, or the Intercoastal Shipping Act, 1933, as amended, shall be transferred to the Commission and shall be deemed to be filed with the Commission as of such date pursuant to the requirements of this part. Tariffs showing all other rates, fares, charges, classifications, rules, regulations, and practices for transportation by water common carriers between places in Alaska and other places in the United States, and between places in Alaska, made subject to this part by virtue of the enactment of the Alaska Water Carriers Act of 1969, shall be filed as provided in this part not later than one hundred and eighty days after the date on which this amendment takes effect."

(b) Section 306(e) of the Interstate Commerce Act, as amended (49 U.S.C. 909(e)), is amended by adding at the end thereof the following new sentence: "Schedules showing the minimum rates, charges, rules, regulations, or practices for transportation by water contract carriers between places in the United States and places in Alaska, and between places in Alaska over the high seas, made subject to this part by virtue of the enactment of the Alaskan Interstate Commerce Act, shall be filed as provided in this part not later than one hundred and eighty days after the date on which this sentence takes effect."

AMENDMENTS TO SECTION 309 OF INTERSTATE COMMERCE ACT WITH RESPECT TO "GRANDFATHER" RIGHTS OF CERTAIN WATER CARRIERS

SEC. 5. (a) Section 309(a) of the Interstate Commerce Act, as amended (49 U.S.C. 909(a)), is amended by inserting "(1)" after "Sec. 309(a)" and by adding at the end thereof the following new paragraph:

"(2) Subject to the provisions of Section 310, if any person (or his predecessor in interest) was in operation on the date on which this paragraph takes effect as a common carrier by water, in interstate or foreign commerce, between ports in Alaska and other ports in the United States, or between ports in Alaska over the high seas, and has so operated since that time (or if engaged in furnishing seasonal service only, was engaged in such operations in the year 1968 during the season ordinarily covered by its operations, and such operations have not been discontinued), except in either instance as to interruptions of service over which such person or his predecessor in interest had no control, a certificate shall be issued authorizing such operations, without further proceedings, if application for such certificate is made as provided herein on or before July 1, 1970. Pending the filing and determination of any such application, the continuance of such operations without a certficate shall be lawful. Applications for certificates under this paragraph shall be filed with the Commission in writing, and in such form, contain such information, and be accompanied by proof of service upon such interested parties as the Commission shall requre."

(b) Section 309(f) of the Interstate Commerce Act, as amended (49 U.S.C. 909(f)), is amended by inserting "(1)" after "(f)" and by adding at the end thereof the following paragraph:

"(2) Subject to the provisions of Section 310, if any person (or his predecessor in interest) was in operation on the date on which this paragraph takes effect as a contract carrier by water, in interstate or foreign commerce, between ports in Alaska and other ports in the United States, or between ports in Alaska over the high seas, and has so operated since that time (or if engaged in furnishing seasonal service only, was engaged in such operations in the year 1968 during the season ordinarily covered by its operations, and such operations have not been discontinued), except in either instance as to interruptions of service over which such person or his predecessor in interest had no control, a permit shall be issued authorizing such operations, without further proceedings, if application for such permit is made as provided herein on or before July 1, 1970. Pending the filing and determination of any such application, the continuance of such operations without a permit shall be lawful. Applications for permits under this paragraph shall be filed with the Commission in writing, and in such form, contain such information, and be accompanied by proof of service upon such interested parties as the Commission shall require."

AMENDMENTS TO PART IV OF INTERSTATE COMMERCE ACT, WITH RESPECT TO PERSONS, HERETOFORE REGULATED AS WATER CARRIERS, WHO WILL BE SUBJECT TO SUCH PART IV

SEC. 6. (a) Section 405(a) of the Interstate Commerce Act, as amended (49 U.S.C. 1005(a)), is amended by inserting "(1)" after "Sec. 405(a)" and by adding at the end thereof the following paragraph:

"(2) Tariffs (or copies thereof) containing rates, charges, classifications, rules, regulations, and practices for the transportation of property in interstate or foreign commerce by water between places in Alaska and other places in the United States, or between places in Alaska, filed with the Federal Maritime Commission pursuant to the Shipping Act, 1916, as amended, or the Intercoastal Shipping Act, 1933, as amended, by persons whose operations are those of a common carrier by water under the mentioned Acts, but whose operations are those of a freight forwarder under this part, in effect on the date this paragraph takes effect, shall be transferred to the Commission and shall be deemed to be filed with the Commission pursuant to the requirements of the Interstate Commerce Act as of the date on which this paragraph takes effect."

(b) Section 410(a) of the Interstate Commerce Act, as amended (49 U.S.C. 1010(a)), is amended by inserting "(1)" after "Sec. 410(a)" and by adding at the end thereof the following paragraph:

"(2) If any person (or his predecessor in interest) whose operations were those of a common carrier by water under the Shipping Act, 1916, as amended, or the Intercoastal

Shipping Act, 1933, as amended, but whose operations are those of a freight forwarder under this part, as in effect on the date this paragraph takes effect, was in operation in interstate commerce, on such date, between places in Alaska and other places in the United States, or between places in Alaska over the high seas, and has so operated since that time (or if engaged in furnishing seasonal service only, was engaged in such operations in the year 1968, during the season ordinarily covered by its operations, and such operations have not been discontinued) except in either instance as to interruptions of service over which such person or his predecessor in interest had no control, a permit shall be issued authorizing such operations as a freight forwarder without further proceedings, if application for such permit is made as provided herein on or before July 1, 1970. Pending the filing and determination of any such application the continuance of such operations without a permit shall be lawful. Applications for permits under this paragraph shall be filed with the Commission, in writing, and in such form, contain such information, and be accompanied by proof of service upon such interested parties as the Commission shall require."

Sec. 7. All provisions of law inconsistent with this Alaska Water Carriers Act of 1969 are hereby repealed.

ADDITIONAL COSPONSORS OF BILLS

S. 2355

Mr. ALLEN. Mr. President, on behalf of the Senator from North Dakota (Mr. BURDICK), I ask unanimous consent that, at the next printing, the name of the Senator from Alaska (Mr. GRAVEL) be added as a cosponsor of S. 2355, to establish an advisory commission to make a study and report with respect to freight rates for farm products.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2470

Mr. SCOTT. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from New Jersey (Mr. WILLIAMS), the Senator from Montana (Mr. METCALF), and the Senator from Idaho (Mr. CHURCH) be added as cosponsors of S. 2470, to amend the Food Stamp Act of 1964 to authorize elderly persons to exchange food stamps under certain circumstances for meals prepared and served by private nonprofit organizations, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2683

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from New Jersey (Mr. CASE) be added as a cosponsor of S. 2683, to deny an income tax deduction for a charitable contribution by a public official of his collection of letters and other papers, and to limit the tax benefits of other gifts to charity of certain property which has appreciated in value.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR STAR PRINT OF S. 2360 AND ADDITION OF COSPONSOR

Mr. GOLDWATER. Mr. President, I have learned that a printing error was made in the original print of the bill which I introduced recently for myself and 24 other Senators to further protect the Grand Canyon in Arizona. In order to make a technical change in the text of this legislation which will correct the error, I ask unanimous consent that there be a star print made of S. 2360, a bill to enlarge the boundaries of the Grand Canyon National Park in the State of Arizona. Also, I ask unanimous consent that, at the next printing of such bill, the name of the Senator from Tennessee (Mr. BAKER) be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF A CONCURRENT RESOLUTION

SENATE CONCURRENT RESOLUTION 32

Mr. ALLOTT. Mr. President, I ask unanimous consent that, at the next printing the name of the Senator from North Dakota (Mr. BURDICK) be added as a cosponsor of Senate Concurrent Resolution 32 providing for the Secretary of Transportation to make an investment of potential rail transportation over existing lines and rights-of-way for passenger and mail transportation in the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 228—RESOLUTION EXPRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT SHOULD RESUBMIT THE GENEVA PROTOCOL TO THE SENATE FOR ADVICE AND CONSENT

Mr. HARTKE (for himself, Mr. PELL, Mr. GRAVEL, Mr. YOUNG of Ohio, Mr. RANDOLPH, Mr. COOK, Mr. RIBICOFF, Mr. PROXMIRE, Mr. HART, Mr. INOUYE, Mr. PERCY, Mr. PACKWOOD, Mr. HARRIS, Mr. MUSKIE, Mr. MONDALE, Mr. BAYH, Mr. MCCARTHY, Mr. WILLIAMS of New Jersey, Mr. TYDINGS, Mr. HUGHES, Mr. CRANSTON, Mr. NELSON, Mr. BURDICK, and Mr. METCALF) submitted a resolution (S. Res. 228) expressing the sense of the Senate that the President of the United States should resubmit the Geneva Protocol to the Senate for advice and consent, which was referred to the Committee on Foreign Relations.

(The remarks of Mr. HARTKE when he submitted the resolution appear later in the RECORD under the appropriate heading.)

COLLECTION OF FEDERAL UNEMPLOYMENT TAX IN QUARTERLY INSTALLMENTS DURING EACH TAXABLE YEAR—AMENDMENTS

AMENDMENT NO. 109

Mr. LONG proposed amendments to the bill (H.R. 9951) to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal years 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account by the amounts so excluded; and for other purposes, which were ordered to be printed.

(The remarks of Mr. LONG when he proposed the amendment appear later in the RECORD under the appropriate heading.)

HIGH COMMISSIONER EDWARD E. JOHNSTON ADDRESSES CONGRESS OF MICRONESIA

Mr. FONG. Mr. President, on July 15, Mr. Edward E. Johnston, the new High Commissioner of the Trust Territory of the Pacific Islands, delivered his first state of the territory message before a joint session of the Congress of Micronesia, the territory's highest legislative body.

Mr. Johnston was appointed to his post by President Nixon, his nomination was confirmed by the Senate, and he was sworn into office on May 1 this year.

In the short time since then, he has quickly assumed his many duties in the United Nations trust area of 94,000 people who live on 2,100 islands spread over 3 million square miles of the Western Pacific.

As administering authority of the far-flung territory, the United States has the responsibility of promoting the well-being of the Micronesian population. As the top American official on the scene, the High Commissioner has a key role in this responsibility.

In his address to the Congress of Micronesia, Mr. Johnston voices his determination to initiate and carry out a new era of progress in the trust territory. This new page of history, he says, was turned when, on May 4 this year, Secretary of the Interior Walter J. Hickel visited Micronesia accompanied by Mrs. Elizabeth P. Farrington, Director, Office of Territories, and other members of his staff. A new program was launched then to drastically accelerate the rate of progress in Micronesia.

Those who have followed U.S. administration of the trust territory are aware that the rate of progress in the past has not been as rapid as it could and should have been.

Mr. Johnston's message reviews this progress, then points the way to faster progress ahead. He particularly wants the Micronesians to have a more active and important role in the government of the islands.

A long-time resident of Hawaii prior to his appointment as High Commissioner, Mr. Johnston draws upon his experience and observations in the 50th State to offer helpful suggestions. For example, on the recurring question of "progress versus culture," he advises that it is not necessary for Micronesians to reject either progress in Western ways or their own cultural identity. Like Hawaii's people of many ethnic backgrounds, the people of Micronesia can accept and benefit from the advances in science, health, and education without having to deny their traditional culture.

Mr. Johnston's leadership is crucial at this time when the Congress of Micro-

nesia is considering the vital question of the future political status of the trust territory.

Mr. Johnston assures Micronesian leaders:

The United States is proud to be associated with Micronesia and we definitely desire to enter with you into a lasting and permanent partnership. . . . We have invited representatives of the (Micronesian) Congress, accompanied by members of the High Commissioner's staff, to visit Washington immediately after the conclusion of this current session, to assist in drafting the specific legislation to implement such partnership.

I congratulate Mr. Johnston for his encouraging, forthright address and wish him well in meeting the challenging tasks ahead.

I ask unanimous consent that the text of his address be printed in the RECORD.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

STATE OF THE TERRITORY MESSAGE,
JULY 15, 1969

(By Edward E. Johnston, High Commissioner, Trust Territory of the Pacific Islands)

Mr. Speaker, Mr. President, Mr. Chief Justice, distinguished guests, ladies and gentlemen:

For several months now, I have been looking forward to this occasion. Today is not only the first time that I have had the honor of addressing a legislative body in the role of Chief Executive, but it is my first opportunity to officially present my views on the future of the Trust Territory of the Pacific Islands to the members of this distinguished Congress and to the people of Micronesia.

In the short time in which I have held office, I have learned among other things, that the High Commissioner, in the course of performing his duties, must travel a great deal. One of the most important trips each year is for the purpose of reporting to the Trusteeship Council of the United Nations. I am pleased to inform you that our recent appearance before the Trusteeship Council was, in general, very favorably received and a great deal of the credit for this accomplishment should be given to the excellent representation provided by the two distinguished Special Advisors from this Congress, Senator Olympio Borja and Representative Chutomu Nimwes.

Before we leave the subject of travel, I would make two additional points. One, that in all my travels I shall have in mind a single objective—to constantly promote the welfare and progress of Micronesia—and, two, I will publicly acknowledge the outstanding performance of our Deputy High Commissioner, the Honorable Peter T. Coleman, during my recent absence from the Territory for an extended period of time. As I mentioned at his swearing-in ceremony, I am sure that the Deputy High Commissioner and I will continue to work closely as a team, and that both of us, along with our cabinet and staff, will maintain constant contact with the leadership of the Congress of Micronesia.

The first two and a half months of our new administration have certainly been crowded with important events. As we reported to the United Nations, a new era in the history of the Trust Territory began on May 4, 1969, when Secretary of the Interior Walter J. Hickel, visited Micronesia accompanied by Mrs. Farrington and other members of his staff. As of that moment, a new program was launched to drastically accelerate the rate of progress in the Trust Territory, a program which will have the full cooperation of other departments of the United States government, as well as the two Houses of the United States Congress. To assist us in carrying out this program, we are pleased to have with us today Mr. Edgar Kaiser, Jr., representing Secretary Hickel, and the members of a top-level team of experts, headed by Dr. Paul Cook, who are assisting us in obtaining proper funding to carry our program forward.

July 4th to 12th, 1969, was certainly a historic period for all of Micronesia. The first MicrOlympics accomplished, in a manner even exceeding the predictions of the most optimistic, its dual goals of training our Trust Territory athletes for competition in many events and bringing together for the first time, in a non-political non-governmental fashion, the people of all six Districts of Micronesia. The Congress of Micronesia is certainly to be commended for its foresight in providing funds for the MicrOlympics, and I am sure that the Members of the Congress would join with me in thanking the Olympic Committee, the Peace Corps, the citizens of our friendly neighboring island of Guam, and the Armed Forces of the United States, for their excellent team work in making this occasion so successful.

Let us now for a moment attempt to briefly summarize the progress which has been made since the first session of this Congress last January. One of the keynotes of this new Administration is to repeatedly increase the involvement of Micronesians in the Administrative Branch of their government and to tackle and, eventually solve the problems of a government operated on three different pay scales. Our eventual goal, of course, is equal pay for equal qualifications and equal work. Toward this end, a high-level position has been created and staffed for the sole purpose of training and upgrading our Micronesian personnel. We will soon add to our staff a highly-qualified Personnel Administrator with considerable experience in personnel management and the integration of pay scales. The fiscal year 1970 budget currently before the United States Congress includes approximately $750,000 for a pay raise for our Micronesian employees, and though we are now operating under a "continuing resolution" rather than an approved budget, I shall leave no stone unturned to make this well-deserved increase effective at the earliest possible moment.

Great strides have been made in the field of automatic data processing, and more will be made during the coming fiscal year.

The Executive Branch of the government has assisted in every way possible in the work of the Government Organization Committee of this Congress. We are looking forward to receiving their report in the near future so that we may work together with the Members of the Congress to make possible a further decentralization of many Trust Territory government activities and, at the same time, make possible more effective and realistic staff operations to guide and assist the District Administrators in carrying out their mission.

A milestone in the field of education will be reached in September with the opening of our Micronesian Occupational Center in Palau. Significantly, this Center will be staffed by five Americans and nineteen Micronesians, and we are sure it will play an important and continuing role in the education of our young people.

Our scholarship program has been reorganized to broaden opportunity and use scholarship funds more efficiently. The need for more counseling services, especially at the high school level, has been recognized and this activity has been increased. Efforts are underway to secure grants from the Ford Foundation, the National Science Foundation, and other sources to develop materials and programs in all areas of our school curriculum.

In the important area of health services, the Trust Territory is now a full member of the Public Health Service, Region 9, from which it is receiving funds for a new mental health program, a new and much augmented maternal and child care program, and new activities in the field of sanitation. We have also joined the Regional Medical Program, with offices in Hawaii, through which we are now planning a program for the early detection of cancer in women, and a program for better training and supervision of health aides. The National Communicable Disease Center in Atlanta, Georgia, is developing a team of experts and will concern itself with prevention and control of epidemics throughout the Trust Territory.

A major development in the field of health services, which will eventually be of great importance, was the selection of a Health Council of eighteen members, all Micronesians, and a majority of whom are not in the field of medicine. At policy level, and in full cooperation with the Administration, they have become very active in formulating with us our plans and guidelines. The Council is currently preparing recommendations regarding the feasibility of private practice in medicine and dentistry in the Trust Territory, and a report on plans to bring better health services to our outlying islands. In keeping with our program of Micronesian involvement in key positions, all six District Directors of Health Services are Micronesians, along with two physicians who will shortly be appointed Assistant Commissioners for Health Services, and the Directors of both the Division of Dentistry and the Division of Environmental Health.

Under the direction of our Commissioner for Public Affairs, a political education program has been initiated in cooperation with the Congress of Micronesia and the Department of Education. Our Micronesian News Service Bureau and our media program have been strengthened by a Trust Territory media conference held just a few months ago. Our efforts are continuing to make the Public Information Office and the Radio Broadcast Center even more responsive to the current needs of the people of Micronesia, and by the end of fiscal year 1970 our radio stations will reach 97% of our total population.

Our Commissioner for Public Affairs and his staff have worked in close cooperation with representatives of the Commander in Chief, Pacific, to institute a program involving Military Civic Action Teams in each of our districts. These teams will work with local residents to complete vitally needed construction projects, and the first two teams are now operating in the Truk and Ponape Districts.

During the past year we started over $25 million worth of capital improvement projects. This amount is greater than that of any previous year. Some of the major facilities that will be provided are:

The Micronesian Occupational Center in Koror;

The District Hospital on Moen;

The first phase of the new harbor for Ponape;

The improved Trust Territory-wide communications system;

The water and sewer systems for Saipan; and

Improvements to the power systems in Saipan, Moen and Koror.

In the past, your involvement in the formulation of the capital improvement program may not have been as comprehensive as you may have desired. With the impetus and support given to the Joint Budget Committee of the Congress of Micronesia by Secretary Hickel's statement during his visit to Saipan in May, and as a result of the intensive efforts of your Joint Budget Committee during the past two months, your views, recommendation and priorities will be given full consideration in the development of the annual budget for the Trust Territory.

In the coming years, we shall continue to provide needed capital improvements in the various districts. You will have a greater involvement than in the past in determining

what should be provided and in what priority.

For many years one of our greatest bottlenecks to Micronesian progress has been the lack of adequate facilities to communicate quickly and easily with the rest of the world—and even from district to district. I had hoped to report to you today that our long-needed phone link to Guam had been completed. Present indicators are, I am pleased to report, that it will be completed before the Third Session of the Congress adjourns in August, and all of our districts will be connected in one new, modern system by September 1970. I have asked for weekly reports of progress through this Session and monthly reports thereafter.

As I stand here before this Joint Session of the Third Congress of Micronesia, I am compelled to reflect that there is really very much that we, both Americans and Micronesians, have accomplished during the past few years. But, I am sure we are all in agreement that much has not been done and must be done as rapidly as possible. It is in our Department of Resources and Development that we seem to have centered those areas which represent our most perplexing and, yet, most challenging problems.

Our Transportation Division must be augmented by additional personnel and equipment. Toward this end we are in the process of recruiting such personnel, and six LCU's to be used as administrative vessels within each of our districts, will shortly be delivered to us through the cooperation of the Department of Defense and the TTPI representative, Commander in Chief, Pacific.

Our Economic Development Division is seeking to provide more expertise at the district level in each of our districts to develop our marine resources, agriculture, tourism, retail and wholesale trade, and other means of making our economy increasing less dependent upon government spending and government employment. Toward this end, Secretary Hickel has pledged to seek from the United States Congress an increase in the funding of our Economic Development Loan Fund to $5 million. Within the next few weeks Air Micronesia will begin construction of the first of six first-class hotels, and has already aided the Trust Territory immeasurably in the promotion of tourism as a growing part of our economy.

In 1935 the Japanese Government Administrator, when his nation held the Trust Territory under a League of Nations mandate, made the following comment: "Among the administrative problems concerning officials of the mandate, none has proved more complex or more delicate than the control of land." Almost thirty-five years later a member of the High Commissioner's staff stated that land "is the single most important item and by far the most sensitive issue that exists today in Micronesia." This certainly does not indicate any great progress in solving Micronesia's land problems. In fact, Representative Nimwes, in his opening remarks to the United Nations Trusteeship Council last month, pointed out that "Not one Certificate of Title has been issued and not one lot has been officially registered." We cannot escape either the seriousness or the magnitude of this problem, but this Administration has given itself a goal of being well on the way toward completion of land registration throughout the Trust Territory not later than June 30, 1970. In this respect, we have been pledged the cooperation of several departments of the United States Government and will certainly be calling upon the Congress of Micronesia for advice and assistance from time to time. However, in this area we must ask for the consideration and understanding of every citizen of Micronesia as we attempt to solve in one year a highly complex problem which has not been solved by any previous administration under four separate governments.

Of great concern to many of our people, particularly in the Marianas and Palau Districts, is the settlement of war damage and post secure damage claims. This, too, is a priority item on the agenda of the new administration, and I am pleased to inform this Congress officially that on April 18, 1969, the Governments of the United States and Japan, joined in an *ex gratia* agreement namely, one which does not involve questions of legal liability, to contribute $10 million to the inhabitants of the Trust Territory of the Pacific Islands, in view of the enormous wartime suffering which was their lot. It is the firm intention of this Administration to proceed as rapidly as possible to resolve the problem of post secure claims so that payment of these can be integrated with the distribution of the $10 million *ex gratia* war damage payment. The Post Secure Claims Office is now preparing recommendations on the establishment of a tribunal or commission to adjudicate claims for post secure damage in the Trust Territory, which should be completed sometime this month. Our Attorney General's office is also in the process of drafting proposed legislation for the appropriation of funds by the United States Congress to settle these claims.

Also, under the direction of our Attorney General, work has commenced on the new Trust Territory Code authorized by Public Law 4–17. It is anticipated that a complete manuscript will be presented to the Congress of Micronesia by July, 1970.

This brief summary has, in the interest of time, covered only highlights of the current state of the Trust Territory of the Pacific Islands. It is my intention to subsequently present to the Congress of Micronesia a more specific message on the Trust Territory budget, on government organization and, possibly, on other important subjects. I am also looking forward to a series of regularly scheduled breakfast meetings with the leadership of the Congress during the balance of this Session.

While I am afforded the opportunity to officially address this Congress for the first time, I should like to take a few more minutes to present some basic thoughts and principles which will guide my Administration as your High Commissioner. Although it is my understanding that this Congress will consider specific legislation designed to increase the revenues from local taxation, we will still be faced with the fact that for at least the next few years the major funding for the operation of our government will come from the United States Congress. In this respect, members of my staff and I have been assured on several recent occasions of the wholehearted cooperation of both the United States Senate and the United States House of Representatives in properly funding our many new programs for the economic and political development of Micronesia.

Our friends in Washington have told us that one of our drawbacks in the past has been an apparent unwillingness to let them know how much we really need, to accomplish the many things that must be done throughout the three million square miles of the Trust Territory. Let me assure you that this Administration intends to make abundantly clear to all concerned, exactly what we need in each area to accomplish our goals; and although we realize that in many areas priorities must be set within realistic budget limitations, it seems to me that the time has come for us to declare to all concerned that we will no longer establish "selective priorities" in those areas which concern the health, safety and, possibly, the very lives of the Micronesian people. If we need six fire trucks, or twelve ambulances, or ten police cars, or fifty fully-equipped dispensaries, we must leave no doubt in anyone's mind that we need these items simultaneously and not spread over a period of several years. In other words, we do not wish to make the terrifying decision as to which of our citizens shall have their lives properly protected and prolonged, and which ones shall have to wait several more years for the same facilities and services.

It should be clear to all concerned, from what has been said to this point, that this Administration is dedicated to the future progress of Micronesia. Over the next few years we shall be constructing roads, hospitals, schools, air fields, water and sewage systems, and other vitally needed public improvements as rapidly as possible. At the same time, we will stimulate the private sector to erect hotels, shops and stores, and other business facilities and installations. But, let us, at the same time, pledge to ourselves that building the future must not be allowed to destroy the heritage of the past. Steps are already being taken to preserve historic sites, to build museums and to make them available for the education and inspiration of our own people, as well as to provide information on our historic past to visitors from abroad. I, for one, refuse to be convinced that progress necessarily destroys culture. The United States of America is possibly the only great nation in the world where, on the same evening in the same city block, one might find an Irish wake, a Polish wedding, and a Jewish Bar Mitzvah occurring simultaneously. Each of these groups has joined in building America, yet none has completely separated itself from the heritage and customs of its past.

As you know, I lived for the past quarter century in the only area of the United States which went through the successive governmental stages of a Monarchy, a Republic, a Territory and, finally, the Fiftieth State of the United States of America. Certainly, no one can deny that Hawaii has made progress during each stage of this transition. Yet, here, again, the various ethnic groups which have built Hawaii have tenaciously held on to their native cultures. Each year the citizens of Hawaii and visitors alike enjoy equally the Hawaiian Aloha Week, the Japanese Cherry Blossom Festival, the Chinese Narcissus Festival and the Philippine Fiesta. In fact, our friends in Hawaii have one island, Niihau, whose citizens still live completely in the old Hawaiian tradition. Largely by their own choosing, they do without many of the comforts of modern living, but they are guaranteed the basic services essential to their health, education and welfare by their State Government.

Within a few short hours, three Americans will begin a mission designed to land them on the surface of the moon, and the mission seems to have every chance of success. It will be watched by the whole world, including Micronesia, and it occurred to me a few days ago that in this age of such tremendous scientific progress, I cannot for one minute accept the thought expressed by some who tend to think negatively, that there are two classes of people in the world—Micronesians and all the others. I refuse to believe that the people of Micronesia would voluntarily reject the advances in science, health and education which are so eagerly sought by all the rest of the world. And I am equally unwilling to accept the thought expressed by some that to enjoy these benefits Micronesians must forget or deny the cultural background which has made them one of the finest groups of people on this earth.

Bearing these principles and these thoughts in mind, we come now to the final and most important item to which we must address ourselves today—the future political status of the Trust Territory of the Pacific Islands. The Joint Future Political Status Commission of this Congress has worked long and diligently to prepare a report which will soon be submitted to the Congress and which, after debate and adoption, will express the views and desires of you gentlemen who so ably represent the people of Micronesia.

Just a few weeks ago, the Vice President of your Senate, the Honorable Olympio Borja, in his remarks to the United Nations

Trusteeship Council, said: "The United States, as the administrating authority, has not defined its aspirations, wishes or views with respect to the future political status of Micronesia." And he urged the United States to express its position so that an exchange of views might take place. To answer his request, let me make it abundantly clear to this honorable body today (and I am sure I speak for President Nixon, Secretary Hickel, and many others throughout America)—the United States is proud to be associated with Micronesia and we definitely desire to enter with you into a lasting and permanent partnership. We are prepared and anxious, from this moment forth, to discuss with this Congress, as the elected representatives of the Micronesian people, the exact nature which this partnership should take. We have invited Representatives of the Congress, accompanied by members of the High Commissioner's staff, to visit Washington immediately after the conclusion of this current session, to assist in drafting the specific legislation to implement such a partnership.

May I again express my appreciation to this Congress for inviting me to address you today. I am sure that my family and I will enjoy life in Micronesia and look forward to being a part of this growing area for many years to come.

During the Presidential campaign in 1968, a young lady named Vickie Cole, in the small town of Deshler, Ohio, carried a sign which gave President Richard Nixon the theme for his Administration, which began on January 21st this year. It has occurred to me many times in these past few weeks that this theme is particularly adaptable to our situation in the Trust Territory of the Pacific Islands. So, I would conclude this message to the distinguished Members of the Third Congress of Micronesia with the hope that you would agree with me that our task and our challenge in these coming months and years is to lead Micronesia "Forward Together."

PRESERVATION OF NATURAL RESOURCES

Mr. JACKSON. Mr. President, as Americans have increasingly become aware of the importance of conservation, it is our hope that private industry has begun to accept a greater responsibility to insure the preservation of some of our Nation's natural resources. Evidence that this is happening has been supplied by the Georgia Pacific Corp., which today donated a $6 million stand of prime redwood timber to the Nature Conservancy. This nonprofit organization, long noted for its efforts in conservation, expressed its thanks for Georgia Pacific's farsighted approach to one of America's growing problems. It is noted that the gift may represent the largest ever made by an American business firm for conservation purposes. This type of approach is indeed welcome by all Americans, and it is my hope that this concern will continue to grow to the benefit of all.

I ask unanimous consent to have printed in the RECORD a release by the Nature Conservancy describing this gift.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

GEORGIA PACIFIC DONATES $6 MILLION PRIME REDWOOD STAND TO THE NATURE CONSERVANCY

WASHINGTON, D.C.—The Nature Conservancy, of Washington, D.C., announced today the donation by Georgia Pacific Corporation, one of the nation's largest forest products companies, of a $6-million stand of prime redwood located on the Van Duzen River in Northern California.

The gift, which the Conservancy termed one of the largest in the history of the American conservation movement, embraces two redwood groves totalling 390 acres situated 12 miles southeast of Fortuna, California.

A brief, noontime ceremony was held today (Wednesday, July 30) at the site, attended by Georgia Pacific, The Nature Conservancy, Save-the-Redwoods League, and state park officials. Robert B. Pamplin, Portland, Oregon, chairman and president of Georgia Pacific, gave the deed to the property to Thomas W. Richards, of Washington, D.C., president of The Nature Conservancy, who symbolically handed it to William Penn Mott, chief of the California State Park System, which will administer the park.

Richards, as president of The Nature Conservancy, a national, non-profit organization formed to acquire and protect outstanding natural areas, praised the company saying, "This public-spirited gift is a tribute to the conservation awareness of Georgia Pacific officials. This marks a significant breakthrough for the conservation movement. This gift represents what may be the largest ever made by an American business firm for conservation purposes. Georgia Pacific, with the contribution, sets an example for America's resource-based industries. We are grateful to them and hope that other industries will follow their lead."

Included in the gift are some 206 acres of old growth redwood, classified triple 0, which signifies the oldest and best timber. Many of the trees are between 400 and 800 years old and a number are 15 or more feet in diameter. The volume of timber in the stand runs between 300,000 and 400,000 board feet per acre; the total amount of top grade redwood is enough to build houses for over a million people. The remaining land includes young growth redwoods and river bar and meadowlands.

Pamplin remarked, in making the gift, that "we have always recognized the need for recreational use of forest lands. We maintain several dozen beautiful parks in our western timber ownership for the use of the public." Earlier he noted that the company strongly believes 'in the multiple use of timber and timber lands. We believe this renewable resource can—and must—serve many masters."

Also present at the ceremony was Dr. Ralph W. Chaney, president of the Save-the-Redwoods League, the organization which has pioneered the conservation of California's redwood groves. Chaney expressed delight with the gift, noting that the "countless people who seek the tranquil beauty of the redwood region will be able to enjoy this park year after year."

The gift tract includes two groves and a connecting strip of land. The groves will be named after Pamplin and Owen R. Cheatham, founder of Georgia Pacific. The land has been held for park use since the turn of the century, first by the Hammond Lumber Company, and for the past 14 years by their successors, the Georgia Pacific Corporation. In the westernmost grove, there is an open recreational area and a swimming hole.

Administration of the new park will be from the nearby Grizzly Creek Redwood State Park.

OPPOSITION TO CUTBACKS AT FRANKFORD ARSENAL

Mr. SCOTT. Mr. President, since 1816 the Frankford Arsenal in Philadelphia has secured our Nation's defense needs. Frankford Arsenal is a key installation in the research and development program of the Army Materiel Command.

For more than 3 months my distinguished colleague from Pennsylvania, Mr. SCHWEIKER, and I have opposed the Defense Department's announced plan to uproot thousands of Philadelphia-area families by transferring the research and development activities at Frankford Arsenal to other scattered installations. We have demonstrated that the proposed transfers would waste taxpayers' money, weaken national security, and strike a severe blow at the economy of southeastern Pennsylvania.

An article published in this morning's Philadelphia Inquirer points to another danger involved in the Army's plan. There is a real danger that the United States could become dependent on foreign countries for vital defense materiel. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Philadelphia (Pa.) Inquirer, July 30, 1969]

ARSENAL LOSS RAISES FEARS

(By Clifford Linedecker)

Removal of the research and development division from the Frankford Arsenal could lead to American dependence on other countries for evolvement and manufacture of military armament, it was predicted here Tuesday.

The U.S. will be looking to such countries as Japan, Belgium, Germany and France for its arms, warned Kenneth L. Lyons, president of the National Association of Government Employees, "if Congress ever makes the tragic mistake of permitting destruction of our Frankfort Arsenal.

SERIOUS LOSS

Lyons appeared with S. Harry Galfand, director of commerce and city representative; and Thomas W. Langford Jr., regional economist and research associate of the Regional Science Research Institute, at a luncheon meeting of the Poor Richard Club.

The proposed cutback at the 110-acre facility at Tacony and Bridge sts., warned Lyons, would not represent a gain for any other arsenal, and would be a loss for the country.

DEFENSE BLUNDERS

"It would be an end to research and development on these weapons, at a time when our Army, Navy, Marines and Air Force need them most," Lyons said.

Lyons charged that a cutback at the arsenal would continue an "insane" pattern of Defense Department blunders in the last few years that has already seriously affected the quality and production of small arms.

Defense Department errors and meddling, he said, have resulted in situations where "half of our weapons wouldn't work" if our armed forces had been attacked in Europe.

He pointed to the often-criticized M-16 rifle in Vietnam, as another example of Defense Department blundering. "There have already been 142 modifications," he said, "and anytime one of our men can grab an enemy AK (NFLR) they prefer to use that."

Lyons contended that only 4 percent of the arsenal team of highly skilled workers in research and development are prepared to relocate if the division is moved.

"It would be almost an impossibility to recruit the scientists and technicians who would be needed to make research and development work elsewhere," he declared.

ANTIAMMUNITION REGISTRATION BILL

Mr. SCOTT. Mr. President, I want to announce my firm support of the bill introduced yesterday by the Senator

from Utah (Mr. BENNETT) to amend a major part of the ammunition registration section of the gun control law of 1968.

This bill is almost identical to the Bennett-Scott bill introduced earlier this year which was later withdrawn for parliamentary reasons. I am delighted to join with Senator BENNETT in this new bill.

The Treasury Department has interpreted the ammunition registration provisions of last year's gun bill in such a way that it does not conform to the intent of Congress. Our bill would exempt from this burdensome registration procedure the kind of ammunition most commonly used by legitimate sportsmen.

I urge Congress to act on the bill before the hunting season opens this fall, to prevent confusion and unnecessary hardships on thousands of legitimate hunters and sportsmen in Pennsylvania and throughout the country.

The purpose of the Gun Control Act of 1968 was to help to prevent crime and acts of violence. It was not intended to restrict or harass sportsmen. But in fact, law-abiding citizens are suffering unnecessary inconveniences and burdens because of the interpretation of the act by the Treasury Department.

Our new bill makes it clear that Congress does not intend for sportsmen to be treated as criminals.

On the other hand, criminals who misuse firearms to commit felonies should receive prompt and severe sentences. I have cosponsored and testified in favor of the bill by Senator MIKE MANSFIELD (S. 849) to provide tougher mandatory sentences when guns are used in committing Federal felonies. Of the 20 robberies which were reported in yesterday's Washington Post, 12 were committed by criminals with guns. Tragedy was averted in one case only because the weapon misfired when the trigger was pulled.

The Mansfield bill will assure that criminals who threaten society with firearms will receive strict sentences.

I have joined in sponsoring both bills because I believe we must distinguish between the law-abiding sportsman who has a legitimate right to carry a firearm, and the criminals in our society who misuse guns and terrorize our citizens.

FUTURE NATIONAL GOALS

Mr. BURDICK. Mr. President, the staggering success of our Apollo 11 moon shot has, quite properly I think, raised the question, "Where do we go from here?" The answer to this question will chart our future for many years to come.

Dave Dyke, editorial director of the North Dakota Broadcasting Co., has kindly furnished me a copy of a recent KX network editorial on the subject. I commend KX for raising these questions. I know I look forward to having the suggested answers.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHERE DO WE GO FROM HERE?

Our moonwalking astronauts are safely home, so now might be a good time to examine where we go from here with regard to our national emphasis. The space scientists have proven their point with the moon landing, now possibly we need to establish some new national goals toward which the United States can devote its resources of time, talent, and money.

In this land of plenty, it is increasingly evident there is a real problem of poverty. As our citizens live longer lives we see growing problems for the aging. We are still faced with the challenge of conquering many of the diseases that plague mankind, and man has yet to learn to live in peace with his fellowmen. Any one or more of these problems could be a proper target for a major national effort, similar to our recent space effort.

We feel the American people would give full support to any such worthwhile new national project, but the voice of American people should be heard in the setting of any such priority of effort. This means the American citizen must speak up, must speak out, to let his opinion be heard.

The management of this station would urge every concerned citizen to write or otherwise contact their congressman or senator—or the president, to let these national leaders and decision makers know what you feel should be the next target among the several problems that face our nation and our world. You tell them how you want your tax dollars spent.

CAN THE INFANTS SURVIVE?

Mr. INOUYE. Mr. President, I recently had occasion to read a provocative article published in the June 1969 edition of the Bulletin of Atomic Scientists. It is an article written by an eminent radiologist, Dr. Ernest Sternglass, a member of the Department of Radiology and Division of Radiation Health, University of Pittsburgh. Dr. Sternglass has discovered new data that indicates the potentially catastrophic consequences of a nuclear attack not only on the immediate victims but also on the living and unborn, upon whom must rest the hopes for the regeneration of mankind. The evidence that Dr. Sternglass has gathered illustrates that one of the effects of a large-scale use of nuclear weapons will be the poisoning of genetic material with the danger of the extinction of mankind.

As a layman, I do not feel competent to comment authoritatively on Dr. Sternglass' thesis. Nevertheless, I feel that his findings do add a new dimension to the debate currently raging over the deployment of the anti-ballistic-missile system. If in fact his data is accurate, we may discover that we, the ostensible victors in a nuclear exchange, may have been doomed by the reckless actions of the Soviets and the system which was to have saved us from destruction.

I ask permission to have Dr. Sternglass' thesis printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAN THE INFANTS SURVIVE?

(By Ernest J. Sternglass)

(NOTE.—Discussion of chances of recovery from a major nuclear war becomes meaningless, charges physicist Ernest Sternglass, when the children of the nation that launched the strike would die before reaching maturity. Dr. Sternglass's comment is based on data he presented in the April "Bulletin." Dr. Sternglass is a member of the Department of Radiology and Division of Radiation Health, University of Pittsburgh.)

F. J. Dyson's "Case for Missile Defense" (April "Bulletin"), although obviously based on a deeply felt moral revulsion against nuclear war and a sincere desire to minimize its apocalyptic consequences, nevertheless rests on a fundamental fallacy as to the nature of nuclear weapons which has until now been widely accepted in the absence of any serious evidence to the contrary.

This basic fallacy, which vitiates all four of the points in favor of defensive missiles made by Dyson, is to regard nuclear weapons as basically nothing more than large explosive devices or fire-bombs accompanied by a flash of radiation, whose effect may be more or less judged by the local destruction they produce on the targets at which they are aimed, with relatively minor long-range radiation effects on distant populations or succeeding generations that pale in comparison with the immediate effects.

However, the mounting evidence for unexpectedly serious biological effects produced by low dose-rate fallout radiation on the reproductive system and the developing human embryo outlined in the April "Bulletin" makes it clear that the more important aspect of the large-scale use of nuclear weapons in warfare as far as mankind as a whole is concerned would be their action as a subtle new form of biological poison that could lead to the extinction of nations through their action on the genetic material.

The reproductive cells and the developing early embryo can apparently be seriously damaged by ingested or inhaled quantities of Sr-90 some tens to hundreds of times smaller than those needed to produce leukemia or bone cancer in the mature adult. Thus the situation can arise whereby many cities and their existing populations might survive a nuclear war as a result of ABM systems combined with shelters, only to have the society come to an end as the infants born to the survivors die in their first year of life.

We find ourselves confronted with the utterly new situation in which, contrary to all our past thinking, even targets that are either not attacked, or are protected by an anti-ballistic missile system, can be destroyed if these "targets" are people. Dyson's point that "if you are sitting in a city which is not attacked, the defense has worked" therefore becomes specious: the population might indeed have been saved, only to see the end of the very society which they sought to preserve as the newborne die one by one before reaching maturity as a result of the inhaled and ingested radioactive fallout quickly distributed throughout the atmosphere.

It is therefore clear that in the light of the long-range worldwide biological effect of nuclear weapons, all past calculations as to casualties, "loss-exchange ratios" and chances of recovery from a major nuclear war in the presence or absence of anti-missile systems or shelters becomes utterly and completely meaningless. In fact, even the threat of a massive first strike by one major power against another loses all credibility when the resulting release of fission products into the world's atmosphere would be sufficient to insure that the children of the nation that launched this strike would die before reaching maturity.

And yet this is precisely what the existing data on infant mortality as a result of the very limited peace-time testing of nuclear weapons show: The U.S. infant mortality reached about twice the normally expected value by the time the test-ban came into effect in 1963, in a manner directly correlated with the amount of Strontium-90 in the milk and infant bone. This means that close to one out of 100 children born died

before reaching age one as a result of the release of some 200 megatons' worth of fission energy or some 20 million curies of Strontium-90 in remote test-sites and at high altitudes above the atmosphere. Since a first strike, in order to have any chance at all of being effective, would have to involve some tens of thousands of megatons, detonated close to the ground, probably in the form of biologically more effective small multiple warheads carried by MIRVs (multiple independent re-entry vehicles), it is clear what the effect of such a massive release of long-lived fission products into the circulating air-currents of the atmosphere would be, regardless of where the bombs were aimed or where on the ground or above the atmosphere they would detonate.

And since ABM systems, whether effective or not, force an escalation of the number of offensive warheads, not to speak of the additional multi-megaton warheads in the three-to-five anti-missiles needed for each incoming warhead to achieve interception, the net result of their installation would be to seal the doom of mankind ever so much more firmly if the now unstabilized deterrent should ever fail.

The ethical and moral considerations that moved Dr. Dyson to opt for more defensive rather than offensive missiles must therefore be extended to the broader question: Does any nation have the right to destroy the lives of innocent children in countries throughout the world in a vain effort to insure the survival of its own particular ideology and way of life, by weapons that release an indiscriminately-acting, long-lasting biological poison into the world's atmosphere?

COMMENT ON STERNGLASS THESIS

I welcome this chance to call attention to Ernest Sternglass's article, "Infant Mortality and Nuclear Tests," in the April "Bulletin." I urge everybody to read it. Compared with the issues which Sternglass has raised, my arguments about missile defense are quite insignificant. Sternglass displays evidence that the effect of fallout in killing babies is about a hundred times greater than has been generally supposed. The evidence is not sufficient to prove that Sternglass is right. The essential point is that Sternglass may be right. The margin of uncertainty in the effects of worldwide fallout is so large that we have no justification for dismissing Sternglass's numbers as fantastic.

If Sternglass's numbers are right, as I believe they well may be, then he has a good argument against missile defense. I have used the same argument myself in an article against bomb-shelters ("Thoughts on Bomb-Shelters," March 1962 "Bulletin"). Only I think the argument applies even more strongly against offensive forces of the size that we have now deployed. Our most urgent objective should be to get rid of the B-52 force which still carries the bulk of our deliverable megatons. Let us hope that Sternglass's argument may impel both sides in the forthcoming Soviet-American discussions to consider some drastic reduction of offensive force-levels.

So far as defense is concerned, the logic of Sternglass's numbers makes it highly desirable to develop a system using non-nuclear interceptors. We do not have a non-nuclear defense ready for deployment now, but I consider the chances good that we could develop one if we tried hard enough. In the long run, I believe a non-nuclear defense would be politically stabilizing and would facilitate the reduction of nuclear forces to levels which would not endanger the survival of mankind.

FREEMAN J. DYSON,
Institute for Advanced Study, Princeton, N.J.

APOLLO 11: MISSION ACCOMPLISHED

Mr. GOODELL. Mr. President, 8 years ago we set our national sights on a lunar landing and the safe return of our astronauts back home.

Now we have accomplished this mission.

As a nation, we are justly proud of the human spirit, the superb mastery of technology and the truly national effort which have combined to propel the community of man to the moon.

Astronauts Neil Armstrong, Edwin Aldrin, and Michael Collins—after the successful completion of their historic exploration of the moon—have returned home. Americans and the people of the world have welcomed them and have commended them on their remarkable feat and outstanding bravery.

Now, while attention focuses on the health safety of the astronauts; while we are hopefully awaiting the end of their quarantine period; while we wonder what new knowledge will come from the photographs taken; while we await discoveries from the study of lunar rocks and soil brought back to earth; while we are suspended in hope and wonder over the unknown, Apollo 11 is remembered for many things which are already known.

Indelibly marked on our memory of Apollo 11 is the courage of our astronauts; the teamwork at mission control; the encouragement given by President Nixon as he spoke to the astronauts on the moon of "the greatest moment of our time," a moment when all of the people on this earth are truly one—in pride and in prayer.

In our memory also is Apollo's message to future moon visitors:

Here men from planet Earth first set foot upon the moon, July 1969, A.D. We came in peace for all mankind.

With this in mind, we wonder now about future visitors to the moon, and the frequency of visits. We wonder about interplanetary exploration and we know that Mars is man's next step. The Mariner Mars program is well under way. With the Mariner flybys scheduled for this week and next, we can expect photographic closeups of Mars. Television viewers now knowing what it feels like to walk on the moon, will also know what it feels like in a spaceship homing in on Mars.

Mr. President, on various occasions I have expressed my views on post-Apollo space programs. I have urged that NASA give top priority to application of space-related knowledge to the needs of people here on earth.

This does not mean to suggest that we turn our backs on further space exploration. What it does mean is that we avoid a crash-effort approach to future space exploration and that we guard against the tremendous drain on resources which such crash efforts entail. We can, and I think we should, digest what we have learned from the lunar landing. We should proceed with more moon exploration at an even, steadied pace rather than at a hectic and hurried one. We should proceed with unmanned exploration of planets and do so with international cooperative effort. This, I think, should be our approach to future space programs rather than the crash-effort approach which would thrust our astronauts on Mars by the 1980's which scientists say is technically possible. Alongside of what is technically possible for future space feats, I think we simply must view our space goals in the context of the immediate need to improve life here on earth.

Spinoffs from space achievements can be helpful to life here on earth. Some byproducts have already begun to influence our lives and hold hopes for the future. I am particularly interested in the potential of space developed fortified foods in meeting the problem of malnutrition in this country and throughout the world. Health needs may be met with medical innovations resulting from space related research. Space scientists have discovered a metal called "vitallium" which is now under study at Cornell Medical Center for potential use in making artificial human joints. Consumer needs may also be met in a variety of ways. Among the consumer byproducts of the space age which already exist is a $2 blanket that can reflect radar signals and can be used to rescue lost hunters or stricken yachtsmen.

Mr. President, we must act now to encourage civilian applications of space-related knowledge. Such useful byproducts for our people and the people of the world whether in health, safety, housing, communication or transportation needs, must not be bypassed. Rather, space technology utilization must be pressed to the forefront in our deliberations on future space program planning.

Man first stepped on the moon with the words:

That's one small step for man; one great leap for mankind.

Future space steps are now focal points of discussion. NASA Administrator, Thomas Paine, has said:

I think the significance of the trip is indeed that mankind is going to establish places of abode outside of his home planet, the Earth.

While lunar and planetary communities may be very long-range extrapolations from present technology; while steps toward these ends may be just plain engineering good sense; while today we reflect on these possibilities, I am particularly struck by the thought expressed in a New York Times editorial of July 30, entitled "Evolution Into Space," which reads:

It will take years, decades, perhaps centuries, for man to colonize even the moon, but that is the end inherent in Armstrong's first step on extraterrestial soil. Serious and hard-headed scientists envision, even in the not remote future, lunar communities capable of growing into domed cities subsisting on hydroponically grown food, of developing the moon's resources, and eventually of acquiring a breathable atmosphere and a soil capable of being farmed. What with the dire threats of population explosion at best and nuclear explosion at worst, the human race, as Sir Bernard Lovell warns, may find itself sometime in the 21st century "having to consider how best to insure the survival of the species."

Mr. President, I think it is time for more good commonsense here on earth. We need to direct our energies toward achieving more livable cities; toward eliminating hunger at home; toward preventing the dire forecast of world mass starvation in the 1980's; toward acquiring a breathable and safe environment here at home; and toward stemming the escalated arms race with its vast destruction potential and doomsday capability.

All of these things remain to be done. I am hopeful that these more earthly feats will not be overlooked as we chart our course further into space.

THE PESTICIDE PERIL—XXXV

Mr. NELSON. Mr. President, in May of this year a special Committee on Persistent Pesticides of the National Academy of Sciences issued the results of its 2-year study on the growing controversy over the use of pesticides. According to an editorial published in the July 1969, issue of Audubon, the magazine published by the National Audubon Society:

> The report illustrates the characteristics, difficult, and dangerous conflicts of interest that beset our new technoscientific civilization.

Although the report recognizes that "worldwide environmental contamination by DDT is serious" and that general use of DDT will continue until the Government imposes controls, the Academy still failed to recommend a ban on DDT.

A clue to this apparent contradiction between the findings of the study and the recommendations—or lack of recommendations—of the Academy might lie in the backgrounds of the 11-member Committee. Eight, including the chairman, had close commitments to the agricultural community; two represented the chemical industry; while only two had orientation in ecological problems. Of the more than 80 witnesses appearing before the Committee, only 19 could be considered as being ecologically oriented.

As the editorial clearly pointed out:

> The majority, therefore, came to this assignment with the self-assurance that chemical pesticides are "good" since they have helped increase agricultural production.

It is apparent that the effect of persistent pesticides on the ecological balance within our environment was not uppermost on the minds of most of the committee members and its witnesses.

As the Audubon Society puts it so well:

> We have a right to expect more from the National Academy of Sciences—at least the recognition that given our contemporary illiteracy in ecology, this twenty-year pesticide controversy will not yield to concensus.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE ACADEMY OF SCIENCES LAYS ANOTHER THIN-SHELLED EGG

In November 1966, the U.S. Department of Agriculture asked those scentific advisors to the nation, the National Academy of Sciences/National Research Council, to appoint a special Committee on Persistent Pesticides to help review the rising challenge to the use of these chemicals mounted by conservationists and a growing segment of the scientific community. The eleven-member committee heard testimony from more than 80 witnesses and issued a report on May 27th, 1969.

The report illustrates the characteristic, difficult, and dangerous conflicts of interest that beset our new technoscientific civilization. It recognizes that controlling the long-lived residues of DDT and other similar chemicals in the world environment will require regulation by all nations. It also recognizes that DDT has had an unfair economic advantage over other more acceptable insecticides, and that worldwide environmental contamination by DDT is serious, but that unless (and until) governmental regulations eliminate the present advantage of cheapness that makes DDT so popular, it will continue in general use.

Despite this, the committee, speaking for the National Academy of Sciences, failed to recommend a ban on DDT!

In 1963 another special committee of the academy failed utterly to come to grips with the problem of persistent pesticide contamination, and the academy's staff recognized the failure. Why did it fail again?

A thorough analysis of the false philosophical assumptions that beset the academy and all of us may be necessary to answer this question fully, but it may suffice to suggest here that too many of the tools and techniques we have so proudly and naively developed are simply beyond our current ability to use wisely. The technologist has become the sorcerer's apprentice! Chemists, engineers, and economists, who make most of the decisions to loose these inventions on the landscape, are unfortunately the least qualified to judge their possible effects.

The academy's Committee on Persistent Pesticides should have been an ecological board, since the pest control problem and pesticide pollution are both ecological problems. But only two of the eleven members were so oriented. Eight others, including the chairman, had backgrounds and philosophical commitments close to the agricultural community; two were from the chemical industry. Even though all these men were highly qualified and respected specialists, most of them were ecologically incompetent.

The majority, therefore, came to this assignment with the self-assurance that chemical pesticides are "good" since they have helped increase agricultural production; this too is "good" because our growing population requires it. The "problem" they were asked to analyze simply called for examining present pesticide use policy to see where it might be *perfected* to minimize formerly unrecognized conflicts, and to assure the public that its interests are being well taken care of by experts, both those on the committee, others in the academy, and all those thousands of experts who have implemented the vast technical programs of modern agriculture.

This is a case where we suffer from the democratic notion that majority opinion is right per se, with "public relations" substituting for education. This stumbling block is evident in the makeup of the persons interviewed by the committee: nineteen more or less ecologically oriented witnesses were exactly counterbalanced by nineteen industry spokesmen whose job has been to produce and sell the technology that has gotten us into trouble. The other testimony came from three people in food processing, fourteen in public health (as yet an unecological field), and twenty-eight from agriculture, men who planned and directed our commitment to DDT!

This report does mark at least one important advance. Though its recommendations are altogether vacuous, it does recognize the damning evidence—but carefully buries it deep in the text, where few will read it. More research is called for, of course, which is always a good way to put off action; in this Age of Science, research is like absolution to medieval man. If we stopped poisoning we could research more important things, and save life too, perhaps more than we know.

The other reliable roadblock to restrictive action is to insist, as this report does, that there are yet no satisfactory alternatives to DDT. It does not specify what it is that cannot be controlled by other means, or how important it is to control at all. Confront any man and he will be against sin—until the next time he wants to sin. And so we are now all, perforce, against pollution—except when it is profitable to pollute, whether with pesticides, oil, or what have you.

We have a right to expect more from the National Academy of Sciences—at least the recognition that given our contemporary illiteracy in ecology, this twenty-year pesticide controversy will not yield to consensus. Someone has to lead, to educate, to hold the mirror up to man.

WHERE RESPONSIBILITY LIES

Mr. HATFIELD. Mr. President, as common as the human tendency to pass the blame for wrongs is the human proclivity to pass the buck for the curing of ills. Such is often the case among the private and public sectors of our Nation.

Jack Sugg, president of the Associated Oregon Industries, recently brought this problem to light as it relates to the relationship between private business and Government regulation.

In his compelling commentary in the July issue of News Digest, Mr. Sugg reiterated the free enterprise approach to problems of and with industry and the practical approach to Government's role—as other than the cure-all and end-all of the problems of business and consumers.

It is with encouragement and with admiration for Mr. Sugg's appraisal of where responsibility lies that I ask unanimous consent that "We, Not They" be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WE, NOT THEY

(By Jack Sugg)

It seems popular these days to look to government at all levels to remedy problems or dissatisfactions of the people. Government is the "they" in "They should do something," and the oft-sighed "There ought to be a law" wishes that "they" would act.

Most measures aimed at so-called consumer protection follow such lines of reasoning. Though contrary to the basis of our free market economy, they represent a limp-wristed desire of many people to substitute distrust and regulation of business for free choice and individual moxie.

It's always refreshing, therefore, to see examples of business constructively policing itself. Such an instance is found in "The Right Thing to Do," a comprehensive code of ethics recently endorsed by the National Association of Direct Selling Companies and the National Better Business Bureau, Inc. Sub-titled "A Credo of Business Responsibility," the prinicples apply to direct selling, verbal representations and advertising of commodities or services sold at people's homes or other places not on the premises of the supplier or seller. Faithful compliance, say the sponsors, "will increase public confidence in the direct selling industry and thereby help to protect the consumer and legitimate business from unfair and deceptive practices.

Listed under 16 headings, the standards

demand accuracy, bona fide offers with adequate supplies to back them up, truthful advertising illustrations, and that customers receive copies of completed contracts and written orders or receipts showing the name and address and the seller. Contract cancellation is called for in case of fraud, misrepresentation or undue influence.

Guarantees must be explained fully as to scope, limitations and conditions, according to the code. Customers should be told whether price savings are compared to previous prices or to prices of other sellers, and when a contract may be sold or assigned to a financial institution.

The standards discourage use of "list" prices, "lifetime" guarantees, "free offer" gimmicks, superlative claims unless backed by fact. They urge that multi-level sales plans conform to existing law and avoid exaggerated earnings possibilities, and that salesmen refrain from attacking competitors or disparaging their products. And they prohibit pre-ticketing items with phony "original" prices, deceptive offers, chain referral selling, asking persons to sign blank contracts, and using false or misleading advertising in recruiting salespeople.

Such ethical standards, of course, always have been used by successful salesmen, for their success has depended upon goodwill and repeat customers. Despite popular sentiment that a vague government "they" should do something, the fact remains that a responsible free choice, free market system is the consumer's best watchdog.

"We" in business must preserve the trust that makes this a fact.

TRAILS EASY WAY TO EXPLORE AMERICA

Mr. JACKSON. Mr. President, the National Park Service of the Department of the Interior on July 13 issued a press release pointing out that increasing numbers of Americans are following land and water trails this summer.

Many of these trails are really automobile routes that follow in the footsteps of the pioneers or explorers, thus providing an easy way of exploring history. One of these, for instance, is the Lewis and Clark Trail—1,000 miles of good roads from St. Louis, Mo. to Fort Clatsop on the Pacific Ocean.

There are also waterway trails that can be followed utilizing transportation ranging from houseboats to canoes.

And there are wilderness trails, such as those designated in the National Trails System which the 90th Congress established only last year.

The details of this expanding outdoor recreation opportunity is best told by the National Park Service, Mr. President, and I ask unanimous consent that its press release be printed in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

LAND AND WATER TRAILS EASY WAY TO EXPLORE AMERICA

Many Americans are taking to the trails this summer.

This doesn't mean they're necessarily following a winding footpath through the forest, but that they've discovered the scores of land and water trails that are available for vacationers.

Whether by houseboat or canoe, on foot or in an automobile following a regional trail can be a great experience for the whole family.

One of the easiest ways of exploring history, and enjoying outdoor recreation at the same time, is by following one of the many regional automobile trails crisscrossing the country. These are modern highways specifically designated to follow a historic or scenic route and, generally, marked with an identifying symbol. They're designed for moderately high speed automobile traffic, not foot travel.

The Dixieland Trail, with a distinctive marker of a silhouetted Southern belle, takes you through the famous Bluegrass state of Kentucky into areas of Tennessee and North Carolina and the panoramic countrysides of South Carolina and Georgia.

The Lewis and Clark Trail winds over 1,000 miles of good roads from St. Louis, Missouri to Fort Clatsop on the Pacific Ocean. You can be a Modern explorer on this trail that passes through 11 states, closely paralleling the original route. This is a great trip for historical sightseeing, but there are many recreational opportunities along the way and cities such as Kansas City and Portland are included.

The Old West Trail steers you through the five states of Nebraska, North and South Dakota, Montana and Wyoming. Along this advanturesome route, you can visit historic museums, stop at an Indian pow-wow, or camp out for a few days of hiking, fishing, hunting, or mountain climbing.

The Hiawatha Pioneer Trail travels through Iowa, Illinois, Wisconsin and Minnesota. You'll have a chance to sample the history, agriculture, culture and recreation of America's mid-west region along this trail.

The Ozark Frontier Trail is a memorable loop from St. Louis across Missouri and Kansas, down into Oklahoma and east to Arkansas.

The Lincoln Heritage Trail, starting in Illinois and continuing into Indiana and north central Kentucky encompasses many highlights of the boyhood and career of your 16th president.

New England's Heritage Trail begins in Norwalk, Connecticut, and meanders through the six northeastern states. Early American history will mean more to you when you've stopped at such places as Mystic Seaport with its Waterfront Village, and Cape Cod, famous for its quaint fishing villages and beautiful seashore. There's even a Freedom Trail Walking Tour of Boston available on this route.

To make sure you don't miss important local points of interest, many states and even some cities have inaugurated their own automobile trail systems. The George Washington Trail, for instance, takes you through the coastal section of South Carolina; The Charter Oak Trail begins at Hartford and continues through the state of Connecticut; the Liberty Trail covers the five southeastern counties of Pennsylvania and includes a ride on a scenic railroad along the way; and the Hill Country Trail is one of ten new automobile trails in Texas.

For more information on any of these state or regional trails, write to the tourist office of the state you'd like to visit and ask for their free brochures on automobile tours of their areas. Tourist directors are located in the state capitals.

Regional trails aren't limited to land, however. If you'd like to vacation on water, there are many river and stream trails that provide great fishing, swimming, and boating fun. Houseboats are available for rent in many parts of the country and canoe or float trips are possible, also. Check your state Travel Office or Game and Fish Department for established rental agencies.

Following a trail into the wilderness can be an exciting experience too, but it needn't be a difficult one. Several organizations have set up guided trips into remote regions in various parts of the country.

The Wilderness Society, for instance, offers 45 expeditions this year, including 14 horseback pack trips, 16 walking trips, nine backpacking expeditions, three waterway trips, two ski outings and an Alaska tundra trek. The trips are planned to take into account the inexperienced wilderness travelers as well as the seasoned outdoor enthusiasts. Local outfitters provide most of the equipment and make complete arrangements from the time you arrive at the starting point until the trip is over. You don't have to be a member to take part.

For a listing of available expeditions and fact sheets on the individual trips, write The Wilderness Society, 5850 Jewell Avenue, Denver, Colorado 80222.

Other organizations that promote hiking and outdoor tours are the Appalachian Mountain Club, 5 Joy Street, Boston, Massachusetts 02108; the American Forestry Association, 919 17th Street, N.W., Washington, D.C. 20006; and the Sierra Club, P.O. Box 3471, Rincon Annex, San Francisco, California 94120. For information on hiking and biking trips, contact the local branch of the American Youth Hostels, or the national headquarters at 535 West End Avenue, New York, New York 10024.

One of the most famous regional trails in the country is the Appalachian National Scenic Trail—a beautiful hiking trail that extends 2,000 miles from Maine to Georgia. The route, marked by an identifying symbol can be picked up at any place and you can hike for as little or as long as you'd like. If you're planning an extended hike, you should write for the guidebooks and maps to The Appalachian Trail Conference, 1718 N Street, N.W., Washington, D.C. 20036. Prices are nominal.

Whether you want to canoe in Wisconsin, drive through Maine, hike through North Carolina, backpack in Colorado, or fish in Oregon, regional trails will make traveling easier for you. Look for the identifying marker on whatever route you're following. You'll find it will add greatly to your enjoyment of the countryside, and, probably, lead you to some sights you might have missed.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair recognizes the Senator from Oregon.

Mr. HATFIELD. Mr. President, on March 14 the President announced his decision to deploy the Safeguard antiballistic-missile system. At that time, the administration gave three reasons justifying its need:

1. Protection of our land-based retaliatory forces against a direct attack by the Soviet Union;

2. Defense of the American people against the kind of nuclear attack which Communist China is likely to be able to mount within a decade;

3. Protection against the possibility of accidental attacks from any source.

Originally, the proponents of this system seemed to give greatest emphasis to the possible threat posed to our deterrent forces by the Soviet SS–9 missile development. But, many have effectively questioned whether the Soviets have either the intention or the capability to develop a first-strike force. Such questioning appears to have had an impact of those supporting the ABM. Now, the first-strike threat seems to be given less emphasis and the role of Safeguard in protecting our population against an accidental missile launch and a Chinese attack have been given greater attention.

I would like to discuss all three aspects of this issue: first, alternatives to Safeguard for the purpose of assuring the viability of our deterrent; second, the Chinese threat; and third, the role of Safeguard in protecting against accidents.

Let me emphasize that the ABM advocates have presented no plausible evidence that the Soviets have the ability or intention to deploy strategic forces which could threaten the viability of our deterrent. A Soviet commitment to achieve meaningful strategic superiority over the entire array of our massive deterrent force would be the most costly, unrealistic, and misguided strategic decision they could make; and I believe they know this to be the case. But, even if prudence counsels one to accept the administration's dubious assertions that the Soviets are seeking a first-strike capability, the proposed Safeguard system seems to be a wholly inappropriate response. Alternatives to Safeguard exist which are less costly and more reliable. Most important, they can be implemented far more rapidly, thus allowing us to determine whether the Soviets are interested in reaching arms control agreements or in pursuing the arms race.

Thus, additional missiles might be deployed. Our land-based missiles might be placed in silos with greater resistance to the effects of a nuclear detonation. Bombers might be more widely dispersed and placed on air alert. A greater fraction of the Navy might be assigned the role of protecting our Polaris submarines. We might place Polaris missiles on the surface ships in a fashion which had only recently been advocated for the multilateral force and claimed as being strategically effective. We could even consider phasing out the supposedly vulnerable Minutemen while adding to the highly invulnerable Polaris submarine fleet.

The very great advantage of these alternatives is that no action is required now. We would be permitted time to gather definitive, certain evidence concerning Soviet intentions. We would avoid committing ourselves to a system of questionable reliability and great cost built as a response to an unproven highly speculative assertion. We would, at least, have attempted to forestall the expansion of the arms race which is quite certain to result from the Safeguard's deployment—deployment, which in conjunction with our MIRV program, could appear to the Soviets as an attempt by us to develop a first-strike capability against them.

The first alternative to Safeguard, procurement of additional missiles, is said by the administration to be provocative. My answer is that we can wait until 1971 before making a procurement decision. In the interim we can assess efforts to achieve arms control agreements and observe the trend of Soviet missile procurement.

Dr. Herbert York has testified that Minuteman missiles can be deployed on 2 years' notice. Therefore, if in 1971 we make the decision to deploy Minuteman, even at the 1962 rate of one missile per day, we could have approximately 700 additional missiles, with 2,100 warheads operational by 1975.

If we decided to wait beyond 1971 to determine whether a threat were going to materialize in 1975, we could, at a much later time, implement a substantial airborne alert. Also, we could degrade any emergency threat to our Polaris submarines on very short notice by assigning a greater fraction of our surface fleet to their protection. Further, we can embark upon an intensive program to make our present land-based missiles less vulnerable to attack by constructing silos with more blast resistance. This would certainly be nonprovocative.

Therefore, even if one grants the administration's underlying presupposition that the Soviets are developing a first-strike strategy, there are responses other than Safeguard which better protect our security, which are far more economical, and which pose no danger to the progress of the forthcoming arms control efforts.

The administration also claims Safeguard is required to protect us against an irrational attack by the Chinese. This justification for the Safeguard system reveals how our ignorance, emotional bias, and lack of understanding of the Chinese prohibit truly responsible strategic planning. Gripped with the picture of millions of Chinese dutifully reciting incantations from the little red book that seem ludicrous to our analytical Western minds, we are quick to conclude that the Chinese are "irrational." Possibly possessing 20 to 30 ICBM's by the mid-1970's, they might launch them against us, we are told, knowing full well of our assured ability to destroy their country. The full force of our retaliatory power would leave no societal life there worth mentioning. It has been estimated that a mere 10 percent of our bomber force, for instance, could destroy 200 million Chinese. Yet, we are told that the Chinese would invite total retaliation since they seem to be thinking and acting in ways that are so unfamiliar and puzzling to us.

Even if one were to accept the administration's psychological diagnosis of the Chinese, the case for Safeguard is still not convincing. If the Chinese did possess such suicidal tendencies and were willing to inflict damage upon us, regardless of the cost to themselves, they would probably be able to do so whether we had an ABM or not. It is possible that the Chinese will have developed penetration aids for their ICBM's which would be effective in exhausting a portion of the area defense component of our ABM, allowing for some of their missiles to reach our cities. Furthermore, means other than missiles could be utilized for delivering nuclear bombs to several of our urban areas—means requiring much less sophisticated technology.

But, the central issue is that our "irrational", suicidal characterization of the Chinese is not justified. It is true that the Chinese are gripped by an ideology and idolatry that seem totally alien to our own patterns of thought. But all man has the instinct of self-preservation, including the Chinese. They understand the meaning of deterrence, and that is our only truly reliable defense against them—just as the administration admits it to be our only defense against the Soviets.

In all candor, the proposed ABM system will be viewed by the Chinese as our attempt to preserve our option of using nuclear weapons against them at will, without a fear of any successful retaliation. This is a first-strike capability, and the Safeguard is an attempt to maintain it against the Chinese. Whether this would in fact be a strategic certainty seems highly doubtful, as I have indicated. But the Chinese, spurred by their tendency to interpret all our actions as provocative and threatening, will conclude that the ABM is an attempt to preserve our undeterred ability to destroy them whenever we believed we were justified in doing so. This development would confirm in their eyes our belligerent, aggressive power and desire for dominance. Safeguard will deepen the tension, suspicion, and hostility between our country and China, denying the credibility of any overtures we may make for new patterns in our relations.

I reiterate that if the Chinese were suicidal they would be able to cause great destruction in the United States in spite of any defensive systems we deployed. Our devastating deterrent force is our protection against the Chi-

nese; it is reliable, for it recognizes the Chinese will not willingly seek their complete destruction.

Moreover, if we believe ABM is vital to our security will not the Japanese, or other Asian nations, believe they too should have ABM systems? Such other nations might legitimately feel they were more threatened than we. If they become convinced of the desirability of their own ABM's, I venture to say that our attempt to prevent the spread of nuclear weapons is doomed—with predictably dire consequences.

Finally, I would like to consider the role of Safeguard in providing protection against accidents. First, I believe it is important to recognize that a system which offers protection against accidents must cover the entire country. It is virtually the same system which the previous administration called Sentinel. It is phase 2 of the system now called Safeguard. It is a system whose cost will be far in excess of $10 billion. But if phase 2 deployment is required for protection against Chinese and accidental attack, how does Safeguard offer, in Mr. Laird's words, "added incentive for productive arms control talks?" Is the implication that in the absence of successful talks, we might go beyond phase 2 to build a heavy ABM system? Or is it that we recognize that even phase 2, in conjunction with our MIRV's, threaten the Soviet second-strike capability? Do they consider the claimed protection against a Chinese and accidental attack really a pretext for defense of populations against the current Soviet forces? The record is ambiguous as to whether the administration would agree and stop deployment of the total system as part of an arms control agreement with the Soviets.

I would emphasize that an accidental missile launch is exceedingly unlikely. We are assured that one of our missiles could not be launched by accident and there is no reason to believe that other nuclear powers will be less careful.

Nevertheless, we should consider the kinds of accidents which could conceivably occur. First, there is the category wherein a single missile is accidentally fired. If this missile did not have penetration aids which allowed it to defeat the Safeguard system, if the system were in a sufficient state of readiness, and if Safeguard performed according to design, then the accidentally launched missile might very well be destroyed in flight. I, however, do not believe that there is sufficient probability of an accident of this type and that all—and I emphasize all—conditions for successful interception would be fulfilled to warrant deployment.

But even if the ABM would protect us against a single missile launched by accident, it is extremely unlikely to provide protection against other types of accidents. Suppose, for instance, many missiles were launched through a failure of the control system. Since the administration admits that Safeguard is not designed to protect our population centers against complex attacks, it is apparent that such a multimissile accident would penetrate the defense.

It is clear, then, that if we begin to construe unlikely accidents against which Safeguard might afford possible protection, we can also construe other equally implausible situations in which Safeguard would leave us defenseless.

Moreover, the likelihood of an accident is certainly related to the level of armaments. Since Safeguard is almost certain to stimulate the arms race, its mere existence will heighten the probability of an accident. The most effective way to safeguard against accidents then, is to limit the growth of the arms race.

Furthermore, we could work for an agreement to share information on safety procedures with other nuclear powers. Why would it not be possible, for instance, for all nuclear powers to install detonating devices which would prematurely destroy any missile in the event of accidental launch?

Should we construct the Safeguard system at a minimum cost of $10 billion to provide highly questionable protection against a very limited number of improbable accidents? Or should we protect against all possible accidents by immediately implementing even more reliable precautions that could prevent them? The latter course would provide far greater safety for only a minute fraction of Safeguard's expense.

The thin shield required for protection against accidents is much like the Sentinel. Besides the cost being potentially enormous, our relations with China, as I explained, would be further strained, and our arms race with the Soviets would be provoked. Therefore, this final justification also fails to compel my support of the system.

Every Senator who has spoken in this debate has made clear his commitment to safeguarding our national security. We all share in this pledge. But what is the meaning of this much-used term? What are the qualities that make us truly secure? From where are the threats that may jeopardize our security?

Throughout our postwar history, the apostles of national security planning constantly have alerted us to potential threats emanating from outside our borders. Turmoil, uprisings, and rebellions throughout the world often are interpreted as direct threats to the security of our country. Our Nation has equipped itself with the idelogoy and armed capacity to intervene in such conflict situations. This has required the devotion of a growing, excessive portion of our budget to defense expenditures, prohibiting sufficient funds, and resources for use to meet our domestic needs. Thus, conditions at home have deteriorated. Now we witness turmoil, uprisings, and rebellions in our own land. Obsessed with fighting revolutions in distant countries, we have spawned a revolution inside our own shores.

The turbulent events destroying the sinew of our Nation are far more direct and grave threats to our security than the remote contingencies in foreign lands that never cease to alarm our national security bureaucracy.

Threats to our internal security can be met only with a policy of "sufficiency"—that is, devoting a sufficient portion of our resources to meet the underlying causes of our social unrest, ferment, and alienation.

We face a revolutionary situation in our land. The question is whether this revolution will be channeled into peaceful avenues of constructive change or whether it will assume a more violent character. That, in my judgment, is of greatest relevance to the security and welfare of our Nation.

It is tragic that we define our security in exclusive terms of military protection, believing that building more weapons of destruction is the only way to insure our safety.

The late President Eisenhower once said:

> Every addition to defense expenditures does not automatically increase military security. Because security is based upon moral and economic strength, as well as military strength, a point can be reached at which additional funds for arms, far from bolstering security, may weaken it.

Where are we placing our trust? The temptation is to believe that our armies are the ultimate guarantee of our livelihood, both as individuals and as a nation. Disruptive threats, many believe, must be quelled only through armed force, whether at home or abroad. Yet, it is this exclusive trust in the instrumentality of armed force that often deepens the tensions of conflict and leads to further violence.

The Old Testament Prophet Hosea spoke with profound insight into precisely this problem thousands of years ago. Speaking to the people of Israel he warned:

> Because you have trusted in your chariots and the multitude of your warriors, therefore, shall a tumult arise among your people.

Those prophetic words have the same relevance to our people today. Excessive, exclusive trust in the instrumentalities of war leads us to war.

Our attitudes, beliefs, and faith, then, have a direct effect on our actions, as well as those of our potential adversaries. We must realize that our interpretation of intentions and future events is a primary force that actually shapes those events. Particularly in military and strategic matters, when speculative, prejudiced, and unfounded prophecies become the basis for our policies and actions, they can cause a reaction from the opponent that fulfills our predictions or creates further strategic tensions.

Let me illustrate. When the Soviets first began to build their limited ABM system, it was claimed they were commencing a major sophisticated effort to protect their population against attack In response, we began deployment of our MIRV system. Since then, the Soviet ABM has not continued as expected and even former Secretary of Defense Clark Clifford questioned its significance in his posture statement of last January. But, nevertheless, our MIRV has still progressed. This will certainly produce a Soviet response as another step in the arms race.

If we choose to believe the worst about the Soviet intention, and conclude they are commencing on a first-strike strategy, our proposed ABM will only motivate the Soviets to further increase their missile production. Secretary Laird could then cite this as proof for the accuracy of his apocalyptic predictions.

Likewise, if we conclude that the Chi-

nese are irrational and erect our ABM in part to preserve our first-strike capability against them, they will see proof of our assertive dominance and continue with their unmitigated rhetorical hostility. And, we will say we were right about them after all.

In Vietnam, when General Wheeler counsels that the month lull is not a peace sign from the North, but only preparation for further offensives, we may then continue with our maximum military pressure. When the enemy finally does respond to such intransigence on the battlefield with renewed operations, General Wheeler will say he was right.

Thus, our mere interpretation of the world actually shapes the world. Overpredicting and overreacting in national security affairs actually can erode, rather than further protect our security. Believing the most dire, threatening, and apocalyptic interpretation of events, and then overreacting to such fateful perceptions is not simply "erring on the side of strength." It is erring on the side of cataclysm.

There was a time when contemplating and planning matters of nuclear strategy was called "thinking about the unthinkable, As we are forced to indulge in the discussions of "overkill" and to calculate the number of millions of deaths it would take to cripple another nation, the actual horror—the unbelievable tragedy and holocaust that would result from a nuclear exchange—these somehow are no longer so vivid in our consciousness. In the process we can easily lose respect for the sacred worth of every individual human life. Today, the likelihood of peace may actually be increased by simply thinking and planning for it more.

Only a few days ago mankind lifted himself off his global home. As man stepped down onto a new world, we all experienced the wonder of stepping out from the confines of our planet.

With the universe now before us, perhaps we can gain a truer understanding of our earthly condition; perhaps we can realize our finitude, comprehend how provincial our perspective has been, and gain a new vision of what kind of world we should create.

What does one see when he looks back upon this earth from a quarter million miles away? Our world appears as a blue, tranquil sphere gliding peacefully through space.

But on the planet, 500 million people live in a state of constant hunger. Ten thousand die each day from starvation—not because the planet lacks sufficient food, but because all its inhabitants cannot partake in the plentiful food-producing capacity.

As the inhabitants of that planet increase at such rapid rates, the disparity grows between a few, living in one part of the globe, who have most of the food, wealth, and knowledge, and the many, living in another part, who suffer escalating hunger, poverty, and ignorance.

Yet, those who live on this beautiful blue sphere suspended in the universe have produced the means to destroy all human life. They have created what equals 15 tons of TNT for every living person. And, what is more, the privileged segments of those who live there keep increasing their ability to annihilate all humanity several times over.

That is the vision of our world from outside ourselves. It is, perhaps, even akin to the way our Creator sees us.

There have been those, including Secretary Laird, who have suggested that our success in placing a man on the moon is somehow further reason for proceeding with the ABM. I believe quite the opposite.

For the first time in his history, man has left his globe and now can see better than ever before the folly of his failure on earth.

As our Nation led in freeing man from his confinement, it can also now lead in freeing man from his fear.

To that end, we must reject the sterile, senseless search for security that relies only on technically innovative weapons systems as symbolized by the ABM.

We must discard the idea that security results from devoting ever-increasing portions of our resources to perfecting weapons of destruction while the deprivation and suffering of the majority of mankind continues to escalate.

It is the time to build a world that will serve man's needs rather than threaten his life. That, fundamentally, is the issue before us, and that is why I take my stand in opposition to the ABM.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HATFIELD. I am happy to yield to the Senator from New York.

Mr. JAVITS. I was not privileged to hear all of the Senator's address, but I have been briefed on it by the Senator from Kentucky (Mr. COOPER), who has been here all the while. I did hear the concluding portion of it, and I appreciate very much the support which the Senator is giving to this side of the debate, considering his longstanding and very intelligent participation in these matters of armaments and arms control, and his very well known deep feeling for the future of our planet in terms of the encouragement of life rather than death.

I should like to ask the Senator a question which the general tone of his address inspires in me.

There is often an effort made to try to characterize those on this side of the ABM debate, either expressly or by implication, as "unilateral disarmers": people who would naively relinquish the power which our own technology and our own resources give us, in some blind trust that the Kremlin's leaders will "see the light" and join us in freeing man from the dreadful overweening fear of the destructive power of the atom and hydrogen bombs.

I ask the Senator—since he is probably as likely as anyone on this side of the aisle to be subjected to that charge—two questions:

First, is this approach postulated upon any such theory as I have articulated, as the devil's advocate, so to speak?

Second, what does the Senator desire to accomplish with respect to the security of the United States, in adhering to his opposition to the Safeguard ABM request?

Let us, for the moment, lay aside the idealistic conception of freeing man, and let us be just as hardheaded as the pro-ABM'ers. I ask the Senator to tell me what he, as the Senator from Oregon, thinks he is doing in terms of enhancing the security of our country by the position he takes.

Mr. HATFIELD. Mr. President, in response to the questions of the distinguished Senator from New York: First, I do not predicate my comments upon a belief in unilateral disarmament. I do not support that proposition. I have no sympathy for the basis upon which unilateral disarmament is advocated.

Second, as far as what are the hard and cold facts of dealing with reality rather than theory, philosophy, or idealism, I would say, first, again based upon the very eloquent words of President Eisenhower, that we have to look to assess the total strength of this Nation—I mean the real strength of this Nation, as made up of its people.

Any nation's ultimate strength is in its people, not necessarily in its arms. I do not ask for abandonment of arms, nor do I ask for abandonment of continued research on the ABM. All I ask is for better balance, and recognition that the true strength of America is measured by the strength of its people: their physical strength, their moral strength, and their economic strength.

When I see the number of people who have become increasingly disenchanted with the so-called American system, because they have not been permitted into the mainstream of American life, perhaps due somewhat to their own deficiencies, but to other forces as well, I say this is weakening the very heart and the very future of this country.

I would like to see a better balance. I do not call for the abandonment of any of the research projects. In fact, as the Senator knows, I headed a committee to study the whole program of military spending. We recommended, in our report, the continuation of funds requested for research and development. I support that, as to both the ABM and other weapons systems. But as the Senator from New York knows, because I have heard him say it many times, when we make a commitment to expend the people's resources in the name of security or any other name, we ought to have compelling and overwhelming evidence that there is going to be a return on that investment.

We have had experience with other weapons systems and specific items of military spending, where we have gone to great expenditures, and then have had to abandon them, because there had not been sufficient research to establish their merit or guarantee their production effectiveness.

These are the things I am asking for, and I think they are the things most of those on this side of the question have asked for: Not abandonment, but balance in terms of our resources, and recognition that America's true strength, real defense, and real security must be based upon healthy people—healthy because they have the necessary protein in their food, and because their medical needs are met; because they have adequate housing and adequate opportunities for education and jobs.

That is the kind of strength we are seeking to build in asking for a delay in actual deployment of the ABM and a

further guarantee of its actual effectiveness through continued research and development.

Mr. JAVITS. One further question. I would assume that the Senator feels able to take this position because he is convinced that we are, in relation to the Soviet Union, in apposition of sufficient deterrent strength so that the time required to fully explore the possibilities of negotiation to freeze this arms race where it is, is available to us without material jeopardy to our security.

Mr. HATFIELD. I would agree with that, and would add the further point that we have, according to the Defense Department's figures, 4,200 deliverable warheads. This places us in a ratio of three to four times that of the deliverable warheads of the Soviet Union, and in a superior position to that extent.

We hear about the need to go to the conference table to discuss arms limitations with strength, and from a powerful position. I say that we have that position now. We have diversity, with our Polaris submarines, our intercontinental bombers, and our other nuclear weapons in Europe. We have that kind of superiority now. We have the ability to deal from strength. We are not endangering our national security.

I fought in World War II, as many other people have fought. I am not a pacifist. I believe in the role of the military. I am willing to see our military used as it should be used, to defend our Nation. But what I am saying is that there is a point at which we should seek to find balance in meeting our other needs on the domestic front, the needs of our people. I think we have reached that place in our spending policies at this time.

I did not need to recite the well-known statistics that, when President Eisenhower left office, our national defense budget was at $40 billion, and it is now approaching $80 billion.

We hear terms that are not defined, as the Senator from New York knows, such as "adequacy" or "sufficiency." What do they mean by that? We have not heard those terms clearly defined, and until we do, I am not persuaded that this additional expenditure and commitment at this time is one we should make.

Mr. GOLDWATER. Mr. President, may I ask a question for clarification? The Senator from Oregon has correctly quoted the size of the military budget, and correctly compared it with the budget in the year President Eisenhower left office. But if we take the slightly over $30 billion that the Vietnam war is costing us—which is not an Eisenhower war—from that figure, we are actually spending less than we have spent since World War II on the military.

The figure of $78.5 billion roughly is occasioned by $2.6 billion a month plus the $44 billion or $45 billion we have to spend for housekeeping.

Mr. HATFIELD. That is a very good point that the Senator makes. I would respond by saying that the very fact we are in Vietnam has been used in many instances as an argument in support of the escalation of our military spending and new, additional weapons, even if we were to end the war in Vietnam today.

There is a shopping list in the Pentagon, with which I am sure the Senator from Arizona is quite familiar, of new weapons that are being held in reserve as far as funds are concerned that would far exceed $30 billion.

It is not purely a question of the $80 billion. I think that our whole policy of military spending is in question here. I think there is no question that once the war ended, we would find the Pentagon coming forth with a number of requests that they have been holding back on until the war was concluded.

Mr. GOLDWATER. Mr. President, the inventory of the military, because of the war in Vietnam, is very sadly depleted. We are looking at a loss of 6,000 aircraft that some day we will have to decide whether we will replace.

Frankly, if we can reduce the Armed Forces by 1 million men as a result of ending the war in Vietnam, we are looking at a saving of $10 billion.

I say as a member of the Armed Services Committee that there will be tremendous savings, savings in the nature of $20 billion or $25 billion for quite a few years after the war in Vietnam ends.

I think the Senator should feel quite pleased with the efforts of the Armed Services Committee this year in that they have already cut $2 billion off the already reduced budget we received from President Nixon.

I feel quite confident that we can cut more from the budget in fields that we have not even discussed as yet.

Mr. HATFIELD. I am very grateful to the Senator from Arizona for this effort. I think it is a step in the right direction. At the same time we are not jeopardizing our security as far as military spending is concerned.

I do feel, however, that the ABM in question here would encourage and have an effect on other expenditures in our military budget, making it very difficult for the Armed Services Committee or other committees to make cuts even if the war in Vietnam were to end.

I think we are committing ourselves down the road to something far more than the budget for this year or for next year, once we embark upon the deployment of the ABM at this time.

Mr. JAVITS. Mr. President, I would not wish to abort that branch of the discussion except to point out that I think one of the big issues at stake in the ABM debate is the determination of many Members of the Senate to really interest themselves in substantive evaluation of our whole defense and security posture.

I join with the Senator from Oregon in saying to the Senator from Arizona that we, of course, appreciate the common purpose of the members of the Armed Services Committee. We add to that an additional purpose, that each of us intends to perform his own responsibility in a way in which we have not performed it before, by coming to an individual and independent judgment, uninhibited but impressed by the recommendations of our military authorities as to what is really proper, not just desirable, for the security of our Nation in terms of weapons systems and of the pattern of organization and deployment.

Mr. President, I should like to ask the Senator one other question on which it occurs to me he might have an interesting view.

The opponents of the ABM are told: "What do you fellows really beat your breasts about? The President has asked for Safeguard. He must want to succeed in the SALT negotiations—the negotiations for the limitation of nuclear armament—as much as any Senator wishes who is alined with the Senator from Kentucky (Mr. COOPER), the Senator from Michigan (Mr. HART), the Senator from Oregon (Mr. HATFIELD), and I. That is one side of the negotiations. So, if the President says he wants the Safeguard and he wants to succeed as much as any Senators do in respect of the negotiations, then he must know what he is doing. And why not give it to him?"

Then, they point to the Russians and they say, "The Russians have made it very clear that they are not going to refrain from negotiating because we deploy Safeguard. They will go right ahead with the negotiations. Indeed, for all we know, they might even revive the Golash system or might move up their MIRV or MRV capability or accelerate work on their SS–9. And we are not going to refuse to negotiate on that ground. So, as long as everybody has his hand in the cookie jar with respect to increasing armaments, what are you fellows arguing about?"

I would greatly appreciate the view of the Senator on that matter, because I hold to one proposition that it is not just the leaders who will negotiate. It will be the whole world and the people of both countries that will be bringing their impact on them. And they may not appreciate themselves what agreement they are capable of coming to with that kind of pressure, rather than if they are left in the conventional pattern in which we deploy Safeguard and the Russians go ahead and do something else to keep pace with us.

Can the Senator comment on that point?

Mr. HATFIELD. Mr. President, I think the Senator from New York has certainly raised a very pertinent question.

I would say in reference to the second part of the question that the Senator is actually posing a question as to whether America should lead or react.

We have great problems in the world, and they are problems in need of solution. I feel that the United States has been, you might call it, on the defensive and reacting on many of these issues rather than analyzing them and trying to do what is best for our Nation and for what we consider to be the cause, the ideals and principles we are committed to. Then, with respect to that leadership which may not be easy to define or find within the present environment, but which is what all humanity is calling for because there is tremendous need, we could stay in the same cookie jar, as the Senator remarks, and out-produce the Russians or some other country on arms. However, at what point do we come to the realization that here are these millions of people who are hungry and in

need, and recognize history tells us that revolutions are not born out of passion for bloodletting, but are born out of impatience with injustice and misery?

We can either take the leadership in trying to get at the causes of these great international differences—injustice, poverty, and ignorance—or kid ourselves and say that we will only deal with the results of these forces and use force to suppress or quell or control.

It is a question of leadership or reaction.

I think the United States has to take the leadership. Second, there is a question of how we put the priorities with respect to our production. We have the resources to double our arms production. However, in so doing, we have to realize that we are neglecting the other areas of needs, to which I referred earlier—housing, education, food, medicine, and so forth—and that, in the long run, by producing more guns we are weakening America by not producing more houses, schools, and hospitals.

I prefer to think that the leaders are contributing far more to our general security and to the security of the world when we show this leadership—a leadership of inspiration and new priorities.

On the second part of the Senator's question as to President Nixon, the Senator knows that I am not a mindreader. I do not know how to respond to the question except to say that I believe the President of the United States is a very sincere man. I think he is totally and without reservation committed to his position on the basis of sincerity. But I also believe that people can be sincerely wrong, and I take the position on the ABM question that the President is wrong. We might say, "Doesn't he have more expertise and more great authorities on these military needs than we in Congress?" But the Senator from New York has been in the Senate a sufficient number of years to have seen instances in which administrations and the Pentagon and agencies of the Government, as well as Congresses, have been wrong. We are still elected by the people to make judgments and evaluations and to weigh evidence.

I think one of the great things out of this ABM debate is the very thing the Senator from New York has pointed out—that we have brought ourselves to the point where we are personally responsible to make independent, individual judgments on these military expenditures. I think the weight of the evidence that I have heard in the debate and have read in the military committee reports, and from those who serve on the military committees, indicates that there is sufficient doubt; and when we consider the vote, which was very close in the two major committees that have been dealing with this subject, I do not believe all the expertise is on one side.

Mr. JAVITS. Finally, does the Senator feel himself any less a loyal Republican because he opposes the ABM than if he favored it? And does not the Senator feel that it is just as much the duty of a loyal member of his party to keep the President from making a mistake as it is to support him in what he wishes to do?

Mr. HATFIELD. To my very good friend I would say, having known the Senator for many years, he would join me in saying that I am concerned about being a loyal American and doing the things which I believe are far more important to my country as a whole than necessarily just to my party; but there does not necessarily have to be a conflict.

In this instance, I feel a staunch and strong loyalty to both my country and to my party in taking this position. Furthermore, I would base it upon the outstanding example of the President of the United States, Mr. Nixon, when he was Vice President of the United States during the Eisenhower administration. The Senator will recall that there were instances when Mr. Nixon, as the Vice President felt, through his own convictions and judgments, that he had to take issue and was on the other side of a question with the President of the United States, with whom he was a more intimate associate than we, as Members of the Senate, are with the executive branch.

So I think there is ample evidence in the great annuals of American history to show that there can be loyalty to party, loyalty to country—which is more important—and still have differences of opinion within as well as between the parties.

Mr. JAVITS. I thank my colleague. I think he has answered in a manner which all of us know to be highly characteristic of him throughout his service to the people of his State and to the Nation.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. HATFIELD. I yield.

Mr. COOPER. Mr. President, it has been said by some proponents of the ABM in the last week that the debate is valueless, that all of us are repeating old arguments. But I should like to say, for all of us who have heard the Senator from Oregon today, that he has made a most valuable contribution to this debate. His analysis of the main elements of this complex issue, and his appeal to the Senate and to the country to use their gift of reason to come to a judgment—a judgment that must be made by the Congress and the people.

The Senator has pointed out correctly, and as clearly as anyone else has, that the central purpose of those who oppose deployment is to determine if it is possible to reach an agreement with the Soviet Union, either formally or tacitly, which will limit and control the arms race rather than expand it.

Is that not the chief purpose of those who oppose the decision to deploy at this time?

Mr. HATFIELD. The Senator is correct.

Mr. COOPER. In a very informed way, one which I believe is unanswerable, the Senator also has shown that in the event we are not able to reach an agreement and the Soviet Union continues to build and to deploy weapons which might threaten our security, there is ample time for us to take countermeasures to protect this country. I do not believe the Senator can be answered in the arguments he has made. The best intelligence this country has obtained, supports his analysis.

The Senator from Oregon quoted President Eisenhower. I recall that President Eisenhower spoke, in one of his speeches, about the necessity to control nuclear weapons. "We should never cease in this attempt," he said. It was in a speech delivered in a radio address on May 25, 1960. President Eisenhower then said, and it is applicable today:

> All of us know that, whether started deliberately or accidentally global war would leave civilization in a shambles. This is as true of the Soviet System as of all others. In a nuclear war there can be no victors—only losers. Even despots recognize this. Mr. Khrushchev stated last week that he well realizes that general nuclear war would bring catastrophe for both sides. Recognition of this mutual destruction capability is the basic reality of our present relations. Most assuredly, however, this does not mean that we shall ever give up trying to build a more safe and hopeful reality—a better foundation for our common relations.

The substance of his whole statement was that we were not doomed to inevitably and inexorably bring about our own destruction and the destruction of life and civilization. Rather that reason could prevail. That is the position that we who oppose the development of the ABM at this time have taken.

I think one of the great contributions the Senator from Oregon has made today has been to call the attention of the Senate and of the country to the higher purpose at this moment in history—to see if, in reason, in a rational way, we can find the means to halt and to control this oppressive and dangerous nuclear arms race. We have now an opportunity to resist unfounded fears and unreasoned beliefs that we have to build more and more nuclear weapons systems to protect ourselves, when in fact they are not now necessary nor would they add to our security.

Mr. HATFIELD. Mr. President, I thank the Senators from New York, Kentucky, and Arizona for this colloquy.

I yield the floor.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). What is the pleasure of the Senate?

Mr. MONTOYA. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MONTOYA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ABM: EFFECTIVE DETERRENCE OR BILLIONS FOR INSECURITY?

Mr. MONTOYA. Mr. President, I have heard the observations made by the Senator from Oregon, and I have heard him articulate his position on this very vital issue. I express my congratulations to him for the viewpoints upon which he has expounded and which he has so ably conveyed to the Senate.

We are debating this very important issue in the Senate, and we have had testimony presented as well as expert opinion on both sides of the matter. At the outset, I wish to say that I do not question the motives of the proponents or the opponents, because I believe they are sincere individuals who are trying to convey their true viewpoints and are trying to do things, in their espousal or their opposition, in the way which will best serve the interests of the country in their opinion, as the case may be.

Mr. President, today I wish to offer my comments on the decision of the administration to deploy the Safeguard anti-ballistic-missile system (ABM). In the past few weeks I have listened to and read the testimony of many of my colleagues in the Senate, read numerous articles, studied several scientific papers, both pro and con, on the subject of whether or not to deploy an ABM system.

Never before has a Pentagon budget request been so carefully scrutinized. During my lifetime and for the first time in the history of the nuclear age the heretofore "untouchable" military budget, bearing the label of "national security," has been seriously questioned.

My colleague, the Senator from Missouri (Mr. SYMINGTON) has pointed out that more than $23 billion in Government expenditures have gone for missile systems development that quickly became obsolete, and in many instances were never even operative. Thus, our past failure to carefully examine and evaluate defense spending has permitted an incredibly large amount of taxpayers money to be wasted.

Mr. President, I believe we are witnessing the beginnings of a new era of congressional responsibility. Whatever the vote on the ABM, the debates and testimony of the past weeks have renewed the prerogatives vested in us by our Founding Fathers. In the future our very grave constitutional responsibilities as guardians of the taxpayer's money must be exercised, in this instance by and a careful review of all budget requests for defense programs should be conducted. No longer can we afford the luxury of a dole to our Pentagon strategists. I do want to make it very clear that I am not suggesting we lower the importance of defense spending for our national security. On the contrary, in this age of the nuclear warhead, it becomes even more important to protect the American people from attack by seeking the counsel and advice of scientists and diplomats. To this end we should continue to support research programs designed to shed additional light on sophisticated weapons systems capabilities. Only in this manner can we decide wisely.

Because of the advent of the nuclear age, however, a new dimension has been added to our strategy of defense. And this is that beyond a certain point in our arms buildup additional military expenditures for sound military defense purposes may not necessarily improve our national security posture. Instead, it may create a serious escalation in the arms race and place America in the tragic and paradoxical position of increasing the uncertainty of the balance of nuclear power in the world. Arms control talks between the Soviet Union and the United States depend largely upon the ability of nations to calculate the missile strength of the other. By deploying the ABM and provoking the Soviets into developing their own multiple independently targeted reentry vehicle—MIRV—we will only increase uncertainty—further provoking each side to develop more and more missiles, and thereby creating an endless and dangerous world military instability that can only heighten the future prospects for a nuclear holocaust.

Much has been said in the Congress recently about the Pentagon's principal reasons for wanting to deploy the Safeguard system. I would like to recount briefly the Pentagon's reasons and offer some of my own thoughts on why I believe the ABM system should not be deployed.

The Pentagon has said there are three principal reasons for deploying the Safeguard. They are as follows:

First, to protect land-based deterrent forces—ICBM's and strategic bombers—from a Soviet first strike.

Second, to protect the entire United States against a possible Chinese attack.

Third, to protect the entire United States from the accidental or irrational launching of a small number of nuclear warheads by any nation.

The Pentagon has also indicated what the ABM is not supposed to accomplish.

First, it is not to provoke the Soviet Union into reacting, and thereby escalating the arms race.

Second, it is not intended to undermine in any manner our chances of reaching an agreement with the Soviet Union on arms control and limitation.

Third, it is not a defense for American cities against an all-out attack, for this is beyond our present technological capabilities.

Let us examine first what defense officials say the ABM will not do. As I have said previously, any increase in our missile program will create an uncertainty about the balance of nuclear power and will certainly provoke an escalation in the arms race. A key factor controlling the arms race is the knowledge held by the countries concerned that there is in fact a balance. The statement by the Defense Department that ABM will not undermine the chances of an arms control agreement is nonsense. How can one negotiate for arms control while at the same time promoting the deployment of additional missiles? Could we expect the Soviet Union to respond favorably to an arms control proposal? The answer is "No."

Another contention by the Defense Department—that the ABM is not to be a defense of our cities—has some very serious implications. If the Russians and/or Chinese chose to attack us they would go after our major cities, and not the Minuteman sites the Pentagon wants to protect in Montana and North Dakota. Even if all the proposed ABM sites were deployed as proposed they would still not be able to protect our major population centers. Knowledgeable scientists contend that it would be a relatively easy matter to decoy the Spartan missiles and render them ineffective against a nuclear attack. Sprint, the other major component of ABM, would not protect adequately the population because the proposed sites are entirely outside their range. To me this evidence suggests the critical lack of defense capability—and therefore ABM as a deterrent.

There are those proponents of ABM who contend that the system is designed to guard against a first strike threat by the Soviet Union. This position is highly questionable.

First, the national intelligence estimate—a consensus view of the intelligence community—is that the Soviets are not planning for a first-strike capability. Second, the Soviets know they do not have the capacity to destroy our retaliatory ICBM's. Even if the U.S.S.R. did launch a massive first strike it is inconceivable that we would rely solely on the Sprint defense to protect the Minuteman missile sites. Secretary Laird said the ABM was needed in the event of a surprise attack when the President of the United States did not have sufficient time to order a retaliatory attack. It is very hard to believe our present retaliation system is so slow that we would allow 100 or 1,000 Russian nuclear warheads to land on U.S. soil before clearing the Minuteman silos.

The third major reason for the Pentagon's desire to deploy the ABM system is to guard against accidental or irrational nuclear attacks. I believe the possibilities of this occurring are unfortunately very real. However, the deployment of ABM for this reason is open to several serious questions. First, any Soviet attack at the United States would be suicidal on their part. Our retaliation would so annihilate the Soviet Union or any nation that only an all-out effort by an enemy nation would be a more likely reality. If, however, there was an irrational small attack, the only city potentially protected by Sprint would be Washington, D.C. The Spartan, dubious in capability at best, would not be the primary protection in the event a missile was launched toward a U.S. city by accident.

A critical question in the debate over deployment of the ABM system is whether the proposed system will in fact work. Will the ABM disarm or render ineffective enemy missiles? The last five science advisers to the President and the President's Science Advisory Committee have raised very serious doubts as to ABM's ability to do what its supporters say it can do. The questions they raise are still unanswered. Also, most scientists concede we could render any Soviet ABM system ineffective. If that is true, it is reasonable to assume that the Soviets and eventually the Chinese would develop similar countermeasures to our ABM system. That would leave the United States with a billion dollar boondoggle of the most tragic proportions, an even larger defense budget, an escalated arms race, and millions of disenchanted American citizens.

Mr. FULBRIGHT. Mr. President, will the Senator from New Mexico yield at that point?

Mr. MONTOYA. I am happy to yield to the Senator from Arkansas.

Mr. FULBRIGHT. First, I congratulate the Senator on a most perceptive statement. I was not intending to interrupt until that paragraph, which I think emphasizes a point which many of us who are opposed to the ABM have not been, perhaps, so alert to make as the Senator is making it, when he says how ineffective it is and even if we build it, it would merely leave us with a billion-dollar boondoggle.

I have heard all the testimony before our committee by some of the best scientists we have. They do not say that in peacetime conditions, under laboratory conditions, where there is no war, that we could not make a system work that would shoot down a missile which was anticipated coming, in any case, under ideal conditions. I think we can make it. Thus, it makes it difficult to say that we cannot make a system that will cut a missile down.

However, under wartime conditions, unexpectedly, where a missile would come in unexpectedly and we would not know where it could come from, or when, or whether there would be a precursory explosion, or whether there would be any attempt to jam the radars, under those conditions, I think that the Senator is absolutely correct. There is very little evidence that this would work under those circumstances. So, when I said that I do not think they would work without proper qualifications, I was immediately attacked by some of our colleagues who said that if we can go to the moon, we can build an ABM system. I think we could build an ABM system that would function under the conditions of going to the moon—that is, with no opposition; no opposition other than from nature herself. But the Senator is quite right, a very important point is that it cannot be made, I do not believe, to work, under the circumstances which we anticipate.

One other point I will say to the Senator is that we are having, this afternoon, at 4:30, a hearing in the Committee on Foreign Relations—a briefing, I should say, in which a movie made by the General Electric Co. will be shown to prove how easy it is to overcome an ABM system with MIRV's. I invite the Senator to come, if he has time.

Mr. MONTOYA. I will be looking forward to doing that.

Mr. FULBRIGHT. It will, I believe, support what the Senator is saying here. I believe that the Senator has presented very concisely and very persuasively the most significant aspects of this problem.

Mr. MONTOYA. I thank the Senator from Arkansas.

Mr. LONG. Mr. President, will the Senator from New Mexico yield?

Mr. MONTOYA. I am happy to yield to the Senator from Louisiana.

Mr. LONG. May I ask the Senator this: What difference does it make whether an ABM can overcome a MIRV, or the MIRV overcome an ABM if we do not have either one and the enemy has both? If we feel that way, we would never have had a hydrogen bomb, we would never have had the atom bomb, or the ABM, or a MIRV. All we would have now would be the bow and arrow.

I ask the Senator, What difference does it make whether MIRV can overcome the ABM or the ABM can overcome the MIRV? What the Senator is saying, in effect, is that he wants us to be absolutely defenseless; that there will be no war because we will not be able to fight. So why not send a message to the Soviet Union and say, "Come and take our country in peace. Not a shot will be fired to defend it." That is the logical conclusion to such an argument.

Mr. MONTOYA. My answer to the statement just made by my good friend from Louisiana is——

Mr. LONG. Is the Senator for the MIRV?

Mr. MONTOYA. I might state to the Senator from Louisiana that I do not think there is one Senator in this body who is against providing an adequate defense to promote the security of this country. Most of those who oppose the ABM feel that we should be meditative in our research and our development and not plunge into an expenditure of billions of dollars, such as expenditures which have been made on other parallel missile situations, which have been rendered obsolescent or useless. I think that is the main thrust of the opposition in this particular debate, that we should proceed methodically with adequate research and planning, geared toward coming out with an ABM system that will protect us. If it is resolved that it will not protect us adequately to justify the investment in such a system, then we can abort our progress in that particular field and go into something else.

Mr. LONG. Let me answer the Senator. Let us see if I can understand his position. We must have either a MIRV or the ABM if we are going to wage war successfully against what they have. He says if we can defend ourselves against what they have, we still would not be able to defend ourselves against something they might develop. As I understand it, the Senator is against defending ourselves against what they do have or will have in the future. If I understand the Senator's position, he is saying he is against defending ourselves against what they have even now.

Is the Senator in favor of developing something so that we can destroy them if they decide to destroy us?

Is the Senator in favor of having no defense, just leaving us to their mercy?

Mr. MONTOYA. I think that I have made——

Mr. LONG. Not to me.

Mr. MONTOYA. I think that I have made my position clear to the Senator, that the main thrust of the opposition is that we should provide the funding for continued research and development but not for deployment until we are in a position to know that we can adequately safeguard the security of this Nation.

Mr. LONG. May I say this: If we proceeded on that basis, we would never have had an atomic bomb, we would never have had a supersonic bomber, or a bomber that could break the sound barrier, either because many people did not think it would work or for fear that it might be objectionable to a potential aggressor.

I served in World War II, the Senator from New Mexico did also. With some of the guns we were given we could not hit anything at first. After we had been shooting for a while, we improved so that we could hit the targets—airplanes—pretty well, after we had learned how to use them.

Is the Senator in favor of unilateral disarmament? Is the Senator in favor of giving everything away, so that we cannot win? Is that the Senator's program?

Mr. MONTOYA. I should like to answer that question by asking the Senator another one: Does not the Senator know about all the missiles which have become obsolete in the past? I recall another ABM system, in 1956, the Nike-Zeus——

Mr. LONG. That has certainly not become obsolete.

Mr. MONTOYA. Yes, it has.

Mr. LONG. My answer to the Senator is that it has not become obsolete.

Mr. MONTOYA. After we spent $1½ billion on it.

Mr. LONG. I have in mind the latest missiles in use by both sides. The 1956 missiles were not obsolete in 1956 just as the 1969 missiles are not obsolete in 1969 altho they will probably be obsolete in 1989. By that time we should have something better, unless Congress refuses to provide it.

Someone said that the atomic tests rendered the defense impotent. That was probably because the transistors were subject to radiation. Today we have better transistors the ones we are using on ABM systems are to be far superior to the early ones. That is one reason why, after they had tried them out, we went to work to improve on them.

Put yourself in the position of developing a missile that can shoot down MIRV and by that time the Russians may have a MIRV.

Hopefully you should have by that time both a better defense missile and a better offense. As I understand it, the Senator wants to fix it up so that we cannot defend ourselves while they can defend themselves. Therefore, I presume the Senator is what I would call a pacifist in saying that we will do nothing to offend the Soviet Union because it might mean war.

Would the Senator agree with Mr. Goodwin's argument when he said the mistake President Kennedy made was to permit the Army to acquire the ability to fight a conventional war because had it not been for that, there would have been no war in Vietnam? The same man is against us acquiring the ability to fight any other kind of war. That is pacifist philosophy. Why does not the Senator take a white flag to Moscow and say, "Here we are boys. Come and take our country. There will be no resistance."

Mr. MONTOYA. Let me say to my good friend from Louisiana that I have served in Congress for 14 years, and I have voted for every appropriation that was geared to build up the security of this Nation. I have voted for materiel for our GI's in Vietnam and all over the world. I have done everything possible as a patriotic

American, and I certainly look with disfavor upon the Senator's trying to cast reflection upon my patriotism and what I have done to promote the security of this Nation.

Mr. LONG. What I would like to know is, Senator, what are you for? You tell us that we cannot defend ourselves against MIRV.

In fact, I think the Senator is saying we cannot defend ourselves against what they have now, and he is against defending ourselves against what they have now and even trying to defend ourselves against MIRV or building MIRV's so we strike back even if we cannot defend ourselves against an attack by them. What is the Senator for? Surrendering?

Mr. MONTOYA. Mr. President, I will continue with my statement. I think the Senator and I have had enough dialog to reveal our divergent viewpoints.

Mr. LONG. Or is the Senator in favor of giving it away, like foreign aid, without ever appropriating for defense?

The PRESIDING OFFICER. The Senator from New Mexico refuses to yield to the Senator from Louisiana.

Mr. MONTOYA. Mr. President, the basic issue is whether or not Safeguard is necessary to deter a massive Russian first strike at the United States. I believe the evidence shows conclusively the answer is "No." Our deterrence depends on the unquestioned ability to retaliate on a massive scale. We now have that ability.

Mr. LONG. Mr. President, will the Senator yield?

Mr. MONTOYA. I refuse to yield, Mr. President. Some 645 strategic bombers, 41 missile-launching submarines carrying a total of 656 weapons, and 1,054 land-based ICBM's are now part of our operational defense. Each one of these forces can inflict devastating damage on the Soviet Union or China. Approximately 22 of the 41 Polaris submarines are stationed in different parts of the world within striking distance of the U.S.S.R. Twenty-four hours a day, every day of the year the giant Strategic Air Command—SAC—bombers are on full alert, ready to take off on a moment's notice to defend our Nation. Day and night, long-range, early-warning radar systems scan the skies for the first indications of an enemy attack.

Why does not the Soviet Union attack us? The answer is because of a certain knowledge—deterrent knowledge—of the ability of the United States to inflict a fatal blow to their country. The Russians have this ability also, and hence the balance is there. The ABM system threatens to alter this balance drastically; it threatens to escalate the arms race to a point where we would be contributing to instability in the world instead of working toward arms control and world peace.

Any government or business endeavor costs money, and the ABM system is no exception. If the ABM deployment caused the expected Soviet military reaction—we would have to expand into an even more expensive, and heavier Safeguard system. The estimated $7 billion initial cost would run into the hundreds of billions of dollars. The prospects for even higher taxes and additional inflationary trends would be increased. Mr. President, this would be an unnecessary burden on the already overburdened taxpayer. Our dollar continues to lose its buying power, domestic social ills mount, and the poverty and hunger in America that so urgently requires our attenion will continue to be neglected—a pawn to the overblown defense budget. Eventually our own internal disorder and neglected domestic social ills will act as a measure of national insecurity.

Today a measure of our tax dollars should definitely be for defense; however, only when the defense programs planned show evidence that they will work and they will contribute to our national security, and not insecurity.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MONTOYA. I yield.

Mr. FULBRIGHT. I do not like to interrupt the Senator too much, but I wish to refer to some comments that have been made. Neither the Senator from New Mexico, nor I, nor the Senator from Tennessee, nor any other Senator, is proposing anything like what the Senator from Louisiana suggests—unilateral disarmament, and so forth. The evidence is very clear that this country possesses today a substantially greater number of nuclear weapons and a substantially greater number of weapons that are necessary to destroy the Soviet Union completely, all of its major cities, and so forth.

The issues the Senator from Louisiana raised are not the issues at all, in my opinion. We have plenty of defense. This testimony comes from the Department of Defense, from the highest officials both in the military and in the intelligence community. So I think the comments of the Senator from Louisiana were completely irrelevant to the point the Senator from New Mexico is making.

I do not want to interrupt the Senator further, but I want to compliment him. I think he especially deserves a compliment because his State happens to be the State in which the development of some of our missiles have taken place. It is my understanding that the principal proving ground for the Sprint missile is in New Mexico, if I am informed correctly.

Mr. MONTOYA. That is correct.

Mr. FULBRIGHT. So the Senator, in my view, is not only exercising discriminating judgment in seeking to bring the great military establishment back under some degree of supervision by the civilian branch of government, more particularly the Senate; I think he has performed a great service to the Senate and to his people. I congratulate him on his political courage and on his discrimination in taking the position he has.

Mr. MONTOYA. I thank my good friend from Arkansas. May I state that I did not arrive at my position lightly. I attended many briefings at the Pentagon. I have read a great deal on the subject. I have read the testimony of others. I have read and listened to the scientists on both sides of the issue. I arrived at my decision because I felt that this is the position that I should take in good conscience.

Mr. FULBRIGHT. If the Senator will yield further, I am quite certain that is true. When the Senator, at the very beginning of his speech, stated that one of the principal issues in this debate and concerning the ABM is whether or not the Senate of the United States is capable of exercising a degree of supervision, a degree of examination and criticism of a military budget, I point out that it has not been done since I have been here on the floor of the Senate. I do not mean to criticize the committee. I am sure the committee has gone over that. But never before in 25 years—I believe the Senator from New Mexico has been here 12 years—have I ever seen a debate like this. I thank the Senator for the great service he has rendered.

Mr. MONTOYA. I would like to add further that because the Senate has decided to assert its right of deliberation and decide its prerogative of surveillance over national defense expenditures, the country is now well informed on this issue and it can support any judgment made by any Member of this body.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MONTOYA. Yes, I yield to the Senator from Tennessee.

Mr. GORE. I have listened intently to the address of the distinguished Senator from New Mexico. In my opinion, he has delivered and is delivering one of the most learned addresses on this subject that this great debate has afforded in the Senate. He has demonstrated a degree of study and acquaintance with the basic problems and the scientific principles involved that few have shown. I wish to express my gratitude and my admiration for the speech and to him for having made it.

In the context of security and who is for the security of the country and who is for surrender—I regret the terms that have been introduced into the debate—to return to the question of security, is not the goal of every Senator, in the view of the junior Senator from New Mexico, the security of the United States?

Mr. MONTOYA. There is no question about that. As I stated at the beginning of my talk, I did not question the motives of Senators here who were on either side of the issue with respect to whether or not they were for or against the security of our Nation or for or against maintaining it. I believe every one of them is motivated in the same direction.

Mr. GORE. True; and those of us who sincerely reached the conclusion that the deployment of the ABM system as proposed would lessen rather than increase the security of our country are entitled to respect for our judgments.

Again with respect to security, is not the security which we seek the avoidance of nuclear war?

Mr. MONTOYA. That is the greatest security that we seek.

Mr. GORE. And with two nations, great and powerful as they are, each with the power to destroy the other several times over, is not the real security for us, as well as for them, avoidance of war; and if avoidance of war is the

goal, and our strategy in trying to avoid war is one of deterrence, is it not axiomatic that if ABM missiles were necessary to use to try to combat a nuclear attack upon the United States, then the strategy of deterrence itself would have failed, and the security that we seek in the avoidance of nuclear war would indeed have been breached? Does the Senator agree with that?

Mr. MONTOYA. Yes; I agree with the Senator from Tennessee on that point.

Mr. GORE. So if what we are really seeking here is a formula of security to avoid a nuclear war, then the question is, Will deployment of an antiballistic missile nuclear weapons system lessen or increase our security?

I submit that the real measure of security is avoidance of nuclear war, and that avoidance of nuclear war can best be achieved by an understanding between the United States and Russia on the limitation of the deployment and the use of nuclear weapons.

If that be true, then the question is, Will deployment of the ABM system make it easier to achieve such an understanding, or more difficult to achieve such an understanding?

I have reached the conclusion that it would make it more difficult; indeed, it might make an understanding impossible; and I think I am entitled to reach that conclusion without being accused of waving a white flag of surrender.

I thank the Senator. I recognize him as one of the patriots and one of the able men in the U.S. Senate. He is making a very learned address, to which respect is due and attention is directed.

Mr. MONTOYA. I thank the Senator from Tennessee.

Mr. STENNIS. Mr. President, is it convenient for the Senator to yield to me briefly on one point?

Mr. MONTOYA. I yield to the Senator from Mississippi.

Mr. STENNIS. I appreciate the Senator's yielding to me particularly at this time, because I have a pending matter, and I shall be quite brief.

If I may point it out, on page 1 of the Senator's talk, which I have before me, the Senator made the following reference:

> My colleague the Senator from Missouri (Mr. SYMINGTON) has pointed out that more than 23 billion dollars in government expenditures have gone for missile systems development that quickly became obsolete, and in many instances were never even operative. Thus, our past failure to carefully examine and evaluate Defense spending has permitted an incredibly large amount of taxpayers money to be wasted.

Mr. President, first a wish to say to the Senator that I think he has made a splendid presentation here on this subject matter, and that it is an important contribution to the debate. I know he is sincere, and I do not believe that anyone accuses the Senator from New Mexico, or any other Senator, of being otherwise.

Mr. MONTOYA. Mr. President, may I also say to my good friend from Mississippi that I have listened carefully to his many presentations on this subject, and I have nothing but great respect for him, even though we differ in viewpoint on this matter.

I wish to say that I do not question his motivation or his sincerity, because I know he is a sincere man and a conscientious man, and I respect his position on the vital issue before us.

Mr. STENNIS. I thank the Senator very much, and look forward to working with him in the future.

On this $23 billion item, I call to the attention of the Senator from New Mexico and other Senators that on July 2, just as soon as we got this bill written up, I undertook to answer 5 or 6 months of charges of various kinds that had been leveled against that same $23 billion, and, in a presentation to the Senate beginning on page 18190, I gave what might be called a speech—it is really a documentation—of all the major items that go to make up that $23 billion.

I respectfully call it to the Senator's attention, and hope that he will look at it, and, if I may, I shall just briefly refer to a few of these items that are alleged by some, though not the Senator from New Mexico, to have been waste, but alleged by him to be items that "quickly became obsolete and in many instances were never operative."

First, as to those that were never operative, there is a list on this page that I have already referred to of these various missiles, in which those that never became operative are listed first, and they total $4.1 billion. That list goes back as far as 1945, or perhaps earlier, on through the year 1965, and represents a large number of efforts to get missiles—many of them small missiles—that never did come through, so to speak. They never were perfected, due to various wrong starts or misconceptions of the proper starts.

Many of them, however, without going into details, became really the original, first generation of those that were later highly successful.

I refer to one here, the mobile Minuteman, charged here with $108.4 million. One principal sponsor of that item was none other than Dr. Wernher von Braun. I remember hearing his testimony about how our bombers put him out of business so many times in World War II, and he thought it made a very great difference. He had to keep on the run all the time. He wanted a mobile Minuteman. I think that is the first type that we envisioned and merely, in effect, authorized the research on; but it did not turn out that way. It developed in another direction, and the Minuteman became our first major solid fuel weapon. I hear a rumor every once in a while that they may want to go back and try to make it mobile again, but that was years and years ago that that decision was made.

I refer to another item. Here is the Skybolt. That was one thing that was quite hopeful at first, and it turned out that it got mixed up in some bad company, maybe, or they got into a hassle about it some way. Anyway, it was finally cancelled out, but we learned a great deal from it, and it has been displaced by other families of weapons now.

Now dropping down to the ones I consider to have been outstandingly successful, in this other list, we have the old Redstone. That was one of the most successful missiles we have ever had—not one of the larger ones, but when we were thrashing around, looking for something to try to put up a little Sputnik, when we were on the small end of things, it was this old Redstone missile that we finally turned to to put that little old pellet, more or less, in size, in orbit; and it was the standby, for a long time, as one of the most important missiles of the Army.

Here is the Polaris, listed as now no longer deployed, with an investment of $1.132 million. Waste? Let us see what its history is.

By the way, there was no missile system that was more unpromising, in the beginning, than the Polaris.

I remember going down to Florida because I had doubt and disbelief. When I looked over what they had then, I had more disbelief. It blossomed, however, into the most successful one we perhaps have ever had—Polaris I and Polaris II, the next generation.

We are now going into the Poseidon. We have these submarines on the seven seas, as the Senator knows, with those marvelous weapons. That goes with it. It is all based upon the basic concept of Polaris I. However, in some way that item got thrown in here and has been charged to waste. The Senator made reference to that.

Atlas D, E, and F cost $5 billion of that $23 billion the Senator mentioned.

The old Atlas stood there with all of its might and was the only thing we had for years to span that gap when we were threatened.

The Titan would still be our principal defense in this way had we not perfected the Poseidon and the Minuteman that we think are better. Even today, we still have the old Titan missile. The Titan I is listed here as being one of those that were of questionable value and is now no longer deployed.

I will not detain the Senator any more. I appreciate his yielding to me.

Here is a list of what I believe has a full explanation of all the major items on the list.

Mr. MONTOYA. Mr. President, I appreciate that the Senator from Mississippi has furnished me with that list. I failed to find the list heretofore. I did ask for a breakdown of the $23 billion, and I was unable to get it up to the last minute. However, as the Senator knows, I ascribed this $23 billion figure to the Senator from Missouri (Mr. SYMINGTON), who mentioned it on the floor.

Mr. STENNIS. I am not blaming the Senator.

Mr. MONTOYA. Mr. President, I should also like to add to the list, if the Senator does not have it on the list, the following reference with respect to the other missile development.

I mentioned a few minutes ago the development of an ABM system beginning in 1956 with the Nike-Zeus. This program terminated in 1965, after we had spent $1.4 billion.

Secretary McNamara said in 1967 that if the Nike-Zeus had been completed and deployed, it would have cost about $13 billion to $14 billion and that most of it would have been torn down and replaced by new missiles of the Nike X system long before it became operational.

The Nike X system was begun and was

modified as research and development progressed. That missile was replaced by Spartan. The investment cost in research and development, according to McNamara, would have amounted to $16 billion.

In 1966 Secretary McNamara estimated that it would be around $24 billion over a 5-year period. By 1969 the estimate was up to $40 billion.

Significantly, Secretary McNamara argued against its deployment because it could easily be rendered ineffective at that time in his opinion.

Mr. STENNIS. Mr. President, the $40 billion was an estimate. That was not an expenditure.

Mr. MONTOYA. The Senator is correct. I did say that.

Mr. STENNIS. There is a long history behind this effort by Soviet Russia and the United States of America. This has not been an easy, primrose path.

I remember that the old Nike program began with Ajax and Hercules. We are still using them. We finally went into the Zeus. However, that did not work out well. Therefore, it was dropped as such.

I would have added this explanation, but getting together the bill and the hearings kept all of us very busy. I wanted the matter to be fully researched.

May I refer to one other item. The Senator referred here, on page 2, to the question about the chances of arms control and the fact that the ABM is just nonsense, and he argued that it does not have a place here.

With all due deference to the Senator, I have come to the belief that perhaps the best hope against a nuclear war is for the Soviet Union and the United States of America both to have an effective weapon and for each to know that the other has it.

That will be the greatest achievement, I believe, in avoiding a nuclear war. And I am awfully concerned that if one ever starts, it will be too late.

Mr. MONTOYA. I think that is where an equal division of Senators occurs, on whether it would accomplish that objective.

Mr. STENNIS. I think that if we both had something that was effective and each knew the other had it, that would come close to stopping trouble.

Mr. MONTOYA. Mr. President, I believe, because of what I have said, that my position on the ABM is sound. I believe, however, that there should continue to be a vigorous and carefully planned research and development program to answer the many scientific and technological questions still unanswered about the ABM. The amendment offered by Senators COOPER and HART—S. 2546—and amended in a joint statement on July 23, 1969, offers a constructive alternative to deployment, and I intend to support their measure. Under this amendment none of the funds could be used for deployment of any component or element of the proposed Safeguard system at any proposed deployment site. There should be no premature and dangerous commitment to deploy antiballistic missiles, and we should pass legislation to insure that.

In summary, Mr. President, I will vote against the deployment of the ABM missile system, but intend to support continued scientific and technological research in this area.

Mr. HART. Mr. President, will the Senator yield?

Mr. MONTOYA. I yield.

Mr. HART. Mr. President, I rise simply to join the other Senators in thanking the Senator from New Mexico for the soundly reasoned comments he has voiced. I believe the Senator to be right.

I hope that none of us doubt the desire on the part of each of us to be right. And I am delighted that the Senator from New Mexico came to the conclusion he did.

Mr. MONTOYA. I thank the Senator from Michigan.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MONTOYA. I yield.

Mr. MANSFIELD. Mr. President, I had an opportunity, thanks to the distinguished Senator from New Mexico, not only to hear part of the speech, but also to read it in its entirety.

I join with the distinguished chairman of the Committee on Armed Services, the senior Senator from Mississippi (Mr. STENNIS), and all others who have spoken on the floor this afternoon in commending the Senator from New Mexico for the thoughtfulness and the study and the detail into which he has gone to explain his position on this most important question. It is perhaps the most important question which may come before this particular Congress, because so much hinges on it in so many ways.

I have known the Senator since he served in the House of Representatives on the House Appropriations Committee and since he came to the Senate, where he now serves on the Committee on Appropriations and I believe on some committees which have to do with defense matters.

I wanted the Senator to know that I thought his speech was statesmanlike. I commend him for the care which went into it and assure him that it was a pleasure for me to listen to the Senator make arguments that I would have been honored to join him in making.

It was a statesmanlike speech. I commend the Senator.

Mr. LONG. Mr. President, will the Senator yield?

Mr. MONTOYA. I yield.

Mr. LONG. Mr. President, may I point out to my good friend, the Senator from New Mexico, that the point he makes about waste brings me back to something I heard when I first came to the Senate about 20 years ago.

At that time we were trying to defend ourselves against Russian agression. We were talking about whether we were satisfied that these expenditures to beef up our defense would be wise expenditures or would be wasteful.

As one military officer said to me at that time, "Senator, you ought to hope that every nickel you spend on the defense of this Nation will be wasted. You ought to hope you will never have to use any of those weapons to defend our country. You ought to hope that every cent of it will be wasted."

However, I cannot for the life of me see that we would be wise to rely in the future upon weapons that by that time will become obsolete, because they all become obsolete in time if better weapons are developed to save this country, when a competitor is developing better weapons and more sophisticated weapons which can totally destroy the weapons which are today modern weapons.

For that reason, I find myself believing that, in defense of a great nation such as this, we must be at least as good, and hopefully better, with the best of weapons, particularly when confronting countries that outnumber us by as much as 4 to 1 in population. They will proceed with the development of the most sophisticated weapons. There is no way to keep them from doing it.

It seems to me that the money spent on research would be wasted unless you are going to go ahead and build the weapons. Even when you build them, you never know how good they are until you have tried them, but for that matter neither will your adversary.

The Senator has used the illustration of our supreme achievement, putting a man on the moon. We put a man in space and then a man orbited the earth several times. We then put several men in space and they orbited the earth, and then we proved we could orbit and dock the orbiting missiles together.

After that, we proved that we could reach the moon, that we could orbit the moon, that we could put two vehicles up there, separate them, and bring them together again. So we proved everything before the final stage of landing and reentry from the moon.

I am certain the Senator saw the supreme achievement of this country, which is the pride of our generation. I think it is the finest technical achievement of our time. It was done step by step.

For the life of me, I cannot see how one could hope to improve on his way of doing business unless he first went into business. We have developed the capacity to build the best missiles, make supreme achievements to outcompete the other fellow. But if we do not begin to build missiles and to follow through with it and to prove that they will work, how can the Senator hope, by merely doing research on something and not building it, ever to be able to defend, when the other fellow not only is doing the research but also is building them and trying them out under field conditions? How can one go into business 20 years behind the other fellow and hope to overcome him on the day of going into business?

For example, trying to shoot down incoming missiles requires several things. First, it requires the electronics, it requires the missile, and it requires somebody who knows how to aim it. If he never has tried it, he will not be a very good shot. Compare that to a hunter shooting ducks. If he has never tried it before, he will not be a very good duck hunter.

You have to try it in order to find out where you fail and where you succeed. If you never build the thing, never put it into place, never begin to implement it and improve on it, how would you know whether you have achieved anything? How does one know he cannot succeed unless he tries it?

Mr. MONTOYA. I do not think the Cooper amendment discourages that.

Mr. LONG. The Senator says he would not put anything in place; he would not start building the defense. If an enemy knows you have no defense and he wants to attack you, he knows he can do that pretty much with impunity, because you have no defense. If you have a defense, at least he is taking a chance. Your defense might work and you are striving to improve it.

I have not followed the entire debate. Some of it was not very enlightening and some of it made a lot of good sense. I read a newspaper story the other day in which someone said that on an atomic test, for 800 miles the defenses would not work. I assume that would be because at that particular time we did not—at that time—have a transistor which could resist radioactivity. We have that now, so we have overcome it. That problem, I believe, has been solved. We will move on to the next problem.

Mr. MONTOYA. Is the Senator aware that under the Cooper amendment, research, development, and testing would be permitted?

Mr. LONG. I understand that, but the point is that there would not be anything with which to defend ourselves.

Mr. MONTOYA. The Cooper amendment really is designed to prevent deployment and prohibit the expenditure of money for hardware until the research, development, and testing indicate to Congress that it would be a sound investment.

Mr. LONG. To me, it would be like saying, "Please, mother, may I go out to swim?" and receiving the reply, "Yes, but don't go near the water."

If a man is coming at you with a loaded rifle and you have a beautiful rifle on the drawing board, what good are those blueprints going to do you when the other fellow is using a rifle on you?

I recall my own experiences—sometimes one is prejudiced by that—back in the days when we were trying to defend ourselves against enemy aircraft. We were very poor to begin with. After a while we got so that we were bringing a lot of them down. Suddenly our side developed a projectile that had a proximity fuse on it. At that time, our antiaircraft fire was absolutely brutal murder on the German airplanes. They had no chance.

One may develop something which leaves something to be desired, but we never can tell what day someone will come up with the final solution.

Let us compare it with what the North Vietnamese have done to our airplanes. When they first put their SAM missiles against our planes, they were very ineffectual. But as they used them and gained more experience and overcame the defects, they became very effective. That is what our planes will be competing with if they try to invade the Soviet Union—all the experience of Russian missiles employed against our planes, with Russian advisers, with North Vietnamese at the trigger. They are very effective, but they were not effective at first.

If you never build the hardware, it will never do you any good. Sometimes all you need is a few technical changes to make the thing work.

It seems to me that the Russians are a great deal ahead of us in missile defense. It is dangerous to permit them to get any further ahead unless one takes the view that some take—which the great White House adviser Richard Goodwin seems to have—that there will be no war if we are not able to defend ourselves. I do not think the Senator shares that view.

Mr. MONTOYA. I do not subscribe to that view, because in this case we have the Safeguard and the deterrent of having the SAC bombers on alert and the Polaris submarine with the Poseidon missile—we will have it—with the multiple warhead. I do not think Russia would ever risk sending an offensive missile to destroy our cities or to do harm to our landscape, for fear that our effective retaliation would be set in motion.

Mr. LONG. All these things become obsolete as the enemy improves his defense. It can be compared to any game, whether it is football, baseball, or anything else. As the other fellow improves his defense, your attack becomes ineffective unless you improve your attack. Any team or any army which can attack but cannot defend cannot win a war against an army which can do both effectively.

In view of that, for the life of me, I cannot see how we could hope, by failing to have a good missile defense, to advance this national interest.

I believe we have wasted a great deal of money in some instances. I once served on the Committee on Foreign Relations. Hearings against this missile are being developed by that committee. Having served on that committee, I must say that in the past we have spent a great deal of money and have given our resources away to foreign nations, without getting anything in return. Much of this was utter waste, and we have no hope of ever getting anything in return, except perhaps some good will. In many instances, the countries hate us now, despite all the money they have received from us. This country has been strong enough to defend itself and to remain at peace with all the major powers. Admittedly, we have had to contest our position with some of the minor powers.

But we have never had to fight a major war because they knew we were strong and we knew they were strong; we respected one another for what we were.

Mr. President, I think the Senator made a statesmanlike presentation but I hope he considers the feeling of some of us that we must defend our Nation effectively.

Mr. MONTOYA. Mr. President, I want the Senator from Louisiana to know that I thoroughly respect his position on this matter. I have never questioned his position and I have never questioned his motives. I stand on that.

Mr. LONG. Mr. President, the same compliment goes both ways. I thank the Senator.

Mr. MONTOYA. I yield the floor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 13080) to continue for an additional 15 days the existing rates of income tax withheld at source, in which it requested the concurrence of the Senate.

EXTENSION OF THE SURTAX

Mr. MANSFIELD addressed the Chair.

The PRESIDING OFFICER (Mr. GURNEY in the chair). The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, what is the status of the bill from the House of Representatives which is at the desk?

The PRESIDING OFFICER. The message has just been received from the House of Representatives and is at the desk.

Mr. MANSFIELD. Mr. President, what is the next move?

The PRESIDING OFFICER. It can be referred or a Senator could ask that it be laid before the Senate for its first reading.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Normally, Mr. President, we could have first reading; but after the second reading I think that would be the appropriate place to ask that it go on the calendar.

The PRESIDING OFFICER. The Chair can lay it before the Senate and have first reading under the rule, but a second reading has to be requested by the Senate.

Mr. MANSFIELD. Mr. President, has first reading been had?

The PRESIDING OFFICER. The Chair lays before the Senate a message from the House of Representatives, which the clerk will read.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 13080) to continue for an additional 15 days the existing rates of income tax withheld at source.

Mr. MANSFIELD. Mr. President, to keep the record straight, have we now had first reading?

The PRESIDING OFFICER. We have had first reading.

Mr. MANSFIELD. Mr. President, after discussing the matter with the Senator from Louisiana (Mr. LONG) and others, we would have no objection to having the bill placed on the calendar in the ordinary course of events rather than to delay action by endeavoring to refer it to the Committee on Finance, or by entering an objection which would force the measure to lay over for a day, which in turn would place it on the calendar tomorrow, but by the same token would not make it available for consideration until the next legislative day. That would take us beyond midnight tomorrow, the time at which the present surtax law expires.

The position of the Democratic Policy Committee and the Democratic members of the Committee on Finance has not changed one bit, but in an effort to further accommodate those who are so desirous that this matter be rushed into, we have decided that this would be the best way to face up to it.

Mr. DIRKSEN. Mr. President, to reserve all rights, I would normally, I think, interpose an objection after the second reading. Then, the bill would go to the calendar. But before I do so——

The PRESIDING OFFICER. It would have to wait until after——

Mr. DIRKSEN. That is correct. I understand.

The PRESIDING OFFICER. Does the Senator from Illinois ask for a second reading now?

Mr. DIRKSEN. I could ask for it, but I shall withhold now because I do wish to address an inquiry to the distinguished majority leader.

Normally, they had in mind that the bill go to the Committee on Finance for further consideration. In that event, it would have to be reported back. My whole hope was to have immediate consideration and if that were appropriate I could ask for immediate consideration of the proposal that is now before us. I would anticipate there might be objection, but if it is in order to make that request at the moment, I think I shall do so. I do not know whether that comes after the second reading or before.

The PRESIDING OFFICER. The Chair advises the Senator he could ask for second reading or he could ask unanimous consent that the bill be considered immediately.

Mr. DIRKSEN. I make the latter request.

Mr. MANSFIELD. I object.

The PRESIDING OFFICER. Objection is heard. Does the Senator from Illinois wish the bill to be read a second time?

Mr. DIRKSEN. Yes.

The PRESIDING OFFICER. The bill will be read the second time.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 13080) to continue for an additional 15 days the existing rates of income tax withheld at the source.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Mr. President, does this mean that the bill now goes on the calendar?

The PRESIDING OFFICER. If there is an objection to further proceedings then, yes, it would go on the calendar under the rule.

Mr. DIRKSEN. I would have to make that objection.

The PRESIDING OFFICER. Objection is heard. Under rule XIV, paragraph 4, the bill will be placed on the calendar.

Mr. MANSFIELD. Now, Mr. President, before that bill will become liable for action on the part of the Senate it would have to lay over 1 legislative day. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. And that on tomorrow it does become liable for some action.

The PRESIDING OFFICER. It would be in order to take it up tomorrow.

Mr. MANSFIELD. Mr. President, in explanation to the Senate, may I say that even in the field of accommodation one can go too far, and that was the reason I had to most respectfully and reluctantly object to the unanimous-consent request of the distinguished Senator from Illinois.

Mr. DIRKSEN. I understand the position of the majority leader. At the same time I would like to make abundantly clear the problem that confronts us and the administration.

I thought I made it abundantly clear on yesterday, in pursuance of the memorandum that was submitted by the majority members of the Committee on Finance and the Majority Policy Committee that there would be acceptability of a 5-month extension of the surtax, provided the administration accepted and provided that the majority leadership accept it.

Last night some time after 8 o'clock the President was contacted in Asia. The telephone call was made by the Vice President. I was not privy to that conversation. Therefore, I do not know in what detail they discussed the matter. But in any event, on the basis of the President's reply a statement was made this morning to the effect that it was not acceptable to the President; and he had hoped that perhaps the Senate would proceed with H.R. 12290, presently on the calendar, which came out of the House on the 30th of June and which came out of the Committee on Finance of the Senate on July 17. That is the five-package bill, taking care of those at the impoverished levels, taking care of the excise taxes, the surtax, the investment tax credit, and I think one other item.

We have gone through that lesson book and we could very well call up H.R. 12290 and satisfy the administration by discussing and disposing of the bill, because that is quite consonant and quite in line with the request the administration made in its tax message to the Congress.

Now, today, by a 3-to-1 vote, the House of Representatives has passed the so-called 15-day extension. However, it deals only with the question of withholding rates and nothing more. Fifteen days takes it, roughly, about to the point of the agreed midsummer recess which begins on August 13. At that point, of course, the extension bill is then payable. From then on, the complications develop for industry, business, and for every other enterprise in the country.

I mentioned only a little while ago that not the least of the headaches, of course, will be in the case of employees on whom withholdings have been made where probably not enough was withheld, in which event, at the end of the calendar year, they would be owing a larger sum of money, provided the surtax was finally continued. That would be an unhappy state of affairs, and they would be grousing all over the place.

But I see a greater crisis and a greater danger, Mr. President, than all that. Those are probably the inconveniences of the moment. What frightens me a little, first, are the gyrations of the market which reflect not only domestic thinking but also the thinking abroad. We have a tendency to forget that there are $40 billion in money and in short-term securities mainly in the hands of European bankers. Our gold supply is only about $10 billion and there are $40 billion in obligations abroad. Every time the Chairman of the Federal Reserve Board, every time the Secretary of the Treasury in this and prior administrations went abroad and undertook to get a report, it was the same old story. Always and always those who were the stewards of the fiscal welfare of these countries on the other side of the Atlantic have constantly said to us, "Are you going to face up to your responsibility, or aren't you?"

Now that followed a policy of restraint and is causing us no undue difficulty up to this point; but if, on the other hand, they decide that this body in its entirety—and I have to include the House—will not face up to this problem in the terms and under the conditions prescribed by the administration, then what?

Suppose they undertake a massive liquidation. Who do we think will get hurt? We are going to get hurt. We shall be hurt in a great big way before we get through. That is what bothers me.

Thus, I had hoped that we could go along and probably extend that surtax a little longer.

I should observe that one objection I had to the November 30 cutoff date was merely that they tell me from a practical standpoint it does become too operable. I presume by that they mean the administrative difficulties that somehow ensue.

I pretend to be no expert in that field. I am content to rely upon the observations of others who have some knowledge of it as to whether it is really operable without undue inconvenience. They say, "No." I am content to abide by their judgment. That is the reason I took exception to it. I did say yesterday—and I was quoted correctly—that it was an old rule with me that if we cannot get a whole loaf of bread, then let us take whatever bread we can get because we cannot always be a chooser in this world.

Had this been extended to December 31, I think, because of the fiscal year indication as well as the calendar year indication, it would have been easier than it is now. But evidently at least there has been no indication that this will be done. Had an amendment been offered or had this proposal submitted by the joint Finance and Majority Policy Committees been offered, let us say, either as a substitute or as an amendment to the 15-day extension bill, we probably could have made something of it.

I think there is an inclination toward restraint here in not loading up the measure that came along with extraneous or even germane amendments, in the hope that action can be had. But there is no hint, there is no clue, that that will be the case.

I allude to only one other thing, that there has been such a passionate expression about tax reform—meaningful tax reform—comprehensive tax reform. I think it was a disposition to believe that it was one of those vague and nebulous things that was in the offing somewhere. I am advised now, this afternoon, that the tax reform bill will be filed in the House of Representatives this afternoon. It means that the Ways and Means Committee in that body have certainly been diligent. They are about 10 days ahead of their timetable.

In view of that fact, that tax reform is on the threshold, is there any reason now that we cannot accept these protestations in good faith and say, "All right. As gentlemen and as people who are addicted to reason, the tax reform bill is here?" Not in this body, but in the other body. It is on track. Why cannot we put this on track, consonant, of course, with what the administration asked for in the first place?

I have to point out one other thing, of course, that in the first memorandum from the joint majority committee, it was pointed out that repeal of the so-called investment tax credit would be held back until the tax reform bill came along.

Well, it can be put in there, but depending on how long it takes, since this memorandum calls for action sometime on or before October 31, it might have to wait that long. But this is the first of August. Thus, we have August, September, and October—that is 3 months. Under the investment tax credit proposal, as long as that remains in being, we will be pumping roughly $700 million into the industrial bloodstream of the country every 30 days. That is three times seven, which is $2.1 billion of additional purchasing power, because that is disposable income.

Thus, all it does is to aggravate the problem that is before us now.

Is it any wonder that the market should drop nine points by noon today and 10 points the day before yesterday?

No, it is not, because it is a reflection of the uncertainty in the country and, obviously, the uncertainty in the minds of the enterprisers, both here and abroad, as to what in Government we propose to do; because we make the rules, so to speak, under which they live and move and have their being. They have got to have some idea of what the rules are like and what they will be like, not only for a month or 2 months but for a longer period, if they are going to shape their policies in line with those rules giving direction to the farflung and gigantic business enterprises that we call the production and distribution system of the United States of America.

It is that simple, and that is why I say, with some trepidation and some fear, that perhaps America is in a crisis already.

I lived through it in 1929, when bankers were jumping out of 14-story windows. I know it was only a few years thereafter that I became a candidate for Federal office, and then spent 16 years wrestling with the problems that were finally spawned by that horrible economic dislocation that we call the Depression of 1929.

Do we invite it now by our refusal to face up to the problem which is here? Well, we may not be inviting it, but, Mr. President, we are toying with it, and that is a matter of alarm in my book. So I hoped that perhaps there would be a suggestion here.

For myself, I can embrace what was in the memorandum that the distinguished majority leader so graciously sent me at our policy meeting yesterday, but I am one of five in the leadership. I did so. I accepted it. But I cannot speak for others. It is for them to decide, because when the term "minority leadership" was used, that was something more than the minority leader; that was the rest of the leadership, and there are four others who would have to acquaint me and acquaint the Senate with their views.

But at the moment that is neither here nor there. The administration has indicated that all this is not acceptable. So I simply have to abide it as best I can. I make no charges of fiscal irresponsibility. I have to assume that every Member of this body is as interested in the well-being and the durability and the viability of our institutions as the Senator from Illinois. If I did not believe that, I would wonder whether or not my membership here would be of any great value. I have to assume that every one of the other 99 Senators brings the same good faith and the same hope and the same interest to his responsibility that I do.

I saw the document which is in the nature of a speech which was delivered this afternoon in the House of Representatives. I have never quite gotten around to the point where I could use that kind of language, because Senators ought to read it. It is pretty "iffy," a little truculent in evaluation, and it has a powerful clout in it. I did not say it, but I simply remind the Senate that here we are up against a challenge and up against a crisis, and the country looks down upon us and says, "What an amazing spectacle that the world's most deliberative body has reached a fiscal and monetary impasse and cannot move forward or backward." That is an appalling state of affairs.

So I have done with it for the moment. If I were free to do it, I would embrace what my distinguished counterpart, the majority leader, suggested in that memorandum. I would take it on the outside theory that at long last the healing forces would move into the little gaps that were being created and that after some months of experience we would come out reasonably whole.

I am willing to gamble on that, but I cannot speak for others. As I indicated yesterday, I cannot speak for the administration, because that is not my full responsibility for the moment, unless the head of that administration, the President of the United States, warrants me to speak and to express his views. He has done so himself. He has stated that this so-called compromise proposal is not acceptable, and in that respect, 50 percent of the condition precedent in the memorandum of yesterday goes out of the window, and as for the rest of it, I speak for 20 percent of the balance. That is the whole story.

Mr. MANSFIELD. Mr. President, as always, I have listened with intense interest to what the distinguished minority leader has had to say. I honor him for his courtesy, his understanding, and his frankness of what responsibility in the positions that he and I both hold in our respective parties entails.

Mr. President, I do not know any European bankers. I do not know what the effect of their desire to get our gold, small though it is in amount, would have on our economy. But I have an idea that they are not too eager to get it, because if there is any danger of instability there or here, it will be felt where they are, too.

Then, reference has been made to the stock market. It is not what we are doing in the Senate, in my opinion, which is having the effect on the stock market which has been evident over the past several months. Perhaps it is what is being done in the other body in the way of tax reform proposals, because that is where the guts of the market are and that is where the effect of what the House committee is doing is being felt, in my personal opinion.

Like the minority leader, I am not a financier or an economist. I do not doubt the integrity of anybody on that side of the aisle who finds fault with what we are attempting to do on this side. In my opinion, every Senator in this body—all 99, aside from the Senator from Montana—is a Senator of honor, integrity, and understanding. As long as we operate on that basis, I think this institution will survive and this Republic will continue to stand.

This is no time for allusions, illusions, or delusions. This is a time for questioning, on a statesmanlike basis. For all I know, the Senator from Illinois may be right and I may be wrong, but it is a matter of judgment that we have to face up to. It is a responsibiilty which none of us can avoid. But regardless of one's feeling, I certainly find no fault personally with the attitude taken by any individual Senator in this body.

As a matter of fact, I am extremely glad that this administration was able to announce in the last day or so that it was able to show a surplus of $3.2 billion—$2 billion above the previous estimate. I was glad that this administration brought an end to the Cheyenne helicopter contract and the manned orbital laboratory as well. I was glad when President Nixon said he was going to bring about a further $3.5 billion reduction in expenditures. I think he is moving in the right direction.

It is a responsibility on our part to do at least as much along that line—not cutting in the field of expenditures so much, as cutting in the field of budgeted appropriations.

It would be my hope that before we are through with the fiscal year which we are now in, we will be able to reduce the President's budget requests by something on the order of $10 billion. It was done last year; there is no reason why it cannot be done this year. But that is our responsibility, and those of us who are here will be the determiners of that particular problem.

Mr. President, I regret that the effort to arrive at a responsible procedural resolution of the matter of linking the surcharge extension with a more equitable tax policy has been represented in some quarters as an "ultimatum." Far from an ultimatum, it was the best accommodation that could be obtained. The lack of enthusiasm for extension of the surtax, the growing desire to restore some equity to the tax structure, the public statement that this administration was for tax reform in this session of the Congress and its view that the surtax was necessary to curb in-

flation—all would be satisfied by the proposal of extending the surtax until November 30—and, thereafter, beginning on January 1, 1970, at a lower rate until June 30 upon the assurance of tax reform. One wonders which aspect of the proposed accommodation is ingenuous and how the whole can possibly be construed as an ultimatum.

May I say that I was also disturbed to find the somewhat flippant characterization of "pocket veto" applied to the effort to provide a measure of tax reform which would be of primary benefit to the wage earners and salaried employees of the Nation—the group which is now heavily saddled with the onus of the surtax? The suggested compromise is not a veto—pocket or any other variety. Indeed, in this reference the basic constitutional provision of the veto is not fully understood. The veto is reserved to the Executive but only after legislative action—not before action. There is no provision in the Constitution for a premature veto in the Executive—prior to legislative action—especially when there is a will on the part of the leadership on both sides of the aisle to seek an accommodation. Far from a veto, the suggested compromise is an invitation to effective action on both the surtax and tax reform.

What has been done has been done in the open and for all to judge. What has been asked at this point is that tax reform be disposed of in connection with the matter of the surcharge extension. The procedure offered is simply that the surcharge be extended now—today. That is what the administration desires. What is asked in return is [illegible]t 3 months from now an opportunity be assured, at last, for a bona fide consideration of the long-standing public demand for changes in the present tax structure in the direction of greater equity.

I am surprised at the use of the term "ultimatum." Is it an ultimatum to try to assure tax reform when all Members of this body as well as the administration publicly seek tax reform? Moreover, the procedural accommodation of a 5-month extension would go far in the direction of the expectations of the administration with respect to the surtax. If there is an ultimatum here, it is being presented by the Nation's taxpayers who are beginning to insist, in their millions, that the long-awaited reforms in the tax structure come into existence without further delay.

If there has been a veto, it has been imposed by those who refuse to acknowledge that tax inequities cannot be eliminated by words but only by facing up to the procedural realities of the Congress and by digging in for a long siege until these inequities are brought down.

If it is believed sincerely that the surcharge is vital to curb inflation, then I suggest that excuses, name-calling and finger-pointing be forgotten and that the surcharge be enacted for 5 months now—today. If it is believed that there are inequities in our tax structure then I suggest we take the nod from what is transpiring in the other body and join together to do what is necessary in the Senate to assure their correction before this session ends. The way is open. We need only take it.

Mr. SCOTT. Mr. President, I rise in support of the statement made by the distinguished minority leader. He has stated the situation quite correctly. I agree with him, and wish to add merely some additional comments.

The nature of the time limit which we received would seem to me to mean that we either had to act in the way in which it was suggested that we act, or that certain dire consequences would occur. If that causes any unhappiness by reference to it as an ultimatum, we do not need to do that. None of the remarks referred to here have been made—by me, in any event—with the implication that they were of that critical character. What I said, I said within our own party policy committee.

I should like to deal with some of the statements, and with the situation as I see it.

Reference was made to a $3 billion surplus. We can only call it a surplus, because of the change in the bookkeeping methods we use, as against the original, more accurately presented earlier budgets. We have no surplus, because we are including the trust funds; and if we did not include them, we would have a very substantial deficit.

But if we take the bookkeeping surplus for what it is, at about $3 billion, and remember that the phasing out of the surtax would bring us $7.6 billion, then, indeed, by failing to act on the administration bill, we would be incurring a defi[illegible]$4.6 billion.

[illegible] else is going on while the re[illegible] out the surtax is occurring. [illegible]y the way, I do not think it ought to be called a surtax extension.

Mr. COTTON. Mr. President, a point of order. The Senate is not in order, and we cannot hear.

The PRESIDING OFFICER. The Senate will be in order.

Mr. SCOTT. This is not a surtax which this administration imposed. Up until now, it has been a 10-percent surtax, and we have all had to pay it. But this administration proposes, not the indefinite continuance of the surtax, but its orderly phasing out. It proposes a very limited continuance, to the end of the year, the normal time. December 31, as the distinguished minority leader has pointed out. Then we propose to cut it in half, and then we propose to eliminate it. Therefore, we are doing something which has not been done before, and that ought to be credited to our account.

What is going to happen in the fiscal world as a result of the action of the majority steering committee? This is not an imputation of their motives or anything of the sort. We honestly disagree here. But frankly, we ask, what is going to happen to the American economy by virtue of the fact that they are not willing to give the President the fiscal authority which he says he needs, in order to help the economy maintain itself on an even keel?

What happens if we do not accept the administration's proposal for the orderly phasing out of the surtax and the inclusion of a number of tax reforms in the first bill? The second bill is right on the heels of it. It is shortly to go to the floor of the other body, perhaps by way of the Rules Committee. But it is on its way.

I can tell the Senate one thing that is happening already. There has been a loss in values on the stock market this year of $180 billion. And the market is hitting another low each day this week, or virtually so.

What does that mean? That means that the reports are that every day certain securities hit a new low and every day virtually no security hits a new high. That $180 billion loss is reflected in Treasury revenue for this year, because there will be far less taxes received on capital gains, whether long or short term, because of the fact that the capital gains have been wiped out.

I think I know where the responsibility lies, and I must regretfully disagree with the distinguished majority leader on this. I think that the responsibility lies in those who the leader says have to make the rules. We make the rules.

Another thing that is about to happen—and I got this information from the Secretary of the Treasury yesterday—is that if we do not provide for the orderly phasing out of the surtax, the Treasury in the open market will have to pay more money in the form of interest rates for its Treasury borrowings than it is paying today.

Anyone who speaks here about wanting to save the Government money is not saving them money if the Treasury will have to pay more money in the form of interest rates for its borrowings.

Another thing that will happen, the Secretary of the Treasury and various economists in and out of the Government have pointed out that we are going into the month of September when we will be meeting with the world bankers.

It does not matter whether we know the world bankers or not. They know us, and they know what we are doing. These meetings in September are of the highest importance and will be extremely critical to the future of the dollar, because in those meetings there will be discussions that pertain to the alleged overvaluation of the mark, the alleged undervaluation of the franc and the pound. And this action will bring the dollar into those calculations. So, in September, we may—by failing to act here promptly and with the certitude that our economy needs—have made a dangerous contribution to the instability of the dollar.

Another thing needs to be borne in mind, and that is that it has been made as crystal clear as it can be made that the other body, which passed this tax bill we are talking about by a mere five votes, has indicated in the person of its leadership of both political parties, in private to us, and some have done so publicly, that there is not a single chance in the world of the House accepting the formula proposed by the majority steering committee.

That means that members of that party and members of our party are agreed. The other body will not take it. Therefore, why ask us to do a useless

thing? Why argue, however fervently, that we should accept the formula because it is presented to us as the only thing we can get since we are told that if we do not get that, we can let the surtax go.

I would like to ask whom we are hurting by that action, whether we are hurting ourselves or the taxpayers, whether we are not hurting the consumers and the workers, even though we are told, "If you do not do it our way, because we have the votes, we will not do it at all." That is a part of our process of fixing responsibility. Nevertheless, it seems to me that a part of that process ought to envision what the other body will do; and the other body is getting up its second tax relief reform bill.

I have the greatest feeling of certainty that the other body will not accept the formula proposed to us.

It is said that the administration bill is not a reform bill and is not a relief bill. I say that it takes off the tax rolls 5 million taxpayers who are at the poverty level. It benefits dollarwise 8 million other taxpayers.

We are trying to pass on the benefits to the people who need it the most. We are being blocked and prevented from doing it. We are being told with great rationalization why it cannot be done.

I hope that my voice will go beyond these Chambers to these 13 million people who are in uncertainty that it is not my action or the action of the people whose views I share which is depriving these 13 million people of tax relief in the first tax relief bill.

How can the 5 million taxpayers who no longer pay taxes get any more tax reform than that? We can reform the taxes from here to Gehenna, but we will not give any more tax reform to those 5 million taxpayers than to say, "One day you are paying taxes, and the next day you are not." So far as income taxes are concerned, he has all the tax reform he can get. He has it all. The other 8 million taxpayers are standing by and wondering why they do not get tax reform.

I asked the Secretary of the Treasury yesterday if it would be just for me to make this statement. I said, "Would it be just for me to say that the formula of the majority policy committee favors the rich because it eliminates from the administration's bill the repeal of the investment tax credit and hurts the poor because it defers their chances of getting such a tax benefit?"

The Secretary of the Treasury said to me, "Yes, Senator; it would be a just statement."

Therefore, my view is that we must do here what is just, economically. We must do what is right, economically. And we must take whatever risk is involved politically in doing that.

In the long run if we accept the kind of compromise which runs against the grain because we know it is not right, because we know it defers relief long deferred, because we know it prevents us from taking off a tax we did not put on, and because we know it is the wrong thing to do, then it seems to me that we are becoming part of an act which is in itself an error. And if we do that, we are compounding the error.

I repeat that I made no statements about a pocket veto. If the word "ultimatum" offends, I would hope we would be forgiven. But whenever somebody tells me, "You have to act now or get nothing," and the time expires Thursday, I do not mind what one calls it. I only know it puts me over a barrel and forces me to make a decision. One can call it what he wants to, but to me it is a moment when I have to decide where I stand with regard to the taxpayers of the United States. And I have made my decision.

The distinguished minority leader is quite right when he says that this formula—and I carefully call it a formula rather than an ultimatum—is not acceptable to the administration. That was one of the conditions of its acceptance. Therefore, it would not matter what the minority leaders were agreed on.

As the distinguished minority leader knows, I expressed myself in the policy committee. However, he also knows I have pointed out that if it would have helped him to secure an agreement here, I would be in accord with any decision he finally reached.

Had it been possible for the leadership to come together, as well as the administration, from my point of view, there would have been no difficulty and I would have done anything I could have to uphold and strengthen the hands of the distinguished minority leader. When the administration says—and I think quite rightly—that we cannot accept this kind of formula because it endangers the fiscal security of the country, because it delays doing justice to many taxpayers who have waited a long time for it, because it leaves in turmoil the economy of the country, because it increases the price of Government bonds, because we are losing revenue from it through the loss of capital gains revenue, and because all these things are in a state of confusion, then we cannot accept the responsibility for it by acceding to the form of a compromise which we believe does not do economic justice to the American community.

Mr. WILLIAMS of Delaware. Mr. President, although there seems to be an impasse at this time, I am still confident that when the chips are down the Senate will act responsibly. I do not for a moment question the motives or the sincerity of any Member of the Senate on either side of the aisle, yet I cannot conceive of the Senate letting this matter go by so that the American taxpayers will be left in a continuous state of uncertainty: Uncertainty as to whether this surtax tax will or will not be extended and, if so, at what rates and for how long; uncertainty as to whether we will or will not repeal the investment credit and, if so, the effective date of that repeal; and uncertainty as to what exceptions, if any, will be made.

Those points must be considered, and the taxpayers have a right to know the answers. There is no reason in the world why Congress cannot take this action either today or tomorrow.

Mention has been made of the surplus of $3.1 billion that was reported just yesterday. I want to point out to the Senate, as I pointed out last year, that there was no surplus. The unified budget very properly takes into consideration all of the revenues that the U.S. Government collects from any category minus the expenditures, without regard to what they represent. It is the total amount that the Government is taking out of the economy as related to the amount it is pouring back through various agencies and departments, but it does not mean that it is actually a surplus so far as the operation of the Government is concerned.

For example, in arriving at that figure of a surplus this year, $8.4 billion represented the accumulation in the various trust funds during the past 12 months. Part of the accumulation is made up of the social security retirement fund, the railroad retirement fund, the civil service retirement fund, and various other trust funds of which the Government of the United States is only the trustee. Under the law not one dime of that money can be used by the Government, by any Government agency, or by Congress to defray the normal operating costs of the Government.

In addition, it is overlooked that last year we enacted a 10-percent surcharge, effective retroactively to January 1, 1968, but we did not pass that bill until July 1. That meant that the surcharge for 18 months was collected in the 12-month period of fiscal 1969. The surcharge for 15 months on individual taxpayers was collected in the same 12-month period, fiscal 1969.

In addition there was the acceleration of corporate taxes, which last year brought in $700 million of nonrecurring income. The acceleration of the payment of excise taxes brought in an additional $200 million last year, which is nonrecurring income.

When those items are taken into consideration with the trust fund accumulation, which by no line of reasoning can be used for the purpose of reporting a balanced budget, we have a total of $11.3 billion. When $3.1 billion of the so-called surplus is subtracted we find that the Government actually operated last year with a deficit of over $8 billion. Taking the cost of operating our Government as related to its income under the old administrative budget, we would have a deficit of $8.25 billion, or approximately $700 million per month.

In the face of that deficit, even to think that the Senate may neglect to extend the surcharge at this time is indefensible. It would mean pouring into the spending stream an additional $700 million a month, which would further fan the fires of inflation. I just cannot conceive, and I do not believe, that the Members of the Senate will go home to their constituents later this week without voting on this measure and tell them that they gambled with the financial stability of this Government in such a loose manner.

I am confident that, as reasonable men, we can bring this matter to a vote. All we are asking is a chance for every Member of the Senate to vote for whatever proposal he favors, whether it be a 1-month, 3-month, 5-month, or a 1-year extension of the surcharge. But let each Member of the Senate vote as he thinks is in the best interest of his country. Certainly, the Senate has not reached the stage at which any small group of men—

nine men it happens to be—can sit back in a closed, smoke-filled room and come back to the other 91 Members and say: "Gentlemen, this is what we have agreed on. If you will all agree to vote for the amendments we recommend and against those to which we say no we will bring the measure up for consideration."

I do not for one moment think that is the manner in which the Senate is going to operate.

Furthermore, when any vote is taken on the question of extending the surcharge the Senate should at the same time make a decision as to whether it will or will not repeal the investment credit.

Mr. ALLEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE REVISED PHILADELPHIA PLAN: EQUAL EMPLOYMENT OPPORTUNITY IN THE BUILDING TRADES

Mr. JAVITS. Mr. President, I wish to call to the attention of the Senate the revised Philadelphia plan, which was promulgated on June 27, 1969, by Mr. Arthur Fletcher, Assistant Secretary of Labor. The revised Philadelphia plan is a program requiring building construction contractors to undertake certain obligations to accommodate the problem of an absence of minority workers, workers from minority groups, in the building trades, attributable to longstanding discrimination on the grounds of race and color among those trade unions which they are seeking to overcome.

This is a plan which was developed by the Department of Labor under Secretary Shultz and it is designed to deal with this situation. Both the Department of Labor and the Department of Justice are involved in these arrangements in Philadelphia. If the revised plan succeeds in Philadelphia it will be followed in other cities and it could make an appreciable dent in tne problem of workers from minority groups having opportunities in the building construction field.

I believe the plan is an important step forward in the struggle to eradicate racial discrimination in employment in the construction industry and to insure effective affirmative action by construction contractors doing business with the Federal Government. The goal is true equality of employment opportunity in the industry.

Predictably, the plan has been criticized by some, including a few of my colleagues in the Senate, and a ruling on the plan has been requested from the Comptroller General. I believe that the criticism which has been made of the plan is unjustified. It is premised on a basic misconception of what the plan requires and the legislative history of title VII of the Civil Rights Act of 1964.

I feel, and many others feel, that before the Comptroller General does rule we should make clear what the plan is about and why, in our judgment, it is completely lawful; why his ruling should be favorable and what is to be done if it is not favorable, to wit, the matter should be taken into the courts and dealt with appropriately; but we should not be foreclosed by the ruling.

The basic criticism of the revised Philadelphia plan is that it requires an illegal "quota" system for hiring minority group employees. That is simply not so. All that the plan really does is to translate the abstract requirement of "affirmative action" contained in Executive Order 11246 into concrete terms for seven of the better paid building and construction trades in the Philadelphia area. In the plan itself, these trades are found to have excluded minority group applicants. At the end of 1967, less than one-half of 1 percent of the membership of the unions representing employees in the seven trades were black.

Under the plan, OFCC, taking into consideration a number of factors, determines a range of minority employment which should normally result from a good faith, affirmative action program. A contractor, rather than making a vague promise of taking "affirmative action," must, in his bid, set a goal for himself which falls within this range established by OFCC for the seven trades. If the contractor meets the goal, he will be presumed, absent other evidence, to have complied with the affirmative action requirement of Executive Order 11246. If he does not meet the goal, he is not automatically disqualified or subject to sanctions. He is still given an opportunity to demonstrate that he made good faith efforts to meet the goal. Finally, the express terms of the plan make it clear that in attempting to reach any goal for minority employment no contractor may discriminate against any qualified applicant or employee.

There are thus three critically important features of the revised Philadelphia plan which completely negate the idea that it imposes a quota system: First, there is no absolute requirement that any contractor must hire a certain number of minority group employees; all that is required, essentially, is a promise to use good faith efforts to meet a goal within a range of minority employment established by OFCC to be the normal result of an affirmative action program implemented in good faith. If the goal is not met but the contractor has attempted in good faith to meet it, the plan is satisfied. Second, the ranges of minority employment determined by OFCC to be the normal result of a good faith affirmative action program are not based on mere racial imbalance or gross demographic, statistics. Rather, they include the following four factors: First, the current extent of minority group participation in the trade; second, the availability of minority group persons for employment in such trade; third, the need for training programs in the area and the need to insure demand for those in existing training programs; and fourth, the impact of the program upon the existing labor force. Third, contractors, are not required—indeed they are specifically forbidden—to practice any "reverse discrimination." Thus the plan specifically states:

> The purpose of the contractor's commitment to specific goals is to meet the contractor's affirmative action obligations and is not intended and shall not be used to discriminate against any qualified applicant or employee.

I think it is clear that from a legal, moral, and practical standpoint the revised Philadelphia plan is not subject to the criticism which has been leveled at it. Indeed, it is quite ironic that those who seem to be most critical of this plan are precisely those who have been most critical of the previous ambiguity, conflict, and needless duplication of programs and policies under Executive Order 11246 which the revised Philadelphia plan is designed to correct. For, in addition to being an important forward step in improving the efficacy of the equal opportunity program under the Executive order, the plan, insofar as it establishes specific criteria for judging compliance, will unquestionably prove to be a boon to businessmen and trade unions who have, in the past, justifiably criticized the program under Executive Order 11246 on the ground that they never knew what was really expected of them and that they were subjected to a whole panoply of different standards from different Government agencies with oftentimes conflicting views. The plan should also do much to eliminate the problem of repetitious compliance investigations and reviews which have allegedly proved so burdensome to some members of the business community.

It is noteworthy, in this connection, that the original Philadelphia plan was revised to require the setting of specific goals specifically to meet objections which had been voiced by the Comptroller General on the grounds that the original plan did not set up specific criteria which could be incorporated in bids and that the original plan permitted continued negotiations after low bidder had been selected concerning compliance with Executive Order 11246. In response to those objections, the revised Philadelphia plan not only provides for the establishment of specific goals but also prohibits any negotiations concerning the meeting of those goals after bids have been opened on any project.

The criticism of the plan on legal grounds, insofar as these grounds have been articulated, proceeds from the mistaken premise that all that is or should be required of Government contractors is a policy of passive nondiscrimination in employment. I readily concede that the revived Philadelphia plan requires more than that; what is involved is a very basic distinction between the passive duty not to discriminate and the express duty, under the Executive order, as well as under title VII of the Civil Rights Act—where discrimination has been a pattern or practice in the past—to take "affirmative action" to insure equality of employment opportunity for minority groups.

It is clear from the history of the current Executive order that something more than passive nondiscrimination was necessary and was intended to be added with the "affirmative action" language. In addition, it is clear that a Federal contractor is required to take such affirmative action whether or not there has been a specific finding that it has engaged in unlawful discrimination.

Hence, although it is true the revised Philadelphia plan requires contractors to take action in which race is a consideration, this does not invalidate the plan. Such consideration of race is the heart of the "affirmative action" concept, particularly where, as here, there is a past history of discrimination. This type of affirmative action has, furthermore, frequently been approved—indeed required—by the courts in cases involving various aspects of discrimination.

Thus, some 14 years after *Brown* v. *Board of Education* (347 U.S. 483 (1954)) the judiciary came to recognize that an affirmative duty attaches to take steps to correct a discriminatory system. The Supreme Court spoke again just a month ago in *U.S.* v. *Montgomery County* (289 F. Supp. 647, aff'd 37 LW 4461 (1969)) when it unanimously upheld a district court's order that a school board "must move toward a goal under which in each school the ratio of white to Negro faculty members is substantially the same as it is throughout the system." The Court has also spoken to this issue in *Green* v. *New Kent Co.* (391 U.S. 430 (1968)) dealing with the HEW school guidelines and in *Gaston County, N.C.* v. *U.S.* (37 L.W. 4478 (1969)), *U.S.* v. *Alabama* (80 Sup. Ct. 924), and *U.S.* v. *Louisiana* (380 U.S. 145 (1964)) dealing with voting rights. There have also been significant court of appeals cases dealing with racial discrimination in housing *Norwalk Core* v. *Norwalk Redev. Auth.* (395 F. 2d 920 (1968)), and perhaps most importantly in employment practices *Heat and Frost Insulators* v. *Vogler* (407 F. 2d 1047 (1969)).

Similarly, in the *U.S.* v. *Jefferson County Board of Education*, 372 F. 2d 836 (5th Cir. 1966), the court, in approving HEW school guidelines containing percentages, pointed out that good faith or progress cannot be measured without taking race into account and characterized the use of percentages there as "a general rule of thumb or objective administrative guide for measuring progress in desegregation rather than a firm guideline that must be met." The revised Philadelphia plan uses goals for precisely the same purpose.

Indeed, the courts have gone even further than this in sustaining classification by race where necessary to undo the effects of past discrimination. As the Second Circuit has recently observed in the Norwalk Corp. case, mentioned above:

> What we have said may require classification by race. That is something which the Constitution usually forbids, not because it is inevitably an impermissible classification, but because it is one which usually, to our national shame, has been drawn for the purpose of maintaining racial inequality. Where it is drawn for the purpose of achieving equality it will be allowed and to the extent it is necessary to avoid unequal treatment by race, it will be required.

It has also been contended by opponents of the plan that section 703(j) of the Civil Rights Act of 1964 prohibits the revised Philadelphia plan. The short answer to that contention is that section 703(j) on its face applies only to proceedings under title VII of that act, and hence does not apply to the revised Philadelphia plan, which was issued under Executive Order No. 11246. Moreover, even if the section did apply, it clearly would not prohibit the plan since it merely forbids finding an employer or union in violation of title VII solely because the racial composition of its work force or membership does not mirror the ratio that a given minority group bears to the general population. As I have explained above, the revised Philadelphia plan is an attempt to spell out, in concrete terms, the meaning of affirmative action; it is certainly not predicated solely on demographic considerations or statistics, although it does, of course, take these into account, as is entirely proper. As the courts have said in cases involving possible racial discrimination, "statistics often tell much, and courts listen."

Any discussion of the plan must also take into account the special problems of eradicating racial discrimination in the building and construction industry.

We have long recognized that the history of this industry requires special programs. We have specific provisions relating to it in sections 8(e) and 8(f) of the Taft-Hartley Act, our basic labor law, and the unique aspects of its employment practices are recognized in title VII of the Civil Rights Act itself. We specifically reach hiring halls in section 701(e) and without regard to the limitations as to number of individuals involved. We also reach joint labor management committees controlling apprenticeship and training programs in section 703(d).

With regard to the Executive order program which supplements title VII of the Civil Rights Act, it was necessary to augment Executive Order 10925 with Executive Order 11114 which specifically related to construction. The substance of these previous orders is now embodied in 11246 on which we continue to rely heavily as an essential element of our equal employment opportunity program.

Beyond that, in administration of the Executive order program, special construction compliance staff had to be deployed and programs tailored to the industry's problems have had to be devised. Proportionately greater manpower has been expended for this industry with less yield. Without special approaches, such as the revised Philadelphia plan, administratively manageable with limited staff, and approaches which may be checked and verified for results, the elimination of employment discrimination will not be achieved—and the mission under Executive Order 11246 is more than the prohibition of discrimination.

On the basis of all the factors I have outlined above, both the Labor Department and the Justice Department, the agencies which have the primary responsibility for enforcing the equal employment opportunity policy embodied in Executive Order 11246 and title VII of the Civil Rights Act of 1964; have concluded that the revised Philadelphia plan is the proper way to satisfy the urgent necessity of promoting true equality of employment opportunity in the building and construction industry. I find myself entirely in agreement with their conclusion and I would hope that, given the broad issues of principle involved, and the expertise of the Justice Department and the Labor Department in this area, that the Comptroller General will come to the same conclusion. I believe that in this case it would be entirely proper for the Comptroller General simply to defer to the primary authority and responsibility of the Labor and Justice Departments, especially since the revised plan does not appear to entail any additional cost to the Government and satisfies the Comptroller General's own requirements for bids on Government construction projects.

Mr. President, I ask unanimous consent that the text of the revised Philadelphia plan be printed in the RECORD, and refer to the fact that the Solicitor of the Department of Labor has submitted an extensive memorandum which refers to the legal basis for the plan. The memorandum is extensive and detailed. I do not wish to impose the added cost of including it as part of the RECORD and therefore wish to refer to it as being available for consultation in my office, or in the Departments of Labor or Justice. It can easily be obtained by any Member of the Senate by asking for it.

Thus, I would hope that any Member who wishes to look it over will do that, rather than for me to have it printed in the RECORD.

There being no objection, the revised plan was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF LABOR,
Washington, D.C., June 27, 1969.

To: Heads of all agencies.

From: Arthur A. Fletcher, Assistant Secretary for Wage and Labor Standards.

Subject: Revised Philadelphia Plan for Compliance with Equal Employment Opportunity Requirements of Executive Order 11246 for Federally-Involved Construction.

1. PURPOSE

The purpose of this Order is to implement the provisions of Executive Order 11246, and the rules and regulations issued pursuant thereto, requiring a program of equal employment opportunity by Federal contractors and subcontractors and Federally-assisted construction contractors and subcontractors.

2. APPLICABILITY

The requirements of this Order shall apply to all Federal and Federally-assisted construction contracts for projects the estimated total cost of which exceeds $500,000, in the Philadelphia area, including Bucks, Chester, Delaware, Montgomery and Philadelphia counties in Pennsylvania.

3. POLICY

In order to promote the full realization of equal employment opportunity on Federally-assisted projects, it is the policy of the Office of Federal Contract Compliance that no contracts or subcontracts shall be awarded for

Federal and Federally-assisted construction in the Philadelphia area on projects whose cost exceeds $500,000 unless the bidder submits an acceptable affirmative action program which shall include specific goals of minority manpower utilization, meeting the standards included in the invitation or other solicitation for bids, in trades utilizing the following classifications of employees:

Iron workers, plumbers, pipefitters; steamfitters; sheetmetal workers; electrical workers; roofers and water proofers; and elevator construction workers.

4. FINDINGS

Enforcement of the nondiscrimination and affirmative action requirements of Executive Order 11246 has posed special problems in the construction trades. Contractors and subcontractors must hire a new employee complement for each construction job and out of necessity or convenience they rely on the construction craft unions as their prime or sole source of their labor. Collective bargaining agreements and/or established custom between construction contractors and subcontractors and unions frequently provide for, or result in, exclusive hiring halls; even where the collective bargaining agreement contains no such hiring hall provisions or the custom is not rigid, as a practical matter, most people working in these classifications are referred to the jobs by the unions. Because of these hiring arrangements, referral by a union is a virtual necessity for obtaining employment in union construction projects, which constitute the bulk of commercial construction.

Because of the exclusionary practices of labor organizations, there traditionally has been only a small number of Negroes employed in these seven trades. These exclusionary practices include: (1) failure to admit Negroes into membership and into apprenticeship programs. At the end of 1967, less than one-half of one percent of the membership of the unions representing employees in these seven trades were Negro, although the population in the Philadelphia area during the past several decades included substantial numbers of Negroes. As of April 1965, the Commission on Human Relations in Philadelphia found that unions in five trades (plumbers, steamfitters, electrical workers, sheet metal workers and roofers) were "discriminatory" in their admission practices. In a report by the Philadelphia Local AFL–CIO Human Relations Committee made public in 1964, virtually no Negro apprentices were found in any of the building trades classes; [1] (2) failure of the unions to refer Negroes for employment, which has resulted in large measure from the priorities in referral granted to union members and to persons who had work experience under union contracts.

On November 30, 1967, the Philadelphia Federal Executive Board put into effect the Philadelphia Pre-Award Plan. The Federal Executive Board found that [2] the problem of compliance with the requirements of Executive Order 11246 was most apparent in Philadelphia in eight construction trades: electrical, sheetmetal, plumbing and pipefitting, steamfitting, roofing and waterproofing, structural iron work, elevator construction and operating engineers; and that local unions representing employees in these trades in the Philadelphia area had few minority group members and that few minority group persons had been accepted in apprenticeship programs. In order to assure equal employment opportunity on Federal and Federally-assisted construction in the Philadelphia area, the plan required that each apparent low bidder, to qualify for a construction contract or subcontract, must submit a written affirmative action program which would have the results of assuring that there will be minority group representation in these trades.

Since the Philadelphia Plan was put into effect, some progress has been made. Several groups of contractors and Local 543 of the International Union of Operating Engineers have developed an area program of affirmative action which has been approved by OFCC in lieu of other compliance procedures, but subject to periodic evaluation. The original Plan was suspended because of an Opinion by the Comptroller General that it violated the principles of competitive bidding.

Equal employment opportunity in these trades in the Philadelphia area is still far from a reality. The unions in these trades still have only about 1.6 percent minority group membership and they continue to engage in practices, including the granting of referral priorities to union members and to persons who have work experience under union contracts, which result in few Negroes being referred for employment. We find, therefore, that special measures are required to provide equal employment oppotunity in these seven trades.

In view of the foregoing, and in order to implement the affirmative action obligations imposed by the equal employment opportunity clause in Executive Order 11246, and in order to assure that the requirements of this Order conform to the principles of competitive bidding, as construed by the Comptroller General of the United States, the Office of Federal Contract Compliance finds that it is necessary that this Order, requiring bidders to commit themselves to specific goals of minority manpower utilization, be issued.

5. ACCEPTABILITY OF AFFIRMATIVE ACTION PROGRAMS

A bidder's affirmative action program will be acceptable if the specific goals set by the bidder meet the definite standards determined in accordance with Section 6 below. Such goals shall be applicable to each of the designated trades to be used in the performance of the contract whether or not the work is to be subcontracted. However, participation in a multi-employer program approved by OFCC shall be acceptable in lieu of a goal for the trade involved in such training program. In no case shall there be any negotiation over the provisions of the specific goals submitted by the bidder after the opening of bids and prior to the award of the contract.

6. SPECIFIC GOALS AND DEFINITE STANDARDS

a. *General.* The OFCC Area Coordinator, in cooperation with the Federal contracting or administering agencies in the Philadelphia area, will determine the definite standards to be included in the invitation for bids or other solicitation used for every Federally-involved construction contract in the Philadelphia area, when the estimated total cost of the construction project exceeds $500,000. Such definite standards shall specify the range of minority manpower utilization expected for each of the designated trades to be used during the performance of the construction contract. To be eligible for the award of the contract, the bidder must, in the affirmative action program submitted with his bid, set specific goals of minority manpower utilization which meet the definite standard included in the invitation or other solicitation for bids unless the bidder participates in an affirmative action program approved by OFCC.

b. *Specific Goals:*

(1) The setting of goals by contractors to provide equal employment opportunity is required by Section 60–1.40 of the Regulations of this Office (41 CFR § 60–1.40). Further, such voluntary organization of businessmen as Plans for Progress have adopted this sound approach to equal opportunity just as they have used goals and targets for guiding their other business decisions. (See the Plans for Progress booklet Affirmative Action Guidelines on page 6.)

(2) The purpose of the contractor's commitment to specific goals is to meet the contractor's affirmative action obligations and is not intended and shall not be used to discriminate against any qualified applicant or employee.

c. *Factors Used in Determining Definite Standards.* A determination of the definite standard of the range of minority manpower utilization shall be made for each better-paid trade to be used in the performance of the contract. In determining the range of minority manpower utilization that should result from an effective affirmative action program, the factors to be considered will include, among others, the following:

(1) The current extent of minorly group participation in the trade.

(2) The availability of minority group persons for employment in such trade.

(3) The need for training programs in the area and/or the need to assure demand for those in or from existing training programs.

(4) The impact of the program upon the existing labor force.

7. INVITATION FOR BIDS OR OTHER SOLICITATIONS FOR BIDS

Each Federal agency shall include, or require the applicant to include, in the invitation for bids, or other solicitation used for a Federally-involved construction contract, when the estimated total cost of the construction project exceeds $500,000, a notice stating that to be eligible for award, each bidder will be required to submit an acceptable affirmative action program consisting of goals as to minority group participation for the designated trades to be used in the performance of the contract—whether or not the work is subcontracted. Such notice shall include the determination of the range of minority group utilization (described in Section 6 above) that should result from an effective affirmative action program based on an evaluation of the factors listed in Section 6c. The form of such notice shall be substantially similar to the one attached as an appendix to this Order. To be acceptable, the affirmative action program must contain goals which are at least within the range described in the above notice. Such goals must be provided for each designated trade to be used in the performance of the contract except that goals are not required with respect to trades covered by an OFCC approved multi-employer program.

8. POST-AWARD COMPLIANCE

a. Each agency shall review contractors' and subcontractors' employment practices during the performance of the contract. If the goals set forth in the affirmative action program are being met, the contractor or subcontractor will be presumed to be in compliance with the requirements of Executive Order 11246, as amended, unless it comes to the agency's attention that such contractor or subcontractor is not providing equal employment opportunity. In the event of failure to meet the goals, the contractor shall be given an opportunity to demonstrate that he made every good faith effort to meet his commitment. In any proceeding in which such good faith performance is in issue, the contractor's entire compliance posture shall be reviewed and evaluated in the process of considering the imposition of sanctions. Where the agency finds that the contractor or subcontractor has failed to comply with the requirements of Executive Order 11246, the implementing regulations and its obligations under its affirmative ac-

[1] Marshall and Briggs, *Negro Participation in Apprenticeship Programs* (Dec. 1966), pg. 91.

[2] These findings were based on a detailed examination of available facts relating to building trades unions, area construction volume and demographic data.

tion program, the agency shall take such action and impose such sanctions as may be appropriate under the Executive Order and the regulations. Such noncompliance by the contractor or subcontractor shall be taken into consideration by Federal agencies in determining whether such contractor or subcontractor can comply with the requirements of Executive Order 11246 and is therefore a "responsible prospective contractor" within the meaning of the Federal procurement regulations.

b. It is no excuse that the union with which the contractor has a collective bargaining agreement failed to refer minority employees. Discrimination in referral for employment, even if pursuant to provisions of a collective bargaining agreement, is prohibited by the National Labor Relations Act and Title VII of the Civil Rights Act of 1964. It is the longstanding uniform policy of OFCC that contractors and subcontractors have a responsibility to provide equal employment opportunity if they want to participate in Federally-involved contracts. To the extent they have delegated the responsibility for some of their employment practices to some other organization or agency which prevents them from meeting their obligations pursuant to Executive Order 11246, as amended, such contractors cannot be considered to be in compliance with Executive Order 11246, as amended, or the implementing rules, regulations and orders.

9. EXEMPTIONS

a. Requests for exemptions from this Order must be made in writing, with justification, to the Director, Office of Federal Contract Compliance, U.S. Department of Labor, Washington, D.C., 20210, and shall be forwarded through and with the endorsement of the agency head.

b. The procedures set forth in the Order shall not apply to any contract when the head of the contracting or administering agency determines that such contract is essential to the national security and that its award without following such procedures is necessary to the national security. Upon making such a determination, the agency head will notify, in writing, the Director of the Office of Federal Contract Compliance within thirty days.

c. Nothing in this Order shall be interpreted to diminish the present contract compliance review and complaint programs.

10. AUTHORITY

This Order is issued pursuant to Executive Order 11246 (30 F.R. 12319, Sept. 28, 1965) Parts II and III; Executive Order 11375 (32 F.R. 14303, Oct. 17, 1967); and 41 CFR Chapter 60.

11. EFFECTIVE DATE

The provisions of this Order will be effective with respect to transactions for which the invitations for bids or other solicitations for bids are sent on or after July 18, 1969.

APPENDIX

(For Inclusion in the Invitation or Other Solicitation for Bids for a Federally-Involved Construction Contract When the Estimated Total Cost of the Construction Project Exceeds $500,000.)

NOTICE OF REQUIREMENT FOR SUBMISSION OF AFFIRMATIVE ACTION PLAN TO ENSURE EQUAL EMPLOYMENT OPPORTUNITY

1. It has been determined that in the performance of this contract an acceptable affirmative action program for the trades specified below will result in minority manpower utilization within the ranges set forth next to each trade: Identification of Trade; Range of Minority Group Employment.

2. The bidder shall submit, in the form specified below, with his bid an affirmative action program setting forth his goals as to minority manpower utilization in the performance of the contract in the trades specified below, whether or not the work is subcontracted.

The bidder submits the following goals of minority manpower utilization to be achieved during the performance of the contract: Identification of Trade; Estimated Total Employment for the Trade on the Contract; Number of Minority Group Employees.

(The bidder shall insert his goal of minority manpower utilization next to the name of each trade listed.)

3. The bidder also submits that whenever he subcontracts a portion of the work in the trade on which his goals of minority manpower utilization are predicated, he will obtain from such subcontractor an appropriate goal that will enable the bidder to achieve his goal for that trade. Failure of the subcontractor to achieve his goal will be treated in the same manner as such failure by the prime contractor prescribed in Section 6 of the Order from the Office of Federal Contract Compliance to the Heads of All Agencies regarding the Revised Philadelphia Plan, dated June 27, 1969.

4. No bidder will be awarded a contract unless his affirmative action program contains goals falling within the range set forth in paragraph 1 above, provided, however, that participation by the bidder in multi-employer program approved by the Office of Federal Contract Compliance will be accepted as satisfying the requirements of this Notice in lieu of submission of goals with respect to the trades covered by such multi-employer program. In the event that such multi-employer program is applicable, the bidder need not set forth goals in paragraph 2 above for the trades covered by the program.

5. For the purpose of this Notice, the term minority means Negro, Oriental, American Indian and Spanish Surnamed American. Spanish Surnamed American includes all persons of Mexican, Puerto Rican, Cuban or Spanish origin or ancestry.

6. The purpose of the contractor's commitment to specific goals as to minority manpower utilization is to meet his affirmative action obligations under the equal opportunity clause of the contract. This commitment is not intended and shall not be used to discriminate against any qualified applicant or employee.

7. Nothing contained in this Notice shall relieve the contractor from compliance with the provisions of Executive Order 11246 and the equal opportunity clause of the contract with respect to matters not covered in this Notice, such as equal opportunity in employment in trades not specified in this Notice.

8. The bidder agrees to keep such records and to file such reports relating to the provisions of this Order as shall be required by the contracting or administering agency.

ORDER OF BUSINESS

Mr. TOWER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 228—RESOLUTION RELATING TO GENEVA PROTOCOL OF 1925 BANNING THE FIRST USE OF GAS AND BACTERIOLOGICAL WARFARE

Mr. HARTKE. Mr. President. I submit a resolution for myself, and other Senators, which reads:

Resolved, That it is the sense of the Senate that the President of the United States should resubmit the Geneva Protocol of 1925 banning the first-use of gas and bacteriological warfare to the United States Senate for advice and consent to ratification.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 228) was referred to the Committee on Foreign Relations.

Mr. HARTKE. Mr. President, the Geneva Protocol should be ratified. It was in April of 1915 on the Western front at Ypres, the German army attacked with chlorine gas, a chemical agent inducing coughing, retching, and finally lethal asphyxiation. The French, British, and Americans began using the same horrible weapon and by the end of the war nearly 100,000 men had been killed by gas and over 1 million men were blinded or crippled by gas. The horrors of chemical and biological warfare inspired the drafting of an international agreement at Geneva in 1925. This agreement banning the use of chemical and biological weapons was based on the understanding that chemical and biological warfare had been "justly condemned by the general opinion of the civilized world." Since that time, in spite of a terrible global war, chemical and biological weapons have never been used in struggles between major powers.

The Geneva Protocol is one of the few examples of successful agreement in arms limitation. It is a rare act of sanity. I wish I could say that the United States has participated in this noble venture.

The United States is one of the few large nations in the world which has withheld ratification of the Geneva Protocol. It may surprise some citizens of the United States to learn that this country introduced the protocol at Geneva, endorsed its purposes over the years, voted for a United Nations resolution inviting others to sign, and yet we have never actually ratified the protocol ourselves. In the hope that our negligence can be corrected, I submit today a resolution expressing the sense of the Senate that President Nixon resubmit the Geneva Protocol of 1925 to the U.S. Senate for ratification.

I am extremely honored and pleased to be joined in this resolution by many of my distinguished colleagues. Joining me as cosponsors are: CLAIBORNE PELL of Rhode Island, MIKE GRAVEL of Alaska, STEPHEN YOUNG of Ohio, JENNINGS RANDOLPH of West Virginia, MARLOW COOK of Kentucky, ABRAHAM RIBICOFF of Connecticut, WILLIAM PROXMIRE of Wisconsin, PHILIP HART of Michigan, DANIEL INOUYE of Hawaii, CHARLES PERCY of Illinois, ROBERT PACKWOOD of Oregon, FRED HARRIS of Oklahoma, EDMUND MUSKIE of Maine, WALTER MONDALE of Minnesota, BIRCH BAYH of Indiana, EUGENE MCCARTHY of Minnesota, HARRISON WILLIAMS of New Jersey, JOSEPH TYDINGS of Maryland, HAROLD HUGHES of Iowa, and ALAN CRANSTON of California.

This resolution is similar but not identical to a resolution introduced in the House of Representatives by Congressman RICHARD MCCARTHY of New York. The House resolution now has 96 cosponsors.

By requesting reconsideration of the protocol, I hope to do more than simply correct a past mistake. Chemical and biological warfare, as we know, is a current issue, and this resolution will be considered at a time when public doubts and fears about chemical and biological warfare have promoted a full-scale administrative review of America's CBW policies. In the hope that this policy review will yield a consensus for responsibility and restraint, I ask the Senate to consider the need to formalize our intention never to initiate war with lethal chemicals or disease.

It may seem improbable to us today that the U.S. Senate has never ratified the 1925 protocol. Every other nuclear power is presently a party to the treaty. Except for the United States, every member of the NATO and Warsaw pacts has ratified. Except for tiny Albania, every nation in Europe has ratified. Indeed, except for the United States and Japan, the protocol has been agreed to by every industrial nation in the world, including both Russia and China.

One would assume that the Senate had some good reason to reject such a widely accepted treaty, but a brief look at history indicates just the opposite—our failure to ratify the protocol was circumstantial, somewhat accidental, and certainly premature.

As a matter of record, the protocol was introduced at Geneva by the head of the American delegation, Representative Theodore E. Burton of Ohio, with the full support of President Coolidge and Secretary of State Kellogg. The language of the protocol was patterned after a ban on chemical and biological warfare which had been sponsored by the American delegation at the Washington Conference on Arms Limitation, held 3 years earlier, in 1922. This earlier document had been accepted by the Senate without a dissenting vote, and would have become international law had it not been for French objections to certain restrictions on submarines. When our representatives signed the protocol in Geneva, therefore, they did not anticipate opposition in the Senate, and they certainly did not anticipate the circumstances that would prevent the treaty from ever coming to a vote.

In the year that passed before Senate consideration of the agreement, however, the Army Chemical Warfare Service was able to mobilize determined resistance from veterans groups, the American Chemical Society, and the chemical industries at large. The leader of the opposition, Senator Wadsworth, argued that the treaty would be torn up in time of war, and with the support of his powerful Military Affairs Committee he was able to block ratification. Advocates of the protocol were poorly prepared—perhaps overconfident, they neglected to take the same steps which led to unanimous acceptance of the earlier CBW treaty. They failed to send Senate representatives to Geneva with our negotiators, and they failed to enlist the support of an advisory committee of prominent citizens which had been influential in the earlier decision. The protocol never came to a vote. It languished for 20 years in the Foreign Relations Committee, and was finally sent back to the White House with all unratified treaties which had been submitted prior to 1941.

Since Senate rejection of the protocol in 1926, several developments have occurred fully justifying our reconsideration of that early decision. First, the Senate acted in 1926 before all major nations of the world had signed the protocol. The Geneva protocol came into force on February 8, 1928, without being ratified by several large nations. It was not until 2 months later, when the Soviet Union agreed to the protocol, that the strength of the agreement became apparent. The Soviets signed "with reservations," promising never to initiate chemical or biological war, but preserving the option to retaliate if CBW was used against them first. When Great Britain and France acceded to the protocol along similar lines, the Geneva ban was effectively modified to restrict only the "first-use" of chemical and biological warfare. This more acceptable restriction proved immediately popular, and it has served as the basis for solid international agreement ever since.

Also, the Senate acted on the false assumption that the protocol would be "torn up" in the time of war. If the Senate could have known in 1926 that a second world war would be fought, even larger than the Great War they remembered so well, without the use of chemical or biological weapons, they surely would have joined in a formal ban on such weapons. Furthermore, if the Senate had known in 1926 that an American President, Franklin D. Roosevelt, would one day define our Chemical and Biological Warfare policy with words taken from the 1925 protocol, they might have considered ratification more carefully. In 1943, in the middle of the war, President Roosevelt paraphrased the protocol in his response to rumors of German plans to initiate gas warfare:

> Use of such weapons has been outlawed by the general opinion of civilized mankind. This country has not used them. I state categorically that we shall under no circumstances resort to the use of such weapons unless they are first used by our enemies.

Clearly, the Senate rejection of the protocol was premature. In retrospect, it seems certain that we would have accepted the protocol in 1926 if we had known at the time that so many other nations would sign, or if we had known that our own expressed policy would someday be entirely consistent with the provisions of the protocol.

Mr. President, our neglect of the protocol represents a needless inconsistency. On numerous occasions since the Roosevelt proclamation, we have reaffirmed our official policy of "no first-use." In 1945, when the War Department suggested the use of poison gas in the invasion of Iwo Jima, Adm. Chester Nimitz made the tough decision not to use gas because, as he said:

> The United States should not be the first to violate the Geneva Convention."

Throughout the Korean conflict we jealously guarded this record of restraint in the face of vicious enemy propaganda. More recently, in 1965, Secretary of State Dean Rusk chose to defend our Vietnam weapons policy in terms of its consistency with the Geneva protocol. And 1 year later the United States even cosponsored the operative paragraph in a United Nations resolution calling for strict observance by all states of the principles and objectives of the Geneva protocol, and condemning all action contrary to those objectives. The United States voted for this 1966 resolution along with 100 other nations. In explaining our vote at that time, the American Ambassador said:

> While the United States is not a party to the Protocol, we support the worthy objectives which it seeks to achieve. We have repeatedly endeavored to find adequate means to attain those objectives.

In 1967, the Deputy Secretary of Defense restated our "no first-use" policy in testimony before the Subcommittee on Disarmament of the Committee on Foreign Relations of the Senate. He said:

> It is clearly our policy not to initiate the use of lethal chemicals or lethal biologicals.

In April of this year, 1969, John S. Foster, Jr., the Director of Defense, Research and Engineering, reaffirmed our intention to abide by the spirit of the protocol. Making a specific reference to biological weapons, he said:

> The United States policy and its rationale with regard to biological warfare is generally the same as for chemical. As a matter of policy the United States will not be the first to use biological weapons . . .

Finally, Secretary of Defense Melvin Laird is reported in the New York Times of July 29 as asserting that the United States will never use chemical and biological warfare first.

At this point, it is only natural to wonder why we have never taken the trouble to ratify the protocol, if our policy is truly consistent with its purposes and with its provisions. The passage of time, of course, is probably the biggest reason; any policy or nonpolicy becomes sacrosanct after 43 years.

But the inconsistency of our position is sustained by more than its own inertia—there are those in the Government, particularly in the Pentagon, who have bitterly opposed a "no first-use" policy over the years, and these people are fighting hard to keep the legal door open for their techniques of chemical and biological war. Beneath the surface, our expressed policy of restraint is seriously jeopardized by formal neglect of the Geneva ban. The danger is apparent in the language of the "U.S. Army Field Manual on the Laws of Land Warfare (1956)":

> The United States is not a party to any treaty now in force, that prohibits or restricts the use in warfare of toxic or nontoxic gases . . . or of bacteriolotical warfare. The Geneva Protocol . . . is not binding on this country.

A similar hedge against a policy of restraint is found in official Pentagon statements. When asked to comment on a 1959 congressional resolution calling for limitations on chemical and biological warfare, the Defense Department replied:

> No reason is perceived why biological and chemical weapons should be singled out for this special declaration.

Even more disturbing is the casual attitude of Brig. Gen. J. H. Rothschild, the former head of the Army's CBW program. In response to questions about the purposes of our CBW arsenal, General Rothschild said that chemical weapons should be considered "just another weapon in our arsenal" and he noted that the use of germ warfare would, in his words, "depend upon the situation."

For all of these reasons, I feel that the Senate should request resubmission of the protocol for Senate ratification. Our expressed policy needs the reinforcement of a formal agreement; only then will we be sure that our CBW arsenal is under reliable control.

Objections will be raised, of course. We may be told that ratification of the protocol will restrict the use of tear gases and herbicides, such as those employed in Vietnam at the present time. Admittedly, some international lawyers have tried to include riot control agents and defoliants under the Geneva ban. But official American interpretations do not, and no international consensus exists to effectively challenge our position. I have written elsewhere at length on American military tactics in Southeast Asia, and I can assure my colleagues that I have serious personal reservations about some of the uses we have made of tear gas in Vietnam. But it would make no sense to postpone ratification of the Geneva Protocol until Vietnam is behind us; the present hostilities only make the need for formal restraints more urgent and more compelling. We must not be distracted by unnecessary controversy; Vietnam need not confuse our purposes. The Defense Department contends that it is presently abiding by the terms of the Geneva Protocol, and it will be useful for our purposes to accept that position.

The objection will also be raised that ratification of the Geneva protocol will somehow tie the hands of American delegates at the current arms limitation discussions in Geneva. But just the opposite is the case: our continuing neglect of the Geneva protocol has long been a crippling liability for American diplomats. We are continually embarrassed when Soviet delegates remind us that we are not a party to this widely accepted international agreement. During the Korean conflict, when cold war propaganda was at a premium, American discussion in the United Nations of Soviet CBW policies was quickly cut off by a Soviet reminder that our neglect of the Geneva protocol gave us no room to talk. And as recently as July 10 of this year, a Soviet delegate in Geneva avoided responsible comment on a new treaty proposal by suggesting that the 1925 Geneva agreement should be "strengthened" first, which was a thinly veiled reference to America's reluctance to ratify. Clearly, ratification of the protocol would strengthen America's bargaining position in arms control talks. This conclusion is shared by Prof. George Bunn, the former general counsel for the Arms Control and Disarmament Agency and the former American delegate to the 18 Nation Disarmament Committee at Geneva.

Finally, someone may argue that we should not act while the current policy review is being conducted and while new discussions are under way in Geneva. But what better time to express the sense of the Senate on this important matter than the present, when crucial policy decisions are in the process of being made, when minds are open, and when positions are still flexible. If we wait for others to speak, we will only weaken the import of what we have to say. The Department of Defense continues to speak out on chemical and biological warfare. Why must the Senate remain silent?

In fact, the Senate has a special obligation to express itself on the Geneva Protocol. In recent months chemical and biological warfare has become a source of considerable public alarm. Legitimate questions about the Utah sheep-kill, nerve gas disposal, open-air testing, and stockpiling overseas could lead to ungrounded fears and uncontrolled emotions. Indeed, public fears about chemical and biological warfare may grow to be as serious a problem as CBW itself. For this reason, the purposes of our CBW program must be clarified as soon as possible. What better way to restore publice confidence than to formalize our existing promise never to initiate chemical or biological warfare? And where will we find a better formal agreement than the 1925 Geneva Protocol, a document with wide acceptance, modest purposes, and proven value?

Mr. ALLEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXTENSION OF THE SURTAX

Mr. MANSFIELD. Mr. President, as a result of conversations and conferences today with the distinguished minority leader, as well as his considerate remarks on the floor, other conferences and conversations with the distinguished senior Senator from Delaware (Mr. WILLIAMS), ranking Republican member of the Finance Committee, and other Senators on both sides of the aisle, on my own initiative I called a meeting of the Democratic Policy Committee, and the chairman of the Finance Committee and the Democrats on that committee were kind enough to accede to my request that they meet with us.

At that time we discussed the pros and cons of the situation which had developed. We were of the opinion that the Senate, as a responsible body, was at an impasse on a most vital question and that time was running out.

When I called the joint committee together, I stated to the members in attendance that, as far as I was concerned, I stood on the original 5-month extension and all the attributes thereto. That agreement was announced on the Senate floor last Thursday or Friday, and that agreement, by and large, still holds.

However, in an attempt to accommodate the Senate and the administration, the members of the joint committee discussed the matter of what could or should be done pro and con. Finally, the two committees unanimously—again, and every action taken by those two committees has been unanimous, I am happy to say—agreed that we ought to give heed to the suggestions made by the distinguished minority leader, and I believe the distinguished senior Senator from Delaware as well, that at least some consideration should be given to a 1 month's extension, from November 30 to December 31, because of the factors which they and others had enumerated as being of some urgency in this matter; the principal factor was the recomputation of the withholding rate from 10 percent to 9.165 percent and the difficulties caused to the business community thereby.

The distinguished chairman of the Finance Committee, who presided over most of the meeting, and other distinguished Senators then came up with suggestions which finally culminated in an agreement by the two committees that the chairman of the Finance Committee and I would meet with the distinguished minority leader, express to him what had happened in the meeting this afternoon, ask his advice and counsel, and see what, if anything, could be done to arrive at a mutually acceptable agreement—mutually acceptable in the sense that it was not necessarily satisfactory to any or all of us.

He informed us that he would be glad to give what consideration he could to our suggestion. We gave him, in outline only, the proposed unanimous-consent agreement which we had considered and agreed to unanimously. He said he wanted to take it up with the Senator from Delaware (Mr. WILLIAMS), the Senator from Colorado (Mr. ALLOTT), the Senator from North Dakota (Mr. YOUNG), the Senator from Maine (Mrs. SMITH), and others in the leadership, and would let us know later what the result was.

On the basis of what I consider to be a hard and fast agreement—and I emphasize hard and fast, and do so on the basis of good faith and mutual trust—it is my intention to ask unanimous consent—and I do this with the approval of the distinguished Senator from Mississippi (Mr. STENNIS), the chairman of the committee handling the pending business—at the appropriate time, to lay aside the pending business and turn to the consideration of Calendar No. 272, H.R. 9951.

It is my understanding that when this is done, the distinguished senior Senator from Delaware (Mr. WILLIAMS) will at that time withdraw his amendment having to do with the question of taxing foundations. I ask the Senator, is that a correct statement?

Mr. WILLIAMS of Delaware. That is correct.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. CURTIS. Mr. President, it is true that the amendment is the result of the efforts of my beloved friend, the distinguished Senator from Delaware. It was adopted by the Committee on Finance. I am anxious to expedite the procedure outlined here. Will it be possible for the Senator from Delaware to withdraw that amendment, or will it require some further action?

Mr. MANSFIELD. He can withdraw it voluntarily by unanimous consent. He has indicated he would, and I would expect that any other foundation amendment would find its way on the tax reform bill, which we confidently expect will be reported by the Committee on Finance not later than October 31.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. WILLIAMS of Delaware. As indicated in the earlier colloquy, I told the Senator that if we could work out an arrangement we could use this bill as a vehicle to take care of the surcharge and the tax credit, I would be agreeable, but that amendment now being withdrawn will definitely be reoffered as a part of the tax reform package. In order to retain this as a bill dealing with these two subjects alone—namely, the questions of extending the surtax and of repealing the investment credit—I was willing to make that concession and would make the proper request immediately after the bill was called up.

Mr. MANSFIELD. Yes, that was the understanding, and the Senator from Delaware is a man of his word.

The ACTING PRESIDENT pro tempore. Does the Senator from Delaware ask unanimous consent at this time——

Mr. WILLIAMS of Delaware. The bill is not yet before the Senate.

Mr. MANSFIELD. No, it is not before the Senate at this time. I shall ask that it be laid before the Senate later.

To make the RECORD clear, before we lay aside the pending business and lay before the Senate this new proposal, I think it should be stated to the Senate that I am no parliamentary wizard, and there are lots of ways in which I could be cut short in handling such a delicate matter as this. But I am doing so because I have the utmost faith, trust, and confidence in the Members of this body, regardless of their positions on this particular bill.

In other words, what I am trying to say is that everything is on the table. Nothing in the way of subterfuge will be tried. We are trying to arrive, as men and women who have the interest of the Nation at heart and are aware of the present difficulties, at a solution to a most trying and most vexing problem, which confronts the Nation at this time.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. What would happen to the investment credit matter under the course of action the Senator suggests?

Mr. MANSFIELD. Frankly, I would hope that the amendment on investment credit which I understand is to be offered by the distinguished Senator from Delaware (Mr. WILLIAMS) will be defeated, not that there is not any merit to it, but with the assurance that, at an appropriate time—and the membership would have to trust the majority leader in that respect—I would call up the bill now on the calendar which contains the matter which the Senator has referred to, as well as the continuation of the excise taxes on telephones and automobiles and the exemptions for the lower income groups. It would not be lost in the shuffle, because what we are trying to do now is tend to just the surtax and its extension for 6 months.

Mr. HOLLAND. What bill is it that the Senator proposes to take up? I understood that he was proposing to take up the so-called surtax bill, which includes the investment credit and also the other two matters the Senator has mentioned.

Mr. MANSFIELD. I missed the first part of the Senator's query.

Mr. HOLLAND. I said my understanding was that the Senator intended to take up the bill which covered both the surtax extension and the investment credit cancellation, and the two other matters which the Senator mentioned.

Mr. MANSFIELD. We are not taking up Calendar No. 312, H.R. 12290, but rather Calendar No. 272, H.R. 9951. So the matter of the excise taxes, the matter of the exemptions for the lower-income groups, and the matter of the investment tax credit would remain on the calendar, and the Senate, if it concurred, would have to allow the majority leader, in conjunction with the minority leader, to call those matters up at an appropriate time.

Mr. HOLLAND. As I understand it, then, the investment credit and the matter which would exempt a number of small-income people from the payment of income taxes, and also the matters affecting the extension of excise taxes, will come up positively at a later date?

Mr. MANSFIELD. Yes. May I say that the matter of the exemption for lower income groups does not, under the House-passed bill, go into effect until January 1, 1970, and the matter of the excise taxes on automobiles and telephones does not expire until December 30, 1969. The effective date of the repeal of the investment tax credit will be April 18, 1969; that has been categorically emphasized.

Mr. HOLLAND. I thank the Senator. I think he has made the matter very clear.

Mr. LONG. Mr. President, let me clarify one thing.

My understanding is that after this matter of the extension of the surtax is disposed of, we will, at the earliest convenient date, on some proper vehicle, pass whatever we think is appropriate in the way of the repeal of the investment tax credit. I am not wedded to the precise mechanics; I have some doubt whether the House-passed surtax bill would be the right vehicle. I hope we do not try to agree on that right now.

Mr. MANSFIELD. All right. But let me say to the distinguished chairman of the Committee on Finance that the Senator from Montana is firmly wedded to what he said previously relative to the scheduling of this bill, which passed the House and came out of the Finance Committee; and as far as I am concerned, and I must be honest, it is my intention to stick to those three items, because, as I have said before, this is not a matter of politics, it is a matter of conviction. I want to see these items kept in the bill and called up at the appropriate time, but I want to see tax reform, too. I am sure that every Senator feels as I do. If, in the course of this explanation, any Members on the Democratic side of the Committee on Finance or of the Democratic Policy Committee should find that I am not stating the facts as they are or am misinterpreting them, I hope that they will please stand and correct me, because I want the record to be clear.

Mr. HOLLAND. Mr. President, will the Senator yield for one more question?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. Do I correctly understand that the bill that is proposed to be enacted would cover the extension of the surtax at the rate of 10 percent throughout the rest of this year?

Mr. MANSFIELD. That is correct.

Mr. HOLLAND. Would it deal with the 5-percent extension proposed for the first half of next year?

Mr. MANSFIELD. No; but that is something which is in the future; it remains a part of the House-passed surtax bill.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. WILLIAMS of Delaware. As I understand it, the Senator from Louisiana plans to offer an amendment to extend the surcharge at the rate of 10 percent for the remaining 6 months of this calendar year. As a substitute for his amendment I will offer an amendment to extend the surcharge for a full year, or at a 10-percent rate for the remainder of this year and for the first 6 months of next year at the rate of 5 percent. What the Senate may decide to do will be its own decision. But the extension of the surtax for the full year will be before the Senate tomorrow. Likewise, the amendment to repeal the investment credit, with whatever modifications may be agreed upon, will be offered and voted upon tomorrow as a part of this package.

The repeal of the investment credit is, in my opinion, an important part of this tax bill. I appreciate the position of the Senator from Montana, but I feel that the Senate should decide this question now. I reserve the right to offer amendments dealing with both these points. I shall offer them and ask for a rollcall vote because I feel that both proposals should be agreed upon if we are effectively to cope with this inflation.

Mr. MANSFIELD. I have no doubt about that.

The Senator from Delaware is referring to an amendment he will offer tomorrow, if everything goes according to Hoyle.

Mr. WILLIAMS of Delaware. That is correct.

Mr. MANSFIELD. I am referring to the unanimous-consent agreement and

to the commitments which have been made, which I intend to uphold to the letter.

Mr. LONG. It is my hope that we can dispose of the investment tax credit matter prior to the major tax reform bill. It is a very important item. I think it is a reform which should be considered in and of itself, and I shall be glad to discuss it with the Senator from Delaware at any time. I hope that it will not have to wait until after October 31.

Mr. MANSFIELD. Oh, no; the Committee on Finance will report a tax reform bill before October 31, so I think what the Senator is now suggesting can be worked out. I merely want my position to be made clear. That position will be adhered to, and I think it will fit in with what the Senator from Louisiana has said.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. The Senator said he will present a unanimous-consent request at the appropriate time.

Mr. MANSFIELD. Yes.

Mr. JAVITS. Will that be tonight?

Mr. MANSFIELD. Yes.

Mr. JAVITS. I should like to lock in the reporting of a tax reform bill by October 31 as a part of the reason why I, and perhaps other Senators later, will not object to the unanimous-consent agreement.

Mr. MANSFIELD. Mr. President I appreciate what the Senator has said. However, if there is even one objection, that is it.

Mr. JAVITS. I understand that. We have all agreed on that. We will carry it out. We have to carry it out here within a given frame of reference.

Mr. MANSFIELD. The Senator is correct.

Mr. JAVITS. When an admission is made against interest, it is a lot more binding than one made in general conversation.

I have one other question to ask the Senator. It relates to the investment tax credit. The Democratic Policy Committee refers to the fact that it will have an ex post facto application. In other words, it will refer back to April 18, 1969.

Mr. MANSFIELD. Exactly.

Mr. JAVITS. Again, that had better be made extremely clear in all the give and take which now takes place so that the world may be warned about that date. That is the tradition in the tax business, even if one is not prepared to give warning, that that warning concerns a very important decision for businessmen.

I hope again that when the proper time comes, it will be made very clear by the majority leader, the minority leader, the chairman of the Finance Committee, and the ranking minority member that there is no departure from that respecting the whole economic community.

Mr. MANSFIELD. Mr. President, I have the definite assurance of the chairman of the Finance Committee and the ranking minority member of the Finance Committee and of the majority of the Finance Committee that that will be the case and that that date—April 18, 1969—will be adhered to. So, at least in that area there ought to be some stability in the business community.

Mr. WILLIAMS of Delaware. Mr. President, the Senator will have a chance to offer amendments dealing with either of these two subjects.

Mr. JAVITS. The Senator is correct. If anyone has any alternate plan, he may offer that as a substitute in the proper parliamentary manner to the amendment.

Mr. MANSFIELD. The Senator is correct.

Mr. JAVITS. Of course, a lot of amendments cannot be offered.

Mr. LONG. Mr. President, the point I would like to make clear is that it would be my hope that the Senate tomorrow would not agree to any immediate repeal of the investment tax credit for the reason that the committee has some work to be done on the matter. The Senate might want to look at the matter and understand the House bill and see whether it thinks we are right or whether the House is right.

We would be ready to report on that matter within a week.

Mr. MANSFIELD. No. We have to consider the three together. We have to consider the excises and the low-income groups. And I hope that we can get together. I think that we can if my beloved friend, the Senator from Louisiana, will keep in mind what we agreed to when the two committees met.

Mr. LONG. I thought I understood what we agreed to. It is not in writing, but I will be glad to discuss the matter with the majority leader.

I hope that we can dispose of the investment tax credit without waiting until we have a comprehensive overall tax reform bill.

Mr. MANSFIELD. Mr. President, the Senator mentioned the date of October 31. That looks to me like a reasonable date to arrive at a constructive agreement in that matter.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. STENNIS. Mr. President, so that all may know and also so that it may be on record and the press will know, as I understand the unanimous-consent request—and I will agree to it as I understand it, of course—it will be that the pending business will be temporarily set aside for the disposition of this matter. When this matter is disposed of, then the measure that has been temporarily set aside will become the pending business again.

Mr. MANSFIELD. As some comedian said, "Indubitably."

Mr. STENNIS. Mr. President, we may get to a vote early next week. Does the majority leader contemplate finishing the tax matter tomorrow?

Mr. MANSFIELD. I say to the distinguished Senator from Mississippi, "If it ain't finished by midnight tomorrow, that's it."

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. McCLELLAN. Mr. President, the Senator is not going to call up H.R. 12290. He is going to call up another bill.

Mr. MANSFIELD. The Senator is correct.

The ACTING PRESIDENT pro tempore. Will the Senator suspend until we have order?

The Senator may proceed.

Mr. McCLELLAN. Mr. President, the Senator will call up another bill, and to that bill he will offer an amendment which would simply extend the present income tax surcharge until December 31.

Mr. MANSFIELD. The Senator is correct.

Mr. McCLELLAN. Having done that, we anticipate that a reform tax bill will come from the House.

Mr. MANSFIELD. The Senator is correct.

Mr. McCLELLAN. That will be some time later, of course. I do not know if the majority leader knows when that will be. With respect to those other provisions of H.R. 12290, which involve the continuation of the excise taxes on automobiles and communications services for temporary periods, to terminate the investment credit, to provide a low-income allowance for individuals, and for other purposes. Do I understand that after this surtax bill has been passed, or the amendment which will be offered to the other bill, at some appropriate time the Senator will call up H.R. 12290 to give the Senate an opportunity to consider the other provisions which will not be considered under the unanimous consent agreement at this time?

Mr. MANSFIELD. The Senator is correct.

Mr. McCLELLAN. That means that the Senate will act on three separate tax bills.

Mr. MANSFIELD. The Senator is correct.

Mr. McCLELLAN. When is it proposed that the other two, if we act on this measure and dispose of the surtax as now suggested, will be acted on? What do we mean by "at some appropriate time"? What is within that time contemplation?

Mr. MANSFIELD. I would say somewhere in the vicinity of October 31, not later than that.

Mr. McCLELLAN. In other words, we hope to get to the other provisions of H.R. 12290 not later than October 31.

Mr. MANSFIELD. The Senator is correct, and very likely before then because of the enthusiasm in the Finance Committee for tax reform.

Mr. McCLELLAN. Mr. President, I was trying to ascertain whether the Senator would wait until the tax reform bill comes over and then use it as a vehicle for the other provisions of H.R. 12290.

Mr. MANSFIELD. That is something which would be under consideration, but my initial reaction is that we will consider them both separately.

Mr. McCLELLAN. That is what I wanted to find out. So we can expect to consider three separate tax bills before the adjournment of this session of Congress.

Mr. MANSFIELD. The Senator is correct. All of the provisions of the three separate bills will be considered before

the adjournment of this session of the Congress.

Mr. McCLELLAN. I thank the Senator.

Mr. MANSFIELD. Mr. President, if I may read the agreement contained in the RECORD of Friday, July 25, it is the genesis of the understanding which hopefully will soon be arrived at:

The Democratic Policy Committee and the Democratic members of the Finance Committee have agreed upon the following understanding: (1) Support an extension of the surtax until November 30, 1969.

I would interpolate there and change that date as of now to December 31, 1969.

I continue to read:

This will be accomplished by attaching this temporary extension to a separate House-passed bill. The House-passed surtax extension containing the investment credit repeal, the extension of the excise taxes, and the change of the standard deduction will remain on the Senate Calendar until the tax reform bill is reported by the Senate Finance Committee.

2. The chairman of the Finance Committee and the Democratic members of that committee have given their assurance that the tax reform package will be reported to the full Senate not later than October 31, 1969.

3. The Democratic Policy Committee has endorsed the position of the Finance Committee that the date of the investment tax credit repeal—

I would call this to the attention of the Senator from New York.

will be identical to that date in the House-passed bill (April 18, 1969). The endorsement was at the specific request of the Democratic Finance Committee members to assure all that the investment credit repeal is endorsed and the date is specified as contained in the bill on the Senate Calendar.

Pursuit of this understanding in the Senate is contingent upon its acceptance by the Administration and the Republican leadership which has been pressing in the Finance Committee and on the Senate floor for the extension of the surtax. May I say that many of the Members present today went along with this understanding notwithstanding grave reservations about the usefulness of the continuance of the surtax as an anti-inflationary measure. The approach is offered as an accommodation to the Administration.

And this undercurrent of feeling still exists on this side of the aisle.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. WILLIAMS of Delaware. I think there may be some misunderstanding. I realize that that was the earlier proposal, but it is my understanding that what we are agreeing on today is that we will make H.R. 9951 the pending business. That will be made the pending business, following which I shall ask for the removal of sections 5 and 6, which embrace the foundation amendments.

Mr. MANSFIELD. That is correct.

Mr. WILLIAMS of Delaware. And that would leave it a clean bill, dealing only with the acceleration of the payment of withholding taxes. From that point on, under this agreement, as I understand what has been agreed upon, any amendment dealing with the questions of the extension of the surtax, at what rates, and for what period, will be in order, and also an amendment to repeal the 7-percent investment credit along the lines of the House bill or as modified will likewise be in order under this agreement.

On this bill amendments dealing with those two subjects—that is, the question of the extension of the surcharge, at what rates, and for what period and the question of whether we do or do not repeal the investment credit and, if so, at what date and what exemption there may be—all these would be eligible items to be voted on under this agreement.

Mr. MANSFIELD. Yes. All I was doing was restating the unanimous agreement on this side of the aisle, so that the RECORD would be clear as to the position of the Senator from Montana.

Mr. WILLIAMS of Delaware. I understand that, but some Members on this side just want to be sure that the record is clear and that they will not be precluded from the chance of voting on both these proposals.

Mr. MANSFIELD. No. But that is an understanding that I hope would be given recognition. The only substantive change is the change of date from November 30, 1969, to December 31, 1969.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CURTIS. This unanimous-consent proposal calls for 1 hour of consideration on each amendment. Is that correct?

Mr. MANSFIELD. Yes.

Mr. CURTIS. Does that apply to an amendment to an amendment?

Mr. MANSFIELD. Yes.

Mr. President, do any of my colleagues have any comment to make as to what I should have said or what I did say that I should not have said?

Mr. LONG. Mr. President, if I might interject one point, I understand what the majority leader has said. I think I made the motion or part of the motion to which we agreed, and it was my hope that we would move to repeal the investment tax credit long before October 31. But I will seek to discuss that matter with the majority leader later.

It is my thought that as soon as the Committee on Finance could recommend what the committee thinks should be done, and as soon as the majority leader could schedule it, we would offer the Senate a chance to vote on the investment tax credit. I hope that will be long before we complete action on what the House is working on.

Mr. MANSFIELD. It could be, but it would not be any later than October 31.

Mr. WILLIAMS of Delaware. It could be that it would be repealed tomorrow, too.

Mr. MANSFIELD. Oh, no. I hope the Senator is not overestimating the appeal of his amendment on this bill. I feel confident of its repeal at a latter date.

COLLECTION OF FEDERAL UNEMPLOYMENT TAX

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid aside temporarily, and that the Senate proceed to the consideration of Calendar No. 272, H.R. 9951.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none and it is so ordered.

The bill will be stated by title.

The BILL CLERK. A bill (H.R. 9951) to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal years 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account by the amounts so excluded; and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Finance with amendments.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I send to the desk a unanimous-consent request and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The unanimous-consent request will be stated.

The bill clerk read as follows:

Ordered, That, effective immediately H.R. 9951 be made the pending business and that during its further consideration, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to one hour, to be equally divided and controlled by the mover of any such amendment or motion and the Chairman of the Committee: *Provided,* That in the event the Chairman is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of any amendment dealing exclusively with the extension of the surtax or the repeal of the investment tax credit shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to two hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous-consent request?

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Mr. President, I have discussed this with the Senator from Montana (Mr. MANSFIELD), and we have agreed that we would deal with this question in this colloquy.

I have proposed an amendment which would make it the sense of Congress that on or before the end of this session, we would consider a meaningful tax reform bill. Now, appreciating the good faith involved—to which I thoroughly subscribe—I only point out that the commitment to bring in a tax reform package, as it is called in the Democratic policy committee's resolution, is only a resolution of the Democratic policy committee

and the Democratic part of the Committee on Finance.

I would therefore ask—as this now becomes part of an action which is against the interests of myself, who wishes to present such an amendment—if the majority leader, the chairman of the Committee on Finance, and, very important, the minority leader, and the ranking minority member of the Committee on Finance, would represent to the Senate that it is their purpose—I am using these words very advisedly—to bring up a tax reform package not later than October 31 and to use their best efforts toward that effect.

Mr. LONG. Mr. President, I have committed myself to the Democratic Senators on the policy committee and anyone else who is interested in the matter on this side of the aisle that I would endeavor to see that we would report a tax reform bill not later than October 31 of this year. It is my intention that we would report whatever bill the House sends us, with our amendments. If the Senator likes the House amendments better than the Senate amendments, he can vote for the House amendments. If he does not like either, he may offer his own amendments, as I am sure he will.

Mr. MANSFIELD. The answer of the Senator from Montana is "yes."

Mr. JAVITS. May we hear from the minority leader and the ranking minority member of the Committee on Finance?

Mr. DIRKSEN. Mr. President, I was advised that as of this day they are going to file the tax reform bill in the House. The House Ways and Means Committee has done this ahead of the time schedule. If they file it today, it will be filed before the month of July has ended. If we cannot get tax reform between July and October 31, we evidently will have gone fishing somewhere or have been recreant in our duty. It seems to me that we can get it done long before the 31st of October.

Mr. JAVITS. I call that, I say to the minority leader, a Dirksenian "yes." [Laughter.]

Mr. WILLIAMS of Delaware. Mr. President, as the original author of many of these tax reform proposals, I will do my best to get them to a vote at an early date. I learned long ago not to say what we can or cannot do so far as the Committee on Finance is concerned.

Mr. JAVITS. I thank my colleagues.

The ACTING PRESIDENT pro tempore. The Senator from Montana has propounded a unanimous-consent agreement. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator yield briefly?

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. Mr. President, for the information of the Senate, and I do not desire to keep Senators here too long because I know that many Senators have engagements, the first motion will be made by the Senator from Delaware to withdraw an amendment.

Mr. WILLIAMS of Delaware. I was going to do that now.

Mr. MANSFIELD. Then, I understand the chairman of the Committee on Finance will lay down his amendment to extend the surtax to December 31, 1969. There will be no voting tonight. We will come in at 11 o'clock tomorrow. There will be two speeches which will take up the hour until 12 o'clock, there will be no morning hour, and then at 12 o'clock noon we will start on the bill.

The ACTING PRESIDENT pro tempore. Does the Senator from Montana wish to make a unanimous consent agreement?

ORDER FOR RECESS TO 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until 11 a.m. tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR THURMOND AND SENATOR AIKEN TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that tomorrow, after the prayer and approval of the journal, the distinguished Senator from South Carolina (Mr. THURMOND) be recognized for a period not to exceed one-half hour; that then the distinguished Senator from Vermont (Mr. AIKEN) be recognized for a period not to exceed one-half hour; that there be no morning hour, and that at the conclusion of the speeches by the Senator from South Carolina and the Senator from Vermont the Senate take up the business at hand.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

COLLECTION OF FEDERAL UNEMPLOYMENT TAX

The Senate resumed the consideration of the bill (H.R. 9951) to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal years 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account by the amounts so excluded; and for other purposes.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to withdraw the amendment of H.R. 9951, beginning with line 3, on page 8, and through the remainder of the bill, which strikes out sections 5 and 6.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 109

Mr. LONG. Mr. President, I send an amendment to the desk.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The assistant legislative clerk proceed to read the amendment.

Mr. LONG. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 109), ordered to be printed in the RECORD, is as follows:

At the end of the bill add the following new sections:

"Sec. 5. Extension of tax surcharge.

"(a) SURCHARGE EXTENSION.—Section 51(a) of the Internal Revenue Code of 1954 (relating to imposition of tax surcharge) is amended—

"(1) by striking out so much of paragraph (1)(A) as follows the table heading "CALENDAR YEAR 1969" and inserting in lieu thereof the following:

"'TABLE 1.—SINGLE PERSON (OTHER THAN HEAD OF HOUSEHOLD) AND MARRIED PERSONS FILING SEPARATE RETURN

"'If the adjusted tax is:		
At least	But less than	The tax is—
0	$148	0
$148	153	$1
153	158	2
158	163	3
163	168	4
168	173	5
173	178	6
178	183	7
183	188	8
188	193	9
193	198	10
198	203	11
203	208	12
208	213	13
213	218	14
218	223	15
223	228	16
228	233	17
233	238	18
238	243	19
243	248	20
248	253	21
253	258	22
258	263	23
263	268	24
268	273	25
273	278	26
278	283	27
283	288	28
288	295	29
295	305	30
305	315	31
315	325	32
325	335	33
335	345	34
345	355	35
355	365	36
365	375	37
375	385	38
385	395	39
395	405	40
405	415	41
415	425	42
425	435	43
435	445	44
445	455	45
455	465	46
465	475	47
475	485	48
485	495	49
495	505	50
505	515	51
515	525	52
525	535	53
535	545	54
545	555	55
555	565	56
565	575	57
575	585	58
585	595	59
595	605	60
605	615	61
615	625	62
625	635	63
635	645	64
645	655	65
655	665	66
665	675	67
675	685	68
685	695	69
695	705	70
705	715	71
715	725	72
725	735	73
735 and over, 10% of the adjusted tax'		

" 'TABLE 2.—HEAD OF HOUSEHOLD

" 'If the adjusted tax is: At least	But less than	The tax is—
0	$223	0
$223	228	$1
228	233	2
233	238	3
238	243	4
243	248	5
248	253	6
253	258	7
258	263	8
263	268	9
268	273	10
273	278	11
278	283	12
283	288	13
288	293	14
293	298	15
298	303	16
303	308	17
308	313	18
313	318	19
318	323	20
323	328	21
328	333	22
333	338	23
338	343	24
343	348	25
348	353	26
353	358	27
358	363	28
363	368	29
368	373	30
373	378	31
378	383	32
383	388	33
388	393	34
393	398	35
398	403	36
403	408	37
408	413	38
413	418	39
418	423	40
423	428	41
428	433	42
433	438	43
438	445	44
445	455	45
455	465	46
465	475	47
475	485	48
485	495	49
495	505	50
505	515	51
515	525	52
525	535	53
535	545	54
545	555	55
555	565	56
565	575	57
575	585	58
585	595	59
595	605	60
605	615	61
615	625	62
625	635	63
635	645	64
645	655	65
655	665	66
665	675	67
675	685	68
685	695	69
695	705	70
705	715	71
715	725	72
725	735	73
735 and over, 10% of the adjusted tax'		

" 'TABLE 3.—MARRIED PERSONS OR SURVIVING SPOUSE FILING JOINT RETURN

" 'If the adjusted tax is: At least	But less than	The tax is—
0	$293	0
$293	298	$1
298	303	2
303	308	3
308	313	4
313	318	5
318	323	6
323	328	7
328	333	8
333	338	9
338	343	10
343	348	11
348	353	12
353	358	13
358	363	14
363	368	15
368	373	16
373	378	17
378	383	18
383	388	19

" 'TABLE 3.—MARRIED PERSONS OR SURVIVING SPOUSE FILING JOINT RETURN—Continued

" 'If the adjusted tax is: At least	But less than	The tax is—
$388	$393	$20
393	398	21
398	403	22
403	408	23
408	413	24
413	418	25
418	423	26
423	428	27
428	433	28
433	438	29
438	443	30
443	448	31
448	453	32
453	458	33
458	463	34
463	468	35
468	473	36
473	478	37
478	483	38
483	488	39
488	493	40
493	498	41
498	503	42
503	508	43
508	513	44
513	518	45
518	523	46
523	528	47
528	533	48
533	538	49
538	543	50
543	548	51
548	553	52
553	558	53
558	563	54
563	568	55
568	573	56
573	578	57
578	585	58
585	595	59
595	605	60
605	615	61
615	625	62
625	635	63
635	645	64
645	655	65
655	665	66
665	675	67
675	685	68
685	695	69
695	705	70
705	715	71
715	725	72
725	735	73
735 and over, 10% of the adjusted tax'		

"(2) by striking out the table in paragraph (1)(B) and inserting in lieu thereof the following table:

" 'Calendar year	Percent: Estates and trusts	Percent: Corporations
1968	7.5	10.0
1969	10.0	10.0.'

"(3) by striking out 'July 1, 1969' each place it appears in paragraph (2)(A) and inserting in lieu thereof 'January 1, 1970'.

"(b) RECEIPT OF MINIMUM DISTRIBUTIONS.—The last sentence of section 963(b) of such Code (relating to receipt of minimum distributions by domestic corporations) is amended by striking out 'June 30, 1969' and inserting in lieu thereof 'December 31, 1969'.

"(c) EFFECTIVE DATES.—

"(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall apply to taxable years ending after June 30, 1969, and beginning before January 1, 1970.

"(2) DECLARATIONS OF ESTIMATED TAX.—If any taxpayer is required to make a declaration or amended declaration of estimated tax, or to pay any amount or additional amount of estimated tax, by reason of the amendments made by this section, such amount or additional amount shall be paid ratably on or before each of the remaining installment dates for the taxable year beginning with the first installment date on or after the 30th day after the date of enactment of this Act. With respect to any declaration or payment of estimated tax before such first installment date, sections 6015, 6154, 6654, and 6655 of the Internal Revenue Code of 1954 shall be applied without regard to the amendments made by this section. For purposes of this paragraph, the term "installment date" means any date on which, under section 6153 or 6154 of such Code (whichever is applicable), an installment payment of estimated tax is required to be made by the taxpayer.

Sec. 6. Extension of withholding tax.

"(a) Section 3402 of the Internal Revenue Code of 1954 (relating to income tax collected at source) is amended—

"(1) by striking out 'July 31, 1969' in subsection (a)(1) and inserting in lieu thereof 'December 31, 1969';

"(2) by striking out 'August 1, 1969' in subsection (a)(2) and inserting in lieu there of 'January 1, 1970'; and

"(3) by striking out 'August 1, 1969' in subsection (c)(6) and inserting in lieu there of 'January 1, 1970'.

"(b) The amendments made by this section shall apply with respect to wages paid after July 31, 1969, and before January 1, 1970."

Mr. LONG. Mr. President, the amendment is technical and I will not ask for a vote on the amendment tonight.

For the information of the Senate, the amendment would provide for a continuation of the 10-percent surtax until January 1; that is, it would provide for a continuation of the surtax until the end of this year.

All of the tables will be printed in the RECORD. If Senators read the technical language I doubt they would understand it. However, I am sure Senators can study the information in the RECORD and understand it. This would provide for an extension of the existing surtax until the end of this year. That is what the amendment amounts to.

It is my hope that the Senate will agree to this amendment. It is an amendment to a House bill on unemployment insurance. There was no controversy in the committee and as far as I know there is no opposition to the measure. Therefore, it would be my hope that the Senate could agree to the amendment, and that the House would also agree to it. This would solve this Nation's fiscal problems until we can legislate on the other revenue bills which have been discussed here today.

The ACTING PRESIDENT pro tempore. The amendment has been offered and the amendment is the pending business.

Mr. WILLIAMS of Delaware. Mr. President, for the information of the Senate——

The ACTING PRESIDENT pro tempore. Time is limited. Does the Senator yield time?

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the time limitation start tomorrow.

Mr. LONG. Mr. President, I ask unanimous consent that the limitation of time under the agreement start tomorrow rather than today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LONG. Mr. President, I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, for the information of the Senate, after the time has run out on this amendment by the Senator from Louisiana, a substitute will be offered which embraces the language of the bill as it passed the House and which would extend the surtax at the rate of 10 percent for the remaining 6 months of this year, and at a 5-percent rate for the first 6 months of calendar year 1970, which would be the language of the House bill.

Mr. President, that proposal will be offered as a substitute for the amendment of the Senator from Louisiana. Later, the Senate will have a chance to vote on an amendment for the repeal of the investment credit, which again will be the same language as now included in H.R. 12290.

The ACTING PRESIDENT pro tempore. What is the pleasure of the Senate?

RECESS UNTIL 11 A.M. TOMORROW

Mr. LONG. Mr. President, if there be no further business to come before the Senate at this time, I move, in accordance with the previous order, that the Senate stand in recess until 11 a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 15 minutes p.m.) the Senate took a recess until tomorrow, Thursday, July 31, 1969, at 11 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 30, 1969:

AMBASSADOR

Kenneth Franzheim II, of Texas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to New Zealand.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

The following-named persons to be members of the General Advisory Committee of the U.S. Arms Control and Disarmament Agency:

I. W. Abel, of Pennsylvania.
Harold Brown, of California.
William J. Casey, of New York.
Douglas Dillon, of New Jersey.
William C. Foster, of the District of Columbia.
Kermit Gordon, of the District of Columbia.
James R. Killian, Jr., of Massachusetts.
John J. McCloy, of New York.
Lauris Norstad, of Ohio.
Peter G. Peterson, of Illinois.
J. P. Ruina, of Massachusetts.
Dean Rusk, of the District of Columbia.
William W. Scranton, of Pennsylvania.
Cyrus Roberts Vance, of New York.
John Archibald Wheeler, of New Jersey.

HOUSE OF REPRESENTATIVES—*Wednesday, July 30, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

As we have opportunity let us do good unto all men.—Galatians 6: 10

Almighty God, on this first day of the rest of our lives, we pause in Thy presence uniting our hearts in prayer unto Thee. Fill us with the power of Thy spirit that we may do our duties and carry our responsibilities with patient confidence and persistent courage.

As we seek cooperation among the nations of the world in an effort to bring peace on earth and good will to man may Thy truth be in our minds and Thy love in our hearts. Bless our President in his journey as he works toward this end.

Let us never be weary in well doing, let us always do good to all men, and let us forever seek the best even in the worst times.

In the name of Him who lived the good life we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 59. An act to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within the Army National Guard Facility, Ethan Allen, and the U.S. Army Materiel Command Firing Range, Underhill, Vt.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1373) entitled "An act to amend the Federal Aviation Act of 1958, as amended, and for other purposes, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. CANNON, Mr. HART, Mr. COTTON, and Mr. PROUTY to be the conferees on the part of the Senate.

OKLAHOMA IS PROUD OF BILL LUNN

(Mr. EDMONDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDMONDSON. Mr. Speaker, last week it was my pleasure to visit with two outstanding young Oklahomans, William D. Lunn, of Muskogee, and Rick J. Joseph, of Sapulpa, who were in Washington as Oklahoma's delegates to Boys' Nation.

Later in the week, I was understandably proud of Bill Lunn, of my hometown, when he won nomination on the Nationalist ticket and was elected vice president of Boys' Nation.

I know all Oklahomans share this pride in Bill; in his fine parents, Mr. and Mrs. Dick Lunn, of Muskogee; and in the American Legion of Oklahoma, which annually selects truly outstanding young men as its representatives at Boys' Nation.

Mr. Speaker, to my mind one of the finest programs in the country is the American Legion's Boys' State and Boys' Nation program, and, of course, the comparable Girls' State and Girls' Nation program. This belief is reaffirmed every time I have an opportunity to visit with the students who are selected to participate in these programs.

Bill Lunn is typical of these young men. He is intelligent, forthright, articulate, and able. And, in view of his successful race at Boys' Nation, he is obviously a first-rate campaigner.

Oklahoma is justifiably proud of Bill Lunn.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 128]

Adams	Dawson	Leggett
Anderson, Tenn.	Evins, Tenn.	Lipscomb
Ashley	Fish	Lujan
Brooks	Gallagher	Miller, Calif.
Broomfield	Goldwater	Pepper
Cahill	Gray	Pollock
Carey	Halpern	Powell
Celler	Hathaway	Reid, N.Y.
Clark	Jarman	Scheuer
Clay	Jones, Tenn.	Young
Davis, Ga.	Karth	
	Kirwan	

The SPEAKER. On this rollcall 399 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SOVIET-AMERICAN RELATIONS

(Mr. SYMINGTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SYMINGTON. Mr. Speaker, on July 10, Foreign Minister Gromyko, in a wide-ranging report on international affairs to the Supreme Soviet, stated:

The Soviet side is ready to study the possibilities of development of Soviet-American relations. For example, why not discuss the question of exchanging authoritative delegations between the U.S.S.R. Supreme Soviet and the U.S. Congress?

My question, Mr. Speaker, is twofold: First, does not the suggestion deserve the courtesy of a response? Second, should not the response be affirmative? The ambivalence of Soviet attitudes in the past weeks has reached almost Pavlovian proportions. On the one hand there has been renewed jamming of U.S. broadcasts, naval maneuvering in the Caribbean, and remorseless suppression of do-

mestic dissent. On the other, we find ample publicity and praise for the lunar landing, a warm reception for Mr. Humphrey, trade feelers, hints of desired cooperation in space, and the Gromyko speech itself. The speech was made after President Nixon's announced intention to visit Rumania, a gateway, some surmise, to the Far East. Having lifted restrictions on travel to Red China, for Congressmen specifically, it would seem appropriate for our Government to give equal time to Mr. Gromyko's interesting proposal.

If we are ever to understand the riddle wrapped up in the enigma, we will have to take a closer look at the package. By the same token Premier Kosygin's Glassboro visit was his first to the United States, not a very good average for the leadership of a great world power that suspects our intentions and doubts our capabilities.

PERSONAL ANNOUNCEMENT

Mr. LOWENSTEIN. Mr. Speaker, on June 27 and July 7, I was detained on official business and unable to be present on the floor. I should like for the RECORD to note that had I been present June 27 and July 7 I would have voted in favor of repealing the freeze on AFDC appropriations and in favor of authorizing the additional funds for construction of the John F. Kennedy Center.

RIGHT TRACK ON ANTIGUN BILLS

(Mr. SIKES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SIKES. Mr. Speaker, it is heartening to note that the Nixon administration has gone on record in opposition to gun registration and the licensing of gunowners. This is something which will be hailed by law-abiding owners of weapons everywhere. The attitude of the Administration was stated at hearings sponsored by Senator DODD in the Senate Judiciary Committee by spokesmen who stated that there has not been sufficient time to judge the effectiveness of the crime fighting laws enacted last year, and that nationwide registration of weapons would vastly increase costs of administration and the requirement for enforcement manpower.

Most Americans are tired of the subject of gun controls. They realize that the anti-mail-order bill passed last year is already working a hardship on local dealers, particularly in ammunition sales, and that it has had no appreciable effect on the volume of crime. All gun control bills are heralded by their sponsors as measures to curb crime, yet crime continues to increase. The antigun law makes it harder for law-abiding citizens to acquire and own weapons, but it has little effect on the criminal.

In direct contrast to this action, the holdover Commission on Violence appointed by President Johnson more than a year ago has recommended a Federal system of handgun licensing which is designed to bring about the confiscation of more than 90 percent of the handguns in the Nation. The recommendations of the Commission are certain to be ignored. Their activities have been a waste of money and their contributions to crime control have been nil.

THE NIXON SURTAX

(Mr. RARICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RARICK. Mr. Speaker, the bad penny returns.

On our calendar again today is the so-called emergency extension of the surtax withholding collection, due to expire at midnight tomorrow.

Again we will hear of the dire consequences if we should fail to continue to collect—from a small group of our wage earners—a tax which has expired.

Make no mistake. The Johnson surtax is dead. It was very soundly repudiated by the people at the polls last November. It died by its own terms on June 30—a month ago today.

The tax collection was kept alive, even though the tax was dead, when this House passed the Nixon surtax on June 30—by a narrow margin of 210 to 205. It is now hung up, subject to political manipulations, and nearly dead in the other body. If it can be passed there, it can be passed today or tomorrow.

So again, we are asked to extend the collection of a dead tax—one which our constituents have overwhelmingly repudiated. One in which money is taken from the workingman so that he cannot spend it, to curb inflation by removing money from circulation, while the Government wildly dumps the same dollars in the name of progress into an overheated economy.

Mr. Speaker, we have a unique opportunity today to truly represent our constituents by refusing to breathe new life into the dead Nixon surtax—and allowing it to rest in peace. I intend to cast the vote of my district against this measure. I urge our colleagues to join in giving it a sound rejection.

EXTENSION OF SURCHARGE WITHHOLDING TAX RATES FOR 15 DAYS

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 501 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 501

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13080) to continue for an additional fifteen days the existing rates of income tax withheld at source and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on Ways and Means may be offered to the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COLMER. Mr. Speaker, I yield the customary 30 minutes to the minority, to the very able and distinguished gentleman from California (Mr. SMITH). Pending that I yield myself such time as I may consume.

Mr. Speaker, it will be recalled that some 2 or 3 weeks ago we passed a resolution which would authorize withholding of the surtax until July 31 pending the enactment or defeat of the surtax bill.

The House passed the surtax bill and it went over to the other body where some extended debate has been going on and some parliamentary maneuvering.

It is now obvious that there is serious doubt that the July 31 date will be adequate. Therefore, Mr. Speaker, the Committee on Ways and Means has seen fit to ask for an addition of 15 days, or to extend that extension until August 15, next. This was done, of course, with the hope that they will get their collective minds, or enough of them over in the other body, together to take some action upon this bill.

Mr. Speaker, as I said on the previous occasion, this is merely a housekeeping matter. Assuming that the tax bill will pass, it would certainly obviate a lot of confusion that would result if the extension were not granted and if the taxes were not withheld. It would be quite a burden upon the administration and upon the taxpayers if it were not extended.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to my friend, the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. I thank my friend from Mississippi for yielding. Do I understand that this applies to the 10-percent surtax and only to the 10-percent surtax?

Mr. COLMER. That is my understanding, I will say to the gentleman from Iowa, and I know that the distinguished gentleman from Arkansas will confirm that that is a fact.

Mr. GROSS. And, in the absence of any legislation on the subject with respect to the 10-percent surtax, or tax reform, or a combination, this would carry over until August 15?

Mr. COLMER. That is correct.

Mr. GROSS. The withholding is what I have reference to, which would mean for the month of August for all practical purposes, is that the withholding would apply to the entire month of August; is that correct?

Mr. MILLS. Mr. Speaker, would the gentleman from Mississippi yield to me?

Mr. COLMER. I yield to the distinguished gentleman from Arkansas.

Mr. MILLS. Under the bill which the rule makes in order the withholding would not be applicable except for the period of time from July 31 through August 15, inclusive. It would not apply to the remainder of the month of August.

Mr. GROSS. Well, what then in the absence of legislation on the part of both Houses of the Congress? What situation are we in from August 15 since the plan for a recess of the Congress becomes effective on August 13 and extends into September?

Mr. MILLS. Mr. Speaker, will the distinguished gentleman from Mississippi yield further to me in order to respond to the gentleman from Iowa?

Mr. COLMER. I yield further to the gentleman from Arkansas.

Mr. MILLS. It is difficult to be factual in response to the question. If nothing more is done, if the bill which we passed in June is not passed by the Senate before we leave and if this 15-day extension should not be subsequently extended, then the withholding itself would drop back to the normal rates, and the 10-percent surcharge, presumably, would be dead.

Mr. GROSS. Would it mean that the withholding would be applicable and would be effective for the first 15 days of August and not for the remainder of the month of August?

Mr. MILLS. That is right; just 15 days.

If the gentleman from Mississippi will yield further, let me take my friend, the gentleman from Iowa (Mr. GROSS), into my confidence. I am not in a position to know what the other body may do. This bill takes us through the remainder of this period of time between now and the announced recess of the House on August 13. The Senate has been saying that they did not want to pass a surcharge bill until the reform bill had moved.

We anticipate—and I am not presuming to take over the position of the majority leader (Mr. ALBERT) in announcing programs—but I have conferred with him informally and we presume that we will have before the Committee on Rules, with the indulgence of the committee, on next Tuesday the request for a rule on the tax reform bill; that we will debate that bill on Wednesday and Thursday of next week, and vote on it some time Thursday afternoon.

Now, that will be the 7th of August. It will, therefore, be transmitted to the Senate a week, or 6 days, at least, before the stated date of the recess on August 13, giving the Senate a chance to consider it and to take what action it wants to take with respect to the surcharge.

Now, if the Senate advises that it cannot act and in its wisdom feels that the surcharge withholding should be continued, they could amend this bill.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, the majority leader of the other body has said that the other body will be in no hurry to take further action. Now, my question is: if we pass this measure for the 15 days, would the other body take the 15-day request and extend it, say, for 15 days, or for 30 days? Is there any such understanding as that?

Mr. MILLS. If the gentleman from Mississippi will yield further, I have no understanding with anybody in the Senate about what the Senate may do on this, or any other matter, none at all. But I do believe that we have our own individual responsibility in the House to give the Senate time through this measure to further consider what it wants to do.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it seems to me that we are today in a comparable position to a football team which is 3 points behind, and are going down the field with third down and 2 yards to go. They only have a few minutes left in the game. They should try to make that extra 2 yard, not punt and lose the ball and probably the game. They should try to win.

I think that is what we are trying to do here: to give us a chance to work out the surtax; to give us a chance to bring a tax reform bill before the House next week, and to see if these important matters can be resolved.

Mr. Speaker, I believe the gentleman from Mississippi, the very distinguished chairman of the Committee on Rules, has explained the resolution very adequately, and I concur in his remarks. Between the statement made by the gentleman from Mississippi and the colloquy with the gentleman from Arkansas (Mr. MILLS), I believe that the bill, H.R. 13080, has been adequately explained, and I for one feel that we can now vote for the resolution without any further debate.

So, Mr. Speaker, I reserve the balance of my time, and I urge the adoption of the rule.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. Yes, I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I cannot conceive that the Internal Revenue is going to collect taxes for one-half of 1 month. They may do so, but that is hard to believe.

We are here called upon to pass a bill providing for 15 days, which would take us to the middle of August. Again, I cannot help but wonder, if we got into a bind, as to what would happen—perhaps this is inconsequential—but what would happen to the planned recess which has been announced as beginning on August 13?

Mr. SMITH of California. May I say to the gentleman from Iowa simply this: that there are many things that many of us cannot conceive of. We do not have a crystal ball that would show us what may occur on a future day. But this is based on the right thing, and the most responsible thing that the House can do today: to pass H.R. 13080 and send it to the other body, and then take up the tax reform bill and handle these bills before the vacation, and before the 15th of August expiration of the surtax.

That is the way I feel about it personally.

I will be pleased to yield to the gentleman from Arkansas if he desires me to do so.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman.

Mr. MILLS. Let me respond to the question of the gentleman from Iowa about this, that is, the question whether it has an effect or not with respect to pay periods for withholding purposes.

Remember that Thursday is the 31st of July, and if a pay period should occur on August 1, then presumably there would be some question in the minds of those who are withholding as to what to withhold. If a pay period should occur a week later, on the 8th of August, there would be no question about that week's pay period being withheld at lower rates or the existing rates. So there could be one on the 1st of August. There could be one on the 8th of August. Then there could be one on the 15th of August that could be affected by this bill.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman.

Mr. GROSS. Would the gentleman not go on and project—if the Congress recesses on August 13—would the gentleman go on and project, in the absence of any other legislation extending the date, what would be the situation at the end of the month, with Congress still in recess until September 3?

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman.

Mr. MILLS. As I endeavored to point out earlier, you revert back, at the end of the period, August 15, if there is nothing further done, to the rates that were in existence prior to the surtax.

So any moneys earned by then would not be affected for withholding purposes, insofar as surcharge rates are concerned.

Now then if you would look at the other side of the question, if the surtax itself is not extended beyond its termination date of June 30, then those who have been withheld upon for the month of July and the first half of August, would get a refund of the amount of the surtax that had been withheld against them because the law then will have actually expired on June 30 unless it is extended.

Mr. CLARK. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman.

Mr. CLARK. All I really know about this tax program is what I read in the papers.

I would like to know from the gentleman from California whether he has any authority to speak for the President, when the President has insisted that we have a 1-year surtax extension instead of a 5-month extension, because this is very important to know when this bill is considered on the floor of the House.

Mr. SMITH of California. I do not know what the gentleman has in mind when he asks me whether I am speaking for the President. I do not want to say anything misleading but, of course, I am not here to speak for the President of the United States, but can speak only for myself, the gentleman from California, and I am speaking in support of the resolution. That is, I think, the only thing I

can do, to try to resolve these important questions and try to resolve these problems that the House, the other body, and the Committee on Ways and Means are facing.

Mr. CLARK. If it is extended for another 15 or 30 days, as the gentleman from Iowa stated, it will go on until September 2 because of our recess or vacation or whatever we call it here in the House. Then, after that, what comes up? Are we going to extend it again and again until we get a 1-year extension or are we finally going to come down to the point where the House is going to approve or disapprove a 5-month extension, as the House really wanted to do in the beginning—and so has the other body.

Mr. SMITH of California. I cannot answer that. I can stand here and prognosticate with the gentleman for the next half hour. But the other body could get this bill and change the cutoff date to November 30, 1969, and send it back and we would have to decide whether we are going to take it or leave it or what we are going to do.

I do not have a crystal ball. All I can say is that as of July 31 this is the best thing and the only thing I think we can do and should do. But I cannot guess and look into the future with you.

Mr. CLARK. Since this is very important—and I think this is a very important issue—to know whether or not to vote "yea" or "nay" on this particular bill today, on this resolution, I think that is why I asked the question.

That is the reason—I think it is very important for the Members to know whether you are coming back later on for a 5-month extension or a 1-year extension.

This, to me, is most important to know whether or not to vote "yea" or "nay" on this.

Mr. SMITH of California. I say to the gentleman, it is important but I am unable to answer that further than what I have already said.

Mr. Speaker, I reserve the balance of my time.

Mr. COLMER. Mr. Speaker, I yield 6 minutes to the gentleman from California (Mr. SISK).

CONGRESSIONAL REORGANIZATION

(Mr. SISK asked and was given permission to speak out of order.)

Mr. SISK. Mr. Speaker, I hope not to use the time allotted to me because I recognize that we need to proceed. I take this time to announce to the House that as of today we secured 1 hour of special order for this coming Monday, August 4, at which time the subcommittee of the Committee on Rules handling the legislative reorganization bill will attempt to lay out for the benefit of the Members the progress that we have made and the status of our work. I recognize that there is concern among many of the Members of the House who are interested in legislative reorganization, in knowing exactly what the committee has been doing, because we have been doing our work in executive session.

So on Monday next we will make a presentation. I hope to be rather brief and then yield for questions or statements from any Member of the House who may desire to participate, and to explain as fully as possible some of the problems with which we are grappling and some of the progress that we have made in trying to get to you as soon as possible, a bill on legislative reorganization.

We invite all Members who are interested to be here and to join in this discussion.

Mr. SMITH of California. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to my colleague from California.

Mr. SMITH of California. Mr. Speaker, I would like personally to commend the gentleman from California (Mr. SISK) on the tremendous effort he has been making, the time he has spent, and the orderly procedure that he has been applying to the study of the reorganization bills. All other Members of the subcommittee should also be commended for their active participation. I would hope that all those Members who have been asking questions about this subject over the past several months will be present Monday afternoon and let us have a chance to attempt to answer the questions they may have in their minds.

Mr. SISK. I thank my colleague from California. Let me say that he, too, has contributed a great deal because this is a rather trying and agonizing task.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. I would certainly like to join in commending not only the gentleman in the well but my colleague on the committee, the gentleman from California (Mr. SMITH), for the many hours I know they have spent to date in pursuing this very important subject. I would join them in the hope that there would be a good response to their plea for attendance at their special order on Monday so that we can pursue this vitally needed reform in the House and, hopefully, emerge with the greatest consensus, if you want to use that word, that will give us a bill before this session of Congress adjourns.

Mr. SISK. I thank my colleague from Illinois.

Mr. Speaker, in conclusion, the members of the subcommittee who have been working on this subject, in addition to my distinguished colleague from California (Mr. SMITH), are the distinguished gentleman from Missouri (Mr. BOLLING), the distinguished gentleman from Texas (Mr. YOUNG), and the distinguished gentleman from Ohio (Mr. LATTA). We will appreciate it if you will be here Monday and if you do have questions, we will attempt to lay out the progress that has been made.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Mississippi.

Mr. COLMER. Mr. Speaker, I wish to associate myself with the remarks of the gentlemen from California and the gentleman from Illinois about the work that has been done, and is being done on this reorganization bill in the Rules Committee.

Mr. Speaker, I would also like, in addition to commending the two gentlemen from California, to commend also the other members of the subcommittee Messrs. BOLLING, YOUNG, and LATTA, and at the same time ask for a little patience and consideration of the problems that are involved in this monumental task of reorganization. It is not a question of some Member placing a bill in the hopper down there and saying, "This is what we want." There are 434 other Members who may not agree with that proposal.

I remind those who seem to be impatient about this matter that the other body spent practically 2 years trying to write a bill; and when they had done so, it did not meet with the approval of this body. Therefore, we just ask for a little patience. We are trying to bring about a constructive, but at the same time, an effective and practical bill.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the majority leader.

Mr. ALBERT. Mr. Speaker, I join in the commendations to the gentleman from California and other members of the subcommittee and also in expressing the appreciation of all Members of the House for the expeditious manner in which the chairman of the committee and his members have arranged for this matter to be considered thoroughly by this fine subcommittee.

Mr. SISK. Mr. Speaker, I thank the distinguished majority leader. I also thank the chairman of the Committee on Rules for yielding this time so we might speak on this matter.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13080) to continue for an additional 15 days the existing rates of income tax withheld at source.

The SPEAKER. The question is on the motion offered by the gentleman from Arkansas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 13080, with Mr. MONAGAN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Arkansas (Mr. MILLS) will be recognized for 30 minutes, and the gentleman from Wisconsin (Mr. BYRNES) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. MILLS).

Mr. MILLS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the bill H.R. 13080, as has been previously pointed out, would temporarily extend the present effective surcharge withholding rates for an additional 15 days, from July 31 through August 15.

Mr. Chairman, it will be recalled that earlier, because it was impossible for the Congress to conclude action H.R. 12290 prior to July 1, the Senate passed and the House agreed to an amendment to H.R. 4229 which extended the surcharge withholding rates from June 30 to July 31, 1969.

I think it is very important that we point out that this action did not represent a change in any taxpayer's liability for 1969, but instead merely continued withholding at a rate which included application of the surcharge, and the same is true of the present 15-day extension before the House.

Mr. Chairman, the Senate has not completed its action yet on H.R. 12290, and it appears, from what information I can get, that it will not be able to do so before Thursday night, July 31. If it does not do that, and if we do not take action to continue for this period of time the withholding of the tax so as to include the surcharge, there will be a great deal of confusion, uncertainty, and expense, first to employers, who in the absence of this enactment might be faced with the difficult problem of changing over from one set of withholding rates as of August 1, and then, should Congress subsequently complete action on H.R. 12290, be faced with the necessity of shifting back to the higher rates including the surcharge tax.

The problem is also presented to employees if the withholding tax is not continued, in that their take-home pay checks would be increased, and then, if the Congress completes action on H.R. 12290, the withholding would again increase, and their take-home pay would be decreased.

In this event many employees would be likely to be underwithheld upon; that is, they would be likely to owe additional taxes when they filed the tax returns on April 15, 1970, for the taxable year 1969.

I believe it is far more convenient for them for the withholding to be uniform than to have this gap in the withholding. Certainly it is far more convenient and brings about less confusion for the employer. Also, the administration of the program by the Internal Revenue Service is involved, and would be adversely affected by this lapse.

A question has been raised as to what may ultimately happen. I have no idea what may happen in the other body. I have not been told of any more information that you have received yourselves about what they may finally do.

I do believe, however, there is a responsibility on the part of the House, as well as the other body, to see to it that if finally the surcharge is to be extended for 5 months, for 12 months, or for whatever period of time, we do it in such a manner as to create as little inconvenience and confusion as possible to the employee, to the employer, and to the Internal Revenue Service.

That is all I have to say, Mr. Chairman, about the proposition. It speaks for itself.

Let it be borne in mind, and let me repeat what I said earlier: This 15-day extension does not involve any change in any taxpayer's ultimate liability. That is something with respect to the continuation of the surcharge itself.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. So far as I am concerned, in my feeble part as a Member of the House of Representatives, I made no issue over the last extension because I lived in hope that in the interim period there would be some evidence on the part of the House that it intended to cut expenditures; that the bills would carry amounts at least equal to or reduced below the expenditures of last year.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. MILLS. Mr. Chairman, I yield myself 2 additional minutes.

Mr. GROSS. I find myself in the situation here today whereby to vote for a continuation of the withholding is by indirection a vote for the surtax.

There is a bill pending before the House now—consideration of this bill has interrupted consideration of it—which, when one takes into consideration the forward funding, is $1.3 billion more than the expenditure for last year, and that does not include a single dollar for the pay increases that went into effect on July 1.

I would not be in a tenable situation here today if I voted for a continuation of the withholding of the surtax, with no evidence whatever that the House is genuinely and sincerely interested in halting inflation by the most effective measure; that is, the reduction of expenditures on the part of the Government. I deeply regret that there is all too little interest in that which is of greatest priority—deep cuts in spending rather than continuing higher taxes to produce greater revenues to be brought to Washington and spent.

I thank the gentleman from Arkansas for yielding to me for this brief statement.

Mr. MILLS. Let me make it clear to my friend and to anyone else who may be of the impression he has indicated he is, I do not by any stretch of the imagination interpret a vote for this 15-day withholding as being an endorsement of the surcharge or as having any relationship whatsoever to the vote on the continuation of the surcharge itself. This is done to avoid the confusion which would occur if the surcharge itself should be extended into the future. That is the whole point of it.

I would think all of us would want to go through this period creating as little confusion as possible.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself such time as I may require, and I am going to be very brief.

It has been said and correctly so that this is really a housekeeping matter. The only purpose of extending the period for the current withholding rate is to avoid the possibility of great confusion both with respect to the employers of this country and the employees of this country and, in addition, to avoid problems that could be created as far as the Internal Revenue Service and its administration of the tax law are concerned. All we are doing here if we extend this is to say that we are going to take this action as a precaution against creating undue burdens on all of the employers of this country, big and little, and on all of our taxpayers and those who are charged with the collection of our taxes. As the chairman of the committee has said, it cannot control one way or the other what ultimately happens as far as a continuation of the surtax is concerned. You can beat this extension, you can turn this bill down, and you can revert to the old level of withholding. That does not foreclose the possibility of the extension of the surtax. That does not foreclose its passage eventually by the Senate, on agreement by the House, and being signed by the President. It cannot have any effect except to create confusion in that kind of a situation.

Therefore, I would think, Mr. Chairman, that it is pointless for us under any circumstances to put this kind of a burden thus created on our people, which would accomplish nothing.

Mr. MILLS. Mr. Chairman, I have no further requests for time.

Mr. BYRNES of Wisconsin. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Under the rule, no amendments are in order except amendments offered by the Committee on Ways and Means. Are there any amendments?

Mr. MILLS. There are no amendments, Mr. Chairman.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. MONAGAN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 13080) to continue for an additional 15 days the existing rates of income tax withheld at source, pursuant to House Resolution 501, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. MOSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 307, nays 105, not voting 20, as follows:

[Roll No. 129]

YEAS—307

Abbitt	Frelinghuysen	Passman
Abernethy	Frey	Patman
Adams	Friedel	Patten
Albert	Fulton, Pa.	Pelly
Alexander	Fulton, Tenn.	Pepper
Anderson, Ill.	Fuqua	Perkins
Andrews, N. Dak.	Gettys	Pettis
Annunzio	Giaimo	Philbin
Arends	Gilbert	Pickle
Ashbrook	Goldwater	Pirnie
Ashley	Gonzalez	Poage
Aspinall	Goodling	Poff
Ayres	Green, Oreg.	Pollock
Baring	Green, Pa.	Preyer, N.C.
Beall, Md.	Griffiths	Price, Ill.
Belcher	Grover	Price, Tex.
Bell, Calif.	Gubser	Pryor, Ark.
Berry	Gude	Purcell
Betts	Hall	Quie
Biester	Hamilton	Quillen
Bingham	Hammer-schmidt	Railsback
Blackburn	Hanley	Rees
Boggs	Hanna	Reid, Ill.
Boland	Hansen, Idaho	Reid, N.Y.
Bolling	Hansen, Wash.	Reifel
Bow	Harvey	Reuss
Brademas	Hastings	Rhodes
Bray	Hathaway	Rivers
Brock	Hébert	Robison
Brooks	Heckler, Mass.	Rodino
Brotzman	Hicks	Rogers, Colo.
Brown, Mich.	Holifield	Rogers, Fla.
Brown, Ohio	Horton	Ronan
Broyhill, N.C.	Hosmer	Rooney, N.Y.
Broyhill, Va.	Howard	Rooney, Pa.
Buchanan	Hutchinson	Rostenkowski
Burke, Fla.	Joelson	Roth
Burke, Mass.	Johnson, Calif.	Roudebush
Burleson, Tex.	Johnson, Pa.	Ruppe
Burton, Calif.	Jonas	Ruth
Burton, Utah	Jones, Ala.	St. Onge
Bush	Karth	Sandman
Button	Keith	Satterfield
Byrnes, Wis.	King	Schneebeli
Cabell	Kleppe	Schwengel
Caffery	Kluczynski	Scott
Cahill	Koch	Sebelius
Camp	Kuykendall	Shriver
Carter	Kyl	Sikes
Casey	Kyros	Sisk
Cederberg	Landgrebe	Skubitz
Celler	Landrum	Smith, Calif.
Chamberlain	Langen	Smith, Iowa
Clancy	Latta	Snyder
Clausen, Don H.	Lloyd	Springer
Cleveland	Long, Md.	Stafford
Cohelan	Lukens	Stanton
Collier	McCarthy	Steed
Collins	McClory	Steiger, Ariz.
Colmer	McCloskey	Steiger, Wis.
Conable	McClure	Stephens
Conte	McCulloch	Stratton
Corbett	McDade	Sullivan
Corman	McDonald, Mich.	Symington
Coughlin	McEwen	Taft
Cramer	McFall	Talcott
Cunningham	McKneally	Taylor
Daddario	McMillan	Teague, Calif.
Daniel, Va.	Macdonald, Mass.	Teague, Tex.
Daniels, N.J.	MacGregor	Thompson, Ga.
Davis, Wis.	Mahon	Thompson, N.J.
de la Garza	Mailliard	Thomson, Wis.
Dellenback	Mann	Tunney
Denney	Marsh	Udall
Dennis	Martin	Ullman
Derwinski	Mathias	Utt
Devine	Matsunaga	Van Deerlin
Dickinson	May	Vander Jagt
Dingell	Mayne	Vanik
Donohue	Meeds	Waggonner
Dorn	Melcher	Wampler
Downing	Michel	Watkins
Dulski	Miller, Ohio	Watson
Duncan	Mills	Watts
Dwyer	Minshall	Whalen
Eckhardt	Mize	Whalley
Edwards, Ala.	Mizell	White
Erlenborn	Monagan	Whitehurst
Esch	Montgomery	Widnall
Eshleman	Moorhead	Wiggins
Evans, Colo.	Morse	Williams
Fallon	Morton	Wilson, Bob
Fascell	Mosher	Winn
Feighan	Murphy, Ill.	Wold
Findley	Myers	Wright
Fisher	Nedzi	Wyatt
Flynt	Nelsen	Wylie
Foley	O'Hara	Wyman
Ford, Gerald R.	O'Konski	Yates
Ford, William D.	Olsen	Young
Fountain	O'Neal, Ga.	Zablocki
Fraser	O'Neill, Mass.	Zion
		Zwach

NAYS—105

Adair	Gaydos	Nichols
Addabbo	Gibbons	Nix
Anderson, Calif.	Griffin	Obey
Andrews, Ala.	Gross	Ottinger
Barrett	Hagan	Pike
Bennett	Haley	Podell
Bevill	Harsha	Pucinski
Biaggi	Hawkins	Randall
Blanton	Hays	Rarick
Blatnik	Hechler, W. Va.	Riegle
Brasco	Helstoski	Roberts
Brinkley	Henderson	Rosenthal
Brown, Calif.	Hull	Roybal
Burlison, Mo.	Hungate	Ryan
Byrne, Pa.	Hunt	St Germain
Chappell	Ichord	Saylor
Chisholm	Jacobs	Schadeberg
Clark	Jarman	Scherle
Clawson, Del	Jones, N.C.	Scheuer
Conyers	Kastenmeier	Shipley
Cowger	Kazen	Slack
Culver	Kee	Staggers
Delaney	Leggett	Stokes
Dent	Lennon	Stubblefield
Diggs	Long, La.	Stuckey
Dowdy	Lowenstein	Tiernan
Edmondson	Madden	Vigorito
Edwards, Calif.	Meskill	Waldie
Eilberg	Mikva	Weicker
Farbstein	Minish	Whitten
Flood	Mink	Wilson, Charles H.
Flowers	Mollohan	Wolff
Foreman	Morgan	Wydler
Galifianakis	Moss	Yatron
Garmatz	Murphy, N.Y.	
	Natcher	

NOT VOTING—20

Anderson, Tenn.	Edwards, La.	Jones, Tenn.
Broomfield	Evins, Tenn.	Kirwan
Carey	Fish	Lipscomb
Clay	Gallagher	Lujan
Davis, Ga.	Gray	Miller, Calif.
Dawson	Halpern	Powell
	Hogan	Smith, N.Y.

So the bill was passed.

The Clerk announced the following pairs:

Mr. Miller of California with Mr. Broomfield.

Mr. Edwards of Louisiana with Mr. Fish.

Mr. Kirwan with Mr. Halpern.

Mr. Carey with Mr. Hogan.

Mr. Evins of Tennessee with Mr. Lipscomb.

Mr. Gray with Mr. Lujan.

Mr. Jones of Tennessee with Mr. Smith of New York.

Mr. Davis of Georgia with Mr. Anderson of Tennessee.

Mr. Gallagher with Mr. Clay.

Mr. Dawson with Mr. Powell.

Mr. McCARTHY changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 10595, GREAT PLAINS CONSERVATION PROGRAM

Mr. POAGE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 10595) to amend the act of August 7, 1956 (70 Stat. 1115), as amended, providing for a Great Plains conservation program, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference with the Senate on the disagreeing votes of the two Houses.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Texas? The Chair hears none, and, without objection, appoints the following conferees: Messrs. POAGE, STUBBLEFIELD, PURCELL, BELCHER, and TEAGUE of California.

There was no objection.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE AND RELATED AGENCIES APPROPRIATIONS, 1970

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 13111) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 13111, with Mr. HOLIFIELD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday afternoon, the Clerk had read down to and including line 24 on page 25 of the bill. There was pending the amendment of the gentleman from New Jersey (Mr. JOELSON), the amendment thereto by the gentleman from Iowa (Mr. SMITH), a substitute for the Joelson amendment by the gentleman from Illinois (Mr. MICHEL), and an amendment to the substitute by the gentleman from New York (Mr. ROBISON).

Mr. PERKINS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the Joelson amendment.

If I understand the amendment correctly, and I think I do, the amendment adds $629,048,000 above the appropriation of last year for programs affected by the package amendment. The appropriation last year was $2,414,000,000 for these programs. In the Joelson amendment an increase of $629 million is provided, bringing the total to $3,043,307,000 for the program involved.

We should not go along with the Michel amendment. His substitute does nothing more than to bring the level of expenditures—the level of impacted areas legislation expenditures—up to the 1969 figure. That is all the Michel amendment proposes to do.

Mr. Chairman, I do not believe that the Members of this House should be so gullible that it will take one-tenth of a loaf for the Joelson half loaf.

Now, Mr. Chairman, I have personally been interested in the amendment which carries the increases which has been offered by the gentleman from New York (Mr. ROBISON), but I do not think that we should abrogate our responsibility.

The Robison amendment brings the expenditures up to the same level as the expenditures in the Joelson amendment—the same figures—except the Robison amendment leaves it up to the U.S. Commissioner to do your legislating for you. The Robison amendment would afford no assurance of a contribution of a school library, and NDEA equipment, or a guidance and counseling program. They would leave it up to the U.S. Commissioner of the Office of Education to say how much money shall go into the library program.

The same thing is true with reference to the supplemental educational centers. The Robison amendment leaves that up to the Office of Education to do this legislating. The same thing is true with reference to guidance and counseling. I hope this body rejects the Robison amendment and the Michel substitute.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the distinguished gentleman from New Jersey (Mr. JOELSON).

Mr. JOELSON. Mr. Chairman, I had first been constrained to vote for the Robison amendment because it restores the entire amount of money that I wanted to restore but, having spoken with the Chairman (Mr. PERKINS) and having listened to him today, I see a very real danger, and that is that giving this discretion to the U.S. Commissioner of Education will deprive the library program of adequate funding. I therefore oppose the Robison amendment.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

(By unanimous consent, Mr. PERKINS was allowed to proceed for 5 additional minutes.)

Mr. PERKINS. Mr. Chairman, the Robison amendment of course endeavors to sweeten up the Michel package. Not many of us want to be against increasing the funds for better educational programs. The increase in funds is of course desirable. The purpose is just a gimmick to try to get votes, but I do not believe we want the Robison amendment unless we want the Office of Education to do all our legislating.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the distinguished gentleman from Indiana.

Mr. BRADEMAS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would ask the gentleman from Kentucky if it is not true that the Robison amendment contains no additional funds for vocational education or for higher education?

Mr. PERKINS. That is correct. The Robison amendment only deals with the library title, title II of ESEA, title III of ESEA, and title III of NDEA, the equipment title, and the guidance and counseling title of NDEA, title V.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, the gentleman from Kentucky has been making a very fine speech in attempting to point out some of the differences in the Robison amendment which, while it does represent an improvement over the Michel amendment, falls completely short of what some of us believe is necessary.

Mr. Chairman, I would ask the gentleman from Kentucky if it contains anything in the way of aid to students, for student loans, or student assistance, or anything of that kind?

Mr. PERKINS. It does not. It does not touch any subject matter except the four titles that I mentioned, grouped together, restoring the expenditure to the last year's spending level during the past fiscal year.

Now, Mr. Chairman, the amendment offered by the gentleman from New Jersey (Mr. JOELSON), to my way of thinking, has been carefully worked out. We make a reasonable gesture to do something for the ghetto schoolchildren, and in the poorer rural areas of this country we make available an extra $180 million. When you compare the Michel substitute, how can we go along with it—and I say this as a friend to the impacted program—how can we vote for the middle-class schoolchildren in the area of military installations, where we have considerable wealth, and not support the poor urban child, or those in the rural areas of this country. If we are going to do something about the welfare load, and if we are going to do something about hard-core unemployment, and if we are going to do something about school dropouts, I say to you in all frankness we ought to be here increasing the funds for elementary and secondary education at least a half a billion dollars, so that the States with larger numbers of low-income people and the poorer communities would benefit at least commensurate with what we do for the impacted aid program.

It will be disgraceful on the part of this Congress if we do something for the middle-class child and fail in our responsibility to do something for the child in the greatest need.

Mr. Chairman, I think the Joelson package amendment should be adopted by this Committee.

We do something for vocational education.

I want to run over these figures briefly.

We bring the guidance and counseling figure up to last year's level.

The NDEA title—equipment—up to last year's level of $78 million.

Title II—school libraries—up to last year's level of $50 million.

Vocational education, the increase over fiscal year 1969 is $240 million.

That is in the Joelson package.

In the NDEA student loan program, over the fiscal year 1969, there is an increase of $35,600,000 in the package.

So we certainly are doing something in the areas of greatest need. We have tried to work out priorities, for the areas of greatest need, even overlooking impact, but we are certainly taking into consideration the need for more money for the poor children of this country.

If we are going to have a balanced educational program in this country in the future, I do not think we should go in a one-sided direction because somewhere along the line the house may fall in on some of us. We want a solid, sound and sane educational program and not just what is for you and nothing for me.

Mr. Chairman, 9 million children who are participating in title I programs throughout the Nation have a great stake in what we do here today. This is approximately the level of participation in title I programs in fiscal years 1967, 1968, 1969 and the expectation for 1970. In those schools where children were falling behind in scholastic progress the initiation of title I programs has shown these youngsters to steadily improve, sometimes gaining a full month's learning for every month spent in the classroom.

The evidence before our committee shows that reading tests data from a sampling of States indicate that title I participants are attaining higher levels of achievement based on national testing scores than would have been expected in the absence of title I activities. Moreover, this evidence discloses that the serious dropout rate in title I schools has decreased and more disadvantaged children continued their education beyond high school in 1967 than they did in 1966.

In spite of the progress that we are obviously making in the increased scholastic achievement of disadvantaged children, the evidence clearly discloses the need for the expenditure of more funds per pupil in these programs than present levels of appropriations permit. Where programs have been narrowly confined to smaller numbers of participant students so as to obtain the maximum dollar impact on their scholastic progress greater success has been enjoyed. However, if we are to effectively provide educational opportunities in title I schools, the solution does not lie in eliminating numbers of children from the program in order to increase the progress of a few—I submit that the solution lies in providing more funds to local educational agencies to strengthen the program for the benefit of all the children in the school system who need the special types of programs that title I provides. Presently we are funding title I with less than 40 percent of the authorization.

Mr. Chairman, I believe that for the fiscal year 1970 we should be appropriating the full authorization in excess of $3 billion for title I programs. In surveys conducted by the committee of school superintendents throughout the Nation, the response we received from thousands of school administrators emphasized the hardships imposed by the low funding levels in ESEA, particularly for title I.

The first question in the survey, the most pertinent to our discussion of Federal financial assistance, asked if the Federal Government was doing its share in providing funds for elementary and secondary education. Sixty-five percent of those responding indicated that the Federal Government was not doing its share. In very large school districts, over 80 percent felt the Federal Government was not doing its share. A great majority of those responded that the Federal Government is doing its share, conditioned their response to a full funding situation. Many of the superintendents offered suggestions, over 40 percent of which recommended that support be increased. In districts with enrollments of over 100,000 two-thirds of the responses asked for increased support.

Another question, which specifically dealt with the financial aspects of Federal education programs, asked to what extent the Elementary and Secondary Education Act was underfunded. Nearly 70 percent of the superintendents indi-

cated that this legislation was underfunded and frequently commented that the programs financed by the ESEA are ones on which they rely heavily. In large school districts over 90 percent of the superintendents indicated that the program was underfunded.

Let me share with you just a few of the responses from local school superintendents which I believe illustrate clearly the adverse effects of curtailments and reduced levels of funding.

From Argyle, Iowa:

ESEA is extremely underfunded. Our area has been cut from $45,000 three years ago to $19,000 next year. We have approximately 40% of our students identified as educationally deprived (see enclosed list), yet we have had to eliminate teacher aides, TVR equipment and instruction, summer school, and other items from our educational program, and cut our nurse to ½ time due to title I budget cuts. I believe that someone in Washington should take a look at the small rural areas of our nation and see the problems we have here.

From Cherryvale, Kans.:

In our particular school districts, we will be underfunded in the ESEA by approximately $4,000. Due to the reductions in our entitlement we will have to cut off part of our summer program. In our summer program we work with our remedial students.

From West Grove, Pa.:

Our school is located in a rural area with many low income families—therefore we have many children who are educationally deprived some of whom we are unable to reach because of lack of funds. Each year of the ESEA program, the Title I funds have been reduced, thereby making it necessary to curtail our program.

From Norfolk, Va.:

Although it is difficult to know just what the Federal Government's "share" is in assisting to improve the quality of elementary and secondary schools, the Federal Government has failed to support fully *its own* appraisal and estimate of its obligation. The Congress has passed a volume of highly significant legislation authorizing financial support for schools in recent years, but the actual appropriation of funds seldom matches the authorization. Our first recommendation to strengthen the Federal Government's role in improving elementary and secondary education is to fully fund the authorizing legislation already in existence.

The total allocation to the Norfolk School System for ESEA Titles I, II, III, and Central City Project, after reductions for the current year, amounts to approximately $2.6 million. We estimate that there are in excess of 20,000 children enrolled in this school system in need of the educational services for which ESEA was created. It is clearly evident that the funds available are insufficient to achieve any substantial impact for more than a relatively small number of children. The full funding of ESEA would approximately double the funds available, and approximately double the potential impact of the Act."

From Double Springs, Ala.:

Recent enactments of Congress furnishing support for elementary and secondary education has been *great!!* It has made a tremendous impact on our educational system. ESEA is at least 50% underfunded.

Our need is great—even desperate.

For these reason, Mr. Chairman, it is obvious that the package to add $180,800,000 for fiscal year 1970 for title I of the Elementary and Secondary Education Act is urgently needed to improve the effectiveness of these programs.

Mr. BELL of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in opposition to the substitute and in support of the amendment offered by the distinguished gentleman from New Jersey whose proposal would provide what I believe is a reasonable level of funding for essential education programs.

In 1968 the Congress appropriated $4.1 billion for education.

In 1969 we appropriated $400 million less

The January budget proposals would have lopped off another $100 million from the 1969 figure.

The April budget would have cut still another $400 million.

Fortunately, Mr. Chairman, the Appropriations Committee has seen fit at least to halt the decline and I heartily commend that decision.

But if we are no longer to look backward to 1968 as the year when this Congress made its most substantial contribution to education, we must recognize the necessity of supporting the well-thought-out package of amendments proposed by the gentleman from New Jersey (Mr. JOELSON).

Each year, Mr. Chairman, this body has increased the authorizations for these education programs—we have expanded the Congress' promise to the young people of this Nation.

And yet the gap between the promises and the realized appropriations continues to widen.

I suggest that we must narrow that gap now, narrow the gap between authorizations and appropriations, between promise and delivery.

Mr. Chairman, the educational crisis now facing my own city of Los Angeles is only one example of a nationwide phenomenon.

Cities with declining tax bases are being further jeopardized by voters' rejection of critically needed bond issues, and the resulting burden falls most heavily on inner-city youngsters who need the most help.

At this point in the RECORD I would like to include an excerpt from testimony by Los Angeles City School Superintendent Jack Crowther relating to programs for disadvantaged children:

ELEMENTARY AND SECONDARY EDUCATION ACT—TITLE I: COMPENSATORY EDUCATION

The number of children residing within the Los Angeles City School District who are eligible for Compensatory Education programs is shown in Table I. This number has increased by one third, from 94,000 to 121,347 since the beginning of the programs in FY 66.

TABLE I.—CHILDREN ELIGIBLE FOR ESEA, TITLE I PROGRAMS

Fiscal year	Family income less than $2,000 (1960 census)	AFDC excess of $2,000 (annual survey)	Total	Increase	Percent
1966	39,493	54,615	94,108		
1967	39,493	63,070	102,563	8,455	9
1968	39,493	68,000	107,493	4,930	5
1969	39,493	72,091	111,584	4,090	4
1970	39,493	81,954	121,447	9,863	9

The above figures are based on the 1960 Census data for families earning less than $2,000 per year and the updated data for families receiving in excess of $2,000 per year AFDC aid.

The allocation to the District of Title I funds and the date of notification are summarized in Table II. Although increasing in FY 68, the allocations showed a marked decrease for FY 69 and again in FY 70, projected on the basis of the Administration Budget. The difference between the $38,225,805 to which the District would be entitled for FY 70 and the $13,500,000 anticipated is deeply discouraging. The problems of mounting effective programs when the notification of funds to be actually received comes so late in the fiscal year is a story you know well.

TABLE II.—ALLOCATION OF ESEA, TITLE I, FUNDS TO LOS ANGELES SCHOOL DISTRICT

Fiscal year	Entitlement	Appropriated	Date notified
1966	$23,715,216	$15,130,585	April 1966.
1967	27,384,321	14,838,952	Mar. 30, 1967.
1968	29,560,575	16,201,638	Feb. 16, 1968.
1969	32,024,608	15,028,872	Jan. 7, 1969.
1970	38,255,805	[1] 13,500,000	

[1] Estimated entitlement based on forward funding at a 10-percent reduction from current year.

For the past four years, we have been able to assure the effectiveness of the compensatory education programs as budgeting resources have declined by reducing the number of pupils being served, as shown in Table III. This is the only way we have been able to maintain a given level of expenditure for each child. The data shown in Table IV indicate we have even improved on this by increasing the amount spent per child, but only at the expense of serving fewer pupils.

TABLE III. *Number of pupils served in ESEA, title I, program*

1965–66 (approximate)	65,000
1968–69 (approximate)	50,000
1969–70 (approximate)	45,000

TABLE IV.—*Expenditures per pupil participating in ESEA, title I, programs*

1965–66	$233
1968–69	300
1969–70 (required by State guidelines)	300

We have been forced to take programs out of some schools entirely, although the need in those schools has increased. Consequently, the number of schools with compensatory education programs has been decreased as summarized in Table V.

TABLE V.—NUMBER OF SCHOOLS WITH ESEA, TITLE I, PROGRAMS

	Elementary	Junior high	Senior high
1965–66	117	12	12
1968–69	61	12	12
1969–70	[1] 33	[1] 6	[1] 3

[1] Estimated.

The failure of Congress to appropriate funds sufficient to support the compensatory education programs is reflected in Table VI. Here, the amount of money allocated per

pupil is computed in terms of the total number of pupils eligible.

TABLE VI.—*ESEA title I, allocation per eligible child*

1965–66	$160.78
1966–67	144.68
1967–68	150.72
1968–69	134.69
1969–70 (estimate)	111.16

Mr. Chairman, the need for the compensatory education programs made possible through Title I of the Elementary and Secondary Education Act exists. Evidence of the need is shown in every State achievement test administered. Based on the criteria contained in the law, there are over 121,400 young people eligible for these compensatory programs. Of these, we are able to serve only 50,000, but even fewer next year. The Report of the California State Department of Education on Evaluation of ESEA Title Projects of California for 1967–68 is evidence that we are successfully helping young people. Senior high school students averaged more than one year of growth on the Gates-MacGinitie Reading Test. The average growth of students in reading improvement classes was 1.3 years, while basic reading students averaged one year's growth. Greater gains were demonstrated on subsections of the reading test. For example, in one group, students improved by 2.9 years in reading vocabulary, while others showed a growth of 2.5 years in one year's time, where normally only .7 years' growth has been the pattern. In response to questionnaires, 74 percent of the parents noticed improvement in children's study habits, 80 percent said their children's attitude toward school had improved, and 78 percent thought their children learned more than they had during previous years. I urge you to provide the funds authorized to do the job that must and can be done.

Mr. BELL of California. Today, Mr. Chairman, we are all concerned with law and order.

And yet it is the very youngsters we are talking about—the children of the ghetto—who are most likely to become involved with crime, with riots.

Through these programs we have the chance to reach them.

We have the chance to invest the taxpayers' money in a high-return program which not only can reduce crime and welfare costs, but which can increase future tax revenues from those who would otherwise be tomorrow's hard-core unemployed.

These, Mr. Chairman, are investments in America's future, investments which, in my view, we cannot afford not to make.

And yet, under title I compensatory education programs alone, Los Angeles is now serving one-third fewer children than it did 4 years ago.

The per-pupil allocation has dropped while inflation and costs have increased.

Mr. Chairman, reaching the children of poverty before they have dropped out, before they contribute to ever-increasing crime rates and ever-growing welfare rolls is a concept few thoughtful Americans would reject.

Our authorizations for this program and for the others contained in the measure before us reflect this view, but our decisions to put our money where our promises are, always seem to fall far short of the need.

It is with the strongest possible urgency, therefore, that I support the Joelson amendment, and urge that my colleagues do the same.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. BELL of California. I yield to the gentleman from New York.

Mr. FARBSTEIN. I want to go on record as favoring the Joelson amendment. I might say in passing that in view of the fact that we find a surplus of $3 billion, certainly we should not hesitate to spend about $900 million of that for education. I can think of no better place to put $1 billion of that surplus.

Mr. BELL of California. I certainly concur with the gentleman.

Mr. FARBSTEIN. Mr. Chairman, I rise to support in the strongest possible terms the package amendment which will be offered to increase by $894 million the funding for education and library programs.

There is something inherently wrong with a society whose government can allocate over $80 billion to defense, give little thought to a $2 billion cost overrun connected with a single airplane, spend $4 billion on a space program in 1 year and then find it virtually impossible to get even $3.4 billion for the education of all its 60 million schoolchildren and the many million more who derive personal enrichment from library programs.

There is something basically inconsistent about an administration which preaches self-help and then grabs away the books and educational programs from those motivated to learn and improve.

To turn about society, to overcome the administration, I led a group of 71 Members of Congress in appealing to Congressman DANIEL FLOOD, chairman of the HEW-Labor Appropriations Subcommittee, to restore the huge cuts in Federal aid to education and libraries recommended by the Nixon administration. In some small way I believe our letter was helpful in stirring the committee to restore some of the Nixon cuts to a tune of $1.3 billion.

But like society and like the administration, the committee's education and library budget recommendation seems totally out of touch with the needs of our cities. Rather than increasing or even maintaining the per capita amount available to disadvantaged children to upgrade their education under title I of the Elementary and Secondary Education Act, the committee chose to reduce the per capita. Rather than increase the volume of books available to schoolchildren who would not otherwise have the opportunity to read books, the committee chose to provide no special funding for title II.

Rather than stimulate programs to make education both more relevant and individualized through vigorous support of the supplemental centers program of title III of ESEA, the committee chose to lump funding for this program with that for three other programs and to provide not even an adequate level of funding for title III for all four programs. And rather than spur the construction of public libraries so that the young and old alike could have the opportunity to enjoy contact with books, the committee chose to provide not one red cent for library construction under title II of the Library Services and Construction Act.

If the funds are not restored, the effect of these cuts on the education and library programs of this country will be devastating. The impact on New York offers a good example. It would mean that programs like the more effective schools program, which provides the culturally deprived youngster with a chance to get ahead through providing additional services, teachers aides, and educationally deprived lower class size will suffer; it would mean that the educationally deprived kid who needed books and library services would be left without them; it would mean that innovative programs of preschool training involving the pupil and parent alike would have to be abandoned; and it would mean that the quality of teacher instruction in critical subject matters would be hurt and the availability of educational equipment would decrease.

It is hard to believe we live in a Western society where belief in progress is paramount. For in terms of educating our young, we are slipping backward. I cannot bring myself to believe that no matter what the results of this vote today the Federal Government will spend less on education this year than last, just as it spent less in fiscal 1969 than it did in fiscal 1968. For heavens sakes, what is wrong with this country? Our epitaph may very well be: Billions for guns—pennies for books.

It is up to the House of Representatives to undue these distorted priorities. I do not as strongly support some of the programs contained in the $894 million package amendment as I do others, but I shall support the package as a whole as the only way of mustering the support necessary to do something to turn this society around.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. BELL of California. I yield to the gentleman.

Mr. HARSHA. Mr. Chairman, I support, wholeheartedly, the effort by my distinguished colleague, the gentleman from New Jersey, CHARLES S. JOELSON, to amend H.R. 13111, the Labor-HEW appropriations bill for fiscal year 1970, to provide needed funds for essential education programs.

Specifically, the Joelson amendment, supported by the Emergency Committee for Full Funding of Education Programs, would provide funds to reestablish previous program levels for school libraries, NDEA equipment, and guidance and counseling, and college facilities, as well as necessary funds for Impacted Area Aid Public Law 874, vocational education, title I, II, and III of ESEA, and NDEA student loans.

By virtue of previous congressional action, each of these programs, now established and operative, with students, schools, and systems deeply involved and dependent thereon, is essential to our previously declared efforts to provide the best possible education to the most students in our evermore sophisticated and complex world society. Even as a student, having received the benefits of an edu-

cational loan, finds needs for the continuation of the loan program, so too, does a school or a school system find continuing need for the various programs which, once established, became integral parts of their academic and institutional modus operandi. Educational administrators and teachers throughout the congressional district I represent have advised me of the need for continuing these programs and their significant help in the proper education and counseling of their students.

If, in general, the Federal Government has the responsibility of continuing that which it has set in motion for the common good, it certainly must have particular responsibility in those geographical areas upon which, by other action, the Federal establishment has imposed impacted conditions. Here again we find ourselves involved with a fight to restore funds for Public Law 874 as we have in the past.

Impacted aid is that Federal assistance least tainted by Federal control. Our local school administrations have been able to use this money, without direction from the Federal Government to supplement their already too meager budgets. If this money were not added to the appropriation many school districts would find that they must either close or drastically curtail their programs. I do not choose to be a party to either alternative.

Surely when we can find the funds and genius to walk on the moon we can find the way to adequately fund our educational programs.

This country's most precious resource is its youth. To fail to adequately educate that youth and prepare them for life in this world of ours is tantamount to wasting that precious resource. This we cannot afford to do. In these days of spiraling operation costs, increasing resistance to local property taxation, and community insistence on quality education, to fail to fully fund these programs will, in effect, be sentencing our children to the punishment of inferior or mediocre education—this we cannot afford to do. The welfare of this Nation depends, in final analysis, on the ability of our youth. That ability will, in a large measure, be determined by their education. Let us not falter in the task of providing them the education they need. Let us fulfill our previously declared commitment of providing the best possible education for the most possible students. This Nation's welfare depends upon it.

I urge the adoption of the Joelson amendment.

Mr. PUCINSKI. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. PUCINSKI. Mr. Chairman, first I wish to take this opportunity, as chairman of the subcommittee that has jurisdiction over the Elementary and Secondary Education Act and the Impact Act, to congratulate the gentleman from Pennsylvania (Mr. FLOOD), and his subcommittee, for recognizing the need for additional funds for vocational education. They have given us $80 million more and we are most grateful. I am sure the vocational educators all over this country owe the gentleman from Pennsylvania (Mr. FLOOD), and his committee a debt of gratitude.

It is quite apparent from the discussion so far that we will provide additional funds for title B students under the impact aid bill whether we enact the Michel amendment or whether we enact the Joelson amendment, for both now carry these provisions. But I believe every Member should keep in mind that if he votes for the Michel amendment, he will be reducing his own State and district allocation by 78 percent of what it was in 1969. I invite each Member to examine the table I placed in the RECORD on May 26, page 13816, to see how much his district would lose in 1970 under the Michel amendment. Just deduct 22 percent from the 1969 allocation in your district and you will see what your vote for the Michel amendment will cost your school people in impact money.

I would like to tell you something about this category B. I think you ought to know it, and I think it ought to influence your judgment.

There are 55 million children attending elementary and secondary public schools in this country. The bill before us now provides, roughly, $1.5 billion of Federal aid for various programs for those 55 million youngsters, which comes out, roughly, to $30 a youngster. But this same bill provides more than $462 million for only 2.5 million children who benefit from the impact program. This comes out to $150 per student.

Last year we spent $115.5 million on 348,000 A students. These are the students who live on a military installation and attend a public school in the community. The Federal Government, quite properly, pays the full cost of educating those children to the local community, because the parents of these youngsters, living on a military installation, pay no local taxes for education.

But last year we also spent another $347.5 million on 2.2 million B students. These are youngsters who live off the military installation, whose parents pay real estate taxes to the local community and spend their money in the local community, and still, under the B category program, the Federal Government pays one-half the cost of educating these youngsters, simply because they are there by virtue of some Federal activity. That comes out to $150 per student.

Under this program, 28 States get a total of less money for all of their category A students than the single State of Virginia across the river gets for its B students. Virginia got $27 million for B students and $3 additional million for A students in 1969, for a total of $30 million of Federal aid for impacted areas.

The Michel amendment perpetuates this inequity without providing additional help to those districts that do not have impact children.

How can Members go back home and justify this kind of program without taking care of the rest of the educational needs of their communities? I would like Members to look at this list. My colleague from Illinois talked about the fact that 385 Members of Congress represent districts that get aid under the impact program, but 72 of these get less than $100,000 for their respective districts. Some will get only $40,000; some will get $50,000; and some will get $60,000. These Members are being asked to vote a $400 million appropriation for B students in order to bring into their own districts $40,000 or slightly more for a handful of students in their districts.

I invite Members to look at the rest of this list. In the Joelson amendment at least we have some equity in taking care of the B students as well as all other needs of our district. I know you all want to support the impact program. I never have seen anybody want to shoot Santa Claus. But at least in the Joelson amendment we have some opportunity to bring about some equity in this program, because we not only take care of the B student at 90 percent funding, but we also take care of vocational education and student loans, the impact areas, titles II, III, IV, and V, library services and all these other things.

If my colleagues were to vote for the Michel amendment alone, we would be voting to give $200 million of impact money to 10 States in this Union and $147 million to the remaining 40 States. Under the Joelson amendment we will be taking care of more needs; and bringing more equity to the different programs, so we will be voting to take care of the B students and also all students in our congressional districts and in our States.

I would ask Members to ponder the difference between these two propositions. We must look at the equity of it.

We have studied this in my subcommittee. We have held extensive hearings. There is no question that the Joelson amendment addresses itself to the modest beginning of meeting the funding needs of the programs in the authorizing legislation. I ask Members to consider this. If we vote for the Joelson amendment, we are taking care of B students, but also taking care of all other students in this program.

If we vote for the Michel amendment, we will vote for the B students and that is just about all. If Members think they can justify this disproportionate expenditure of $200 million for 10 States and $147 million for the remaining 40 States, that is for their own judgment. But I do not believe such inequity can be justified unless we substantially increase Federal funds for all the other programs included in the Joelson package.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from New Jersey.

Mr. JOELSON. Mr. Chairman, I want to make it clear that under my amendment, it is 90 percent for category A and B and under the Michel amendment, it is 100 percent for category A and 59 percent for category B.

Mr. PUCINSKI. Mr. Chairman, as we debate and discuss the merits of the proposed Joelson amendment to H.R. 13111, I wish to emphasize particular items of this legislation which are of special concern to me and in my judgment make the amendment deserving of support.

Earlier this year, during hearings on H.R. 514, to extend the Elementary and Secondary Education Act, our committee learned that more than 44 million of America's public and private school children have benefited directly from title II programs since 1966.

As we know, title II provides allocations to the States for the purchase of school library resources, textbooks, periodicals, films, video tapes, and other printed and published instructional materials.

In a letter which I received in my office today, Rev. Robert Clark, superintendent of schools for the Archdiocese of Chicago School Board, said that:

> Since the enactment of the Elementary and Secondary Education Act in 1965, approximately 350,000 pupils enrolled in Roman Catholic schools in Cook and Lake counties, Illinois, have been the beneficiaries of library resources and supplementary textbooks loaned to them by local public school boards which have received Federal funds for that purpose.

Further, Father Clark says:

> The Title II program also has served to assure parents of all parochial school pupils that federal aid to education, for which they are so heavily taxed, results in some kind of tangible benefit, however meager, for their children.

In his testimony before the House Education and Labor Committee last March, Secretary Finch said:

> Top priority for Title II projects has gone to strengthening education for disadvantaged children in core cities, equalizing minority group education, improving educational opportunities in isolated rural areas, and setting up model programs for early childhood education.

There is no question that this title has improved both the quality and content of educational materials in schools throughout the United States.

This program has proved an effective incentive to States and to private and public elementary schools to enhance and expand their instructional resources.

More than 70,500 public school libraries were expanded in 1967 alone as a direct result of title II.

A singularly effective component of this legislation has been the coordination of efforts betwen private and public school educators. In cooperative programs, many of which have been instituted for the first time, many States have conducted inservice training programs to help librarians, teachers, and administrators to better organize school libraries and instructional materials centers, as well as to improve methods of selecting materials.

The benefits accruing to our national system of education have been marked.

Demonstration programs involving mobile equipment and various instructional resources have been established in more than 30 States. Similar programs are planned or are being developed in other States as well.

Title I funds are allocated on the basis of a formula which includes the total number of children enrolled in public and private elementary and secondary schools in each State. No matching funds are required. Program funds totaled $300 million from 1966 through 1968.

With the proven success of this title, an appropriation of $50 million for fiscal 1970 seems little enough to pledge for continued operation of these much-needed programs.

Much the same praise can be showered on title II of the NDEA as well as title III of ESEA. Both these titles are deserving of the additional funds that would be provided in the Joelson amendment.

TITLE V OF NDEA

During debate and passage of H.R. 514 in April of this year, an amendment was adopted which consolidated these titles; namely, title II and title III of ESEA and title III and title V of NDEA. The amendment gives the Commissioner of Education discretionary authority to provide funds to the States for each of these worthwhile and interrelated programs.

Under the Joelson amendment proposed today, $110,453 million over the recommended appropriation of $200 million is suggested for: First, supplementary educational services; second, library resources; third, guidance and counseling and testing; and fourth, equipment and minor remodeling.

As a six-term veteran of the House Committee on Education and Labor and as chairman of the General Subcommittee on Education, I strongly endorse these additional appropriations for both title II, title III of NDEA, title V–A of NDEA, and title III ESEA.

Title V provides a modest, almost penurious, appropriation—$17 million—for guidance and counseling.

Our school population increases annually in increments of hundreds of thousands of students. Each of these boys and girls has a special need for assistance in developing a career interest that will guarantee him or her an opportunity to do something meaningful in the adult world of work.

In most school guidance programs throughout the Nation at the present time, one of the major blocks to providing adequate guidance is the lack of education and occupational information geared to the specific needs of the States themselves. This has obvious, and often tragic results. We have all read the statistics that show the outmigration of young people from the rural areas of the Nation to the large cities and population centers.

In far too many instances, these unskilled, untrained, unaware young people are driven to jobs that end nowhere, with little or no opportunity for advancement.

With an effective guidance and counseling network operating within each of the 50 States, young people would receive some realistic preparation for the jobs and skills that are in demand in the labor market.

In a statement presented on behalf of the American Personnel and Guidance Association before the Appropriations Committee, Mr. John C. Odgers urged continued and expanded support for title V–A, listing the following reasons for his endorsement:

First. Title V–A would assist youth at all grade levels in career development through self understanding, increased knowledge of educational and vocational opportunities and demands, and improved decisionmaking skills.

Second. Title V–A would provide concerted action on the dropout problem which deprives an estimated 25 percent of our youth of a high school education and the background for initial employment or further training.

Third. Title V–A would encourage the development of placement services to insure every school's ability to assist all of its students to complete an appropriate education program and move into the next step beyond high school—either further education or employment.

Fourth. Title V–A would enhance school-community relationships to secure services—health, welfare, employment, specialty training, information, and so forth—beyond those normally available within the school program.

Fifth. Title V–A would interpret local and area labor market information concerning student needs to administrators and the curriculum developers to assure a curriculum that will meet the needs of the students and the community at large.

Sixth. Title V–A would expand organized course selection programs to help all students make appropriate selection from the increasing number of vocational, special, and academic programs becoming available in the typical secondary education curriculum.

Seventh. Title V–A would provide individual and group experiences which will motivate all students toward the development of sound attitudes toward self, toward education, toward employment, and toward society.

In my own State of Illinois, title V–A funding amounted to $894,406 during fiscal 1969. The estimate for fiscal 1970 is only $622,243 for this title, a substantial and serious cut in service to young people.

To gage the success of this program, I will cite a brief review of appropriate figures.

At the end of the first year of operation of title V–A programs in 1958–59, there were about 13,000 full-time equivalent counselors serving public secondary students.

By the end of school year 1966–67, 43,463 full-time counselors were serving public school chlidren and in elementary and secondary schools, junior colleges, and technical institutes.

It has been estimated that the ideal ratio of guidance counselors to students is 1 to 300. In 1958, this ratio was 1 to 960. By 1967, however, this ratio had been reduced to 1 to 450, still in excess of the recommended ratio, but considerably improved over the enormous burden of 1958.

A large measure of the success of title V–A programs can be attributed to the number of students who are remaining in school longer and who are graduating from high school.

In 1958, before title V–A went into effect, 582 of each 1,000 students were

graduating from high school and 308 of these were entering college.

By 1967, 720 of each 1,000 were graduating from high school and 400 of them were entering college the same year. This amounts to an increase of 23.9 percent in the high school retention rate during the 9 years.

Guidance, counseling, and testing services help parents to recognize potential talent in their children. They help teachers encourage the development of those special talents. And perhaps most important, they give individual students a very real sense of their individuality and special abilities.

VOCATIONAL EDUCATION

It was with high expectations and well-founded optimism that my subcommittee, after 26 days of hearings on the Vocational Education Act Amendments of 1968, recommended this thoroughly revamped legislation to the House. Our colleagues agreed with our own perception of the critical need for greatly expanded vocational education programs, for this legislation was passed without a single dissenting vote by the House and the Senate.

Today we are requesting funding for this legislation, funding that will provide realistic and immediate help to students who are totally ignorant of the world of work and who are doomed to join welfare and unemployment rolls by the tens of thousands if they are not exposed to practical training experiences during their high school years.

The Joelson amendment would also provide $488,716,000 for vocational education. This is an increase of $131,500,000 over amounts approved by the Appropriations Committee.

The additional amount provided in this amendment will implement those portions of the 1968 amendments which call for occupational training programs for the disadvantaged, as well as funds for research that is an absolute necessity if we are to develop new teaching methods and materials and restructure existing vocational education curriculums. It would also provide some funds to start planning in residential skill centers if a further amendment is adopted.

Figures attesting to the need for vocational education speak for themselves. Permit me to cite a few of them:

First. Only one high school student in four is enrolled in a vocational educator program, although five out of six never achieve a full college education. Therefore, almost 60 percent of high school students enter the job market unprepared to hold a productive job.

Second. More than half of vocational students are still being trained in agriculture and home economics, where jobs are either dwindling, nonremunerative, or nonexistent.

Third. Youth unemployment between the ages of 16 and 19 is the highest in the Nation. Approximately 23 percent of white males, 33 percent of nonwhite males, and 49 percent of nonwhite females in this group of young people are unemployed.

According to the Advisory Council on Vocational Education, an organization that was of great assistance to my subcommittee in rewriting this legislation, present vocational programs fall short of fulfilling their two major purposes which are to prepare students for the world of work and to give particular attention to those with special needs.

The recommended appropriation under the Joelsen amendment will give assistance to the States through increased basic grants. The act passed last year required certain percentages of basic grant funds to be set aside to aid the disadvantaged and the handicapped as well as to postsecondary schools. These set-asides went into effect on July 1. Unless we provide funds sufficient to help the States meet their set-aside obligations, the cuts will have to be made in ongoing programs.

Far too many youngsters have been jostled around by the Government. It is time we gave them some assurances that their interests toward career preparation are our interests as well. This is not the time to discourage innovation and experimentation on the part of vocational educators and businessmen and members of the academic community.

Vocational education, particularly through its strenuous advocacy of cooperative work-study programs, can make the difference between a society that merely dumps its underachievers into the maze of welfare and public assistance programs or which gives each student the sincere opportunity to earn a meaningful living in a productive career.

I also support the other provisions of the Joelson amendment, which in my mind would establish a greater degree of equity in distribution of tax dollars for education. The higher education construction amendment as well as increases in funds for the NDEA student loan program and title I of ESEA bring more equity to the entire Federal-aid program.

Mr. JONAS. Mr. Chairman, I move to strike the last three words.

Mr. MICHEL. Mr. Chairman, will the gentleman yield briefly for a correction?

Mr. JONAS. I yield to the gentleman from Illinois.

Mr. MICHEL. Mr. Chairman, the gentleman from New Jersey is altogether incorrect, because in my amendment we struck the provision which would have carved up the funds provided, and as a result category A and category B are treated precisely the same. The gentleman just does not know what is in the amendment.

I also wish to correct the statement about the amendment offered by the gentleman from Illinois, because under the Joelson amendment 90 percent entitlement is provided, and under my amendment 78 percent is provided for A and B.

But the gentleman is incorrect when he says we are only taking care of category A.

Mr. JOELSON. Mr. Chairman, if the gentleman from North Carolina will yield briefly, I have been informed the gentleman from Illinois did indeed put in a correction to his amendment, and the gentleman is correct in his statement.

Mr. MICHEL. Mr. Chairman, I thank the gentleman.

Mr. JONAS. Mr. Chairman, I listened carefully to the debate yesterday and today. If there is one thing that has become crystal clear from the debate, it is that the distinguished gentleman from Kentucky is wrong when he says we ought to decide on this floor what categories of education require the most attention. That decision can best be made by the people who are running the school systems of the country, and not by 435 Members of the House of Representatives.

I commend the Members to the comments made in the well yesterday by the very distinguished chairman of this subcommittee (Mr. FLOOD), when he pointed out that the subcommittee which brings this bill before us today was merely following the direction of the Committee on Education and Labor and the amendment sponsored by the gentlewoman from Oregon (Mrs. GREEN), when this House consolidated several of these programs. I believe that is a desirable result to be accomplished, and the House ought to go along with the subcommittee recommendation.

Mr. PERKINS. Mr. Chairman, will the gentleman yield for a correction?

Mr. JONAS. I yield.

Mr. PERKINS. The amendment of the gentlewoman from Oregon (Mrs. GREEN) left the discretion with the States and not with the Office of Education. That is where the gentleman in the well is wrong.

Mr. JONAS. The gentleman is not even willing to leave it to the States. I believe it ought to be left to the State departments of education, and the gentleman believes it ought to be decided here on the floor of the House.

We have seen in 2 days that we cannot get any unanimity of opinion as to how much money should be in this program and how much money should be in that program. That is because we are not experts on the subject of education and that was recognized by the House in approving the Green amendment and the Committee on Appropriations was simply following suit.

I should like to urge the Members of the Committee of the Whole today—I do it because I do not serve on the subcommittee which conducted the hearings and is handling the bill today—and to recommend that the Members follow the leadership of this subcommittee, the Members of which are all recognized friends of education, are among the most able and sincere Members of this body, and have devoted 4 months of their time to this subject, who have studied it thoroughly, and who have in my opinion brought before the Committee of the Whole today a bill which should be enacted without amendment.

I think the committee bill is a good one and supported it in the committee although it is $155 million above the revised budget. So far as I am concerned I think the committee bill as it came out of the subcommittee—following long and careful study and consideration—approved by the full committee, and now

before the Committee of the Whole, should be approved.

We have heard a lot of talk here today and yesterday about our neglect of the schoolchildren and about how we are not spending enough money on education. I hate to be accused of being opposed to education, as I am being accused in telegrams and letters by people who obviously do not know the facts. Let me remind the Committee of a point which has not been mentioned so far in the debate.

We who bring appropriation bills to the floor have told the Members repeatedly that there is a great deal of difference between appropriations and spending. Let me just state what is in this bill for spending in 1970; not appropriations, but spending. That is what counts, because the Department of Education has on hand unexpended balances right now of previously appropriated moneys amounting to more than a billion dollars. A good part of that was provided last year in advance funding, but if we eliminate that there is on hand in that office for future expenditures $211 million which is not even in this bill and was appropriated in prior years.

Let me tell one other thing about spending. This refers to the outlays by the Office of Education, the actual expenditures last year, which amounted to $3,424,000,000. Get that figure.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

(On request of Mr. HALEY, and by unanimous consent, Mr. JONAS was allowed to proceed for 3 additional minutes.)

Mr. JONAS. The Office of Education in fiscal year 1969 spent $3,424,000,000.

The outlays projected in the 1970 budget by the Office of Education amount to $3,701,000,000. This committee added $86 million of additional expenditures to the $3.7 billion, making total expenditures authorized by this bill, as it came to you from the committee, of $3,787,000,000 as compared to $3,424,000,000 last year. That means if the bill before you now is enacted, the Office of Education will be provided $363 million more to spend than it actually spent in 1969.

In view of that fact, I ask you in all honesty and in all reason, in view of the fiscal situation that our country is confronted with, why should you not pay more attention to expenditure than appropriation levels. You can approve the committee bill before you today and feel assured that the Office of Education will have $363 million more to spend on education next year than it spent last year. But this is only part of the story. Federal funds for education in the 1970 budget total nearly $10,000,000,000. This is a fivefold increase since 1960—yet the argument has repeatedly been made on the floor today and yesterday that Congress is neglecting education. No wonder the people back home are misled when they read such charges. They deserve to be answered and a complete answer will be found in the speeches made yesterday by the distinguished chairman of the subcommittee (Mr. FLOOD) and by the equally distinguished ranking minority member (Mr. MICHEL).

Remember these figures: $10 billion for education—throughout Government—and $3,787,000,000 spending authority provided in this one bill alone for the Office of Education. This is $363,000,000 more than that Office spent last year.

The CHAIRMAN. The Chair recognizes the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK. Mr. Chairman, I rise in support of the Joelson amendment.

The CHAIRMAN. The Chair might state, under the procedures of the House, he is trying to recognize first members of the subcommittee on appropriations handling the bill and second general members of the Committee on Appropriations. It is his intention to go back and forth to each side of the aisle to recognize Members who have been standing and seeking recognition the longest. The gentlewoman from Hawaii sought recognition all yesterday afternoon, and the Chair was unable to recognize her because of the procedures of the House, having to recognize Members on both sides of the aisle who are members of the committee. I wish the Members to know that the Chair will recognize them under the normal procedures.

Mrs. MINK. Mr. Chairman, this House heard various individuals rise and denounce the impact aid program as a "bonanza." As one of the "hosses" who receives about 10 percent of my State education budget from this source, may I say in all sincerity that every dime of these funds is used for the education of children and this I do not regard as a bonanza.

I repeat what I said earlier, 45 million children in America come from these 4,263 school districts that receive impact aid funds. The substitute amendment offered by the gentleman from Illinois (Mr. MICHEL) is far from generous.

If you vote for his amendment, you will, in effect, be voting to reduce your school districts impact funds by 13 percent. The Michel amendment will give your school districts only 77 percent of their entitlement. In fiscal 1969 your school districts received 90 percent entitlement. This is a 13-percent cut.

The fiscal 1970 Public Law 874 requirements are $650 million, of which $154,700,000 are for category "A" children and $456,394,000 are for category "B" children; $32,300,000 are for so-called section 6 "on base" children educated directly by the Federal Government because local school districts have refused impact funds as totally inadequate for a proper educational program.

If Public Law 874 is such a "bonanza" my question is how come 52,400 children attend these federally operated schools?

This Federal section 6 school system is 100-percent federally supported. One hundred percent of cost. If these same children were in a local school district the Federal share would be only 50 percent of average per pupil costs as determined from the budget of 2 years previous. Who is getting the bonanza?

Getting only 50 percent of average costs as existed 2 whole school years previously is absolutely no bargain at all. Hawaii's average per pupil school costs this coming school year are $770. Two school years ago they were $632. Yet under Public Law 874 we receive only ½ of $632 instead of ½ of $770 for this coming school year. This means that we are actually allocated only 41 percent of our current costs per "A" child, even with full funding.

The Michel amendment would cut this payment to only 31 percent of our current costs. I am not at all impressed by this kind of generosity.

It must be voted down or the quality of education of 45 million children in 4,000 school districts will be poorer by $150 million. Impact budgets which were set at 90 percent of entitlement in fiscal 1969 will be reduced under the Michel amendment to 77 percent of entitlement for fiscal 1970.

It is true that only 3 million children are counted in allocating these funds under impact aid; however, since these funds are paid into the general school budget, once allocated, its denial will deprive the entire 45 million schoolchildren who are part of these 4,263 school systems.

Since the very beginning of this program in 1951, Public Law 874 has received full congressional support for 100-percent funding, except for the last fiscal year where the funding was 90 percent of entitlement.

Now this Michel amendment would cut this to 77 percent of entitlement.

In my own State of Hawaii during our school year 1968–69 there were 17,131 students whose parents lived on and worked on Federal property. My latest figures from the Hawaii State government show that there are 57,791 military dependents in my State. These 17,000 children who live on base are covered under category "A" of Public Law 874. While it is true that the Appropriations Committee has provided full funding for these children under Public Law 874, what is not widely know is the fact that this so-called full funding pays for less than 50 percent of the cost of educating these children as I have just explained.

We have justified, over the years, our continuance in this program only because the funds we received from the category "B" children were such that the State cost of educating the "A" children was subsidized by the "B" category funding.

With 100-percent funding for the "A" and "B" children under Public Law 874 Hawaii would receive $11 million, but our total current school costs beginning September 1969 will be $13 million just for the "A" children alone.

With funding cut to $7.8 million the State will have to come up with the $5.2 million deficit just for our 17,000 on-base schoolchildren.

This is my case for funding of the Public Law 874 program as provided in the Joelson amendment. I urge this House to look upon this program as essential to the maintenance of the quality of education for 45 million children in America. We are not discussing only the impact children.

I urge you to vote down the Michel substitute and vote "aye" for the Joelson amendment.

Mr. WRIGHT. Mr. Chairman, will the gentlewoman yield?

Mrs. MINK. I yield to the gentleman from Texas.

Mr. WRIGHT. Mr. Chairman, I rise in support of the Joelson amendment which will go a long way toward overcoming the dangerous neglect of extremely vital educational programs which are threatened by the committee bill.

These programs include the impact aid program, vocational education, the school library program, instructional equipment, construction of badly needed facilities under the Higher Education Act, college student loans, and several others.

It is not merely that I regard education in all its important ramifications as one of the very best public investments we can make. It is also that the committee bill sounds retreat from many of the great educational goals this Nation has so wisely established in the last few years.

The committee bill, to our sadness and our shame, cuts far below our expenditures of last year for program after vital program in the educational field. It completely eliminates some of them.

Surely this is not the time for a drastic reduction in our educational budget. A nation which can land men on the moon and return them to earth, and all of this the product of education, would be penny wise and pound foolish at this vital juncture in history to cut back on its educational goals and reduce its educational effort. Yet that is precisely what the committee bill proposes, and that is what the Joelson amendment would correct.

LOCAL EFFECT

Let me give you one illustration of what the committee bill, if it is not amended upward, could do to the local educational budget in only one locality of the country.

According to my best calculations, the school systems in Tarrant County, Tex., will receive approximately $5 million less for the coming school year if the Joelson amendment is not adopted. Total category B funds under the impact aid program, which the committee bill would eliminate in their entirety, came to some $3,149,803 for these Tarrant County schools in fiscal 1968.

If these funds are reduced as the committee bill proposes, many communities throughout the Nation will suffer this same fate. They will be confronted with one of two alternatives. Either their local educational programs will suffer severely or the already burdensome local taxes on homes and private property will have to be raised very appreciably.

It is my personal observation that the Tarrant County schools are very wisely expending the moneys they receive. These moneys are not wasted. They are well invested in the future of our country. They are necessary if we are truly serious about excellence in education. I am sure that the same situation applies throughout the Nation.

EDUCATION AND OUR SENSE OF VALUES

Against this background, let us briefly appraise our national attitudes and ask ourselves just how well we are measuring up as a nation to this crucial central challenge of our age.

Just where have we placed education in our national standard of values? Just how important have we as a people considered it to be?

Is it as important to the average American as his automobile? Last year, all Americans together spent almost twice as much on the purchase and operation of our automobiles as we did on our public elementary and secondary schools.

Is it as important as recreation? All told, we spent $5 billion more on recreation than we did on education. Does it mean as much to us as cigarettes and highballs? Last year, the American people spent more money on tobacco and alcoholic beverages than we did on the education of our children.

Have we allowed our sense of values to get slightly out of focus when a big league ballplayer can make $100,000 in a season and a teacher in our public schools will make perhaps $8,000?

Is not there something strangely amiss when a television comedian gets more for a single 30-minute performance than our best high school teacher with a doctor's degree can make all year? Should the reward be that much greater for making people laugh than it is for making people think?

EDUCATION AND DEMOCRACY

Education and democracy are inseparably interconnected. They advance hand in hand. When either suffers, the other suffers.

In the absence of public understanding of vital issues, and a public ability to cope with them, democracy could not endure. If this has always been true, it is doubly true today and will be trebly true tomorrow.

Walter Lippmann, in his book, "The Public Philosophy," raises the question as to whether our system, depending as it does upon public support for the shaping of major national policy, will prove adequate to the stresses and strains of rapid change in the space age. As legislators we surely can understand Lippmann's misgivings. While I do not share his gloomy forebodings, I recognize his legitimate concern.

Neither a sensationalist nor a muckraker, that writer views the successful political figures of our time as basically "insecure and intimidated men" whose decisive consideration is "not whether the proposition is good but whether it is popular—not whether it will work well and prove itself, but whether the active-talking constituents like it immediately."

Although I regard this characterization as much too severe, there is in it an element of truth. In a democracy, public policy ultimately must win the approval of public opinion. Events, Lippmann says, move much faster than the public's ability to keep astride.

Thus, in the final analysis, the big public decisions of the future cannot be much better, much wiser, or much more profound than the public at large is prepared to understand and embrace. And here is where education—in its broadest sense—becomes so vital.

Democracy in our time faces an entirely new set of challenges. They are so new and so different from any to which our Nation historically has been accustomed that our entire past experience is of only limited value. Democracy's survival depends upon the public capacity to stay abreast of these challenges. And this depends upon education.

WE NEED BOTH QUALITY AND QUANTITY

The crisis in which we have so suddenly found ourselves has spawned a lot of truth and a lot of utter nonsense as well. Much has been said and written about the need to provide a challenge and an opportunity for the gifted child. Nothing could be more vitally important. The world has need of the gifted. To help gratify the inquisitive hunger of his mind at a pace with which he can cope, and to help him find through intellectual accomplishment the acceptance and prestige of his contemporaries by glorifying excellence, are goals toward which we must rapidly move.

But some in their zeal to help the gifted have carried their thought one dangerous step further. Some months ago a teacher wrote an article for a national magazine under some such title as "Must Everyone Go To College?" His basic thought was that society cannot afford the expense of making higher education available for those with less than average mental endowment.

Were we to accept that philosophy, it would be only an additional step to asking "Must everyone receive a public education?", and from this only one more step backward toward barbarism until we might ask "Must every child be given an opportunity to go to school?"

It is alarming to me to observe that in California, a State long recognized for enlightenment and leadership in the education field, cutbacks now proposed in the financing of higher education could result in the State university system's denying admittance even to some students who graduate in the top 25 percent of their high school graduating classes.

In a democracy education must never be reserved for the limited elite. We may be impatient at times with the slower youngster or with the immature as we strive for excellence in the system, but we can never totally surrender quantity for quality. By such a yardstick, Einstein, Edison, and Albert Schweitzer might have been consigned in their adolescence to the ashheap of human lost causes, for the record reveals that each of these was considered slow as a youth.

In a democracy everyone theoretically can vote—can participate on a fully equal basis with the better endowed intellectually in the formulation of national policy. While we strive to educate the few gifted youngsters to the fullest extent of their capabilities, it would be the greatest folly for a democracy to sacrifice even slightly the attention due the average or even the below average boys and girls.

WE HAVE MADE PROGRESS, BUT NOT ENOUGH

Only the most prejudiced observer would deny there has been much progress in recent years. Taken as a whole, the educational qualifications of teachers have risen steadily; the curriculum is broader; educational materials have improved; physical facilities and equip-

ment are decidedly better; and most students are learning more.

The unparalleled investment in education in the past 50 to 60 years has proved highly profitable for the United States, whether it is reckoned in benefits to individuals or in benefits to national economic growth, cultural enrichment, and military security. Yet these marks of past progress are distinctly modest—yes, even far short—of what must now be accomplished in a much shorter time.

I am speaking here of the impact of the tremendous numbers of new youngsters, born since 1950, and now descending upon our high schools and colleges. A convenient yardstick is available in the fact that fully twice as many American children were born in 1956 as in 1936. High school enrollments expected in September 1969, may reach 15 million compared to 3.8 million in 1959.

THE COST

This, then, is the challenge. We dare not ignore it, and we cannot put it off. It is no exaggeration to say that our survival as a nation and as a way of life can depend upon how adequately we measure up to it.

While it is not by any means solely a problem of money, it cannot be solved without the application of a very great deal of money measured by our previous standards, in a limited time. I am emphatically convinced that money for education is not an expense in the classic sense. It is an investment, a very good investment in the future and one which cannot fail to pay rich dividends. But let us face it frankly: it will cost money.

Look at it as a percentage of the gross national product, and the figures assume slightly less frightening proportions. In 1958, total educational expenditures were roughly 4.5 percent of the gross national product. In spite of the massive infusions of help in the past 8 years, they fell to 3.78 percent last year.

If these figures tell us anything at all, they surely should demonstrate that dollars spent on education do indeed return measurable dividends to the economy. One almost could conclude from the record that the more we spend intelligently on education, the more there is for the Nation to spend on other things.

It is like "casting our bread upon the water." It returns to us multiplied in value. The greater the pace at which our educational expenditures have risen, still greater the pace at which our gross national product rises. The connection is not theoretical, but clear and direct. The one proceeds as a direct result of the other.

It has been demonstrated that the educational benefits of the so-called GI bill of rights have actually paid for themselves and returned a profit—not only to the whole economy, but to the Government itself. The increased earning power generated and set in motion by that program has yielded sufficiently higher incomes that the additional taxes paid to the Government on those higher incomes have more than three times retired the total cost of the effort.

From the record of all employed Americans, the fact emerges that a bachelor's degree from college—on an average—will yield $100,000 more in earnings than its holder could have expected to receive over a lifetime if he had merely graduated from high school. A doctor's degree will add approximately $300,000 to the individual earning expectancy. All of which merely goes to say that the educational dollar is just about the best investment any level of our society can make. It more than pays for itself—to the individual, to the economy, to the Government, and to the Nation.

Moreover, it is absolutely vital to the future of the race.

Mr. JOHNSON of California. Mr. Chairman, will the gentlewoman yield?

Mrs. MINK. I am glad to yield to the gentleman from California.

Mr. JOHNSON of California. Mr. Chairman, I rise today in support of the amendment which I believe will result in the full funding of our educational effort which is so important today.

A few days ago, we watched with an estimated 600 million others throughout the world as man took his first step on the moon. This demonstrated what man can do given the knowledge and the tools with which to work. We have accomplished tremendous things and are making tremendous advances in all lines of endeavor—scientifically, sociologically, technologically, economically and politically—yet there is so much to be done.

We face today, many domestic problems and in the final analysis, the real solution to them is a solid education for all our people—an education which will provide every citizen an equal opportunity to contribute with the full measure of his capacity, to the solution of these problems and the continued growth of our Nation.

Mr. Chairman, as many of you know, I started my career in public service about 30 years ago as a member of the local school board in my hometown of Roseville, Calif. Subsequently, I served in the California State Legislature for approximately 10 years before coming to Congress as a Representative of the Second Congressional District of California. Accordingly, I have had what I believe is a rare opportunity to witness the problems of education at three levels of government—local, State, and Federal.

I am well aware of the contributions which the local taxpayers and local school boards are making in a tremendous effort to educate our young people. The tax burden, however, on the local property owner has reached the saturation point. In my own State of California, the people are contributing substantially toward the education of our young people, but the job is tremendous.

In the school year 1966–67, the average daily attendance exceeded 4,700,000 students and I am quite confident that today it is well in excess of 5 million, in the public elementary and secondary schools alone. The cost of giving these young people basic education in the State of California was $3.8 billion in the 1966–67 school year and I am again quite confident that since that figure was 7.7 percent greater than the cost of school operations in the preceding year, that today's cost is well over $4 billion a year.

Education, or the lack of it, knows no school district, county or State boundaries. It is of national importance. The contributions of an individual with a superior education can affect every citizen of this Nation. If on the other side this individual had been unable to make this contribution due to an inadequate education, every citizen would suffer.

In order to accomplish this goal, we must do our utmost at all levels. This includes, of course, elementary and secondary schools and the colleges and universities. Congress recognized this in creating a variety of programs over the years including the Elementary and Secondary Education Act with its eight titles, all of which are extremely important. Namely, aid to the disadvantaged; school library resources; supplementary centers and services; assistance to State departments of education; educating the handicapped; bilingual education; and dropout prevention. Other equally important programs implemented are the National Defense Education Act, Higher Education Act, federally impacted areas, Education Professions Development Act, Adult Education Act, Vocational Education, Manpower Development and Training Activities, the Office of Economic Opportunity program for Job Corps, Headstart and Follow Through, and the Cooperative Research Act.

An authorized program, as we all know, is of little value without the funds to meet the challenge which we recognized must be met in voting the basic legislation. Therefore, Mr. Chairman, I stand solidly in support of the amendment to provide school funding of these programs. The need for education has never been greater.

Mr. ST GERMAIN. Mr. Chairman, will the gentlewoman yield?

Mrs. MINK. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. Mr. Chairman, I rise in support of the Joelson amendment. All of the education programs in this amendment are vital to the growth and future of our educational system.

The crux of our problem, of course, is money—additional funds, larger appropriations, all the words that we are afraid to say aloud these days because of the "pressing need to cut our Federal budget."

Mr. Chairman, I am just as concerned about prudent Federal spending as anyone in this body, but there are two things to consider: The first is the restatement of the fact that the effective education of our youth is of the utmost importance to our Nation and is not the proper place to begin to cut corners. The second point is one which has a tragicomic tone, the fact that our estimated budget of fiscal year 1969 was incorrect to the tune of $2.174 billion. The surplus the Government estimated would be $900 million turned out to be $3.074 billion, the largest since 1957. What did we do, Mr. Chairman? How many corners did we so unnecessarily cut, how many valuable programs did we arbitrarily kill when we did not have to? For the coming year let us learn from past experience.

The administration's recommendation to cut back the aid to federally impacted areas to $187 million is both unwarranted and most unjust to the local commu-

nities which will be affected. How are they supposed to raise the $400 million which will be needed to run their schools? And why should local communities have to tax their citizens to provide for children who are not their responsibility? People are already overtaxed. In most communities further local taxation to make up for these reductions is simply impossible. Do we need to have some of our schools close down to prove the shortsightedness of these reductions? With regard to construction funds for impacted school districts, far more money must be appropriated than the pitiful $15 million suggested. With over a $6 billion surplus predicted for fiscal year 1970, what justification is there for this harsh underfunding?

Adequate appropriations for our library programs are another important concern of mine and the people of my State. I cannot understand the thinking behind these sharp reductions. In an era of an information explosion, library services are increasingly necessary. Anything we do to encourage increased knowledge among our citizens will be returned to our country a thousand times. Recently I saw a statement which noted that the Government is currently spending 25 cents a person on library programs and over $21,000 a person on ammunition to supply the war in Vietnam. If that is so, what has happened to our sense of priorities?

The amendment's restoration of $33 million for the construction of academic facilities under the Higher Education Act is most important to accommodate the additional young people in our colleges due to population growth and need for more education. If we are going to expect sensible behavior from the college generation, then let us set an example here by a sensible order of priorities in spending tax dollars.

I cannot speak too strongly of the importance of increasing funds for direct student loans under the National Defense Education Act. The amendment, which adds about $41 million to the committee's recommendation, is still below the need and below the 1970 authorization, but moves in the right direction. Many students have written to me explaining the problems facing them if they do not get a Federal loan. With the present rise in interest rates, the availability of guaranteed loans has been seriously limited. It is an absolute necessity that we appropriate increased funds or many students will not be able to continue their higher education.

One last point. The $181 million which the amendment adds to H.R. 13111 for title I of the Elementary and Secondary Education Act is most important if the programs under title I are to be really effective for the 9 million children involved.

In conclusion, the need for passing the Joelson package amendment, thereby adding $894.5 million to the appropriations bill, should be obvious. If we are going to be cautious about dipping into the predicted budget surplus, let it be when we consider military expenditures, but we simply cannot afford to hedge on our commitment to education—not if we intend to exercise some responsibility for our country's future.

Mr. KAZEN. Mr. Chairman, will the gentlewoman yield?

Mrs. MINK. I yield to the gentleman from Texas.

Mr. KAZEN. Mr. Chairman, I join my colleagues who have preceded me on the floor to evidence my concern over the lack of Public Law 874 funding for category B students. I represent several school districts whose educational programs would be seriously curtailed if this bill does not provide for at least last year's level of funding. In fact, it would be most difficult for some of my schools to open their doors in September if they are not assured of receiving these funds. These schools are located in areas which have a very poor tax base and cannot raise another dime from their already overburdened taxpayers.

In one district all impact students are category 3–B students and it would stand to lose approximately $280,000. To offset this loss, taxes would need to be raised 80 percent. Already, the taxpayers in that district are paying more than comparable districts in the State of Texas and the additional revenue needed would be impossible to raise. Of that district's 3,300 students, 75 percent are Federally connected and the area is considered a bedroom community because the only industry in the area is an Air Force base. The district's student population has doubled in the past 5 years and the growth can only be attributed to the proximity of the base to the school district.

Another one of my districts last year enrolled 2,600 children. In the coming year they will enroll over 3,200 children, an increase of over 30 percent. At least 400 of these new students are impact students, their parents having moved in because of the district's location relative to the large permanent military installations. These 400 new impact students will require that the district expend an average of $1,666 dollars each for classroom space, a total of about $666,448. These new students will require hiring 15 new teachers at a cost of about $97,500 and the expenditure of some $9,000 for other operational costs for a total requirement of $772,948, to house and educate just the additional impact students moving into the district in the 1969–70 school year. Under this year's current funding guidelines these 400 new impact students will entitle that district to an additional $55,644 for a total Public Law 874 entitlement for the 1969–70 school year of $209,916.

Because of the growth and increasing costs, the local school tax rate was increased 25 percent last year and is being increased another 20 percent this year. If Public Law 874 funds are not forthcoming, this district could not function next year. An additional increase of 60 percent to compensate for Public Law 874 entitlements would be impossible.

Mr. Chairman, the local people and the State government are assuming as much of this financial burden as they can. It is imperative that Public Law 874 funds be provided.

In another one of my districts which is adjacent to two other military installations, 600 new students to the district will be enrolled. This is due almost exclusively to the district's proximity to those bases. That district finds itself with a budget at the present time based on past years experience with Public Law 874 funds and they find after their budget is made, their money is obligated, their teachers employed, their desks bought, and the children ready to come into the schools, that the Congress is going to deprive them of Federal money for these federally connected children. If it were a wealthy district, this would be no problem. However, this district is not even average in wealth. It is below average. They have recently voted $2 million of bonds and raised their taxes 30 percent to build buildings for the children in this district. They have raised their maintenance tax for operation.

This district would be entitled to approximately $420,000 if the program is funded at last year's level. If these funds are taken away from the district, the children, which are composed of many underprivileged, will suffer educationally in a great way.

I could go down the list and talk about many more of the school districts in my congressional district and bring to your attention their dire need for these funds. Suffice it to say that the reasons for having provided Public Law 874 funds in the very beginning are as valid today in those districts as they were at that time and we in the Congress would be doing the schoolchildren a great injustice if we do not provide these funds at this time.

Mr. FISHER. Mr. Chairman, will the gentlewoman yield?

Mrs. MINK. I yield to the gentleman from Texas.

Mr. FISHER. Mr. Chairman, I shall support the pending amendment to more adequately provide funds for schools which face extraordinary hardships because of the impact from unusual Federal activities.

In my judgment, of all the millions—even billions—appropriated as Federal aid to education, none is more justified than that which is provided for these impacted districts. I am speaking of the real, bona fide situations, where the Federal impact is overwhelming. The dollars spent to compensate for this unusual problem go very directly to the benefit of students.

Let me cite an example or two, to illustrate what I mean by the schools that are faced with unavoidable hardship without this source of help.

One school in San Antonio has an enrollment of 2,500, of which over 50 percent are "impact" students. The school tax rate was increased by 25 percent last year, and by 20 percent this year.

In that area, adjacent to large military bases, a tremendous residential building program is now in progress, mostly for single families. Due to current tax structures, a residence is occupied and the local school must house and educate

children for as long as 2 years before actual tax income is realized from the new projects, of which there will, in the next 12 months, be 1,000.

Moreover, the vast majority of mobile homes in the area are owned by service personnel and are tax exempt under the Serviceman's Relief Act.

A local school bond issue, recently approved, amounts to $7 million. One-half of all local taxes collected must go toward this debt retirement.

This district qualifies for some $200,000 in funds under Public Law 874. If impact funds are not provided, the local tax rate would be forced upward by 50 cents, or possibly $1, per $100 valuation.

The rate is already exceedingly high, and a further increase would be next to unbearable.

I could cite other examples. One comes to my mind—the Scherz-Cibolo-Universal City Independent School District, located in the suburbs of San Antonio, adjacent to Randolph Air Force Base, where 75 percent of the district's students are federally connected.

The district tax rate is $1.05, of which 55 cents is designated for maintenance and operation and 50 cents is designated for debt-retirement purposes. In 1964 the district had all of the real property revaluated and placed the property on tax rolls at 90 percent of actual market value. A home valued at $11,000 pays $105 in school taxes.

Without impact funds, in order for the district to maintain the same services, same salaries, the tax rate would have to be increased 80 percent on the district's $35 million valuation. This would be far more than the district's taxpayers could bear.

I have cited two schools which are victims of a financial dilemma directly due to Federal activities. Others could be cited in the same locality. These schools are desperate. They have no control over who or how many people move into the area. They must provide education for every child that knocks on the school door. Their unusual burdens are of Federal origin, and it is the moral duty of the Federal Government to compensate for this federally imposed hardship.

I urge my colleagues to support the pending amendment.

Mr. PATTEN. Mr. Chairman, will the gentlewoman yield?

Mrs. MINK. I yield to the gentleman from New Jersey.

Mr. PATTEN. Mr. Chairman, I rise in support of the Joelson amendment.

Specifically, the focus of my remarks will be directed to title II of the Elementary and Secondary Education Act. This legislation is aimed at remedying some of the deficiencies in the area of school library resources, textbooks and other printed and/or published instructional materials existing in our Nation's schools. In fiscal year 1969 there was appropriated in support of this legislation $50 million out of an authorization of $162.5 million.

For fiscal year 1970, against an authorization of $200 million, the committee has recommended that no specific amount be appropriated in support of title II, but rather that funds for this purpose be included in a general fund that would cover not only title II of ESEA, but title III of ESEA, and titles III-A and V-A of NDEA as well. In fiscal year 1969 there was appropriated in support of all these titles a total of $311.61 million.

The committee recommends that we appropriate in fiscal year 1970 the sum of $200.16 million to support all these titles. Since this is $110.5 million under fiscal year 1969 levels it is clear that title II of ESEA will suffer a severe blow if the committee recommendation is accepted by this body.

All evidence clearly established a continuing need to fund title II ESEA at substantial levels. As of March 1968 there were 36,000 public schools in our Nation that lacked library facilities. Increasing enrollments are placing more and more demands on those school library facilities which already exist.

Texts and other instructional materials, already in short supply in many school districts are bound to become obsolete through extended use if funds are not available for replacement. While the Joelson amendment will not provide funds sufficient to overcome these deficiencies, it does insure—to some extent—that programs under title II will not be allowed to backslide to a point where gains made in the last 5 years will be canceled out. I therefore urge you to vote yes for the Joelson amendment and for the future of American youth.

Mr. COHELAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. EVANS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from Colorado.

Mr. EVANS of Colorado. Mr. Chairman, during the last fiscal year, 163 of the 174 eligible districts in Colorado organized and conducted title I programs. Of the 163 programs, 28 involved a combination of two or more districts who pooled their resources and operated the programs cooperatively.

Of the $8.5 million expended during the year, nearly 75 percent was expended for instruction, and the remaining 25 percent for medical, dental, and food services, for maintenance, administration, equipment, and minor construction. About 95 percent was expended during the regular term and 5 percent for summer programs.

More than 46,000 pupils were enrolled in title I programs.

Programs were operated that involved children of all age groups from preschool through high school. There were 29,000 elementary schoolchildren—kindergarten to sixth grade—enrolled and more than 17,000 high school pupils were offered programs.

The categories of expenditures were: Compensatory education, 85 percent; handicapped children, migrant children, Indian children, 15 percent.

Approximately three-fifths of the salary cost—totaling approximately $5 million—was for teachers' salaries. Other salaries paid were for teacher aides, librarians, counselors, psychologists, social workers, nurses, doctors, dentists, clerical workers, and administrators.

A total of 1,633 persons were employed to operate the program.

Programs embraced activities in art, business education, cultural enrichment, English reading, English as a second language, English speech, foreign languages, health, physical education, home economics, industrial arts, mathematics, music, natural science, social science, vocational education, and many others.

Inasmuch as all of these programs were provided in addition to the normal offering that would have been provided for these children had title I funds not been used, some comparisons are possible, using control groups, or by comparing with the total group in a school or school system.

DROPOUT RATE

The dropout rate in title I high schools has been reduced 1 percent over 3 years, while the dropout rate in non-title-I high schools has increased 2.2 percent, while the dropout rate in all high schools in Colorado has increased 0.6 percent.

HOLDING POWER

Twelfth grade title I high schools increased one-tenth of 1 percent.

Twelfth grade non-title-I high schools decreased one-half of 1 percent.

Eleventh grade title I high schools increased 1.1 percent.

Eleventh grade non-title-I high schools decreased one-half of 1 percent.

Tenth grade title I high schools increased 1.5 percent. Tenth grade non-title-I high schools increased three-tenths of 1 percent.

Test scores show improvement in reading with more than 10 percent of the title I pupils who were in the lowest quartile at pretest moving out of that quartile as posttest.

Test scores in arithmetic show improvement slightly better even than in reading, while test scores in language arts are slightly below the results in reading.

Greater gains were realized when specialists taught small groups for extended periods in special classrooms.

Disadvantaged children did not get that way only yesterday and a short duration program will not change them for tomorrow.

For these reasons I urge this House to accept the Johnson amendment for in so doing we will be adding $180,800,000 to this important bill.

Mr. BRASCO. Mr. Chairman, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from New York.

Mr. BRASCO. Mr. Chairman. I rise in support of the Joelson amendment. While I realize that it is unrealistic at present to expect Congress to close the $5 billion gap between authorization and appropriations in view of the economy wave sweeping the country, I am firmly convinced the American people do not want vast cuts in education programs. The people want inflation curbed and taxes reduced, but not at the expense of their children. The Joelson amendment will increase H.R. 13111 by $894.5 million, and all of the increases provided in these programs are absolutely essential. I feel that this Congress has a responsibility to take a substantial part in the solution

of the present financial crises in education.

Although education is a local responsibility, the problems facing the local school systems and the results of a failure to solve these problems are national in scope. Our modern economy is a national and not a local economy. It thrives on the mobility of our population. The citizen New York educates today may well contribute to the resources of Chicago tomorrow. Conversely, the citizen my community fails to educate today may well be a drain on the resources of your community tomorrow. Our national economy must be preserved through a national effort to assure adequate educational opportunities everywhere in the country. Otherwise cities will weary of the effort of overcoming the educational handicaps of its youth, knowing that the resulting well-trained citizens may be drained off to other areas—only to be replaced by persons poorly educated elsewhere.

Education has always been regarded as a necessary ingredient of national stability. To the extent America fails to educate its youth, we will fail to equip people with the tools that are necessary for economic, social and personal satisfaction in the world of today's modern technology. The uneducated child of today becomes the frustrated hostile adult of tomorrow.

So I urge you to consider not just the children of your constituents—but the children of all American families—and enthusiastically support this amendment.

Mr. OLSEN. Mr. Chairman, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from Montana.

Mr. OLSEN. Mr. Chairman, I rise in support of the amendment which has been offered by the gentleman from New Jersey (Mr. JOELSON).

It seems somewhat incongruous to me that while all mankind is acclaiming this Nation's achievement in space, the administration is seeking drastically to curtail our educational effort. During the Eisenhower administration, the launching of sputnik in 1958 resulted in the enactment of the National Defense Education Act. This was as a direct concern that our educational system was inadequately equipped especially in science and technology, for the challenge of the space age.

Now that we have landed on the moon, are we to abandon our commitment to our schools and colleges? I say no, for the challenge of the future is now far greater than it was in 1958.

The Appropriations Committee has provided an extremely modest increase in education funds beyond that requested by the Nixon administration. It is far too meager an amount to be effective. While we keep our eyes on the moon, let us not fail to reach for the stars.

In 1965 we promised the economically disadvantaged children of this Nation, under title I of the Elementary and Secondary Education Act, that the Congress of the United States would assist the State and local school boards to provide them better educational opportunity. In my State, a large percentage of these children are American Indians. They are economically and culturally deprived because of the decades of neglect of their educational opportunity under the control of the Bureau of Indian Affairs. The vast majority of Indian children in Montana now are in public schools, administered by local boards of education upon which our adult Indian citizens serve with distinction. Unless we provide the public schools with the additional financial resources the Joelson amendment provides, we will again be breaking faith with our Indian citizens. We let them serve on school boards—but deny them the money they need to do the job for their children. Let us not do it to them again.

Increased funding is an investment in the future of America which will repay human and economic dividends of ever-increasing magnitude. Education is a necessity, not merely a nicety. The strength of our Nation, whether measured by the gross national product or by the general enlightenment of the people, rests upon adherence to this proposition.

I urge you to support the Joelson amendment.

INDIAN PROGRAM

The 1968 title I program served 47,562 Indian children in programs conducted by local school districts to meet the most pressing needs of educationally deprived children. Summer programs served 5,922 Indian children.

Indian children participated in a wide range of programs including art, cultural enrichment, reading, English as a second language, health, physical education and recreation, mathematics, music, and vocational programs. Supplementary services, such as clothing, food, guidance and counseling, health, psychological, speech therapy were also provided.

The program participants ranged from prekindergarten through grade 12, the greater proportion being sixth grade and below.

Approximately $6.5 million was spent on behalf of Indian children in public school programs. Many programs were developed especially to meet the individual needs of these children, primarily the teaching of English as a second language, improving attitude toward school through parent participation, and home visitations and specialized programs to improve reading competency.

An average of $133 per child was spent to provide these specialized services.

In addition, over 50,000 Indian children in Bureau of Indian Affairs schools in 16 States participated in the program, of which 1,650 were physically or mentally handicapped. An amount of $9 million was spent for specialized services over and above the regular school program in 1968.

Indian children are among the most educationally deprived of all school-age children. In a population where the dropout rate is 30 percent greater than the national average, the need for special services on behalf of Indian children is of high priority.

Mr. COHELAN. Mr. Chairman, I rise in opposition to the Michel amendment.

Mr. Chairman, we will choose today between the appropriation of scant funds for impact aid and a major package of across-the-board restorations to at least keep Federal aid to education on a par with last year.

Item for item, the Joelson package is superior to the Michel substitute.

In the crucial matter of impact aid, the Joelson amendment provides local schools with 90 percent of the authorized entitlement. The Michel substitute provides only 69 percent of entitlement for 874(b) funding. In short, under the Michel substitute local schools will receive 21 percent less impact aid than they will under the Joelson package.

In addition, the Joelson package provides funding at last year's levels for school libraries, for the purchase of equipment, for the operation of supplementary education centers, for guidance and counseling.

The Joelson package provides desperately needed funds for student loans and higher education construction.

The Joelson package provides well over $100 million for vocational education.

The Joelson package, too, provides $180 million for programs to assist schools in poverty areas.

How can we possibly turn our backs on the need to educate our children?

Today the Soviet Union outspends the United States on public education. When all the funds for education spent in the United States at the local, State, and National levels are added together they still do not total the sums the Soviet Union spends on education.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from Michigan.

Mr. WILLIAM D. FORD. Mr. Chairman, I thank the gentleman for yielding.

In connection with the statement just made by the gentleman from California, I would like to point out that a recent check of the figures indicates that in spite of the seemingly large sums of money that people have been talking about spending at the Federal level; even if the Joelson amendment were adopted the contribution of the Federal Government to education in this country when measured against contributions in State and local taxes paid by the citizens of this country, will represent less than 8 percent of the cost of education in this country. This represents the smallest national commitment to education of any major nation in the world, Communist or non-Communist.

Mr. COHELAN. Mr. Chairman, I thank the gentleman for his contribution, and I emphasize the point.

Mr. Chairman, we are mightily concerned about losing the arms race but we are apparently contented to lose the education race.

We won the moon race, but will we win the education race?

We will not prevail as an independent, free and just society if we are ignorant and uneducated. Education costs money. It is our obligation to provide the necessary funds for education.

I most vigorously urge the adoption of the Joelson package amendment.

Mr. QUIE. Mr. Chairman, I rise in support of the Robison amendment because, when we make our decision between the Michel substitute to the Joelson amendment we will be making our decision between impact aid at last year's figure, or impact aid at $80 million over last year's figure.

The only way we can be certain that those four programs—library resources, equipment of NDEA, supplemental centers of ESEA, and the guidance and counseling program of NDEA—are funded at last year's level would be to support the Robison amendment.

Without the Robison amendment, if the Michel amendment is adopted, we would not be able to increase those figures. I believe it is necessary for us to raise them and the Robison amendment brings the total up to last year's figure.

Let us see what happened last year.

Last year the appropriation for title II of ESEA was just about one-half of the year before.

In 1968, the appropriation for title II ESEA, library resources, was $99,234,000.

ESEA, title III, for 1968 it was $187,000,000. Last year it was cut to $164,000,000.

The NDEA appropriation, title V(a) for 1968 was $24,500,000. In 1969, last year, it was cut to $17,000,000.

The appropriation for NDEA, title III, in 1968 was $78.7 million—last year they left that at the same figure.

So you see last year appropriations were substantially cut by about $80,000,000 for those four titles. If there was any fat in them in 1968, that was cut out in 1969.

I believe that if we are going to keep faith with the educational agencies in this country, we ought to have maintained the appropriation at that level. We can give some flexibility to them with the Robison amendment in order that, even if in 1970 there were some adjustments to be made between these four titles that could be made and that is a wise move.

Any of you who are interested in an increase for vocational education, as I am—and any of you who are interested in increasing the student loan program, the national defense education act student loan program, as I am, will have an opportunity to do it later when those paragraphs come up.

If the Michel substitute with the Robison amendment is adopted and, therefore, preventing the Joelson amendment from being adopted, you can take up those other items at a later time.

If you have any desire to put money where the needs are the greatest, surely that $80,000,000 increase for impact aid is not the place to make it.

There are much greater needs. Priority is surely higher for vocational education, education for the handicapped, which is not a part of the Joelson amendment—and needs in higher education. In fact, even the increased needs for title I of ESEA are much greater than impact aid because at least it is distributed to some of the neediest education agencies of the country or practically all of them.

But I ask you not to put yourself in the position so that you will have to vote for the Joelson amendment because the $80 million increase there is completely unwise.

What is the difference last year in impact aid from 1968? Was there a cut in impact aid in 1969 compared to the year before as there was for ESEA II, ESEA III, and NDEA V–A? No. In 1969 there was a $106 million increase in impact aid. Now you are asked to increase it another $80 million. It is completely unreasonable.

There are other areas of education that have a much higher priority than does impact aid. Surely ESEA II has a priority up at the top. We can fund that in the Robison amendment. After that we can make a decision about what level we want to appropriate for each program.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, I compliment my distinguished colleague, the gentleman from Minnesota, for working for increased appropriations. But if I understand the gentleman's philosophy, on the so-called Green amendment that was passed on the floor, the gentleman in the well is advocating that the States have the flexibility so how can you reconcile the committee bill and the Michel substitute where you place that authority and flexibility in the hands of the Office of Education?

Mr. QUIE. I know what the question of the gentleman is. I would say that if we could consolidate in 1970, I would be all for it. But we need to give some opportunity for the States to get geared up for that, but we could give flexibility to the Commissioner now. I do not think that is unreasonable. I think it is wise, and the Commissioner can, with his own authority, give some discretion to the States to make their decision as to how they want the money to be spent for each program by sending in a package plan.

(Mr. RUPPE asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. RUPPE. Mr. Chairman, I rise today to support the amendment to increase funding for Public Law 874. The present bill before the House seeks some $187 million for aid to federally impacted areas. This amount would eliminate payments for children whose parents work on Federal property, but who do not live on Federal property. In many areas of the Nation, my district included, the cutoff of these funds will wreak havoc among school districts already strapped for funds. The reason is simple. Concentrations of Federal land ownership seriously deplete the tax base on which local governments and school districts must sustain themselves. Public Law 874 has proven to be an effective, if artificial remedy for the school financing problem.

Mr. Chairman, I urge my colleagues to restore Public Law 874 funds in H.R. 13111 at least to the fiscal year 1969 level. I feel that no curtailment of the aid to federally impacted areas program should be made until the whole question of taxation and public lands is settled. As you are no doubt aware, the Public Land Law Review Commission has been established to resolve the problem of public land ownership and local tax needs. The Commission is expected to present its findings to Congress in 1971. Until such time as we can effectively act upon the Commission's recommendations and provide an adequate means to help finance local school districts affected by Federal land ownership we simply cannot afford to curtail Public Law 874.

(Mr. McKNEALLY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. McKNEALLY. Mr. Chairman, I rise in support of the amendment to H.R. 13111, presented by the distinguished gentleman from the State of New Jersey. I, like many other of my colleagues on this side of the aisle, was elected to this venerable House on a platform which called for economy in Government spending. However, I cannot stand by when "economy in Government spending" could very well deliver a devastating blow to the cause of maintaining quality education in our beloved country. If there must be cuts in the budget, why must the thrifty pen strike at funds for vocational training, funds for the construction of college and university facilities, funds for student loans, funds for school libraries, and funds for impacted areas? It seems to me that these actions in the name of economy betray a rather bewildering sense of priorities—especially when one considers that educational costs were not left on the launch pad as inflation blasted off.

Of particular interest to me is the aid to impacted areas. My 27th district was entitled to $1,123,215 during fiscal year 1969, of which $681,930 was designated for "B" category students whose parents work, but do not live, on Federal installations. Because of the large portion of funds for this second category, if nothing at all is appropriated for "B" category students for fiscal year 1970, the schools in my district will suffer a setback from which they could not recover. They cannot ask for higher taxes. It goes without saying, the citizens of this Nation are not terribly fond of the idea of raising their taxes—even when they are necessary to defray the expenses of educational needs. They cannot go to the State of New York, for the gentlemen in Albany have also decided to practice economy in areas where the education of children is concerned.

I refer you to title 20, section 236 of the United States Code, which proclaims the purpose of Public Law 874. It reads:

> In recognition of the responsibility of the United States for the impact which certain Federal activities have on the local educational agencies in the areas in which such activities are carried on, the Congress declares it to be the policy of the United States to provide financial assistance (as set forth in this chapter) for those local educational agencies upon which the United States has placed financial burdens by reason of the fact that—
>
> (1) the revenues available to such agencies from local sources have been reduced as the result of the acquisition of real property by the United States; or
>
> (2) such agencies provide education for children residing on Federal property; or

(3) such agencies provide education for children whose parents are employed on Federal property; or

(4) there has been a sudden and substantial increase in school attendance as the result of Federal activities.

In this declaration of policy, could there possibly be a more explicit delineation of the Federal Government's obligation to these impacted areas? Can one deny that the importance of Federal Government meeting this obligation is substantially greater than it was in 1950 when Public Law 874 was enacted?

The example of Highland Falls, N.Y., it seems to me, is paradigmatic in displaying the necessity of the Federal Government acting in accordance with its responsibility to impacted areas. More than 80 percent of the land area of the town belongs to the U.S. Military Academy at West Point. Consequently, Highland Falls presently receives funds for both "A" and "B" category students. If the funds are not appropriated for both categories for fiscal year 1970, then it is estimated that the true tax rate would have to be raised $9.66 per $1,000 in order to overcome the deficit in the school district's budget. Such a raise is manifestly unacceptable to the taxpayers of Highland Falls, for they recently voted down an increase of $3.35 per $1,000, called for by the school budget.

I am sure that someone would be bound to ask the question—"Why should a citizen in another city pay Highland Falls' school taxes?" The point is, Highland Falls has lost approximately 13 percent of the remaining land to the Palisades Interstate Park Commission, which leaves 7 percent available to the town and school district. Therefore, there is no possibility for the town to attract industry to help with the tax burden.

Mr. Chairman, this is but one example of the many school districts throughout our country that are at the mercy of this distinguished body's determination to fulfill its responsibility to federally affected areas. In the same way that I am opposed to cutting funds for Public Law 874, I am opposed to "economy in Government spending" which would severely impair the ability of our educators to do their duty for our children. It is with relish that I stand in support of the amendment presented by the able gentleman from New Jersey. I could not serve in this venerable House with proper pride if the majority of my colleagues did not rally with us.

(Mr. HOGAN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HOGAN. Mr. Chairman, I thank the gentleman from Minnesota for yielding.

Mr. Chairman, I agree with the points made by my distinguished colleague from Hawaii (Mrs. MINK) regarding impacted aid. My only regret is that she seems content to settle for 90 percent of entitlement. I would prefer to hold out for 100 percent because the money is desperately needed. If these funds are eliminated, my district will suffer an educational privation the effects of which will be disastrous.

For fiscal 1969 we received 88 percent of our entitlement but prior to that time, since the program's inception in 1951, we have always received the full entitlement. This assistance is especially needed now as the average cost of education per pupil continues to rise. Even if the full entitlement were given, only 50 percent of the cost is paid for those in the "A" category and 25 percent for those in the "B" category.

I would like to make a special plea in defense of category "B"—the aid given for children of Federal employees who do not live on Government bases. The argument that no impacted aid money should be given for those students whose parents pay real estate taxes to the local jurisdiction begs the question. The Federal facility which employs those parents pays no real estate taxes. On the contrary, these Federal installations occupy land which would usually be occupied by commercial or industrial taxpayers. So that argument is specious. The Joelson amendment calls for 90-percent funding for impacted aid, and although I would prefer to hold out for 100 percent, I recognize the practical aspects of achieving what is acceptable to this body. Therefore, I urge my colleagues to support the Joelson amendment which will demonstrate to the country that we place a high priority on education.

(Mr. GUDE asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. GUDE. Mr. Chairman, I rise in strong support of the Joelson amendments to H.R. 13111, the HEW appropriations for fiscal year 1970. In order that programs and facilities may be maintained and expanded, adequate funding must be provided if our educational institutions are to survive under the economic pressure they continually face. Development and expansion of education programs and facilities are essential to the future of our Nation, and must be a top priority if we are to continue to offer quality education to our youth. We must remember that our young people constitute the most precious resource of our Nation.

The impact aid program, with its no strings attached base, is to me the best Federal education program. In my own congressional district, the application of the Joelson amendments would provide an additional $6 million to Montgomery County schools, thus helping all children. The aid to Howard and Anne Arundel Counties, both of which contain part of my district, is approximately $1 million.

The title I provision is often overlooked but is extremely important in order to continue our efforts in early education for underprivileged children. In Montgomery County, it aids 12 public schools and three private institutions. Adoption of this amendment, would not only benefit participating institutions but would allow for the expansion of the program to more of our needy children who are not presently participating.

Under the title III section, the Joelson amendments would provide the additional funds which are necessary if facilities are to continue to operate providing for the development of special skills. For example, in Montgomery County, there are presently four institutions which focus on children with underdeveloped skills, while, at the other end of the spectrum, there are three Montgomery County schools which offer computer-assisted instruction for highly talented children. If each schoolchild is to be offered the opportunity to develop to his full level of potential, these facilities must have proper funding if they are to continue to operate.

In considering the 1970 HEW appropriations, we must bear in mind the overriding importance which education plays in the future of our Nation and its citizens.

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in support of 100-percent funding of Public Law 874.

Today we are again faced with an appropriation bill which fails to recognize the Federal Government's responsibility to make payment in lieu of taxes to the schools attended by children of military and civilian government personnel.

When Public Law 874 was enacted, the Congress acknowledged that such payment is the Federal Government's responsibility. Yet this appropriation bill is, in effect, rewriting the tax law for over 4,000 school districts in this country by eliminating the payment of an obligation the Congress has acknowledged for 20 years.

The theory of payment for category "B" children, those who live in the school districts and whose parents work on Federal property, is that since real property taxes form the base of educational support in this country, and the Federal Government does business in the districts, its working real estate should bear some of the cost of local government, particularly when the Federal activity creates an undue burden on local resources. Children are one of these burdens; they need education. So the Federal Government became, in a sense, a taxpayer in the school districts to help educate the federally connected children.

It is extremely shortsighted to reduce education aid now provided our school districts under Public Law 874 under the assumption that these school districts will be able to make up for the loss of funds through greater local taxation. In nine cases out of 10 the loss will be made up in September by a reduction in the quality of education. It is the children who will suffer the most. Fewer teachers will be hired; the purchase of books will have to be delayed; classes will have to be combined; sabbatical leave for teachers will have to be canceled; and overall belt-tightening will have to take place.

Here we are on the 30th of July, and all school districts have entered into their contracts with teachers and their programs are set for the fall. Imagine the chaos which will be created if they are suddenly denied these funds. In Fairfax County, the loss will be almost $12 million; in Arlington County it will be $2,300,000; in Alexandria $1.5 million, and in Falls Church $500,000. It will be

virtually impossible for them to make up this loss until next year when the loss will be reflected in an increase in taxes, in an area where property taxes are already among the highest in the Nation. Meanwhile, as I said before, the children will suffer.

The two counties and two cities which I represent spend up to 70 percent of their total budgets on education. The impacted areas program does not come close to defraying the actual additional costs they must shoulder to provide top-quality education to the children of Federal personnel who live and work there.

All of us know that the cost of operating schools has gone up. Local taxes have gone up. Yet this bill virtually eliminates the Federal contribution to these costs in areas like northern Virginia where almost no living accommodations are to be found on Government property, yet thousands of acres are occupied by the Government tax free which would otherwise be assessed real property taxes. This amounts to a declaration by the Congress that the Federal Government will not pay its tax for its land in use in a school district.

Wherever we have a bedroom-type community, such as we have in the Washington suburbs, we do not have the broad tax base to support the demands for capital for construction and other school programs. In order to produce the tax revenues to adequately provide for education, you must have an industrial tax base; a business tax base. Private industry pays that tax but Federal installations do not. Private industry also does not set up PX's as a means for their employees to escape contribution to local sales tax. So, while presence of Federal installations may stimulate the economy in part, it does not do so in the same measure as does private industry.

Finally, there is a matter of good faith involved in the continued funding of this program. The affected school districts rely on the money the program provides to partially defray the burdens placed on them because of large numbers of federally connected children. It is, in fact, a form of aid to military and civilian government personnel and their families. It was designed not to supplant but to augment the educational expenditures of the school districts with large concentrations of Federal employees. The quality of education in these areas must not be allowed to erode by false economy such as is proposed in the elimination of all category "B" children from the program.

Mr. Chairman, I urge the appropriation of all the funds authorized for this program.

Mr. EDMONDSON. Mr. Chairman, I move to strike out the requisite number of words.

The CHAIRMAN. The gentleman from Oklahoma is recognized.

Mr. EDMONDSON. Mr. Chairman, I would like to state, at the outset of my own remarks on this bill, that I think we have had a splendid debate on one of the Nation's major areas of disagreement today, and I want to compliment particularly and commend particularly the very able chairman of the subcommittee, who I think has demonstrated once again that he is one of the great chairmen of this House. I think his statesmanlike recognition of the desire for more debate yesterday was abundant testimony to his ability and his statecraft, and I am certain all Members join in appreciation of that position which was taken by the gentleman from Pennsylvania (Mr. FLOOD) yesterday.

It seems to me, in summing up the situation that prevails at this moment, with all respect to a very able subcommittee and a good basic bill, that was brought to the floor, that there has developed a general agreement in the Committee of the Whole, at least, that there are a number of areas in which we need to increase the amounts allocated to education. At this stage of the game I think we almost have agreement on both sides by most of the participants in the debate that we need to increase the funds for impacted aid, and we need to increase the funds for the Elementary and Secondary Education Act.

As a matter of fact, we have amendments offered on both sides that do these things, although more generously in the Joelson amendment.

The Michel amendment takes one small step for closing the breach that is present in this bill and in the priority needs of education today. The Robison amendment to the Michel substitute takes several additional steps. But if you want to take the nine full steps that cover the full picture and that meet not only the needs in the impacted districts and not only the needs in the poorer districts that are reached by the Elementary and Secondary Education Act, but also meet the needs in the field of higher education and also meet the needs of your students who have been brought into the educational picture today and encourage many of them to go into college in reliance upon authorized programs for loans and assistance, then you must go the full route with the Joelson amendment. I think it has been documented very well here on the floor today and yesterday during the debate that there is only one measure pending before this body that covers all of the nine steps and covers them with some full recognition of the priority needs of education, and that is the amendment offered by the gentleman from New Jersey (Mr. JOELSON) and I hope it will prevail.

Yesterday I put into the RECORD the remarks of some of the education leaders of the State of Oklahoma about the importance of recognizing some of these aspects of the educational needs that are not covered in the Michel-Robison combination.

For example, I put in the RECORD the statement which was made by the director of financial aid at Panhandle State College down in Oklahoma, and he said this:

> You have urged us to seek out the economically handicapped student with talent and to assure him that if he wanted to go to college he could get financial help from his government. We have done so and now that we have him planning to come to college we get a notification from HEW cutting our NDEA allocation 31% from what it was last year. What do we tell the student?

I put into the same RECORD remarks from men in charge of these student loan programs at the University of Oklahoma, at Oklahoma State Tech, and at Oklahoma State University.

They are all facing the same tragic situation. We have encouraged the students, many of them from lower income families, to come to school to try to further their education. We cannot fail to carry out the commitments we put in the authorization to provide the assistance that enables them to follow through with their plans that we ourselves have encouraged.

I say to Members, let us meet the needs in higher education, let us meet the needs in impacted districts, let us meet the needs in the ghetto schools with the full package amendment offered by the gentleman from New Jersey (Mr. JOELSON).

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to my friend, the gentleman from Kentucky (Mr. CARTER).

Mr. CARTER. Mr. Chairman, the distinguished gentleman has made an excellent statement. As he knows, I have always supported aid to education. However, there is a matter that troubles me, and that is adequate funding of this. How does the gentleman propose to accomplish this? Is he willing to bite the bullet and vote for a tax that will fund it?

Mr. EDMONDSON. If the gentleman from Kentucky is offering a tax that will be dedicated specifically to education, I will vote for it in a minute. He will get my vote for it tomorrow.

Mr. CARTER. I certainly hope so, but I notice the gentleman voted "no" on another tax a short while ago.

Mr. ANDERSON of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, like many in this committee, I am sure, I found it necessary this morning to go back and review the bidding, and I spent about 2 hours reading the very interesting record we complied on yesterday, to find out precisely where we were in this stage of the proceedings. Believe me, I found the record almost equally as stirring as I did the presentation from the gentleman from Pennsylvania (Mr. FLOOD) yesterday.

But today, unlike many of the men who are taking the well to praise the gentleman from Pennsylvania (Mr. FLOOD) and the gentleman from Illinois (Mr. MICHEL) for their very splendid work which they did in this committee, I am not going to proceed then to recommend to this House that we completely dump the work product of that subcommittee. I found it took almost a small wheelbarrow to carry home the other evening the more than 8,000 pages of testimony that had been compiled by their subcommittee. I happen to know they did their work and they did it well.

I see my friend, the gentleman from Illinois (Mr. YATES) who will recall when

we debated this very appropriation bill last year he offered an amendment, which I supported at that time, to add $135 million to title I, to increase the amount that had been recommended in 1968 by the Appropriations Committee, and we did not prevail.

But I want to suggest that a somewhat different situation obtains in the country today. I feel, as my friend from Kentucky DR. CARTER, suggested a moment ago, that at the very hour when the surtax hangs in the balance on the other side of this Capitol—and we do not know, we literally do not know at this moment whether the $10 billion involved in that measure is going to be available to meet these demands or not—I think we ought to be very careful before we tell the subcommittee of the gentleman from Pennsylvania (Mr. FLOOD) and the gentleman from Illinois (Mr. MICHEL) that we are going to disregard what they have recommended in nine different areas. For the so-called Joelson amendment would add approximately $900 million in a wide range of educational areas.

I am pragmatic, as they are, and recognize that with respect to these impacted aid people, we are going to have to do something about them. Even as one who has some category 3B students in his district, I agree it is not the best way to dispense Federal aid.

I would agree with the amendment of the gentleman from New York (Mr. ROBISON). I think he has made a valuable suggestion in offering an amendment to the amendment offered by the gentleman from Illinois (Mr. MICHEL). But beyond that I simply cannot go, devoted as I am to the cause of education in this country, because of some of the factors that I think as a responsible Member of this body I must entertain regarding the fiscal condition of our country.

If I understood the gentleman from Illinois yesterday, the $180 million, for example, that is requested by the gentleman from New Jersey (Mr. JOELSON), in his amendment, that he would tack onto title I, is not needed. The bill reported by the committee does make available full funding, that is, the same funding we had in 1969, and the committee has added another 5.5 percent—am I not correct?—for the increased cost of education, and the funding provided for will take care of that 250,000 students who would be added to title I rolls because of updating of the AFDC formula. We do not have to be afraid that we are shortchanging the disadvantaged children of this country under title I.

I would suggest that in all prudence, in sound judgment, we ought to adopt the amendment of the gentleman from Illinois (Mr. MICHEL) as I hope it will be amended by the amendment offered by the gentleman from New York (Mr. ROBISON).

Mr. THOMPSON of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

Mr. DANIELS of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to my colleague.

Mr. DANIELS of New Jersey. Mr. Chairman, I wish to add my support to the package amendment to H.R. 13111, sponsored by Representative JOELSON.

The amendment provides for adequate funding of our children's educational needs. The bill, as it now reads, does not. It assumes that, although the price of everything else in the country has gone up, education costs have remained the same.

Educational requirements and costs have not remained the same. When the price of labor and steel and brick goes up so does the cost of construction and equipment for schools and libraries.

Because of insufficient tax bases, local school districts across the country, urban and rural, are unable to finance the programs necessary to provide a truly adequate modern education. As a result President Nixon's task force on education has reported a dramatic increase in the Federal Government's responsibility in education. It also reported that the American people expect and demand that "vastly enhanced Federal role." Thus, the task force found that education "has become clearly established as a top concern of the National Government."

I would remind you that a child entering grade school today will live and work a substantial portion of his adult life in the 21st century. It will not be possible for an adult to succeed in the future if we fail to provide the necessary educational resources. We will need engineers to develop our expanding space and industrial development as well as provide the vast array of goods demanded and required by consumers. We will need, and, in fact, need today, more doctors to care for the health needs of an expanding population. We could not have put an American on the moon had we scrimped on education in the past. Nor can we assure ourselves of any success in the future, whatever the enterprise, whether in space or on earth, if we fail to adequately provide educational facilities for today's students. Whatever the occupation, in order to function in tomorrow's world, students cannot get by on reduced educational priorities.

There are people who tell us it is not economically feasible to provide more funds for educational needs. They are wrong. We have won a race to put a man on the moon. And we have come up from behind to do it. This, too, we were told, was an impossible task, one which was supposedly not economically feasible. Yet we found the will and the resources to carry it off. If we are capable of stepping on the moon and circling mars, then we are also surely capable of providing for our less spectacular but no less crucial educational priorities.

The Joelson amendment will provide sufficient funds, consistent with economic priorities, to continue the crucial business of education. Failure to provide these funds will mean that our children will learn a little less than they need to; libraries will not be built and students will read a little less than they need to: there will be fewer loans to college students and fewer scientists, fewer doctors and fewer teachers. Failure to provide the funds will mean the country will be a little less equipped than we need to be. I find that unacceptable and urge that my colleagues support the Joelson amendment.

Mr. THOMPSON of New Jersey. Mr. Chairman, I, too, rise in support of the Joelson amendment.

I am somewhat surprised by some of the rhetoric—actually I am not surprised, except in the sense I would think that the memories of some people would be better.

Do those who fear enlarging, as the Joelson amendment would, and quite properly so, the expenditures for education, make any reference to a $3 billion surplus? Is the surtax to be the end of all reason here?

Yesterday the distinguished minority leader, who is a great friend of mine, and I hope he will remain one, characterized those of us who support the Joelson amendment as being irrational, inconsistent, and irresponsible, and he connected it with the vote on the surtax.

I did not hear him talking about the inconsistency of those who voted against the surtax last year and for it this year.

I did not hear him talk about the irresponsibility of those who have consistently voted against Federal aid to education at every level, and are now its pious advocates, albeit parsimonious ones.

No; I believe that consistency demands support of the Joelson amendment. It is the responsible thing to do. It is not irresponsible in the slightest.

It is all well, as the gentleman from Minnesota said, "Why, let us just take this one thing at a time; take the Michel amendment and pass it, and then we can act on each of the others."

Let me warn you that there is an awful lot more in this legislation than impacted areas. If, indeed, anything were to go it should be this carrot. The other things are more important, even though I consider Public Laws 815 and 874 important.

The fact of the matter is that the opponents of the Joelson amendment would weaken the position of those of us who are consistent advocates of Federal aid to education at every level, because with impact aid out of the way they can chop away at will at the other sections.

I do not say that the gentleman from Minnesota would not support additional money for vocational education. I am sure he would. But I am not sure what he would do in other areas.

Here we have one reasonable, rational package. I might say in passing, I consider it to be a bit too modest, but like the minority leader I am a pragmatist. I am a pragmatist, however, in seeing my interests across the board.

I do not question the motives of the gentleman from Illinois (Mr. MICHEL) or of the gentleman from New York (Mr. ROBISON). I believe they are very sound in their thinking, from their point of view. I just happen not to agree with their point of view, and I believe it is absolutely imperative that the amendments be defeated and that the Joelson amendment be adopted in the interest of rationality, of consistency and of responsibility.

I call your attention to the $33 million appropriations increase requested for

construction of higher education facilities. The amount requested, $33 million, would bring this year's appropriation up to last year's figure. Although the anti-inflation measures undertaken by this administration are appreciated by each of us, we cannot afford to be short-sighted: a farmer may feel hard put to buy grain to feed his geese—but when they lay golden eggs, as indeed education does, he cannot afford not to feed them. I suggest we cannot afford not to appropriate these funds for college construction. Budget cuts in this particular area would be at the cost of cramped quarters in the college classroom, antiquated buildings and equipment, and, in fact, turning away many eager students who would otherwise be contributing to society—the very same society that is now bemoaning the lack of participation by our youth for the betterment of all.

It is not necessary to list the many institutions of higher education which need budget allocations for their facilities. You are just as aware as I that colleges are in dire straits because of inadequate housing, classrooms, and labs. There is no justification whatever for a cut in this budget area. We are not seeking the impossible, we are seeking only the very same amount of money that you and I passed last year. Consider the number of new students applying to our colleges, consider the amount of students now enrolled in our colleges, and then consider the amount of $33 million and how far that money will go toward alleviating the pressures of enrollment. What would happen, my colleagues, if less than last year's appropriation was passed, indeed, if not $1 of last year's appropriation was passed. It is imperative that at least an amount equal to last year's is appropriated. Each of you know it should be half again as much as $33 million, but most certainly, it should be equal.

Mr. Chairman, I support the amendment to restore funds desperately needed in the educational field. As I said in testimony before the Subcommittee on Labor, Health, Education, and Welfare in May:

I come here because I am deeply concerned about the future of education in this country. We all know of the financial crisis of our urban area schools. We know of the increasing demand for higher education—and the strained resources of our colleges. At the very time when our educational needs are greater than ever before the budget you have before you recommends a *decrease* of $500,000,000 in Office of Education appropriations for next year. At a time when primary and secondary enrollments are *increasing* 2 percent per year and when college enrollments are *increasing* 8 percent each year the present budget contemplates *decreasing* Office of Education expenditures by 14 percent next year. This increased enrollment tells only part of the increased need for finances in education since cost of instruction per student also grows markedly each year. At a time when the weak and inflexible tax base of state and local governments are burdened to the breaking point, the budget sent to Congress shifts an increasing burden to state and local governments. All of this is occurring in the context of unprecedented prosperity. Our Gross National Product is higher than it has ever been. I have no doubt that this nation can afford increasing expenditures in education. I think we owe our children the best possible education. This budget does not provide for that kind of education.

I fear that if these cuts are permitted to stand the quality of education provided our students will decrease, the ability of schools and colleges to keep up with changing technological needs will diminish, the creation of new capacity to educate burgeoning enrollments will suffer, and the quality of educational opportunity will be impaired. I also fear that if we short-change our educational needs at this point in history, we will pay for it many times over in the future. I believe deeply that these are not expenses that we can defer. A year of lost opportunity in education can never be regained. A year of substandard instruction can never be corrected. Our neglect now will haunt us in the future.

Mr. Chairman, I note with pleasure that the committee has restored some of the cuts which I mentioned in my testimony such as the $35 million in grants for public libraries under title I of the Library Service and Construction Act; also the restoration of $1 million for acquisition and cataloging by the Library of Congress to a total of $5.5 million even though this is below the present operational level and $1.8 million below the amount requested by President Johnson. I am also pleased that the committee has raised funds for student loans under title II of the National Defense Education Act from the totally inadequate $155 million requested by President Nixon to $181.3 million.

But other cuts that remain in the bill are of disastrous proportions, in my judgment. The dismantling of the Federal impacted aid program to eliminate funds under section 3(b) for children whose parents work, but do not live, on Federal property. This would be an enormous cut of $318,694,000 from $521 million appropriated last year to $202 million in the current bill.

This established Federal program has, through the years, provided much-needed Federal assistance to many local school districts throughout the country. It has been especially useful in providing small- and middle-sized communities with the assistance necessary to provide an educational program for children whose parents worked on Federal property. Where these children comprised a large percentage of the school-age population, and where enrollments were subject to rapid fluctuation, this aid was, and is, indispensable to providing an educational program. In 1970, under present formulas, the State of New Jersey qualifies for $15,350,000 of this aid. Under the budget proposals the school districts in the State will receive $4,200,000. In practical terms this means that many districts in the State are likely to fail completely. And others will have to operate severely curtailed programs in order to stay in operation. Nationally, the budget proposes to reduce this year's appropriation from $505,900,000 to $187,000,000. If these cuts are accepted, and the remaining money is distributed in accordance with administration plans, it will mean that this assistance will be paid on 400,000 students next year. This compares with 2,400,000 this year. If the aid is distributed under the same formula next year as it was this year, it will mean that schools will receive about 25 cents next year for every $1 they receive this year.

I believe that this aid must continue. School districts have come to depend upon it. It means the difference in local schools and no local school in hundreds of school districts. In others it means the difference in providing good and poor instruction. It must be continued.

Funds for the Elementary and Secondary Education Act programs for textbooks, resources, and other education instructional materials, supplementary educational services, guidance, counseling, and testing have been cut from $310 million appropriated for fiscal 1969 to only $200 million in the present bill. Such a destructive reduction in these programs that have proved to be so important in carrying out the purposes of the ESEA Act must not be allowed to stand.

Mr. Chairman, equally destructive are the proposed cuts in the higher education programs. The committee report states that the $785.8 million recommended is an increase of $5 million over the budget request. What it does not spell out is that it is $5 million higher than the woefully inadequate Nixon budget request but actually is $112 million less than the amount requested by President Johnson in January.

Mr. Chairman, this is not the time to cut back on our national educational commitment to our children and young people. These funds must be restored or they will result in irreparable damage in the educational processes. Public funds spent on educational programs are necessary investments in the future of our Nation. We must keep faith with this generation that will play such a vital role in America's future. Let us vote for the amendment to increase the funds so desperately needed for education.

Mr. DELLENBACK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I fear that in the discussion which has taken place over the last several hours on this floor yesterday and now in the several hours which have transpired already this afternoon we have bandied words and amendments around so thoroughly that some of us really do not understand exactly where we are. May I review that very briefly and then make comment on the specifics.

We have an amendment introduced by the gentleman from New Jersey (Mr. JOELSON) which deals with some nine different sections of appropriations. Then there was an amendment offered by the gentleman from Illinois (Mr. MICHEL) which would be in effect a replacement for the Joelson amendment, and it dealt only with the question of impact aid.

At that stage, if the Michel amendment had succeeded, everything else in the Joelson amendment would have come out and it would have covered just impact aid. Then the gentleman from New York (Mr. ROBISON) made an addition to the Michel amendment which added to impact aid four particular sections of ESEA and NDEA. If the Robison amendment passes, there will be an amendment to Michel, and Michel will then come before us in contradiction or in opposition to the Joelson amendment. At that point we will have a chance to

choose. Do we take this four-piece package plus impact aid and substitute it for what Mr. JOELSON recommended in covering his nine particular points? If that Robison-Michel package is then substituted for Joelson and that substitute passes, we have not foreclosed dealing with the problems of higher education; we have not foreclosed dealing with the matter of vocational education; we will not be precluded from facing those questions one at a time as they come along.

Now, Mr. Chairman, with that picture before you, may I say just a word about the specifics.

So far as impact aid is concerned, no one who votes for the Robison-Michel package need worry about cutting impact aid. The bill which is before you, the basic appropriation bill, deals only with some $202 million for this program. The Michel amendment would add to that an additional $303 million. So it is a major move in the direction of increasing aid to impacted areas. It puts this aid back at the level that it was last year, which, as I repeat, is some 300-plus million dollars over what is in the appropriation bill at the present time. So you do not have to worry about whether you are undercutting impact aid.

Now, so far as the amendment of the gentleman from New York (Mr. ROBISON) is concerned, he is here talking about taking a step in the direction that we took when we in this House passed H.R. 514 some time ago. I have listened to my esteemed chairman make the distinction between State plans and whether we will give up our rights here on the floor and go to the Office of Education and let them make allocations as between these subjects. Ladies and gentlemen, when we passed H.R. 514, and when my colleague from Oregon made the amendment to put together four different sections of ESEA and NDEA, we were taking a significant step away from narrow categorical aid.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. DELLENBACK. Not at this time.

We were dealing here with the situation of putting four categories of educational aid together, which would permit flexibility in moving funds back and forth between four different areas which are essentially similar. The question is at the present time whether we want to leave this type aid in four narrow categories. Do we want somebody to have the choice to move funds back and forth between categories as a preliminary to what is going to happen in 1971 when the choice will be in the States?

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. DELLENBACK. Not at this time.

Under the Robison amendment, in that intervening year of 1970 there will be flexibility. The flexibility will admittedly be in the hands of the Office of Education instead of in the States, but it is a step in the proper direction and there is nothing to preclude the Office of Education from recognizing that, if H.R. 514 becomes law, then next year the choice will be out of its hands completely and the choice in moving funds between these four areas will be in the hands of the States. There is nothing to stop the Office of Education in that intervening year from moving in the direction of listening to the States and moving in this particular direction.

The CHAIRMAN. The time of the gentleman has expired.

(Mr. DELLENBACK asked and was given permission to proceed for 3 additional minutes.)

Mr. DELLENBACK. Now, Mr. Chairman, I yield briefly to the gentleman from Kentucky.

Mr. PERKINS. The distinguished gentleman from Oregon does not want to leave a false impression on the membership of this body, I am sure.

Mr. DELLENBACK. Certainly not.

Mr. PERKINS. It is true that the amendment to H.R. 514 offered by your colleague to put discretion in the hands of the States does not take effect until 1971.

But now there is no assurance that that amendment will become law. H.R. 514 has not even been reported by the Senate committee. No one knows what the other body will do and then there will be the conference. But here we do something diametrically opposed. The committee bill, H.R. 13111, and the Michel amendment, both place discretion in the hands of the Office of Education to allocate funds between the library, the equipment, the counseling, and the title III programs. What assurance do we have that any of these programs will survive?

Mr. DELLENBACK. I thank the gentleman very much.

Mr. Chairman, let me repeat what I have previously said on this particular point and to point out additional problems with which we are involved. These four titles, which have been enacted as separate categorical groupings, are similar.

These areas of aid should not be kept in narrow boxes. They should be placed together and the funds be made available to the four areas together.

Mr. Chairman, we should go along with the Robison amendment by putting these areas together and leave the discretion as to how the funds should be used in the Office of Education.

Mr. Chairman, I urge this body to adopt the Robison amendment as a first step. Second, then adopt the Michel amendment. Third, since the adoption of the Michel amendment will have replaced the proposals offered by the gentleman from New Jersey (Mr. JOELSON), then I would suggest the adoption of the amended Joelson proposal.

From then on go from page 26 of this bill and increase funds for vocational education and make such other increases as we think are important.

Mr. Chairman, let us not get lost in the forest. By following this procedure we will be able to do for education what we should be doing for education.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. DELLENBACK. I yield to the gentleman from Minnesota.

Mr. QUIE. The chairman of the authorizing committee, the gentleman from Kentucky (Mr. PERKINS), indicated that the Office of Education is against the library program and the equipment program as well as the supplemental centers and guidance counseling. They cannot be against all four in my opinion.

Mr. DELLENBACK. The vote and the procedure which I have outlined will have all of these programs continued and will aid the impact areas and thereby we will be acting in a responsible manner.

Mr. BRADEMAS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, yesterday the distinguished chairman of the great Committee on Appropriations told us, to quote him, that the impacted areas program was "indefensible," although he planned nonetheless to support the appropriation. And, yesterday also the distinguished gentleman from Illinois (Mr. MICHEL) said that the impacted areas program represented a "bonanza," which he said he nonetheless planned to support.

I rise now in support of the Joelson amendment. I do so both because I believe it is defensible and that it does not represent a bonanza. Rather, the Joelson amendment contains a much needed increase in funds for a wide spectrum of educational programs in this country, increases that are not provided in the amendment which has been offered by the gentleman from Illinois (Mr. MICHEL) or in the amendment offered by the gentleman from New York (Mr. ROBISON).

You know, Mr. Chairman, I was just looking at some interesting figures, interesting in view of the fact that we have heard a great deal here this week about fiscal responsibility. I notice that the U.S. Treasury pays a net of $1.2 billion in direct subsidies to cotton and wheat farmers in this country. We are only asking in the Joelson amendment for an increase for the education of the people of our country of a little less than $895 million. That figure represents an increase of less than the subsidies which we pay to producers of cotton and wheat. Surely, the education of the young people of our country ought to be worth at least an added investment of similar magnitude.

Mr. Chairman, earlier this year I said on the floor of the House that President Nixon was due congratulations on his having appointed Mr. Finch as Secretary of Health, Education, and Welfare, and on his having appointed Mr. Allen as the Commissioner of Education, because both those men are widely known and respected for their commitment to education.

At the same time, I put in the CONGRESSIONAL RECORD the complete text of then President-Elect Nixon's education task force. I would hope very much that as we reflect upon what we do here today, we pay some attention to the recommendations of Mr. Nixon's education task force, for they move in precisely the direction of the Joelson amendment, and certainly not in the direction of other amendments that have been offered.

Let me recall to your minds a pledge made by Mr. Nixon in the campaign last year. He said—and I am quoting the President:

> When we talk about cutting the expense of Government—either federal, state, or local—the one area we cannot shortchange is education at all levels, seeing to it that young Americans are the best educated in the world; that education is available to all our people, that those who do not have an equal chance at the starting line will achieve equal opportunity. This must be our fundamental objective and our path to the realization of the American dream . . . .

Now, I just want to help the President carry out his campaign pledge.

Mr. Nixon made another campaign pledge last year, I would like to say to the distinguished minority leader, if he were here, to oppose extension of the surtax, but perhaps we can forgive the President for that particular change of position. However, especially since he has been so interested in seeing and hailing, as all of us have been, the results of the efforts of the last several years to place a man on the moon, I would think the President would want all the help he can get in helping put more of our young people in the schools, colleges and universities where they gain the knowledge essential to this and other achievements in our society.

Mr. Chairman, President Nixon has warned us not to shortchange the young people of our country by cutting back on funds for education, but he then recommended a budget that would do just that.

According to estimates, President Nixon's budget request for education programs administered by the Office of Education for fiscal year 1970 are approximately $370 million below President Johnson's recommendation for the same fiscal year.

Moreover, the Nixon budget is some $5 billion below levels authorized by Congress.

Now, Mr. Chairman, the Labor and Health, Education, and Welfare appropriations bill which we are today considering adds some $123 million to President Nixon's request, but it is still a woefully inadequate bill, as I am confident the action of the House of Representatives will make dramatically clear.

In other words, the bill before us today still "shortchanges" American education, something Mr. Nixon said he wanted to avoid.

Mr. Chairman, my own home State of Indiana offers some graphic examples of the way in which President Nixon's education proposals shortchange American young people. The Johnson administration recommended that Indiana receive $1,080,789 for library resources under title II of the Elementary and Secondary Education Act; this year Indiana is to receive nothing at all if the present administration's request is upheld.

The Johnson administration request was $4,181,310 for Indiana under title III of Elementary and Secondary Education Act for supplementary educational centers and services; the Nixon request has cut that budget almost $1.5 million to $2,766,361.

Indiana's impacted area estimate was $2,491,000 under the previous administration; the Nixon request cuts that by over 60 percent to $982,000.

Our college work-study, educational opportunity grant, and NDEA college student loans have been similarly cut; this is particularly interesting in view of the recommendations made by the President's task force. The report said:

> We are agreed that the present Federal program of basic Educational Opportunity Grants . . . is a good program and should continue with increased funding.

Mr. Chairman, let me also cite here that the Nixon education task force said of national defense student loans and college work-study:

> Funds available for National Defense Student Loans and Work-Study are slightly larger than for 1969–70 than they were for 1968–69, but it seems certain that they will fall far short of the need. We know that overall college enrollment will increase; that there will be a more than usual increase from very low income groups. In addition, college costs have risen and there is an increase in the allowance for legislative costs.

Mr. Chairman, the costs in these last programs are particularly tragic since they strike directly at the colleges' ability to provide help for students who need financial aid in order to reach college at all. The colleges in my own district, for example, will be forced to inform large numbers of students that their financial aid will have to be discontinued. The University of Notre Dame was to receive approximately $594,000 for NDEA loans; the estimated allocation is less than half that—$267,000.

Goshen College, in Goshen, will have its allocation for the same program cut from $131,000 to $58,000.

St. Mary's College will have a cutback in its EOG allocation from $40,000 to $30,000.

Similar cuts will have to be made at Purdue, Bethel College, and Grace Theological Seminary.

Mr. Chairman, these cuts curtail in the most cruel way the programs which are now enabling needy youth to attend college. They fly in the face of all of the recommendations of the President's task force, leading educators, and commentators on the educational scene.

Mr. Chairman, for all these reasons, I strongly support the amendment of Mr. Joelson which would increase the appropriation under H.R. 13111 by $894.5 million. His amendment would offer increases in the most essential education programs, including impacted aid, vocational education, ESEA titles I, II, and III, NDEA titles II, III, and IV, and title I of the Higher Education Facilities Act.

Mr. Chairman, I wholeheartedly support this amendment. I am confident, the spirit of most if not all of the members of President Nixon's Education Task Force. To do anything else would shortchange our most vital educational programs and thereby shortchange our Nation's most valuable resource—educated men and women.

Let me just observe, Mr. Chairman, in response to some of the points that have been made about the amendment offered by the gentleman from New York (Mr. ROBISON)—and I appreciate that he wants to increase funds for several programs—but my friend from Oregon (Mr. DELLENBACK) is dead wrong when he tries to tell us that there is not much difference among the several programs that are included in the Robison amendment. For example, there is clearly a great difference in the program for guidance and counseling from the program for school libraries. If you do not believe it, ask any school librarian. Indeed, I want to say that those who support the Michel amendment, which provides no money for libraries, and those who support the Robison amendment, which lumps libraries in with three other programs, and earmarks not 1 cent for them, are driving a knife in the back of every school library in this country. Members should know that when they vote on these amendments.

Mr. Chairman, I think that we ought to seize the opportunity contained in the Joelson amendment as a golden one, and one which will not come again for a long, long time. Let us not "shortchange," to quote Mr. Nixon from his campaign of last year, the education of the young people of our country.

Mr. Chairman, I hope the Robison amendment is defeated, I hope the Michel amendment is defeated, and I hope that we have very strong bipartisan support for the amendment offered by the gentleman from New Jersey (Mr. JOELSON).

Mr. Chairman, I yield back the balance of my time.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from Michigan.

Mr. WILLIAM D. FORD. Mr. Chairman, I rise to support the amendment in the nature of a substitute for the Appropriations Committee's proposal offered by the gentleman from New Jersey (Mr. JOELSON). I oppose the amendments being offered to destroy Mr. JOELSON's effort to keep the past promises made by Congress to the American people.

Mr. Chairman, the events of recent weeks, the adventure of Armstrong, Aldrin, and Collins have proved that the old adage, "the sky is the limit" is a false cliche. We can, as a nation, do almost anything we want to—if we want to badly enough. We have opened vistas for the next generation that challenge the imagination—and also challenge us as the custodians of the public purse to properly husband our resources so that the promise of the future can be achieved.

The most essential factor in the formula for the future is the mental capacity of our children and youth. This is an idea which Congress has supported by enacting far-reaching programs for education at all levels. But Congress by enactment of authorizations without accompanying appropriations has been a shameful hoax on the taxpayers of this country, and indeed, the next generation. We cannot, in good conscience, make promises on the one hand and on the other hand shortchange and cut back education by these programs.

Compared to the astronomical costs of the defense program—and I do not mean those costs directly supporting our fighting men which I support—the increase

proposed in the Joelson amendment is modest, indeed.

There is no more important work for the Congress than our duty to insure that future generations have the intellectual capacity to cope with the challenging world of tomorrow that we have erected for them. They cannot meet this challenge without an opportunity to develop their minds, their skills and their spirits to the fullest extent.

The amendment by Mr. JOELSON provides additional funds beyond those proposed by the Appropriations Committee for such programs as vocational education, aid for low-income children, library and textbook materials, guidance and counseling, educational equipment, increased student loan funds, and a substantial increase in impact aid.

The people of my district—educators, school board members, college officials, and most of all, parents—support increased funds for education. These are responsible, intelligent people who are aware of the dangers of inflation which concerns us all. They believe, as I do, that the children and youth of this country cannot be sacrificed on the altar of false economy. Let us use a small portion of the amount we spend in the defense and other hardware budgets to provide for an investment in the most essential factor in the formula for a bright future for our Nation—the minds of our children and youth.

Mr. Chairman, the children and youth of this Nation, as well as their taxpaying parents, were promised meaningful help from the Congress of the United States when we passed the Elementary and Secondary Act of 1965 and its amendments of 1966, 1967, 1968, and again in 1969—just a few weeks ago—each time by an overwhelming vote.

We cannot now renege on those promises by failing to provide adequate funds to implement this and such other laws as the National Defense Education Act, the Higher Education Act, the Vocational Education Act, and the Library Services Act.

The Joelson amendment to H.R. 13111 will come closer to meeting these commitments to the education of our young people than will the bill before us presented by the Appropriations Committee. It is the very least we can honorably do. I urge my colleagues to support the increased funding as proposed in the Joelson amendment, and urge you vote "no" on the Michel amendment which is really intended to defeat the purposes of the carefully constructed and responsible compromise in the allocation of limited educational funds contained in the Joelson amendment.

Mr. REID of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the issue today before this House I think is relatively simple. I know the hour is late, and I will try to be brief.

Basically, the past administration shockingly cut the funds for education contrary to the leadership of the gentleman from Kentucky (Mr. PERKINS) and other members of the Committee on Education and Labor.

The present administration, with the one exception of title I, has not done much better.

I might say that I would like to compliment the Committee on Appropriations for trying to add some additional funds.

But having said that, Mr. Chairman, the fact is—and I want to mention just a few numbers, very simply—that the present bill has zero funds—zero funds—for direct loans for construction of undergraduate academic facilities. It has only 62 percent of the authorization for NDEA student loans, 38 percent of the authorization for ESEA title I, and 21 percent of the combined authorizations of ESEA titles II and III, and NDEA title III–A, and NDEA title V–A.

I strongly support the entire package proposed in the Joelson amendment, but I would single out a few elements that I think are particularly important.

First, the budget did not request any funds for title II of ESEA, school library programs. I commend the committee for including this as one of four programs which were to share an appropriation of $200,163,000. But to divide $200 million among four deserving programs is bound to result in a scramble for their distribution—especially if the Office of Education does not yet have the administrative machinery for joint administration and allocation of funds. Thus, I strongly urge that the $50 million proposed in the Joelson amendment for school library programs be approved. Title II has meant a great deal to many schools which have been able to augment—and in some cases just start—their libraries to the benefit of all children. For parochial schools, especially, title II has been a source of funding that frees scarce cash for other educational expenses.

Second, the increase in funds for the NDEA student loan program is necessary per se but is even more urgently needed because of the inadequacy of the guaranteed loan program. Banks are reluctant to make loans at the 7-percent rate when a better return is available on other types of investment, and the tight money market makes any loan difficult to get. Thus, many students, especially those in their first year of college, will find that guaranteed loans just are not available and they will have to look for other sources of funding. I am hopeful that the additional NDEA loan funds made available in this amendment will help to meet this need.

Third, the package amendment provides $33 million for construction of undergraduate academic facilities under the Higher Education Facilities Act. As I mentioned, the administration had not requested any funds for this program, relying instead on the interest subsidy program that was established last year in the higher education amendments. Direct loans funds were provided for junior colleges only. The need to continue the building program in 4-year colleges is, to say the least, extremely pressing, especially if increased enrollments are to be accommodated. In addition, the construction credit market is tight, and there is little reason to believe that the interest subsidy program will make it easier to obtain commercial financing for such projects.

Put very simply, our Nation is clearly defaulting in a major and irresponsible way on adequate support for elementary and higher education. We are doing it at a time when there is a shortage of 2 million teachers in the United States; at a time when there are at least 400,000 classrooms which should be built; at a time when a majority of our 2-year colleges lack adequate books and when a number of our 4-year colleges lack the necessary library resources.

Accordingly, I do not believe this Congress will be living up to its responsibilities or come anywhere near living up to its responsibilities unless it unequivocally supports the Joelson amendment without modification.

I think it is essential that it be supported. I think this is a national requirement and a national imperative.

In short, this package amendment seeks to remedy a basic gap in the logic behind the requests for education programs. On the one hand, the call is heard for increased enrollments, for more and better teachers; on the other, we reduce the funds available to provide equipment and services to the new pupils and to train the teachers. Clearly, this is counterproductive; the only way to set the matter straight now is to support the Joelson amendment.

Mr. LOWENSTEIN. Mr. Chairman, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman.

Mr. LOWENSTEIN. I thank the gentleman for yielding.

First of all, I want to express my gratitude—and the gratitude of a very large number of my colleagues on both sides of the aisle—to the invaluable Representative from New York (Mr. REID), for his heroic efforts to make at least the opportunity for a decent education available to all Americans. There is no way to measure his contribution to the overall effort to make America a place where there is in fact liberty and justice for all, because it is a contribution that is made more often away from the spotlight than in it, and because his own courage and energy inspire countless others to behave much better than they would otherwise have considered possible. Much that I want to say today will sound like an echo of what he has been saying, but it is no cause for sadness or reappraisal to find oneself echoing the gentleman from New York (Mr. REID).

Mr. Chairman, I hope we are at last about to begin the endlessly discussed process of what has come to be called reordering the national priorities. I hope we are about to witness a great rising of the majority of the members of both parties against the dangerous notion that this country cannot afford even minimum sums of money to assist education to attain even the standards regarded as minimal in years past. What this country cannot, in fact, afford is to go on neglecting its young people—its future, Mr. Chairman. If we care about that future, Mr. Chairman, we will vote today the additional funds necessary to repair at least to minimum standards.

Educational needs are nondeferrable. You cannot recapture a year of lost schooling, a year without access to library services. Students who cannot get loans and so cannot continue their education will presumably be less productive citizens, less creative, more dubious about the equality of opportunity that is their proclaimed right as Americans, and thus perhaps more dubious about America itself.

Some proclaim "economy" and say that means we cannot do more than the unamended bill proposes. "Economy," "economy"—what crimes are committed in thy hallowed name, O economy.

Now do we really believe that education makes life more worthwhile? Does a good education really help develop the potential of those who enjoy it? If so, what kind of "economy" is it to make life less worthwhile for thousands of people, to decrease the potential for earning—if you want to talk in dollars and cents—of countless thousands of young people, by countless billions of dollars? What is it we are saving when we waste some of the best talent in America by shutting it off from the opportunity to develop at its most critical moment?

Is it in the interest of economy—or of the economy—to spend our great national wealth in such a way that goodness knows how many people will end up in institutions or on welfare instead of doing productive work, living creative lives—and paying substantial taxes? Fie on Benjamin Franklin and his stitch in time. Better by far to take no stitch at all until the fabric of our national well-being unravels.

In fact, we should tell Benjamin Franklin that we cannot afford a stitch, at least not a stitch for our own kids. Billions for weapon overruns—lectures about economy for libraries. Billions to impose unpopular governments in far-off places—penury for our young and disadvantaged, so we can make our own Government as unpopular among millions of its own people.

Are we really going to approve legislation that will allow funds to implement title I of ESEA to be lost in the shuffle, so that the very areas most in need of assistance—the children already disadvantaged, God knows, through no fault of their own—are penalized yet again?

We can do much better than this—much better than we have been doing lately—and we can begin doing it right now. The remarkable diligence and skill with which the gentleman from New Jersey has put together what we celebrate today as the "Joelson package" has given us the opportunity to make what would be the most responsible statement to come from this House in many years.

We are promised that next week we will have an opportunity to make more equitable the way we collect the money we spend, an opportunity to distribute the burden of financing the national needs so all pay their fair share. Today we can begin to make an equally basic change—a change in how we spend what money we do collect. Success today will strengthen our hand for the battle next week, and success then will strengthen our hand for the battles still ahead.

The colossus that is America cannot be turned around by one vote, or in one day, or by one program. But if we are to reverse the lockstep that has already brought us to such wide grief as a nation we must begin somewhere, sometime. There is no place better to begin than here, and no time better than now.

Much more is at stake in the voting on these amendments than the specific sums of money involved. There are, of course, the lives of so many young people. But beyond even these lives, there is the question of what we can and cannot "afford" to do as a nation—the question of national priorities—the question of how we are to expend our resources. And the answer to that question will, of course, affect the well-being of every single American, and for that matter the well-being of much of the world.

I hope the House will want its voice to be heard on this question. I hope it will say "No" to continuing the stampede of waste—of resources, of time, above all of lives—that has driven so great a wedge between the promises of America and her performance. I will be grateful and proud to have the opportunity to be a small part of that voice when it learns its own strength and speaks its own mind. I hope it starts to do that today. The hour is already very late.

Mr. REID of New York. I thank the gentleman for his very real contribution.

Mr. Chairman, I would point out also that the Joelson amendment does include additional funds for title I of ESEA, which is one of the most important titles. But even at that, it would be funded at only 44 percent of the authorization. I hope more Members will be willing to stand up for 100 percent funding, consistent with the judgment of the Committee on Education and Labor.

Mr. Chairman, I think it is time that the Members of the House supported the Committee on Education and Labor in this area.

Mr. O'NEILL of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman.

Mr. O'NEILL of Massachusetts. Mr. Chairman, I congratulate my colleague, the gentleman from New York, and concur in his remarks.

The amendment offered by the gentleman from Illinois (Mr. MICHEL) is a simple amendment—all it does is scuttle the Joelson amendment.

Mr. Chairman, I rise to support the amendment offered by the distinguished gentleman from New Jersey.

This "package" proposal is the very least by which we should increase this appropriations measure. I know many of us would like to see aid to education doubled or tripled at the least, but I am hopeful that this proposal will meet with my colleagues' approval.

The distinguished gentleman has eloquently and clearly explained the need for this increase. There is little more that can be said, but I want to take a few minutes to emphasize the importance of increasing aid to education.

Almost every week I read another article documenting the importance of education, particularly elementary education. Each year we spend billions and billions of dollars on the military. Yet, what greater strength can a nation have than an educated, productive, aware citizenry. The educated person is the greatest asset this Nation has.

Can we afford to ignore the educational needs of this Nation? Can we, as a nation, afford to allow children to grow to adulthood without teaching them skills, without helping them develop to the height of their potential? Can we afford to produce young adults who cannot read, dropouts who do not have enough basic education to even learn a trade? We cannot.

The Nation's strength is in its people—in all its people; by denying the best possible education to our children, we deny the contributions of the next generation.

Where could this money be spent better? I can think of only a few things that compare in importance—those things which a man needs to survive—food and shelter, and those programs, too, Mr. Chairman are not being adequately funded.

Where is this money being spent? In the tragic, destructive morass of Vietnam? On bigger weapons systems that will destroy our enemies and ourselves 10 times over?

The Defense Department estimates that, in 1968, 181,000 North Vietnamese and Vietcong were killed in the war. We spent about $28 billion on the war in Vietnam that year. In a sense, we spent $154,000 on each dead Vietnamese enemy.

In that same year we spent $3.2 billion on elementary and secondary education. There were 45 million pupils enrolled in public elementary and secondary schools. That is $71 a pupil to bring about a more productive life.

Compare that to $154,000 to take a life.

This is senseless, this is tragic.

I have heard much about economy, about priorities. I still do not know the priorities of this administration, for in July of 1969 we have still seen only a handful of programs offered, but I have seen the economy, and it is false economy.

Can we cut back on the education of our children and call it an economic measure? Our population is growing. There are more and more children in school. Programs, worthwhile, successful, productive programs have been begun. Do we now cut funds, end programs?

There are those who say we can fund in the future, when the country is in better economic shape. Will these children benefit later? No.

Other children may learn, but those who are bypassed now are bypassed for life. Unless, of course, we are willing to spend billions more on remedial education, retraining, adult education.

Is it not better to prevent these problems than to have to cure them in the future?

I see economy in the gentleman's amendment. It is a modest amendment that will for the most part bring appropriation levels to that of last year. Five of the nine items will solely do that. Another will provide funds for 90 percent of the authorization which we passed. A

sixth will provide additional funds to meet urgent needs in vocational education. Urgent because the jobs are there, looking for trained people, and there because we have not in the past provided sufficient funds for vocational education.

Another increase will help meet the increased demand for student loans—loans, not grants—because there are more and more students willing to go into debt in order to acquire an education.

The last item will meet the increased program costs and provide funds needed because of prior action by the Congress.

This is a modest measure. I would like to see much more go to education.

As I have said, where better could we spend this money? This is an investment, an investment in the Nation's future. We will need an educated and trained population to take care of the Nation's future needs, to provide the Nation's growth.

I cannot understand reductions in this field. This cannot wait. The students will be returning to school in a little more than a month. Do we ask them to wait for another year? Do we tell them that books will come next year? Do we tell them we cannot counsel them?

The answer to these questions must be "No." Even with this amendment these programs will be badly underfunded. But to do less than this would be criminal, it would be foolish. No purpose is served by limiting education. The funds we fail to provide this year, we will have to provide in the future. Only then it will be tenfold, and it may be too late.

Mr. BELL of California. Mr. Chairman, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman.

Mr. BELL of California. Mr. Chairman, I commend the gentleman from New York (Mr. REID) on his excellent statement and I concur in all that he has said.

Mrs. CHISHOLM. Mr. Chairman, I rise in support of the Joelson amendment.

Mr. Chairman, we have all heard that the youth of this Nation is telling us something. What they really are saying to us—in all their protest and moral exuberance—is quite simple. This system is not worth saving unless it can work; unless it can end injustice, and poverty, and racism, and war; unless it can reform itself to meet the just demands and expectations of the people.

This is what our forefathers believed when they fought a revolution with England. This is what they were fighting for—the English political system was neither responsive nor willing to be responsive to the demands of the colonists. And this is what is happening in this country today. It is the old compact theory of government all over again; the same compact theory we learned when we were in school, enunciated by John Locke's "Second Treatise of Government" and incorporated by Thomas Jefferson in the Declaration of Independence. As Howard Zinn, professor of political science at Boston University, put it in his brilliant book, "Disobedience and Democracy":

> Governments are instituted among men for certain ends; . . . among these are life, liberty, and the pursuit of happiness; . . . whenever a government becomes destructive of those ends, it is the right of the people to alter or abolish it. The government is not synonymous with the people of the nation; it is an artificial device, set up by the citizens for certain purposes. It is endowed with no sacred aura; rather, it needs to be watched, scrutinized, criticized, opposed, changed, and even overthrown and replaced when necessary.

We, Mr. Chairman, are being "watched, scrutinized, criticized and opposed" by the youth of this Nation, and, more important, we had better change, we had better show them that this system can work, or we are likely to be "overthrown and replaced."

All of this may sound to some as just the old standard liberal rhetoric. High flown, philosophical, absolutely unrelated to "real life." But the college students, by their militance, have clearly demonstrated to us that they are deadly serious. They really believe in the political theories that we mouth so freely, and they mean to force us to live by our espoused values.

Today, we in the House are discussing an education and labor bill closely watched by the college students. We know the urgent educational needs of America, or at least we have been told innumerable times about them. But this bill seems to fulfill the Biblical quotation:

> They have eyes to see, but they see not; ears to hear, but they hear not.

In spite of rising enrollments and rising costs, the bill before us is essentially the same that the House passed last year.

Are we really so ignorant that we do not realize what a bill of this sort means? The low appropriation of money and the ominous Whitten amendment together discriminate against the poor student directly, and, especially when this is coupled with the so-called student unrest amendment, the bill oppresses all students. Let us not deceive ourselves, ladies and gentlemen—the students are not going to acquiesce in this regressive legislation. They have watched and scrutinized; they are not criticizing and opposing. Are we going to force them to overthrow and replace?

The Joelson amendment would partially correct this sad state of affairs. While it is insufficient, at least it is a step in the right direction. It would appropriate more funds to critical problems. It would also indicate to students that in spite of tight budgetary pressures, the Congress of the United States gives high priority to the education of young people.

Our own House Internal Security Committee and our brothers in the Senate have been conducting lengthy hearings on the Students for a Democratic Society and other radical collegiate groups.

It is fashionable to speak these days about reordering our national priorities. Wonderful. The question is, are we willing to put our money where our mouth is—literally? This bill implies that we are not.

I appeal to you to join me in voting for the Joelson amendment as an inadequate but hopeful education measure. Let the students know that Congress will respond to the needs of the people. I quote to you again:

> Governments are instituted among men for certain ends; . . . among these are life, liberty, and the pursuit of happiness; . . . whenever a government becomes destructive of those ends, it is the right of the people to alter or abolish it.

Mr. STEIGER of Wisconsin. Mr. Chairman, I rise in support of the Robison amendment.

Mr. ROBISON. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman from New York.

Mr. ROBISON. Mr. Chairman, I appreciate the gentleman yielding so I can attempt, at least, to get that knife of mine partially out of the back of every school librarian, where my friend JOHN BRADEMAS put it.

As we all know, the Robison amendment that is pending as an amendment to the Michel substitute addresses itself to these four programs: supplementary educational services, ESEA title III; library services, ESEA title II; guiding, counseling, and testing, which is NDEA title V–A; equipment and minor remodeling, which is NDEA title III–A. What it seeks to do, on a consolidated basis, is to increase the moneys to be appropriated for these four purposes $110 million above the committee figure for such four purposes, in order to get back to the 1969 fiscal year level for such purposes.

Let me point out that in the bill the committee's figure was also provided on a consolidated basis, but that figure, again, was $110 million below the 1969 fiscal year levels.

Now, let me see if, in the remaining time I can get from the gentleman, I can marshal some arguments in favor of consolidation.

The major arguments, as I see them, are: first, all four of these programs involve State administration, under State plans approved by the U.S. Commissioner of Education, for the benefit of local schools, with the funds distributed among the States on the basis of formulas reflecting population. Hence, they are very similar.

Second, despite the similarity of these programs, they now require four separate State plans, four separate distribution schemes, four separate applications at both State and local levels; four separate sets of accounting reports, and so forth—all of this adding unnecessarily to administrative cost and to administrative redtape.

Third, when the four similar programs are administered separately, as they now are, and as the gentleman from New Jersey (Mr. JOELSON) and as the gentleman from Kentucky (Mr. PERKINS) would require them to continue to be, this would mean that each State can spend only the allotted funds in the proportions, established nationally or fed-

erally, which might not correspond, and probably would not correspond to what the true State needs might be in these particular areas, but when the programs are consolidated the States can determine their own priorities.

Finally, program consolidation of these important, closely related State grant programs moves in the direction of broader Federal support of education, with fewer strings attached, so there will be more and more State and local authority over the use of funds, which is the direction I think we ought to go.

Mr. STEIGER of Wisconsin. Mr. Chairman, I appreciate the gentleman's contribution.

Mr. Chairman, until I have had a chance to take some time, I will not yield further. I must say I am somewhat disappointed at the opposition of my colleagues on the other side, to the Robison amendment.

Let us make it clear in the RECORD today, so that this will not get lost tomorrow. If we do not adopt the Robison amendment, we will, I suspect, adopt the Michel amendment, and then we will have to go on from page 26. So if the Robison amendment is not adopted, amending the Michel amendment, we have no chance to come back and increase the funding for the four grant programs in the Elementary and Secondary Education Act and the National Defense Education Act.

So I intend to vote for the Robison amendment, because if we do not, tomorrow the librarians and the supplementary education people and the guidance people will have many of the Members of this House to blame. I do not intend to be one of them. I intend to maintain my support of NDEA and the ESEA.

Let us adopt the Robison amendment. Let us not be fooled by the argument that this will give some superpower to the Office of Education. Consolidation means a great deal, but let us not forget if we fail to adopt the Robison amendment, we will not be back over this point in the ball game. We will have to go on from there.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, any nation that can put a man on the moon can certainly afford the price of a quality education for every American and any person who does not realize that it was the American educational system that made it possible for one of our astronauts to walk on the moon, has missed a very significant point.

One of the realities of educational planning and budgeting at the school district level, is that once the Congress begins funding a project or program at a determined level, our local school boards depend and rely on that funding once they have their programs underway. This is only logical and practical. As a result, they budget on that basis, and when, as has happened so often, these funds are cut or eliminated, they find it difficult, if not impossible, to compensate for these funds from State or local sources to continue programs already underway.

My point is, that while the Committee on Appropriations has reported out a bill which, in effect and on the surface at least, increases the overall appropriation for education by $123 million over the budget request, there is a lot more involved here than just the matter of quantity alone.

At this point, Mr. Chairman, I want to associate myself with the remarks made yesterday by my friend and colleague, the gentleman from Minnesota (Mr. QUIE), in stressing the vital need to upgrade and enhance the national defense student loan program, and in the area of vocational education. As I see it, it is in these two areas that we, in the Congress, can contribute most to the poor, the underprivileged, and the unskilled in this country.

A third area of major concern to many of us in the Congress concerns the committee's recommendation regarding Public Law 874 funds for federally impacted areas. I represent a district in California that has felt the true impact of the military buildup on the west coast associated with the Vietnam conflict. The steady influx of military families and Federal employees in this area has placed a tremendous burden on the local school boards, particularly in Marin and Napa Counties, and to a lesser extent, in Sonoma County.

Quite frankly, I view the recommendation to cut funds entirely for section 3–B of Public Law 874 as grossly unfair and discriminatory in nature—not only to the school districts that are relying so heavily on these funds, but to those who will have to pay the bill, should this section go unfunded. In this case, the difference would have to be made up by the already overburdened property taxpayers, and by the very people this legislation was intended to help—the service families.

Anyone familiar with the military's on-base housing priority system knows that it is the lowest ranking men, the privates, seamen and airmen, who by and large are at the bottom of the list and must reside offpost until they either rise in rank or until housing becomes available to them. As such, Mr. Chairman, these men are the lowest paid people in the service, and it is they who will certainly suffer the most should section 3B go unfunded.

In all candor, I know it is not the intent of the Congress to make an already difficult situation more difficult for these young married servicemen who have responded to their Nation's call. Nor is it the intent of the Congress to inadvertently place a greater burden at this time on our taxpayers and local school districts that have had absolutely no choice in deciding where military bases are located, or where the influx was going to be placed with regard to the war in Vietnam. This, however, could be the net effect should this unwise, unfair, and shortsighted provision carry.

It is my fervent hope that every Member will weigh this provision of the bill carefully and in light of what we are trying to provide here in the way of a quality education for all Americans.

Therefore, I call on my fellow House Members to uphold the intent of the Congress as expressed nearly 20 years ago, by voting to support full restoration of the desperately needed funds for federally impacted areas.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Chairman, I commend the gentleman in the well for his statement.

Mr. Chairman, there is no greater obligation on the part of this Congress than to support programs of education for the young people of our Nation.

As in the past, I feel that full funding of the impacted school programs is essential. In the 12th Congressional District of Illinois, impacted school funds assist those school children whose parents reside on the military bases at Fort Sheridan, Great Lakes Naval Training Center, and the Downey Veterans' Hospital, as well as the children of parents who are employed at such Federal installations.

My colleague, the gentlewoman from the State of Hawaii (Mrs. MINK) offered the amendment to increase impacted school aid in the last Congress. It was my expectation that she would offer a similar amendment to the present bill. Unfortunately, the popularity of the full funding of the impacted school program is being used in the Joelson amendment as a vehicle to continue four other categorical grant programs.

Mr. Chairman, my experience with local school administrators convinces me that the multiplicity of categories impedes local school principals in their efforts to develop improved educational opportunities.

Accordingly, the subcommittee's recommendation to lump together four categories has merit. If the overall total of funds—as proposed in the so-called Robison amendment—were to be adopted, this objective could be attained.

In addition, Mr. Chairman, if there could be full funding of impacted school aid, then the Congress would be fulfilling substantially our nationtal responsibility to elementary and secondary education.

One advantage to impacted school aid is that the funds may be expended to meet the greatest and most pressing needs of the local school districts.

There is a similar advantage in the Robison amendment.

However, it is doubtful that a clear-cut expression consistent with my position will be possible with the amendments and substitute amendments which are being considered in today's debate.

Mr. MEEDS. Mr. Chairman, I rise in opposition to the substitute amendment and in support of the amendment offered by the gentleman from New Jersey.

Mr. Chairman, I rise in support of the Joelson amendment. I would like to focus my attention on the provisions pertaining to vocational education. Under the provisions of the amendment, we will add $131,500,000 to the committee bill.

The largest part of the increase is for increasing basic grants to States. I point out that through the set-aside provi-

sions and the Vocational Education Act Amendments of 1968, unless we make these additional amounts available to the State grants, some of the ongoing vocational programs in our States are going to have to be cut back, because there are earmarked funds in this new act of 40 percent.

So it is necessary to increase the amount by $57 million, as the Joelson amendment does, in order to assure that the ongoing programs will be continued.

The 1968 amendments to the Vocational Education Act, I would like to point out to the Members of this House, were passed unanimously by this House and by the other body, and we set up funding under that legislation which amounts to about $766 million for this fiscal year. Here we are, trying to get $488,716,000 by the Joelson amendment—about 63 percent of the funding.

Unless these amendments are adequately funded, the action of this House and the other body last year will be empty acclaim.

Of the 26 million youngsters who will enter the labor force next year, three out of 10 will be high school dropouts. Even those who have graduated from high school will have a difficult time obtaining employment, because they lack salable skills. Today only 14 percent of our high school children are receiving occupational education. This means that over 50 percent of our students who leave school or graduate from high school each year and who do not go to college have had little or no preparation for the world of work.

There is little doubt in our minds, and there was little doubt last year when we so enthusiastically passed the Vocational Education Act Amendments, that without sufficient vocational education, we would face, perhaps, the greatest challenge and crisis in American education we have ever faced. We recognize the need. We have tried and we are tired of asking repeated funding for remedial programs for the unemployed, the disadvantaged, and the undereducated.

For once we could do something conclusive by making funds available for educational programs that will eliminate the need for these steps that are taken after the fact.

We authorized $766,650,000 for fiscal year 1970. Now we are talking about appropriating only $279,216,000. I find this embarrassing. I find this an aspiration gap.

The Congress of the United States has authorized good education legislation. Year after year we have failed to adequately fund them. We have held out the aspiration to the children of America, to the teachers, to the educators, and to our school systems, and then we have dropped them brutally with our failure to appropriate money.

I submit for the poor, for the parents, for the educators, and for the concerned citizens this yo-yo attitude can only generate a crisis of confidence. History suggests that dashed hopes are the seed of turmoil.

The promise of a new day cannot be met with lofty rhetoric and a pallid performance. The domestic budget contributes as much to our national security as does our military budget. A progressive country solving its own problems may do more for peace than a phalanx of antiballistic missiles. Full funding of education and the fulfilling of man's hopes must command a high priority.

The CHAIRMAN. For what purpose does the gentleman from Pennsylvania, a member of the committee, rise?

Mr. FLOOD. Mr. Chairman, I should like to inquire how many more speakers we have.

How many are standing? How many do I see?

One, two, three, four, five, six, seven—the gentleman from Illinois would be eight and I would be nine. And the gentleman from New Jersey (Mr. JOELSON) is still here. That is 10.

Thank you, Mr. Chairman.

Mr. MELCHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. SYMINGTON. Mr. Chairman, will the gentleman yield?

Mr. MELCHER. I yield to the gentleman from Missouri.

Mr. SYMINGTON. Mr. Chairman, I have listened with care to this extensive debate, waiting with open mind to analyze whatever substantive criticisms might be raised against the educational programs sought to be strengthened by the Joelson amendment. I have yet to hear any. The entire argumentation offered to the Joelson amendment has been budgetary in character.

In the other body, a debate has been in progress for some weeks regarding the advisability of deploying a new weapons system at a cost of upward of $10 billion. Opponents of that deployment have adduced arguments touching on the efficacy of the system as well as its cost. Yet, in spite of the agreed overwhelming budgetary consequences of the system and grave doubts and differences as to its efficacy, it may be adopted. Before us, on the other hand, additional educational assistance is questioned on cost alone.

It would be surprising to find ourselves investing a sum in the next generation of weapons which might not work and not one-tenth of that sum in the next generation of Americans who will certainly have to.

Mr. MIKVA. Mr. Chairman, will the gentleman yield?

Mr. MELCHER. I am happy to yield to the gentleman from Illinois.

Mr. MIKVA. Mr. Chairman, I rise in support of the Joelson amendment. There is no arena in which the fate of our country hangs more in the balance than in education. We either will give our children the tools with which to solve the present problems that confound us or civilization as we know it can perish. If there ever has been a price tag on survival, it must be the downpayment on our educational commitment represented by this amendment. I am pleased to vote for the amendment. I wish the consensus of the House would support an even greater appropriation for our future.

Mr. KOCH. Mr. Chairman, will the gentleman yield?

Mr. MELCHER. I yield to the gentleman from New York.

Mr. KOCH. Mr. Chairman, I rise to support the amendment offered by the gentleman from New Jersey (Mr. JOELSON). That amendment increases the appropriations originally proposed by the Appropriations Committee by the additional amount of $894,547,000. It is incredible that the Appropriations Committee at this time in our history would bring in a bill that is almost a billion dollars less than the education appropriations for the past fiscal year, 1969.

In my own State of New York, we are going through an education crisis as I am sure every State in the Union is. We find that the reading scores of our children are poor, that dropouts are on the increase, and that the moneys needed to turn this situation around are simply not available from local resources. In the city of New York, the board of education has stated that it will be compelled to close the schools sometime in mid-term if additional funds are not provided to fund the school year at an even modest level. Our board of education has said that it would rather quit than cut back the existing school programs which are inadequate, and they should not be compelled to do so. The State legislature in my State did not provide the necessary funds and many of us have requested the Governor to call a special session of the legislature in order to deal with this problem. But we are compounding that financial bind if we further reduce the moneys already promised to the States under the authorization bill originally passed by us this year.

If the Joelson amendment is passed, I estimate that the State of New York will receive over and above what the appropriation bill now provides an additional sum of $76,757,000. As large as that sum is it is still meager in relation to the need. But it will be helpful in dealing with a dire need.

It is disheartening for me as a freshman Member of Congress to see how easy it is for the military establishment to maintain and add to its budget and conversely how difficult it is for those who wish to strengthen the minds and bodies of our young people to obtain the necessary funds. To those who, whenever domestic programs are before this Congress, cry out in defense of their savage cuts, "fiscal responsibility," I say it is the height of fiscal and moral irresponsibility to shortchange the education of our youth. I urge the passage of the Joelson amendment and commend my colleague from New Jersey for having undertaken to marshal the forces on both sides of the aisle to override those ruthless cuts which the Appropriations Committee is attempting to impose on Federal aid to education.

Lastly, I want to acknowledge with gratitude the efforts of the Emergency Committee for Full Funding of Education Programs whose members have made herculean efforts to bring home to every Member in this Hall the need for additional funding. If the Joelson amendment is passed as I hope it will be, in large measure it will be as a result of the efforts of these concerned citizens.

Mr. ANDERSON of California. Mr. Chairman, will the gentleman yield?

Mr. MELCHER. I yield to the gentleman from California.

Mr. ANDERSON of California. Mr. Chairman. I rise in support of the Joelson amendment. This amendment would supplement many educational programs which are not adequately funded in H.R. 13111.

The Joelson amendment would provide additional funding for school libraries, student loans, vocational education, equipment and materials, college construction funds, and impact area aid. Each one of these programs is vital to some facet of the educational process. We can teach our children to read, but we cannot show them the magic of books unless our libraries are well stocked and up to date. Books are the key to all human knowledge and achievement. We jeopardize all we have done if we deny our youth the opportunity of a book. A good school library system is central to effective education. As it has been said in the past, "libraries are the banks of our educational system. And they yield rich dividends in knowledge and wisdom. They are the summing up of past achievement and a stimulant to future progress."

Our vocational institutions are insurance in another way. They insure that the needs of a highly technological society will be filled now and in the future. They must be able to meet the changing manpower needs and be able to prepare many of our citizens for a rewarding place in our industry. Furthermore, vocational education today is a vast savings for tomorrow. If we train today, we will not be faced with the need for crash remedial programs in the areas of retraining, unemployment, poverty and other social and correctional services.

Our present society demands a greater and greater number of college-trained people. And yet the cost of higher education is rising greatly. We cannot expect our students to go to college, if we do not provide adequate financial aid. The Joelson amendment increases the funds for student defense loans by 40 million dollars. This money is necessary if college is to be a reality for many of our students. Even this amount would not totally meet the increased demand.

Each of us has heard the expression "penny wise and pound foolish". If we skimp on the education of our children, this is exactly what we would be. The future is on our doorstep asking for help. How can we deny it?

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. MELCHER. I am happy to yield to the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Chairman, I ask unanimous consent that following the remarks of the gentleman in the well all debate on the amendment and all amendments thereto, including the substitute amendment, be terminated in 35 minutes, reserving 5 minutes for the gentleman from Illinois (Mr. MICHEL) and 5 minutes for the gentleman from Pennsylvania (Mr. FLOOD).

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. HOWARD. Mr. Chairman, reserving the right to object, when the chairman of the subcommittee took a count only a minute ago he counted 10 Members on their feet. I believe at the present time, with 35 minutes, each Member wishing to speak might get less than 1 minute.

I wonder if the gentleman would revise the time limit upward just a bit.

Mr. FLOOD. I will make it 40 minutes. Will the gentleman settle for 40 minutes?

Mr. HOWARD. Mr. Chairman, I withdraw my reservation.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. Debate will be limited to 40 minutes, and the names of Members standing will be taken down.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the time taken in connection with the last action not be taken from the time of the gentleman in the well.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. FLOOD. Mr. Chairman, a point of inquiry. Is it clear that in my motion I reserved 5 minutes for the gentleman from Illinois (Mr. MICHEL) and 5 minutes for the gentleman from Pennsylvania (Mr. FLOOD); that is, 5 minutes each?

The CHAIRMAN. That is the Chair's understanding. And it is also the understanding of the Chair that under a unanimous-consent request the time of the gentleman from Montana is not to be taken out.

The gentleman from Montana is now recognized.

Mr. MELCHER. Mr. Chairman, the record of debate concerning this bill establishes that the administration budget proposals and the committee action are trying to save Federal funds. However, both shortchange the funding of schools and education programs and libraries. The local taxpayers and the States will have to make up the shortage. Uncle Sam dips heavily into the pocketbooks of all taxpayers, and should pay for his share of education. Part of the $3.1 billion Federal surplus should be invested in these programs to meet the growing costs of education. I support the Joelson amendment with vigor because either we improve the bill by passing this amendment, or our Montana people will be called on to add $5 million to local and State taxes.

Unless the Congress acts to provide full funding for the education bills it has enacted, we will be playing a cruel hoax on the children and youth of this Nation. It is a fallacy to believe that the States and local districts can properly serve these children if the Congress fails them. As a member of the State Legislature of Montana for many years before I was elected to Congress, I am aware that State revenues and local taxes cannot be increased to the degree necessary to make up the difference that inadequate Federal appropriations would require. I am also aware that local property taxes are already above reasonable limits, especially in school districts with the largest percentage of low income families. Clearly inadequate Federal appropriations will result in curtailment of programs for children and young people who most need the special assistance which Federal funds can make possible. While I am concerned that all education programs be fully funded, I am particularly distressed at the disastrous cuts in this bill of the funds for operational expenses of school districts impacted by Federal installations. My district in Montana contains Malmstrom Air Force Base in Great Falls, numerous Minutemen intercontinental ballistic missile sites, and it also contains Fort Peck Dam, an Army Engineers facility in northeastern Montana. The school districts in which these installations are located simply cannot cope with the proposed reduction of approximately 60 percent of their Federal funds. If these impact funds are not restored, the entire State-aid program for all districts in Montana will be distorted, since State funds will be drained into these and other federally impacted districts to the detriment of all school districts in the State. We have in my Eastern District of Montana, five Indian reservations and those schools off the reservations that educate Indian youth receive Federal impact aid.

The need for impact aid is no less now than it was when it was first enacted in the early 1950's. The land occupied by the Federal installations is still off the tax rolls. The federally employed military and civilian personnel and their dependent children are still moving in and out of the communities, creating the same impact that existed in the fifties. The need is as great as ever.

If there are flaws in the impact laws, then these should be corrected by the Congress. But to take such inconsiderate and cruel action as denying all impacted districts up to two-thirds of their entitlement is not the way to achieve reform. It can only achieve chaos.

I also support increased funds for vocational education. This is vitally necessary in a State such as Montana which is large in area with a large future for a growing economy. We have the waterpower, we have the natural resources—and we have the space—to achieve industrial development, which is greatly needed, but we must have skilled manpower to help bring this about. Recent Federal programs for expanding vocational education hold great promise—but provide only broken dreams to our youth if the funds are not forthcoming.

It is extremely hard for me to understand how the Secretary of Agriculture can come before our Agriculture Committee and recommend retraining rural people for "new opportunities"—as he did the other day—and we can be asked at the same time by the administration to reduce vocational education appropriations.

College student loans, work study, and college construction are worthwhile investments and this amendment increases all three.

The distinct possibility exists that unless the House acts today to increase the funds for the combination of titles II and III of ESEA and titles III and VA of NDEA that guidance and counseling services provided by title VA of NDEA will be reduced drastically from the $17,000,000 provided last year. The funding for guidance and counseling is completely in doubt under the committee bill. This is a deplorable situation that must be corrected. Guidance and counseling services must be increased, not decreased as the committee bill and the Nixon budget provide.

There is an old saying in Montana—"Put your money where your mouth is." I believe this Congress must follow this advice by making appropriations for education equal to the authorizations which the laws provide.

We need increasing funds for counseling, for libraries, facilities, for impacted areas—for all the categories of educational assistance which has been provided in the past.

Some things can be postponed a year or 5 years, without any loss except time. But the education of our children cannot be postponed a year, or 5 years, without irreparable loss.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. MELCHER. I yield to the majority leader.

Mr. ALBERT. Mr. Chairman, I desire to commend our fine new colleague on the high quality of his statement. I also desire to associate myself with his remarks. He has made a great speech on a most important amendment.

Mr. MELCHER. Thank you.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey (Mr. HOWARD).

Mr. HOWARD. Mr. Chairman, the entire education community of this Nation is united, along with labor and other civic groups, in urging increased support for the education legislation we have passed in recent years. I congratulate them and support their effort—for it is not for themselves but for the children and young people of this Nation.

I support the amendment proposed by my distinguished colleague from New Jersey (Mr. JOELSON), which will give modest increases above the committee's bill for such programs as impact aid, vocational education, student loans, and aid, to disadvantaged children. The amendment merely restores—merely to the level of 1969 appropriations—funds for library and textbooks, equipment, guidance, and counseling, and innovative programs under title III of ESEA. Even these amounts are far below the authorizations we as a Congress have enacted into law.

I recognize the serious fiscal situation facing the country, and the problem of inflation which haunts us all. I do not believe, however, that inflation will run rampant through the land because we keep faith with the children of our country. We promise them substantial funds for education. We must deliver those funds if we expect them to maintain their faith in representative government.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. MOORHEAD).

Mr. MOORHEAD. Mr. Chairman, I will make my remarks brief and I hope telling. I would hope that this Chamber today takes action that will reaffirm the somewhat flagging commitment of the Congress to educational excellence.

Mr. Chairman, how can we vote to lower the fund levels which we established last year?

How can we create for the American people illusory education programs, for which in 1 year we authorize and appropriate necessary funds and the next year literally disclaim them by refusing to appropriate adequate funds. We have created tremendous gaps by talking big and delivering small.

We have before us a bill that is almost a billion dollars lower than the education appropriation for fiscal 1969.

We can change that. We can see that the American school systems get the funds needed to maintain the necessary educational excellence that our society demands of students.

We have before us the amendment of the gentleman from New Jersey to beef up the education appropriation. Let us support this amendment.

Applying the meat ax to education is not fiscally responsible.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. TUNNEY).

Mr. TUNNEY. Mr. Chairman, I was not planning to speak in this debate originally, but I have, as any other Member of Congress, a system of national priorities, a system of values and I feel it is important that I speak out on these priorities and values at this time.

Mr. Chairman, I just cannot imagine that in this country of ours at this particular time in our history that we are willing to spend $30 billion to keep the Thieu-Ky government in power in Vietnam and only spend approximately $31.9 billion at all levels of government to educate 50 million young Americans.

Now, Mr. Chairman, in my opinion that is the most extraordinary malapportionment of priorities about which I have heard. I cannot see this Congress being unwilling to fund an additional $2.5 billion with which to educate these 50 million young Americans.

The Labor-Health, Education, and Welfare appropriations bill includes $202,167,000 for impacted area school aid. This is identical to the President's budget request for fiscal year 1970, $318,694,000 below the amount appropriated for 1969. It represents 90 percent of the authorization.

This reduction in funds will result in the elimination of Federal assistance under Public Law 874 for category B students—those whose parents work but do not live on Federal property. If we allow this to occur many school districts throughout the Nation and particularly in heavily impacted areas such as California, would be placed in a precarious financial situation.

Public Law 874 has had a long and successful existence and should be continued and even expanded. The program is designed to provide financial assistance for the maintenance and operation of public schools which experience financial burdens due to new or increased Federal activity. The full entitlement required for fiscal year 1970 is $650,500,000 nationally and $100,900,000 for California. The President's budget and the appropriations bill reduce this to $187 million and $25,200,000, respectively.

Public Law 815 provides assistance for construction of urgently needed facilities in school districts which have had substantial new or increased Federal activities. The full entitlement required for fiscal year 1970 is $80 million nationwide and $12 million for California. The President's budget and the appropriations bill reduces this to $12 million nationally and $450,000 for California.

The Federal Government is the Nation's largest landowner and employer. However, the Federal Government's land holdings and activities are not subject to taxation by the local or State governments. The presence of Federal property in a school district reduces the amount of real estate taxes otherwise available for educational purposes. Public Laws 874 and 815 are designed to lighten this burden of education which is imposed upon local school districts.

In California for example the nine counties of Imperial, Riverside, Kern, Los Angeles, Orange, San Bernardino, San Diego, Santa Barbara, and Ventura represent the highest concentration of federally impacted activity in the United States. There are 3,263,021 students enrolled in the school districts of these nine counties. There are 229,755 federally connected pupils in the districts within this area. The 204 school districts in these nine counties have an entitlement of $45,840,253.

Dr. Gordon Harrison, superintendent of the Moreno Valley School District in California has estimated that out of the 204 school districts in the nine counties mentioned earlier, only 20 would remain financially solvent if category B student aid is eliminated. The entitlement of $45,840,253 would be reduced to $12,787,636 if category B funding is eliminated as this appropriations bill and the President's budget propose to do. Other impacted area school districts in California face equally serious consequences if the Congress does not appropriate at least an entitlement equal to that of last year, $505 million. The alternative would be substantial increases in the local property taxes.

There are about 446 California school districts which use Public Law 874 funds, located in 47 of the State's 58 counties with 403,166 students. To replace the loss of Public Law 874 funds would require raising the local tax rate from a minimum of 0.20 in some areas to a maximum of 2.40 in others. Any increase at all is too much.

The taxpayers of California are terribly overburdened. It is clear that the

property tax can no longer be the sole vehicle for financing education. Other sources and methods of financing must be found. The impacted area program has served as an effective supplement for educational financing. Instead of curtailing this concept of school aid, we should be examining ways to expand it. Just last week the House passed legislation which allowed the States to tax national banks. This action represents a recognition by the Congress of the difficulties many States and localities are having in raising sufficient funds.

Clearly the proposed appropriations for impacted area school aid is not in keeping with the needs of education today. Clearly the proposed appropriations would be disastrous to States like California.

Mr. Chairman, education is one of the basic elements in the preparation of our youth and is essential to a continuation of our commitment to build a better future for our country and its people—to foster a better world and a better life for mankind.

Education has long been cited as the key to the solution of our economic and social problems. We must continue to strive for excellence. Not until we can say that each American child has had a good education should we begin to feel that our educational system is living up to the expectations we have for it.

We in Congress must increase the appropriations for education today if we feel that this goal can and should be fulfilled. Our Nation with its increasing complexity cannot bear a decrease in Federal education funds.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. WHITE).

Mr. WHITE. Mr. Chairman, I rise in support of the amendments to bring the financing of our educational programs more nearly up to the levels which this Congress has previously authorized. These are the Joelson and Smith amendments. To fail to do so is to retreat from the program we have so well conceived and executed in the past few years. This has been a nonpartisan program which has wisely made education the point at which our efforts to build a stronger nation have their focus.

We have legislated Project Headstart so underprivileged children might have opportunities to learn. Shall we, then, through cutting back such vital programs as impacted area funds and school library funds deprive these students of the very advantages we have been trying to give them? We have used such programs as the Neighborhood Youth Corps to keep our young people in school. Shall we, then, through cutting back on counseling services and vocational education, halt the very progress we have tried so hard to promote? In Project Upward Bound we have successfully taken young men and women from low income and underprivileged families and motivated them to attend college. Shall we then cancel out these advantages through cutting back our NDEA student loan programs, and our undergraduate construction programs?

Mr. Chairman, I represent a district where the need for these educational programs is especially great. In my home county, El Paso County, military installations occupy 68,032 acres, more than 106 square miles of nontaxable land—land which is a part of the various school districts, and yet which cannot be taxed by them. More than 23,000 students in the two major school districts of El Paso County are from families employed at nontaxable Federal installations. The proposed budget cuts would deprive these districts of approximately $3 million in impacted area funds for fiscal 1970. In smaller districts, the amounts are less, but the impact is equally critical.

These impacted school districts are taxing their residents at or near the legal limit, and future bond requirements will absorb the small remaining leeway. Their only recourse, if deprived of impacted area funds, will be to cut vital programs.

My district contains many young, ambitious Latin American students from low-income families. Our colleges are putting forth every possible effort to provide the higher education facilities these young people need. We must not reduce the effectiveness of their efforts through cutting back on construction and student loan programs. For many of these students, the critical need is vocational education. Our efforts in this direction must be steadily increased and not reduced.

Two days ago, a report from the Budget Bureau gave dramatic proof that many of our economy efforts are bringing gratifying results. We can reduce Government spending. We can find unessential Federal efforts that can be reduced or eliminated—but to make the proposed cuts in educational expenditures is to turn our backs on the genuine progress we have been making. It is inconsistent, wasteful, and uneconomic. I urge support of the amendment that will head us again in the right direction.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. HANNA).

Mr. HANNA. Mr. Chairman, I would like also to comment on this business of consistency that was so eloquently argued by the leader of the opposition yesterday. Mr. FORD asked us to be consistent by voting against educational increases if we did not support the surtax on the administration's terms. As I look back on the record of their consistency of voting for the funds to supply the administration just past, I thought their definition of consistency a year ago was taken out of the philosophy that defines consistency as the backwater of the stunted mind.

He has asked us also to follow his logic in reducing educational funding. I would say that a definition of that kind of logic is it is a system of thinking which allows you to go wrong with confidence.

Mr. Chairman, we have to address ourselves to the strengthening of our Nation. We have voted $80 billion for strengthening the military. We will in this bill provide $10 billion for education. Is it inappropriate for us to commit one-eighth of the amount we so readily provided for military strength to provide for educational strength? The strength of the United States, if you look at it over the years, is in our educational system, and in the educational support that we give our schoolchildren. Let us here today play to the surer and enduring strength of our Nation, and support the Joelson amendment. Lend your vote and your support to strengthening our educational funding.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. RYAN).

Mr. RYAN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New Jersey (Mr. JOELSON).

Some 5 years ago, when the breakthrough on Federal aid to education finally came, this Congress made a commitment which was reaffirmed in later authorization bills, and yet that commitment has been broken time and again in the appropriation process, as the programs repeatedly have been funded at less than fifty percent of the authorizations. The bill before us, which the Joelson amendment would increase, provides only some 38 percent of the authorization for title I of the Elementary and Secondary Education Act; it provides an average of some 18 percent of the authorization for ESEA title II, libraries, and title III programs.

Mr. Chairman, it is essential that we reorder our priorities in this Congress, and the place for us to start is today on education.

The Joelson amendment, which has the strong support of the numerous educational groups which make up the Emergency Committee for Full Funding of Education Programs, would provide additional funds to reestablish fiscal year 1969 appropriations levels for school libraries, NDEA equipment, guidance, and counseling, and college facilities. In addition it would provide increased funds which are necessary for the impacted area aid program—Public Law 874—vocational education, title I of the Elementary and Secondary Education Act and the NDEA student loan program.

The total increase in appropriations for these vital programs would total approximately $900 million.

Mr. Chairman, the Joelson amendment is necessary because the Committee on Appropriations has simply failed to provide amounts adequate to the educational needs served by the programs I have mentioned. In the school library program alone, evidence presented to both the Appropriations Committee and the Committee on Education and Labor indicated that about $200 million was needed to meet the need which exists for this program. While the increase of $50 million contained in the Joelson amendment falls pitifully short of that figure, the provision of an additional $50 million will at least enable the program to operate on the same level as it did in fiscal year 1969, and will enable many school districts to purchase textbooks and other educational material essential to the educational process.

This year, as in past years, the Committee on Appropriations has recommended appropriations for education which fall far below the authorized levels; for instance, the committee has

recommended only 38.7 percent of the authorization for title I of the Elementary and Secondary Education Act. The Joelson amendment will only fund it at 44.5 percent of the authorization. Yet the budget of the National Aeronautics and Space Administration, which last week achieved its goal of placing men on the moon, has received appropriations only slightly below the amount requested by that agency.

It is especially ironic that the National Defense Education Act should have had its funds slashed in three major areas—student loans, guidance and counseling, and equipment. For it was the Russian launching of the sputnik satellite a little over 10 years ago which fostered both the NDEA program—which was designed to increase the supply of college-educated scientific personnel—and our own space program which has culminated in the lunar landing of Apollo 11.

If funds for vital educational programs continue to fall dismally below authorized levels, how does Congress expect programs like NASA to continue to achieve the progress which they have? More important, how will our educational needs throughout the country be met?

The increased funding provided by the Joelson amendment is the minimum which Congress can accept if Federal educational programs are not to be completely crippled. I urge the adoption of this amendment to appropriate an additional $895 million for the vital programs specified.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Chairman, I would like merely to point out to those Members who have found a great deal of comfort in title II, the title that provides books and other services to our private schools—and that is the only title under which they can get help for our parochial schools. That title will be washed in with three other titles if the Robison amendment and the Michel substitute are adopted.

Those of you who have found comfort in bringing some modicum of help to private schools in your district would actually be voting away that help because if the Robison amendment is adopted they would be programed and washed in with several other programs. Under our rules, no further amendments would be offered later in debate in this regard if the Robison amendment is adopted at this time, and no further amendments will be possible later on to restore these $50 million as a separate item under title II, which has brought meaningful help for the first time to millions of youngsters in our private schools.

So, Mr. Chairman, I hope those Members who will be tempted to vote for the Robison amendment and the Michel substitute will keep that in mind.

Also, I hope each of you by now has studied how much your respective districts and States will lose in the impact program if you vote for the Michel amendment. You can help all of the students in your districts, the impact students, the private school students, and all other youngsters in your district by supporting the Joelson amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. JACOBS).

Mr. JACOBS. Mr. Chairman, two questions have been asked that I have not heard answered. The first one is, "Where we will get the money if the Joelson amendment is adopted"; and the second is, "Are we going to bite the bullet?"

Mr. Chairman, the Joelson amendment, if it is adopted, will cost just a little more than one-third of the amount that one military contractor is attempting on one contract to overcharge the American public.

I do not think we have to bite the bullet. All we have to do is bite off the excess cost of the bullet, and there will be plenty of money to educate the children of this country.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. TALCOTT).

Mr. TALCOTT. Mr. Chairman, education is one of our most important unmet national needs. We need to emphasize education. It needs help. I want to help. Unfortunately, the present programs for Federal aid to education are unsatisfactory—almost wholly unsatisfactory. Almost everyone involved in education finds fault with some section or some phase of the Federal aid to education. The taxpayer is particularly unhappy. Bond issues for school purposes are failing more and more often. Local taxpayers are refusing to spend or bond themselves for the present education system. Federal income tax revenues must be shared with the States for education purposes. Until this occurs, I will not be satisfied with the Federal aid to education program.

Our Federal Government must reduce its expenditures. Every program may be required to be tightened. Education may be an exception, and we should fund education equally with last year. No cut can be tolerated.

Public Law 874, the Federal aid to federally impacted school districts program has been highly criticized and in some areas abused the intent of the Congress. In my congressional district, impacted funds are appropriately used as the Congress intended. The school districts have been lulled into a sense of security. They quite properly have relied on these funds. All students—not just impacted students—are adversely affected by any diminution of funds. If funds are to be reduced, it would be grossly unfair to cut off these funds suddenly.

The parliamentary situation is confused—as it usually is when we try to amend highly complicated bills on the floor. Four hundred and thirty-five men and women simply cannot make the correct decisions in a few hurried hours of debate.

The addition of almost a billion dollars to this bill is a heavy burden upon the national taxpayer, a major contribution to accelerating inflation, with considerable dissatisfaction among the various pressure groups who are promoting their own special interests in this bill.

It now appears that there will be even more additional amendments. This is not the way to legislate.

The Robison amendment, coupled with the Michel amendment, appears to have the best chance of passing and providing for the educational needs of our youth under the fiscal restraints which we must recognize.

It is easy to take the floor and boldly and grandly urge the expenditure of more and more and more money.

But we also must pay the fiddler now, immediately. Some of us must remember the taxpayer. It seems passing strange to me that some of us who are most interested in education also must be the ones to stand up for the already overburdened taxpayer. I am most surprised that so many of those who are urging the House to exceed by $1 billion the Committee on Appropriations and yet recently voted against the extension of the surtax to help meet the education costs or to extend the spending limitation of $191 billion. Every dollar we add to this bill must be deducted from the allowable spending in some other Federal program.

Too many Members today fail to distinguish between authorization, appropriation, and spending. All three are quite different and should be considered separately.

We simply cannot appropriate every dollar that is authorized. There are programs in excess of $280 billion which are authorized. To appropriate funds in this amount would bankrupt our country in a few months.

Even if we appropriate all the funds requested by every amendment proposed to this bill, the spending could be quite different. The Department of Education has at least $100 million for these very purposes already appropriated to it and not spent. No program will suffer by lack of appropriated funds.

If we are to add a billion dollars to this phase of Federal aid to education, which probably could be spent advantageously, we should do it fairly to all sections of the country and to all children. The Joelson amendment was devised to bring a few large special interests into a compact to try to assure passage. It was concocted in a hurry without adequate thought or consideration of all phases of education. It may have sounded good to the special interest groups at first blush.

I shall vote to increase the committee recommendation by one-half billion. I hope that this will be considered sufficient.

I hope that the Committee on Education and Labor will soon propose a bill for Federal aid to education that will prevent the kind of debate we have seen today.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri (Mr. RANDALL).

Mr. RANDALL. Mr. Chairman, I rise in support of the Joelson amendment to H.R. 13111.

Under the limitation of time I will only be able to point out that the real issue before us is not that of economy

because the appropriation for education contained in this bill is not just another expenditure but is instead an investment. When all is said and done, money spent on education is the very best investment that can be made in the future of America. Nor is the issue here whether any of these funds amounts to a bonanza to local school districts as some have alleged. In every instance they have been authorized by prior legislation.

The true facts are that when we pass an authorization bill and then fail to follow it with an appropriation bill we have created a false image. When we authorize funds for education or anything else unless we intend to appropriate for these programs we have created a false impression and an unreality that is deceitful. Once we pass an authorization bill for a worthwhile program we in effect make a promise. We may choose to thereafter refer to these authorizations as entitlements but the true facts are we have made a sort of commitment. We should never let ourselves emasculate or belittle that commitment by appropriating less than the authorization. To authorize and fail to appropriate is to talk big and act small.

If we fail to appropriate sufficiently for the several entitlements under the education bill authorized and passed in the 90th Congress then no matter how we may try to explain it away or otherwise try to comfort or console the expectant recipients we are reneging on the promise we made and have shattered the image we created.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. RANDALL. I yield to the gentleman from Missouri (Mr. ICHORD).

Mr. ICHORD. Mr. Chairman, I rise in support of the Joelson amendment increasing the appropriations for educational purposes approximately $894 million over the amounts provided in H.R. 13111. Of this $894 million increase, $398 million is required to provide 90-percent financing of Public Law 874, popularly known as the impacted area program. I do believe that changes should be made in Public Law 874 in order that the need of the impacted areas is taken into consideration in the distribution of such funds. Some of the wealthiest school districts in the Nation are receiving aid under this program while many of the poorest districts receive nothing. However, I cannot permit the program to fall merely because we have failed to eliminate such wealthy districts who are not deserving of Federal aid from the program.

Throughout all my legislative career, on the State level as well as the Federal level, I have consistently supported increased appropriations for educational purposes. I feel very strongly that there is no area where Government can better spend its fund than in the field of education. I firmly agree with Humboldt who once said:

> What you would have in the State, you must first put into the schools.

No society such as ours, where the governed are also the governing, can afford to cheat on education which primarily deals with our most important resource, our youth.

The problem which we face today is essentially one of selecting priorities. We not only have educational problems which the Joelson amendment seeks to attack by the allocation of additional moneys, but we also have budgetary problems—serious budgetary problems. If we pass the Joelson amendment today we should resolve to recoup the moneys by cutting other programs in order to realize a balanced budget. There are innumerable items in the budget, the most obvious being nearly all the items in the foreign aid program, that should be assigned a priority below the additional moneys requested in this amendment. I support the Joelson amendment but hasten to add the caveat that we must not forget our responsibility to reduce other programs a comparable amount.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. BRAY).

Mr. BRAY. Mr. Chairman, there is nothing in the entire field of human endeavor more important than education, and this fact was underscored by H. G. Wells, who wrote in his "Outline of History":

> Human history becomes more and more a race between education and catastrophe.

Education's importance is too great, its expense is too large, its scope is too vast and its potential, for good or for ill, too critical to the survival of a nation and a culture to allow it to be turned over to social planners. Yet, today, more and more, the citizens of the American Republic view with alarm and concern the steady, voracious appetite of a Federal educational bureaucracy that seems to be more interested in sociological experimentation than in education, with our entire educational structure for a blackboard, and pupils and teachers as dots on a graph or figures in an equation.

No endeavor has greater potential community support and enthusiasm behind it, and no endeavor binds a locality together so tightly, as the school. This tradition is one of the best in our history, and as old as the Republic itself. The founders and settlers of our country knew the truth and validity of this and in their wisdom established the principle of local control and responsibility, which principle has contributed significantly to the enduring strength and greatness of our country.

The American people are aware of this and, by and large, so is the U.S. Congress. Unwarranted Federal meddling in education is not unknown to the people nor the Congress, and we are faced with it, again, on a large and rather intemperate scale.

The bill before us, H.R. 13111, providing appropriations for fiscal year 1970 for the Departments of Labor, and Health, Education, and Welfare and related agencies, carries a provision to deal with that very situation. This time it is the issue of agencies of the Federal Government using Federal money as a club to blackjack local school systems. The provision in question absolutely forbids the Federal Government from forcing busing of students, abolishing any school, or requiring any student to attend any school against his parents' choice. A similar provision was passed by the House last year but watered down by the Senate to the point of being totally ineffective. In addition, such restrictions have been written into law before, but have been totally ignored by the Washington educational bureaucracy.

The entire issue revolves around a very unfortunate sequence of events, practically all of which are attributable to some extremely radical proposals originating among the Health, Education, and Welfare bureaucrats back in 1966. Now, Congress had been aware for a couple of years of what might eventually be cooked up in fertile but feverish minds. Equally aware of the potential for great damage to the Nation's educational structure, congressional intent forbidding any such meddling had been made quite clear and plain.

THEORIZING RUN WILD

But there is always someone who does not get the word, and if they do, they choose to ignore it, setting themselves up as being better qualified to dictate to the American public what their educational structure should be. In this instance, "someone" was Harold Howe II, former Federal Education Commissioner, who took office in 1966 and almost at once made it quite clear that he was going to set the rules. A Wall Street Journal story of August 12, 1966, about Howe was headlined as follows: "Integrating Classes—Federal Officials Now Favor End to Tradition of Neighborhood School—New Education Commissioner Calls for Busing, 'Plazas'; Suburbanites Are Alarmed—His Only Weapon: U.S. Cash."

The story begins with these paragraphs:

> "We can't *do* anything; we can only suggest and stimulate local school districts." (Emphasis in original text.)
>
> The mildness of the words belies the intensity of the speaker, a firm foe of school segregation. He is Harold Howe II, the new Federal Education Commissioner, who insists that segregated schooling—by design or by living pattern, by race or by economic or social status—is bad for all concerned: Whites, Negroes, other minorities, poor kids, middle-class kids, rich kids. He will do all he can to help communities break down these barriers.
>
> Mr. Howe can be tough. To educators, he talks a hard antisegregation line: "Gradualism, no matter what we call it, has failed." To Congress, he advocates a tough law. Specifically he espouses the aim of a proposal by Senator TED KENNEDY of Massachusetts to introduce into legislation the concept that not only outright segregation but mere racial imbalance in schooling is bad.
>
> Down with neighborhood schools: About the only weapon now at Mr. Howe's command is money—the use of Federal aid to encourage local school experiments designed to assault segregation and, in the process, to weaken or even destroy the cherished "neighborhood school" tradition. This push is arousing cries of alarm from many schoolboard officials and parents, especially suburbanites.

A few paragraphs further, the Wall Street Journal story goes into more detail, as described by one of Howe's top aides, Mr. Nolan Estes:

> More experiments are needed, says Mr. Estes, so that the new ideas can be subjected to critical, independent analysis—ex-

periments not only with educational plazas but with the supplementary-center ideas and the busing of children beyond neighborhood boundaries that is basic to all the new approaches.

To the Howe strategists, the neighborhood school concept, as most people think of it, is old stuff. They hope parents and local school officials will think in terms of the city as a whole, or of the city and suburb, instead of just a neighborhood. "We're not ruling out the neighborhood school," says Mr. Estes. "We're simply enlarging the neighborhood."

CONGRESS STEPS IN

When the civil rights bill of 1966 was up in the House for debate, an amendment was adopted aimed primarily at Howe's ideas. The Washington, D.C., Star in its lead editorial of August 12, 1966, said:

The thrust of the amendment is in this sentence: "Nothing in this title shall be construed to authorize action by any department or agency to require the assignment of students to public schools to overcome racial imbalance." The purpose of this was made clear enough during the debate. The House believes that Howe, supported by Gardner, has grossly distorted the plain intent of the 1964 Civil Rights Act in order to impose on the country his own notion of what constitutes a desirable racial mix in the public schools. And he proposes to do this by withholding federal funds from any school district which does not conform to integration standards imposed by his agency.

What he (Howe) intends to do, in brief, is to bus school children back and forth to achieve a racial mix satisfactory to himself, and if necessary to abolish the neighborhood schools in the process. This has never been required by the Supreme Court nor intended by Congress.

But Howe and company went right ahead. Then, early in September 1966, it was revealed that a "study group" at HEW had prepared something with the title "Equal Educational Opportunity Act of 1967." Then Secretary of Health, Education, and Welfare Gardner said it was only an "unofficial discussion paper" but did admit that the proposals contained in it were under consideration.

A section of the proposed bill discussed techniques that might be used to achieve compulsory integration in local schools across the country. These would include: "comprehensive, districtwide rezoning of school attendance areas to obtain maximum heterogeneity"; "pairing, grouping or clustering of adjacent Negro and white schools"; "reorganization of the use of schools; changing feeding patterns"; "careful site selection to locate new schools so as to maximize integration of residentially integrated student populations"; "increased busing from overcrowded to underutilized schools."

This was going a little too far. The U.S. Office of Education had prepared for distribution 52,000 pamphlets containing the toughest speeches made by any official on school desegregation, including, among them, busing. They had all been delivered during May and June of 1966 by Howe, and, as a Washington newspaper admitted—

Taken together, the four speeches in the Howe pamphlet indicate support for rezoning and school busing to achieve integration, including exchanges between slums and suburbs.

Distribution of the pamphlets was held up by the Office of Education. The Office's action came within 3 weeks after disclosure of the proposed bill. Reason given was that a Howe quote on the inside cover of the pamphlet was given the wrong title—and an incorrect tagline on the quote said it came from a speech at Bennington College, where it had actually come from a speech given at Columbia.

And then one newspaper revealed that Howe, so strong about busing other people's children, was sending his own son to school—not in Washington, D.C., where the Howe family lived—but to a private school in New England. At the time, enrollment in Washington, D.C., schools was 53 percent white; 47 percent Negro. Enrollment at the private school was eight or nine Negro students among 385 white boys.

The last word on Mr. Howe's plans was said in an interview with the new Secretary of Health, Education, and Welfare, Robert Finch, which appeared in U.S. News & World Report, March 10, 1969:

Mr. Cohen (former Secretary of Health, Education, and Welfare) let Howe make a lot of statements in areas where Howe didn't have real authority—which gave a particular cast to the problem. They took the apparatus that had been assembled from earlier Secretaries of HEW and continued to push, push, push on this.

NIXON ADMINISTRATION STATES OPPOSITION TO BUSING

Secretary Finch had stated quite unequivocally earlier in the interview:

It's totally artificial to insist on busing school children if it may be detrimental to the level of education.

The greatest problem we've got in the elementary and secondary schools in the country is not to get so hung up on these other struggles as to let the quality of education in the public-school system erode and erode and erode.

President Nixon had recognized the problem and had said on two separate occasions, during the 1968 campaign:

I think that busing the child—a child that is two or three grades behind another child and into a strange community . . . I think that you destroy that child. The purpose of a school is to educate. That is what we have to do.

And, at another time, he said:

The purpose is education. I oppose busing because I'm for education. When you pick up children and cart them across town, you don't help their education. You hurt them.

So who is for the busing concept? Parents? Certainly not. My mail and, I dare say, the mail of every Member of the Congress, is overwhelmingly against it. School superintendents? Nation School magazine, May 1968, reported a poll showing 74 percent of the Nation's school superintendents were opposed to busing as a desegregation measure. School boards? The same survey had 88 percent opposed. Teachers? Today's Education, March 1969, carried a National Education Association research division survey showing 78 percent of the teachers were opposed to busing students from one district to another.

THE CHARGES AGAINST INDIANAPOLIS

The Department of Health, Education, and Welfare has recommended "racial balance" action in Indianapolis schools; the city forms a large part of the Sixth Congressional District, which I represent. The Department of Justice has filed suit against the school system, alleging discrimination in the assignment of pupils and teachers.

Now, the Indianapolis School Board has followed a general policy of allowing the neighborhood in which each school is located to determine which students go where. The objective has been to locate schools in areas where all children will not have to walk more than seven-tenths of a mile to school. There is no "racial mix" involved in this; courts have previously held that "racial mix" should not be involved. The Department of Justice a year ago held this policy is discriminatory and causes segregation. If this was true, then it would be in violation of Indiana State law, since desegregation of schools was done by law in Indiana in the 1950's. But no suit was filed under Indiana State law; it is the Federal Government nosing in to decide educational policies.

WHITE AND NEGRO CITIZENS AND PUPILS OPPOSE TRANSFERS

The Indianapolis School Board did take tentative steps to transfer teachers; this was part of Justice's charge. Thirty-eight teachers were to be transferred from Crispus Attucks High School, overwhelmingly Negro. The reaction of the Attucks student body was quick; they walked out in protest. At a school board meeting, Ronald Crenshaw, representing a delegation of Crispus Attucks High School students, raised strong objection to mandatory transfer of these 38 teachers. He said:

We are not against integration of Attucks, however, we are against the idea of drafting 38 of our black teachers in order to give Attucks a better racial balance. . . . Last year, Attucks was literally robbed of 25 black teachers. Now, a year later, Attucks is on the threshold of being robbed again. . . . When one is robbed of something, he usually considers that something valuable. We consider our teachers valuable.

They didn't become dedicated because someone said they ought to. They became dedicated because they understand and realize that a black student has to be better if he's going to succeed. . . . It is this dedication, loyalty and understanding that makes Crispus Attucks or any school a great and thriving institution.

At the same board meeting, an almost identical point was made by Citizens of Indianapolis for Quality Schools. This consists primarily of Northwest High School area parents and teachers. Their statement to the board said they were convinced—

Such mandatory transfer of teachers . . . is injurious to the education of all students . . . and lessens the quality of education.

Criticism of the Attucks transfers was joined by the Indianapolis section of the National Council of Negro Women and the Attucks Teachers and Students Association and the class of 1938, which objected to Attucks being used as a "resource pool" for black teachers.

In face of this, the school board then reduced the number of teachers transferred from 38 to 10, which was well below the minimum demanded by the Justice Department. At the meeting referred to above, not even members of the school board defended the teacher-transfer policy. As a column in the Indianapolis News put it:

It appears that the school board, under duress from the Justice Department, has accepted policies which lack support in the community.

PLAYING WITH FIRE

An Indianapolis Star lead editorial of April 26, 1969, entitled "Nose Under the Tent," cited the Star's longstanding warnings that Federal aid meant Federal control. It concluded with a paragraph grimly ominous:

But the camel of Federal control has its nose under the tent of our school system. Unless resistance to further interference in Indianapolis and Indiana public education is successful now, our schools will be, as Chicago is gradually becoming, the satrapy of the Federal empire in Washington.

"As Chicago is gradually becoming." The Baltimore Sun for Tuesday, July 29, 1969, in a story entitled "Chicago Schools—III: Suit by United States Would Renew Strife," refers to plans to sue the Chicago school system over desegregation, and says this "seems a certain prelude to renewed strife in a tinderbox of racial tension."

Speaking further of community sentiment, the story says:

Among the populace, the same well-organized white neighborhood groups that have resisted any form of integration in the past predictably assailed the federal action . . .

Just as predictable, Negro militants opposed any attempt to bring more white teachers into Negro neighborhoods.

Between these extremes, the response was unenthusiastic. In the Negro neighborhoods, the emphasis in recent years has been on community programs to improve schools and change them into institutions the people feel can help their children.

To achieve this, a lawsuit threatened in Washington against a remote city agency downtown seems simply beside the point.

For myself, I find it highly significant—and I do not see how the point can escape anyone—that the Federal Government's interference in its current fashion seems to be almost universally resented by both races. Why not? Is not this interference, by implication, casting a tacit interference of supposed inferiority on those very persons it is supposed to "help"? Who would not resent it? And why should not the Congress oppose it by every means possible? The Congress, I am certain, does not wish to be a partner, silent or otherwise, to engendering "renewed strife in a tinderbox of racial tension."

THE FEDERAL SCHOOLMASTER

In view of this public sentiment, in view of the great danger inherent in this questionable tampering and meddling, I find it hard to see just where HEW and Justice take their rationale for their actions. I cannot help but wonder if both agencies are afflicted with some sort of curse of absolutism—striving for the absolute goal, postulated on false premises, and in so doing losing sight of the first and most important task concerned with raising a child to maturity: education.

Now, the charge is made against the amendment that it is a red herring, to draw attention away from the overall question of school desegregation itself. The charge is false; the charge itself, indeed, is a red herring, to draw attention away from forces and individuals who are only too ready and willing to go behind the back of the American parent, student, and Congress to use our entire educational structure as one massive sociological experiment blackboard.

Let us not forget that education is not only a big business in terms of number of pupils and physical plant, but also in terms of money.

Public and private schools, total expenditures, ran over $50 billion in 1967–68. The Federal share is a relatively small percentage—6.1 percent, 1966–67—but in nothing else does such a small share have such tremendous influence.

The balance, let no one forget, comes from communities and States, through taxes, in the same fashion all money for public expenditure is raised. The additional 94 percent is raised on a local scale, and what is contributed by the States and localities, as a percentage of direct expenses for all functions, is quite high. Average for the United States, overall, is 40.8 percent; the high for the country is 53.8 percent—Indiana is second, with 53.2 percent—and the low is 26.9 percent. These are the most recent figures, compiled for the 1966–67 period.

And, as everyone is also aware, or should be, it is the taxpaying parents of schoolchildren themselves who are shouldering the major portion of a back-breaking cost. In spite of this, the never-ending flood of schemes emanating from the Federal educational bureaucracy continues to make the load heavier and heavier to bear.

The potential for opportunity—what our educational structure can give our children—is matched only by the potential for temptation to play God on the part of those in authority.

"But," says the bureaucracy, "we are only interested in making schools more democratic."

To this I can only say that autocratic behavior in Washington will do absolutely nothing toward fostering a sense of, or appreciation for, democracy in the schools. Did the students at Crispus Attucks High School, in Indianapolis, see anything "democratic" in sudden, arbitrary transfer of some of their teachers? I doubt it.

EDUCATE, OR ERODE BY SOCIAL EXPERIMENTATION?

Now, we can educate, or, if we allow ourselves to go running off after dubious and questionable concepts that can scarcely be defined, let alone shown to have any validity, we will, as Secretary Finch has said, "erode, and erode, and erode." I believe the parents of American schoolchildren have been quick to sense this process of erosion. In many cases, I have no doubt, the pupils themselves have become aware of it. It has to stop; erosion can progress beyond a certain point where return is quite difficult, if not impossible, and the ultimate consequences are indeed frightful to contemplate.

The late T. S. Eliot, accurately termed "one of our century's most profound cultural critics," saw this growing brutality and mechanistic attitude as the power of the State became greater and greater and steadily ate away at local control or guidance of education. He saw nothing less than breakdown and disintegration of true culture itself. He said:

There . . . is a danger that education—which (has come under) the influence of politics—will take upon itself the reformation and direction of culture, instead of keeping its place as one of the activities through which culture realizes itself. Culture cannot altogether be brought to consciousness; and the culture of which we are wholly conscious is never the whole of culture; the effective culture is that which is directing the activities of those who are manipulating that which they *call* culture. (Italics in original.)

There is no doubt that in our headlong rush to educate everybody, we are lowering the standards, and more and more abandoning the study of those subjects by which the essentials of our culture—of that part of it which is transmissible by education—are transmitted; destroying our ancient edifices to make ready the ground upon which the barbarian nomads of the future will encamp in their mechanized caravans.

So, educate, or erode? We still have a choice.

The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. SIKES).

Mr. SIKES. Mr. Chairman, I support the Michel amendment. I would hope the House is giving careful thought to what it is asked to do. If we are going to march up the hill and back down again, we can make ourselves look pretty silly, and that may be what is in process. I know that each of us has constituents in town and that we want to impress them. I know that a vote for a greatly expanded program of Federal aid to education can be justified in many ways, but I know also that placing so much additional money in this bill is an empty gesture. Even if it survives Senate and conference committee action the additional money would not be expended because the Congress cannot require the Executive to spend money that he does not want to spend or feels he should not spend. The specter of inflation and runaway prices which the action now proposed would abet is even more serious than the needs of education. The downward sliding stock market affects your constituents also, even including those who do not own stocks. An exercise in futility in Congress provides no assurance in the marketplaces or to the public. It is difficult to cast an unpopular vote but this is a time when the House had better steel itself and cast an unpopular vote. This Congress already is overdue in demonstrating soundness in Government procedures more than anything else.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Chairman, I cannot approve of the compromise of the gentleman from Illinois (Mr. MICHEL) for only 77 percent for this pro-

gram. I noticed the gentlewoman from Hawaii (Mrs. MINK) is willing to compromise our interest in 100 percent for impacted programs in order to get through some other portions of the program, a few of which I think are much, much less desirable than the impacted programs. Supporting an increase in title I is one that is highly questionable. New York and many major metropolitan centers in the Nation are the principal beneficiaries of title I and it is a real windfall to them. In order to get support for the impacted programs it may be necessary for some of us to support the questionable increase in title I, however.

I am delighted to see that the committee's judgment on trying to differentiate the treatment of "A" and "B" students has not been sustained and we have finally gotten an agreement that there is very little difference in the entitlement for support between "A" and "B" students.

Unfortunately, I find myself in the position where I may have to oppose the committee substitute and support the position that is taken by the gentleman from New Jersey (Mr. JOELSON). While I should prefer 100-percent funding of the entitlement for impacted districts and prefer to make decisions on each other item by line, apparently the closest we can get to full funding for impact areas, because of the parliamentary situation which has developed, is to support the Joelson amendment.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I am happy to yield to the gentleman.

Mr. STAFFORD. Mr. Chairman, my remarks on this bill to fund educational programs will be brief, but I hope not empty, for this measure is one of the very most important which we shall consider in this 91st Congress.

I shall give my strongest support to funding the educational programs contained in the bill at the highest possible level. To do otherwise would be to break a commitment I have repeatedly made to the people of my State of Vermont, to say nothing of the commitment which we in the Congress have repeatedly made to the young people of America.

I commend the House Appropriations Committee for restoring as many of the proposed cuts in the area of educational assistance as it felt it could. But this is not enough, and additional funds for student loans, vocational education, library services, and regular school assistance under the Elementary and Secondary Education Act must be forthcoming.

I am fully aware of the need to balance our Federal budget and I do not take lightly the responsibility of voting for funds which go beyond budgeted amounts.

But I also know what program I believe should have No. 1 priority—and that program is the education of all Americans.

I can assure you that I shall support cuts in spending for nonessential military hardware, for unnecessary foreign aid and for unwanted and unwarranted public works projects which will more than make up for the additions which I hope will be allocated for education today.

The responsibility of meeting educational costs is severely straining the resources of our local school districts and our State governments. We must assist them with as large a share of the Federal tax dollar as we can.

If our educational institutions are not maintained at the highest quality level, and if their programs are not made available to the highest quantity level of American young people as possible, then all of the great technological advances we witnessed in that great moon walk 10 short days ago will soon be in vain.

I implore each of you to join in giving your full support to the fullest funding of these educational programs here today.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. WILLIAM D. FORD).

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman.

Mr. JOELSON. Mr. Chairman, I want to express my appreciation to both sides of the aisle and both sides of the issue for the tone of this debate, which has been at a very high level.

I think the debate has been very interesting, but I will say I find that those who agree with my position are much more persuasive.

Very simply, Mr. Chairman, this afternoon we are going to be able to say to the kids of America, "We have faith in your ability and we believe in you and in your potential."

Today also, we have the opportunity to help them achieve that potential. I cannot think that anyone would turn that down.

I urge you, I implore you to support this amendment, not for me—I do not have to run again—but for the fine kids of this great Nation of ours.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey (Mr. JOELSON).

Mr. BIAGGI. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman.

Mr. BIAGGI. Mr. Chairman, I rise in support of the package of amendments that would add nearly $900 million to vitally needed programs in education. This is definitely one area that cannot withstand compromise because we are dealing with the lives of young people who will guide the destiny of our Nation in the years ahead.

I know that my own State and my own district will derive significant benefits from these amendments. I consider it a privilege, therefore, to contribute my support to a program that will provide much needed assistance in the field of education.

Enactment of these amendments would prevent several school programs from being eliminated at the discretion of the Commissioner of Education. Other programs would be maintained at a level sufficient to be effective and to achieve their goals.

In addition, the amendments contain provisions to increase the appropriations for the federally impacted areas program to $585 million. This program has been of immeasurable assistance to school districts in every State in our Nation and to 375 congressional districts. It has helped to compensate for the burdens imposed upon school districts by Federal activities.

The amendments would also salvage the school library books program, the guidance and counseling program, and the science equipment program. And vocational education training would remain intact and not be reduced.

The higher education undergraduate building program, and the national defense student loan program would be funded at a level which would allow them to continue adequately.

Finally, the amendments would make additional funds available for title I of the Elementary and Secondary Education Act for the disadvantaged—and also assure funding for title II. Possibly no other aid to education program probes deeper into our country than title I. It will mean that so many more Americans will be able to acquire the basic skills which are prerequisites to living in our modern world.

Each of the programs I have mentioned are an integral part of our educational system. We certainly cannot afford to compromise the education of our young people—our leaders of tomorrow. We all understand the urgencies of the economic pressures in our country today, but we have established priorities and responsibilities that must be met—and this is surely one of them.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. LEGGETT).

Mr. LEGGETT. Mr. Chairman, we are today considering a package of amendments to restore the basic and fundamental funds to our education programs. H.R. 13111, as reported by the committee, is sorely deficient in support to ESEA, NDEA, vocational education, and impact aid.

I am well aware that our fiscal situation is strained to the limit at the present time. The Joelson amendment before us to put some of the cuts back in the HEW appropriation bill are necessary to even the basic operation of our school systems.

This is not an inflationary package. All that we are asking for in ESEA and NDEA is an appropriation equal to the 1969 appropriation. In a year when we have seen increasing expenditures in all areas of the economy—and I point to the C–5A and F–111 as an example of Federal escalation—the supporters of education must come as supplicants to the full Congress in order to merely stay even with the past year. We are asking for a zero-percent rise in expenditures—merely the same per capita money that was available last year.

The opponents claim that it is up to the Government to take the lead in combating inflation. I could not agree more. I believe substantial cuts can be made without harming essential domestic pro-

grams. Military appropriations will again approach $80 billion in fiscal 1970. Why should defense appropriations be funded at 100 percent of authorization while libraries are funded at 3 percent, higher education construction is funded at 4 percent, and ESEA title I is funded at 44 percent. Competent analysts in the Pentagon are convinced that $10 billion could be cut in defense without the least bit of harm to our defensive posture. Yet, the percentage of cuts in the military program is ludicrous when compared to other essential services. I say, if we are going to cut the budget, let us take out the big wasteful foreign military items and not desecrate the needed domestic aid packages.

Another point I want to stress is that this package is not a regional aid proposal. For some reason the feeling is that impact provisions in this bill are intended to support certain regions of the country at the expense of others. This is just not accurate.

My calculations indicate that impact aid funds are distributed equitably throughout the country. The Central States get 5.2 percent. The mid-Atlantic States receive 17.5 percent. The Midwest received 7.9 percent. The Northeast receives 9 percent, the Southeast will get 14 percent, the Southwest 16 percent, the Western States 29 percent, and the various territories a total of 1.4 percent.

These figures accurately reflect the distribution of school districts entitled to impact aid funds.

Impact aid consists of a large share of this amendment package. However, it is aid that is absolutely necessary to the basic function of the affected school districts. In my congressional district many of the school systems could not operate without this aid.

In 1950, Congress recognized the obligation of the Federal Government to provide financial assistance for the operation and maintenance of local school districts which are financially burdened when: First, the sources of local revenue are reduced as the result of acquisition of real property by the Federal Government; or second, local school districts must provide education for children who reside on Federal property or whose parents are employed on Federal property, or third, there is sudden or substantial increase in school attendance as a result of these Federal activities. In other words, this legislation was enacted to provide relief for local school districts adversely affected by the Federal Establishment and staffing of large civilian or military installations that resulted in both the withdrawal of said property from the local tax base and a substantial increase in the school aid population.

From its beginning this program has had strong bipartisan support, but every year we must fight for a sufficient authorization to enable the affected school districts to even barely meet their commitments both as to teachers' salaries and essential support services. This impact aid is not for frills, it is not for experimental programs, but is for the basic essential services that the school districts must provide. Under the amendments we are considering today, impact aid will be funded only at 90 percent of the 1969 level. Under the Joelson amendment, the estimated need for impact aid is $655 million. We are asking for $586 million. The Michels amendment, however, only provides for an appropriation of $506 million—far below even the minimum requirement for impact aid.

This is a percentage reduction from last year during a time when most other expenditures have escalated.

Finally, a number of opponents of this amendment package argue that we should defeat categorical aid so as to have available funds for general aid to education.

This is an apples-and-oranges argument that has not proved viable in the past. There is no indication that a cut in categorical aid will release funds for general aid.

We cut $700 million from the MOL program. We cut $400 million from the F–111B program. The Senate cut $348 million from the A–7 program. All of this money is available, but has not been reprogramed.

In other words, a cut in program A does not indicate an increase in program B. I am sure my colleagues will agree that it is unwise to give up categorical aid in the vain hope that general education funds will result.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri (Mr. HALL).

Mr. HALL. Mr. Chairman, I rise in opposition to any amendment which would increase spending over and above the committee's report and the revised budget, and I am one of the often spoken of Representatives who shares impacted aid, some in a rural area for a base closed over 12 years. I think it is time that someone said something about priorities for the taxpayer and for the future of the citizens of America, as well as the future citizens thereof. The question for most serious consideration is ways and means, and a balanced budget if we are not to be a bankrupt nation. What does this avail us, and why have not sources of income been suggested?

The question here is not whether we love our children or not. The question is not whether we believe in education or not. It is the sign of the times that so little thought is given to basic and fundamental laws of finance and equity. I think it is utterly ridiculous to vote for any amendment that would spend $894 million merely because one person's State or district was losing $5 million over their "take" from the taxpayers' pocket, in a post year.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. DERWINSKI).

Mr. DERWINSKI. Mr. Chairman, I wish to compliment the membership on the tone of the debate in the last 2 days. It is one of the finer debates I have listened to in my 11 years here in the House.

However, there has been an obvious inconsistency, which is not surprising but should be noted. One fact that strikes me as demonstrating the inconsistency is to compare the vote we finally will have on these amendments with the vote a few weeks ago to extend the surtax. We will find a number of members who voted against extension of the surtax but are perfectly willing to vote hundreds of millions of dollars above the budget on appropriations. Maybe what we need in this bill is a little more adult education, especially in economics and in logic among the Members.

Mr. Chairman, I recognize and appreciate the fact that the bill before us is substantially higher than the budget and that all of the pending amendments and the substitute will futher increase funds for education. It is obvious that the final result will not be a setback to the funding expected from this departmental budget. However, I must reemphasize the fact that many Members clearly disregard the overall budgetary situation and in effect become all things to all people. That is why I mention the rather obvious pattern of those who vote to increase appropriations and who vote against the taxes needed to pay for the programs they have supported.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. COHELAN).

Mr. COHELAN. Mr. Chairman, I yield to the gentleman from New York.

Mr. SCHEUER. Mr. Chairman, there is not an individual in this House who doubts that we can afford to spend one-tenth of 1 percent of our gross national product for education, who doubts that we can afford less than 1 percent of our Federal budget for education. The question is not whether we can afford to spend it—because this is just a barebones beginning of the job we have to do in education—but how we are going to allocate this modest addition to our Nation's education budget of less than $900 million. Dare we say to the American people today—"We are going to spend several hundred millions more on the education of middle-class kids in middle-class communities, but we are going to continue to let our disadvantaged urban youth fester in undereducation, underjob training, and underemployment."

We must do the education job that the Joelson package contemplates, to preserve peace and sanity in our cities.

Mr. Chairman, H.R. 13111 calls for expenditures of $2.3 billion during fiscal 1970. In view of the size of our gross national product—now approaching $900 billion—the penurious funding of our educational programs is both inexcusable and inexplicable. The Joelson amendment, which would add less than $900 million to our educational programs, would merely bring our commitment for 1970 to the levels we set in 1969.

There are several areas in which we simply cannot afford the Appropriations Committee's frugality.

Title I of ESEA which serves 9 million of our neediest children must be amply funded to reflect the cost of added programs and the pressures of an inflationary economy.

In 1968, we amended the Vocational Education Act to provide expanded opportunities for occupational training, particularly for the disadvantaged. We

need additional funds to fulfill the promises of our new vocational laws.

We need to keep our library programs funded.

We must provide expanded higher education opportunities through the availability of student loans.

In all, we have made considerable strides in the recent past in all aspects of education. It would be tragic and untimely to arrest this progress through inadequate funding.

One last point, Mr. Chairman, I was grateful yesterday to my colleague from Mississippi, the distinguished chairman of the Rules Committee for his thoughtfulness in reciting for our benefit Aesop's fable of the overly greedy dog on the bridge who viewed the reflection of his bone in the stream, and lost the bone in hand—or perhaps—in tooth. To the debate on the Joelson package, more relevant, Mr. Chairman, is Aesop's story of the old farmer who felt he was near death. He was sad to leave his farm and his family. He had often told his three sons how important it was that they should work together to achieve their goals. As he lay on his bed, he asked the oldest to bring him a bundle of sticks.

He had the young man tie the bundle together. "Now," he said. "Break that bundle."

The oldest tried, but he could not do it. The second son tried, and he, too, failed. The third son did no better. The bundle could not be broken.

"Untie it," said the father. "Now see if you can break one of the separate sticks."

The oldest son broke the stick without any effort. The second son took another stick and broke it easily. So did the third son.

"You see now," said the father, with a smile on his face, "why it is important to stop quarreling and stick together. As long as you separate yourselves from each other you will be weak. United, if you view your goals, your aspirations, your hopes, as a common package, you will be so strong that together you will prevail."

Mr. Chairman, we must stick together and support the Joelson package to do the education job that must be done for all of our children.

For, as the greatest story teller of all time—Ben Franklin—told his colleagues in 1776:

> We must all hang together or assuredly we shall all hang separately.

Mr. Chairman, I urge my colleagues to hang together and support the Joelson package.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa (Mr. SMITH).

Mr. SMITH of Iowa. Mr. Chairman, I am not against providing more money for education. But when we do so, we should allocate it so that it meets the Nation's greatest needs. The Joelson amendment simply fails to do that. Nobody can argue that the amendment meets that criteria. In the bill, there is a greater percentage for the disadvantaged than there is in the Joelson amendment and incorporating a higher relative level into the bill for the lower priority items will make it more difficult to direct the Federal support where most needed from here on.

When the pork-barrel boys got around to distributing the pork in the Joelson amendment, those with the least need got hams and the bacon and left the disadvantaged with the salt.

That is what happened in relation to the Joelson amendment. Those programs in greatest need got the crumbs while the other boys walked off with the loaf of bread.

When we allocate another billion dollars for education, which I am for, I say let us allocate the money so as to meet the greatest needs for education instead of on some pork-barrel basis.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky (Mr. PERKINS).

Mr. PERKINS. Mr. Chairman, I am hopeful that the Joelson amendment will prevail, providing $629,048,000 over last year's appropriation for the program involved. If we fail to approve the Joelson amendment, we will not be doing anything for disadvantaged youngsters, the schoolchildren at the bottom of the barrel in this country, the schoolchildren who deserve top priority.

I must admit I am dissatisfied with this $180 million figure for the disadvantaged schoolchildren, but I know this is the best we can do. I am realistic. If we fail to approve the Joelson amendment, the disadvantaged children will get nothing from this Congress, in my judgment.

Mr. GILBERT. Mr. Chairman, education should be our highest goal, our No. 1 priority. The host of problems that overwhelms our society will yield only before education. The challenges of a land that will, within our lifetime, have a population of 300 million can be met only by educating our young. Yet the committee asks us, at this critical moment, to cut the educational appropriation in the Federal budget.

In a recent questionnaire in which my constituents were asked to enumerate national priorities as they saw them, the overwhelming number of respondents ranked aid to education No. 1. The significance of that response cannot be overlooked: The American people know the importance of education, to themselves as individuals and to our national community. We cannot reject the mandate of the American people to look ahead and not be deterred by momentary economic expediency.

I support the Joelson package amendment to provide adequate funds to reestablish the program levels for education that were cut back in committee. I commend the gentleman from New Jersey for his wise and courageous judgment in offering this amendment. It will add nearly $900 million for libraries, vocational training, student loans, equipment, guidance counseling, higher education construction, impacted areas aid, and other important programs.

In the immediate future, the programs contained in this amendment are designed to reduce hard-core unemployment, mitigate the drop-out problem, increase opportunities for poor and middle-class youths and insure the preparation of skills we need to keep our country going.

But this is also a bill with the future in mind, the future of our society as we know it now—prosperous, civilized, humane, prudent. I urge my colleagues to support this amendment, Mr. Chairman, as a measure of support for our children and the generations that will follow them.

Mr. BROWN of California. Mr. Chairman, at stake here today is an issue deeper than just that of the actual funding levels for Federal education aid; instead, we are facing the prospect of turning back on concepts which Congress gave overwhelming approval in 1965.

We must remember that only 10 years ago there was no such thing as general Federal aid to education. Even though major efforts to initiate such aid dated back to the late 1930's, prevailing attitudes in Congress held that such Federal education aid impinged upon activities which were better and properly left to State control alone, and, as one national political leader commented:

> Unless we are careful even the great and necessary educational processes in our country will become yet another vehicle by which the believers in paternalism, if not outright socialism, will gain still additional power for the central government.

As the issue raged throughout the fifties, slowly the trend began shifting more and more toward an enlarged Federal involvement. And, it was an accumulation of factors which led to these subtle changes, factors such as sputnik and the demands for educational reform and renewal, the baby boom with its surge in school-age children and the resulting unprecedented "classroom shortages" and—both as a factor and as a result—the rapid climb of educational costs and the squeeze put upon available resource bases.

Twice, in both 1961 and 1962, the Kennedy administration almost succeeded in passing Federal aid legislation, but each year, proposed measures lost by the narrowest of margins.

But, the goal was in sight, and in 1963, the door opened with passage of the Higher Education Facilities Act; 2 years later, Congress enacted assistance for elementary and secondary education.

I do not want to belabor this body today with a long, detailed history and analysis of Federal aid to education. Yet, as the distinguished Member from Pennsylvania said yesterday:

> If anybody would have proposed 10 years ago a budget of $3.2 billion for education, they would have had the guy with a white coat from St. Elizabeths standing out in the hall to pick him up.

And, indeed, the change has been that great.

I believe it necessary that all of us realize the critical importance of allocating the highest possible amount of funds for fiscal 1970 education programs. I like to paraphrase President Kennedy when he noted that the continued growth and development of this country depends more on education than on any other single element.

Behind the Nixon administration's attempt to substantially lower these appropriations lies an oblique motive, one that the noted economist Kenneth Boulding pointed out last month at the Congressional Conference on Planning for New Priorities in America when he said that there has been—and continues to be—a direct trade-off between the military and educational sectors.

So, it thus becomes a question of priorities, and I am hard pressed to find any program area with as huge—or as broad—benefits as those that come from the funds budgeted for educational assistance.

I am astonished to hear critics of the Joelson amendment calling it unwarranted overspending. The meat ax has fallen again to chop up vital programs in health, education, and urban affairs, but I have yet to see similar-sized spending reductions proposed for the Military Establishment, for public works, for agricultural subsidies, or for such pet projects as the supersonic transport.

The bipartisan backers of the Joelson amendment continue to emphasize that their objective is primarily to reestablish previous program levels. And, even with adoption of the amendment we would still be putting far too little in many key education programs. In just its balance alone, I point out—as did the distinguished Member from Iowa (Mr. SMITH)—that the Joelson amendment tends to proportionately underfund valuable programs for college facilities, student loans, and interest subsidies.

Failure to pass the Joelson amendment would mean dangerous setbacks for all citizens. Can we really "afford" to cut back on aid to impacted areas, on our school libraries, on educational equipment? Can we "afford" less guidance and counseling, lower construction grants, reduced vocational education?

The price all of us would pay if the Joelson amendment is defeated is far too exorbitant in terms of the future course of this Nation. The entire thrust of Federal aid to education stands today at a crossroads, and the right direction to take is that of the Joelson amendment.

Mr. MADDEN. Mr. Chairman, I support the Joelson amendment to this education bill for the simple reason that it will provide more money and give more American schoolchildren an opportunity to receive a better education than it provides in the original bill. In the impacted areas alone it would restore most of the funds authorized back to 90 percent so we could have an additional $398 million for our American school system. It would also aid vocational education and bring that figure up to $331,500,000. It would also aid title I of the bill so the figure would be up to $180 million. The Joelson amendment also contains a number of other important provisions that would help bring up the standard of American education which is today operating far below the status a rich nation should tolerate for its millions of citizens in the school-age bracket.

I well remember the fight we made in the 83d Congress almost 15 years ago to pass a major education bill but it was defeated by the Republican-southern Democrat coalition by the small margin of only four votes out of about 350 cast. Had it not been for the four-vote margin of defeat millions of American schoolchildren would have taken advantage of an improved and advanced system of education during the intervening time since 1954. Thousands of school dropouts would have been saved and possibly occupying important positions in our Nation and economy, some of whom today may be partaking in riots and disorders and joining the army of discontents and unemployed American youth.

Let us not make the same mistake on this education bill as 15 years ago, much to the regret of millions of younger citizens and to the discredit and deteriorations of our school system. The greatest investment we can make today is to spend money for education and preserve our Nation and free government for future generations.

I understand the Ways and Means Committee tax reform bill will be on the floor of the House next week, and if Members are alert and study the provisions of the new tax reform legislation maybe we can close some of the fabulous and fraudulent loopholes enjoyed by big oil companies, foundations, real estate corporations and so forth, and so forth, and bring many billions of dollars into the Federal Treasury in next year's tax receipts from mammoth corporations who are well able to pay some of their profits into the Federal Government for the progress of our Nation and the education of our present and future generations.

Mr. OBEY. Mr. Chairman, a society will be judged, in the long run, by how sensitively it deals with its poor and underprivileged and how well it educates its young.

This Nation spends billions of dollars a year on armament systems—some of which have not even been proven workable. What kind of value structure do we have when we are willing to appropriate so much money for armaments of questionable value, but are not willing to deal nearly so imaginatively—or generously—with the development of our children's intellects.

We can spend all the money in the world for armaments and for space capsules, but how secure will this Nation be 10 or 20 years from now if we fail to provide an education which develops each child to the fullness of his ability and potential.

And, what are we really talking about today. Even if the amendment now before the House is passed, this would only appropriate funds for higher education at 4.6 percent of the original level authorized. Available funds for student loans would only be at slightly over 80 percent of that originally authorized, and title I money, which is such a necessary part of the budgets for so many school districts, would only be funded at 44 percent of its original authorization.

The Joelson amendment is trying, at least in a small way, to close the gap between congressional promises and congressional action—a gap which has left local educators frustrated and confused and which has left local property taxpayers holding the bag for a very large portion of the cost of our educational system.

How can those who support tax incentives for capital investment for industry rationalize a vote against this amendment, which is really an investment in human beings, in the growth of young peoples' minds, and in the brain power of the future leaders of this country.

Abraham Lincoln said:

> Education is the most important subject which we as a people can be engaged in. That every man may receive at least, a moderate education, and thereby be enabled to read the histories of his own and other countries, by which he may duly appreciate the value of our free institutions, appears to be an object of vital importance.

Mr. Chairman, I believe education is a subject of crucial concern and I do not believe the amendment before this House today sets too high a price for a matter of such importance to this Nation's future.

Mr. STUCKEY. Mr. Chairman, we all know that when the Federal Government has workers in a community and they are working or living on Federal property or both, it is certain that the school district is deprived of local school revenue for its children, and that the children suffer in proportion.

Public Law 874 which provides for the Federal Government to pay its school taxes, just like other property owners pay their taxes, has helped millions of children receive a better education. The formulas in this law provide for the Federal Government to pay its taxes according to the burden imposed on the community.

There has been much talk today about the "B" pupil. A "B" pupil, as we have come to learn, is a child whose parents live off but work on Federal property. The parents of a "B" pupil pay taxes on their home but the plant where the parents work pay no local school taxes. It is easy to see that a severe burden is placed on a school district when it has children whose parents work on property which pays no local school taxes.

Mr. Chairman, it is strange to me that the Federal Government can impose such a burden on a local school board, and then expect that same school board to run a good school on half of the local revenue proportionately of that of other schools who are not affected by Federal impact.

Our children are our most priceless possession and their educational welfare comes first with the parents of this country. Surely the Members of this body cannot still believe that our school officials can run fine schools with one-half of the local school revenue cut off.

Cutting off the money for the so-called B pupil in an impacted school district would do vastly more harm than is generally realized. There are at least 2¼ million students whose parents live on or work on Federal property. If the Federal Government refuses to pay its school taxes on the plant where the parents of these children work these 2¼ million children are not going to be the only ones

to suffer. All of the approximately 20 million children who are in school systems affected by Federal impact will suffer if the Federal Government refuses to pay its school taxes because these school systems can do nothing but lower the level of education.

It is most difficult to believe that anyone could say, "Let us lower the education of 20 million schoolchildren." I hope that is not what we, in effect, do today.

Mr. DENT. Mr. Chairman, the failure of the Appropriation Committee to adequately fund the programs under H.R. 13111 is a serious and costly mistake.

I therefore have joined with many of my colleagues, including a majority of the members of our Committee on Education and Labor, in drafting and supporting the package of amendments presented by the gentleman from New Jersey (Mr. JOELSON).

While I am opposed to all the cuts advocated by the committee, I am particularly disturbed by the callous attitude toward library services and vocational education.

These areas are even more necessary than some of the more touted features of our educational system.

I am sure that in final action by the Congress there will be a wiser decision made and both of these sections will be funded more adequately.

Since there appears to be a misunderstanding on just what the Joelson amendment covers, I present an analysis and explanation of the proposal now before us:

PERTINENT FACTS ON THE JOELSON AMENDMENT TO H.R. 13111

Item No.	Fiscal year 1969 appropriation	Fiscal year 1970 package amendment	Package increase over H.R. 13111
1. Impact aid	$505,900	$585,000	[1] $398,000
2. ESEA title II—School Library	50,000	[2] 50,000	([2])
3. NDEA Title III—Equipment	78,740	[2] 78,740	[3] 110,453
4. NDEA Title V—Guidance and Counsel	17,000	[2] 17,000	([3])
5. ESEA Title III—Supplementary Centers	164,876	[2] 164,876	([3])
6. Vocational education	248,216	488,716	[4] 131,500
7. Higher Education—Construction, 4-year undergraduate	33,000	33,000	[5] 33,000
8. NDEA student loan	193,400	229,000	[6] 40,794
9. Title I, ESEA	1,123,127	1,396,975	[7] 180,800
Total			894,547

[1] To provide sufficient funds for 90 percent of the authorization.
[2] In the amendment, these programs are individually funded. They are not consolidated.
[3] To provide funds equal to the amount appropriated in fiscal year 1969.
[4] To provide additional funds to meet urgent needs in vocational education.
[5] To provide funds equal to the amount appropriated in fiscal year 1969.
[6] To provide necessary funds for increased demand for student loans.
[7] To provide for increases in program costs; and to restore funds for grants to local educational agencies, which grants have been diminished by amendments increasing the total number of participating agencies.

BRIEF EXPLANATION OF INCREASED FUNDING PROPOSALS TO H.R. 13111

Following are brief explanations of the nine specific increases over H.R. 13111 that are included in the proposals for increased funding.

Impact Aid (PL 874): The proposal will provide $585 million, which is $398 million more than provided in H.R. 13111. It represents a funding level for Impact Aid Program of about 90% of the authorizations.

While less than 3 million children are counted in the Impact Aid formula, the impact of Federal funds from this program enriches the educational programs in schools in which there is an enrollment of approximately 45 million. In fiscal year 1969, $505,900,000 was appropriated, approximately 90% of the entitlement of that year.

Vocational Education: The proposal will provide $488,716,000 for the Vocational Education Act of 1963, as amended last year. This represents a $131,500,000 increase over the amounts provided in H.R. 13111. The largest amount of the increase is for the purpose of adding to the amounts available for basic grants to states.

Basic grants to states will be insufficient to carry forward ongoing programs in many states, if additional amounts are not provided for basic grants because of the set-asides written in the law as a result of the 1968 amendments.

The 1968 amendments to the Vocational Education Act were almost unanimously hailed by the Congress last year as being absolutely essential in furnishing occupational training opportunities in the State vocational education systems throughout the Nation. Unless the amendments of 1968 are adequately funded, this was empty acclaim.

The additional amount provided in the proposal will implement those portions of the 1968 amendment which call for occupational training programs for the disadvantaged, as well as providing funds for vocational educational research, so essential in developing new teaching methods and materials and in fashioning training in new occupational fields being developed as a result of our technological advancement.

ESEA Title II, School Library Programs: This proposal provides $50 million for Title II of the Elementary and Secondary Education Act of 1965. An identical amount was provided for this program in fiscal year 1969. This program makes grants to State educational agencies for the purpose of acquiring textbooks, library resources, and other instructional materials for loan to both public and private students and teachers in the elementary and secondary schools throughout the Nation.

Evidence presented to the appropriations committee of the House, as well as to the authorizing committee, indicates that the need in this area is in the magnitude four times that provided in the package. Nevertheless, the provision of $50 million will assure some progress in developing elementary and secondary school libraries and in enabling many school districts to acquire textbooks and new instructional materials essential to the educational process.

NDEA Title III, Equipment: $78,740,000 was appropriated in fiscal year 1969 for this program. This proposal will add to the bill this same amount for fiscal year 1970.

The evidence clearly establishes a continuing need to fund this program. Many schools lack necessary instructional equipment in the fields of science, mathematics, modern foreign languages, and other basic academic courses. Past funds have not been adequate to fulfill all of the need. It would be an injustice to the many school districts who have not participated in this program to now be denied the opportunity to be provided with equipment. Evidence clearly demonstrates that this equipment strengthens learning opportunities in school districts that have been fortunate enough to obtain benefits from the program since its inception in 1958.

NDEA Title V, Guidance and Counseling: This proposal provides $17 million for this program, which is the same amount that was provided in fiscal year 1969. To eliminate or reduce the size of this program is inconsistent with the growing need for the career and academic guidance of elementary and secondary school children throughout the nation.

I am convinced that it is essential to expand on this program immediately. With greater emphasis being placed on occupational and vocational training in the school systems and in view of the emerging new career opportunities, the financial resources of state and local systems are not adequate to meet the increasing demand and need. Hence, a cutback in Federal support at this time would be critically damaging in many school systems throughout the nation.

ESEA Title III, Supplemental Educational Centers: This proposal contains $164,876,000 for fiscal year 1970, the same amount as provided in fiscal year 1969. As a result of the 1967 amendments to the Elementary and Secondary Education Act, Title III is now a state-operated program.

On the basis of the Congressional action in 1967, the resources of state educational agencies have been expanded to administer this program and to develop systematic allocation of funds in the state for programs and projects.

Any reduction in funds at this time will cut back on ongoing programs and the value of the experimentation and demonstration aspects will be lost. To preserve the investment already made in these programs, it is essential to fund them at least at the level established in fiscal year 1969.

Higher Education Act, Construction of Facilities: This proposal contains $33 million for the construction of four-year undergraduate facilities. This is the same amount as appropriated in fiscal year 1969.

There is absolutely no justification for any cutback in grants to institutions of higher education for the construction of undergraduate academic facilities. Funds must be appropriated in view of the continued pressure on such institutions for accommodating increased numbers of students.

NDEA Student Loans: This proposal provides $229 million for the direct student loan program authorized by Title II of the National Defense Education Act. This is $36,600,000 more than appropriated in fiscal year 1969 and $40,794,000 over the amount provided in H.R. 13111.

The rapid rise in interest rates has seriously cut back the availability of guaranteed loans. Unless more funds for direct government loans are made available, there will be no way for students to obtain financing for their higher education expenses. Additional funds in the direct NDEA student loan program are absolutely essential to enable many students to continue their college education and to take care of the expected demands on student assistance for entering freshmen.

Title I, Elementary and Secondary Education Act: This proposal provides for an increase of $180,800,000 over the amount provided in H.R. 13111. Since the enactment of Title I of the Elementary and Secondary Education Act of 1965, a number of new programs have been added to cover the needs of children in state-operated programs. These new programs, by virtue of the 1967 amendments, must be fully funded before local education agencies are provided any funds from the appropriation.

In an under-funding situation, this means that all local educational agencies have not gained the full benefit from increased appropriations. In fact, these program add-ons result in reduced allocations to local educational agencies in fiscal 1969 under fiscal 1968. It is estimated that the program add-ons amounted to approximately $81 million.

In addition, the costs for the operation of Title I programs have risen since its inception, and the slight increases provided for the program have not enabled the program

to be either strengthened or enlarged to meet the total need.

Approximately nine million children now are served by Title I programs. An increase, as proposed in the package, will enable the per pupil expenditure to be increased from approximately $135 to $155, with resulting greater imact on the progress in the children involved in these programs.

Evidence presented to the appropriations committee and the authorizing committee discloses that where programs have concentrated funds on smaller numbers of students, much greater results have been produced. I feel very strongly that, rather than reducing the number of children served by these programs, additional funds should be provided. These additional funds will not only strengthen the quality of instruction for those participating, but enable some expansion of the program to include more needy children who are not now participating. Even with the funds provided by this proposal, the program will be under-funded by as much as 60%.

Mrs. MINK. Mr. Chairman, I rise in support of the Joelson amendment to restore funds for the Elementary and Secondary Education Act, impact aid, NDEA, libraries, and higher education.

The schoolchildren of America need our help this afternoon. Unless we act now to vastly increase our support of education, our children will continue to be deprived of the opportunity for an adequate education.

This is the challenge that faces us today. It is essentially a test of national priorities. Are we to provide adequate support for the basic program of Federal aid for elementary and secondary education? Or are we to allow our promises of 1965, and 1966, and 1967, and 1968 to wither and die?

Our children, and the Nation, are looking to us for a firm commitment. If our answer is "no" to education, then we must accept responsibility for the further deprivation of opportunity for millions of young people, and a declining ability of many of our people to exist in and contribute to an increasingly complex civilization.

The real answer is that we need more education, not less, and we can ill afford the false economy to be derived by shaving a few million dollars from these vital education programs. On a long-range basis, such a cutback or retrenchment can have only adverse effects. Even the increased funding sought this afternoon will not bring the support of education fully to the authorized level, much less what it should be under any realistic appraisal of our national needs.

Let us look at some figures on ESEA funding. The amendment seeks only an additional $180,800,000 over the amount for title I approved by the Appropriations Committee. Title I gives aid for educationally deprived children. Here is where we help the children from low-income families who will fuel the flames in the ghettos tomorrow unless we educate them today—the handicapped, Indian children on the reservation, migrant children, neglected, and delinquent children.

Under title I we seek answers to poverty, delinquency, unemployment, illiteracy, and school dropouts—all part of a vicious circle of despair and neglect that is eating at our society. Education is the vital key to solving these problems. Yet of $2.3 billion authorized for the current fiscal year the administration has seen fit to recommend only $1.2 billion in appropriations. Even if we increase the committee request we will still be $1 billion short of the authorization. How much greater is the actual need?

We also seek an additional $110,453,000 under ESEA and NDEA programs that were "merged" by the administration. These programs are title II of ESEA, providing for books and certain visual aid material; NDEA title III programs for equipment; NDEA V for counseling and guidance; and ESEA title III for supplementary educational services. The authorized amount for all four is $1.1 billion, but astonishingly the administration requested no funds at all for three of the programs and only $116 million for ESEA title III. The authorized amount for that program alone is $566 million. To spare some of the effects of this meat-ax cut the amendment would add $110,453,000 to the committee-approved amount of $200 million.

In view of the administration's attitude toward the three programs from which it proposed to withhold all funds, it seems apparent that little if any support will be given to library resources and other vital educational needs to these areas unless Congress acts to preserve their separate funding. The House bill would provide no categorical grants to the States for these purposes, and States would be free to abandon the programs altogether.

I support the additional funds I have listed as well as the other provisions of the package amendment to which I have earlier addressed my remarks. The Elementary and Secondary Education Act, which has become the cornerstone of Federal aid to elementary and secondary education in this Nation, should be fully funded. Short of that at least this modest amendment providing additional funds must be passed.

Education is our biggest national need, and no other goal should receive higher priority. I urge my colleagues to vote today for education by supporting the package amendment.

Mr. Chairman, the Joelson amendment also provides $40,794,000 in increased funds for the NDEA student loan program during fiscal year 1970.

The program has not been funded anywhere near the needed level in recent years, and the amount approved by the Appropriations Committee is a retrenchment from even the current support. The amendment would add some $40.8 million to the committee request.

The committee allowed $188.2 million for the NDEA loan program, $26.3 million more than the amount requested by the administration but $5.2 million less than was appropriated for the 1969 fiscal year. The committee cut $16 million from the requested budget for educational opportunity grants and $5.3 million from the NDEA fellowship budget, directing that the reductions be applied entirely to funds for first-year students.

This reduction left $159.6 million for educational opportunity grants, $35.1 million more than was provided in fiscal 1996, and $56.1 million for NDEA fellowships, $13.8 million less than in 1969.

As much as I would like economy in Government, I feel that our vital educational programs are not the place to apply the budget ax. Before depriving millions of American students of the opportunity to receive the education they need in our complex society, we should reduce or eliminate waste and extravagance in our defense spending and in the procurement practices throughout Government.

The committee's slash of $16 million from educational opportunity grants will, I suppose, pay for the $15 million repair bill of the submarine allowed to sink in a naval yard. The $5.2 million reduction in the NDEA loan program might, perhaps, pay for another bombing mission in Vietnam. Yet I question whether such military spending should be allowed greater precedence over programs which are basic to our national stability and growth, to wit, the children of America.

Our Education and Labor Committee hearings documented the need for student loan funds. Thousands of young people in every State are ready, willing, and able to achieve college degrees—but they lack the financial ability. A small investment in them will pay infinite rewards to our Nation in the future as they apply the professional talents gained through higher education.

Clearly there is no better investment in democracy and in our Nation's future. Without increasing education and knowledge we cannot survive. We need the best brains of this country and should benefit from them regardless of the accident of the parents' ability to finance an expensive education.

The student loan program accomplishes the objective of increasing our national educational resource from among all segments of the population. Accordingly, I urge my colleagues to give their full support to this very modest but much-needed additional funding, and to vote "yea" for the entire amendment to be offered by Congressman JOELSON.

Mr. FREY. Mr. Chairman, it disturbs me to think that many qualified students will be unable to begin or continue their college education in the fall due to the lack of student grant and loan funds from the Federal Government. While all of us want a substantial reduction in the Federal budget and have so voted on previous occasions, it seems that loan programs such as NDEA, allowing the individual to help himself, are more worthy of retention than others based on pure welfare. Several university and college presidents in Florida have written to me concerning the reduced funding for these programs. One said:

The projected cutback will force us to deny assistance to approximately 700 qualified students in the 1969–70 academic year.

Another said:

Our institution has diligently adhered to requirements and suggestions by the Office of Education to actively recruit and commit financial assistance to students in the early stages of their secondary school career. Money has been promised, hopes have been built and now it appears they cannot be fulfilled.

And Dr. Charles N. Millican, the president of Florida's newest institution of higher learning, Florida Technological University in Orlando, said:

The National Defense Student Loan program has been the major source of college aid for ten years. Many students will be unable to attend college unless these funds are increased. It is tragic to have qualified students turned away from the university because no financial aid is available to them. Now that the government has begun these programs, it seems imperative they be continued in keeping with our national goals and purpose.

I cannot agree more. And those who recommend that the federally insured loans through banks, credit unions, and savings and loan associations be utilized to offset these other forms of aid are not, in my opinion, being very realistic. While I like the approach, it is not working. Not a single financial institution in one of the largest counties in my district is making any new loans under this program at the present time. Only five of the more than 30 financial institutions in this county are even in the program, and many times they make loans only to those students who come from families with financially stable backgrounds.

As one of the 22 Congressmen who spent a week visiting various college and university campuses throughout the Nation, I can tell you from personal contact with administration, faculty, and students that these programs are vital to higher education in America. It is my belief that any student who is qualified to attend college and is ready to devote four years of hard work for a degree, but does not have the necessary finances, should be afforded the opportunity through a government loan. This is not a handout. The loan must be repaid. This is the type of program that is needed in this country where people are given the opportunity to help themselves. I therefore call on my colleagues to support additional NDEA student loan funding.

Mr. ROYBAL. Mr. Chairman, there is no more important work for the Congress than our duty to insure that future generations have the intellectual capacity to cope with the challenging world of tomorrow that we have erected for them. They cannot meet this challenge without an opportunity to develop their minds, their skills, and their spirits to the fullest extent.

The amendment by Congressman JOELSON provides additional funds beyond those proposed by the Appropriations Committee for such programs as vocational education, aid for low income children, library and textbook materials, guidance and counseling, educational equipment, increased student loan funds, and a substantial increase in impact aid.

The people of my 30th Congressional District, educators, school board members, college officials, and, most of all, parents, support increased funds for education.

These are responsible, intelligent people who are aware of the dangers of inflation, which concern us all. They believe, as I do, that the welfare of the children and youth of this country cannot be sacrificed in the name of false economy.

Tax reform will bring additional revenues. Let us use a small portion of this and whatever savings we can make in the defense and other hardware budgets to provide for an investment in the most essential factor in the formula for a bright future for our Nation—the minds of our children and youth.

Specifically, Mr. Chairman, I rise in support of the Joelson amendment and, in particular, NDEA title V, guidance and counseling.

In the fiscal year 1969, this program was given $17 million—a small figure compared to what is needed for an effective program. Is it not inconceivable that in the proposed budget for fiscal year 1970, absolutely no funds were requested for this purpose at all? The amendment only requests that we restore the $17 million to try to meet this need.

This program fulfills one of the most basic needs in education today—that of face-to-face contact with the youth of our Nation. In order to learn, one must be instilled with the desire to learn. If a child is not learning as he should, why is he not? Testing is done to determine a child's learning level; interest is taken in personal problems which might hinder him in his learning process These problems—and many more—our counselors study and correct; and they must be handled personally, not with books or computers.

Guidance and counseling, title V–A of the National Defense Education Act, is in dire need of increased funds. But instead of an increase, what does the committee-reported bill hold for this vital field? Almost elimination. One out of ten counselors in America is paid from title V–A funds. What will happen to them?

More importantly, what will happen to the children whom they help year after year?

The estimated personnel loss in this field is 4,000 from the State Departments of Education as a result of the budget recommendations for fiscal year 1970. A loss of one person in this field is a backward step and a detriment to our educational program and to our children. The loss of 4,000 would be a disaster.

It is entirely out of character for the Congress to ignore the needs of education, but that is what this bill would do. What we are striving for now is not, unfortunately, the improvement necessary for this program, but rather for the mere survival of the existing facilities and personnel. Already this field is one of the most neglected in the majority of the States; so how can we possibly consider reduction or elimination of these funds in the coming year?

In the interest of our children's education and, in turn, the future of our Nation and its continuing growth, I recommend that we vote for the amendment before us today, and bring funding for guidance, counseling, and testing—title V–A of NDEA—back up to last year's level.

Mr. FRASER. Mr. Chairman, I rise to support the Joelson amendment.

The funds contained in this amendment, less than one-half of 1 percent of the 1970 budget, will at least enable us to begin meeting the great unmet need for more effective education programs on all levels.

The committee bill, by itself, and even with the amendments proposed by the gentleman from Illinois (Mr. MICHEL) and the gentleman from New York (Mr. ROBISON) means that funding for the important new education programs in 1970 will not be much higher than last year's level. But increasing costs will result in an actual cutback in programs even if Federal funding stays the same or is increased slightly.

For my State, Minnesota, the Joelson amendment means an additional $8.5 million to our local school districts and an additional $3.5 million to our colleges and universities. Without these necessary extra Federal dollars, I know that educational progress will be stalled in Minnesota next year.

Several days ago I received a telegram urging support for a larger education appropriation from Stuart Rider, chairman of the Minneapolis Board of Education. Because Mr. Rider's statement expresses the need for increased funding so effectively, I am including it with my remarks:

MINNEAPOLIS, MINN., *July 24, 1969.*
Representative DONALD M. FRASER,
Cannon Office Building,
Washington, D.C.:

The Minneapolis Board of Education unanimously recommends your active support of full funding for the pending HEW education appropriations. We further recommend that the individual categorical programs be maintained and not grouped, since such groupings will destroy promising programs. In a time of mounting school crises we feel an urgent need for massive Federal assistance to provide the kind of education program that not only can place men on the moon but can educate men to live peacefully and creatively on our planet.

STUART W. RIDER, Jr.,
Chairman, Minneapolis
Board of Education.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of the amendment offered by the gentlemen from New Jersey (Mr. JOELSON).

In 1965, the Congress responded to the Johnson administration's exhortation to upgrade our educational system with the passage of the Secondary and Elementary Education Act of 1965. This action represented a significant part of a large commitment by the Federal Government to help both the "disadvantaged" and "estranged" in our country. In 1969, both the greatness of man's epic journey to the moon and the malaise of our urban crisis give rise to an even greater challenge to America's educational system. At no time in our Nation's history has the education of our 60 million schoolchildren loomed into such importance as it has today.

In view of these considerations, I believe that the Joelson amendment would give increased meaning to the numerous programs which were previously authorized by the Congress. It is clear that increased funding is vitally necessary if the effectiveness of the numerous programs is going to be continued and expanded. At stake is the educational welfare of 60

million students and millions of others who seek to uplift themselves.

The Joelson amendment would provide sufficient funds for 90 percent of the authorization under Public Law 874—impact aid program. My own State of Hawaii is no exception in being heavily dependent upon the funds from this program.

As one of the focal centers of the Pacific region, Hawaii is the site of a very high concentration of military installations and personnel necessary to man them. Substantial numbers of children of both military and civilian personnel employed at the various military installations attend Hawaii's public schools, nearly all of which are situated off the military bases. Funds from the impact school aid program have been most essential in helping to maintain the high quality of education which is offered to these schoolchildren. The Hawaii State board of education has budgeted for its 1970 needs in reliance of the receipt of impacted school aid funds. Failure to appropriate adequate funds would thus imperil the educational future of these children and represent a callous disregard of their assessed needs.

At a time when the demands on our colleges and universities are increasing almost proportionately with our contemporary knowledge explosion, the Joelson amendement would also provide a small but necessary amount for the construction of 4-year undergraduate academic facilities. If we hope to give meaning to our insistent advice to graduating high school students to pursue higher education then we must provide sufficient appropriations, particularly in view of the continuing financial pressure on our institutions of higher learning, for the accommodation of increased numbers of students. And at the same time, unless more funds are allocated for direct Government loans as authorized by title II of the National Defense Education Act, many of these young aspiring students will have no way of financing their higher education.

In sum, support for the increased funding included in this package amendment would establish not only what is fair and just, but it would also insure today's educational well-being of those upon whose shoulders will some day rest the responsibilities of this great Nation.

Mr. VANIK. Mr. Chairman, I rise in support of the amendment which is being offered today to increase education assistance programs by about $890 million in an effort to meet the educational needs of America as it enters the 1970's.

At a time when increased numbers of students are trying to enter college and are in need of assistance, at a time when interest rates are at the highest levels in our Nation's history, and banks are making almost no loans to families for college assistance—even under the Government's guaranteed loan programs—it is unconscionable for the Federal Government to provide less money for student college assistance in fiscal 1970 than it did in fiscal 1969. College administrators and students currently enrolled in school depend on a continuing level of commitment from the Federal Government; the bill we have before us breaks faith with that commitment.

One of the programs being cut is the National Defense Education Act. This is the act that the Congress enacted to overcome the technological, scientific, and educational gap which had developed between the United States and the Soviet Union. This is the act that gave us the educated and trained manpower to put men on the moon. This is the act which has opened whole new vistas of opportunity to us as a nation. Yet in the same week that the first moon walkers are in quarantine we are being asked to cut the NDEA program which has proven to be such a success.

The effect of these NDEA cuts will be severely felt everywhere. In Cuyahoga County, in which Cleveland is located and which has a population of nearly 2 million, the NDEA student loan allocation for the coming school year to 10 colleges will be $563,443 less than it was in the just completed school year. Case Western Reserve University, for example will receive about $300,000 less than last year. John Carroll University will receive 40 percent of what it received last year. How can students or administrators of these fine institutions possibly make any rational plans with such drastic slashes in the loan fund?

Approval of today's amendments is also vital for the Nation's elementary and secondary schools, both public and private. Title I of the Elementary and Secondary Act will be increased by $180,800,000. This will mean that assistance to school districts with children from low-income families will receive extra and desperately needed funds to provide better quality education. Only with increased funding of this program can the cycle of poor education, poor opportunity, and poverty be broken. The amendment will also provide an additional $131,500,000 for vocational education through the States. If this increase is not approved, many on-going programs in the States will have to be curtailed or stopped. In our increasingly complex and technical society, a trained and skilled work force is a must. If we fail to provide the opportunity for learning skills, unemployment and disillusionment will become a growing and permanent feature of our society.

To fail to provide these needed education funds or even match the funds appropriated last year will be to force the local school districts either to curtail their services or to attempt to provide them through increased local levies. To curtail the services is to curtail our future as a nation. Yet local districts face an impossible task in obtaining adequate increases in levies. The taxpayer's revolt, spurred by the surtax and the awareness of injustice in the Federal tax code, has displayed itself where it hurts the most—in local school bond issues and levies. This year we must not reduce our commitment to American Education or our local school systems will be irreparably damaged.

Mr. PRICE of Illinois. Mr. Chairman, I rise in support of the Joelson amendment. I want the RECORD to show that I feel that the Federal Government has an even larger commitment to education and that the Joelson amendment is a step in the right direction.

If we examine the trend of national commitments to education throughout the world, we note that the United States spends less at all levels of government together than the Soviet Union on education. We also note that the United States ranks low among all nations, non-Communist and Communist, in the amount of tax dollars spent for education in proportion to the total tax dollars collected. As others have said: We have won the moon race, but will we win the education race? We must be prepared to commit the necessary resources to our Nation's future, and our young people must be well-educated to handle the momentous problems of tomorrow.

During the debate that has occurred, there have been several references to the Public Law 874 program as a "bonanza." I am not certain what the implication is with respect to the term being used in this context. If the suggestion is that the impacted aid program is a bargain or an extra and undeserved dividend, I think it would be well for those who have used the term to confer with their local school officials about whether the Federal payments under the program even match the actual maintenance and operation costs incurred with federally connected students. I think their experience will be the same as mine that the Public Law 874 program does not meet these costs. For that reason, Mr. Chairman, it is important that we approve the Joelson amendment so that our school districts will receive at least 90 percent of their entitlement under the program.

As one might expect, throughout the debate there have been references to the budgetary impact of the Joelson amendment. It certainly is true that it provides for an additional $895 million for nine education programs. But that amount does not even match our annual subsidy to the cotton and wheat growers of this Nation. Surely, we can afford to provide commensurate support for our education systems. Also, there is the matter of a $3 billion budget surplus for the recent fiscal year. It would be my hope that we can utilize a portion of the surplus in programs that are investments in our Nation's future. The Joelson amendment represents such an investment.

Mr. Chairman, in closing, I recommend the adoption of the Joelson amendment.

The CHAIRMAN. The Chair now recognizes the gentleman from Illinois (Mr. MICHEL).

(Mr. GOLDWATER (at the request of Mr. MICHEL) was granted permission to extend his remarks at this point in the RECORD.)

Mr. GOLDWATER. Mr. Chairman, the schools of our country are faced with the increasingly difficult tasks of providing an education for our youth and building a foundation for the future of our Nation. They are in a financial squeeze whereby the numbers of children keep rising and the tax base on which they must depend primarily for their

support is constantly shrinking. Some school districts have the additional burden of educating children whose parents either live or work on Federal property or both—thereby depriving the school districts even further of their basic operating revenue.

The federally impacted areas program has been in operation for the last 19 years and has been successful in balancing these inequities by providing funds to school districts which are overburdened because of Federal installations. By far the largest portion of the federally impacted areas program is Public Law 81–874 for school maintenance and operation. Because there are no strings attached to this aid, the program conforms with my belief that the Federal Government must not control our schools. Funds from this act have assisted schools in over 375 congressional districts, and which are attended by over half of our schoolchildren.

The HEW appropriations bill (H.R. 13111) would effectively cripple this program by removing funds for entitlement under category B—those children whose parents either live or work on Federal property. If this cut is allowed, the effects would be devastating. In California alone, the 1970 estimated entitlement is over $100,000,000, but the proposed cuts would reduce this figure to nearly one-fourth of that amount. In the country as a whole, the proposed cut would reduce the program to nearly one-third of its total entitlements.

Two areas will be severely curtailed by this proposal—our big cities, and the communities surrounding our rural military installations. These are the very areas which have been found to be in the most desperate financial situation.

My own district, of course, is keenly concerned with the potential impact of the 3b student cuts, which the administration has proposed. I can, of course, recognize serious inequities which exist in the present program. Unfortunately, efforts to amend Public Law 874 in an attempt to alleviate these problems have failed.

Although I am in favor of such reform, I am nevertheless convinced that the retributive act of completely eliminating funds for 3b students is not the answer to the problem. If and when reform becomes attractive enough to invite action, it would in my judgment call for a gradual reduction of funds, not an across-the-board cut.

The consequences of such a cut are disastrous to the school districts of our country. Los Angeles city schools for instance would face a revenue loss of nearly $4 million. Without adequate time to prepare for such a loss, and with the recent record of school bond defeats, I am convinced that the scope and quality of our youngsters' education would have to be seriously curtailed.

Let us examine another ramification of the problems involved with the appropriation bill as reported by committee. And that, of course, is the economic level of those areas which are affected by the Federal aid to impacted areas.

In my district, there are two principal military establishments, Edwards Air Force Base, and the China Lake Naval Weapons Center. Both are located in desert areas of southern California, and in each case, the base represents the major economic factor of the area. The economic level surrounding military installations is often inadequate because of an inflexible tax base. It is impossible to expect educational opportunities to remain constant when this tax base offers such little room for expansion. One school district which I represent stands to lose upwards of $55,000 if full funding is not granted. This would result in an increase of $2.20 per $1,000 of assessed valuation, if H.R. 13111 is approved intact. To expect depressed areas to bear that kind of increased burden is ridiculous. To expect the children of our Federal employees to attend schools which offer inferior educational resources, simply because the Federal Government is not prepared to meet its share of the burden is disgraceful; and says nothing about our commitment to make a military or Government career as attractive as possible.

Surely, this Congress can find areas in the national budget which will lend themselves to economies, without sacrificing quality education for our children.

In order to restore this vitally needed program to the minimum level which will effectively carry out its purpose, I am strongly in support of this or any amendment, which will provide the necessary moneys for the program. This will allow payments to all the school districts which are faced with the burden of Federal activities and will help us to meet our evergrowing responsibility to the youth of our Nation and, therefore, the future of our country.

Mr. MICHEL. Mr. Chairman, as we close debate on this particular section of the bill, may I quickly sum up. The Joelson amendment and my substitute are both in the second degree, which, for all practical purposes, will lead us into the parliamentary situation where we will have a vote on the Smith amendment to the Joelson amendment first. If that is defeated, then there will be a vote on the Robison amendment to my substitute. Thereafter, we will vote on the Michel substitute to the Joelson amendment. If that carriers, there will be no vote as such on the Joelson amendment.

The Joelson amendment adds $894.5 million to the bill over and above what we have in the bill. The Smith amendment to the Joelson amendment adds $73.1 million, making a total package, if we were to adopt the Smith amendment to the Joelson amendment, of $967.6 million over and above what is in the bill.

If we adopt my amendment alone, we increase the committee bill by $318.9 million. If we add to my substitute the Robison amendment, which involves $110.4 million, we will have a package then in that substitute of $429.3 million.

I know the pressure is on. When I got back to the office last night, there were 35 to 40 telegrams dealing with the action that took place on the floor yesterday.

We know about the talk of full funding. It strikes me that the educators, who ought to be the smartest people in this country, do not know what takes place in the two-step legislative process we have in Congress. They ought to know we have a separate authorizing bill and then we have an appropriating bill. How many of us have heard it said in the authorizing process that, "Oh, the figure is too high, but don't worry about it, the Appropriations Committee will take care of it."

I believe we have to look at a few other items that will show what takes place in this two-step process. In model cities we are funding at 36 percent of authorized entitlement; in water and sewer projects, we are funding at 25 percent of entitlement; in neighborhood facilities, we are funding at 36 percent of entitlement; and in waste treatment grants we are funding at only 21 percent of entitlement.

This is nothing new. It has been going on ever since Congress came into being.

I must say my friends have also been calling me and asking me to bend a little bit. I must also tell you I supported the motion in committee to increase the first part of this section of the bill by $84 million. I am now adding to it $318.9 in my amendment, so I have a figure of $402.9 million above the Nixon budget. If I had heard anybody say 2 weeks ago that I would take such action, I would have said he was crazy. I cannot believe it myself. I awakened this morning at 5 o'clock, and I was distressed about this action of mine. How can I justify it?

First of all, I think we must agree on priorities. The President is making his trip, and we know we want to get this war over with. Second, we know we must curb inflation and get our financial house in order so we can do all the additional things we would like to do on a broader scale. But we are not able to do so now because of the fiscal situation.

We cannot do it simply by raising taxes or the prime interest rate or the rediscount rate. The best thing is to cut Federal expenditures or at least keep them in line with the President's budget.

The Federal Government has to take the lead in setting the tone, and Congress has not done so up to this time. I recall when President Johnson said:

> We have to combat inflation. We have to do all these things. The last thing we want to do is to impose wage and price controls.

President Nixon takes the same position. We do not want to impose wage and price controls.

Let me wind up here with a few simple statistics.

The President in his revised budget cut the adjusted Johnson budget by $4 billion. Now, we have heard some horns tooted around here about the fiscal year 1969 ending up with a $3 billion surplus. Let me remind the Members that $8.4 billion of that surplus comes about by an increase in the trust funds receipts, overexpenditures from those trust funds.

Have we had any legislation on this floor yet to increase social security benefits? At one time they were supposed to be raised 7 percent. It is said now that they should be raised 10 percent. I expect that with the cost of living going up as it is, the increase will be even

more. That increase has to come out of the trust funds.

Before we start to spend the surplus we had better think about where the surplus came from.

I pointed out yesterday that since April 1 uncontrollable spending has risen $2.5 billion, according to the President's statement. If what is going on over in the other body ends up with no extension of the surcharge, we will lose $10 billion of revenue.

So we have to take a stand here in this Congress today. I have gone overboard in proposing amendments here to increase this bill by $400 million. I hope the Members will support the substitute amendment and vote down the Joelson amendment.

The CHAIRMAN. The gentleman from Pennsylvania (Mr. FLOOD) is recognized to close debate on this amendment and all amendments thereto.

Mr. FLOOD. Mr. Chairman, a curtain speech is always as tiresome to the speaker as it is to the audience. I have been on both sides of those footlights, and I know just how you feel and just how I feel.

I want you to know this. I have said this to many of the Members here on the floor, in the hallways and the cloakrooms, and I say it now so you will be sure: I urge the adoption of the Michel substitute amendment.

I said that when the budget came to my committee it was utterly unrealistic. I said it in my opening remarks yesterday, and for the purpose of emphasis I say it now. I am not changing my colors.

Now, my friend from New Jersey and I have lunched together countless times since he has been here gracing these Halls. He will leave in September. He will not have the great privilege—at least I doubt it—of voting for his own amendment on the final passage of the bill. He will be in the ivory tower of the court in the great State of New Jersey. God grant him well.

But with all my friendship and with all my affection and with all my regard, Mr. Chairman, I will not be a party to giving him a going away present of $1 billion.

I was amazed that the amendment got to the floor. Technically it is here, but it violates by its presence the intent and the spirit of the rules of this House for generations, for appropriation bills are considered paragraph by paragraph by paragraph for amendment, points of order or whatever else the rules provide. But it is here.

This package—I have heard about it for weeks. I recall the lines from a play. I will have to leave a bad word out. The crown prince said to his father:

> This package, this baggage, this creature, this hydra-headed monster, this thing which casts a blot upon the escutcheon, sire, of this noble house.

This has been a great 2 days. I did not limit debate until everybody wanted it limited, and believe me there were people who were after me today to limit debate. Oh, no. My grandfather McCarthy would turn over in his grave if I tried to stop people from talking, beginning with his grandson.

Now you have heard the arguments pro and con here. This is not a question of who is for motherhood, who is for children, who is for education. There are $10 billion in the various Federal budgets for educational elements of all kinds in this Government. $10 billion. That is neglecting to educators and the children? Oh, no.

I am amazed at my mail and the fine, dedicated educators I have met who have not the remotest idea, really—they are not fakers, they are good, honest people—of the distinction and the difference between authorizations and appropriations. These fine people have not the remotest idea. They are teaching civics and history and education and are urging participation—and properly so—by their students in government and politics. Authorization, authorization. They forget the privilege constitutionally of this House, Mr. Chairman, that you should stand by appropriations, appropriations.

Oh, I hope their visits to this hallowed Chamber in these 2 days will give them a message for their students. They never before learned it themselves. It is amazing, is it not? It is amazing, but it is true. So, you see, their trip has not been wasted.

Mr. Chairman, on the Joelson amendment I have one gesture—thumbs down.

The CHAIRMAN. The first vote occurs on the amendment offered by the gentleman from Iowa (Mr. SMITH) to the amendment offered by the gentleman from New Jersey (Mr. JOELSON).

The question was taken; and on a division (demanded by Mr. BRADEMAS) there were—ayes 81, noes 152.

Mr. BRADEMAS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. SMITH of Iowa and Mr. FLOOD.

The Committee again divided, and the tellers reported that there were—ayes 97, noes 206.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. ROBISON) to the substitute amendment offered by the gentleman from Illinois (Mr. MICHEL).

Mr. ROBISON. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ROBISON and Mr. FLOOD.

The Committee divided, and the tellers reported that there were—ayes 117, noes 188.

So the amendment to the substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. MICHEL) as a substitute for the amendment offered by the gentleman from New Jersey (Mr. JOELSON).

Mr. MICHEL. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. MICHEL and Mr. JOELSON.

The Committee divided, and the tellers reported that there were—ayes 160, noes 197.

So the substitute amendment was rejected.

The CHAIRMAN. The question occurs on the amendment offered by the gentleman from New Jersey (Mr. JOELSON).

Mr. GERALD R. FORD. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. JOELSON and Mr. FLOOD.

The Committee divided, and the tellers reported that there were—ayes 242, noes 106.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For an additional amount for grants under title I–A of the Elementary and Secondary Education Act of 1965 for the fiscal year 1970, $205,360,700: *Provided*, That the aggregate amounts otherwise available for grants therefor within States shall not be less than 92 per centum of the amounts allocated from the fiscal year 1968 appropriation to local educational agencies in such States for grants.

AMENDMENT OFFERED BY MR. JOELSON

Mr. JOELSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JOELSON: On page 26, strike out lines 1 through 7.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. JOELSON).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

For carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), $202,167,000, of which $187,000,000 shall be for the maintenance and operation of schools as authorized by said title I of the Act of September 30, 1950, as amended, and $15,167,000 which shall remain available until expended, shall be for providing school facilities as authorized by said Act of September 23, 1950: *Provided*, That this appropriaton shall not be available to pay local educational agencies pursuant to the provisions of any other section of said Act of September 30, 1950, until full payment has been made of the amounts to which such agencies are entitled pursuant to sections 3(a) and 6 of Title I of said Act.

AMENDMENT OFFERED BY MR. JOELSON

Mr. JOELSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JOELSON: On page 26, strike out lines 8 through 22.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. JOELSON).

The amendment was agreed to.

Mr. STEIGER of Wisconsin. Mr. Chairman, while I did not offer an amendment to the pending bill, I want to strongly indicate my belief that the funding level recommended for the Teacher Corps is inadequate for a program with a good record of accomplishment in an area of vital need.

Although the bill as reported by the committee contains an increase of $837,000 in the appropriations for this pro-

gram from the fiscal year 1969 level, I would hope that the other body would provide the full $31,100,000 requested by the Nixon administration.

The Teacher Corps has won strong local support and the endorsement of the National Education Association and the American Federation of Teachers. Through a unique partnership of Federal funding and program format, the Teacher Corps provides an opportunity for local initiative and local creativity in attacking the problem of attracting and training of teachers specifically for poverty area schools.

The failure to provide the requested appropriations will not significantly alter the size of the Teacher Corps program, as much as it will affect the ability of the Teacher Corps to operate efficiently with the funds that are provided. This is a problem which has plagued the Teacher Corps and more particularly the local school systems and universities that have been involved in making it work. The idea of forward funding has been before us for a good deal of time. Its merits have been argued and reargued. It therefore may not arouse much concern or attention at this time, but that does not make it any less vital to our educational process. It cannot be emphasized too strongly that good programs take time to plan and execute. It takes time to recruit and select good people to carry them out. We deny our local school districts, universities and the Teacher Corps this time, when we cut this appropriation, and we deny ourselves and the children and communities this program serves.

The Teacher Corps has provided communities and universities with the opportunity to test concepts and programs which they, because of lack of money, personnel or organizational structure, could not institute themselves, but which, with Teacher Corps support, they have been able to implement and eventually expand into their regular programs.

And the Teacher Corps has proved an impetus for volunteer efforts. It has provided through its team structure a mechanism which can tap community members' and students' willingness and ability to serve and work for improvements in the quality of education and the school system, within the institutional school framework.

Again, may I state, Mr. Chairman, that I am very disappointed at the recommended level of funding in this bill for this important program. I hope that it can be restored.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

HIGHER EDUCATION

For carrying out titles III and IV (except parts D and F), part E of title V, and section 1207 of the Higher Education Act of 1965 as amended, titles I and III of the Higher Education Facilities Act of 1963, as amended, titles II and IV and of the National Defense Education Act of 1958, as amended (20 U.S.C. 421–429), and section 22 of the Act of June 29, 1935, as amended (7 U.S.C. 329), $785,839,000, of which $159,600,000 shall be for educational opportunity grants under part A of title IV of the Higher Education Act of 1965 and shall remain available through June 30, 1971, $63,900,000 to remain available until expended shall be for loan insurance programs under part B of title IV of that Act, including not to exceed $1,500,000 for computer services in connection with the insured loan program, $154,000,000 shall be for grants for college work-study programs under part C of title IV of that Act (of which amounts reallotted shall remain available through June 30, 1971), including one per centum of such amount to be available, without regard to the provisions in section 442 of that Act, for cooperative education programs that alternate periods of full-time academic study with periods of full-time public or private employment, $43,000,000 shall be for grants for construction of public community colleges and technical institutes under title I of the Higher Education Facilities Act of 1963 which amount shall remain available through June 30, 1971, $11,750,000, to remain available until expended, shall be for annual interest grants under section 306 of that Act, $181,306,000 shall be for Federal capital contributions to student loan funds established in accordance with agreements pursuant to section 204 of the National Defense Education Act of 1958, and $12,120,000 shall be for the purposes of section 22 of the Act of June 29, 1935.

AMENDMENT OFFERED BY MR. JOELSON

Mr. JOELSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JOELSON: Beginning with line 13, on page 27, strike everything down through line 21 on page 28.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. JOELSON).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

VOCATIONAL EDUCATION

For carrying out the Vocational Education Act of 1963, as amended (20 U.S.C. 1241–1391) (except section 102(b) and parts C and E of title I), and section 402 of the Elementary and Secondary Education Amendments of 1967, $357,216,000, of which not to exceed $300,336,000 shall be for State vocational education programs under part B of said Vocational Education Act of 1963, including development and administration of State plans and evaluation and dissemination activities authorized under section 102(c) of said Act, and $10,000,000 for part H of said title I, not to exceed $1,680,000 for State advisory councils established pursuant to section 104(b) of said Act, $13,000,000 for exemplary programs under part D of said Act of which fifty per centum shall remain available until expended and fifty per centum shall remain available through June 30, 1971, $15,000,000 for consumer and homemaking education programs under part F of said Act, and $14,000,000 shall be for cooperative vocational education programs under G of said Act.

AMENDMENT OFFERED BY MR. JOELSON

Mr. JOELSON. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. JOELSON: Beginning with line 22 on page 28, strike everything down through line 17 on page 29.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. JOELSON).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

LIBRARIES AND COMMUNITY SERVICES

For carrying out titles I, III, and IV of the Library Services and Construction Act, as amended (20 U.S.C., ch. 16), titles I and II (except section 224) of the Higher Education Act of 1965 (20 U.S.C. 1001–1033, 1041), the Adult Education Act of 1966 (20 U.S.C., ch. 30), and part IV of title III (except section 396) of the Communications Act of 1934 (40 U.S.C. 390–395, 397–399), $126,209,000, of which $35,000,000 shall be for grants for public library services under title I of the Library Services and Construction Act, $2,281,000 shall be for grants for cooperative networks of libraries under title III of such Act, $2,049,000 shall be for grants for State institutional library services under part A of title IV of such Act, $1,334,000 shall be for library services to the physically handicapped under part B of title IV of such Act, $9,500,000 shall be for community service and continuing education programs under title I of the Higher Education Act, $5,500,000 shall be for transfer to the Librarian of Congress for the acquisition and cataloging of library materials under part C of title II of such Act. $50,000,000 shall be for adult education programs under the Adult Education Act of 1966, and $4,000,000, to remain available until expended, shall be for educational broadcasting facilities under part IV of title III (except section 396) of the Communications Act of 1934.

Mr. ANDREWS of North Dakota. Mr. Chairman, I move to strike the last word.

Mr. Chairman, had the Joelson package amendment failed I was prepared to offer an amendment to increase student loans. Every day I receive a number of letters from students and their parents in North Dakota who are desperately looking for help in meeting the rising cost of college education. I think that certainly most of my colleagues will agree that the opportunity for young people of this Nation to attend college should be based on their ability, motivation, and desire, rather than family finances or connections. This, of course, is the reason the Congress established the student loan program in the first place.

Although I understand student mail seeking advice on financial help is reaching near-avalanche proportions in most all congressional offices, the problem is not a new one. The important difference is that we used to be able to refer these people to either their college or university financial aids officer, where they could apply for a direct loan under the national defense student loan program, or they could go to a local lending institution and apply for a loan under the guaranteed student loan program. Under one of these programs, we were reasonably confident the student could get the help he needed.

Today, this is no longer the case.

As the prime interest rate on bank loans has increased to 8½ percent, the 7-percent interest ceiling on guaranteed loans has kept the supply of funds from lending agencies for this purpose far below the demand. It is estimated, as a matter of fact, that one out of three college freshmen who seek a guaranteed loan this year will be turned down.

Because the blame for spiraling interest rates clearly rests with the Federal

Government, the responsibility for correcting the student loan emergency to the greatest extent possible belongs to the Congress.

In the Appropriations Committee, I introduced an amendment to bring the amount available for direct loans to the full amount authorized by the law. While this amendment was defeated in committee, I am glad that the Members of the House had an opportunity to vote on this key section. While the Joelson figure was less than I proposed, it is a step in the right direction.

I am aware the House Special Subcommittee on Education, under the leadership of our colleague from Oregon, Representative EDITH GREEN, has opened hearings on ways to keep the guaranteed loan program from becoming totally ineffective. I believe, however, any serious consideration given to raising the interest ceiling on student loans or otherwise offering additional incentives to lending agencies will cause them to adopt a "wait-and-see" attitude, stopping all student loan activity until congressional action on any of the subcommittee's recommendations can be completed.

August and September, of course, are the peak months for making student loans. Colleges will begin their fall terms within 60 days, and, in the meantime, I understand the Congress will be taking its summer recess. For these reasons, I believe it is essential we act now to make sure adequate loan funds will be available to help as many qualified young people as possible get the education they want and need.

Besides the pressure put on the direct student loan funds by the declining availability of guaranteed loans, additional demands are resulting from the expansion of the equal opportunity grants. While this program makes money available to the very needy students, each grant dollar awarded must be matched by financial help provided by the college or university they attend. This year, it is recommended that $159.9 million be distributed under the EOG program, and it is my understanding, many schools will be using direct student loan money to match these grants.

By adding $47,694,000 to the amount approved by the Appropriations Committee for direct student loans, bringing the total to $229 million, we will be making further education available to more than 100,000 young people who might well otherwise miss out completely on the advantages of higher education. I submit there is no wiser investment our Government can make in this Nation's future.

In conclusion let me point out that this is different from most Government programs in that it provides loans which are paid back with interest. Another factor to consider is the dividend received in the form of increased tax collections resulting from the increased earning power of those who have been able to get a higher education. Thus, while most of us support this amendment for its humanitarian benefits, a strong case can be made for it as an ultimate economic benefit to the U.S. Treasury.

AMENDMENT OFFERED BY MR. PRYOR OF ARKANSAS

Mr. PRYOR of Arkansas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PRYOR of Arkansas:

On page 29, line 19, after "titles I," insert "II,".

On page 30, line 3, strike out "$126,209,000," and insert in lieu thereof "$135,394,000".

On page 30, line 5, after "Construction Act," insert "$9,185,000, to remain available through June 30, 1971, shall be for grants for public library construction under title II of such Act,".

Mr. PRYOR of Arkansas. Mr. Chairman, it is with some degree of reservation that I, as a member of the Committee on Appropriations, offer an amendment to this bill—especially in light of the fact that the very distinguished gentleman from Pennsylvania and his splendid subcommittee have labored so long, so well, and so diligently to bring this monumental piece of legislation to the floor today.

But I speak today not in my own behalf but rather in the behalf of the public libraries of America.

The committee bill as presented at this time, notwithstanding the adoption of the Joelson amendment, is absolutely penniless in the area of moneys set aside for the construction of public libraries. The amendment I offer would fund $9,185,000, the exact amount of last year's appropriation, into section II of the Library Services Construction Act.

This amendment, by funding only at the present level, will grant assistance to 93 public library facilities across America in fiscal year 1970. There is a total today of 276 construction projects reported to be waiting when funds ultimately become available. This is a matching fund program which I think has done a great deal for this country. These funds can be used for the construction of new buildings, additions to existing buildings, renovating, alterations, and acquisition of library facilities, and is undisputedly a program which has yielded untold benefits at a minimum cost.

But should we fail to adopt this amendment, I must stress the fact that no funds are in this bill to assist public libraries in the area of construction in fiscal year 1970.

Actually, Mr. Chairman, we are today asking for a relatively small amount to keep a great and meaningful program alive—a program which in 4 years has supported over 1,500 library projects in addition to supporting the theory that State and Federal Governments can, will, and must work together.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. PRYOR of Arkansas. I yield to the distinguished gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, I support the gentleman's amendment and wish to compliment him on offering the amendment.

The gentleman is exactly right in his statement that there is not one dime in the budget for this purpose.

Mr. Chairman, the amendment should be adopted.

Mr. PRYOR of Arkansas. I thank the distinguished gentleman.

Mr. Chairman, there are some things that Government should and should not do—but one thing we can do is to at least provide the impetus, the inspiration, and basic mechanics to see that all Americans are afforded the opportunity to read—whether in a library within a city, a bookmobile in a remote rural area, or in the quiet of one's own living room.

Mr. Chairman, in America, education must not die with the diploma. It must be a continuing, enriching process wherein the individual is afforded not only the opportunity but also the encouragement to read.

This is a sound amendment. It is an investment and a very splendid and worthwhile program that this congress must not let die.

Mr. FRIEDEL. Mr. Chairman, will the gentleman yield?

Mr. PRYOR of Arkansas. I yield to the distinguished gentleman from Maryland.

Mr. FRIEDEL. Mr. Chairman, I want to join my colleague on his very good amendment to this legislation. This bill, H.R. 13111, does not provide any funds for the construction of libraries and $9 million is certainly a small amount for this purpose.

Mr. Chairman, we have one of the best library systems in the United States in the State of Maryland and I urge that these funds be included in this bill so that much needed libraries can be constructed throughout the country; as well as in my own State of Maryland. The best system in the world is inadequate if the facilities are inadequate.

Mr. FRASER. Mr. Chairman, will the gentleman yield?

Mr. PRYOR of Arkansas. I yield to the gentleman from Minnesota.

Mr. FRASER. Mr. Chairman, I wish to commend the gentleman and say that I strongly support his amendment to restore funds for public library construction.

I was quite distressed by the committee's failure to recommend any funding at all for title II of the Library Services and Construction Act.

Since the enactment of Library Services and Construction Act, title II, I know that my State has benefited greatly from this program. Public library systems in Minnesota have received $2.7 million for construction programs. This amount has been matched by $4.1 million in local funds. Last year, for example, title II funds enabled the Minneapolis Public Library to begin construction of a new branch facility which will serve one-sixth of the city's population.

Our failure to appropriate funds for this program will be a grave setback for public library construction throughout the country. Since the authorization for title II extends through fiscal year 1971, many library systems have developed long-range construction programs with the assumption that some Federal construction money would be available at least for the next few years.

I can see no justification at all for putting the needs of the public libraries

at the bottom of our list of national priorities. But that is exactly what we will be doing if we do not adopt the amendment of the gentleman from Arkansas (Mr. PRYOR).

Mr. HECHLER of West Virginia. Mr. Chairman, will the gentleman yield?

Mr. PRYOR of Arkansas. I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Chairman, I commend the gentleman from Arkansas on his amendment. I hope it is adopted by the Committee of the Whole. I feel that it would be very dangerous to cut funds for libraries so deeply. The amendment of the gentleman from Arkansas provides modest support for libraries which is fully justified by the acute needs. This amendment deserves to pass. I trust it will receive great support from the Committee.

Mr. TIERNAN. Mr. Chairman, will the gentleman yield?

Mr. PRYOR of Arkansas. I yield to the gentleman.

Mr. TIERNAN. Mr. Chairman, I am glad to take this opportunity to congratulate my colleague in his very fine presentation.

Mr. Chairman, I support the amendment.

Mr. PRYOR of Arkansas. Mr. Chairman, I appreciate the remarks of my colleagues and thank them very much.

Mr. MAYNE. Mr. Chairman, will the gentleman yield?

Mr. PRYOR of Arkansas. I yield to the gentleman.

Mr. MAYNE. Mr. Chairman, I rise in support of the Pryor amendment allocating $9,185,000 for public library construction. This is a mere fraction of the amount already authorized by this House for this vital program, which has proved its worth and certainly deserves a better fate than to be left out of this year's budget and appropriations altogether. Nine million dollars is certainly a modest sum for new library construction in relation to what this Nation is spending on other programs.

There are considerations of economy to support the budget and committee cuts, of course, and they have generally an undeniable validity. But they entail serious social costs, whatever their money savings. Reading is indispensable to any self-governing society; and libraries are the fountainhead of reading. It is children who will bear the brunt of this saving and in the long run it may be dangerously expensive. It is one of those hidden prices paid for the war which, when added all together over time, can be ruinous to the Nation's security.

Man's ability to develop his talents to full potential and to contribute to the continued progress of society depends upon his opportunity to fulfill his educational needs. In turn, education depends upon information which libraries provide. The rapidly accumulating mass of information available is straining the resources and the ability of libraries everywhere to cope with its organization and dissemination. To throttle libraries in this fashion is to diminish greatly the opportunity for education itself to function effectively. Everyone has a stake in this: the businessman, the technician, the college student, the parents of school children; and all responsible citizens concerned for the future quality of American life.

Let me repeat here an excerpt from the testimony I offered to the appropriations subcommittee last spring when they had these items under consideration.

After citing some critical situations involving communities in northwest Iowa which have been relying in good faith on the assumption that this program would continue to be funded, and which will be unable to proceed with library construction without such funds, I said:

> This has certainly been a program which has proved its merit. It has extended the blessings of literature and of the printed word to people all over this country, and I just want to urge as strongly as I can that sufficient funds be restored to the Library Services and Construction Act so that this work can go forward.

These words apparently fell on deaf ears in the subcommittee, which failed to include any amount for this purpose, but I renew them now. I, therefore, urge my colleagues to vote in favor of this very necessary amendment.

Mr. PRYOR of Arkansas. Mr. Chairman, I thank my colleagues for their remarks in support of the amendment I have offered.

Mr. FLOOD. Mr. Chairman, I rise in opposition to the amendment.

Our friend in the well has not quite given you the picture. The title of this appropriation is "Libraries and community services." This bill is already $18,500,000 over the budget for this appropriation. I want you to know that your committee knows exactly the circumstances. The committee has been taking advice from the experts throughout the Nation who appeared before the committee. In going over this budget we were advised by the experts to place priority at this time on library services. That is what we were advised to do by the people we think know best. They are the experts in this field of library and community services nationwide.

I do not presume to argue that there is no further need for library construction—not for a minute, not remotely. Of course there is. But the needs are not nearly what they were only a few years ago, thanks to you, Mr. Chairman, and this House. Since the enactment in 1965 of the legislation adding construction to the overall library assistance program, these appropriations have supported over 1,500 construction projects. With so much having been done by this House and the Congress to cut down this backlog of need, for 1 year you can stand by, under all the circumstances, without doing any great damage to our public libraries. I suggest that the amendment be defeated.

Mr. SIKES. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Florida is recognized.

Mr. SIKES. Mr. Chairman, I am happy to support one of the most worthwhile programs of the Library Services and Construction Act by cosponsoring an amendment to H.R. 13111 which would fund title II, the public library construction title of the Library Services and Construction Act at $9,185,000; the level of last year's appropriation.

The authorization for fiscal year 1970 was $70 million—the budget recommendation was zero—a decrease of $70 million—completely stripping the funds seriously needed for public library construction and for the administration of the individual State plans for construction.

The States have been working diligently to raise the required matching funds for this worthy program in order that they might continue their important work on this needed and challenging job—a job which has been successful and helpful to many persons from every walk of life.

Even with the restoration of money to the fiscal year 1969 level of $9.185 million, this will meet only 2 percent of the need in 1970. In 1969, 6 percent of the need was met.

For the RECORD, I would like to define "public library construction." It not only means the construction of new public library buildings, but also includes the acquisition, expansion, remodeling, and alteration of existing buildings for use as public libraries and the initial equipment of such buildings with the exception of the actual books. Other eligible expenses covered under title II of LSCA include funds for the acquisition of land and the architect's fee.

Florida was allocated $459,680 in fiscal year 1968 under this title and with this money 14 of the construction project proposals were approved—of which, 12 were new buildings, two for remodeling, and one for an addition to the existing building.

Seven of the new buildings were central libraries in the cities of Coral Gables, Lake Park, Madeira Beach, North Park Beach, Pinellas Park, St. Petersburg Beach, and Sebring. New branch library buildings were in Blountstown, Tampa, and West Orange, with the Maryland Avenue Branch in Tampa being constructed in the model cities area. The district library of Merritt Island is obtaining a new central building. In Daytona Beach, the Florida Council for the Blind will have a new building which will permit increased service to the blind and physically handicapped in conjunction with the State library.

The two projects which consisted of remodeling existing central library structures were in Cocoa Beach and Hallendale. The Cocoa Beach building program also included the construction of an addition.

In Florida alone, there were six construction projects which were completed in the fiscal year 1968.

Since the inception of the Library Services and Construction Act, the Florida Library and Historical Commission has awarded some 43 construction grants. Of the 43 grants, 20 have been officially completed, 12 have been completed to the point that they are open for public use, nine and under construction and two have been approved but the construc-

tion is not yet underway. Approximately $8,900,000 will be expended for library construction when all of these are officially complete.

In my own district, for example, I am proud to mention that the first project under title II of the LSCA in the State of Florida was the construction of the Bay County Library in Panama City in October 1964. So far, in my district alone, there have been four projects completed with a total Federal expenditure of $411,786 and the total matching expenditure of $346,000.

This is only a small sampling of the constructive and meritorious work which has been accomplished and some just begun with funds under this vital title II of LSCA. To try to overlook the total good this program has had in all 50 States would be difficult for anyone to do although it is plain to see the severe damage which would be caused by the failure of this amendment.

The 276 construction projects reported to be waiting for construction funding in fiscal year 1970 represent a total of $156 million. Following the average funding pattern by source since the beginning of the program, two-thirds of the total would be available from non-Federal sources, leaving a need for $52 million in Federal funds in fiscal year 1970.

Many of the towns and cities which need these construction funds have already voted on the bond issues for matching funds and some of the bond issues which have already been passed are likely to expire if Federal funds are not appropriated for these projects in fiscal year 1970.

In the amendment we are proposing today we are recommending $9,185,000 the amount of the Federal allocation for fiscal year 1969. It is not enough but it will help to keep this important project going until the fiscal situation improves and we can provide the funds actually needed. It is only 1 percent of the amount the committee has just approved for other educational programs. If the House feels the Nation can afford $900 million above the figure in the bill for education, the membership should by all means approve the amount requested by this amendment for library construction.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I certainly rise in support of the statement of the gentleman. I am always sympathetic to the pleas made by the chairman of the subcommittee, but I would like to call my colleague's attention to the fact that no program in this country has been more enthusiastically received by the States, and no program has received more matching grants by the States than this program to build these libraries. A nation that ignores its humanities and forgets its libraries cannot survive very long. I think as long as we are moving forward to meet the needs of the country, let us go ahead with this $9 million.

Mr. HANLEY. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from New York.

Mr. HANLEY. Mr. Chairman, I rise in support of the amendment. I am a firm supporter of the Labor-HEW appropriations bill before us today, but I also support the efforts which are being made on the floor this afternoon to substantially increase the funds for fiscal year 1970. Of particular concern to me is the need to increase funds for our libraries across the Nation. I would like to enclose a letter which was recently received in my office from a prominent constituent outlining the tremendous progress which has been made in my congressional district with library services moneys.

ONONDAGA LIBRARY SYSTEM,
Solvay, N.Y., July 16, 1969.

Congressman JAMES M. HANLEY,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. HANLEY: I appreciate the gracious reception that you gave me last Wednesday when I appealed to you to take whatever action is necessary to have the House Labor—HEW Appropriations Subcommittee, and the House Appropriations Committee increase federal aid to public libraries.

The enclosed literature explains the national value of the Library Services and Construction Act of 1966. However, let me briefly list how the federal funds have been utilized during the past two years in Onondaga County.

The Onondaga Library System Board of Trustees requested and were granted money with which to:

1. Purchase a $35,000 Bookmobile with which Syracuse Public Library will bring books, magazines and records to Syracuse's inner-city this summer;

2. Establish an 18 county recruiting and training program to relieve the drastic shortage of librarians;

3. Launch an experiment in Manlius Public Library to prove that each library—no matter how small—should have a special young adult book collection;

4. Enable Syracuse Public Library in 1968 to encourage culturally-disadvantaged children to read;

5. Plan new library building in Syracuse, Jordan, and East Syracuse;

6. Construct a new building for LaFayette Public Library. (Money for Fayetteville, Onondaga Hill and Baldwinsville library building was denied due to a shortage of funds.)

If adequate federal funds are voted in FY 1970, the Board of the Onondaga Library System plans, among other things, to request funds to continue the recruiting project, and the planning and construction of new buildings, as well as bringing new services to Onondaga County. For example, the Onondaga Library System hopes to increase the number of films, records and pictures it can make available to the residents of the county. This is in line with the OLS Board's desire to make all libraries in the county serve as cultural banks for their respective communities, instead of only dispensing the more traditional products of a library—books and magazines.

In view of the fruitful ways in which HEW funds have been, and will be, used in the 34th Congressional District, may I respectfully request that he exert serious effort to have funds for libraries and education increased in the FY 1970 Budget.

If you wish additional discussion or information, please communicate with me.

On behalf of the Onondaga Library System, and the American Library Trustee Association, I thank you for your interest in this matter.

I remain,
Very truly yours,

DANIEL W. CASEY,
Former President, OLS; Director, Library Trustees Foundation of NYS; Chairman, Endowment Committee, ALTA.

My constituency has a great deal at stake in this bill, Mr. Chairman, through a variety of programs, not the least of which is impacted areas funds. I support vigorously, the attempts to restore full funding.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas (Mr. PRYOR).

The question was taken; and on a division (demanded by Mr. FLOOD) there were—ayes 138, noes 63.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. MACDONALD OF MASSACHUSETTS

Mr. MACDONALD of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MACDONALD of Massachusetts: On page 30, line 3, strike out "$126,209,000" and insert in lieu thereof "$130,834,000"; and on page 30, line 17, strike out "$4,000,000" and insert in lieu thereof "$8,625,000".

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts (Mr. MACDONALD) for 5 minutes in support of his amendment.

Mr. FLOOD. Mr. Chairman, I make a point of order against the amendment.

Mr. YATES. Mr. Chairman, the point comes too late.

Mr. FLOOD. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state the point of order.

Mr. FLOOD. Mr. Chairman, the appropriation has already been amended. I direct the attention of the Chair to page 29 of the bill, to the paragraph entitled "Libraries and Community Services." The figure itself is on page 30.

I submit, Mr. Chairman, in support of my point of order that this has already been amended, and the gentleman's amendment is, therefore, not in order.

Mr. MACDONALD of Massachusetts. Mr. Chairman, could I be recognized?

PARLIAMENTARY INQUIRY

Mr. YATES. Mr. Chairman, a parliamentary inquiry. Is it in order to raise a point of order when the Chairman has recognized the gentleman for 5 minutes?

The CHAIRMAN. The gentleman had not proceeded in debate, although the Chair had recognized him.

Mr. YATES. Mr. Chairman, the Chair had already recognized the gentleman.

Mr. FLOOD. Mr. Chairman, I can still stand up. I was on my feet. The gentleman from Illinois amazes me. I had the courtesy, knowing the timing—and I am no amateur at this business—until my friend the gentleman from Massachusetts had the amendment read. I deliberately waited until that was done. The gentleman is completely incorrect.

Mr. YATES. Mr. Chairman, the fact remains I asked a parliamentary inquiry

as to whether or not the gentleman from Massachusetts, having been recognized, the point of order raised by the gentleman from Pennsylvania is in order. I think that is a perfectly proper inquiry.

The CHAIRMAN. The Chair is not raising a question about the right of the gentleman from Illinois to make a parliamentary inquiry.

The gentleman from Pennsylvania was already on his feet. The gentleman from Massachusetts had not started his remarks, and therefore no debate had intervened between the reading of the amendment, and the Chair upholds the right of the gentleman from Pennsylvania to raise a point of order.

Does the gentleman from Massachusetts desire to be heard on the point of order?

Mr. MACDONALD of Massachusetts. Of course I do, Mr. Chairman. I think the Chair—and I say it in all due respect—has erred twice.

I had been recognized and I had started my remarks about this amendment, which is point No. 1.

Point No. 2: If I understood the chairman of the subcommittee correctly, he raised the point that the amount of money in this section had already been amended. I point out to the gentleman that this amendment changes money that was already in the original bill, and therefore I seek to go forward to be heard on my amendment.

The CHAIRMAN (Mr. HOLIFIELD). The Chair is prepared to rule on the point of order.

The Pryor amendment modified the sum of $126,209,000, to $135,394,000. Therefore, it is not subject to further amendment.

The gentleman seeks to amend that in his amendment, so that part of the gentleman's amendment is not in order, and the Chair sustains the point of order on that part of the gentleman's amendment.

PARLIAMENTARY INQUIRY

Mr. MACDONALD of Massachusetts. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MACDONALD of Massachusetts. Could I be enlightened as to when a Member who has been recognized and starts to talk has given up his right of recognition?

The CHAIRMAN. A point of order can intervene before debate is conducted on an amendment, particularly when the chairman of the subcommittee is on his feet seeking recognition. There had been no debate on the merits of the amendment.

Mr. MACDONALD of Massachusetts. My last inquiry, Mr. Chairman: Does this preclude my offering this amendment at any later point during debate on this appropriation bill?

The CHAIRMAN. The gentleman cannot offer an amendment to the $126,209,000, because that has already been amended, and though it is not for the Chair to instruct the gentleman as to his rights, however, in response to the question, the gentleman could offer the part of the amendment that dealt with the item on line 17 because it was not changed by prior amendment.

Mr. MACDONALD of Massachusetts. I thank the Chair.

AMENDMENT OFFERED BY MR. THOMPSON OF NEW JERSEY

Mr. THOMPSON of New Jersey. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMPSON of New Jersey: On page 30, line 12, after the word "Act" strike out "$5,500,000" and insert "$7,356,000."

Mr. THOMPSON of New Jersey. Mr. Chairman, I hasten to speak on behalf of my amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes in support of his amendment.

Mr. THOMPSON of New Jersey. Mr. Chairman, I rise in support of this amendment. It will provide $7,356,000 for title II–C of the Higher Education Act. This provides funds to the Library of Congress to assist libraries in cataloging their collections. The $7,356,000 provided by this amendment represents the amount approved in the budget originally submitted by the Johnson administration.

The need for this particular program is evident. The cost of cataloging is often more than the price of the book or manuscript being cataloged. Before this program was provided by the Higher Education Act of 1965, libraries were wasting untold millions of dollars each year in duplication of effort. Each library individually cataloged each book for its own library.

Libraries competed with each other for scarce, skilled catalogers. The inability of some libraries to afford catalogers and the inability of others to find catalogers meant that many library users did not have access to publications, simply because they were not cataloged.

This program has solved many of these problems. It has made it possible to catalog each book one time and quickly make copies of the card for each book available to any library. The smallest and poorest library in the country now has access to skilled catalogers. Duplication of effort has been eliminated. Readers find that they can get more materials at more libraries and can do this more quickly than before. The program has been a success. It has been particularly appreciated by university libraries who face a particularly difficult task in remaining abreast of new publications. This is why the Association of Research Libraries strongly supports this amendment. Among the many university libraries which have indicated support for full funding of title II–C of the Higher Education Act are the University of Pennsylvania, University of Texas, University of Michigan, University of Florida, Yale University, University of North Carolina, University of Illinois, Florida Atlantic University, Ohio State University, Duke University, University of Washington, Dartmouth College, University of Chicago, Pennsylvania State University, Cornell University, Princeton University, Massachusetts Institute of Technology, University of Nebraska, and the University of Connecticut.

The program has also had another payoff. It has permitted libraries to save money. Illustrative of these savings is the experience of the Pennsylvania State University library which estimates that this program saves them $170,000 per year. The funds saved by libraries exceed many times the cost of providing this service. And the funds saved are often used to acquire new publications. The savings permitted by this program have consequently contributed immeasurably to the ability of libraries to make new acquisitions.

There are two reasons why Congress should provide the money for this program as provided by this amendment.

First, the knowledge explosion is now an established fact. Anyone who has helped his high school children do their homework recognizes this—perhaps with a bit of bitterness. The number of new publications each year exceeds those of the past. More money is needed to keep present services at the present level.

Second, the Library of Congress has acquired a very highly skilled cataloging staff since the start of this program. For the past 3 years the Library has intensified its efforts to recruit and train catalogers and supporting staff. The development of this staff has now reached the point where it could pay huge dividends. A budgetary cutback would force reduction in personnel. The loss of highly specialized personnel would be incalculable. It would be very costly to replace and it would waste the money which has gone into training over the past several years.

For these reasons, I urge my colleagues to support this amendment. This program has provided a worthy service and it has done it well. We should not force libraries to again duplicate their efforts and waste their resources. This amendment will insure the continued effectiveness of this program.

Mr. FLOOD. Mr. Chairman, I rise in opposition to this amendment.

I would like the attention of the Members so that you will know what is going on here. Here this. I want you to know, you who are so strong for the libraries today, and I include myself in that category, I want you to hear this and see what my friend from New Jersey is doing. I direct your attention to page 30 of the bill, line 3. Here is the amount—$135,394,000 for libraries and community services. The gentleman from New Jersey with his amendment does not raise that figure one dime. What does that mean? That means the additional money he wants for this particular part of the program must come out of the hides of the libraries for which you are so strong. It must come out of their hides, because he provides no additional money in total.

Finally, Mr. Chairman, your committee raised the appropriation for this activity $1 million, from $4.5 million to $5.5 million. They had $4.5 million and we gave them another million, making it $5.5 million, which is reasonable under all the circumstances.

Of course, you will defeat this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. THOMPSON).

The amendment was rejected.

AMENDMENT OFFERED BY MR. MACDONALD OF MASSACHUSETTS

Mr. MACDONALD of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MACDONALD of Massachusetts: On page 30, line 17, strike out "$4,000,000" and insert in lieu thereof "$8,625,000".

Mr. MACDONALD of Massachusetts. Mr. Chairman, this amendment would add $4,625,000 to the fiscal year 1970 appropriation for grants for educational television and radio facilities. It would restore the appropriation for this program to the figure provided by the Department of Health, Education, and Welfare in its original estimates to the Bureau of the Budget.

This is the matching grant program which provides the catalyst for construction of new educational television and radio stations and improvement of the facilities of existing stations. The grants go to public school systems, colleges and universities, and other public and private agencies to enable them to purchase the equipment that they need to produce instructional and public broadcasting programs and to transmit them to the public. The recipients of the grants themselves provide most of the money for the equipment, and they provide all of the money for land, buildings, vehicles, and other items not covered in this program, as well as the funds necessary to operate the stations once they have gotten on the air.

Mr. Chairman, we are all familiar with the practice of appropriating funds for a new program at a relatively low level, for the first 2 or 3 years, until we have had a chance to evaluate its effectiveness, to see whether it is achieving the purpose we had in mind when we enacted the enabling legislation. But this is not an experimental program or a mere demonstration project, contrary to the inference of the small size of the requested appropriation. It has been going on for 7 years now, and it has an outstanding record of achievement. It deserves a better fate than the $4 million appropriation the bill would give it.

During the first 3 years a total of $32 million was obligated in 161 grants to 148 stations in 47 States. To date, the program has helped to fund construction of 102 new ETV stations—more than half of those now operating—and to improve and expand the facilities of 74 already existing stations.

Two years ago, the original authorization ran out, and we voted to extend the program for another 3 years. But the appropriations have lagged far behind the level we authorized in the Public Broadcasting Act of 1967. In that act, we authorized $38 million for 1968 through 1970, but only $4 million has been appropriated. Approval of the amendment that I have offered would raise the total to about $13 million—still only about a third of the original authorization.

Mr. Chairman, I have the honor to serve as chairman of the Subcommittee on Communications and Power, which held hearings recently on a bill to extend this program for another 5 years. Nine of our colleagues in the House of Representatives and Governors of 10 of our States, testified to our committee, of the effectiveness of the educational stations in their communities, and of the importance of this program to their States. I can report that there is widespread recognition that all of the stations, despite their inadequate resources, are doing a good job and many of them are performing a truly outstanding service to America. We learned that the program has been highly effective in generating State and local support once the Federal Government has helped in the critical first phase of capital development; every Federal dollar granted has generated $11 in local funds. But we also learned that there is a real sense of urgency and concern that if this program is starved for funds for another year the hopes and aspirations of the several States for beginning or improving their educational television service may be dealt a serious setback.

There is a backlog of applications on hand at HEW right now for more than $32 million under this program. The applications have come from 43 States, and each one represents a pledge of local matching dollars from State legislatures, from school systems, or from community groups. We will put that money to work—or let it lie waste—in proportion to the appropriation that we make for this program.

Mr. Chairman, I believe this program of aid to educational broadcasting is one of the few bargains we have left in this country. It is an opportunity we cannot afford to miss. The amendment requests a very modest increase—$4.6 million—in the appropriation, and I respectfully urge its approval.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

(On request of Mr. OTTINGER and, by unanimous consent, Mr. MACDONALD of Massachusetts was allowed to proceed for 2 additional minutes.)

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. MACDONALD of Massachusetts. I yield to the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, I would like to congratulate the gentleman on his amendment. It is my privilege to serve on the subcommittee under the gentleman from Massachusetts. We know the merits of public broadcasting. It is a tremendous force for economy in education, for efficiency in education, and for giving quality instruction to youngsters who otherwise might not be able to receive it.

Mr. Chairman, I hope the amendment will be unanimously supported by the members of the committee.

Mr. VAN DEERLIN. Mr. Chairman, will the gentleman yield?

Mr. MACDONALD of Massachusetts. I yield to the gentleman from California.

Mr. VAN DEERLIN. Mr. Speaker, it seems to me to be a most compelling point that the gentleman in the well has made on this amendment and that is the fact that for every dollar we invest in educational television there is generated another $11 in local funds.

This is unquestionably—based upon any kind of cost-benefit ratio that the Army Engineers might apply—the very best bargain we have in this appropriation bill today.

Mr. PICKLE. Mr. Chairman, will the gentleman yield?

Mr. MACDONALD of Massachusetts. I yield to the gentleman from Texas.

Mr. PICKLE. Mr. Chairman, I commend the gentleman from Massachusetts for offering this amendment. The request is reasonable. Public TV is a great media for providing education. It must be made better. If we are to provide better education through this facility, then we will have to provide the funds to allow it a reasonably good opportunity to succeed.

The gentleman's amendment is surely proper, and I congratulate the gentleman.

Mr. FLOOD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I appeal to the ears of the Members. Now, watch this. Mr. Chairman, I want the Members to know exactly what is being done again. This is a replay of the last amendment.

Now, the libraries that are so dear to your hearts, and mine, here is what happens. Page 30, line 3, the gentleman's amendment, does not raise the $135,394,000 a dime, not a dime. You know what happens? It comes out of the hide of your libraries. Everything he wants must be taken away from your libraries. Do not forget that. That is what he is doing, just so you will know. Remember I told you.

And, in addition, this bill is the exact amount of the budget request, the exact amount for educational broadcasting facilities requested in this budget. It is also the same amount as we appropriated last year on this floor for exactly the same purpose.

Finally let me add this: I know something about this cause. This is a good thing. There is no limit to the horizon of this educational broadcasting program. I can wax eloquent on it, on how good this is, but it is not ready yet. It must creep before it runs. Double the amount of the budget request? And it comes out of the hide of your libraries.

Mr. Chairman, I suggest the same thing as the prior amendment for exactly the same reason.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I decline to yield at this time.

Mr. SISK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment. I recognize, of course, that the gentleman from Pennsylvania, the distinguished chairman of the committee, of course, is laying it on the line here that this money now, because of his point of order a little bit earlier, is going to have to come out of some other program. But I do want to say that there is no program more needed and no program that produces more additional support in the communities than this program on support for these educational television programs.

Mr. Chairman, I want to join particularly with my colleague from California (Mr. VAN DEERLIN), in the statement he made that there is no finer bargain

than this program which was authorized some years ago, but unfortunately it has never been funded to the extent it should have been.

I am not pinning that on any administration, but unfortunately our friends on the Committee on Appropriations apparently have never been sold, or have never seen the benefits that can accrue to properly fund the program on educational TV.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SISK. I am glad to yield to my colleague, the gentleman from Massachusetts.

Mr. MACDONALD of Massachusetts. I would like to make an inquiry of the chairman of the subcommittee, if I may have his attention, the gentleman from Pennsylvania (Mr. FLOOD). I agree with his point concerning the money contained on line 3, which, in my original amendment, I wanted to have raised. I would like to ask the gentleman if he would agree to a unanimous-consent request that that money be so raised.

Mr. FLOOD. Why, you break my heart, my good friend—of course not.

Mr. MACDONALD of Massachusetts. I know that you want to protect the libraries and so do I.

Mr. FLOOD. The answer is, "No."

Mr. SISK. I will yield to the gentleman from Pennsylvania, if he would like to make a further comment.

I recognize his statement was correct. But I simply wanted to state, I think it is a bit unfortunate that we were denied a provision or raise in amount. But I still say the purpose for which the amendment was intended, by the gentleman from Massachusetts, will stand up along side of any other use of funds in this $120 million—now some $130-odd million. I still believe the amendment should be adopted and permit more flexibility in educational TV.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. SISK. I am glad to yield to my good friend, the gentleman from Pennsylvania.

Mr. FLOOD. I do not quarrel with the intention but I am chairman of an appropriation committee and there is a road to a certain place paved with good intentions.

Mr. SISK. Oh, I recognize that, and I have great admiration for my good friend, the gentleman from Pennsylvania. Let me say, I know the gentleman does an excellent job and there is nothing personal in my criticism here. All I am saying is that this is an excellent program and unfortunately it has always been underfunded.

Mr. BURTON of Utah. Mr. Chairman, will the gentleman yield for a question?

Mr. SISK. I yield to the gentleman.

Mr. BURTON of Utah. I would direct a question to the gentleman from Massachusetts. In your view does this amendment indeed take away money from the library fund?

Mr. MACDONALD of Massachusetts. No, I was merely making the point that the chairman of the subcommittee had made.

Mr. BURTON of Utah. The amendment offered by the gentleman has some Members confused and that includes me. I am a great supporter of libraries. But if your amendment is going to take money away from this fund, I think we should know this before we vote on your amendment.

Mr. SISK. The problem here, of course, is that the total amount of money which the gentleman from Massachusetts originally sought to raise is not all for libraries. It is for a number of services. There is no question but that the gentleman from Pennsylvania is correct that even that total has to be taken, this increase in educational TV, but not necessarily from the construction fund of libraries.

I think that should be cleared up.

As to the total of $130 million plus—I do not have the exact figures, but of course that is for a variety of services—construction funds, and so forth, and all these community service programs, and there is no question but that out of that pool of course would have to come the increased amounts for educational TV—but not necessarily from the construction fund for libraries.

This is up to the agencies how they distribute the fund.

Mr. BURTON of Utah. I would like to see educational TV built up much more than it is and for us to do anything to help because we have so much commercialism and criticism of our commercial TV. But if it is going to harm some of these other activities, and this is a point I want to make clear, I cannot support the gentleman's amendment.

Mr. SISK. Of course, the reason why, as I say, my good friend, the gentleman from Pennsylvania was raising his point of order, which I recognize, and here again I think in fairness that we should understand is that we are caught in a trap.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MACDONALD).

The question was taken; and on a division (demanded by Mr. MACDONALD of Massachusetts) there were—ayes 54, noes 89.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

EDUCATION FOR THE HANDICAPPED

For carrying out the Act of September 6, 1958, as amended (20 U.S.C. 611–617); and section 302 and title V of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, as amended (20 U.S.C. 618, 42 U.S.C. 2698, 2698a, 2698b); the Act of September 2, 1958, as amended (42 U.S.C. 2491–2494); title VI of the Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. 871–880); and the Handicapped Children's Early Education Assistance Act of 1968 (20 U.S.C. 621–624), $84,540,000, of which $29,190,000 shall be for grants to States under part A of said title VI of the Elementary and Secondary Education Act.

AMENDMENT OFFERED BY MR. CAREY

Mr. CAREY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CAREY: On page 31, line 6, strike "$84,540,000" and insert in lieu thereof "$100,000,000".

Mr. CAREY. Mr. Chairman and Members of the Committee, we could call this amendment by many names. It might be called the rubella amendment. About 1965 we had an onset of German measles which vastly increased the population of deaf and blind children, with the result that all the money in the bill could be spent for those children and it would not be too much.

It may surprise some members of the committee to find that our total commitment to handicapped children for education is about $5 per year at the Federal level, at a time we were spending $1,500 per student in higher education, much more in vocational education, as we should, and much more in Operation Headstart, as we should. It is 3 cents per day for the handicapped child, but by reason of the good work of many Members of this House who have taken handicapped children's education to heart, we have nine new programs that have come into being during the life of this appropriation. As a result, we have work done by men like the gentleman from Ohio (Mr. AYRES), who has helped us with the deaf-blind, and the gentleman from California (Mr. BELL), who has helped us with the mentally retarded, the gentleman from Minnesota (Mr. QUIE), who joined me in sponsoring the preschool bill for all handicapped children, and all of those who have joined in passing the authorization legislation to increase the commitment that we have made to the learning disabled. These programs for those who are unable to participate by reason of a handicap in the regular education programs have, in a sense, brought to life and merged—in many, many more programs, so that finally in the last few years we have begun to help those who have not had any kind of assistance before through Federal legislation.

At the same time, almost the same week that he made the commitment that we should go to the moon, President Kennedy said:

The children of this country who have felt the hand of fate must never suffer from neglect.

But there is neglect now, because local school districts, local school boards, and State educational institutions cannot possibly provide the operations, the services, and the teachers needed to do the new things that we are able to do for the deaf-blind, for the blind, for the deaf, the mentally retarded, and the emotionally disturbed. Only we can do this. Only we can do this.

I am heartened to come here this day. I have been away from the Chamber for some time because fate intervened in my life, and I know this better than I ever knew it before, that this day is a joyful day because we stood up, all of us, and said, "We are not going to desert our children. They are growing up. We have only one chance to change their lives, and this is our chance."

And tonight we can do something to change the lives of handicapped children by simply responding to the request made by the administration through Secretary Finch, who requested $100 million for the programs for all the handicapped children. All I seek to do by my amendment is to respond to the request of the Secretary of Health, Education, and Welfare, justified by the programs that we passed in this Congress, to make our commitment quite evident to the handicapped children in this hour.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. CAREY. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Chairman, I thank the gentleman for yielding. I rise in support of the gentleman's amendment to assist the handicapped children in this country.

Surely they do take priority in this matter. Mr. Chairman, I am pleased to have the opportunity to support the amendment offered by the gentleman from New York (Mr. CAREY) to increase the appropriations for programs of the education of handicapped children.

I am pleased to see that this will provide $5 million to title VI–A of the Elementary and Secondary Education Act, because there are few such instances where grant-in-aid to State and local communities can so directly be returned to be used by our State and local communities. The return to our local community and our States can be judged by the consequences; the cost of institutional or residential care is approximately $200,000 per handicapped person. The cost of providing a full elementary and secondary education for the handicapped is approximately $20,000 per child. The Nation's handicapped children have the potential input to our economy of $15 billion if they are provided with the special education and services necessary for them to realize their personal and economic potential.

The State of Louisiana has over 300,000 known children of school age who are handicapped and in need of special programs and services if they are to realize their personal and economic potential; 92 percent of these children are not now receiving these needed services. An estimated 19,000 special education teachers are currently needed in Louisiana alone. While these figures are overwhelming, they do show forward progress.

The funds requested will prevent the loss of gains made in the last decade and will enable programs, at the local and State levels, to continue their orderly development toward meeting the needs of our Nation's handicapped population.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. CAREY. I yield to the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Chairman, I thank the gentleman from New York for offering this amendment. I think it is necessary. I think it is of a high priority.

One does not even have to compare this with the amount we put in by the Joelson amendment, or anything else we have done like reaching the moon. This money is needed. It is money that will be wisely spent because the programs, even research, are so soundly based.

Mr. CAREY. Mr. Chairman, I thank the gentleman from Minnesota for his contribution. He has done much in the committee to help in the authorizing of this legislation.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. CAREY. I yield to the gentleman from Kentucky (Mr. PERKINS).

Mr. PERKINS. Mr. Chairman, I compliment our distinguished friend, the gentleman from New York (Mr. CAREY), for offering this amendment.

This is an amendment to take care of the urgent needs of handicapped children.

It is of a top priority and it should be adopted.

Mr. CAREY. Mr. Chairman, I thank the gentleman from Kentucky for his remarks.

Mr. SCHEUER. Mr. Chairman, will the gentleman yield?

Mr. CAREY. I yield to the gentleman from New York (Mr. SCHEUER).

Mr. SCHEUER. Mr. Chairman, as one who has worked under the leadership of the distinguished gentleman, my colleague from New York (Mr. CAREY), on programs for the disabled and disadvantaged children over many years, I congratulate him for this amendment, and for his unstinting efforts, imagination and leadership over many years on this subject, and I urge support of the amendment.

Mr. FLOOD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this committee and House have no quarrel with this program. If this amendment is defeated—as it should be—let me tell Members how much will be in this program: $84,600,000. This is $5 million more than was appropriated for 1969. The proposition now with this amendment is to add $15 million to an $85 million program in addition to the $5 million that the committee has already increased it over last year's level.

I have no quarrel with the purpose and with the intent, and neither does the committee, but under all the circumstances this amendment should be defeated.

Mr. PUCINSKI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment. My subcommittee has held very extensive hearings on this whole subject of handicapped children. I can think of no more worthy amendment than the amendment now before this body.

There are 55 million children attending public schools in this country and another 8 million children attending private schools. The testimony before our committee shows that four out of every 10 children in this country suffer from some form of handicap. There are 10.5 million children suffering hearing defects, 12.5 million children suffering eyesight defects, and 5.5 million children suffering either emotional problems or learning disabilities. We have approximately 25 million youngsters in this country who urgently need help.

The most expensive kind of education in America is education for the handicapped. All over this country there are parents who have youngsters who unfortunately suffer from some form of handicap, some emotional instability, or some learning defect. These parents have suffered quietly.

All over this country, if we look, we can see what limited facilities are available. No form of our educational process is more sadly neglected than that of providing education for these handicapped youngsters.

I tell the Members, July 30, 1969, can very well be called Emancipation Day for the children of this country. This Congress stood up and recognized the educational needs of American children. Let us not stop now.

I am in sympathy with what the chairman of this subcommittee has said, but I tell Members they will never have a greater opportunity to walk out of this Chamber 10 feet tall than if they vote for this amendment, because if anybody needs help, it is the handicapped children of this country. The parents up until now have suffered quietly, quietly pleading and begging. There is not a Member in this Chamber who has not had a parent come to him and say, "Look, I have a child who is handicapped. Where can I go to get help?"

They talk about $100 million. This is a pittance when one compares the enormity of the need for the youngsters with a handicap in America to that figure.

If we really want to make a contribution toward solving some of the social problems of this Nation, this is the place to do it, here with this amendment. I congratulate my colleague from New York for offering the amendment.

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Texas.

Mr. ECKHARDT. Has the gentleman thought about how much nerve gas $15 million would provide?

Mr. PUCINSKI. I do not know that the question is germane. In fact, I believe this is much too serious a subject for facetious remarks like that.

I am seriously concerned about these handicapped youngsters. There are Members in this Chamber who serve on that committee, who have been listening to the testimony. We have a bill coming in next week to add to this category of children with learning disabilities. There are perfectly normal children who for some unknown reason reverse letters, who read letters upside down. There are youngsters with all sorts of other disabilities, youngsters in no other way identifiable, who are perfectly normal citizens. They need help desperately.

With all due respect for the chairman of the subcommittee, whom I respect highly, I hope the Members will support the amendment offered by the gentleman from New York.

Mr. ECKHARDT. Mr. Chairman, I must admit a degree of facetiousness in

my question to the distinguished Member from Illinois, but I am quite serious in the point I wish to make, which evidently evaded his keen discernment. It is this: Where we are dealing with $15 million to be expended on the humane programs, such as those of education and help to the handicapped, such a figure looms up as an enormous expenditure.

But when we are dealing with a $350 million appropriation for chemical and biological warfare, hidden in various items in the military appropriation, no such economic scruple seems to trouble the Armed Services Committee or the Appropriations Committee.

Chemical and biological warfare includes research on offensive and defensive chemical and bacteriological agents and delivery services, the procurement, manufacturing, stockpiling of these materials and devices, and the maintenance of facilities for greatly increased production should the United States feel pressed to use these devices in time of war. It also includes the present large scale production and use of chemical anticrop and personnel agents in Southeast Asia.

Costs, as admitted by the Pentagon for fiscal 1969 are as follows:

	Millions
Research and development	$90
Procurement	240
Operations and maintenance	20
Total	350

Now, on the other hand, here we have engaged in a program providing facilities and services for the investigation, prevention, and suppression of communicable diseases by the direct development, advancement, and demonstration of knowledge and techniques, through research grants, and through the prevention of the introduction of communicable diseases from foreign countries.

Total expenditures for fiscal year 1969, $41.4 million; total expenditures for fiscal year 1970, $38.7 million break down as follows:

	Millions
Laboratory improvements:	
Fiscal year 1969	$6.0
Fiscal year 1970	6.3
Prevention and control:	
Grants:	
Fiscal year 1969	6.8
Fiscal year 1970	2.9
Direct operations:	
Fiscal year 1969	27.7
Fiscal year 1970	27.6
Program direction and management services:	
Fiscal year 1969	1.9
Fiscal year 1970	1.9

Therefore in 1969 we spent at least $350 million to be in a position to trigger disease and here we have spent $41.4 million to prevent disease, less than one-eighth as much.

Mr. MICHEL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, my dear friend from New York, the author of this amendment, of course, makes a very good case, as anyone in this House could make. How can one stand here and talk against handicapped children of any kind, or any handicapped person?

As to increasing the amount, why $15 million? Why not $50 million or $100 million?

What do the Members think this subcommittee does all through the year, hearing the testimony of people with impassioned pleas, and rightfully so? We could "shoot the moon" on cancer research, heart research, or whatever. We have to try to do a job here, and it is a tough job. Anyone could out-demagog anyone else in this House by offering amendments to push up everything else.

I say, as the chairman has said, we have provided an increase here over last year of $5,690,000. The main increases are $2,055,000 for the early childhood program, $1.5 million for regional resource centers, and $1 million extra for the deaf and blind centers.

It seems to me we have done a pretty good job. It puts one in a bad position to argue against the gentlemen and to say they ought not have more.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to my chairman, the gentleman from Texas.

Mr. MAHON. Is it not true that in this bill we have provided for an expenditure of more than $17 billion for the current fiscal year, to try to meet many needs, insofar as reasonably possible under all the circumstances?

I believe it would be well to point out that in addition to this increase for the handicapped we have provided in this bill $33 million for mental retardation, which relates to the welfare of children, and for innumerable other hundreds of millions of dollars which relate directly and indirectly to the welfare of children. There is maternal and child health and welfare, and this bill's provisions contain $284,800,000 in that area.

There are innumerable programs in the bill designed to be helpful to children. This would not exclude the handicapped children, who can be considered and must be considered, along with the $85 million included in the particular paragraph to which the amendment relates. As a matter of fact, I understand that the Department of Health, Education, and Welfare estimates that it now spends over half a billion dollars on mental retardation.

Mr. MICHEL. That is correct.

Mr. CAREY. Mr. Chairman, will my colleague yield?

Mr. MICHEL. I yield to the gentleman from New York.

Mr. CAREY. I do not like to disagree with the statement of the chairman of the committee or of my distinguished colleague from Illinois, but two things must be recognized.

This House, in its good will, has changed the definition, so that we have brought into eligibility for these programs more children than before. Therefore, we are subdividing the original amount which was available. That is why we are reaching more children but have less money to do so per child.

When the chairman speaks of maternal and child health benefits it does nothing for the education of the handicapped. When he speaks of money in the next section for the mentally retarded it is for facilities for physical care and not education.

Mr. Chairman, we have discovered something which is more important than the rocks on the moon. We have discovered that we can actually educate handicapped people to perform and have a full life of employment, to be usable and have utility in our economy.

When we invest in education for the handicapped, as we did for vocational rehabilitation, we are putting Americans back into employable opportunities. That is just what we seek here. It has nothing to do with the section that the chairman cited.

Again I point out to my distinguished colleague from Illinois, when he speaks of $15 million being too much, this is exactly what Secretary Finch said he had to have in order to run his department with the new programs that we gave him. We authorized him to extend help to more people. He announced this and he told the deaf, the dumb, the blind, the mentally retarded, and the emotionally disturbed in a press release, "We are going to do more for you." Now we say that we will do just a little bit less because more children are now eligible than there were before. So you are subdividing the amount unless you increase the appropriation to meet the justified request of the Secretary of Health, Education, and Welfare, Mr. Finch. I stand with Mr. Finch and I make this the "Finch amendment," and I hope the gentleman from Illinois will help me to pass my amendment.

Mr. MICHEL. Mr. Chairman, if I might respond to the gentleman from New York, I do not see anything in our hearing record which discloses that the Secretary was asking for that kind of an increase. We did not get that kind of testimony at all. It may very well be that at some public gathering some place somebody might have gotten carried away about particular needs in the future, but all we have to go on as a committee is what we hear in these 9,000 pages of testimony over several months' period of time.

Mr. CAREY. Will my colleague yield further?

Mr. MICHEL. I yield to the gentleman.

Mr. CAREY. If Secretary Finch said at some public gathering where he was carried away that he is asking for one-half cent per day more for handicapped children, then I will carry him away on my shoulders. This is what he should say in public, in private, and before your subcommittee.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

(Mr. MICHEL asked and was given permission to proceed for 2 additional minutes.)

Mr. MICHEL. I take this extra time only because I would like to have just a little bit of my own time. I felt I should be gracious and give my opponent an opportunity, but I do want to be heard.

As I said, we have done a pretty good job here. The gentleman from New York

makes a point about what we are learning with respect to handicapped children. Let me say in my own home community of Peoria, for example, in the last few years we have constructed what we call an allied agency center where we have $1.5 million of Federal grants which we matched with money that was raised locally. For the first time in the country we have drawn together under one roof cystic fibrosis, palsy, crippled children, mentally retarded, physically handicapped, into eight different agencies which have heretofore been all on their own. For the first time we have our own pilot project specifically aimed at educating and caring for these handicapped children. We have a daily attendance record there of 600. I know what the gentleman is talking about. This is a very serious problem throughout the country. But I am saying again that we have not really gotten the testimony in our hearing record here in which there was a request for more money than we provided, and I hope that the committee will stick by us.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Minnesota.

Mr. QUIE. Is it not true, however, that the amount in this bill is less than the budget requested?

Mr. MICHEL. Yes. As a matter of fact, it is $1.25 million under the budget request. As I said, it is an increase of $5.6 million over the spending level for 1969. The chairman of the committee indicated that.

Mr. FLOOD. Mr. Chairman, will the gentleman yield to me?

Mr. MICHEL. I yield to the gentleman.

Mr. FLOOD. That is so, and that is entirely for research. It had nothing to do with services and it was only the amount of the increase over 1969 for research.

Mr. QUIE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I just want to say briefly before we vote on this amendment that it is true there was a cut in the appropriation from the budget request. Also I want to state, the gentleman from New York (Mr. CAREY) does not just pick some figure out of the air. He picked the sum that the Department of Health, Education, and Welfare asked the Bureau of the Budget for. HEW felt that they could move ahead with these programs and spend this money wisely.

Mr. Chairman, when it comes to research I have been in touch with the problem of children with handicaps for quite a long time.

I know a decade ago how little was known about training the handicapped with the few teachers that were available. We do not have enough teachers now. We have about 80,000 teachers for the handicapped but we need about 250,000. There are enough teachers in the country who have the knowledge to teach normal children although we do not have enough teachers of the capability that everybody wants. They probably never will. The handicapped do not have enough teachers, highly qualified, partially qualified or even with little ability in the specialties needed to reach the handicapped.

Mr. Chairman, there are two things that are of utmost importance. First is the number of teachers with the skill to help these children learn to lead a more normal way of life. The most satisfying thing one can experience is to see the result of a capable teacher working successfully with a handicapped child. However, we still do not have enough teachers to perform this task. We have started preschool programs for the handicapped and research and demonstration are paying great dividends for the handicapped. Research projects have been a great help for the handicapped, but the benefits are not limited to them. What we learn on the backstroke in programs for the handicapped is of tremendous importance to every child, the children of the constituents of yours and mine.

So, Mr. Chairman, I think this is an important amendment and that it should be adopted.

Mr. BELL of California. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from California.

Mr. BELL of California. Mr. Chairman, I rise in support of the amendment and I wish to compliment the gentleman from Minnesota (Mr. QUIE) for his statement. We have both worked on the committee involving the handicapped. I also recognize the great importance of what the chairman of the subcommittee has said involving increased appropriations. However, I do know that this is one of the most important areas of education that we can support and I compliment my friend, the gentleman from New York (Mr. CAREY), for offering this amendment. I enthusiastically endorse and support it.

Mrs. CHISHOLM. Mr. Chairman, I move to strike the requisite number of words.

Mrs. CHISHOLM. Mr. Chairman, I rise in support of the Carey amendment.

Mr. Chairman, I would just like to say here, ladies and gentlemen, that I am most happy, most happy, that the gentleman from Brooklyn has offered this amendment. This is one of the things that concerned me—to see the complete elimination of title 6(a) from the ESEA program which is directed toward the multihandicapped children of this Nation.

I do not want to speak to you from the standpoint of a politician, but from the standpoint of an educator, who has just emerged from that profession during the last 4 years and have had experience in this field. I was in a position to know what was happening to the multihandicapped children of this Nation and to know many children in the Nation that have multiple handicaps that are still in the homes of their parents in their respective communities. This happens, because there is no place for these children to go. The parents are upset over this fact, because of the public school situation. These parents go to community agencies, but there are no available facilities there to help these children. Many of these children are hidden in closets when friends come to the home, because of the fact that the parents have no place to send these children. They are ashamed and embarrassed, because the children are vegetating day by day. And, indeed, these children have no one to speak out for them except those of us in the U.S. Congress.

Mr. Chairman, I feel that these children have a right to receive some kind of training and help so that that they, too, can enjoy their right to receive some kind of training and help so that they, too, can enjoy their rightful share in this society.

How dare we in this House of Representatives this evening talk about this problem in terms of dollars and cents? We all, of course, realize that our children are the most valuable things we have in this country. It is very disturbing to me that we have to consider this problem in terms of dollars and cents. We must place this problem in the terms of the highest priority.

Mr. Chairman, I speak very emotionally about this because, you see, I have been traveling up and down the communities and have been into the homes of people who have handicapped children before I came here and have listened to the heart-rending cries of the parents of these children of this country who do not know what to do with a handicapped child.

Mr. Chairman, Representative CAREY has introduced a most marvelous amendment here this afternoon. I ask the gentlemen of this House to please support this amendment. The problems of the multihandicapped children deserve the highest priority of any in every category of our educational efforts. These are the children who are blind, deaf, and handicapped. They will be grateful for what we do. Please support this amendment.

Mr. PUCINSKI. Mr. Chairman, will the gentlewoman yield?

Mrs. CHISHOLM. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, I think that it is important to point out that the authorization on this bill is $206 million. My colleague from Illinois talks about how the Committee on Appropriations holds extensive hearings, and as I listened to the distinguished chairman expound on the sanctity of the Appropriations Committee I waited for him to start walking on water.

But my committee also has worked, and we have held extensive hearings, and the appropriation proposed in this bill, even with the $15 million amendment proposed by the gentleman from New York, will not even begin to meet half of the authorization that was recommended on the basis of very extensive studies.

So, Mr. Chairman, I urge the adoption of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. CAREY).

The question was taken; and on a division (demanded by Mr. FLOOD) there were—ayes 95, noes 43.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

EDUCATION IN FOREIGN LANGUAGES AND WORLD AFFAIRS

For carrying out title VI of the National Defense Education Act, and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961, $18,000,000.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I will only take a minute, but I would like to ask the distinguished chairman of the subcommittee about the $18,000,000 expenditure for education in foreign languages and world affairs.

Now what is being done through a program to educate people in world affairs? Is this more of a handout for foreign aid—the foreign handout business?

Mr. FLOOD. I can understand my friend's inquiry. This is an exercise in semantics. Perhaps we should have changed the title.

This "world affairs" comes about mainly because the budget contained funds for the International Education Act in this paragraph and the committee turned down that part of the request as we have turned it down 3 years in a row.

Mr. GROSS. Then there is no "world affairs" in this except by way of semantics in the language; is that correct?

Mr. FLOOD. There are the Fulbright-Hayes training grants and foreign language centers and fellowships under the National Defense Education Act. That is about it, because we allowed nothing for the International Education Act.

Mr. GROSS. I thank the gentleman.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

MENTAL RETARDATION

To carry out, except as otherwise provided for, sections 301 and 303 of the Public Health Service Act, as amended, relating to the prevention, treatment, and amelioration of mental retardation, parts C and D of the Mental Retardation Facilities Construction Act (42 U.S.C. 2261, et seq.), and section 4(a)(1) of the Vocational Rehabilitation Act, as amended, $33,629,000, of which $8,031,000 shall be for grants for facilities pursuant to part C of the Mental Retardation Facilities Construction Act, to remain available until June 30, 1971: *Provided*, That there may be transferred to this appropriation from the appropriation for "Mental health" an amount not to exceed the sum of the allotment adjustment made by the Secretary pursuant to section 202(c) of the Community Mental Health Centers Act.

AMENDMENT OFFERED BY MR. DANIELS OF NEW JERSEY

Mr. DANIELS of New Jersey. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DANIELS of New Jersey: On page 36, line 16, strike "$33,629,000," and insert in lieu thereof, "$37,000,000."

On page 36, line 16, strike "$8,031,000," and insert in lieu thereof, "$12,031,000."

Mr. DANIELS of New Jersey. Mr. Chairman, my amendment would increase the appropriation for the prevention, treatment, and amelioration of mental retardation from $33,629,000, to $37,000,000, of which $12,031,000 shall be for grants for facilities pursuant to part C of the Mental Retardation Facilities Construction Act. Specifically, this will be an increase of $4 million for the construction of facilities. This modest sum would restore the original $12 million appropriation. The $8 million requested by the administration and recommended in this H.R. 13111 can only be viewed as an abrogation of a commitment by the Congress to the States and voluntary agencies which undertook in good faith to implement the program which Congress proposed to them so enthusiastically in 1963 and again in 1967.

As of December 1968, some 242 construction projects had been approved for Federal assistance. The Federal share is $48 million against a non-Federal share of nearly $100 million. When completed, the buildings will house services which will reach an estimated 63,000 retarded children and adults—less than 5 percent of the estimated number of those who are believed to need such specialized services. As a result of treatment, many of these people could live productive lives; they can add to the country's productivity rather than be a liability. To cut these funds is false economy.

Estimates submitted by the responsible State agencies indicate that the current need for construction is in excess of $200 million, and that, if Federal funds were to be made available, applications for $100 million in Federal aid would immediately be forthcoming. Only 2 years ago we recognized the magnitude of this need by enthusiastically passing extending legislation with a 1970 authorization of $50 million.

As my colleagues in this House know, the authorizing legislation requires allotment to the States with a minimum of $100,000 to each. If we permit the appropriation to fall below the already inadequate level of $12 million, we produce a distribution which discriminates very unfairly against the more populous States. The allotments from an $8 million appropriation for 1970 would result in a reduction of 40 percent for the larger States.

On a per capita basis, at the $8 million level the largest States will receive only one-fifth as much as the smallest States.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. DANIELS of New Jersey. I am pleased to yield to the chairman of the Committee on Education and Labor, the distinguished gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, I would hate to think that an amendment of this type would be voted down by the membership of this body this afternoon, especially after we have made the commitments to the States for such an important matter as mental retardation and that the facilities will not be constructed—even some of the facilities that have already been started, and that there should be a cutback here.

Mr. Chairman, we should not renege on that commitment. We should fulfill our obligations. The Department has made an estimate of what it will take to carry out these commitments. The gentleman is offering an amendment to carry out the budget request. I am most hopeful that this amendment will be approved because we cannot afford to turn our backs in this area of mental retardation at this stage of the game after we have made this commitment to the States.

Mr. DANIELS of New Jersey. I thank the gentleman. I would like to point out that in 1964 and again in 1968, the people of New Jersey voted bond issues for construction—one purpose of which was to provide matching funds to carry out the intent of the Federal legislation which we offered the States as an inducement to move more rapidly in the direction of developing community facilities.

Voluntary agencies pledged their assistance also. At no small expense a State plan was developed which, at the authorized level of Federal aid could, by 1972, provide every county in our State with a center for the day care and training of the most severely and profoundly retarded and multiple handicapped youngsters of school age. Activity centers for adults too handicapped to benefit from vocational rehabilitation would have followed. It is an orderly, planned program.

Much time, effort, and money was spent on its development. The people and the legislature supported it and voted their share of the funds. It is embarrassing to me to have to tell them that we are proposing to give them $195,000 where they might have looked for $1½ million that adequate funding could bring them. Moreover, I have been informed that other States are also in danger of being left high and dry.

Mr. SANDMAN. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The gentleman from New Jersey is recognized.

Mr. SANDMAN. I think the only appropriate way to ask for an increase of any kind in an appropriation such as the one we are dealing with today is to show what has been appropriated is inadequate, rather than trying to pull the "hearts and flowers" bit. In this connection, my colleague from New Jersey has outlined what we have done in our State in connection with the day centers. The people of our State have approved $5 million for this project, a project which has an overall cost of $7 million. It will put one county day center in each of the 21 counties of the State. If this cutback is permitted, the entire program is set back. It not only is set back, it falls, because instead of getting the amount which was committed to the State, equal to 40 percent, the State's amount receivable under this appropriation would be less than 16 percent. I urge the adoption of the amendment.

Mr. FLOOD. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. FLOOD. Mr. Chairman, I would like to tell you why I am opposed to the amendment, which provides an increase in the amount of the bill for the construction of Community Service facilities. The amendment increases the bill by $4 million. The Johnson budget was $8,031,000, the Nixon administration agreed with the Johnson administration,

and this committee agreed with both, and properly so. I will show you why. I repeat for purposes of emphasis that the amount in the bill is exactly the amount in both of those budgets. That has value and merit for your consideration—plus this, and this is of great significance: the amount of this bill is already more than $2 million, over $2 million, above the 1969 appropriation on this very item. Almost without exception the construction program in the HEW budget, as far as construction is concerned, has been cut below 1969, some of them have been cut out entirely.

This is consistent with the guidelines generally followed by the Congress, and the guidelines set down by both administrations, and the guidelines set down by the committees handling this bill.

I submit, Mr. Chairman, with all due respect for my sister State of New Jersey—where, since I wore diapers, we have gone to the shore from the coalfields of Pennsylvania—we stand by this budget. We have no quarrel with the purpose, but it has already fared much better than most construction programs.

I submit, Mr. Chairman, faced with those circumstances—the defeat of this amendment.

Mr. PERKINS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think we all understood the amendment offered by the gentleman from New Jersey. It is not that the cut was $4 million: the action of the Appropriations Committee was $4 million below the expenditure, the appropriation of fiscal year 1969. I think if the gentleman from Pennsylvania will reexamine his figures, he will find the gentleman from New Jersey is absolutely correct.

In an area where a commitment has been made on mental retardation to the various States of this Union and the Department of Health, Education, and Welfare, saying they need this extra money, it just does not make a great deal of sense to vote down an amendment of this type, when we need the facilities all over the Nation for the mentally retarded.

Mr. Chairman, I am certainly hopeful the House will adopt this amendment.

Mr. SMITH of Iowa. Mr. Chairman, I move to strike the requisite number of words.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Chairman, I want to reassert very flatly what I just reported to the Members. I do not know what juggling of funds between fiscal years has been done in their bookkeeping.

I have in my hand—and did Members ever hear that expression before, "I hold in my hand" and so on, on the radio and television? I hold in my hand the appropriation figures, and I reported to Members exactly the 1969 and 1970 appropriation figures.

Mr. HOWARD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise along with my colleagues from New Jersey to point out a national problem. This national problem is that of the mentally retarded and what we, as a Congress, should do to help in this area. We can understand approaching the problem as the Appropriations Committee has. We understand they have not all the money in the world. They have to decide what they can spend and in what certain places. As the gentleman from Illinois said, certainly he is in favor of helping the handicapped, but he cannot raise it another $50 or $100 or $200 million.

But, Mr. Chairman, the unconscionable thing about this is we are not requesting an increase. We are requesting restoration of a cut. It was $12 million for the past 2 years, and if the previous administration had requested a cut, and the present administration requested a cut, I believe we, as a Congress, would not be able to face our people at home if we went along with it.

Mr. Chairman, we may have a question of priorities in this Nation, but certainly help for the mentally retarded should not be put in the category of a priority. It is a duty and a moral obligation this Nation has to take care of its mentally retarded.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. I yield to the gentleman from Kentucky (Mr. PERKINS).

Mr. PERKINS. Mr. Chairman, I would like to suggest to the distinguished gentleman from Pennsylvania that the way to get out of this matter is to take the figures of the various State departments to see how much their cutback is in every State of the Union.

I say to the gentleman that he will find a difference of $4 million between the amount in this appropriation bill and the amount that was appropriated last year, and the States have already been notified of this cutback. That is the statement we stand on.

Mr. BELL of California. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. I yield to the gentleman from California.

Mr. BELL of California. I should also like to suggest to the gentleman from Pennsylvania that perhaps as a result of this night's work he will realize perhaps too low a priority has been assigned to something of great national interest; that is, our educational needs in this Nation. That is where the big bulk of the trouble is. Perhaps we should establish a higher priority for the educational needs in this country and a lesser priority for other things.

Mr. HOWARD. I thank the gentleman.

Mr. Chairman, if this money has been cut from expenditures in other years, that money has gone someplace else. Many of us wonder where the money goes which is taken from the mentally retarded.

We hear about the administration sitting down and setting goals and priorities. Someone would sit back and say, "What is the first priority?" Of course, the first priority is bullets and bombs. Then the question is asked, "Where are we going to take the money from?" And someone else might say, "We can take $4 million from the mentally retarded. They probably will not know."

Let us not have this happen in this House in this bill, because people would say things about the present administration and the present Congress if this should happen today. I know they would be saying things, because I would be saying them myself.

I wholeheartedly support the amendment of my colleague from New Jersey, and I certainly hope we will restore the cut from previous years for the mentally retarded.

Mr. Chairman, I rise to support the amendment proposed by my distinguished colleague from New Jersey (Mr. DANIELS) to maintain the level of appropriations for construction of facilities for the mentally retarded at the level of the last 2 years, namely $12 million.

Mine is one of the many congressional districts which has not yet felt the beneficial impact of the Mental Retardation Facilities Construction Act of 1963.

The people of Monmouth and Ocean Counties are vitally interested in providing locally for the retarded. Our public schools have greatly expanded their programs and two recently opened sheltered workshops have provided a vehicle for vocational rehabilitation services. But there are other unmet needs—for nursery school programs for toddlers, day training for the most severely handicapped of school age who are not acceptable in school, and independent living activities for retarded adults not attending the workshops.

Those latter services are offered in my district through the voluntary efforts of the Monmouth and Ocean Units of the New Jersey Association for Retarded Children. Such laudable efforts deserve a better setting than the famous House on Hudson in Red Bank—an antiquated frame building, a former residence, a make-do facility.

This picture is, I know, not unique to Monmouth County. Inadequate, even hazardous facilities, are found in every State.

I want—as I am sure so many of my fellow Members want—to see in every part of the country as well as in my own, modern, well-designed facilities worthy of the programs they house and worthy of the dignity we should accord even the least—the most handicapped—of our fellow citizens.

In all fairness, we who have supported this legislation and the earlier appropriations should see that it continues to be supported at a level which is at least worth the time and effort which the Federal Government, the State governments and the eligible agencies must spend to administer it.

I wholeheartedly support this amendment and urge my colleagues to similarly support any and all efforts to assist our handicapped Americans.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. DANIELS).

The question was taken; and on a division (demanded by Mr. PERKINS) there were—ayes 62, noes 52.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

JUVENILE DELINQUENCY PREVENTION AND CONTROL

For carrying out the Juvenile Delinquency Prevention and Control Act of 1968, $5,000,000: *Provided*, That none of the funds contained herein shall be used to make

grants, under Title I of said Act, in excess of the following: (1) $12,500 each to the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, (2) $50,000 to each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

AMENDMENT OFFERED BY MR. PEPPER

Mr. PEPPER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PEPPER: On page 37, line 18, strike out "$50,000,000" and insert "$15,000,000."

Mr. PEPPER. Mr. Chairman, this amendment is to increase from $5 million to the budget request of $15 million, on page 37, line 18, the amount for carrying out the Juvenile Delinquency Prevention and Control Act of 1968.

The committee report on page 36 states that apparently the reason why the distinguished committee did not approve the budget request for so vital an item as the Juvenile Delinquency Prevention and Control Act was because at the time of the committee hearings on the budget request planning grants had not been made.

Well, now, this afternoon I talked on the telephone to Mr. Sussman, head of the Juvenile Delinquency Prevention and Control Division. He tells me now, under title I, 37 grants have been made to 37 States totaling $1.5 million. Also under title I, prevention grants have been made in 17 instances for $400,000, and under title I, for rehabilitation, 10 grants have been made totaling $300,000 to States or State agencies.

Under title II, for training, 49 grants have been made for $1.7 million. Under title III, for technical assistance to State and local authorities and private agencies, there have been nine special grants, for a total of $228,000, which consumes the $5 million provided in the bill less the $650,000 which was diverted to the Violence and Crime Commission.

I asked Mr. Sussman whether they needed the total $15 million provided by the budget. He said it is for assistance to the schools, to YMCA's, YWCA's, boys clubs, police boys clubs, mental health institutions, and parole and probation authorities to try to deal with this very vital question of how to diminish and prevent juvenile crime.

Mr. PERKINS. Mr. Chairman, will the gentleman yield to me?

Mr. PEPPER. I am glad to yield to the gentleman.

Mr. PERKINS. I certainly want to rise in support of the gentleman's amendment and compliment the distinguished gentleman from Florida for offering his amendment. If his amendment does anything at all in this area of juvenile delinquency prevention, we should certainly appropriate the modest amount he is asking for, increasing this expenditure by $10 million.

Mr. PEPPER. I thank the able chairman of the Committee on Education and Labor.

As chairman of the Crime Control Committee of this House which was set up recently, I say that we have had hearings where we discovered that juvenile crime makes up about half or more of the total crime problem in this country. If we can stop this juvenile before he or she becomes a hardened criminal, we not only save a boy or girl but also the potential victim of their violence.

I hope the distinguished chairman of the committee will accede to this amendment and help a little bit at least to save boys and girls from crime.

Mr. MEEDS. Mr. Chairman, will the gentleman yield?

Mr. PEPPER. I am glad to yield to the gentleman.

Mr. MEEDS. I wish to join in the remarks of the gentleman in the well and commend him for bringing this deficiency to the attention of the House.

Mr. PEPPER. I thank the gentleman.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield to me?

Mr. PEPPER. I am glad to yield to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Chairman, I would also like to commend the gentleman on his amendment. As one of the sponsors back in 1961 of the original Juvenile Delinquency Act, I have a particular interest in this legislation and hope his amendment to provide adequate funds will be adopted.

Mr. PEPPER. I thank the gentleman.

I now yield to the able gentleman from California, one of my fellow members of the Crime Committee (Mr. WALDIE).

Mr. WALDIE. Mr. Chairman, I, too, wish to commend the chairman of our Select Committee on Crime and Violence and compliment him for bringing this matter to the attention of the committee members at this afternoon's hearings. I do not recall any dissent from the view which he has expressed so ably in the well.

Mr. PEPPER. I thank the gentleman.

I now yield to the gentleman from New York (Mr. REID).

Mr. REID of New York. Mr. Chairman, I want to commend the gentleman in the well for his amendment and say that I, too, will support him and hope others will, also.

Mr. PEPPER. I hope the amendment in conformity with the budget request will be adopted.

Mr. FLOOD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. And, let me read to the members of the committee from the hearings. I refer to part 6, page 387, under the center head "Planning Grants." I had the witness, Dr. Garrett, and the colloquy reads as follows:

Mr. FLOOD. The main part of your program, title I, $2,650,000. That is for the current fiscal year?

Dr. GARRETT. Yes, sir.

Mr. FLOOD. Over 2 million dollars for planning. How is your planning doing?

Dr. GARRETT. First of all, we have not made any grants yet. Those grants will be made in the last month of the fiscal year. We do know from the States that planning is going on because of the fact that, under the Omnibus Crime Bill, there is provision made for including juvenile delinquency planning there. In view of our rather close relationship with the law-enforcement group, we have access to what is going on there and we have given the States the option under title I that, if their planning is adequate, they can come in for action programs under this.

Mr. FLOOD. Have any states or other jurisdictions completed their so-called comprehensive plans that you are aware of?

Dr. GARRETT. So far as we know, no comprehensive plans have yet been submitted to the LEAA.

Mr. Chairman, imagine the situation in which this amendment places your committee. Even if they have made the planning grants now, this Committee, this House, Mr. Chairman, has little idea, except the information which comes within the jurisdiction of a special committee as of this afternoon, what in the world they are going to do with this money. With reference to planning, based upon the testimony before your committee from Dr. Garrett, Mr. Chairman, there is nothing at all. That is why we passed it by.

We say let them do their planning and let them come back to this committee next year and tell us what the programs are.

Mr. Chairman, this amendment is an arrow shot into the air for $10 million above what has been recommended. Let them come back next year like everyone else does and we will hear them. If they are right, we will be the first to support them, but not under this hit and miss method. This is not the way even to run a railroad—$10 million.

Mr. Chairman, I submit that the amendment should be defeated.

Mr. MICHEL. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Illinois.

Mr. MICHEL. The chairman will remember that the former Secretary of the Department of Health, Education, and Welfare, Wilbur Cohen, in his testimony before our committee had two items in which he suggested reductions from the budget. One of them was the $25 million for experimental schools. He said that they only needed $2.5 million. And with reference to juvenile delinquency he said he would cut that $10 million, because they do not know for sure what they want to do, and we ought to be doing more planning before we jump in with both feet.

That is the testimony of the former Secretary of the Department of Health, Education, and Welfare before our subcommittee.

Mr. PUCINSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to remind this House, while I suspect that the distinguished gentleman from Pennsylvania is very busy on his own committee, he would have you believe that no one knows anything about this program. I would recommend that he, first of all, read the debate on the floor of this House on the 1968 Juvenile Delinquency Act which was approved unanimously. There was not a single dissenting vote, and I say to you that everyone of you Members voted for this bill and you voted for $50 million authorization in the first year. You did it because we held extensive hearings in my committee and there was overwhelm-

ing testimony as to the urgent need for this legislation.

It is no accident, Mr. Chairman, that more than 50 percent of the arrests in this country are arrests of young people under the age of 21. The highest rate of crimes committed in America are in the age group of 15 to 17.

The highest number of arrests in this country for all offenses are among those under 21; 30 percent of all those arrested in America are under 21; 20 percent of those arrested are under 18. And the highest rate of increase in crime in this country among young people is not in the poor communities, nor in the ghettos. The highest incidence and the highest increase in juvenile crime in America is in the middle-income, white suburban communities of America.

The report says they did not give us any more money because there were no plans. This committee has not given this act a chance to get off the ground. They underappropriated last year, and now they want to do the same thing this year.

We have testimony, volumes of testimony, before my committee on exciting projects all over America by communities who want to finally do something with this problem of juvenile crime.

I know of no greater waste of human resources in this country than the youngster who is led into crime, and becomes a criminal for the rest of his life.

So I say to the distinguished chairman of the Crime Committee in this House that he is asking you for $10 million—and every one of you Members have voted not for $5 million, not for $10 million, every one of you are on record as authorizing $50 million to make some significant start against this problem of juvenile crime in America.

Now, we are asking you for $10 million more. I hope you are going to support the amendment offered by the gentleman from Florida. I hope you give us this money so that this situation can finally get going on this problem of dealing with America's No. 1 problem.

There is not a Member in this Chamber, a man or woman, who will not agree with me that the most important single problem in America today is the alarming rate and the alarming increase of crime among young people.

Mr. Chairman, I hope the amendment will be adopted.

Mr. SCHEUER. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I would like to remind our colleagues on the committee of the comment made by our colleague from California earlier in the debate today that if we really mean business about controlling crime, and eliminating violent crime in our streets, if we really care, then we will do something about educating our American youngsters. It would seem to me, Mr. Chairman, that the first place to start is in the specialized programs where we are aiming a high-powered rifle, and not a shotgun, at these youngsters who have had an early brush with criminal activities.

The highest rate of criminal activities in this country is among the 16-year-olds, and the next highest among criminal activities are from the 15-year-olds. Only last Friday the gentleman from Indiana (Mr. BRADEMAS) and his subcommittee, held hearings in New York, and we heard for hours the desperate and tragic stories of young kids 10, 11, and 12 years old who were involved in drug addiction. And I am talking about mainline drug addiction. I am talking about barbiturates, amphetamines, and heroin. I am not talking about marihuana.

The $10 million that we are talking about that is in dispute today is $10 million that will not be shot into the air, it will be shot directly to the heart of the matter. It is not enough for action programs. It is barely enough for the very planning and the very organizing that our distinguished colleague from Pennsylvania told us was so necessary.

The Office of Law Enforcement Assistance in the Justice Department, and the National Institute for Crime Control and Law Enforcement in the Justice Department could snap up this $10 million and use it in the next 6 months just to create programs to help juveniles who have taken on a horrifying life of drug addiction. This is just the bare beginning of the plan that we desperately need to keep the young people out of a life of crime. No investment of our resources could be as worthwhile and effective as this desperately needed investment in planning and educational programs to keep our young people out of a life of crime.

Mr. Chairman, I yield back the balance of my time.

Mr. SMITH of Iowa. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I was a member of the subcommittee that developed the first juvenile delinquency bill. That was about 8 years ago. I wonder if anybody can stand and tell me what has been accomplished under this program.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. PUCINSKI. Yes.

Mr. SMITH of Iowa. What has been accomplished?

Mr. PUCINSKI. A great deal has been accomplished. I was a member of that committee. I remember the first bill—the first bill that the late President Kennedy brought to this House was a juvenile delinquency bill. We passed it and allocated $10 million for research.

Out of that research we have gotten a great deal of information. There are programs all over this country.

When the distinguished Chairman says that no one has plans, I invite him to look at the reports of the research that has gone on for 4 years.

The States are now ready to move ahead with positive programs as the result of the very bill that the gentleman helped to put together.

Mr. SMITH of Iowa. They were supposed to make a report in 3 years but they never even made a report.

I would like to do something for juvenile delinquency, but I want to see some plans. We have $5 million here in this bill for that and if they can come up with some reasonable plans, we can give them $10 million more or whatever is needed.

Mr. PUCINSKI. The reports are available and I will be very happy to show the reports to the gentleman.

Mr. SMITH of Iowa. The reports were supposed to be on demonstration projects.

Mr. PUCINSKI. That is right.

Mr. SMITH of Iowa. They were supposed to award contracts for local projects and then report whether or not they worked.

Mr. PUCINSKI. That is correct.

Mr. SMITH of Iowa. Which they actually failed to do. They took the money and regardless of the requirements of the law, they spent the money where they wanted to and developed other programs that had nothing to do with juvenile delinquency.

Mr. PUCINSKI. The gentleman is in error. The reports are available. The reports have been evaluated on the very point that we are making here and these States are now ready to move ahead. We have gone through the planning stages and gone through the developing projects and research projects, and our bill, the 1968 bill, bars this kind of further research and we want action now. That is why we want this money.

Mr. SMITH of Iowa. A while ago some of you said it was for planning and now you say it is not for planning but for grants.

Mr. PUCINSKI. No, I never said it was for planning; no, sir. Check the record. I never said it was for planning.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. PEPPER).

The question was taken; and on a division (demanded by Mr. PEPPER), there were—ayes 52, noes 94.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

COOPERATIVE RESEARCH OR DEMONSTRATION PROJECT

For grants, contracts, and jointly financed cooperative arrangements for research or demonstration projects under section 1110 of the Social Security Act, as amended (42 U.S.C. 1310), $11,500,000.

AMENDMENT OFFERED BY MR. KYL

Mr. KYL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KYL: On page 38, after line 11, add the following language: "Provided, that no funds appropriated by this act shall be used to conduct experiments, pilot operations or programs involving guaranteed annual wage."

(Mr. KYL asked and was given permission to revise and extend his remarks.)

Mr. KYL. Mr. Chairman, I want first to read two lines from page 37 of the committee report:

The committee approved this proposal with some hesitation—

Speaking of cooperative research and demonstration projects. The second quotation is as follows:

Secretary Finch has made it clear and has emphasized the point that this is not a proposal for a guaranteed annual income.

All this amendment does is to seek to relieve the worry which the committee had and to seek to assist the Secretary in carrying out the purpose for which he asked for this money. In the interest of time, I would be happy to yield to the Chairman of the subcommittee, the gentleman from Pennsylvania, if he desires to speak for or against the amendment.

Mr. FLOOD. Mr. Chairman, under the circumstances which are declared, I will yield to my distinguished friend, the gentleman from Illinois.

Mr. MICHEL. I am happy to respond. As I understand the gentleman's amendment, he would merely insert in the bill what the sense of the House would be, and the Secretary, in response to our inquiries, said exactly what the gentleman provides in his amendment. I see no reason why we ought not to accept it and then make everybody happy, although we cannot go that far. But we are going to conduct some kind of demonstration, or whatever it may be.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Minnesota.

Mr. QUIE. Does your amendment say "guaranteed annual wage"? This language is "guaranteed annual income." Do you look upon a guaranteed annual wage as synonymous with guaranteed annual income?

Mr. KYL. They are interchangeable, I would say to the gentleman.

Mr. BURTON of California. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from California is recognized.

Mr. BURTON of California. I do not think there is any question confronting the country that is a more difficult one, no matter what one's political philosophy, than how we as a country might best deal with the problem of either the nonworking poor or the working poor or the "incapable-to-work" poor. I think it is somewhat ill-advised in light of the statements in the press, where on August 8 the administration is scheduled to come up with its program in this area. I would think if I were on your side of the aisle for that reason, or for those of us on our side of the aisle that really cannot say that we know how this Congress should best proceed in this area, I think we are needlessly hobbling the administration in an area where we need a good deal more information than we have.

Also it is perfectly obvious that any proposal they come up with is going to have to receive the approval of this House and the Senate. But it is at best politically myopic to in any way fetter the administration at this time on a matter of this very grave importance and, as I stated earlier, a matter that few thoughtful people in the field can possibly believe they have the only answer to. This one Member does not have an idea of how he might best proceed. I would like the administration to proceed unfettered, and let us evaluate what they have got, and let us not be so absurd as to tie their hands when we need the information even more perhaps than the administration does so we can best evaluate what, if anything, we want to do with reference to their proposals.

I would hope we would reject the amendment.

Mr. SCHERLE. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. SCHERLE. Mr. Chairman and Members of the House, the amendment offered by my colleague (Mr. KYL) is very much in order if for no other reason than to protect HEW from itself. If the message contained in the report is correct, then I think the Congress, this House, has nothing to fear. It is nothing more than a reiteration of what has been said before. I believe it would be very much in order for the House to accept the amendment.

Second, if I may proceed, as a member of the Education and Labor Committee, as a member of the Committee on Poverty, I must report that the OEO to date has spent $13 million on evaluations, reports, and surveys—and most of them are doing nothing more than gathering dust.

We are in a process now, I will say as a member of this committee, of making many changes in the OEO program. We are shifting Headstart. We are establishing many centers. We have shut down Job Corps centers. This administration will, in the near future, send up to this House a message on a new comprehensive manpower training progam.

Mr. Chairman, I think this amendment is in order and should be adopted by this House. I certainly urge its adoption.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield for a question?

Mr. SCHERLE. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Chairman, it is my understanding that President Nixon is to make an announcement on August 8 as to what form or what plan he is going to recommend to deal with this problem of family supplemental allowances or a guaranteed annual income or whatever revisions will be proposed in the welfare program.

I wonder if, perhaps, the distinguished minority leader would care to comment on whether or not this amendment may tie the President's hands. I do not see that this amendment is necessary, and I would hate to see the President not be able to move or to be embarrassed in some way in making an overhaul of the welfare program.

Mr. SCHERLE. Mr. Chairman, if I may answer my colleague from Illinois, first of all, if this administration recommends a 2-year continuation, I am totally and unequivocally opposed.

Second, if the administration is for $2 billion, I am opposed totally and unequivocally also.

Furthermore, even if the President does send up a message, this Congress will act as far as it deems advisable and not necessarily in support of the recommendations from downtown.

I have been a little disappointed myself.

Mr. Chairman, I urge adoption of the amendment of my colleague, the gentleman from Iowa.

Mr. RYAN. Mr. Chairman, it is rather appalling that an amendment would be proposed seriously to prohibit the expenditure of funds for the purpose of conducting experiments, pilot operations or programs related to the question of income maintenance. It is known that there is a debate within the Nixon administration itself on this question. I am somewhat amazed that members of the President's own party would want to prevent his administration from undertaking pilot projects in an area where there is deep public concern.

The idea of a guaranteed annual income or a negative income tax has been advocated by economists of both conservative and liberal orientation. The Secretary of Health, Education, and Welfare has promised that a report on the administration's position will be soon forthcoming. I would think that those who so readily decry public assistance welfare programs and their acknowledged failures would want to encourage the Secretary of Health, Education, and Welfare at the very least to investigate the advantages and disadvantages of some kind of income-maintenance program. In order to gather data of any value, it will be necessary to conduct test programs and analyze and evaluate the results.

As the author of the first guaranteed-annual-income legislation to be introduced in the Congress (H. R. 586), I am very much concerned that pilot programs be carried on and that the Congress recognize the need for a new approach to the question of providing income for those 30 million Americans living in poverty.

I note that the language of the Kyl amendment refers to a guaranteed annual wage. Of course, there is a difference between the concept of a guaranteed annual wage—long a goal of the labor movement—and a guaranteed annual income. It seems clear, however, from the debate that the gentleman is referring to a guaranteed annual income.

It would be blind folly for the House to prohibit the use of funds for a study of income maintenance. The need to study not only this approach but also other approaches to the problems facing welfare recipients in our major urban centers should be obvious to all but the most myopic. I urge the defeat of the Kyl amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KYL).

The question was taken; and on a division (demanded by Mr. KYL), there were—ayes 89, noes 50.

Mr. ROSENTHAL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. KYL and Mr. BURTON of California.

The committee again divided, and the tellers reported that there were—ayes 115, noes 77.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PAYMENT FOR SPECIAL BENEFITS FOR THE AGED

For payment to the Federal Old-Age and Survivors Insurance Trust Fund, as authorized by section 228(g) of the Social Security Act, $364,151,000.

AMENDMENT OFFERED BY MR. ROSENTHAL

Mr. ROSENTHAL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROSENTHAL: On page 41, after line 4, insert the following:

"CONSUMER CREDIT TRAINING

"For carrying out consumer credit training under the Federal Credit Union Act of 1968, $300,000."

Mr. ROSENTHAL. Mr. Chairman, I am slightly embarrassed that the amount I am seeking to restore in this bill is such a small sum of $300,000, but maybe we can make a valid case for it. At any rate, I kind of think so.

Mr. Chairman, this amendment would restore to the Bureau of Federal Credit Unions $300,000 for administering Project Moneywise, a valuable consumer program which has helped 250,000 poor people to better manage and conserve their money.

A number of leading consumer spokesmen have recently made the point that while Congress has been eminently successful in enacting important new consumer laws, it has ofttimes failed to appropriate sufficient money to properly administer those laws. Unless $300,000 is restored to the appropriations bill for the Bureau of Federal Credit Unions, an important operational low-income consumer program, called Project Moneywise, will come to an untimely end and Congress will again stand accused of having failed to adequately fund needed consumer programs.

Judging by the statement on page 38 of the Appropriations Committee report, the request for $300,000 for consumer credit training had the support of the committee in principle, but was disapproved on the grounds that "many other agencies are carrying out" such training.

This is not correct. The Bureau of Federal Credit Unions is the sole Federal agency equipped to carry on this work. Through the Bureau's Project Moneywise, it has done so for 3½ years. It is important to note that this budget request was supported in both the Johnson and Nixon fiscal 1970 budget submissions and the funds authorized in the Federal Credit Union Act of 1968.

Accordingly, the request for $300,000, deleted by the Appropriations Committee, represents the only Federal involvement in credit union training. What is unique and vital about Project Moneywise is that it not only trains people in the operation of credit unions and stresses the importance of low-cost credit, it encourages and leads to the actual establishment of credit unions for the poor. In its brief existence, Project Moneywise has contributed to the organization of 242 of the 670 credit unions serving the poor, with assets of over $30 million.

This money is poor people's capital—funds they have slowly accumulated through regular savings at credit unions. The training afforded by Project Moneywise helps credit union leaders to improve their operations, to intensify their thrift promotion and counseling programs and results in the formation of new credit unions to meet the needs of poor people who are not now being served.

There is really very little point in deploring the existence of the loan shark, the credit merchant, or the unavailability of low-cost credit, without offering the poor an alternative source of credit. Project Moneywise accomplishes this by providing a way of life centered on the credit union and enables the poor to shape their own economic destinies.

This is another example of a program, Mr. Chairman, that has been successful. If we terminate it now based upon some whim or caprice, we would be deluding people who have raised $30 million in capital savings. One of the most important things is the individual homeowner and it is important that his wife learn how to use their own funds and savings. That is exactly what this program does.

This, as I said earlier, was recommended by the Johnson budget, by the 1970 Nixon budget, but the committee took it out by saying that other Federal agencies perform these services. The fact of the matter is that if one takes the time to read these hearings they will find there is no other agency that would accomplish this purpose. This is a useful thing.

Mr. Chairman, very frankly, I would hope that the Committee would see the wisdom of this amendment and perhaps agree to it.

Mr. FLOOD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. However, it is difficult for me to speak against the amendment in view of the eloquence of my friend, the gentleman from New York, but these are the facts. We went into this, Mr. Chairman, at great length. I have many of these units in the coalfields especially and you can imagine the situation which existed during the distressed economic era of the past 5 years. We have many of them. They have been a great asset. I have been very close to it. I examined the problem very carefully.

This committee, under no circumstances is opposed to programs aimed at better credit and money management. We all need it, not just Tom, Dick, and Harry, but Sally, Irene, and Mary. This request was denied for a very good reason. Everyone wants to get into this act.

For instance, in many of your hometowns you have the antipoverty program, the Office of Economic Opportunity. They have a program they call comprehensive consumer action. Wonderful. They say, "they are designed to mobilize members of a community around a credit union or other source of local credit for the purpose of attacking common economic problems." How do you like that? That is the same thing, but dressed in a different way.

Then the public assistance program includes, and I quote, "Services to families to improve money management." We were told by a lady for whom we have the highest regard, Miss Mary Switzer, the Administrator of the Social and Rehabilitation Service, that this is one of their important programs.

Do you follow me?

Also in HEW, there is the adult basic education program, which goes into this very same field.

Then over in the Department of Agriculture, the Extension Service makes a big thing of helping rural people with their family budgets and money management.

I do not think we have to worry about any gap areas if this program of the Federal Credit Unions is not funded. I think our worry should rather be that we have duplication among these other programs.

I trust that the amendment will be defeated.

The CHAIRMAN pro tempore (Mr. BOLLING). The question is on the amendment offered by the gentleman from New York (Mr. ROSENTHAL).

The amendment was rejected.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

HOWARD UNIVERSITY

SALARIES AND EXPENSES

For the partial support of Howard University, including repairs to buildings and grounds, $20,445,000.

Mr. GROSS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time to ask some member of the subcommittee a question or two concerning this appropriation.

As I read the language, it provides for the partial support of Howard University, including repairs to buildings and grounds.

Does this mean that money is being appropriated by the Federal Government to repair the buildings that were gutted by fires set by arsonists not too many months ago at this college?

Mr. FLOOD. Mr. Chairman, if the gentleman will yield, there is no doubt about it. This money is appropriated for Howard University.

Mr. GROSS. And the money will be——

Mr. FLOOD. Later on we can have an amendment to discuss the whys and the wherefores as to what should or should not be done. But the gentleman is asking a rhetorical question, which he rarely does?

Mr. GROSS. I am asking what?

Mr. FLOOD. I do know, of course, that the gentleman is asking a rhetorical question for the first time in his career—and it has been an illustrious one. The gentleman knows the answer is "Yes."

Mr. GROSS. No, I do not know that the answer is "Yes," because I know of no reason why the Federal taxpayers should be made——

Mr. FLOOD. Does the gentleman want an answer, or does the gentleman want to tell me?

Mr. GROSS. I suggest there may be a different answer; something that is more palatable and logical.

Mr. FLOOD. Is this a question or an explanation?

The CHAIRMAN pro tempore. The gentlemen will proceed in order.

The gentleman from Iowa is recognized.

Mr. GROSS. Which gentleman is proceeding out of order, if I may address a parliamentary inquiry?

The CHAIRMAN pro tempore. The gentleman from Iowa is recognized.

Mr. GROSS. Thank you, Mr. Chairman, I know of no reason why the taxpayers of the United States should be called upon to repair or to rebuild structures on the Howard University campus in Washington, D.C., that have been deliberately gutted by fire.

I know of no reason why funds are to be expended from this appropriation or a previous appropriation by the Federal taxpayers of the Nation to pay $30,000 to idemnify the Washington, D.C., Fire Department for the loss of a fire truck which was deliberately set afire and destroyed while attempting to put out the recent fires on the campus of Howard University—fires that were deliberately set by rioting Negro students.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman.

Mr. SMITH of Iowa. I would say that my understanding might be a little different from what the record would indicate at this time. We had these hearings a week before the riots. The justifications for the expenditure of this money could not have included the repair of these buildings.

I would assume that before they could be repaired, there would have to be a new appropriation and new justifications. That would be my understanding of the situation.

But I do know that it was a week before the riots because some of us asked the president if he did not think that there was going to be a riot in view of the fact that they had three buildings that had been occupied and they failed to dismiss even one student. He said, "Oh, no, I do not think that our failure to dismiss a student is going to cause us to have a riot or to encourage a riot." But that is what happened.

Mr. GROSS. That was only 1 week after the president at Howard University said that everything was serene and tranquil at the university; is that not correct?

Mr. SMITH of Iowa. Yes; that is true.

Mr. GROSS. Yes; and I do not want to see Federal taxpayers of Iowa and elsewhere being taken for the purpose of repairing and constructing buildings which had been deliberately destroyed by fire—or to indemnify the Washington, D.C., Fire Department for the loss of a fire truck that was destroyed while it was on a mission to put out those fires.

Mr. SMITH of Iowa. My understanding is, and I think the record reflects this, my understanding is that there has been no justification for these expenditures in this budget. That is my understanding.

Mr. GROSS. I thank the gentleman for his response.

Mr. MICHEL. I would note further that on page 954 of volume 6, we have detailed here $146,000 for special rehabilitation and renovation of three elevators in the young women's dormitory and some replacement of furniture—but that has nothing to do, as the gentleman has suggested, with the riots.

Incidentally, most of the increase $2,214,000 for Howard University over the expenditures of last year is for the increase of faculty salaries to bring them in line with other schools and for some new teaching positions.

So the gentleman's fears can be allayed to that extent. But I certainly expect that probably in next year's budget there might very well be some request here to repair the damage that was done, as suggested by the gentleman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 208. None of the funds contained in this title may be used for any expenses, whatsoever, incident to making allotments to States for the current fiscal year, under section 2 of the Vocational Rehabilitation Act, on a basis in excess of a total of $500,000,000.

POINT OF ORDER

Mr. PERKINS. Mr. Chairman, I make a point of order against section 208.

Mr. Chairman, the authorizing legislation in 1967 provided that the figure on line 2, page 50, should be $600,000,000 instead of $500,000,000.

So this affects the allotments in the various States of the Union and it is outright legislation on an appropriation bill, the effect of which is to reduce the entitlements of the States.

Therefore, Mr. Chairman, I make the point of order that it is legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to be heard on the point of order?

Mr. FLOOD. Yes, I do, Mr. Chairman. This is not a new attack. This language is completely negative. I do not know how you can be so absolutely negative. This is completely negative language. It is clearly and distinctly a limitation and nothing more. It is a limitation upon the use of these funds in the bill.

In addition to that fact, Mr. Chairman, it also qualifies under what you and I well know as the famous "Holman rule." The language of that rule covers the retrenchment of expenditure, and the language in the bill clearly retrenches expenditure. That is my position, Mr. Chairman. I suggest that the point of order be overruled.

Mr. PERKINS. Mr. Chairman, this is no limitation. It is an outright change and affects the Department.

The CHAIRMAN. The Chair would like to inquire of the gentleman from Pennsylvania as to his statement about the Holman rule. The gentleman cited the Holman rule to substantiate his argument. To what part of the provisions of the Holman rule does the gentleman refer?

Mr. FLOOD. There is that section of the Holman rule which states very clearly that it deals with the retrenchment of expenditures. The words are from the rule itself, a retrenchment of expenditure. I am sure the Chair is aware of that.

The CHAIRMAN. If the Chair understands the Holman rule, the Holman rule, in the provision referring to retrenchment, relates to a specific retrenchment. The Chair is not aware, of course, of the expenses that are involved in the handling of this particular $500 million appropriation.

Mr. FLOOD. I might suggest further that this will be $600 million without this provision. It will be $600 million, and that certainly is a retrenchment in expenditure as provided in the rule.

Mr. PERKINS. $600 million is the allotment base provided in the original act of 1967, and they just arbitrarily changed the figure from $600 million to $500 million.

The CHAIRMAN. The Chair would say the original allotment of $600 million does not restrict the committee from reducing it to $500 million, as I understand.

Mr. O'HARA. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The gentleman from Michigan may proceed.

Mr. O'HARA. The language of section 208 states as follows:

SEC. 208. None of the funds contained in this title may be used for any expenses, whatsoever, incident to making allotments to States for the current fiscal year, under section 2 of the Vocational Rehabilitation Act, on a basis in excess of a total of $500,000,000.

There is no showing, certainly, on the face of the section that it would cost any more or any less to make allotments on the basis of $500 million or on the basis of $600 million, and certainly there is no showing of saving necessarily on the face of the section.

The CHAIRMAN (Mr. HOLIFIELD). The Chair is prepared to rule. The Chair has listened to the arguments both for and against the point of order. The Chair cannot find any reason for ruling that this is other than a negative limitation, and the Chair so rules; that this language is a limitation on the expenditures contained in this act, and therefore overrules the point of order.

Mr. FLOOD. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. HOLIFIELD, Chairman of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 13111) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes, had come to no resolution thereon.

THE GREAT AIR RACE

(Mr. ADDABBO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ADDABBO. Mr. Speaker, on May 14, 1969, four FAA air controllers received the Empire State Building award for the "Most meritorious and original effort" in the Great Air Race of 1969.

The four men—Nick Kleiner, John Staut, Jim Ean, and Jim Scorse—acting as individuals, entered the race from the Empire State Building to the Post Office Tower in London to illustrate the plight of the average American air traveler.

Nick Kleiner left Manhattan at 5:30 p.m. on May 4 and he arrived at the Post Office Tower in London 10 hours, 55 minutes, and 21 seconds later. The return trip took Kleiner 11 hours and 49 minutes and while he recorded the slowest time in the race he earned the "original effort" award.

Traveling by subway, bus, taxi, London tubes, and Carey bus, Kleiner demonstrated the frustrating experience the average tourist must combat in getting from our cities to and from our airfields. His total roundtrip times were, 9 hours, 18 minutes on the ground and 13 hours and 27 minutes in the air.

Nick Kleiner's ingenuity was rewarded at the May 14 awards banquet in London where he received a $2,400 prize on behalf of his team and the congratulations of Prince Philip and Prince Michael.

Mr. Speaker, this story highlights the need for imagination and new initiatives to update our Nation's airport systems. In New York we face a crisis because a fourth and fifth jetport which should have been constructed have not even been planned. Air congestion in New York produces delays across the United States and the average tourist must set aside hours to reach the airport from our inner cities.

There is no simple answer to this problem but certainly the first step must be a more progressive and determined effort by the FAA to exert leadership in this field. The people who hold administrative positions in the FAA must stop catering to the airlines and begin representing the people.

Perhaps the FAA should study the details of the great air race and recognize the contribution made by four FAA employees to public awareness of a frustrating problem.

I congratulate Nick Kleiner and his teammates for a job well done and I advise the FAA to pay closer attention to the average air traveler and his plight.

PRESIDENT NIXON'S STATEMENT ON CHEMICAL AND BIOLOGICAL WARFARE STUDY

(Mr. McCARTHY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. McCARTHY. Mr. Speaker, on July 3, 1969, the 18-Nation Disarmament Committee met in Geneva, Switzerland. The Committee met to consider concrete proposals for arms control. High on the Committee's list of topics to consider was the question of arms on the seabeds and chemical and biological warfare.

President Nixon sent a message to the Committee from Key Biscayne, Fla., expressing some of his thoughts on the topics under consideration. He also announced that the United States and Russia would begin the strategic arms limitation talks at the end of July.

I was pleased to read in the press that day that President Nixon had commented on the chemical and biological warfare study prepared by the Secretary General of the United Nations, U Thant. President Nixon, said that he welcomed the study because it will draw the attention of all mankind to an area of common concern. He went on to say:

The specter of chemical and biological warfare arouses horror and revulsion throughout the world.

This statement expresses traditional attitude of the American public on these forms of warfare and is very much in keeping with statements of Presidents Coolidge, Harding, Hoover, Roosevelt, and Eisenhower.

I was perplexed, however, when I asked the White House Press Office to send me a copy of the statement on July 16, 1969, to find that the sentence, "The specter of chemical and biological warfare arouses horror and revulsion throughout the world", had been crossed out in black ink. I wondered who had changed President Nixon's original statement, if in fact it had been changed. I understand that the change had been made at the urging of the Department of Defense.

When a reporter from the Buffalo Courier-Express asked the White House Press Office about the change in the statement, he was told that the text released from Key Biscayne was just a draft and that the version being released by the Press Office was the correct statement.

To clarify this matter, I contacted Mr. Bryce Harlow, Assistant to the President for Congressional Relations. I was most pleased to learn from him yesterday that President Nixon's original statement has not been changed. This information resolves the confusion surrounding this matter. I am including in the RECORD at this point the text of President Nixon's message to the 18-Nation Disarmament Committee:

THE PRESIDENT'S MESSAGE TO THE 18-NATION DISARMAMENT COMMITTEE

I have followed closely the activities of the spring session of the Disarmament Committee, and Ambassador Smith has reported to me on the prospects for progress in the near future.

As the conference resumes its work after a recess of 6 weeks, I would like to address the following thoughts to the members of the Committee:

First, the ground has been prepared for concrete arms control negotiations. In addition to the valuable suggestions by many members of the Committee, draft agreements have been submitted by the United States and by the Soviet Union to prevent an arms race on the seabeds. Although differences exist, it should not prove beyond our ability to find common ground so that a realistic agreement may be achieved that enhances the security of all countries.

The framing of an international agreement to apply to more than 100 million square miles of the earth's surface lying under the oceans is a high challenge to our vision and statesmanship. I ask the participants in this Committee to join with us in elaborating a measure that is both practical and significant. With good will on all sides and a fair measure of hard work, we may achieve agreement in the course of this session. With each passing day our seabed becomes more important for the security and well-being of all nations. Our goal should be to present a sound seabed arms control measure to the 24th General Assembly of the United Nations.

Second, the Secretary General of the United Nations has just issued his study on the effects of chemical and biological warfare. Experts from many countries have contributed to this important work. I am pleased that an expert from the United States, Dr. Ivan Bennett, has also played a role in the study. We welcome the Secretary General's study, since it will draw the attention of all mankind to an area of common concern. The specter of chemical and biological warfare arouses horror and revulsion throughout the world.

The delegation of the United States is prepared to examine carefully, together with other delegations, any approaches that offer the prospect of reliable arms control in this field.

Third, in my letter to Ambassador Smith on March 18 at the opening of the first session of this Committee, I reaffirmed United States support for the conclusion of a comprehensive test ban adequately verified; I stated my conviction that efforts must be made toward greater understanding of the verification issue. I am pleased that, during your first session, serious exploration of verification problems took place. The United States delegation will be prepared to continue to participate in efforts towards greater understanding of this key issue. It is only by means of careful study, with due regard for all of the relevant technical and political considerations, that progress can be made.

Fourth, I recently announced that the United States hopes to be able to commence talks with the Soviet Union on strategic arms limitations around July 31 or shortly thereafter. When these talks begin, which I hope and trust will be soon, they will of necessity be bilateral negotiations between the United States and the Soviet Union. The United States Government is, however, deeply conscious of its responsibilities to its allies and to the community of nations.

While these talks progress, it is particularly important that multilateral negotiations continue in this Committee in an atmosphere of determination and promise. Arms control is without dispute a subject of direct concern to all nations, large and small. The wisdom, the advice, and the informed concern of many nations are needed in a continuing body such as this to ensure that no opportunities are missed to achieve genuine progress.

This Committee clearly is the world's preeminent multilateral disarmament forum. Its record of accomplishment, which needs no recital here, is greater than that of any other disarmament committee in history. I trust that your Committee will continue its efforts with all of the combined skill and dedication which its members have demonstrated in the past.

The negotiation of sound arms control and disarmament, like all work contributing to peace, must be an integrated and comprehensive effort. Progress in the tasks of your Committee will be a contribution to a world of peaceful international cooperation, a world where fear and conflict are supplanted by the honest give-and-take of negotiation aimed at meeting the legitimate aspirations of all.

The United States will work in every way to bring us closer to such a world.

NIXON MAPS SOUTHEAST ASIA ROLE

(Mr. BERRY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BERRY. Mr. Speaker, I have asked for this time to insert in the RECORD the column of David Lawrence in the Washington Evening Star's July 29 edition.

I particularly call attention to the statement Mr. Lawrence makes in the latter part of the article in which he is

talking about peace in Vietnam and says this:

If everybody were to keep his mouth shut, North Vietnam would be much worried and would be begging at the peace table for an end to the war. The weakness of the position of the United States is that it has announced an intention of getting out of Vietnam, and many prominent members of Congress have been demanding an even more speedy withdrawal than has been contemplated."

The entire article is as follows:

NIXON MAPS SOUTHEAST ASIA ROLE

(By David Lawrence)

Most Americans are not very familiar with the problems of Southeast Asia, and when the President of the United States decided to visit the heads of governments in the region, it wasn't apparent on the surface just what was his basic purpose.

Nixon felt that there was a pressing need, or he would not have gone on such a trip so early in his administration when he is confronted with many other problems. The Nixon journey is the result of a carefully laid plan that can have long-range effects on American foreign policy.

Nixon wants to make it clear, of course, that withdrawal of American forces from Vietnam doesn't mean abandonment of protective measures for the smaller nations of the area. He reiterates that the United States will live up to its commitments, but intimates that the nations cannot expect American troops to do the whole job.

The President took occasion in Indonesia to speak of American aid as something that should be based on policies "mutually helpful to us both." At present, $120 million of economic assistance is given annually to that country, which has 110 million people and certainly needs outside help.

Nixon predicted that Indonesia's natural resources and private enterprise are heading for significant development in the next five years. But he also pointed out that he doesn't want to expand any U.S. defense commitments in Asia.

The same concept was applied by the President when he arrived in Bangkok. He said the United States would honor its obligation to defend Thailand against possible Communist aggression or subversion. There are 47,000 American troops in Thailand manning six air bases which are useful in fighting the war in Vietnam as well as the "secret war" in Laos, which has been overrun in part by 70,000 North Vietnamese supporting the Communist faction in that country.

Nixon, in one of his speeches, emphasized that the United States is bound by the Southeast Asia Treaty and that Americans and Thais have been willing to fight in Vietnam to protect the rights of free people. He said he stands firmly with Thailand against those who would threaten it from inside or outside its borders.

But the main point of Nixon's approach was outlined in Bangkok when he declared:

"Our determination to honor our commitments is fully consistent with our convictions that the nations of Asia can and must increasingly shoulder the responsibility for achieving peace and progress in the area."

The President believes that future economic development must be accomplished on a regional and co-operative basis. The United States is willing to offer a considerable amount of help, but only after being satisfied that Asian leaders will take the initiative and rectify some of the problems and procedures—such as domestic corruption and misuse of aid money and materiel—which have heretofore impaired the value of American assistance.

One of the reasons for the visit to Southeast Asia at this time is to confer with American ambassadors in the area and get their suggestions about a formula for future American co-operation, especially on the economic side.

All this means that, while the United States wants to assist Southeast Asia, it is not going to do the job alone and expects a substantial effort, both military and economic, to be made by the countries themselves.

On the whole, the value of the President's trip cannot be measured at this time, because North Vietnam is still obstinately refusing to make any concessions at the Paris peace negotiations. Unfortunately, there have been too many voices expressing dissent inside America against the Nixon policies. If everybody were to keep his mouth shut, North Vietnam would be much worried and would be begging at the peace table for an end to the war. The weakness of the position of the United States is that it has announced an intention of getting out of Vietnam, and many prominent members of Congress have been demanding an even more speedy withdrawal than has been contemplated.

Open diplomacy is worthwhile where treaties and new policies are being formed and no war is going on. But there should never be a public disclosure of military operations or plans, because this sometimes has the effect of telling the enemy that the other side is cringing and so eager to withdraw that it will pay almost any price for peace.

CRISIS IN OUR NATION'S EDUCATIONAL PROGRAMS

(Mr. FULTON of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FULTON of Tennessee. Mr. Speaker, there are no bargain basement price tags on education, and I am deeply disturbed at the recommendations by the administration which could create a crisis in our Nation's educational programs.

Acceptance by the Members of the House of the Department of Health, Education, and Welfare appropriations bill would result in a 66-percent cut in Federal aid to libraries and a 25-percent cut in the budget of the Office of Education.

We simply cannot afford such ill-advised action in the false name of economy.

The administration recommends the elimination of moneys for the elementary and secondary school libraries program. These are the funds which provide for the purchase of books for children in public and private schools.

It also calls for a 50-percent cut of funds for grants for public libraries under provisions of the Library Services and Construction Act, and a 33-percent reduction for programs under the supplemental services section of the Elementary and Secondary Education Act.

There must be something basically hypocritical about a policy which preaches self-help and then takes away the books and educational programs which allow those who want to, to better themselves.

Will such fund reductions actually play a role in reducing our Federal budget?

Hardly. By reducing library allocations from fiscal 1968's level of $135,000,000 to $46,000,000, the proposed cuts would trim the Federal budget by one-twentieth of 1 percent.

The proposal is as futile in saving money as it is destructive to our educational system.

It is my hope that my fellow Members of the House will approve the amendment proposed by our colleague, Representative CHARLES S. JOELSON of New Jersey. This package amendment would add nearly $900 million to the committee bill for education programs.

Failure to grant passage of this important amendment could destroy a major portion of our educational progress.

Equally as important as the restoration of these funds is the defeat of a provision in section 407 of H.R. 13111. This is the provision which would cut off all Federal aid to an institution of higher education if it does not certify to the Secretary of Health, Education, and Welfare that it is in compliance with the requirements of this section.

We are all deeply troubled with the unrest, and in some cases, the outright anarchy that has existed on some of our campuses. But action by the Congress which would punish the innocent and guilty alike, as section 407 would do, would only compound the problem and serve to the advantage of the campus revolutionaries.

It is my feeling that the responsibility for the maintenance of order on the campus lies with the academic community, and at the State and local level. We must not place the Federal Government in the role of enforcer of rules and regulations on every campus in our Nation.

Academic freedom is a curbstone of our educational system. Passage of section 407 could set a dangerous precedent for the complete control by the Federal Government of our institutions of higher education and an end to academic freedom as we now know it.

TRANSPORTATION IN THE DISTRICT OF COLUMBIA

(Mr. GUDE asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. GUDE. Mr. Speaker, since coming to the Congress, I have been deeply involved in many matters affecting the government of the District of Columbia. At present transportation is by far the most pressing regional issue.

I have long worked for freeways in the belief that all segments of the District of Columbia community will truly benefit from the prompt implementation of the long-planned highway system, no less than from rapid rail transit.

A professional public opinion survey released today reveals for the first time that the majority of Washington, D.C., residents support the concept of the completed freeway system. The survey was conducted by Oliver Quayle & Co. of New York, a nationally known opinion research organization.

I call attention to this poll because it offers further evidence to discredit those noisy zealots who have obstructed transportation progress in the Nation's Capital and who are not truly representative of the majority sentiment.

This survey outcome is especially striking following as it does the years of

demagoguery and misrepresentation on the part of freeway opponents who have sought to falsely portray the transportation issue in terms of suburbs versus city, or black versus white.

Those in the District of Columbia government who wish to move ahead, genuinely represent the people. Those outside the government who have blocked every effort to implement the freeway system, have contributed absolutely nothing to all the considerable efforts of responsible citizens and community leaders to build a rapid rail transit system here.

May the responsible authorities take note of this survey and be reminded where the people really stand on this most significant issue. Beyond that, all that needs to be done is to comply with the law, the Federal Aid Highway Act of 1968.

A great deal has been alleged recently to the effect that any agreement by the City Council to proceed with freeways would represent capitulation to blackmail. The case is precisely the reverse. We in Congress are urging the city to comply with the law, as opposed to surrendering to intimidation by nonrepresentative and irresponsible forces.

I have long felt that antifreeway extremists who would readily sacrifice the vitally needed transit system in their opposition to roads, care little for the city or its transportation needs. And I am convinced that they are less concerned about freeways or their merits than as an easily demagogued, phony issue that provides a rallying point in the militant competition for political power.

Today's survey again confirms my judgment that they do not represent a majority. And the Congress must continue to insist that the Council be aware of this. Mr. Speaker, I wish to submit the following statement of the Joint Committee on Transportation for Metropolitan Washington, and their synopsis of the survey by Oliver Quayle & Co., for the benefit of my colleagues:

STATEMENT OF THE JOINT COMMITTEE ON TRANSPORTATION FOR METROPOLITAN WASHINGTON, JULY 30, 1969

(Metropolitan Washington Board of Trade; District of Columbia Board of Realtors; National Capital Downtown Committee, Inc.; Federal City Council; Metropolitan Washington Savings and Loan League; District of Columbia Bankers Association)

Before discussing the contents of the citizen attitude survey, I'll take just a moment to provide some of the background of our involvement in transportation matters in the Nation's Capital.

The Federal City Council's Transportation Committee began its studies some 15 years ago at about the time that the half-million-dollar mass transportation survey was initiated. Our own studies convinced us that no single mode of transportation could by itself meet the demands of the city and the region.

We have since been unswerving in our advocacy of a balanced system of transportation incorporating rapid rail transit, a modern freeway network, efficient bus service, and a program of planned parking.

During the early 1960's, it became apparent that the business community needed to speak with a single collective voice on behalf of rapid rail transit which was then in the early stages of planning and development. The Joint Committee on Transportation was formed composed of the Metropolitan Washington Board of Trade, District of Columbia Board of Realtors, National Capital Downtown Committee, Inc. (Downtown Progress) and the Federal City Council. The Committee was later expanded to include the Metropolitan Washington Savings and Loan League and the D.C. Bankers Association.

The Joint Committee likewise adopted a position in favor of balanced transportation.

One of the recent efforts of the Joint Committee came last year in anticipation of bond referenda for the Metro system.

We retained the services of Oliver Quayle and Company of New York to test the attitudes of voters in the suburban jurisdictions. Mr. Quayle is generally credited with being one of the nation's most accurate opinion pollsters. His surveys are based on most sophisticated statistical techniques. He predicted that the Metro bond referenda would pass by a margin of better than 70 percent. You will recall that the final tally was 71.4 percent.

Early this year, as the District government began to wrestle with the Congressional directive on freeways, a hue and cry was raised to the effect that nobody in the District wanted additional freeways. The source for this claim was a question asked in the Democratic primary of May, 1968. What very few people know is that the question asked on that Democratic primary ballot was:

"Shall the Democratic Party support legislation providing that before a new highway in the District of Columbia can be authorized, it must be approved in a referendum conducted in the District?"

The vote was 93,524 in favor, and 4,986 opposed. We all believe in the importance of referenda. What disturbs us is that the vote has since been characterized as a disapproval of the idea of building any freeways. This simply is not true. Considering the wording of the question, I am surprised that the vote was not 100 percent.

When this misinterpretation began to be accepted as fact, the Joint Committee on Transportation felt it was time to get a professional evaluation of actual citizen attitudes towards freeways in the District. Naturally, we turned to the Quayle firm—a company of proven competence—to conduct the required analysis.

When we asked Mr. Quayle to conduct an opinion survey, we did so for our own guidance. At that time, we had no thought of releasing the results of his work to the public.

Events of recent weeks have led us to believe that this information should be made public.

The survey showed the following to be true:

A majority of District residents want more freeways.

More Negro than white residents feel that freeways are needed.

There is less opposition to freeways in the District of Columbia among Negroes than exists among whites.

More residents of the District prefer the 1968 Highway Act to the 1968 D. C. City Council-National Capital Planning Commission plan.

More Negroes than whites in the District need the freeways to commute to their jobs in the city.

Rather than characterize the survey, we would prefer to present it to you in its entirety so that you can exercise your own objective judgment on the statistical results.

In closing, let me point out again that every study that has been made has pointed up the importance of rapid transit to the economic and social well-being of this community.

As we see it, the District government now has in its hands the fate of the Metro system. The District can either comply with the 1968 Highway Act and clear the way for construction of the Metro system, or refuse to comply and continue to hold up progress in meeting the transportation needs of the area. Clearly, the latter choice is contrary to the wishes of the majority of the citizens of the District of Columbia.

Virtually every reputable study of the last decade stresses the need for additional freeways in the District. The Quayle poll indicates that a majority of D. C. citizens favor additional freeways. We think the time is long past due when the city should get on with the job of providing the balanced transportation system that the city and the region require for sound growth.

A SURVEY OF PUBLIC OPINION IN WASHINGTON, D.C., REGARDING NEW FREEWAYS

(A synopsis prepared by the Joint Committee on Transportation for Metropolitan Washington)

SURVEY METHODOLOGY

Personal interviews were conducted with adult residents of Washington D.C. in their homes in February, 1969. A modified area probability sample was drawn. The cluster size was kept small so as to maximize the number of points sampled. The sample was drawn with attention to even geographical distribution, age and sex of respondents, based on census tract information. Of the total number of completed interviews, 77% were conducted with Negroes in order as accurately as possible to reflect the racial mix of the District's population.

Findings (with undecided out):

1. Rating given Washington's present system of roads, streets, highway, and parkways:

[In percent]

Excellent or pretty good	42
Fair or poor	58

2. Rating given Washington's downtown parking facilities:

Excellent or pretty good	11
Fair or poor	89

3. Automobile ownership: 61% of respondents owned one or more automobiles.

4. Automobile use:

a. 61% of respondents owning cars use them to get to work in Washington. Of these, 55% of White respondents and 66% of Negro respondents use their automobiles to get to work in Washington.

b. 19% of respondents owning cars use them for shopping and errands in Washington. Of these 29% of White respondents and 14% of Negro respondent use their automobiles for this purpose.

5. Method of transportation most often used by respondent or head of household to get to work (regardless of car ownership).

Household car	42
Car pool	6
Bus (or buses)	23
Walk, taxi, etc	29

NOTE.—Cars, including car pools, are most used for commuting to work by residents in the two economic extremes of the community: the more affluent Northwest and the least affluent Southeast. Buses are used by one resident in four in all sections except the Northwest. A majority of those using buses are dissatisfied with the service provided.

6. Most needed transportation improvement:

By transportation system (all respondents):

New rapid rail transit system	52
More freeways	25
More downtown parking facilities	23

By transportation system (white and Negro):

New rapid rail system:

White	64
Negro	48

More freeways:

White	21
Negro	26

Downtown parking:

White	15
Negro	26

NOTE.—The overwhelming demand for the Metro system comes from both blacks and whites, but more blacks than whites feel parking and freeways are most important and fewer give top priority to Metro.

7. Knowledge of plans for additional freeways:

a. Better than 3 out of 5 residents have heard or read something about freeway plans or proposals. Knowledge is extremely high among whites. A large minority of Negroes however, say that they are not sure or that they have heard or read nothing about new freeways.

b. When asked *what* they had heard about new freeways, most respondents made neutral comments. Unfavorable reactions, however, came more from Whites than from Negroes.

c. Opinion has not polarized on this question. The survey showed, however, that knowledge tends to make people more unfavorable than favorable toward new freeways, and that this tendency is stronger among knowledgeable whites than among knowledgeable blacks.

8. Rating of idea of building new freeways in city:

Excellent or pretty good idea:

White	44
Negro	56

Fair or poor idea:

White	56
Negro	44

NOTE.—Negroes are more inclined to favor the idea of new freeways than Whites.

9. Major advantages of building new freeways:

Would provide faster transportation:

White	19
Negro	21

Would relieve congestion on local streets:

White	14
Negro	13

Will help get to work faster:

White	7
Negro	13

10. Major disadvantages of building new freeways:

Will displace too many people, destroy homes:

White	38
Negro	49

Will cause more congestion:

White	12
Negro	4

Will take away city's charm:

White	12
Negro	1

NOTE.—Negro residents are a great deal more inclined to feel that they will personally benefit from the construction of new freeways, and the one reason forcing many to feel otherwise is the problem of displacement and relocation.

11. Attitudes toward two specific freeway proposals:

NCPC-District of Columbia City Council Plan (Dec. 1968):

Approved:

White	62
Negro	54

Disapprove:

White	38
Negro	46

1968 Highway Act Plan (Public Law 90–495):

Approve:

White	57
Negro	59

Disapprove:

White	43
Negro	41

Choice between building new freeways as proposed in one of the plans mentioned above and building no new freeways:

New freeways:

White	54
Negro	60

No new freeways:

White	46
Negro	40

NOTE.—Respondents were shown map of each and the approximate locations of their homes on each map were pointed out.

12. Preference between two specific freeway proposals, assuming that one would be implemented:

NCPC-District of Columbia City Council plan (Dec. 1968):

White	35
Negro	34

1968 Highway Act Plan (Public Law 90–495):

White	65
Negro	66

NOTE.—The analysis showed that the 1968 highway Act Plan derives most of its support from middle income white-collar working people, both black and white who live in the *Northeastern* and *Northwestern* parts of the city. By the same token, major support for the more restricted plan comes from older, retired or business and professional people who are either rather affluent or poverty-stricken, and who tend to live in the *Southwestern* area of the District.

The major conclusions to be drawn from the survey results are the following:

1. Washington, D.C. residents are neither highly critical nor greatly disturbed over their transportation problems. Yet, they are anything but satisfied with the present situation. They want improvements, mainly to enable them to get to and from work faster and easier.

2. Although the community is split between two large segments on the freeway question, more residents favor than oppose the building of new freeways.

3. If freeways are built most would want an expanded network which would provide direct access to suburban highways.

4. Neither this nor the entire freeway question is a racial issue. Although there is a definite feeling by Negroes that they, more than Whites, would be forced out of their homes by freeways, Negroes want new freeways more than Whites.

5. Residents most strongly in favor of new freeways tend to be middle class working people (White and Negro) in white- and blue-collar families and are also inclined to be men more than women.

6. Residents who most strongly oppose new freeways tend to come from either the upper or the lower segments of the city's population. They are also the older, retired people who either do not go to work or who are professionals, small business owners, or top level businessmen.

7. The most telling arguments for new freeways are that they will provide faster and easier transportation to and from work both in the city and to the suburbs, faster, better bus transportation, and will relieve congestion on local streets. The opening up of new job opportunities to Negroes in the suburbs is also rather important to black residents.

8. The one overwhelming reason for opposing new freeways is that they will throw people out of their homes, and that these victims will be unable to find adequate and decent replacement housing.

9. On the whole, residents realize that the new Metro system cannot replace the need for new freeways.

10. The more a resident now knows about proposed plans for new freeway construction, the more likely he or she is to oppose them, but after all arguments have been aired, new freeways are still more popular than no new freeways.

11. Although residents are highly dissatisfied with downtown parking facilities, as yet the argument that new freeways will only aggravate this situation is not a major motivating factor behind opposition to freeway construction.

12. The arguments that freeways will either help or destroy the city's economy are not particularly persuasive.

PROJECT MONEYWISE

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, there is an unfortunate omission in the Health, Education, and Welfare portion of the appropriations before us which would eliminate a credit union training program, Project Moneywise. Federal credit unions are serving poor people in many cities across the country, including Chicago. Project Moneywise is a training program devised by the Bureau of Federal Credit Unions to help these credit unions do a thorough job of serving their members.

There are about 450 Federal credit unions serving poor people in the cities, and they are serving over 120,000 poor people. These credit union members themselves have amassed close to $20,000,000 in savings. It is significant to note that not one single cent of Federal funds has gone into this dollar figure. The poor themselves have saved this money, in many cases it is the first savings they have ever accumulated.

Project Moneywise was organized by the Bureau of Federal Credit Unions on a pilot basis under an interagency funding agreement with OEO. Both agencies saw a need for the training of credit union people in order to make their credit unions more effective. Due to the fact that the Bureau's operations are self-supporting, with expenses for its chartering, examination, and supervision programs offset by income from fees assessed on Federal credit unions, it was necessary for the Bureau to seek outside funding for the program. The evidence of over 3 years of work with the program resulted in a decision by the executive branch and the Congress to transfer the funding from OEO to the Bureau so that the program could be operated directly by the Bureau as an adjunct to its self-supporting activities.

Chicago is one of the cities that badly needs credit union training. It has several Federal credit unions serving the poor, perhaps the best known is Pilsen Neighbors Federal Credit Union, but there are others. These credit unions have a continuous need for this training, and they will not get it unless the $300,000 request

is restored to the Health, Education, and Welfare budget.

I think the issue will become much clearer in the future, with the enactment of H.R. 2, which the House so overwhelmingly approved on Monday. This bill would establish the Bureau of Federal Credit Unions as an independent agency, and would clarify its programs for the benefit of the Congress. The agency would no longer be buried within the Department of Health, Education, and Welfare, where its very specific and productive programs can all too easily be equated with welfare or education programs which are totally dissimilar.

NINTH ANNUAL PUBLIC OPINION POLL OF THE 17TH DISTRICT OF OHIO

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. ASHBROOK), is recognized for 15 minutes.

Mr. ASHBROOK. Mr. Speaker, this year I delayed distribution of my ninth annual questionnaire to give the people of the 17th Congressional District more time to view the programs and policies of our new President and his efforts on their behalf. This delay has, I believe, proved fruitful. Response to the poll was excellent and the sincere concern of many persons was again expressed by the hundreds of personal notes, letters, and marginal memos.

As in the past, I continued my policy of sending the questionnaire to voters of all political persuasions: Republicans, Democrats, and Independents. The questionnaire went to all parts of the 17th district, not only the full counties but those of which I represent only a few townships.

Several points are quickly noticed: First, there is a great desire for control of lawlessness in the Nation whether the lawlessness is on the campus or in the streets. Answers to a question on whether Federal funds should be denied to disruptive college students brought a "yes" response from 92 percent. A question of imposing a mandatory prison sentence on persons convicted of using firearms in the commission of a felony elicited a 92.4-percent response.

On the question of Vietnam there appears to be a major shift of opinion. Last year's poll indicated that within the 17th district 18 percent favored withdrawal of American forces on a unilateral basis. This year, 42.9 percent marked this same response; 51.6 percent stood in favor of either continuing with present military strategies and tactics or sharply intensifying them. From comments included with returned questionnaires and my many discussions with persons and groups at home it seems that more than even the people are simply fed up with the attrition tactics of the past few years. They are for the most part not against our efforts to help preserve the self-determination of South Vietnam, but they are against spending American lives in a winless effort. The poll tends to bear this out.

With a fervor almost equal to that with which Americans support their men on the battlefield, Americans oppose the actions of deserters and draft dodgers.

The responses to a question on granting amnesty to deserters, draft dodgers, and those who were imprisoned rather than serve proved interesting in the negative response. Of the three options, 68.3 percent of the people did not choose any of them. About 6 percent approved amnesty for those who fled the country to avoid the draft, 22 percent favored granting amnesty to those imprisoned for their objections, and only 3.8 percent for the deserter from the Armed Forces. Thus, the remaining persons, nearly 70 percent, either do not have an opinion or oppose amnesty to any person who shirks his Nation's military service.

In the 17th Congressional District a clear majority of the people favor proceeding with the modified anti-ballistic-missile system proposed by President Nixon. The figures are 54 percent for deployment, 31.4 percent against, and 14.6 percent with no opinion.

Mr. Speaker, I am very pleased with this year's questionnaire. I believe it was written in an eminently fair manner, distributed inclusively, tabulated precisely, and that it covered a broad range of domestic and foreign policy questions. Some of those included, in addition to topics I have mentioned are: the military draft, Post Office Department, voting age, cigarette advertising, the National Labor Relations Board, taxes, and electoral reform. I, therefore, believe it is a representation of opinion in the district which I serve.

In contrast to other years I have this year added a new phase to the questionnaire procedure. After distributing the poll, but prior to final tabulation and publication of results, I answered the questionnaire myself. I think it only fair that having asked my constituents to respond I should give them the benefit of my view on the same questions. My answers were, of course, made fully available to all news media in the district. In many areas the people and I fully agree; on some we disagree, but on all the issues we have gone on public record with our stand. In addition, I include my responses following the tabulated answers. They are in the same form distributed to the press.

To my knowledge this is the most comprehensive annual opinion poll taken of this area of Ohio and an excellent supplement to other efforts which I make to seek out the thoughts of the people. I include the poll and the tabulations of responses in the CONGRESSIONAL RECORD at this point:

[In percent]

	Yes	No	No opinion
1. If the Paris peace talks are abandoned or reach a hopeless stalemate would you then favor:			
(a) Continuation of our present military strategies and tactics?	9.8		
(b) Unilateral withdrawal of U.S. troops	42.9		
(c) Sharp intensification of the total war effort	41.8		
(d) No opinion	5.5		
2. President Nixon has asked the Defense Department to develop detailed plans for evenutally ending the draft. The first step will be to make major revisions to correct inequities. Which of the following proposals do you favor? Check 1.			
(a) Substitute for the present system of priorities and deferments a lottery or system of "random selections"	34.6		
(b) Permit fulfillment of military obligation through alternate national service such as Peace Corps, VISTA, etc	24.1		
(c) Work toward outright abolition of draft	28.8		
(d) No opinion	12.5		
3. In which of the following ways would you prefer to have your vote for President and Vice President counted? Check 1.			
(a) Proportional plan—under which the electoral vote in each State would be distributed in proportion to the popular vote in each State	7.6		
(b) District plan—under which electors would be chosen by districts in the same manner as Representatives and Senators	6.4		
(c) Direct plan—under which electoral college would be abolished and the President and Vice President would be elected directly	73.9		
(d) No change—favor present system with electoral college apportioned primarily according to population of State	9.3		
(e) No opinion			2.8
4. Do you believe that cigarette advertising should be banned from radio and television programs?	62.1	34.0	3.9
5. Do you approve of the federally proposed welfare regulation which would eliminate investigations of most welfare applicants in favor of a declaration of need?	14.0	81.3	4.7
6. Do you believe the National Labor Relations Board (NLRB) should be replaced by a system of labor courts?	33.4	40.2	26.4
7. Viewing the economy as it stands today, would you favor renewal of the 10 percent income surtax when it expires on June 30?	20.4	68.5	11.1
8. Experts predict that the world population will double before the year 2000 and there is widespread expectation of famine on an unprecedented scale in many parts of the world. Do you believe these predictions warrant intensification of the Federal Government's present limited role in population control efforts?	61.1	26.3	12.6
9. At the conclusion of the Vietnam conflict, would you favor granting amnesty to any of the following: Those who—			
(a) Fled the country to avoid the draft?	5.9		
(b) Were imprisoned because of objections to the war and refusal to serve?	22.0		
(c) Deserted while a member of the armed services	3.8		
(d) No opinion	68.3		
10. Do you favor proceeding with the modified (ABM) antiballistic missile plan proposed by President Nixon?	54	31.4	14.6
11. On the issue of gun control what should the Federal Government do? Check 1.			
(a) Require Federal registration of all firearms	29.9		
(b) Continue ban on interstate shipment of handguns but do not enact additional Federal restrictions on firearms	37.1		
(c) Remove Federal restrictions enacted last year	26.0		
(d) No opinion	7		
12. Should the Federal Government impose mandatory prison sentences on persons convicted of using firearms in the commission of a felony (much like the mandatory 3-day jail sentence for drunken driving conviction in Ohio)	92.4	3.3	4.3
13. Should Federal aid be denied college students who engage in disorderly demonstrations which disrupt the administration of our colleges?	92.1	3.4	4.5
14. Do you support the proposal to convert the Post Office into a Government-owned corporation to operate on a self-supporting basis?	63.7	23.3	13.0
15. Do you favor a constitutional amendment to lower the voting age:			
(a) to 18?	21.1		
(b) to 19?	36.5		
(c) No opinion	42.4		

YOUR CONGRESSMAN ANSWERS HIS QUESTIONNAIRE

(By John M. Ashbrook)

Each year for nine years I have asked the people of the 17th District to answer a public opinion poll. The results are a great help in gauging the tenor of political opinion, forecasting the importance of issues and judging the concerns of the people.

The Ninth Annual Legislative Questionnaire is now being tabulated and I will soon announce the results. However, I think it only fair that, since I have asked your opinions, I should in return make my views known to you. Your right to know where I stand is certainly as important as my desire and need to know your position. Here are my opinions and a brief reason:

1. (c) If the Paris peace talks are abandoned or reach a hopeless stalemate, I would sharply intensify the war effort without major troop commitment. We have a legitimate reason for halting this advance of Communism. Unilateral withdrawal would signal our unwillingness to challenge the Soviet Union's aggressive plans for world domination. We should allow the South Vietnamese to take the war to the North just as the North now mortars Saigon and strategic areas in the South. We could bomb the Red River Dike System, blockade Haiphong and interdict supplies with minimum troop commitment.

2. (b) Draft laws should be reformed with a view to allowing alternate national service such as the Peace Corps or VISTA as a means of fulfilling military obligation.

3. (b) I prefer the District Plan for election reform. It is workable, it could be enacted through constitutional amendment adopted by the requisite number of states (some plans could not) and it continues the checks and balances wisely incorporated in our Constitution.

4. (yes) Cigarette advertising, in my view, should be banned from radio and TV programs. If granted by mandate of Congress, the Federal Communications Commission could exercise such power. The evidence indicates that the public welfare is directly threatened and therefore Congress, through the FCC, could and should act.

5. (no) Interpretations of needs vary. In some states, those who earn as much as $12,000 are considered "needy" and can get housing assistance.

6. (yes) The National Labor Relations Board should be replaced by a labor court, or at the least a new system of adjudicating conflicts. The NLRB is presently a political body handing down legal decisions, often prepared and promulgated by second or third level officials. This is unjust to both labor and business, and their record is extremely poor.

7. (no) I emphatically oppose extension of the surtax or additional taxes. The same end can be achieved through reduced spending by the government.

8. (yes) Yes, population control is needed but it must come from individual conscience and education, not government order. The government can supply information and help those who desire such assistance. Welfare mothers with 10 or 12 children they can't support are the best indication of need for this assistance.

9. I rarely say "never" but I would not consider this at any time under circumstances in "a" and "c." Those in "b" category might deserve different consideration.

10. After a long period of study I believe that we should deploy an ABM system. I am convinced that it is necessary and I support the Safeguard program. It is defensive, not offensive. Doubts should be resolved on the side of our future security.

11. (c) I would remove many federal gun restrictions, primarily those directed at the private owner, the collector, and the sportsman. I not only oppose additional restrictions but have introduced legislation in this Congress to lift restrictions on long guns and ammunition.

12. (yes) Mandatory prison sentences for convicted felons who use firearms when committing a crime should be approved. This is a responsible and effective approach to the firearms problems.

13. (yes) We have no obligation to underwrite through federal programs those who violate the law and consciously riot and disrupt.

14. (no) Any needed changes can be made if there is the will to do so. We cannot evade our responsibility by simply giving the problem to someone else. Congress should retain jurisdiction over postal rates, personnel, and operation.

15. (a) I have long believed that the voting age should be lowered to 18, and I first introduced legislation to this effect as a member of the Ohio General Assembly in 1957. Responsible, enlightened, and concerned youth of today are well qualified to vote. The Hippies are a small minority. I would support a compromise amendment for 19 year old voting.

FOREIGN INFORMATION ACT

The SPEAKER. Under a previous order of the House, the gentleman from Alabama (Mr. EDWARDS) is recognized for 15 minutes.

Mr. EDWARDS of Alabama. Mr. Speaker, some of the finest unsung heroes of our country today are those serving overseas for the U.S. Information Agency.

Many of USIA's foreign service officers are exceedingly able, dedicated men who are making considerable sacrifice in the service of their country—sacrifice for themselves and their families. Many of them are assigned to remote outposts in subtropical villages where living and working conditions are very difficult and often dangerous. Most of them are experts in communication between people and that is the reason they are there, making an effort to interpret the United States and its policies to people in support of this country's objectives.

The most effective of these people are not only articulate but, equally as important, they are good listeners. They are men who have faith in their own country, and who demonstrate their faith quietly, modestly, convincingly.

Our Government is fortunate to have these people. But I am disturbed when I hear that many of their colleagues formerly in the USIA foreign service have resigned to take other positions.

It is my understanding that over the years USIA has continually suffered from low morale and turnover in the lower and middle levels of foreign service people. This surely must have a negative impact on effectiveness of the Agency.

Looking into it further I learn that USIA's objectives have been in search of clear definition almost since the beginning in 1953. And its methods have been unsure. This has been an Agency with an identity problem.

It has suffered from too frequent change of top leadership. It has not been given the attention it deserves either from the White House or from Congress.

It probably is fair to say that neither the Government nor the country as a whole has yet come to fully acknowledge the importance of Government information programs overseas to our overall national security.

And partly for this reason the Agency has drifted for too many years. If my information is right they are doing there today just about the same things they were doing 10 and 15 years ago.

The same assumptions have prevailed regardless of changes in Presidential administration. The same people, basically, are making the same judgments and operating the same way they did in 1953 and 1963.

I submit, Mr. Speaker, that this is not good enough. This is one of the most sensitive operations this Government directs. It must be vigorous, innovative, and it must be capable of change when change is the interest of U.S. foreign policy operations.

The need for thorough reexamination of USIA programs is a difficult thing to dramatize. Yet it is a concept that is becoming ever more recognized.

In December 1967, the Republican Coordinating Committee recommended it in its report, "The American Image Abroad."

A year later the House Foreign Affairs Subcommittee on International Organizations and Movements held hearings and produced an excellent report urging this kind of basic review.

The U.S. Advisory Commission on Information, headed by Dr. Frank Stanton of CBS, has issued very persuasive reports both this year and last year strongly urging this action.

A communication specialist, Arthur E. Meyerhoff, has written a book on the subject called "The Strategy of Persuasion."

Several newspapers have given editorial support to the idea.

There now exists an Emergency Committee for a Reappraisal of U.S. Overseas Information Policies and Programs. The chairman is Mr. Edward L. Bernays of Cambridge, Mass.

Mr. Bernays has conducted a survey of leading U.S. foreign correspondents overseas, and of the correspondents of other countries serving in this country, and has found that 73 percent of them believe a thorough reappraisal is required.

To achieve this objective I have introduced H.R. 12726, with eight distinguished cosponsors. They are the Honorable JOHN A. ANDERSON, of Illinois, ROBERT TAFT, JR., of Ohio, J. GLENN BEALL, JR., of Maryland, DANIEL BUTTON, of New York, HOWARD POLLOCK, of Alaska, DANTE FASCELL, of Florida, GEORGE ANDREWS, of Alabama, and SAMUEL N. FRIEDEL, of Maryland.

This bill seeks to implement the plan of the U.S. Advisory Commission: The establishment of a committee for the purpose of organizing a thorough and searching reexamination of U.S. Government information programs overseas.

What are some of the questions which should be considered in this kind of reappraisal? There are very many questions, some dealing with basic organizational structure, others with objectives, others with methods, and others with policies.

Following are just a few of the questions which illustrate what we mean when we refer to a searching reexamination.

First, What, exactly, should USIA be expected to accomplish? What are its built-in limitations and what are the opportunities open to it?

Second. What about the information activities of other Government agencies abroad? Is there enough coordination?

Third. Should considerations of public information overseas be made a greater part of U.S. foreign policy decisionmaking? If so, how do we achieve it?

Fourth. Should educational and cultural exchange programs be transferred from the State Department to USIA?

Fifth. Or should USIA be transferred to State and merged there with existing educational and cultural programs?

Sixth. Should greater use be made of non-Government communication resources both in this country and abroad? Should the techniques of advertising be exploited to a greater extent?

Seventh. Should USIA/Washington have greater direction of programs in individual areas and countries? Or should the field officers operate more independently of Washington?

Eighth. Is USIA trying to work with too many programs? Is it scattering its shot where it should be concentrating on fewer methods?

Ninth. Does USIA rely unnecessarily on citing quantity of radio broadcasts, magazine articles, et cetera, for establishing evidence of effectiveness? Or should greater attention be given to quality?

Tenth. How, exactly, should the agency seek to justify itself? Do the Congress and the agency alike have unrealistic hangups about USIA's justification?

Eleventh. Does the function of overseas information have adequate recognition at the State Department and the National Security Council?

Twelfth. Should the major thrust of USIA programs be directed at the elite of foreign countries, or at the mass of their populations?

Thirteenth. Should we be operating information programs in friendly and highly developed countries such as Canada, as well as elsewhere?

Fourteenth. Should much greater attention be given to exchange of persons?

Fifteenth. Is the agency's research adequate to the needs?

Sixteenth. Is the appropriate function of USIA that of a trumpet reporting on events in a straight manner? Or should it be openly and unashamedly more propagandistic in nature?

Seventeenth. What about USIA's personnel? Is there a morale problem? Is training adequate? Are selection procedures effective? Is turnover too high?

Eighteenth. Should the Congress and the public have more information about how USIA guides its foreign service officers in dealing with sensitive domestic problems in their activity abroad?

Nineteenth. Is there adequate sense of innovation in agency leadership? Or do the old assumptions of years ago still determine the day-to-day activities?

Twentieth. How can the need for public understanding and support of USIA's function be reconciled with the innate problem of any Government agency directing information to its own citizens?

These are 20 questions which seem important to me. I am sure there are 20 others, or 200 others, which also cry out for solution in the overall determination of overseas information programs.

I invite support for this legislation as a means of serving the interest of our national security.

TENTH ANNIVERSARY OF THE CAPTIVE NATIONS WEEK RESOLUTION

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 15 minutes.

Mr. FLOOD. Mr. Speaker, whether our people wish to recognize it or not, the primary problem in the world conflict is the reality of the captive nations. If there were no captive nations, we would not be in Vietnam; we would not be debating the essentially secondary issues of the ABM, MIRV, and a score of others. This is no oversimplification; it is a basic formula of thought and insight that too many of us, in the whirlpool of our daily preoccupations, never seem to contemplate. Just think of it—no captive nations and thus the absence of Soviet Russian imperio-colonialism—what becomes of the relevancy of these issues?

It is because of the primacy of the captive nations issue that our people, as well as free world allies, commemorated this July the 10th anniversary of the captive nations week resolution, which Congress passed in July 1959. These Americans and others will never allow us to forget the primary problem while our energies and time are being absorbed by secondary and tertiary issues. In time and with certitude, they are confident that our policies and actions will, alas, conform with the necessity of this primary issue.

As in previous years, it is my privilege to indicate by continuous example the success of this 10th anniversary. Continuing with what was shown by example in the July 16, 1969, issue of the CONGRESSIONAL RECORD, I commend these following select examples to the reading of our Members:

First. Proclamations of the Week by Gov. Keith H. Miller, of Alaska, Gov. Don Samuelson, of Idaho, Gov. Louie B. Nunn, of Kentucky, Mayor Walter E. Washington, of the District of Columbia, Mayor Richard J. Daley, of Chicago, President Sidney Leviss of the Borough of Queens, the city of New York, Mayor Malcolm E. Ellis, of the city of Schenectady in New York State, Mayor A. L. Rasmussen, of Tacoma, Wash., and Mayor August P. Petrillo, of Mount Vernon, N.Y.; second a message of the week by Dr. Phan Huy Quat, chairman of the World Anti-Communist League, as published in the July 11 Freedom Center News in Korea; third a report in the June 1–15 issue of the Ukrainian Bulletin; fourth a news account in the July 20 Free China Weekly; fifth a report in the July 18 issue of the Evening Star of Washington, D.C.; sixth a news item in the July 7 edition of the Tempe Daily News in Arizona; seventh a commentary in the July 23 issue of the Buffalo Evening News; eighth another commentary in the July 20 edition of the Sunday Star of Washington, D.C.; and ninth a typical program of the week in the County of Erie in New York State:

CAPTIVE NATIONS WEEK PROCLAMATION

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive people for freedom and independence:

Now, therefore, I, Keith H. Miller, Governor of the State of Alaska, do hereby proclaim the period July 13 through July 19, 1969 as Captive Nations Week in Alaska, and call upon all Alaskans to join with others in observing this week by offering prayers and rededicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

In witness whereof, I have hereunto set my hand and caused the Seal of the State of Alaska to be affixed this second day of July in the year of our Lord nineteen hundred and sixty-nine.

KEITH H. MILLER,
Governor.

Attest:

ROBERT W. WARD,
Secretary of State.

PROCLAMATION, EXECUTIVE DEPARTMENT, STATE OF IDAHO

Whereas the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies

and activities; expressing their sympathy with and support for the just aspirations of captive peoples for freedom and indpendence:

Now, therefore, I, Don Samuelson, Governor of the State of Idaho, do hereby proclaim that the week commencing July 13, 1969, be observed as Captive Nations Week in the State of Idaho, and call upon the citizens of this State to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

In witness whereof, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho, at Boise, the Capitol, the first day of July, in the year of our Lord, Nineteen Hundred and Sixty-nine and of the Independence of the United States the One Hundred and Ninety-third.

By the Governor:

DON SAMUELSON,
Governor of the State of Idaho.

———— ————,
Secretary of State.

PROCLAMATION BY THE GOVERNOR, COMMONWEALTH OF KENTUCKY

Whereas, Many nations of the world have been deprived of the freedom we know as United States citizens, having been forced by imperialistic powers to accept subjugation and enslavement as a way of life; and

Whereas, The freedom-loving peoples of these captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas, In July, 1959, the Congress of the United States by unanimous vote established the third week in July as Captive Nations Week and on July 16th of this year a Presidential Proclamation will precede addresses in Congress as a highlight of the 10th anniversary of the passing of the Captive Nations Week Resolution;

Now, therefore, I, Louie B. Nunn, Governor of the Commonwealth of Kentucky, do hereby proclaim July 13–19, 1969, as Captive Nations Week in Kentucky, and call upon the citizens of Kentucky to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed people all over the world.

Done at the Capitol in the city of Frankfort this 9th day of July in the year of Our Lord one thousand nine hundred sixty-nine and of the Commonwealth of Kentucky the one hundred seventy-eighth.

LOUIE B. NUNN, *Governor.*
ELMER BEGLEY, *Secretary of State.*

PROCLAMATION BY THE COMMISSIONER OF THE DISTRICT OF COLUMBIA

Whereas, by a joint resolution approved July 17, 1959, the Congress authorized and requested the President of the United States of America to issue a proclamation designating the third week in July as "Captive Nations Week," and to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all captive nations of the world; and

Whereas, there is a strong belief that the observance of "Captive Nations Week" throughout our country and our community will serve the cause of America and the entire free world; that the keeping alive of the spirit of liberation is the free world's most effective instrument; and

Whereas, it is deemed appropriate and proper for the people of our community to extend to the peoples of the captive nations our support and sympathy for their just aspirations for freedom and national independence:

Now, therefore, I, the Commissioner of the District of Columbia, do hereby proclaim the week of July 13–19, 1969, as "Captive Nations Week," and invite the people of the Nation's Capital to participate in the observance of this period by offering prayers in their churches and synagogues for the peaceful liberation of the peoples throughout the world who are denied their fundamental human rights.

WALTER E. WASHINGTON,
Commissioner of the District of Columbia.

PROCLAMATION, OFFICE OF THE MAYOR, CITY OF CHICAGO

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Urai, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, Slovakia, North Vietnam, Cuba, and others; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 36–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities expressing their sympathy with and support for the just aspirations of captive peoples for freedom and independence; and

Whereas, the City of Chicago is linked to these captive nations through the bonds of family, since numbered among the people of Chicago are hundreds of thousands of our citizens who through nativity or ancestry treasure the heritage which endowed them with the culture and industry which are theirs; and

Whereas, these nations have been made captive by the imperialistic, aggressive and heartless policies of communism; and

Whereas, the peoples of these communist-dominated nations have been deprived of their national independence and their individual liberties; and

Whereas, it is appropriate and proper to demonstrate to the peoples of the captive nations the support of the people of the City of Chicago for their just aspirations for freedom and national independence; and

Whereas, the people of Chicago, as do all the people of the United States, want for the peoples of the world the same freedom and justice which is theirs:

Now, therefore, I, Richard J. Daley, Mayor of the City of Chicago, do hereby designate the week beginning July 13, 1969 as Captive Nations Week.

I urge the people of Chicago to join in the programs arranged for observance of the occasion, and I urge all of our churches, our educational institutions and all media of communication to observe the plight of the communist-dominated nations and to join in support of the just aspirations of the people of the captive nations.

I especially encourage everyone to concretely demonstrate his or her interest in the people imprisoned in the captive nations by their attendance at or participation in the parade to be held on State Street on Saturday afternoon, July 19 at 12:00 p.m.

Dated this 26th day of June, A.D., 1969.

SIDNEY LEVISS, PRESIDENT, BOROUGH OF QUEENS, THE CITY OF NEW YORK, PROCLAMATION

Whereas, all peoples throughout the world seek a life that affords each his personal freedom and the pursuit of happiness, and

Whereas, this freedom is not given to all, and today we find that many nations are captives of greater powers who overwhelmed them in the guise of friendship, and

Whereas, the week of July 13, 1969 is Captive Nations Week in accordance with a ten year proclamation of the President of the United States of America and Public Law 86–90, and

Whereas, the following nations today exist in captivity; Albania, Armenia, Azerbaijan, Bulgaria, Byelorussia, China, Cossackia, Croatia, Cuba, Czech., Estonia, Georgia, East Germany, Hungary, Idel Ural, North Korea, Latvia, Lithuania, Mongolia, North Caucasus, Poland, Romania, Serbia, Slovakia, Slovenia, Tibet, Turkestan, Ukraine and North Viet Nam,

Now, therefore, I, Sidney Leviss, President of the Borough of Queens, The City of New York, proclaim the week of July 13, 1969, Captive Nations Week in Queens, and urge all our residents to recollect that freedom has a high price in terms of eternal vigilance against its undermining.

Done at Borough Hall, Kew Gardens, in The City of New York, on this tenth day of July, in the year of Our Lord, one thousand nine hundred and sixty-nine.

SIDNEY LEVISS,
President, Borough of Queens.

PROCLAMATION, CITY OF SCHENECTADY, N.Y.

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war and the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week:

Now, therefore, I, Malcolm E. Ellis, the Mayor of the City of Schenectady, New York, do hereby proclaim the week of July 13th through July 19th, 1969, as "Captive Nations Week" in the City of Schenectady, and call upon our citizens to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

MALCOLM E. ELLIS,
Mayor.

PROCLAMATION, CITY OF TACOMA, WASH.

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in

bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with the support for the just aspirations of captive peoples for freedom and independence

Now, therefore, I, A. L. Rasmussen, Mayor of the City of Tacoma, Washington, do hereby proclaim that the week commencing July 13, 1969, be observed as Captive Nations Week in Tacoma, and call upon the citizens of this City to join with others in observing this week.

A. L. RASMUSSEN,
Mayor.

PROCLAMATION, CITY OF MOUNT VERNON, N.Y.

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom-loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities; expressing their sympathy with and support for the just aspiration of captive peoples for freedom and independence;

Now, therefore, I, August P. Petrillo, Mayor of the City of Mount Vernon, New York, do hereby proclaim that the week commencing July 13, 1969 be observed as *Captive Nations Week* in the City of Mount Vernon, New York, and call upon the citizens of Mount Vernon to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

AUGUST P. PETRILLO,
Mayor.

[From the Korean Freedom Center News, July 11, 1969]

MESSAGE ON THE CAPTIVE NATIONS WEEK

The following is the message delivered on July 1, 1969, by Dr. Phan Huy Quat, World Anti-Communist League Council Chairman, on the Captive Nations Week—Ed.

I wish to extend my warm greetings to all WACL regional organizations and member-units on the tenth anniversary of the "Captive Nations Week" movement. In my capacity as WACL Council Chairman, I sincerely laud your efforts in sponsoring commemorative anti-slavery activities this year in compliance with the resolutions adopted at the 2nd General Conference in Saigon last December.

As millions of enslaved peoples behind the iron curtain, in spite of odds and adversity, are waging an heroic struggle against their ruthless Communist oppressors, the commemoration of the "Captive Nations Week" by WACL members is the most fitting act of freedom-loving peoples in support of their cause and will certainly serve to enhance their morale in their fight to regain national independence and sovereignty.

I do hope that our combined message, through various channels and media, will be conveyed to the captive nations as a display of free world determination to smash the Communist empire and to render all-out support to the liberation of all nations now under Sino-Soviet rule. I wish all WACL members every success in the observance of the Captive Nations Week.

[From the Ukrainian Bulletin, July 1–15, 1969]

PREPARING FOR 10TH ANNIVERSARY OF CAPTIVE NATIONS WEEK

WASHINGTON, D.C.—May 26.—The following memorandum, prepared by Dr. Lev E. Dobriansky, chairman of the National Captive Nations Committee (NCNC), has been sent to various organizations and groups in preparation for the 10th observance of the "Captive Nations Week" this July:

In two months we will be observing the 10th Anniversary of the Captive Nations Week Resolution. As in previous years, NCNC is coordinating the Week observance and, on this special occasion, urges each of our 37 organized committees to prepare and act on the following plans:

1. The Week falls in the period of July 13–19, 1969 and is highlighted as "The 10th Anniversary of the Captive Nations Week Resolution," and calls for maximum use of all available media to focus attention on the captive nations.

2. A quick response to inquiries on the background of the Week can be furnished by providing copies of NCNC's chairman's book *The Vulnerable Russians,* which is now in its second printing and can be acquired by writing to the Georgetown University Book Store, White Gravenor, Georgetown University, Washington, D.C. 20007.

3. The "10th" can also be impressively featured by ordering "10th Anniversary Captive Nations Medals" in silver and bronze from Mr. Viktors Viksnins (312–588–2085) of the Captive Nations Friends Committee, 4146 N. Elston Ave., Chicago, Ill. 60618. These would make wonderful presentations for persons to be honored in your area. NCNC has ordered a quantity to honor Congressmen and Senators at the Washington Banquet.

4. Most important for our cause and the fundamental importance of the captive nations to U.S. security is the 10th Anniversary Banquet planned by NCNC for Wednesday, July 16, 1969 at the University Club, 1135—16th St., N.W., Wash., D.C., at 6 p.m. (reception), 7 p.m. (dinner). To show full solidarity of our effort, your committee is requested to order at least a table of 8 at $12.50 a person. Individual captive nations groups will order their tables according to nationality background. Dr. Ku Cheng-kang of China and Mr. George Meany, AFL–CIO President, will be honored on this momentous occasion. Because of limited seating at 200, orders will be honored on a first-come-first-serve basis, *with a deadline of June* 30, 1969 and submitted with check payable to the National Captive Nations Committee to our financial secretary, Mr. Walter Pretka, 797 Princeton Place, Rockville, Md. 20850. This is a high point of this year's observance, and we depend on your enthusiastic cooperation for our mutual success.

5. *The themes we propose are:* "The 10th: Let's Not Forget the Captive Nations"; "Only An Honorable Peace With Self-Determination by South Vietnam"; "A New, Realistic Policy Toward Russia and the USSR"; "Let's Launch Now on This 10th a Drive for America's 200th Anniversary of the Spirit of Independence in 1976."

6. Enclosed is our brochure for publicized use in your area and in preparation for a Captive Nations Conference in Washington this September, about which we would appreciate your views at the forthcoming July Banquet.

[From the Free China Weekly, July 20, 1969]

FREE WORLD URGED TO HELP ASIAN ANTI-RED COUNTRIES

A Chinese civic leader has issued a strong appeal to all people in the free world to support Asian countries in checking Communist expansion.

Ku Cheng-kang, a member of the National Assembly and honorary president of the World Anti-Communist League, made the appeal on July 12 before his departure for the United States.

Ku, who is also head of the China chapter of the Asian Peoples' Anti-Communist League, went to the United States for a three-week visit at the invitation of the U.S. Captive Nations Committee.

He said that the "Captive Nations" movement was launched by the United States ten years ago to emancipate the enslaved people behind the Iron Curtain. This movement should coordinate with the Freedom Day movement initiated by the Republic of China 15 years ago and unite the forces of East and West for the cause of liberty.

"I hope my visit to the United States will help achieve that purpose," Ku said.

"During my tour of the United States, I will convey to the American people the strong aspiration of the Asian people for freedom and their determination to strive for the wellbeing of mankind."

He emphasized that people in the Western world should give firm support to the nations in Asia to enable them to safeguard their independence and freedom and world peace and security as a whole.

Ku was accompanied by U.S. congressman Edward J. Derwinski, who had come to Taipei on July 8 particularly to take part in a rally held on July 10 to observe Captive Nations Week.

Derwinski said that he was deeply impressed by the unwavering struggle of the Chinese people to liberate their compatriots now under the yoke of Communist tyranny on the China mainland.

Addressing a rally marking Captive Nations Week in Phoenix City, Arizona, on July 15, Ku described the Chinese Communist regime in Peiping as aggressive and vulnerable.

Ku said that to shatter the Iron Curtain and eliminate the threat of a nuclear war, the free world must have the courage to support the liberation struggle of the people on the Chinese mainland and seek the realization of a new world order.

He said peoples behind the Iron Curtain are longing for liberation. "We in our generation consider their liberation our unavoidable responsibility," he said.

Communist tyranny will not perish by itself, he told the rally. The present divisions and chaos within the Communist bloc are not accidental. They are the results of an awareness in the free world of Communist aggression, the rising of national spirit, progress in democratic government and promotion of a social well-being that has stopped Communist external expansion, he added.

Ku went on to say that the most important task in the present struggle for freedom is to actively support the people behind the Iron Curtain in their struggle against tyranny.

He pointed out that the Communist rulers, facing the crisis of an internal revolution, will resort to all possible means to strike and suppress the anti-tyranny revolutionary forces. The tragedies of Hungary and Czechoslovakia and Mao's "cultural revolution" represent Communist struggles and counter-attacks against the forces of freedom.

The tough anti-Communist leader emphasized that we should establish an international anti-Communist front and an urgently needed regional security system, and fight to the end for the freedom of mankind.

He quoted Abraham Lincoln—"If my brothers are still slaves, I am not a freeman"—in an appeal to the free world to help the captive peoples.

[From the Washington (D.C.) Evening Star, July 18, 1969]

CHINA'S KU BUSY THERE—BUSY HERE

The tight schedule of the working trip to the United States of Ku Cheng-kang precluded his wife's coming along. He has been too busy for leisurely sightseeing or partying.

The reception at the Chinese embassy last night was an exception, however. Ku, member of the Presidium, National Assembly, Republic of China, and chairman of the Political Committee, Asian Parliamentarians Union, met members of the Chinese community here, as well as other guests at the party given by Ambassador and Mrs. Chow.

The honor guest goes today to Chicago. Wednesday night he was presented with an award at the dinner given him by the American Committee of Captive Nations Assembly at the University Club and was honored yesterday at a luncheon on Capitol Hill given by Rep. Edward Derwinski, R-Ill., where he met members of the House subcommittee on the Far East. The congressman attended last night's reception.

An adviser to President Chiang Kai-shek, Ku is one of the busiest men in free China. He is one of the founders of the Asian Peoples' Anti-Communist League, inaugurated in Korea in 1954. He has since been president of the China Chapter.

Another cause which occupies much of Ku's time is the job of providing relief to Chinese compatriots suffering on the mainland, as well as the millions who have escaped to free areas. The Free China Relief Association, established in Taipei in 1950, has provided relief to millions.—J.P.

[From the Tempe (Ariz.) Daily News, July 7, 1969]

EMPHASIS ON YOUTH AT CAPTIVE NATIONS RALLY

A tribute to America's "silent majority" of young people is in the offing when the Arizona branch of the Captive Nations Committee stages its 11th annual rally at Grady Gammage Memorial auditorium on the Arizona State University campus, Tuesday, July 15.

The 8 p.m. program, open to the public, will be a Valley highlight of national Captive Nations Week, July 13–19, a week initiated by resolution of the U.S. Congress in 1959 as a time for observances to remind the world of the plight of the people in captive nations of the Red Empire. It also symbolizes, for billions of captive peoples, the dedication of America to their freedom and independence.

The accent will be on youth at the Tuesday rally with participants for the evening to include Ron Patty and his new group, That Certain Sound; the Impact '69 singers; the internationally acclaimed Mia Dancers; Scottsdale Boys' Band and Valley Eagle Scouts who will be presenting the flags of the captive nations.

Featured speaker for the evening will be Dr. Ku Cheng-kang, deputy foreign minister of Nationalist China.

Patriotic and religious songs will be presented by That Certain Sound and Impact '69. The Mia Dancers, who have been seen on the Ed Sullivan television show as well as in appearances throughout the world, will present their colorful folk dances for the program. Scottsdale Boys' Band will provide the instrumental music.

Said the spokesman for the Captive Nations Committee, "With the riots and turmoil caused by many college students today, we lose sight of how the majority of our young people really feel about this great land of ours. On July 15, we will have a chance to witness the true spirit of today's youth ... as these youth groups join in expressing their love and faith in this country of ours as we remember those peoples who have lost their basic freedoms and human rights—the one billion captive peoples of the captive nations behind the Iron, Bamboo and Sugar Curtains.

Admission for the rally will be $1 for adults, children and students admitted free.

[From the Buffalo (N.Y.) Evening News]

IS RUMANIA CAPTIVE?

Last week was Captive Nations Week, duly proclaimed as such by President Nixon in observing a tradition of more than a dozen years. Instigated by Congress, the presidential proclamation deplores the fact that certain nations are under the domination of outside governments.

On August 2 and 3, President Nixon will be visiting Romania on his round-the-world tour. When someone inquired whether President Nixon will be visiting a "captive nation," White House Press Secretary Ronald Ziegler curtly replied: "The proclamation speaks for itself."

Romania was not mentioned in the proclamation, although it is usually considered one of Russia's satellite countries.

[From the Washington (D.C.) Sunday Star, July 20, 1969]

A PROCLAMATION WITHOUT TRUMPETS

When President Nixon issued his proclamation for Captive Nations Week there was little public or press reaction.

But when Nixon signed the proclamation Monday he certainly recalled another one issued back in 1959. That one, from the late President Dwight D. Eisenhower, assailed the Soviet government for "imperialistic and aggressive" policies—and came at a time when then-Vice President Nixon was in Moscow.

The then-Soviet Premier Nikita S. Khrushchev stirred a controversy when he told Nixon, "This resolution stinks."

Since then, the yearly proclamations have been studied for possible indication of changing U.S. policies toward the Communist world. As the years have gone by, the proclamations have been milder in tone.

Nixon, who has talked of replacing the era of confrontation with one of negotiation, purposely appears to have soft-pedaled the whole affair. In a key passage, he urged Americans "to renew their devotion to the high ideals on which our nation was founded and has prospered and to sustain with understanding and sympathy the just aspirations of the peoples of all nations for independence and human freedom."

COUNTY OF ERIE OFFICIALLY SALUTES CAPTIVE NATIONS WEEK, JULY 20–27, 1969

PROGRAM OF EVENTS

Message of the county executive

Whereas, Public Law 86–90 was enacted 10 years ago. This law establishes Captive Nations Week, and in so doing, our representatives themselves also established that we, Americans, do not bow to despotism whether it comes from the Court of St. James or the Kremlin or Peking; and

Whereas, Today Communism has erected a cruel carrier of barbed wire, minefields, manhunters, bloodhounds and machine guns. It has re-established colonialism behind an Iron Curtain, where civilized nations labor under the boot of tyranny. The same ruthless armed oppression has been used against the open resistance in Budapest or the peaceful attempt for changes in Prague.

This political oppression and economic exploitation of the Captive Nations is committed in the name of a political system which has been proven to be obsolete and reactionary. Communism attempts to stabilize its system through the bloodshed and misery of others. Fomenting small wars throughout the world is an oft-used strategy; and

Whereas, The peoples of the Captive Nations look to us for sympathy, encouragement and help. We have witnessed that bridges cannot be built to these countries. The puppet governments of Moscow insists that any contact with the West and Freedom be denied their people; and

Whereas, We should ensure that these puppet governments receive no economic help from the West. To this end, we should avoid buying any products of these countries because the hard currency so acquired by these governments is used to subvert our own freedom. We must keep in mind that these goods we buy were denied our enslaved brothers.

Now, Therefore, I, B. John Tutuska, County Executive of the County of Erie, Do hereby proclaim the week of July 20–27, 1969, as "Captive Nations Week" and urge the citizens of Erie County to support and observe this week with appropriate ceremonies and activities.

In Witness Whereof, I have hereunto set my hand and caused the Seal of the County of Erie to be affixed this 2nd day of July, 1969.

B. JOHN TUTUSKA,
County Executive.

Highlights of events

Sunday, July 20

A.M. Religious Observances and Prayers in the Churches of Erie County.

2:30 P.M. Civic Opening of Captive Nations Week Program in front of the Buffalo and Erie County Public Library in Lafayette Square.

1. Presentation of Colors—Arthur F. Kilichowski, New York State Commander, Army and Navy Union of America.

2. National Anthem—The Misses Marika Zahariev and Pam Merz.

3. Invocation—Rev. Paul Kantor, Pastor, Hungarian Reformed Church of the West Side.

4. Placing of wreaths at the Memorial to the Captive Nations.

5. Welcome by Mr. Albert J. Weinert, Chairman, Erie County Civic Committee to Observe Captive Nations Week.

6. Introduction of Master of Ceremonies, Walter V. Chopyk, by Mr. Albert J. Weinert, Chairman E.C.C.C. to Observe C.N.W.

7. Proclamation: Hon. B. John Tutuska, Erie County Executive and Honorary Chairman E.C.C.C. to Observe C.N.W.

8. Speaker: Mr. Michael J Kogutek, Department of New York State Commander, American Legion; President, Chamber of Commerce, Lackawanna, N.Y.

9. Benediction: Rev. Paul Kantor, Pastor, Hungarian Reformed Church of the West Side.

10. "Youth Salute the Captive Nations"—Library Aud.

Wednesday, July 23

12:30 P.M. Civic Luncheon sponsored by the Kiwanis Club of Buffalo, President Harry W. Halbersleben presiding, and the ECCTO-CNW in the Buffalo Athletic Club in Niagara Square.

Speaker: Dr. Lev E. Dobriansky, National Chairman and Founder of Captive Nations Week, Washington, D.C.

Topic: "Education for Freedom Through Contrast."

Tickets: $2.80 (includes gratuities).

Reservations: Call 634–1166.

A special art exhibit will be held in the Buffalo and Erie County Library, Lafayette Square from July 22–August 4, 1969. Paintings and other materials depicting the plight of the captive nations, completed by recent refugees from the Iron Curtain countries.

All events are open to the public. No admission charge will be made except for the Civic Luncheon on Wednesday, July 23, at the Buffalo Athletic Club.

Erie County Citizens Committee To Observe Captive Nations Week

Honorary Chairman: Hon. B. John Tutuska, Erie County Executive.

Chairman: Albert J. Weinert, United Anti-Communist Committee of WNY.

Public Relations Director: Walter V. Chopyk, United Anti-Communist Committee of WNY.

Secretary: Mrs. Marjorie Lovejoy, United Anti-Communist Committee of WNY.

Treasurer: Clement Sakas, Lithuanian Club of Buffalo.

Resolutions: Dr. Lazlo B. Szimonisz, Hungarian Freedom Fighters Ass'n.

Youth Concert: Vladymyr Kowalyk, Ukrainian American Youth Ass'n.

Color Guard: Arthur F. Kilichowski, New York State Commander, Army and Navy Union.

Captive Nations Flags: Zef Priszka, Albanian Societies.

Arrangements: William J. Tracy, Veterans of Foreign Wars.

Members of the Committee

Dr. John Juhasz: Actio Hungarica.

Dr. Michael Saikewicz: Ukrainian Congress Committee of America.

Rev. Paul Kantor: American Hungarians of the Niagara Frontier.

Dr. Voldemar Kirss: Estonian Committee.

Francis M. Kindl: Veterans of Foreign Wars.

Tacho D. Kuntscheff: Bulgarian Club of Buffalo.

Eugene V. Massucci: Army and Navy Union of America.

Wasyl Sharvan: Anti-Bolshevik Bloc of Nations.

George M. Wong: Chinese Golden Dragon Society.

A. O'Neil Kline: Kiwanis Club of Buffalo.

Dr. Stephen Gredel: Croatian Delegation.

Ting Fong Wong: Chinese Golden Dragon Society.

Romas Masiolonis: Lithuanian Club of Buffalo.

Vidis E. Malejs: Latvian Society.

Charles Quagliana: United Anti-Communist Committee of WNY.

DAY OF BREAD RESOLUTION

(Mr. PURCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PURCELL. Mr. Speaker, I am introducing, for appropriate reference, a joint resolution which would establish a "Day of Bread" in the United States, along with a "Harvest Festival Week."

One of my goals, as chairman of the Livestock and Grains Subcommittee of the House Committee on Agriculture, has been to encourage a closer working relationship among producers, processors, food manufacturers, and retailers. To the extent that this relationship breaks down I believe they fail to serve the best interests of themselves, their stockholders, and the consuming public.

Therefore, I was delighted that the National Association of Wheat Growers, the Millers' National Federation, and the American Bakers' Association have given wholehearted endorsement to plans for a "Day of Bread." These organizations and others have already made provision for administration, coordination, and funding of the program.

Mr. Speaker, wheat is perhaps man's oldest cultivated crop; more wheat is produced than any other commodity; and it provides a staple food in some 43 countries having a population of nearly a billion people. Bread has served mankind well and will continue to do so as long as there is a need for nutritious, low-cost food products. I firmly believe it deserves the recognition I seek for it in this joint resolution—both as bread itself and as a symbol of all foods.

Mr. Speaker, I would like to add at the conclusion of my remarks an editorial which appeared in the Southwestern Miller, a highly respected and widely read trade paper. I agree with the comment that the plans for the "Day of Bread" are wonderfully innovative and appropriately bold and ambitious in scope.

The editorial follows:

SUPERB "DAY OF BREAD"

The decision made by major segments of the breadstuffs industry to join in sponsoring a "Day of Bread" in the United States this October 29 hold enormous promise as a promotion program for the industry. The program plans are wonderfully innovative and appropriately bold and ambitious in scope. Of its many exciting elements, perhaps the most unique is the hope that the observance of a "Day of Bread" will become worldwide, as an event that would cross national barriers in celebration of the contributions of wheat-based foods to the world. The appropriateness of such dimensions for the program is indicated by the fact that bread provides more nourishment for the world than any other food, serving as a staple in the diets of 43 countries with an aggregate population of almost a billion people.

As delineated by H. Howard Lampman, executive director of the Wheat Flour Institute, the many facets of the program center on the observance of the "Day of Bread" by simultaneous luncheons held throughout the United States, and dinners in Europe. Congress will be asked to adopt a resolution proclaiming a "Harvest Week," of which the "Day of Bread" would be an outstanding event. Beyond the simultaneous luncheons and dinners for top government officials, the program will include such elements as an annual awards program for print and broadcast media to recognize the best coverage in each medium of some phase of wheat production, flour milling and baking. Many additional imaginative details are under discussion for incorporation into the program—regular schedule of press releases, communications to church leaders and contacts with chief editorial writers.

The program is drawn from the observance of a Day of Bread in West Germany, an event started in 1953 and gaining in success as a promotion device in the intervening fifteen years. The West German innovators worked closely with Mr. Lampman in aiming for an international observance. Contacts are planned with milling and baking and wheat producer interests throughout the Western hemisphere and in Europe and Africa to stimulate their participation.

It is perhaps no more than a coincidence that the announcement of the "Day of Bread" plans came in the same week as the news that the Wheat and Wheat Foods Foundation at last has been formally structured and is moving toward seeking enabling federal legislation to provide financing. The objectives for the "Day of Bread" and for the Foundation are identical insofar as the promotional aspect is concerned. In fact, the detailed Foundation program prepared several years ago includes just such an observance as one of the approaches that could be sponsored by the new organization. Even the participants in the Foundation and the backers of "Day of Bread" are the same—wheat producers, millers and end-product manufacturers.

Once the Foundation becomes a viable organization with adequate financing, the "Day of Bread" could be simply incorporated as one of its on-going activities along with its general commitment to research, educational and promotion on behalf of wheat foods. What is needed is administration, coordination and funding for the "Day of Bread" program as if the Foundation were already in existence. Too great a reliance on voluntary activities and independent committees in the 50 states where an observance is hoped for, with neither central direction nor specified budgeting, would threaten the success of the observance. The idea of the "Day of Bread" is too valuable to leave to the change of a hoped-for "Happening." Now that the sponsoring organizations have expressed their endorsement, the program directors must be given the support necessary to carry forward on a superb promotion idea.

LEAD POISONING OF UNDER-PRIVILEGED CHILDREN

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, America and those supposedly leading this Nation are much taken these days with glamor, scandal, and mortality. Commendable goals to center significant activity upon, I am sure. Yet while they are busy attacking gains in the areas of human rights we have made in the past, perhaps they will take a moment to contemplate the fate of a growing number of children in our society, especially in the slum areas of our large cities. Many are dying of lead poisoning.

They are mainly small children who eat bits of paint and plaster that peel from walls and ceilings of dilapidated housing—of which the major metropolitan areas have a plethora. Often they eat these pieces of debris because they are simply available.

This constantly worsening situation was ignored until recently. The New York Scientists Committee for Public Information and the New York Citizen's Committee to End Lead Poisoning, among others, publicized the extent of this affliction, and the damage it could and was producing in small children. Much credit is due to my distinguished colleague from New York, Mr. WILLIAM F. RYAN, who has done pioneering work in the Congress in this area.

I am therefore pleased to join him in sponsorship of three measures aimed at making a total attack upon this horrible problem. H.R. 9191 would establish an HEW fund for local grants which would allow identification and treatment of victims.

H.R. 9192 is aimed at the problem itself—peeling interior lead-based paint in substandard housing. Under this measure, HUD could make local grants for detection of such paint, requiring

owners and landlords to remove it from interior surfaces.

H.R. 11699 would require local jurisdictions to submit for HUD approval effective plans for removing this menace before receiving Federal funds for housing rehabilitation or code enforcement.

Mr. Speaker, I believe the evil has been identified, blocked out and condemned. There is really no argument that can be mustered against these excellent measures, which, if enacted and enforced, would effectively counter and stamp out this malady. We know our duty to our own citizens. Yet it must be asked, in all seriousness, whether we shall act. Cost would not be severe; $21 million would cover complete programs for the first 3 years. We burn up that much in ammunition daily in Vietnam. We throw away that much in waste in our Military Establishment every few days, as overwhelming evidence has shown. We spend that much on subsidizing foreign dictators every month.

I fear, however, that this hope and these measures may go the route of the rat control measure of not so distant memory on this floor. These are the children in our Nation. And they are voiceless. And helpless. Who will extend a hand in compassion to them? How many votes do they have?

Mr. Speaker, this country is busily engaged in placing every major priority last, and every minor one first. Will we ignore these pleas as well? Time will tell. Conscience will remind. Justice will be demanded. The piper will call for his price for this dance, too. We shall all pay it.

A CORPORATION INVESTIGATES THE CONGRESS

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, for the second time in recent years a corporation has sought to carry out an investigation into the personal affairs of a private citizen involved with legislation affecting that industry. In this case, Gilbert S. McInerny, vice president and general counsel of the American Home Products Corp. of New York, confirmed that his corporation had ordered an investigation of a staff member of the U.S. Senate Finance Committee.

The bill involved would provide for financial assistance for drug purchases made under the Government's medicare and medicaid programs. It would promote low-cost drugs under their generic names at expense of chemically identical, higher-priced drugs sold under their trade names. This is a measure directly aimed at aiding our elderly on the skyrocketing cost of drugs, and I have sponsored exactly identical legislation in the House. It affects close to 20 million older Americans.

American Home Products is the 89th largest industrial corporation in the Nation. Its net income was 10.3 percent on 1968 sales of $1.8 billion. Prescription drugs account for 35 percent of its business. Patent medicines make up 17 percent more. Its prescription drug subsidiaries are Wyeth Laboratories, Ayerst, Fort Dodge, and Ives Laboratories. Its patent medicine divisions are Whitehall Laboratories and the O. M. Franklin Serum Co.

Mr. Speaker, the case involving Ralph Nader and General Motors was serious enough, showing how boldly a major corporation would act, disregarding civil liberties and personal privacy where an individual is concerned. This case is far worse. A major corporation dared to hire private investigators to enter the Senate itself and seek personal data on a staff member engaged in working on and drafting legislation. A congressional investigation is certainly in order.

This same measure has been submitted to this House. What was attempted upon the other body certainly can be expected here. I believe a precedent must be set and a law passed which would make it utterly prohibitive for any enterprise affected by pending legislation to contemplate and carry through such an outrage. The Congress must be sacrosanct as far as such investigations are concerned, and the time to establish this principle is immediately.

What is to prevent such an organization from perpetrating upon a Congressman or a Senator what it sought to perpetrate upon Mr. Nader and Mr. Constantine of the Senate Finance Committee staff? What they have tried once, they will attempt again. We can expect such occurrences again and again.

Mr. Speaker, I am offering a bill today in the hope that this House will recognize the necessity of serving notice upon any future offenders who are tempted to follow a similar path. The legislation introduced will establish severe penalties upon those perpetrating these acts and will serve notice upon those contemplating same.

FARM INCOME

(Mr. POAGE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. POAGE. Mr. Speaker, for years I have stressed the need for reciprocal understanding between rural and urban Congressmen regarding legislation, and to the fact that it is in the long-range interest of residents of cities that they support measures to increase farmer income.

I have urged that they encourage their Congressmen to vote for bills to increase farm income and thus assure adequate food supplies at reasonable prices.

It was most refreshing, Mr. Speaker, to find that an urban district Congressman, the Honorable DAN ROSTENKOWSKI, of Chicago, has expressed similar views in an article published in "Agri-industry News" published by the Corn Refiners Association.

With a hope that all my colleagues, especially those representing city districts, will read Mr. ROSTENKOWSKI'S statement, I insert it in the CONGRESSIONAL RECORD:

THE FARMER'S FUTURE—A GROWING CONCERN FOR CITY CONGRESSMEN

(By Representative DAN ROSTENKOWSKI)

(Editor's Note: Congressman Rostenkowski, an influential member of the Ways and Means Committee, and member of the Democratic leadership, represents a district in Chicago.)

Just 15 years ago, 165 members of the House of Representatives came from districts with 20 percent or more rural population. Today only 49 come from such districts.

In 21 states, not one district has as much as 15 percent farm population. In fact, in my home state of Illinois, the nation's leader in agricultural exports, only two of our 24 congressional districts have more than 15 percent farm population, and none has more than 25 percent.

Numerically, rural power in the House is rapidly declining. In part, this reflects simmering problems of too little income, too few jobs and ever-shrinking opportunity. Containing and curing these problems is a matter for increasing concern on the part of urban congressmen. For one reason, the deterioration of rural areas causes more congestion and further intensification of the problems besetting our great cities.

Actually, the traditional conflict and competition for funds and power between urban and rural congressmen has become a wasteful drain of energy and resources.

Today, urban and rural problems are closely related. Yet, they too seldom are treated as such, and the time has come for representatives on both sides to bend a little.

Urban congressmen need a better understanding of agricultural production adjustment programs. There should be wider appreciation for the fact that Americans eat better, and at less cost in relation to income, than any other people. In addition, urban representatives must recognize that rising food prices do not reflect a substantial rise in profits for farmers. The farmer is still getting only about three cents of the price of a loaf of bread.

In response to the American farmer's truly remarkable production record, urban congressmen must be willing to help develop and enact programs that not only insure an adequate and stable food supply, but also insure fair income for those farmers who do not now make enough.

Congressmen from predominantly rural areas must reciprocate by supporting programs that may primarily benefit urban Americans, and other programs, such as those that provide food assistance, that benefit people throughout the country.

They must recognize that with seven Americans in ten now living in the cities, there is an urgent and justifiable demand for cleaner air, clearer water and a reduction in congestion.

These objectives—like fair prices for farmers, and improved opportunity in rural America—are in the national interest, and as such cut across the now fading boundaries that have so seriously factionalized Congress in the past.

LOCATE FEDERAL BUILDINGS IN RICHMOND, CALIF.

(Mr. WALDIE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WALDIE. Mr. Speaker, the present office space situation of the Social Security Administration payment center in San Francisco is serious enough to warrant immediate consideration of consolidating the present four offices into one.

I am in complete agreement with the General Services Administration as to the physical needs of the consolidated office, and believe that a site within the Richmond Redevelopment Agency's downtown project, or a similarly situated location, would be ideally suited for the

payment center location. Situated on the bay area rapid transit route and having office space large enough to accommodate the center, the Richmond site would be convenient for presently employed workers, and would provide an excellent source of skilled and efficient workers to supplement the work force.

I should like to insert in the RECORD an editorial carried in the Independent, Richmond, Calif., on July 12, 1969, setting forth most eloquently the need for the establishment of the Social Security Administration payment office in Richmond, Calif.

"PURPLE HEART" CITY DESERVES GOVERNMENT BUILDING

The Federal Government has an opportunity today to atone for some of the injuries inflicted on the City of Richmond, injuries which earned the city the title of "The Purple Heart" city. It earned that "heart" because the Federal government dumped more than 90,000 workers here during World War II to work in the shipyards, and then left Richmond with a serious problem when the shipyard work was abruptly cancelled as the war ended.

But Richmond fought back. It built a new city hall complex. It brought in new industry. It expanded the city's boundaries. It made the police and fire departments two of the best in the nation. And it spent literally millions of dollars in services for the people.

Today Richmond, or the downtown area of the city, is being rebuilt and redevelopment has taken over block after block of land, planning for the time when new buildings to house new businesses or offices, can be constructed.

Today Richmond is one of several sites being considered by the General Services Administration for construction of a huge Social Security Administration Office for the Bay Area.

Today Richmond's site for the proposed building is one that meets the requirements of the Federal government. The area for the building, between Macdonald and Bissell avenues, and Eleventh and Fourteenth streets, meets the criterion that it be near the Rapid Transit facilities; that it provide ample parking area for 2,000 people who would be employed in the building, and that it be near services and business. The price that the Redevelopment Agency, owners of the property, is placing on the property is well within the requirements of the Federal agency, and on the whole cheaper than the other sites, particularly those in El Cerrito and Berkeley.

The requirement that private capital build the building and lease it back to the Federal government, is met with the offers of three reputable firms to do the work.

Construction of this GSA building in Richmond would be a shot in the arm for the Redevelopment program, and would go a long way toward overcoming some of the injustices which the Federal government inflicted on Richmond.

Both Congressman Jerome Waldie in Washington and Assemblyman John T. Knox in Sacramento are backing Richmond's bid for the project. They have friends in Washington to whom they can turn. But on the merits of its case, and of its record in aiding the war effort, Richmond should be selected for the building.

GUILLOTINING THE EDUCATION BUDGET

(Mr. WALDIE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WALDIE. Mr. Speaker, Claude M. Ury, one of my constituents, has called to my attention an article by Sylvia Porter that effectively points out the deficiencies of the proposed national education budget.

I include the text of this article:

YOUR MONEY: BACKWARD STEP IN EDUCATION

(By Sylvia Porter)

This coming Thursday, July 24, the House Subcommittee on Appropriations will complete a bill to provide cash for the national education budget during the 12 months ending July, 1970. In the form prepared by the Nixon Administration, this bill would startingly downgrade education to a very low place on our list of national priorities. It would erase several education advances achieved under the administrations of Eisenhower, Kennedy and Johnson. Specifically, in its Nixon Administration form, this bill would:

Slash the total U.S. Office of Education budget from $4.1 billion in fiscal '68 to $3.2 billion in fiscal '70, an incredible reduction of 25 per cent at a time when more and better education is a must;

Reduce to zero funds for school library materials under the Elementary and Secondary Education Act of 1965;

Reduce to zero matching funds for materials and equipment for elementary and secondary schools under the National Defense Education Act of 1958;

Reduce to zero funds for guidance and counseling services, also under the Defense Education Act passed during Mr. Eisenhower's administration;

Cut in half funds for college library materials under the Higher Education Act of 1965;

Cut in half matching funds for public library programs and materials under the Library Services and Construction Act of 1956, another Eisenhower education law.

In summary, it would eliminate entirely three education-library programs and emasculate another two and shrink to less than 1½ per cent of our Federal budget the total we spend for education-libraries.

The fact that this is a very real threat and may well happen is just starting to penetrate education circles; until now, U.S. educators couldn't bring themselves to believe that the Nixon Administration deliberately would adopt such policies of retreat on education in an era of explosive social unrest.

They are fighting back. A National Citizens Committee to Save Education and Library Funds (SELF) under the chairmanship of the world-respected Dr. Detlev W. Bronk, president emeritus of the Rockefeller University, is publicizing the crisis.

On July 9, 150 trustees of libraries from 33 States marched on Washington to obtain pledges of votes for restoration of the funds from 100 lawmakers.

A fight on the House floor seems a certainty.

No one denies the need for curbing Federal spending now. This is imperative to dampen inflationary psychology and control the price-wage spiral. But what is swelling the Federal budget are such items as military spending in general, the Vietnam war in particular, skyrocketing interest on the national debt. As one comparison, Texas Democratic Senator Yarborough cites the fact that we are spending $21,666 per American for ammunition to fight the Vietnam war—against 25 cents per American for libraries and teaching materials. As another, while our national education budget is threatened with mutilation to the $3 billion-a-year range, interest going to owners of the U.S. debt is soaring above an annual $17 billion.

These cutbacks would wipe out libraries in areas where the need is greatest; for instance, many bookmobiles would disappear in regions of New Mexico where the Indians and Spanish-American migrants live. Countless hundreds of thousands of children would be injured permanently; the key cause of failure in school is inability to read.

In the words of New York Republican Senator Javits, "Guillotining the education budget is not responsible fiscal belt tightening." Or even more to the point, as Yarborough asks in obvious disgust:

"What kind of priorities do we have in this country?"

THE URGENT PROBLEMS OF CBW AND THE PUBLIC'S DEBT TO CONGRESSMAN McCARTHY AND MR. SEYMOUR HERSCH

(Mr. LOWENSTEIN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. LOWENSTEIN. Mr. Speaker, during the past several months, the efforts of two valiant individuals, Congressman RICHARD MCCARTHY of Buffalo and Mr. Seymour Hersch of Washington, have brought the nightmare problems of chemical and biological warfare increasingly to the attention of the public. Our enormous debt to Congressman MCCARTHY and Mr. Hersch becomes more evident with every new disclosure of the dangers this Nation faces as a result of present CBW policies.

In March 1968, what was ultimately described by the Army as a "malfunction" during open-air testing of the lethal nerve gas VX at Utah's Dugway Proving Ground resulted in the death of more than 6,400 sheep. Only a providential change in wind conditions, followed by a heavy rain, prevented a major disaster to travelers on nearby U.S. Highway 40—remarkable luck to say the least, considering that a lethal dose of VX is one milligram, or approximately one-fiftieth of a drop.

For 14 months the Army denied that it had anything to do with what happened to the sheep. Maybe it even believed its own denials, for it appears not to have been daunted in the least by what almost happened to everyone in the neighborhood, and what did in fact happen to the sheep. In fact, it was afte. Dugway that the Army prepared to transport by rail some 20,000 tons of the deadly nerve gas GB, as well as other lethal and nea:-lethal agents, from Rocky Mountain Arsenal in Colorado to Earle, N.J. Thanks largely to the efforts of Congressman MCCARTHY, enough public opposition to this strange procedure was generated to force reconsideration and a search for alternative methods of disposal.

Meanwhile, other perturbing facts about the CBW operation have been coming to our attention. We have learned that a well for the disposal of poisonous wastes was drilled 2½ miles deep into the Rocky Mountain Arsenal. In the 5 years that followed, some 1,500 earthquakes shook an area that before that time had not had a quake since 1882. One effect of a major quake might of course be to turn loose the massive supplies of nerve gas stored at the arsenal. Is there a connection between the well and the quakes? The Army thinks not. The people living nearby are not so sure.

Next Congressman MCCARTHY reported evidence that we are testing many biolog-

ical agents on Eniwetok atoll in the Marshall Islands. Perhaps the tests are considered too dangerous to be conducted nearer home. It also develops that we have been shipping nerve gas to West Germany in small amounts for years, apparently without worrying about the 1954 West European protocol, which stipulates that West Germany can only receive NATO-approved CBW materials, and which prohibits the manufacture or stockpiling of these weapons.

One of the more unsettling disclosures is the news that certain chemicals, including nerve gas, have been tested extensively in open air at the Edgewood Arsenal in Maryland and at Fort McClellan in Alabama. After the Dugway disaster, which killed thousands of sheep more than 47 miles from the presumed test area, the testing of these agents at a location only 12 miles from Baltimore seems difficult to understand.

A few years ago there seemed slight signs of hope in this generally bleak picture. Edgewood Arsenal and Fort McClellan agreed to stop open-air tests of nerve gas pending a scientific study. President Nixon ordered a full-scale review of the CBW program, and stated that "the specter of chemical and biological warfare arouses horror and revulsion around the world." Seventy-six of us in this House joined in a resolution urging President Nixon to resubmit the Geneva Protocol of 1925 to Congress—a protocol that calls for the no-first-use of "asphyxiating, poisonous or other gases, and of bacteriological methods of warfare," and that could represent the first meaningful step toward effective control and disarmament in this complex and urgent field of weaponry.

Now these signs of hope fade in the glare of more recent events. As a result of what the Pentagon calls a "mishap," 24 Americans were injured by the lethal nerve gas GB, which, it turns out, was being stored at Okinawa. One wonders now if only "mishaps" and "malfunctions" will bring word to the American people about what gases are stored where, and for what purposes. One wonders also if we really best guard ourselves against hypothetical Russian attacks by subjecting ourselves to an endless series of Dugways and Okinawas.

Has the Army decreed that "malfunctions" and "mishaps" will be no more, and that when they occur against regulations, winds will only blow in providential directions? Are we to go on imperiling everyone in Baltimore, Denver, and heaven knows where else on the theory that they will not mind perishing if something goes wrong just so it is not the Russians who are to blame? Is there no urgency to seeking international agreements to control weapons that are in some ways more dangerous even than thermo-nuclear bombs? Are we mad?

So our special admiration and gratitude go to Congressman McCarthy and Mr. Hersch, whose remarkable book, "Biological and Chemical Warfare: America's Hidden Arsenal" deserves the attention of thoughtful Americans.

I include at this point in the Record an editorial from the New York Times:

THE LUNACY OF GERM WARFARE

Dean Swift himself could not do justice to a world which over the centuries and with great skill has eliminated disease one by one for the sake of humanity, and then systematically bred the germs of those diseases as a possible weapon of war. Yet all the major countries, even those that have the nuclear power to wipe out the earth's population several times over, persist in the solemn lunacy of stockpiling lethal bacteria and poisonous gases in the name of national defense.

Fortunately a few rays of good sense have been penetrating this Kafka-like realm, and it is at least possible that the world may be spared further hazardous progress along a particularly gruesome road. Among the hopeful signs, the first in recent weeks was the vigorous campaign against the chemical and biological warfare program of the Defense Department by Representative Richard D. McCarthy of Buffalo. It was Mr. McCarthy who induced a rare briefing of Congressmen on the subject by hitherto reticent officers of the Pentagon. And it was the same Congressman who almost singlehandedly prevented the crosscountry shipment of several hundred freight cars filled with obsolete but deadly gas bombs the Army irresponsibly planned to dump in the Atlantic.

Entering into the questioning spirit, the Senate Armed Services Committee has just voted to cut out of the defense budget all funds for researching offensive measures in the field of chemical-biological warfare. President Nixon himself has shown a marked interest in moves to reduce this whole category of armaments. He has ordered a full-scale review of the program and pledged to the opening session of the Geneva Disarmament Conference that the United States would seek "reliable arms control" for this potential type of warfare, which "arouses horror and revulsion throughout the world."

Perhaps even more significant, the United Nations has just issued a report that should be required reading for responsible government officials around the globe. It documents not only the frightful dangers of chemical and biological warfare but the folly of their contemplated use as well as their total unpredictability, their possible destruction of the environment even where they do not immediately wipe out a whole population, including those who initiate their use; and the easy and frightening proliferation of such weapons among nations that cannot afford nuclear armaments.

In transmitting the work of the fourteen distinguished scientists who drew up the U.N. report, Secretary General U Thant has appealed to all states to accept the Geneva Protocol of 1925, renouncing the use of chemical and biological agents—a declaration ratified by sixty nations but not by the United States—and to eliminate such agents as quickly as possible from their arsenals.

If these steps are taken, such is the irony of the situation, the world would breathe more easily at having to ward off only the threat of nuclear destruction.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Broomfield (at the request of Mr. Gerald R. Ford), for the balance of week, on account of death of personal aide.

Mr. Gray (at the request of Mr. Albert), for today, on account of attendance at a funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Sisk, for 1 hour, on Monday, August 4, 1969, to revise and extend his remarks and include extraneous matter.

Mr. Ashbrook, for 15 minutes, today, to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Whalen), to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. Bray, for 10 minutes, today.

Mr. Edwards of Alabama, for 15 minutes, today.

Mr. Biester, for 1 hour, on Monday, August 4.

(The following Members (at the request of Mr. Mikva), to revise and extend their remarks and include extraneous matter:)

Mr. Flood, for 15 minutes, today.

Mr. Tunney, for 30 minutes, on July 31.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Broyhill of Virginia prior to vote on the Joelson amendment.

Mr. Gross to revise and extend his remarks during colloquy on the bill H.R. 13080.

Mr. Hanley and to include extraneous matter during remarks in the Committee on the Whole.

Mr. Eckhardt to revise and extend remarks and include extraneous matter immediately after statement of Mr. Pucinski on Carey amendment.

Mr. Cohelan to include extraneous matter and tables immediately following his remarks in Committee of the Whole.

Mr. Bell of California to include extraneous matter with remarks he made in Committee of the Whole.

Mr. Steiger of Wisconsin to extend his remarks during consideration of Teacher Corps paragraph on page 27 of H.R. 13111.

(The following Members (at the request of Mr. Whalen), to include extraneous matter:)

Mr. Pettis.
Mrs. Heckler of Massachusetts.
Mr. Esch.
Mr. Watson.
Mr. Wyman in two instances.
Mr. Wyatt.
Mr. Eshleman.
Mr. Kleppe.
Mr. Foreman in two instances.
Mr. Miller of Ohio.
Mr. Hastings.
Mr. Keith.
Mr. Shriver in two instances.
Mr. McClure.
Mr. Ashbrook.
Mr. Derwinski.
Mr. Wold.
Mr. Dickinson.
Mr. Frelinghuysen.

Mr. SCHWENGEL.
Mr. FREY.
Mr. SCOTT.
Mr. BUSH.
Mr. SNYDER in two instances.
Mr. CHAMBERLAIN in two instances.
(The following Members (at the request of Mr. MIKVA) and to include extraneous matter:)
Mr. LONG of Maryland in three instances.
Mr. RODINO in three instances.
Mr. MONTGOMERY in two instances.
Mr. HANNA.
Mr. CHARLES H. WILSON in two instances.
Mr. STUCKEY in two instances.
Mr. MCCARTHY in three instances.
Mr. DINGELL in three instances.
Mr. RARICK in three instances.
Mr. PICKLE in three instances.
Mr. HATHAWAY.
Mr. DE LA GARZA in three instances.
Mr. ANDERSON of California.
Mr. ROYBAL in six instances.
Mr. HAMILTON.
Mr. LOWENSTEIN in three instances.
Mr. PURCELL.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 59. An act to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within the Army National Guard Facility, Ethan Allen, and the United States Army Materiel Command Firing Range, Underhill, Vermont; to the Committee on Armed Services.

ADJOURNMENT

Mr. MIKVA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 41 minutes p.m.) the House adjourned until tomorrow, Thursday, July 31, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1003. A letter from the Director, Selective Service System, trasmitting the third semiannual report of the Selective Service System, pursuant to the provisions of section 10(g) of the Military Selective Service Act of 1967; to the Committee on Armed Services.

1004. A letter from the Comptroller General of the United States, transmitting a report on the need for improvement in the receipt and storage of military supplies and equipment, Department of Defense; to the Committee on Government Operations.

1005. A letter from the Acting Archivist of the United States, transmitting a report on records proposed for disposal under the law; to the Committee on House Administration.

1006. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to provide additional revenues for the highway trust fund, and for other purposes; to the Committee on Ways and Means.

1007. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to provide for the imposition of waterway user charges, and for other purposes; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WILSON of California: Committee on Post Office and Civil Service. H.R. 12884. A bill to amend title 13, United States Code, to assure confidentiality of information furnished in response to questionnaires, inquiries, and other requests of the Bureau of the Census, and for other purposes (Rept. No. 91–407). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. S. 85. An act for the relief of Dr. Jagir Singh Randhawa (Rept. No. 91–401). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 348. An act for the relief of Chenghuai Li (Rept. No. 91–402). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 564. An act for the relief of Mrs. Irene G. Queja (Rept. No. 91–403). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. Senate Concurrent Resolution 33. Concurrent resolution favoring the suspension of deportation of certain aliens; with amendment (Rept. No. 91–404). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 1695. A bill for the relief of Alfredo Caprara (Rept. No. 91–405). Referred to the Committee of the Whole House.

Mr. EILBERG: Committee on the Judiciary. H.R. 2817. A bill for the relief of Delilah Aurora Gamatero, with amendment (Rept. No. 91–406). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CORMAN:

H.R. 13188. A bill to amend section 1331(c) of title 10, United States Code, to authorize the granting of retired pay to persons otherwise qualified who were Reserves before August 16, 1945, and who served on active duty during the so-called Berlin crisis; to the Committee on Armed Services.

By Mr. DE LA GARZA:

H.R. 13189. A bill to provide that certain aircraft may travel between the United States and Canada and between the United States and Mexico without requiring the owners or operators thereof to reimburse the United States for extra compensation paid customs officers and employees and immigration officers and employees; to the Committee on Ways and Means.

By Mr. ERLENBORN:

H.R. 13190. A bill to authorize appropriations to be used for the elimination of certain rail-highway grade crossings in the State of Illinois; to the Committee on Public Works.

By Mr. FINDLEY:

H.R. 13191. A bill to authorize appropriations to be used for the elimination of certain rail-highway grade crossings in the State of Illinos; to the Committee on Public Works.

By Mr. FULTON of Pennsylvania:

H.R. 13192. A bill to amend the Internal Revenue Code of 1954 to encourage higher education, and particularly the private funding thereof, by authorizing a deduction from gross income of reasonable amounts contributed to a qualified higher education fund established by the taxpayer for the purpose of funding the higher education of his dependents; to the Committee on Ways and Means.

By Mr. GOODLING (for himself and Mr. MILLER of Ohio) (by request):

H.R. 13193. A bill to amend the Agricultural Adjustment Act of 1933, as amended, and reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, to provide for payment by handler assessments of the administrative costs of the Department of Agriculture; to the Committee on Agriculture.

By Mrs. GREEN of Oregon (for herself and Mr. QUIE):

H.R. 13194. A bill to amend the Higher Education Act of 1965 to authorize Federal incentive payments to lenders with respect to insured student loans when necessary, in the light of economic conditions, in order to assure that students will have reasonable access to such loans for financing their education; to the Committee on Education and Labor.

By Mr. HASTINGS (for himself, Mr. ADAMS, Mr. ADDABBO, Mr. BEALL of Maryland, Mr. BRAY, Mr. BRINKLEY, Mr. BROYHILL of North Carolina, Mr. BURKE of Florida, Mr. CLARK, Mr. CUNNINGHAM, Mr. DENT, Mr. GRIFFIN, Mr. KING, Mr. MOORHEAD, Mr. POWELL, Mr. QUILLEN, Mr. WEICKER, Mr. WYMAN, Mr. BIESTER, Mr. DERWINSKI, Mr. KUYKENDALL, Mr. LUKENS, Mr. MCDADE, Mr. MCMILLAN, and Mr. MARSH):

H.R. 13195. A bill to amend title 10 of the United States Code to require that U.S. flags be presented to parents of deceased servicemen; to the Committee on Armed Services.

By Mr. HASTINGS (for himself, Mr. SIKES, Mr. WILLIAMS, Mr. ZWACH, Mr. MCCLURE, Mr. ANDERSON of Illinois, Mr. BURTON of California, Mr. CLEVELAND, Mr. FISH, Mr. HALPERN, Mr. HAYS, Mr. POLLOCK, Mr. RYAN, Mr. SAYLOR, Mr. SEBELIUS, Mr. WOLD, Mr. WYLIE, Mr. FULTON of Pennsylvania, Mr. FRIEDEL, Mr. PETTIS, Mr. GIBBONS, Mr. BROWN of California, Mr. ROGERS of Florida, Mr. RUPPE, and Mr. CARTER):

H.R. 13196. A bill to amend title 10 of the United States Code to require that U.S. flags be presented to parents of deceased servicemen; to the Committee on Armed Services.

By Mr. HASTINGS (for himself, Mr. CORMAN, Mr. WHITEHURST, Mr. TAFT, Mr. GAYDOS, Mr. HOWARD, Mr. FREY, Mr. FLOWERS, Mr. BUCHANAN, and Mr. TIERNAN):

H.R. 13197. A bill to amend title 10 of the United States Code to require that U.S. flags be presented to parents of deceased servicemen; to the Committee on Armed Services.

By Mr. KOCH (for himself, Mr. BROWN of California, Mr. LEGGETT, Mr. MAILLIARD, Mr. MESKILL, Mr. MILLER of California, Mrs. MINK, Mr. PHILBIN, Mr. ROONEY of Pennsylvania, Mr. SANDMAN, and Mr. WILLIAMS):

H.R. 13198. A bill to establish an urban mass transportation trust fund, and for other purposes; to the Committee on Banking and Currency.

By Mr. KYROS:

H.R. 13199. A bill to implement the Federal employee pay comparability system, to establish a Federal Employee Salary Commission and a Board of Arbitration, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. LOWENSTEIN (for himself and Mr. ADDABBO):

H.R. 13200. A bill to prohibit commercial flights over land areas of the United States until the problem of sonic boom has been solved and its effects controlled; to the Committee on Interstate and Foreign Commerce.

By Mr. MOLLOHAN:

H.R. 13201. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. MOSHER:

H.R. 13202. A bill to amend the act of August 13, 1946, relating to Federal participation in the cost of protecting the shores of the United States, its territories, and possessions, to include privately owned property; to the Committee on Public Works.

By Mr. PHILBIN:

H.R. 13203. A bill to establish an urban mass transportation trust fund, and for other purposes; to the Committee on Banking and Currency.

By Mr. PODELL:

H.R. 13204. A bill to amend title 18 of the United States Code in order to prohibit personal investigations by private organizations of congressional employees engaged in the development of legislation affecting the interests of such organizations; to the Committee on the Judiciary.

By Mr. RIEGLE:

H.R. 13205. A bill to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STUCKEY:

H.R. 13206. A bill to provide incentives for the establishment of new or expanded job-producing industrial and commercial establishments in rural areas; to the Committee on Ways and Means.

By Mr. WATKINS:

H.R. 13207. A bill to permit the sale of certain low-rent housing to the Borough of Upland, Pa.; to the Committee on Banking and Currency.

By Mr. WHALEN:

H.R. 13208. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $800 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. BINGHAM:

H.R. 13209. A bill to incorporate the Association of American Law Schools; to the Committee on the Judiciary.

By Mr. BUTTON:

H.R. 13210. A bill to amend the Communications Act of 1934 to prohibit the granting of authority by the Federal Communications Commission for the broadcast of pay television programs; to the Committee on Interstate and Foreign Commerce.

H.R. 13211. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 13212. A bill granting the consent of Congress to the Connecticut-New York railroad passenger transportation compact; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 13213. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the U.S. Government except in conformity with the provisions of title 18; to the Committee on the Judiciary.

By Mr. McCLURE (for himself, Mr. ANDERSON of Illinois, Mr. BUTTON, Mr. DENT, Mr. FISHER, Mr. FULTON of Pennsylvania, Mr. LATTA, Mr. MEEDS, Mr. MELCHER, Mr. MINSHALL, Mr. MURPHY of New York, Mr. PEPPER, and Mr. SHRIVER):

H.R. 13214. A bill to authorize the minting of clad silver dollars bearing the likeness of the late Dwight David Eisenhower; to the Committee on Banking and Currency.

By Mr. MESKILL (for himself, Mr. WEICKER, Mr. MONAGAN, Mr. ST. ONGE, Mr. GIAIMO, and Mr. DADDARIO):

H.R. 13215. A bill granting the consent of Congress to the Connecticut-New York railroad passenger transportation compact; to the Committee on the Judiciary.

By Mr. YATRON:

H.R. 13216. A bill to amend the Internal Revenue Code of 1954 to double the amount of the basic personal income tax exemption allowed a taxpayer; to the Committee on Ways and Means.

By Mrs. DWYER (for herself and Mr. FOUNTAIN):

H.R. 13217. A bill to provide for the balanced urban development and growth of the United States; to the Committee on Government Operations.

By Mr. CRAMER:

H.J. Res. 849. Joint resolution to redesignate the area in the State of Florida known as Cape Kennedy as "Cape Canaveral"; to the Committee on Science and Astronautics.

By Mr. HARVEY:

H.J. Res. 850. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PURCELL (for himself, Mr. HULL, Mr. MATSUNAGA, Mr. CABELL, Mr. RARICK, Mr. HANLEY, Mr. STEED, Mr. FOLEY, and Mr. EVANS of Colorado):

H.J. Res. 851. Joint resolution requesting the President of the United States to issue a proclamation calling for a "Day of Bread" and "Harvest Festival"; to the Committee on the Judiciary.

By Mr. WATSON:

H.J. Res. 852. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. DENT:

H. Con. Res. 309. Concurrent resolution, second listing of operating Federal assistance programs compiled during the Roth study; to the Committee on House Administration.

By Mr. FINDLEY (for himself, Mr. FULTON of Pennsylvania, Mr. McCLOSKEY, and Mr. SANDMAN):

H. Con. Res. 310. Concurrent resolution relating to an Atlantic Union delegation; to the Committee on Foreign Affairs.

By Mr. WOLFF:

H. Res. 504. Resolution urging the President to resubmit to the Senate for ratification the Geneva Protocol of 1925 banning the first use of gas and bacteriological warfare; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

247. The SPEAKER presented a memorial of the Legislature of the State of Florida, relative to the redesignation of Cape Kennedy as "Cape Canaveral," which was referred to the Committee on Science and Astronautics.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. PHILBIN:

H.R. 13218. A bill for the relief of Mr. and Mrs. Joseph E. Begnoche; to the Committee on the Judiciary.

By Mr. HASTINGS:

H.R. 13219. A bill for the relief of Frank E. Dart; to the Committee on the Judiciary.

By Mr. RODINO (by request):

H. Res. 505. Resolution referring H.R. 13148 to the Chief Commissioner of the Court of Claims; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

198. The SPEAKER presented a petition of the City Council, Boston, Mass.; relative to pollution in Boston Harbor, which was referred to the Committee on Public Works.

EXTENSIONS OF REMARKS

REFUTATION OF THE 1966 FDA DRUG POTENCY STUDY

HON. ROBERT DOLE

OF KANSAS

IN THE SENATE OF THE UNITED STATES

Wednesday, July 30, 1969

Mr. DOLE. Mr. President, since 1966, a much publicized pilot potency drug study conducted by the Federal Food and Drug Administration has been disputed by the pharmaceutical industry. The essence of the conclusion reached by the FDA in that study is "that one out of every 14 drug units manufactured—in the United States—is violative just from potency alone." From 1966 to the present, FDA representatives have repeatedly in press releases, statements before congressional committees, and speeches affirmed their support of the 1966 study. Supportive discussion or comment about the study has also appeared in printed congressional hearings and the CONGRESSIONAL RECORD.

The industry, I am informed, has sought to obtain for its rebuttal of the FDA study reasonable coverage in congressional publications so that the public, and scientific researchers may judge between the facts as presented by the FDA and the industry and reach their own conclusions as to the validity of the position of either.

Mr. President, I take no position in this matter at this time. I am a newly elected Member of the Senate and newly appointed to the Small Business Committee and to its Subcommittee on Monopoly. Before this subcommittee there have been numerous discussions about the validity of the FDA's pilot potency study. I have not had an opportunity to study fully the comparative positions of industry and the FDA on this matter. I do, however, intend to do so, but believe that in the interest of equity and fair play, industry is entitled to have its position made as fully known as possible.

I ask unanimous consent to have printed in the Extensions of Remarks in-

dustry's refutation of the 1966 FDA Drug Potency Study.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY C. JOSEPH STETLER, PRESIDENT, PHARMACEUTICAL MANUFACTURERS ASSOCIATION

Because of FDA's failure to provide meaningful information about its "pilot survey" on drug potency released on January 31, it is impossible to determine its validity or to judge whether it can be used by quality-minded manufacturers to help improve their products.

Certainly it is clear that on the basis of the published information, no valid conclusion can possibly be drawn with respect to relative performance by individual firms or by branded or unbranded drug products. However, the impression created by the study and FDA's release does violence to the proven fact that prescribing without identification of a specific product of a reliable manufacturer is not in the best interest of the patient.

Commissioner Goddard first revealed the same statistics published this week in a speech last June 8 to the Drug and Allied Products Guild. At that time he stated that "We have to conclude that one out of every fourteen drug units manufactured is violative just on potency alone."

In response to this, PMA made the first of a series of requests for further information. On August 22 we asked for "details concerning these generalizations to determine what corrective action, if any, is indicated."

On August 25 we inquired again, asking, among other things, whether there was any difference in evaluation of samples of products of manufacturers with in-house quality control and research facilities, and those without. These letters were acknowledged September 1 by Deputy Commissioner Rankin, who wrote, "We . . . will be in touch with you later."

On October 15 Mr. Rankin repeated the statistics in an address to the American College of Apothecaries which was inserted into the Congressional Record by Senator Hart of Michigan. On October 27, therefore, we wrote once again to the Commissioner, asking for data to back up the repeatedly publicized statistics. We said:

"We believe it is most important to obtain meaningful information on the performance of drug manufacturers of various kinds, so that mutual efforts can be put forth by the industry and the FDA to raise the level of quality of the drug supply as high as possible."

On December 1, we again wrote to the Commissioner, trying futilely to impress him that, as we said, we were "most anxious to submit the (missing) data to careful analysis and at the earliest possible moment because of the serious nature of the conclusions which have been reached by the FDA . . ."

In this letter we asked about:

"1. The nature of the sampling technique or design.

"2. The source of the sample, i.e., retail pharmacy, hospital pharmacy, wholesaler, manufacturer's distribution point or warehouse, reserve samples, etc.

"3. The lot or control numbers of the products found to be subpotent.

"4. In the case of nonofficial assays, the method of analysis used.

"5. The limits of potency of non-U.S.P. or N.F. drugs."

On the evening of January 30 we learned unofficially that FDA had reissued the news published last June 8, for use in the newspaper January 31. On February 1 we received a brief letter transmitting a list of the products which FDA examined last spring, but failing to answer the questions presented in our four previous letters.

Based on the limited information which FDA has made available, we are requesting our member firms to attempt to identify the lots of their products which may have been involved in the survey, and to make whatever follow-up tests they can on similar samples. And we are asking FDA once again to provide useful data to us about this survey for the very valid reasons stated so often in the past.

PHARMACEUTICAL MANUFACTURERS ASSOCIATION NEWS RELEASE

WASHINGTON, D.C., May 11, 1967.—Charging "gross inaccuracies" in a much-publicized Food and Drug Administration survey of prescription drug potency, C. Joseph Stetler, president of the Pharmaceutical Manufacturers Association, today demanded that the agency "repudiate the survey outright."

Stetler said that "not only the public, but at least four U.S. Senators, several newspapers and the author of a new book about drugs have been misled by the faulty study."

At issue is a survey announced last June 8 by the Commissioner of Food and Drugs. At that time the Commissioner said that his agency had "collected almost 4,200 drug samples" and that "7.6 percent of them deviated to a material extent from declared potency . . . On the average, then, we have to conclude that one out of every 14 drug units manufactured is violative just on potency alone."

Stetler said 49 of PMA's 138 member firms were involved in the FDA's allegations. He said that 40 of them, who responded to an association survey, analysed their allegedly violative products, finding that only one percent deviated from acceptable potency limits. In a number of instances, Stetler added, the company findings have been confirmed by independent laboratories.

He said four PMA member companies have received letters from FDA in which the agency admitted it was wrong in charging violations concerning their products.

"Public charges followed months later by private apologies scarcely seem appropriate or sufficient. FDA should repudiate the survey outright or conduct an accurate analysis of the samples in question," he declared.

Stetler distributed excerpts from FDA statements concerning the survey, along with copies of five letters PMA directed to the agency between August, 1966, and May, 1967, requesting details of the survey and expressing the hope "that mutual efforts can be put forth by the industry and the Food and Drug Administration to raise the level of quality of the drug supply as high as possible."

"We might expect," said Stetler, "that FDA would at the very least have notified the manufacturers of allegedly deficient drug products so that corrective action could be taken. Yet this was not generally done.

"We might also expect that the laboratory work in support of FDA's very grave conclusions would be accurate. Yet gross inaccuracies by FDA are revealed in the subsequent reanalyses by the companies themselves. FDA's work has been found incorrect—and the product potencies found to be within allowable limits—in at least 80 of 94 violations alleged against 40 of our members.

The industry spokesman said he wished to make clear the drug companies' view that no quantity of subpotent drug products, no matter how small, should be on the market. "This point was made clearly in our correspondence with FDA ever since last summer," he said.

"FDA's failure promptly to notify the companies involved indicates the survey has been utilized as a vehicle for an unwarranted attack on the prescription drug industry, rather than as a basis for working with producers to correct possible deficiencies. As such, it has offended rather than served the public interest," he declared.

"Once before, in connection with alleged drug advertising violations, an investigation by our association proved that FDA was unfairly indicting the pharmaceutical industry. At that time I raised a question which is worth repeating now:

" 'Isn't it fair to require that an agency which demands the truth deliver the truth?'

"Among others," Stetler said, "who were misled by FDA's drug potency statistics were Senators Hart, Montoya, Nelson and Russell Long, all of whom have referred to it from time to time in connection with pending legislative proposals or hearings."

Extracts from the statements and publications accompanied the PMA statement.

MARCH 1969.

SUMMARY OF FDA DISCLOSURES

Products of 246 manufacturers were involved in the 1966 FDA survey. Of these, 84 are PMA members. Of the 84, 49 were found to have one or more violative products. (PMA had 138 members in 1966).

FDA reported on tests of 4,573 products. Of these, 1,933 were products of PMA members. Of the 1,933, 119 were found by FDA to be violative.

Overall, 8.2 percent of the products in the survey were reported to be violative.

For the PMA member products, the comparable percentage was 6.1.

SUMMARY OF PMA INVESTIGATION

(Please see attached questionnaire)

Responses to Question No. 12 are the most significant.

Forty-two firms, with 1,382 products in the survey, have undertaken internal reanalyses of their 102 products alleged to be violative. Results from 42 firms show that only 18 of these products were deficient, and that 84 were not.

Seven firms, with 231 products in the survey, have not reported undertaking reanalyses of their 17 products alleged to be violative.

Ten firms so far have reported that their in-house reanalyses were repeated by outside, independent laboratories. Results so far show that of 25 allegedly violative products among these ten firms, 19 have been found not violative, four were confirmed to be violative, and reports were not submitted on two.

Thus, careful reanalyses of the porducts of 42 PMA member firms, alleged to be violative, show that only one percent did not meet standard potency limits.

Responses to Questions No. 2 and No. 3 are also highly significant.

Only six firms have reported being notified by FDA of alleged violations involving their products in the seven months following completion of the survey in June, 1966. Thirteen companies were suddenly notified in January, 1967, just a few days prior to public release by FDA of the more detailed survey results on January 31.

Responses to other questions reveal that FDA failed to advise 36 firms of the sources of the samples found to be violative. This is important, because it did not afford the firms an opportunity to check whether, for example, unusual storage conditions may have accounted for the potency violations alleged. Similarly, 36 firms were not told when the samples were obtained.

Twenty-three firms state that they have reason to believe there were more samples of their products obtained by FDA during the survey than were accounted for by FDA as either acceptable or violative when the re-

sults were finally published. For example, one company received a report on 79 samples (including four alleged violations found baseless on reanalyses), and has had no information on 36 additional samples obtained from the company by FDA at the same time.

THE 1966 FDA SURVEY OF DRUG POTENCY

QUESTIONNAIRE

(NOTE.—This is a copy of a questionnaire sent Feb. 10, 1967, by PMA to the presidents of 49 of its member firms alleged by FDA to have one or more violative products on the market. Replies for each question, supplemented with later information received from the firms, are shown.)

To be answered as completely as possible and returned to P.M.A. no later than Friday, February 24, 1967. Address replies to C. Joseph Stetler. Use additional sheets, if necessary.

1. Did your firm receive any information from the F.D.A. or from an F.D.A. inspector that samples of your products cited in the enclosed list (acceptable or violative) were to be the subject of this study?

Yes	8
No	36

2. Did your firm receive any private communication from the F.D.A. or from an F.D.A. inspector concerning the results of their analysis of your products (acceptable or violative)?

Yes:	
Acceptable	1
Violative	22
No:	
Acceptable	33
Violative	20

3. When was your firm advised of either (1) or (2) above?

(1) Date[1]: Apr. 1966—7; Aug. 1966—1.

(2) Date[1]: July 1966—1; Aug. 1966—1; Sept. 1966—1; Oct. 1966—1; Nov. 1966—1; Dec. 1966—1; Jan. 1967—13; Feb. 1967—1; no date submitted—2.

4. Does your firm have any reason to believe that a larger sample of your product(s) than is cited in the attached list was obtained by F.D.A. for purposes of the study? If your answer is yes, list the product(s) and number of excess samples (by lot or control number, if possible) on a separate sheet. You may wish to use a composite sheet for answers to questions 4, 5, 6, 7, 8, 9, 10, 11.

Yes	23
No	20

5. Did F.D.A. indicate to your firm the source(s) of it sample(s) of your product(s) (acceptable or violative)? If your answer is yes, list the product(s) and their source(s) on a separate sheet.

Yes	8
No	36

6. Did F.D.A. indicate *when* the sample(s) of your product(s) were picked up? If your answer is yes, indicate the date(s) on a product-by-product basis on a separate sheet.

Yes	8
No	36

7. Is your firm able to identify either the source(s) of the sample(s) of your product(s) or the date(s) of sampling? If your answer is yes, indicate source(s) and date(s) on a product-by-product basis on a separate sheet. Do not include information on source(s) or date(s) provided by F.D.A.

Yes	18
No	24

8. Did F.D.A. specifically identify the lot or control number(s) of your product(s) (acceptable or violative)? If your answer is yes, indicate the lot or control number(s) on a product-by-product basis on a separate sheet.

Yes	39
No	7

9. Is your firm able to identify the lot or control number(s) of your product(s) (acceptable or violative) cited in the attached list? If so, please identify by lot or control number on a product-by-product basis on a separate sheet.

10. Please list your products in the attached list which *have not* been identified by lot or control number by either F.D.A. or your firm. Use separate sheet.

11. Does your firm have any reason to question the validity of F.D.A. methods or the statistical analysis of the results as the latter is related to sampling error or limits of variation? If your answer is yes, please qualify.

Yes	36
No	5

12. Has your firm undertaken an analysis of the product(s) (acceptable or violative) cited in the attached list which you have been able to positively identify? If so, indicate results in terms of percent active ingredient as related to potency declaration in labeling or U.S.P. and N.F. standards on a product-by-product basis on a separate sheet.

Yes	42
No	3

13. Does your firm plan to, or will you be willing to, undertake such an analysis of the product(s) which can be positively identified?

Yes	38
No	2

(NOTE: These two firms had done so prior to receipt of the questionnaire.)

14. Has F.D.A. initiated any action or follow-up on the violative products of your firm?

Additional samples:	
Yes	20
No	19
Re-inspection of plant:	
Yes	12
No	24
Recall:	
Yes	2
No	32
Seizure:	
Yes	1
No	32
Citation:	
Yes	1
No	32
Other:	
Yes	4
No	26

15. Please add any additional comment, suggestion, or explanation which will assist us in the conduct of the project.

Company _____

Signed _____

[1] Violative only.

THE 1966 F.D.A. DRUG POTENCY—COMPARATIVE ANALYSIS

I.

	FDA results	PMA results[1]
1. Number of PMA firms in study	84	84
2. Number of firms with violations	49	13/42
3. Number of violative products	119	18/102
4. Percent of firms in study with violative products	58.3	15.4
5. Percent of violative products (brand and generic)	6	1
6. Percent of brand violations	[2] 8.2	1
7. Percent of generic violations	[2] 7.7	1

[1] Does not include firms or products listed in IV.
[2] PMA and non-PMA firm aggregate percentages.

II.

	PMA	Non-PMA
1. Number of firms in study	84	162
2. Number of products in study	1,933	2,640
3. Number of firms with alleged violations	49	78
4. Number of alleged violative samples	119	257
5. Number of alleged brand violations	94	82
6. Number of alleged generic violations	25	175

III.

1. Number of PMA firms which reanalyzed samples	42
2. Number of products reanalyzed	102
3. Number of firms with violations	13
4. Number of products found OK on reanalysis	84
5. Number of brand products OK on reanalysis	71
6. Number of generic products OK on reanalysis	13
7. Number of actual violations	18

IV.

1. Number of PMA firms which did not reanalyze	7
2. Number of products not reanalyzed	17

V. LETTERS

Addressee	Date	Reply	By whom
1. Goddard	Aug. 22, 1966	Sept. 1, 1966	Rankin.
2. Delmore	Aug. 25, 1966	Aug. 31, 1966	Delmore.
3. Goddard	Oct. 27, 1966		
4. Goddard	Dec. 1, 1966	Feb. 1, 1967	Goddard.
5. Goddard	Feb. 24, 1967	Mar. 15, 1967	Do.
6. Goddard	May 4, 1967		
7. Goddard	June 1, 1967	June 6, 1967	Goddard.
8. Gardner	June 12, 1967	June 27, 1967	Do.
9. Cohen	Aug. 28, 1967	Sept. 7, 1967	Coston.

THE LINCOLN-DICKEY POWER PROJECT

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. HATHAWAY. Mr. Speaker, I want to commend the gentleman from Connecticut (Mr. MESKILL) for the deep interest in education he expressed in his remarks last Thursday. However, I am very much concerned about his unwarranted attack on the Dickey-Lincoln School hydroelectric project which will be located in my district in Maine.

For the past 5 years this project has been singled out of a multi-billion-dollar public works budget and has been the subject of vicious and unfounded attacks.

The project has always enjoyed bipartisan support in the State of Maine, the other body approved the initial authorization and all subsequent appropriations without dissent and the project has had the support of both parties in the White House. Dickey was developed as a result of a study of Maine's water power potential. This study was first authorized by President Eisenhower. President Kennedy continued the study of Maine's water resources, and President Johnson requested the authorization and the initial funds to get the Dickey-Lincoln School project started. President Nixon has since included an item of $807,000 in his budget for this project.

The authorization for the project was approved by the House in 1965. The first appropriation for the project was also made that year by a record vote in the House. This appropriation was in the amount of $800,000. A subsequent appropriation in the amount of $1,100,000 was approved the following year by a voice

vote. Dickey survived the continuing appropriation in 1967, but subsequent appropriations have been defeated.

The basis for the opposition to further funding has been variously disguised. But the real basis for opposition is the private power interests. There are 175 federally financed power projects throughout the United States. Not one of these is east of the Mississippi or north of the Mason-Dixon Line. Private power interests fought against the funding of the other projects and undoubtedly will continue to fight this one and will fight it especially hard because Northeastern United States is the last bailiwick of exclusive private power control.

Some exponents of the private power block have opposed the project as an economy measure, others have stated that private power can do the job cheaper and still others in apparent desperation have resorted, as the gentleman from Connecticut has done, to disparaging the project by calling it a "boondoggle."

The project has a benefit-to-cost ratio of 2 to 1 which is better than most projects that will be in the Public Works Appropriations bill this year and better than 75 percent of all of the federally financed power projects in the United States. Surely the gentleman from Connecticut cannot be serious in referring to the Dickey project as a "boondoggle" when it will return $2 for every tax dollar invested.

In addition to bringing low rate power to New England which suffers from paying the highest power rates in the country, the Dickey project would serve as a back stop for power failures. The Dickey project would be primarily a source of "peaking power" the type of power needed in Washington, D.C., and throughout the entire northeastern part of the country 2 weeks ago when this area was threatened with a massive power shortage. Even here in the House we were requested to turn off all unnecessary electrical equipment. Through the Dickey-Lincoln power project, we have the opportunity to prevent reoccurring threats of power failures. It is obvious to me, and to a great many others that private power sources are not prepared or even willing to meet the present and future electric requirements of New England.

MRS. JOHNSON CELEBRATES 100TH BIRTHDAY

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 30, 1969

Mr. TALMADGE. Mr. President, a 100th birthday is a milestone few people ever reach, and in itself is a remarkable enough accomplishment to merit note. But when a person's 100 years have been spent in as outstanding and full a fashion as have Mrs. Sallie Louise Turner Bond Johnson's, the occasion is worthy of special attention.

Mrs. Johnson, of Royston and Toccoa, Ga., celebrated her 100th birthday on July 15, with a family reunion held near Atlanta. I join the family and the many friends and loved ones of this grand old lady in saluting her on this great moment.

I ask unanimous consent that an article concerning Mrs. Johnson's birthday, published in the Toccoa Record, of July 17, 1969, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MRS. JOHNSON CELEBRATES 100TH BIRTHDAY JULY 15

(By Ella Cooper Garner)

Sallie Louise Turner Bond Johnson celebrated her one hundredth birthday on July 15. If diplomas were handed out, her's would be marked Summa Cum laude, for the rich, full, cultured and educated life she has lived.

Born soon after the close of the Civil War, she has lived through the most colorful years of the Nation. Abraham Lincoln had been assassinated, and his weak successor, Andrew Johnson, was impeached. (One vote saving his downfall) The North's hero, U.S. Grant had just taken office as president and the South was suffering the hardship of reconstruction following the War in which her father fought as Captain.

It was a hard and cruel world into which this baby girl was thrust, but she was endowed with a serene and loving nature, growing into girlhood nurtured by understanding parents who helped to wipe away the bitterness of a Civil eruption before their daughter realized the situation. These parents were Captain Allen S. Turner and Elizabeth Jane Jones Turner of Hart County, Ga. She was soon nicknamed "Sac", a name which has clung throughout life. Since her birth on July 15, 1869 there have been 20 men to govern these U.S.

In early childhood the family moved into the city of Royston, which she has since considered her real home, although she has resided for some years in Toccoa with her daughter, Mrs. Doyle Moore.

This remarkable woman has reared six children, mostly alone, as her first husband, Charles A. Bond, died before their last child was born. Her second marriage to R. J. Johnson was also broken by death. After adjustment she combined home-making with active interest in her church and town. She was blessed with such excellent health that she has never in these 100 years been confined in a hospital. Her six children were born at home, before the days of hospitals or even labor-pain killing drugs.

Joining the Methodist Church in early girlhood she must be the oldest living member of her denomination today, from point of membership at least, for it has been 90 years since she took that step. For 63 of those years she has been a member of the Royston church. During this time she has held the office of president of the Woman's Missionary Society (WSCS) more times than can be remembered. Among other church offices she has filled was teaching in the Sunday School.

Steeped in the atmosphere and vital stories of the Civil War, recounted by her Captain-father, "Sac" was one of the first to assist in organizing the Royston Chapter United Daughters of the Confederacy, which chapter bears the name, "Captain Allen S. Turner". She also carried her part several times by serving as president. This chapter is today one of the largest and most active in the state, proudly claiming the largest number of "Real Daughters" (daughters of Confederate Veterans) of any of the many state chapters.

Her marriage to Charles Alva Bond, was a social event of note. Both were well-known and loved by hosts of friends. Mr. Bond was graduated from Emory University, becoming a prominent Banker, R.R. Agent and affiliated with the progressiveness of his town.

Six children were born to them, while their cup was overflowing with happiness, and then tragedy struck.

Determined to carry on as they had planned the young Sallie kept the home and, being a great believer in college, she made sure all of her children received a college education. She, herself was an avid reader, devouring every available book or magazine, a habit she has continued always. Today viewing Television has been added to her hobbies. She enjoys the Western pictures, mostly because she loves horses and was a graceful rider in her day. One of her favorite authors in years gone by, was Augusta J. Evans Wilson, who numbered among her popular novels "St. Elmo", which Sallie has read several times.

Reading came only when she had the time as she sewed all the clothes for the household, an art that has been passed down to daughters and granddaughters.

There is no wonder that Royston is dear to Sallie Bond Johnson, for it was her father who laid out and surveyed this interesting city. It was often said that a lawyer could not make a living there because Captain Turner did it all free. She gave two sons to the fighting lines of W.W. I, and two sons to W.W. II (One son served in both wars).

There was never an uneventful day in the life of this woman. Once her house burned to the ground. Not a stitch of clothes did any of them have left. The next morning a trip to town had to be made to buy clothes—but—to everybody's surprise Sallie had saved her love letters! It has never been learned just how this deed was accomplished, but to this day she reads those letters over and over.

Pausing to review the past, one finds that this Centenarian has spent a century in living for others. Not one time has anyone ever heard her say a harm word of a human being. There was always something good to be found. This is attested to by the daughter with whom she lives. Greater words cannot be said of anyone. She would not even understand the word gossip.

Besides her husbands, she has not known death, with the exception of one daughter-in-law and son-in-law. In all her ways she looked well to her household and her days have been good.

All six of her children will be with her when the family gathers at Stone Mountain, the 15th, also many of her ten grandchildren and 32 great grandchildren, who are scattered to the four winds of the nation, from Colorado to Illinois, to Florida, to Tennessee, to North Carolina, to Alabama, California and Georgia.

Her children are Eugene A. Bond, of Denver, Colorado; Ione (Mrs. Doyle) Moore, Toccoa; Lillian (Mrs. Frank) Bunting, Washington, D.C.; Jones T. Bond, Greensboro, Ga.; Miriam (Mrs. Charles C.) Jinks, Atlanta; Charles Allen Bond, Augusta.

The 100 people expected to attend the overnight birthday celebration at Stone Mountain Inn, children, grandchildren, nieces and nephews, are relatives on Mrs. Johnson's "Turner" side of the family.

And so the first 100 years are rounded out for Sallie Bond Johnson. The hills of her yesterdays reminds her friends that every step of the way is important in summing up a life. Every day is an important step to a tomorrow. Blessed memories such as the chil-

dren of this woman have, is a challenge for others to live so that, when that all important step is taken into the eternal Tomorrow it will be a pleasant one.

RELIGIOUS, CULTURAL PERSECUTION CONTINUES IN UKRAINE

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. KLEPPE. Mr. Speaker, for the information of my colleagues, I include at this point in the RECORD a letter to me from Dr. Anthony Zukowsky, of Steele, N. Dak., president of the North Dakota branch of the Ukrainian Congress Committee of America, Inc., together with an article published in the Ukrainian Bulletin of May 1–15, 1969:

JULY 18, 1969.

Hon. TOM KLEPPE,
House of Representatives,
Washington, D.C.

DEAR MR. KLEPPE: In this letter I would like to bring to your attention renewed religious and cultural persecution in Ukraine.

In the first part of 1969 many American, Canadian, Austrian and Italian newspapers, especially such leading newspapers as New York Times, Washington Post, America, Toronto Telegram and Star and many others reported renewal of religious and cultural persecution in Ukraine.

The dispatch of those newspapers from Vienna reported—the Soviet security police—KGB arrested in Lviv, capital of Western Ukraine, Bishop Vasyl Welychkowsky when he went to confess a sick person. After his arrest, the Soviet secret police made a search in private homes of several priests and nuns in Lviv, and other Ukrainian cities and many were arrested.

It is to be recalled that in 1945–46, when the Soviet troops occupied Western Ukraine, here were three Ukrainian Catholic Dioceses of Lviv, Peremyshl and Stanislaviv, and the territory of the Apostolic Visitator in Volhynia and an Apostolic Exarchate in Lemkivschyna. Together with Carpatho-Ukraine, which was incorporated into the Ukrainian SSR in 1945, this compact Ukrainian territory contained approximately 5,000,000 Ukrainian Catholic faithful, 1 Archbishop-Metropolitan, 10 bishops, 4 dioceses, 2 areas of Apostolic Administration, 2,950 diocesan priests, 520 monastic and religious priests, 1,090 nuns, 540 seminarians, 3,040 parishes, 4,440 churches and chapels, 127 monasteries and convents, 1 theological seminary and 5 ecclesiastical seminaries.

In addition, the Ukrainian Catholic Church possessed a great number of cultural centers, primary and secondary schools, institutes, publishing houses, libraries, welfare and aid associations, orphanages, student and youth leagues, and societies.

All these were ruthlessly destroyed in 1945–46 by the Soviet government, which simply put the Ukrainian Catholic Church outside the law. All the bishops were deported and tried in secret trials as "enemies of the people." Of all the ten Ukrainian Catholic Bishops, only one survived.

The brutal destruction of the Catholic Church in Ukraine was deeply deplored by Pope Pius XII in his encyclical Orientales Omnes Ecclesias (December 23, 1945) and later, in Orientales Ecclesias (December 15, 1952), and by many churches and lay leaders of the western world.

Despite the destruction of the church organization in Ukraine, millions of Ukrainian Catholics remained faithful to their ancestral faith and continued to be Catholics by practicing their religion in secret. There exists an underground Ukrainian Catholic Church in Ukraine, and the aforementioned Archbishop Welychkovsky is said to have been consecrated.

The existence of the underground Ukrainian Catholic Church in Ukraine was and continues to be a thorn in the Soviet side, and consequently the Soviet government relentlessly persecutes Ukrainian Catholics more than any other religious groups.

The intensification of religious persecution in Ukraine by the Soviet government was stepped up after the invasion of Czechoslovakia by the Warsaw Pact forces last August. During the brief period of "liberalization" under Alexander Dubcek, the Prague government had allowed the restoration of the Ukrainian Catholic Church in Eastern Slovakia and released the Ukrainian Catholic Bishop, the Most Rev. Basil Hopko, from 13 years of communist captivity. The Ukrainian-language radio broadcasts and newspapers and magazines which were allowed the Ukrainian minority in Czechoslovakia aroused considerable fears and apprehension in Moscow, hence intensified anti-religious and anti-Ukrainian persecution.

Another crime committed by the Soviet government in Ukraine which is the subject of our concern is the deliberate burning of Ukrainian archives, libraries and other centers of documentation of Ukrainian history, culture and ethnic heritage.

On February 20, 1969, *The New York Times* in an article entitled "Archive Fires in Ukraine Stirring Suspicions of a Plot," by Peter Grose, reported extensive fires in the 17th century monastery in Kiev, capital of Ukraine, in which priceless Ukrainian and Jewish archives were destroyed. The same night, as fire swept through the Church of St. George in the Vydubetsky Monastery in Kiev, a mysterious fire was reported to have destroyed the Great Synagogue in the Ukrainian port of Odessa, destroying a library of Jewish documents. The fire at St. George's Church in Kiev was the second time in recent years that archives of Ukrainian history had been destroyed by a large fire of obscure origin. In the first fire, in 1964, documents of Ukrainian history and culture were destroyed in the library of the Academy of Sciences of the Ukrainian SSR. The official version was that an employee named Pohruzhalsky, an emotionally unbalanced person, set fire to the library; he was sentenced to 10 years imprisonment.

Dr. George Luckyj, professor of Ukrainian and Russian literature at the University of Toronto, was in Kiev at that time and witnessed the fire, which he subsequently described in the academic journal, *Problems of Communism,* (July–August, 1968) published by the United States Information Agency (USIA). Among the manuscripts destroyed were records of Ukrainian folklore, literature and history, including documents of the short-lived Ukrainian government of 1918–1920.

In the Vydubetsky Monastery fire on November 26, 1968, Ukrainian archives from the Czarist and Hapsburg past, when Ukraine was divided between Russian and Austro-Hungarian rule, were destroyed.

The renewed religious persecution and archive burnings in Ukraine by the Soviet government are another phase of the general assault against the Ukrainian nation to break down its aspirations for freedom and national statehood. In 1965–67 the Soviet government conducted several secret trials of Ukrainian intellectuals whose calls for cultural freedom are often blended with their pride in the Ukrainian national heritage. Russian Communist masters of Ukraine denounce this interest as "bourgeois nationalism," and incompatible with the Soviet ideology. The existence of nationalist dissent in Ukraine is ascribed by reliable Western observers and analysts as one of the main reasons why Moscow decided to invade Czechoslovakia and suppress the liberalization movement in Prague before its influence and effects spread across the Carpathian Mountains to Ukraine.

Those actions of Soviet government and persecution in Ukraine prompted protest of free Ukrainians in western world. The mass rallies have been held in many U.S. cities including North Dakota, protesting these unhuman acts of Soviet government in Ukraine and since both Soviet Union and the Ukrainian SSR constitutions assure their citizens full religious freedom and the USSR and Ukrainian SSR are also signatories to the United Nations "Declaration of Human Rights" as well as the Atlantic Chapter which expressly prohibit the persecution of religious beliefs.

Also Soviet Union makes massive propaganda drives outside the USSR on basis of "Human Rights" but within its own jurisdiction the Soviet government has been ruthless in eradicating the Ukrainian Catholic Church and the Ukrainian Autocephalic Orthodox Church (independent of the Kremlin controlled Russian Orthodox Church); it harasses and persecutes the Protestant denominations, as well as Judaic and Islamic religions.

In Ukraine, where the U.N. *Declaration of Human Rights* is considered to be a subversive and seditious document, where men and women who demand the right of their native language are put behind bars as dangerous criminals—the Soviet government commits enormous crimes against human rights daily and thus is guilty of violation of the U.N. Charter and the U.N. *Declaration of Human Rights.* The cause of international peace and justice would be served if you would look deeply into the matter of Russian Communist colonialism and imperialism in Ukraine.

Therefore, speaking on behalf of over 25,000 Americans of Ukranian origin from North Dakota, the oldest Ukranian settlement in the United States, I urge you to bring this deplorable situation of the people in Ukraine to the attention of the U.S. Congress and to advise our Department of State to bring this matter through our U.N. Ambassador to the General Assembly of U.N., since we believe that the force of world opinion can be an important factor toward the end of those inhumane policies and actions of a Communist government and United Nations is the proper place of serving as a forum of world opinion.

Thank you for your cooperation, I remain,
Sincerely yours,
Dr. ANTHONY ZUKOWSKY,
President, UCCA, State Branch of North Dakota.

P.S.—After this letter has been written—the monthly newspaper "News From Rome" in its June 25th, 1969, issue reported that it had received confirmation of the death of Bishop Vasyl Welychkowsky in Russian prison.

The report also indicated that religious persecution in Ukraine has been increasing recently; that religious objects from home of priests, monks and laity had been confiscated and that priests had been arrested for conducting liturgies.

DR. A. ZUKOWSKY.

APPEAL OF UKRAINIAN CATHOLIC BISHOPS OF THE UNITED STATES

We are all familiar with the words of the Divine Savior: "I will smite the shepherd, and the sheep will be scattered," (Mark 14, 27). This precept was followed by the oppressors of the Church of Christ during the first centuries of Christianity, in the past history of the Church, and now when the enemy is determined to strike a death blow to the Ukrainian Catholic Church in Ukraine.

What fate met our Church in Ukraine where she had been flourishing before World War II, firmly established and well organized, is not necessary to mention, for everyone is aware of this.

When the world was silent about this, His Holiness Pope Pius XII saw, realized, and presented to the world the plight of the Ukrainian Catholic Church in two of his encyclicals in which he revealed to the world the unjust trials of the Ukrainian bishops, their courage and determination during their trials by the Godless ones, their fidelity to God and Church, their heroic readiness to suffer all, even death, for their faith. He alone of all the mighty ones of the world understood the misfortune of the clergy and faithful, their devotion and fidelity to their Church. His Holiness Pope Pius XII presented the suffering Ukrainian Church as a model to all and at the same time fervently implored prayers on its behalf.

It seemed that the voice of protest of the Holy Father touched the conscience of the new persecutors of the Ukrainian Church and in its wake we saw the release from long years of exile of our living confessor of the faith of Christ, the Archbishop of Lviv and Metropolitan of Galicia, a worthy follower of the servant of God, Andrew Sheptytsky, Metropolitan Joseph Slipy who through the efforts of the great Pope John XXIII arrived in Rome in 1963 for Vatican II and was nominated Archbishop-Major and raised to the dignity of Cardinal by Pope Paul VI.

The moments of joy on the occasion of the triumphal journey of Archbishop-Major and Cardinal Josyf and his visits to the Ukrainians in the free world had barely passed when the alarming news reached us that new waves of persecution were sweeping Ukraine and that the Hydubytsky monastery with its valuable books, archives, and works of art fell as a sacrifice—burned in a planned conflagration.

The most recent news report speaks of persecutions in Western Ukraine, where on January 27 Archbishop Basil Welychkovsky was arrested in Lviv, and according to most recent reports was brought to Moscow.

This report brought sorrow to all Ukrainians, regardless of denomination or political affiliation, because in a country, which contrary to reality claims freedom of conscience and dignity for human rights, such events take place.

Dear Brothers and Sisters: In this bitter moment of new sorrow, let us not forget Christ's words which were spoken to the Apostles and through them to all of us: "No servant is greater than his master. If they have persecuted me, they will persecute you also." (John 15, 20)

Let us also not forget that the blood of martyrs, as we know from the history of the Church of Christ and especially from our homeland, always was and will be the seed from which will grow the mighty tree of Faith and Hope, the tree which will not be felled by the human storms of hate.

Therefore, on this day of pain and sorrow which we experience on the arrival of news of the new wave of Communist destruction of our historic monuments and persecution of our clergy and faithful in Ukraine, we, your bishops, appeal to you, dear faithful, and call in the words of James: "Esteem is all joy, my brethren, when you fall into various trials, knowing that the trying of your faith begets patience," (James 1, 2–3) or as the Apostle Peter says: "Over this you rejoice; though now for a little while if need be, you are made sorrowful by various trials, that the temper of your faith—more precious by far than gold which is tried by fire—may be found unto praise and glory and honor at the revelation of Jesus Christ" (Peter 1, 6–7).

We thank the all-merciful God for giving our Church in Ukraine such great fearless, and holy people in the hierarchy, clergy, and faithful. We should daily implore the merciful God to lead our suffering Ukrainian Church and nation to a glorious and victorious climax.

For this intention we ask the Reverend Fathers in our Archdiocese to celebrate a Divine Liturgy and "Panakhyda" on April 20 for the deceased and martyred priests and faithful.

May the grace of Our Lord, Jesus Christ, remain ever with you, Amen!

Given in Philadelphia, Stamford, and Chicago on Holy Thursday 1969.

AMBROSE,
Metropolitan of the Philadelphia Archdiocese.

JOSEPH,
Bishop of Stamford.

JAROSLAV,
Bishop of Chicago.

MARK II AVIONICS

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 30, 1969

Mr. FANNIN. Mr. President, today the weapons of defense are a sophisticated affair. Building them, buying them, being trained to use them in defense of the Nation requires an expertise that is outside the competence of the vast majority of Americans. This is not unnatural. Brain surgery is outside the competence of most Americans, yet we appreciate what we understand of it and count the resultant benefits to our general health as one of the blessings of modern medicine.

It has come to my attention, as I have observed the debate on the ABM as well as the singularly vicious attacks aimed at the military and military procurement, that some legislators apparently stray with frequency and with no lack of temerity outside their recognized field of competence.

For my own part, I do not hesitate to admit my ignorance of either brain surgery or the defense systems and materials being purchased for the protection of our Nation. If I have a question, I am frank to say I must depend upon the advice of experts and I seek that advice from many and varied sources. Whenever I come across information that seems to make sense to me, I am inclined to share it with Senators so as, perhaps, to increase their knowledge, too.

Such an article appears in the August issue of Air Force Space Digest and concerns the avionics system of the F–111D attack aircraft. I hold no brief for the manufacturers of this equipment, but I do think that we in Congress are often quick to criticize when we perhaps are not familiar with all the factors of a particular situation. Therefore I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE F–111's MARK II AVIONICS SYSTEM—WEAPONS EFFECTIVENESS OR ELECTRONIC GADGET?

(By Claude Witze)

NOTE.—Under attack on Capitol Hill, as part of the widespread assault that is being made on military spending, is the advanced avionics system for the D model of the F–111. Known as the Mark II, the system promises revolutionary capabilities for the F–111D in navigation, terrain following, and weapons delivery. How much does it cost? How effective will it be? Too often the first question is raised and the second ignored. But from the point of view of men in aerial combat, if the system is effective—if it gets them to target and gets their weapons on target and gets them home—then the cost *must* be reasonable . . .

The assault on the military spending program, now at a crescendo in Washington, threatens to become the most damaging attack on national security since Senator Gerald Nye fought his own war on the munitions-makers while Adolf Hitler was strengthening the Nazi garrisons.

Newspaper headlines in the nation's capital, as well as many columns of type put in the *Congressional Record*, reflect daily a wide range of misinformation, half-truths, and traces of outright demagoguery. There is no better example than the effort to discount modern avionics.

It is becoming common for the press and many congressional critics to refer to navigation, fire control, and bombing systems as "devices" and "electronic gargets," much as if an integrated million-dollar fire-control system were nothing more than a high-priced pencil sharpener.

A prime case at hand grows out of concern over the final cost of the Mark II avionics system for the USAF-General Dynamics F–111D attack airplane. Senator William Proxmire (D-Wis.), who has been investigating overruns on many projects launched in the Kennedy and Johnson Administrations, spent most of an entire committee session recently on the Mark II system. That day's transcript for his Subcommittee on Economy of the Joint Economic Committee is a substantial booklet of questions and answers. Yet nowhere in the record is there evidence that the chairman or any committee member tried to find out what the Mark II system is or what it can do. The members showed intense interest in the cost and no interest in the effectiveness.

The Mark II system still is in development but rapidly nearing production. Tests are underway, and some results have been disclosed. The Mark I inertial navigation system, already being used in the F–111A, is described as the best ever delivered to USAF. Tests so far indicate that the Mark II navigator will operate to a standard four times better than its current predecessor. Its performance, so far, is running twenty-eight percent better than called for in the specifications.

The Mark II's ability to deliver a weapon on target has been tested in sixty flights at Eglin AFB, Fla. Its record there is twenty-seven percent better than called for in the contract specifications and is expected to improve. Major innovation of the targeting system is a radar that can eliminate ground clutter and restrict the image in the cockpit to the "hard targets," such as buildings, bridges, roads, and railways. The pilot can "fix" his

radar on a hard target, and the airplane will automatically drop the bomb at the point he selects. If the target is moving—a railroad car or truck—this still holds true. All of this can be done in blind flight, regardless of weather or darkness.

There is a study available demonstrating that the F–111D, equipped with Mark II, has a cost-effectiveness at least four times better than other current aircraft in the USAF inventory and in use in Vietnam. The cost is high, admittedly, but the performance promised by the Mark II system reaches a standard unheard of until it was built and tested. Four prototypes have been delivered, and last month the first production unit was undergoing reliability tests.

Full appreciation of what is expected from the Mark II system is not possible without lending an ear to F–105, F–4, and A–1 pilots who have served in Vietnam. Aside from their lament over the political restraints placed on their performance, the most common complaint has been about weapon delivery. There has been no improvement since World War II, these men say, in the technique for delivering iron bombs. This is despite the early decision of the Kennedy Administration to forgo the threat of using nuclear power in favor of conventional military weaponry. The pilots feel that reliance was put on conventional bombs at that time, with no effort to update the delivery systems.

There is a form of forced evolution in this kind of air warfare. Improved defenses—such as the Russian SAM and radar-guided antiaircraft batteries—have forced an improvement in aircraft performance. This, in turn, calls for improved avionics as the speed and maneuverability are upgraded. It is true, as some press reports have indicated, that better-performing airplanes have proved less accurate in Vietnam. The reason is that they have lacked better avionics built to keep pace with high-performance flight characteristics of the basic vehicle.

In radar bombing, there are two basic problems for the pilot. He must be able, first, to separate the target from other ground clutter that may appear on his radar screen. Then once he has found his target, he must, despite his high speed and frequently low altitude, maintain a fix on it, whether he can see it or not. The Mark II system provides this capability.

A second loud moan from veterans of the Vietnam air war concerns the lack of an all-weather capability. Everyone is familiar with the common declaration that airpower has failed in Vietnam. Airpower did not completely stop the flow of supplies from North to South. An important reason was the weather and darkness, which kept USAF grounded and permitted the enemy to move freely and unmolested about sixty percent of the time. It was a cover that ensured the flow of enemy materiel, so long as strategic airpower was denied the right to hit strategic targets. Interdiction, under such circumstances, simply cannot do the job.

More than a year ago, in February of 1968, the Mark II system was described to the Senate Armed Services Committee by Gen. Joseph R. Holzapple, then USAF's Deputy Chief of Staff for Research and Development. He said the system was planned for both the F–111D and the FB–111, the strategic bomber version, and would incorporate the latest state of the art in microminiaturized digital computers and electronic subsystems. A full list of subsystems adds up to thirty-two. It ranges all the way from the two digital computers, each one no larger than a portable television set, to a camera and a couple of missiles for air-to-air fighting.

The single feat of getting a digital computer into that small a package represents a breakthrough by its manufacturer, IBM. The computer weighs only forty-seven pounds and occupies less than a cubic foot of space. It provides displayed computations—numbers on a panel in front of the crew—in reply to any question about navigation, weapon delivery, fix taking and steering, with seventy-five percent redundancy. Only a few years ago, a computer with this capability would have filled a fair-sized room and would have weighed several tons.

One digital computer is primarily for navigation and the other for weapon delivery. If one fails, the other can do both jobs. The navigation computer can get its information from the crew in the cockpit, or it can be fed by a magnetic tape, if the mission profile is known before takeoff, making the entire flight automatic.

A feature of the Mark II system, and as new as the computers, is the Horizontal Situation Display. That is an esoteric way of saying the pilot of the F–111D always has a section of the correct aeronautical chart in front of him, about the size of a small radar screen, and that this uncanny mechanism—it is *not* a device or gadget—shows him where he is every second. At the center of the display glass there is a tiny silhouette of his aircraft. The map moves under the silhouette and it can move in any direction—the full 360 degrees. The tiny airplane silhouette is always at the point where the actual aircraft is, and headed in the same direction, with the bearing clearly marked at the edge of the glass. Different map scales can be used. The computer, of course, is moving the map, and the computer knows the exact position, speed, altitude, and bearing of the airplane at all times. To a veteran who has struggled sweaty hours with charts on a clipboard strapped to his knee, the Horizontal Situation Display is the wonder of the age.

The ability to hit moving targets, automatically, is new with Mark II. It is the Doppler processing system, contained in the Autonetics radar, that makes this possible. It eliminates all fixed targets from the screen, leaving only moving targets on the display. A pilot can, for example, count the cars in a railroad train somewhere within range, pick out which car he wants to hit, and lock the tracking system on that car. The airplane will go to the target, even if it has to turn around, and hit *that* car, not its neighbor.

In addition to the firms already mentioned components of Mark II are made by the Autonetics Division of North American Rockwell; Kearfott, a division of General Precision Systems; the Norden Division of United Aircraft; Astronautics Corp. of America; and Fairchild Hiller Corp.

In its briefest form, here is what their effort provides:

Increased inertial navigation accuracy and capability.

Increased bombing accuracy.

All-weather, air-to-air capability with the Sparrow missile.

All-weather strike capability, including moving targets.

An essential part of the history of the Mark II is that the concept did not originate with the Air Force alone. It grew out of assessments and analyses made in 1963 and 1964 by the President's Scientific Advisory Board, the Air Force Scientific Advisory Board, and the Defense Department's Office of Research and Engineering. There is no record that the Office of the Assistant Secretary of Defense for Research and Analysis lent any substance to the requirements, although the effect of the performance is to enhance the effectiveness of the system.

Why did these scientifically oriented groups grasp the essentiality of the Mark II project? At the time, 1963, it was becoming clear that the "limited-response concept," favored by the political administration, demanded emphasis on the accurate delivery of conventional weapons. It was a concept most loudly cheered by the same national figures who today are stirring up the most dust about the price of national security, including Senator Proxmire.

There were three competitors for the basic contract, and Autonetics was chosen for having both the lowest bid and the best proposal. At the outset, the Defense Department wanted the Air Force to buy the system and turn it over to General Dynamics as government-furnished equipment, USAF disagreed, holding that the prime contractor was best equipped to "marry the avionics" to the airframe and make sure it would work. Thus, Autonetics is a subcontractor to General Dynamics for the Mark II system, the other firms serving as sub-subcontractors.

Looking forward at this time, all of the contractors and the Air Force, wiser as we all are from the exasperating experience of Vietnam, realize that the interdiction mission has new stature. It must be flown, as the prime Air Force mission, anywhere in the world—possibly including Europe, where visual bombing conditions prevail less than twenty percent of the time—that the United States may have a commitment.

How much does the Mark II cost? In the end, according to knowledgeable estimates, it will be about twenty percent of the total cost of the F–111D system. If the project had not been launched, it is true, we might have saved that twenty percent. With that kind of focus on cost, there would be only minor advances in effectiveness.

AIR FARE CRISIS—HIGHEST VALUE FOR SHORTEST JOURNEY

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, in an address before the Society of Airline Analysts which our colleague Congressman JOHN MOSS inserted into the CONGRESSIONAL RECORD, volume 113, part 22, page 30488, Mr. Richard W. Klabzuba observed that our investment analysts had been experiencing some difficulty in projecting the future earnings of our airlines.

In his prepared remarks he attributed part of their problem to inaccurate input data which failed to disclose an appreciable decline in yield per hour as new jet aircraft were assigned to short-haul flights. At the same time he took the rather unique position that short-haul air services are frequently more valuable to the public than long-haul services because the value of airline service to a businessman is related to time, not distance, and therefore all other things being equal a shorter flight is worth more to such executives.

In support of this position he presented to the group some statistics dealing with the density of airline traffic which disclosed that more than 68 percent of all domestic traffic in the United States flew a distance of less than 800 miles.

During the subsequent question and answer period Mr. Klabzuba expanded his argument that the bulk of airline passenger traffic is concentrated within

the shorter haul markets by pointing out that at least two other gentlemen, a Mr. Lill of the Austrian railways and Mr. D'Arcy Harvey of our own Federal Aviation Administration, had suggested there appeared to be a mathematical relationship between, first, the volume of traffic between two cities, and second, the distance between them and their population. He then went on to point out that since the distance factor had historically been considered to remain relatively stable, projections of future traffic growth had consequently been considered limited to increases in population and/or community of interests. On the other hand, he noted that if the distance element had been considered in terms of travel time, major difference in block speed would have become a significant indicator of the growth which had occurred. As a result, he concluded, because of this compound situation the future growth in earnings would not be as dramatic as in the past.

Now two articles in a leading international aviation publication have been brought to my attention saying substantially the same thing—that airline passenger traffic is in part a function of the time-distance relationship between communities. One of these articles reports on a new book on the subject by Mr. Bjorn J. Ellee entitled, "Issues and Prospects in Interurban Air Transport," which apparently statistically affirms the thesis upon the basis of past performance.

Mr. Speaker, a number of our colleagues including myself have petitioned the CAB to institute a general rate investigation. As a part of that petition we have requested the agency to give consideration to the merits of the time-distance approach. Consequently, for these and other reasons I feel that these two articles may shed some needed additional light on our airlines current fare crisis.

The articles follow:

THE LONGEST QUEUES ARE FOR THE SHORTEST ROUTES

A correspondent in *Flight International* (Capt. G. McCoach, May 3) recently challenged Lill's classical travel law that traffic potential T is directly proportional to the population of the two terminals (P_1, P_2) and inversely to a power of the distance between them (d), i.e.:

$$T = K \frac{P_1 P_2}{d^n}$$

The law was originally put forward in 1889, but was strikingly validated by the experience of the Austrian railways before the 1914 war; though at that time, of course, they had a virtual monopoly of long-distance passenger traffic. In this case, "n" was found to be unity, and Wheatcroft mentions the law in this form in his *Economics of European Air Transport*.

The theorem was advanced by Mr. Gerald Gardiner, QC, at recent appeal hearings, to demonstrate an alleged lack of development of the BEA route from London to Manchester, by making a comparison with rail carryings and the corporation's own London-Glasgow route. Mr. Henry Marking defended BEA's results by making the interesting suggestion that the law only applied to *total* traffic, and not to the individual components moving by rail, road and air.

This article is an attempt to marshal a few facts on the problem. As usual, the lack of proper statistical data renders this task difficult, and causes apprehension about the uninformed decisions that must be taken in our major transport undertakings.

The first source of information is a comparison of British and American experience. Fig. 1 (not printed in RECORD) shows the point-to-point air journeys per head of population of the large cities within 500 miles of New York and London, as a function of distance. In the United States, where intense competition has ensured the maximum growth of air traffic, the curve corresponds closely with that predicted from the theory. If d is raised to the power of 1.5, an almost exact "fit" is achieved. But in this country, though the traffic on the Glasgow and Edinburgh routes is commensurate with the analogous American routes, there is *less* traffic, rather than more, on the shorter routes.

In other words, the results achieved by British airlines are diametrically opposite to those predicted from a study of the country with an overwhelming experience of air transport. Which soldier is most likely to be out of step?

Turning to road movement in this country, Fig. 2 (not printed in RECORD), is a plot of the main results of the survey of origins and destinations carried out by the DSIR Road Research Laboratory to predict the Traffic on the M1 motorway. It gives the daily number of journeys in both directions, for all types of vehicles. Though the populations of the areas are not precisely commensurate, the traffic undoubtedly increases as distance diminishes, and there is every indication that the appropriate value for n is less than unity. Thus the survey provides no evidence that there is an abnormal shift to road transport for the shorter journeys.

The figures given in Table 1 for motor coach traffic tell the same general story:

TABLE 1.—ESTIMATED MOTOR COACH TRAFFIC ON THE TRUNK ROUTES, SCHEDULED CARRIERS

London to—	Road miles	Area population	Passengers per annum
Manchester area	184	963,000	127,000
Liverpool	197	762,000	150,000
Glasgow	394	1,055,000	[1] 107,000
Edinburgh	373	468,000	79,000

[1] Includes intermediate traffic. Note: There is also heavy nonscheduled traffic notably on the Manchester and Liverpool routes.

The only available evidence on rail movement is the number of rail tickets issued on the London-Manchester, Glasgow and Edinburgh routes, as given at the ATLB 21st meeting. The figures are shown in Table 2: rail traffic in parallel with the three principal air routes appears to follow the "law" quite closely.

Table 3 shows that though air traffic New York-Boston is much greater than that by rail, bearing in mind that connecting traffic may add around 3 per cent to the number of point-to-point passengers, the rail traffic is very similar to that moving London-Manchester, a journey of similar duration.

These estimates for British Railways traffic were challenged by their counsel at the recent appeals hearings, but no other figures were produced. It was said that a special effort had been made to count the number of tickets issued at Glasgow and Euston (Table 2), but that there is no breakdown into single or return. It was agreed also that the reduced-fare tickets, agents' sales, and sales at other stations had not been included in the count.

If the railroads do find that their traffic is substantially less than these estimates, they must surrender their erstwhile position as No. 1 public carrier to the air, at least on the Glasgow route. This will be sad, because all true Britons love their railway trains. However, to be strictly practical, when did the reader last travel more than 80 miles by train in the UK?

TABLE 2.—RAIL TRAFFIC ON THE TRUNK ROUTES

London to—	Rail miles (d)	Area population (p)	Tickets issued June-December 1960 (t)
Manchester, Salford, Stockport	183½	963,000	211,000
Glasgow	401¼	1,055,000	106,000
Edinburgh	393	468,000	60,000

TABLE 3.—ESTIMATED SECTOR PASSENGERS, 1960, BOTH DIRECTIONS (IN THOUSANDS)

Carrier	London-Glasgow	London-Manchester	New York-Boston
Air	313	259	[1] 886
Rail	400	750	700
Coach	107	150	----
Car (DSIR survey; Manchester city surveyor)	[1] 75	[1] 250	----
Total	895	1,410	----

[1] Point-to-point passengers only.

Thus it is believed that all the available evidence supports the thesis that the longest queues are for the shortest routes—by all modes of transport, individually and collectively.

Britain isn't different after all; the trouble is that British airlines have shown a lack of commercial flair in attacking the short-haul domestic market. Since the DC-3 became available in the UK, BEA have dominated the domestic air transport scene. Until 1958 the corporation effectively discouraged citizens from using internal air services by laying heavy emphasis on centre-to-centre travel, without really checking passengers' true origins and destinations. DC-3 services to Liverpool, Leeds and Newcastle were uniformly successful—once the initial handicap created by the BEA dogma had been overcome. One of the other justifications for this negative attitude, the petrol tax, was nearly balanced by low depreciation charges for the war surplus DC-3s.

BEA have a monopoly of the most important routes, and so far no competitive spur has been applied to them. Having tried to "further the development of British civil aviation" in this important sector, the corporation has not yet displaced British Railways as the foremost public carrier on these routes. If there had been intensive competition, this might well have happened by now, as it has in the United States and Canada. A disastrous consequence has been the Euston-Crewe railway modernisation scheme, where a large part of the £160m total expenditure is needed to rebuild the track to carry express passenger trains at 90–100 m.p.h. This facility may never be fully used—a "Q.3" that Mr. Marples managed to launch while nobody was looking.

LONGEST QUEUES ARE FOR THE FASTEST JOURNEYS

(By A. J. Lucking)

In his recent lecture to the Air Transport Group of the Royal Aeronautical Society, Mr. G. H. G. Threlfall pointed out that jet aircraft had recovered the traffic lost as a result of high-speed rail competition on both the Tokyo-Osaka and London-Liverpool routes. Until recently, however, traffic had been declining on the London-Manchester route, but since BAC One-Elevens were introduced in November 1968 traffic has recovered significantly.

Another interesting point revealed by all three case studies was the approximate doubling of rail traffic—an increase far greater than could be accounted for by gains from air and road. There appears to have been an increase in traffic associated with the shortening of the journey time.

In an article in *Flight*—for August 2, 1962—"The Longest Queues are for the Shortest Routes"—it was pointed out that there seemed to be a mathematical relationship between the air traffic between two cities, their populations, and the 1.5th power of the distance between them. The graph is an updated version of one printed in the original article, illustrating the relationship for the short US domestic air routes.

The theory was developed on the Austrian State Railways in 1891. It has been applied successfully to many transport problems since, though nowadays the presence of a number of competing transport systems complicates the situation. It is not, for example, until one adds together air and rail traffic in Britain that the classical picture begins to emerge.

The interesting problem now arises: what happens if the vehicles become faster? Or even perhaps in the case of air transport, the fumbling formalities become fewer and faster? In each case, the effect to the traveller *is similar to reducing the distance between the cities.* A London-Newcastle journey by Trident takes as long as a Viscount flight from London to Liverpool; or as British Rail advertisements said after electrification "We've moved Liverpool and Manchester closer to London." So if the graph is taken as being plotted on a basis of time instead of distance, it suggests that chopping 10 min. off the London to Newcastle flight time is going to increase the traffic by about 25 per cent.

RELATIVE FREQUENCY OF TRIPS VERSUS OVERALL DURATION

Duration (hours)	Frequency index	Duration (hours)	Frequency index
1.00	100.0	3.50	6.45
1.25	67.3	3.75	5.17
1.50	46.6	4.00	4.40
1.75	34.1	4.25	3.76
2.00	25.2	4.50	3.18
2.25	19.3	4.75	2.70
2.50	15.1	5.00	2.35
2.75	11.7	5.25	2.00
3.00	9.50	5.50	1.74
3.25	7.82		

"The amount of traffic over a certain distance is determined essentially by how long it takes to cover this distance." This fascinating proposition is developed in an important book by Mr. Björn J. Ellee, *Issues and Prospects in Interurban Air Transport* (Almquist & Wiksell, Stockholm, 1968). He develops the table reproduced here from theoretical considerations, and then shows that it fits the frequency of air trips in the USA. The table states, for example, that if a total journey time, door to door, of 3hr is reduced to 2.75, the traffic will increase by a factor of 11.7÷9.5 or 23 per cent.

So perhaps the importance of the jet is not its "appeal" after all. Those few minutes it chips off the flight time are highly significant. And so are the shorter check-in times—the ultimate being the zero check-in time for the Air Shuttle, which boosted traffic in an otherwise stagnant market. On other American domestic routes too, the 1960s have seen a traffic explosion far greater than the 10 per cent "jet stimulation factor" applied by the CAB in the route cases heard at the beginning of the decade.

Soon the theory will be put to the ultimate test by the massive time reductions achieved by the supersonic airliner. Unfortunately, the mathematical purity of the experiment will be upset by fare differentials—but it may be possible to observe the impact on first-class traffic. To the relatively small number of passengers who stack up a large chunk of the passenger-miles, anything that reduces the boredom may induce them to travel more, rather than finding an excuse to duck out of what has become a chore; a night in a crowded airliner is reminiscent of life in a slit trench.

At last it looks as if airline self-interest, too, may be served by organizing an all-round speed-up. Faster journeys mean more traffic and most well-conducted businesses can convert more turnover into more profit.

COLLEGE PRESIDENT PRESENTS REASONED APPRAISAL OF STUDENT RELATIONS PROBLEMS

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 30, 1969

Mr. RANDOLPH. Mr. President, the alienation of young people in our society is of real concern to many, many Americans. It has manifested itself in many forms, not the least serious of which are the problems on our campuses which have resulted in turmoil in the academic community.

I have faith in our educational system to weather this storm, however, for it contains many men who bring wisdom, concern, and knowledge to bear on the current challenges. Out of this confrontation of the young and the old, the status quo and change, there should emerge a higher education system, stronger than before and responsive to the demands of a complex society.

This will come, Mr. President, because of the leadership provided by men like Kenneth E. Smith, the enlightened president of Milton College, in Wisconsin.

In the June 9, 1969, edition of "The Sabbath Recorder," official publication of the Seventh Day Baptist Church, President Smith discussed the problems facing college administrators and how they should respond to them. He views the situation calmly but with concern, and his thoughts are well-reasoned.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ON TAKING STUDENTS SERIOUSLY

(By Kenneth E. Smith)

Most small liberal arts colleges have professed a special concern for the individual student, and have gone on record as committed to the value of close student-faculty relationships. Recent studies seem to suggest that students of this generation evaluate the worth of a college experience, partly at least, in terms of meaningful relationships at a time when demands upon faculty make such relationships unlikely. The student slogan, "I'm just a number here," is countered by the faculty muttering, "We're not here to hold their hands."

The college must face this issue now. Either the statement of purpose is an inherited stone around the neck, or it is the basis for direction, planning, and action. It is certainly not unusual to discover a significant difference between the ideal and the functional, but not to be able to reach a stated goal is one thing—not to intend to is something else.

Let me state my thesis early. The strong likelihood is that higher education will become far more impersonal than it is today, and no college will be able to provide "student-faculty relationships" or "individual attention" unless it becomes deeply committed to do so. At the present time there is little evidence that such a commitment exists even in the small, liberal arts colleges.

There are a number of reasons for assuming that the problem will continue to plague higher education. The enrollment growth of colleges and universities is not likely to slow down appreciably, nor will the cost per student. Larger classes, instructional mass media, and all that is implied by the enrollment and cost factors may be anticipated.

The realities of the situation run counter to the hopes and expectations of thoughtful, troubled students who are preoccupied with the existentialist claim to individual importance. Every occasion of being herded, numbered, listed, lined up, and programmed is a personal offense. When the crisis becomes explosive, it is the brightest of the students who attack the system. The dropout of the unable is nearly matched by the dropout of the unwilling.

Not long ago a young man came in to inform me that he was leaving college. There was little doubt in his mind that his decision was right in the context of his view of things. "My classes interfere with my studies," he said. "It's too much like high school. Right now I have to get my ideas about life straightened out." He was reading Camus, Zen Buddhism, Thoreau, Augustine, Sartre, Gandhi, and others, as a personal quest. Getting grades in courses seemed less real, less important. I said all that I thought a dean ought to say. He left.

If any member of the faculty feels inclined to say, "Good riddance," let him read again the college statement of purpose. Despite all that is said about "spiritual values," "cultural enrichment," and "personal relationships," we tend to place more emphasis on grades, attendance, credits, and prerequisites. It's easier to keep records than to keep students.

This is one reason for asserting that if the college really undertook to do what it says it does, it would be one of the more distinctive colleges in America. And, if we carried out the implications of our statement of purpose, who would want to teach here? Perhaps if we try to answer the first question, we can answer the second one for ourselves.

What would happen in curriculum if we were to take the student seriously? The college tends to say: "Here is what is important for you to know. We have had more experience than you have had as to what will best prepare you to face the competitive world. You must face requirements in society, and you might as well begin here. No, you may not take Oriental Art; you must take the Introduction to College Math."

While there are many students who are relieved to know what society demands, there is a growing number who couldn't care less. They would like to discuss with respected faculty members whether, in fact, the system is worth the fig. What evidence is there that the courses deemed significant by the college will even touch upon the crisis of values which preoccupies the student? The sequence as required by most colleges and universities denies the fundamental tenet of educational psychology that interest and motivation should be the prelude to learning.

Let us ask the Committee on Curriculum and Instruction: What educational principles suggest that English, Math and Foreign

Language, accompanied by Physical Education, are better introductions to the college experience than, say, the Problems of Sociology, Ethics, Contemporary Philosophy, or Science and the Modern World? There may actually be some very sound reasons for starting the college experience as much like high school as possible, but such reasons will have to face the fact that as many students drop out of college within the first year as in the other three years combined. And, while there are, no doubt, many causative factors, one of the most pervasive is disillusionment.

If I understand what the student complaint is about, it has to do with the neglect of what are sometimes called the "gut" issues of our time. We are always pointing out how much there is to know—the information explosion, and this is often described in order to urge the student to hurry up and know more. But we are reminded by students that some knowledge is existentially critical, and some appears irrelevant. There is much to know, but there is much to care about. It is not easy to lose oneself in the Peloponnesian Wars when you have a brand new letter from the draft board in your pocket. Surely the college no longer defends the traditional practice of beginning the college experience just as though there was no real world around us.

Taking the student seriously is to know that these are serious students. To know is to be responsible. To know is to decide, to have preferences, to believe or not to believe. It is just such commitments that many teachers avoid.

Certainly the kind of student-faculty relationships that matter to students today may have little connection with traditional advisor-advisee systems. If our contacts are always structured to advising across a desk, the lecture method may be transferred to a small office. The easy assumption that a small college is "small enough to know you" is unwarranted. The key to the matter is the willingness of the faculty to be known as persons, the willingness of the faculty to take seriously whatever concerned students take seriously.

WELFARE ROLE EXPLOSION—END IN SIGHT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. RARICK. Mr. Speaker, now that the Constitution has been warped by the judicrats to give a guaranteed right for instant prosperity—not based on any theory of charity at a time of personal catastrophe, but extended to include utter disinclination to provide for oneself and family—the die is cast for a "welfare" roll explosion.

In fact, we already hear the elected officials in various parts of our country complain against public housing affecting school board millage because even if school bond measures are passed there is not enough taxable property in the "public housing" area where the votes are to raise the revenue to provide a workable school system.

Currently, the latest urge of this new parasitical class is to demand free food stamps using as a criterion only the person's current earnings.

Certainly by the wildest stretch of the imagination we have canceled every conceivable premise on which the theory of welfare or charity was founded.

Failure to give free food stamps does not create malnutrition—because malnutrition is found in all walks of life from the Wall Street banker who fails to eat proper food and use balanced diet to the college professor who substitutes "pot" for food. Malnutrition is due to improper eating habits—not necessarily to an inability to procure the proper foods.

The so-called "Federal aid" which is the backbone of the welfare, relief, or public assistance program is a pure and simple shameless political robbery. It is a good and commendable thing for a person to voluntarily assist his neighbor who has fallen upon hard times. It is an entirely different thing for the character who is too shiftless to work to steal from his productive neighbor. And it is unforgivable for the demagog to acquire power on the votes of the ne'er-do-well, then use the power of Government to "legally" steal from the hard worker and share the fruits of his labor with those too busy feeling sorry for themselves to do any work.

The game is about over. The workers are fed up. Early in the history of this country there was a thing called the Puritan ethic. He who would eat, let him work. Left to such a choice, the free-loaders may complain, but they will not starve.

Mr. Speaker, I include a well-reasoned documentary on one branch of the welfare fiasco contained in the Dan Smoot report for July 28 following my remarks:

THE ORIGINAL SIN IS FEDERAL AID

The Social Security Act of 1935 provides that a woman can get ADC funds (aid for dependent children) only if the father of her children is continually absent from home and contributes nothing to support his offspring.

This provision has encouraged paternal desertion and the breeding of illegitimate children. There are cases of fathers deliberately abandoning wife and children to make them eligible for ADC funds; of women refusing to marry the fathers of their children in order to qualify for ADC funds; of women getting ADC funds for a dozen or more illegitimates.

Twenty states formulated rules to discourage tax-subsidized illegitimacy. Under these rules, a woman could not get aid for dependent children if she lived with a man, whether legally married to him or not. In other words, if a woman kept a "man in the house" who was not the legal father of her children, he was considered a "substitute father" who should help support the children; and the woman was not eligible for ADC.

Federally-subsidized welfare has caused another, and related, social problem of disastrous dimensions: the piling up in big cities of people who do not work because they do not want to work. They go to cities where they can get more welfare benefits for doing nothing, than many self-supporting, tax-paying citizens can earn by working.[1]

As the relief rolls grow, the burden on workers who pay taxes becomes crushing. Hordes of idle reliefers, demonstrating for bigger handouts, are goaded into hatred of, and outright warfare against, the society which supports them in idleness.

Some 42 states and the District of Columbia, trying to stem the dangerous influx of reliefers, established waiting periods to keep people off welfare rolls until they had resided in the state for a minimum time (usually, one year).

In 1967, the American Civil Liberties Union, several other "liberal" organizations, and poverty war agencies (using tax money provided by the federal government) induced and financed reliefers to bring suits in federal courts challenging the "substitute father" rule in Alabama, challenging state residence requirements in Connecticut, Pennsylvania, and the District of Columbia.[2]

A three-judge federal court invalidated Alabama's "substitute father" welfare rule on the grounds that there was no rational basis for denying welfare benefits to children because of their parents' misconduct. The court overlooked the obvious fact that welfare benefits do not go to hapless children, but to mothers—many of whom let their children run wild, improperly fed and clothed, while the ADC funds (taken out of the paychecks of decent parents who support their own children and respect the laws and mores of society) are spent on vices, luxuries, and boyfriends.

Federal courts invalidated the welfare residence requirements of Connecticut, Pennsylvania, and the District of Columbia on the grounds that they violate reliefers' rights to travel freely from one state to another, and that they violate the "equal protection" clause of the 14th Amendment by denying some needy persons in the state benefits which other needy persons get.[2] Connecticut, Pennsylvania, and the District of Columbia were ordered to provide "instant welfare" for reliefers whether they are residents or not.

The "substitute father" case and the three "instant welfare" cases went to the Warren Court on appeal during the term that ended June 17, 1968. The court upheld the lower federal court in the "substitute father" case, and heard arguments in the "instant welfare" cases.

Several of the Justices—especially Thurgood Marshall—sharply questioned attorneys defending the state residence requirements. Marshall twice referred to the requirements as laws which "fence out the poor."[2]

The Warren Court did not, however, hand down a decision in the "instant welfare" cases in 1968, but ordered them held over for the next term.

On April 21, 1969, the Supreme Court, in a 6–3 decision, upheld lower court decisions invalidating residence requirements for welfare assistance in Connecticut, Pennsylvania, and the District of Columbia.

Though the Department of Health, Education, and Welfare was not involved in the instant-welfare cases—and though the cases affected only two states—HEW Secretary Robert H. Finch ordered all states to abolish residence requirements for welfare, immediately. In doing so, Finch violated federal law. In the statutes authorizing federal funds for state welfare programs, Congress specifically directed that no state welfare plans be disapproved because of residence requirements.

Most states will probably be afraid not to obey Finch's illegal orders, however, because they fear the loss of federal funds.[3]

What were Finch's motives? One seems obvious; and it is, to use a senseless liberal term, "racist."

States like California and New York provide such generous welfare benefits that they lure reliefers from other states. The migrant reliefers who have caused the most trouble, and added most to the cost of welfare in northern and western states, are Negroes.

HEW Secretary Finch is prominent among northern and western liberals who want to keep indigent Negroes "where they belong" (in the south, that is), by setting up a na-

Footnotes at end of article.

tional welfare system that will give reliefers in Mississippi as much as they can get in California. State and local governments would have no authority or responsibility in the system.

If Finch's illegal action in ordering all states to provide instant welfare causes a sharp rise in migration of reliefers from low-welfare states to high-welfare states, Congress may do what Finch wants: pass another unconstitutional law to nationalize and standardize welfare assistance.

If Congress refuses, Mr. Finch, the entire Nixon administration, and the claque of liberals now applauding the illegal "instant welfare" orders could find themselves hoist by their own petard. It will not take a very big increase in the influx of reliefers into northern and western cities to make existing chaotic conditions wholly intolerable.

What will the liberals do then? They will never admit error. They will demand more pillaging of productive citizens to provide handouts for idle hordes—who are idle, primarily, because liberal welfare-state policies deflected them from gainful employment.

Even Earl Warren dissented in the "instant welfare" decision, because of implications in the decision that could affect a "multitude of situations in which states have imposed residence requirements, including eligibility to vote, to engage in certain professions or occupations, or to attend a state-supported university." [3]

By extending the use of illegal federal guidelines to enforce illegal court edicts, the Nixon administration could be opening a Pandora's box.

Federal courts have illegally banned prayer and Bible reading in some school systems. When will HEW issue guidelines to extend this ban to all schools, threatening to discipline those where children are still permitted to pray and read the Bible?

On July 8, 1969, the Nixon administration threatened to sue the Waterbury, Connecticut, school district if it does not immediately "stop allowing white students to escape its predominantly non-white schools by attending Roman Catholic schools." [4]

If the government closes church schools by prohibiting students from attending them, giving governmental schools an absolute monopoly over children, and then guidelines God out of all the government schools—when will the American Civil Liberties Union and related totalitarian organizations get federal court injunctions against parents for teaching their children about God? A ridiculous question with an unjustified inference? Perhaps.

When will the federal government force states to increase taxes on productive citizens to provide handouts for non-productive citizens? That has already started.

The federal government supplies approximately $4 in tax money for welfare in Texas to match every $1 the state puts up. The Texas constitution limits expenditure of state tax money on welfare to $60 million a year. This means that annual welfare disbursements in Texas are limited to about $300 million. When Texas (on September 1, 1968) implemented the Warren Court's "substitute father" rule by adding about 30,000 persons to ADC welfare rolls, there was not enough money to go around; so, allotments to all ADC families were reduced from $135-a-month maximum to $123 a month.

The Texas legislature proposed a constitutional amendment (on the ballot in November, 1968) to raise the state's welfare-spending limit to $75 million annually. Texas voters rejected the amendment.

Footnotes at end of article.

Thereupon, lawyers with the Dallas Legal Services Project (a poverty war agency, financed with tax money from the Office of Economic Opportunity) urged Negro welfare mothers in Dallas to demonstrate and protest. Many of the women were reluctant to participate, but two leaders of the Student Non-violent Coordinating Committee (SNCC) helped the tax-financed legal agitators win some welfare mothers over. The two SNCC members are both convicted felons—free on appeals bonds after having been sentenced to ten-year prison terms for a destructive raid on a grocery store in Dallas earlier in 1968.

On the morning of November 26, 1968, six members of SNCC (including the two convicted felons) stormed into the Dallas welfare offices, disrupted a staff meeting, demanded to see "the big shots."

The SNCC militants were followed by about 20 Negro welfare mothers. They did not merely protest the reduction in ADC payments. They demanded, among other things, that the welfare department instantly raise ADC payments to $100 a month for every child in every welfare family (which would give some families upward of $1000 a month), and that every ADC family be given a special "winter grant" of $50 per child for clothing.

Mrs. Ruth Jefferson, leader of the demonstrating mothers, has five children, and has lived on welfare for years, though she is young and healthy—and has enough surplus cash that she recently bought an automobile. Asked why she does not work, Mrs. Jefferson angrily replied that she does not have to work, because she has a right to welfare money.

Reinforced by a few white students from Perkins School of Theology at Southern Methodist University, the demonstrators staged a sit-in. The next day, a local court ordered them to leave the welfare offices. They violated the order, but left voluntarily on the evening of November 27. Later, 21 of the demonstrators were given 3-day suspended jail sentences for contempt of court. Some cursed audibly when the court pronounced the sentences, but were not even rebuked for that contempt.

On February 12, 1969, the Dallas Legal Services (using tax money from Washington) filed suit on behalf of three welfare parents: Mrs. Ruth Jefferson, another Negro mother, and a Mexican father. Collectively, these three have 20 children. Their lawsuit claimed that the Texas constitutional limitation on welfare spending violates the federal social security law, and alleged that the reduction in monthly welfare allotments for ADC families stemmed from racial prejudice because most ADC families in Texas are Negroes and Mexicans. The plaintiffs asked that Texas be ordered to "appropriate sufficient funds of money so as not to deny a reasonable standard of living for the plaintiffs and the members of their class."

On July 1, 1969, a 3-judge federal court in Dallas decided this case, rejecting the racial-prejudice allegation, but enjoining Texas from receiving federal funds for welfare after September 1, 1969, unless Texas increases aid to dependent children.[5]

In a referendum election on August 5, 1969, Texans will again vote on a constitutional amendment to raise the welfare-spending limit—this time to $80 million a year. I hope they defeat the amendment, emphatically.

What I said last week, with regard to illegal federal meddling with school operations, applies to illegal federal meddling in welfare, business, housing, farming: the original sin is the federal aid. The Constitution grants the federal government no power to aid or meddle in any of these fields; and the Tenth Amendment reserves to the states (or the people thereof) all powers not specifically granted to the federal government.

Unless we stop illegal federal aid, we will never stop illegal federal controls.

FOOTNOTES

[1] *U.S. News & World Report*, July 17, 1967, p. 46.

[2] Washington *Evening Star*, May 2, 1968, p. B6; *Dallas Morning News*, editorial, Nov. 12, 1967.

[3] *Human Events*, June 28, 1969, p. 11.

[4] UPI from Washington, July 9, 1969.

[5] All information on the Dallas welfare controversy is from *Dallas Morning News*, Nov. 26, 1968, pp. 1, D8; Nov. 27, 1968; Nov. 28, 1968, p. 1; Dec. 1, 1968, p. 1; Dec. 6, 1968, p. A10; Dec. 7, 1968, p. 1; Jan. 28, 1969, p. 2; Feb. 13, 1969, p. D1; July 2, 1969, p. 1; *Dallas Times Herald*, Nov. 26, 1968, p. 1; Nov. 28, 1968, p. A33; Dec. 5, 1968, p. 1; Dec. 9, 1968, p. A21; WFAA-TV Newscast, Nov. 26, 1968.

MARYLAND ARMY CAPTAIN KILLED IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. LONG of Maryland. Mr. Speaker, Capt Richard L. Buckles, an outstanding young officer from Maryland, was killed recently in Vietnam. I would like to commend his courage and honor his memory by including the following article in the RECORD:

CAPTAIN BUCKLES, OF ANNAPOLIS, KILLED ON SECOND VIET TOUR

A 27-year-old Army captain from Annapolis making a second tour of duty in Vietnam, was killed in action Saturday, the Defense Department announced yesterday.

Capt. Richard L. Buckles, whose father is a retired Army lieutenant colonel and whose brother is also in the Army, was killed while defending Tay Ninh, near the Cambodian border.

He was a company commander in the 1st Infantry Division.

GRADUATE OF VPI

A native of Wyoming, Captain Buckles's latest home was Annapolis, where he lived with his wife, the former Judith A. Howell, of Falls Church, Va., and their three young children.

A 1964 graduate of the Virginia Polytechnic Institute, Captain Buckles entered the army in July of 1964 as a second lieutenant, having completed ROTC courses at college.

He was sent to Vietnam for the first time in January, 1966, and his second tour began five weeks ago.

Upon returning from his first tour, he was awarded the Bronze Star. He had received two Purple Hearts for injuries received since he began his second tour, and he was also awarded the Combat Infantryman's Badge.

In addition to his wife, who lives at 1006 Harbor drive, in Annapolis, he is survived by two daughters, Christine Lee, 4, and Karen Sue, 2; a son, Jeffrey Alan, 2 months; his parents, Lt. Col. Ronald J. Buckles, USA (Ret.), and Mrs. Buckles, of Pacific Grove, Calif.; a brother, Spec. 6 Michael R. Buckles, stationed in Frankfort, Germany; a sister, Mrs. Roberta Sargent, of Cambridge, England, and his grandparents, Mr. and Mrs. Lloyd Wilson, of Laramie, Wyo.

NEWSLETTER

HON. EDWIN D. ESHLEMAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. ESHLEMAN. Mr. Speaker, I am today sending to my constituents my latest newsletter. I am including the contents of that newsletter in the RECORD at this point:

SPACE AGE THOUGHTS

Moon flights have focused our attention on the American space program. While some have questioned the money spent on space exploration, few doubt that our spirits have been uplifted and our national pride enhanced by the feats of the astronauts. Even those of us who have never been in a spaceship have had some direct benefits from space efforts—global communications with satellites, improved weather forecasting and advances in medicine to name a few. No one can say what further achievements are in store as the space program moves forward, just as no one could have calculated the developments which arose from the voyage of Columbus. In this decade, a frontier has been opened which will never be closed. Our travel into that frontier can promise not only adventure, but the hope of a better life for all men as well.

CENSUS JOBS

The 1970 Census will be a big undertaking. It will require the hiring of thousands of people across the Nation. Census employment has traditionally been outside the Federal career service. It is subject, however, to qualification tests administered by the Census Bureau. The hiring will get underway in February, and candidates for all jobs must pass the written test and must be available full-time for the period of assignment. District Managers will be obtained through referral sources designated by the Nixon Administration and the balance of the recruitment will be carried out through sources at the county level, supplemented by open recruiting as necessary. Enumerator jobs, averaging only 3 to 5 weeks of full-time work during April and May, will be paid at piece rates averaging from $200 to $400. Crew leader assignments, lasting 6 to 9 weeks, will be paid about $100 per week. Office clerical positions, assignments lasting 12 to 16 weeks, will be paid at hourly rates of about $2.00. While all positions are relatively low paying, they carry with them very real responsibility. The penalties accruing from a poorly-conducted census can be severe to the community or State involved. On the other hand, the benefits from a good census will be very great.

QUESTIONNAIRE RESULTS

As you know, my last newsletter included a twenty part questionnaire. If you haven't seen the results of that poll, I'm sure you'll find them interesting. Some of you probably did see these percentages since many of the local newspapers were kind enough to publish the totals. But even so, I thought you might want to give these results a second look because they seem to me to be a pretty good indication of 16th District thinking on some of the really big issues. They put into specific numerical language many of the feelings that have been conveyed to me in discussions with individuals and groups in recent weeks.

I again want to express appreciation to those of you who were good enough to participate and register opinions with me. These polls are a valuable aid in my work, so I am thankful that your interest continues to make them a success.

Here is the way the final figures looked:

[Answers in percent]

1. Do you believe that the Vietnam program recently outlined by the President is a reasonable and hopeful step toward achieving peace?

Yes	73
No	20
No response	7

2. Regardless of how you answered the previous question, do you consider the Paris peace talks to be the best means of ending the Vietnam War?

Yes	33
No	58
No response	9

3. Should the power of a President to commit American troops to combat without specific approval of Congress be curbed?

Yes	63
No	34
No response	3

4. Would you favor a tax reform plan that would eliminate most income tax deductions but substantially reduce the tax rates?

Yes	70
No	23
No response	7

5. Viewing the economy as it now stands and figuring in the continued expense of the Vietnam conflict, do you favor extending the 10 percent surcharge beyond its June 30 expiration date providing it is lowered to 5 percent as of January 1, 1970?

Yes	59
No	36
No response	5

6. Regardless of how you answered the previous question, would you favor extending the 10 percent surtax if it was coupled to a spending ceiling on the Federal Government to help bring inflation under control?

Yes	68
No	28
No response	4

7. Do you think that Federal spending should be cut back even if it means reducing expenditures in your favorite government program?

Yes	88
No	9
No response	3

8. Until a settlement is reached in Vietnam, do you think that the present military draft system should be immediately changed to the random lottery plan proposed by the President?

Yes	48
No	45
No response	7

9. Should Congress develop legislation to prohibit strikes by all public employees?

Yes	66
No	31
No response	3

10. Do you believe that the national security factors pointed out by the President justify the $6 billion expenditure needed to build the modified ABM system he proposes?

Yes	51
No	38
No response	11

11. Do you believe that Congress should develop a code of ethics for the Supreme Court rather than have the Court develop one for itself?

Yes	60
No	36
No response	4

12. Should the national government step in and standardize welfare programs in States throughout the country?

Yes	46
No	50
No response	4

13. Do you think that the present controversy has justified a reopening of the Job Corps camps ordered closed by the President?

Yes	19
No	72
No response	9

14. Would you agree that disorder on a college campus should be primarily a matter for settlement by college authorities?

Yes	69
No	28
No response	3

15. In your opinion, is it proper for the Federal Government to ban certain types of advertising from television?

Yes	67
No	31
No response	2

16. Generally speaking, are you favorably impressed with the first four months of the Nixon Administration?

Yes	78
No	17
No response	5

17. Do you believe that Congress should grant local law enforcement agencies greater financial support?

Yes	58
No	38
No response	4

18. In your opinion, is the problem of *organized crime* big enough to demand priority attention by the Justice Department?

Yes	93
No	5
No response	2

19. In the area of electoral reform, do you favor a plan which would provide for the direct election of a President?

Yes	74
No	20
No response	6

20. Do you believe that Federal health, education and welfare grants to the States should be replaced with a block grant system which would permit State and local officials to determine how the funds should be spent.

Yes	61
No	28
No response	11

SMUT MAIL

I have a question for the U.S. Supreme Court. Do the freedoms of speech and press include the freedom to invade the privacy of the home with pornographic literature? American families are being bombarded with some of the most disgusting material imaginable. The U.S. mails today are flooded with offers of hard-core smut, and even this promotional material is obscene by practically every standard of human dignity. Vicious men, who would do absolutely anything to make a few dollars, are using mailing lists derived from innocent sources such as high school honor roll lists to sell smut to young people.

Every week I receive letters from angry parents who are pleading for a way to keep this filth out of their mailboxes. They take the position that the U.S. mails should not be freely available to those who would profit from pandering to the natural curiosity of the young. I agree!

But today, following a series of court decisions, the smut merchants feel free to do as they please with their product. Printing presses and mailing services are being pressed into overtime duty to get out materials that a decade ago would have qualified the sender to a few years in a Federal penitentiary.

In the last Congress we made some little progress toward meeting the problem. We established a means by which a citizen—for himself or his children—could complain about material which, in his or her opinion, is "erotically arousing or sexually provocative." A formal complaint is lodged with a Postmaster and the sender is notified to stop mailing to the citizen's home. Any repetition makes the sender subject to fines and imprisonment.

The form necessary to initiate the procedure is reproduced on this page. [Form not printed in RECORD.] Should you receive unwanted advertising which is, *in your own opinion,* erotically arousing or sexually provocative, fill out the form and send it, along with the material you received, to your Postmaster.

While this procedure provides a positive way of stopping this disgusting traffic in pornography, I see it as only a stop-gap measure. President Nixon has proposed some stiff standards to control smut. They are standards which deserve Congressional action in the very near future, and which will have my support.

ECONOMIC INDEXES UP

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. MONTGOMERY. Mr. Speaker, I am very proud of the vast strides the county in which my hometown of Meridian is located has made over the last 20 years. The following article on Lauderdale County points out increases in population, personal income, manufacturing employment, and other economic indexes. I commend the article to my colleagues:

LAUDERDALE COUNTY GROWTH, INCOME UP

MERIDIAN.—Lauderdale County has experienced steady growth in population, income and employment since 1950, a state survey shows, and the East Mississippi county's progress closely parallels that of the state as a whole.

A survey released by the Mississippi Research and Development center compares the 82 counties in the state.

Lauderdale County's average annual earnings, wages paid to workers covered by the Mississippi Employment Security Law, are about average for the state. And the growth in the period 1958-67 was almost identical with the progress made overall in Mississippi. The average worker in Lauderdale made about $4,500 annually in 1967, up from about $3,100 in 1958. The state average during the same period jumped from about $3,200 to $4,600.

During the 11-year span manufacturing employment showed a slight gain in Lauderdale, 358 new jobs. But with new industry locating here since 1961, expansions of existing firms and the construction of the Lockheed Aircraft Corp. plant, the next set of figures should be even more optimistic. Two years ago, the county had 4,488 in manufacturing employment compared with 4,130 in 1958.

One area in which Lauderdale County substantially outstripped all its neighboring counties and the state as a whole was in population growth. All the surrounding counties in East Mississippi lost population between 1950 and 1966, but Lauderdale County was one of seven Mississippi counties gaining more than 100,000 during that span. Lauderdale, which rose from 64,171 to 74,790 was joined by Harrison, Jackson, Hinds, Lowndes, Forrest and Pearl River in the 10,000-plus gains bracket. Overall, Mississippi slightly gained in population with the 1960s reversing the losing trend of the previous decades.

Most of the population gain locally was registered during the 1960s, obviously a result of the location of the Meridian Naval Air Station here in 1961. About three-fourths of Lauderdale's population—74 per cent—is classified as urban, the size of Meridian accounting for this factor.

The neighboring counties all lost heavily population wise during the decade between 1950 and 1960, but several including Neshoba, Noxubee, Clarke, Wayne, Newton, Scott and Leake, registered small gains the past several years to stabilize their population. Kemper, Winston and Jasper, however, continue to lose people.

The surrounding counties showed gains in manufacturing employment and income from 1958–67.

SATURN 5: A NATIONAL RESOURCE WAITING TO BE USED

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. TEAGUE of Texas. Mr. Speaker, with the outstanding accomplishment of a lunar landing in this decade it is now important that we turn our attention to the future of our national space program. The July 1969 issue of Today discusses the Saturn V rocket and its capabilities. Perhaps the most significant point of this article is the fact we have developed a national resource—one which we can ill afford to ignore or neglect. It is important that we choose our goals carefully and soon so that we will reap the benefits of the vast technology that has been developed from the Apollo program.

The article from the July 1969 issue of Today follows:

SATURN 5: A NATIONAL RESOURCE WAITING TO BE USED

It towers over the Florida landscape and over the next decade of space exploration.

The Saturn 5 rocket is the space truck that delivers Apollo goods to the moon.

It is taller than the Statue of Liberty and slightly smaller than the Washington Monument. Look up at a 36-story building and you'll get the idea.

But its height doesn't really say much about the size of the rocket. One astronaut said the only way to appreciate it is to walk on the metal catwalk toward the spacecraft, stop halfway across and look between your feet at the ground.

From the astronaut's viewpoint with the ground more than 400 feet below, the size begins to take hold.

HAS TO BE SEEN

A space agency official, trying to explain why the agency has difficulty getting money from Congress, contends it is because people look at the Saturn 5 rocket blastoff on television.

"On a 20-inch screen you have a 10-inch rocket," the exasperated proponent claims. "How impressive can that be?"

To be appreciated, he is saying, it must be seen in person.

Most visitors to the east coast of Florida get a glimpse of a moon rocket. From heavily-traveled U.S. 1 the launch pads are clearly visible for 10 miles to the east.

At launch time, thousands of people see and hear the rocket, weather permitting. A New York scientist claims its roar is the loudest man-made sound not classed as an explosion.

The closest viewers for a launch are kept three miles away. Any closer and the sound would be painful.

At ignition the noise ripples across the water surrounding the launch pad on three sides, making little waves and knocking birds about in the sky.

An artificial breeze is created which makes light fixtures dance, the material in your clothing flutter back and forth and Walter Cronkite's picture window cave in.

BIG, LOUD AND MORE

But the Saturn 5 rocket is much more than just sight and sound.

What people casually refer to as the rocket actually includes three major rocket stages, a three-foot high "brain," two complete spacecraft and an escape rocket which probably will never be used.

A quick top-to-bottom tour of the rocket would go like this:

The Launch Escape Tower, actually a rocket itself, is more powerful than a Minuteman missile. If something goes wrong early in the flight the escape tower lifts the astronauts in their cabin off the giant rocket to safety.

THE MOTHER SHIP

The Command and Service Modules, frequently called the mother ship, is the main spacecraft. Inside, all three spacemen ride away from earth and into moon orbit. It has the heat shield and parachutes in the upper or Command Module portion and provides the safe ride home.

The Lunar Module, or Lem, rides into space hidden by white panels. It is the two-man Lem that astronauts ride down to the surface of the moon and return to link up with the mother ship, which remains in orbit.

(Together the double-spacecraft, when stacked on the rocket, is almost as tall as the entire rocket John Glenn rode into orbit in 1962.)

North American Rockwell builds the Command and Service Modules and Grumman Corporation builds the Lem.

THE BRAIN

Immediately below the Lem is the Instrument Unit which serves as the electronic brain for the rocket as it flies into space. This "brain" built by IBM, aims the double spacecraft at the proper point near the moon.

The third stage of the rocket, built by McDonnell—Douglas, is the only one which fires twice. During the trip into earth orbit it provides the last needed bit of power with its one engine and pushes the spacecraft and itself into orbit around the earth.

Then the engine fires a second time, sending the astronauts toward the moon. It falls away after its job is done, so it won't interfere with the spacecraft.

The second rocket stage, 81-feet tall and 33-feet in diameter, is made by North American Rockwell. It provides a million pounds of lifting power.

The first stage, or booster, is the most powerful rocket ever built. It has 7.5 million pounds of lifting power even though it weighs less than five million pounds.

A variety of changes are being discussed for the basic rocket so it can be used through the

1970s. One would see solid-fueled rocket motors added on the outside to carry heavier loads into space. Another idea is to use the spent third stage for a space station, leaving it in earth orbit instead of kicking it away into space after it is out of fuel.

"It's not just a rocket," a Kennedy Space Center official said. "It is a national resource waiting to be used."

IN OPPOSITION TO H.R. 255, TO DEDUCT INTEREST IN ADVANCE ON INSTALLMENT LOANS

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. BIAGGI. Mr. Speaker, this bill, as reported, would have authorized bankers in the District of Columbia to deduct interest in advance on some classes of loans. The bill does not affect automobile loans, nor loans by licensed lenders, nor credit union loans, nor loans on home mortgages.

The text of the committee's hearings on this bill, H.R. 255, by their inclusions and omissions, indicates why this bill should be rejected.

The present statutory ceiling on the classes of loans for which an effective rate of nearly 16 percent would be authorized, has been 8 percent for 68 years of this century. That ceiling was established when the single payment loan was characteristic, before the retailers' practice of extending installment credit and the Morris Plan Bank method of extending installment loans, had developed, and before the success of such credits had lured the commercial banks into installment loans to consumers. When the banks went into personal installment loans, they charged 8 percent on the original balance, as they would have in discounting a loan repaid by the customer in one payment at the end of the term of the loan. But with repayments in installments, the borrower has the use of only about half of the money over the life of the loan, and consequently the rate of interest or finance charge is about double the nominal rate. The statute authorized 8 percent before installment loans were the common practice; the banks charged 8 percent without specific statutory authorization when they began making installment loans. Now that they are required by truth-in-lending statute to disclose the annual percentage rate on their loans, they want statutory authorization which they have not had before to charge 8 percent on a discounted installment loan. They are following the lead of many other States, which have similarly raised the statutory rate to conform to the practice of bankers.

The personal loan and loans on household goods business of banks in the District is not monopolized, but one bank long has clearly been the leader; the volume of such loans is small at most other banks in the District.

The proposed amendment to the law would benefit primarily one bank, but with some protection for the profits of other banks in the District.

The rate which the bill seeks to make legal is not a truly competitive rate of interest. That is the conclusion to be reached from the fact that the consumer loan business is concentrated in a minimal number of banks, and from the further fact that auto loans, where there is competition among the banks, are made at rates of 4, 5, or 6 percent on the original balance—or roughly 8 to 12 percent on the outstanding balances—not the 16 percent sought for other loans in this bill.

Yesterday, the bill H.R. 255 was considered on the floor of the House. The Members voted to recommit this bill to the Committee on the District of Columbia. This action prevented statutory sanction to lending practices which have not had such sanction in the past, and to finance rates which have not been competitive with credit union rates, or reflected competition among the banks.

TOWARD DRAFT REFORM

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. SHRIVER. Mr. Speaker, on July 23, 1969, I joined in sponsoring H.R. 13066, a bill to amend the Military Selective Service Act of 1967. The need for improving our system of military manpower procurement has grown more and more urgent with each passing year.

It is encouraging to note that draft reform is not dead and there is growing interest in correcting inequities both in the administration and the Congress. I wholeheartedly endorse actions taken by President Nixon creating a commission to study the feasibility of an all-volunteer military force after the Vietnam war.

Meanwhile, the demand for draft reform is being voiced throughout the country. Under the leave to extend my remarks in the RECORD, I include the following editorial from the Hutchinson, Kans., News which is indicative of the support that responsible draft reform legislation is receiving. The editorial follows:

TOWARD DRAFT REFORM

Rep. Garner Shriver has been working with other Republican House members for several years on the problems of military manpower and draft inequities.

He has joined in a new effort to reduce the unfairness of what is called "selective service."

The major changes in this proposal would require uniform standards across the nation in granting deferments, and would permit deferments for students in junior colleges and community colleges—similar to those now given in regular four-year schools.

The timing is fortunate. Congress is showing a new disposition not to take for granted the recommendations of military voices out of the past, including that of Gen. Lewis B. Hershey, and it should grab at this chance to re-study the draft.

Any reform in our present system is welcome. The changes offered by Shriver and others should reduce some disparities, and must be encouraged.

But the basic draft inequity remains. It is simply that, even with these reforms, the draft will hit the disadvantaged harder than those who can continue their schooling.

The hopeful way out eventually will be the volunteer approach planned by President Nixon.

Meanwhile, wouldn't a lottery really be the equitable course? A lottery, moreover, with deferments virtually eliminated and the call based on the actual needs of the services.

OUTLOOK DIM ON DRUG FIGHT?

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, Saville R. Davis, a staff correspondent of the Christian Science Monitor, in a recent article appearing in that publication described President Nixon's narcotic and drug abuse proposal as one that "bristles with handicaps, obstacles, and limitations." The inadequacies of the administration's approach to the problem is further heightened when comparison is made to the proposed "Comprehensive Narcotic Addiction and Drug Abuse Care and Control Act of 1969" which I, 24 other Members of the House and 16 Members of the Senate have sponsored. As criticism of the bill drafted by the Attorney General increases, support and recognition of the validity of our approach is coincidentally on the rise.

I include the text of the Monitor article as well as a relevant letter to the editor of the Los Angeles Times by Dr. William F. Quinn, chairman, Committee on Dangerous Drugs of the California Medical Association, at this point in the RECORD:

NIXON MESSAGE: OUTLOOK DIM ON DRUG FIGHT

(By Saville R. Davis)

WASHINGTON.—The outlook for checking the narcotics traffic is not promising as of now.

President Nixon's new program bristles with handicaps, obstacles, and limitations.

To begin with, the President doesn't have much money to spend on it, yet. He couldn't afford the "massive increases" in police and customs manpower that the experts call for, even if there were ways to train them quickly.

So the message he sent to Congress this week doesn't specify the modest numbers of men that can be hired or transferred to the narcotics front in the near future.

Nor does the President have enough agreed facts about marijuana to launch an all-out educational campaign among the nation's young. All he could do was to instruct his government to "gather all authoritative information" on this and the other extensively used drugs, and to conduct research and "compile a balanced and objective educational program."

MATERIAL UNAVAILABLE

Such material is not now available.

There is a "dearth of scientific information on the subject," the President had to tell Congress. "Different 'experts' deliver solemn judgments which are poles apart. As a result of these conflicting judgments, Americans seem to have divided themselves on the issue, along generational lines."

Presidential frustration showed itself in these words.

Nor can the President be sure that his present program is the best one under the circumstances.

Some specialists in this field think that it will only accomplish the reverse of what is intended, to throw in more police and customs inspectors and narcotics detectives and task forces to tackle the criminal underground and pursue the young "pushers." It could, they say, merely raise the price of drugs across the country, and cause more crimes to be committed by desperate addicts to get money for the new high prices.

LONG-TERM PROBLEM

Nor is this all of the grim picture that hobbles what a President can do. The specialists in this field, and a long succession of depth studies like that of the crime commission under President Johnson, all say that the narcotics problem, just like that of the rising crime level generally, will not yield to any one or two simple methods of attack. To the extent that drugs are part of the general crime problem, and can be dealt with by enforcement, the entire complex of police, court, and rehabilitation programs has to be tackled. This is admittedly a very slow, long-term program.

Without progress on all these fronts together, no one panacea will work.

Finally, the narcotics problem is not just a question of "law enforcement alone"—or in the common language, not just a police problem. The President says this in his message to Congress, although the methods that he proposes are chiefly police methods. Especially with young who are in rebellion against present-day society and willing to take risks to get the "pot" or pills that the laws forbid, there seems to be no assurance that higher penalties will stop them.

With all these disputes and difficulties to right and to left of him, the President's message on narcotics is unable to take the strong, clear line that he might have wished. But time was passing and the President had to act. So he appears to have done what he could under the circumstances, according to his preference for stiffening penalties and law enforcement.

He is asking Congress to raise the penalty for unlawful possession to LSD from a maximum of a year in prison to a minimum of two years and a maximum of 10. This includes the young, to whom he refers with this sentence: "Another estimate is that several million American college students have at least experimented wtih marijuana, hasish, LSD, amphetamines, or barbiturates."

The maximum imprisonment for the first offense in selling LSD is now five years. The smallest penalty would henceforth be five years and the maximum raised to 20.

The President would also make it a federal offense for anyone to possess or sell marijuana unless he has a state license. He would legalize New York's "no-knock" law which allows police to enter immediately and without identifying themselves so that evidence of drugs cannot be concealed, providing they have a federal court order. Warrants of this sort would only be issued for drug cases.

ITEMS REPEATED

The 10-point Nixon program includes a number of items previously urged by President Johnson: improved state drug laws, efforts to persuade the drug-producing countries to deal with the problem at the source, research and educational programs, enlarged training for enforcement officers, and modern rehabilitation for addicts or sellers.

He adds a number of features to the Johnson program including a comprehensive law, tightening many diverse laws and making them more flexible and bringing them into one package. He also plans to divert manpower from other government activities, create special task forces, and in general tighten both enforcement inside the country and at the frontiers. There would be federal conferences with state officials.

DOCTOR URGES WAITING FOR FACTS BEFORE CHANGING MARIJUANA LAWS

There seems to be some fuzziness about the marijuana situation when quoting statistics.

Certainly, if there were no marijuana available, we would still have heroin addicts. However, there might be some who would not have become heroin addicts had they not been induced to try it by the permissiveness initiated by marijuana or the fact that the high they got from marijuana no longer was high enough and they graduate to heroin.

One cannot brush under the rug the sheriff's figures. Of those juveniles arrested for a marijuana offense within a five year period—and these are only the ones who got caught—one out of every six was arrested for a heroin offense.

It is, of course, somewhat of a guess as to whether or not they would have gone on to heroin anyway. In talking with many addicts they, in general, feel that they might not have gone to the strong stuff if they hadn't started on the weak stuff.

Having had a hand in writing the LSD legislation, it was felt constructive to make simple possession a misdemeanor rather than a felony, whereas, the penalties for peddling would still be severe. It was recognized that while LSD was stronger stuff than marijuana, it was also felt we need not perpetuate our errors.

Currently, the law seems reasonable in that it gives the judge discretionary powers with first offense marijuana users to make it either a misdemeanor or a felony. Since marijuana was never considered a useful substance by the medical profession, little research was done on it. On the other hand, it was hoped that LSD would be a useful substance and research was done on it, and its potentially dangerous side effects became known and its use was prohibited.

A good deal of research is now going on as to marijuana and it is hoped that those who are for it or against it will wait until the scientific evidence is in before making sweeping statements. Until this evidence is in, there is certainly no point in changing the laws which are constructive and discretionary at the present time, as far as California is concerned.

As to the pusher, there is no problem here since no one has any sympathy for the individuals who would profit on the weaknesses and credulities of the ill-informed.

WILLIAM F. QUINN, M.D.,
Chairman, Committee on Dangerous Drugs of California Medical Assn., Los Angeles.

AUSTIN AQUA FESTIVAL INVITATION

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. PICKLE. Mr. Speaker, I am pleased to announce the Austin Aqua Festival to my colleagues and to extend a nonpartisan invitation to every Member. The Austin Aqua Festival has been established as one of the top six water festivals in America.

If you have grown weary of looking at a Potomac that you cannot enjoy, come to Austin where there still remains an element of purity as the Colorado River flows past the downtown area, just blocks from the State capitol.

If you have grown tired of the foggy bottom approach to sophistication, come to Austin where the people enjoy their heritage and natural beauties with a refreshing frankness.

If you want to grin with honest fun, come to the Aqua Festival. The program is as diverse as are the great people of Texas. We will offer a bit to whet the appetites of all special interests. In abbreviated form, let me outline some of the events; mariachi music, German music, Western music, even some rock music, water ski championships, national sports car races, canoe races, boat races, land parade, lighted night water parade, coronation ball, and beauty pageant.

The atmosphere is infectious, the pleasures genuine, and the time well spent. Mark your calendar for August 1 to 10. I would not miss it.

THERE OUGHT TO BE A LAW

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. OLSEN. Mr. Speaker, I want to call the attention of my colleagues to the following editorial from the Berwick, Pa., Enterprise of May 31, 1969, which focuses on the matter of trading stamps, a matter of concern to all consumers:

THERE OUGHT TO BE A LAW

How many times have you heard someone say "there ought to be a law" in the past year or so?

Probably many times.

But really—there are too many laws already. The trouble is that the right ones aren't enforced.

In matters dealing with the free market there seems to be a particular mania for passing laws. Those of socialistic trend particularly like to make war against business and its promotions.

For example—there are trading stamps. We save them in our family and we presume most people do, but there are those who regularly come through with suggestions to do away with them by law.

Just why—we don't know, except that it is probably because of an overpowering desire to meddle. If they really want to crusade we can think of a lot of situations toward which they could make much better use of their time.

The meddlers are all over. Some are in Minnesota and there a bill had been under consideration to regulate issuance and redemption of trading stamps. A legislative subcommittee however, after a thorough check, found nothing wrong with the stamps so we presume the efforts there have gone by the board.

If lawmakers would keep away from subjects which the people can regulate themselves—we would all be much better off. For example—if people decide they are against trading stamps they will merely buy at places that do not give them.

But many, many merchants have found that such stamps stimulate sales and the increased sales makes it possible to help hold down prices.

And, another thing—stamps are a form of "savings." After all, they do serve in lieu of cash in "purchasing" a great many articles each year by a substantial percentage of Americans.

ROBERT FROST REMEMBERED—BY DR. ROY P. BASLER

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. MOORHEAD. Mr. Speaker, our "national poet," Robert Frost, consultant in poetry for the Library of Congress from 1958–62, once wrote that if he had an epitaph, it might read, "I had a lover's quarrel with the world." And so he did, often insulting, teasing, and then embracing the world he loved so much.

Frost did much to stimulate the establishment of the National Foundation on the Arts and Humanities and the Kennedy Center for the Performing Arts, and was the only poet to take part in a Presidential inaugural—J. F. K.'s.

Dr. Roy P. Basler, chief of the Manuscript Division of the Library of Congress, has written an absorbing and moving account of Frost's years in Washington—years which prompt me to suggest another epitaph from a title of one of his own poems, "Happiness Makes Up in Height for What It Lacks in Length."

I commend the enclosed article from Voyages for the attention of my colleagues at this point in the RECORD:

YANKEE VERGIL—ROBERT FROST IN WASHINGTON

(By Roy P. Basler)

It makes the prophet in us all presage
The glory of a next Augustan age . . .
A golden age of poetry and power
Of which this noonday's the beginning hour.[1]

In the spring of 1958, Robert Frost became Consultant in Poetry at the Library of Congress—with a purpose. For many years his poetry had received wide acclaim indeed, but it became increasingly evident to me that he wanted more, and meant to get it. It was my privilege, in a small way, to aid and abet his intent. The role which he conceived for his remaining years—prophet and wiseman to the nation—he developed craftily as the stage widened, and with some luck, good timing, and a fair portion of ham acting, he was able to play out his part, perhaps farther downstage than he had ever suspected possible.

He came to discuss the terms of his appointment with the Librarian of Congress, L. Quincy Mumford, on May 1 and on May 12 his appointment was announced. Interest generated in the press exceeded expectations, and arrangements were made for a press conference on May 21, to be followed by a gala reception. At the press conference, Frost was in good form. After a brief reference to his pleasure in being appointed to follow Randall Jarrell, whom he described felicitously and tartly as "one of the most *pronounced* literary figures in America," reporters from the national wire services, as well as the Washington, New York, and Philadelphia (but oddly not Boston) papers, CBS, the U.S. Information Agency, and Telenews, among others, plied him with questions.

Would he continue "Jarrell's policies?" He would if he "knew what they were."

What did his position consist of? "Making the politicians and statesmen more aware of their responsibility to the arts . . . And I wouldn't have much confidence in myself that way if I hadn't been so successful in Washington lately in a law case. (Ezra Pound's release, for which Frost and others had petitioned, had been cleared on April 18.) But, I surprised myself. I wish—Kipling has a poem that begins 'I wish my mother could see me now.' "

How did he intend to make politicians and statesmen aware of the arts? "I guess we'll have to ask them to dinner once in a while. And then, you know, you can keep giving them your books . . . I've got one with me for somebody very high up right now—very, very high up—about as high as you can get." What would he inscribe in it? "I hadn't got as far as that, but it'll be as farmer to farmer . . ."

Did he discuss the Pound case with the President? "No . . . the Attorney General . . . It started with Mr. Brownell, but Mr. Rogers got promoted the day after I saw him as Assistant. See, I got him promoted."

Within a few minutes, the scope of the Consultantship in Poetry at the Library of Congress had expanded beyond anything heretofore contemplated, by anyone other than Frost, at least. The questions, answers, and badinage continued for an hour, covering the Pound case as well as the only other time Frost had anything to do with the law—"for punching somebody once years and years ago."

Why? "That's too delicate a matter. I can't go into that."

President Eisenhower's fondness for a painting by Anders Zorn, Theodore Roosevelt's appointment of Edwin Arlington Robinson to a job in the New York Customs House, and Coolidge's acquaintance with the poet Dennis McCarthy, who wrote for the Boston *Post*, came in for comment.

Dwight Morrow had tried to get President Coolidge to invite Frost to the White House, and all Coolidge had replied was: "There used to be a poet by the name of Dennis McCarthy, hanging around the State House in Boston."

It was Frost's opinion that we should "do something about this, bringing poets and presidents and things together. Wouldn't it be terrible if this country went down in history, like Carthage, without anybody to praise it . . .?"

As the conference went on—covering such divergent topics as socialism, the need for more study of the humanities as opposed to science, and the need for political leaders, as a reporter phrased it, "to have religious faith—everyone participating had a most enjoyable time, but Frost obviously the most enjoyable of all. He was being consulted!"

The reception that followed the press conference was lavish by Library of Congress standards, since Frost's publishers, Henry Holt and Company Inc., were co-hosts. Many distinguished Washingtonians were invited, and most of them came, but in view of later developments it is interesting to note that neither of the Senators from Massachusetts was on Frost's guest list, although both the New Hampshire and Vermont delegations were invited and came.

The news stories concerning Frost's appointment elicited general praise and approval, but lest it be thought that any poet, no matter how distinguished or venerable, can be appointed to this quasi-public office without becoming the subject of attack, a letter signed "Veteran," published in *The Washington Daily News* on June 4, protested:

"Personally, I never could understand why the taxpayer had to hire a consultant in poetry, since most taxpayers' interest in versification seldom goes beyond Edgar Guest or Ogden Nash. As a veteran of W.W. II, it's disappointing to me that Mr. Frost was appointed. How can a man, who brags about this campaign to get Ezra Pound out of St. Elizabeth's, be 'cleared' for a position with the Library of Congress? . . ."

"Veteran" was mistaken, as are most critics of the Consultantship, in assuming that the taxpayer's money pays the consultant's honorarium, when in fact a modest endowment, given to the Library of Congress by the late Archer M. Huntington, provides the means for this unique post.

II

During the summer months, preparations were made for Frost's assumption of his official duties in October. Requests for appointments, as well as letters enclosing manuscripts for the consultant to criticize and asking all kinds of advice, became so numerous that it was necessary to devise form replies explaining why the consultant could not personally reply to all. But when Frost arrived on October 12 to spend his first week in residence, both his office schedule and his social schedule were full. He was consulted officially by State and Army, as well as by professors, students, and poets. He read his poems in the Library's Coolidge Auditorium to an invited audience of high school honor students and their teachers, and again held a press conference, this time sparsely attended. When told that President Eisenhower had called a press conference at the same time, he remarked, "First things first . . . I'll have to say something to him about that when I see him." When introduced to the reporters by the Deputy Librarian of Congress with an explanation that the conference had been called because the consultant's crowded schedule could not accommodate all the requests for individual interviews, he protested with good humor. "Now *you* decided all this. I ought not to be called poetry consultant. I ought to be called poet-in-waiting." He remarked that "one reason I'm here is my ambition . . . to get out of the small potatoes class." He wanted "Somebody in the Cabinet for the arts . . . just to have the state recognize the existence of the arts."

This conference rambled over American poetry, with pungent comment on Pound's *Cantos*, as well as American painting, especially Frost's liking for the work of Winslow Homer, Andrew Wyeth, Thomas Eakins, and James Chapin. He had a painting by each in mind that he thought would suitably decorate the walls of the consultant's office. But he wouldn't want to have too sumptuous working conditions. "If I had a beautiful studio, I'd never paint. I'd have ladies visiting."

In reply to a question whether the world did not operate too much on the basis of "You know me, Al," he agreed. "The whole human race is . . ." How else could it be? Would I approve somebody I knew nothing about? This reminded him of the story of a man who supported a friend for appointment to the Pennsylvania Supreme Court and was told "I don't know him. I know you. How about you taking the job?" As events were to develop for Frost, this comment had more point than anyone could then have surmised.

If his schedule did not keep him busy enough in October, it can be said that it kept several members of the Library staff busy more than enough, but to the delight of all. When he returned for his tour of duty in December, an equally hectic schedule was observed, with a public lecture and reading, "The Great Misgiving," interviews, conferences, luncheons, dinners, and by Frost's request, another press conference.

As reported in the newspapers with the headline "Frost Complains of Lack of Work," he began, "I summoned you." He wondered if he had not come to Washington on a misapprehension, to be consulted not only about poetry but about politics, religion, science—anything. "But I've been consulted only three times by the White House, only once by the Supreme Court, and not at all by Congress. I think something out to be done about it."

[1] Robert Frost, "Dedication: For John F. Kennedy His Inauguration." The lines from Robert Frost's poems are quoted by permission of the publisher, Holt, Rinehart and Winston.

What did the Supreme Court want to know? Something he had once said to the late Justice Cardozo: "The Supreme Court will bear watching because it might lose the distinction between being a referee and being a handicapper." The obvious relevance to the integration question was not lost as Frost went on, "I think the legislative department has been delinquent. The legislative department should have been tending to what the Supreme Court in desperation had to do."

He confessed that he would like to be a senator. "I wish some good senator would resign about six months before the end of his term and let me finish it out." But that was Truman's idea, too. "Then he stole it from me." His first bill to be introduced would be "to give this office of mine a real standing in the government."

He admitted to being an expert on education. "I have long thought our high schools should be improved . . . A lot of people are being scared by the Russian Sputnik into wanting to harden up our education or speed it up. I am interested in toning it up at the high school level . . . I would rather perish as Athens than prevail as Sparta. The tone is Athens. The tone is freedom to the point of destruction. Democracy means all the risks taken, conflict of opinion, conflict of personality, eccentricity."

Did he feel the present Administration sympathetic to the arts? It was "much more so before a recent sad event." Sherman Adams had departed from the White House. About his old friend he said, "He really cares about the arts."

His December week in Washington was made notable by the negotiation for presentation to the Library of Congress, at Frost's request, by his friend and long-time correspondent Louis Untermeyer, of several hundred letters (since edited by Untermeyer and published by Holt), which are in effect a large slice of Frost's autobiography. The promised gift was appropriately but quietly celebrated at a luncheon in honor of the two poets, but the actual deposit of the letters was not to take place for some months and would not be announced until two years later, on December 11, 1960.

Frost's complaint that Congress had not taken sufficient note of his presence had borne fruit when he returned to the Library for his week at the end of March. A Senate Resolution, sponsored by 62 senators, extended birthday greetings on his 85th anniversary. The language of the Resolution reminded him that the Senate had in a similar Resolution extended greetings on the occasion of his 75th birthday, and apologized that "although compelled by the necessities of our time to concentrate its attention on things material, nevertheless (the Senate) is fully cognizant of the value and importance to our citizens as long as our Nation shall endure of things of the spirit contained in our national literature, art, and culture."

His birthday was celebrated with fanfare, not in Washington, but in New York, where his publishers arranged a dinner to which were invited the literary lights of the nation and not a few political figures, many of whom were unable, because of public business, to attend. Among those who sent their regrets along with birthday greetings were Senator John F. Kennedy of Massachusetts.

Frost had formed a high opinion of Kennedy and believed he was a man to watch. In our occasional discussions of men in politics during the next few months, Frost was on the whole most perceptive. He had his prejudices, but he was singularly free of the all too common intellectual contempt for politicians—especially politicians who fail to see things in the intellectual vogue of the moment. He could even make allowances for some of the practical political facts which inhibited the public expressions and acts of certain Southern politicians whom he held in considerable respect. When I once teased him, however, about Kennedy's rather aloof record during the McCarthy outrage, he would not defend this failure to take a stand, as he would defend certain Southern senators whose constituencies would not permit them to espouse the Supreme Court's decision, in *Brown et al.* He merely shrugged off the challenge.

At the press conference held in the New York offices of his publishers on the morning of his birthday, March 26, Frost quickly and deliberately got into politics: "Somebody said to me that New England's in decay. But I said the next President is going to be from Boston." When pressed to name the man, he replies, "Can't you figure it out? It's a Puritan named Kennedy."

Although the poet's other comments made interesting news, it was this that made the headlines across the country, as well as in New York.

Frost's week at the Library began on March 30. It included his usual public lecture and reading at the Library as well as one at the Folger Shakespeare Library, a seminar for graduate students from the local universities held in the Wilson Room of the Library of Congress, several luncheons, one at the Federal Trade Commission, and one in the Whittall Pavilion of the Library of Congress, to which came President Eisenhower's Special Assistant Frederick Fox, Senator Thomas C. Hennings of Missouri and Representative Frank E. Smith of Mississippi, among others. But not Senator Kennedy.

A few days after Frost's departure for Cambridge, however, a letter addressed to the Consultant in Poetry arrived at his office. In it Senator Kennedy expressed gratification "to be remembered by you on the occasion of your 85th birthday," but regretted that "the intrusion of my name, probably in ways which you did not entirely intend, took away some of the attention from the man who really deserved it—Robert Frost." The politics of art was becoming scrambled with the art of politics, apparently unknown to the Senator!

Frost's final week as Consultant in Poetry at the Library of Congress began on May 18, with a talk and reading that night to which only members of the Library staff and their families were invited. The limited seating capacity (c. 500) of the Library's Coolidge Auditorium had been inadequate for every public reading Frost had given, and it was felt that at this concluding performance the staff, many of whom had not been able to hear him at all, should be given priority. The auditorium was filled to overflowing again, and Frost received an ovation to which by this time he was, of course, far from unaccustomed. The usual heavy schedule of interviews, conferences, luncheons, and dinners obtained, and a reception was held in the Library's Whittall Pavilion on May 20, recorded in my diary with considerable understatement, as "a pleasant social affair which very fittingly wound up his stay at the Library in so far as the public relations aspect is concerned."

For Frost, this reception achieved the recognition of his consultantship by the largest turnout of dignitaries and wives yet seen—Ambassadors, White House officials, Supreme Court Justices, Representatives and Senators—among the latter John F. Kennedy, who almost "slipped" in, and out, after the briefest of handshakes, so that few in the crowded Pavilion besides Frost would remember later on, just when it was that the two men first met.

In view of later developments, an extremely important event took place on the night of May 19 when Frost accepted the invitation of Representative and Mrs. Stewart L. Udall to dine at their home. Frost appreciated this invitation highly, and it marked the beginning of a friendship which he renewed whenever he came to Washington. As he had observed concerning the principle of "You know me, Al," how else could it be that a poet should get selected for special recognition?

On Frost's last night, May 23, a group of the Library's staff who had worked most closely with him gave him a dinner at the Hay-Adams. It was an occasion for congratulations all around the table, not the least sincere of which were Frost's own. He was especially pleased when the Librarian suggested that he continue the next year as "honorary" consultant. Four days later I wrote him proposing that he serve the Library in this new capacity with the title "Honorary Consultant in the Humanities." His reply was, "Won't it be capital for us all to get together next year?

III

It was agreed that the first week in May 1960 would be the most suitable for Frost's initial visit as honorary consultant, and preparations were made accordingly for a talk and reading on the night of May 2, preceded by a luncheon in his honor in the Whittal Pavilion and a press conference as usual. His own party for friends would be on the next day, and on the night of May 4, a special talk and reading for Members of Congress, Senators and their families. On May 5, he would testify before the Senate Labor and Public Welfare Committee on Senator Francis Case's bill to establish a National Academy of Culture. His interest in another piece of legislation would not require testimony: on April 28 Senator Saltonstall had introduced for himself, Senator Aiken, and Senator Prouty S. 3439, a bill authorizing President Eisenhower to award Frost a gold medal in recognition of his poetry.

For his talk and reading on the night of May 2 he wanted the printed program to carry a special device—"The Pasture Spring" in facsimile. For this he copied the poem in very clear hand and scribbled a note to accompany it. The title as well as the poem itself he wrote down from memory which perhaps accounts for the fact that the little poem which appears in his *Complete Poems* as simply "The Pasture," is here entitled "The Pasture Spring." Here is his note:

"DEAR ROY: The idea was to make the program something to read besides titles. You are so generous about complying with suggestions. But disregard the above if it comes too late. Just have it in print like the other quotations. I'm looking forward to renewals. And I'm not afraid of the reporters unless they stay away and accuse me of things I don't think. I am ready for them on segregation, Romanism and Russia.

"I'm here where we last saw each other in Amherst.

"ROBERT."

All in all, things appeared to be picking up just where they had left off a year before, for a week of Frost as usual. As things turned out, however, there was one near fiasco and one unprecedented but quirky stroke of good luck, along with the usual round of excitement which accompanied his visits. The near fiasco was brought about by protracted debate in the House of Representatives, with numerous quorum calls, on the Area Redevelopment Act. That this should have occurred on the night of May 4, set aside for Frost's specially prepared talk and reading for Members of Congress and Senators, was most lamentable.

Although responses to invitations had brought sufficient requests for tickets to fill the auditorium, when Frost took the stage he faced only a scattered few wives and families. Some wives were still waiting outside for their husbands. As Frost proceeded, obviously a bit miffed, he warmed to his task and gave a very fine performance, and as he talked and read, a few more wives and substitute friends and relatives began drifting in. By the time he had concluded and every-

one had repaired to the Pavilion for the reception that was to follow, there were perhaps a hundred and fifty present, among them half a dozen Senators and Members who ducked in to apologize and explain the dire necessities of legislation, and then ducked out.

The theme of his remarks, chosen for the historic occasion, was "anxiety," the anxiety of nations, with special reference to the U.S. *vs.* Russia, Israel *vs.* the Arab nations, *etc.*, parallel with allusions to history, Athens *vs.* Persia, Rome *vs.* Carthage, England *vs.* the Continent: "I suppose this has been going on a long time, and I suppose that is what lies ahead of us—the championship." But he cut it short, after some wandering, and began to "say" his poems. For those who came, if not for him, the evening was a success.

The luncheon on May 2 was another matter—something no one who was present will be likely to forget.

Carl Sandburg was in town to receive on the same evening a silver laurel wreath from the U.S. Chamber of Commerce—its "Great Living Americans Award." Carl's long and friendly "official" association with the Library of Congress dated from 1946, with his appointment by then Librarian Archibald MacLeish as a Fellow in American Letters. He customarily stopped by whenever in the city, to visit and chat with me, or David Mearns, Chief of the Library's Manuscript Division, or both. I had enjoyed Carl's friendship and personal encouragement as a student of Lincoln, dating from the early 1930's. At the very time in 1958 when I had been negotiating with Frost to become Consultant in Poetry, I had also signed Carl up to deliver an address on Abraham Lincoln in the Library's Coolidge Auditorium on the night of February 12, 1959. I had taken this precaution so far in advance, because Carl would be in great demand in the Lincoln Sesquicentennial year. As things turned out, this was most fortunate, for his commitment to the Library was ultimately expanded by an invitation to address a joint session of the Congress at noon on the same day. Both his address before Congress and his talk that night at the Library were moving and memorable performances, but it was the former, of course, which captured the headlines from all other Lincoln Day observances, partisan or otherwise.

That the Lincoln Sesquicentennial should have enabled Carl's brief preemption of the poet's spotlight in the nation's capital during Frost's year as Consultant in Poetry was perhaps an inevitable accident. Even though it came during Frost's absence from the Library, it did not pass unobserved by Frost, as I learned when he returned for his week in residence at the end of March.

It will come as a surprise to no one who knew Frost at all that Sandburg was neither his favorite poet nor his favorite historian. Nevertheless, when I learned that Sandburg was in town on the day of our luncheon for Frost, the opportunity to bring the two together seemed just too good to miss. Although there was no love lost on Sandburg's side of this rivalry either, he good humoredly gave in to my persuasion that he join us.

As Carl came into the Pavilion, a wool scarf about his neck and a black fedora on his head, he paused at the threshold. I greeted him and turned to Robert who, with his back toward us, was chatting with a semicircle that included the Librarian of Congress, Quincy Mumford.

I said, "Robert, here's Carl Sandburg come to lunch."

Frost turned, a glint in his eye, and grinned without moving or offering his hand. "Don't you know enough to take your hat off when you come in the house?"

Carl's throaty chuckle accompanied the exaggerated flourish with which he doffed his fedora. The familiar silver Sandburg forelock fell over his eye.

Frost: "Don't you ever comb your hair?"

Another Sandburg chuckle, as he reached into his coat pocket, brought out a comb and lifted the silver lock into place, where it stayed only for a moment. He proffered the comb to Frost. "You could use a comb yourself, haw, haw, haw!"

This broke the slightly awkward silence with a good laugh all around, for Frost's silver head was as tousled as usual.

Reaching deep in his trousers' pocket, Frost brought up the most snaggle-tooth comb I have ever seen, and ran it through his hair, with some difficulty but without much effect, to everyone's laughter. Then finally they did shake hands.

The luncheon group of about 25 persons, including members of the staff, the Consultant in Poetry Richard Eberhart, as well as two visiting poets, Oscar Williams and Hy Sobiloff, was fortunately large enough for each of the two elder statesmen of letters to have his own semicircle, and when, after a brief libation and some photographing, we sat down to eat, the two were placed on either side of the Librarian, Frost to the right, Sandburg to the left, near enough to each other by all odds, but with myself and Oscar Williams seated facing them, to keep the quips flying without any absolute necessity of smashes or kills at the net. For as they broke away from their initial greeting, Frost had brushed off his well-worn witticism to humph, "I'd as soon play tennis with the net down as write free verse."

During the prandials, both pre and post, Carl maintained his good humor and refused every opportunity to thrust in reply as Frost became more and more obviously, but still not impossibly, tetchy in his sallies, not too *sotto-voce*, either. Perhaps the most uncalled for, or as it seemed to me, dragged-in-by-the-heels, was Frost's atrocious pun on the title of one of Sandburg's books of poetry, when he remarked his dislike for "slobs of the sunburst west."

Oscar Williams, seated opposite Frost, egged him on, though Frost needed no encouragement, while I, opposite Sandburg, kept Carl's attention directed, as much as possible, toward his acolytes at our half of the table, and Carl was a sublime egoist, wholly indifferent to, if not wholly unaware of, the display of sparks that Frost's terrific if pettily competitive instinct was generating. The hilarity was immense because everyone as aware of how close we were skating to the thin ice that might break and dunk us from exhilaration into dismay.

When the Librarian finally tapped his glass with his spoon and made his customary announcement—that while this was a merely social occasion, if either of our distinguished guests felt any compulsion to speak, he was sure there were those who would be glad to listen—Frost said, "Let Carl pay a tribute to me. He oughta praise me, my poetry."

Everyone roared and Carl shook out his throatiest prolonged guffaw to decline this gambit. Whereupon the Librarian adjourned the affair, Frost repairing to the Poetry Office for his press conference, and I taking Sandburg in tow to return him to his hotel with my profound gratitude, and relief.

I have heard others tell of times when Carl displayed a petty or nasty disposition toward persons he held in small esteem because of their pretensions or their pompous flatulence, but in my many times with him I never saw this happen. In a necessarily competitive argument he could be as rough as his competition, especially after a copious libation, but I never saw him betray a hint of jealousy or upstaging. Robert, on the other hand, was not only a born competitor, he was sometimes competitive when he need not have been, because he really couldn't help it.

This episode reinforced my observation that poets on display, like children and people in general, will show their essential natures rather than their manners, on occasion, and when reproved, as Frost was later, by a person who knew how to and could do it, they can pretend penitence they do not really feel. "Was I really bad?" he asked, not the least bit contrite.

IV

Senator Saltonstall's bill authorizing President Eisenhower to award Frost a gold medal was passed and became Public Law 86–747 on September 13, 1960, obviously too late for its provisions to be carried out before President Eisenhower would leave the White House, but the possibility that a President of Frost's own choosing might do the honors was becoming more likely day-by-day as the Presidential campaign developed. When election day provided the fulfillment of Frost's prediction, rumors began to fly that Frost would participate in the Inauguration of John F. Kennedy in January, and on December 18 the fact was announced in the Washington *Evening Star*, with the comment that "In a sense, Senator Kennedy will be paying off a campaign debt too. All through the primaries he quoted from one of the venerable New England poet's most celebrated lyrics, 'Stopping by Woods on a Snowy Evening.' Inevitably, in Wisconsin and West Virginia and points West, he bade farewell to his audience with these lines:

" 'But I have promises to keep
And miles to go before I sleep.
And miles to go before I sleep.' "

To this account it should be added that Kennedy's choice for Secretary of the Interior, Stewart L. Udall, had proposed Frost's participation in the inaugural ceremony in the first place.

On Thursday, January 19, Frost came to the Library for the luncheon we had arranged to honor his triumphal homecoming. When he came into my office, after the briefest of greetings and felicitations, he announced forthwith that he was going to see to it that President Kennedy appointed me to a position of importance somewhere. Dumbfounded. I began to explain the facts of my limited bureaucratic existence in plain terms, and when he chided my political innocence from his now political eminence, I became aware that he was talking rather too loud, and shut the door, but not before he had impatiently and hurtedly exclaimed, "Don't shush me!"

He meant to do something for me and was obviously chagrined that I didn't want him to. He had achieved a position of influence, and he meant to use it, for me. How does one gracefully resist a benefactor who is used to having his own way? Especially when the improbable comes wrapped in the slightly ridiculous. His acquiescence left me with the feeling that I had let him down, in being less than a true competitor, after his own heart.

When we joined the other members of the staff gathered in the Whittall Pavilion to honor our something more than poet laureate of the United States, I was glad I could merge my feelings in the general sentimentality of the occasion.

Inauguration day dawned bright and exceedingly cold, with the national capital muffled in the heaviest snow in several years. As I looked out the window at my sugarloaf Chevy, I yawned, "That's that!" I was devoted to Robert Frost, but not that devoted! Unfortunately, my wife, a late riser, was not only devoted to Robert Frost but also as infatuated as any wife of any New Frontiersman with J.F.K. When she woke me from my second sleep, I merely turned over. I wouldn't have gone to see Lincoln inaugurated on such a day, and anyway we could see it better on TV.

"Get up, it's ten o'clock and there's barely time!" I couldn't believe it, but I did.

Once I had shoveled out, we mushed the Chevy to the highway and as near Capital

Hill as we could get, then booted and thick as two bears in all the outer garments we could stretch over all the inner garments we could stuff under, we heeled and toed the rest of the way with our camera and flask, to stand among the thousands and await the opening of the New Frontier.

I shall not attempt to describe what everyone, especially those who stayed snug at home before the TV, saw better than I did, for my eyes were watered and blurred, not merely from the cold and the glare of sun on snow either. But I can state that the history made before the eyes of one observer carried an emotional wallop that rose from a slough of long-winded preliminary piety to a crescendo of something I had never quite experienced before. When Robert was led to the microphones, I nearly wept. When he began stumbling through the opening lines of the new poem which he had written, "For John F. Kennedy His Inauguration," but which he couldn't "say" as he customarily did, but had to read because it was so new that it was unfamiliar even to its author, my throat simply closed. When he admitted his defeat in the glare from God on high and launched his counterattack to "say" the poem *his* President had requested, "The Gift Outright," only a school girl's phrase can name it. I was thrilled nearly to death. Even the President's exceptionally fine Inaugural Address was merely denouncement, preoccupied as I was with my own thoughts. Robert had made it, as he so wanted to.

Among my thoughts was the whimsical reflection, which I voiced as we trudged away to watch the parade: "I guess it was a good thing Adlai was defeated in 1952, or Carl might have been the Prairie Vergil of the "next Augustan age." My wife could never have agreed to my premise, but she got the point of my conclusion. The only precedent in American history, so far as I know, for a poet's elevation to the inaugural platform was Adlai Stevenson's selection of Carl to perform the ancient duty of the ruler's chosen bard, at his inauguration as Governor of Illinois in 1948. That happened to be, likewise for personal reasons, the only other inauguration I ever attended.

V

Although he returned to the Library in May for his tour of duty as Honorary Consultant, Robert no longer belonged primarily to us. The date for his now established annual reading was shifted to permit his prior appearance on the night of May 1 in the State Department Auditorium, under the sponsorship of the President's Cabinet, the first of a series of such presentations by the Cabinet of eminent literary figures. He continued to be generous in sharing his time, however, and for the next two years made the Library headquarters for his increasingly numerous visits to Washington. His honors continued to accumulate, including the introduction of a House Resolution that he "should hereafter be known as the National Poet of the United States." Plans were made for the greatest birthday dinner yet, on the night of March 26, 1962, but almost prevented by his serious bout with pneumonia early in February. When Mrs. Basler and I visited him briefly later that month at his cottage in Florida he was shakily recuperating, but indomitable. "I was not ready to die yet." Alluding to this illness a month later, when President Kennedy finally presented the gold medal so long in the making, he paraphrased the concluding lines of his poem "Away!"—"I went right up to the grave and was so dissatisfied with what I saw that I came back." He just could not afford to die and miss getting that gold medal, or his resplendent 88th birthday dinner, at which the great and near great of his own country, ambassadors from abroad, and assorted friends whom he never forgot, would assemble in the Pan American Union to praise and honor him. Nor could he forgo his trip to Russia and meeting with Khrushchev during August and September, first broached in May, at a dinner with Soviet Ambassador Dobrynin in the home of Secretary of Interior Udall, (an account of this trip by F. D. Reeve appeared in *The Atlantic*, September, 1963), nor his principal role in the National Poetry Festival held at the Library of Congress in October. If anyone present had doubts that Frost was *the national poet*, his talk and reading on the night of October 24, in the midst of the Cuban Crisis, dispelled those doubts in the moment.

While Frost's proposal for a Cabinet post for the Arts seems never to have been given serious consideration, his presence on the Washington scene from 1958 through 1962 lent considerable impetus to the movement culminating in the establishment of the Kennedy Center and the National Foundation on the Arts and the Humanities, helped bring about the continuing series of Cabinet-and-White-House-sponsored literary and performing arts presentations in the State Department Auditorium, and the White House receptions, dinners, presentations of awards, and festivals honoring prominent figures in the arts and humanities which became—until the debacle of the Arts Festival in June 1965—something of an established pattern in the national capital. Even that somewhat desiccated federal branch, the Smithsonian Institution, began to send forth cultural blossoms—concerts, lectures, and whatnot—in a variety unprecedented, and the Library of Congress no longer held its unwanted distinction of being a very modest literary and musical oasis in the federal cultural desert.

Not many lobbyists have ever achieved more for whatever cause, and none, so far as I know, has ever achieved a comparable national public image in the process. It is no denigration of the cause of the arts and humanities at large, in my book at least, to recognize that Frost's ego was his primary motivation.

He would have liked to live forever, I feel sure. If pneumonia, "the old man's friend," as he had affectionately dubbed his ailment, quoting somebody or other, when I had seen him convalescing in Florida almost a year before, had not finally persuaded him to give up on January 29, 1963, I truly believe he would have done as he threatened:

> And I may return
> If dissatisfied
> With what I learn
> From having died.

OMAHA GIRL ATTENDS GIRLS NATION

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. CUNNINGHAM. Mr. Speaker, I had the privilege today to visit with Ellen Alston of Omaha, one of two Nebraska representatives to the 1969 Girls Nation in Washington.

Ellen will be a senior this fall at Omaha Central High School and president of its student council. She was elected lieutenant governor of Nebraska Girls State held earlier this year at Lincoln and plans to major in languages in college.

Miss Alston was appointed secretary of housing and urban development at Girls Nation and was on the platform at its inauguration ceremonies today.

This young woman is the daughter of Mrs. Henrietta Alston and the late Charles W. Alston. An older brother, Charles, is a senior at Stanford University and she has three younger sisters.

Mr. Speaker, Ellen Alston typifies the fine young men and women who annually attend boys and girls Nation activities sponsored by the American Legion and its auxiliary.

PLEA FOR RELIGIOUS FREEDOM IN RUMANIA

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. SNYDER. Mr. Speaker, under normal circumstances I would employ the normal channels of communication in order to solicit the support of my colleagues in a matter of importance. However, inasmuch as President Nixon will shortly be in Rumania, I am using the RECORD in order to reach my colleagues and all concerned parties about a matter which I consider to be of the utmost importance and which must be acted upon immediately if we are to be effective. I am of the hope that my colleagues and friends will join me in sympathetic support of this cause by communicating their desires to the President on behalf of the imprisoned hundreds in Communist Rumania who have been and continue to be persecuted for practicing their beliefs and faith. Time is short and we cannot afford to delay. My letter to the President follows:

JULY 30, 1969.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I would like to congratulate you on behalf of myself and my constituents for the exemplary manner in which you are representing the United States on your tour around the world.

As you journey to Communist Rumania, I feel it is my duty to apprise you of a situation of which you are probably already aware, but I, nevertheless, am compelled to reiterate.

The Reverend Richard Wurmbrand is a Christian pastor and a native of Rumania. He was imprisoned after the Communist takeover of Rumania for practicing his religious convictions and was released in 1964 as part of a general amnesty, after having spent 14 years in prison. He bears 18 ugly scars on his back as proof of persecution not only of himself and his church, but of all religions—Protestant, Catholic, Jewish, and Orthodox—in Rumania.

In sworn testimony before a Congressional committee on August 10, 1967, Reverend Wurmbrand documented numerous instances of brutal Communist persecution of religious freedom in Rumania. Augmenting his personal experiences with quotes from the official Communist press, Reverend Wurmbrand cited the following examples of religious persecution:

1. Persons are imprisoned for showing films of a religious nature to children, distributing religious magazines, baptizing children and teaching religion to children. Parents found "guilty" of such offenses are denied parental rights, and their children are placed in state schools.

2. The Communists make no distinction between different faiths. Reverend Wurmbrand had been imprisoned with clergymen

of the Catholic, Protestant, and Jewish faiths. "With us," he testified, "nearly all the Catholic bishops have been killed under tortures. Two or three, perhaps, have escaped." "In Rumania," he goes on to say, "I have been in prison with Jewish rabbis."

3. Charitable work in Rumania is strictly forbidden and the sale of Bibles is considered illicit commerce. Bibles are confiscated and condemned as "poison."

Reverend Wurmbrand names names of religious leaders in Rumania who have been arrested and cites the existence of suppressed "underground" churches—Orthodox, Baptist, and Presbyterian. Unitarian pastors are also in prison for their religious beliefs. Reverend Wurmbrand recounts a case in Rumania where seven boys and three girls were arrested and sentenced to 5–6 year prison terms for having publicly sung Christian hymns—this he documents further with an article from the Communist press.

Mr. President, you are the head of the greatest and freest nation in the world. One of our most jealously guarded freedoms is that of freedom of religion. You have the responsibility—nay, the duty—to use your vast influence and prestige to effect the release of the hundreds of people who are being tortured and imprisoned in Rumania and whose only crime is the wish to worship their God.

Mr. President, this is not a political request, but a moral one. On behalf of America and free men everywhere, I urgently request that you do everything in your power to convince the Communist leaders in Rumania to have mercy on those of all faiths imprisoned and persecuted in that country.

In the name of humanity, I remain

Sincerely yours,

M. GENE SNYDER,
Member of Congress.

THE APOLLO 11

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. DERWINSKI. Mr. Speaker, in the national spirit of pride and respect which our Nation has demonstrated for the achievements of the Apollo 11 flights, I am pleased to insert into the RECORD a poem composed for this occasion by one of my constituents, Mr. Roy J. Ebben of Alsip, Ill.:

THE APOLLO 11

(By Roy J. Ebben)

Armstrong, Aldrin and Collins,
Wondrous men are they:
Flashing smiles, rugged faces,
Uncle Sam's top Astro Aces.

Strong of body, brilliant minds,
The kind of men our space school finds
With plenty of courage, nerves of steel
They challenged the moon to a showdown deal

Cape Kennedy was the launching site
For Apollo Eleven's great space flight
"We've got a job to do", they said,
And up the towers lift they sped

All buttoned up, all systems go
The countdown started with cadence slow,
A mighty blast and the Saturn rose
Into orbit Columbia goes!

Proudly perched the Eagle module
High on the moon, right on schedule
The Astronauts put on a show,
Those men of Destiny,
As they walked upon the Tranquil Sea
To change the course of history

EX-POSTMASTER GENERAL DAY DISCUSSES POSTAL REFORM

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. DULSKI. Mr. Speaker, the House Committee on Post Office and Civil Service has been holding full committee hearings for more than 3 months on the various proposals for reform of the postal system.

The public hearings are scheduled to be concluded this week. Since April 22 we have had a large number of witnesses, all of whom have contributed in their individual ways to our consideration of this all-encompassing matter.

There is no disagreement about the need for reform of the postal system. The main question is whether it should be done within the present Department, as I have proposed in H.R. 4, or whether it should be done by converting the Department into a public corporation, as provided in several bills. Whichever way we go, there will, of course, be many details to be worked out in executive session.

Today's hearing was another excellent session in which the first witness was a former Postmaster General, J. Edward Day. As a former executive in a major business and as a former Postmaster General, he gave the committee the benefit of his observations from his broad background.

Mr. Speaker, I also would like to commend Mr. Day for his attendance at our hearings. Few, if any, have been more faithful in their attention to the diverse views which have been presented.

As a part of my remarks, Mr. Speaker, I am including the text of Mr. Day's statement to our committee today:

STATEMENT OF J. EDWARD DAY

I appreciate the invitation from the Committee to appear today to give my views on the proposals for post office reorganization and for a postal corporation.

First, I want to bring the Committee up-to-date on some of my background, so far as it bears on this subject, and on some of my current activities.

When I resigned as Postmaster General in August 1963 I became a partner in the law firm of Sidley & Austin. This is a large Chicago corporation law firm with which I began practice 30 years ago, and I am in charge of their Washington office.

On July 1, 1968, our firm began representing as one of its clients the Associated Third Class Mail Users and I am the General Counsel of that organization. However, many of the points I will touch on today are of no direct concern to ATCMU as such.

Since my opinions on each of the endless separate points involved in these far reaching proposals of course could not be passed upon by the ATCMU Board of Directors, the views I will give today should be treated as my personal opinions.

Many of the members of the Associated Third Class Mail Users might be expected to agree, in general, with my views on the postal reorganization proposals.

However, it is difficult for an organization with a diverse membership of people who cannot follow all the details of postal legislation to be expected to have an agreed position on each of the many separate features of a complicated proposal such as the postal reorganization and postal corporation plans.

OPPOSED CORPORATION EARLY

In April 1967, when Larry O'Brien first announced his proposal for a postal corporation, I wrote a nationally syndicated article at the request of the North American Newspaper Alliance explaining the reasons why I opposed the idea. That was a year before I or our firm had any connection with ATCMU. That article started out as follows:

"With all due respect to my good friend Larry O'Brien, I feel that his much publicized speech about turning the Post Office over to a a nonprofit government corporation revives an old and unrealistic suggestion at a very bad time.

"The impending lengthy discussion and study of this plan will, in my opinion, only postpone facing up to some urgent but achievable needs of the Post Office. In addition the speech has provided ammunition from a surprising source for those who delude themselves by believing that business has a monopoly on brains and efficiency and that government employees and managers are lazy incompetents.

"The fouled-up Post Office Mr. O'Brien describes in his speech is a Department I never knew."

North American Newspaper Alliance republished the article in an up-dated form a year ago when the Kappel Commission Report was first issued.

OPPOSITION GETS LITTLE NOTICE

To me, it is quite remarkable that, in spite of the many objections which can be made to the corporation proposal, there has been very little published notice of these objections.

On the contrary, there has been a barrage of one-sided propaganda and Chamber of Commerce slogans put forward in support of the Kappel proposal, much of it—I am afraid—by people who have limited qualifications as experts on the Post Office or even as experts on operation of large organizations generally.

To qualify myself a bit, I might mention that prior to my 929 days as Postmaster General, I was for eight years one of the top senior officers of the Prudential Insurance Company of America, which, in terms of assets, is the largest private corporation in the world.

In a remarkable number of respects, Prudential is similar to the Post Office. Both have offices and personnel in every part of the country; both have a need for giving good service and establishing favorable relations with the public; both have regional offices with continuing problems of the degree of autonomy to give the regions and to local offices; both have major real estate responsibilities in building or leasing buildings large and small; both handle large amounts of money; both have employees who are organized in highly aggressive unions; both are basically paperwork operations; both have an inspection service; both have complex problems of levels of management, chains of command, and internal communications; both are highly regulated as to their policies and operations by detailed legislation; both are faced with problems of turnover and the necessity of competing in the labor market for rank and file personnel (in contrast with earlier years when there was a situation of highly stable and dedicated employment of people for whom employment security was the major incentive).

BOTH HAVE HAD HEADACHES

In addition, both organizations have for years experienced the headaches associated with attempting to automate and mechanize operations. Both have even had several changes in the top chief executive just in the past 8½ years.

I may seem to be overdoing the close comparison between these two giant organiza-

tions, one public and one private, but it is a fact that when I came from Prudential to the Post Office in 1961 I often felt that I had merely moved to a different desk in the same organization.

As a matter of fact and only partly in jest, I have frequently pointed out that a very large private bureaucracy even has another feature which is often thought of as associated only with government. This is illustrated by an apocryphal story about a top officer of a large life insurance company who was asked to run for United States Senator. After thinking it over, he declined, saying, "I don't want to leave the Metropolitan Life. I like politics too much." It is definitely a fact that there is a certain amount of politics in all large organizations, public or private.

HAVE BEEN ON BOTH SIDES

I mention all this background because of the fact that I did have an unusual experience in acquiring a top level inside familiarity with one of the largest private organizations in the world and one of the largest public organizations. This is important because too many of the editorials and columns commenting on the postal corporation idea have indicated that—

(a) Anyone who understands business management will necessarily be an all-out advocate of the postal corporation idea, and

(b) That business management is *a fortiori* better than government management.

There are thousands of pages in the Kappel Commission Report and its supporting volumes and thousands more pages have been written about the Report and about related or alternative proposals. Therefore, in a statement of this kind, one can only touch on some of the highlights.

I agree with most of what appears in the statement made before this Committee by Mr. Fred Belen on this subject on May 20. I am convinced that even if the post office—corporation or not—could pay six figure salaries, they could not get a better executive than Fred.

It is regrettable that he was not even consulted before the postal corporation proposal was launched by Mr. O'Brien in April, 1967. It is equally regrettable that someone with his long and deep knowledge of postal problems was not a member of the Kappel Commission.

The members of the Commission were, of course, all important men. However, I think it a remarkable fact that not one of them had any background in postal matters.

I doubt if the President of Campbell Soup Company—who was a member of the Commission—would have been impressed by the results of a critical survey of his company by a group that did not include even one person with the slightest experience in the food business.

The same can be said about the President of General Electric, of the Bank of America, and of Cummins Engine Company—all members of the Commission.

COMPARE WITH A.T. & T.

The same is even true of AT & T—a company for which I have the most intense personal and professional respect. Some might think that there are many parallels to the Post Office in a telephone system because both involve communications. However, electronic communications are, by their nature, readily susceptible to a most far-reaching degree of standardization and automation.

Electronic switching makes it possible to have the customer get his individual call through to its destination without any direct participation by a telephone company employee.

On the other hand, regardless of all the superficial ideas that some may have, any postal system will necessarily remain to a large degree of manual operation.

As one example, 42% of Post Office cost is for delivery service and it is certainly never going to be possible to have mail delivered door-to-door by a clanking robot.

Similarly, there are over 30,000 post offices and only 200 or 300 of them at the very most are large enough too justify a high degree of mechanization.

BUDGET BUREAU IS PROBLEM

Although no person having any post office background was included on the Commission, one of the 10 commissioners was a former Director of the Bureau of the Budget.

I have no hesitancy in saying that I think the Bureau of the Budget is the No. 1 enemy of the Post Office and accountable more than any other one reason for Post Office difficulties.

Federal money generally is handed out to the glamorous or politically potent agencies, such as Defense, Space and Welfare. Nearly all of the old-line, non-glamorous agencies such as the Post Office, Customs Bureau and the regulatory agencies, are strangled to death for funds to try to do a decent job.

The Post Office problem is lack of money and that problem can't be solved by reshuffling the organization chart or giving new titles to the people in charge.

KAPPEL GROUP PREMISES

My objections to the Kappel approach largely relate to the premises and assumptions on which the proposal is based. I disagree with nearly all of them. Some of these premises and assumptions, which are either explicit in the Report or implicit in its tone and recommendations, are as follows:

(1) The Post Office generally is a mess.

(2) The difficulties in the Chicago Post Office in October 1966 were a symptom of an approaching catastrophe in the Post Office generally.

(3) Participation by Congress in postal policy, postal rates and postal pay represents intolerable interference and has fouled up the Department's operations.

(4) Huge savings on the order of $1 billion a year can be achieved by adopting the Kappel recommendations.

(5) There is some magic of efficiency, economy and error-free management in a corporate form of organization. (I might mention here that it was not a federal department that brought out the Edsel automobile, or the Convair 880 airplane, or that hired the private detectives to tail Ralph Nader.)

(6) An organization is political only when Congress has a major say in its affairs and is pure and pristinely non-political when presidential appointees run things.

(7) The first and foremost goal of the Post Office should be a break-even operation.

(8) There is a better chance of continuing the Post Office's long history of strike free labor management relations by halting the program of having postal pay set by Congress and to, instead, have it determined by collective bargaining. In my opinion, this collective bargaining would, at best, end up almost every time with arbitration and a decision by one or two men on the pay level of over 700,000 employees.

(9) Postal employees can and should be separated from and treated differently from other federal employees on job status, fringe benefits and other features of employment.

BREAK-EVEN OBSESSION

To go back to number 7 on this last of premises, I feel that the greatest flaw in the Kappel aproach is the adoption of what I call the break-even obsession about the Post Office.

If a state university were run on the philosophy that its educational program was limited to what it could pay for out of tuition it collected, it wouldn't be expected to be much of a university. The goal of a great public university is to provide an educational program of top quality. Consideration of the relationship of financial outgo to amounts collected from the students is purely secondary.

The same should be true of the Post Office—and will be if historical policy is followed in setting Post Office goals and priorities. The Post Office receives part—at the moment a very large part—of the amount it needs to pay its costs from charges by users. But since it serves all the people—and since those users are taxpayers—there is no objective reason why it should retrieve all of its costs from postal charges.

POSTAGE JUST ANOTHER TAX

Charges for postage are really just another tax. Taxpayers are already paying for government services. The Post Office provides one of the most vital and widely needed and used of government services. It is entirely appropriate, therefore, the federal tax revenues should provide a significant part of the postal budget.

Chamber of Commerce groups, conservative newspaper editorial writers and others, have talked for years about the need for a break-even operation in the Post Office.

Their speeches and articles assume that the desirability—even the necessity—for a break-even operation needs no proof, in fact does not even leave room for argument.

They talk as though the proposition were carved in stone on Sinai. A remarkable job has been done of turning slogans for a particular point of view into something approaching gospel.

All of this talk, usually unanswered talk—has tended to balloon the break-even philosophy into a break-even obsession.

From time to time certain postal officials, nearly all Budget Bureau officials and many so-called analysts of the Post Office, fall victim to this break-even obsession and come to regard it as the be all and end all of postal goals and thinking.

POST OFFICE LIKE TRANSIT SYSTEM

From a financial standpoint the Post Office is much like a metropolitan public transit system. Since nearly everybody uses it, it makes little difference whether it is paid for by user charges or, to a substantial degree, by general tax revenue.

The fact that the Post Office has a so-called deficit is no more relevant to judging its effectiveness and goals than the "deficit" of the Department of Commerce, the Veterans Administration, or the Department of the Interior.

Yet the reason the Post Office has this so-called deficit is purely and simply because its costs continue to go up with all other costs and Congress has used common sense and regard for the public interest in avoiding overly frequent and overly precipitous rate increases.

Nonetheless, the existence of the so-called deficit is used in the Kappel Report and by others as supposed proof that the Post Office is archaic, inefficient, poorly managed and all the rest.

This is perhaps understandable in view of the fact that we live in an age where scoffing, criticism, carping and cynicism are the order of the day.

HARD TO SEE GOOD SIDE

It is not fashionable to see the good side of much of anything or to be understanding about work situations where occasional human errors make it difficult to achieve 100% perfection.

In our frenzied, impersonal society it is popular to find fault, and the Post Office and its employees are natural targets.

Add to this the human quality of nearly all of us to think of his own problem as the really big problem, so that every mistake or delay as to his own mail by the Post Office, no matter how isolated or infrequent, is magnified into a sweeping generalization

that the Post Office is poorly organized and poorly run.

It is hard for any individual to think of the occasional delay in one of his own letters in the context of delivering 80 billion pieces of mail a year—which number is considerably more than the number of *seconds* which have ticked by since the death of Julius Caesar.

My principal argument, therefore, with the Kappel proposal is its top priority emphasis on the break-even goal, rather than on service as the top consideration.

POSTAL RATES WOULD DOUBLE

If the corporation were established, as proposed, with the rigid break-even requirement, with participation by Congress in the rate-making process diluted almost to the vanishing point, and with the proposed bond issue authority, the result would be that rates for all classes of mail would have to go up as much as 100%

We have seen what has happened to the parcel post system as the result of giving rate-making power to the Executive Branch, rather than to Congress.

The rates have been raised so frequently and so precipitately that the whole system is on the verge of being wrecked and parcel service at moderate costs is no longer available to the general public from the Post Office.

I feel that the Kappel predictions of savings which can be achieved by adopting its recommendations are so unrealistic as to be strictly of an ivory tower nature.

The biggest single saving is to come from mechanization for superseding certain activities of city letter carriers. The Report says that 15% of the cost of delivery operations can be saved by this means. This figures out to about $450 million in view of the fact that the delivery operation accounts for 42% of Post Office costs.

ANOTHER OLD IDEA

This idea of trying to mechanize the change of address and casing work which the latter carrier performs when he first comes on duty is an old idea. It has been thoroughly tested in the past and found to be completely unworkable.

If it would work, it could be instituted immediately and certainly would not have to wait for reorganization of the Department. This, and other suggestions relating to increased mechanization, cannot fairly be described as savings related to having a corporation take over.

Unrealistic statements by study committees that the Post Office could save hundreds of millions of dollars a year are nothing new.

Back in 1954 a 10-member Advisory Council appointed by the Senate Post Office Committee claimed that "economies totaling hundreds of millions of dollars are possible" in the Post Office.

Mr. Summerfield had a detailed analysis of this Council's recommendations made by the Department and by outside experts including Mr. Maurice Stans, and issued a 350 page report which, among other things, demonstrated in detail that any claim of great potential short term savings was totally unrealistic.

SAVING ONLY BY RATE BOOSTS

Since I am convinced that no one billion dollars of real, near term savings, or anything close to it is possible, it seems clear to me that the break-even policy prescribed by the Administration Bill could be carried out only by financial shock treatment in the form of drastic rate increases and continuing cutbacks in service.

As a lawyer I believe that radical general rate increases could, under this Bill, be made entirely by administrative action by the Corporation and could then remain in effect for two years or more, without any power in *either* the Congress or the courts to veto or even modify the increases during those two or more years.

This is possible under the temporary rate authority in Secs. 1253(d) and 1257(e) of H.R. 11750 and is something new the Kappel Report did not recommend.

I think the Post Office Department is realistic in recognizing that if break-even is to be achieved the Corporation must have this unprecedented, unrestricted "temporary rate" power.

This one feature of H.R. 11750 alone dramatizes how the whole concept of postal policy would be dislocated by this proposal.

MEMORANDA ON BONDS, RATES

I am offering for the record legal memoranda our law firm has prepared, one containing an analysis of Chapter 10 of H.R. 11750 on the bond issuing authority and the other on Chapter 12 on Rates and Ratemaking.

(My work on this statement and our firm's work on these memoranda is covered by our retainer from ATCMU which, of course, has an interest in seeing that these reorganization proposals are carefully analyzed.)

In these memoranda we summarize some of the highly objectionable and questionable features of the proposed bond issuing authority and the proposed career Rate Commissioner set up.

PREDICTS 12-CENT RATE

My prediction is that adoption in toto of H.R. 11750 would bring us a 12 cent first class rate in just a few years and enormous rate increases for each of other classes too.

Here are just some of my reasons for this prediction:

1. Despite all the glowing statements about the saleability of the proposed non-government-guaranteed bonds, I am convinced they would be saleable only at sky high interest rates—10 or 12 percent—and even then only with extremely generous sinking fund and mortgage lien provisions.

Even now the commercial mortgage rate for fully secured loans to profitable corporation is 9.5 per cent. Sound business concerns are paying an effective rate of 10.4 per cent for bank loans.

I would expect the servicing—combined interest and principal amortization—of the projected $10 billion of postal bonds to cost the Corporation as much as $2 billion a year. This would be an entirely new direct cost to the postal service to be paid for from postal rate increases.

(It must be borne in mind that a general rate increase affecting first, second and third class, such as is now being proposed by the Post Office Department, brings in about $660 million a year, assuming no loss in volume.)

REGARDING PROMOTIONS

2. The backers of the corporation proposal say much about the lack of opportunities for promotion for rank and file postal employees. I would assume that these backers therefore contemplate tens of thousands of new higher level jobs. This could cost a hundred million dollars or more annually.

3. The Department has committed itself to an improved cost ascertainment system. This is bound to show that too much postal cost is now being assigned to some of the non-priority classes of mail. This would mean a further increase for first class.

I am not so naive as to think that a corporation or Congress or anyone else is going to institute these staggering increases for first class mail without increases at the same time for other classes, regardless of what proper cost ascertainment shows.

When I predict 12 cents for first class, I am assuming huge increases for other classes too.

4. Mr. Blount has pointed out quite realistically in testimony just a few weeks ago to the Subcommittee on Postal Rates, that the Post Office "faces the loss of some of its more lucrative third class mail business" to private carriers.

He then stated: "Loss of third class mail [volume] ultimately works to increase the postage required of first class mail."

This is just what I contemplate would happen as a result of the drastic rate increases for all classes which I foresee resulting from the career Rate Commissioner set up and bond financing proposal.

CUTTING PUBLIC SERVICE SHARE

5. The public service allowance would, under the Administration Bill, be sharply reduced. This means rates would have to go higher.

6. The special carrying charge and imputed charge features for parcel post rate making included in Section 1203 of H.R. 11750 is bound to mean even further acceleration of rate increases for that class, further cream skimming by competitors and more huge losses of the profitable portion of parcel post volume.

Parcel post makes a big contribution to post office institutional cost. When parcel post volume plummets, this institutional cost has to be picked up by the other classes.

7. The Kappel Commission (Report, p. 82) recommended that "the Corporation fix its rates to earn its projected costs, including interest and appreciation, plus about 3 to 5 percent to cover unanticipated costs."

This is a recommendation that would in all likelihood be followed by a postal corporation determined to meet a break-even goal, and, particularly, to try to provide adequate support for servicing its bonds.

Sec. 1201 of H.R. 11750 says that "costs", which, with limited exceptions, are to be covered by postal revenue, shall include "a reasonable provision for contingencies." Five percent of postal costs would come to several hundred million dollars.

8. Section 1201 of H.R. 11750 also says that "costs" to be covered shall include "depreciation on capital facilities and equipment." The Kappel Report Annex material indicates depreciation should be $35 million per $1 billion of capital investment. (Annex I, Sec. II, p. 30.)

WILL THEY SAVE DOLLARS?

9. It is unrealistic to assume that all or even the major part of projected capital improvements to be acquired with the bond proceeds are going to save dollars, particularly on a near term basis.

If a postal building is antiquated and poorly ventilated and crowded it should be replaced regardless of whether a dollar saving can be claimed.

If the capital improvement program is well balanced and service oriented, it should include many facilities directed toward faster delivery which facilities could not be expected to result in significant saving in operating costs.

Hamburg, Germany, has a three foot diameter large capacity pneumatic tube system for carrying mail under its streets. London has a special subway system just for carrying mail.

New York City, Chicago, Boston and eventually Washington should have hundreds of millions in federal money spent on adaptation of the subway systems for carrying mail.

A mail truck can't move any faster in Manhattan crosstown traffic snarls than your taxi can.

10. One of the earliest and most prestigious backers of the postal corporation plan, Mr. Gronouski, told you last week: "I support the postal corporation idea, also, because * * * I would look for a substantial improvement in postal worker wages and fringe benefits" under that system.

I doubt if that prediction was foremost in the minds of those who gave overwhelming support to the corporation proposal in the U.S. Chamber of Commerce membership poll.

But because of Mr. Gronouski's experience and good judgment, we must accept this pre-

diction as at least a possiblity and it certainly would not result in dollar savings for the corporation.

FIRST CLASS IS MONEY SOURCE

These are just some highlights of why first class rates would, in my judgment, skyrocket under the corporation proposal. First class is where the money is—particularly in view of the very real competitive situation which must be faced in pricing other classes of mail.

In my opinion the break-even policy and the break-even obsession would also result in service curtailment by the Corporation.

Just in the past six months we have seen repeated announcements of reduced service by a highly capable but definitely break-even oriented postal administration.

For example, in these six months there has been announcement (a) of abandonment of the ABCD program for same day delivery in business areas, (b) of reduction of weekday business area deliveries from three to two, (c) of reduction of Saturday business area deliveries from two to one, (d) of curtailments of special delivery service and (e) of proposals to require detached address cards for merchandise samples.

It also seems a near certainty that under the pressure of the break-even obsession the Corporation would drastically curtail rural routes and rural post offices.

CONGRESS WOULD LACK VETO

Under H.R. 11750 Congress would have no veto power over this. The story of what happens to service to less densely populated areas when an intense cost squeeze is on can be seen in the recent history of REA.

I mentioned in my list of premises behind the Kappel Report the great emphasis in that report on the problems in the Chicago Post Office in October 1966, which have been picked up and magnified by many of the columnists and editorial writers as though that one situation showed that the entire Post Office was on the verge of collapse.

The fact is that there was just one big problem there which resulted from a well-meaning but disastrous error in management decision making.

A new postmaster had taken over at a time when an unusually heavy volume of mail hit the office. He needed overtime to cope with the work load. It was denied him. That was the whole trouble.

NO ONE CHECKED CHICAGO STORY

It is a really remarkable fact to me, and an indication of a pre-judgment of the Post Office problem by the Kappel Commission staff, that even though this 1966 Chicago problem was used as the lead off horror story in the Kappel Report, no one on the Kappel Commission or staff ever sat down with that new Postmaster of Chicago and got his explanation of what the problem really was.

To me, that is just as unfair as it would be to take the isolated case of the Consolidated Edison power blackout in New York a few years ago and to conclude from that that the entire privately operated electric utility system in the country was poorly managed and on the verge of catastrophe.

During the hearing on June 5, 1969, before this Committee on the postal corporation plan recommended by the Kappel Commission, Mr. Kappel insisted that because the Post Office Department does not operate in the black, business is being "subsidized."

But would he feel that the businessman who goes to the Department of Commerce for advice or information is being subsidized because the Department does not make him pay a fee?

Of course not. Mr. Kappel would readily recognize that service from the Department of Commerce is something he pays for with his tax money and is entitled to get as a taxpayer.

A man who takes his family to Yellowstone National Park is certainly not being "subsidized" merely because the entrance fee he pays is small in relation to what it costs the government to make the facilities available.

REGARDING SUBSIDIES

The simplistic talk about subsidies to users of the mail is based entirely upon the unproven and unproveable assumption that the taxpayer is entitled to nothing whatever for his tax money where the Post Office is concerned, but is entitled to all kinds of free services—very often much less essential—from other federal agencies.

The Post Office furnishes a service which practically everyone wants and uses and is glad to have. Because of this, taxpayers today should, more clearly than ever before, be entitled to have their taxes pay for some of the service they get from the Post Office.

With taxes at sky high levels many taxpayers are getting less and less what they really want for their tax dollars. They are getting Viet Nam. They may, according to a high administration source, be paying for a trip to Mars.

Many of the things the rank and file taxpayers pay for never come to them at all: farm price support payments, foreign aid grants, rent supplements, and much, much more.

WHAT TAXPAYER REALLY WANTS

Let us first ask ourselves what per cent of the total federal spending is for things the average taxpayer really wants and would ask for if the government weren't already providing them. It could be a rather modest per cent.

The service provided by the Post Office would, however, certainly be included in this percent, even if it were small. And yet there are those who say this average taxpayer is not entitled to have his tax dollars pay for *any* part of his postal service.

It is a strange thing now, in the eyes of many, delivery of a letter is a "business" type activity for which a taxpayer should pay in full through user charges, while other types of government activity, even when performed by the Post Office, is a service which a taxpayer is entitled to get for his tax dollar.

For example, if a householder complains to the Post Office about receiving an advertisement for obscene material he is not expected to pay the Post Office for its efforts—often extensive—in investigating the case.

If a businessman asks the Post Office to check into and prosecute a scheme to use the mails to defraud, no one thinks he is being subsidized because he does not reimburse the Post Office for the expense it incurs.

WHY PAY FULL COST?

So what is it about the government delivering a piece of mail which is so different? Nothing but custom. It has been traditional to make a charge. But there is nothing in logic that decrees that that charge must pay the full cost.

There is certainly nothing in common sense or orderly thinking that compels the conclusion that, if that charge does not pay the full cost, the agency handling the transaction is archaic, inept, inefficient, unmanaged, or unmanageable.

There are other things done by government for which it is easy to make a charge, but which by equally accidental custom, no charge is made.

Public libraries could easily charge everyone a rental fee. But they don't. They operate as a service to taxpayers. True, they may charge a daily fee for certain much-in-demand recent books.

But the fact they obtain some of their revenue from user charges certainly isn't used by the editorial writers to "prove" that public libraries are unbusinesslike and poorly managed because they do not set their charges so they will operate in the black.

It is easy to assign a user charge for sewer service or trash collection service. But most cities don't. A few do.

TOLL ROADS ARE EXCEPTION

It is easy to charge for use of highways. We have some roads for which a toll is charged, even though the motorists using them have already paid gasoline taxes for road building. But toll roads are the exception.

There is a simple explanation for all these examples. All levels of government are hard up for money. They have tapped nearly every source of tax revenue. They like to call taxes by euphemistic labels.

But nonetheless user charges, such as tolls for using highways, or monthly fees for sewer service or trash collection service, or tuition for attending state colleges, are merely different forms of taxes.

It is really immaterial—from the standpoint of showing whether or not the activity is "efficient"—that a user charge pays all, or only a part, or none at all of the cost to provide the service to taxpayers.

Some of the statements which are made about how much prouder the postal employees will feel, and how much higher their morale will be, if user charges pay the full costs of the Post Office, are of doubtful validity.

Does anyone really think crews who work on repairing toll roads are happier and prouder than crews that work on roads that have no user charges?

STOP ACCENTING MESS

A positive thing that could be done for the morale of postal employees is to stop the endless sloganeering about how the Department is supposedly a mess because it doesn't operate in the black.

Once it is frankly and clearly recognized that the Post Office provides a service to taxpayers the cost of which should be paid in part by tax dollars, the so-called "deficit" of the Post Office will be as irrelevant as the deficit of the Department of the Interior or of the Veterans' Administration.

There are many things which should be and are being done to improve the Post Office. But "total" reform—if it means embracing the break-even obsession—will mean regression rather than improvement.

"Piecemeal" is not a popular word. People want instant solutions to every problem. But piecemeal progress is what reasonable men learn to hope for. This Committee has certainly shown a willingness over the years to try to help the Post Office do its job better.

WHAT I FAVOR

I favor many parts of the postal reform proposals. I favor greater continuity in the top positions at the Department—I was myself part of the problem on that score.

I favor taking postmaster appointments out of politics.

I favor generally the provisions on postal transportation in both the Administration Bill and H.R. 4. I personally favor most of the employee relations provisions of H.R. 4. I favor strong provisions for control of pornography.

I favor more opportunities for advancement of postal personnel—such as having most of the regional directors and the chief postal inspector come from the career postal service. I favor sensible, proven mechanization. I favor better, larger, cleaner, more modern postal facilities.

But I don't think any of this should come through the stranglehold of a rigid break-even policy.

I don't think it should come about with post office assets turned over at an artificially low original cost figure to a new corporation while onerous postal liabilities would be left behind for the general government to bear.

BUDGET BOOST NEEDED

I feel the Post Office needs a 15% annual increase in its budget to be earmarked for

acquiring modern buildings and mechanization.

The money should best come from a reassessment of our national priorities. But until that happens, any indebtedness resulting should be part of the overall federal debt.

In an effort to be helpful to this Committee I want to make a suggestion as to a major step you should consider taking before making a decision on any of the variations of the major postal reform bills.

This suggestion applies not only to the bills, such as the Administration Bill, which would turn the Post Office over to a corporation, but it also applies to any of the bills which provide for the setting of rates by an agency other than the Congress or which provide for the issuance of a large amount of bonds, the interest and principal of which would be payable out of postal revenues.

PROBLEMS ARE COMPLEX

It is impossible for me to convey to you adequately what complex problems are involved in consideration of these rate-making and bond issue provisions. You have an unusually capable staff working for this Committee.

However, even in a large law firm such as ours where we have specialized familiarity with problems of public utility rate-making and corporate bond financing, we have found the attempt to adequately analyze these provisions of the pending bills so overwhelming that we feel we have only been able to scratch the surface.

I feel that you need the services of both a qualified and well staffed law firm and a qualified and well staffed investment banking firm to assist in analyzing these provisions.

I hasten to take our law firm out of the running so that no one might think I am trying to propose that we get in on something.

We already have enough to do and because of our representation of a major segment of business mailers and our work on parcel post rates and various postal problems for some of our other clients, someone might claim we could not be completely objective—although in the legal memoranda I am filing we certainly have tried to be.

NO SHORT-TERM STUDY

This isn't a proposal for a two or three weeks job from each of these specialized firms resulting in a brief opinion of law or financial analysis.

This will require the same type of extensive and in-depth study by specialists which the Kappel Commission obtained on a great variety of points from other types of specialists: principally accountants and management consultants.

The Congress of the United States has recently undertaken to pay to a large New York City law firm hundreds of thousands of dollars as a fee for representing Congress in connection with an unusual and complex case.

Similar use of outside firms—legal and financial—is needed here in order to see where these unprecedented proposals for non-Congressional postal rate setting and for issuance of huge amounts of postal bonds would lead us.

No one can now do any more than speculate as to what would happen if the postal corporation or the postal authority were unable to meet the interest on the bonds.

Would major postal buildings actually be foreclosed and taken over by the creditors to be used as bowling alleys and warehouses? If that happened, where would the mail be handled?

If there would not be actual foreclosures, under what law would there be a bankruptcy proceeding or a reorganization plan? Could the postal corporation, and the government, lose control of Post Office finances and facilities?

TO MAKE BONDS SALABLE

To make the bonds salable, what would the provisions of the proposed bonds have to be as to interest rate, redemption penalties, sinking fund, liens on specific properties and other features? What would be the remedies available to bondholders in case of default?

Who are the investment banking firms which are said to have expressed the opinion the bonds would be salable? I have a recent letter from a top partner in one of the largest and most prestigious investment banking firms in New York and here is what he says:

"I have talked over the Post Office bond situation with several of my partners and we are rather amazed that anyone contemplates selling such bonds to the public unless they were guaranteed as to principal and interest by the government. As we understood the situation, the government itself was going to buy the entire issue and then possibly at some later date have a public issue. We see no good reason for an institution or an individual buying the bonds without as mentioned, some form of guarantee."

In my opinion, government guarantee of the bonds would not help because that would mean, under other laws, the Secretary of the Treasury would have control over whether the bonds could be issued and I am convinced he would conclude he could not give his consent.

However, in the meantime, in the hope of making the bonds acceptable, postal rates would have been raised to sky high levels.

MUST KNOW IT WILL WORK

It simply isn't sound business judgment to move ahead with something this monumental on the basis of statements that if it doesn't work, we won't be any worse off than we are now.

My conviction is we would be many, many times worse off and that no one would know how to untangle the mess.

The expense to the government of hiring experts at such a time of possible financial disaster would, in my opinion, be many, many times what the expense would be now to get an objective, deliberate, expert look at the legal and financial aspects of just these two particular aspects of the proposal: rate-making and bond financing.

Various ones of you gentlemen may or may not be enthusiastic about the efforts and methods of large law firms and investment banking firms.

However, the fact is that there are certain types of situations, much less complex than proposed here, where it takes literally years to work out all of the legal and financial ramifications.

A merger of two major railroads takes six or eight years of legal proceedings before it can be consummated.

A bankruptcy reorganization of a major corporation often takes years of the work of lawyers and experts.

Government agencies and departments cannot be expected to do the technical analysis job required here. The President has endorsed this proposal. How could his subordinates presume to pick it apart?

LEGAL AND FINANCIAL PROBLEMS

The mammoth size and variety of the legal and financial problems involved in these proposals cannot be exaggerated.

Our law firm has tried to make a start on at least sorting out the questions, but it has not been possible for us to take the time or assign the staff required to get to the bottom of these thorny issues.

There have been dozens of references in testimony before this Committee to the TVA, for example. Yet the differences are far greater than the similarities.

Neither the TVA nor any of the other government type corporations were set up to take over an existing government agency. They have all been set up from scratch to start something new. TVA is basically just another electric utility and electric utilities have been operated both by private corporations and by government agencies—such as the consumer power districts in Nebraska—for decades.

There is no great problem in an electric utility producing revenue to fully cover cost.

Electric utilities are not labor intensive and cost of electricity is one of the few items in our list of goods and services that have actually been holding still or going down during these years in inflation.

TVA HAS RATE CONTROLS

TVA has rate escalation covenants in its bonds and automatic rate increase provisions in its contracts with its power customers.

We are filing legal memoranda on the rate-making provisions and on the bond issuing authority provisions, proposed in H.R. 11750 and other bills, for the assistance of the Committee.

But I think when you examine them you will see they only make a start on analyzing the innumerable tricky problems involved.

Therefore, I urge the Committee to retain the two types of top experts I have referred to and to have them make full-scale, in-depth studies before any action is taken on these "total reform" proposals.

I am honored by the opportunity to testify today.

DESPERATE STATE OF ECONOMY IN NORTHWEST

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. WYATT. Mr. Speaker, we in the Northwest are again feeling the credit crunch. It seems that the principal response to the problem of inflation always seems to be tightening the money supply and increasing interest rates. We have been through this many times before. Everyone in this country suffers to an extent when this happens. We in the lumber and plywood producing States suffer much more, and we do every time. Tight money, high interest rates, mean fewer and fewer new housing starts and less construction. Timber products being the backbone of our economy, we face the closure of more mills, more unemployment, and economic chaos.

The key to the battle against inflation should be reduction of Federal Government spending. For this compelling reason and because I believe strongly that our spending priorities must be reordered, I have voted to reduce and finally against passage of the space program, the present agricultural appropriations, and foreign aid, among other efforts to economize.

For the benefit of my colleagues, I herewith present a detailed account of the hardships in our area caused by the present credit crunch:

MAKING THE DOLLAR: CREDIT SQUEEZE FELT BY LUMBER INDUSTRY

(By Gerry Pratt)

Perhaps this is a case history of how you break inflation. If it is, it is a hard way to go.

At the close of this week, with the industry feeling the pinch of Treasury Secretary David Kennedy's tight money policy, sanded plywood on a quarter-inch index list was down to $58 a thousand feet. The lowest that list has been in the entire history of the industry is $54 a thousand, maybe $56, in the

depths of the 1966–67 credit crunch. In that year the industry production shut down drastically and those who did stay in business lost their shirts.

Now looking at sheathing. It is a little more complex than a straight comparison with sanded, but worth following for an illustration of how tough things are. In June of 1966 there was a sheathing price list on a half-inch basis of $74 a thousand. Today, in 1969 with a whole new set of cost factors, we are already down to a $70 list.

A 1966 DOWNWARD SPIRAL TRACED

Trace what happened in 1966 as things progressed much as they are moving under today's credit cruch: In July, '66, the price of half-inch sheathing was $71 a thousand; in August and September it slipped to $68 and then fell to $64 a thousand in October. It dropped more than 13 points to $58 and $60 a thousand before things turned around in the first quarter of 1967.

If we are to have anything like a repetition of the 1966 crunch, and so far we have, then the figures from that year indicate the sheathing market could slip another $14 before the January-February turn-around of next year. If that happens, there will be blood in the streets of the timber towns.

In Roseburg, Charlie Gardiner, general sales manager of Roseburg Lumber Co., admits at the close of this week: "This industry could be described as a bum just out of a fight, sitting in the gutter, he is bleeding and unless he gets some help, he could bleed to death. This thing is bad."

Two years ago, maybe 18 months ago, the industry was working with a different timber cost, a cost most operators put at $50 a thousand less than what they must pay for logs or have paid for timber they have waiting to go into their mills.

Two years ago there was a wage scale that did not include the major pay increase of this year, a wage-scale operators estimate has increased the cost of plywood on a three-eighths basis by $2.80 a thousand. There was also a smaller increase in wages last year.

Over-all, with the $50 increase in stumpage prices and the wage costs figured through on a three-eighths basis complete with overrun recovery factors, men such as Charlie Gardiner claim you can figure the cost of finished plywod has increased since 1966–67 by at least $30 a thousand.

OPERATORS KEEP RUNNING

"Those are composite figures, figures no one could argue with or seriously dispute," Gardiner maintains of the $30 estimate.

Other factors have changed since 1966. When that credit crunch came there was very little fat in the manufacturing industry. This time there is the residue of the 15 months of juicy profits the industry enjoyed before things collapsed last spring. Operations as of this past week, with some operators cutting $150 and $70 stumpage in this market, would indicate they are prepared to keep on running until there is nothing left. They cannot help but lose money. Most of them are just now getting into their high-priced timber.

"Where are they going? We are going to have some high-classed funerals; they can't do otherwise," comments one major operator.

In lumber, where specialties such as Oregon's choice clears or long dimension items have kept a modicum of profit, the price lists are also getting serious. Green fir studs, which peaked around $125 to $130 a thousand, are down to $68 or $69 this week. Random length two by fours that topped out at $140 are down to $73 and $74.

Those prices are not as bad as the historic lows of '66 when studs went to a miserable $50 or $52. Chances of seeing anything like that again with today's costs are very remote.

But with the $100 and more log costs going into the mills, operators cutting even at today's prices are losing money. And when the random prices come down as fast as they have, the speciality items are bleeding off so that even the last refuge of profits will soon be eroding.

The conclusion?

In an industry where the unions demanded and got $1-an-hour wage increases in their last contract, the question has to be how much can the economy carry?

Nobody is talking wage or price controls. But as long as Mr. Kennedy keeps squeezing down on the availability of money, the economy is providing its own controls. The plywood industry, for one, will not long continue paying $10,000-a-year labor costs to mill workers in a market as lean as this. Nor can they pay these raw material costs and keep prices down.

WATERFOWL HEARING

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. DINGELL. Mr. Speaker, on Monday, August 11, 1969, my Subcommittee on Fisheries and Wildlife Conservation of the Committee on Merchant Marine and Fisheries will hold hearings on migratory waterfowl regulations as they might affect the forthcoming season on ducks and geese. The hearings will be held in room 1334 Longworth Building, beginning at 10 a.m.

One of the functions of my Subcommittee on Fisheries and Wildlife Conservation is to provide legislative oversight of the Interior Department's administration of the Migratory Bird Treaty Act. The administration of the act has been the subject of considerable controversy in recent years, particularly as to bag limits, among sportsmen and conservationist groups. I consider the annual hearings that have been conducted by my subcommittee during the past few years an essential part of the subcommittee's supervisory function.

The purpose of the subcommittee hearings is to provide an open forum on the complex issues involved in setting bag and season limitations. In the past, the hearings have brought out information which has been most helpful to the Secretary and it is my intention to see that the subcommittee continues to provide this service. My goal is to insure equitable and fair decisions which will protect the interests of the sportsman as well as the conservationist.

I hope all interested parties will avail themselves of the opportunity presented by the hearings to express their opinions so that the Secretary of the Interior will have at hand all available information upon which to base his decisions. The regulations will be issued by the Secretary on Friday, August 15. A notice of the hearings has been sent to all State fish and game directors, sportsmen's groups, conservation organizations and other interested parties.

As chairman of the subcommittee, I just recently received information from representatives of the Department of the Interior of a botulism outbreak in the Tulare Lake Basin of California's San Joaquin Valley. Already 8,000 of the 30,000 pintails and other waterfowl that summer at Tulare Lake have died of this deadly disease. The Tulare Basin has a long history of botulism outbreaks, the last being in 1967 when some 40,000 birds perished. The Interior Department is now devising emergency plans for keeping botulism losses at the lowest possible level.

In carrying out its legislative oversight responsibility, my subcommittee will be briefed in open session tomorrow morning by representatives of the Interior Department on the recent botulism outbreak. The meeting will be held in room 1334 Longworth House Office Building at 10 a.m. I would like to extend an invitation to all Members of the House and their staffs to attend this special briefing.

OREGON FIRMS CONTRIBUTE TO SUCCESS OF APOLLO MOON MISSION

HON. EDITH GREEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mrs. GREEN of Oregon. Mr. Speaker, the great accomplishment of the Apollo 11 team in reaching the moon and returning safely to earth has the admiration of us all. The citizens of the State of Oregon join with all Americans in saluting the Apollo astronauts and the National Aeronautics and Space Administration for this triumph of technology and will. Oregon has cause to be doubly proud of the success of the moon mission for its industry and labor provided many of the parts, instruments, and materials that were vital to the project.

The involvement of 10 Oregon firms in the moon project is described in a recent editorial column in the Daily Journal of Commerce of Portland, Oreg., by its editor Robert G. Swan. Under unanimous consent I submit this editorial for inclusion in the CONGRESSIONAL RECORD, as follows:

TEN OREGON FIRMS FILL APOLLO ROLES

(By Robert G. Swan)

Few states can claim the distinction of Ohio in the Apollo 11 moon mission. The Buckeye state contributed one of its native sons, Neil Armstrong, as commander of the mission and as the first to set foot on the lunar surface. Few states, however, can justifiably show more pride than can Oregon for its part in the mission from earth-to-moon. There were over two million separate pieces to the mission's hardware—the Saturn V rocket which launched the Apollo spacecraft with its command-services and lunar modules down to the space suits with the life support systems which made possible the stroll on the moon. A surprising number of the pieces of Apollo hardware are stamped "made in Oregon" . . . In all there are 10 Oregon firms we could find which contributed directly to the overall effort for Downey, Calif., was the prime contractor which North American Rockwell Corp. of which principal help from Grumman Aircraft (the LM), Boeing (1st stage of Saturn V), IBM (instrument unit) and McDonnell Douglas Aircraft (3d stage of Saturn V). . . . Three major Oregon contributors were the Portland Division of Electronic Specialty Co., 18900 NE Sandy Blvd.; Wah Chang Co. of

Albany and Oeco Corp., 712 SE Hawthorne Blvd. . . . Six other Oregon firms were listed by North American Rockwell as hardware contributors, and all are from Portland. There are the manufacturers' agents, Arva, Inc. at 2034 SW 58th; Doug Strain's Electro Scientific Industries at 13900 NW Science Park Drive; Portland Metals' pioneer Esco at NW 25th & Vaughn; D. R. Reece's National Appliance Co. at 10855 SW Greenburg Road; Robert Ledgerwood's Rol-Away Truck Mfg. at 6143 SE Foster Road, and Ruson Laboratories at 3434 SE Milwaukie Ave., headed by Rollin Emerson. . . . Then there were the oscilloscopes of Tektronix in Beaverton. These cathode-ray tube devices of Tek's are virtually everywhere in space work, including the flight center in Houston.

RELAYS PERFORM CRITICAL SWITCHING FUNCTIONS

While not on the moon mission itself, vertical gyroscopes from Electronic Specialty's Portland production played a major role in helping to ready Astronauts Armstrong and Lunar Module Pilot Edward (Buzz) Aldrin for the mission. ES gyros were used on the Lunar Landing Test Vehicle flown before the mission by Armstrong and Aldrin at the Space Center in Houston. This trainer prepared them for the manual landing its was necessary to make at the last minute just a few hundred feet above the moon's surface.

Thirty ES relays perform critical switching functions in the command module Columbia's communications with earth and in the voice recorder system which transcribes all voice communications and conversations within the spacecraft. . . . Electronic Specialty's Portland facility has developed unique capabilities for manufacturing electronic components to rigid specifications for critical applications and operation under severe environmental conditions. Its products are marketed to foreign as well as U.S. aerospace industries.

EXOTIC MODULE METALS FROM ALBANY TO MOON

More than 100 vital parts were supplied for the mission by Oeco, starting with ground support equipment used during the countdown. Most of the Oeco contributions were tiny transformers, reactors and inductors no bigger than the tip of one's little finger, according to Robert E. Mitchell, president of the 23-year-old electronics firm. The miniaturized pieces supply the power for communications systems.

Wah Chang was responsible for some of the exotic metals used in constructing the space vehicles. Control of the module in space was through jet thrusters made of Wah Chang columbium. And, when the LM dropped to the moon's surface, the "soft" landing was assisted by columbium alloy turned out by Wah Chang in its plant alongside Interstate–5 in northeast Albany. The only fully integrated producer of rare metals in the nation, Wah Chang produced the skirt of the main descent engine on the LM. The skirting of paper thinness was designed to withstand temperatures to 2,700 degrees, and, if necessary, crumple on impact to help absorb landing shock.

OVER 12,000 UNITS TO OVERALL APOLLO EFFORT

Sixteen different parts from Oeco were in the life support packs worn on the backs of Armstrong and Aldrin during their walk on the moon, which we all followed step-by-step through the miracle of live television from a quarter of a million miles away. . . . Sensors built into the landing pads on the LM to record data about the moon's surface and subsurface were dependent upon units from Oeco.

The clarity of voices from deep in space was partly from the quality of Oeco engineered transformers, according to firm Vice President Edward G. Welch. "The transformers are engineered for zero maintenance, light weight, small size, minimum heat generation, absolute reliability and minimum noise. They represent a significant advance in the state of the art of solid state circuitry," Welch reported. . . . In the past eight years, Oeco supplied about $1.5 million worth of units, some 12,000 by count, to the overall Apollo project.

SLEEPING BEAR: DUNELAND COUNTRY

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. ESCH. Mr. Speaker, last week I was pleased to join with my good friend, PHIL RUPPE, in sponsoring H.R. 12935, a bill to establish the Sleeping Bear Dunes National Lakeshore. Our bill is an identical companion to H.R. 12230, the bill earlier introduced by GUY VANDER JAGT, who represents the area involved.

The Sleeping Bear Dunes National Lakeshore is long overdue. It is urgently needed and simply cannot be long delayed. The area involved, some 61,000 acres of unique dunes and their forest setting on the Lake Michigan shoreline, is now threatened as never before by encroaching forces which will soon degrade and destroy this special area unless we act now.

Mr. Paul W. Thompson, research associate at the Cranbrook Institute of Science, points out the unique features of this area in an article in the summer issue of the Explorer magazine. He warns, too, that—

With the pressure of present commercial interests, many of the unrecoverable features of this duneland country are rapidly disappearing. If immediate action is not taken by those interested in the continued enjoyment of its scenic and scientific resources, we shall soon lose for all time one of the unique native landscapes of the nation. Concerted action, on the other hand, can preserve a portion of typical duneland country so that present and future generations may know its attractive natural charm.

I include Mr. Thompson's article at this point in the RECORD:

DUNELAND COUNTRY

Many different native landscapes, each with its own distinctive features, are to be found throughout the various regions of the nation. Along the Atlantic seacoast, where man has not yet fully disturbed the natural features, are broad stretches of sandy beaches; inland are still to be found extensive areas of rich forest characteristic of the eastern United States. On the flat or gently rolling plains of the Midwest lie the vast prairielands. To the westward is the land of mountains typified by rocky, rugged terrain where the high peaks are often covered by snow and the varying altitudes lead to a wide variety of plant and animal life. In the Southwest the hotter temperatures and the lack of rainfall result in an unusual desert environment. The steep bluffs along parts of the Pacific coastline create a picturesque and interesting seascape.

Bordering much of the shoreline of the Great Lakes is another type of distinctive American landscape known as the duneland country. Hundreds of square miles of this country have been radically altered by man's recent activities through manufacturing and commercial and real estate developments; but in the Sleeping Bear Dune region along the eastern shore of Lake Michigan, one can still view many of the original features of this fascinating landscape.

This is a land the glaciers spawned. The imprint of the Wisconsin Glacier, the last of several mammoth ice masses that sculptured the land several thousand years ago, is boldly incorporated into the rugged terrain that characterizes this region. The tremendous, unbelievable mass of ice not only gouged out ancient valleys to form the basins of the Great Lakes, but fingers of ice spread out in all directions to push up gigantic mounds of debris that eventually formed strong morainal hills in the Sleeping Bear area. As the ice melted and the glacier retreated, tremendous volumes of melt waters further shaped the landscape to create vast glacial lakes and ancient rivers; these in turn left their imprint on the terrain in the form of extensive outwash plains, broad sweeping embayment plains, river beds, old beaches, deltas, and steep blufflands eroded by glacial waters. Isolated blocks of ice, buried in the masses of debris, upon melting formed numerous potholes, some of which eventually resulted in lakes, ponds, and bogs. Through these many glacial features, the post-glacial history of the Sleeping Bear section has been written into the present landscape.

The broad plains now occupying former bays are flanked along the present Lake Michigan shoreline by steep, prominent headlands which originally steered the ice flows into the valley sectors. Typical embayments of this kind are found adjacent to Platte Bay, Sleeping Bear Bay, Good Harbor Bay, and Empire. Each of these areas now possesses a number of scenic inland lakes left when glacial waters retreated to lower levels in the Lake Michigan basin. The best known are Glen, Platte, Traverse, and Lime Lakes.

One of the largest concentrations of the nation's dunes exists along the Lake Michigan shore west of Glen Lake. The name "Sleeping Bear" has been applied to this group because a conspicuous perched dune located here has the sloping contours of a reclining bear. The early French fur traders and explorers, paddling their canoes along the shore, could observe the distinctive dune from a considerable distance and gave it a French name with a similar meaning. The northern portion of the area contains dunes formed at the Lake Michigan level; however, the southern sector was originally covered by a massive glacial moraine which now forms the steep rampart-like bluffs, several hundred feet in height, that border the shoreline. At Sleeping Bear, the western shore of South Manitou Island, and along a strip of lakefront south of Empire, wind activity has formed gigantic "perched" dunes on the tops of prominent moraines. Dunes devoid of vegetation are termed "active" or "moving" dunes, as the sand continues to move slowly to new locations. Others, covered with excellent forests and vegetation, are now "fixed" and are often referred to as "covered" dunes. Perched high above the waters of Lake Michigan these dunelands create a scenic landscape that in many parts resembles that of the Pacific coastal country. Dunes in these locations are among the best perched dunes of the nation.

Several square miles of dunes in the Sleeping Bear section give it a desert-like aspect. All of the common duneland features are found here: small dunes, huge sand mountains, dune cliffs and bluffs, long massive sand ridges, sand valleys with a multitude of shapes and sizes. Where wind currents are strong, huge sand barriers are formed. On the lee side of these massive mounds are very steep slopes known as "slides," so-called because once the sand is piled up steeper than

the critical angle, the topmost layers slide to the base to reduce the slope below this angle. Innumerable persons have viewed the giant slide, several hundred feet high, located at the western end of Glen Lake.

In certain localities one can view the ancient "tree cemeteries" typical of larger duneland areas. The moving sand slowly, year by year, covers forests in its path until the trees are completely buried. Years later, when the sands have been carried by the wind to new locations, the bleached skeletons of these dead trees are uncovered and exposed to the elements. Often these "cemeteries" occur on dark layers of soil now covering large masses of sand and represent ancient ground surfaces at one time covered by very old forests.

Dune formation in the Great Lakes region is the result of wind and wave action. Millions of sand particles, washed up on the lake shores (primarily along the eastern sides), are later piled up into dunes by wind activity on land bordering the beaches. If the area was covered in the past by glacial lakes, then larger quantities of sand are available to produce bigger dunes. Sand dune formation in the Sleeping Bear section has been particularly favorable because of past geological activities.

During the period following the Wisconsin Glacier, although ice was melting in the Michigan region, several low-level drainage channels to the east were still blocked by the glacial ice. Consequently, lakes formed in the Lake Michigan basin had higher water levels, and lake waters extended considerably farther inland than the present shoreline of Lake Michigan.

As the ice to the northeast continued to melt, new drainage channels were opened one by one. With each new outlet the glacial lakes sought a lower level, leaving embayments as sandy plains covered with former beaches and bars. In these locations where quantities of sand were available, ancient dune systems resulted, each associated with one of these former stages of glacial lakes. These relic dunes can still be seen just below the mouth of Otter Creek and in the vicinity of Platte Point. Crystal Lake, once a bay of one of these more extensive, postglacial lakes, became a separate body of water when the mouth of the bay was blocked by dunes. Ancient dunes of the Lake Algonquin, Lake Nippissing, and Lake Algoma stages in glacial history can now be found at this location in addition to present-day dunes.

Dune country has its own distinctive flora—a flora exposed to the elements, enduring the full heat of sunlight during the day and rapid cooling at night, having no protection from strong winds, and often existing in quite sterile soil. Plants living in this environment are adapted to its rugged conditions; for example, sand flora often have a heavy covering of hairs. To exist, pioneer plants must possess the ability to put out new root growths rapidly and at various levels. This prevents uprooting of the plant if strong wind action removes sand from the roots, or smothering if sand is deposited too thickly over the root system. Since beach grass, sand reed grass, and the cottonwood develop new root systems rapidly, these plants frequently serve to stabilize the sand dunes. Once these species have retarded sand movement, many other types of sand flora can gain a foothold.

Despite these prevailing adverse conditions the plants that inhabit the dunelands and sandy beaches are often interesting and some are quite colorful. Among these are the brilliant orange milkweed, colorful blue beach pea, rich wine-red Hudsonian anemone, bright orange Philadelphia lily, yellow puccoon, and an interesting purple-flowered sea rocket that grows along the beaches just out of reach of the waves. Of interest, too, are the white-flowered lyreleaf mustard, green lilies, false heather, and a small maroon parasitic plant that grows on the roots of the dune wormwood. Sand cherry, bearberry, low juniper, and the delicate bluebell are all inhabitants of the sand dune country.

On the sandy plains of the ancient embayment sectors one finds these sand-flora close to the border of the beaches. However, as one moves inland one encounters a number of zones of vegetation, each with its characteristic and distinctive collection of species, each different from the other.

Adjacent to the sand-flora zone one frequently finds a conifer zone where scattered red, white, and jack pines predominate. The individual pines here are often well separated from their nearest neighbors but are surrounded by clumps of low juniper and long streamers of horizontal juniper which, with the bearberry, extend out in all directions over the sandy openings between the pines. Sand cherry, buffalo berry, and choke cherry are common shrubs of this area.

A savannah-like band of scattered oaks consisting mainly of the white and red oak species typifies the next inland zone of vegetation. Characteristic shrubs of this habitat are witch hazel, shadbush, pin cherry, bush honeysuckle, and the low blueberry. Often the more open areas of sandy soil are thickly covered with reindeer lichen, xeric mosses, and other forms of lichen.

The next vegetational zone on the inland side of the oak savannah is the aspen woodland dominated by the large-toothed and quaking aspens. Mixed with these are a few pines, red maples, and red oaks. The ground layer is often covered with bracken fern and Canada mayflower. During the spring season the wood betony and the showy, orchid-colored fringed polygala lend color to the area. Over the years, as decaying humus improves the richness of the soil and its moisture conditions become more favorable, one notes a gradual invasion of the beech-maple climax forest that blankets many of the morainal hills and the valleys where the land has a moderate amount of moisture. This type of woodland is known for the richness of its spring flora, for at this period of the year the forest floor is carpeted with thousands of blossoming wildflowers. During the summer months the heavy foliage of beech and sugar maple produces a deep shade that creates a wilderness atmosphere. With the advent of autumn, however, these woodlands take on an entirely different aspect, for the foliage becomes a mass of color—bright scarlets, brilliant yellows, and oranges against the rich bronzes, browns, and purples. This vivid seasonal display is a major attraction for many visitors to the area.

In contrast to the beech-maple hardwood forests are the white cedar swamps that thrive in the wet valleys. Here the cedar is often mixed with balsam fir, tamarack, and yellow birch. These swamplands form an almost impenetrable thicket that is common on low wet ground.

In a duneland valley along the western portion of South Manitou Island is a unique ancient cedar forest. This virgin stand of giant cedars, many measuring from four to six feet in diameter, is located on the high moraine that dominates that section of the Island. However, the trees are protected by high perched dunes that surround the area. A ring count of a huge windfall cedar shows that the older trees were in existence before Columbus discovered America.

Of interest to the botanist and the ecologist is the occurrence, in this valley of giant cedars, of four different species of ferns which are non-existent elsewhere in this part of Michigan. The most common of these is the northern holly fern growing by the thousands along the wooded banks of the dunes under the shade of the cedars. Others are the Braun holly fern, the green spleenwort, and the walking fern which grows here on dead logs.

The combination of rugged terrain, numerous lakes, rich, forests, and varied vegetation has played an important role in the past history of this region. The abundance of fish, wild fowl, and game attracted several different Indian tribes before the days of the white man. Later, the wealth of animal life generously contributed to the fur trade, bringing many trappers and traders into the area. When the settlers began to move into the Midwest, land travel was difficult through this wilderness and much of the transportation was by water routes. Both North and South Manitou Islands were fueling stations for wood-burning steamers and the forests of these Islands furnished many thousands of cords of wood for steamer fuel. Still later, the dense forests supported a vast lumbering industry for several decades. With the depletion of virgin timber, however, the region has gradually become more dependent on the tourist trade, and the wealth of natural features has been an important factor in its economy in recent years.

Sandy-shored lakes, many bordered by woods, have created a northland atmosphere which lures many visitors to the dunelands. Long strips of white sandy beaches along the Lake Michigan coast make it one of the foremost freshwater swimming localities in the world. Superb natural scenery is enhanced by an unusual combination of vegetation, sand, water, forests, and glacial topography. Consequently, people with a wide range of interests have been attracted here: artist, photographer, hunter, fisherman, boater, hiker, scientist, canoeist, resorter, and vacationer. All have enjoyed their specific activities in pleasant settings that have added much to their satisfaction. In turn, these visitors have contributed substantially to the economy of the region.

However, with the pressure of present commercial interests, many of the unrecoverable features of this duneland country are rapidly disappearing. If immediate action is not taken by those interested in the continued enjoyment of its scenic and scientific resources, we shall soon lose for all time one of the unique native landscapes of the nation. Concerted action, on the other hand, can preserve a portion of typical duneland country so that present and future generations may know its attractive natural charm.

Mr. Speaker, this article testifies eloquently to the splendid natural resource of the Sleeping Bear Dunes landscape. What remains to be done is to insure this precious resource sufficient and timely preservation—and this is the purpose of our bill.

The bill Mr. VANDER JAGT, Mr. RUPPE, and I have introduced is largely identical with that sponsored by Mr. NEDZI, Mr. O'HARA, and Senator PHILIP A. HART. The few differences are clarifying and technical, but include a significant refinement of land acquisition procedures. The intent is to preserve the national lakeshore, but also to protect local property owners in a balanced program. I am hopeful that the Committee on Interior and Insular Affairs will give this new language favorable consideration.

What must be emphasized, however, is that the differences between these two bills are minor when set beside the significance of their close similarity. It should now be clear—as it has never been before—that the concept of a Sleeping Bear Dunes National Lakeshore in all of its fundamental features has the united and urgent support of the Michigan congressional delegation. I know that the people of Michigan and throughout the Lake States area support this project, as does every major conservation group in

our State and nationwide. In a recent speech to the Michigan United Conservation Clubs convention, Gov. William Milliken made a strong statement of support and urged immediate action:

The time has come, for the good of all of the people of Michigan, for decisive action on the long-sought objective of preserving and developing this resource. We need a decision, and I, for one, intend to work for an affirmative one.

In my view, now is the time for all of us to begin to pull together and make the Sleeping Bear National Lakeshore a reality.

BRING AID PROGRAMS INTO THE SPACE AGE

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. CHAMBERLAIN. Mr. Speaker, as one who shares the concern of the gentlemen from Delaware (Mr. ROTH) about the desirability and need for a complete and up-to-date catalog listing all Federal aid programs and who has joined in sponsoring legislation to bring this about, I was particularly gratified to note the editorial appearing in the Wednesday, June 23d edition of The State Journal, Lansing, Mich., endorsing this project. I commend to the attention of my colleagues, and particularly the House leadership, the request to "Bring Aid Programs into the Space Age."

The editorial follows:

BRING AID PROGRAMS INTO THE SPACE AGE

There's no telling what can happen in this fast moving space age, but U.S. Rep. William V. Roth Jr., R-Del., deserves a pat on the back for his efforts.

Roth is sponsoring a House bill designed to create a government-wide catalog of all federal aid programs which would be kept updated on a monthly basis. It has been sitting around for some time but now appears to be moving forward with an endorsement from the Bureau of the Budget.

The congressman said he decided to introduce the measure last year after an eight month study showed that no one, anywhere in government, had any idea how many federal aid programs existed.

Nor was there any single agency anywhere in which local and state officials could quickly obtain the information they need to deal with the aid programs.

Roth noted, for example, that one federal agency dealing with aid projects listed fewer than 600 programs while his own survey revealed more than 1,000.

He said if his study could do a more complete job of cataloging in eight months than the federal government could do in several years, "the problem is obviously one of willpower, not manpower."

But there will be a rocky road ahead in the slow moving bureaucracy of Washington.

Roth reported that the Bureau of the Budget, while agreeing with objectives of the catalog bill, wants what the congressman calls an "evolutionary approach." This means the catalog would be updated yearly instead of monthly.

The congressman prefers the revolutionary approach so that people know immediately about new guidelines, changed money figures and programs. Without this, he said, the catalog would be valueless and "will lie unused on some shelf."

Roth, it appears, has tackled a problem almost as complicated as the Apollo space missions. He'll need all the luck he can find to pull the bureaucratic jumble into the computer age.

WHOSE "MORONIC BABBLING"?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. ASHBROOK. Mr. Speaker, it seems to be the time of year when segments of the political society again start harping on gun control. I would think that by now even they would have seen the glaring holes in their theories and moved on to the important question, crime control; but no, the drivel continues.

Only days ago the President's Commission on Violence recommended that all Americans be required to surrender their hand guns to the Government. The absurdity of this position is surpassed only by a recent resolution of the Americans for a Democratic Society. This calls for totally disarming all citizens.

An editorial in the August edition of the American Rifleman treats the ADA position with all due generosity and points out the flaws and I include it in the RECORD at this point:

WHOSE "MORONIC BABBLING"?

The shallowness of the preposterous organized attacks on legitimate firearms ownership was never better exposed than recently in the words of one anti-gun organization itself, meeting in Washington, D.C.

Terming public safety "too important to be left to reactionaries and bigots," the self-styled "liberal" Americans for Democratic Action adopted a resolution demanding that Americans "be totally disarmed." This would apply in due course to police as well as private citizens.

By a remarkable feat of mental acrobatics, the resolution, drafted by the ADA's State and Local Policy Commission, had as its title: "A comprehensive program to fight crime without compromising individual liberty."

As usual among unrealistic thinkers, it is all apparently a question of whose individual liberty is to be sacrificed. In this instance the ADA chose to ignore the widely-recognized civil and constitutional rights of American gun owners.

The liberalistic ADA lightly dismisses the whole concept of the right to bear arms with one impolite sentence in its resolution: "It is time for Congress to stop listening to the moronic babbling of extremists and gun worshippers and pass effective gun control."

In a preamble to that intemperate comment, the ADA resolution correctly states: "No Nation can survive which cannot protect the personal security of its citizens. And America must do so without eroding the Constitutional protections which are our most precious values."

The ADA then proceeded to approve a course which in the opinion of many millions of Americans would knock out the broad and long-accepted meaning of the Second Amendment to the U.S. Constitution and casually trample on the "personal security" of multitudes who are not so situated that they can obtain police protection in time to save them from robbery, mayhem, rape, or murder.

To add further irony to its ridiculous line of reasoning, the ADA resolution asserts that "our domestic arms race is out of control" at the very time that new Federal and local laws have burdened and repressed gun ownership by honest citizens. Certainly if laws can control firearms, there should be few or no domestic arms problems. Where this does not hold true, it may go to show that the "pass a law" philosophy of the ADA and others does not hold true. To take one prize example:

Chicago adopted citywide firearms registration April 15, 1968, and also came under the Illinois I.D. card system July 1, 1968. Some 384,000 firearms have been duly registered by law-abiding Chicagoans. A police spokesman proudly says that shootings during the first part of this year were fewer than in the corresponding period last year—conveniently overlooking the fact that riots and disorders last year ran up the 1968 shooting score abnormally.

Yet 51 shootings including 5 homicides were reported in Chicago in one May weekend this year, gun laws notwithstanding. Nearly all were committed by organized gangs of law-breakers, prompting *The Chicago Tribune* to editorialize (May 28, 1969) "This gang warfare must stop." It cited the case of one brazen juvenile gang leader, acquitted of murder last year and himself wounded this year, who refused to identify his assailant and told police, "We'll take care of it ourselves." Evidently the Federal, State, and local anti-gun laws have not succeeded in disarming this one ruthless young man. But the ADA seems to believe a Federal law could banish guns from the entire Nation. Its intolerant attitude on firearms is sadly typical of those who befog the real issue—crime control—by supporting mistaken legislation that would do little or nothing but disarm honest citizens.

(For those unfamiliar with Americans for Democratic Action, the organization was founded in 1947, tried to ditch Harry Truman for Henry Wallace (no kin to George C. Wallace) in 1948, and spent some of "the largest sums" reported in the 1952 and 1956 Presidential campaigns as a policy group supporting Adlai Stevenson (according to Alexander Heard in *The Costs of Democracy*, 1962). A recent letterhead lists such notables as David Dubinsky, Walter P. Reuther, and Arthur Schlesinger, Jr., among ADA vice chairmen and Bayard Rustin and Dorothy Moon, both much identified with far-left causes, and former U.S. Sen. Joseph S. Clark, Richard N. Goodwin, Daniel P. Moynihan, and Mrs. Benjamin Spock among national board members.)

BLESS THOU THE ASTRONAUTS

HON. ED FOREMAN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. FOREMAN. Mr. Speaker, when Congress is in session, and my family and I are living in the Washington, D.C., area, we attend church at the Cherrydale United Methodist Church in Arlington, Va. Rev. Ernest K. Emurian is the very fine, capable minister serving this church. Undoubtedly, Mr. Emurian is one of the most popular, best accepted ministers with his congregation that I have ever witnessed. His timely sermons are unusually interesting, educational, and useful—in fact, I just do not want to miss a single one of his excellent messages if I am within this area and can possibly be in his church on Sunday mornings.

In addition to being a most capable, understanding, hard-working minister of, for, and to the people, Mr. Emurian is an accomplished writer and composer. Last week, following the successful completion of man's first visit to the moon, Mr. Emurian wrote a very impressive, thought-provoking hymnal which I submit for your review and enjoyment as follows:

BLESS THOU THE ASTRONAUTS

(By Ernest K. Emurian)

1.

Bless Thou the astronauts who face
The vast immensities of space;
And may they know, in air, on land,
Thou holdest them within Thy hand.
O may the small step each doth take
Aid others giant leaps to make.

2.

How excellent in all the Earth
Thy Name, O God, Who gave it birth;
When first upon the Moon man trod,
How excellent Thy Name, O God.
The heav'ns Thy glory doth declare;
Where'er we are, Lo! Thou art there.

3.

We still upon Thy laws depend
As our dominions thus extend,
While from the nations triumph rings
When we mount up with eagle's wings.
Grant on each planet, far and near,
To all Thy glory may appear.

4.

Give all men, for all time to be,
The blessing of tranquility,
As galaxies and quasars share
The knowledge that our God is there!
May future aeons call to mind,
"We came in peace for all mankind."

(NOTE.—Stanza 1 contains a poetic paraphrase of the first words spoken by the first man to set foot on the moon on Sunday night, July 20, 1969. Stanza 2 is suggested by Psalms 8, 19, and 139. Stanza 3, line 4, is taken from Isaiah 40:31, a favorite passage of the late President Kennedy, who set in motion our successful space program. Stanza 4 ends with the phrase on the plaque left there by the first men to reach the moon.

The hymn tune "Melita," composed in 1861 by John Bacchus Dykes, is the tune to which the Navy Hymn, "Eternal Father Strong To Save," is universally sung. It is No. 553 in the Methodist Hymnal.)

TRIBUTE TO THE ASTRONAUTS

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. McCLURE. Mr. Speaker, I want to join with the gentleman from New Mexico (Mr. FOREMAN) in calling the attention of the Members to the thoughtful and moving tribute to the Astronauts penned by Rev. Emurian. My wife and I, when we first arrived in this area, happened to locate in the neighborhood served by Cherrydale Methodist Church. For us it has been a very happy circumstance because we have had the opportunity to hear Rev. Emurian's sermons and to learn to admire and respect this very unusual and talented person. The tribute referred to is but typical of his perception and talent.

THE POPULARITY OF FOREIGN AID

Hon. PETER H. B. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. FRELINGHUYSEN. Mr. Speaker, there has been speculation again this year that foreign aid is "in trouble" in Congress. There are those who claim that this is so because the people back home which we represent are increasingly doubtful about the value of our foreign aid programs.

A recent poll clearly indicates that the public does believe in foreign aid. The following article from the Washington Post of July 27 gives a summary of the findings of the poll, conducted by the Institute for Social Research of the University of Michigan:

FOREIGN AID SCORES IN NEW POLL

(By Carroll Kilpatrick)

With foreign aid programs extremely unpopular in Congress, a new opinion poll shows wide public support for this country's foreign assistance efforts.

A study by the Institute for Social Research of the University of Michigan shows not only strong support for aid but an overwhelming opposition to a go-it-alone foreign policy.

Perhaps the most surprising finding is that there is support for aid even though a majority of those interviewed had a highly exaggerated idea of its cost.

About half of those interviewed guessed that foreign aid spending amounted to between 15 and 40 per cent of the Federal budget. Some thought it cost even more.

Only 3 per cent said that it was about 2 per cent of the Federal budget, which it is, exclusive of Vietnam military aid costs.

Even with this exaggerated notion of the cost (and interviewees were not told what the correct figure was), 46 per cent said they supported the aid programs, 32 per cent said no and 22 per cent expressed varying degrees of support and opposition.

The strongest support was found in the Northeast (49 per cent) and the weakest support was found in the West (40 per cent). College-educated persons favored aid by 58 per cent to 18 percent, with 24 per cent expressing reservations.

Democrats generally support aid programs more vigorously than Republicans. Among those interviewed who considered themselves strong Democrats, 52 per cent said the United States should continue to give aid to other countries. Among those who considered themselves strong Republicans, 42 per cent favored the aid programs.

On the question of whether the United States would be better off to stay at home and not concern itself with the problems of other parts of the world, 76 per cent said no. Only 24 per cent approved the proposition that we should not concern ourselves with the rest of the world.

Among those with a college education, the opposition to an isolationist role was 88 per cent. Of those with a grade-school education, the opposition was 60 per cent.

These figures would indicate stronger support for President Nixon's controversial speech last month at the Air Force Academy in which he attacked the new isolationists than the outcry from some members of Congress would suggest.

The figures also would indicate much stronger support for aid than the critics in Congress would have anyone believe.

CAPTIVE NATIONS WEEK

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. RODINO. Mr. Speaker, once again this month we have joined to commemorate Captive Nations Week. And on the 11th anniversay of this significant occasion we have the sad but proud privilege of reaffirming the dedication of the American people to the cause of the peoples of east and central Europe who hope and strive for freedom despite years of subjugation and oppression.

Americans believe in independence and self-determination for nations throughout the world, and in my own State of New Jersey there are many thousands of citizens who through nativity or ancestry share the vibrant cultures and heritage of liberty of the peoples of Europe who now lie captive under the yoke of Communism.

Last year we witnessed with sadness the brutal power of Soviet military force crushing the enlightened and brave political and intellectual movement toward freedom in Czechoslovakia, a setback to the struggle of all the east and central European peoples for independence and human dignity. Particularly tragic, Mr. Speaker, is the continued suppression of religion in the captive nations, and in this connection I insert an excellent article describing the situation, "Religion Under Communism" by the eminent clergyman, Msgr. John Balkunas, in the RECORD at the end of my remarks.

Political freedom, intellectual liberty, and the opportunity to demonstrate faith in God have been denied. But the courage and perseverance of the peoples of east and central Europe still prevail. Persecution and terror have not succeeded in stamping out their will and determination to ultimately achieve the freedom with which Americans and other peoples are so blessed. So on this anniversary of our original dedication to the restoration of freedom in the captive nations we pay tribute to the undaunted spirit of their people and affirm again our support and admiration for their unconquerable determination to win liberty.

The article follows:

RELIGION UNDER COMMUNISM

(By Msgr. John Balkunas)

(NOTE.—The author is a noted American clergyman and lecturer. Monsignor Balkunas is also a cultural and civic leader of the American-Lithuanian community and President of the Conference of Americans of Central and Eastern European Descent, CACEED.)

The story of Communist persecution of religion in East-Central Europe is a sordid drama of hate and violence. Yet, even today, we see and hear reports by touring Westerners, including in some cases clergymen, who declare: "I have seen the crowded churches, the religious services, the priests and ministers." On the basis of a superficial glance, these tourists thus conclude that there is real freedom of religion in the Communist states.

Ideologically the Communists cannot permit loyalty and faith in a Divine authority. To do so would threaten the very foundation of the official materialistic philosophy. Athe-

istic communism cannot view man as an individual value possessing an immortal soul.

Although the Communists cannot succeed in rooting out a man's yearning for religion, they seek to replace faith in God with a secular cult dominated by the Communist ideology.

The Communist attack on religion and churches is generally carried out in four forms. First, terror and violence are employed against the clergy and the faithful. Second, religious groups are deprived of their newspapers, publications and books. Third, organized religion is either suppressed or is dominated by the Communist regime. Fourth, indoctrination of youth in Communist ideas is given top priority.

But despite these maneuvers, religion continues to exist and in some areas it even prospers. Parents give secret religious instruction to their children. Young people are insisting upon Church weddings and baptisms for their children. Feast days and religious festivals continue to be observed in spite of regime pressures.

ALBANIA

The Moslem and Orthodox Churches were purged and their hierarchy "nationalized." The Roman Catholic Church, which accounts for 10 percent of the population, was persecuted by mass arrests of the clergy. All in all, however, the anti-religious campaign has not fulfilled its objective. In June 1967 a meeting of the Party Committee of Gjirokastra dealt with the questions of youth education and stated that it was not justified to assume that religion did not exist any more in Albania because churches and Mosques were closed. On the contrary, religion was still alive among the people, including the youth.

BULGARIA

The Bulgarian Orthodox Church was transformed into a "people's Church," serving State interests. The regime created an Exarchate and Partriarchate in order to break off all external connections. According to an article that appeared in the April 18, 1968 issue of *Rabotnichesko Delo*, the percentage of Orthodox believers declined from 84.89 in 1948 to 75.25 in 1962. This could be attributed to the docility of the Orthodox leadership vis-a-vis the Communist regime. Although there was no official Catholic Church in Bulgaria, the number of Catholics doubled between 1934 and 1962. In the same period the number of Protestants quadrupled. The Muslims increased from 13.51 in 1945 to 18.88 percent in 1962. Only ten thousand Jews remain in the country. Some 40,000 took advantage of the opportunity to migrate to Israel.

CZECHOSLOVAKIA

After January 1968 the relations between the State and the Churches improved. The churches were permitted to submit their grievances and demands to the newly appointed special rapporteur of the cabinet for ecclesiastical affairs, the then Deputy Premier Dr. Gustav Husak. A procedure for rehabilitation of church leaders unjustly persecuted in the past was initiated. As a result of this new atmosphere, negotiations between the Holy See and Prague regarding normalization of their mutual relations are now taking place.

All Christian churches and religious communities rallied in support of the liberal Communist leader Dubcek and President Svoboda during the seven months of the "Czechoslovak Spring" (January-August, 1968) and, in particular, during the August invasion and later under the Soviet occupation. This move was spontaneous and sincere, since for the first time after twenty years of oppression the Churches enjoyed relative freedom.

At present, parents reportedly do not have to fear harassment for sending their children to classes of religious instruction. Nor is there yet any visible anti-religious propaganda, even though the Soviet and the Warsaw Pact countries' newspapers and magazines repeatedly stress the need to improve atheistic education and propaganda to ultimately eradicate all religions.

ESTONIA

The Soviet press is usually silent on the question of churches. Therefore little information is available on Church-State relations. For example, the Lutheran Church of Soviet-occupied Estonia was granted membership in the Lutheran World Federation at the Helsinki Conference of August 1963. The meeting was attended by the Archbishop of the Estonian Church, Jaan Kiivit. Obviously the Church could not apply for membership in an international organization without the approval of Soviet authorities. Despite this, the Estonian papers did not mention the admission of the Soviet Estonian Lutheran Church into the World Federation.

HUNGARY

A new situation has developed in the wake of last year's negotiations conducted in Budapest and at the Vatican. On January 23, 1969 Pope Paul VI filled ten Church posts in Hungary in one of the most sweeping moves to restore Church life in the country. The appointments ended a five-year deadlock between the Vatican and Budapest and affect the government of eight of Hungary's eleven dioceses. However, a Vatican announcement made clear that the two sides were still at odds over the status of Jozsef Cardinal Mindszenty, who has been in self-imposed asylum in the American Embassy in Budapest since Soviet tanks crushed the 1956 uprising.

The Protestant Churches also had to face regime attacks. In 1967 the Reformed Church worked out a new constitution. Only persons approved by the regime belong to the new leadership. The Lutheran Church is headed by Bishop Ottlyk, whose direct contacts with the Party are generally known in Church circles.

LATVIA

Latvia is a predominantly Lutheran country. Of the 287 Evangelical Lutheran Churches in service in 1937, only 86 remained open in 1968. According to the regime-supported Church Yearbook for 1968, published in Riga, only 32 pastors are permitted to perform their duties. Others are forced to do manual labor. The Latvian Baptist Church is still administered by 60 pastors. Latvia's half a million Roman Catholics are serviced by only 70 percent of the prewar clergy.

Latvian clergymen who are allowed to go to international gatherings in the free world do so as a part of Soviet delegations. The separation from the free world is so hermetical that theology students are never permitted to study abroad, and only in a very few cases have Western clergymen been permitted to officiate at church services.

LITHUANIA

Eighty percent of Lithuania's 3,096,000 people are Roman Catholics. Police action against the clergy and the faithful continues. Churches have to pay high taxes. For example, the Cathedral of Kaunas has to pay an annual tax of 6,000 rubles. All Church buildings and chattels are property of the State for which the faithful must pay high rents. Every clergyman must register with the Council of Church Affairs. Priests are forbidden to communicate with the lay people or to teach children religion; they are ridiculed in the press and have no civil redress.

According to the law of May 20, 1966 parents guilty of any effort to educate a child religiously are liable to three years imprisonment. On June 29, 1968 a new family law was promulgated in Lithuania, requiring parents to bring up their children according to the Communist moral code. In the event they do not fulfill this obligation, the children may be taken from them, and they would lose their parental rights. A student accused of practicing religion or being a believer finds it extremely difficult to continue his studies in the universities. All government employees, teachers and students are under constant surveillance.

POLAND

The Roman Catholic Church in the course of Polish history has always identified itself with national ideals and has been considered a symbol of Polish freedom. Under the pressure of the events of October 1956, the Communist regime agreed to improve the situation of the Church. The Catholic Primate, Stefan Cardinal Wyszynski, reached a new agreement on Church-State relations. The agreement, while recognizing the lay character of the schools, provides for religious teaching for children who have their parents' consent.

Ever since 1957, the State—by means of administrative measures—has been trying to whittle away these advantages. Nevertheless, the relations between the Gomulka regime and the Church are probably better now than they had been during the past few years. Evidence of this is the granting of a passport to Cardinal Wyszynski for his visit to Rome. Suddenly it is not quite as difficult to get a permit to construct a new church; it is not as difficult to get a permit for public processions on holy days. In fact, at a Corpus Christi procession in a village outside of Warsaw, the militia were even directing traffic.

But the Communist regime has not withdrawn from the battle. The regime has recently given considerable publicity to what is believed to be the first civil "christening" of a child in a civil registry office, with the authorities bestowing the name on the child in a completely civil ceremony. The same is true of marriages—efforts continue to make more of the civil signing of the registry book and thus denigrate marriage ceremonies in church.

RUMANIA

The era of open religious persecution came to an end a few years ago. The general amnesty of 1964 set free a great majority of political and religious prisoners. The octogenarian bishop Iuliu Hossu, the only survivor of the suppressed Catholic Church Hierarchy of the Byzantine Rite, is still incarcerated. Otherwise, only sporadic arrests and trials on religious grounds have been staged during the recent years.

Both the State and Church contributed to bringing about the uneasy, but relatively quiet coexistence. The clergy and faithful have painfully learned to limit their activities to strictly religious functions on the premises of the churches, and to individual pastoral guidance. Sermons must follow certain pre-established norms. Even anti-religious propaganda and indoctrination have changed their tone by being more subtle and more persuasive. Churchgoers continue to be tailed, but more discreetly. Children and youths generally are kept busy on Sundays with "voluntary programs."

RELIGION AND HUMAN RIGHTS

Since religion is one of the factors in the formation of man's convictions and disposition, and the Church is a repository of his trust and devotion, the resolute efforts of the Communist system to divert the action of religion and church to the service of its cause is understandable. Church and religion must either serve the Communist system, as in the case with the Orthodox Church in the Soviet Union, Bulgaria and Rumania, or the Church must be completely eliminated from social life.

One-third of the world's population is living under an atheistic system which is applying every possible means to destroy Christianity as well as other religions. This is undoubtedly the most dramatic struggle ever witnessed in the world's history of religion. Yet the situation of Christianity in the countries within the Communist orbit is not without hope.

Article 18 of the Universal Declaration of Human Rights declares: "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practicing worship and observance."

With this in mind, we hope and pray that the time will come when the free nations will effectively help make the Declaration applicable in the full sense of the word for all peoples. Our efforts and energies should be directed toward this aim. All freedom, it should be remembered, are secure within the freedom of thought and conscience.

A TIME TO CONSIDER

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. HAGAN. Mr. Speaker, the Screven County News of my hometown, Sylvania, Ga., had an editorial on July 24 entitled, "A Time To Consider." I feel that you and my other colleagues will concur with that caption after reading the well-written and provocative article which follows:

A TIME TO CONSIDER

In the last six months we have seen nearly every kind of demonstration. The point has now been reached at which attempts by the demonstrators to display ingenuity have lost their novelty and have simply become disgusting. We have had enough.

Burning one's draft card is ridiculous. Self-immolation is insane. Sit-ins are so common as to be old-fashioned. Chanting and snake-dancing in the streets is laughable. Smearing blood, or red ink, on draft board records shows the mentality of children, as does the scrawling of peace symbols on walls and buildings. These are the acts of the immature.

We have no quarrel with the peaceful picket. We respect every man's right to be wrong. As Jefferson said: "Error of opinion may be tolerated, where reason is left free to combat it."

But the recent trend toward abuse of the rights and feelings of others does not fall into the category of "error of opinion". It is rather a lack of respect for the nation and its citizens. Anyone who would start a disruption on the lawn of the White House deserves the maximum penalty under the law. The Chief Executive's home should be shown the respect it deserves.

The Tomb of the Unknowns is not fair game for a band of placard-wavers or loud-mouthed poets. Millions of people visit this hallowed spot to pay silent tribute, not to be treated to the amateur poetry of a peace demonstrator.

The Senate chamber is not the proper place for the reading of Bible verses aloud. The use of the holy scriptures as a tool of disruption is sacrilege. Bible reading is for church and individual study.

The activities described above have taken place in just the last few weeks, all in protest to our involvement in the war against the communist Viet Cong. Commenting on the recent reading, on the US Capitol steps, of the names of American men killed in the war, a Georgia mother, whose son died in Vietnam, wrote: "Since these demonstrators could not give full support to our men while they were on the battlefield, they have no right to use their names now to further a cause of their own."

TRIBUTE TO REV. L. B. REYNOLDS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. ANDERSON of California. Mr. Speaker, today I rise to pay tribute to a man on his 80th birthday, a man who has had a long and distinguished career as a minister, attorney, and civic leader; the Reverend L. B. Reynolds of Hermosa Beach, Calif.

Reverend Reynolds has a long list of accomplishments during his 40-odd years in the South Bay area. He has been an attorney for 44 years; also served with the Southern California Automobile Club; and served as president of the board of the American Saving & Loan Association; among others.

He received his license as a minister of the Assemblies of God in 1932, being ordained in 1933, and becoming an executive presbyter at about the same time.

When, shortly after, the district was divided into sections, he became the sectional presbyter and has remained in this office. He has been a board member of Southern California College since 1933 when the board was first formed; and has been parliamentarian for the Southern California District for 28 years, pastored the Hermosa Gospel Tabernacle from 1932 to 1942; founded the Ambassador Christian Schools in 1958 and has been president continuously.

Rev. LeRoy Benton Reynolds, son of John Terry Reynolds and Deborah Ann (Spencer) Reynolds, was born August 5, 1889, at Roodhouse, Green County, Ill. Of a farming family, schooling was difficult for young LeRoy as he could only attend when not needed on the farm. He managed to get a few months in high school, but when 18, decided to complete his education, entering Tobin College where he finished high school training in 2 years. This was followed by 1 year at Highland Park College, Des Moines, and then the University of Iowa.

As the United States entered World War I, he interrupted his education and enlisted in May 1917. His B.A. degree was conferred on him while he was at Fort Snelling, Minn. He was discharged in January 1919, with the rank of first lieutenant. He promptly made a late entry into the University of Chicago Law School and in June 1920, received the degree of doctor of jurisprudence. During this time he led the Delta Chi Fraternity as "A" man. While there, he met Miss Elizabeth Levitt, a cataloger at the University of Chicago Libraries, whom he later took to be his wife. He immediately took the bar examination and was admitted to the Iowa State Bar. After several positions, he came to California in 1923 where he accepted a temporary position in a bank in Hollywood until he joined a law firm in Santa Monica, but shortly moved to Redondo Beach, Calif., where he opened his own law practice and bought a home. Reverend Reynolds had 11 children and is blessed with 17 grandchildren.

HUG-THE-COAST HIGHWAY ASSOCIATION

HON. ELIGIO de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. DE LA GARZA. Mr. Speaker, down at Brownsville, Tex., in the 15th District, the Louisiana-Texas-Mexico Hug-the-Coast Highway Association met recently and acted to spread the scope of their efforts to include Canada. News accounts of the meeting are interesting, forecasting highway travel that will beckon anyone who wants to see a large part of this continent from his automobile. The vision of the dedicated civic workers who make up this association is inspiring. Their efforts should be successful. Thinking my colleagues might want to read about the association's meeting and respectfully asking my colleagues for any aid or intercession in behalf of this endeavor, I submit the following:

HUG-THE-COAST HIGHWAY ASSOCIATION

BROWNSVILLE.—Efforts to establish Highway 11 as the longest intercontinental highway route in the northern hemisphere—from Canada to the Caribbean—took on international scope Sunday as officers and directors of the Louisiana-Texas-Mexico Hug-the-Coast Highway Association voted to admit Canada to membership at the final day of their convention in Brownsville.

The association has been active in promoting new highway construction in Louisiana and a part of Texas to bring coastal highways up to U.S. Highway standards and secure extension and designation of Highway 11 from New Orleans to Brownsville over scenic coastal routes in both states. The present designation on travel maps is from Montreal to New Orleans.

President of the association, E. E. Doughtie of Bay City, Texas, said the Canadians have evidenced a keen interest in the proposed international route and have asked that a delegation visit Montreal to discuss their membership.

Only a small portion of highway westward from New Orleans to Port Arthur remains to be brought up to U.S. Highway standards before Highway 11 is designated as an international route down the coast to Yucatan. The scenic route down the coast of Texas already meets U.S. Highway standards and would only have to be re-numbered Highway 11 officially.

The counterpart of the association in Mexico had five directors named to the international board. They are Frank Vallado Peniche, Merida, Yucatan; Ruben P. Rojas, Xalapa, Veracruz; Maria B. de Barcena, San Luis Potosi; Gilberto G. Rodriguez, Ciudad Victoria, and Gustavo Verdalles, federal tourism delegate from the state of Quintana Roo.

Fernando Heftye Flores, director of Tourism for the state of Tamaulipas and a vice-president of the La-Tex-Mex. association, has announced that the highway from Matamoros, across the river from Brownsville, is now 95 per cent complete down the coast to Vera Cruz. The remainder of the coastal route to Coatzacoalcos, southermost seaport on the Gulf, and up the coast of Yucatan to Merida has been linked with a new roadway across the peninsula to Port Juarez on the Caribbean.

In addition to becoming the longest intercontinental highway in the hemisphere, travelers arriving at Port Juarez will be able to make connections with a sea-going ferry ship to Key West, Fla. Vallado, delegate from

Yucatan state, announced. The ferry operation is expected to start in September, he said, with a three-days-a-week schedule. Estimated time of the trip is approximately 20 hours to Key West, he said.

Mexico members of the Hug-the-Coast association and two other Mexico highway organizations attended the convention. In their convention in Matamoros the previous day, the Gulf and Caribbean Association and the Short Route to Mexico City group, voted to ask the Secretary of Public Works to designate the Mexico route coastal route "11" and also will request the Secretary of Communications and Transport to issue a postal stamp commemorating the event when Highway 11 is re-designated from Canada to the Caribbean.

New Orleans has been selected as the next convention site on February 21 and 22, president Doughtie announced.

GUAM

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. HANNA. Mr. Speaker, as a Member of this body consistently interested in our Nation's stake and position in the Pacific Basin. I think it appropriate to bring the attention of the Members to the island of Guam. It is particularly a timely consideration when one realizes the interrelationship between our country's posture and activities on this small island as against the winds of change which may be blowing across our base activities in Okinawa. I think it is safe to predict that in the dialog and discussions which will surround the renegotiations between Japan and the United States in 1971, when our existing treaty is up for renewal, the present arrangement on Okinawa will loom large. Informed minds would logically anticipate that Guam could serve as a next logical point of operation for any activities ruled out in the renegotiations involving Okinawa. It is important, therefore, that there be a thorough understanding of the potentials and limitations of this island as affectively serving the kind of needs and security aspects presently filled by our presence militarily on Okinawa. A look at any map would indicate that the landmass is severely limited on the island of Guam and the scope of activities would thereby equally be limited.

Locationally, Guam is roughly the same latitude as the Philippines and the same longitude as Japan. It lies 6,000 miles west of San Francisco, approximately 3,000 miles from Hawaii. It is 1,350 miles south of Tokyo and 1,800 miles east of Hong Kong.

Geographically it represents one of the most important points of intrusion of U.S. interests in the Far East. The present population is about 100,000, of which one-third are military personnel and dependents. The population has recently been growing very rapidly. Its government has included a local unicameral legislature and a Governor appointed by the President; however, under terms of agreement with the people of Guam and the Government of the United States they will be electing their own Governor as of 1970. When they have concluded this election with the inauguration of their popularly elected Governor, the highest U.S. Government official will be the government Controller who is appointed by the Secretary of the Interior and whose duty it is to audit the finances of the government and report to the Governor of Guam and the Secretary of the Interior. Presently, Federal income tax is collected on the island with the total amount returned to the government of Guam to augment their local taxes and service the public requirements of the island.

Presently, the United States has a SAC base and a naval base on Guam and up until quite recently there has been no announced plan of major Federal changes. However, Guam is almost inevitably going to be affected by the present administration's policies and positions in the Pacific since Guam plays an important role as a logistics support base for the war in Vietnam. Deescalation of that activity will lower the level of such support requirements. On the other hand, if in the renegotiations with Japan, use of Okinawa is restricted, some expansion of activities would most certainly be seen then on Guam. As a landmass Guam has few natural resources. The mainstay of the economy is tied to military installations and government activities.

Since 1962 Congress has appropriated $10 million a year for grants and loans for public works in Guam to help that island recover from the effects of World War II and the disastrous consequences of the 1962 hurricane. There was in the last Congress authorizing legislation projecting $5 million of Federal help for private industry expansion but funding of that program has not yet been appropriated. More recently tourism has expanded substantially on the island. Many visitors from Japan have increased the requirements for hotels and restaurants and recreational facilities. The Guam Economic Development Authority has a 20-year-tax incentive program including a 75-percent income tax rebate. A 1966 Department of Interior economic report suggests that there are promising potentials in three major areas of private investment on Guam—tourism, agricultural products for local markets and light manufacturers specializing in the use of cheap imported raw materials or semi-finished products which can be completed for export. This is attractive because of tariff advantages Guam can offer as a free port for the importation of raw materials and because they are part of the U.S. tariff zone with special exportation privileges to the United States.

It would be well to keep one's eye on Guam. It will have a key role in the evolving, ever changing, very important position of the United States in the Pacific Community.

SUCCESSFUL NICKEL, DIME, AND QUARTER DIPLOMACY

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

STATEMENT OF CUNA INTERNATIONAL, INC. TO COMMITTEE ON FOREIGN AFFAIRS OF THE HOUSE OF REPRESENTATIVES BY J. ORRIN SHIPE, MANAGING DIRECTOR, JULY 30, 1969

Mr. Chairman and members of the Committee, I am J. Orrin Shipe, Managing Director of CUNA International, Inc., a worldwide confederation of credit unions and credit union leagues in the United States, the Provinces of Canada and in some 70 other countries of the Free World. At the end of 1968 there were approximately 51,430 credit unions throughout the world with some 36 million members. Of this number, 23,700 credit unions were in the United States with a total membership of approximately 20.8 million.

CUNA International, as you know, is a contractor under the technical assistance program of the Agency for International Development (AID). As a contractor our job is to provide technical assistance for the development of credit unions in certain nations of Latin America, Africa and in Korea. I am here today to report to this Committee in broad general terms regarding our activities in these areas. We welcome the opportunity to give to you an accounting of our stewardship and accomplishments with the dollars you have committed to our care as an AID contractor.

Credit union development has been part of AID programs in developing countries since 1962 when CUNA signed its first contract.

In 1968 there were 16 countries involved in our CUNA/AID technical assistance programs—12 in Latin America, 3 in Africa and 1 in Southeast Asia.

Through credit union activity in these countries, ordinary people have been exposed to both financial and technical expertise. The credit union program has attracted the interest of local governments to a marked degree in many of these nations. The program has been praised by national leaders, international agencies and the Organization of American States.

The credit union program emphasizes self-help and democratic organization and is focused on four principal objectives:

1. Building capital through mobilization of local savings.

2. Increasing production through low cost credit, especially for agricultural production.

3. Developing human resources locally through credit union training programs.

4. Building democratic institutions at local and national levels.

I would now like to call your attention to some of the specific accomplishments in these countries in which CUNA provides technical assistance under its AID contract. The 12 countries in the Latin American program now have 2,651 credit unions with 745,782 members. They have accumulated savings of over $57 million, and their cumulative loan total to date is $209.3 million.

In Africa, the three countries of Tanzania, Kenya and Uganda have over 280 credit unions with 40,000 members who have accumulated savings in excess of $1.5 million with over $1 million in loans outstanding.

In the past year a CUNA/AID program was initiated in the Republic of Korea. Prior to that time, there were some 150 credit unions in existence there. During the year the number of credit unions was increased to 241. These now have over 31,000 members and cumulative savings of $345,000 with outstanding loans of $330,000 at the end of the year.

These statistics in themselves are not nearly as revealing as the fact that in Latin America average savings of each credit union member amounted to approximately $80—a figure which by American standards seems comparatively insignificant. But the average individual annual income is slightly less than $100 a year, especially in many credit unions whose members generally come from the very financially deprived classes. If the people of the United States equalled this record, I am sure you would agree that we would have far fewer problems about inflation and tight money!

In Africa credit union membership nearly doubled in 1968, while savings increased by over 100%. In the three countries in which CUNA/AID programs operate the per capita income is even lower than that in Latin America, so the average savings per credit union member of approximately $40 is even more astounding.

The Korean program has been marked by a 50% gain in credit unions during the past year with corresponding gains in membership, savings and loans. Major efforts are now under way toward the development of national credit union legislation and the establishment of a supervisory agency in that nation.

The statistics which I have just cited are given in more graphic detail in charts which are appended to my statement and in CUNA's 1968 Progress Report on CUNA/AID programs entitled "The New Life" which is being furnished to this Committee. This latter report has also been furnished each member of the Congress in a mailing from my office some weeks ago.

These advances in Latin America, Africa and Korea have been made by people whose incomes were so low that they were not thought to have a potential for saving. In fact, most of the economic and political leaders throughout the world accepted the age-old myth that "poor people cannot save money." In the past, this myth had never been really tested.

Credit unions have now proved that the failure of poor people to save has been largely due to the fact that there have not been institutions which could provide them with the opportunities and incentives to save. Credit unions have repeatedly demonstrated their capacity to reach these people, and to mobilize their savings. Regardless of how small the individual savings may be, they add up to significant amounts of money when thousands participate in the savings process.

Thus credit unions not only meet a basic need of poor people, but they also give fresh hope that the less developed countries can mobilize domestic savings to meet a larger proportion of their capital requirements. The potential for saving of low income groups is an invaluable resource of every developing nation. Like other resources, however, it is of little value until it is converted into an active institutional force benefiting both the individual who saves and the country of which he is a citizen.

Credit unions make this conversion—a conversion that requires the integrated services of credit union organizations at the local, national and international levels. The process of saving starts at the local level in the individual credit union where credit union members pool their savings. With these savings the credit union makes loans to its members for "provident and productive purposes." But even these loans are used to encourage and increase savings for, in order to obtain a loan, a credit union borrower must agree to save while paying off his loan. This induces borrowers through their own self-help efforts to pull themselves out of debt—a great achievement for a man who has long been burdened by high cost loans from usurious money lenders. From the standpoint of the credit union as a mobilizer of savings, this practice has the effect of putting credit to work in generating additional savings. Such a use of credit has provided much of the motivation for the surprisingly large ratio of savings as noted previously.

At an early stage of their operation, local credit unions recognize the need for a national "service" organization. When 15 to 20 credit unions have been started, their leaders usually proceed to organize a credit union federation at the national level. Membership in the federation is open to all credit unions in the country. Those who join it finance its operation with dues. The federation then begins to furnish its member credit unions with such services as the training of local officers and members, bonding, insurance, and most importantly, "interlending."

In some countries, this interlending has already established a flow of unloaned capital from credit unions of wage earners in urban areas to credit unions in rural areas which are unable to meet the loan requirements of their farmer members. This flow in time helps a nation provide more of the domestic capital it needs for agricultural development.

It will interest the members of this Committee, I believe, to know that right now we are in the process of laying the foundation for the organization of a Latin American Confederation of Credit Unions which will be comprised of the 12 nations in which CUNA/AID programs are operating, plus a few other Latin American nations which have credit unions and with which CUNA maintains a close relationship. Included in this confederation is a provision for a central financial institution which will provide interlending services for credit unions in the nations which will form the confederation. With very little imagination one can see the potential for international friendship and cooperation which such a federation will undoubtedly foster.

In Africa this international cooperation based on the credit union movement resulted in the formation last year of the Africa Cooperative Savings and Credit Association (ACOSCA) which we consider a major breakthrough in mobilizing savings in the nations which participate in that Association. Incidentally, I have provided the Committee with copies of a CUNA publication, "World Reporter" for May 1969 which has a comprehensive account of ACOSCA and its formation.

Beyond the tremendous benefits which we derive from CUNA/AID programs in these developing nations by mobilizing savings and producing more consumer and production credit resources, the credit union program is providing a unique form of training for approximately 40,000 people who serve as officers, board members, and committee members of credit unions in these countries. These individuals are elected to official positions in every credit union through the democratic process of one member, one vote. Normally these individuals have had no experience and little training for their responsibilities. However, their election gives them the incentive to develop their potential for effective service. This is strikingly shown by their eagerness to participate in various study programs and training workshops which are conducted to increase their skills. Oftentimes credit union activity is their first and only experience in even the most elementary forms of financial operations and in the process of handling the government of their credit union.

The spin-off benefits of this credit union training are equally valuable. As directors and officers they not only develop the skills necessary to operate their credit union successfully, but in so doing they also prepare themselves for positions of responsibility and leadership in other organizations and institutions as well as in local civic affairs. Their training not only increases the skilled manpower pool in each country but it also is a major contribution to a more enlightened citizenry who are educated in democratic governing processes.

We are looking ahead to the objectives: first, to the overall improvement of credit unions to increase their effectiveness; and second, to the establishment of national credit organizations in these countries to help provide the necessary expanded resources for the continued growth and strengthening of their credit unions. And, finally, we are beginning the groundwork for the organization and development of credit union federations composed of international membership. Our ultimate objective is to build the credit union movement in these developing nations into a completely self-sufficient status so that it will not be dependent upon outside technical assistance.

At this point I should like to advise the Committee that the guaranty loan program which has been written into the Foreign Assistance Act is now operative within the credit union movement. In the past year the first loan from a United States credit union to a credit union in Latin America was consummated under this guaranty program. We are having some problems in developing efficient machinery for processing such loans but we are now at the stage where I think that the program will soon move into high gear. At this time we are processing applications for some $100,000 in loans from Latin American credit unions and we have high expectations that the program will continue to expand as a people-to-people international effort. We are most grateful to this Committee for writing the guaranty program into the Act.

This statement is but a brief summation of the highlights of the CUNA/AID programs and the significant developments which have taken place during the past year. While the accomplishments in terms of dollars and numbers of individuals and credit unions are noteworthy, they in themselves are not the truly significant factor in the AID technical assistance program of which we are proud to be a part.

The real achievement of the technical assistance CUNA/AID prgram is the fact that it is reaching the common man, mobilizing his meager financial resources and putting them to work for the economic welfare of the people themselves. We are developing economic know-how for people who have never had the financial resources to break the economic bondage which chains them to a substandard way of living.

We are teaching them how to manage their own financial resources and how to do it in a democratic manner. The principle of one man, one vote is inherent in credit unions. Every shareholder has as much to say in the government of his credit union as any other shareholder. Thus the credit union member learns a vital principle of democracy—a principle which is making him a more intelligent, independent freedom-loving citizen.

The legislation proposed by the Administration provides a two year authorization in technical assistance activities in order to facilitate long-range planning. CUNA strongly supports this concept because it will be of material assistance to us as an AID contractor in planning our programs and developing longer-range objectives. We feel that this approach will permit us to do a better job in acquiring and training the technical and managerial personnel essential to an efficient operation.

Mr. Chairman and members of the Committee, in CUNA International we sincerely and thoroughly believe that the technical assistance program of the Foreign Assistance Act is making a major contribution to the

solution of problems which have prevented the full development of many of our sister nations. The program is bringing hope to people who were hopeless; it is bringing economic independence to people who were chained to dire poverty; it is bringing training in democratic experience to hundreds and even thousands of our fellowmen; it is opening doors to greater international cooperation and understanding by building lasting human institutions which help create and accelerate the momentum of development and progress. It is a true contribution to the advancement of the welfare of our fellowmen.

We in CUNA strongly support the AID technical assistance program. We respectfully urge you to continue this humanitarian effort.

CUNA/AID CREDIT UNION DEVELOPMENT PROGRAM IN LATIN AMERICA, AS OF DEC. 31, 1968

	Period ending—	Total progress	Gain (percent)	South America					
				Bolivia	Brazil	Colombia [1]	Ecuador	Peru [1]	Venezuela [1]
Credit unions	December 1968	2,651	6	217	142	585	234	641	172
	December 1967	2,496		169	135	577	198	641	154
	December 1966	2,163		156	113	519	190	550	143
Memberships	December 1968	745,782	18	83,069	69,350	80,215	39,200	359,362	23,895
	December 1967	630,357		72,985	55,000	79,915	30,504	300,000	17,300
	December 1966	574,332		57,705	52,500	78,300	27,000	282,495	15,222
Member savings	December 1968	$57,008,312	16	$6,937,100	$1,705,600	$3,499,600	$3,969,400	$31,368,750	$2,426,360
	December 1967	48,881,972		5,834,165	1,500,000	2,834,033	2,293,322	30,000,000	1,623,997
	December 1966	39,877,263		4,244,386	1,068,181	2,671,819	1,311,111	26,970,900	1,339,210
Loans outstanding	December 1968	60,178,057	15	7,426,600	1,440,600	3,462,100	4,901,400	34,348,100	2,057,907
	December 1967	52,291,557		6,266,084	1,300,000	2,501,251	2,716,380	33,707,800	1,475,997
	December 1966	37,207,272		4,602,754	1,045,454	2,477,746	1,400,000	23,324,900	1,144,280
Cumulative loans	December 1968	209,374,365		20,023,000	9,900,000	18,626,000	15,601,000	111,237,670	7,767,016
Reserves	do	874,960		193,650	98,000	79,850	57,860	131,842	75,240
Assets	do	66,696,529		8,388,000	1,905,000	3,816,200	5,873,000	36,000,000	2,520,000
Dues paid to federation	do	173,376		22,196	25,000	[2]	16,501	66,113	[2]

	Period ending—	Total progress	Gain (percent)	Central America					
				Costa Rica	El Salvador	Guatemala	Honduras	Nicaragua	Panama
Credit unions	December 1968	2,651	6	150	85	105	100	100	120
	December 1967	2,496		140	93	102	96	80	111
	December 1966	2,163		116	83	88	72	53	80
Memberships	December 1968	745,782	18	23,000	8,200	16,900	19,500	9,855	13,236
	December 1967	630,357		16,396	9,089	14,559	14,496	7,887	12,226
	December 1966	574,332		15,149	8,113	12,028	9,908	5,750	10,162
Member savings	December 1968	$57,008,312	16	$2,300,000	$320,000	$360,141	$1,900,000	$737,488	$1,483,873
	December 1967	48,881,972		1,794,422	183,160	251,542	930,582	470,600	1,234,334
	December 1966	39,877,263		1,175,360	95,972	185,837	490,532	327,018	996,937
Loans outstanding	December 1968	60,178,057	15	2,400,000	274,000	295,276	1,650,000	642,878	1,279,196
	December 1967	52,291,557		1,696,214	127,827	207,601	768,433	434,800	1,089,170
	December 1966	37,207,272		1,429,625	52,000	144,576	382,437	248,076	817,461
Cumulative loans	December 1968	209,374,265		7,500,000	1,110,000	1,030,212	5,750,000	2,571,107	8,258,260
Reserves	do	874,960		128,300	6,000	13,535	15,000	3,090	72,593
Assets	do	66,696,529		2,500,000	340,000	410,529	2,650,000	793,737	1,500,000
Dues paid to federation	do	173,376		9,000	8,722	[2]	10,350	6,570	8,924

[1] No CUNA/AID program in these countries.

[2] Not available.

TECHNICAL ASSISTANCE AND BUSINESS LEADERSHIP PROVIDED BY NEW JERSEY UNIVERSITY

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. RODINO. Mr. Speaker, the Graduate School of Business Administration of the State University of New Jersey has dedicated itself to working with minority groups of entrepreneurs.

The school of business administration, under the leadership of Dean Horace J. De Podwin, has been enormously successful in providing technical assistance and business leadership to aspiring black businessmen.

Under unanimous consent I submit several newspaper articles for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Newark Sunday Star Ledger, July 13, 1969]

BLACK CAPITALISTS FIND IT REWARDING IN NEW PROGRAM

(By William Harvey)

Black capitalism is beginning to take root in Newark, largely due to the foresight and imagination of a Rutgers University business professor and a desire by black citizens to improve their lot in life.

Within the past two years, Professor Louis German has helped to establish 11 black-owned business concerns in the greater Newark area, and six more applications for loans are on file with the Small Business Administration.

This year, with the aid of a $65,400 grant from the Ford Foundation, to the Rutgers Graduate Business School in Newark, Prof. German plans to initiate an expanded program to assist 25 minority group members in opening their own businesses.

The program is the outgrowth of work started after the Newark riots in 1967 by Prof. German and Dr. Horace J. De Podwin, dean of the graduate business school. They worked closely with the Interracial Council for Business Opportunity and the SBA.

SEMINARS SERIES

Prof. German gave a series of 10 seminars to minority group people to give them a grounding in the rudiments of profitable small business operations and accounting. To encourage participation, a certificate of attendance was offered to those persons who were present at eight of the ten meetings.

In addition, he helped some promising students to get special training, assistance and financing to start or expand businesses. None of the applicants had adequate financial resources and some of them were flat broke.

Nevertheless, local banks and the SBA made loans available on little more than the borrower's display of ambition to go into business and some indications of ability to make a go of it.

GOOD RESULTS

With the help of Prof. German, and a financial base of support, the new businessmen began their operations. "Not everyone was an overnight sensation, but the high degree of success is extremely gratifying," said Prof. German.

"We give the guys a chance if they have the incentive and a little gumption to do something on their own," he added. "More than that, we give them encouragement and show them there is a void they can fill."

Prof. German views black-owned shops and markets as "the way to get real progress in the inner city."

Among some of the successful graduates of Prof. German's lecture series are a factory worker who, trained as a mortician, converted the first floor of his house into a funeral chapel; an upholsterer who formerly worked as a stevedore, and a dry-cleaner who was burned out during the 1967 riots, but now has three stores.

After their first year of graduate school, Rutgers business students are permitted to work with black entrepreneurs through the school's minority group business program to get firsthand experience concerning the problems of a black or Puerto Rican businessman.

"The students see if they can help the business to increase sales by putting into operation certain business techniques they have learned," Prof. German said.

"We want the student to benefit himself and the merchant he is working with, and we also want them to see how poor people live and how things are in the real world."

"With the Ford Foundation grant," he continued, "we can make some studies and improve our operations. Also we can ask some of our former students to come back and join our board of directors where they can make suggestions and contribute their ideas."

In addition to the Ford Foundation grant, a $5,000 grant has come from E. I. duPont deNemours & Company to support the same program. Additional aid from industry is in prospect, Dean De Podwin said.

"These grants will permit Rutgers University to work more effectively toward the solution of the most critical problem facing the nation—helping minority group members break out of an economic cycle which generates so much misery and despair," concluded Dean De Podwin.

[From the Camden (N.J.) Courier-Post, July 11, 1969]

FORD FOUNDATION GIVES GRANT TO RUTGERS

NEWARK.—The Ford Foundation yesterday granted $65,400 to Rutgers University's Graduate Business School in Newark to expand to go into business and be profitable.

The grant will support a comprehensive program at the business school that links minority group businesses with students and faculty, according to Dr. Horace J. De Podwin; dean of the school.

The program, he said, has already helped ambitious persons with small businesses inculding a laundromat, a television repair service, a fish market, a funderal home, a meat store, an upholstery shop and a dry cleaning chain.

MANAGEMENT ADVICE

The objective for 1969–70 is to help establish 25 new minority group businesses.

The grant will allow the school to expand its program of management advice and technical assistance to minority businessmen in Newark, Camden, and Paterson.

Faculty members of the Graduate School of Business will offer courses in these cities, supplemented by technical assistance to new and existing enterprises. The school will work closely with the Newark Chapter of the Interracial Council for Business Opportunity and the Small Business Administration.

GRANT OF $5,000

A $5,000 grant has come from E. I. DuPont deNemours & Company to support the same program. Additional aid from industry is in prospect De Podwin said.

"These grants will permit Rutgers University to work more effectively toward the solution of the most critical problem facing the nation—helping minority group members break out of an economic cycle which generates so much misery and despair," he said.

[From the Newark (N.J.) Evening News, July 10, 1969]

MINORITY AID: $65,400 TO RUTGERS

The Rutgers University Graduate School of Business has been awarded a $65,400 grant from the Ford Foundation to expand its program of helping minority group persons get into business, it was announced today.

The funds will be used to help establish 25 new minority group businesses, according to Dr. Horace J. De Podwin, dean of the school.

Under the program which was started in 1967 after the Newark riots, the university offers management advice and technical assistance to minority businessmen in Newark, Camden and Paterson.

The original program was developed by Dean De Podwin and Prof. Louis T. German in conjunction with the Interracial Council for Business Opportunity and the Small Business Administration.

The new grant is in addition to a $5,000 grant recently received from the E. I. duPont DeNemours & Co. to support the same program.

[From the Newark Sunday News, July 20, 1969]

BLACK-OWNED BUSINESSES NO LONGER JUST A DREAM

(By Chester L. Coleman)

To be black and own a business in the Greater Newark area is no longer just a dream. Such a vision has become a reality for nine aspiring minority group entrepreneurs.

The potential of black capitalism is at hand and its growth is, in some cases, due to the foresight of the Rutgers Graduate Business School.

Rutgers hopes to establish a minimum of 25 minority group businesses each year for the next three years, at an annual cost of $50,000, according to Dr. Horace J. DePodwin, dean.

Last week the school was awarded a $65,400 grant from the Ford Foundation to expand its program of aiding black and other minority group members to go into business. E. I. duPont deNemours and Co., recently gave a $5,000 grant to support the same program.

The original program was developed by De Podwin and Prof. Louis T. German two years ago in conjunction with the Interracial Council for Business Opportunity and the Small Business Administration.

SEMINARS HELD

The program is the outgrowth of work started after the Newark riots in 1967, German started a series of seminars for minority groups where the rudiments of operating a small business and accounting were discussed.

Among those who have already established businesses, some in areas where the rioting occurred, is Willie Pool, 40, and Wilbur Richardson, 31, partners of the Sky-View Radio and TV Co., 708 Springfield Ave., Newark.

Pool said he was inspired to go into business 12 years ago when he could not get a "break" while employed at a factory in Lancaster, Pa. "I was limited," says Pool, "but in my own business I can push myself and if I fail it's my own fault."

Pool and Richardson, who is married and the father of two children, repair television and radio sets and electrical appliances. They also buy sets in need of repair, recondition them and offer the sets for sale as used equipment.

HELPED WITH LOAN

The two men attended the Rutgers seminar on small business and worked with German in September, 1968. The next month the school helped them obtain a bank loan for $2,500. Together, they applied for a $20,000 Small Business Administration loan and now gross $45,000 a year, after being in business 20 months.

In another case, a man who had a persevering, though unsuccessful record operating small window washing and porter service, was drawing unemployment insurance, but also had his eye on a grocery business.

The man, William O. Wright, an Air Force veteran, attended the Graduate Business School's seminar, and in October of last year he became the proprietor of a grocery-delicatessen at 537 South Orange Ave., Newark.

"I just couldn't get ahead," Wright said, "and I never had money to save for those rainy days."

German estimates that in the first year Wright's income will be approximately $10,000. Wright, 31, said that the food stamp program recently started in Newark, is a "great asset" to his business.

Benjamin Joseph, a 32-year-old Newark fireman, said he had dreamed of owning a small business for years so he decided to attend the lectures.

Joseph was able to purchase a laundromat at 139 Belmont Ave., Newark, for $20,000 in July of last year entirely on borrowed money.

"I just walked up to the owner one day and made him an offer for the business . . . I didn't have a dime in my pocket at the time," Joseph explained.

SUCCESSFUL LAUNDROMAT

Today he estimates that his business will produce a net income of $25,000 in its second year. The coin-operated enterprise is described as the largest in the city, with 46 washers and 15 dryers. The firefighter supervises the operation, when he is off duty. He employs one other person.

A highly-motivated entrepreneur had started several small businesses, but saw them go up in smoke in the Newark riots of 1967.

This serious-minded person is John Mitchell, 32, of South Orange.

However, following German's counselling, Mitchell was granted a loan and started a cleaning business at 120 W. South Orange Ave., South Orange. He now has two other stores, one in Newark and another in Westfield.

Mitchell said that by attending the lectures he was taught how to make money and how to spend it wisely. "I was given the strength to help myself and others too," explained Mitchell.

He employs 10 persons and operates the only black-owned business in the South Orange shopping center.

LeRoy Brickus, a trained mortician, had once been a factory worker. He now operates his own funeral chapel at 183 Littleton Ave., Newark.

Brickus, 40, said that by attending German's course, he obtained knowledge that was the "key" to his success. "It had been but a dream so long," Brickus admitted, "but I had the desire to have something of my own.

He received his training at the American Academy in New York and has been in business since April, 1968. His wife, Marie, who is active in civic and social organizations, said, "It's hard work, but the benefits are rewarding."

Another Newark resident who has established his own business under the Rutgers program, is Freeman Thomas, a skilled refrigerator and appliance repairman who obtained a loan to expand his operation at 504 Springfield Ave., Newark.

He received bank financing that helped him provide storage facilities for some 3,000 refrigerators, air conditioners, stoves and washing machines.

"WASN'T MAKING IT"

Norris Knott, a Montclair fish merchant, had been in business for a little over a year but "wasn't making it."

He was ready to close his shop at 154 Bloomfield Ave., and seek employment, but instead Knott decided to attend the Rutgers course and he gained advice on better management and purchasing policies.

Knott had purchased the business in November, 1967, and his volume was approximately $200 a week. German said his prices were too high and his volume too small because he purchased fish from a wholesaler who would make deliveries and carry the accounts receivable week-to-week.

Knott needed a truck, but he did not have the cash. It would have enabled him to go to New York to buy fish more cheaply.

German assisted Knott in getting a small business loan for $8,000 and with this money he purchased a truck. The professor said it is estimated that Knott's income will now be approximately $10,000 per year.

John Cheatam, father of 10, was referred to Rutgers by Knott. Cheatam is an assistant shop steward with a stevedoring company and had been doing upholstering work from his home, 579 Orange St., Newark, on a part-time basis.

He received a $1,000 loan from a Newark bank with the assistance of the school and has opened a small upholstery store in Newark.

German said that a program to offer classes for minority group persons who are interested in learning "how they can help themselves" is now under way in Paterson, Camden, New Brunswick and Newark.

Associate Dean David W. Blakeslee said, "We want them to learn how they can help

themselves in the approach to government agencies and banks, and ways and methods to improve their businesses."

Benjamin Zwerling, a consultant to the Rutgers business school, said: "This is a program whereby black people with no assets except their initiative and drive can build a business and eventually hire workers of their own race."

AMERICANISM IS NOT DEAD—IT IS ALIVE AND WELL IN LOUISIANA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. RARICK. Mr. Speaker, one of the occupational hazards of representing our constituents here in Washington is the danger of feeling that what goes on in this city—what we are told here—represents the thinking of the people at home.

Ben Garris, himself an embodiment of the qualities which have made our country great and free, recognizes real Americanism when he sees it. He captured such a real life portrait in his column last Thursday. I am privileged to represent many such people in the Sixth District of Louisiana.

I include the column from the Denham Springs News:

GIVE THANKS FOR PATRIOTIC YOUTHS

For ten long years we have watched with disgust and considerable misgiving the downgrading of patriotism in this country. First, the "beat generation," as they aptly termed themselves, talked of placing self above country.

Then came the hippies, wallowing in filth and self love, who spat upon the flag and called it "doing their thing."

Next were the "students," bless their ignorant, yellow little souls, who mouthed four letter words at any square who spoke well of God or Country. They gathered themselves together in motley little crews called "SDS," and cursed the "Establishment," which paid for their food, clothes, schools, and foolishness.

Colleges were taken over, and the gutless members of the faculty joined the whine against ROTC and any research which the students didn't like or didn't understand.

Somewhere along the line, colleges had neglected to impart to the students the simple fact that it is the armed services of his country which have guaranteed all the freedoms which the students now abuse. Perhaps the professors have not imparted this because they do not understand it themselves.

The wire service stories in the daily papers and the articles in national news magazines devoted their space to meticulous, blow by blow descriptions of flag burning, draft board burglaries, troop train protests, and defense contractor harassment. They have avoided the word "patriotism" like the plague, but they have not hesitated to take the protestors' side against the hard-pressed police and soldiers.

Remember, during past wars, returning troops were greeted by cheering throngs, who grinned and threw kisses? Now, returning troops are greeted by jeering throngs who grimace and throw bricks.

Patriotism is out and "protesting" is the "in" thing.

But, thank God, not everywhere—yet. Over the weekend we met a lady who is a patriot and proud of it, and one who has brought up her only son to follow in her footsteps.

We were in New Orleans to visit friends, eat seafood, and drink Big Oranges, in that order. The wives wanted to see a stage play, so down to the Civic Theater we went.

We got there a mite early, and looked around for a watering hole. The nearest place was Turci's, which bills itself as "New Orleans' Oldest Italian Restaurant."

The head waiter said, yes, we might go back to the little bar just off the kitchen and grab a quickie before curtain time.

Back there, handling the cash register, keeping the orders straight, and bossing the kitchen mechanics was a nice looking lady, who quickly, and in no uncertain terms, let us know that she was Mrs. Tom Gregory Serwich, who has a vested interest in the restaurant and in America in general.

On the wall was a picture of a nice looking young man in a crew cut and a white Navy uniform. Mrs. Serwich immediately introduced him as Tom Gregory Serwich III. He is now on a Navy cruise in the Mediterranean.

Come September and he will be back in the Naval Academy in Annapolis. He gained this honor the hard way—by joining the submarine service, just out of high school, working his way up through the ranks and scoring very high on the competitive exams.

We mentioned the student protests against servicemen, and the lady's face became as hard as nails. "As much as I love my son," she said, "if he did something like that, I would not claim him. Her face softened, and then she added. "But he won't—he is a man."

As we paid and turned to leave, Mrs. Serwich said, "Remember that name now, Tom Gregory Serwich III—he may be an admiral some day!"

Funny thing about it. I believed her.

As we were leaving, she added another PS: "He is quite a normal young man, too. First, he visited Greece and wrote me that Grecian girls were very beautiful.

Next, he visited France, and told me that the French girls were very beautiful. Lately, he went to Italy and the first letter spoke of the beautiful Italian girls."

I asked her if she thought on his next leave home we would find New Orleans girls beautiful. She grinned, and said, "Yes, and I have three of them lined up for him."

I asked her why, and she answered, "You don't think I'm going to sit by and let him marry someone from Wisconsin or Seattle, do you? I mean for my grandchildren to be close around so I can play with them."

That lady gave me a good feeling somewhere around the heart. I'll think of her pride in her country and her boy the next time I boil about some anti-ROTC "protest" or watch the TV news pictures of a kookie bunch tearing down the American flag in the name of Ho Chi Minh.

Drop in Turci's Restaurant, 916 Poydras Street, the next time you are in the Crescent City. You will be eating with people who are proud to be Americans, and that, in itself, is getting to be a novelty. Go back to the bar, get yourself a Big Orange, and meet the picture of Admiral To Be Tom Gregory Serwich III.

While you are at it, give thanks to the good Lord if you have a son like this.

STATE FINANCES IN MISSISSIPPI

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. MONTGOMERY. Mr. Speaker, I would like to point out to my colleagues that it is possible for government to operate within the confines of a budget and even end up with a surplus at the end of the fiscal year as evidenced by my home State of Mississippi. I commend the following article on State finances in Mississippi to all Members of the House:

BUDGET SURPLUS OF $30 MILLION

JACKSON, MISS. (AP).—State Budget Commission officials report the general fund surplus reached $30 million for the fiscal year ending June 30, $15 million over the expected level.

Francis Geoghagen, commission director, said "we now estimate the general fund collections in the next 12 months will be almost $300 million," which represents $1.7 million more than had been predicted earlier.

Geoghagen said collections in the 12 months totaled more than $285 million while earlier commission estimates had the state's general fund income at $270.3 million.

Over $134.3 million was collected in sales tax last year, he said, which was $10.2 million more than the commission had estimated when the 5 percent rate became effective last August.

Income tax collections were $2.4 million more than earlier estimates totaling $53.35 million.

The general fund budget opened the year with nearly $19.5 million cash balance, he said, and increased the surplus to more than $29.8 million by June 30.

MARYLAND GI DIES IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. LONG of Maryland. Mr. Speaker, Pfc. Kenneth J. Cymbalski, a fine young man from Maryland, was killed recently in Vietnam. I would like to commend his courage and honor his memory by including the following article in the RECORD:

ROCKVILLE GI DIES IN VIETNAM

A 21-year-old private from Rockville who enlisted in the Army after he was promised training in computers or supply management, but who ended up serving in the infantry, was reported killed in Vietnam July 10, the Defense Department announced yesterday.

PFC Kenneth J. Cymbalski, was killed during an attack on his base camp, located near Phan Thiet, a coastal city on the South China Sea.

FAR-FETCHED OFFER

A 1965 graduate of the Robert E. Perry High School, in Rockville, Private Cymbalski had been in Vietnam for five weeks. He had enlisted in the Army a year ago.

According to his father, Julian Cymbalski, of 13426 Justice road, Rockville, Private Cymbalski joined the Army after recruiters promised him an assignment with career potential.

"Those offers are always made on the posters," Mr. Cymbalski said. "But they're rather far-fetched."

Private Cymbalski wanted to become a sports writer. He played the outfield in high school baseball, but concentrated on bowling and golf when he entered the University of Maryland in the fall of 1965.

He had planned on entering the University of Maryland's School of Journalism.

According to his father, Private Cymbalski felt that "what we are doing in Vietnam was right, but the way we are conducting it, we would never win the war."

Mr. Cymbalski said his son felt that "we should be fighting the war on our own terms, by bombing the right places."

Private Cymbalski is survived by his parents, two brothers, Michael and Steven Cymbalski, both of Rockville; and his grandmothers, Mrs. Olga Cymbalski, of Brigantine, N.J., and Mrs. Minarose Pardum, of Clarion, Iowa.

MINNESOTA EXPERIMENTAL CITY—I

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. FRASER. Mr. Speaker, an exciting new venture is being formulated at the University of Minnesota. It is a project to study the concept of an experimental new city in the 250,000 population range, in which the human condition would be improved significantly and where, as a national proving ground, technological innovations could be demonstrated and evaluated.

The Minnesota Experimental City (MXC) is to be built in the geographic center of the North American continent—at a location in Minnesota 100 to 150 miles from St. Paul and Minneapolis. The city is to be completed by the year 1976 to commemorate the Nation's 200th birthday and to dramatically introduce the city of the future in just a few short years.

Unlike the model city program—which is basically an extension of the urban renewal program—and the new town concept—which is a real estate development primarily in the private sector—the experimental city project is a cooperative venture of the public and private sectors in planning and building a city without any of the inhibiting restrictions of present cities.

The following tentative schedule of work has been established:

NATURE OF WORK AND DATE OF INITIATION

Phase 1: Background studies, concept formulation, 1967.

Phase 2: Experimental, development work, design or alternative comprehensive development programs and plans; operations planning, 1969.

Phase 3: Design of rezoned and community program and plans; implementation and affectuation, 1971.

Phase 4: Development of the city, 1973.

Heading a 24-member steering commitee is Mr. Otto A. Silha, who is executive vice president and publisher of the Minneapolis Star and Tribune.

With the completion of phase 1 of this project, Mr. Silha made the following statement which was contained in the Minnesota Experimental City Progress Report, dated May 1969:

STATEMENT BY MR. SILHA

For almost three years a great many prominent Americans have been working on what I consider to be one of the most significant, far-reaching endeavors ever launched in this country—an Experimental City for the United States.

Since mid-1966, when Dr. Athelstan Spilhaus, former University of Minnesota Institute of Technology Dean, first proposed an experimental city, we have harnessed the energies of the University, the State and Federal governments, and the business community in developing the theoretical underpinnings of an entirely new city which would serve as a national proving ground for social, economic and technological innovation.

Perhaps the key phase in describing the Minnesota Experimental City (MXC) is that it will comprise an "overleap" in research and in seeking more alternatives for dealing with urban problems. The most significant operational factor this experimental overleap would offer would be an opportunity to start anew without those entangling restrictions which impair the viability of our cities today. In short, for the first time in the history of man, we are seeking to build a whole new city from an ecological base.

This is a project that challenges management—both corporate and governmental—to transform research and technology into reality. It can be the vehicle by which we overcome today's technological, physical, social, and economic impediments to a much healthier urban environment.

Briefly, the Experimental City could serve to demonstrate the value of changing social patterns and would underscore that all technology must truly serve people, that a city must be able to change the unworkable, and that any institution must be responsive to the evolving needs of those for which it exists. As a center of experimentation, the MXC would become a world-wide mecca for urban planners, developers, industrialists, educators, students, and the general public.

With the completion of this progress report on Phase 1, we now move into Phase 2 of the project, designed to evaluate untried concepts and systems in a laboratory environment, experiment with scale models and investigate anticipated problems, including the site location and corporate structure.

As Chairman of the Steering Committee, I am indeed encouraged by the progress achieved to date and by the tremendous enthusiasm and support the MXC has attracted from all sources. The release of this report is an auspicious beginning in creating further understanding and support of our efforts in the future. The success of Phase 2 will be determined by the degree to which we can build upon the generous support accorded the MXC during Phase 1.

The Minnesota City could well become a major factor in helping to solve America's staggering urban problems and we eagerly look forward to continued progress toward our goal of building the City.

BUCK ROGERS WAS NOTHING

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, the trip to the moon by three American astronauts was an achievement of mind-boggling immensity, the scope of which no single man can hope to embrace. Perhaps only the liftoff of the giant rocket from Cape Kennedy, at once a fearful and awe-inspiring sight, can give the human intellect an idea of the tremendous effort which went into this space flight. Men and women from all over the world worked for years to attain this goal. They deserve our thanks and our highest praise. In this spirit, I enter into the RECORD a tribute to the Foxboro Co., one of those groups of people who made the trip to the moon possible. The following editorial appeared in the Foxboro, Mass., Reporter on July 23, 1969:

BUCK ROGERS WAS NOTHING

Like Buck Rogers—only more fantastic!

Our congratulations are extended along with those rushing in from all corners of the globe to the first men to set foot on the Moon—Neil A. Armstrong, Edwin E. "Buzz" Aldrin Jr. and Michael Collins.

Congratulations must go out with equal enthusiasm to the thousands of people involved on the ground floor, both at the Cape Kennedy and Houston centers and at technological industrial firms throughout the country.

The combination of efforts put forth by all of the participants in the Apollo program has brought about this most amazing step in man's continuing attempt to broaden his physical and intellectual sphere of activities.

With special pride we congratulate The Foxboro Company, builders of a multi-million dollar ground support installation which controlled the temperature of the giant Saturn V launch vehicle during the loading of liquid hydrogen and liquid oxygen fuels.

It's a truly giant step in the progress of man which has made truth more fascinating and stranger than fiction by a celestial long shot.

OUR SPACESHIP EARTH—STANDING ROOM ONLY

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. BUSH. Mr. Speaker, as chairman of the House Republican task force on earth resources and population, I was very interested in reading a newsletter by Congressman UDALL of Arizona. The newsletter is extremely well written and discusses many of the problems being investigated by our task force. These thoughts on the population problem will be of interest to all Members of Congress and I offer the newsletter for the RECORD:

OUR SPACESHIP EARTH—STANDING ROOM ONLY

(By Congressman MORRIS K. UDALL)

In January, I sat in the House chamber when Tucson's Colonel Frank Borman and his two companions of Apollo 8 told a joint session of the Congress of their pioneering adventure to the moon. They described a space that is black, lifeless, hostile, desperately cold—a kind of celestial desert in which man would perish instantly were it not for the complex life-support systems of the space capsule. Those of you who followed the adventure on television remember this event: As the capsule rounded the dead, white face of the moon last Christmas Eve, Captain James Lovell looked from it back to the bright blues and rich browns of our little planet riding through the emptiness and said:

"It's awe-inspiring. It makes you realize just how much you have back there on Earth. The Earth from here is a grand oasis in the blackness of space."

His words led me to reflect on our country and our world, and prompted me to write this essay.

PESSIMISM ON THE RISE

One of America's great strengths has been the fundamental optimism of its people, a kind of national "can-do" attitude about any problems the future might hold. The difficult is done now; the impossible takes a week or two. It is this attitude that might explain, more than anything else, the $500 billion gross national product when I came to Con-

gress and the $900 billion GNP we expect this year.

Yet, for the first time since the early 1930's, America seems to have a serious crisis of the spirit. Large numbers of people are dubious and skeptical, if not pessimistic, about the years ahead. Despite all our material prosperity, there is real questioning about whether life is really going to be better or more tranquil next year, in the next decade, or for our children.

My work takes me to various parts of the country each year. It's often inspiring and rewarding, but gloom and pessimism are much in evidence. The numbers of people jammed into our large cities are increasingly ominous; courtesy is a rarity between strangers; few stop to aid the victim of a robbery or a heart attack. I see long lines at ticket counters, restaurants and rest rooms, and I have sweated out a two-hour holding pattern above Chicago's airports. But what I see is the obvious. The problem, we all know, is much deeper.

Crime rates soar, and no one really has a solution. Most major cities have schools on double sessions. There is scant progress toward a racially-integrated society. There aren't enough facilities for college applicants. Anarchists threaten the very existence of universities.

In just one year, sanitation workers, teachers, subway workers and police strike or go on slowdown protests in New York. Experts question whether the city is "governable" any longer.

At a time when Americans haven't even begun to bring under control the pressing problems of the people already crowded into cities, we have triggered continuing social and economic forces which will shortly jam even more millions into those cities.

Every major river system in the country is polluted with debris, topsoil, chemicals, pesticides and partly-treated or raw sewage. Lake Erie has been all but choked to death on the pollution of our prosperity. The thin and precious blanket of air that makes Captain Lovell's oasis possible is pumped full of foulness from our automobiles, factories and generating plants.

The people of Los Angeles, already paying record property taxes, were told recently that the rate would triple in five years, lacking tax reforms. A "taxpayers' revolt" is talked about as Federal, state and local outlays for schools, hospitals, roads, sewage treatment plants and other basic services are overwhelmed with growth. Traffic on a major downtown freeway in Chicago was so great that it came to a standstill the day after the new highway opened. In Los Angeles cabbies make better time leaving the freeway and picking their way through local streets to the airport.

I have seen fishing streams and beaches where one had to stand in line or elbow somebody out of the way to get to the water. I have known farmers and cattlemen who once took a host's pride in allowing their lands to be used for hunting, picnicking or camping survey the trash and damage left behind and tack up "no trespassing" signs. There's more privacy at Kennedy Airport than at a campground I visited on a North Carolina beach last summer.

This isn't the whole story of America today. There are still many places of beauty, quiet and tranquility. There is still a strong feeling of goodwill, and many "welcome" mats are still out. But the things I outlined do exist. They are the symptoms of a fundamental disease which must be recognized and treated or it will get far worse.

A PLAN OF ACTION

If you don't like the picture I have just painted, try this one. Suppose I told you that I have a plan which would guarantee to New York and Los Angeles within a few years:

Reduced local, state and Federal taxes; less crowded streets, freeways and hospitals; room at the beaches, streams and ski slopes; single session schools and shortened waiting lists at colleges; some genuine hope for lowered crime rates, some measurable progress against pollution.

You'd be interested, of course. Now, suppose I told you that it would do these things not just for New York and Los Angeles, but for Phoenix, Houston, Chicago and every other area in the country. Suppose I told you further that the plan would cost almost nothing in public spending and involve absolutely no governmental controls, and very little legislation. Furthermore, under my plan you might wake up each morning to a newspaper filled with heartening progress rather than the calamity of the day.

Well, I have such a plan. I can't be optimistic that it will be adopted very soon. It's entirely voluntary and it runs counter to some basic attitudes built into our culture. But it ought to be adopted and soon, because it is directed at the basic, underlying causes of nearly all the problems that trouble America as we move into the 1970's.

Let me say it another way: Livestock ecologists long have been guided by the concept of the "carrying capacity" of a given tract of land. They know that a certain acreage will support 10 cattle. Up to that number, the grass will be lush, trees will thrive, water will be produced. Animals and plants are in balance. But put 20, 50 or 100 cattle on that land and the grass goes and the topsoil erodes. The cattle die; the plants die; the productive land itself dies.

The Earth has a maximum carrying capacity too. Science does not yet know precisely what it is, but some experts believe that our numbers already exceed the critical point. Let me give you an indicator.

We Americans comprise 6% of the world's population, yet, because of our wealth, technology and enterprise, we use almost 40% of the world's resources. Suppose we could magically bring all the people of the world up to our living standards by tomorrow. A scientist recently computed that the world would then consume about 20 times the iron, copper, sulphur, timber, oil and water it consumed in 1969. Well, the rub is that the planet does not have 20 times its present usable store of resources. In many instances, the margins are very slight. If all the people of the world suddenly began using the same amount of petroleum products used by each American, all the known petroleum reserves in the world would be gone in about six years.

A GROWING AWARENESS

The situation I describe is critical, but is it hopeless? I talk about it because I think something can be done. A start has been made.

What was once a subject off-limits to public discussion has been brought in the past few years into the open air of legitimate and free debate. Presidents Eisenhower and Kennedy both expressed concern. "Second only to the search for peace," said President Johnson in 1965, "it is humanity's greatest challenge."

Some experts, although they admit to their own optimism, are beginning to detect progress. The birth rate in the United States certainly is dropping dramatically. There are signs that the birth rate is falling off in some Asian and Latin American countries. There is no reason to relax, but there is some room to hope.

A giant step in the area of public debate was taken in 1965 when former Senator Ernest Gruening of Alaska, a courageous man, opened Senate hearings on his bill to establish offices of population in both the Department of State and the Department of Health, Education and Welfare.

I introduced a companion bill in the House and, although the bills did not pass, both departments reacted by getting deeply involved in the question of population.

Although there is no way to measure the actual effect of the coordination and spending that resulted, the hearings did accomplish that all-important first step: To identify the problem and bring it into the open.

The discussion continues:

In January, the President's Committee on Population and Family Planning recommended that the Federal government expand its family planning services to all American women who want them by 1973. It also recommended that Congress create a permanent Presidential Commission on Population.

The much-publicized debate within the Roman Catholic Church about Pope Paul's continued ban on artificial means of birth control, despite the severity and divisiveness of the debate, is a healthy sign.

What can I do, what can you do, and what can government do about this sensitive and essentially private matter? I don't believe that government can solve this problem, but it can help. I have introduced a bill that would do these main things:

1. Have the Congress and the President declare that it shall be the goal of the United States to encourage, by decent, humane and voluntary means, a stabilized United States population. This may sound like meaningless words when actions are needed, but no goals can be reached until a problem is identified and a goal determined.

2. Authorize a new presidentially-appointed Assistant Secretary of the Interior to coordinate research and programs having to do with the relationship of population growth and its impact on the natural environment.

3. Create a two-year Commission on Population and the Environment, composed of our most distinguished citizens in private life and public officials, which would, in an impartial, nonpartisan and scientific manner, tell the American people the facts about population growth and its implications, and offer detailed recommendations.

Furthermore, bills introduced by colleagues who share my concern—bills that would increase foreign aid for birth control programs and enable every American, without regard to his religious convictions, to have the means to voluntarily limit his family through birth control—will have my support.

OLD ATTITUDES PERSIST

I've talked about some limited things government can do. But no government will, or should, ever undertake to tell people when to have, or not to have children. The solution, if there is one, must come from individuals. If you believe, as I do, that this problem is our chief concern, that it underlies most of the world's major problems, begin to talk about it. You can help change some basic attitudes, for this is where the ultimate answer lies.

Experts whose judgment I trust believe that nothing we can do in terms of increased food production will avoid widespread famine in Asia in the next two or three decades. More recently, we have been told that a "green revolution" now going on has so increased crop yields in some of the areas thought to be in danger that it is outdated to speak of famine in the 1970s. Well that is good news, but if the "green revolution" is not accompanied by dramatic progress in lowering the birth rates in those countries, the problem has only been delayed, not solved. No one can predict what political consequences will arise from this. As for me, I cannot conceive of millions of people—people who through mass communications have been given a new, deep thirst for the quality of life you and I enjoy—resigning themselves to starvation without making a fight for life.

THE ECOLOGY OF MAN

Man is much more than the other animals. His brain is so much larger; he has a soul and a conscience. But man, like the other animals, is a product of Earth, subject to her laws, and he must have a continuing relationship with the outdoors, with nature, or he loses sight of his place on Earth. He *must realize* that he can tinker only so much with the delicately tuned machinery of this planet, or he will destroy himself, and the planet.

Here is my plan:

Americans, voluntarily and openly, must face the fact that most of our tensions and our failures are directly due to an unrestrained, spiraling population growth. Every family with two or more children would make a personal, voluntary decision to have no more children. Every couple with no children or one child would voluntarily agree to stop with the second.

Having done this, we would use science and technology and the resources of government to thin out the cities by making it attractive for industries and people to voluntarily relocate in smaller, middle-sized communities, where people still can be a blessing, not a burden. We would do for this country the one thing which I believe would bring back tranquility and a permanent strength: Stabilize Our Population.

My plan would be helpful on the international scene as well. Our ambassadors abroad tell us that it is hard to sell U.S.-supported birth control programs to other nations. One of the criticisms they get from foreign governments is that the U.S. hasn't done very much to solve its own problem—so why should it be peddling programs for others? If we were to stabilize our population, we would be the first nation to show the world that the problem can be solved—and *that*, it seems to me, would give a tremendous uplift to other nations which are approaching the population problem half-heartedly, if at all.

EFFECTS OF OVERPOPULATION

The dreary statistics of the population explosion have been repeated many times. Some of them were covered in my 1965 newsletter, "A Time Bomb Called Population." Since I wrote that newsletter we have added to our population 9.5 million more Americans. Last year alone there were 3.5 million births and 440,000 additions through immigration, more than offsetting 1.9 million deaths, for a net increase of 2 million in our population. This is easy to write, but difficult to comprehend. These Americans are not just statistics; they are people. They have children and build houses. They want to go to the mountains or the park and on the same day that you do. They take the freeway to work in the morning and their children want into the same colleges and schools as yours. They get sick, and need doctors and hospitals and at the same time as you do. Each adds 120 gallons a day to the local sewage treatment plant and four pounds of solid wastes to be disposed of and 1.9 pounds of air pollutants. Each throws away 250 cans and 135 bottles or jars a year, and you see some of this production every time you go to a beach or walk in a neighborhood park. You wait for some of them at the golf course, the national park, the local lake, the bus stop or the local supermarket.

Individually, they are mostly fine people. But you never get to know them as friends. They are in your way; they make life a little more difficult. And you and I get in their way and cause them inconvenience in return.

Some scientists are beginning to suspect that dangerous and unknown stresses occur on human beings when they are overcrowded and subjected to the strains of complicated overlapping relationships. They know what happens to animals when they overpopulate their habitat, and the implications for man are ominous. There is reason to believe that much of the increased crime, mental illness and some of the other things I have talked about may be products of an overcrowded and overcomplicated existence.

And the total population spirals upward at an ever accelerating rate. It took us 180 years to go from four million Americans to 200 million. By the year 2000 we will have hit 318 million. Since 1950, the world has added *one billion people*. And since I wrote that 1965 newsletter, the world's population has increased by at least 250 million, or, put another way, by a number greater than the 1965 population of the Soviet Union, or all of Africa, or all of Latin America.

There was no political reason for comparing four and one half years of growth to the Soviet Union—the two numbers happened to be convenient comparisons—but in looking back over the preceding sentence, I think it does more than I first intended it to do.

It suggests the truly frightening course down which we humans are hurtling.

If an ultimate calamity were to befall mankind—and in nuclear weapons we have the tools to manufacture such a calamity—chances are it will be population, not politics, that will have to be blamed. In short, of the two problems, population and the Soviet Union, population scares me more. If the world could solve, somehow, the problem of overpopulation, our problems with the Soviet Union, or any other country or ideology, would be more easily coped with.

I believe, as a matter of fact, that virtually all of our problems either stem from or are intensified by the sheer numbers of people that are now crowded into the limited living spaces of our Earth. For example:

It does not take such imagination to see that the foundation of war can be laid in the Asian mud of prospective famine.

The specter that Latin America's hundreds of millions will double *within the next generation* cannot spell anything but turbulence and misery—the very atmosphere that invites the spread of Castroism—for decades to come.

It is obvious to me that the destruction of wilderness and natural beauty and the pollution or poisoning of soil, air and water are caused by man's numbers overwhelming, at the very time he needs it most, the delicate base of nature that sustains him.

In America, the problems of poverty, racial strife, transportation; the rotting of our central cities and the formless and ugly sprawl of urbanization—all so debilitating to the individualism that our country cherishes—can be traced directly to the problem of overpopulation.

Yet, while the United States spends billions of dollars at all levels of government and in foreign aid programs in an attempt to grapple with individual problems, we still are doing little to get to the basic problem. I take that basic problem to be:

How can we—humanely and with a regard for basic human rights—stabilize the world's population?

For, if we do not, it will surely stabilize itself through catastrophies that may threaten the very existence of all mankind. One thing is certain: *The world's population cannot continue to grow at its present rate.* We are not going to put more people on Earth than the Earth can sustain. If birth rates do not fall, death rates will rise.

There are those who say that science will rescue us, that the world can support almost unlimited numbers of people. Although modern science has done fantastic things, I would answer that there are things it can not do and will never do: Science cannot add one square foot to the surface of this planet; nor can it add a ton of coal, a pound of uranium, a barrel of oil, or a glass of water.

We are faced with a formidable set of hostile attitudes. First, we deal with an extremely personal and sensitive area of human relationships, traditionally outside public concern. There are religious attitudes, also, and this is an area I decline to enter. Each American is entitled to be respected for his individual beliefs. Until and unless Catholic doctrine on this subject changes, we can only encourage Catholics to use church-approved methods of birth control and direct some of our research to improving and making more reliable those methods that are sanctioned.

Other people, particularly black militants, see the population movement as "genocide," directed at minorities. The fact is that uncontrolled population growth will eventually wipe us all out, black, white, yellow and brown. Besides, most of the U.S. population explosion is the result of 180 million whites having *two or three* children too many rather than 20 million blacks having *three or four* too many. Indeed, one of the myths recently exposed is that of the "unwanted child." Planned parenthood movements worked for years on the premise that a solution would occur if we could just insure that every child born was a *wanted* child. We now know that even if that goal were achieved, the population explosion would not be checked. It is the *wanted*, sometimes badly wanted, fourth, fifth or eighth child that makes up the bulk of our annual population increase. In fact, an organization called Large Families of America, Inc., actually boasts that *23% of America's family raise over 66% of America's children.*

For reasons that are simple and understandable, the large family has a firm place in our history and folklore. As one of six children—and the father of six more—I know the special delights and satisfactions of multiple brothers and sisters, especially in a rural environment. Until this century, the nation *was* underpopulated. Empty lands awaited exploration and exploitation. When my grandfather first came to Arizona, a family desperately needed a home full of growing boys and girls; a small community grew stronger and better with more people. New settlers and large families were welcomed, encouraged and honored. Our scripture, our literature, our culture—and our tax laws—urged us on.

But, recognizing all of this history, we must also face the fact that the time is rapidly approaching when a large family, whatever its comforts to the home or the ego, may be a disaster to the community, the nation and the world. As James Reston said some years ago, *"The history of mankind is strewn with habits and creeds and dogmas that were essential in one age and disastrous in another."*

We face another fundamental American attitude also: the myth that growth is good business. For 150 years more people truly meant more prosperity, more markets, more opportunities for everyone. Businessmen and their communities were built on the doctrine that *bigger* is always *better*. If Arizona with two million people is good, the reasoning goes, Arizona with 20 million people will be ten times as good. In terms of quality of life, this kind of thinking is dangerous nonsense. The kind of informal, outdoor, neighborly, spacious kind of life which brings so many people to our state would be an inevitable casualty of unlimited growth. There would be in Arizona more signboards than saguaro, more cars than cottontails, and neon will long have replaced starshine in the desert.

LIFE IN A "CLOSED SYSTEM"

In the last 10 years, the great conservation movement has really come alive. A national wilderness system has been established. We've added millions of acres to our national parks. Seashores and lakeshores have been set aside for recreation and wildlife. A huge Federal fund now helps cities and states buy park and recreation lands before they are bulldozed. We have saved a few wild rivers. Despite all

this, future generations may never find the outdoor areas every man needs for solitude and recreation and self-awareness—unless we somehow bring this population growth to a halt. Perhaps the world can find space for some kind of existence for 10 or even 20 billion people instead of the 3.5 billion we have today. But what of the quality of that life? And the relationship of those people to the Earth that supports them?

Which brings me back to Colonel Borman and Captain Lovell and their spaceship to the moon. Scientists call such a craft a "closed system," meaning that everything needed for a long voyage must be carried on board. Nothing can be thrown away. On long voyages everything—even human wastes—must be recycled and reused. The Earth is a closed system too. It is our spaceship, and it has everything on board that we will ever have—all the air, water, metal, soil and fuel. Unlike Apollo 8, however, our spaceship Earth takes on more passengers all the time. At some point, it's got to stop taking on passengers, or the trip is going to be a lot shorter than any of us believed.

Somehow, I can't help but believe that if all mankind could see the Earth as Lovell saw it from the far side of the moon last Christmas Eve, we'd change our attitudes and our policies.

We would again realize that here, on our *"grand oasis in the blackness of space,"* it is man's relationship to his environment and to all other living things that will determine our survival and our happiness.

THE PLEDGE OF ALLEGIANCE

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. PETTIS. Mr. Speaker, I would like to honor the memory of Miss Mary Fackler of Redlands, Calif., who was the first teacher to have her classes salute the flag on a daily basis in our schools. Her tremendous patriotism is to be commended and admired in her memory.

The idea of the salute of the flag was started as part of the celebration of Columbus Day in Boston in 1892, the 400th anniversary of the discovery of America.

A man named Francis Bellamy, who was on the committee of arrangements for the celebration, originated the salute and used it as part of the Columbus Day celebration.

Someone sent a program of the affair, which included the salute, to Miss Fackler, a teacher of the primary grades in Redlands. She was deeply impressed with the significance of the salute and taught it to her pupils. She used it as an incentive to good behavior, having the children give the salute at the end of a day when no one had been absent or tardy; and a child who had done especially well in his work was allowed to hold the flag.

Among the pupils in the school were the three children of Lt. Col. H. W. Lawton. On one occasion their friend, Gen. Joseph C. Breckenridge, was with the Lawtons in Redlands and Mrs. Lawton took him to visit the children's school.

General Breckenridge was much impressed by the Pledge of Allegiance to the flag as Miss Fackler had her pupils do it. And on his return to Washington, D.C., he introduced it to the Sons and Daughters of the Revolutions at one of their conventions. Mrs. Lawton wrote to Miss Fackler, describing the first time the pledge was given in Washington:

All the distinguished men and women in the East were there and he (Gen. Breckenridge) had the children give the salute, which was beautiful and impressive and created much praise, enthusiasm, and applause. It was mentioned as coming from the California children. I thought you would like to know it, since it is all owing to you.

Thus the imagination and devotion of one faithful schoolteacher led to the custom of pledging allegiance to the flag on all patriotic occasions.

This daily pledge gave the children of Miss Fackler's classroom and those children who have followed the respect due to this country through its flag. By the Pledge of Allegiance to the flag in the classroom, children across the Nation became aware of our country's greatness, a greatness which allows them to live in freedom to and gives them a right of a good education. It was through the efforts of Miss Fackler that these children have been made more aware of their great country. It is a privilege and an honor for me to acknowledge Miss Fackler's achievements and I do so with great pride.

TIBOR BARANSKI AND THE 1968 VALLEY FORGE TEACHERS MEDAL OF THE FREEDOMS FOUNDATION

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. WOLD. Mr. Speaker, the Freedoms Foundation at Valley Forge is one of the foremost defenders of our national history. Each year the foundation makes awards to citizens who have made outstanding contributions to that defense. In 1968 one such coveted award, the Valley Forge Teachers Medal, was presented to Tibor Baranski of Albany, N.Y.

Mr. Baranski teaches Latin at Albany Academy and he brings to that role a background which few Americans share, a perspective which uniquely qualifies him to instill in his students a love of liberty which many people of the world share, but few have the high privilege of realizing.

Of Polish extraction, Tibor Baranski was nonetheless a native Hungarian. At an early age he was both poet and Boy Scout, a combination extremely rare; but then Mr. Baranski is a rare man. During World War II, he helped more than 3,000 Jews to escape from the Nazis. At the end of the war he himself was taken prisoner by the Soviet Army. Released, his freedom was short lived.

In 1948 he was arrested by the Communists and sentenced to 9 years in prison, of which he served 5. In 1956 he joined with his fellow Hungarians in their gallant effort to cast off the Soviet yoke. Mr. Baranski was sent abroad to secure help for the freedom fighters—help which did not come. The valiant attempt failed and Mr. Baranski could not return to his native land.

Going to Rome, he started a camp and school for Hungarian refugees. In 1961 he and his wife arrived in the United States where he has taught American children with a rare perspective, for Mr. Baranski knows how priceless is freedom. He knows how sustaining religious faith can be. He knows how tenuous is the veneer of civilization. It is important that America's youth be aware of this and it is startling how many are not.

To his students and to the people of the Albany area, Mr. Baranski brought that awareness. He brought it through his classroom work, through a radio program, and through his poetry. One such poem was "The New American Creed." He composed this fine tribute to America and used it on his radio program of July 4, 1968. It is primarily this which brought him to the attention of the Freedom Foundation. I would hope that it would bring him to the attention of all Americans. His very life is a symbol of religious faith and devotion to liberty. In and of itself, it should inspire us all.

I include in the RECORD that poem, an article from the Knickerbocker News of February 22, 1969, and a copy of the citation awarded Mr. Baranski by the Freedoms Foundation at Valley Forge:

NEW AMERICAN'S CREED

(Written and read to the public by Tibor Baranski, on the WKOL radio, Amsterdam, N.Y.)

I believe in God, our Heavenly Father, Father of each individual and of every nation.

I believe that the United States of America was founded by God and by the people which represented divine principles, namely the principle of freedom, equality, justice, humanity, and the most important principle of individual and human life: LOVE.

I believe that God wanted the American Forefathers to establish this nation to become an outstanding example for the world by realizing the above principles.

I have to believe by the enormous number of the daily crimes and treasons committed by several members of our society that we are on the way to destroy our nation by becoming faithless to the ideas and practice of our Forefathers.

But I just believe firmly that by the help of God and the responsible citizens we can stamp out the crimes and wrongdoings, the treasons and crooked actions of educators, politicians and of others, and we can become again a free nation in spirit and atmosphere . . . We can become equal in rights and duties . . . We can practice justice and humanity in divinely human sense, and become protectors of our principles here in the United States and in the entire world, among ourselves and among all nations!

Albany, New York July 4, 1968

[From the Knickerbocker News, Feb. 22, 1969]

ALBANY EDUCATOR GIVEN FREEDOMS AWARD

VALLEY FORGE, PA.—An Albany, N.Y., private school teacher who was a Hungarian freedom fighter in the 1956 revolt is among winners of awards announced here today by Freedoms Foundation.

Tibor Baranski, 46, of 5 Ten Eyck Avenue, a Latin teacher at the Albany Academy, was honored for his "New American's Creed."

Annual announcement and presentation ceremonies are conducted here on George Washington's Birthday. This year is the 20th anniversary of the national and school awards program of citations for "outstanding achievement in bringing about a better understanding of the American way of life."

Mr. Baranski was named winner of a Valley Forge Teachers Medal Award.

He first aired his creed of goals for Americans July 4 on WKOL radio station in Amsterdam, where he broadcast a summer program.

For Mr. Baranski, todays' award is not the first. He holds a special commendation letter from the Vatican City diplomatic representative to Hungary for his work as executive secretary of the Jewish protective movement in Budapest. The citation credits him with helping to protect more than 3,000 Jews from Nazi forces during World War 2.

In November, 1948, Mr. Baranski was arrested by Hungarian Communist forces and sentenced to nine years in prison for spying and conspiracy. Of 30 imprisoned at the time, two were executed and another died.

Mr. Baranski entered prison speaking eight languages and understanding five others. But no foreign languages were permitted during his five years of incarceration. Today he retains speaking knowledge of four languages and understanding of two others. He was released after the death of Russian Premier Josef Stalin.

In 1956 came the abortive Hungarian revolution.

Mr. Baranski commented on his role: "A man who comes from afar can say anything, but this is the truth . . . I was not a leader, but I was in a very serious position about three blocks from the center of the revolution in Budapest."

He later went abroad to seek foreign assistance for the revolutions, was notified that the attempt had failed, and eventually came to the United States. Translation is now underway on his book: "Twelve Years of Hungary in the Mirror of My Life."

Mr. Baranski's family lives in Buffalo and he visits them on weekends. He explained that his wife's work on anti-cancer research as an enzyme chemist at the University of Buffalo keeps them separated.

FREEDOMS FOUNDATION AT VALLEY FORGE

A noble task chosen by free men and women is the self-effacing strenuous work of teaching with humility and enthusiasm the tenets of individual responsibility, personal liberty, and love of country.

Freedoms Foundation at Valley Forge, at the instruction of its distinguished independent Awards Jury, for high devotion to our Republic's heritage, hereby confers the 1968 Valley Forge Teachers Medal on Tibor Baranski.

Freedoms Foundation at Valley Forge is privileged to convey this recognition to one who has made a notable patriotic contribution to youth leadership in the highest tradition of our free Nation.

The dogwood design, emblematic of the profound teachings of the Father of our Country, George Washington, at Valley Forge, symbolizes fidelity to constitutional principles so dramatically illustrated in the life and works of this honored teacher.

Long after this medal is laid away and the language of this citation forgotten, the values of this teacher's work in behalf of the American Way of Life will live for the future through the lives and actions of boys and girls grown taller and older.

Dr. KENNETH D. WELLS,
President.

FLAGS FOR PARENTS OF SERVICEMEN KILLED IN COMBAT

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. HASTINGS. Mr. Speaker, today I have introduced a bill which would amend a section of title 10 of the United States Code pertaining to the presentation of U.S. flags to the next of kin of servicemen killed in battle.

Recently I had the sad duty, as we all have, of providing a U.S. flag for the widow of a soldier from my district who lost his life in combat in Vietnam. Desirous of presenting a second flag to his bereaved parents, I found that there are no provisions for this under the current law. It merely says that a flag shall be presented to the surviving spouse or nearest kin. My bill would amend this rule so that a second flag would be provided for the parents, stepparents, or person who has acted in a parental capacity.

The flag, especially during those tragic days which follow the announcement of a serviceman's death, serves as a meaningful token of our Nation's deep gratitude for the sacrifice made on the field of battle. It has a precious meaning for the parent as well as the wife and I like to think that in some small way it demonstrates they are not alone in their grief and that all of us throughout the Nation share in their mourning and prayers.

More than 50 of my colleagues have joined me in the cosponsorship of this proposed amendment and I would earnestly ask for your support in seeking quick approval of the change.

ARTHUR QUESINBERRY ENDS DISTINGUISHED NAVAL CAREER

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. WATSON. Mr. Speaker, on Thursday a distinguished career in the U.S. Navy will come to a close when Master Chief Boatswain's Mate Arthur Quesinberry retires after 30 years service to his country.

The U.S. Navy has always been a strong and viable force because of men like Chief Quesinberry. His love of country and devotion to duty have served as an inspiration to literally thousands of young men who have followed his lead and joined the Navy. His final tour of duty was as a recruiter for the Navy in Columbia, S.C., which is in my congressional district, and his success at recruiting has already become legendary in the Navy.

I am proud that Arthur Quesinberry has decided to spend his retirement in Columbia. Like so many of our brave servicemen who retire, Chief Quesinberry will not have too much time for relaxation because he feels that the public can still benefit from his experience. He is going to work for the city of Columbia immediately after being "piped off" board.

I salute Chief Quesinberry on this momentous occasion in his life. Our Nation stands stronger this day because of his patriotism, courage, and devotion to freedom.

Mr. Speaker, as a part of my remarks, I would like to include an article from the Columbia, S.C., Record, written by Mr. Ray Benson, as follows:

TOP NAVY RECRUITER IN AREA WILL RETIRE HERE NEXT WEEK

(By Ray Benson)

The United States Navy loses its No. 1 recruiter in these parts July 31 when Master Chief Boatswain's Mate Arthur F. Quesinberry retires after 30 years service.

During the last fiscal year, ending June 30, Quesinberry's Columbia, S.C. District was first in all naval recruiting for the southeastern states, "selling the navy" to 2,500 enlistees. "Of course, this was the greatest year this area has ever had," he said.

Quesinberry's rank is equal to sergeant major in the U.S. Army, "or E-9 in military jargon," and following his being "piped off" the federal courthouse steps on Thursday, he will go to work in the city engineer's office as a file clerk.

"Normally, you are piped off a ship, but since I don't have one, it will be on the courthouse steps by my relief, MCBM Robert M. Meek Jr. All of my family will be there, dressed in red, white and blue."

Quesinberry, who has "dealt with a lot of public relations while in the Navy," is 49 years old, "so I got in fairly early in life." A native of Hillsville, Va., he enlisted in Richmond early in 1940 and saw service in both the Atlantic and Pacific.

While in the Atlantic, he participated in the first amphibious invasion of North Africa.

"I lost my ship, the USS Edward Rutledge, off the coast of Casablanca. It was torpedoed. In 1943 I went to the Pacific on a tanker and spent the rest of the war in that area. I've been on more than a dozen ships, and three staffs. I've also served under five different commanding officers while in Columbia."

Quesinberry, who has been with the U.S. Navy Recruiting Service in Columbia for nine years, first came to the capital city in 1957 for a four-year stay. He was assigned to Mine Squadron 10 in Charleston in 1961 and was a commander of a sub-division of minesweeping vessels.

"My ship was the escort of the battleship North Carolina when it was enshrined at Wilmington. I went with two other ships before coming back to Columbia in 1964 with the recruiting service again. The last five years I have been the 'sales manager' for selling the navy. I have 37 men working in that field, so I've done very little recruiting myself in recent years."

As chief recruiter for the Columbia station, he was in charge of branches in Florence, Greenville, Greenwood, Rock Hill, Spartanburg, Charleston, Asheville, N.C., and Augusta and Savannah, Ga.

Quesinberry, father of four, says, "Columbia is a good place to retire. My family has been in South Carolina, either here or in Charleston, since 1952."

REPORT TO CONSTITUENTS

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. SCOTT. Mr. Speaker, in an effort to keep constituents informed of congressional activities, I send a monthly report to all residents of the 8th District of Virginia who indicate a desire to receive it.

It may be that the membership of the House will be interested in our August

issue which will be mailed later this week. A copy is inserted at this point in the RECORD for their information:

YOUR CONGRESSMAN BILL SCOTT REPORTS

Census bill favorably reported: The full Committee on Post Office and Civil Service favorably reported H.R. 12884 which would remove the penalty of imprisonment for failure to answer or to falsely answer a census questionnaire, while, at the same time, increasing the penalty on any government employee disclosing information obtained through the Census. These provisions of the bill will be effective when the measure is signed by the President. However, the bill also provides that subsequent to the 1970 Census, the Secretary of Commerce must submit all questions contemplated to be asked in the future to the Congressional committees having legislative jurisdiction over the Census for their approval, rejection or revision. Inasmuch as the forms for the 1970 Census are already being printed, and definite plans made, the Census Bureau strongly urged that no change be made in the questions this year. The Committee also felt that it would disrupt orderly procedure and be very costly to insist upon a change in the questions at this late date. As you know, extensive hearings were held by our subcommittee, including one in the town of Vienna, and there has been a difference of opinion expressed between the population generally and those who utilize the census statistics for governmental and business purposes. The bill, as reported, is somewhat of a compromise between the different points of view and is aimed at protecting the privacy of the census questionnaire and having the Congress oversee the questions asked. It is expected that this measure will come before the House very shortly under suspension of the rules.

Jerry Ford luncheon: About 35 business and civic leaders from the Eighth Congressional District recently joined me for lunch with House Minority Leader Jerry Ford and a representative of the White House. These men expressed concern about taxes, the economy and the rapidly shrinking American dollar. In a two-way exchange of views, they were not only able to learn administration plans but to convey their own views on current problems to a number of Congressmen.

A recent bill: Recently I joined with a number of members in co-sponsoring H.R. 12899 to prohibit a federal judge from practicing law while serving on the bench or receiving compensation of any kind for services performed by him other than his judicial salary or those approved by the Judicial Council of the Circuit within which he serves. In order not to unduly restrict him, however, the Judicial Council could approve his performing and being paid not for services under exceptional circumstances determined to be in the public interest and which would not interfere with his judicial duties. The measure also provides that all federal judges shall file annually a statement of their investments and other assets as well as a statement of income and liabilities. This bill is an attempt to restore complete public confidence in the integrity of all our federal judges.

White House Service: Inez and I attended worship services at the White House recently. As you know, President Nixon initiated these services for persons in the Washington area and invites various government officials to attend. It is comforting to know that a religious atmosphere prevails in the White House and to hope that it will be an influence for good throughout the country.

Credit cards: Many citizens have complained that unsolicited credit cards are coming through the mail. While credit cards are a part of American life, no one should be burdened with receiving and having to destroy or return cards and other documents they have not ordered and do not wish to use or keep. Mailing unsolicited credit cards to persons who have not requested them appears to be contrary to public interest and, therefore, I have joined in co-sponsoring a measure providing that unsolicited credit cards and similar documents shall be considered nonmailable by the Post Office Department and shall be withdrawn from the mail under such regulations as the Postmaster may prescribe.

House passes retirement measure: The government employees' Retirement Bill H.R. 9825, was passed by the House on July 23 and the following day the Senate Subcommittee on Post Office and Civil Service approved an identical bill. So the prospect of the measure becoming law this year is very favorable. The primary purpose of the bill is to stabilize the Retirement Fund so that money will be available when needed to provide annuities to retirees. In order to make the fund financially sound, the government will pay interest on the unfunded liability and the contribution of both government and employees will be raised from 6½ to 7% effective January 1, 1970. Had no action been taken, the Civil Service Commission estimated that the fund would have become bankrupt in 1987. The act also provides for annuities to be computed on the basis of salaries for the highest 3 consecutive years of service rather than the highest 5 years of service; that an employee who meets the age and service requirements for immediate retirement will be able to add unused sick leave for the purpose of computing his annuity; that when cost-of-living increases are granted to retirees, an increase of 1% will be added to the annuity to compensate for the lag between the time when the increase occurs and the time it is actually paid; and permits a widow or widower of a retiree to remarry without losing his or her survivor annuity. These are measures long desired by federal employees.

Publications available: We have the following Agricultural bulletins available for distribution. Please let us know the names of any you would like to receive.

Home canning of fruits and vegetables.
How to make jellies, jams & preserves at home.
Planning your home lighting.
Mildew.
Home heating.
Family fare.
How to buy beef roasts.
Food guide for older folks.
A guide to budgeting for the young people.

District office: From time to time we mention visits to the district office located in the Fredericksburg Post Office and I plan to be there all day on Friday, August 22 to see constituents. This district office is open from 9 a.m. to 5 p.m. each weekday and staffed by Mrs. Pearl Hancock, a long-time resident of the Fredericksburg area. She will, of course, be glad to assist you and to refer any matter that requires personal attention to the Washington office at 1217 Longworth House Office Building. While the District Office is of material help in meeting people who live in the lower end of the district and find it inconvenient to come to Washington, mention of it in the newsletter has led some to believe that my home is in Fredericksburg. However, we still live in the same home in the Centreville District of Fairfax County as we have for the past 23 years.

Presidential message: The President recently advised that although the Congress imposed a ceiling on federal spending of $191.9 billion for this fiscal year, it has so far failed to cut the budget to fit within this ceiling. Mr. Nixon indicated his approval of a budgetary ceiling but suggested that Congressional restraint be exercised in appropriating funds for specific purposes. He stated that no federal program was above scrutiny and said that some highly desirable programs would have to be stretched out or reduced if the government lives within its self-imposed ceiling. Certainly most people were glad to see the budget surplus of $3.1 billion for the fiscal year ending June 30. There are programs of vital concern to our district and the country at large which we would hesitate to reduce. But I want to cooperate as fully as possible with the President in his effort to continue a balanced budget and still meet the essential needs of the country.

Academy appointments: Recently, 16 young men who had been nominated and accepted to enter our service academies this year visited the office with their parents. Certainly, I am pleased that we were able to place this large number from our district although it will further limit appointments for the next few years. However, if someone in your household is interested in being considered for the Army, Navy, Air Force and Merchant Marine academies, please let us know promptly so that we can send you an application to be filed before September 1, 1969 for the school term beginning in June 1970.

Something to ponder: These days a child who knows the value of a dollar must be mighty discouraged.

TWO BUFFALO, N.Y., AREA MEN RECEIVE CITATIONS FOR HEROISM

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. McCARTHY. Mr. Speaker, as the longest and most costly war in the history of this Nation lingers on, we must not forget that hundreds of thousands of our brave men risk death daily in defense of our national policies. The fact that there are as many critics of our involvement in Vietnam as there are supporters only underscores the difficulties that confront our soldiers. Still these men fight on with the courage and conviction that has been the mark of America's fighting men since the founding of this Nation. Western New Yorkers have long been known for their promptness in responding to the call to duty and their exemplary performance in our Armed Forces.

Two Buffalo area men who reflect this spirit are PO Kevin F. Gillotte, engineman third class, U.S. Navy of Cheektowaga, N.Y., and Sgt. Terry A. Strassburg, U.S. Marine Corps of North Tonawanda, N.Y.

Petty Officer Gillotte received the Navy Cross citation, the Navy's second most honored award, for his heroism behind enemy lines in the Republic of Vietnam. When his riverboat was attacked suddenly, he managed to throw off the mooring line, even though he had already been wounded. He then rescued and protected a seriously wounded shipmate. He then entered the engineroom despite the extreme danger of explosion and kept the engine operating until his boat reached safety. Every American must admire his courage and devotion to duty.

Sergeant Strassburg was awarded the Silver Star for his gallantry in action. In repelling an enemy attack on Hill 689 near Khesanh, he fearlessly attacked a fortified position and with personal action and leadership helped drive the

enemy out of marine lines. His daring and initiative deserve the highest praise.

In recognition of their exemplary courage I am including copies of their citations in the RECORD:

The President of the United States takes pleasure in presenting the Navy Cross to Kevin F. Gillotte, Engineman Third Class, United States Navy, for service as set forth in the following Citation:

For extraordinary heroism on 11 January 1969 while serving with United States forces engaged in riverine assault operations against enemy aggressor forces in the Republic of Vietnam. With Petty Officer Gillotte embarked as engineer, Assault Support Patrol Boat (ASPB) 92-8 was assigned as a participating unit of Operation GIANT SLINGSHOT. The craft had moored in a night defensive position alongside an Army LCM-8 Mobile Fire Support Base on a shallow, narrow canal when ASPB 92-8 came under sudden mortar attack, finding itself in the center of the impact area. Although wounded in the leg, Petty Officer Gillotte responded immediately to the seriousness of the situation by assisting the boat captain in rousing the crew to man their stations, and then made his way forward to throw off the entangled mooring line. Standing exposed to incoming mortar rounds on the forecastle of the boat, Petty Officer Gillotte was again wounded by shrapnel, but eventually succeeded in freeing the fouled line. Upon hearing the cries of the machine gunner, he climbed on top of the gun mount, removed his seriously wounded shipmate, rendered immediate medical aid, and threw his own body over the incapacitated victim to shield him from further injury. After ASPB 92-8 cleared the kill zone, Petty Officer Gillotte risked harmful burns when he entered the engine compartment to work on an engine damaged by shrapnel that caused extreme overheating. He remained at his station tending the damaged engine until the boat secured alongside a landing ship on the main river, only then allowing himself to be relieved in order to seek medical attention. His inspiring courage and selfless dedication were in keeping with the highest traditions of the United States Naval Service.

For the President:

JOHN H. CHAFEE,
Secretary of the Navy.

The President of the United States takes pleasure in presenting the Silver Star Medal to Sergeant Terry A. Strassburg, United States Marine Corps, for service as set forth in the following Citation:

"For conspicuous gallantry and intrepity in action while serving as Squad Leader with Company A, First Battalion, First Marines, First Marine Division in connection with operations against the enemy in the Republic of Vietnam. On the night of 7 July 1968, Company A was assigned to counterattack a large North Vietnamese Army force which had penetrated the battalion's defensive perimeter on Hill 689 near Khe Sanh. As the Marines advanced on the hill, they came under intense automatic weapons fire from numerous fortified positions and sustained several casualties. Reacting instantly, Sergeant Strassburg, then a Corporal, fearlessly crawled forward to the first hostile emplacement, boldly threw several hand grenades into the structure and then fired his rifle into the emplacement, killing five hostile soldiers and capturing two weapons. Completely disregarding his own safety, he courageously moved about the fire-swept terrain, shouting words of encouragement to his men and directing their fire on the North Vietnamese positions. Seizing a machine gun, Sergeant Strassburg aggressively led his men in a determined assault on the enemy defenses, destroying fortifications as they advanced and accounting for nine additional North Vietnamese soldiers killed. His daring initiative and heroic efforts inspired all who observed him and contributed significantly to the accomplishment of his unit's mission. By his courage, superb leadership and unwavering devotion to duty in the face of great personal danger, Sergeant Strassburg upheld the highest traditions of the Marine Corps and of the United States Naval Service."

For the President:

H. W. BUSE, Jr.,
Lieutenant General, U.S. Marine Corps, Commanding General, Fleet Marine Force, Pacific.

RECORD OF ACHIEVEMENT

HON. WILLIAM L. DICKINSON

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. DICKINSON. Mr. Speaker, when President Nixon signed a supplemental appropriation bill July 22 and thus made another $25 million available for emergency loans to farmers, James V. Smith, Administrator of the Farmers Home Administration, struck another blow for the economy of rural America.

Since taking office on January 30, our former colleague, Jim Smith, has worked many long hours to keep funds flowing to farmers and rural communities.

The morning he walked into his new office Jim found the funds for emergency farm loans had been exhausted and the loan applications were piling up on his desk at the rate of $1 million a day. He rounded up $81 million, enough to keep 16,000 farmers who needed the money badly, in business.

Then Jim worked on Congress to get another $25 million in the Supplemental Appropriation Act. This gives him something to start off with in fiscal 1970.

But digging up loan funds for hard-pressed farmers has only been one small part of Administrator Smith's activity in behalf of his beloved rural America. As soon as he had patched up the broken-down machinery for providing farm loans he found another credit well had run dry.

By far the bulk of the funds provided through the Farmers Home Administration come from private investors on an insured basis.

By midspring this source of funds was pretty well exhausted. Investors could do better elsewhere.

Smith faced a tough problem. His farm background made him instinctively opposed to having anything to do with raising interest rates. Yet unless he offered investors more, the funds for the rural housing program, the farmownership program, and the building of rural community water and sewerage systems would not be forthcoming.

In the end he took the only course he could take and keep the credit flowing to rural America. He conferred with Treasury officials, pointed out his needs, received directions to raise the rates paid private investors. As a result, more than $400 million of private funds were placed in rural area development projects between January and June.

In addition, Jim Smith has put in a 12-hour day, 6 days a week, streamlining and sharpening the efficiency of his agency's operations.

As a first step toward improved administration, shortly after he assumed office he queried all his staff asking them to tell him how agency operations could be improved.

More than 3,000 suggestions were received. These are now being evaluated and by September those meriting adoption will be accepted and implemented.

Already more than 150 additional positions have been allocated to field offices where an excessive amount of overtime had been required and loanmaking and servicing were running far behind schedule. Approximately 300 electric typewriters have been purchased as a first step in modernizing loan office operations.

Jim Smith proudly bears the label of conservative. He considers his philosophy consistent with the objectives of the Farmers Home Administration which he describes as "helping people to help themselves."

He also considers his efforts to strengthen the agency's personnel and supply funds for farmers and rural communities as not inconsistent with the Administration's efforts to make the wisest use of every tax dollar.

He points out:

There is a lot of difference between plowing resources into a rural community when these funds are paid back with interest and plowing in government funds when there is no possibility of repayment.

Jim Smith, the Oklahoma farmboy who came to Congress, is now off and running in his new career as a Federal Administrator. The country will be hearing more about this young man in the months and years to come.

NOTIFYING RELATIVES OF THOSE KILLED IN VIETNAM

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. SCHWENGEL. Mr. Speaker, it has recently come to my attention that an intolerable situation exists with respect to the system used to notify the relatives of those killed in Vietnam. When these young men have given that ultimate sacrifice for their country, it seems to me, that we must spare no effort to ease the suffering by their loved ones.

This problem first came to my attention through the editor of the Muscatine Journal, Mr. Gil Dietz. He reported to me that the parents of Lt. Jerry Bunn of Muscatine, Iowa, were notified of his death by means of a telegram delivered by a cabdriver. To use the phrase of one of my constituents:

Crude errors such as this are inexcusable. The general disillusionment with the war will be increased by such errors.

Since the shameful episode with the Bunn family came to light, I have learned of two other cases in my district where the same thing has happened.

Upon checking with the Department of Defense, I was informed that normal procedures had been followed in the Bunn case, inasmuch as the man's wife was personally notified of the death. It seems that the Department of Defense policy allows the Vietnam-bound serviceman to designate only one primary next of kin who would receive the personal notification of death. He then lists a number of secondary relatives, such as brothers, sisters, aunts, and where there is a wife the parents, who would receive just a telegram notifying them of the death.

In these days when we are all so cost conscious, and trying to assist the President in his fight against inflation, we must be ever mindful of the budgetary effect of any action we take. However, I for one, would hesitate to put a dollar sign on the grief caused by the parents of a man who has lost his life in Vietnam, when they are notified of his death by a cabdriver delivering a telegram.

It is obvious that all relatives of a serviceman killed in Vietnam cannot be personally notified by the Department of Defense. However, there is no excuse for failing to notify the next of kin personally, and the parents where they survive the serviceman. I am calling this matter to the attention of Secretary Laird with the request that he act with the utmost speed to change the present policy with respect to notification of parents.

TWO VIEWS OF U.S. AID IN SOUTH VIETNAM

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 18, 1969

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I wish to call to the attention of my colleagues "The American-Made Millionaires in Vietnam" by Jack Anderson which appeared in the June 8 edition of Parade. In view of a task force having reported to the President that South Vietnam will need at least $2.5 billion in foreign aid to recover from the war, Mr. Anderson discusses the current operation of some of AID's programs in South Vietnam including the commodity import program.

Given the conclusions reached by Mr. Anderson, I requested AID's views the following day.

In a letter of July 15, Matthew J. Harvey, Director, AID congressional liaison, transmitted to me "Facts From the Agency for International Development Correcting Erroneous Statements in Parade Article of June 8, 1969."

The article, letter, and response follow for each Member to draw his own conclusion:

THE AMERICAN-MADE MILLIONAIRES IN VIETNAM

(By Jack Anderson)

WASHINGTON, D.C.—A task force has reported to President Nixon that South Vietnam will need $2.5 billion in foreign aid to recover from the war. This is reassuring news to the Saigon war profiteers, who are accustomed to a rich diet of American greenbacks. With the prospects for peace improving, they were beginning to worry over where their next greenbacks would come from. The task force estimate on postwar spending has done marvels for their morale. They are relieved to learn that there should be plenty of peacetime graft to replace the wartime graft. If past experience is any criterion, disposal of the vast military surplus alone ought to make hundreds of South Vietnamese millionaires.

An alarming percentage of American spending in Vietnam has been siphoned off by South Vietnamese entrepreneurs, who now expect to continue picking the American taxpayers' pockets after the war is settled. From the highest officials to the withered old lady peddling PX items in a Saigon street stall, almost everyone has his palm outstretched. By the most conservative estimate, at least 1000 American-made millionaires are now living the good life in the salons of Saigon. The true figure is probably more than twice that number. Those who have hit the million-dollar jackpot, moreover, have cashed in on an array of illegal practices that stagger the imagination for their intricacy and ingenuity.

That the South Vietnamese have been gorging upon greenbacks may not be exactly news to the discerning reader. But the extent of the corruption has never been fully revealed. What percentage of the American contribution to the Vietnam War finds its way into the secret bank accounts of South Vietnamese finaglers? How much military hardware is diverted to the Viet Cong for use against American troops? How vast is the black market that thrives on the streets of Saigon, openly selling government issue?

After searching under the carpets in both Washington and Saigon, PARADE has begun to find some answers. Since the early 1950's, the United States has poured money into South Vietnam in a cornucopian flow: economic assistance, military assistance, agricultural and commodity imports, government loans and outright grants. Official estimates—which vary according to the official—indicate that the United States has spent more than $8 billion to bolster the South Vietnamese economy. This, of course, doesn't count the billions that have gone into the military effort.

How much of this money has been illegally diverted into private pockets? Government investigators have given PARADE estimates ranging from 5 to 50 percent. Taking the lowest estimate, at least $400 million intended for South Vietnam's economic welfare have wound up instead bettering the economic welfare of a few corrupt officials and businessmen. Yet this is small change compared to the vast sums that have been scooped up by Vietnamese from our military programs.

CONSTANT GRAFT

Corruption is as integral a part of the Vietnamese folkways, apparently, as the siesta. The civil servant, the tax collector, the dock foreman count upon kickbacks to make ends meet. With this illicit income as the bait, jobs are bought and sold. A province chief's job, for instance, goes for around $25,000. The new chief knows he will collect enough graft to make a substantial profit. He sells the positions below him, and his subordinates sell the jobs below them. Military payrolls are padded up to 30 percent with soldiers who are dead or never existed. The commander happily draws their salaries.

To understand how corruption flourishes in South Vietnam, it may be instructive to focus on one of the 80 economic programs: the Commodity Import Program. "Its main purpose," explain U.S. AID officials, "is to control inflation." The idea is to flood the South Vietnamese market with enough commodities to "sop up" excess currency. The more products that are available, so the theory goes, the lower retail prices will be. This is supposed to hold down inflation.

The program, however, has proven to be an economic Edsel. Prices almost doubled in 1965, shot up 71 percent in 1966, jumped another 47 percent in 1967. And economists are still trying to figure out the damage wrought by the Tet offensive in 1968. The program is so shot full of corruption that the American imports wind up on the black market where they stimulate prices. Thus the program tends to feed, rather than dampen, the fires of inflation.

KICKBACKS GALORE

Since 1962, AID has funneled more than $1.3 billion into South Vietnam under the Commodity Import Program. Asked how much of this money has gone into kickbacks, one AID investigator estimated: "I would say it runs anywhere from 10 to 50 percent per transaction."

His lowest estimate would place the fraud in this program at $130 million, which could have made approximately 100 black market millionaries. However the program has also made a number of "legitimate" millionaires. Harold Levin, the program director, told Parade: "About 900 Vietnamese importers who are licensed have done business in the millions in Uncle Sam's commodities."

After reviewing the computerized list of commodity importers, Parade has determined that half, or 450 of them, have probably made at least $1 million in profits. Yet CIP is just one of 80 AID programs, whose sum total is merely a small fraction of all U.S. expenditures in Vietnam.

Said director Levin apologetically: "We don't intend to make millionaries out of the Vietnamese. It's just part of the overall effect of stabilizing South Vietnam's economy." He added defensively: "It's no coincidence that South Vietnamese importers are some of the same names listed in the high ranks of government. After all, they are the men with training and background."

On the military side, South Vietnam's armed forces draw everything from bombs to boots from the American Military Assistance Program. Evidently a number of profiteers draw supplies from the same source and dispose of them through Saigon's back alleys. Almost every time Viet Cong are captured, combat gear intended for South Vietnamese soldiers is found—stacks of American-made arms, also radios, gadgets, PX items and other goods that had disappeared from the Saigon docks.

AID handled military assistance until 1966 when the program was turned over to the Pentagon. The MAP money then became difficult to trace in the ant bed of defense budgetry. Insiders claim, however, that South Vietnam got over $1 billion in military assistance from AID from 1962 to 1966, another $3.3 billion from the Pentagon thereafter. Grand total: approximately $4.3 billion.

WE DON'T KNOW

How much of this went to line the pockets of the money grabbers? A Pentagon spokesman insisted: "There simply doesn't exist an official Department of Defense percentage for the amount of diversion." Unofficially, Parade was told that 5 to 35 percent "sounds pretty close." Again taking the lowest possible figure, the Military Assistance Program contributed at least $215 million toward enriching South Vietnamese wheeler-dealers.

By Parade's arithmetic, these two programs alone—AID's CIP and the Pentagon's MAP—must have made millionaires out of at least 800 South Vietnamese citizens. Thus the estimate of 1000 American-made millionaires in South Vietnam would appear to be on the low, low side.

According to sworn congressional testimony, some of the get-rich-quick stories to come out of Vietnam are classics. There was the case, for example, of Dinh Xuan Thao, as delightful a rogue as ever skinned Uncle

Sam. He advertised his services as an "importer" for American companies wishing to do business in South Vietnam. His ads caught the eager eye of Thomas Edison Higgins of St. Petersburg, Fla., who had developed in his garage a product he thought could help win the war. He described it grandly as a "ten-year battery additive." The only trouble was that it didn't add anything to a battery.

After contacting Thao, however, the once penniless Higgins was inundated with orders for his battery juice. Thao not only arranged the necessary South Vietnamese import licenses but produced an endorsement from V. A. da Cruz, a Portuguese diplomat, who solemnly recommended "this excellent product to every car owner, for its efficiency and its certain effect."

Higgins suddenly was able to move out of his garage into more pretentious quarters, thanks to a quarter of a million dollars in letters of credit payable upon shipment. All he had to do was kick back 56 percent to his benefactor, who split the money among government officials. Thao quietly deposited the bulk, however, in secret Account No. 690265 of Geneva's Swiss Credit Bank.

ANOTHER DUD

When AID finally got around to barring Higgins' battery additive as worthless, he came back with a rust inhibitor for automobile radiators. But like the battery additive that didn't add, the rust inhibitor didn't inhibit. Nonetheless, the same Higgins-Thao team did another $126,186.19 worth of AID business. All told, the Higgins ventures cost the American taxpayers $356,186.91 of which $140,050 went into Swiss Account No. 690265. Indeed, the ubiguitous Thao handled AID-financed business for 29 American firms.

Another South Vietnamese fixer, La Thanh Nghe, opened his secret account in the Union of Swiss Banks. Account No. 391702. He specialized in bringing pharmaceuticals into South Vietnam. For his services, he collected payoffs from many of America's leading drug firms. His total take exceeded $800,000.

Other South Vietnamese, who have made their fraudulent millions courtesy of the American taxpayers, include: Tran Dinh Binh, who was arrested in 1967 for taking kickbacks, illegally depositing payments in a Swiss bank account and trading currency on the black market; Madam Nguyen Thi Hai, owner of an importing company, who has demonstrated extraordinary influence with government officials in obtaining import licenses for preferred customers; La Than Trung, who manages a business that has growth fat on U.S. tax dollars; Le Thi Luong, who has helped Linh Xuan Thao skin Uncle Sam out of millions, and Phan Van Nham, brother-in-law of pharmaceutical wizard La Thanh Nghe. The most intriguing rumors, which abound in Saigon, is that the vivacious wife of Vice President Nguyen Cao Ky has turned a fancy profit in real estate transactions. Reticent U.S. officials refuse to comment, however, beyond a simple: "I know nothing."

MORE MANEUVERING

To curb kickbacks, AID has now ruled that all importers placing orders in excess of $5000 must invite bids in its small business circular. If this has cut down on shady transactions, it has also produced a sharp increase in the number of orders under $5000.

The Saigon government has also established an "inspectorate" which is supposed to rid the government of corruption. So far the inspectorate has investigated more than 200 cases of suspected corruption, some involving highly placed officials. Not one case has been prosecuted, not one official purged, not one fine levied.

Washington worriers have been concerned over the fate of the South Vietnamese if the Communists ever take over. They don't have to worry, at least about the millionaires. These American-made millionaires have taken the precaution of depositing their under-the-table profits in foreign banks. This, of course, adversely affects the U.S. balance of payments. In case of a Communist takeover, the war profiteers have also arranged to follow their profits out of the country. There will be a mass exodus of South Vietnamese millionaires, for example, to Paris, where other rich refugees from Saigon fled after the downfall of past South Vietnamese governments.

Meanwhile, the pursuit of the American dollar continues to be South Vietnam's favorite game. With the prospects of $2.5 billion in postwar aid, it probably will be played with abandon for years to come.

AGENCY FOR INTERNATIONAL DEVELOPMENT.
Washington, D.C., July 15, 1969.

Hon. LEE H. HAMILTON,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN HAMILTON: Thank you for your inquiry of June 9 regarding an article by Jack Anderson in Parade Magazine.

We were asked about the article during a recent hearing before the House Foreign Affairs Committee. I am enclosing a copy of A.I.D.'s response, which will appear in the record of the Hearings. Please let me know if you wish further information.

Sincerely,

MATTHEW J. HARVEY,
Director, Congressional Liaison.

FACTS FROM THE AGENCY FOR INTERNATIONAL DEVELOPMENT CORRECTING ERRONEOUS STATEMENTS IN "PARADE" ARTICLE OF JUNE 8, 1969

1. The article refers to Commercial Import Program commodities winding up in the black market. This is not true. Commodities under the Comercial Import Program are imported through commercial channels for sale in the commercial market. They are paid for by Vietnamese importers who import them for commercial resale.

2. There may well be people who have made an unreasonable profit out of the war in Vietnam—this is true of other wars as well. It seems totally unreasonable to assume that 450 people have made $1 million or more profits out of the A.I.D.-financed Commercial Import Program. Profits on sales of A.I.D.-financed imports in Vietnam in the past three years are estimated on the basis of market information to have averaged about 8–10% of costs, before income taxes. Total piaster profits of importers on the A.I.D.-financed Commercial Import Program of about $500 million over the three-year period have been the equivalent of $40 to $50 million, divided among about 600 active importers. Moreover, a few big firms, like the oil companies, receive a significant share of the total amount of funds available. Obviously this would not permit the making of 450 millionaires.

3. It should be pointed out that A.I.D. greatly tightened the administration of the Commercial Import Program two years ago. The cases cited in the "Parade" article all arise prior to this tightening up. A.I.D. has taken a series of steps to reduce diversion to a minimum, including:

a. Reduction and precision in the list of commodities eligible for financing;

b. prohibition of a multitude of small transactions which were the source of abuses because they were too numerous to police adequately;

c. careful advance checking of suppliers, importers, and prices in each transaction;

d. restriction of dollar commission payments to sales agents who are citizens and residents of the United States.

Each import license application since early 1967 has been carefully reviewed by both Vietnamese and American officials in Saigon against the eligible commodity list, the lists of eligible suppliers and importers, for reasonableness of price, et cetera. In addition, A.I.D./Washington conducts a prior review of commodity and supplier eligibility and in certain cases a review for compliance with A.I.D.'s price rules. American customs inspectors check arrivals in Saigon. Various post audits are conducted in both Washington and Saigon, including end use examination of commodities to the point of consumption or retail sale.

As a result of these strict controls, losses of commodities financed under the Commercial Import Program have decreased from an estimated 2 to 5% in 1966 to an estimate of less than 1% in 1968.

4. The present Vietnamese Government has removed several officials from office on the basis of corruption, and some have been tried and convicted. Businessmen have been suspended or barred from access to the import market, and in some cases have been jailed for their actions. Here in the United States there have also been cases of violations of A.I.D. rules by suppliers under the A.I.D. program that have resulted in conviction and punishment.

5. It is, of course, still possible to make substantial profits through the Commercial Import Program since it does involve imports by businessmen into an inflationary, wartime economy. One way of controlling profits is through taxation. While Vietnam, like all less-developed countries and even some developed ones, is faced with real problems in the administration of direct taxation such as income taxes, its record is improving. The Ministry of Finance is pushing improvements in tax collections as well as other measures in order to increase government revenues by at least 40% this year. The results for the first four months of 1969 are encouraging—internal revenue collections have risen 43% over 1968.

6. The Commercial Import Program has not been an "Edsel" (as charged in the "Parade" article)—it has, in fact, substantially helped to keep inflation in rein in Vietnam. Price rises have varied from 51% in 1966 to 34% in 1968, but in contrast in Korea they advanced 300–400% per year during the war there. The import price index has, in fact, risen only 15% since the beginning of 1968, indicating that price rises occur primarily with respect to domestic goods and services. An import program such as the one we are funding can by its nature affect only indirectly the prices of locally produced goods and services.

7. Inflationary pressures persist in Vietnam because of the heavy wartime budget expenditures and deficit. The general mobilization decreed in 1968 by the Vietnamese Government which is placing Vietnam in a position to begin the replacement of American troops adds to those pressures. The A.I.D. financed Commercial Import Program is thus an essential element in the policy for reduction of U.S. troops in Vietnam. Its present tight management is designed to keep irregularities to a minimum.

In summary, the article unfairly implies that the A.I.D. program has been riddled with graft and corruption, and that this state of affairs prevails in the present and will continue to do so into the future. This is simply not so. There was maximum exposure of the A.I.D. program to fraudulent exploitation during the chaotic 1965–66 period of rapid military build-up, but corrective measures have been taken to reduce such exploitation to a minimum.

K.J.T. CZECH DAY IN TEXAS

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. PICKLE. Mr. Speaker, on August 3, the Catholic Union of Texas—the

K.J.T.—will celebrate its 10th annual Czech Day in Ammannsville, Tex., with the entire K.J.T. membership in attendance.

The Czech influence has been profound in Texas. A hardy band of immigrants arrived early in our State's history and they have endured, grown, and prospered. Ours is a much better State because of their impact—socially, economically, and morally.

The Czech Day festivities will be a robust celebration, yet it begins with solemn recognition of the deep religious faith of these people. The opening procession will be to the St. John's Church where the holy sacrifice of the mass will be offered in the Czech language by Rev. George Tydlacka, pastor of St. Cyril and Methodius Church of Granger, Tex., and the Czech sermon will be delivered by the Very Reverend Monsignor A. W. Nesvadba, the supreme chaplain of the K.J.T.

From this foundation, the ceremony moves outdoors to a picnic, songfest, and renewal of friendships. There will be a bountiful supply of good food, cold drinks, and just plain fun.

Mr. Speaker, the Czechs are some of the most delightful people in the world. Many towns of the 10th District have majorities of Czech descent. I never miss a chance to visit in these communities with these delightful people. They work hard, they are industrious, they are frugal—and they are prolific.

In the 1930's there were only an estimated 300,000 Texans of Czech extraction. Today, there are three times that many—nearly one-tenth of our State population is Czech—proof enough they are, indeed, prolific.

These good friends also play hard in a wholesome and invigorating manner. I told a group last year that one of my associates once told me that if he had it to do all over again, he would come back to Texas somewhere in Granger, Ammannsville, Louise, Schulenberg, or La Grange; then he would find himself a cute little Czech girl and settle down to enjoy life—in the specific order. That's the way we feel about the Czechs in Texas.

If a person felt it necessary to get away from the Potomac and go back to meet with the people, the best tonic available would be a visit in a Czech community.

I have been invited by R. J. Bartosh, president of the K.J.T., to attend the Czech Day celebration and I would not miss it.

County Judge Ike Petras is just as serious as I am about this meeting. At this time I include his proclamation declaring August 3 as Czech Day:

PROCLAMATION

Whereas the fraternal society of Czech Catholic Union of Texas, the KJT, will hold its Tenth Annual KJT Czech Day at Ammansville, Fayette County, Texas on the third day of August, 1969;

Whereas in the 80 years of its existence the Czech Catholic membership of the Society, has contributed greatly to the agricultural, industrial and overall cultural development of Fayette County, and our great state of Texas;

Whereas during all this time the members of the KJT were outstanding citizens of Fayette County and the State;

Whereas it is the desire of all the citizens of Fayette County to honor the entire membership of KJT on this day;

Now therefore I, Ike Petras hereby proclaim and designate August 3, 1969 as the KJT Czech Day of Fayette County, Texas.

IKE PETRAS,
County Judge.

FAYETTE COUNTY, TEX.

Mr. Speaker, I want to recognize our heritage made even more colorful by the Czech in Texas. They came to us with a desire for honest work. The oldest Moravian settlement in Texas is at Cat Springs in Austin County. The Reverend Arnost Bergman brought his family there in March of 1849. His descendants and thousands more of like background will gather next month and I would honor them on this occasion with a simple salute—S Bohem na sledanou—God be you.

VIETNAM COMMEMORATIVE PROGRAM: JULY 20, 1954

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. RARICK. Mr. Speaker, on Sunday, July 27, I was privileged to attend a program commemorating the 15th anniversary of the partitioning of Vietnam into north and south—the north under Communist totalitarianism, and the south under freely elected representative government.

The presentation, offered by the Vietnamese Association of Washington, was a display of Southeast Asian culture, depicted in traditional song and dance coupled with speeches affirming the political aspiration of those countries to be free.

Joining the Vietnamese in their pageant of the ancient Asian civilizations were costumed performers of Korea, Thailand, the Philippines, and other friendly countries.

I only wish that more of the American people could have seen this moving dramatization of another inspiring culture, which so compellingly brought into focus the reason we should appreciate and respect our differences from others in custom and mores, but to recognize and affirm our similarity in the basic drive of all peoples to be free.

The songs and performances were a little melancholy, deeply yearning, but stressing an abiding determination to overcome tyranny, free their land and govern it, representative of the wants of their people.

The centuries-old struggle for freedom by our Vietnamese ally was best expressed by the opening remarks by Dr. Nguyen Tien Hung, president of the Vietnamese Association. I include the text of his speech:

STATEMENT BY DR. NGUYEN TIEN HUNG

The Ambassador of the Republic of Viet-Nam, the Chaplain of the United States Senate, distinguished members of the United States Congress, the Assistant Secretary of Defense, the Assistant Chief of Staff of the United States Army, ladies and gentlemen:

On behalf of the Vietnamese Association, I welcome you to our cultural program. The meaning of this program is to express the aspirations of our people for peace and freedom as these values are culturally reflected in our native songs and dances. We are privileged to be joined in this program by representatives of other nations which are now standing beside us to defend the common cause of freedom.

You have come here today, not only to meet the Vietnamese in Washington, but, through them, to join the people whom they represent—the people who at this moment are standing at the frontier of the free world.

As we join our American friends and the world to celebrate the great achievement of mankind—the moon landing of last week—we cannot help, at the same time, to remember another event carrying the same date, July 20, of fifteen years ago.

The date July 20 brings to the Vietnamese people memories of a sad period of history, a period which has produced the tragedy of a nation divided by artificial barriers, fragmented by conflicting ideologies, tormented by suspicion, and impoverished by destruction. It was on July 20, 1954, that our country was partitioned by the communist party and by outside powers—contrary to the desires of the people of Viet-Nam.

This division has solved none of the preexisting problems and has actually created several new ones with much greater dimension.

A quick glance at the history of modern Viet-Nam brings us the explanation of the cause of the current conflict. It all began with the national movement to achieve independence from colonial rule. The whole nation had been engaged in that effort ever since 1884 when colonial rule was established. Toward the end of this struggle, however, the communist party capitalized on the efforts of the entire population in order to steer the country toward the communist orbit. Instead of going forward to independence from foreign rule, the communist party has moved the country backwards—closer to the days of Chinese dominion.

We remember the false picture of peace which the Geneva Accord created: The partition was meant to bring about peace. But it was a false peace—a peace which has resulted in another war far more destructive than the one preceding 1954.

Most significant, however, the Geneva Agreement of 1954 also shed some light on the search for a solution to the current problem: *First*, it offered a real test of free choice for the people between a free Viet-Nam and a communist Viet-Nam. *Second*, it offered a test of sincerity on the part of the communist leadership to comply with their written commitment to permit the execution of that choice. The Agreement provided for complete freedom of movement between the people north and south of the 17th parallel within a period of three hundred days. In spite of limited transportation and in spite of severe obstacles posed by the communists, one million Vietnamese—or about 9 percent of North Viet-Nam's 1954 population—left their property and even their ancestors' tombs to flee to the south. In contrast, less than eighty thousand people left the south to go to the north. This 8 percent ratio between the votes for freedom and communism was a result of a test of election in 1954. People voted for freedom—not by ballot—but by foot. I believe that, if another free choice were offered today, the actual result would be very close to the 1954 precedent.

During the post-Geneva period, the communist party also failed to carry out its written commitment to permit freedom of move-

ment for the people of North Viet-Nam; they imposed restrictions on the access to the points of departure in the north (the cities of Hanoi and Haiphong). I myself among many others in this audience—one of whom was with me on that dark and rainy night when we escaped—still recalled vividly how hard it was for us to march on the road to freedom.

As we reflect on the partition, however, we want very much to forget the awful past and to look forward to a brighter future. As a private citizen, I join another 37 million people, 20 million in the north and 17 million in the south, to express our desire and impatience for a free and peaceful Viet-Nam. Together with them, I wait for the day when other people will no longer have to refer to us as "North Vietnamese" and "South Vietnamese," but as "Vietnamese"—a day when our country may cooperate with other nations in the Southeast Asian community to march along the road of development and prosperity.

Let all those who claim to fight in the name of the people listen to the voice and aspirations of the people. Let all the leaders put forward their platforms to the people and allow them to decide for themselves: What system of government—how much of that government—and who is going to govern. A people who have made sacrifices beyond imagination for nearly one century in order to defend the principle of self-determination deserve the right to choose and to have that choice respected by their leaders. In my opinion, there is no other way more reasonable for this right to be exercised than through a genuinely free and orderly election for the entire population of Viet-Nam.

This road, which may be very long and difficult, is the only road which will eventually lead to a peace which will endure and to a country which will prosper. We seek, therefore, *not just a peace—but a just peace.*

MARYLAND SOLDIER KILLED IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. LONG of Maryland. Mr. Speaker, Lt. James P. Ward, an outstanding young officer from Maryland, was killed recently in Vietnam. I would like to commend his courage and honor his memory by including the following article in the RECORD:

BETHESDA MAN IS KILLED IN VIET ACTION

An Army lieutenant from Bethesda, Md., was killed in action in South Vietnam last Friday, the Pentagon reported yesterday.

First Lt. James P. Ward, 21, an adviser for a unit of the South Vietnamese Army, was killed in Phu Yen province when the unit was attacked during a night patrol.

Lieutenant Ward, the son of a Foreign Service officer, attended schools all over the world, including Southeast Asia and some Communist countries. He graduated from Walt Whitman High School in Bethesda.

He attended Montgomery County Junior College briefly before enlisting in the Army.

Lieutenant Ward graduated from Officers Candidate School at Fort Sill, Oklahoma, and then was assigned to the 82d Airborne Division at Fort Bragg, N.C.

He was sent to Vietnam 10 months ago and served as a paratrooper there with the 173d Airborne Brigade.

He recently joined the Military Adviser Team as an adviser to the South Vietnamese Army. He was scheduled to come home in six weeks.

A SKI ENTHUSIAST

Lieutenant Ward was a ski enthusiast and was interested in automobiles. While he was at high school, he was the night manager for a Bethesda service station.

Survivors include his parents, Mr. and Mrs. James R. Ward, of 6429 Earlham drive, Bethesda; and two sisters, Sara K. Ward of Bethesda, and Mrs. Mary Ann Burrow, of Bainbridge, Md.

Lieutenant Ward's father said of his son's attitude about the Vietnam war: "He understood why we were there."

BLOOMFIELD'S NONAGENARIAN

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 30, 1969

Mr. RODINO. Mr. Speaker, the town of Bloomfield, N.J., has been blessed with the presence of Mr. Frank Masinda since 1905. He has recently celebrated his 93d birthday and I want to join all his many friends in wishing him many many more.

I include an article about Mr. Masinda from the Bloomfield Independent Press of July 24, 1969, at this point in the RECORD:

NONAGENARIAN'S RECIPE FOR LONGEVITY IS TO BE HAPPY

Frank Masinda of 227 Broughton avenue, Bloomfield, observed his 93rd birthday on July 19. Helping him celebrate at a family fete held at his home were his 85 year old wife, Monica, and many children, grandchildren and immediate members of the family.

Masinda was born in Austria. He came to this country in 1893. He settled in New York and was employed by General Electric Co. In 1904 he married the former Monica Menchek of Czechoslovakia. The couple met in New York. A year after their marriage, the couple moved to Newark.

After saving up enough money in 1905, Masinda bought a piece of land in what was referred to, at that time, as the "country." The land that Masinda purchased had only a dirt road. There were only three houses in the area. Masinda built a home on the acquired property and has lived there ever since. Today, the "country" land that Masinda purchased is known as Broughton avenue, Bloomfield.

During his lifetime, Masinda built four additional homes on neighboring properties. He gave these houses to two of his three sons and to two daughters. His sons are Richard of Cedar Grove; William of Bloomfield, and Frank of Los Angeles, Calif. Masinda's daughters are Mrs. Lois French of Bloomfield, and the late Mrs. Elsie Visakay, who was also of Bloomfield. He has six grandchildren and two great-grandchildren.

Masinda worked for the Consolidated Safety Pin Company, Bloomfield, 17 years. While employed at this concern, Masinda assisted in the development of automatic pin-making machines. When the concern moved its operations to Massachusetts in 1943, Masinda went into business for himself. He operated the sheet metal firm called Bloomfield Manufacturing. The firm is now located in Fairfield and is being operated by Masinda's son, William. The company employs 85 workers.

During the 1920's, Masindas wife, Monica, tended the dairy cows on the Masinda homestead. She delivered fresh milk throughout Bloomfield for approximately eight years. Mr. and Mrs. Masinda both sold a variety of fruits and vegetables which they grew on their farm.

For his own pleasure and enjoyment, Masinda tends a small garden on his property. An active individual, Masinda rises each morning at 6 a.m., and retires around 9 p.m. He enjoys watching TV.

Commenting on the astronauts landing on the moon, Masinda stated "that he feels the money that was spent on the moon landing could have been spent better here on earth."

Masinda has been smoking cigars for 70 years. Lately, he has been thinking about giving up his 70 year old habit. Masinda stated the health advertisements regarding smoking are not influencing him in any way. "I'm just loosing the taste for cigars," said Masinda.

Masinda, who still enjoys his daily glass of wine, said that he has lived a "good, full life" and that he has no regrets. "I have never tried to be rich, just to be happy." Masinda has no fear of death and he says that he is ready to go whenever his time comes.

For a long life, Masinda advised, "A person must favor his body. Do not do anything that you think is not good for your body, such as overeating or over indulgence in alcoholic beverages. Physical exercise is also very good. I have always worked outside and have had plenty of exercise. I have always tried to take good care of myself."

SENATE—*Thursday, July 31, 1969*

(Legislative day of Wednesday, July 30, 1969)

The Senate met at 11 o'clock a.m. on the expiration of the recess, and was called to order by Hon. HARRY F. BYRD, JR., a Senator from the State of Virginia.

The Reverend Douglas G. Ebert, pastor, St. Andrew's Methodist Church, Alexandria, Va., offered the following prayer:

Almighty and eternal God overflow our hearts with thanksgiving and praise as you have overflown our storehouses with blessings. It is reassuring to realize that we can rely upon Thy steadfast laws. By means of the vast knowledge that man has acquired from Thee, he has been capable of journeying to another realm of Thy creation. We thank Thee for these dedicated men of faith and discipline. May their efforts be rewarded through unity and peace for all of Thy creation. Help us, even in our amazement of man's ingenuity, not to lose sight of the power that hath made and preserved us a nation.

We are grateful for the opportunity to live in a democratic nation, for sincere and dedicated officials of Government, and for a nation seeking for peace and good will for all mankind. We pray Thy strength, courage, and divine guidance

upon our President, Vice President, the Senators, and all other officials of our Government. May we never cease in our struggles to make all men free from hunger, fear, and tyranny over the minds of men and to give them the opportunity to worship God freely enabling mankind to have a clearer vision of Thy divine perfection.

In the name of our Lord, we pray. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 31, 1969.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. Harry F. Byrd, Jr., a Senator from the State of Virginia, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. BYRD of Virginia thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Journal of the proceedings of Wednesday, July 30, 1969, be approved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COLLECTION OF FEDERAL UNEMPLOYMENT TAX

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the pending business, which will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 9951) to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal years 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account by the amounts so excluded; and for other purposes.

RECOGNITION OF SENATOR THURMOND

The ACTING PRESIDENT pro tempore. Pursuant to the previous order, the Chair recognizes the senior Senator from South Carolina (Mr. THURMOND) for a period of not to exceed one-half hour.

MEETING NATIONAL COMMITMENTS THROUGH MILITARY PROCUREMENT

Mr. THURMOND. Mr. President, just recently, during the debate on the 1970 defense procurement bill the distinguished Senator from Nevada (Mr. CANNON) brought up a vital matter which is fundamental to a complete understanding of the bill when he outlined the military planning which is necessary to support our national commitment.

This brief explanation immediately caught the attention of the distinguished Senator from Arkansas (Mr. FULBRIGHT) and the ensuing exchange indicated it would be useful to the Senate in this debate if the contingency planning to support our national commitments were better known. The purpose of my remarks today is to draw attention to the requirements placed upon our military in order that the requests contained in this bill might be better understood by all.

Mr. President, for some time our overall military contingency planning was classified information. The details of it remain so even today. However, former Defense Secretary Robert S. McNamara declassified the broad outline of it in the mid-1960's when testifying before committees of Congress at various hearings. The planning to support our commitments was largely done by his administration in the Department of Defense and, so far as I know, it has not changed appreciably.

Today, we are engaged in a great debate spurred by an economy drive which in my opinion amounts to putting the cart before the horse. That such is the case has already been acknowledged here on the floor by leading protagonists on both sides of this great debate. And it is a great debate, Mr. President, possibly one of the greatest debates which will unfold within the historic walls of this history-laden Chamber for some time.

But allow me to return to the point drawn earlier—our national commitments and the contingency planning necessary to fulfill them. This subject was broached by the distinguished Senator from Nevada (Mr. CANNON) when he stated:

> I feel it is imperative to point out to the members precisely what our national policy is. It is that our military forces are charged with the responsibility of being able to fight a war of indefinite duration in Asia—as we are currently doing in South Vietnam—and at the same time have the capability to wage a large scale conventional NATO war for a stipulated period of time. (The exact duration is classified). The responsibility of the military establishment is to insure that we have on hand sufficient military forces and hardware at all times to successfully carry out this very important responsibility. If we do not provide our military leaders with sufficient forces to meet our stated national policy objectives then I feel it is essential that (a) our stated national policy objectives should be changed or (b) we should recognize that national policy objectives may exist which the military is incapable of carrying out.

The distinguished Senator from Nevada stated further:

> I feel, Mr. President, this is a most important principle which must be understood by all members of the Congress. Reducing the military establishment in funds is a desirable objective but we must know what risks we will run when we do so. I am not stating that the funds requested by the military are sacrosanct, but I do feel they should be scrutinized most carefully before reductions are made.

Thus, here we are today in a great debate about which military requests should be approved and which should not. What we must understand is that the budget requests are not based on arbitrary requirements laid down by the various services; they are related to high-level policy decisions as to the commitments we have assumed from various bilateral and multilateral treaties and judgments as to what is needed to protect our own interests throughout the world. These decisions are based not upon desires of the military Chiefs of Staff to build some superforce but upon well-considered military needs to provide for our defenses and upon decisions of the National Security Council.

Although civilian control in this area is exercised through the Secretary of Defense and the President—the latter having the final say on the military requests submitted to Congress—it stands to reason much weight must be given to judgments of the professional military men such as the Joint Chiefs of Staff. Our leading military experts, after a thorough analysis, have concluded that certain armaments are necessary if we are to be able to respond to the national commitments, such commitments assumed and approved by civilian authority. We recognize and fully support civilian authority over the military, but testimony presented to the Senate Committee on Armed Services and its various subcommittees shows the cuts in the fiscal year 1970 Defense authorization bill have already been substantial.

The Clifford budget, submitted in January prior to the inauguration of a new President, called for authorizations of $23.1 billion. The new Secretary of Defense, Melvin Laird, submitted requests of $22.4 billion and then revised it downward to $21.9 billion, which was the amount taken under study by the Senate Armed Services Committee. Now the Senate committee has reported out a bill which calls for authorizations of an even $20 billion, representing cuts of some $2 billion from those requested.

Mr. President, we have thus seen the $23.1 billion Clifford requests which were projected by an administration with no ax to grind, reduced to $20 billion. We have already cut out the fat. If other large cuts are made, they will cut into the bone and muscle. The cuts already made are nearly 20 percent from the Clifford budget submitted in January.

In the comments which followed the remarks by the distinguished Senator from Nevada, the chairman of the Committee on Armed Services, the Senator from Mississippi (Mr. STENNIS) pointed out that our national policy called for the capability to fight two conventional wars, one in Asia and one in Europe, as well as the ability to handle a small contingency problem in a third area. This commitment has been referred to in military circles as the two and one-half requirement.

Now, the Senator from Mississippi (Mr. STENNIS), in commenting on this point noted the United States has defense

agreements with more than 40 nations and so long as these exist we must make some kind of effort to defend ourselves and live up to our obligations or the free world alliance will crumble.

We are witnessing today a great deal of pressure and criticism of our military even though all they are trying to do is see that we are adequately armed and prepared to meet our national policy and fulfill our commitments. Rather than castigating the military so much it seems we should be examining these treaties, all of which have been ratified by the same Senate which today is perilously close to emasculating our ability to meet the very obligations which we have previously approved.

Mr. President, perhaps we should refresh our memories on these treaty commitments. We have multilateral and bilateral treaty agreements with more than 40 countries on five continents.

These can generally be broken down into four main groupings as follows:

First. The Inter-American Treaty of Reciprocal Assistance, better known as the Rio Treaty of 1947. This is the basic collective security instrument of the inter-American system and has been ratified by all 21 American republics.

Second. The North Atlantic Treaty Alliance, better known as NATO. This was signed by the United States, Canada, and 10 nations of Western Europe in April of 1949. Since that time Greece, Turkey, and West Germany have become partners and France has withdrawn all of its military forces from participation but still retains its membership.

Third. The United States entered into a treaty in 1951 with Australia and New Zealand better known as the ANZUS Pact.

Fourth. In 1954 the Southeast Asia Collective Defense Treaty was drawn and signed at Manila. Better known as SEATO, its signators included the United States, France, the United Kingdom, Australia, New Zealand, Pakistan, the Philippines, and Thailand.

In addition to these four main categories the United States has entered into bilateral treaties with a number of nations. They include the Philippines, Japan, Korea, Nationalist China, Iran, Pakistan, Turkey, and Liberia.

This country has also demonstrated its interest in the Middle East by our association as a nonmember with the Central Treaty Organization better known as CENTO.

Thus, we see our various defense agreements are very extensive. In fact they involve 44 countries and in addition to the bilateral and multilateral treaties include bilateral executive agreements or general treaties.

The Senator from Mississippi placed a list of these countries in the RECORD on July 10 and touched on the two and one-half requirement when he stated:

> Up to now, we have been trying to prepare for two conventional wars. We already have one going on. Everybody knows where that is. The other war we are thinking about primarily would be in Western Europe. It seems to me we also have a policy to go where there is trouble in a little country wherever it may be. In view of all this, the committee has tried to arrive at a sound, effective minimum military program. This is the purpose of the items in this bill.

Also, it should be noted at this point the requirement of handling two major conflicts and one minor conflict is not a maximum requirement but the minimum one in today's world. In other words, at the very least we should have this capacity and then some.

Now, Mr. President, that is what this great debate is all about. We are now considering a defense procurement request here which is not the product of the whims and desires of the admirals and generals but one designed to conform to our national policy and meet the commitments agreed to by our civilian authorities. All of these treaties were entered into prior to the Nixon administration. Furthermore, they were considered by the Committee on Foreign Relations and reported out favorably to the full Senate.

We have reviewed briefly these treaty obligations. The Preparedness Investigating Subcommittee conducted a complete review of the Armed Forces required to counter the most probable military force likely to be deployed against us, an assessment calling for the exercise of responsible military judgment. This report is still classified. On this point I wish to comment later.

However, at this juncture it should be noted this study of our world commitments was merely factfinding. Realistically, it falls within the responsibility of the civilian heads of Government and the Congress to determine how much of a nation's total resources should properly be devoted to defense purposes without an adverse impact upon our economic structure.

Thus we must bear in mind that the actual forces we have in being and the equipment in hand amounts to a compromise between that which is required in the judgment of our military leaders and that which the Nation can afford in the judgment of our civilian leaders.

This argument is at the heart of many of the well-intentioned moves being taken to cut our military procurement budget. Most of the advocates of these cuts do not basically disagree with a strong military force, they just feel we have more strength than needed while neglecting vital social welfare and economic needs. On the other hand, there are none of us who are defending this budget request who do not share a deep concern for fulfilling our justifiable social welfare and economic requirements.

Another point worthy of consideration, although one of such depth would require an extended discussion of weeks or even months, is the validity and extent of each treaty obligation. This point, of course, weighs heavily in deciding the military posture needed to meet these commitments.

To draw on the complexities of this subject let us address ourselves briefly to two of our major treaties, NATO and SEATO. First, NATO article 5 provides that an armed attack against one or more of the member nations in Europe or North America shall be considered as an attack against all. Article 5 also states that each member of NATO obligates itself, individually and in concert with others, to take whatever action each may deem necessary, including the use of armed force, to restore the security of the area attacked.

Thus, in a cursory examination of this treaty, considered to be one of our strongest commitments, we learn that we could commit Americans troops to a land war in Europe or take practically no steps at all under the "take whatever action each may deem necessary" clause. Certainly it is the feeling of the Members in this Chamber that, should a NATO ally be attacked, it would be necessary for the United States to respond in the fullest degree if our own security is to be maintained, but nevertheless there is the out if you wish it.

Now, let us look at our SEATO obligations. The country of South Vietnam is not a member of SEATO, but it was designated a protocol state by the signers under article 4 of the treaty and thereby comes under the umbrella of SEATO in that the loss of their security would result in a direct threat to the security of the SEATO members. Thus, we find ourselves deeply committed in South Vietnam with casualties now surpassing those resulting from the Korean war, although we had a clear treaty obligation with South Korea and a lesser one with South Vietnam.

We, therefore, come to the question of interpretation of our commitments, and that is a subject of great study here in the Congress as well as in the Pentagon.

The two major wars, and one minor war requirement placed on our military early in the Kennedy administration was adapted from an assessment judgment of our treaty obligations and our own defensive needs. Today, we live in a world where "Fortress America" is a dream of the past. We have fought two World Wars and two lesser wars in this century with not a single bomb striking American soil. But that is behind us, for today it is our parents and our children who will feel the fury of bombs, fire, hunger, devastation, disease, and hardship if we fail to maintain our military superiority.

During the Eisenhower years we moved from the conventional war concept to the nuclear war concept. We began building ICBM's with nuclear warheads and developing long-range bomber forces capable of delivering A-bombs and H-bombs on potential enemy forces at great distances from our homeland. We also developed a continental air defense and the outlying DEW line to warn us of enemy attack, as the threat then to our soil was from long-range enemy bombers carrying nuclear bombs. It is odd today we are having such difficulty in gaining approval for Safeguard which would provide similar warning and some defense against ICBM's.

In the early years of the McNamara regime it was realized the forces of communism would continue to push forward

in ways short of nuclear war, and we returned to the idea that to defend ourselves we must have a conventional war capability in addition to nuclear forces. Thus developed the 2½ wars requirement and a policy of flexible response.

This has been our national policy for a number of years now, and it was developed and implemented by past administrations which happened to be headed by Democrat Presidents, and which happened to have been relatively free of any call to make heavy slashes of our military budget such as we are witnessing today. The antimilitary thrust has just blossomed to a significant role since President Nixon took up residence in the White House and our former colleague, Mel Laird, took over in the Pentagon.

Actually, when the 2½ requirement was developed we were enjoying a period of relative peace compared to the situation today. Vietnam was just on the horizon. Europe and South America were relatively stable. Such is not the case today. Communism is spreading through Asia as fast as its soldiers are allowed to move, the Russians have just finished using tanks and other military force to subdue a liberal regime in Czechoslovakia, and the situation in South America is anything but stable if Governor Rockefeller's recent trip is any guide. Further, we have a truly explosive situation in the Middle East in which the free world's oil supply is involved, not to speak of the very existence of a friendly nation we helped establish.

This brings me around to the point that today's world foretells obligations upon us greater than when the contingency planning to support our military commitment was first laid down. The inference here is not that we inevitably face further military involvements such as Vietnam; on the contrary, we should avoid them wherever possible. On the other hand, we must be prepared to meet them when a deployment of American forces is required, and in being so prepared history has proven such requirements are less likely to develop.

Now it is simply a question of whether or not we are going to meet those obligations. Surely we cannot safely approach the point of failing to fulfill our commitments. The worst situation for us to be in would be to have almost but not quite enough. Surely the distinguished and able members of this body realize our enemies are watching to see how far we will cut and how far this antimilitary trend will go. Surely it is recognized the world is now looking to see what actions will be taken in this great debate by the Senate of the United States. Surely we must not falter here; we cannot falter. The consequences of such a failing could well be the burden of this generation and generations unborn. We have seen nothing in recent years which should make us think communism has altered its goals. In fact, the Washington Post, which has repeatedly taken a softline approach to the threat of communism, has just completed publication of a series of articles by Anatole Shub in which he clearly states Russia is reaffirming its Stalin-like policies. Mr. Shub was the Moscow correspondent for the Post the last several years, and he is telling it like it is. The Post is to be commended for printing these articles in such prominent displays, despite the fact they run counter to their editorial expressions for the past 20 years.

Some would point to the confrontation between China and Russia. I would be the first to admit this dispute could be turned to great value for the free societies of the world, but you cannot move me from the belief that when the chips are down between West and East, the Communists will stick together. This argument between Russia and China is essentially an argument over the best way to do us in and bring about worldwide communism. It manifests itself in the present border dispute, a historic argument which will always be an abrasive issue in the relations of these two countries. But Mao Tse-tung cannot live forever. What will be the situation then? For that matter, what will be the policies of the next dictator in Russia? Who is to say; no one knows. But if you understand communism you know one does not rule a Communist nation without fighting his way to the top in the most violent of circumstances. I hope for the best, but I refuse to take a chance on the worst.

Now, let us return to a point made earlier, that the requests before us were not the whims or wishes of the generals and admirals, but the result of hard bargaining within the military, and by the appropriate civilian agencies and committees. And that it is all weighed to fulfill the requirements of our national policy or to enable us to meet our military commitments, if you will. Further, let us not forget that besides these hard commitments in various treaties and agreements we have very definite interests around the world which are not spelled out in a piece of public paper or voiced by officials of the administration daily. We cannot ignore these interests, an example of which would be our oil sources in the Middle East. These interests extend worldwide.

So, we have these commitments and these interests, and the military is charged with the responsibility of structuring its forces to fulfill our national policy and obligations. The result of this structure by the military is scrutinized, and final decisions made by the civilian authorities of the Pentagon and the President, and then the Senate Committee on Armed Services. In this procurement bill, $3 billion, or nearly 20 percent, has been cut from the Clifford budget to the budget you are considering here today.

Now, we also should recognize that in past years these requests fell short of what the military estimated their needs to be, if we were to fulfill our national commitments. This was the case during the McNamara administration, which told the Congress the forces requested were sufficient to meet this commitment. An example of this shortage would be in the area of aircraft requirements needed around the world. Secretary McNamara thought they were sufficient, and it was a matter of judgment; but if the General recently decorated at the White House with the highest awards the President can give was correct in his military judgment of our aircraft needs, then Secretary McNamara's estimate was greatly in error.

This situation existed in the Navy also as regards submarines, naval aircraft, and support ships. We have discovered in meeting the Vietnam situation how much we have underestimated our needs. Our ability to meet other contingencies during the Vietnam commitment has been less than it should have been.

The point being made here is that military estimates are taking a beating before they even reach the Congress. The desire to hold down spending exists in the Pentagon and the Bureau of the Budget, just as much as it exists here on the Senate floor. Management of weapons systems programs is another matter, but the actual desire to keep defense expenditures at the barest level of requirements has existed for a number of years. In fact, this attitude has resulted in a net loss in our military strength in recent years, and has brought us to the position today that if we cut further, we are tampering with the strategic balance of power between Russia and the United States. That, my colleagues, is a serious, and perhaps catastrophic, matter.

Now, to bring my comments together, this is what I am saying in a nutshell: We have assumed military commitments through treaties; we have a national policy growing out of these elements; the military is called upon to provide a force to meet our national obligations; their recommendations are made to civilian authorities in the Pentagon and thence to the President; and, finally, we receive the requests here.

It is not my implication that all of these elements are perfect and that we should submit to them without inquiry or investigation. Neither the recommendations of the military nor the Pentagon are sacrosanct, but we have already witnessed a $3 billion tightening of this procurement bill, with past history showing the requests often fall short of our real needs. This has certainly been demonstrated by the experience in South Vietnam.

This brings us back to the cart-before-the-horse situation, mentioned earlier in my remarks. While the military budget has been trimmed and cut to a considerable extent, it appears ill advised for the Senate to undertake further emasculation in view of our national commitments.

We must provide the means to fulfill our commitments. Now, if the Senate wishes to review that commitment, then such a review would have my support. I have already heard some of the Members state opinions to the effect that we should reduce our worldwide obligations. This is certainly a question worth studying. Perhaps we are overextended. If so, we should recognize it. Maybe we should reduce our treaty commitments, but, if so, let us do that before cutting our ability

to meet those commitments. It would seem to me the Senate Foreign Relations Committee would have a singular responsibility in this area.

That is the cart—our treaty obligations. The horse is our military strength. If we are going to sign for the cart, then we had best have the means to pull it.

The PRESIDING OFFICER (Mr. GRAVEL in the chair). The 30 minutes of the Senator from South Carolina have expired.

Mr. THURMOND. I ask unanimous consent to have an additional 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, I think there are those among us who would say outright that we should reduce our treaty obligations. They may not be as quick to say which ones should be dropped. But surely a study of this area would be helpful to us in the future. Also, it must be remembered that we are treading in an area traditionally recognized within the jurisdiction of the Chief Executive, except for the advise-and-consent function of the Senate.

It would be of interest to the Members to know what some of the committees now dabbling in military matters have done on this subject. Have they looked into our commitments? Have they a basis to challenge our national policy? Have they written the President and raised the point that military spending is high, and we should review the commitments which require such an outlay? What has been done other than taking potshots at the military, which is merely trying to provide us with the means to fulfill the obligations incurred by treaties ratified by this body?

Certainly all of us would like to see less money spent on defenses, provided we still maintain our military superiority. What good are housing, jobs, and food, if they are laid to waste by an enemy force? I am ready to cut anywhere it can be shown cuts can be made without placing us in a position of military weakness, or forfeiting the promises we have made to our allies.

Some feel we could reduce some of our commitments. But I am frankly at a loss to say which one it might be. Should it be in NATO, which is on the frontlines of the East-West confrontation? Should we abandon Japan before they can defend themselves? Should we withdraw from our obligations in South America in face of the violent activities now underway by Communist infiltrators from Cuba and elsewhere? Where should we pull back? Can someone answer that question?

For the most part, all of us have supported ratification of the treaties to which this country is honor bound. Let us provide the means to meet these obligations, or let us reduce these obligations. I submit that further reductions in the 1970 fiscal year Defense procurement bill is not the place to begin this great undertaking.

Mr. FANNIN subsequently said: Mr. President, I wish to commend the distinguished senior Senator from South Carolina for his expert and thorough analysis of our spending for military needs. I know him to be a longstanding member of the Committee on Armed Services, well qualified by reason of his own distinguished military career to comment on these matters.

I wish to draw special attention to and extend commendation for the distinction which he has made in the area of foreign commitments. He wisely points out that we simply must have the military strength to meet our commitments. These commitments were, presumably, not entered into lightly and not without the advice and consent of the Senate, notwithstanding the change of mind or outlook or philosophy that may have overtaken certain members of the Foreign Relations Committee in recent years.

Just the day before yesterday the distinguished chairman of the Committee on Armed Services made the point in an exchange with the Senator from Wisconsin (Mr. PROXMIRE) that it is all very well to be for a reduction in military expenditure, and those that do not have the responsibility of writing the bill can be quite free with their criticism; but when we come down to the nub of how shall we reduce expenditures, which systems shall be left out, or which commitments shall be left without renewal, then we find more than simple criticism or verbal handwringing becomes necessary.

Mr. President, I commend the Senator from South Carolina for his detailed and searching analysis of our military procurement situation and feel sure it has contributed substantially to the substance of this debate.

Mr. TOWER subsequently said: Mr. President, I congratulate the distinguished Senator from South Carolina (Mr. THURMOND) for the most perceptive speech he has just delivered on the military procurement bill. I wholeheartedly agree with the argument he has presented.

Opponents of the military procurement bill have been speaking against the bill because they hold to the assumption that the United States is militarily overcommitted around the globe. Therefore, the opponents of the bill argue, the United States must cut back on the military equipment needed to honor these commitments. This argument, I believe, is not plausible and, as Senator THURMOND has already remarked, is not the correct way to go about debate over the U.S. role in the world.

Senator THURMOND has recommended that the Committee on Foreign Relations debate the present and future U.S. military commitments. That is indeed the place to take up such matters, not on the floor of the Senate during the debate on a military procurement bill. It is only logical that a discussion about changing U.S. military commitments should not take place during a substantive debate over appropriations needed to honor past commitments which, whether we like it or not, we must carry out. I would be most open to any recommendations made by the Committee on Foreign Relations in this most important area, but I do not feel that this is either the time or the place to debate the issue of military commitments. I hope that the opponents of the bill have listened with an objective ear to the words of the distinguished senior Senator from South Carolina. Again, I would like to congratulate him for his wise thoughts on this subject.

The PRESIDING OFFICER. Under the previous order the Senator from Vermont is recognized.

DEFENSE DEPARTMENT DOWNGRADES DEVELOPMENT AND USE OF A NUCLEAR NAVY WHILE ADVOCATING THE ABM

Mr. AIKEN. Mr. President, as a member of the Joint Committee on Atomic Energy since 1959, I have been concerned with the efforts of competitive fuels to prevent the development of electric energy from the atom.

I have been even more concerned by the efforts of these same interests to block the development of a U.S. Navy which in the future would be second to none.

I was privileged to be on the nuclear submarine *Skipjack* when on its trial run it broke all existing undersea records for speed and depth.

Its operation was quiet, making it difficult to be detected by an enemy, while the sonar system of the *Skipjack* could detect the more noisy submarines of an enemy at a distance.

In the spring of 1962, I was again privileged to spend a night on the aircraft carrier *Enterprise*, which was then lying off Guantanamo Bay.

The *Enterprise* was, and is, the finest and most effective carrier in the world.

I watched takeoffs and landings both by day and by night with the safety of the flyers insured by the fact that the speed of this atomic carrier could be accelerated at several times the speed of acceleration for an oil-burning carrier.

On December 2, 1965, with the Senator from Montana (Mr. MANSFIELD), I was in Saigon the day that the *Enterprise* joined our fleet in the Vietnamese war.

Our men in South Vietnam were unstinted in their praise.

The *Enterprise* literally ran rings around the oil-burning ships of the fleet.

It was one drawback, however—because of its speed and rate of acceleration its escort vessels could not keep up—but like its smaller undersea atomic relatives it could sail for weeks at a time and for virtually unlimited distances without refueling.

As matters stand now, the *Enterprise* will have been at sea for 11 years before it receives its full complement of nuclear-powered frigate escorts.

And, may I add that, except for vigorous insistence on the part of the Joint Committee on Atomic Energy and the Congress, the *Enterprise* would not get them even then.

Since the construction of the *Enterprise* we have improved our nuclear fleet, but only because of the insistence of the Congress.

There has been consistent foot dragging by the Defense Department regardless of the insistence of the Congress, and over the urgent advice of Adm. H. G. Rickover, admittedly the world's greatest expert on nuclear submarine research and development.

Let me read you a statement found on page VI of the foreword of the report on hearings before the Joint Committee on Atomic Energy on April 23, 1969:

However, the Joint Committee is distressed by a memorandum signed last month by the new Acting Assistant Secretary of Defense for Systems Analysis which says that the electric drive submarine is not needed. This was the same memorandum recently reported in the press which contained the ridiculous suggestion that we should consider saving money by sinking 10 of our 41 Polaris submarines.

Mr. MANSFIELD. Mr. President, will the Senator yield before he leaves that point?

Mr. AIKEN. I yield.

Mr. MANSFIELD. Could the Senator give us any reason why the recommendation was made that the Government would be saving money and retaining its efficiency by sinking 10 of our Polaris submarines?

Mr. AIKEN. If the Senator could read some of the unabridged classified testimony before the Joint Committee on Atomic Energy, that would be explained. I am now reading from the public report of the committee itself, and I feel that is as far as I should go, in view of the fact that much of the testimony we received was classified, and still is classified.

Why the recommendation was made to sink 10 of our 41 Polaris submarines I could not say, except that I will say emphasis was put upon the ABM system rather than strengthening our Polaris fleet, without doubt our most powerful deterrent.

Mr. MANSFIELD. The suggestion was made that 10 be sunk, though?

Mr. AIKEN. I am reading from the public report of the committee, which states that that was true:

The record of the electric drive submarine is one of exhaustive review and study at the highest levels of our Government. Last year the Secretary of Defense, Deputy Secretary of Defense, Director of Defense Research and Engineering, Secretary of the Navy, Chief of Naval Operations and many other senior officials of the Department of Defense and the Navy personally spent many hours of their time going into the details concerning the justification for developing this important submarine prior to the announcement of the decision to proceed by Secretary Clifford. There have been extensive Congressional hearings published concerning the urgent need for this submarine. The Joint Committee wishes to again state that the electric drive submarine should be built as soon as possible and must not be held up for additional studies.

The systems analysts have a long record of causing delays or cancellation of naval nuclear propulsion projects that Congress considered vital to our national defense. The record is clear that the systems analysts stanchly—

Opposed nuclear propulsion for the carrier John F. Kennedy in fiscal year 1963 and again in fiscal year 1964,

Opposed the nuclear frigate authorized by Congress in fiscal year 1966 which the Department of Defense refused to build,

Opposed the nuclear frigate authorized by Congress in fiscal year 1967 for which the Department of Defense held up the release of funds for 18 months,

Opposed the nuclear frigate authorized by Congress in fiscal year 1968 for which the Department of Defense held up the release of funds for 22 months,

Opposed continuation of the nuclear attack submarine building program beyond a force level of 69,

Opposed the electric drive submarine authorized by Congress in fiscal year 1968 which the Department of Defense held up from May through October, 1968,

Opposed the high-speed submarine which Congress authorized starting in fiscal year 1969 over the objections of the Department of Defense.

Is it surprising that we are forced to wonder what power it is that seemingly has greater influence with our own Defense Department than does the U.S. Congress?

And what irony lies in the fact that the name John F. Kennedy, the President who favored a strong Navy, appears on an oil-burning carrier.

The Defense Department, in estimating the cost of this oil burner, ignored the cost of an essential oil supply ship or the fact that the nuclear ship could carry an additional squadron of planes, as well as charging a 7-year supply of fuel up to the nuclear carrier estimate, as construction costs.

Only by this juggling of cost estimates could an oil-burning carrier be justified over the recommendation of the Joint Committee on Atomic Energy.

The Joint Committee's report of the hearings into the controversy, released in December 1963, revealed that the Defense Department overestimated the costs of nuclear propulsion for surface warships.

I quote from page 4 of the 1963 report:

For example, it was claimed that a nuclear-propelled carrier would be capable of carrying an additional squadron of aircraft. Then the purchase and operating costs of the additional aircraft squadron were charged to the nuclear-propelled ship and used as a cost argument against nuclear propulsion. This nearly tripled the extra cost attributed to the nuclear carrier over its lifetime. Obviously, the additional costs are not related to nuclear propulsion and can be eliminated by not supplying the additional squadron of aircraft. (Actually, Navy witnesses testified that it was intended to provide both the conventional and nuclear-powered aircraft carriers with the same number of aircraft.)

Also, in the construction of cost comparison, the initial reactor cores, which provide fuel for at least 7 years, were charged against the cost of the nuclear carrier while no comparable fuel costs were attributed to the conventional carrier.

In spite of the opposition and the foot dragging by the Defense Department, however, we have over the past 10 years built up a truly effective undersea fleet of 41 Polaris and an equal number of nuclear attack submarines.

Should any nation in the world fire a single SS–9 or any other ICBM at the United States, our submarines could promptly launch atomic devastation on any part of the attacking country.

The Polaris fleet is without doubt our greatest deterrent to enemy missiles and an all-out war.

To advocate the downgrading of this powerful deterrent and putting the money into an ABM system—as has been proposed—certainly is not in the interest of our national security.

The success of the United States in deploying the nuclear submarine has prompted Russia to go all out in an effort to surpass us in this field.

The Russians have made almost spectacular progress and will probably surpass us in numbers by 1970—not only in numbers but in speed, quietness of operation, and general maneuverability as well.

While presently the maximum range of a Russian submarine missile is estimated to be 1,500 miles—well below the range of our own—this quality too may be improved.

It is a matter of public estimate that by 1974 Russia could have 165 atomic submarines compared to our 105. This assumes that Congress can maintain our present rate of building and that none of our existing fleet will be destroyed.

It is most unfortunate that much of the information relating to the present debate is classified.

If I may speak frankly, I will say that much of the material which is classified ought to be made public.

A great deal of it is known to foreign governments—largely through our own generosity—and classification is frequently resorted to keep the American public from knowing what it properly should know.

I am divulging no secrets, however, in telling the Senate that over a year ago after hearing testimony from U.S. Defense Department officials, I reluctantly came to the conclusion that a move was underway to slow up efforts to improve our atomic seapower and offer as an alternative the ABM system.

I consoled myself only with the comforting thought that at least competition was not dead.

Now as to the ABM itself, its virtues and its vices have been so thoroughly debated on this floor that I see no need for expanding on that part of this discussion.

The proponents claim that it will not be a provocation to war, and with that I agree.

If anything, Russia may be indulging in smiles rather than frowns over the proposal.

The administration feels that authority to proceed with the ABM will be an asset in discussing the matter of arms limitation with the Russians.

On this score, I am skeptical.

The proponents claim that the ABM will protect our retaliatory powers from enemy missiles. But with Russian submarine missiles now having a range of 1,500 miles this can be of little consolation to the industries and population located within range of the sea.

Proponents claim that ABM would protect our retaliatory power after a first strike by an enemy.

This claim is rather fantastic because whether we like it or not both Russia and the United States have or will have multiple reentry vehicles.

Suppose a thousand 1-megaton nuclear bombs were to land on either country as a first strike—there would not be much left in either country worth retaliating for.

It is only a question of time—and not a very long time—before both the SS–9's and the Minuteman are as obsolete as dodos.

Only from the sea, with the knowledge we now have, can we be sure that an effective retaliatory power will be retained.

This awesome power from under the sea would virtually guarantee that no country would be willing to commit suicide through the first-strike process.

It would be a national calamity to substitute the ABM for a stronger nuclear undersea deterrent.

Reference has been made on this floor to the loss of jobs which thousands of skilled workers would sustain if work on the ABM were to be terminated.

Here, indeed, is an argument we should listen to.

The United States today undoubtedly has the most efficient industrial complex and the most skilled scientific groups the world ever knew.

They have come to us from many countries and many of them speak in broken English. They supplement the growing force of highly trained American scientists.

The work these people do will determine the progress of mankind in the generations of the future.

The corporations they work for produce the necessities and luxuries which make life better for humanity.

These corporations get Government contracts, negotiated contracts, outrageous contracts in some cases.

And it is common knowledge that many, probably hundreds, of contractors and subcontractors are anticipating much work and much income from the proposed ABM program.

Most of these contracts will relate to the research and development phase of the ABM although deployment would undoubtedly provide work for many others.

To the research and development phase, we find very little objection.

Whether the final product would be as ineffective as many scientists claim is a matter in dispute, but there can be no argument that deployment would provide work for scientists and skilled workers and income for contractors and stockholders.

What we have to decide is whether the deployment of ABM is the best way to keep the industrial complex busy.

I agree completely with those who maintain that our first interest should lie in the needs of people—low-income people—people who are necessarily on public welfare—middle-income people in the $5,000 to $20,000 income brackets and, in fact, all people.

Health and education and standards of living should concern us above all else.

Otherwise, national security becomes academic.

There is no question that the industrial complex does contribute to meeting our social needs but these very needs in turn could keep our scientists and industries fully employed.

The ocean bed, the outer space, the control of pollution, the proper development of nuclear activities and a hundred other needed endeavors could keep them all busy for years to come.

High altitude and supersonic air transportation is now in its adolescent stage.

Interplanetary travel and exploration is already toddling around.

Why should we spend our funds and efforts on a so-called deployment program which is almost certain to follow its progenitors, the Nikes and the Atlas, into obsolescence.

It is true, as the Senator from Kentucky (Mr. COOPER) has already pointed out, that research work in radar and other components of an ABM system cannot help resulting in knowledge and developments useful to our social and economic world.

For that reason alone, research and development work should be authorized.

But to authorize the deployment of the ABM or the major component parts of radar and computers which cannot be ready for a year at the earliest would be shortsighted.

A month ago, I felt that the installation of radar and computer units at Grand Forks and Malmstrom would probably be advisable.

But information received since convinces me that to do so now is both unnecessary and unwise and that if further research shows deployment of the ABM to be feasible, a delay of a year in authorizing it will not in any way be harmful to our national security.

I have been told repeatedly by those promoting the ABM that its approval is necessary to save the prestige of the President.

This argument is sheer nonsense.

The efforts of President Nixon to reestablish our prestige in the family of nations, the fair and sensible manner in which he approaches our relations with the countries of Asia and the South Pacific, and the personal credibility which he has established in his dealings with other governments will completely bury the ABM as a political issue.

His prestige certainly does not hang on whether the Congress does or does not approve the ABM program without modification.

I recommend our wholehearted support for the Cooper-Hart amendment.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

The ACTING PRESIDENT pro tempore. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, I commend the distinguished senior Senator from Vermont for a well thought out, very effective, and most statesmanlike speech. As usual, he approaches this particular subject only after assuring himself of the facts. To buttress his arguments, he has cited for the Senate the privileges he has had of serving on the Joint Committee on Atomic Energy, he has indicated his extreme expertise on the question of nuclear energy, and he has tried to put in perspective a portion of the argument against the ABM which has not yet been given much consideration on this floor.

I believe the Senate is indebted to the distinguished Senator for his remarks. I am in accord with one of the main tenets of his argument, and that is that what we have to achieve—if I may transpose slightly the Senator's thoughts—is not necessarily a superiority in the field of defense but, rather, a balance between the field of defense on the one hand and our domestic needs on the other. As the Senator has indicated, we could have the strongest and most expensive defense system in the world; but if we did not have some stability at home, if we did not take care of our people, we would not have a great deal upon which to base our security.

Once again, it is a great pleasure to listen to the Senator from Vermont and to be the beneficiary of his wisdom and his detailed thinking on this most important subject.

Mr. AIKEN. Mr. President, I know of no one from whom I would prefer to get words of commendation than the distinguished majority leader, the Senator from Montana.

I have tried to present facts in what I have just said. I wish I could have told the Senate more of the things which prompted me to take the position I have taken this morning, but many of the facts are classified. Everything I said here is a matter of public record. If you know where to look you can see I have confined my remarks to what is in the public record.

I thank the Senator.

COLLECTION OF FEDERAL UNEMPLOYMENT TAX

The Senate resumed the consideration of the bill (H.R. 9951) to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal years 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account by the amounts so excluded; and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Louisiana.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum. For the benefit of attachés of the Senate, I say it will be a live quorum.

The ACTING PRESIDENT pro tempore. On whose time?

Mr. MANSFIELD. Apart from the time limitation. I think in this instance we could do it.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk called the roll, and the following Senators answered to their names:

[No. 59 Leg.]

Aiken	Goldwater	Prouty
Allen	Gore	Ribicoff
Bellmon	Holland	Scott
Bennett	Hollings	Sparkman
Bible	Kennedy	Spong
Byrd, Va.	Long	Talmadge
Byrd, W. Va.	Mansfield	Thurmond
Curtis	Metcalf	Tydings
Dirksen	Miller	Williams, Del.
Dole	Murphy	
Ervin	Muskie	

Mr. KENNEDY. I announce that the Senator from South Dakota (Mr. McGOVERN) is necessarily absent.

The ACTING PRESIDENT pro tempore. A quorum is not present.

Mr. BYRD of West Virginia. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After some delay, the following Senators entered the Chamber and answered to their names:

Allott	Gravel	Moss
Anderson	Griffin	Mundt
Baker	Gurney	Nelson
Bayh	Hansen	Packwood
Boggs	Harris	Pastore
Brooke	Hart	Pearson
Burdick	Hartke	Pell
Cannon	Hatfield	Percy
Case	Hruska	Proxmire
Church	Hughes	Randolph
Cook	Inouye	Russell
Cooper	Jackson	Saxbe
Cotton	Javits	Schweiker
Cranston	Jordan, N.C.	Smith
Dodd	Jordan, Idaho	Stennis
Dominick	Magnuson	Stevens
Eagleton	Mathias	Symington
Eastland	McCarthy	Tower
Ellender	McClellan	Williams, N.J.
Fannin	McGee	Yarborough
Fong	McIntyre	Young, N. Dak.
Fulbright	Mondale	Young, Ohio
Goodell	Montoya	

The ACTING PRESIDENT pro tempore. A quorum is present.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the Senator from Tennessee.

The ACTING PRESIDENT pro tempore. The Chair inquires of the Senator from Montana, to whom is the time to be charged?

Mr. MANSFIELD. On the bill.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee is recognized.

Mr. STENNIS. Mr. President, may we have order, real order, quiet?

The ACTING PRESIDENT pro tempore. The Senate will be in order. The Senate will not proceed until the Senate is in order. The Senator from Tennessee may proceed.

AMERICAN SERVICEMEN IN VIETNAM

Mr. GORE. Mr. President, as a youngster I taught elementary mathematics in high school for a short while. Yet I admit the new mathematics gives me problems. I find the statistical formula for reduction of U.S. forces in Vietnam particularly puzzling.

I made inquiry of the Pentagon, and these statistics were supplied to me. On January 18, 1969, there were 532,500 American servicemen in Vietnam.

On July 17, 1969, there were 535,200 American servicemen in Vietnam.

On July 26, 1969, the Pentagon reports there were 536,000 American servicemen in Vietnam.

This is an increase of 3,500 over the number in Vietnam 2 days before President Nixon's inauguration, an increase of 800 from last week to this week. Yet, I read and hear every day that our boys are being withdrawn. There has been some mention of 25,000.

I am also having difficulty understanding how we can have a policy one day to avoid more Vietnams, and 2 days later to find the Vietnam war "our finest hour." As Alice said in her "Adventures in Wonderland," things are getting "curiouser and curiouser."

Mr. President, there are, unfortunately, some statistics from Vietnam that are easily understood, though they give us much sadness.

The casualties last week in Vietnam were 1,212—110 killed by hostile action, 46 killed by nonhostile action, and the remainder wounded.

This brings to a total, according to the statistics given me by the Department of Defense, of 54,184 casualties since January 18, 1969.

Mr. President, this war must end.

COLLECTION OF FEDERAL UNEMPLOYMENT TAX

The Senate resumed the consideration of the bill (H.R. 9951) to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal years 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account by the amounts so excluded; and for other purposes.

Mr. LONG obtained the floor.

Mr. LONG. Mr. President, I really do not think the amendment requires any debate. I think all Senators understand the question. It is a simple extension of the 10-percent surtax until the end of this year.

If someone cares to speak in favor of the amendment, I would be happy to yield for that purpose; otherwise, I am prepared to yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senate is not in order. The Senate will please be in order.

Mr. LONG. Mr. President, as I said, I really do not think that my amendment requires any further debate. I think every Senator understands it and knows how he wishes to vote.

I am prepared to yield back the time on my amendment if the other side will yield back their time.

It is my understanding that time must be used up on the amendment before we can consider an amendment to the amendment. That being the case, I propose to yield back my time.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 2 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Delaware is recognized for 2 minutes.

Mr. WILLIAMS of Delaware. Mr. President, I might say that——

Mr. STENNIS. Mr. President, a point of order. It is not possible to hear what is going on. We do not know what the issue is. We do not know what Senators are saying. The Senate should be called to order.

The ACTING PRESIDENT pro tempore. The Senate will be in order.

Will the Senator from Delaware please indicate to whom time will be charged?

Mr. WILLIAMS of Delaware. I said I yielded myself 2 minutes.

Mr. President, I completely agree with the chairman of the committee that there is nothing that can be said in defense of his amendment. I quite agree that it just does not do the job. I think that is clearly understood.

I will yield back my time, and I am ready to vote.

Mr. LONG. Mr. President, I yield myself 1 minute. It is better than nothing.

Mr. WILLIAMS of Delaware. I should like to quote briefly what every living former Secretary of the Treasury publicly and jointly stated in June of this year in connection with this question. This is every living Secretary of the Treasury, including John Snyder, George Humphrey, Robert Anderson, Douglas Dillon, Henry Fowler, Joseph Barr, all made the following statement:

> We are joining together to express our firm conviction that the financial health of the nation demands prompt action by the Congress to extend the income tax surcharge for 1 year.

Mr. President, I completely agree with that, and I agree with the Senator from Louisiana that there is nothing much that can be said in defense of any other position.

With that understanding, if the Senator wants to, we can yield back the remainder of our time.

Mr. LONG. Mr. President, I yield back the remainder of my time.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

The ACTING PRESIDENT pro tempore. All time on the amendment has been yielded back.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island will state it.

Mr. PASTORE. What is the pending business?

The ACTING PRESIDENT pro tempore. The pending question is on the adoption of the amendment offered by the Senator from Louisiana, amendment No. 109.

Mr. PASTORE. I thank the Chair.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 1 further minute.

The ACTING PRESIDENT pro tempore. The Senator from Delaware is recognized for 1 additional minute.

Mr. WILLIAMS of Delaware. As I stated earlier, the uncertainty as to what Congress will or will not do on this surtax, whether to extend it at all and if so, at what rate and for how long, is vital. The uncertainty as to what we will or will not do——

The ACTING PRESIDENT pro tempore. The Senate will please be in order. The Senator from Delaware will suspend.

The Senate will be in order.

Mr. DIRKSEN. Mr. President, I ask that the Senate be cleared of everyone not entitled to the privilege of the floor.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Sergeant at Arms will clear the Chamber of all attachés and other personnel not entitled to the privilege of the floor.

The Senate will be in order.

All attachés will immediately leave the Chamber.

All attachés will completely leave the Chamber, and quickly.

The Senator from Delaware may proceed.

Mr. WILLIAMS of Delaware. Mr. President, if I may finish, I just said that the uncertainty in the financial community and in the minds of our taxpayers as to whether Congress will or will not meet its responsibility in answering the question of extending the surcharge and if so, at what rate and for how long, and whether we will or will not repeal the investment tax credit and if so, at what effective date, are all questions which must be settled today. Immediately after this amendment is disposed of amendments to carry out this objective will be offered. However, we cannot proceed until this amendment is disposed of, then amendments will be offered to extend the surtax for the full year, phased out as the administration recommended and as reported by the Finance Committee, along with the proposal to repeal the investment tax credit.

The ACTING PRESIDENT pro tempore. The Senator from Delaware will suspend until the Senate is in order. All attachés will leave the floor at once.

Mr. WILLIAMS of Delaware. Mr. President, I think that the Senate should beat down this——

The ACTING PRESIDENT pro tempore. Did not the Senator from Delaware yield back the remainder of his time?

Mr. WILLIAMS of Delaware. Yes. I am willing to vote now. I hope that the Senate will reject the amendment.

Mr. SCOTT. Mr. President, will the Senator from Delaware yield for a clarification?

Mr. WILLIAMS of Delaware. I yield.

Mr. SCOTT. As I understand it, a vote "nay" on the Long amendment is not a vote against the extension of phasing out the surtax but Senators may regard it as an opportunity, then, to go on to having a vote on the Williams amendment.

Mr. WILLIAMS of Delaware. That is correct. The only way I can offer my amendment is to get rid of the Long amendment first, which I hope will be rejected by the Senate.

Mr. LONG. Mr. President, I yield myself 1 minute on the bill.

Mr. HANSEN. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. HANSEN. Has not all time been yielded back?

The ACTING PRESIDENT pro tempore. All time has been yielded back.

Mr. LONG. Mr. President, I yield myself 1 minute on the bill.

Mr. MANSFIELD. Mr. President, I yield 1 minute on the bill.

The ACTING PRESIDENT pro tempore. The Senator from Montana has yielded 1 minute on the bill.

Mr. LONG. Mr. President, if this amendment is agreed to, the bill is still subject to amendment. It is subject to amendment relating to extension of the surtax beyond January 1. It is also subject to amendment on the repeal of the investment tax credit. It is right there in the unanimous consent agreement, a copy of which is on each Senator's desk.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana.

Mr. DIRKSEN. Mr. President, I yield myself 1 minute on the bill, only to ask the chairman of the Finance Committee a question. What is in the bill now also takes care of the withholding tables which the House tried to cover in the bill that came over here a day or two ago and gave a 15-day extension on the withholding tables? That is now taken care of?

Mr. LONG. Yes, that is taken care of.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Louisiana.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from South Dakota (Mr. McGOVERN) is necessarily absent.

The result was announced—yeas 51, nays 48, as follows:

[No. 60 Leg.]

YEAS—51

Aiken	Gravel	McIntyre
Anderson	Harris	Metcalf
Baker	Hartke	Mondale
Bayh	Holland	Moss
Byrd, Va.	Hollings	Muskie
Case	Hughes	Pastore
Church	Inouye	Pell
Cranston	Jackson	Randolph
Dirksen	Javits	Ribicoff
Dodd	Jordan, N.C.	Russell
Eagleton	Kennedy	Sparkman
Eastland	Long	Spong
Ellender	Magnuson	Stennis
Ervin	Mansfield	Symington
Fulbright	McCarthy	Talmadge
Goodell	McClellan	Tydings
Gore	McGee	Yarborough

NAYS—48

Allen	Fannin	Packwood
Allott	Fong	Pearson
Bellmon	Goldwater	Percy
Bennett	Griffin	Prouty
Bible	Gurney	Proxmire
Boggs	Hansen	Saxbe
Brooke	Hart	Schweiker
Burdick	Hatfield	Scott
Byrd, W. Va.	Hruska	Smith
Cannon	Jordan, Idaho	Stevens
Cook	Mathias	Thurmond
Cooper	Miller	Tower
Cotton	Montoya	Williams, N.J.
Curtis	Mundt	Williams, Del.
Dole	Murphy	Young, N. Dak.
Dominick	Nelson	Young, Ohio

NOT VOTING—1

McGovern

So Mr. LONG's amendment was agreed to.

Mr. LONG. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. PASTORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk an amendment, and ask that it be stated.

Mr. PASTORE. Mr. President, may we have order?

The ACTING PRESIDENT pro tempore. The Senate will be in order. The clerk will not proceed until order is restored.

The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment offered by Mr. WILLIAMS of Delaware is as follows:

At the end of the bill add a new section:

"EXTENSION OF TAX SURCHARGE

"SEC. 1 (a). SURCHARGE EXTENSION.—Section 51(a) of the Internal Revenue Code of 1954 (relating to imposition of tax surcharge) is amended—

"(1) by inserting at the end of paragraph (1) (A) the following:

"CALENDAR YEAR 1970

"TABLE 1.—SINGLE PERSON (OTHER THAN HEAD OF HOUSEHOLD) AND MARRIED PERSONS FILING SEPARATE RETURN

"If the adjusted tax is: At least	But less than	The tax is—
0	$155	0
$155	175	$1
175	195	2
195	215	3
215	235	4
235	255	5
255	275	6
275	300	7
300	340	8
340	380	9
380	420	10
420	460	11
460	500	12
500	540	13
540	580	14
580	620	15
620	660	16
660	700	17
700	740	18
740	780	19
780	820	20
820	860	21
860	900	22
900	940	23
940	980	24
980 and over, 2.5% of the adjusted tax"		

"TABLE 2.—HEAD OF HOUSEHOLD

"If the adjusted tax is: At least	But less than	The tax is—
0	$230	0
$230	250	$1
250	270	2
270	290	3
290	310	4
310	330	5
330	350	6
350	370	7
370	390	8
390	410	9
410	430	10
430	460	11
460	500	12
500	540	13
540	580	14
580	620	15
620	660	16
660	700	17
700	740	18
740	780	19
780	820	20
820	860	21
860	900	22
900	940	23
940	980	24
980 and over, 2.5% of the adjusted tax"		

"TABLE 3.—MARRIED PERSONS OR SURVIVING SPOUSE FILING JOINT RETURN

"If the adjusted tax is: At least	But less than	The tax is—
0	$300	0
$300	320	$1
320	340	2
340	360	3
360	380	4
380	400	5
400	420	6
420	440	7
440	460	8
460	480	9
480	500	10
500	520	11
520	540	12
540	560	13
560	580	14
580	620	15
620	660	16
660	700	17
700	740	18
740	780	19
780	820	20
820	860	21
860	900	22
900	940	23
940	980	24
980 and over, 2.5% of the adjusted tax",		

"(2) by striking out the table in paragraph (1)(B) and inserting in lieu thereof the following table:

"Calendar year	Percent: Estates and trusts	Percent: Corporations
1968	7.5	10.0
1969	10.0	10.0
1970	2.5	2.5".

"(3) by striking out 'July 1, 1969' the first time it appears in paragraph (2)(A) and inserting in lieu thereof 'July 1, 1970', and

"(4) by striking out paragraph (2)(A)(ii) and inserting in lieu thereof the following:

"'(ii) a fraction, the numerator of which is the sum of the number of days in the taxable year occurring on and after the effective date of the surcharge and before January 1, 1970, plus one-half times the number of days in the taxable year occurring after December 31, 1969, and before July 1, 1970, and the denominator of which is the number of days in the entire taxable year.'

"(b) RECEIPT OF MINIMUM DISTRIBUTIONS.—The last sentence of section 963(b) of such Code (relating to receipt of minimum distributions by domestic corporations) is amended by striking out 'June 30, 1969' and inserting in lieu thereof 'June 30, 1970'.

"(c) EFFECTIVE DATES.—

"(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall apply to taxable years ending after December 30, 1969, and beginning before July 1, 1970.

"(2) DECLARATIONS OF ESTIMATED TAX.—If any taxpayer is required to make a declaration or amended declaration of estimated tax, or to pay any amount or additional amount of estimated tax, by reason of the amendments made by this section, such amount or additional amount shall be paid ratably on or before each of the remaining installment dates for the taxable year beginning with the first installment date on or after the 30th day after the date of enactment of this Act. With respect to any declaration or payment of estimated tax before such first installment date, sections 6015, 6154, 6654, and 6655 of the Internal Revenue Code of 1954 shall be applied without regard to the amendments made by this section. For purpose of this paragraph, the term 'installment date' means any date on which, under section 6153 or 6154 of such Code (whichever is applicable), an installment payment of estimated tax is required to be made by the taxpayer.

"SEC—COLLECTION OF INCOME TAX AT SOURCE ON WAGES

"(a) PERCENTAGE METHOD.—Section 3402(a) of the Internal Revenue Code of 1954 (relating to requirement of withholding) is amended—

"(1) by striking out 'July 31, 1969' in paragraph (1) and inserting in lieu thereof 'June 30, 1970';

"(2) by striking out 'August 1, 1969' in paragraph (2) and inserting in lieu thereof 'January 1, 1970'; and

"(3) by inserting after paragraph (2) the following new paragraph:

"'(3) In the case of wages paid after December 31, 1969, and before July 1, 1970:

"'Table 1—If the payroll period with respect to an employee is WEEKLY

"'(a) Single Person—Including Head of Household:

"'If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over $4	$0.
Over $4 but not over $13	14% of excess over $4.
Over $13 but not over $23	$1.26, plus 15% of excess over $13.
Over $23 but not over $85	$2.76, plus 18% of excess over $23.
Over $85 but not over $169	$13.92, plus 21% of excess over $85.
Over $169 but not over $212	$31.56, plus 26% of excess over $169.
Over $212	$42.74, plus 31% of excess over $212.

"'(b) Married Person:

"'If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over $4	$0.
Over $4 but not over $23	14% of excess over $4.
Over $23 but not over $58	$2.66, plus 15% of excess over $23.
Over $58 but not over $169	$7.91, plus 18% of excess over $58.
Over $169 but not over $340	$27.89, plus 21% of excess over $169.
Over $340 but not over $423	$63.80, plus 26% of excess over $340.
Over $423	$85.38, plus 31% of excess over $423.

"'Table 2—If the payroll period with respect to an employee is BIWEEKLY.

"'(a) Single Person—Including Head of Household:

"'If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over $8	$0.
Over $8 but not over $27	14% of excess over $8.
Over $27 but not over $46	$2.66, plus 15% of excess over $27.
Over $46 but not over $169	$5.51, plus 18% of excess over $46.
Over $169 but not over $338	$27.65, plus 21% of excess over $169.
Over $338 but not over $423	$63.14, plus 26% of excess over $338.
Over $423	$85.24, plus 31% of excess over $423.

"'(b) Married Person:

"'If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over $8	$0.
Over $8 but not over $46	14% of excess over $8.
Over $46 but not over $115	$5.32, plus 15% of excess over $46.
Over $115 but not over $338	$15.67, plus 18% of excess over $115.
Over $338 but not over $681	$55.81, plus 21% of excess over $338.
Over $681 but not over $846	$127.84, plus 26% of excess over $681.
Over $846	$170.74, plus 31% of excess over $846.

"'Table 3—If the payroll period with respect to an employee is SEMIMONTHLY.

"'(a) Single Person—Including Head of Household:

"'If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over $8	$0.
Over $8 but not over $29	14% of excess over $8.
Over $29 but not over $50	$2.94, plus 15% of excess over $29.
Over $50 but not over $183	$6.09, plus 18% of excess over $50.
Over $183 but not over $367	$30.03, plus 21% of excess over $183.
Over $367 but not over $458	$68.67, plus 26% of excess over $367.
Over $458	$92.33, plus 31% of excess over $458.

"'(b) Married Person:

"'If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over $8	$0.
Over $8 but not over $50	14% of excess over $8.
Over $50 but not over $125	$5.88, plus 15% of excess over $50.
Over $125 but not over $367	$17.13, plus 18% of excess over $125.
Over $367 but not over $738	$60.69, plus 21% of excess over $367.
Over $738 but not over $917	$138.60, plus 26% of excess over $738.
Over $917	$185.14, plus 31% of excess over $917.

"'Table 4—If the payroll period with respect to an employee is MONTHLY

"'(a) Single Person—Including Head of Household:

"If the amount of wages is:	The amount of income tax to be withheld shall be:
Not over $17	$0.
Over $17 but not over $58	14% of excess over $17.
Over $58 but not over $100	$5.74, plus 15% of excess over $58.

"'If the amount of wages is: | The amount of income tax to be withheld shall be:

Over $100 but not over $367	$12.04, plus 18% of excess over $100.
Over $367 but not over $733	$60.10, plus 21% of excess over $367.
Over $733 but not over $917	$136.96, plus 26% of excess over $733.
Over $917	$184.80, plus 31% of excess over $917.

"'(b) Married Person:

"'If the amount of wages is: | The amount of income tax to be withheld shall be:

Not over $17	$0.
Over $17 but not over $100	14% of excess over $17.
Over $100 but not over $250	$11.62, plus 15% of excess over $100.
Over $250 but not over $733	$34.12, plus 18% of excess over $250.
Over $733 but not over $1,475	$121.06, plus 21% of excess over $733.
Over $1,475 but not over $1,833	$276.88, plus 26% of excess over $1,475.
Over $1,833	$369.96, plus 31% of excess over $1,833.

"'Table 5—If the payroll period with respect to an employee is QUARTERLY

"'(a) Single Person—Including Head of Household:

"'If the amount of wages is: | The amount of income tax to be withheld shall be:

Not over $50	$0.
Over $50 but not over $175	14% in excess over $50.
Over $175 but not over $300	$17.50, plus $15% of excess over $175.
Over $300 but not over $1,100	$36.25, plus 18% of excess over $300.
Over $1,100 but not over $2,200	$180.25, plus 21% of excess over $1,100.
Over $2,200 but not over $2,750	$411.25, plus 26% of excess over $2,200.
Over $2,750	$554.25, plus 31% of excess over $2,750.

"'(b) Married Person:

"'If the amount of wages is: | The amount of income tax to be withheld shall be:

Not over $50	$0.
Over $50 but not over $300	14% of excess over $50.
Over $300 but not over $750	$35, plus 15% of excess over $300.
Over $750 but not over $2,200	$102.50, plus 18% of excess over $750.
Over $2,200 but not over $4,425	$363.50, plus 21% of excess over $2,200.
Over $4,425 but not over $5,500	$830.75, plus 26% of excess over $4,425.
Over $5,500	$1,110.25, plus 31% of excess over $5,500.

"'Table 6—If the payroll period with respect to an employee is SEMIANNUAL

"'(a) Single Person—Including Head of Household:

"'If the amount of wages is: | The amount of income tax to be withheld shall be:

Not over $100	$0.
Over $100 but not over $350	14% of excess over $100.
Over $350 but not over $600	$35, plus 15% of excess over $350.
Over $600 but not over $2,200	$72.50, plus 18% of excess over $600.
Over $2,200 but not over $4,400	$360.50, plus 21% of excess over $2,200.
Over $4,400 but not over $5,500	$822.50, plus 26% of excess over $4,400.
Over $5,500	$1,108.50, plus 31% of excess over $5,500.

"'(b) Married Person:

"'If the amount of wages is: | The amount of income tax to be withheld shall be:

Not over $100	$0.
Over $100 but not over $600.	14% of excess over 100.
Over $600 but not over $1,500.	$70, plus 15% of excess over $600.
Over $1,500 but not over $4,400.	$205, plus 18% of $1,500.
Over $4,400 but not over $8,850.	$727, plus 21% of excess over $4,400.
Over $8,850 but not over $11,000.	$1,661.50, plus 26% of excess over $8,850.
Over $11,000	$2,220.50, plus 31% of excess over $11,000.

"'Table 7—If the payroll period with respect to an employee is ANNUAL

"'(a) Single Person—Including Head of Household:

"'If the amount of wages is: | The amount of income tax to be withheld shall be:

Not over $200	$0..
Over $200 but not over $700.	14% of excess over $200.
Over $700 but not over $1,200.	$70, plus 15% of excess over $700.
Over $1,200 but not over $4,400.	$145, plus 18% of excess over $1,200.
Over $4,400 but not over $8,800.	$721, plus 21% of excess over $4,400.
Over $8,800 but not over $11,000.	$1,645, plus 26% of excess over $8,800.
Over $11,000	$2,217, plus 31% of excess over $11,000.

"'(b) Married Person:

"'If the amount of wages is: | The amount of income tax to be withheld shall be:

Not over $200	$0.
Over $200 but not over $1,200.	14% of excess over $200.
Over $1,200 but not over $3,000.	$140, plus 15% of excess over $1,200.
Over $3,000 but not over $8,800.	$410, plus 18% of excess over $3,000.
Over $8,800 but not over $17,700.	$1,454, plus 21% of excess over $8,800.
Over $17,700 but not over $22,000.	$3,323, plus 26% of excess over $17,700.
Over $22,000	$4,441, plus 31% of excess over $22,000.

"'Table 8—If the payroll period with respect to an employee is a DAILY payroll or a MISCELLANEOUS PERIOD

"'(a) Single Person—Including Head of Household:

"'If the amount of wages, divided by the number of days in the payroll period, is: | The amount of income tax to be withheld shall be the following amount multiplied by the number of days in such period:

Not over $0.50.	$0.
Over $0.50 but not over $1.90.	14% of excess over $0.50.
Over $1.90 but not over $3.30.	$0.20, plus 15% of excess over $1.90.
Over $3.30 but not over $12.10.	$0.41, plus 18% of excess over $3.30.
Over $12.10 but not over $24.10.	$1.99, plus 21% of excess over $12.10.

"'(a) Single Person—Including Head of Household—Continued

"'If the amount of wages, divided by the number of days in the payroll period, is: | The amount of income tax to be withheld shall be the following amount multiplied by the number of days in such period:

Over $24.10 but not over $30.10.	$4.51, plus 20% of excess over $24.10.
Over $30.10	$6.07, plus 31% of excess over $30.10.

"'(b) Married Person:

"'If the amount of wages, divided by the number of days in the payroll period, is: | The amount of income tax to be withheld shall be the following amount multiplied by the number of days in such period:

Not over $0.50	$0.
Over $0.50 but not over $3.30.	14% of excess over $0.50.
Over $3.30 but not over $8.20.	$0.39, plus 15% of excess over $3.30.
Over $8.20 but not over $24.10.	$1.13, plus 18% of excess over $8.20.
Over $24.10 but not over $48.50.	$3.99, plus 21% of excess over $24.10.
Over $48.50 but not over $60.30	$9.11, plus 26% of excess over $48.50.
Over $60.30	$12.18, plus 31% of excess over $60.30.'

"(b) WAGE BRACKET WITHHOLDING.—Section 3402 (c) (relating to wage bracket withholding) is amended—

"(1) by striking out paragraph (1) and inserting in lieu thereof the following:

"'(1) WAGE BRACKET WITHHOLDING.—At the election of the employer with respect to any employee, the employer shall deduct and withhold upon the wages paid to such employee a tax (in lieu of the tax required to be deducted and withheld under subsection (a)) determined in accordance with tables prescribed by the Secretary or his delegate. The tables so prescribed shall be the same as the tables contained in this subsection as in effect before June 1, 1969, except the amounts set forth as amounts and rates of tax to be deducted and withheld shall be computed on the basis of table 7 contained in paragraph (1), (2), or (3) (whichever is applicable) of subsection (a).'; and

"(2) by striking out paragraph (6).

"(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply with respect to wages paid after July 31, 1969."

The ACTING PRESIDENT pro tempore. How much time does the Senator from Delaware yield himself?

Mr. WILLIAMS of Delaware. I yield myself 5 minutes.

Mr. PROUTY. Mr. President, may we have order?

The ACTING PRESIDENT pro tempore. The Senate will be in order. The Senator will not proceed until the Senate is in order.

The Senator from Delaware may proceed.

Mr. WILLIAMS of Delaware. Mr President, in my opinion the surtax should be extended for the full year on the basis of phasing it out at 10 percent for the first 6 months and 5 percent for the next 6 months.

I would much prefer—and I think it would be better procedure—to vote for this as a package, because then we would have solved the problem. However, the Senate has decided otherwise and has

now approved a 6-month extension of the surtax at 10 percent, and I respect the decision of the Senate.

The purpose of the pending amendment is to extend the surcharge for an additional 6 months from January 1, 1970, to July 1, 1970, as has already been approved by the House of Representatives and by the Senate Finance Committee. It is exactly as approved under H.R. 12290, now on the Senate Calendar.

So, what the amendment proposes to do is to put back the other 6 months of the surcharge as it was reported by the Finance Committee.

I do not want to belabor the Senate with the thought of how necessary it is in the opinion of some that Congress should settle this point for once and for all in order to remove this continued uncertainty from the markets and from the country as to what we intend to do.

I again read, the unanimous recommendations of the six former Secretaries of the Treasury. The six—John W. Snyder, George M. Humphrey, Robert B. Anderson, Douglas Dillon, Henry H. Fowler and Joseph W. Barr—made the following statement:

> We are joining together to express our firm conviction that the financial health of the nation demands prompt action by the Congress to extend the income tax surcharge for one year. Combined with control of expenditures, this is essential to produce the budgetary surplus so urgently needed to dampen inflation and maintain orderly financial markets.
>
> If inflation continues unabated, we will put into jeopardy the economic prosperity we have all worked so hard to achieve.
>
> The risks of inaction are great:
>
> At home, rising prices—and the expectation of further rises—will create new distortions and inequities that will unbalance our economy.
>
> Businessmen will continue to see their goods priced out of foreign markets as our exports become more expensive. At the same time, they will see this inflation produce a strong demand for imports.
>
> The burden of fighting inflation cannot be left to monetary policy alone. Recent developments carrying interest rates to the highest levels in a century make plain the severe pressures already operating in financial markets.
>
> We recognize that important questions of tax reform remain to be settled at a later date, and we pronounce no judgment on the structural tax changes proposed by the Administration.
>
> But we are united in the conviction that—in the interests of the nation's economic stability and its future prosperity—extension of the surcharge for one year must not be delayed.

I now read what former Secretary Robert Anderson had to say just 2 weeks ago on the same subject:

> As we consider our domestic fiscal and monetary policies three thoughts should always be in our minds: (1) The dollar is the most integral part of the world monetary system. (2) The ultimate safety of the dollar and its value does not rest exclusively in our hands but is largely and perhaps finally in the control of those abroad who hold our currency and short term debt. (3) Foreigners who do hold our short term securities have a legitimate interest in how we manage our domestic affairs when the value of our money is involved.
>
> Today the whole world watches what we do about the surtax. It is regarded as a strong indication of whether, as a nation, we have either the will or the ability to slow the rapid erosion of the currency. . . .
>
> As a nation we want to slow down excessive spending and inflation. We want to avoid the stagnation and fear that uncertainty helps to establish. . . .
>
> Whether we do our utmost to preserve and protect the monetary system essential to our own welfare and the improvement of standards of living here and abroad is now the essential question that is raised by the vote on the surtax.
>
> In the past six months I have twice seen most of the banks and bankers and a great many businessmen of Europe. They are most important to the safety of our dollar and the system of payments and international settlements the dollar supports. This is the life blood of trade and commerce—a major governing force in our exports and balance of payments.
>
> I can assure you that all the people who concern themselves in trying to contribute to the endurance of a sound monetary system for our nation and their nations are focusing on this Congress at this hour to determine whether we elect to act responsibly in our efforts to preserve the dollar's value and the world's economic hopes.

I read what former Secretary Fowler, the immediately preceding Secretary under the previous administration, had to say in a statement made 2 weeks ago in connection with the pending measure:

> The risks that are involved in delaying the definitive and final action on the surtax extension are risks that I would hesitate to accept. . . .
>
> The risk at home in an inflationary psychology, instead of being weakened during this period, may be strengthened with the consequence that the risk that wages and prices will accelerate rather than decelerate, that there will be anticipatory buying of plant equipment, goods and services, and that there would be pressure in the monetary market and on interest rates out of the uncertainty as to whether or not Federal financing is going to step in and pre-empt a significant part of the market as would be the case if the surtax were not extended.
>
> We cannot exercise that very necessary ingredient in leadership unless, it seems to me, by the month of September we have this matter of necessary fiscal action behind us.

Mr. PASTORE. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I yield.

The PRESIDING OFFICER (Mr. GRAVEL in the chair). The Senator from Rhode Island is recognized.

Mr. PASTORE. Mr. President, will not the Senator admit that the 12-month extension, together with tax reform, would better fortify the fiscal position of the Nation both domestically and internationally?

Mr. WILLIAMS of Delaware. All of the Secretaries of the Treasury have gone on record, as I stated, in favor of tax reform.

Mr. PASTORE. I know they have. And so have we. But the fact is that we have not been able to have tax reform, and this is the last clear chance we have.

That is the reason why many of us have voted for the 6-month extension rather than the 12-month extension.

I would be very pleased to vote for the 12-month extension if it were to include tax reform. However, we have had promise after promise after promise. And we have never had tax reform. This is the only chance we have, and that is the reason why I favor the 6-month extension.

Mr. WILLIAMS of Delaware. The Senator will have to speak on his own time.

Mr. PASTORE. Mr. President, may I have time?

Mr. MANSFIELD. Mr. President, I yield 5 minutes on the bill to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for 5 minutes.

Mr. PASTORE. Mr. President, do I have the Senator's indulgence to interrupt him on my time?

Mr. WILLIAMS of Delaware. Yes.

Mr. PASTORE. Mr. President, I will make the point again. The thing that disturbs me is not so much the 6 months as against the 12 months. As a matter of fact, I would be for the 12-month extension providing I would have assurance that we are going to have tax reform. There is no Member of the Senate who knows more about the parliamentary gimmicks than does the Senator from Delaware. And he knows that if we dispose permanently of the surtax problem and then treat the tax reform independently, we will have no chance to have tax reform.

The Senator knows that. He has tried to reduce the oil depletion allowance time after time. And the Senator from Rhode Island has supported him. And each time we have been unsuccessful.

All I am saying to those who feel that it is good fiscal policy to have a surtax for 12 months is, let us see how they feel about doing something to help bring about equity and justice to the whole tax structure of the country. That is the question.

We are missing the point entirely. It is not a question of what one Secretary said or what some other Secretary said. I know how they feel about the surtax. I feel the same way myself. The reason why I am for a temporary extension rather than an extension for the full period at this time is that if we go for the extension for the full period, we will never have tax reform.

Mr. WILLIAMS of Delaware. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Delaware has 30 minutes remaining.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I will yield in a moment. First, I would like to reply to the Senator from Rhode Island. He has made a very good point.

Mr. President, I am just as much in favor of tax reform as is the Senator from Rhode Island or any other Member of the Senate. I think the time is long past when we should stop making speeches and get down to voting.

I most respectfully suggest to the Senator, however, that I think we are going to have major tax reform because the Democratic Policy Committee, of which he is a member and which controls the U.S. Senate, has firmly promised that such a measure will be before us. I believe them.

However, the Senator is a member of the policy committee and may be in a

better position to judge their sincerity than I am.

I must respectfully remind the Senate that for 8 years the Democratic Party has had control of the Government, and we have not had tax reform yet.

I think it is time that we get busy. Nor am I unmindful of the fact that as a member of the Finance Committee I have seen the members of the past administration come before the Finance Committee and testify against practically every reform that has been suggested to date. I offered most of them as amendments to various tax bills.

I say that the time has come to vote and not have speeches. Speeches do not help the American taxpayers.

I want to be sure, however, that we get positive assurance that the matter will go through the policy committee. I trust them; however, I want to make it clear that if someone on the other side does not trust them he should follow my earlier suggestion that we stop the tax reform package when it comes from the House to the Senate, put it on the calendar, and then move to recommit to the Finance Committee with specific instructions to report back to the Senate on a date certain.

I will support such a proposal. That is the way to get positive assurance, and I will join with the Senator from Rhode Island in that step. However, I would still like to continue quoting the statements of other Secretaries.

While we may all be for and will vote for tax reform, the tax reform will not provide the $8 billion or $9 billion a year that we need to restore the government some semblance of fiscal responsibility.

I took the same position toward fiscal responsibility, the Senator from Rhode Island will remember, last year under the preceding administration. I fought just as hard for fiscal responsibility last year as I am fighting here today. I was then supporting the enactment of President Johnson's request for a 10-percent surcharge for a full year. I said that in the face of the $25 billion deficit we had then and in face of the inflationary psychology building up in our country I felt that for the good of the country we had to pass that bill.

I feel strongly that a similar situation exists today. I believe that the time to vote is when the roll is called and to remove this uncertainty.

I should now like to quote what the Chairman of the Federal Reserve Board, Mr. William McChesney Martin, said on this subject the other day:

> I think this is the worst period of inflation that we have had since the end of World War II.
>
> I think expectations of inflation have been built into the economy in a way that has occurred and this has become a part of the psychological deterioration of our budget since early 1965. But I think we are making progress in the present time and what we have been trying to do with monetary policy is to disinflate without having disastrous deflation.
>
> That is a very difficult thing to do and it takes a great deal of balance to keep it in that perspective. Now, this psychological problem has become very real recently and I think we are making progress currently. I think abroad and in this country there are still skeptics of whether we will be able to do this and carry through. This skepticism will be heightened and not by any sense diminished by any delay that occurs in the surtax. . . .
>
> We are not going to get lower interest rates until we get this inflation under control. . . .
>
> All I want to do is to say amen to what has been said and to say that monetary policy wants to do its part, but without complimentary fiscal policy I think we are going to get into an even more serious quagmire than we are in at the present time. I think it is essential that we disinflate without bringing on a serious deflation.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I promised to yield to the Senator from Florida.

Mr. PASTORE. I have 3 minutes remaining.

I should like to remind the Senator from Delaware that while he and I agree with the statements he has just read, there are Members of the Senate who genuinely and sincerely do not entertain the same alarm. As a matter of fact, we have had galloping inflation all during the time that we have had the surtax on the books. As a matter of fact, it has been worse after the surtax than it was before the surtax. I am not saying that the surtax did it. All I am saying is that the surtax did not completely cure it.

I am one of those who believe, with the Senator from Delaware, that it has a tremendous psychological effect. There is no question about that.

We of the policy committee did not say, "Let us do away with the surtax." We are apprehensive that many Members of the Senate feel that there should be tax reform, and they sincerely feel that if we let this opportunity slip through our fingers at this time, that chance will be lost. Therefore, all the policy committee has done—and the members have been very compromising—first, it was argued that we would go until October 30, and then it was November 30; and then, when our very genial and eloquent minority leader rose on the floor the other day and said he would be willing to subscribe to December 31, we immediately assembled the policy committee again, met jointly with the Committee on Finance, and said that is a reasonable request and we readjusted the date to December 31.

I was very much refreshed to see that the minority leader and his son-in-law came along with the promise, but I do not think he was too much successful with the remainder of his group.

So what happened? All we were trying to do here was to get a little assurance that we would get some chance at tax reform. That is all it amounts to.

Mr. President, I happen to be one of those trusting souls who believe that the Democratic Policy Committee, which includes the Senator from Rhode Island as a member, can be trusted, although I admit that he is in a better position than I to evaluate their sincerity.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LONG. I yield 3 minutes to the distinguished Senator from Florida.

Mr. HOLLAND. Mr. President, the Senator from Louisiana has yielded to me, so I will be proceeding on my time.

The PRESIDING OFFICER. The Senator from Florida has the floor.

Mr. HOLLAND. If I may have the attention of the Senator from Delaware, I thoroughly agree with him that the 5-percent surtax should continue through the first 6 months of the next year. I expect to vote that way when the appropriate time comes. I am sorry that I cannot vote that way now, because I think it is clearly indicated that the only thing we can possibly do today is to accomplish the extension of the 10-percent surtax through the last 6 months of this calendar year.

I am probably as distressed as he is that other features of the bill as reported by the committee are not now involved. I am sorry the investment credit is not involved, because I expect to vote for the repeal of the investment credit. I am sorry that the provision which takes care of some low-income families—I know that my friend the Senator from Montana is particularly interested in that—is not before us so that we can also approve that. I am sorry that the continuation of the excise taxes is not before us. And I am committed to vote for the bill as reported by the committee. The Senator from Louisiana well knows this, because I so advised him when the bill was pending before his committee.

What we are really trying to do is to get something done. While I am not a member of the policy committee and not a party to its maneuvering on the House bill on this subject during the last few days, I just want to make it very clear that I hope we shall get soon to the time when we can accomplish the full scope of that bill as reported.

I hope—and in this respect I differ somewhat from my distinguished friend and seatmate, the Senator from Rhode Island—that there will be no coupling of reform to that bill when it comes up. I understood from the commitments made yesterday by the Senator from Louisiana and the Senator from Montana, the majority leader, that we would have a separate chance to pass upon that tax reduction bill before we got the reform bill which I also expect to support. I shall expect to support the House bill, H.R. 12290, but I am not going to kill the chance of affirmative action today, of accomplishing what is possible and all that is possible at this time, by attaching more amendments to this particular bill.

I regret that I cannot support the Senator on his amendment to attach the investment credit repeal. But there is a time for everything, and this is not the time for those things. I just want to make that clear for the record.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. LONG. Mr. President, will the Senator yield 30 seconds?

Mr. WILLIAMS of Delaware. I yield to the Senator from Louisiana.

Mr. LONG. Mr. President, I ask unanimous consent that Mr. Tom Vail, the chief of staff of the Committee on Finance, and one other expert on taxes

from the Joint Committee on Internal Revenue Taxation, may have the privilege of the floor to advise Senators on technical matters.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. SCOTT. To distinguish pragmatism from fragmentism, I should like to get back to what we are really doing.

Will the Senator advise me at this point: In our proceedings, what we have done is to refuse at this time to phase out the surtax, but to continue it for 6 months, and if we do not adopt the amendment of the Senator from Delaware, then we are refusing to reduce the impact of the surtax next year, and we are refusing to phase out the surtax; and all we are left with is an extension of the 10 percent to the end of the year, plus a number of highly pious and friendly assurances. That is not what the Senator wants to do.

Mr. WILLIAMS of Delaware. To a large extent; yes.

Mr. President, the Senator from Florida has pointed out that he is for extending the surtax the full year. I most respectfully suggest that all he would have to do is to vote for it, and we will have it for the full year. It is now before us in the pending amendment.

There is no question but that the House would prefer the full year extension. They turned down the 6 months once, and they did vote for the full year.

The Senator from Rhode Island raised the question—and I will yield in a moment to other Senators who wish to speak on this matter—that the surtax last year was not as effective an instrument to control inflation as had been expected. That is true. But let us look at some of the reasons why the surtax enacted last year was not as effective a control over inflation as those who pushed for that bill thought it would be.

No. 1, it was enacted a year and a half late. President Johnson first recommended it in January 1967 and again in January 1968. It was not until June 1968, 6 months after the second recommendation, that it was enacted, and that delayed action had an adverse effect on the economy by adding fuel to the fires of inflation. Then after it was recommended in January 1967, the administration switched signals, and instead of continuing to support the tax increase, which many of us thought had to be enacted in the face of a prospective $25 billion deficit in fiscal year 1968, they reinstituted the suspended investment credit, which represented a $3 billion tax reduction and subsidy for industry. That was an inflationary act, and was recognized by nearly everyone at the time that it would have an adverse effect.

There is another point. After the bill was enacted, even at the late date, the Federal Reserve misjudged the situation and pumped money into the market at an abnormally fast rate. This, too, increased the inflation.

Then on another point, we had the $6 billion mandatory reduction in expenditures as a part of that bill, but Congress, by its actions, whittled that away and exempted $4 billion from the expenditure reduction. That went into the economy as increased spending.

Therefore, while it did not achieve all the results hoped for, the question we may well be asked, What would have happened if we had not done it? I will quote only from a former Secretary of the Treasury who was backed up by a former Secretary of the Federal Reserve. They said the American dollar would have gone down the drain if Congress had not enacted the surtax.

This is justifiable, Mr. President. I ask that we remove the cloud of uncertainty and let the American people know what the tax rate is going to be for a full year. That is essential. The question of repeal of the investment credit will be offered separately later on.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. PERCY. Mr. President, with all due respect to the distinguished Senator from Maryland, I think he underestimates the slowing down effect this surtax has actively had on the economy. We have had a slowdown, as the Senator knows. It is not as much as we might expect and it did not come as quickly as we thought, but we should look at the figures to see if we have not started to reverse the upward-spiraling trend.

The tax surcharge was oversold last year. People talked as if its enactment would produce instant economic stability. It did not and should not have been expected to. We should not now jump to the other extreme and think that the enactment of the surcharge last year had no effect and that its expiration would have no effect.

In fact, there has been a significant change in the economy since the surcharge was enacted. The annual rate of growth of total spending declined from 10.7 percent in the first half of 1968, before the surcharge, to 8 percent in the second half and 7.4 percent in the first half of 1969. The annual rate of growth of total real output declined from 6.6 percent in the first half of 1968 to 3.6 percent in the second half and 2.5 percent in the first half of 1969. This slowing down in the growth of spending and output is the necessary prelude to the slowdown of inflation which we seek and which will come if we continue patiently on the course we have set.

All of this change in the economy was not due to the surcharge, but some it certainly was. We should not conclude that because moving from a budget deficit to a surplus did not solve all our economic problems in 12 months we can now safely move back to a deficit by cutting taxes.

Our experience requires us to be modest in claiming to know just how big the effect of a tax increase or tax reduction will be, or how fast the effect will come. Still, there is no reason to think that a tax reduction now will be beneficial from the standpoint of inflation and high interest rates. Even recognizing all the uncertainties of economic prediction and prescription, a decision to cut taxes while inflation is still galloping would be a bad gamble.

One reason why the slowdown in spending and output has not yet slowed down inflation is the common expectation that the Government will not stick to its anti-inflationary policy. Many businessmen think they can safely raise prices because they think that Government deficits and easy money will be pumping the economy up again and they will be able to sell all they can produce at higher prices. In the first half of this year major union settlements have called on the average for annual increases of 7 percent in compensation, often for 3 years to come. In construction the increases have averaged 15 percent. Why do workers think they can demand such increases without a big risk of unemployment? How do employers expect to be able to pay them? It is simply because they think that inflation is going to continue at a rapid rate.

By our conduct now in delaying action on the surcharge we are feeding these expectations of more inflation. We are giving substance to the idea that the Government cannot be counted on to take timely anti-inflationary action. Every day that passes builds more inflation into the future and will make later control of inflation more difficult.

The Nation is actually suffering from an epidemic, and its name is inflation. It cannot be controlled by quarantine, because all are infected. It cannot be cured by half measures, especially half measures which ignore the facts of international competition. It will not just go away.

What is the extent and intensity of this epidemic? To equal his buying power in 1939, a worker must earn three times as much in 1969. Even more alarming, the pace of inflation is accelerating. In May 1969, the Consumer Price Index was up 5.4 percent over 1 year ago. In the same period, beef prices had risen 9.2 percent, homeownership costs were up 11 percent, and medical care services were up 8.5 percent. In terms of the 1957–59 dollar the May 1969 dollar was worth 78.9 cents. From March 1968 to March 1969, eggs were up 26 percent, insurance and financial services were up 11.6 percent, and men's and boys' clothing rose 7.2 percent. The American housewife concerned with raising her family may not be familiar with every statistic, but she knows what life is like at the grocery store checkout counter.

Few things reveal the extent of the inflationary disease and its basic causes more vividly than our declining position in international trade. As inflation has accelerated, our manufactured goods have become less and less competitive in the world market. Since 1958, our imports of manufactured goods have quadrupled while our exports have only doubled. And in recent years, our merchandise trade surplus has dwindled from over $7 billion to virtually nothing. Why? One major reason for this disastrous

decline is the great disparity between our labor costs and those in competing countries.

It is precisely this fact of world trade competition that limits our options on how to deal with inflation. Our global economy will no longer permit us to rationalize away inflationary wage and price increases as an internal phenomenon that will eventually equalize out.

The labor rate aspect of the problem of inflation is a subject which is understandably avoided by politicians but which now requires frank discussion.

Here is what has been happening. Major labor settlements in the first half of 1969 provided a median wage and benefit increase of 7.1 percent a year. As I said before, the median increase in the construction industry alone was 15 percent.

A close look at construction industry contracts negotiated thus far in 1969 tells the story. In Buffalo a new 3-year contract for 8,500 construction workers resulted in a $3.35 an hour increase, or 15 to 16 percent a year over the 3-year contract. Laborers alone were up 18 percent a year.

In Philadelphia 10,000 carpenters received a 2-year contract calling for a $2.71 an hour increase, or 21 percent a year over the 2-year period.

In Dade County, Fla., 1,800 laborers received a new 3-year contract with a $2.50 an hour increase, or 19 percent a year over the 3 years.

In Detroit 2,500 ironworkers received a 1-year contract with a $1.40 an hour increase, or 20-percent increase over the next year.

In northern Ohio 1,400 carpenters just received an 18-month contract with an increase of $2.05 an hour, or 21 percent yearly increase.

These statistics, together with other cost increases in land, interest, and materials, throw into great doubt the probability of the United States meeting its housing goals over the next decade.

Labor leaders are understandably negotiating contracts to take into account future expected price increases. In other contract settlements so far this year, in May, Chicago union lithographers gained a wage increase amounting to 20 to 34 percent over a 2-year period; in March 1969, union demands on airlines were settled with a 25.5 percent wage increase; in Buffalo, a recent settlement with the electricians union included a $3.40 hourly raise, which will bring their wage-fringe payments to nearly $10 an hour by mid-1971. Productivity increases are nowhere near these levels.

While increases of this kind seem most attractive to those who receive them, they should ask themselves, as we all must ask ourselves, what such settlements are doing to our economy in general, and to the job security of American workingmen in particular. Unit labor costs are soaring, with May 1969 unit labor cost for manufacturing being the highest on record. In 1968 the increase in hourly compensation outstripped increases in productivity by more than 4 percent.

We are in critical times. In 1970, contracts will be negotiated for close to 6 million workers in major industries. Will any reasonable restraint be exercised? I am not encouraged. The railway clerks have announced wage demands of about $1.50 per hour; a Teamster's union in the west coast soft drink industry has demanded a "per container royalty" which would mean an estimated $19,500 per year per employee.

It is difficult to blame the leaders and members of labor unions for wanting more, just as it is difficult to blame business leaders for passing their increased labor costs on to their customers, whenever possible. Yet, sooner rather than later, we must face up to the facts that these inflationary wage increases:

Rob us all of purchasing power;

Pick the pockets of those who are on fixed incomes;

Seriously damage our position in competitive world markets; and

Undermine the job security of American workers.

How should we deal with this corrosive problem? Wage and price controls? I sincerely hope not. The destruction of free collective bargaining and the ending of business decisions made free of government coercion would be a bitter price to pay.

We are all aware of the courageous and constructive steps already taken or proposed in the fiscal and monetary fields. The extension of the surtax, careful control of the money supply, and substantial cuts in Federal spending, among other measures, are essential to success. They are essential, but they are not enough. In the completely free market of classical economics they would probably have been sufficient, but we now live in a different world.

It seems to me that there is another dimension to the problem, an intangible, a human dimension. Recent days have seen the culmination of one of the great enterprises in the history of mankind. Surely the spirit of cooperation, of self-discipline, of restraint and devotion demonstrated by the people of this country in putting our men on the moon, can and should be applied to other great challenges facing the Nation.

What is now needed in the struggle against the disease of inflation is another national commitment, a moral commitment, if you like. A commitment by labor leaders to practice restraint and lead their members responsibly; a commitment by business to hold prices in line; a commitment by workers to produce more and earn every dollar of increased wages, and a commitment by the administration and Congress to do everything in their power to foster productivity, equity, stability, and hold down the cost of Government.

The top bill we are voting on today will not be sufficient to do the job of fighting inflation alone. To subdue inflation will require what has been called a spirit of creative collaboration among business, labor, and government. We dare wait no longer. We need wait no lonegr. We must act now.

Mr. President, indications I have from many, many businessmen and bankers that I have talked with in recent days leads me to believe that inflation is as much psychological as anything else. This is why it is very important that the amendment to extend the surtax for 5 percent from January 1 to June 30, 1970 pass, because if we act on this measure for a 6-month period only, the banking community, the business community, labor, and the consumer may not take seriously our intention to stick to the difficult and demanding course we have set to fight inflation. We must eliminate the uncertainty about whether this tax will die at the end of the year. The trend set by the administration to fight inflation is the trend we should keep until the battle has been won.

Mr. President, I shall ask to have printed in the RECORD a series of telegrams I have received today from some of the Nation's most prominent and respected businessmen and from prominent bankers throughout the State of Illinois. Virtually without exception—every one of these deeply concerned, knowledgeable men urge that the surtax be extended, and they mean for a full year—not just a half a loaf, but a full loaf. It would stand as the most concrete indication of our serious intention to meet this problem of inflation head on which is doing such irreparable damage to farmers, consumers, businessmen, working men, retirees, people living on fixed incomes, just to mention a few.

Mr. President, I ask unanimous consent to have printed in the RECORD the telegrams to which I have referred.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

NEW YORK, N.Y.,
July 31, 1969.

HON. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.:

I would respectfully urge support of the President in his request for extension of the surtax, and I would hope for the full year. Uncertainty as to the future does not make for stability in the market place. The fight against inflation has yet to be won, and without the surtax may well be lost. Government must lead this fight and Congress must give it the tools for it to succeed. High regards.

LUCIUS D. CLAY.

Senator CHARLES PERCY:

It is my deep conviction that no issue facing the nation today is more critical than the threat of further inflation. Therefore, I join my associate, Arthur Larkin, President of General Foods, in urging prompt Senate action to extend the surtax on income. The danger to our economic strength which is implicit in today's attack on the value of the dollar is real and present and requires every reasonable step to avert it.

CHARLES G. MORTIMER,
Chairman, Executive Committee, General Foods Corp.

NEW YORK, N.Y.,
July 31, 1969.

Senator CHARLES PERCY,
U.S. Senate,
Washington, D.C.:

In my judgment, the immediate passage of the surtax is important, first, to reassure the foreign holders of our short term debt that we are resolved to maintain the soundness of our currency and to curb inflation. Secondly, to reassure the market and those who accumulate capital in all walks of life that we are going to relieve this uncertainty

in our fiscal affairs and protect our dollar value. Finally, we want to assure our business and labor leaders that we will continue to have capital accumulation and capital expenditures so as to ensure growth, development and employment. It is periods of uncertainty which cause the postponement of development programs and can seriously and adversely affect our economic growth.

Best regards,

ROBERT B. ANDERSON.

NEW YORK, N.Y.,
July 31, 1969.

Hon. CHARLES H. PERCY,
U.S. Senate Building
Washington, D.C.:

DEAR CHUCK: Surtax is more important to the country and its economic capability for all the needs so plaguing it than the unfortunate politics now in its way. I plead for statesmanship and passage.

FRED R. KAPPEL,
International Paper Co.

CINCINNATI, OHIO, *July 31, 1969.*

Hon. CHARLES H. PERCY,
U.S. Senate:
Senate Office Building,
Washington, D.C.:

In reply to your telegram this message is to communicate our full support for the extension of the Federal surtax. In our opinion the extension is essential to the economic well-being of the country. It is needed to help curb inflation and to demonstarte our sense of fiscal responsibility to the rest of the world. Unless every effort is made to curtail inflation, we forsee serious economic consequences.

NEIL MCELROY,
The Procter & Gamble Co.

AKRON, OHIO,
July 31, 1969.

Senator CHARLES H. PERCY,
Senate Office Building,
Washington, D.C.

The President's surtax program is on the right track in fighting inflation and the best interests of business labor and the consumer will be served by acting favorably now. In my opinion and many others in our shop the cycle of increased wages due to inflation and its accompanying rising prices has already reached a very dangerous point adversely affecting the future well being of all these groups.

E. J. THOMAS,
Goodyear Tire & Rubber Co.

SAN FRANCISCO, CALIF.,
July 31, 1969.

Hon. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.

DEAR CHUCK: It is imperative that the surtax be extended as recommended by the President unless inflation is stopped. Business, labor and the consumer will suffer the serious effects of a recession. I urge you to give full support to passage of the surtax measure.

D. J. RUSSELL,
Chairman, Southern Pacific Co.

TOLEDO, OHIO,
July 31, 1969.

Hon. CHARLES H. PERCY,
U.S. Senate, Washington, D.C.:

Immediate enactment of surtax important to protect position of outstanding billions of dollars abroad and even more urgent to leave inflationary pressures reflected in skyrocketing wages and explosive prices as well as excessive interest rates here at home. Latter includes cost to government of borrowed money. Witness 110-year record rate of 7.75 percent set yesterday on refunding notes. Continuing uncertainty bound to stem from piecemeal extension of surtax and this distorts timing and stabilization of business policies and plans. Appreciate your forceful interest.

Personal regards,

HAROLD BOESCHENSTEIN,
Owens Corning Fiberglas Corp.

NEW ORLEANS, LA.,
July 31, 1969.

Hon. CHARLES H. PERCY,
U.S. Senator,
New Senate Building,
Washington, D.C.:

Failure to enact surtax in my opinion will: First, simply serve to further increase inflation, attest, the increase steel prices. Second, at some point labor must become more aware of the problems involved, and thirdly, consumer price index would indicate that if inflation is not checked we will hardly be able to escape recession. Most important, the indecision on this surtax to me has been one of the contributing factors to the recent market decline. If the American public has a bad dose of medicine to take I believe they would rather know about it.

Best regards,

ALVIN H. HOWARD,
Weil Labouisse Friedrichs & Co.

NEW YORK, N.Y.,
July 31, 1969.

Hon. CHARLES H. PERCY,
Senate Office Building,
Washington, D.C.

I take the liberty of urging your support of the re-enactment of the surtax coupled with great efforts to reduce government expenditures. It is imperative that inflation which is doing so much harm to all the people of this country be checked. Greater taxes which would reduce consumer buying power and slow up business expansion, provided these taxes are not spent by the Government but used to create a surplus in the Federal budget, are necessary at this dangerous time. My company and I personally will gladly pay our share of this increased tax as a means of correcting something that is damaging our country now and may be catastrophic in the future unless proper steps are taken to correct the situation. With great respect,

LANGBOURNE M. WILLIAMS,
Chairman, Executive Committee,
Freeport Sulfur Co.

SAN FRANCISCO, CALIF.,
July 31, 1969.

Hon. CHARLES PERCY,
U.S. Senate,
Washington, D.C.:

In response to your request for views on the surtax, am convinced that an extension is of urgent importance for both international and domestic reasons.

This extension certainly should be no less than through December 31 and ideally should continue through the first six months of 1970. I accept without reservation the President's statement of July 29 with respect to the surtax as to the effects of inflation on major sectors of the American economy. It is my firm conviction that the consequences of continued escalation in prices would be to erode the international financial and political position of the United States to adversely affect all major sectors of the American economy and to greatly intensify those social problems with which both government and business must deal.

EMMETT G. SOLOMON,
Chairman of the Board, Crocker Citizens National Bank.

DETROIT, MICH.,
July 31, 1969.

Hon. CHARLES H. PERCY,
Senate Building,
Washington, D.C.:

Doubts concerning continuation of the surtax have already dangerously reinforced popular skepticism as to the government's resolution to press the fight on price inflation to a finish. Inflationary actions based on these doubts aggravate incalculably the difficulty of that goal. Also every added dollar of Treasury deficit from lower tax revenues required a dollar of inflationary deficit financing. I urge an end to this damaging uncertainty by prompt action in continuing the surtax. We know from experiences elsewhere that price inflation is worse than any known alternatives.

ROLAND A. MEWHORT,
President, Manufacturers National Bank of Detroit.

WASHINGTON, D.C.,
July 31, 1969.

Hon. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.:

Urge utmost effort to secure immediate extension of surtax to help curb the present rate of inflation which is causing rapidly rising consumer prices, excessive interest rates and damaging wage increases. Uncertainty over surtax compounds these problems, renders business planning difficult and further contributes to a confused economic situation. I cannot overemphasize how important this is to industry.

BIRNY MASON, Jr.,
Chairman of the Board, Union Carbide Corp.

ST. PAUL, MINN.,
July 31, 1969.

Senator CHARLES H. PERCY,
U.S. Senate Office Building,
Washington, D.C.:

It is my hope that the U.S. Senate will immediately enact extension of the surtax, preferably at the present rate of 10 percent with reduction to 5 percent Jan. 1, 1970, followed by expiration June 30, 1970, with fiscal and monetary restraints beginning to show effect in the efforts to control inflation, continuing the surtax is imperative. Soaring interest rates, prices, wages, and the rising cost of living continue to threaten our Nation's economic position and the well-being of all our people. I respectfully request that you and your colleagues give your full support to extension of the surtax because of its prime importance in bringing inflationary pressures under control.

BERT S. CROSS,
Chairman of the Board and Chief Executive Officer.

NEW YORK,
July 31, 1969.

Hon. CHARLES H. PERCY,
New Senate Office Building,
Washington, D.C.:

The continued strength of inflationary pressures, despite the strong fiscal and monetary measures which have been in effect for a number of months, points to the urgent need for immediate action to extend the surcharge. Such action will allow further time in which the corrective forces working on the economy may have their results and will also demonstrate internationally that we intend to maintain the strength of our economy and our currency. The proposed program of progressive reduction in the surcharge will also require increased restraint in Federal expenditures. I therefore hope that the Senate can complete action on the House-approved bill immediately. I fully agree that tax reform should be given a very high priority, but I strongly urge that major tax legislation should only be enacted by Congress after further careful analysis.

M. L. HAIDER,
Standard Oil Co. of New Jersey.

JULY 31, 1969.

Senator CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.:

Those of us who have long advocated the extension of the surtax and believe strongly the surtax is a necessary measure against in-

flation and essential to the well being of the Nation are encouraged by reported agreement in the Senate to extend surtax at 10 percent for six months. We also strongly urge a second six month extension at the tapering off rate of 5 percent.

MORGAN TRANSFER CO.

SARASOTA, FLA., *July 31, 1969.*

Senator CHARLES H. PERCY,
Washington, D.C.:

Immediate enactment of surtax is absolutely vital to sound fiscal and economic policy.

FREDERICK H. MUELLER,
Former Secretary of Commerce.

ST. LOUIS, MO., *July 31, 1969.*

Hon. CHARLES H. PERCY
Senate Office Building
Washington, D.C.:

Extension of the surtax is vital as one of the tools to help cool our inflationary economy. Our deteriorating position in balance of trade is going to accelerate and put further pressure on *balance of payments* as we are slowly pricing ourselves out of *world markets* as the rate of inflation is not being offset by productivity or technological improvement.

CHARLES H. SOMMER,
Monsanto Co.

GREENSBORO, N.C., *July 31, 1969.*

Hon. CHARLES PERCY:

Strongly urge and support extension of surtax for the six months period. Many unknowns fiscally both here and in *international money* markets. Highly desirable in my opinion to show this fiscal responsibility.

CHARLES F. MYERS, JR.,
Chairman, Burlington Industries Inc.

JULY 31, 1969.

Urge members of U.S. Senate, place national interests above partisan considerations and extend 10% surtax through December 31, 1969 and continue surtax at 5% level for 6 months following January 1, 1970.

CHARLES P. MCCORMICK,
Chairman of the Board, McCormick Ink & Company, Inc., Baltimore, Md.

RICHMOND, VA., *July 31, 1969.*

Hon. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.:

I sincerely hope that you can support the currently proposed six month extension of the surtax because I believe that some action in this area is needed now to fight inflation. At the same time I urge you to strongly resist coupling the surtax extension with the repeal of the investment credit which is as necessary to keep United States business competitive in world markets as halting inflation.

RICHARD S. REYNOLDS, JR.,
Chairman of the Board, Reynolds Metals Co.

WORCESTER, MASS., *July 31, 1969.*

Hon. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.:

Urge immediate enactment of surtax with reduction next year. This is the major method Congress has in halting inflation.

MILTON P. HIGGINS,
Chairman, Board of Directors, Norton Co.

BOSTON, MASS., *July 31, 1969.*

Hon. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.:

I earnestly urge continuation of the Federal surtax for as long as Vietnam war continues and significant minorities question our national resolve to tackle threatening domestic problems.

LOUIS W. CABOT,
Chairman of the Board, Cabot Corp.

CLEVELAND, OHIO, *July 31, 1969.*

Hon. CHARLES PERCY,
U.S. Senate,
Washington, D.C.:

Inflation is the real danger in this country affecting all business, labor and the consumer. Immediate reinactment of the surtax is the most important contribution Congress could make to the country's welfare.

GEORGE H. LOVE,
Hanna & Co.

CINCINNATI, OHIO, *July 31, 1969.*

Hon. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.:

We urge the prompt extension of the surtax as an essential notice to the nation that America means to halt the inflationary spiral that is presently eroding the consumers purchasing power. We believe the enactment of the surtax to be probably the most important step in the stabilization of prices, labor, and costs. In our judgment extension of the surtax coupled with Federal frugality will do a lot to put our fiscal house in order.

RALPH LAZARUS,
Chairman, Federated Department Stores.
FRED LAZARUS, JR.,
Chairman, Executive Committee, Federated Department Stores, Inc.

CLEVELAND, OHIO, *July 31, 1969.*

Hon. CHARLES H. PERCY,
U.S. Senate Office Building,
Washington, D.C.:

Congress will do irreparable damage to the economy if it fails to extend the surtax for 12 calendar months as requested by President Nixon. Inflation must be slowed to keep American industry competitive in worldwide competition.

Loss of this position will cause high unemployment and great damage to the consumer. I urge immediate enactment of the surtax to avoid these consequences.

Sincerely,

G. W. HUMPHREY,
Chairman of the Board, the Hanna Mining Co.

THE LANE CO., INC.,
Alta Vista, Va., July 31, 1969.

Hon. CHARLES H. PERCY,
U.S. Senator,
Washington, D.C.:

While I don't like to pay taxes any better than any one else, I think reducing our inflation to produce a sound dollar is one of the most important things we can do. Therefore, I am for renewing the surtax as per the President's recommendation.

E. H. LANE,
Chairman.

FAIRCHILD PRINTING SERVICE, INC.,
Bensenville, Ill., July 30, 1969.

Hon. CHARLES H. PERCY,
Senate Building, Washington, D.C.:

Tight money has caused sharp drop in orders. The surtax will not curb inflation. With union wage demands even higher, try for compromise at five percent.

Mr. BURTON FAIRCHILD.

MONTANA POWER CO.,
Butte, Mont., July 31, 1969.

Hon. CHARLES H. PERCY,
U.S. Senator,
Washington, D.C.:

I believe that inflation is our Nation's most serious domestic problem, but that very important progress now is being made to halt its erosive effects. Failure to extend the surtax would nullify the progress being made, would stimulate inflation, would adversely affect the cost of living, the building of new houses and the ability of the consumers of America to buy what they require. I urge you to favor the continuation of the surtax.

JOHN E. CORETTE,
Chairman.

CINCINNATI, OHIO, *July 31, 1969.*

Senator CHARLES H. PERCY,
Senate Office Building,
Washington, D.C.:

Immediate enactment of surtax necessary to help stop inflation which is the major problem facing the Nation today. Labor, business, consumers, and Government all are being damaged seriously by rapidly increasing prices. Recommend immediate passage of the President's bill.

JOSEPH B. HALL.

SENCORE, INC.,
Addison, Ill., July 30, 1969.

Hon. CHARLES PERCY,
Senate Office Building,
Washington, D.C.:

Tight money has caused new booked orders to drop drastically for past month. I fear over correction of economy and concern that surtax will not curb inflation as long as union leaders get settlements they are now getting. Strongly suggest not reinstating surtax or to compromise at 5 percent level.

HERB BOWDEN,
President.

GENERAL FOODS CORP.,
July 31, 1969.

Senator CHARLES PERCY,
New Senate Office Building,
Washington, D.C.:

On behalf of management of General Foods Corporation I wish to advise you of our continuing conviction that extension of the income surtax is in the best economic interest of the whole Nation. Despite added burden that surtax implies for our corporation and for all of us as individuals, we agree with President Nixon that enactment is imperative to prevent still higher living costs and further erosion of the dollar. We are particularly sensitive to rising cost of living because of our direct interest in food prices and we believe that all reasonable steps must be taken to ease inflationary pressures. Consequently we hope the Congress will act promptly and decisively on this crucial issue.

ARTHUR E. LARKIN, JR.,
President.

CONTINENTAL ILLINOIS
NATIONAL BANK & TRUST CO.,
Chicago, Ill., July 31, 1969.

Hon. CHARLES H. PERCY,
Senate Office Building,
Washington, D.C.:

We believe that the need for immediate enactment of the surtax extension is imperative to curb inflation and assure the stability of the dollar. Prompt congressional action will serve to dissipate the inflationary expectations which are prevalent in the minds of many members of the business community and the consuming public.

DONALD M. GRAHAM,
Chairman.

CENTRAL NATIONAL BANK
OF CHICAGO,
Chicago, Ill., July 31, 1969.

Hon. CHARLES H. PERCY,
Senate Office Building,
Washington, D.C.:

Respectfully urge upon you and all Members of the Congress enactment of the surtax extension today. The need to curb inflation as the number one order of domestic business seems too clear to require further comment. Without it, no effort to protect

the working man in the value of his labor, or the consumer in the solvency of his household can succeed. The surtax is clearly the cornerstone of both economic and psychological evidence that this vital job will be done. I am firmly convinced that failure to extend it today will be universally taken as a clear signal that runaway inflation will continue to be our way of life and will lead to an uncontrollable surge to anticipatory inflation throughout the economy. This is the time to say we mean it, and surtax extension is the way of saying it.

ROBERT I. LOGAN,
President.

NATIONAL SECURITY BANK,
Chicago, Ill., July 31, 1969.

Hon. CHARLES PERCY,
U.S. Senate,
Washington, D.C.:

I am strongly in favor of the extention of the surtax and agree with the President's statement with respect to the importance of this action as it effect the general economy of this country.

HARRY F. PAVIS.

MID CITY NATIONAL BANK,
Chicago, Ill., July 31, 1969.

Hon. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.:

For sound economic and military policy essential to pass appropriation for ABM extend surtax for 12 months.

E. M. BAKWIN,
President.

CITY NATIONAL BANK OF KANKAKEE,
Kankakee, Ill., July 31, 1969.

Senator CHARLES PERCY,
U.S. Senate,
Washington, D.C.:

Trust that you and your colleagues will vote for surtax extension today. Seems to us that Government can show that it is exercising fiscal responsibility to our citizens as well as the world by passage. Almost to a man our customers complain about our inflationary economy. My personal opinion is that failure to extend surtax will aggravate an already bad situation.

DON R. FRANK,
President.

THE NORTHERN TRUST CO., CHICAGO,
Chicago, Ill., July 31, 1969.

Hon. CHARLES H. PERCY,
U.S. Senator,
Washington, D.C.

DEAR SENATOR PERCY: We urge you to press for extension of the ten percent surtax. Continuation of this legislation is essential if administration efforts to contain inflation are to be effective. We consider the danger of uncontrolled inflation the most critical problem facing business and labor.

Sincerely,

EDWARD BYRON SMITH,
Chairman of the Board.

CITY NATIONAL BANK.,
Metropolis, Ill., July 31, 1969.

Senator CHARLES H. PERCY,
Senate Building,
Washington, D.C.:

Our present inflationary trend must be permanently halted. Monetary restraint is not enough and at present levels is too severe on many sectors of our economy.

Fiscal policy must continue to be such to show *dramatically* and *internationally* for determined efforts to get our economy house in order.

Continued inflation in U.S. has grave financial and economic consequences world wide.

Surtax would be continued to re-assure our economic allies abroad of our desire to combat inflation and to reestablish international monetary stability.

We certainly should move as quickly as possible towards tax reforms but for the sake of our economy sur-tax extension cannot wait.

Opinion of banker of 50 years experience.

LYNDELL W. STUGGIS,
President.

STATE NATIONAL BANK,
Evanston, Ill., July 31, 1969.

Hon. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.:

Immediate extension of the surtax is necessary to combat inflation. Lack of fiscal irresponsibility caused our present problems. Please show some fortitude now.

ROBERT HUMPHREY,
President.

FIRST ARLINGTON NATIONAL BANK,
Arlington Heights, Ill., July 31, 1969.

Senator CHARLES A. PERCY,
Senate Office Building,
Washington, D.C.:

Failure to pass surtax at this juncture would be interpreted by business community as retreat from administration position. In fight on inflation price increases not yet slowed much less arrested. Tight money makes no appreciable dent in demand for money to expend. Consider surtax passage cruciai.

DOUGLAS W. DODDS.

SPRINGFIELD MARINE BANK,
Springfield, Ill., July 31, 1969.

Senator CHARLES H. PERCY,
Senate Office Building,
Washington, D.C.:

Tremendously important to enact surtax. If the current acceleration of inflation at better than a 4% rate is not checked, business, labor, farmers and the consumer will suffer. Without a strong fiscal and monetary stand, it seems to me, the only answer will be enactment of stringent credit, wage and price controls.

Sincerely,

WILLARD BUNN, JR.,
President.

DOWNERS GROVE NATIONAL BANK,
Downers Grove, Ill., July 31, 1969.

Senator CHARLES H. PERCY,
Senate Office Building,
Washington, D.C.:

We strongly urge immediate passage of bill to continue the surtax. At last we are making an honest effort to cure the economic disease, don't stop the medicine at the first sign of recovery. Let's go for the total end of deficient spending and reduction of debt. We concur completely with President Nixon's statement of yesterday on this subject.

WILLIAM WESTRUP,
President.

NATIONAL BOULEVARD BANK OF CHICAGO,
Chicago, Ill., July 31, 1969.

Hon. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.:

Strongly endorse continuance of surtax as requested by President. Tax urgently needed to stabilize money markets and in battle to control inflation so damaging to consumers, labor, and business.

H. W. WANDERS,
President.

STATE BANK,
Glenview. Ill., July 31, 1969.

Hon. CHARLES H. PERCY,
Senate Office Building,
Washington, D.C.

DEAR MR. PERCY: Urge that the Senate extend the surtax immediately in order to retard inflation which is a threat to all consumers and eventually will bring about a precipitous decline in business.

JOHN H. EEAULIEA,

FIRST TRUST & SAVING BANK,
Taylorville, Ill., July 31, 1969.

Hon. CHARLES H. PERCY,
U.S. Senator,
Washington, D.C.:

Continuance of surtax mandatory to help curb devastating inflation. Erosion of the dollar penalizes farmer, small business man and ultimately labor. Consumers especially retired on fixed income seriously injured. Surtax must be coupled with fiscal responsibility and cutback in Government spending or surtax may have negative effect.

W. B. LARSEN,
President.

THE FIRST NATIONAL BANK OF PEORIA,
Peoria, Ill., July 31, 1969.

Hon. CHARLES H. PERCY,
Senate Office Building,
Washington, D.C.:

We urge you to vigorously support extension of the surtax as recommended by the administration. Inflation is our country's greatest enemy and it is about to overwhelm our economy with disastrous impact to business, labor, farmers and the consumer. Failure to support the surtax extension would be unwitting sabotage to what should be an all out national cause.

JAMES L. JOHNSON,
President.

CHICAGO, ILL., *July 13, 1969.*

Hon. CHARLES H. PERCY,
Senate Office Building,
Washington, D.C.:

The need to control inflation through sound monetary and fiscal policies is a matter of top national priority. Monetary controls through the banking system cannot do the job alone. The immediate enactment and continuance of the 10% surtax, along with control and reduction of Government expenditures, will prevent the continued increased cost of living and restore confidence in the dollar. We urge your support of sound Government fiscal policies.

LASAPLE NATIONAL BANK.

EDGEMONT BANK & TRUST CO.,
Belleville, Ill., July 31, 1969.

Senator CHAS. PERCY,
Senate Office Building,
Washington, D.C.:

I favor extension of surtax. If this is not done I am fearful of the inflationary results.

CHAS. L. DAILY,
President.

ALTON BANKING & TRUST CO.,
Alton, Ill., July 31, 1969.

Hon. CHARLES PERCY,
U.S. Senate Building, Washington, D.C.:

Inflation is the number one enemy of this country and the enactment of the surtax is vital to the well being and security of every American. Preservation of the purchasing power of the dollar at or near present level must be maintained. Savings of millions of our countrymen are at stake. Please do all you can to stop dead in its tracks this insidious monster (inflation) bent on destroying all that the people of this country have worked and struggled to achieve.

LAWRENCE KELLER,
President.

FIRST GRANITE CITY NATIONAL BANK,
Granite City, Ill., July 30, 1969.

Senator CHARLES H. PERCY,
Senate Office Building, Washington, D.C.:

It is not possible to overstress the importance of extending the 10 percent surtax along the lines requested by President Nixon. Failure of Congress to do this would without question result in an inflationary upsurge which could be fatal to our economy. I strongly endorse an intelligent approach to tax reform but this cannot be on a crash

basis. I am convinced that the Nixon administration is firmly committed to tax reform and will do everything in its power to assist in the passage of an equitable bill. Please urge your associates in the Senate to "stop playing politics with the life savings of the people they represent."

PAUL H. LICHTENBERGER,
President.

SPRING VALLEY CITY BANK,
Spring Valley, Ill., July 31, 1969.

Senator CHARLES H. PERCY,
Washington, D.C.:

Imperative that Congress pass extension of the surtax in order to sustain the fight against inflation.

R. J. LUTHER,
Vice President.

CANTON STATE BANK,
Canton, Ill., July 31, 1969.

Senator CHARLES PERCY,
Senate Office Building,
Washington, D.C.:

We urge the enactment of the surtax immediately.

C. C. MASON,
President.

ELMHURST NATIONAL BANK,
Elmhurst, Ill., July 31, 1969.

Senator CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.:

Urgently request immediate enactment of surtax extension. The curse of inflation is almost unbearable to all segments of the economy.

DONALD M. CARLSON,
President.

STATE BANK OF FREEPORT,
July 31, 1969.

Senator CHARLES H. PERCY,
U.S. Senate, Washington, D.C.:

An immediate enactment of the surtax is most important now to lessen the chance of further inflation. Our momentum of inflation is now reaching alarming proportions and must be slowed to avoid disaster later. The only real serious attempt to cut inflation however will be governments leadership in cutting their own expenditures.

EVERETT L. WRIGHT,
President.

EXCHANGE NATIONAL BANK OF CHICAGO,
July 31, 1969.

Continuation of the surtax imperative. Inflation has reached record-breaking proportions and monetary policy alone simply cannot do the job necessary to reverse it. Sky high interest rates and tight credit are badly hurting small businesses, housing, and state and municipal improvements, but the imbalances they cause are damaging to the entire nation. Failure to extend surcharge would make such distortion even worse.

SAMUEL WILLIAM SAX,
President.

FIRST NATIONAL BANK,
Centralia, Ill., July 31, 1969.

Senator CHARLES H. PERCY,
Senate Office Building,
Washington, D.C.:

Out of town yesterday, hope statement still useful. Strongly urge Senate approve immediate enactment of surtax as recommended by President. Agree with Representative Hale Boggs that Democratic leadership of the Senate should not play a game of brinkmanship with this crucial fiscal measure. Business, labor, farmers and consumers can ill afford continuation of inflation at present rate. Enactment of surtax will help slow down present inflationary spiral.

BEN OBER,
President.

SOUTHSIDE TRUST & SAVINGS BANK,
Peoria, Ill., July 30, 1969.

Senator CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.:

Continued inflation will cause our areas largest employer to lose sales in the international market thus causing wide spread economic hardships in Peoria. The farmers are already hurt by this inflation. A great majority of our senior citizens have had to lower their standard of living because of inflation. The continuation of the surtax is a must and I hope you will do everything in your power to see that it does continue.

Very sincerely,

WILLIAM R. WARD,
President.

COMMERCIAL NATIONAL BANK,
Peoria, Ill., July 30, 1969.

Senator CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.

DEAR CHUCK: Letting surtax die would be an act of political delinquency, a substitution of narrow partisanship for statesmanship. Inflationary psychology is still rampant in downstate Illinois. People don't believe the government means it. Consequences of overbraking are real but not nearly as disastrous as releasing brakes too soon. Small business men including farmers already are pressed, cannot pass inflationary costs on, increasing the probabilities of failure. Retired people and public employees are being seriously victimized by inflation. Strongly urge support of President Nixon's plan for extension of the surtax.

DAVID E. CONNOR,
President.

MILLIKIN NATIONAL BANK,
Decatur, Ill., July 30, 1969.

Hon. CHARLES H. PERCY,
U.S. Senate Office Building,
Washington, D.C.

DEAR MR. PERCY: An urgent line to encourage your support of continuing the income surtax. Our over-stimulated, over-inflated economy is starting to show early signs that the tax and other measures are starting to be effective. Consider this tax imperative to assist in the staunching of the inflationary trends in the economy.

Respectfully,

RAY G. LIVASY,
President.

ST. CLAIR NATIONAL BANK,
Belleville, Ill., July 30, 1969.

Senator CHARLES H. PERCY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PERCY: We strongly wish your support for immediate extension of the surtax as proposed by President Nixon as imperative to the stability of the economy and the exercise of fiscal responsibility. To allow this measure to expire would have serious effects on all phases of the economy and would further worsen an already tense situation as to business, labor, farming, and consumers. Also enactment at once would certainly further international understanding of financial developments of United States and Western Europe. It will assist in restraining inflation in the United States and restoring equilibrium in balance of payments.

HAROLD KNOLLHOFF,
President.

GRANITE CITY TRUST & SAVINGS BANK,
Granite City, Ill., July 30, 1969.

Senator CHARLES H. PERCY,
Senate Office Building,
Washington, D.C.

We urge immediate enactment of the surtax.

Every facility of our economy is dependent upon retardation of inflation. Our industrial community, including labor, business and farmers, are all adversely affected and it is high time that we recognize the imperative necessity to put an end to inflation.

This is a fight that we must win for the good of all.

Sincerely,

ERNEST A. KARANDJEFF,
President.

ELLIOTT STATE BANK,
Jacksonville, Ill., July 30, 1969.

Hon. CHARLES H. PERCY,
U.S. Senator,
Washington, D.C.:

We urge immediate enactment of the surtax; agree wholeheartedly with the President's statement of July 29, 1969. We cannot believe the Senate would be so irresponsible as to let partisan politics stand in the way of the good of the country.

GILBERT H. TODD,
Vice President.

FIRST BANK & TRUST CO.,
Cairo, Ill., July 30, 1969.

Senator CHARLES H. PERCY,
U.S. Senate Building,
Washington, D.C.:

We are concerned about the continued inflationary trend in our economy which is putting unbearable pressure on certain segments of our economy, especially farmers, small businesmen and older citizens. We urge immediate enactment of the surtax.

R. N. TAAKE, Jr.,
President.

DIXON NATIONAL BANK,
DIXON, ILL.,
July 30, 1969.

Hon. CHARLES H. PERCY,
Capitol Building,
Washington, D.C.:

Urge immediate enactment of the surtax Believe the need is great to settle inflation and without passage all business, labor, farmers, and consumers will be drastically affected and conditions could become chaotic. Immediate passage could help in the settlement of interest rates, markets and so forth. Urge you use all your efforts in behalf of everyone for this cause.

DONALD R. LOVETT,
President.

TOWN & COUNTRY BANK,
Springfield, Ill.,
July 30, 1969.

Senator CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.:

Retention of the surtax is vital in the fight against inflation. Inflation is working an extreme hardship on retired pensioners, small businessmen and farmers. Rising costs due to inflation are outpacing incomes.

Sincerely,

HENRY KIRSCHNER,
President.

COSMOPOLITAN NATIONAL BANK,
Chicago, Ill., July 30, 1969.

Senator CHARLES H. PERCY,
Washington, D.C.:

Continuation of the income tax surcharge is imperative to help control the harmful effects of runaway inflation. I strongly urge your support of legislation extending the surtax for at least 1 year.

DONALD D. MAGERS,
President.

JEFFERSON STATE BANK OF CHICAGO,
Chicago, Ill., July 30, 1969.

Hon. CHARLES H. PERCY,
Senate Office, Washington, D.C.:

Urgent that the Senate pass the extension of the surtax in order to help prevent further inflation and erosion of the U.S. dollar. The high cost of living and the ever increas-

ing cost of labor must be controlled to preserve our economy.

Sincerely yours,

BERNARD FEINBERG,
President.

FIRST NATIONAL BANK & TRUST CO.,
Alton, Ill., July 30, 1969.

Hon. CHARLES H. PERCY,
Senate Office Building,
Washington, D.C.:

Surtax continuation without tax reform. Inflation must be stopped. Alternatives are controls or spiraling costs, either of which is untentable. Surtax action need now. Reforms need much more consideration.

M. RYRIE MILNOR,
President.

FIRST NATIONAL BANK,
Lake Forest, Ill., July 30, 1969.

Senator CHARLES H. PERCY,
Senate Office Building,
Washington, D.C.:

Delighted to hear that agreement has been reached to extend surtax for six months.

FRANK S. READ,
President.

CHICAGO TITLE & TRUST CO.,
Chicago, Ill., July 31, 1969.

Senator CHARLES H. PERCY,
New Senate Office Building,
Washington, D.C.:

I believe that enactment of continuation of the surtax vitally important in restoring price stability. Every effort should be made to maintain fiscal responsibility and prevent further dislocations in the economy. I urge passage of this important legislation.

PAUL W. GOODRICH,
Chairman of the Board.

O'HARE INTERNATIONAL BANK,
Chicago, Ill., July 31, 1969.

Hon. CHARLES H. PERCY,
Senate Office Building,
Washington, D.C.:

We are delighted to hear that an agreement has been reached to extend the surtax. That action will do much to slow down inflation and may help to stabilize interest rates which will stimulate the housing industry.

NILS JACOBSON,
President.

FIRST NATIONAL BANK,
Waukegan, Ill., July 31, 1969.

Senator CHARLES PERCY,
U.S. Senate,
Washington, D.C.:

We strongly urge immediate enactment of surtax extension. Coupled with this there must be severe reduction in governmental spending.

CHAS. M. STEELE,
President.

NATIONAL BANK & TRUST CO.,
Chicago, Ill., July 31, 1969.

Senator CHARLES H. PERCY,
Senate Building,
Washington, D.C.:

Strongly recommend immediate enactment of extension of surtax. The fight against intensifying inflationary pressures, fueled by increasing prices and wage settlements requires total restraining effort of both monetary and fiscal policy. The apprehension caused in minds of business, labor and consumer as spiraling prices continue upward requires an increased effort on part of Congress to enact and maintain legislation that will begin to combat existing inflationary psychology. Abandoning one of the basic economic tools, that of fiscal restraint, on the basis that its effect on the economy has been slow to take hold is not a valid reason to permit the surtax to expire at this time and intensify the already critical monetary pressures. Furthermore the removal of the surtax would amount to an expansionary fiscal policy and contribute to existing inflationary trends now endangering this country's longer term economic growth.

ALLEN P. STULTS,
President.

FIRST NATIONAL BANK,
Maywood, Ill., July 31, 1969.

Hon. CHARLES H. PERCY,
U.S. Senator,
Washington, D.C.:

If the surtax will help inflation, pass it. Rising wastes are increasing inflation pressure. Sooner or later labor must stop asking for increases. The consumer is really feeling the pinch of inflated prices and will be making himself felt by controlling buying.

LOUIS E. NELSON,
President.

EXCHANGE NATIONAL BANK,
Chicago, Ill., July 31, 1969.

Hon. CHARLES PERCY,
U.S. Senate,
Washington, D.C.:

Continuation of the surtax imperative. Inflation has reached record breaking proportions and monetary policy alone simply cannot do the job necessary to reverse it. Skyhigh interest rates and tight credit are badly hurting small businesses, housing, and State and municipal improvements but the imbalances they cause are damaging to the entire Nation. Failure to extend surcharge would make such distortions even worse.

SAMUEL WM. SAX,
President.

FIRST NATIONAL BANK,
Evergreen Park, Ill., July 31, 1969.

Senator CHARLES PERCY,
Senate Office Building,
Washington, D.C.:

In our opinion it is extremely important to maintain the surtax in order to curb inflation because of the necessity of establishing a fiscal policy that will balance income and outgo for our national economy. It can only be attained by a continuation of restriction by everyone. The cruelest tax to mankind is inflation, and the surtax at the present time is the best alternative.

MARTIN OZINGA, Jr.,
President.

FIRST NATIONAL BANK,
Skokie, Ill., July 31, 1969.

Hon. CHARLES H. PERCY,
U.S. Senator,
Washington, D.C.:

Urge you vote at this time favor enactment of extension of surtax. Our country's financial stability requires that we maintain sound fiscal and monetary policies. Reenactment of the surtax is such a step—vote for it. To permit the surtax to lapse without any measures to implement its purposes may release forces that would not be in the best interests of our national economy, both at home and abroad.

Sincerely,

W. C. GALITZ,
President.

WILMETTE STATE BANK,
Wilmette, Ill., July 31, 1969.

Hon. CHARLES H. PERCY,
Senate Office Building,
Washington, D.C.:

Imperative my judgment that the surtax be extended through December 31. Failure to enact surtax extensions would be fiscal irresponsibility and would place undue burden on monetary authorities in their fight to slow inflation rate. All segments of economy including labor and consumers are being adversely affected by steadily rising rate of inflation which is nothing more than insidious indirect taxation.

H. L. EDWARDS,
President.

Mr. WILLIAMS of Delaware. Mr. President, I thank the Senator. In just a moment I am going to yield to the Senator from Utah, who has been very patient, but first I wish to comment on what the Senator from Illinois has said.

Only yesterday our Government paid 7.75 percent interest in refinancing its debt on an 18-month note. Something must be done. This is not my opinion only. I repeat that the unanimous opinion of every living Secretary of the Treasury, every one of them, was that Congress should face up to this situation and make its decision on the surtax, not for 6 months but for 1 year. Certainly Congress has a responsibility to do so. Let us make that decision now so that not only this country but the world will know that we really mean business, that we are going to control inflation, and that we can correct this inflation psychology. I think it is very important for us to act and to act today.

How much time does the Senator from Utah request?

THE PRESIDING OFFICER (Mr. GRAVEL in the chair). The Senator from Delaware has 12 minutes remaining.

Mr. BENNETT. Mr. President, will the Senator yield to me for 3 minutes?

Mr. WILLIAMS of Delaware. I yield 3 minutes to the Senator from Utah.

Mr. BENNETT. Mr. President, it distresses me to hear members of the other party express their lack of faith in their own leadership. There is a tax reform bill almost at the door. It has been agreed to by the House Ways and Means Committee. The program by which it will be passed through that House in the next week or so has been announced; and I believe the leaders over there will carry out that program.

The way this message comes across to me is that the tax reform is 5 years away, or 10 years away. The bill will be here, certainly, before we begin our recess.

It distresses me to hear the expressions of lack of faith in the chairman of the Committee on Finance, because he has assured them over and over again that as soon as that bill comes over, the committee will pay attention to it and go to work on it.

The other party controls the Committee on Finance. The other party can set the schedule. The other party can set the pace at which that tax bill will come out.

The inference I get from that argument is that, "It is you Republicans who are preventing us from considering tax reform and until you break down and let us consider tax reform, we have to hold out on you on this extension of the surtax."

I have never heard any indication from the other side that even when we get into the subject of tax reform they will consider a further extension of the surtax.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield 2 minutes to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, no one made that accusation. We do not believe the Republicans were blocking tax

reform. But the Senator will have to admit that it has been the action of the policy committee of the Senate that somehow has prompted the House to act a little more expeditiously in the last few weeks than before then, and that is exactly the point.

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. BENNETT. Mr. President, will the Senator yield to me for 1 additional minute from the other side so that I may respond to the Senator from Rhode Island?

Mr. PASTORE. I understand I have a minute and a half left.

The PRESIDING OFFICER. Who yields time?

Mr. BENNETT. Mr. President, will the Senator yield to me for 3 minutes?

Mr. WILLIAMS of Delaware. I yield to the Senator for 3 additional minutes.

Mr. BENNETT. Mr. President, I said it was my impression that this was the way. I am perfectly willing to give the Democratic senatorial policy committee credit for hurrying the House, but the fact is they have hurried. The bill is right on the edge.

I have learned that the chairman of the Committee on Finance indicated that maybe he is going to keep the committee here over the recess to make us work on this tax reform bill. So I do not think that as of today there is a very valid reason for saying that the Senate is being denied the opportunity to consider tax reform, and that, therefore, we must have only one-half loaf on this extension of the surtax.

I am as concerned as the Senator from Delaware about the uncertainty our action today will create and the uncertainty that will be created again in October or November when we come back to face the question of whether or not we will, in fact, have another 6-month extension. The men in business who have to make basic decisions, certainly further in advance than 6 months, have now no basis on which to make those decisions.

The stock market has reacted and I think will react to this thing we are seeing here today. I do not know what effect it will have on the September meeting of the International Monetary Fund when they come here to discuss the new drawing rights program. We have told the world that we are unable or unwilling to consider the longrun policy of the United States. We are going to take it literally a day at a time in terms of important time to make plans. It is for that reason I voted against the 6-month extension and will certainly vote, now, to carry out the program recommended by President Nixon to add an additional 6 months at 5 percent.

Mr. MANSFIELD. Mr. President, I yield 2 minutes to my distinguished colleague from Montana.

The VICE PRESIDENT. The Senator from Montana is recognized for 2 minutes.

Mr. METCALF. Mr. President, I voted for the Long amendment. I am not going to vote for a bill, I am not going to vote for an extension of the surtax, until we have tax reform. I think it is dishonest and immoral when all of us, from the President on down, acknowledge that we have an inequitable and unjust tax system, to say that we will extend the surtax and compound the inequity for another year.

I am perfectly willing to vote for a surtax after we have tax reform.

I can say to the Senator from Utah that the international bankers can take scant solace from the vote we have had here, and the vote which I cast on the last vote, to declare our position for tax reform so far as the surtax is concerned. If the Senator will permit us to get a tax reform measure through, I predict that we will have a unanimous or well-nigh unanimous vote on a surtax continuation.

The only proposition that I am suggesting is that we must have tax reform before we invoke and impose upon the people of America another surtax which will not do anything to those who pay no tax whatever. Ten percent of no tax is nothing. But, 10 percent of an inequity is compounding an inequity. That is the only proposition that we are confronted with today.

Mr. WILLIAMS of Delaware. Mr. President, I am very glad to welcome the distinguished junior Senator from Montana. In fact, I was just sitting here basking in his enthusiasm when he said that we are going to have tax reform unanimously passed by the Senate. As one who for years has been trying to correct the inequities, such as the depletion allowance, I am delighted to welcome the Senator as a convert to that proposal. I will join him, and he and I will be marching down the aisle toward the cutting of the depletion allowance and a real tax reform. I am delighted to welcome the Senator to our side.

Mr. METCALF. Well now, Mr. President, if the Senator will yield, the Senator has made the suggestion. Let me say that this Senator has been as active for tax reform as has the Senator from Delaware.

Mr. WILLIAMS of Delaware. I know that.

Mr. METCALF. I have introduced bills——

The VICE PRESIDENT. Who yields time?

Mr. METCALF. The Senator does not have to welcome me as a new advocate of tax reform.

Mr. PROUTY. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield 3 minutes to the Senator from Vermont.

The VICE PRESIDENT. The Senator from Delaware has the floor.

Mr. METCALF. Who has the floor? The Senator has yielded to me.

Mr. WILLIAMS of Delaware. I do not have to. [Laughter.]

Mr. METCALF. The Senator does not have to welcome me as a convert to tax reform.

The VICE PRESIDENT. The Senator from Delaware has the floor.

Mr. METCALF. Has not the Senator yielded to me?

Mr. WILLIAMS of Delaware. I have yielded to the Senator from Vermont.

The VICE PRESIDENT. The Chair inquires of the Senator from Delaware, how much time has he yielded to the Senator from Vermont.

Mr. WILLIAMS of Delaware. Three minutes, Mr. President.

The VICE PRESIDENT. The Senator from Vermont is recognized for 3 minutes.

Mr. PROUTY. Mr. President, I think that one thing should be recognized at the outset, and that is that the greatest impact on present inflation falls upon those in the low-income brackets and those on fixed incomes. If we are going to control inflation, they will be the first beneficiaries.

Let me point out that the other body, on yesterday, voted to increase appropriations for education by approximately $1 billion. I happen to believe that most of those increases are justifiable and desirable. But, if we start reducing Federal income and add to the inflationary problem, can we, in good conscience, support programs of that nature and other much needed domestic programs?

We have got to face the whole question. We have many domestic problems to solve. If we are going to start cutting taxes now, we will hurt those in the low-income brackets first, and we will make it impossible to carry out many of the desperately needed programs at the domestic level.

I think that those points should be considered by the Senate.

I thank the Senator from Delaware for yielding to me.

The VICE PRESIDENT. The Chair would inform the Senator from Delaware that the Senator from Delaware has 4 minutes remaining.

Mr. WILLIAMS of Delaware. Mr. President, the minority leader said that it would be all right and I yield 5 minutes on the bill to the Senator from Nebraska (Mr. CURTIS).

The VICE PRESIDENT. The Senator from Nebraska is recognized for 5 minutes.

Mr. CURTIS. Mr. President, I thank the Senator from Delaware.

Mr. President, I am aware that there are many Senators who have advocated tax reform who are sincere. They are right. It should come. I remind Senators of this, however, that to hold back part of the program to extend the surtax will not aid tax reform but will hinder it.

What we need to get a tax reform package passed is some benefits, some sweetness to put in it, not an increase in taxes.

Now, if Congress can consider a package that carries some much needed reforms and at the same time grants relief to certain segments of the economy, it will be passed. But to withhold part of the surtax extension as an aid to bringing about tax reform will be entirely a futile effort. It will not work.

It has often been said that we have had a surtax and inflation has still gone on. There is nothing magic in a surtax to stop inflation. It is a deterrent to inflation only insofar as such tax tends to balance the budget.

I do not know anything about economic theories. I would hate to have to decide which group of economists is right. This one thing I know: In fiscal 1968 we had a deficit of $28.4 billion in the budget, exclusive of trust funds, that the estimate of the deficit for last June

30 was $8.6 billion, and that for fiscal 1970 we will have a deficit estimate of $4.3 billion. I do not think that that is a coincidence.

I am supporting the surtax for a full year, not because I like it, but because we are facing a deficit. We have a deficit this year. We will have one next year. We have had deficits for some time. I will support every effort that I can to hold down expenditures, but they have not been held down. The money has been spent. We need the revenue from a full year of the surtax. If I had my way, it would be 10 percent for the full year. We need it in order to notify the world, in order to notify our own people, that the U.S. Government is facing up to the realities and is trying to set its house in order.

Congress consists of two bodies. We should not yield to the House of Representatives without reason. On the other hand, we have an obligation to cooperate with them. We have an obligation to see how they look at things. The House of Representatives is proceeding on tax reform. It will come about. They will send us a bill.

The VICE PRESIDENT. The 5 minutes yielded to the Senator from Nebraska have expired. Who yields time?

Mr. CURTIS. It is very doubtful that the bill will be accepted without this 1-year provision.

Mr. MURPHY. Mr. President, will the Senator from Delaware yield me 1 minute?

Mr. WILLIAMS of Delaware. I yield 1 minute to the Senator from California.

Mr. MURPHY. Mr. President, it is getting "curiouser and curiouser." I hear on both sides of the aisle the unanimous feeling that the surtax is needed. I hear nobody objecting to the extension of the surtax. It is needed, as recommended by the five living Secretaries of the Treasury and all other financial experts. There is no argument on that score.

I also hear that there is another condition—that of tax reform. It is needed. I have heard no voice raised here against tax reform. I remind the Senate that the Senator from California has talked about tax reform for some time.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. MURPHY. Mr. President, may I have about 10 seconds?

Mr. WILLIAMS of Delaware. I yield 1 minute to the Senator from California.

Mr. MURPHY. Everybody wants tax reform. Everybody realizes that we need the surtax. I cannot understand why there is the delay.

Mr. WILLIAMS of Delaware. Mr. President, how much time have I remaining?

The VICE PRESIDENT. The Senator from Delaware has 1 minute remaining.

Mr. JAVITS. Mr. President, will the Senator from Illinois give me 2 minutes on the bill?

Mr. DIRKSEN. Yes.

Mr. JAVITS. Mr. President, the Senator from Delaware and I have been arguing for a long time that it is essential, in the highest interests of all the people of our country, that the world be reassured that we are purposeful in our fight against inflation. As evidence of that purpose, it is proposed that we have a 1-year extension of the surtax.

I realize that we have the problem of a very nice balance. Many Senators feel we should hold the tax extension as a hostage for the purpose of tax reform. Also, I feel somewhat obligated to give the necessary votes to accomplish the basic purpose which the unanimous-consent agreement would accomplish, which was done by all of us in concert.

This is the only amendment I expect to vote for. I feel it is a visual presentation to the world, so critically needed in the highest interest of our people, that we are determined to halt inflation. This would be more meaningful even than tax reform itself in stemming inflation. Therefore, I feel dutybound to vote for the effort to make this a 1-year proposition. I do not think we need to hold ourselves hostages for that purpose. I accept the pledges of the majority and minority that we will have a tax reform package. I am willing to depend on these pledges. Although to my people it may seem I am imposing more taxes on them momentarily, it will come out "in the wash" long before October 31, because I have that faith. I shall support the amendment.

Mr. MILLER. Mr. President, will the Senator yield me 2 minutes on the bill?

Mr. WILLIAMS of Delaware. I yield the Senator 2 minutes on the bill.

Mr. MILLER. Mr. President, I want to underscore what the Senator from New York said and to emphasize that today, even more than yesterday, action on the 12-month extension is necessary. In the House yesterday—and I regret that it was pretty much on a party-line vote—the majority of the House added approximately $1 billion to a Health, Education, and Welfare appropriation bill over and above the administration's budget. People in other countries who are looking to see whether or not we are going to keep our fiscal house in order are wondering even more today than they were yesterday. So the need for the full year extension is more today than it was yesterday.

That does not mean that we are going to accept the action of the House yesterday, but the warning signals are up, and they are up higher today than they were yesterday.

I feel we should follow the administration's guidance on this question. If we do not—and I regret to say this—I think we will face a continued inflationary psychology, with all its overtones, both here and abroad. I hope the amendment will be adopted.

Mr. LONG. Mr. President, I yield myself 3 minutes.

The amendment that the Senate agreed to assures that the administration, based on its May estimates, will have a surplus of $1.6 billion in its unified budget. In other words, by the vote we have already taken, $5.6 billion will be added to the Government's revenues—$3.9 billion from the income tax on individuals and $1.7 billion from taxes on corporations. So already we have voted enough taxes to assure a balanced budget for this fiscal year.

I am not averse to voting for more taxes. If it is necessary, I am willing to do it. But the majority of the Democrats are determined that they shall have an opportunity to vote on a tax reform measure. They do not want to pass all the revenue bills that this administration is requesting at this point, because they want us to bring out a tax reform package. The majority of us on the committee have undertaken to assure them that we will do exactly that.

Meanwhile, on some bill—not on this one, I would hope, but on some future bill—we will undertake to perfect the investment tax credit repeal, and that will give the administration another $1.35 billion in this fiscal year and $2.6 billion for the fiscal year 1971. This means that for the fiscal year 1970 the budget surplus will be about $3.0 billion.

If more revenue is needed, I suppose we will provide it; but we should keep in mind that it is not the surtax that is needed to stop the inflationary trend. I hold in my hand statistics which show that Government borrowing is down by $14 billion. Household borrowing is down by $3 billion—from $32 billion to $29 billion. Foreign borrowing is down by $1 billion.

What is up? Business borrowing, from $36 billion to $47 billion, an increase of $11 billion this year over last year. There is where the mischief is occurring, and that is why we must repeal the investment tax credit. I hope it will not be proposed as an amendment to this bill.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. LONG. Mr. President, I yield myself 2 minutes, or at least 1 minute, more.

We have responsibly provided enough revenues to assure a balanced budget for this year. We will provide more if necessary. Senators need not have any concern about that. But we will not do it on this bill, because Senators want an opportunity to have a vote on their ideas about tax reform. The Senator from Rhode Island wants to reduce the oil depletion allowance. I would like to reduce the tax benefits some foundations receive. The oil industry pays billions of dollars; the foundations pay nothing. I would like to tax them. But that is something we will consider when the time comes.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. LONG. I yield to the Senator from Nebraska.

Mr. CURTIS. I commend the chairman for his very realistic view of all the problems involved in getting tax reform that is acceptable, that can get enough votes to pass the bill.

I ask him this question: Would the incorporation in a tax reform bill of a provision to extend the surtax for 6 months aid its passage?

Mr. LONG. I do not think so.

Mr. CURTIS. I do not think it would either. I respect those who are opposed to the surtax and voted against it. But, certainly, it is of no value to hold it back as an aid to tax reform; it would be the contrary.

Mr. LONG. I understand the Senator's argument. That is why some Senators think we ought to have two bills, one for the surtax and another for tax reform. But they want to hold up the surtax measure until we have had an opportunity to vote on reform. As to that I think I have made my position clear. I have stated it so many times in the last

6 weeks, I cannot conceive of its not being understood by everyone.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. LONG. I yield to the Senator from Rhode Island.

Mr. PASTORE. I do not know what the chances of tax reform would be on a 6-month extension of the surtax, but I will say to my good friend from Nebraska that he and those who feel as he does will have a better chance to extend the surtax for an additional 6 months if they pass a tax reform bill.

Mr. LONG. Mr. President, I think I have made my position clear. If I thought it would change any votes, I would talk longer, but I do not, and I am ready to yield back the remainder of my time if the Senator from Delaware is.

The VICE PRESIDENT. Does the Senator from Louisiana yield back his time?

Mr. LONG. No; I said that when the Senator from Delaware is ready to do so, I shall be ready.

Mr. WILLIAMS of Delaware. I yield myself 3 minutes on the bill.

I should like to make just one point in connection with the surplus of around $4 billion claimed for next year, assuming the surcharge is extended for 6 months, as already approved by the Senate.

I point out that when they talk about a projected surplus of $4 billion next year they are proceeding on the premise that we can use as normal Government revenues between $10 billion and $11 billion that will be building up and accumulating in the various trust funds. There is not a Senator who will not acknowledge that under no law can either the administration or Congress dip into the trust funds and spend that money to defray the normal operating costs of the Government. We cannot rob the Social Security trust funds to pay for educational or welfare programs; we cannot rob the Railroad Retirement Fund; we cannot rob the other trust funds of which the Government is only trustee.

To count those funds as though they were normal revenue of the Government has but one purpose; namely, to deceive the American people as to the true state of our financial picture.

It has been suggested that last year—just this last fiscal year—we had a $3.1 billion surplus. When we take into consideration all the money that was taken out of the economy through governmental agencies, including trust funds, as related to all the money that poured in, it is true the Government took out $3 billion more than we took in, and that has to be taken into consideration. But that does not mean we had a balanced budget. Included in that figure was $8.4 billion of trust fund accumulations in the last 12 months. In addition we collected in the last fiscal year 18 months of surtaxes from corporations, because the 10-percent surcharge for corporations was retroactive to January 1, 1968, though the law was not enacted until July 1.

So in fiscal 1969 the Government had the benefit of the collection of 18 months of corporate surtaxes, and in the last fiscal year, the Government collected 15 months of individual surtaxes. The individual surtax was enacted July 1, 1968, retroactive to April 1, 1968.

These two items accounted for an extra $2 billion. There was in this same fiscal year accelerated payments of corporation taxes and excise taxes amounting to $700 million and $200 million, respectively, and altogether in fiscal 1969, counting trust fund accumulations, a total of $11.3 billion abnormal revenue. Actually our Government closed its books last year with a deficit of around $8.25 billion; that is, under the administrative budget with all its welfare and various other programs for which Congress appropriated funds, it spent $8.25 billion more than it took in. Right now we are operating, even with the surcharge, with a monthly deficit of around $600 million. Therefore, I say we have no choice except to extend the surcharge.

In making its plans the Government must take into consideration its prospective revenues for the fiscal year. It cannot project what Congress may or may not do. If we do not extend the surtax for a full year now, the Government and all others interested in fiscal and monetary policies must assume that so far as Congress is concerned, the surcharge will not be extended at a later date. Therefore, I think it is very important that we take the proper action here today and settle this question by providing for the full 1-year extension.

Mr. President, I promised to yield a minute or two on the bill to the Senator from Vermont.

Mr. AIKEN. Mr. President, I have two or three very short questions to ask the Senator from Delaware, because I should like to vote for his amendment.

Is the Senator from Delaware reasonably sure that real tax reform legislation can be enacted before next year?

Mr. WILLIAMS of Delaware. No one is absolutely sure of anything, but there is no doubt in my mind that it will be before the Senate.

The majority leader and others in cooperation with him have pledged that they want it; the Committee on Finance has said it wants it; the House is going to pass a reform bill within the next 10 days; and the chairman of the Committee on Finance has promised that that committee will expeditiously consider tax reform and report a bill I think he has said not later than October 31, if I recall correctly.

I think tax reform will be enacted for another reason: The American people are going to demand that this Congress take action.

But as the chairman of the committee very ably stated a few minutes ago, it does take time to hold hearings and give those interested an opportunity to present their views after the House of Representatives has acted. It will take a little time, and we just do not have time to wait on this question.

Mr. AIKEN. My next question is this: Yesterday the news reports showed that farm prices have dropped 2 percent in the last 30 days, and that steel prices have gone up 4.8 percent. Is this a sign that inflation is coming under control, or if not, what is it a sign of?

Mr. WILLIAMS of Delaware. Inflation is not under control, and inflation will not get under control in my opinion until Congress faces up to its responsibilities, both as to providing the necessary monetary restraints and as to reducing expenditures.

In addition I think it is going to take other actions. I do not think we in Congress can do it alone; it will require the cooperation of all in government as well as in industry and labor.

There is no question that inflation is out of control. I think that to a large extent we as a government and perhaps as individuals have too often been living beyond our income in the last few years. We are going to have to cut down and start living within our incomes and the Government certainly ought to set an example.

Mr. AIKEN. I want to make certain that everybody cuts down, not only the farmers.

I have one other question, a simple question—maybe too simple. Would it be easier to enact meaningful, if I may use that word, tax reform in the middle of an election year or in the latter part of a nonelection year?

Mr. WILLIAMS of Delaware. I should like to think that Senators will vote on tax reform proposals and various other measures according to what they think is in the best interest of the country, whether it be in an election year or not. Last year it was said that Congress could not pass a tax bill in an election year. President Johnson recommended a tax bill, and the former Senator from Florida, Mr. Smathers, and I felt that it had to be enacted. We joined in a bipartisan effort and put that bill through in an election year because it had to be done.

I think that what we are seeking to do today has to be done. I hope that we may vote for the measure as a bipartisan effort.

Mr. President, on the pending amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CURTIS. In addition to the funds anticipated by a year's extension of the surtax, are there not also some additional revenues that were taken into account, on which the Senate has taken no action?

Mr. WILLIAMS of Delaware. That is correct. The so-called budget surplus projections were made on the premise that Congress would further raise the social security tax, effective January 1, by $1.6 billion. I have not heard of that being seriously considered. This so-called budgetary surplus is also based on the premise that the Congress would retroactively—I emphasize retroactively—raise first-class postage as of July 1. That item would have raised another $519 million.

User taxes were proposed to provide $400 million in additional revenue to be effective around July 1. Those have not been considered as yet. But even assuming all of them were enacted, even assuming those funds were being provided, even assuming that revenue holds up as projected and expenditures are made as projected, and the surtax enacted for the full year—let us face it—the Government of the United States will still be operat-

ing at a deficit projected as $5 billion. Such a deficit just cannot be allowed to be incurred at this time.

Mr. LONG. Mr. President, I yield myself 2 minutes. One can look at the budget in more than one way. At the time—in 1967—when Mr. Kennedy was appointed by Lyndon B. Johnson to be chairman of the committee to study the budget and make recommendations, Mr. Kennedy recommended putting the budget on a consolidated basis, now we call it the unified budget, so that one could look at the whole budget, not merely a part of it, and determine whether the Government was taking in more money than it was spending.

In Mr. Kennedy's view it is necessary to look at the unemployment and social security revenue and at all the other revenue the Government is receiving, on a consolidated basis, and then determine whether more is being spent than is being taken in.

Mr. Kennedy came to Washington as Mr. Nixon's Secretary of the Treasury and kept the unified budget form. That is what his committee had unanimously agreed to and that was the way they believed the budget should be kept. In addition, President Johnson said it ought to be kept that way, and Richard Nixon has said it ought to be kept that way. I agree with both of them because that is how I think the budget ought to be kept—but, maybe I am an optimist. In any event, here is David Kennedy's publication from the Treasury speaking in terms of the books being kept that way. And here is how JOHN WILLIAMS thinks they ought to be kept.

If one wants to be an optimist and look at the whole thing instead of the hole in the donut, speaking concretely about this fiscal year, we would have a possible deficit of $4 billion. With the 6 months extension of the surtax we have voted for $5.6 billion in additional revenues so that we would now have a surplus of $1.6 billion.

That is the way David Kennedy looks at it. That is how Lyndon Johnson would look at it. That is how Richard Nixon would look at it. And that is how I would look at it.

We cannot persuade the Senator from Delaware to look at it in that way. If we have to take a gloomy viewpoint and look at it in his way, we have a projected deficit of about $14 billion.

If we do everything that we can in the bill and everything that the Senator is recommending, we will still have a huge deficit. In effect, the Senator from Delaware would pass an act of Congress to declare the richest Nation on the face of the earth bankrupt by an act of Congress. If the Senator wants to do it, let him do so.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. LONG. Mr. President, I yield myself 1 additional minute.

The VICE PRESIDENT. The Senator from Louisiana is recognized for 1 additional minute.

Mr. LONG. Mr. President, all I am saying is that the Government this year will take in more money than it pays out. When we do that, we do not contribute to inflation, and we act responsibly. In the final analysis, the Senator from Delaware need not worry. We will provide the administration with whatever money is needed before the year is out.

Mr. WILLIAMS of Delaware. Mr. President, I congratulate the Senator from Louisiana on his remarks. I am always interested in listening to them, and I am always amused.

Mr. President, I would like to have a vote.

Mr. LONG. Mr. President, I ask unanimous consent to have printed in the RECORD a table prepared by the Treasury, on July 18, showing how they keep the Government's books and how some feel the budget ought to be kept. The way they do it now is how I would like to have it done. We can then see both sides of the argument.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

THE FEDERAL BUDGET

[In billions]

Fiscal year	Unified budget	Administrative budget
1965	−$1.6	−$3.9
1966	−3.8	−5.1
1967	−8.8	−14.9
1968	−25.2	−28.4
1969 (estimated)	+.9	−8.6
1970 (estimated)	(1)	(2)

[1] Without the enactment of the administration program, there would be a budget deficit of $4,000,000,000. If that program is enacted the budget would be $6,300,000,000 in surplus.

[2] Without the enactment of the administration program, there would be a budget deficit of $14,600,000,000. If that program is enacted the deficit would be $4,300,000,000.

Source: Treasury Department, July 18, 1969.

Mr. WILLIAMS of Delaware. Mr. President, I have no objection.

I respect the Senator from Louisiana as highly as I do any other Senator; however, I do not delegate to him the power to interpret what I am thinking. The Senator may put his tables in the RECORD; however, I want to have it clear that they are his views.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Delaware. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 41, nays 59, as follows:

[No. 61 Leg.]

YEAS—41

Aiken	Fong	Pearson
Allott	Goldwater	Pell
Baker	Goodell	Percy
Bellmon	Griffin	Prouty
Bennett	Gurney	Saxbe
Boggs	Hansen	Schweiker
Brooke	Hruska	Scott
Cooper	Javits	Smith
Cotton	Jordan, Idaho	Stevens
Curtis	Mathias	Thurmond
Dirksen	Miller	Tower
Dole	Mundt	Williams, Del.
Dominick	Murphy	Young, N. Dak.
Fannin	Packwood	

NAYS—59

Allen	Eagleton	Hughes
Anderson	Eastland	Inouye
Bayh	Ellender	Jackson
Bible	Ervin	Jordan, N.C.
Burdick	Fulbright	Kennedy
Byrd, Va.	Gore	Long
Byrd, W. Va.	Gravel	Magnuson
Cannon	Harris	Mansfield
Case	Hart	McCarthy
Church	Hartke	McClellan
Cook	Hatfield	McGee
Cranston	Holland	McGovern
Dodd	Hollings	McIntyre
Metcalf	Proxmire	Symington
Mondale	Randolph	Talmadge
Montoya	Ribicoff	Tydings
Moss	Russell	Williams, N.J.
Muskie	Sparkman	Yarborough
Nelson	Spong	Young, Ohio
Pastore	Stennis	

So the amendment of Mr. WILLIAMS of Delaware was rejected.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. LONG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER (Mr. CRANSTON in the chair). The amendment will be stated.

The bill clerk proceeded to read the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

At the end of the bill add a new section, as follows:

"SEC. 4. TERMINATION OF INVESTMENT CREDIT

"(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to rules for computing credit for investment in certain depreciable property) is amended by adding at the end thereof the following new section:

"'SEC. 49. TERMINATION OF CREDIT

"'(a) GENERAL RULE.—For purposes of this subpart, the term "section 38 property" does not include property—

"'(1) the physical construction, reconstruction, or erection of which is begun after April 18, 1969, or

"'(2) which is acquired by the taxpayer after April 18, 1969,

other than pre-termination property.

"'(b) PRE-TERMINATION PROPERTY.—For purposes of this section—

"'(1) BINDING CONTRACTS.—Any property shall be treated as pre-termination property to the extent that such property is constructed, reconstructed, erected, or acquired pursuant to a contract which was, on April 18, 1969, and at all times thereafter, binding on the taxpayer.

"'(2) EQUIPPED BUILDING RULE.—If—

"'(A) pursuant to a plan of the taxpayer in existence on April 18, 1969 (which plan was not substantially modified at any time after such date and before the taxpayer placed the equipped building in service), the taxpayer has constructed, reconstructed, erected, or acquired a building and the machinery and equipment necessary to the planned use of the building by the taxpayer and

"'(B) more than 50 percent of the aggregate adjusted basis of all the property of a character subject to the allowance for depreciation making up such building as so equipped is attributable to either property the construction, reconstruction, or erection of which was begun by the taxpayer before April 19, 1969, or property the acquisition of which by the taxpayer occurred before such date,

then all property comprising such building as so equipped (and any incidental property adjacent to such building which is necessary to the planned use of the building)

shall be pre-termination property. For purposes of subparagraph (B) of the preceding sentence, the rules of paragraphs (1) and (4) shall be applied. For purposes of this paragraph, a special purpose structure shall be treated as a building.

"'(3) PLANT FACILITY RULE.—

"'(A) GENERAL RULE.—If—

"'(i) pursuant to a plan of the taxpayer in existence on April 18, 1969 (which plan was not substantially modified at any time after such date and before the taxpayer placed the plant facility in service), the taxpayer has constructed, reconstructed, or erected a plant facility, and either

"'(ii) the construction, reconstruction, or erection of such plant facility was commenced by the taxpayer before April 19, 1969, or

"'(iii) more than 50 percent of the aggregate adjusted basis of all the property of a character subject to the allowance for depreciation making up such plant facility is attributable to either property the construction, reconstruction, or erection of which was begun by the taxpayer before April 19, 1969, or property the acquisition of which by the taxpayer occurred before such date,

then all property comprising such plant facility shall be pre-termination property. For purposes of clause (iii) of the preceding sentence, the rules of paragraphs (1) and (4) shall be applied.

"'(B) PLANT FACILITY DEFINED.—For purposes of this paragraph, the term "plant facility" means a facility which does not include any building (or of which buildings constitute an insignificant portion) and which is—

"'(i) a self-contained, single operating unit or processing operation,

"'(ii) located on a single site, and

"'(iii) identified, on April 18, 1969, in the purchasing and internal financial plans of the taxpayer as a single unitary project.

subsection, if—

"'(C) SPECIAL RULE.—For purposes of this

"'(i) a certificate of convenience and necessity has been issued before April 19, 1969, by a Federal regulatory agency with respect to two or more plant facilities which are included under a single plan of the taxpayer to construct, reconstruct, or erect such plant facilities, and

"'(ii) more than 50 percent of the aggregate adjusted basis of all the property of a character subject to the allowance for depreciation making up such plant facilities is attributable to either property the construction, reconstruction, or erection of which was begun by the taxpayer before April 19, 1969, or property the acquisition of which by the taxpayer occurred before such date,

such plant facilities shall be treated as a single plant facility.

"'(D) COMMENCEMENT OF CONSTRUCTION.—For purposes of subparagraph (A)(ii), the construction, reconstruction, or erection of a plant facility shall not be considered to have commenced until construction, reconstruction, or erection has commenced at the site of such plant facility. The preceeding sentence shall not apply if the site of such plant facility is not located on land.

"'(4) MACHINERY OR EQUIPMENT RULE.—Any piece of machinery or equipment—

"'(A) more than 50 percent of the parts and components of which (determined on the basis of cost) were held by the taxpayer on April 18, 1969, or are acquired by the taxpayer pursuant to a binding contract which was in effect on such date, for inclusion or use in such piece of machinery or equipment, and

"'(B) the cost of the parts and components of which is not an insignificant portion of the total cost, shall be treated as property which is pre-termination property.

"'(5) CERTAIN LEASE-BACK TRANSACTIONS, ETC.—Where a person who is a party to a binding contract described in paragraph (1) transfers rights in such contract (or in the property to which such contract relates) to another person but a party to such contract retains a right to use the property under a lease with such other person, then to the extent of the transferred rights such other person shall, for purposes of paragraph (1), succeed to the position of the transferor with respect to such binding contract and such property. In any case in which the lessor does not make an election under section 48(d)—

"'(A) the preceding sentence shall apply only if a party to the contract retains the right to use the property under a lease for a term of at least one year; and

"'(B) if such use is retained, the lessor shall be deemed for the purposes of section 47 as having made a disposition of the property at such time as the lessee loses the right to use the property.

For purposes of subparagraph (B), if the lessee transfers the lease in a transfer described in paragraph (7), the lessee shall be considered as having the right to use of the property so long as the transferee has such use.

"'(6) CERTAIN LEASE AND CONTRACT OBLIGATIONS.—

"'(A) Where, pursuant to a binding lease or contract to lease in effect on April 18, 1969, a lessor or lessee is obligated to construct, reconstruct, erect, or acquire property specified in such lease or contract, any property so constructed, reconstructed, erected, or acquired by the lessor or lessee shall be pre-termination property. In the case of any project which includes property other than the property to be leased to such lessee, the preceding sentence shall be applied, in the case of the lessor, to such other property only if the binding leases and contracts with all lessees in effect on April 18, 1969, cover real property constituting 25 percent or more of the project (determined on the basis of rental value). For purposes of the preceding sentences of this paragraph, in the case of any project where one or more vendor-vendee relationships exist, such vendors and vendees shall be treated as lessors and lessees.

"'(B) Where, in order to perform a binding contract or contracts in effect on April 18, 1969, (i) the taxpayer is required to construct, reconstruct, erect, or acquire property specified in any order of a Federal regulatory agency for which application was filed before April 19, 1969, (ii) the property is to be used to transport one or more products under such contract or contracts, and (iii) one or more parties to the contract or contracts are required to take or to provide more than 50 percent of the products to be transported over a substantial portion of the expected useful life of the property, then such property shall be pre-termination property.

"'(7) CERTAIN TRANSFERS TO BE DISREGARDED.—

"'(A) If property or rights under a contract are transferred in—

"'(i) a transfer by reason of death, or

"'(ii) a transaction as a result of which the basis of the property in the hands of the transferee is determined by reference to its basis in the hands of the transferor by reason of the application of section 332, 351, 361, 371(a), 374(a), 721, or 731,

and such property (or the property acquired under such contract) would be treated as pre-termination property in the hands of the decedent or the transferor, such property shall be treated as pre-termination property in the hands of the transferee.

"'(B) If—

"'(i) property or rights under a contract are acquired in a transaction to which section 334(b)(2) applies,

"'(ii) the stock of the distributing corporation was acquired before April 19, 1969, or pursuant to a binding contract in effect April 18, 1969, and

"'(iii) such property (or the property acquired under such contract) would be treated as pre-termination property in the hands of the disturbing corporation,

such property shall be treated as pre-termination property in the hands of the distributee.

"'(8) PROPERTY ACQUIRED FROM AFFILIATED CORPORATION.—For purposes of this subsection, in the case of property acquired by a corporation which is a member of an affiliated group from another member of the same group—

"'(A) such corporation shall be treated as having acquired such property on the date on which it was acquired by such other member,

"'(B) such corporation shall be treated as having entered into a binding contract for the construction, reconstruction, erection, or acquisition of such property on the date on which such other member entered into a contract for the construction, reconstruction, erection, or acquisition of such property, and

"'(C) such corporation shall be treated as having commenced the construction, reconstruction, or erection of such property on the date on which such other member commenced such construction, reconstruction, or erection.

For purposes of this subsection and subsection (c), a contract between two members of an affiliated group shall not be treated as a binding contract as between such members. For purposes of the preceding sentences, the term "affiliated group" has the meaning assigned to it by section 1504(a), except that all corporations shall be treated as includible corporations (without any exclusion under section 1504(b)).

"'(9) BARGES FOR OCEAN-GOING VESSELS.—In the case of any ocean-going vessel which is—

"'(A) pre-termination property,

"'(B) constructed under a binding contract which was in effect on April 18, 1969, to which the Maritime Administration, Department of Commerce, is a party, and

"'(C) designed to carry barges,

then the barges specified in such contract (not in excess of the number specified in such contract) constructed, reconstructed, erected, or acquired for use with such vessel, together with the machinery and equipment to be installed on such barges and necessary for their planned use, shall be treated as pre-termination property.

"'(10) CERTAIN NEW-DESIGN PRODUCTS.—Where—

"'(A) on April 18, 1969, the taxpayer had undertaken a project to produce a product of a new design pursuant to binding contracts in effect on such date which—

"'(i) were fixed-price contracts (except for provisions for escalation in case of changes in rates of pay), and

"'(ii) covered more than 60 percent of the entire production of such design to be delivered by the taxpayer before January 1, 1973, and

"'(B) on or before April 18, 1969, more than 50 percent of the aggregate adjusted basis of all property of a character subject to the allowance for depreciation required to carry out such binding contracts was property the construction, reconstruction, or erection of which had been begun by the taxpayer, or had been acquired by the taxpayer (or was under a binding contract for such construction, reconstruction, erection, or acquisition),

then all tangible personal property placed in service by the taxpayer before January 1, 1972, which is required to carry out such binding contracts shall be deemed to be pre-termination property. For purposes of subparagraph (B) of the preceding sentence, jigs, dies, templates, and similar items which can be used only for the manufacture or assembly of the production under the project

and which were described in written engineering and internal financial plans of the taxpayer in existence on April 18, 1969, shall be treated as property which on such date was under a binding contract for construction.

"'(c) LEASED PROPERTY.—In the case of property which is leased after April 18, 1969 (other than pursuant to a binding contract to lease entered into before April 19, 1969), which is section 38 property with respect to the lessor but is property which would not be section 38 property because of the application of subsection (a) if acquired by the lessee, and which is property of the same kind which the lessor ordinarily sold to customers before April 19, 1969, or ordinarily leased before such date and made an election under section 48(d), such property shall not be section 38 property with respect to either the lessor or the lessee.

"'(d) RATE OF CREDIT WHERE PROPERTY IS PLACED IN SERVICE AFTER 1970.—In the case of property placed in service after December 31, 1970, section 38 and this subpart shall be applied by reducing the 7 percent figure of section 46(a)(1) by one-tenth of 1 percent for each full calendar month between November 30, 1970, and the date on which the property is placed in service, except that in the case of property placed in service after December 31, 1974, 0 percent shall be substituted for 7 percent.'"

"(b) LIMITATIONS OF USE OF CARRYOVERS AND CARRYBACKS.—Section 46(b) (relating to carryback and carryover of unused credits) is amended by adding at the end thereof the following new paragraph:

"'(5) TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1968, AND ENDING AFTER APRIL 18, 1969.—The amount which may be added under this subsection for any taxable year beginning after December 31, 1968, and ending after April 18, 1969, shall not exceed 20 percent of the higher of—

"'(A) the aggregate of the investment credit carrybacks and investment credit carryovers to the taxable year, or

"'(B) the highest amount computed under subparagraph (A) for any preceding taxable year which began after December 31, 1968, and ended after April 18, 1969.'"

"(c) RULES RELATING TO CERTAIN CASUALTIES AND THEFTS.—Section 47(a)(4) (relating to rules with respect to section 38 property destroyed by casualty, etc.) is amended by adding at the end thereof the following.

"'Subparagraphs (B) and (C) shall not apply with respect to any casualty or theft occurring after April 18, 1969. In the case of any casualty or theft occurring on or before April 18, 1969, to the extent of any replacement after such date (with property which would be section 38 property but for section 49) this part shall be applied without regard to section 49.'"

"(d) CONFORMING AMENDMENT.—The table of sections for subpart B of part IV of subchapter A of chapter 1 (relating to rules for computing credit for investment in certain depreciable property) is amended by adding at the end thereof the following new item:

"'Sec. 49. Termination of credit.'"

Mr. WILLIAMS of Delaware. Mr. President, this is an amendment which should receive the overwhelming support of both sides of the aisle. We have heard much said today about the fact that Members wanted tax reform at the same time we extended the surtax. This amendment is a major tax reform. It would repeal the 7-percent investment credit. On an annual basis this credit represents $3¼ billion a year in the form of a subsidy for American industry at a time when we are utilizing only 84 percent of our plant capacity, at a time when one of our major problems in combating inflation is the fact that there are strains on the money market and strains on the demand for labor and materials. Certainly this is not the time to keep this subsidy on the books.

It is generally admitted by all concerned that last year's restoration of the investment credit did accelerate the inflation at that time. The administration is now asking that it be repealed. The Democratic policy committee in the House and the Senate has endorsed the repeal. Republicans and Democrats have publicly endorsed this repeal. It was voted out of the Finance Committee by 9 to 8, but that did not represent the true sentiment of the committee on this measure, as I am sure the chairman of the committee will bear me out. Many of those Members who were not ready to report the bill at that time for various reasons say they are in favor of this proposal. Certainly this is one step toward reform that we can take today.

As I have stated, it not only would bring in $1.3 billion in the next fiscal year, but on a full year's operation it represents about $3.25 billion.

Surely with all of the great speeches we have had here today about support of tax reform everybody must be looking forward to this vote. We can get tax reform now by our votes on this amendment. Now, under the unanimous-consent agreement, we have this amendment before us. This is an opportunity to vote "yea" and close this subsidy which in my opinion, particularly at a time like this, is unwarranted.

This investment credit which is now on the books means that, with respect to the equipment subject to the credit, industry is in effect being subsidized 7 percent of the cost. Certainly at a time when we are hearing much criticism about the farm support program costing too much and that other subsidies must be rolled back this is one area where Congress can act by repealing this tax credit and take one step forward toward major tax reform.

Mr. President, I withhold the remainder of my time.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MAGNUSON. Mr. President, does not the Senator believe there should be some further consideration of the repeal of this particular tax credit? I think we should hesitate to enact a complete repeal of the investment tax credit without consideration of the effects on some segments of the business community.

For instance, we must consider the time lag between the original order and the delivery date on certain capital investments. I speak from what we see in our Committee on Commerce and in the entire transportation field. This tax credit has been relied upon by nearly everyone in the transportation field. It involves the building of freight cars, barge lines, the delivery of airplanes, and the major rolling stock of nearly every form of transportation.

In the merchant marine, for example, from the time a ship is ordered to the time that ship is put into operation sometimes is well beyond the period stated in the bill. Perhaps the orders were made, based on legitimate and valid assumptions, and the firms involved took advantage of this particular tax credit of 7 percent. As a result of circumstances like these, the rolling stock of all types of transportation has been able, heretofore, to keep up with demand. But repeal of the investment tax credit without regard to this problem could have a drastic and immediate effect.

I have no doubt that if we repeal the entire investment tax credit there will be another freight problem, another problem on the railroads, among the airlines, and in the barge lines—particularly the barge lines—because the delivery date of capital stock in those fields is months or even years after the initial order.

I shall give an example. When airlines order airplanes, they might order all they need within a 2-month period, but the planes are not delivered in a 2-month period because the contractor can only roll out so many so fast.

In addition, the contractor is producing other aircraft which our Nation needs—some jumbo types or some smaller types—and the delivery date for any particular aircraft may be far down the line in order of priority.

Mr. President, these are some of the reasons why I think the committee should take a new look at repeal of this tax credit, so there will be no injustice to industries with these particular problems.

I hope the committee will consider this matter more closely. It is a matter that deserves a more complete hearing before the Senate Committee on Finance.

Mr. WILLIAMS of Delaware. I agree. Hearings should be and were held. Extended hearings were held in the House.

Mr. MAGNUSON. I am speaking about the Senate and the responsibility of the Senate.

Mr. WILLIAMS of Delaware. Mr. President, I remind the Senator that Senate hearings were held on July 8, 9, 11, 14, and 15.

Mr. MAGNUSON. I know, but I would suggest that the particular problems I have been discussing have not received as complete and thorough a study as they deserve, although repeal of the tax in general has been studied extensively.

Mr. WILLIAMS of Delaware. We did hold hearings on this matter.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator is recognized.

Mr. WILLIAMS of Delaware. Hearings were held in July for 5 days on this subject, and the bill has been reported to the Senate.

I remind the Senator that this is a measure first introduced and reported by the House after long and adequate hearings. It was reported to the Senate by the Committee on Finance after 5 days of hearings. So all of this has been taken care of, and all we have to do now is vote.

Mr. ALLOTT and Mr. TALMADGE addressed the Chair.

Mr. WILLIAMS of Delaware. Mr. President, I yield 2 minutes to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I have been concerned about this same ques-

tion that has been raised by the Senator from Washington. I should like to ask the Senator one or two questions. The first one is: Does he think that the investment tax credit should be utilized in its imposition, or doing away with it, as a means of controlling the fiscal policy of this country?

Mr. WILLIAMS of Delaware. Not altogether.

Mr. ALLOTT. As one of the elements.

Mr. WILLIAMS of Delaware. Yes, as one of the elements. Because there is no question that when the investment credit was reinstated plant expansion did accelerate; there is no question that each time it has been repealed there was a slowdown. At this time that is what we are trying to promote. I do not believe there is any question but that this is an equally important part of the inflationary controlling package.

Mr. ALLOTT. Would the Senator say that he feels this can be imposed or taken off without placing the various competitive industries, whether it be steel, oil, or motors, or the corner grocery store, whether it can be put on and replaced without placing competing industries and competing businesses in an unfair competitive situation?

Mr. WILLIAMS of Delaware. I do not see that it would except perhaps that it would be less competitive as between industries——

Mr. ALLOTT. No, no——

Mr. WILLIAMS of Delaware (continuing). That compete with foreign countries. It can and to that extent——

Mr. ALLOTT. That is not my question. If we have a cut-off date of the 1st of April, say, and one company has committed itself before this time with a purchase of capital investments, and another one has decided it is in its best interest to put it off until the last half of the year, and it is imposed as of the 15th of April, or the 18th, as I believe it is in the bill, would not the Senator agree that as between the two competing businesses, it places one in an unfair competitive situation?

Mr. WILLIAMS of Delaware. There is no question that that situation could arise and would arise. No matter what dates were picked we would find the same situation developing, and perhaps more so with other dates. The same inequities would develop when two companies bought their equipment 3 days or the day before the bill was originally enacted; one lost it, but the other got it. When we take a bill of this kind we cannot help having such an inequity develop whenever we do it. Frankly, I do not like the idea of having this on-again off-again tax legislation. I personally would prefer, rather than ever considering restoring the investment credit again, the liberalization of the depreciation allowance. Then all businessmen could compute their depreciation rather than have a subsidy.

Mr. ALLOTT. I want to say that I agree with the Senator on that point, but along the same line, we maintain and he has just discussed, whether it would apply to the removal of the tax investment credit. The same inequities that the Senator has discussed would arise upon the repeal of the income tax credit as between competing industries as would apply to the imposition of the investment tax credit.

Mr. WILLIAMS of Delaware. That is right.

Mr. ALLOTT. The Senator mentioned the date. The date in this particular bill is April 18. There are five dates, as I see it, which might constitute a reasonable cutoff date. One would be the date the President's message came up to Congress. One would be the date it was introduced in the House. One would be the date the House passed it. One would be the date the Senate passed it. The last would be the date it actually became law.

In this case, as I recall the facts, the date of April 18 precedes the President's message by 3 days. Will the Senator explain that?

Mr. WILLIAMS of Delaware. Yes. It has always been customary, heretofore, that on a change in tax law, such as is embraced in the change in the investment tax credit, whether reinstatement or repeal, the date of the President's message would be the effective date. Such a date was utilized in preceding actions, whether we repealed or enacted the tax credit.

Now, in this instance the reason it was rolled back the 3 days is that in some manner—which I do not understand, and no one else seems to—there apparently was a leak on the administration's decision. The President on Monday morning, April 21, recommended repeal of the investment tax credit as of midnight Sunday night, or effective that day. Later it was called to our attention in the committees that on the Sunday just preceding the President's message, about $900 million worth of equipment had been purchased by companies which had opened up their offices on a Sunday and bought in order to get ahead of the deadline. The Ways and Means Committee and our committee concurring felt that in all fairness we would have to roll the date back to April 18 so that at least the inequity would be on a basis of all getting caught without any advance information. I understand there were about $900 million involved in purchases by one or two companies; so for that reason the committee rolled it back to the 18th of April date, which was agreed upon by both tax writing committees.

Mr. ALLOTT. But since the practice has been to take it, upon the basis of tax matters, as of the date of the President's message, does the Senator not think that this is bad practice, to roll it back, when the average businessman in the United States did not have access to this roll back and, therefore, might get caught in the trap with respect to——

Mr. WILLIAMS of Delaware. No; I do not think anyone got caught in a trap, because the average businessman does not normally open his office and buy $800 or $900 million worth of equipment on a Sunday.

Most businesses are closed on Saturday and Sunday. When one opens an office on a Saturday or Sundays and buys such a large amount of equipment it is usually for a specific purpose. Thus I do not believe that anyone got caught in this particular case.

Mr. ALLOTT. I thank the Senator from Delaware very much.

Mr. MILLER. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield 1 minute to the Senator from Iowa.

The VICE PRESIDENT. The Senator from Iowa is recognized for 1 minute.

Mr. MILLER. I should like to add to what the Senator from Delaware has had to say in response to the questions of the Senator from Colorado.

As I understand it, what is done is to pick a date, after which the public in general could be said to have been placed on notice. I suggest to the Senator from Colorado that April 1 would be another date that could be used, because that is the date when the report on the Joint Economic Committee came out and the majority opinion recommended repeal of the investment tax credit. So, from that standpoint one could say that the general public was placed on notice that this was in the picture and perhaps even more so.

Mr. TALMADGE. Mr. President, I yield myself such time as I may require.

The VICE PRESIDENT. The Senator from Georgia is recognized.

Mr. TALMADGE. Mr. President, almost every Senator that I have talked with is in favor of the repeal of the investment tax credit. The Finance Committee has twice voted to repeal it. Each time we have made it clear that we intend to repeal it as of April 18, 1969, the date contained in the committee report and the House version of H.R. 12290 and in the amendment offered by the Senator from Delaware.

I also point out the Democratic Policy Committee unanimously had pledged itself accordingly. But the bill to repeal it is yet to be perfected, even though the Finance Committee reported it.

As a matter of fact, Mr. President, the bill came before the Finance Committee in executive session, several Senators had perfecting amendments they intended to offer. We did not have a chance to offer a single amendment, not even to cross a "t" or dot an "i".

There are many provisions of this bill that do indeed need careful study. The investment tax credit is one of them that needs the most study of all.

The amendment I had intended to offer in the Finance Committee, and I had every reason to believe it would have been accepted because I had talked to Members on both sides of the aisle, related to the harsh effect of the phase-out rules on a business which must of necessity order its assets well in advance of the expected delivery date. It would also relieve the harsh effect of the carryover rules contained in the House version.

Several Senators have indicated that they want to offer amendments to preserve some part of the investment tax credit for small business and for farming. I might say that a number of amendments have been offered with this purpose in mind. Senator STEVENS, of Alaska, has introduced amendments to try and preserve the credit for investments in depressed areas. We should explore that before we finally vote on the repeal rules. There are Senators who want to try and do something for the transportation industry, the rolling stock

of railroad, and so on. We should explore that question in committee.

The so-called Lockheed amendment contained in the House bill is drafted in such a way that it does an injustice to the Douglas Aircraft Co., which competes with Lockheed in the airbus market. We should not give either one of those companies a competitive advantage over the other. Rather, we should try to treat them both alike.

Senator PROXMIRE wants to delete the Lockheed amendment. Senator SYMINGTON wants to extend it to Douglas Aircraft.

The lease rules which the House wrote into the repeal bill are deficient in a number of respects, making them very inequitable, depending on how the taxpayer worked out his lease arrangement.

The House provision respecting the tax credit for barges used on the modern new barge-carrying cargo ships is deficient in that only the subsidized lines get relief. We should explore this question in greater detail in committee and try to bring some equity into the provision so that the nonsubsidized shipping lines will not be further discriminated against.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. TALMADGE. I yield myself 3 additional minutes.

The coal industry and the oxygen and compressed gas industries also have a legitimate complaint about the House bill. They were covered and protected with respect to their contractual commitments by the investment credit suspension bill in 1966. The House adopted all of the 1966 transitional rules except for this one dealing with coal and oxygen contracts. Some of the members of the Finance Committee are still unable to understand the logic of the House action, and we want to inquire into that matter further.

These are just some of the reasons why we would be premature if we acted on the Williams amendment at this time.

As for business certainty, I think that by now business is certain the investment tax credit is going to be repealed. I think by now business is certain that the repeal date is going to be April 18. Against this background, I do not believe that business has a right to think that the investment tax credit is not going to be repealed, and they ought to go ahead and make their business plans and commitments on the very definite assumption that the credit is going to be repealed.

But, I say again, we should repeal it only after the Finance Committee has had an opportunity to explore, discuss, and vote on the inequities in the House bill.

I may say that I have discussed this matter with some members of the Ways and Means Committee. They think it needs clarifying action. Members of the staff are unanimous in their view that it needs clarification, perfection, and amendment. The provisions of this bill, as presently written, take money from taxpayers, not only retroactively, but take money from taxpayers earned before the time that the President of the United States made his recommendation.

Mr. LONG. Mr. President, will the Senator yield?

Mr. TALMADGE. I am delighted to yield to my distinguished chairman.

Mr. LONG. Something was said about hearings. We conducted 2 weeks of hearings. Just look at this list of witnesses. We heard from the whole broad spectrum of the economy—members of industry, farmers, laborers, and everybody else. Everybody who is affected by it came in to describe the inequities the bill contained. The gist of their position was, "If you are going to repeal, please do justice; please do equity. You would be unfair if you did it only for one taxpayer or group of taxpayers and did not do it for us."

For example, on the so-called barge amendment, the unsubsidized people say it is completely unfair: "We are in much worse shape than the subsidized steamship companies of the country." Because we are proposing to except the subsidized people from the repeal of the investment tax credit, and these poor unsubsidized people do not get such an exception, they ask, "What kind of justice is that?"

Certainly, if we give it to one, we should give it to others.

The Senator from Missouri (Mr. SYMINGTON) says, "If you are going to do it for Lockheed, you should do it for Douglas as well."

The Senator from Wisconsin (Mr. PROXMIRE) says, "You should not do it for either one."

So if this question is to be considered, we ought to be able to vote on both amendments, one to give to Douglas the same benefit we gave to Lockheed; and the other not to give it to either one of them.

This volume contains nothing but 530 pages of inequities. Read it. And we did not vote on a single one of them, as the distinguished Senator from Georgia has indicated.

Mr. TALMADGE. The distinguished Senator is entirely correct. I hold in my hand a list of 19 witnesses who appeared before the Finance Committee, every one of them complaining of inequities in the phaseout of the investment tax credit.

I ask unanimous consent at this point that it be inserted in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Roscoe L. Egger, Jr., U.S. Chamber of Commerce.
G. W. James, Air Transport Association.
Peter K. Nevitt, GATX, Armco, Boothe.
John B. Huffaker, Federal Tax Committee of the Greater Philadelphia Chamber of Commerce.
Harry A. Poth, Jr., Minnesota Power and Light Company.
Thomas M. Goodfellow, Association of American Railroads.
Edwin A. Locke, Jr., American Paper Institute.
Herbert B. Cohn, Edison Electric Institute.
Walker L. Cisler, The Detroit Edison Company.
Bradford S. Magill; Naylon, Huber, Magill; Lawrence and Farrell, attorneys.
Reeves E. Ritchie, President, Arkansas Power and Light Company.
Charles I. Derr, Machinery and Allied Products Institute.
T. F. Patton, Republic Steel Corporation.

And these witnesses testified in opposition to the special limitation on the use of accumulated tax credits:

Roscoe L. Egger, Jr., U.S. Chamber of Commerce.
Thomas M. Goodfellow, Association of American Railroads.
G. W. James, Air Transport Association.
Eric A. Trigg, Alcan Aluminum Corporation.
John M. Randolph, Computer of Lessors Association, Inc.
Edwin A. Locke, Jr., American Paper Institute.

Mr. LONG. One of the witnesses, speaking for agriculture, said complete repeal would not be fair to agriculture and asked for an exemption. Another one spoke for the paper industry, saying, "You ought to consider our particular problem."

The House added five amendments to take care of these types of situations, in some cases to take care of a single company. Now all of these other people are saying, "If you are going to consider their problem, you ought to do justice for our problem."

Mr. TALMADGE. All we would be doing would be simply ignoring the pleas of the witnesses who came before the committee. The trouble is we are in the dark, sailing on without knowing what we are doing.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield.

Mr. SPARKMAN. I recognize the conditions under which we are proceeding at the present time, but I submitted to the committee an amendment which I felt was entirely just.

Mr. TALMADGE. We did not have a chance to consider the amendment of the Senator from Alabama.

Mr. SPARKMAN. That is what I am saying.

Mr. TALMADGE. We did not have a chance to consider anything. A Senator moved that the bill be reported. The motion was put. It was voted on. By a vote of 9 to 8, it was reported to this body. I have been here 12½ years, and this is the first time I have seen such a thing done in this body.

Mr. SPARKMAN. Let me remind the Senator that the amendment I had intended to offer would have provided a good deal of relief for small businesses, which today are under heavy financial pressure. They must compete with foreign companies—having the advantage of laws comparable to our investment credit—in export markets and throughout this country. Small U.S. firms really need to have the credit continued in order to bring their plants up to date and to get new cost-cutting equipment. This is highly important for the balance of payments. I would certainly want that amendment to receive attention when this matter was brought up.

Mr. TALMADGE. It deserves consideration.

Mr. SPARKMAN. If the committee does not adopt it, I propose to offer it as an amendment on the Senate floor, because I think it is just, equitable, and right. I certainly want an opportunity to present it.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. TALMADGE. I yield.

Mr. MANSFIELD. Mr. President, I wish the Senate to take seriously the remarks

just made, because they were not made in jest. It is my purpose, at the appropriate time, to move to table the pending amendment. Hopefully, that motion will succeed. If it does not, I wish to assure the Senate that what will develop—which will go beyond the hour of midnight, in my opinion—will be a Christmas tree bill, because I have it on excellent authority that there are at least six amendments in Senators' hands, and perhaps 27, to consider, with an hour on each.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MUNDT. I simply want to appeal to the noble sense of fair play that the majority leader has always manifested, in the interests of future tranquility in the Senate—we have to get unanimous consent so frequently to do so many things—I express the hope that he will not move to table this Williams amendment until the Senator from Iowa (Mr. MILLER) and I, who have an amendment to that, will have a chance to offer it. Otherwise, he would block us out of offering and discussing our amendment.

Mr. MANSFIELD. Oh, no; no more than we would be blocking a lot of Senators over here who have amendments to offer to the Williams amendment.

Mr. MUNDT. If we are going to establish a practice, Mr. Majority Leader; if we are going to use this tactic of unanimous consent in this kind of fashion, to bar us from offering amendments through taking action so the basic amendment is laid on the table, we are going to have a lot of trouble with unanimous consent requests in the future.

Mr. MANSFIELD. Mr. President, this is not through unanimous consent. This will be a tabling motion, and I have discussed this with the Senator from Delaware and the minority leader before the unanimous-consent agreement was arrived at yesterday. So this is not something being pulled out of the hat.

Several Senators addressed the chair.

Mr. TALMADGE. Mr. President, I had a perfecting amendment in mind which I intended to offer, but I am perfectly content with the procedure the distinguished majority leader has outlined. I do not think we ought to write tax legislation of this complexity on the Senate floor. It is difficult to understand. You need the advice of experts. You have to sit around the table. Sometimes highly competent lawyers will differ on meanings. You have to analyze it, sometimes for hours and sometimes for days on end.

I think this thing ought to be considered in the Committee on Finance, where we can have expert testimony from the Treasury, from our staff, and from the Joint Committee on Internal Revenue, and where we can write a reasonable bill, instead of trying to write it on the floor of the Senate. This is an impossibility.

Mr. LONG. Mr. President, will the Senator yield?

Mr. TALMADGE. I am happy to yield to my distinguished chairman.

Mr. LONG. Mr. President, I have discussed, with Senators on this side of the aisle—may we have order?

The VICE PRESIDENT. The Senate will be in order.

Mr. LONG. I would like the Senate to hear this. I have discussed with Senators on this side of the aisle our problem with regard to amendments. Let us take a simple example. The Senator from Georgia (Mr. TALMADGE) has an amendment that should be agreed to if the Williams amendment is to be added to the bill. He would have to offer that amendment before the Williams amendment comes to a final vote; otherwise, he would be foreclosed from his right to offer the amendment. He would lose his parliamentary rights.

Likewise, other Senators have good amendments that should be considered, that they would like to offer. But if the Williams amendment is not to be agreed to, we would find it out with a tabling motion. If it is to be agreed to, there are at least a dozen amendments we will have to consider, and, of course, they would all be subject to debate. How would we know whether the amendment is likely to be agreed to or not, other than to wait until all the time is expired, and after the time is expired on the Williams amendment, move to table?

If the Williams amendment is not tabled, the Senator from Georgia (Mr. TALMADGE), the Senator from Alabama (Mr. SPARKMAN), the Senator from Washington (Mr. MAGNUSON), the Senator from Wisconsin (Mr. PROXMIRE), and others will have amendments to offer. They are content not to offer their amendments if this amendment is not to be added to the bill. If it is to be added to the bill, then they want to offer their amendments.

How better to get a test of strength, to see where the votes are, than to move to table? If it is tabled, we will consider all these other amendments in the Committee on Finance and bring the investment tax credit bill back in due course. If it is not tabled, Senators will proceed to offer amendments, with the understanding that it is to be added to the bill.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. MUNDT. I should like to explain my purpose. I have been around here quite a while. I think the minority can always find a way to express itself, and one protective device one can always use, even when you dwindle the minority down to one and a unanimous consent is requested for a procedural device such as we have here, is that one Senator can object.

Mr. MANSFIELD. What unanimous consent?

Mr. MUNDT. The one the Senator made yesterday for this procedure.

Mr. MANSFIELD. All right; and if one Senator had objected, we would not have a bill before us, and the surtax would expire at midnight.

Mr. President, the Senator from Delaware is here now; I will ask him directly, if I may, did I discuss with you and the minority leader and other Senators yesterday the possibility of a tabling motion?

Mr. WILLIAMS of Delaware. Yes. Mr. President, I want to make it clear that while I have differed with the views the Senator from Montana has taken on this bill before us today he has been fair, he has lived up to everything he has said, and the motion to table is in order. I hope it will not be approved, but I find no fault with its being offered or the procedure. I want to make it clear that no man in the Senate could have been more fair than the majority leader.

I say to the Senator from South Dakota, I would like to see him get a chance to offer his amendment. He could change his amendment and make it eligible for a vote as a separate amendment, but that, too, would be subject to a tabling motion.

I want it clear that while I may have differed with some of his views, the Senator from Montana has lived up to everything he has promised, and I support him completely on the procedure he is following.

Mr. MUNDT. Mr. President, here is one Senator, for example, whose vote on the tabling motion, or on the Williams amendment, if it comes to a vote, would depend in part upon what kind of attitude the Senate has expressed in connection with the amendment I have prepared. It has been introduced and printed. It deals with small business and farm exemptions.

All I am asking is the right to offer that amendment to the Williams amendment before we table it; otherwise, I have no vehicle on which to work. I could not object at all, having offered and argued it, if any Senator or the majority leader moved to table my amendment. That certainly is a perfectly sound procedure.

Mr. MANSFIELD. The Senator knows that if he starts this procedure, others will follow, and first thing you know, it will be midnight and there will be no extension of the surtax. We are facing this situation realistically.

I, for one, would like to see the investment tax credit repealed. As I say, I think there are 12 Senators on this side of the aisle alone with as many as 27 amendments and there may be as many on the other side as well. I do not intend to cut off debate if this measure is to be considered on the merits. We have an agreement. But every minute of that time can be used; and even time on the bill.

It is my intention to preserve to the best of my ability, the rights of all Senators having an interest. And this applies to many other Senators besides my longtime friend, the distinguished senior Senator from South Dakota; he is not being singled out. He is interested in small business and the farmers. What about the Senator from Wisconsin (Mr. PROXMIRE) who is he interested in? What about the Senator from Missouri (Mr. SYMINGTON)? What about Senator MAGNUSON? What about the Senator from Montana, now speaking, and his interest in the transportation industry, the railroads? They want some relief, and they are entitled to be heard, also.

Furthermore, let me say this before I yield: I stated yesterday and I state again today that the investment credit is still on the calendar, along with the excise tax and the exemptions for the lower-income groups. I have given my word that that bill will be brought up

before October 1, provided, of course, in the meantime a tax reform bill is laid before the Senate. And what could be more fair?

Mr. LONG. Before November 1.

Mr. MANSFIELD. Before October 31, or at about the time the reform bill will be reported.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PASTORE. I realize fully the situation of the Senator from South Dakota, but I think he is being a little premature. After all, even if he does bring up his amendment to the Williams amendment, and it does survive, and we prevail on the tabling motion, we will not only have killed the Williams amendment, we will have killed his amendment to it.

So the best thing is first to determine whether we are going to carry on with the Williams amendment, and if we do, that opens up the floodgates.

Mr. MUNDT. May I say to my friend, if the determination is to table, we would not have a chance to argue, to offer our amendment, or to try to persuade other Senators to accept it. My decision as to how to vote on the Williams amendment rests, in large part, on what the decision of my colleagues is in connection with small business and farm exemptions, and I will not have a chance to determine that.

Mr. PASTORE. That is not the purpose.

Mr. MANSFIELD. Oh, yes, that is the purpose of the tabling motion. If it carries, that is it. If it does not, every Senator will have his chance; there will be a Christmas tree right in the middle of this floor, and we will never finish with the bill.

Mr. MUNDT. The Senator has the perfect right, after my amendment has been offered, and any other amendment—and I certainly would not take any umbrage at that—to move to table my amendment, but at least I would have had a chance to be heard. I am a realist. If the Senate tables my amendment to the amendment, and there is a Symington amendment tabled, and another one, the show is over, and we give up; but we will have tried and the Senate will have had the chance to vote yes or no on our proposed amendment.

Mr. MANSFIELD. After 27 such attempts, with an hour apiece, it will be late tomorrow, and there will be no surtax, because it expires at midnight. I think in all candor, the way to face up to this realistically and cleanly, is to move at an appropriate time to table the pending amendment. In that way, all Senators will then be afforded an opportunity to have their amendments considered in an orderly fashion first at the committee level and later this session on the floor.

What applies to the distinguished senior Senator from South Dakota applies to at least 12 Senators on this side of the aisle.

It has been stated that a tax reform bill will be reported not later than October 31. On that we can rely. I would also want to see the other bill H.R. 12290, that is on the calendar brought up. However, in the meantime the things that the Senator and other Senators are interested in ought to be taken up in the Finance Committee, so that each individual Senator representing industries in his State or region would be given an opportunity to present his views.

Mr. MUNDT. Mr. President, if I may have some time yielded to me by the Senator from Montana, I have something further to say.

Mr. MANSFIELD. I will yield the Senator some time on the bill.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MILLER. Mr. President, I should like to know what is being proposed on the investment tax credit bill which the Senator from Louisiana said we would have a chance to consider before October 31.

Is it the plan to have this referred back to the Finance Committee where the Senator from Louisiana and the Senator from Georgia have said we should sit down and carefully consider the matter, if we do not understand what the procedure is going to be? I am in sympathy with the idea of the Senator from Louisiana and the Senator from Georgia of considering this matter. However, how is the Finance Committee supposed to consider it if it is on the calendar?

Mr. MANSFIELD. I will let the Senator answer for himself, or I will answer.

Mr. LONG. Mr. President, I did not hear the whole question.

Mr. MANSFIELD. The question concerns how the amendments to the investment tax credit—which is now a part of H.R. 12290 on the calendar—are to be considered?

Mr. LONG. Mr. President, we would simply meet in executive session and discuss all of this. Any Senator could move any amendment he had in mind or that anyone else had in mind.

We would come out with a committee amendment that would try to do justice and try to take into consideration all 500 pages of testimony that the Senators have loyally and diligently already heard. We would consider everyone's problem and vote on the amendments and bring out our best suggestions. When it came up for consideration, the committee amendment would be subject to amendment.

Mr. MANSFIELD. Mr. President, the offer which the Senator extended earlier this month or late last month to all Senators to appear before the Finance Committee beginning July 18 would be renewed, I am certain; and an opportunity would then be open to all.

Mr. LONG. I am still offering that opportunity to any Senator. The bill was reported from committee by me by a vote of 9 to 8 without Senators having had an opportunity to be heard.

I was somewhat disappointed that this was done. However, the Senators will be accorded an opportunity to appear before the committee if the Williams amendment is not adopted today.

Mr. MILLER. Mr. President, that is exactly the reason for my question. How is that chance going to be achieved or how could it be achieved if we move to refer the bill back to committee with instructions to report? Then the committee could massage the bill along the lines talked about by the Senator from Louisiana and report the bill. Another way would be to have the committee hold hearings. We would then have a committee amendment or a series of committee amendments to the bill.

I have heard questions as to how this is supposed to be done. I do not think I have had any answer yet.

Mr. LONG. Mr. President, as far as I am concerned, it would be satisfactory to me—and I am not asking it—if it would solve the problem, to do what we do sometimes in committee and just agree by unanimous consent that if the amendment is agreed to, it will remain subject to further amendment. That would not be the case here on the floor, but it could be done by unanimous consent. If one or two Senators are not happy, this might make them happy. It is very difficult to make 100 Senators happy.

Mr. MANSFIELD. It is impossible.

Mr. LONG. The majority leader says it is impossible. I imagine that is right.

If we cannot get unanimous consent, we should move to table and see where our votes are. We think that we have the votes to defeat the Williams amendment. We would like to have an opportunity to find that out sooner or later, before midnight.

Mr. MANSFIELD. I do not know whether we have the votes. However, we would have a clean-cut test. And if the amendment is not tabled, then other amendments could be offered; amendments affecting the railroads in Montana, corporations in Los Angeles, and other corporations in other States.

Mr. LONG. And some subsidies for the ship lines.

Mr. MANSFIELD. And cargo planes and barges.

The VICE PRESIDENT. The Senate will be in order.

Mr. MILLER. Mr. President, let us suppose that the Williams amendment is tabled. I would still like to know what the procedure is going to be whereby the Finance Committee is going to be able to sit down and possibly hold some further hearings on the part of individual Senators and have the committee consider the various amendments that the majority leader has talked about that are about to be offered if the Williams amendment is not tabled.

Mr. LONG. We will hold hearings and vote. It is that simple.

Mr. MILLER. When will that be done?

Mr. LONG. When we dispose of the bill. We cannot do it before we dispose of the bill.

Mr. MILLER. I understand that. However, does that mean next week?

Mr. MANSFIELD. It could mean next week or next month. It would have to mean before October 31. It is my anticipation that a tax reform bill—and what we are speaking of is in the nature of tax reform—would be considered and reported well ahead of October 31.

Mr. MILLER. When the Senator says reported, is he referring to reporting the bill which would be referred back to the Finance Committee?

Mr. MANSFIELD. No. That is on the calendar. That will stay on the calendar.

Mr. MILLER. He is referring to a series of committee amendments which would be reported.

Mr. MANSFIELD. The Senator is correct. And perhaps the proper vehicle may be the tax reform bill which I understand is due here from the House in the next week or 10 days.

Mr. MILLER. The Senator suggests the possibility that this may be resolved in the tax reform package itself.

Mr. MANSFIELD. It could be. There would be that possibility. And there is always the bill which is on the calendar. It could be called up at an appropriate time.

Mr. MILLER. I appreciate that the majority leader has a difficult time in attempting to go much beyond that point. However, he has given his assurance, and so has the Senator from Louisiana, that there will be opportunities for individual Senators to go before the Finance Committee and that the Finance Committee can consider this before October 31 and report the bill to the Senate.

Mr. MANSFIELD. Mr. President, may I say that as far as my longtime friend, the distinguished Senator from South Dakota (Mr. MUNDT), is concerned, the Senator with whom I had the honor to serve in the House as well as in the Senate, I am indeed sorry. I did not think, however, that it was necessary to spell this out in such great detail.

I place great trust and confidence in the people in whom the Senator from South Dakota places trust and confidence. And I did notify them ahead of time. I thought that was sufficient. If it was not, I must apologize.

Mr. MUNDT. Mr. President, there is no necessity to apologize. However, the distinguished majority leader must remember that we do not have instant communication. It was not until 10 minutes ago that I first heard about the desire and the determination of the majority leader to employ the tabling motion which left me without a star to hitch my wagon to.

Mr. MANSFIELD. The Senator can discuss the matter and can berate the majority leader, justly perhaps, for not giving him the opportunity at this time if the amendment is tabled. The sky is the limit. He can do anything he desires.

Mr. MUNDT. Mr. President, I never berate the majority leader, even when I think he is wrong. This time I am not sure that he is wrong. He is faced with a serious dilemma. So are we all.

Mr. MANSFIELD. It is a delicate question.

The VICE PRESIDENT. All the time of the Senator from Louisiana has expired.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the Senator on the bill.

The VICE PRESIDENT. The Senator from New York is recognized for 5 minutes.

Mr. JAVITS. Mr. President, there are two questions that I think need to be answered. One is whether it is understood that the April 18 date will remain as the date.

Mr. LONG. Definitely.

Mr. JAVITS. This is very important to the American business community.

Mr. LONG. If it would make anyone happier, I have a resolution that I would be glad to offer which provides that it is the sense of the Senate that the investment credit should be and will be repealed as of April 18.

Mr. JAVITS. I think it is important from the point of view of the business community. The other question is whether the Senator proposes to include in the hearings the matter of modernizing the depreciation schedules. Depreciation schedules are really an essential part of the problem of taxation. We have used the 7-percent tax credit as a substitute for modernized depreciation schedules, in order to encourage modernization of plants. Therefore, now is the time to consider modernization of the schedules.

Mr. LONG. That is fine. I would be happy to consider that right now.

Mr. WILLIAMS of Delaware. Mr. President, we will vote in a moment. However, before we do so, I want to point out clearly so that there can be no misunderstanding that in my opinion the Senator from Montana has been more than a gentleman. He has bent over backward to work with those of us who wanted an opportunity to vote and express our will on this measure.

I am hoping that we can defeat his motion to table and that we can act on this bill. I think we should.

Nevertheless, I want to make it clear that I do not at all consider that in his move to table he is exercising any unfair parliamentary procedure because if the situation were reversed he is doing exactly what I would do, and that is to take advantage of the parliamentary procedures of the Senate to expedite it. I want to make that clear, because I expected his motion. In fact, I was delighted that we got a vote on the merits of the previous amendment.

Now, as to the argument that this investment tax credit repeal before us has not had adequate hearings, I point out that the Senate did have hearings for 5 days. Various Senators did appear before the Committee on Finance, express their views, and make their recommendations, and the hearings have been printed. The Senator from Louisiana is correct in stating that it was reported by the committee by a vote of 9 to 8, under rather unusual circumstances.

We voted to report the bill before individual Members did get a chance to offer their amendments. At that time I said that such a procedure did create problems. It meant we would have to consider the various amendments on their merits on the floor. I realize that arguments could be made about the procedures, but this was not my fault.

As the Senator from Georgia pointed out, in his 12½ years in the Senate this is the first time it has happened. I will go further than that. I have been in the Senate 23 years and have been a member of the Finance Committee close to 19 or 20 years. This is the first time we have ever operated under such circumstances in which the committee would be told in advance by a policy committee that the committee could or could not report a bill and if reported just what amendments would have to be adopted first.

We have already expressed our views on these unusual and strange circumstances. We do not solve anything by debating them further now. So far as I am concerned I am willing to proceed to a vote.

I hope we can defeat the motion of the Senator from Montana. But as he makes that motion I make it clear that I see nothing wrong with the procedure he is following, and if I were in his position I would take the same steps he is taking.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield 1 minute to the Senator from South Dakota.

Mr. MANSFIELD. Mr. President, I thank my distinguished friend.

Mr. MUNDT. Mr. President, it is quite apparent what action the Senate is going to take. It is all perfectly proper and perfectly legal, and those of us who sometimes become a minority of one have perfectly appropriate and useful tools we can use to protect ourselves against a repetition of what has happened here today.

We are up against a deadline in a tax measure. I am not going to avail myself of the parliamentary tactics which would enable me to compel a vote on the Mundt-Miller amendment which involves an exemption for farmers and smaller businessmen; but I do ask unanimous consent that the amendment I had hoped to offer, which is now going to become an orphan when the motion to table is made, be printed at this point in the RECORD. It is sponsored by the Senator from Delaware (Mr. WILLIAMS), the Senator from Iowa (Mr. MILLER), and me.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

At the end of proposed section 49(a) strike the period and insert the following after "property": "and property to which subsection (e) applies."

At the end of proposed section 49 add the following new subsection:

"(e) SMALL BUSINESS AND FARMER EXEMPTION.

"(1) IN GENERAL.—In the case of section 38 property (other than pre-termination property)—

"(A) the construction, reconstruction, or erection of which is begun after April 18, 1969, or

"(B) which is acquired by the taxpayer after April 18, 1969, and which is constructed, reconstructed, erected, or acquired for use in a trade or business, or farming, the taxpayer may select items to which this subsection applies to the extent that the qualified investment for the taxable year attributable to such items does not exceed the small business and farmer exemption limitation (as determined under paragraph (2)). In the case of any item so selected (to the extent of the qualified investment attributable to such item taken into account under the preceding sentence), subsections (c), and (d) of this section, and section 46(b)(5), shall not apply.

"(2) SMALL BUSINESS AND FARMER EXEMPTION LIMITATION.—For purposes of paragraph (1), a taxpayer's small business and farmer exemption limitation for any taxable year is $25,000.

"(3) SPECIAL RULES.—

"(A) Married Individuals.—In the case of a husband or wife who files a separate return, the amount specified in paragraph (2) shall be $12,500 in lieu of $25,000.

"(B) Affiliated Groups.—In the case of an affiliated group, the $25,000 amount specified in paragraph (2) shall be reduced for each member of the group by apportioning $25,000 among the members of such group in such manner as the Secretary or his delegate shall by regulations prescribe.

"(C) Partnerships.—In the case of a partnership, the $25,000 amount specified in paragraph (2) shall apply with respect to the partnership and with respect to each partner.

"(D) Other Taxpayers.—Under regulations prescribed by the Secretary or his delegate, rules similar to the rules provided by sections 46(d), 48(e), and 48(f) shall be applied for purposes of this subsection."

Mr. MUNDT. Mr. President, I believe the 7-percent investment tax credit should be repealed. I do not, however, believe the repeal should be across the board.

There are two groups of individuals, or businessmen if you like, that would be extremely hard hit if the credit is taken away completely. They are small businessmen and farmers. They feel the noose of inflation much, much more than the general business community because their capital is more limited. They do not have the options open to them that their larger and more flexible competitors do. For this reason I believe this bill should be amended to provide a $25,000 exemption in the repeal of the 7-percent investment tax credit.

Mr. President, such an exemption would not unduly hamper our efforts to control inflation and yet at the same time it would be of major importance to farmers and small businessmen, providing the margin in some instances perhaps between survival or failure.

It is difficult to estimate the cost to the Treasury if the investment credit were continued on maximum annual purchases of $25,000. No one can accurately predict how widely it will be used. For the purposes of speculation, however, let us take a look at possible use by farmers.

In 1967 gross farm capital expenditures for machinery, equipment, and motor vehicles for farm business use totaled $4.819 billion. If the 7-percent investment credit were applied to all such purchases, which could not be the case, the tax saving in that year would have amounted to $337.33 million. A more reasonable figure, however, might well be $200 to $225 million on agricultural purchases only.

Even so, I submit it is safe to say the reduction in revenue would only be a fraction of the original anticipated increase in Treasury receipts of $1.35 billion in fiscal 1970 and a much smaller percentage of the $2.6 billion expected in fiscal 1971.

Weighed against this relatively small loss in revenue must be the advantages to be gained by such an exemption. First let us look at the small businessman.

Small businessmen need access to funds in these times of high interest rates more than ever. In 1962 testimony in favor of the tax credit, Secretary of the Treasury Dillon pointed out that the increased cash flow would be particularly important for new and smaller firms which did not have ready access to capital markets and whose growth was often restrained by a lack of capital funds. The exemption, by reducing their tax liability somewhat, will aid in accomplishing this.

A $20,000 exemption was provided in the suspension of the tax credit in 1966. As was pointed out then, such action was consistent with long-standing public policies to foster small business and farming and would be of substantial aid to small business enterprises and farms, many of which have difficulty raising funds because of existing monetary restrictions. A $25,000 exemption would be a negligible factor in the investment decisions of larger corporations and therefore will not vitiate against the effectiveness of the repeal. Since investment by small businesses and farms is a relatively small percentage of investment in machinery and equipment, this provision would not result in any substantial loss of expected revenue.

There seems fairly general agreement that the investment tax credit has been a factor in the decisions of many small firms to modernize. If the credit can be continued at modest cost to the Government, it would benefit farmers and small businessmen substantially. The small businessman and the farmer are usually excluded from the normal money markets and means of financing. Therefore, in periods of tight money, particularly rationing of bank credit, reducing his tax bill will substantially aid him in his financing problems. Also, in line with the President's statement, one of the major reasons for repeal of the credit, namely, the encouragement of business in poverty areas, will actually be helped by the $25,000 exemption, since this would encourage small businesses in urban depressed areas and aid minority ownership of businesses. It has been estimated by the Treasury that the credit increases the profitability of investment far more per dollar of revenue cost than any of the other alternatives, such as accelerated depreciation, and so forth.

In summary, it would appear that this exemption is both compatible with the reasons of the administration for repealing the overall investment tax credit, and would be of substantial benefit to small businesses.

Now, Mr. President, let us look at the farm situation. Those of us who have a deep and abiding concern for our farmer constituents must be deeply concerned by the continuing increase in farm production expenses. In the United States, since 1960, farm production expenses have increased from $26.4 billion to $35.9 billion in 1968.

Secretary Hardin has recently testified that expenses this year will increase another $2 billion. He also points out that this increase will be almost entirely the result of price increases rather than the result of a greater volume of supplies and equipment purchased.

In my own State of South Dakota, farm production expenses have risen from $476 million in 1960 to over $700 million in 1968.

The farmer is paying more and more for machinery, equipment, and supplies each year. In spite of the recent improvement in the index of prices received, it is an understatement to say that the prices received by farmers have not gone up in proportion to his increased costs. The scissors of the cost price squeeze are bearing down disproportionately upon our farm families. In talking to farmers, I find that once the prices of the items used in agricultural production rise, they seldom decline. Prices received by our American farmers have been far to much below parity for far too long.

For the record, I wish to include a table showing what has happened to the index of costs for certain commodities used in farm production:

(1957–59=100)

Period	Motor supplies	Motor vehicles	Farm machinery	Farm supplies	Building and fencing materials
1957	100	96	96	100	99
1958	100	100	100	100	99
1959	100	104	104	100	102
1960	101	102	107	100	102
1961	102	102	110	101	101
1962	101	105	111	101	101
1963	101	109	113	101	101
1964	101	111	116	102	100
1965	102	113	119	103	101
1966	102	117	124	103	103
1967	105	121	129	104	105
1968	107	129	138	107	113

Farmers are carrying very heavy financial burdens. They are continually making substantial capital investments in order to improve their efficiency. Fewer farm workers in 1968, in combination with greater quantities of most other production inputs, supplied food and other farm products to an increased domestic population. In addition, through exports, they supplied products to countless consumers in foreign countries. Total domestic and foreign consumers reached more than 43 per farmworker in 1968—20 more than a decade ago. The gain in persons supplied per farmworker has resulted from greater application of modern technology both on and off the farm, including the transfer of jobs from farmworkers to non-farmworkers.

One of the constructive ways to give practical help to farmers to reduce the impact of the cost price squeeze and to share more equitably in the strength and prosperity of the American economy would be to provide a 7 percent investment tax credit up to $25,000 for farmers and small businessmen. Farmers have come to rely on this credit in their operations. I believe it should become a permanent feature of our tax system. The Mundt-Miller amendment moves in this direction.

America's first industry was agriculture. It remains our greatest. It provides the means for feeding not only our people, but in addition provides means for alleviating hunger all over the world. It provides employment for about 18 million Americans who work at not only growing our crops, but processing them

and shipping them to market and supplying our farmers. The products of our agriculture bring to the table the family income. The production of one out of every four acres moves into export markets. American farm exports are an important plus factor in our balance of payments. The bounty of our farms under the food for peace program enabled millions of people in other lands to survive. However, the American farmer who is making this great contribution to America's prosperity still does not share equitably in it. My proposal today would at least redress some of this disparity.

Just like any other businessman, the farmer seeks a fair return for his great risks and effort. There is no means to assure the return. With this proposal we can be of practical help. Mr. President, if the tabling motion on the Williams amendment prevails—and it looks as though this is going to happen—we shall try again. We shall try to achieve this small businessman-farmer exemption through Finance Committee action. If we fail there we shall try again on the floor of the Senate under more appropriate parliamentary conditions.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. MANSFIELD. Mr. President, who knows—the tabling motion may be rejected, and then the Senator would have his chance.

But I would hope that the Senator did not mean to imply that because something which was done entirely within the rules—unfortunately, unknown to the Senator, although it is included in the consent agreement—is an indication of an intimidation on the part of the minority party toward the party which happens, a least for the time being, to be in the majority.

I would point out to the Senator that it is his administration which is in power in the executive branch of the Government. I would point out that what the majority party has done has been to come a long way, I think, to try to reach an accommodation with the Republican leadership, the ranking minority member of the Committee on Finance, and the administration. It would have been just as easy not to have done anything, to have remained at our original post, to let misunderstandings arise, and thereby allow the surtax to expire at midnight tonight. But we felt we had a responsibility to the Nation, just as the other side has, although a more definitive one because of the control at 1600 Pennsylvania Avenue. We had thought we had worked out a reasonable accommodation. We had understood that it had met with all-around approval.

The only fault I can find is that we really did not give enough time to the Senate to consider the unanimous-consent request last night. But the only explanation I can give is that circumstances made it necessary to act as we did.

So I would hope there would be no threats on either side against the other party, because we ought to work in harmony; we ought to work in comity. We ought to recognize that we are all public servants and have responsibilities.

The Senator from South Dakota and the Senator from Iowa are interested in an amendment to take care of the small businessmen and farmers in their part of the country, an amendment which I am sure I would support on another occasion. May I say that I am also interested in the transportation industry in the State of Montana, and I dare say this could be multipled 25 times and perhaps more.

At least let us recognize the integrity of one another and try to get along as best we can. I am certain that is what the Senator from South Dakota has in mind.

Mr. WILLIAMS of Delaware. Mr. President, I yield 2 minutes to the Senator from Vermont, but before I do I want to point out that it has been implied in every unanimous consent agreement that has ever been entered into in the Senate that motions to table the amendments are in order, and everyone understood it. I cannot overemphasize the fact that there has been no maneuvering on this point.

Mr. LONG. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LONG. Does not the Senator know that if he is not happy with what happens, he can always offer another amendment like it? Just change a single word and start all over again.

Mr. WILLIAMS of Delaware. Mr. President, I yield 2 minutes to the Senator from Vermont, and I yield back the remainder of my time thereafter.

Mr. PROUTY. Mr. President, I am delighted that after these many years, many of our friends in this body, with bated breath and grandiloquent approval, are now rushing down the sawdust trail to tax reform.

I listened with interest to the colloquy which occurred a few minutes ago. It seems to me that insofar as the investment tax credit is concerned, the reform will be primarily apropos to some of the major industries in this country. It may well be that it can be demonstrated that it is in the national interest to make this apply. But certainly this can be done at such future date when the tax reform bill is taken up.

But let us remember this: Today the Senate voted to continue the surtax for 6 months. That affects the little guy in this country, the people in the low-income brackets, as well as others. We refuse to take any action to curtail the subsidies now being given to American business. If that is equity, I fail to see it.

I yield back the remainder of my time.

The VICE PRESIDENT. All time has been yielded back. The question is on agreeing to the amendment of the Senator from Delaware.

Mr. DIRKSEN. Mr. President, I yield myself 2 minutes.

Mr. HOLLAND. Mr. President, have the yeas and nays been ordered?

The VICE PRESIDENT. No, they have not.

Mr. HOLLAND. Mr. President, will the Senator yield to me so that I may ask for the yeas and nays?

Mr. DIRKSEN. No, I will not yield.

The VICE PRESIDENT. The Senator from Illinois has the floor.

Mr. DIRKSEN. Mr. President, a week ago today, I started to sit in first one conference and then another, and many times the distinguished Senator from Delaware was at my elbow. It was sort of give and take and offer and retreat and recede, in the hope that something could be worked out because of the deadline that was before us on the surtax and on the withholding tables. At long last, we managed to get something in the way of a little more bread than I had anticipated earlier in the day, and we sat last night in the minority cloakroom and contrived this order.

If Senators will just go to the trouble to read the order, there will not be quite so many questions, because the first part of the order reads:

> Be made the pending business and that during its further consideration, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour.

We recognized the right to offer the motion to table, and it was discussed in that cloakroom.

The majority leader is well within his rights because I made the suggestion that there might be amendments and I would offer to table if I felt it was going to complicate the problem that is before us.

I also said if there was an amendment that did not comport with the germaneness rule, whether it came from my side or the other side, I would stand up and make a point of order against it, and I would have done so.

I want to see this bill out of here and on the way to conference before we have to come up against any more confrontations with deadlines. That is all I have to say. I concur entirely with the distinguished senior Senator from Delaware and I concur with the distinguished majority leader. He is entirely within his rights. So I am ready to vote.

Mr. President, yeas and nays.

The VICE PRESIDENT. The yeas and nays have been requested.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum not to exceed 2 or 3 minutes while I hold the floor.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. Has the Senator made his motion to lay on the table?

Mr. MANSFIELD. No. That is what I intend to do now.

Mr. HOLLAND. This was a request for yeas and nays on the motion to lay on the table?

Mr. MANSFIELD. No.

Before I make my motion I want to say I am indeed sorry that anything has entered into the debate which could be considered personal in any way, shape, or form, or be considered derogative of the rules of conduct or procedures of the Senate. This, of course, is a measure which does arouse a lot of interest because there is always interest where one's pocketbook or economic constituency is concerned.

Before I make the motion to table I would like to make the following statement.

May I say that the amendment of the Senator from Delaware (Mr. WILLIAMS) was anticipated at this time under the consent agreement of yesterday. I feel today as I did then that its adoption will impede and, perhaps, jeopardize the passage of this bill for reasons previously enumerated. If adopted now, it will add a complication to the immediate problem of securing a partial extension of the surtax before the deadline.

My understanding, moveover, is that there are at least 12, perhaps 27, and maybe more amendments which Senators from various States would like to have the opportunity and the privilege to offer to the pending amendment. These amendments are in the wings just waiting to make an appearance. As I stated previously, each one of these amendments to the amendment would be subject to full debate on the basis of the unanimous consent agreement. Each one could consume an hour's time. It is conceivable that we would be here not merely far into the night but far into tomorrow and the day after. In the interim I scarcely need to remind the Senate that the surtax would have expired.

Yesterday I stated on the floor—and I emphasize the matter again—the question of repealing the investment credit as of April 18, 1969, will be disposed of during this session of Congress. It will be brought up and it will be retroactive to April 18, 1969. There should be no uncertainties and no misunderstandings on that score, although I realize we are all subject to human error, and indeed something may come up to foreclose it. But as far as promises and commitments are concerned, they have been made, and as far as the Senator from Montana is concerned, he will do his best to see that they are strictly adhered to.

By setting aside this amendment at this time nothing will be lost. There is my personal commitment and that of the majority policy committee and the Finance Committee—the Finance Committee which included the Senator from Delaware—that the repeal of the investment credit will be considered along with tax relief for lower income groups and the extension of the excise taxes and the general tax reform this session of the Congress.

There is no justification in my judgment for complicating the immediate issue with this item. There are other items of equal importance that may very well be added to the measure on which we are now working.

The overriding consideration is the realization during this session of a more equitable tax structure. We are on our way to that objective and let us proceed to it step by step. For the present, I urge the Senate and Senators on both sides of the aisle to join in postponing the passage of this particular repeal on this bill, with the full expectation of passing it during this session of the Congress, retroactive to April 18, 1969.

Mr. HOLLINGS. Mr. President, I have urged for some time the repeal of the investment credit to arrest inflation. I realize that if the repeal is placed on this particular measure, then an impasse will result on the surtax, which expires tonight. The President and the Democratic policy have all urged to act tonight without impasse, and therefore I oppose the Williams amendment on the clear understanding that an opportunity to vote to repeal the investment credit will be afforded the Senate within the next 60 days.

Mr. MANSFIELD. Mr. President, I move to table the pending amendment and I ask for the yeas and nays.

The VICE PRESIDENT. The yeas and nays have been requested. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. MANSFIELD. If I can.

The VICE PRESIDENT. No further debate is in order at this time.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may yield 1 minute to the Senator from Illinois.

The VICE PRESIDENT. The Chair hears no objection, and it is so ordered.

Mr. PERCY. Mr. President, I intend to support the motion to table repeal of the 7-percent investment tax credit made by the majority leader and I would like to indicate why, because my reasons may well differ from his.

I am deeply concerned about repealing the investment tax credit now. I think we can make a much better decision a few months from now.

I am concerned about the fact that we have 6 million wage earners whose contracts are coming up for reconsideration. We have had in the first half of 1969 wage increases at an annual rate in excess of 7 percent, with 15 percent increases average in the construction industry and 21 percent in some areas for carpenters alone. Last year wage increases exceeded increases in productivity by 4 percent.

I am concerned about the fact that we had a $7 billion trade surplus that has shrunken to almost zero today. I do not know how American industry is going to meet these wage demands and compete in world markets if we take away the incentive to improve and modernize equipment. I think it would be a mistake to make this move today.

More than that, I support the motion to table because we should clear the way for a simple extension of the surtax and limit the matter to that one issue today because of the critical factor of timing with the surtax expiring at midnight tonight.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana to table the amendment of the Senator from Delaware. On this question the yeas and nays have been ordered and the clerk will call the role.

The assistant legislative clerk called the roll.

The result was announced—yeas 66, nays 34, as follows:

[No. 62 Leg.]

YEAS—66

Allen	Bible	Byrd, W. Va.
Anderson	Burdick	Cannon
Bayh	Byrd, Va.	Case
Church	Inouye	Muskie
Cranston	Jackson	Nelson
Dodd	Javits	Pastore
Eagleton	Jordan, N.C.	Pell
Eastland	Kennedy	Percy
Ellender	Long	Proxmire
Ervin	Magnuson	Randolph
Fong	Mansfield	Ribicoff
Fulbright	Mathias	Russell
Goodell	McCarthy	Sparkman
Gore	McClellan	Spong
Gravel	McGee	Stennis
Harris	McGovern	Stevens
Hart	McIntyre	Symington
Hartke	Metcalf	Talmadge
Hatfield	Miller	Tydings
Holland	Mondale	Williams, N.J.
Hollings	Montoya	Yarborough
Hughes	Moss	Young, Ohio

NAYS—34

Aiken	Dole	Pearson
Allott	Dominick	Prouty
Baker	Fannin	Saxbe
Bellmon	Goldwater	Schweiker
Bennett	Griffin	Scott
Boggs	Gurney	Smith
Brooke	Hansen	Thurmond
Cook	Hruska	Tower
Cooper	Jordan, Idaho	Williams, Del.
Cotton	Mundt	Young, N. Dak.
Curtis	Murphy	
Dirksen	Packwood	

So the motion of the Senator from Montana (Mr. MANSFIELD) to lay on the table the amendment of the Senator from Delaware (Mr. WILLIAMS) was agreed to.

Mr. TYDINGS. Mr. President, on numerous occasions this year both on the Senate floor and in statements to the press, I have issued a pledge to the people of Maryland that I would not support an extension of the 10-percent surtax unless it was accompanied by thorough-going tax reform.

I made this pledge to the people of Maryland for several reasons. First, the 10-percent surtax is a regressive tax which falls hardest on those who can least afford it—the middle-income taxpayers. To extend this regressive tax without first eliminating the inequities in our present tax system—inequities which force middle-income families to pay more than their fair share of taxes—would be unfair to the great majority of taxpayers in Maryland and in the Nation. Why should the average taxpayer suffer the hardship of an extended surtax while billions of dollars in potential tax revenue that could be used to combat inflation slip through the loopholes in our tax system into the pockets of the special interests?

Second, if the 10-percent surtax is extended the full half-year the administration has requested, the position of those in the Congress demanding major reform of our tax system will be seriously undermined. In effect, we will have lost our principal bargaining tool. Once again, tax reform proposals will be vulnerable to the powerful lobbies of the special interest groups intent on preserving their tax privileges.

The legislation before us today would enact the full half-year extension of the 10-percent surtax requested by the administration without actual thorough-going tax reform.

It is true that the Senate has stated its intention to consider tax reform measures in the coming months. However, this is not enough. I feel compelled to point out that the history of our past failures in the area of tax reform is re-

plete with good intentions. As the record shows, tax reform is more easily discussed than enacted.

Therefore, because it is unfair to the average American taxpayer and will seriously cripple efforts in Congress to achieve meaningful tax reform, I must cast my vote against the half-year extension of the 10-percent surtax.

I am as concerned about inflation as any Member of the Congress. We must halt the steady erosion of the dollar.

However, there are other ways to halt rising prices. Last year, when I supported the surtax as a one-time-only stopgap against inflation, I also voted to cut Federal spending by $6 billion. In addition, I voted throughout the year against other billions of dollars in unnecessary and deferable Federal spending. Those budget cuts produced the $3.1 billion surplus for the fiscal year ending this June.

It is my conviction that balancing the budget by cutting expenditures is a far better way to fight inflation than passing regressive taxes. This is especially true as long as the existing tax loopholes continue. Closing the major loopholes in our tax system would have at least as great an impact on inflation as extension of the surtax. Cutting military expenditures to eliminate the estimated $10 billion in wasteful unnecessary expenditures each year would also be at least as effective as the surtax. Still other possibilities exist.

In short, the surtax is neither the only way nor the best way to combat inflation. I cannot vote for it simply because it is the only remedy the administration has offered.

Mr. NELSON. Mr. President, last year I voted against the 10-percent surtax on the ground that it was inequitable, inadequate, and would not stop the inflationary spiral. It in fact did not slow up the inflationary trend but rather contributed to it by a massive round of wage and price increases. We need now as we needed a year ago a much stronger dose of medicine than this bill provides if we mean to deal realistically with the critical inflation problem. I ask unanimous consent to have printed in the RECORD the statement I made on this matter a year ago which still reflects my viewpoint as of this time.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GAYLORD NELSON BEFORE THE U.S. SENATE, JUNE 21, 1968, AGAINST THE IMPOSITION OF THE SURTAX

Mr. President, this country is faced with a series of serious local, social and international problems including an unbalanced budget, a drain on the dollar, inflation, the war in Vietnam and massive unmet social needs at home. This tax increase will not solve our fiscal problems, and the budget cut will intensify our social problems. The tax increase puts the burden on the wrong people and the budget cut will take the money from the wrong places.

I recognize we must make budget cuts and increase revenues to close the gap between income and outgo. When this measure was before us several weeks ago, I voted for a $14 billion tax on excess profits and against the 10 percent surtax because it is unjust and unfair in the extreme. I would vote again for an equitable tax measure if there were one before us despite the fact that our fiscal problem is caused by a tragically mistaken war that I have fought and voted against since 1965. Today, I hope we will not have to listen to pious lectures on high taxes and fiscal irresponsibility from those who supported the launching of a ground war in Vietnam in 1965.

This tax package will levy a 10 percent surtax for $11.6 billion, continue auto and phone taxes and speed up corporation tax collections, for a total of about $15 billion. Combined with a $6 billion budget cut it still leaves an untenable budget gap; it will not stop the inflationary spiral; it will not stop the drain on the dollar; and it will not leave enough in the budget for critical social programs. You know that, Mr. President, and I know that, and administration spokesmen will privately concede it if we press the point vigorously enough. But they tell us, this is the best stopgap emergency measure we can get through Congress. What other measure has the administration tried to get through Congress? Why have they not come to Congress with the kind of tax that lays a fair share of the burden where it ought to go—an excess profits tax on unprecedented profits of a war economy. Is it not ironic that the financial and business leaders of America are the administration cheerleaders for this tax increase. Well, why not? They will not have to pay it.

It is in the national interest they tell us. In times of crisis, we Americans must all stand together, they say. I can buy that, but while we are all standing together why not throw in our tax money together too? During the Second World War in 1944 the excess profits tax produced $10 billion out of an economy a fraction as large as this one.

The 10-percent surtax will not much be noticed by the rich, the affluent or the well to do. It will just reduce their savings or investments a relatively modest amount. But for those who are trying to save a little bit or who are having trouble balancing their budget and keeping up with the inflation, the tax increase does mean something. Even more important is the principle involved. Americans have always been willing to sacrifice in the interests of their country when called upon to do so. I trust it will always be so. But they properly resent it when the sacrifice is not fairly shared by all. In fact it is pretty hard to make a convincing case for the urgency of the cause with a proposal like this one. In good conscience we must concede this is a tax prescription with the wrong medicine for the wrong patient.

If we mean business about this serious matter, for heavens sake let us confront it head on with a proposal that resolves the issue and does it fairly. That means we should junk this measure and call upon the administration to come up with a proposal that does the job. Under the circumstances, that is where the proposal should come from. If they have no recommendation to make we then should do the job ourselves.

The budget should be put in balance and it can be accomplished if we have the courage to levy the taxes where they should be levied and cut the budget where it should be cut. We are living in a wartime economy with the highest profits in history yet we are asking them to sacrifice almost nothing while we discriminate against programs for the poor, the jobless, the elderly, the hungry, and the untrained and uneducated youth of America.

We should enact a tax and budget package that raises $22 billion in taxes and cuts the budget by the amount recommended by the President—$4 billion; $14 billion should be raised by an excess profits tax, $5 billion from the surtax, $2.7 billion by extension of the phone and auto excise taxes and $300 million miscellaneous—removal of tax exemption from certain industrial development bonds, and so forth. This combined with a $4 billion budget cut will total $26 billion.

In my judgment, the emphasis on budget cuts should be in the military budget—a 5-percent research and development cut, for example, would save $1.2 billion; postponement of the thin ABM several hundred million—public works, $1 to $2 billion should be postponed—with most of the balance being cut from space, SST, European troop reduction and military procurement.

This would put us in a fiscally sound position with a balanced budget or at most a modest imbalance. If within a reasonable time this did not reverse the inflationary trend the President should request the imposition of price-and-wage controls. We cannot afford to permit the inflationary trend to continue at its present rate.

We are in a war. Our fiscal situation is serious. We ought to have the courage to face up to it with a program that will do the job.

I therefore will vote against this conference report as I voted against the original bill.

Mr. McGOVERN. I will vote against the proposal to extend the income surcharge for 6 months. In my judgment, extension of this extra levy on individual income serves only to aggravate the demonstrable inequities in our tax laws and to burden further the individual taxpayer, whose shrinking real income is the victim—not the cause of inflation.

The economic interests of America would be best served at this time by enactment of a temporary tax on excessive war profits, which are the products of extraordinary wartime military spending. This tax would apply a much more effective brake to the current inflation than the continued imposition of a regressive surtax. Meaningful action to curb our present inflation requires facing up to its root causes and making certain hard political decisions. The proposal to extend the income surcharge is not the product of such a decision.

The VICE PRESIDENT. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. The bill having been read the third time, the question is, Shall it pass?

Mr. LONG. Mr. President, on that question, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President. I yield myself 2 minutes.

It was my firm opinion that the Senate would have rendered a greater service to our country here today had we settled once and for all the question as to whether we were or were not going to extend the surtax for the full year, and also at what rate. I think it would have been better to face up to the question of whether we would or would not repeal the investment tax credit, and also the effective date, and what industries if any would be exempted.

The uncertainty in that respect is in my opinion creating a disturbance in the

market. In my opinion this uncertainty will continue.

However, the Senate has had a chance to make its decision, and this bill is a step in the right direction. At the same time, I think we may have made a bad mistake in not clearing up the uncertainty and in not meeting head on the problem of combating inflation in this country.

One handicap in leaving undecided the so-called investment credit is that many of our corporations file their tax returns on a fiscal year basis. As a result of the Senate action it means that if and when we do repeal the investment credit, and if it is as of April 18 it creates accounting problems. In the meantime corporations will file their tax returns on a fiscal year basis, July 1, August 1, or September 1, for example.

The PRESIDING OFFICER (Mr. SAXBE in the chair). The time of the Senator has expired.

Mr. WILLIAMS of Delaware. I yield myself 2 additional minutes.

Whatever date is involved those corporations will file their tax returns and deduct the investment credit on the machinery that they are buying even after the April date. For example, the machinery the companies bought in August will be eligible for the credit since the law has as yet not been repealed. If they file their tax returns on the fiscal year basis on September 1 and if Congress acts at some future date the Treasury Department will have to give them 60 more days to file amended returns and pay the extra tax without interest. The Treasury has estimated that it will amount to about $200 million by the end of September that will be lost in revenues, while this will be later regained the Government will be paying the interest in the meantime. As one company official pointed out to me, he was going to take his investment tax credit when he files his tax return August 1, put the money in 60- or 90-day Treasury bills, and draw 7 or 7½ percent interest on it. By keeping it there a few months while Congress postpones its decision, he can collect interest in the meantime.

I do not think that is a good way to run our Government. We should have met that problem head on and made our decision today. Five days of hearings were held on the measure. Members of the Senate had an opportunity to testify. While it is true the bill was reported rather hurriedly, under the parliamentary situation it could not be avoided.

I accept the decision of the Senate. As far as I am concerned I am ready to vote and shall support the bill even though in my opinion it falls far short of what should have been done.

Once again I express aprpeciation to the majority leader, who I know had very strong feelings on this question. Some of us wanted an opportunity to present our views on the bill, to offer amendments, and to have them accepted or rejected by the Senate on their merits. He has given us that opportunity. That is all I asked. I abide by the decision that the Senate itself has made.

Mr. DOMINICK. Mr. President, will the Senator yield me 2 minutes?

Mr. WILLIAMS of Delaware. I yield 2 minutes to the Senator from Colorado.

Mr. DOMINICK. Mr. President, this is a most irrational situation. I find myself, a member of the Republican Party, faced with a bill that has been developed by the Democratic policy committee. I find myself in a position of being asked by the Democratic majority to keep an added tax on individuals, but retain the tax credit for the benefit of companies and corporations. I find myself in a position where the Democratic leadership has said the surtax is not doing any good in controlling inflation; yet they say, "All right, we will extend it for 6 more months."

I find myself in the position of realizing that while there has been inflation even with the surtax, this would continue the surtax but retain the investment tax credit. Yet, high interest rates and inflation go on.

I think to pass a 6-month extension of the surtax and to do nothing else—which is what the Senate has decided to do today—is a mockery to the American people.

Mr. MANSFIELD. Mr. President, I yield 2 minutes to my colleague from Montana.

Mr. METCALF. Mr. President, before this debate comes to a close, I want to call attention to the fact that simply because there was an agreement not to debate the low-income allowance sent over to us by the House as a part of the surtax bill, H.R. 12290, that does not mean those who need tax justice the most have been forgotten.

We must not forget that there are still some 5.2 million taxpayers at or below the recognized "poverty" level who are still paying income taxes. That is quite a contrast with the much-quoted statistic of 155 tax returns with adjusted gross incomes above $200,000 on which no income tax was paid, including 21 returns with incomes above $1 million.

These are matters which will be subsequently considered, but they have been given inadequate consideration at this time.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from Tennessee (Mr. BAKER).

Mr. BAKER. Mr. President, I wish at this time to commend the Senator from Colorado (Mr. DOMINICK) for his succinct appraisal of the situation with which we are faced at this time. I would add one or two additional items of dilemma to that situation that have occurred to me.

First, our colleagues in the House of Representatives, on both sides of the aisle, were faced with the question of acting on fiscal responsibilities and casting their votes for an unpopular tax measure, bearing in mind that in passing the tax measure in the House of Representatives they also initiated tax reform with the repeal of the 7-percent investment credit, by dropping from the Federal tax rolls people with incomes below a certain level, by a reduction of the surtax to 5 percent after the first of the year, with the additional revenues that action provided.

All that has gone and we are faced with the prospect of taxing the people of this country and yet doing nothing to relieve inequities by tax reform. We have faced the challenge of tax reform and we have failed.

I feel reluctant, but I must cast my vote against passage at this point.

Several Senators addressed the Chair.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I cannot disagree with the statements made by my distinguished colleague, or those of the distinguished Senator from Tennessee, either one. But my vote will be different on this matter, and I think I should state why.

I have always thought that the so-called unified budget is phony. I am sorry that the Johnson administration adopted it. I am sorry that the Nixon administration continued it, because it presents a phony picture to the people of the United States.

Nevertheless, even though we have been deprived here of the opportunity to take 5 million poor people off the tax rolls, and of continuing the surtax at a reduced rate through next June, and even though we have not been able to do anything with the investment credit, this is a half loaf that I have to take, obnoxious as it is to me, and this half loaf represents $5 billion, which will be raised by the tax on this bill, and which will inure to the benefit of the Government, and otherwise will inure in a deficit on next June 30.

I quarrel with no one who has a different point of view, but since I have tried every way I can to get more, I shall take what I can get now.

In conclusion, Mr. President, may I just say this: this matter now goes to the House of Representatives. We do not know whether we will get a bill or not. I hope we do, and these other matters will certainly be up for discussion in a conference committee.

Mr. SCOTT. Mr. President, will the distinguished Senator yield?

Mr. ALLOTT. I yield to the Senator from Pennsylvania.

Mr. SCOTT. In order to save the Senate's time, let me simply say that the distinguished Senator from Colorado has stated my sentiments exactly, and I intend to vote as he intends to vote.

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the distinguished Senator from Rhode Island.

Mr. PASTORE. Mr. President, I was reluctant to discuss this matter at this time, but in view of some of the charges that have been made on the floor of the Senate, I think we should have some correction.

The opposition has talked about mockeries. Why do we not talk about the hypocrisy of our whole tax structure? That is what we are trying to correct, and that is the reason why the Democrats have held out for 6 months instead of the 12 months, in order that we could bring about the equity and justice that is necessary in our whole tax structure.

What is a surtax? A surtax is a tax on those who already pay a tax. We know that in this country there are hundreds upon hundreds of people who receive tremendous incomes, and yet do not pay

one nickel in taxes; and therefore, if they do not pay a tax, there will be no surtax on any tax that they pay, and that is what we are trying to correct. That is all we are trying to do.

We have decided, in the policy committee, that the only reason why we would go for 6 months was because we wanted to assure the people of this country that we are going to have tax reform, and for no other reason. For no other reason.

So I am saying to those who are defending a 27½-percent oil depletion that the time has come when these multimillionaires should pay a tax like everyone else, on an equitable basis, on a justifiable basis, and not on a basis of favoritism.

That is what we Democrats are trying to do. We are trying to protect that wage earner who pays his share, and to catch the multimillionaire who gets away scot free.

Several Senators addressed the Chair.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from Iowa.

Mr. MILLER. Mr. President, I do not like to see this matter closed off on a basis of partisanship. I have been here 9 years, and have been as much for tax reform as have most other Senators. I cannot say that the position of the Senator from Rhode Island has been crystallized during all these last 9 years. I am glad it is going to be this year.

But let us make it loud and clear that there is no partisanship on this issue of tax reform. There are shared views on tax reform on both sides of the aisle, and I do not think that this body ought to go off with that kind of a tail on it.

I should like to say this: Starting January 1 next year is when the low-income taxpayers were going to get relief. I say to my friend from Montana that we can wait and take care of them a little later on this year, because the effective date is not until next January 1.

With respect to the repeal of the investment tax credit, thanks to the Senator from Montana and the Senator from Louisiana, we have been assured that it is going to be repealed. They have the power on that side of the aisle, they have a lot of support on this side of the aisle, and it is going to be repealed as of April 18th; so I think we can get on and do a job, and satisfy most of us now.

Several Senators addressed the Chair.

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, I shall vote against the surtax extension, because I think it is a rankly unjust tax on the poor and middle income taxpayer, the upper middle income taxpayer and the lower middle income taxpayer, and the workingman.

We proposed a just tax in the Senate last year, and were defeated—I think we got 18 votes—that is a tax on excess war profits. It would raise $9.5 to $10 billion a year. This surtax raises $9.5 to $10 billion a year, this revenue is an exact substitute for that which would be raised by the surtax.

We talk about tax reform, and we play tiddledywinks with a few hundred million here and a few hundred million there.

We had an excess war profits tax in World War I, an excess war profits tax in World War II and an excess war profits tax in the Korean war. Why is it less necessary today? Do we put the blood and lives of our youth in Vietnam at a lower level than we put the profits of the war contractors?

More than $42 billion dollars are paid a year in prime contracts alone, scot free. This bill we have pending here will not confiscate those profits. It starts at nothing. The contractor who profits only to the extent of $25,000 a year is not touched. The highest tax on such profits proposed is 37.5 percent. Yet it would raise 9.5 billion dollars to 10 billion dollars.

Mr. President, that is the fair tax. That is the just tax. That is the tax that has proved just and equitable in three different wars. It is no innovation and it would raise as much money as the surtax.

I think it rankly unjust to create these vast fortunes of hundreds of billions of dollars from the profits of war and the blood and lives of our young men, and not have a tax on these profits as we had in the last 3 wars. This war has already cost us $100 billion—the most expensive war we have ever fought, except World War II. It has lasted longer than the Revolutionary War. We have had more casualties than in the Korean war. We are approaching the losses we had in World War I.

Yet we refuse to tax the profits of those who make money out of this evil conflict that has caused the crisis we face in Europe, that has caused high taxes, that has caused high interest rates, that has caused the flight of gold from our Treasury and that constitutes the greatest evil faced by America today.

I shall vote against this unjust tax which is sought to be added today to the backs of the people.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from Nebraska.

Mr. CURTIS. Mr. President, I rise to say a kind word for the distinguished senior Senator from Delaware (Mr. WILLIAMS). I know of no more stalwart public servant, past or present. If it had not been for him, there would have been no surtax enacted by the previous Congress. If it had not been for him, our efforts to reduce expenditures would not have proceeded as far as they did. He has conducted himself on this day, as he always has, as a perfect gentleman. He has lost a rollcall or two, but I do not think that, when the pages of history are written, they will mark up very many real losses to JOHN WILLIAMS. I commend him for his effort.

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the distinguished senior Senator from Florida.

Mr. HOLLAND. Mr. President, I thank the majority leader. I join in paying tribute to the distinguished senior Senator from Delaware.

And I want to add to the name of the Senator from Delaware, the name of the senior Senator from Montana, the majority leader. I think they have both rendered a fine contribution here today.

Mr. President, of course none of us are pleased entirely with what we are about to do. However, it seems to me very clear that if we face up to the test of fiscal responsibility and stability in our government, it is the only thing we have a chance to do today. And, of course, I propose to vote for the extension of the surtax at 10 percent for the rest of the year.

Going further, I want to comfort those who, like me, may feel that 5 percent for the first 6 months of next year should also have been enacted by reminding them that it is coupled with a bill on the calendar containing some very attractive measures.

One of them is the extension of the excise tax, which has got to be done if our country is to be fiscally solvent.

Another is the matter of relief being afforded to certain persons of the very low income group from the tax burden. I believe that number is stated to be about 5 million.

Beginning with the consideration of the 1947 tax reduction bill and later the 1948 bill, the senior Senator from Arkansas (Mr. MCCLELLAN), joined by the senior Senator from Florida, insisted that the promises that have been made to the poor people throughout World War II be redeemed. Those promises were redeemed. The exemptions were cut to $500 a person. It was promised that they would be restored when we finished the war. We finally got $100 restored in 1948.

We will have a chance in connection with the bill presently on the calendar to restore a little more and bring about a little greater degree of equity.

I express my appreciation to the junior Senator from Montana (Mr. METCALF), and to the senior Senator from Arkansas for the long, continuing battle they have made in this field.

The tax investment credit also is contained in the bill that is upon the calendar. I want the record to show that we are assured that with respect to the bill on the calendar, there is no request for recommittal of the bill. A study is to be made in the committee with a view of reporting committee amendments to the investment tax credit bill which, of course, is in accord with normal Senate procedure.

I think we will have to complete the job at a later date. I will take great pleasure in aiding in the completion of the job at a later date. But it seems to me that we have faced up to the only thing we could do.

After all, that is what politics is. It is a matter of accomplishing what is possible. And I think we are about to do that very thing today.

Mr. President, I am glad we are going to do it. I think it is the fiscally responsible thing to do. I think it puts us in a better light in the international community. I think it puts all of us in the position of having voted to maintain a sound and solvent government. And that is always greatly desired.

Mr. President, I am glad to vote for the bill. However, I would much have

preferred it if we had voted for the entire provisions of H.R. 12290 as it came from the House and is on the calendar.

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the distinguished senior Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 2 minutes.

SENATE ACTS RESPONSIBLY

Mr. RANDOLPH. Mr. President, I believe that the Senate in a few minutes will act in a responsible way, responsive to the general feelings of the citizens of the United States.

It is my belief that they are willing to support extension of the surtax coupled with early action on tax reform. We are making a commitment to develop needed revisions of our tax structure which will be drafted under the leadership of Chairman LONG and the members of the Finance Committee.

I commend the Senate on its realism with regard to a difficult surtax issue, involved with the absolute necessity for a more equitable tax base. Our leaders, Senators MANSFIELD and DIRKSEN, have acted wisely.

There will be no unanimity in the final rollcall, but I am sure each Senator will respect and understand the differences of conviction on this confused and complex issue.

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 2 minutes.

Mr. FULBRIGHT. Mr. President, I do not want this moment to pass without paying tribute to the majority and minority leaders for the very fine job they have done in bringing a most difficult matter to a satisfactory conclusion.

I do wish, however, to raise one question. That concerns the apparent assurance that the surtax has been a restraint upon inflation. We have had the surtax for over a year. During that period of time we have had very great inflation.

I think the Senate can well consider, in view of the decreases in the market, in our economy, and in the reports from some of our biggest corporations, whether we are not heading for a depression rather than for continued inflation.

I do not know. I am puzzled about it. I am not as sure as many of my colleagues seem to be that extending the tax is necessarily a good thing for our economy. It may well be that we will look back upon both the 10-percent surtax and the tax investment credit extension as not necessarily involving an incentive for the expansion of our economy. I am not as certain as many of my colleagues appear to be about the economics of the situation we are now facing.

However, I am very glad to pay tribute to both leaders for resolving the dilemma in which we found ourselves.

Most Senators would like some degree of reform in the existing tax structure. I think this is a step toward that. That is why I did not see any way to get out of it.

I compliment the leadership on both sides and especially the majority leader for the fine job that has been done.

The PRESIDING OFFICER. Who yields time?

Mr. DIRKSEN. Mr. President, I will add only 1 minute to the discussion.

I suppose ever since the dawn of time, man has been prophesying doom and gloom. I recall how out of Shakespeare it was said to Caesar, "Beware the Ides of March."

On a given day Caesar said to those who had thus prophesied: "The Ides of March have come."

And they said to Caesar: "But not gone."

So maybe the Ides of March are here, and we will have to wait and see whether they are going or whether there are catastrophe and disaster combined because of their being here.

One thing I am quite happy about. I am glad that we did not extend the debate into the month of August, because an astronomer would tell us that the dog star, Sirius, will come up in the western sky and be in the ascendancy for some time. And that is the star that connotes the dog days when men and dogs bite one another.

I would be afraid if we had the bill up for debate on the Senate floor when the dog days came.

How fortunate we are that we are committed to a needed summer recess starting at the close of business on the 13th of August.

We will all go home and discover from our constituency—from those who are, after all, the repositories of the power in this country—whether they liked our comportment and conduct in respect to the tax bill or not.

I have an idea that people will speak in language, as I used to say to Lyndon Johnson, that even a Texan can understand. And so, we will abide the time.

I like to equate what we have done today. The distinguished majority leader and I more or less started these conferences 8 days ago today. And I must say for him that he has been the soul of patience. He has come to my office more often, I suppose, than I went to his. However, it was always in the spirit of sweet reasoning and the hope that somehow we could solve this difficulty and allay the concern and fears of people, and particularly those of the business community.

We have been partially successful, and if I had to render it into euclidean form today, I would have to say to my genial friend, the distinguished majority leader, that 8 days equals 1 month. That has been the result of all our efforts.

So we marched up and we marched down. And I hold those 30 days from November 30 to December 31 in the very hollow of my hand. And how I shall treasure them. In that period from November 30 to December 31, there are several great things that will somehow dissolve and dissipate so many of the anxieties and vexations of our people, because in that 30-day period there is the day of Thanksgiving and there is the day of Christmas. So let it be done.

Mr. President, I am glad that Senators have remained, because I want to ask the majority leader now about what may have been contrived by way of a vote on Tuesday or Wednesday of next week on the amendments to the authorization bill, and the bill itself, which contains the ABM language.

Mr. MANSFIELD. Mr. President, if I may advert to what the distinguished minority leader said in the beginning of his remarks, I would like to take not more than a minute of the Senate's time.

First, I want to say that the bill now before us was developed in the spirit of accommodation and understanding. The two amendments which were discussed, I think, were offered first by the distinguished Senator from Delaware (Mr. WILLIAMS), and therein lies the genesis for the measures which were considered on the floor to date. All he asked was a chance to have a vote on these two proposals; and eventually—through persistence, determination, and intelligence—he, in effect, had his way.

The second factor I want to mention is that the 30-day renewal was especially requested by the distinguished minority leader, and he was so persuasive and so considerate and so understanding that he, likewise, was able to have his way.

So this is not merely a 6-months bill; this is a Senate 6-months bill, in which both Democrats and Republicans have participated together.

In response to the latter portion of the distinguished minority leader's remarks, I think he ought to ask that question of the distinguished senior Senator from Kentucky, who for 2 weeks, to the best of my knowledge, has been trying to bring the ABM matter, the Cooper-Hart amendment, to a vote. He is the one who I believe could answer the question.

Mr. DIRKSEN. I address it, then, to the distinguished Senator from Kentucky and at the same time to the distinguished Senator from Mississippi.

Mr. STENNIS. Let the Senator from Kentucky speak first.

Mr. COOPER. Mr. President, the Senator from Michigan (Mr. HART) and I have conferred with the Senator from Mississippi (Mr. STENNIS) with many others who are interested in the amendment.

As a result of our conference, Senator HART and I propose the following unanimous-consent agreement:

We ask unanimous consent that on Wednesday, August 6, at 3 o'clock p.m., the Senate shall vote on the amendment to S. 2546 proposed by the Senator from Michigan (Mr. HART) and myself.

We also ask unanimous consent that on Tuesday, August 5, immediately after the morning hour, there shall be 4 hours of debate on the amendment, equally divided between proponents and opponents; that on Wednesday, the Senate shall convene at 11 a.m.; that there shall be no morning hour; that there shall be 4 hours of debate on the amendment,

equally divided between opponents and proponents; that the time allotted to the proponents shall be controlled by the Senator from Mississippi (Mr. STENNIS) and the time allotted to the opponents shall be controlled by the Senator from Michigan and myself.

Mr. STENNIS. The proponents of the amendment.

Mr. COOPER. Of the amendment, yes.

Mr. RUSSELL. Mr. President, reserving the right to object—I do not intend to object, and I do not intend to offer any amendment—but the unanimous-consent request proposed by the Senator from Kentucky does not take into consideration any amendments or amendments in the nature of a substitute that might be proposed for the proposition advanced by the Senator from Kentucky and the Senator from Michigan.

I have no amendments, but I have seen Senators excluded from offering their amendments by virtue of such a unanimous-consent request; and I think that ought to be included—the amendment and any amendments proposed thereto—so that a Senator could at least offer an amendment whether he had any time on it or not.

Mr. COOPER. I think the Senator is correct. We discussed this possibility. I thank the Senator from Georgia. He is correct.

I include in the unanimous-consent request that if any amendment is offered, there shall be 1 hour on the amendment, equally divided between the opponents and the proponents.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. STENNIS. Any amendment offered to the Cooper-Hart amendment?

Mr. COOPER. Yes.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN. Reserving the right to object, I trust that the request will be quite clear. As I understand, no time on Monday is being encumbered by the unanimous-consent request.

Mr. COOPER. That is correct.

Mr. DIRKSEN. That time is free.

On Tuesday, the Senator asks us to come in at 11 a.m.

Mr. COOPER. No, not on Tuesday.

Mr. DIRKSEN. The request is to come in at 12 on Tuesday, and the Senator asks for 4 hours' debate, to be equally divided, after the morning hour on Tuesday?

Mr. COOPER. That is correct.

Mr. DIRKSEN. And on Wednesday, to come in at 11 a.m., no morning hour, and then a division of time. Does the Senator have a time limit for a vote?

Mr. COOPER. To vote at 3 p.m.

The PRESIDING OFFICER. Is there objection?

Mr. JAVITS addressed the Chair.

Mr. DIRKSEN. Mr. President, I have the floor, on reservation.

I am trying to get clear what the distinguished Senator from Kentucky——

Mr. PASTORE. Mr. President, we cannot hear the minority leader.

Mr. STENNIS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. DIRKSEN. Mr. President, I am trying to make clear what the distinguished Senator from Kentucky is trying to do.

Mr. COOPER. Let me say, first, that this proposal was agreed to by the Senator from Mississippi (Mr. STENNIS), the Senator from Michigan (Mr. HART), and a number of other Senators who are interested in the amendment.

Mr. DIRKSEN. In connection with this, I had better ask the distinguished majority leader first whether it is proposed to recess or adjourn the Senate tonight until Monday.

Mr. MANSFIELD. No. It is anticipated that we will come in tomorrow. The distinguished Senator from Connecticut (Mr. DODD) has some remarks; there may be other Senators. The chairman of the Committee on Armed Services desires to speak tomorrow.

But I would anticipate no votes tomorrow, just routine business, speeches, and noncontroversial items that might be on the calendar.

Mr. DIRKSEN. That leaves Monday unencumbered for any Senator who wants to discuss the bill or anything else.

Mr. MANSFIELD. Yes, as well as tomorrow.

Mr. DIRKSEN. And on Tuesday we would come in at noon, and have 4 hours of debate?

Mr. COOPER. Yes.

Mr. DIRKSEN. And then on Wednesday, we would come in at 11 a.m., have no morning hour, and how much debate?

Mr. COOPER. Four hours.

Mr. DIRKSEN. Four hours on Wednesday.

Mr. COOPER. We cannot set a time now because of amendments offered.

Mr. DIRKSEN. But the vote would be had as expeditiously thereafter as possible?

Mr. COOPER. Yes.

Mr. DIRKSEN. I have no objection.

Mr. STENNIS. Mr. President, reserving the right to object——

Mr. DOMINICK. Mr. President, reserving the right to object——

Mr. STENNIS. I call attention to one additional point. There will be other time, if the Senate wishes, on Tuesday. The agreement asks for 4 hours of controlled time only. Of course, we want that time on that subject.

For the information of the Senate, this matter has been threshed out very carefully and has been gone over many times. The Senator from Kentucky and the Senator from Michigan have been quite cooperative in it. I believe it represents a fine consensus which will accommodate the entire membership of the Senate.

Mr. COOPER. Mr. President, in view of the proper addition that was made to the request dealing with any amendments that might be offered to the Cooper-Hart amendment, it will be necessary to strike from the original request I made that we shall vote at 3 o'clock; because if amendments are offered, of course, we could not have both 4 hours of debate and still vote at 3 o'clock.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. MURPHY. Does the Senator wish to limit the time on the amendment?

UNANIMOUS-CONSENT AGREEMENT

Mr. COOPER. Mr. President, I shall state the agreement again, as modified.

We ask unanimous consent that on Wednesday, August 6, 1969, but not before 3 p.m., the Senate shall vote on the amendment proposed by the Senator from Michigan (Mr. HART) and myself to S. 2546.

We ask unanimous consent that on Tuesday next, after the morning hour, there be 4 hours of debate on the amendment, equally divided between the proponents and opponents; that on Wednesday the Senate will convene at 11 a.m.; that there will be no morning hour; that there will be 4 hours of debate on the Cooper-Hart amendment, equally divided between the opponents and proponents; that if there be further amendments to the Cooper-Hart amendment, the time will be limited to 1 hour on such amendments, to be equally divided between the proponents and the sponsors of the Cooper-Hart amendment.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears no objection, and the agreement is entered into.

Do Senators yield back their time?

Mr. DIRKSEN. I yield back my time.

Mr. MANSFIELD. I yield back my time.

The PRESIDING OFFICER. All time has been yielded back. The question is, Shall the bill pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 70, nays 30, as follows:

[No. 63 Leg.]

YEAS—70

Aiken	Gravel	Mundt
Allott	Griffin	Murphy
Anderson	Gurney	Muskie
Bellmon	Hansen	Packwood
Bennett	Harris	Pastore
Boggs	Hartke	Pearson
Brooke	Holland	Pell
Byrd, Va.	Hruska	Percy
Case	Hughes	Randolph
Cooper	Inouye	Ribicoff
Cranston	Jackson	Russell
Curtis	Javits	Schweiker
Dirksen	Jordan, N.C.	Scott
Dodd	Kennedy	Smith
Dole	Long	Sparkman
Eagleton	Magnuson	Spong
Eastland	Mansfield	Stennis
Ellender	Mathias	Stevens
Ervin	McCarthy	Thurmond
Fannin	McClellan	Tower
Fong	McGee	Williams, Del.
Goldwater	McIntyre	Young, N. Dak.
Goodell	Miller	
Gore	Mondale	

NAYS—30

Allen	Dominick	Nelson
Baker	Fulbright	Prouty
Bayh	Hart	Proxmire
Bible	Hatfield	Saxbe
Burdick	Hollings	Symington
Byrd, W. Va.	Jordan, Idaho	Talmadge
Cannon	McGovern	Tydings
Church	Metcalf	Williams, N.J.
Cook	Montoya	Yarborough
Cotton	Moss	Young, Ohio

So the bill (H.R. 9951) was passed.

Mr. LONG. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. JAVITS. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. LONG. Mr. President, I am not going to make a request for the conferees at this point, because we only had one amendment, which is the same language as that in the House, and so would hope that the House would take it as an amendment. If they want conferees, we will be glad to accommodate them, but it is important that we act on the interest equalization tax, which expires tonight, which bill is now at the desk.

Mr. MANSFIELD. Mr. President, as the votes on this measure today indicate, no particular point of view can claim victory or, for that matter, defeat. If there was a victory attached to it, it was a victory for the Senate as a whole, the administration, and, hopefully, the American people.

I am happy that we were able to reach, on a bipartisan basis, a reasonable accommodation after a very lengthy exchange of views and collection of conferences, and I want it clearly understood that any credit which inures to the measure which has just passed the Senate belongs to all of us and not to the leadership on either side, or to any individual Senator. In that action, the administration has also played a very worthwhile and responsible part.

No particular interest can claim credit or rejection. Rather what these proceedings have indicated above all is that the Senate as a whole can be proud of an accomplishment attained in the spirit of accommodation and responsibility. The only winners are the people.

The able chairman of the Finance Committee, the distinguished Senator from Louisiana (Mr. LONG), once again displayed his remarkable ability in his expert handling of this very important measure. And the minority leader offered his characteristic cooperation and full support. Their participation was indispensable in effecting a meeting of the minds on all sides of the issue, thus making possible the responsible action taken by the Senate today.

Working also so indispensably to accomplish the responsible end obtained were the capable senior Senator from Delaware (Mr. WILLIAMS) and the able Senator from South Dakota (Mr. MUNDT). Their views were expressed with the deep understanding and wisdom that have characterized all of their efforts in the past. I might say that it is most difficult to express in words my esteem and gratitude for their splendid contribution.

To say it simply: Senator DIRKSEN, Senator WILLIAMS, and Senator MUNDT all deserve our deepest appreciation for their tireless efforts to resolve this matter reasonably. They happen to serve on the other side of the aisle, but I might say that in the interest of accommodation and unity in the Senate, their service rises above partisanship.

May I say, also, that I think the entire Senate is to be commended on that score. The close attention and support during the discussions today and the splendid cooperation displayed by all certainly credits this body immeasurably. It was imperative that all views be heard and considered. I am proud to say they were. I thank each and every Senator. We may all be proud.

CONTINUATION FOR A TEMPORARY PERIOD OF THE INTEREST EQUALIZATION TAX

Mr. LONG. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 13079.

The PRESIDING OFFICER laid before the Senate H.R. 13079, an act to continue for a temporary period the existing interest equalization tax, which was read twice by its title.

Mr. LONG. Mr. President, I ask unanimous consent that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. LONG. Mr. President, this is a mere 30-day extension of the existing equalization tax, so that we can get the bill considered.

Mr. JAVITS. Mr. President, will the Senator from Louisiana yield?

Mr. LONG. I yield.

Mr. JAVITS. Mr. President, this is an important bill, which has a widespread interest, especially today. I understand that it is only a 30-day extension but I should like to ask the Senator from Louisiana whether there are any facts or figures available as to how it is operating today, both in terms of our balance of payments problems, for which it was originally devised, and in terms of the high interest rate we have not only in this country but also the very high interest rates now being paid by our banks with regard to Eurodollar borrowings abroad. I should like to ask the Senator whether the Finance Committee is going to look into the general network of questions which are involved so that when we do come to act in a definitive way, we will have that body of information.

Mr. LONG. Mr. President, I shall seek to obtain that, and any other information the Senator wants, if he will just let us know. Unfortunately, I cannot provide all of that for the Senator today, as he is well aware of, I am sure. I am merely told by the Treasury Department that if we do not do this, a large amount of money might flow out of the country which would create some problems for us in this country.

Mr. JAVITS. Of course, I would not dream of being so irresponsible as to seek to block this legislation but I do want to get abreast of how it will work. That is why I asked for the information I did. I have no objection, of course.

Mr. LONG. I will cooperate with the Senator to that end.

The bill was ordered to a third reading, was read the third time, and passed.

Mr. LONG. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM

Mr. SCOTT. Mr. President, I rise to inquire of the distinguished majority leader whether he expects any votes tomorrow.

Mr. MANSFIELD. Mr. President, responding to the question raised by the distinguished acting minority leader, I cannot give an unequivocal answer but to the best of my knowledge, it does not appear that there will be any votes tomorrow.

Mr. SCOTT. I do thank the Senator from Montana.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The PRESIDING OFFICER (Mr. SAXBE in the chair). The Chair lays before the Senate the unfinished business which the clerk will state.

The LEGISLATIVE CLERK. S. 2546, to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each reserve component of the Armed Forces, and for other purposes.

The Senate resumed consideration of the bill.

AMENDMENT NO. 111

Mr. FULBRIGHT. Mr. President, I submit an amendment to the pending bill. It is a simple amendment which I would like to explain briefly.

The amendment would require the Secretary of Defense to make available to a congressional committee, upon request, any study or report prepared outside the Department of Defense which was financed in whole or in part by the Department. The purpose is to insure that the Congress is given access to research studies performed by the so-called "think tanks," the universities, or individuals whose work is paid for by the taxpayers. The amendment recognizes the issue of executive privilege and carefully specifies that the mandate applies only to work performed outside the Department of Defense.

This amendment is the outgrowth of an effort by the Committee on Foreign Relations to obtain a study prepared by the Institute for Defense Analysis relating to the Gulf of Tonkin incident. It is my understanding that the study contains a review of what happened in the Gulf of Tonkin, how communications were handled, and in general how deci-

sions were made. The purpose of the study, I was informed, was to determine what lessons could be learned for future crisis situations. I think that my colleagues will agree that there is much that all of us can learn from that incident and its aftermath. The committee has attempted several times to obtain this study from the Department of Defense, but has been refused each time.

The Institute for Defense Analysis receives virtually all its funds from the Department of Defense. In fiscal year 1969 this organization received $10,898,000 from the Department of Defense, and the Department proposes to give it $11,150,000 in 1970.

I believe that the Congress, which imposes the taxes on the public to finance this organization, and which authorizes and appropriates the money for it, should have the right to see how that money is being spent. The issue here is far more important than this one study—it is a question of whether the Congress has the power to obtain information, prepared outside the Government with tax money, for which no claim of executive privilege has been made.

The Senate is beginning, at long last, to reassert its constitutional prerogatives and to restore the proper balance to our system. Passage of this amendment will be one small, but positive step in that direction.

In that connection, I wish to simply observe that today I believe is the first—perhaps the second—time in my 25 years in the Senate in which all 100 Senators were present and voting on pending measures—which again I think is also a demonstration of the Senate's taking its responsibilities more seriously.

Mr. CASE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. CASE. Are there any cosponsors of the Senator's amendment?

Mr. FULBRIGHT. There are none, but I am always glad to have cosponsors.

Mr. CASE. Will the Senator request that I be made a cosponsor?

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the name of the Senator from New Jersey (Mr. CASE) be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, will the Senator do the same for me?

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the name of the Senator from New York (Mr. JAVITS) be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment will be received and printed, and will lie on the table.

AMENDMENT NO. 110

Mr. FULBRIGHT. Mr. President, I also submit another amendment to the pending bill, and I should like to discuss it briefly.

The amendment and the purpose are simple. It would reduce the authorization for research, development, test, and evaluation by a total of $45,614,000. This represents a 7-percent reduction in funds for the "military sciences" research category for each of the three services and the Department of Defense, plus a 20-percent reduction in the authorization for the Defense Department's overseas research program, Project Agile, which is funded under a category labeled "Other equipment." The proposed reductions, by service, are: Army $11,893,000; Navy $10,157,000; Air Force $9,989,000; and the Department of Defense $13,575,000. The purpose is to make a modest cutback in the Department's funding of Federal contract research centers—the so-called "think tanks"—other social and behavioral science research, foreign research, the Department's aid-to-education program, Project Themis, and research on counterinsurgency matters. The intent is to have the $45 million reduction applied roughly as follows:

First, reduce the funding of the Federal contract research centers by 10 percent, or $27 million;

Second, reduce research in foreign institutions—colleges and universities, primarily—by $2 million, or approximately one-third the program proposed;

Third, reduce counterinsurgency research, Project Agile, by 20 percent, or $5 million;

Fourth, cut other social science research, performed by organizations such as the Hudson Institute, by the remaining $3 million; and

Fifth, hold the line on new starts under Project Themis by reducing the request by $8 million—a 25 percent reduction.

The committee has recommended an 8 percent cut in the military sciences item, the funding source for most of the programs I listed. This is but a slap on the wrist, and I think that the circumstances call for a more meaningful reduction in non-essential research activities. I propose that the Senate cut this category by an additional 7 percent, to, in effect, impose a 15 percent surtax on the research programs I have listed. My amendment would also reduce by $5 million the funds for Project Agile, the overseas research which is funded under the "Other equipment" category.

It cannot be said that the amendment ties the hands of the Defense Department since each service will be left with considerable flexibility to distribute the cutback within these general areas. I might add that, under provisions of this bill, the Department of Defense will still have a $100 million emergency fund to play with, double last year's contingency fund.

It is time that the Senate took a hard look at what the taxpayers' money is being spent for in the Defense research program. This amendment is but a small step—but it is a step in the right direction.

I hope that the Senate will adopt it.

Mr. President, I think it is very appropriate, the Senate just having extended the surtax, which is a 10 percent across-the-board additional tax upon the citizens of this country, that immediately following that action we consider reasonable cuts in the exorbitant and extraordinarily large appropriation requests for the military establishment. It seems to me that, in connection with the effort to control and bring back into control our fiscal affairs, these relatively small amounts of reductions be imposed upon the budget.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. STENNIS. Mr. President, I appreciate the fact that the Senator from Arkansas has laid before the Senate and put in the RECORD the amendments that he proposes to offer to the military authorization bill. That will enable us to be ready when he proceeds to call them up. I urge other Senators who have amendments, who have not already filed them and put them in the RECORD, that they do so at the earliest time they conveniently can. That will expedite matters greatly.

Perhaps after the ABM vote, this bill can move along fairly rapidly. The cooperation of Senators will certainly help a great deal.

FOREIGN COMMITMENTS

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that an editorial from this morning's New York Times, entitled "No More Vietnams?" and an article from the July 11 New York Times, entitled, "Congress and the Pentagon: The Problem of Commitments," be printed in the RECORD as part of my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

NO MORE VIETNAMS?

President Nixon, the statesman, in Guam last week carefully sketched for reporters a sensible new Asian policy designed to avoid future Vietnams. Richard Nixon, the politician, in Thailand and Vietnam this week carelesly tossed off remarks that were uncomfortably close reminders of old policies that have long since been discredited.

In a burst of enthusiasm reminiscent of President Kennedy's "Ich bin ein Berliner" remark in Berlin in 1963, Mr. Nixon told a welcoming delegation of Thais in Bangkok Monday: "The United States will stand proudly with Thailand against those who might threaten it from abroad or from within." This invitation to entanglement was in sharp contradiction to the Guam doctrine of no direct military involvement except where a nation is directly threatened by a nuclear power.

Presidential aides quickly assured reporters that in private discussions with Thai officials Mr. Nixon was stressing the primary responsibility of Asian governments to look to their own defenses, especially in regard to internal subversion. They said the President was telling the Thais they may count on American advice, training, technical aid and equipment but probably no combat forces. This comes closer to the principles set forth at Guam, but the emphasis on military assistance and the ambiguity concerning direct combat aid are disturbing in view of internal challenges which the Thai oligarchy has failed so far to meet.

Addressing the troops in Vietnam yesterday, President Nixon made the astonishing assertion that he thought the war effort there may go down in history as "one of America's finest hours."

This was not the verdict of the American people when they forced Lyndon Baines

Johnson into retirement and when they elected Richard M. Nixon on a pledge to end the war. If Mr. Nixon really believes the Vietnam war represents the United States at its best, how credible is his promise of no more Vietnams?

CONGRESS AND THE PENTAGON: THE PROBLEM OF COMMITMENTS

(By James Reston)

It is hard to pick up a paper these days without reading some new charge that the Congress is being misled or even willfully deceived by executive officials, who are said to be making "secret deals" with foreign governments, or trying to scare the people into approving new weapons systems, or covering up expensive blunders.

For example, the Chairman of the Foreign Relations Committee, Senator J. William Fulbright recently asked about an unpublicized defense arrangement which he said enlarged U.S. military commitments to Thailand without the knowledge of the Senate. He had done the same earlier about private U.S. arrangements with Spain.

Also, Representative Samuel S. Stratton, Democrat of New York, has just issued a detailed report by a subcommittee of the House Armed Services Committee, charging that the Army not only tangled the production of the Sheridan tank-like weapon at a cost of over a billion dollars, but covered up its mistakes in order to keep the appropriations going.

Earlier, Secretary of Defense Laird, was accused of doctoring official intelligence reports in such a way as to indicate the Soviet Union was building up an alarming first-strike missile force which might change the whole U.S.-Soviet balance of power—Laird's implied purpose being to get Congress to approve the Administration's Safeguard antiballastic missile system.

There has been more of this in and out of Congress. Robert Donovan, of The Los Angeles Times, one of the most reliable and talented reporters in the capital, recently reported that President Nixon had told several Congressmen privately that it would be disastrous for the Republican party if large numbers of American troops were still in Vietnam at the time of the 1970 elections, the implication being that political considerations were affecting military decisions in the war.

THE PROBLEM OF CANDOR

Several points should be noted about all this. First, the charges of Pentagon blundering and "secret dealing" with Thailand and Spain were not directed against the Nixon but against the Johnson Administration. Second, opposition to the President's defense and military policies are rising, and now that the Nixon honeymoon is over, partisan feeling is obviously rising.

The main point, however, is that the longer these charges go unanswered, the greater the danger that the Nixon Administration will suffer from the doubts that finally eroded public confidence in the Johnson Administration.

There may be absolutely nothing wrong with U.S. "understanding" or "commitment" or "arrangement" of whatever it is with Thailand. Obviously, with a large U.S. military force in that country, there have to be contingency plans for the common defense of U.S. and Thai forces there, and these cannot be made public.

ROGER'S DOUBTS

But when it was first reported that there was an understanding—which was characterized by the ominous title of a "secret deal"—Senator Fulbright asked Secretary of State Rogers about it and got the impression that Mr. Rogers had never heard of any such arrangement.

Since then, the Secretary of State has undertaken to tell Senator Fulbright what it is all about, but meanwhile the suspicions exist, and the reason for the suspicions is perfectly clear. For so many secret arrangements were made in Vietnam and the results of those arrangements were so costly in human life that the Senate is determined to avoid other military commitments to other countries if it possibly can.

CONTROLLING THE MILITARY

Ever since it passed the so-called Tonkin Gulf resolution which gave the President a blank check to use whatever power he deemed necessary in Vietnam, the Senate has been told, first, that it approved this grant of Presidential power, and second, that the President's commitments to Saigon had to be kept or America's commitments would be worthless everywhere else in the world.

Accordingly, every charge of new commitments raises new doubts and adds to the atmosphere of suspicion which has poisoned the political life of the capital for the past few years. The Stratton subcommittee's evidence on the Pentagon's blunders and deceit on the Sheridan weapon system has increased the growing determination in Congress to bring the Pentagon's power and procedures under stricter control, and the longer the Nixon Administration avoids the policy of candor it promised in January, the more trouble it is likely to have.

Mr. FULBRIGHT. The editorial "No More Vietnams?" deals with the statements of President Nixon on his present journey, particularly his statements made in Southeast Asia. These are very thoughtful observations on those statements and they also deal with the role the Senate should play, and is playing, in the formulation of our foreign policy.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that we now have a period for the transaction of routine morning business, with statements to be limited to 3 minutes, with the exception of the Senator from New York, who has asked for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ONE HUNDRED SENATORS VOTING ON THREE ROLLCALLS IN 1 DAY ESTABLISHES A RECORD

Mr. RANDOLPH. Mr. President, on August 25, 1959, during a quorum call the Members of this body first had the opportunity to be recorded under the present total of 100. A full complement of Senators was not recorded on that date.

It was on February 10, 1962, that for the first time 100 Senators voted. This was a rollcall on my motion to discharge the Committee on Government Operations from further consideration of a resolution disapproving the plan to create a Department of Urban and Housing Affairs.

On July 17, 1962, 100 Senators also voted on a motion to table the medicare proposal.

We then go to the date of July 10, 1964, when all Senators voted on a cloture motion on the civil rights bill.

Nine days later, on the same bill Senators voted again with the full membership of 100.

Then on May 25, 1965, on two rollcalls on the Voting Rights Act, 100 Senators voted.

From 1965 until today, we have not had an issue on which all Senators voted. Today, we established a record. There have been three consecutive rollcalls with 100 Senators voting; and there was an earlier rollcall with 99 Members voting.

So a record, for whatever it is worth, has been set by the Senate.

S. 2753—INTRODUCTION OF THE VETERANS IN ALLIED HEALTH PROFESSIONS AND OCCUPATIONS ACT OF 1969

Mr. JAVITS. Mr. President, I am today introducing, for myself and the Senator from Vermont (Mr. PROUTY), the "Veterans in Allied Health Professions and Occupations Act of 1969," a bill designed to help overcome critical manpower shortages in the allied health-care field by fully utilizing medical corpsmen released from the armed services. My bill would provide Federal assistance to public and private nonprofit agencies, organizations, and institutions—such as medical schools, medical societies, hospitals—as well as to existing training centers for the allied health professions which establish training and retraining programs in the allied health professions. Students at these institutions would be assisted through Federal scholarships and loans.

Public attention recently has focused on the burgeoning crisis in the delivery of our Nation's health-care services. A most critical factor is the acute shortage of manpower in the allied health professions. The number of paraprofessionals, and the adequacy of their training, have not kept pace with the sharply increasing demands for their services.

In 1967 there was a deficit of some 110,000 allied medical personnel in terms of the demands made on these professions, according to the National Advisory Health Council of the Department of Health, Education, and Welfare. The Council's recent study on the Allied Health Professions Training Act indicates that national needs merit no less an increase than 165 percent of the number of baccalaureate-level allied medical personnel alone by 1975. Moreover, the Council reports the urgent demands in the health fields for which a baccalaureate is not required demand 5 to 10 times the present annual number of new personnel fields.

The problem is formidable and critical, and I believe it demands immediate action and initiative to meet this crisis. The recent report to the President and the Congress by the Department of Health, Education, and Welfare on the Allied Health Professions Personnel Training Act of 1966, as amended, has revealed the grave deficiencies in allied health personnel, the need to experiment in the areas of education and health manpower utilization, and the serious shortfall of resources which are being made available to meet current health personnel needs. The requirement for this report resulted from my questions during the Senate Health Subcom-

mittee hearings on the critical shortage of health manpower. I have written to Secretary Finch expressing my deep concern about the findings of this report. He has, in turn, advised me that—

> Strenuous efforts need to be made to tap every potential resource to augment the pool of personnel needed to provide adequate health services to all our people.

I ask unanimous consent that the full text of our correspondence be placed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. JAVITS. I am convinced that we must improve the Allied Health professions Personnel Training Act of 1966, as amended, by initiating new programs, providing new funds, and establishing new incentives. We must increase the Nation's supply of manpower in the allied health fields by utilizing in our civilian-health industry the more than 30,000 medical corpsmen who leave the military service each year. What better way to help many of the thousands of returning Vietnam veterans find meaningful employment? Surely, a medical corpsman who is qualified to treat the wounded on the battlefield should be quickly qualified to assist in the treatment of patients in our hospitals' wards and emergency rooms.

A recent issue of the National Academy of Sciences' News Report indicates that relatively few of these veterans decide on a career in civilian health services because of traditions and restrictive requirements which block their entry into jobs commensurate with their abilities. They are forced to take menial tasks until they have the proper civilian credentials and training for skills they already have acquired and used in the service.

I ask unanimous consent that the full text of the article entitled "Make Use of Corpsmen From Military as Medical Aids in United States, Report Says," from the June-July 1969 issue of the National Academy of Sciences' News Report be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. JAVITS. To add to this problem, current Federal assistance for those seeking training toward a career in the allied health professions—the ex-corpsmen and the students alike—is directed only to those who are pursuing degree-oriented programs in training centers for the allied health professions. This degree requirement tends to accentuate the already topheavy manpower structure in the health field and stresses degree attainment rather than the offering of services to the patient. Moreover, many times the requirement of a degree results in extending a training program substantially beyond that which is actually necessary for proficiency in a particular health-technology field.

The bill I am introducing today would—

First, provide special-project grants to plan, develop, or establish new programs, or modify existing programs, for training or retraining of health personnel. This section would include incentives to utilize veterans with experience in the health fields. For this purpose $15 million is authorized to be appropriated for the first fiscal year.

Second, provide grants to identify and recruit into education and training for the allied-health professions, first, veterans with experience in the health field, and second, individuals of cultural, economic and educational deprivation who are potential candidates for the allied-health professions. For this purpose $750 thousand is authorized to be appropriated for the first fiscal year;

Third, provide scholarship grants and loans to allied-health personnel in training or retraining programs established by training centers for the allied health professions and other public or nonprofit agencies, organizations or institutions. The scholarships shall not exceed $2,000 per annum plus $600 for each dependent—not to exceed three—and the loans shall not exceed $1,500 in any one year. For the purpose of the scholarship grants, $1,750,000 is authorized to be appropriated for the first year and for the purpose of loans $1,500,000 for the first year;

Fourth, establish a National Advisory Council on Training in the Allied Health Professions, composed of the Surgeon General and 16 members chosen by the Secretary of HEW from among leading authorities in health and education and the general public. The appointments would be for staggered terms. The Council would conduct a study of existing laws governing licensing and certification standards in the allied-health professions and would offer a model code in an effort to maximize proper and efficient utilization of the allied health professions in meeting the Nation's health needs; and

Fifth, provide that an eligible veteran pursuing a course of study in any one of the allied-health professions shall be entitled to receive not only a scholarship grant, loan, or other educational allowance provided by law but also that such educational assistance allowance shall not disqualify him from educational benefits that the veteran would otherwise have been entitled to receive.

My bill is not intended to replace existing legislation which now provides resources to educational and training institutions that presently support allied health training, but to supplement such legislation.

Mr. President, in this time of crisis in the health care of our Nation I believe we should analyze the new technologies available and explore the real possibility of finding new sources of manpower capable of performing many of the functions now carried out by highly skilled and scarce professional personnel. We must make every effort to permit technically qualified individuals—particularly military corpsmen—to meet employment requirements in the civilian health-care fields.

We must act now to prevent the further "breakdown"—as Secretary Finch so aptly put it—of this country's system of health care. We must counteract the lack of adequate health manpower as we aspire to bring the full potential of modern medicine to all our citizens.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2753) to amend the Public Health Service Act so as further to assist in meeting the Nation's needs for adequately trained personnel in the allied health professions, and for other purposes, introduced by Mr. JAVITS, for himself and Mr. PROUTY, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

EXHIBIT 1

MAY 1, 1969.

Hon. ROBERT H. FINCH,
Secretary of Health, Education, and Welfare,
Washington, D.C.

DEAR MR. SECRETARY: I have carefully studied your report on the administration of the Allied Health Professions Personnel Training Act of 1966. It serves to confirm the testimony before the Senate Health Subcommittee last year, the critical shortage of health manpower. As you may know, the requirement for such report, Section 301(d) of the Health Manpower Act of 1968, was the result of my questions to the Department at the hearing—and, I regret, remain unanswered by your report.

The report is permeated with statements that the present law has not adequately met the demands and expectations for health services and the present capacity of our institutions is not adequate to supply such demand. Yet, in the face of this conclusion, the only recommendation of the Department is that the present law "be extended for one year."

I am convinced that we should not merely maintain the status quo. We should take further legislative action, other than require the act to be coterminous with other nursing and health professions manpower programs and in the interim, develop consolidated programs. I believe we cannot stand still while facing mounting shortages of para-professional health personnel, particularly when we have a valuable source of health manpower—the returning Vietnam veteran who has served as a para-medic. Therefore, I intend to introduce in the near future appropriate legislation to utilize this valuable manpower resource—medically trained veterans—for the benefit of all concerned with the critical health personnel shortage.

I trust you will review the findings and recommendation of your report and, also, respond to the precise question I put forward to the Department at the hearings, to-wit: "Should financial assistance provisions for medical technology students be included in the Allied Health Professions Act."

With best wishes,

Sincerely,

JACOB K. JAVITS.

THE SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington, July 3, 1969.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: Thank you for your letter expressing your deep interest in the report on the administration of the allied health professions personnel training programs. It raises some most significant points on which I should like to comment.

As you know, the report to the President and the Congress on the allied health professions personnel training programs was prepared under the previous Administration. In reviewing the current status of knowledge about the allied health field and

its contribution to the provision of health services, it is evident that the field is rapidly changing. New disciplines and technologies are emerging. Junior colleges, four-year colleges, and universities, including their schools of the allied health professions, are currently examining their roles in education and training of allied health personnel and are revising their curricula. The practicum offered in hospitals and other health care agencies and institutions is also in a period of rapid change.

Because we are in a period of rapid change and because of the increasingly complex relationships of allied health personnel among themselves and to other health professions in the provision of health services, and because of the variety of institutions and the differences in curricula that they offer to prepare allied health personnel, we are examining the ways in which public funds may be most prudently expended to prepare health manpower essential in the provision of more effective health care. This is true of the allied and other health fields as well. We are also examining the ways in which the Federal programs may be most effectively administered.

To enable the new Administration to examine these most important questions, to develop more effective programs and at the same time, to continue to provide resources to educational and training institutions that are now receiving support for allied health training, we recommended a one-year extension of the present legislation.

I share your concern that strenuous efforts need to be made to tap every potential resource to augment the pool of personnel needed to provide adequate health services to all our people. The returning veteran who has had medical training while in the armed services is certainly a significant potential resource. As you know, I have on several occasions made public statements regarding my interest in returning medical corpsmen. I, therefore, have a deep interest and would welcome the opportunity to review with you your proposal on legislation to utilize this potential health manpower source.

We do not recommend at this time legislative amendments to the Allied Health Professions Personnel Training Act, authorizing a special program of financial assistance to medical technology students. Inclusion of an authority for student assistance for undergraduate training programs in addition to creating complex problems of administration would inevitably lead to the authorization of similar support for the 19 other allied health professions currently supported under that program. It is not reasonable to expect that a new loan and scholarship program can be established in the near future with funding adequate to meet the total needs of all such students.

As you know, the present law does authorize assistance in the form of traineeships to medical technologists and other allied health personnel to prepare them to be teachers, administrators, and supervisors in the allied health field—an area of great priority at this time.

Medical technology students are currently eligible for and are receiving support from the student assistance programs administered by the Office of Education. These are the National Defense Student Loan Program, the Educational Opportunity Grants Program, the College Work-Study Program, and the Guaranteed Loan Program. I recognize that these programs do not meet the total needs of every student. However, a special program for assistance to students of medical technology raises the question of further proliferation of student assistance programs at this time and is not consonant with current fiscal constraints.

May I again express my appreciation for your deep concern with efforts to alleviate the critical health manpower shortage with which this nation is faced. I would be very happy to discuss these matters further with you if you wish.

Sincerely,

ROBERT H. FINCH,
Secretary.

EXHIBIT 2

MAKE USE OF CORPSMEN FROM MILITARY AS MEDICAL AIDS IN UNITED STATES, REPORT SAYS

Medical leaders in the United States should take measures to bring former military medical corpsmen into civilian health-care activities, says a committee of the National Research Council.

Many lessons for civilian health-care can be learned from the military in the training and use of supporting personnel to assist physicians.

The more than 30,000 corpsmen who leave the military each year, the group said, could profitably be put to work in hospitals, clinics, and doctors' offices to help relieve the severe shortage of manpower in all of the 125 or so categories of health occupations.

Many of these corpsmen have the basic knowledge and skills to perform, under supervision, certain direct patient-care activities. These include special physical examinations, treatment of minor illnesses and injuries, application of casts and traction following fractures, collection of blood samples, administration of drugs, and giving of immunizations.

Their knowledge and skills, the group said, constitute a valuable national resource which far too often is allowed to go to waste because of traditions and restrictive requirements that limit the entrance of subprofessional personnel into health fields and close off avenues of advancement.

The committee found that most corpsmen interviewed want to continue in health care after they leave the military but are frustrated by the lack of civilian jobs with comparable responsibilities and recognition.

GET LITTLE RECOGNITION

"The principal reasons given for seeking civilian employment in other than health care fields were ineligibility for recognition in their specialty and the low wage scales and lack of responsibilities associated with the jobs for which they could qualify. There appear to be very few career patterns in civilian life comparable with the one in the military, where a person [with some medical training] can obtain recognition for his technical knowledge and skill and, by advancement in rating, obtain a highly respected military stature."

The committee recommended that career opportunities be structured so that a person can rise from one classification to another in his specialty or enter a related field while receiving adequate credit for his earlier training, experience, and education.

More attention must be given to ways of recruiting and retaining ex-corpsmen in civilian health care, the committee said. Pilot programs should be set up to develop methods of evaluating the ex-corpsmen's skills and programs to provide any additional training they need. And organized medicine must seek the necessary changes in accreditation and licensing regulations and laws that now often prevent the technically qualified person from meeting employment requirements.

In addition the committee recommends that each state establish a permanent committee of experts to advise educational institutions in establishing pilot education and training programs in health care. This body would study the adequacy of faculty, facilities, and curricula. It would also assist in modifying obstructive regulations.

The study was carried out by the ad hoc Committee on Allied Health Personnel, a six-person group in the NRC Division of Medical Sciences under the chairmanship of Dr. Lamar Soutter, Dean of the University of Massachusetts Medical School. Its report is titled *Allied Health Personnel* (see "New Publications," p. 16). Funding for the study was provided by the Commonwealth Fund.

Mr. PROUTY. Mr. President, the distinguished Senator from New York (Mr. JAVITS) has introduced a most imaginative and innovative measure. He has responded to the critical need for medical personnel not with a mere expression of alarm or a call for a vast outpouring of funds, but rather he has said:

> There are veterans and others with the background and interest in a health profession, let us bring them into civilian medical service where they are desperately needed.

The Senator from New York has offered a proposal which will serve as a catalyst. I commend him for his imaginative approach, and I am pleased to cosponsor the Veterans in Allied Health Professions and Occupations Act of 1969.

While all aspects of this measure respond imaginatively to our health personnel needs. I wish to call to the attention of the Senate the emphasis in the bill on our veterans.

I have talked with many of the Nation's young veterans, and I have discovered in these dedicated men a common response to the urgings of President Kennedy when they ask not what the country can do for them but what they can do for the country.

To the medical corpsmen of proven maturity, self-discipline, and dedication, this measure says "Here is what you can do for your country and what your country would like to do for you." The bill offers a challenge, a reward, and, I strongly believe, the potential for revitalizing our Nation's health services.

THE COAL MINE SAFETY BILL

Mr. JAVITS. Mr. President, I call to the attention of the Senate the historic achievement of the Subcommittee on Labor of the Committee on Labor and Public Welfare, in its action today in reporting out the coal mine safety bill.

This is an historic achievement for advancing health and safety in the coal mine industry—the most dangerous industry in the Nation. It deals most effectively with the control of coal dust in the mines. By setting maximum standards for coal dust, we have taken the major step necessary to seek to end the scourge of "black lung" which, up to now, has afflicted thousands of coal miners. By adopting stringent new standards, we have also hopefully reduced substantially the probability of more explosions such as the one that recently took the lives of 78 miners in Farmington, W. Va.

The bill reported out will be extremely valuable as a precedent for the measure which will deal with health and safety in industry generally, and which I hope will follow soon. Long-needed reforms

to enable the Federal Government to deal effectively with the problem of occupational diseases and accidents are at last being established, and all our people will benefit as a result.

The President and Secretary of the Interior Hickel have played a most vital role in bringing about this historic achievement. I also would like to commend Senator HARRISON WILLIAMS, chairman of the subcommittee, for his tireless efforts to move this bill forward and for his willingness to work with me and the other minority members in the bipartisan spirit that this crucial matter so clearly deserves. I am very hopeful of early action in the Senate, and of the bill becoming law well before the end of this session.

RECOMMENDATIONS OF THE COMMITTEE ON LABOR LAW OF THE FEDERAL BAR COUNCIL CONCERNING FARM LABOR LEGISLATION

Mr. JAVITS. Mr. President, the Committee on Labor Law of the Federal Bar Council has recently issued a thoughtful analysis of legislation to bring farmworkers under the National Labor Relations Act, and the recommendations for a solution to this vexing problem. I believe the committee's analysis and recommendations should be of interest to all who are concerned with this problem; certainly I believe the Subcommittee on Labor, which has been holding hearings on S. 8, which would extend the National Labor Relations Act to farmworkers, will find the committee's work most helpful. I ask unanimous consent that the committee analysis and recommendations be printed in the RECORD.

There being no objection, the committee announcements and recommendations were ordered to be printed in the RECORD, as follows:

RECOMMENDATIONS CONCERNING LEGISLATION ON LABOR RELATIONS OF FARM EMPLOYEES

(By the Committee on Labor Law of the Federal Bar Council)

BACKGROUND

So far as we are aware there is little acknowledged opposition to the *principle* that agricultural employees, no less than the rest of mankind, are entitled, if they choose, to organize and bargain collectively through representatives of their own choosing.[1] Thus, we cut little new ground by reiterating [2] our endorsement of that principle and stating quite bluntly that we believe that the immediate recognition of that principle in the labor relations laws of the United States and of the states is an essential first step which justice and decency require.

The problem then, as we see it, is not whether the National Labor Relations Act—and similar state legislation—ought to be extended to agricultural labor, but how the right to collective bargaining for such people can be made effective and whether there are any special characteristics to the agricultural industry which justify special safeguards around the full exercise of those rights and the undoubted power such exercise creates.[3]

While it might be assumed that a simple deletion of the exclusionary language of Section 2(3) of the NLRA would have been acceptable to farm labor organizers a few years ago, the current position of their most effective spokesman, Cesar Chavez (on behalf of the Farm Workers Organizing Committee), is that such a measure would "not give us the needed economic power and it would take away what little we have". He looks instead for a form of legislation modeled more or less on the original Wagner Act, in order to preserve for farm labor unions their weapon of product boycotts, which Chavez considers their most effective organizing tool. (BNA Daily Labor Report, April 16, 1969, pp. 1 AA–1, G–1.) Chavez' proposal, entitled the National Agricultural Bargaining Act of 1969, would also prohibit an employer from hiring replacements for economic strikers.

Prior to Mr. Chavez' statement, the major farm labor bill introduced in the 91st Congress was Senator Williams' bill (S. 8) which he introduced on behalf of himself and 19 other Senators, including Senators Brooke, Case, Hart, Javits, Kennedy, McCarthy, McGovern, and Muskie.[4] This bill simply deletes the exemption of "agricultural laborer" from Section 2(3) of the NLRA and extends the current treatment of construction workers under Section 8(f) of the NLRA to agricultural workers, thereby modifying the "union shop" scheme to permit compulsory membership agreements for such employees to be made in pre-hire contracts and to begin seven days, rather than 30 days, after employment or the execution of a contract.

This bill is somewhat simpler than the measure (H.R. 16014) introduced in the 2nd Session of the 90th Congress, which was favorably reported in H. Rep. 1274, 90th Cong., 2nd Sess., but died. H.R. 16014 modified the "agricultural laborer" exception in Section 2(3) of the NLRA so as to extend coverage of the Act to agricultural laborers whose employer had more than 12 employees at any time during the preceding year, and had labor costs of $10,000 or more during the same period. Rather than modify Section 8(f) of the present Act, it accomplished a somewhat similar end by a new Section 8(g) which permitted a union shop agreement to be compulsory after seven days, and also permitted the parties to give priority in hiring to those with seniority with the employer, in the industry or in a particular geographical area.[5] The Report suggests that the limitations contained in amended Section 2(3) would confine its impact to 30,000 large farms, roughly .9% of all American farms, but the farms employ perhaps as many as 60% of all farm labor. Opponents of the bill thought its sweep much broader and supported an amendment proposed by Congressman Quie which would have modified the exclusion to limit NLRA jurisdiction to farms with gross volume of sales of $250,000, or more *and* total employment of 500 man days, the standard used in the FLSA.[5a]

In the course of hearings before the Senate Labor Committee in April 1969, the American Farm Bureau Federation proposed a bill which would permit elections among farm laborers, conducted by the U.S. Department of Agriculture, with unfair labor practice charges tried before the federal courts. Harvest-time strikes would be banned. In the same hearings, as already noted, the farm workers union spokesmen indicated that they would have a bill of their own, but one modeled after the Wagner Act rather than Taft-Hartley.

Early in May, 1969, Secretary of Labor Shultz introduced the Administration's proposal—in essence adopting the substantive scheme of the Taft-Hartly Act, but creating a new agency, a Farm Labor Relations Board, to administer it. The Administration proposal requires ten days advance notice of agricultural strikes (or lock-outs) and gives the farm employer the right to a thirty-day no strike period (in order to protect his harvest) if during that time he agrees to submit the issues to fact-finding and recommendations, *and* agrees to be bound by those recommendations if the union accepts them. The Shultz proposal will include certain special prohibitions on secondary boycotts in the agriculture area. (*BNA Daily Labor Report*, May 6, 1969, pp. 1, A–1, E–1; see Editorial, N.Y. Times, May 12, 1969.)

ANALYSIS

We leave to other places a consideration of the general merits *vel non* of proposals to modify the major provisions of the present Taft-Hartley Act, by moving back toward the Wagner Act framework or in other directions, such as to a labor court. Our sole concern in this Report is the status of farm labor under the federal labor relations statutes—and this, in our view, is a matter which ought not to wait—or be sidetracked—by broader issues of labor relations law reform.

We reiterate our view that the present exemption of agricultural laborers should be repealed. We do not have any strong view on the various proposals to define the ambit of federal jurisdiction. In the absence of a statutory definition, there seems little doubt that the NLRB will develop jurisdictional standards of its own which will generally leave the truly small farm exempt from direct federal regulation. If a statutory definition of the limits of federal jurisdiction is deemed desirable, we would endorse the approach of H.R. 16014. It may be that this formula will not reach a significantly more important segment of the agricultural industry than the amendment proposed by Congressman Quie, but we suspect that the Quie amendment may omit a good number of migratory workers which H.R. 16014 covers [7]—and, if this be true, we deem that an important reason to favor the definition of H.R. 16014 over the approach of the Quie amendment (and the jurisdictional test in Secretary Schultz' proposals.)

At this point, it seems appropriate to discuss certain of the objectives asserted against any change in the labor law relating to farm labor (we save for a later point discussions of questions which relate to the special character of the agricultural industry). Aside from questions of constitutionality—which we believe to be meritless even in the context of a complete repeal of Section 2(3) of the Act [8]—it is claimed that such a measure would (1) increase costs to the consumer; (2) impinge on the American way of life; and (3) adversely affect the interests of the farm laborers, i.e., destroy their employment opportunities by driving agricultural industry elsewhere.

The first criticism would, we suggest, be irrelevant if true. To suggest that human beings, to say nothing of citizens, should forego the rights enjoyed by all others in order that others (while enjoying those rights) may enjoy greater bounty may have some merit as a suggestion of voluntary restraint; it can have no merit as a reason to deny those rights by fiat. But even on its merits, the argument has little to support it. The cost of agricultural products at the farm is a relatively small element of the cost of finished agricultural products to the consumer, and agricultural labor is a relatively minor element even in the cost of agricultural products as they come off the farm. One estimate is that agricultural labor represents 7% of the final cost of agricultural products.

The second argument—premised on the "American way of life"—uses what in this context we find almost a shibboleth to defend one of the most distressing divergences between those values which in our view constitute the very kernel of the American way of life—including equality under the law—and

Footnotes at end of article.

the current American scene. We reject the notion that a desire to preserve cultural museum pieces justifies incarcerating the inmates. Moreover, the measure we endorse hardly threatens the disaster envisioned; we can see no sensible probability that the extension of federal agency jurisdiction will reach the small farmer.

The third argument—that given the right to organize, the farm laborer will obtain higher wages and thereby drive away his job—is more serious. Indeed, if such an argument were made by the farm laborer rather than by those who represent his employers, we might find it reason for greater pause. Certainly, the possibility must be faced that increased wages will create pressures on farm operators to diminish costs by moving farm operations or by increasing mechanization.[9] Yet both of these phenomena have been taking place for years—and it is not at all clear to us that they are in themselves undesirable. Arguably, such developments bring about a significantly better allocation of resources, including human resources, within the nation and throughout the world economy; certainly, they have not decreased total domestic agricultural production, whether measured in terms of quantity or value. Moreover, the experience with imposition of minimum agricultural wages and with the ban on importation of *braceros* does not appear to support the dire consequences predicted. Finally, this argument is one which has been made repeatedly by almost every industry which has been subjected to reorganization by statute—and by most companies which face an initial organizing drive. Whatever merit such contentions may have, it seems to us that they should be addressed to the workers deciding how to exercise the organization rights we endorse, rather than to the question whether such rights should be recognized by law.

While we have little hesitation about endorsing the principle of extending organizing rights to agricultural workers, we are less clear about the fashion in which those rights may best be exercised.

Initially, we are inclined to favor—because it is simplest and therefore least likely to generate irrelevant controversy—simply removing the exclusion in Section 2(3) of the NLRA, thereby extending to agriculture the full reach of Taft-Hartley. Given the brevity of much agricultural employment with a given farm operator, we are persuaded that it would be appropriate to extend to agricultural labor provisions similar to those provided for construction workers in Section 8(f) of the present Act. In our view, this is done more clearly by the language of proposed Section 8(g) of H.R. 16014 than by incorporating provisions regarding agriculture in present Section 8(f), the scheme used in S. 8.

Thus, we are not persuaded that it is necessary to deal with agricultural labor outside the context of the NLRA—and the NLRB. We make this judgment for three reasons—(1) the NLRB has a fairly well-developed body of law and experience in conducting representation and unfair labor practice proceedings; it seems more economical of time and less pregnant with possibilities of conflict and inconsistency to use this existing machinery; (2) there is some just basis for regarding the Agriculture Department as historically more orientated toward farm owners and operators than otherwise; while the NLRB has not been immune from accusations of bias, the fact that it regulates large and powerful adversaries seems to us a more reliable way to assure relative neutrality (in both directions) than would exist in the case of a special jurisdiction, such as that suggested for the Department of Agriculture; and (3) we believe that any proposal to create a special jurisdiction for agricultural labor, particularly one like the Farm Bureau's, which would involve the federal courts in agricultural unfair labor practices, will almost certainly embroil this subject in all of the general labor reform debate—and thus postpone it indefinitely.

We are also not persuaded that we should exempt agricultural labor unions and agricultural labor from the proscriptions of Section 8(b)—and particularly from Section 8(b)(4) and 8(b)(7)'s regulation of secondary pressures and certain organizing tactics. It is our conclusion that before embarking on a program which permits conduct in agriculture which Congress has found unacceptable elsewhere, we should at least see how far collective organization can be meaningful in agriculture under the same rules that obtain in other industry. We also, and for similar reasons, are not persuaded by the Farm Bureau's proposals that look to create special regulations in agriculture which may seem favorable to management. We do not mean to suggest that we are convinced that the fact that packinghouses and other industries have coped more or less successfully with their problem of working with perishables under existing labor relations laws necessarily means that farmers will have a similar experience; although the emergency strike procedures in present law provide some protection against catastrophic strikes of broad scope, they furnish little comfort to minor segments of an industry and none to the individual farmer who is chosen as an example. It may be that special protections will prove necessary for agriculture—and, if they are, Secretary Schultz's proposals for a thirty-day cooling off period seem relatively modest and, in fact highly inventive.[10] We simply say we can see no reason yet to conclude that they are needful.

As is our common experience, legislation follows social change. Organization of farm labor is a phenomenon which is already with us, and is with us in a form which is chaotic and largely without any statutory framework.

We believe that it is urgent—in the interest of the farm workers, the farmer, the merchant and the public—to enact laws which recognize the organizational rights of agricultural workers and which provide a mechanism whereby they can exercise their rights effectively, meaningfully and peaceably, without violence and without injury to the rights of others. And that is why we make the recommendations we do—namely, that Congress should proceed promptly to enact legislation generally along the lines of the present Senate Bill No. 8, but adding a new section 8(g) for agricultural workers rather than including them in present section 8(f).

FOOTNOTES

[1] We discuss the major arguments of what opposition there has been below, but it seems that such opposition is fading.

[2] See, e.g., this Committee's Report on Migratory Farm Labor reprinted in Labor Law Journal, April 1967, pp. 246–248; and the Report on Migratory Farm Labor of the Committee on Labor and Social Security Legislation of the Association of the Bar of the City of New York, 20 Record of NYCBA 518 (1965).

[3] There is a subsidiary question of how far the federal statute should extend, not in terms of the constitutional sweep of the commerce power (presumably, *Wickard* v. *Filburn*, 317 U.S. 111 (1942) provides the answer to that), but in terms of practical judgments as to the work load of the NLRB, the appropriate division of federal and state responsibility and the preservation of "family farms". This is also discussed below.

[4] Apparently identical measures were introduced in the House as H.R. 1004, 5555, 55963, 8177, 9954, 9955 and 9956.

[5] This bill did not contain the provision permitting prehire contracts that appears in Section 8(f) of the Act, and also omitted provisions similar to 8(f)(3) and 8(f)(4), which probably have little current relevance to agriculture.

[5a] Secretary Schultz' proposal, more fully discussed below, also uses the FLSA standard. It is estimated to cover 2 per cent of the farms and 48 per cent of the farm workers, or about 500,000 employees.

[7] Unfortunately, the data on farm employment—in terms of number of employees or man days of work per farm is apparently not very reliable. However, the principal argument offered by the supporters of the Quie amendment was that it would exempt a farmer who only used a relatively large force during a harvest season, while H.R. 16014 would not.

[8] We gravely doubt that under the rationale of *Wickard v. Filburn*, 317 U.S. 111, any farm is beyond the reach of the commerce power. See also *Mandeville Island Farms v. American Crystal Sugar Co.*, 334 U.S. 219 (1948). Assuming *arguendo* there were narrower limits on the reach of the commerce power, this would be a question that could—and would under existing NLRB procedure—be tried out in the administrative proceeding. Such a case-by-case testing of the Act would seem the most that the Constitution requires.

[9] While it might seem that this problem would be less in agriculture than in other businesses, because the land is obviously not portable, we suspect that this factor is more important with respect to the small farmer than is the case with large farm operators. In many cases, these operators lease rather than own land—and in any case, other cost elements probably tend to outweigh land in agricultural economics. On the other hand, we are not clear whether the element of labor cost in the production of agricultural goods is of such magnitude that it will outweigh factors such as climate, proximity of markets and sources of seed and fertilizers, and problems of import and quarantine restrictions or what the result of the interplay of all these factors will be.

[10] We assume that a case might be made for safeguards like that proposed by Secretary Schultz, based on an analysis balancing the (perhaps modest) effects of such safeguards upon farm labor organizers and the (perhaps grave) consequences of harvest-time strikes for farmers and public alike. If there is such a case, it is not to be found in the arguments heretofore made by the farmers' representatives—and time is growing short.

ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, when the Senate completes its business today it stand in adjournment until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

(This order was later vitiated when the Senate recessed until 11 a.m. tomorrow.)

ORDER FOR RECOGNITION OF SENATOR DODD

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, immediately following the prayer and the disposition of the reading of the Journal

tomorrow, the able senior Senator from Connecticut (Mr. DODD) be recognized for not to exceed 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

A QUESTION OF TIME

Mr. THURMOND. Mr. President, Mr. Robert Hotz, editor of the Aviation Week and Space Technology magazine, has made a significant contribution to our debate on the ABM. Mr. Hotz is a competent and experienced analyst of nuclear strategy. His editorial in the July 7 issue is an astute evaluation of the critical security situation our country would face in the 1970's without the Safeguard anti-ballistic-missile system.

Mr. President, it is a pleasure for me to call the attention of my distinguished colleagues to Mr. Hotz's excellent editorial entitled, "A Question of Time." He makes it very clear for us that we are buying time. We are not voting on the complete deployment of the ABM. We are voting only on the next stage of operational development for a relative low cost. A vote for ABM means we will maintain our capability to meet the spearhead of the Soviet threat. A vote against ABM means 3 or 4 years of nuclear nakedness between 1974 and 1978.

This time lag would mean an unacceptable risk to our security in the face of the Soviet's growing nuclear capability.

Mr. President, this editorial concisely presents the Soviet nuclear threat and the danger our country would face without ABM. Mr. Hotz's analysis logically leads to the conclusion that our country cannot risk Soviet nuclear superiority. Concurrently, we cannot risk Soviet diplomatic leverage of nuclear blackmail they would achieve if we do not protect our nuclear deterrent.

Mr. President, I ask unanimous consent that this editorial be printed at this point in the RECORD:

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A QUESTION OF TIME

The fate of this nation over the next decade will hinge on whether Congress votes to proceed with the development of an anti-ballistic missile system (ABM). This is the crux of the issue now before the country. It transcends all of the comparatively trivial issues that have generated most of the public debate on this subject.

The guts of the ABM problem now is whether Congress will buy, at a cost of from $200–300 million, the time that will enable the U.S. to maintain its capability to meet the spearhead of the Soviet threat if it materializes in the 1974–75 period. Congress's alternative is to foreclose this country's option and create a development lag that will leave the U.S. unable to respond to this crisis until three or four years after it occurs. Those potential three or four years of nuclear nakedness between 1974 and 1978 are what are at stake in the current ABM debate on Capitol Hill.

The $200–300 million cost is not, of course, the price of the fully deployed ABM system. It is the difference between proceeding with the next stage of operational development with the two Minuteman sites in the west which will maintain the capability to meet the growth rate of the Soviet threat and the cost of proceeding at a strictly research and development level with the Kwajalein facility. The latter will inevitably produce a four-year lag in the possibilities of operational deployment in sufficient strength to blunt the Soviet spearhead.

It is a matter of incontrovertible fact that the Soviet Union is well along on a program of weapons development aimed, by its own admission, at achieving nuclear superiority over the United States or any other potential enemy or combination thereof. This weapons development has proceeded at a steady and inexorable pace despite what the U.S. and other countries have done.

GOAL OF SUPERIORITY

The Soviet Union's goal is nuclear superiority, not parity. The Soviet leaders apparently understand the potential value of nuclear superiority better than many U.S. policy makers. This despite the fact that the U.S. was the first to use its nuclear superiority effectively as a major policy instrument against the USSR in the 1962 Cuban missile crisis.

In 1962 the U.S. had an unquestionable superiority in nuclear weapons and delivery systems with Atlas and Titan ICBM's, plus the large fleet of B–52 intercontinental bombers. It was a desperate move to reduce this margin of superiority that apparently motivated the Soviets to deploy medium-range Sandals to Cuba within range of key U.S. targets. It was a move similar to that in a chess game when a pawn reaches the last row and is instantly transformed into a powerful queen. The Soviet MRBMs in Cuba suddenly became the strategic equivalent of the SS–6 first-generation Vostok-booster ICBMs with their 20 clustered liquid-fueled engines deployed with flatcar launchers on spurs along the trans-Siberian railroad.

Contrary to popular belief at the time, the MRBMs in Cuba were not targeted against the U.S. cities but against key communications, command and control centers and soft SAC air bases. Offering much less warning time than Siberian launched ICBMs, the Cuban MRBMs had the task of crippling the U.S. ability to launch its retaliatory forces.

When the U.S. made it clear that this continued deployment in Cuba was unacceptable and demanded the missiles' removal, the Soviet policy makers had to decide whether the U.S. had both the forces and the will to use them in nuclear retaliation against the USSR. When the U.S. put its nuclear forces into a strike configuration, the Soviets had no stomach to bluff further. They withdrew their missiles from Cuba.

DIPLOMATIC LEVERAGE

They felt that the U.S. was not bluffing because all of their intelligence scensors—human, electronic and photographic—told them that the U.S. was in a condition to exercise its tremendous nuclear superiority. The Strategic Air Command's bomb-loaded B–52s were blips on Soviet radar. ELINT told them that SAC ICBMs were counted down to final launch configuration.

No country on this tiny planet would care to proceed further in that kind of situation. The Soviets backed down and so would any other government in a similar situation.

Ever since that humiliating defeat, the Soviet Union has made a mighty effort to wipe out the margin of U.S. nuclear superiority. Its goal was to reverse the situation by achieving its own significant margin of nuclear superiority that could provide it with the same force of diplomatic leverage that the U.S. was able to exert over Cuba. The Soviets have developed, produced and deployed a whole new arsenal of nuclear weapons during the past six years in an armament program that has no parallel in history.

These weapons included mobile battlefield medium-range missiles for the European and Chinese theaters, hardened silo-based third and fourth-generation ICBMs, nuclear-powered submarines with SLBMs, and FOBS (Fractional Orbital Bombardment System) or depressed trajectory ultra long-ranged ICBMs.

In addition, the Soviets have developed, produced and deployed a whole new generation of weapons for tactical nuclear war, stressing vertical envelopment, air transportability and independence of fixed, permanent bases.

None of these developments comes as any surprise to U.S. military planners and top level civilian policy makers. The reconnaissance satellite systems plus various other types of ELINT have produced pictures and progress reports on production and deployment of all these weapons.

Thus, it is possible for President Richard Nixon to know that there are approximately 900 Russian SS–11 Savage missiles operationally deployed in hardened, camouflaged silos and that they are being replaced by the SS–13 solid-fueled version of the storable, liquid-fueled Savage. These weapons are of the same class in range, accuracy and warhead capacity as the earlier versions of the U.S. Minuteman. They appear to be targeted primarily toward soft-type objectives such as cities and major industrial concentrations.

But the real concern that is now rippling through the Pentagon and the White House is caused by the SS–9 Scarp. The Scarp began initial operational deployment in 1965 and was first publicly displayed by the Soviets in their 50th anniversary of the revolution parade in November, 1967. The version displayed in the Moscow parade was an earlier model with a single 20–25 megaton warhead that led to an early interpretation that it was primarily a city-buster.

But later versions of the SS–9 have utilized three warheads that make separate re-entries with an impact footprint that roughly matches the deployment of a Minuteman wing. Tests in the Pacific have not yet revealed the characteristics of a fully developed multiple independently targeted re-entry vehicle (MIRV) system. But the developmental progress of the tests indicated that their only purpose could be to achieve such a capability.

DISTURBING CAPABILITY

During the 1967–68 period, SS–9 deployment in operational silos reached a total of about 200 and then stopped temporarily. Early in 1969 deployment was resumed at a rate that could give the USSR from 400 to 500 ready to go by 1974–75. This is a force sufficient—with the triple dispersed warhead—to knock out a high percentage of the hardened Minuteman silo sites.

It is this capability that has both the Pentagon and the White House deeply disturbed about its possible effect on the U.S. strategic deterrent second-strike strength and the position of this nation in international policy.

This is why the Nixon Administration is fighting so hard to proceed with a complete operational test installation of its ABM system at the two Minuteman sites in Montana and North Dakota. The Administration desperately wants to buy the additional development time for an ABM system that will eventually give it the capability to counter the Soviet threat in the 1975–80 period.

The ABM system that the Pentagon is now pushing into operational test phase is a far cry from the old Nike concept of the Army. It is far from perfected. But the system utilizes a new generation of technology in warheads, computers, missiles and radar. It is similar in concept and potential to the ad-

vanced ABM system the Soviets are deploying around Moscow.

Now there is no way in the world that U.S. policy makers can divine Soviet intentions. They must base their planning for this nation's defense on the capabilities of the foe, not his intentions.

CRITICAL CHESS GAME

In the nuclear age, the weapons development and deployment cycle is more like a chess game than a battle. Both sides have developed and scrapped several generations of nuclear weapons without using them. But they always press on to exploit new technology to develop superior capabilities in the hope that when the big international crunches come, as they inevitably do, one side will have outmaneuvered the other technically and strategically so that "check" can be called and the other will concede without the holocaust of a nuclear "mate." This is what happened in Cuba in 1962.

This is what the Soviet Union can do in reverse if it has a credible threat to the U.S. Minuteman force in 1975 and the U.S. has no credible counter to it. Because of the complexities of development of some phases of the ABM system and the long lead time required for production of certain key components, one fiscal year's delay in proceeding now will translate into a four-year lag in eventual deployment.

Congress is not really voting now on the issue of full ABM deployment. That decision should come in subsequent years commensurate with development progress and the scale of the Soviet threat.

What Congress is voting for now is simply whether it will give the U.S. time to prepare an effective counter to the Soviet SS–9 threat or whether it will allow the Soviets an opportunity to achieve significant nuclear superiority between 1974 and 1980 and exercise its resultant leverage.

Every senator and congressman should search the depths of his conscience before he votes on this momentous issue. The decision will determine the fate of his country and his children for many years to come.

—ROBERT HOTZ.

ABM: AN EVALUATION OF AN EVALUATION

Mr. THURMOND. Mr. President, it is essential that my distinguished colleagues and the American people have the benefit of all the facts pertinent to the ABM debate. It is more important that they not be mislead by anti-ABM studies sponsored by politicians and "credible" experts.

Mr. President, I am once again compelled to call attention to the misleading aspects of an anti-ABM "book" by Harper and Row entitled "ABM: An Evaluation of the Decision to Deploy an Anti-Ballistic Missile System." This study disqualified its purported credibility when its sponsors permitted misquoting of an American Security Council pro-ABM study enttled "The ABM and the Changed Strategic Military Balance: U.S.A. versus U.S.S.R." This misrepresentation was in a two-page advertisement which was carried in major newspapers in the United States.

Such deliberate misleading information by responsible Americans caused bewilderment. Consequently, the American Security Council was compelled to set the record straight on its study and to respond to the anti-ABM advocates. The council made its rebuttal in the July 7 issue of the Washington Report entitled "ABM: An Evaluation of an Evaluation."

Mr. President, this evaluation renders further doubt as to the reliability, logic and validity of the anti-ABM study. This analysis reveals that the anti-ABM study misleads its readers in at least six critical areas. If the opponents of the ABM would carefully examine both the anti- and pro-ABM studies, I am confident they would conclude that the pro-ABM study is more logical and factual.

Mr. President, I ask unanimous consent that the July 7 issue of the Washington Report be printed in RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ABM: AN EVALUATION OF AN EVALUATION

"If we pursue arms control as an end in itself we will not achieve our end. The adversaries of the world are not in conflict because they are armed. They are armed because they are in conflict."—(Richard Nixon, speech to the U.S. Air Force Academy, June 4, 1969)

On June 3, a two-page advertisement was carried in major newspapers across the United States. The advertisement was by Harper and Row for a book entitled, "ABM: An Evaluation of the Decision to Deploy an Anti-Ballistic Missile System."

The book is a compendium of articles opposing deployment by the United States of the Safeguard ABM system. It was prepared under the direction of Abram Chayes and Dr. Jerome B. Wiesner. Because it was sponsored by Senator Edward M. Kennedy and carries an introduction by him, it has often been referred to as the "Kennedy Study."

The advertisement itself is interesting for two reasons. First, it holds up to ridicule all those Americans who, a few years back, thought it a good idea to provide themselves with an element of insurance against nuclear attack by installing backyard fallout shelters. Because nothing "happened" and this insurance has not, so far, been needed, the reader is invited to conclude that the owners of the shelters were all victims of a "mass delusion." The idea that an ABM will contribute anything to our security is then placed in the same category.

Second, the advertisement misquotes the American Secuity Council study, "The ABM and the Changed Strategic Military Balance: U.S.A. vs. U.S.S.R." (without naming it). We are alleged to have said, "Anti-missile defense is foolproof." We said no such thing.

This is what we did say:

"Anti-ballistic missile defense is not a cure-all for the security of the United States. It is not the ultimate defense system, for technology knows no limits and each decade produces fresh challenges of free nations. But anti-missile defense is an essential component in the network of military systems designed to give the American people a seamless garment of security in an age of acute danger."

KENNEDY STUDY DEFECTS

After a careful analysis of the Kennedy study, we see no reason to alter our support of the President's decision to deploy Safeguard nor do we see any need to change any of the conclusions reached in our own study, "The ABM and the Changed Strategic Military Balance: U.S.A. vs. U.S.S.R." We believe, in contrast, that the Kennedy study misleads the American public for the following basic reasons:

(1) It overstates the technological problems and disadvantages of the Safeguard System, and understates the need for missile defense.

To cite some examples, the Kennedy study makes its case largely on the claim that it would require two Soviet ICBM's to knock out each minuteman silo and that it would require at least three defensive missiles to kill one offensive warhead. Since the Soviet SS–9 costs about 20 million dollars and the Sprint only costs about 2 million dollars, our defense would be most favorable at this ratio. But the Kennedy study figures are vigorously disputed by the Defense Department and other independent analysts such as those at the Hudson Institute and the Institute for Defense Analysis (IDA). According to these analysts, they are assumptions based on erroneous data involving such key elements as blast resistance of minuteman silos, yields and accuracy of Soviet SS–9 warheads, effectiveness of penetration aids, performance reliability of both offensive and defensive missiles, and retargetry capabilities to allow for missile failures at launch. Using realistic data, the probability that an arriving SS–9 warhead would destroy its minuteman target in the mid-1970's is closer to 99 percent than the 65 percent assumed in the Kennedy study. Secretary of Defense Laird was apparently using these kinds of assumptions when he testified that as few as 420 Soviet SS–9 missiles, each carrying three independently targeted warheads and assuming a failure rate of 20 percent, could place 1,000 warheads over our minuteman fields. Assuming the increased accuracy which the Soviets are capable of developing for their warheads, this would destroy 95 percent, or all but 50 of our 1,000 minuteman retaliatory force. The Soviets might well calculate that their own ABM systems—and they are now testing a new ABM according to Secretary Laird—could handle whichever of the minutemen were not destroyed in the initial Soviet strike.

With respect to the Spartan/Sprint reliability, Secretary Laird has stated that the most recent tests of Sprint and Spartan have provided a very high rate of success and that where failures have occurred their exact causes have been pinpointed and are subject to correction. According to IDA, the Kennedy study is simply in error, both in its assumption about the actual rate of reliability and, more important, in its assumption that three or more intercepting missiles must be fired simultaneously in order to allow for the possible failure rate. Most failures occur immediately after launch, and there is time to wait and fire another missile if one fails immediately. Again according to IDA, the planned reliability after the first few seconds of flight has been publicly stated to be greater than 90 percent.

In a larger sense, the United States has amply demonstrated its capacity to produce and operate the most complex communications, electronic and nuclear warfare systems. The history of such systems is that with time they undergo evolutionary improvement in their capabilities as operating experience is gained. The Soviets have not yet made a major ABM deployment, but they have deployed and in so doing they are gaining the kind of information which only deployment can provide.

It is the judgment of the distinguished panel of scientists and experts who produced the ASC study that Safeguard can be made to "work" in the sense that it is intended to work—not as a foolproof defense, but one which will assure the survivability of a sufficient number of minuteman missiles so as to maintain the credibility of the U.S. deterrent.

In all logic, unless it is assumed that President Nixon has been grossly negligent in the extensive review which he gave to the question before announcing his decision to proceed with Safeguard, it must be concluded that there are sound answers to each of the technical problems raised by the Safeguard opponents. Dr. John Foster, Director of Research and Engineering for the Department of Defense, held a press conference on May 6, 1969 in which he declared that: "We find nothing in the report (Kennedy study) that has not been analyzed in depth by the Department of Defense in the technical community over the past 10 years . . . it greatly overstates the technical and tactical problems of the proposed ballistic missile de-

fense." The President has likewise reviewed whatever disagreement there may be in the intelligence community over interpretation of intelligence data. The President has concluded that Safeguard is both needed on the basis of the developing Soviet threat to our deterrent, and that it will be effective in meeting that threat.

(2) It is self-contradictory on the importance of whether Safeguard will or won't "work."

The Kennedy study attempts to argue that Safeguard will adversely affect the strategic arms race. To make this point, however, it must fly in the face of its own technical arguments against it. Having argued that it "won't work," the authors must perforce concede that the Soviet Union, nevertheless cannot make the same assumption. Putting themselves in the position of the hypothetical "Marshal S," the Soviet Defense Minister, they say that, "Of course, he might believe those American scientists who think that this defensive system is highly penetrable and probably unreliable, but as a prudent defense planner he would more probably give it the benefit of the doubt."

We agree, of course, with such a conclusion. If the Soviet Minister of Defense makes such a decision, then Safeguard has, in our judgment, already worked. Just as the people who bought backyard fallout shelters all hoped they would never have to use them for that purpose, so do we all hope that the circumstances under which the Safeguard missiles would actually have to be used will never occur. The purpose of Safeguard is to deter nuclear war by reducing temptation to the aggressor to launch a first strike against our retaliatory forces. Safeguard will achieve this purpose if it does no more than add a factor of complicating uncertainty to the enemy's calculations. The difference between a totally defenseless American minuteman force and one defended by even an unknown factor of reliability could be enough to affect the decision for peace or war in the minds of the Kremlin planners.

Of equal importance, an apparent ability to defend our deterrent against the Soviet Union and our cities against a Chinese ICBM—when and if that threat develops—will deny to our foes the element of nuclear blackmail which would otherwise give weight to their diplomacy. It is one thing to argue as the Kennedy authors do that the Soviets or Chinese would never dare to attack. That is only opinion. It is another thing to deny them the capability to attack successfully. This strengthens the hand of our President in any future negotiations and is a major reason for Safeguard.

(3) The Kennedy study argues as a basic premise that the Soviet Union only reacts to what the U.S. does in the arms race.

This is the "mirror image" of Soviet behavior, or the "equal guilt" theory of the Cold War. Entirely missing is any acknowledgment that there may be a difference in the national objectives of the U.S. and U.S.S.R. which might cause Soviet military policy to be dictated by factors quite independent of what the U.S. does or does not do. Thus, according to the Kennedy study, "Marshal S.", forced to give Safeguard the benefit of the doubt, "would have to consider the wisdom of increasing the Soviet offensive force."

But this is just, what the Soviets are already doing, quite independently of any U.S. decision to deploy an ABM, and well beyond the needs of any legitimate Soviet second strike requirement. They are deploying a fractional orbital bombardment system, which is a first strike weapon entirely missing from the U.S. inventory. They are deploying an SS–9 missile with a 25-megaton warhead, which is also absent from the U.S. arsenal. And, despite the fact that they have already reached parity with the U.S. in ICBM's, they are continuing to start new silos at a rate which could give them 2,500 ICBM's by the mid-1970's—or 2½ times the present U.S. force.

As President Nixon has pointed out, the arms race with the Soviet Union is a product of the conflict between us and not vice-versa. The U.S. is not, as a matter of objective fact, equally responsible with the Soviet Union for world tensions. It is not our doctrine which postulates inevitable class struggle. It is not our doctrine which postulates the inevitable victory of one social system over the other. It is not our doctrine which claims the right of intervention in the internal affairs of other states (e.g. Czechoslovakia). The Soviets have a clearly enunciated political goal of establishing world communism. Their aim is victory. The U.S. has no comparable goal for its system and only wants to live and let live.

In failing utterly to allow for this basic difference in national goals, the Kennedy authors commit a fundamental error in dwelling upon the alleged "action-reaction" of the arms race which, they say, will be further escalated if the U.S. deploys the Safeguard ABM system.

Thus, it is asserted, without proof, that the present Soviet ICBM build-up is probably only a reaction to the U.S. missile build-up of the mid-1960's and that the Tallinn missile system to the western U.S.S.R., which appears to be aimed at bombers (but could be upgraded to an ABM system), was the product of Soviet expectation that we would build the B–70 bomber. The U.S.S.R. is portrayed as awaiting only some sign of restraint by the U.S. before scaling down its own arms program. Above all, the U.S. is urged to keep the "strategic confrontation," i.e. arms talks, entirely separate from the "political rivalry."

Such a separation, however, is a practical impossibility. The threat of force, i.e. war, is always implicit in any political contest, and the Soviet Union has never been bashful in reminding its adversaries of this most fundamental facet of international relations. The Soviets take the more traditional view that any political dialogue is always a product of the relative power relationship. The power relationship cannot be regulated by any political dialogue, as the Kennedy authors erroneously seem to suppose.

The facts repeatedly show that the Soviets have initiated new moves in the arms race rather than merely reacting to the U.S. moves. They failed to reduce their military forces after World War II in response to the U.S. demobilization. They failed to accept the U.S. offer to surrender control of nuclear weapons to an international agency (the Baruch Plan). They, not we, initiated development of offensive ballistic missiles. They, not we, began the deployment of ABM systems. It is their military doctrine, not ours, which openly stresses the need and the advantage of striking first in any possible war. (Such a doctrine is expounded in Military Strategy, the major work on Soviet military concepts approved by the Communist Party of the Soviet Union.)

(4) The Kennedy study refuses to take seriously the Soviet strategic build-up.

"For our part, we agree with the less threatening interpretation of the intelligence data. . . . We find the evidence that the U.S.S.R. is seeking a first-strike capability against the U.S. to be thin and unpersuasive."

Thus say the Kennedy authors. It is their privilege as private citizens to take this view, but the President and his Secretary of Defense would be plainly derelict in their duty to the American people were they to take a similarly optimistic attitude toward intelligence reports of the Soviet strategic build-up.

It is quite incorrect to compare the situation today with the "non-existent bomber gap of the early sixties" as the Kennedy authors presume to do. Those misestimates of expected force levels stemmed from projections of Soviet gross capabilities and assumed intentions without, however, being subject to immediate intelligence verification. Today, in contrast, we know a great deal about what the Soviets are doing in the area of strategic weapons deployment. Reconnaissance satellites can detect and monitor the progress of the Soviet ICBM silo construction from the first site clearings to the installation and operational readiness of the actual missile.

It takes the Soviets roughly 18–24 months to complete an ICBM silo. We can thus be reasonably sure what their force level will be for that period ahead, based on the silos now observed to be under construction. Beyond this we must estimate. The projected figure of 500 25-megaton SS–9's in 1975 is based on the present rate of construction. It could be more than 500. But simple prudence requires the nation to be able to deal with the worst possible contingency which might arise. President Nixon has stated that the latest Soviet SS–9 tests in the Pacific had multiple warheads which fell in a pattern suggesting that they are targeted against our minuteman fields. Thus the latest information continues to support the growth of the Soviet threat to our minuteman deterrent and the corresponding need for Safeguard.

(5) The Kennedy authors reject "symmetry" in arms talks with the U.S.S.R.

In one of its more controversial statements, the study declares that "more fundamentally, there is no particular reason why we should want to enter negotiations from a position of symmetry with the U.S.S.R."

The reasoning here is that the U.S. now has a superiority in Polaris-type missiles and that a U.S. ABM would give the Soviets an opportunity to argue that they should be allowed to close the gap in such missiles and also to build more ICBM's. So, it is claimed, the U.S. is in a better position to negotiate for a freeze in the present level of the arms race if it goes to the conference table without an ABM.

Such a philosophy reveals a remarkable attitude about our Soviet adversaries. At present building rates, the Soviets will overtake us in submarine launched missiles by 1971 and will be far ahead in ICBM's. Arms limitation talks, if begun, will almost certainly still be in process at this point, if only because of their extraordinary complexity. The Soviets will also have a deployed ABM. If the Safeguard opponents prevail in the U.S. ABM debate, the U.S. will have no ABM and will find itself negotiating in a situation of growing strategic inferiority. If we do not strengthen our defenses, this will only encourage the Soviets to seek complete ascendency. Nothing in the history of Soviet behavior suggests that they will do otherwise than exploit this situation to the hilt. So long as they are free to go on building while the U.S. unilaterally holds back, it would be in the Soviet interest to prolong the talks indefinitely.

(6) The Kennedy authors contend that our Asian and European allies would be alarmed, rather than reassured, by an ABM deployment.

The logic of this argument is highly tortured and factually unsupported. An anti-Chinese component to our ABM will supposedly build up the menace of Red China in Asian eyes. This is because Asians allegedly now believe that Red China is committed to restraint in the use of force and are thus not overly worried by the disparity of force levels between themselves and Peking. But a U.S. anti-Chinese ABM would seem to indicate that the U.S. believes in the possible irrationality of the Chinese. This would panic the Asians, according to the study, and cause them to seek out accommodations with Peking. Or, it might goad Japan and India into going nuclear themselves.

In similar fashion, the Kennedy study also argues that the west Europeans would feel less, rather than more, secure with a U.S. ABM because it would betray our own insecurity vis-a-vis the Soviets and would call into question the credibility of the U.S. commitment to defend western Europe.

The Kennedy authors may, of course, argue ad infinitum that Asians and Europeans ought to react in the above manner. But there is still no evidence that they do reach such conclusions. The few public statements now on record by the leaders of our allies tend to support, rather than question, the President's decision to deploy Safeguard and to protect our "nuclear umbrella" which in turn protects all these allies. As a case in point, when Mr. Adenauer visited this country, he was deeply concerned, not reassured, by the state of the defenses of our cities.

It is not difficult to discern why this should be so. Red Chinese bellicosity is not dismissed in Asia as the mere "rhetoric" that the Kennedy authors ascribe to it. The Soviet invasion of Czechoslovakia shattered whatever illusions responsible European statesmen may have had about the realities behind "detente" with the U.S.S.R. Men who have lived under the shadow of Soviet or Chinese aggressive power, with nothing but the strategic power of the United States to deter that aggression, can scarcely look with pleasure on any development which makes that deterrent—even psychologically—less certain. It seems axiomatic that if the U.S. feels more secure with Safeguard, those whose defense depends on the U.S. will feel more secure also. The Kennedy study makes a poor case for supposing otherwise.

SUMMARY

In summation, we find the Kennedy study opposing Safeguard to be factually erroneous or misleading in its more technical aspects and entirely unconvincing in the more speculative area of judgment about the consequences of Safeguard.

In this latter area we believe that it is the product of fundamental misconceptions which seriously distort the nature, purposes, and probably reactions of our enemies. Those on the political offensive cannot be equated with those whose goal is a peaceful and stable world.

From false premises there are bound to flow false conclusions. President Nixon, we think, came much closer to describing the real world in his speech at the U.S. Air Force Academy. We applaud that speech, and we continue to applaud and to endorse the decision to deploy the Safeguard ABM system.

BIOLOGICAL CATASTROPHE POSED BY SEA LEVEL CANAL

Mr. THURMOND. Mr. President, recent studies by biological scientists are now pointing to the conclusion that the construction of a sea level canal across the Panama Isthmus would lead to a potential biological catastrophe. This aspect of the Panama Canal problem has received little consideration in public discussions. Yet it could conceivably have repercussions that go far beyond the interest of zoology and might have serious consequences for international relations particulraly in those nations which depend upon the sea as a source of food. Both the biological and international political effects strongly argue against the construction of a sea level canal.

These problems were discussed in the January 1969 issue of BioScience. The author of this article, Dr. John C. Briggs, is Professor and Chairman of the Department of Zoology of the University of Southern Florida in Tampa. His research was supported by a national science foundation grant. Dr. Briggs first discusses the effect of the Suez Canal upon the migration of underwater species between the Red Sea and the Mediterranean. Despite the fact that the Suez Canal connects two areas that are separated by a temperature barrier and high saline lakes, there has been considerable transmigration.

However, in the case of the proposed sea level Panama Canal, there would be no barrier whatsoever to the migration of species. The tidal currents would create a wash in both directions, considerably assisting the movement of sea life. According to Dr. Briggs, this would probably result in the Eastern Pacific being invaded by over 6,000 species and the Western Atlantic being invaded by over 4,000 species. Dr. Briggs says that the resulting competition would bring about widespread extinction among the native species. He says that large-scale extinction would be "inescapable."

Dr. Briggs asks the following questions:

Should the sea level canal project be undertaken at all? What is the value of a unique species—of thousands of unique species? Currently, many countries are expending considerable effort and funds in order to save a relatively few endangered species. The public should be aware that international negotiations now being carried on from a purely economic viewpoint are likely to have such serious biological consequences.

Dr. Briggs' own conclusion is extremely important:

Assuming that a better canal would provide economic benefits, I suggest either an improvement of an existing structure or the construction of a new overland canal that would still contain fresh water for most of its route. There seems to be no reason why we cannot have a canal that could accommodate ships of any size, yet still maintain the fresh water barrier that is so important.

Mr. President, Dr. Briggs' research strongly suggests the kind of proposal which is embodied in legislation which I have introduced, S. 2228. This bill would provide for the modernization of the present Panama Canal without disrupting traffic and without negotiating new treaties. It would retain the fresh water barrier that Dr. Briggs says is so important.

Mr. President, this is a highly significant article in an authoritative professional publication, and I ask unanimous consent that this article entitled "The Sea Level Canal: Potential Biological Catastrophe" from BioScience of January 1969 be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Mr. President, in addition, there was an exchange of letters between Dr. Briggs and John P. Sheffey, Executive Director of the Atlantic-Pacific Trans-Oceanic Canal Study Commission, which is currently charged under law with studying the suitability of a sea level canal. Since Dr. Sheffey disputes Dr. Briggs' conclusions and Dr. Briggs ably refutes the counterargument, I ask unanimous consent that these two letters from Bio-Science of April 1969 also be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

THE SEA LEVEL PANAMA CANAL: POTENTIAL BIOLOGICAL CATASTROPHE

(By John C. Briggs)

(NOTE.—The author is Professor and Chairman of the Department of Zoology, University of South Florida, Tampa, Florida 33620. This research was supported by National Science Foundation Grant GB-4330. Helpful suggestions were received from J. L. Simon, H. H. DeWitt, and T. L. Hopkins.)

While the possibility of a sea-level canal somewhere in the vicinity of the Isthmus of Panama has been discussed for many years, its feasibility as an engineering project has become enhanced as the result of recent experimental work with nuclear devices that can be used for excavation. It appears now that the undertaking of this project will be strongly supported as soon as the current economic crisis in the United States is over. Until recently, the only facet of the plan that had drawn the attention of many biologists was the possibility of radiation damage. However, Rubinoff (1968) finally pointed out that there would be other important biological effects and gave examples of disastrous invasions that have occurred in other places as the results of human interference.

THE NEW WORLD LAND BARRIER

The New World Land Barrier, with the Isthmus of Panama forming its narrowest part, is a complete block to the movement of tropical marine species between the Western Atlantic and Eastern Pacific. This state of affairs has existed since about the latest Pliocene or earliest Pleistocene (Simpson, 1965; Patterson and Pascual, 1963) so that, at the species level, the two faunas are well separated. It has been estimated that about 1000 distinct species of shore fishes now exist on both sides of Central America but, aside from some 16 circumtropical species, only about 12 can be considered identical (Briggs, 1967).

This land barrier is also effective for marine invertebrates. Haig (1956, 1960) studied the crab family Porcellanidae in both the Western Atlantic and Eastern Pacific and found that only about 7% of the species were common to the two areas; de Laubenfels (1936) found a similar distribution in about 11% of the sponges he studied; and Ekman (1953), about 2.5% for the echinoderms. It seems, therefore, that only a very small proportion of the species in the major groups of marine animals are found on both sides of the Isthmus of Panama. The present Panama Canal has not notably altered this relationship since, for most of its length, it is a freshwater passage forming an effective barrier for all but a few euryhaline species.

With regard to the tropical waters on each side of the isthmus, there is no reason to suspect that each area is not supporting its optimum number of species. Studies of terrestrial biotas have indicated that most continental habitats are ecologically saturated (Elton, 1958; Pianka, 1966) and that islands demonstrate an orderly relationship between the area and species diversity (MacArthur and Wilson, 1967). Assuming the niches of the two marine areas are filled, achieving maximum species diversity, invasion by additional species could alter the faunal composition but should not permanently increase the number of species.

REGIONAL RELATIONSHIP

The tropical shelf fauna of the world may be divided into four, distinct zoogeographic regions: the Indo-West Pacific, the Eastern Pacific, the Western Atlantic, and the Eastern Atlantic. While the Indo-West Pacific undoubtedly serves as the primary evolutionary and distributional center (Briggs, 1966), the Western Atlantic Region may be said to rank second in importance. Its geographic area is larger (Fig. 1), its habitat

diversity greater, and its fauna considerably richer than for each of the remaining two regions. Since the Western Atlantic species are the products of a richer and therefore more stable ecosystem, we may expect that they would prove to be competitively superior to those species that are endemic to the Eastern Pacific or Eastern Atlantic.

An examination of the faunal relationships between the Western Atlantic and the Eastern Atlantic does provide good circumstantial evidence that species from the former are competitively dominant. An impressive number have managed to traverse the open waters of the central Atlantic (The Mid-Atlantic Barrier) and to establish themselves on the eastern side. For example, in the shore fishes there are about 118 trans-Atlantic species but only about 24 of them have apparently come from the Indo-West Pacific via the Cape of Good Hope. The rest have probably evolved in the Western Atlantic and have successfully performed an eastward colonization journey across the ocean. None of the trans-Atlantic species belong to genera that are typically Eastern Atlantic. Recent works on West African invertebrate groups tend to show that an appreciable percentage of the species is trans-Atlantic (Briggs, 1967). It seems likely that the great majority of these species also represents successful migrations from the Western Atlantic.

EFFECT OF THE SUEZ CANAL

The Suez Canal is a sea-level passage that has been open since 1869, but its biological effects are not entirely comparable to those that would occur as the result of a sea-level Panama Canal for two reasons: first, the Suez Canal connects two areas that are separated by a temperature barrier, the Red Sea being tropical while the Mediterranean is warm-temperate: second, the Bitter Lakes which form part of the Suez passageway have a high salinity (about 45 0/00) which prevents migration by many species.

Despite the above difficulties, the limited migratory movements that have taken place through the Suez Canal do provide some significant information. At least 24 species of Red Sea fishes have invaded the Mediterranean (Ben-Tuvia, 1966), 16 species of decapod crustaceans (Holthuis and Gottlieb, 1958), and several members of other groups such as the tunicates (Pérès, 1958), mollusks (Engel and van Eeken, 1962), and stomatopod crustaceans (Ingle, 1963). So there is ample evidence of intrusions into the eastern Mediterranean, but there are no reliable data that indicate any successful reciprocal migration. Furthermore, there are some indications that the invaders from the Red Sea (a part of the vast Indo-West Pacific Region) are replacing rather than coexisting with certain native species. George (1966) observed that, along the Lebanese coast, the immigrant fishes *Sphyraena chrysotaenia, Upeneus moluccensis,* and *Siganus rivulatus* may be replacing, respectively, the endemic *Sphyraena sphyraena, Mullus barbatus,* and *Sarpa salpa.*

AN ANCIENT EVENT

It is now well established that in the past one or more seaways extended across Central America or northern South America for a considerable period of time, probably throughout the greater part of the Tertiary. While these oceanic connections assured the initial development of an essentially common marine fauna in the New World tropics, they operated as an important barrier for terrestrial animals. Later, perhaps about three million years ago, tectonic forces gradually produced an uplift that re-established the land connection between the two continents.

The effects of the new intercontinental connection must have been rapid and dramatic. The fossil record of this event is fragmentary but considerably better for the mammals than for the other terrestrial groups. Simpson (1965) presented an interesting and well-documented history of the Latin American mammal fauna. His findings relevant to the re-establishment of the Isthmus may be summarized as follows: (a) the full surge of intermigration took place in Pleistocene times with representatives of 15 families of North American mammals spreading into South America and seven families spreading in the reverse direction; (b) the immediate effect was to produce in both continents, but particularly in South America, a greatly enriched fauna; (c) the main migrants to the south were deer, camels, peccaries, tapirs, horses, mastodons, cats, weasels, racoons, bears, dogs, mice, squirrels, rabbits, and shrews; (d) in South America, the effect was catastrophic and resulted in the extinction of the unique notoungulates, litopterns, and marsupial carnivores; the native rodents and edentates were greatly reduced; and (e) now, South America has returned to about the same basic richness of fauna as before the invasion.

Comparatively, the invasion of Central and North America by South American mammals was not nearly so successful. The three migrants that have managed to survive north of Mexico—an opossum, an armadillo, and a porcupine—apparently occupy unique niches. Simpson (1965) noted that when ecological vicars met, one or the other generally become extinct. The dominant species that invaded South America were the evolutionary products of the "World Continent" including both North America and the Old World (the Siberian Land Bridge was frequently available).

CUTTING THE ISTHMUS BARRIER

How effectively would a sea-level ship canal breach the New World Land Barrier? The engineering problems have been worked out using scale models. Although the mean sea-level is 0.77 feet higher on the Pacific side, it would have little effect compared to the effect of the difference in tidal amplitude. The tidal range on the Pacific side is often as great as 20 feet while it is usually less than a foot on the opposite side. For an open canal, it has been calculated that the tidal currents would attain a velocity of up to 4.5 knots and would change direction every 6 hours (Meyers and Schultz, 1949). Tide locks would probably be employed to regulate the currents but it seems apparent that the vast amount of fluctuation and mixing would provide ample opportunity for most of the marine animals (as adults or as young stages) to migrate in either direction.

NUMBER OF AFFECTED SPECIES

Data on the number of marine invertebrate species that inhabit the major parts of the New World tropics are not available. The total fauna is so rich and so many groups are so poorly known that it almost defies analysis. Voss and Voss (1955) reported 133 species of macro-invertebrates from the shallow waters of Soldier's Key, a little island (100 by 200 yards) in Biscayne Bay, Florida. The tiny metazoans comprising the meiofauna of the sediments were not sampled. Work in other areas has shown that the numbers of individuals per square meter in the meiofauna are about 100 times that of the macrofauna (Sanders, 1960) Although a complete tally of species has apparently never been made, there are indications from partial indentifications (Wieser, 1960) that the number of species in the meiofauna is at least four or five times greater. For Soldier's Key, if we assume that the meiofauna is only four times richer in species, we would have a total of 665 benthic invertebrates.

Ichthyologists who have collected among the Florida Keys would probably agree that the shallow waters of Soldier's Key could be expected to yield close to 50 species of fishes. This provides an admittedly rough but useful ratio of 1:13 between the numbers of fish and invertebrate species for a small tropical locality. Although the fish fauna of the western Caribbean is not yet well known, the number of shore species can be approximated at about 600; this is probably a low estimate since we know that more than 600 exist in Florida waters (Briggs, 1958). Using the 1:13 ratio, the number of marine invertebrate species for the western Caribbean can be estimated at about 7800. Adding the fish species gives total of about 8400 marine animal species.

The tropical Eastern Pacific possesses a less diversified fauna than the Western Atlantic. The Gulf of Panama and its adjacent waters is probably inhabited by a shore fish fauna of some 400 species. Using the 1:13 ratio gives an estimate of about 5200 species for the invertebrates and a total of about 5600 marine animal species. The great majority of tropical, shallow-water animals are very prolific and possess highly effective means of dispersal. It has been estimated that 80–85% of all tropical, benthic invertebrate species possess planktotrophic pelagic larvae (Thorson, 1966). Since the fishes are relatively mobile, it seems apparent that the great majority of the animal species under discussion would be capable of eventually migrating through a saltwater canal.

Assuming that 80% of the species on each side of the isthmus would succeed in moving through the canal, 6720 species would migrate westward and 4480 eastward. However, since we are dealing with only rough approximations, it would be more appropriate to simply estimate that we would probably witness the invasion of the Eastern Pacific by more than 6000 species and the invasion of the Western Atlantic by more than 4000 species.

PREDICTION

A logical prediction can be made most easily if the pertinent information given above is summarized as follows:

1) The great majority of the species on either side of the Isthmus are distinct, at the species level, from those of the opposite side.

2) The habitats on each side of the Isthmus are probably ecologically saturated so that maximum species diversity has been achieved.

3) The Western Atlantic Region includes a much larger area, exhibits more habitat diversity, and possesses a richer fauna than the Eastern Pacific or Eastern Atlantic Regions.

4) Western Atlantic species are apparently competitively dominant to those of the Eastern Atlantic—a smaller region but comparable in size and habitat diversity to the Eastern Pacific.

5) At least some of the dominant species that have invaded the Mediterranean via the Suez Canal seem to be replacing the native species.

6) When the land bridge to South America was re-established, the invasion of North American mammals enriched the total fauna. However, this effect was temporary since so many native South American mammals became extinct that the number of species soon returned to about its original level.

7) A sea-level canal would provide ample opportunity for marine animals to migrate in either direction. This would probably result in the Eastern Pacific being invaded by over 6000 species and the Western Atlantic being invaded by over 4000 species.

For the tropical Eastern Pacific, it is predicted that its fauna would be temporarily enriched but that the resulting competition would soon bring about a widespread extinction among the native species. The elimination of species would continue until the total number in the area returned to about its original level. *The fact that a large scale extinction would take place seems inescapable.* It would be difficult, and perhaps irrelevant to attempt a close estimate of the number of

Eastern Pacific species that would be lost. The irrevocable extinction of as few as 1000 species is about as appalling as the prospect of losing 5000 or more.

There is little doubt that the tropical Western Atlantic fauna would suffer far less. With the exception of a few species that may be ecologically distinct, the level of competition would probably be such that the invaders would not be able to establish permanent colonies. Some dominant, Indo-West Pacific species have been able to cross the East Pacific Barrier and establish themselves in the Eastern Pacific (Briggs, 1961). It is likely that a few of these forms would eventually find their way through a sea-level canal. In such cases, the equivalent Western Atlantic species would probably be eliminated.

Man has undertaken major engineering projects for most of his civilized history and the construction of such necessary facilities as canals, dams, and harbors will continue and expand as the human population grows larger. In this case, however, man would remove a major zoogeographic barrier that has stood for about three million years. The disturbance to the local environment would not be nearly as important as the migration into the Eastern Pacific of a multitude of species that would evidently be superior competitors. So, instead of having only local populations affected, the very existence of a large number of wide-ranging species is threatened. This poses a conservation problem of an entirely new order of magnitude.

Rubinoff (1968) assumed that a sea-level canal would be constructed and looked upon its advent as an opportunity to conduct the greatest biological experiment in man's history. As I have stated elsewhere (Briggs, 1968), this approach is unfortunate for it tends to divert attention from a vital conservation issue. The important question is: Should the sea-level canal project be undertaken at all? What is the value of a unique species—of thousands of unique species? Currently, many countries are expending considerable effort and funds in order to save a relatively few endangered species. The public should be aware that international negotiations now being carried on from a purely economic viewpoint are likely to have such serious biological consequences. Does our generation have a responsibility to posterity in this matter?

A biological catastrophe of this scope is bound to have international repercussions. The tropical waters of the Eastern Pacific extend from the Gulf of Guayaquil to the Gulf of California. Included are the coasts of Ecuador, Colombia, Panama, Costa Rica, Nicaragua, Honduras, El Salvador, Guatemala, and Mexico. While the prospect of such an enormous loss of unique species is something that the entire world should be aware of, these countries are the ones that will be directly affected since their shore faunas will probably be radically changed.

ALTERNATIVE

Assuming that a better canal would provide economic benefits, I suggest either an improvement of the existing structure or the construction of a new overland canal that would still contain freshwater for most of its route. There seems to be no reason why we cannot have a canal that could accommodate ships of any size yet still maintain the freshwater barrier that is so important. One could conceive of other alternatives such as a sea-level canal provided with some means of killing the migrating animals—possibly by heating the water or adding lethal chemicals. However, such expedients would be both risky and distasteful.

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EXHIBIT 2

BIOSCIENCE

(By John P. Sheffey, Atlantic-Pacific Interoceanic Canal Study Commission, Washington, D.C.)

UNNECESSARY ALARM

Professor John C. Briggs' article (*BioScience*, January 1969, p. 44) points out some valid and important considerations in the coming decision on whether to build an isthmian sea-level canal. However, I hope you will bring to your readers' attention some factors that would tend to mitigate some of the alarms Briggs has cited.

Our engineers calculate that there will be no net flow from the Atlantic to the Pacific through a sea-level canal. The approximately one foot higher mean sea-level of the Pacific will make the net flow from the Pacific to the Atlantic. Briggs' article indicates that biota carried in this direction pose the lesser threat in comparison with movements in the opposite direction. It appears that only the creatures that can swim against the current will be able to make the transit from the Atlantic to the Pacific.

Briggs makes no mention of the transfer of marine life through the existing lock canal. In its 54 years of operation there have been and continue to be extensive transfers by three distinct means. First, swimming and drifting biota that thrive in both salt and fresh water readily pass through the locks and inevitably make their way across Gatun and Miraflores Lakes to the opposite oceans. Some have been specifically identified as having followed this path. Second, barnacles and similar clinging organisms pass in both directions every day on the hulls of ships. Third, and perhaps most important to the question of the biological impact of linking the oceans, is the daily transfer of fairly large amounts of salt water in ships' ballast tanks. This has gone on for more than a half century. Lightly loaded or empty ships approaching the canal are frequently required to take on ballast water before entering the locks. This is to deepen their drafts to make them easier to handle while in restricted canal channels. As a usual practice on leaving the canal a few hours later at the opposite ocean, this ballast water is discharged to lighten the ships to save fuel on the remainder of the trip. Thus, all the small swimming and drifting marine life that would be found in these thousands of samples of sea water taken year in and year out since 1914, have made the trip across the isthmus in salt water in both directions. While a sea-level, salt-water channel between the oceans would vastly augment the movements of marine creatures between the oceans, the new avenue would appear to offer previously denied passage for only that portion of ocean life that could not transit by one or more of the three existing means. Some segments of the total spectra of biota in the two oceans have surely crossed the isthmus to the opposite ocean during the past half century and continue to do so daily. It follows that a large portion of the small swimming, drifting, and clinging creatures on both sides of the isthmus have long been exposed to inoculations of the same category from the opposite ocean. To date, no discernible effects have resulted. It seems reasonable to conclude that a sea-level canal would create little or no new threat to the lower links of the ocean food chain. New exposures would be limited to the larger swimming and drifting biota. Thus the area of danger of harmful biological changes when the oceans are joined is much less broad than it first appears.

Under a contract with the Canal Study Commission the Battelle Memorial Institute is conducting an extensive evaluation of the potential biological impacts of a sea-level

canal. It is acknowledged that in the time available this study cannot reach final conclusions, but it can narrow the area of doubt. The Commission has arranged with the National Academy of Sciences to develop a program of bioenvironmental studies for the Commission to recommend in its report to the President, should construction of a sea-level canal be recommended. Such a canal would require 12 to 15 years to construct, and hence ample time for biological research would be available.

REPLY BY JOHN C. BRIGGS, UNIVERSITY OF SOUTH FLORIDA, TAMPA

Since John P. Sheffey kindly sent me a copy of his February 6th letter to you, I have the opportunity to respond to his comments. If you decide to publish this letter, I would appreciate it if you would also consider the following:

Mr. John P. Sheffey's main concern was that I made no mention of the transfer of marine life that takes place through the existing canal. Although many organisms have undoubtedly been transported by clinging to the hulls of ships or by living in the saltwater of ship's ballast tanks, the important point is that such transfers have not generally resulted in successful colonizations. For this reason, marine biologists have not been particularly interested in evaluating them.

It would be a tragic error for us to conclude that, because the present canal has not served as a successful migratory route, there is no danger of a new sea-level canal doing so. How can there be any doubt that an open canal, providing a continuous salt-water passage between the oceans, would present a far better opportunity for successful migration? Many Red Sea animals have succeeded in passing through the Suez Canal to colonize the Mediterranean despite having to overcome formidable temperature and salinity barriers. Since a sea-level Panama canal would contain no such barriers, one can only expect that a huge number of successful migrations would take place.

Considering that mean sea-level of the Pacific side is 0.77 feet higher than the Atlantic, a very small net flow toward the Atlantic would take place. However, the gradient would be so slight—about 0.2 inches per mile—that it would have little effect compared to the difference in tidal amplitude. The tidal currents would cause so much fluctuation and mixing that it seems reasonable to conclude that most marine animals would have ample opportunity to migrate in either direction. We must also bear in mind that many planktonic as well as large organisms have sufficient swimming ability to counteract the effect of a slow net flow in one direction. Finally, we should recognize that many of the benthis invertebrate species will be able to colonize the sides and bottom of the canal itself and, by this method, could slowly extend their populations from one ocean to the other.

I believe that the only dependable means by which large scale migrations and subsequent biological disaster in the tropical Eastern Pacific can be prevented is by the inclusion of an extensive freshwater barrier. The Atlantic-Pacific Interoceanic Canal Study Commission, with Mr. Sheffey as its Executive Director, has the responsibility of determining the feasibility of a new canal. It will make its final report to President Nixon in December, 1970. Biologists who wish to lend their support to the freshwater barrier concept should make their views known to the Commission and to their Congressmen.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ST. LAWRENCE SEAWAY

Mr. HART. Mr. President, approximately 10 years ago, a fourth seacoast was made available to the people of this country. We knew it then and we speak of it now as the St. Lawrence Seaway. The dramatic promise of 10 years ago has been realized only in part, and it is the failure of Congress, among others, that has thus far denied us a full realization of the enormous potential that opening the entire Great Lakes Basin would provide the people of America.

We sometimes forget that when we include the land to the north of the Great Lakes—our Canadian neighbors—in the Great Lakes Basin, we are talking about the population center of North America. The grain that could feed the peoples of the world, the imaginative mechanic skills that put the people of the world on wheels, combine in this center of industrial-population concentration to represent literally the heartland—economic as well as geographic—of our hemisphere.

I am delighted, Mr. President, that the Detroit News, a newspaper which over the years has raised an effective voice first in the matter of persuading Congress to undertake the seaway and since then in attempting to persuade Congress and the shippers of America to give the seaway full opportunity, on Monday featured, with magnificent photographs, a story by Stoddard White. Stoddard White is the marine writer for the Detroit News and is acknowledged by his peers as second to none in an understanding of the Great Lakes and, more recently, of the Great Lakes with the St. Lawrence Seaway.

Many exciting stories are told of the Great Lakes: the long ships that pass in the night, the devastating storms, the men who have gone down to the sea in ships in the Great Lakes. But the bolts and nuts story—the less exciting—clearly will have the greatest influence on the course of the economic history of our continent. Stoddard White, in this report, which he captions "A Billion Dollar Act of Faith," describes some of the bolts and nuts problems of the seaway, as well as citing some of the exciting achievements.

Because it is the responsibility of Congress to respond to some of these artificial and unwise restraints that limit the full effectiveness of the seaway, and because it is the responsibility of Congress to correct these, I ask unanimous consent to have printed at the conclusion of my remarks the Stoddard White article. I think it is interesting reading to all Americans and should be required reading to all my colleagues.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE 10-YEAR-OLD SEAWAY NEEDS EXPANSION.—A BILLION-DOLLAR ACT OF FAITH

(By Stoddard White)[1]

Like that other fabled waterway, the St. Lawrence Seaway ignores birthdays and just keeps rollin' along—living up to expectations, confounding critics and already approaching the time when its facilities must be expanded.

The 10th birthday of this prodigious engineering and economic achievement was celebrated a month ago, with attendant fanfare involving at the top the President of the United States and the prime minister of Canada.

But the users of the Seaway—the ships of half a hundred nations—paid scant attention to the ceremonies ashore.

Their contribution to the celebration was their continued steady passage up and down the 2,342 miles between the Atlantic Ocean and the western extremities of the Great Lakes, obviously making money for their owners and those who send and receive their cargoes.

Ten years earlier the two nations opened the heartland of North America to the world's navigation. In an accompanying and even more costly project, New York and Ontario jointly built dams and plants on the world's greatest untapped source of hydroelectric power. It was a billion-dollar act of faith.

Last year the partners watched their various gauges and saw kilowatts pouring across several states and provinces—and 6,600 transits by ocean and lake vessels moving more than 48 million tons of cargo. It was a vindication of that earlier faith.

Technically, the seaway as opened in 1959 is essentially 182 miles of the St. Lawrence River between Lake Ontario and Montreal, canaled and dammed in places to surmount the rapids which had barred travel as far back as Indian days.

Canada paid about two-thirds of the bill and the United States about one-third, and we share the tolls accordingly.

Actually, Seaway trade extends from Duluth and Chicago to the Gulf of St. Lawrence. The 28-mile, eight-lock Welland Canal is operated by Canada's Seaway Authority. The Soo Locks form a Seaway channel for vessels carrying cargoes to and from Lake Superior. And the United States spent more (about $135 million) deepening and widening the connecting channels of the Great Lakes for both domestic and Seaway traffic than it spent on the St. Lawrence itself.

The Seaway benefits not only ocean shipping, but a specialized Great Lakes trade. The characteristic vessels nick-named "alers" sail both ways along with the "salties," carrying Lake Superior grain far down the St.

[1] Stoddard White, a Detroit News reporter and writer for 35 years, has been covering shipping on the Great Lakes and St. Lawrence Seaway since 1950 and writing the weekly "Port and Marine" column.

He made his first trip for The News down the St. Lawrence Valley before the first of the giant earth-moving machines arrived.

He and photographer Charles T. Martin later spent many days on the construction sites reporting on the building of locks, dams and bridges and removal of human and animal populations—and graveyards—from areas to be flooded out by the project.

By ship, auto and plane, White has made eight reporting tours of the Seaway before and since covering the 1959 dedication by President Eisenhower and Queen Elizabeth II.

Lawrence and returning with iron ore from Labrador for American and Canadian steel mills.

A typical schedule for one of these freshwater vessels takes it on a 5,000-mile round trip through all five of the Lakes.

More than 80 percent of the Seaway trade last year was in bulk cargoes such as iron ore and grain. But the number of general-cargo ships (those carrying high-value commodities usually packaged in one way or another) is on the increase.

The ship headed from the ocean to the Detroit River has not only a long voyage westward, but a climb of more than 570 feet from sea level to the middle of the Detroit River.

Lake Superior is 32 feet higher and, to reach it, a vessel climbs the equivalent of a 60-story building.

Just to go the 1,000 miles from the ocean to Montreal, the ship makes a climb of 20 feet without the aid of locks.

Then seven locks—five Canadian and two American—are filled with water to take her up to the level of Lake Ontario, easternmost and lowest of the Great Lakes.

Here, before the Seaway, was the most spectacular portion of the great river. In 44 miles, it fell 90 feet, and the famous Long Sault Rapids were a perpetual storm of waves several feet high.

This area now is a reservoir dammed by the Ontario-New York power complex and known as Lake St. Lawrence, a man-made lake covering 100 square miles beneath which are the sites of historic French and English villages and the now-stilled Long Sault.

The difference in elevation is overcome by the United States' Eisenhower and Snell locks near Massena, N.Y., and a Canadian control lock upstream at Iroquois, Ontario.

The ship meets no further obstacles until the place where the outflow of Lake Erie is channeled through Niagara Falls. Here Canada built the first Welland Canal, which opened in 1829, and has been enlarging it ever since.

This is the part of the Seaway that Norwegian seamen call "going over the mountain." Seven tightly grouped locks in an eight-mile section lift the ship some 326 feet to the Lake Erie level. An eighth lock has a shallow lift, controlling the water level at the Erie end.

Roads parallel the length of the canal and are well marked with signs directing the tourist to lookout sites almost within touching distance of ships.

Between Thorold and St. Catharines are the famous "flight locks," three of the seven. These three are twinned—two locks side by side so that one ship rises while the one beside it is lowered—and one connects directly with another so that the visitor can see three ships at a time, almost atop each other.

Already the great locks and expensively dredged 27-foot-deep channels are beginning to confine ships, and both countries are exploring deepening the channels and duplicating the canals.

Where there were 6,600 transits in and out last year, there were more than 7,000 a few years ago. This is not an indication of decreased business—the ships are getting larger, affording greater tonnage with less traffic.

Larger ships are one of the arguments for twinning existing locks and for other expansions of the Seaway. Canada talks of duplicating the Eisenhower and Snell locks for an all-Canadian Seaway, and U.S. engineers are studying an all-American canal across the west end of New York State to duplicate Canada's Welland.

Expansion of the direct water route between America's "Fourth Seacoast" and the rest of the world is considered inevitable by those who believe traffic will continue to grow as North American needs tax other modes of transportation.

It is easier to prove that the Seaway is—thus far, at least—"losing money."

The controversial toll system does not bring in enough money to pay for amortization, operating costs (higher than forecast) and interest.

Both the U.S. and Canadian operating authorities owe their government treasuries huge sums in back interest—$12 million on the U.S. side alone last year.

A large, loaded vessel pays as much as $15,000 in tolls for one trip into the Great Lakes The mere passage of paying ships on 6,600 occasions in a year attests to the light in which the Seaway is held by the world's shipping companies and their customers.

The latter have learned—albeit some of them slowly—that added to the normal economy of shipping by water is the advantage of direct shipment over a route demonstrably shorter than that from many East Coast ports without transshipment which may result in cargo delays, damage, pilferage and avoiding the added expense of more costly overland transportation.

By U.S. law, construction of the nation's toll-free waterways can be recommended to Congress by the Army Corps of Engineers (which is charged with evaluating such projects) only if the expense to the whole public is justified by foreseeable economic benefit to at least a large part of the people.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quoum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DESIGNATION OF "NATIONAL ARCHERY WEEK"

Mr. KENNEDY. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on Senate Joint Resolution 85.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the joint resolution (S.J. Res. 85) to provide for the designation of the period from August 26, 1969, through September 1, 1969, as "National Archery Week," which was to strike out the preamble.

Mr. KENNEDY. Mr. President, I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 1373) to amend the Federal Aviation Act of 1958, as amended, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STAGGERS, Mr. FRIEDEL, Mr. DINGELL, Mr. PICKLE, Mr. SPRINGER, Mr. DEVINE, and Mr. CUNNINGHAM were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 10595) to amend the act of August 7, 1956 (70 Stat. 1115), as amended, providing for a Great Plains conservation program; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. POAGE, Mr. STUBBLEFIELD, Mr. PURCELL, Mr. BELCHER, and Mr. TEAGUE of California were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

S. 38. An act to consent to the upper Niobrara River Compact between the States of Wyoming and Nebraska; and

S. 1590. An act to amend the National Commission on Product Safety Act in order to extend the life of the Commission so that it may complete its assigned task.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

PROPOSED LEGISLATION PROVIDING FOR THE ADJUSTMENT, BY THE ADMINISTRATOR OF VETERANS' AFFAIRS, OF THE LEGISLATIVE JURISDICTION OVER LANDS BELONGING TO THE UNITED STATES WHICH ARE UNDER HIS SUPERVISION AND CONTROL

A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to provide for the adjustment, by the Administrator of Veterans' Affairs of the legislative jurisdiction over lands belonging to the United States which are under his supervision and control (with an accompanying paper); to the Committee on Labor and Public Welfare.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on selected automatic data processing activities, District of Columbia Government, dated July 31, 1969 (with an accompanying report); to the Committee on Government Operations.

REPORT OF THE ATTORNEY GENERAL

A letter from the Attorney General of the United States, transmitting, pursuant to law, a report on certain exemptions from the antitrust laws, as of July 1, 1969 (with an accompanying report); to the Committee on the Judiciary.

PROPOSED ADJUSTMENT OF MAXIMUM SALARIES FOR FULL- AND PART-TIME U.S. MAGISTRATES

A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to adjust the maximum salaries for full- and part-time U.S. Magistrates (with accompanying papers); to the Committee on the Judiciary.

PROPOSED LEGISLATION EXTENDING THE AUTHORITY FOR EXEMPTIONS FROM THE ANTITRUST LAWS TO ASSIST IN SAFEGUARDING THE BALANCE-OF-PAYMENTS POSITION OF THE UNITED STATES

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to extend the authority for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States (with accompanying papers); to the Committee on the Judiciary.

PROPOSED LEGISLATION PROVIDING THAT AGENCY HEADS BE PAID ON A BIWEEKLY BASIS

A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to provide that heads of Federal agencies shall be paid on a biweekly rather than monthly basis (with accompanying papers); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Alabama; to the Committee on Commerce:

"HOUSE JOINT RESOLUTION 23

"A resolution to the Congress of the United States, the Alabama Congressional Delegation, the Committee on Interstate and Foreign Commerce of the United States Senate and the Committee on Interstate and Foreign Commerce of the United States House of Representatives requesting that an investigation be made into the manner in which the Interstate Commerce Commission is allowing passenger train service in the United States to be slaughtered through section 13a of the Transportation Act of 1958.

"Whereas, for many years the authority to discontinue passenger trains was left to the various state commissions having jurisdiction over same; and

"Whereas, it was necessary for rail carriers to prove that by rights of convenience and necessity that discontinuing passenger service would not adversely affect the public and was a burden on interstate commerce to continue same; and

"Whereas, with the passage of the amendment to the Transportation Act of 1958 gave the Interstate Commerce authority and jurisdiction over applications filed under Section 13a of the Transportation Act; and

"Whereas, many rail carriers have availed themselves of the opportunity, through Section 13a of the Transportation Act, to deprive the public of rail transportation by the removal of passenger trains and degrading their services and equipment so as to inconvenience the public.

"Now, therefore, be it resolved by the House of Representatives of the State of Alabama, the Senate concurring therein:

"That the Legislative Assembly of the State of Alabama request the Congress of the United States to initiate a Congressional investigation into the manner in which the Interstate Commerce Commission has allowed the mass slaughter of passenger trains; and

"Be it further resolved, that the Congress of the United States be requested to declare a moratorium on all passenger train discontinuances until the investigation is complete and Congress determines what manner of authority will be required from the Interstate Commerce Commission to discontinue inter-city passenger trains.

"Be it further resolved, that the Congress of the United States be informed that the authority granted the Interstate Commerce Commission under Section 13a of the Transportation Act of 1958 is not being used in the best interest of the citizens of the State of Alabama by approving the applications to discontinue 18 passenger trains over a period of 18 months.

"Be it further resolved, that the Secretary of State be instructed to send copies of this resolution to the President of the United States; the President of the Senate of the United States; the Speaker of the House of Representatives of the United States; to the members of the Alabama Delegation of Congress; to the Chairman of the Committee on Interstate and Foreign Commerce of the United States Senate and to the Chairman of the Committee on Interstate and Foreign Commerce of the United States House of Representatives.

"——— ———,

"Speaker of the House of Representatives.

"O. H. GOODWYN,

"President Pro Tem and Presiding Officer of the Senate.

"I hereby certify that the with House Joint Resolution originated in and was adopted by the House May 27, 1969.

"JOHN W. PEMBERTON,

"Clerk.

"Senate approved July 22, 1969."

A letter, in the nature of a petition, signed by the Chairman, Steering Committee for the Federal Employees of the Virgin Islands, St. Thomas, Virgin Islands, praying for the restoration of a cost-of-living allowance; to the Committee on Post Office and Civil Service.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. STEVENS:

S. 2739. A bill to expand the definition of deductible moving expenses incurred by an employee; to the Committee on Finance.

(The remarks by Mr. STEVENS when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. HOLLINGS:

S. 2740. A bill to amend section 2 of the National Housing Act relative to mobile homes; to the Committee on Banking and Currency.

By Mr. GORE:

S. 2741. A bill to amend titles 10 and 37, United States Code, to provide equality of treatment for married female members of the uniformed services; to the Committee on Armed Services.

By Mr. MCCARTHY:

S. 2742. A bill to amend the Securities Exchange Act of 1934 by providing for expanded membership no national securities exchanges; to the Committee on Banking and Currency.

(The remarks of Mr. MCCARTHY when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. WILLIAMS of New Jersey:

S. 2743. A bill for the relief of Rosa Luisa Giordano;

S. 2744. A bill for the relief of John Themistokleous;

S. 2745. A bill for the relief of Vita Schiralli; and

S. 2746. A bill for the relief of Andrea Giovanni Petta; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 2747. A bill to require the Secretary of Health, Education, and Welfare to conduct a study and investigation of the effects of the use of certain poisons on man's health and environment, and for other purposes; to the Committee on Agriculture and Forestry.

(The remarks of Mr. TYDINGS when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. HARTKE:

S. 2748. A bill to amend the Antidumping Act, 1921, as amended; to the Committee on Finance.

(The remarks of Mr. HARTKE when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. MOSS:

S. 2749. A bill to authorize the payment of a special death gratuity to the widow, children, and parents of members of the Armed Forces who lost their lives on the U.S.S. *Scorpion;* to the Committee on Finance.

By Mr. HARTKE:

S. 2750. A bill to amend section 13a of the Interstate Commerce Act so as to provide for reimbursement to the carrier of the cost of operating uneconomic interstate railroad passenger train service performed under order of the Commission; to the Committee on Commerce.

(The remarks of Mr. HARTKE when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. MOSS:

S. 2751. A bill to amend chapter 73 of title 38, United States Code, to authorize the payment of differential pay for evening and night work performed by nurses employed by the Veterans' Administration; to the Committee on Labor and Public Welfare.

(The remarks of Mr. Moss when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. MUSKIE:

S. 2752. A bill to promote intergovernmental cooperation in the control of site selection and construction of bulk power facilities for environmental and coordination purposes; to the Committee on Government Operations, by unanimous consent; and, when reported from that committee to be referred to the Committee on Commerce.

(The remarks of Mr. MUSKIE when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. JAVITS (for himself and Mr. PROUTY):

S. 2753. A bill to amend the Public Health Service Act so as further to assist in meeting the Nation's needs for adequately trained personnel in the allied health professions, and for other purposes; to the Committee on Labor and Public Welfare.

(The remarks of Mr. JAVITS when he introduced the bill appear earlier in the RECORD under an appropriate heading.)

S. 2739—INTRODUCTION OF A BILL EXPANDING THE DEFINITION OF DEDUCTIBLE MOVING EXPENSES INCURRED BY AN EMPLOYEE

Mr. STEVENS. Mr. President, today I am introducing Senate bill 2739 which is designed to allow additional legitimate moving expenses to be deducted under existing Internal Revenue procedures. This is a companion bill to one recently introduced into the House of Representatives.

We are all aware of the rising costs of living facing us, but nowhere is this cost more apparent than my home State of Alaska. In the past only those costs such as travel and household moving have been allowable deductions. However these comprise only a portion of the actual costs involved. Reliable sources fix the cost to an average family for moving

at $3,300. In Alaska the average can go as high as $5,000. And yet under existing regulations only a portion of this amount may be deducted.

Certainly costs such as temporary housing, loss that might incur from a broken lease, costs in purchasing a new house, and in looking for a new home are all part of moving, and costs we have all borne in our previous moves.

My bill would recognize these costs; costs which have long been recognized by private industry, and allow reasonable and just deductions within the Internal Revenue Code.

Homeowners purchasing a home in their new place of residency would be allowed up to $2,500 in additional deductions. A renter would be granted up to $1,000 in new deductions.

With the enactment of this bill our highly mobile American society will no longer be penalized because they have found it necessary to move from one area to another.

Mr. President, it is my understanding that this amendment will not apply to Members of Congress because, technically if not otherwise, our principal place of residence remains in our State or district, notwithstanding our residence in the Washington area while Congress is in session.

Mr. President, I ask unanimous consent that the text of my bill be printed immediately following these remarks in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2739) to expand the definition of deductible moving expenses incurred by an employee, introduced by Mr. STEVENS, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2739

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of section 217(b) of the Internal Revenue Code of 1954 (relating to definition of moving expenses) is amended to read as follows:

"(1) IN GENERAL.—For purposes of this section, the term 'moving expenses' means only the reasonable expenses—

"(A) of moving household goods and personal effects (including temporary storage expenses) from the former residence to the new residence;

"(B) of traveling (including meals and lodging) from the former residence to the new place of residence;

"(C) of traveling (including meals and lodging) by the taxpayer, his spouse, or both for the purpose of searching for a new residence in the area of the new principal place of work when both the old and the new principal places of work are located within the United States.

"(D) of meals and lodging of the taxpayer and members of his household at the new place of residence while occupying temporary quarters for a period not exceeding 30 days;

"(E) incident to the sale or exchange of taxpayer's former residence (not including expenses of redecorating or other items to improve salability) or to the settlement of an unexpired lease covering property used by the taxpayer as his former residence, and

"(F) incident to the purchase of a residence in the area of the new principal place of work.

If the aggregate of the expenses described in subparagraphs (C), (D), (E), and (F) exceed $2,500 in the case of a taxpayer who was the owner of his principal place of abode at the former residence, subsection (a) shall apply only to the first $2,500 of such expenses, and if the aggregate of such expenses exceed $1,000 in the case of any other taxpayer, subsection (a) shall apply only to the first $1,000 of such expenses."

SEC. 2. The amendments made by this Act shall apply to expenses incurred after December 31, 1968.

S. 2742—INTRODUCTION OF A BILL PROVIDING FOR EXPANDED MEMBERSHIP ON NATIONAL SECURITIES EXCHANGES

Mr. McCARTHY. Mr. President, I am today introducing legislation which would open membership on registered stock exchanges to all broker-dealers who are registered with the Securities and Exchange Commission, pursuant to section 15 of the Securities Exchange Act of 1934.

Current restrictions imposed by stock exchanges on the number of seats available to broker-dealers would be abolished by this bill. However, it would require new exchange members to pay an appropriate share of the value of the exchange's physical facilities and property so as not to take from present members, without compensation, the value of their contributions to those facilities.

The bill also provides that an exchange could limit membership temporarily to meet such problems as inadequate trading floor facilities. Such temporary limits would become effective 60 days after being filed with the SEC if the SEC found them necessary.

There are approximately 4,530 broker-dealers registered with the Securities and Exchange Commission and only 1,366 seats on the New York Stock Exchange with the number of seats and who may become a member controlled by the New York Stock Exchange with only a limited check by the SEC.

At the present time, the SEC is not even sure whether it has the authority to require the New York Stock Exchange to increase the number of seats or change its membership requirements.

But there are financial institutions such as mutual funds, insurance companies, and pension plans which account for half of the volume on the New York Stock Exchange and one-fourth of its gross commissions. Although many of these institutions are registered as broker-dealers with the SEC, they are arbitrarily excluded by the New York Stock Exchange from membership on the grounds that they are not primarily engaged in the brokerage business.

These institutions represent many millions of shareholders who are thus unable to recoup their brokerage commissions. If exchange membership were available the institution could execute its own transactions and pass on the saving to its shareholders.

The artificial limitation on membership has increased the price of New York Stock Exchange seats to $515,000, thus excluding many small brokers from membership because of their lack of financial resources.

The New York Stock Exchange claims it is protected in its actions by an implied antitrust exemption in the Securities Exchange Act but the Department of Justice, in a brief filed with the SEC on January 17, 1969, says such immunity is implied "only to the extent necessary to make the exchange work and then only to the minimum extent necessary."

The Department of Justice goes on to declare that the SEC should take steps to require expansion of stock brokerage privileges to all qualified individuals up to the physical limit of exchange facilities. That is what my bill provides.

The effective date of the bill would be delayed for 2 years to provide time for readjustment and study of the problem.

I ask unanimous consent to have placed in the RECORD at this point a memorandum dealing with this proposed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the memorandum will be printed in the RECORD.

The bill (S. 2742) to amend the Securities and Exchange Act of 1934 by providing for expanded membership on national securities exchanges, introduced by Mr. McCARTHY, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The memorandum presented by Mr. McCARTHY, is as follows:

MEMORANDUM

Subject: Proposed bill for expanded membership on registered and national securities exchanges:

Section 6 of the Securities Exchange Act of 1943 delineates the requirements for registration as a national securities exchange. The present Section 6(b) requires the continuing surveillance of member's conduct as a condition to granting or retaining registration. This provision will now be Section 6(b)(2) and the new membership provision will be Section 6(b)(1).

The first sentence of (b)(1) requires that membership on a registered exchange be open to all broker-dealers who are registered with the Commission pursuant to Section 15 of the Securities Exchange Act of 1934. This provision would eliminate the current restrictions imposed by exchanges on the number of seats available to broker-dealers. The Section also requires that new members would have to pay an appropriate share of the value of the exchange's physical facilities and property so as not to take from existing members, without compensation, the value of their contribution to the exchange facilities. An exchange may make rules limiting membership so as to meet such temporary problems as may exist respecting use of limited floor facilities by new members. Such rules would be restricted to this purpose and for a limited period of time. They would become effective 60 days after being filed with the Commission if the Commission finds that they are necessary or appropriate in the public interest or for the protection

of investors, and to carry out the purposes of free access to exchange membership for any registered broker or dealer.

BACKGROUND MEMORANDUM

There are approximately 4,530 broker-dealers registered with the Securities and Exchange Commission and only 1,366 seats (members) of the New York Stock Exchange. Of these 1,366 members approximately 600 deal with the public. The remainder work on the floor of the Exchange either for their own accounts, as specialists, or in various other non-public functions. The number of seats and who may become a member is controlled directly by the New York Stock Exchange with limited SEC oversight. The SEC is not even sure as to whether or not it can require the New York Stock Exchange to increase the number of seats or change its membership requirements.

Financial institutions such as mutual funds, insurance companies and pension plans account for 50% of the volume on the Exchange and for 25% of the gross commissions. Many of these institutions are registered as broker-dealers with the SEC. However, the Stock Exchange has arbitrarily excluded them from membership claiming that they are not primarily engaged in the brokerage business. Also excluded from membership are all publicly held companies. Thus, member brokerage houses are excluded from raising capital via equity financing.

Financial institutions have many millions of shareholders (there are 5 million mutual fund shareholders alone) and by barring them from New York Stock Exchange membership these shareholders are unable to recoup their brokerage commissions. On the other hand if Exchange membership was made available the institution could execute its own transactions and pass on the saving to its shareholders. For example, Investors Diversified Securities has a subsidiary which is a member of the Pacific Coast Stock Exchange (where no such limitation on membership exists). During 1967 I.D.S. was able to refund $4.1 million in commissions to its fund's shareholders.

The artificial limitation on membership has also increased the price of Stock Exchange seats to $515,000, excluding many small brokers from membership because of lack of financial resources.

In 1968 New York Stock Exchange commissions amounted to approximately $1,700,000,000. Since non-members are not allowed to share in these commissions (under New York Stock Exchange Rules a member is prohibited from splitting commissions with a non-member), small broker-dealers and financial institutions have been effectively barred from sharing in this income. As stated before, the cost to financial institutions such as mutual funds has been especially high since they have been unable to execute their own transactions and pass on the savings in commissions to their shareholders.

The New York Stock Exchange claims it is protected in its actions by an implied anti-trust exemption contained in Section 19 of the Securities Exchange Act. However, the Justice Department in a brief filed with the SEC on January 17, 1969, a copy of which is enclosed, states that antitrust immunity for Exchange activities is to be implied "only to the extent necessary to make the Exchange work and then only to the minimum extent necessary." The Department on Page 198 goes on to state that after adequate study (this subject has been studied ad nauseam), the SEC should take steps to require expansion of stock brokerage privileges (Stock Exchange membership) to all qualified individuals up to the physical limit of such facilities. The enclosed bill provides for such a result. Time for readjustment and study is provided by a two-year delay in its effective date.

S. 2747—INTRODUCTION OF A BILL TO REQUIRE THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE TO CONDUCT A STUDY OF THE EFFECTS OF THE USE OF CERTAIN POISONS ON MAN'S HEALTH AND ENVIRONMENT

Mr. TYDINGS. Mr. President, I introduce today legislation designed to protect our people and our ecological system from the growing accumulation of toxic residues in the environment, stemming from the widespread use of pesticides.

In the past few months increasing public awareness of this accumulation has led to alarm over the long-term impact which the systematic, yet often indiscriminate applications of pesticides have had on our environment. Pesticides, after all, are poisons. Their deliberate injection into the land must be viewed as cause for concern, regardless of the precautions taken.

Of particular concern are those pesticides which do not break down after application. Pesticides are synthetic organic chemicals. Many of them degrade and disappear shortly after use. Others do not, remaining in the land for months or even years. These are termed persistent or hard pesticides. They retain their toxic quality and are transported throughout the environment in the soil, water, or in the air.

It is the accumulation of these pesticides, these poisons, in increasing amounts and all over the globe which has alarmed both scientists and conservationists alike.

It is this poisoning of our environment about which Rachel Carson so eloquently warned in her bestselling book, "The Silent Spring."

The danger from persistent pesticides, such as DDT, dieldrin, and endrin is now recognized. In 1963, a report of the President's Science Advisory Committee recommended that "the accretion of residues in the environment be controlled by orderly reduction in the use of persistent pesticides." The report went on to say that "elimination of the use of persistent toxic pesticides should be the goal." In May of this year, the Commission on Persistent Pesticides of the National Research Council, National Academy of Sciences said that it was "convinced that there is an immediate need for worldwide attention to the problem of buildup of persistent pesticides in the total environment." Finally, in recent testimony before the Subcommittee on Energy, Natural Resources and the Environment, of which I am a member, Dr. Leslie L. Glasgow, Assistant Secretary for Fish and Wildlife, Parks, and Marine Resources, U.S. Department of the Interior, stated that because of their toxic impact, we should begin to phase out hard pesticides.

An alarming example of the danger posed by persistent pesticides was the seizure last month by the FDA of 28,150 pounds of Lake Michigan Coho salmon which was found to contain 13 to 19 parts per million of DDT. As five p.p.m. is considered safe, the salmon was declared unfit for human consumption.

A Swedish scientist, Dr. Goran Lofroth, stated in May that breast-fed infants throughout the world were ingesting approximately twice the amount of DDT compounds recommended as a maximum daily intake by the World Health Organization. Dr. Lofroth, who is a radiobiologist at Stockholm University, found that the babies received a daily average of 0.02 milligrams per kilogram of DDT from their mother's milk. WHO has set 0.01 milligrams per kilogram of DDT and its compounds as the maximum recommended daily intake.

DDT is also threatening wildlife. Alexander Sprunt, research director of the National Audubon Society, says that unless we ban DDT, the American bald eagle will soon become extinct. The pesticide inhibits the development of the eggshell. It disturbs the calcium metabolism of the bird, resulting in a shell that is too thin to protect adequately the developing embryo.

Through the process of biological magnification in the food chain, whereby minute quantities of pesticides accumulate in tiny marine organisms and are transferred in ever-increasing amounts to plankton-eating fish, carnivorous fish, and finally birds of prey, other types of birds have been threatened. Dr. Glasgow reported:

> Pesticide residues in fish are considered the most probable cause of the decline in hatching success in a colony of brown pelicans off the California coast this spring.

It is likely that the toxic residues of pesticides have also destroyed the peregrine falcon as a breeding bird in the Eastern United States.

Equally disturbing is the effect on marine life. Dr. Charles F. Wurster, Jr., of the State University of New York at Stony Brook is concerned by the effect of DDT on the growth and photosynthesis of basic marine plankton. Plankton is crucial to the production of oxygen and is the indispensable base of marine food chains. Interference with its growth and photosynthesis, warns Dr. Wurster, could have "profound worldwide biological implication." His warning is echoed by Dr. Charles M. Woodwell, an ecologist at Brookhaven National Laboratory who speaks of "the serious and subtle changes caused by continuous exposure to the low level of pesticides in the environment—that threaten to degrade the biota of the earth and especially the oceans in a very serious way."

The Department of the Interior recently released a 2-year study which showed that DDT residues were found in 584 of 590 samples of fish taken from 44 rivers and lakes across the country. In 12 of the 44, DDT levels were above five parts per million.

While there is not yet concrete evidence that the present level of toxic residues from persistent pesticides definitely harms man, many people are concerned. They should be, for pesticides are poisons. They are designed to kill

or metabolically upset some living target organism.

Their accumulation in the body cannot be healthy. Scientists are particularly worried over possible mutagenic effects of pesticide residues. Dr. Osny G. Falmy of the C. Beatty Research Institute in London warns that man is now absorbing enough pesticides to double the normal mutation rate. These pesticides are capable of disrupting the DNA molecule, their effect is cumulative, and the mutations may not show up for generations.

Prudence and commonsense require that we take steps to protect ourselves and our environment.

Some action has already been taken. Sweden and Hungary have forbidden the use of dieldrin and aldrin. The Soviet Union never permitted their use while Great Britain, France, and the Netherlands have prohibited dieldrin and aldrin at spring seeding.

Denmark, Sweden, and Hungary have banned the use of DDT. So have Arizona and Michigan. California, New York, and Wisconsin are considering such a move.

The response of our own Federal Government, however, has not been encouraging. On July 6, the Department of Agriculture announced it planned to spray National Airport with 1,086 pounds of dieldrin. Only the public uproar which this proposal created forced cancellation of the project. The Department then announced it was suspending for 30 days its own use of eight pesticides, pending a review of its control program.

Clearly this step is inadequate. At a time when other nations and three of our own States are moving forcefully to halt the pollution of our environment by persistent pesticides, our Government's response is a short-term, temporary suspension. Reports indicate that the likely result of the Department's review will be a prohibition on aerial spraying and the use of pesticides in marine areas. While this is desirable, it is by no means sufficient.

When a giant step was required, only a small stride was taken. The Agriculture Department has not properly responded to the pesticide problem. It has abdicated its leadership and ignored its responsibility.

The legislation I am introducing today is designed to correct this. The bill contains four major provisions. It directs the Secretary of Health, Education, and Welfare to make a comprehensive study of the use and effects of pesticides. It transfers the pesticide regulatory functions from the Department of Agriculture to the Department of Health, Education, and Welfare. It removes the exemption from registration and labeling of those pesticides intended solely for export. Finally, the bill places a 4-year moratorium on four of the more persistent and powerful pesticides.

One basic problem with the use of pesticides is the inadequacy of our knowledge on the impact of pesticides on our environment. We need additional information, particularly concerning possible long-term hazards and the effects on man's health. The national pesticides study will provide this. It will also evaluate the effectiveness of Federal regulation of pesticides and give special consideration to the question of persistence. The latter is important for our lack of knowledge regarding persistence is acute. This was recognized by the National Academy of Sciences' May 1969 report which stated:

> There is relatively little information about the ultimate fate of persistent pesticides in soil or in other parts of any ecosystem, or about the sequence in which the degradation processes take place.

Of particular significance, the study will advise on the desirability of permanently prohibiting the use of any or all pesticides.

By transferring the pesticide regulatory function to HEW the bill removes the conflict of interest inherent when an agency polices a program it promotes. The basic responsibility of the Department of Agriculture is to insure food production. It is oriented to the farmer, and understandably so. It is not attuned toward restricting a tool highly favored by the constituency it serves. It is not as sensitive as it should be to possible disturbances of our ecological system. The Director of the Pesticides Registration Division, the office responsible for pesticides within USDA, recently testified in Wisconsin that PRD relies heavily on the data supplied by the manufacturer for the registration of pesticides. Given all this the Department cannot help but be prejudicial toward the use of pesticides. My bill would transfer the functions of PRD to the Consumer Protection and Environmental Health Service of HEW. This office which contains the Environmental Control Administration is the proper location for PRD whose prime concern must be the health and well-being of man and his environment. The transfer is consistent with the mission of HEW as the principal office of Government responsible for the health and well-being of our citizens.

The basic Federal law governing pesticides provides for the dual requirement of registration and licensing. Before their introduction into the marketplace, pesticides must be registered with USDA and then properly labeled. Yet this requirement does not apply to those pesticides produced solely for export. Under section 3(b) of the basic law pesticides intended for shipment overseas are specifically exempted from the registration and labeling provisions of the act. The effect of this is to extend a measure of protection to our own citizens yet deny it to millions of people abroad. We are in effect saying that while we are unwilling to poison our own people we have no qualms about permitting the possibility of poisoning others. I do not think this is right. It may be economically profitable or administratively convenient, but it is not right. The issue is primarily a moral one. People everywhere, regardless of citizenship, deserve to be protected from environmental contamination by pesticides. My bill removes this special exemption and thus affords the people abroad to whom we ship over 400 million pounds of pesticides each year the same protection that we receive here in the United States.

Under certain circumstances, however, it may be desirable for certain pesticides to be used abroad that we may not wish to apply here. An example might be a persistent pesticide useful to combat a disease not normally found in the United States. On balance it may be wiser to use the pesticide and risk the pollution rather than let the disease go unchecked. The bill would not forbid this. It removes a special exemption from registration and labeling which now exists. It does not, nor does the Federal law, directly and absolutely, prohibit the shipment of particular pesticides by name. Rather, each rely essentially on prohibiting the shipment of pesticides that have been neither registered nor labeled or improperly registered and labeled. With these requirements fulfilled however the export of the pesticides involved could take place.

Recently 20 members of the Department of Biological Sciences at Stanford University condemned the continued use of DDT and other similar pesticides. They are concerned, as I am, by the danger these persistent substances pose to our ecological system. The bill I introduce today places a 4-year moratorium on the use of DDT, dieldrin, aldrin, and endrin. These are four of the most powerful and persistent pesticides.

Instead of continuing to poison our environment with toxic residues, we should call a halt to the application of these pesticides. In the face of mounting evidence that indicates a definite deterioration in the environment due to the pesticide residues, we should stop using these persistent products pending a careful exhaustive examination of their impact on the environment.

The moratorium on DDT, dieldrin, aldrin, and endrin would do this. It temporarily halts the deliberate injection of these four lingering poisons into our land, sea, and air.

Should the evidence of damage prove conclusive, a permanent ban of the four pesticides would be in order. Should it not, selected applications or even unlimited use could be permitted.

The point is to halt the present poisoning in the face of repeated and respected evidence that residues from persistent pesticides are harming our environment. Other nations have already acted, we should not delay further.

In any discussion of pesticides, it is only fair to point out the many benefits which the development of these chemical compounds have brought about. They are, to a real extent, in part responsible for our high standard of living. Pesticides have facilitated the protection and production of food, feed, and fiber. They have made a major contribution to the agricultural wealth of this country. Pesticides have also freed man from many communicable diseases. Malaria and yellow fever are but two diseases that are now rare in North America due to the development of pesticides.

To say now that we must limit their use is not to say however that we should stop using them altogether. What disturbs me is the extensive use of the persistent pesticides whose poisons linger long after their initial application. We must phase these out and replace them with safer, equally efficient alternatives. In most cases these alternatives are already available. Where they are not, they shall have to be developed.

No doubt the costs of using these nonpersistent alternatives will he higher than present costs. Pesticides may have to be sprayed twice or three times where before once would suffice. Yet, a quality environment does not come cheaply. Moreover, it simply does not make sense to continue to permit contamination. The small savings incurred by the present use of persistent pesticides are easily outweighed by their long-term costs, costs measured in terms of the health and well-being of man and other lifeforms in the environment.

Pesticides, of course, are big business. Total domestic sales this year are forecast at $1.7 billion. Most of this is spent for agriculture; although $255 million was spent both for household and garden use and industrial and institutional use. The United States produces an estimated two-thirds of the world's supply of pesticides. Of some 900 million pounds manufactured in 1967, more than 400 million were exported. These figures are rising. Secretary General U Thant has reported that present pesticide production now stands at 1.3 billion pounds per year.

In the United States many of these pesticides are manufactured or marketed in violation of the law. According to a September 1968 Government Accounting Office report, 2,751 samples of pesticide products were tested and reviewed by USDA in fiscal year 1966. Of these, 750 were found to violate the law. Of these, 750,562 were deemed major violations warranting either seizure or prosecution. This represents 20 percent of all the samples tested and reviewed in fiscal year 1966.

The GAO also found that the Department initiated 106 enforcement actions to remove misbranded, adulterated, and unregistered products from the market. Unfortunately, USDA rarely took action to secure quantity and shipping data in order to recall faulty or dangerous products. If action was taken against a specific product, no effort was made to find out where other shipments of the same product were sent. The public was still exposed to the danger even though the Department theoretically had acted to protect it.

Equally disturbing was the GAO finding that despite major and repeated violations of the law, USDA had taken no action in 13 years to report these violations to the Department of Justice for prosecution. This lax attitude toward improprieties is indicative of the close association which often develops between big business and the Government agencies which are supposed to regulate them. It is a good example of why the Pesticides Registration Division should be transferred to the Department of Health, Education, and Welfare.

The pesticides problem illustrates the lack of coordination and absence of policy we see so often in Federal activity relating to the environment. There is no one agency primarily concerned with the adverse impact that persistent pesticides have. Agriculture is in the driver's seat and cooperation with Interior and HEW is by no means optimal. The effort to protect our resources from these poisons is thus fragmented and hindered by the lack of a national policy binding on all the agencies of Government. The result, as understated by the National Academy of Sciences' report, is—

> In general, present regulations contain inadequate provisions for protecting the environment.

On April 15, I introduced legislation creating an Office of Environmental Quality. This would be a small, select Office located within the Executive Office of the President. Its main task is to advise the President in matters relating to environmental quality. Equally important, however, it is charged with devising policies, establishing priorities, and insuring coordination among the Federal Government in the field of conservation. Its absence is felt in the area of pesticides for here we have little coordination, uneven priorities, and no central policy. The pesticides problem is a classic illustration of the need for an agency such as I have proposed.

Mr. President, no long-term solution to the problems posed by persistent pesticides will be found by this Nation alone. The active participation of all nations is required if we are to secure an environment free from dangerous poisons. We are, as the pictures from Apollo so vividly remind us, one world and must work together both to increase our understanding of the pesticide danger and take united action against it when warranted.

As the world's largest producer of pesticides, the United States has a unique responsibility for insuring that pesticides do not endanger man and the other life forms in the environment. So far, I do not think we have lived up to this responsibility. I, therefore, call upon the administration to support the legislation I am introducing today and to initiate an international effort to take cooperative measures whereby the worldwide dangers from persistent pesticides will be reduced and an environment of quality and safety will be insured for all nations.

Mr. President, I ask unanimous consent that the text of the bill I introduce today now be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2747) to require the Secretary of Health, Education, and Welfare to conduct a study and investigation of the effects of the use of certain poisons on man's health and environment, and for other purposes, introduced by Mr. TYDINGS, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 2747

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Health and Environment Protection Act of 1969."

NATIONAL PESTICIDES STUDY

SEC. 2. (a) The Secretary of Health, Education, and Welfare (hereinafter in this section referred to as the "Secretary") shall conduct a comprehensive study and investigation of the use and effects of pesticides on man and other animals, on other life forms, and on man's environment. In carrying out such study and investigation the Secretary shall, among other things, give special consideration to—

(1) the necessity and desirability of using pesticides;

(2) the advisability of permanently prohibiting the use of certain pesticides or classes of pesticides;

(3) the effectiveness of existing Federal regulation of pesticides;

(4) the length of time that pesticides continue to remain in effect in man's environment after application; and

(5) laws and regulations of other countries relating to the use of pesticides and the international consequences of such laws and regulations, or the absence thereof.

(b) In carrying out the study and investigation provided for in subsection (a) of this section, the Secretary shall seek the assistance and cooperation of the Secretary of Agriculture and the Secretary of the Interior. He shall also seek the advice and counsel of persons outside the Government who are eminently qualified to assist in carrying out such study and investigation by reason of their education, training, and knowledge in the various fields of science related to such study and investigation.

(c) The Secretary shall submit a report to the President and the Congress on the results of his study and investigation not later than thirty months after the date of enactment of this Act and shall include in such report such recommendations for administrative and legislative action as he deems appropriate.

TRANSFER OF ADMINISTRATION OF THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

SEC. 3. (a) All powers, duties, and functions of the Secretary of Agriculture relating to the administration of the Federal Insecticide, Fungicide, and Rodenticide Act (61 Stat. 163; 7 U.S.C. 135–135k) are hereby transferred to and vested in the Secretary of Health, Education, and Welfare.

(b) So much of the assets, liabilities, contracts, commitments, property, records, personnel, and unexpended balances of appropriations, allocations, and other funds (including authorizations and allocations for administrative expenses), available or to be made available, of the Department of Agriculture as the Director of the Bureau of the Budget shall determine relates primarily to the administration of the Federal Insecticide, Fungicide, and Rodenticide Act (on the day before the effective date of this section) shall be transferred from the Department of Agriculture to the Department of Health, Education, and Welfare on the effective date of this section or as soon thereafter as practicable.

(c) Such further measures and dispositions as the Director of the Bureau of the Budget shall determine to be necessary in order to effectuate the transfers provided for in this section shall be carried out in such manner as the Director of the Bureau of the Budget shall prescribe.

(d) Any transfer of personnel pursuant to this section shall be without change in clas-

sification or compensation, except that this requirement shall not operate to prevent the adjustment of classification or compensation to conform to the duties to which such transferred personnel may be assigned. All orders, rules, regulations, permits, or other privileges, made, issued, or granted by any agency or in connection with any functions transferred by this section, and in effect at the time of transfer shall continue in effect to the same extent as if such transfer had not occurred, until modified, superseded, or repealed by the Secretary of Health, Education, and Welfare. No suit, action, or other proceeding lawfully commenced by or against the Department of Agriculture, or any officer or employee of the United States acting in his official capacity shall abate by reason of any transfer made pursuant to this section.

(e) The Federal Insecticide, Fungicide, and Rodenticide Act (61 Stat. 163; 7 U.S.C. 135–135k) is amended as follows:

(1) Sections 3.u., 6.b., and 10 are each amended by striking out "Secretary of Agriculture" wherever it appears therein, and inserting in lieu thereof "Secretary of Health, Education, and Welfare;" and

(2) Sections 3.c., 4.c., 5, and 6.c. are amended by striking out "United States Department of Agriculture" wherever it appears therein, and inserting in lieu thereof "Department of Health, Education, and Welfare."

(f) This section shall become effective 90 days after the date of enactment of this Act.

REQUIREMENTS FOR AND PROHIBITION OF THE EXPORT OF ECONOMIC POISONS TO CERTAIN FOREIGN COUNTRIES

SEC. 4. Section 3.b. of the Federal Insecticide, Fungicide, and Rodenticide Act (61 Stat. 163; 7 U.S.C. 135a) is amended to read as follows:

"b. Nothing in this act shall be construed as exempting any economic poison exported to a foreign country from complying with all the requirements of this act. Further, it shall be unlawful for any person to ship or deliver for shipment to any foreign country any economic poison if the Government of such foreign country has indicated in writing to the Secretary that such country prohibits the import of such economic poison and the Secretary has published a notice to that effect in the Federal Register."

MORATORIUM ON THE USE OF CERTAIN CHEMICAL COMPOUNDS

SEC. 5. (a) The Federal Insecticide, Fungicide, and Rodenticide Act (61 Stat. 163; 7 U.S.C. 135–135k) is amended by adding at the end thereof a new section as follows:

"SEC. 17. Notwithstanding any other provision of law, for a period of four years following the effective date of this section, it shall be unlawful for any person to distribute, sell, or offer for sale in any Territory, the District of Columbia, or the Commonwealth of Puerto Rico, or to ship or deliver for shipment from any State, Territory, the District of Columbia, or the Commonwealth of Puerto Rico to any other State, Territory, the District of Columbia, or the Commonwealth of Puerto Rico, or to receive in any State, Territory, the District of Columbia or the Commonwealth of Puerto Rico from any place outside thereof the economic poison dichlorodiphenyltrichloroethane, commonly known as DDT, dieldrin, aldrin, or endrin."

(b) This section shall become effective 150 days after the date of enactment of this Act.

S. 2748—INTRODUCTION OF A BILL TO AMEND THE ANTIDUMPING ACT, 1921, AS AMENDED

Mr. HARTKE. Mr. President, I introduce for appropriate reference a bill to amend and strengthen the Antidumping Act of 1921.

In May 1967, when I introduced a bill with the same objectives—S. 1726, 89th Congress—I explained that there was a need for a fair and effective antidumping act and quoted the following remarks of then Senator Hubert Humphrey which he had made when he introduced the 1963 antidumping bill:

> The amendment I introduce today does not alter the philosophy or purpose of the Antidumping Act in any way. Its only purpose is to make the act more effective in achieving its original purpose and to help insure that international trade will be conducted in a fair and equitable fashion.

The bill I introduce today has the same goals as the bills introduced in 1963, 1965, and again in 1967—to strengthen the Antidumping Act of 1921 and thereby provide an effective remedy to domestic industries injured by the unfair trade practice of dumping.

In passing Public Law 90–634, which was signed by the President on October 24, 1968, Congress adopted an amendment on the administration of the Antidumping Act of 1921. In the amendment, Congress specifically provided that—

> Nothing contained in the International Antidumping Code . . . shall be construed to restrict the discretion of the United States Tariff Commission from performing its duties and functions under the Antidumping Act of 1921. . . .

In addition, this statute specifically directed the Tariff Commission and the Secretary of the Treasury in administering their respective functions under the Antidumping Act to "resolve any conflict between the International Antidumping Code and the Antidumping Act, 1921, in favor of the act as applied by the agency administering the Act."

The 1968 amendment thus made clear that the Antidumping Act was unaffected by the international code. This continued the status quo—an act designed to eliminate unfair discrimination in international trade—which has not been substantively amended or updated since its enactment in 1921. The Antidumping Act has not provided meaningful relief to domestic industries injured by dumping. With the continuing increase in imports of all commodities, there is need for an effective Antidumping Act to insure that import competition remains fair, and subject to the same ground rules imposed on domestic producers under the antitrust and fair trade laws.

The bill which I introduce today would provide a standard for the Tariff Commission's guidance in determining whether an industry in the United States has been injured as a result of dumping. The bill would adopt the standard of whether dumping has caused more than de minimus or immaterial injury. The reasonableness of this standard is demonstrated by the fact that it has been used by the majority of the Tariff Commission in recent cases. The bill would also provide a definition of industry that insures that distinctive geographical or segmented markets be considered by the Commission. This would be accomplished by use of the well-established antitrust test of whether an industry has been injured "in any line of commerce in any section of the country." Here again, this concept has been used in numerous decisions by a majority of the Tariff Commission.

These provisions of the bill are consistent with the policy determinations of Congress in its adoption of the 1968 amendment to the Antidumping Act. Since that policy made it clear that the Tariff Commission should resolve any conflict between the act and the international code in favor of the act, and since the injury standard and the industry definition merely adopt principles which a majority of the Tariff Commission has already applied, the bill is clearly consistent with established congressional policy.

One of the provisions of the bill introduced today would adopt the antitrust concept of the reasonable likelihood of injury and would require an affirmative finding of injury where there is such a finding.

In 1968, when the Senate adopted amendments concerning the administration of the Antidumping Act and its relationship to the international code, provision was made to clarify what should already have been clear in the Antidumping Act—that the function of the Treasury Department is limited to mathematical computations of whether dumping has occurred, and it has no authority to dismiss cases on the basis of injury considerations or assurances that dumping will be discontinued. The bill would reinstate the proposals passed by the Senate in 1968 and provide that if there are any instances justifying dismissals when dumping prices have been charged, authority to grant such dismissals should rest with the Tariff Commission. This is entirely logical, since under the act the Tariff Commission, and the Commission alone, has the power to consider the injury aspects of a dumping complaint. The bill provides that when the Tariff Commission concludes that acceptance of an assurance of discontinuance of dumping is warranted, it shall follow a procedure used in antitrust consent decrees, whereby the Commission would maintain continuing jurisdiction and require compliance reports from the importers involved.

Similar to the provisions of the earlier antidumping bills, the bill introduced today would provide a 6-month time limitation on Treasury's determination of whether dumping has occurred. Treasury would be authorized to utilize an additional 90 days, on the condition it publish reasons therefor in the Federal Register. If the delay is caused by dilatory tactics by importers or foreign exporters, notice of withholding of appraisement must be issued at the termination of the 6-month period. The reasonableness of this provision is attested to by the requirement in the Antidumping Act that the Tariff Commission complete its investigation of

injury within 3 months from the date of the submission of the case to the Commission by Treasury. If the Commission is able to complete its investigations within 3 months, as it always has done, it is certainly reasonable to require Treasury to complete its investigation of dumping prices within 6 months. In unusual cases, moreover, Treasury would be allowed an additional 90 days after the 6-month period to conclude an investigation when there are valid reasons for requiring the additional period of time.

The 6-month limitation is necessary because Treasury has taken inordinate amounts of time to conclude dumping investigations. One investigation lasted 3 years, and it is not uncommon for such investigations to take over a year. Currently, for example, Treasury has a large number of complaints pending with respect to imports of electronic products from Japan and other imports, some of which have been pending over a year and some as long as 2 years.

The bill would provide for a limited form of judicial review. All interested parties—both importers and domestic industry—would have a right to review of questions of law. Under the Antidumping Act in its present form, judicial review is permitted only for importers, but on all issues, both factual and legal. This provision would grant a limited form of judicial review to all parties and would not differentiate between importers and domestic industry.

Finally, the bill would require Treasury to consolidate complaints directed at the same kind or class of merchandise imported from various foreign sources. The reasonableness of this position is also apparent. If a domestic industry is being injured by an article being dumped in this market from various sources, the effect of dumping of the same class or kind of article should be weighed collectively, and not on a country-by-country basis.

In brief, the bill introduced today is fair and reasonable and would accomplish the same basic objectives as those which were sought to be achieved in the 1963, 1965, and 1967 proposed amendments to the act.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2748) to amend the Antidumping Act, 1921, as amended, introduced by Mr. HARTKE, was received, read twice by its title, and referred to the Committee on Finance.

S. 2750—INTRODUCTION OF A BILL TO IMPROVE RAILROAD PASSENGER SERVICE

Mr. HARTKE. Mr. President, I introduce, for appropriate reference, a bill to amend section 13(a) of the Interstate Commerce Act so as to provide for reimbursement to the carrier of the cost of operating uneconomic interstate railroad passenger train service performed under order of the Commission. The investigation of costs of intercity rail passenger service recently completed by the Interstate Commerce Commission establishes that although our railroads are not losing money to the extent that had often been claimed, they are nevertheless losing a substantial amount of money in the operation of passenger trains. If railroad passenger service is to be preserved it seems clear that some sort of governmental action or assistance is required. The precise form that that action or assistance should take is a matter the Senate Committee on Commerce and the Subcommittee on Surface Transportation will begin evaluating very soon.

The bill I introduce today represents one possible answer to the question of appropriate increased Government involvement in efforts to improve and preserve railroad passenger service. This measure would provide a direct Federal subsidy to a railroad if the Federal Government has ordered a passenger train to be continued in service where it has been established that that service operates at a loss.

Government financial assistance to assure an adequate transportation system has many precedents covering various modes of transportation in the United States. The Government has constructed highways, assisted air transportation by direct subsidy, continually seeks to improve navigation of our waterways, and has provided construction and operating subsidy for many of our merchant marine vessels.

The particular proposal I introduce today was suggested by the Association of American Railroads. In my opinion the association is to be commended for having developed a positive attitude toward Government assistance to assure adequate railroad passenger train service. The bill represents an approach which I believe deserves very serious consideration by the Congress and I intend to do what I can to insure that that consideration takes place at an early date.

I ask unanimous consent that the text of the bill be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2750) to amend section 13a of the Interstate Commerce Act so as to provide for reimbursement to the carrier of the cost of operating uneconomic interstate railroad passenger train service performed under order of the Commission, introduced by Mr. HARTKE, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2750

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 13a of part I of the Interstate Commerce Act (49 U.S.C. 13a) is amended to read as follows:

"DISCONTINUANCE OR CHANGE OF CERTAIN OPERATIONS OR SERVICE

"SEC. 13a(1) A carrier or carriers subject to this part, if their rights with respect to the discontinuance or change, in whole or in part, of the operation or service of any train or ferry operating from a point in one State to a point in any other State or in the District of Columbia, or from a point in the District of Columbia to a point in any State, are subject to any provision of the constitution or statutes of any State or any regulation or order of (or are the subject of any proceeding pending before) any court or an administrative or regulatory agency of any State, may, but shall not be required to, file with the Commission, and upon such filing shall mail to the Governor of each State in which such train or ferry is operated, and post in every station, depot or other facility served thereby, notice at least thirty days in advance of any such proposed discontinuance or change. The carrier or carriers filing such notice may discontinue or change any such operation or service pursuant to such notice except as otherwise ordered by the Commission pursuant to this paragraph, the laws or constitution of any State, or the decision or order of, or the pendency of any proceeding before, any court or State authority to the contrary notwithstanding. Upon the filing of such notice the Commission shall have authority during said thirty days' notice period, either upon complaint or upon its own initiative without complaint, to enter upon an investigation of the proposed discontinuance or change. Upon the institution of such investigation, the Commission, by order served upon the carrier or carriers affected thereby at least ten days prior to the day on which such discontinuance or change would otherwise become effective, may require such train or ferry to be continued in operation or service, in whole or in part, pending hearing and decision in such investigation, but not for a longer period than four months beyond the date when such discontinuance or change would otherwise have become effective. If, after hearing in such investigation, whether concluded before or after such discontinuance or change has become effective, the Commission finds that the operation or service of such train or ferry is required by public convenience and necessity, the Commission may by order require the continuance or restoration of operation or service of such train or ferry, in whole or in part, for a period not to exceed one year from the date of such order. The provisions of this paragraph shall not supersede the laws of any State or the orders or regulations of any administrative or regulatory body of any State applicable to such discontinuance or change unless notice as in this paragraph provided is filed with the Commission. On the expiration of an order by the Commission after such investigation requiring the continuance or restoration of operation or service, the jurisdiction of any State as to such discontinuance or change shall no longer be superseded unless the procedure provided by this paragraph shall again be invoked by the carrier or carriers.

"(2) Any order of the Commission entered pursuant to the provisions of paragraph (1) of this section requiring continued operation of a train or ferry shall provide that if, for the period subsequent to the discontinuance date in the notice filed under said paragraph and prior to the expiration of said order, the cost, as hereinafter defined, of operating the train or ferry shall exceed the direct revenues thereof, then upon request therefor, payment

shall be made to the carrier or carriers, in the manner hereinafter provided and within ninety days after expiration of such order, of a sum equal to the amount by which such cost has exceeded said revenues. The term "cost" shall mean those expenditures made or incurred in or attributable to the operation of such train or ferry, plus an appropriate allocation of common expenses and overheads. Such cost shall be then currently recorded by the carrier or carriers in such manner and on such forms as by general order may be prescribed by the Commission and shall be submitted to and subject to audit by the Commission. The Commission shall certify promptly to the Secretary of the Treasury the amount of payment to be made to said carrier or carriers under the provisions of this paragraph.

"(3) Payments required to be made to a carrier or carriers under the provisions of paragraph (2) of this section shall be made by the Secretary of the Treasury from funds hereby authorized to be appropriated in such amounts as may be necessary for the purpose of carrying out the provisions thereof.

"(4) (a) If at any time compliance by the carrier or carriers with the order of the Commission shall require the use of passenger train equipment not then owned by the carrier or carriers and reasonably available for such use, the Secretary of Transportation shall provide the carrier or carriers with the needed equipment on the basis of current railway rental charges for such equipment, and such rental charges shall constitute a cost to the carrier or carriers as that term is defined in paragraph (2) hereof.

"(b) The Secretary of Transportation is hereby authorized to purchase, lease, or otherwise acquire or obtain in the name of the Department of Transportation such passenger equipment as may be required to comply with the provisions of sub-paragraph (a) of this paragraph and to make payment therefor from funds hereby authorized to be appropriated in such amounts as may be necessary for the purpose of carrying out the provisions of this paragraph.

"(5) Where the discontinuance or change, in whole or in part, by a carrier or carriers subject to this part, of the operation or service of any train or ferry operated wholly within the boundaries of a single State is prohibited by the constitution or statutes of any State or where the State authority having jurisdiction thereof shall have denied an application or petition duly filed with it by said carrier or carriers for authority to discontinue or change, in whole or in part, the operation or service of any such train or ferry or shall not have acted finally on such an application or petition within one hundred and twenty days from the presentation thereof, such carrier or carriers may petition the Commission for authority to effect such discontinuance or change. The Commission may grant such authority only after full hearing and upon findings by it that (a) the present or future public convenience and necessity permit of such discontinuance or change, in whole or in part, of the operation or service of such train or ferry, and (b) the continued operation or service of such train or ferry without discontinuance or change, in whole or in part, will constitute an unjust burden upon the interstate operations of such carrier or carriers or upon interstate commerce. When any petition shall be filed with the Commission under the provisions of this paragraph, the Commission shall notify the Governor of the State in which such train or ferry is operated at least thirty days in advance of the hearing provided for in this paragraph, and such hearing shall be held by the Commission in the State in which such train or ferry is operated; and the Commission is authorized to avail itself of the cooperation, services, records and facilities of the authorities in such State in the performance of its functions under this paragraph."

S. 2751—INTRODUCTION OF A BILL RELATING TO DIFFERENTIAL PAY FOR VETERANS' ADMINISTRATION NURSES

Mr. MOSS. Mr. President, I introduce, for appropriate reference, a bill to authorize differential pay for evening and night work for nurses employed by the Veterans' Administration.

I understand that General Schedule nurses, that is, nurses who work in other Federal agencies, such as the Public Health Service, or for the Department of Defense, already receive such pay differentials, and I feel it is only fair that nurses on duty in our Veterans' Administration installations have the same treatment.

The Nation is critically short of people trained in the nursing field, and we need to provide every incentive to keep those who are already trained on active duty, and to encourage young people to enter the field. I would hope that enactment of the bill I am proposing would have some effect in both respects.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2751) to amend chapter 73 of title 38, Unites States Code, to authorize the payment of differential pay for evening and night work performed by nurses employed by the Veterans' Administration, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

S. 2752—INTRODUCTION OF INTERGOVERNMENTAL COORDINATION OF POWER DEVELOPMENT AND ENVIRONMENTAL PROTECTION ACT

Mr. MUSKIE. Mr. President, I introduce the "Intergovernmental Power Coordination and Environmental Protection Act," a bill designed to coordinate the activities of local, State, and Federal agencies with respect to the impact of the location and construction of bulk power facilities on their responsibilities for protecting the Nation's environment.

One of the most significant intergovernmental developments in recent years has been the expansion of governmental activity at all levels in the planning, development, and management of water and related land resources. Federal, State and local government agencies have strengthened their planning and development efforts in order to meet the public demand for more carefully thought-out objectives and more precisely defined goals.

But at the same time, urban expansion, regional economic development, and other aspects of growth and change have placed extraordinary demands on the available supply of natural resources and the available supply of electric energy.

Official figures from the Federal Power Commission speak more persuasively than words as to the problem of the lack of electrical reliability in this country. The facts are clear that the problem has continued unabated since the Northeast blackout, affecting more and more customers, and resulting in an increasing loss of megawattage in our national electrical system.

From 1954 to the end of 1966, the Federal Power Commission reported that there were 148 power interruptions. This list included only major outages.

In 1966, the FPC required more definitive reporting of power failures by the electric companies. The Commission required the listing of interruptions which were caused by the failure of bulk power supply facilities, including: a failure of generating equipment operating at a level of 69,000 volts or more; a failure resulting in a loss of 25,000 kilowatts or more; or a failure of half of the system load for 15 minutes or longer.

During the years 1967, 1968, and for the first half of 1969, the FPC reports that there have been a total of 237 power blackouts, affecting a total of 18,600.000 customers.

More dramatically, for the first 6 months of 1969, there have already been 46 power failures affecting 1,336,000 customers, more than in any comparable 6-month period subsequent to June 30, 1967.

For the information of my colleagues and others interested in this important issue, I ask unanimous consent to have printed at this point in the RECORD the following exhibits taken from official reports by the Federal Power Commission relating to these power failures:

Exhibit I, a resume of power interruption, 1954–66.

Exhibit II, power service interruptions in accordance with FPC Order No. 331 through June 12, 1967.

Exhibit III, service interruptions, June 13 to December 31, 1967.

Exhibit IV, a description of electric power interruptions, June 13 to December 31, 1967.

Exhibit V, service interruptions, January 1 to June 30, 1968.

Exhibit VI, electrical interruptions between January 1 and June 30, 1968.

Exhibit VII, service interruptions, July 1 to September 30, 1968.

Exhibit VIII, electric interruptions between July 1 and September 30, 1968.

Exhibit IX, service interruptions, October 1 to December 31, 1968.

Exhibit X, electric interruptions between October 1 and December 31, 1968.

Exhibit XI, service interruptions, first quarter of 1969.

There being no objection, the exhibits were ordered to be printed in the RECORD, as follows:

EXHIBIT I

TABLE E-1.—RÉSUMÉ OF POWER INTERRUPTIONS, 1954-66

Outage No.	Date	Approximate location	Probable cause
1	Jan. 30, 1954	Cleveland, Ohio	Major short circuit.
2	Aug. 30, 1954	Eastern Massachusetts	Hurricane Carol.
3	Sept., 1954	Northeast coast	Hurricane Edna.
4	Oct. 10, 1954	Chicago, Ill	Flood.
5	Oct. 15, 1954	East coast	Hurricane Hazel.
6	Oct. 30, 1954	Cleveland, Ohio	Snowstorm.
7	Dec. 19, 1954	Chicago, Ill	Turbine explosion.
8	March, 1955	Peoria, Ill	Transformer failure.
9	March, 1955	Indiana, Ohio, Pennsylvania.	Storm.
10	May 25, 1955	Summit, N.J	Lightning.
11	June, 1955	Olney, Tex	Weather balloon drifted onto line.
12	July 7, 1955	New York, N.Y	Overload of distribution feeders.
13	August 1955	East coast	Hurricane Connie.
14	do	New England coast	Hurricane Diane.
15	October 1955	Northeast United States.	Floods.
16	June 1956	Stephensville, Wis	Windstorm.
17	Sept. 20, 1956	Toledo, Ohio	Tieline breaker misoperation.
18	Oct. 10, 1956	New York, N.Y	Transformer tap changer failure.
19	Dec. 14, 1956	Connecticut, N.J	Ice storm.
20	Jan. 3, 1957	Plattsburg, N.Y	Distribution feeder and transformer failure.
21	Jan. 23, 1957	Peru, Ind	Flood.
22	Jan. 27, 1957	Little Rock, Ark	Ice storm.
23	January 1957	Tennessee, Kentucky, West Virginia.	Floods.
24	March 1957	Kansas, Colorado, Texas, Oklahoma, New Mexico.	Blizzard.
25	Apr. 9, 1957	Dallas, Tex	Tornado.
26	May 20, 1957	Kansas-Missouri	Do.
27	May 23, 1957	East Aurora, N.Y	Wind storm.
28	June 17, 1957	New York, N.Y	Curtailment.
29	June 27, 1957	Louisiana-Texas	Hurricane Audrey.
30	Aug. 2, 1957	Washington, D.C	Underground cable failure.
31	Oct. 31, 1957	Minneapolis, Minn	Lightning arrestor failure.
32	Mar. 20, 1958	Northeast coast	Blizzard.
33	June 4, 1958	St. Paul, Minn	Tornado.
34	June 10, 1958	Eldorado, Kans	Do.
35	June 17, 1958	Louisiana-Mississippi	Operating error.
36	July 2, 1958	Kearney, N.J	Distribution transformer failure.
37	Do	Charleston, S.C	Gasoline fire.
38	September 1958	North Carolina	Hurricane Helene.
39	December 1958	Albuquerque, N.Mex	Snowstorm.
40	Jan. 2, 1959	Seattle, Wash	Substation fire.
41	Jan. 7, 1959	San Antonio, Tex	Substation breaker failure.
42	Jan. 15, 1959	Bergen, N.J	Powerplant failure.
43	Jan. 29, 1959	St. Louis, Mo	Ice storm.
44	Aug. 17, 1959	New York, N.Y	Underground cable failures.
45	Dec. 28, 1959	Western New York	Sleet.
46	Jan. 7, 1960	Orange, N. J	Fire.
47	Mar. 1, 1960	Tennessee, Alabama, Georgia.	Ice storm.
48	Mar. 2, 1960	Texas, Louisiana	Do.
49	Apr. 28, 1960	Oklahoma City, Okla	Tornado.
50	May 5, 1960	Oklahoma	Tornadoes.
51	May 23, 1960	Hilo, Hawaii	Tidal wave.
52	June 29, 1960	Cleveland, Ohio	Underground cable failure.
53	Sept. 9, 1960	East coast	Hurricane Donna.
54	Sept. 11, 1960	Long Island, N.Y	Do.
55	Mar. 3, 1961	Norwalk, Conn	Substation equipment explosion.
56	June 13, 1961	San Francisco, Calif	Circuit breaker explosion.
57	June 21, 1961	Southern Idaho	Fire.
58	June 29, 1961	Southern Idaho	Powerplant failure.
59	July 3, 1961	do	Transmission line failure.
60	July 13, 1961	New York, N.Y	Bushing failures in adjacent distribution feeder breakers.
61	Aug. 4, 1961	Cleveland, Ohio	Transmission line flashover.
62	Aug. 29, 1961	Nassau, N.Y	Rain and lightning.
63	Sept. 11, 1961	Galveston, Tex	Hurricane Carla.
64	Sept. 21, 1961	Long Island, N.Y	Hurricane Esther.
65	Nov. 13, 1961	El Paso, Tex	Snowstorm.
66	Mar. 13, 1962	Glendale, Calif	Operating error.
67	March 1962	Atlantic City, N.J	Storm.
68	June 25, 1962	Iowa-Nebraska	Operating error.
69	Aug. 5, 1962	Staten Island, N.Y	Underground cable failure.
70	Aug. 13, 1962	Pasadena, Calif	Failure of 4 oil-filled cutouts.
71	Aug. 20, 1962	Brooklyn, N.Y	Underground cable failure.
72	do	Cleveland, Ohio	Tornado.
73	Oct. 12, 1962	Portland, Oreg	Storm.
74	Oct. 12, 1962	Washington-Oregon	Do.
75	Oct 12, 1962	Bellingham, Wash	Storm.
76	Dec. 30, 1962	Nassau, N.Y	Storm and wind.
77	Mar. 17, 1963	Tampa, Fla	Circuit breaker control circuit failure.
78	July 23, 1963	Blackwell, Okla	Failure of plant circulating water pump.
79	June 13, 1963	Kansas	Failure of transmission line splice.
80	June 19, 1963	Westchester, N.Y	Hot weather.
81	June 28, 1963	Staten Island, N.Y	Do.
82	December 1963	Los Angeles, Calif	Dam failure.
83	Feb. 24, 1964	Texas-Oklahoma	Exciter flashed over.
84	Mar. 4, 1964	Southwest Tennessee	Tornado.
85	Mar. 10, 1964	Kingston, N.Y	Rain and sleet.
86	Apr 3, 1964	Alaska	Earthquake.
87	do	California-Oregon	Tidal wave.
88	April 1964	Jacksonville, Fla	Frog in relay.
89	May 23, 1964	Long Island, N.Y	Transmission line fault.
90	Aug. 10, 1964	Sweetwater, Tex	Gas regulator closed on fuel supply line to large powerplant.
91	Aug. 27, 1964	Lordsburg, N. Mex	Emergency shutdown of a 13-megavolt unit.
92	Aug. 27, 1964	Miami, Fla	Hurricane Cleo.
93	Sept. 9, 1964	North Florida	Hurricane Dora.
94	Oct. 4, 1964	Lousiana	Hurricane Hilda.
95	Nov. 19, 1964	Northwest Washington	Submarine cable failure.
96	Nov. 30, 1964	Teaneck, N.J	Circuit breaker failed to operate.
97	Dec. 4, 1964	Eastern N.Y	Ice storm.
98	Dec. 5, 1964	Michigan City, Ind	Line short.
99	Dec. 22, 1964	Northern California	Floods.
100	Jan. 7, 1965	Western Pennsylvania	Boiler tube failure.
101	Jan. 23, 1965	Chicago, Ill	Ice storms.
102	Jan. 28, 1965	Iowa-Nebraska	Operating error.
103	Feb. 17, 1965	Lawrenceburg, Ind	Do.
104	Apr. 7, 1965	Minneapolis, Minn	Tornadoes.
105	Apr. 11, 1965	Iowa, Illinois, Indiana, Wisconsin, Michigan, Ohio.	Do.
106	Apr. 16, 1965	Chester, Pa	Bird nest fell on powerline.
107	Apr. 27, 1965	Arizona	Operating error.
108	Apr. 29, 1965	Tacoma, Wash	Earthquake.
109	May 18, 1965	Lower Baker, Wash	Mud slide on powerhouse.
110	June 16, 1965	Denver, Colo	Floods.
111	June 27, 1965	Des Moines, Iowa	Rain and winds.
112	Aug. 29, 1965	Des Moines, Iowa	Lightning.
113	Sept. 9, 1965	Louisiana	Hurricane Betsy.
114	Sept. 9, 1965	Florida	Do.
115	Nov. 9, 1965	Northeast United States.	Undesired relay operation.
116	Nov. 22, 1965	Elgin, Ill	Wind.
117	Dec. 2, 1965	Texas-New Mexico	Loss of fuel supply.
118	Dec. 6, 1965	Beaumont, Tex	Misoperation of supervisory (control).
119	Jan. 24, 1966	Los Angeles, Calif	Operating error.
120	Jan. 28, 1966	Dallas, Tex	Ice and wind.
121	Mar. 3, 1966	Jackson, Miss	Tornado.
122	Apr. 26, 1966	Western United States	Erroneous telemeter signal.
123	May 13, 1966	Anchorage, Alaska	Pranksters.
124	May 16, 1966	Columbus, Ga	Tornado.
125	June 7, 1966	Western United States	False relaying of 345-kilovolt circ t.
126	June 8, 1966	Clearwater, Fla	Hurricane Alma.
127	July 3, 1966	Fairfax, Va	Transformer failure.
128	July 7, 1966	Nashville, Tenn	Winds.
129	July 11, 1966	Nebraska	Faulty relay setting.
130	do	St. Louis, Mo	Curtailment.
131	July 19, 1966	Los Angeles, Calif	Breaker operations—Cause unknown.
132	July 12, 1966	Washington-Idaho	Lightning.
133	July 13, 1966	Tulsa, Okla	Car hit pole.
134	July 14, 1966	Houston, Tex	Transformer failure.
135	July 26, 1966	El Paso, Tex	Lightning and wind.
136	July 27, 1966	Oregon, Calif	Line failure and breaker operations.
137	July 26-27, 1966	Travis Air Base, Calif	Line flashover during maintenance. Breaker bushing failure.
138	Aug. 29, 1966	Farmington, N. Mex	Rain storm.
139	Nov. 3, 1966	Southern Virginia	Breaker failure.
140	Nov. 5, 1966	Atlanta, Ga	Vandalism during strike.
141	Nov. 10, 1966	Oakland, Calif	Breaker bushing failure.
142	Nov. 14, 1966	Las Vegas, Nev	Generator oil pressure failure.
143	Nov. 22, 1966	Chicago, Ill	Transformer relay operation—Cause unknown.
144	Nov. 24, 1966	Seattle, Wash	Fault on secondary system.
145	Dec. 2, 1966	Southeastern Missouri	Tree felled on line.
146	Dec. 14, 1966	Austin, Tex	Lines tripped out—Cause unknown.
147	Dec. 19, 1966	Sandy Spring, Ga	Sabotage of control circuits.
148	Dec. 23, 1966	Jonesboro, Ark	Galloping conductors.

Source: "Prevention of Power Failures," vol. 1—A report to the President by the Federal Power Commission, July 1967, pp. 194-196.

EXHIBIT II

TABLE 2.—POWER SERVICE INTERRUPTIONS REPORTED IN ACCORDANCE WITH FPC ORDER NO. 331 THROUGH JUNE 12, 1967

Date 1967	Utility	Location	Cause	Megawatts lost	Customers	Duration	
						Hours	Minutes
Jan. 15	Marias River Electric Cooperative	Shelby, Mont	115-kilovolt USBR line fault	7.0	2,900	3	03
Jan. 16	Moreau Grand Electric Cooperative	Timber Lake, S. Dak	High winds—galloping conductors	4.0	2,700	1	25
Jan. 24	Union Electric Co	St. Louis County	Tornado	75.0	75,000	16	30
Jan. 25	Provo Municipal	Provo, Utah	Line short—falling snow	15.0	12,000	1	20
Jan. 26	Grand River Dam Authority	Oklahoma	Lighting arrestor failure	30.0	2	0	30
Do	Illinois Power Co	Champaign-Urbana	Icing—high winds	30.0	17,000	8	15
Jan. 28	El Paso Electric Co	El Paso, Tex	Bird nest on substation bus	25.0	(1)	0	35
Feb. 2	Fulton, Ky., Municipal	Fulton, Ky	Lightning	1.0	1,640	0	20
Feb. 8	Tennessee Valley Authority	Bowling Green, Ky	Current transformer failure	64.0	(1)	1	04

Footnotes at end of table.

EXHIBIT II—Continued

TABLE 2.—POWER SERVICE INTERRUPTIONS REPORTED IN ACCORDANCE WITH FPC ORDER NO. 331 THROUGH JUNE 12 1967 —Continued

Date 1967	Utility	Location	Cause	Megawatts lost	Customers	Duration Hours	Duration Minutes
Feb. 9	Chugach Electric Association	Anchorage, Alaska	Arcing horn failure on switch	37.5	18,100	0	15
Do	Moreau Grand Electric Cooperative	Timber Lake, S. Dak	Line pin came out	2.0	2,500	1	20
Feb. 15	Ohio Edison Co	Massillon, Ohio	Construction material blew into substation	50.0	20,000	0	35
Feb. 17	Public Service Co. of Indiana	Batesville, Ind	Transformer tap changer failure	28.0	6,182	0	33
Feb. 20	Burbank Municipal	Burbank, Calif	Lost 55 megawatt unit due to Los Angeles fault.	10.0	3,000	0	22
Feb. 24	Carolina Power & Light Co	Asheville, N.C	Broken insulator	27.0	16,000	1	52
Feb. 25	Tennessee Valley Authority	Johnson City, Tenn	Transformer tripped, over temperature	37.6	(2)	0	36
Do	Arizona Public Service Co	Southwest Arizona	Plane hit 69-kilovolt line	25.0	4,500	0	29
Feb. 27	Georgia Power Co	Fulton-Cobb Counties	Ground wire fell on 115-kilovolt line	56.0	20,000	0	43
Feb. 28	Texas Power & Light Co	Grayson and adjacent counties	Disconnect switch insulator broke	30.0	18,000	0	30
Mar. 6	Duquesne Lighting Co	Pittsburgh, Pa	Flood—lost Elrama generating station	120.0	8	4	36
Mar. 10	Pacific Power & Light Co	Crescent City, Calif	Wet, heavy snow on 120-kilovolt line	28.0	6,000	3	16
Do	Tennessee Valley Authority	Bowling Green, Ky	Current transformer failure	50.0	2	0	18
Mar. 12	Moreau Grand Electric Cooperative	Timber Lake, S. Dak	Icing on 69-kilovolt line	2.0	2,200	1	13
Mar. 14	Western interconnection	Washington-Colorado	Overload due to switching	282	50,000	0	24
Mar. 16	Sacramento Municipal Utility District	Sacramento, Calif	High wind—jumper burned off	50.0	37,748	0	23
Mar. 19	Grand River Dam Authority	Oklahoma	X-arm failed—pole caught fire	30.0	2	9	25
Do	Sherrard Power System	Orion, Ill	Insulator contamination	10.3	5,000	1	53
Mar. 26	Marquette Bd of Light & Power	Marquette, Mich	Broken insulator	10.5	8,500	0	50
Mar. 27	Pacific Power & Light Co	Enterprise, Oreg	Insulators shattered by gunshots	5.0	2,500	6	32
Do	Tennessee Valley Authority	Mayfield, Ky	Bird shorted insulator	52.0	25,000	0	59
Do	Georgia Power Co	Marietta, Ga	115-kilovolt conductor burned at clamp	23.8	(1)	0	50
Mar. 28	Utah Power & Light Co	Southeast Utah	Water leak tripped 138-kilovolt circuit	35.0	8,400	0	20
Do	Puget Sound Power & Light Co	East Seattle, Wash	Cable or pothead failure	45.0	22,000	0	27
Apr. 12	Bangor Hydro Electric Co	Veazie and Vincent, Maine	Flash over on 46 kilovolt—loose connection	35.2	42,000	0	27
Apr. 13	Jefferson Davis Electric Cooperative, Inc	Cameron Parish, La	Salt spray contaminated insulators—69 kilovolt.	6	2,000	3	23
Apr. 16	Muscatine Iowa Municipal	Muscatine, Iowa	Tree fell on 69-kilovolt line—lost 56-megawatt plant.	27	8,000	2	30
Apr 19	Bailey County Electric Cooperative Association.	Muleshoe, Tex	Insulator failed—cross arm burned	9	(1)	1	00
Apr. 20	Western Interconnection	Washington and Idaho	Line tripped while BPA was installing relay	10, 11	(1)	1	----
May 1	Community Public Service Co	Princeton, Tex	Wind and lightning tripped 138-kilovolt line	9	3,140	1	02
Do	Carolina Power & Light Co	Rocky Mount, N.C	Not determined	25	1	0	59
May 8	South Carolina Electric & Gas Co	Charleston, S.C	Tree fell on 115-kilovolt line—lost substation.	38	15,000	0	16
May 11	Gulf States Utilities Co	Beaumont, Tex	Insulator failures	700	163,000	6	22
May 12	Virginia Electric & Power Co	Richmond, Va	Lightning arrestor failure	38	12,500	0	24
Do	Greenville Texas Municipal	Greenville, Tex	Generator exciter failure	23	9,100	3	20
May 17	Cleveland Electric Illuminating Co	Cleveland, Ohio	OCB's opened manually	80	66,000	0	28
May 19	South Texas Electric Cooperative, Inc	Corpus Christi, Tex	Unexplained differential relay operation	14.6	17,135	0	50
May 25	Bonneville Power Administration	Spokane, Wash	Crop dusting plane damaged line	31	(3)	1	16
May 26	Cincinnati Gas & Electric Co	Cincinnati, Ohio	13-kilovolt cable failure and fire in generating station.	48	40,000	6	00
June 2	Snohomish County PUD	Everett, Wash	Brush fire	60	15,000	0	29
June 5	PJM interconnection	Pennsylvania, New Jersey, Maryland, Delaware.	Operating error	9,300	13,000,000	9	30
June 9	Utah Power & Light Co	Salt Lake City, Utah	Not reported	105	(1)	0	15
June 12	Pennsylvania Power & Light Co	Frackville, Pa	Lightning arrestor failure	163	78,000	0	24

[1] Not reported.
[2] Johnson City.
[3] Several thousand.

Source: "Prevention of Poower Failures,"—vol. 1—A Report to the President by the Federal Power Commission, July 1967, pp. 28-29.

EXHIBIT III.—SERVICE INTERRUPTIONS, JUNE 13-DEC. 31, 1967

No.	Date	Utility	Location	Reported initiating event	Megawatts lost	Customers	Duration Hours	Duration Minutes
1	June 16	Connecticut Light & Power Co	Willimantic, Conn	Lightning	25.0	21,038	0	16
2	June 19	Pacific Power & Light Co	Cody, Wyo	Flood and lightning, 2 outages	30.0	2,300	0	59
3	June 20	Denton, Tex., municipal	Denton, Tex	Transformer failure	48.4	10,800	1	23
4	June 28	California Pacific Utilities	Needles, Calif	Ground relay trip, cause unknown	8.3	2,262	0	53
5	July 1	Florida Power Corp	St. Petersburg, Fla	69 kv jumper burned off	35.0	30,000	2	00
6	July 3	Cape & Vineyard Electric Co	Cape Cod, Mass	New Bedford C. & E.L. line splice failed	61.0	43,000	8	13
7	July 5	Public Service Co. of New Mexico	Albuquerque, N. Mex	Thermal relay operation	(1)	26,000	0	36
8	July 5	Navopache Electric Coop	Arizona-New Mexico	Arizona PS relay malfunction	8.0	7,000	0	46
9	July 12	Pacific Gas & Electric Co	Lodi, Calif	Undetermined relaying, 69 kv. lines	52.0	8,500	0	50
10	...do	Georgia Power Co	Atlanta, Ga	Lightning	26.5	10,000	1	03
11	...do	Puget Sound Power & Light Co	Mercer Island, Wash	115 kv. cable failure	15.0	22,000	0	51
12	July 14	Utah Power & Light Co	Utah	Telemeter error, potential transformer	290.0	100,000	0	42
13	July 15	Idaho Power Co	Boise, Idaho	Transformer relayed out	50.0	25,000	1	00
14	...do	Alabama Power Co	Tuscaloosa, Ala	44 kv. insulator failure	28.0	14,000	0	26
15	July 17	Pacific Gas & Electric Co	Contra Costa, Calif	230 kv. line dropped into 115 kv	46.0	62,200	1	08
16	Aug. 1	Cape & Vineyard Electric Co	Cape Cod, Mass	Lightning actuated relays	35.0	(1)	0	58
17	Aug. 2	Ohio Edison Co	Ashland, Ohio	Lightning, OCB bushing failure	39.0	30,000	1	04
18	Aug. 11	Washington Water Power Co	Washington-Idaho	Severe rain, lightinng	115.0	33,000	----	NR
19	...do	Utah Power & Light Co	Utah-Idaho	Lightning on Washington W. P. Co	140.0	30,000	0	22
20	...do	Bonneville Power Administration	Anaconda, Mont	Relaying on Washington W. P. Co	288.0	2	0	56
21	Aug. 13	California-Pacific Utilities Co	Needles, Calif	Wind and rain	9.0	2,100	4	00
22	Aug. 14	Golden Valley Electric Association	Fairbanks, Alaska	Flood	8.0	4,700	(2)	----
23	Aug. 15	Orange & Rockland Utilities Co	Rockland, N.Y.-N.J	69 kv. line tap burned off	48.0	24,139	1	17
24	Aug. 19	South Carolina P. S. Authority	Camden, S. C	Lightning	30.0	10,000	1	36
25	Aug. 24	Houston Lighting & Power Co	Houston, Tex	Low voltage metal clad bus failure	30.0	5,000	0	27
26	Aug. 27	Southern Maryland Electric Coop	Southern Maryland	Lightning burned 69 kv-line conductor	28.0	18,000	1	25
27	Sept. 1	El Paso Electric Co	Alamagordo, N. Mex	Gunfire damaged insulators	15.0	(1)	3	00
28	Sept. 20	Central Power & Light Co. et al	South Texas	Hurricane Beulah, cyclones	65.0	26,500	(3)	----
29	Sept. 27	Navopache Electric Coop	East-central Arizona	Scheduled OCB replacement	5.5	3,600	1	30
30	Oct. 5	Richland Center, Wis	Richland Center	Cooling water cut off by debris	5.0	2,900	2	20
31	Oct. 6	West Penn Power Co	State College, Pa	Interconnection transformers outage	70.0	26,420	1	01
32	Oct. 16	Hawaiian Electric Co	Honolulu, Hawaii	138 kv. line relayed, cause unknown	185.0	(1)	0	33
33	Nov. 5	Navopache Electric Cooperative	Lakeside, Ariz	Arizona P.S. Co. dropped load, unknown	9.2	6,500	1	29
34	Nov. 16	Tennessee Valley Authority	Elizabethtown, Tenn	Overheated disconnect, flashover	40.0	(1)	4	----
35	Nov. 20	Bonneville Power Administration	Clark County, Wash	Defective circuit breaker	347.0	25,002	1	----
36	Dec. 4	Maine Public Service Co	Aroostook County	Snow loading interrupted Canada tie	59.0	27,800	1	00
37	Dec. 7	Alabama Power Co	Southern Alabama	Tree felled on line	30.0	13,500	1	11
38	Dec. 13	Pacific Power & Light Co	Lincoln City, Oreg	Transformer differential relay	12.0	4,700	1	47
39	Dec. 19	St. Joseph Light & Power Co	St. Joseph, Mo	Temporary internal transformer fault	30.0	20,000	0	33
40	Dec. 20	City Water & Light Department	Springfield, Ill	Insulator failed on air break switch	80.0	30,000	1	50

Footnotes at end of table.

EXHIBIT III.—SERVICE INTERRUPTIONS, JUNE 13–DEC. 31, 1967—Continued

No.	Date	Utility	Location	Reported initiating event	Megawatts lost	Customers	Duration	
							Hours	Minutes
41	Dec. 20	Tennessee Valley Authority	Calvert City, Ky	Capacitor bank failure	250.0	3	0	46
42	Dec. 22	Western interconnection	Idaho-Oregon-Utah	Ice broke shield wire, shorted 230 kv	1,000.0	275,000	0	51
43	Dec. 22	Pacific Power & Light Co	Enterprise, Oreg	Ice broke a 69-kv. line pole	7.0	2,850	4	46
44	Dec. 26	Central Louisiana Electric Co	Landry, La	Accidental tripping of bus tie OCB	28.0	14,000	0	29
45	Dec. 30	Pacific Power & Light Co	Sand Point, Idaho	Car ran into substation control house	7.0	3,650	1	18

[1] Not reported.
[2] 6 days.
[3] 2 weeks.

Source: Federal Power Commission press release, July 2, 1968, No. 15608.

EXHIBIT IV

[From Federal Power Commission press release, No. 15108, July 2, 1968]

ELECTRIC POWER INTERRUPTIONS REPORTED TO FPC BETWEEN JUNE 13 AND DECEMBER 31, 1967

1. Connecticut Light & Power Company—June 16, 1967: A direct lightning stroke on a substation interrupted two circuits for 16 minutes. The circuits were supplying 25,000 kilowatts to over 21,000 customers.

2. Pacific Power & Light Company—June 19, 1967: Flood waters washed out line structures near Cody, Wyoming, interrupting 30,000 kilowatts of power to 2,300 customers, mostly oil field pumps, for 26 minutes. Two hours later the same load was again interrupted for 33 minutes by spurious switch trip signals, thought to be due to lightning.

3. Denton, Texas Municipal—June 20, 1967: The 48,400 kilowatt load of the City's 10,800 customers was interrupted by failure of a 28 mva transformer connecting the 13.2 kv and 69 kv station buses at the steam-electric station. Service was restored after periods ranging from 11 minutes to one hour and 23 minutes.

4. California Pacific Utilities Company—June 28, 1967: A ground relay tripped a breaker at Davis Dam for reasons not determined and interrupted the 8,300 kilowatt load of 2,262 customers in the Needles, California-Searchlight, Nevada, area for 53 minutes.

5. Florida Power Corporation—July 1, 1967: A 250 square block area of downtown St. Petersburg with a load of about 35,000 kilowatts and 30,000 customers was interrupted for two hours when a line jumper burned off, opening one end of a 69 kv transmission loop.

6. Cape & Vineyard Electric Company—June 3, 1967: Cape Cod from Hyannis to the tip of the Cape, with 43,000 customers and a load of 61,000 kilowatts was without power for periods up to eight hours and 13 minutes when a 115-kv line splice failed in an area with difficult access in foggy weather. (The Commission has issued a special report on this interruption.)

7. Public Service Company of New Mexico—July 5, 1967: Some 26,000 customers were without electric service for 36 minutes in Alameda, Bernalillo, Algodones, Santo Domingo, San Felipe and northeastern Albuquerque when a thermal relay interrupted the North Switching Station.

8. Navopache Electric Cooperative—July 5, 1967: A malfunction of a relay on a breaker at the Arizona Public Service Company substation near Snowflake, Arizona, interrupted the 8,000 kilowatt load of the 7,000 customers of Navopache for 21 minutes on July 5 and again for 46 minutes on July 6.

9. Pacific Gas & Electric Company—July 12, 1967: Relay action occurring for unknown reasons opened two 60 kv circuits for 50 minutes. The circuits were serving 8,500 customers with a load of 52,000 kilowatts in the Lodi, California area.

10. Georgia Power Company—July 12, 1967: Severe lightning caused relays to interrupt the Druid Hills substation in northeast Atlanta, affecting 10,000 customers with 26,460 kilowatts of load for one hour and three minutes.

11. Puget Sound Power & Light Company—July 12, 1967: Experimental 115 kv underground polyethylene cable failed, interrupting 15,000 kilowatts of load to 22,000 customers on Mercer Island (East Seattle) for 51 minutes.

12. Utah Power & Light Company—July 14, 1967: Loss of a potential transformer caused erroneous telemetering signals which increased generation on the Bonneville system. Resultant overgeneration overloaded lines in Utah which tripped out and interrupted service to 100,000 customers with a load of 290,000 kilowatts for periods of 2 to 42 minutes.

13. Idaho Power Company—July 15, 1967: Differential relay operation indicating an internal fault within a 138/69 kv transformer, interrupted 50,000 kilowatts of load for some 25,000 customers for one hour, at Boise and Meridian, Idaho.

14. Alabama Power Company—July 15, 1967: About 14,000 customers with a load of some 28,000 kilowatts in Tuscaloosa County, Alabama were without service for 26 minutes when a 46 kv breaker bushing insulator failed.

15. Pacific Gas & Electric Company—July 17, 1967: A 230 kv line conductor fell into several 115 kv circuits, interrupting service for one hour and eight minutes to 62,200 customers with a load of 46,000 kilowatts in eastern Contra Costa County, California.

16. Cape and Vineyard Electric Company—August 1, 1967: The Cape Cod area lost 35,000 kilowatts of load during a severe lightning storm when the entire breaker system at Tremont substation was opened by relays. No equipment was damaged.

17. Ohio Edison Company—August 2, 1967: The 39,000 kilowatt load of 30,000 customers in a 1,200 square mile area of northern Ohio around Ashland was interrupted for periods up to one hour and four minutes when lightning damaged a circuit breaker bushing at Brookside substation.

18. Washington Water Power Company—August 11, 1967: Lightning set fire to a 230 kv line structure during a storm causing interruption of 115,000 kilowatts of load to 33,000 customers in a 1,600 square mile area of northern Idaho and Washington. Redistribution of power flows due to the outage of this line caused surges which also tripped breakers and interrupted loads of Utah Power and Light Company.

19. Utah Power and Light Company— August 11, 1967: Surges caused by lightning on the Washington Water Power Company system opened lines, causing interruption periods of five to 22 minutes of 140,000 kilowatts of load to over 15,000 customers in Salt Lake City and rural areas of Utah and Idaho.

20. Bonneville Power Administration—August 11, 1967: A power surge on the Washington Water Power Company system, not related to the above two outages, Nos. 18 and 19, caused the underfrequency relays on the Bonneville system to drop two Montana industrial customers with a combined load of 288,000 kilowatts for periods ranging from eight to 56 minutes.

21. California-Pacific Utilities Company—August 13, 1967: The 9,000 kilowatt load of 2,100 customers at Needles was interrupted for four hours due to a severe wind and rain storm.

22. Golden Valley Electric Association—August 14 and 15, 1967: Flooding of the Fairbanks and Nenana, Alaska generating stations resulted in interruption of the 8,000 kilowatt load of 4,700 of the association's 5,000 customers for period of two to six days.

23. Orange & Rockland Utilities Company—August 15, 1967: Heavy load burned off a 69 kv line tap, interrupting the 48,000 kilowatt load of more than 24,000 customers for 25 minutes to one hour and 17 minutes. Possible previous damage to the tap by lightning was indicated.

24. South Carolina Public Service Authority—August 19, 1967: Redistribution of power flows when lightning opened the breaker on a 69 kv circuit resulted in cascading outages of several other circuits and interruption of 30,000 kilowatts for 10,000 customers in the Camden, Pinewood and Batesburg area, for one hour and 36 minutes.

25. Houston Lighting & Power Company—August 24, 1967: Failure of a section of 12 kv metalclad bus interrupted the 30,000 kilowatt load of 5,000 customers in northwestern Houston for 27 minutes.

26. Southern Maryland Electric Cooperative—August 27, 1967: Lightning burned off one conductor of a 69 kv line, interrupting 28,000 kilowatts load to 18,000 customers in southern Maryland for periods up to one hour and 25 minutes.

27. El Paso Electric Company—September 1, 1967: Flashover of 115 kv line insulators, apparently damaged by rifle fire, during a light rain resulted in an interruption of 15,000 kilowatts of load at White Sands, Alamagordo and Holloman Air Development Center in New Mexico for about three hours.

28. City of Brownsville, Texas, Central Power & Light Company, South Texas Electric Cooperative, City of Robstown, Lower Colorado River Authority, Medina Electric Cooperative, Magic Valley Electric Cooperative—September 20, 1967: Loads in excess of 65,000 kilowatts for more than 26,500 customers were interrupted by Hurricane Beulah as a result of debris being blown into distribution and transmission lines, poles being broken or leaning and lines and transformers blown down. Some customers were without service for as long as two weeks.

29. Navopache Electric Cooperative—September 27, 1967: A scheduled outage to install an oil circuit breaker interrupted 5,500 kilowatts of load for 3,600 customers in east-central Arizona for 90 minutes.

30. Richland Center, Wisconsin—October 5, 1967: The City's generating units were shut down when debris clogged the cooling water intakes, resulting in loss of power for 2,900 customers for two hours and 20 minutes. The City's peak load in 1966 was about 5,900 kilowatts.

31. West Penn Power Company—October 6, 1967: For reasons unknown, the transformers interconnecting West Penn and Pennsylvania Electric Company were interrupted, affecting service of 70,000 kilowatts to over 26,000 customers in the vicinity of State Collect and Bellefont, Pennsylvania for one hour and one minute.

32. Hawaiian Electric Company—October 16, 1967: Breakers on a 138 kv line opened from unknown causes, interrupting 185,000 kilowatts of load in eastern Honolulu and the the windward end of Oahu Island for 33 minutes.

33. Navopache Electric Cooperative—November 5, 1967: The cooperative's entire 6,500 customers in eastern Arizona and western New Mexico with a load of 9,200 kilowatts was discontinued from the Arizona Public Service Company from unknown causes for periods ranging from 41 minutes to one hour and 29 minutes.

34. Tennessee Valley Authority—November 16, 1967: The City of Elizabethtown and surrounding areas of Carter County with a load of about 40,000 kilowatts was without service for some four hours as a result of an overheated disconnect switch, an insulator of which flashed over, damaging a metering transformer. About 5,000 kilowatts was transferred to another substation but the balance was out of service while the transformer was replaced.

35. Bonneville Power Administration—November 20, 1967: A defective circuit breaker combined with relay trouble resulted in the loss of the 85,000 kilowatt load of the Clark County Public Utility District and 262,000 kilowatts of two industrial customers in the Vancouver, Washington area, for periods of 25 minutes to one hour.

36. Maine Public Service Company—December 4, 1967: The entire system in Aroostook County with a load of 59,000 kilowatts and 27,800 customers was interrupted when a 69 kv tie with New Brunswick opened because of snow loading. About half of the load was restored in 30 minutes and the balance in one hour.

37. Alabama Power Company—December 7, 1967: Some 13,500 customers in Escambia, Conecuh and Baldwin counties with a 30,000 kilowatt load were interrupted for periods of 56 to 71 minutes when a tree was felled into a transmission line. The relays operated to isolate the faulted section of line.

38. Pacific Power & Light Company—December 13, 1967: The Lincoln City, Oregon, system with 4,700 customers and 12,000 kilowatts of load was interrupted when relays disconnected the supplying transformer at Portland General Electric Company's Grand Ronde substation for one hour and 47 minutes.

39. St. Joseph Light & Power Company—December 19, 1967: Some 20,000 customers with 30,000 kilowatts of load at St. Joseph were without power for 33 minutes due to a temporary internal transformer fault.

40. City of Springfield, Illinois—December 20, 1967: Failure of insulators on an air break switch forced the generating station out of service and interrupted 80,000 kilowatts of power to 30,000 customers for one hour and 50 minutes.

41. Tennessee Valley Authority—December 20, 1967: Three industrial customers in Calvert City, Kentucky, with a total load of 250,000 kilowatts were interrupted for 46 minutes when failure of a capacitor bank resulted in removing from service all three transformer banks at the Calvert City 161/13 kv substation.

42. Western Interconnection—December 22, 1967: A sleeve connection on the overhead ground wire of Idaho Power Company's 230 kv Oxbow-Brownlee line failed and the wire fell into the 230 kv conductors. The resultant instability cascaded throughout the Idaho, Oregon, and Utah systems, interrupting 275,000 customers with a load of about 1,000,000 kilowatts for periods of 6 minutes to 51 minutes.

43. Pacific Power & Light Company—December 22, 1967: A broken pole caused by ice loading on the 69 kv La Grande Enterprise line interrupted the 7,000 kilowatt load of 2,850 customers on the Enterprise system for 4 hours and 46 minutes.

44. Central Louisiana Electric Company—December 26, 1967: Accidental tripping of a bus tie breaker at Coughlin generating station resulted in a 29-minute outage of 28,000 kilowatts for 14,000 customers in the Landry, Louisiana, vicinity.

45. Pacific Power & Light Company—December 30, 1967: An automobile ran into the Bronx substation control house, interrupting service to 3,650 customers with a 7,000-kilowatt load for one hour and 18 minutes at Sandpoint, Idaho.

EXHIBIT V

SERVICE INTERRUPTIONS, JAN. 1–JUNE 30, 1968

No.	Date	Utility	Location	Reported initiating event	Megawatts lost	Customers	Duration	
							Hours	Minutes
1	Jan. 3	Lebanon, Ohio, municipal	Lebanon, Ohio	Low battery voltage, switch failure	3.0	2,000	2	10
2	do	San Antonio Public Service Board	San Antonio, Tex.	Instability due to short on LCRA [1]	80.0	80,000	0	50
3	Jan. 9	Wisconsin Electric Power-Wisconsin Power & Light, Madison.	Eastern Wisconsin	Bullet damaged conductor	482.0	161,720	2	37
4	Jan. 14	Alabama Power Co	Mobile County, Ala	Bullet severed 115-kv. line conductor	38.0	19,000	1	5
5	Jan. 15	Carolina Power & Light Co	Goldsboro, N.C.	Icing caused 110-kv. line failure	30.0	13,300	2	12
6	Jan. 19	Idaho Power Co	Don substation	13-kv. cable failure	202.1	3	1	[2] 12
7	Jan. 31	Commonwealth Edison Co	Elk Grove Village, Ill.	Plane hit overhead ground wire	35.0	30,000	2	15
8	Feb. 3	Georgia Power Co	Gainesville, Ga.	Bus support insulator and relay failed	32.7	9,000	1	2
9	Feb. 8	Eugene, Oreg., municipal	Eugene, Oreg.	Arc-over upon opening a disconnect	130.0	37,000	0	15
10	Feb. 9	Richland Center Municipal	Richland Center, Wis.	Icing in intake to generator	6.0	3,000	4	46
11	Feb. 11	Tennessee Valley Authority	Johnson City, Tenn.	Current transformer exploded	28.5	6,000	5	17
12	do	Ohio Edison Co	Berlin Center, Ohio	False relay operation, Newton Falls	25.0	25,000	0	49
13	Feb. 15	Alabama Power Co	Jefferson County, Ala.	Broken 115-kv. line insulators	26.8	19,152	1	47
14	Feb. 16	Tennessee Valley Authority	Milan, Tenn.	Switch support insulator flashover	55.0	[3]	0	18
15	Feb. 20	New Bedford Gas & Edison Light Co	New Bedford, Mass.	Multiple flashover, 13-kv. insulators	55.0	30,493	9	16
16	Feb. 21	South Texas & Medina Electric Cooperatives	Uvalde, Tex.	69-kv. line pole; boiler explosion	22.0	27,000	2	54
17	Feb. 28	Georgia Power Co	Smyrna County, Ga.	Line on the ground	35.0	12,984	0	21
18	Feb. 29	do	Gainesville, Ga.	Ice and snow shorted lines	96.3	20,000	1	35
19	Mar. 1	Idaho Power Co	Nampa, Idaho	69-kv. transformer bushing failed	27.0	9,500	1	40
20	Mar. 12	Public Service Co. of Oklahoma	Tulsa, Okla.	Icing and galloping conductors	75.0	37,000	8	+
21	do	Ohio Edison Co	Mansfield, Ohio	Galloping conductors; lightning arrester failures	38.0	15,000	0	41
22	Mar. 14	Central Illinois Public Service Co	Harrisburg, Ill.	Ground switch closed, cause unknown	30.0	8,200	1	6
23	Mar. 20	Public Service Co. of New Mexico	Albuquerque, N. Mex.	High winds and ice storm	[3]	40,000	1	50
24	Mar. 21	Cleveland Electric Illuminating Co	Cleveland, Ohio	Bus insulator failure	92.0	30,000	0	17
25	Mar. 26	Tennessee Valley Authority	Oxford, Miss.	Plane cut 161-kv. line ground wires	33.0	20,000	1	8
26	Apr. 3	Moreau-Grand Electric Co-op	Timber Lake, S. Dak.	69-kv. line fault; wind and ice storm	3.8	2,700	1	
27	Apr. 15	Snohomish County PUD No. 1	Snohomish County, Wash.	Lightning, no breaker reclose power	62.0	23,000		38
28	do	Moreau-Grand Electric Co-op	Timber Lake, S. Dak.	Ice loading on 69-kv. line	5.0	2,500	7	
29	Apr. 8	Gulf States Utilities Co	Baton Rouge, La.	Transformer relayed, cause unknown	50.9	4		36
30	do	Georgia Power Co	Newton County, Ga.	Tree felled on 115-kv. line	32.5	5,000	1	21
31	Apr. 24	Alabama Power Co	Jefferson County, Ala.	Pole and insulators shattered 115-kv. line	27.9	10,138		43
32	May 6	Douglas County Public Utility District	Wenatchee, Wash.	Operator erroneously opened 230-kv. line	465.0	3	1	0
33	May 10	Pacific Gas & Electric Co	Marin County, Calif.	230/115-kv. transformer bushing failure	37.0	32,000		35
34	May 22	Newport Electric Co	Newport, R.I.	Clamp failed during severe storm	25.0	10,800	1	8
35	May 30	Mississippi Power Co	Laurel, Miss.	Lightning, faulty relay wiring	48.0	16,000		18
36	June 2	Sacramento Municipal Utility District	Sacramento County, Calif.	Transformer differential relay	90.0	29,500		20
37	June 3	Iowa Illinois Gas & Electric Co	Iowa City, Iowa	Obsolete relay connections	37.0	18,390	1	15
38	do	Tuscon Gas & Electric Co	Tuscon, Ariz.	Gunshot severed 46-kv. line	60.0	20,000		58
39	June 7	Pacific Power & Light Co	Libby, Mont.	Helicopter cut BPA 115-kv. line	11.5	3,700	14	3
40	June 17	Cincinnati Gas & Electric Co	Cincinnati, Ohio	Jumper failed, relay false operation	27.4	10,100	1	9
41	June 19	Glacier Electric Co-op., Inc	Cut Bank, Mont.	Faulty relay	12.3	4,000		36
42	June 22	Eastern Iowa Light & Power Co-op	Eastern Iowa	Transposed relay connections	13.5	8,500	1	15
43	June 24	Virginia Electric & Power Co	Chantilly, Va.	Lightning	36.0	15,000	1	13
44	do	Public Service Co. of New Mexico	Albuquerque, N. Mex.	Erroneous relay connections	[3]	42,000		52
45	June 25	Houston Lighting & Power Co	Houston, Tex.	Operating error during tests	30.0	1,000		18
46	do	Community Public Service Co	Fort Stockton, Tex.	Gunshot, 69-kv. line conductor	8.1	3,700		35
47	June 26	Virginia Electric & Power Co	Hampton, Va.	Bushing failure on regulator	60.0	40,000		39

[1] Lower Colorado River Authority.
[2] One 47.5-mva furnace out indefinitely pending cable repairs.
[3] Not reported.

Source: Federal Power Commission press release, Aug. 15, 1968, No. 15670.

EXHIBIT VI

[From Federal Power Commission press release, No. 15670, Aug. 15, 1968]

BRIEF DESCRIPTIONS OF ELECTRIC POWER INTERRUPTIONS REPORTED BETWEEN JANUARY 1 AND JUNE 30, 1968

1. Lebanon Municipal Electric System—Ohio—January 3, 1968: A blown fuse on a battery charger at the Lebanon generating station resulted in low battery voltage and failure of two generator breakers to close, causing an interruption to all 2000 customers of the municipal system with a load of 3,000 kilowatts for periods of 40 minutes to two hours and 10 minutes. The trip coils on the two breakers were damaged.

2. San Antonio Public Service Board—Texas—January 3, 1968: A racoon shorted a transformer at the Comal power plant, creating a 12-kv arc. The arc spread to the adjacent 69-kv bus which relayed out and interrupted about 15,000 kilowatts of load on the Lower Colorado River Authority system. This set up oscillations on the San Antonio system and the dispatcher opened all of San Antonio's interconections. Instability developed before the generation was balanced to the loads and the 80,000 kilowatt load of 80,000 customers in northern Bexar county was interrupted for periods up to 50 minutes.

3. Madison Gas & Electric Company, Wisconsin Electric Power Company, Wisconsin Power & Light Company—January 9, 1968: At a time when two 138-kv lines were out of service for maintenance, a gunshot severed a third heavily loaded 138-kv line. This overloaded and trapped out the remaining interconnection between Wisconsin Electric Power Company and Wisconsin Power & Light Company. The resulting unbalance of generation and load initiated the shedding of 482,000 kilowatts of load to about 162,000 customers in eastern Wisconsin for periods of 23 minutes, to one hour and 19 minutes except for one 4-kv circuit of Madison Gas and Electric Company which was out for two hours and 37 minutes.

4. Alabama Power Company—January 14, 1968: A 115-kv line conductor apparently was severed by gunshot resulting in a 38,000 kilowatt interruption to 19,000 customers in a portion of Mobile County, Alabama for periods of 40 minutes to one hour and 5 minutes.

5. Carolina Power and Light Company—January 15, 1968: Icing conditions caused a 110-kv line to fail, interrupting 13,300 customers with a load of 30,000 kilowatts in the Goldsboro, Kinston and La Grange area of North Carolina for one hour and 2 minutes to two hours and 12 minutes.

6. Idaho Power Company—January 19, 1968: A 13-kv cable fault at Don Substation near Pocatello, Idaho interrupted the 202,100 kilowatt load of three customers, including the Pocatello Airport. Service was restored to all but about 47,500 kilowatts of industrial electric furnace load in 26 minutes. After temporary repair and testing, the balance of the load was restored but the cable failed again later in the day. Service was restored within one hour and 12 minutes to all except the 47, 500 kilowatt furnace load which had to await permanent cable repairs.

7. Commonwealth Edison Company—January 31, 1968: Some 30,000 customers with a load of 35,000 kilowatts in the Glendale Heights and Elk Grove Village, suburbs of Chicago, Illinois, were without power for periods of 50 minutes to two hours and 15 minutes when a passenger plane struck and severed the overhead ground wires on four transmission circuits. The plane landed safely at Indianapolis, Indiana trailing a piece of the ground wire.

8. Georgia Power Company—February 3, 1968: A pedestal type bus insulator at Gainesville, Georgia substation cracked, allowing the bus to fall to the steel support, causing a phase to ground fault. Relaying failed to clear the fault, resulting in interruption of 32,736 kilowatts to 9,000 customers in Gainesville and rural sections of Hall County for periods up to one hour and 2 minutes. The 41/110 kv transformer was damaged.

9. Eugene Water & Electric Board—Oregon—February 8, 1968: An operator at Bonneville Power Administration's Alvey substation opened a 230 kv disconnect switch which arced over to ground. Relays tripped out the 230 kv bus interrupting 100,000 kilowatts of power to Eugene, Oregon. Underfrequency load shedding on the Eugene system was not sufficient to permit the City's hydro plants to serve the remaining load and the city lost the remaining 30,000 kilowatts of load. The full 130,000 kilowatt service was restored to Eugene's 27,000 customers in 15 minutes.

10. Richland Center Municipal—Wisconsin—February 9, 1968: Ice obstructed the condenser cooling water intake, shutting down the generator and interrupting the 6,000 kilowatt load of the City's 3,000 customers for four hours and 46 minutes. Service restoration was aided by a temporary interconnection to the Richland Cooperative Electric Association for start-up power.

11. Tennessee Valley Authority—February 11, 1968: About 28,500 kilowatts of electric service to 6,000 customers in Johnson City, Tennessee and surrounding Washington County was interrupted when a current transformer exploded at Northeast substation breaking insulators and breaker bushings. Because of very low temperatures and high electric heating loads, which resulted in little load diversity, there were problems in restoration of service. All load was restored within five hours and 17 minutes.

12. Ohio Edison Company—February 11, 1968: The 25,000 kilowatt load of 25,000 customers in a 350 square mile area west and northwest of Warren, Ohio was interrupted for 49 minutes when an apparently spurious control signal opened a 138 kv air break switch at the unattended Newton Falls substation. The resultant arc flashed to ground and opened other circuits feeding the substation. Operators sent to the station found no damage and service was restored without difficulty.

13. Alabama Power Company—February 15, 1968: More than 19,000 customers in Jefferson County, Alabama with a total load of 26,750 kilowatts were without power for periods of 23 minutes to one hour and 47 minutes, when the protective relays opened the Leeds to Ketona 115 kv transmission line. A string of insulators on a tap line were found to be shattered, apparently from a flashover.

14. Tennessee Valley Authority—February 16, 1968: Service was interrupted to customers with a load of 55,000 kilowatts in three western Tennessee counties for 18 minutes when a switch support insulator flashed over from an unknown cause. Service was restored by bypassing the affected insulator in the Milan substation.

15. New Bedford Gas & Edison Light Company—February 20, 1968: Multiple flashovers on 13 kv insulators at the Cannon Street generating station at New Bedford, Massachusetts damaged two oil circuit breakers, seven disconnect switches and 30 insulators. Operators opened the 115 kv connections, isolating the station and its 25 feeders, interrupting 55,000 kilowatts of load affecting 30,500 customers in New Bedford and Dartmouth. Service was restored to about 60 percent of the customers in one hour and 51 minutes but some of these customers were again interrupted when segments of the network became overloaded. All customers were restored to service in 9 hours and 16 minutes.

16. South Texas Electric Cooperative, Medina Electric Cooperative—February 21, 1968: These two cooperatives operate as a pool. A broken pole on a South Texas 69-kv line precipitated an interruption to the 22,000 kilowatt load of 27,000 customers in the area of Uvalde, Texas on the South Texas system and 6,000 customers on the Medina system. Loss of the South Texas line and its load caused Medina's two 22,000 kilowatt steam-electric units to try to pick up load. The units could not pick up the load fast enough and both units along with those of South Texas tripped off. This was followed by an explosion in one of Medina's boilers which would require 60 to 70 days to repair. Service to all customers was restored in two hours and 54 minutes after the initial disturbance.

17. Georgia Power Company—February 28, 1968: A 115 kv line failed and fell to the ground interrupting service to about 13,000 customers with a load of 35,000 kilowatts in Smyrna and Cobb Counties, Georgia for 21 minutes.

18. Georgia Power Company—February 29, 1968: A heavy snow storm was responsible for transmission line outages which interrupted the 96,300 kilowatt load of 20,000 customers in Gainesville, Georgia and surrounding areas for periods up to one hour and 35 minutes.

19. Idaho Power Company—March 1, 1968: A 69 kv bushing failure on a transformer at Nampa, Idaho substation initiated a one hour and 40 minute interruption of service to 9,500 customers with 27,000 kilowatts of load.

20. Public Service Company of Oklahoma—March 12, 1968: Icing conditions coupled with wind caused galloping conductors and resulted in interruptions to six 138 kv lines, three 69 kv lines and a number of distribution circuits in the area of Tulsa, Vinita, Bartlesville and Okmulgee, Oklahoma. Service affecting 37,000 customers with a load of 75,000 kilowatts was interrupted. Line repairs were made and services restored to all but about 2,000 customers with 5,000 kilowatts of load in about 7½ hours. Most of the remaining 2,000 were restored by the next morning.

21. Ohio Edison Company—March 12, 1968: A severe sleet and rain storm caused numerous line outages because of galloping conductors and a lightning arrestor failure at Longview substation, interrupting 15,000 customers with a load of 38,000 kilowatts in the Mansfield, Ohio area for 41 minutes.

22. Central Illinois Public Service Company—March 14, 1968: Approximately 30,000 kilowatts of load affecting 8,200 customers in ten communities in the Harrisburg, Illinois area was interrupted when a high speed grounding switch closed on a 138 kv line for unknown cause and relaying at both ends of the line failed to clear. More remote relays cleared the faulted line and service was restored in one hour and 6 minutes.

23. Public Service Company of New Mexico—March 20, 1968: Ice storms accompanied by high winds resulted in the loss of Sandia substation and interruption of 40,000 customers in the Albuquerque, Tijeras and San Antonio, New Mexico areas for periods of one hour and 1 minute to one hour and 50 minutes.

24. Cleveland Electric Illuminating Company—March 21, 1968: Failure of a 33 kv bus support insulator at the Lloyd substation interrupted the 92,000 kilowatt load of 30,-000 customers in Lake and Geauga Counties, Ohio for 17 minutes.

25. Tennessee Valley Authority—March 26, 1968: A light plane spreading fertilizer cut both ground wires on a 161 kv line, shorting out the circuit and interrupting service to some 20,000 customers with a load of 33,000 kilowatts in the four communities and the rural area around Oxford, Mississippi for one hour and 8 minutes. The plane was not seriously damaged and the pilot flew it from the site.

26. Moreau-Grand Electric Coop., Inc.—April 3, 1968: A temporary fault on a 69 kv line of the U.S. Bureau of Reclamation during icing conditions and high wind interrupted the entire 2,700 customers of the Cooperative in the Timber Lake, S.D. area with a load of 3,800 kilowatts for a period of one

hour. Difficulty in radio communications delayed getting an operator to the unattended Eagle Butte substation and extended the length of the outage. No facilities were damaged.

27. Snohomish County PUD No. 1—April 16, 1968: A lightning stroke on the 115 kv line supplying Bonneville Power Administration's Sno-King substation interrupted the 62,000 kilowatt load of 23,000 customers of the PUD in South Snohomish County, Washington. Auxiliary power needed for remote reclosure of the Sno-King breaker depended upon the substation being energized and the 38 minute delay resulted from necessity of sending an operator to the unattended substation. A motor generator has now been installed to supply emergency auxiliary power.

28. Moreau-Grand Electric Coop., Inc.—April 15, 1968: Ice loading on the 69 kv line of the U.S. Bureau of Reclamation concurrently with the breaking of poles and conductors on the 7.2 kv lines of the Cooperative resulted in the loss of electric service to all of the Cooperative's 2,500 customers in and around Timber Lake, South Dakota with a load of about 5,000 kilowatts. Service from the USBR was restored in seven hours. The outage was not reported for 8 days because telephone and telegraph facilities were also out of service. At the time of the report about 100 customers on twenty 7.2 kv lines were still without electric service.

29. Gulf States Utilities Company—April 18, 1968: Transformer differential relays interrupted service for unknown cause to four industrial customers in Baton Rouge, Louisiana, for 36 minutes. The load totalled 50,900 kilowatts.

30. Georgia Power Company—April 18, 1968: A tree felled into a 115 kv line interrupted the 32,500 kilowatt load of 5,000 customers in portions of Newton and Rockdale Counties, Georgia for 28 minutes, some 2,000 kilowatts of which remained out for one hour and 21 minutes.

31. Alabama Power Company—April 24, 1968: A portion of Jefferson County, Alabama, experienced a power interruption for 43 minutes when a 115 kv line pole and all three insulator strings were found shattered. The load of the 10,138 customers were first reported to be 27,900 kilowatts but was later revised to about 23,000 kilowatts.

32. Douglas County PUD—Washington—May 6, 1968: Three industrial customers with a load of 465,000 kilowatts were without power for 60 minutes when an operator at Rocky Reach hydroelectric station erroneously opened the PUD's 230 kv line.

33. Pacific Gas & Electric Company—May 10, 1968: Failure of a bushing on a 230/115 kv transformer interrupted 37,000 kilowatts of load for 32,000 customers in Marin and Sonoma Counties, California, for periods of 13 to 35 minutes.

34. Newport Electric Corporation—May 22, 1968: A flashover during a severe electrical storm caused failure of a terminating clamp on a 69 kv interconnection with Montaup Electric Company, interrupting the 25,000 kilowatt load of some 10,800 customers in the Newport, Middletown and Portsmouth, Rhode Island area for periods of 15 minutes to one hour and 8 minutes. The interruption was prolonged due to a parallel line being out of service for reconductoring.

35. Mississippi Power Company—May 30, 1968: Lightning severed overhead ground wires which faulted the conductors on a 115 kv line. The breaker at the Laurel end of the line stuck, which caused all of the breakers on the backup protection to open interrupting the 48,000 kilowatt load of 16,000 customers in the Laurel and Meridian, Mississippi division of the company for 18 minutes. Failure of the Laurel breaker was later found to be due to improper relay wiring.

36. Sacramento Municipal Utility District—June 2, 1968: Differential and fault pressure relays, because of a fault within a transformer at Hedge substation, interrupted the 90,000 kilowatt load of 29,500 customers in the Carmichael, California area and the southern part of Sacramento County for 20 minutes.

37. Iowa Illinois Gas & Electric Company—June 3, 1968: While one of the two lines supplying Iowa City, Iowa and vicinity was out of service for maintenance, transformer differential relay action removed the second circuit because of obsolete relay connections interrupting the 37,000 kilowatt load of 18,390 customers for one hour and 15 minutes.

38. Tuscon Gas & Electric Company—June 3, 1968: Rifle fire severed a 46 kv circuit near Tuscon, Arizona's eastern city limits. The 46 kv breaker did not operate to isolate this circuit and the 138 kv breaker supplying this and three other 46 kv circuits relayed out interrupting 20,000 customers in a 60 square mile area of the city with a load of 60,000 kilowatts. The supervisory control for reclosing the unattended 138 kv breaker was blocked out for unexplained reasons resulting in a 58 minute outage while an operator was sent to close the breaker. The manufacturer of the supervisory equipment was called in to inspect the equipment to determine the reasons for the abnormalties.

39. Pacific Power & Light Company—June 7, 1968: A helicopter severed a 115 kv Bonneville Power Administration line supplying Pacific's isolated Libby, Montana service area consisting of 3,700 customers and 11,500 kilowatts of load. The J. Niels Mill generating station picked up about 1,500 kilowatts over a 33 kv line but the balance of the Libby area was without power for 14 hours and 3 minutes.

40. Cincinnati Gas & Electric Company—June 17, 1968: Failure of a jumper on the terminal pole of a 69 kv line near Hamilton, Ohio, faulted the line which relayed out as designed. However, this initiated the tripout of another circuit on a pilot wire relay for causes that have not been determined. This interrupted the 27,400 kilowatt load of 10,100 customers in a 26 square mile area between Cincinnati and Hamilton for periods up to one hour and 9 minutes.

41. Glacier Electric Cooperative, Inc.—June 19, 1968: A faulty relay at the Bureau of Reclamation's Shelby, Montana substation tripped the radial 115 kv line supplying the entire 12,300 kilowatt load of the 4,000 customers of the Cooperative in Cut Bank and surrounding Glacier County, Montana. The Cooperative was without power for 36 minutes.

42. Eastern Iowa Light and Power Cooperative—June 22, 1968: A differential relay at Montpelier generating station tripped, apparently because of transposed connections on a new installation, interrupting 13,500 kilowatts of power supply to 8,500 customers in seven eastern Iowa counties between the cities of Davenport, Iowa City and Burlington for one hour and 15 minutes.

43. Virginia Electric & Power Company—June 24, 1968: A lightning surge tripped a differential relay on the 115/34 kv transformer at Dulles substation interrupting electric service to Reston, Chantilly and Herndon, Virginia, affecting the 36,000 kilowatt load of 15,000 customers for one hour and 13 minutes. The transformer was not damaged.

44. Public Service Company of New Mexico—June 24, 1968: An erroneous differential relay connection combined with a fault on an adjacent line tripped a 230/115 kv transformer interrupting 42,000 electric customers in northern Albuquerque, New Mexico for periods ranging from 16 minutes to 52 minutes.

45. Houston Lighting & Power Company—June 25, 1968: An inadvertent breaker operation during a period of relay testing interrupted 1,000 customers with a load of 30,000 kilowatts in a one mile square area of downtown Houston, Texas for 18 minutes.

46. Community Public Service Company—June 25, 1968: A 69 kv line was disrupted by gunshot interrupting the 8,100 kilowatt load of 3,700 customers in the Fort Stockton-Sanderson, Texas area for 35 minutes.

47. Virginia Electric & Power Company—June 26, 1968: Failure of a regulator bushing interrupted electric service to 40,000 customers with a 60,000 kilowatt load in northern Hampton, Virginia, for 39 minutes.

EXHIBIT VII.—SERVICE INTERRUPTIONS, JULY 1-SEPT. 30, 1968

No.	Date	Utility	Location	Reported initiating event	Megawatts lost	Customers	Duration	
							Hours	Minutes
1	July 3	Louisiana Power & Light Co.	Houma, La.	Lightning, reversed relay leads	55.0	25,000	1	20
2	July 9	Carolina Power & Light Co.	Delco, N.C.	Cross arm broke in high wind	42.0	925		53
3	July 13	do	Wake Forest, N.C.	Lightning	25.0	5,500		44
4	July 16	Iowa Public Service Co.	Waterloo, Iowa	Lightning, fire in switching equipment	50.0	25,000	4	17
5	July 17	Pennsylvania Power & Light Co.	Pottsville, Pa.	Lightning	65.0	25,000	1	56
6	July 18	Duke Power Co.	Greensboro, N.C.	Potential transformer-cascading 100 kilovolts	500.0	128,000		49
7	July 19	Carolina Power & Light Co.	Bennettsville, N.C.	Lightning, 115-kilovolts conductor down	26.0	3,800		58
8	July 23	Washington, Ind., municipal	Washington, Ind.	Stat on service transformer bushing	14.0	6,100	51	30
9	July 25	Navopache Electric Coop., Inc.	Arizona-New Mexico	Trouble on Arizona Public Service 69-kilovolt line	10.0	6,900	1	55
10	do	Garkane Power Association	Kanab, Utah	Lightning blew 69-kilovolt transformer fuse	3.2	700		30
11	July 27	South Carolina Public Service Authority	Myrtle Beach, S.C.	115-kilovolt line connector failed	80.0	16,000	1	51
12	do	Savannah Electric & Power Co.	Savannah, Ga.	Overload-low voltage tripped generators	140.0	25,000	7	30
13	Aug. 1	Duke Power Co.	Rock Hill, S.C.	Operating error, disconnect flashover	40.0	7		17
14	Aug. 7	Tennessee Valley Authority	Newport, Tenn.	Lightning	33.0	[1] 2		30
15	do	Gulf States Utilities Co.	Huntsville, Tex.	Lightning arrestor failed	43.0	7,380		53
16	do	U.S. Bureau of Reclamation	Nebraska and Dakota	Wind and tornado	1,400.0	(2)	1	54
17	Aug. 8	Utah Power & Light Co. et al.	Utah, Idaho, Wyoming, Montana	Tree fell on 230-kilovolt line in Canada	[3] 731.0	285,000	1	30
18	Aug. 10	Pacific Power & Light Co.	Enterprise, Oreg.	Lightning, bus insulators failed	6.6	2,800	2	
19	Aug. 13	Idaho Power Co.	Southeastern Idaho	Lightning, transformer damaged	100.0	30,000		31
20	Aug. 16	Commonwealth Edison Co.	Chicago, Ill.	Lightning struck 138-kilovolt line	70.2	100,000	1	25

Footnotes at end of table.

EXHIBIT VII.—SERVICE INTERRUPTIONS, JULY 1-SEPT. 30, 1968—Continued

No.	Date	Utility	Location	Reported initiating event	Megawatts lost	Customers	Duration	
							Hours	Minutes
21	Aug. 21	Gulf States Utilities Co	East Baton Rouge, La	Lightning tripped 69-kilovolt line	36.0	3,000		40
22	do	Alabama Power Co	Foley, Ala	Tree on 115-kilovolt line in severe weather	28.0	7,000	2	33
23	Aug. 23	Georgia Power Co	Cobb-Fulton Counties, Ga	Lightning damaged 115-kilovolt line insulators	40.0	10,140		39
24	Aug. 28	Sacramento Municipal Utility District	Sacramento, Calif	Transformer bushing failure	65.0	40,000		53
25	Sept. 4	Alabama Power Co	Southwestern Alabama	Tree felled into 115-kilovolt line	42.2	19,240	1	29
26	do	Tallahassee Municipal	Tallahassee, Fla	Lost boiler fires, reason unknown	50.0	28,400	5	45
27	Sept. 21	Kansas City Municipal	Kansas City, Kans	Lightning damaged a switch insulator	60.0	10,000	1	20
28	Sept. 29	Orange & Rockland Utilities, Inc	New York-New Jersey boundary.	Generator relayed out-bearing vibration	151.0	136,484	2	24

[1] The 2 municipal customers of Newport and Sevierville with a total of 19,300 meters.
[2] Not reported.
[3] An additional 300.0 megawatts was interrupted on Vancouver Island in Canada.

Source: Federal Power Commission Press Release, Oct. 25, 1968, No. 15791.

EXHIBIT VIII

[From Federal Power Commission Press Release No. 15791, Oct. 25, 1968]

BRIEF DESCRIPTIONS OF ELECTRIC POWER INTERRUPTIONS REPORTED BETWEEN JULY 1 AND SEPTEMBER 30, 1968

1. Louisiana Power & Light Company—July 3, 1968: A line to ground fault on a 138 kilovolt line caused by lightning interrupted the 55,000 kilowatt load of 25,000 customers in the Houma-Amelia, La., area for 23 minutes. Some delay in restoring service resulted from reversed relay leads which opened the breaker on another line.

2. Carolina Power & Light Company—July 9, 1968: A 110 kilovolt line cross-arm broke during a high wind, interrupting electric service to 925 customers in the Delco, N.C., vicinity for 57 minutes. About 42,000 kilowatts of load was lost.

3. Carolina Power & Light Company—July 13, 1968: Lightning initiated the interruption of 110 and 66 kilovolt lines supplying Franklinton, Louisburg, Springhope and Wake Forest, N.C., affecting 5,500 customers with a load of 25,000 kilowatts for periods of 27 to 44 minutes.

4. Iowa Public Service Company—July 16, 1968: Lightning started a fire in the 4 kilovolt switchgear and control cables of Maynard station, interrupting the 50,000 kilowatt load of 25,000 customers in Waterloo, Iowa, for as much as four hours and 17 minutes.

5. Pennsylvania Power & Light Company—July 17, 1968: A severe electrical storm caused relaying on the 66 kilovolt bus of Fishback substation at Pottsville, Pa., interrupting 25,000 customers with a load of 65,000 kilowatts. About one-fifth of the customers in the Cressona, Pine Grove and Schuylkill Haven area were restored in 58 minutes. About four-fifths had been restored at the time of the outage report, one hour and 56 minutes after the interruption began.

6. Duke Power Company—July 18, 1968: The failure of a potential transformer relayed out a 100 kilovolt line in north-central North Carolina. A parallel circuit relayed out due to overload. An almost simultaneous fault opened another 100 kilovolt line 40 miles away, followed by several other 100 kilovolt circuits which tripped from the resulting overload. The Dan River steam-electric generating station was manually separated from the system to save it from being shut down. Some 128,000 customers with 500,000 kilowatts of load in the Greensboro-High Point-Burlington area were without electric service for 49 minutes.

7. Carolina Power & Light Company—July 18, 1968: A 115 kilovolt line conductor failed during a lightning storm, interrupting the 26,000 kilowatt load of 3,800 customers in the Bennettsville, McCalls and Society Hill area of North Carolina for periods of 16 minutes to 58 minutes.

8. Washington, Indiana, Municipal—July 23, 1968: The entire city system, with about 6,100 customers and 14,000 kilowatts of load, was interrupted when a generating station service transformer failed and tubes in two of the four boilers were damaged. Partial restoration began 13 hours after start-up power was received through distribution lines of a cooperative. Available power was rotated to various circuits on a four-hour schedule. Full restoration was made in 51 hours and 30 minutes, when emergency connection was made to a nearby utility line through a portable substation.

9. Navopache Electric cooperative, Inc.—July 25, 1968: the entire 10,000 kilowatt load of the 6,900 customers was without service for one hour and 55 minutes due to trouble on the Arizona Public Service Company system which supplies the Cooperative over a 69 kilovolt line.

10. Garkane Power Association—July 25, 1968: Lightning knocked out the fuse on the 69 kilovolt transformer at the Fredonia substation interrupting the 3,200 kilowatt load of 700 customers for 30 minutes in the Fredonia and Colorado City, Ariz., and Knab and Orderville, Utah areas. Garkane's peak load in 1967 was 4,466 kilowatts.

11. South Carolina Public Service Authority—July 27, 1968: A T-connector on a 115 kilovolt line failed interrupting the 80,000 kilowatt load of 16,000 customers in the Conway, Myrtle Beach, Georgetown, S.C. area for periods up to one hour and 51 minutes.

12. Savannah Electric Company—July 27, 1968: low voltage, resulting from lack of generating capacity when high atmospheric temperatures caused the load to exceed expectations, tripped boiler auxiliaries on one generating unit, followed by loss of fuel to another unit due to high gas pressure, and loss of a third unit due to overload. Load was manually shed, interrupting 140,000 kilowatts of load to 25,000 customers for periods up to seven and one-half hours.

13. Duke Power Company—August 1, 1968: An operating error which resulted in a flashover that damaged a disconnect switch interrupted the 40,000 kilowatt load of seven industrial customers at Rock Hill, S.C., for 17 minutes.

14. Tennessee Valley Authority—August 7, 1968: Lightning struck a 115 kilovolt line interrupting the 33,000 kilowatt load of the Newport and Sevierville, Tenn., municipal systems which are supplied by TVA. The lightning welded the contacts closed on the relay, resulting in a 30-minute outage while the relay was removed so that the line could be reenergized.

15. Gulf States Utility Company—August 7, 1968: Failure of a 13 kilovolt lightning arrestor during a storm tripped the 69 kilovolt bus at Huntsville, Texas substation interrupting 7,380 customers with a load of about 43,000 kilowatts for periods of 40 to 53 minutes in the Huntsville, Conroe, Willis, and Richards sections of the Company's Navasota Texas Division.

16. U.S. Bureau of Reclamation, Black Hills Power & Light Company, Otter Tail Power Company, Cherry-Todd Electric Cooperative, Nebraska Public Power System—August 7, 1968: Winds of more than 100 miles per hour that damaged towers on a 230 kilovolt line were followed two hours later by a tornado which felled towers on other 230 and 115 kilovolt lines in South Dakota, precipitating a cascading power failure that interrupted 1,000,000 kilowatts of load on the Bureau's Missouri River Basin System. The Black Hills Power & Light Company in South Dakota and Wyoming, Otter Tail Power Company in North Dakota and Minnesota, Cherry-Todd Electric Cooperative in South Dakota and Nebraska and the Nebraska Public Power System were affected. The entire state of South Dakota was without power and the Nebraska system dropped 400,000 kilowatts by automatic load-shedding. Interruptions lasted for periods of 2 minutes to one hour and 54 minutes.

17. Utah Power & Light Company, Idaho Power Company, Montana Power Company, Bonneville Power Administration—August 8, 1968: A tree fell on a 230 kilovolt line interrupting a 300,000 kilowatt load of the British Columbia Hydroelectric system on Vancouver Island. This set up oscillations causing the Western Interconnection to break up into nine to eleven islands. A total of 731,000 kilowatts of load was lost in Idaho, Utah, Montana and Wyoming, through automatic load-shedding on low frequency relays. Much of this was interruptible industrial load, but at least 285,000 customers, mostly in Utah, were without power for periods ranging from momentary interruptions to one hour and 30 minutes. A new generating unit running on tests at Utah's Naughton station tripped out on overspeed and its auxiliaries failed, damaging its bearings.

18. Pacific Power & Light Company—August 10, 1968: Lightning damaged bus support insulators at the Enterprise, Oreg., substation interrupting the 6,600 kilowatt load of 2,800 customers on the Enterprise system for two hours. The Enterprise system is served by a radial 69 kilovolt line from La Grande.

19. Idaho Power Company—August 13, 1968: Lightning damaged a transformer in the Pleasant Valley substation interrupting the 100,000 kilowatt load of 30,000 customers in southeastern Idaho for 31 minutes. The outage was prolonged by the loss of all communications due to the severity of the lightning.

20. Commonwealth Edison Company—August 16, 1968: Lightning struck 138 kilovolt line interrupting 100,000 customers with a load of 70,200 kilowatts in the north central part of Chicago, Ill., for periods ranging from 41 minutes to one hour and 25 minutes.

21. Gulf States Utilities Company—August 21, 1968: Lightning which tripped out a 69 kilovolt line and flashed over to an underbuilt 13 kilovolt circuit interrupted several distribution substations supplying 36,000 kilowatts to 3,000 customers in a section of East Baton Rouge, La., for 40 minutes. The 13 kilovolt circuit has been lowered to give greater clearance from the 69 kilovolt line.

22. Alabama Power Company—August 21, 1968: A tree is believed to have contacted the radial 115 kilovolt line from Silver Hill to Foley during severe weather tripping the line out of service and interrupting the 28,000 kilowatt load of 7,000 customers in and

around Foley, Ala., for two hours and 33 minutes.

23. Georgia Power Company—August 23, 1968: Lightning caused an insulator failure on a 115 kilovolt line interrupting the 40,000 kilowatt load of 10,140 customers in portions of Cobb and Fulton Counties, Ga., for periods up to 39 minutes.

24. Sacramento Municipal Utility District—August 28, 1968: Failure of a transformer bushing at Elverta substation resulted in a 53-minute interruption of electric service to 40,000 customers in northern Sacramento County, Calif., with a load of 65,000 kilowatts.

25. Alabama Power Company—September 4, 1968: A contractor felled a tree into a 115 kilovolt line in southwestern Alabama interrupting the 42,180 kilowatt load of 19,240 customers in parts of Wilcox, Clarke, Choctaw and Washington Counties for one hour and 29 minutes.

26. Tallahassee, Florida Municipal Electric System—September 4, 1968: Electric service to the entire 28,400 customers of the isolated Tallahassee Municipal electric system was interrupted when fire was lost under two of the power plant boilers. System load at the time of the interruption was between 45,000 and 50,000 kilowatts. Some customers were without service for periods up to five and three-quarters hours.

27. Kansas City, Kansas Municipal Electric System—September 21, 1968: Lightning damaged an insulator on a 69 kilovolt disconnect switch at the Quindaro steam-electric generating station's substation resulting in the loss of the 69 kilovolt circuit and disconnecting both of the city's generating stations from their load, but the city's interconnection with the adjacent utility held. A total of 60,000 kilowatts of load, 17,000 of which was a single industrial customer, was interrupted for periods of 15 minutes to one hour and 20 minutes. The city has about 45,000 customers with a system peak load of about 275,000 kilowatts, indicating that some 10,000 customers may have been affected by the outage.

28. Orange & Rockland Utilities, Incorporated—September 28, 1968: The 180,000 kilowatt unit No. 4 at Lovett generating station tripped out due to an erroneous indication of bearing vibration at a time when Orange & Rockland's 138 kilovolt tie line with Consolidated Edison Company was out of service for line work. The resulting deficiency of power supply relayed out the remaining 115 kilovolt tie line to Central Hudson Gas & Electric Corporation and the system collapsed. Some of Orange & Rockland's 136,484 customers in southern New York and northern New Jersey, with a Sunday afternoon load of 151,000 kilowatts were interrupted for periods of 36 minutes to two hours and 24 minutes. The generator, apparently undamaged, was returned to service.

EXHIBIT IX

SERVICE INTERRUPTIONS—OCT. 1-DEC. 31, 1968

Number	Date	Utility and location	Reported initiating event	Megawatts lost	Customers	Duration— Hours	Duration— Minutes
1	Oct. 3	City of Tacoma, Tacoma, Wash	Flashover on 115-kv. insulator	80.0	2		30
2	do	Alabama Power Co., Auburn, Ala	Relay probably shorted by wireman	58.0	22,881	1	24
3	do	Salt River Project, Phoenix, Ariz	Tornado broke 69-kv. line poles	75.0	20,000	1	27
4	Nov. 7	Georgia Power Co., Gainesville, Ga	Squirrel shorted bus at Gainesville substation	73.0	19,000		21
5	Nov. 8	New York State Electric & Gas Corp., Niagara Mohawk Power Corp., Lockport, N.Y.	Gunshot 115-kv. insulator—relay failed	36.0	10,700		33
6	Nov. 9	Pacific Power & Light Co., Enterprise, Oreg	Pole broke on 69-kv. line	5.0	2,800	3	10
7	do	Southern California Edison Co., Victorville, Calif	Vehicle hit tower, 2, 115-kv. lines out	43.0	14,500		29
8	Nov. 12	Virginia Electric & Power Co. (2 outages), Northern Virginia	Snow, ice, and wind on 115-kv. system	67.0	11,875	1	23
9	Nov. 15	Austin Electric Department, city of, Austin, Tex	Derailed train faulted 69-kv. loop	135.0	72,000	1	30
10	Nov. 19	Alabama Power Co., Sylacauga, Ala	Bushing failed—relayed 115/46-kv. substation	37.1	3,525		32
11	Dec. 3	Sacramento Municipal Utilities, District, Sacramento, Calif	69-kv. cable failed, Hurley substation out	70.0	65,000		36
12	Dec. 9	Tennessee Valley Authority, Milan, Tenn	69-kv. bus insulator failed	47.0	[1] 4		28
13	Dec. 11	Public Service Co. of Indiana, Lafayette, Ind	138-kv. breaker failed to open	80.0	15,000	1	35
14	Dec. 12	Northeast Missouri Electric Power Cooperative, Northeast Missouri-Southeast Iowa.	69-kv. switch insulator failed	16.0	25,000	3	
15	Dec. 14	Marquette Department of Light & Power, Marquette, Mich	Water pump failed—lost generators	12.0	7,000		50
16	Dec. 15	Greenville Municipal, Greenville, Tex	Lost generator—boiler draft fan failed	8.9	9,272	2	30
17	Dec. 22	Iowa Power and Light Co., Des Moines, Iowa	69-kv. oil breaker failed to clear fault	65.0	100,000	1	25
18	Dec. 29	Lower Valley Power & Light, Jackson, Wyo	69-kv. air break switch connector failed	10.0	2,600	2	17
19	Dec. 31	Public Utility District No. 1, Grays Harbor County, Wash., Aberdeen, Wash.	Ice laden tree fell into 69-kv. line	50.0	7,800		40

[1] 3 municipal and 1 cooperative wholesale customers with about 34,000 consumers.

Source: Federal Power Commission Press Release Jan. 21, 1969, No. 15913.

EXHIBIT X

[From the Federal Power Commission press release, No. 15913, Jan. 21, 1969]

BRIEF DESCRIPTIONS OF ELECTRIC POWER INTERRUPTIONS REPORTED BETWEEN OCTOBER 1 AND DECEMBER 31, 1968

1. Tacoma, Washington, Municipal—October 3, 1968: A flashover on a 115 kilovolt substation bus insulator during a heavy fog interrupted the 80,000 kilowatt load of two industrial customers for 30 minutes.

2. Alabama Power Company—October 3, 1968: A wireman working on the switchboard at North Auburn, Alabama, substation apparently inadvertently tripped a relay removing the substation from service and interrupting 22,881 customers surrounding the substation with a load of 58,000 kilowatts for periods of one hour and 13 minutes to one hour and 24 minutes.

3. Salt River Project—October 3, 1968: Service was interrupted for periods ranging from 42 minutes to one hour and 27 minutes for 20,000 customers with a load of 75,000 kilowatts in northwest Phoenix, Arizona, when a tornado broke poles on two of the Project's 69 kilovolt lines and another utility's line fell on a third 69 kilovolt line.

4. Georgia Power Company—November 7, 1968: A squirrel caused a short on the bus at the Gainesville 115/12 kilovolt substation interrupting 19,000 customers with a 73,000 kilowatt load in Gainesville and surrounding Hall County, Georgia for periods up to 21 minutes.

5. New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation—November 8, 1968: A flashover on an insulator that had been damaged by rifle fire on a 115 kilovolt line of Niagara Mohawk Power Corporation, which suplies the Lockport District of the New York State Electric & Gas Corporation, interrupted electric service to 10,700 customers with a load of about 36,000 kilowatts for 33 minutes when local relaying failed. The fault was cleared by back-up relaying but no provision was available to automatically transfer New York State's load to Niagara's parallel undamaged line.

6. Pacific Power & Light Company—November 9, 1968: A broken pole on a 69 kilovolt line of California Pacific Utilities Company which supplies the Enterprise, Oregon system of Pacific Power and Light Company interrupted the entire 2,800 customers of the Enterprise system with a load of 5,000 kilowatts for three hours and 10 minutes. The cause of the broken pole is unknown.

7. Southern California Edison Company—November 9, 1968: A vehicle knocked down a steel tower carrying two 115 kilovolt lines interrupting for 29 minutes the 43,000 kilowatt load of 14,500 customers fed from the Victor Substation in the Victorville-Apple Valley area of California.

8. Virginia Electric & Power Company—November 12, 1968: Snow, icing and high winds resulted in two interruptions during the morning due to trouble on the 115 kilovolt system. Some 5,825 customers with a 42,000 kilowatt load in the Gordonsville, Orange and Culpeper areas were without power for periods of 58 minutes to one hour and 23 minutes and 6,050 customers on the west of Charlottesville and in Crozet with a total load of 25,000 kilowatts were interrupted for periods of 37 minutes to one hour and 17 minutes.

9. City of Austin, Texas, Electric Department—November 15, 1968: Derailed moving railroad freight cars knocked down a 69 kilovolt line segment of a loop circuit around the City of Austin. The resulting line-to-line and line-to-ground faults tripped the breakers at the ends of the line section but additional back-up relays apparently operated improperly, resulting in a cascading failure that interrupted about 130,000 to 135,000 kilowatts of the City's 145,000 kilowatt load, leaving some 72,000 of the City's 80,000 customers without power for periods of 3 minutes to one hour and 30 minutes. The City's two steam-electric stations were forced to shut down but were undamaged. The City's major interconnection with other systems was out of service for maintenance at the time of the interruption.

10. Alabama Power Company—November 19, 1968: A 46 kilovolt regulating transformer bushing failure tripped out the 115/46 kilovolt Sylacauga substation interrupting the 37,100 kilowatt load of 3,525 customers in portions of Tallapoosa, Clay, Coosa and Talladega counties for 32 minutes.

11. Sacramento Municipal Utilities District—December 3, 1968: A 69 kilovolt cable failed and tripped out of service. Upon test reclosing, the main 230/69 kilovolt transformer, at Hurley substation tripped on pressure relay, indicating damage to the transformer. Some 65,000 customers with a load of 70,000 kilowatts served from Hurley substation in northeastern Sacramento, Cal-

ifornia were without electricity for 36 minutes.

12. Tennessee Valley Authority—December 9, 1968: Failure of a 69 kilovolt bus insulator at the Milan Tennessee substation tripped the 69 kilovolt bus and interrupted about 47,000 kilowatts of load on the Humboldt, Trenton and Milan municipal systems and the Gibson County Cooperative. The four wholesale customers of TVA have about 34,000 customers. Service was restored in 16 to 28 minutes.

13. Public Service Company of Indiana—December 11, 1968: A 138 kilovolt circuit breaker failed to open and the substation was relayed out of service interrupting about three quarters of the City of Lafayette, Indiana. About 15,000 customers with a load of 80,000 kilowatts were without service for periods of 50 minutes to one hour and 35 minutes.

14. Northeast Missouri Electric Power Cooperative—December 12, 1968: Failure of an insulator on a 69 kilovolt switch, followed by failure of protective devices to isolate the resulting ground fault caused the interruption of the 16,000 kilowatt load of the entire 25,000 customers of seven member cooperatives in northeast Missouri and southeast Iowa. Service was restored at intervals ranging from 3 minutes to 3 hours.

15. Marquette (Michigan) Department of Light & Power—December 14, 1968: A bearing failure on the circulating water pump at the City's steam-electric plant followed by failure of the back-up pump to start automatically forced the shut-down of one generating unit interrupting service to 7,000 customers with a load of 12,000 kilowatts. Diesel units were started and service restoration begun in 10 minutes. Full service was restored in 50 minutes after the steam-electric unit was restarted.

16. Greenville (Texas) Municipal Utilities—December 15, 1968: While the City's system was operating isolated from the Texas Municipal Power Pool because of transmission construction the forced draft fan safety switch tripped out of service the 19,000 kilowatt steam-electric generating unit interrupting the 8,920 kilowatt load of the city's entire 9,300 customers. Diesel units were started and began picking up load in 15 minutes. Diesel units could not carry the entire load but full service was restored in about 2 hours and 30 minutes.

17. Iowa Power and Light Company—December 22, 1968: Failure of a 69 kilovolt oil circuit breaker to clear a line fault resulted in a cascading situation which interrupted the 65,000 kilowatt load of 100,000 customers in the Des Moines area for periods of 35 minutes to one hour and 25 minutes.

18. Lower Valley Power & Light, Inc.—December 29, 1968: A faulty connection to a 69 kilovolt switch between Lower Valley system and Palisades hydroelectric project of the Bureau of Reclamation interrupted 10,000 kilowatts of load in and around Jackson, Wyoming. Some 2,600 of the system's 4,700 customers were without service for two hours and 17 minutes.

19. Grays Harbor County Public Utility District No. 1—December 31, 1968: An ice laden tree fell into a 69 kilovolt line and the resultant power surge opened a 115 kilovolt breaker interrupting the 50,000 kilowatt load of 7,800 customers south and east of Aberdeen, Washington for 40 minutes.

EXHIBIT XI.—SERVICE INTERRUPTIONS, 1969

1ST QUARTER

No.	Date	Utility	Location	Cause	Megawatts lost	Customers	Duration Hours	Duration Minutes
1	Jan. 6	Jacksonville Department of Electricity and Water.	Jacksonville, Fla	69-kilovolt breaker bushing failed	40.0	8,000		26
2	Jan. 8	Wisconsin Power & Light Co	Beaver Dam, Wis	Operating error during maintenance	35.0	10,000		27
3	Jan. 9	Interstate Power Co	Albert Lea, Minn	Ice and wind caused 69-kilovolt line faults	25.0	12,800	2	15+
4	Jan. 15	Iowa Southern Utilities Co	Burlington, Iowa	Ice on 69-kilovolt line, breaker failed	32.0	15,000		35
5	Jan. 26	Pacific Power & Light Co	Enterprise, Oreg	Blizzard broke 69-kilovolt insulator pin	7.0	2,800	2	18
6	do	Lower Valley Power & Light, Inc	Jackson, Wyo	Blizzard caused 69-kilovolt line fault	7.5	2,500		49
7	Jan. 28	Florida Power & Light Co	Eastern Florida	138 kilovolt line fault caused incorrect tripping of Port Everglades plant. Loss of generation resulted in automatic loadshedding on 5 systems.	310.0	[1]		37+
		Tampa Electric Co	Tampa, Fla		70.0	[1]		20
		Florida Power Corp	North central Florida		50.0	[1]		34
		City of Orlando	Orlando, Fla		42.0	[1]		24
		City of Jacksonville	Jacksonville, Fla		20.0	[1]		11
8	Jan. 30	Bonneville Power Administration	Northeast Washington	Blizzard; 115 kilovolt fault; breaker failed	34.0	8,000		55
9	do	Alabama Power Co	Chambers County, Ala	Regulator defect; 115/12-kilovolt transformer out	37.0	5,000		21
10	Feb. 16	Carolina Power & Light Co	Lake City, S.C	Icing caused 110-kilovolt line failure	30.0	12,500	2	0
11	do	do	Laurinburg, N.C	Icing caused 2 110-kilovolt line failures	37.0	36,000	6+	
12	do	do	Bennettsville, S.C	Icing caused 4 110-kilovolt line failures	47.0	14,000	2+	
13	Feb. 17	do	Lumberton, N.C	Icing caused 3 110-kilovolt line failures	80.0	11,000	1+	
14	do	do	Sanford, N.C	Icing caused 110-kilovolt line failure	40.0	11,500	[1]	
15	Feb. 20	Hawaiian Electric Co	Honolulu, Hawaii	138-kilovolt bus failure; generator separation	92.0	35,000		22
16	Feb. 24	Moreau-Grand Electric Coop., Inc	Timber Lake, S. Dak	Blizzard broke 69-kilovolt pole crossarms	4.5	3,000	66	20
17	Feb. 26	New England Power Co	Warren, R.I	Storm caused 115-kilovolt line fault	41.0	23,400	1	9
18	do	Newport Electric Corp	Newport, R.I	2 outages; ice on 69-kilovolt lines	60.0	30,000	1	10
19	Mar. 6	Tennessee Valley Authority	Southeastern Tennessee	Faulty transformer temperature detector	34.0	[2]		34
20	Mar. 11	Sacramento Municipal Utility District	Sacramento, Calif	Capacitor switch failed at 115-kilovolt substation	64.0	50,000		47
21	Mar. 14	Georgia Power Co	Atlanta, Ga	Crane boom fell into 115-kilovolt line	62.0	10,019		[3]33
22	Mar. 20	Dairyland Power Cooperative	Genoa, Wis	161-kilovolt line fault; breaker failed	40.0	18,500	1	5
23	Mar. 21	Baltimore Gas & Electric Co	North Baltimore, Md	Faulty microwave tripped 115-kilovolt line	40.0	[1]		34
24	Mar. 24	Pacific Gas & Electric Co	Marin County, Calif	Malfunction of 230-kilovolt bus relay	375.0	250,000	1	3

2D QAURTER

No.	Date	Utility	Location	Cause	Megawatts lost	Customers	Duration Hours	Duration Minutes
25	Apr. 4	Montana Power Co	Great Falls, Mont	100-kilovolt line cut by bullet—faulty relay ckt. caused breaker failure.	175.0	47,500	1	14
26	Apr. 6	Navopache Electric Coop., Inc	McNary, Ariz	Tree limb broke 69-kilovolt conductor	11.0	7,100	1	43
27	Apr. 13	Northeast Utilities System	Connecticut	Failure of 115-kilovolt disconnect switch	352.0	227,000	2	00
28	Apr. 18	Georgia Power Co	South central Georgia	Tornado damaged 115-kilovolt lines	33.9	5,300	1	20
29	Apr. 20	Moreau-Grand Electric Coop., Inc	Timber Lake, S. Dak	Wind and broken 69-kilovolt insulation strand	4.0	2,700	1	30
30	do	Puget Sound Power & Light Co	Auburn, Wash	Car knocked down 115-kilovolt line pole	40.0	18,000		22
31	Apr. 27	Greenville Municipal Lighting and Power	Greenville, Tex	Tieline opened during a storm	10.5	7,800		30
32	May 8	Cleveland Electric Illuminating Co	Cleveland, Ohio	Lightning caused 138-kilovolt bus faults	350.0	103,000		42
33	May 12	Seattle Department of Lighting	Seattle, Wash	Faulty operation of bus relay	60.0	32,490		17
34	May 19	Pacific Gas & Electric Co	Bakersfield, Calif	Operator error caused relay trip	90.0	38,000		26
35	May 23	Snohomish County PUD No. 1	Snohomish, Wash	115-kilovolt insulation flashover—breaker failed	37.5	8,000	1	25
36	May 31	Dayton Power & Light Co	Dayton, Ohio	Lightning	35.0	12,000		19
37	June 1	Pacific Power & Light Co	Yakima, Wash	Crop dusting plane hit 115-kilovolt line	36.0	17,000	1	4
38	June 13	Tennessee Valley Authority	Columbia, Tenn	161-kilovolt transformer lead burned off	100.0	[4]6	1	53
39	June 21	Alabama Power Co	Auburn, Ala	Snake shorted out 44/115-kilovolt substation	60.0	23,000	1	18
40	June 26	Kentucky Utilities Co	Lexington, Ky	Bulldozer cuased 69-kilovolt line fault	59.0	22,500		15

3D QUARTER

No.	Date	Utility	Location	Cause	Megawatts lost	Customers	Duration Hours	Duration Minutes
41	July 1	Gulf States Utilities Co	Navisota, Tex	Wire down on 138-kilovolt line	70.0	18,000		35
42	July 3	Carolina Power & Light Co	Fair Bluff, N.C	Broken crossarm on 115-kilovolt line	38.0	14,600		43
43	July 4	Toledo Edison Co	Toledo, Ohio	Tornado blew metal into 138-kilovolt bus	260.0	[5]95,491	13	24
44	July 6	Carolina Power & Light Co	Fair Bluff, N.C	Undetermined—115-kilovolt line out	40.0	14,600		19
45	July 10	Texas Electric Service Co. and Texas Power & Light Co.	Mineral Wells, Tex	Lost 2 generating units, underfrequency relaying	151.0	40,000		36
46	July 11	Public Service Co. of New Mexico	Albuquerque, N. Mex	Potential transformer failure on 345 kilovolts	[1]	75,000		48

[1] Not reported.
[2] 1 cooperative and 1 industrial customer.
[3] Revised.
[4] 1 industrial, 2 cooperatives, and 3 municipal customers.
[5] Includes 73,629 distribution customers out for periods up to 3 days.

Source: Office of Public Information.

Mr. MUSKIE. Mr. President, this month, while disputes were continuing over the location of nuclear powerplants in Vermont, New York, and the Chesapeake Bay, the eastern part of the Nation suffered another blackout.

This time it was called selective load-shedding, and a complete blackout was narrowly averted because the utilities were able to reduce their voltage and convince their customers to sharply reduce their energy consumption. Nevertheless, many sections of the Northeast were without electric power at a time when it was sorely needed.

There is little doubt why this near-disaster occurred. There was no mechanical mishap this time. The utilities expected more of their new plants to be on the line during this period of peak summer use, so they had more plants off the line for repair and maintenance than an adequate margin of safety would allow. There were not enough new plants in operation to take up the slack.

In effect, the insufficient planning of the power industry, our efforts to protect the environment, and the summer heat had combined to put an intolerable strain on our current electric power system. These circumstances should teach us the importance of better planning and development of our electric power systems.

To produce a "clean" form of energy, an electric generating plant pollutes the environment in one way or another. A thermal plant which uses oil or coal deposits sulfur oxides and other pollutants in the atmosphere, while a nuclear thermal facility takes in water at a normal temperature to cool its reactors and returns it at a temperature which has increased by as much as 30 degrees.

However, the effects of electric generating facilities on our environment are not limited to pollution. Poor site selection for a hydroelectric facility may needlessly ruin a unique canyon or stretch of wilderness. If a powerplant is built in the wrong place, valuable recreational opportunities may be lost for people whose needs were not even considered. And a powerplant may alter the ecology of an entire area without obviously polluting the environment.

No one wants to abandon the high energy production which supports the society most of us enjoy. The only acceptable answer to our dilemma is to coordinate the resources of government at all levels to reduce the dangers of this environmental threat.

Some basic steps have been taken. Regional river basin commissions and regional economic development commissions have been established. Various environmental control agencies have begun to work together. Many of these are intergovernmental organizations committed to bringing together our human and physical resources to improve the quality of life for all Americans. They have demonstrated the proper concern of Federal, State, and local governments for resource development and conservation, and they are promising institutions of intergovernmental planning and decisionmaking.

Nevertheless, many problems remain unsolved, and many questions remain unanswered in regard to the location and coordination of bulk power supply facilities and their effect on the physical environment.

The unsolved problems and unanswered questions cannot be satisfactorily met on one level of government or the other. The traditional jurisdictional boundaries of municipalities and States have become blurred in the face of metropolitan growth, and the jurisdictional boundaries of many State and local agencies have become lost in the complexity of environmental and technological problems. Furthermore, the States and cities often find themselves without the expertise or the funds necessary to deal with the site selection or power coordination problems of growing electric generating systems.

Regulation of these activities and achievement of the environmental quality desired should be left to the public in the communities and the areas which will be affected. No set of national standards will ever take into account the many unique and local considerations which should be part of the basis for these decisions. On the other hand, the reliability and adequacy of electric power supply—questions which cannot really be considered apart from environmental quality issues—are the legitimate subject for national performance standards, since so much of our generating capacity is interconnected and interdependent.

The legislation which I introduce today recognizes the unique intergovernmental issues posed by the necessity of insuring adequacy, reliability, and environmental protection on the one hand, and a dependable supply of efficient electric energy for all Americans on the other.

Briefly, the President or his designated agency is authorized to establish regional districts for the purposes of this act, for which regional boards will be appointed by the Governors of the States included in the district. Each board shall appoint an advisory intergovernmental council for its district.

The Federal agency is then authorized to distribute to the regional boards criteria for the development of procedures for the siting and construction of bulk power facilities. On the basis of the criteria and after public participation, each regional board shall prescribe procedures for the application of the criteria within its district and procedures for the application for and the issuance of licenses. If approved by the agency, these procedures shall become the approved procedures for the region.

I ask unanimous consent that a complete summary of the provisions of this bill and its text be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 12.)

Mr. MUSKIE. Mr. President, we have become accustomed to the recitation that the electric power industry doubles every 10 years, but we have not realized the grave threat to the environment inherent in this amazing rate of growth.

While the power industry doubles, the available air, water, and land resources remain constant or shrink. Our rivers and airsheds have become so contaminated from the pollution that is a by-product of each new powerplant, that the environmental costs of new additions outweigh the power benefits.

The need for more and more electric powerplants and high-voltage lines can no longer be accommodated simply by allowing power companies to build the lowest cost facilities in the most economical locations.

We cannot continue to treat the destruction of our environment as a cost of the utility business which the public must bear. We cannot continue to foul our air and heat our streams in the name of electric power. And we cannot continue to exclude the public from the decisions concerning the site selection of our generating facilities in return for the use of the public environment.

We are only now becoming aware of the costs of a desecrated environment. Recent legislation has provided substantive guidance and financial assistance in the fields of air and water pollution, but still missing with respect to the problems of electric power, is a coordinating mechanism among concerned Government agencies which will assure that sites are selected and that plants are built to comply with these and other standards.

The public must be heard before land is cleared and concrete is poured. After a plant is built it is too late to pick the best site from the public point of view or even to incorporate the necessary protective features.

A recent report by the President's Office of Science and Technology notes that we will need some 250 more mammoth powerplants in the next 2 decades—each site requiring hundreds of acres of land and representing investments of $300 to $400 million. The transmission lines that will connect them require rights-of-way 250 feet wide. These facilities will constitute an industry much larger than all the electric power facilities built to date.

These new plants are essential to our Nation's welfare, but no more essential than our environment. It is for this reason that Congress should enact the legislation which I now introduce.

This bill will create intergovernmental processes to assure that the public interest is represented in the planning process before the plants are built; but it will also enable plants to be constructed to meet the power needs of the Nation.

The threat to our environment and to the reliability and adequacy of our supply of electic energy is too great to leave these decisions to the electric utilities. We cannot afford to wait until the plant capacity doubles; it will be too late. We continue to gamble with our resources with each passing year.

The Intergovernmental Power Coordination and Environmental Protection Act is based on my belief that the utility industry—public and private—has more than a limited responsibility to the public welfare and less than an absolute right to do what it pleases.

It is based on the idea that all segments of the power industry must be included in the plans for a region if reliability is to be more than a pipedream, and that the public on the local and regional levels should make the decisions that affect their welfare and their environment.

And it is based on the idea that intergovernmental cooperation and coordination can help us achieve these ideals and make technology work for us instead of against us.

Mr. President, I ask unanimous consent that this bill be referred to the Government Operations Committee and when reported by the Government Operations Committee be referred to the Committee on Commerce.

The PRESIDING OFFICER. The bill will be received and referred, as requested by the Senator from Maine.

The bill (S. 2752) to promote intergovernmental cooperation in the control of site selection and construction of bulk power facilities for environmental and coordination purposes; introduced by Mr. MUSKIE, was received, read twice by its title, referred to the Committee on Government Operations, by unanimous consent, and when reported by that committee, to be referred to the Committee on Commerce.

EXHIBIT 12

SUMMARY OF PROVISIONS OF THE INTERGOVERNMENTAL COORDINATION OF POWER DEVELOPMENT AND ENVIRONMENTAL PROTECTION ACT

Section 1.—Short title.

Section 2.—Statement of findings and purposes.

Section 3.—Definitions.

Section 4.—Specifies procedures for the establishment of regional districts for the purposes of the Act; specifies the membership and the functions of the regional boards in each district; authorizes necessary funds for the operation of the regional boards; authorizes an intergovernmental advisory council for each regional board and specifies the membership and functions of the regional councils.

Section 5.—Authorizes the agency administering this Act to promulgate and distribute criteria for the development of procedures for the siting and construction of bulk power facilities; specifies those items to be considered in the promulgation of such criteria; authorizes each regional board to establish procedures for the application of such criteria within its region and procedures for applying for and issuing licenses pursuant to Section 7 of the Act; provides for amendment of such procedures.

Section 6.—Directs the electric utilities within each regional district to propose reliability and adequacy standards; directs each regional board to forward such standards and dissenting views to the agency; directs the agency to review and act on approval of the proposed standards.

Section 7.—Authorizes the President to appoint representatives to the regional boards in cases where the Governor of a State fails to act; authorizes the agency to promulgate standards and procedures for regions where the regional board fails to act.

Section 8.—Provides that no person shall undertake the construction or modification of any bulk power facility after six months after the agency has approved standards of procedures for regional districts without notice by the regional board of compliance with the standards and procedures approved for the region; provides for issuance of licenses for construction or modification by the agency upon receipt of such notification.

Section 9.—Provides for eminent domain proceedings.

ADDITIONAL COSPONSORS OF BILLS

S. 740

Mr. JAVITS. Mr. President, I ask unanimous consent that my name be added as a cosponsor at the next printing of S. 740, now entitled "A bill to establish the Cabinet Committee on Opportunities for Spanish-Speaking People, and for other purposes."

Mr. President, even in its great concern for those Americans mired in poverty, the Nation has yet to deal properly with the unique problems of our Spanish-speaking minorities. It is incumbent upon us as Senators to insure that existing Federal programs do reach the grass roots of these Spanish-speaking communities and that these programs are not merely presented as legislative achievements.

In my own State of New York, there resides the highest concentration of Americans of Puerto Rican extraction on the mainland United States—about 1,020,000, or about 85 percent of the 1.2 million Puerto Ricans on the mainland. We are proud of the achievements of our citizens of Puerto Rican origin and grateful for their many cultural, political, and economic contributions to our common State. Yet for these Americans there still exist many severe obstacles to full participation in the mainstream of American society. It is my hope that the proposed Committee on Opportunities for Spanish-speaking People will help assure that the benefits of Federal programs reach the communities of our Spanish-speaking citizens and will assist these communities in surmounting the difficulties they face.

Much of the Puerto Rican community of New York State, especially in New York City, is acutely poverty impacted, suffering from low income, widespread unemployment, inferior education, dilapidated housing, and inadequate health facilities. Additional burdens of discrimination, immigrant status, and a foreign native tongue merely add to their plight.

In 1960, 18.7 percent of all those living in poverty in New York City were Puerto Rican, while only 7.9 percent of the total population of the city were Puerto Rican. According to a 1969 report of the New York State Division of Human Rights entitled "Puerto Ricans in New York State," in 1966 the estimated median family income for all families in New York City was $6,684, but for Puerto Rican families it was only $3,839. In 1960, Puerto Rican unemployment in New York City was 9.7 percent, while the general unemployment rate was 4.4 percent, and the rate among nonwhites in the city was 6.8 percent. A more recent U.S. Department of Labor study indicates similar unemployment ratios.

Puerto Rican, as well as other Spanish-speaking minorities in other parts of the country, are handicapped in the competition for white collar and professional employment by their poverty status, their predominantly rural backgrounds, the language barrier, their unfamiliarity with mainland ways, the scarcity of training opportunities, and ethnic discrimination. In 1966, 33 percent of Puerto Rican workers in New York City were classified in the Labor Department survey as underemployed, indicating that for the Puerto Rican it is difficult even for those with the necessary skills to advance to higher employment. The proposed committee will be in a position to insure that Federal employment and manpower programs are properly directed toward these problems.

Mr. President, it is my further expectation that this new Committee on Opportunities for Spanish-speaking People will be able to encourage and direct Federal education benefits to the Spanish-speaking communities. My experience with and knowledge of the Puerto Rican community has lead me to believe that the inferior education afforded Puerto Rican children is probably the major obstacle to their advancement, and this view has been supported by experts dealing with the Spanish-speaking minorities.

The Coleman Report on Equality of Educational Opportunity, published by HEW's U.S. Office of Education in 1966, found that Puerto Rican children in the New York City public schools lagged considerably behind both urban white and urban black children in verbal ability, reading comprehension, and mathematics. According to 1960 Department of Commerce figures, 53 percent of Puerto Rican adults in New York City, 25 years and older, have less than an 8th grade education, while the same is true for only 29.5 percent of the black and 19 percent of the white adults. In 1961, according to Bureau of the Census figures, only 3 percent of Puerto Ricans finishing high school were sufficiently prepared to go on to higher education.

The language barrier and the resulting handicaps faced by the Spanish-speaking child in an English-speaking classroom and society are the most significant factors contributing to the low level of achievement in education. It is my hope that a committee such as this bill would establish, would lead the way in breaking down this barrier, in particular by promoting the extension of bilingual educational opportunities in the schools of Spanish-speaking Americans.

Poverty, immigrant status, and prejudice have forced Puerto Ricans to live in some of the most deteriorated, crowded housing in New York City. Health problems, including a disproportionately high infant mortality rate, are also severe, and health services are generally inadequate. All these problems are compounded by significant difficulties in communication, arising from the language barrier, between Puerto Rican Americans and the public officials in their own communities, including school authorities and government agencies, which attempt to provide basic services to their neighborhoods.

A growing number of Puerto Rican community self-help organizations have been increasing their efforts and have been experiencing encouraging successes in their attempts to overcome these problems. From my own personal experience,

I can attest to the determined efforts of groups like ASPIRA, an organization dedicated to promoting higher education for Puerto Ricans, and the Puerto Rican community development project, a manpower training and community organization group, working on behalf of the Puerto Rican communities of New York City. These groups are to be highly commended. By providing programs in public health and health information, language training, youth leadership and education, and manpower training and job assistance, they have sought—and with great success—to assist these communities to meet their own problems.

The Spanish-speaking citizens of the United States are resourceful and energetic peoples, who are working determinedly and effectively within their own communities to overcome the many difficulties they face. The proposed Committee on Opportunities for Spanish-Speaking People can serve the crucial function of linking Federal programs with the programs of community organizations like ASPIRA and thereby provide much-needed assistance to their efforts. This Cabinet-level Committee can be an excellent mechanism through which the problems of Puerto Rican and other Spanish-speaking Americans can be overcome. I am sure that my colleagues join me in the hope that passage of S. 740 will hasten the day when such legislation becomes unnecessary and when equal opportunity for a secure and fulfilling life for each citizen, regardless of his ethnic background, becomes a living reality in our country.

Mr. President, I am pleased to note that this bill would expand the purview of the existing Interagency Committee on Mexican-American Affairs, established by President Johnson in June 1967 to specifically include Puerto Rican and other Spanish-speaking Americans. I endorse the change in the name of the Committee, which would aptly reflect its broadened concerns. It is for these reasons that I have asked that my name be added as a cosponsor. I urge my colleagues to give this important bill their most favorable consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2315

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Washington (Mr. JACKSON) I ask unanimous consent that, at the next printing of S. 2315, to restore the Golden Eagle program to the Land and Water Conservation Fund Act, the name of the senior Senator from Pennsylvania (Mr. SCOTT) be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it so ordered.

S. 2375

Mr. CASE. Mr. President, I ask unanimous consent that, at the next printing the name of the Senaotr from Washington (Mr. MAGNUSON) be added as a cosponsor of S. 2375, to amend the Civil Rights Act of 1964 to authorize the Attorney General to initiate school desegregation suits based on his finding that discrimination exists in a school district.

The PRESIDING OFFICER. Without objection, it so ordered.

S. 2604

Mr. SPARKMAN. Mr. President, I ask unanimous consent that, at the next printing, the name of my colleague from Alabama (Mr. ALLEN) be added as a cosponsor of S. 2604, for the relief of Aaron Bailey.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2674

Mr. KENNEDY. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Washington (Mr. JACKSON) be added as a cosponsor of S. 2674, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Services.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2721

Mr. JAVITS. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Arizona (Mr. GOLDWATER) and the Senator from South Carolina (Mr. THURMOND) be added as cosponsors of S. 2721 to amend the Higher Education Act of 1965 to authorize Federal incentive payments to lenders with respect to insured student loans when necessary, in the light of economic conditions, in order to assure that students will have reasonable access to such loans for financing their education.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH—AMENDMENTS

AMENDMENT NO. 110

Mr. FULBRIGHT submitted amendments, intended to be proposed by him, to the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each reserve component of the Armed Forces, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 111

Mr. FULBRIGHT (for himself, Mr. CASE, and Mr. JAVITS) submitted an amendment, intended to be proposed by them, jointly, to Senate bill 2546, supra, which was ordered to lie on the table and to be printed.

(The remarks of Mr. FULBRIGHT when he submitted the amendments appear earlier in the RECORD under the appropriate heading.)

NOTICE OF HEARING ON NOMINATION

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Thursday, August 7, 1969, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nomination:

Frank H. McFadden, of Alabama, to be U.S. district judge for the northern district of Alabama, vice Harlan H. Grooms, retired.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Arkansas (Mr. MCCLELLAN), the Senator from Nebraska (Mr. HRUSKA), and myself as chairman.

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Donald M. Horn, of Ohio, to be U.S. marshal for the southern district of Ohio for the term of 4 years, vice Arthur C. Elliott.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Thursday, August 7, 1969, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

A TRIBUTE TO SENATOR MAGNUSON

Mr. MCGEE. Mr. President, the Washington State Association of Letter Carriers, assembled in convention at Longview earlier this year, passed a resolution commending the senior Senator from Washington (Mr. MAGNUSON).

The resolution speaks for itself. It is eloquent in its praise of the record Senator MAGNUSON has achieved as a champion of working people and consumers. This commendation from the letter carriers of his State should not go unnoticed.

I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

COMMENDATION OF U.S. SENATOR WARREN G. MAGNUSON

Whereas, the Honorable Warren G. Magnuson, senior Senator from the State of Washington, has over the years been one of those who has demonstrated a constant concern for the continued betterment of working men and women and the protection of the consumer, and

Whereas, his record of action and voting is the real measure of this great Senator, and none has a better one, in spite of many adverse pressures he has consistently cast

his vote for the working man and woman, therefore be it

Resolved, that the Washington State Association of Letter Carriers in convention assembled in Longview, Washington, this May 23, 24 and 25, 1969, extend our thanks in grateful appreciation to Senator Warren G. Magnuson for his long record of service to the working men and women of this Nation, and be it further

Resolved, that a copy of this resolution be sent from this convention to the office of Senator Warren G. Magnuson in Washington, D.C.

JAMES SULLIVAN,
President.
FORDYCE RHODES,
Secretary.

DRAFT REFORM

Mr. CASE. Mr. President, for more than 2 years now, a number of proposals designed to correct serious inequities in our Selective Service System have been awaiting action by Congress. They range from modest interim changes to the broad reforms recommended in 1967 by the National Advisory Commission on Selective Service.

Among the more recent proposals are several bills introduced earlier this year in the House and Senate and the recommendations outlined 3 months ago by President Nixon in a special message to Congress.

But the sad fact remains that neither Congress nor the administration can claim any real progress toward draft reform.

There have been no hearings in either House this year on a single reform bill, despite assurances 2 years ago that hearings would be held, nor has the administration sent to Congress any legislation embodying the President's recommendations.

In short, there has been no sign that either the congressional leadership or the administration is giving Selective Service reform the high priority it demands.

At a time when the unfairness of the draft affects the lives of so many millions of young Americans, there is no excuse for this inaction. Lately, we have heard many speeches about what is wrong with the younger generation—they have had it too easy, they have no respect for authority, they need self-discipline. These are familiar arguments in nearly every generation. But they do not meet the widespread disaffection of the concerned and responsible young men and women of today.

High on the list of their priorities is the injustice of the present draft system.

Nothing today is so disruptive of student, family or community life than a system which, in order to draft 300,000 men annually, keeps 5 million men in a state of uncertainty and insecurity for 7 of the most critical years of their lives.

The continuous state of not knowing whether one will be able to finish school or embark on a new job occurs during a period when momentous decisions must be made about career, marriage, and family. It would be strange indeed if our young men—and their families—did not question such a system.

Nor is the uncertainty confined to when an individual will be called for service. Just as unclear are the rules and guidelines determining who shall be called. Why are some teachers drafted and others not? Why is one graduate student deferred while his roommate is not?

Recently two young men, both single and both teachers in the same overcrowded elementary school in Newark, N.J., visited my office. One had received a deferment from his Newark draft board because of the teacher shortage in that city. The other young man, registered with another draft board just over the city line, had not. Surely we must have more uniform standards than those which permit such disparate treatment.

There is the need, too, for a thorough overhaul of the arbitrary and inefficient workings of the selective service law. I am appalled at the frustrations endured by many young men merely in seeking information.

Why, for example, should it be necessary for a registrant to engage the services of an attorney to find out what his rights of appeal are? Why should we tolerate a system that drafts a young father with four children, because he does not understand all the redtape and fails to file a report form? And is there any good reason to compound the inequities of the draft law through varying interpretations of more than 4,000 local boards?

We need not look only at the glaring injustices in the system to know that something is wrong. It is beginning to take its toll in other, less obvious ways.

There are now more than 5,000 young men who have exiled themselves, presumably for life, to evade the draft. Desertion and AWOL rates are increasing and a growing number are simply refusing service, choosing instead to go to jail. These actions are not to be condoned. On the other hand, one cannot overlook the fact that they indicate deep discontent with the drfat.

The selective service law does not expire for 2 more years, but there is no reason to wait until then to act. Indeed, there is every reason to bring about now a measure of justice and fairness to a system which each month requires some 28,000 boys to leave their careers and families to prepare for war.

Several months remain in this session of Congress—time enough for both the House and Senate Armed Services Committees to hold hearings. And time enough for the administration to follow up on its commitment to make the selective service system reasonable and equitable.

The administration and Congress must do far more than either has done to make draft reform a reality.

JUDGE CONRAD M. FOWLER, OF ALABAMA, ELECTED PRESIDENT OF NATIONAL ASSOCIATION OF COUNTIES

Mr. ALLEN. Mr. President, almost 3,000 elected county officials, their wives, and guests assembled in Portland, Oreg., for the 34th annual conference of the National Association of Counties held during the period of July 27 through July 30, 1969. The conference culminated in the installation of national officers on Wednesday evening, July 30.

I call this conference to the attention of the Senate for two reasons. First, it is always an important occasion when a national organization composed of elected county officials from throughout the United States get together to discuss mutual problems; second, because an outstanding Alabamian, Judge Conrad M. Fowler, probate judge of Shelby County, Ala., was installed as president of the association for the coming year.

Mr. President, the National Association of Counties plays an important role in providing more efficient and meaningful county government throughout the Nation. In this connection, I need not remind Senators that problems of county governments are problems also of the Federal Government. Therefore it is instructive to know the problems of immediate concern to county governments. These are reflected in the 1969 conference theme: "Counties in the 70's." This general theme embraces eight separate priority subject areas chosen for study and evaluation at the conference. The subjects are: modernization of county government, environmental problems, fiscal resources, regionalism, welfare, crime and public safety, transportation, and finally, urban-rural balance.

These, then, are the problem areas of great concern to county governments and to those who must cope with them. We can appreciate the magnitude and complexity of these problems since they are also problems of immediate concern of Congress. We can, therefore, appreciate the importance of outstanding leadership in the efforts of the national organization to find constructive solutions to these problems.

On this score, the National Association of Counties is indeed fortunate in enlisting the broad experience and extraordinary qualities of leadership of Judge Conrad M. Fowler in the capacity of president for the coming year. We are confident that Judge Fowler will fulfill the highest expectations of the members of the organization and that the cause of more effective county government will be significantly advanced under his guidance and competent leadership.

Our confidence in this regard is founded on personal knowledge of Judge Fowler's exemplary qualifications for leadership and his outstanding accomplishments as a public official in Alabama. Judge Fowler's broad background of experience includes service as past president of the Alabama Association of Probate Judges, first vice president of the Association of County Commissioners of Alabama, and past president of the National Alumni Association of the University of Alabama; and last year he served in the post of first vice president of the National Association of Counties, from which position he has now been elevated to the office of president.

Judge Fowler graduated from the University of Alabama with a B.S. degree in business administration and an LL.D. degree from the University Law School. He served in World War II and was awarded the Silver Star with Gold Star and the Purple Heart with Gold Star, and received the Presidential Unit

Citation and the Asiatic-Pacific Campaign Ribbon with four battle stars. He currently holds the rank of colonel in the U.S. Marine Corps Reserve and has served as judge advocate of the American Legion, Department of Alabama.

His public career as a county official began with his taking office as probate judge of Shelby County, Ala., in January 1959, in which position he has served also as chairman of the Shelby County board of revenue. His career in public service has been marked by outstanding achievements reflected in part by the honors and positions of high responsibility which mark his career.

In assuming the responsibilities of the office of president of the National Association of Counties, Judge Fowler is following in the footsteps of three former outstanding Alabamians who likewise served in that capacity with great distinction at various times during the 34-year period of the association's history. These distinguished Alabamians are Honorable Dan Gray, chairman of the County Commission of Calhoun County, Judge Ward Forman, former probate judge of St. Clair County, and Judge Claiborne Blanton, former probate judge of Dallas County, Ala.

We in Alabama are extremely proud of these public officials and the contributions made by them to the impressive record of accomplishments of the National Association of Counties. We confidently predict continued progress of the association under the leadership of Judge Fowler. We commend the association for the wisdom of its choice for the office of president for the current year, and we salute Judge Fowler for the honor he has received and for the credit it reflects on him, upon Shelby County, and upon the State of Alabama.

DRUG ABUSE: A REAL PROBLEM

Mr. HANSEN. Mr. President, with each day bringing a new expansion to a previous limitation of man, it is easy to forget that some areas on earth still need concrete boundaries. Drug abuse is one such area.

There can no longer be any doubt that there has been a sharp increase in drug taking among young persons. As was stated in the President's message to Congress on July 14, 1969:

> It is doubtful that an American parent can send a son or daughter to college today without exposing the young man or woman to drug abuse.

It becomes obvious, therefore, that we must utilize the avenue of education toward the goal of prevention rather than an induction into the "drug scene."

Most of those caught are first-time users or "experimenters." Thrill seeking and the pursuit of new or novel "intellectual experiences," together with reputed creative insights and new understandings of one's self, have served as the magical appeal that has led this generation into drug use. According to the American Medical Association's guide for physicians, Drug Dependence:

> Experimenters make up at least 75% of drug statistics, and drug use is a self-limited problem for most of them. . . . However, use is inevitably linked with a proportion of significant abuse, and this brings cases for treatment after serious social or psychiatric decompensations. For them, moderate use of any intoxicating substance has become an impossibility.

The problem then must be attacked concurrently on three levels, with special emphasis on the first:

Education: The common misconceptions among the young that creativity and insight are sharpened through the use of drugs must be dispelled. Films, speakers, and research evidence should be made available to campuses for this purpose.

Suppression of drug traffic: We need to attack the transmission of drugs from host to host, thereby also undercutting the international crime syndicate. By reducing the availability of drugs, hopefully we can also reduce their temptation.

Rehabilitation: We need coordinated efforts by men of the medical and psychological professions in performing experiments and then placing their results at the disposal of society. Through improved treatment and rehabilitation, we can more effectively disseminate this information, thereby reducing the demand for and the social rewards associated with drug use.

I am delighted to see the White House being the impetus toward these ends.

A WISE DECISION

Mr. CHURCH. Mr. President, I was highly gratified to learn yesterday that the distinguished Senator from Massachusetts (Mr. KENNEDY) has decided to remain in the Senate following an outpouring of public sentiment in overwhelming support of such a decision, which came in the wake of the tragic automobile accident in which he was involved.

Following Senator KENNEDY's address to the people of Massachusetts, delivered last Friday evening, I issued a statement to the press, expressing my confidence in, and support for, the Senator.

I ask unanimous consent that my press release be printed in the RECORD.

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

> WASHINGTON, July 26.—Senator Frank Church today issued the following statement concerning Senator Edward M. Kennedy:
>
> "I have known Ted Kenendy for many years. He is a thoroughly decent and honorable man whose young life has been plagued by more tragedy and sorrow than any man should have to bear. His explanation of the latest awful accident is typical of the man—candid and forthright. I am confident that the people of Massachusetts will rally behind him and I hope he decides to remain in the Senate where he can continue his career as one of the most promising political leaders of our time."

TRADE AND AID

Mr. PERCY. Mr. President, I would invite the attention of Senators to a significant speech on our foreign aid and trade policies, given on July 22 by the junior Senator from Maryland (Mr. MATHIAS). The Senator points out that these policies are in direct conflict in relation to the underdeveloped countries. He further states that we have given aid to these countries in the past to help them diversify and industrialize their economies. But our tariff structure is sharply biased against their manufactured goods and against processed forms of raw materials as opposed to raw materials themselves which we admit without significant tariffs. Thus, in our trade policy, we offer strong incentives not to industrialize or diversify. Mr. MATHIAS urges the adoption of a system of generalized tariff preferences for the underdeveloped countries.

I ask unanimous consent that the speech and an editorial in response, published in the Baltimore Evening Sun, be printed in the RECORD.

There being no objection, the speech and editorial were ordered to be printed in the RECORD, as follows:

> REMARKS OF SENATOR CHARLES MCC. MATHIAS, JR., UNIVERSITY OF MARYLAND SUMMER SCHOOL, JULY 22, 1969
>
> Ten days ago on a plane to Atlantic City, where I introduced Astronaut Thomas Stafford to a convention of Maryland lawyers, I wrote a letter to the President. I hope it is not inappropriate to read it to you now:
>
> "DEAR MR. PRESIDENT: The spirit of America will be committed on July 21, as our resources have been for 10 years, to the concept of liberating man from a single planet. On that day we shall abolish horizons as the limit of vision and open the opportunity for a future that is literally without limits.
>
> I suggest therefore that July 21 be proclaimed by you as a national day of prayer and thanksgiving. It should be a day to celebrate the personal achievement of the two men who walk the moon that day, and of their brother Astronauts and two hundred million fellow Americans who walk with them in spirit. It should be a day of prayer that this achievement, which draws upon the knowledge and wisdom and experience of all men everywhere, will bring peace by showing the fruits of man's peaceful labors.
>
> On July 21 we can pray that as man is released from earth's bonds, we may be relieved of earth's ancient scourge of war; that as man turns his eyes to the stars, he shall no longer live in the shadow of Cain, who was his brother's killer—that through peace the marvels of God's universe should be unfolded before us."
>
> Ten days later as this epochal triumph of man and machine is unfurled before us and before the world, we—like Balboa first gazing at the Pacific—look on in wild surmise. But it is sobering to remember that the men who named the vast reaches of ocean also dreamed of peace. As the waters were domesticated, however, they paradoxically became an arena for the barbarities of war. The Pacific Ocean betrayed its name and became the Pacific Theater.
>
> The spaces now in our ken vastly exceed the Balboan panorama. Once again we name them peaceful. But whether the Sea of Tranquility becomes part of a new lunar theater, or whether man has discovered at last a true pacific beyond the horizon, will be decided not in space but here on earth. Though we walk in spirit with the astronauts, we still walk in fact in the valley of the shadow of Cain. And we walk in fear.
>
> The astronauts now hurtle back toward a planet embroiled in conflict, barbarism, and poverty. As we marvel at their prodigies, we remain mired in our paradox: as man masters nature through technology, he seems to be losing control of himself. In fear he turns to government, demanding law and order. But as governments grow in power and as their

military and police forces gain in size, their effectiveness seems to diminish. Social problems become more severe. Disorder expands and so does contempt of law. Government performs prodigies in facing technical problems, if men do not get in the way. But human problems seem still to confound it.

This paradox of growing power and decreasing effectiveness offers an important lesson to American government: namely, that federal power—even in a democratic society like the United States—cannot coerce social peace and progress. The federal programs, from the New Deal through the Great Society, became a petrified forest of federal agencies, no longer effective but nearly impossible to prune or cut down.

For years, Presidents, imitating the rhetoric of FDR, have assumed heroic postures and urged dynamic programs for change. But when an aggrieved individual looked to government, he all too often found only the great stone face of bureaucracy. And as greater numbers became alienated and frustrated, disorder and contempt for law became more pervasive. More government programs—and more police—were grandiloquently mobilized. But police could not bear the responsibility for problems ineffectively managed for years by others. The long failures of government could not be redeemed by curt applications of force.

And so the federal bureaucracies administer a community of incongruities. We have more spending on defense and less sense of security—more spending on welfare and less well-being—more roads and more congestion—more open jobs and more unemployment—more empty housing and more homeless—more civil rights and more uncivil protest. All in all, we can't seem to get together—jobs and job seekers, houses and home seekers, political petitioners and legal processes. It is a government of misconnections as well as misconceptions. Our leaders have been well intentioned. But their good intentions have paved a road to hell for many of our citizens.

In foreign policy, our government has encountered similar frustrations and paradoxes. The greatest military power in the world, we cannot subdue the Viet Cong. We have spent a total of 120 billion dollars of foreign aid—financing the Marshall Plan, Point Four, and annual programs to help feed and modernize the underdeveloped countries. Yet we find not gratitude but resentment among many of the recipients. The United States is one of the few countries of the world to peacefully emancipate an empire. We do not consciously seek domination today. Yet we are denounced around the world as imperialists.

America's earthly frustrations are symbolized by another trip, taken by a leading American during the same period we prepared for our lunar landing. In dramatic contrast to the smooth journey to the moon, Governor Rockefeller's travels in Latin America were fraught with bitterness and difficulty. His way was strewn with riot and protest. Although Rockefeller has been a leading proponent of closer and more friendly relations with these countries—and a persistent advocate of increased foreign aid for them—he was greeted like an enemy of their aspirations.

Why, we ask, are we so misunderstood? The reason, in part, is that we misunderstand ourselves. As today we are beginning to appreciate the plight of the impoverished in the United States—how the society looks to those who benefit least—we now must seek to understand how American policy looks to citizens of underdeveloped countries.

One of the key facets of the American impact in these areas—and a key item in the Latin American protest against Rockefeller—is our trade policy. Ultimately perhaps the most important realm of our foreign relations, our trade policy, in fact, is statistically more important to a great many foreign countries than it is to us. Though world trade accounts for a total of only 4 percent of the U.S. GNP, trade with the United States alone accounts for well over that proportion of the GNPs of a host of underdeveloped countries whose hopes for the future largely depend on exports to the United States. In view of the intense controversy caused here by relatively minor changes in our trade policy, one can understand the intense concern of foreign nations with a far greater dependence on international commerce.

In the underdeveloped countries, access to foreign markets is crucial to private economic growth. Without exports, these countries cannot finance the imports they need to industrialize and diversify their economies, as the United States advises. They are forced to adopt high tariffs and seek to force growth by totalitarian means, in accord with communist prescriptions.

If the totalitarian approach finally prevails in these countries, it would represent a major victory for the communists in the cold war. Economic intercourse between the affluent free nations and the less developed countries would halt, thus limiting the potential growth of both. The less developed countries would become more desperate and militant and the United States more fearful and isolationist, and perhaps more militaristic. Our seeming hostility toward the aspirations of the poor countries, dominantly colored, would heighten racial tensions in this country. Although it is impossible to predict the outcome, world tensions would inevitably increase, along with the horrible possibility of a war with direct racial overtones.

It is thus urgently important that the underdeveloped world be given a stake in the wealth of the free world. Yet, in Washington, this imperative has been all but ignored. Not only has our aid and private investment in these countries been diminishing rapidly as a percentage of our GNP but the United States has been a leading opponent of measures to improve their terms of trade. Although it is often said that the time has come for other countries to share the foreign aid burden, the U.S. is already tenth among the countries of the free world in the proportion of its GNP devoted to aid. As far as trade is concerned, we have entirely failed to recognize that commerce between the impoverished nations of the sotuhern hemisphere and the affluent north represents perhaps the single most formidable barrier faced by the communists in their attempt to reorder the world economy.

Our tariff structure positively discriminates against the private enterprise of the less developed countries, thus impelling them toward socialism and protectionism. For instance, the most protected American industries—except for oil—tend to be the simple manufactures and food products in which the less developed countries specialize. Also damaging to their private enterprise is the escalation of tariffs according to the degree of processing. This practice, often doubling or tripling the effective duty, poses a major obstacle to the creation of those industries in which the less developed countries are likely to have a comparative advantage: namely, the refining or processing of their own raw produce. For examples, the tariff on cocoa powder is higher than on unprocessed cocoa, on plywood higher than on sawn logs, on aluminum pipes higher than on unwrought aluminum. Thus the less developed countries are penalized for industrializing. These practices constitute a program of American aid to the international communist goal of separating the underdeveloped economies from those of the west and persuading these countries to adopt communist economic organization. This U.S. policy also directly conflicts with our professed goal, to which we devote our diminishing foreign aid, of encouraging private initiative in the poorer countries.

Latin America provides some of the best examples of the short-sightedness that belies our proclaimed desire to help these states fulfill their economic aspirations. The United States has joined with our neighbors to the south in repeated agreements to cooperate in promoting their trade. In the Charter of the Organization of American States, the Charter of Punta Del Este and the Economic and Social Act of Rio de Janeiro, in the Buenos Aires Protocol and the Declaration of the Presidents of America—and on a global level, at the U.N. Conference on Trade and Development—we have pledged our aid, and in most cases, have resolved to reduce obstacles to the trade of Latin American and other underdeveloped countries. The results are hard to believe. There has been a relative *worsening* of their access to American markets and a decline in aid and investment. Capital flows *from* Latin America and *into* the United States are now over four times as great as the flow south. The countries of Latin America, in a way are actually giving foreign aid to the United States, the wealthiest country in the world.

It should not be imagined, however, that the United States really benefits from this process. In the protectionist game, nearly everyone loses, regardless of the immediate balance sheets, because world economic growth is ultimately retarded. Moreover, the instability and stagnation of the underdeveloped countries reduces future markets for our produce and the resulting political turmoil hurts other foreign policy goals.

Good examples are Argentina and Uruguay. Uruguay is one of the few remaining democracies in Latin America; Argentina is potentially a bulwark of stability in the region. U.S. policy, however, has importantly contributed to turmoil in both countries and has thrown Uruguayan democracy into jeopardy.

The chief instruments are beef quotas and food processing tariffs. These U.S. policies help a handful of wealthy U.S. ranchers and food processors and raise the price of beef for everyone. The poor are hurt most, of course, since they spend a higher proportion of their incomes on food. Economically, these policies are virtually indefensible. In foreign policy terms, they are a tragedy. Yet they continue without protest in the U.S.

The beef quota affair is only one example of the disastrous effects of trade restrictions on the region. Although we encourage these countries to industrialize and actually aided in the construction of leather processing and textile industries in the two states, we impose quotas as soon as such industries start to emerge.

The Latin American countries have a perfect right to ask, on the basis of their experience, why they should build private industries, when the U.S. greets their successes with new quotas and tariffs. On the one hand we give foreign aid to develop their industry; on the other hand, we penalize their industry if it appears.

This situation is not in general the result of deliberate policy. In part, it merely reflects the balance of economic power. The less developed countries are unable to bargain effectively in GATT under terms of reciprocity which require them to give concessions for every gain they receive. So with every negotiation they lose ground. The exceptions list in the Kennedy Round negotiations—that is, the list of products on which the conferees agreed not to negotiate tariff cuts—was in essence a list of less developed country manufactures. The results of the Kennedy Round, benefiting rich countries and impairing the relative position of the less developed countries, symbolizes this position of weakness.

Nonetheless, the less developed countries have by no means given up on the west. Since the 1964 meeting of the United Nations Conference on Trade and Develop-

ment, these countries have been united in a demand for generalized preferences—that is, special tariff advantages—for their exports in northern markets. The United States, alone among the affluent countries, was adamantly opposed. Yet the proposal is both reasonable and desirable. It indicates that the less developed countries are turning away from the futile pursuit of economic self-sufficiency protected by high tariffs, financed in part by foreign aid, and organized by totalitarian governments. Increased export earnings, moreover, would help the less developed countries to finance the increased imports that would be required by the increased private investment the U.S. purports to encourage.

Under pressure, the Johnson Administration finally endorsed the concept of preferences and the Nixon Administration has reasserted more strongly their desirability. It is likely that we will ultimately adopt some kind of system simply because the political costs of denying such a unanimous demand from the less developed countries will seem far greater than the net economic costs. These are estimated by Rand Corporation economist John Pincus at $200 million total for all the developed countries together.

But the United States should not wait until world pressures force us to accept preferences. We should promote them as a matter of high national priority, not succumb to them, as if they were a form of extortion. For they are in our interest at least as much as they are in the interest of the poor countries. For if the poor countries turn toward the communists we will permanently lose access to their resources and markets.

Americans should recognize that the free world economy has now reached a new stage. The west has completed postwar reconstruction, turned back the threat of communism in Western Europe and dismantled most of the barriers imposed during the Depression against commerce among the rich countries. The time has now come for world private enterprise, as organized in systems like GATT, to face the new challenge: underdevelopment and communism in the poorer countries. It is urgent for the United States to take the lead today just as we took the lead with the Marshall Plan in 1945 to face the earlier challenges.

Such reforms will not allow Governor Rockefeller to travel through Latin America in the blaze of glory of a returning astronaut. But they will begin, in this one area, to bring American practice closer to our ideals and professions. Such measures would help convince those leaders who are committed to democratic institutions and free economic policies that the United States is on their side. A first step has already been taken by the Nixon Administration in ending the requirement of additionality, obligating recipients of our foreign aid to buy specified products in the U.S. It is urgent that this initiative be followed by trade policy reform.

In domestic policy, too, our greatest need is to put our declared principles into practice. Our failures do not come because our ideals are faulty but because we have too often betrayed them. Our intentions have not been bad, but we have been negligent in putting them into effect.

Perhaps our moon voyage will serve our nation best not in its immediate effects—which divert money and energy from more pressing needs—but in its demonstration that our ideals cannot be fulfilled without the most dedicated and scrupulous application. It is not enough to proclaim high purposes—or shout slogan—or take moral postures, as Americans, particularly American liberals, have done too long, while special interests often have dominated our real policies. We must subject our activities and programs to the most exhaustive analysis. We cannot assume that because our intentions are good that our policies are justifiable. For good intentions in politics—as in other spheres of life—can lead to catastrophe.

The greatest tribute to our triumph in space would be the devotion of comparable skills—and far greater resources—to making it symbolize not just our aspirations but also our attainments as a nation.

[From the Baltimore Evening Sun, July 22, 1969]

UNFREE TRADE

Watch Senator Mathias. He's trying to become the liberal conscience of the Nixon Administration. He has a schoolmasterish aspect. See how he praised the President for untying some of the strings on our foreign aid to underdeveloped countries. That's good. The requirement that recipients of our aid had to buy what they needed in this country (instead of getting it where it's cheaper) was burdensome. It was even too illiberal for President Nixon.

Now, like a good teacher, Mr. Mathias wants the administration to take one further step, and grant trade preferences to underdeveloped countries, particularly to Latin America. The Latins have been complaining recently that Washington speaks out of two sides of its mouth. They say there is a contradiction between our trade and aid policies. Senator Mathias agrees with this and cites the cases of Argentina and Uruguay as examples: "Although we encourage these countries to industrialize and actually aided in the construction of leather processing and textile industries in the two states, we impose quotas as soon as such industries start to emerge."

The Brazilians had a similar complaint last spring. They had developed a small instant coffee industry and had begun selling the stuff in this country. The larger United States coffee processors didn't like the competition so they lobbied feverishly to limit the Brazilian import. They were successful. Now the Brazilians are convinced that our commitment to free trade is not all that strong.

Completely free access to United States markets by all underdeveloped countries may not be practicable just yet. But certainly the Latins should be on top of our priority list. The Commonwealth countries enjoy access to Britain's markets, and goods from the French zone countries in Africa move freely into the European Common Market. The Latins enjoy preferences nowhere. Still, they look to the north, hoping.

There are a lot of special interest groups in the United States (coffee, textiles, etc.) trying to raise the trade barriers even higher. It is difficult for a President to resist them, and even more difficult for a congressman. But there is an essential truth in Senator Mathias's assertion that protectionism pays off poorly in the long run. That's the lesson he wants the administration to learn.

A MONTH OF HOPE FOR BIAFRA

Mr. DODD. Mr. President, the war in Biafra continues. The tragedy deepens.

Thousands of women and children have been dying of starvation and the plague of famine is widespread.

This war has aroused the concern and compassion of people all over the United States, and a great relief effort has occurred.

In my own State of Connecticut, the Food for Biafra Committee, with headquarters in Westport, has been an essential source of relief for the starving Biafrans.

During the month of August, the U.S. Junior Chamber of Commerce, in association with the Americans for Biafran Relief, will conduct a special relief drive to supplement the work of the Food for Biafra Committee.

To call attention to the drive, Gov. John Dempsey has issued a proclamation designating August 1969, as "A Month of Hope for Biafra."

I commend the Governor for his effort in enlisting public support for Biafra, and I ask unanimous consent that his proclamation be printed in the RECORD.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

A MONTH OF HOPE FOR BIAFRA—AUGUST 1969

The Food For Biafra Committee, whose headquarters are in Westport, Connecticut, points out that three million Biafran women, children and elderly people are totally dependent for their existence upon the mercy airlifts run by churches and the International Red Cross. Deaths from famine and associated causes already total more than one million.

The critical need for food and medical supplies in this African nation has aroused compassion and humanitarian concern throughout the United States. There has been generous response to the request for relief funds.

However, the Committee, in emphasizing the continuing need for Biafran Aid, states that if the mercy airlifts were interrupted for even one week, the entire Biafran population would face the threat of imminent starvation.

It is vital, therefore, that relief efforts for the victims of the war in Nigeria and Biafra be continued. To encourage renewed participation in this life-saving project, the U.S. Junior Chamber of Commerce, in association with the Americans for Biafran Relief, conducts a special relief drive during August, 1969.

To call the attention of the people of Connecticut to the urgency of the situation and to aid in enlisting public support of this appeal, I designate August, 1969, as "A Month of Hope for Biafra." I urge wholehearted cooperation in this worthy and essential work.

JOHN DEMPSEY,
Governor.

MORE GUN CONTROL NONSENSE

Mr. HANSEN. Mr. President, a task force of the President's Violence Commission, which was appointed by former President Johnson, recently proposed a strict system of handgun licensing that would outlaw the use of pistols to protect private homes. As I understand the proposal, only persons who can prove a special need of handguns for self-protection would be licensed to own one.

The Washington Evening Star, in an editorial published on July 30, made an excellent response to this proposal and termed the recommendations of the Commission "blithering nonsense." I ask unanimous consent that the editorial be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection it is so ordered.

(See exhibit 1.)

Mr. HANSEN. Mr. President, my remarks will be brief because, in my opinion, few Members of the Senate will consider the Commission proposal feasible.

Apparently, there was failure on the part of the task force to consider that most of the estimated 24 million handguns in the United States are used for

neither crime nor home protection, but for recreation. This is the case in Wyoming, and I feel, in most other States.

The people of Wyoming do not believe in the unnecessary burdens that the registration and licensing of firearms would put upon them and other law-abiding citizens of the United States. They believe, as I do, that the solution can be found in a policy of getting tough with criminals who use weapons in the commission of crime.

EXHIBIT 1

MORE GUN CONTROL NONSENSE

As an introductory note to this editorial comment, an item in the crime news is worthy of attention. On Monday there were 22 armed robberies in Washington. This brought the July total as of that date to 450, compared to 332 armed robberies in all of July of 1968.

In the face of this a task force of the President's Violence Commission (appointed by President Johnson) comes forward with a wacky recommendation. Its proposal is, except in a very small number of cases, that all Americans should be required to surrender any hand guns they own to the government.

Here is the task force's reasoning: This is the only way in which the United States can break "the vicious circle of Americans arming to protect themselves from other armed Americans." Now what does this really come down to? Even the task force, we suppose, would concede that criminals are not going to surrender their hand guns. So what they are saying is that no homeowner, to cite one example, should be permitted to keep a hand gun in his own house to protect himself, his wife, and his children against the night when some armed criminal might break into his home. Their argument is that home owners "may" seriously overrate firearms as a method of self-defense against crime. The "loaded gun in the home creates more danger than security."

This strikes us as blithering nonsense. How many members of this task force have been awakened in the middle of the night by a scream for help by some member of his family? Probably not one. But thousands of Americans are exposed to this dreadful experience every year. And in such a situation what is an unarmed householder supposed to do against an armed intruder? Hide under his bed, and never mind what happens to his family?

The major thrust of this soft-in-the-head report is that the requirement to surrender your hand gun, of which there are an estimated 24 million in the country, would reduce crime. This is absurd, for the criminals are not going to surrender their guns. A better and much more realistic way to deal with this problem will be found in legislation now being considered in Congress.

The intent of this legislation is to provide tough, really tough, mandatory penalties for criminals who use guns in the commission of a felony, such as rape, robbery or burglary. For a first offense the penalty generally favored would be a mandatory jail sentence in a federal jurisdiction, which includes Washington, of from one to 10 years. A judge would be forbidden to suspend this sentence or to make it run concurrently with the sentence for the primary offense. In case of a second offense, much stiffer jail sentences are proposed, and they should be written into law.

A similar bill passed the House last year, but was watered down in the Senate before becoming law. The argument then was that mandatory sentences deprive judges of discretion in imposing penalties. And so they would. But in one week at the time the watered-down bill was passed 27 criminals in this city were found guilty of crimes in which guns were used. In six of these cases, more than one-third, the judge imposed suspended sentences, which means that no jail terms were served for using a gun.

So we say let's make the sentences mandatory. And let's not deprive the law-abiding citizen of hand guns in his own home while the criminal element will remain armed to the teeth.

THE VANISHING PASSENGER TRAIN

Mr. MOSS. Mr. President, the State of Utah is currently faced with requests by two railroads to discontinue the operation of two important passenger trains which link us with the west coast. Another railroad is proposing a cutback in service. If all these requests should be approved, Utah would be virtually without meaningful passenger train service.

It was this situation which prompted the Deseret News to publish an excellent article written by Elmo Roper which originally appeared in the Saturday Review.

Mr. Roper sums up the main theme of his article in the title, which is "How Not To Run a Railroad."

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Salt Lake City (Utah) Deseret News, July 26, 1969]

HOW NOT TO RUN A RAILROAD

(EDITOR'S NOTE.—Public hearings on discontinuance of the California Zephyr passenger train were held this week in Salt Lake City and Provo.)

(By Elmo Roper)

I might as well begin by admitting that I am a man of peculiar tastes in transportation. In the first place, I like to relax when I am going somewhere, which immediately puts me in the oddball corner. I also like to be able to get up and walk around in transit, without interrupting the transit. I like to eat at my leisure, at a time of my choice, and I prefer to sit at a table when I do so. I even enjoy looking at scenery! And I like at least a relative degree of safety while I travel. In short, I like to ride the railroads. I realize that all this puts me seriously out of step with most of my contemporaries, who seem to prefer to be jammed in somewhere and hustled to their destinations with their eyes either on the road or on the clouds. In fact, the other day I read an ad which described me as "the vanishing American."

This description was interesting, but even more interesting was the source—a railroad! It seemed a little odd that a railroad was spending its hard-earned (or hard-lost?) money to convince me that I am obsolete, and, in effect, was saying "Get lost, brother." I had heard, as has everyone else, that railroads have come upon hard times and I decided to find out just what railroads were up against and how good the chances were of their survival. Some of the things I discovered I had suspected, but others came as a surprise; together they made up a picture of the railroads that differed considerably from the image that is currently popular.

The current characterization of the plight of railroads vis-a-vis passengers runs something like this: Railroad passenger service is a hopelessly uneconomic operation for three principal reasons: (1) people don't want to ride railroads any more; (2) competitive forms of transportation such as airlines and highways benefit from subsidies and tax advantages which railroads do not have; and (3) unions have forced on the railroads inefficient and expensive labor practices and regulations. The inevitable conclusion: Railroad passenger service is obsolete, and most of it will eventually have to disappear.

This is the picture, and it contains some elements of truth. But if one goes a little further, a very different picture emerges. To put it bluntly, it is a picture of railroad management actively engaged in the process of digging its own grave—or at least the grave of passenger service. To begin with, one of the reasons people don't want to ride the railroads any more is that railroads are actively discouraging them from doing so. Trains are dirty, stations are poorly maintained, and the number of ticket windows is often reduced so that one has to stand endlessly in line to buy a ticket, or they are closed down completely when one arrives. The quality of food has gone down, while prices for it have gone up. There is virtually no promotion or advertising of passenger service; in fact, it is not uncommon to read ads like the one I ran across suggesting that those who persist on riding the rails are curious relics of a bygone era. Under such circumstances, it is a wonder, not that there aren't more of us, but that there are any railroad passengers left at all.

It is true that railroads are at a competitive disadvantage with highways and airlines, because they own and are taxed on their facilities, while highway and air facilities are paid for by public agencies, which are not fully reimbursed by "user charges." Railroads have made efforts to get their taxes reduced—which, in view of the pressures on localities to produce more tax revenue, have little chance of succeeding—but they have shown a marked resistance to more imaginative approaches to the problem. For example, the suggestion has been made that the government acquire fixed railroad facilities and lease them back to the railroads, thus eliminating their tax disadvantages at a stroke. This proposal is greeted by railroad management with horror, out of a fear of losing their right to run their own railroad, or worse, of losing the right to make profits from their real estate holdings by means other than transportation.

With regard to labor practices, it is again true that shortsighted union demands have contributed to make feasible passenger runs into money losers. Yet, in some cases, management has been more shortsighted than labor. When diesel power made firemen superfluous, labor saw what was coming and bargained hard to keep firemen on the new trains. Management took diesel power less seriously, expecting it to be limited to a few high-speed routes, and so gave in to labor's demands. And while the railroads later got the firemen eliminated from the cabs of most freight locomotives, they have failed to fight for that reform on what they seem to consider the already moribund passenger trains.

What becomes evident in a study of railroad developments over the last few decades is that railroad management has consistently resisted change, held back on innovations, and has viewed new transportation developments as threats rather than opportunities. It has reacted like the carriage-makers who smugly scoffed at that transitory, noisy, and undependable invention, the motorcar, and who preferred to go down like the dinosaur rather than branch out into the automobile business. When trucks began to make inroads into railroads' freight business, the predominant response of railroad management was to fight them tooth and nail by lobbying for restrictive legislation—instead of adding supplementary truck operations to make their

own freight operations more efficient. Now the railroads would love to go into the trucking business, but they probably won't be permitted, partly because of the not unrealistic suspicion that they would use this privilege not to improve transportation service, but to cripple independent truckers through a price war the railroads could afford but the truckers couldn't.

Further examples of this shortsightedness are easy to find. For years, railroads kept on cooling perishables by stopping at intervals to pour ice into the top of the cars; they didn't switch to mechanical refrigeration until trucks ran circles around them. Railroads are currently taking pride in their new innovation, "piggyback" service, in which highway trailers and other containers can travel across long distances hitching rides on various railroads along the way. But this "new innovation" was first experimented with in the 1920s, and one reason it didn't get out of the railroad yards is that by the 1930s Pennsylvania and New York Central (who have since gotten together rather uneasily) insisted on each using containers that could not be interchanged with the other's. This forced other railroads to make a choice between the two systems, or to invest in duplicate facilities, or to forget about the whole thing. Not surprisingly, under depression conditions, most of them took the last option, and the implementation of this "great new innovation" had to wait another twenty years.

It should, therefore, have come as no surprise that after twenty-five months of study prior to the merger of the Pennsylvania and the New York Central, the incompatibility of their two computer systems had been completely overlooked—making for some real problems.

One of the things the "piggyback" story illustrates is that railroads have failed to make one basic leap of imagination: They still tend to operate as if their competitors were not airlines, trucks, buses, and cars, but other railroads. They are reluctant to pool and coordinate operations, even when it is clearly to their economic advantage, or to eliminate wasteful duplication of services. Even though they are now permitted to cooperate in many ways, most railroad management is paralyzed by a fear that the beneficiary of streamlining operations might be another railroad. All too often it is a case of incompetent management fearing other incompetent management.

And so instead of facing modern transportation realities and coming up with imaginative ways of adapting to them, the typical answer of the railroads is to do away with passenger service and raise freight rates. I think there are a number of reasons for not permitting them to do this. First, there is a real need for railroad passenger service—especially on medium-distance runs between large cities. No one who has recently spent hours in a holding pattern over an airport in an attempt to get to a city a few land-hours away should question this need. Nor should anyone who has inched his way to an airport—or to his destination—by means of automotive crawl. The increasing congestion of our highways and airways between metropolitan centers makes it daily more evident that we need more than one kind of transportation to keep America on the move. We need all the kinds we can get—planes, autos, buses, and the railroads. The fact that the New York-Washington Metroliner, which is clean, comfortable, and serviced by courteous and pleasant people, and which cuts the train trip from four to two-and-a-half hours, has been practically sold out since its inception, is another evidence of the attractiveness of train travel when trains are convenient and well run. For many travelers, air travel has lost its novelty, and with it, some of its glamour. In the years to come, people will be looking more coolly at alternative forms of travel, making more realistic comparisons of time, money, convenience, and comfort involved in the various ways of getting where they're going.

The need for a railroad network in times of national emergency, for such purposes as the movement of troops, is another reason for keeping railroad passenger service alive. And then there are the eccentrics like me. Who knows, there may even be more of us in years to come, if someone makes an effort to woo us instead of making us feel like the orphans of the rails.

Not only is there a clear need for the continuance of passenger service, railroads have a clear duty to provide it. It should be remembered that railroads still have a monopoly on much freight transportation, and at their inception received substantial governmental assistance. The right of eminent domain was exercised in their behalf; land grants were received. In return for these and other benefits, railroads have a responsibility to provide services that are useful to people—as well as hogs.

This is not to make light of the real financial problems railroads face. More government subsidies, loans, or forms of tax relief should be made available. But the big change must come in the minds of railroad managements. Right now, their operations are a casebook in how to go broke—how to not succeed by trying hard not to succeed! Managements must turn their attention away from the search for ways to get out of the business of hauling passengers to search for ways to make passenger service attractive and profitable. There are, of course, some efficient and forward-looking railroad presidents—but not many; certainly less than in any other industry of the same size.

I suppose that the managements of really well-run industries—such as petroleum, timber, and life insurance—could, in the next fifty years, succeed in making those industries unsuccessful, too, if they tried hard enough and took enough hints from the management of railroads over the past fifty years.

If railroad managements do not wake up and adapt their practices to the needs of the traveling public, there is really only one alternative. Undesirable as it is, as a last resort the only way to save the trains for the people will be to turn them over to the government. Government-owned railroad service in a number of foreign countries (Japan, Britain, France, and others) is far superior to ours; if railroads operating on a private, profit basis can't make a go of it here, government can and must. There is already some sentiment for this among influential members of the U.S. Senate.

It shouldn't have to come to that. If railroad management can break out of thinking that it is trapped in the past and find ways to intelligently approach the problems of the present and future, mavericks like me—as well as the traveling public as a whole—will be well served.

COMMENDATION OF JOSEPH BORKIN

Mr. BURDICK. Mr. President, on July 14, at a luncheon at the National Lawyers Club in Washington, D.C., the Federal Bar Association commended Joseph Borkin for distinguished writing on public affairs. The presentation was made by the distinguished Senator from Maryland (Mr. TYDINGS).

I ask unanimous consent that the presentation and the acceptance by Mr. Borkin be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

AWARD OF THE FEDERAL BAR ASSOCIATION COMMENDATION TO JOSEPH BORKIN

PRESENTATION BY SENATOR JOSEPH TYDINGS

Senator TYDINGS. It is an ancient truism that a people who ignore its past is doomed to repeat it. Books are an effective antidote for such a lapse of memory. We are, therefore, doubly grateful when an author writes a book about a segment of our past that no one ever dared write about before. Such an author is Joseph Borkin and such a book is *The Corrupt Judge*, the only systematic study of judicial corruption ever published.

Since its publication seven years ago, *The Corrupt Judge*, has had a striking impact. It inspired Senator Kefauver to introduce legislation that would have effectuated the author's suggestion that judges disclose their financial interests. It also helped to inspire the Subcommittee on Improvements in Judicial Machinery, of which I am Chairman, to undertake its inquiry into the problems of judicial fitness, an inquiry that culminated in the introduction of the Judicial Reform Act.

In *The Corrupt Judge*, Joseph Borkin brought us warning signs, signs that, if heeded, might well have prevented the crisis that shook the federal judiciary this past spring and that is still unresolved.

On June 9, reaching to the Fortas affair, the Judicial Conference of the United States adopted resolutions of monumental significance not only requiring district and circuit court judges to report their financial interests, as suggestetd in 1962 by Joseph Borkin, but also limiting the non-judicial services that they can perform for compensation. The Conference's action was a long overdue recognition of the efficacy of Joe Borkin's idea. June 9, 1969, was a great day for him, and for the Nation. Its importance was only diminished by one omission in the Conference's resolutions, the failure to include the Justices of the Supreme Court within the strictures. The Conference, of course, has no authority over the Supreme Court and the omission was merely a reflection of that fact.

Given the opportunity to place themselves under the purview of the resolutions, however, a majority of the Justices decided to delay action. The delay is unacceptable. It is a damaging anomaly for the new regulations not to be applied to the body of men that to many Americans constitutes the federal judiciary, especially since much of the impropriety that gave impetus to these reforms emanated from the Supreme Court. The failure of the Supreme Court to adhere to the reforms is already having ramifications among the lower court judges. The judges of the Second Circuit have now asked the Judicial Conference to "postpone its directive restricting outside activities of federal judges and requiring annual financial reports from them." Frankly, Congress will not stand idly by while the gains of the past few months are dissipated. The Supreme Court, too, must never forget that judges must preserve their character above reproach and that any failure by the judiciary to keep its own house in order undercuts its real strength.

Joseph Borkin's great sensitivity to the underpinnings of the judiciary's institutional integrity made *The Corrupt Judge* the potent force that it has been. In his latest book, *Robert R. Young—The Populist of Wall Street*, Joe Borkin has effectively applied the same powers of insight to the institutional underpinnings of our transportation industry.

Joseph Borkin is an author and attorney of the first magnitude. I am proud to present to him the following Federal Bar Association Commendation Award:

THE FEDERAL BAR ASSOCIATION COMMENDATION

Joseph Borkin is hereby recognized for outstanding qualities of leadership and dedi-

cated service to the Federal Bar Association and to the federal legal profession as a scholar, innovator, and courageous investigator in over thirty years of writing on public affairs:

For his book, *The Corrupt Judge*, the legal classic which prepared the way for contemporary judicial reform; and for his recent book, *Robert R. Young, the Populist of Wall Street*, a significant contribution to the financial and transportation history of our times.

CYRIL F. BRICKFIELD,
President.

JULY 14, 1969.

ACCEPTANCE BY JOSEPH BORKIN

Mr. BORKIN. Senator Tydings, Chairman Garson, friends, my deepest gratitude to all those involved in this very happy event. It would be futile for me even to try to respond. But I must say this:

That Senator Tydings makes this wonderful presentation to me has a rich meaning. The United States Senate has a bright and slender thread running through its history. It is the tradition of great individualists who, when the needs of reform so dictated, did not bow to the "whose ox is gored" brand of politics and did not flinch from opposing the established order of things. These senators, of whom Bob LaFollette, Tom Walsh, William E. Borah, George W. Norris, Paul Douglas, and Estes Kefauver come to mind, now have a worthy member to continue the tradition. His total effort at judicial reform has already become part of its history. Winning is in his character and there will be judicial reform before long. I am proud to follow his lead and I am even prouder to receive from him this award voted so generously by the Federal Bar Association. My thanks to all of you.

DETERRENCE CAPABILITIES WOULD BE ENHANCED BY RATIFICATION OF 1925 PROTOCOL

Mr. PROXMIRE. Mr. President, there are those who argue against the ratification of the Geneva Protocol of 1925 on the grounds that to do so would be to dangerously compromise our strategic position. Our security, they argue, is based on the deterrent effect of our weapons stockpile. Ratification of the Geneva Protocol would lead, supposedly, to reduction and eventual elimination of our stockpile and thus would destroy the deterrence upon which our security is based.

This argument, used in the original Senate debate on the protocol as well as in current arguments on the subject, reveals both a complete misunderstanding of the provisions of the protocol and a positively dangerous misconception of its effects on our strategic position.

It is most important to realize that the Geneva Protocol of 1925 does not attempt to ban chemical and biological weapons entirely. In the words of Dr. Matthew S. Meselson, a Harvard biologist and one of the foremost experts in this field:

> The protocol is a no-first-use treaty. It does not outlaw research, development, or production of gas or biological weapons; it does not outlaw retaliation in case one is attacked.

Thus, at the very least, ratification of the protocol would do nothing to harm the deterrent effect of our CBW capability. We would be free to continue developing and stockpiling as we ourselves saw fit, in order to maintain a credible second-strike capability.

In fact, far from destroying the deterrent effect of our chemical and biological weapons, our adherence to the Geneva Protocol would positively enhance it. Deterrence is based not simply on having the weapons but on the enemy's knowledge that they will be used in retaliation. If the enemy does not fear this retaliation there is no deterrence. Our adherence to the Geneva Protocol would make absolutely clear what has been our policy all along—that we will not use these weapons unless first attacked with them—and thereby strengthen the deterrent effect of our existing CBW capability.

No one is sure that the deterrence mechanism will always work. But experts agree that the on-site inspection required for total banning of chemical and biological weapons is technically almost impossible. Thus, deterrence is our only hope, and we have no choice but to enhance its strength as much as we can. It is clear that ratification of the Geneva Protocol would do nothing to harm our deterrence capability and would in fact positively help it. It is therefore incumbent on the Senate to do everything in its power to bring this ratification about, and I urge it to do so immediately.

THE PESTICIDE PERIL—XXXVI

Mr. NELSON. Mr. President, the current controversy over the threat to our environment and to human health from the continued use of DDT and other persistent pesticides has primarily been carried on by conservationists and a growing segment of the scientific community on the one hand and the agricultural and chemical industries on the other hand.

Evidence of harmful effects to our fish and wildlife and of links to cancer and liver and stomach malfunctions in man from these pesticides is clear and alarming, yet agricultural spokesmen claim these pesticides are vital to the country's crop production because no alternatives exist to control the pests which kill the crops.

Alternatives do exist. There are less persistent, toxic pesticides which will do the job, although some are presently more expensive. However, the most promising alternative appears to be in the area of biological controls. An article written by Burt Schorr and published in this morning's Wall Street Journal reports on the significant progress which has already been made in developing effective biological controls for pests, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REPLACING DDT—U.S. RESEARCHERS GAIN IN EFFORTS TO DEVELOP SAFER INSECT CONTROLS—BIOLOGICAL METHODS SUCCEED AGAINST SEVERAL PESTS; INDUSTRY WILL FEEL IMPACT—BAD NEWS FOR THE BOLL WEEVIL

(By Burt Schorr)

WASHINGTON.—The famed bug-killer DDT is losing its deadly wallop and falling into disfavor as a threat to wildlife and mankind. But even if DDT fades from use, the insects will hardly take over the world, for potential replacements are on the way.

In fact, U.S. entomologists appear closer to an important advance in man's age-old war against the insects that devour his crops. This attack won't be spearheaded by the well-known chemical insecticides but by an expanding arsenal of biological controls based on weapons provided by nature. If the approach succeeds as hoped, it may sooner or later reduce the use of chemical insecticides—and any resulting pollution of the environment. The effort will include:

Massive deployment of bugs that are harmless to man but prey on crop-destroying pests.

Large-scale sterilization of adult insects to disrupt their reproductive cycle.

Use of synthetic copies of the natural scents secreted by pest species to lure bugs to their destruction.

Such biological-control methods are showing high promise in field tests. And some Agriculture Department officials predict that in certain parts of the country biological warfare, coupled with limited use of chemicals, will soon make possible the almost-complete eradication of the cotton boll weevil, now probably the nation's costliest single pest.

IMPACT ON INDUSTRY

By the early 1970s, some experts say, insecticide producers might find their domestic farm market—now calculated at around $110 million annually—leveling off or shrinking.

In the long run, though, such de-emphasis on farm insecticides might indirectly benefit the chemical industry; it might help prevent current clamor against bug-killers such as DDT from swelling into a drive for tougher restrictions on chemical pesticides generally, including weed-killers.

One of the promising experiments with biological techniques is now going forward in the Coachella Valley of Southern California, where farmers used to spray more than 4,600 cotton acres with chemicals to combat pink bollworm infestations.

Most mornings before dawn these summer days, a yellow Agriculture Department plane sweeps above the valley floor spewing out thousands of sterilized male and female adult pink bollworm moths through a tube projecting from the cabin. Chilled immobile at about 38 degrees, the gray-winged insects cascade into the warmer air, then revive to mate with normal adults in the cotton fields below. The union frustrates the pairing of fertile moths and produces no eggs or destructive larvae. Avoidance of insecticide-spraying helps preserve insects that normally prey on cotton pests other than the pink bollworm.

CABBAGE PATCH RESEARCH

Another progress report comes from a cabbage patch near Columbia, Mo. There, the cabbageworm, which chomps destructively on a variety of vegetables, including spinach and broccoli as well as cabbage, has been frustrated by the release of a tiny parasite wasp.

The wasp injects its eggs into the cabbageworm eggs on plant leaves; when the wasp grubs emerge, they devour the host eggs. Employing this and other biological techniques, Government entomologist Frank D. Parker has eliminated over 99% of the cabbageworms from the test plot—and all insecticides as well.

Not everyone, though, is as optimistic about biological-control possibilities as Federal researchers are. Many farmers, insecticide makers and state legislators resisting restrictions on DDT are distinctly skeptical. They contend it may be several years before effective alternatives are really ready. And they question the practicality of releasing sterilized adult insects, claiming that with some species it would be necessary to deploy as many as 50 times the normal insect population.

At any rate, Government entomologists are pushing confidently ahead, armed with knowledge of past successes. As long ago as 1888, one Agriculture Department pioneer found a ladybird beetle in Australia that preys on a pest called the cottony-cushion scale, then threatening to wipe out California citrus groves. After two years of beetle shipments from Down Under, the scale was brought under control.

INTEREST WANES

Interest in biological methods waned following the spectacular successes of DDT during World War II and the rapid proliferation of chemical insecticides in the postwar years. Reece I. Sailer, chief of Agriculture's parasitic insect branch in Beltsville, Md., recalls somewhat bitterly that some 25 Government scientists were working on biological controls in 1938, but by 1955 the number had declined to only a half-dozen or so.

Soon after that, however, interest in the biological approach began to revive, and some notable victories followed. In recent years, massive releases of sterilized male screwworm flies have reduced the population of this Southern and Western cattle pest; annual savings to livestock producers from Florida to California are estimated at $120 million. And the Japanese beetle, which once chewed on nearly 300 species of U.S. plants, has largely succumbed to a dusting program that spread a disease that attacked the Nipponese invader.

Today Uncle Sam has over 170 entomologists, chemists and other specialists busy on biological control projects. One important center, the Federal Entomology Research Laboratory at Columbia, Mo., which opened in 1966, has just this year begun producing sufficient wasp eggs for experimental use against the cotton bollworm in Texas and the apple-boring coddling moth larva in Indiana.

In part, the resurgent interest in biological control springs from increased public concern about chemical dangers. DDT and some other long-lasting chemical insecticides, rather than breaking down harmlessly within a few weeks after spraying, often retain their potency for long periods—up to 15 years in cases of especially heavy DDT applications. If these chemicals enter the chain of food production, they can build up in the fatty tissues of animals and human beings with possibly harmful consequences.

This year Michigan barred all use of DDT except by public health agencies and indoor pest exterminators. And the Arizona Pesticide Control Board, faced with the problem of too much DDT in milk, ordered a one-year halt to commercial farm applications of the chemical and a related formula, DDD.

Currently, the Wisconsin Natural Resources Department is considering a statewide DDT ban; the legislature's lower house has already approved such prohibition. Also, the U.S. Agriculture Department has suspended use in its spraying programs of nine persistent insecticides, including DDT, until it reevaluates their environmental impact.

The attack on DDT comes at a time when its use is declining in the U.S. Production for U.S. markets totaled only 40 million pounds in the 1966–67 crop year (the latest period available), about half the 1958–59 level. A major reason is mounting insect resistance to DDT; new strains of bugs seem impervious to its effects.

(Even so, restrictions on DDT pose a threat to pesticides generally, contends the National Agricultural Chemicals Association, voice of the industry. Noting the association's vigorous DDT defense in Wisconsin, where annual sales total a piddling $17,000, NACA President Parke C. Brinkley says, "We're trying to hold the line there because if we lose in Wisconsin we could lose everywhere." He worries most about a possible move in Congress to bar interstate sales of DDT or other pesticides.)

In theory at least, other chemical insecticides might offer alternatives to DDT. There are two newer insecticide families, the organic phosphates and organic carbamates, which break down in hours or days after application. But they are more costly than DDT, and some of them also show signs of declining effectiveness.

In the case of the cotton crop, many experts now believe the solution to its problems lies in biological-plus-chemical suppression of the boll weevil. With the need for weevil spraying reduced dramatically, natural enemies of the bollworm could recover. "This would reduce the need for bollworm spraying by 75%," asserts Theodore B. Davich, chief of the Federal boll weevil lab at State College, Miss.

A PREVAILING PROBLEM: CAN WE TRUST THE SOVIETS?

Mr. FANNIN. Mr. President, one of the continuing problems facing us in debating the question of proceeding with the President's ABM-Safeguard proposal turns on the assessment of Soviet intentions. I am aware that many persons believe that the Russian leaders are "mellowing." In fact I believe within the Department of State for many years there has been a faction that continues to operate on the theory that the U.S.S.R. is drifting to the right and the United States drifting to the left—so if we can hold our balance for a long enough period our differences will not be worth fighting over.

I do not subscribe to the view that the Soviets have changed their plans, Mr. President, primarily because I can find no hard evidence expressed in either action or official policy statements that bear the weight of the assumption the Soviets are in fact "mellowing."

This question of Russian leadership intentions is of course vital to the ABM debate, because it helps us in deciding whether we really need the defense system or not. A realistic assessment of the intentions of the present Russian leadership would assist us in weighing the factors involved in this decision.

Therefore, Mr. President, I have endeavored to find out if the Russian leaders are indeed following a different line, or direction, than that set out by the early Marxists when they took power in Russia back in the 1920's.

This question comes to the fore because of the recent speech made by Foreign Minister Andrei A. Gromyko. On July 11, it was widely reported that Mr. Gromyko called for a new era of peace and friendship with the United States and indicated Soviet interest in a future conference with President Nixon. In a foreign policy statement to the Soviet Parliament, he indicated the U.S.S.R. was ready to begin strategic arms control talks with the United States.

Leading international observers regarded Mr. Gromyko's conciliatory words as an indication that the Soviets are seeking an improvement in relations with the West so they may have both hands free to deal with growing problems with Red China.

Mr. President, without wishing to pass premature judgment upon the motives that may underlie this speech from the Soviet leadership, I think it must also be observed that the Soviets are quite capable of making speeches and preparing policy statements intended primarily for consumption overseas and I would add that I am sure it has not escaped the attention of the Soviet speechwriters and planners that the Senate is engaged in the ABM debate. I admit, Mr. President, that my first reaction is to take Mr. Gromyko's statement as some sort of effort to influence that debate, and that brings me back to my original point that we need to have something more tangible by which to assess Soviet intentions than a single sentence out of the speech probably produced primarily for consumption abroad.

It is my opinion that another sentence from Mr. Gromyko's talk is more important. He said:

> It is clear that our two countries are divided by deep class differences, but the Soviet Union has always proceeded on the assumption that on questions of preserving peace, the USSR and the USA can find a common language.

I note that the Soviet Foreign Minister mentioned three entities—the Soviet Union, the U.S.S.R., and the United States of America. I would like to call the Senate's attention to remarks which I put in the RECORD on June 5, 1969, under the heading "When Is the U.S.S.R. Not the U.S.S.R.?" In the article associated with my remarks it was clearly developed that the Soviet Union, although we use the designation interchangeably with the U.S.S.R., is not in fact the same thing. Mr. Gromyko is not just setting style when he says:

> The Soviet Union has always proceeded on the assumption that the "U.S.S.R. and the U.S.A. can find a common language."

He is reiterating the point which I and others have tried to make, namely, that we very well may negotiate agreements with the U.S.S.R. and think that the Governments of both countries have bound themselves by treaty and find that the CPSU—Communist Party of the Soviet Union—has no intention of abiding by that agreement.

We are in great need of keeping our eyes and ears open in dealing with the Soviets lest we fall into the trap which they have boasted of, namely to use the very governmental and parliamentary institutions which we cherish to destroy that which we hold dear.

SPASM RESPONSE

Before speaking to the historically recorded intentions of the Russian leadership, I would like to take a moment to speak to those who maintain in our present debate that "the best defense is a good offense," or words to that effect. I have heard it seriously presented that we can achieve the same degree of protection simply by increasing the number of our offensive missiles and since we already have numbers sufficient to eliminate the Soviet population many times over even that move should not be necessary.

First, it seems to me that those who seriously maintain that the best defense is a good offense, fail to qualify that by adding, "provided you are already in a conflict." If you are not in a conflict the

best way to keep from getting in one may well be a combination of defense and potential offense.

Otherwise, it appears that serious proponents of that kind of thinking restrict themselves to a "spasm" response in case of an attack. In order to consistently maintain the defense philosophy of only improving your offense, two questions must be answered:

First. Are we willing to strike the first blow?

Second. Are we willing to accept a crippling first blow and then strike?

Those appear to me to be the only options open under the "add to the offense capability only" philosophy. I cannot imagine an administration that is willing to answer yes to either of those questions. Yet that is apparently what the anti-ABM spokesmen would have us agree to. I would propose those questions to the Senate and ask if there is a Senator who is willing to defend an affirmative answer to either one.

For myself, I believe that we must seek the "extra button" described by the Senator from Vermont (Mr. PROUTY) the other day when he said he would vote for this proposal in order to give the President another option than an all-out attack upon a nation which we believed to have launched an attack against us.

EARLY SOVIET INTENTIONS

Mr. President, in looking into this matter of trying to determine just what the Russian leaders may intend, I first examined some of the early statements of those in charge in the U.S.S.R. back in 1928. Here is a statement of ultimate purpose:

The ultimate aim of the Communist International is to replace world capitalist economy by a world system of communism. (Sixth World Congress of the Communist International, September 1, 1928.)

This theme is stated again and again by the early Marxists-Leninists as they described the program of the Comintern:

This program of the Communist International . . . becomes the program of struggle for the world proletarian dictatorship, the program of struggle for world communism.

Anyone who desires can make a similar investigation and determine the stated intentions of the Russian leaders in the 1920's. I might add that these early documents also describe the concept of world systems in conflict which characterize Soviet thinking today. The title of Chapter One of the Sixth World Communist Congress' main document is, "The World System of Capitalism, Its Development and Inevitable Downfall."

Mr. President, I ask unanimous consent to have inserted in the RECORD at the conclusion of my remarks a paper prepared by the American Research Foundation that deals in some detail with the points which I have just covered.

RECENT EXPRESSIONS OF INTENT

Next, Mr. President, I examined some of the more recent documents of the international Communists to determine if their stated goals had indeed changed, as some have indicated.

I might note here that recent news reports carry words of how "good intentioned" the Soviet leaders have become. I expect we shall shortly be regaled with cheery stories from the former Vice President, Mr. Humphrey, when he returns. Without revealing too much, I am sure we can expect to hear him say how much the Soviet leaders really do desire to come to some kind of accommodation with the West, and we merely have to meet them halfway.

In this I am reminded, Mr. President, that Astronaut Frank Borman, who recently completed a tour of Russia, said that Russian evident good will is almost overwhelming, however, he had to keep in mind that this is the nation that is supplying 80 to 85 percent of all the war material to North Vietnam. This is the nation that continues to fuel the fire of conflict.

Without risking too much, Mr. President, I am sure we can expect great protestations of Soviet good will from our former Ambassador-at-Large. He will surely tell us that the Soviets are really moving our way and we must meet them with open hearts.

SOVIET LEADERS

It was most interesting to me, Mr. President, to receive the excellent speech given here the other day by my good friend from Washington, Senator JACKSON. We serve together on the Interior Committee and I am well aware of his ability in that field where he is a most able chairman. However, this speech dealt with the rising leaders in the U.S.S.R. Senator JACKSON noted their backgrounds and biographies. Almost without exception, he pointed out that these men came to power during the Stalinist years when bloody purges were the rule rather than the exception. From examining the evidence there is little that would lead one to conclude that these men will ever seek accommodation except as it serves their ultimate purpose.

I am quite aware that with the impending visit from President Nixon to an Iron Curtain country as well as the border clashes with Red China, the Soviet leadership finds itself in a somewhat strained position. They need an accommodation of sorts at this time. But let us not be fooled.

COMMUNIST CONFERENCE

On the 17th of June, 1969, Tass, the Soviet international news service distributed the full text of the main document adopted in Moscow by the World Communist Conference.

A careful examination of this official pronouncement might reveal something of what the world Communist parties are thinking and planning.

First, I noted that out of the first 21 paragraphs of the statement, 20 of them used the words "imperialism," "imperialist," or some other close derivative. Of the total document of some 185 paragraphs, all but about 60 made extensive use of the same terms. Of course this is not totally definitive, but it gives a general indication of the tone of this main document.

Who then is the chief threat to world peace, Mr. President? May I quote from this document:

While the world system of imperialism has not grown stronger, it remains a serious and dangerous foe. The United States of America, the chief imperialist power, has grown more aggressive.

That does not sound much like seeking an accommodation does it? Particularly when the United States is identified as the "chief imperialist power" and the preceding sentence speaks of "dealing imperialism new blows."

American "imperialism" is described in the old medicine show language as responsible for most of the world's ills. Those few plagues that cannot be dumped at Washington's door are deposited in London, or Tokyo, or West Berlin.

Our accommodating efforts in Vietnam are described thusly:

U.S. imperialism has been compelled to cease the bombing of the Democratic Republic of Vietnam unconditionally and to send its representatives to sit at the negotiating table with representatives of the Democratic Republic of Vietnam and the National Liberation Front of South Vietnam.

You will notice use of the word "compelled." Not a single reference to any act of "good will" on our part which our accommodaters would have us so quickly perform.

On another front:

U.S. imperialism has not abandoned its plans to strangle revolutionary Cuba. It continues to try to blockade it economically and carries on provocative and subversive activity against it. . . . But the courageous people of Cuba, lead by their Communist Party and supported by the Soviet Union . . . staunchly defend . . . the outpost of socialism in the American continent.

And so the recitation goes, around the world; we are the villains; they are the heroes. Of course it is propaganda, but it is nevertheless the main document adopted at the World Communist Conference in June. Does that show a real change of the "party line?"

Consider this last paragraph, which I shall quote:

The events of the past decade have laid bare more forcefully than ever the nature of U.S. imperialism as a world exploiter and gendarme, as the sworn enemy of liberation movements.

Notice, we are the "sworn enemy." Accommodation? Hardly.

WORKERS BY BRAIN

It should be noted also that the Communist Party Conference is apparently in the process of expanding its base from the "working class" which has been its mainstay for so long. The new document speaks of "workers by hand and brain" by which, I presume, they now begin to include scientists and engineers, who have been hard put heretofore to be classified as "workers."

PEACEFUL COEXISTENCE

Interesting also is the definition of "peaceful coexistence" which is urged upon us from so many quarters. The document says:

The policy of peaceful coexistence does not contradict the right of any oppressed

people to fight for its liberation by any means it considers necessary—armed or peaceful.

By their own definition, you see, peaceful coexistence is not always peaceful.

U.N. NOT RECOGNIZED

In addition to this, Mr. President, it is well known that the Russian leaders do not recognize the United Nations Organization as a legitimate world governing body. When we are urged to surrender our sovereignty to this organization we should bear in mind what the Russians think of it.

As far back as 1951 B. S. Molodstsov, writing in "Soviet State and Law," said:

Activity of the United Nations shows that the Government of the capitalist states represented in it do not reflect the will of the overwhelming majority of the population of their countries and in effect are not representative of the peoples of these countries.

WORLD PEACE COUNCIL

In place of the United Nations the Communist nations belong to the World Peace Council which, in the words of Molodstov, "is an organ representative of the peoples of the world themselves and not of government."

Well then, what of this world peace organization? Has it changed its tone and is that organization seeking a "peace and friendship" accommodation between nations of the world?

Here are portions of the Vietnam Commission report adopted by the World Peace Assembly in East Berlin on June 25, 1969:

The subcommission suggests a number of international actions:

Campaign of letters and telegrams of protest from all parts of the world to President Nixon at his summer residence (Summer White House, San Clemente, California.)

Every conceivable boycott of U.S. products.

Demonstrations in front of U.S. embassies and consulates wherever this is possible.

International conferences designed to intensify the pressure on the government of the United States and for demonstrating solidarity with the American peace forces. . . . demand the Okinawa base be disbanded so that the United States can no longer use Okinawa as a starting point for operations against Vietnam.

Objective observers will note the Assembly proceedings carefully omitted any reference to the strangulation of Czechoslovakia by the Russian Army.

SOVIET THREAT OR MYTH

How does all this affect our question here, Mr. President? In an unusual letter to an American magazine, a Soviet official says backers of the Safeguard-ABM are "frightening Americans by the myth of the 'Soviet threat'." The writer is Georgi A. Arbatov, director of the U.S. Institute of Soviet Academy of Sciences. It was printed in an early July issue of Newsweek magazine. He says:

Although the study of America has become my profession, I regret that the work I have done does not enable me to predict whether those who favor escalating the arms race will manage to mislead the American public again.

Mr. President, I ask the question who is attempting to mislead whom? Are we to believe there is a "myth" of a Soviet threat when their own public statements call America the leading imperialist aggressor in the world and speak of "striking blows" against imperialism?

What are these "blows" to be struck?

SOVIET STRATEGY

Mr. President, my colleague from Arizona (Mr. GOLDWATER) distributed a booklet here yesterday which supported the rationale for an effective ABM, written by William R. Kintner. Another book, called "The Nuclear Revolution in Soviet Military Affairs," has been written by Mr. Kintner and Harriet Fast Scott. This excellent compilation of Soviet military writings takes the strategy directly from the military handbooks and articles prepared for use by Soviet military officers.

In one chapter, entitled "New Means of Fighting and Strategy," by Col. V. V. Larionov, great note is taken of the impact of the nuclear rocket weapon upon strategy. Colonel Larionoy calls attention to the unifying of strategic rocket forces in the Soviet Union and notes that from the very start they were considered the main service of the armed forces. To quote Colonel Larionov:

The simultaneous strike on the armed forces, including strategic nuclear means, and on the objectives of the enemy's economic potential for achieving the aims of war in a short period of time—this is what moves to the forefront.

The whole book which was published in 1968, is a reaffirmation of our worst fears that the Russian leaders are not only talking tough, they are actually preparing to win this new kind of war in which the beginning period is considered all important.

Now in the face of that, Mr. President, is it prudent for us to draw unto ourselves the doctrine that the "greatest security available to this Nation is the avoidance of nuclear war," as I have heard several Senators do with vehemence? The least costly way to avoid a nuclear war—in terms of dollars—is simply to lay down all arms and surrender. I realize, Mr. President, that perhaps Senators who are espousing this line do not realize the logical end of their reasoning. I attribute to them patriotism and sincerity in their opinion; but allowing all that does not prevent them from being sincerely wrong.

It has been my preference, Mr. President, to be a realist and while I very well may wish that it were not necessary to arm ourselves against a threat from the Soviet, wishing does not make it so; especially when every indication—outside those intended for our domestic consumption—is that Khrushchev's "We will bury you" is still the order of the day inside the Kremlin walls.

MILITARY SURPRISE

One last observation on this matter, Mr. President, and then I am through. There is a quotation from the Soviet "Explanatory Dictionary of Military Terms," page 75:

Surprise—One of the basic conditions for achieving success in battle. . . . Surprise is achieved by the use of various ways . . . by leading the enemy into error concerning one's own intentions, by preserving in secret the plan of battle, by speed and decisiveness of action, by hidden artificial maneuvers, by the *unexpected use of the nuclear weapon* and other new combat means . . ." (Emphasis added.)

Mr. President, there it is in plain words for all the world to see. The Soviets have no hesitancy in advising their military leadership that they are willing to engage in another Pearl Harbor action—this time a nuclear one—if it will achieve their objective.

I for one, Mr. President, am unwilling to trust the fate of this Nation to the ephemeral "good will" of Soviet leadership until I have concrete evidence that will contradict everything the Soviets have said and done in this whole area.

Admittedly we are guessing when we try to ascertain the intentions of Soviet Communist leadership. But there need be no guesswork about what they have said. There need be no guesswork about what they have done in Eastern Europe. There is no guesswork about their intentions as expressed by their official party gatherings as recently as a month ago. There is no guesswork about the strategic capability.

I am aware that there are some Senators who consider foreign relations a never-never land in which an apprenticeship of several decades must be served before one is allowed to express an opinion. I have observed the results achieved by following such a supposition and this Senator is inclined to think that perhaps that dark and mystical world could stand some light and the fresh breeze of a new look.

Can we trust the Russian Communist leadership?

Yes, Mr. President, I believe we can. I believe we can trust them to do exactly what they have promised to do in their own military journals and handbooks. And trusting them so, I suggest that we trust our own President and those around him charged with the defense of this Nation. Let us trust them with the defense system they have asked for.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

SYSTEMS IN CONFLICT: THE U.S.S.R./SOVIET UNION AND THE FREE WORLD

(By American Research Foundation)

In the forums of international exchange and negotiation—especially in the United Nations Organization (UNO)—a significant confusion has gone unnoted and, as a result, uncorrected regarding the consistent use of the terms "USSR" and "The Soviet Union." It has become commonplace to use these designations interchangeably, as if they were in fact synonymous. In actuality, this is by no means the case; the two terms are not synonymous. Each has its own peculiar significance and it is only to the extent that this significance is correctly understood that a proper comprehension of the context within which they are used is possible.

The "USSR" is a duly recorded and recognized nation-state member of the UNO. The Soviet Union, on the other hand, is another matter.

When Khrushchev addressed the sessions of the UNO General Assembly several years ago, he flamboyantly announced: "I come as a representative of the Soviet Union." If such were in fact the case, under no circumstances should he have been allowed the privilege of the floor nor been accorded any official recognition. The Soviet Union is NOT

a member of the UNO. In fact, ethnically, geographically and legally it can be said that the Soviet Union does not exist as a country. There are no boundaries, no constitutions, or any of the other legal instruments of power which belong to a sovereign nation-state. Its identity stems entirely from the Marxist-Leninist doctrine as promulgated by the Communist Party of the Soviet Union. It is identified in that doctrine as the "base of the World Revolutionary Communist System and its world-wide revolutionary apparatus." The leadership for world-wide revolutionary power is drawn from this base. From this "base" Marxist-Leninist Communist leadership has declared "world-wide class war" against the so-called World Capitalist System. The end and aim of that class war is the total annihilation of the "imperialist forces of oppression," or, in other words, the Capitalist System.

The Soviet Union by its nature is above and beyond any conventional national or international restraint or controls. Yet this base of world power has a capability for disrupting and countering *bona fide* international agreements. It can render utterly ineffective even the Resolutions of the UNO which are endorsed by the USSR.

In the roster of the UNO, the USSR is duly registered as a member state. This is as it should be for the USSR operates as a state power in a conventional and diplomatic manner. In international negotiations within the purview of the UNO, the USSR conforms to the procedures spelled out by the UN Charter. The Soviet Union, however, knows no such external restraint as represented by the UN Charter, or by any other corpus of international law. It is, in effect, its own master and obeys only its own laws. As a useful tool, the Soviet Union has at its disposal the diplomatic resources of the USSR. And as a tool is relatively useless without the skill of the craftsman to empower it, so the USSR draws its vital force from the Soviet Union, i.e., the Communist Party of the Soviet Union.

The subtle but significant relationship between the Soviet Union and the USSR has fostered three general misconceptions which may be summarized as follows:

1. The ruling Communist Party of the Soviet Union (CPSU) and the government of the USSR are identical in every respect. The acts of one, therefore, may be regarded as the acts of the other. The commitments of one automatically are respected and honored by the other.

2. The CPSU and the USSR are two separate entities. This concept is widely accepted in academic and diplomatic circles. It is not without logic for the Government of the USSR is in fact a power in its own right; it truly represents a nation-state in the western concept. The problem lies in the fact that this otherwise conventional governmental structure is totally subservient to the Communist Party which is *not an integral part of the government* structure.

3. The CPSU is the instrument of the Government of the USSR. This view reverses the perspective of misconception No. 1 above in that it applies to the CPSU/USSR relationship the scheme which obtains in the majority of nation-states where political parties are subject to the rule of the government in power.

In order to correct these misconceptions, one has only to turn to the Government of the USSR: Article 126 of the "Constitution (Fundamental Law) of the Union of Soviet Socialist Republics." Promulgated in 1936, in the section entitled "Fundamental Rights and Duties of Citizens," this Constitution unequivocally defines the role of the Communist Party in the life of the USSR as follows:

"ARTICLE 126

"In conformity with the interests of the working people, and in order to develop the initiative and political activity of the masses of the people, citizens of the USSR are guaranteed the right to unite in mass organizations—trade unions, cooperative societies, youth organizations, sport and defense organizations, cultural, technical and scientific societies; and the most active and politically conscious citizens in the ranks of the working class, working peasants and working intelligentsia voluntarily unite in the Communist Party of the Soviet Union, which is the vanguard of the working people in their struggle to build Communist society and is the leading core of all organizations of the working people, both government and non-government."

Further, in the section of the Constitution dealing with the Electoral System in the USSR, Article 141 states:

"Candidates are nominated for each constituency. The right to nominate candidates is secured to mass organizations and societies of the working people: Communist Party organizations, trade unions, cooperatives, youth organizations and cultural societies."

That the Communist Party controls the internal political life of the USSR is no startling revelation. However, it is a matter of major concern to the Free World that in its international relations, the USSR is little more than a facade, a front whose formal signature is valid only to the extent that the Communist Party allows it to be so. In international negotiations, this means that the negotiating parties do not meet on equal planes. The one committing the power and resources of its government, or governments, to support of the issue at stake, making accommodations, but being completely unable to control those forces which are designed to subvert and actively set about undermining the structure of bona fide international agreement. The organization of those forces, namely the Communist Party, never appears at the negotiating table as such.

It is interesting to note in passing here that the only time the phrase "Soviet Union" issued in the Constitution of the USSR is in Article 126. Here it appears in the conventional formula, "The Communist Party of the Soviet Union" (CPSU).

The Marxist-Leninist concepts of State and Government may be summarized as follows: "Not a single important political or organizational decision or question of internal policy, or the conduct of foreign affairs can be resolved by the Supreme Soviet of the USSR and the Government of the USSR without the overriding guidance and direction of the Communist Party of the Soviet Union."

The terms and phrases which the Communists use in international intercourse are determined by their ideological world outlook, based on the Marxist-Leninist concepts of the tactics required to establish on a global plane their "classless society." In order to comprehend these terms and phrases, they must be read in the light of their Marxist-Leninist usage, both past and present. This is not a matter of subjective interpretation. The Marxist-Leninist canon provides ample evidence for the determination of the actual meaning of the words in the Communist vocabulary.

As soon as the USSR and the satellite governments succeed in working into the text of international treaties, agreements and resolutions words from the Marxist-Leninist lexicon, the Communist Parties the world over are provided with guidelines for the process of subversion. Furthermore, they are provided with a *legal* vehicle for this subversion, a formal agreement signed by its agent, the USSR.

There are some basic aspects of Marxism-Leninism which must be carefully considered before any comprehension of the language they use is possible. In the first place, despite what may have appeared to be a radical change in the posture of the Communist world during the Khrushchev period and subsequently, the Marxist-Leninist doctrine has remained intact. This doctrine provides a philosophical basis for the Soviet-Communist social structure and system of government. It also provides justification for the complete and uncontestable control of this social structure system of government by the Communist Party of the Soviet Union.

Basic to the doctrinal concepts of Marx-Lenin is the demand for total dedication to the revolutionary transformation of the existing capitalist class society into the classless society of Communism through the "national liberation movement" and such other appropriate means of subversion and/or insurgency that may be necessary to achieve the desired ends. The "appropriate" means may fall into the peaceful deception of "coexistence" or it may take the more violent form—guerrilla warfare. In either case, the struggle is assured of success for, according to Marxist-Leninist doctrine, the final decision of history will "establish a classless society all over the world."

The second fundamental doctrine of this philosophy is that "history develops according to a prescribed pattern determined by economic laws." The basic difference between Communism and capitalism is economic. In a capitalistic system, the "means and tools of production" are privately owned. Men, therefore, are exploited by the owning classes who respond only to the profit incentive. On the other hand, in the economic structure of the communist state, the "means and tools of production" are public property, belonging to the productive forces, the laborers. By eliminating the profit imperative, class barriers are eliminated the "classless society," the "new and perfect" society, takes over. The construction of the "new and perfect" society by the CPSU and its world-wide apparatus has an *absolute* value. *Any* measures or means which further the ends are justified, no matter how bloody, or devious. Furthermore, the struggle to attain that end is incessant, ending only when the "State has withered away."

No matter how cursory, no discussion of Marxist-Leninist social economics can avoid mention of the phrase which has come to be identified so closely with Communist ideology, namely "Dialectical Materialism." Briefly, this phrase which long antedates the Marxist innovation in philosophical history is the tag applied to the concept that the brain and the spirit of man are dominated and controlled by the material world in which he lives. In the Marxist-Leninist context, this means that the economic or material *base* determines the shape and nature of the entire *superstructure*. Thought, political ideology, government organization, law, religion, and so forth. This fundamental principle of base and superstructure is central to the Marxist-Leninist interpretation of history and its translation into the political reality of the Communist system where the USSR, or any other organized front constitutes the superstructure which in turn is but a projection of the base—the CPSU.

The superstructure is malleable—nothing attests to this more than the history of USSR foreign policy during the last two decades. Further evidence can be found in the annals of the UNO. The Base, however, is rigid and is not affected by the apparent flexibility of its superstructure. To paraphrase Lenin, maneuvering, conciliation, deliberate compromise, skillful use of conflicts in the capitalist camp and wooing temporary allies give shape to the mass of the superstructure. This is the point of origin of Soviet diplomacy with which the nations of the free world have to cope.

If we assume that the USSR is the superstructure—and there is no evidence to refute this assumption—we may conclude that any and all official acts, agreements, treaties, etc., within the UNO or other international bodies affect only the superstructure. Such international agreements can be broken when they appear to threaten the ideologi-

cal, organizational base of World Communism, the Soviet Union. They are broken, however, not by the USSR but in the name of the Soviet Union. By this maneuver, the USSR can maintain a strictly legal stance in the face of criticism, denying any infringement on the terms of the agreement to which it has been party.

Incorrect understanding of this most important differentiation between the Base and Superstructure can lead to complete and irremediable break in meaningful communications between the two antagonistic world systems.

SUMMARY

The USSR as a nation-state was set up by the CPSU to conform to the concepts of a western parliamentary form of government. This was done primarily in order to maintain conventional, temporary relationships (Peaceful Co-Existence) with the capitalist nation-states of the world.

It is conventional in that it utilizes accepted terms for government organization; it is temporary in that its power source, the CPSU, anticipates the "liberation of all class-oppressed people" by the establishment of a classless society upon the ultimate destruction of the capitalist system and the governments sustained by that system.

EDITORIAL ENDORSEMENT FOR THE COOPER-HART AMENDMENT

Mr. SAXBE. Mr. President, I wish to call to the attention of the Senate an editorial which appeared in the July 19, 1969, issue of Business Week magazine. It endorses the Cooper-Hart amendment which I have cosponsored.

The editorial answers the critical question of whether this Safeguard system is ready for operational use. It is not. I have repeatedly supported research and development to develop a workable system. I shall continue to do so. Let me say, this decision at most delays deployment for 1 year. It is not irrevocable and can be changed if conditions or events change.

I, therefore, believe that the Cooper-Hart amendment is the best compromise and logical solution to the present impasse. I ask unanimous consent to have this editorial printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A WAY OUT OF THE IMPASSE ON SAFEGUARD

President Nixon will be making a grave mistake if he lets his Senate floor managers push for an all-or-nothing showdown over Safeguard—the Administration's antiballistic missile deployment program.

As Senate debate built up steam this week, it became more and more evident that Safeguard's opponents are both powerful and persuasive. They certainly can keep the President from getting the "strong vote" of support that he hoped for. They may well be able to defeat the program. That not only could threaten the passage of other Administration legislation; it might seriously weaken the position of U.S. negotiators when they sit down to discuss arms control with the Soviet Union.

In this situation, the case for compromise is strong. The Administration would serve the best interests of the country—and at the same time get itself out of a nasty hole—if it now offered to accept one or more of the major amendments that will be proposed in the Senate before the final vote.

The best compromise offered so far is in the form of an amendment proposed by Senator John Sherman Cooper (R-Ky). This would shift the emphasis of Safeguard away from deployment and back to a research and development program. Since both Safeguard's radars and its computers have been challenged as inadequate to support an ABM network, Cooper would provide more money for test work on them. He would deny the military's request for $345-million to start Safeguard deployment but allow the Pentagon to spend any part of that money, as it wished, on intensified R&D.

Cooper's proposal takes account of two basic facts that are in danger of being forgotten as the shrillness of the debate over Safeguard mounts:

One, the U.S. simply cannot afford to let its research lag—either now or in the foreseeable future—in the vital area of missile defense.

Two, Safeguard is not yet a tested and reliable system. Its radar has received only a partial test at Eglin Field, in Florida. Its warheads have not been perfected; its computer software has not even been written.

What this means is that research on Safeguard must continue but that deployment now would be a waste of money that could be spent to better effect elsewhere. The crucial question is not whether the Russians would regard deployment as a provocative act—although they might. Nor is it whether we can afford the cost of an ABM system—we can if we must. It is whether or not this system is ready for operational use. And the answer is: It is not.

The Cooper proposal offers a logical solution to the problem. And while logic does not always recommend itself to embattled legislators, this is a case where everyone stands to gain if it prevails.

The stakes are high. For not just the Administration but the whole nation stands to lose if the Safeguard issue is pushed to a take-it-or-leave-it conclusion.

THE NORTHPARK CONSERVATION FEDERATION OF DALLAS, TEX., CALLS FOR 100,000-ACRE BIG THICKET NATIONAL PARK

Mr. YARBOROUGH. Mr. President, on July 10, 1969, the Northpark Conservation Federation of Dallas, Tex., passed a resolution adopting a policy statement calling for the establishment of a 100,000-acre Big Thicket National Park in southeast Texas. It also calls for the establishment of a national wildlife refuge, a State historical area, and State parks to supplement the national park.

In October 1966, I first introduced a bill to create a Big Thicket National Park. I have introduced a similar bill in each Congress since then. In my current bill, S. 4, I ask that at least 100,000 acres be set aside as a Big Thicket National Park. Some corporations and persons would like to see this area reduced to a trivial 35,000 acres. Compared with the magnificence of the Thicket's tall trees and matchless beauty, 100,000 acres is, in fact, a pitifully small area.

The Big Thicket is continuing to disappear at an alarming rate. Once the Big Thicket is gone, it will be gone forever. With it will go its wildlife, the rare birds, and the beauty. America will have lost irrevocably an integral part of herself. We must act now if we are going to save this invaluable part of America's heritage.

Mr. President, I ask unanimous consent that the resolution and policy statement adopted on July 10, 1969, by the Northpark Conservation Federation of Dallas, Tex., be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE NORTHPARK CONSERVATION FEDERATION OF DALLAS, TEX., ON THE BIG THICKET NATIONAL AREA

The Northpark Conservation Federation of Dallas, Texas does hereby adopt the Policy Statement on The Big Thicket National Area, a copy of which is attached hereto and made a part hereof for all purposes, and urges the President of the United States, the Congress, the Department of the Interior, the U.S. Corps of Engineers, (as to Dam B), as the appropriate state agencies (as to supplemental state and historic parks) to take appropriate action to implement this policy as soon as possible.

DAVID L. ZACHARIAS.

POLICY STATEMENT ON BIG THICKET NATIONAL AREA

We favor a Big Thicket National Park or area which would include a minimum of the 35,500 acres proposed in the Preliminary Report by the National Park Service study team, with the following modifications and additions:

1. Extend the Pine Island Bayou section southward and eastward down both sides of Pine Island Bayou to its confluence with the Neches River.

2. Extend the Neches Bottom Unit to cover a strip, a maximum of three miles, but not less than four hundred feet wide on both sides of the Neches River from Highway 1746, just below Dam B, down to the confluence of Pine Island Bayou.

3. Extend the Beaumont Unit northward to include all the area between the LNVA Canal and the Neches.

4. Incorporate a Village Creek Unit, comprising a strip up to one mile wide where feasible, and no less than 400 feet wide on each side of Big Sandy-Village Creek from the proposed Profile Unit down to the Neches confluence. Where ever residences have already been constructed, an effort should be made to reach agreement with the owners for scenic easements, limiting further development on such tracts and preserving the natural environment. Pioneer architecture within these areas should also be preserved.

5. Incorporate a squarish area of at least 20,000 acres so that larger species such as black bear, puma and red wolf may survive there. An ideal area for this purpose would be the area southeast of Saratoga, surrounded by Highways 770, 326, and 105. Although there are pipeline crossings in this area, they do not destroy the ecosystem; therefore the National Park Service should revise its standards pertaining to such incumbrances, in this case, leaving them under scenic easement rules instead of acquiring them.

6. Connect the major units with corridors at least one-half mile wide, with a hiking trail along each corridor but without new public roads cutting any forest. A portion of Monard Creek would be good for one such corridor. The entire watershed of Rush Creek would be excellent for another.

Such additions would form a connected two-looped green belt of about 100,000 acres (there are more than 3 million acres in the overall Big Thicket area) through which wildlife and people could move along a continuous circle of more than 100 miles.

We recommend that the headquarters be in or near the line of the Profile Unit.

We are absolutely opposed to any trading or cession of any National Forest areas in

the formation of the Big Thicket National Park or Monument.

In addition, but not as a part of the Big Thicket National Monument, we recommend: (a) the establishment of a National Wildlife Refuge comprising the lands of the U.S. Corps of Engineers around Dam B, (b) a state historical area encompassing communities of typical pioneer dwellings, farms, etc., such as that between Beech and Theuvenins Creeks off Road 1943 in Tyler County, and (c) other state parks to supplement the national service.

WHEAT SALES

Mr. McGOVERN. Mr. President, recent actions by the administration regarding wheat sales cause grave concern.

The last administration put considerable effort into creating a viable successor to the International Wheat Agreement, which had been in effect for more than 20 years and had continuous bipartisan support over those years. The International Grains Arrangement of 1967 represented an extension, and improvement, of previous agreements.

Now the present administration is taking the lead internationally in driving world prices downward. On July 18, the price of ordinary Hard Red Winter wheat was unilateraly cut 12 cents a bushel by the U.S. Department of Agriculture. I understand immediate thought is now being given to further cuts of the same magnitude. It appears that some qualities may have been cut substantially more. This is dangerous and provocative in relation to other countries, and is likely to lead to a major international price war.

In fact, it appears that the price war has begun. In a communique described earlier this week by Washington Post correspondent Richard Norton Taylor, the six agricultural ministers of the Common Market announced that in response to the U.S. action they had no alternative but to follow suit and lower their selling prices for grains.

The price for Hard Red Winter wheat under the IGA is $1.73 per bushel at the gulf. This works out roughly $1.35 at the country elevators. The loan support price is $1.25 per bushel. Some cushion is needed between the loan level and the export market level so as to avoid excessive movement into loan. The result of the cut of last week was in effect to drive the export prices below the loan rate. Further cuts will widen this margin. This makes no sense, unless this administration is attempting in a back-door manner to press down the basic home support program levels.

Steps such as that taken on July 18 cannot help but have an effect on the domestic price situation, and concern about a possible price cutting contest is already apparent in future trading. On the day of the Common Market communique wheat futures fell by as much as 6 cents per bushel on the Chicago Board of Trade.

If the objective is to undermine the domestic price situation it should be made clear, so that American farmers can more realistically assess their prospects and their agreement, or lack of it, with the administration's intentions.

If this is not the objective, it is not clear what is intended. World demand for wheat at the present time is inelastic, as economists say. A lower world price will not result in significantly larger wheat sales. Lower prices would only be helpful if the United States could move down alone, while other countries held back on their sales. But that degree of cooperation, where others agree to sell nothing, is impossible.

It is true that the specific schedule of prices and shipping differentials in the IGA could in 1969 put U.S. wheats at a disadvantage. But differentials must be varied from time to time to meet world production conditions, and changing shipping rates must be reflected in changing prices if the agreement is to work. This was well recognized when the agreement was negotiated. It was the United States which insisted on flexible procedures for adjusting the price schedule when the need arose. The United States took the position throughout the negotiations that any agreement on prices could only work if exporters actually had the will to cooperate and the willingness to adjust their relative selling positions as conditions required.

In 1969, the United States and Canada have fared badly in terms of market share, mainly in the Far East. The situation called for world price adjustments. Instead of suggesting a revision of some of the minumums through the procedures of the agreement, or exploring the possibilities of other forms of exporter cooperation, the United States threatened unilateral action to go below the minimum deeply and widely on all major wheats. A ministerial level conference was immediately requested by some of the major exporting countries, and Secretary Hardin met with ministers of the major exporting countries on July 10 and 11. It is my impression that the other exporting countries did express the will to make the agreement viable, and the willingness to adjust prices upward in some cases, and downward in others. The spirit of the understandings reached was to adjust the relative positions of individual wheats without any major downward world price movement. This administration subsequently, in its eagerness to push its own prices down, dropped ordinaries by 12 cents a bushel, far exceeding the expectations of the ministers of other countries.

This action can undermine the whole framework of the IGA. But that is not all. Even if there were no IGA, the exporters under present market conditions would still need to seek some reasonable live-and-let-live understanding in order to avoid costly price wars. Moreover, no one among the key importing countries will be grateful for price wars. The EEC will simply absorb price declines with higher import levies. The United Kingdom will oppose substantial price reductions because of the interference with her domestic programs and will adjust her levies accordingly. Japan will oppose drastic downward movements because of her rice accumulation at high support prices. Those developing countries which are becoming increasingly self-sufficient and improving their export position will oppose major declines because it will damage their own export prospects.

It is obvious that no one gains by a policy of uncontrolled price war. We are in a world surplus situation. The prospects are for rising surpluses. What is needed is sensible cooperation among the trading countries during the needed adjustment period ahead. Only in this way can a futile war of subsidies be avoided. Such a war would not be based on relative efficiency of nations but on government purse sizes. The United States and the EEC would survive, at great cost, and no real gain. All the others, developed and developing alike, would suffer heavy damage, for no good purpose.

I urge the administration to reconsider its go-it-alone policy and to work within the flexible framework of the IGA to find a cooperative solution to this difficult problem.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COMMON MARKET ANGERED—GRAIN PRICES LOWERED

(By Richard Norton-Taylor)

BRUSSELS, July 28.—The European Common Market hit back today at the U.S. and Canadian decision to sell grain at below the minimum prices set by the international grains arrangement in 1967.

"The European community had counted on the United States and Canada abstaining from unilateral measures which did not conform to the terms of the arrangement," a communique of the six agricultural ministers of the Common Market stated.

The communique said the Common Market had no alternative but to follow suit and lower their selling prices for grains accordingly. This means that community farmers' export restitutions, the difference between the Common Market support price and the world price, will be increased at the expense of all six market members. The farm payments are paid out by a common farm fund to which all members contribute. The Common Market will hold off these measures until the end of July, in the hope that some other arrangements can be worked out in the meantime, possibly at a meeting this week of representatives of the world's leading grain exporters.

On July 18, the U.S. (soon followed by Canada) decided to lower its selling price for grains. For example, the price of hard winter wheat was cut by 12 cents a bushel under the grain agreement minimum. These cuts affected exports from East Coast and Gulf ports.

These decisions followed a meeting in Washington earlier this month of ministers from grain-exporting countries at which the conclusion was reached that some price adjustments had to be made at a time of wheat surpluses.

A Common Market spokesman said the U.S. action could have grave consequences for the future application of the Kennedy Round of tariff cuts.

France, the market's principal exporter of grains, has been accused by the U.S. of undercutting the grain minimum price in sales to Thailand, Japan, and the United Arab Republic.

GUN CRIME CONTROL LEGISLATION

Mr. TYDINGS. Mr. President, The Subcommittee To Investigate Juvenile Delinquency has been conducting hearings on several gun crime control legislation measures introduced in the 91st Congress. As the proponent of one of these bills, S. 977, the Gun Crime Control Act, I recently testified before the committee. At this time I would like to present to the Senate the views I expressed at that time.

There are some citizens who doubt the need for gun crime control legislation. Sportsmen and other honest persons who do not abuse and misuse firearms ask why they should be inconvenienced, even though the inconvenience be slight, by registration and licensing provisions designed to control criminal elements. I think they deserve an honest answer. The stark fact is that gun crime is out of control in this country. The statistics state the case eloquently if dishearteningly.

In all of the wars fought by the United States, we have suffered somewhat in excess of 600,000 fatalities. Since 1900, about 800,000 Americans have died as a result of firearms abuse and misuse.[1]

In the 8-year period beginning with 1960, 475 law-enforcement officers have been killed in the line of duty. Ninety-six percent of them were killed with firearms.[2] Among their killers, 76 percent had records of prior arrest on criminal charges. Fifty-four percent of these had been taken into custody for a crime of violence such as murder, rape, or robbery.[3]

The murder rate for 1968 was 6.8 victims per 100,000 population, as compared to 6.1 in 1967 and 5.6 in 1966. This is a rise of 11 percent in the last year. It is estimated that 13,650 murders were committed in the United States in 1968. Of these, 65 percent, or 8,900 murders, were committed with firearms. In the same period, 65,000 assaults and 99,000 robberies were committed with the use of firearms.[4]

A comparison of these rates with those of several foreign countries with stricter firearms controls is educative. In America we tolerate a gun crime rate unthinkable in practically any other civilized nation in the world. The firearms homicide rate in the United States in 1966 was 3.5 per 100,000 population. This was seven times the rate in Canada; 12 times the rate in France; 17 times the rate in Sweden; 35 times the rate in England and Wales. An American is 35 times more likely to be murdered by gun than is a Briton, a Dane, or a German. An American is infinitely more likely to be killed than a Japanese or a Netherlander, where gun murders are so rare as to be statistically insignificant.

What do these percentages mean in terms of people? They mean that 6,855 people were murdered in the United States in 1966 with guns. At the same time, 98 were killed in Canada; 132 were killed in France; 14 were killed in Sweden; 27 were killed in England and Wales. All of these countries together had 271 people killed with firearms in 1966 as compared to 6,855 in the United States alone. The reason for this drastic disparity between our gun crime rate and that of other nations is simply that we have countenanced a system of incredibly lax gun laws which are a scandal in the civilized world.

This decade has seen a disastrous and demoralizing drain upon our national leadership, in and out of Government, through gun crimes. Among those we have lost are a President, John F. Kennedy, a leading Senator and presidential candidate, Robert F. Kennedy, and one of the most revered of our civil rights leaders, Dr. Martin Luther King. And these luminaries only head the list of important national figures murdered. Presidents, Senators, policemen, cabdrivers, store owners, busdrivers, great men and humble citizens—innocent people from all walks of life—have been gunned down by criminals under the gun policy our Nation has pursued.

Yet until last year, the Federal Government has refused for 30 years to limit even the notorious mail-order gun traffic. Meanwhile, the number of guns in America is increasing at an incredible rate. Estimates of the size of private American firearms arsenals place the total number of guns in America at somewhere between 100 and 200 million. We have more guns than families, more guns than cars, perhaps even more guns than people in this country. And more than four and a half million new guns are being sold in this country every year.

Mr. President, rather than continue this recital of the deadly statistics which so cogently demonstrate the need for control, I will submit a document entitled "Firearms Facts" which was complied by the Criminal Division of the U.S. Department of Justice, which I request be printed in the RECORD at the end of my statement. It details, fact upon fact, the toll wrung from our society by irresponsible firearms policies.

In the face of these facts, how can anyone doubt the need for better laws? The answer, I believe, is that no one who fully understands the situation—the existing level of firearms crime and the actual impact of the legislation I have been seeking—can question the need.

We have long known that the vast majority of the American citizenry wants stricter gun laws. In June of last year the Gallup poll reported that:

> The public, gunowners and non-gunowners alike . . . favor a law requiring the registration of all guns, a law banning the sale of all guns through the mails, and strict restrictions of the use of guns by persons.

A Harris poll indicated that 85 percent of the people favor strong gun control legislation.

Leading law-enforcement officials constantly stress the need for more effective firearms controls. In September of 1968, in a report to the President's Commission on Violence, J. Edgar Hoover stated:

> The ease with which firearms may be procured in the United States is a significant factor in the growth of crime and violence.
>
> I will reiterate my long-standing position that tough, comprehensive, uniform gun control legislation is imperative for the public's safety.
>
> While gun controls obviously cannot end violence, rigidly enforced controls would undoubtedly contribute to a reduction in violence. The gun-control provisions of the Omnibus Crime Control and Safe Streets Act recently enacted by Congress are a step in the right direction; however, it is imperative that further consideration be given to this pressing problem.

Quinn Tamm, director of the International Association of Chiefs of Police has written:

> Law-abiding citizens and the police are tired of living in a country which is becoming a veritable armed camp, erupting too frequently into violence, bringing death and destruction by firearms to innocent citizens. . . . The ease with which any person can acquire firearms . . . is a significant factor in the precedence of lawlessness and violent crime in the United States.

Then Attorney General Ramsey Clark testified last year as follows:

> After all we have suffered, it would be terribly disillusioning if we failed to act to control guns. Interstate control, registration and licensing are all essential.
>
> The people want strict gun control. Their safety demands it. The Congress is fully empowered to act. The time is now.

The President's Commission on Crime and Administration of Justice concluded that there should be legislation providing both for registration and licensing. The Commission stated:

> Since laws, as they now stand, do not accomplished the purpose of firearms control, all States and the Federal Government should act to strengthen them.

In spite of the compelling demand of the citizenry, of experts in law enforcement, of specialized study groups, we have been unable to obtain satisfactory firearms control legislation. This is the more unfortunate because there is, I believe, much common ground between myself and other sportsmen who favor stricter gun controls and the sportsmen who oppose us. Before I get to that common ground, however, I should like to deal with some of the misinformation which misleads some people into opposing gun crime control legislation.

Today many opponents of additional Federal legislation point to the limited regulation which passed the Congress last year and say, "There is your gun control." "You already have adequate legislation on the books." Unfortunately, however, the measures we achieved last year, while an important step in the right direction, falls far short of providing the essential crime control and prevention mechanism necessary.

The essence of the Federal legislation was to prohibit the interstate sale of firearms and ammunition except in defined circumstances and to provide a licensing system for importers, manufacturers, and dealers in firearms and ammunition. It provides neither a means of tracing firearms—as a registration system would—nor a means of preventing persons who all would agree should not have access to firearms from obtaining them—as a licensing system could.

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[1] Firearms Facts, Criminal Division, United States Department of Justice 7 (1968). All other statistics utilized in this statement, except where otherwise indicated, are taken from the above document, which is included as an appendix.

[2] Federal Bureau of Investigation Uniform Crime Reports, 1968 (to be released to the public in August, 1969).

[3] Id.

[4] Id.

Firearms user licensing would prevent criminals, addicts, lunatics, and juveniles from purchasing firearms, and registration would help find them if they used a gun in crime.

Firearms control is essentially a State concern, say some critics, and could be effectuated merely by enforcement of existing State laws. I wholly concur that this is an area in which the States should be free to act and with certain limits their action be final. Those limits are the fundamentals of a licensing and registration system. That is why the measures I have introduced have consistently provided that they will not preempt State laws—existing or subsequently passed—where those State laws include the necessary basic provisions. This is an area where State action is welcome. And the States, as soon as they act effectively, may have it to themselves.

Unfortunately, too many of the State laws to which opponents of Federal legislation point are archaic, vestiges of ages long past. Texas forbids carrying guns in a saddlebag except when one is traveling. Vermont forbids schoolchildren to have guns in the classroom. Arkansas forbids using a machinegun for offensive purposes. Each of these draws into focus a now colorful chapter of American history. But we cannot permit their quaintness to obscure the carnage of the present to which they are not addressed.

An argument often mustered against gun controls rests on the asumed constitutional "rights" to keep and bear arms. It is clear that the right referred to in the Constitution is a public collective right to a public militia. Whatever doubts there may have been about this issue in the minds of any should have been dispelled by the recent Supreme Court action in the case of *Burton* v. *Sills* (37 Law Week 3408). The New Jersey Supreme Court sustained the State law requiring licensing of manufacturers, wholesalers, and retail dealers in firearms and issuance of permits to purchasers did not violate the second amendment "right of the people to bear arms," since the second amendment "was not framed with individual rights in mind." The Supreme Court dismissed the appeal.

Another approach is to urge stiffer, mandatory penalties for gun crimes. The fact is that most gun crimes now carry stiffer penalties than nongun crimes, but they simply have not acted as an effective deterrent. The rate of violent crimes has increased drastically in recent years despite the more severe punishments. Higher penalties do not help solve gun crimes. Registration would. Higher penalties do not keep criminals from obtaining firearms. Licensing would.

"Guns don't commit crimes," some opponents argue, "people do." It is undeniable that guns do not commit crimes; it is equally undeniable that people using guns do. People using guns last year murdered 8,900 Americans; people using guns last year murdered Senator Robert F. Kennedy and the Reverend Martin Luther King.

At the extreme, opponents argue that "no dictatorship has ever been imposed on a nation of free men who have not just been required to register their privately owned firearms." It is an argument unsupported by fact and refuted by history. A study conducted by the Library of Congress leads clearly to these conclusions. Four countries which are now democracies but in recent history had been under Nazi dictatorship—Germany, Italy, France, and Austria—were examined. It would be reasonable to expect that if gun controls had in any way contributed to their submission to dictatorship, they would have revised and loosened their gun control legislation. Such has not been the case. In fact, Italy, where gun control laws were relaxed by Mussolini, has strengthened its laws to approach the form they were in before his advent. Finally, two democracies, without history of dictatorship in centuries, were examined. England has had registration since 1831; Switzerland, since 1874.

Let me return now to what I suggested was common ground between proponents and opponents, but ground which is often misunderstood. It is here that I think the main opposition lies. It is here, through a proper understanding of objectives, that I believe that opposition based on misunderstanding may give way to a unity of goals.

First, I think that everyone involved in the firearms control debate will agree that we want to keep firearms out of the hands of criminals. What is evidently not understood is that this is one of the two objectives of my legislation. A licensing procedure will go far toward keeping firearms out of the hands of criminals. The other objective—tracing of firearms used in crime—will be achieved through registration.

There are two subordinate points here which need to be dealt with. First, there is the argument that criminals will not register their guns. This may be true, but they will then run the risk of criminal penalties being imposed. A suspect arrested with an unregistered weapon will be subject to criminal sanction, even though no other crime has been committed. The second argument is that criminals will be able to obtain guns anyway. If we had a licensing system, criminals, addicts, and lunatics would be cut off from legal supply channels for firearms. They are not now; they can, in most States, effectively obtain firearms as readily as reasonable, honest citizens. The hard-core criminal may still obtain firearms; but, if the smalltimer, who is so often responsible for serious injury in the course of holdups of small businesses, cabdriver, busdriver, and other average citizens, will find it harder and riskier to obtain and maintain possession of firearms, a major advance will have been achieved.

There is no purpose of restricting gun ownership or use by sportsmen and other honest citizens. I am an avid sportsman myself. I learned to shoot at my father's knee just as my son is learning to shoot at my knee. The minimal inconvenience of a licensing and registration system is the small price we must all pay in order to keep firearms out of the hands of unreformed criminals, addicts, alcoholics, and the mentally defective. Surely a small inconvenience is not too great a price to pay in exchange for a human life. And the filing of simple forms may be all that is required to save tens, hundreds, perhaps even thousands of human lives each year, to say nothing of those whose maiming will be avoided. The important point is the unity of objective which I believe exists—to deprive the criminal of his vehicle for murder and assassination. It is combined with the second objective of rendering a licensing-registration system as small an inconvenience upon the sportsman and honest citizen as possible.

A third ground we share is the avoidance of any form of taxation connected with licensing or registration. My bill provides for no taxes; it provides for no fees. I do not believe that a firearms control measure should be accompanied by tax or fee. I will not support one that is. As I pointed out earlier, firearms registration and licensing are crime control measures. They are no different from any other Federal crime control measure in this respect. They should be financed out of the public coffer. Their cost must be borne by the public which will benefit from them.

All of these objectives are served by S. 977, the Firearms Registration and Licensing Act of 1969. The bill provides for the registration of all firearms and licensing of all firearms and ammunition users. It would disqualify felons, drug addicts, alcoholics, mental incompetents, and juveniles from owning or buying firearms but would in no way interfere with or significantly inconvenience law-abiding citizens.

Primary responsibility for action is left to the States. My measure provides only a minimum floor of Federal protection in any State which does not act to protect its own citizens from gun crime. In States which already have firearms legislation equally or above this minimum, or which pass such legislation at any time in the future, the legislation will have no effect.

Registration alone will not do the job, however. It is not enough that police be able to trace firearms used in crimes. We must prevent their use in crime. And the means to achieve this end is by denying access to firearms to persons who are most likely to engage in criminal activity. This is achieved in my bill through a licensing system that will deny access to firearms to persons who, by reason of criminal record, drug addiction, alcoholism, mental incompetence, or age should not be entrusted with a gun in the first place.

But these persons are not eternally damned either. A rehabilitated criminal, addict, alcoholic, or incompetent may regain access to firearms by obtaining a written document from the chief law-enforcement officer of his State of residence specifically authorizing that person to obtain a license.

Operation of this dual system is exceedingly simple. Every gun owner would inform the Government—the State government, if the State has a registration law—of the make, model, and serial number of any gun he owns. This can be

done by mail. Then, when a gun used in crime is found, the gun registration records will instantly reveal the gun owner's name and address, and quickly lead to the last known possessor of the weapon. Where the Federal law applies, all firearms would have to be registered within a year and a half of the enactment of the bill. One year after the bill's enactment all new firearms sales would have to be registered.

Second, every gun owner could apply by mail—to the State government, if the State has a licensing law—for a firearms license. Where the Federal law applies, the issuance of such a license would be automatic to every citizen who is over 18, is not a fugitive, is not under indictment, has not been convicted of a felony, or has not been adjudged by a court to be a narcotic addict, alcoholic, or mental incompetent.

When the Federal law applies, a license would be required for purchase of any firearm or ammunition after September 1, 1970. After September 1, 1971, a license would be necessary for the possession or use of any firearm or ammunition, except one borrowed temporarily for a hunting or other sports-shooting purpose. Youngsters would still be able to use firearms, although they would not be able to purchase or own them in their own names.

The bill has no application to antique firearms, manufactured before 1898.

Absolutely no fees are required from any gun owner or user under the bill. The cost of the measure—truly an anticrime measure—will be borne by the public, as is the cost of other Federal anticrime legislation.

Good gun laws need not be antigun to be anticrime. I have worked unstintingly to produce legislation that will be most effective against criminal use of firearms at minimal inconvenience to sportsmen and honest citizens who want to own and use guns. I believe I have struck the necessary balance in S. 977.

Mr. President, before closing I would like to mention an intriguing idea that has been suggested as an alternative to the legislation I have proposed. That is the use of a national identification card system.

The idea is that identification cards would be issued to qualified persons—persons not under disabilities like those described in my bills—by the Federal Government like licenses. A person holding one of these cards would be entitled to purchase firearms and ammunition in any State.

On its face, I think this idea has considerable merit. It achieves the objective of limiting access to firearms to deny thtm to those under disability, while potentially requiring less inconvenience to the individual purchaser who desires to make purchases in several different States which may have separate licensing laws.

I believe that this alternative may be more acceptable to some opponents of the licensing system who fear the burden of multiple State licensing. It appears to me to serve the same goals I have been seeking. Certainly, it appears to be worth serious consideration.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maryland?

There being no objection, the appendix was ordered to be printed in the RECORD, as follows:

FIREARMS FACTS

(Compiled by Criminal Division, U.S. Department of Justice)

I. FIREARMS IN THE UNITED STATES

(a) Facts and figures:

Estimates of firearms in private hands range from 50 [1] to 100 [2] millions firearms.

An estimated 42.5 million Americans own firearms.[3]

In 1967, 4.5 million firearms were purchased for private use in the United States.[4]

2 million firearms are manufactured domestically of which 70% are rifles and shotguns.[5]

More than 1.2 million firearms are imported each year.[6]

60% of the imported firearms are handguns.[7]

(b) Firearms sold in the United States for individual use: [8]

	1963 [1]	1964 [2]	1965 [2]	1966 [2]	1967 [2]	Percent increase 1963-67
Rifles	875,440	1,019,000	1,286,000	1,376,000	1,882,000	115
Shotguns	603,039	936,000	1,190,000	1,422,000	1,515,000	151
Pistols/revolvers	496,139	500,000	587,000	846,000	1,188,000	139
Total	1,974,618	2,455,000	3,063,000	3,644,000	[3] 4,585,000	132

[1] Census data.
[2] Dervied from excise tax receipts, industry data, and census data.
[3] The total quantity of firearms is derived from the total wholesale value of firearms sold in the United States for personal use and the average wholesale cost of domestically manufactured guns. Had the lower average price of foreign-made firearms been included in the average price, the estimate of total firearms would have been about 10 percent higher.

(c) Imports:

In recent years, imports, particularly imports of pistols and revolvers, have increased sharply: [9]

Year	Pistols and revolvers	Rifles	Shotguns	Total imports
1958	79,000	198,000	93,000	370,000
1963	223,000	219,000	120,000	562,000
1964	253,000	181,000	139,000	573,000
1965	347,000	245,000	174,000	766,000
1966	513,000	291,000	192,000	996,000
1967	747,000	239,000	222,000	1,208,000

In the first four months of 1968, 392,000 handguns have been imported. Last year in the first four months, 224,600 handguns were imported. If this year's rate continues unabated, the total for the year will be 1,560,000 handguns imported. This rate will be nearly 20 times the rate 10 years ago, and nearly double last year's rate. Virtually all handgun imports are for private use.

II. SOME PUBLIC FIGURES IN UNITED STATES ASSASSINATED, WOUNDED OR ASSAULTED WITH FIREARMS

Presidents

Andrew Jackson, assaulted, January 30, 1835.

Abraham Lincoln, assassinated, April 14, 1865.

James A. Garfield; assassinated, July 2, 1881.

William McKinley; assassinated, September 6, 1901.

Theodore Roosevelt; wounded, October 14, 1912.[10]

Franklin D. Roosevelt; assault, February 15, 1933.[11]

Harry S. Truman; assaulted, November 1, 1950.

John Fitzgerald Kennedy; assassinated, November 22, 1963.

Other elected officials

State Senator Almon Case of West Tennessee; assassinated, January, 1867.

Chief Justice of the New Mexico Territory, John P. Slough; assassinated, December 21, 1867.

Congressman James Hinds; assassinated, October 12, 1868.

Former Senator Samuel C. Pomeroy; wounded, October 11, 1873.

State Senator Smith of Tennessee; wounded, December 9, 1881.

Former Mayor John Bowman of St. Louis; assassinated, November 21, 1885.

Mayor Carter H. Harrison, Sr. of Chicago; assassinated October 28, 1893.

William Goebel, successful Kentucky gubernatorial candidate; assassinated, January 30, 1900.

Mayor William J. Gaynor of New York; wounded, August 9, 1910.

Senator Charles B. Henderson; wounded March 5, 1921.

Mayor Anton Cermak of Chicago; assassinated, February 15, 1933.

Illinois State's Attorney Thomas J. Courtney; assaulted, March 24, 1935.

Senator Huey Long; assassinated, September 9, 1935.

Mayor Hubert H. Humphrey of Minneapolis; assaulted, February 6, 1947.

State Senator Tom Anglin of Oklahoma; wounded, May 7, 1947.

Senator John W. Bricker; assaulted, July 12, 1947.

Congressman Alvin M. Bentley; wounded, March 1, 1954.

Congressman Ben F. Jensen; wounded, March 1, 1954.

Congressman Clifford Davis; wounded, March 1, 1954.

Congressman George H. Fallon; wounded, March 1, 1954.

Congressman Kenneth A. Roberts; wounded, March 1, 1954.

Congressman Leslie C. Arends; wounded, March 1, 1954.

Governor J. Lindsay Almond of Virginia; assaulted, April 11, 1959.

Governor John Connally; wounded, November 22, 1963.

Senator Robert F. Kennedy; assassinated, June 5, 1968.

Senator James O. Eastland; assaulted, July 12, 1968.

Prominent civil rights incidents

Medgar Evers; assassinated, June 13, 1963.

Andrew Goodman; assassinated, June 21, 1964.

James Chaney; assassinated, June 21, 1964.

Michael Schwerner; assassinated, June 21, 1964.

Lemuel Penn; assassinated, July, 1964.

Mrs. Viola Greg Liuzzo assassinated, March 26, 1965.

Rev. Jonathan Daniels; assassinated, September 13, 1965.

Rev. Martin Luther King; assassinated, April 4, 1968.

Others

Lee Harvey Oswald; assassinated, November 24, 1963.

Malcolm X (Black Muslims); assassinated, February 21, 1965.

George Lincoln Rockwell (American Nazi Party); assassinated, August 25, 1967.

III. FIREARMS CRIMES IN THE UNITED STATES

In 1967:[12] *7700* people were victims of homicides by means of firearms; *55,000* peo-

Footnotes at end of article.

ple were victims of aggravated assaults by *means of firearms; 71,000* armed robberies were committed by means of firearms; a total of *134,000* homicides, assaults and robberies were committed with firearms in 1967.

In 1967, *11,000* [13] people committed suicide with firearms and *2800* [14] accidental deaths occurred by firearms misuse.

Each year, nearly *20,000* people die by firearms misuse including homicides, suicides, and accidents.

Each day, an average of *50* people die by firearms misuse, or 1 death by firearms every *30* minutes.

In the United States between 1900–1966: [15] *269,000* people were firearms homicide victims; *360,000* people committed suicide by firearms; *138,000* people were killed in firearms accidents; a total of *767,000* people have been killed by firearms misuse between 1900–1966.

Between 1960–1967, *411* law enforcement officers were slain in the performance of their duties. Of these, *394* (96%) were killed with firearms.[16]

During the four year period, 1964–1967, armed robberies with a gun increased 58%.[17]

During the four year period, 1964–1967, assaults with a gun increased 77%.[18]

One out of every *20* assaults with a weapon other than a firearm results in death. However, when firearms are used, *one* out of every *five* assaults results in the death of the victim.[19]

In all our wars, 600,000 [20] Americans have lost their lives; since 1900, nearly 800,000 [21] Americans have lost their lives through firearms misuse in the United States.

IV.—DEATHS FROM FIREARMS IN THE UNITED STATES 1900–66 [1]

Year	Homicides [2]	Suicides	Accidents
1900		449	543
1901		439	558
1902		449	623
1903		520	653
1904		585	730
1905		741	524
1906		1,230	800
1907		1,522	707
1908		1,931	808
1909		2,017	794
1910	1,174	2,173	967
1911	1,743	2,559	1,147
1912	1,775	2,462	1,165
1913	2,123	2,609	1,399
1914	2,366	2,950	1,370
1915	2,213	3,266	1,297
1916	2,708	3,066	1,474
1917	3,205	3,057	1,607
1918	3,475	3,372	2,030
1919	4,247	3,204	2,284
1920	4,178	3,078	2,168
1921	5,178	4,015	2,245
1922	5,430	3,831	2,457
1923	5,422	3,825	2,520
1924	5,736	4,197	2,497
1925	5,908	4,209	2,482
1926	6,035	4,469	2,497
1927	6,004	4,864	2,647
1928	6,668	5,366	2,777
1929	6,362	5,565	2,962
1930	6,995	6,735	3,068
1931	7,335	7,409	2,989
1932	7,252	7,940	2,877
1933	7,863	7,798	3,026
1934	7,702	7,296	3,023
1935	6,506	6,830	2,854
1936	6,016	6,771	2,882
1937	5,701	7,073	2,629
1938	5,055	7,357	2,696
1939	4,799	6,944	2,582
1940	4,655	7,073	2,390
1941	4,525	6,385	2,414
1942	4,204	6,117	2,741
1943	3,444	5,076	2,318
1944	3,449	4,808	2,412
1945	4,029	5,321	2,454
1946	4,966	6,276	2,816
1947	4,922	6,691	2,386
1948	4,894	6,660	2,270
1949	4,235	7,215	2,326
1950	4,179	7,377	2,174
1951	3,898	6,873	2,247
1952	4,244	7,013	2,210
1953	4,013	7,293	2,277
1954	4,115	7,539	2,281
1955	3,807	7,763	2,120
1956	4,039	7,817	2,202
1957	4,010	7,841	2,369
1958	4,230	8,871	2,172
1959	4,457	8,788	2,258
1960	4,627	9,017	2,334
1961	4,753	9,037	2,204
1962	4,954	9,487	2,092
1963	5,126	9,595	2,263
1964	5,474	9,806	2,275
1965	6,158	9,898	2,344
1966	6,855	10,407	2,558
Total [3]	269,436	360,217	138,265

Footnotes at end of article.

IV.—DEATHS FROM FIREARMS IN THE UNITED STATES, 1900–66 [1]—Continued

[1] For the years prior to 1933, this chart includes deaths only for the registration States of the respective years. Data for the entire United States was not available until 1933. For 1900, 10 States and the District of Columbia are included. The 10 States are Massachusetts, New Jersey, Connecticut, New Hampshire, New York, Rhode Island, Vermont, Maine, Michigan, and Indiana. Other States were included later.

The chart does not reflect the 1967 statistics. Therefore, the actual number of deaths from firearms in the United States since 1900 is substantially greater than reflected in the chart.

[2] Data not available for homicides 1900–1909.

[3] See the following:

Homicides	269,436
Suicides	360,217
Accidents	13,265
Total firearms deaths, 1900–1966	767,918

Source: National Center for Health Statistics, Public Health Service, U.S. Department of Health, Education, and Welfare "Vital Statistics of the United States" and "Mortality Statistics."

V. STATE GUN LAWS COMPARED

(a) *Murder Rates*

60% of all murders in the United States are by firearms,[22] with a national average of 5.6 murders per 100,000 population.[23] States with strong firearms laws tend to have fewer murders with guns than States with weak firearms laws and tend to have lower overall murder rates.

Strong gun law States	Percent of murders by firearms	Overall murder rate per 100,000
Pennsylvania	43.2	3.2
New Jersey	38.6	3.5
New York	31.8	4.8
Massachusetts	35.5	2.4
Rhode Island	24.0	1.4

Weak gun law States	Percent of murders by firearms	Overall murder rate per 100,000
Arizona	66.4	6.1
Nevada	66.9	10.6
Texas	68.7	9.1
Mississippi	70.9	9.7
Louisiana	62.0	9.9

ANALYSIS OF MURDER RATES, PERCENTAGES OF MURDER BY GUN, AND POPULATION DENSITY, UNITED STATES, BY GEOGRAPHIC REGIONS [1]

	Murder rate	Percent by gun	Population density
1. NORTHEASTERN STATES			
Connecticut	2.0 (42)	48.3 (43)	517.5 (4)
Maine	2.2 (39)	52.3 (40)	31.3 (36)
Massachusetts	2.4 (38)	35.5 (47)	654.5 (3)
New Hampshire	1.9 (43)	66.7 (13)	67.3 (25)
Rhode Island	1.4 (50)	24.0 (49)	812.4 (1)
Vermont	1.5 (49)	100.0 (1)	42.0 (32)
2. MIDDLE ATLANTIC STATES			
New Jersey	3.5 (31)	38.6 (46)	806.7 (2)
New York	4.8 (23)	31.8 (48)	350.1 (5)
Pennsylvania	3.2 (32)	43.2 (45)	251.5 (7)
3. NORTH CENTRAL STATES			
Illinois	6.9 (16)	54.8 (38)	180.3 (10)
Indiana	4.0 (29)	61.6 (27)	128.9 (12)
Michigan	4.7 (24)	45.9 (44)	137.2 (11)
Ohio	4.5 (26)	60.3 (29)	266.9 (8)
Wisconsin	1.9 (44)	55.9 (35)	72.2 (22)
Iowa	1.6 (47)	61.9 (25)	49.2 (28)
Kansas	3.5 (30)	64.2 (20)	26.6 (37)
Minnesota	2.2 (40)	56.7 (34)	42.7 (31)
Missouri	5.4 (21)	65.5 (18)	62.5 (27)
Nebraska	1.8 (45)	70.3 (8)	18.4 (38)
North Dakota	1.8 (46)	17.4 (50)	9.1 (43)
South Dakota	1.5 (48)	66.7 (12)	8.9 (44)
4. SOUTH			
South Atlantic:			
Delaware	8.2 (11)	58.0 (33)	225.6 (9)
Florida	10.3 (6)	66.0 (17)	91.3 (17)
Georgia	11.3 (3)	66.6 (14)	67.7 (24)
Maryland	7.0 (15)	48.6 (42)	314.0 (6)
North Carolina	8.7 (10)	68.5 (10)	92.9 (16)
South Carolina	11.6 (2)	73.3 (2)	78.7 (19)
Virginia	6.5 (17)	60.9 (28)	99.6 (14)
West Virginia	4.2 (27)	63.9 (21)	77.3 (20)
East south central:			
Alabama	10.9 (4)	59.6 (31)	64.0 (26)
Kentucky	7.0 (14)	73.0 (3)	76.2 (21)
Mississippi	9.7 (8)	70.9 (7)	46.1 (29)
Tennessee	7.8 (12)	66.4 (16)	85.4 (18)
West south central:			
Arkansas	7.1 (13)	65.0 (19)	34.0 (34)
Louisiana	9.9 (7)	61.6 (26)	72.2 (23)
Oklahoma	5.5 (20)	61.9 (24)	64.0 (26)
Texas	9.1 (9)	68.7 (9)	36.5 (33)
5. WEST			
Mountain:			
Arizona	6.1 (18)	66.4 (15)	11.5 (41)
Colorado	4.0 (28)	58.7 (32)	16.9 (40)
Idaho	3.0 (33)	60.0 (30)	8.1 (45)
Montana	2.8 (35)	72.0 (5)	4.6 (47)
Nevada	10.6 (5)	66.9 (11)	2.6 (49)
New Mexico	6.1 (19)	63.7 (22)	7.8 (46)
Utah	2.0 (41)	72.3 (4)	10.8 (42)
Wyoming	4.9 (22)	54.8 (37)	3.4 (48)
Pacific:			
Alaska	12.9 (1)	71.4 (6)	.4 (50)
California	4.6 (25)	50.1 (41)	100.4 (13)
Hawaii	2.9 (34)	52.9 (39)	98.6 (15)
Oregon	2.7 (36)	62.5 (23)	18.4 (39)
Washington	2.5 (37)	54.9 (36)	42.8 (30)

[1] Hearings before the Subcommittee To Investigate Juvenile Delinquency, Judiciary Committee, U.S. Senate, 90th Cong. p. 731.

Note: This table is a geographic breakdown of murder rates, percentages of murder by gun, and the population density of the United States. The murder rates per 100,000 population are based on figures in the 1966 FBI Uniform Crime Report and the figures on percentages of murder by gun are culled from an FBI survey covering the period 1962–65. The density of population for each of the States is based on the 1960 census. The figures in parentheses following each State's statistic are the rank order (high to low) for each category.

(b) *Effect of comparatively strong gun control laws*

New Jersey: [24] In New Jersey, which has a strict gun control law, from August 2, 1966 (effective date of a strong New Jersey law) to May 31, 1968 (a 22-month period), State and local police approved 94,221 rifle and shotgun identification cards and pistol permits. On the other hand, criminal records were determined in approximately 7% of all applications, and 1,659 applications were denied. Approximately 75% of State Police denials were for criminal records, including such offenses as first degree murder, rape, burglary, breaking and entering, lewdness, and sex crimes of various types.

California: [25] In a single year, police checks of purchases from dealers thwarted more than 800 illegal purchases. Of the 806 ineligible purchasers, 697 were ex-convicts, 74 were narcotics addicts, 27 were aliens and 8 were minors.

(c) *Mail order problem*

Chicago: In 1965, of *4,069* Chicago mail order gun purchases from just *three* dealers

in California, *948* had prior criminal records which would have precluded purchase in that city; thus, one-quarter of the mail order purchasers had criminal records.[26]

New Jersey: Survey of mail order gun recipients in New Jersey showed that *40%* were persons without permits (which New Jersey law requires). In *44%* of those cases, the person had a prior criminal record.[27]

District of Columbia: 25% of the mail order gun recipients in the District of Columbia had criminal records.[28]

Indiana: 10% of the mail order gun purchasers had criminal records.[29]

Connecticut: 13% of the mail order gun purchasers had criminal records.[30]

(d) Gun sales to nonresidents

Massachusetts: During a *10-year* period, Massachusetts State Police traced *87%* of *4,506* guns used in crimes in that state to purchases outside Massachusetts.[31]

Detroit: 90 out of every *100* guns confiscated from lawbreakers were not registered in Michigan (which requires registration); a majority of these unregistered guns were obtained in a nearby city in a neighboring state with non-existent gun controls.[32]

VI. RIFLES AND SHOTGUNS

(a) Crimes committed with rifles and shotguns:

1967 rifle and shotgun homicides [33]	1850
1966 rifle and shotgun homicides [34]	1750
1965 rifle and shotgun homicides [35]	1690
1964 rifle and shotgun homicides [36]	1525

Nearly *30%* of all homicides by firearms are committed with rifles and shotguns.[37]

(b) Seizures

During 1960–1965, the police in 40 cities reported taking more than 50,000 rifles and shotguns from persons possessing or using them unlawfully.[38]

Rifles and shotguns seized from juveniles	805
Rifles and shotguns seized in murders	1210
Rifles and shotguns seized in robberies	2908
Rifles and shotguns seized in assaults	4179
Rifles and shotguns seized in illegal activities	37165
Rifles and shotguns seized in illegal weapon charges	4478
Total	50745

FIREARMS DEATHS IN FOREIGN COUNTRIES WITH STRICT FIREARMS CONTROLS ARE SIGNIFICANTLY LOWER THAN IN THE UNITED STATES [1]

[Number and rate per 100,000 population]

Country	Homicide		Suicide		Accident		Population
	Number	Rate	Number	Rate	Number	Rate	
United States (1966)	6,855	3.5	10,407	5.3	2,558	1.3	195,936,000
Australia (1965)	57	.5	331	2.9	94	.8	11,360,000
Belgium (1965)	20	.2	82	.9	11	.1	9,464,000
Canada (1966)	98	.5	609	3.1	197	1.0	19,604,000
Denmark (1965)	6	.1	48	1.0	4	.1	4,758,000
England and Wales (1966)	27	.1	173	.4	53	.1	54,595,000
France (1966)	132	.3	879	1.8	252	.5	48,922,000
German Federated Republic (1965)	78	.1	484	.9	89	.2	59,041,000
Italy (1964)	243	.5	370	.7	175	.3	51,576,000
Japan (1965)	16	.0	68	.1	78	.1	97,960,000
Netherlands (1965)	5	.0	11	.1	4	.0	12,292,000
Sweden (1966)	14	.2	192	2.5	20	.3	7,734,000

[1] World Health Organization; Bureau of Vital Statistics, U.S. Department of Health, Education, and Welfare; complied by Stanford Research Institute, June 11, 1968; statement of Arnold Kotz, Stanford Research Institute, before the Subcommittee To Investigate Juvenile Delinquency, Judiciary Committee, U.S. Senate, June 27, 1968.

VII. PUBLIC OPINION POLLS

Harris Survey, June 1968:—81% of the American people favor registration of all firearms.

Harris Survey, April 1968:—By *71 to 23* per cent, the American people favor the passage of Federal laws that would place tight controls over the sale of guns in this country.

A cross-section of 1634 homes was asked this question on gun control legislation:

"Do you favor or oppose Federal laws which would control the sales of guns, such as making all persons register all gun purchases no matter where they buy them?"

[In percent]

	Favor	Oppose	Not sure
Nationwide	71	23	6
East	70	20	10
Midwest	69	27	4
South	71	22	7
West	77	22	1
Own gun	65	31	4
Don't own gun	79	13	8
Whites	71	23	6
Negroes	69	23	8

The patterns of gun ownership shows wide variation by region, size of place, and by race:

"Do you or does anyone in your house own a gun?"

[In percent]

	Own gun	Don't own gun
Nationwide	51	49
East	34	66
Midwest	55	45
South	64	36
West	53	47
Cities	27	73
Suburbs	47	53
Towns	58	42
Rural	78	22
All whites	55	45
Whites under $15,000 income	47	53
All Negroes	32	68
Negroes under $15,000 income	36	64

The Harris Survey, September 1967: By a decisive 66 to 28% margin, white gun owners favor passage of a law in Congress which would require that all persons "register all gun purchases no matter where they buy them."

The cross section of white gun owners was asked: "Do you favor or oppose federal laws which would control the sale of guns, such as making all persons register all gun purchases no matter where they buy them?"

[In percent]

	Favor	Opposed	Not sure
All white gun owners	66	28	6
By region:			
East	70	21	9
Midwest	70	25	5
South	62	27	11
West	56	40	4

The Gallup Poll, September 1966: The mood of the public for nearly three decades has been to impose controls on the sale and possession of weapons.

The survey questions and findings: "Would you favor or oppose a law which would require a person to obtain a police permit before he or she could buy a gun?"

[In percent]

	All persons	Gun-owners
Yes	68	56
No	29	41
No opinion	3	3

FOOTNOTES

[1] President's National Crime Commission Report, *Challenge of Change in a Free Society*, p. 239.

[2] Consumer Products Division, Business and Defense Services Administration, United States Department of Commerce, estimates between 75–100 million firearms in private hands.

[3] *Shooting Industry* magazine, 1968.

[4] Stanford Research Institute, June 11, 1968, see p. 2.

[5] Consumer Products Division, Business and Defense Services Administration, United States Department of Commerce, 1963 Production, Census of Manufacturers.

[6] Consumer Products Division, Business and Defense Services Administration, United States Department of Commerce, Bureau of Census Data, Exports and Imports.

[7] Consumer Products Division, Business and Defense Services Administration, United States Department of Commerce, Bureau of Census Data, Exports and Imports.

[8] Statistics compiled by the Stanford Research Institute, June 11, 1968; Statement of Arnold Kotz, Stanford Research Institute, Hearings Before the Subcommittee to Investigate Juvenile Delinquency, Judiciary Committee, United States Senate, 90th Congress, June 27, 1968.

[9] Consumer Products Division, Business and Defense Services Administration, United States Department of Commerce, Bureau of Census Data, Exports and Imports.

[10] While campaigning for office.

[11] Prior to being sworn-in as President.

[12] Federal Bureau of Investigation Uniform Crime Reports, 1967 (to be released to the public in August 1968).

[13] Figures based on data supplied by the National Center for Health Statistics, Public Health Service, United States Department of Health, Education, and Welfare, Monthly Vital Statistics Report, Vol. 17, No. 1, March 28, 1968.

[14] Figures based on data supplied by the National Center for Health Statistics, Public Health Service, United States Department of Health, Education and Welfare, Monthly Vital Statistics Report, Vol. 17, No. 1, March 28, 1968 and *Accident Facts*, July 1968, published by the National Safety Council.

[15] National Center for Health Statistics, Public Health Service, United States Depart-

ment of Health, Education and Wefare, *Vital Statistics of the United States* and *Mortality Statistics*. See chart, p. 8.

[16] Federal Bureau of Investigation Uniform Crime Reports, 1967 (to be released to the public in August 1968).

[17] Same as [16] above.

[18] Same as [16] above.

[19] Statement of Senator Robert F. Kennedy on July 11, 1967, Hearings before the Senate Subcommittee on Juvenile Delinquency, Judiciary Committee, United States Senate, 90th Congress, p. 158.

[20] *Principal Wars in Which the United States Has Participated*, Director of Statistical Services, Office of the Secretary of Defense, Nov. 7, 1957; Department of Defense Press Release, No. 644–68, July 11, 1968.

[21] See chart, p. 8.

[22] FBI Uniform Crime Reports 1966, p. 6.

[23] FBI Uniform Crime Reports 1966, p. 4.

[24] Statement of New Jersey Attorney General Arthur J. Sills before the Senate Subcommittee on Juvenile Deliquency, United States Senate 90th Congress, June 26, 1968.

[25] Statement of California Attorney General Thomas C. Lynch before the Senate Subcommittee on Juvenile Delinquency, United States Senate, 90th Congress, June 28, 1968.

[26] Statement of Carl K. Miller, Chicago Police Department, Chicago, Illinois, On June 2, 1965, Hearings before the Subcommittee to Investigate Juvenile Delinquency, Judiciary Committee, United States Senate, 89th Congress, p. 278.

[27] Statement of Arthur J. Sills, Attorney General, New Jersey, on June 3, 1965, Hearings before the Subcommittee to Investigate Juvenile Delinquency, Judiciary Committee,, United States Senate, 89th Congress, p. 405.

[28] Statement of John B. Layton, Chief of Police, Washington, D.C. on June 2, 1965, before the Subcommittee to Investigate Juvenile Delinquency, Judiciary Committee, United States Senate, 89th Congress, p. 290.

[29] Letter from George A. Everett, Superintendent, Indiana State Police, letter dated April 22, 1964, Hearings before the Subcommittee to Investigate Juvenile Delinquency, Judiciary Committee, United States Senate, 89th Congress, p. 3712.

[30] Letter from Leslie W. Williams, Department of State Police, Connecticut, Dated April 13, 1964 to the Subcommittee to Investigate Juvenile Delinquency, Judiciary Committee, United States Senate, 89th Congress, p. 3701.

[31] Statement by Richard R. Caples, Commissioner, Department of Public Safety, Boston, Massachusetts, Exhibits 84, 85, on June 13, 1965, Hearings before the Subcommittee to Investigate Juvenile Delinquency, Judiciary Committee, United States Senate, 89th Congress, p. 346–347.

[32] Statement by William L. Cahalan, Prosecuting Attorney, Wayne County, Michigan, on July 18, 1967, Hearings before the Subcommittee to Investigate Juvenile Delinquency, Judiciary Committee, United States Senate, 90th Congress, p. 369.

[33] Federal Bureau of Investigation Uniform Crime Reports, 1967 (to be released to the public in August 1968).

[34] Federal Bureau of Investigation Uniform Crime Reports, 1966, page 7.

[35] Federal Bureau of Investigation Uniform Crime Reports, 1965, page 6.

[36] Federal Bureau of Investigation Uniform Crime Reports, 1964, page 6, 7.

[37] Federal Bureau of Investigation Uniform Crime Reports, 1966, page 6.

[38] Survey conducted by the Staff of the Senate Subcommittee on Juvenile Delinquency, Judiciary Committee, United States Senate, dated March 15, 1966, entitled "Resume of Subcommittees Questionnaire on Rifle and Shotgun Misuse in Cities of 100,000 or More."

EVERGLADES JETPORT

Mr. MONDALE. Mr. President, the disasters facing Everglades National Park from federally financed projects is one of the real tragedies in the long history of our degradation of the environment. As my colleague, Senator GAYLORD NELSON, has pointed out, we cannot tolerate any further delay in putting a halt to this unnecessary destruction of the third largest national park in this country. With remedies easily at hand, both to Congress and to the executive branch, there is ample opportunity for a resolution of this critical matter.

In its July 1969 Bulletin, the Sierra Club does an excellent job of putting this situation in perspective, and I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE EVERGLADES JETPORT—ONE HELL OF AN UPROAR

(By Gary A. Soucie)

The nation's third largest national park is in trouble, serious trouble. As Undersecretary of the Interior Russell Train stated at the June Senate Interior hearings on the Everglades, "Everglades National Park has the dubious distinction of having the most serious preservation problems facing the National Park Service today. . . ." Everglades National Park is in as much jeopardy as the 22 endangered species of fish and wildlife that find refuge within its boundaries.

The fragile, unique ecology of Everglades National Park is utterly dependent on a reliable supply of pure, fresh water. But the sources of this supply exist outside the park's boundaries, in the sloughs and sawgrass savannahs of the Everglades to the north, in the strands and marshes of the Big Cypress Swamp to the north and west, in Lake Okeechobee almost 70 miles north, and even in the Kissimmee Prairie beyond the lake. And, ever since the 1880's, man has been busy as the proverbial beaver draining, diking, ditching, and otherwise "managing" this water.

The real trouble began in 1948 when Congress authorized the construction of a gigantic flood control, drainage, and reclamation project north of Everglades National Park. Still under construction (at latest count it was $170 million old and still only 48 per cent complete), the project already has the capability of completely shutting off the park from its source of surface water, which was proved during the long and severe drought of the early 1960's.

Designed and built by the Army Corps of Engineers, the project is administered by a state agency, the Central and Southern Florida Flood Control District (FCD). Both of these agencies have been notably more understanding of the project's other water users: citrus growers, beef ranchers, sugarcane growers, vegetable farmers, real-estate developers, and municipal water users. However, since the appointment of conservation-minded Chevrolet dealer Robert W. Padrick to the chairmanship of the FCD's board of governors, the national park has fared considerably better.

But there is no way to insure that the next FCD chairman will be as understanding of the park's problems as Bob Padrick; so the only long-range solution is to secure for Everglades National Park a guarantee to its miniscule, but absolutely necessary share of the project's water. The Corps has several times entered into agreement with the National Park Service, but has backed off each time. The people of the United States have been waiting 21 years now for this guarantee, and in each of those 21 years Congress has appropriated several millions of public dollars to advance construction of the flood control project. It's high time for Congress to secure for the people of the 49 other states their interest in Everglades National Park. That's precious little to ask for all that equity in the water project.

THE NEW ENEMY

But, while conservationists and the National Park Service were engaged in this long struggle to secure the park's water supply, Everglades National Park took a mean blow below the belt from an entirely different foe. On September 18, 1968, ground was broken in the ecotone between the Everglades and the Big Cypress Swamp for the world's largest airport. Just imagine, an airport of 39 square miles, large enough to hold Kennedy, Los Angeles, San Francisco, and Washington national airports with plenty of room left over to spare; with runways six miles long, capable of handling the largest and fastest jet transport aircraft—and just six miles away from, and "upstream" of, Everglades National Park.

Though not exclusively a water problem, the jetport certainly will have an impact on this resource. First consider the degradation of the waters flowing into Everglades National Park from the use of pesticides, fertilizers, and detergents on the airport site, from the inevitable fuel spills, from the effluent of the 35 to 40 million passengers it is expected to serve by 1985. Then, consider the tons of hydrocarbons, petrochemicals, and carbon particulates from unburned and partially burned fuel that will be dumped into water on its way to the park during approach, landing, takeoff, and climbout.

Perhaps even more important is the broad threat to both water quality and quantity posed by the massive development of the Big Cypress Swamp that will be spurred by the construction and operation of the world's largest jetport. It has been estimated that a city of 500,000 to one million inhabitants will spring up in the wilderness of the Big Cypress Swamp. The drainage required by a development of this magnitude (remember, this is Florida swampland) would siphon off a substantial portion of the park's Big Cypress water supply. And the potential pollution of the rest is fantastic.

In April of this year, the Sierra Club joined with 20 other conservation organizations to oppose the jetport's development at the present site and requested Secretary of Transportation John Volpe to withdraw his department's support and to actively encourage the relocation of the facility.

Jetport backers, including not only the Port Authority but also other Miami and Dade County economic interests and several major airlines, are quick to point out to conservationists that the Big Cypress lands in Collier and Monroe counties are subject to undesirable development whether or not the jetport is developed at the present site. True, but the jetport will accelerate and magnify the development. As Nathan P. Reed, special assistant to Governor Claude R. Kirk, pointed out to the Senate Interior Committee:

"For years competent biologists and ecologists have wondered what would happen to the park if the peripheral Big Cypress lands were ultimately developed. Due to the money squeeze, the problem remained insoluble. In my opinion, the park cannot be saved for future generations if the Big Cypress is allowed to be developed. Even 'planned development' will surely wreak havoc with the water route."

Without the development catalyst of the jetport there might, just might, be time to acquire enough of the Big Cypress and to zone enough of the rest to preserve the west-

ern Ten Thousand Islands section of Everglades National Park. With the jetport, that slim chance is lost.

TRANSPORTATION ACT VIOLATED

Last year, at the urging of Senator Henry M. Jackson, Congress amended the Transportation Act to require consultation between the Secretaries of Transportation and Interior prior to approval of any transportation program or project which uses park, wildlife, or recreation lands of federal, state, or local significance. This language was designed to prevent just the sort of disaster that now threatens the Everglades. The FAA has made an airport construction grant of $500,000 to the Dade County Port Authority without the required consultation between the Secretaries of Transportation and the Interior, and without the required demonstration that (1) there was no "feasible and prudent alternative" and that (2) the airport program included "all possible planning to minimize harm" to Everglades National Park and State Water Conservation Area 3, an important state outdoor recreation area. Not only that, but the Department of Transportation's Federal Railway Administration has announced a $200,000 grant to study high-speed ground transportation connecting the jetport with Miami, 52 miles to the east, and plans are under way to route Interstate Highway 75 connecting Tampa-St. Petersburg and Miami past or through the jetport site.

Port authority and FAA officials have lately been given to public expression of conservation platitudes, but the record is clear: it's the same old flim-flam. The memorandum from the Port Authority staff to the Dade County commissioners recommending the jetport project mentions Everglades National Park just once: "The Everglades National Park south of the site at Tamiami Trail assures that no private complaining development will be adjacent on that side." This great national park was seen exclusively as a buffer, "with no one to complain about the noise except the alligators." And as for the "environmental concern" the jetport sponsors profess to share with the Interior agencies and private conservation organizations, *Aviation Week & Space Technology* published the following statement in their May 22, 1969 issue—before the rising tide of public concern began to well up:

"The bulk of the takeoffs will be out over the 15 miles of clear zone of the undeveloped state-owned water conservation area. . . . Climbouts could then turn south over the Everglades National Park, providing what the airport officials believe to be optimum environmental operating conditions."

This doesn't pass muster as sound environmental planning.

At present the air over Everglades National Park is pure and clear. But what will it be like if the jetport is developed at the present site? Figures on pollutant emissions from jet aircraft engines are readily available from the Department of Health, Education, and Welfare or the Society of Automotive Engineers and are highly reliable. But some inside-outside figure can be calculated to provide an idea of the magnitude of the air pollution problem. Based on 900,000 flights a year—the projected operation level as a full-blown commercial jetport—the airport's annual contribution to the Everglades atmosphere will be something like this:

Carbon monoxide: 9,000 to 72,000 tons.
Nitrogen oxides: 4,150 to 6,000 tons.
Hydrocarbons: 13,000 to 40,250 tons.
Aldehydes: About 1,000 tons.
Particulates: 1,260 to 3,250 tons.
That is big-league air pollution.

And the prognosis for noise pollution isn't much rosier. The supersonic transports the jetport is being built to accommodate (the sign at the gate bills it as "the world's first all-new jetport for the supersonic age") are expected to be noisier than the current generation of jets. And how noisy is that?

When the Anglo-French Concorde made its maiden flight this past winter, NBC reported, "On takeoff, the roar of its four engines could be heard in villages 20 miles away." And the Concorde is expected to be even noisier on approach. Last year *Aerospace Technology* reported, "It is expected that the Concorde will exhibit sideline noise levels of about 118 PNdB [decibels or perceived noise], according to U.S. engineers, and may show a rather startling 124 PNdB figure during approach . . ." Boeing's studies show that its larger, faster, and more powerful SST will probably generate a sideline noise level of 122 PNdB. As a yardstick, 120 decibels is considered the threshold of pain. The current subsonic commercial jets at takeoff generate noise levels three miles away in the range of 120 PNdB.

It is difficult to determine what the noise levels would be within Everglades National Park, but it's a safe bet that they would be considerably higher than a typical national park "noise"—the rustling of leaves, which is rated at 10 decibels. Talk about uproar; if the jetport is developed at the present site, it will turn the wilderness quietude of Everglades National Park into bedlam. Nine hundred thousand flights a year averages out to more than 100 flights an hour, 24 hours a day, 365 days a year.

NEEDED: ONE HELL OF AN UPROAR

Fortunately, Section 4(f) of the Transportation Act gives the Department of Transportation a clear mandate to move the jetport if a "feasible and prudent alternative" exists. At the June 3 hearing before the Senate Interior Committee, alternative sites were identified by two state witnesses: Nat Reed of the governor's office and FCD Chairman Padrick. The sites they identified are both on state-owned land, so a land swap with the Port Authority would make things relatively simple.

But the push for another site isn't going to come from Miami, not while either alternative would benefit Fort Lauderdale, West Palm Beach, and other cities north of Miami along Florida's Gold Coast. The push is going to have to come from Washington, by shutting off the federal subsidy for development at the present, destructive site. And Washington isn't likely to push too hard without a push from the general public. Everglades National Park might well become the first national park to be dis-established, unless the American people stand up in its defense. So far, through the various federally supported programs and projects of diverse agencies and departments, the American public has unwittingly been subsidizing the destruction of Everglades National Park.

As long as the various federal departments and their agencies pursue their separate ways, ignoring the several laws that exist to promote—and that even require—inter-departmental coordination and sound environmental planning, there can be no hope for preserving and restoring the American environment. In many ways the Everglades problems are symptomatic of an even larger problem. Hopefully, President Nixon's new Environmental Quality Council will roll up its collective shirtsleeves and go to bat for Everglades National Park. For if the Everglades are lost, America will have gone one hitless inning toward losing the whole environmental ballgame.

The first step down the long road toward saving Everglades National Park is moving the jetport away from the park. As Senator Nelson observed, moving the jetport will cause one hell of an uproar in Dade and Collier counties. But the jetport isn't likely to be moved unless there is one hell of an uproar in the 50 states of the Union over the threat to Everglades National Park. Conservationists who want to see Everglades National Park given at least a fair chance of survival, are writing President Richard M. Nixon, as well as their senators and congressmen. If the jetport isn't moved, say goodbye to the continent's only subtropical national park and to the world's only Everglades.

RECESS UNTIL 11 A.M. TOMORROW

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in recess until 11 a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 15 minutes p.m.) the Senate took a recess until tomorrow, Friday, August 1, 1969, at 11 o'clock a.m.

HOUSE OF REPRESENTATIVES—*Thursday, July 31, 1969*

The House met at 12 o'clock noon.

Rev. Henry E. Pressly, Associate Reformed Presbyterian Church, Charlotte, N.C., offered the following prayer:

Lo, I am with you always, even unto the end of the world.—Matthew 28: 20.

O God, our Heavenly Father, Thou who art above us in the vast space of which we are so aware; Thou who are about us in this beautiful world in which we live; Thou who art within us by the still small voice of Thy spirit, we pause at this noon hour to invoke Thy blessing upon this assembly.

Let Thy divine favor which is life, and Thy loving kindness which is better than life, rest upon our great Nation and the nations of the world at this the most crucial hour in human history. We thank Thee for the freedom which we enjoy and pray Thee to send peace and freedom to our world.

And now, we implore Thee to give to these dedicated men and women vision to see what needs to be done, faith to believe it can be done, and courage to rise up and do it.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill and joint resolution of the following titles, in which the concurrence of the House is requested:

S. 2678. An act to amend section 203 of the Flood Control Act of 1962 to provide for optimum development at Tocks Island Dam and Reservoir project; and

S.J. Res. 140. Joint resolution to provide for the striking of medals in honor of American astronauts who have flown in outer space.

The message also announced that the Presiding Officer of the Senate, pursuant

to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. McGEE and Mr. FONG members of the Joint Select Committee on the part of the Senate for the Disposition of Executive Papers referred to in the report of the Archivist of the United States numbered 70–1.

APPOINTMENT OF CONFEREES ON S. 1373, TO AMEND THE FEDERAL AVIATION ACT OF 1958

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1373) to amend the Federal Aviation Act of 1958, as amended, and for other purposes, with a House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Maryland? The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, FRIEDEL, DINGELL, PICKLE, SPRINGER, DEVINE, and CUNNINGHAM.

ROGERS COSPONSORS BILL TO ESTABLISH NATIONAL OCEANIC AND ATMOSPHERIC PROGRAM

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, I am today joining with other members of the Subcommittee on Oceanography in introducing legislation to establish a national oceanic and atmospheric program within the Federal Government.

This bill accomplishes two basic purposes: First, it creates a National Oceanic and Atmospheric Agency—NOAA—and, second, establishes a 15-member National Advisory Committee for Oceans and Atmosphere—NACOA.

This legislation encompasses the recommendations of the Commission on Marine Science, Engineering, and Resources, made in its report to the Congress on January 9, 1969.

I feel certain, Mr. Speaker, that with the introduction of this legislation, we are taking a major step in charting a course for national action in marine affairs, and this legislation would create a focal point and unity of effort which have heretofore been lacking within the governmental structure.

The newly created National Oceanic and Atmospheric Agency would consist of the Coast Guard, the Environmental Science Services Administration, the Bureau of Commercial Fisheries, the Bureau of Sport Fisheries and Wildlife—with respect to marine and anadromous fisheries programs—the lake survey of the Corps of Engineers and the National Oceanographic Data Center. The national sea-grant college program, which I previously coauthored, would also be transferred to the new agency—NOAA—from the National Science Foundation.

The Advisory Committee created by this legislation would have a key role in reviewing the progress of the oceanic program and providing liaison with the private sector whose support is very necessary to a successful program.

I am very enthused about this bill and I believe that the creation of this new agency by 1970 will be a fitting beginning to the 1970's, the "decade of oceanography."

REPRESENTATIVE SCHADEBERG INTRODUCES LEGISLATION PROVIDING FOR FEDERAL PARTICIPATION IN THE COST OF CONSERVING SHORES OF THE UNITED STATES, ITS TERRITORIES, POSSESSIONS, AND PRIVATELY OWNED PROPERTY

(Mr. SCHADEBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHADEBERG. Mr. Speaker, I am today reintroducing legislation to amend the act of August 13, 1946, relating to Federal participation in the cost of conserving the shores of the United States, its territories, and possessions, to include privately owned property.

When this legislation was originally introduced, it was done so with the cosponsorship of Members whose districts border Lake Michigan and Lake Superior. Support for this measure has been so great from other Members whose districts border the Pacific Ocean, the Atlantic Ocean, the Gulf of Mexico, and the other Great Lakes, that the bill is being introduced with a new list of cosponsors.

The support being generated for this bill is not limited to the House of Representatives. The bill was recently introduced on the Senate side by the Senator from Wisconsin, Mr. GAYLORD NELSON. He is presently enlisting the support of other Members of the Senate.

Mr. Speaker, since the introduction of H.R. 12712 on July 9, 1969, the need for its immediate consideration has increased. As a result of continuing high waters in Lake Michigan, and of storms of a most severe nature in the Midwest, the erosion in my district continues at an ever-increasing rate. The beautiful shorelines are crumbling and the affected homeowners are viewing with desperation the impending destruction of their property.

I firmly believe that our bill will be a great step toward a meaningful policy on shoreline protection. Combined with the protection of public property, protection of private property, which is oftentimes adjacent to the public lands, will prevent the sedimentation of our great bodies of water, will conserve the tax base for the affected municipalities, and will preserve the natural environment we have inherited. From a matter of conservation and the protection of property, I request that immediate consideration be given to this measure.

PRESIDENT NIXON'S VISIT TO SAIGON INSPIRES CONFIDENCE IN THE FREE WORLD

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, President Nixon's visit to Saigon yesterday was a trip all Americans can be proud of. The President, by visiting a city that only a year ago was under siege, made it clear that Americans and South Vietnamese together have made remarkable military progress in the ensuing 12 months.

By his very presence the President gave renewed heart to Americans in South Vietnam, surely must have lent hope and inspiration to the South Vietnamese people, and at the same time instilled at least a bit of doubt in the minds of the Communists. Certainly the fact that the President and the First Lady can visit Saigon with impunity must inspire confidence throughout the entire free world in his leadership, and give the "faint hearts" and the "can't wins" in our own land second thoughts.

CALL OF THE HOUSE

Mr. SCHERLE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. STEED. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 130]

Ashbrook	Evins, Tenn.	Morgan
Broomfield	Ford,	Morse
Brown, Mich.	William D.	Ottinger
Burton, Utah	Giaimo	Patman
Carey	Gray	Pepper
Cederberg	Halpern	Powell
Celler	Hastings	Scheuer
Clark	Kirwan	Stafford
Cramer	Lipscomb	Sullivan
Davis, Ga.	Long, La.	Teague, Calif.
Dawson	McCarthy	Tunney
Edwards, Calif.	Miller, Calif.	Watson

The SPEAKER. On this rollcall 397 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERSONAL ANNOUNCEMENT

(Mr. EDWARDS of Louisiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDWARDS of Louisiana. Mr. Speaker, on rollcall No. 129, to extend income tax surcharge, I was unable to be present to vote due to an agency hearing at the Bureau of Roads.

Had I been present and voting I would have voted "no."

PERMISSION FOR COMMITTEE ON WAYS AND MEANS TO HAVE UNTIL MIDNIGHT SATURDAY AND MIDNIGHT MONDAY TO FILE REPORT ON TAX REFORM ACT OF 1969

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight next Saturday night and midnight

next Monday night to file the report to accompany the bill entitled "The Tax Reform Act of 1969."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATIONS, 1970

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 13111) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 13111, with Mr. HOLIFIELD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the Clerk had read through section 208, ending on page 50, line 2 of the bill.

AMENDMENT OFFERED BY MR. DANIELS OF NEW JERSEY

Mr. DANIELS of New Jersey. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DANIELS of New Jersey: On page 49, strike lines 23 through 25, and on page 50, strike lines 1 and 2.

Mr. DANIELS of New Jersey. Mr. Chairman, this amendment seeks to strike the first paragraph of section 208 of the bill. The effect of that paragraph is to reduce by $100,000,000 the allotment base which we prescribed in our Vocational Rehabilitation Amendment of 1967. I should say, first off, that my amendment in no way adds $100,000,000 to this appropriation bill. Rather, it restores our original desire that the allotment base upon which States would base their matching funds would be $600,000,000. That was our desire in 1967 and we reaffirmed it in our Vocational Rehabilitation Amendment of 1968.

We have in this bill already appropriated $471 million for vocational rehabilitation. That figure represents the entitlement of the States based on the $500 million figure. My amendment to restore the House's original $600 million figure would merely permit us at a later date to allocate additional funds which would be based on the $600 million allotment and would be limited to $524 million, an increase in allocations of $53 million.

Yesterday the Chair sustained the distinguished chairman of the Subcommittee on Appropriations on his contention that the language of section 208 is in order. This may be technically correct. However, I think it is a bad policy to set—that when the House on two occasions determines one figure that the committee should be able later to change that figure.

A year ago, I had the honor and privilege of introducing and managing on the floor of this House the Vocational Rehabilitation Amendments of 1968. The House overwhelmingly supported the bill which became law.

I need scarcely remind my distinguished colleagues that at that time we already were in the midst of the budget squeeze, yet we saw fit, for good reason, to reaffirm in these amendments that the several States would be entitled in fiscal 1970 to allotments which represented their respective shares of a $600 million allotment base.

Our reasons were sound. Vocational rehabilitation pays off. It renders employable those who would otherwise be dependent. It converts tax eaters into taxpayers. It thus combats inflation. It is economically justified. It makes sense.

In the language of the act, we pledged, as we had done in earlier years, that the States could budget their required matching funds in full confidence that Congress would appropriate that to which they were respectively entitled under the provisions of the act.

Many State legislatures have already acted on the premise that Congress would respect this distinction and appropriate in conformity with the formal commitment made in the Vocational Rehabilitation Act.

The administration now wants this House to renege on that commitment; it has asked the Appropriations Committee to place in the appropriations bill a limit on spending for vocational rehabilitation which would have the same effect as a reduction of the 1970 allotment base from $600 million to $500 million. Despite the committee report, I, as sponsor of the Vocational Rehabilitation Amendments of 1968, consider that the language of section 208 of the bill before us—H.R. 13111—defeats the provisions of the statute and should not be permitted to stand. I urge the deletion of this language and urge my colleagues who support the vocational rehabilitation program to support my amendment.

Mr. FLOOD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would beg the attention of your committee. Wait until you hear these figures. This bill, as it stands right now, provides the full amount of the budget request. This bill provides the full amount. And wait until you hear the amount. It is $499,783,000. We provided $499,783,000 for this cause. That is half a billion dollars, and that is not hay even on this floor. Mr. Chairman, the amount in this bill is $130,793,000 more than you appropriated for 1969. It is that much more than we appropriated last year. In other words, the amount of this bill now is 35 percent above that of last year. Over 35 percent above. Your committee is not unaware of this problem and this Congress is not. Thirty-five percent more than last year.

Now I want you to hear this also, so you will understand it. This is a technical budgetary problem. If this amendment is adopted, it will add $100 million to the base for allotment purposes. There will be $100 million more added to the base. That is what he wants you to do. Do you know the result of that? Do you know what will have to happen? Do you know what you will have to do? You must add something between $50 million and $100 million more in appropriations if this amendment passes. That is on top of the $130,783,000 that your committee has already added. The figure now for total operations is one-half a billion dollars.

Of course, Mr. Chairman, this amendment will have to be defeated.

Mr. PERKINS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to make one point abundantly clear. The amendment to strike section 208 will not increase appropriations at this time over the amount provided in the bill. What it will do, Mr. Chairman, is something that I believe every Member of this House can support. It will allow the vocational rehabilitation program of services to disabled persons to develop at the pace and in the manner the Congress determined by unanimous vote that it should.

By deleting section 208, we will further stimulate State and local efforts and we will not preclude—as this section will do—the possibility of rendering rehabilitation services to an additional 100,000 handicapped persons. Rather than putting a tight lid on the program, as section 208 will do, the amendment will permit us to consider at a later date a supplemental appropriation which may be required to meet the full Federal commitment to support programs for mentally and physically disabled Americans.

Mr. Chairman, last evening I raised a point of order against section 208 on the basis that this section was legislation on—rather than a limitation on—an appropriation bill. One need not do any more than read the committee report on this legislation—and I refer to page 35—to see the purpose of the amendment and to see that this is clearly an attempt to revise, redirect, and modify the basic authorization. Indeed the committee report at one point reveals that language sent up with the budget submission, designed to accomplish what section 208 sets to accomplish, was rejected by the committee on the ground that it was legislation on an appropriation bill.

Now perhaps the language has been so modified as to make it appear in the negative. Mr. Chairman, the result will be the same. The Committee on Education and Labor, the House of Representatives, and the other body—on virtually unanimous votes—has provided that the 1970 allotment of vocational rehabilitation basic grant money is to be on a $600,000,000 base.

Let us review just briefly the manner in which the section 2 vocational rehabilitation program has been financed in the past. For years, the growth and development of the basic program was con-

trolled not by the authorizing committees but rather by a cooperative effort between the Appropriations Committee and the Bureau of the Budget.

In 1965, it was through the untiring efforts of the gentlelady from Oregon (Mrs. GREEN) that the Congress reestablished in the proper place—that is, the authorizing committee—control over the direction and growth of the program. Under the 1965 amendments, entitlements are to be based on an authorization figure and not on an allotment base established in the appropriations bill as had been the practice.

By leaving section 208 in the bill, we will be reverting to the previous practice of having the program controlled through appropriations language.

I want no one to be misled into thinking that the $600,000,000 allotment base was not arrived at after the most careful consideration of the need for rehabilitation services and the ability of States and local communities to provide matching funds. It is not a figure just grabbed out of the air. The $600,000,000 allotment figure is an intricate and necessary part of a carefully designed financial scheme for rehabilitation services.

As the committee report reveals, Mr. Chairman, it is estimated that by utilizing the $600,000,000 allotment, an additional $53,000,000 of Federal funds will be required for the program. Now I want to repeat again that simply deleting section 208, as is proposed in the amendment, will not increase the appropriation by that amount. It will, however, permit consideration of a supplemental appropriation at a later time. If the Vocational Rehabilitation Administration has been accurate in their estimate of State and local matching capabilities an additional appropriation of approximately $53,000,000 will be needed to match State and local funds and this will provide services to an additional 100,000 and rehabilitation of an additional 24,000 disabled persons.

Section 208 is nothing more than an attempt to tighten the money belt at the expense of handicapped persons. The former administration, recognizing the need for increased support, provided in its budget submission that the $600,000,000 authorization, not a $500,000,000 authorization, be utilized in the distribution of funds.

The Johnson administration budget requested an appropriation of $524,000,000, that is $53,000,000 over the Nixon budget and over the committee bill. We need not appropriate that additional amount right now. But we should not at this time foreclose the possibility of a supplemental appropriation in this amount.

Mr. Chairman, at this point in the RECORD, I should like to insert two charts which will show on a State-by-State basis the application of this restrictive language in the 50 States. Using Alabama as an example, you will note that if the $600,000,000 allotment is utilized, Alabama would be entitled to $17,189,000; whereas under the $500,000,000 allotment figure, Alabama will be entitled to only $14,305,000.

FEDERAL ALLOTMENT AND STATE FUNDS REQUIRED TO MATCH FULL ALLOTMENTS FOR THE BASIC SUPPORT PROGRAM UNDER SEC. 2 OF THE VOCATIONAL REHABILITATION ACT (ALLOTMENT FOR 1970 COMPUTED ON BASIS OF NEW AUTHORIZATION FIGURE $500,000,000)

State or territory	1968 actual		1969 estimate		1970 original estimate		1970 revised estimate	
	Federal allotment	State funds required	Federal allotment	State funds required	Federal allotment	State funds required	Federal allotment	State funds required
Total	$400,000,000	$133,709,982	[1] $500,000,000	[2] $166,666,650	$600,000,000	[3] $150,348,663	$500,000,000	[3] $133,602,607
Alabama	11,614,438	3,871,479	14,333,796	4,777,932	17,189,269	4,297,317	14,305,624	3,666,666
Alaska	356,955	126,474	1,000,000	333,333	1,000,000	250,000	1,000,000	250,000
Arizona	3,889,497	1,296,499	4,816,140	1,605,380	6,060,931	1,515,233	5,044,159	1,261,040
Arkansas	6,653,142	2,217,714	8,211,779	2,737,259	9,994,919	2,498,730	8,318,187	2,496,666
California	22,891,217	7,630,405	28,415,976	9,471,991	37,311,325	9,327,831	31,052,035	8,499,999
Colorado	3,827,849	1,275,950	4,688,645	1,562,882	5,920,113	1,480,028	4,926,964	1,400,000
Connecticut	3,078,520	1,026,173	3,840,274	1,280,091	4,639,078	1,172,667	3,860,833	1,172,667
Delaware	592,356	248,419	1,000,000	333,333	1,019,171	333,333	1,000,000	333,333
District of Columbia	690,542	538,688	4,292,082	1,430,694	5,117,937	1,279,484	4,259,360	1,166,667
Florida	14,313,513	4,771,171	17,709,569	5,903,189	21,220,304	5,305,076	17,660,419	4,415,105
Georgia	12,831,875	4,277,291	15,909,810	5,303,270	18,699,738	4,733,333	15,562,698	4,733,333
Guam	346,160	115,387	419,128	139,709	594,668	148,667	494,907	123,727
Hawaii	1,201,292	400,431	1,516,005	505,335	1,989,729	497,432	1,655,935	490,000
Idaho	1,780,411	593,470	2,198,721	732,907	2,707,720	676,930	2,253,477	563,369
Illinois	13,575,961	4,525,320	16,911,199	5,687,066	20,154,640	5,038,660	16,773,529	4,833,333
Indiana	9,124,956	3,041,652	11,374,815	3,791,605	13,579,972	3,394,993	11,301,816	2,825,454
Iowa	5,851,222	1,950,407	7,189,956	2,396,651	7,772,820	1,943,205	6,468,864	1,873,333
Kansas	4,616,050	1,538,683	5,722,706	1,907,569	6,887,096	1,721,774	5,731,728	1,432,932
Kentucky	9,693,644	3,231,214	11,907,952	3,969,317	14,057,727	3,514,432	11,699,424	2,924,856
Louisiana	10,798,120	3,599,373	13,456,569	4,485,523	15,966,365	3,991,591	13,287,872	3,321,968
Maine	2,642,608	880,936	3,207,429	1,069,143	3,711,616	927,909	4,088,977	772,244
Maryland	5,711,428	1,903,809	7,136,622	2,378,874	8,784,552	2,196,138	7,310,868	2,166,666
Massachusetts	8,033,246	2,677,748	9,919,235	3,306,411	12,040,068	3,010,017	10,020,244	2,505,061
Michigan	13,746,506	4,582,168	17,277,511	5,759,170	20,219,464	5,054,866	16,827,478	4,206,870
Minnesota	7,418,966	2,472,988	9,111,787	3,037,262	10,706,498	2,676,624	8,910,392	2,626,666
Mississippi	8,993,132	2,997,710	11,126,146	3,708,715	13,043,419	3,260,855	10,855,275	2,713,819
Missouri	9,352,545	3,117,515	11,708,978	3,902,992	14,310,542	3,577,636	11,909,827	2,977,457
Montana	1,650,272	550,091	2,020,545	673,515	2,420,798	605,200	2,014,689	503,672
Nebraska	3,162,940	1,054,313	3,822,202	1,274,067	4,247,233	1,061,808	3,534,724	883,681
Nevada	480,551	168,881	1,000,000	333,333	1,000,000	333,333	1,000,000	333,333
New Hampshire	1,467,845	489,282	1,812,964	604,321	2,166,433	541,608	1,802,995	450,749
New Jersey	8,670,421	2,890,140	10,792,777	3,597,592	13,779,438	3,444,860	11,467,821	2,866,955
New Mexico	2,761,811	920,604	3,323,350	1,107,783	4,136,930	1,034,232	3,442,925	860,731
New York	22,120,692	7,373,563	27,238,438	9,079,478	33,571,558	8,392,890	27,939,645	7,604,333
North Carolina	15,246,445	5,082,148	18,802,359	6,267,452	22,170,856	5,542,714	18,451,508	4,612,877
North Dakota	1,781,034	593,678	2,146,802	715,601	2,488,325	622,081	2,070,888	517,722
Ohio	18,810,948	6,270,315	23,406,875	7,802,291	28,110,778	7,027,694	23,394,958	5,848,740
Oklahoma	6,561,095	2,187,031	8,165,768	2,721,922	9,653,985	2,413,496	8,034,448	2,266,666
Oregon	3,707,052	1,235,684	4,647,579	1,549,193	5,819,719	1,454,930	4,843,412	1,275,667
Pennsylvania	22,291,321	7,430,440	27,442,693	9,147,563	32,640,460	8,160,115	27,164,746	8,073,333
Puerto Rico	11,544,451	3,848,150	14,308,711	4,769,570	17,061,899	4,265,475	14,199,621	3,549,905
Rhode Island	1,637,845	545,948	2,012,663	670,888	2,385,304	608,333	1,985,149	608,333
South Carolina	8,951,709	2,983,903	11,031,024	3,677,008	13,024,749	3,266,666	10,839,737	3,266,666
South Dakota	1,980,986	660,329	2,400,429	800,143	2,582,477	645,619	2,149,244	537,311
Tennessee	12,079,348	4,026,449	14,845,028	4,948,342	17,439,535	4,359,884	14,513,905	3,628,476
Texas	27,112,099	9,037,365	33,604,356	11,201,451	40,030,458	10,007,614	33,315,009	8,328,753
Utah	2,436,305	812,102	3,034,612	1,011,537	3,910,851	977,713	3,254,773	900,000
Vermont	1,066,105	355,368	1,345,901	448,634	1,482,205	370,551	1,233,553	334,333
Virginia	11,042,361	3,680,787	13,626,350	4,542,116	16,172,053	4,043,013	13,459,054	3,364,764
Virgin Islands	199,042	66,347	265,271	88,424	354,270	88,568	294,838	73,710
Washington	5,070,681	1,690,227	6,440,488	2,146,829	7,619,357	1,904,839	6,341,146	1,808,000
West Virginia	5,539,426	1,846,475	6,807,131	2,269,043	8,128,215	2,033,333	6,764,638	2,033,333
Wisconsin	8,306,155	2,768,718	10,252,854	2,417,618	11,902,413	3,050,333	9,905,682	3,050,333
Wyoming	694,709	231,570	1,000,000	333,333	1,000,000	267,000	1,000,000	267,000

[1] Based on allotment percentages promulgated in Federal Register on Sept. 24, 1966.

[2] Adjusted for maintenance-of-effort provision. Actual matching funds required may vary as a result of the earnable matching rate applicable to construction expenditures in fiscal year 1969.

[3] Adjusted for maintenance-of-effort provision. Actual matching funds may vary as a result of actual State expenditures for 1969, and earnable matching rate applicable to construction expenditures in fiscal year 1970.

FEDERAL GRANTS AND STATE FUNDS REQUIRED FOR BASIC SUPPORT PROGRAM UNDER SEC. 2 OF THE VOCATIONAL REHABILITATION ACT (1970 FEDERAL GRANTS ARE BASED ON THE NEW $500,000,000 ALLOTMENT AUTHORIZATION)

State or territory	1968 actual		1969 estimate		1970 original estimate		1970 revised estimate	
	Federal grants	State funds	Federal grants	State funds	Federal grants	State funds	Federal grants	State funds
Total	$286,861,083	[1] $96,378,306	$345,900,000	$115,299,987	[2] $523,000,000	[3] $132,621,984	[2] $470,000,000	[3] $126,694,070
Alabama	9,555,000	3,184,997	11,000,000	3,666,666	15,939,681	3,984,920	14,199,588	3,666,666
Alaska	356,955	[1] 126,474	700,000	233,333	1,000,000	250,000	1,000,000	250,000
Arizona	2,854,327	951,441	3,207,000	1,069,000	4,637,316	1,159,329	4,722,562	1,180,640
Arkansas	6,553,142	2,184,378	7,490,000	2,496,666	9,741,755	2,496,666	8,256,531	2,496,666
California	21,791,217	7,236,732	25,500,000	8,499,999	34,598,947	8,649,737	30,821,872	8,483,799
Colorado	3,747,849	1,249,282	4,200,000	1,400,000	5,770,016	1,442,540	4,890,445	1,400,000
Connecticut	2,674,958	891,652	3,518,000	1,172,667	4,301,836	1,113,333	3,832,216	1,113,333
Delaware	592,356	[1] 248,419	1,000,000	333,333	1,000,000	333,333	1,000,000	333,333
District of Columbia	690,542	[1] 538,688	3,500,000	1,166,667	4,745,885	1,186,471	4,227,789	1,166,667
Florida	10,491,545	3,497,178	12,700,000	4,233,333	20,544,853	5,136,213	17,329,517	4,382,379
Georgia	12,531,875	4,177,287	14,200,000	4,733,333	17,340,344	4,733,333	15,447,345	4,733,333
Guam	279,592	93,197	228,000	76,000	428,714	107,178	436,596	109,149
Hawaii	1,118,292	372,764	1,470,000	490,000	1,845,084	470,000	1,643,661	470,000
Idaho	679,800	226,600	1,048,000	349,333	2,101,614	525,404	2,140,248	535,062
Illinois	12,500,000	4,166,663	14,500,000	4,833,333	19,644,136	4,911,034	16,649,201	4,833,333
Indiana	2,645,493	881,830	2,552,000	850,667	4,015,285	1,003,821	4,089,097	1,022,274
Iowa	4,266,300	1,422,099	5,620,000	1,873,333	7,575,939	1,893,985	6,420,916	1,873,333
Kansas	1,544,973	514,990	1,770,000	590,000	4,096,915	1,024,229	4,172,228	1,043,057
Kentucky	4,325,000	1,441,665	5,700,000	1,900,000	9,087,434	2,271,858	9,254,486	2,313,622
Louisiana	6,099,340	2,033,111	7,660,000	2,553,333	12,940,787	3,235,197	13,178,674	3,294,668
Maine	787,170	262,390	1,120,000	373,333	2,416,594	604,148	2,461,018	615,255
Maryland	5,711,428	1,903,807	6,500,000	2,166,666	8,145,951	2,166,666	7,256,679	2,166,666
Massachusetts	5,432,412	1,810,802	6,950,000	2,316,666	9,986,245	2,496,561	9,945,972	2,486,493
Michigan	8,899,720	2,966,570	11,525,000	3,841,666	19,707,318	4,926,829	16,702,750	4,175,688
Minnesota	6,399,467	2,133,154	7,880,000	2,626,666	10,435,310	2,626,666	8,844,347	2,626,666
Mississippi	4,485,896	1,495,297	5,110,000	1,703,333	12,713,038	3,178,260	10,774,814	2,693,704
Missouri	6,683,578	2,227,857	8,395,000	2,798,333	13,270,225	3,317,556	11,821,549	2,955,387
Montana	938,363	312,787	1,130,000	376,667	2,020,459	505,115	1,999,756	499,939
Nebraska	1,966,600	655,533	2,140,000	713,333	3,938,477	984,619	3,508,524	877,131
Nevada	480,551	[1] 169,881	1,000,000	333,333	1,000,000	333,333	1,000,000	333,333
New Hampshire	319,335	173,111	662,000	220,667	1,895,200	473,800	1,789,631	447,408
New Jersey	7,092,352	2,364,115	8,550,000	2,850,000	12,777,731	3,194,433	11,382,820	2,850,000
New Mexico	912,576	304,192	990,000	330,000	3,534,522	883,630	3,417,405	854,351
New York	19,338,972	6,827,698	22,813,000	7,604,333	32,721,213	8,180,303	27,732,552	7,837,666
North Carolina	9,963,518	3,321,169	11,411,000	3,803,666	21,609,283	5,402,321	18,314,742	4,578,686
North Dakota	930,000	310,000	1,300,000	433,333	2,307,434	576,858	2,055,538	513,884
Ohio	8,811,641	2,937,211	9,168,000	3,056,000	18,095,370	4,523,842	18,428,014	4,607,004
Oklahoma	5,405,929	1,801,975	6,800,000	2,266,666	8,952,182	2,266,666	7,974,895	2,266,666
Oregon	2,975,682	991,893	3,827,000	1,275,667	5,368,648	1,342,162	4,807,512	1,275,666
Pennsylvania	20,799,680	6,933,220	24,220,000	8,073,333	30,267,635	8,073,333	26,963,397	8,073,333
Puerto Rico	3,100,000	1,033,332	3,124,000	1,041,333	7,797,365	1,949,341	7,940,703	1,985,176
Rhode Island	1,626,845	542,281	1,825,000	608,333	2,324,886	603,333	1,970,435	603,333
South Carolina	8,022,973	2,674,322	9,800,000	3,266,666	11,969,782	3,266,666	10,759,391	3,266,666
South Dakota	1,008,960	336,320	1,117,000	372,333	1,721,839	430,460	1,753,491	438,373
Tennessee	5,379,300	1,793,098	7,500,000	2,500,000	11,292,116	2,823,029	11,499,696	2,874,924
Texas	14,566,459	4,855,481	18,700,000	6,233,333	37,103,825	9,275,956	33,068,073	8,267,018
Utah	2,220,000	739,999	2,700,000	900,000	3,626,548	906,637	3,230,648	900,000
Vermont	962,748	320,916	1,003,000	334,333	1,444,662	361,166	1,224,410	359,333
Virginia	7,072,975	2,357,656	9,470,000	3,156,666	14,996,412	3,749,103	13,359,293	3,339,823
Virgin Islands	100,000	33,333	131,000	43,667	253,415	63,354	258,073	64,518
Washington	4,573,255	1,524,417	5,424,000	1,808,000	7,426,364	1,856,591	6,294,144	1,808,000
West Virginia	5,453,973	1,817,989	6,100,000	2,033,333	7,922,333	2,033,333	6,714,497	2,033,333
Wisconsin	8,270,169	2,756,720	9,151,000	3,050,333	11,600,933	3,050,333	9,832,259	3,050,333
Wyoming	670,000	223,333	801,000	267,000	1,000,000	267,000	1,000,000	267,000

[1] Adjusted to reflect the 1965 level of expenditures of State funds.
[2] Excludes $1,000,000 for evaluation of vocational rehabilitation program.
[3] Adjusted for maintenance of effort provision. Actual matching funds required may vary as a result of State funds expended in fiscal year 1969 and the earnable matching rate applicable to construction expenditures in fiscal year 1970.

Mr. Chairman, in many of my colleagues' districts, there are existing projects or plans for the construction of rehabilitation facilities. Under amendments approved last year, States may use a portion of their section 2 entitlements for construction purposes. For this reason alone, Mr. Chairman, it is important that we provide for an allotment on the basis of $600,000,000 rather than the more restrictive provision of the bill.

If there is any program covered by this bill which should not be subjected to the budgetary squeeze, it is the basic vocational rehabilitation program of services to the disabled. One cannot find a Federal program which enjoys as much support in Congress. Let us not today lessen our support for that program by allowing this section to stand. Let us not turn our backs on the thousands of disabled we have promised services.

Mr. BRADEMAS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from New Jersey (Mr. DANIELS), and to which the distinguished chairman of the Committee on Education and Labor has just given his support.

Last night the Members of this body had a very proud moment in supporting the amendment offered by the gentleman from New York (Mr. CAREY), and added $15 million for a much-needed appropriation to educate the handicapped. I think the amendment before us moves in the same direction, but I must add that there is a significant distinction in Mr. DANIELS' amendment in that it does not require any additional appropriation.

It ought to be made very clear, Mr. Chairman, as the gentleman from Kentucky (Mr. PERKINS) and the gentleman from New Jersey (Mr. DANIELS) have pointed out, that striking section 208 does not mean the appropriation of an additional $100 million and thereby raise the figure from $500 million to $600 million. What it does mean, Mr. Chairman, is that the $600 million figure, which is the authorized figure, will be the base upon which the Federal Government makes allocations to the various States for vocational rehabilitation services for the handicapped.

The processes for arriving at this figure are as meticulate and as exact as they can be made.

I think that Members realize that the funds under this section in the Vocational Rehabilitation Act are distributed on a matching basis. Very careful studies are made to determine just what the States can come up with for this vital program for the disabled.

It would seem to me, Mr. Chairman, to be most unwise for us to act capriciously, and to change this carefully worked out base figure of $600 million.

So I hope very much, Mr. Chairman, that we will support the Daniels amendment, and thereby not shut off the chances for a supplemental appropriation to the States for vocational rehabilitation programs.

Therefore, Mr. Chairman, I urge that the amendment offered by the gentleman from New Jersey (Mr. DANIELS), be approved.

Mr. MICHEL. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, it is very nice to hear our good friends, the gentleman from Kentucky (Mr. PERKINS), and the gentleman from Indiana (Mr. BRADEMAS), talk about the provision not calling for an increase in appropriations in this bill, and that is true, but the key issue here is something called an uncontrollable.

You cannot increase this base from $500 million to $600 million without coming in here later, if the full entitlement is used up among the States, to ask for a supplemental appropriation to the tune of $53 million. That is what we are talking about.

You do not get something for nothing. I do not buy that argument. And nobody else in this Chamber, other than the gentlemen who previously spoke, will buy such an argument.

What do you think we have done in this area with respect to vocational rehabilitation appropriations? In 1965, appropriations for this program were in the area of $100 million. We have increased them successively, however, for 5 years up to $499 million for fiscal year 1970.

The first effect, of course, if we increase this allotment from $500 million to $600 million would be that subsequently we would have to provide supplemental appropriations of $53 million.

Incidentally, that would result in a total increase in 1970 over 1969 of $178.1 million, or an increase of 52 percent—the largest increase of any item in this bill.

As a matter of fact, as the chairman of the committee pointed out, our bill, without this kind of an increase, provides for a 36-percent increase for this item, and that is a larger increase than is provided for any other item in the bill.

Now I think we should make it very clear that every State receives an increase in Federal support for this program in 1970 with very little additional outlay on its part. This is what is in the bill already, without this proposed change.

This occurs, of course, because the basic statute authorizes up to 80 percent Federal matching in 1970, whereas the maximum Federal matching in 1969 was 75 percent. We accomplished that through amendments to the Organic Act.

To allow this program to go uncontrolled in 1970, using the $600 million allotment base, would result in a windfall in many States because they would pick up a significant increase of Federal funds without significantly increasing their own financial participation.

Under the $600 million allotment, the State matching funds would increase by only—now get this—by only $17.3 million. And that would compare to the increase in Federal funds of $178 million.

The State matching funds in the fiscal year 1969 amounted to $115.3 million. If the $600 million allotment proposal were adopted, State funds would amount to $132.6 million.

All of this might be an appropriate objective for the future, but not at this time of fiscal crisis. We increased this basic allotment in 1969 to $500 million so we ought to stay at $500 million this year.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman.

Mr. PERKINS. Let me say to the gentleman that this is just a clever gimmick to curtail the growth of a program which furnishes services to the handicapped of the Nation. It will reduce rehabilitation services by $53 million of what we have promised. Section 208 makes us renege on our promise.

Mr. MICHEL. We are not doing that at all; the gentleman is dead wrong.

Mr. PERKINS. If the gentleman will yield, we are reneging since these entitlements amount to a commitment on our part. We have provided for an allotment on a $600 million figure, not on a $500 million basis. That is what the gentleman is advocating and we would be reneging on our commitments to the States.

Mr. MICHEL. I think the facts and figures that we have set forth here belie the gentleman's argument.

Mrs. REID of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would say, first of all, that our committee does realize that this is a worthwhile program.

Second, I feel that section 208 is not a gimmick.

Mr. Chairman, the bill includes $471 million for the Federal-State basic support program under section 2 of the Vocational Rehabilitation Act. This represents an increase of $125.1 million or 36 percent more than the amount appropriated in fiscal year 1969. This budget would finance a national rehabilitation caseload of about 900,000 persons and enable the State vocational rehabilitation agencies to rehabilitate approximately 241,000 disabled individuals.

If section 208 is struck from the bill we would return to the allotment base of $600 million authorized in the Vocational Rehabilitation Act of 1967 and it would require an increase of $178.1 million over last year's appropriation or $53 million more than is now proposed. I feel that most of us would agree that the amount provided under the $500 million allotment base—which represents an increase of more than one-third over last year—in such a year of fiscal austerity is very generous, even for such a worthwhile program as this. Therefore, I would urge that the amendment be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. DANIELS).

Mr. DANIELS of New Jersey. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. DANIELS of New Jersey and Mr. FLOOD.

The Committee divided, and the tellers reported that there were—ayes 74, noes 110.

So the amendment was rejected.

Mr. GROSS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time to ask someone on the committee a question or two concerning the National Computer Job Bank. Is there any money in this bill for financing of a National Computer Job Bank?

Mr. FLOOD. Mr. Chairman, if the gentleman will yield, this is the first time I have heard the phrase used.

Mr. GROSS. Mr. Chairman, I thank the gentleman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 407. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who has engaged in conduct on or after October 12, 1968, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution: *Provided*, That such limitation upon the use of money appropriated in this Act shall not apply to a particular individual until the appropriate institution of higher education at which such conduct occurred shall have had an opportunity to initiate or has completed such proceedings as it deems appropriate but which are not dilatory in order to determine whether such individual was involved in such conduct: *Provided further*, That none of the funds appropriated by this Act shall be used to formulate or carry out any grant or loan or interest subsidy to any institution of higher education other than to such institutions certifying to the Secretary of Health, Education, and Welfare at quarterly or semester intervals that they are in compliance with this provision.

POINT OF ORDER

Mr. REID of New York. Mr. Chairman, I have a point of order against section 407 of H.R. 13111, as it constitutes legislation on an appropriation bill.

Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The gentleman will state his point of order.

Mr. REID of New York. Mr. Chairman, I will.

Mr. Chairman, section 407 constitutes legislation on an appropriation bill, and, in my judgment, is inconsistent with rule XXI, section 843 of the Rules of the House of Representatives for the 91st Congress. While a straight limitation on an appropriation bill is in order, it is my understanding of rule XXI which I quote that—

Such limitations must not give affirmative directions, and must not impose new duties upon an executive officer.

Specifically, Mr. Chairman, section 407 of the bill in my judgment imposes permanent new duties on the executive and requires as well a number of judgmental decisions not now required by law, which are complex and far reaching.

Under the act:

No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary . . . to any individual . . . who has engaged in conduct on or after October 12, 1968, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent

the availability of certain curriculum, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution: *Provided,* That such limitation upon the use of money appropriated in this Act shall not apply to a particular individual until the appropriate institution of higher education at which such conduct occurred shall have had an opportunity to initiate or has completed such proceedings as is deems appropriate but which are not dilatory in order to determine whether such individual was involved in such conduct: *Provided further,* That none of the funds appropriated by this Act shall be used to formulate or carry out any grant or loan or interest subsidy to any institution of higher education other than to such institutions certifying to the Secretary of Health, Education, and Welfare at quarterly or semester intervals that they are in compliance with this provision.

Specifically, Mr. Chairman, following this language and keeping in mind rule XXI which prohibits limitations from giving affirmative directions or imposing new duties upon an executive officer, I ask the following questions:

One. Who is to determine whether proceedings are not dilatory?

Two. Who is to determine which institutions did not file certifications?

Three. Who, Mr. Chairman, is to determine and make the judgment as to whether the conduct involved the "threat of force" or the "assistance to others in the threat of force?"

Four. What constitutes "property under the control of an institution of higher education?" Does this involve rent, leasehold, or what?

Five. What constitutes requiring or preventing "the availability of certain curriculum"?

Put another way, Mr. Chairman, the statute requires that a judgment be made as to time, the character of the action involved, and the intent of those so involved.

Further as to the point of order, Mr. Chairman, under section 1706 of Cannon's Precedents, volume 7, I would quote briefly from the Chairman during the 1923 debate on a D.C. appropriation bill concerning the compensation of jurors. The Chairman asked, and I quote:

> Is (this limitation) accompanied by a phrase which might be construed to impose additional duties or permit an official to assume an intent to change existing law?
>
> Does the limitation curtail or extend, modify, or alter existing powers or duties, or terminate old or confer new ones? If it does, then it must be conceded that legislation is involved, for without legislation these results could not be accomplished.

The point of order in this instance against the provision was sustained.

Further, Mr. Chairman, in support of this position and consistent with section 1606 of Cannon's Precedents, volume 7, I would cite the important precedent wherein a point of order was sustained regarding limitations on appropriation bills and new duties being imposed on an executive officer. This was the case of an appropriation for the U.S. Shipping Board, where no moneys appropriated could be used to repair a vessel owned by the Government at a cost in excess of $50,000 until Government Navy yards had had an opportunity to estimate the cost of repair. A point of order was sustained on the ground that new duties had been imposed on an executive officer who would have to: First, determine the cost of repair, second, determine what a reasonable opportunity was and give this reasonable opportunity to the available Government Navy yards; and, third, find the available Navy yards and give them a reasonable opportunity to estimate the cost of the work to be done.

Likewise, Mr. Chairman, the new duties imposed on an executive officer in section 407 include: First, that he shall receive quarterly or semester certifications from institutions; second, that he shall determine which institutions failed to certify; third, that he shall terminate all aid to those institutions which failed to certify; and, fourth, that student funds are mandatorily to be cut off following the institution of certain proceedings.

These are, in my judgment, rather formidable new and affirmative duties—national in character.

Lastly, Mr. Chairman, the institution must initiate such proceedings as it deems appropriate to determine whether a student is involved in this conduct.

However, such proceedings must not be dilatory. What is not a matter of institutional determination is that which is or is not dilatory. Hence a Federal standard determined by Federal officials will be required.

Mr. SIKES. Mr. Chairman, I would like to be heard on the point of order. I rise in opposition to the point of order raised by the gentleman from New York.

Section 407 I feel should be held in order. It is a limitation. It is not legislation on an appropriation bill. It relates clearly to funds appropriated under this act and sets and establishes certain criteria to be met before the funds can be used. It does not force any institution to take any action. It simply requires that certain conditions be met if funds are to be obtained for loans and grants to students and teachers. If the institutions do not care to meet the requirements, they are not under any obligation to take the money.

There is a parallel between this case and one in volume 7 of Cannon's Precedents, section 1584, which held in order an amendment prohibiting expenditure of money appropriated for education of aliens for citizenship until arrearage connected with granting of citizenship was disposed of. In that case, the problem was one of arrearage of work required of the aliens and in the current instance in the case of campus disorders, the students would simply have to quit misbehaving in order to qualify for funds.

I would also call the attention of the Chair to section 1718 of volume 7 of Cannon's Precedents in a decision which involved language denying use of an appropriation until a conference had been called.

Then I would call the Chair's attention to section 3942 of volume 4 of Hinds' Precedents, which required certification before money could be paid to the Agricultural College of Utah—the certification to be to the effect that no trustee, officer, instructor, or employee of such college is engaged in the practice of polygamy.

I want to quote, Mr. Chairman, from section 3942:

> While it is not in order to legislate as to qualifications of the recipients of an appropriation, the House may specify that no part of the appropriation shall go to recipients lacking certain qualifications. On January 30, 1901, the agricultural appropriation bill was under consideration in Committee of the Whole House on the state of the Union, and the Clerk had read the paragraph relating to agricultural colleges, when Mr. Charles B. Landis, of Indiana, proposed this amendment:
>
> "*Provided,* That no part of the appropriation shall be available for the agricultural college of Utah until the Secretary of Agriculture shall be satisfied, and shall so certify to the Secretary of the Treasury, that no trustee, officer, instructor, or employee of said college is engaged in the practice of polygamy or polygamous relations."
>
> Some debate having taken place, and Mr. William H. King, of Utah, having suggested a point of order, the Chairman said:
>
> "There are two reasons why the Chair would be inclined to overrule the point. In the first place it comes rather late, and in the second place the amendment seems to be a limitation upon this appropriation."
>
> The amendment was agreed to.

Now, Mr. Chairman, the language of the act did not say that the officials, instructors, and so forth, had to quit polygamy. It simply said the college and its personnel would not get any Federal funds unless they did.

The language of the pending section 407 does not say that students must stop rioting. It simply says that they will not be given loans and grants unless they do so. Language of that type having been held in order it seems that the language now before us in section 407 is in order. These are clear precedents, Mr. Chairman, and I submit that they provide ample justification for a ruling against the point of order.

The CHAIRMAN. Does the gentleman from New York (Mr. REID) desire to be heard further on the point of order?

Mr. REID of New York. Yes, Mr. Chairman. I would add one or two brief words. First, there are specific new affirmative directions in section 407, specifically the determination as to whether the proceedings are or are not dilatory. That is a specific requirement upon the Secretary and clearly a new duty.

In addition, it is very clear that the new duties include determining institutional cutoffs for about 2,300 colleges and universities throughout the United States and the termination of funds to any individual not as a result of conviction or even of completed proceedings. These clearly constitute new duties and affirmative directions.

The CHAIRMAN (Mr. HOLIFIELD). The Chair has listened with great attention to the gentleman from New York who has raised the point of order and also the gentleman from Florida (Mr. SIKES) who has cited a number of precedents.

The Chair has read the precedents cited and is ready to rule.

The gentleman from New York (Mr. REID) has raised this point of order against section 407 on the ground that

it constitutes legislation on an appropriation bill.

The Chair has examined the section referred to and notes while it imposes a restriction on the use of funds now in the bill, it also carries a condition precedent to the imposition of this limitation which would require determinations regarding whether or not the limitation is to apply. Some official or officials would be required to follow the hearing procedures at each institution of higher education in many of several forms, including whether the institution has had an opportunity to initiate hearing procedures; whether such procedures are final, and whether they have been dilatory.

The Chair has examined the ruling made by Chairman FASCELL on October 4, 1966, of the 89th Congress, second session, CONGRESSIONAL RECORD, volume 112, part 18, page 24976, regarding a similar proposition. It was held at that time, that:

While the House may, by way of a limitation, restrict the use of funds in an appropriation bill, it may not, under the guise of a limitation impose additional new determinations on an Executive.

The Chair, therefore, sustains the point of order.

AMENDMENT OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Iowa: On page 55 after line 8 insert the following:

"SEC. 407. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who has engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution: Provided, That such limitation upon the use of money appropriated in this Act shall not apply to a particular individual until the appropriate institution of higher education at which such conduct occurred shall have had an opportunity to initiate or has completed such proceedings as it deems appropriate but which are not dilatory in order to determine whether such individual was involved in such conduct.

POINT OF ORDER

Mr. BRADEMAS. Mr. Chairman, I make a point of order against the amendment offered by the gentleman from Iowa (Mr. SMITH). I do so on the ground that it constitutes legislation on an appropriation bill.

Further, Mr. Chairman, I call to the attention of the Chairman that the language offered by the gentleman from Iowa (Mr. SMITH) is exactly the same in respect of all of the determinations that must be required of an official of the executive branch, determinations with respect to which the Chairman has earlier ruled on the point of order of the gentleman from New York (Mr. REID) to make this kind of an amendment out of order.

The CHAIRMAN. Does the gentleman from Iowa (Mr. SMITH) desire to be heard on the point of order raised by the gentleman from Indiana (Mr. BRADEMAS)?

Mr. SMITH of Iowa. Mr. Chairman, I desire to be heard on the point of order.

Mr. Chairman, I would like to point out that in addition to the precedents cited by the gentleman from Florida (Mr. SIKES) that the language here is strictly standard language in that it says:

No part of the funds appropriated under this Act shall be used—

And so forth. I would also point out that absolutely no executive official has to do one thing under this amendment. The only thing that is done is by officials of institutions, not executives of the Federal Government. This certification requirement that would have been filed with an executive was in the proviso that was left out. No official—I repeat—no executive of the Federal Government has to do one thing under this amendment.

The CHAIRMAN. The Chair has listened to the argument for the point of order, and also the argument against the point of order, and the Chair finds that its previous ruling will apply to this same question, the same point of order, because while the gentleman's amendment has changed the date of effectiveness from October 12, 1968, to August 1, 1969, and has failed to include in his amendment the last provision on page 56 in the original section 407, it nevertheless requires a determination on the part of someone that a proceeding has been initiated, and a determination has been made as to whether such proceeding was or was not dilatory in nature.

The Chair sustains the point of order.

AMENDMENT OFFERED BY MR. SIKES

Mr. SIKES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SIKES: On page 55 after line 8 insert the following:

"SEC. 407. None of the funds appropriaited by this Act shall be used to formulate or carry out any grant to any institutions of higher education that is not in full compliance with Section 504 of the Higher Education Amendments of 1968 (P.L. 90–575)."

Mr. SIKES. Mr. Chairman, I want to give full credit to the distinguished gentleman from Iowa (Mr. SCHERLE) whose language this is. He has offered it twice previously, when appropriations bills were under debate, and each time the amendment was adopted first by the House and later by the Senate.

It is language which obviously is not subject to a point of order and, therefore, will have to be voted up or down by the House. This time we shall have to face the issue.

I think the overwhelming majority of the House will not want to leave the impression that we favor campus disorder. That is the impression that can well be left if the question of strong language in this bill is determined by the device of striking out whatever language may be offered by points of order. It is time to show our colors by voting for or against language which deals with the problem itself.

The language in the amendment now before the Committee is not as strong as that stricken by points of order and consequently will not, in my opinion, be as effective as the language of the bill or the amendment later offered by the gentleman from Iowa, Mr. SMITH.

Nevertheless, it can be an expression of the interest of the House in having campus disorders curbed.

I want the country to know that in this bill which carries money for health, education, and welfare and, therefore, appropriates most of the money which will be available for loans and grants to students and to colleges, we are not giving a blank check for a continuation of the type of disturbances which have so seriously interfered with academic processes and with efforts to learn by serious students.

The action which I sponsor will serve notice to this administration and to college officials alike that the House wants the law respected; it does not want funds to be supplied willy-nilly to those who are attempting to tear down the institutions of learning with which this country is blessed.

This is midsummer and there are few, if any, campus disorders, but do not be deceived, campus disorders are not normally associated with summer problems and they will be back in full force this fall.

The malcontents already are making their plans. They anticipate that colleges generally will continue to ignore the law, and that the Department of Justice will not overly concern itself with campus violence. The fact that there have been few efforts to deny Federal grants and loans to troublemakers on campuses will most assuredly encourage further disorders. Very few grants or loans have been revoked, and I have serious doubts that many of the troublemakers have been questioned about their eligibility to continue receiving them.

The time and place to cope with this problem is now. We do not want campus disorders to continue. Unless I am seriously mistaken, the American people are heartily sick of the rioting and destruction which have been tolerated on campuses—much of it sponsored by professional troublemakers with Communist affiliations, some of it encouraged by softheaded professors, and most of it tolerated by weak-kneed college presidents. It is time for an acceptance of responsibility by those charged with administration of college campuses, and the language of the pending bill will require a much greater measure of compliance with the law than we have had previously.

A letter has been circulated from the Secretary of Health, Education, and Welfare and the Attorney General which implies opposition to language in this bill against campus disorders. Let me quote from one paragraph:

First, forcing institutions to submit or certify that they have developed such policies and plans dealing with campus disorders would imply a Federal standard by which their policies and plans would be judged.

The Federal government must not be placed in the role of enforcer or overseer of rules and regulations for the conduct of students, facility, and other university employees.

The language in the bill does not require the development of policies and plans dealing with campus disorders, although these certainly should be formulated. There is nothing to suggest a Federal standard by which the policies and plans of institutions would be judged. The Federal Government is not by the language of the bill placed in the role of enforcer or overseer of rules and regulations, but it should not be expected that Federal funds will be provided to law violators. Admittedly, we propose strong medicine. Compliance with the law, however, simply means that the institution is taking necessary action to curb disorder by taking proper steps to deny Federal funds to the troublemakers who are identified as such.

I am surprised and disturbed that the Federal agencies would inject themselves into this matter. I think it must be said, however, that bureaucracy under any administration wants a servile Congress—a Congress which will give them what they want, then roll over and play dead. That is not what Congressmen are elected for. Congress is one of three coequal branches of Government. I propose that we not abdicate the responsibility with which we are charged.

Had these same administration officials taken vigorous action since January 20 to insure that the law is not being ignored and violated, I doubt seriously that it would be necessary today that Congress take action to stop malcontents from disrupting classes, destroying property, and seizing control of university buildings.

If the basic law is followed, there will be no problems in the administration of the language of the bill. Surely the House recognizes the fact that something is required. Surely we know the law now largely is being ignored. Apparently, Congress must do something to require that it be respected. This is our opportunity to do so.

Please remember that the President himself, in his speech in South Dakota, cracked down hard on those student revolutionaries who prefer coercion to persuasion. He accused them of "self-righteous moral arrogance" and of refusing to acknowledge the rights of others.

He also had some tough words for sympathetic faculty members who "follow the loudest voices" and "parrot the latest slogans"—and for "permissive" university administrators who bow to protesters' unreasonable demands.

In this effort to strengthen university backbone, the President warned that the more victories student violence can claim, the more undermined are the rights of all students.

The President's own words should give all the encouragement that is necessary to insure retention of language in this bill which adds muscle to his message.

POINT OF ORDER

Mr. MOSS. Mr. Chairman, I make the point of order that the galleries are not in order and that the applause is in violation of the rules of the House and must stop.

The CHAIRMAN. The point of order is well taken.

The Chair will state that visitors in the gallery are guests of the House of Representatives. Under the rules and practices of the House of Representatives, visitors in the gallery are not permitted to make undue noise or to applaud or to in any way show their pleasure or displeasure as to the actions of the Members of the House.

Mr. SCHERLE. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, I quote from the Adair News, of Adair, Iowa:

Higher education is threatened with collapse. That is the conclusion a great many people feel can be drawn from the events that have accompanied campus disorders. Their feelings are buttressed by a single paragraph in an article of the National Observer on the question of whether universities and faculties can handle the rising state of anarchy that is taking over.

One afternoon, says The National Observer, "for about 30 minutes Cornell's president, Dr. James A. Perkins—denied even the courtesy of a chair by militant students—sat on the floor of the stage in Barton Hall, the university field house, red-faced, humiliated, and sipping a can of root beer. To the accompaniment of derisive laughter from the 6,000 students gathered in Barton Hall, a militant student leader referred to Dr. Perkins as 'P' and 'Brother Jimmy' and told him to 'sit down, Jimmy, I'm going to talk and you can talk when I'm through.' Half an hour later, Dr. Perkins got to his feet and described the week's events at Cornell as 'the most constructive move' the university has ever taken."

The spectacle of a college president forced to sit on the floor in abject submission while enduring the insults of "students" will strike many as unrelated to anything that could be called a "constructive move." On the contrary, the stark facts as related by The Observer have a nightmarish quality. They place a U.S. college president in the position of a defector in a dictatorship-ridden country.

Mr. Chairman, I have taken this time because I am very concerned over the serious disruptions that have run rampant on our college campuses.

I have conducted a poll with reference to this subject based on questionnaires sent to constituents by honorable and respected men of high integrity such as the gentleman from Illinois (Mr. ANDERSON), the gentleman from Texas (Mr. COLLINS), the gentleman from North Dakota (Mr. KLEPPE), and the gentleman from Ohio (Mr. DEVINE), and others.

One of the questions reads: "Should Federal aid be cut off to student demonstrators?"

In over 200,000 questionnaires returned to my colleagues, the average was 93 percent, "yes, aid should be cut off."

I cannot for the life of me understand why the taxpayers of this country should be forced to finance the destruction and the disruption of our Nation's campuses.

In 2 years there have been over 250 campus disturbances in this country, coast to coast. There have been over 3,000 arrests and property damage running into the millions.

There are over 200 deanships in this country that have gone begging because educators are afraid to take the position for fear of physical harm.

The reason for this amendment is quite simple, particularly when you consider George Washington University. Let me give you a prime example of what has taken place.

A student very active in SDS functions, including the seizure of Maury Hall, is receiving a $1,000 NDEA loan.

Another student who also participated in this extracurricula activity has been receiving a $1,000 NDEA loan. Many other students that participated in the takeover of George Washington University are also receiving student loans. Why should the administration be allowed to flagrantly violate the law and not punish the offenders—that is the reason for this amendment.

There are others from the same university who are benefiting by taxpayers' money, and their choice for education is not constructive, but to disrupt the legitimate activities of the sincere students who are there to pursue their educational objectives. We do not want this job. The Congress of the United States does not want to play policeman to the colleges and universities throughout the country. But until the administrators of our colleges and the university respect the responsibility that goes with the title, it becomes mandatory for the Congress to assist and protect the interests of those who are there for constructive pursuits.

Mr. Chairman, I certainly hope that the Members of the House will vote unanimously for the amendment offered by my colleague from Florida (Mr. SIKES).

Mr. RUTH. Mr. Chairman, will the gentleman yield?

Mr. SCHERLE. I yield to the gentleman from North Carolina.

Mr. RUTH. Mr. Chairman, I would like to commend the gentleman on his remarks.

Mr. Chairman, the appropriation bill now before the House is one of the most important measures which we will discuss in this session of the Congress. It involves the education of our young people and the future of our country. Therefore, when we see that this appropriation bill, second only to the Defense Department budget in size, will cost the taxpayer $16 billion in the coming year, with total permanent obligations exceeding $64 billion, we are duty bound to study it with care. The members of the Subcommittee on Appropriations have given great care and attention to the 100 or more appropriations items in the bill. Yet, Members with honest differences of opinion may seek a reduced final budget figure. Many people may be pleased and others may be disappointed with the final wording of this legislation.

I would like to comment briefly on certain sections of the bill which are of special interest to the people of North Carolina's Eighth District; namely, those dealing with education, integration, and the disorders on the college campuses.

In this appropriation bill, funding for the Office of Education totals more than $2 billion. But while it covers many excellent programs, most of the people of the Tar Heel State's Eighth District would prefer fewer strings attached to the Federal dollars furnished them, yet have access to the broad experience and professional knowledge of the Federal officials in the school program. Although there are many inequities in the allocation of impacted area funds, the principle of block grants is apparent here and is widely accepted as a splendid method of distributing funds from Federal grants with the maximum opportunity for use at local level. In conclusion I would like to comment briefly on sections 407, 408, and 409. They read as follows:

SEC. 407. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who has engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent the faculty, administrative official, or students in such institution from engaging in their duties or pursuing their studies at such institution.

SEC. 408. No part of the funds contained in this Act may be used to force busing of students, the abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent.

SEC. 409. No part of the funds contained in this Act shall be used to force busing of students, the abolishments of any school or the attendance of students at a particular school as a condition precedent to obtaining Federal funds otherwise available to any State, school district, or school.

Section 407 strikes at curbing the recent development of campus riots and securing the benefits of the educational process sought by the vast majority of our young people. Threats and warnings or renewed disruptions this fall reach Congress every day. Concerned parents and serious students wonder why our system cannot control the situation. They have a just cause in asking Congress to play a part in ending this chaos. When local and State facilities fail, the Federal powers should be prepared to respond. This provision provides that strength. I urge its adoption.

Sections 408 and 409 reach further into our educational systems by touching the student, and his parent, at all grade levels. As a result of actions by appointed officials in the executive branch of the Government, deep patterns of education, community cultures, financial resources, transportation facilities, and school structures have been brought into a controversy that really have nothing to do with the education of a child.

We of North Carolina accept the basic laws of the land and wish them to be upheld with firmness. We believe that interpretations and implementations should be left to the local community. When they are carried out in a manner different than Congress has decreed, it becomes necessary for Congress to assert its will anew. Sections 408 and 409 reaffirm the congressional will. I urge their adoption.

Again, I would like to emphasize my support for education with the understanding, however, that we maintain the proper balance in programing and funding; and that local areas have maximum opportunity for freedom of operation.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. SCHERLE. I am glad to yield to the gentleman from Washington.

Mr. PELLY. I would like to assure the gentleman that I do not believe the Federal Government should support students who disrupt education on the campuses of our country. But I am fearful I might take some action which would punish the innocent and those students who do not participate. Would this amendment harm those who do not participate in violence?

Mr. SCHERLE. Mr. PELLY, let me explain this way. There is no fear of penalty if there is no crime committed. It is just that simple. The amendment is designed basically to put a little starch into the backbones of our weak-kneed administrators, to make them face up to their responsibility and to enforce section 504.

Mr. PELLY. Does it cut off Federal funds to educational institutions if there is violence, or would it only cut it off to those who commit violence on the campuses?

Mr. SCHERLE. Under section 504 (a) and (b) it is well stipulated that if there is a conviction in a court of record, or if under section 504(b) the student does not abide by the rules and regulations established by the university, then a cutoff is mandatory. Furthermore, if the college or university does not enforce section 504, they in turn will be cut off from Federal funds.

Mr. PELLY. I thank the gentleman for his explanation. I repeat, I do not want innocent students to suffer because of the acts of others. But I believe if students are guilty of violence, and convicted after due process, they should be punished and the college authorities should act to prevent such individuals from interfering with those who obey the law. Federal funds should not go to those convicted and school administrators should carry out the law.

Mr. RIEGLE. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. RIEGLE. Mr. Chairman, I would be concerned if the remarks that have been made thus far would be all that would appear in the RECORD with respect to this complicated subject we are discussing. So I would like to speak briefly.

I think it would be useful for us to spend a minute to try to understand a little better the nature of the campus unrest problem.

I would quickly concede that there is a handful of extremists on American campuses today who wish to disrupt those campuses by any means that they can find. Clearly that is wrong. Those who break the law must be prevented from doing so and brought to justice immediately. They have got to be dealt with, and I think in fact they are being dealt with.

But those who promote violence on our campuses today are, in fact, a tiny minority, and if we were to remove all the revolutionaries and those who promote violence from our campuses tomorrow, the bulk of the unrest problem would remain, because—beyond this small minority of revolutionaries are the great bulk of our students who reject violence, who are outstanding young people, who love their country, and who want to see their country do what is right.

But these responsible young people, the moderate students, are rightly concerned about the direction in which their country is moving. They are concerned about our national priorities. They are concerned about the fact that a few days ago we were able to step out on the moon—and a fantastic achievement it was—but, at the same time we have children in this country who do not have enough to eat. If anybody disputes that fact, I will take him to Anacostia when I finish these remarks and let him see and talk with these children, because they are there, 10 minutes away from this Chamber.

The moderate students are also concerned about racism, and poverty, and our 8-year undeclared war on Vietnam, and the need for draft reform. They are concerned about the fact that America too often says one thing and does another.

These are issues we can do something about if we want to bring an end to campus unrest. These are legitimate issues for us to deal with, issues which we can influence.

The gentleman from Florida who I serve with on the Appropriations Committee, a gentleman for whom I have great respect, just moments ago issued a call for obeying the law. I am all for him. Let us obey the law. Now let us think about that with respect to Vietnam for a minute, because we are at war in Vietnam. War—I do not think anyone can dispute that. That war has been going on for 8 years.

Yet, the Constitution of the United States vests in Congress, in this body, in us, the authority to send this country to war. But no war has been declared, and there is no other legal way this country can constitutionally engage itself in war.

Yet there it is. We have not declared war, but we are at war.

Some 37,000 Americans have been killed in Vietnam.

Over one-quarter of a million Americans have been wounded there.

There are over 500,000 American troops fighting in that country at this minute.

We have dropped more bombs in Vietnam than we dropped in all of World War II.

We have already spent in excess of $110 billion on the war in Vietnam.

So it is clear from any measure that the United States is at war. And yet we have not declared war.

Are we obeying the law? It is a question that has to be answered. Our people have a right to ask how this can happen. How were we able to sit here and allow this to happen? How could we so sorely fail to exercise our constitutional authority, the authority that belongs to us, to those who sit here today?

If we want to do something constructive about student unrest, let us face up to this tragedy of Vietnam. Until we are prepared to do this, we should not, I think, undertake to tell other people how they ought to do their job—and that includes college presidents, students, or anybody else. Let us do our job first, so that others might properly follow our example.

Mr. COLLIER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, with all due respect for the previous speaker, for whom I have deep affection, I would have to say he drifted 5,000 miles from the purpose of the amendment that is before us. Everyone recognizes the serious problems—which this administration inherited—but I do not think the issue in point in this amendment deals with the whole gamut of problems the gentleman discussed.

I think it is high time the Members of this body put their fingers on the pulse of the American people. If a Member thinks for 1 minute the God-fearing, law-abiding citizens of this country are prepared to tolerate some of the things we have seen on the college campuses in the last few months, I say you are sadly mistaken.

And the people of this country who feel this way are financing these programs. It seems to me they have the right to be heard here in this Chamber too.

And I must impress upon this body that there are many students on the campus today who also have the right to be heard. But, if there is anyone who thinks for 1 minute that what we have seen on the college campuses recently represents the thinking of the majority of our students in this country, I say again you are wrong.

This Congress has the responsibility and the duty to move in the direction of preventing a small minority from depriving the many good students of the right to pursue their education in the manner in which they should be permitted to pursue it.

I hope that everybody in this body will stop, think, and give consideration to the feeling of the majority of the people of this country, students and citizens alike, and support this amendment.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I am delighted to yield to my friend from Iowa.

Mr. KYL. There is a question here which involves a practical matter. I know the gentleman from Illinois is concerned as I am. Under this amendment would it be possible for a group of extremists to set out to destroy a university? Could a group of militants, in other words, proceed in such fashion that it would be impossible for the administration to deal with them, thus forcing a cutoff of Federal funds to the university?

Mr. COLLIER. I believe the response should properly come from the author of the amendment.

Mr. SCHERLE. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I am pleased to yield to the gentleman from Iowa.

Mr. SCHERLE. This possibility is very remote, for the simple reason that under section 504 (a) and (b), even under this amendment, the colleges retain the right of determination and hold hearings. All this amendment does is direct the college administrators, "You enforce the law, otherwise your Federal funds will be cut off." This mandate will force the administrators to curb all illegal activity immediately for fear of losing their money. Congress has given this ultimatum and hopefully the executive branch will enforce it.

Mr. COLLIER. I thank the gentleman for his clarification.

In conclusion I should like to make it very clear that there is no other Member of this House who has greater respect for the fundamental right of petition, the right of any student or of any citizen of this country to lawfully pursue and his right of expression including his right to criticize, if you please, the operation of a university, public policy, or any Member of this body, than I. This is a right which should and must be preserved. But it must be pursued in a lawful and an orderly way, because if it is not it flouts the very foundation upon which this Nation was built—law and order.

Mr. MOSS. Mr. Chairman, I move to strike the requisite number of words.

Quite candidly, Mr. Chairman, I do not rise in opposition to the amendment, nor in support of it. I believe it is so ambiguous as to be meaningless.

I do think it is time we take a careful look at what we are trying to do. I have always had the conviction that the responsibility for the enforcement of laws on our campuses rested with the governments of the States or of the communities in which the colleges or universities are located. I believe they have the competence to carry out the enforcement of the law, and I do not want to see the day when we create a Federal police force to supersede local government, to assume the obligations of maintaining order, unless the Governors of the States want to certify that they have lost the ability to maintain order on the campuses of the colleges of this Nation.

I believe there is nothing more popular today, nothing that will give a more favorable reaction more quickly, than to say one is against violence on the campuses.

I say to the Members, I am against violence on or off the campus. It is occurring on and off the campuses throughout this Nation, for a great many reasons, not the least of which is the fact that we have failed, and we have failed miserably, as a lawmaking body to assign proper priorities in a society which is increasingly complex and faced with increasing frustrations.

Now, we can kid ourselves that adopting something like this is going to cure basic problems, but it is not. We can write stronger and stronger and stronger laws, and it is not going to cure the underlying causes which are really symptomized by the unrest on the campuses. You know, an awful lot of this unrest and an awful lot of the hell raising that goes on is not by the students enrolled in the colleges or universities.

I do not know whose responsibility that is. Does the university have to assume the responsibility and certify that it has assumed it and that it is complying with all of the laws? I do not know what all of the laws are. But I say again that this is not the approach to solving the problems. There are approaches, broad social approaches, attacking underlying ills of our society which would contribute to it much more. I do not think it would get as many headlines and I do not think you would get quite as much applause back home by getting up and discussing some of those underlying ills as you would in getting up and saying with great emphasis, "I am opposed to lawlessness." Well, of course. Any halfway responsible citizen is opposed to lawlessness. The entire American public decries the fact that we are actually at this time almost in a posture of promoting war between generations. I think it is time we stopped doing that and stopped to think and use our intelligence and not our emotions. When we do we will have made some progress. We will not do it here today.

Mr. PATTEN. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I am glad to yield to the gentleman.

Mr. PATTEN. Do you realize how your Governor Reagan of California feels about this type of legislation?

Mr. MOSS. My Governor has perhaps made more noise, more statements, and accomplished less solid progress in solving this problem than any other American I know of.

AMENDMENT OFFERED BY MR. SMITH OF IOWA TO THE AMENDMENT OFFERED BY MR. SIKES

Mr. SMITH of Iowa. Mr. Chairman, I offer an amendment to the Sikes amendment.

The CHAIRMAN. Is it an amendment to the Sikes amendment or a substitute.

Mr. SMITH of Iowa. No. It is an amendment to it.

The CHAIRMAN. The Clerk will read the amendment.

The Clerk read as follows:

Amendment by Mr. SMITH of Iowa: Amend the Sikes amendment by adding the following:

"SEC. 407. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who has engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent the faculty, administrative offi-

cials, or students in such institution from engaging in their duties or pursuing their studies at such institution."

POINT OF ORDER

Mr. BRADEMAS. Mr. Chairman, I make a point of order against the gentleman's amendment.

The CHAIRMAN. Would the gentleman care to speak on the point of order?

Mr. BRADEMAS. I would.

Mr. Chairman, I make a point of order against the gentleman's amendment on the ground that it constitutes legislation on an appropriation bill.

I think it is significant, Mr. Chairman, that the gentleman from Iowa uses very much the same language in his amendment that was ruled out of order by the Chair both in connection with the earlier amendments which were offered by the gentleman from Iowa and the gentleman from New York, for the gentleman from Iowa in his amendment requires that determinations be made with respect to a number of complex and substantial issues by officials of the executive department. For example, Mr. Chairman, the gentleman uses the language, "the use or the assistance to others in the use of force" as well as the phrase, "the threat of force."

The amendment contains the phrase, "the seizure of property under the control of an institution of higher education."

The amendment requires making determinations with respect to the intent of students, employees, researchers or teachers. I say this because the gentleman's amendment says that the conduct involved must be for a purpose—that is to say, his amendment contains language referring to action "to require or prevent the availability of certain curriculum, or to prevent the faculty, administraive officials, or students from engaging in their duties or pursuing their studies." This language means that determinations must be made by the executive branch with respect to every one of the potentially 2,000, plus, institutions of higher learning in the United States before Federal funds may be made available to certain individuals attending those institutions.

Mr. Chairman, on precisely the same grounds that I used to make a point of order against the earlier similar amendments, I would make a point of order against this amendment.

The CHAIRMAN. Does the gentleman from Iowa wish to be heard on the point of order?

Mr. SMITH of Iowa. I do, Mr. Chairman.

Mr. Chairman, the gentleman from Indiana has said that a determination would have to be made by the 2,000 institutions.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Indiana.

Mr. BRADEMAS. I did not say that. I said the determination must be made by officials of the executive branch with regard to each of the 2,000-plus, institutions that might be seeking Federal funds for students, teachers, and others.

Mr. SMITH of Iowa. Mr. Chairman, this is very clearly the same kind of limitation language that has been used time after time after time in appropriation bills.

This amendment is distinguished from the other amendment I offered in that the Chair found that someone in the executive branch would have to determine if the institution had been dilatory under that amendment. This amendment does not require that determination. That proviso was dropped under the proviso, the institutions would have been given some time to make certain determinations. That proviso has been dropped. This is strictly the same kind of limitation on an appropriation bill which has been contained in appropriation bills many, many times previously. All of the precedents cited by the gentleman from Florida previously would apply in this case.

The CHAIRMAN (Mr. HOLIFIELD). The Chair has listened to the arguments on this matter and the Chair must inform the gentleman from Indiana that the situation is not analagous to the ruling on section 407 which was originally ruled not in order.

There was a requirement in the original section for the initiation of hearing procedures and the determination as to whether such hearings were final or not. No such administrative action is directed in this instance.

The amendment as offered by the gentleman from Iowa (Mr. SMITH) is purely negative in character.

Therefore, the Chair overrules the point of order.

The gentleman from Iowa (Mr. SMITH) is recognized for 5 minutes in support of his amendment to the amendment of the gentleman from Florida (Mr. SIKES).

Mr. Chairman, I would like to explain exactly where we are on this amendment. The last proviso that was stricken was one that I had hoped would not be objected to because it gave the institutions more latitude. Those who objected have denied them the extra latitude now by raising the point of order. The first proviso stricken was added by others in the full Appropriations Committee and I was going to ask that it be stricken anyway.

But, Mr. Chairman, the situation is just this: The vast majority of this Congress has indicated time and time again that they want to do something to make sure that the vast majority who pay tuition to the institutions are not prevented from pursuing their studies and performing their duties by that very small number that are intent upon using force to prevent others from enjoying their civil rights—yes, their civil rights as citizens to use the university under the university rules.

The House indicated it wants to do something about that. Last year section 504 of the Higher Education Act was passed dealing with the general subject, but 504 was changed in the Senate until it did not amount to anything, and that is the truth of the matter.

I believe the majority have felt that merely certifying that they are in compliance with 504 is not enough; something else needs to be done. About 350 Members have indicated they want to do something. So the Committee on Education and Labor took up this proposition and considered a separate bill. I understand they argued for about a month, and after a month all five sides of that committee were still in disagreement. Therefore it has been proposed that we do something by adopting a provision in this education appropriations bill. So, as a member who authorized last year's provision, I tried to find a concensus. That is what I have to do, and I believe I have it here. It would be effective to cut off the aid to the individual who is involved in the use of force, and it does not cut off the aid to the institution. It will make sure that Government money is not being used for that individual who uses force for the purposes set forth.

There are a lot of other young people in need of money who want to go to college, and our Government money, as much as $7,700 per year per student, ought to be going to those students who want to go to college and get an education.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Florida.

Mr. SIKES. Mr. Chairman, I wish to state that the language which has been offered by the distinguished gentleman from Iowa (Mr. SMITH) is a distinct improvement to the language of the pending amendment, and I strongly urge its approval. It provides clarification and makes clear the intent of the House that Federal loans and grants not continue to be available to those who disrupt academic processes in America's colleges and universities.

Mr. SMITH of Iowa. I thank the gentleman.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Michigan.

Mr. O'HARA. Mr. Chairman, during the discussion on one of the points of order, the gentleman from Iowa (Mr. SMITH) said that the determinations which are required under the language of his amendment are to be made by the universities, and not by Federal officers.

Is that correct?

Mr. SMITH of Iowa. That is correct.

Mr. O'HARA. I thank the gentleman.

Mr. SMITH of Iowa. Mr. Chairman, the education institutions are in a sense an agency for distributing our Federal money. We give the institution so many thousands of dollars and say take this money and distribute it under the certain conditions or guidelines.

One condition is as to income. Eligibility for the money depends upon their financial condition. Another one, for example, is that they be in good standing academically. Under this amendment, another criterion is that they are not one of those students who have violated their responsibility to their institution which flow with acceptance of the money.

Mr. CLARK. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Pennsylvania.

Mr. CLARK. Mr. Chairman, I have had quite a bit of discussion with a num-

ber of our universities in Pennsylvania, and with the State colleges in Pennsylvania concerning the question of lawlessness that has been creeping over the country in the last 3 years, and I have found through these discussions that there are about 80 to 120 SDS's that are going from one end of the country to the other, from Berkeley, Calif., to Harvard, Mass., and from Harvard, Mass., down into Miami.

These are the ones who are the crux of the whole situation that we find in our universities today.

Mr. Chairman, I think the amendment offered by the gentleman from Iowa to the amendment offered by the gentleman from Florida is an amendment that will stop this, because it will give the right to these presidents of these universities to do something about this.

Mr. Chairman, I commend the gentelman very much for his amendment.

Mr. SMITH of Iowa. I thank the gentleman.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman form Maryland.

Mr. LONG of Maryland. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, it seems to me that the whole question revolves around the question of academic freedom. Academic freedom to me is the freedom to pursue learning in an atmosphere of calm reason, free of interference.

Any institution that cannot offer assurance that it provides that kind of freedom is not a university in the true sense and does not deserve Federal help.

Mr. SMITH or Iowa. I thank the gentleman.

Mr. WYMAN. Mr. Chairman, I rise in support of the amendment to the amendment.

Mr. Chairman, I would like to ask the gentleman from Iowa whether or not the amendment to the amendment that the gentleman has offered excludes Mr. SIKES' amendment, or leaves it in?

Mr. SMITH of Iowa. If the gentleman will yield, my amendment leaves the amendment offered by the gentleman from Florida (Mr. SIKES) in and merely adds a paragraph to it.

Mr. WYMAN. I thank the gentleman.

Mr. Chairman, I rise in support of the additional language which the gentleman from Iowa (Mr. SMITH) has offered.

I would like to call the attention of the Committee to the fact that sections in the existing law to which the amendment offered by the gentleman from Florida (Mr. SIKES) made reference, to wit, section 504 of the Higher Education Amendments of 1968, derived from an original amendment to the National Science Foundation appropriation offered by myself a couple of years ago, followed by an amendment also offered by me and adopted by this body to the Health, Education, and Welfare appropriations bill in 1968. The Higher Education Act amendments, including the amendment offered by the gentleman from Iowa (Mr. SCHERLE) to deny Federal funds to persons convicted of a crime came later. My amendments had nothing to do with convictions or the courts. They left the options with the various educational institutions concerned.

Now in light of what the gentleman from Iowa (Mr. SMITH) has said we should not deceive ourselves that existing law has been effective. Little has been done under this legislation nationwide.

Testimony before the education subcommittee of the gentlewomen from Oregon (Mrs. GREEN) was to the effect that educational institutions in America have not seen fit to implement this permissive legislation. They have not acted to take away Federal funds from persons who have been found to have seriously and intentionally and deliberately disrupted the institution. As a matter of fact they have not even acted to deny such funds to individuals notoriously disrupting their administration of university affairs. Harvard and Cornell are examples.

The amendment that has been offered by the gentleman from Florida (Mr. SIKES) merely says that these institutions must be in compliance with section 504 of the act, in order to continue their eligibility for Federal funds. The compliance that they are required to certify is permissive legislation because what they are required to be in compliance with is up to them. It is not within the power of a defiant minority group to disentitle any institution against its will under this amendment. This point should be made clear.

So I think even those in this body who are concerned, and rightly so, about the relationship between the legislative branch of the Government and the academic community, have no cause to conclude that we are interfering with college campuses.

Nor is there cause to say to the people of this country, that Congress is attempting to wave a bludgeon over college presidents and administrators.

What we are doing here is of the essence of appropriate legislative process. It is a proper exercise of that legislative process.

We are establishing a legislative minimum standard that is permissive only because we believe in the management of the academic community by the respective university administrations.

We are reflecting the will of the American people on the floor of this House, to provide sanctions against those who seriously and willfully disrupt these institutions and who would deny the youngsters who want to go to school the right and the privilege of going to school as well as those who break the law deliberately. This Congress by its previous and today's action is letting the school executives know that Congress does not wish such disruptive actors to receive the taxpayers' money in or after such conduct.

This amendment ought to be adopted. It is a reflection of our responsibility. It is not in any sense unreasonable. It deserves the support of all the Members of this body on both sides of the aisle.

Mr. CASEY. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, I want to commend the gentleman from Florida (Mr. SIKES) for offering his amendment, and particularly the gentleman from Iowa (Mr. SMITH) for his amendment.

There has been quite a bit of heat about the disruptions on the college campuses.

There has been an indication that there might be efforts made to cut off all funds to colleges that have any disruptions.

That, of course, would be playing right into the hands of the culprits that we are seeking to punish, because then just a few students would be able to cut off from a university all Federal funds by just holding a disruption on the campus.

There is no institution that I know of in this country of any distinguished size or of any caliber which could exist without Federal funds in some form.

The amendment offered by the gentleman from Iowa hits at those individuals alone who cause trouble.

The amendment strengthens the college officials who administer the funds by saying—"we are prohibited from giving you an opportunity grant, or whatever it might be, or a loan, if you disrupt the college." The people of this country do not want one penny of their money used either for room and board or books or for tuition for someone who is determined that he is going to work his will on the operation of our institutions of higher learning, in defiance of the authorities.

Mr. Chairman, this is a reasonable amendment. It is a sound amendment and it is one that we can be proud of. I urge its adoption.

Mrs. REID of Illinois. Mr. Chairman, I rise in support of the amendment to the amendment. I think most young people look upon college as a privilege and an opportunity. They realize that it involves a good deal of diligent study and self-discipline and they fully expect to live within certain reasonable bounds and conduct themselves in such a manner as not to intrude on the rights of others. I have talked with many students from all over the country and, in my judgment, the majority of our young people still approach academic life with this serious philosophy. Most are sincere, hard-working young men and women who are trying to prepare themselves for the future. But in many places these students have had their education disrupted and delayed by those who are intent on promoting discord which often leads to violence.

People everywhere are profoundly concerned about this problem and feel that unless corrective steps are taken, our whole educational system may be endangered. Certainly all taxpayers have an important stake in the outcome, for they have a heavy investment in our colleges and universities, including the so-called private institutions of higher learning. This bill we are considering includes $785.8 million for higher education.

All of us recognize, of course, that the right of free speech and honest dissent—so long as it is orderly and does not interfere with the rights of others—must al-

ways be permitted and safeguarded. But lawlessness and violence have no place in our democratic processes or our educational system. Certainly we should not subsidize those who have engaged in disturbances when there are so many deserving young people.

If we do not take the initiative today we will have shirked our responsibility.

Mrs. GREEN of Oregon. Mr. Chairman, I move to strike out the requisite number of words.

The CHAIRMAN. The gentlewoman from Oregon is recognized.

Mrs. GREEN of Oregon. Mr. Chairman, I suppose it would be very easy for any Member of this body to make a speech on any one of 16 different subjects to gain headlines, and I suppose it would be possible, with the state of affairs, for any person in this body to speak out of anger.

I find it a little bit hard to understand why those who express deep concern about the violence on the college campuses of today would be put in a group that is speaking only to gain headlines. It seems to me a total misstatement of fact.

I speak today from the well of this House, not to gain headlines and not out of anger, but out of deep concern about where my country is going.

I was in the Chamber an hour or so ago when two Members of this House were rightfully concerned about violence on a military base. And I think they should be concerned about such violence that exists today and, in this case, ended in death for at least one marine. In the back of the Chamber I heard several people laughing and saying, "Where are the people who were concerned about the violence in this country 50 years ago?"

To seem to condone violence today because there was violence in the past is a strange exercise of responsibility. I would say to those friends and those colleagues of mine that there are thousands—there are hundreds of thousands—of people in this country who have been concerned about violence, whether it came from the extreme right or the extreme left. We have been concerned about it, deeply concerned. We were concerned about it 40 years ago, 20 years ago, 10 years ago, and I ask all to be equally concerned about the violence of today.

Those of us on the Education Committee tried to work out an amendment that would go to the heart of the problem on the violence on the campuses.

We were unsuccessful. I say to you in all sincerity that if this House today—and this amendment is not my choice, there would be other language I would prefer—if this House does not take any action today when this is before us, I can think of nothing that will give greater encouragement to the most militant sections of the SDS and the Black Panthers. They will feel that they have also buffaloed the Congress of the United States.

It seems to me every single Member of this House has some obligation to raise his voice in protest against the violence that is occurring in our cities, against the violence that is occurring on the military bases—and not to excuse it away and say that we have had violence in times past and so why should we be especially concerned about it now?

Now, let me go to the heart of the issue. Some of my colleagues have argued in the committee, and they have argued today that this amendment is not going to stop riots. It was never designed to stop riots. We cannot stop riots with this kind of amendment.

Section 504 of last year grew out of the thousands of letters that came to Members of Congress from the middle income and the low income groups of America who were desperately trying to send their own children to college but could not do so because their taxes were too high and college costs had spiraled. They wrote time and again and said, "We cannot afford to send our own children to the college of our choice. Then Congress requires us to pay taxes to support revolutionaries on college campuses. How can you justify that?"

I ask Members of Congress: How can the House of Representatives of the United States justify taxing other people to support and to subsidize revolutionaries?

A loan or grant from Federal fund is, in essence, a contractual arrangement between the Government and a student or faculty member on the college campus. It simply says that other taxpayers are helping him get an education if he wants one, but he is to spend his time getting an education, not staging a riot—or burning down a building. When he received the funds to be spent for a special purpose, it was a contractual agreement.

If a student who has a loan or a grant flunks out of college, he loses his loan or grant. If he does not maintain certain academic standards, or if he goes to Acapulco instead of attending classes, he loses his grant. If he does any one of several different things, he loses his grant.

We are simply saying if he does not spend the money to get an education and is using the time and money to engage in a riot, in disruptive activities, if his actions prevent other people, who want an education, from getting one, then he is no longer entitled to those funds.

It is just as simple as that.

This amendment will not stop riots, but it will say that the Congress is concerned that the money be spent for the purposes for which it is intended to be used.

For the life of me, I cannot understand how colleagues of mine on my side of the aisle or on the other side of the aisle can say that somehow this requirement is unfair, that we are destroying academic freedom, that we are destroying the autonomy of the educational institution.

I say to Members, when we allow and encourage, by taking no action at all, the revolutionaries, we have already helped to destroy academic freedom.

Academic freedom is gone when we have seen what seemed to be capitulation at the point of a gun at Cornell; academic freedom is gone when we have seen the liberal arts faculty at Harvard outvote the president and ask that criminal charges be dismissed against 200 people who had been arrested in riots; academic freedom is gone when we have seen buildings burned and the dean carried down the steps. Academic freedom is gone when a professor is not allowed to speak at his own seminar classes.

When we see these things happening, it is high time we in Congress indicate our concern. It is time we said funds must be spent for the purposes for which they were appropriated, and that we do not intend to appropriate any funds for revolutionaries or anarchists whose stated goal is to bring the university to a close.

Mr. ARENDS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, first of all I wish to commend the gentlewoman from Oregon for what I consider to be a very sensible and a very courageous statement.

It is understandable that the country has been deeply disturbed about the widespread disorders and violence on our college campuses. Peaceful protest is one thing; anarchy is something else.

It is not the proper role of Government to interfere in the internal affairs of our colleges. At the same time, it is incumbent upon the Government to provide the college authorities with whatever tools they may need to deal with lawlessness.

In the course of the discussion this afternoon there has been extensive criticism of the presidents and the faculties of our universities and colleges. I share the view that some have been lax in taking appropriate disciplinary action against those who have participated in these disorders. In all too many instances they have been all too willing to yield to so-called demands of a minority of students and all too willing to grant amnesty.

However, not all college presidents and faculties have taken an attitude of permissiveness. With the permission of the House and with pride I should like to read a letter I recently received from the president of Illinois State University, Normal, Ill., the largest university in my district. It has somewhere near 13,000 students.

Dr. Braden makes it abundantly clear that Illinois State University has taken steps to insure the continuity of its operations as a university. I have written Dr. Braden to express to him my personal commendation of the realistic approach he, the faculty, and the students have made to this question of preserving the interests of the vast majority of the students in learning.

The letter follows:

ILLINOIS STATE UNIVERSITY,
Normal, Ill., July 8, 1969.

Hon. LESLIE C. ARENDS,
House of Representatives,
Washington, D.C.

DEAR MR. ARENDS: At both State and National levels legislators have evinced concern over campus disorders, and there has been some feeling expressed that university presidents are unable or unwilling to deal with unrest. This note is from one president in your district to indicate his willingness and hopefully his ability to face the issue.

To me the issue is our commitment to maintain the integrity of our property and the continuity of our operation. No one, not

even the Congress of the United States, can insure with certainty the integrity of its property. All it can do is to establish reasonable safeguards against destruction and to take positive action if destruction is threatened or wrought. Safeguarding steps we have taken, and we have developed the intent and the method to prosecute those who would destroy property.

Students, faculty, and administrators at Illinois State have approved plans to maintain the continuity of our operations. We have tried to establish an open community which is receptive to criticism and change. We therefore see no need for violence, disorder, or physical interference with anyone's legal rights in order to gain attention. Consequently our confrontations, and there have been such, with both blacks and whites, have been sharp, constructive, and in the realm of discussion and reform. We hope to maintain this record.

To summarize, I see the University's role as one which respects the law, and follows it. However, I do not see the University as an agent of law enforcement, and would argue strongly against its being made an arm of the court or the police in prosecuting violators of regulations other than the ones I have described.

I appreciate your interest and support of education.

Sincerely,

SAMUEL E. BRADEN.

Mr. PUCINSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I should like to read to this House an Associated Press report which bears on what the gentlewoman from Oregon has said. I believe we ought to know about it, because she made a good point. She said that the failure to deal with those individuals who tear up our universities merely whets the appetite and encourages others to violence in this country.

The Associated dispatch reads as follows:

EIGHT SHOT AT CHICAGO PANTHER OFFICE

CHICAGO (AP).—Five policemen and three other persons were wounded early today during an exchange of gunfire outside the Illinois headquarters of the Black Panther party on the West Side.

Four of the policemen were treated and released. The fifth, Richard D. Curley, was hospitalized with gunshot wounds in the right thigh. Three persons were arrested and treated for injuries.

The shooting erupted after Curley and his partner, Edward Kendzior, stopped while on a routine patrol on the West Side to question two men they saw carrying shotguns out of the Black Panther headquarters.

Curley said shots were fired at them from the second floor of the building when they approached the two men. Scores of policemen converged on the scene after Curley called for assistance, and several volleys of shots were exchanged before policemen were able to enter the building.

What are we really saying in the language of this bill? We are saying that this applies to any individual who has engaged in conduct on or after August 1, 1969, which involves the use, or the assistance to others in the use of, force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the ability of certain curriculums, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution.

Our committee tried to deal with this problem. The gentlewoman from Oregon, the distinguished chairman of my committee, and various other Members of my committee on both sides of the aisle, tried to work it out. We tried to come before this House with a very modest proposal. It called for nothing more than for the universities to certify that they have a plan.

We did not ask them to tell us what that plan was. We did not set these standards or say what they must or must not do. All we wanted, Mr. Chairman, for the universities to say when they apply for Federal funds, "We do have a plan that we worked out to deal with the problem of student unrest." That simple, modest plan was defeated in our committee. The gentlewoman from Oregon quite properly predicted at that time that if that is not done and if we do not come in here with a workable proposal before this House, the House will work its will with a much tougher provision. Certainly, the House is about to work its will.

Let me remind you, my colleagues, that I stood in the well of this House in 1962, I believe it was, and made my first speech at that time on what I called "mobocracy." That was after a group of renegades attacked a congressional committee in San Francisco. Now, Mr. Chairman, I may not agree with the work of that committee, but I said then that this is the beginning in America of "mobocracy," of mob rule, of taking the law into your own hands, and of impatience with the established institutions of jurisprudence in this country. This has been growing and growing and growing until today we read of eight policemen being shot in Chicago.

Mr. Chairman, I want to tell you something. This Congress had better do something, and we had better start here. We had better start letting the people of this country know that this is a nation under law. There is recourse for every conceivable grievance through orderly processes of judicial review. There is no need for violence on the campus.

Mr. RAILSBACK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman and Members of the House, it is not very difficult to sense the mood of this House. I was one of those who applauded the wonderful speech made by the gentlewoman from Oregon. I have no question about the motivations or the intentions of any of the people who are offering these amendments or the amendments to the amendments, but I think we have left out maybe one-half of the story of what is really causing some of the problems on the campus. I also think that every Member of this House, every single Member of this House, is concerned about the campus violence and the disruptions. Twenty-two of us took a week to visit college campuses to see if we could listen and perhaps understand a little bit about why the campus violence and disruptions are occurring. I had the pleasure of going with Congressman BIESTER and Congressman RUPPE to Harvard, MIT, and Northeastern Universities. I fully expected that we would not be well received by any of the radical groups. We went primarily to talk to the students. I would say that we spent 75 percent of our time talking to the students. Our first meeting was with a group called the Afro-Americans, the black power advocates. This was right before their final exams. There were six of them who would have stayed as long as we wanted, to share with us some of their concerns about problems that were bothering them both with regard to the university and our society in general. We met with the student government leadership, including a young man by the name of Ken Glazier, who was singled out by U.S. News & World Report to submit to an interview which was published in depth. We met with President Pusey and President Mary Bunting of Radcliffe College, who was one of the college presidents who was harassed and had obscenities shouted at her. The students were concerned about the inability of the colleges and universities to treat and to recognize problems that existed. For instance, in the community of Cambridge, several blocks away from the college campus, a college expansion program was being conducted which would move out some low-income people, they were concerned about Vietnam, and they were concerned about what they believe to be our distorted sense of priorities.

And, I can tell you that they were sincere. Most of the students with whom we met were sincere, were constructive, and were well motivated. Some of them were naive. Some of them were misdirected, and there is no question about that. They are probably more concerned than any generation in this country about the very problems that confront us, the problems of poverty, hunger, housing, and others. I can say that they can express themselves well, but they have no one to listen to them.

Mr. Chairman, I would like to read into the RECORD some remarks which appeared in the U.S. News & World Report that were made by this Ken Glazier, who is one of the student government leaders and who helped to solve the impasse on the Harvard University campus and who acted as the liaison between the administration and the radical students. He said this, and I quote:

The so-called majority is most likely to get involved if there is an attempt at outside repression of the student unrest. Nothing would pull this campus together more quickly than some sort of activity by Congress or by the State legislature which in any way tries to penalize or repress dissenters within the university. That's something that would make a "moderate" position for a student on campus absolutely untenable. It would bring on more Cornells and Berkeleys and Harvards and San Francisco States.

If Congress passes a law revoking scholarships or providing some sort of other punishment for student activists, then the lines will be drawn—and it will be the students against the Government. Nothing could be worse for all concerned. Nothing would do more to seemingly substantiate the radical analysis, which most of us at this point are unwilling to accept.

We don't want to believe that the Government—however wrong its present policies—is necessarily our enemy. But heavy-handed Government action or outside inter-

vention would make such faith difficult to maintain.

Mr. Chairman, that is what concerns me. The distinguished gentlewoman from Oregon pointed out the fact that we cannot let this opportunity pass to enact legislation. Do you know right now how many laws the Federal Government has on the books? I wonder if this is anything on which to legislate. We have four or five Federal laws right now that deal with this very problem which permit Federal intervention. In addition to that there are more than 30 State laws right now.

Mr. Chairman, how many of us have been saying that we should give the States more rights to handle all of these problems? Right now there are 30 State laws which deal with it.

Mr. CASEY. Mr. Chairman, will the gentleman yield?

Mr. RAILSBACK. I yield to the gentleman from Texas.

Mr. CASEY. I say let them do this tearing down on their own money instead of the money which is provided by the taxpayers. Furthermore, perhaps, all of these laws will not do anything. But let us quit sitting on our haunches and baying at the moon. We can try and that is what is expected by the taxpayers.

GENERAL LEAVE

Mr. FLOOD. Mr. Chairman, I ask unanimous consent that all Members who wish to speak on this amendment and all amendments thereto be permitted to extend their remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ROTH. Mr. Chairman, I rise in support of the Sikes amendment as amended by the gentleman from Iowa (Mr. SMITH). My questionnaire shows beyond doubt that the people of Delaware, like people across the Nation, are demanding that something be done in Washington to help end violence on our campuses. Over 30,000 citizens of my district answered the questionnaire and 87.9 percent of that number stated that they favor automatic cancellation of Federal aid to college students who physically disrupt campus activities. Only 10.1 percent opposed it, with 2 percent not responding. Now the Sikes-Smith amendment goes beyond this, but I have no doubt that the vast majority of those answering my questionnaire, will support it, as it has become clear that the existing legislation is ineffective. Very frankly, I wish the Committee on Education and Labor had acted on this important matter, as it deserves extensive hearings and better draftsmanship, but the committee was unable to act and it has thus become necessary for the House to work its will. Federal assistance to students is a privilege, and not a gift. Congress obviously has the right to cut off Federal funds to those who do not obey the law. I think the taxpayers have a right to expect us to find ways and means that their tax dollars aid those students dedicated to learning and not to those who would destroy or seek to destroy. The Sikes-Smith amendment should help insure the achievement of this objective and I, therefore, support it. In closing, I hope the Committee on Education and Labor will give this problem of campus disorder its careful consideration and make its recommendation to the House at some future date.

Mr. FREY. Mr. Chairman, I rise to strike the certification provision of section 407. It is clear to me that the people of this Nation and the Congress are deeply and justifiably disturbed over the problems on our college campuses. It should be made clear to college administrators, faculty, and students that the Congress, taxpayers, alumni, and benefactors do not intend to, nor should they, subsidize organized chaos on the campus.

We are all searching for ways to bring order to the various campuses and yet preserve the delicate balance between our Federal Government and our institutions of higher learning. All the proposals presently before this body evidence a sincere desire to deal with these complex problems.

Section 407 of the appropriations bill as originally drafted for the Departments of Labor and Health, Education, and Welfare seeks to bring order to the campuses by requiring certification by colleges of compliance under the threat of loss of Federal funds. We can all agree that Congress has the right to place any type of requirement on appropriations to colleges. But because we have the right does not imply that it should be exercised in full. I, for one, feel we have too much Federal intervention today. To adopt the certification provision of section 407 is just one additional step toward Federal control of education. If today we require certification, tomorrow we may set Federal standards of conduct and the following day we may dictate to the universities what they shall teach. To enforce the certification provision of section 407 is to set the Federal Government up as judge and jury, with the college as the defendant.

Even if the additional Federal control of our higher educational system is not objectionable, the concept of punishing all students by withholding aid because of the acts of a few is repugnant to our sense of fairness; indeed, to our way of life.

I recently visited a number of campuses and personally found that less than 2 percent of the students were true revolutionaries who were not seeking solutions but only confrontation and destruction of the institution and our system. This number could grow if we act unwisely. To quote from the report we delivered to President Nixon:

> Perhaps our most important and pressing conclusion is that rash legislative action cutting off funds to entire institutions because of the action of a minority of students would play directly into the hands of the hard core revolutionaries. Legislation which treats innocent and guilty alike inadvertently confirms extremist charges that the establishment is repressive and indifferent to citizen needs and concerns. We must not put ourselves in the position of aiding the handful of anarchists.

It is time to look at the problem objectively, rather than emotionally. Up to now the 2 percent, the revolutionaries, have received 98 percent of the publicity and legislative attention. We must maintain our perspective. A new course should be followed. The enforcement of discipline on the campuses must continue to rest primarily with the schools themselves. We have seen that this policy can work, at Notre Dame with Father Hasburg and at San Francisco State with Dr. Hayakawa. College administrations should follow their example. Any Federal law enacted must be aimed at helping the colleges help themselves. Any law enacted must not treat the college or students collectively, but should distinguish between the individual wrongdoer and the vast majority of young Americans who desire an education. Any law enacted must allow us to punish the wrongdoer, swiftly, fairly and firmly.

We cannot afford to take the wrong action no matter how sincere our motives. We cannot afford to write off the vast majority of young Americans who will be tomorrow's leaders. To support the certification provision of this amendment would aid in the destruction of our educational system which through its uniqueness and individuality has produced the kind of men and women who have helped to make America great.

Mr. BUSH. Mr. Chairman, the principal thing I learned on our tours of college campuses from educators and all students is that it would be a mistake to pass sweeping Federal legislation in order to attempt to control student unrest.

The following excerpts from college presidents in my State back up this view. These are not the "spineless administrators" we have heard so much about.

They are forward-looking men who, in conjunction with able student leadership, have kept order on Texas campuses. They know their business and they abhor the burning and radical deeds. They know that indiscriminate punitive legislation plays into the hands of the extremists. They know that Federal intervention violates the independent and pluralistic nature of American education. And I think their words are meaningful as we consider legislation that contemplates cutting off all Federal aid for universities.

As one who wants fewer strings on Federal aid to education, as one who has fought against Federal control, I do not feel we should pass legislation that will penalize the innocent to get at the guilty.

Here are the excerpts from the letters I received:

> Prior to receipt of your letter, I had obtained 100 copies from the CONGRESSIONAL RECORD and distributed it to the regents, administrative staff, and departmental directors of this university. I thought it was a very significant statement, and I wish to commend you and the other Congressmen.
>
> I am, of course, delighted to learn that the President has expressed a strong interest in your findings. I agree completely with the general tenor of the report.
>
> JOHN J. KAMERICK,
> *President, North Texas State University, Denton, Tex.*

> Like you, I would dislike legislation which would penalize institutions and the vast majority of students because of the actions of a

few. On the other hand, I feel that the attention which legislative bodies, national and state, have given to the problems of student unrest and violence on the campus has encouraged college/university administrators to take more positive action and a firmer stand in dealing with disruptive activities.

W. M. PEARCE,
President, Texas Wesleyan College, Fort Worth, Tex.

In general, I think the report is outstanding. I do not intend to imply that I am in total agreement with each idea presented for consideration. I do, however, endorse the idea that no repressive legislation should be enacted. Any action by the Congress or others which would, for example, penalize innocent and guilty alike by cutting off all aid to any institution which has experienced difficulty, would only serve to confirm the cry of the revolutionaries and compound the problem. I believe that the individual responsible should be accountable for his actions.

J. R. JACKSON,
President, Brazosport Junior College, Freeport, Tex.

For legislation to cut off all aid to universities because of the acts of a few, is to act like 'Big Brother'. Should the Federal and State governments harm itself and its citizens and its future because some citizens can be pin-pointed as enrolled in a particular institution and then punish all? Too often our good intentions can lead us in a moment of anger or consternation to act like a 'police state'. To protect innocent citizens we must sometimes spend time and money to pinpoint the criminal and really ascertain the crime. Problems of academic freedom on university campuses further complicate simple solutions just as card carrying Communists are guaranteed certain rights in the United States of America.

The Very Reverend LOUIS J. BLUME, S.M.,
President, St. Mary's University, San Antonio, Tex.

The report is most interesting, and it is my hope that the college administrators may have a greater voice in efforts to handle their own campus situation.

HUBERT M. DAWSON,
President, Temple Junior College, Temple, Tex.

This impresses me as an extremely well formulated and relevant document for which all the contributors are to be commended. I am, of course, deeply appreciative of your own concern with the problems besetting higher education, and it is always a privilege to be able to exchange ideas and information with you.

The prospect of legislation that would cut off all aid to universities because of the acts of a few is a frightening one. I strongly concur in your opposition to any such measures and am ready to offer my assistance in any way.

A. B. TEMPLETON,
President, Sam Houston State University, Huntsville, Tex.

Mr. HOGAN. Mr. Speaker, I have joined with 16 of my Republican colleagues who went on the campus tour last May, in calling the attention of this body to the undesirable provisions of section 407 of the Labor-HEW appropriations bill.

As a result of our study tour of over 50 campuses throughout the country, we have come to the conclusion that the Federal Government must not be placed in the role of enforcer of rules and regulations for each college and university in the Nation. Legislation which would cut off all Federal aid to an entire campus avoids entirely the issue of individual responsibility for wrongdoing. Congressional action which would punish innocent and guilty alike would only incense the cries of revolutionaries and compound the problems for the academic community.

I, nevertheless, would like to reiterate our most basic finding and the one which received the greatest emphasis in our report on the campus study tour, that violence in any form, in any measure, under any circumstances, is not a legitimate means of protest or mode of expression. I agree with my colleagues who say that violence can no more be tolerated in the university community than in the community at large.

I make this point to serve as a reminder that repressive legislation is not the answer to the problem which confronts this Nation on all its campuses. Repressive legislation is a negative force which will hinder the efforts of those who are using a positive approach to cure campus ills. It is precisely because our young people, many of whom have serious doubts about our system of government, are the most intelligent, the most mature, and the most socially aware generation that America has ever produced; that we must give progressive, positive reform a chance to predominate.

I urge that we use the legislative means available to increase communication through a positive approach to student grievances rather than stymie understanding by passing negative legislation which would frustrate any communication.

Mr. RANDALL. Mr. Chairman, I support the amendment offered by the gentleman from Florida (Mr. SIKES), as perfected by the gentleman from Iowa (Mr. SMITH).

We must all recognize it is difficult in an appropriations bill to establish proper wording that will not be offensive to the rule against legislating in an appropriations bill. Except for the existence of such a rule, I would have been satisfied to see section 407 of title IV as contained in H.R. 13111 remain as it was when it came from the committee. It was clearly spelled out that none of the funds in the bill should be used as a loan or guarantee of a loan to any individual attending an institution of higher learning who engaged in conduct involving the use of force.

I thought section 407 as written originally was what we needed to contain student unrest on our campuses. It seemed to me that the provision was fair because the limitation on the use of the money would not apply until proceedings had been initiated against the offenders. Quite frankly I could see considerable merit in the provision that required each institution of higher education to certify to the Secretary of Health, Education, and Welfare that they were in compliance with the provision that required no loans had been used by those who were guilty of misconduct.

Yet the facts of life are such that the House must abide by the rules which it has set up for its government. The Chairman of the Committee of the Whole in his wisdom ruled that the provision requiring certification was an affirmative requirement, rather than simply a negative restriction against the use of funds. Therefore the provision was really a legislative enactment in an appropriations bill.

As I look at the amendment offered by the gentleman from Florida I am convinced it is substantially the same as the compliance provision in section 504 of the Higher Education Act of 1968 which could be said to be the permanent student unrest amendment or what has been referred to as the Scherle-type amendment.

On its merits the Sikes-Smith amendment should be sustained because the purpose of student loans and, for that matter, the purpose of all Federal assistance to higher education has as its one basic objective to educate our youth. If there is a miscarriage of purpose because some individuals choose to disrupt the peace and orderly procedure of a college or university where they attend, then by choosing to engage in such disorderly conduct as the seizure of property, followed by the destruction of property and even arson, then they are certainly not using these loans for the purpose for which the taxpayers have provided them.

It seems to me when a student accepts a loan he enters into sort of a covenant that he will use the money for which it was intended. That means to pursue his studies in scholarly and, yes, a peaceful manner. If he riots, burns and destroys property, he interferes with the rights of those around him to acquire the education they are seeking. The individual who engages in such misconduct thus breaches a contractual relationship existing between his lender and himself. Viewed in this light such students and teachers by their misconduct really deny themselves further financial assistance. It is not a matter of taking anything away from a student, it is simply a case where the student himself by his own misconduct breaches the covenant and thus by his own act denies to himself the right to a loan or the guarantee of a loan.

Mr. Chairman, if we let this bill pass without a provision such as the original section 407 of title IV or some wording which expresses the firm intent of the Congress that it will not tolerate or condone conduct of students on the campuses such as we experienced this past Spring, then no matter how much we may talk and deplore student unrest we will have proved by our inaction that we did not mean what we said.

In other words, Mr. Chairman, if we do not act to take assistance away from those who conduct themselves by the use of force and seizure of property then by our inaction we provide the greatest kind of encouragement that this student unrest should continue. If we do not act we encourage the Black Panthers and the Students for a Democratic Society to continue to disrupt our campuses. Stated very simply, if we fail to act today the Black Panthers and the SDS will get the message that they have not only succeed-

ed in intimidating some college administrators but have actually succeeded in intimidating the Congress. This amendment not only should be adopted, it must be adopted to let the SDS and Black Panthers know that the recipients of Federal loans cannot use these funds to disrupt our campuses to deny the great majority of the student body the right to continue their education.

Mr. BRADEMAS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, on this very sensitive and difficult issue I am sure that there is agreement on the part of nearly every Member of this body on both sides and that is that all of us are very deeply opposed to violence.

PARLIAMENTARY INQUIRY

Mr. FLOOD. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. BRADEMAS. I yield to the gentleman from Pennsylvania for a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. FLOOD. If I am correct, Mr. Chairman, I understand that the next order of business will be the so-called Whitten amendment on busing which I presume will take some time, am I correct?

Mr. COHELAN. Mr. Chairman, if the gentleman will yield, the matter pending is the Cohelan amendment to sections 408 and 409 of the bill.

Mr. FLOOD. Mr. Chairman, with an abundance of caution, I accept that.

Mr. BRADEMAS. Mr. Chairman, I was saying that I think there are two matters on which all of us are agreed, whatever their party, or whatever their views on this matter: First, we are all profoundly opposed to the use of violence on or off the American college campus; second, we are all opposed to passing legislation that is counterproductive in terms of resolving the problem of campus disorders; that is, legislation that causes more trouble than it solves.

But, Mr. Chairman, I would like to say a few words with respect to this amendment and not really use my own words so much as those of a number of others because some Members have expressed surprise during this debate that there could be some of us in this body who may have reservations about this kind of legislation.

For example, Mr. Chairman, one of the great Americans of our country is the Reverend Theodore M. Hesburgh, CSC, the president of the University of Notre Dame, in my district, and I have great confidence in his judgment on these matters.

I have discussed this kind of legislation with Father Hesburgh on many occasions. He is strongly opposed to institutional cutoffs, which we have already defeated. He is also vigorously opposed to the kind of cutoff of Federal funds to students that we are now discussing.

Not long ago here in Washington Father Hesburgh appeared on the Evans-Novak television program, and he said:

I still think that the universities ought to control themselves. The day that people start controlling them in this aspect they will begin to control them in other aspects, and the day that the freedom and autonomy of the university is abridged that day, I think, is the end of the university as we have known it, because the university has to be a critical force in society—

Father Hesburgh went on to say:

I think you would have to say in all honesty there is a rebirth of a kind of repression of the university or outside forces pressing in upon it to control it, and I think this is a sad thing to happen.

Now, let me turn, Mr. Chairman, to the distinguished Assistant Secretary of Health, Education, and Welfare and U.S. Commissioner of Education, Dr. James E. Allen, who was appointed by President Nixon, and who was asked earlier this year for his comments on "the rash of proposals" in Congress and the State legislatures for legislation against campus dissidents. Commissioner Allen was asked whether such legislation would be effective in curbing disruption and this is how President Nixon's chief education officer replied:

I can appreciate and understand the concern that Congress and the legislatures have over the disruption of violence which has been taking place on campus. But I simply do not believe that punitive, negative legislation can solve the problem.

Generally, I think there are enough laws already available to us for handling those few students who have violated the laws of the universities and of society.

Let me then turn, Mr. Chairman, to another outstanding American, Dr. Milton Eisenhower. Surely no one would say that Dr. Milton Eisenhower wants to condone violence or radical extremism, but listen to what Dr. Eisenhower said, speaking for the National Commission on the Causes and Prevention of Violence, of which he is the chairman. He said:

If aid is withdrawn from even a few students in a manner that the campus views as unjust, the result may be to radicalize a much larger number by convincing them that existing governmental institutions are as inhumane as the revolutionaries claim.

Let me finally cite, Mr. Chairman, another man who I think would not be said to be in the camp of the radical extremists, the Secretary of Health, Education, and Welfare, Mr. Finch. Said Secretary Finch, one of President Nixon's Cabinet, earlier this month:

In every State there are laws adequate to curb disruption and punish violence. Implementation of these laws is a local responsibility—and if the concept of federalism means anything at all, so it must remain.

Mr. Finch went on to say, and I am quoting his July 17, 1969, speech in Washington, D.C., that—

Techniques of repressive Federal intervention in the affairs of each local campus violate the most deep-rooted, the most honored traditions of American education and would, in the end destroy its essential nature.

We do not want a monotonous and monolithic imposed unity in which all our educational institutions conform to a Federal code of conduct, to a stifling Federal intervention. To advocate such intervention, in my view, is a form of radical extremism.

And I have been quoting Secretary Finch, Mr. Chairman.

Mr. Chairman, I have cited all of these authorities because I cannot seriously believe that any responsible person in this body wants to stand up and say that Father Hesburgh, Commissioner Allen, Milton Eisenhower, or Secretary Finch want to give aid and comfort to the Black Panthers or the SDS. I hope we do not pass a measure which would do so. This amendment will.

I hope this amendment is defeated.

Mr. HARSHA. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, I had fully intended to offer my bill as an amendment to this appropriation bill. But I have been advised that it would be subject to a point of order and, therefore, I rise in support of this amendment.

First, I want to congratulate the gentlewoman from Oregon because I think the introduction of my legislation several months ago, back in April, and the subsequent hearings on that legislation and others the publicity and debate on them have served a great purpose insofar as it has encouraged some institutions to see the light and some college administrators to go ahead and endeavor to put their house in order. My legislation and the hearings have already accomplished much, and others need more encouragement to do that which they should do without Federal urging.

This amendment today is just another step to persuade those college administrators who have failed to put their house in order to see the light and to go ahead and restore law and order and consequently save academic freedom. It will convince them that the proper administration of their schools will best serve the public interest and provide those earnest students who truly seek an education the proper atmosphere in which to pursue their studies.

It has been said that the public is fed up with having their tax dollars wasted by the destruction of college facilities.

To give you an example of how some parts of the public feel about it, I polled my congressional district relative to this question of student violence and campus disorders.

My staff is now in the process of tabulating those polls. To date we have tabulated 2,100 replies. Of those persons answering the poll, over 1,800 say they support the effort to withhold Federal funds from colleges and educational institutions who have permitted riots and disorders on their campuses while only 300 said that they opposed it.

So there is an overwhelming sentiment among the public to try to halt the violence and the destruction that has been all too prevalent on our campuses. There is overwhelming sentiment to protect the rights of those who truly seek the advantages of a college degree.

We have heard this argument that the students are concerned about the world and they are concerned about our priorities and about the ghetto problems and so on and so forth, and that is why they have resorted to violence. This is an effort to condone the violence and destruction and justify the acts because the students are concerned. Well, this is an irresponsible approach to take. All this does is to serve to encourage further violence and destruction.

We are all concerned—there is not a Member of this House of Representatives who is not concerned with these problems, but that does not justify our resorting to violence. That does not resolve the problem.

There are many things this Congress does that I do not approve, but that does not give me the right to burn the Capitol or take over the Speaker's office and deny him access thereto.

Violence and destruction of property is not to be condoned under any circumstances and least of all in the academic society where people are supposed to be above normal intellect.

To explain it away and to condone and to encourage further violence by saying students are concerned with our situation in the country today is to do a disservice not only to academic freedom, the students, and higher education, but to this Nation as well.

The essence of a liberal civilization is belief in due process. It is the belief in the importance of rational consideration and the evaluation of facts in the hope of reaching a just conclusion. The process by which we reach conclusions is far more important than the conclusion itself.

So let us bring to a halt this denial of due process, otherwise our liberal civilization will be destroyed.

Let us restore law and order to the academic world and put those who would destroy academic freedom on notice that their destructive actions will be no longer tolerated.

Adopt this amendment and serve further notice on the academic administrators that they have yet some distance to go before they have their house in order. Let us protect the rights of the great majority of students who have the right to pursue their education in an atmosphere conducive to academic freedom and learning.

Let us insure that the taxpayers who have an interest in this issue are protected.

I urge the adoption of the Sikes amendment as amended by the Smith amendment.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. I am happy to yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. The gentleman referred to responses to a questionnaire. I wonder if the gentleman would be kind enough to read the specific question to which that response was received?

Mr. HARSHA. I think I have it in my file.

Mr. THOMPSON of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. For what purpose does the gentleman from Pennsylvania rise?

Mr. FLOOD. Mr. Chairman, I ask unanimous consent that all debate on the amendment and all amendments thereto end in 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. RYAN. I object, Mr. Chairman.

MOTION OFFERED BY MR. FLOOD

Mr. FLOOD. Mr. Chairman, I move that all debate on the amendment and all amendments thereto end in 30 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

PARLIAMENTARY INQUIRIES

Mr. THOMPSON of New Jersey. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. THOMPSON of New Jersey. I was seeking recognition.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. I was, of course, very discourteous. I do not include my friend from New Jersey in the limitation.

The CHAIRMAN. Does the gentleman from New Jersey ask unanimous consent to proceed for 5 minutes, notwithstanding the motion of the gentleman from Pennsylvania?

Mr. THOMPSON of New Jersey. Mr. Chairman, the gentleman from New Jersey asks unanimous consent to proceed for 2 minutes, notwithstanding the time limitation.

Mr. ERLENBORN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ERLENBORN. Will the 2 minutes come out of the 30 minutes or be in addition to?

The CHAIRMAN. In answer to the question propounded, it would be in addition to the 30 minutes.

Mr. ERLENBORN. In addition to the 30 minutes?

The CHAIRMAN. In addition to the 30 minutes. The gentleman from New Jersey was on his feet seeking recognition, and the Chair was about to recognize him.

Is there objection to the request of the gentleman from New Jersey?

Mr. EDWARDS of Alabama. Mr. Chairman, reserving the right to object, would that same permission apply to others who were on their feet at the same time seeking recognition?

The CHAIRMAN. The Chair was trying to alternate back and forth between the two sides in recognizing Members, and had turned his attention to the majority side.

Mr. EDWARDS of Alabama. The gentleman from Oregon (Mr. DELLENBACK) has been standing on his feet for 20 minutes.

Mr. FLOOD. The gentleman from New Jersey had been recognized by the Chair when I interrupted him.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey for 2 minutes, and as soon as he finishes, the Chair will announce the time available for those who were standing at the time the motion to limit debate was made.

Mr. THOMPSON of New Jersey. Mr. Chairman, the gentleman from Ohio (Mr. HARSHA) just talked of responses to a questionnaire. He yielded so that I could ask him what that specific question was. The gentleman happens not to have it in his possession now, but will put it in the RECORD. It seemed to me, not having seen it, that the question was something less than objective.

The gentlewoman from Oregon, I might point out as a member of her subcommittee and as a member of the Committee on Education and Labor, said "those of us on the committee," tried to arrive at a solution. I would like to point out that the gentlewoman was in the definite minority on this question within her subcommittee and was in the minority on the full committee. Therefore, she did not speak for the gentleman from New Jersey, or for a majority of the committee.

The gentleman from Indiana (Mr. BRADEMAS) referred to the stand of the president of the University of Notre Dame. I can say as a member of the committee, with a number of colleges and universities in my district, and I have had some responses from elsewhere, that the responses have shown complete and absolute unanimity from the university community in opposition to this type of amendment. This goes for the president of Princeton University, and for all the colleges and universities in my State that I have heard from, and specifically the University of Chicago, Rutgers, the State University of New Jersey, the University of North Carolina, and innumerable others.

One talks about due process, and it is perfectly easy to make ringing speeches on this subject. The fact of the matter is that 200 Columbia University students were not prosecuted by the university officials. Does anyone know of their innocence or guilt or has anyone given them due process? And does anyone know whether each and every one, or how many of those violated a law of any sort? No, they were not prosecuted and tried, and yet orators here seek to pronounce them guilty. We are not going to give due process to the university, to the students, or to the minority of those who riot and cause dissension. I am as opposed to the rioters as anyone, but by this amendment we are not going to give them due process. This is not the way to do it. It is not the business of the House of Representatives of the United States to interfere in private university affairs.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. MCCLORY).

Mr. McCLORY. Mr. Chairman, it is appropriate, of course, that we should give earnest consideration to amendments to that part of this bill—H.R.

13111—which would restrict or prohibit loans or grants to students and faculty who engage in violent activities on the college campuses, or who threaten such violence.

Several points need to be clarified.

The problem of student unrest—including violence—is not simply a national one. Student unrest is a worldwide problem. Student riots have occurred in the nations of the Western free world as well as in the nations of the Communist world. The excuses for student disorders are different in each instance. But the student actions are basically the same.

The greatest violence has occurred in the nations of Latin America and of the Far East.

Students in Czechoslovakia revolt against Soviet Communist tyranny. Arab students revolt because of their displeasure with the existence of the State of Israel. Chinese students appear to revolt both for and against Mao. Japanese students engage in violent demonstrations over the issue of Okinawa, or even the docking of a nuclear-propelled vessel in a Japanese port.

It is both simplistic and unrealistic to say that the war in Vietnam is the sole cause of student disorders on American campuses.

Our President is striving earnestly to bring the Vietnam war to an honorable end. We all want that war to end.

But it would be erroneous to assume that student unrest must persist, or must be excused as long as the war lasts. And it would be an exercise in wishful thinking to assume that violence and disorders on American campuses will end when the war ends.

Conditions within our colleges and universities must recognize the need for change. At the same time, the needed changes should occur not as the result of violence, but by virtue of reason, persuasion, and improved communications between students, professors, and school administrators.

In considering the amendments before the Committee, it is essential to adopt the amendment of the gentleman from Iowa (Mr. SMITH) to the amendment of the gentleman from Florida (Mr. SIKES). This action can contribute substantially to restoring an atmosphere of order and mutual respect from which improved conditions on our college campuses can develop.

(By unanimous consent, Mr. MCCLORY yielded the remainder of his time to Mr. DELLENBACK.)

SUBSTITUTE AMENDMENT OFFERED BY MR. DELLENBACK TO THE AMENDMENT OFFERED BY MR. SIKES

Mr. DELLENBACK. Mr. Chairman, I offer a substitute amendment to the amendment offered by the gentleman from Florida (Mr. SIKES).

Mr. Chairman, I ask unanimous consent that we dispense with the reading of the substitute amendment, which I will explain in a brief sentence.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

Mr. BRADEMAS. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The Clerk will read.

The Clerk read as follows:

Substitute amendment offered by Mr. DELLENBACK to the amendment offered by Mr. SIKES: On page 55 after line 8 insert the following:

"SEC. 407. None of the funds appropriated by this Act shall be used to formulate or carry out any grant to any institution of higher education that is not in full compliance with Section 504 of the Higher Education Amendments of 1968.

"No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who has engaged in conduct on or after August 1, 1969, which was of a serious nature, contributed to a substantial campus disruption, and involved the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution."

POINT OF ORDER

Mr. BRADEMAS. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BRADEMAS. Mr. Chairman, I must make a point of order against the amendment offered by the gentleman on the ground that it constitutes legislation on an appropriation bill.

I call the attention of the Chair to the fact that the amendment offered by the gentleman from Oregon contains a number of phrases each of which will require a burden on the part of the Department of Health, Education, and Welfare to make certain judgments and determinations.

For example, Mr. Chairman, the gentleman's amendment uses language which refers to conduct that is "of a serious nature." Who is to decide, Mr. Chairman, when conduct is "of a serious nature" or is not "of a serious nature"?

His amendment contains language which says that the conduct must have "contributed to a substantial campus disruption." Who defines "disruption"? Who defines "substantial"? Those determinations will be burdens imposed upon officials of the executive branch of the Government.

The gentleman's amendment has a phrase referring to conduct which "involved the use of force" or "the threat of force." Once again these phrases require determinations which must be made by the executive branch.

Mr. Chairman, the gentleman's amendment contains the phrase, "to require or prevent" certain kinds of action or occurrences. This is language which clearly involves the stipulation of a purpose which must be in the mind of the person complained of, and a determination must thus be made by the executive branch of the Government on the issue of whether such conduct was indeed intended "to require or prevent" the availability of certain curriculums or to prevent the faculty, students, or administrative officials from engaging in their duties or pursuing their studies.

For all these reasons, Mr. Chairman, I believe it is very clear that the gentleman's amendment constitutes legislation on an appropriation bill, and I believe the amendment should be disallowed.

The CHAIRMAN. Does the gentleman from Oregon desire to be heard on the point of order?

Mr. DELLENBACK. Mr. Chairman, the whole point has been argued before.

The CHAIRMAN (Mr. HOLIFIELD). Then it is obligatory for the Chair to rule, if the gentleman does not desire to be heard.

The Chair is ready to rule. It is clear from the language of the gentleman's amendment that it does go beyond a negative type of amendment and it does impose upon officials certain duties of determination and judgment which are legislative and subject to a point of order on an appropriation bill.

The Chair sustains the point of order.

Mr. DELLENBACK. Mr. Chairman, may I then speak briefly at this time on the amendments before us?

The CHAIRMAN. The Chair recognizes the gentleman from Oregon.

Mr. DELLENBACK. Mr. Chairman, I attempted in my substitute to correct what otherwise bids fair to be a serious error by this House.

If one reads carefully the language now proposed by the gentleman from Florida (Mr. SIKES) as amended by the gentleman from Iowa (Mr. SMITH) there is no requirement whatsoever that there be a campus disruption. There is no requirement whatsoever as to the nature of the action taking place.

If one youngster should stand up and say to another, "If you go into that classroom I will hit you," and there is no campus disruption beyond that, it would be in violation of this language.

My proposal was an attempt to say that there must at least be a campus disruption before the provision comes into play, that there must be a serious action before the provision comes into play. However seriously we may feel about taking action against campus disruption, we certainly should not say that a provision to the effect that every youngster who holds the coat of another person who uses force or every youngster who threatens to use even mild force himself against somebody else, with nothing beyond that whatsoever, shall be punished by mandatory loss of all Federal help, and that this provision be considered to be written into the law of the land.

It is with real reluctance I say that, if we cannot perfect these amendments, if we are not in a position to make this a meaningful amendment, we should not today vote to make it a part of the law of the land.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri (Mr. ICHORD).

Mr. ICHORD. Mr. Chairman, as chairman of the House Committee on Internal Security, I am tired, very tired, in one sense of hearing over and over again in

the investigation concerning the activities of the Students for a Democratic Society as to how organizations and people seize upon real or alleged ills existing in our society to accomplish ill-conceived or illegal purposes.

The conditions giving rise to campus unrest which have exploded into campus violence, the firebombings of buildings, the seizure of university buildings and the holding of administrators as hostages are indeed complex and deepseated. These conditions are not confined to the university campus as such. Many of the conditions extend throughout the society at large. Time does not permit me to delineate or discuss in detail all the causative factors of campus disorders, but I would observe in passing that the primary causes are the war in Vietnam and our concomitant policies of selective service.

Albeit, every Member of Congress has justifiably expressed great concern over the tremendous increase in campus disorders over the past school year. You should be concerned because I gather from expressions of opinions coming from all sections of the Nation, your constituents are even greater concerned. They are sick and tired of watching a small minority—a very minuscule minority of students—deny the right of the majority to peacefully and quietly persue their objective of obtaining a college education.

It is impossible to predict with any hoped for degree of accuracy what will happen when school again convenes next fall. Fortunately, there is one favorable development—more and more administrators appear to be getting their "backs up." This growing determination to give all the students a "square deal" should have a salutary effect. There has been a reluctance on the part of many administrators to use the disciplinary tools of expulsion and suspension to bring campus disorders under control and this permissiveness has not only contributed to the intensity of the disorders but has probably contributed to the disorders themselves.

The original language of the Smith amendment was based upon the belief that some administrators need the sobering effect of the threat of cutoff of Federal funds in order to stiffen their backbones. There is validity to this belief when you study the disciplinary efforts of former President Perkins at Cornell. However, all of that language has now been stricken. There is no attempt to force any administrator to do anything. The debate against the amendment appears to me to be wholly irrelevant. All the amendment says is that Federal funds shall not be paid to any person who uses force to accomplish the purposes therein stated. I cannot understand the position of those who in one breath say that they are opposed to any person receiving Federal funds after having disrupted a university by force and violence and in the next breath oppose a simple declaration that no such funds shall be paid to such students. This amendment involves no Federal control. All it does is impose reasonable limitations upon the extension of Federal aid. I support the Smith amendment, although I do have doubts as to whether it will have any appreciable effect of bringing campus disorders under control.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. AYRES).

Mr. AYRES. Mr. Chairman, I want to say that I was one of those in the committee who was very disappointed that our committee did not act. Since we did not act, I see no alternative but to show our intent by supporting the proposals before the committee today.

I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. LOWENSTEIN).

Mr. LOWENSTEIN. Mr. Chairman, there has been a lot of talk today about bad procedures for making decisions on campuses, in Government bureaus, and practically everywhere else.

I submit that the procedure we are following here may itself lack something. For example, it is not easy, nor necessarily sensible, to discuss questions that everyone describes as vital in 40 seconds. If the only thing that Members of the House wished to say about a proposal was that they favored or opposed it, they could do that by voting yea or nay on a rollcall, when it is possible to have a rollcall. But that, of course, is not what dialog, discussion, or democratic debate is supposed to be.

It is possible that some Members who rose early and kept rising long into the day in an effort to be heard, might have something of interest to say—might have some competence to discuss this matter out of experience, might add to the collective wisdom of the House by their insights and points of view.

How sad that so often we deny ourselves the opportunity to find out if this is in fact the case. It might be worth meeting an hour later on those unusual occasions when legislative business intrudes on other concerns. Mr. Chairman, I am opposed to this amendment because I am opposed to murky legislation that makes bad law; because I am opposed to the Federal Government drifting further toward control of educational institutions, because it is at best—that is, if it is not enforced—misleading and incendiary, and at worst—if anyone, it is not clear who, should undertake to enforce it—capricious, discriminatory, and unfair. I am opposed to it, finally, precisely because I am opposed to violence and coercion on campuses.

If the House is as concerned about violence and coercion on campuses as some of today's oratory suggests, it might not be a bad idea to consider sometime how to deal with that problem effectively. I trust no one thinks we have done that this afternoon.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. COHELAN. Mr. Chairman, I ask unanimous consent that I may yield my time to the gentleman from New York.

Mr. HUNT. Mr. Chairman, I object.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. MYERS).

Mr. MYERS. Mr. Chairman, my colleague from Indiana mentioned the president of Notre Dame University, Father Hesburgh, who is very highly respected, might be covered by this and opposed these amendments. Father Hesburgh has enforced all of the laws of Notre Dame, Indiana, and our Nation, and would not be subject to anything in this bill. As I understand the amendment which has been offered and the amendments to it, it does not tell the administration to do anything. It merely says that the taxpayers of this country are not going to support universities or a student at a university involved in some of the disturbances that we have had in our universities or some of the violence we have had there.

There has been much said here about the children of our Nation being underprivileged and handicapped. All of us feel in this direction, and want to help, but I have heard very little about the taxpayers of this country who pay the bills and the taxes required for all these programs. They, too, are certainly underprivileged and are certainly financially handicapped. It is about time that this Congress starts thinking about the poor taxpayer.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. RYAN).

Mr. RYAN. Mr. Chairman, the debate this afternoon proves the old axiom that legislation should not be adopted in the midst of emotion. Certainly no one condones violence—on or off the campus—and any inference to the contrary is unwarranted. However, unrest on college campuses reflects deep divisions within our own society. This present generation of college students has found our generation wanting—unable to end a war which they consider morally wrong, unable to end an inequitable conscription system which drafts them to risk their lives in that undeclared war, unable to end racism, poverty, and hunger.

Campus discipline is the province of university administrators. It cannot be imposed from the House floor. All of the punitive and repressive legislation imaginable will not resolve the underlying causes which brought about the situation with which this amendment attempts to deal. It will only be counterproductive.

Furthermore, the amendment does not provide a modicum of due process—no hearing procedures, no requirement of either a criminal conviction or disciplinary action. Aid could be cut off to a student without a finding by the university's own disciplinary procedure that he had been in violation of a university rule or regulation.

Unlike the amendment to the Higher Education Act which was adopted by the House last year, and became effective on October 12, 1968, it does not even require that an individual be convicted of a crime involving force or violence before funds must be cut off to him.

Mr. Chairman, there is no justification for this provision. If an individual has violated a rule or has seriously disrupted the academic community which the university views as injurious to the academic

environment, the university already has ample power to discipline that individual. If that indivdual was expelled or dismissed from employment, funds would cease to be paid in any event.

Hence, the real purpose of this amendment must be to punish students who are accused of violating campus rules but who have not been excluded from the university either through expulsion, in the case of a student, or dismissal, in the case of a faculty member or other employee. In my view, it is entirely inappropriate to use financial assistance as a punitive measure, for it penalizes only those who require scholarships or other assistance in order to attend college. The practical consequence would be to discriminate against poor students, and especially minority students who frequently need financial aid in order to pursue their educational studies. Such an effect would not only be unfair and discriminatory but would also fly in the face of the basic purpose of Federal scholarship and loan programs, which is to provide needy students with an opportunity to obtain a college education.

It is not the business of the Federal Government to discipline rebellious students. If discipline is required, that function must be performed by individual universities and colleges according to specific circumstances. To attempt to punish campus demonstrators by requiring that financial assistance be withdrawn is an infringement on the academic freedom of our colleges and universities and, in any event, will only punish poorer students in need of financial aid.

I include at this point in the RECORD a letter dated July 28 and addressed to Members of the House by Lawrence Speiser, director of the Washington office of the American Civil Liberties Union:

AMERICAN CIVIL LIBERTIES UNION,
Washington, D.C., July 28, 1969.

Re Students, orderly and otherwise.

DEAR CONGRESSMAN: There ought to be a law!

It was probably during the First Congress in 1787 that the notion was first advanced that the cure for every problem besetting this nation was the passage of a federal law. That idea has flourished. The more widespread the problem, the greater the political pressures on Congressmen to do something—anything.

And yet, there are times, when Congressional wisdom dictates inaction—not because the problems aren't real and serious, but because the "cure" of federal legislation is often worse than the "disease." Such is the case, we believe, regarding student disorders which have arisen on a number of campuses throughout the country. A surprising unanimity *against* federal legislation has been voiced by many national officials, as well as university officials, who have had an opportunity to examine the problem in depth.

Last month, twenty-two Republican Congressmen completed an intensive study of our nation's campuses. A report submitted to the House by Congressman W. E. Brock (R-Tenn.) summarized their findings. They viewed every conceivable stage of campus disorders, and their report includes a detailed "anatomy of a conflict." Their first recommendation was directly to the point: "No repressive legislation . . . In our opinion the fundamental responsibility for order and conduct on the campus lies with the university community."

All high-ranking administration officials, including President Nixon, oppose any attempt by the federal government to regulate college campuses. Attorney General John Mitchell addressed himself specifically to the inclusion of riders on appropriations bills "which would cut off federal funds to institutions of higher learning which experience campus disorders, or would require them to develop certain rules of behavior and plans to control conduct as a condition of receiving assistance." He stated that any such legislation would be, "counterproductive . . . . The federal government must not be placed in the role of enforcer or overseer of rules and regulations for the conduct of students, faculty, and university employees."

Secretary of Health, Education and Welfare, Robert Finch also has stated that: "To advocate (federal) intervention (in university affairs), in my view, is a form of radical extremism—fatal, indeed, to the perpetuation of our free and pluralistic society."

During this session of Congress, every appropriations bill is being threatened with riders designed to punish students, faculty and even entire universities for any disorders which occur on campus.

One such has already been added by the House to the appropriation bill for the State, Justice and Commerce Departments.

A similar one, Section 407, has been reported with the appropriations bill for Labor and HEW. The language of these riders varies slightly but, in general, they provide:

(1) None of the funds can be used for any loans, or grants to students or to pay the salary of anyone at a higher educational institution who, after October 12, 1968, engaged in "the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property" or prevented anyone from pursuing their studies or duties.

(2) The university shall first have "an opportunity to initiate or complete such proceedings as it deems appropriate but which are not dilatory to determine whether such individual was involved in such conduct."

(3) No funds may go to any university or college unless they certify to HEW at quarterly or semester intervals they are in compliance with this provision.

What's wrong with these riders?

1. They are discriminatory: The penalties only affect those who receive federal aid, or whose salaries are paid with federal funds. Therefore, it is clear that this provision discriminates against those who either are not wealthy enough to go without federal financial support or who, by happenstance, hold positions which are funded by the federal government. This means that an individual who may only peripherally have been involved in a disorder or disruption on campus may be penalized by the loss of many thousands of dollars, while a ringleader who did not receive federal financial aid would be untouched. It would permit the anamolous situation of punishing one teaching assistant or faculty member but not another even though they may hold similar positions and may have engaged in exactly the same kind of activity during a campus sit-in. Those students whose parents are able to afford the cost of a college education will not be deterred one whit by these measures. This distinction between poor and rich students is hardly laudable, and indeed, would be a violation of equal protection, and, therefore, of the due process clause of the Fifth Amendment.

2. They would punish the innocent with the guilty: If a university or college failed to file the semesterly or quarterly certifications with the Secretary of HEW, *whether there had ever been any campus disorders or not*, its funds would be cut off. Campus disorders have occurred on probably 10% of all the colleges in the country. Yet, if a college, through ignorance or inefficiency failed to certify that it was in compliance, its federal funds would automatically be withheld.

This is not even a blunderbuss approach—it's simply playing blindman's bluff with federal funds.

3. Punishment may be imposed without any real due process: These riders make no provision for procedural due process. In fact, by providing that the limitations on appropriations may commence after, ". . . the appropriate institution of higher education at which such conduct occurred shall have had an opportunity *to initiate* or has completed *such proceedings as it deems appropriate . . .*" it may be interpreted to cut off funds even before the university has determined whether the alleged violator is, in fact, guilty of the act with which he has been charged. In other words, funds would be cut off, if the university procedures were merely dilatory.

Even if the proceedings are completed before funds are cut off, this rider does not insure that those proceedings would be consistent with the standards of due process which have already been established. It merely provides that an institution of higher education may use whatever procedures "it deems appropriate." This may mean no proceedings at all.

It is clear this represents the most serious threat to academic freedom university and college faculties have ever faced. Hard-won tenure rights with clear procedural protections are literally tossed into the ash-can, by this provision which permits the withholding of faculty salaries based on whatever procedures the university deems appropriate.

4. Retroactive punishment is clearly invalid: The provision cuts off funds from students or faculty members who engaged in the forbidden activity after October 12, 1968. At first glance, this seems to tie in with the riders Congress passed last year to both the Higher education Bill (P.L. 90–575) and to the appropriations bills for Labor and HEW (P.L. 90–557) aimed at student rioters. However, both of those provided that loss of funds should not occur unless there was a criminal *conviction* of a student.

Now these current proposals would cut off funds from not only students, but also faculty (who weren't covered last year), who have engaged in the prohibited activity since October 12, 1968—even if no conviction or even criminal prosecution occurred. This is so clearly an *ex post facto* law, that it is inconceivable Congress would enact it.

5. These measures strike a blow at the independence of universities and colleges: The issue of the independence of American universities is a large one. Federal intervention would perhaps be tolerable if the states were incapable of regulating conduct within their borders or if the universities were without the means to discipline students. Then it could be said that a federal presence to insure order was necessitated by an institutional failure of the states and the universities. But there is not even arguably such a failure today. Instead, the federal government exercising its authority through its power to spend would be intruding upon these institutions and substituting its judgment for theirs.

It is to be noted that the only role the university plays under these current proposals is to determine if certain conduct occurred. No discretion is left to an institution as to what penalty should be imposed. Even if a university determines an individual should only be given a reprimand because he was only slightly involved in a campus disorder—the federal government steps in with its absolute ban of funds.

The conclusion is inevitable that measures such as that with which we are concerned today are extremely unwise, and more than that symptomatic of something that could eat away at the heart of American life as we have known it. Professor Charles Reich has identified precisely the nature of the think-

ing which underlies these—"the doctrine that the wealth that flows from government is held by its recipients conditionally, subject to confiscation in the interest of the paramount state." He rightly compares this thinking to that which sustained feudal society where the two principal attributes of property were that it flowed from the sovereign and resided in the person to whom it was given so long as it pleased the sovereign. Congress can follow this path backward toward our feudal past, and impose upon all federal spending provisions which cause a forfeiture by the recipient if he fails to live up to standards set by Congress. It can, on the other hand, reject such an approach and determine that the institutions of this country will remain free and independent despite their reliance upon some measure of federal assistance. The proper choice is clear.

Many years ago, Alexander Hamilton wrote some wise words:

"Nothing is more common than for a free people, in time of heat and violence to gratify momentary passions, by letting into the government principles and procedures which afterwards prove fatal to themselves."

He could very well have been talking about these proposed student disorder riders. Last year Congress passed five such measures. It is time to call a halt.

Sincerely yours,
LAWRENCE SPEISER,
Director.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from Illinois (Mr. ANDERSON).

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

Mr. OTTINGER. Mr. Chairman, I object.

Mr. CONTE. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. KOCH).

Mr. KOCH. Mr. Chairman, I rise in opposition to the amendments of Mr. SIKES and Mr. SMITH. The testimony and the statements provided by the administration through Attorney General John Mitchell, Secretary Robert Finch, of HEW, and Dr. James E. Allen, Deputy Assistant Secretary of HEW, more than support the position that additional laws are not necessary to deal with violence by students on or off the campus. The laws are already there. And the college administrations which at the beginning of this period of student disruption were caught unawares and floundered in their handling of the problem, now through harsh experience are ready to deal with those who violate those laws.

Many of my colleagues in this House today have attacked those whom they call "revolutionaries" as though that were an epithet. I am proud of the revolutionaries in our history, those who seek to change society so as to make it more just, those who have a social conscience and see all about them hunger, poverty, immorality, war, and venality in the very highest places of this country, and wish to change that. One can be a revolutionary and not engage in or support violence. Indeed it is admittedly only a small number of students who have engaged in illegal acts. Those students are being dealt with by the chancellors of the universities who are suspending and expelling. For this Congress to indicate its contempt for change in our society, a change peacefully sought by the overwhelming number of students today, can only radicalize the vast majority of those students whose goals are my goals and I think the goals of most if not all of the Members of this House.

Federal legislation should not be employed to repress and to chill lawful action on the part of our students. All of us condemn violence but our authority to do so should rest on the assumption that we are willing to change and renew our society and its institutions without the prod of violence.

Mr. KOCH. Mr. Chairman, I ask unanimous consent to yield the remainder of my time to the gentleman from Missouri (Mr. SYMINGTON).

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. QUIE. I object.

Mr. KOCH. Mr. Chairman, I yield to the gentleman from Missouri (Mr. SYMINGTON).

Mr. SYMINGTON. Mr. Chairman, I rise in opposition to section 407 of the bill and all the amendments under consideration. I do so not only because of the unanimous opposition of distinguished educators in my district and State, but because of the considered judgment of the highest officials responsible for the execution of the Nation's relevant laws: Secretary Finch, Attorney General Mitchell, and the President himself.

During the last presidential campaign, the issue of law and order and how to attain it was topmost in everyone's mind. On this vital issue, perhaps more than any other, the Nation placed its confidence in the man it elected President. Surely the message to each one of us which is implicit in this supreme expression of confidence was to listen to this man on this subject. Accordingly, when any proposed legislation concerns itself with the preservation of law, order, and domestic tranquillity. I do indeed listen to our President. And he has clearly indicated his opposition to the kind of legislation we are considering at the moment. His very clear opposition was conveyed by the public letter of July 17, 1969, addressed to Senator DIRKSEN and Minority Leader FORD, and signed by Secretary Finch and Attorney General Mitchell. The full text of the letter has been reported.

But to summarize, the letter anticipates possible efforts in Congress to cut off Federal funds to universities which experience campus disorder or which would not take sufficient steps to control it. The letter recognizes the legitimate concerns of Congress in this area, but states:

In our studied judgment, however, such legislation would be counter productive, and would seriously jeopardize the relationship between the academic community and the Federal Government which has been of such inestimable benefit to our society. We strongly feel that the threatened cutoff of institutional funds is an entirely inappropriate way of dealing with a serious problem . . .

We are actively studying ways in which the Federal Government might constructively assist institutions and protect the right of all Americans to pursue their education without disruption.

The President has asked us to send you these views with the hope that you will call them to the attention of your colleagues, so that there may be no misunderstanding of the Administration's position in case such legislation is offered in the House.

Now that "such legislation" has been offered, I do call these views of the President to the attention of my colleagues. I suggest that we should not wish to encounter at some future time the charge that we enacted legislation that was counterproductive, and did in fact jeopardize satisfactory relations between the Federal Government and the academic community.

It is for the foregoing reasons that this House should support the President and reject these proposals.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. RIEGLE).

Mr. RIEGLE. Mr. Chairman, I yield to the gentleman from Wisconsin (Mr. STEIGER).

Mr. STEIGER of Wisconsin. Mr. Chairman, I appreciate the gentleman yielding to me.

I must say, Mr. Chairman, that I rise with some reluctance to oppose the Smith amendment. I believe that cutting off funds to students who contribute to a substantial disruption is appropriate but, I concur with my colleague from Oregon (Mr. DELLENBACK) that the language before us is mischievous. I think it is vague and open to serious question. Better we not act at all than to act hastily or out of emotion. That would happen were we to adopt the language of the amendment. Thus I shall oppose the Smith amendment in the belief that we will be harming the cause of the institutions of higher education of this Nation. It is unfortunate that Mr. DELLENBACK'S perfecting language was ruled not germane since with those changes I would support the amendment.

Mr. Chairman, yesterday's morning newspapers indicate that Gov. Ronald Reagan, of California, has joined the ranks of those urging that the Federal Government not take legislative action to cut off funds to institutions of higher education which experience student disorders. I feel that his words should be heard by all my colleagues in this House. Governor Reagan said yesterday:

I don't see how you can withdraw funds from institutions without punishing the innocent.

It is precisely this indiscriminate punishment of innocent students and faculty members, as well as those guilty of troublemaking, that makes the institutional cutoff provisions contained in section 407 unacceptable. I am pleased that the Chair upheld the point of order on this section.

I feel that going that additional step—threatening to cut off all Federal assistance to an institution of higher education—smacks not a little of "overkill." Many colleges and universities, already greatly in need of funds to meet the spiraling costs of providing a higher

education, are significantly dependent upon Federal aid to meet the costs of student financial aid, construction programs, research, and instruction. Denial of such funds to an institution would play right into the hands of the SDS, which wants to close our colleges, not reform them.

All legislation to cut off Federal aid to universities which experience difficulties is based on incomplete information about the situation on campuses. In the past we have complacently assumed that the malaise is not widespread. That we are faced with a handful of revolutionaries who create disorder, but that 99 percent of the student bodies are "members of the silent majority" who do not share the concerns or sympathize with some of the goals of the SDS. Such a picture is an oversimplification of the composition of student opinion. On campus after campus, the so-called silent majority is a myth. The disaffection and alienation which one finds in student revolutionaries is widespread throughout many student bodies. Vast numbers of bright, dedicated, sincere students are just as deeply disturbed as the so-called revolutionaries, the difference is that they are not yet violent. They have not yet rejected completely the view that they should not resort to violence.

Any long-range solutions to the problem have to be based upon a realistic view of the extent of the malaise and the expected reaction of the concerned students who are not yet revolutionaries. I would predict, on the basis of my experience, and without qualification that legislation such as that which was contained in section 407 of this will increase the number of revolutionaries and compound the problems for each university. In effect we are telling the administrator to shape up and solve your problems—if you don't we will see to it that your position is made untenable by cutting off your funding and proving to the rest of the students that SDS has been right all along.

Students will not be coerced—they will not be cowed by the threat of punishment or the application of overwhelming force. When we seek to cut off funds to universities who prove incapable of handling their problems, we only confirm the students' opinions of our motives. We merely provide conclusive evidence of everything the SDS has been telling them about the "establishment."

What we need is greater understanding on their part and on ours. As we acll out the National Guard to restore order on a campus we must also seek to understand their concerns and to restore their faith in the efficacy of democracy. We do not have to condone violence or capitulate in the face of threatened violence. But neither should we do anything to confirm their mistaken views of how the system operates.

Mr. Chairman, the Young Republican National Federation in its July 1969 convention platform said:

> We urge . . . that punitive measures taken . . . not punish the many for the actions of a few by cutting off funds to entire institutions.

> The right to disagree—and to manifest disagreement—which the Constitution allows to the individual . . . does not authorize them to carry on their campaign of education and persuasion at the expense of somebody else's liberty or in violation of some laws whose independent validity is unquestionable.

Mr. Chairman, these words of Erwin N. Griswold, former dean of the Harvard Law School and now Solicitor General of the United States, accurately portray the dangers to the integrity of our educational system embodied in the ever-increasing resort to violence on our college campuses. Griswold added:

> Violent opposition to law—any law—or forcible disregard of another's freedom to disagree, falls beyond the pale of legitimate dissent or even civil disobedience properly understood; it is nothing short of rebellion.

We are indeed faced with a rebellion, and the alarming developments of recent weeks as students at Cornell have armed themselves in the course of presenting their demands to the university are indicative of the vast potential for destruction inherent in the use of force in the academic community.

President Nixon and other administration spokesmen have forthrightly called upon university officials to stand firm in the face of threatened force, and to make clear their determination to preserve our universities. It is vital to the long-run interests of the Nation, that our higher education system be preserved and that its integrity be upheld by those who are most intimately involved in its day-to-day operations.

Malcolm Moos, president of the University of Minnesota, has pointed out that universities themselves contribute to "the destructive notion that disruption is the path to reform, by moving under the threat of chaos and doing business as usual when tensions seem low." Legitimate demands for change will not be satisfied nor will meaningful reforms be implemented through capitulation to those who resort to violence, any more than they will be achieved at the expense of the constitutional rights of others.

But it is essential that we not permit ourselves to fall into the trap of irrationality which seems to plague so many of the militant student groups. We must carefully consider their objections to the present educational system, because they do have some substance, and because numerous individuals, faculty and administrators included, have voiced their dissatisfaction with the pace of reform in higher education. The fact that the manner in which demands for reform are often presented is reprehensible, in no way lessens our responsibility to entertain those suggestions and evaluate the performance of our universities. It is not enough to express abhorrence at the activities of those morally arrogant individuals who would destroy one of the foremost institutions of our society, to call for an end to violence, or to appeal to the rule of reason and rational debate. In all too many instances, such discussions are not properly tempered with an awareness that all is not well with the academic community.

Secretary of Health, Education, and Welfare Robert Finch, has very effectively articulated the need for the universities to respond to legitimate requests for change. In testimony before the House Special Subcommittee on Education, Secretary Finch said:

> In all truth, many academic institutions have brought much (of their difficulties) on themselves. They have not always responded to the clear need of any viable institution for constant self-examination and self-renewal. In the quest for more and better research grants, they have not always attended to their primary objectives as teaching institutions. In attempting to serve many masters—government and industry among them—they have tended to serve none of them well. Now they are faced with extremist attempts to impose a new orthodoxy, and the only proper agents to insure bonafide academic pursuits within the context of order lie in the administration, faculty, governing boards and other segments of the university community itself.

Many areas of university activity need to be seriously questioned. Some of the basic assumptions about the role of the university of society, and the relationships between students, faculty and administrators need to be reevaluated in light of our current needs, and in light of the enormous changes in society which have taken place since the basic structure of the university was devised. Is the present system of advancing faculty according to research abilities the only alternative, or can we find a way to equally reward those who emphasize teaching? Rather than requiring faculty members to teach and do research at the same time, is it perhaps possible to alternate their responsibilities, devoting all of their energy to research or to teaching at different stages in their careers? Can ways be found to channel the youthful enthusiasm and the concern with social problems of students into productive work outside the university? Is the present administrative structure of the university characterized by intense specialization within narrow disciplines the only way to organize an academic community? What has been the impact of Federal funding upon the relationships between the elements of the universities? What happens to the student-teacher relationship when research funds go directly to faculty members instead of to institutions?

Many of these are questions which only the academic community itself can answer—but the fact remains that few attempts have been made to undertake any kind of in-depth evaluation. Unfortunately for the vast majority of students and for the Nation, both radical students and unresponsive and vacillating faculty have only encouraged the view that violence works; and we are rapidly approaching the point at which nonacademic institutions and officials will, of necessity, be forced to intervene, imposing solutions on the university. The Nation cannot sit idly by while its universities are destroyed—and yet no solution can be imposed without destroying the principles of academic freedom upon

which our present system of higher education is based.

Every effort must be made to find ways to enhance the resolve of administrators and faculty to withstand force and the threat of force, while encouraging them to take a position of leadership in analyzing their own responsibilities for current difficulties and seeking constructive changes within the university. There are, presently available, numerous legal instruments which can be relied upon by university administrators to control outbreaks of violence, and every effort should be made to permit each campus to meet the challenge in its own way. In addition to local ordinances, Congress passed last year, legislation which authorized college administrators to withhold Federal grants and loans from students convicted of disrupting a campus. The previous administration did not use these provisions, but President Nixon and Secretary Finch have already taken steps to encourage the application of these regulations, thus providing one more tool to aid administrators in their efforts to control violence.

Ideally the solution at each university should be limited only by each institution's resources and imagination. The only way to bring the current wave of disorders and disruptions to an end is through the development of firm and imaginative leadership on each campus. If faculty, administrators, and moderate students cannot be encouraged to fill the vacuum, then nonacademic institutions will be forced to act, and this would constitute nothing less than a national tragedy.

The language of the Smith amendment attached to the Sikes amendment is vague and ought not to be adopted. Clearly, better language is required if action is to be taken.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina (Mr. FOUNTAIN).

Mr. FOUNTAIN. Mr. Chairman, it has been said today that Father Hesburgh, Dr. Milton Eisenhower, Secretary Finch and Commissioner Allen are all against the Sykes-Smith amendments. The gentleman from New Jersey (Mr. THOMPSON) said there was unanimity on the part of a number of university administrators, including the president of the University of North Carolina—from which I graduated—that all are opposed to these amendments.

Mr. Chairman, I would like to say that neither of the gentlemen whose names were used is an elected public official—certainly not a Member of the Congress elected to represent the taxpayers of America and most assuredly they have not been elected to represent the taxpayers of the Second Congressional District of the State of North Carolina.

I support these amendments and hope they will be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma (Mr. EDMONDSON).

Mr. EDMONDSON. Mr. Chairman, I support the Sikes-Smith amendments, which reaffirm in legal and reasonable terms the intent of the Congress that Federal funds shall not be used to subsidize violence and illegal use of force on the college campus.

As I understand the amendment, it leaves in the hands of college authorities the power of determination of eligibility with reference to any student, under the terms of the law.

It does make very clear the intent of the Congress on a matter of grave concern to millions of Americans—the use of force, or the threat of force, or the seizure of property on a college campus, to prevent students or faculty from the pursuit of studies at the institution. It makes very clear the intent of Congress that students or faculty found by the institution to be engaging in such illegal activity should not be provided loans, grants or salaries from Federal funds.

Surely this is a conviction shared by the great majority of Americans. I urge the approval of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. FULTON).

Mr. FULTON of Pennsylvania. Mr. Speaker, I rise in favor of this legislation.

I am glad to report to the House that Mariner 6, late last night, passed within 2,100 miles of the equatorial zone of the planet Mars.

I would like to tell the Members that the National Aeronautics and Space Administration states that "the pictures are fantastic." These pictures are scheduled to be on national television tonight at 8:30 p.m. daylight saving time.

The other unmanned capsule, Mariner 7, is closing on the planet Mars from a distance of 1,500,000 miles. Mariner 7 is expected to pass within 2,100 miles of the southern hemisphere and ice cap of Mars.

Last night, Wednesday evening, July 30 the Jet Propulsion Laboratory in California lost radio contact with Mariner 7. This loss continued until communication was reestablished again today. It is the belief of the scientists that the possible cause was the impact of a micrometeorite with Mariner 7. This probably turned the capsule and the antenna enough to cause loss of "antenna lock" with the ground stations in communication with Mariner 7.

The present schedule announced by the Jet Propulsion Lab is that the pictures from Mariner 7 will begin to be received by JPL at 12:59 a.m., Saturday morning, August 2. Of course, the communication is by bits in computer language that contains various kinds of information, so the computers at JPL will have to sort out and produce the pictures from the information received. The daily papers, radio, and television stations should be watched by Members and their families to find out at what time the pictures will be released.

These are certainly interesting times for every American, as well as all world citizens. The U.S. Government, NASA, and the U.S. Congress are to be complimented on making the Apollo 11 moon landing, as well as the flights of Mariner 6 and Mariner 7 to Mars available to the public. This gives us all the feeling of watching history as it is being made by the United States in space exploration.

Someone among the Members has asked me what happens to Mariner 6 now that it has performed so brilliantly on its pass within 2,100 miles of the equitorial zone of Mars. The engines have been restarted from a distance of 59,000,000 miles giving Mariner 6 a kick in the apogee so that Mariner 6 is now en route to solar orbit and will finally, by the pull of the sun's gravity, gradually approach the sun, melting and vaporizing before impact.

Hearty congratulations again to NASA, the Jet Propulsion Lab, American industry and labor, scientists, engineers and technicians, as well as our U.S. taxpayers, who are making this brilliant space record possible.

The United States is now, and will continue to be, preeminent in space and space exploration.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut (Mr. GIAIMO).

Mr. GIAIMO. Mr. Chairman, I rise in support of the Sikes-Smith amendment.

I would say, very briefly in the time allotted to me, that this is not an enforcement-of-the-law amendment. Enforcing of the law must be conducted by law-enforcement officials. This amendment is merely saying, on the part of the Congress of the United States, that we will not finance the tuition in institutions of higher education of radicals, arsonists, anarchists, and others who would destroy these institutions.

Certainly, if we fail to act in this Congress, we will be giving the greatest vote of confidence to the radical elements in our colleges and universities. We will be giving them a license to burn, loot, and destroy the universities which is their avowed purpose.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama (Mr. EDWARDS).

Mr. EDWARDS of Alabama. Mr. Chairman, I wish to rise in support of the amendment offered by the gentleman from Florida (Mr. SIKES), and the gentleman from Iowa (Mr. SMITH), and I hope that my colleagues will join with me in this support.

Now is the time for this body to stand up and be counted for the cause of safe universities and good education, and I think we can do this with these amendments.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina (Mr. DORN).

Mr. DORN. Mr. Chairman, I rise to support the amendment of my distinguished and able colleague, BOB SIKES, as amended by my warm colleague and friend, NEIL SMITH, of Iowa.

Mr. Chairman, it would be incredible, unbelievable, and even ridiculous if this House appropriated money for gangsters, anarchists, arsonists, and subversives on the campuses who are sworn to overthrow our great and incomparable system of higher education. Should this amendment be rejected, this House in effect would be subsidizing these hard-core trained leaders who are out to destroy higher education in our great country. I could not think of a more truly American approach than this amendment. It would leave the final decision of whether or not a student is to receive

Federal funds from all the taxpayers of the United States entirely up to the duly constituted college or university authorities.

In other words, Mr. Chairman, if a so-called student who comes to a university or college and attempts or does burn down the coliseum, ROTC building, library, or some other school building, the university authorities would simply have the right to deny him funds from the Federal Treasury. This is a timely amendment. It is long overdue and will restore to college authorities the final decision with reference to the activities of those who are out to destroy the academic community.

Believe me, Mr. Chairman, anarchist and violent revolutionaries are on the campuses. I saw one at one university 3 years ago; this spring, I saw him at another university a thousand miles away. Always the pitch is the same—burn the university, burn the American flag and never once offer a positive, sane program to promote higher education.

Mr. Chairman, I urge that this amendment be adopted and that it be passed by an overwhelming majority in order to make the message crystal clear to the anarchists and subversives on the campus that this Congress is for education and not out to destroy it.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. ERLENBORN).

Mr. ERLENBORN. Mr. Chairman, I have listened with interest to two debates today, this one we are considering now on campus disorders, and the other was a minidebate at the beginning of the session concerning the investigation of race riots within the military.

I think it is interesting to note the reaction of some of my colleagues.

The gentleman from Michigan, for instance, referred to the Ku Klux Klan and violence caused by them in a way that intimated the race riots that occur today might be justified by actions of the Ku Klux Klan of the past.

Then there are those who today take the floor, premise their remarks by saying that of course they do not condone violence, and then they read the litany of the problems we have facing the Nation as a possible justification for violence.

These people should realize that their attitudes are an encouragement to the further use of violence.

The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. ROGERS).

Mr. ROGERS of Florida. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Florida (Mr. SIKES), and the amendment offered by the gentleman from Iowa (Mr. SMITH).

The American people are tired of violence on our campuses.

Now is the time for Congress to act against those who would destroy academic freedom for the majority of law-abiding serious students. By restricting the use of Federal-aid funds to those who seek only to disrupt, and tear down, rather than build for a better America, we answer the call of the people of this nation who demand action.

No rioter, no arsonist, no gun-carrying extortionist has the slightest right to a single penney of Federal tax funds.

Congress has the opportunity today to speak for the taxpayers of this Nation, and for the students who strive for an education in an environment free of threats and intimidation.

I strongly support the Sikes amendment and the Smith amendment, to cut off funds to anyone who engages in violence against his college or university, or his fellow students.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, I am not a candidate for the Presidency or the U.S. Senate. Therefore I rise in support of the amendments.

The CHAIRMAN. The Chair recognizes the gentleman from Maine (Mr. HATHAWAY).

Mr. HATHAWAY. Mr. Chairman, I rise in opposition to the amendments. The proposed action, designed to discourage unrest on campuses across the Nation, would be a serious mistake, and I urge my colleagues to consider the consequences of its passage.

The use of force on college campuses has created in each instance complex and difficult challenges to men of good will, administrators, faculty, and students alike. Because no two situations are alike, members of each college community must be left to face those challenges on their own, calling in the help of outsiders as they see fit. Each well-publicized incident of student unrest has sparked public debate about the fitness of university response. But whether or not we agree with all decisions made in times of university crises, we must stand up for the right of those directly involved to make those decisions. It hardly makes sense that those of us completely removed from campus events should claim greater wisdom for dealing with them than those involved. I would argue then that more attempts at Federal intervention, such as this one will only make it more difficult for each university to deal with its crises quickly and wisely.

In this Nation we have traditionally and wisely left disciplinary action up to local control. We have considered those closest to the problem are in a better position to understand the difficulty, judge it properly, and mete out appropriate punishment.

Our criminal jurisprudence is replete with manifestations of this principle. A criminal is tried in the county where the crime is committed and by local jurors. In our doctrine of conflict of laws one State will not presume to enforce the criminal laws of another. Yet in this instance, the Federal Government would take jurisdiction over an essentially local matter on the grounds that Federal money is involved. But if we follow this basis of jurisdiction then the Federal Government will have jurisdiction in disciplinary matters over every individual in this country because no individual is outside the scope of some Federal benefit even if it is nothing more than a benefit under our tax laws. If we follow the Federal dollar as a basis of jurisdiction then we can deprive States of highway money unless they certify that they have certain traffic laws and that they will enforce them. We can deprive cities of Federal funds unless they have adequate laws to prevent riots and enforce those laws in accordance with some Federal standards, and many more examples could be cited whereby if we follow the action proposed in this and other student unrest amendments the result would be a gigantic Federal police force. In contemplating this action to stem student unrest we are in effect reverting to a feudal system whereby the sovereign Federal Government is invoking a forefeiture clause in the holding by recipients of Federal benefits if they fail to live up to standards set by the sovereign.

This is to be distinguished from cutting off Federal funds from school districts which do not comply with the Civil Rights Act. The Civil Rights Act is a matter of Federal jurisdiction and it would be unwarranted for Federal funds to be spent for purposes that would be in violation of the Federal Constitution.

I can see no sense in piling punishment on punishment. And I can see no sense in Federal intervention in campus problems so profound and complex that they are challenging the best leadership in the Nation's campuses: I doubt that simple solutions can be found on Capitol Hill.

Let me close by quoting a passage by Alexander Hamilton spoken many years ago which seems appropriate today:

> Nothing is more common than for a free people, in time of heat and violence to gratify momentary passions, by letting into the Government principles and procedures which afterwards prove fatal to themselves.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Chairman, I plan to support the amendment offered by the gentleman from Iowa (Mr. SMITH), and the amendment offered by the gentleman from Florida (Mr. SIKES). I do not believe the Sikes amendment is going to do any damage. In fact it will not do much of anything. All it says is that the universities have to comply with the law. They certainly will do that since they decide whether they are in compliance not the Secretary of Health, Education, and Welfare.

Now, this means that the Congress indicates to the universities that we back Secretary Finch, not Cohn, because Secretary Cohn sent letters out to colleges and universities saying that the law could not be enforced and was unwise, so that they got the impression they might as well forget about the law.

Secretary Finch said the institution should enforce the law, so we will stand up for Finch in the Sikes amendment.

So far as the amendment offered by the gentleman from Iowa (Mr. SMITH) is concerned, his amendment just makes it clear that if any student engages in such activities as he lists, we do not want to fund them with taxpayers' money.

Mr. Chairman, I believe we could have worked out better language if the bill had come out of the Education and Labor Committee. We should have worked it

out there, but we were denied that opportunity by a majority of that committee.

I think it is the responsibility of the Committee on Education and Labor to pass a good piece of legislation governing the use of money appropriated rather than adding language as a limitation on appropriations. Since the Education and Labor Committee failed, I think we should at least pass this language.

The CHAIRMAN. The Chair recognizes the gentlewoman from Oregon (Mrs. GREEN).

Mr. SIKES. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman.

Mr. SIKES. Mr. Chairman, I would like to make doubly clear that I feel the Smith of Iowa amendment to my amendment adds strength and substance to it. It is needed and I endorse the Smith of Iowa amendment and shall endorse both amendments.

Mr. CLARK. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman.

Mr. CLARK. Mr. Chairman, it was the Cristopher movement which adopted the slogan which says:

It is better to light one little candle than to stand and curse the darkness.

And it is my intention today to light that one little candle rather than stand and curse the darkness of anarchy and subversion.

I am for the Sikes amendment and the Smith of Iowa amendment. We must give our college professors backing. If we just sit and twiddle our thumbs here in Congress, while the SDS plots and plans disruptive measures in our schools, not only our school system is in jeopardy, but our whole society will go down the drain, all to the delight of our enemies around the world.

I have been collecting in my office the clippings concerning the disruptive and disgusting so-called Students for a Democratic Society. Never has there been a less accurate name for an organization for they should be called the "Students for a Disruptive Society." Going back to the Democratic National Convention of a year ago they worked their anarchist ways attempting to destroy the convention for the very simple reason that they did not agree with the choice that was made of a nominee. Now would not this Nation not be in just dandy shape if all of us decided to riot every time our Government made a decision we did not like? Well, the absurdity of this fanatic organization has been finally and clearly demonstrated—and appropriately enough in the same Chicago they tried to destroy—by their recent meeting where the first order of business was to bar the press while they proceeded with their canabalistic rites—the Chinese-type Communists and the Russian-type Communists and the American-type Communists all at each others throats. Sometimes when I look out my office window at the Potomac River I think this would be a fitting place to heave all of them for at least if they did not drown they might come out clean instead of with the filthy physical and philosophical stench that they give out now.

Of course, the thing that really sets me off is the fact that these radicals and rabble rousers are such a minuscule minority of today's youth and yet their weird proclamations and bizarre behavior receives so much attention that one would think they are speaking for the modern generation. One of the advantages, however, of a Congressman's position is that he gets mail—loads and loads of mail. And my mail runs 40 and 50 to 1 each time I lash out at the parasites of American society. And much of the mail that comes in dealing with the law and order issue comes from young people who are thoroughly disgusted with the antics of their contemporaries. And many of these fine young Americans are pointed in their remarks concerning their dedication to their Nation and flag and their genuine anger with those bearded scavengers who purport to speak for the modern generation.

To the average American reading his newspaper the disgusting, disruptive, and deplorable actions by the SDS must almost seem to be representative of the student bodies on our campuses today, and nothing could be further from the truth. In point of fact the SDS simply represents a minuscule minority dedicated to total disruption of the educational process with no desire to reform our society but a Marxian-like dedication to its destruction.

There are literally millions of young Americans in high school and college, who have a total aversion to the actions of the SDS and who want to demonstrate that you should either love America or leave it.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin (Mr. STEIGER).

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman.

Mr. FISH. Mr. Chairman, I thank the gentleman for yielding and wish to state I wholeheartedly support his previous remarks and those of the gentleman from Oregon (Mr. DELLENBACK). The amendment before us is vague as well as unnecessary. It is not a constructive step to help college administrations.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. SCHEUER).

Mr. SCHEUER. Mr. Chairman, this amendment is unnecessary in my view and in the view of the President, the Attorney General, the Secretary of Health, Education, and Welfare, and the U.S. Commissioner of Education.

It adds nothing but mischief and the potential for further polarization, to our already overcharged university scene.

Our body has expressed itself time and time again as opposed to violence or threats of violence or the destruction of property, public or private in the pursuit of the solution of social ills.

Our university administrators have become more sophisticated in dealing with the violent radical left, more adept in isolating the minute splinter of violent disruptors from the mainstream campus adherents of peaceful nonviolent change and overdue "aggiornamento," more forthright and courageous in calling in the law promptly, when necessary, either through the police presence, the local district attorney, or the injunction power of the courts, each in turn where appropriate.

In recent months, we have seen a marked improvement in the effectiveness and dispatch with which college and university administrators have managed to contain violent disruption, and get on with the business of necessary change and reform. Across the Nation the vast majority of students, through their elected leaders, are being "included in" in the process of determining the direction and pace of needed change. The moderates are being given effective voice, and the violent extremists are being isolated, by university administrators across the land.

Let us keep the long arm of the Federal Government, Congress, and executive branch out of our local college campuses. College administrators, the local police, the local courts, and local prosecutors have the situation increasingly well in hand.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I yield to my colleague, the gentleman from New York.

Mr. REID of New York. I thank my colleague, the gentleman from New York, for yielding.

Mr. Chairman, I would say very simply that I oppose the Smith-Sikes amendment which is very clearly an outrageous provision to cut off funds to certain students. It will be clearly counterproductive. At a time when colleges are improving communications, providing for appropriate student governance and acting through the courts where necessary to deal with disorder, this type of Federal legislation is not only wrong but it would also tend to play into the hands of the real extremists. To talk of the threat of force or the use of force is to use pernicious language and that is deplorable.

I strongly urge defeat of the amendments.

The CHAIRMAN. The Chair recognizes the gentleman form Illinois (Mr. ANDERSON).

Mr. ANDERSON of Illinois. Mr. Chairman, I shall support the amendment offered by the gentleman from Iowa (Mr. SMITH) because it does not represent a broad-gaged institutional cutoff but in fact and in reality it is the kind of legislation that is limited to those individual students who are engaged in a course of illegal conduct.

I would also remind the House that shortly we will be considering the sections of this law involving the power of the Federal Government to cut off funds under title VI from people who violate the law.

I believe in title VI. I am going to support amendments that would preserve the integrity of that section and, therefore, I do not see any inconsistency in asserting the right of the Federal Government to cut off funds from individuals who break the law.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. McCLOSKEY).

Mr. McCLOSKEY. Mr. Chairman, I support the Sikes amendment but I oppose the Smith amendment.

Section 504(a) of the present law penalizes students convicted of crime which involves the use of force.

Under section 504(b) we penalize students who wilfully refuse to obey the lawful regulations of a university. It is easy to enforce those laws and to provide due process in determining what is good conduct and what is bad conduct.

But when we add language here which penalizes conduct involving the use of force, we add a vagueness to the law that makes it impossible to provide due process and it is going to injure rather than help law enforcement on the campuses by so doing.

Mr. Chairman, I urge a vote against the Smith amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. WILLIAM D. FORD).

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman.

Mr. BRADEMAS. Mr. Chairman, I only want to comment on what my friend, the gentleman from Indiana (Mr. MYERS) said earlier when he spoke favorably of the actions of Father Hesburgh in enforcing the rules and regulations of and at the University of Notre Dame, and it is precisely because he and other university presidents around the country want to be able to enforce their own rules and regulations that the legislation before us now is not necessary.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. COHELAN).

Mr. COHELAN. Mr. Chairman, I shall enumerate my reasons for opposing this amendment as one who represents the best university in the country, the University of California at Berkeley.

I am opposed to these amendments for the following reasons:

First. They needlessly pre-empt the authority of local police to deal with lawbreakers free from Federal considerations.

Second. They impinge mightily on prerogatives of college administrators to handle their own disciplinary matters free from Federal considerations.

Third. They needlessly interpose the Federal Government in academic affairs.

The great universities ultimately must solve their own problems, and this legislation will not help them.

This amendment is a mere facade, an attempt to treat symptoms. But it does nothing to help meet or solve the serious underlying social causes, the gaps between rhetoric and action, the enormous lack of confidence in the ability of our Government to meet our problems.

I urge the defeat of this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. ESCH.)

Mr. ESCH. Mr. Chairman, none of us condones acts of violence or illegality on a college campus or anywhere else. That is not the issue. None would approve the indiscriminate granting of amnesty to those guilty of violence or disruption, on campuses, or anywhere else. But that is not at issue here either.

What concerns us now is the need to make a proper judgment respecting the character of congressional response to acts of violence. If we intend to discourage violence on the Nation's campuses, we cannot do so by cutting aid to institutions. Such an act would encourage those who are bent on destroying our institutions of higher education, because the retribution for their acts of violence would be felt more by the victims than by the perpetrators of such actions.

Recently I had called to my attention a letter to the Assistant Attorney General, Office of Legal Counsel, from William F. Baxter, an eminent professor of law at Stanford University. Professor Baxter describes himself as one of the most outspoken advocates of hardline opposition to the student radicals at Stanford.

In his letter to the Justice Department, Professor Baxter warns that while only about 1 percent of the student body can be described as hardcore revolutionaries, they nonetheless can gather more supporters quickly as a reaction to what may appear to be repressive acts by Congress or local authorities. He anticipates as follows the consequences of the kind of antiriot legislation that is included in the committee bill:

> The government can weaken most universities and perhaps destroy some by taking away financial support; but it will not succeed in maintaining "peace on the campus" by that technique for several reasons. First, withdrawal of funds represents no threat to the radicals who cause the disruptions. On the contrary, to them it represents a strong incentive; for total divorce and complete alienation between the University and the Government is one of their primary objectives . . . Insofar as it withdrew support for scientific work with potential military applications, they would be delighted; and, finally, since protesting students and faculty come primarily from the classic and humanities and because they have the erroneous impression that substantially all government aid goes to the social and physical sciences, the threat would not seem aimed at them in any event. I am positive that this step would encourage the radicals, and I am reasonably confident that the step will adversely affect the evolution toward responsibility among the faculty; and given those facts, no increase in determination on the part of the administration and those of us already striving to maintain order will be of any utility.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa (Mr. SMITH).

Mr. SMITH of Iowa. Mr. Chairman, my amendment merely provides that the money appropriated will not be used to support presence on the campuses of individuals who use force to prevent others from enjoying academic or student freedom, and that money will then be available for some other student who would otherwise be unable to get a loan and I think that is the very least we can do.

The CHAIRMAN. The gentleman from Pennsylvania (Mr. FLOOD) is recognized to close debate.

Mr. FLOOD. Mr. Chairman, the debate is closed.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. SMITH) to the amendment offered by the gentleman from Florida (Mr. SIKES).

The question was taken; and on a division (demanded by Mr. BRADEMAS) there were—ayes 129, noes 58.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Florida (Mr. SIKES) as amended.

The question was taken; and on a division (demanded by Mr. SIKES) there were—ayes 162, noes 61.

So the amendment, as amended, was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

> SEC. 408. No part of the funds contained in this Act may be used to force busing of students, the abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent.

AMENDMENTS OFFERED BY MR. COHELAN

Mr. COHELAN. Mr. Chairman, I offer an amendment. The Clerk read as follows:

> Amendment offered by Mr. COHELAN: On page 56, strike lines 16, 17, 18, 19, and 20.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

(By unanimous consent, Mr. COHELAN was allowed to proceed for an additional 5 minutes.)

The CHAIRMAN. The gentleman is recognized for 10 minutes.

Mr. THOMPSON of Georgia. Mr. Chairman, I object.

The CHAIRMAN. The objection comes too late.

Mr. COHELAN. Mr. Chairman, I further ask unanimous consent to have my amendment to strike section 408 and my amendment to strike section 409 considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from California to consider amendments to sections 408 and 409 en bloc?

There was no objection.

The CHAIRMAN. The Clerk will report the second amendment.

The Clerk read as follows:

> Amendment offered by Mr. COHELAN: On page 56, strike lines 16, 17, 18, 19, and 20.

The CHAIRMAN. Under the unanimous-consent agreement, the two amendments will be considered en bloc.

The gentleman from California is recognized for 10 minutes.

Mr. COHELAN. Mr. Chairman, by this time, as I know the House recognizes, this is somewhat of an old standard. Mr. WHITTEN and I have gone through this ritual now at least three times.

I come before the Members today with pride in announcing that our effort today is a bipartisan effort, as it has been

in the past, and henceforth let the country know and let the world know that this shall be known as the Cohelan-Conte amendment. The gentleman from Massachusetts (Mr. CONTE) who is my colleague on the Appropriations Committee, has conducted a very active campaign on his side of the aisle, and we stand together today for the amendments we are advancing here.

Mr. Chairman, we rise to offer an amendment to strike section 408 and to strike section 409 from this bill.

This is without question an issue of black and white.

A vote against these amendments to strike will be a vote against civil rights. It will be a vote against the Constitution, against the Supreme Court, and aganst elementary fairness and equality in education.

The provisions advanced by our distinguished colleague, the gentleman from Mississippi (Mr. WHITTEN), are an open invitation to recalcitrant southern school officials to continue defiance of the law, to disregard the constitutional rights of millions of Negro students to equal access to public elementary and secondary schools.

If these provisions are accepted, many school districts which have reluctantly complied with the law in the past will seize upon this as an opportunity for backsliding, for lawlessness on a scale this country has never before witnessed. All of us are against lawlessness, and all of us are against violence.

If these provisions are accepted, there is a real possibility that Negro students will once again be denied a precious freedom so long denied them, that of participating as equals with white contemporaries, in the same schools, and not in separate-but-equal or unequal schools.

If the Members vote against these amendments they will be affirming the South's right to keep its racially segregated schools. They will be ignoring the 1954 Supreme Court decision which I called the beginning of the second reconstruction in the history of the United States of America. They will be ignoring what the Congress overwhelmingly supported only 5 years ago when it enacted the Civil Rights Act of 1964.

We have seen some progress since the enactment of the civil rights legislation, but this progress now hangs before us in jeopardy.

During the 1967–68 school year—mark this—13.9 percent of Negro students in the South attended racially integrated schools. Last year this figure increased to 20.3 percent. Under the present law we can expect an increase to about 40 percent this coming year.

However, if we reject these amendments and accept this bill with sections 408 and 409 intact we can expect retrenchment—not 40 percent integration, but 10 or 5 percent. These provisions attempt to remove Federal enforcement of local school district policies to end unconstitutional discrimination. They attempt to leave a requirement that so-called freedom of choice plans are acceptable means of desegregating schools, even though such plans fail to eliminate discrimination and unconstitutional segregation in schools. They are an attempt to perpetuate, blatantly, discriminatory separate-but-equal dual school system concepts which were declared unconstitutional by the Supreme Court 15 years ago.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. COHELAN. I am happy to yield to the gentleman from Mississippi.

Mr. WHITTEN. May I say to the gentleman that the amendments before us do not do a single one of the things the gentleman has mentioned. The membership not having heard the amendments, I ask unanimous consent that the gentleman's time be extended a minute and a half so that he can read the language, so that the Members can see it does not do what the gentleman has said.

The CHAIRMAN. Will the gentleman state his unanimous-consent request?

Mr. WHITTEN. Mr. Chairman, I ask unanimous consent that the gentleman may have a minute and a half to read the language so that it will be apparent it does not do these things.

Mr. COHELAN. I will be glad to read the language. I do want to tell the House that I have written to every Member of the House and I have submitted my view on the matter. I have also submitted to each Member the language of sections 408 and 409; the language which incidentally, was introduced in the Appropriations Committee by our distinguished colleague, Mr. WHITTEN.

I will be glad to do that.

Mr. WHITTEN. I wish the gentleman would read it. I do not believe it has anything but two syllable words.

Mr. COHELAN. I will read the language. But I do not want the Members to be deceived, or the Committee to be deceived by the language of the bill, because what is pertinent in the argument is that this is an attack on title VI of the Civil Rights Act of 1964. The substance and the thrust of what is being proposed is precisely what we turned down this year in the form of the Collins amendment.

All the civil rights organizations certainly know what it is. There are people here in this chamber today who are some of the leading spokesmen of the civil rights movement in this country, and they know what this proposal will do. They know this is an anti-civil-rights, anti-Constitution, anti-equality proposal.

In order to comply with the request of the gentleman, for whom I have the highest regard, I will read the language:

SEC. 408. No part of the funds contained in this Act may be used to force busing of students, the abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent.

SEC. 409. No part of the funds contained in this Act shall be used to force busing of students, the abolishment of any school or the attendance of students at a particular school as a condition precedent to obtaining Federal funds otherwise available to any State, school district, or school.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. COHELAN. Let me go on, please. I have complied with the gentleman's request. Let me complete my argument, and I will be glad to see that the gentleman's unanimous-consent request for further time is granted, because, as our colleague, Mr. LOWENSTEIN, the gentleman from New York, has said, this subject and the subjects we have been discussing today are much too important to quibble over questions of time. I believe that the gentleman's point of view should be fully discussed on the floor today, and I know he wants me to do the same thing. Now let me proceed.

As I said, Mr. Chairman, we have seen some progress. If we adopt this bill, the progress that has been made, and which has been relatively meager in 15 years time, will be done away with. We will see that if we persevere in enforcing the Constitution and the Civil Rights Act, we will achieve 40 percent desegregation in the South this year. If we adopt these amendments, we can expect nothing.

These provisions attempt to impose Federal limitations on local school districts policies to end discrimination.

They attempt to legislate a requirement that so-called freedom of choice plans are acceptable means of desegregating schools even though such plans may fail to eliminate discrimination and unconstitutional segregation in schools.

They are an attempt to perpetuate blatantly discriminatory "separate but equal" dual school system concepts which were declared unconstitutional by the Supreme Court 15 years ago.

They are an attempt to negate effective Department of Health, Education, and Welfare enforcement of title VI of the Civil Rights Act of 1964.

These provisions which have been previously considered by the House and rejected in the fiscal year 1969 appropriations bill are nothing but repeats of last year's efforts to force a Federal agency to accept ineffective freedom of choice desegregation plans when the Supreme Court and the Congress have made it clear time and time again, that paper compliance with the law is not enough. We can settle for nothing less than full compliance.

Tokenism in obedience to the law cannot become associated with this Congress nor with this or any other administration. The obligation upon the Department of Health, Education, and Welfare and other agencies is to enforce—fairly and firmly—the nondiscrimination requirements of title VI of the Civil Rights Act of 1964. Sections 408 and 409 are designed to achieve the opposite.

These provisions also make mention of busing and forced school closing. Mark this: But the fact is that they have nothing to do with busing. Under present law, Federal funds may not be used to force busing. They have nothing to do with school closings. The Federal Government, under current law, cannot force any school to be closed. These are emotionally charged issues designed to detract from the real issue which is to tie the hands of the Federal Government in its battle against unconstitutional segregation.

Mr. Chairman, I am tired of hearing the words "busing and abolishment of schools" invoked by the segregationists of the South. Where have these same voices been for years and years while both black and white children were bused from one side of a school district to another in order to maintain the black, white dual school system. Where have these same voices been for years while a large percentage of the overcrowded, all black schools in the South deteriorated into complete disrepair. I will tell you where these voices have been—they have been silent.

Busing and abolishment of schools are merely words used to disguise the real purpose of these provisions which is to allow the South to go back to adopting unconstitutional "freedom of choice," plans that result in the perpetuation of discrimination and unconstitutional segregation.

"Freedom of choice" is not a new concept. It has been used in the South until recently as a means of escaping the constitutional responsibility of school desegregation.

On May 27, 1968, Green against School Board of New Kent County, the Supreme Court held that freedom of choice plans are acceptable only when these plans result in the elimination of discrimination and unconstitutional segregation. In Green, the Court held that—

> The burden on a school board today is to come forward with a desegregation plan that promises realistically to work, and promises realistically to work now.

The Court added that—

> There are reasonably available other ways, such for illustration as zoning, promising speedier and more effective conversion to a unitary, non-racial school system, freedom of choice must be held unacceptable.

Mr. Chairman, the Supreme Court's language is clear. When so-called freedom-of-choice plans fail to result in desegregation, they are not acceptable to meet the requirements of title VI of the Civil Rights Act of 1964. And, Mr. Chairman, the use of freedom of choice in the South has failed.

Freedom of choice has been tried in the South from 1954, the year of the first Brown decision, to early 1968. During that 14-year period, black children attending white schools rose from practically zero percent to a very poor 14 percent—an average of about 1 percent per year. However, between the fall of 1967 and the fall of 1968, following the Green decision, the desegregation rate in the Deep South States jumped by 6 percent to a total of 20 percent. If the Department of Health, Education, and Welfare can continue to reject ineffective and unconstitutional freedom-of-choice plans, the desegregation rate in the Deep South is expected to increase to 40 percent this fall.

With the adoption of the Civil Rights Act of 1964, the Congress stated unequivocally that the Federal Government should not extend financial assistance to segregated schools or other facilities or programs which discriminate on the basis of race. If sections 408 and 409 are not deleted from this bill, the Federal Government will be aiding discrimination against millions of school-age children. I believe that would be morally and legally unconscionable.

I have before me an analytical report from the Department of Health, Education, and Welfare which gives a detailed accounting of the numbers of Negro children in the southern border States now in integrated schools. The record is clear. The statistics speak for themselves. I request your permission to insert this report in its entirety in the RECORD, for it is excellent testimony on the case at hand.

Mr. Chairman, I cannot overemphasize the damage that will be done if this bill is passed as is. I urge adoption of the amendment.

Mr. CASEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. CASEY. Now, Mr. Chairman, our subcommittee considered these two sections that were submitted by the gentleman from Mississippi very carefully.

Now, the gentleman who preceded me here in the well is trying to revive the War Between the States or something because he keeps referring to the South. However, I imagine a few of you from the North are a little concerned now, because last year there was decreed by our committee uniform enforcement in this area throughout the country. So, I think all of you ought to know about this language. This is for the whole country. Let us not wreck our school system. Let us not take it completely away from local control.

Mr. Chairman, there is nothing to stop a local school district from busing students if that is what people in that district want. But you cannot say to some student that you are going to do so whether you like it or not or whether your parents like it or not, because we think you ought to do it in order to maintain equal education as they call it now, because we have stopped using the phrase "to overcome racial imbalance." In other words, they use some other excuse. What you will do is to take away the neighborhood schools. They tell us that by these sections we are destroying the neighborhood schools. However, I say that this will preserve them. You will be preserving them in the interest of the people who take an interest in the PTA. But, the bureaucrats think they have got to mix things up to better improve the school system. I suggest that they take a look at the District of Columbia school system. Do you think it has been improved in the last 5 years?

Mr. Chairman, this is not going to interfere with court orders. After all, the courts interpret the law.

As you well know, they also interpret the Constitution contrary to what a lot of us think it is. But read carefully sections 408 and 409. As the gentleman from Mississippi (Mr. WHITTEN), said, in a few simple words, any parent, if they want to institute a busing system, they can, but they cannot take some students who do not want to go in the bus and say "You have got to go."

And that is what is going to happen if you do not leave these two sections in.

It is not going to just happen in the South. It is going to happen all over this country. When some fellow in HEW gets the idea that it ought to be done, it will not be your school board, and it will not be the PTA, not the citizens who pay the local taxes, but it will be the man in HEW.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. CASEY. I yield to the gentleman from California.

Mr. COHELAN. Mr. Chairman, would the gentleman tell the committee exactly upon what authority HEW would be acting in such a situation as the gentleman describes? Is it not true that they would be acting under the requirements that they enforce title VI of the Civil Rights Act to remove the elements of unconstitutional segregation of children?

Mr. CASEY. Mr. Chairman, I will say to the gentleman that they have been doing it, and they will continue to do it on the basis that you do it, voluntarily, or you do not get the money.

Mr. COHELAN. Well, how else do you do it? How else do you do this? How else do you enforce title VI of the Civil Rights Act?

Mr. CASEY. I will tell the gentleman again, and I will repeat what HEW said, and that is that we do not care how you do it, but you are going to get a certain number of black students in this school, and you are going to get a certain number of white students in this other school, and you are going to get a certain number of white teachers in this school.

You figure out how to do it. The only way you are going to get the black students from 15 miles away is to bus them.

Mr. COHELAN. Mr. Chairman, if the gentleman will yield further, what have the courts held? Have not the courts held that that is exactly what they have to do, whether it be by a freedom of choice plan, or whether it be by busing?

Is that not what the court has held? Is not this really a kind of an effort to fuzz up the issues?

Mr. CASEY. Mr. Chairman, I would state to the gentleman that I think this is an effort to clarify the intent of this Congress that we want to let the school districts run their own schools.

Mr. COHELAN. The Congress said that we wanted to end the unconstitutional segregation of black children who are American citizens, and who have been deprived of their constitutional rights for almost 170 years.

Mr. CASEY. I understand that. I understand it very clearly. But I would say to the gentleman from California that there are some black people who do not want us messing around with their schools either.

Mr. COHELAN. There is no doubt that in some communities where they have a large proportion of black citizens that may be true. But what we are trying to do for America is to provide equal opportunity, and certainly that begins with ending segregation.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. CASEY was allowed to proceed for 1 additional minute.)

Mr. CASEY. Mr. Chairman, I just want to reiterate, and you can twist it around any way you want to, but read it very carefully and clearly:

If you knock these two sections out, you are going to have compulsory busing.

Mr. CONTE. Mr. Chairman, I move to strike the requisite number of words, and I rise in favor of the amendment offered by the gentleman from California.

Mr. Chairman, at the outset I want to compliment the gentleman from California (Mr. COHELAN) for his valiant efforts and the work he has put forth upon these amendments, both in the committee and here on the floor of the House in the past few days. We won yesterday on the Joelson amendment because we had bipartisan support and we can win today with that same support. Yesterday we struck a new blow for the betterment of our educational system, let us continue with that drive today by defeating sections 408 and 409.

Mr. JOELSON. Mr. Chairman, would the gentleman yield?

Mr. CONTE. I am happy to yield to the gentleman from New Jersey.

Mr. JOELSON. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would just like to take this brief time to say something about the vote yesterday on my amendment.

I would be remiss if I did not state that when I stood there as a teller that I was impressed when I saw many of the gentlewomen and gentlemen from the other side of the aisle pass through in favor of my amendment. I do not consider that a personal victory, but I am pleased to acknowledge the support I received from the other side, and to express my gratitude for it. I hope that they will continue their support later in the day.

Mr. CONTE. I thank the gentleman from New Jersey for his gracious remarks.

Mr. Chairman, I rise today in opposition to this most recent effort by the gentleman from Mississippi to persuade the House to take a most dangerous step backward—a step which would, in effect, undermine both Supreme Court decisions and the very clear commitment of Congress to complete the desegregation of our Nation's schools.

Before explaining the reasons for my opposition, Mr. Chairman, let me say that much of the language used in these provisions is nothing but a "Red herring." We hear phases like "Forced busing" and "Freedom of choice." It is important that their meaning be clear, so that all of us know just what is at stake here. At least three times before, the Congress has made clear that it is opposed to forced busing to eliminate racial imbalance. Racial imbalance is not a condition created by Government action. In the Civil Rights Act of 1964, in the Elementary and Secondary Education Act, and in the Metropolitan Development Act of 1966, forced busing or other acts to eliminate this innocently created "Imbalance" are prohibited.

Therefore, these sections offered by the gentleman from Mississippi are completely superfluous and unnecessary for that purpose. But, at the same time, they would nullify the action Congress has taken to implement the constitutional mandate to put an end to segregated schools.

Another deceptive phrase is "Freedom of choice." Its true meaning, in practice, is completely at odds with what it may appear to suggest. The Department of Health, Education, and Welfare has stated regarding this concept:

> Experience has demonstrated that use of the so-called freedom of choice plan simply keeps in effect for the vast majority of Negro students a racially segregated school system with inherently resulting inequities and badges of servitude.

Last year in Green against School Board of New Kent County, the Supreme Court held that so-called freedom of choice plans are unconstitutional where they are designed to perpetuate a segregated system.

The gentleman from Mississippi seeks to repudiate the Green decision and in effect the national direction and purpose this country has followed for the past 15 years.

In clarifying the terminology, Mr. Chairman, which the gentleman from Mississippi has chosen to use, I think we clearly demonstrate the inappropriateness and the unfairness of his proposals. Under the guise of language which might have a certain surface appeal, he would have this Nation take a leap backward that can only be described as disastrous.

Adoption of these amendments can only be interpreted by our black citizens as an attack on their fundamental and constitutional rights to equal treatment in this country. At a time when the need is greatest for understanding and cooperation among all groups in this Nation, the enactment of these provisions could only serve to drive a stake, a barrier, a wall between black and white in this country.

The action proposed today, Mr. Chairman, would result in nullifying the mandate of title VI of the 1964 Civil Rights Act—its vital enforcement section.

This proposal would have us retreat to the shameful record of the past before the famous Brown decision. We cannot countenance such a retreat. What is needed is a rededication to the speedy implementation of that great decision.

Despite their deceptive phrasing, I urge my colleagues to see these sections for what they are, and to reject this latest desperate effort to turn back the clock. I urge the adoption of the amendment to strike sections 408 and 409.

Mr. EDWARDS of Alabama. Mr. Chairman, it is easy to sit here and listen to all these high platitudes and wonderful words. What I am asking you to do now for just a few minutes is to listen to some practical talk. It is easy to say that HEW cannot force busing. It is easy to say that they cannot close schools. But I want you to give me your attention for just a minute while I tell you some of the facts of life.

The Green case says there are other reasonable ways. But the Green case does not say you have got to pick up young students and bus them 12 miles across the city. And yet this is the HEW plan in my city of Mobile. HEW would haul 2,100 children 10 and 12 miles across the city of Mobile to carry out what we have been told here today cannot be done.

HEW'S plan would call for the closing of six schools in the city of Mobile to carry out what we have been told cannot be done. And, yes, the old dream of an educational park that was thought up in the last administration has even resurrected and set out in the plan of HEW for my city of Mobile, where they would join four schools and call on the school board to build covered walkways, if you will, from one school to the other and across many streets and even over a railroad track in one case. The plan calls for each child in a period of 4 years to attend one of the four schools, so that at the end of the 4 years each has been in all four. This is the HEW plan in practical aspect. The cost, Mr. Chairman, to the Mobile County School Board is $13.5 million. Think of it; $600,000 would be required just for buses.

Now, you can talk all you want to about these dreams, but this is what has happened.

Or think about Choctaw County, a fine rural county in my district. The HEW plan calls for students in some cases in Choctaw County to be bused on a trip that will take 2 hours in the morning and 2 hours in the afternoon on a round trip of 90 miles. You can use your own imagination as to how long you have to be up in the dark waiting on the schoolbus and what time these young children will get home. The HEW plan calls for the students of Choctaw County in almost every instance to go to six different schools in order to graduate from high school. You go here for the first and second grade, and over here for the third and fourth, over here for the fifth and sixth, and over here for the seventh and eighth. The plan even calls for the closing of the two largest high schools in Choctaw County if you can believe that. The HEW plans are racially oriented, they are racial entirely. I said to Secretary Finch of HEW only last week, "Isn't the purpose education?" HEW is not doing what some of my colleagues here would say they are doing, or what you perhaps hope they are doing when you write these laws.

These are the things that concern the people in my district. These are the things that should concern you and, yes, we have fussed about the Federal courts down there. But we are in the position now, with the plan of HEW, where we are saying, "Thank God for the Federal courts." Perhaps they will save us from what has been proposed by HEW.

Do not tell me that title VI, and what was in the HEW bill last year, is going to solve all the problems, because when you add the words "to overcome a racial imbalance," you open the door for HEW to use every other excuse they can dream up to bus the children around the countryside. These are the things that should concern you. These are the practical aspects of what HEW is doing.

I can say to Members as a practical matter, that I doubt very seriously if the present Secretary of Health, Education,

and Welfare has known that these things are going on. At least, he did not appear to know until last week when I told him. These are the things coming from the bureaucrats in the field, the dreamers, if you will, who could care less about the education of the children of the United States.

Mr. Chairman, I urge the Members to vote down the amendments.

Mr. EVANS of Colorado. Mr. Chairman, I rise in support of the amendments.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. EVANS of Colorado. Mr. Chairman, I yield with pleasure to the gentleman from New York (Mr. CELLER).

Mr. CELLER. Mr. Chairman, I think it was Victor Hugo who once said: "When the time for an idea has come, nothing can stop it."

The time for desegregation came several years ago. It could not be stopped then. It cannot be stopped now. Desegregation is here and it is going to stay here. No amendments and no provisions of the type offered by the gentleman from Mississippi (Mr. WHITTEN), for whom I have an abiding regard, are going to change that idea of desegregation.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Mississippi.

Mr. WHITTEN. Mr. Chairman, I would just like to say if the gentleman reads my amendment, while the gentleman talks about these things, the amendment says the moneys shall be made available for education and education shall proceed while these things are going on.

Mr. CELLER. Mr. Chairman, I understand that. I hesitate to use the harsh phrase and say the gentleman's amendment is a subterfuge.

As said by cne of the earlier speakers, it would be turning the clock backwards. I do not think we would want to be doing that. We would be placing ourselves in the position we were a decade ago. The speeches we hear in support of the Whitten amendments are the same speeches we heard in opposition to the school desegregation case, Brown against Board of Education.

If we would do anything, Mr. Chairman, to bolster the Whitten amendments, we would be like the characters in the story that comes out of Greek mythology. Remember the story of Sisyphus. Sisyphus was ordered to push a huge boulder over the hill. He used his great strength to try to push that boulder over the hill. When he got to the top, however, the weight of the boulder overwhelmed him and down the boulder came with him.

We are not going to allow that boulder to come down upon us now by adopting the Whitten provisions. If we were to do that, we would cast into the abysmal depths of uselessness all the decisions of the Supreme Court attacking school segregation, as well as all the laws we passed with reference to desegregation, and I do not think we want to do that.

In my humble opinion, these Whitten amendments would seek to bring about segregation. That is exactly what they do. They will bring about a situation where we would have separate but equal schools, which have been declared unconstitutional by the Supreme Court. I would say for that reason the Whitten amendments are as irritating, to me at least, as a hangnail—and a hangnail can be extremely irritating.

I think these provisions offered by the gentleman from Mississippi are obnoxious and they should be ripped out root and branch from this appropriations bill.

Mr. Chairman, this bill to us flies in the face of a recent Supreme Court decision, *Green* v *School Board of Virginia*, 391 U.S. 430 (1968) involving New Kent County, Va., schools, where with all the ingenuity at their command, the school district said, "We shall provide freedom of choice." But this system yielded no desegregation. Instead it operated to perpetuate a dual-school system based on race.

The Supreme Court held "freedom of choice" was unacceptable in that situation.

I hope that the amendments offered by the gentleman from California will prevail.

Mr. Chairman, the so-called Whitten amendments, attempting to interrupt and prevent the slow but sure progress toward desegregation in education, have now become as inevitable as the winter frost and the summer heat.

Less than a year has passed since the Whitten riders were last rejected by the 90th Congress. In the interim our citizens have not faltered in their commitment to equal educational opportunity. The passage of a year has not made the Whitten amendments any more attractive.

It is strange and extremely sad that despite the passing of a decade and a half since the landmark Brown against Board of Education school decision, education in various sections of this country still remains segregated. A generation of schoolchildren have entered grade school and graduated from high school without enjoying the rights to which they were declared to be entitled 15 years ago. All manner and kinds of dodges and subterfuges and circumventions and delays have been used to prevent the realization of a unitary, desegregated educational system.

Ostensibly, the Whitten amendments are intended to restrict efforts to eliminate the badly discredited "freedom of choice" plans, which, by seeming to allow students to choose their own schools, often in atmospheres heavy with coercion and intimidation, have in reality resulted in no desegregation at all.

In *Green* v. *School Board of Virginia*, 391 U.S. 430, decided in May 1968, the Supreme Court met this issue head on. The Court unanimously ruled that "freedom of choice" was not an end in itself and that where there are reasonably available other ways which promise speedier and more effective conversion to a unitary, nonracial school system, "freedom of choice" must be held unacceptable. The Green case involved the New Kent County, Va., schools which were operated under a Court-ordered freedom of choice plan of pupil assignment. After 3 years of operating under this plan—New Kent County waited, it should be pointed out, 11 years after the first Supreme Court decision, Brown against Board of Education, to take step one toward desegregating—85 percent of all Negro children in the school district were still in an all-Negro school. The Court held that the imposition of freedom of choice shifted to Negro parents and children a burden which is the duty of school officials—the duty to "convert to a unitary system in which racial discrimination would be eliminated root and branch," 391 U.S. 430, 438. The Green decision enunciates the law of the land. Following the Green decision, Federal courts have been concerned with enforcing its teaching. The Department of Health, Education, and Welfare has followed the decision in order to enforce title VI of the Civil Rights Act of 1964 by preventing Federal funds from going to school districts which would discriminate on the basis of race, color or national origin. But the Whitten riders would attempt to overturn the Green decision. They seek to legitimize the so-called freedom of choice plans as the only acceptable and reasonable means of desegregating schools.

Mr. Chairman, the Whitten riders would frustrate and disappoint Negro school children and their parents who still wait to enjoy rights declared to be theirs 15 years ago. These Whitten riders also would confuse and give false guidance to school administrators who are trying to cooperate in ending the blight of dual school systems based on race.

The Whitten amendments represent the old pressure for unequal treatment.

They represent a retreat from ending racial discrimination in schools steadily and speedily in accordance with the law of the land.

I urge my colleagues to join with me in voting to strike out the Whitten riders from the pending bill.

Mr. RIEGLE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wish to speak in opposition to sections 408 and 409—items which President Nixon specifically deleted from his budget—and which the Attorney General of the United States also opposes.

Let me first address the legal questions this amendment raises. It is my understanding that no law now in existence—or the HEW appropriation bill, now before the House—requires the busing of students for the purpose of achieving racial balance. If HEW seeks to impose such busing, it does so without legal authorization. No existing or contemplated Federal law requires busing, nor should it. So the issue of "forced busing" is a smoke screen which diverts attention from the real meaning of this amendment, which is to resurrect the so-called freedom of choice plan.

As we all know, the freedom of choice plan can mean different things in different places, depending upon the way it is implemented. In certain areas of the

country practical experience shows it is a subterfuge to maintain segregated schools. In certain areas, that has been its effect—and one can only reasonably conclude that that has been its intent as well. So "freedom of choice" can and does mean segregated schools. The preservation of segregated schools by whatever means is illegal and wrong.

It violates the law, as written by this Congress.

It violates the Constitution of the United States.

It violates the Bill of Rights.

And it violates the conscience and dignity of man.

Denial and division based on race is wrong; it is repugnant and indefensible. And this applies to civil rights, jobs, housing, education, and everything else across the board.

Either we are one Nation indivisible, or we are not.

Either liberty and justice for all, means all, or it does not.

Either "all men are created equal, and endowed with certain inalienable rights," or they are not.

These are basic questions. They must be answered. If this flag is to hang behind the Speaker's chair, if the mace is to stand there as a symbol of liberty and justice, if our sworn oath as Members of Congress to uphold the Constitution is to mean anything, then they mean first, last, and always that human dignity, equal justice, and equal opportunity must be guaranteed for all our citizens, every single one—man, woman, or child; black or white—all day, every day, in every way, and everywhere in this country.

What right is more basic than education—the right to develop and learn, to grow in capacity, and to become productive and self-reliant?

For long centuries we have maintained the hypocrisy of separate and unequal schools in this country, based on a child's color. It continues today in various forms, in various regions of the country. It is wrong wherever it occurs.

Let us finally, as a Congress—as men—as a Nation—summon the moral courage to end it now. The snake of discrimination and racial denial will always grow a new head, unless and until we resolve to hack it to pieces, once and for all.

If there is a person in this chamber today who would tell a young returning serviceman from Vietnam, whose legs have been blown off in combat, and whose skin is black, that his children cannot attend integrated schools, then that man ought not to be here.

The law today is absolutely clear on the implementation of desegregation. The method and technique for ending segregation is left to the local school officials. Their only requirement is to get that job done in some way which is theirs to devise.

No one should intrude on that responsibility, as long as the law of this land is carried out. This in no way violates the neighborhood school concept, nor forces any particular implementation plan. It says only that our Nation's laws will be obeyed and carried out, and that the rights of all our people will be protected equally. It was not, and is not, the intent of the law to bus students to achieve racial balance.

This is not the year 1750, or 1875, or 1920. It is 1969. We are in a new time, where our vision and our ingenuity can let us reach the moon. But is it to be that we can reach the moon and not reach each other?

Is it to be that we can surpass physical and technical barriers and fail to overcome human barriers?

Must men be separated by color in our schools when they die in each other's arms in Vietnam this very minute?

Are we today, with this amendment, to deny human rights that are God given, inalienable, and which form the very basis of our national meaning? Or are we finally willing to speak and do what must be said and done?

Yes, there are temporary political risks which stem from public fear, misunderstanding, ugly passions, that have been inflamed by demagoguery, and such things as these.

Each man here, to a greater or lesser extent, must deal with these pressures.

But I would contend that the American people, above all else, ultimately wish to do what is morally right. They seek to understand; they seek the words and examples of their public leaders; they desire most to meet the great issues head on with courage, and determination, and a final willingness to commit their lives, their fortunes, and their sacred honor to their country's highest ideals.

And our people watch us today—200 million of them—they are ready to respond to inspired leadership, to fulfill the destiny of our country. They are asking us the way—which path is the one of honor and goodness.

Yet, as we deliberate, there is a rising chorus of extreme voices at both ends of the spectrum, whose only answer is to burn, and beat, and bomb, and break the law.

Most of our people repudiate this. Our people seek the higher road. But we here in this Chamber must be prepared to take it first.

And if we move, our voices and our bodies, toward what is right, we will meet the test we are asked to meet, and so will our people.

Mr. Chairman, I urge the adoption of this amendment to strike sections 408 and 409.

Mr. MOSS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I rise addressing myself particularly to section 408, because I find myself somewhat perplexed as to how it would operate in my home city and in my State. It says:

> No part of the funds contained in this Act may be used to force busing of students.

In the Sacramento Unified School District, the busing of students has been carried on for a number of years under an order of the superior court of the State of California. I assume, therefore, that none of these funds, because it is a forced busing, could be utilized by the unified school district for the expense of busing those students.

Now, Mr. Chairman, I want to go on to another point. We have a system of schools for the mentally retarded. Obviously, we cannot have one in each school district, so we have to bus students to these particular schools, which their parents may not approve of. However, our law requires that they attend school until they are at least 16 years of age. In the schools for the mentally retarded, we give them special programs of education. That is an enforced requirement of attendance at a particular school. I have the impression that under the language of this section my school district would not be permitted to use any Federal funds to carry out that program, worthy as it is.

Mr. Chairman, we also have schools for the handicapped in my district. Again we bus them there and again we require their attendance, because certainly we take many who otherwise would face a life of hopelessness and we give them again the special type of education which only the highly trained specialists can afford to give to these youngsters. It is a required attendance. Does not section 408 again withhold Federal funds? In my judgment it does. In my judgment, it does grave injustice in an effort to perpetuate a policy which has been discredited, which has been found to be unconstitutional, which has been declared illegal, and which has been found repugnant to the conscience of this Nation by the action of this body repeatedly and by the action of our cobody on the other side of the Hill.

I think it is time that we vote it down and recognize the reality of the age in which we live and try to establish communication, move ahead, and make progress and not go back for a quarter of a century.

Mr. ANDERSON of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, almost like Banquo's ghost, sections 408 and 409 rise to haunt us here in the Chamber this afternoon.

Mr. Chairman, most members of the committee felt that we had dispatched these iniquitous sections of this legislation in October of last year to a final resting place. They have no place in this bill. This is not a civil rights bill. This is an appropriation bill. So, why should we today convert it into an anti-civil-rights bill?

Mr. Chairman, it occurs to me that just a few days ago, within the week, that man made his way to the moon. Perhaps in a few years man may yet set his foot on some far distant planet. Will we still be quarreling about equality of opportunity in education? Or, will we once and for all be done with the matter and decide that we will not resort to the kind of subterfuge that is contained in this language, because mark these words and mark them well: We are not concerned with busing in these sections. It is a false issue. I suppose there is scarcely any word in the English language which arouses more intense emotion than this word "busing." To many this conjures up in the mind the pictures of some small frightened child far removed from the safety, security, and sanctity of a neighborhood school as the result of being bused to a school far from his home.

Mr. Chairman, there are ample provisions of law today to forbid the busing

of children in order to overcome racial imbalance. That is not the issue before this House. The issue is a very simple one. The issue is: Do you want to preserve the integrity and meaning of title VI of the Civil Rights Act of 1964?

I beg you, do not take refuge in some comfortable notion that there is some change in the temper of our times. The people do not want to abandon the goal of racial integration. I would plead with my friends on this side of the aisle as I did a few minutes ago when you applauded the idea that we cut off the funds to those students who would break the laws of our land.

I joined you—I joined you in supporting that amendment, because I feel there is an inherent right and power in the Federal Government, a right and power which it has to cut off funds to those who are today violating the laws of our land. Yet, when I read as I did in the RECORD a few days ago that there are school districts where 80 percent or 90 percent of the Negro students are still attending segregated schools 15 years—15 years—after we thought we had once and for all settled the proposition that separate but equal was not good enough. And, then I hear my friends—and they are dear friends and I very much dislike having to disagree with them, that say maybe the Federal courts will save us. I wonder if they still cling to some notion that by the process of legal delay they may yet have some years during which to delay compliance with what is the law of the land.

Mr. Chairman, I have in my hand an opinion containing a decision by one of the Federal district courts in which they say:

> School boards have the affirmative duty to take whatever steps may be necessary to convert to a unitary system in which discrimination is eliminated.

If you pass this law today with this kind of language, you are telling the school boards of this country that you cannot begin to comply—you shall not comply with the law of the land. Do not hide behind "freedom of choice." That was decided years ago by Judge Soboloff in the case of Green against New Kent County when he said:

> Freedom of choice is not a sacred talisman; it is only a means to a constitutionally required end—the abolition of the system of segregation, and its effects. If the means prove effective, it is acceptable, but if it fails to undo segregation, other means must be used to achieve this end. The school officials have the continuing duty to take whatever action may be necessary to create a unitary, nonracial system.

Mr. Chairman, as I said a few minutes ago, a few days ago men found their way to the moon. A few years hence perhaps interplanetary travel may yet land man upon some remote and far distant planet. Will that event find us still quarreling among ourselves here on earth with regard to the implementation of desegregation in our Nation's schools? God forbid that we should be capable on one hand of so great a technological achievement and yet falter and fail in that far nobler purpose of freeing the human spirit from those forces that would chain and fetter it through ignorance and fear. Let us today strike these sections from the bill and renew our pledge to continue our march toward that goal.

As far as I am concerned, the test which would be applied to these provisions authored by the gentleman from Mississippi (Mr. WHITTEN) is simply this: Do they advance or retard the constitutional goal of providing equality of education? I think the answer must be painfully clear. If we ratify these provisions today, we tell scores of school districts where the goal of equality in educational opportunity has not been met—a little more delay is perfectly all right with the people's Representatives in the U.S. Congress. Instead of demonstrating a sense of urgency that we get on with the job of achieving the goal of integrated schools, we will signal a permissible slowdown in that effort. Mr. Chairman, this would be a tragic misreading of both the needs and the temper of our times.

I beg you to support the amendments of the gentleman from California to strike from the bill the language contained in sections 408 and 409.

Mr. JONAS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to direct several questions to the gentleman from Mississippi (Mr. WHITTEN).

First, Mr. Chairman, a lot of horrendous charges have been made during the course of the debate about the intent of this language, and the results that will flow from the language. I would ask the gentleman from Mississippi, who is the author of the sections sought to be stricken, if there is any difference between the language in either one of these sections and the language adopted by this House a year ago?

Mr. WHITTEN. Mr. Chairman, if the gentleman will yield, these are the sections that we had a year ago.

As the gentleman will recall, the Senate added to the sections——

Mr. JONAS. Mr. Chairman, if the gentleman will permit me, I am not inquiring as to what the Senate did. I am asking the gentleman if the language in section 408 and section 409 is or is not identical with the language adopted by this House a year ago in the bill providing appropriations for this same department?

Mr. WHITTEN. It is.

Mr. JONAS. Now, Mr. Chairman, I did not hear a lot of the wailing and gnashing of teeth last year when this matter was before the House.

Mr. COHELAN. Mr. Chairman, if the gentleman will yield——

Mr. JONAS. We had a little debate.

Mr. COHELAN. We had a big debate.

Mr. JONAS. And the House adopted the language that is now sought to be stricken.

I do not understand why the argument is made, then, that here suddenly out of the blue sky somebody is engaged in an effort to undo something that was started 15 years ago.

This is exactly the same action the House took a year ago. I do not see any reason why we do not have the right, if a majority of the Members of the House feel that this language is proper, to adopt it again regardless of what happens in the other body, or regardless of how the courts have ruled under on other laws, courts, or anything else. This House certainly has the right to express its views. And if you will just read the language in sections 408 and 409, you simply cannot believe that the arguments we have heard today apply to these sections.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Mississippi.

Mr. WHITTEN. Mr. Chairman, may I say I hope they will read the language carefully, because all this says, when we talk about all these billions of dollars for education, that HEW has no right to withhold money from the people of all races which we appropriate for education in the schools, where they are completely desegregated, as we defined that term in the Civil Rights Act, that they have to have money for education.

With my provisions HEW cannot withhold those funds in order to make certain schools go beyond what the law requires. It is no more what has been described here than anything.

Mr. JONAS. Mr. Chairman, may I ask the gentleman from Mississippi another question?

It has been charged during the debate that this is a trick on the part of some southerners to pull the wool over the eyes of the rest of the country. Is there anything in the language of either of the sections that applies only to the South?

Mr. WHITTEN. There is not. I have before me the testimony given before the committee by the Commissioner of Education as to the situation in the city of New York. I have before me that story and others. It is my belief that unless we adopt or maintain these provisions—and may I say I put it in the bill, I do not want to put anybody on the spot—my provisions are in the bill. If retained, there will be no further vote in the House.

But may I say if you read the hearings which are available, then you will see that by far the greatest future problem with this, if we do not maintain this language, if we do not go ahead and require the use of these funds, is in the big cities of the North. They are ready now under the intsructions given to them last year.

Mr. JONAS. Is not the purpose of the funds provided in this bill to encourage and stimulate education?

Mr. WHITTEN. It certainly is.

Mr. JONAS. How do you improve education if you close schools?

Mr. WHITTEN. You cannot. And in the hearings you will see that right now they are withholding educational funds from a hundred or more schools which are fully desegregated, as that term is defined by the Congress in the Civil Rights Act, and that these children of our Nation are not receiving these funds for their education.

Mr. JONAS. Mr. Chairman, it would seem to me that if we want to promote

the quality of education we would want to utilize all of the existing facilities in doing that, and not by closing schools.

One of the purposes of the language of these sections is to prevent the closing of the schools, as I read it, and force the busing of children.

Mr. Chairman, I hope the amendments to strike these sections will be defeated.

Mrs. GREEN of Oregon. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I agree with the gentleman from Michigan (Mr. RIEGLE), who spoke a few moments ago. I would say it certainly is wrong to have any black children continue to have less spent on them in school than other children.

It is wrong to have any black children—or any other children—continue to go to rundown and dilapidated and overcrowded schools. It is wrong to have black children—or any children—neglected by a society that professes to care.

If this happens any place in the United States, it will not just be these children who will suffer, but it will be future generations that will suffer, because an irresponsible Government did not give yet another generation the education that was rightfully theirs.

Mr. Chairman, I have voted for every Civil Rights Act that has been before this House of Representatives. I favor the Civil Rights Act.

I have no quarrel with the gentleman from Illinois in terms of the Civil Rights law, but I do quarrel with the way the Civil Rights Act is being administered.

Two or 3 years ago on the floor of the House, I put into the RECORD some memorandums which were sent by HEW officials and were signed by them when they visited for a few days in various school districts. They said, in those memorandums which were written and signed by them:

> In "X" school you are to have a black teacher. In "Y" school you are to have a white librarian, etc., etc.

Where is this to be found in the Civil Civil Rights Act?

If anybody on the floor says that the enforcement division of the Civil Rights Act does not require busing, in my judgment he is blind to what is taking place.

When the civil rights enforcement people say that in a school 5 miles away you must have a certain racial mix and then you are not requiring busing—what are we doing? Requiring youngsters to walk 5 miles? Is that what we are asking?

I am not going to argue from the legal standpoint, because I am not a lawyer. But I am going to describe what I think is happening. I think we are witnessing in this country the deterioration of our public school system. I think certain national policies are contributing to this deterioration.

All that I would ask is for the House of Representatives in a levelheaded way to examine what is actually happening and what is the result of certain national policies in our school system? Then on the basis of the evidence, make a judgment.

The gentleman from California a moment ago asked the rhetorical question: "How do you enforce civil rights if you do not cut off funds?"

Well, a moment ago we were arguing on another matter and it was suggested another law might be enforced by the cutting off of funds to individuals who abuse the law and he was very much opposed to that.

May I suggest that we are obliged not only to write laws but to see how those laws are enforced and how they are working. I really am not fully persuaded that we have found the absolutely correct solution by cutting off funds to enforce civil rights. It may be that it is true, but I would like to see evidence and I would like to see this question brought out to the stage of "visible discussion"—and not just in private conversations or in the cloakroom.

Recently there was a situation in the State of Mississippi where funds were cut off and the first thing that happened was that 80 Negro teachers were fired.

I think it is a legitimate question to ask: Are we really hurting the very people we want to help? What happened to the black children in this case? I would like to see title VI requirements reexamined by the most ardent supporters of civil rights. Who is being helped? Who is being hurt? How has the cutoff affected the quality of educational opportunity?

Is there another way—a better way to enforce the provisions of the Civil Rights Act against discrimination in any form?

I am as committed to an integrated society as fully—as completely as any person in this Chamber. I always will be committed to an integrated society. I think that is the only way we can live on our little corner of this planet.

But also I have serious questions about a society that places the major responsibility for our social ills on one institution in our society. That is what we are doing. We are placing the major responsibility for integration on one institution. I think this ought to be examined by the most ardent supporters of civil rights. Also, I think it is very difficult for any society to cross two social barriers at one time, and this is what we are trying to do.

We are trying as a society to cross the racial barrier and the class barrier all at the same time—and, if I may say so, I think the latter is probably creating greater problems, greater disruption—yet we hear very little about it. We have never examined this closely when we talk about civil rights.

I should like to talk informally about a situation of which I know. Again, I do not discuss it from a legal standpoint, but it is what is happening, and I think this case can be multiplied by hundreds of thousands of cases across the country.

The CHAIRMAN. The time of the gentlewoman from Oregon has expired.

(By unanimous consent, Mrs. GREEN of Oregon was allowed to proceed for 5 additional minutes.)

Mrs. GREEN of Oregon. Mr. Chairman, 8 years ago one of my close friends came to Washington with the Kennedy administration. This gentleman was and is committed to an integrated society. He had always supported civil rights legislation at the State level as well as the national. This family—and I am going to discuss them in personal terms, but not use their name. I think he would not object. This family is a Catholic family. They are also committed to the public schools. This family, because of income, could probably have moved into almost any area they wanted to in the District of Columbia. This family chose, because of their commitment, to move into an integrated neighborhood. They have three daughters. They placed all three daughters in the public school system.

About 2 years ago or 3 years ago they started busing 90 youngsters from Anacostia—and I am extremely critical of the deplorable situation of the District of Columbia schools. That is why I am pleased when we voted more funds for vital education programs—funds for the District of Columbia—and all other school districts. I may have different priorities on the programs that we ought to support, and had I had my druthers—I would have increased vocational education funds more and impact aid less. But we must improve the quality of education, and equality of educational opportunity for all. But let me get back to this particular family and their series of problems.

Two years ago their youngest daughter became one out of three white children in an all-black classroom. Ninety youngsters were bused from Anacostia. It was not a "random sample" who were bused—and I do not blame any principal in Anacostia—already overburdened with problems—short of space in the classroom. But discipline problems emotionally disturbed youngsters, were the ones to be bused out. At 8:15 in the morning the small buses came and picked up children of white families in this neighborhood, who had the money to send their children to private schools, and at a quarter to 9 the big buses came from Anacostia and put the black children in the schools to occupy the spaces that the white children had just vacated.

I agree with the gentleman who spoke—and I have forgotten who it was—a moment ago about the questionable benefits to be gained from busing. It is the disadvantaged home, the disadvantaged neighborhood which must be improved equally as much as the school. Will 30 or 35 hours in another school offset the other 120 or 130 hours a week spent in deprivation? Can we continue to ask miracles of a teacher during 5 hours a day in class? If we rely on busing to correct social ills, are we not obliged to ask what is at the end of that bus line? Emphasis on integration and busing unaccompanied by a demand for academic excellence is worthless. This is what we ought to be concerned about—the quality of the programs. But the busing from Anacostia continued and the quality deteriorated.

Last year, this youngster would have been the only white child in an all-black classroom. This family had to face the

problem, "Is my first responsibility to provide the best education I can for my daughter, or is my responsibility to maintain my commitment to an integrated class?"

And they decided, as hundreds of thousands of parents across this land are deciding, "My first responsibility is to provide the best education I can for my own child."

So this year they took all three of their children out of the public schools. The oldest daughter had also encountered major problems and threats of physical safety. All three of the daughters were taken out of the public schools and placed in private schools. This friend said—and he laughed—embarrassed as he said it—

> Edith, for the first time in my life—and I am ashamed to admit it—I have a serious question whether I am going to support tax levies and bond issues. I'm now paying for tuition for all three daughters in private schools.

About a month ago this family, because the neighborhood was changing and because of the situation of their three daughters, this family sold their home in the integrated neighborhood and they moved out to Maryland.

Now, what are we accomplishing? What are we accomplishing in terms of improving education? I believe the situation I described has been duplicated thousands and thousands of times all across the Nation.

I want to say that what is happening in terms of national policy affects Oregon. We do not have the problems in Portland that we have in the District of Columbia, but in Oregon this year 126 tax levies for schools were defeated—an all-time high. More and more people become dissatisfied, they are going to refuse to support the public schools. You see it in every State of the Nation.

If this happens, we have another step in this vicious cycle and a further deterioration of the public school system. So I make the plea for the Members who are lawyers and who say the Civil Rights Act is working out as they intended, and that busing is not occurring, take another look, examine the results—really inquire as to whether it is being enforced the way it ought to be enforced, and let us not let the eager beavers in the enforcement division of HEW enforce it the way they want to enforce it irregardless of the law—but require them—if they want to rewrite the Civil Rights Act, to present their proposals to the Congress; let us argue the issues on their merit, and write the laws and decide the issues by a majority vote.

It seems to me these are policies we must consider if we are really concerned about quality education, and we must not continue to let people outside the Government or let those in the executive branch enforce their version of what they think a civil rights law should require.

Mr. RUTH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to speak against the amendments.

Mr. Chairman, here I stand in the well, addressing this august body for the first time, and I find on the opposite side the chairman of the Republican conference and the dean of this body. But frankly, I do not feel I am talking in opposition to these gentlemen, because I think they have presented an excellent case for integration and against segregation, and I stand here agreeing with them. I think what they have forgotten to talk about is education—which is what this bill is all about.

Are we so willing to think in terms of civil rights that we blind ourselves about the purpose of education and commonsense?

If Members will hear, the Department of Labor, which is enforcing similar regulations, came before my committee not too long ago and said that in Job Corps it was found out that—and this is where people are old enough to work—when they moved the individuals out of their environment, they undid all the good that the Job Corps was doing. The program is being changed now, and is moving the individuals back into their own environment to work.

Are we going to take children, who are of primary school age, in the first, second, or third grade, and transfer them 10 or 12 or 15 miles out of their environment and keep them away from home as much as 10 hours and call this good education?

Are we going to destroy communities because they are forced to take action against their will? Are we going to not allow school boards to run their own schools? Are we going to not allow them to work out the best ways to use their facilities and funds and resources?

We of North Carolina accept the basic laws of the land, and wish them to be upheld with firmness. We believe interpretation and implementation should be left to the local communities. Where they are carried out in a manner different than Congress has decreed, it becomes necessary for Congress to assert its will anew. Sections 408 and 409 reaffirm the congressional will. I urge their adoption.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendment.

(By unanimous consent, Mr. WHITTEN was allowed to proceed for 5 additional minutes.)

Mr. FUQUA. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Florida.

Mr. FUQUA. Mr. Chairman, I rise in support of the Whitten amendment. I am opposed to any other amendments which would remove the Whitten amendment from the bill.

I oppose busing of students simply for racial balance, and I support freedom of choice.

In taking this stand, I am as opposed to racial discrimination as I am in favor of good government.

The essence of what we are to decide here is whether a local school system can be operated to the best of its capabilities and expectations while conducting a program of busing for racial balance.

I believe it cannot.

It would be complicated, indeed challenging the faith our people have in the ability of their Government to perform basic functions and services. It would be costly and inefficient. Frankly, I feel it would tend to disrupt an already overburdened educational process.

Mr. WHITTEN. Mr. Chairman, we have heard numerous speeches on the subject of civil rights this afternoon. We have heard several speeches which I thought were excellent. Naturally, I suppose, I see it from the side I support.

I hope I can have the attention of Members. At my instance, the Appropriations Committee included these provisions, section 408 and section 409, in the bill by a vote of 34 to 11. I hope we can hold them.

We do not want to create any issue over the country, or here in the Congress, but I do think we want to consider the provisions for what they are.

May I say, this does not touch the Civil Rights Act. When we act against the amendment, and to keep my provisions in the bill, which I hope we will, the courts will still be in the courthouses and the judges will still have all the authority they ever had, and the Civil Rights Act will not have been touched though as you know I differ with them. What we will have done, by keeping my provision, is to see that these children, whom we all feel so sorry for, in the areas Members say they need it the worst, get their share of the billions of dollars we have in this bill and I hope get all branches of Government to see public education must come first.

As it stands now—and I have the list—200 or 300 schools are not getting the Federal funds we so proudly appropriate unless they kow tow to HEW. It is not that they are not desegregated as Congress provided. They are. It is because they will not offer a plan which HEW approves, which in every instance goes beyond what the law requires.

Can it be the Members would be so cruel here, with a bill providing billions of dollars, to let HEW withhold funds from these schools which Members say need them the worst, when they are in full compliance with the Civil Rights Act the Congress wrote, when the schools are open to people of all races?

A letter was sent out on this side, may I say to my friends, and a letter was sent out on that side. They say that busing is illegal under three statutes. I have not checked it, but I know it is at least two.

Should we stand by and let HEW hold up the money until they come in and agree to do that which the Members themselves say is illegal?

What would I say? Please listen a minute. Let us read what I would say.

Someone earlier asked me if this were a trick. Personally, to me this House is a jury. One might, in a courtroom trial try tricks, I suppose, and might get by with one jury, and the jury would be gone the next day but the jury is the same here, week after week. In my years here

I do not believe I have ever resorted to tricks. I see the same jury day after day and I assure you I want to lay it on the line.

Let us read my sections. Some Members have made wonderful speeches which might have been appropriate in 1964 but which do not apply to my language in this bill in the least.

Let us see what is in these provisions. I am not going to ask for a show of hands, but I ask the Members to think about whether they have read the provisions before they spoke. Many seem not to have.

Section 408 provides that no part of the funds contained in this act may be used to force busing of students—to force busing of students. That means the school boards are free to bus if the circumstances require it, if the parents want to, if the school board wants to.

Next is "the abolishment of any school". Goodness knows, with this country crying for school facilities, and everybody trying to increase the money for facilities, no part of the money in this bill should be used to make school boards close schools—or to force any student who is in school to go somewhere against the wishes of his parents.

This is not freedom of choice; it is freedom from force, a force we never did give to HEW, to the Commissioner of Education.

Now, the next section is the same, except it says that the Commissioner of Education, of Health, Education, and Welfare, cannot require school districts or people to bus students—require; force to close a school, or to send a student who is in school to another school before they let them have the money which the Congress provided in the appropriation.

Sometimes I think we forget how important education is. I spoke out at Mount Vernon Junior College to about 125 bright interns the other night, at the invitation of the administrative assistant of the Congresswoman from New York (Mrs. CHISHOLM).

I was asked to come and I did. I was asked if I thought things would not work out better if all races sat down together and worked out our problems, and I said "Certainly." I said "Sure. However, if you have to put a shotgun on all parties to make them go to a place, they will go, but they are likely to be in a frame of mind where they would not make much progress." However, I agree that what you suggest is what we must work toward.

Be that as it may, it says in my provisions that HEW cannot claim authority to deprive these children of education from funds we have appropriated and make them go beyond the law.

You know, Mr. Chairman, one of the foremost necessities for continuing our society is a system of education. Except for what the young know by instinct, they must be taught. I have not heard a finer speech made on the floor than that presented by the gentlewoman from Oregon (Mrs. GREEN). This was sensible, logical, honest, and comes from a sense of knowledge.

I want to say again that in the Civil Rights Act the Congress said that desegregation shall mean the assigning of students to public schools without regard to race, color, religion, or national origin. But it says that desegregation shall not mean assignment of them to public schools in order to overcome racial imbalance.

Mr. Chairman, I hate to see sectionalism get into this. I was enforcing civil rights before I ever came here, as a district attorney, When you go to my hometown, like I did last week, and the Negro owner of one of the best businesses came to me and said, "Congressman, is there not something that you can do to save our schools," it makes you realize the situation we are facing. When you go through the South you see these situations. We had some of these difficulties in the South, and they arose there, but you folks in other areas have the problem now. This is not the issue, though. Last year the Congress told HEW to treat the whole country alike. I picked up the New York Times on July 8 and I saw that HEW is moving into Chicago. At the insistance of HEW the Department of Justice has gone after the faculties there. It sounds as though Chicago is still pretty smart, though, because when HEW told them they had to do something, accord- to the press, the school authorities said, "We will pay teachers a thousand dollars extra to teach in certain areas." Then they said, "We do not have the money to do it. You have to furnish the money if you want us to pay them that."

What they are doing is demanding that we take their dictation in schools all over the country. Some of my colleagues live in New York. If you will read pages 60 and 61 of the hearings, volume 5, you will see how Mr. Allen, who came down here from New York, testified. He said that there were 76 schools on one island. I believe I have the time to read this if you want to know why this is a national problem and why we are facing it as we are.

I now read the above-mentioned pages from the hearing:

Mr. SMITH. So I can more clearly understand what you are saying, we have this hypothesis I mentioned of the school district with two elementary schools. By freedom of choice, one becomes mostly a Negro school and one becomes mostly white.

Are you saying the children in both are getting an inferior education?

Dr. ALLEN. In my judgment both are losing something in education.

What I am saying is, that while you can provide good education in both schools, you need this additional ingredient of learning how to live together. You cannot do that in such schools and therefore you try to seek some way to accomplish that. So the main thing is to make certain the child does not feel he is in a school simply because of his race.

Mr. SMITH. There are 11 States in the East that have county school systems but in the rest of the country there are local school systems carved out by the legislature in one way or another. In most cases those are but a small part of the county. So to carry your opinion to the logical conclusion, you would have to conclude I think that with schools in these smaller school districts, if one district turned out to be 70 percent black and one was 10 percent next to it, you would have to require them to consolidate in some way.

Dr. ALLEN. That is right.

The only answer to the problem would have to be consolidation. That is right.

In New York that is one of the problems. On Long Island we have 76 school districts in a very small area, some of them very small. There is one that has now become about 98 percent black. There are three schools in the district and they are all black. The only way you can deal with that is to make that district a part of a larger unit so there is more flexibility in locating the school and in eliminating the racial imbalance.

Mr. SMITH. What do you do in a State like Iowa where 1 percent overall are Negro but they are mostly located in two cities? Do you have to incorporate the whole State into one school district?

Dr. ALLEN. You have to look at the practical side of this.

Mr. SMITH. What is the percentage below which you cannot go then?

Dr. ALLEN. I have never used a percentage. I do not think you can use a percentage. The effort we made in New York was within a community, if the blacks were 20 percent we think the schools should be a cross section of the community.

Mr. FLOOD. Why do you limit it to New York City? Why do you not take in the area around it and have a little different perspective?

Dr. ALLEN. That may eventually have to be done.

Mr. SMITH. This is crucial to determining what we are talking about because if you do not have some kind of a yardstick you do not know how many districts you should put together.

Dr. ALLEN. There is a limit to what you can do from a practical point of view. You cannot bus a child 50 miles away to a school just to achieve these things. It may be for some time to come that we are going to have to live with a segregated situation and hopefully, as we improve housing and economic conditions in these urban communities, the people in these communities will be able to take advantage, move out and work this thing out themselves.

Mr. SMITH. As you know, coming from New York City, it does not take as long to go 50 miles in some parts of the country as to go 50 blocks in some cities.

Dr. ALLEN. That is right. We have not advocated the child be taken 50 blocks or any particular distance in New York City.

Mr. SMITH. Would not your decision there require in most of the ordinary sized cities of the country, we will say 50 to 500 thousand, to just about scrap their high school system and have one central high school? They could not possibly have racial balance any other way, could they?

Dr. ALLEN. They might have more than one. And this is what is happening in a great many of the cities.

Mr. SMITH. Most of them will have four to six or eight high schools, attendance centers is what they really are. But in order to have racial balance or not to have racial imbalance you would have to scrap all of them?

Dr. ALLEN. You would——

Mr. SMITH. And have one central one?

Dr. ALLEN. You might have to in some cases, yes.

One of the things that is being worked out now in some of the urban centers is the transportation of children from the ghetto area out into the suburbs. This is going on in Rochester, N.Y., Hartford, Conn., and several other places as a means of giving an opportunity for the inner city children to be in schools with white children.

Mr. SMITH. This is voluntary on the part of the school district?

Dr. ALLEN. That is right; worked out between the suburban community and the city.

Mr. MICHEL. Mr. Commissioner, you understand our line of questioning here. While

not yet down to any specifics on dollar amounts and figures, and with you being new in the position, it is natural we take the line of first exploring some general policy guidelines and philosophy. I hope that seat does not get too darn hot for you. You are going to be there quite awhile. We would not expect that every year you would be coming up here, that we would be going into broad policy questions, although it is our prerogative where we are funding all of the programs to ask some basic questions and get some good answers for the people back home who are footing the bill.

Mr. Chairman, he said this:

Dr. ALLEN. There is a limit from the practical point of view, "You cannot bus a child 50 miles.

Mr. Smith said:

How far can you go?

Dr. Allen replied:

Well, I have not set up a distance.

Mr. Chairman, the only thing that I am undertaking to do through these provisions is to pursue the course which is available to me and that is to ask you to stop, look, and listen.

Mr. Chairman, during the course of the hearings it was developed that there are some 200-odd school districts which are being deprived of money which this Congress has appropriated at a time when we have increased the amount of funds available; others have, under duress, agreed to plans which will destroy our system of public education.

Mr. COHELAN. Mr. Chairman, will the gentleman yield? I would like to get the RECORD straight on this.

Mr. WHITTEN. Permit me to finish my statement and then I shall yield to the gentleman. Now, as we have that situation actually existing, the background history and information indicates that they have not come up with a plan which meets the proposed requirements of the Department of Health, Education, and Welfare and which must be approved by that Department.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WHITTEN. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

Mr. HAYS. Mr. Chairman, reserving the right to object, and I shall not object in this instance—I want to serve notice that I will object to any further extensions of time for the rest of the day. We have been on this bill 3 days and if anyone has not said already what they want to say, they ought to extend their remarks.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman.

Mr. COHELAN. Is it not true that out of the 22,000 school districts in the United States there are only 100 districts presently having difficulty insofar as adjustments are concerned?

Mr. WHITTEN. I would not argue with the gentleman on that point.

Mr. COHELAN. That is the fact.

Mr. WHITTEN. As to the exact number I cannot say because the situation changes from day to day.

Mr. Chairman, when this amendment was introduced the figures were not available with reference to several districts and so I am not up to date.

But, they have used this device of withholding their money in order to get them to agree to plans that go beyond what the law provides. My amendment would prevent that.

I hope those of you who spoke and those who have not as yet spoken, will get the bill and read those two sections. If you will do this you will see that I am only trying my best to see that the funds go to the students for their benefit and that all of the schools are already desegregated, as Congress defined that term.

We leave the Civil Rights Act alone as the rules require. We leave the judges in the courthouses though we hope for better from them. We just say that HEW is not going to misuse the funds made available to them. After all Congress is the one that makes funds for education available and sets the terms under which they are to be used. We cannot stand by and see them frozen or used to set up HEW as a dictatorship.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, in the final analysis who is hurt in the cutoff of funds to education? Is it the school board or the schoolchildren?

Mr. WHITTEN. The gentleman from North Carolina has made the best point I can imagine and one which I had intended to make but had overlooked. This is done under the guise that somehow by punishing the children you are taking it out on the school board and there could not be anything more ridiculous.

Mr. MAHON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman I recognize the fact that the House is becoming a little impatient so I shall try to be brief and to the point.

Mr. Chairman, I have listened intently to the debate here today. I am proud to say that I sit in the House with someone like the distinguished gentlewoman from Oregon (Mrs. GREEN) who has such depth of feeling and who understands the true issues confronting us in this bill.

I do not come from a district that is heavily Negro. Probably less than 10 percent of the district which I am privileged to represent is Negro. Race relations are excellent. There is respect and consideration for all citizens.

In my hometown there is goodwill and harmony among the races. Integration has been accepted and is moving along well in the public schools. The Negroes and the whites are proud of the job they have done and are doing. They do not want to disturb this feeling of cooperation. The school authorities have worked diligently and effectively toward the implementation of a workable plan.

The school board was invited to Washington for a discussion of their integration plan. I accompanied members of the board to the Department of Health, Education, and Welfare. At the meeting it seemed to me that some of the employees of the Department were unmindful of the law and little concerned about the problems of members of the school board who had come to Washington to plead their case. The Government employees were not elected officials. They took it upon themselves to announce what the school officials could and could not do. It was my opinion that HEW employees were seeking to make requirements which could not be supported on the basis of the law.

When the meeting was over I was very courteous, but walked away in some degree of anger and disgust. I resolved then and there to do what I could to see to it that this country is run on the basis of a fair and reasonable interpretation of the enactments of Congress. That has not been the case in the administration of the laws with respect to the public schools.

I have been a little unhappy with my good friend, the gentleman from Mississippi (Mr. WHITTEN), because he speaks about "my amendment". Mr. WHITTEN did offer the amendment in the appropriations committee but this is not just the Whitten amendment. This is the amendment of the Committee on Appropriations which approved the action by a vote of 34 to 11. So I do not speak from a narrow platform. I speak from the standpoint of more than two-thirds of the Committee on Appropriations in supporting the language which is in this bill. We approved this same language last year, but it was later watered down to the extent that it was rather meaningless.

It is fair to say that this is the amendment of the Committee on Appropriations. And it is an amendment which I think certainly represents the prevailing view of the majority of the Members of the House.

Mr. Chairman, we are threatened, as EDITH GREEN so well said, with the destruction of the excellent public school system in this country. It is the system which has helped make this country great. We must not destroy this system. We have to preserve it by preventing capricious actions of autocrats who are harassing our people and making it impossible for the school officials and the school boards to do an adequate job in carrying out programs of integration. The integration law is here to stay. The only issue here is a matter of fair administration of the law. Our object is not to destroy integration but to prevent the destruction of our schools.

The CHAIRMAN. The time of the gentleman from Texas (Mr. MAHON) has expired.

Mr. MAHON. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

Mr. HAYS. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. FLYNT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I yield to the gentleman from Texas (Mr. MAHON).

Mr. MAHON. Mr. Chairman, I appreciate the gentleman from Georgia (Mr. FLYNT) yielding to me.

I am sure the gentleman recognizes that we are confronted here with a very serious situation and we need to do something sensible about it.

We do not propose here the repeal of the civil rights law. This is not the issue. We want to try to make the law work in the interest of the people. What we are trying to get is a more practical application of the law .

Is there anything wrong with that? I think not.

I urge you, I plead with you, vote down the amendment offered from California and enable us to assert the authority of the Congress in demanding a more rational, sensible, and workable policy in the public schools of the country.

Mr. O'NEAL of Georgia. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to my colleague, the gentleman from Georgia.

Mr. O'NEAL of Georgia. Mr. Chairman, anyone who subscribes to the doctrine of separation of powers must agree that the Department of Health, Education, and Welfare is not authorized to set policy that is contrary to the legislative intent of Congress.

The Congress has never given HEW the right to force busing, the right to abolish schools, or the right to force transfer of pupils from where their parents are sending them to where HEW wants them.

As a matter of fact, officials in the Office of Education will probably admit that they do not have the right to affirmatively take these actions. Yet, they take them nevertheless. These overzealous officials are underhanded in their dealings with local school boards. They circumvent the intent of Congress by withholding Federal funds until schools "voluntarily" offer to meet certain requirements that HEW has no legal right to require.

If anyone doubts this is the current practice, let them examine the twisted arms and broken backs of school officials.

Therefore, I fail to see how there can be legitimate objection to the language in sections 408 and 409 of this bill. It is very simple and straightforward. Its only purpose is to keep HEW honest.

Let us set the record straight at this point. The two sections of the bill under consideration do not attempt to void the power of the courts. I wish there was a way to accomplish this, but the fact remains that the courts would retain all the powers they have ever had in dealing with the question of school desegregation.

We are simply requiring the Department of Health, Education, and Welfare to cease and desist from going beyond the law. Our Appropriations Committee has on several occasions written in its report that the Department continues to ignore the legislative intent of Congress. Since HEW officials have failed to take this subtle hint, our only recourse is to write these provisions into law.

I do not think that there can be any doubt that the sole purpose of title VI of the Civil Rights Act of 1964 was to prohibit the forced separation of races in the public schools. In other words, a system was instituted by which students would be free to attend the schools of their choice without regard to race, creed, or national origin.

The people of my State and district did in good faith comply. They established a bona fide freedom-of-choice system in the public schools.

It was not long before the guideline writers were dismayed to discover that a significant number of Negroes were exercising their freedom of choice in a manner which did not comply with the preconceived fantasies of the guideline writers. In other words, when given the freedom of choice, many Negro students chose to continue their education at the schools they had attended prior to passage of the Civil Rights Act of 1964.

Southerners were then accused af applying some vague, invisible pressure to maintain the status quo. Nothing could be further from the truth.

At this point the guideline writers went beyond the intent of Congress and with absolute disregard for the wishes of the parent, the child and the local school board forced what was to have been "voluntary" action.

Americans value their freedom. We have freedom of religion, freedom of the press, freedom of speech, and practically every freedom you can name. However, there is one lone exception. The Department of Health, Education, and Welfare has effectively denied the southern Negro the right to choose the school he wishes to attend.

They have completely overlooked the fact that those—black as well as white—who sincerely do not wish to integrate the schools have their constitutional rights too.

Mr. Chairman, I urge my colleagues to defeat the pending amendment and support the language in this bill which would prohibit HEW officials from setting policy that is contrary to the legislative intent of Congress.

Mr. DICKINSON. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman.

Mr. DICKINSON. Mr. Chairman, I rise in opposition to the Cohelan amendment and in support of language in sections 408 and 409 of the Labor-HEW appropriation bill.

No one can speak with more knowledge or authority about busing of students to achieve a racial balance in our schools than someone from Alabama. Since the passage of the Civil Rights Act of 1964 and Elementary and Secondary Education Act of 1965, Alabama schools have been the target of harassment and intimidation by Federal officials. Every public school system in Alabama is currently operating, under the threat of contempt citation, under one type of Federal court order or another. The latest blueprints of HEW and the Justice Department for Alabama's schools—calling for extensive busing and student and faculty balances—are perfect examples of the type of situation, hopefully, which the Whitten amendment can work to alleviate.

The Justice Department and the Department of Health, Education, and Welfare have requested, Mr. Chairman, and the Federal courts have ordered, extensive busing of Alabama students solely to achieve a particular level of integration—not desegregation, Mr. Chairman, but forced integration. Mobile County, for example, has been threatened with extensive busing of students at a cost of about $13 million.

In addition, the courts have ordered millions of dollars of school buildings closed by the State of Alabama for the sole purpose of achieving integration. In other instances, the courts have ordered entire grades shifted from one school to another. I contend, Mr. Chairman, that this action is contrary to laws already on the statute books.

Mr. Chairman, I believe that one very important element of our society has been overlooked by the Departments of Justice and Health, Education, and Welfare—and that is the welfare of the children of the Nation. HEW theorists are more interested in sociological considerations than they are in the education of our children. It appears that our social engineers are bent upon destroying, rather than assisting, public education—not only in Alabama, but throughout the country.

Mr. Chairman, I know that the school board in Montgomery, Ala., is more qualified to operate its schools than social theorists in Washington, and I, as a former judge and chairman of a school board, am certain that professional educators have more expertise in school matters than Federal judges. Our educators will continue to do the fine job they have always done if they are allowed to do so by Federal bureaucrats.

Therefore, I urge the Members of the House to oppose the amendment offered by the gentleman from California (Mr. COHELAN) and support the language in the bill, authored by the gentleman from Mississippi (Mr. WHITTEN).

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman from Florida (Mr. SIKES), my colleague on the committee.

Mr. SIKES. Mr. Chairman, before we complete the debate on sections 408 and 409, I want to welcome my liberal friends to the ranks of States' righters. You were a little late in getting here, but better late than never. During the debate on section 407 just concluded, I was particularly touched by your concern that Congress not punish innocent and guilty alike by cutting off Federal aid to academic institutions which are not in compliance with the basic law of the land against Federal loans and grants to those responsible for illegal campus disorders and destruction. You did not want the Federal Government to inject itself in matters of State and local jurisdiction. I hope you will retain this solicitude just a little while longer and exercise it now when efforts are being made

to strike sections 408 and 409 from the bill; because in these sections there is language which expressly seeks to stop the punishment of all the pupils and their teachers and their parents in communities where so-called experts operating under extralegal guidelines have ruled that a few pupils are not in compliance. If my liberal friends considered the language in section 407 to be bad, then surely you must support the language in sections 408 and 409. Surely you will be consistent.

Mr. ANDREWS of Alabama. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman.

Mr. ANDREWS of Alabama. Mr. Chairman, the HEW bureaucrats are fast destroying the public school system of America. They are ordering school boards all over the Nation to bus children across cities and in some instances across counties, to bring about a balance of Negro and white children. Often, these actions are forced upon the children against their wishes and against the wishes of their parents.

Few, if any—except private—schools in Alabama are as segregated as are the schools of Washington, D.C., the home of the Department of Health, Education, and Welfare.

The school population of Washington, D.C., is 95 percent colored, and a white student in most public schools is a rarity.

Prior to 1954 the Washington school system was rated as one of the best in the Nation. Today it is the worst and in fact is a joke. This is the "showcase" promised the Nation in 1954 when the schools were integrated. I hope there will be no more "showcases."

Mr. FISHER. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman.

Mr. FISHER. Mr. Chairman, we have heard some amazing things said during the debate on compulsory busing. Those who oppose the busing practice have been told by speaker after speaker that there is no such thing as compulsory busing, no such thing as closing down a school in order to comply with a desegregation order from HEW.

Such arguments are a confession of ignorance or misinformation about what is going on in this country. The fact is—and it can be confirmed in a hundred instances—that compulsory busing is being imposed, and schools are being closed as the only way to comply with orders from HEW's braintrusters. In many instances if they do not bus, if they do not close down a school when there is no alternative, the money appropriated for the benefit of the students in such schools is arbitrarily withheld.

To be sure, they do not have to bus; they do not have to close down a school; but what is the penalty if they do not take such actions? Money allotted for the affected schools is withheld.

That is happening now in San Antonio. It is happening in Sonora, Tex. It is happening in Odessa, Tex. And it can happen in practically every school district in my area—and probably will unless this amendment against compulsory busing is retained.

The demand for this legislation springs from the people—the parents, the teachers, and the school boards. And it comes from all races.

I am speaking of those schools where there is no semblence of racial discrimination, where there is total and complete integration, where any child—regardless of race—is admitted without question into that child's neighborhood schools where the child lives. That practice, that policy, conforms with Supreme Court decisions on the subject.

President Nixon as a candidate condemned this concept of compulsory busing. Secretary of Health, Education, and Welfare Robert H. Finch condemned it last March, as reported by a UPI news story which stated:

> He (Finch) said moving pupils about just to obtain a 'salt and pepper effect' was detrimental to education and was opposed by both whites and blacks.

Mr. Chairman, let us forget about politics for a moment and face up to this issue. As stated in this debate, unless compulsory busing and other arbitrary controls over the management of local school affairs is curbed our public school system may be on its way out. Has it come to pass that local school boards, local teachers, local PTA's, and local taxpayers cannot, in their schools where there is no racial discrimination whatever, have something to say about the operation of their own schools?

The pending amendment, which would strike from the bill the provision against compulsory busing, the closing of schools, and the right of parents to send their children to local schools, should be defeated. Let us respond to the voice of the people we are elected to represent.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman.

Mr. ABERNETHY. Mr. Chairman, I thank my colleague from Georgia for yielding. My remarks will be brief.

First, Mr. Chairman, I wish to express my profound thanks to the Appropriations Committee for including sections 408 and 409 in this bill. It is sound and sensible. If left in the bill it will settle an abundance of unnecessary controversy and put the bureaucrats in the Department of Health, Education, and Welfare on the lawful and right track in administering the Civil Rights Act.

It is a well known fact that the Federal underlings are exceeding their authority. Their principal objective is not to better education but to bring about a social order in our country which meets with their approval.

When the Civil Rights Act was passed in 1964 the sponsors thereof clearly stated in debate that the bill was not designed to bring about racial balance; that it was not intended that the busing of students would be put into effect; that there would be no exercise of authority over the selection of faculties and that local officials would continue to operate their schools and receive Federal aid so long as they did not deny any child the right to attend any school he or she desired to attend. But, Mr. Chairman, the act has not been so administered.

There is more unrest in our educational institutions today than ever in the history of our Nation. The unrest is not confined to the colleges. A considerable amount is prevalent in our elementary and secondary schools—high schools, junior high, and grammar schools. Much of this has been brought about by the manner in which HEW underlings have administered the Civil Rights Act.

Mr. Chairman, all we seek is the right to allow our children to attend the schools in their own neighborhood or to attend any other school in the area which he or she desires to attend. We feel that the children are entitled to the full benefit of Federal funds under these conditions and which in many instances they are not receiving because of the improper administration of the programs.

The sections under consideration if left in the bill will not mitigate against any child, white or black, to get an integrated education in compliance with Federal law.

It has been clearly pointed out by the gentlewoman from Oregon (Mrs. GREEN) that education in many schools over the country is rapidly deteriorating because of the improper administration I have referred to. Her remarks were so sound, so sensible, and so reasonable. Regardless of what the views of the various Members may be about the subject of integration, every member of this body can vote to retain these sections, which the amendment proposes to strike, without waiver of his views on integration.

The language will merely eliminate forced busing and leave Federal aid moneys available to all children alike. The language repeals not one word of the Civil Rights Acts. It simply puts a stop to improper interpretation and unlawful administration of the law by underlings in the Department of Health, Education, and Welfare.

I thrust the amendment of the gentlemen from California (Mr. COHELAN), will be voted down.

Mr. MONTGOMERY. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman.

Mr. MONTGOMERY. Mr. Chairman, I rise in vigorous objection to the amendment presently under consideration. This amendment, if accepted, would mean the Department of Health, Education, and Welfare would be allowed to continue their present guidelines of requiring the busing of school students or the pairing and zoning of schools just to satisfy arbitrarily set racial quotas. These guidelines are causing irrevocable havoc with the quality of education offered in my home State of Mississippi. I have received numerous letters, telegrams, and telephone calls from school administrators in my Fourth District stressing alarm over the damage that will be done if they have to submit to the present guidelines of the Department of Health, Education, and Welfare which clearly go beyond the intent of the Congress and the intent of the Constitution. I urge all my colleagues to give a sounding vote of defeat to the Cohelan-Conte amendment and thus return the administration of local schools to local officials.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman.

Mr. RIVERS. Mr. Chairman, someone has said:

A lie will hold its throne a whole age longer if allowed to skulk behind the shield of some fair seeming name.

Mr. Chairman, I have listened to, and I have watched the parade of normally responsible people take this well against the Whitten amendment. Mr. Chairman, at least one distinguished chairman, by the tone of his voice, emphasized "the gentleman from Mississippi" so that immediately there would be animosity toward this amendment. Mr. Chairman, I have never seen more misrepresentations from responsible people nor have I heard more erroneous information even from people whose integrity neither I nor anyone else can impugn in this Congress. Certain of these gentlemen must therefore be just plain uninformed.

Mr. Chairman, I can only speak for South Carolina. We are living and observing the spirit and intent of the Civil Rights Act on integration in our schools. We have been, and are, faithfully trying to live under the law of the United States as passed by this Congress. However, Mr. Chairman, as the distinguished lady from Oregon has so aptly said, unless the bureaucrats in the HEW are stopped, the law of this country requiring busing will continue, and unless the arrogant misinterpretation of the law by this outfit is curtailed, education in my Southland will be destroyed for many of those for whom we seek to educate. The remarks of the gentlewoman from Oregon (Mrs. GREEN) should be heeded by every Member of this body since she is a knowledgeable woman and we should not forget that she led the fight for the Civil Rights Act.

Also, Mr. Chairman, we should heed the cool and sensible statement by the distinguished chairman of the Appropriations Committee, the gentleman from Texas (Mr. MAHON) as well as the explanation of his own amendment, by the gentleman from Mississippi (Mr. WHITTEN).

Mr. Chairman, I believe this is a fair body; I am convinced that a reasonable group of men and women compose our membership. If we do not compel the HEW to observe the law which we have passed by enacting the Whitten amendment, we will be giving only lipservice to the rule of law. We will by our own inaction, underwrite and approve the actual violation of the law which this Congress has passed.

Mr. FLYNT. Mr. Chairman, although I had intended to use most or all of my 5 minutes, I was glad to yield as much of that time to the gentleman from Texas (Mr. MAHON) as he required to complete his remarks.

I oppose the pending amendments offered by the gentleman from California (Mr. COHELAN). The language included in sections 408 and 409, which the pending amendment would strike, were written into the bill by the Committee on Appropriations by a vote of 34 to 11.

As much as I would like to describe those two sections as freedom-of-choice provisions, they are not exactly that. The fact is that sections 408 and 409 constitute freedom-from-force provisions and are designed to prevent or reduce further harassment, capriciousness, and tyranny over elected school boards and school administrators by subordinate officials in the Office for Civil Rights in the Department of Health, Education, and Welfare who are elected by nobody, responsible for nothing, and apparently wholly unresponsive to the difference between right and wrong.

As I listened to the chairman of the Committee on Appropriations recount his experiences where he accompanied the board of education and the superintendent of schools of Lubbock, Tex., to a conference at the Department of Health, Education, and Welfare, it recalled to my own mind many bitterly frustrating experiences which I have had. In those same offices in the Department of Health, Education, and Welfare I have watched honest, honorable, responsible citizens and officials of my district harassed and almost humiliated by the prejudiced, opinionated, and inexperienced employees of the Office for Civil Rights in the Department of Health, Education, and Welfare.

On nearly every one of these occasions, I have accompanied school board members and school administrators who were acting in good faith and who were making determined efforts to voluntarily comply, not only with laws enacted by Congress, but with decisions of many courts, State and Federal. I have seen these schools officials offer plans which in a relatively short period of time would have voluntarily accomplished the stated objectives of laws and court decisions. I have seen HEW officials with little or no knowledge of school administration arbitrarily reject these proposals and suggest or demand unreasonable and unworkable plans. The net result was that Federal education funds would be cut off unless the well-considered local plans were abandoned and the arbitrary HEW plans substituted in their place.

The results have oftentimes been near tragic. In some instances, well-intentioned, strong-minded men of good faith and good will have either resigned their positions or have been subsequently defeated for reelection to school board members and school administrator posts. Another result has frequently been the defeat of school bond issues because the citizens, voters, and taxpayers were unwilling to accept an arbitrary HEW plan as a substitute for an equally good voluntary plan which they would have accepted and would have provided the necessary bonds with which to finance badly needed expansion of school and school building facilities.

Mr. Chairman, many of us have lived with these problems and this issue for nearly 5 years. We have exerted every effort possible to convince HEW officials of the good faith of our local officials and the good results which would be obtained by a degree of understanding and cooperation.

Mr. Chairman, we have seen these so-called compliance teams from HEW suggest that brandnew schools be closed under a direct threat of a cutoff of funds unless the schools be closed or unless children be transported from other communities miles remote from the location of the school.

We have seen other similar compliance teams order the pairing of classes within schools which would require at least a 100-percent increase in transportation mileage in order to transport the same students to the same school buildings—or else lose Federal funds to which the school system would otherwise be entitled.

Mr. Chairman, those of our colleagues who have never seen these arbitrary and tyrannical actions apparently are unable to believe they could happen. We who have seen these things urge the Committee to reject the Cohelan amendments and sustain the language presently contained in sections 408 and 409.

Mr. HAWKINS. Mr. Chairman, I move to strike out the last word.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. HAWKINS. I yield to the gentleman.

Mr. BINGHAM. Mr. Chairman, I rise in support of the amendment offered by the gentleman from California (Mr. COHELAN).

Mr. Chairman, I was proud yesterday to help restore the Federal education program to a minimum funding level. Passing the Joelson amendment, with its total of $894,547,000 to increase the effectiveness of aid for constructing and operating schools and libraries, is a great victory for those who believe that there is no higher priority than quality education. The 242 votes cast on a teller vote for the Joelson amendment indicate that this House has not forgotten its commitment to education.

The victory, of course, is only partial. We have succeeded only in restoring Federal aid to education in most cases to the level of fiscal year 1969. I think it is obvious that we have never done enough for education. The funding levels for education in 1970 will be high enough to keep the hopes for quality education alive, but we must expect to work for better financing and more effective programs in the future.

We are now preparing to vote upon—and, I hope, to defeat—a highly dangerous proposal. The Whitten amendment sections 408 and 409 of H.R. 13111—would emasculate the national effort to educate our children on a just and equitable basis, by depriving the Department of Health, Education, and Welfare of the financial rewards and sanctions it needs to bring about school desegregation.

Mr. Chairman, the proponents of sections 408 and 409 claim that title VI of the Civil Rights Act is a club to be used ruthlessly against one section of the country. That is patently false. As the Members of the House know, the Department of Health, Education, and Welfare has used its financial sanctions against northern, as well as southern school districts which discriminate among students on the basis of color. The Department has used those sanc-

tions as a last resort, when moral persuasion was not enough to bring about desegregation. The sanctions have been applied sparingly, but effectively.

Given the history of title VI of the 1964 Civil Rights Act, no one can claim that he is promoting freedom or desegregation by removing HEW's enforcement powers. Sections 408 and 409 of H.R. 13111 are clearly segregationist measures. They must be defeated soundly, once and for all. I urge all the Members of the House, from all sections of the country, to join in voting for the Cohelan amendment to strike those sections from the Labor-HEW appropriations bill.

Mr. HAWKINS. Mr. Chairman, the Whitten amendments create more problems than they can possibly settle. None of the methods of desegregation prohibited by this proposal is now required by the Office of Education or the courts. How local school districts desegregate is a local matter. The law only requires that they do. If not bussing they can use other methods.

Backers of the Whitten amendments want to both use Federal money and segregate at the same time. As such they seek to violate an old maxim: Those who dip their hands in the public till should not object if a little democracy sticks to their fingers.

There is absolutely no justification for these sections even being in an appropriation bill. How Federal funds are being expended is not the issue. These sections do not even reach the basic laws they seek to abrogate.

Circuit Judge John Minor Wisdom, of the Fifth Circuit, U.S. Court of Appeals speaking for the majority in sustaining the U.S. Office of Education guidelines in 1966 declared:

> In any school desegregation case the issue concerns the constitutional rights of the State—not the issue whether Federal financial assistance should be withheld under Title VI of the Civil Rights Act of 1964.

If HEW is illegally withholding funds let school officials—not poor litigants go to court. Moreover, another title, title IV of the same act empowers the Attorney General to sue to desegregate a public school system even though it may not be receiving Federal aid.

These acts were based on the 14th amendment as interpreted by the Supreme Court in the 1954 school desegregation case, and the Whitten amendments in no way can reach this far: to destroy equality of educational opportunity as the law of the land. And thank God we live in a country of constitutional law where violence is not needed.

Equality of educational opportunity is important because a decent education is related to employment opportunities, obtaining better housing, and enjoying adequate medical care.

Also in our democracy, universal suffrage and good citizenship are based on such equality of educational opportunity.

Freedom of choice plans have also encountered legal troubles for the simple reason they seldom offer free choice and have not resulted in desegregation. Statistics are abundant that such schemes do not work.

Again, in pointing out what school officials should do if they really want to make them work, Judge Wisdom reveals the various devices which have been used to prevent desegregation:

> They (school officials) should see that notices of plans and procedures are clear and timely. They should avoid the discriminatory use of tests and the use of birth and health certificates to make transfer difficult. They should eliminate inconvenient or burdensome arrangements for transfer, such as requiring the personal appearance of parents, notarized forms, signatures of both parents, making forms available at inconvenient times to working people. They should employ forms which do not designate the name of a Negro school as the choice or contain a "waiver" of the "right" to attend white schools. Certainly school officials should not discourage Negro children from enrolling in white schools, directly or indirectly, as for example, by advising them that they would not be permitted to engage or would not want to engage in school activities, athletics, the band, clubs, school plays. If transportation is provided for white children, the schedules should be re-routed to provide for Negro children.

In addition, although he did not, he might have noted also economic reprisals, intimidation, and even violence being used to make freedom of choice a cruel delusion.

In addition, these amendments are wrong on another score. They contradict the very essence of the public school system.

In the historical development of American public education, we have moved from a position that education is for the elite or a "ruling class."

In so doing, we have rejected such theories that some children cannot or should not be taught or that there are such things as innate and cultural inferiority.

Today we are willing to examine our schools to determine why some children do not achieve as well as others and to insist that it is the responsibility of the schools to teach, not merely to accept the legal custody of children during school hours; and it is the schools responsibility to teach poor children as well as the rich, black children as well as the white.

Thus lacking both legal and educational theory support, these amendments can only create further racial discord in an already highly emotional situation.

The time has come when it is far better that we lay to rest the issues that once divided us as a nation. On this basis alone we should reject the Whitten proposals and adopt the amendments offered by the gentleman from California (Mr. COHELAN).

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. HAWKINS. I yield to my colleague from California.

Mr. BURTON of California. Mr. Chairman, I would like to commend my distinguished colleague from California, and I associate myself with his remarks.

Mr. RYAN. Mr. Chairman, will the gentleman yield?

Mr. HAWKINS. I yield to the gentleman from New York.

Mr. RYAN. Mr. Chairman, I wish to commend the gentleman from California (Mr. HAWKINS) for his splendid statement. He has pointed out how the Whitten amendments undermine title VI of the Civil Rights Act of 1964.

Mr. Chairman, I support the Cohelan amendment to strike sections 408 and 409 from H.R. 13111, which represent another attempt to defeat enforcement of title VI of the Civil Rights Act of 1964, and frustrate decisions of the U.S. Supreme Court requiring the desegregation of public schools.

Attempts to weaken the school desegregation efforts of the Department of Health, Education, and Welfare have become an annual event. On each occasion in the past several years on which we have considered funds for HEW, amendments have been made which seek to cripple enforcement of title VI of the 1964 Civil Rights Act. In fact, the provisions of section 408 and 409 of H.R. 13111, which we are debating today, are identical to provisions rejected by Congress only last fall.

The purpose of sections 408 and 409 is to compel HEW to accept so-called freedom of choice desegregation plans without regard to whether or not those plans will end segregation in schools. These sections are being offered in spite of the fact that in May of 1968 the Supreme Court ruled in Green against New Kent County, that freedom of choice plans are only acceptable if they accomplish the goal of desegregation and the prompt elimination of dual school systems. As I pointed out on June 25, 1968, when a similar amendment was offered by the proponents of so-called freedom of choice plans, the Supreme Court's decision followed logically from the Brown against Board of Education decision of 1954.

Despite unequivocal Supreme Court decisions, a strong civil rights statute enacted in 1964, and enforcement of civil rights compliance by the Civil Rights Office of the Office of Education, only limited progress has been made in achieving desegregated schools in the South. Figures released by the Office of Education in January of this year show that in the 11 States studied only 20.3 percent of the estimated 2.5 million nonwhite school age children in those States attend predominantly white schools. In the school districts in these 11 States desegregating under title VI, 25.6 percent of the 1 million nonwhite school age children attend predominately white schools.

As disappointing as these statistics are, however, it is important to note that significant progress has been made in the past year by HEW in eliminating segregation in public schools. In the school year previous to the one most recently studied by HEW, only 13.9 percent of nonwhite school age children in the same 11 States were attending predominately white schools, and only 19 percent of those residing in district desegregating under title VI attended predominately white schools.

While progress is slow, then, it is nonetheless moving toward the elimination of segregated public schools in the South. It is obvious that if further progress is to be made, HEW's desegregation efforts must not be obstructed. Yet that is precisely what the proponents of sections 408 and 409 seek to accomplish. References to busing in these sections obscure the real intent of these provisions; namely, to force HEW to accept freedom of choice plans. HEW does not require the transportation of students to overcome racial imbalance. Nor does it require the closing of schools unless the continued operation of inadequate minority attended schools would perpetuate discrimination and unequal educational opportunities. HEW does require that federally aided school systems eliminate unconstitutional discrimination and segregation as a condition to receiving Federal funds. That was the purpose of title VI which this Congress adopted 5 years ago. Title VI would clearly be undermined by sections 408 and 409 of H.R. 13111.

Mr. Chairman, 15 years after the Supreme Court outlawed segregation in public schools, only a minority of nonwhite students attend predominately white schools in the South. It has been 5 years since Congress enacted title VI of the Civil Rights Act of 1964 which provided for banning and cutting off Federal assistance to school systems which discriminate on the basis of color and 1 year since the Supreme Court declared ineffective freedom of choice plans unacceptable. Much remains to be done before the effects of 100 years of discrimination and segregation will be eradicated and equality of educational opportunity will be a reality for black Americans. We cannot allow that work to be impeded by legislation which would cripple HEW's ability to enforce title VI of the Civil Rights Act of 1964.

I urge that sections 408 and 409 of H.R. 13111 be stricken so that the work of bringing recalcitrant school systems into compliance with the law can be continued.

Mr. COLLINS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, today we are talking about the subject of neighborhood schools. To bring it down to language we understand, I know it is the same with each family as it is with mine. When we were trying to buy a home, the first thing my wife was interested in was where our children would go to school and how many blocks they would have to walk and we were not worried about where the bus stop was.

In 1964 and 1966 the language on busing was plain. But what has happened in recent years? The language was that we would not have busing. Now every school system is faced with two alternatives. They either have to redraw their boundary lines, as in Galveston, where they were drawn within one block of a school, to make a better pattern, or we have to close the schools, such as happened in Bear Creek, where a modern brick school was closed.

Then we start busing. It is a very real subject. It is not academic.

I want to get one thing straight about this, because it has been discussed. Ninety percent of the funds that take care of our school system are local funds. It is paid for by the State and the county and the city governments. Those are local funds.

As such, they are still available. That 90 percent is available.

That takes care of the handicapped in special situations.

What we are talking about is forced busing.

I read somewhere that 60 percent of the Members of the House of Representatives are lawyers, and the rest of us are businessmen and a general cross section of other walks of life. We have in this House very few who are educators and who really know firsthand what is involved in this.

I was interested in a survey that had gone to the people in the field of education, those who are concerned with education all over the country. This was not done just in the South or in the North, but it was the same everywhere, in the East and in the West and everywhere.

They went to people all over the country and asked these questions. They first asked the school superintendents if they would support busing as a desegregation measure, and 74 percent said "No." They then asked the Members of the school boards all over the Nation, and 88 percent said they would not favor busing. They then went to the teachers and had the NEA—which is a very representative group of teachers—and asked them the same question, and 78 percent of the teachers were opposed to busing students from one district to another.

These were three groups who knew something about it. They were the school boards, the school superintendents, and the schoolteachers, and they all said busing would not work.

We have several friends from New York City, where they have been very interested in this. In New York State they tried busing. Members will remember the New York State Legislature, which was in very close contact with this situation, by a vote of 104 to 41—and this is the State legislature which is closely in touch with the situation—in March of this year voted by this vote of 104 to 41—to ban busing in the State of New York.

I saw in a Washington paper this week a story about Charlotte, carried by the UPI, which wrote that Charlotte Negroes plan to fight desegregation proposals by the school board in which they would require over 4,200 black students to bus to schools outside their neighborhood. In the statement, which I will read, the Negroes said:

> We will not under any circumstances accept closing of black schools and busing of black children. We cannot accept the lie that all black teachers and children are inferior.

This was the statement made by the black leaders in North Carolina.

I hope Members saw what happened in Denver, Colo. There they had a very energetic school board. This group was determined that they would put in an active busing system in Denver in September. In May they had an election of the school board, in that area. What happened?

In favor of busing they had the big newspapers, the Denver Post and the Rocky Mountain News, all the do-good groups in town, and all the civic groups. In fact, as the New York Times said later, they had everybody in favor of busing but the people.

I will tell you what the election said, when they took the vote. The man who got the most votes opposed busing. He got 75,000. The man on the school board, who said, "Let us have busing," got 28,000. They were listening to the mothers out there, and they were listening to the concerned parents in Denver, Colo. They listened to them as they said 75,000 to 28,000 they did not want busing in Denver.

I want to tell you; the folks in Denver, Colo., in Chicago, in Los Angeles, in Boston, and in Buffalo do not want busing.

I recommend that we answer the people of America and vote "no."

Mr. FLOOD. Mr. Chairman, I should like to know how many Members would like to talk at this time. Let me count.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto end in 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. THOMPSON of Georgia. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

MOTION OFFERED BY MR. FLOOD

Mr. FLOOD. Mr. Chairman, I move that all debate on this amendment and all amendments thereto end in 30 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from Pennsylvania (Mr. FLOOD).

The motion was agreed to.

The CHAIRMAN. Members standing at the time the limitation was ordered will be recognized for 1 minute each.

The gentleman from California (Mr. TUNNEY) is recognized.

Mr. TUNNEY. Mr. Chairman, adoption of this provision would represent a severe setback in the efforts we are making to end school segregation.

It should be strongly opposed.

This provision asks us to accept dual school systems for black and white. It tells us that we may not withhold funds from school districts which have failed to adopt a unitary nonracial school system. It tells us that, in effect, from now on we will use Federal funds to perpetuate discrimination.

Title VI of the Civil Rights Act of 1964 prohibits discrimination in programs receiving Federal assistance. This provision, if adopted, would nullify title VI fund cutoffs from school districts which have not come up with effective plans for desegregation.

The Federal Government does not require that an effective plan involve busing, or the closing of schools. It is up to the local school districts to devise the method for ending a system of dual schools. This may indeed require changes in transportation arrangements, changes in the use of facilities and new construc-

tion. This is only the result of the past ingenuity of school administrators in developing a system of racially divided schools.

This provision would reinforce the dual school system. It is not enough to operate on a "freedom of choice" basis, where parents are free to select which of two schools to send their children. This is not a two-way street. The whites choose to stay at the traditionally white school. None choose to transfer to the black school, which retains its traditional identity. A few black children may transfer to the white school. We still have a dual school system. It is this we must overcome, and we must defeat the proposed amendment to continue the effort.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia (Mr. THOMPSON).

Mr. THOMPSON of Georgia. Mr. Chairman, it is virtually impossible in 1 minute really to shed any light on this, but I want you to know one thing, that is, this is one Congressman who is very upset about what occurred in my district this week.

We had an $850,000 school closed and abandoned. That $850,000 just went down the drain. We were served notice, by HEW further, that we have five, six, or seven other schools that are deep in all-black areas. Without a single exception, every child going into this $850,000 Eva Thomas High School was going to the school that they lived closest to. HEW told the Fulton County system, "You may not assign the children to the school that they live closest to, but you must provide racial balance." They gave us three choices by which to abide. This is coercion.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama (Mr. FLOWERS).

Mr. FLOWERS. Mr. Chairman, the Committee on Appropriations has quite properly included sections 408 and 409 in the bill referred to this Committee for consideration. The language contained in both of these sections is concise, to the point and is not subject to administrative or judicial "interpretation." These two sections taken together provide concrete assurance that this Government will not force busing of students or force any student to attend a particular school against his choice or that of his parents, and this is as it should be.

A history of ill conceived action by the Department of Health, Education, and Welfare makes inclusion of these sections mandatory. The continued existence of a system of public education beneficial to children of all races demands an end to HEW harassment. Therefore, Mr. Chairman, in order to protect public education in Alabama, and indeed, throughout the Nation, I urge that the Members of this body leave section 408 and 409 intact as written.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. MACGREGOR).

Mr. MACGREGOR. Mr. Chairman, I rise in support of the Cohelan amendment.

Mr. Chairman, it seems to me we have overlooked, or at least only lightly touched on, three items in this debate.

The first things we have overlooked are the provisions of existing law. Existing law is very clear and it has been for 5 years. Section 401 of the Civil Rights Act of 1964 clearly provides that desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance. Title VI provides explicitly for judicial review. I have heard a lot of complaints today about how school district leaders have been treated by the Department of Health, Education, and Welfare, but I have heard very little about their resort to the courts in order to secure justice under the law.

The second thing, Mr. Chairman, is that we have a new administration. It issued a comprehensive statement, the Finch-Mitchell statement, on July 3 of this year. I think we ought to give the Nixon administration an opportunity to work out its plans for school desegregation under existing law before we effect this drastic change through poorly considered language such as that now before us in sections.

Item 3, Mr. Chairman, is simply this: We have a School Desegregation Guideline Subcommittee of the House Committee on the Judiciary. Here is the place to consider sweeping changes in basic law; the proper vehicle is surely not this appropriations bill.

Mr. Chairman, the time for mere "deliberate speed" has run out in our efforts to make school desegregation a reality throughout America. As recent Supreme Court and circuit court decisions have stated, school districts not now in compliance must complete the process of desegregation "at the earliest practicable date."

I am pleased to see that the Nixon administration by word and deed has reiterated its determination to bring a speedy end to racial segregation in our schools in accordance with the law of the land. The procedures for achieving this goal have been spelled out in the comprehensive joint statement on school desegration by Robert Finch, Secretary of Health, Education, and Welfare, and Attorney General John N. Mitchell issued July 3. Their statement follows:

STATEMENT ON SCHOOLS: "OUR AIM IS TO EDUCATE, NOT PUNISH"

(NOTE.—Following is the text of a joint statement on school desegregation by Robert Finch, Secretary of Health, Education, and Welfare, and Attorney General John N. Mitchell.)

This Administration is unequivocally committed to the goal of finally ending racial discrimination in schools, steadily and speedily, in accordance with the law of the land. The new procedures set forth in this statement are designed to achieve that goal in a way that will improve, rather than disrupt, the education of the children concerned.

The time has come to face the facts involved in solving this difficult problem and to strip away the confusion which has too often characterized discussion of this issue. Setting, breaking and resetting unrealistic "deadlines" may give the appearance of great Federal activity, but in too many cases it has actually impeded progress.

This Administration does not intend to continue those old procedures that make satisfying headlines in some areas but often hamper progress toward equal, desegregation education.

Our aim is to educate, not to punish; to stimulate real progress, not to strike a pose; to induce compliance rather than compel submission. In the final analysis Congress has enacted the law and buttressed the Constitution, the courts have interpreted the law and the Constitution. This Administration will enforce the law and carry out the mandates of the Constitution.

A great deal of confusion surrounds the "guidelines." The essential problem, however, centers not on the guidelines themselves but on how and when individual school districts are to be brought into compliance with the law.

The "guidelines" are administrative regulations promulgated by the Department of Health, Education and Welfare, as an administrative interpretation, not a court interpretation, of the law. Frequently the policies of the Department of Justice, which is involved in law suits, and the Department of Health, Education and Welfare, which is involved in voluntary compliance, have been at variance.

Thus, we are jointly announcing new, coordinated procedures, not new "guidelines."

In arriving at our decision, we have for five months analyzed the complex legacy that this Administration inherited from its predecessor and have concluded that such a coordinated approach is necessary.

Fifteen years have passed since the Supreme Court, in Brown v. Board of Education, declared that racially segregated public schools are inherently unequal, and that officially-imposed segregation is in violation of the Constitution. Fourteen years have passed since the Court, in its second Brown decision, recognized the tenacious and deep-rooted nature of the problems that would have to be overcome, but nevertheless ordered that school authorities should proceed toward full compliance "with all deliberate speed."

Progress toward compliance has been orderly and uneventful in some areas, and marked by bitterness and turmoil in others. Efforts to achieve compliance have been a process of trial and error, occasionally accompanied by unnecessary friction, and sometimes resulting in a temporary—but for those affected, irremediable—sacrifice in the quality of education.

Some friction is inevitable. Some disruption of education is inescapable. Our aim is to achieve full compliance with the law in a manner that provides the most progress with the least disruption and friction.

The implications of the Brown decisions are national in scope. The problem of racially separate schools is a national problem, and we intend to approach enforcement by coordinated administrative action and court litigation.

SEGREGATION POLICY

The most immediate compliance problems are concentrated in those states which, in the past, have maintained racial segregation as official policy. These districts comprise 4477 school districts located primarily in the 17 Southern and border states; 2994 have desegregated voluntarily and completely; 333 are in the process of completing desegregation plans; 234 have made an agreement with the Department of Health, Education and Welfare to desegregate at the opening of the 1969-70 school year; under exemption policies established by the previous Administration, 96 have made such an agreement for the opening of the 1970-71 school year.

As a result of action by the Department of Justice or private litigants, 369 districts are under court orders to desegregate. In many of these cases the courts have ordered the

districts to seek the assistance of professional educators in HEW's Office of Education pursuant to Title IV.

A total of 121 school districts have been completely cut off from all Federal funds because they have refused to desegregate or even negotiate. There are 263 school districts which face the prospect, during the coming year, of a fund cut-off by HEW or a lawsuit by the Department of Justice.

These remaining districts represent a steadily shrinking core of resistance. In most Southern and border school districts, our citizens have conscientiously confronted the problems of desegregation, and have come into voluntary compliance through the efforts of those who recognize their responsibilities under the law.

SEGREGATION IN FACT

Almost 50 per cent of all of our public elementary and secondary students attend schools which are concentrated in the industrial metropolitan areas of the 3 Middle Atlantic states, the 5 northern Midwestern states and the 3 Pacific Coast states.

Radical discrimination is prevalent in our industrial metropolitan areas. In terms of national impact, the educational situation in the North, the Midwest and the West require immediate and massive attention.

Segregation and discrimination in areas outside the south are generally de facto problems stemming from housing patterns and denial of adequate funds and attention to ghetto schools. But the result is just as unsatisfactory as the results of the de jure segregation.

We will start a substantial program in those districts where school discrimination exists because of racial patterns in housing. This Administration will insist on nondiscrimination, the desegregation of facilities and school activities, and the equalization of expenditures to insure equal educational opportunity.

In last year's landmark Green case, the Supreme Court noted: "There is no universal answer to the complex problems of desegregation; there is obviously no one plan that will do the job in every case. The matter must be assessed in light of the circumstances present and the options available in each instance." As recently as this past May, in Montgomery V. Carr, the Court also noted that "in this field the way must always be left open for experimentation."

Accordingly, it is not our purpose here to lay down a single arbitrary date by which the desegregation process should be completed in all districts, or to lay down a single, arbitrary system by which it should be achieved.

A policy requiring all school districts, regardless of the difficulties they face, to complete desegregation by the same terminal date is too rigid to be either workable or equitable. This is reflected in the history of the "guidelines."

After passage of the 1964 Civil Rights Act, an HEW policy statement first interpreted the Act to require affirmative steps to end racial discrimination in all districts within one year of the Act's effective date. When this deadline was not achieved, a new deadline was set for 1967. When this, in turn, was not met, the deadline was moved to the 1968 school year, or at the latest 1969. This, too, was later modified, administratively, to provide a 1970 deadline for districts with a majority Negro population, or for those in which new construction necessary for desegregation was scheduled for early completion.

Our policy in this area will be as defined in the latest Supreme Court and Circuit Court decisions: that school districts not now in compliance are required to complete the process of desegregation "at the earliest practicable date"; that "the time for mere 'deliberate speed' has run out"; and, in the words of Green, that "the burden on a school board today is to come forward with a plan that promises realistically to work, work now."

In order to be acceptable, such a plan must ensure complete compliance with the Civil Rights Act of 1964 and the Constitutional mandate.

In general, such a plan must provide for full compliance now—that is, the "terminal date" must be the 1969–70 school year. In some districts there may be sound reasons for some limited delay. In considering whether and how much additional time is justified, we will take into account only bona fide educational and administrative problems. Examples of such problems would be serious shortages of necessary physical facilities, financial resources or faculty. Additional time will be allowed only where those requesting it sustain the heavy factual burden of proving that compliance with the 1969–70 time schedule cannot be achieved; where additional time is allowed, it will be the minimum shown to be necessary.

In accordance with recent decisions which place strict limitations on "freedom of choice," if "freedom of choice" is used in the plan, the school district must demonstrate, on the basis of its record, that this is not a subterfuge for maintaining a dual system, but rather that the plan as a whole genuinely promises to achieve a complete end to racial discrimination at the earliest practicable date. Otherwise, the use of "freedom of choice" in such a plan is not acceptable.

For local and Federal authorities alike, school desegregation poses both educational and law enforcement problems. To the extent practicable, on the Federal level the law enforcement aspects will be handled by the Department of Justice in judicial proceedings affording due process of law, and the educational aspects will be administered by HEW. Because they are so closely interwoven, these aspects cannot be entirely separated. We intend to use the administrative machinery of HEW in tandem with the stepped-up enforcement activities of Justice, and to draw on HEW for more assistance by professional educators as provided for under Title IV of the 1964 Act. This procedure has these principal aims:

To minimize the number of cases in which it becomes necessary to employ the particular remedy of a cutoff of Federal funds, recognizing that the burden of this cutoff falls nearly always on those the Act was intended to help; the children of the poor and the black.

To ensure, to the greatest extent possible, that educational quality is maintained while desegregation is achieved and bureaucratic disruption of the educational process is avoided.

The Division of Equal Educational Opportunities in the Office of Education has already shown that its program of advice and assistance to local school districts can be most helpful in solving the educational problems of the desegregation process. We intend to expand our cooperation with local districts to make certain that the desegregation plans devised are educationally sound, as well as legally adequate.

We are convinced that desegregation will best be achieved in some cases through a selective infusion of Federal funds for such needs as school construction, teacher subsidies and remedial education. HEW is launching a study of the needs, the costs, and the ways the Federal Government can most appropriately share the burden of a system of financial aids and incentives designed to help secure full and prompt compliance. When this study is completed, we intend to recommend the necessary legislation.

We are committed to ending racial discrimination in the Nation's schools, carrying out the mandate of the Constitution and the Congress.

We are committed to provide increased assistance by professional educators, and to encourage greater involvement by local leaders in each community.

We are committed to maintaining quality public education, recognizing that if desegregated schools fail to educate, they fail in their primary purpose.

We are determined that the law of the land will be upheld; and that the Federal role in upholding that law, and in providing equal and constantly improving educational opportunities for all, will be firmly exercised with an even hand.

The objective of the Nixon administration as set forth in this statement is to achieve total desegregation of our schools "in a way that will improve, rather than disrupt, the education of the children concerned." In the past the Departments of Justice and Health, Education, and Welfare have failed to fully coordinate their activities so as to effectively accomplish this objective. These two Departments are now working together to assure this type of cooperative effort. Where possible, greater emphasis is being placed on stepped up enforcement activities by Justice and greater use of technical assistance and other Federal help as provided for in title IV of the 1964 Civil Rights Act. This should help to achieve compliance without resorting to the use of the drastic device of a cutoff of Federal funds. These cutoffs often hurt most the very children who are in the greatest need.

As the Washington Evening Star recently commented:

Impressive statements are a poor substitute for productive action.

Speaking of the Finch-Mitchell statement the Star added that—

The selective tactic, now being employed, is more flexible but not necessarily more lenient on offending local officials.

Since the present administration took office, the Justice Department has become involved in 15 lawsuits and has issued three warnings affecting school districts in both North and South. Indeed the evidence to date provides little comfort for those who had hoped that this administration would abandon or compromise its clearly stated determination to vigorously enforce the civil rights laws.

Here is the full text of editorials from the Miami Herald and the Evening Star of July 11, 1969, commenting on this administration's actions to bring about school desegregation:

[From the Washington (D.C.) Evening Star, July 11, 1969]

DESEGREGATION TACTICS

It now appears that much of the civil rights community and a handful of editorial hipshooters sounded off somewhat prematurely about the Nixon administration's "sellout" to the school segregationists. The liberal lamentations—and those muted cheers from the segregationist camp—that greeted the announcement of a relaxation of the September desegregation deadline might better have been withheld until the administration's motives became a matter of knowledge rather than speculation.

The Justice Department's ultimatums to the school boards of Chicago and Georgia,

coupled with the six new school desegregation suits already instituted, provide persuasive evidence that what's afoot is a change of tactics, not a sellout.

It is, perhaps, somewhat too early for an unqualified endorsement of the new tactic. Everything depends on how earnestly the Justice Department follows up on its new policy of moving against offending school systems, wherever they may be, to force compliance with the federal law. All that can be said now is that the administration is off to an encouraging start, and one that can provide no comfort at all to the die-hard segregationists.

Those who set up the premature clamor over the administration's initial announcement evidently failed to appreciate that impressive statements are a poor substitute for productive action. The desegregation deadline, which sounded jim-dandy, would in fact have proved almost impossible to enforce. A strict enforcement would have inflicted severe penalties on school systems—and school children—which were unavoidably unable to meet the standards.

The selective tactic, now being employed, is more flexible but not necessarily more lenient on offending local officials. It should certainly be given a chance to prove itself before being condemned.

Civil rights leaders have complained, with ample reason, that desegregation, since the historic Supreme Court order 15 years ago, has progressed at an outrageously slow pace. It seems passing strange that so many of these concerned citizens should leap to the defense of the system that has produced such scant results, and should have moved so quickly to attack an approach to the problem that is new, and that may well replace the hollow promise of yesterday with results.

[From the Miami (Fla.) Herald, July 11, 1969]

THE MODERATE COURSE UNHINGES NIXON CRITICS

Once again, the Nixon administration shows its critics that they should not be quite so hasty in sketching its political profile.

The President continues to steer a middle and moderate course not easily categorized. His decision to try a new tactic in school desegregation is the latest evidence.

For the first time the Justice Department will sue for school integration on a statewide basis. Georgia has been given two weeks to begin remedial action.

At the same time, adding geographical balance, the city of Chicago is given the same two weeks to end school faculty segregation.

Just last week, critics were sounding the alarm that the President would not move decisively in this field.

Their concern was prompted by two recent decisions: That judgment should be exercised in applying September, 1969, school integration deadlines; that the Voting Rights Act be broadened to include all the nation, and that the Justice Department should exercise the initiative in prosecuting violations.

Both positions were interpreted as poorly disguised attempts to pacify segregationists, in particular Sen. Strom Thurmond of South Carolina.

As we said before, the President should be judged by what he does, not by what some are afraid he might do. The actions in Chicago and Georgia show that he is honoring his promise of "unequivocal commitment to the goal of finally ending racial discrimination in schools."

The careful, undramatic manner he chooses to meet this commitment may seem tame stuff in these intemperate times, but we see it as a good path for a nation too much torn by disruption.

Many will want a faster pace, and some will want no pace at all, but for the nation as a whole Mr. Nixon's deliberate pace seems to promise the most reliable progress.

Mr. Chairman, while I strongly favor the increased amounts now contained in the bill by amendment for the support of education, I cannot vote "yes" on final passage unless we strike from the bill the anti-civil-rights language inserted by the gentleman from Mississippi (Mr. WHITTEN). I urge my colleagues to support the Cohelan amendment to strike.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina (Mr. FOUNTAIN).

Mr. FOUNTAIN. Mr. Chairman, so many others, especially the distinguished gentlewoman from Oregon (Mrs. GREEN), and the chairman of the Appropriations Committee (Mr. MAHON), have already said much more eloquently than I can, what I have been trying to get across since the passage of title VI of the Civil Rights Act of 1964.

Federal funds appropriated to help improve the public school systems of this country—to help bring about quality education, have too often been used as a blackjack to force local school officials to succumb to the wishes of those who are not elected officials but administrators in the Department of Health, Education, and Welfare.

No law can be meaningful and useful unless it is administered with wisdom and understanding. Sections 408 and 409 of this legislation will not change any court decisions nor any provisions of any civil rights law. It is intended to inject wisdom and understanding into the administration of title VI of the Civil Rights Act of 1964, and to prevent a cutoff of Federal funds in those school districts which are complying with school desegregation laws and in those where an honest, faithful effort is being made to comply through freedom of choice and other methods.

Freedom of choice in North Carolina has resulted in very substantial integration of our public schools, but regrettably both our courts and certain officials in HEW and the Department of Justice have not been satisfied. If the new administration intends to work for quality education and to be fair and just to all of our children, sections 408 and 409 will handicap them in no way.

Mr. Chairman, I oppose the amendment of the gentleman from California and urge its defeat.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. MCCULLOCH).

Mr. MCCULLOCH. Mr. Chairman, I rise in support of the motion to strike sections 408 and 409.

Fifteen years ago the Supreme Court, in Brown against Board of Education, ruled that discriminatorily segregated schools must desegregate with all deliberate speed. The realization of that mandate is long overdue.

Children who were about to enter school when the Supreme Court spoke have now completed their education. Yet many schools in our country are still segregated. Such delay is unconscionable.

Basically, there are two ways to compel a school district to comply with the Constitution: first, laws enacted in accordance therewith to withhold Federal funds, and second, to enjoin the segregation and hold noncomplying officials in contempt of court.

The second method is unworkable. In many parts of the country, the elected school board members must defy court orders to desegregate in order to retain their positions. Thus, noncomplying officials ofttimes achieve popularity while black children do not achieve equality.

Sections 408 and 409 would thus remove the more workable means of compelling compliance with the Constitution. Those sections, in effect, would prevent the executive branch of our Government from performing its most fundamental duty—enforcing the law of the land.

Those sections would not only prevent us from going forward but would require that we march backward from the goal of equal justice for all.

I urge the Members of this body to permit HEW to continue to enforce the Constitution and the laws enacted pursuant thereto. I urge the adoption of the motion to strike.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. CORMAN).

Mr. CORMAN. Mr. Chairman, there is no more troublesome issue in this Nation than that of racial segregation. We must get on with desegregation in our schools. The vote today is to decide whether or not we will.

Mr. Chairman, the purpose of freedom of choice in the South is merely a method to continue the dual school system. One is both shocked and saddened at the depth of dedication to continued racial discrimination. Can you imagine a school board closing an $850,000 high school rather than integrating it?

Mr. Chairman, the first time I ever heard a speech in this House of Representatives was in 1950 when I was sitting in the gallery. The issue pending at that time was whether or not we were to desegregate our Armed Forces. I recall very well the gentleman from Illinois (Mr. DAWSON), chairman of the Committee on Government Operations, making the most eloquent speech I ever heard pleading for an end to second-class citizenship for Negroes.

Mr. Chairman, the Congress in 1950 decided we would no longer make the Negro a second-class citizen while he was fighting for his country. In a few minutes we will vote on whether he is to be a second-class citizen while attending his country's public school.

A vote for the Cohelan amendment will be a vote for equality and racial justice. I urge support of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. REID).

Mr. REID of New York. Mr. Chairman, I rise in opposition to the Whitten amendment and in support of the amendment of the gentleman from California (Mr. COHELAN) and the gentleman from Massachusetts (Mr. CONTE), to strike sections 408 and 409 of the bill.

Mr. Chairman, very simply, these sections seek to perpetuate illegal segregation and discrimination in public schools: 15 years after the Supreme Court declared that segregated education is inherently unequal; 5 years after Congress enacted the Civil Rights Act of 1964 banning Federal assistance to school systems which discriminate on the basis of race; 1 year after the Supreme Court ruled that ineffective free-choice plans are unacceptable; and only 10 months, I submit, after this House deleted identical language from last year's bill.

Freedom of choice plans have been totally inadequate and insufficient evidence of desegregation, and the courts have held that such plans are acceptable only when these plans result in the elimination of discrimination and unconstitutional segregation.

Specifically, on May 27, 1968, the Supreme Court held in the Green case that the "burden on a school board today is to come forward with a desegration plan that promises realistically to work, and promises realistically to work now."

The issue of busing is introduced into these sections only as a red herring designed to negate the Supreme Court decision in the Green case and to vitiate title VI of the Civil Rights Act of 1964. The sections should be removed from the bill, and we should give full authority to the Department of HEW to withhold money to enforce desegregation. I compliment the gentleman from California and the gentleman from Massachusetts for their continuing leadership in the cause of justice.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. ECKHARDT).

Mr. ECKHARDT. Mr. Chairman, I rise in support of the Cohelan amendment. I should like merely to point out that the court, through Justice Sobeloff, in the Bowman case clearly said that "freedom of choice" is not a talisman; that if it fails to accomplish the desegregation of black and white schools it must be knocked down.

The Supreme Court in the Green case has definitely declared that we have to desegregate the separate black and white schools.

Now, the provisions in the bill here clearly provide that HEW may not use abolition of the freedom of choice scheme to strike down black and white schools, and I submit it is clearly unconstitutional.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Chairman, I would like to make a few comments in support of the committee language dealing with busing of students. Language of this type, I believe, is important to have in the bill, and I strongly hope that it will remain.

The main reason I feel it should be kept is that it will help us keep our desegregation efforts on an even keel, and will help assure that the neighborhood school concept is not completely abandoned.

As an example, I would like to cite the situation in my own home of Austin, Tex., where we recently have had several difficulties on the question of school desegregation.

By way of background, Austin has operated under a freedom-of-choice plan since the desegregation decisions were handed down in 1954 and 1955. This approach has brought us to the point over the past 5 years that over 54 percent of all Negro high school pupils, last school year, were in formally all-white schools. When these programs were started, that figure was less than 1 percent.

The school formerly characterized as the "Negro high school," Anderson High, originally had a peak enrollment of over 1,200, but as a result of the freedom-of-choice plans, enrollment by last year dropped by half to a level of approximately 800. In other words, two-thirds of the students in the Anderson area elected to stay at Anderson. They voted for Anderson. To me this is proof that a good freedom-of-choice plan can be a good one.

This approach met with wide approval throughout all parts of Austin. It was an approach which was showing definite progress, and which was not wholly disruptive of customs for the area.

A great deal of pride and tradition was built up in Anderson High, and it was not easy simply to discard it.

While the existing freedom of choice approach was acceptable locally, and was continuing to show progress, it was not acceptable to HEW. Instead of pursuing this plan, they recommended that Anderson High be closed down, that another junior high be restructured as to the grades it served, and that several other less sweeping steps be taken.

As might be expected, this approach was widely opposed. Primarily, the parents of high school students living in the relatively contiguous black areas of Austin, resented the fact that desegregation generally amounts to closing Negro schools, and transporting Negro students into other areas. As I have heard some Negro parents put it, "Why does desegregation always hit just us?"

Similarly, white parents in surrounding junior high school areas did not like the fact that the new student assignment rules proposed by HEW would cause them to travel greater distances into schools with which they were not familiar.

The HEW plan was aggravated by the fact that its desegregation efforts were, by HEW's own admission, temporary in nature, and did not, and could not, account for the large Spanish-speaking population in Austin. In other words, they said that this plan would still leave us with "minority schools," which would continue to assume an increasing minority ethnic character.

It was in the face of this that the Austin School Board resolved to try to come up with its own plan which would meet HEW approval, but which would also have the support of the local community.

In broadest terms, they elected to try to accelerate the freedom-of-choice program. Anderson High was to be beefed-up in its course curriculum, to include special vocational courses offered nowhere else in town: the faculty was to be more fully integrated—one white teacher for one Negro teacher—and there would be a strong program to encourage white students to transfer into Anderson. White students living in the Anderson area would not be allowed to transfer out, but Negro students would be encouraged to exercise their freedom of choice to attend other high schools.

This plan met with local approval, probably for the primary reason that it preserved Anderson High, but the school board went out on a limb with HEW to pursue this approach. But the Austin school system now has been cited for noncompliance.

Mr. Chairman, Austin is a town of over 260,000 population, and we probably have one of the most progressive records in the area of integration of all cities of similar size. Our school board over the years has been dedicated and alert to the needs of all students in the school system.

When HEW began to threaten our schools with closings, our board bent over backward to find a plan that would be acceptable. They made several counteroffers on plans, but HEW refused all of them. They have done all that they can to keep Anderson open, and this is a goal supported by nearly everyone in Austin. In public meetings, held repeatedly over the past few months, the sentiment has been expressed that the HEW plan is unfair.

I noticed recently that a Federal judge in another Texas city said that that school system must increase, over the next several years, the percentage of Negro students in integrated schools from the present level of approximately 10 percent to at least 16 percent. In Austin, the overall level now is more than 35 percent.

Mr. Chairman, HEW should not have gotten involved in this case at all. HEW seems more interested in obtaining full desegregation, as such, than they are in basic education. In effect, they are trying to abolish a popular and important school in our area. We should allow local school boards to run local schools if they are doing a good job. To the extent the committee language in sections 408 and 409 goes to remedy this problem, this amendment should certainly stay in the bill.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. MCCLOSKEY).

Mr. MCCLOSKEY. Mr. Chairman, I would like to speak in favor of the amendment on a single point; that a due respect for law requires that sections 408 and 409 be deleted from the bill.

Respect for the law necessarily includes respect for Supreme Court decisions.

Regardless of how we may differ on the wisdom of any given Supreme Court decision, I doubt that there is a member in this Chamber who would argue that the Court's rulings are not the law of the land. Congress, more than any other body, owes a duty to respect those decisions and to follow the same law we ask our constituents to accept.

Sections 408 and 409, however, would write into our statutory law a principle which is in direct conflict with a constitu-

tional requirement laid down by the Supreme Court in May 1968, in Green against The School Board of New Kent County, Virginia.[1]

In the Green case the Court said that freedom of choice alone was not sufficient to meet the constitutional tests laid down in the first and second Brown decisions. A freedom of choice plan might be acceptable, but if under facts such as existed in New Kent County, Va., it was merely a subterfuge to preserve segregated schools, then title VI of the Civil Rights Act of 1964[2] would require that no Federal funds be granted to such segregated schools.

Sections 408 and 409, however, would permit funding of such segregated schools.

This is an incredible result, and in all good conscience I do not see how in this year of crisis in law and order we in the Congress can urge our constituents to respect the law if we deliberately enact a bill we know to be inconsistent with an unanimous Supreme Court decision.

Let me add that I do not urge here that the facts and rule of the Green case are applicable to all of the freedom of choice plans which may exist throughout the South and in many places in the North. Forced integration by absurd busing requirements, unreasonable school closings or transfer of pupils from long distances is just as wrong as the deliberate continuance of segregated schools by State or local agencies. Some of my colleagues whom I respect highly have called my attention to specific cases which, in their judgment, represent unreasonable requirements by HEW with respect to either busing or school closings.

But busing and school closings are not the issue here.

If any case occurs where HEW's recommendations or requirements in a given area are capricious or unreasonable. Congress may very well have the obligation to see that HEW does not abuse the rule imposed in the special factual conditions of the Green case.

It may be that we should ourselves clarify desegregation guidelines with respect to mandatory busing and school closings.

But the responsibility to prevent abuse of power in busing and school closing cases does not make it appropriate to deny the proper exercise of power in unlawful freedom of choice cases.

I, therefore, urge an aye vote on the amendment to strike those sections 408 and 409 which would preclude HEW's enforcement of the 1964 Civil Rights Act and the Supreme Court's desegregation decisions.

Purely as a matter of law, these sections are bad law and, in my judgment, would damage not only our efforts to achieve respect for the law by those we represent, but would also unnecessarily damage the reputation of the Congress as the world's foremost lawmaking body.

The CHAIRMAN. The Chair recognizes the gentlewoman from New York (Mrs. CHISHOLM).

Mr. CONYERS. Mr. Chairman, will the gentlewoman yield?

Mrs. CHISHOLM. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I thank the gentlewoman for yielding.

The CHAIRMAN. Does the gentleman wish to take up his time also at this point?

Mr. CONYERS. Yes, Mr. Chairman; I do.

Mr. Chairman, I wish to comment upon what a sad day this is for the democratic process when we listen to people who are apparently serious, telling us that the Whitten provisions are not a means for perpetuating or extending racial school systems in this country. It fools no one outside the Chamber of this House.

Mr. Chairman, I have been trying to check into some of the fanciful tales that have been supposedly recorded about the worst agency, apparently, in the Government—the Department of Health, Education, and Welfare. I have checked into one matter raised by my colleague, the gentleman from Georgia (Mr. THOMPSON), who told us how a new school in his district was forced to close because of abusive, dictatorial policies of the Department of Health, Education, and Welfare. When I sympathetically inquired into this situation, to my amazement and surprise, I found that the decision to close the school had been made by my colleague and the school officials. In making this determination they had rejected no less than three alternative provisions which would have kept the school open.

In addition, we have heard a lot about so-called freedom-of-choice plans. But the truth of the matter is that the freedom-of-choice programs were so slow in bringing about any significant amount of desegregation since the 1954 Supreme Court decision that HEW was reluctantly forced to begin to issue guidelines. That is why we have guidelines—to assist in the regular and speedy development of school desegregation plans. I, for one, refuse to take seriously the undocumented allegations being made against HEW.

The CHAIRMAN. The time of the gentlewoman from New York (Mrs. CHISHOLM) has expired.

The CHAIRMAN. The gentleman from Louisiana (Mr. WAGGONNER) is recognized for 1 minute.

Mr. WAGGONNER. Mr. Chairman, I have been a Member of the House of Representatives for five terms and I have never heard more misrepresentation over an issue than has come forth here today.

There has been more misrepresentation about what HEW is doing or is not doing and fewer people are informed about what HEW is doing than I have ever known in my life.

Quit clouding the issue. Stop your misplaced emotional appeals about segregation and integration. We are neither referring to nor talking about either. Our one concern is preservation of our public school system and quality education for all, both black and white.

If it is wrong to say you cannot, and it is, it is equally wrong to say you must or have to.

There is little to criticize in the language of the 1964 civil rights law. It does nothing more than outlaw discrimination. Discrimination is forbidden. There have been many slips between the cup and the lip. The Office of Education, HEW and the Courts have gone beyond the law with their demands and have ignored Congressional intent. Harold Howe, the last Commissioner of Education went so far as to say: "If I have my way, schools in the future will be built for the primary purpose of social and economic integration." He didn't even mention education.

Some of you make the ridiculous statement that HEW is not guilty of forced busing, but they are. I can prove beyond any shadow of a doubt by producing 37 plans for 37 school boards submitted by HEW to the Western District Court in Louisiana requiring forced busing to satisfy them. I challenge any member of this body to challenge this statement and fact. The arrogance of some HEW and Justice Department personnel defies description. Some of you allege that we will destroy neighborhood schools. Actually what we propose will preserve neighborhood schools. But more important it will give meaning to "freedom of choice" which is the cornerstone of Democracy by outlawing force. You should be ashamed of yourselves. Why don't you come South and see for yourselves how wrong you are. Get rid of your narrow view.

Mr. Chairman, even the Negroes, the professional school people in Louisiana, want freedom from force and this is what this language provides for. Surprising to you, I know, but true.

Vote down the Cohelan amendment so he can apply his efforts to his home town of Berkeley, Calif., where a real problem exists.

The CHAIRMAN. The gentleman from Illinois (Mr. YATES) is recognized.

Mr. YATES. Mr. Chairman, I am one of the members of the Appropriations Committee who voted against the Whitten amendments in committee. I shall support the Cohelan amendment to strike them from the bill.

Some years ago the distinguished author, John Bartlow Martin, made a survey of southern viewpoint on the Brown decision of the United States Supreme Court that public schools be desegregated with all deliberate speed. He incorporated the results of his study in a book entitled: "The Deep South Says Never." Fifteen years after that decision

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[1] "Although the general experience under 'freedom of choice' to date has been such as to indicate its ineffectiveness as a tool of desegregation, there may well be instances in which it can serve as an effective device. Where it offers a real promise of aiding a desegregation program to effectuate conversion to a unitary, nonracial system there might be no objection to allowing such a device to prove itself in operation. On the other hand, if there are reasonably available other ways, such for illustration as zoning, promising speedier and more effective conversion to a unitary, nonracial school system, 'freedom of choice' must be held unacceptable." *Green v. County School Board of New Kent County, Virginia.*

[2] "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." Civil Rights Act of 1964, Title VI.

the deep South apparently still says "never." The amendment of the gentleman from Mississippi, is the latest parliamentary expression of that viewpoint and is an amendment that seeks to nullify the Brown decision, that seeks to rescind title 6 of the Civil Rights Act, that seeks to restore, if that were possible, which it is not, conditions of segregation of the Nation's public schools which existed prior to 1954.

Mr. Chairman, it is unthinkable that the Congress should accept an ill-considered amendment of such extreme importance in an appropriations bill. The amendment is obviously unconstitutional. It would never be approved by the Committee on the Judiciary which has jurisdiction over civil rights matters, and which would be aware of its invalidity under the Constitution. For that matter, it would not be considered by the Education and Labor Committee, either, for that committee, which has jurisdiction over matters involving education, would not take action to turn back the clock. The Appropriations Committee has taken upon itself a legislative prerogative that rightfully belongs to a legislative committee.

The cause of education, the cause of democracy is not served by amendments of this kind. Equal justice under law, the cardinal American principle, embraces within its concept equality of educational opportunity for all the children of our country. The written amendments must be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. STOKES).

Mr. STOKES. Mr. Chairman, I rise in support of the Cohelan amendment, and concurrently commend that distinguished gentleman for the excellent and diligent leadership which he has provided in this matter.

Mr. Chairman, just a few moments ago, when the gentleman from California (Mr. CORMAN) mentioned the speech made by the gentleman from Illinois (Mr. DAWSON), it reminded me of the fact that in 1943 I happened to have been one of the young men in the U.S. armed services for whom Mr. DAWSON was pleading. I was one of the black soldiers in the service of his country who was required to ride in the back of the bus in Mississippi—even though I was in full uniform and on the U.S. Army post where I was stationed at the time.

I guess my heart just does not bleed this afternoon for those who are complaining of the problems that they are subjected to under busing.

My heart does not bleed for you because it bleeds for the 80 percent of the black children in America who are being subjected to this kind of continuous perpetuation of segregation and discrimination. Yes, my heart bleeds for those whose voices you do not hear today.

Mr. Chairman, it is difficult to understand how this House can spend so much time today talking about a law that should be applied to rebellious students, and yet not want the law of the land to apply to their States.

How long—how long, I ask you, do we go on crippling the minds of our young black children in America? For 15 years after the Supreme Court ruled that separate but equal was inherently unequal, the Southern States of this Nation have refused to obey that law.

No, my heart does not bleed for you and the problems which you are having from HEW as a result of your open and defiant disregard of the law. The alleviation of your problems can be summed up in one word—"compliance."

Yesterday, this House showed, during debate, great concern for handicapped children—those who by accident of birth were less fortunate than others. And it was right and proper to show such concern. But how can we turn around today and disregard those who were born normal but have been handicapped by their society? How can we ignore those who have been relegated to unequal educations in America merely because they happend to be black.

All over this Nation today we find evidence of the hostility and alienation of young people, black and white, toward the society in which we live. As a result of our trip to the moon we have harnessed the greatest scientific minds in the Nation to examine the components of rocks from the moon. What this House ought to be doing this afternoon is examining the psychological damage done to the hearts, minds, and souls of young black people as a result of segregation and discrimination in America.

This Congress has to bear a large share of the responsiiblity of explaining how the South still fails to comply with the desegregation order imposed by Brown against Board of Education 15 years ago. Not only has there been open defiance and noncompliance with the law of the land, but today you are being asked to reward the South with a legislative act authorizing their continued perpetuation of segregation.

This utter disregard and disrespect for law is intolerable today.

The greatest disregard for law is evidenced in the State of Mississippi, which has the following deplorable state of affairs:

School districts, 149.

Integrated districts, seven—4.7 percent.

Voluntarily complying districts, 20—13.2 percent.

Districts under court order, 66—44.3 percent.

Districts under administrative examination, 19—12.9 percent.

Districts which have lost all Federal funds, 38—25.5 percent.

This Nation has a responsibility to every child in America to educate that child without regard to his race or national origin. The segregation and discrimination which persists in this country is not in keeping with its promise of equality of opportunity for all Americans.

As one who has over and over again tried to defend the system under which we live, I can testify that this task is made more and more burdensome by every denial of the civil rights of black citizens.

I urge this House to rise up to its responsibilities to every child, black or white, for an equal opportunity in America. I beseech you to support the Cohelan amendment in the name of decency and honor.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. LOWENSTEIN).

Mr. LOWENSTEIN. Mr. Chairman, there are two points that should be made as we come to the end of this discussion. One is that the Office of Education does not, in fact, engage in busing, as I suspect all of us know, except in cases where busing has been used to perpetuate segregation or where school construction has been used as a device for that purpose. Before we vote, we should all know that we are not voting for or against compulsory busing—that is a cloak under which daggers are stabbing the law of the land in the back.

The second point grows from the first, and it is perhaps not much of an overstatement to call it the central matter at issue in this vote. For the fact is that the United States has reached a critical turn in its handling of what we have come to call the race question. We must move toward one society now, firmly, clearly, quickly, honestly; or the drift toward two societies will accelerate, and the Kerner report will move from baleful prophecy to awful reality. In short, Mr. Chairman, we must integrate or we shall surely disintegrate.

There are many people, black and white, who want to preserve—or create—a segregated society, a dual society, a society renouncing the Constitution and reviving separate but equal, this time as the national goal. Those of us who do not want to live in that kind of society, who do not want what was worst in our past to become suddenly the hope of the future, are in retreat, and, worse, in disarray. We retreat further at the price of greater disarray, and so it could continue, on and on, to worse divisions and greater frustrations. That is really what this vote is all about.

I would as soon believe that crocodiles fly as believe that my eminent colleagues who have spent their public lives fighting for segregation—for "our way of life," as it was called not so long ago—have suddenly abandoned their most cherished principles, and have in fact decided to demonstrate their commitment to integration by pressing for the Whitten provisos. I think we owe it to the American people to present squarely a question that is so critical to their future so they can decide which turn they want to take. The use of the busing distraction by those who have all along favored segregation suggests that they know their approach could not prevail if the question were to be joined squarely.

This House should never give strength to extremists of either race. We will give strength to extremists of both if we reject the Cohelan amendments. Every day offers further proof of how right those of us have been who have worked through the years for one America. We see where the failure to achieve one America is bringing us—that alone should be incentive enough for all men of

good will to try harder to do what we ought to have done so long ago.

I shudder for my country if we take the other turn.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. KOCH).

Mr. KOCH. Mr. Chairman, desegration is a very painful process in the North as well as in the South, and we must face the fact that there are people leaving the public school system. But, they are leaving primarily because the educational plants are going downhill.

What was so disheartening in this debate was that the same Appropriations Committee that brought in the so-called Whitten amendment also reduced the appropriation for education by about $1 billion. If we would put in the moneys necessary to make the public educational school plants in this country first rate, we would not have people fleeing the public schools.

Surely, all of us, when we reflect, know that desegration in every phase of public life, including the schools, is necessary to keep this country from polarizing. And, in our hearts as well as our minds we also know it is the right way to proceed, instead of doing those things which separate us and tear this country apart.

To repeat, we must put the needed money into public education so that parents who, understandably, will not sacrifice the education of their children, will bring those children back into the public schools. And at the same time we must continue to desegregate these institutions of learning. The children of this country, black and white are sacred, belonging to all of us and none of them should or need be sacrificed.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. MIKVA).

Mr. MIKVA. Mr. Chairman, we have heard a lot about busing and how it will affect the Chicago area. Just outside of my district in the Chicago area they have been busing for years—busing little white children, past a nearer all-Negro school, to an all-white school. When HEW tried to do something about it, they were accused of high-handedness. But sections 408 and 409 not only do not prevent that kind of busing; instead they prevent HEW from doing anything about that kind of busing. If that is even-handedness, then I do not understand the word.

I support the Cohelan amendments, striking sections 408 and 409.

The CHAIRMAN. All time has expired.

The question is on the amendments offered by the gentleman from California (Mr. COHELAN), pertaining to sections 408 and 409, which by unanimous consent will be considered en bloc.

Mr. COHELAN. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. COHELAN and Mr. FLOOD.

The Committee divided, and the tellers reported that there were—ayes 141, noes 158.

So the amendments were rejected.

AMENDMENTS OFFERED BY MR. CONTE

Mr. CONTE. Mr. Chairman, I offer amendments and I ask unanimous consent that the amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. CONTE: On page 56, line 11, strike lines 11 through 15 and insert the following:

"SEC. 408. No part of the funds contained in this Act may be used to force bussing of students, the abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parent or parents, in order to overcome racial imbalance."

And on page 56, line 16. Strike lines 16 through 20 and insert the following:

"SEC. 409. No part of the funds contained in this Act may be used to force bussing of students, the abolishment of any school or the attendance of students at a particular school in order to overcome racial imbalance as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school."

Mr. SIKES. Mr. Chairman, I wish to make a point of order against the amendment.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. SIKES. Mr. Chairman, it appears to me that the rulings of the Chair heretofore on this bill this afternoon show clearly that this is legislation on an appropriation bill and not a simple limitation in that the language of the amendment will require someone in the executive department to determine whether busing is to overcome racial imbalance. Therefore, it imposes additional duties and as such I consider it to be legislation on an appropriation bill. The Chair has so ruled on a number of occasions on this bill to date.

The CHAIRMAN. Does the gentleman from Massachusetts (Mr. CONTE) care to be heard on the point of order?

Mr. CONTE. I certainly do.

Mr. Chairman, I do not see where these amendments I have, which only change several words in order to overcome racial imbalance, and these are the words that I add, and that is the crucial term—I do not see where it gives the Department of Health, Education, and Welfare or its head or anyone under the Secretary any additional burdens that the present Jamie Whitten sections 408 or 409 do not. I think it is certainly a limitation on the expenditure of funds, and, therefore, the point of order should be overruled.

Further, I may say, Mr. Chairman, if a point of order would lie on this, it will certainly lie on sections 408 and 409, and I will offer such.

Mr. WHITTEN. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. Certainly.

Mr. WHITTEN. Mr. Chairman, I would like to affirm the statement made by the gentleman from Florida (Mr. SIKES), with respect to the earlier ruling by the Chair this afternoon, this being the same factual situation. I submit it is clearly subject to a point of order and clearly in line with the earlier ruling of the Chair this afternoon.

The CHAIRMAN. The Chair is prepared to rule. The Chair recognizes that this is a very difficult matter. The proposed amendment for section 408 is different from section 408 of the bill in that it has added the words "in order to overcome racial imbalance."

The Chair believes that this would impose duties upon officials which they do not have at the present time and, therefore, it is legislation on an appropriation bill.

Mr. CONTE. Mr. Chairman, may I be heard for a minute?

Mr. WAGGONNER. Mr. Chairman, regular order.

The CHAIRMAN. The gentleman will please desist until the Chair has finished his ruling on the second amendment because they are being considered en bloc.

The additional words in the amendment to section 409 are "in order to overcome racial imbalance" and this clearly requires additional duties on the part of the officials. Therefore, it is not negative in nature and is legislation on an appropriation bill.

The Chair, therefore, sustains the point of order.

AMENDMENTS OFFERED BY MR. O'HARA OF MICHIGAN

Mr. O'HARA. Mr. Chairman, I offer two amendments and ask unanimous consent that they be considered en bloc. Both of them concern the so-called Whitten provision.

The CHAIRMAN. The gentleman from Michigan makes the unanimous-consent request that both amendments be considered en bloc as they both pertain to sections 408 and 409.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Chairman, I would like to ask my friend if he has copies of the amendments for the use of the Committee?

Mr. O'HARA. I would advise the distinguished chairman that I wrote them by hand just a few moments ago and have only one copy of them.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. WHITTEN. Mr. Chairman, reserving the right to object, would the gentleman be so kind as to tell us what the amendments are?

Mr. O'HARA. Mr. Chairman, if the gentleman will yield, they strike the language having to do with attendance at a particular school and pertain to sections 408 and 409 to delete the language about busing and the abolishment of schools.

Mr. FLOOD. Mr. Chairman, will the gentleman from Mississippi yield to me?

Mr. WHITTEN. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Chairman, an hour ago I made a motion which was passed by the Committee to limit debate on that amendment and all amendments thereto to 30 minutes. That motion was

agreed to. Therefore, I submit, Mr. Chairman, that this is not in order.

The CHAIRMAN. The Chair must inform the gentleman that his limitation was to the Cohelan amendment, and all amendments thereto. But this is not the Cohelan amendment.

Mr. FLOOD. Mr. Chairman, for the first time since the War between the States—I used to call it the Civil War—I beg to differ. That was not my motion, or the extent of my motion, under no circumstances. I know exactly what I was doing. I did it to prevent this kind of thing, and this House voted on it, and it was sustained, Mr. Chairman.

The CHAIRMAN. The Chair will state that it was the understanding of the Chair that the gentleman referred to the amendment of the gentleman from California (Mr. COHELAN), and all amendments thereto. Since that time the Chair has recognized the gentleman from Massachusetts (Mr. CONTE), for an amendment to these sections, and no one objected to Mr. CONTE's amendments being considered.

PARLIAMENTARY INQUIRY

Mr. FLOOD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. FLOOD. Mr. Chairman, I made the motion as chairman of this committee. I have no interest in what the Chair and the gentleman from Massachusetts (Mr. CONTE) did. I now say that I made the motion. I know exactly what the motion was, and this House sustained it. And, Mr. Chairman, the overwhelming majority of this Committee understands exactly what I did at this minute, do not press it.

The CHAIRMAN. The Chair will state that the gentleman is entitled to his opinion, and that the Chair is entitled to its opinion. If the gentleman insists upon his position the Chair will suspend any further proceedings until a copy of the gentleman's motion is brought before the Chair.

The Chair is trying to do a fair job for each Member here, and the Chair has the right to its opinion, as well as the gentleman from Pennsylvania having a right to his opinion.

Mr. FLOOD. Mr. Chairman, having been in that chair for many years, I yield to the chairman.

Mr. WHITTEN. Mr. Chairman, reserving the right to object to the unanimous-consent request——

The CHAIRMAN. The gentleman has reserved the right to object.

Mr. WHITTEN. Mr. Chairman, could we have the amendment read?

The CHAIRMAN. Under the unanimous-consent request, the amendments can be read with the gentleman from Mississippi reserving the right to object to them being considered en bloc.

The Clerk will read the amendments.

The Clerk read as follows:

Amendment offered by Mr. O'HARA: on page 56, line 12, insert "or".

On line 13 strike out the comma, insert a period and strike out all that follows through and including line 15.

On page 56, line 17, after the comma, insert "or".

On line 18 after the word "school" strike out all that follows down through and including the word "school" on line 19.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan (Mr. O'HARA), that the two amendments be considered en bloc?

Mr. WHITTEN. Mr. Chairman, I reserve a point of order against the amendments at this time.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan (Mr. O'HARA), to consider the two amendments en bloc?

There was no objection.

The CHAIRMAN. The gentleman from Michigan (Mr. O'HARA) is recognized for 5 minutes in support of his amendments.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. O'HARA. Mr. Chairman, I do not yield for a parliamentary inquiry.

The CHAIRMAN. Without objection, the gentleman's request to revise and extend his remarks is granted.

There was no objection.

Mr. O'HARA. Mr. Chairman, I would be happy to yield to the gentleman if he can get me extra time. Otherwise, I cannot.

Mr. Chairman, what I have tried to do is to narrow the issue.

You see the Whitten provisions deal with three different things.

First, "forced busing."

Second, the "abolishment of any school."

Third, and this is the hooker, Mr. Chairman—third, a prohibition against requiring a student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent.

My amendment simply strikes out that ratification ratifies freedom of choice. I do not change the "busing" provision. I do not change the "abolishment of a school" provision. But I remove those phrases that refer to freedom of choice school plans, because the gentleman from Mississippi (Mr. WHITTEN) is asking the House to adopt a freedom of choice school system.

Do you realize, Mr. Chairman, that you could not run a neighborhood school system using funds under this act if the Whitten provisions are agreed to?

The essence of a neighborhood school system is that the children must attend the school in their neighborhood. They have no right to say, "We do not want to go to that school—we will go to another school in a different neighborhood."

I cannot believe that this House, Mr. Chairman, wants to say that it prefers "freedom of choice" and does not like the neighborhood schools any more. But that is what we will be saying—unless we adopt my amendment.

And make no mistake, this ratification of freedom of choice school systems is the real essence of the Whitten provisions. This is what they want from the House.

The business about "forced busing" and the business about the "abolishment of schools," is a lot of window dressing. The real guts of this provision is the ratification of the freedom of choice school system as opposed to the neighborhood school system. I think you ought to consider that carefully before you cast your vote.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman.

Mr. BROWN of Michigan. May I pose a hypothetical situation to the gentleman that I think his amendment corrects?

In a school district such as in Kalamazoo we have two high schools. One is a brandnew high school with a swimming pool and other advantages and all the students wish to attend that high school.

Now without your amendment the school board would be incapable of dealing with that situation. Is that true?

Mr. O'HARA. That is correct. They could not be required to attend the school in their neighborhood.

Mr. BROWN of Michigan. They would have to let all the students who wanted to, attend the nice new school and nobody would attend the older school; is that correct?

Mr. O'HARA. That is correct.

Mr. Chairman, I ask that my amendment be agreed to.

The CHAIRMAN. Does the gentleman from Mississippi (Mr. WHITTEN) insist on making a point of order, under his reservation?

Mr. WHITTEN. No; Mr. Chairman, I will not make the point of order.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. FLOOD), the chairman of the subcommittee.

Mr. FLOOD. Mr. Chairman, I move to limit debate on section 408 and 409 and all amendments thereto, to terminate in 15 minutes.

Mr. CONTE. Mr. Chairman, a parliamentary inquiry. Has section 409 been read yet?

The CHAIRMAN. It has not been read yet.

Mr. CONTE. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CONTE. If the request is agreed to, would it prevent me from raising a point of order against section 409?

Mr. FLOOD. Mr. Chairman, I do not like to seemingly advise the Chair, but we have passed on the merits of that section.

Mr. CONTE. Section 409 has not yet been read.

The CHAIRMAN. The Chair regrets to inform the gentleman from Pennsylvania that section 409 has not been read. Agreements were reached to consider several amendments to sections 408 and 409 en bloc, but section 409 has not been read. Therefore we must proceed in order.

Mr. CONTE. I thank the Chairman.

The CHAIRMAN. As the Chair understands it, the gentleman has asked that all debate on sections 408 and 409 cease in 15 minutes. Is that correct?

Mr. FLOOD. Mr. Chairman, I move that all debate on sections 408 and 409 be terminated in 15 minutes.

Mr. JOELSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOELSON. Section 409 is the last section of the bill. I understand there will be an explanation of a proposed motion to recommit. Will there be time to explain the motion and time for me to comment on it?

The CHAIRMAN. There will be time. Section 409 has not yet been read. Section 409 still must be read. The Chair will certainly recognize any Member after the section has been read, providing it is not for the purpose of offering an amendment to section 408 or section 409. In fact, the Chair will recognize the chairman for a perfecting amendment after that.

Mr. FLOOD. Mr. Chairman, I have no intention of attempting to foreclose a motion, if there is one—and I do not know that there will be—to recommit. I have no intention of foreclosing explanations, if there are any, by any opponent of the motion to recommit.

The CHAIRMAN. The Chair is pleased to have that statement, because the Chair had promised the gentleman who will offer the recommital motion to recognize him for 5 minutes when he moves to strike out the last word, after the Committee concludes action on sections 408 and 409, for an explanation of his motion to recommit.

Mr. JOELSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOELSON. Would the Chair allow me only 5 minutes to comment on the motion to recommit?

The CHAIRMAN. The Chair cannot answer that question right now.

Mr. CONTE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CONTE. Mr. Chairman, I should like to inquire whether my rights will be protected to raise a point of order on section 409 if the motion prevails.

The CHAIRMAN. The gentleman would be entitled to raise a point of order after section 409 is read.

Mr. CONTE. I thank the Chairman.

Mr. ECKHARDT. Mr. Chairman, reserving a point of order, is it the understanding that this motion includes both sections 408 and 409, section 409 not yet having been read?

The CHAIRMAN. That is the understanding of the Chair.

Mr. ECKHARDT. If it included only section 408, I should not make a point of order; but if it includes section 409 also, I would make a point of order that that section has not yet been read.

The CHAIRMAN. Does the gentleman from Texas say that he would make a point of order against the motion of the gentleman from Pennsylvania?

Mr. ECKHARDT. That is correct, cutting off debate on both sections 408 and 409 when section 409 has not been read.

The CHAIRMAN. The gentleman's point of order is well taken on that point and he will be protected on it.

Section 409 has not been read.

Mr. FLOOD. Mr. Chairman, can Members imagine me without words? That surprises me.

Mr. Chairman, I now move that all debate on section 408 terminate now.

The CHAIRMAN. The gentleman has made a motion. Does he include with that all amendments thereto?

Mr. FLOOD. That is correct, on section 408, and we will take 409 in due course.

The CHAIRMAN. And all amendments thereto? The Chair wants to be sure the Chair understands what the motion is. The Chair is ready to state the question on the motion. The question is on the motion of the gentleman from Pennsylvania that all debate now close on section 408 and all amendments thereto.

The motion was agreed to.

The CHAIRMAN. As a result of the motion, just agreed to, there will be no further debate on section 408.

The question now is on the amendments offered by the gentleman from Michigan (Mr. O'HARA), to section 408 and section 409, because unanimous consent has been obtained that they will be considered en bloc.

Mr. WHITTEN. Mr. Chairman, in view of the Chairman's decision that these are to be considered en bloc, I have a question.

The CHAIRMAN. That was the decision of the Committee of the Whole.

Mr. WHITTEN. Mr. Chairman, unanimous consent was requested, and for all practical purposes that includes section 408 and section 409, and the point of order would come too late.

The CHAIRMAN. The question before the House at this moment is a vote on the amendments of the gentleman from Michigan (Mr. O'HARA).

Mr. HAYS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HAYS. Mr. Chairman, the Chair has just now stated that the business before the House is on section 408, as amended, and I would point out the gentleman from Michigan (Mr. O'HARA), has proposed an amendment, and I have not seen nor heard any vote on it, so if the Chair will pardon the gentleman from Ohio, the business before the House, is it not, is the vote on the amendment of the gentleman from Michigan (Mr. O'HARA), to the sections 408 and 409?

The CHAIRMAN. The Chair just stated that the question is a vote on the amendments of the gentleman from Michigan (Mr. O'HARA) to sections 408 and 409.

Mr. HAYS. The vote is on the amendment, not on the section.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Michigan to sections 408 and 409.

Mr. O'HARA. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. O'HARA and Mr. FLOOD.

The committee divided, and the tellers reported that there were—ayes 153, noes 157.

So the amendments were rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 409. No part of the funds contained in this Act shall be used to force busing of students, the abolishment of any school or the attendance of students at a particular school as a condition precedent to obtaining Federal funds otherwise available to any State, school district, or school.

POINT OF ORDER

Mr. CONTE. Mr. Chairman, I raise the point of order on section 409 on page 56 of the bill that this is legislation on an appropriation bill. It violates section 834 of the House rules. It does not comply with the Holman rule. It is not a retrenchment. In fact, it adds additional burdens and additional duties, just as the Chair ruled against my amendment to section 408 because it would require additional personnel to determine whether busing has been used, one, for the abolishing of any school and, two, to require the attendance of any student at any particular school. You would have to have investigators there to determine this as a condition precedent to obtaining Federal funds otherwise available to any State school district or school. No. 1, for the abolition of any school, and No. 2, whether the attendance of any student at any particular school could be investigated there to determine this as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school.

Therefore, Mr. Chairman, I urge the Chairman to sustain the point of order.

The CHAIRMAN. Does the gentleman from Mississippi desire to be heard on the point of order?

Mr. WHITTEN. I do, Mr. Chairman.

Mr. Chairman, I raised the point awhile ago that the gentleman, having asked unanimous consent that the amendments to the two sections be considered en bloc and having obtained that unanimous-consent request, and after having the amendments considered en bloc in connection with the two sections, that the House has already considered section 409 and the point of order comes too late. That is the situation on the one hand.

Second, a reading of the section clearly shows that the House has already considered section 409 in connection with the prior amendments. In addition to that, this is clearly a limitation on an appropriation bill and does not have to conform to the Holman rule.

Mr. WAGGONNER. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Louisiana desire to be heard on the point of order?

Mr. WAGGONNER. I do, Mr. Chairman.

Mr. Chairman, this is clearly a limitation on the expenditure of funds provided in this legislation. The wording of section 409 is identical in every

respect with the wording of the language included in the bill last year and agreed to by this House. Therefore, we have the precedent of its having been accepted without a point of order having been made.

Mr. CONTE. Mr. Chairman, may I be heard further on the point of order?

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts for that purpose.

Mr. CONTE. The point of order that was ruled against the amendment offered was passed by this House last year on a unanimous vote and no one raised a point of order on that.

The CHAIRMAN (Mr. HOLIFIELD). The Chair is ready to rule.

The objection of the gentleman from Mississippi which has been made to the effect that this section had been considered when, by unanimous consent amendments to the two sections were considered, does not nullify the fact that section 409 had not been read. Therefore, when section 409 was read it was subject to points of order.

Mr. WHITTEN. I do not press that point, I will say to the Chairman.

The CHAIRMAN. The point was raised and the Chair wanted to clarify that point.

Now, the gentleman from Massachusetts (Mr. CONTE) has raised a point of order against section 409 on the ground that it constitutes legislation on an appropriation bill. The gentleman from Mississippi (Mr. WHITTEN) insists that the language is in order as a limitation.

The Chair has reviewed the section in question. It prohibits the use of funds in this bill to force first, the busing of students; second, the abolishment of any school; or third the attendance of students at a particular school.

The clear intent of this section is to impose a negative restriction on the use of the moneys contained in this bill.

The Chair has examined a decision in a situation similar to that presented by the current amendment in the 86th Congress, during consideration of the Defense Department appropriation bill, an amendment was offered by Mr. O'HARA, of Michigan, which provided—and the Chair is now paraphrasing—no funds appropriated in that bill should be used to pay on a contract which was awarded to the higher of two bidders because of certain Defense Department policies. The Chairman of the Committee of the Whole, Mr. Keogh, of New York, held the amendment in order as a limitation, even though it touched on the policy of an executive department—86th Congress, May 5, 1960; CONGRESSIONAL RECORD, volume 106, part 7, page 9641. Chairman Keogh quoted, in his decision, the precedent carried in section 3968 of volume IV, Hinds' Precedents, and the Chair thinks the headnote of that earlier precedent is applicable here:

> The House may provide that no part of an appropriation shall be used in a certain way, even though executive discretion be thereby negatively restricted.

The Chair overrules the point of order.

AMENDMENT OFFERED BY MR. FLOOD

Mr. FLOOD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. FLOOD: On page 56, after line 20, add the following: "This Act may be cited as the Departments of Labor, and Health, Education, and Welfare, and related agencies appropriations act, 1970."

Mr. FLOOD. Mr. Chairman, with this amendment the heavens will not fall. I went to the opening of a very famous play a few years ago, "Something Funny Happened On The Way To The Forum." Well, something funny happened here, and I am very embarrassed. Believe it or not, the citation paragraph at the end of the bill was there in the committee print. I saw it with my own eyes. But it got lost someplace on the way downtown, and it is not in the official, numbered bill. So all this amendment does is restore it.

Mr. Chairman, I hope that we may conclude the amending process of this bill with a blaze of glory for the committee. I trust that the amendment is agreed to overwhelmingly.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. FLOOD).

The amendment was agreed to.

Mr. MICHEL. Mr. Chairman, as we wind up the deliberations on this very important bill to fund all the activities of the Departments of Labor, and Health, Education, and Welfare, I would like to say that this 3-day debate has been a very healthy one conducted on the highest plane in keeping with the finest traditions of this House.

It turned out to be a controversial piece of legislation both in terms of money and philosophy.

On the strength of the increased money amendments adopted in the Committee of the Whole House, our Committee on Appropriations has been rolled for more money than I can recall in my 14 years as a Member.

In view of what some of us attempted to do, I'm naturally distressed to have lost. All of us in this arena like to win, but as in any game, we win some and lose some and tomorrow is another day.

I do hope that before long we will see the day when this war will be over and when inflation will be brought under control, for then I will feel that I too in good conscience can support a higher level of expenditures for these vital fields of Health, Education, and Welfare.

I intend to support the motion to recommit with instructions to be offered by the gentleman from Ohio (Mr. Bow), and if it fails will very reluctantly be forced to vote against my own bill. I just do not see how I can vote for a billion-dollar increase after voting against an extension of the 10 percent surcharge.

And finally when the Chairman of the Committee of the Whole, Mr. HOLIFIELD, steps down to report to the Speaker I believe he deserves a generous round of applause for his superlative performance and deft handling of several very complicated parliamentary situations.

Mr. BOW. Mr. Chairman, I move to strike the last word.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Mississippi.

Mr. COLMER. Mr. Chairman, I have asked my friend, the gentleman from Ohio (Mr. Bow) to yield to me, and I appreciate his yielding to me, merely to announce that, immediately following the vote on this bill, the Committee on Rules will meet upstairs.

Mr. BOW. Mr. Chairman, until I have completed my statement I will decline to yield further.

Mr. Chairman, at the appropriate time I propose to offer a motion to recommit which would provide a spending limitation of $16,364,000,000 for the fiscal year 1970 for the departments and agencies covered by this bill.

I want to point out to the Committee that this spending limitation provides for the expenditure effect of the $156 million which the Committee provided above the budget estimates for 1970 and that it allows for the expenditure effect of the $398 million increase of aid to impacted school districts which was adopted as a part of the Joelson amendment.

Mr. JOELSON. Mr. Chairman, will the gentleman yield for a question?

Mr. BOW. No. I will not yield at this time.

Mr. JOELSON. Mr. Chairman, I am sure the gentleman would not want——

Mr. BOW. Regular order, Mr. Chairman.

The CHAIRMAN. The gentleman declines to yield.

Mr. BOW. This does not affect the expenditure of trust funds for social security, unemployment compensation, soldiers home, railroad retirement, and military service credits, or other Federal fund payments made to trust funds.

Mr. Chairman, I am delighted now to yield to the distinguished gentleman from Texas (Mr. MAHON).

Mr. MAHON. As I understand it, the gentleman, in his motion to recommit, proposes to support the bill as reported to the House, which was $156 million above the budget, and in addition would include in his proposed expenditure limitation provision for the aid to impacted school districts; that is, the total figure as provided in the Joelson amendment; is that correct?

Mr. BOW. The gentleman is absolutely correct. I support the committee bill as to the $156 million increase over the budget and the $398 million for the impacted school areas.

Mr. MAHON. Under the circumstances, I shall support the gentleman's motion to recommit.

Mr. JOELSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD) was courteous enough to provide me with a copy of the motion to recommit. I am very grateful to him for that courtesy.

Now I have read the motion to recommit, and I do not think it does what the gentleman from Ohio (Mr. Bow) thinks it does. This is a difference of opinion. I want you to listen to it very carefully when it is read.

What it does is to increase the committee's recommendation by $398 million. It does not say that the $398 million

should be for impacted areas. It can be for anything. If you think an administration that is against the impacted area aid is going to give money for the impacted areas unless they are mandated to do so, I think you are living in a wonderland.

Aside from that—just on the issues—even if it does what the gentleman from Ohio (Mr. Bow) thinks it does—and it does not—but assuming that it does—it just takes care of impacted areas. You turn your back on the kids in the city slums. You turn your back on those kids who want to go to college and get a loan. You turn your back on the schools of America who want a little money for libraries and for equipment. You turn your back on vocational education and you turn your back on school construction.

I say to you, it is a cynical ploy and I do not think it is going to work even on the Republican side of the aisle.

Mr. Chairman, I yield back the balance of my time.

Mr. DELLENBACK. Mr. Chairman, yesterday the House took a commendable step toward recognizing the urgent needs of education in our country today. By amending this HEW appropriation bill to increase the appropriations for several major programs by a total of almost $900 million, we of the House demonstrated our conviction that generous investment in education is extremely prudent economy for the Federal Government. The returns yielded by this investment will be beyond price.

Personally I am pleased perhaps most of all with the increase for vocational education. The additional $240,500,000 over last year's funds will make it possible for vocational educators to initiate exciting, promising, innovative programs authorized by the 1968 amendments as well as to continue ongoing programs which have proven successful.

As a further result of yesterday's action, school librarians who have made vast improvements with ESEA title II funds will be able to continue their progress in fiscal 1970 with an appropriation of $50 million. The past achievements under ESEA title III, NDEA titles III and V–A, were recognized also by substantial increases. All four programs should be strengthened further by consolidation in 1971 as provided in H.R. 514, already passed by this body and now awaiting action by the Senate.

Once again, controversy over the impact aid program opened up the possibility of a crisis situation for hundreds of school districts throughout the United States. To avoid financial disaster for these districts which had understandably counted on this aid, it was obviously necessary to fund the 3(b) category adequately. In order to avoid any repetition of this near-crisis situation in the future, it is essential for Congress to consider the future of the entire impact aid program as soon as possible. Certainly under no circumstances should the entire funding of 3(b) impacted aid programs be summarily cut off.

A financial crisis would also have resulted from underfunding of the NDEA student loan program. And worse, inadequate appropriations would have brought disappointment and disillusionment to students across the Nation. Hopefully, the increase of about $35 million over the 1969 appropriation will make it possible to expand this program in fiscal 1970 and bring the benefits of a higher education to an even greater number of students this coming year.

Finally, the addition of $180 million to the original bill's appropriation for ESEA title I clearly expresses an abiding concern for the disadvantaged children in this country and a special desire to make their futures brighter. In fact, all of these increases for outstanding educational programs will brighten the future of the entire Nation.

The first task now before us is for the Members of the House to pass this appropriation bill, as amended and to do so by a strong and convincing margin. The next task is for the Senate to act carefully but swiftly to join the House in passing this measure and make it the law of the land. And the next task is for all of us who are concerned about education to join together to make the dollars here committed to the causes of education fulfill their assigned functions as effectively and efficiently as possible. This bill will make a long step in the direction of making available the proper tools. It is now up to the educators—to the school boards and administrators—to the State legislators—to seize those tools and use them to their utmost potential.

Mr. BOB WILSON. Mr. Chairman, I want to add my strong and wholehearted support for the need for full funding of Public Law 874.

In recent years the Federal Government has become increasingly involved in the betterment of education across the country and innovative Federal programs have been established. Despite the initiation of new, highly specialized and federally controlled projects, education officials in my district have repeatedly emphasized the importance and value of the nearly two-decade-old impact aid program. This program consistently receives high marks from educators who are particularly attuned to its flexibility and lack of direct Federal controls.

The presence of Federal installations in a community removes a substantial amount of property from the tax base of the area, while at the same time causing a large impact on student enrollments and subsequent education costs. This greatly increases the local tax load of the already overburdened taxpayer. Failure by the Federal Government to provide impact aid funds to offset this burden would result in local fiscal havoc in education funding.

Despite the pleasing announcement today that we have a substantial budget surplus for the first time in many years, we are, nonetheless, aware of the importance of keeping down the level of Federal spending and fighting inflation. Reducing impact aid funding by more than half of last year's appropriation, however, would be false economy and a serious blow to an established and well-proven education program.

For these reasons, I support the full funding of both category A and B students and urge my House colleagues to restore these funds to the bill before us now.

Mr. DEVINE. Mr. Chairman, yesterday this House took a giant stride backward in what I consider to be a disgraceful performance in the area of complete financial irresponsibility. By a series of amendments, coupled with emotional speeches and some raw demagoguery, this body loaded the American taxpayers with additional obligations exceeding $1 billion. A real budget-busting billion dollar blow.

Mr. Chairman, to compound this reckless disregard of the heavy burdens already carried by the taxpayer, it should concern all of the American people that a great number of the Members who supported this billion dollar budget-busting operation, are among the identical ones who piously voted against the surtax extension that would provide some of the funds to pay for their excesses. In fact, an examination of voting patterns over the years reveals a substantial cadre that never-ever voted "no" on a spending bill, but these same big spenders vote against the bill to raise the funds.

Let us put it another way, Mr. Chairman. Can it be considered responsible conduct, free of political motivation to favor and speak for all of the bills giving millions and millions to kids, education, mothers, poor folks, old folks, veterans, handicapped, sick, disabled, retarded, teachers, with appropriate press releases about compassion, humanitarianism, and their general do-gooder posture, and then turn around and expect the other Members who responsibly control themselves within the anticipated revenues to bail them out by voting for the money to pay the bill? I think not, and feel this type of legislative chicanery is reprehensible.

It is easy, Mr. Chairman, to be for everything, and hold oneself out as the champion of all. And it is equally difficult to do the responsible thing and try to confine one's activities within the limitation of available funds. The Members obviously felt the warm breath of the school people manning the galleries and marched up the hill and down again, adding $398 million to impact aid; $110 million plus for libraries, equipment, and so forth; $131 million plus vocational education; $33 million higher education; $40 million plus NDEA student loans; $180 million plus ESEA title I. Further add-ons were $15 million plus for handicapped, $4 million mentally retarded; $7 million for libraries. There were at least a half dozen other amendments offered for more money for the Library of Congress, juvenile delinquency, consumer training. So far these are not included, but do not be a bit surprised when this thing comes back from the Senate, further loaded like a Christmas tree.

Mr. Chairman, those of us who cannot swallow the practice of voting for programs when we do not have the money; that will require the Government to go out and borrow the money; that will further compound the public debt; that will increase the interest obligations, will

also be vilified by the special-interest groups, lobbyists, and professional handwringers for being against children, education, teachers, libraries, motherhood, and any number of things. This, of course, is ridiculous and less than honest.

It seems to me our school people have sold out. This has all come about by the carrot-on-the-stick bribery of Federal funds. Many of us predicted what would happen when the local schools bought the Federal aid to education concept. The impact area theory was sound when initiated, but has gone completely out of control. Rather than being looked upon as a windfall to supplement local funds, they are now conditioned to expect perpetual and increased impact funds as a base from which to build their local budget. Of course, we recognize the very difficult problem of school financing and the reluctance of the people to approve levies and bond issues, but where in the world do people think Federal funds come from? Yes, the taxpayer. The same taxpayer who cannot exactly feel the direct impact of paying indirectly. As far as my State is concerned, the Tax Foundation suggests our people in Ohio pay $1.48 for each dollar they receive in Federal aid. That might show why a lot of other States support these programs, but it sure is a bad deal for my people.

In any event, Mr. Chairman, this legislation has been very revealing as to pattern and philosophy. Yesterday and today are landmarks that will not be forgotten. Perhaps the President may see fit to veto this bill and send it back within the bounds of reason and financial responsibility. I certainly hope so, because the American people continue to cry out for reduced spending and tax relief. It will never come by following the patterns we have seen develop this week.

Mr. LLOYD. Mr. Chairman, there is no question but that in an era in which we are spending $20 billion annually for a war and ever-increasing amounts in the exploration of space, we must give continuing consideration to our priorities, and I for one am in favor of adjusting these priorities to place greater emphasis on the obvious needs and opportunities in the field of education.

The fact that we are spending $4 billion annually for moon and space exploration certainly does not constitute a directive to us to overspend on projects not directly connected with the moon.

We must also give priority to the economic emergency which confronts us. The stock market has plunged to the lowest point in over 2½ years which is indicative of lack of confidence in our Nation's commitment to good management of our fiscal affairs which would give more stability to the value of the savings of our people. Last month our inflation rate was at the rate of 0.06 of 1 percent which is at an annual rate in excess of 5 percent.

Today we have legislation brought before us by the Appropriations Committee which has labored long and responsibly in consideration of our ability to give Federal aid to many branches of education. The committee has recommended that we increase our appropriations to education over the appropriations of fiscal year 1969. Personally I do not believe even that amount is sufficient, and on a selective basis, particularly in the area of aid to federally impacted areas, I favor a substantial increase in Federal appropriations. I also favor increases in other selected areas such as vocational education and libraries. I support selective increases.

The Joelson amendment, however, is an omnibus package adding nearly $900 million to the nine items covered, nearly doubling the entire appropriation recommended by the committee for those programs, and is, in my opinion, distribution of funds by a shotgun method, not in accord with fiscal responsibility.

It is particularly ironic that many of the supporters of this amendment have refused to affirmatively vote in this session the necessary taxes to pay for even the already budgeted expenses of Government. They vote for increased spending and against taxes, and in that direction we face disaster.

I have the greatest respect for the educators of my State, so many of whom have appealed to me on this issue. I fully sympathize with their dilemma and with their problem, and I conscientiously believe that approaching the financial problems of education on a selective basis will do more to assist education in the long run, while at the same time recognizing the other needs and responsibility of Government. Were I to submit to the entreaties of the educators because of the number and volume of their communications—personally, by telephone, by telegram, by letter, and by petition, then my job as a Congressman would be very simple—then I would merely vote to favor those individual interests most numerous in communication. I have confidence, however, that thoughtful members of the education profession will recognize that honest people, working in good faith, will disagree and that judging this matter as I do, to submit to them against my best judgment, and I certainly do not criticize those who see this issue differently than I, would be clear evidence that I would likewise submit to other interests based on a decision made purely on the basis of political gain.

I have supported and voted for continuance of the surtax in order that we will be able to support our essential needs of education at the same time attempting to protect the value of the salaries of our educators. A vote against the Joelson amendment is not a vote against impacted aid or any other individual line item in this education bill. Defeat of the Joelson amendment will allow individual amendments and selective judgment. Congresswoman MINK, for example, has an amendment ready on impacted aid which provides more funds than the Joelson amendment. Defeat of the $900 million Joelson amendment does not equate with a vote against education, regardless of any claims which may be made. In voting against the Joelson amendment, I do not vote against education, but rather vote to assist education in the selected areas where the needs are greatest and in accordance with what I consider to be the realities of our present situation. We will have before us this year a total of 13 appropriations bills. This is the sixth of those 13. The precedent of wholesale increases—the meat ax in reverse—over the considered recommendations of the Appropriations Committee is a very dangerous precedent to set, and from now on it will be much more difficult for this House to resist the pressures for excessive increases over those recommended by the Appropriations Committee. The obvious result is a ruthless attack against our efforts to control inflation.

In conclusion, the Joelson amendment is a direct disregard of the July 22 message of President Nixon. In that message he made specific reference to the Federal spending ceiling of $191.9 billion established according to law and stated:

> The new ceiling will be of little help in keeping Federal spending under control—if the Congress that imposed it does not cooperate actively with the Administration in meeting it.

He further said:

> I know Congress shares my determination to make the budget an effective instrument against the inflation that has wrought so much damage to the income and savings of millions of Americans. If Congress did not share that commitment, it would not have imposed this spending ceiling. However, this general expression of support for fiscal restraint must now be matched by specific acts of the Congress.

Mr. BRASCO. Mr. Chairman, that education is a vital function of this country is an oft repeated but more often ignored cliche. With this in mind I rise in support of H.R. 13111 as amended by the Joelson amendment. The passage of the bill as reported by the committee would place our schools and colleges in a desperate situation. It would mean, in short, the curtailment or outright elimination of many vital educational programs.

The Joelson package amendment provides about a $900 million increase for assistance to schools and colleges. It adds funds for impacted aid, school libraries, educational equipment and materials, guidance and counseling programs, construction grants for colleges, and national defense student loans.

This amendment does not fill all the great needs in these areas, but it is a step in the right direction.

Further, it will show the youth of this Nation that the Federal Government does care about their future. The programs mentioned before are vital to the success of our education processes. Had we passed this bill without the amendment, it would have been a sure sign to our young people that we do know, but do not care, about their problems.

Many of you who are aware of the pressing need for greater funding in the area or education are also economy minded. You recognize the problem, but wonder if we have the money to begin to solve it. Yesterday, the Government reported its largest surplus since 1957: $3.1 billion. With the passage of the surtax extension, we can be assured that the Government would not be involved in deficit spending in the 1970 budget even with passage of H.R. 13111 as

amended by the Joelson amendment. Some economists feel that a very large surplus could slow down the economy to the point where there is danger of a recession. A vote for the bill as amended is a fiscally responsible move for both the present and the future. It certainly would not hurt the economy now, and it would insure the future growth and prosperity of our Nation.

In the words of President Nixon, education is for "young Americans who deserve the chance to make a life for themselves and insure the progress of their country. If we fail in this, no success we have is worth keeping." I urge you to consider this statement carefully and then support H.R. 13111. In doing this, you would be fulfilling a basic commitment to our youth and to our Nation.

Mr. PHILBIN. Mr. Chairman, I strongly favor the Joelson amendment and this bill. I will also vigorously support all perfecting amendments that will strengthen and amplify this vitally necessary measure.

In my judgment, this is one of the most important bills ever presented to the House. It shapes up our educational program for the jet-space age. It provides the funds so urgently required to strengthen and improve our national educational system and help many States and communities to keep pace with the march of progress in American education that they would not be able to do without the funds and guidance provided by the bill.

The benefits and grants cover a wide range and are exceptionally important, if we are to go forward in enhancing educational standards and spreading them to all parts of the country.

In many areas, we have increased the funds and thereby will insure marked advances and expansion in impact aid, which means so much to so many, and must be increased and continued, in school library facilities, in new modern equipment, in guidance and counsel, in supplementary centers, in vocational education, of such surpassing import, in construction for higher education, 4-year undergraduate, NDEA student loans, title I ESEA, and in other areas entailing very substantial, sustaining help for many salutary educational aims and activities.

Let me repeat—this bill will prove a great boon to the cause of forward-looking education in this Nation. It represents real progress for our American system of learning, which we believe is the best in the world.

It is a milestone marking one of the most significant advances in education for students and teachers, families and communities and the Nation as a whole.

To be sure, there are always disappointments along the road in legislative matters, as in everything else. And this bill, commendable as it is, cannot be considered perfect. But it is a great triumph for those of us who for years have been working so hard to assist our own districts and States and all parts of the country to lift up educational standards and opportunities and move closer to the day when we proudly boast of high-standard, modern, adequate, freely available education at every level for all.

Let us continue our efforts to speed that day.

Mr. ECKHARDT. Mr. Chairman, let me explain precisely how this amendment is unconstitutional. A pattern of separate white and Negro schools had been adopted in many school districts in the South under compulsion of State laws. This was the case in the recent case of *Green* v. *County School Board* (391 U.S. 430). When such situations existed, it was necessary to strike down the laws and order desegregation "with deliberate speed," as was done in *Brown* v. *Board of Education* (347 U.S. 483), and then to order school boards operating dual school systems, part white and part Negro, to effectuate a transition to a racially nondiscriminatory school system as was done in the second Brown case—349 U.S. 294.

To resist this, some school boards fell back on a so-called freedom of choice scheme, permitting children or their families to choose schools in districts other than their home districts. In this way a system which had already crystallized under unconstitutional segregated arrangements could be continued. Though a Negro child who happened to live in a white school district could insist on enrollment in the white school, and thus would not have to move out of his neighborhood, few were in this situation. Theoretically, Negro children could go out of their neighborhood to the white schools but few were likely to do so due to various social pressures acting upon them to remain in the familiar school and familiar environment. The result was de facto segregated schools in many areas of the South.

The Court was confronted with this situation in a number of cases within recent years. One example was *Bowman* v. *County School Board* (382 F. (2d) 326), where it was said, on page 333):

> Freedom of choice is not a sacred talisman; it is only a means to a constitutionally required end—the abolition of the system of segregation and its effects. If the means prove effective, it is acceptable, but if it fails to undo segregation, other means must be used to achieve this end.

The Court quoted this case with approval in the recent case of *Green* v. *County School Board* (391 U.S. 430) and held—

> It is incumbent upon the school board to establish that its proposed plan promises meaningful and immediate progress toward disestablishing state-imposed segregation. It is incumbent upon the district court to weigh that claim in light of the facts at hand and in light of any alternatives which may be shown as feasible and more promising in their effectiveness.

Obviously in these circumstances there must be some plan presented by the school board which provides for certain students to attend a particular school, and in order to undo the segregated pattern which has developed under freedom of choice, the attendance districts must be such that children within them are assigned there, without affording freedom of choice to go to another school.

Several other means have been used by school districts, and approved by the Federal courts, to break the mold of segregation. For instance, school attendance districts have been enlarged so as to include two school buildings which ran the whole gamut of grades. The white school was made to accommodate the first four grades, for instance, and the Negro school was made to accommodate the fifth through the eighth grade. This is called "pairing." Obviously, the enlarged school district might, as a practical matter, require the picking up of students in buses.

In other cases, a dilapidated Negro school might be abandoned and all students in a wider area, formerly encompassing that school and a white school, might attend the latter.

But the Whitten sections, attacked by the Cohelan amendment, provide:

> SEC. 408. No part of the funds contained in this Act may be used to force busing of students, the abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent.

Section 409 provides substantially the same thing, with the specific proviso that the conditions cannot be "a condition precedent to obtaining Federal funds otherwise available to any State, school district, or school."

Therefore, the Whitten sections clearly provide that HEW may not use abolition of the freedom-of-choice scheme to strike down black and white schools. HEW may not insist on any pairing which would force any busing of students. And HEW may not abolish the dilapidated Negro school which stands in the way of desegregation.

Usually, in framing an order in a desegregation case in Federal court, the judge will bring HEW people, school board representatives, and the plaintiffs' attorneys together and try to establish an acceptable scheme to eliminate the unconstitutional white and Negro schools. If the agency, the school board, and the plaintiff cannot legally, within the provisions of the Whitten amendment, establish a means of eliminating the segregated school system, no means may be practically available to eliminate segregation.

Under the Whitten amendment, the school board can refuse to agree to using buses in the case of paired schools. Such would either destroy the scheme or make it so onerous on persons in the enlarged school district as to render it totally impracticable. Under the Whitten provisions a freedom-of-choice scheme cannot be thrown out, even by agreement of all the parties, because a parent may disagree and prevent the establishment of a neighborhood school attendance pattern which would accomplish desegregation.

Thus, it is perfectly obvious that the Whitten provisions, if viable, would block every feasible route toward desegregation in most cases where the school system had been previously frozen into a segregated pattern. This is exactly what they were intended to do. It is quite obvious that an agency of the

Federal Government cannot be mandated to regulate its flow of funds in such a way as to perpetuate segregation. Such was the object of sections 408 and 409 and they must fall as unconstitutional.

Mr. DORN. Mr. Chairman, I rise today to support the language in the bill adopted by the full committee by an overwhelming vote which was offered and proposed by my able colleague, the gentleman from Mississippi (Mr. WHITTEN). This section of the bill would prevent the Department of Health, Education, and Welfare from forcing on local school districts the busing of little children from one community to another and perhaps completely across the great cities of our country to achieve a so-called racial balance. I know of nothing which is more detrimental to the cause of education, illogically forced by HEW than the busing of students which is already being forced in too many areas of the country.

Mr. Chairman, in my own congressional district, in one of the counties which has a low per capita income, comparatively speaking, and in a county which needs every dollar it can get for education, all Federal funds have been completely cut off by unelected bureaucrats in the Department of Health, Education, and Welfare. These misguided, unelected officials have in their pomposity and arrogance denied little children Federal participation in the free lunch program, denied children the right to have better labs, better libraries, more books, and better salaries for teachers. They have gone even further and have been instrumental in denying funds to this county from the Forest Service which has been allocated by law for education.

Mr. Chairman, I am interested in education—the education of every single child regardless of race, creed, or national origin. It is a tragedy for these unelected Washington officials to deny any district which has complied with the law, these funds for the education of our boys and girls. I have five children in the public schools of my home city where the board of education is struggling night and day to keep the schools open and secure this money for the education of all of our children. I know whereof I speak.

If these funds are denied to even one school district in our Nation, then representative government has become a fraud and we have turned the administration of justice over to a totalitarian, centralized dictatorship. I believe, Mr. Chairman, that this House today will retain this language in the bill. I believe this House will exercise its constitutional right and that of the American people and provide to a maximum degree for the education, opportunity, and civil rights of all our children. Let us today uphold the law as passed and written by the Congress. Let us uphold and support the law of the land.

Mr. HAWKINS. Mr. Chairman, if the American dream has any reality, it is the promise held out to every individual to develop his talents to the fullest possible extent and, to this end, American public education is so structured, at least in theory.

In operation, however, we have often strayed from this ideal and in implementation of traditional educational programs favored the educated elite by refusing to adequately finance the very programs that compensate disadvantaged youngsters for conditions which we have imposed on them.

Equality of educational opportunity—as with equal rights for all citizens—is deeply involved in our American life, our basic law, and our ethics.

Under the 14th amendment, this right to equal treatment in education, as in other areas, is safeguarded for every citizen: white and black, rich and poor alike. This Congress cannot by legislation take away this right. But this Congress can, and should, implement and make this right a reality for all, not only because it is legally required and is morally right but in addition, because the strength of our Nation, our survival, and our enlightened self-interest depend on strengthening the wellsprings of public education from which we draw the talents and skills which make us productive, prosperous, and creative as a nation.

Genuine education costs money—far more than we are now spending. Compensatory education for those we have deprived of equal educational opportunities costs even more and precisely for the same reasons: Past neglect and false economy; we have frequently advocated in this body in recent years, so-called economy on budget balancing, fighting inflation, and stabilizing the dollar.

What we are doing then is sacrificing minorities and poverty-stricken youngsters—by depriving them of a decent education, we are cheating them of equal employment opportunities, better housing, and medical care—in order that we can balance the budget to fit what someone has considered to be the maximum revenues and restrict the national debt to a magical number. That in the process we violate the basic law of our Nation does not seem to matter.

It looks as if we have continued to cheat these disadvantaged youngsters. The Court said desegregate—and some of us seem willing to defy the courts and at the same time refuse to appropriate adequate money for an alternative, even if this is lawful, to do so.

At the local levels, property owners are rebelling against providing more school aid while the States are either unwilling or unable despite their insistence on local control.

Even if States appropriate adequately, can some with heavy immigration carry the load?

Federal assistance then is clearly needed if equal educational opportunities are to be realized.

We cannot in good conscience defend expenditures for liberal farm subsidies, fat military contracts, and an undeclared war in Southeast Asia as opposed to inadequate funds for education on the basis of either national security or equity in meeting national needs of a modern society in the space age—and certainly not on the basis of the benefits received.

Money alone will not solve our problems in meeting the crisis in education but without more adequate funding, reform and reorganization cannot be accomplished.

We are spending millions in education and training programs outside the school system to do the job which we should expect the schools to do—to teach simple skills, to educate for employment, and for our citizens to live relevant lives. Let us insist on the schools doing what they should, but let us give them the finances to do the job.

Mr. WHALEN. Mr. Chairman, I congratulate the distinguished gentleman from New Jersey (Mr. JOELSEN) for his efforts to restore Public Law 874 funds for thousands of schoolchildren across the Nation.

At issue yesterday was the cancellation of a resource which has been provided for almost 20 years now. These funds have become an integral part of the budgetary planning of every impacted school district. There is little doubt whatever that this assistance has contributed to the improvement in quality of the curriculums offered in many schools. For some, it certainly has made the difference between an acceptable educational program and a poor one.

Arguments in behalf of the elimination of this expenditure are persuasive. As an economist, I share the view that reductions in spending must be made during this period of inflation. But as an educator, also, I believe that we must bend every effort to assist, rather than impair, the betterment of the Nation's educational system.

Had we failed yesterday to enact the Joelson amendment to H.R. 13111, we would have complicated the financial position of school districts within federally impacted areas. Failure to provide Public Law 874 assistance does not contribute to the solution but, instead, adds to the problem. Had we not adopted the Joelsen "package," we would have created a hardship which, in some instances, would be staggering and lead to sharply reduced services for many schoolchildren.

We know this to be a fact of life in my district, Mr. Speaker, where seven school districts in the eastern half of Montgomery County, Ohio, are affected directly. They are Wayne Township, city of Kettering, Washington Township, Northmont, Vandalia-Butler, city of Dayton, and Northridge. The number of students involved is approximately 10,000.

As I said earlier, there is some merit in the arguments favoring elimination of Public Law 874 assistance. But what makes those arguments unrealistic is the absence of any alternative proposal whereby impacted school districts can avoid severe financial difficulty.

I doubt that there is a single Member of the House who would not agree that education deserves one of the highest priorities among all of our domestic needs.

I believe that the issue of Federal aid to impacted school districts relates directly to that commitment.

Therefore, Mr. Chairman, it was for this reason that I supported the Joelson amendment.

Mr. CHARLES H. WILSON. Mr. Chairman, in his inaugural address in January of 1961, President Kennedy began by noting that the occasion was "not a victory of party but a celebration of freedom." I believe yesterday's landmark vote in this body on the vitally important adoption of the Joelson amendment can be described in a similar manner. Though party lines were certainly evident and our Democratic leadership did a magnificent job, the solid vote in favor of meeting the crucial demands of quality education in this country signifies, more than anything else, that when the need is great, this distinguished body will rally to meet the needs of our people. Clearly, education is high on the list of those needs.

The administration has offered the continuing war in Vietnam as an excuse for all sorts of priority setting and budget cutting. How much longer we will continue to pay more to destroy than to build is impossible to predict, but yesterday's vote was an encouraging move in the right direction and one we can and should afford. The case for gutting Labor-HEW programs becomes rather weak when viewed against the backdrop of a $3 billion budget surplus. I would never be one to allow the education of young people to be compromised in order that the party in power can lay claim to an attractive surplus.

The Joelson amendment's passage will assure full and adequate funding in nine important areas relating to education. Under impact aid, 90 percent of the authorization will now be provided, representing a substantial increase of nearly $400,000. School library funds will also be substantially increased; this is especially gratifying when one considers the special relationship between the quality of library facilities and the quality of education a particular school can offer. The two go hand in hand. Guidance and counsel, vital to a well-rounded school program that must meet the needs of all sorts of students, from chronic truants to failing underachievers, will also receive larger allocations.

Vocational education is especially vital to underprivileged areas where unemployment is high and skills are few, and this area will see increased funding as well. Supplementary centers will receive full funding equal to that of fiscal 1969, as will construction of undergraduate higher education facilities. Increases in program costs for title I of the ESEA and the restoration of funds for grants to local educational agencies are also provided for. Finally, the NDEA student loan program will receive adequate funds to meet the increased demand for these extremely important loans.

In relation to the issue of making higher education available to the greatest number of young people, I believe my colleagues will find the contents of a recent article from the Los Angeles Citizen of interest. Using statistics from the U.S. Bureau of the Census, this fine paper has listed some of the financial obstacles which block the path to a college education for many.

The article follows:

A TRAGIC BARRIER TO THE POOR: NATION STILL HANGING DOLLAR SIGNS ON COLLEGE GATES

Despite the vast educational machine that has been created in the United States, the American people still do not make higher education available to the poor as they do to the wealthy and the better off.

To a highly troubling degree high school boys and girls who go on to college still are mostly representative of high family income and a background of parents, who, themselves, have gone to college.

Latest statistics compiled by the Bureau of the Census on the percentage of high school graduates who go on to college show that the "dollar sign still stands at the college gate."

The study was a follow-up on one made of high school seniors in 1965 and what happened to them by 1967. A number of important facts were found: only 8 per cent had dropped out of high school before graduation and the rate for girls was even less. But the most important fact to emerge was the educational and economic background of those students who finished high school and of those who went on to college.

1. Among seniors whose fathers had not completed elementary school, 15 per cent dropped out of high school as compared with only 5 per cent for those whose fathers had at least an elementary school education.

2. Among seniors whose family income was under $4000, 13 per cent failed to graduate compared with only 6 per cent of those whose family income was higher.

3. Among high school graduates whose fathers were college graduates, 82 per cent went on to college compared with only 22 per cent of those whose fathers had not completed elementary school.

4. "High family income is associated with the likelihood of college attendance," the report said. "Of those high school graduates who were from families whose income was $5,000 or more, 87 per cent went on to college."

As family income went up, so did college attendance: 19.8 per cent for those with family incomes of less than $3,000; 32.3 per cent for income of $3,000 to $4,000; 36.9 per cent for $4,000 to $6,000; 41.1 per cent for $6,000 to $7,500; 51 per cent for $7,500 to $10,000; and 61.3 per cent for $10,000 to $15,000.

5. Nearly half of the white high school graduates went on to college compared with only a third of the Negro High School graduates.

All of these findings indicate clearly that despite our many free and partly free colleges and the scholarship programs that have been pushed so hard by some foundations and the labor movement, the chances of a poor boy getting a college education are infinitely lower than those of a boy from a well-off family.

Actually, at a time when sending a boy or girl to college can cost between $3,000 and $4,000 a year, as it does now, the children of even relatively well-paid middle class workers and professionals find college difficult without extreme family sacrifice.

This need not be. The United States proved that it could reach into the ranks of all of its citizens and provide higher education to the veterans of World War II, a program that added immeasurably to the nation's wealth and growth. It has not been as successful with its program for its Viet Nam veterans or with its program to aid students get higher educations.

There are various reasons for this, many of them monetary. While Congress has enacted a score of highly progressive educational programs, it has failed to fund them adequately. So urgent has been the need for proper funding of these programs that its one gesture of help to high school students who seek to continue their education has suffered greatly.

In the mid-60's Congress sought to provide economic aid to college students to continue their scholastic careers. Organized labor supported legislation that would have extended direct Federal subsidies and loans to students at low interest rates. Instead, Congress settled for a compromise that merely guaranteed loans to be made by banks at low rates to needy students.

Unfortunately the banks have failed to live up to their end of the bargain. At a time when interest rates have been mounting steadily, banks have shown little interest in low-interest loans to students even with government guarantees. The result has been a sharp drop in such loans which have become extremely difficult to get.

The Bureau of the Census study is all the evidence that Congress needs to awaken it to the need for breaking down the economic barriers that still keep so many young Americans from getting the higher education they need so urgently.

The American people cannot afford to place the "Dollar sign at the College Gate" and thus lose the potential contributions that so many of its young—but poor—sons and daughters can make to the national welfare.

In conclusion, Mr. Chairman, I would like to express the hope that in the coming months we will score more victories for the public interest in other vital areas beyond education. Much remains to be done in order that we may move closer to guaranteeing that all Americans will have access to the bounty which America has to offer. The key to that access is a good education and I am proud to have shared in the effort to make it possible for millions of young people in this country.

Mr. MORSE. Mr. Chairman, 5 years ago, the Congress passed the International Education Act with the specific mission of finding ways to strengthen American educational resources for international studies and research. The act had wide bipartisan support. Since then, however, no money whatever has been appropriated to carry out the mission of this legislation.

This year, a modest request was made for planning money to begin the process of putting into action the intent of Congress as expressed in this act. The committee has deleted those funds so that for another year, the International Education Act may be nothing more than a fine idea.

I point this out, Mr. Chairman, because I am gravely disappointed in the committee's action. Let me just outline briefly what that money would have accomplished.

The International Education Act has two grant titles: the first for assistance to undergraduate institutions and the second for assistance to graduate institutions. The $2 million requested would have been spent to support undergraduate institutional planning and development at 64 institutions, 10 regional consortia, and two nonprofit educational organizations. In addition, some $300,000 of that amount would be used to support planning of centers for advanced international studies at 20 institutions. At

the undergraduate level, the grants would enable institutions to develop a comprehensive international dimension throughout the undergraduate program. While previous legislation for international education has had a highly specialized language-area study focus, this act permits broader focus on problem, issue-centered studies.

When Congress enacted the International Education Act, it found:

A knowledge of other countries is of the utmost importance in promoting mutual understanding and cooperation between nations; that strong American educational resources are a necessary base for strengthening our relations with other countries; (and) that this and future generations of Americans should be assured ample opportunity to develop to the fullest extent possible their intellectual capacities in all areas of knowledge pertaining to other countries, peoples, and cultures.

Mr. Chairman, I would hope that we will not continue to forget the promise of that statement. It will be more, not less, germane in the next several years.

Mr. RANDALL. Mr. Chairman, I support H.R. 13111 with its substantial increase, mindful of the size of the increase, and yet with the recognition that every cent will be spent for education of our youth which, when all is said and done, is our most important resource.

There is nothing in the entire field of human endeavor more important than education. Many persons have tried to stress the importance of education but I can recall no one quotation that puts the thought in better perspective than the words of H. G. Wells, when he wrote in his "Outline of Human History":

Human history becomes more and more a race between education and catastrophe.

In passing I wish to be on record that I am pleased to see sections 408 and 409 of title IV retained in H.R. 13111. The issue involved in these sections is not a question of race or civil rights. I suppose on the merits the busing of disadvantaged children into areas away from their homes and by commingling them with students from more privileged areas really helps neither the slower student nor the better student. I have always believed that to insist upon the proposition that you will bus sudents from an area that has not had all the advantages into an area where the level of student ability may be higher helps none of the students. It does not assist those who are bused into the area and certainly does not help the others. The net result is that it lowers the quality of education for both.

The important point of sections 408 and 409 is that if the local people wish or prefer to bus their children then that should be their privilege whatever the consequences may be. But these same local school administrators should not be forced to bus students or to force any students attending elementary or secondary school to attend a particular school against the wishes of his or her parents. Neither should funds provided by this bill be withheld from such school districts or should these districts be forced to bus students to attend a particular school as a condition precedent to obtaining Federal funds otherwise available.

Sections 408 and 409 spell out some guidelines established by the Congress that are guidelines which certainly should go toward correcting the maladministration in the past by the appointive or unelected persons down at Health, Education, and Welfare who have been telling school districts across the country what to do as a condition of precedent to obtaining their Federal funds.

H.R. 13111 has been increased substantially over the amount reported by the Appropriations Committee. Those of us who supported these increases must resolve to recoup some of these increases by cutting some other programs in order to obtain a balanced budget. When we increase funds for education we must not forget our responsibility to reduce other programs by a comparable amount. As I support this bill today, I want to provide the assurance that I shall support cuts in spending for nonessential military hardware, for unnecessary foreign aid, for money to pay for visits to every one of the planets and vote against money to provide handouts to every recipient that makes a request.

When we talk about money for education programs we are not talking about cold, hard dollars but about an investment in the future of our Nation and our world. Every one of us has an order of values or list of priorities and education should be at the top of that list. If we can spend over $30 billion in Southeast Asia then it is not a malapportionment of our revenues to spend a little over 3 percent of our estimated gross national product for education.

For 3 long days we have worked on this appropriation bill. For months beforehand the subcommittee heard more than 600 witnesses gathering more than 9,000 pages of testimony. We have increased the appropriations in several categories but it is my considered opinion that it is a great day when we can say we have dug into our resources in order to protect and enhance the value of our physical and human resources of the future.

There is no other Government program for which money is spent more effectively than for educational purposes. There has never been a breath of scandal either alleged or proved against the handling of funds for education. As we approve these increases in the several categories we are saying to the children of this country, the Congress believes in your capabilities.

As long as we live we will see the greatly appreciated returns from the investment we make today. In the passage of this bill we are saying to our youth, we have faith that by providing the maximum support for your education you will insure for all of us a greater future for America.

Mr. ROBISON. Mr. Chairman, like the visible portion of an iceberg, the ensuing rollcall votes on H.R. 13111—the Departments of Labor, and Health, Education, and Welfare, and related agencies appropriation bill, 1970—will reveal only a small part of the whole matter, so a recapitulation of my votes on the major amendments offered and considered in the Committee of the Whole House should be made a part of the RECORD.

As a preliminary to that, however, I would like to state that in any overall comparison of Federal priorities education—and Federal programs in aid thereof—has always occupied a high ranking in my mind. I was therefore disappointed earlier this year in the budgetary cuts suggested in many such areas by both the original Johnson budget and then the Nixon revision thereof. When the appropriations subcommittee charged with reviewing this portion of the budget finished its work and rendered its report to the full Committee on Appropriations—of which I have the honor to be a member—I thought that, on balance, the subcommittee had done a highly creditable job except for a number of educational programs that, in view of the need, still seemed to me to be underfunded.

In particular, I was disappointed in the apparent willingness of the subcommittee to permit the House—as it inevitably would—to once again increase its recommendation for funding the so-called impacted-aid program, and probably to lift the moneys for the same up to or beyond fiscal 1969 levels while, at the same time, allowing the funds for other, ongoing and, in my judgment, more desirable educational programs to rest at levels substantially below the 1969 figures.

Accordingly, when the subcommittee's bill was reported to the full committee I felt constrained to offer an amendment thereto restoring $110 million—on a categorical basis—to the subcommittee's recommendation—on a consolidated basis—for these four educational programs: ESEA title II, known as the school-library resources program; ESEA title III, the innovative supplementary educational services program; NDEA title III–A, the State matching program to enable our schools to acquire laboratory and other instructional equipment, and to accomplish such minor remodeling of their plants as necessary to accommodate the same, and NDEA title V–A, the so-called guidance and counseling program that, I am sure we can all agree, has had a catalytic beneficial effect in this important area.

The subcommittee chairman, the gentleman from Pennsylvania (Mr. FLOOD), in opposing my amendment, spoke less to its merits than he did to this matter of consolidation versus earmarking of funds—stressing the fact that, by virtue of our action earlier this year on H.R. 514, we have already voted to consolidate such four programs under a common State plan beginning in fiscal 1971, and he argued that we therefore ought to move in that general bloc-grant direction in this fiscal year, as well.

When my amendment was defeated in full committee, I thereupon determined that if I reoffered it during debate on the bill I, too, would accept the idea of consolidation, not only because I tend to favor this approach that gives the States a good deal more flexibility than they now enjoy and a better chance

at setting their own priorities, but also because I wished to meet Mr. FLOOD's objections in this connection. Running into his buzz-saw once, it seemed to me, was enough—but of course I had no way then of knowing that, in Committee of the Whole, he would remain silent on this same issue.

In any event, from this point forward—all add-on amendments as offered on a selective basis in full committee having been defeated—attention centered around the efforts of those advocating "full funding" of educational programs to put together a package amendment that would accomplish their purpose. In attempting to do this, the advocates of full funding intended to use the anticipated floor support for full impacted-aid funding—a highly popular, but to my mind largely indefensible program—as the "carrot" to attract enough votes to carry the rest of their package.

Having, at this point, succeeded in that ambition it can, of course, be argued that the ends have justified the means—an argument that someone like myself, a strong proponent of education, finds difficult to refute. Nevertheless, Mr. Chairman, since the fiscal situation in which we still find ourselves is one continuing to call for budgetary restraint—and an overall reordering of priorities that this Congress seems unlikely to accomplish—it appears to me that we are about to go well overboard. If sustained in the other body, this bill will present us with the largest education budget in history—with funding at a level some $500 million over that of the last fiscal year.

I made an early decision not to support the package approach for two reasons: As I have said, I find at least the 3(b) portion of the impacted-aid program indefensible. It does not address itself to need, and its benefits fall unevenly across the Nation with few if any dollars thereunder going into ghetto school districts in our larger cities or into the hard-pressed rural school districts trying to provide its children with an adequate education out of an inadequate tax base. About all that can be said in justification of the continuance of this part of the impacted-aid program is that moneys were poured through it into more than 375 congressional districts last year—including mine—and that the receiving school districts have come to depend thereon.

My other reason for rejecting the package approach—though I strongly favored many parts of the package—was that I believe this method of making budgetary decisions tends to destroy the basic appropriation process that, by and large, has served us so well for so long. Overriding decisions of the Committee on Appropriations, if it is to be done at all—and some in this Chamber are quite gleeful to see the committee get "rolled" as it certainly did this week—ought to be done on a selective basis, and not on the basis of putting all the things one bloc after another of Members is interested in all together on a take-it-or-leave-it approach. Carried to its ultimate—and perhaps now inevitable—conclusion, such an approach would tend to destroy the Committee on Appropriations that has the original responsibility for bearing in mind the overall expenditure picture and, up to now at least, has helped this House find a collective sense of balance respecting the same.

Earlier this year, my colleague from New York (Mr. CONABLE), musing about all this in a slightly different context, wrote:

> Is a congressman an individual officer or a member of a group? Obviously he's both, and every one of us has to find his own balance if he is to perform effectively for his country, his constituents and himself. Four hundred and thirty-five members of the House of Representatives, if every one were a complete individualist, would accomplish no more than a football team that had no plays and made no effort to divide up the duties.

Mr. Chairman, I must say that, this week—albeit with the best of intentions—this House has been acting much like Mr. CONABLE's disorganized "football team"; and I have some considerable concern for the future unless we can, somehow, recover our collective sense of balance.

And I must add—with all kindness—that no better illustration of that lack could be found than in our majority leader's description of the adoption of the package amendment as being a "great Democratic victory." One has to wonder where that may leave the gentleman from Pennsylvania (Mr. FLOOD) and the other four Democratic members of this particular subcommittee, who faced up as best they could in this instance to what was surely an unenviable assignment.

In any event, as to those votes: When the gentleman from Illinois (Mr. MICHEL) offered his substitute to the package amendment—seeking like the sponsors of the package to draw upon support for the impacted-aid program in order to preserve the subcommittee's general position elsewhere—I again felt constrained to offer my amendment, now on a consolidated basis, thereto. There were two reasons behind this move: First, from a parliamentary standpoint, had the Michel substitute eventually carried we would not then have been able to return to the four programs my amendment touched upon. And that would have left us with our educational priorities badly scrambled—willing, that is, to keep impacted aid at last year's level while, meanwhile, cutting these other four programs' funding $110 million below last year's levels.

My second reason was related: I was certain, as was everyone in the Chamber, that impacted aid would eventually wind up at or above last year's level; and, as I have just noted, with my opposition to the 3(b) part of that program, I thought it would be unconscionable to allow that to happen while cutting the educational budget elsewhere.

As we know, the amendment I offered failed, and thereafter I could not vote for the Michel substitute that offered me only more impacted-aid moneys.

When the substitute also failed, the next major vote occurred on the package—or Joelson—amendment. I voted against it, not because I opposed all it attempted to do but because, as I explained, I believed selective increases were what we should be considering, not an all-or-nothing package. It deserves to be mentioned, too, that had the Joelson amendment then failed, we would have been automatically returned back to page 25 of the bill and could then have worked our will, on that selective basis, on all the numerous education programs and, had I been recognized, my same amendment would, I believe, have been the first we would then have considered in that fashion—going on from there through the impacted-aid issue, the question of more money for ESEA title I, vocational education, NDEA student loans, and so forth, all of which, with adoption of the Joelson package has now become academic in a legislative as well as a literal sense.

Before commenting upon the anticipated rollcall votes, let me also note that the suggestion, as made during debate over my amendment, that consolidation of these four programs would "destroy" them, especially the popular library resources program, was sheer nonsense. The gentleman from Pennsylvania (Mr. FLOOD) made no mention of this during debate in Committee of the Whole, but I believe it fair to note that, in our full committee meeting several days ago, he indicated he had an "understanding" with the Commissioner of Education to the effect that any lump sum for the four programs would be distributed more or less in proportion to the categorical funding the same enjoyed in the last fiscal year.

Even if this were not so, at worst next year when these programs are to be consolidated—absent disagreement by the other body—the school librarians' battle over priorities among the four competing programs would merely shift from the Office of Education here in Washington to the several State capitals; and I have always believed that it is wise to get decisions on priorities as close to home as possible, so I do not see this as being bad.

In any event, I shall now have to vote for the Joelson package amendment if a separate vote is demanded thereon—for it contains more that I support than it does that I oppose, and my chance at selectivity has been destroyed.

For the same reason, I shall also vote for the amended bill on final passage even though, as noted, I believe it carries more money than it should and cannot help but add to the fiscal problems of the President whom we have, in our self-righteousness, burdened with an expenditure ceiling that, effective or not, represents something of an abdication of our own overall responsibilities in relation to all this.

I have, also, already taken a position in opposition to the so-called Whitten amendment—an ill-advised attempt to curb progress being made toward desegregation in our school systems—and, if opportunity permits, will vote against such language.

In the same fashion, should there be opportunity, I shall vote against what new remains of the effort, through this vehicle, to control campus disorders through a cutoff of funds to campus demonstrators. By virtue of the points of order that have been lodged and sustained against some of the bill's original language in this respect, what remains of that language is now better than it was, but I have become convinced that the Federal Government—and the Congress—should for the time being stay out of this legislative area, despite the fact that it is one of deep concern to all of us and to our constituents.

I hold no brief for student radicals or revolutionaries—and have been appalled by the scenes of violence and disorder they have produced. But mighty few of them, as we have discovered, are receiving Federal assistance of any sort. In addition to this, we already have laws on the books designed to do what can be done by the Federal Government to restore peace to the Nation's campuses, and I understand it to be the position of the administration that no further laws are now needed—much less the vague and uncertain prohibition now remaining for us to act on in connection with this bill.

Incidentally, while I have expressed my regret over the way matters have turned out—not so much in the way of dollars to be spent on education, perhaps, for the administration may be hard pressed to find those dollars no matter how many we vote down to it, as in terms of how we, as an institution, measure up to our fiscal responsibility—I might as well say a word for one program that was not funded in this bill. That program has yet to receive even any planning money, though it was authorized in 1966. Even in this difficult budgetary year, and even in the midst of the strictures it otherwise placed upon itself, the Nixon administration felt this program potentially valuable enough to request $2 million for planning purposes—and, of course, I speak of the International Education Act, for which the fiscal 1970 authorization—speaking of "full funding"—is $90 million.

In this rapidly shrinking world, it is important to remember that this is not a disguised foreign-aid program, but rather one designed for the purpose of strengthening a very much neglected aspect of American education and one that, especially now, would meet an important and timely domestic need. Perhaps the other body that, in former years, has found it necessary to review much that was contained or omitted in this annual vehicle, will now have time to take a closer look at that need. I, for one, hope that it does.

Finally, Mr. Chairman, it is also to be hoped for that all of us have learned much from this experience. It may be fun to set the Committee on Appropriations back on its heels now and then—and perhaps we deserved it in this instance.

But we are far from being out of the fiscal woods yet. That "surplus" which the administration was somewhat embarrassed to find in fiscal 1969's final review was pointed to by some in full-throated support of the Joelson package as proof we could afford what we were about to do. But it is essential to remember that this is not a true surplus under budgeting concepts that applied here until recently—this because trust fund balances are now counted in—and that, in 1969, we did experience what can be called an operating deficit of about $5 billion; far too much, yet, in a time of still-uncontrolled inflation.

It seems to me the Appropriations Committee should seek procedures—or take positions—in the future, that would prevent this sort of thing happening again. How this is to be done is not for me to suggest; at least I would not presume to do so at the moment. But if part of the answer lies in different procedure—or methodology insofar as the form of our bills in such instances is concerned—I suspect the rest of the answer rests in the committee better reading the temper of this House than it did in this instance. That can probably best be summed up in these lines from the poet, Yeats, who once wrote that "When the center cannot hold, things fall apart"—and it seems to me, Mr. Chairman, that that is about what happened here in this Chamber this week.

Mr. ALEXANDER. Mr. Chairman, I would like to express my support for the Sikes-Smith amendment to the education appropriation bill. This amendment purports to grant authority to college presidents to cut off Federal funds to any students who participate in or provoke violence on the campuses of the Nation. As with my colleagues, the citizens of the First District of Arkansas have made it very clear to me that they are deeply disturbed by the violence and disorders that have beset many of our colleges. It is intolerable that a few militants could be permitted to disrupt the orderly process of education in America. It is unthinkable that the same revolutionaries may be supported by Federal funds.

Had the original language included in the bill not been ruled out of order, I would have been forced to oppose that provision. Prior to the debate today on this subject, I consulted with one of the most outstanding and esteemed college administrators in the State of Arkansas, Dr. Carl Reng, president of Arkansas State University.

Dr. Reng, who is known for his fairness as well as his firmness, agreed with what many of my colleagues have said here today—that the original language in the bill would have played right into the hands of the militant few who are devoted not to the cause of education, but to the cause of destruction. While it may be true that some college administrators—I personally believe them to be a minute minority—may lack "backbone" as some of my colleagues have suggested, the original language would have been more likely to provide "backbone" to the radical minority who would then see the possibility that by persevering just a little longer, they could effectively close a university or college through no fault of the hundreds and thousands of law-abiding students, faculty members, and college administrators who are dedicated to the cause of education.

Dr. Reng said he is in agreement with the principle of the Smith-Sikes amendment, however, because it provides another tool to deal with campus disruptions while leaving the power and authority where it ought to be—with the local college administrators.

This provision also deals with one other problem that is justifiably upsetting to a large percentage of my constituents. There is no justification whatsoever to the taxation of our citizens, many of them who can hardly afford to support the education of their own children, to support the education of young people who are dedicated to the destruction of our educational system. This is an inequity that must be corrected.

This amendment is acceptable to the college administrators in my State. It is a necessary means of dealing with campus violence in the eyes of the people of northeast Arkansas. And it is an expression of my deep concern over the future of our higher education system. I support the amendment.

Mr. GILBERT. Mr. Chairman, the annual appropriations bill to provide funds for education in the United States is one of the most important pieces of legislation to come before Congress.

It is one thing for Congress to pass pious resolutions of intent in the field of education; it is quite another for Congress to provide the necessary money to finance that intent. This year's educational appropriation bill, as submitted to us by the committee, is grievously inadequate. It is a mass of broken promises. I am wholeheartedly in favor of the Joelson amendment to bring this measure up to a level that will give our educational programs meaning at a time when we desperately seek meaning for them.

We are dealing here not with the question of what Congress can afford to do so much as with the question of what Congress cannot afford to leave undone. If we are truly to meet our social problems—correct injustices and eliminate poverty and crime—we must go directly to the root causes.

I will not say I am satisfied with this appropriation, for I see far too much money wasted on arms and wars—money that should be directed to teacher training, student incentives, the development of relevent curriculums, and other objectives to redeem young people from unproductive ignorance. But the Joelson amendment is an important step; it will come closer to what is necessary to raise the Nation's network of schools to a decent level.

This amendment increases the Federal school aid appropriation by almost $1 billion. It raises the vocational educational allocation by $131 million to more than $488 million so that young men and women without academic aptitude can still be trained for interesting, useful jobs. It provides $50 million for school libraries and the acquisition of text books. It allocates $78 million for equipment used in science and foreign language training, equipment absolutely essential in our highly technological age. It provides $33 million for construction of the Nation's colleges, which are under intensive pressure from growing student

enrollment, and $229 million for student loans, which in these days of rising costs are essential to the young people of low and middle incomes. It also designates $180 million more for direct assistance to elementary and secondary schools. As our own experience in New York confirms, even this figure is highly inadequate. Our schools need more than bandaids if they are to educate today's young people as they must be educated. But every few dollars helps pay for the teachers that our youngsters require for a decent chance to live, and I heartily support this increase. If the funds unwisely cut in committee are not restored, the effect on education and library programs will be devastating. In New York it would mean serious curtailment of programs benefiting the culturally deprived youngsters through additional services and equipment, teachers' aides, books, and library services. It would mean that innovative programs of preschool training involving the pupil and parent alike would have to be abandoned; and it would mean that the quality of teacher instruction in critical subject matters would be hurt and the availability of educational equipment would decrease.

Mr. Chairman, while supporting the Joelson amendment, I am also announcing my opposition to the so-called Whitten amendment, which weakens the desegregation stipulations that have been written into this law. After all that the American people have gone through to assure equality to every citizen, this amendment in my view, is both immoral and unwise. I also am opposed to the amendment to punish colleges for the disruptive acts of their students.

Let me conclude, Mr. Chairman, that the time is growing short for American society to mend its ways. We are being shortsighted in our priorities. And there is no doubt about education being a priority. As I said earlier on this floor, a majority of my constituents, in response to a questionnaire from me, ranked education No. 1 priority. The significance of that response cannot be overlooked; the American people know the importance of education, to themselves as individuals and to our national community. We cannot reject the mandate of the American people to look ahead and not be deterred by momentary economic expediency. What matters most is that we have a strong, self-confident society right here. All our other achievements will depend on that. And if we do not build better schools, we will simply decline to a general level of social mediocrity which is not my conception of what our country is.

Mr. Chairman, I wish to insert for the RECORD, and call to the attention of my colleagues, an analysis of the package amendment. The analysis follows:

ANALYSIS OF PACKAGE AMENDMENT TO H.R. 13111, LABOR-HEW APPROPRIATION BILL, 1970

[In thousands of dollars]

Program	Fiscal year 1969 appropriation	Fiscal year 1970 package	Increase over House committee	Increase over fiscal year 1969	Purpose
Impact aid	505,900	585,000	398,000	79,100	To provide sufficient funds for 90 percent of the authorization.
ESEA title II school library	50,000	50,000		0	To provide funds equal to the amount appropriated in fiscal year 1969.
NDEA title III equipment	78,740	78,740	110,453	0	Do.
NDEA title V guidance and counsel	17,000	17,000		0	Do.
ESEA title III supplemental centers	164,876	164,876		0	Do.
Vocational education	248,216	488,716	131,500	240,500	To provide additional funds to meet urgent needs in vocational education.
Higher education construction (4-yr. undergraduate)	33,000	33,000	33,000	0	To provide funds equal to the amount appropriated in fiscal year 1969.
NDEA student loan	193,400	229,000	40,794	35,600	To provide necessary funds for increased demand for student loans.
Title I, ESEA	1,123,127	1,396,975	180,800	273,848	To restore diminished funds for grants to local educational agencies resulting from amendments adding additional participting agencies and to offset increases in program costs.
Total	2,414,259	3,043,307	894,547	629,048	

Mr. BLANTON. Mr. Chairman, I support the Joelson amendment. I believe this Congress ought to go on record in support of higher education in a realistic, meaningful manner, and this amendment does just that.

I am particularly interested in seeing that we give the necessary support to vocational education, for I feel that this is one of the major tools we have in attacking poverty and making useful citizens out of many unskilled persons. By allotting $131,500,000 more for vocational education in the States, we are investing in rehabilitating poverty stricken people, or people who are prime candidates for the welfare rolls, and our gain will be putting them into the mainstream of society with useful skills where they do not have to rely on Federal aid, or State aid.

Likewise, I believe the $110,453,000 increase this amendment provides for school libraries under ESEA II; for supplemental centers under ESEA III, for guidance and counseling—NDEA V—and for equipment—NDEA III—is realistic and averts a possible crises in education.

The Joelson amendments will restore confidence in Congress by educators who have been alarmed over the dragging of feet appearance we have seemed to give over education. It is inconceivable, in this day and time, that the Federal Government should ever be reluctant to be aggressive in funding of worthy educational programs. For education is the blood of our system of government, and without its support by the Federal Government, the States are simply unable to do the job.

HIGH PRIORITY FOR EDUCATION

Mr. SYMINGTON. Mr. Chairman, in the past few days we have achieved a victory for education and for young people in St. Louis County and across the Nation. By amending the Labor-HEW appropriations bill for fiscal year 1970 to include nearly $1 billion in additional funds for essential education programs, we are reaffirming the wisdom of centuries ago, that "the foundation of every State is the education of its youth." Our action will strengthen that foundation; it is a significant step toward quality education, but by no means the last that must be taken. The House bill must still pass the Senate; and even if the Senate concurs fully with the amended and expanded House proposal, Congress will be providing this year less than 44 percent of the funds previously authorized for various education measures.

The future of quality education has been given, however, a strong boost by the House acceptance of the Joelson amendment which would increase Office of Education appropriations by $894 million. The committee bill, before amendment, had provided education expenditures of $2.3 billion, a figure $100 million below 1969 levels. While the bill includes $123 million more than the administration request, it falls $5 billion below levels authorized by Congress. It would have been unfortunate to suffer such a drastic reduction in education, particularly during a period of unrest, in which the Nation relies on the intelligence of its young people.

The greatest increase—$398 million—provided by the Joelson package is for the program of aid to federally impacted schools with large enrollments of children of Government employees. With this increase, the bill provides $600 million, or 90 percent of the amount authorized by Congress for the program in fiscal 1970. The amendment restores vital category "B" funds under the impact aid program, which the committee bill had eliminated entirely. Under this category Federal assistance is provided for children of Federal employees who work but do not live on Federal installations. In St. Louis, for instance, there are 4,000 children whose parents are employed by the Federal Government—which pays no property tax. Such serious tax losses to the schools cannot easily be made up by escalating assessments on the property of tax-weary homeowners. Over the past year the Second Congressional District has received $797,293 from category "B" funds, and $1,326,000 from the entire impact aid program. These funds have helped to ease the burden on property owners and maintain quality education.

The package also provided $33 million for higher education construction grants, which had been excluded from the administration budget as well as the committee bill, and raised the committee figure by $131.5 million to provide additional funds to meet urgent needs in vocational education.

Other provisions in the Joelson amendment restore to 1969 levels vitally needed funds for titles II and III of the Elementary and Secondary Education Act, to provide school library materials and supplementary education centers to renew and revitalize schools from within. Through combined efforts, the First and Second Districts of Missouri have already received $250,970 in title II funds, which have produced substantial results in improving St. Louis libraries.

Title III funds have made a significant impact as well. Mr. Henry C. McKenna, project director of the St. Louis-St. Louis County title III social studies project, has advised me that their program alone involves 50 teachers from grades 4 through 12 working on innovative curricula in the field of social studies. This single effort, which received $258,614 for a 3-year period, has the potential to enrich the education of over 250,000 students in the area.

The amendment also restores 1969 level appropriations for titles III and V of the National Defense Education Act, which provides for instructional equipment, and guidance and counseling programs. Title II of NDEA, which provides student loans for higher education, was funded at $67.1 million above the administration request and $35.6 million over 1969 appropriations by including an additional $40.7 million in the Joelson package. This program, so vital in securing higher education for many young Americans, is doubly essential because of inadequacies of the guaranteed loan program today. A tight money market and better returns on other investments make banks reluctant to make loans at the 7-percent rate. Thus, many students must seek financial aid elsewhere, through such channels as the NDEA. Judging from rising college enrollment just in the St. Louis area, the need for even greater loan funds and guaranteed loans for education is tremendous. Such funds are part of our assurance that we need not surrender quantity for quality in educating our youth.

Another vital fund increase provided in the amendment is the $108.3 million—bringing to $1.4 billion total Office of Education funds for title I of ESEA—to provide assistance for educationally deprived children.

Despite small increases in annual Federal appropriations, this title has shown a consistent drop in per pupil expenditures each year since its passage. In St. Louis, for instance, the student base for title I assistance has risen from 22,000 to 28,000 over the last 3 years. During the same period, title I funds have fallen from $5.2 to $4.3 million, and per pupil allotments have dropped from $218 to $154. This is a rather solemn commentary on a Nation which has recently accomplished the first lunar landing and paved the way to the stars; a Nation in which education and democracy are inseparably connected and where injury to either wounds both.

House restoration of $894 million through the Joelson amendment, plus additional funds for public library construction, facilities for the mentally retarded and education for the handicapped will help to redress the imbalance. However, if we want the same kind of results in our school system that we achieved in the space program, we must approach the task with the same sense of urgency. While public education is traditionally a local responsibility in America, local communities cannot continue to finance education on their own. Last year the Nation spent $28.3 billion on public education—92 percent of which was provided by State and local governments. Over 50 percent of the local share came from property taxes. But declining urban tax bases, coupled with rising taxes, coupled with rising taxes on the modest homes of most of our citizens spell tragedy for our schools without massive State help, and promised resources from Federal programs—those which are authorized must not be underfunded. Subsistence education is not good enough for a Natien eyeing the stars.

The need to appraise and reorder our national priorities becomes more crucial each day. How important is education to a nation which spends more in 1 year on cigarettes and alcohol than on this vital investment in its young people? In the trend of national commitments to education throughout the world the United States, at all levels of government together, spends proportionately less than the U.S.S.R. on education. We also know that the United States ranks low among all nations in the proportion of tax dollars spent for education. Education programs must occupy a higher place on our list of priorities.

No one denies the need to curb Federal spending and dampen inflation, but, equally, no one can blame our educational investments for inflation. Military spending absorbs 41 percent of our Federal budget. Yet Congress is asked to cut education appropriations down to 1½ percent of that budget. Recently in the Senate, despite agreed budgetary consequences of a new weapons system and grave doubts and differences as to its efficacy, that system was adopted. Yet, on the floor of the House, increased educational assistance is questioned and criticized on cost alone. What are the national values which allow, or compel us to invest a sum in the next generation of weapons which might not work, and not one-tenth of that sum in the next generation of Americans who will certainly have to?

Our schools limp from crisis to crisis, while we seek cures rather than preventives for the problems of inadequate education. The question of what to do must not be answered with hindsight. As in the race to the moon, the course must be plotted and embarked upon by men looking ahead.

Mr. FLOOD. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HOLIFIELD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 13111), making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. FLOOD. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. HAYS. Mr. Speaker, I demand a separate vote on the Joelson amendment.

The SPEAKER. Will the gentleman from Ohio state which one of the Joelson amendments he has in mind?

Mr. HAYS. As I understand, Mr. Speaker, there is only one Joelson amendment, a lengthy amendment which covered several sections of the bill. To be more specific, I am talking about the amendment which raised various categories of funds for educational purposes in this country, and my specific reason for doing this is that I want the Members to have an opportunity to vote on that and then see if they want to vote for Mr. Bow's motion to destroy it.

The SPEAKER. The Chair understands the gentleman's demand. In other words, the gentleman is demanding a separate vote on the Joelson amendment providing for certain increases, and not the other amendments of the gentleman from New Jersey striking out certain other paragraphs of the bill.

Mr. HAYS. That is correct, Mr. Speaker.

The SPEAKER. The Chair understands.

Is a separate vote demanded on any other amendment?

Mr. SIKES. Mr. Speaker, I demand a separate vote on the Sikes-Smith of Iowa amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The Clerk will report the first amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: On page 25 strike out lines 9 through 24 and substitute in lieu thereof the following paragraph:

"For carrying out titles II, III, V, VII, and section 807 of the Elementary and Secondary Education Act of 1965, as amended, section 402 of the Elementary and Secondary Education Amendments of 1967, and titles III–A and V–A of the National Defense Education Act of 1958 $364,616,000: of which $50,000,000 shall be for school library resources, textbooks, and other instructional materials under title II of said Act of 1965; $164,876,000 shall be for supplementary educational centers and services under title III of said Act of 1965; $78,740,000 shall be for equipment and minor remodeling and State administrative services under title III–A of said Act of 1958; $17,000,000 shall be for guidance, counseling, and testing under title V–A of said Act of 1958; $29,750,000 shall be for strengthening State departments of education under title V of said Act of 1965; $5,000,000 shall be

for dropout programs under section 807 of said Act of 1965; $9,250,000 shall be for planning and evaluation under section 402 of the Elementary and Secondary Education Amendments of 1967; and $10,000,000 shall be for bilingual education programs under title VII of said Act of 1965. For an additional amount for grants under title I–A of the Elementary and Secondary Education Act of 1965 for the fiscal year 1970, $386,160,700: *Provided*, That the aggregate amounts otherwise available for grants therefor within States shall not be less than 92 per centum of the amounts allocated from the fiscal year 1968 appropriation to local educational agencies in such States for grants. For carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), $600,167,000, of which $585,000,000 shall be for the maintenance and operation of schools as authorized by sections 3, 6, and 7 of said title I of the Act of September 30, 1950, as amended, and $15,167,000 which shall remain available until expended, shall be for providing school facilities as authorized by said Act of September 23, 1950. For carrying out titles III and IV (except parts D and F), part E of title V, and section 1207 of the Higher Education Act of 1965, as amended, titles I and III of the Higher Education Facilities Act of 1963, as amended, title II and IV of the National Defense Education Act of 1958, as amended (20 U.S.C. 421–429), and section 22 of the Act of June 29, 1935, as amended (7 U.S.C. 329), $859,633,000 of which $159,600,000 shall be for educational opportunity grants under part A of title IV of the Higher Education Act of 1965 and shall remain available through June 30, 1971, $63,900,000 to remain available until expended shall be for loan insurance programs under part B of title IV of that Act, including not to exceed $1,500,000 for computer services in connection with the insured loan program, $154,000,000 shall be for grants for college work-study programs under part C of title IV of that Act (of which amounts reallotted shall remain available through June 30, 1971), including one per centum of such amount to be available, without regard to the provisions in section 442 of that Act, for cooperative education programs that alternate periods of full-time academic study with periods of full-time public or private employment, $43,000,000 shall be for grants for construction of public community colleges and technical institutes and $33,000,000 shall be for grants for construction of other academic facilities under title I of the Higher Education Facilities Act of 1963 which amounts shall remain available through June 30, 1971, $11,750,000, to remain available until expended, shall be for annual interest grants under section 306 of that Act, $222,100,000 shall be for Federal capital contributions to student loan funds established in accordance with agreements pursuant to section 204 of the National Defense Education Act of 1958, and $12,120,000 shall be for the purposes of section 22 of the Act of June 29, 1935. For carrying out the Vocational Education Act of 1963, as amended (20 U.S.C. 1241–1391) (except part E of title I), and section 402 of the Elementary and Secondary Education Amendments of 1967, $448,716,000 of which not to exceed $357,836,000 shall be for State vocational programs under part B and $40,000,000 shall be for programs under section 102(b) of said Vocational Education Act of 1963, including development and administration of State plans and evaluation and dissemination activities authorized under section 102(c) of said Act, and $10,000,000 for part H of said title I, not to exceed $1,680,000 for State advisory councils established pursuant to section 104(b) of said Act, $13,000,000 for exemplary programs under part D of said Act of which fifty per centum shall remain available until expended and fifty per centum shall remain available through June 30, 1971, $15,000,000 for consumer and homemaking education programs under part F of said Act, and $14,000,000 shall be for cooperative vocational education programs under Part G of said Act.

Mr. COHELAN (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. SAYLOR. Mr. Speaker, I object.

The Clerk proceeded to read the amendment.

Mr. GERALD R. FORD (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. The question is on the amendment.

Mr. HAYS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 294, nays 119, not voting 19, as follows:

[Roll No. 131]

YEAS—294

Adair	Cunningham	Harsha
Adams	Daddario	Harvey
Addabbo	Daniels, N.J.	Hathaway
Albert	Davis, Ga.	Hawkins
Alexander	Dawson	Hays
Anderson, Calif.	de la Garza	Hechler, W. Va.
	Delaney	Heckler, Mass.
Anderson, Tenn.	Dellenback	Helstoski
	Dent	Henderson
Andrews, N. Dak.	Diggs	Hicks
	Dingell	Hogan
Ashley	Donohue	Holifield
Aspinall	Dorn	Horton
Ayres	Downing	Hosmer
Baring	Dulski	Howard
Barrett	Dwyer	Hungate
Beall, Md.	Eckhardt	Ichord
Belcher	Edmondson	Jacobs
Bell, Calif.	Eilberg	Joelson
Bevill	Esch	Johnson, Calif.
Biaggi	Eshleman	Johnson, Pa.
Biester	Evans, Colo.	Jones, Ala.
Bingham	Fallon	Jones, N.C.
Blanton	Farbstein	Jones, Tenn.
Blatnik	Fascell	Karth
Boggs	Feighan	Kastenmeier
Boland	Fish	Kazen
Bolling	Fisher	Kee
Brademas	Flood	Keith
Brasco	Flowers	Kleppe
Brinkley	Foley	Koch
Brooks	Ford, William D.	Kyros
Brotzman		Landrum
Brown, Calif.	Foreman	Latta
Brown, Mich.	Fraser	Leggett
Brown, Ohio	Frelinghuysen	Long, Md.
Broyhill, Va.	Friedel	Lowenstein
Burke, Mass.	Fulton, Pa.	Lukens
Burlison, Mo.	Fulton, Tenn.	McCarthy
Burton, Calif.	Galifianakis	McClory
Burton, Utah	Garmatz	McCloskey
Button	Gaydos	McClure
Byrne, Pa.	Gettys	McCulloch
Cahill	Giaimo	McDade
Camp	Gibbons	McDonald, Mich.
Carter	Gilbert	
Celler	Gonzalez	McFall
Chamberlain	Gray	McKneally
Chisholm	Green, Oreg.	Macdonald, Mass.
Clark	Green, Pa.	
Clausen, Don H.	Griffiths	MacGregor
	Gubser	Madden
Clay	Gude	Mailliard
Cohelan	Hamilton	Mann
Conte	Hammer-schmidt	Mathias
Conyers		Matsunaga
Corbett	Hanley	Meeds
Corman	Hanna	Melcher
Coughlin	Hansen, Idaho	Meskill
Culver	Hansen, Wash.	Mikva
Miller, Calif.	Pucinski	Stubblefield
Miller, Ohio	Purcell	Stuckey
Mills	Quie	Sullivan
Minish	Quillen	Symington
Mink	Railsback	Talcott
Minshall	Randall	Taylor
Mize	Rees	Teague, Calif.
Mollohan	Reid, N.Y.	Thompson, Ga.
Monagan	Reifel	Thompson, N.J.
Moorhead	Reuss	Thomson, Wis.
Morgan	Riegle	Tiernan
Morse	Robison	Tunney
Mosher	Rodino	Udall
Moss	Rogers, Colo.	Ullman
Murphy, Ill.	Ronan	Van Deerlin
Murphy, N.Y.	Rooney, N.Y.	Vander Jagt
Natcher	Rooney, Pa.	Vanik
Nedzi	Rosenthal	Vigorito
Nichols	Rostenkowski	Waldie
Nix	Roybal	Watts
Obey	Ruppe	Weicker
O'Hara	Ryan	Whalen
O'Konski	St Germain	Whalley
Olsen	St. Onge	White
O'Neill, Mass.	Sandman	Whitehurst
Ottinger	Scheuer	Widnall
Patman	Schwengel	Williams
Patten	Shriver	Wilson, Charles H.
Pelly	Sisk	
Perkins	Skubitz	Winn
Pettis	Slack	Wold
Philbin	Smith, Iowa	Wolff
Pickle	Springer	Wright
Pike	Stafford	Wyatt
Pirnie	Staggers	Wydler
Poage	Stanton	Yates
Podell	Steed	Yatron
Pollock	Steiger, Wis.	Young
Preyer, N.C.	Stephens	Zablocki
Price, Ill.	Stokes	Zion
Pryor, Ark.	Stratton	Zwach

NAYS—119

Abbitt	Edwards, La.	Morton
Abernethy	Erlenborn	Myers
Anderson, Ill.	Findley	Nelsen
Andrews, Ala.	Flynt	O'Neal, Ga.
Arends	Ford, Gerald R.	Passman
Ashbrook	Fountain	Poff
Bennett	Frey	Price, Tex.
Berry	Goldwater	Rarick
Betts	Goodling	Reid, Ill.
Blackburn	Griffin	Rhodes
Bow	Gross	Rivers
Bray	Grover	Roberts
Brock	Hagan	Rogers, Fla.
Broyhill, N.C.	Haley	Roth
Buchanan	Hall	Roudebush
Burke, Fla.	Hébert	Ruth
Burleson, Tex.	Hull	Satterfield
Bush	Hunt	Saylor
Byrnes, Wis.	Hutchinson	Schadeberg
Cabell	Jarman	Scherle
Caffery	Jonas	Schneebeli
Casey	King	Scott
Clancy	Kuykendall	Sebelius
Clawson, Del	Kyl	Shipley
Cleveland	Landgrebe	Sikes
Collier	Langen	Smith, Calif.
Collins	Lennon	Smith, N.Y.
Colmer	Lloyd	Steiger, Ariz.
Conable	Long, La.	Teague, Tex.
Cowger	Lujan	Utt
Cramer	McEwen	Waggonner
Daniel, Va.	McMillan	Wampler
Davis, Wis.	Mahon	Watkins
Denney	Marsh	Watson
Dennis	Martin	Whitten
Derwinski	May	Wiggins
Dickinson	Mayne	Wilson, Bob
Dowdy	Michel	Wylie
Duncan	Mizell	Wyman
Edwards, Ala.	Montgomery	

NOT VOTING—19

Annunzio	Evins, Tenn.	Lipscomb
Broomfield	Fuqua	Pepper
Carey	Gallagher	Powell
Cederberg	Halpern	Snyder
Chappell	Hastings	Taft
Devine	Kirwan	
Edwards, Calif.	Kluczynski	

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Annunzio for, with Mr. Chappell against.

Mr. Broomfield for, with Mr. Devine against.

Until further notice:

Mr. Evins of Tennessee with Mr. Lipscomb.
Mr. Kluczynski with Mr. Cederberg.
Mr. Kirwan with Mr. Pepper.
Mr. Carey with Mr. Halpern.
Mr. Gallagher with Mr. Taft.
Mr. Fuqua with Mr. Snyder.
Mr. Edwards of California with Mr. Hastings.

Mr. CUNNINGHAM changed his vote from "nay" to "yea."

Mr. DAVIS of Georgia changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. ALBERT). The Clerk will report the next amendment on which a separate vote is demanded.

The Clerk read as follows:

Amendment: On page 55 after line 8 insert the following:

"SEC. 407. None of the funds appropriated by this Act shall be used to formulate or carry out any grant to any institution of higher education that is not in full compliance with Section 504 of the Higher Education Amendments of 1968 (P.L. 90-575).

"No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institute of higher education who has engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution."

The SPEAKER pro tempore. The question is on the amendment.

Mr. SIKES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 316, nays 95, not voting 21, as follows:

[Roll No. 132]

YEAS—316

Abbitt	Brinkley	Corbett
Abernethy	Brock	Coughlin
Adair	Brooks	Cowger
Addabbo	Brotzman	Cramer
Albert	Brown, Mich.	Cunningham
Alexander	Brown, Ohio	Daniel, Va.
Anderson, Calif.	Broyhill, N.C.	Daniels, N.J.
	Broyhill, Va.	Davis, Ga.
Anderson, Ill.	Buchanan	Davis, Wis.
Anderson, Tenn.	Burke, Fla.	de la Garza
	Burke, Mass.	Delaney
Andrews, Ala.	Burleson, Tex.	Denney
Andrews, N. Dak.	Burlison, Mo.	Dennis
	Burton, Utah	Dent
Arends	Bush	Derwinski
Ashbrook	Button	Dickinson
Aspinall	Byrne, Pa.	Dingell
Ayres	Byrnes, Wis.	Donohue
Baring	Cabell	Dorn
Barrett	Caffery	Dowdy
Beall, Md.	Camp	Downing
Belcher	Carter	Dulski
Bell, Calif.	Casey	Duncan
Bennett	Chamberlain	Dwyer
Berry	Clancy	Edmondson
Betts	Clark	Edwards, Ala.
Bevill	Clausen, Don H.	Edwards, La.
Biaggi		Eilberg
Biester	Clawson, Del	Erlenborn
Blackburn	Cleveland	Esch
Blanton	Collier	Eshleman
Boggs	Collins	Evans, Colo.
Boland	Colmer	Fascell
Bow	Conable	Feighan
Bray	Conte	Findley
Fisher	Long, Md.	Rooney, Pa.
Flood	Lujan	Rostenkowski
Flowers	Lukens	Roth
Flynt	McClory	Roudebush
Ford, Gerald R.	McClure	Ruth
Foreman	McDade	Sandman
Fountain	McDonald, Mich.	Satterfield
Frey		Saylor
Fulton, Pa.	McEwen	Schadeberg
Fulton, Tenn.	McFall	Scherle
Galifianakis	McKneally	Schneebeli
Garmatz	McMillan	Schwengel
Gaydos	MacGregor	Scott
Gettys	Mahon	Sebelius
Giaimo	Mann	Shipley
Gibbons	Marsh	Shriver
Goldwater	Martin	Sikes
Gonzalez	Mathias	Sisk
Goodling	May	Skubitz
Gray	Mayne	Slack
Green, Oreg.	Melcher	Smith, Calif.
Griffin	Meskill	Smith, Iowa
Gross	Michel	Smith, N.Y.
Grover	Miller, Calif.	Springer
Gubser	Miller, Ohio	Staggers
Gude	Mills	Stanton
Hagan	Minshall	Steed
Haley	Mize	Steiger, Ariz.
Hall	Mizell	Stephens
Hamilton	Mollohan	Stratton
Hammer-schmidt	Monagan	Stubblefield
	Montgomery	Stuckey
Hanley	Morgan	Sullivan
Hanna	Morton	Talcott
Hansen, Idaho	Murphy, Ill.	Taylor
Harsha	Murphy, N.Y.	Teague, Calif.
Harvey	Myers	Teague, Tex.
Hays	Natcher	Thompson, Ga.
Hébert	Nedzi	Thomson, Wis.
Heckler, Mass.	Nelsen	Ullman
Henderson	Nichols	Utt
Hogan	Obey	Van Deerlin
Holifield	O'Konski	Vander Jagt
Horton	O'Neal, Ga.	Vanik
Hosmer	Passman	Vigorito
Hull	Patman	Waggonner
Hungate	Pelly	Wampler
Hunt	Perkins	Watkins
Hutchinson	Pettis	Watson
Ichord	Philbin	Watts
Jacobs	Pickle	Weicker
Jarman	Pike	Whalley
Johnson, Calif.	Pirnie	White
Johnson, Pa.	Poage	Whitehurst
Jonas	Poff	Whitten
Jones, N.C.	Pollock	Widnall
Jones, Tenn.	Preyer, N.C.	Wiggins
Karth	Price, Ill.	Williams
Kazen	Price, Tex.	Wilson, Bob
Kee	Pryor, Ark.	Winn
Keith	Pucinski	Wold
King	Purcell	Wolff
Kleppe	Quie	Wright
Kuykendall	Quillen	Wydler
Kyl	Randall	Wylie
Kyros	Rarick	Wyman
Landgrebe	Reid, Ill.	Yatron
Landrum	Rhodes	Young
Langen	Rivers	Zablocki
Latta	Roberts	Zion
Lennon	Rogers, Colo.	Zwach
Lloyd	Rogers, Fla.	
Long, La.	Rooney, N.Y.	

NAYS—95

Adams	Hansen, Wash.	Patten
Ashley	Hathaway	Podell
Bingham	Hawkins	Railsback
Blatnik	Hechler, W. Va.	Rees
Bolling	Helstoski	Reid, N.Y.
Brademas	Hicks	Reifel
Brasco	Howard	Reuss
Brown, Calif.	Joelson	Riegle
Burton, Calif.	Kastenmeier	Robison
Cahill	Koch	Rodino
Celler	Leggett	Ronan
Chisholm	Lowenstein	Rosenthal
Clay	McCarthy	Roybal
Cohelan	McCloskey	Ruppe
Conyers	McCulloch	Ryan
Corman	Macdonald, Mass.	St Germain
Culver		St. Onge
Daddario	Madden	Scheuer
Dawson	Mailliard	Stafford
Dellenback	Matsunaga	Steiger, Wis.
Diggs	Meeds	Stokes
Eckhardt	Mikva	Symington
Fallon	Minish	Thompson, N.J.
Farbstein	Mink	Tiernan
Fish	Moorhead	Tunney
Foley	Morse	Udall
Ford, William D.	Mosher	Waldie
	Moss	Whalen
Fraser	Nix	Wilson, Charles H.
Frelinghuysen	O'Hara	
Friedel	Olsen	Wyatt
Gilbert	O'Neill, Mass.	Yates
Green, Pa.	Ottinger	

NOT VOTING—21

Annunzio	Evins, Tenn.	Kirwan
Broomfield	Fuqua	Kluczynski
Carey	Gallagher	Lipscomb
Cederberg	Griffiths	Pepper
Chappell	Halpern	Powell
Devine	Hastings	Snyder
Edwards, Calif.	Jones, Ala.	Taft

So the amendment was agreed to.

The Clerk announced the following pairs.

On this vote:

Mr. Chappell for, with Mr. Annunzio against.

Mr. Devine for, with Mr. Edwards of California against.

Until further notice:

Mr. Evins of Tennessee with Mr. Lipscomb.
Mr. Kluczynski with Mr. Broomfield.
Mr. Kirwan with Mr. Cederberg.
Mr. Pepper with Mr. Hastings.
Mr. Jones of Alabama with Mr. Snyder.
Mr. Carey with Mr. Halpern.
Mr. Gallagher with Mr. Taft.
Mr. Fuqua with Mrs. Griffiths.

Mr. JOELSON and Mr. RUPPE changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. BOW. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BOW. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Bow moves to recommit the bill H.R. 13111 to the Committee on Appropriations with instructions to that committee to report it back forthwith with the following amendment: On page 56 following line 20, insert a new section as follows:

"SEC. 410. Excluding expenditures from the social security, United States Soldiers' Home, and Railroad Retirement trust funds, military service credits paid to trust funds and other Federal fund payments to trust funds, money appropriated in this Act shall be available for expenditure in the fiscal year ending June 30, 1970 only to the extent that expenditure thereof shall not result in the net aggregate expenditure of Federal funds by all agencies provided for herein beyond $16,364,000,000."

Mr. FLOOD. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 393, nays 16, as follows:

[Roll No. 133]

YEAS—393

Abbitt	Albert	Anderson, Tenn.
Abernethy	Alexander	Andrews, Ala.
Adair	Anderson, Calif.	Andrews, N. Dak.
Adams	Anderson, Ill.	
Addabbo		

Arends	Fish	Madden
Ashley	Fisher	Mahon
Aspinall	Flood	Mailliard
Ayres	Flowers	Mann
Baring	Flynt	Marsh
Barrett	Foley	Martin
Beall, Md.	Ford, Gerald R.	Mathias
Belcher	Ford, William D.	Matsunaga
Bell, Calif.	Foreman	May
Berry	Fountain	Mayne
Betts	Fraser	Meeds
Biaggi	Frelinghuysen	Melcher
Biester	Frey	Meskill
Bingham	Friedel	Mikva
Blackburn	Fulton, Pa.	Miller, Calif.
Blanton	Fulton, Tenn.	Miller, Ohio
Blatnik	Galifianakis	Mills
Boggs	Garmatz	Minish
Boland	Gaydos	Mink
Bolling	Gettys	Minshall
Brademas	Giaimo	Mize
Brasco	Gibbons	Mizell
Bray	Gilbert	Mollohan
Brinkley	Goldwater	Monagan
Brock	Gonzalez	Montgomery
Brooks	Gray	Moorhead
Brotzman	Green, Oreg.	Morgan
Brown, Calif.	Green, Pa.	Morse
Brown, Mich.	Griffin	Morton
Brown, Ohio	Grover	Mosher
Broyhill, N.C.	Gubser	Moss
Broyhill, Va.	Gude	Murphy, Ill.
Buchanan	Hagan	Murphy, N.Y.
Burke, Fla.	Haley	Myers
Burke, Mass.	Hamilton	Natcher
Burleson, Tex.	Hammer-	Nedzi
Burlison, Mo.	schmidt	Nelsen
Burton, Calif.	Hanley	Nichols
Burton, Utah	Hanna	Nix
Bush	Hansen, Idaho	Obey
Button	Hansen, Wash.	O'Hara
Byrne, Pa.	Harvey	O'Konski
Cabell	Hathaway	Olsen
Caffery	Hawkins	O'Neal, Ga.
Cahill	Hays	O'Neill, Mass.
Camp	Hébert	Ottinger
Carter	Hechler, W. Va.	Passman
Casey	Heckler, Mass.	Patman
Celler	Helstoski	Patten
Chamberlain	Henderson	Pelly
Chisholm	Hicks	Perkins
Clancy	Hogan	Pettis
Clark	Holifield	Philbin
Clausen, Don H.	Horton	Pickle
Clawson, Del	Hosmer	Pike
Clay	Howard	Pirnie
Cleveland	Hull	Poage
Cohelan	Hungate	Podell
Collins	Hunt	Poff
Colmer	Hutchinson	Pollock
Conable	Ichord	Preyer, N.C.
Conte	Jacobs	Price, Ill.
Conyers	Jarman	Price, Tex.
Corbett	Joelson	Pryor, Ark.
Corman	Johnson, Calif.	Pucinski
Coughlin	Johnson, Pa.	Purcell
Cowger	Jones, Ala.	Quie
Cramer	Jones, N.C.	Quillen
Culver	Jones, Tenn.	Randall
Cunningham	Karth	Rarick
Daddario	Kastenmeier	Rees
Daniel, Va.	Kazen	Reid, Ill.
Daniels, N.J.	Kee	Reid, N.Y.
Davis, Ga.	Keith	Reifel
Dawson	King	Reuss
de la Garza	Kleppe	Rhodes
Delaney	Koch	Riegle
Dellenback	Kuykendall	Rivers
Denney	Kyl	Roberts
Dennis	Kyros	Robison
Dent	Landrum	Rodino
Derwinski	Langen	Rogers, Colo.
Dickinson	Latta	Rogers, Fla.
Diggs	Leggett	Ronan
Dingell	Lennon	Rooney, N.Y.
Donohue	Lloyd	Rooney, Pa.
Dorn	Long, La.	Rosenthal
Dowdy	Long, Md.	Rostenkowski
Downing	Lowenstein	Roth
Dulski	Lujan	Roudebush
Duncan	Lukens	Roybal
Dwyer	McCarthy	Ruppe
Eckhardt	McClory	Ruth
Edmondson	McCloskey	Ryan
Edwards, Ala.	McClure	St Germain
Edwards, La.	McCulloch	St Onge
Eilberg	McDade	Sandman
Esch	McDonald, Mich.	Satterfield
Eshleman	McEwen	Schadeberg
Evans, Colo.	McFall	Scherle
Fallon	McKneally	Scheuer
Farbstein	McMillan	Schneebeli
Fascell	Macdonald, Mass.	Schwengel
Feighan		Scott
Findley		Sebelius
		Shipley
Shriver	Taylor	White
Sikes	Teague, Calif.	Whitehurst
Sisk	Thompson, Ga.	Whitten
Skubitz	Thompson, N.J.	Widnall
Slack	Thomson, Wis.	Wiggins
Smith, Calif.	Tiernan	Williams
Smith, Iowa	Tunney	Wilson, Bob
Smith, N.Y.	Udall	Wilson, Charles H.
Springer	Ullman	Winn
Stafford	Utt	Wold
Staggers	Van Deerlin	Wolff
Stanton	Vander Jagt	Wright
Steed	Vanik	Wyatt
Steiger, Ariz.	Vigorito	Wydler
Steiger, Wis.	Waggonner	Wylie
Stephens	Waldie	Wyman
Stokes	Wampler	Yates
Stratton	Watkins	Yatron
Stubblefield	Watson	Young
Stuckey	Watts	Zablocki
Sullivan	Weicker	Zion
Symington	Whalen	Zwach
Talcott	Whalley	

NAYS—16

Ashbrook	Erlenborn	MacGregor
Bennett	Goodling	Michel
Bow	Gross	Saylor
Byrnes, Wis.	Hall	Teague, Tex.
Collier	Jonas	
Davis, Wis.	Landgrebe	

NOT VOTING—23

Annunzio	Evins, Tenn.	Kluczynski
Bevill	Fuqua	Lipscomb
Broomfield	Gallagher	Pepper
Carey	Griffiths	Powell
Cederberg	Halpern	Railsback
Chappell	Harsha	Snyder
Devine	Hastings	Taft
Edwards, Calif.	Kirwan	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Cederberg for, with Mr. Devine, against.

Until further notice:

Mr. Annunzio with Mr. Railsback.

Mr. Evins of Tennessee with Mr. Broomfield.

Mr. Kirwan with Mr. Lipscomb.

Mr. Carey with Mr. Taft.

Mr. Kluczynski with Mr. Harsha.

Mr. Chappell with Mr. Hastings.

Mr. Edwards of California with Mr. Halpern.

Mr. Pepper with Mr. Snyder.

Mr. Bevill with Mrs. Griffiths.

Mr. Gallagher with Mr. Fuqua.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 13079. An act to continue for a temporary period the existing interest equalization tax.

The message also announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 9951. An act to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable years; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal years 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account by the amounts so excluded; and for other purposes.

GENERAL LEAVE

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed and to include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

REQUEST FOR PERMISSION FOR COMMITTEE ON RULES TO HAVE UNTIL MIDNIGHT TONIGHT TO FILE A PRIVILEGED REPORT

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a privileged report.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. HAYS. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

COLLECTION OF FEDERAL UNEMPLOYMENT TAX

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 9951), to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal years 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account by the amounts so excluded; and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The SPEAKER. The Chair will state that at this time the Chair does not recognize the gentleman from Louisiana for that purpose.

The chairman of the Committee on Ways and Means is at present appearing before the Committee on Rules seeking a rule and Members have been told that there would be no further business tonight.

The Chair does not want to enter into an argument with any Member, particularly the distinguished gentleman from Louisiana whom I admire very much. But the Chair has stated that the Chair does not recognize the gentleman for that purpose.

Mr. BOGGS. Mr. Speaker, the gentleman from Louisiana equally admires the gentleman in the chair. I thoroughly understand the position of the distinguished Speaker.

FALSE ECONOMY OF CIVILIAN PERSONNEL CEILING

(Mr. HENDERSON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous material.)

Mr. HENDERSON. Mr. Speaker, I applaud the recent action taken by the Congress in removing the limitation on the number of civilian employees on the Federal payroll; namely, section 201 of the Revenue and Expenditure Control Act of 1968. This has proven to be false economy.

Last August I indicated to Members of the House that over an 8-year period it has been the experience of the Manpower and Civil Service Subcommittee of the Committee on Post Office and Civil Service that a restricted control on civil service employment merely means an increased use of military and/or contractor employees in jobs normally and efficiently performed by civil service personnel. This has occurred despite the fact both sources of labor, military or contractor, are generally more expensive than the Government civilian employee. Likewise, an extensive use of active duty military for civilian-type support jobs can have an adverse impact on the combat effectiveness of our military forces.

In a letter on August 1, 1968, to Hon. WILBUR MILLS, chairman of the Ways and Means Committee, the subcommittee's extensive experience was made known. And, I quote:

> In view of the manpower limitations in the Revenue and Expenditure Control Act of 1968, I thought you would like to have the benefit of this subcommittee's actions in the area of manpower management. I am sure that you will agree that the American taxpayer is primarily interested in dollar savings; and, I know this was an object of the Ways and Means Committee in sponsoring Public Law 90-364. However, I think the members must understand that often ceilings on Government employment result in a greater expenditure of taxpayers' money. In the final analysis, we must find ways to save money and in so doing must be careful that we do not authorize more costly methods.

The above point was made in August 1968; and now in July 1969, the Appropriations Committee in House Report No. 91-356, a conference report for the second supplemental appropriation, 1969, has listed specific examples of the cost to the American taxpayer of the legislative control of civilian employees. The report reveals this limitation not only cost more than it saved but also resulted in inefficient utilization of personnel.

Mr. Speaker, now that we concur that the civilian personnel ceiling was improper, what should be our course of action?

I have written today to the Director of the Bureau of the Budget, Hon. Robert P. Mayo, outlining a plan of action, which I believe will give greater flexibility in managing the Government's civilian labor force. This, in turn, should reduce the need by operating officials to resort to the more expensive contractor personnel and/or active duty military to perform work normally handled efficiently over the years by Government personnel.

Mr. Speaker, our objective today must be the most effective use possible of our Government work force. To service the public efficiently and economically and to continue a strong defense posture, we cannot afford to limit the kinds and types of available labor to our Federal agencies. But, this is what a restricted Government personnel ceiling can do, and has done in the past.

The letter to the Director of the Bureau of the Budget follows:

> U.S. HOUSE OF REPRESENTATIVES,
> SUBCOMMITTEE ON MANPOWER AND CIVIL SERVICE OF THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE,
> *Washington, D.C., July 31, 1969.*
>
> Hon. ROBERT P. MAYO,
> *Director, Bureau of the Budget,*
> *Washington, D.C.*
>
> DEAR MR. MAYO: I applaud the action of the Congress and the support of President Nixon in the removal of the legislative control over the Government civilian work force. It was my feeling last August (1968) at the time of the passage of Section 201 of the Revenue and Expenditure Control Act of 1968, P.L. 90-364, that this was not a satisfactory or realistic approach to effective manpower management in the Federal Government.
>
> For more than eight years this Subcommittee has been concerned about the effect of manpower ceiling restrictions upon the efficiency and economy of Government operations. Too often, these restrictions have caused Executive agencies to rely upon contractors, or costly overtime schedules, or upon military personnel for work which could be done more effectively or at less cost by civil service personnel working regular hours.
>
> We have devoted a substantial portion of our time and staff resources to this problem. In addition to hearings and less formal meetings with the heads of agencies most directly concerned (including, of course, the Bureau of the Budget), we have conducted extensive field examinations and have caused the General Accounting Office to investigate numerous specific conditions. These efforts have resulted in correcting some of the specific cases identified and have demonstrated not only to this Subcommittee but also to other principal committees of the Congress that the problem is general and not limited to a few isolated examples. However, I personally feel that actions have not actually been initiated to correct underlying causes of this general condition.
>
> Time and again we have noted a lack of flexibility in the overall control of Government civilian ceilings. Likewise, it has been quite evident that there has been an inadequate monitoring of contracts for personal services.
>
> During the past year, the opportunities for dealing with this problem effectively have been limited by the special restrictions imposed by Section 201. However, now that this statutory restriction has been removed controls of manpower undoubtedly will be administered by the Bureau of the Budget. This provides a new opportunity to examine this basic problem and to take the initiative in seeing that the necessary corrective measures are being taken or planned, such as:
>
> Actions to streamline the flow of documents to assure that ceilings are adjusted soon enough to permit conversion of uneconomical contracts, civilianization of operations being handled by military personnel and reduction of overtime. We would appreciate receiving a copy of any regulations issued for this purpose.
>
> Initiatives which the Bureau of the Budget plans to take in collaboration with the principal operating agencies to identify causes of delays and inflexibility which the General Accounting Office has found are the principal causes of failures to correct this problem. We would be particularly interested in any procedures designed to provide necessary manpower authorizations to permit prompt conversions as soon as they are justified.
>
> Plans in the Bureau of the Budget and in the principal operating agencies for immediate identification of contracts for personal services, which have been started or allowed to continue although they are suspected or known to be more costly than in-house operations.
>
> Plans for controlling the use of contracts for personnel services, military personnel, and overtime so they do not continue to be convenient escape routes from the restrictions on Government civilian manpower.
>
> Plans in the Bureau of the Budget for reviewing personnel ceiling controls where other controls are already in existence. I have in mind activities already under Industrial Funds.
>
> In summary, Mr. Mayo, I believe that effective manpower management entails more than the imposition of specific controls over only one of several sources of labor for the departments and agencies. It would appear proper and timely for the Bureau of the Budget to lead the way for the departments and agencies to reappraise the priorities of their missions, to look for overlap and duplication of efforts and to ferret out ineffective and inefficient operating techniques. This approach should lead to more effective utilization of our Government's labor force, and thereby reduce the Government's labor costs.
>
> The Members of the Subcommittee and staff are ready to cooperate with you to get a program under way.
>
> With best wishes, I am
> Sincerely yours,
> DAVID N. HENDERSON,
> *Chairman.*

EXPANDED CONTACTS BETWEEN SOVIETS AND AMERICANS COULD HELP EASE TENSIONS

(Mr. FARBSTEIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARBSTEIN. Mr. Speaker, next year marks the 25th anniversary of the end of World War II and the signing of the Charter of the United Nations. The hopes and dreams that surrounded those two historic events have yet to be realized and today many of the nations of the world view each other with suspicion and mistrust. This is no more true than in the case of the United States and the Soviet Union. The free exchange of ideas and peoples long desired by the United States has not developed. The Soviet Union, for reasons known only to Soviet leaders, has been reluctant to either open its doors to American citizens or to permit Soviet citizens to engage in meaningful exchanges with citizens of the United States. People-to-people contacts have been few and not easy to arrange.

I believe that more contact, more interaction between Soviet and American citizens could have a beneficial affect in helping overcome some of the misunderstandings that exist between the two countries. Such contacts could help ease some of the tensions that exist between the two countries. And if tensions between the United States and the Soviet Union can be lessened we may well help create a climate in which meaningful discussions on the several issues which

divide us could take place. I believe, like President Nixon, that the age of confrontation is being replaced by the era of negotiations. The Congress can help in this process.

Recently the Soviet Foreign Minister, Andrei A. Gromyko, called for increased contacts between Soviet and American governmental leaders and private citizens. I think that we should take him at his word. I believe that we should be willing to expose our country to the scrutiny of the Soviet citizen. I believe that we should encourage increased Russian visits to this country. I believe that we should take pride in the working democracy that we have produced in this country. I believe that we should be prepared to show Soviet citizens the true continuing revolution in process—the eternal quest of man for the blessings of liberty for himself and his posterity.

This America of ours is not an ordinary country—our Government is not an ordinary Government—it is a living, vibrant, enthusiastic, changing society attempting to find the solution to the age-old problem of creating an environment in which diverse peoples and cultures can live secure and at peace with one another.

This is not an easy problem to solve, but we are solving it. It will take decades and perhaps even a century before we finally reach our goal, but we are moving in the right direction.

Mr. Speaker, I believe that we should make every effort to publicize this great experiment—the greatest in the history of the world. I am convinced that anybody who experiences even part of this must go away with the realization that here is a people who only want to live in peace and get on with the creation of a world where the weak are secure and the peace preserved.

President John F. Kennedy, in speaking of relations with the Soviet Union once said:

> So let us begin anew—remembering on both sides that civility is not a sign of weakness and sincerity is always subject to proof. Let us never negotiate out of fear, but let us never fear to negotiate.

Mr. Speaker, I believe that we should negotiate with the Soviet Union with every advantage that we have. And the greatest advantage that we do have—our greatest strength—is the American people who, regardless of race, color or creed, make our democracy work.

Mr. Speaker, as a first step, I am today introducing a resolution asking the President to extend an invitation to the Soviet Government to send a representative group from the Supreme Soviet of the Soviet Union to study the working democracy that we have produced in this country and to observe the American people as they really are and not as they have been told we are.

We would also encourage the President to arrange a series of visits by Soviet governmental leaders, students, and private citizens. We would throw open our doors to them. We would welcome them as friends. We would welcome them as cosigners of the Charter of the United Nations and as participants in the dream of one world free from the scourge of war. We would hope that they would reciprocate by extending similar invitations to U.S. governmental leaders, students and private citizens.

Regardless of the Soviet reaction, we would be offering to take a giant step toward better understanding which could lead to that day in the future when international understanding replaces mistrust and suspicion as a way of life—to that day when all mankind is able to enjoy the blessings of liberty for himself and his posterity.

Mr. Speaker, if this first step produces meaningful results, there is a possibility that the two countries could agree to observe 1970 as a year of renewed efforts to make the United Nations into the instrument for peace and cooperation that was envisioned for it almost a quarter of a century ago.

There are those who would object to a program such as I have outlined. But the time has come to begin anew the quest for peace. If it fails we will have lost nothing. Rather we will have gained. For when the history of this age is written, those writing it will say "they tried." We could not ask for a more fitting judgment.

VIETNAM IS NOT OUR FINEST HOUR

(Mr. KOCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KOCH. Mr. Speaker, the statements made by President Nixon on his brief visit to Vietnam indicate that the basic lesson to have been learned from our initial and continuing involvement in Vietnam has still not reached the White House. President Nixon stated:

> I think history will record that this may have been one of America's finest hours, because we took a difficult task and we succeeded.

Succeeded in doing what? In trying to bomb a country and its people into submission? In creating millions of refugees? In supporting a corrupt military junta? Let us be blunt about this. The misguided policy of this President and the prior Presidents involved in this war has led to the loss of about 40,000 American lives. And by continuing our present insane policy the killing will continue. The policy is simply the persistence of national pride beyond any political, economic, or moral justification. As others have said, our pride be damned.

The American public should tell the President that we will not tolerate an extension of the killing. No, not even for another month. Our troops should be withdrawn, not at slow-paced intervals which will keep us there for years, but now and immediately.

On May 15 of this year several Members of this Congress proposed that the President call for an immediate cease-fire. On July 2, I wrote to the President asking that he endorse that proposal. This past week I received the response and whether by intention or otherwise the response misses the point. The President's staff responded:

> A ceasefire is a sensitive and complex question that hopefully will be addressed to an appropriate time in the Paris talks.

That time is now. Those peace talks have been going on since May 1968, and they are going nowhere. What the President can and should do is to propose a bilateral immediate cease-fire. Let it be the other side that turns it down. Who knows, they may accept.

AID TO BASIC EDUCATION—A COMMITMENT KEPT

(Mr. MIZE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MIZE. Mr. Speaker, I am heartened by the firm support for education in the House of Representatives. This support was clearly evidenced when this body approved an amendment to the education appropriations bill restoring some $900 million to authorize programs of the highest merit and urgency.

This action by the House is not a relapse from fiscal responsibility. Rather, it is striking proof that priorities are being considered by Members who traditionally support fiscal restraint.

For instance, it is well known that about $9 billion is spent each year on welfare programs. This is several times the amount appropriated for essential education programs at the elementary and secondary level. If the Congress will continue to show commitment to basic education for the disadvantaged among us—those same disadvantaged will respond with worthwhile, productive, independent lives. I have that much faith in human nature and our fellow Americans.

Mr. Speaker, the best way to break the poverty cycle, the best way to overcome malnutrition, the best way to reduce the welfare burdens over the long run is through upgraded education for the victims—better basic education, vocational education, higher education.

This Congress, I am proud to say, has spoken this week: To the extent possible, in spite of heavy burdens in Vietnam, the crucial education programs developed over the years will receive top priority in 1970.

The Congress will support Public Law 874—aid to federally impacted areas—the Elementary and Secondary Education Act—aid to school districts for helping the disadvantaged—and other worthwhile programs.

This priority, I fervently pray, will help provide millions of Americans with the capacity to lead successful, productive lives in the years ahead.

Education is not the only element for success—there must be available jobs in rural areas, and there must be credit opportunity for the deserving—but education is among the most essential.

The Congress has initiated a pattern of support which will lead to dignity and hope for those millions long left behind by both technology and their fellow men.

TRAGEDY AT CAMP LEJEUNE, N.C.

(Mr. COLMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLMER. Mr. Speaker, with some reluctance I desire to call the attention of my colleagues to a tragedy that occurred recently at Camp Lejeune, N.C., and I have written it out here.

Mr. Speaker, a few days ago at Camp Lejeune, N.C., a group of militant goons, reputedly led by Black Panthers, went on a rampage with the slogan, "Get the Whities." I am informed reliably that they were armed with chains and other lethal weapons. The result was that one white marine was killed and another was so badly mauled there is serious doubt that he will recover. The marine who was killed was a constituent of mine. He was Cpl. Edward Bankston of Picayune, Miss. Another of my constituents, Sgt. Michael Vereker, of Biloxi, Miss., was badly beaten. At the same time a considerable number of other marines were mauled and severely beaten. The fact that two of these marines happen to be my constituents from Mississippi naturally is of great concern to me. However, some of the more fortunate victims of this totally unjustified and intolerable outrage were from other sections of our great common country.

As a matter of fact, some of them were from the great State of New York. And, I am advised by our esteemed colleague, Congressman MARIO BIAGGI of New York, that two of his friends, who had served on the police force with him in the city of New York and who are now on duty as marines at Camp Lejeune rescued the Mississippi boy, who later died. Congressman BIAGGI, who is no racist, has made his own personal investigation and is outraged as I am over this tragedy. In fact, the New York Congressman joined me in requesting a full and exhaustive congressional inquiry in this totally fiendish attack on patriotic and innocent victims.

Both Chairman RIVERS of the House Armed Services Committee and the Commandant of the U.S. Marine Corps, Gen. Leonard F. Chapman, Jr., have assured me that the matter is being thoroughly investigated; and that some eight of the guilty parties have been arrested and incarcerated.

Mr. Speaker, unfortunately this is not an isolated incident. These attacks have been going on for some time. Several months ago three young Marine officers from the U.S. Marine base in Quantico, on the streets of the Capital of the Nation which they were serving, were assaulted, severely beaten, and from which beating one or more of them died. Only a few days ago a woman from Ohio, whose son was hospitalized as a result of wounds received in Vietnam, came to the Nation's Capital to see her son. She was attacked on the street not too far from Walter Reed Army Hospital. She was forced into a waiting automobile, driven off to a secluded spot where she was robbed of $102 and brutally raped by six men.

Mr. Speaker, too long have these militant racial groups been pampered and as a result the chickens are coming home to roost. If a patriotic American, serving his country in the Armed Forces of the Nation, cannot be safe on a military base from felonious assault by the enemies within, God pity the future of this country. As one Member of this Congress, who has no desire to fan the flames of racial discord, I do not propose to sit idly by and see this condition continue. This dastardly episode must be thoroughly investigated and the guilty parties fully punished.

MARINES ASSAULTED AT CAMP LEJEUNE

(Mr. BIAGGI asked and was given permission to address the House for 1 minute, and to revise and extend his remarks and include extraneous matter).

Mr. BIAGGI. Mr. Speaker, I commend my colleague, the gentleman from Mississippi (Mr. COLMER), for his statement in connection with the incidents at Camp Lejeune.

Mr. Speaker, in response to telephone calls and telegrams from some of my constituents who are members of a Marines Corps Reserve unit that is currently training at Camp Lejeune, N.C., I visited and inspected that military installation on July 23.

The inspection was prompted by the fact that members of this particular Reserve unit known as the 6th Communications Battalion from Fort Schuyler, N.Y. expressed concern for their safety because of conditions at Camp Lejeune.

While at Camp Lejeune, I spoke to many Reserves and Regular marines, to both commissioned and noncommissioned officers, and reviewed the matter with Maj. Gen. Michael Ryan, commanding officer of the 2d Marine Division at Camp Lejeune, and Brig. Gen. Fred Haynes, legislative chief at Marine Corps Headquarters in the Pentagon.

My conclusion was inescapable. Yes, there was ample reason for concern at Camp Lejeune. I, therefore, recommended as an immediate measure that the Reserve unit from my district be moved to safer quarters away from a section of the installation that was obviously a trouble area. The morning after my inspection tour, General Haynes telephoned my office to inform me that there was compliance with my recommendation. He reported that the Reserve unit was moved to an area very close to base headquarters.

On Sunday, July 20, 3 days before my inspection of Camp Lejeune, 15 Regular marines were assaulted on the base during an apparent outbreak of racial violence. Three of these marines were seriously injured and required hospitalization. One of them, Cpl. Edward Bankston of Picayune, Miss., has since died. This 19-year-old youth was so savagely beaten that had he lived he would have had to undergo months of plastic surgery and treatment for the restructuring of his face.

Both General Ryan and General Haynes informed me that the outbreak of violence on July 20 at Camp Lejeune was the worst ever experienced at that installation. But they also acknowledged that a pattern of trouble occasionally culminating in assaults has been developing at Camp Lejeune for some months now.

In addition, military intelligence officers and others in a position to know what is happening have reported that a similar pattern of trouble has been developing at other military installations here and abroad. They have informed me that a growing number of disruptive activities on some military installations are posing a serious challenge to discipline and authority.

I have been advised that, in addition to Camp Lejeune, some of the military installations burdened by this problem within recent months are Fort Jackson, S.C.; Fort Belvoir, Va.; Fort Lee, Va.; Fort Gordon, Ga.; Fort Hood, Tex.; Fort Bragg, N.C.; Fort Dix, N.J.; Fort Carson, Colo.; Fort Sill, Okla.; Fort Sheridan, Ill.; and Fort Knox, Ky.

In the Army alone, some measure of the disciplinary and morale problem can be gleaned from the fact that last year 39,239 men were classified as deserters. That is the equivalent of about two and a half infantry divisions.

In addition, an estimated 5,000 young men have fled to Canada to avoid the draft and more than 200 servicemen are known to have taken refuge in Sweden, either to avoid a continuance of military duty or to escape disciplinary action.

In regard to national security, I do not say presently that the problem has reached alarming stages. But I do say that the very nature of the problem is alarming and should be dealt with by this body at this time as a matter of national interest. The signs are conspicuous; there is sound reason for action.

It is sad but accurate to say at this time that American boys are not only dying on foreign soil, but their lives are also obviously being jeopardized needlessly right within the confines of some of our own military installations. That, in my opinion, is sufficient reason alone for objective procedure.

In that regard, I offer a resolution for the creation of a select committee composed of seven Members of the House of Representatives for the purpose of conducting an inquiry of all aspects of crime and disorder on U.S. military installations. Such a committee would compile findings and recommend fair and equitable procedures for correcting the problems that now exist.

It would purely and simply deal with the disruptive, illegal, and violent acts that have taken place on some of our military installations and strive for the means of alleviating the problems within the laws of our land.

I ask that you give this resolution your most serious consideration.

RACISM

(Mr. O'HARA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'HARA. Mr. Speaker, I was horrified to learn of the brutality that had occurred at Camp Lejeune, and I want to join my colleagues from Mississippi and

from New York in deploring that sort of vicious attack by one human being on another.

I was interested, too, in learning of the resolution the gentleman from New York has introduced. I would hope that this Congress would take its obligations to examine the causes of racial animosity and hatred in this country seriously and I hope that if and when we do so, we do an even-handed job and we look at both sides of the issue. We must not stop with examining racist attacks by the relatively recently organized black racist organizations, without also examining racist attacks extending over more than a half century for which white racist organizations such as the Ku Klux Klan are responsible in many States of this country, including the State of the distinguished chairman of the Committee on Rules. Only by looking at all aspects of this problem will we learn anything and make any useful contribution to public understanding.

RESOLUTION ENCOURAGING BUSINESSES TO DISPLAY AMERICAN FLAG

(Mr. ST GERMAIN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ST GERMAIN. Mr. Speaker, one of my constituents who lost a son in Vietnam wrote to me suggesting that American companies having contracts with the Government should fly the American flag at their place of business to indicate respect for the American men who have sacrificed their lives for their country.

I considered the suggestion an excellent one, and today I am introducing a resolution encouraging American businesses which have contracts with the Government to display the flag at a suitable site on their company premises.

The flag is a symbol of our Nation. It stands for this country's ideals of achieving liberty, equality, human dignity, justice for all our citizens, and insuring their protection from any foreign adversary. The flag is a symbol of our common history and of our unity as one people.

The flag also stands for the commitments of our Government—to education, to civil rights, to health research, to the eradication of poverty, to space exploration, to the protection of our allies.

The flag is not a symbol of aggression or tyranny or thirst for power. Has any government in history done more for its people, been less of an oppressor of its own citizens, or been more concerned with helping other nations?

Businesses with Government contracts should be proud to indicate their participation in the tasks of our Government and in furthering the ideals of our Nation by displaying the U.S. flag.

They should also take pride in thereby associating themselves with the brave men and women who have given their lives under the flag for our country. At this time especially, displaying the flag would proclaim a unity with our servicemen who have died and are dying now in Vietnam.

Displaying the flag would say to all that a business' goals are not simply profit or economic power, but that a broader vision guides its efforts, that it is engaged in implementing the ideals and tasks of our Nation.

We are living in an age of symbolism. People are commonly using signs, pins, symbolic actions, and so forth for communication. The flag is a universally recognized symbol of our country—which we became aware of once again so dramatically last week when our astronauts placed our flag on the surface of the moon. And how fittingly it symbolizes the ideals of our Nation. The red and white stripes have signified liberty since the very beginning of our Nation; and, as John Quincy Adams once noted, the stars in the blue field signify our dedication to peace—a fitting banner to implant upon the moon, but no less appropriate to keep before us here on earth.

It is important for the average American to associate himself with this symbol of our country. For if only the extremists display the flag—those who would have us use nuclear weapons at the least provocation, those who want more and more of the Federal budget spent on weapons systems and none on education and social programs, those who claim that all civil rights legislation is Communist inspired, then the flag will lose its value as a symbol of American ideals.

Businesses with Government contracts can help set an example for our people. Furthermore, they often have better facilities than family homes for displaying the flag. A business can help express the true feelings of its employees, many of whom would like to display the flag but have no appropriate setting where they live. In fact, if any business or corporation under contract with the Government were slow to take up this recommendation of the Congress which my resolution proposes, I am sure that there would be employees who would take the initiative of urging their employer to exhibit the flag at their place of work.

The American companies whose work for the Government in manufacturing or research and development comprises a major part of their annual business should be proud to indicate their commitment to the ideals for which this country stands, their dedication to the tasks with which our Government is involved, and their desire to express a common unity with other Americans.

The resolution I am introducing would make it the sense of Congress that they should do this by displaying the flag of the United States during each day at an appropriate place at the site or sites of their business.

ARMY MATERIEL COMMAND FACES AND WELCOMES NEW CHALLENGES IN ITS "SECOND GENERATION"

(Mr. FLYNT asked and and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLYNT. Mr. Speaker, on August 1, the U.S. Army Materiel Command, Washington, D.C., will celebrate its seventh anniversary.

This organization is headed by an outstanding leader, a great soldier, a dedicated citizen, a man who is respected by all who have had the privilege of knowing him. Gen. Ferdinand J. Chesarek is a public servant of the highest order. His greatest desire is to serve his country and sustain and protect and provide for our soldiers wherever they are stationed. It is my personal privilege and I am sure the privilege of my colleagues to salute Gen. Ferdinand J. Chesarek and his associates at the U.S. Army Materiel Command on this, their seventh birthday. Personally, and for the sake of our Nation, I wish General Chesarek a long and continually successful life.

At this time I would like to insert in the RECORD "Army Materiel Command Faces and Welcomes New Challenges in Its 'Second Generation' ":

ARMY MATERIEL COMMAND FACES AND WELCOMES NEW CHALLENGES IN ITS "SECOND GENERATION"

Terming the Army Materiel Command's support of the U.S. forces in Vietnam "an event that will stand tall in military history," General F. J. Chesarek, Commander of the Army's huge supply organization, today challenged its more than 177,000 military and civilian personnel to "consolidate our experience, refine our procedures, and develop new methodologies for the difficult tasks which lie ahead."

In a message disseminated to AMC's 180 installations and activities throughout the United States, on the occasion of its seventh anniversary, General Chesarek pledged the Command "to prove through performance that it is the master of the sciences of research, development, procurement, distribution and maintenance."

General Chesarek's declaration that "the second generation of AMC will be tough, professional, confident and alert" coincided with a message to AMC personnel from General W. C. Westmoreland, Chief of Staff of the Army, in which he expressed confidence that AMC's future accomplishments "will fully measure up to its established reputation."

Commenting upon AMC's past record, General Westmoreland said:

"In the difficult task of combining the most recent scientific and technological developments with present and future needs of the Army, you are ensuring that our soldiers are the best equipped in the world. While accomplishing this tremendous undertaking, you have reduced the number of project managers and made possible a higher level of responsiveness to requirements from the field. In addition, through your Integrated Logistic Support Planning, we are assured that necessary logistical support and instructions are available when new weapons systems are sent to the field."

An initial step in streamlining AMC's organization and improving its effective operation in support of the Army in the field was taken in May of this year with a realignment of the Command's Washington, D.C. Headquarters. The realignment involved the appointment of a Deputy Commanding General for Materiel Acquisition, who will center his attention on the industrial base, and a Deputy Commanding General for Logistics Support, who will focus upon supporting the Army in the field. These deputies were named in addition to the existing principal Deputy Commanding General, the CG's chief assist-

ant and resource manager, and already established Deputy for Laboratories. Simultaneously the previous total of 67 project managers was reduced to 49 by the elimination of 10, whose functions are being assigned to major subordinate commanders, and by combining eight with other project manager officers.

Under these realignments, the AMC Commander's span of control will be reduced about 60 percent. Instead of the 190 commands, agencies, or individuals reporting directly to the Command Group, there will be only 78.

Efforts also are underway to secure suitable office space to consolidate the AMC headquarters, now scattered in five government-owned facilities and four commercial office buildings, at a single site in Northern Virginia within a 10-mile radius of the Pentagon. Target date for the move is the Fall of 1971.

Specific actions taken by AMC during the past twelve months to support U.S. forces in Vietnam and to increase the over-all readiness of the Army in the field ranged from advances in support techniques to the development and introduction of new or improved items of weapons and equipment.

The following are typical of AMC actions over the past year designed primarily to contribute to the increase effectiveness of U.S. and allied combat forces in Vietnam:

AMC established VLAPA (Vietnam Laboratory Assistance Program, Army) to provide quick reaction, in-country, scientific and engineering assistance to U.S. Army forces in Vietnam. Under VLAPA, AMC laboratory representatives in Vietnam are allowed to levy their parent laboratories for quick engineering solutions to problems they encounter in the field. Some of the requests fulfilled or being worked on under the program include the aircraft crash position locator, paraglider evaluation, combustible cartridge support, and new packages for water purification tablets.

The newly-developed M551 armored reconnaissance/airborne assault vehicle, the General Sheridan, was initially deployed to Vietnam and committed to combat in February. According to field commanders, the weapon system has made a significant contribution to the firepower and mobility of using units.

As a result of an AMC development project the M113 armored personnel carrier was equipped to perform as an assault bridge. Bridging equipment consists of the launcher and the bridge itself—a modified box forming two treadway sections folded at the center for carry. Twenty-four units have been shipped to Vietnam for operational evaluation.

Under AMC direction Combat Evaluation Tests of five Vulcan Air Defense Weapon Systems were conducted in Vietnam. During the tests the systems were credited with stopping and destroying two ambushes and inflicting heavy enemy casualties in their ground support role.

AMC accelerated development of a 420-gallon-per-hour lightweight water purification unit for use in Vietnam, which was shipped to Vietnam for support of battalion-size mobile forces.

AMC continued to emphasize its program to obtain civilian employee volunteers for overseas assignments in support of users of Army materiel. As of July of this year, approximately 500 AMC personnel were in a "ready" position to provide quick reaction assistance when requested by commanders in Vietnam and other overseas areas.

In the field of aircraft development, maintenance and armament, AMC made numerous advances which will directly enhance the Army's combat effectiveness:

A new armament subsystem (XM35) was developed for the recently-deployed AH–1G Hueycobra helicopter. It consists of a 20mm six-barrel gun mounted on the left wing inboard station of the aircraft in a fixed position. The gun is capable of firing 750 rounds per minute. Later in 1969 a new armament subsystem XM59, caliber 0.50 machine gun, pintle mounted, is expected to become available for use on the UH–1D or H helicopter.

Also in final stages of development is the new CH–54B heavy lift helicopter. This helicopter is an improved version of the CH–54A, which has proved its value in Vietnam by recovering downed aircraft worth more than the total system cost. The CH–54B has greater safety and better maintainability than its predecessor and can lift a heavier payload.

Pre-production models of the newest version of the OV–1 Mohawk surveillance aircraft, the OV–1D, have been accepted by the Army for testing. Improvements over earlier models include interchangeable infrared and side looking airborne radar surveillance systems, increased engine power and installation of an inertial guidance system.

Turbine aircraft engine overhaul and repair production at the Army Aeronautical Depot Maintenance Center increased by 37% during the past year, compared with Fiscal 1968. Production has climbed to an output of more than 600 engines per month from a beginning figure of 19 engines in 1962.

Currently under development is a 50,000-pound capacity airdrop system for the C–5 aircraft, which will be able to airdrop four such loads. A new 135-foot parachute for use in the system has completed engineering design tests.

Advances also were made in the development, production and deployment of missiles and other weapons:

Engineering development was completed in what may be considered the most important breakthrough in mechanical time fuzes for artillery since World War II. The new fuze, which will undergo extensive field tests soon, features greater accuracy, greater coverage of optional time settings, universal application to all artillery calibers, improved decisive setting action and improved sealing against moisture and temperature environments.

Lance, the Army's newest battlefield artillery missile, now in engineering development, successfully completed a series of critical environmental flight tests. Lance is capable of carrying either a nuclear or conventional warhead and is the first Army missile to use pre-packaged storable liquid propellants.

A confirmatory test of the 20mm Vehicle Rapid Fire Weapons System for the M114A-1E1 Command and Reconnaissance Vehicle was completed in Europe. The new vehicle gives scout and reconnaissance personnel added firepower.

Vigorous flight tests against both moving and stationary targets were conducted with the shoulder-fired Dragon antitank missile system. In addition to its antitank capability, the Dragon can provide assault fire against such hard-point targets as weapon emplacements and field fortifications.

Units of the new Self-Propelled Hawk missile were shipped to Europe in preparation for issue to troops. The low-altitude, all-weather Hawk system was developed to provide a highly mobile air defense capability in forward areas. The launcher tows necessary radar and equipment for system operations.

AMC continued to progress in its continuing programs to meet the Army's immediate and long-range requirements for new and improved vehicles:

The United States/Federal Republic of Germany Main Battle Tank Program is utilizing six research and development pilot models in component tests ranging from a 6,000-mile National Waterlift suspension test run to main weapon fire control testing and missile firing tests. Six additional second generation prototypes are under fabrication, incorporating lessons learned during early component testing.

A contract has been awarded for development and production of 18,000 new cargo vehicles—the XM705, 1¼-ton truck—over a three-year period. The V8-powered XM705 will be a general purpose companion vehicle to the 1¼-ton, high mobility Gama Goat. The six-wheeled Gama Goat is in the early production stages and is expected to be issued to front-line Army and Marine Corps units in the Spring of 1970.

A new model ¼-ton truck incorporating many new design features to increase the vehicles' operational safety, reliability and durability has been approved for production. The improved model features a new rear suspension system, "Deep-dish" steering wheel, "lube-for-life" suspension and steering joints, and improved lighting on front and rear. Designated the M151A2, it replaces the A1 model in the military vehicular fleet.

A program of rebuild and retrofit of M48A1 tanks to the M48A3 improved configuration for use in Vietnam was completed in FY 1969. Major improvements include a diesel engine to increase cruising range and a Xenon searchlight and an infrared fire control sighting device to improve night fighting capability.

Assembly-line output of the new M656, 8x8, 5-ton truck started during FY 1969. The M656, newly added to the Army's general purpose fleet of tactical vehicles, has been selected to support the surface-to-surface Pershing missile system.

Approval is expected soon of the contract definition phase of the Armored Reconnaissance Scout Vehicle (XM800). The concept formulation phase was completed during Fiscal 1969. The small, lightweight, lightly armored, highly mobile XM800 will replace the M114A1 in the Army inventory.

The Mechanized Infantry Combat Vehicle (MICV) is expected to enter the contract definition phase later this year. The MICV is to be lightly armored, with protected cross-country mobility. It will have a firepower capability to support the mechanized infantry squad.

The Mobile Floating Assault Bridge/Ferry, a versatile amphibious vehicle, has been tested in Europe by Seventh Army troops. In the Ohio River test, a six-unit ferry successfully transported vehicles with a total weight of 118½ tons.

The following actions accomplished during the past year indicate the wide range of activities through which AMC is contributing to the world-wide logistical support of the U.S. Armed Forces:

Expansion of Project ARMS (Army Master Delta File Reader Microfilm System), which involves transmittal of supply management data via microfilm to the Army in the field, has raised to 1,100 the number of microfilm readers in use in the program. These readers are located within Regular Army units throughout the world, as well as National Guard units, Military Assistance Advisory Groups, and friendly foreign governments. Many advantages are accruing to the U.S. Government through providing supply management data to potential customers.

A new electronic data converter system (Data Converter, Coordinated Air Defense System, AN/GSA–77) has been developed to integrate Nike Hercules and Hawk missile batteries into Air Defense Control and Coordination Centers. The system represents the first application of micro-electronic technology to this type of equipment.

AMC played an important part in regard to procurement of units for the Department of Defense standard family of electric power generator sets. The Army has been designated executive agent for fielding the sets. AMC, through coordination with the other military services and Defense Supply Agency,

reduced the number of standard engine generator sets from 69 to 46 during FY 1969.

Specific improvements in overhaul methods, including installation of electrostatic paint spray equipment and standardization of the metal cleaning process, produced savings of more than $1.25 million during FY 1969.

As of the end of FY 1969, AMC was managing 16 coproduction projects with six foreign countries and NATO. Through these projects, which cover 15 different items of military hardware, some $500 million will be spent in the United States.

Under Project SWAP, early this month battalion-sized "packages" of improved Pershing Missile equipment, known as Pershing 1–A were loaded aboard the GTS Admiral William M. Callaghan at Port Canaveral, Florida for delivery to Bremerhaven, West Germany. On arrival, it will be "swapped" for the ground support equipment of present U.S. Army Pershing Missile units. The most apparent difference in the system is a change from track-laying vehicles to a new wheeled version. Other improvements include a computerized countdown and firing system, a fault isolation capability, expanded communications, a faster rate of fire and greater reliability. When SWAP is completed the U.S. Pershing battalions will have been fully updated with modern, fast reacting ground support equipment.

During the past year, AMC continued to win more than its share of formal awards and commendations for its performance in all areas:

The Command won the FY 1968 Department of the Army Award of Honor for the best safety program in worldwide competition with other major commands. It was the third consecutive time, and the fourth in six years, that AMC has been so honored. In addition, the National Safety Council recognized AMC's safety achievements during FY 1968 with the NSC Award of Honor. It was the fifth such award in six years.

Two films produced by the Army Pictorial Center (R&D Film Reports #34, "Seeing the Unseeable" and #35, "Fluerics—Thinking with Air") were awarded top honors, "The Golden Rocket Award," in the Popular Science Film Category, at the 16th Annual International Electronics, Nuclear and Telecommunications Congress, Rome, Italy.

Industrial Management Society film awards were won again by AMC in open competition with films entered by the nation's leading industrial firms. U.S. Army Missile Command won first place for its value engineering film, "Value Management". In the methods improvement category, Sharpe Army Depot won first place for its film, "CONEX Portable Warehouse," and Frankford Arsenal (U.S. Army Munitions Command) won a second place award for the film, "Work Simplification Project 321."

AIR TRAFFIC CONTROLLERS

(Mr. MOSS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. MOSS. Mr. Speaker, I have become increasingly disturbed over the actions taken by Mr. John Shaffer, Administrator of the Federal Aviation Administration, in unilaterally canceling the dues deduction agreement with the professional Air Controller Association.

Mr. Speaker, the job of an air traffic controller is not under the most ideal conditions an easy one. Under the conditions existing in many of the airports of our Nation, it is an onerous undertaking. Those conditions have caused considerable resentment on the part of the men who have devoted many years of their life to serving the Government and the traveling public.

I do not question the authority of Mr. Shaffer to take action on an individual basis against persons who have acted in flagrant disregard of Federal law or Federal personnel policies, but I question the wisdom most seriously of a man who would take action against an entire body of many because of alleged wrongdoings of a fractional percentage; I might add, a most insignificant fractional percentage of the total of the organization. I am afraid the action of Mr. Shaffer reflects the lack of adequate experience in dealing with personnel problems, and unless he learns very quickly, the Nation will reap a whirlwind of disastrous portions because of his almost naive approach to the handling of relations with the men under his jurisdiction.

To indicate the attitude of the men themselves, I enclose a copy of a petition presented by a group of 175 control personnel in the San Francisco Bay area. I would call to the attention of all Members the years of service represented and the grade levels represented by the signers of the petition. I would say the two points focus most directly upon the thorough qualifications of the men for the job they hold and their dedication to the service in which they are engaged.

The petition and the names of the signers follow:

JULY 22, 1969.

Hon. JOHN E. MOSS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN MOSS: Enclosed is a copy of a petition which was presented to Mr. John Shaffer, Administrator of the Federal Aviation Administration, on July 18, 1969, during his recent visit to the San Francisco Bay area.

Because we have been informed by various sources that you are interested in the current air traffic crisis facing the United States, we believe that you would want to be apprised of this petition. Any assistance and action toward accomplishing its purpose will be greatly appreciated.

This petition was endorsed, independent of any organization, by 175 control personnel in the San Francisco Bay area. We feel implementation of its recommendations would contribute significantly to serving the best interests of the public, and the Federal Aviation Administration's purported purpose: safe travel by aircraft.

If you are so disposed, we earnestly solicit your aid in helping us provide the *safe* service the public deserves. May we assure you, Congressman Moss, that our desire to contribute to the correction of the present and increasingly pathetic crisis, *before an air tragedy occurs,* is sincere, genuine, and urgent.

Thank you.

PETITION

To John Shaffer, Administrator, FAA.
From the undersigned.
Subject petition.
Date July 18, 1969.

SIR: The undersigned control personnel of the control facilities located in the San Francisco and adjacent areas respectfully present this petition for action by the responsible authorities.

For the purpose of clarification, be it known and thoroughly understood that this petition is not derived from the desires of any organization; rather, it is an expression of the individual controllers who have chosen to endorse it.

Recently, many controllers throughout the United States have, by various means, conveyed their personal dissatisfaction with the conditions prevailing in their profession. This discontent extends to—and beyond—consideration of remuneration, retirement age, etc. The simple point has emerged: controllers are not tranquil and contented in their working environment.

Perhaps the Federal Aviation Administration would like to know why this condition exists. The signers of this petition cannot purport to represent all controllers, but they do consider their views as representative of many personnel in other facilities.

As virtually all conscientious controllers in high-density facilities would agree, and as all persons in lesser-density facilities—at least those with a modicum of five-year foresight should agree—the air traffic control system has reached a point of near chaos under saturation traffic conditions.

Why has this situation occurred? Certainly, controllers are dedicated, hard-working individuals; they maximize the aids allocated to them; the fault is not solely theirs. Controllers are professionals dedicated to the prevention of aircraft collisions and the correspondent preservation of human life. Should the controllers fail in this task, however, the burden of responsibility must be equally borne by a management which has provided very few qualified controllers, insufficient and sporadic training, substandard equipment, inadequate procedures, and bureaucratized, unresponsive attitudes to bona fide controller needs.

The recent discontent manifested by controllers concerning this situation has resulted in a continuing investigation and harassment of the very persons directly responsible for safe travel by aircraft—the controllers. We, as controllers, protest this action and request that the inquiry be directed into the long-range area where the ultimate bottlenecks to safe and orderly aircraft movement lie, i.e., in the area of management.

We desire that the present inquiry concerning controller actions during the month of June, 1969, be redirected into this area under the proceeding guidelines:

1. All management personnel be investigated for possible mismanagement and incompetence.

2. The inquiry be impromptu and not announced.

3. Special emphasis be placed on those facility officers who have held their positions more than ten years, thereby enabling them to erect massive substructures based on semi-patronage.

This request is based on the following premises:

1. Controllers must meet their job-requirements, but management has a reciprocal responsibility to furnish an adequate environment in which to accomplish these ends.

2. Management will attempt to defend the system they have built, however inadequate it may be, and this situation must be taken into account.

Denial of this request will only worsen the present situation and further complicate future progress. This petition constitutes a desire for understanding, a plea for some semblance of rational thought on the part of the Federal Aviation Administration, and an effort to establish order in present and pending chaos.

SAN FRANCISCO AREA CONTROLLERS.
(Signatories.)

(NOTE.—This petition was endorsed by 175 Control Personnel from the Oakland A.R.T.C.C., Bay TRACON, and San Francisco Tower.)

(Signature, current G.S. grade, and length of Federal service)

Richard L. Usson, 12, 10 years.
Hersey Wright, 12, 9 years.
Richard H. Holzhauer, 12, 14 years.
Kenneth W. Barton, 12, 15 years.
Calvin W. Steel, 12, 8 years.
Joseph R. Bpe, 12, 16½ years.
Forrest E. West, 12, 13 years.
R. O. Sigrist, 12, 14 years.
Warren J. Kreach, 12, 18 years.
Terry D. Falkner, 12, 10 years.
R. S. A———, 12, 14 years.
Baysite B. Ward, 12, 14 years.
Barry C. Airey, 12, 11 years.
Douglas G. Smith, 12, 8 years.
Robert E. Beyer, 12, 14 years.
Jos. Ellingsworth, 12, 15 years.
James E. Tohey, 12, 8 years.
Robert S. Potter, 12, 12 years.
Paul Kelley, 12, 12 years.
Fred Benedict, 12, 20 years.
James D. Hosford, 12, 9 years.
Robert Borden, 12, 12 years.
Verg D. Mansgoing, 11, 2 years.
Teozil McConhachino, 12, 13 years.
Donald Wunn, 12, 14 years.
Charles A. Heath, 12, 16 years.
Robert Ega, 12, 13 years.
Harvey A. Johnson, 12, 9 years.
John E. LaPosier, 11, 5 years.
Alex C. Sala, 11, 8 years.
Gerald A. Dickson, 12, 13 years.
Jack L. Drager, 12, 19 years.
Charles O. Maky, 12, 32 years.
Roy B. Blount, 11, 6 years.
Gordon K. Trimble, 9, 4 years.
James R. Edler, 12, 6 years.
Charlotte Kositch, 12, 15 years.
William Saffay, 9, 4 years.
James T. Wille, 11, 5 years.
David E. Kemp, 12, 19 years.
Charles R. Cox, 9, 5 years.
Robert T. Meyer, 9, 10 years.
LeRoy Zerah, 12, 15 years.
Frank B. Wilwin, 11, 2 years.
Levino R. Garcia, 12, 10 years.
David Wynn, 9, 8 years.
Robert L. Lowe, 12, 14 years.
Larry W. Swanson, 9, 2 years.
D. V. Torchin, 9, 2 years.
Harvey Bieber, 12, 13 years.
J. Neyhib, 11, 1½ years.
H. J. McVeigh, 12, 2½ years.
David L. Green, 11, 10½ years.
Sid S. Solomon, 12, 18 years.
Frank R. Taylor, 12, 10 years.
Leslie E. Resur, 12, 5 years.
Jack Williams, 12, 17 years.
Joseph C. Marlitz, 12, 25 years.
Richard D. Ulan, 12, 14 years.
Bob C. Crossdall, 12, 10 years.
Larry L. Scheuffele, 11, 4 years.
Diana Bradford, 9, 2 years.
Donald G. McDonald, 12, 8 years.
John A. Driskill, 12, 16 years.
Ronald E. Manville, 12, 12 years.
Kenneth E. Anderson, 12, 10 years.
L. D. Thompson, 12, 12 years.
G. Banchems, 9, 2 years.
R. L. St. John, 12, 32 years.
Joe E. Coltrain, 12, 15 years.
Lee E. Olson, 9, 2 years.
Carroll W. Park, 12, 17 years.
Edmond A. Chadwick, 12, 10 years.
Bruce C. Butte, 9, 2½ years.
D. F. Durant, 12, 30 years.
W. L. Burns, 9, 8 years.
Richard Trewhitt, 9, 2½ years.
Frank Blaken, 9, 22 years.
Joe I. Segura, 12, 16 years.
James A. Woody, 12, 15 years.
Earl N. Sunday, 12, 22 years.
Steph L. Bradley, 12, 5 years.
Myron L. Chaman, 12, 10½ years.
James C. Heath, 12, 5 years.
Wayne L. McLaughlin, 12, 18 years.
Raymond H. McKinney, 12, 10 years.
Douglas Nultey, 9, 2½ years.
David Rolley, 12, 10 years.
Nicholas C. Davis, 12, 12 years.
Reono J. Kosa, 12, 20 years.
Floyd C. Bishop, 12, 22 years.
Gerald D. Gibson, 12, 14 years.
Rudolfo R. Lucaso, 12, 14½ years.
John F. Dodcup, 12, 14 years.
Edward DeVille, Jr., 12, 14 years.
George R. Seyboldt, 12, 16 years.
Thomas A. Hager, 12, 32 years.
William A. Denton, Jr., 12, 21 years.
Thomas L. Whiting, 12, 10 years.
Edward L. Lippman, 11, 7 years.
Glenn Tom Woods, 9, 1 year.
Cyril R. White, 9, 14 years.
W. C. Wilson, 9, 21 years.
Jeb Aston, 9, 5 years.
John D. Simpson, 9, 15 years.
Michael H. Scott, 12, 5½ years.
D. L. Warwick, 11, 21 years.
F. D. Lippman, 11, 8 years.
C. M. Olin, 9, 1½ years.
C. B. Goodnight, 9, 2½ years.
P. B. Romney, 12, 13 years.
R. F. Templeton, 12, 17½ years.
Ronald S. Ryan, 12, 14 years.
Lawrence B. Kordin, 12, 7 years.
Donald Pittman, 11, 12 years.
James McRory, 12, 10 years.
Robert Metz, 12, 10 years.
Thomas F. Kulter, 11, 5 years.
Paul L. Clements, 12, 10½ years.
Charles F. Egan, 12, 14 years.
Steve Brigham, 12, 12 years.
Harold B. Chartte, 12, 9 years.
Charles F. Afer, 12, 13 years.
George E. Gorman, 12, 28 years.
Lee C. Sterner, 12, 15 years.
Vernon J. Riske, 12, 12 years.
C. A. Flatt, 9, 5 years.
Stuart J. Dodge, 9, 3 years.
Robert G. Pohms, 9, 15 years.
Leroy C. Hilton, 11, 8½ years.
James E. Pearge, 12, 19 years.
Herrel O. Taylor, 11, 15 years.
Robert C. Weaver, 12, 16 years.
Ralph L. Skaag, 12, 14 years.
Robert N. Quik, 9, 5½ years.
William Patrick O'Brien, 12, 16 years.
R. F. Davis, 12, 16½ years.
B. Stamp, 9, 3½ years.
J. R. Coolidg, 11, 7½ years.
J. Sheltin, 12, 15 years.
John D. Conrad, 12, 13 years.
Robt. A. Knight, 11, 5 years.
John M. Coon, Jr., 9, 8 years.
Daryl J. George, 12, 13 years.
P. W. Kamtman, 12, 13 years.
Cara Sims, 12, 17 years.
Kermit Nourse, 12, 12 years.
George M. Bell, 13, 10 years.
James A. Johnston, 13, 12 years.
Wendell E. Hartley, 13, 12 years.
William F. Fitzgerald, 13, 10 years.
Harold F. Heinrich, 13, 12 years.
Roger D. Stoddard, 13, 10 years.
Robert Amelin, 13, 9 years.
William J. O'Connor, 13, 11 years.
Charles T. Henderson, 13, 9 years.
William Melech, 13, 14 years.
Guy P. Brawly, 13, 9 years.
Keith Sinclair, 13, 19 years.
James E. Gray, 13, 22 years.
Howard L. Hawkins, 12, 14 years.
Eugene Klein, 13, 19 years.
Daniel K. Martin, 11, 11 years.
Fred C. Short, 13, 10 years.
Edwin T. Newberry, 13, 15 years.
Donald R. Mullin, 13, 13 years.
L. K. Jones, 12, 10 years.
Philip Lowenstein, 12, 34 years.
R. S. Bradley, 12, 18 years.
Leon C. Grand, 12, 8 years.
Neil H. Harris, 12, 21 years.
Robert T. Paris, 12, 16 years.
Donald G. Czyllo, 12, 18 years.
Joseph Bugarlo, 12, 11 years.
Donald G. Czyllo, 12, 18 years.

RETIREMENT OF GEN. JOHN P. McCONNELL

(Mr. ANDREWS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANDREWS of Alabama. Mr. Speaker, at this very hour a retirement ceremony is being held at Andrews Air Force Base on the occasion of the retirement from the Air Force of their Chief, General McConnell.

Members of our Subcommittee on Defense were invited out there, and it was with regret that we had to forgo the occasion. I had planned to go with the gentleman from Pennsylvania (Mr. FLOOD), and the gentleman from Florida (Mr. SIKES), but due to the importance of the bill on the floor at this time, which is being handled by Mr. FLOOD, it is impossible for us to be out there.

General McConnell has had a brilliant career in the military service of this country. I hope that in retirement he will find a lot of rest and happiness.

Mr. SIKES. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the gentleman from Florida.

Mr. SIKES. Mr. Speaker, I express my appreciation to my distinguished friend from Alabama for calling to the attention of the House the outstanding service of General McConnell. I associate myself with all the gentleman from Alabama has said in commendation of that really great officer. His has been one of the most distinguished records in Air Force annals. For him, retirement is richly earned, but the Nation will greatly miss his valuable services.

I, too, regret very much that it is not possible for us to be present to pay him tribute on this occasion.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Speaker, I join with my friend the gentleman from Alabama, and with my friend, the gentleman from Florida. The three of us have been on the Defense Appropriations Subcommittee since it was established 20 years ago. We have seen General McConnell come up through the ranks. We admire him and respect him. It is only because of our present duties that we cannot be with him on this occasion today.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the gentleman from Mississippi.

Mr. WHITTEN. Mr. Speaker, I, too, identify myself with the fine statements made by the gentleman from Alabama and the gentleman from Florida, and the gentleman from Pennsylvania. I, too, have served for years on the Appropriations Subcommittee for Defense. There I have had the privilege of knowing General McConnell. He had a long and distinguished career, is a fine man and citizen. May I say that I planned to attend the ceremonies also. We all regret very much that we cannot be there. To

General McConnell and his family we wish the very best in the years ahead.

A CHANGE IN THE FISCAL YEAR IN THE HOUSE OF REPRESENTATIVES

(Mr. CONABLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONABLE. Mr. Speaker, I am introducing a bill today which would change the beginning date of the fiscal year to January 1. It is a change which will enhance the efficiency of the departments and agencies and allow the Congress time to act on appropriations bills before the fiscal year begins.

We are today in a fiscal year which is 1 month old, but our delay in funding programs for this year is a tacit recognition of the impracticality of such a schedule. Since the Federal budget has grown so large in the 1960's, it is taking Congress longer each year to review department requests for funds. As a result, appropriations for Federal programs are almost never available at the beginning of the fiscal year on July 1. Only six of the 13 regular appropriations bills have been approved by the House to date and only two have been acted on by the Senate. No appropriations bill has been signed into law and appropriations for such important programs as defense, public works, and transportation have not even emerged from committees. Some time later in the fall, when the fiscal year is nearly half over, the last of the appropriations bills will be enacted and the Government agencies will know how much money they will have for the next several months. In the interest of sound administration, they should have this for the full year.

If the timetable of congressional action were followed within the framework of a January-to-December fiscal year, these agencies would be able to make firm plans and commitments for the next fiscal year in advance of its beginning date. The need for these agencies to mark time on the basis of continuing resolutions would end and a new ability to respond more quickly and flexibly to needs as they arise would take its place. We criticize these agencies for not responding faster to needs, but often they are unable to proceed for lack of a firm budget. School programs which must proceed in September are particularly handicapped by this uncertainty.

A fiscal year which begins in January would require the Government to project its plans 2 years ahead rather than 18 months as now. If the present system worked as it was intended, this would be the disadvantage it seems, but the beginning date of July 1 is a fiction. The timespan under the present system frequently lacks only a month or so of being 2 years. The real advantage of timely appropriations outweighs this largely theoretical disadvantage of longer planning time.

Another consideration is that the tax year presently runs on a calendar year basis. It would be a help to have the fiscal year coincide with this other very important financial year.

Mr. Speaker, I hope this proposal will receive the serious consideration of the Congress.

REGULATION OF SEXUALLY PROVOCATIVE MAIL

(Mr. ERLENBORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ERLENBORN. Mr. Speaker, obscene mail is an increasing concern to my constituents, and I expect a concern to people throughout the United States. This concern is most assuredly justified when one considers the extensive flow through the U.S. mails of so-called advertising material which can only be described as hard-core pornography.

Many bills have been introduced to stop this abuse. They are suspect, however, on constitutional grounds or are impractical from an administrative point of view. My cosponsors and I have a legislative proposal which we believe meets both of these objections. The proposal is based on an approach recently suggested by Senator BIRCH BAYH of Indiana. The cosponsors are: Mr. ANDERSON of Illinois, Mr. ANNUNZIO, Mr. ARENDS, Mr. CARTER, Mr. CHAMBERLAIN, Mr. COLLIER, Mr. CORBETT, Mr. DERWINSKI, Mr. DONOHUE, Mr. EDWARDS of Louisiana, Mr. FLOWERS, Mr. HAMILTON, Mr. LUKENS, Mr. MCCLORY, Mr. MCCLURE, Mr. MCEWEN, Mr. MANN, Mr. MICHEL, Mr. MOSHER, Mr. PRICE of Illinois, Mr. PUCINSKI, Mr. RAILSBACK, Mr. RONAN, and Mr. SCOTT.

Our bill would stop those who would invade the privacy of the home with smut mail; and it would help parents in protecting their children from exposure to pornography.

Briefly, it would prohibit the use of the U.S. mails to send sexually provocative materials, first, to any home unless the occupant specifically asked for such materials; and second, to minors in any State having laws prohibiting dissemination of obscene materials to minors. This means 36 States and the District of Columbia.

A section-by-section analysis of our proposal, the Sexually Provocative Mail Regulation Act of 1969, is as follows:

Section 2:

1. Finding by Congress that:

U.S. mails are being utilized to exploit sexual sensationalism;

Intrusion of sexually provocative materials into the American home constitutes an unwarranted invasion of the right of privacy;

Such intrusion lessens the ability of parents to protect their minor children from harmful materials.

2. Declaration by Congress that such use of the U.S. mails is contrary to public policy and the welfare of the American people.

Section 3 Amends Chapter 51 of title 39, U.S. Code, by adding a new section which:

1. Prohibits the depositing in the U.S. mails of any sexually provocative material pertaining to nudity, sexual conduct, sexual excitement or sadomasochistic abuse:

Unless the material is *addressed* to a *person* who has *specifically indicated* his desire to receive such material;

If such material is addressed to a minor in a State having laws prohibiting dissemination of such materials to minors.

2. Prescribes notification format to be used for determining if persons on the mailing lists of dealers in sexually provocative materials wish to receive such materials.

3. Allows only *non-illustrated* notifications to be sent *only in names of individual persons or organizations.*

4. Requires senders of sexually provocative materials to remove names of minors, and individuals not wishing to receive such materials from their mailing lists.

5. Authorizes the Postmaster General to issue appropriate regulations to carry out the provisions of the section.

6. Defines the terms "nudity," "sexual conduct," "sexual excitment," "sadomasochistic abuse," and "sexually provocative materials."

7. Provides for the mailing of publications which might fall within the above definitions if such material therein constitutes only an insignificant part of the whole publication (e.g., legitmate medical encyclopedias, textbooks, etc.).

Section 4 Amends Chapter 71, title 18, U.S. Code, by adding a new section which:

Provides for fines up to $50,000 or imprisonment of up to 5 years, or both, for violations.

The bill would place the administrative workload where it belongs, that is, on the purveyor of smut material rather than on the Post Office Department or the Department of Justice.

Most importantly, this bill would immediately and constitutionally stop the flow of unsolicited, hard-core smut advertising through the U.S. mails. It would serve to enforce the police powers of the States; and it would encourage the lagging States to enact appropriate laws for the protection of minors from sexually provocative materials.

Mr. Speaker, I am sure that all Members of Congress wish to help stem the tide of unwanted pornography which is flooding our homes. I urge them to support our proposal which is being introduced today.

ACTION AGAINST PORNOGRAPHY NEEDED NOW

(Mr. MCCLORY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCCLORY. Mr. Speaker, I commend the gentleman from Illinois (Mr. ERLENBORN) on his statement and his initiative. I am in full support of the bill introduced by my good friend from Illinois, and cosponsored by myself and other Members.

There is little need to advise the Members of this body of the kinds of offensive materials that are daily being mailed, unsolicited, to the homes and offices of our constituents. I have received many letters complaining of this practice and I know that other Members have received similar complaints.

The question we must all face is: Will this House finally take action to halt the practice?

Mr. Speaker, in addition to cosponsoring this bill, I had the privilege earlier this year of cosponsoring legislation proposed by the President and introduced by the distinguished ranking minority mem-

ber of the Judiciary Committee (Mr. McCULLOCH). The bill introduced today by Mr. ERLENBORN takes a somewhat different approach than that of the administration.

One of the administration proposals allows any person who does not want to receive sexually oriented advertisements through the mail, to file a statement to that effect with the Postmaster General. After 30 days, the mailing of any such sexually oriented advertisement is illegal. The bill I cosponsor today, shifts the burden to the advertiser to obtain permission of the recipient before mailing the offensive material. Further, it prohibits altogether the mailing of offensive material to minors where the minor's State of residence has a law prohibiting such dissemination. Significantly, however, the Erlenborn bill does not prohibit the mailing of sexually oriented material to persons ordering it themselves.

In the long run, this may be the best way to fight the battle of pornography. By the enactment of this bill, we would protect our young people and at the same time rely on the mature judgment of our adult citizens to decide the issue of obscenity for themselves. Those adults who are interested, are not deterred, but the vast majority of Americans will no longer be faced with unordered smut.

Mr. Speaker, I consider both of these approaches to be worthy. Of course, we are all conscious of the first amendment, protecting freedom of speech, and none of us desires to violate its provisions. However, we are also conscious of the vast disruption created in our land by unwanted pornography. As always, it is up to the Congress to find a solution that deals with society's specific needs while at the same time upholding the spirit of the Constitution.

It is my hope that speedy and thorough committee action can be taken and that this measure may be passed and approved so that the overwhelmingly majority of our constituents can be protected.

DAY OF BREAD RESOLUTION

(Mrs. MAY asked and was given permission to address the House for 1 minute, to revise and extend her remarks and include extraneous matter.)

Mrs. MAY. Mr. Speaker, I am pleased to introduce today with 17 cosponsors, a joint resolution designating October 28, 1969, as a Day of Bread, and the week within which it falls a Harvest Festival Week. The proposal also calls upon the President to issue annually a proclamation calling on the people of the United States to join with those of other nations to observe this Day of Bread and Harvest Festival Week with appropriate ceremonies and activities.

The purpose of these observances, Mr. Speaker, will be to give universal recognition to the role played by wheat and its products in the nourishment of mankind throughout human history. Since bread has long been symbolic of all foods, these observances will also permit us to pay tribute to their contribution in meeting the most fundamental of all human needs.

As a representative of one of the largest and most productive wheat-growing areas in the Nation—the Fourth Congressional District of Washington State—I am especially happy to have the opportunity to sponsor this proposal. I feel it is most important that the American people have a good understanding of just how much U.S. farmers have contributed to our standard of living and way of life in this country, and all over the world. If a Day of Bread were to serve no other purpose than this, it would be a most worthwhile and productive observance.

A number of other countries celebrate a Day of Bread and our efforts in the United States would be closely coordinated with them. By joining with them in these observances we can also make a positive contribution toward greater international communication and understanding.

Mr. Speaker, the American Bakers Association, the Millers' National Federation, and the National Association of Wheat Growers are to be highly commended for their active interest and enthusiastic support with regard to this proposal and a nationwide program of observance of a Day of Bread and a Harvest Festival Week which they have planned for 1969.

GEN. JOHN PAUL McCONNELL

(Mr. HAMMERSCHMIDT asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise today to add my voice to those who have spoken of the military career of Gen. John Paul McConnell, Air Force Chief of Staff. This renowned son of Arkansas was honored with retirement ceremonies today which I know would have been attended by many, many Members of the Congress—were it not for the important legislation before the House.

But as impressive as the Andrews Air Force Base ceremonies surely were—I find it difficult, if possible at all, to pay adequate tribute to General McConnell for the service he has rendered to his country.

He was born in Booneville, in my congressional district, February 7, 1908. By the time he received his congressional appointment to West Point, John Paul McConnell had also earned a bachelor of science degree from what is now Henderson State College at Arkadelphia. He was truly a brilliant student.

He demonstrated that same brilliance in the Military Academy, from which he graduated in 1932—as first captain of the Corps of Cadets.

Lieutenant McConnell chose the Air Corps for his career, won his wings in 1933—and from then through his present assignment he held positions of increasing responsibility and importance.

President Nixon said, in part:

I am happy to participate in honoring a man whose life has been dedicated to peace, dedicated to peace even when he has had to fight in war, and dedicated to peace as he has maintained the Air Force and their strength in time of peace.

General McConnell's response reflected his constant concern for all men in the uniform of the country:

It has been my privilege to serve with many hundreds of thousands of members of all services. I believe them to be the most competent, highly motivated people upon whom any nation has ever relied for the security of its fundamental institutions and its freedoms.

Mr. President, the Air Force is prepared and will continue to discharge any responsibility required of it by our Commander-in-Chief.

We in Arkansas are proud of this man and his distinguished record.

STUDENT ANTIVIOLENCE ACT

(Mr. CRAMER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CRAMER. Mr. Speaker, I introduced H.R. 11802, the Student Antiviolence Act of 1969, on June 2, 1969, with 19 cosponsors. My remarks explaining the purposes of this legislation appear in the RECORD for that date at page 14419. I am today introducing a revision of the original Student Antiviolence Act to clarify certain phases of the previous bill, to make technical corrections, and to add a provision for injunctive relief, which I believe is essential if the bill is to be effective. Injunctions have proven to be effective violence deterrents, and if a local institution in unwilling to seek injunctive relief in the courts, then in instances where it appears the rights of other students are clearly being violated, the Attorney General should have the authority to seek injunctive relief. This is similar to the injunctive authority granted the Attorney General by the Congress in numerous other acts.

While this is largely a school vacation period, the problem is going to be with us again in full force very shortly after the new college semester year starts. It is, therefore, our duty to fully recognize the past proven seriousness of this situation and to meet it squarely head on now. There have been all kinds of piecemeal approaches—with varying amendments to appropriations bills, bill by bill, and section 504 of the aid to education bill, which merely has the effect of withholding funds from students who are prosecuted and found guilty of violent activities, but there has been no effort to meet the situation head on by affording protection and relief to all students whose rights are being violated, whenever a Federal function or Federal funds are involved. This basically is the same approach used in the 1968 Antiriot Act, except that instead of providing jurisdiction through the interstate commerce clause of the Constitution, this bill extends Federal jurisdiction on the basis of the Federal funds expended at educational institutions. The right to education is a right that must be protected.

This bill further strengthens the nonviolence act by amending it as it relates

to education in that the present law is limited in its jurisdiction to crimes of violence perpetrated by the party with intent to do so—"because"—the party aggrieved is participating in a Federal program. My bill removes that almost impossible burden of proof by providing that when "any person because or while he is or has been, or in order to intimidate such person or any other person or any class of persons from, participating in or enjoying the services, facilities, privileges, or advantages of any primary, secondary, or higher educational institution, public or private, or participating in or enjoying the benefits of any educational program or activity receiving Federal financial assistance," that person is in violation of the Student Antiviolence Act.

In that it appears that the House Judiciary Committee, to which H.R. 11802 was referred on June 2, and to which this revised bill will be referred, does not intend to take up the matter, and further in that the Education and Labor Subcommittee appears to have at least temporarily abandoned its efforts to find an answer to this problem, then it is my intention to take the matter up with the House Internal Security Committee which is presently holding hearings on SDS and student violence.

This is an amendment to an existing law which deals with the subject matter of nonviolence as it relates generally to Federal programs and federally funded activities. Certainly there can be no argument that the extension of this to the violent situation in our schools, recognizing the rights of all students to be educated without forceful interference of others, is the rational, reasonable and, I think, effective approach to meeting the problem. I therefore believe this legislation merits full consideration by the Congress and that it should be passed.

As a Member of the House who served on the Judiciary Committee when the first nonviolence bills were proposed, it seems to me that this is a natural addition, and an essential one, to the present statutes outlawing violent activities against a person who is attempting to participate in a federally subsidized or supported program.

Joining me in sponsoring this legislation today are Mr. WYMAN, Mr. CLEVELAND, Mr. ROTH, Mr. KING, Mr. DEVINE, Mr. SNYDER, Mr. SCOTT, Mr. WHITEHURST, Mr. MIZELL, Mr. HARSHA, Mr. EDWARDS of Alabama, Mr. COLLINS, Mr. BOB WILSON, Mr. DUNCAN, Mr. WATSON, and Mr. BURKE of Florida.

Following is the complete text of the revised Student Antiviolence Act:

H.R. 13261

A bill to amend section 245 of title 18, United States Code, to make it a crime to deny any person the benefits of any educational program or activity where such program or activity is receiving Federal financial assistance and to provide for injunctive relief

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Student Antiviolence Act of 1969."

SEC. 2. (a) Section 245 of title 18 of the United States Code is amended by adding immediately following subsections (b)(1) the following new paragraph:

"(2) any person because or while he is or has been, or in order to intimidate such person or any other person or any class of persons from, participating in or enjoying the services, facilities, privileges or advantages of any primary, secondary, or higher educational institution, public or private, or participating in or enjoying the benefits of any educational program or activity receiving Federal financial assistance; or"

(d) Such section 245 is further amended by renumbering existing paragraphs (2) through (5), as (3) through (6) respectively, including any references thereto.

(d) Subsection (b) of such section 245 is further amended by inserting immediately after "or for life." the following: "In addition any person who violates subsection (b)(2) through the use or threatened use of any firearm or destructive device, as defined in section 921 of this title, shall be fined not more than $10,000, or imprisoned not less than one nor more than ten years, or both. This penalty shall run consecutively with any other penalty imposed as a result of violation of this section."

(e) Such section 245 is further amended by adding at the end thereof the following new subsection:

"(d) Whenever one or more persons are denied rights protected by subsection (b)(2) of this section, a complaint asserting the denial of such rights may be filed with the appropriate United States attorney. The Attorney General or the Deputy Attorney General shall prosecute in accordance with subsection (a)(1) of this section. The Attorney General or the Deputy Attorney General may proceed by his own motion without such a complaint whenever he determines that prosecution by the United States is in the public interest and necessary to secure substantial justice. In the event the Attorney General or the Deputy Attorney General determines that a violation or violations of subsection (b)(2) of this section has or have occurred and determines to proceed on his own motion, and that it is in the public interest and necessary to secure substantial justice to seek injunctive relief either in lieu of or in addition to prosecution, the Attorney General or the Deputy Attorney General is empowered to seek such relief. The Attorney General or the Deputy Attorney General is further empowered to seek injunctive relief in addition to prosecuting a complaint if the Attorney General or the Deputy Attorney General determines it is in the public interest and necessary to secure substantial justice."

BENNETT INTRODUCES CONFLICT-OF-INTEREST LAW IN COLLECTING FIELD

(Mr. BENNETT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BENNETT. Mr. Speaker, I am introducing today a bill to prohibit former Federal employees who participated in a contract formulation from employment with anyone who has a direct interest in the contract for a period of 2 years.

This legislation is similar to a bill I first introduced in 1951, and which I believe is needed today more than ever.

The bill covers Federal officers and employees who participated personally and substantially during the last 2 years of employment in the granting, awarding, or administration of a contract, bid, or grant whose total value exceeds $10,000. If such an officer or employee goes to work in any capacity within 2 years after his employment with anyone who has a direct or substantial interest in the contract he was involved in, then he would be subject to a maximum fine of $10,000 and/or a maximum prison sentence of 2 years.

There are provisions on the books included in the conflict-of-interest law passed in 1962—Public Law 87-849—and in the criminal statutes prohibiting representation or selling by a former Federal official in a contract area where he previously had an interest. My bill would tighten the law, particularly in the defense contracting field.

I believe it is needed in the light of recent findings concerning the so-called military-industrial complex and the questions of overruns on contracts and the apparent lack of adequate fiscal controls in some areas of defense spending. We have had critical comment on former military and defense officials going to work for defense contractors after having worked on familiar contracts. A recent report showed that over 2,000 retired, high-ranking regular military officers—Army colonel, Navy captain, or over—are now employed by the 100 largest contractors. The total from this preliminary survey represents almost three times the number of retired military employed per company that existed 10 years ago.

In 1956, a report on the inquiry into aircraft production costs and profits stated:

The presence of retired military personnel on payrolls, fresh from the "opposite side of the desk" creates a doubtful atmosphere . . . companies whose business is so closely interwoven with the military establishment ought to lean over backward so that no suggestion of favoritism, influence, or "old school tie" could be read into their conduct.

On June 3, 1959, an amendment on a defense appropriations bill to bar funds to defense contractors hiring military general officers who had been on active duty within 5 years of the date of enactment was defeated by one vote. Only a promise of a House Armed Services Subcommittee hearing on this general problem killed the amendment. Hearings, reports, and legislation resulted from the work by the Subcommittee on Special Investigations. The bill coming from the investigations, which passed the House in 1960, was concerned primarily with those involved in sales operations. In 1962, the Federal conflict-of-interest law was passed and went into effect January 21, 1963.

While there has been substantial improvement in the conflict-of-interest law as it relates to postmilitary and defense employment, I believe stronger legislation is required.

The Association of the Bar of the City of New York, in its excellent 1960 report "Conflict of Interest and Federal Service," which helped create the 1962 conflict-of-interest law, said:

Interviews revealed a substantial body of opinion that government employees who an-

ticipate leaving their agency someday are put under an inevitable pressure to impress favorably private concerns with which they officially deal.

My bill would isolate this concern and insure proper negotiation and complete candor between contracting officers and outside companies.

There have been several cases reported recently involving former Defense Department officials who worked on contracts while they were in Government service and who now work for the companies holding those contracts.

Five Air Force officers who helped supervise a contract for missile components now are employed by the contractor of the missile program.

In a book published a decade ago, "U.S.A.—Second Class Power?" it was pointed out that many retired generals and admirals have been hired, who seem to have no qualifications for the jobs for which they are hired except that they have contacts with the Pentagon.

Although the vast majority of military personnel on active duty and retired have done and do a fine job for their country in every respect, the exceptional or unusual cases of abuses have cried out for the correction that is represented in my bill.

Mr. Speaker, I believe my legislation should be enacted promptly to relieve the possible evil and conflict-of-interest problems in Government contracting, especially with the Defense Department, which represents almost one-half of our national budget.

Government contracting and procurement officers can be consciously or unconsciously influenced in favor of a company with which there is a possibility of employment at a big salary. Retired personnel have special influence not available to the public generally with their former associates who are still in Government. And even though nothing unethical may actually transpire, there is an appearance of evil which destroys public confidence in the integrity of the Government.

The Congress should enact a clear-cut law to prohibit former Federal employees who participated in a contract from employment with anyone who has a direct interest in the contract. My bill would do this.

The bill follows:

H.R. 13260

A bill to prohibit former Federal employees who participated in a contract formulation from being employed by anyone who has a direct interest in the contract for a period of two years

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Subsection (a) of section 1 of Public Law 87-849 approved October 23, 1962 (76 Stat. 1123), pertaining to disqualification of former officers and employees in matters connected with former duties or official responsibilities, and disqualification of partners, is hereby amended by inserting after the word "responsibility" at the end of subparagraph (b) a new subparagraph (c) as follows:

"(c) Whoever, having been an officer or employee of the executive branch of the United States Government, or any independent agency of the United States, or of the District of Columbia, including a special Government employee, and who, having participated personally and substantially during the last two years of such employment as such officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in the granting, awarding, or administration of any contract, bid, grant, or procurement authorization whose total value exceeds $10,000, is employed in any capacity within two years after his employment has ceased by anyone other than the United States who has a direct and substantial interest in the contract, bid, grant, or procurement authorization in which he participated personally and substantially while so employed—".

SEC. 2. Subsection (a) of section 1 of Public Law 87-849 is hereby further amended by—

(a) striking, after the word "responsibility" at the end of the second subparagraph, the dash, and inserting in lieu thereof ", or";

(b) inserting, after the words "That nothing in subsection (a) or (b)" in the third subparagraph, the words "or (c)";

(c) striking the period after the word "employee" at the end of the third subparagraph, inserting in lieu thereof a semicolon, and inserting further the following additional proviso: "*Provided further,* That nothing in subsection (a) or (b) or (c) prevents a former officer or employee for becoming employed by an agency of any State or local government or any educational institution if the head of his former department or agency shall make a certification in writing, published in the Federal Register, that the national interest would be served by such employment, and that such former officer or employee may act as agent or attorney during such employment on any matter formerly within his official responsibility or in which he has personally and substantially participated if the certification shall so state."; and

(d) striking at the beginning of the fourth subparagraph the clause designation "(c)" and inserting in lieu thereof the clause designation "(d)".

ANNUAL DAY OF BREAD

(Mr. SEBELIUS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SEBELIUS. Mr. Speaker, today, Congresswoman CATHERINE MAY of the State of Washington has introduced a joint resolution designating an "Annual Day of Bread" and a "Harvest Festival Week." I am most proud to be a cosponsor of this legislation.

I would like to point out that it is most fitting the Congresswoman has introduced this legislation. These observances will permit us to pay tribute to the many who contribute toward providing the most basic and fundamental food for human needs. Certainly all those connected with the wheat industry are well aware of the Honorable CATHERINE MAY's many and exceptional contributions to the world's most important food industry—the wheat industry.

Mr. Speaker, the introduction of this legislation is most appropriate today because it corresponds with a month-long event in my home State of Kansas. The month of July was designated "Kansas Wheat Month." The sponsor of the special observance is the Kansas Wheat Commission and the cooperating groups are the Kansas Association of Wheat Growers, the Kansas Bakers Association, the Kansas Wheat Improvement Association, the Kansas Restaurant Association, and the Kansas State Board of Agriculture.

Simply put, this joint resolution and Kansas Wheat Month have much in common because they come at a time when the harvest in our Nation's largest wheat producing State is being completed.

I think that within the concept of this resolution we can hopefully see the dawn of a new world of agriculture. Perhaps our Nation's greatest contribution to world peace is our ability and capacity to produce food and our willingness to share that knowledge and bounty with our neighbors and friends.

It becomes clear that considering the future race between world population and world food supply, we must make an all-out effort that calls for a new kind of agriculture—an international undertaking to combat hunger and modernize agriculture. This joint resolution calling for this most commendable annual observance might well mark the cornerstone of that effort.

Mr. Speaker, I commend the Congresswoman for her efforts in this regard and consider it a privilege and honor to cosponsor this joint resolution calling for an "Annual Day of Bread" and a "Harvest Festival."

VOLUNTARY CONTROLS OF TEXTILE PRODUCTS BY NATION'S CABINET

(Mr. DENT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DENT. Mr. Speaker, I just copied a short article in the Daily News Record, a Fairchild publication, dealing with the textile industry.

It is headed "Voluntary Controls of Textile Products by Nation's Cabinet Under Discussion," datelined Tokyo.

The Japanese Government agreed to send a fact-finding commission of textile experts to the United States, possibly in September to study the conditions of the U.S. textile industry and to see if U.S. demands for controls on synthetic and woolen textiles, are justified.

Mr. Speaker, for many years I have warned you that what would happen would be that these foreign countries that have expanded their activities into this country in certain lines of endeavor, would soon come to believe that they have an inherent and indefinite right and period of time in which they can ship to the United States all of the goods that they can bundle up and put over our customs wall.

I visited with a committee to Japan on three occasions, looking into their industry. I was taken into the office of a steel company, and my committee were given helmets, coats, and gloves and then we were led into a small office, the office of the superintendent of the operation, and for 45 minutes we were told about the operation on the other side of the door, but we were never allowed to go into the factory to see the operation.

I went to the Sony plant with my committee and they fed us 7 UP to show how nice they felt about American relation-

ships. They washed our hands and brows repeatedly with hot towels, and told us about their great influence and great friendship with the United States. But we never got out of that office either. I think it is an insult to the American people that they tell us whether we are justified in protecting our Nation, our jobs, and our production facilities.

Mr. Speaker, I have tried for over a dozen years to alert the Congress to the dangers inherent in our outmoded trade policies.

Apparently Members have never stopped to think about the great volume of textiles that come over the so-called long term cotton agreement barrier. The truth is that the cotton contract has been cut below 50 percent and manmade fibers are being used. This lets billions of yards of textile products come in without any restrictions.

Shoes, steel, garments, gloves, mushrooms, tomatoes, radios, televisions, and hundreds of other items are entering our market from countries all over the world from factories, many built with our aid money and many owned and operated by American corporations.

We have bargained away hundreds of thousands of jobs, billions of dollars of taxes lost to local, State, and Federal treasuries. Glass and textiles have been the scapegoats in our trade mistakes for many years.

There are in our leadership in the Nation some who promote the policy of eliminating these industries.

They name these major, basic industries amongst those they say are dispensable.

Ask the textile worker, the glass worker if they think their right to a job in their chosen field of endeavor is properly an item to trade away in order that some other man's job can be secured from exports.

I have no right as a Member of Congress nor does any other Member the right to save one man's job by bartering another man's job away.

To sell subsidized cotton in world markets we save a cotton grower's job and welfare by destroying the jobs and welfare of the textile industry.

Mr. Speaker, time does not allow a more detailed denunciation of the brazen agreement, probably negotiated through our State Department or Trade Commission giving the Japanese the right to evaluate and determine the fate of our textile industry and our jobs.

PRECEDENTS AND TRADITIONS FOR DECORUM ON THE FLOOR OF THE HOUSE

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. TALCOTT) is recognized for 30 minutes.

Mr. TALCOTT. Mr. Speaker, the hour is late and we have been extraordinarily busy the last 3 days. The time for me to present this subject seems particularly appropriate. Several colleagues, a number of my constituents, and unions have urged me to speak out. Mr. Speaker, every person elected to the U.S. House of Representatives shares the highest honor and most precious privilege of any legislator in the recorded history of man. No matter how one contemplates his position in this body, he must experience a tremendous sense of awe and a deep sense of history. A new Member quickly acquires an unbounded respect for the traditions, precedents and rules of the House, as well as an appreciation of the enormity of his responsibility to his constituents.

EVERY MEMBER ELECTED

Each Member was elected in a free election by secret ballot. No one has ever achieved membership in this House by purchase, coup, or appointment.

This House is truly the most representative legislative body in the world. Each of us directly represents his respective constituents; there are no intervening agents, principals or forces. Each of us cherishes his independence, his individuality, his representative situation; yet, by the consensus of our votes, we are a national body—one of three coordinate, coequal branches of our Federal Government.

FOUR PARLIAMENTARY OBJECTIVES

Representatives in the 90th Congress endowed us with the most complex rules of procedures of any legislative body in the world. More importantly, our distinguished predecessors have given us a comprehensive set of rules that most nearly guarantees the four objectives of a representative parliament; namely, one, the expeditious disposition of legislation; two, the right of the majority, even a slim majority, to work its will; three, the concomitant right of the minority, even a small minority, to be heard; and, four, the right of the citizens to know. We have a solemn duty to this 91st Congress and to the future Congresses to safeguard and perpetuate these noble, but absolutely essential prerequisites.

RULES OF THE HOUSE ARE VENERABLE

Much of the greatness of our House of Representatives is embodied in its formal rules and its precedents. The origin of some of our rules can be traced to representative bodies of early civilizations. The first rules of the House were adaptations of the best parliamentary law of that day. The current rules have been continuously forged by skilled parliamentary lawyers and sophisticated practical legislators. Every improvement, every refinement has been "written in blood." The compelling need for every change was skillfully debated and thoroughly deliberated before acceptance by open vote. "Change for change's sake," or just to be different, was never an objective or a practice of this legislative body.

A particular rule may occasionally seem to delay or frustrate a particular legislative objective which at the time seems urgent to one member or a small group. But our venerable and finely honed procedural system was expertly designed, and passionately preserved, to expedite and perfect legislation for all citizens.

Time is a valuable possession of any person; but time is an especially precious asset of contemporary Congressmen. Our rules must safeguard our time.

Legislation enacted by the Congress of the United States may provide for the relief of a single person—not always a citizen of the United States. Most often, however, laws enacted by the Congress affect every person in the United States, probably in perpetuity. Moreover, because of the unique position of world leadership foisted upon our Nation, every act of the Congress probably affects every inhabitant of our universe. This is more than an awesome thought; it is a sobering actuality.

LEGISLATIVE WORK IS STRENUOUS AND ABRASIVE

The importance of the legislation, the enormity of the consequences of our deliberations, the pressures of politics, the demands of our constituents and the earnestness of our convictions quite naturally arouse passions and strain tempers. The competitiveness of the professional athlete, the adversariness of the political arena and the litigiousness of the trial lawyer are common ingredients of our floor debate and committee work. Few who have never served in the House can appreciate the strenuousness of our work, the onerous demands on our time, and the mental, physical, and emotional strains which are inherent in the discharge of our duties.

If Christ's admonition to "love thy enemy" has any efficacy in any frame of reference, the Congress ought to be a near perfect situation. "Love" may be a term too prissy for some to use comfortably; and "enemy" is certainly too venomous to describe a political adversary. But respect, understanding, and good will are appropriate synonyms of love. If we cannot truly love our adversaries, we must respect, and maintain a mutual good will among our colleagues.

We representative legislators cannot properly resolve the Nation's abrasive problems without occasionally exacerbating normal human tensions. But the House cannot continue to function effectively if Members permit personal animosity or vindictiveness to distort their perspectives or to disrupt their duties.

INDIVIDUALITY OF MEMBERS IS VALUED

Members of Congress are as different from each other as their districts are different from one another. This ingredient of individualism enhances the legislative product. Congress is also a unit, "a body" whose Members are all working, perhaps not in unison, but toward the same goal—perfect Federal legislation. We must literally live and work together much of the time. Our philosophical differences, our political disagreements, our divergent approaches to problem solving, our various backgrounds, abilities, experiences, and temperaments are all understood and valued by each other. But these differences, which we respect and want to preserve, require special rules of order and personal behavior to enable us to work and to live compatibly with each other and still accomplish our legislative objectives.

A MEANING OF "COLLEAGUE"

Full explanation, trenchant questions, responsive answers, vigorous argument, thorough deliberation are all necessary to perfect legislation. The sharpness of spontaneous debate, so essential to good

legislation, can cut to the quick, irritate, embarrass, even offend Members who are otherwise friends and mutual admirers.

We must foster incisive debate, yet preserve friendships. Debates on other issues, just as important, will follow closely. Later the same day, new advocates will be realined with different adversaries, but with a constancy of purpose and continuation of mutual respect. This is the essence of that special relationship which we call "colleague"—tough contestants while debating issues, but tenacious allies in maintaining friendships.

An important characteristic of a good legislator is that he wants the debate to achieve fully its intended purpose. He insists that the issues be understood and that all points of view be properly presented. He insists that all participants in a debate be fairly treated. The legislative product is more important than the process or the performance of the debators.

Orderly procedures, well understood and conscientiously followed, improve and expedite debate and preserve friendships.

MEMBER'S RESPONSIBILITY TO THE CONGRESS

In addition to our responsibilities to perfect legislation and to continue genuine respect and friendship among our colleagues, we have a large responsibility to our constituents, to all U.S. citizens, and to the Congress itself. In our offices and our districts we can generally conduct our business and deport ourselves as individualistically as we please. But on the floor of this great Hall we become an integral part of the House, part of its great history and its proud traditions. Here, we assume a larger role—we not only represent our districts; we represent our Nation. Even without photography, radio, or television we are observed by our constituents, other citizens of the United States—and of the world. Visitors from every place on earth from all walks of life watch us from the galleries. A steady stream of political scientists and historians, domestic and foreign students and officials, observe and study our sessions because they consider the House a great and model legislative body. All may not necessarily understand the formal rules of debate or the parliamentary situation, but they do form opinions about the personal appearances and the conduct of the persons on the floor. Moreover, they talk and share their observations with others. We, therefore, have a special obligation to the Congress to not only comply with the rules of order but to maintain proper decorum.

We not only have a legislator's vote; we have a responsibility to our predecessors to preserve the parliamentary function of representative government and a duty to our successors to perpetuate the traditions and precedents.

If we can, each of us should strive continuously to improve the product and the process of our deliberations in the Chambers of the House of Representatives.

DECORUM GROUNDED IN PRECEDENTS

The formal, written rules of the House pertaining to decorum are wisely limited. Itemized, codified lists of "do's" and "do not's" would be inappropriate, restrictive, and unresponsive to necessary modification. Precedent, custom, and tradition constitute a far better mode for prescribing behavior for a continuing body of continuously changing Members in changing times.

There were 71 new Members of the 90th and 26 new Members of the 91st Congress. Some have served in their State legislatures. Rules of decorum vary widely among State legislatures. Some State legislatures degrade themselves and demean their constituents by disdaining all rules of decorum. Some State legislatures benefit greatly from proud, faithful compliance with exemplary codes of behavior.

Many freshman Members have earnestly sought some single explicit statement of the proper decorum while on the floor of the House of Representatives. Obviously the best way to learn the procedural rules and the precedents and traditions of decorum is to attend the sessions regularly and observe the conduct of respected senior Members. However, this procedure is time consuming—and, regrettably, sometimes confusing.

ABRIDGED COMPILATION OF RULES AND PRECEDENTS RELATING TO DECORUM

Principally for the benefit of new Members, I have tried to research and assemble some official statements relating to decorum on the floor. These, of course, are not my suggestions—only a compilation of what I have found in the record. I have more than considerable trepidation in presenting this report. I had hoped that some other Member, especially one far more senior, knowledgeable, and decorous than I, would have performed this service.

MOST MEMBERS DEPORT THEMSELVES PROPERLY

Any observer will be favorably impressed by the apparence and conduct of most Members on the floor. Unfortunately, the few who deport themselves improperly attract the most attention—and their behavioral lapses are exaggerated, especially by the communications media.

CHILDREN AND VISITORS

Only Members of the Congress, the House and the other body, former Members and employees are permitted on the floor while the House is in session. Small children and grandchildren are permitted to sit with their parent Member. They should never usurp the seat of a Member.

On special occasions, such as joint sessions and state of the Union addresses, certain Ambassadors, the Cabinet, the Supreme Court, and the Joint Chiefs of Staff are especially invited by the Speaker as guests of the House.

"MR. SPEAKER" IS PROPER SALUTATION

When any Member desires to speak or deliver any matter to the House, he shall arise and respectfully address himself to "Mr. Speaker," and, on being recognized, may address the House from any place on the floor, or from the Clerk's desk. (Clause 1, Rule XIV)

That rule was adopted in 1880, but it was adapted from older rules which date back to 1789.

If the House has been resolved into the Committee of the Whole House on the State of the Union then, of course, any Member seeking the floor ought to address the presiding officer as "Mr. Chairman."

Any further embellishment of the salutation "Mr. Speaker" or "Mr. Chairman" is improper and a distinct breach of the rule.

On the political campaign trail, at a public banquet or a luncheon club, or at the dozens of various gatherings held throughout our land, it may be perfectly proper for the speaker to address his audience with "Mr. Chairman, ladies and gentlemen, colleagues, distinguished guests, fellow Americans, friends" and so on and on; but such salutations are out of place and against the rules of this legislative assembly.

A salutation which is sometimes heard in addition to "Mr. Speaker" is, "Ladies and gentlemen of the House," or if in the Committee of the Whole, "Mr. Chairman, and Members of the Committee." Both of these salutations are superfluous, clearly breaches of the rules of the House and should not occur.

The rule has been reiterated many times throughout the history of this House. The Speaker is the embodiment of the entire membership. The Speaker represents the House of Representatives in its organization; by addressing the Chair, a Member addresses the entire membership of the House.

Any salutation in addition to "Mr. Speaker" or "Mr. Chairman" was considered a slight upon the Chair. This should never be done intentionally; even if no slight upon the Chair is intended, it is, nevertheless, a clear infraction of the rules.

There appears to be no question about the rule. Throughout the history of the proceedings of the House, whenever a parliamentary inquiry was made concerning this rule, the answer has been without exception to the effect that the dignified method of procedure is to address the Speaker only when the House is in session and to address the Chairman only when the House is in the Committee of the Whole and thus the Member addresses the entire membership. The rule should be followed in the interest of dignity and decorum in the proceedings of the House.

CLOSE OF SPEECHES

To conclude a speech or an address with the words, "I thank you," is not only improper, but amateurish and superfluous, since a Member of the House speaks as a matter of right after he has been recognized by the Speaker.

USE OF MICROPHONES

Rule XIV not only draws our attention to the matter of addressing "Mr. Speaker" but also to the custom of speaking from the well of the House. Obviously, the rule antedated the installation of microphones. Common courtesy, or at least a consideration of one's listeners, indicates that any Member seeking to address the House should use the microphones properly so that other Members and the Speaker may hear him clearly.

REFERENCE TO ANOTHER MEMBER IN SECOND PERSON IS FORBIDDEN

Another infraction of proper procedure, which is increasing in practice, is

the casual reference to another Member in the second person—such as "you" or "your," the use of a given name "John" or "Bill", even "Mr. Jones" or "Mrs. Smith," or by an apparently affectionate term such as" Brother Johnson." These are plain infractions of well-established parliamentary principles and against dignified procedure. There are numerous rulings to this effect.

A Member should not address his colleague in the second person. It is not proper to refer to another Member except in the prescribed manner, namely: "the gentleman from—naming his State."

It is permissible to refer to another Member as "the gentleman," but it is a preferred practice to refer to him as "the gentleman from California" or the "gentleman from Alaska."

When referring to our colleagues of the fairer sex, it is proper to address her as "the gentlewoman from Washington," or whatever State she represents. It is neither more gracious nor gallant to say "the lady from —" or "the gentlelady from —."

Naturally, when it is necessary to distinguish between two Members from the same State it is proper to say, "the gentleman from California (Mr. SMITH)" or "the gentleman from Michigan (Mr. GERALD R. FORD)." We all have the obligation to make the RECORD correct.

WALKING WHILE A MEMBER IS SPEAKING

Another rule which is violated almost daily is rule XIV, clause 7, which provides as follows:

While the Speaker is putting a question or addressing the House no Member shall walk out of or across the hall, nor, when a Member is speaking, pass between him and the Chair.

It has become a distracting habit of some Members to walk in front of another Member while he is addressing the House from a lectern here in the well of the House. Such practices are in violation of the long-established rule of this body and are a contributing cause to much of the confusion and distraction manifested on this floor every day. I have often heard our visitors in the galleries comment unfavorably about this apparent rudeness to the speaker. To walk in front of a Member who is speaking, or to walk between the Member who is speaking and his audience, is objectionable and discourteous.

We often notice Members who are aware of their discourtesy because they try to pass behind the Member speaking from the lectern, but this too distracts the Member who is speaking and in fact disturbs and obstructs the view of the Speaker. Other Members often bend down or duck as they pass between the Member speaking and the Members seated in the House. All of these feigned obsequities to courtesy are distracting to the Speaker and the Member addressing the House and certainly confusing to our visitors in the galleries. The better and courteous practice would be to cross the House floor behind the seats or to avoid the floor entirely by using the doors on either side of the Speaker's chair. Any transit of the well while another Member is addressing the House from the well is discourteous and distracting and should be avoided.

It should be remembered that when the Speaker is putting a question or addressing the House most Members want to hear the Speaker and plain courtesy to the other Members, as well as compliance with rule XIV, clause, 7, requires that no Member leave or cross the Hall.

ALL SMOKING IN THE HALL IS FORBIDDEN

Another part of clause 7 of rule XIV, which is grossly violated by a few Members, reads as follows:

During the session of the House no Member—shall smoke upon the floor of the House; and the Sergeant at Arms and Doorkeeper are charged with the strict enforcement of this clause. Neither shall any person be allowed to smoke upon the floor of the House at any time.

The rule, and purpose for the rule, is abundantly clear. There appears to be some question about what constitutes the "floor of the House." By precedent and definition, the space behind the rail is as much the floor of the House as the space in front of the Speaker's rostrum. Smoking behind the rail is smoking on the floor of the House and is equally an infraction of the rule as smoking while seated in one of the seats or standing in the well of the House. Smoking behind the rail is even more obnoxious to our visitors in the galleries.

Walking into the Chamber with a cigar or pipe held in the mouth, whether lighted or not, is an invitation for caustic criticism and disparaging remarks on the part of our constituents who visit our sessions and observe our conduct and our compliance with well-known rules of the House.

The prohibition against smoking dates from February 28, 1871. Prohibiting smoking at any time was added on January 10, 1896. When we think seriously about our rules of procedure and decorum, we can quickly and surely understand that technical compliance with the rules may not always be enough to satisfy our fellow Americans who are watching this legislative body in action.

When our constituents come to Washington, it is almost certain that they will visit the Capitol and a session of this House. Members who have served here any length of time have heard with chagrin and embarrassment the harsh criticism from visitors directed at, what appears to them, a lack of reverence, dignity, and respect for this historic Chamber. Information from doorkeepers and officials of the House indicate that hardly a day passes without some constituent complaint regarding our habits or conduct on the floor.

CARE OF SEATS AND FURNITURE

A practice as defenseless as it is objectionable is the habit of placing our shoes against or on top of the seat in front of us. This habit is a clear and distinct breach of the rules of decorum of this House or of any place where we may be a guest. It is most noticeable from the galleries and draws the sharpest criticism and adverse comment from those who visit our sessions.

We may sometimes look upon this great Hall very narrowly as a part of our "shop," but the public looks upon this great and historic edifice as their Hall and their furniture and they expect us to treat it as the furniture in a friend's living room or in the boss' office.

READING AND SIGNING MAIL IS BREACH OF ETIQUETTE

Reading newspapers or magazines on the floor when the House is in session may not violate any specific rule, but such a habit conveys to the public, and to the other Members of the House, an impression of disinterest and indifference to our legislative duties, a lack of attention to the matter under discussion on the floor, and a personal affront to our colleague addressing the House or the Committee.

The reading or signing of mail upon the floor while the House is in session is a similarly rude practice which offends Members who are participating in the debate and degrades the image of the Congress in the sight of our constituents and the public in the galleries.

The greatness of this body is inexorably eroded and degraded by violations of decorum, acts of discourtesy to each other and practices offensive to our constituents. These matters may seem small, even inconsequential, in themselves; but, cumulatively, they are destructive of the confidence and respect of the people in their Representatives and their House.

PRESERVATION OF ORDER AND DECORUM

The Speaker shall preserve order and decorum, and, in the case of any disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared. The rules of the House provide the Speaker "shall preserve order and decorum"—rule 1, clause 2. The Speaker does and can set the tone of the decorum and the procedure of the House. We notice a great difference among the various Chairmen who have presided over the Committee of the Whole House on the State of the Union. Every Member could help to improve the procedure and decorum of the House and the Committee of the Whole if he would constitute himself as a committee of one to assist the Speaker and the Chairman in the discharge of their respective duties by insisting that the rules are respected and obeyed.

By reason of our membership here, each of us is endowed with tremendous power over the destiny of our Nation and the lives of its people. With that power goes a concomitant responsibility to discharge the trust reposed in us by the people. Every word we speak, every decision we render is weighted with the position we hold. Our conduct and decorum is carefully observed and evaluated.

I am certain that each of us would want every visitor to these galleries to observe in us a genuine respect for this House of Representatives and for them to take their leave, even after a brief view, with a greater respect for our conduct of the people's business, with a greater pride in American citizenship, with a greater love for our Republic, and with a greater determination to help preserve our free representative parliamentary system of government.

Our compliance with the rules of the House, our courtesy to each other, and

our decorous behavior cannot guarantee these objectives, but it can help. Our failure in these respects can hurt immeasurably.

PROPER DESIGNATION OF COMMITTEES

The proper way to designate any committee of the House is to say "the Committee on Rules," the "Committee on Appropriations." Committees should not be referred to as "the Rules Committee" or "the Appropriations Committee." If we want to maintain the dignity of the committees of the House, we ought not to refer to them in a slip-shod manner. If we do not designate our committees correctly, we cannot expect better treatment from the news media or the public.

Orderly, fair, decorous, and effective parliamentary procedures are required by many and various organizations throughout the land. The rules, procedures, and decorum of the House of Representatives are widely copied by these organizations. Our example here not only influences official and unofficial organizations and institutions in every State of our Nation, but our rules, parliamentary procedures and decorum are widely copied, purposefully or inadvertently, by free nations throughout the world.

STAND TO OBJECT

One must always stand to object to any unanimous consent request and, of course, address the Speaker before voicing the objection: "Mr. Speaker, I object."

INTERRUPTION OF MEMBER ADDRESSING THE HOUSE

Anyone who wishes to interrupt a Member who has the floor should always rise and first address the Chair—"Mr. Speaker, will the gentleman yield?" In this respect, we oftentimes lapse into bad practices and discourtesies. Sometimes we make a quick verbal thrust in the middle of a sentence before the Member having the floor has had a chance to finish his thought—we just say, "Will the gentleman yield?" Some have been even more discourteous by interrupting without receiving recognition by the Chair or permission from the Member having the floor. Only the Member having the floor can yield to another Member; neither the Speaker nor a Member who may be addressing the House by leave of the Member having the floor may yield the floor. Any interruption of another Member should always be done courteously and always first by addressing the Chair, "Mr. Speaker, will the gentleman yield?"

If a Member having the floor yields for an interruption, the remarks of the Member yielded to must appear in the RECORD, but if the Member having the floor declines to yield, he may strike from copy for the RECORD the remarks so interjected—section 2465 of Hind's.

AUDIBLE CONVERSATIONS SHOULD BE AVOIDED

Other practices have been prescribed by an interpretation of the rules or by precedent. These may be of interest to those who sincerely desire to preserve the traditions of the House and to enhance the image of our proceedings. It is not good manners to, and we should not, engage in prolonged or audible conversation when someone else has the floor.

ETIQUETTE OF DRESS

If one breach of etiquette is tolerated by one Member, why should any etiquette be observed by others? The attire of the Members while on the floor is most important to the impression we project and the attitude we assume toward our representative parliamentary function. Although at one time it was considered to be beneath the dignity of the place to appear in anything but quite formal attire, the House long ago abandoned any regimen of special dress. Nonetheless, and in spite of widely individualistic taste and experimentation in wearing apparel by Members while in their home districts or while off the floor, the wearing of hats or sport clothes on the floor of the House is still considered either contrary to the formal rules of the House or a violation of longstanding unwritten rules of decorum for Members. Dark business suits—not bright colors, plaids, or sport clothes—plain, light-colored shirts; and dark single-colored shoes are prescribed for both summer and winter. There are many ways that we can attract the attention of the news media or our constituents in the gallery other than by wearing gaudy or casual clothes or behaving in a raucous or peculiar manner. Attire that is acceptable for folk dancing, sailing, or the horseraces may not be suitable for a session of the House.

We properly require high standards of dress and decorum of our employees, including committee staffs and pages. We should require no higher standards of our employees than we demand of ourselves.

Our constituents and the gentlemen representing the mass media know that adequate facilities have been provided for us immediately off the floor for the purpose of eating, reading, smoking, signing mail, talking, and meeting with constituents or visitors. As a courtesy to our colleagues who are engaged in the debate or who are anxious to hear and understand, and to enhance rather than mar the image of the Congress in the eyes of the public and the media, we ought not to eat, chew, sleep, read newspapers or magazines, sign mail, or try to communicate with the galleries by shouting, facial gestures, or arm and hand semaphores while the House is in session.

Members may not remain near the Clerk's desk during a vote. This practice of herding is contrary to the rules—see volume VI, section 190, Cannon's Precedents—it is distracting to the tally clerks and delays the vote; it gives the appearance of disorderliness to the galleries.

MISCELLANEOUS RULES RELATING TO PERSONAL REFERENCES DURING DEBATE

In debate, one Member should not even mildly impute the motives or intentionally misrepresent another Member—volume V, sections 5132 to 5138, Hind's Precedents.

It is unparliamentary and censurable for one Member in debate to declare that another Member has knowingly stated that which is false—volume II, section 1305, Hind's Precedents.

Language tending to hold a Member up to contempt is not in order in debate—Cannon's, volume VIII, section 2527.

It is not in order to cast reflections on either the House or its membership or its decisions, whether present or past—volume V, sections 5132 to 5138, Hind's Precedents.

It is a breach of order to reflect upon or to refer invidiously to the decisions of present or former Speakers. Cannon's, volume VIII, section 2531.

THIS IS THE PEOPLE'S HOUSE

Here in the House of Representatives, the people speak and hear their voices spoken. This is their forum, established by their forefathers as well as ours. This is their House of Representatives as well as ours. This is their furniture, furnishings, and works of art as well as ours.

Our behavior and decorum represents them as truly as our legislation.

We not only have an obligation to maintain the great traditions of this House, but we have a contemporary responsibility to comply with the rules and to present an image of behavior and decorum commensurate with our positions.

In an era when each of us has cried out for "law and order" or "justice and order under law," we, too, must make a special effort to comply with the known rules, and to strive to set high standards of decorum as a guide to other legislators and as proof that we want to maintain the confidence of the American citizen in our system of representative self-government.

WE MUST STRIVE TO MEASURE UP TO THIS GREAT PLACE

For those who think my suggestions may be picayune, I recall that when Thomas Jefferson came to write his famous parliamentary manual, he prefaced that great work with a classic axiom by one of the noted parliamentarians of the British House of Commons of a preceding generation to the effect that "careful and scrupulous adherence to orthodox rules of procedure was requisite to the maintenance of parliamentary etiquette and was especially necessary to the protection of the minority and the efficiency of successful majorities." Although this statement reaches back several hundred years, it is still one of the fundamental principles underlying applied procedure in every legislative assembly in the world today.

Mr. Speaker, our Capital is distinguished in many ways. It is the center of our Federal Government. It is the heartbeat of the world. Washington, D.C., is a magnificent city with majestic proportions, with wide tree-lined boulevards, expansive parks, impressive statues and monuments, thrilling sights, and the home of numerous American institutions. Most of the historic and popular sites in Washington are natural places or manmade structures—the Washington Monument, the Lincoln Memorial, the Smithsonian Institution, the Library of Congress, Arlington National Cemetery. They are beautiful, historic, and symbolic.

The House of Representatives, together with the other body, is also historic and symbolic. But it is alive, dynamic—here there is action. Here the diverse people of the United States are brought together.

Here there is history and tradition; here there is foresight and progress. Here many of the great voices of our future may speak. Here is the essence of representative government; here is the soul of our national life; here is the tenor of our national spirit; here is the standard of our Nation's compliance with law and the obedience to authority. Here is the hope for our Nation's future. I trust that we may preserve the influence and the labor of those who preceded us. I trust that we can safeguard this institution for those who succeed us. It would be my hope that we could make this House a beacon for other legislative assemblies throughout our Nation and our world.

National character without reverence for place, law and authority is analogous to a fireside without proper consideration for our guests. If proper decorum is disregarded by us, we will deface our image and impoverish our position in the eyes and minds of those who observe us and those we represent. The very stability and acceptability of our legislative acts may be threatened or enhanced by our conduct and behavior here.

Only a few of us, certainly not I, are entirely blameless of breaking the rules of the House or violating the proprieties of decorum. In an unguarded or thoughtless moment, we all have broken the written and traditional codes of conduct for this House. The penalties we pay for violating the proprieties of this body may be greater than we presently imagine. Here, as well as in any society, the loss of respect, the loss of prestige, the loss of faith and confidence, the unfavorable impressions, the adverse criticisms can all contribute to a gradual deterioration of self-government by a free people.

Mr. Speaker, I have recited numerous specific rules pertaining to procedure on the floor of the House and various traditions and precedents pertaining to conduct and decorum, but actually all of these rules and precedents are unnecessary. To paraphrase Robert E. Lee, American citizens expect their representatives in the Congress to be gentlemen—this is the essence of all the rules, I suppose. A gentleman, by definition, is considerate of place, purpose and people. Nevertheless, I trust it has been helpful to reiterate some of the rules and traditions which are part of our heritage and part of the traditions of this great body.

Mr. Speaker, I reiterate that a number of Members from both sides of the invisible center aisle have importuned me to make this study and presentation. I have done it with trepidation and humility as I have the greatest pride in the venerable traditions of this great House, as well as the highest respect for the individual Members of this body. I had hoped that some other Member or Members, more serious, knowledgeable, and decorous than I, would perform this task. For their individual reasons, others declined but each insisted that I proceed. I hope my presentation is helpful to the Members, employees of the House, and our guests in the galleries. I cordially invite other Members to revise or extend my remarks today or at some future time on this subject.

THE DEVELOPING SENTIMENT FOR A RENEWED ESCALATION OF THE VIETNAM WAR

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. TUNNEY) is recognized for 30 minutes.

Mr. TUNNEY. Mr. Speaker, all Americans realize that achieving peace in Vietnam will be an arduous task which will require patient and dispassionate as well as timely and decisive action. Unfortunately, there is fresh evidence of an emotional response to the problems achieving peace which may well undermine future peace efforts.

California Senator ALAN CRANSTON warned last week that a block of influential Republican Senators are encouraging the sentiment for a renewed escalation of the war. One of the most strident of these Senate advocates of returning to the disastrous policy of escalation is GEORGE MURPHY, who:

First, believes the United States can still win the war militarily;

Second, believes it was a mistake to stop the bombing of North Vietnam; and

Third, has advocated the adoption of a renewed military escalation of the war, if the Paris talks do not produce quick results.

This kind of emotional reaction to the difficult challenge of achieving peace is so obviously uninformed and out of touch with the feelings of Californians and indeed all Americans that it would be brushed aside if it had not come from a U.S. Senator, especially one whose views are shared by such other influential Republicans as STROM THURMOND and JOHN TOWER.

This is a group which has consistently opposed efforts to achieve peace in Vietnam and have felt that America's agony in the war requires our following the illusion of a military victory. Past efforts of escalation have led us further into the quagmire of Vietnam. Deescalation and political accommodation is our best hope of getting out of this tragic conflict. Those who advocate renewed escalation are asking that our present agony be compounded and our prospects for achieving peace be diminished.

Nothing could be more hollow as a threat to Hanoi than the threat of renewed bombing and escalation. They have absorbed at least as much bombardment as all our enemies in World War II and there is no indication that their will has been or can be broken by bombing.

What do we have to show for the bombing? There are about 600 brave American pilots in captivity in Hanoi. One of them is Lieutenant Alvarez of San Jose, Calif., who has been in captivity since August 1964. This is the longest that any American has ever been a prisoner of war in any war in our history.

We have also succeeded in strengthening the determination of the North Vietnamese to continue to resist.

Those who bow to their emotions in advocating a renewed military escalation of the war do a disservice to the country and offer a leadership that clearly will not be followed.

THE NATIONAL GAME

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. FEIGHAN) is recognized for 30 minutes.

Mr. FEIGHAN. Mr. Speaker, professional baseball this year is celebrating its centennial, which reached its pinnacle here in Washington when the American League all stars played the National League all stars at Kennedy Stadium, Wednesday afternoon, July 23—the night after a great centennial dinner celebration at which baseball and many of its friends honored the greatest players who ever played in the major leagues.

This centennial year serves to remind us that at the age of 100 years, our national pastime is a lusty, progressive, and growing sport which well deserves its recognition as first among all the great team sports which bring so much enjoyment to people all over the world.

In this centennial year the major leagues expanded their membership from 20 to 24 teams, thus capping an exciting decade of growth which has seen the major leagues grow from 16 teams in 10 northeastern cities to 24 teams serving 22 great communities from coast to coast—from Minnesota to Texas—and including that beautiful metropolis in our northern neighbor, Montreal, Canada.

Under the progressive leadership of a youthful new commissioner, Bowie Kuhn, the major leagues continue to streamline their operations. One of the interesting developments of this centennial year is the revolutionary division of each major league into two six-club divisions, which has added immensely to the zest and excitement of the pennant races. There are, in effect, four pennant races now instead of two. The divisional winners will meet in a three-game series at the end of the season to determine which one will represent its league in the World Series.

This new dimension in the major league races is adding new appeal to the already tremendous interest Americans have in baseball. Last year the major league drew more than 23 million fans, and they are well on their way to setting a new record this year.

But paid attendance figures for the major leagues, impressive though they may be, do not begin to tell the story of the intense interest with which Americans follow the game of baseball. Each year, more than 10 million more fans pay their way to watch the splendid baseball played in 153 cities in the United States, Mexico, and Canada by minor league teams.

But these figures pale into insignificance when we consider the vast audience which listens to baseball games on radio and watch it on television. The number of listeners and viewers to each game, multiplied by the number of games played, mounts into the billions. More than 400 million viewers, for in-

stance, watched the seven games of the exciting 1968 World Series, when the Detroit Tigers made such a spectacular comeback to beat the St. Louis Cardinals for the championship.

More than 80 million persons watched on their television screens the stirring action of the all-star game.

Despite this great and growing prosperity, the men who lead baseball are always alert to maintain the exquisite balance between offense and defense which is one of the great charms of baseball. When the pitchers threatened to turn hitting into a lost art last year, the rulemakers acted swiftly and wisely to bring the game back into balance. The height of pitching mounds was reduced from 15 inches to 10, and the strike zone was reduced substantially. The result has been dramatic. If 1968 was the year of the pitcher, 1969 may go down in history as the year of the slugger. Men like the mighty Frank Howard of our Washington Senators, the exciting young Reggie Jackson of Oakland, and powerful Willie McCovey of San Francisco are leading an assault which has stirred excitement and interest everywhere.

And when I say everywhere, I do not mean just everywhere in the United States or even in Canada. Interest in our major leagues is worldwide. The World Series, and the all-star game, are followed with breathless interest in Mexico, in the Caribbean countries, in South America, in Holland, Spain and Italy, and most especially in Japan.

Baseball is one of our Nation's great ambassadors to other lands. Our national game has become the national game of Japan, of Mexico, of Venezuela, and the Caribbean islands. In all of them, it is played professionally with great skill and before huge crowds.

It is played on an amateur basis, on a constantly increasing scale of skill and participation, in Holland, South Africa, Australia, Italy, Spain, Korea, and the Philippines. Even in Cuba, baseball retains its popularity with boys and young men, and the results of major league games are a matter of vital interest to all who can listen to the radio broadcasts from the United States.

The tremendous interest in major league baseball reflects the fact that baseball is a vital part of every American's childhood and adolescence. Rare indeed is the American boy who has not played baseball.

More boys and young men are playing amateur baseball today than at any time in history. It is estimated that more than 4 million youngsters will play baseball in organized programs this summer.

Thanks to the unselfish volunteer activity of three-quarters of a million adults who donate their time and skills to supervising and sponsoring amateur baseball, these programs provide a healthful and wholesome recreational activity throughout the long, hot summer months.

These programs provide supervised league play at every age level from 9 to 21, and make a significant contribution to the mental, physical and emotional welfare of our young people.

Baseball is everybody's game—the American pastime. It is a game so simple that a 10-year-old can play it acceptably; and yet so incredibly difficult that the greatest athletes have never completely mastered it. The extraordinary appeal of baseball and our national fascination with major league baseball is based simply on the game itself.

Unknowing people sometimes complain that "nothing happens" in a baseball game. Innings pass, teams change sides, yet no one scores or appears to come close to it. This, of course, is far from the truth. It is only the fantastic ease with which a big league team completes the plays that makes it appear, when a good pitcher is working, that it will never be scored on. Yet disaster, as every player and every knowing fan knows, waits on every pitch, and can descend with appalling violence and speed. A pitcher can be working beautifully after six perfect innings, and then find himself, in the space of 4 minutes, on his way to the showers. A scratch hit, a bit of bad luck, an adverse call on a close pitch and a hit ball which just eludes the fingers of a racing outfielder, and the pitcher is done; his team defeated.

Here in its purest form is the drama, the perfection of baseball. Action and tragedy, defeat and triumph, are suddenly enacted against a background of apparent safety and invulnerability.

The more you analyze this splendid game, the more wonderful it becomes. Nothing in baseball is left to chance; nothing is slipshod. Although baseball is played outdoors, in an area so large that the contestants are dwarfed, every movement in a game can be and is measured against a standard of absolute perfection. If a runner gets on base, it is because he has either clearly earned it by a hit, or else because somebody has made a mistake—an error or a walk. And this is written down; records are kept.

The exactitude of the game is responsible for its endless statistics; the skill of a player can be precisely measured in his batting average, his runs batted in, his earned-run average. This all-pervading neatness in what should be, by all appearances, a sprawling, disjointed game, extends everywhere on the playing field. Almost never is there a baseball play which cannot be seen and instantly understood by everyone in the park; almost never does the baseball fan have to ask, "What happened?"

In this centennial year, and in every year, baseball remains the sport of America.

Mr. HAYS. Mr. Speaker, professional baseball, first and still the greatest of all team sports, is celebrating its centennial this year—a celebration which reached its climax here in Washington on July 21 and 22, when baseball and its friends joined in a great centennial dinner to honor the greatest players ever on July 21, and the American and National Leagues' greatest players met in the annual all-star game at Robert F. Kennedy Stadium the evening of July 22.

I take pride in the fact that this great game had its origin in Ohio, where the first professional sports team, the 1869 Cincinnati Red Stockings, set a baseball record that never will be equaled by winning 65 games without a defeat.

Ever since that beginning, Ohio has played a large and significant role in baseball.

Cincinnati was a charter member of the National League when it was organized in 1876, and Cleveland was a charter member of the American League when it was formed in 1900.

Cincinnati has been a proud member of the National League. Four times our battling Reds have won the National League championship, and in 1919 and 1940 they went on to win the world's championship.

The Cleveland Indians have won the American League championship three times, and twice, in 1920 and 1948, went on to win the world series.

It is men who make baseball great, and the annals of baseball are studded with illustrious names from the great State of Ohio.

Cy Young, the greatest baseball pitcher of all time, was born and spent his life in Tuscarawas County, and he won 268 of his amazing lifetime total of 511 major league victories for the Cleveland Indians.

Eppa Rixey, one of the great southpaw pitchers of all time, and like Young a member of Baseball's Hall of Fame, gained his fame pitching for the Cincinnati Reds, as did the incomparable "Bucky" Walters, who pitched the Reds to championships in 1939 and 1940.

Bobby Feller, the Hall of Famer with the blistering fast ball and unhittable curve, spent his entire pitching career with the Cleveland Indians, and still is an honored citizen of our State.

Tris Speaker, that nonpareil of center fielders, and Napoleon Lajoie, the epitome of grace at second base, reached the pinnacle of their careers with Cleveland. So also, Eddie Roush, still able and willing to play baseball at the age of 76, spent his greatest years with the Cincinnati Reds.

It was in Cleveland too that that grand old man, Satchel Paige, got his first opportunity to pitch in the major leagues.

Ohio has contributed hundreds of players to major league teams elsewhere, including such great ones as Hall of Famers George Sisler, Roger Bresnahan, Ed Delahanty, Elmer Flick, and Buck Ewing.

One cannot help wonder how the history of our national game might have been changed had it not been for such sons of the Buckeye State as Ban Johnson, founder of the American League; Kenesaw M. Landis, first commissioner of baseball; Miller Huggins, one of the alltime great managers; and the game's most creative genius of all time, Branch Wesley Rickey. Each one of these native sons of Ohio is enshrined in the Baseball Hall of Fame at Cooperstown.

Throughout the years Ohio has been the home of many great minor league teams too, and at this moment the fine teams from Toledo and Columbus are battling for the pennant in the International League.

Ohio has always been famous for its amateur baseball programs. We are proud that the American Amateur Baseball Congress, first of the fine youth baseball programs, has its headquarters in Akron, Ohio. Ohio's high school baseball championship tournament is renowned throughout the land as the best of its kind.

Baseball has always been an important sport in the colleges of Ohio, and Ohio

State University, under the leadership of that grand old coach, Marty Karow, has gone to the college world series at Omaha four times, and won the college championship in 1966.

Baseball is an integral part of life in Ohio, and Ohio has made contributions to professional baseball probably greater than those of any other State in the Union.

Mr. BURKE of Massachusetts. Mr. Speaker, baseball is more than a game.

Major league baseball has provided wholesome recreation and happiness to hundreds of millions of Americans, but the major league clubs have also made substantial contributions to the welfare of the community throughout the years.

One of the most important of these contributions is the generous program of free admissions given to young people, senior citizens, servicemen, the physically handicapped, and various groups of public servants.

Last year the 20 major league clubs gave away 3,867,965 free admissions to their baseball games. By far the greatest number went to youngsters. The clubs entertained 2,320,000 children and teenagers and nonpaying guests. Underprivileged children from the inner cities made up a large percentage of these admissions, and the rest went to young people as a reward to their contribution to the community as safety patrols, workers in charity drives, junior firefighters, honor students, and membership in constructive groups such as the Boy Scouts and Girl Scouts.

In addition to giving away their tickets, most of the big league ball clubs each year play in an exhibition game for the benefit of youth programs in the community. The New York Yankees and the New York Mets meet each year in the Mayor's Cup game which raises more than $60,000 annually for youth welfare programs in the metropolis. The Chicago Cubs and White Sox meet each year in a game which has raised more than $400,000 for health and recreation programs since 1952. All the other clubs are involved in similar programs.

And in the off season, the major league ballplayers and club officers and employees give much of their time to working with young people, and to visiting hospitals and military installations.

Each year, at the end of the season, a group of major leaguers visits our boys in Vietnam, and another group tours military hospitals in other parts of the world.

In its centennial year, we salute baseball as a good citizen.

Mr. CLANCY. Mr. Speaker, professional team sports are so much a part of our life, not only in the United States, but throughout the world, that it is hard to realize that it all began only 100 years ago, with a little band of 10 men in Cincinnati, Ohio.

The Cincinnati Red Stockings, first professional baseball team, were the progenitors of all the hundreds of professional leagues in all sports today.

Baseball, a popular game in the United States from the days of the American Revolution, began to take organized form after Alexander Cartwright drew up the first nationally accepted set of rules for the New York Knickerbockers in 1845.

After the Civil War, amateur baseball teams sprang up everywhere in the country, and as the game grew in popularity, all the inevitable evils of amateurism began to create dissension. Complaints of proselytizing and undercover payments to amateurs were rife.

Aaron B. Champion, president of the Red Stockings, hit upon a solution—the formation of an honestly professional team. He hired Harry Wright as manager, and hired nine other players who proceeded to set a winning record which has never been equaled. Touring from coast to coast and taking on all comers, the Red Stockings won 65 games without defeat.

Would you like to know the names of that pioneer group? Here they are: Harry Wright, manager and center fielder; Asa Brainard, pitcher, and the only pitcher; Douglas Allison, catcher; Charles Gould, first baseman; Charles Sweasy, second baseman; Fred Waterman, third baseman; George Wright, shortstop; Andrew Leonard, left fielder; Calvin McVey, right fielder; and Richard Hurley, substitute.

Harry Wright, as manager, was paid $1,200 for the season, and his brother, Shortstop George, got $1,400. Other salaries ranged from $600 to $1,100, and the total payroll for the season was $9,400. The minimum salary for a player on a 25-man major league roster today is $10,000.

The Cincinnati immortals pioneered in fashion, too. Baseball players had traditionally worn cricket uniforms, with long white trousers, but George Allard, one of the Red Stockings directors, designed a new baseball uniform, not too unlike that which still is worn.

Despite their sensational record on the field, the first professional team did not make its backers rich. Gate receipts were $29,726.26, salaries and expenses came to $29,724.87, leaving a net profit of $1.39 for baseball's—and sport's—first professional team.

Nonetheless, Aaron Champion, president of the Red Stockings, said proudly at the end of the season:

I would rather be president of the Red Stockings than be President Ulysses Grant of the United States.

The success of of the Red Stockings spurred the formation of many professional teams, and 2 years later, in 1871, the first professional league, the nine-team National Association, was organized.

The Red Stockings continued their incredible victory march in 1870 until June 14, when they lost an 8 to 7 decision to the Atlantics of Brooklyn, N.Y., after winning 130 straight games. Truly a record never to be approached again.

Mr. UDALL. Mr. Speaker, as one who has gained some infamy in these halls for his dabblings in partisan baseball, I am happy to lend my insights and experienced voice to this tribute to professional baseball. I am particularly pleased to note, with all due humility, on this centennial occasion that professional baseball's most promising young stars come from my home State of Arizona.

It wasn't always that way. A year before the first professional baseball team was even organized, Harvard University was the goliath of baseball, champion of the world, and no one would dispute its claim. Well, at Harvard they are doing other things now, and the two Arizona universities are America's best.

The University of Arizona and Arizona State University have in recent years fielded some of the best college teams in memory. Under the tutelage of the late and beloved J. F. "Pop" McKale and now under Frank Sancet, University of Arizona teams have consistently been in the running for the national title. More often than not, their rivals came from Arizona State University under Coach Bobby Winkles.

Just last month the great ASU Sun Devils won the College World Series for the third time in the last 5 years, and four of its members have entered professional baseball. Tradition indicates they will make it to the majors in very short order, as have fellow alumni Sal Bando and Reggie Jackson who play for the Oakland A's and recently starred for the American League all-star team. The University of Arizona is represented here in Washington, I might add, by Dave Baldwin, who pitches for the Senators.

Mr. Speaker, Arizona is proud of its baseball champions, and we feel the major leagues are fortunate to have this mine of future gold.

Mr. PATMAN. Mr. Speaker, it is a pleasure to join with the gentleman from Arizona in congratulating the fine Arizona State University and the University of Arizona baseball teams. However, I would like to recognize another college team in the Southwest that is capable, I believe, of giving even these schools a serious challenge. The Panola College Ponies, young ballplayers of wonderful talent from Carthage, Tex., recently brought great honor to themselves, their school, and their fine "winningest" coach, Bill D. Griffin, by becoming the junior college champions of the United States in Grand Junction, Colo.

These aggressive players fought their way back from an almost disastrous semifinal setback to become the outstanding team in the Nation. We in Texas are justifiably proud of Panola's exceptional accomplishment since this honor was won over 443 other junior colleges that fielded teams this year.

It is indeed noteworthy that although only 167 junior colleges supported baseball teams in 1961, just 8 years later, we find that an additional 276 teams have joined this fine sport.

When I first took an active interest in baseball, together with the companions of my youth, back in Cass County, Tex., the game was not quite so orderly, the facilities could be described as skimpy, and it was not so much a spectator sport because every young fellow took his turn at being a player, and I would not be surprised if at times there were more than nine players on a side. But that was a good 60 years ago, give or take a few years, a period during which baseball be-

came a highly organized game, as exciting for the onlookers as it was then for the sandlot players in Texas.

And having recently traveled out to the R. F. K. Stadium here in Washington I am firmly convinced that baseball is experiencing a mighty resurgence of interest. Personally, I never expect to see a player who will mean as much to me as Babe Ruth or Ty Cobb, and that latecomer, Joe DiMaggio, but it is also apparent that today's youth are in equal measure, fans of Willie Mays and Denny McLain.

Mr. Speaker, I respect the sentiment expressed by my good friend from Arizona, I admire the fine teams from his great State, but here today I would like to salute the indomitable practitioners of this great American sport in deep east Texas, the victorious Ponies of Panola College.

Mr. AYRES. Mr. Speaker, as we join in a salute to professional baseball's centennial, I think we should not forget the tremendous contribution to American life that is being made by the organized amateur baseball programs in this country.

Major league baseball has brought joy and excitement to hundreds of millions of Americans, and has offered thousands of young men an opportunity to gain fame and economic security. But our youth baseball programs are one of the most effective tools in fighting juvenile delinquency and in teaching young Americans the old-fashioned virtues of discipline, teamwork, and adherence to a code of rules.

Organized youth baseball gives millions of boys and young men a continuing interest through the long summer months when other boys find that idleness breeds mischief.

Sandlot baseball, as we used to know it, is fast disappearing, as the vacant lots on which neighborhood groups used to play their informal games have been covered with brick and concrete.

But more boys are playing baseball today than ever before in history, thanks to the vision and dedication of the youth programs which offer organized team play leading to State and National championships to our young people.

Almost 4 million youngsters take part in these programs, and there would be more if money was available to provide playing fields and equipment.

Each of these programs is spearheaded by a small band of dedicated administrators, but they exist only because of the devotion and self-sacrifice of hundreds of thousands of volunteer workers who raise funds, supervise the leagues, coach and supervise the boys, and do the thousand things that must be done to keep a program viable.

Baseball is unique in having this army of volunteers to keep the sport alive and growing. All other sports are sponsored and directed almost 100 percent by professional coaches in the high schools and colleges. The schools sponsor and teach baseball too—in 13,500 high schools, 971 colleges, and 443 junior colleges. But because of the nature of the game and its summer season, the school and college baseball players come from what we still call the sandlots, and play most of their baseball in the summer youth programs.

I would call your attention especially to the following fine youth programs:

The American Legion, whose posts sponsor highly competitive teams for 16- to 18-year-olds. More than 52 percent of the United States boys playing in the major leagues today are graduates of American Legion Baseball;

The American Amateur Baseball Congress is oldest of the youth baseball programs. Headquartered in Akron, Ohio, the Congress sponsors baseball in the Connie Mack Leagues for 16- to 17-year-olds, and in Stan Musial Leagues for older boys and men;

Babe Ruth Baseball, headquartered in Trenton, N.J., which provides a splendid baseball program for boys in the 15- to 16-year-old age level;

Boys Baseball, Inc., with headquarters in Washington, Pa., whose Pony, Colt, and Bronco Leagues offer competition on an advancing scale for boys from 12 to 17.

Little League Baseball, located at Williamsport, Pa., in which almost 2 million boys will compete this summer. Almost every American boy with any athletic ambition will have an opportunity to play Little League baseball if the program continues its phenomenal growth of recent years.

There are other worthy youth programs which sponsor baseball on a regional and local level.

As we salute professional baseball's great centennial, let us pay tribute also to the youngsters and the devoted volunteers in the youth baseball programs of America.

Mr. KUYKENDALL. Mr. Speaker, any discussion concerning baseball's 100th anniversary would not be complete without at least some mention of the American Legion baseball program. This program is active in every State of the Union, and I am proud to say that American Legion Post No. 1 of Memphis is the national champion by virtue of its victory in the national tournament at Manchester, N.H., last September.

Under our driving little coach, Tony Gagliano, Memphis won 52 out of 57 games last summer, including 22 in tournament play.

And though the two top pitchers on that team are now playing professional baseball, Memphis plans to make a strong bid for a repeat championship this year. Don Castle, Memphis' No. 1 pitcher and hitter in 1968, was No. 1 draft choice of our Washington Senators, and Ross Grimsley, another outstanding pitcher, has signed with the Cincinnati Reds.

Winning the American Legion championship is not an easy task. Every American Legion post team is a picked group of the best players in its community, and there are more than 2,800 of them. To finish on top in that select group is an honor of which to be proud, and we in Tennessee are proud of our Memphis boys.

American Legion baseball stands at the top of the Nation's competitive youth baseball programs. More than 52 percent of native-born Americans in the major leagues today are alumni of the American Legion program.

Since 1928, the major leagues of professional baseball have made substantial contributions to the Legion tournament program. They presently make a $75,000 grant to the program.

The association between baseball and the American Legion is surely one of the happy relationships in American culture. The Legion is devoted to perpetuating the ideals of patriotism, devotion to duty, and a disciplined approach to manhood. And baseball, the national pastime of the United States, always tries to instill these virtues in its players.

Mr. TAFT. Mr. Speaker, I am pleased to join in congratulating professional baseball on its 100th anniversary. I am also pleased to advise the House that the post office will issue a commemorative stamp in honor of this anniversary. Postmaster General Blount has informed me that the 6-cent stamp will be issued toward the end of the 1969 baseball season in Cincinnati where the first professional team, the Red Stockings, was organized in 1869.

While Cincinnati was the home base for the Red Stockings, the team toured almost 12,000 miles from Massachusetts to California in their spectacular 1869 season and succeeded in popularizing the sport on a national scale. The impetus of this coast-to-coast tour resulted in the establishment 2 years later of the National Association of Professional Baseball. This first pro league was succeeded in 1876 by the National League, which continues successful operation to this day.

This stamp, therefore, is in recognition of the role organized baseball has played throughout this Nation in the past 100 years. Parenthetically, I might add that baseball in this period has also been successfully exported to other parts of the world such as Latin America and Japan. It continues to attract large numbers of fans across the country and we believe that it deserves this kind of national recognition.

A number of baseball officials including Commissioner Bowie Kuhn and Cincinnati Reds President Francis Dale have joined me in efforts to win postal approval for this stamp. A bill I introduced earlier in this session to authorize printing of a commemorative stamp was cosponsored by former major league pitcher and now Congressman WILMER "VINEGAR BEND" MIZELL. I am grateful that through all of our efforts the Post Office will issue this stamp in honor of our national pastime.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I am pleased to join with my distinguished colleague, MICHAEL FEIGHAN, in paying tribute to baseball. This centennial year of professional baseball serves to remind us that the game of baseball may truly be considered our "national pastime." It is a game whose popularity first developed during the first half of the 1800's. Interest in the game multiplied yearly, ultimately evolving into the establishment of the Cincinnati Red Stockings in 1869, America's first regular professional team. It is my pleasure to be able to enthusiastically join all Americans in the celebration of the 100th anniversary of this important moment in the history of the sport.

The game of baseball is actively enjoyed by large numbers of Americans. The youth of this country seem to gain an enthusiastic appreciation for the

sport which serves them throughout their lives. This enthusiasm is of a nature which allows one, when unable to actually participate in the game, to vicariously experience the many joys and sorrows connected with this great game. The many radio listeners and television viewers, as well as the thousands of fans who flock to the ballparks to support their favorite teams, all point toward this time-honored American baseball phenomenon.

In this country today Americans are forced daily to withstand the tension from the many existing national problems. It is an era where war and the threat of war is the order of the day. It is a time when urban problems and domestic strife place great pressure on every responsible American. It is thus my belief that there has never been a time as fitting as the present when the Nation should express its gratitude for having such a pleasurable national pastime. By attending one of the many games of baseball, an individual, if only for a few short hours, is often able to leave many of his troubling cares and worries at home. Viewing a game often allows one to be able to not only lose oneself in the excitement of the game, but to rid oneself of many of one's pent-up emotions. Few experiences are as totally carefree and enjoyable as to be able to root one's favorite team to victory. It is an enjoyment equally appreciated by all; it is an emotion that knows no social barriers.

The free expression of this type of emotional release has never been more clearly demonstrated than in regard to my hometown team, the Red Sox. Over the years, along with the thousands of other Red Sox fans, I have cheered and supported the team through its many trials and tribulations. At times, I must admit, it seemed that the Red Sox had more than their share of "bad breaks"; but my enthusiasm never waned. In 1967, after a long and particularly rigorous season, the Red Sox won the American League pennant. After an initial lull caused by the traumatic shock of actually winning the race, the fans broke out of their trance and went wild with elated joy. One could actually feel the emotional fervor and excitement. Names like "Reggie," "Yaz" and "Conig" were proudly on the lips of the many baseball enthusiasts in the Boston area. It was as if every Red Sox fan, through his tenacious and avid support for the team had personally helped the individual players earn the pennant.

This centennial year of baseball is of particular significance to me. One of my alltime favorite Red Sox baseball players, Ted Williams, has come to Washington, my second home, to aid the Washington Senators in their quest to win an American League pennant. I wish Ted all the luck in the world, and hope that he is truly successful in carrying his team to a second-place finish—behind the Red Sox, of course. Drawing from my observations of his managerial performance, he has already instilled much of the same kind of Boston enthusiasm and spirit which I have enjoyed over the years through the Red Sox.

I would also like to take this opportunity to sincerely congratulate Joseph E. Cronin upon his being recognized as the greatest living shortstop. Mr. Cronin is not only a fine baseball player, but is a great gentleman and a credit to the game of baseball. The award could not be given to a more deserving individual.

I should finally like to close by offering a salute to the game of baseball, and thank it for performing its continuing and important role of acting not only as a welcomed emotional outlet but as a source of pure enjoyment for all Americans.

GENERAL LEAVE TO EXTEND

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 days in which to extend their remarks on the subject of my special order, which is the 100th anniversary of baseball.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

FEDERAL COAL MINE SAFETY REVIEW BOARD

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SAYLOR) is recognized for 30 minutes.

(Mr. SAYLOR asked and was given permission to revise and extend his remarks, and include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, in a colloquy on July 22 between the gentleman from West Virginia (Mr. HECHLER) and me, the subject of the Federal Coal Mine Safety Board of Review came under some discussion. I pointed out at that time that my colleague's statements about the qualifications of one board member, Mr. Lewis Evans, were in error. However, when our discussion ended, Congressman HECHLER left the impression that Mr. Evans had been "consistently outvoted" as a member of the Board.

In order to check the correctness of the statement, I asked for a résumé of the Board's hearings activity. I bring that record to the attention of my colleagues and point out that the Board has only heard two cases since Mr. Evans has been a member of the Board. The first case was settled by the parties involved without the Board taking a vote. The second case is still pending. That, I believe, puts the matter of Mr. Evans' voting record in proper perspective.

At this point, Mr. Speaker, I want the RECORD to show the history of the Board's actions in cases from 1952 to the present:

CASES INVOLVING FORMAL BOARD HEARINGS, TYPE OF ORDERS, BOARD DISPOSITION

Name	Docket No.	Hearing dates	Type of order (Board disposition)
Morrisdale Coal Mining Co	53-01	Oct. 17, 1952	Gassy classification order (Bureau order upheld).
Dominion Coal Co	53-02	do	Imminent danger closing order (Bureau order annulled by Director of Bureau, after compliance by operator; appeal dismissed).
Moshannon Smithing Coal Co	53-03	Jan. 27-28, 1953, Feb. 6, 1953	Gassy classification order (Bureau order upheld).
Snow Hill Coal Corp	53-04	June 8, 1953, June 17, 1953	Elapsed-time closing order (Bureau order revised, to extend time for abatement, upon agreement of parties at hearing).
Rebecca Coal Co	54-01	Nov. 10-11, 1953, Nov. 23, 1953	Gassy classification order (Bureau order annulled).
Kleaner Coal Co	54-02	Oct. 1, 1953	Imminent danger closing order (Bureau order annulled after compliance by operator, and agreement of parties).
Princess Elkhorn Coal Co	55-01	Nov. 30, 1954, Dec. 1-3, 1954, Dec. 6-10, 1954, Jan. 5, 1955.	Gassy classification order (Bureau order annulled).
Three Fork Coal Co	55-02	Dec. 13, 1954, Jan. 17-20, 1955, Feb. 15, 1955	Elapsed-time closing order (Bureau order annulled).
Gauley Mountain Coal Co	55-03	Jan. 31, 1955	Eapsed-time closing order, gassy classification (Bureau order upheld).
Inland Steel Co	55-05	Nov. 28, 1955, Dec. 12, 1955, Jan. 10-14, 1956, Jan. 16-17, 1956, Feb. 17, 1956, July 9, 1956, Sept. 11, 1956.	Glassy classification order (Bureau order upheld in part, and annulled in part).
Harlan-Wallins Coal Corp	55-07	July 6-8, 1955	Gassy classification order (Bureau order upheld).
Crucible Steel Co	56-01	July 30, 1955, Aug. 29-Sept. 2, 1955, Sept. 28, 1955, Oct. 24, 1955, Nov. 2, 1955.	Elapsed-time closing order (Bureau order annulled).
Rosedale Coal Co	57-02	Jan.31-Feb.1,1957,Feb.4,1957,Feb. 21,1957	Gassy classification order (Bureau order upheld.)
St. Marys Sewer Pipe Co	58-01	Jan. 3, 1958	Do.
Straight Fork Coal Co	61-01	Jan. 6, 1961	Elapsed-time closing orders (case settled at hearing; operator complied with orders and appeal withdrawn).
Pittsburgh Plate Glass Co	61-02	Aug. 3, 1961, Aug. 28-30, 1961, Oct. 9, 1961	Gassy classification order (Bureau order annulled, but increase in number of inspections ordered).
Panther Coal Co	64-1	Apr. 14-17, 1964	Gassy classification order (Bureau order upheld).
R. & W. Coal Co	67-11	June 27-28, 1967	Do.
Johnson Coal Co	67-19	Aug. 8, 1967	Coal designation: anthracite or bituminous (appeal dismissed upon motion of Bureau, for lack of jurisdiction).
Midvale Coal Co	68-01	Oct. 10-12, 1967	Gassy classification order (Bureau order upheld).
S. & F. Coal Co	68-18	May 10, 1968	Gassy classification order (appeal withdrawn).
Ratliffe Coal Co	69-77	Mar. 1, 1969	Imminent danger closing order (Bureau order annulled after compliance by operator and agreement of parties).
Barnes & Tucker Coal Co	69-109	Apr. 22-23, 1969	Pending.

Note: Out of 22 litigated cases, the Bureau was fully upheld in 10; upheld in part in 1; and reversed in 5; and 6 cases were settled upon agreement of the parties after a hearing. Therefore, of cases fully litigated and decided, the Bureau was upheld in whole or in part in 69 percent, and reversed in 31 percent, of the cases. 5 of these cases were appealed to the U.S. courts of appeals (3 by operators and 2 by the Bureau), and the Board's decisions were affirmed in 4 cases, and in 1 case the appeal by the Bureau was dismissed as untimely filed. All decisions of the Board were unanimous, except in Princess Elkhorn (1955), in which the worker representative dissented and St. Marys Sewer Pipe (1958), in which the operator representative dissented; both majority decisions were affirmed unanimously by the courts of appeals. There were, of course, a number of other cases involving disputes, which were filed formally or informally, and which were resolved without a hearing. Also, there were a large number of State plan cases which were decided upon stipulation and without dispute of the parties.

This table should go a long way toward dispelling the notion that the Board is not carrying out its statutory function or that the Board is consistently deciding cases to the disadvantage of one group over another. There have been charges that the Board has a built-in bias in favor of the mine owners in that the Chairman of the Board is required to be a graduate mining engineer. The presumption is that such a person would normally come from the ranks of the coal operators as opposed to the miners.

This particular concern was recognized by the Congress when it created the Board and with particular reference to the Chairman, the United States Code provides:

> One person who shall be chairman of the Board, who shall be a graduate engineer with experience in the coal mining industry or shall have had at least five years' experience as a practical mining engineer in the coal mining industry, and who shall not, within one year of his appointment as a member of the Board, have had a pecuniary interest in, or have been regularly employed or engaged in, the mining of coal, or have regularly represented either coal mine operators or coal mine workers, or have been an officer or employee of the Department of the Interior assigned to duty in the Bureau.

The purpose of this section of the code is to make the Chairman of the Board the "public representative" and in my opinion, this is as close as one can come to having the best of two worlds; that is, a trained, experienced, technical expert to head the Board, yet one who is not beholding to either of the two groups—owners and miners—otherwise represented on the Board.

Mr. Speaker, in highly technical fields, such as coal mine safety, metal mine safety, and transportation safety, the legislatures have progressively sought to delegate the initial review of administrative orders to quasi-judicial boards rather than to the courts. Unlike the courts, these boards are equipped with the special competence to resolve technical conflicts, and can act with the speed, economy, and uncomplicated procedures particularly adapted to the problems involved.

The danger from the alternate course of sanctioning initial review by the courts was tragically demonstrated in the explosion which resulted in the deaths of five men at the O'Brien coal mine, Lovilia, Iowa, on March 30, 1953. That disaster, which was a direct consequence of a State court injunction prohibiting enforcement of the Federal act in the O'Brien mine, illustrates only too vividly the grave hazard of granting immediate jurisdiction over mine safety disputes to a court which lacks the technical experience and training, and the specialized procedures necessary to discharge this responsibility.

Apart from the foregoing, the tripartite review board, created within the framework of a coal mine safety program, provides benefits to each segment of the industry and to the Government inspection agency. The advantages to the mine operators are obvious: appeals can be rapidly and economically taken to an independent agency; the merits of the operator's claim receive technically competent consideration; the management experience is applied to the resolving of disputes; loss of production from unwarranted orders can be minimized; and the existence of the board itself helps to assure a fair and reasonable enforcement of the act.

While the advantages to the workers and to the inspectors may be less obvious, they are fully as real and vital to the respective interests of each group. For example, as to the mine workers, the review board can act quickly to prevent unnecessary mine closings, and the workers are protected thereby from substantial losses of personal income and employment, uncalled for by the requirements of mine safety. Moreover, labor representation on the board guarantees that the viewpoint and experience of the workers will be a major consideration at all times and will command the close attention of the Government and of the general public. Furthermore, the decisions of the review board are themselves a forceful means of specifying and compelling a more vigorous enforcement of particular requirements in the statute. As shown by the Federal experience, these decisions are equivalent to a court mandate to correct deficiencies in administration disclosed during the conduct of board hearings. Finally, the joint efforts of labor and management on a review board encourage the cooperation and the common purpose of the workers and operators on safety matters within the individual mines, without which no mine safety program, however well formulated, can possibly succeed.

As to the inspection agency, an independent review board can prove an extremely valuable ally to increase the freedom, stature, and effectiveness of a strong administration. For instance, since the board is readily available to consider appeals by the operators, the inspectors are completely free to probe the enforceable limits of each provision in the law, leaving to the board the responsibility for defining those limits and for the derivative effects of such actions. Also, as a matter of human nature, the mere right of a prompt and fair hearing of a dispute promotes a far greater willingness on the part of the operator to cooperate with the inspector, and to carry out his orders and recommendations. In this regard, since an operator is provided a simple method of taking an appeal, he is less likely to conform superficially with what he is convinced is an improper order and then to ignore the order after the inspector has left the mine. Consequently, a more intensive and persistent compliance with the laws is encouraged. Furthermore, the handling of disputes by a qualified review board often stimulates new ideas for resolving technical problems, and assists the inspection agency in obtaining the adoption and acceptance by the industry of changes in operating methods. Last, the direct participation of management and labor on a board within the very framework of the regulatory program strongly reinforces the inspection agency in its efforts to secure additional legislation and to maintain the independent status so essential to the effective performance of its statutory duties.

In conclusion, Mr. Speaker, experience under the Federal Coal Mine Safety Act has firmly established that an independent review board is of critical importance to the effective operation of any comprehensive mine safety program. The reasons outlined above show that the benefits derived from such a tripartite body are equally important to the operators, the workers, the Government inspectors, and the public at large.

LEGISLATION TO PROHIBIT SALE OF CARS POWERED BY INTERNAL COMBUSTION ENGINE

The SPEAKER. Under previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 15 minutes.

Mr. FARBSTEIN. Mr. Speaker, I have today introduced H.R. 13225, legislation to prohibit the manufacture and sale of cars powered by internal combustion engines after January 1, 1978.

My bill is similar to one passed by the California State Senate last week and currently pending in the State assembly. The California legislation would become effective in 1975.

It is generally recognized that the automobile represents the most important single source of air pollution in the United States. It currently is responsible for 60 percent of all air pollution in the country and over 95 percent of carbon monoxide in the air. In terms of the total quantity of pollutants, it produces more contaminants by weight than all other sources combined. In addition to carbon monoxide, it is the prime source of hydrocarbons and the chief source of lead in the atmosphere and produces nearly half of the total nitrogen oxides released.

Even aside from the health and safety hazards, which are so often dwelled upon, the dollar loss resulting from air pollution is staggering. It is estimated at $11 billion a year or $600 per family.

Despite these facts, the automotive industry has resisted all proposals designed to reduce air pollution resulting from internal combustion engines. It would not install pollution reduction equipment in its automobiles until required to do so by Federal law. It would not equip its auto with safety belts or other safety equipment until the Federal Government told it that it had to. And it would not even recall defective vehicles for adjustments until after public agitation got too great. The industry does not appear to have any concern for the public's health and safety.

It is impossible to produce a low-pollutant engine powered by gasoline because uniform burning is impossible. Attempting to reduce pollution by stricter emission can only partially reduce the level of pollution emission. The rigid emission limitations of the Public Health Service set to go into effect in 1970 will be more than offset by the greater number of cars on the road.

As the Public Health Service's projection of the level of automotive pollution suggests, the increasing number of cars

will begin to offset the decrease in pollution brought about by exhaust emission control devices after 1980.

POLLUTION LEVEL FROM AUTOMOBILES BASED ON 1970-71 PUBLIC HEALTH SERVICE STANDARDS

HYDROCARBONS

[In millions of tons per year]

	1968	1972	1975	1980	1990
Urban	7.0	6.0	5.0	4.5	7.0
Total emissions, nationwide	12.0	10.0	8.5	7.0	10.0

CARBON MONOXIDE

Urban	47.5	40.0	32.5	27.5	43.0
Total emissions, nationwide	68.0	55.0	45.0	37.5	58.0

OXIDES OF NITROGEN [1]

Urban	3.0	4.0	4.5	6.0	10.5
Total emissions, nationwide	6.5	8.5	9.5	12.0	19.5

[1] There are no current Public Health Service emission standards.

We must seek alternative methods of propulsion for our cars. The auto industry has the technical capacity. Indeed, if it wanted, it could market a low-cost, low-emission vehicle today. But as brought out by hearings held by the Senate Commerce Committee, none of the Big Three automakers are actively moving toward this goal because they are satisfied with the market status quo. Only American Motors, which is not satisfied with its share of the current market, is moving to explore alternative methods of propulsion.

Among the alternative propulsion systems that have received the most publicity is the steam engine. It produces less than 5 percent of the pollution of the internal combustion or gasoline engine. Turbine engines are another practical alternative. Electric engines would have to be recharged quite often and while they cut down on carbon monoxide pollution, they would cause sulfur dioxide pollution.

The legislation I am today introducing would prohibit the manufacture, sale, or transporting into commerce any new motor vehicle powered by an internal combustion engine manufactured after January 1, 1978, unless the vehicular engine produces a level of exhaust emission of not more than .5 grams per mile of reactive hydrocarbons, 11 grams per mile of carbon monoxide, and .75 grams per mile of oxides of nitrogen.

Since the automobile complex in Detroit, bolstered by the oil industry, refuses to take the initiative to insure a livable world in the year 2000 Congress must act now. The problem is not one of technology, but of will.

The text of the bill follows:

H.R. 13225

A bill to amend the Clean Air Act to ban the use of certain internal combustion engines in motor vehicles after January 1, 1978

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the Clean Air Act is amended by renumbering section 212 as section 213 and by adding immediately after section 211 the following new section:

"INTERNAL COMBUSTION ENGINE BAN

"SEC. 212. (a) Notwithstanding any other provision of law, except as otherwise provided in subsection (c) of this section, it is hereby prohibited to manufacture for sale, to sell, or to offer for sale, or to introduce or deliver for introduction into commerce or to import into the United States for sale or resale, any new motor vehicle powered by one or more internal combustion engines and any new internal combustion engine manufactured for use in a motor vehicle if such vehicle or engine is manufactured after January 1, 1978.

"(b) Violations of this section shall be subject to injunction and the penalties provided in sections 204 and 205 of this Act in the same manner and to the same extent as is provided therein for violations of paragraphs (1), (2), and (3) of section 203(a) of this Act.

"(c) This section shall not apply to any new motor vehicle powered by one or more internal combustion engines or to any new internal combustion engine manufactured for use in a new motor vehicle which vehicle or engine produces a level of exhaust emissions of not more than .5 grams per mile of reactive hydrocarbons, 11 grams per mile of carbon monoxide, and .75 grams per mile of oxides of nitrogen."

CAMP LEJEUNE PROBLEM

The SPEAKER. Under previous order of the House, the gentleman from Louisiana (Mr. RARICK) is recognized for 15 minutes.

Mr. RARICK. Mr. Speaker, earlier today the gentleman from Mississippi (Mr. COLMER), and the gentleman from New York (Mr. BIAGGI), described to this body the deplorable disciplinary conditions which exist at Camp LeJeune, N.C. The incident they referred to resulted in the most ghoulish death of one marine, serious facial disfiguration to another, and illustrates an explosive situation which must be recognized and severely dealt with by the command to prevent any such further terrorism.

I would like to state that these incidents are not the first, for last November 28, Pvt. Thomas L. Morrow III, a constituent from my district, an honor student from both Louisiana State University and Colorado State, was brutally assaulted and murdered by three marines while he was walking on the base at Camp LeJeune near his barracks.

One of the assassins was convicted of murder and sentenced to 15 years, one was acquitted, and charges against the third were dropped. The three assassins were colored; the victim was white. But it would be difficult to say that Pvt. Morrow, who had just arrived at Camp LeJeune, was a racist or had precipitated the incident since he had just left the Peace Corps prior to enlisting in the Marines.

I join with my colleagues in demanding a congressional investigation of the violent "packs" who have infiltrated into and roam about our military institutions terrorizing and victimizing our young men who are serving their country.

Especially I think that this body is entitled to know whether the problem is lack of competent leadership in the military or whether the leadership is being handcuffed from enforcing discipline because of officious intermeddling by "judicrats" of our Federal judiciary.

Mr. Speaker, I include several news clippings on this topic:

[From the Baton Rouge (La.) State-Times, Nov. 28, 1968]

THREE ARE HELD IN PROBE OF BATON ROUGE MARINE'S DEATH

CAMP LEJEUNE, N.C.—Three men, reported to be Marines, are being held in connection with the fatal beating of Pvt. Thomas L. Morrow III, 26, Baton Rouge, a spokesman at Camp LeJeune said yesterday.

Names of the three suspects were being withheld pending further investigation.

Morrow, son of Mr. and Mrs. Thomas Lindsey Morrow of 2024 Cloverdale and a graduate of Baton Rouge High School, was attacked on the base last Thursday night and died shortly after midnight Monday.

A base spokesman said Morrow suffered a fractured skull in the attack, which occurred in the Montford Point area of the base. Robbery was thought to have been the motive.

The young marine had been beaten and robbed on the base last Thursday night while he was walking back to his barracks. He was hospitalized at the U.S. Naval Hospital at Camp LeJeune.

Morrow was a student in the Marines' service support school training to work in the Corps' disbursement section, the information officer said.

The death is under investigation by the provost marshal at the camp. No affirmative results have been reported so far, the officer said.

Morrow's parents were at his bedside over the weekend.

They were returning to Baton Rouge this afternoon.

A graduate of Baton Rouge High School, Morrow, 26, received a bachelor's degree in wildlife and forestry from LSU in 1964. This June he received a master's degree in wildlife management from Colorado State University.

He graduated with honors from both universities and received numerous academic awards while he was a student.

He was with the Peace Corps briefly before joining the Marines. Morrow received his basic training in California and had been transferred to Camp LeJeune shortly before the fatal beating.

[From the Baton Rouge (La.) State-Times, Feb. 10, 1969]

LOCAL MARINE'S SLAYER IS METED 15-YEAR SENTENCE

JACKSONVILLE, N.C.—A Camp LeJeune Marine court martial board Friday convicted Pfc. Clarence E. Johnson, 20, of Kansas City, Mo., of murder and larceny in the slaying of another Marine from Louisiana.

Johnson was sentenced to 15 years at hard labor, dishonorable discharge, reduction in rank to enlisted man, and forfeiture of pay. The maximum penalty would have been life imprisonment.

He had been charged with murder and robbery in the death on the post of Pvt. T. L. Morrow, 26, of Baton Rouge, La.

Johnson's lawyer said he would ask the 10 members of the general court martial board to recommend clemency—a reduction of the sentence. Three-fourths of the board, or eight members, would have to assent. Johnson also can appeal through military channels.

Johnson and two other Marines were originally charged in the case. One of them, Pfc. Adam L. Vanlandingham, 18, of Baltimore, was acquitted of a murder charge last Friday. But he was convicted of larceny and sentenced to a bad conduct discharge and six months at hard labor.

Witnesses at the Vanlandingham trial testified that Morrow was knocked to the ground by another marine, kicked in the head, and robbed of $60.

The third original defendant, Pfc. Harold McDonald, whose address was unavailable, had been charged only with robbery. This charge was dropped Wednesday, the day Johnson's court martial opened.

[From the Wilmington (N.C.) Star News, July 26, 1969]

CAMP LEJEUNE CONFIRMS BLACK POWER PROBLEMS

(By Ted Fox)

CAMP LEJEUNE.—The joint informational services office confirmed Saturday reports published in New York that some Camp Lejeune Marines have armed themselves with chains, knives and clubs for "self protection" and also the black power salute was being publicly exchanged in service clubs, mess halls and other public places.

Capt. Larry LePage said that the base provost marshall is investigating each report and that some such incidents have been confirmed.

Capt. LePage said that reports of weapons being carried started shortly after a racial affray last Sunday when about 30 Black Marines are alleged to have attacked small groups of two or three White Marines or individuals.

Two of last week's victims are still in serious condition in the Naval Hospital at Portsmouth, Va., where they were taken with severe head injuries.

Investigations of the incidents that have occurred are given priority attention and those persons carrying weapons, including firearms, are being apprehended by the military police and base provost marshalls.

Those Marines giving the Black Power salute or otherwise trying to create racial tensions are being required to give an explanation to the commanding officers and could be charged under the Articles for the Government of the U.S. Navy.

LePage said in reply to a query from a Star-News Newspapers correspondent, "none of the base training session have been interrupted by agitators or that any of the thousands of reservists presently undergoing training had been involved in the racial conflict reported at the huge base during the past week.

Base authorities admitted that most of the militants identified so far have been Black. White militants reported to have accompanied the Black gang last week have not been located.

Investigators are also looking into the possibility of a connection with drug abuse on the part of the racial agitators.

LePage said that most of the reports of individuals arming themselves occurred after the Black-White battle last week near the Hadnot Point enlisted man's service club. He said many of those were apparently carrying chains and knives for fear of a reprisal for the attacks on the White Marines.

About 11 White Marines were injured in addition to those still hospitalized and one other who suffered several stab wounds in the back.

No firearms have been involved so far, according to LePage. He said that these are carefully controlled since Base regulations require that private weapons be registered and locked in the unit armory.

Married personnel may keep weapons in their quarters but still must register them with Base authorities.

[From the Wilmington (N.C.) Star News]

MARINE DIES OF INJURIES FROM BASE RACIAL RIOT

(By Ted Fox)

CAMP LEJEUNE—Capt. Larry LePage, joint information officer, said Sunday that Cpl. Edward Bankston, 20, of Picayune, Miss. died as a result of injuries he received in a racial attack a week ago.

He said the corporal was one of 14 Marines who had been attacked by a group of some 30 black Marines that resulted in Bankston's eventual death, skull injuries to James S. Young who continues in serious condition, and 13 others injured to varying degrees. One man is recovering from several stab wounds in the back.

LePage said the unit involved, 1st Battalion of the 6th Marines, had been celebrating their departure for duty in the Mediterranean. He said the unit has since departed and they do not anticipate further incidents.

An explanation was given for chains being carried by the men, reportedly being carried for defensive weapons after the racial attack. LePage said each man had been issued a short chain to be used to lock their weapons to the tubular frame of their bunks aboard ship.

He speculated they hadn't any place to put them and had to carry them.

Investigation continues into the causes of the attacks in which single white Marines or groups of not more than two or three were beaten. It was originally thought the attacks were precipitated by an incident at an enlisted man's dance during which a black Marine tried to cut in on a white sailor's partner.

This, however, is believed to have had no relationship to the subsequent attacks, which some authorities thought were organized. Nine of the participants have been identified and possible charges are now being investigated.

The death of Bankston puts the episode in a much more serious light according to local authorities.

UNFAIR BURDENS ON AMMUNITIONS DEALERS AND SPORTSMEN

The SPEAKER. Under previous order of the House, the gentleman from Georgia (Mr. HAGAN) is recognized for 10 minutes.

Mr. HAGAN. Mr. Speaker, because of the strong reaction not only in my congressional district, my State, but across this vast Nation to the idea of firearms and ammunition registration, I have introduced legislation to correct what I consider unfair burdens on small ammunitions dealers and sportsmen in this country.

The following editorial, "Why Not Prohibit Crime?" from the Stars and Stripes points up well the fact that the good and decent citizen will be the only ones to give up possession of souvenir or protective firearms if the proposal of the President's Commission on the Causes and Prevention of Crime went into effect.

The editorial follows:

WHY NOT PROHIBIT CRIME?

Why does not Congress pass a law making it a crime to commit a crime in America? Foolish question? Not much more foolish in our opinion than that proposed by the President's Commission on the Causes and Prevention of Crime. In a report released early this week, the commission, which was appointed by Ex-President Johnson, proposed to prohibit most citizens, except policemen, from possessing a pistol or revolver. It would compel them to turn in their guns, ancient or modern to the federal government.

Any veteran of World War I who toted home a German Luger or other prized weapon 50 years ago to abide by the proposed law would have to surrender his gun. In many cases, he would have to dig it up from the bottom of a trunk or barracks bag where it may have been stowed these many years. Of course, the World War II man of some 20 years later too would have to throw his prized trophies into the government's pile.

But does anyone with a grain of sense think the professional crook and law breaker would dutifully turn in his tools of the trade? Crime has gone only one way in recent years—up. A courageous home or store owner now and then has thwarted a burglar or would be murderer with a revolver or pistol kept for meeting such an emergency. On occasions, he has put a professional crook or killer out of business for good.

Now the President's Violence commission comes up with the proposal to take away the honest householder's gun; to deny the sportsman who likes to shoot at targets his pleasure; to take from the ex-serviceman the captured gun he prizes and which he gained in the service of his country. These types of citizens are honest men. Under compulsion to abide with the law, most of them would turn in their guns.

The result would be leaving the criminal as the only man in possession of a pistol or revolver. Laws against more serious crime mean nothing to him. Yet, the President's commission apparently reasons that in this little matter of turning in his pistols and revolvers, he would readily comply. Started with a foolish question, we end with this foolish thinking on the part of the Violence commission.

YES, HUGH SIDEY, THERE IS ANOTHER AMERICA, THANK GOODNESS:

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, in the July 18 issue of Life magazine, Hugh Sidey, a writer who endeavors to keep tabs on the condition of the Presidency, wrote a piece which prompts this response from me.

(The Sidey article is reprinted at the end of these remarks.) Briefly, he leaps all over the President. The cause, apparently, is that the President has not solved all the woes of the Nation and the world in 6 months' time. He goes on to wonder why the popularity polls show the President enjoying the outright approval of more than 60 percent of the population. He wonders, somewhat grumpily, whether there are really two Americas. He writes:

Some observers are asking whether or not (sic) there really are two Americas; one, which dominates the national dialogue, is hyper-liberal, Eastern-oriented, righteously arrogant, intellectually ferocious—but is now totally out of touch with the other America which is crime-fearing, inflation-weary and sick of being preached to, family-oriented and suburban-based, and which is the same as Richard Nixon mentally, culturally and, now, emotionally.

On the matter of the President's performance to date I would like to point out that it is easy to run down hill; it is hard to pull up hill. We have been going down hill as a country at a great rate for the past several years. I think President Nixon is doing very well if he can, in his first 6 months, just slow the downhill run appreciably.

For a general answer to the Sidey article, and I think it requires an answer,

I say "Yes. Most certainly there are two Americas":

There is the majority of the country and there is a small, but highly audible, overly visible segment, which he describes reasonably well in the part of the article which I quoted earlier.

In addition to the tiny segment of this self-styled elite, which talks to itself mostly and listens little, America consists of:

First. Hard-working white persons, struggling to meet their obligations, pay their taxes, and raise their children under increasingly chaotic social and moral conditions, and with a shrinking supply of money in terms of real purchasing power;

Second. Hard-working black persons trying to do the same thing;

Third. Young persons in school and college to learn. They work hard—and, yes, some of them join the ROTC to become leaders of our citizen-oriented armed services and many others report for induction without desperately exploring alternatives or contemplating flight from the country.

These are young people with pride in their country. Indeed, many of them are this moment fighting for our Nation's commitment to freedom. They are idealistic and, therefore, deeply distressed, and rightly so, by much that they see on the contemporary landscape;

Fourth. Many poor persons, of every age, weary in their poverty and sick of the soft and easy promises of vote-seeking politicians who do not deliver when they do get into office;

Fifth. Large numbers of citizens of every description who understand well the power of the Lord and the force which the love of the Lord has exercised upon the development of this country. They are sick of having the spiritual side of life downgraded and discounted while material things are elevated.

A large segment of this America, which I like to consider the real America, is encompassed by the famous phrase "The Forgotten Man." Who is the Forgotten Man? I described him partially above. Last year, in a July report to my constituents, I defined him as "the guy in the middle, the hard-working taxpaying, law-abiding, God-fearing citizen. He is not rich enough to fight the ravages of inflation by investing in the stock market or real estate, nor to command the advice of lawyers and accountants to steer him through the tax loopholes. He is not poor enough to have a Federal program smother him with affection, nor does he seem to be young enough nor old enough."

It should not be a matter for wonder—much less a full page in Life magazine—that the real America should welcome the change in tone brought to the administration of affairs by our new President.

Naturally, Americans welcome into power a man who reflects their concerns, who understands the spiritual power which underlies and still inspires everything good done in this land.

This style, for some reason, is not to the liking of most of that little band of self-styled elite. Perhaps they do not like it, because they see an early end to their days of living off the fat of the land. Those days went on far too long. Mesmerized by words and visions of Utopia, which these elegant drones are so adept at conjuring up, a lulled population left them too long in power.

Almost too late we have discovered that their talk of peace meant costly war; their talk of progress in civil rights meant riots in the streets and the near collapse of education; their talk of prosperity for all has meant feverish inflation and in the midst of material riches, the greatest amount of poverty, relatively, that our country has ever seen.

Their talk of individual liberty meant soaring crime and floods of pornography. Their talk of strength has meant a weakened national defense in spite of record spending on defense.

Their talk of morals in public life has meant a terrible falling off in public morals flagrantly illustrated by shocking personal, unethical behavior by one high public official after another in all branches of Government.

Small wonder that the young are disillusioned, that many are led to attempt to tear down what they regard as the corrupt establishment.

The arrogant little band, which has dominated the thinking and the political power of America for 40 years has failed the country miserably.

Yet, they are ever ready to find fault, noisily, with the new President.

It ill behooves them to do so against the background of their own failure.

President Nixon and his administration are striving to make sense and order out of the wretched mess they inherited. Nixon must pull the country together, cool the economy without a recession, calm the troubled fears that have gripped so many, fulfill an honorable commitment in Vietnam without further damage to the United States but without ceding the field to the Communists, and, generally, lead the country into the moon age, so full of unknowns, and all for the good of free men everywhere.

While he is engaged in these tasks, it is pathetic and galling to see him sniped at by those whose bitterness can only be a reflection of their own frustration at realizing how badly they have failed in their days of power.

They are out now. The torch has passed into new hands. And in the reason lies the answer to the question posed by Hugh Sidey: Yes, there is another America. And thank goodness for that.

The article follows:

THE PRESIDENCY: A SUDDEN SHIFT IN THE CAPITAL MOOD

(By Hugh Sidey)

On the surface nothing seems changed. Richard Nixon bounced back to Washington last week with a coat of Florida tan and his best Chamber of Commerce smile. He buried himself in background material for his round-the-world trip, summoned his legislative leaders for breakfast tax talk, studied the sports pages with satisfaction because of the Senators' steady improvement. Then one morning he was standing on a brilliant red carpet under the North Portico toeing the tape marker ("Pres. Nixon") and waiting for Ethiopa's Haile Selassie to come up the driveway and break a new monarchial endurance record—the emperor has paid visits on four U.S. Presidents in his 53 years of power.

The novice Nixon was rounding out his first half-year, sideburns steady at about seven-eights of an inch, hair held to courtroom respectability, chin up (photographers watching, waiting), arms and hands unnaturally immobile at the sides, suit dark and blue (face still suffused with the light of triumph and the satisfaction of being President. *Hail to the Chief* was full and gripping. The tough little emperor came in bearded and smiling at nostril height. The tourists—Nixon's people—pressed against the far fence in awe. But it was not the same as it was a month ago, or even a week ago.

There is always change in the Presidency, of course, but sometimes as in a river there is a sudden plunge or turn and everything is profoundly altered. That happened to Richard Nixon's Presidency in a fortnight.

There are those very close to him who will argue that the hour actually came one hot morning last month in the Air Force Academy's Falcon Stadium when the Depression-ridden boy, the unsuccessful school athlete, the Communist-fearing senator, the vilified and exiled presidential candidate all rose up and asserted themselves in that ringing fusillade against military critics, doubters and waverers. But when the announcement of Vietnam troop withdrawal followed, incipient critics hunkered and hushed. Then came the case of Dr. John Knowles, and the unveiling by the dour Attorney General John Mitchell of a plan to broaden the Voting Rights Act which jeopardizes it more than helps it. Hard after that development came the announcement of new school desegregation guidelines which appear to relax the civil rights pressure that has been brought so painfully through 15 years.

The tone of many newspapers altered. Hostility replaced hope. The nation's leading cartoonist, Herblock, who flavors the morning coffee in the capital, left a huge dagger initialed R.M.N. in the back of HEW Secretary Robert Finch. Black leadership voices in Mississippi and New York rose in anger and fear. A liberal Republican lunching in the refined elegance of Washington's Jockey Club heard the Knowles news, called for a silver tray and burned his GOP registration card. A powerful and intelligent Republican senator leaned against his Georgetown doorway and said he was still waiting for the Presidency to force Nixon to grow bigger, as it had men like Truman and Kennedy. The Washington *Post's* letters column one morning was completely devoted to reader tirades against Nixon.

In small ways concern is acknowledged in the White House. Nixon's global tour is in part a diversionary tactic for the subsurface alienation. There is more talk among Nixon's men about how all this is only a creation of the press (a position, incidentally, taken by Lyndon Johnson as the nation gave him the bum's rush toward the exit). Suddenly, the Nixon family is cruising the river with poor children and explaining the Queen's Room to tourists. Disenthralled senators and congressmen have been invited down with increasing regularity for poached eggs in the morning or a Fresca (another L.B.J. habit) at night.

Yet with all of this there is about the White House a solid base of undamaged confidence. Aides dine with gusto on the delectable soft-shell crabs of the Sans Souci just a block from Nixon's office and point to the Gallup Poll showing 63% approval. Indeed, therein lies the heart of this fascinating drama.

Some observers are asking whether or not there really are two Americas: one, which dominates the national dialogue, is hyper-liberal, Eastern-oriented, righteously arrogant, intellectually ferocious—but is now totally out of touch with the other America, which is crime-fearing, inflation-weary and

sick of being preached to, family-oriented and suburban-based, and which is the same as Richard Nixon mentally, culturally and, now, emotionally.

Riots and crime and hippies and race and war have taken a toll in the mainstream of American life that still has not been calculated. It has been Nixon's avowed purpose to give these mainstreamers their voice, right or wrong, to show them that they are indeed the majority.

Not long ago Teddy Kennedy went to dinner to listen to one of the most respected Democratic seers of this city. What he heard was that if Richard Nixon plays his cards right and events are kind to him, the Republicans could capture this new political center and rule for the next decade. Kennedy came away no more enchanted with the White House occupant than before—but with a sober new view of political America.

NO FREEWAY TO PARADISE

(Mr. GROSS asked and was given permission to extend his remarks at this point in the RECORD and to include a sermon.)

Mr. GROSS. Mr. Speaker, this week I received a copy of one of the finest sermons I have had the privilege of reading on the subject of welfare and the responsibility of individuals to help themselves.

It was delivered by Dr. Adam Baum, pastor, Central Baptist Church, Springfield, Ill., on June 29, 1969. In concluding the sermon, Dr. Baum offers this sound advice:

I wonder if the time should not come soon when preacher and politician alike all across our land will declare a moratorium on speeches and sermons about human rights, and shift the emphasis to the subject of human responsibility?

I commend the sermon to the attention of my colleagues:

NO FREEWAY TO PARADISE

It was nearly 40 years ago that Aldous Huxley, eminent novelist and skeptic, wrote an essay under the title, "Wanted, a New Pleasure." In this essay Mr. Huxley said, "If I were a millionaire I should endow a band of research workers to look for the ideal intoxicant. If we could sniff or swallow something that would abolish inferiority and atone us with our fellows in glowing exultation of affection and make life in all of its aspects seem not only worth living but divinely beautiful and significant, and if this heavenly world-transforming drug were of such kind that we could wake up the next morning with a clear head and undamaged constitution, then it seems to me that all of our problems would be solved and earth would be a paradise."

Whether we agree with Mr. Huxley's definition of paradise or his method of achieving it, one thing must be admitted: most people are in search of some kind of paradise—a world where life would be completely free of all that is unpleasant and painful and where life would be filled with undiminished joy and tranquility. It should be pointed out, however, that Mr. Huxley was willing to pay for his paradise. Said he, "If I had a million dollars I would endow . . ." There is evidence, however, that many of our present-day seekers for paradise are of the impression that all one has to do to obtain this glorious state of life is to demand it. Indeed, one of the conditions of the paradise of their choosing would be a freedom from all obligations. They want rewards without responsibilities, security without sacrifice.

One of the interesting and highly instructive words of our language is the familiar word "hitchhike." Its origin came about long before the era of air conditioned cars, and high speed freeways. It came into use in the days when travel on horseback was a common mode of transportation. When it happened that only one horse was available for two travelers, the plan was for one man to start out on horseback while the other began his journey on foot. When the first rider reached a certain point along the way he would then hitch the horse and proceed to hike on foot. When the second person caught up with the horse he would mount it and continue his journey. Once having passed his travel companion he again at a predetermined point dismounted the horse and hitched it to a post or a tree while he proceeded on foot. In this manner they would hitch and hike until their destination was finally reached. Hence the term "hitchhike." For us moderns, however, the term conveys a different meaning. To hitchhike means to ask for a free ride. It is to expect the advantages and benefits of travel without any of the cost. Someone else pays for the vehicle, the fuel, the tires, the taxes, the maintenance, and the insurance. The hitchhiker gets all the benefits while someone else assumes all the responsibilities. Should there be an accident along the way and the hitchhiker gets hurt it would not be altogether unlikely that he would sue the driver for the recovery of damages.

But hitchhikers are found not only along our highways but in many other areas of our social and economic structure. There is mounting evidence that we are giving encouragement to a social and economic system which suggests the story of a man who when applying for employment said, "I like the sound of the job but the last place I worked paid me more." The interviewer went on to ask, "But did you receive fringe benefits?" "Oh yes," said the applicant. "Did you have rest periods?" "Yes." "Life and health insurance?" "Yes." "Vacation with pay?" Again the answer was "Yes." The applicant went on to state that at his previous job he also received a substantial Christmas bonus. Somewhat puzzled the interviewer went on to ask, "Then why did you leave their employment?" The reluctant reply came, "The company went bankrupt."

Of no less concern is the rapidly growing group which brings to mind the case of the small boy who asked his father if he had any work that he could do around the house to replenish his finances. The father assured the boy that he could think of nothing for him to do at the moment. After a brief hesitation this modern child replied, "Then why don't you put me on relief?" There are now more than eight million people on the relief rolls of our nation. These receive some six billion dollars annually. But this is only a small part of the story. In addition to these eight million there are another twenty-five to thirty million who have been qualified by the government for financial assistance of one kind or another. This means that approximately one out of every six people is being subsidized by the government. The prediction is that it will not be long before these people will cost the American taxpayer about one hundred billion dollars annually.

Without question, as all of us know, there is a need, even a desperate need, for some of this program. There are families which remind one of the man who said to his boss: "I really would not have asked you for a raise if my kids hadn't found out that other children eat three meals a day." We would be guilty of the most deplorable sin if we failed to realize that even in our nation, wealthy as we are, there are those who are too old, too young, too sick, or to uneducated to earn an adequate living. Many of them are the forgotten members of the human family. These must be our collective responsibility. For it must have been people like these to whom Jesus was pointing when He said, "Inasmuch as ye have done it to the least of these ye have done it unto me." Yes, there are those who need our help. Indeed, there are some who should be receiving much more than we are now willing to give them.

But the deep mystery lies in the fact in a period of unprecedented prosperity the cost of our relief program is rising at a rate much faster than the growth of our population or the gain in our economy. During the past 20 years our population increased by some 40% while the number on relief rolls has gone up by 98%. Could it be that we are forgetting one of the most important lessons that history can teach us; namely, that the road to paradise is not a freeway. It is a long, hard, rough road and most of it is uphill. Professor S. M. Miller of Syracuse University saw our situation quite clearly when he wrote: "Welfare assistance in its present form tends to encourage dependence, withdrawal, indifference, and indolence." Or, to put it more positively, the best insurance against poverty is a steady job, a living wage, a willingness to work, and sound management of one's resources. But there is nothing new about this. From beginning to end the Bible gives strong emphasis to this principle as an effective rule of life.

It could well be that one of the critical needs of our day in our land is a return to a biblical philosophy of work. We must learn again that work is not intended as punishment, but as a preventative. One does not have to read far into the Bible to learn that it was in his paradise of idleness and abundance (all of which, incidently, was given to him without effort on his part) that mankind got into serious trouble. This is still true. Give a child or young person everything he wants without his having to earn it and see what happens to that human being.

It should be noted that according to the Bible when it comes to work God always sets a good example. Jesus said it like this: "My Father worketh and I work." God has placed us into a world in which gold must be mined, pictures must be painted, houses have to be built and maintained and crops have to be harvested. This is how human beings enter into a partnership with God and discover that work is not primarily what a person does to live but what he lives to do.

When the fires of Watts in Southern California had been put out and the riots brought to a temporary halt sociologists, economists, and politicians set themselves to the task of finding out the causes for this eruption and this senseless destruction. They were unanimous in their reporting that conditions were deplorable. Illiteracy was high and crime was rampant. They found that at least 60% of the people in the area were on relief. But at the same time it was learned that not many miles from the Watts community fruit crops were being lost in the fields because of a shortage of workers. Certainly there must be something tragically wrong with the system that permits that to happen.

It was about the time of the Watts uprising that someone made a study of another important minority group—the nation's 300,000 Chinese-Americans. It was learned that in spite of hardships and discrimination these people were becoming a model of self-respect and achievement in our national structure. In crime-ridden cities Chinese districts turned up as islands of peace and stability. As one Protestant pastor of the New York City Chinatown said, "This is the safest place in the city. They have a crime rate far below the nation's average." It is reported that New York City schoolteachers are competing for positions in schools where there is a large number of Chinese-American children enrolled. Few Chinese-Americans are getting welfare handouts. They simply do not want them. Instead they place a high value on a willingness to work often long hours and not infrequently for a pay far lower than it ought to be. Somehow they have learned that the road to paradise is not

a freeway, but is a long, rough, hard road most up hill. But back of this remarkable group of Americans is a story of adversity and prejudice that would shock those now complaining of the hardships endured by other minority groups.

On a recent trip through the state of Alabama we started earlier than necessary one morning so that we could turn off the freeway and visit the Tuskegee Institute. We arrived there about mid-morning and to our surprise found that the most prominent building on the campus was a beautiful modern chapel being made ready for dedication. We were told that the old chapel, a wooden structure, was destroyed by fire when struck by lightning a few years ago. For years alumni, trustees, and friends labored to raise funds and to make plans for a new religious center and chapel. Now they could see the fruits of their sacrificial efforts. We were profoundly impressed and deeply moved by what we heard and saw.

From the chapel we went to the George Washington Carver museum. We walked reverently and spoke softly as we reviewed the benefits that have come to mankind through the tireless labors of that great Negro scientist, George Washington Carver. Here was eloquent evidence of what one person can do when his energies are devoted to a noble task. On our way from the museum we paused before the statue of that magnificent man, Booker T. Washington, the founder of the Institute and for some three decades its distinguished president. I could not help but wonder how much strife and turmoil our nation would be spared if we could take seriously words of wisdom spoken by this great black American when he said to his own people and to the nation: "Our greatest danger is that we fail to keep in mind that we shall prosper in proportion as we learn to dignify and glorify common labor and to put brains and skills into common occupations of life. No race can prosper until it learns that there is as much dignity in tilling the field as there is in writing a poem. It is at the bottom of life that we must begin and not at the top. Nor should we permit our grievances to overshadow our opportunities." So spoke Booker T. Washington in Atlanta, Georgia, in 1895.

In conclusion, therefore, I wonder if the time should not come soon when preacher and politician alike all across our land will declare a moratorium on speeches and sermons about human rights, and shift the emphasis to the subject of human responsibilty?

INCOME TAX SURCHARGE

(Mr. HARSHA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HARSHA. Mr. Speaker, yesterday I voted against the proposal to extend for 15 days the withholding of income tax surcharge deductions from workers' paychecks.

The Congress was advised by the Nixon administration officials that any surplus for fiscal 1969 would be a very thin amount, less than $1 billion, and we were further advised that unless the surtax was extended for an additional period of 1 year as proposed, there would be rampant inflation, a great deficit, and economic chaos in the country and international money market.

Most of us accepted those statements in good faith, and as recently as only a month ago, the Bureau of the Budget advised at least one body of this Congress that the surplus for fiscal 1969 would be less than $1 billion.

Now just within the period of a week the Treasury Department and the Bureau of the Budget suddenly announced that fiscal year 1969, which closed June 30, ended with a surplus of more than $3 billion, the biggest surplus since 1957 and three times what they estimated only 1 short month ago.

Let me say that I want to commend the administration for its effectiveness in holding down expenditures. This new surplus is in remarkable contrast to the $25.2 billion deficit suffered during the previous fiscal year. But I find myself highly critical of the administration's estimates for fiscal 1969 made in testimony before the Senate Finance Committee.

If only 1 short month ago the administration was off in its estimates by such a dramatic amount, there is every reason to believe that their estimates projected over a 12-month period for fiscal 1970 may prove even less accurate, and under the circumstances I could not in good conscience ask the American people to pay still more taxes based on fiscal estimates which in less than 1 month have proved so unreliable.

I find myself, like many of my colleagues, in the serious dilemma of being asked to support taxing procedures against which I have voted throughout my congressional tenure.

It was for that reason that I was one of the 105 Members of the House who yesterday voted against that which I found to be the unnecessary effort to extend the surtax withholding procedure for another 15 days.

MY OIL IMPORT QUOTA 'TIS OF THEE

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, an absolutely minimal cut in accumulated oil industry tax advantage is to be offered to Congress. Early indications from the oil industry show strenuous opposition. One of their rebuttals states that any tax reform of the industry will raise gasoline prices by as much as 3 cents per gallon. A bit of enlightenment is in order.

The consuming public is being victimized at the gasoline pump. Retail operators are constantly squeezed. Home heating oil prices are maintained at artificially high levels.

Last week, Senate testimony revealed that abolition of quotas on oil imports could reduce gasoline prices by 5 cents per gallon, and fuel oil for home heating by 3.9 cents per gallon. For an average auto owner purchasing 700 gallons annually, a yearly saving is envisioned of $35. For homeowners with oil heat, an annual saving might be possible of $58.50. Since quotas were instituted in the Eisenhower era, it is estimated that retail prices of petroleum products have risen between $40 and $50 billion to the public.

Incontrovertible proof exists, backing these contentions. Americans today pay twice the going world price for oil. A barrel of oil from Iran costs $2 delivered in Philadelphia-New Jersey. A similar barrel of east Texas sweet crude sells at the same place after tanker delivery for $3.75.

With higher priced crude, a refinery wholesales a gallon of gasoline for 12.8 cents, and a gallon of heating oil for 10.5 cents. With $2 crude, comparable prices would be 8 and 6.6 cents. The American buying public absorbs the entire cost difference directly, to the tune of $7.8 billion, according to several estimates. Lowest estimate of extra annual cost to the public is $4 billion.

It is officially contended by the Federal Trade Commission that many auto owners pay for higher octane gas needlessly. Others pay for "regular" gasoline, which is supposed to cause engine damage. This is entirely due to failure by the oil industry to post octane ratings of their respective products. Today an average consumer has no way of choosing his brand intelligently.

What do we receive instead? Credit cards sent unsolicited. Sumptuous retail locations. Fraudulent games of chance. Full price of all these "added attractions" is passed on to the public, often by unwilling retailers who are required by oil companies to do so in order to remain in business.

Further, credit cards are not only being sent without solicitation to uncounted consumers, but are being abused by oil companies in other ways. They follow up successful credit sales by selling other consumer items. Recently, oil companies have inserted propaganda in their billings containing dubious arguments defending the oil depletion allowance. Credit card holders therefore become unwilling subjects of special-interest lobbying efforts. This is particularly fascinating, especially when we are aware that costs of printing and mailing such material is tax deductible for the oil company—a subsidy consumers cannot avail themselves of.

Title this latest scenario "The Oil Industry Versus America's Consumers." Title it unfair and intolerable. When they speak, they assault truth. When silent, they are trundling away what is left of our Treasury.

At the very least, we should expose every questionable practice of this industry. No matter how they lobby, truth will be told and the public will at last find out what is transpiring. Any victory oil scores now will be as hollow as a jug. Eventually a clean sweep will be made of their privileges, leaving them as bare of preference as they are now devoid of public spirit and fairness. The best is yet to come.

SHADOW OVER OUR LAND

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, a shadow looms and lengthens daily over all America. Title it abrogation of civil liberties. Its father is fear, and its mother is bigotry. Its children are hatred, estrangement, and terrible danger to any further hope for a pluralistic society. That shadow emanates from the Justice Department, which has, in the past 6 months,

changed from champion of the dispossessed to challenger of previous progress.

In the past several years our land has suffered severely from internal dissension which has more often than not taken the form of civil disobedience. Such activities have ranged the entire spectrum of dissent, alienating many Americans and frightening even more. Through our mass media we have been confronted with sights often strange and repellent. Because many dissenters deliberately depart from social norms of dress and behavior, they are of course difficult to accept with equanimity, much less understanding.

Accompanying this has been a growth of crime, use of drugs, and revelations of major activity by organized crime in our midst. Greater permissiveness in the fields of art and culture has resulted in excesses by both profiteers and pornographers. Everyone is familiar with these horrors. Yet taken together, these do not constitute cause for national overreaction and harsh repression. Yet, this seems to be the case today. Such overreaction not only erodes liberties, but also defeats its own ends. If a nation does not possess faith in its national vitality and that of its basic institutions, then repression will only accelerate the process of decay. This however, seems to be outside the political horizon and philosophical understanding of the administration and its chief law-enforcement officer, the Attorney General. As a direct result of his activities, a pall of fear now creeps like a darkening shadow across the face of our Nation, inhibiting behavior, endangering traditional liberties, and bringing into the open with shocking boldness the worst elements in national life. Our divisions are accentuated suspicions sharpened, and cracks appear in the fabric of our society that dissent could never have placed there.

We seem to have lost sight of the fact that dissent is an inalienable right. That almost all those who respectfully disagree are taking issue with acts and national policies which are repugnant to them—immoral, if you will.

Instead of calm in the face of disagreement, which is the mature reaction to be expected from national leaders, we have shrill condemnation and outright demagoguery. A steady stream of repressive utterances, negative legislative proposals, and punitive policies emanates from the Justice Department. Cumulatively, they are far worse than any other aspect of this new McCarthy era we have suddenly been plunged into.

Talk has been heard publicly of detention camps for dissenters. Punitive measures are proposed for student radicals, including stripping them of all Government aid. These are bare beginnings. What is actually taking place or in preparation, we can only conjecture over.

A bold, damning attempt has been made by the administration to roll back painfully won gains in the area of Negro voting rights. Corporations which discriminate in the most obvious fashion are awarded lush Government contracts. Generally, there has been deliberate, calculated catering to the most reactionary elements in American life as a purposeful policy of the administration.

Invasion of individual privacy by Government is attaining astronomical proportions. Wiretapping or fear of it is pervading the entire life of our Nation. Precedents are being set of public revelations of such eavesdropping which are fraught with frightening implications. No one is immune, and increasingly, millions of citizens are loath to utilize their telephones for truly private discussions of any type. All this is being done with full knowledge of the telephone company, which not only acquiesces but calmly covers for these spying activities when queried. On a nationwide basis such activities are spreading, prying into a multitude of personal situations under guise of protecting national security and domestic tranquillity. Let us be ever mindful that every dictatorship in history has used such excuses to deprive all its citizens of their guaranteed rights piecemeal.

A steady stream of legislative proposals are offered by the administration through the Justice Department which strike fear into the lives of law-abiding people by the millions as well as criminals. Rather than address Government full force at causes of criminality and antisocial behavior, the Attorney General is attacking, with loud public relations-minded battle cries and shouts of virtue, the effects alone.

The narcotics traffic is an abomination which should be stamped out through use of harsh penalties. Youth must be protected against those who would prey upon it. But that is only half a solution. It is all well and good to emerge with one of the harshest laws, complete with punitive measures and penalties. Yet what about causes? What of foreign countries producing, shipping, and looking the other way at this traffic? What about rehabilitation? How about adequate detention and treatment centers? Or education against the menace?

Not a word on these subjects. All this administration can offer is a spiked club raised in rage rather than a hand outstretched to heal. Instead of attacking problems at their roots in our deteriorating cities, they offer half-baked solutions slanted at taking advantage of or even exacerbating hatreds and emotions. With a grand shout of political indignation, they heave the baby out the window with the bathwater and shoot the sick person in order to cure him.

Following this comes a proposal for preventive detention of "dangerous" defendants in Federal criminal cases. Again constitutional rights are bypassed. Coupled with this is the Justice Department's outrageous assertion in Chicago last month that it possesses unfettered powers to eavesdrop in national security cases. No restraint can be placed upon their eavesdropping activities by either courts or legislature is the Attorney General's implied assertion. Is this not a threat to the innocent as well as the guilty? Who decides what is a threat to national security?

Now we are confronted by the concept of preventive detention advocated by the administration. This is simply pretrial imprisonment based on "pretrial trial," "probability" of guilt, and "dangerousness" of a person to the community. Rather than addressing itself to the real cause of this problem, which is our jammed judicial system, the administration proposes to cram our detention centers and jails with accused people. There is automatic presupposition of guilt, which is diametrically opposed to our traditional supposition of innocence.

However, the final assault upon the citadel of individual liberty emanates from the administration in form of a request to Congress to grant Federal narcotics agents authority to break into residences unannounced to seize drug evidence quickly.

They propose to seek legalization and nationwide establishment of a precedent fraught with disaster for individual privacy, liberty, and security of a citizen within the confines of his own home. If they succeed, a citizen can have his home broken into without any warning, indication of intent, or notification that his privacy is in jeopardy. In Hitler's Germany, at least there was a knock. And there is another element of danger to be considered.

A man has a right to resist any unauthorized entrance into his home or apartment. Suppose a totally innocent person seizes a pistol he happens to own and have handy, and kills several narcotics agents who enter the wrong domicile? Weapons aplenty are available in our society. Mistakes of this sort and others are made daily. Shall all Americans live in apprehension of a knock on the door? Or lack of one? Remember those old movies about Hitler's Germany and Stalin's Russia? Familiar?

Each of these measures, in the name of war on crime, assault the most basic constitutional rights of every citizen of our Nation. They are a direct menace to our Bill of Rights. The very linchpin of American criminal law is presumption of innocence until proven quilty. Those careful guarantees of our Bill of Rights were constructed to protect the innocent for very good reason. The fourth through eighth amendments of our Constitution take penetrating note of historical abuses of individual rights. Yet this administration disregards past lessons, instead toying with abrogation of individual liberties in the name of fighting crime. Woe unto any society which allows such steps to be taken in its name. The world's desolate places abound in the ruins of such civilizations.

Mr. Speaker, Alexis de Tocqueville warned of the "tyranny of the majority more than a century ago. He expressed fear that the severest test of American liberties and institutions would arrive when a majority used its massive weight to crush rights of a minority which caused it apprehension. Such is the case today.

Similar maladies have beset us in our history. There were the Alien and Sedition Acts. During the Civil War, President Lincoln abrogated civil rights on innumerable occasions, including suspension of habeus corpus. After World War I, Attorney General Palmer staged his notorious "raids." All are objectively

noted as unforgettable and disagraceful blots upon our national escutcheon. All were dangerous outbreaks of political pustules on the body politic. America survived each with scant glory and much sorrow. Not too long ago, the acrobatic gyrations of Senator McCarthy, of Wisconsin, scarred many Americans. Today, instead of guilt by association and innuendo, we have presumption of guilt and overwhelming repression by forces charged with protection of our liberties.

It has all been seen and done before by those who possessed too little faith in our dreams, ideals, institutions and national fiber. This time it is heightened by a worsening climate of fear and fruits of a science which cannot differentiate between a good and an evil master.

So it falls upon those among us who choose to stand up to these dark forces from the abyss of American life. We must and shall challenge them.

When we study past disasters, we wonder how such excesses could be tolerated. It was because those who should have spoken out maintained silence. Such reticence is inexcusable today. America is too powerful to lose its political senses—even momentarily. So it is that we must publicly oppose politics of oppression and repression—aimed solely at political grandstanding. We must halt onslaughts against the Bill of Rights.

In time, this will be a dreary nightmare confined to a line or two in history texts, and perhaps a specialized study or two. Today, however, it is an imminent peril. Let us face these forces with firmness and determination. In our hands we hold one weapon only—the Constitution, backed by America's faith in it.

WHAT THE FLAG MEANS TO ME

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, recently, a young man in my congressional district was the recipient of the first prize in an essay contest. The title of that essay was "What the Flag Means to Me." The author of this essay is David James Coffey. The message he imparted in his essay was, in my judgment, eloquent. I would like to share with my colleagues David Coffey's opinion of what our Nation's symbol means to him:

WHAT THE FLAG MEANS TO ME

(By David Coffey)

To me, the flag of the United States means freedom. The country we live in is different from other countries because each and every American has the right to vote, the right to his own business, the right of free speech. These rights are what make our country different from others.

Liberty was not always here for us. The people of the United States fought hard for these freedoms. To me the flag is a beautiful symbol of equal justice and liberty for all Americans.

Our flag has represented us during war and during Olympic Games. It has represented us all during the history of our country as our nation has become a leader in world power. Love of the flag has made our country grow strong. Fighting men and boys have kept our flag waving high as a banner of liberty for all.

What made Francis Scott Key write the words which now make our National Anthem? It was the Stars and Stripes which were then as they are now, a symbol of freedom and bravery.

Every morning as we start school we pledge allegiance to the flag of the strongest and greatest country in the world. I am glad I am a citizen of this country. I am proud of my love for the flag.

HIGHWAY SAFETY: COMMENTARY NO. 11

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, the following excerpt from the testimony of Dr. Robert Brenner, Acting Director of the National Safety Council, before the Subcommittee on Roads of the House Public Works Committee, brought to light a potentially effective way to perhaps deter traffic accidents in the future and certainly to advance safety research. During the dialog between Dr. Brenner and myself, the subject of the "little black box" for cars was brought up.

This device is similar to a flight recorder carried on all commercial airplanes. This recorder could provide valuable information concerning automobile accidents. Its presence in a car might cause the driver to exercise restraint and caution.

I wish to share this bit of dialog with my colleagues and other readers of the RECORD, who are concerned with the matter of highway safety:

Mr. CLEVELAND. Another question I would like to ask is: Why is it difficult to document one way or another, the role of excessive speed in highway accidents? I wonder if any studies have been done to show the correlations of changing speeds and accident rates? We discussed that a little earlier.

Have any studies been done to show whether there is correlation between traffic flow and the accident rate? By traffic flow I mean where the flow is smooth and constant as compared to where it is not.

For example, where lights are not properly staggered, or where the roads, side roads come in and people stop to shop, or something like that.

Dr. BRENNER. Answering your first question, sir; the reason why it has been extremely difficult to accurately document the role of excessive speed in highway accidents is the ability or the inability to know exactly or accurately what the speed of the vehicle was at the time of impact by such methods as looking at the skidmarks.

Skidmarks are one of our better means for determining speed at impact; but they are notoriously unreliable, depending upon the condition of the road surface, weather conditions, things of this sort.

There has been some work done to identify impact speed by the amount of crushing of the vehicle structure. This, too, is in its infancy as a usable technique.

We have investigated and are investigating the possibility of building into vehicles devices, such as flight recorders that will enable us to read the device following an impact and get an accurate measurement of how fast the motorist was traveling.

Mr. CLEVELAND. I would like to stop you there.

That sounds like a pretty interesting idea. I have not heard about it before. It is a little black box for the car.

Have there been any cost studies on that? How much this recording is going to cost to put in the car that would tell us the story of what happened to the car, before the accident? Is there any cost figure on that?

(Mr. Clark assumed the chair.)

Dr. BRENNER. No, sir. I very arbitrarily established that it would have to cost less than $10, and this has caused something of a problem.

Mr. CLEVELAND. What would this relate to—what would this recorder relate, that would be of significance?

Speed, obviously?

Dr. BRENNER. Speed, impact forces.

Mr. CLEVELAND. Time?

Dr. BRENNER. Well, there are devices of this sort now being used on trucks to monitor the speed, time histories of trucks. These have been used by fleets for many years. They are rather expensive.

But with regard to the specific measurement of the speed at impact, I believe we must come up with something for less than $10. That is an arbitrary figure.

Mr. CLEVELAND. Besides speed, which is one of the obvious ones, how about whether or not brakes are applied? Could that be cranked into this?

Dr. BRENNER. I think these ideas could be cranked into devices of this sort but every time you crank in something additional, the cost goes up. There is a question as to how much money can be spent on devices of this sort.

Mr. CLEVELAND. Is this one of your research projects?

Dr. BRENNER. Yes, sir; we have a program now at Indiana University in which we are examining the relationship of speed to crashes.

Mr. CLEVELAND. I am getting back to this recording question.

Dr. BRENNER. I am sorry. We have included this in our program plans. We were going to fund the start of a development activity of this nature this fiscal year. We were unable to do so. We hope to do so in fiscal year 1970; but we do have the basic program.

Mr. CLEVELAND. This particular item is one of the ones you had to defer for at least a year because of shortage of funds?

Dr. BRENNER. We had to allocate our funds where we felt the priorities were a bit higher.

Mr. CLEVELAND. How much is research on this?

What do you have slated for the cost of the research on this recording device?

Dr. BRENNER. I would have to submit that for the record, because I cannot tell exactly how much it will cost to bring a device of this sort into practice. It might be almost an off-the-shelf kind of item. It might take a lot of development, particularly because of the cost factor.

We could put a $200 or $300 instrument in without any difficulty today but, for our purposes, we must develop methods that are much cheaper.

There has been some research that attempted to establish the impact speed by looking at the filaments in the headlamps. There is comparatively little mass in these filaments and there is some indication that, by measuring the amount of bending in the filament you could do a pretty good job of estimating what the impact forces were. That works fine, unless the light is on, which makes the metal soft and it does not work.

We are working on the problem.

Mr. CLEVELAND. Was your thinking on this recording device coupled with aspect of law enforcement, for example, if somebody were stopped for speeding, they could take a look at this recording device and see who is right?

Dr. BRENNER. This is one possible application of a device of this nature. However, I want to emphasize that our first requirement with regard to devices of this sort is research, to assist impact forces.

Now, some corollary benefits, which might ultimately take place, would have to await the development of the product.

THE PROUDEST WEEK IN THE HISTORY OF THE UNITED STATES

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HANLEY. Mr. Speaker, last week has to be one of the proudest in the history of the United States. Not only has America's space program accomplished almost the impossible in landing a man on the moon; more incredibly, it has brought him home safely. The splashdown in the South Pacific was the culmination of months, indeed years, of backbreaking effort on the part of thousands of people, not the least of whom were the three brave astronauts who made the journey.

The names of Neil Armstrong, "Buzz" Aldrin, and Mike Collins will not only be enshrined in history, they will be remembered fondly and warmly by every American, and every young man and woman who has a dream for the future.

This victory, Mr. Speaker, was not a victory for the United States alone, however. It was a solid accomplishment for man seeking to unlock many of the cosmic mysteries which have hung like a dangled carrot before his mind for thousands of years.

There is a great lesson to be learned from our successful moon shot, Mr. Speaker. If we can achieve this goal, then certainly it is within the power of mankind to achieve the goals of progress here on earth. With solid determination, we can eliminate poverty, we can eradicate discrimination, we can rebuild our cities, we can reclaim our polluted rivers and lakes and air, we can provide jobs and educational opportunities. It takes guts and vision to achieve these goals, Mr. Speaker. I think we have already demonstrated that we have a measure of both.

NATIONAL TIMBER SUPPLY

(Mr. MCMILLAN asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. MCMILLAN. Mr. Speaker, I insert in the RECORD an editorial written by Mr. Harold J. Sugarman, publisher of the Building Supply News.

This item gives some information which I think the Members of the House should read in connection with the national timber supply bill recently introduced by me and approximately 40 other Members of Congress.

The editorial follows:

A CALL TO PROMPT ACTION

Only a few short weeks ago, the home building industry was bemoaning high lumber-plywood prices.

You don't hear much about that these days; because the market "took care" of those prices. Instead, it's tight money that holds us back. At least that is what everyone seems to be saying.

Yet, the temporary shortages of timber that caused lumber-plywood prices to escalate are but a foretaste of much more serious shortages likely in the future, unless action is started this year on a long-range timber supply program. Money, however, is always available at a price; and the home buyer is less concerned with the price of money than with the amounts of his down payment and monthly payments.

In any case, the money problem will solve itself in due course; but the timber supply problem requires prompt remedial action.

ROOT CAUSE OF PROBLEM

Because the Federal government owns by far the greatest timber stands in the Western States, stands which are actually deteriorating steadily because of inadequate harvesting, the cost of saw and peeler logs regulates lumber-plywood prices in periods of short supply. Uncle Sam in effect regulates log prices by limiting access to much of the supply of ripe timber.

A bill now in Congress, the National Forest Timber Supply Act (H.R. 12025), is languishing in the Agriculture Committees of both House and Senate, despite the fact that the bill has many prestigious sponsors. This bill will enable the Forestry Service to take the steps necessary to open up vast timber tracts that are now "dying on the vine."

Delay in enactment of this bill only hastens the day when we will experience a lumber shortage that "will curl your hair."

The plans for 26,000,000 new and rehabilitated dwelling units in the next decade, can be slashed in half if action is not started soon to get at the causes of recurrent timber shortages.

You should write at once to your Congressman and Senators to support this legislation. Also, write to the heads of the two Agriculture Committees, Senator Allen Ellender (La.) and Representative W. R. Poage (Texas).

LEAD POISONING AMONG CHILDREN

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, I am pleased to announce that today 18 of my colleagues have joined me in cosponsoring a legislative package consisting of three bills which I previously introduced to combat one of the major diseases among the children of our cities—lead poisoning.

The following Members of the House are cosponsoring the three bills: Mr. BRASCO, Mr. BURKE of Florida, Mr. BURTON of California, Mr. BUTTON, Mr. DADDARIO, Mr. EDWARDS of California, Mr. HALPERN, Mr. HORTON, Mr. HAWKINS, Mr. KOCH, Mr. MIKVA, Mr. MCCARTHY, Mr. MURPHY of New York, Mr. PODELL, Mr. PUCINSKI, Mr. ROSENTHAL, Mr. SCHEUER, and Mr. WOLFF.

This disease has been largely ignored in the past, and only recently the nature of lead poisoning and its effects has become known.

Young children eat anything they can get their hands on. In our urban centers, the thing that children living in dilapidated housing get their hands on easiest is bits of paint and plaster that have peeled or fallen from the walls and ceilings—and from this they get lead poisoning.

Many localities have recognized the danger of lead-based paints, and they have outlawed their use on the interior surfaces of housing. But lead-based paint that has been previously applied remains, and peels and falls off.

Children living in the substandard housing of city slums, therefore, are exposed daily to this deadly health hazard. It has been estimated that 9,000 to 18,000 New York City children have lead poisoning. Recent studies in Cleveland, Chicago, and Baltimore, show that 5 to 10 percent of the children tested had lead levels serious enough to qualify them as poisoned.

To make matters worse, lead poisoning cases are seldom reported. In New York, for example, cases were reported to the health department only after the disease had reached its most critical stages. When the poisoning gets this far, it results in permanent mental retardation, cerebral palsy, epilepsy, and death. In the last 10 years, 138 children died in Chicago of lead poisoning 128 children died in New York between 1954 and 1964. The early stages are very much like the flu or virus, and so are ignored by parents and doctors. Health officials and parents must be made aware of this health menace, or it will continue at a tragic rate.

In a recent article entitled "Lead Poisoning: A Diet of Death," which appeared in the New York Sunday News on June 22, Bert Shanas pointed out that the toll of children suffering from this insidious disease was astonishingly high. For example, last year in the city of New York alone, 863 children were reported to have lead poisoning. He also pointed out that this figure was really misleading because thousands of cases are not reported.

This last spring, three children in one family died of lead poisoning. The specter of this one fact alone to me is most ominous. For, if one child in a family is stricken, then other children will most likely be stricken.

Congress must take steps to halt this needless waste of humanity. It must again act to protect children from this hazardous condition, and spare their families the grief and suffering brought on by the untimely death of an otherwise healthy child.

The three bills being introduced today will help alleviate, and hopefully, terminate the problem of lead poisoning in our urban children.

The first bill establishes a fund in the Department of Health, Education, and Welfare from which the Secretary could make grants to local governments to develop programs to identify and treat individuals afflicted by lead poisoning.

The second measure is directed at the problem of slum housing itself, and the need to eliminate the causes of lead poisoning. It authorizes the Secretary of Housing and Urban Development to make grants to local governments to develop programs designed to detect the presence of lead-based paints and to require that owners and landlords remove it from interior walls and surfaces.

The third bill, a potentially effective tool to combat the spread of this disease, would require that a local government submit to the Secretary of Housing and Urban Development, an effective plan for eliminating the causes of lead-based

paint poisoning as a condition of receiving any Federal funds for housing code enforcement or rehabilitation. It also would require that these plans be enforced.

Mr. Speaker, the situation in our major cities today, particularly with respect to the lack of available funds to eliminate lead-based paint poisoning, requires Federal Government assistance in the effort to eliminate the causes of lead poisoning in children.

There is no excuse for our permitting this poisoning to continue. Lead poisoning is not a disease whose cause is questionable and cure nonexistent. We know its causes and its cure.

There must be a national commitment to assist local areas to find those children with lead poisoning and give them proper treatment. Even more necessary, we must attack the problem at its roots. We must eliminate the lead-based paints from inner city housing. The three bills we have cosponsored today are aimed at achieving these goals.

SELECTION PROCEDURES FOR RURAL CARRIERS

(Mr. OLSEN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OLSEN. Mr. Speaker, today I am introducing a bill to offset the very serious problem which was created by the new selection procedures for rural carriers administratively effected by the Post Office Department in April of this year. Under these new selection procedures, approximately 25,000 dedicated, loyal substitute rural letter carriers are denied the opportunity of ever securing a rural carrier appointment. Needless to say, this is a crushing blow to the morale of this group.

It is little known, but the large group of substitute rural carriers are noncareer appointees. They hold no civil service status. They are paid only a daily rate for each day they are employed. Yet, I am sure we all know these substitute carriers stand constantly ready to report for duty on any occasion when the regular rural carrier is on leave, or because of any emergency reason he is unable to make his appointed rounds.

As you know, it is extremely rare indeed when any of the Nation's 31,000 rural routes are not given service due to the absence of the regular carrier. With these thoughts in mind, I have drafted a bill providing each qualified substitute rural carrier of record with at least 3 years of satisfactory service will be eligible to receive a career appointment upon satisfactory completion of a noncompetitive examination. Appointments in this category would be made to any rural route vacancy remaining unfilled after reassignment procedures and consideration of career employees at the local post office have been completed.

Mr. Speaker, I sincerely hope this legislation can be given immediate attention by the proper committee and that it will be sent to the floor of the House for action and a vote prior to our recess at the end of this session.

OHIO RIVER—LIFELINE TO MID-AMERICA

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, the mighty Ohio River, often described in song and verse as "the beautiful Ohio," is undergoing a multimillion-dollar lock and dam modernization program by the U.S. Army Corps of Engineers to avert a 981-mile traffic jam. The important role this river played in the early history of our country, the vital part it is playing today and what the modernization program means is described in the following article from the summer 1969 issue of Water Spectrum, a new quarterly publication by the Corps of Engineers:

LIFELINE TO MID-AMERICA

(By John W. Lane, public information officer, Ohio River Division)

It has been a long time since anybody shipped a barrel of whiskey, a dozen hogs or even their Aunt Betsie on an Ohio River Packet boat. But the river is closer to Ohio basin people than ever before.

There was a time when everything that moved in this part of the country traveled by river boat. Furniture, machinery, livestock, farm produce, hoopskirts and buggy-whips, all were shipped on river boats before the railroads and modern highways.

Ohio Valley merchants and manufacturers shipped and received their goods by packet boat. Barrels of Kentucky whiskey came on the same vessels with hogs and pianos. A cousin visiting from Pittsburgh probably came by river boat rather than endure an arduous journey over rough and possibly dangerous roads. During its pre-Civil War heyday, the Nation's inland fleet annually carried more tonnage than that handled by all the vessels of the British Empire—and in a day when Britannia really ruled the waves.

This movement of people and miscellaneous freight on the river ended with the rapid growth of the railroads, starting during the latter years of the Civil War. Just too fast for the graceful but plodding steamboats, the railroads soon took over the passenger and freight trade.

The end of the packet was as dramatic as its beginning. Within four years of the establishment of rail service between Cincinnati and Pittsburgh, the Pittsburgh and Cincinnati Packet Line failed. This had been one of the most luxurious of the inland fleets with the fastest and most comfortable vessels. The line annually carried $35 million in freight and some 80,000 passengers, or about 50 percent of the freight and some 75 percent of the passengers traveling over this reach of the river.

The death of the packet boats marked the beginning of a far more efficient, if less colorful, system of river transportation. This was the movement of bulk materials in barges pushed by towboats. After a shaky start in the late 1800's, America's inland waterways shipping has grown into a major industry with about $2 billion invested in equipment and employing about 200,000.

Lost with the steamboat era was the personal touch with the river that everyone in the Ohio Valley had in their daily lives. With more than 8,000 steamboat arrivals recorded at Cincinnati in 1852—about one an hour—Cincinnatians must have felt very close to the Ohio.

Today the river is as important as ever in our lives—probably even more than it was in the last century. Each year tonnage moving on the river surpasses the previous year. In 1967 some 113.5 million tons of freight were shipped on the Ohio, considerably more than the amount which went through the Panama Canal that year.

The materials that are shipped by barge on the Ohio are, however, in a condition not readily usable by the average resident. None of the 49 million tons of coal that traveled on the river in 1967 found its way into anyone's home as coal. But the electricity generated by that coal helped run our homes, schools and factories.

The river carried 21 million tons of petroleum for our cars and industries. Another 14 million tons of stone, sand and gravel fed to the burgeoning highway construction and urban rebuilding throughout the country.

Most people probably haven't ordered a ton of bituminous coal in their lives. Many have never been on a towboat. But while the public landing isn't the social gathering place it was a hundred years ago, the river and the low cost transportation it provides has helped generate the tremendous development in the Ohio Valley. The river could be accurately described as the lifeline of the Ohio Valley.

We are often asked how the Army Corps of Engineers became involved in building dams on the Ohio. This all began early in our Nation's history when, after the Revolutionary War, early Congresses, because of a shortage of engineers in the country, called upon the Corps to perform surveys and act as engineering consultant. This grew over the years into the Corps' present mission in comprehensive water resource development which includes navigation, flood control, water supply, hydroelectric power, recreation, flow augmentation and fish and wildlife enhancement.

The Corps' first work on the Ohio was in 1824 when Congress authorized $75,000 for the removal of snags, a major cause of steamboat accidents. The navigation problem of the Ohio, however, was more than simply snags. Almost annually, the river would run so low that a man could wade across at several places. When this happened, river traffic sat on its hulls in the mud and waited for high water.

Congress, recognizing an obvious threat to the Nation's economy, directed the Corps of Engineers to canalize the river by means of a series of low-lift locks and dams. The first dam, Davis Island near Pittsburgh, was completed in 1885, and the entire system of 46 structures was dedicated in 1929.

Most of the dams were of the movable wicket type. It consists essentially of a line of slats, or wickets, resting on a concrete foundation which stretches across the river. The sections of thick timber slats are nearly four feet wide and in the neighborhood of ten feet long. In the raised position each slat has one end resting on the foundation and the other projecting above water, and is supported by a strut. The whole effect is of a picket fence set across the river, the pickets so close together that only a trickle of water passes between, and the fence leaning slightly downriver better to withstand the pressure.

The advantage of the wicket dam is that when the river rises and becomes navigable without the aid of dams, the wickets can be lowered. The struts are released and the wickets are folded down flat against the foundation. Instead of using the locks, river traffic just sails right on over the dam. Thus the only time a tow has to go through a lock is when without a lock the river would be impassable.

The dams, designed to hold navigable pools during periods of low flow, had single 600-foot by 110-foot locks. The system adequately handled the 20 to 30-million tons of freight that moved on the river annually in the 1920's and '30s.

After World War II, the diesel-powered towboat began appearing on the river, and with its greater horsepower and load capacity it soon shoved the steam towboats into obscurity. The diesels also shoved the system of 46 locks and dams into obsolescence.

With their added horsepower the new boats handled loads twice as long as the 600-foot locks, resulting in tows having to be broken and put through the locks in two sections. This double-locking, taking up to two hours, threatened to strangle further development in the Ohio Valley.

To avert a 981-mile traffic jam, the Corps of Engineers in the early 1950's began replacing the 46 old structures with 19 modern high-lift dams. The new dams feature a 1,200-foot-long lock chamber for larger tows, plus an auxiliary 600-foot lock for pleasure boats and smaller tows.

The new structures speed transportation on the river with faster locking and by creating longer open pools. Markland Locks and Dam, just downstream from Cincinnati, creates a 95-mile long pool and replaces five old low-lift structures. Currently, there are 33 navigation structures on the Ohio, 10 of which have modern lock facilities.

Brig. Gen. Willard Roper, Division Engineer of the Corps' Ohio River Division, says the river's heaviest traffic moves on the stretch below the confluence of the Ohio and Kentucky's Green River. This traffic has been engendered by the boom in the coal business along the Green and other tributaries.

"The Division's biggest immediate problem," General Roper says, "is the replacement of Lock & Dam 50 and Lock & Dam 51, the two movable dams scheduled to be replaced by the Smithland Lock & Dam. We hope to start contracting next May to begin construction sometime in fiscal 1970. But the new dam will not be ready before a serious bottle-neck has developed."

As a result of the unexpected traffic pressure in the lower Ohio, Smithland Lock & Dam will be constructed with two 1,200-foot locks instead of the one 1,200-foot and one 600-foot lock found in the other new dams.

Corps planners are considering putting two long locks in the Mound City Lock and Dam, also.

This farthest-downriver dam has had other problems, however. The main one was finding a suitable site for a fixed dam near the mouth of the Ohio.

The foundations of the old wicket dams are relatively light and can be supported on piling in almost any kind of river bottom, but the heavy new dams are a different matter.

Pending completion of design, and construction at Mound City, L&D 52 and 53 will have to carry the traffic. These are both wicket dams. As noted already, Dam 53 is on the bottom of the river a majority of the time. Dam 52 is up half the time and down half the time. In order to meet the traffic load a temporary 1,200-foot lock has been constructed at Dam 52 at a cost of about $10 million. This should pay for itself within seven years in delays avoided alone. It will be at least this long before Mound City can be open for use.

But in spite of construction delays and traffic jams, tonnage projections indicate the Ohio will play a vital role in the future economy of the basin.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PEPPER, for Thursday, July 31, 1969, on account of official business.

Mr. SAYLOR, for 3 days, August 4 to 6, 1969, on account of personal business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FEIGHAN, for 60 minutes, today, to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. TUNNEY) to revise and extend their remarks and include extraneous matter:)

Mr. REUSS, for 30 minutes, today.

Mr. FARBSTEIN, for 15 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. RARICK, for 15 minutes, today.

Mr. HAGAN, for 10 minutes, today.

Mr. SAYLOR (at the request of Mr. FISH), for 30 minutes, today, to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MADDEN and to include extraneous matter.

Mr. MICHEL prior to the Committee rising during the consideration of H.R. 13111 and to include extraneous matter.

Mr. RANDALL while in the Committee of the Whole on H.R. 13111 prior to vote on the Sikes-Smith amendment.

Mr. RYAN and to include extraneous matter during his remarks in the Committee of the Whole on the Smith-Sikes amendment.

Mr. RYAN prior to the adoption of the Kyl amendment while in Committee of the Whole on H.R. 13111 on Wednesday, July 30.

(The following Members (at the request of Mr. FISH) and to include extraneous matter:)

Mr. HASTINGS.
Mrs. HECKLER of Massachusetts.
Mr. HARSHA.
Mr. GROSS.
Mr. ROBISON.
Mr. BUTTON.
Mr. CONTE.
Mr. ANDERSON of Illinois.
Mr. BEALL of Maryland.
Mr. WYMAN in two instances.
Mr. HORTON in two instances.
Mr. DERWINSKI in two instances.
Mr. DENNEY.
Mr. BUSH.
Mr. COUGHLIN in two instances.
Mr. DON H. CLAUSEN.
Mr. CARTER.
Mr. SNYDER.
Mr. WHALEN.
Mr. FULTON of Pennsylvania in five instances.
Mr. PELLY in two instances.
Mr. HOSMER in two instances.
Mr. DELLENBACK.

(The following Members (at the request of Mr. TUNNEY) and to include extraneous matter:)

Mr. HAMILTON in 10 instances.
Mr. MATSUNAGA in two instances.
Mr. CHARLES H. WILSON.
Mr. ASHLEY.
Mr. OBEY in three instances.
Mr. GONZALEZ in two instances.
Mr. SLACK.
Mr. GALLAGHER.
Mr. MIKVA.
Mr. WOLFF.
Mr. RODINO in two instances.
Mr. JONES of Alabama in two instances.
Mr. DORN in two instances.
Mr. EDMONDSON in two instances.
Mr. RARICK in four instances.
Mr. O'HARA in two instances.
Mr. TUNNEY.
Mr. HELSTOSKI.
Mr. HANLEY in two instances.
Mr. SCHEUER in three instances.
Mr. YOUNG in two instances.
Mr. TIERNAN.
Mr. MARSH in two instances.
Mr. BIAGGI in two instances.
Mr. DULSKI in three instances.
Mr. ROGERS of Florida in five instances.
Mr. RIVERS in two instances.

SENATE BILL AND JOINT RESOLUTION REFERRED

A bill and joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2678. An act to amend section 203 of the Flood Control Act of 1962 to provide for optimum development at Tocks Island Dam and Reservoir; to the Committee on Public Works, and

S.J. Res. 140. Joint resolution to provide for the striking of medals in honor of American astronauts who have flown in outer space; to the Committee on Banking and Currency.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 13079. An act to continue for a temporary period the existing interest equalization tax.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 38. An act to consent to the upper Niobara River Compact between the States of Wyoming and Nebraska; and

S. 1590. An act to amend the National Commission on Product Safety Act in order to extend the life of the Commission so that it may complete its assigned task.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 2785. An act to authorize the Secretary of the Interior to convey to the State of Tennessee certain lands within Great Smoky Mountains National Park and cer-

tain lands comprising the Gatlinburg Spur of the Foothills Parkway, and for other purposes;

H.R. 3379. An act for the relief of Sgt. 1C Patrick Marratto, U.S. Army (retired);

H.R. 5833. An act to continue until the close of June 30, 1972, the existing suspension of duty on certain copying shoe lathes;

H.R. 6585. An act for the relief of Mr. and Mrs. A. F. Elgin; and

H.R. 10946. An act to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects.

ADJOURNMENT

Mr. TUNNEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 2 minutes p.m.), the House adjourned until tomorrow, Friday, August 1, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1008. A letter from the Comptroller General of the United States, transmitting a report on selected automatic data processing activities, District of Columbia government; to the Committee on Government Operations.

1009. A letter from the Secretary of the Treasury, to extend the authority for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States; to the Committee on the Judiciary.

1010. A letter from the Secretary, Export-Import Bank of the United States, transmitting a report on the export expansion facility program for the quarter ended June 30, 1969, pursuant to the provisions of Public Law 90–390; to the Committee on Banking and Currency.

1011. A letter from the Comptroller General of the United States, transmitting a report on the administration and effectiveness of the work experience and training project in Wayne County, Mich., under title V of the Economic Opportunity Act of 1964, Department of Health, Education, and Welfare; to the Committee on Education and Labor.

1012. A letter from the Acting Director, Bureau of Land Management, Department of the Interior, transmitting a report on negotiated sales contracts for disposal of materials during the period January 1 through July 31, 1969, pursuant to the provisions of Public Law 87–689 (76 Stat. 587); to the Committee on Interior and Insular Affairs.

1013. A letter from the Attorney General, transmitting a report on exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States, for the 6 months ended June 30, 1969, pursuant to the provisions of section 3 of Public Law 89–175; to the Committee on the Judiciary.

1014. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to adjust the maximum salaries for full- and part-time U.S. magistrates; to the Committee on the Judiciary.

1015. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to amend title 5, United States Code, to provide that agency heads be paid on a biweekly basis; to the Committee on Post Office and Civil Service.

1016. A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to provide for the adjustment, by the Administrator of Veterans' Affairs, of the legislative jurisdiction over lands belonging to the United States which are under his supervision and control; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TAYLOR: Committee on Interior and Insular Affairs. S. 912. An act to provide for the establishment of the Florissant Fossil Beds National Monument in the State of Colorado; with amendment (Rept. No. 91–411). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MESKILL: Committee on the Judiciary. H.R. 3629. A bill for the relief of Mrs. Sabina Riggi Farina (Rept. No. 91–408). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 3955. A bill for the relief of Placido Viterbo (Rept. No. 91–409). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 9001. A bill for the relief of William Patrick Magee, without amendment (Rept. No. 91–410). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Illinois:

H.R. 13220. A bill to authorize appropriations to be used for the elimination of certain rail-highway grade crossings in the State of Illinois; to the Committee on Public Works.

By Mr. BIAGGI:

H.R. 13221. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes; to the Committee on the District of Columbia.

By Mr. BUSH:

H.R. 13222. A bill to afford protection to the public from offensive intrustion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DADDARIO:

H.R. 13223. A bill to provide more efficient and convenient passport services to citizens of the United States of America; to the Committee on Foreign Affairs.

By Mr. GIAIMO:

H.R. 13224. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 13225. A bill to amend the Clean Air Act to ban the use of certain internal combustion engines in motor vehicles after January 1, 1978; to the Committee on Interstate and Foreign Commerce.

By Mr. HARSHA:

H.R. 13226. A bill to amend title II of the Social Security Act to provide a 10-percent across-the-board increase in the benefits payable thereunder, with subsequent cost-of-living increases in such benefits; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.R. 13227. A bill to provide additional Federal assistance in connection with the construction, alteration, and improvement of air carrier and general-purpose airports, airport terminals, and related facilities, to promote a coordinated national plan of integrated airport and airway systems, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NIX:

H.R. 13228. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the U.S. Government except in conformity with the provisions of title 18; to the Committee on the Judiciary.

By Mr. RODINO (for himself and Mr. SANDMAN):

H.R. 13229. A bill to amend title 18 of the United States Code in order to provide that committing acts dangerous to persons on board trains shall be a criminal offense; to the Committee on the Judiciary.

By Mr. SCHADEBERG (for himself, Mrs. HANSEN of Washington, Mr. JONES of North Carolina, Mr. UTT, Mr. MATSUNAGA, Mr. WHITEHURST, Mr. CAHILL, Mr. POLLOCK, Mr. CHAPPELL, Mr. CASEY, Mr. ASHLEY, Mr. HOWARD, Mr. SANDMAN, Mr. TIERNAN, and Mr. VAN DEERLIN):

H.R. 13230. A bill to amend the act of August 13, 1946, relating to Federal participation in the cost of protecting the shores of the United States, its territories, and possessions, to include privately owned property; to the Committee on Public Works.

By Mr. THOMPSON of Georgia:

H.R. 13231. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. UDALL (for himself, Mr. STEIGER of Arizona, and Mr. RHODES):

H.R. 13232. A bill to designate certain lands in the Petrified Forest National Park in Arizona as "wildnerness"; to the Committee on Interior and Insular Affairs.

By Mr. WOLFF (for himself, Mr. ABBITT, Mr. ABERNETHY, Mr. ALEXANDER, Mr. ANDREWS of North Dakota, Mr. BLACKBURN, Mr. BROTZMAN, Mr. CAFFERY, Mr. CUNNINGHAM, Mr. FINDLEY, Mrs. GREEN of Oregon, Mr. GUDE, Mr. ICHORD, Mr. KING, Mr. MATHIAS, Mr. MELCHER, Mr. MONAGAN, Mr. MURPHY of New York, Mrs. REID of Illinois, Mr. STUCKEY, and Mr. WIDNALL):

H.R. 13233. A bill to amend the Internal Revenue Code of 1954 to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam; to the Committee on Ways and Means.

By Mr. ANDREWS of Alabama:

H.R. 13234. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. ANDERSON of California:

H.R. 13235. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. ANDREWS of Alabama:

H.R. 13236. A bill to amend section 13a of the Interstate Commerce Act, to authorize a study of essential railroad passenger service by the Secretary of Transportation, and

for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BRADEMAS:

H.R. 13237. A bill to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CASEY:

H.R. 13238. A bill to provide that the half dollar shall bear the official symbol of the Apollo 11 flight; to the Committee on Banking and Currency.

By Mr. CONABLE:

H.R. 13239. A bill to establish the calendar year as the fiscal year of the U.S. Government; to the Committee on Government Operations.

By Mr. DIGGS (for himself, and Mr. BROYHILL of Virginia):

H.R. 13240. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

By Mr. ERLENBORN (for himself, Mr. ANDERSON of Illinois, Mr. ANNUNZIO, Mr. ARENDS, Mr. CARTER, Mr. CHAMBERLAIN, Mr. COLLIER, Mr. CORBETT, Mr. DERWINSKI, Mr. DONOHUE, Mr. EDWARDS of Louisiana, Mr. FLOWERS, Mr. HAMILTON, Mr. LUKENS, Mr. McCLORY, Mr. McCLURE, Mr. McEWEN, Mr. MANN, Mr. MICHEL, Mr. MOSHER, Mr. PRICE of Illinois, Mr. PUCINSKI, Mr. RAILSBACK, Mr. RONAN, and Mr. SCOTT):

H.R. 13241. A bill to protect the privacy of the American home from the invasion by mail of sexually provocative material, to prohibit the use of the U.S. mails to disseminate material harmful to minors, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FOLEY:

H.R. 13242. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. FULTON of Pennsylvania:

H.R. 13243. A bill to amend title III of part I of the Foreign Assistance Act of 1961 to provide for a program of investment guaranties in developing countries to encourage local participation in self-help community development projects; to the Committee on Foreign Affairs.

By Mr. HANLEY:

H.R. 13244. A bill to amend title 39, United States Code, to restrict the mailing of unsolicited credit cards; to the Committee on Post Office and Civil Service.

My Mr. HICKS:

H.R. 13245. A bill to prohibit the mailing of certain obscene matter; to the Committee on Post Office and Civil Service.

By Mr. HORTON:

H.R. 13246. A bill to amend the Public Health Service Act so as to add to such act a new title dealing especially with kidney disease and kidney-related diseases; to the Committee on Interstate and Foreign Commerce.

By Mr. LENNON (for himself, Mr. GARMATZ, Mr. MOSHER, Mr. ROGERS of Florida; Mr. PELLY, Mr. ASHLEY, Mr. KEITH, Mr. DOWNING, Mr. SCHADEBERG, Mr. KARTH, Mr. DELLENBACK, Mr. HATHAWAY, Mr. POLLOCK, Mr. CLARK, Mr. RUPPE, Mr. ST. ONGE, Mr. GOODLING, Mr. JONES of North Carolina, Mr. BRAY, Mr. HANNA, Mr. LEGGETT, and Mr. FEIGHAN):

H.R. 13247. A bill to amend the Marine Resources and Engineering Development Act of 1966 to establish a comprehensive and long-range national program of research, development, technical services, exploration, and utilization with respect to our marine and atmospheric environment; to the Committee on Merchant Marine and Fisheries.

By Mr. MacGREGOR:

H.R. 13248. A bill to amend the Higher Education Act of 1965 to authorize Federal incentive payments to lenders with respect to insured student loans when necessary, in the light of economic conditions, in order to assure that students will have reasonable access to such loans for financing their education; to the Committee on Education and Labor.

By Mr. MESKILL:

H.R. 13249. A bill to permit a Federal employee to transfer his enrollment from a Federal health benefits plan to another plan under certain additional circumstances; to the Committee on Post Office and Civil Service.

By Mr. MORSE:

H.R. 13250. A bill to establish an urban mass transportation trust fund, and for other purposes; to the Committee on Banking and Currency.

By Mr. OLSEN:

H.R. 13251. A bill to provide career status as rural carriers to certain qualified substitute rural letter carriers of record; to the Committee on Post Office and Civil Service.

By Mr. PATMAN (for himself and Mr. WIDNALL):

H.R. 13252. A bill to carry out the recommendations of the Joint Commission on the Coinage, and for other purposes; to the Committee on Banking and Currency.

By Mr. REID of New York:

H.R. 13253. A bill to establish an urban mass transportation trust fund, and for other purposes; to the Committee on Banking and Currency.

By Mr. RYAN (for himself, Mr. BRASCO, Mr. BURKE of Florida, Mr. BURTON of California, Mr. BUTTON, Mr. DADDARIO, Mr. EDWARDS of California, Mr. HALPERN, Mr. HAWKINS, Mr. HORTON, Mr. KOCH, Mr. McCARTHY, Mr. MIKVA, Mr. MURPHY of New York, Mr. PODELL, Mr. PUCINSKI, Mr. ROSENTHAL, Mr. SCHEUER, and Mr. WOLFF):

H.R. 13254. A bill to provide Federal financial assistance to help cities and communities of the United States develop and carry out intensive local programs to eliminate the causes of lead-based paint poisoning; to the Committee on Banking and Currency.

H.R. 13255. A bill to provide that Federal assistance to a State or local government or agency for rehabilitation or renovation of housing and for enforcement of local or State housing codes under the urban renewal program, the public housing program, or the model cities program, or under any other program involving the provision by State or local governments of housing or related facilities, shall be made available only on condition that the recipient submit and carry out an effective plan for eliminating the causes of lead-based paint poisoning; to the Committee on Banking and Currency.

H.R. 13256. A bill to provide Federal financial assistance to help cities and communities of the United States develop and carry out intensive local programs to detect and treat incidents of lead-based paint poisoning; to the Committee on Interstate and Foreign Commerce.

By Mr. STAGGERS:

H.R. 13257. A bill to amend section 310 of the Communications Act of 1934 to require the Federal Communications Commission to make additional findings and hold additional proceedings before approving the transfer of station licenses or construction permits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TUNNEY:

H.R. 13258. A bill to authorize the Secretary of the Treasury to carry out a program of research and development relating to devices and techniques for the detection of illegal importation of dangerous drugs into the United States; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. ADAMS, Mr. ALEXANDER, Mr. ANNUNZIO, Mr. BRASCO, Mr. DADDARIO, Mr. FLOWERS, Mr. FRIEDEL, Mr. PRYOR of Arkansas, Mr. RUPPE, and Mr. TEAGUE of Texas):

H.R. 13259. A bill to amend title 39, United States Code, to provide for the return to the sender of pandering advertisements mailed to and refused by an addressee, at a charge to the sender of all mail handling and administrative costs to the United States; to the Committee on Post Office and Civil Service.

By Mr. BENNETT:

H.R. 13260. A bill to prohibit former Federal employees who participated in a contract formulation from being employed by anyone who has a direct interest in the contract for a period of 2 years; to the Committee on the Judiciary.

By Mr. CRAMER (for himself, Mr. WYMAN, Mr. CLEVELAND, Mr. ROTH, Mr. KING, Mr. DEVINE, Mr. WHITEHURST, Mr. MIZELL, Mr. HARSHA, Mr. EDWARDS of Alabama, Mr. COLLINS, Mr. BOB WILSON, Mr. DUNCAN, Mr. WATSON, Mr. SNYDER, Mr. SCOTT, and Mr. BURKE of Florida):

H.R. 13261. A bill to amend section 245 of title 18, United States Code, to make it a crime to deny any person the benefits of any educational program or activity where such program or activity is receiving Federal financial assistance and to provide for injunctive relief; to the Committee on the Judiciary.

By Mr. BOLAND:

H.J. Res. 853. Joint resolution to authorize and direct the Franklin Delano Roosevelt Commission to raise funds for the construction of a memorial; to the Committee on House Administration.

By Mr. BROTZMAN (for himself, Mr. CLEVELAND, Mr. WHALEN, Mr. McCULLOCH, Mr. FLYNT, Mr. KLEPPE, Mr. POWELL, Mr. RIEGLE, Mr. HUNT, Mr. RONAN, Mr. WINN, Mr. BUCHANAN, Mr. DON H. CLAUSEN, Mr. GRAY, Mr. BURKE of Florida, Mr. McDADE, Mr. HALPERN, and Mr. FISH):

H.J. Res. 854. Joint resolution providing for the display in the Capitol Building of a portion of the moon; to the Committee on House Administration.

By Mrs. MAY (for herself, Mr. ANDERSON of Illinois, Mr. BERRY, Mr. DENNEY, Mr. HANSEN of Idaho, Mr. HORTON, Mr. KLEPPE, Mr. McCLURE, Mr. McKNEALLY, Mr. MARTIN, Mr. PELLY, Mr. POLLOCK, Mr. REIFEL, Mr. SEBELIUS, Mr. SHRIVER, Mr. UTT, Mr. WINN, and Mr. ZWACH):

H.J. Res. 855. Joint resolution providing for the establishment of an annual "Day of Bread" and "Harvest Festival Week" in the United States; to the Committee on the Judiciary.

By Mr. MINISH:

H.J. Res. 856. Joint resolution to provide for the designation of third week in May of each year as "Municipal Clerk's Week"; to the Committee on the Judiciary.

By Mr. LANDGREBE (for himself and Mr. DENNIS):

H.J. Res. 857. Joint resolution providing for the establishment of the Astronauts Memorial Commission to construct and erect with funds a memorial in the John F. Kennedy Space Center, Florida, or the immediate vicinity, to honor and commemorate the men who serve as astronauts in the U.S. space program; to the Committee on House Administration.

By Mr. MELCHER (for himself, Mr. HICKS, and Mr. OLSEN):

H.J. Res. 858. Joint resolution requesting the President of the United States to issue a

proclamation calling for a "Day of Bread" and "Harvest Festival"; to the Committee on the Judiciary.

By Mr. BOGGS:

H. Con. Res. 311. Concurrent resolution expressing the sense of the Congress with respect to the future exploration of space frontiers jointy by the United States and other technologically advanced nations of the world; to the Committee on Foreign Affairs.

By Mr. FARBSTEIN:

H. Con. Res. 312. Concurrent resolution to invite members of the Supreme Soviet to visit the United States; to the Committee on Foreign Affairs.

By Mr. ST GERMAIN:

H. Con. Res 313. Concurrent resolution to encourage displaying the flag of the United States; to the Committee on the Judiciary.

By Mr. BIAGGI:

H. Res. 506. Resolution creating a select committee to conduct an investigation and study of all aspects of crime and disorder on U.S. military installations; to the Committee on Rules.

By Mr. ASHBROOK:

H. Res. 507. Resolution amending rule XXXV of the Rules of the House of Representatives to increase fees of witnesses before the House or its committees; to the Committee on Rules.

By Mr. KLUCZYNSKI:

H. Res. 508. Resolution providing funds for the Select Committee on the House Restaurant; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 13262. A bill for the relief of Vasilios Stavropoulos; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 13263. A bill for the relief of John R. Groves; to the Committee on the Judiciary.

H.R. 13264. A bill for the relief of Leda Kemmet; to the Committee on the Judiciary.

H.R. 13265. A bill to confer U.S. citizenship posthumously upon Lance Cpl. Frank J. Krec; to the Committee on the Judiciary.

H.R. 13266. A bill to provide for the free entry of one electron spin resonance spectrometer for the use of the University of Rochester, N.Y.; to the Committee on Ways and Means.

By Mr. MIZE:

H.R. 13267. A bill to direct the Secretary of the Interior to convey certain lands in Geary County, Kans., to Margaret G. More; to the Committee on Interior and Insular Affairs.

By Mr. BIAGGI:

H.R. 13268. A bill for the relief of Agostino D'Ascoli; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

199. The SPEAKER presented a petition of the Board of Supervisors, Los Angeles County, Calif., relative to the Interstate Taxation Act, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

GOOD SENSE ON THE CAMPUS

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Thursday, July 31, 1969

Mr. FANNIN. Mr. President, we have had a plethora of advice from the left informing us that unless there is a great deal of change toward accommodating student dissidents there will be disorder and chaos. News reports of campus violence and recorded instances of administrative backbone turning to quivering jelly in the face of unthinking, nonnegotiable demands coupled with the threat of violence as well as actual violence, has led many members of the academic community to think that "the sky is falling."

Nowhere has controversy swirled with greater rage than in those locations where "defense research" was being conducted. The first silly outbreak of this kind of action occurred on campuses where Dow Chemical recruiters were working. Because this company makes, among many other products, a part of the weaponry called napalm, it has become a convenient target for campus radicals, spurred on by professional reactionaries and revolutionists.

These "third world" people cry on their beads and in the beards about burning babies with napalm and conveniently ignore the deliberate rocket attacks the Vietcong mount, aimed strictly at the civilian population. In instance after instance, brutalities, atrocities, and arms caches designed for civilian mayhem have been discovered and documented—but these bearded bleeding hearts look the other way. South Vietnamese civilians apparently do not feel pain, are not subject to atrocities, have no place in the third world dreams of these "great unwashed."

When I recently ran across a cogent and clearly stated document detailing the activities of these antiwar protesters it was like a breath of springtime. I wish to share it with the Senate and ask unanimous consent that an address by Charles A. Anderson, president of Stanford Research Institute, Menlo Park, Calif., given on June 6, 1969, before the Commonwealth Club of California meeting in San Francisco, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

DEFENSE RESEARCH AND THE ACADEMIC COMMUNITY

(By Charles A. Anderson)

(NOTE.—SRI is a nonprofit organization, performing contract research for industry, government, and foundations in the United States and abroad. Its fields of interest are in the physical and life sciences, economics, management sciences, system sciences and engineering.)

Here and there throughout the country, news stories have cropped up in recent months, stories that are very similar and, to some people, rather disturbing. To a few others, they are good news. But, like most news items, they disappear the next day or the next week and there really hasn't been any real impact on the general public.

I am talking about the news story not long ago that Massachusetts Institute of Technology would not for the time being accept any more classified research programs in two of its affiliated laboratories. More recently, a faculty-student committee urged a cutback in military research at MIT.

There was a story some time ago that the Institute for Defense Analysis had ended its ties with a number of major universities that had sponsored it.

American University has ended all classified research for the government.

Here at home the faculty Senate of Stanford University voted not to engage in classified research after the sit-in by dissident students at the Applied Electronics Laboratory on campus.

And, of course, Stanford Research Institute has had its share of attention lately, most of it unwanted. It has been decided by the Trustees of Stanford University that the formal ties between Stanford University and SRI will be determined. Meanwhile, various campus groups, led mainly by the radical Students for a Democratic Society, have been demanding that SRI stop certain kinds of national security research.

If all these separate actions had happened on the same day, or if we saw them all as part of a national problem, we might look at them more soberly. Indeed, many of our citizens might be alarmed.

Put all these isolated incidents together and think about what's happening in America. We have a small but very active population of dissidents who have told us openly that they disagree with the national goals of the majority. They tell us openly they will destroy us by destroying our institutions and our ability to defend ourselves and our country, and that they will use violence and bloodshed when necessary. Recently, I was told that personally by a young SDS leader who was shaking his fist under my nose at the time. And then these revolutionaries go out and do exactly what they said they would do. They have succeeded on campus after campus and they are doing serious harm to America's research for national security. They get away with it, usually. I think it's high time for people of this country to be alarmed at this situation.

I should make it clear that I mean no special criticism of the Stanford University administration or faculty. We have had some 23 years of pleasant and mutually beneficial relationships with the University and we look forward to many more years. The academic community, however, has a difficult problem in dealing with violence and law-breaking on the campus.

I can understand the argument that classified research should not be carried out by a university. The university must keep in mind its purpose to make its knowledge known to the general public—in particular, to its students. SRI, on the other hand, was formed as an independent contract research organization that could work on projects resulting in classified and proprietary information for both government and industry.

College faculties over the years have demanded for themselves a great deal of authority in the government of the campus but they have never before been faced with conditions such as they face today. In their efforts to protect the campus tradition of academic freedom and freedom of dissent—and harrassed as they are by the inevitable minority of faculty members who belong to the radical fringe—they find it very difficult

to exercise the authority they have won. Ironically, they sometimes end up doing serious damage to the very ideas they seek to protect.

A faculty friend of mine said this about the recent radical activities on the Stanford campus: "These tactics are alien to the community; it remains to be seen whether they can be countered through means which themselves do not destroy the essence of the University.

He made another interesting point I would like to quote. He said: "I have never felt constraind from projecting my own views and actions into the outside community as an individual. The University has provided the firm base making such actions possible for all members of groups so stimulated.

"Unhappily, we seem now to be entering a period of 'consensus' in which the University itself is urged to adopt a position on issues moral and political, and those within who do not naturally subscribe to the consensus view must conform or be quiet." And he continued: "My alarm is heightened by the apparent ability of any hyperactive group, perhaps a group small in numbers, to gain enormous strength from the tacit enlistment through this process of the force of the total Universtiy community. It is dangerous to the University and, through extrapolation, to the outside community."

The extremists, the radical dissidents, have been successful on university campuses because each incident usually is small enough to leave the majority of the community uninvolved personally. Not until the cumulative effect of many incidents affects enough people directly will there be concerted efforts to stop the use of violence as a political tactic. In this connection, it is significant, I believe, that just this past week both the Congress and the President have officially noted this problem. There is, of course, the great danger that the country's reaction, if too long delayed, will be an over-reaction. I trust this will not be the case.

I am not an authority on these antigovernment movements on college campuses; I've been preoccupied with my own troubles lately. But I think the situation we've had at SRI contains many of the typical elements of the trend and some comments about our experience may be helpful.

It's important, I believe, to start off by telling you about Stanford Research Institute and its work. An understanding of SRI is necessary in order to see the radicals' demands in perspective.

SRI was the result of a strong need in the West for an independent contract research organization. With the help of West Coast business leaders, the Trustees of Stanford University chartered SRI in 1946 as a nonprofit, tax-exempt scientific research organization under the laws of the State of California. It now performs contract research for industry, government and foundations throughout the free world. Its fields of competence include the physical and life sciences, economics, management sciences, systems sciences and engineering. Its relationship to Stanford University has been that of a coequal, sister organization under a common Board of Trustees. As you know, the Trustees have now decided that this formal tie to the University will be terminated.

SRI has almost 3,000 employees and 1,500 of these are members of the professional and scientific staff. At the moment, SRI is at work on some 775 separate research projects. In a typical year, we will work on a total of 1200 projects. This is a contract research volume in excess of $60 million per year—and constitutes our only source of income. We have no endowment such as the University enjoys.

Most of the SRI staff is in our headquarters in Menlo Park. We also have a major facility in Southern California. Other SRI offices are located in Washington, New York, Chicago, Huntsville, Zurich, Stockholm, Tokyo and Bangkok. Project offices are established in other areas from time to time depending on particular requirements.

One of the most valuable assets of Stanford Research Institute is the fact that its unique position makes it one of the very few, perhaps the only research organization that can serve effectively as the point of contact, the interface between business, government, the universities, foundations and the public. Many of the problems facing the world today are too complex to be solved by the academic world alone, or by government alone, or by private enterprise alone. SRI is able to work freely and objectively with all these sectors of society throughout the world and in virtually all of the major disciplines of knowledge. In that position, it can—and does—make significant contributions to the solution of man's problems. In its short lifetime, SRI has become a very important and strategic national resource.

Last year the Institute created a new office to direct and co-ordinate major Institute-wide programs of research supported largely by the Institute's own research and development funds. In these broad programs we are concentrating on research in the areas of education, health, communications, transportation, pollution, public safety and urban development.

Our own internal resources for undertaking such program efforts are, of course, limited but we are investing in them in the belief that we will be able to make constructive beginnings that will attract major outside support.

For example, SRI has done a great deal of work on the problems of environmental pollution. Our medical people are studying the effects of many kinds of pollutants on the human system, our chemists are studying the composition of contaminants, our economists and corporate planners are studying market opportunities in pollution control.

In communications, in addition to the technical aspects, we are working more and more on the operational, economic, and social aspects of communications. Our activities range from experiments on space probes and satellite systems to communication aids for the blind.

In urban problems, we have worked with communities to improve their joint planning in providing education, health, welfare, housing and other social services.

We were accused of working in domestic counter-insurgency because of a project for the Small Business Administation, aimed at helping small businesses find better ways to guard against burglary, robbery and vandalism.

The SDS frowns on a village information project we have under way in Thailand to help the government plan, develop and implement a computer-based information system that will provide data on villages that are pertinent to improving the life of the common man in that country.

In engineering, which makes up about 30 percent of SRI's research activity, our scientists are working on microwave and laser technology, radio communication, radio physics, weather science, computer and information sciences, mechanics, system control and electron physics. About 90 percent of this work is sponsored by various agencies of federal and state government.

Dr. Donald Scheuch, who heads the engineering division, was discussing our ABM research in a presentation recently and made a very important point about SRI.

"Our government has major decisions to make," Dr. Scheuch said, "and competent and pertinent studies can only help the decision process. The crucial issue here is objectivity. The Army recognizes its own institutional bias; it also recognizes that it cannot expect complete objectivity from a manufacturer who could potentially sell a multi-million-dollar system. Precisely because the military services need objective advice, they turn to not-for-profit organization such as SRI."

In the division of life sciences, the largest part of our work is funded by various Federal agencies and is mainly directed at some disease condition. Research is being conducted on cancer, leprosy, kidney disease, organ transplants, malaria and other tropical diseases, emphysema, muscular dystrophy, nutritional problems and central nervous system problems.

In the physical sciences, programs are under way in structural dynamics, high-pressure and fluid physics, polymers, process metallurgy, the development of exotic new materials, crystal growth and chemical engineering. Personnel in management and systems sciences are working on resource management, airport planning, decision analysis and education policy.

About one-third of our work is for industry. Much of it involves relating the onrush of new technology to economic opportunities—helping management identify areas of opportuntiy and developing programs to contribute to and capitalize on the change taking place about us.

About 20 percent of SRI's work is in the international field. There is scarcely a country in the free world in which SRI has not contributed to progress.

You may be familiar with the International Industrial Conference sponsored by SRI every four years here in San Francisco. We have conducted other major conferences recently in Djakarta, Singapore, Lima, Manila and Vienna.

I realize that this recitation of SRI research has been long and perhaps a bit tedious, even though it doesn't even scratch the surface of what is going on. I just wanted to convey to you some sense of the tremendous range and scope of work at SRI, some appreciation of the kinds of people working there.

With that background, you can better imagine our feelings when members of SDS and other campus dissidents at the University—some of them well-intentioned but misinformed—attacked SRI as something sinister.

Unfortunately, the truth is no deterrent to the revolutionaries who are bent on destroying America's work in national security research and on the destruction of our important institutions.

What this element lacks in moral responsibility, however, it makes up in shrewdness. What finally was named the April Third Movement at Stanford is led by some very good tacticians. They appeal to feelings that most of us share—a desire for peace, frustration about Viet Nam, a longing for a better world for all peoples. They bring many sincere students and faculty into their orbit, or at least temporary.

The hard-core radical group in and about our universities is small but we should not mislead ourselves because of that fact. Their influence is out of proportion to their numbers.

In addition to the hard-core radicals and those who sympathize in some degree with their publicized aims (which aren't necessarily their real aims, as they themselves admit), there are a great many with no strong ideology one way or the other but, as John Gardner said in a recent lecture at Harvard, they "are running a chronic low fever of antagonism toward their institutions, toward their fellowman and toward life in general; they provide the climate in which disorder spreads."

Another factor in this climate is the average person's fear of seeming to be against dissent, or seeming to be "a square" in the

eyes of others. This desire by so many to seem tolerant, to seem concerned and avant garde, to be popular with everyone, makes it possible for dissidents to get away with unbelievable liberties while those who should be trying to educate them are instead pointing out that the dissidents have legitimate complaints that justify illegitimate means.

I know there *are* some legitimate complaints but I do not condone violence as a means of seeking correction. Nor do the vast majority of those on our campuses.

I have a real admiration for the vast majority of our college students. My associates and I have talked with hundreds of them over the past months and I am very much impressed with their sincerity, ability and intelligence.

As to the hard-core radicals, they are different. They feel the way to reform is to destroy. They offer no alternatives and no apologies.

Now let me summarize for you the events of unrest at Stanford, at least as they affected SRI.

Some months ago, the hard-core radical group began a campaign to convince others that it is morally wrong for a university or university-affiliated research center to do defense-related research—indeed, to do any classified research. As I indicated earlier, their definition of what is wrong is pretty broad and would include a number of projects at SRI and at Stanford funded by the Department of Defense. Of our $64 million volume last year, about $45 million was supported by government. About half our total volume was supported by the Department of Defense but only about 11 percent of our projects were classified.

As a result of the radical's agitation, the then-acting president of Stanford University appointed a faculty-student committee to make recommendations on whether the affiliation between the University and SRI should be maintained, altered, or terminated.

While this committee deliberated, the campaign against research in support of national security went on unabated. The radicals and their temporary supporters violently disrupted a Trustees' meeting. Then they seized the University's Applied Electronics Laboratory a full six days before the committee report was due to be released. It was obvious they knew the majority report was going against some of their demands and they decided, it seems, not even to go through the motions of due process and to force their own views on the majority.

The University lab was held from April 9 through April 18. Despite some pious protestations, the radicals caused a good bit of damage. To quote a laboratory official, "There was thievery, senseless vandalism, personal abuse, and threats of violence against our staff, a deliberate misuse of personal and laboratory property that cannot be described as careless or casual."

After the students left the laboratory on April 18, the University administration kept the lab closed an additional week—that is, until April 25—as part of the settlement. To repeat, the radicals' primary target was national security research at SRI but they seized a University building instead. The primary reason, I understand from students, is the fact that we had made it clear to the campus that we welcome sincere students who want to visit and talk with us but that anyone interfering unlawfully with out operations would be arrested and prosecuted.

On April 15, the faculty-student committee issued its report. It recommended various ways to control research at SRI but in that regard, it was pretty much agreed: there should be tight control to see that SRI stopped doing so-called immoral research, which in their definition, turns out to be largely research in the interests of national security.

The staff at SRI, by an overwhelming majority, let it be known they would quit rather than submit to control of their work by some outside morals committee. Strangely enough, the morals committee idea seemed to have some support among faculty members until others began pointing out how deadly such an idea could be to their own academic freedom. As one professor said, academic freedom is not a law, but an idea—and it is terribly fragile.

Through it all SRI remained firm in its stand that it would not permit the dissidents to disrupt its work and it would not permit outside control of its work.

On May 13, the University Trustees decided to terminate the SRI-University affiliation and said there would not be any artificial outside control of research. We agreed wholeheartedly with that decision.

As expected, the SDS-led April Third Movement, unhappy with having its demands turned down, lashed back. Using University buildings—the auditorium and the chapel—they held a public planning session in which they openly plotted the destruction of SRI. This meeting, frequently marked by obscene language, was carried on the student radio station to listeners in the Stanford area. Imagine. This was a public meeting to plot the harassment of our professional staff, the destruction of SRI property and the crippling of research for our national defense.

That night, May 14, they broke a door and a window in one of our buildings, and, incidentally, surrounded and held the car in which my wife and I were driving home. Two days later, after some more open meetings on the destruction of SRI, they attacked the building breaking most of the windows they could reach and causing about $10,000 worth of damage before police were able to clear them away. That sounds bad but there were only about 500 dissidents involved in contrast to the 1500 or 2000 they had tried to muster.

This was on a Friday. Over the weekend—with the aid of a number of Stanford students—we studied the hundreds of photographs that had been taken of the demonstrators and went over tapes of their meetings. By Sunday night we were serving the leaders and their organizations with a temporary restraining order.

The following Monday they tried again but could muster only about 200, plus another 100 high school youngsters looking for excitement. There was no damage.

On the next Friday, May 23, they tried again and could muster only about 35 hard-core radicals. By this time quite a few of their leaders had been arrested.

Through it all, no one was able to force his way into our buildings. There have been absolutely no compromise of security. Not one SRI employee has been injured. Our work has not been seriously disrupted.

But we have not relaxed. This is a long-term problem that we face. The radical groups have convinced me that they will persist perhaps for several years in their attempts to disrupt our work and to destroy our institutions.

I think we have convinced them that we're willing to fight for our rights just as hard and for just as long. I hope many others will join us in that determination.

I would like to share with you what I think I have learned from this experience.

Let's not by any means lose faith in the majority of the university and college students. Remember, most of them have been studying while a few have been breaking windows and laws. I do think it is important that we talk with these students on every possible occasion. We are I believe, uncomfortably close to a breakdown of communication and understanding with these students. They have many reasons for being discontent—and some good reasons from their viewpoint. We should listen to them—try to understand them. And in the process, they will better understand us, "the establishment" and isolate the few "hard-core" radicals who want only to destroy.

As for the hard-core radical student—the SDS type—I have found that they do not really want the so-called rational dialogue they speak of. It is only a phrase they use in trying to set up confrontation. They are bent on destroying the "establishment" and reducing our institutions to chaos. With them I believe we must be absolutely firm and make it clear that lawlessness and violence are unacceptable tactics in our society under any circumstance. We must make it clear that we will insist upon and protect our rights.

And above all, we must know in our hearts and explain to others that we have faith in this country's system of representative government and that we work for change in national goals when we vote.

On April 14, the first day of the radicals' spring offensive and the day several hundred appeared in front of our building for what they always call a "rational dialogue," we issued a statement. It ended with this thought:

"I have great faith in our form of government by elected representatives and in the basic good sense and decency of the American people who elect them. When that government, responsive as it is to the majority will of the people, asks our help, it will get our help (to the degree of our capability)—whether the problems deal with national security or with urban problems, economic problems or problems of housing, hunger or health. We will not abdicate that responsibility to suit the whims of dissident groups who do not represent the majority will of the people or their government. Neither will we tolerate disruption of our operations or of the work we are doing for our clients."

As I said, the last chapter has yet to be written about violence in America and about those who would destroy our institutions. In the meantime, SRI will stand with that statement of belief.

It seems to work.

NEW KIND OF POPULATION PROBLEM

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. DERWINSKI. Mr. Speaker, in the process of inserting into the RECORD an article in the Tuesday, July 29 Christian Science Monitor, I must briefly comment on slight inaccuracies in this item.

The basic approach and point is excellent, but constructive criticism is in order. Specifically, the phraseology oversimplifies the power structure of the Soviet Union since there is much more to it than "Russians and Asians." It is necessary to point out that the Latvians, Lithuanians, Estonians, Ukrainians, Byelorussians, Armenians, Georgians, Tartars, and other peoples in Azerbaijan and Turkestan are all non-Russian.

It is also important to note that they are not only non-Russian, but that they are, for the most part, legitimate nationalists who are oppressed by the Soviet Government.

I feel that this brief explanation on my part is a necessary forward to the editorial that follows since the captive nations are often referred to as the "Achilles' heel" of the Soviet Union:

NEW KIND OF POPULATION PROBLEM

The next Soviet census is expected to reveal startling population figures. It is believed that this nose-counting will confirm what experts in Moscow now think is the case—Russians are no longer a majority in Russia. In short, preliminary and unofficial estimates reckon that minority groups now outnumber Great Russians for the first time in Soviet history.

What is more, every indication points to a proportionate increase in this non-Russian majority in the years ahead. Whereas the Russians made up some 55 percent of the Soviet Union's population as recently as 1959, it is not at all impossible that, 10 years hence, the racial minorities will put together, account for 55 percent of all citizens.

The reason for this is clear. It is the same reason which is increasingly plaguing (from one point of view, of course) almost all European Communist lands: a low and steadily dropping birthrate. It is now reckoned that the birthrate of those racially Russian is only 14 per thousand a year. On the other hand, among the various Asian minorities, many have yearly birthrates around 35 per thousand. And since the deathrate differences between Russians and Asians is nowhere near as great, this means the latter have a far higher rate of natural increase.

This steadily dwindling Russian presence (proportionately speaking) has intensified the Kremlin's nightmares over the growing restlessness of national minorities, some of whom are making demands for self-expression which Moscow looks upon as extremely dangerous in a closely controlled society. While no one expects the Great Russian control to be broken early on, it is obvious that Moscow has no small future problem on its hands.

Meanwhile, the very foundations of economic progress, as presently achieved, are being threatened in a number of other Eastern European Communist lands by an increasingly unfavorable population situation. Indeed, in East Germany, this has already reached crisis proportions. Between 1961, when East Germany put up the Berlin Wall to stop the flow of those wishing to leave and 1968, its population (including East Berlin) dropped from 17,125,000 to 17,084,000. At the same time, West Germany (including West Berlin) rose in population from 56,227,000 to 60,165,000. Worst of all, by 1968, East Germany's birthrate had dropped so sharply that virtually the same number of persons died (14.2 per thousand) as were born (14.3). Unless there is a drastic change, this means that the population drop could soon reach industry-crippling proportions.

While the world as a whole fights one kind of a population problem, European communism faces a very different kind of population challenge.

TWO VIEWS OF ELECTIONS

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, July 31, 1969

Mr. THURMOND. Mr. President, great hopes for peace in Vietnam should not be placed on the proposal for free elections in South Vietnam. An astute analysis of this view is expressed in an editorial of the July 7 issue of the State newspaper in Columbia, S.C. Mr. William D. Workman, editor, has made an objective appraisal of this proposal. Hanoi's present reaction to the free elections validates his analysis.

Mr. Workman points out that:

Your offer of free elections is probably predicable on all but certain knowledge that the Viet Cong cannot win in a fair-and-square contest at the polls. So the concept of self-determination does not at this time seem to offer much hope for a quick peace. What is logical and fair to us is not so to the Reds.

Mr. President, America's patience is again being tested. Mr. Workman warns that our Nation must "pass the test." His appraisal of the election proposal provides an insight to the Communist intransigent attitude. His viewpoint is worthy of our attention.

Mr. President, I ask unanimous consent that this editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TWO VIEWS OF ELECTIONS

False hopes for peace in Vietnam soar like gas-filled balloons. It doesn't take much to cut the strings, filling the sky for a fleeting period of time.

This is understandable. The American people—hawks, doves and those in between—want peace, of one kind or another, so badly they are ready to dance in the streets at any prospect.

Perhaps no concept so appeals to the American sense of fairness as the idea of self-determination for the people of South Vietnam through free elections. This is the carrot that the Nixon administration is dangling in front of Hanoi and the Viet Cong.

It tells them this: You might can get a voice in the Saigon government if you will quit fighting and submit the issue to the people of the south in free elections supervised by a mixed commission to assure there's no hanky-panky. Win or lose, the results stand and all parties will accept them.

This is the American way; this is the way things are done in a democracy.

But is such a carrot tempting to the Asian Communists? The answer is almost certainly no, unless certain conditions exist. Hanoi might buy such a plan in an effort to salvage something out of defeat. Has 20 years of off and on fighting so wearied the North that it is willing to give up its cherished desire to unify Vietnam under its control? There is little to suggest this is true now.

In fact, in a rare interview recently, Hanoi's hero of Dienbenphu, Gen. Vo Nguyen Giap, said, "We shall militarily beat the Americans." He even bragged that North Vietnam had lost half a million men in the war—the equivalent of six million Americans in terms of population. Columnist John P. Roche thinks this exaggeration of death figures was an effort on the part of the hawkish and brilliant Giap to indicate his country's total commitment to victory.

Another condition that may tempt Hanoi to accept self-determination is the feeling that non-Communists in the South are so fragmented that the Viet Cong, as a militant, well-organized minority, might gain control.

Otherwise, the elections have no appeal to our Asian enemies. Most Asians, even non-Communists, do not accept the winner-take-all view of elections. To them, the public goes to the polls simply to rubber stamp political conditions predetermined by the leadership. The result must be almost totally predictable in advance.

The American government, of course, knows this. Indeed our offer of free elections is probably predicated on the all but certain knowledge that the Viet Cong can't win in a fair-and-square contest at the polls. The best estimates are that they represent no more than 15 per cent of the population.

The recent formation by the VC of the so-called "provisional revolutionary government" is taken by some as meaning they have discarded the "free-election" idea. This is an ideal vehicle for taking over after U.S. troops leave and staging an election, Communist-style.

So the concept of self-determination does not at this time seem to offer much hope for a quick peace. What is logical and fair to us is not so to the Reds.

And yet can our negotiators go very far beyond this offer without selling out Saigon? Clearly not. It is a situation calculated again to test American patience and purpose. If America is to continue its role as a world leader and a protector of freedom, as President Nixon had said it will, then it must pass the test.

THE STUDENT REVOLT: A PROFOUNDLY HOPEFUL ANALYSIS

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. MIKVA. Mr. Speaker, there is much debate and discussion in our society, and in the Congress, today about the causes of the generation gap, student unrest, and student disorder. Much of the discussion has centered on those few violent and disruptive representatives of the student generation who all too often capture the headlines. Little thought has seemingly been directed at the underlying causes of the malaise which afflicts students of this generation and which is so incomprehensible to many of their elders.

In the June 7, 1969, issue of Saturday Review the distinguished author and poet Archibald MacLeish has published what I believe to be a profoundly encouraging analysis of student unrest and student dissatisfaction. It is an analysis which not only asks the right questions, but puts us on the road to finding some of the right answers as well. Mr. MacLeish asks:

Why does the generation of the Sixties make itself morally responsible for the war in Vietnam, while the generation of 1917 stood on the Marne and quoted Woodrow Wilson . . .? Why, for the first time, do university students . . . demand a part in the process?

Later in his article Mr. MacLeish provides at least a part of the answer—an answer which I find both convincing and encouraging:

It is an angry generation, yes, but its resentment is not the disgust of the generation for which Beckett speaks. Its resentment is not a resentment *of* our human life but a resentment *on behalf of* human life; not an indignation that we exist on the Earth but that we *permit* ourselves to exist in a selfishness and wretchedness and squalor

which we have the means to abolish. Resentment of this kind is founded, can only be founded, on belief in man. And belief in man—a return to a belief in man—is the reality on which a new age can be built.

The article referred to follows:

[From the Saturday Review, June 7, 1969]

THE REVOLT OF THE DIMINISHED MAN

(By Archibald MacLeish)

(NOTE.—This article is adapted from a speech delivered by Mr. MacLeish on Charter Day at the University of California.)

Robert Frost had the universe, not the university, in mind when he wrote his laconic couplet about the secret in the middle, but the image fits the academic world in crisis as well as the mysteries of space.

We dance around in a ring and
suppose
But the secret sits in the middle and
knows.

Indeed, we do. Faculty committees, state legislatures, alumni associations, police departments, and all the rest of us whirl in a circle with our favorite suppositions—which increasingly tend to roll up into one supposition: that the crisis in the university is really only a student crisis, or, more precisely, a crisis precipitated by a small minority of students, which would go away if the students would stop doing whatever it is they are doing or whatever they plan to do next.

Which, needless to say, is not a wholly irrational supposition. Those who have seen a purposeful task force of Harvard students take over University Hall, carry out reluctant deans, break into files, shout down professors are within their logical rights when they conclude that the occupying students were the cause of the crisis thus created. But the supposition remains a supposition notwithstanding for it does not follow—did not follow at Harvard certainly—that the crisis is a student crisis in the critical sense that it can be ended merely by suppressing the students involved. When the students involved were suppressed at Harvard, the crisis (as at other universities) was not reduced but enlarged. Which suggests, if it suggests anything, that the actual crisis is larger than its particular incidents or their perpetrators.

And there are other familiar facts which look in the same direction; as, for example, the fact that it is only when the general opinion of an entire student generation supports, or at least condones, minority disruptions that they can hope to succeed. The notion that the activist tail wags the huge, indifferent student dog is an illusion. Had a minority of the kind involved at Harvard attempted to bring the University to that famous "grinding halt" in the Forties or the Fifties it would have had its trouble for its pains no matter how forceful the police. It succeeded in the Sixties for one reason and for one reason only—because the climate of student opinion as a whole had changed in the Sixties; because there has been a change in the underlying beliefs, the accepted ideas, of an entire academic generation, or the greater part of it.

To look for the cause of crisis, therefore, is to examine, not the demands of the much discussed minorities but something larger—the changes in belief of the generation to which they belong. And there at once a paradox appears. The most striking of these changes far from disturbing the academic world should and does encourage it. There are, of course, romantics in the new generation who talk of destroying the university as a symbol of a defunct civilization, but the great mass of their contemporaries, however little they sometimes seem to understand the nature of the university—the vulnerability, fragility even, of that free and open community of minds which a university is—are nevertheless profoundly concerned with the university's well-being and, specifically, its relation to the world and to themselves.

This is a new thing under the academic sun—and, in itself, a hopeful thing. Down to the decade now closing, demands by any considerable number of American undergraduates for changes in the substance or manner or method or purpose of their instruction were rare indeed. In my day at Yale, back before the First World War, no one concerned himself less with matters of curriculum and teaching and the like than a college undergraduate. We were not, as undergraduates, indifferent to our education, but it never occurred to any of us to think of the curriculum of Yale College as a matter within our concern, or the policies of the university as decisions about which we—we of all creatures living—were entitled to an opinion. Some of my college classmates protested compulsory chapel (largely because of its interference with breakfast), but no one to my knowledge ever protested, even in a letter to the *News*, the pedantic teaching of Shakespeare, from which the college then suffered, or the non-teaching of Karl Marx, who was then on the point of changing the history of the world.

And the same thing was true of the relation between the university and the world outside. We in the class of 1915 spent our senior year in a Yale totally surrounded by the First World War, but we were "inside" and all the rest were "outside," and it was not for us to put the two together—not even for those of us who were to go from New Haven to die on the Marne or in the Argonne under extremely unpleasant circumstances in the most murderous, hypocritical, unnecessary, and generally nasty of all recorded wars, the present one included. Our deaths, as we came to know, would be our own but not their reasons. When I myself was asked by a corporal in my battery what we were there for—"there" being the second battle of the Marne—I quoted President Wilson: "to make the world safe for democracy." It was not my war. President Wilson was running it.

And the generation which fought the next war twenty years later saw things in much the same way. They too were in a sense observers—observers, in their case, of their own heroism. When the war came they fought it with magnificent courage; no citizen army in history ever fought better than theirs after that brutal North African initiation. But until the war came, while it was still in the agonizing process of becoming, it was somebody else's war—President Roosevelt's, as the Chicago *Tribune* kept insinuating, or Winston Churchill's. "America First" was, in part, a campus movement but the terrible question posed by Adolf Hitler—a question of life or death for thousands of young Americans and very possibly for the Republic itself—was little argued by the undergraduates of 1941. The political aspects of fascism they left to their elders at home and the moral agony to their contemporaries in the French Resistance. They themselves merely fought the war and won it—fought it with a kind of gallant indifference, an almost ironic gallantry, which was, and still remains, the hallmark of that incredible generation and its improbable triumph.

It is in this perspective and against this background that the attitudes of the undergraduates of the Sixties must be seen. Here, suddenly and almost without warning, is a generation of undergraduates that reverses everything that has gone before, rejects the traditional undergraduate isolation, refuses the conventional segregation of the university from the troubled world, and not only accepts for itself but demands for itself a measure of responsibility for both—for university *and* world, for life as well as for education.

And the question, if we wish to understand this famous crisis of ours, is: Why? Why has this transformation of ideas—metamorphosis more precisely—taken place? Why does the generation of the Sixties make itself morally responsible for the war in Vietnam, while the generation of 1917 stood on the Marne quoting Woodrow Wilson and the generation of 1941 smashed the invincible Nazi armor from Normandy to the Rhine without a quotation from anybody? Why, for the first time in the remembered history of this Republic, do its college and university students assert a responsibility for their own education, demand a part in the process? Are we really to believe with some of our legislators that the whole thing is the result of a mysterious, country-wide conspiracy among the hairier of the young directed perhaps by a sinister professor somewhere? Or is it open to us to consider that the crisis in the university may actually be what we call it: a crisis *in* the university—a crisis in education itself precipitated by a revolution in ideas, a revolution in the ideas of a new generation of mankind?

There are those who believe we must find the answer to that question where we find the question: in the decade in which we live. Franklin Ford, dean of the Faculty of Arts and Sciences at Harvard and one of the ablest and most admired of university administrators, attributes this changed mentality in great part to "the particular malaise of the Sixties." Undertaking to explain to his colleagues his view of what we have come to call "student unrest," Dean Ford defined it in terms of concentric circles, the most important of which would include students who had been profoundly hurt by the anguish of these recent years: "The thought-benumbing blows of successive assassinations, the equally tragic though more comprehensible crisis of the cities, the growing bitterness of the poor amid the self-congratulations of affluence, the even greater bitterness of black Americans, rich or poor . . . all these torments of our day have hit thoughtful young people with peculiar force . . . Youth is a time of extreme vulnerability to grief and frustration, as well as a time of impatient, generous sympathy." And to all this, Dean Ford continues, must be added the war in Vietnam, which he sees as poisoning and exacerbating everything else, contributing "what can only be described as (a sense) of horror."

Most of us—perhaps I should qualify that by saying most of those with whom I talk—would agree. We would agree, that is to say, that the war in Vietnam has poisoned the American mind. We would agree that the affluent society—more precisely the affluent half-society—has turned out to be a sick society, for the affluent half as well as for the other. We would agree that the cancer of the cities, the animal hatred of the races, the bursting pustule of violence has hurt us all and particularly those of us who are young and they in particular *because* they are young, because, being young, they are generous, because, being young and generous, they are vulnerable. We would agree to all this, and we agree in consequence that there is a relationship between the malaise in the universities and Dean Ford's "particular malaise of the Sixties."

But would we agree, reflecting on those considerations and this conclusion, that it is the tragic events of the decade which, alone, are the root cause—the effective cause—of the unrest of which Dean Ford is speaking? If the bitterness, the brutality, the suffering of the last few years were the effective cause, would the *university* be the principal target of resentment? If Vietnam were the heart of the trouble, would the university curriculum be attacked—the

methods of teaching, the teachers themselves? Would the reaction not have expressed itself, as indeed it once did, at the Pentagon?

What is resented, clearly, is not only the present state of the Republic, the present state of the world, but some relation or lack of relation between the state of the Republic, the state of the world, and the process of education—the process of education at its most meaningful point—the process of education in the university.

But what relation or lack of relation? A direct, a one-to-one, relationship? Is the university blamed *because* the war is being fought, *because* the ghettos exist, *because* the affluent society is the vulgar, dull, unbeautiful society we see in our more ostentatious cities? Is the demand of the young a demand that the university should alter its instruction and its practices so as to put an end to this ugliness, these evils—reshape this society?

There are some undergraduates, certainly, who take this position. There are some who would like to bring the weight and influence of the university to bear directly on the solution of economic and social problems through the management of the university's real estate and endowments. There are others who would direct its instruction toward specific evils by establishing courses in African affairs and urban studies. Both attitudes are familiar: they are standard demands of student political organizations. They are also reasonable—reasonable at least in purpose if not always in form. But do they go to the heart of the matter? Is this direct relationship of specific instruction to specific need—of specific land-use program to specific land-use evil—the relation undergraduates have in mind when they complain, as they do, over and over, that their courses are not "relevant," that their education does not "respond to their needs," "preach to their condition"? Is it only "applicability," only immediate pertinence, the generation of the young demands of us? Is the deep, almost undefinable restlessness of the student generation—the dark unhappiness of which Senator Muskie spoke in that unforgettable speech at Chicago—an unhappiness which Centers of Urban Studies, however necessary, can cure?

I do not think so and neither, if you will forgive me for saying it, do you. The distress, the very real and generous suffering and distress of an entire generation of young men and young women is related certainly to the miseries of the Sixties, but it is not founded in them and it will not disappear when they vanish—when, if ever, the war ends and the hot summers find cool shade and the assassinations cease. The "relevance" these students speak of is not relevance to the *Huntley-Brinkley Report*. It is relevance to their own lives, to the living of their lives, to themselves as men and women living. And their resentment, their very real resentment and distress, rises not only from the tragedies and mischances of the last ten years but from a human situation, a total human situation involving human life as human life, which has been three generations in the making, and which this new generation now revolts against—rejects.

At the time of the Sorbonne riots a year ago a French politician spoke in terms of apocalypse: We had come to a point in time like the fall of Rome when civilizations collapse because belief is dead. What was actually happening in Paris and elsewhere was, of course, the precise opposite. Belief, passionate belief, had come alive for the first time in the century and with it rage and violence. The long diminishment, the progressive diminution of value put upon man, upon the idea of man, in modern society had met the revulsion of a generation of the young who condemned it in all its aspects, left as well as right, Communists as well as capitalist, the indifference of the Marxist bureaucracies as well as the bureaucratic industrial indifference of the West.

This diminishment of the idea of man has been a long time in progress. I will not claim for my generation that we witnessed its beginning, I will assert only that we were the first to record it where alone it could be recorded. The arts with us became aware of a flatness in human life, a loss of depth as though a dimension had somehow dropped from the world—as though our human shadows had deserted us. The great metaphor of the journey of mankind—Ulysses among the mysteries and monsters—reduced itself in our youth to that other Ulysses among the privies and the pubs of Dublin, Ireland. Cleopatra on her flowery barge floated through a Saturday night in the Bloomsbury Twenties. Even death itself was lessened: the multitudes of Dante's damned crossed T. S. Eliot's London Bridge, commuters in the morning fog. Nothing was left remarkable beneath the visiting moon.

And in the next generation—the generation, as we are now beginning to see, of Joyce's secretary and disciple, Samuel Beckett—the testimony of the arts went on. The banality of the age turned to impotence and numbness and paralysis, a total anesthesia of the soul. Leopold Bloom no longer maundered through the musty Dublin streets. He was incapable even of maundering, incapable of motion. He sat to his neck in sand, like a head of rotting celery in an autumn garden, and waited, or did not even wait—just sat there. While as for Cleopatra—Cleopatra was an old man's youthful memory played back upon a worn-out tape.

The arts are honest witnesses in these matters. Pound was right enough, for all the well-known plethora of language, when he wrote in praise of Joyce's *Ulysses* that "it is a summary of pre-war Europe, the blackness and mess and muddle of a 'civilization,'" and that "Bloom very much *is* the mess." The arts, moreover, are honest witnesses in such matters not only when they achieve works of art as with Joyce and Eliot and frequently with Beckett. They testify even when they fail. The unpoem, the nonpainting of our era, the play that does not play, all bear their penny's worth of witness. The naked, half-embarrassed boy displaying his pudenda on an off-Broadway stage is not actor nor is his shivering gesture a dramatic act, but still he testifies. He is the last, sad, lost reincarnation of L. Bloom, the resurrection of the head of celery. Odysseus on his lonely raft in the god-infested sea has come to this.

What was imagined in Greece, reimagined in the Renaissance, carried to a passion of pride in Europe of the Enlightenment and to a passion of hope in the Republic of the New World—John Adams' hope as well as Jefferson's and Whitman's; Lincoln's that he called "the last, best hope"—all this grimaces in pitiful derision of itself in that nude, sad, shivering figure. And we see it or we hear about it and protest. But protest what? The nakedness! The morals of the playwright! Undoubtedly the playwright needs correction in his morals and above all in the practice of his art, but in his *vision*? His *perception*? Is he the first to see this? On the contrary, his most obvious failure as playwright is precisely the fact that he is merely one of thousands in a thronging, long contemporary line—a follower of fashion. He testifies as hundreds of his betters have been testifying now for years—for generations—near a century.

Why have they so testified? They cannot tell you. The artist's business is to see and to show, not answer why: to see as no one else can see, and to show as nothing else can show, but not to explain. He knows no more of explanation than another. And yet *we* cannot help but wonder why—why the belief in man has foundered; why it has foundered *now*—precisely *now*—now at the moment of our greatest intellectual triumphs, our never equaled technological mastery, our electronic miracles. Why was man a wonder to the Greeks—to Sophocles of all the Greeks—when he could do little more than work a ship to windward, ride a horse, and plow the earth, while now that he knows the whole of modern science he is a wonder to no one—certainly not to Sophocles' successors and least of all, in any case, to himself?

There is no easy answer, though thoughtful men are beginning to suggest that an answer may be found and that, when it is, it may very well relate precisely to this vast new knowledge. George W. Morgan states the position in his *The Human Predicament*. "The sheer weight of accumulated but uncontrolled knowledge and information, of print, views, discoveries, and interpretations, of methods and techniques, inflicts a paralyzing sense of impotence. The mind is overwhelmed by a constant fear of its ignorance. . . . The individual man, feeling unable to gain a valid perspective of the world and of himself, is forced to regard both as consisting of innumerable isolated parts to be relinquished, for knowledge and control, to a legion of experts." All this, says Mr. Morgan, diminishes human understanding in the very process of augmenting human knowledge. It also, I should wish to add, diminishes something else. It diminishes man. For man, as the whole of science as well as the whole of poetry, will demonstrate, is not what he thinks he knows, but what he thinks he *can* know, can become.

But however much or little we comprehend of the cause of our paradoxical diminishment in our own eyes at the moment of our greatest technological triumphs, we cannot help but understand a little of its consequences and particularly its relation to the crisis in the university. Without the belief in man, the university is a contradiction in terms. The business of the university is education at its highest possible level, and the business of education at its highest possible level is the relation of men to their lives. But how is the university to concern itself with the relation of men to their lives, to the living of their lives, to the world in which their lives are lived, without the bold assumption, the brave, improbable hypothesis, that these lives matter, that these men count—that Odysseus on his battered, drifting raft still stands for a reality we take for real?

And how can a generation of the young, born into the world of the diminished man and in revolt against it—in revolt against its indifference to humanity in its cities and in its wars and in the weapons of its wars—how can a generation of the young help but demand some teaching from the universities which will interpret all this horror and make cause against it?

Centuries ago in a world of gods and mysteries and monsters when man's creativity, his immense creative powers, had been, as Berdyaev put it, "paralyzed by the Middle Ages"—when men had been diminished in their own eyes by the demeaning dogma of the Fall—centuries ago the university conceived an intellectual and spiritual position which released mankind into a new beginning, a rebirth, a Renaissance. What is demanded of us now in a new age of gods and mysteries and monsters, not without dogmas and superstitions of its own, is a second humanism that will free us from our new paralysis of soul as the earlier humanism freed us from that other. If it was human significance which was destroyed by the Middle Ages, it is human significance which we ourselves are now destroying. We are witnessing, as the British critic F. R. Leavis phrases it, the elimination of that "day-by-day creativity of human response which manifests itself in the significances

and values without which there is no reality—nothing but emptines that has to be filled with drink, sex, eating, background music, and . . . the papers and the telly."

Mr. Leavis, not the most optimistic of dons on any occasion, believes that something might be done to revive "the creative human response that maintains cultural continuity" and that gives human life a meaning. I, with fewer qualifications to speak, would go much further. I would say that a conscious and determined effort to conceive a new humanism which would do for our darkness what that earlier humanism did for the darkness of the Middle Ages is not only a present dream but a present possibility, and that it is a present possibility not despite the generation of the young—the generation of the Sixties—but because of it.

That generation is not perhaps as sophisticated politically as it—or its activist spokesmen—would have us think. Its moral superiority to earlier generations may not, in every instance, be as great as it apparently believes. But one virtue it does possess to a degree not equaled by any generation in this century: It believes in man.

It is an angry generation, yes, but its resentment is not the disgust of the generation for which Beckett speaks. Its resentment is not a resentment *of* our human life but a resentment *on behalf* of human life; not an indignation that we exist on the Earth but that we *permit* ourselves to exist in a selfishness and wretchedness and squalor which we have the means to abolish. Resentment of this kind is founded, can only be founded, on belief in man. And belief in man—a return to a belief in man—is the reality on which a new age can be built.

Thus far, that new belief has been used by the young largely as a weapon—as a justification of an indictment of earlier generations for their exploitation and debasement of human life and earth. When it is allowed to become itself—when the belief in man becomes an affirmative effort to re-create the life of man—the crisis in the university may well become the triumph of the university.

For it is only the university in this technological age which can save us from ourselves. And the university, as we now know, can only function effectively when it functions as a common labor of all its generations dedicated to the highest purpose of them all.

TIMID GREEK JUDGE SUFFERS FOR UPHOLDING PRINCIPLES

HON. J. W. FULBRIGHT

OF ARKANSAS

IN THE SENATE OF THE UNITED STATES

Thursday, July 31, 1969

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that there be printed in the Extensions of Remarks an article entitled "Timid Greek Judge Suffers for Upholding Principles," written by Mr. Alfred Friendly, and published in the Washington Post for Friday, July 25, 1969.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TIMID GREEK JUDGE SUFFERS FOR UPHOLDING PRINCIPLES

(By Alfred Friendly)

ATHENS.—Harassment of Greece's highest judge, who recently ruled against the government and refused its demands to resign, has reached the point where his physician was apparently pressured to declare him able to face an inquisition when, in fact, he had just suffered a heart attack.

The judge is Michael Stasinopoulos, president of the Greek Council of State. His illness is thought to be the result of the ordeal he was subjected to after he ordered the reinstatement of 11 Supreme Court judges fired by the junta. His physician is dependant on the government's favor for keeping his job in the state medical care system.

The 67-year-old jurist, subjected to attempted intimidation by a police officer who accused him of faking illness, has so far avoided the command to appear before the junta's No. 2 personage, the deputy prime minister. Another doctor, engaged only in private practice and accordingly not subject to official intimidation, was called in by Stasinopoulos and has declared that he is indeed seriously ill.

The history of the continuing ordeal of the judge was disclosed in circumstantial detail by a thoroughly informed source. The story that emerges is of a timid, conservative, ultra-cautious man forced to become a hero in spite of himself, when there was no escape from putting his legal principles on the line.

The chronicle begins more than a year ago when the government purged some 60 judges, getting around the provision that they had permanent status by suspending the constitution, by official decree, for three days.

MORAL CALIBER

Among those ousted were 11 judges of the Supreme Court, the highest appeals tribunal for all cases in which the state itself is not a party. The principal grounds were that the incumbent either had been identified with a political party in a way that rendered him unfit to serve, or was not of the requisite "moral caliber." Those purged were also disbarred.

The jurists appealed to the Council of State, the highest appeals court for matters in which the state is directly involved. They won their case on rescinding the disbarment, only to have the government overrule it by decree the next day. Thus they remain forbidden to practice.

In a different case, based on provisions of the new constitution that the junta itself prepared and had confirmed in a national referendum last September, the judges appealed their ouster on the grounds that the constitution provided them lifetime tenure.

Stasinopoulos realized the dilemma the case would present him and his 22-judge court. A small, fragile man, chosen for the presidency of the council by the colonels themselves, he had no stomach for a fight. A deep-dyed conservative, he is distinguished, if at all, as the author of rather mediocre poetry and as someone who has tried throughout his tenure to keep his court from coming into conflict with the regime.

His thesis has been that the Council of State, an institution created in 1930, does not have the Marbury v. Madison tradition of determining the constitutionality of government acts and will only get into trouble—especially with the present dictatorship—if it tries.

CASE STALLED

For a year, Stasinopoulos tried to duck the case, stalling it, urging the appellants to withdraw, arguing that whatever the outcome, both they and the court would lose. He did not need the warnings, which he got anyway, from his first cousin, Gen. Hadjipetros, head of the Greek equivalent of the FBI, to "be careful."

But in the end, the case was not to be avoided. In June Stasinopoulos summoned a public session of the full court. The case had been thoroughly debated and the president may or may not have known how the vote would go. He made a short speech, bidding his colleagues to take into account the position of the state but also to reflect on the requirements of their honor as judges.

Under the usual procedure, an open vote was taken, with each member, beginning with the most junior, announcing his vote and the reasons for it. By the time the tally reached the president, it was 10 to 10 (there was one absentee). Stasinopoulos voted to sustain the appeal.

He chose the narrowest possible of the six grounds on which the appeal was based: due process. He ruled that the judges could not be dismissed without first having been formally presented with reasons and charges, and having the opportunity to answer them, and being given a proper legal finding.

For the first time since it took power more than two years ago, the hitherto cool regime publicly lost its composure. It has been proceeding ever since from one flagrant action to another.

JUDGE SUMMONED

Premier Georges Papadopoulos immediately summoned Stasinopoulos to his office and, in a rage, demanded his resignation.

At 9 the next morning, the judge presented a letter to the Ministry of Interior refusing, on grounds of the self-respect of the judiciary, to resign merely because the Premier told him to. An hour later, the official gazette published a governmental decree "accepting the resignation of the President of the Council of State" and naming his successor.

Whereupon, the 10 members of the council who had voted with Stasinopoulos submitted their resignations, also as a matter of self-respect. The chief judge's successor, meanwhile, showed himself to be a good lawyer too. He pointed out that he was not the legal President of the council until the incumbent had formally resigned, and that until then a litigant could impeach any decision on grounds that the court was illegally constituted.

The pressure on Stasinopoulos to submit a pre-dated resignation was now immense. He was chivvied and argued with. His phone was cut off and police were placed in front of his dwelling to challenge all visitors and examine their papers.

The heart attack ensued. Shortly thereafter, about three weeks ago, Stylianos Patakos, the deputy prime minister phoned the judge—it turned out that the phone could be put back into operation when it suited the regime's convenience—and ordered him to present himself at Patakos' office. He replied that he was in no condition to leave his bed.

Next day, Stasinopoulos' physician made his morning call and without examining his patient told him he looked fine. The sick man protested that he felt terrible. At this point, the commandant of the regional police station pushed his way into the sick room and engaged in muttered conversation with the doctor. It was clear that some collusion was afoot. In a few moments, the doctor turned back to the judge and declared loudly: "You are now in good health."

FAKE ILLNESS

"So," said the police officer to the judge, "you've been faking illness. The doctor says you are well and therefore at 9 next Monday morning"—two days hence—"you will be in Gen. Patakos' office."

The judge's wife called in a physician in private practice. He has succeeded so far in forestalling Patakos's demand for Stasinopoulos' appearance.

Frustrated and all thumbs, the regime went Andrew Jackson one better, declaring that the court's ruling was not only unenforceable but unfounded because the subject matter was "excluded from its jurisdiction."

Also, it immediately disbarred and ordered one year banishment to a small island and to two remote hamlets for the three lawyers who had argued the Supreme Court justices' case.

George Christopoulos, Greece's ambassador to Paris, a former undersecretary of state

and the Junta's nominee, reported the nature of European reaction. According to those who have seen it, the gist of his message was that Greece could not expect to remain in the Council of Europe, which is considering ousting it, unless it chooses to abide by the conventional legal and moral standards of other member governments, otherwise, it should resign from the council before it is kicked out.

The regime's response was to fire Christopoulos and replace him in Paris with a general.

KEE FIELD—A RECOGNITION OF PUBLIC SERVICE

HON. JOHN M. SLACK

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. SLACK. Mr. Speaker, last Sunday, July 27, it was my privilege to be in attendance at the dedication of a new airfield near Pineville, W. Va., which will offer a new service to the residents of nearby coal mining communities.

A great crowd was present, far exceeding expectations for a very warm July day, and the new facility was appropriately named "Kee Field" in honor of a family which has maintained a record of continuous service in the House of Representatives since 1932.

From that year until his death in 1951 the late John Kee served with distinction and capped his career with the chairmanship of the House Foreign Affairs Committee. During the following six Congresses, his widow, Mrs. Elizabeth Kee, served the same Fifth West Virginia District with notable skill. Upon her retirement in 1964, their son JIM was elected, and has been with us as a valued colleague and friend, identified always with well-founded proposals aimed at improving the prospects for the people of southern West Virginia.

Unswerving dedication to the service of the Fifth District's people has been a Kee family tradition for almost four decades. That tradition is not only recognized, it has long been considered by the people to be as rockbound and unchangeable as the mountains of the Fifth District itself. A reflection of the firm belief in that Kee tradition is found in the following commentary by J. E. Faulconer in the July 28, Hinton, W. Va., Daily News:

DEDICATION OF KEE FIELD

"Senator" Earl Hayes and the writer were among several thousand grateful West Virginians who gathered at the new airfield near Pineville that was named in honor of the Kee family who have served the Fifth Congressional District so well for the last 37 years . . . The late John Kee served the district from 1932 until his death in 1951, and his wife Elizabeth served until her retirement in 1964, and was followed by son Jim who was elected for his first term in 1964 . . . Regardless of what you may think of Jim Kee it is doubtful if any congressman in the entire United States has accomplished more for his district, and this is especially true for Summers County . . . It would be impossible for us to mention all the many things Jim has done for this county and individuals, but to mention some of the r-e-a-l-l-y big things put down magnificent Pipestem Park . . . It belongs to the state, but it would never have happened without his hard work on the Federal level, and don't you forget it . . . Then there is the new hospital here, new post office, National Guard Armory, fire station, street improvements, and he even had a hand in the People's Plant at Pence Springs.

Yours truly really received a fine reception at the airport dedication that was marred some by the traffic congestion that delayed motorists from leaving for nearly two hours, never-the-less it was a great affair and the people of Wyoming are deserving of much credit for completing the $610,000 facility . . . The first person we met was former Secretary of State Bob Bailey who took us to Jim and his wife . . . Then Senator Jennings Randolph arrived by plane with officials from Washington that included Rep. Ken Hechler, William Whittle, District Airport Engineer for the FAA, and others . . . Rep. John Slack was nearly two hours late, and had to walk over a mile after his car was blocked by the heavy traffic on the narrow access road to the airport . . . Three students from West Virginia U put on a great show as they parachuted to earth amid the big airport crowd . . .

Louie Kaman was there with his Mullens High School band, and most of you will remember that he was Hinton's first band director . . . Following the dedication there was a big luncheon at the well appointed Cow Shed . . . Former Governor Hulett Smith was the Master of Ceremonies and did his usual excellent job, and Mr. Kee's hard working Administrative Assistant was also on the scene . . . The beautiful bronze placque that was unveiled read:

"Kee Field, Dedicated to West Virginia's Kee Family; John Kee, Mrs. Elizabeth Kee; James Kee; Who served West Virginia and The United States of America With Distinction, Dedication and zeal As members of Congress from the Fifth W. Va. Congressional District."

AX HANDLE JOURNALISM

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Thursday, July 31, 1969

Mr. FANNIN. Mr. President, it has been called to my attention that one of the magazines which regularly espouse a liberally "left" line has elected itself to "take apart" a speech by the Secretary of the Air Force Dr. Robert C. Seamans, Jr.

This exercise, of course, is a prerogative of the free press in our Nation. However, it should continually be borne in mind that freedom bears responsibilities and the freedom to disagree with a point of view is not responsible when it is taken as a license to misrepresent and distort. All too often, in the current debate over our national defense strategy, members of the editorial fraternity become rather too emotionally involved with the issues and lose their perspective. This generally renders their comment invalid, irrelevant, or just plain silly.

Mr. John F. Loosbrock, editor of Air Force/Space Digest magazine, has undertaken to call attention to the objective shortcomings of one of his fellow editors, and by all accounts he has done a good job of it. His editorial, entitled "Truth Knows No Deadlines," in the August issue, should be read by those who are interested in a fair assessment of some of the editorial comment which has attended our debate. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TRUTH KNOWS NO DEADLINES

(By John F. Loosbrock)

On June 17 the Secretary of the Air Force made a dignified and thoughtful address in Denver, Colo. The occasion was the Honors Night banquet of the joint national meeting of the American Astronautical Society and the Operations Research Society of America. As one might logically expect the Secretary of the Air Force to do, Dr. Seamans chose to talk on a subject having to do with his duties and responsibilities. He called his talk "Planning for Strategic Deterrence in the '70s."

In the July 12 issue of *The Saturday Review*, the magazine's editor, Mr. Norman Cousins, took public umbrage at the Secretary's remarks. Or at least he purported to do so. A close reading of both the speech and the editorial reveals an almost flawless lack of resemblance between what Dr. Seamans actually said and what Mr. Cousins said he said. There are several ways to account for this singular lack of verisimilitude.

Perhaps Mr. Cousins did not read the speech, in which case his credentials for commenting upon it could be questioned. Perhaps he was merely told about the speech, in which case he was victimized by his source. Perhaps Mr. Cousins can't read, in which case it is difficult to account for his acknowledged success in publishing, a business in which few editors have become millionaires, as has Mr. Cousins.

Or perhaps he deliberately chose to deceive his readers in an effort to prove that the Secretary of the Air Force and the Department he heads represent a threat to the forthcoming arms-control talks and to world peace and stability generally.

In any case, Mr. Cousins chose to phrase his editorial in what is, literally, reverse English. He described the Secretary's speech as if it were one delivered by the Soviet Minister of Military Aviation before a Moscow audience of scentists at which two American physicists were present. (It turns out there were two Russian physicists present at the Denver meeting.) Only at the end does Mr. Cousins reveal he actually is referring to the Secretary of the US Air Force. Bearing this device in mind, let's see what Mr. Cousins said Dr. Seamans said.

Mr. Cousins said Dr. Seamans "called for a full program of antiballistic missile development."

The Secretary actually said: "The ABM program proposed by the President provides an orderly, step-by-step plan that can be halted at an early level of deployment if further expansion is not required for our security."

Mr. Cousins said Dr. Seamans said the USSR "was well advanced with a maximum ABM missile program."

We can't find a statement in the Seamans' speech that even comes close.

Mr. Cousins said Dr. Seamans said that US planners "were going to seize and maintain superiority over the USSR—not just in antiballistic missiles but in the use of space stations and devices that could deliver a succession of nuclear bombs on a string of Soviet targets."

The closest we can find is a Seamans' statement which says, "We are now working on a satellite early-warning system that would detect missiles as they are launched from land or sea."

Mr. Cousins went on to assert that the Secretary "ignored the forthcoming arms-control talks between the USA and the USSR."

Let's quote a bit more at length from Dr. Seamans: "Arms-control agreements are not

incompatible with necessary improvements in our current forces. Both arms-control and new-weapon developments must be designed to maintain deterrence. Neither side can accept and arms-control agreement unless it is certain that the proposed arms limitation will preserve its ability to retaliate against surprise attack.

"Arms-control agreements must structure opposing forces in a way that makes a first strike more difficult and retaliation more certain. This task should be eased by the growing realization that any effort to achieve a first strike will be countered heavily by the other side."

And, after further discussion of the relationship between deterrence and arms control, which Dr. Seamans knows is something quite different from either disarmament or peace—a fact that seems to have eluded Mr. Cousins—the Secretary went on to say:

"If both sides favor arms control, both missile payload and ABM defenses can be fixed at levels consistent with deterrence."

In all, more than three pages of a thirteen-page speech are devoted to a discussion of arms control, the subject which Mr. Cousins said the Secretary ignored.

We hope Secretary Seamans is not discouraged by his recent experience in the world of axe-handle journalism. He should keep on saying what he said in Denver and not worry about the Norman Cousins' of the world. They have forgotten the sage advice of a great liberal reporter, Heywood Broun, who used to say:

"Truth knows no deadlines."

ANSELM FORUM OF GARY, IND.

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. MADDEN. Mr. Speaker, one of the outstanding civic organizations in northwest Indiana is Gary's Anselm Forum, which originated in 1932 during our Nation's great depression. Nine Gary men of various nationalities huddled around coffee cups and released their intermost depression fear—fear of the future of mankind.

The basis for this organization's great success and expansion has been the Anselm World Tape Forum which has been under the able direction of Mr. Reuben Olson. Mr. Olson stated:

Many people in the world have a distorted idea of Gary. We try, in our tapes, to show them that there is good in our town.

The following excerpts from the article from the Glen Park Herald, of Gary, Ind., written by Mary Jo Mucha, narrates some of the organization's history, purposes, and civil and charitable accomplishments:

ANSELM FORUM OF GARY, IND.

(By Mary Jo Mucha)

These Anselm members are now 125 strong under Dr. Nicholas Bucur, president of the Forum. They represent 45 different ethnic groups and all the religions of the world. There is even an agnostic among them.

The 1932 days are in the past. And now, the Forum has begun to broaden itself. In 1959, a New Yorker named Harry Plissner was reading of all the racial tensions in the U.S. and came to the realization that our world image was being terribly degraded. He knew that people in other countries were thirsting for knowledge. So he decided to be an unofficial good will ambassador.

Plissner found that Americans throw away over 30 million magazines a month. This started his thinking. He sent 20 letters to newspapers all over the world and told the people that there were many American friends who were willing to send them magazines free. The response was overwhelming.

In Gary, Olson heard about Plissner's program. By contacting individuals and organizations, he located some 205 correspondents in Northwest Indiana for overseas letter writers who wanted the magazines. This was enough to prove Olson's point: "People are just aching to reach across the pond and shake hands!" Today, Anselm Forum is only partially active in this program.

The newest breakthrough in the world of understanding is going on in the medium of sound. It all started with an organization called World Tape Pals. This organization promoted the exchange of sound tapes between people of all nations. On its own, Anselm took part in recording tapes with the representative from Ghana, an attache from the Israeli Embassy and a religious leader from Johannesburg, South Africa. The tapes were sent to each of the respective countries.

Under the direction of Olson, the Anselm World Tape Forum has been organized. Members work on the premise that there is good in everyone and this theme is carried through all the tapes. But, even though the tapes carry on a wide variety of topics, they are not limited to friendly gestures. The men disagree and are very willing to accept the right to disagree.

There is no topic that the tape enthusiasts would not dare to touch upon. They discuss every thing—Vietnam, world population, birth control, race relations, loneliness, industry, art, music, judicial reform, police work, and juvenile delinquency. These are just a few topics.

Every conceivable stature in life is represented in the Tape Forum. Some of the participants include a lighthouse keeper from the coast of New Zealand, a blind judge who is also cripple, an Italian stylist from Brooklyn who designed the original Playboy Bunny outfits, a shopkeeper in Wales, a casino clerk who loves poetry and the finer things in life.

How are interested people contacted? Olson belongs to several "tape clubs" which publish names and addresses of "tapespondents" monthly.

A teacher in New Zealand became interested in tapes and started a club after school. They sent a tape of their first science lesson on the Atom Molecule. Melton School students in Gary answered the tape with a lesson of their own. The New Zealand teacher liked the tape so much that she played it in front of the PTA as part of meeting program.

Round-robins are a popular feature of the program. Each participant puts his opinions on ½ of a side of a tape and sends it to the next person who does the same. The tapes in this case are not erased.

Mrs. Ray Sanderson, of Lansing, Illinois, was for several years international judge for the Sweet Adelines, Inc. which is the woman's equivalent of the men's barber shop quarters. When Mrs. Sanders accepted the position as assistant director she became so involved in handling tapes for the blind and the handicapped, that she had to resign her post as judge. Ross Sheldon of Alabama now assists Mrs. Sanders.

The library of Mrs. Sanders contains tapes which are not erased. Of particular interest to the blind are the tapes of a Capetown, South Africa man named Harold Ewins. They have sounds of jungle animals, capture of an elephant and sea gulls fluttering above the water. Others are the tapes of a blind singer, organist, and composer of New South Wales, Australia. Someday Nellie Sweeney will publish her own hymn book.

She received a letter from Frank Senn, Jr., a blind organist at the Holiday Inn of Buffalo, New York. After hearing Mrs. Sanders sing on tape Senn wanted to play the organ on the tape, send it to Mrs. Sanders, and have her add the singing.

The assistant director is a talented lady well suited for the job. She has sung with the Merchandise Mart Chorus, Trinity Evangelical Covenant Church Choir, and the Aristocrats of Song. Mrs. Sanders is also quite creative and has numerous handicraft projects.

As an indirect result of the world tape project, Olson has a fabulous collection of postage stamps. In reciprocation, he buys commemorative US stamps whenever he can. He uses these in his correspondence so that every piece of mail from Gary arrives in some foreign land with a new and different stamp.

Olson says that "it gets in your blood and you keep going." He started out with 1 tape recorder and he now has four recorders and an assortment of amplifiers, microphones, receivers and electronic equipment.

Summing up the work of his organization, Olson says its all a part of "shakng hands across world boundaries in a neighborly sort of way."

The Anselm World Tape Forum will be an integral part of Festival 69. Olson will tape free for anyone in Gary who has sons or daughters in the military. Last year he taped for 99 people all over the world.

POEM WRITTEN BY A SERVICEMAN IN VIETNAM

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, July 31, 1969

Mr. THURMOND. Mr. President, an inspiring poem has been written by a serviceman in Vietman. It is entitled "A G.I.'s Protest." It reflects the American spirit of our boys in Vietnam. It reveals their disgust with the protesters back home who burn their draft cards, dodge the draft, use drugs and demonstrate against the war and our democratic institutions. It is my understanding that this poem was circulated among our boys in Vietnam as an expression of their protest to the irresponsible demonstrators back home who are not loyal to their effort.

Mr. President, I wish to quote a part of the poem:

You burn your draft cards
and march at dawn,
And you leave your signs on the White House lawn
And all you want is to ban the bomb
There is no war, you say,
in Vietnam!
And you refuse to lift a gun.

Mr. President, I am proud to report that Pfc. Timothy E. Heaton, of Clinton, S.C., wanted his friends in South Carolina to know this poem reflected his view of the protesters. He sent it home, and it was published in the Clinton Chronicle newspaper on July 2. The Reverend J W. Spillers, of Clinton, informed me about Timothy Heaton.

The Reverend Mr. Spillers' son, Major Jack C. Spillers, who was shot down over North Vietnam and is now assigned in Washington, D.C., has volunteered to return to Vietnam. It is the Heatons and the Spillers and the millions of others like them who deserve our Nation's eternal support, loyalty, and gratefulness.

Mr. President, I ask unanimous consent that the poem be printed in the Extensions of Remarks.

There being no objection, the poem was ordered to be printed in the RECORD, as follows:

A G.I.'s PROTEST

(EDITOR'S NOTE.—The following poem was sent by a Clinton serviceman now in Vietnam who commented, "It states how a great deal of us feel about some people back home. . . . We do not want it to sound like we are big heroes or anything but only that we are ashamed of some of our own people.")

Take a man then leave him alone,
Then put him 12,000 miles away from home.
Then you empty his heart of blood
And make him live in sweat and mud
This is the life I have to live
And why my soul to the Lord I leave
You "peace boys" rant from your easy chairs
But you don't know what it's like over here.
You have a ball without near trying
While over here our boys are dying.
You burn your draft cards and march at dawn,
And you leave your signs on the White House lawn,
And all you want is to Ban the Bomb
There is no war, you say, in Vietnam!
You use your drugs and have your fun
And then refuse to lift a gun.
There's nothing else for you to do
And I'm supposed to die for you?
I'll remember you until the day I die
Cause you made me hear my buddy cry
I saw his arm a bloody shread,
I heard them say, "This one's dead!"
It's quite a price he had to pay
For you to live another day!
He had the guts to fight and die
He paid the price. What did he buy?"
He bought your life by losing his!
But who gives a damn what a soldier gives!

God have mercy on you and help us to continue, in our faith.

WE MEN OF VIETNAM.

MORE GUN CONTROL NONSENSE

HON. WILLIAM H. HARSHA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. HARSHA. Mr. Speaker, one of the most ridiculous proposals to come out of a Presidential commission in many a time is that recommendation recently made by the task force of the President's Violence Commission to totally disarm every American citizen in the United States.

Should this soft-headed recommendation ever go into effect, it will be like sounding a clarion call to every criminal in the United States informing him that the American public is totally disarmed and completely at his mercy.

Yesterday's Evening Star contained an editorial entitled "More Gun Control Nonsense," which expresses the sentiments of many American citizens more adequately than I, and I include it in my remarks and commend it to my colleagues:

MORE GUN CONTROL NONSENSE

As an introductory note to this editorial comment, an item in the crime news is worthy of attention. On Monday there were 22 armed robberies in Washington. This brought the July total as of that date to 450, compared to 332 armed robberies in all of July of 1968.

In the face of this a task force of the President's Violence Commission (appointed by President Johnson) comes forward with a wacky recommendation. Its proposal is, except in a very small number of cases, that all Americans should be required to surrender any hand guns they own to the government.

Here is the task force's reasoning: This is the only way in which the United States can break "the vicious circle of Americans arming to protect themselves from other armed Americans." Now what does this really come down to? Even the task force, we suppose, would concede that criminals are not going to surrender their hand guns. So what they are saying is that no homeowner, to cite one example, should be permitted to keep a hand gun in his own house to protect himself, his wife, and his children against the night when some armed criminal might break into his home. Their argument is that home owners "may" seriously overrate firearms as a method of self-defense against crime. The "loaded gun in the home creates more danger than security."

This strikes us as blithering nonsense. How many members of this task force have been awakened in the middle of the night by a scream for help by some member of his family? Probably not one. But thousands of Americans are exposed to this dreadful experience every year. And in such a situation what is an unarmed householder supposed to do against an armed intruder? Hide under his bed, and never mind what happens to his family?

The major thrust of this soft-in-the-head report is that the requirement to surrender your hand gun, of which there are an estimated 24 million in the country, would reduce crime. This is absurd, for the criminals are not going to surrender their guns. A better and much more realistic way to deal with this problem will be found in legislation now being considered in Congress.

The intent of this legislation is to provide tough, really tough, mandatory penalties for criminals who use guns in the commission of a felony, such as rape, robbery or burglary. For a first offense the penalty generally favored would be a mandatory jail sentence in a federal jurisdiction, which includes Washington, of from one to 10 years. A judge would be forbidden to suspend this sentence or to make it run concurrently with the sentence for the primary offense. In case of a second offense, much stiffer jail sentences are proposed, and they should be written into law.

A similar bill passed the House last year, but was watered down in the Senate before becoming law. The argument then was that mandatory sentences deprive judges of discretion in imposing penalties. And so they would. But in one week at the time the watered-down bill was passed 17 criminals in this city were found guilty of crimes in which guns were used. In six of these cases, more than one-third, the judge imposed suspended sentences, which means that no jail terms were served for using a gun.

So we say let's make the sentences mandatory. And let's not deprive the law-abiding citizen of hand guns in his own home while the criminal element will remain armed to the teeth.

THE TRUTH ABOUT INTERCITY TRAINS

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. ROBISON. Mr. Speaker, in my continuing search for comments on and solutions to the problem of the decline in rail passenger service I came across the following editorial from the Wall Street Journal of July 29, 1969, which points up the need for Federal action in this area. I hereby insert it in the RECORD as further evidence of a growing awareness that something must be done soon:

THE TRUTH ABOUT INTERCITY TRAINS

As the Interstate Commerce Commission says in a new report, it's high time to decide what—if anything—to do about the disappearance of intercity rail pasesnger service. If some decision isn't made soon, there will be little service left to discuss.

In June 1968 there were 590 regular passenger trains. Now there are fewer than 500, and railroads are seeking to discontinue about 50 of those. In the past 10 years total noncommuter passenger revenue has fallen by nearly 50%, reflecting the disappearance of both trains and passengers.

Under present law, the ICC notes, there is nothing the Government can do to stop the eliminatin of service, although the agency's leisurely procedures do slow it somewhat. Carriers cannot be required to continue the operation of trains which constitute "unreasonable financial burdens."

While there may be reason to debate what is and what isn't reasonable, there's no question that passenger service is a heavy financial burden for the railroads. The ICC study of eight major rail lines, handling 40% of the noncommuter passenger miles, showed that in 1968 they sustained $118 million in "avoidable expenses" in the process.

That, of course, brings up the problem of defining passenger deficits. An avoidable expense is one that a railroad would not have incurred if it had not been operating passenger trains. The usual accounting formula assigns passenger service a share of the cost of maintaining tracks and other facilities that are also used by freight trains—and must be kept up even if no passenger trains run.

Under the conventional formula, the eight railroads reported a $214.3 million passenger deficit in 1968, nearly double the avoidable-expense figure. For all railroads, the Association of American Railroads estimates that the 1968 deficit, on the conventional basis, was around $485 million, which also far exceeds the estimated $170 million deficit for all roads on items solely related to passenger service.

Arguments over accounting have in the past tended to obscure whether the railroads "really" were losing on passengers. It should be clear now that even the smaller $170 million figure for all roads is too high to be borne for long by an industry which, last year, had net income of less than $600 million and a net return of less than 2.5% on its invested capital.

If the railroads can't carry the burden alone, the ICC figures the next question is whether the Government should carry any of it and, if so, how much. Any reasonable answer depends on a careful assessment of just what the public's need is for intercity service.

People who enjoy—or used to enjoy—riding the railroads often argue that patronage would be much greater if there were more, and higher quality, service. It's certainly true that passenger trains are not only fewer but often dirtier and less dependable.

It is, however, more than a little unreasonable to expect the railroads to pour huge amounts of fresh capital into passenger service in the hope that eventually it would make money. In some places it might work. In many areas, though, the hope would at best be a weak one; where airlines service is plentiful and reliable between distant cities, it is unrealistic to think that enough people would ride the trains to make them pay.

If the Federal Government gets deeply into passenger-train subsidies, then, it should

make sure that any service it subsidizes will provide a fairly popular alternative to air and auto travel. One example that may meet that description: The fast, Federally aided trains between New York and Boston and between New York and Washington.

Even in less populous areas there may be some argument for maintaining skeletal rail passenger service—possibly for use in some unforeseeable emergency. If so, the Government presumably would assume a large share of the cost.

Americans for years loved riding passenger trains, and some of us still do. But the truth is that the nation cannot expect the private railroad industry to continue forever financing this romance.

A BILL TO STOP PORNOGRAPHY SENT THROUGH THE MAIL

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. BUSH. Mr. Speaker, I introduce for appropriate reference, a bill aimed at stopping the purveyors of pornography and sex-oriented advertising from using the mails as a means of transmitting their vile materials into private homes and businesses.

The volume of mail that has poured into my office in recent weeks decrying the use of the mails for this purpose has been staggering. It is readily apparent that American homes are now being inundated with more of this salacious matter than at any other time in history. This clearly indicates that it is time to stem this mushrooming tide of smut and obscenity that is violating the privacy of homes and corrupting the minds of our youth.

My bill requires mailers of obscene materials to first purchase from the Post Office Department a list of all families who have submitted their names to the Postmaster General indicating they do not want to receive such mail. The list would be made available only upon request and payment of a service charge, a fee covering all costs of compiling and maintaining the list.

The bill offers a refinement of present law in that it permits families to request that no obscene materials be sent them before, not after, they receive it.

This would be accomplished by a family simply informing the local post office that its mailbox is off-limits for smut mailings. Any mailer who violated this request and sent obscene materials to a family on the list would be subject to fine or imprisonment. The bill also contains penalties for sales, rental or lending of this list.

Further, the bill gives the Postmaster General the power to request the Attorney General to commence civil action against those who violate any provisions of the bill.

During preparation of the civil suit, the Attorney General may enter a temporary restraining order containing such terms as the court deems just, including provisions enjoining the defendant from mailing any sexually oriented advertisement to any person or class of persons.

I concur with President Nixon in his conviction that no governmental approach provides the final solution to this problem.

In his words:

The ultimate answer lies not with the Government but with the people. What is required is a citizens' crusade against the obscene. When indecent books no longer find a market, when pornographic films can no longer draw an audience, when obscene plays open to empty houses, then the tide will turn. Government can maintain the dikes against obscenity, but only people can turn back this tide.

This bill represents the sort of measure needed now to stop the abuse of the postal service for this depraved purpose and reinforce a man's right to privacy in his own home.

RETIREMENT OF LT. GEN. WILLIAM F. CASSIDY, CHIEF OF U.S. ARMY ENGINEERS

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. JONES of Alabama. Mr. Speaker, today marks the date of the retirement of Lt. Gen. William F. Cassidy, the Chief of U.S. Army Engineers, a distinguished soldier-engineer who has been a national leader in the development of the water resources of this great country.

General Cassidy's retirement will mark the end of a distinguished military career that commenced in 1931 when he was commmissioned in the Army Corps of Engineers after graduation from the U.S. Military Academy, West Point. General Cassidy's major military responsibility has been as the supervisor of all military engineering functions in the Army. He has been deeply involved in counseling, advising, and assisting in the constructio and combat support mission of the Army Engineer troops in Southeast Asia as well as in the expanding world-wide military construction program.

In his military service in the Army, General Cassidy has held many positions but I believe his greatest accomplishments have been when he was engaged in the field of water resources development, where he is truly one of the great experts. He has served as Division Engineer, South Pacific Division—as Director of Civil Works, and Deputy Chief of Engineers as well as in the position of Chief of Engineers. In all of these positions he has served his Nation well in bringing flood control to areas previously ravaged by floods, opportunities for industrial development along navigable waterways, municipal and industrial water supply to water-short areas, water-oriented recreational opportunities at reservoirs, and beaches throughout the country.

Mr. Speaker, I am pleased to have this opportunitly to congratulate Bill Cassidy for a job well done, and to wish him continued health, happiness, and success in the years to come.

GLUE-SNIFFING CAN BE ELIMINATED

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. ANDERSON of Illinois. Mr. Speaker, recently, the Testor Corp., of Rockford, Ill., announced an important discovery. By the addition of a certain chemical to its glue products, the problem of "glue-sniffing" can be eliminated. We extend our sincere congratulations to the Testor Corp., on this important discovery. In particular, we commend the manufacturer of its generous offer to make its findings available to other concerns producing inhalable products such as nail polish remover, paint thinner, cleaning fluid, and propellants in aerosol spray cans.

A statement detailing the background of the Testor Corp. discovery follows:

STATEMENT

NEW YORK.—The largest manufacturer of plastic model cements has found a solution to the problem of glue-sniffing in a basic chemical that could also be used to end the sniffing of solvents from scores of household products used by millions of consumers.

The Testor Corporation, a division of the Chicago-based Jupiter Corporation, has been adding oil of mustard to its plastic model cements since May, 1968, after six years of development and testing.

Oil of mustard—known scientifically as allyl isothiocyanate—acts as a deterrent to the misuse of plastic model cements by providing the same jolt in the nasal area as that occurring after eating very hot mustard or horseradish.

At a press conference, Charles D. Miller, president of Testor, said that his company is offering its research and development results concerning the additive to any manufacturer whose products contain inhalable solvents.

The products include nail-polish remover, paint thinner, cleaning fluid, gasoline, and even the propellants in pressurized hair sprays, cocktail glass chillers, and the sprays that keep foods from sticking to pots and pans.

The oil of mustard, also called essence of horseradish, is a lacrimator, an irritant which produces excess tearing. Its effects are reversible—they cease as soon as exposure to the chemical ends.

James L. Badinghaus, assistant administrator of the Hamilton County Juvenile Court, Cincinnati, Ohio, and an authority on juvenile delinquency and drug abuse, said that several youngsters, arrested for glue-sniffing, told the Court that they could no longer sniff Testor plastic model cements.

"The youngsters told the Court, 'We can't use Testor's anymore—they've put something in it and it smells too bad to sniff'," Badinghaus said.

Hobbyists, who use plastic model cements for their appropriate purposes, have not noticed the existence of the additive in the cement.

Miller said that "solvent inhalation is the problem of all manufacturers whose products contain such ingredients. We are offering to these manufacturers whatever assistance we can give to help them add a deterrent to solvent-inhalation into their products too."

Forrest Elson, Testor vice president for research and production and a chemist pointed out that allyl isothiocyanate is approved by the Food and Drug Administration as a food additive, and is used to add spice to many food products. In different

forms, it is also used as a food preservative and in drug production.

Attempts to develop either a deterrent to solvent inhalation or products without such solvents have been made for decades. Investigations focused on developing an additive after it was learned that the solvents themselves are almost always basic to the functions of the products in which they are found. In plastic model cements, for example, solvents give the cements their excellent adhesive power and the ability to dry immediately after application.

The New York-based Hobby Industry Association of America, in 1962, commissioned an independent laboratory to investigate possible plastic model cement additives. In late 1962, the laboratory issued its report which contained a list of almost 100 possible additives.

In the two years until late 1964, the Testor Corporation combed through the list of potential additives, testing their safety, effectiveness and practicality, and finally selected the oil of mustard.

From 1964 to 1968, the company tested the additive in its plastic model cement production processes to be sure that the additive did not affect the adhesive qualities of its cements.

The Testor Corporation is the largest producer of plastic model cements, turning out more than 25 million tubes of the product annually, about two-thirds of the industry total.

Its model cements are used by hobbyists to build the millions of plastic models sold each year.

In addition to its plastic model cements, The Testor Corporation, a 40-year-old hobby products producer, manufactures other special-formula cements for various materials, decorative and hobby enamels paint-by-letter kits, styrofoam gliders, model airplane and automobile engines, and other model building and decorating supplies. The company has plants in Illinois, California, and Canada.

APOLLO 11

HON. EARLE CABELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1969

Mr. CABELL. Mr. Speaker, all of us in America and in all parts of the earth are proud of the success of the Apollo 11 trip to the moon. This achievement is one in which all of mankind has shared via worldwide television, made possible by our space age technology. The openness with which the United States has shared its exploration in space has made this international interest possible. Unlike the other space power, our program has been open for all to share in its successes and in any possible failure.

Many in the Congress, Government, industry, and education are due credit for a team effort unsurpassed in our history. Dallas County industries have played a significant part on this team. The courage of Neil Armstrong, Buzz Aldrin, and Mike Collins and their dedication made the final triumph on the lunar surface possible. However, if I had to choose one man to thank for the fact that the first flag planted on the moon was the Stars and Stripes, I would pick our former President, Lyndon Johnson.

During the early Russian exploration and success in space during the 1950's, then Senate Majority Leader Johnson was chairman of the Senate Space Committee and led the way in convincing the Eisenhower administration to go at least the first mile on this vital program.

Later, as head of the Space Council, then Vice President Johnson worked hard to assure that the American space effort moved smartly ahead. Finally as President Lyndon Johnson continued his support and enthusiasm for maintaining the momentum of the program whose success we have now witnessed.

With this background, nothing could have been more fitting than that former President and Mrs. Johnson were honored guests at the launch of Apollo 11 on its epic voyage.

At this time of exhilaration over man's most spectacular feat to date, it is fitting and proper that the three space heroes who made the final steps out onto the moon should be honored. However, many, many others contributed to this success and first among these is our fellow Texan, Lyndon Baines Johnson.

THE FUTURE OF SOUTHERN MARYLAND

HON. J. GLENN BEALL, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. BEALL of Maryland. Mr. Speaker, recently my colleague, Representative ROGERS C. B. MORTON of Maryland's First District, addressed the annual meeting of the Southern Maryland Electric Cooperative, Inc. He spoke about the future and growth of this area, which is presently rural, and urged the residents to make the necessary preparations for this expansion. I think his remarks are of interest, especially to my colleagues in this body whose districts face similar developments.

I include the remarks in the RECORD at this point:

REMARKS BY CONGRESSMAN ROGERS C. B. MORTON, ANNUAL MEETING OF SOUTHERN MARYLAND ELECTRIC COOPERATIVE, INC., JULY 14, 1969, CHARLOTTE HALL, MD.

Today I've spent a few hours at Patuxent River Naval Air Station, at the Naval Ordnance Laboratory at Solomons, at the site of the new electric power plant being constructed at Scientist's Cliffs, and in the major communities of St. Mary's and Calvert Counties.

Every time I come to Southern Maryland, I am impressed with the opportunity that exists here. I am impressed with the beauty of the place, but most of all I am impressed by the people. I regard it as a high privilege that the General Assembly of Maryland included in the First District—Calvert, St. Mary's and part of Anne Arundel Counties. I wish I represented Charles County.

I see great change coming to Southern Maryland and I'm sure you do. It is something you and I together must think about; it is something we have to do something about. We have to maintain certain balances and just for a moment I am going to talk about those balances.

Practically everything you and I do today, when we go to the store—when we get up in the morning and turn on the lights—when we heat our homes—when we drive our cars—no matter what, we use energy. Basically, there are only three great sources of energy available to this civilization at this point in time. They are oil and oil derived from shales, coal and uranium. Those are the three sources of energy we use as tools. The other great source of energy, of course, is the solar energy from the sun.

We must remember that in our time on the crust of this earth, it will be necessary for us to keep in balance the great sources of energy. This is important. We must remember that in this we have known oil reserves of only about 8 years. Therefore, it will become necessary to use more coal and more uranium, which can be converted into nuclear energy.

If we fail to keep the consumption of these resources in balance, we will reach a point of crisis when drastic changes will take place. Imagine how it would be if you could burn the light in your living room only from 2 o'clock in the morning to 3 o'clock in the morning, if that's the schedule you were assigned. Or if you could run your refrigerator only 2 or 3 hours a week; or if you could buy only enough fuel oil to heat your house for 25 days through the winter period? This could happen if we run out of oil if we don't balance the use of that source of energy with other resources available to us.

New technologies are going to come along. There is a great power plant right here in Calvert County. One that is subject to controversy—mostly speculation on what might happen. But our technology has reached a point where we can control what will happen, if we are patient and if we are careful.

Because of my deep interest in the conservation of the Bay and its surrounding shore land, I would never approve an installation which would warp, destroy or in any way injure the integrity of a great resource which means so much to us—namely, the Chesapeake. So I am going to be as demanding as I can on the technology put forward, so we can insure this installation will not heat up the Bay and thereby deteriorate the ecology of the Chesapeake, and insure that no radioactivity in any toxic amount will be put into the environment. If it is done correctly and it is done with care and patience, this can be the cleanest and most efficient kind of energy conversion process we have. Let us demand of the officials who are in charge of that project the very best, but realize too that we as a people must begin to use a balanced mix of our energy sources.

There is one other balance I want to talk about, because it is a very important balance to you and to me and to every Southern Marylander. The three counties of Southern Maryland—Charles, Calvert and St. Mary's, are going to be under more stringent population pressures during the last quarter of this century than any other area in the State and on the entire eastern seaboard complex. The storekeeper down the street thinks in terms of new customers when he thinks in terms of growth. The fellow who is selling automobiles thinks in terms of more sales when he thinks of more people.

But there are greater balances which you and I have to think about if we are going to preserve the beauty and the spirit and the personality of this great part of the country. We've got to think in terms of balancing this growth with jobs. We've got to think in terms of balancing this growth with transportation so we don't become just a suburban traffic jam to Metropolitan Washington.

The leadership for this will come from many sources. It will come from the Board of Directors you've just elected of this great organization. It will come from the Planning Councils of groups like your Tri-County organization. It will come from the hard work of the County Commissioners. I've spent a good portion of the day with the County

Commissionrs of St. Mary's County on this very matter.

Let us preserve the jewel-like atmosphere of Southern Maryland by carefully planning what our future is going to be, and not let some authority from Washington or some mysterious happening plan our destiny and our lives for us. We can do it if we try. We can do it if we work together. We are now at a density of only about 84 people per square mile. We now have a population in these three counties of only about 85,000 people. But in 1985, it is predicted that we will be 190,000. Everywhere you look on the road, where you now see one car there will be two. Everywhere there is a house, there will have to be two; but likewise, everywhere there is a new house, there has to be a new job.

Today, the people in St. Mary's, Calvert and Charles Counties have an average age which is 4 years younger than the State average. Let's convert the energy of all that youth and enthusiasm into the building of a great community that has balance—balance in its energy sources, balance between jobs and growth, balance between open space and closed space, balance among systems of transportation. Let's build a place that is exciting to live in, a place that is profitable to work in, a place that has a feeling of security and not one of frustration. Today is the day we should start with those plans.

Thank you very much.

THE ARMS TRADE—PART I

HON. R. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. COUGHLIN. Mr. Speaker, I am compelled to comment on a state of affairs so dangerous and out of control that it threatens man's very existence on earth. Specifically, I am referring to the international trade in the weapons of war.

Since Hiroshima, mankind has been urgently preoccupied with devising ways in which atomic weapons will never again be used. Yet, while we have focussed our attention on this most worthy goal, we have virtually ignored the critical need to control the vast proliferation of conventional arms that has been a stark fact of life for the past quarter century.

Mr. Speaker, there have been 56 wars of significant size in this world since 1945, 54 of which have been fought in the underdeveloped areas. The nations doing most of the fighting do not have the capacity to make their own arms. Thus, the weapons they use to fight these wars have all been imported from the major industrial powers.

The worldwide volume in the trade in arms is currently $5 billion per year. Fifteen years ago it was only $2.5 billion; by the early 1970's it is estimated that the trade will double to $10 billion a year. This vast trade in arms is carried out largely unimpeded by any international laws or restraints.

The largest arms merchant in the world, Mr. Speaker, is the U.S. Government, currently distributing in excess of $2 billion in arms per year to some 70 countries. The Soviets are second, distributing some $1 billion a year, mostly to the Middle East. Vying for third are Britain and France, each of which is selling some $400 to $500 million in arms each year. Also aggressively involved in the sale of arms are Belgium, Italy, West Germany, Canada, Czechoslovakia, and Red China, as well as two peace-loving "neutrals," Sweden and Switzerland.

In addition, there exist several score major private arms dealers who buy and sell arms for personal gain. Their business collectively runs to some $100 million per year. The largest private dealer in the world, by the way, is a firm called the International Armament Corp. or Interarms for short, and it is located in Alexandria, Va., less than 8 miles from this Chamber.

All in all, some $66 billion worth of conventional arms have been pumped into the world markets since the end of World War II. Of this, the United States alone has been responsible for $50 billion. Thus, one might say that the post-war arms trade is fifty sixty-sixths an American responsibility. And it should be noted that in this atomic age, conventional arms are doing the killing, and not a thing is being done to stop the proliferation of these weapons of death.

A $5 billion arms trade becomes significant when one reviews the Cuban revolution. Fidel Castro had less than 1,000 regulars in the field; for an aggressive arms salesman to have supplied Castro's entire weaponry needs at that time would have required gathering together only 1,500 to 2,000 small arms, a value not exceeding $50,000. To deliver such a small order would have taken any reasonably efficient arms merchant less than 1 week.

It must be remembered that 2,000 small arms represent about one-three hundredths of one large dealer's inventory—a relatively small quantity. If a private arms dealer, with a mere $50,000 worth of arms, has the power to underwrite a revolution as significant as the one Castro led, it is obvious what can occur as the result of the U.S. Government distributing more than $2 billion in arms per year, and the entire rest of the world distributing another $3 billion.

There are virtually no regulations controlling the arms trade today: The few rules which exist are breaking down, not only because the trade is growing so fast and thus overwhelming the little control machinery that exists, but because of an excess of bureaucratic obscurantism, intellectual rigidity, and sheer human ignorance and greed.

This is why the potential mischief of the arms trade is so dangerous. I am convinced that the reason conventional warfare is dangerous in the atomic age is that, if a general atomic holocaust breaks out, it will occur as the direct result of a conventional war escalating out of control. That is why the Middle East is so critical: the Soviets have put their prestige on the line with Egypt; more and more we, the United States, are being forced to put our prestige on the line with Israel, the responsible Arabs, or both. If it comes to the point where neither great power can back down, then the buttons are going to be pushed.

I am disturbed that those nations distributing arms around the world are more and more involving themselves in the trade for economic rather than military reasons. Once arms were given away or sold, because it was in the military interests of the donor country. However, over the last decade, the emphasis has changed from military to economic. Now nations sell arms, because it is good for business, it brings in hard currencies, it keeps people employed, it off-sets an unfavorable balance of payments, it cements international relationships, it promotes the international flow of technology, and it keeps nations up in the state of the art.

In order to bring this subject to the attention of my colleagues and to increase the pressure on our Government to seek changes in the disastrous direction of our arms aid policies, I plan to speak out from time to time on this topic whenever I believe I have information which may be relevant.

Today, for instance, I am including in the RECORD an article from the New York Times concerned with the recent 5-day "Soccer War" between Honduras and El Salvador in which some 3,000 soldiers lost their lives and which saw both sides using arms supplied by the United States.

I believe the facts speak for themselves:

O.A.S. PEACE MOVE IS BACKED BY UNITED STATES; INDEPENDENT EFFORT TO SETTLE SALVADOR-HONDURAS WAR BARRED BY WASHINGTON

(By Peter Grose)

WASHINGTON, July 15.—The Nixon Administration deplored today the use of United States-supplied arms by two Central American republics to fight each other.

White House and State Department spokesmen expressed full support for the efforts of the Organization of American States to bring about a cease-fire between Honduras and El Salvador, ruling out any independent United States role to mediate the dispute.

[The Honduran Government said that its planes had attacked targets in El Salvador in retaliation for attacks on the ground and in the air by Salvadoran forces Monday. It said that a Salvadoran plane had been downed.]

The Organization of American States sent a team of diplomats from seven nations, including the United States, to Central America to report on the air and ground combat and to try to induce both sides to break off hostilities.

At an O.A.S. Council meeting today, special representatives from Honduras and El Salvador exchanged accusations of aggression. A former Foreign Minister of Honduras, Roberty Perdomo, charged that the Salvadoran armed forces were staging a "large-scale invasion" of Honduras. The President of El Salvador's Supreme Court, Alfredo Martinez Moreno, accused Honduras of carrying out a policy of genocide against thousands of Salvadoran citizens who live in Honduras.

An authoritative State Department official conceded the possibility that the military equipment being used by the two sides had been supplied by the United States under military assistance programs. "Such a situation is not without precedent," he said, "and we consider it very regrettable."

Senator J. W. Fulbright, chairman of the Senate Foreign Relations Committee, said he was "embarrassed" by the warfare between the two hemisphere neighbors "to the degree that we have responsibility."

"They might have solved it with fists and feet if we had not furnished them the arms to use instead," the Arkansas Democrat said.

United States military assistance to Honduras last year amounted to about $800,000;

to El Salvador $500,000. As Secretary of Defense Melvin R. Laird said, in testifying before Senator Fulbright's committee, the total military aid to Latin America is "a very small amount."

Senator Jacob K. Javits, Republican of New York, said the fact of the aid, not the amount, is what is important. Senator Fulbright suggested that the Pentagon might consider complete elimination of military grants to Latin American and other underdeveloped countries.

The O.A.S. peace-making commission flew to Guatemala City this morning in two aircraft, one a commercial flight, the other supplied by the United States Government. The Nicaraguan Ambassador to the United States Guillermo Sevilla Sacasa, heads the team. The United States members are Richard A. Poole and John W. Ford, senior delegates at the O.A.S.

President Nixon's representative at the O.A.S., Joseph John Jova, was quickly sworn in this morning so that he could take part in today's Council meeting. He had been Ambassador to Honduras since 1965.

The State Department spokesman, Robert J. McCloskey, said there were about 3,200 United States citizens in El Salvador and 2,100 in Honduras. The State Department has received no reports of American casualties in the combat.

RETALIATION RAIDS STAGED

TEGUCIGALPA, HONDURAS, July 15 (Reuters)—Honduras said today that her planes had shot down a Salvadoran plane during an air raid on the Toncontin International Airport here.

A government spokesman said there were no Honduran casualties in the bombing attack and damage to the airport was slight. The airport was closed to civilian traffic.

There was no indication what happened to the crew of the downed Salvadoran plane.

The spokesman said that Honduran planes had earlier bombed targets in El Salvador in swift retaliation for the attacks on Honduran territory.

Honduran planes destroyed fuel tanks at El Salvador's principal airport in Ilipango, knocked out airport installations and damaged port facilities, the spokesman said.

A military spokesman said that Salvadoran troops attacking frontier positions were being repelled.

The situation in San Salvador, meanwhile, was tense, with schools closed and a third of the shops and offices closed, the Salvadoran newspaper La Prensa Gráfia reported by telephone.

La Prensa Gráfia said that Salvadoran troops were penetrating deeper into Honduran territory in a march on Tegucigalpa. They were within 75 miles of the Honduran capital, according to an official Salvadoran announcement quoted by the newspaper.

The official announcement said that the purpose of the march was to protect the lives of more than 200,000 Salvadorans still living in Honduras. The San Salvador Government feared reprisals against the residents.

Radio reports from the mountainous border between the two countries said that fighting was continuing along the length of the 860-mile frontier. La Prensa Gráfia said. The border area is dotted with small farming villages growing rice, beans and corn.

HONDURAS IDENTIFIES TARGETS

TEGUCIGALPA, July 15 (AP).—The Honduran Government identified the targets attacked by its World War II Corsairs in El Salvador today as military bases and fuel depots at La Union, Acajutla and the Ilopango international airport. It said the airport had been put out of action, structures damaged and oil supplies destroyed.

There were unofficial reports that the Honduran port of San Lorenzo had been damaged by machine-gun fire, and that there had been casualties in Salvadoran air attacks on Ocotepeque, a town of about 5,000, and Santa de Copán, with 9,500 residents.

A Red Cross official in Managua, Nicaragua, said that 500 refugees of various nationalities had fled into Nicaragua from neighboring Honduras.

A good deal of the ill feeling between the two countries arises from the resentment of Hondurans toward the nearly 300,000 Salvadorans living in their country. Most of the Salvadoran immigrants are peasants who have gone to Honduras in search of land—something that cannot be obtained in their small and overpopulated country. Honduras, with 2.5 million people, has an area of 43,227 square miles; El Salvador has 3.1 million people living in 8,260 square miles.

These feelings came to a head last month during a three-game soccer match to determine which team would play in the World Cup matches. A wave of violence flared against Salvadorans in Honduras after charges of mistreatment of Honduran fans after a game in San Salvador.

DEATHS FROM KIDNEY DISEASE APPALLS HORTON

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. HORTON. Mr. Speaker, today a man will die from a disease for which a cure has been found 10 years ago. It is appalling to me that people continue to die from kidney disease, while techniques to save these victims' lives have been developed.

Kidney transplants and the kidney machines are two techniques that could save the lives of 10,000 patients. And yet, less than 5 percent of these patients receive these life-saving treatments, solely because of lack of funds.

Many of my colleagues may have read of a tragic example of this in the Star last week. It was a story of a young woman, a victim of kidney failure, who lay unconscious in the hospital. She was denied the use of the machine that might save her life because she could not guarantee payment. The machine could cost up to $15,000 a year.

Mr. Speaker, the citizens of the richest country in the world cannot stand by and see this happen. We can no longer let this ironic tragedy exist. We can no longer force a physician to choose who will live and who will die on the basis of money.

Today, I am introducing the National Kidney Disease Act. It is designed to provide needed training facilities, treatment centers, specialized professional personnel, and even the costs of necessary equipment and supplies for patients to treat themselves in their own homes.

My bill calls for the combined efforts of Federal, State, local governments, medicine, universities, nonprofit organizations and individuals.

This comprehensive approach to planning and implementing a national program for the treatment of kidney disease will secure the latest advances in diagnosis and research.

Mr. Speaker, aside from kidney transplants and kidney machines, basic research into the nature of the disease and mass testing procedures for the early detection is urgently needed.

This dreaded disease is one of our Nation's most widespread afflictions. Over 7 million Americans suffer from kidney-related disease and 100,000 deaths a year result from it.

Seventy-nine Members have cosponsored this bill. I am pleased to add my support to this urgently needed legislation, and I believe it is now time for Congress to take action.

LEGISLATION INTRODUCED TO COMBAT SHORELINE EROSION

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. ASHLEY. Mr. Speaker, I am introducing today legislation designed to combat the growing problem of shoreline erosion.

Under present law the Corps of Engineers may spend up to $50,000 in one locality in any one fiscal year for the construction of emergency bank protection works to prevent flood damage to highways, bridge approaches and other public works endangered by bank erosion.

However, the corps can provide assistance for damaged privately owned property only when the President declares that a disaster exists. The Office of Emergency Preparedness does not have available funds or programs for shoreline erosion relief. The Small Business Administration, which can purportedly lend money at 3 percent interest rates, cannot lend to a private property owner unless 25 homes have been destroyed—the criteria for the SBA declaring an area a disaster area.

Thus we are faced with a situation in which private property owners are often helpless until their lands and homes, and those of 24 of their neighbors, have been destroyed. This absence of preventative measures in the laws leaves property owners across the country in a bind. If they try to buttress up their own land, their efforts may result in more damage to the surrounding unprotected property and, at best, provide only temporary relief. Similarly, when the Corps shores up publicly owned property, its efforts often endanger the surrounding privately owned property.

On the other hand, if they do nothing, they may have a front row seat to watch their homes gradually slip into the water.

In Maumee, Ohio, for example, the erosion of the shoreline is so acute that homeowners are living on borrowed time as their houses inch ever closer to the Maumee River. One property owner graphically described the problems of the area to me in a recent letter:

Our homes and land have been slipping gradually toward the river, due to layers of silt and consequent veins of water lying up

to 30 feet under the town of Maumee, Ohio. For example the Lucas County Library itself is in danger of collapsing in the not-too-distant future.

* * * * *

. . . the natural flow of these veins of water is toward the (Maumee) river and our homes are in its wake, so actually the drain off of the town is responsible for the slippage and erosion on our land.

Personally, we built a $5000 terrace on our home toward the river and half of it has sunk 24 inches and is still moving. The terrain all along this area appears as a huge crust of the earth that has broken away. Many of our poor neighbors are having more damage than we are experiencing; near Judge Alexander's home it has dropped 5 to 6 feet.

This same scenario is repeated time and time again across the country and the amount of damage runs into the millions each year. It is clear that only a combination of private and public action can curb the problem. The Federal Government, acting through the Army Corps of Engineers, must coordinate the placement of abutments, retaining walls, jetties, and such other measures as may be necessary to prevent erosion from destroying productive lands, both public and private, from contaminating our waterways with large amounts of silt and sediment.

The private landowner whose property is benefited, for his part, must be required to pay his fair share of the cost.

The bill I have introduced seeks to effectuate a national program to abate shoreline erosion by allowing private property owners to qualify for assistance from the Corps of Engineers in accordance with already established procedures for civil projects to abate shore erosion on public lands. The bill would permit the Federal matching grant formula of 50–50 reimbursement to be met by responsible local interests. In this manner, private citizens, through the process of special municipal assessments, would be able to match Federal aid to solve a problem whose effects are of national importance.

In addition to the assistance provided by this bill, long-range erosion control must include adequate zoning measures to assure wise development policies in erosion susceptible areas. Only with such a two-pronged effort can we achieve lasting control—control which at the same time retains land and topsoil and eliminates the siltation pollution that results from erosion.

Mr. Speaker, the present situation can only worsen unless we authorize preventive measures immediately. I hope the House Committee on Public Works will act promptly on this measure.

ANN HENRY DELEGATE TO GIRLS NATION

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. DENNEY. Mr. Speaker, yesterday, I had the extreme pleasure of meeting Ann Henry, one of two Nebraska representatives to the 1969 Girls Nation.

Ann is the daughter of Mr. and Mrs. Herbert C. Henry of Lincoln. She will be a senior next year at Lincoln East High where she participates in a number of various clubs and other activities. Upon graduation, Miss Henry plans to enroll at the University of Nebraska, majoring in science.

At Nebraska Girls State, Ann was elected state auditor and on the final day selected to attend Girls Nation by her fellow girls staters. Here in Washington at Girls Nation, Ann was appointed Director of the Federal Bureau of Investigation and was hoping to meet with her actual counterpart.

Mr. Speaker, I would like to commend the American Legion Auxiliary for providing our youth with the citizenship training, practical experience in the processes of government and a clear understanding of their responsibilities as citizens of the United States.

A SALUTE TO THE ENGINEERS' GEN. WILLIAM CASSIDY

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. EDMONDSON. Mr. Speaker, today a fine soldier and great American is being honored with a review at Fort Belvoir upon his retirement from active military service.

That man is Lt. Gen. William F. Cassidy, who has ably served for the past 4 years as Chief of Engineers for the U.S. Army.

To me, General Cassidy is a fine example of the soldier-builders of the Army Corps of Engineers. Trained and capable in the skills of war, these men have literally changed the face of America when they have turned their skills and expertise to civil works. They have tamed rivers, opened vast areas of our heartlands to river navigation, stabilized our beaches, and improved our Nation's water supply. No job is too big for them to tackle and successfully complete.

General Cassidy's career exemplifies this dual role of the Army Engineers. During World War II, General Cassidy commanded troops charged with building airfields. His war record was outstanding.

Following the war, he was assigned to flood-control works in the lower Mississippi Valley. When the Korean war broke out, he was sent to Japan and put in charge of engineer supply for the war effort. Once again, he performed his duties with great ability.

His next assignment was South Pacific division engineer where his work once again was directed toward flood control and navigation-related projects in California, Nevada, Utah, Arizona, and Hawaii—including disaster relief activities during severe flooding in 1955 and 1956.

He returned to the Far East as an adviser to the Republic of Korea Army, then came home to become chief of the corps' civil works division with overall charge of water-resources development in the United States. As Chief of Engineers, of course, he has been in charge of both phases of the Army Engineers' job, and has once again demonstrated splendid qualities of leadership and achievement.

Mr. Speaker, General Cassidy has become a close, personal friend of mine during the past 10 years, and is highly regarded by all Oklahomans. I have the greatest respect for him and for his splendid career, and wish him well in his well-earned retirement.

TRIBUTE TO ASTRONAUTS

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, a constituent of mine, Miss Lena G. Doll, of Arlington, Va., was so impressed with the flight of our moon astronauts, and especially with the arduous contribution toward their flight made by Dr. Wernher von Braun and his colleagues, that she has composed a tribute to them which I insert at this point in the RECORD, as follows:

All mankind is beholden to Dr. Wernher von Braun for his extended contribution to the technology of space exploration. In Germany in 1945 when the Russians took Berlin, Dr. von Braun, then technical director of Germany's rocket program, his brother and team of 120 engineers loaded what rocket equipment they could truck and made way to the near American unit where they surrendered.

In America, Dr. von Braun was first sent to White Sands, then to Fort Bliss, and later to the Redstone Arsenal in Alabama. There he and his team developed the Redstone, the Jupiter and the Pershing missile systems.

After the Russians launched Sputnik I in the autumn of 1957, Dr. von Braun was authorized to make a satellite. Explorer I was sent into orbit at Cape Kennedy the last of January of the next year. Since then progress in space exploration has been continuous and rapid. The 18-pound Explorer was the beginning in America, and Saturn 5 with its 7½ million pound thrust is not the end. Americans dare not ignore the urgent dedication of Dr. von Braun and his colleagues in their abilities to promote man's farther reach towards learning the secrets of the universe. The Time is now. God bless them in their undertakings.

L. G. DOLL.

APOLLO AND THE EAGLE—SALUTE TO Dr. WERNHER VON BRAUN

Man escaped from his bindrage
On Saturn 5 to the Moon
Where he landed with his module
And walked about thereupon.

He scooped up some of the surface
Of rocks, and dust, and such,
He also made two borings
To bring back to the Earth.

The whole feat accomplished
Indescribably neat
Safe landing on earth again
Made cycle complete.

"Once in a lifetime"
Said tearful, von Braun
Historic accomplishment
My forty-year dream.

Only one comparison
In historic span
That of aquatic life
Crawling out on the land.

From the sea to the land—
From Earth to the Moon—
Space calls to man's yearnings
To reach Mars very soon.

Yes, Mars, and then Venus,
Other planets in time,
The blueprints all readied
Rocket engines designed.

What an inspired vision,
Man's farther-reach plan!
Our salute to the team work
Of Wernher von Braun.

SMALL WATERSHED PROGRAMS

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. MILLER of Ohio. Mr. Speaker, flood control is a serious problem in many areas of our country. The small watershed program has proven to be an effective and economic measure in harnessing nature's water excesses. Watershed development results in many advantages in addition to flood control. Conservation, recreation, wildlife, irrigation, and cultivation benefits often accompany a well-managed watershed project.

An excellent account of the progress of the watershed programs in Ohio was recently published in the Sunday magazine of the Columbus Dispatch. I insert the article at this point in the RECORD:

HOW TO STOP A FLOOD—SMALL WATERSHED PROGRAMS TO BENEFIT MANY AREAS OF OHIO

(By Bob Waldron)

Water has a stubborn tendency to run downhill. When it runs too fast and in too large a quantity it can cause enormous damage. Fortunately there are ways to slow it down.

The land from which water drains to a given point is called a watershed. Everyone lives in a watershed of some sort. It may be very small, draining into a low spot in the backyard to form a mud puddle, or it may be very large like the Mississippi River basin which covers 1,243,000 square miles and is made up of thousands of smaller watersheds including the Ohio River and all its tributaries.

But a watershed is more than just a piece of land. It is a community shaped by natural rather than political boundaries. The people who live within a particuler watershed community have common interests in the proper management of the land and its water resources. Some of them take an active interest, others do not.

The problem started many years ago. Much of Ohio originally was forested, and rains sifted down through the trees into the thirsty leaf mold. There was not much runoff, the floods were inconsequential.

Early settlers cleared the good bottom land first, then moved up the slopes with their axes. No longer held back, the rain water poured down the hillsides and pushed across the cultivated fields, taking good topsoil with it. The faster it ran the more soil it carried away and the more flood damage it caused downstream.

Years passed and many millions of dollars in farm crops and urban properties were lost before any concerted effort was made to control the water run-off. Big dams have been erected to hold back flood waters on a large scale and to furnish water to burgeoning cities, but until recent years too little has been done in the upper reaches of the watersheds to control the rainfall run-off before it had a chance to get rolling in large quantities.

The tide is turning, however. Today many local areas which have problems of too much water, at the wrong time and in the wrong place, are doing something about it with the aid of a federal program designed especially for flood control on small watersheds.

Public Law 566, known as the Watershed Protection and Flood Prevention Act, provides technical and financial help to local groups that wish to establish watershed control projects. Although flood control in limited areas is the primary purpose of this legislation, many projects add to their importance by also providing public recreation facilities such as fishing and boating, and potential water supplies for villages and small cities. The federal program is administered through the Soil Conservation Service of the United States Department of Agriculture.

Small watershed projects depend on two main factors, (1) conservation practices on the land and (2) structures for water impoundment, drainage or irrigation.

The conservation practices are applied by the landowners themselves to absorb as much of the rainfall as possible, control run-off of the rest, reduce erosion and improve crops. Methods generally include such things as grass waterways, contour planting, terraces, reforestation, farm ponds and other control measures.

Structures are mainly earth fill dams fitted with mechanical spillways. Together, all these practices are aimed at one major objective—to trap the raindrops in the hills or at least slow them down.

So far, only five small watershed projects have been completed in Ohio, but many others are either under construction, approved for construction, in various stages of planning, or have gone through at least the preliminary application step.

The completed jobs are on the Upper Hocking in Fairfield County; Rocky Fork-Clear Creek in Highland County; Marsh Run in Crawford, Richland and Huron counties; Upper Wabash in Mercer and Darke counties, and the East Fork of Buck Creek in Champaign County.

The Upper Hocking plan was the first in Ohio, and served as one of several pilot projects across the nation to try out the new legislation. Desperate need for just this kind of water control had been experienced in the Lancaster area. Eight inches of rain one July night in 1948 inflicted $650,000 damage in the community. Water and silt washed off the bare cornfields north and west of the city, overflowed ditches, wrecked bridges, caved in foundations and covered the flood plain up to four feet deep.

Residents of the area, determined to stop such devastation, asked the federal Soil Conservation Service to develop a watershed protection and flood prevention plan. The Hunter's Run Conservancy District was formed, and under its direction the protection plan was enlarged to include two watersheds totaling 31,418 acres. Eight flood dams and 21 smaller water control structures were built. The entire project was completed in 1961 at a total cost of nearly $2 million.

Cost of the structures was paid by the Soil Conservation Service under the small watershed program. Cost of land rights and easements, approximately $160,000, was raised by the county, city of Lancaster, and property owners who stood to benefit directly. In addition, the wildlife division of the Ohio Department of Natural Resources purchased land around two of the dams and opened it to the public for fishing and hunting.

In the eight years since the project was completed Lancaster has escaped major flood damage from at least three storms that could have caused serious trouble if the built-in deterrents had not been there. It is estimated that more than 60 per cent of the cost already has been recouped through savings from flood damage that otherwise would have occurred. Property valuation in the area has increased tremendously.

Rocky Fork-Clear Creek watershed also was a pilot project, but not nearly so extensive. It involved only land treatment and stabilization features.

Marsh Run is a 20,000-acre watershed furnishing irrigation water for vegetable crops in the muck area of north central Ohio as well as serving as a protection against floods. It includes 15 miles of channel improvement and a 75-acre irrigation water supply reservoir.

Upper Wabash project covers 80,540 acres on the west side of the state. It features three flood prevention dams and 38 miles of stream channel work.

Smallest watershed project in Ohio so far is on the East Fork of Buck Creek in southeastern Champaign County. It includes only 6,570 acres, but to the farmers involved it is just as important as any of the larger programs. After repeated crop losses because of floods the farmers got together and asked the Champaign County Soil and Water Conservation office for help. USDA soil conservation technicians assisted in developing a plan for the valley. A local conservancy district was formed to handle details such as acquisition of land rights and the administration of contracts.

The project includes five earthen dams and a few miles of channel improvement, plus conservation practices on individual farms. Local costs were moderate because farmers donated most of the land easements. Edgar Hodge, whose 467-acre farm is in the upper corner of the watershed, typifies the cooperative spirit which makes such a project possible. He had been practicing soil conservation before the present plan was proposed, but he increased his efforts and accepted chairmanship of the local conservancy district board. Others joined enthusiastically in the program and as a result flooding of valuable crop land in the valley was reduced markedly.

Among other watershed projects now in progress, Rush Creek in Fairfield, Hocking and Perry counties is one of the largest. It involves 151,460 acres, 18 flood prevention dams, five multiple purpose dams, 22 miles of channel improvement and levee protection for the town of Bremen.

Margaret Creek project in Athens County will cover a 38,600-acre watershed with six dams and nearly 10 miles of channel improvement.

The West Fork of Duck Creek is designed to control run-off from 68,380 acres in Noble, Guernsey and Washington counties.

Local initiative and enthusiasm are major factors in getting approval for these small watershed projects, says Jesse L. Hicks, an assistant to state conservationist Raymond S. Brown in Columbus. "It is encouraging to see land owners in the upper reaches of a watershed cooperate unselfishly in a program which is designed mainly to keep flood waters off another man's property down in the valley."

Small watershed projects are limited to 250,000 acres. The average is about 85,000. "There is no competition between programs for construction of big dams by the Army Corps of Engineers and the small upstream systems built under Public Law 566," says James S. Bennett, another assistant state conservationist. "In fact, the two programs supplement each other. We work very closely with the Corps of Engineers and with the Ohio Department of Natural Resources in the development of joint projects."

Local project organizers have a choice of either forming their own conservancy district as a legal vehicle, or of making their bid

through the county commissioners if the board is willing to serve in that capacity. One of the few examples of county commissioner participation in Ohio is a joint Fayette-Madison County project now in the planning stage.

The Soil Conservation Service provides technical help in setting up the project and agrees to finance a generous share of the cost if the local community does its part. The federal government insists that a project must show at least a dollar's worth of value, through property protection and other benefits, for every dollar spent. State approval is required on all projects.

THE WARSAW UPRISING

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. HELSTOSKI. Mr. Speaker, the story of the heroic Warsaw uprising and Soviet treachery goes back 25 years—to July 1944.

The invasion of the European continent by the Western Powers was progressing rapidly. In the East, the Soviet Army already occupied large portions of Polish territory which was won from the retreating Germans.

To induce the Polish people to take up arms against the Germans, Moscow radio, through its "Kosciuszko" station began to broadcast appeals to the Poles:

Warsaw . . . the hour of action has struck. Your houses, parks, bridges, railroad stations, factories, buildings, stores, have to be transformed into centers of resistance. The Germans will attempt to make a stand in Warsaw—to destroy the whole city. In Bialystok they were busy for six weeks destroying everything and murdering thousands of people. Let us do everything in our power to prevent them from committing the same crimes in your city. People of Warsaw, to arms . . .

These calls were repeated day in and day out, and finally, on July 29, when the Russian offensive ground to a halt on the right bank of the Vistula River, in the Warsaw suburbs of Praga, Moscow radio sent out a "more urgent appeal to Warsaw," urging the Poles to "fight against the Germans," for "the hour of action has arrived. Warsaw never surrendered, never ceased to struggle. And now everything will be lost in the Hitlerite deluge unless you save it through action. Poles, the time for freedom approaches. Poles, take to arms. There is no second to be lost."

The Polish underground authorities adhered to the instructions given by the Polish Government in London, where the Western Powers insisted that the Poles must actively cooperate with Russia. Accordingly, the Polish Government-in-exile issued such orders.

Then, on July 31, 1944, a delegate of the Polish Government in London, and the Vice Premier of the Polish underground branch of this government, Jankowski, after having heard the opinions of the commander-in-chief of the Home Army, General Bor-Komorowski and his chief of staff, General Monter, issued orders to the Home Army to start a revolt against the Germans the next day, August 1, 1944, at 5 p.m.

Three days later, on August 4, all activities on the German-Russian front ceased, although the Soviet forces already consolidated their positions in Praga. Even the heavy guns were silenced.

Instead of the promised and anticipated roar of the Soviet artillery, which was to herald a new phase of a Russian offensive, all was quiet on the Eastern front of Warsaw.

There was only one explanation: Warsaw had been betrayed by the Russians.

On August 17, Premier Churchill and President Roosevelt appealed directly to Stalin to help Warsaw. Stalin did not even reply to these pleas.

An Anglo-American staff drew up a plan in London for the bombing of German positions in Warsaw by means of shuttle operations. British and American aircraft were to bomb German strongholds in Warsaw, then fly for refueling at nearby Luck, already occupied and secured by the Soviet Army.

Stalin not only rejected this plea, but at the same time accused the Poles, fighting and dying in Warsaw, of "betrayal and collaboration" with the Germans.

The Poles fought on against all odds, against all hope. They forced the Germans to send three armored divisions, badly needed on the Western front, to Warsaw. These, with incessant bombing by German planes, finally crushed the uprising.

After 63 days of fighting, Warsaw capitulated.

Over 250,000 Polish men, women, and children died in this struggle, in which even juvenile Scout troops rose to the heights of heroism and sacrifice.

The Germans, with a Teutonic fury destroyed, burned, pillaged the remnants of the city.

Warsaw did not die, however.

The indominable spirit of the Polish people rebuilt the city from desolation and ruin.

Warsaw, rising like Phoenix from the ashes, remembers Nazi brutality and Soviet treachery, and it longs for the day on which a truly free and independent Poland returns to the Western family of nations.

The uprising became one of the most heroic chapters in the history of fighting Poland and, as such, its anniversary is observed by the Poles.

Mr. Speaker, at this time I would like to present to my colleagues a brief history of the 63 days of gallant fighting by the Poles in defense of their capital city:

THE 63 DAYS

The Warsaw Uprising broke out on August 1, 1944, and lasted for 63 days. Some 50,000 Polish soldiers took part in it. Against them the Germans used about 25,000 troops organized in a special corps under the SS general Erich von dem Bach. German units were recruited at first mainly from the SS, police and auxiliary Wehrmacht detachments under generals: Heinz Rheinefarth, Hans Bohr and Hans Köllner. The insurgents fought armed with light weapons: pistols, rifles, grenades and tommy guns. They also had some heavy machine-guns, anti-tank guns and mortars.

The Germans used air-force and artillery, including heavy guns and all types of tanks.

During the first six weeks of fighting the insurgents suffered a great shortage of weapons. The weapons flown from the West were reaching the insurgents in small quantities, due to transportation distance, strong anti-aircraft fire and small drop-areas.

Historians do divide the Uprising in Warsaw into two stages: the offensive (1 to 4 August) and defensive ones (August 5 to October 2, 1944). In the first stage the insurgents attacked the Germans, forced them into a defensive posture and seized large sections of the city, mainly in its center, situated on the left (Western) bank of the Vistula river. The Uprising in the Eastern part of the city, called Praga, was not successful and was put down by the Germans already on the 2nd of August. The success of insurgents in the first days of the Uprising resulted—to a large extent—from the support of the civilian population of Warsaw, which joined them en masse. It was thanks to them that the areas seized by the insurgents were fortified with numerous barricades and anti-tank trenches. However the weapons were scarce and the supply of ammunition inadequate (the successes of insurgents were only temporary. All major German posts in Warsaw which were protected by concrete bunkers and barbed wire managed to defend themselves, although some of them were encircled by insurgents. Thus the part of the city in the Polish hands did not present a whole entity. It was rather composed of 4 separated areas: the Center, Mokotów, Ochota and Zolibórz (the latter being the South, South-West and North Warsaw districts). An attempt at linking those centers into one tactical-operational entity did not succeed, a fact which later facilitated the Germans in the liquidation of the Uprising. The Uprising spread also to the neighboring areas of Warsaw, especially to the great forest units (Puszcza Kampinoska, Chojnów and Kabaty Forests), which were used as supply and air drop bases. In those areas there were large partisan groups of the Home Army.

The first German counter-attack began on the 5th day of August and after 2 days of bitter fighting resulted in dividing of the insurgent forces in the Center into two separate groups. The Nazis became masters of one of the two main East-West arteries of Warsaw and surrounding the Old Town from all directions. Till August 11 the Germans liquidated the insurgent forces in the Wola and Ochota districts, killing the civilian population amidst acts of pillage and violence. In both those districts some 50,000 civilians were killed. Reluctant to weaken their front lines the Germans could not launch large forces against the insurgents, especially the crack front troops. That is why von dem Bach took full advantage of the existence of isolated resistance centers and applied the tactics of successsive concentrated attacks against those centers depending on which center presented in a given moment the greatest threat to the Germans.

Wishing to stabilize their positions and aggravate the isolation of the insurgent Headquarters in the Center, the Germans launched a mass attack against the insurgent Old Town garrison, composed of over 9,000 soldiers, including some 1200 soldiers of People's Army, Polish People's Army and the Security Corps. The defense of Old Town, attacked on all sides, subjected to aerial and artillery bombardment lasted from August 12 to September 2, 1944. It remains in the history as one of the most heroic chapters of the Uprising. In spite of the crushing superiority the Germans did not succeed in breaking the resistance of the insurgents or forcing them into capitulation. After exhausting all possibilities of defense, when there was not a single house left and the tormented civilian population suffered from thirst and hunger, the insurgents left the Old Town and through the city sewers withdrew to the Polish held position in the

Center of the city. Having entered in the Old Town the Nazis organized a new massacre of the civilian population killing and, in several cases, burning alive almost all gravely wounded insurgent soldiers who were left there.

After the fall of the Old Town the Germans began to storm the center of the city. The attack was stopped however when the Red Army and the Polish People's Army started their offensive against Praga. Fearing the possibility of Polish and Soviet troops forcing the Vistula river in order to link with the insurgents, von dem Bach sent his main forces (including armoured units withdrawn from the front) to fight against insurgent areas adjacent to Vistula (Powisle and Upper Czerniaków) with a view of pushing the insurgents away from the river and establishing the German front on the western bank of the Vistula river. On September 15—when the units of the First Polish Army began to cross the Vistula to help the insurgents, the Germans had the situation on the West bank of the river already well under control. The Polish detachments crossing Vistula were therefore landing in the area occupied by the enemy, who was well prepared to repulse the attack. Only in the Upper Czerniaków sector two Polish battalions of the 9th Infantry Regiment landed on a small bridgehead, still held by the insurgents. Bitter fighting over the bridgehead, entirely isolated from the insurgents main forces in the Center lasted till September 23, and brought no success to the Polish forces. Altogether in attempts to force the Vistula river the First Polish Army lost, between September 15–23, 3,764 soldiers (killed, gravely wounded or missing). During the fighting over the Czerniaków bridgehead the People's Army Command proposed to the Home Army a joint attack from the Center towards the Vistula river with a view of joining the troops fighting in the bridgehead. However the Home Army Command rejected this proposal owing—as it was explained—to lack of sufficient forces.

After the fall of Czerniaków, general von dem Bach concentrated his troops at Mokotów, Zolibórz and Puszcza Kampinoska. Mokotów capitulated on September 27, Zolibórz—after heavy fighting—in the evening of September 30. A day earlier on September 29, the Germans crushed near Zyrardów a large concentration of Home Army troops which tried to break away from Puszcza Kampinoska to the Swietokrzyskie Mountains in the Kielce District. In this situation the Home Army General Command gave up further struggle and on October 2, 1944, signed at Ozarów near Warsaw the final act of capitulation. The document signed by the Home Army Command and the Germans assured relatively favorable conditions for the insurgents who were given by the Germans the full combatant rights (which were however not universally observed by the Germans afterwards). With respect to the civilian population however the capitulation act contained provisions leaving it entirely at the mercy of the occupant. Warsaw was to be completely evacuated and all its inhabitants sent to the transit camp at Pruszków, from where they were to be directed to various localities in the country still occupied by the Germans. In practice however, all young and fit persons were sent from Pruszków to various concentration and labor camps in Germany.

The Warsaw Uprising in spite of its great contribution to the armed struggle against the Nazi occupant brought the losses out of all proportions to its results. During the two months of fighting in Warsaw over 200,000 people lost their lives, including some 15,000 armed fighters (killed and missing), other thousands were wounded. The remaining civilian population had to leave the city, leaving everything they possessed, at the mercy of the bestial enemy.

LEADER AIDS KIDS FOR A BUCK A YEAR

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. FEIGHAN. Mr. Speaker, the occasion of the centennial anniversary of professional baseball is a particularly appropriate time to recognize those individuals whose dedication to baseball accounts for its perpetuation as America's most popular sport. One such individual is I. S. "Nig" Rose. His able management of the Cleveland Baseball Federation enables thousands of Cleveland's youths to participate in baseball. I commend to my colleagues the following article concerning this remarkable individual from the Cleveland Plain Dealer on July 6, 1969:

CBF Leader Aids Kids for a Buck a Year

(By Dan Coughlin)

Ever hear of CBF and its leader? Read on:

The morning sun already is high and burning a blinding yellow in the mid-summer sky when City Hall wipes the sleep from its eyes and shakes off its slumber.

The mammoth front doors, swing open and those who play the game of politics stream into their coliseum.

The young and ambitious in their $50 cord and cotton suits are the first to arrive. The elders, who carry the secrets of the city locked inside themselves, are next.

Among them moves one man who is secure in his job. He is not elected and he is not exactly appointed. He is treasurer of the Cleveland Baseball Federation because he is the only one who can do it.

He is I. S. (Nig) Rose.

Rose is on a first name standing with more rabbis, ministers, priests, monsignori, bishops, educators, businessmen, industrialists, millionaires, sports figures, celebrities and politicians than most politicians themselves.

Now 76, Rose retired from his $30,000 a year job as vice-president of Rosenblum's two years ago. He stepped into the one dollar a year job with CBF.

The CBF, an arm of the City Recreation Department, is located in Room 8 actually in a cluster of interconnected offices.

Rose sits at a desk in the busy main room behind a file cabinet in which is stored the history of sandlot baseball in Cleveland. If the file cabinet doesn't have all the chapters, Rose can fill in the missing pages from memory.

He's been with the CBF since 1919. He's been married to his wife, Tillie, only one year longer.

For as long as anyone can remember, Nig Rose has been in charge of the CBF coffers. A penny never has been lost. He signs the checks and raises the money to cover them.

Until two years ago, his office at Rosenblum's was the CBF fiscal headquarters. When he moved to City Hall, files went with him and his role with the CBF became full time.

Rose's most important job is raising close to $80,000 each year to balance the budget.

While taxpayers maintain the parks, playgrounds and baseball diamonds, it is left to private enterprise to equip the 20,000 Cleveland youngsters who play on them.

Rose provides it. He also gets a little bit of help.

Every year since 1948, the Indians have played an exhibition game for the benefit of sandlotters. Next game is Monday night, July 28, when the Indians play the Cincinnati Reds. It is the fulcrum on which the fund-raising drive rests.

It is left to Nig Rose to persuade people to buy tickets for the game. He learned long ago that, while every $2 ticket purchase is welcome and they add up, the selling of tickets piecemeal is an exhausting and time-consuming job.

"It takes just as long to cash a five dollar check and mail two tickets as it does to cash a $100 check and mail 30 tickets," he says.

So—In 1961, he instituted the Century Club. Although there had been several persons who had purchased more than $100 of tickets for the Sandlot Day game before that, in 1961, Rose put a label on this group and made it an exclusive organization.

"We only had 25 or 30 charter members," he recalls.

Last year the membership swelled to 260 and was directly responsible for $30,000 of the $78,000 budget.

Because he was highly successful during his life in both business and sports, he travels as comfortably in well-to-do circles as he does among ragamuffin kids on the sandlots.

"Not a day goes by that I don't pick up another Century Club member at lunch at the Theatrical Grill," he reveals.

Rose keeps a card file on every Century Club member. He can relate a history of every member.

Rose rattled off a list of names of former Clevelanders now living out of town who never forget to renew their Century Club membership.

"Here's Marty Friedman," Rose said as he pulled out another file card. "He was my first pro basketball coach. I fired him in 1927 but we're still good friends. He always sends his $100."

Rose was general manager of the old Cleveland Celtics pro basketball team which employed Friedman.

Some people have been donating to the Cleveland Baseball Federation since 1941.

Although some firms which donate to the CBF fund distribute the game tickets among their employees, many benefactors simply send their checks and instruct Rose to give the tickets to kids. Other donors send caddies from Hawthorne, Pine Ridge, Oakwood and Beachmont Country Clubs to the game.

Clearly, this is big business. Last year's budget was $78,057.70. Forty years ago the CBF budget was $9,100.

Rose estimates a professional fund-raising company would charge $15,000 to raise enough to balance the CBF budget. With Rose at the helm, it costs only one dollar.

Because it is such a big business . . . and so essential to Cleveland's sandlot program . . . and Rose does such a great job . . . there is a very real worry among sandlot leaders in this city.

What happens when Nig Rose isn't here to do it? Rose has given considerable thought to it, also.

"I dream of a foundation," he said. "The Cleveland Baseball Federation Foundation." Rose envisions a million dollar foundation and he estimates that the CBF could live off the interest for time immemorial.

He is ready to donate $25,000 of his personal funds to such a foundation. On the 50th anniversary of his affiliation with the CBF, Rose would like to leave behind a permanent largess to the kids of Cleveland.

SLEEPING BEAR DUNES NATIONAL LAKESHORE

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. BRADEMAS. Mr. Speaker, I have today introduced a bill to establish the

Sleeping Bear Dunes National Lakeshore in the State of Michigan.

Mr. Speaker, I have long been a supporter of the effort to create a similar dunes park on the shores of Lake Michigan, the Indiana Dunes National Lakeshore. Creation of this lakeshore took over 10 years of debate in this body before it was finally authorized in 1966. Proponents of the Sleeping Bear Dunes have now campaigned for a similar number of years.

Mr. Speaker, the time has come to make Sleeping Bear Dunes a national lakeshore. I note that creation of such a lakeshore has the bipartisan support of the Michigan congressional delegation. My bill should bear evidence to my colleagues in Michigan that a Sleeping Bear Dunes national lakeshore has support in the neighboring State of Indiana.

Mr. Speaker, I have introduced today a bill to create a Sleeping Bear Dunes national lakeshore. I am sure that differences between it and other similar bills introduced recently can be worked out by the Committee on Interior and Insular Affairs. I hope that early hearings will be held and that this body will be allowed to act favorably on this legislation during this session.

RISE REFLECTS NOT ONLY TIGHTER CONTROLS BUT MORE DEMAND FOR MEXICO'S NARCOTICS

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, it seems that a day cannot go by without some reminder of the seriousness of the drug and narcotics addiction problem. Today an article in the Los Angeles Times July 27 edition came to my attention. This article points out the fantastic increase over the last 6 years of drugs seized at the Mexican border. While there has been a 2,000-percent rise in seizures which reflects tighter controls, there is also evidence that tremendously greater quantities of drugs are being smuggled into the United States.

Last year some 32 tons of marihuana plus more than 50 pounds of heroin, morphine, and cocaine were seized. No one knows, however, how much of the contraband of misery and death that these drugs represent were successfully smuggled across the border. This traffic will undoubtedly keep increasing especially because it is so very profitable for these dope peddlers.

Joint United States-Mexican efforts and cooperation must be increased. The 1,500 miles of common border must be more strictly controlled. This control must be present on both sides of the border with Mexican authorities taking cognizance of their responsibilities to destroy sources of supply as well as patrolling their side of the frontier. Concerned individuals such as Mr. William J. Hunt, publisher of the Gardena Valley News, have been crusading for tighter border security and legislation calling for greater cooperative efforts between the United States and Mexico. Consequently, legislation has been put forward and support is mounting.

The enactment of my Comprehensive Narcotic Addiction and Drug Abuse Care and Control Act of 1969 will become even more effective when measures to halt the influx of heroin, cocaine, morphine, marihuana and other substances subject to abuse are strengthened.

The Los Angeles Times' article follows:

DRUGS SEIZED AT BORDER UP 2,000 PERCENT IN 6 YEARS—RISE REFLECTS NOT ONLY TIGHTER CONTROLS BUT MORE DEMAND FOR MEXICO'S NARCOTICS

(By Francis B. Kent)

MEXICO CITY.—The body in the coffin looked ordinary enough but there was something about the men accompanying it across the border into the United States that bothered the customs agents.

An informal autopsy revealed extraordinary contents: a fortune in heroin.

Not everyone connected with the illicit drug traffic goes to such bizzare lengths. Simpler techniques have been far more successful. Yet the incident serves to illustrate what U.S. customs men are up against and their task gets more difficult all the time.

In the past six years, according to customs officials in Washington, the quantity of narcotic drugs seized at border points has increased by 2,000%. Joseph Jenkins, the Customs Bureau's director of investigations, said this increase reflects not only intensified control efforts but a sharp rise in the dope traffic as well.

As a result of the growing demand among U.S. users, the production of illicit drugs has become a big business in Mexico. Just how big, no one knows, but the figures are sizeable.

CUSTOMS AGENTS

For example, U.S. customs agents along the 1,500 miles of border between Mexico and California, Arizona, New Mexico and Texas seized more than 32 tons of marijuana last year, plus more than 50 pounds of heroin, morphine and cocaine.

Mexican authorities, meanwhile, destroyed more than 7,500 fields of poppies, the source of opium and its derivatives, and burned off hundreds of acres of marijuana.

How much managed to get across the border and into the hands of users is anybody's guess. The consensus: considerable.

Illicit drugs cross the border in every conceivable manner. The young long-haired marijuana smoker may smuggle it over concealed in his surfboard. The professionals are more likely to use trucks with false bottoms, boats or airplanes. Unpoliced coastal landings and airstrips proliferate on both sides of the border.

Arrests and stiff prison sentences appear to be no more than a minor factor in slowing the traffic. Border arrests for trafficking in marijuana alone numbered 945 in 1965, and by last year had risen to 2,273. Conviction, under the Narcotics Control Act of 1956, brings a mandatory 5- to 20-year prison sentence with no hope of probation or parole. A second offense means 10 to 40 years.

On the Mexican side the law is even tougher and Mexican jails are not renowned for their luxurious facilities.

Until relatively recently, narcotics had not been much of a criminal problem in Mexico. Indians had smoked what is now called marijuana and munched on hallucinatory mushrooms long before the Spanish arrived in the early 16th century. Marijuana came into more popular usage about 100 years ago when the peasant took it up to ease his hunger pangs.

Now its use has been noted among secondary-school students, and an occasional homicide has been attributed to organized crime's efforts to control distribution, not only of marijuana but the so-called hard narcotics such as heroin as well.

Just one thing keeps the international traffic alive: money. And, according to agents of the U.S. Treasury Department's Bureau of Narcotics, not all of it flows into the hands of that sinister organization known as the Mafia.

"Dope smuggling," one agent told The Times, "is about as exclusive as betting on the ponies."

LARGE PROFITS

Profits are enormous. The 2-pound brick of marijuana that nets its grower about $4 in Mexico sells for as much as $300 in the United States. The usual price in, say, Los Angeles or New York, is $150. Much more profitable are the hard drugs: morphine, heroin, cocaine. They come in smaller quantities and provide vastly more effective results.

Calculating the profit margin on hard drugs is next to impossible, since they are invariably diluted at every stage of processing and handling and the price varies not only geographically but according to the balance between supply and demand. Almost any illicit narcotic, though, is worth at least twice as much on the U.S. side of the border.

Controlling the production and processing of drugs in Mexico is no easy task. Much of the interior is virtually inaccessible except by Jeep or burro. Yet the authorities here have mounted what is generally considered to be the most effective grassroots campaign in Latin America.

Under the supervision of Asst. Atty. Gen. David Franco Rodriguez, federal agents work closely with the army and with local and state police departments. Each spring, when the opium poppy is ripe for milking, mixed teams move out into the eight-state area where cultivation of the poppy is concentrated. Traveling by whatever means is necessary, often on foot, they descend on illegal plantations that have been spotted from the air, destroy the growth and arrest the grower.

Equally tough measures are directed against those in Mexico who serve as links in the narcotics traffic that originates in South America, the Middle East and the Orient. The South American countries of Bolivia and Peru, are a major source of cocaine, a derivative of the cocoa leaf that is chewed by Indians. The Mideast and the Far East produce heroin.

TURKISH HEROIN

Heroin is a particularly nettlesome problem because it is manufactured legally, under government license, in Turkey and India. U.S. officials estimate that up to 15% of the Turkish heroin finds its way into the contraband market.

Getting narcotics across the border into the United States, despite increasingly strict controls, presents no great challenge. Literally millions of U.S. and Mexican nationals cross the border every year and to search every one would be physically impossible.

"If we did," a customs agent observed, "cars would be lined up for miles and the congestion at airports would be outrageous."

Still, the number of U.S. agents along the border has almost doubled, to a total of 92, since 1965, and the combined efforts of U.S. and Mexican authorities have produced results, as can be seen by the increase in seizures and arrests.

MEETINGS HELPFUL

Jenkins, the bureau's investigations chief, is convinced that further cooperation will pay even greater dividends in the future. Joint meetings such as the recent roundtable conducted here between U.S. and Mexi-

can experts have been particularly helpful, he said.

What the authorities on both sides hope for and expect is a change of attitude on the part of young people, especially in the United States, where marijuana has acquired widespread acceptance.

Medically, according to a Narcotics Bureau agent, it has yet to be established that marijuana is harmless or not habit-forming, and the evidence indicates that its use often leads to hard narcotics.

"About 80% of our confirmed addicts," he said, "started with marijuana."

Jenkins, who was with the Customs Bureau in Los Angeles for 10 years before his transfer to Washington in January, recalls a grim courtroom scene in which a 37-year-old offender had just been sentenced to 40 years in prison.

"I don't think I'm going to make it," the defendant said.

"Son, you just do the best you can," the judge replied.

LESTER DECHMAN JOHNSON

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. CONTE. Mr. Speaker, tomorrow, August 1, Lester Dechman Johnson will step down as U.S. Commissioner of Customs. Thus, Mr. Johnson will end a very long and very distinguished career in the public service. He served for 36 years in the Bureau of Customs, five of which were spent in the top and most difficult position of Commissioner.

I have worked closely with Commissioner Johnson on the House Appropriations Subcommittee for the Treasuury and Post Office, on which I am the ranking minority member. I have always found him to be a hard worker, a dedicated servant, and a superb administrator. In addition, he has always been extremely cooperative with all of us on the committee in our efforts to improve the Bureau.

Mr. Speaker, under the leadership of Mr. Johnson, the Bureau of Customs made fantastic progress. It should be remembered that this was during times of increasingly heavy workloads for customs. Nonetheless, collections soared while the cost of these collections continually decreased. Customs became, and remains, an example of real efficiency.

I have studied the Bureau very closely in my work on the committee. That is why I was so disturbed by the effects of manpower restrictions in this fine revenue-producing agency, and why I argued for lifting them on the floor of the House when we considered appropriations for the Treasury. In spite of these restrictions, Commissioner Johnson did remarkably well in running his shop. And, I might add, that was no easy task, given the severe strains caused by the personnel restrictions. He was operating, in effect, with his hands tied behind his back. For this reason, I think all of us owe him an additional note of thanks.

It is a real tribute to the greatness of this man that throughout the Customs Service he is known as the man who did more for it in 5 years than his predecessors achieved in the preceding 175 years. At the same time he was extremely loyal to the men and women in the service, and in turn achieved their respect and admiration.

Mr. Speaker, I could go on with numerous examples of Commissioner Johnson's great work at the Bureau of Customs. But I think it would be more fitting to conclude my remarks with what I said during the hearings this year. After commending Mr. Johnson for his outstanding service as a dedicated public servant, I said:

"He has been one of the truly great Commissioners at the Bureau of Customs. He has lived with a great tradition and done an outstanding job. He will be sorely missed. His shoes will be hard to fill. I wish him many decades of good health and happiness in which to enjoy a very well deserved rest."

That, Mr. Speaker, pretty well sums up the great respect that I have for Commissioner Johnson and the extent to which, I think, he will be missed by all of us.

Thank you, Mr. Speaker, for the opportunity to make these remarks about Commissioner Lester Johnson.

NEWARK YOUNG PEOPLE EXPRESS CONCERN OVER CIGARETTE SMOKING

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. RODINO. Mr. Speaker, through the courtesy of Mr. Vincent O'Rourke, Jr., I have received several letters from some of my younger constituents regarding cigarette smoking and its danger to our health. These letters certainly support the purpose of H.R. 5212, calling for stronger labeling on cigarette packages, of which I am a cosponsor. It is most heartening to me that these young people have expressed such an interest in this problem, and for this reason I would like to call the attention of my colleagues to the following letters:

DEAR MR. RODINO: I have saw a film about smoking and I think that it is no good for the heart. Because it is no good for any other part of the body. And I think you should stop selling cigarettes. And I am not going to start to smoke. And no one can make me smoke.

And this is to go to Mr. Rodino, the Congressman of Newark. Can you send me a picture of you?

Sincerely yours,

RANDY RICHARDS.

NEWARK, N.J.

Mr. PETER W. RODINO,
House Office Building,
Washington, D.C.

MR. PETER RODINO: My name is Michael Cook (son of George H. Cook) age 15 and I attend Barringer High School and this letter is to let you know how I feel about the subject of smoking. I do not like smoking even though I do it. It is a bad habit and I know that the cigarette commercials are only telling a one-sided fabricated story. So when you put your vote in whether you are against or for it please remember this letter.

Sincerely yours,

MICHAEL COOK.

NEWARK, N.J.,
July 29, 1969.

DEAR MR. RODINO: I think people shouldn't smoke because they will have cancer and cancer is no good. I have saw a film about. "Smoking and you."

SUSAN SEGARRA.

NEWARK, N.J.,
July 29, 1969.

DEAR MR. RODINO: My name is Pinky Brunson. I am 12 years old. I go to Webster Junior High. On July 29, 1969, I was at St. Lucy recreation center. I go there to improve my English. That day we saw a film about smoking and you. My opinion about smoking is that it should be stopped. Because the world is getting smaller and smaller. Some parents tell their children not to smoke, but they smoke their self. One day when I was looking at TV, I saw a commercial about cancer that you get from smoking, but right they finish telling us not to smoke and other commercial to smoke a certain cigarette, and I think smoking should be stopped.

Sincerely yours,

PINKY BRUNSON.

MR. RODINO: My name is Mike Riveres. I live at 927th Avenue Apt. 1F Newark New Jersey 07104 St. Lucy School Age 11. The reason of smoking is because it gives you cancer. I don't smoke. I'm to young too smoke, and I ain't going to smoke, I hate smoking!

Smoking is dangerous to your body. Smoking has kill many liver. There should be no such thing as cigarette.

Sincerely yours,

MIKE REVERES.

MUDSLIDES FROM A BUILDING SITE PLAGUE NORTH SHORE COMMUNITY

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. WOLFF. Mr. Speaker, for the most part, this summer in Washington has been quite hot and dry, that is, until the torrential rain a little over a week ago which left many drivers wishing that their cars were boats and many citizens wishing they had a penthouse apartment, if only to escape the floods.

Here the situation was but a temporary inconvenience with a few exceptions. Yet, there are a considerable number of Americans who find the exception the rule. Indeed, they face each heavy rainfall with strong trepidation since even a seemingly minor rainstorm can produce an expensive and dangerous problem—mudslides.

The people of the Third Congressional District, which I represent, is well aware of what I am describing. Unfortunately, they are among those who know the hardship of slides, pollution, and expensive repairs as a result of rainfall coupled with blatant abuses by builders and others who despoil vitally important soil-clinging trees, grass, and shrubs.

I have authored a bill, H.R. 12839, to establish an intergovernmental commission on the Long Island Sound. It would establish a 15-member commission to study the problems of the Long Island Sound and its shoreline and make suggestions for their improvement. The

measure, I would like to note, is aimed at combating problems such as mudslides, pollution, and other manmade imbalances of nature.

Today the New York Times had a story concerning the chronic mudslides that Cold Spring Harbor, which falls within my district, has been experiencing. Since the article clearly describes one situation which could have been adequately handled by the establishment of a Long Island Sound Commission, I would like to extend my remarks to include it in the RECORD:

MUDSLIDES FROM A BUILDING SITE PLAGUE NORTH SHORE COMMUNITY

(By Roy R. Silver)

COLD SPRING HARBOR, LONG ISLAND, July 30.—Torrents of water and mudslides from a building site on a high hill overlooking this rural North Shore community have been plaguing residents here for the last 18 months.

The steady and often heavy rainfall of the last two weeks has added to the fears and frustration of the occupants of almost 100 homes and businesses and has brought concern over the damage that could be caused by hurricanes next month.

Piles of brown mud and watery gray clay have slithered onto roadways, lawns and driveways and into basements and one resident's swimming pool.

The office of the Town of Huntington Supervisor, Jerome A. Ambro, acting in response to the clamor of protest from irate homeowners, said that starting tomorrow town personnel "will begin stabilization of the land by completing the storm drains, roads and dry wells."

Mr. Ambro's office said that Walter Stackler, the builder of 35 high-price homes in the Heritage Hill area, would be billed for the work. Only a few of the new homes are occupied.

MUDSLIDE ON ROAD

Residents said builders at the site, which was started about two years ago, had removed trees and underbrush from the steep slopes of the hill, leaving water and mud to run unchecked to the homes below.

The residents said they had complained to Mr. Stackler who replied: "Sue me." Town officials, they added, had told them there was nothing that could be done. Mr. Stackler was not available for comment today.

One effect of the heavy rainfall was a large deposit of mud on Route 25–A, which is called Main Street here. Two bulldozers worked all morning today to remove the slide.

Mrs. Frank Marshall, the wife of a dentist who lives in a home at the foot of the hill below the construction site, gazed despondently at their new swimming pool, which was filled with muddy water.

Pointing to a $700 water heater near the pool, she said: "It's ruined and I don't know who's going to pay for it."

While workmen pumped out her pool and removed some of the mud from a rear patio, she showed visitors her huband's basement office, from which two inches of mud had been removed in the early morning hours.

"We sleep with the bedroom windows open even though we have air-conditioning so that if we hear rain we grab our brooms, shovels and towels to start cleaning up," she said.

Meanwhile, in an unrelated incident, commuter service on the Port Jefferson branch of the Long Island Rail Road was disrupted this morning when 18 inches of mud slid onto the tracks.

The slide, which occurred at 6:12 A.M. between Huntington and Cold Spring Harbor, was cleared by workmen at 7:52.

THE PEOPLE'S RIGHT TO KEEP AND BEAR ARMS

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. WYMAN. Mr. Speaker, illustrative of what can happen when you go overboard on the subject of gun control is the recommendation of the President's Violence Commission (President Johnson) that all Americans surrender their handguns to the Federal Government. The difficulty with all such attempts to "confiscate" the people's arms is that such measures will not keep arms from the criminal element but will deny law-abiding citizens their constitutionally protected right to keep and bear arms in the defense of life, liberty, and family.

Let us never be guilty of burning down the barn to save the horse, much less running roughshod over fundamental constitutional liberties of all Americans, as the attached Washington Star editorial of July 30 points out:

MORE GUN CONTROL NONSENSE

As an introductory note to this editorial comment, an item in the crime news is worthy of attention. On Monday there were 22 armed robberies in Washington. This brought the July total as of that date to 450, compared to 332 armed robberies in all of July of 1968.

In the face of this a task force of the President's Violence Commission (appointed by President Johnson) comes forward with a wacky recommendation. Its proposal is, except in a very small number of cases, that all Americans should be required to surrender any hand guns they own to the government.

Here is the task force's reasoning: This is the only way in which the United States can break "the vicious circle of Americans arming to protect themselves from other armed Americans." Now what does this really come down to? Even the task force, we suppose, would concede that criminals are not going to surrender their hand guns. So what they are saying is that no homeowner, to cite one example, should be permitted to keep a hand gun in his own house to protect himself, his wife, and his children against the night when some armed criminal might break into his home. Their argument is that home owners "may" seriously overrate firearms as a method of self-defense against crime. The "loaded gun in the home creates more danger than security."

This strikes us as blithering nonsense. How many members of this task force have been awakened in the middle of the night by a scream for help by some member of his family? Probably not one. But thousands of Americans are exposed to this dreadful experience every year. And in such a situation what is an unarmed householder supposed to do against an armed intruder? Hide under his bed, and never mind what happens to his family?

The major thrust of this soft-in-the-head report is that the requirement to surrender your hand gun, of which there are an estimated 24 million in the country, would reduce crime. This is absurd, for the criminals are not going to surrender their guns. A better and much more realistic way to deal with this problem will be found in legislation now being considered in Congress.

The intent of this legislation is to provide tough, really tough, mandatory penalties for criminals who use guns in the commission of a felony, such as rape, robbery or burglary. For a first offense the penalty generally favored would be a mandatory jail sentence in a federal jurisdiction, which includes Washington, of from one to 10 years. A judge would be forbidden to suspend this sentence or to make it run concurrently with the sentence for the primary offense. In case of a second offense, much stiffer jail sentences are proposed, and they should be written into law.

A similar bill passed the House last year, but was watered down in the Senate before becoming law. The argument then was that mandatory sentences deprive judges of discretion in imposing penalties. And so they would. But in one week at the time the watered-down bill was passed 17 criminals in this city were found guilty of crimes in which guns were used. In six of these cases, more than one-third, the judge imposed suspended sentences, which means that no jail terms were served for using a gun.

So we say let's make the sentences mandatory. And let's not deprive the law-abiding citizen of hand guns in his own home while the criminal element will remain armed to the teeth.

PRESIDENT'S POPULATION STUDY COMMISSION DESERVES PROMPT SUPPORT

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. HORTON. Mr. Speaker, it is with a great deal of pride that I point out to our colleagues the very firm commitment our administration has shown to problems of population growth. As a member of the Republican task force on earth resources and populations, which has held many sessions on the problems of population growth, I was very pleased to see President Nixon propose a National Commission on Population Growth and the American Future.

At our present rate of growth, the population of the world will double by the year 2000. If growth is allowed to proceed at this uncontrolled rate, economic progress, good education and adequate food supplies will be impossible goals in many countries of the world, and will be extremely difficult goals for portions of our own country.

The nations of the world can no longer endure the seriousness of this situation. Widespread famine and even more serious pollution, economic and environmental problems in the years ahead must be contended with now. President Nixon may at last, be providing the world with the leadership that it will take to harness international energies needed to meet this problem.

For this reason, I am very pleased to cosponsor legislation which will create the National Commission which the President seeks. Beyond his call for a study commission, the President has joined many of us in Congress in calling for more funds in the area of population planning. The United States should provide aid in family planning to the developing countries of the world and should develop its own program of population planning to a much greater extent than we have to date.

In addition we need better coordination of our population planning assistance efforts both at home and abroad. As the President has also pointed out, flexible family planning programs must be developed to cope with the complexity of the problem. This can only be done with greater coordination between the various Government agencies dealing with these problems.

To accomplish these goals, up-to-date knowledge, new ideas, and dynamic leadership will be required. I believe that the new administration has shown the willingness to provide the leadership; I feel that the proposed Commission on Population Growth and the American Future can provide the knowledge and ideas, if the Congress will provide the essential resources and support.

PRESIDENT MEANY OF AFL–CIO BELIEVES GOVERNMENT SHOULD CARRY THE MAIL, TELLS WHY

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. DULSKI. Mr. Speaker, former President Lyndon B. Johnson named 10 distinguished citizens to the President's Commission on Postal Reform, which became known as the Kappel Commission since it was headed by Frederick R. Kappel. The report was issued in June 1968.

Postal reform hearings began on April 22 before our Committee on Post Office and Civil Service. Mr. Kappel came before the committee on June 5.

On Wednesday, July 30, another member of the Commission was a witness: Mr. George Meany, president of the American Federation of Labor and Congress of Industrial Organizations—AFL–CIO.

Mr. Meany was an excellent, candid witness. It is interesting to note that he was the only member of the Commission to note an exception to the recommendations made to the President.

In a footnote on page 2 of the Commission's report, Mr. Meany said:

> I agree with the goal of modernizing the postal system and improving working conditions and job opportunities for its employees. However, the status of the Post Office as a Cabinet Department has a positive value that should not be discarded lightly.

Mr. Speaker, President Meany made an excellent formal presentation of his views to the committee and I am including his text as a part of my remarks:

STATEMENT BY GEORGE MEANY, PRESIDENT OF AFL–CIO

Mr. Chairman, my name is George Meany. I am President of the AFL–CIO. The AFL–CIO is firmly opposed to H.R. 11750.

There are a number of specific objections which we intend to raise in support of our position. But our basic reason can be quickly stated:

We believe the government should carry the mail.

We agree with the Kappel Commission's documented description of low wages, poor working conditions and inefficient operations in the Post Office. There is no disagreement on the need for substantial reform.

However, there is substantial disagreement on how to achieve the needed improvements most effectively, in the best interests of the American people and the postal employees.

We are not convinced that a drastic reorganization of the Post Office Department into a corporate structure, removed from Congressional control, will improve the postal service. We believe that the substantial reform of the Post Office, required to improve its operations, can be achieved within the general framework of a federal government department.

ESSENTIAL GOVERNMENT SERVICE

The Post Office is an essential government service. The founding fathers reorganized the vitality of communications, the need to provide people of all walks of life and in all parts of the country with cheap, regular means for correspondence and education and the dissemination of knowledge.

The Congress, in its wisdom and in recognition of a changing society, has from time to time expanded the Post Office Department's duties and responsibilities. For most Americans, the postal service is their most direct and regular contact with the federal government.

Despite the various and often valid criticisms of the service, the Post Office works. It gets millions of pieces of mail collected and delivered each day, across a huge country of over 200 million people and a multitude of businesses and other private and public organizations.

Over 80 billion pieces of mail are handled in a year.

ERROR FACTOR IS MINIMAL

Even a 1% error factor would result in misdirecting 800 million pieces of mail a year. Few critics of the Post Office can find any giant operation with a better error record. Certainly America's big car manufacturers—now calling back thousands of defect-marred automobiles—can't claim such a record.

The Post Office performs this service, moreover, with such a high degree of integrity and honesty, that America's trust in the mails is legendary.

However, this performance is far from efficient. Often, there are delays and, at times, the delays in delivery are lengthy.

The truth of the matter is that the Post Office is woefully undercapitalized. It is compelled to use old structures in traffic-jammed areas of city streets, some distance from modern major roads and miles away from airports.

These structures were built near railroad terminals, when the railroads were almost the only means of transportation. The use of these structures today means built-in inefficiencies in a time when so much of the mail is carried by trucks and planes.

Moreover, most of these structures and much of their equipment were installed to serve the needs of a population that was about 40% or more smaller than today, when the volume of mail was much less than it is at present.

The Congress just has not kept the Postal Service abreast of a changing, growing nation. Dependence on such buildings and equipment in 1969 results in conditions that are most inadequate for postal employees, for the public and for the improved handling of the mail.

POOR WORKING CONDITIONS

The Post Office is burdened by unrealistic rates for the service provided for the daily outpouring of circular mail, the so-called junk mail. It is so burdened by a high rate of employee-turnover, reflecting poor working conditions and inadequate wages in today's job market.

Workable solutions are needed. But it is ridiculous to claim that the so-called efficiency operations of private corporations, use of new technologies, etc., can solve every problem.

What about direct postal service—mail delivery to homes and places of business? The only way to keep that from being a major cost item is to eliminate it—return to the days when a citizen strolled through the streets of his village to get his mail at the post office window.

Such a suggestion is ridiculous.

And how will major new machinery in post offices eliminate the delays caused by mid-city traffic jams or airplanes stacked-up over airports that can no longer handle the volume of air traffic?

H.R. 11750 NOT THE ANSWER

H.R. 11750 won't solve those problems and they are an important factor in the so-called postal problem.

Efficiency can and should be improved, within the practical limitations of existing and foreseeable technology and means of transportation. New and improved post office buildings and equipment can increase the volume of delivered mail per employee. Productivity and working conditions are in urgent need of improvement.

A major trouble is the lack of funds for modern plant and equipment.

Remedy of this problem requires a change in the means of financing Post Office investment—to provide the Post Office with some method to obtain self-liquidating funds for investment, instead of the present reliance on annual Congressional appropriations.

An adequate investment program for the Post Office requires long-term planning of research and development, as well as access to funds for the planned expansion of investment-outlays for rapid modernization.

I believe that such changes in the provision of investment-funds, in accounting for long-term investment outlays, and in improving the management of postal operations can be achieved within the structure of the Post Office as a federal government department.

The establishment of a Postal Modernization Authority, within the Post Office Department, as proposed in H.R. 4, introduced by Congressman Dulski, indicates a general approach towards this end.

An Authority of this type, with authorization to issue its own bonds, can achieve the financing objective of a corporate setup—and do it within the structure of the Post Office Department.

REFORM EXISTING STRUCTURE

It seems to me that a realistic rate structure and an improved wage level for employees can also be achieved through substantial reform of the existing structure, without the need for drastic reorganization of the Post Office into a corporate setup.

As a nation-wide government service, the Post Office is not comparable to any business enterprise. It is vastly different from such government enterprises as the Tennessee Valley Authority, which produce and sell products and services that can be compared with private business, in terms of production, prices, wages and productivity.

The Post Office is also much different from such government-regulated monopolies as the telephone service, in terms of provding direct personal service such as mail delivery, as well as a more limited potential for improvements in technology and profitability.

POST OFFICE IS SERVICE—NOT BUSINESS

The so-called postal deficit is part of the cost of underwriting essential government services. We regard the Post Office as a government service and not as a business. We do not think that whether any particular service pays its own way should determine whether the service should be maintained.

For example, rural mail service does not pay its own way and the Congress has deliberately decided that magazines and newspapers should be carried at a reduced rate.

We believe that those are political determinations made in the light of the value of the service to the public. Such determinations are not and should not be treated as business decisions on a simple cost basis.

Therefore, the AFL–CIO views subtantial reform of the Post Office Department's existing structure as workable and necessary.

We do not believe the widely advertised efficiency of a postal corporation can be achieved except by elimination of postal services, such as home delivery of mail. We oppose the abandonment of such service.

If the objective is efficient and necessary postal service for all Americans, then let us get on with the job of reforming the Post Office Department to reach that goal. Substantial reform—rather than a corporate set-up—is the prudent, realistic and workable approach to the problem.

REGARDING EMPLOYEE PROVISIONS

I turn now to the provision of H.R. 11750 with regard to employees. These are the provisions which are, of course, of most direct concern to the AFL–CIO and its affiliated unions which represent postal employees.

The philosophy of the Administration is that the postal service s not sufficiently governmental for postal employees to continue to have all the rights and protections of government employees, but that it is sufficiently governmental for postal workers to continue subject to most of the restrictions and disabilities of government employees. They are, to some extent, to have the worst of both worlds.

The provisions of H.R. 11750 on unions and collective bargaining are likewise selectively chosen to combine the worst features of public and private labor laws.

As you know the AFL–CIO does not regard Taft-Hartley as perfect, and while Executive Order 10988 was a great advance over prior handling of federal employee labor relations, we believe that experience under the Order shows the need for certain changes and improvements.

STILL BETTER THAN H.R. 11750

The AFL–CIO has made detailed proposals both for revising Executive Order 10988, and for supplanting it with legislation along the lines of H.R. 12349. However, we regard not only E.O. 10988 but Taft-Hartley as far preferable to H.R. 11750.

The AFL–CIO is thus flatly opposed to the personnel and labor relations proposals of the Administration. Let me spell out why.

Postal employees would lose civil service status, and, after a year, would no longer be able to transfer to other positions within the federal government. (§ 803).

Once the new corporation had established its own procedures, appointments and promotions would be made without regard to the civil service laws, and postal employees could lose the protections of the Lloyd-LaFollette Act against removal or suspension. (§ 801).

We see no reason why these protections of existing law should be taken from postal workers, nor do we believe that they have any relation to the operating problems of the Post Office Department.

INCONSISTENCE REGARDING WORKERS

At the same time, and quite inconsistently, postal workers would continue to be treated as government workers for purposes of the numerous invidious restrictions which are applicable to government employees.

Section 1918 of Title V of the U.S. Code makes it a crime for anyone to hold a government job who "participates in a strike, or asserts the right to strike" against the government. This provision would continue to be applicable to postal employees. (§ 209).

If the Administration has decided that postal employees should no longer be considered government employees, than it should go all the way and grant them the right all private employees have in a free country—the right to strike.

That goes too for the government security and loyalty program, which would, under H.R. 11750, continue to apply to postal employees.

H.R. 11750 likewise continues the application of the Hatch Act to postal workers. We think that the Hatch Act is excessively restrictive even as applied to those having full status as government employees, and see no warrant for applying it to those who are to be stripped of that status.

STRANGE CONTRADICTIONS

H.R. 11750 also continues for postal employees the ban on habitual drunkenness (5 USC § 7352), and the restrictions on the receipt of decorations from a foreign government (5 USC § 7342). These items are not important in themselves, but they illustrate the strange contradiction whereby H.R. 11750 would retain all existing restrictions but eliminate many protections for postal employees.

We come, then, to the vital matters of wages, hours, and working conditions, and of unions and collective bargaining.

Committee Print No. 8, in describing the "Highlights" of H.R. 11750, states, p. 1:

"Instead of Congress fixing wage rates and legislating classifications of employment, postal employees in every part of the country would have the right to bargain collectively for better wages and other benefits and for improved working conditions."

That sounds fine, doesn't it?

The problem comes with the next paragraph, which states:

"Existing law banning strikes by Federal workers would continue. However, the act would provide for binding arbitration in the event of a labor-management dispute which could not be settled by other means."

NEED STRIKE RIGHT TO BARGAIN

There is no real collective bargaining without the right to strike, because it is only the possibility of a strike that gives employees any bargaining power. As the Supreme Court put it:

"This repeated solicitude, i.e. by Congress, for the right to strike is predicated upon the conclusion that a strike when legitimately employed is an economic weapon which in great measure implements and supports the principles of the collective bargaining system." (*NLRB* v. *Erie Resistor Corp.*, 2736. S. 221, 233–234).

We believe that the right to strike merits solicitude, too, because it is an essential foundation of democratic freedom.

In our proposals for revision of Executive Order 10988, we have made clear our belief that, so long as the Congress denies federal employees the right to strike, the very least it should do is provide a terminal point for grievances and contract disagreements through binding arbitration.

But H.R. 11750 does not give the employees even this right to invoke binding arbitration. That right is vested solely in the "Postal Disputes Panel."

Under § 808 (a) it is the Panel and not the employees or the union, that decides whether to submit issues to final and binding arbitration, and the Panel also decides what issues, if any, to submit and is to "frame the language of the issue to be arbitrated."

Alternatively, if the Panel does not take jurisdiction, "the status quo surrounding those particular issues shall be maintained" (§ 808 (d)).

THREE WAYS TO HANDLE WORKERS

As we see it, there are three different ways that the labor relations of postal workers might be handled.

One, and the one which is now used, is for Congress to legislate on wage rates and certain other basic matters, but with other issues left to collective bargaining if the employee choose to form unions and bargain collectively.

We think that this is a satisfactory labor relations system for federal employees, and that postal workers should continue to be federal employees and to be subject to the same system as other federal employees.

We think, for example, that postal wage rates should continue to be uniform throughout the country, as in the case of other federal employees.

We do, however, believe that certain changes and refinements need to be made in the present federal employee labor relations system.

Two years ago, I made detailed proposals for revising Executive Order 10988, to the Presidential Review Committee on Labor-Management Relations in the Federal Service.

Six weeks ago, in a letter to Chairman Dulski, Mr. Biemiller expressed the support of the AFL–CIO for H.R. 12349, which would supplant the Executive Order with permanent legislation. It is worth noting that the labor provisions of H.R. 4 are quite similar to H.R. 12349.

OPPOSE PRIVATE OPERATION

Another possible way of handling the labor relations of postal employees would be to transfer the postal system to private ownership, and to put postal employees under the Taft-Hartley Act. We are opposed to that solution, but it would at least be internally logical.

H.R. 11750 proposes an irrational and unworkable mixture of these two systems.

Some incidents of employment would continue to be regulated by Congress. In addition to those already mentioned, postal employees would, for instance, continue to be covered by the Civil Service retirement program (§ 804).

Other aspects of employment would be determined by collective bargaining, but with the employees stripped of bargaining power, for they could neither appeal to Congress, strike, or invoke compulsory arbitration.

Except as otherwise provided, the Taft-Hartley Act is to apply, though neither its broad framework nor its numerous details were designed for an enterprise such as the postal service.

Taft-Hartley's broad framework is collective bargaining, with the stimulus for agreement provided by the right to strike and to lockout. Unions are denied the strike by H.R. 11750: what of the lockout?

IF TAFT-HARTLEY LAW APPLIES

If the details of the Taft-Hartley are to apply, unions will be free to picket post offices when negotiations break down, and may engage in organizational and recognition picketing, subject to certain restrictions.

They may undertake to negotiate union security clauses and work preservation clauses, but not hot cargo clauses. If a union asks for a wage increase, and the Postal Service pleads inability to pay, it will have to open its books to the union.

Many of these results seem desirable to us, but we rather doubt that they were all intended by the authors of H.R. 11750.

In sum, as regard to the labor provisions, we strongly oppose any change in the present system, which would, like H.R. 11750, drastically undercut the bargaining power of the postal employees and their unions.

To repeat, Mr. Chairman, we hold no brief at all for H.R. 11750. We find its basic premise—abandonment of the essential governmental necessity for delivering the mail—to be repugnant.

We agree the Postal System needs reform—more money, better labor relations, new buildings and facilities and modern technological improvement. All of these can be

accomplished within the present framework of government and we are sure will be. That, we insist, is the way to do the job.

FEEDING AMERICA'S HUNGRY CHILDREN

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. BIAGGI. Mr. Speaker, last week the House passed H.R. 11651, a bill to authorize temporary emergency assistance to provide needy children with nutritious meals. I am proud to have voted for this important measure, and I should like at this time to place on record my reasons for voting for it.

If it were operating at top capacity, the national school lunch program would be one of the most effective means by which hunger in America could be lessened and malnutrition decreased. Schoolchildren are, after all, among those who suffer most when not enough of the right foods are available to them. Schoolchildren are growing and learning; they must have good, nutritious meals to continue that development.

An adequately funded and administered school lunch program would provide needy children with at least one nutritious meal a day and would thus go a long way toward stopping hunger and lessening the dangers of malnutrition.

The school breakfast program, too, could be an effective weapon in the fight against hunger. A nourishing breakfast every morning would enable children, otherwise listless and inattentive because of lack of food, to become bright eyed, wide awake, eager pupils. The benefits from such a situation are evident. In fact, all of our children's food service programs have the potential for bestowing incalculable benefits on the health of our Nation as a whole as well as upon individual children. But, sadly and shockingly, indications are that these programs do not operate as well as they could—and should.

During hearings held last year the House Education and Labor Committee discovered the following dismaying facts about our food service programs for children: Over 4½ million needy children are not receiving free or reduced price lunches, more than 6,600 schools in economically deprived areas do not have food services, almost 3 million disadvantaged children in need of a school breakfast program do not have one, and as many as three-quarters of a million children who come from large families with annual incomes of over $3,000 are estimated to need food services. The diligence of the committee has shown the inadequacy of our children's food service programs as they are presently funded and administered. Action was clearly called for, and H.R. 11651, a bipartisan bill, answered that call.

The measure would amend the National School Lunch Act by adding a provision that would authorize the Department of Agriculture to use $100 million in section 32 funds during fiscal 1970. The funds would be used to improve the nutrition of needy children in schools, day care centers, and other organized activities. This authority is given specifically to provide food services to children in addition to the food service support provided under the National School Lunch Act and the Child Nutrition Act of 1966.

The money provided through H.R. 11651 would go primarily toward reaching those children in schools and other organized activities who are not now benefiting from the Federal food services programs. About $1 billion in section 32 funds has reverted to the Treasury during the last 10 years; this measure would put section 32 funds to use where they are sorely needed.

I feel that this piece of legislation goes a long way toward helping rid the richest land in the world of the intolerable presence of hunger and malnutrition among its children. I derive the greatest satisfaction in knowing that children in my State and all across the Nation will benefit greatly from the action we have taken.

THE BATTLE FOR FLOOD CONTROL

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 29, 1969

Mr. WINN. Mr. Speaker, the battle for flood control is being won in the Kansas-Missouri area. How this is being accomplished is outlined by Mayor Lamar Phillips of Ottawa, Kans., in a recent issue of the Mississippi Valley Association's newsletter which I would like to bring to the attention of my colleagues:

THE BATTLE FOR FLOOD CONTROL

The recent and current severe storms in mid-America serve as a grim reminder of the catastrophic flood of 1951 which resulted in more than a billion dollars damage. Mayor Lamar Phillips of Ottawa, longtime flood control worker and witness of damage from frequent floods on the Marais des Cygnes, has the following observations to make:

"The rivers of our continent, from the standpoint of geology, are ancient. They have been carrying storm run-off to the seas for ages. But, a change is taking place. Our old rivers are becoming new rivers. Or, perhaps it is more accurate to say they are being remodeled into new rivers.

"During recent days, streams of our Missouri River Basin have been called upon to carry more storm run-off than their channels are capable of carrying. An example is the Marais des Cygnes river valley of Eastern Kansas, the stream which becomes the Osage River after crossing the Kansas-Missouri border. Too much rain in too short a time caused this river to overflow its banks in some areas, and, regrettably, too much farm land and crops went under water. Today one reservoir is in operation—Pomona Reservoir in the upper Marais des Cygnes valley, and one local protection project, at Ottawa. In the recent overflows no water came into the city of Ottawa. The Pomona Reservoir level raised 12½ feet above the normal level, impounding 60,620 acre-feet of storm run-off. Eventually all of the projects in the Kansas-Missouri area will be completed.

"What is the task which lies ahead for those of us in Mo-Ark and Mississippi Valley Associations? We must be unselfish, but we must not give up. The battle for flood control is being won, and our contribution to the cause has been the fact that we are not competing with each other."

As of this writing, it is estimated that flood control projects constructed by the Kansas City District of the Corps of Engineers have prevented more than $130 million in flood losses this year. In areas where flood control projects have been recommended in the Kansas City District, but not yet financed for construction, there is an estimated $30 million loss.

NORTHERN KENTUCKY GIVES 100TH SON TO VIETNAM WAR

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. SNYDER. Mr. Speaker, throughout the history of the United States, the Commonwealth of Kentucky has given its valiant offspring to safeguard America's heritage of liberty. Particularly, has this been true of the upper bluegrass—known as northern Kentucky. On July 23, northern Kentucky gave its 100th son to the war in Vietnam. Phillip Hammons of Covington, Ky., volunteered to fight for his country and paid the ultimate sacrifice in order to defend it. Phillip Hammons has upheld the highest traditions of his family, whose sons have served and are serving their country..

To the Hammons family goes the heartfelt sympathy of thousands of American families who have suffered the same loss and the undying gratitude of those of us for whom he laid down his life. He fought and died in the finest spirit of gallantry of the Marine Corps and of America and he joins the ranks of the other brave fighting men of America and of Kentucky who have given their lives for freedom.

He did not die in vain. He died protecting the liberty of all of us who gratefully remain. It is our duty to see to it that what he died for we will fight for.

The following page 1 article in the Kentucky Post concerning Phillip was written by Sigman Byrd, whose son, Arthur, is counted among the 100 courageous northern Kentuckians who have died in Vietnam:

NORTHERN KENTUCKY GIVES 100TH SON TO VIETNAM WAR

(By Sigman Byrd)

The Upper Bluegrass has given the life of her 100th son to the cause of United States military policy in Southeast Asia.

While astronauts Armstrong, Aldrin and Collins streaked through space toward their bright blue home planet yesterday morning, Mrs. Myrtle Hammons, 2903 Alden court, Covington, received that most heartbreaking of messages.

Her son, Pfc. Phillip Hammons, a 20-year-old Marine rifleman, had been killed in combat on July 23, 10 miles northeast of An Hoa, Quang Nam Province, Republic of Vietnam.

"He sustained missile wounds to the body from a hostile explosive device while on a search-and-clear operation," said the message over the signature of the commandant of the Marine Corps.

Pvt. Hammons was the youngest of 11 children. Four of his five brothers are veterans of the armed forces. Another brother, an Army specialist, is stationed in Vietnam.

Sp. 4 William Hammons, aged 23, will be a member of the honor guard escorting his brother's body home.

Pvt. Phillip Hammons, the slain Marine, is the only one of the 11 children of John and Myrtle Hammons who never saw his father. The elder Hammons died shortly before Phillip was born.

But the father and son who never saw each other in life will lie side by side in death. After services at Allison & Rose Funeral Home in Covington, the fallen hero will be buried beside the grave of John Hammons in Adams Cemetery at Batesville, Ind.

It was in Batesville that John died and Phillip was born 20 years ago.

One of Pvt. Phillip Hammons' five sisters, Katherine (Mrs. Glen) Fugate, of Cincinnati, said she had a strong premonition of her brother's death when she heard a news report Wednesday about the death of 25 U.S. Marines in Vietnam.

"I don't understand it," she said. "As soon as I heard it, I said to myself: Phil's dead. I felt it so strongly that I phoned Juanita (Mrs. Paul Landrum, 415 Bakewell street, Covington, another sister).

"I told Juanita we ought to go and stay with mother, to be with her when the telegram came. And that's what we did."

Mrs. Fugate explained that she and Phillip were closer than most brothers and sisters. "You see," she explained, "my son Mike is 20 years old, too—just two months older than Phil.

"I guess I thought of Phil more like he was my son than my brother."

The mother of the 11, Mrs. Myrtle Hammons, was prostrate with grief Friday.

Mrs. Landrum said her mother had slept poorly Thursday night—despite sedation administered by a physician.

"Mother is bitter about Phil's death," said Mrs. Landrum. "I think she always will be. She says she won't accept Phil's decorations from the government."

Pvt. Phillip Hammons has at least two decorations, a Purple Heart and a marksmanship medal. He earned the markmanship medal in basic training in San Diego.

Phillip Hammons left Holmes High School in July 1968, to enlist in the Marine Corps before graduation.

"He volunteered," said Mrs. Fugate. "He wasn't drafted. He volunteered for combat duty in Vietnam."

"We tried to talk him out of it," said Mrs. Landrum. "We tried so hard to persuade him to join the Navy. But he wanted to fight the Communists."

Two of the six brothers are Navy veterans. They are John and Orville Hammons, both of Cincinnati.

Two others chose the Army. They are Clarence Hammons of Covington, and Pvt. William Hammons, now on the way home with his brother's body.

The other brother, Rolland Hammons, of Covington, is an ex-Marine.

The surviving sisters, besides Mrs. Fugate and Mrs. Landrum, are:

Mrs. Richard Goff, Covington; Mrs. Arthur Stahler, Cincinnati, and Mrs. Louise Dornbush, Covington.

Pvt. Phillip Hammons left the United States for duty in Vietnam in January of this year. His death—Kenton County's 39th in Vietnam—came about a week after his return to duty following a brief rest-and-rehabilitation period in Bangkok.

From Bangkok the Marine hero sent his mother a large and beautiful chest of flatware and a tape recording of a poem written by one of his comrades and recited by himself, Phillip.

Text of the poem follows:

"Take a man and put him alone—
Put him 12,000 miles from home,
Empty his heart of all but blood
And make him live in sweat and mud.
This is the life that I must live;
This is why my soul I give.
You peace-brothers laugh from your easy chairs,
But you don't know what it's like over here.
You have a ball without near trying
While over here your brothers are dying,
You burn your draft cards and protest . . .
Use your drugs and have your fun
And then refuse to raise a gun.
I'll hate you till the day I die . . .
I saw my buddy's arms a bloody . . .
And heard them say: 'This one is dead.'
He had the guts to fight and die.
He paid the price—but
What did he buy?"

At the conclusion of the poem, the voice of the martyred Marine, speaking to his mother for the last time, says in the tape recording:

"But who gives a damn what a Marine gives—except his mother, father, brothers and sisters?"

MUSKIE SPEAKS IN INDIANA

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. HAMILTON. Mr. Speaker, I had the great pleasure of being host to Maine's distinguished Senator, EDMUND S. MUSKIE, in southern Indiana last week.

During his visit in the Ninth Congressional District of Indiana, Senator MUSKIE delivered one of the most enlightened, concise reports on this Nation's priorities that I have heard.

Senator MUSKIE'S visit came in the wake of the Apollo 11 success and that glow of pride which all Americans share in this remarkable achievement. But the Senator's concern is that we take heart from this achievement and set ourselves goals here on earth.

Each of my colleagues will find reading this address a good investment of his time.

I include in the RECORD the entire text of Senator MUSKIE'S excellent speech, given July 25 at the Jeffersonville, Ind., high school fieldhouse:

SENATOR EDMUND S. MUSKIE, INDIANA SPEECH, JULY 25, 1969

During most of the past two weeks, our people have been unified in a way that only great moments of triumph or tragedy seem to produce.

In the affluent suburbs; in the steaming inner cities; in our troubled universities, and in neighborhoods where the schools are inadequate and overcrowded; in mountain and seashore resorts, and in homes where families cannot afford a summer vacation; beside clear lakes, and on the shores of polluted rivers; whether we were white or black, rich or poor, young or old, supporters or critics of the war in Vietnam, Democrats or Republicans, New Left or Old Right—the magnificent adventure of Apollo XI gripped us all.

The image of Neil Armstrong's foot swinging down from the Eagle, and onto the surface of the moon, is a permanent part of our consciousness. No matter where we saw that television screen—in a rec room, or in a tenement—its fantastic image last Sunday night belongs to all of us. Time cannot erase it, nor in any way diminish its power. For a while, it made us one people.

And our unity was based on something deeper than national pride. Armstrong and Aldrin were representing all of us—all mankind—reaching out into the cosmos.

How long will that sense of unity last?

I'm afraid the answer is not long, if you consider the history of other great events that have drawn us together, in exultation or sorrow.

Because sooner or later the television sets go off, and we return to the earth and the heat of summer. To high prices. A weak stock market. To traffic congestion. Rising crime. Cities hard-pressed for funds, and public services deteriorating. The air we breathe dark with chemical waste. Mistrust between the races. Mutiny in the hearts of many young people. The war dragging on.

That, it can be said, is the real world. Our vicarious participation in the moon mission is just that—vicarious—though we did pay for it.

But I want to suggest tonight that at least one aspect of the moon mission is part of our real world, too—or could be.

I don't mean all the technological advances, the by-products, that are supposed to come from space science. I assume they are real. But by themselves, they are not likely to do much to relieve the problems we live with here on earth.

As a matter of fact, the science and technology, the national resources, and even the bravery that went into Apollo 11 could not in themselves have lifted that rocket a foot off the launching pad.

It took something more, something that could put all those elements together and give them coherence and power. It took a unifying goal, understood by all, and the will and determination to reach it.

In the case of the space program, the goal was simple. It was to enable a human being to walk on the moon's surface by the end of this decade. Achieving it was a terrifically complicated business. But the goal was clear and understandable and it inspired and unified our efforts, and we made it.

What if we decided that there were some goals here on earth that were no less important to us, no less urgent?

Now that we have seen that man can operate successfully in the lunar environment, what if we decided to help him operate successfully in the urban environment?

Now that we have shown ghetto children that a dream of sophisticated science may come true, I think it's about time to teach them to read.

Now that we have protected the health of three astronauts hundreds of thousands of miles away, I think we ought to find a way to give all our people good medical care at reasonable cost.

Now that we have built machines that can sustain great journeys in space, I think it's time to solve the problem of transporting people to and from work, without turning the countryside into concrete and the air into carbon and sulphur compounds.

Now that we've seen men cooperate to unite two machines in orbit at terrific speeds around the moon, let's find out how to get white men and black men to cooperate in improving city life.

I recognize that there is a difference between a physical triumph like putting a man on the moon, and a social triumph like putting a poor teenager on his way to a successful and responsible life.

With the one, we've been dealing with brilliant, highly educated men and women. We've had the use of the most advanced scientific equipment. We've been able to measure our

progress exactly. When we've failed, when there was a tragic fire that set us back, we've pressed on, undaunted. We've had the funds that let us call on the vast resources of private industry. And most of all, we've had a simple goal.

But dealing with our human problems is another matter. We've found that we could not simply put together a few ingredients—a little money to improve the schools, a year of Head Start, a job training program, and some good intentions—and heal the lives of people who have known nothing but poverty and deprivation from the beginning. We don't know yet how to measure the effect of most of what we are doing—how much a billion dollars of aid to education can do for school children, for example.

Every failure—every grant to some group that mis-spends it—is the occasion for cries of outrage and calls for stopping the program. We've talked a lot about getting private industry involved, but we haven't found the key—the incentive—to bring that about in sufficient quantity. And most of all, our goals have been very general—and very rhetorical.

I think it's time we delivered some simple goals and some firm target dates for our problems here in America.

Like improving the reading skills of high-school graduates in the ghetto from the ninth grade level to at least the eleventh grade level by 1976.

Like meeting the goal of the National Housing Act—26 million new units—in the next nine years.

Like cleaning every American river of unacceptable pollution by 1976.

Like assuring that no American family goes hungry by 1971.

Like reducing the delays in our courts of criminal jurisdiction by —% within five years.

There are plenty of other goals—in higher education, in mass transportation, in cleaning the air, in reducing infant mortality.

And it is up to the political leadership of this country to set those goals and to provide some target dates for reaching them—dates that are just as demanding as putting a man on the moon in the sixties was, when John Kennedy set it in 1961.

You don't provide that kind of leadership if you back-pedal before every reactionary breeze.

And whatever your Gallup poll rating, you can't lead from a low silhouette. You've got to stand up. You've got to invest some of your political capital in making this a more human and hopeful country. You've got to help your people understand how critical our problems are—and how we can marshall our energies, as we did in the space program, to solve them.

Because the real issue is not who wins in 1970 or 1972. It's what happens to the country in the next four years—whether it regains its old determination, its old optimism and hope, or whether it divides still further into frustrated, despairing factions.

I hope our President has a successful trip in Asia and Eastern Europe. But when he returns—as when Armstrong and Aldrin and Collins returned—he will find an America very much as it was when he left it: In need of political leadership that identifies our problems realistically, and that describes some human goals within our reach.

It may be that this is too much to ask from Republicans. They are better at turning the clock back, or making it stand still, than they are at anticipating what could be in the hours and days to come.

It has been our democratic role to identify national needs, and to set the forces in motion that will meet them. We have done that before. We shall do it again. And between now and 1972, let us press this administration to stand up and lead. Let us—speaking as the majority party representing the people—try to exert more forward pressure than Strom Thurmond can brake.

Let us take heart from the spectacular achievement on the moon, and set ourselves some goals here in America. And let us bring together the resources and the will we need to reach them, and press on, through whatever disappointments and delays, until we do. That is the way, and the only way, by which we can regain the union we knew last weekend. And, despite the glory of Apollo XI, that is what really counts.

STATEMENT OF ANDREW J. BIEMILLER, DIRECTOR, DEPARTMENT OF LEGISLATION, AFL–CIO SUPPORTING U.S. FOREIGN AID PROGRAMS

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, Andrew J. Biemiller is Director of the Department of Legislation of the American Federation of Labor and Congress of Industrial Organizations. His statement follows:

STATEMENT

This statement represents the continuing position of the AFL–CIO in support of our country's program of foreign aid and to express our support for continuation of foreign aid authorization legislation.

The AFL–CIO Executive Council, on February 24, 1969, again stated its fundamental belief in the importance of the U.S. foreign assistance program when it said:

"The security and freedom of our country require a variety of efforts—political, diplomatic, economic, military, cultural and humanitarian. In this realization, Democratic and Republican Administrations alike have recognized the necessity of rallying our nation for generous assistance in various forms, particularly to the developing countries. Without the successes which have been achieved in the pursuit of this course, important areas, now centers of economic progress and advancing social justice, would today be pockets of political chaos and pawns in the hands of aggressors bent on world domination."

The AFL–CIO makes such a statement while being aware of the problems and inadequacies which have appeared in this country's foreign aid program in the past because we recognize that such an effort as this is relatively new in the history of mankind. The problems of poverty and race in our own country and the problems of underdevelopment in many regions of the world had for many years been accepted as inevitable and incapable of essential improvement. Perhaps because of our newly discovered ability to successfully engineer vast changes through the application of economic adjustments in critical areas of the nation's life, we are now confident that we are able to improve the condition of destitute human beings both here and abroad through specific measures. But we are relatively new at applying these solutions both here and abroad and it is apparently necessary that many of the lessons of practical administration of such a progressively innovative program must be learned through experience. The extraordinary successes we have achieved in such programs as foreign assistance must almost inevitably be marked by some failures as we apply new solutions to our changing array of human and industrial problems.

In the final analysis, then, both the humanitarian goals of the American foreign aid program and the costs of that program in terms of sacrifice reflect great credit upon the American people. The continuing presence of those goals, that of preserving world peace, promoting freedom and supplying for economic needs in compliance with social justice, urge us to continue to make the sacrifices this program requires. A decline in our overseas aid would represent not only an abandonment of our recognized responsibilities but the loss of essential means of development to other human beings who have a right to share in the wealth of the earth.

Conscious of the commitment made by our nation at the beginning of the present decade, the Executive Council of the AFL–CIO noted that:

"The U.S. has provided only 0.85% of its national income for overseas economic assistance—a lower proportion than the 0.93% expended on the average by the 16 industrially developed countries which constitute the Development Assistance Committee (DAC). Hence, no one can reasonably maintain that our foreign assistance program has been a drain on our nation's resources and capacities for dealing with its pressing urban and other domestic problems. No doubt, our country can do much more in the realm of development assistance while improving our domestic conditions."

The AFL–CIO again urges therefore, that for reasons "both of national interest and humanitarian concern" and also "for the practical mutuality of its benefits," the Congressional appropriations for the foreign assistance program should equal no less than one percent of our gross national product.

Because the horizons of possibilities have been expanded by the flight of Apollo 11 the whole program of space exploration should make us all increasingly conscious of the fact that we are members of the same human community on this planet, earth. If we are not conscious of the vital needs of our world neighbors, the conditions which beget violence and threaten world peace will continue to exist.

This does not imply that we support the United States Program of foreign assistance solely as an instrument of diplomacy to defer international difficulties. The AFL–CIO support of this type of program has been continuous since we encouraged the adoption of the Marshall Plan because, as trade unionists, we champion the fundamental American belief in the universality of human dignity, with all the responsibilities and rights which this dignity implies and demands; the universal right of man to work and to share justly in the product of his labors; and the right and obligation of every man to participate equally in the political process. Since these motives urge our organization and our government to strive valiantly to correct injustices and to provide for human opportunities within our own nation, then these same imperatives must effect our participation in the international community.

Among the criticisms voiced in opposition to the continuation of this country's development assistance program, much of which is unfair and has no basis in fact, there is one charge that AID has discouraged overseas private investment as a part of an overall development assistance program. The fact of the matter is that private overseas investments have not been in step with the wealth and vigor of the rest of this country's economic and financial profile. This was in spite of improved economic conditions both here and in the developing countries themselves. By comparison overseas investments from other countries such as West Germany, Italy and Japan have increased considerably. Because it is generally acknowledged that foreign private investment in developing countries is both necessary and beneficial as a source of capital, and organizational technological and commercial know-how, AID's

private Resources Development Services has been encouraging private investments in developing countries as a supplement and not a substitute for the government's program. While the AFL–CIO commends this present effort, it has serious reservations about the establishment of a new and parallel agency to foster such private investments since this will inevitably create confusion and conflict and be misunderstood in the developing world.

The AFL–CIO notes with satisfaction that the current bill provides for the continuation of the provisions of Title IX, of the Foreign Assistance Act, which urges that more emphasis be placed on the development and utilization of democratic institutions in the assistance program. This is an area in which labor feels most at home, for Title IX is an approach which emphasizes the determination by the people themselves of what they require.

For many years, the AFL–CIO has been supporting the work of the American Institute for Free Labor Development which has been deeply involved in the development of Title IX type institutions in the Western Hemisphere. Although the primary purpose of the AIFLD is the strengthening of democratic trade unions, it has, through its many social projects programs and educational programs and with the support of democratic trade unions developed various community institutions such as: cooperatives, credit unions, medical brigades, schools and community organizations of the type fostered by Title IX. Incidentally, since 1964 the AFL–CIO has, in Latin America, loaned interest-free or granted more than $470,000 from its own resources for over 200 projects to assist in what is now Title IX type institutional development.

It is important that foreign aid continue to strengthen the free and democratic trade unions in the underdeveloped countries and that it be made available for programs of social and economic impact which will ultimately develop Title IX institutions. Both as a target for development and as a tool of development, the democratic trade union movement in this hemisphere offers outstanding opportunities for progress. We hope this committee will recommend a specific amount of funding for Title IX activities.

The AFL–CIO would like to call to the attention of this committee the work that has been accomplished by such organizations as the African American Labor Center (AALC), the more recent Asian American Free Labor Institute (AAFLI) as well as the American Institute for Free Labor Development (AIFLD) which have been working for the development of free trade unions as adequate representatives of the workers before government, industry and political parties. These three AFL–CIO sponsored institutes have received financial assistance from AID for some of their work in their respective regions.

The effectiveness of the American Institute for Free Labor Development, established in 1960, in its union to union program in Latin America was not only an endorsement of our principle of overseas development, it was an encouragement to the AFL–CIO to undertake similar efforts first in Africa and then in Asia. The African American Labor Center was established in 1965 by the AFL–CIO and started with a vocational training program in Kenya. An American Trade unionist was assigned to the project as a technical advisor. The Institute continues to train Africans under three separate study programs, and, typical of such activities, the number of applicants is always four times the number of unionist enrolled. It is the purpose of an institute such as this to contribute to the growth of the economy of the country or region through the development of one of its more important resources, its human capital, while creating a form of organizational stability in the union to its members.

AALC has not only stimulated African economic development by fostering progressive and responsible trade union growth, it has entered into other areas of human resource development. Last year, for instance in response to the requests of the workers of Ghana, AALC provided special mobile medical facilities to care for workers and their families. At a time when public health is an increasingly more important area of concern to developing countries, AALC coordinated the resources of the workers, the World Medical Relief Service as well as its own to provide the medical assistance necessary in an area coming to grips with industrialization for the first time. AALC is presently operating in 28 countries in Africa and has completed 75 projects. It has established schools in Nigeria, Kenya, Congo, Ethiopia and Dahomey. It has run a number of Pan-African seminars and has brought a number of African labor leaders to the United States to study labor. Its activities in Africa have emphasized technical training (such as training drivers, tailors, motormechanics, and printers), workers education, cooperatives, health clinics and literacy training.

The needs for these labor programs are growing as the importance of labor increases and significance of training and developing human resources is appreciated. We feel that through these basic-type programs we are helping the trade unions to have a greater role in the economic and social development of their countries.

Again, moved by the needs of the workers of Asia and the commitment of the AFL–CIO to international development, another labor program has been established under the Asian American Free Labor Institute (AAFLI).

On January 17, 1968, the Asian-American Free Labor Institute (AAFLI) was incorporated as a non-profit organization by the AFL–CIO under the laws of the State of Delaware. AAFLI was formed for the purpose of promoting the development of free trade unions in Asia and the Near East. As an arm of the AFL–CIO, AAFLI is responsible for carrying out programs and objectives.

In Vietnam, where our program must have a double priority, the AFL–CIO has expended thousands of dollars on the relief of trade unionists and their families affected by the war.

The AAFLI elsewhere in Asia is planning and conducting a long range program designed to assist trade unionists to be more effective in bargaining. Part of the task the Institute has set before itself is the development of a trade union leadership which can assume much of the responsibility of discerning the needs of the workers and guiding their coordinated solutions to those needs. Free trade unionists in the Philippines, for instance, are aware of the resource that AAFLI constitutes as a source of trade union organizations and developmental knowledge.

Since much of the Asian region is agricultural, the Institute has plans to work on rural worker problems, especially in helping them to establish cooperatives. As elsewhere, such cooperatives are important in that they provide a marketing mechanism, which in turn, creates production incentives.

At the invitation of a host country's labor movement, AAFLI undertakes joint programs in the field of education and social development. Such programs will include trade union leadership and administrative training, cooperative organization and administration, press and information seminars, vocational training, and internships or on-the-job training, as well as social projects in the fields of cooperative development, medical clinics, community centers, and related "impact-type" projects.

To the maximum extent possible, AAFLI makes use of the services of host-country and third-country instructors and lecturers, leaving program planning and coordination to the AAFLI staff.

All AAFLI programs are developed and implemented with the coordination and cooperation of the host country unions. The programs are consistently designed as union-to-union activities and operated on a joint basis.

Since the programs are based on the principle of "Self-Help", with the objective that the host country unions eventually take over all aspects, a local contribution to all programs is required, based on the extent of the unions' resources. In the past, this has taken the form of contributions of manpower, such as instructors or administrative personnel, seminar facilities and equipment, student room and board or payment for loss of wages, and the like.

Although comparative studies are made of labor movements and working conditions in the United States and other countries, the focus of all training programs is on study of the conditions that exist in the host country with no attempt made to export the trade union practices or techniques current in the United States or other countries. The objectives of the program is to stimulate and develop the leadership and membership of the host country union toward strengthening the labor movement as a democratic institution, responsive to the needs and welfare of the workers, able to represent their interests, and prepared to contribute to the overall economic development of the country by raising wages, improving working conditions, and improving the standard of living of trade union members and their families.

Since June 1968, AAFLI's program in South Vietnam has trained over 400 persons in trade union leadership and plans to train an additional 2000 persons. 60 interns will be selected from graduates of the advanced leadership courses and will be utilized as instructors for the lower courses. 145 persons have received cooperative training and 31 of them have been selected as interns for a 12-month period, financed by AAFLI, to form cooperatives. 41 persons have been trained in methods of research, preparation and dissemination of trade union periodicals and materials, and 20 of these graduates have been selected as interns to work in the Vietnamese Confederation of Labor's printing shop for a 12-month period. Shortly after the 1968 TET military offensive by the VIET Cong, the AFL–CIO, acting upon an urgent appeal from the President of the CVT, allocated $35,000 for emergency relief to needy union families through AAFLI which is responsible for the relief and impact projects activities of the AFL–CIO in South Vietnam.

The present and potential value of this type of program in Asia is attested by the contracts granted by the Agency for International Development to support this effort. AFL–CIO recommends that AID increase the resources made available for this valuable assistance to the working people of Asia.

In support of this assertion I ask that the annual progress report of these organizations be included in the record as a demonstration of the extent and effectiveness of the work being accomplished. I would like to add to these reports the following information on AIFLD's work on education efforts in Latin America.

Since more than one hundred thousand workers have completed AIFLD sponsored courses, ranging from evening courses designed to convey the basic tenets of democratic trade unionism to full-time residential courses in relatively specialized fields such as Collective Bargaining and Community Development.

The philosophical thrust of AIFLD's efforts in Latin America is positive in its affirmation of the values of free men joining together in institutions such as unions as a means of increasing their influence, both in the private and public sector, in decision-

making which affects their own lives and that of future generations. As a recent independent evaluation study on Colombia and Ecuador stated "courses emphasize the positive aspects of free, independent, democratic trade unionism and present to students with alternative systems. Despite some excusable exhortation, the major concern in both countries is for rational choice and the substitution of reason for emotion."

The steadily increasing level of sophistication combined with the rising expectations of Latin American workers requires increased emphasis on advanced training. This means that the AIFLD is less and less involved in basic membership training as the unions themselves become able to assume greater responsibility for this effort thereby concentrating its limited resources on the kind of specialized training that a growing and dynamic trade union movement needs, if it is to participate fully in national and regional economic and political development. Not only is AIFLD concentrating more and more on advanced specialized training in each country, but concomitantly we are devoting more resources to advanced training here in the United States through our residential training in Front Royal, Virginia and our Labor Economics Program in Georgetown. We currently provide training for some 125 trade unionists annually in Front Royal in courses of 6 to 9 weeks duration dealing with relatively technical subjects such as job evaluation, productivity and wages, and group dynamics. These and other subjects are explored under the leadership of experts in their respective disciplines. During these courses, participants are offered an opportunity to engage in meaningful dialogue with trade union leaders, government officials and representatives of the numerous international agencies headquartered in the United States.

AIFLD experience has demonstrated that this opportunity for the exchange of ideas, information and viewpoints uniquely equips a trade union leader to return to his country with broadened horizons and increased depth of perception and more importantly with a keener awareness of the commonality of mankind's problems and of the resources both human and material which can be brought to bear in the never-ending search for solutions. Through the use of private funds, AIFLD has expanded the physical facilities at its Institute in Front Royal, Virginia, so that approximately ten 6–9 week courses for 20 students can be offered annually provided a sufficient level of funds for operating expenses can be made available.

Finally AIFLD's education effort encompasses certain special programs to cope with a given national problem of vital interest to workers, such as the vocational educational program in Guyana or the regional training program in economic integration in Central America. As with all AIFLD's activities these programs are conducted only at the request of and in cooperation with the trade union movements of the country and/or region in which they take place.

In recognition of the serious dearth of printed material available to worker education programs in Latin America, AIFLD has an on-going textbook publication program. Thus far, three books have been printed and distributed for use in Latin America and eleven others are in various stages of publication. As funds become available, we will be printing and distributing these textbooks together with instructor's manual for use in worker education programs throughout the hemisphere.

AIFLD's record of providing training to more than 110,000 workers throughout Latin America, ranging from the most elementary to the most sophisticated level, during its first seven years is unequalled. During 1970 we will be implementing a comprehensive evaluation system designed to provide a continuing appraisal of our educational efforts which will provide a measure of the effectiveness of educational programs as a guideline to policy and program decision making. This should result in an increased sharpening of focus, improved programming and even greater effectiveness in the use of resources available.

AIFLD has developed a series of programs with Alliance for Progress providing assistance designed to improve social conditions of thousands of Latin American workers. It should be noted that almost 20 million dollars in long term loans have been provided to the unions of Latin America directly from AFL–CIO affiliated unions under the AID investment guarantee program.

As of December 31, 1968, the Social Project Department of AIFLD had demonstrated marked success in a number of areas. In the field of workers housing, over 13,000 units with a total value of $55 million had either been completed, were under construction or were to be constructed under contracts already signed. The only worker owned savings and loan association, ASINCOOP, in Lima, Peru, had made 762 cooperative housing loans for a total of over $5 million and had 11,000 depositors who had saved more than $2.5 million. In the field of small self-help projects, over 220 such projects had been financed by the AFL–CIO/AIFLD Impact Projects Program and over 200 by A.I.D., for a total amount of $800,000 divided more or less equally between grants and interest-free loans. In addition, an A.I.D. financed Regional Revolving Loan Fund was established in July of 1968 for interest-free loans of up to $50,000. Four projects totalling over $110,000 had been approved. In the field of campesino assistance, three campesino service centers in Brazil and one in Colombia had been constructed and were in full operation. In Central America, regional and local rural leadership programs are held on a rugular basis giving four-week classroom courses followed by one week of action in community development projects.

At this time I would like to go into another matter of serious concern to the AFL–CIO regarding the language and provisions of the proposed Foreign Assistance Act.

As you know, Mr. Chairman, there has always been agreement between the American government and the AFL–CIO regarding the need for true trade union participation in economic and social development in order to ensure the success of the overall foreign assistance program. However, the problem of our Government's Foreign Aid agencies in translating the intent of the Congress into action often begins with vagueness of language and of priorities. In the proposal before you, the principles and criteria are all too often stated in general and nonspecific terms. This vagueness can lead to problems of implementation because the intent is not specifically clear. For that reason I would like to discuss some of the specific items that appear in the proposed legislation. The legal and policy basis for efforts in the labor field including the trade union as well as the government and management sectors are provided either explicitly or implicitly throughout the proposed Foreign Aid Act but particularly in Chapters I, II and III, part I of Bill–H.R. 11792. In general we observe that the new bill has used such general language as "institutions" while in the past, there were specific references to free trade unions, cooperatives and voluntary agencies.

Another specific difficulty with H.R. 11792 arises with the provisions of Section 204 (page 9 lines 13 through 18) concerning the Alliance for Progress policies when it states the "loans may be made only for social and economic development projects and programs which are consisitent with the findings and recommendations of the Inter-American Committee for the Alliance for Progress (CIAP) in its annual review of national development activities." This section has been one of the principal limitations of policy action affecting the interest of free trade unions in Latin America since the CIAP committee has not accepted the labor policy recommendations of the Inter-American Labor Ministers Conference which stresses participation of free trade unions in national economic and social planning efforts. On the contrary, CIAP has encouraged wage policies which in effect eliminate the collective bargaining function in many countries. Thus, if these policies follow CIAP recommendations exclusively are inconsistent with the legislation which supports the participation of such private institutions as trade unions in the development process. Further, these wage labor policies have also had a detrimental effect on the priority for trade unions and cooperative social projects under the allocations of Public Law 480—dollar project and program loan resources.

There is no question that these same wage freeze policies represent one of the factors which cause social unrest. We therefore recommend the clarification of the intent of this legislation by the addition of a requirement to make loan criteria consistent also with the Inter-American Labor Ministers Conference recommendations.

In Section 302 of the proposed legislation, which deals with capital and technical assistance in private enterprise development, there is provision for "capital projects" to increase the capacity of public and other facilities essential for private enterprise and loans for the support of "private enterprise activities" and "development or objectives" (page 21 line 6 through 9 in the bill). Again, the proposed legislation does not include any reference to free trade unions and cooperatives as participants in such loan project and capital project assistance.

It may well be that some of the difficulty that AIFLD, AALC, and AAFLI have had in receiving social project assistance in certain areas may be traced to this vagueness of language.

Finally, Mr. Chairman, I would like to call your attention to the statement on the U.S. Foreign Aid Program made by the AFL–CIO Executive Council in February of this year. The statement is an expression of the interest and concern of the American Labor movement for our country's world role and responsibilities. I would like to affix this document as an addendum to this testimony. I particularly call attention the eight issues highlighted by the specific recommendations of the Executive Council. This is an excellent summary of the position of the labor movement on foreign aid and legislation.

We appreciate this opportunity to express our support for the foreign aid program as visualized in H.R. 11792 introduced by Chairman Morgan. Thank you.

STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON STRENGTHENING THE U.S. FOREIGN ASSISTANCE PROGRAM, BAL HARBOUR, FLA., FEBRUARY 24, 1969.

The security and freedom of our country require a variety of efforts—political, diplomatic, economic, military, cultural, and humanitarian. In this realization, Democratic and Republican Administrations alike have recognized the necessity of rallying our nation for generous assistance in various forms, particularly to the developing countries. Without the successes which have been achieved in the pursuit of this course, important areas, now centers of economic progress and advancing social justice, would today be pockets of political chaos and pawns in the hands of aggressors bent on world domination.

Over the years, mistakes have been made and shortcoming manifested in carrying out the nation's vast foreign assistance program.

Certain lessons could be learned only through practical experience. By and large, little time was lost in improving administrative procedures and reducing the chances of misuse of help to a minimum. On the whole, the AID program and its humanitarian endeavors have been a great credit to the American people.

Last year, the U.S. contributed more than any other country to help the developing nations get on their feet. Thus, India, Pakistan, the Philippines and Turkey were enabled to have harvests. Every one of the fifteen nations which received 84% of AID's economic assistance last year can attest to its effectiveness in helping them achieve self-sustaining growth—economic progress, advances in health, education and the building of democratic institutions.

Moreover, in helping others, our country has also helped itself. Last year, 98% of AID's commodity requirements were American-purchased and 91% of its total expenditures were made in the U.S. P.L. 480 appropriations, which are a rather substantial part of the development assistance program, have been a source of significant support for the income of our nation's farmers.

Despite these constructive results, recent years have witnessed considerable criticism and opposition to the continuation of our country's development assistance program and projects. Much of the criticism has no basis in fact and is unfair.

For instance, it has been falsely charged that AID has discouraged private investments in development assistance. The fact of the matter is that, in regard to the developing countries, American private investors have not been in step with the "wealth and vigor" of our country's financial community. In order to improve this picture, AID's Private Resource Development Service has been encouraging and supporting with guarantees a number of private undertakings in the developing countries. Setting up a new, separate and parallel agency to foster such private investments would only lead to confusion and conflict. We must realize that, though private investment can and should play a vital role in the developing countries, it can only be supplemental to and not be a substitute for the government assistance program.

Some have argued that the very success of this assistance program makes its continuation unnecessary and that its mission has been fulfilled. Others, embittered by the failure of our Allies to help us in the Vietnam conflict, have turned to neoisolationism. Still others are demanding that our country reduce drastically its world responsibilities and stop helping others in view of the magnitude and urgency of some of our domestic problems.

Just as America cannot long enjoy peace and freedom in a world ridden with totalitarian dictators bent on global conquest and domination, so our country cannot long remain prosperous in a world steeped in poverty, ignorance, and disease. No one can deny that famine and poverty are still a massive peril in many parts of the world. What is more, by now it should be clear to everyone that poverty is not necessarily due to lack of natural and human resources, but is rather the result of a failure to use adequately and effectively the potential resources at hand. On a world scale, 80% of the natural resources and 90% of the human resources are today untapped. In this situation, our country with its great technological expertise and industrial capacity can render enormous assistance to the expansion of world economic development and human well-being. There is no better road to the elimination of poverty, disease and ignorance which are so assiduously exploited by the Communists in their drive for world power.

The U.S. has provided only 0.85% of its national income for overseas economic assistance—a lower proportion than the 0.93% expended on the average by the sixteen industrially developed countries which constitute the Development Assistance Committee (DAC). Hence, no one can reasonably maintain that our foreign assistance program has been a drain on our nation's resources and capacities for dealing with its pressing urban and other domestic problems. No doubt, our country can do much more in the realm of development assistance while improving our domestic conditions.

We of the AFL–CIO are not particularly concerned with what new name the new Administration might give our nation's development assistance agency. There is no reason to chase novelty for the sake of novelty. Sound improvements can be made only on the basis of experience and without hesitation to take new steps for meeting changed or new situations. However, the Executive Council will oppose vigorously all moves—regardless of their guise—to sap the strength or to alter the basic nature of AID by "restructuring" it in such a way as to deprive it of its vital functions. We hope, in this connection, that President Nixon will utilize the great opportunity he has to exercise energetic initiative and leadership in overcoming the tacit and explicit lack of concern in certain sections of our population for the less developed countries.

Towards enabling our country to fulfill ever more effectively its world role and responsibilities in promoting freedom, peace, and social justice, the AFL–CIO Executive Council urges that:

(1) Regardless of the new name which the overseas development assistance program will have, the organization should pursue the essential purpose and preserve the basic structure of AID so as not to divest it of its vital functions.

(2) The overseas development assistance program should be given greater authority and stability of funding through biennial Congressional appropriations.

(3) The Director of the new organization should be made an Under-Secretary of State for Economic Assistance Cooperation in order to strengthen its authority, enhance its mobility of operations, and reduce the frustrations of bureaucratic red tape.

(4) The new agency's career service should be improved by according its working staff the same status and prerogatives as enjoyed by the Foreign Service personnel of the Department of State.

(5) For reasons "both of national interest and humanitarian concern" and also "for the practical mutuality of its benefits", the Congressional appropriations for the foreign assistance program should equal no less than one percent of our national income.

(6) In line with the aims and spirit of Title IX of the U.S. Foreign Assistance Act it should be so amended as to provide help to democratic institutions and social projects (education, research, cultural exchanges, cooperatives, trade unions, etc.) even after countries become economically viable, that is, self-sustaining with respect to capital assistance on liberal terms.

(7) To insure that the great mass of the people, rather than any privileged minority in the developing countries, are the primary beneficiaries of American assistance, increasing emphasis should be put on expanding the activities of organizations like the AIFLD, AALC, and AAFLI which promote the building of democratic institutions (free trade unions, cooperatives, private local impact projects, etc.)

(8) Military assistance and aid for economic and social development should be separated from each other by legislative enactment.

INDUSTRY DEFENDS THE "COMPLEX"

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. RIVERS. Mr. Speaker you and the Members of the House will recall that on June 12 I spoke on the floor on the subject of the military-industrial complex. It was my purpose at that time to attempt to place in proper context the whole matter of the relationship between our military establishment and our industrial establishment. From comments I have heard since that time I think it quite possible that my efforts were not wasted and that my remarks, at least to some extent, helped in the forming of reasoned judgments with respect to that essential relationship—essential to the Nation's defense—known as the military-industrial complex.

I noted with a greal deal of interest and pleasure that Mr. Roger Lewis, president and board chairman of the General Dynamics Corp., considered this whole matter to be of sufficient moment to grant an interview to a writer for the Christian Science Monitor in order that there could be a full and free discussion of the military-industrial complex from the standpoint of the industrialist engaged in the manufacture of military hardware. In my view this showed a certain amount of courage on the part of Mr. Lewis and I congratulate him for that and for the forthrightness of his statements.

The interview between Mr. Lewis and Mr. Martin Skala of the Christian Science Monitor takes the form of a question and answer discussion.

Mr. Speaker, this question and answer exchange on the military-industrial complex appeared in the Friday, July 11, 1969, Christian Science Monitor, and was prominently featured on the first page of the second section of that outstanding and responsible newspaper. I insert in the RECORD this thoughtful and very helpful exchange as one more step toward a realistic and considered appraisal of an inter-relationship without which this country, simply stated, would be unable to maintain its position of world leadership.

Mr. Lewis has done his country a great service. The article follows:

INDUSTRY DEFENDS THE "COMPLEX"

Is there really such a combination of interests as the so-called "military-industrial complex?"

Yes, there is something that can be called a "military-industrial complex." And I am using the word "complex" in the same sense that President Eisenhower used it in his 1961 farewell talk.

What seems to have been forgotten about President Eisenhower's statement back in 1961 is his reference to the fact that "we can no longer risk emergency improvisation of national defense" and have, therefore, "been compelled to create a permanent armaments industry of vast proportions."

A little later, after referring to the "conjunction of an immense military establishment and a large arms industry . . ." he went on to say that "we recognize the im-

perative need for this development." He was not criticizing its existence—he was cautioning against "the acquisition of unwarranted influence . . . by the military-industrial complex."

Of course, there is always an underlying implication that there is some kind of "improper" relationship between the military and industry. That's really what causes the question to be asked. But any analogy between this country and prewar Germany or Japan simply won't stand up. We do not have a strongly centralized government as they did and, further, there are some 40,000 companies doing defense work.

In addition to this, there are the numerous echelons of authority both within the executive branch and within the Congress that must study and approve procurement policies and actions.

And lastly, the whole procurement operation is done through a free-enterprise system. The competition is more severe, the risks are usually greater, and the profits are lower in the defense business than in commercial practice.

Remember that although the government is a customer, it's also a shopper, and it's determined to get the best product for the least money in the shortest period of time. Both our democratic system of government with all of its checks and balances and the highly competitive free-enterprise system of American business ensure the best and most productive relationship between the military and industry.

Have you seen any evidence that the American political system is being subtly altered by large-scale defense spending?

I have seen no such evidence. But it's a good question to raise, because world conditions being what they are defense gets the most money and the most attention and publicity. This is so because it has the biggest and most important job to do.

America has a history and tradition of concern that the military not be dominant in our political life, and it was with this in mind that our founding fathers separated the powers of the government, provided for civilian control of the military, and ensured freedom of speech and freedom of the press.

It is this very climate within which the free-enterprise system can operate so effectively and contribute so greatly to the preservation of the kind of government we have.

Do you believe, as some critics have alleged, that the large defense-oriented corporations have a "vested stake" in perpetuation of the cold war?

No. I do not believe that defense-oriented organizations like General Dynamics have a vested stake in the perpetuation of the cold war. And even if they did have such an interest, the considerations set out in the answer to the first question would prevent this. The Department of Defense devises national strategy and sets requirements. Industry only responds to these requirements.

Consider, too, the number of defense businesses in existence during and after World War II and how many fewer there are today. The situation is very fluid, with businesses coming into the defense area, shifting over to nondefense business, and even going out of business entirely. The record is pretty clear in this respect.

The executive branch determines policy, defense devises the strategy, Congress provides the money, and industry does its job in a tough, competitive atmosphere.

One prominent economist has suggested that the managerial system is being gradually altered because of stringent Pentagon controls over defense spending. Such as the contractual inclusion of "buy America" clauses, wage and overtime guidelines, etc. Is there any validity to this contention?

No, I don't think there is any such alteration. In my opinion, defense contractors are no different from nondefense companies. Both have the same responsibilities to their shareholders, employees, and customers.

However, defense money is public money, and large amounts are involved. The Defense Department is accountable by law and regulation to the President and the Congress and is subject to their constant inquiry. Because the Defense Department is not a customer in the ordinary sense, adequate control and safeguards over its expenditures are certainly in order.

The need is to achieve a balance between the government's requirements as a special customer and sovereign, and management's fundamental need to "run its business" to meet its contractual commitments in its and the government's interest. This is a constant problem, and both sides need to be alert to rules and regulations that could shackle management and prevent timely and wise decisionmaking. There is a great deal which can be done in this area, and the people in charge in the Pentagon are aware of the problem and are struggling manfully with it.

A point to remember is that even those defense contractors who do most of their business with the government don't lose their autonomy, individuality, independence, or—most importantly—their responsibility to perform just because the government is the customer. In the last analysis, the so-called management limitations of the Department of Defense are only very tight *reporting* systems.

How much of a problem is government red tape?

It depends on the kind of "red tape."

No one questions the Defense Department's need for reports to provide visibility as to the status of performance, expenditures, small business participation, and the like. We understand the need and can adjust to it. But reports that serve no useful purpose, including redundant reports, need to be eliminated, and we find the Defense Department receptive to suggestions for doing away with them.

On the other hand, "red tape" which delays decisionmaking by requiring unnecessary approvals of higher authority or a series of such approvals for matters which should be settled at the contracting level does interfere with the timely and proper performance of contract. To this extent it is a problem.

Why do you think there is so much talk about a "military-industrial" complex?

First, I think the Eisenhower statement has a great deal to do with the wide discussion of a military-industrial complex today.

Second, there is a great deal of money involved—public money—which is spent to satisfy man's most basic interests, his personal safety and his country's security.

Third, our history and tradition of civilian control of our government, coupled with the people's realization that other countries have suffered from military-industrial relationships, underlies much of this discussion.

Also, the recollection of the wars of the last 100 years and strong feelings about the conflict in Vietnam contribute to it.

And, lastly, the current controversy over the Safeguard antiballistic missile system provides the trigger for a higher-pitched dialogue on this subject.

All of this public interest, however, is healthy and is to be welcomed. It's a part of our system.

Based upon your experience in industry, are present Pentagon and congressional controls over military procurement practices adequate to prevent waste or malfeasance?

This is really a question of extent and degree. Big defense programs, just like big private business operations, have the built-in problems of size, complexity, and the fact that people are involved. Controls over military procurement are an old story to the Department of Defense and are founded on vast experience. There is a well-established watchdog relationship involved here and any great deviation from sound procurement practices is virtually impossible.

Also, a reading of the daily press, and certainly a reading of the Congressional Record, gives clear proof that waste and malfeasance are matters under constant scrutiny by the Pentagon, the Congress, the General Accounting Office, and other agencies. I think, too, that any further needed laws or regulations can be insured both by this scrutiny and by the publicity which is always given waste and malfeasance by an inquisitive and remarkably well-informed press.

Should the American people be concerned by the large numbers of ex-high-ranking military officers employed by major defense contractors?

I do not believe so, at least if other companies handle the matter as we do at General Dynamics. We have very few high-ranking military people in terms of our total payroll. We are very careful not to hire a military officer unless he has some special technical or organizational skill which we can use in the company in a way which will avoid any possibility of conflict of interest.

We apply the same criteria in selecting such men as we apply to those we hire from industry or in selecting men for promotion within the company.

On the other hand, I believe it is very important that we have the benefit of the specialized knowledge and experience of certain of these men. It is a question of management—how you use the talent and experience of these exceptionally well-qualified people.

I think that the defense industry would be properly criticized if it didn't use the talents of these trained and competent people. I think, further, it would be unfair to deny a man a job just because he had a military background. This really comes down to a question of proper management.

What percentage of General Dynamics' gross income comes from defense related or government contracting? What programs are involved?

Over the past seven or eight years about 80 percent of our total sales have been to the Department of Defense or NASA and 20 percent to commercial customers. We are primarily designers and developers of large weapons systems, such as combat aircraft, nuclear submarines, surface ships, and strategic and tactical missiles. We also build a variety of communications and data handling equipment for all three services.

We are proud of the fact that our company has played a significant role in the development of the first American satellite, the first supersonic bombers, the first nuclear submarines, and the first intercontinental ballistic missiles to be developed in this or any other country.

Are these profits being made by defense contractors way out of line with comparable profits being made by civilian nondefense firms as some critics have alleged?

Yes, profits are out of line.

Recently, an independent study was produced for the Department of Defense by the Logistics Management Institute [LMI]. The study took 18 months and was based on financial data from 65 defense contractors. The subject is so important—and so misunderstood—that I wish I had the space to cover it completely.

A summarization of the LMI Review states: "Despite policy objectives of the procurement system, defense-industry profitability has been in a steady decline. This is not supposition or argument. It is fact."

From 1958 to 1966 defense business profit declined while commercial business profit increased. The summarization points out: "By 1966, net profit after taxes on total capital investment was 6.9 percent for defense business, 10.8 percent for defense contractors' commercial business, and 12.4 percent

for a representative group of nondefense companies."

It's interesting to note that a $1,000 investment in 1957 in a group of mixed companies would have been worth $4,674 at the end of 1966, while the same investment in the primarily defense group would have grown only to $2,265. This same trend has continued in 1967 and 1968, and I see no evidence on the horizon that it's going to change for the better.

This is an unhealthy and potentially dangerous situation. Industry must keep pace with the rapid advances in modern technology, but the cost of maintaining and modernizing plants and acquiring machine tools and other facilities is steadily going up while profits are just as steadily declining.

At some point declining profits and rising prices must result in obsolescence. Obsolescense means deterioration of our mobilization base and, should need for accelerated production arise, greater costs for weapons systems and a slower production rate.

Allegations persist that General Dynamics in part won the F–111 contract because of political factors. What is the truth?

There were no political factors in the award of the F–111 contract. Actually the story is a simple one. Both the Boeing and General Dynamics proposals were reviewed by an evaluation group in the Pentagon. This consisted of 284 military and civilian experts. The final score in this contest was General Dynamics 175.6 and Boeing 172.1. Then the military source selection board took these two scores and attached appropriate weight to the various elements in order to give more emphasis to those of greater importance. After this second review, General Dynamics was again the winner, 662.4 to 654.2.

The board recommended the Boeing design but Secretary McNamara chose General Dynamics. The whole story of this is told on Pages 1911 and 1912 of the TFX contract investigation hearings. It was a close fight and a hard decision, but General Dynamics did win and won on the basis of the better design. I think a better airplane resulted from this tough competition.

What is the future of a heavily defense-oriented corporation like General Dynamics?

No precise predictions can be made about the future of General Dynamics or other companies heavily engaged in defense business. However, there are a number of points that can be made that might be helpful in establishing a framework for thinking about the future of defense-oriented companies.

First, I think that even if events should permit a smaller defense establishment than we have today, the need for excellence in our hardware and the need for keeping not merely abreast but ahead of the rest of the world still be matters of great importance.

The country must always be in a position to adapt itself to a sudden change in the world climate, must have the capability for rapid buildup, the ability to translate its scientific and industrial base into the best hardware in the shortest time.

It's hard for me to visualize a time in the future when it will be possible for the United States to be without an industry capable of producing weapons systems—very likely systems more complex than we have today. I think it's a real possibility that the industry could be—and some say should be—thinned down as the years go on to a fewer number of companies with the largest part of their effort directed to weapons development and production. But there will always be a proper place in the national-defense picture for capable, efficient, and rather specialized companies.

If circumstances do permit smaller military forces in the future and, therefore, a small volume of defense production, this would mean to me only an even more competitive atmosphere in which General Dynamics would work even harder to maintain a high-win rate in defense contracts.

MARLIN-ROCKWELL WORKERS SALUTE MOON LANDING

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. HASTINGS. Mr. Speaker, man has landed on the moon and those three daring astronauts have returned safely to Houston, marking a happy ending to what must be the greatest adventure in all mankind.

Their courage and skill cannot be praised too highly and taking a special pride in their astounding accomplishment are some 1,600 workers of the Marlin-Rockwell Co. plants in Jamestown and Falconer, N.Y., in my home district. They were a part of that massive work force which teamed up to make the landing possible. Their skill and resourcefulness provided the bearings for the mighty engines of the Saturn V which sent the spacecraft aloft and on its historic journey. And through their parent company, TRW, Inc., which employs 60,000 in 164 locations around the world, they had a hand in at least 9 out of 10 other space projects from providing the lunar module descent engine under subcontract with Grumman Aircraft Engineering Corp., to the development of a seemingly miraculous communications system which so enhanced the Apollo 11 mission.

So that others may share my pride in the part they played in the moon landing, I include the following Jamestown Post-Journal article, which tells in detail of their contributions, in the RECORD:

JAMESTOWN-FALCONER PLANTS SUPPLIED "HARDWARE": MRC WORKERS TAKE PRIDE IN MOON PROJECT'S SUCCESS

Hundreds of workers in a local industrial firm can take personal pride in the successful landing of man on the moon since they had a part in manufacturing important "hardware" that went into Apollo 11 engines.

The Jamestown-Falconer plants of Marlin-Rockwell Corp., employing about 1600, also supplied the bearings that went into the engines of Saturn V which lifted the Command Spacecraft and the Lunar Module and sent them on their way to the moon.

In addition the local firm is a division of TRW Inc. which is not only the first firm to build a spacecraft and to be a participant in nine out of 10 space projects, but it also performed eight major roles in the Apollo lunar landing program, according to word from its offices in Redondo Beach, Calif.

Among these was TRW System Group's Science and Technology Division, under subcontract to Grumman Aircraft Engineering Corp. which supplied the Lunar Module Descent Engine that lowered Astronauts Armstrong and Aldrin softly and safely the last 10 miles to the moon's surface.

By controlling the amount and direction of the engine's thrust, varying from 1,050 to 9,850 pounds during the lunar landing, the astronauts were able to break their descent, hover to select a precise landing site and then slowly descend to where no man has ever trod before.

TRW's Equipment Group under subcontract to McDonnell Douglas Corp. also provided the six 150-pound thrust attitude control engines for Saturn V's S–4B third stage. The rockets, a part of the S–4B auxiliary and propulsion system, are mounted in two clusters of three each and may be fired singly or in groups. On the Apollo 11 mission, the engines maintained roll control during the first J–2 engine burn, provided roll, pitch and yaw control in earth orbit and aligned the S–4B stage in earth orbit prior to the J–2 restart, injecting Apollo 11 into translunar trajectory.

At its Houston Operations adjacent to the NASA Manned Spacecraft Center, TRW's System group provided major assistance to the MSC Mission Planning and Analysis Division in the areas of trajectory design and analysis, orbital maneuvers, flight control computer program development, range safety analysis, operational softwear and mission error analysis.

TRW Systems Group's Space Vehicles Division, under contract to NASA's Goddard Space Flight Center, has produced two Test and Training Satellites placed in low earth orbit to check out the Apollo's worldwide Manned Space Flight Network and train the network's operators.

The 44-pound octahedral satellites are members of TRW's Environmental Research Satellite series. Test and Training Satellite 1 was launched Dec. 13, 1967, and simulated Apollo spacecraft communications during its four and a half month lifetime. The second test and training satellite was orbited Nov. 8, 1968, and has been used to ready the Apollo network for the Apollo 11 mission.

Four pioneer spacecraft in orbit around the sun and 10 Vela Satellites orbiting the earth, monitoring the sun for signs of major solar flares and other radiation powerful enough to harm an astronaut in space or on the moon, are built by TRW Systems Group's Space Vehicles Division. They are providing NASA with sufficient advance warning to delay a launch or alter an orbit, if necessary.

Among other major roles in the moon-landing program, TRW through its Electronic Systems Division has built for Collins Radio Co., the Signal Data Demodulator System which enhances clear voice communications through advanced techniques during the Apollo missions. Installed at 18 worldwide locations and on board Apollo ships as part of the Apollo S-band communications network, the Signal Data Demodulator handles nearly all forms of information from the spacecraft including telemetry data, in addition to voice communications. Should an emergency occur, SDDS will provide communications via a simple telegraph key.

Marlin-Rockwell of Jamestown, the consolidation of three oldest bearing manufacturers in the country, became a division of TRW Inc. in 1964. TRW today employs more than 60,000 persons in 164 locations around the world.

RETIREMENT OF LT. GEN. WILLIAM F. CASSIDY, CHIEF OF U.S. ARMY ENGINEERS

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. BLATNIK. Mr. Speaker, I would like to take this opportunity to express my personal best wishes to Lt. Gen. William F. Cassidy, who today will retire as Chief of the Army Engineers. General Cassidy has truly been one of the finest Chiefs of Engineers in the long history of that splendid organization.

Bill Cassidy has been in positions of leadership for many years and he has served his country well. As the Chief of Engineers, he has been charged with the tremendous responsibility for the worldwide military engineering activities of

the Army, including its involvement in Southeast Asia. However, in addition to a military construction program, the Corps of Engineers is the major water resource development agency in our country. And it is in this role that Bill Cassidy excels.

Under Bill Cassidy's leadership, the Corps of Engineers has contributed greatly to the well-being of this great Nation through the water resource development projects. These projects have created vast opportunities for our fellow Americans to live free from devastating floods, to enjoy the vast expanses of water areas and many miles of shorelines for outdoor recreation, and to participate in the economic advantages which accompany water resource development.

Mr. Speaker, on this day, which marks the end of Bill Cassidy's 38 years of military service which began in 1931 when he was commissioned in the Army Corps of Engineers upon graduation from the U.S. Military Academy, West Point, I wish to express the gratitude which I am sure is held by all who have come into contact with him for his able leadership, counsel, and assistance over the years. Bill Cassidy carries with him in his retirement from the corps our warmest wishes for continued health, happiness, and success in the years to come.

TAX-FREE FOUNDATIONS—AN INSULT TO TAXPAYERS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. RARICK. Mr. Speaker, the question of tax reform is very much alive at this time, and when we have an opportunity to visit our districts after the middle of the month, we can expect to hear from our constituents on the subject.

A hard look at the gross abuses of tax exemption by some of the foundations is one of the things which our constituents expect of this Congress. There is no way on earth to justify these abuses. Typical of the sort of thing which irritates good Americans beyond words is the gem in tonight's local paper about such charitable contributions as $25 to "aid the blind" by the Wolfson Foundation.

This foundation, with tax-free capital gains of over $340,000—a third of a million dollars—last year, paid out only $10,512 in gifts, grants, and scholarships.

This is the same foundation, Mr. Speaker, which paid Abe Fortas $20,000—and agreed to pay him that same sum every year—to advise the foundation where to distribute its largess. No wonder the American taxpayers are downright angry at such shenanigans.

I include the newspaper clipping:

[From the Washington (D.C.) Daily News, July 31, 1969]

CHARITY BEGINS AT . . .

No wonder foundations are getting a black eye. The Louis Wolfson Foundation of Boston had tax-free capital gains of $348,291 last year. It paid out a grand total of $10,512 in gifts, grants and scholarships. Sample gifts: $25 to "aid the blind"; $48 to Hebrew University; and $50 to the Spadeford Scholarship Foundation. Foundation-watcher Rep. Wright Patman, D-Tex., take note.

GOLD AND THE BALANCE OF PAYMENTS

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. GROSS. Mr. Speaker, I have had the privilege of reading as time permitted certain portions of a recently published book entitled "An Enemy Hath Done This." The author of the book is the Honorable Ezra Taft Benson, former U.S. Secretary of Agriculture in the Eisenhower administration.

I was particularly impressed by a chapter in the book which bears the heading of "Gold and the Balance of Payments." Here Mr. Benson sets forth clearly the manipulations of our monetary system and foreign policies that have brought us now to the brink of disaster.

This is a subject that vitally affects the lives and fortunes of all Americans yet it is a subject which all too few understand. It is in the hope that more of our citizens and taxpayers will read and profit therefrom that I include the following excellent chapter from Mr. Benson's book in the RECORD:

GOLD AND THE BALANCE OF PAYMENTS

"Manifestly nothing is more vital to our supremacy as a nation and to the beneficent purpose of our Government than a sound and stable currency. Its exposure to degradation should at once arouse to activity the most enlightened statesmanship, and the danger of depreciation in the purchasing power of the wages paid to toil should furnish the strongest incentive to prompt and conservative precaution." (President Grover Cleveland, Inaugural Address, March 4, 1893)

An entire volume could be written on the present dilemma we now find surrounding the nation's unfavorable international balance of payments and the dwindling gold supply.[1] The highlights of these problems, however, and the sequence of events that led up to them are here summarized:[2]

1. The root of all evil is money, some say. But *the root of our money evil is government*. The very beginning of our troubles can be traced to the day when the federal government overstepped its proper defensive function and began to manipulate the monetary system to accomplish political objectives.[3] The creation of the Federal Reserve Board made it possible for the first time in America for men arbitrarily to change the value of our money. Previously, that value had been determined solely by the natural interplay of (1) the amount of precious metals held in reserve, (2) the value men freely placed on those precious metals, and (3) the amount of material goods which were available for sale or exchange.

2. One of the first arbitrary and politically motivated interferences with the natural value of money was to peg the price of gold at $35.00 per ounce. At first, this made little difference because it was quite possible for men to mine gold profitably at this price. But as the government moved into a program of deficit spending, the motivation for fixing the price of gold became obvious. The artificial increase of the money supply caused the value of each dollar to decrease in relationship to the total supply of material goods which that dollar could purchase. This relative decrease in purchasing power, of course, is known as inflation. But, if gold were not held by law at a fixed price, then its value would have risen in direct proportion to the artificial increase in paper money, and as long as gold was guaranteed backing behind each dollar, the government wouldn't have been able to benefit one iota from deficit spending. The whole process would have been a bookkeeping operation similar to that of a corporation with assets of $100,000 suddenly doubling its number of stock-shares. Since the assets would increase, the *value* of each share simply would be cut in half. But, if the corporation somehow could force by law all persons to purchase each new share at the same price as the old, then it could realize a tremendous profit through sale of the new issue. This is exactly the kind of fraudulent practice that was and is perpetrated on the American people by forcing the price of gold to remain at $35.00 per ounce.

3. The natural result of this con game was that the mining of gold gradually came to a halt. Actually, the *real* cost of mining, due to technological advances, has decreased, but the cost *in terms of inflation-ridden dollars* has increased to approximately twice the artificially set level.

4. With practically no new gold moving into the Treasury to keep pace with the expanding paper money supply, it was essential for the government manipulators to have the nation go off the gold standard; that is, to remove gold as a guaranteed backing. The dollar was "cut loose" from gold by 75 percent. In other words, for every $1.00 of paper money, only 25 cents worth of gold is now legally required to back it. It is important to note, however, that Americans are not permitted to cash in their dollars for even that token amount. And if gold cannot be obtained in exchange for paper bills, then it is not really "backed" by gold at all. To say that it is, is merely to deceive oneself. The 25 percent so-called backing of gold is merely a bookkeeping ledger account designed to sustain the people's psychological confidence in and acceptance of our money system.[4]

Since there was no way for the federal government to *force* foreign investors to accept American dollars, or international credits based upon American dollars, and since they surely would not do so if there was no gold to back it, the new law applied only to American citizens. That's right, Americans were forced by their government to abandon any claim to gold behind their paper dollars

[1] "All the perplexities, confusions, and distresses in America arise, not from defects in the Constitution or confederation, not from want of honor or virtue, as much as from downright ignorance of the nature of coin, credit, and circulation." (John Adams, *Works* 8: 447)

[2] "If we could first know *where* we are, and *whither* we are tending, we could then better judge *what* to do, and *how* to do it." (Abraham Lincoln, June 16, 1858; *Collected Works* 2: 461)

[3] "Gentlemen, it is the *currency*, the currency of the country,—it is this great subject, so interesting, so vital, to all classes of the community, which has been destined to feel the most violent assaults of executive power. The consequences are around us and upon us. Not unforeseen, not unforetold, here they come, bringing distress for the present, and fear and alarm for the future . . . its object was merely to increase executive power." (Daniel Webster, March 15, 1837; *Works* 1: 362)

[4] "They that can save up essential liberty to obtain a little temporary safety deserve neither liberty nor safety." (Benjamin Franklin, *Familiar Quotations*, p. 226).

but foreign holders of these dollars are still entitled to "cash in" for gold if they wish—and at the full price, too.

5. Sensing that American paper money was now literally "worthless," many people began to put their savings into gold itself. If allowed to continue, this might have led to a parallel monetary system dealing in the private exchange of gold or credits against gold instead of government paper money. So the next step for the government manipulators was to make it illegal for Americans even to own gold. People of other nations may demand and receive gold bullions from Fort Knox for whatever American money they hold, but our own citizens are not permitted even to own an ounce of gold, except in the form of jewelry, art objects, or a few rare collectors' coins.

6. During and since World War II, our leaders in Washington have seen fit to give away to other nations over $130 billion dollars. (*U.S. News and World Report*, August 15, 1966, p. 46) According to *Information Please World Almanac*, this is approximately $25 billion more than the total assessed valuation of all land and personal property in the 50 largest cities of the United States. Much of this money has found its way back to our country, not in the form of purchases for American goods, but in the form of international credits which can at any time be converted into demands for gold.

7. Through a continued policy of giving away money to other countries, through gigantic military expenditures in other lands to supposedly protect them against aggression, through building up foreign industries to where they can compete effectively with our own industries (which not only pay higher labor costs, but also pay the taxes used to build up their foreign competitors), our leaders have finally brought us to the position where we no longer have enough gold left to pay off our solemn promise to foreign holders of U.S. dollars. Out of approximately $13 billion total gold stock, about $9 billion is required by law to back up our domestic money supply, and about $4 billion is left to meet claims of foreigners. But—and mark this well—the claims held by foreigners against this supply are already in excess of $29 billion and rising rapidly! Even counting *all* the gold—including that which supposedly is held as reserve against our domestic money supply—there is more than twice as much claim by foreigners than ability to pay. Internationally, we are bankrupt! (*U.S. News and World Report*, July 12, 1965, p. 39, and October 17, 1966, p. 63)

8. The pending economic crisis that now faces America is painfully obvious. If even a fraction of potential foreign claims against our gold supply were presented to the Treasury, we would have to renege on our promise. We would be forced to repudiate our own currency on the world market. Foreign investors who would be left holding the bag with American dollars would dump them at tremendous discounts in return for more stable currencies or for gold, itself. The American dollar both abroad and at home, would suffer the loss of public confidence. If the government can renege on its international monetary promises, what is to prevent it from doing the same on its domestic promises? How really secure would be government guarantees behind FHA loans, Savings and Loan Insurance, government bonds, or even Social Security?

Even though American citizens would still be forced by law to honor the same pieces of paper as though they were real money, instinctively they would rush and convert their paper currency into tangible material goods which could be used as barter. As in Germany and other nations that have previously traveled this road, the rush to get rid of dollars and acquire tangibles would rapidly accelerate the visible effects of inflation to where it might cost $100 or more for a single loaf of bread. Hoarded silver coins would begin to reappear as a separate monetary system which, since they have *intrinsic value* would remain firm, while printed paper money finally would become worth exactly its proper value—the paper it's printed on! Everyone's savings would be wiped out totally. No one could escape.[5]

One can only imagine what such conditions would do to the stock market and to industry. Uncertainty over the future would cause the consumer to halt all spending except for the barest necessities. Market for such items as TV sets, automobiles, furniture, new homes and entertainment would dry up almost overnight. With no one buying, firms would have to close down and lay off their employees. Unemployment would further aggravate the buying freeze, and the nation would plunge into a depression that would make the 1930's look like prosperity. At least the dollar was sound in those days. In fact, since it was a firm currency, its value actually went *up* as related to the amount of goods which declined through reduced production. Next time around however, the problems of unemployment and low production will be compounded by a monetary system that will be utterly worthless. All the government controls and so-called guarantees in the world will not be able to prevent it, because every one of them is based on the assumption that the people will continue to honor printing press money. But once the government, itself, openly refuses to honor it—as it must if foreign demands for gold continue—then it is likely that the American people will soon follow suit.

This, in a nutshell, is the so-called "Gold Problem." It's no wonder that our leaders who have gotten us into this mess don't talk about it very much, except to show the proper amount of public concern, and to assure us from time to time that they are "watching the situation closely."

The question that is uppermost in the minds of everyone familiar with the foregoing facts is "How can we prevent this from happening?" The honest answer is, "We can't!" Like the drunkard at the end of a weekend spree, there is no way in the world to avoid the inevitable "morning after." We have been feeling the exhilarating effects of inflation and have become numbed to the gradual dissipation of our gold reserves. In our economic stupor, when we manage to think ahead about the coming hangover, we have merely taken another swig from the bottle to reinforce the artificial sensation of prosperity. But each new drink at the cup of inflation, and each new drain on the gold supply of our body strength does not prevent the dreaded hangover, it merely postpones it a little longer and will make it that much worse when it finally comes.

What should we do? *We should get a hold on ourselves, come to our senses, stop adding to our intoxication and face the music!*

I realize this is an extremely unpopular answer. There are those—particularly among the government manipulators who endorse the polices that have brought us to our present unhappy state—who would have us believe that, somehow, if we just do a little *more* manipulating of our money, possibly even set up a world monetary system through the U.N., then we can avoid having to pay the fiddler; or, to be more precise, to pay the bartender. But such proposals are merely more of the same con game against the American people, and would not only fail to solve our economic problems, but could lead us into surrendering our economic independence as a nation to the dictates of a majority block in the U.N. which, conceivably, would be less interested in our recovery than in exploiting our misery.

No, there is no "happy" solution to our problems, but, if left to our own resources, the productive genius that is the product of the free enterprise system, coupled with the initiative and drive of the American people, can successfully lead us through the trying readjustment period that lies ahead, and then on to higher levels of *real* prosperity and security than we have ever known.

While politicians will continue to insist that our economy is not in the slightest danger, lest they be accused of being "negative," or "spreaders of doom," there is a sound and realistic course of action that we can follow to prepare for the coming readjustment period and to lessen the shock. As a nation, we must stop giving away money to foreign nations as though we had it. We should demand repayment of our loans to other countries—especially those, like France, which are making the heaviest demands upon our gold supply. We should cease giving them our gold until they pay their debts to us. We must stop the federal government from deficit spending, and begin immediately to pay off the national debt in a systematic fashion. This, of course, means increasing taxes *or* decreasing the size of government. It is doubtful that the American people can absorb more taxes without further injuring the productive base of our economy, but there is no doubt that government can be reduced without any such risk.

The price of gold must be allowed to seek its own level without artifical government restraint. Americans should be given back their freedom to own gold if they wish. Just as soon as the mining industry is able to respond to the higher price of gold and begins to extract it from the earth once again, it should be exchanged for 100 percent gold-redeemable paper dollars from the Treasury payable upon demand to *anyone* who holds these dollars. Make it known that the federal government eventually will offer the same conversion privilege to holders of the present Federal Reserve Notes just as soon as the acquisition of gold bullion and the repayment of the national debt makes it possible.

So much for the nation. As individuals there is also much that can be done to lessen the shock. *The first and most obvious step is to get out of debt if it is at all humanly possible.* We have lived in an atmosphere of inflation for so long that many people now accept the benefits of permanent debt as a firm law of economics. But if inflation runs its full course and drops over into depression with little if any *real* income for millions of workers, the country may well have to start over with a brand new currency which will be in extremely short supply to pay off those existing debts. Even in times of economic stability it is sound practice to live within one's income and avoid unnecessary debt. Such practice is doubly sound in times like these.

Each of us should make every effort to become economically independent, at least within the family unit. Avoid looking to government for handouts or future security. Again, this is not only good practice in normal times, but especially important today. A government which is unable to pay its own bills can hardly be depended upon to pay yours.

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[5] "I have already endeavored to warn the country against irredeemable paper; against the paper of banks which do not pay specie for their own notes; against that miserable, abominable, and fraudulent policy, which attempts to give value to any paper, of any bank, one single moment longer than such paper is redeemable on demand in gold and silver. . . . We are in danger of being overwhelmed with irredeemable paper, mere paper, representing not gold nor silver; no, Sir, representing nothing but broken promises, bad faith, bankrupt corporations, cheated creditors, and a ruined people." (Daniel Webster, February 22, 1834; *Works*, 3:541–2)

Finally, when the going gets rough, we mustn't rush to Washington and ask Big Brother to take care of us through price controls, rent controls, guaranteed jobs and wages.[6] *Any government powerful enough to give the people all that they want is also powerful enough to take from the people all that they have.* And it is even possible that some of the government manipulators who have brought us into this economic crisis are hoping that, in panic, we, the American people, literally will plead with them to take our liberties in exchange for the fake promise of "security."[7] As Alexander Hamilton warned almost 200 years ago: "Nothing is more common than for a free people, in times of heat and violence, to gratify momentary passions by letting into the government principles and precedents which afterward prove fatal to themselves." (*Alexander Hamilton and the Founding of the Nation* [The Dial Press], p. 21) Let us heed this warning. Let us prepare ourselves for the trying time ahead, and resolve that, with the grace of God and through our own self-reliance, we shall rebuild a monetary system and a healthy economy which, once again, will become the model for all the world.[8]

GOOD PROGRESS FOR PENNSYLVANIA

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

NEWS RELEASE BY COMMONWEALTH OF PENNSYLVANIA, GOVERNOR'S OFFICE, JULY 29, 1969

Gov. Raymond P. Shafer announced today that more Pennsylvanians were employed during the month of June than at any time in history.

The Governor said an increase of 82,400 jobs over May brought the June employment total to 4,884,900, some 55,900 above the previous high established in June a year ago.

Noting that the current employment total is "almost a half million higher than it was for the same month five years ago," the Governor added:

"This remarkable increase is due largely to the great numbers of new and expanded industries now locating in Pennsylvania because of its favorable industrial tax climate as well as the industrial development program carried on by PIDA."

At the same time, the Governor said the average hourly and weekly earnings for production workers in all manufacturing industries also hit new highs in June for the fifth consecutive month—$128.39, up $1.04 over May.

"This figure is $8.10 higher than it was in June of last year," he added.

"A seasonal gain of 35,500 jobs from mid-May to mid-June sent non-manufacturing employment to 2,796,800—another all-time record.

"In addition, factory employment increased 23,800 to a mid-June total of 1,579,500, or 149,400 higher than it was in Pennsylvania five years ago."

The Governor said an additional 508,600 persons were either working on farms, were self-employed or listed as domestic workers during the month.

Although unemployment increased to 164,000 during the month because of the entry into the labor market of students seeking part or full-time jobs, the unemployment rate for the month stood at 3.2, the lowest for any June on record.

PRICE SUPPORT FOR MILK

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. OBEY. Mr. Speaker, last week I received a letter from the Office of Secretary of Agriculture Clifford Hardin indicating that the price support for milk will not be raised at the present time.

The letter was in response to one I sent to Secretary Hardin in early July asking that the price support level for manufacturing milk be raised to the full 90 percent of parity.

I was very disappointed by the reply from the Secretary's office, because it indicates to me that the Secretary is not aware of the real possibility which exists in this country for a severe milk shortage.

In my letter to Secretary Hardin, in which I was joined by Congressmen GONZALEZ, KASTENMEIER, and STRATTON, I pointed out that the milk production in May of this year was the smallest May production in 30 years, including a drop in the production in Wisconsin of 2 percent and a drop in Minnesota of 5 percent. Furthermore, as I said at that time:

The downward production of milk, the increase in fluid sales and the culling of herds could put this nation on a collision course which will lead to a severe domestic shortage of milk unless support prices are increased to 90% of parity.

The only way to insure an adequate supply of milk and other dairy products is to assure our farmers that they will receive a fair return for their investments. Increased costs to our dairy farmers has caused the price of manufacturing milk as a percentage of parity to decline from 89.5% in April, 1968, to 83% in April 1969, and this has dropped even further in May and June. Only an increase in the price support level to 90% will indicate to the dairy farmer that it is worth his while to continue his operations in the dairy business, and assure the American consumer of an adequate supply of milk in the future.

The increasing awareness that considerable malnutrition and hunger exist in our country is still another reason for us to make sure that we have an adequate supply of milk. President Nixon's Urban Affairs Council recommended an increase in Federal spending of at least $1 billion in the next four years to attack the problem of hunger and malnutrition. Certainly one of the best ways to increase the nutritional level of our citizens is to increase the amount of dairy foods in their diet, a goal which would be impossible unless the downward production of milk is reversed.

In response to my letter, I received a reply from Mr. Clarence Palmby, Assistant Secretary of Agriculture for international affairs and commodity programs.

In his letter, Assistant Secretary Palmby says:

The key factor now is the declining consumption of fluid whole milk, cream, and butter.

Although he cites figures indicating the per capita consumption of milk has declined, I would like to point out that it was, in part, because the consumption of fluid milk seems to be increasing that I felt it necessary to write to Secretary of Agriculture Hardin in the first place.

In my letter to the Secretary in July, I pointed out that total class I sales for April 1969, in 60 Federal marketing order areas was 1.5 percent above April sales of last year, and producer deliveries used in class I during the first 4 months of 1969 were 2.3 percent above such use during the same period a year ago. The most recent figures released by the USDA indicate that this trend of increased consumption is continuing.

According to the July 1969, issue of "Federal Milk Order Market Statistics," the volume of producer deliveries used in class I in 58 markets increased 2.8 percent from last year, and the volume of producer deliveries used in class I during the first 5 months of 1969 are 2.4 percent above such class I use during the same period in 1968.

Assistant Secretary Palmby also indicated in his letter that with an increase in price supports, the consumption of milk would decrease and CCC purchases would become larger. I contend, Mr. Speaker, that if price supports are not raised soon, we face the possibility of a shortage of milk in the future, and in that case, prices will rise significantly above levels which may occur with a price support increase.

Although the Assistant Secretary's letter said the Department of Agriculture has "been carefully studying developments in the dairy situation, with special attention to prices received by farmers, dairy farm income, and the trends in the number of producer and milk production," unfortunately, he in no way comes to grips with the problem of a constantly decreasing number of dairy farmers and a decline in the production of milk.

Mr. Speaker, there is a feeling among many people that the decline in the num-

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[6] "When the people are encouraged to turn to government to settle all of their problems for them, the basis for all revolutions is thereby established. For then the people expect the government to provide them with all of the material things they want. And when these things are not forthcoming, they resort to violence to get them. And why not—since the government itself has told them that these responsibilities belong to government rather than to them? I am convinced that a revolution would not be possible if the only relationship between government and the people was to guarantee them their loyalty and security." (Frederic Bastiat, quoted in *American Opinion*, February 1968, p. 22)

[7] "Though liberty is established by law, we must be vigilant, for liberty to enslave us is always present under that very liberty! Our Constitution speaks of the 'general welfare of the people.' Under the phrase all sorts of excesses can be employed by lusting tyrants to make us bondsmen." (Cicero, quoted in *A Pillar of Iron*, p. 512)

[8] "No duty is more imperative on . . . Government, than the duty it owes the people, of furnishing them a sound and uniform currency." (Abraham Lincoln, December 26, 1839; *Collective Works* 1:164)

ber of dairy farmers has abated since the steep declines we suffered in 1966. This is not the case.

In my own State of Wisconsin, 4,338 dairy farmers stopped farming from May 1966, to May 1967. From May 1967, to May 1968, we lost 3,295 dairy farmers and in the past year, from May 1968, to May 1969, an additional 3,298 farmers left dairying.

The dairy farmers in my district are disturbed and discouraged. They want some indication from the U.S. Department of Agriculture that there is a good reason for them to stay in the dairy business. This indication has yet to come from the new administration.

Two weeks ago—4 days after I wrote to the Secretary of Agriculture, and 5 days before Assistant Secretary Palmby's letter was sent to me—the Secretary's own Department reported that June milk production in the United States was down from the preceding year—for the 28th consecutive month.

Although I certainly do not want to sound like an alarmist, a question can legitimately be raised as to how long we can reasonably expect to meet the needs of a growing, and in some cases undernourished, population with these continuous declines in milk production.

During the past few months we have seen milk prices moving up—an inevitable result of supply and demand. In my opinion, this price increase alone is not enough to prompt dairymen to reverse the present downward trend in milk production. It is not enough, because it gives the dairy farmer no long-term assurance that he will continue to get an adequate return for his investment and labor.

As all of us concerned about dairy farming know, one of the significant factors today in dairy planning is the current price of beef. Dairy farmers must decide whether they are better off economically if they raise their herd replacements or sell them off for beef. Some dairy herds are being sold, because dairymen believe they will be money ahead if they sell rather than milk their herds.

And, once this is done, there is no turning back. For, while a herd can be disposed of overnight, it takes 3 years to complete the full biological period from conception of a calf to it becoming a producer of milk.

Dairy farmers, therefore, cannot rely on short-time price changes for their long-range planning. They must have confidence that it will pay them to milk cows in 1970, 1971, and 1972, and beyond.

It is for this basic reason that I have urged Secretary of Agriculture Hardin to increase dairy price supports to the maximum permitted by law. Price support increases would give some assurance that we as a nation are concerned about having an adequate supply of dairy products in the future.

Without this encouragement, and with the present price of beef to lure them out of dairying, dairy farmers are hesitant about expanding or even maintaining present production.

Mr. Speaker, I am including in the RECORD for the benefit of my colleagues, a copy of my letter to Secretary Clifford Hardin, and the reply I received from Assistant Secretary Palmby:

JULY 1, 1969.

Hon. CLIFFORD HARDIN,
Secretary, U.S. Department of Agriculture, Washington, D.C.

DEAR MR. SECRETARY: On April 1st this year you declined to make any change in the price support level for manufacturing milk. At that time you noted that total milk production has been running slightly below a year earlier. You also said that you would "keep developments in production, consumption and price support purchases under continuing review in the months ahead . . ."

Developments in these areas since April convince me that there ought to be an increase as soon as possible in the support price to the full 90% of parity, which would be about 35 cents a hundredweight higher than the present support level of $4.28.

According to the May issue of "Milk Production," published by the USDA, U.S. milk production in May was 11.1 billion pounds, 2% less than a year earlier and *the smallest May production in 30 years.* This included production losses in 4 of the 5 largest milk producing states, including a 2% drop in Wisconsin and a 5% drop in Minnesota, the two largest milk producing states in our nation. Nationally there was a 2.2% drop in production from January to May from a year ago, and in Wisconsin the drop was 3.61%.

Although these figures follow the decline in production which began in 1964, total Class I sales for April 1969 in 60 Federal marketing order areas was 1.5% above April sales of last year. Furthermore, producer deliveries used in Class I during the first 4 months of 1969 were 2.3% above such use during the same period in 1968.

In addition to the downward trend of milk production and the increase in consumption of fluid milk, farmers are being faced with increasing incentives to cull their herds. Beef cattle prices rose 8% during the month ending May 15, as compared to the period last year. And, according to "Dairy Situation," the slaughter value of milk cows was up sharply in the first quarter of 1969.

The downward production of milk, the increase in fluid sales and the culling of herds could put this nation on a collision course which will lead to a severe domestic shortage of milk unless support prices are increased to 90% of parity.

The only way to insure an adequate supply of milk and other dairy products is to assure our farmers that they will receive a fair return for their investments. Increased costs to our dairy farmers has caused the price of manufacturing milk as a percentage of parity to decline from 89.5% in April 1968 to 83% in April 1969, and this has dropped even further in May and June. Only an increase in the price support level to 90% will indicate to the dairy farmer that it is worth his while to continue his operations in the dairy business, and assure the American consumer of an adequate supply of milk in the future.

This is one area also in which the consumer has as much at stake as those in agriculture. If the price support level is not set at a point which will keep farmers in the dairy business, then short supplies will increase consumer prices well above levels that might evolve as a result of an increase in the support price.

The increasing awareness that considerable malnutrition and hunger exist in our country is still another reason for us to make sure that we have an adequate supply of milk. President Nixon's Urban Affairs Council recommended an increase in Federal spending of at least $1 billion in the next 4 years to attack the problem of hunger and malnutrition. Certainly one of the best ways to increase the nutritional level of our citizens is to increase the amount of dairy foods in their diet, a goal which would be impossible unless the downward production of milk is reversed.

For those of us concerned about the future of dairy farming, trends of the past few years are not encouraging. Young men are leaving farms for better paying jobs in urban areas; farmers find it increasingly difficult to obtain the substantial capital investment needed for today's modern and efficient dairy farm; and milk cow numbers continue to decline.

The objectives of our farm programs are to maintain production and stabilize farm income in a fair relation to the other sectors of the economy. We must use the price-support mechanism to encourage those who want to fight these forces which seem to be enhancing the continued decline in the number of persons involved in dairy farming.

In April 1968 the price support for milk closely approached its maximum legal limit of 90%. I urge you to raise our support price to this level again. It will give encouragement to our nation's dairy farmers, and is something which is truly in the national interest.

Sincerely,

DAVID R. OBEY,
Member of Congress.
HENRY B. GONZALEZ,
Member of Congress.
ROBERT KASTENMEIER,
Member of Congress.
SAMUEL STRATTON,
Member of Congress.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., July 16, 1969.

Hon. DAVID R. OBEY,
House of Representatives.

DEAR MR. OBEY: This is in response to your letter of July 1, recommending an increase in the support price for manufacturing milk.

We have been carefully studying developments in the dairy situation, with special attention to prices received by farmers, dairy farm income, and the trends in the number of producers and milk production.

While increasing demand for cheese and skim milk products is a favorable development, the key factor now is the declining consumption of fluid whole milk, cream, and butter. Currently, annual per capita consumption of milk and cream is at a record low of 262 pounds. This rate has declined each year since 1961 when it was 349 pounds.

Recent price increases to producers as a result of market forces are encouraging. The market is allocating productive resources more effectively than with market prices at the support level. Declining production has resulted in higher prices for milk to farmers this year than last year in nearly all areas. The U.S. average price of manufacturing milk in June, adjusted for seasonal fat test, was $4.42 per hundredweight. This was 17 cents above a year ago and 14 cents above the current support and the highest U.S. average price for the month since the present dairy price support program started in 1949.

Commodity Credit Corporation price support purchases are still sizable. From April 1 through June 30 we removed from the market about 90 million pounds of butter, 18 million pounds of cheese, and 118 million pounds of nonfat dry milk. An increase in the support price for manufacturing milk would further discourage consumption of milk and dairy products and result in larger CCC purchases. This we want to avoid if at all possible.

Cash receipts by farmers from sales of milk and cream are showing a favorable upward trend. They have increased substantially in recent years as the price rise has more than offset the decrease in marketings. Total cash receipts in 1969 probably will reach 6.10 billion dollars, compared with 4.21 billion dollars in 1955, 4.76 billion in 1960, and 5.74 billion in 1967.

We will carefully watch further developments in the situation.

Sincerely yours,

CLARENCE D. PALMBY,
Assistant Secretary.

CBW REVIEW: FACT OR FICTION

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. McCARTHY. Mr. Speaker, on June 17, 1969, President Nixon directed that the executive branch undertake a detailed review of chemical and biological warfare, including the U.S. position on arms control and the question of ratification of the 1925 Geneva protocol banning first use of gas and germ warfare. In a letter to me, Mr. Gerard Smith, Director of the Arms Control and Dis-Armament Agency, explained that present and possible alternative policies are to be fully examined.

I welcomed this announcement. This executive branch review marks the first time that chemical and biological warfare policies and practices have been given a comprehensive review at the top level of Government for many years. This review offers the opportunity for the executive branch, Congress, and the people of the United States to reevaluate our approach to these particular forms of warfare. And in my opinion we can fully examine and possibly change a number of inconsistencies between our professed policies and our actual practices.

The Federal departments and agencies involved with chemical and biological warfare are now preparing position papers and analyses of our policies for consideration by the National Security Council. There undoubtedly will be differences of opinion that will have to be resolved by the National Security Council and ultimately President Nixon. The long-established procedure in our Government in reviews of this type is to resolve differences of views within the executive branch before recommending a national policy. In keeping with this practice, most Federal departments are now replying to questions concerning chemical and biological warfare policy by pointing out that the policy is under review. They further point out that it would be inappropriate to comment on these policies until the review is completed.

I was surprised, therefore, to learn that Secretary of Defense Melvin Laird on July 28, 1969, had made a strong statement in support of our present chemical and biological warfare policies. He was quoted as saying that the best way to make sure the United States is not the victim of chemical or biological weapons is for it to have its own such weapons as a deterrent. He is further quoted as saying that his own conclusions were that the United States must continue to develop offensive chemical and biological weapons. And he added:

> We do not have the capability of the Soviet Union in this (gas) area. They have much greater stocks than the United States.

Although Secretary Laird said that he did not want to prejudge the results of the executive branch review, this is precisely what he has done. By publicly stating his opinions at this time, he cannot help but influence those within the Department of Defense as well as other departments who are now working on this review.

As the Secretary of a department his opinions will influence the conclusions arrived at by his subordinates. And it will have the effect of stifling new ideas and new approaches that might be put forward by other agencies. It also places President Nixon in the position of having to refute his Secretary of Defense should he choose to adopt a different policy from that stated by Secretary Laird.

I find this premature statement by Secretary Laird inexcusable. It raises a serious question as to whether the executive branch review of chemical and biological warfare is fact or fiction. Secretary Laird's statement seems to preclude the possibility of serious rethinking of new approaches.

In my opinion, much of the Department of Defense's thinking on chemical and biological warfare is a product of the prenuclear age. It has not undergone the rigorous analysis necessary to move from a pre-World War II and World War I approach to these weapons to one fitting the modern era. This thinking, at least in the Department of Defense, flies in the face of our announced position at the United Nations—that we fully support the principles and objectives of the Geneva protocol banning first use of chemical and biological warfare.

I would hope that Secretary Laird has the good sense to clarify his position. I would like to know whether in fact he has an open mind regarding the present review of our policies in this field. His failure to do so cannot help but call into question the final results of the review.

THE EXPORT CONTROL ACT

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. ASHBROOK. Mr. Speaker, in 1949 Congress enacted the Export Control Act which restricted the export to the Soviet Union of key items of trade which would help implement the aggressive policies of that country. As other nations of Eastern Europe fell under the influence of the Soviet Union, the restrictions of the act were extended to them. For 20 years now this legislation has placed restrictions on a very important weapon of international economic warfare, but presently, for a variety of reasons, attempts are now being made to liberalize commercial arrangements with the Communist countries.

The Export Control Act will expire on August 31 of this year, and in all probability there will be a short extension before that date to continue the act in force. The main vehicle for liberalizing our trade policies with Communist countries is S. 2696, the Export Expansion and Regulation Act, which will soon be considered by the Senate. Among other things, S. 2696 would establish an export expansion commission of 15 members appointed by the President. The majority report on S. 2696 states:

> Special emphasis would be placed by the Commission on promoting trade with the nations of Eastern Europe and the Soviet Union (where U.S. trade is only a fraction of that engaged in by our allies) as well as other countries eligible for trade with the United States but not significantly engaged in such trade.

The report also states:

> The attitude apparent in the language of the Export Control Act is one of open hostility, which is an accurate reflection of the prevailing attitude 20 years ago. The committee believes that it will be helpful in the attempt to reach greater understanding with Russia and the nations of Eastern Europe if the legislation which deals with the regulation of exports accurately reflects current attitudes rather than ones which prevailed 20 years ago.

This, in a nutshell, is the thinking behind S. 2696, and in my estimation it is dangerous and unrealistic. The first anniversary of the occupation of Czechoslovakia by Soviet and other Communist troops is less than a month away, and one wonders how we can "reach greater understanding" by an increase in trade with regimes whose policies are nothing short of international banditry.

In the last Congress over 120 Members of the House, divided almost equally among both parties, cosponsored legislation which would establish a House select committee to review our trade policies, especially with Communist countries. The need for such a reevaluation of our policies in this area are readily apparent. When one considers that Ho Chi Minh could not have carried on his aggression adequately against the people of South Vietnam without the active support of the Soviet Union, it is reasonable to ask just how much different are conditions today between the Communist regimes and the free world than they were 20 years ago. Just ask the American flyers who had to face the withering fire of Soviet antiaircraft guns over North Vietnam. I am sure they would be hard pressed to discern a mellowing of Soviet policies in the direction of world peace.

Senators WALLACE BENNETT and JOHN TOWER submitted minority views in opposition to S. 2696 which present a number of compelling arguments. Their views on this important piece of legislation are worthy of consideration, and for this reason I insert them in the RECORD at this point:

MINORITY VIEWS OF MESSRS. BENNETT AND TOWER

> We agree that legislative authority should be continued to provide for export controls

for reasons of national security, foreign policy, and domestic short supply. However, we support a straight extension of the existing Export Control Act and oppose the bill reported by the majority.

Over the years, the existing legislation has proven to be very effective in protecting the national interests. Time and time again, it has shown its adaptability to changing world conditions. We believe it would be extremely unwise to introduce into this legislation which has as its main purpose providing necessary *control* authority, another completely different and opposite concept of *trade expansion*. Other legislation covering tariffs, export credit, and trade promotion is much more appropriate for dealing with trade expansion. In attempting to have this bill provide for control while also urging trade expansion, what has resulted is a misleading bill from its title throughout most of the new provisions covering export control policies and procedures.

REQUIREMENTS COSTLY AND UNNECESSARY

The bill interposes a number of requirements in the administrative area which we believe to be unnecessary, burdensome, and costly for the Government. These requirements include organizational and procedural changes by the Secretary of Commerce and extensive review of the complete export control list by the Department of Commerce, frequent notification and detailed explanation to the Congress of routine exceptions authorized by the bill, a continuing review of reporting and documentation requirements together with detailed statements to the Congress of action taken and a burdensome requirement that extensive information be provided to exporters throughout the Department's consideration of licensing applications. In addition, the bill establishes a new Presidential Commission on Export Expansion which would, to a considerable extent, duplicate work already being carried on by established organizations and would thereby confuse rather than assist the export expansion program.

The bill requires the President to include a detailed statement of his action, if he restricts exports without making the determination, that comparable goods are not available elsewhere or that the exports would make a significant contribution to the military potential, which would prove detrimental to the national security of the United States. Even though as an exception, the President is granted the authority to restrict in the interest of national security, any commodity or technology as long as he reports such action to the Congress, the effectiveness of those administering the Act is bound to be inhibited by these changes. Exporters and representatives of other governments will read as significant change into the language of the bill and bring additional pressure to bear for reduction in controls on critical items and for approval of questionable export applications.

At best, the bill will be confusing to exporters, cause significant difficulties in administration and stimulate troublesome court challenges. Further, it will give an unwarranted signal to the Soviet Union that we intend to make our advanced industrial goods more readily available now, even though they have demonstrated no real desire for improved relations between East and West. In fact, last year's Czechoslovakian invasion stands as strong evidence against any such interest.

At worst, the bill could result in undue weakening of export controls with attendant risk to our national security.

THREAT TO NATIONAL SECURITY MINIMIZED

The proposal which would replace the present Export Control Act is based on the assertion that factors, which brought about the enactment of the Export Control Act no longer exist. We cannot agree with such an assertion.

It is suggested that we are now living in an era in which the Soviet Union presents a reduced threat to the security of the United States. We find no evidence that such a new era has been ushered in. In fact, we consider the Soviet Union as a much greater threat to the security of the United States than it was when the Export Control Act of 1949 was passed. While the majority denies this, it is interesting to note it admits, that the Soviet economy was undergoing a real struggle to provide the barest necessities because of the ravages of war when the Export Control Act was enacted in 1949, and goes on to claim that the Soviet economy has now become one of the most self-sufficient on earth. We do not feel it necessary to argue over the validity of that claim because of the differences in the consumption patterns and standards of living of various countries. But we fail to see any logic in the majority conclusion, that such an economy provides less of a threat to this Nation, than one which had a real struggle to provide the barest of necessities. We also point to the relative military capabilities of the United States and the Soviet Union in 1949 as compared with the present. Thus, we find the whole basis of the bill reported by the majority to contain a contradiction.

In addition to being contradictory on its face, many of the provisions of the bill contradict each other. The present Export Control Act establishes a forthright policy of restricting exports on the basis of contributions to economic potential or military potential. Its language allows restrictions of exports whenever it is determined by the President that they make a significant contribution to the military or economic potential of a nation or nations, which would prove detrimental to the national security and welfare of the United States. The majority has eliminated the criteria of "economic potential" and retained only the "military potential" criteria, yet it boldly asserts that the President's "authority to control exports is the same as that which is now contained in the Export Control Act." Either they have tried to reduce his powers or flexibility or they haven't, but it can't be both.

ECONOMIC POTENTIAL NOT CONSIDERED THREAT

While apparently deciding that economic potential and military potential are completely separate so far as the national security of the United States is concerned, the majority infers that its proposal underscores the determination of this country to protect its national security from military threat. This item is included in a policy section in the bill, and the majority makes its point saying, "The present law contains no such statement of policy." We find this inference to be unwarranted. The present Export Control Act in its authority section says that the rules and regulations set by the President or his delegated agencies or officials—shall provide for denial of any request or application for authority to export articles, materials, or supplies, including technical data, or any other information from the United States, its territories, and possessions, to any nation, or combination of nations threatening the national security of the United States if the President shall determine that such export makes a significant contribution to the military or economic potential of such nation or nations, which would prove detrimental to the national security and welfare of the United States.

It is beyond us to understand, how the majority feels that it has in any material way strengthened prohibitions against exports, having military potential which would be detrimental to the national security. Particularly is it difficult to understand why the majority makes a point of this in light of the fact that the new "policy section" is a carryover from an earlier bill which did not allow the President to deny exports with significant military applicability unless there was in addition "substantial evidence that the particular exportation is likely to be used for military purposes, and that similar items are not readily available to the importing country from other sources."

POLICY IN BILL IS UNCERTAIN

It is ironic that the proposed bill in section 2 (4) says that the Congress finds that "the uncertainty of Government policy toward certain categories of exports has curtailed the efforts of American business * * *", yet this bill is sure to increase uncertainty. The whole announced purpose of the bill is to encourage the expansion of trade with all countries with which we have diplomatic or trading relations. This is stated in section 3(1)(A), section 3(3), and section 4(a)(1). It is interesting to note, however, that in every case where this "change of policy" is stated, it is always followed by an exception which allows the President to make export determinations on the basis of national security, foreign policy of the United States, or the need to protect the domestic economy. Those are the criteria which are used in the present Export Control Act. Thus the bill appears to encourage the expansion of trade on the one hand, while on the other hand it provides for essentially the same restrictions which presently exist.

In addition to the language included in the bill, the report states that "the Department of Commerce should clearly indicate to American business the change in export control procedures and attitudes reflected by the enactment of the Export Expansion and Regulation Act * * *." The report continues, stating that the Department of Commerce should make "public statements" so that the attention of American business will be focused on the change in policy. We think this puts the Department of Commerce in an awkward and untenable position, since the claimed change in policy which must be brought to the attention of American business is unclear and confused.

It will be difficult for the Department of Commerce to try to explain to American business that on the one hand the bill holds out the policy of equal treatment for all countries, yet section 3(5) of the bill states that it is the policy of the United States to use its economic resources of trade potential to further foreign policy objectives. We maintain that this latter policy is the one under which the United States has been operating for many years and in effect nullifies the "equal treatment change." The form without substance becomes even more apparent when it is known that the President of the United States, the one who holds the authority, opposes a change in policy at this time. Administration spokesmen have made it very clear that the President seeks a more appropriate time for liberalizing trade with the Communist countries. Yet the Congress, if it should pass this bill, would give, in the language of the majority report, "an overt indication of the change of policy or attitude of this country * * *." We believe that the President should have the latitude to relate liberalization in the trade area to broader foreign policy considerations. This bill, in our view, is an attempt to preempt the President's judgment on timing of liberalization, while still holding him responsible to determine specific export policy.

FEW EXPORT REQUESTS DENIED

The committee report indicates that the nations of Eastern Europe and the Soviet Union are currently trading with our Western Allies to a much greater degree than they are with the United States "because of the unilateral restrictive policies of the United States." This is far too simplistic to be accurate. The items under export control represent only a small fraction of the goods gen-

erally exchanged in international trade. Western Europe does much more business with Eastern Europe than we do primarily because of geographical proximity and traditional trade patterns. The great bulk of this trade is in products which our companies are also free to export, if they can obtain orders.

The Department of Commerce testified that less than 2 percent of the export license applications received for Eastern Europe are denied. Supporters of this bill claim that is true because American exporters just don't try to export to Eastern Europe or the Soviet Union in items on the control list in any degree because they know that they will be turned down. Any controls may have a deterrent effect on efforts to export, but we question the suggestion that exporters know they will be turned down. We do this because in the last quarterly report dealing with export control, we find that approvals were given for exports to East European countries and the Soviet Union for such items as harvesting machines, tractors, electronic digital computers, metalworking machinery, metal treating and metal powder molding machines, rubber processing and rubber products manufacturing machines and parts, nuclear radiation detecting and measuring instruments, synthetic rubber, metal cutting milling machines, gear cutting machines, well-drilling machinery, metal processing and heat treating furnaces, telecommunications apparatus, and many other similar exports. With approvals on such a broad group of industrial products, not to mention the many agricultural and less sophisticated product approvals, how would an exporter come to the conclusion that his application would automatically be turned down?

We are particularly disturbed by repeated statements by the bill's proponents that its intent is to increase trade in "peaceful goods." Yet most of the industry witnesses represented companies with highly advanced technological products such as electronic control equipment, computers, and machine tools. Enactment of this bill following our hearings could well lead to a conclusion that the intent of Congress is to consider the bulk of our advanced technological products as "peaceful goods" to be freed for unrestricted sale to Eastern Europe. The result could be serious mutual misunderstandings among business, foreign governments, and those in charge of administering export controls.

TRADE POTENTIAL SMALL

The majority also discusses the dwindling of our trade surplus in the past few years and infers that relaxing of our export controls to Eastern Europe may measurably improve that situation. We are extremely concerned over the virtual elimination of our trade surplus which only 5 years ago was over $7 billion. We would like to point out, however, that this dwindling is not the result of the operation of our Export Control Act, but results from basic economic factors which are conveniently disregarded in the majority report.

Actually most knowledgeable estimates indicate that trade with Eastern Europe, even under most favorable conditions, can grow only modestly, and is unlikely in the foreseeable future to reach as much as 1 percent of our total exports.

East-West trade must be a two-way street. Because Eastern Europe has limited convertible currency, it must sell us about as much as it buys. However, Eastern Europe has few products which we need, and thus there is a limited basis for significant continuing two-way trade. The Soviet Union and Eastern Europe today are greatly interested in our advanced products and technology, many of which have both civilian and military significance, to expand their industrial capacity. Many of these transactions become one-shot deals with little or no follow-on sales prospects.

INCONSISTENCY ON CONFIDENTIALITY

We find a further contradiction in the committee's action on the proposed bill. Section 7(c) provides that "no department, agency, or official exercising any functions under this act shall publish or disclose information obtained hereunder which is deemed confidential or with reference to which a request for confidential treatment is made by the person furnishing such information, unless the head of such department or agency determines that the withholding thereof is contrary to the national interest." Section 9 of the bill requires the agencies, departments, and officials responsible for implementing the rules and regulations authorized under this act to inform exporters of consideration which may cause a denial of license request so long as the information does not jeopardize the national security and effective administration of this act. The Department of Commerce, in its attempt to clarify the bill, recommended that a provision be included in this new section providing for confidentiality of business information. The majority turned down that request. We now have one section, section 7, requiring confidentiality, while the other section does not provide for confidential treatment of business information. We find this inconsistency by the majority unexplainable.

PENALTIES WEAKENED

The penalties for violating the act have been changed from those presently contained in the Export Control Act. Despite the fact that the present penalties have been used primarily as a deterrent, the committee decided to do away with a possible 1-year jail sentence for a violation unless it could be proved that the violator did so knowingly. During our hearings and discussions of the committee, there was no indication that the present penalty provisions had been misused or abused. We find it interesting, therefore, that the committee uses as a justification for the change that it is "concerned over the constitutional question of a severe jail sentence and fine for unknowing violations." We are unaware of any prior concern on a constitutional basis of the present provision authorizing up to 1-year imprisonment for a violation, and this has been part of the act for 20 years.

INCONSISTENCY IN TREATMENT OF COUNTRIES

It seems to us that the proponents of the bill should either decide whether they want to have equal treatment between Communist and non-Communist countries except for specific Presidential determinations or whether they want some differentiation retained as in the present Export Control Act. Section 3(3) of the bill states that "It is the policy of the United States that any export controls found necessary should be applied uniformly to all nations with which the United States engages in trade * * *" If, indeed, it is the intent of the majority to have equal treatment between Communist and non-Communist nations, why do they retain unequal penalty provisions? Much harsher penalties are authorized in the event of exports contrary to the act with knowledge that such export will be used for the benefit of any Communist-dominated nation. The committee report properly states that this subsection is identical to one now contained in the Export Control Act. What it doesn't say is that the Export Control Act differentiates between Communist and non-Communist nations, whereas this bill makes no such differentiation and in no other place in the bill is the term "Communist-dominated nation" used.

ADMINISTRATION SUPPORTS PROPER EXPORTS

During our hearings, representatives of the Department of Commerce explained their desire to assist American business with its exports. That is one of the major purposes of the Department of Commerce, so such an attitude was not expected. They explained their attempts to reduce the number of items for which licenses are required as well as their efforts to decrease to a minimum the paper work required by the business community. We have no reason to disbelieve their statements. In fact, we have every reason to believe that despite the very short period that the Department has been under the new administration, much has been done to improve its operations. We have been assured that for years it has been the Department's policy (limited only by budgetary restrictions) to maintain continual review of items requiring export licenses—adding to or deleting from the list whenever conditions warranted. We have confidence that the present administration intends to implement that policy and think they should be given an opportunity to prove themselves.

PRESENT ACT IS BETTER APPROACH

The committee hearings and in particular the information provided by the administration have demonstrated that no sharp reduction in regulatory authority is warranted. The existing Export Control Act has been shown to have ample flexibility to accomplish everything that could be accomplished through this new proposal. The Export Expansion and Regulation Act of 1969 as proposed in S. 1940 has been modified to substantially restore the authority it at first had sought to weaken. We now have a bill which retains parts of the original proposal, parts of the present Export Control Act, and some provisions which are inconsistent with both. Proponents of the bill apparently feel that significant changes have been made from the present Export Control Act, but the actual substance of these is far less than would appear. It must be recognized that the bill would be interpreted as a liberalization signal if nothing else. There is no evidence of the Soviet Union's readiness to move toward closer relations with the West which would warrant overriding the President's judgment that this is not the time to signal a change in relations with a new export control policy.

We, therefore, urge a straight extension of the Export Control Act of 1949 and recommend that the Senate defeat this proposal.

REPRESENTATIVE REID IS ONE OF THE FAIREST

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. DERWINSKI. Mr. Speaker, I was especially pleased to note that a publication in my district carried an article discussing one of our most respected colleagues, the Honorable CHARLOTTE T. REID. The article which follows appeared in the Sunday, July 27, edition of the Homewood-Flossmoor Star:

REPRESENTATIVE REID IS ONE OF THE FAIREST

(By Bert Mills)

WASHINGTON, D.C.—Ladies are no longer a novelty in Congress, but it is still an unusual feat for a woman to succeed in the largely male world of politics. Only 11 out 535 members of the 91st Congress are of the fair sex.

One of the fairest of the Congressional ladies is Representative Charlotte T. Reid (R., Ill.), now serving her fourth term in the House. A trim and youthful 55, Mrs. Reid is in her third career and became a politician by accident.

As a girl she was a professional singer, known to millions of radio listeners as

Annette King. She was a featured vocalist on NBC and Don McNeill's Breakfast Club, for three years back in the '30's. Married to an attorney in 1938, they raised four children, all grown now. Mrs. Reid's two sons are both Viet Nam veterans.

Although interested in government and active in civil affairs in her home town, Aurora, Charlotte Reid became a political candidate as a result of a personal tragedy. Her husband died suddenly after winning the Republican nomination for Congress in 1962. GOP leaders persuaded the widow to carry on his campaign.

She did and was elected. Having since been re-elected three times by increasing margins, she is approaching veteran status and her seat is regarded as "safe." She has received more than 70 per cent of the vote in her last two elections.

One of the most important House committees is the appropriations committee, which originates all legislation to provide funds for governmental activities. Seats in this select company are eagerly sought, but after only four years in Congress Mrs. Reid was elected by her Republican colleagues to that body.

The appropriations committee has such a heavy workload that its members are restricted from serving on other legislative committees. Thus Mrs. Reid has surrendered seats on the interior and public works committee on which she had previously served. While on interior in 1965, she inspected the Trust Territory in the Pacific, and continued at her own expense to Viet Nam—the first congresswoman to visit that battlefield.

Mrs. Reid has been in the national spotlight upon occasion. She was a speaker at both the 1964 and 1968 Republican national conventions, as many TV viewers will recall. Richard Nixon named her to serve on his key issues committee during last year's campaign.

Mrs. Reid was also in the news this summer when she and three other Republican ladies from the House called on President Nixon to urge him to name more women to key government posts. That White House conversation lasted one and one-half hours and brought a Presidential pledge to appoint ladies to the highest openings, perhaps even to the Supreme court.

Mrs. Reid tends to her committee work and to the government needs of her constituents. She makes infrequent speeches on the House floor. Her current specialties are funds for foreign operations and the Labor and Health, Education and Welfare departments. She serves on those two subcommittees, and spends many hours at committee meetings.

At the luncheon table in the Republican Capitol Hill club near her office, she is known by most of those present. As a middle-of-the-road Republican, she has friends in both the conservative and liberal bloc. She is a Nixon booster and thinks the President has made a fine start.

She lives in an apartment in a tall building on the Virginia side of the Potomac river, featuring a stunning view of Washington and all that surrounds it. At a party, she has been known to accept an invitation to sing. Although she no longer has time to practice, she can still hit the high notes.

MASS TRANSPORTATION

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. BIAGGI. Mr. Speaker, our cities can wait no longer for the formulation of a rational urban transportation policy which will bring Federal assistance for mass transportation into parity with assistance to highway construction.

We know the need. Adequate mass transportation is a prerequisite for a healthy central business district. The central business district, in turn, is essential to the support of city revenue through real estate and other taxes. Yet problems mount.

In my own district in Bronx County, N.Y., a multiple dwelling apartment complex known as Co-op City is under construction for middle-class families. It is a really fine housing complex, but the residents who have already taken possession of apartment units are struggling with a very difficult problem. They have no urban mass transit facilities within a reasonable distance of the complex.

I am sure that residents of so many other cities share this same problem. In this advanced era of space exploration and technology, it is difficult to understand why urban mass transit facilities have not been developed to the fullest extent for the benefit of millions of Americans.

It is estimated that our Nation will experience a population increase of 100 million within the next few decades. It is all too evident, therefore, that we can no longer ignore the problems created by inadequate transportation facilities.

In view of this critical situation, a number of bills have been introduced during this session designed to correct the shocking inequity in Federal funding.

During recent hearings on these bills held by the Subcommittee on Housing and Urban Affairs of the Senate Committee on Banking and Currency, further evidence was amassed which again reiterated the need for adequate mass transportation in our cities and emphasized the fact that this will not be achieved without adequate Federal funding.

I would like to draw special attention to several important provisions of these bills. Funding would depend primarily on the automobile excise tax, a tax which currently stands at 7 percent, but which is scheduled to be phased down. These bills would maintain the tax at 7 percent to support a mass transportation trust fund. The use of the auto tax to accumulate funds for mass transportation is justified and needs no explanation if transportation is seen as it really is—one system consisting of various modes of transportation. I hardly need emphasize that the automobile user is not the natural opponent of mass transportation, but rather one of its main beneficiaries.

These bills provide for 90 percent Federal funding for mass transportation. This will bring funding in this area into parity with highway funding and eliminate the distortion to local planning which results from an uneven Federal subsidy. The bills would also permit advance acquisition of urban land in order to facilitate rational comprehensive planning.

Provision is also made for Federal relocation assistance to families and businesses affected, comparable to that now offered under the Federal highway program.

Of particular importance to my constituency is the elimination of the current 12½-percent limitation of grants and loans to any one State. This provision is unfair to large urban States which may have more than 12½ percent of the urban transportation problems.

I support trust fund funding for mass transportation to provide the opportunity for rational long-run planning by cities. Unfortunately, the annual authorization and appropriation of funds has not provided that sure basis for planning, as a review of appropriations under the Housing and Urban Development Act of 1968 makes evident.

In the United States, urban disruption is evident. It is plain that we must use every resource at our command to solve the urban transportation problem.

THIEVERY OF CREDIT CARDS FROM THE MAILS

HON. JAMES M. HANLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. HANLEY. Mr. Speaker, in recent months, a dangerous trend in criminal activities has taken place causing a loss of untold millions of dollars. It involves the organized and wholesale thievery of credit cards from the U.S. mails. Within the last few days alone, grand juries in New York and Chicago have indicted over 40 persons in connection with these illicit operations.

There are two basic ways of halting this sort of activity, Mr. Speaker. The first involves increased surveillance on the part of the Post Office Department which is an administrative function. The second, and the issue to which I ask my colleagues to address their attention today, is a banning of unsolicited credit card deliveries from the mails. I am today introducing legislation which hopefully will effect this latter policy.

Because of the spiraling increase in the number of unsolicited credit cards sent through the mails, because of the inordinate temptations to pilfer them and because of widespread criminal attempts and successes at pilfering them, it is incumbent on the Congress to act promptly on this vital matter.

Briefly, Mr. Speaker, my bill will require anyone desirous of sending a credit card or similar device through the mails to send it as a registered item to a specific addressee, to mark clearly on the envelope that it is a credit card or similar device and to assume the cost for return delivery should the addressee refuse to accept the envelope.

The need for this legislation was clearly expressed by Brooklyn District Attorney Eugene Gold in an article appearing in yesterday's Wall Street Journal and in a press release issued by the Postmaster General last evening. I want to include the article from the Wall Street Journal and the press release at this point in the RECORD:

[From the Wall Street Journal, July 30, 1969]

TWENTY-THREE CHARGED IN NEW YORK WITH USE OF STOLEN CREDIT CARDS

NEW YORK.—A Brooklyn grand jury indicted 17 men and six women on charges of using stolen credit cards, a crime Eugene Gold, Brooklyn's district attorney, said was encouraged by "helter-skelter, indiscriminate" distribution of these cards.

The individuals indicted were accused of using 20 stolen Mastercharge credit cards to bilk First National City Bank, the issuer, of $175,000 during the past six months. They were charged with forgery, petty larceny and possession of forged instruments. Three men and three women have been taken into custody and the district attorney's office said the others were being rounded up.

Mr. Gold described the group as members of an organized credit card ring and identified Salvatore Cavallaro, 36 years old, as the ring leader. Mr. Gold said the credit cards had been stolen by five Post Office employees who were arrested earlier this month on Federal charges.

Members of the ring used the cards, Mr. Gold said, to charge "every kind of thing you could think of," and then sold some of the goods while keeping other items for their personal use.

In announcing the indictments, the district attorney attacked "the helter-skelter, indiscriminate distribution of credit cards" by banks and other businesses. He said such distribution encouraged crime by making it possible for unauthorized users to acquire cards and forge signatures on them.

This kind of crime, Mr. Gold said, "runs into hundreds of millions of dollars," and this cost "is passed on to the buying public." Mr. Gold said Federal-state legislation is needed to prohibit business from sending cards to persons who haven't asked for them.

A spokesman for First National City said the cards used by those indicted had been solicited. However, First National City and other New York banks have in recent months sent out thousands of unsolicited cards. The cards were sent to persons who have done business with a bank or who have an account there.

POST OFFICE DEPARTMENT PRESS RELEASE

Postmaster General Winton M. Blount announced that Postal Inspectors began an arrest roundup today of 30 persons in the Chicago area on charges of mail fraud. The group was indicted by a Federal Grand Jury on July 29, 1969, for allegedly conducting a widespread scheme to illegally use credit cards issued by five major Chicago banks.

In making the announcement, the Postmaster General said the indictments and arrests marked the first prosecutive phase of a continuing 2½-year investigation by a force of Postal Inspectors and the staff of United States Attorney Thomas A. Foran.

During the latter part of 1966, the banks—all members of the Mid-West Bank Card System—issued MBC Credit Cards to its depositors and others and entered into agreements with local merchants for the acceptance of the cards as payment for goods and services. Under the agreement, participating merchants were to forward the sales slips to the appropriate banks for reimbursements and the banks would then bill the cardholders on a monthly basis.

The indictment, however, accuses the defendants—including 16 retail store merchants, three gasoline station operators and a Chicago postal employee—of preparing false sales slips and mailing them to the banks for payment. The scheme reportedly resulted in the loss of millions of dollars to the banks before Postal Inspectors and local police, working closely with bank officials, were able to bring the fraud under control. Chief Postal Inspector Cotter stressed as invaluable the assistance rendered by Chicago banks in the lengthy investigation.

Investigations of alleged credit card frauds by Postal Inspectors have increased over 700 percent in the past four years. Chief Cotter said during this period a total of 223 persons have been convicted on charges of credit card fraud and 265 others are awaiting trial.

MINNESOTA ACCOUNTANTS: DIVORCE BANKS FROM ACCOUNTING SERVICES

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. MATSUNAGA. Mr. Speaker, in April of this year, I appeared before the House Committee on Banking and Currency to present testimony in connection with the hearings on H.R. 6778, a bill to amend the Bank Holding Company Act. In my testimony I urged the committee to amend the omnibus measure to prohibit banks from engaging in professional accounting services, as provided in my bill, H.R. 272.

I am pleased to report that support for this proposed amendment has been steadily mounting, as evidenced by the recent endorsement of H.R. 272 by the Minnesota Association of Public Accountants. At its annual meeting last month, the association voted unanimously to endorse my bill.

In view of the impending House action on H.R. 6778, I believe my colleagues would find the information contained in the resolution both pertinent and informative. It is therefore submitted for inclusion in the CONGRESSIONAL RECORD:

Whereas increasing numbers of banks throughout this country are advertising and offering to perform accounting services for the public; and

Whereas this trend is not in the best interests of the business community, the public or the public accounting profession; and

Whereas it appears that this problem can be effectively solved only by Congress enacting legislation; and

Whereas a bill to prohibit banks from performing professional accounting services has been introduced in the United States House of Representatives as H.R. 272 by Representative Spark M. Matsunaga of Hawaii, and

Whereas the Matsunaga bill deserves the enthusiastic support and backing, not only by all members of Congress, but by every individual member of the public accounting profession and accounting organizations all across our country; and

Whereas Chairman Wright Patman of the House Banking and Currency Committee allowed consideration of H.R. 272 in conjunction with hearings on H.R. 6778, a bill to regulate one-bank holding companies; and

Whereas, the House Banking and Currency Committee has both bills under consideration at the present time;

Now therefore be it resolved that the Minnesota Association of Public Accountants does hereby express endorsement of H.R. 272 and H.R. 6778 by this Resolution; and

Be it further resolved that a copy of this Resolution be forwarded to the Senators and Representatives from this state in the United States Congress; and

Be it further resolved that a copy of this Resolution be spread upon the minutes of this meeting and be made a permanent part of the records thereof.

A TIRED AMERICAN

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. CARTER. Mr. Speaker, many of our good citizens think that the press, television, and radio convey the true feelings of the majority of our people. It is my belief that this is incorrect.

Many of our people feel as this former Army officer and veteran of the Vietnamese war feels. I include in the RECORD his letter for your perusal:

SHENANDOAH LIFE INSURANCE CO.,
Roanoke, Va., July 28, 1969.

Congressman TIM LEE CARTER,
Longworth Office Building,
Washington, D.C.

DEAR CONGRESSMAN CARTER: The waves of un-Americanism radiating from the TV networks evening newsprograms have finally gotten to me. As my Congressman from the 5th District, and personal friend, you represent my only voice in Washington.

Dr. Carter, I am a tired American, tired of being considered "Square" because I stand up when the flag passes in review. I'm tired of having the world panhandlers stone our emissaries when they visit their countries. I am sick and tired of the bearded beatniks who say they have the right to determine what laws of the land they are willing to obey. I am also tired of the fat, insulated liberals on Capitol Hill who sit on their mountains of inherited money and blandly uphold the actions of this lunatic fringe who menace our streets and campuses.

I am fed up and ashamed of the long haired protesters who claim they represent the "new tomorrow" of America. I am also tired of the Congressmen who uphold the actions of these sallow-faced cowards whose only claim to fame is their ability to run down the old-fashioned virtues of honesty, integrity and morality. I am a tired American—who is extremely tired of supporting families with my tax dollars who have not known any source of income other than government give-away program for three generations. I am a tired American—who is fed up with that civil rights group that is showing propaganda films on college campuses from coast to coast with Che and Ho Chi Minh as their star performers.

I am weary of the bearded, unkempt bums who prefer protest marches and sit-ins to regular jobs. I am tired of slack-jawed clergymen who have made a career out of supporting self-righteous integration causes, yet send their own children to private schools.

I am a tired American who had to work nights, weekends and summers in order to earn a college degree, and I resent those who profess to hate capitalism, but are always at the head of the line demanding their share of the good life.

Congressman Carter, I am really tired of those elected officials who are willing to compromise on anything, but will make a firm commitment to nothing.

We live in the greatest nation in the world, dedicated to the principles of freedom and justice for all—all mankind. My fight is with those officials who would sacrifice my personal freedoms to appease the wailings of a few loud-mouthed radicals.

As my elected official, please convey my thoughts to your fellow Congressmen.

With warm regards,

JACK HIBBARD.

CAPTIVE NATIONS WEEK

HON. DANIEL E. BUTTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. BUTTON. Mr. Speaker, it was with great interest that I noted the passage of Captive Nations Week, which has been observed each year since 1957. Congress first recognized the plight of these nations when it passed Senate Joint Resolution 3, and the President issues a proclamation every year, focusing attention on the downtrodden peoples of Eastern Europe.

But it is not the state of the nations themselves that we deplore, so much as the form of human bondage which they represent. Bodies of people, calling themselves Rumanians, Latvians, Czechoslovakians—yet the freedom and self-determination of these peoples are overshadowed by the dire threat of force. Soviet policy is thrust upon them, and it is dangerous not to conform.

The "inalienable" rights of free speech, free press, and freedom of movement are curtailed for those peoples, nations in one sense, yet exiles in another, who are striving to lead lives of their own behind the Iron Curtain. The American tradition—indeed, the tradition common to free nations from the time of Locke to Gandhi to the present—is violated by the subjugation of the "captive nations."

Mr. Speaker, fortunately, the Iron Curtain is not impermeable. It is susceptible to rust, to corrosion. Particularly in today's world, people cannot help but reach out to others and communicate, regardless of the pressures put upon them. Such communication may take the direct forms of religion or Radio Free Europe; or it may be indirect, in the larger sense, such as the empathy which sparked the proclamation of Captive Nations Week. Man is by nature sympathetic, and desirous of freedom. So long as these two factors remain constant, which they have since the beginning of history, hope will persist. The Iron Curtain will dissolve.

One of the great ironies of today's world is that old nations, once free to determine their own courses of development, are held in abeyance, while new nations have been emerging in relatively prolific numbers throughout the past decade. The powers of America, England, and France have come to the realization that it is wrong to force their culture or forms of government—democratic, or no—upon other peoples, even if it would be "for their own betterment." Thus, colonialism, even "new colonialism," has become archaic to a great extent. The important principles to abide by are that such peoples can determine their own government, and that such rights as are enumerated in our first amendment to the Constitution are not intimidated. An African nation, for instance, who chooses a socialistic form of government, is recognized by other free nations, regardless of their own form of government. The key word is "choose"; that nations—defined in terms of people—are free to choose the form of government which seems most workable and desirous in reference to their peculiar situation.

It is incredible that "captive nations" should exist in the political climate described above—one of tolerance, which stresses the freedom of self-determination. The repression of free speech and action is indeed an eyesore in today's world. It is an awareness of this repression, and a continuing hope that the free world will not allow such a situation to persist indefinitely, that prompts me to recognize the significance of Captive Nations Week.

WHAT IS MAN'S FUTURE IN SPACE?

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. KEITH. Mr. Speaker, in the aftermath of the Apollo flight, hundreds of thousands of words have been written in its praise. I doubt that there is a newspaper in the Nation that did not address itself to this remarkable achievement. Many, however, went beyond the moon landing in their editorializing, and speculated on the future of this historic quest of mankind's into the unknown of space.

And many concluded, as I have, that future space flights must be joint efforts, international in scope, both for the benefit of this country and the rest of the world. Some have suggested the U.N. as a medium; others have suggested binational agreements. But an encouraging number are united on the premise that space cannot be one nation's province—and should not be even if we could afford to "go it alone."

It is both appropriate and symbolic of the broadness of this opinion that the New York Times, a national newspaper; the Boston Globe, a regional one; and the Quincy Patriot-Ledger, a city newspaper from my district—all reached similar conclusion on the desirability of international cooperation in space.

This uniformity of opinion is a rare thing for such different newspapers, and serves to strengthen my belief that I am representing a much larger body of opinion than that of my district alone when I filed a resolution last week calling on the President to formally invite other nations to join our space program.

I, therefore, call the attention of my colleagues and the Nation to these three editorials. I feel they represent well the feelings of the American people on this matter.

The editorials follow:

[From the Boston (Mass.) Globe]

WHAT NEXT? AND BY WHOM?

With their splashdown in the Pacific Thursday, new luster will be added to the names of Neil Armstrong, Edwin Aldrin and Michael Collins, already writ as large and bright as any in history. Then what? And by whom?

It is unthinkable that man should quit now. Nor will he. The imagination that enabled him to bounce like a laughing child on the satellite of the small planet which he so recently and with such vanity believed to be the center of the universe will not let him rest until he has plunged deeper and deeper into the unknown that surrounds him.

He will climb the space mountains because they are there. He will go on, in the words of the French political economist, Jean Monnet, because "he can no longer think in limited terms." Or because, as microbiologist Rene Dubois sees it, "the human spirit derives boundless power from a poetical faith in what it can do." Or, perhaps better still, for the reasons given by the Jesuit theologian, Walter Burghardt:

"It is part of man's task, his Godgiven destiny, to master the universe, to uncover its secrets, to make it serve man, to make him more human, to bring him closer to his fellow man."

Human, in its best sense, man is not. He is one of the most destructive and avaricious of earth's animals, over all of whom he was created to reign, unable and often unwilling even to feed all of his own kind, habitually fouling his own environment. But human beyond dispute he must learn to be, for otherwise his days on his beautiful Earth most surely will be numbered.

His situation cannot be so bad as historian and urbanologist Lewis Mumford sees it:

"The Moon landing is a symbolic act of war and the astronauts' slogan . . . proclaiming that it is for the benefit of mankind is on a level with the Air Force's monstrous hyprocrisy, 'Our Profession Is Peace.' "

Yet, denying Mr. Mumford's denouncement, we cannot afford to preen ourselves, either, merely because three virtual supermen have accomplished near miracles. Getting off the Moon and docking with the mother space ship was perhaps even more wondrous, and certainly more frightening to the rest of us earthlings, than landing on it.

Just the same, there is no denying that the Moon triumph, for all the boundless accolades that are its proper due, does indeed coincide, not only with utterly senseless rivalries of governments, whose peoples hunger for peace. It also coincides, right here in the United States, with racial, class, economic and other totally avoidable woes suggesting the possibility of social deterioration for which there is no excuse in a society capable of our technological miracles.

Space exploration should and will go on. But it should be a project of a united rather than a divided mankind. It is ridiculous for nations to vie for little pieces of it, racing for this corner of it or that in the name of national prestige, risking national bankruptcy, further rivalry and continuing domestic turmoil in the process.

The Moon project has cost the United States approximately $24 billion. The Russians probably have spent as much or more. It is argued that the technical spinoff of their individual triumphs are too valuable for rival economies to share. But it surely may be answered that the spinoff of learning to work together in the vastness of space would be invaluable on Earth. Space exploration is an ideal instrument for unifying mankind. It could be turned to no more noble purpose.

[From the New York Times]

THE SURGE INTO SPACE

In time, there will be a new generation that will take manned flight to the moon as much for granted as college students today take airplane travel and television. By this weekend, the wonder and the jubilation at the historic feat of Apollo 11 are still reverberating around the world, evoking in men of every land and every clime a sense of awe at what they had seen, mingled with gratification that they were alive at this historic moment in the history of the human race.

If there had been any doubts that mankind in general and the United States in particular would persevere in space exploration, they have been removed by the spectacular success of the lunar voyage of Armstrong, Aldrin and Collins. But important questions remain as to what shall be done and in what order the wide variety of challenges and opportunities of space exploration shall be approached. Priorities in space research are essential because neither the United States nor all the world's nations together are rich enough to do simultaneously everything that might be done in this still-new dimension of human achievement. Even a brief recital of the most obvious possibilities is enough to indicate what difficult decisions lie ahead.

In the volume of space near earth it would be useful to establish one or more permanent stations for scientific study of the heavens—through telescopes beyond the obscuring atmosphere of this planet—and of the earth itself, many aspects of which can best be examined from orbit. The earliest opportunities for commercial exploitation of space are likely to raise in this zone, where communications satellites have already blazed the path. Development of reusable space shuttles would cut costs and speed the economic development of the region near earth.

The moon itself requires far more extensive exploration than is envisioned in the presently projected limited series of Apollo flights. Sooner or later, this exploration as well as the exploitation of the moon for scientific and other peaceful purposes will require establishment of permanent settlements on earth's satellite. What might be called the domestication of the moon will take decades, even centuries. The full difficulties of the task will not be clear until more is known about the resources of that body, particularly whether water and other essentials for life can be found there.

Exploration of the other planets of the solar system is still in its infancy, but offers enormous challenges and possibilities. Hundreds of unmanned, instrumented rockets—like those that have already made the initial reconnaissances of Mars and Venus—will have to be sent out in the years and decades ahead, reaching finally even to distant Pluto.

Any effort to send men to Mars this century, as Vice President Agnew has suggested, will be enormously expensive and far more difficult than anything on mankind's present space agenda. A decision to attempt this—if one is made—should be taken only after extensive analysis and debate, instead of being promulgated hastily in the euphoria induced by the colossal feat of the American astronauts.

In 1493 Pope Alexander VI issued a decree dividing between Spain and Portugal the "new world" Columbus had discovered. No similar document is needed now because, fortunately, the Space Treaty provides international agreement that no celestial body is subject to national appropriation. But what is needed is action and organization to make space exploration truly international so that the resources of many countries, not only the two most powerful nations, are drawn into the effort. And there must be an international division of labor that will assure maximum coverage of all the tasks ahead while avoiding the expensive waste of needless duplication and rivalry which marred the trek to the moon.

Precisely because it was Americans who first landed on the moon, President Nixon could well take the lead in inviting the United Nations into the picture as the organizing force for man's coming surge into space.

[From the Quincy (Mass.) Patriot Ledger, July 29, 1969]

AFTER APOLLO

What next in space?

In the moonglow of Apollo 11, the possibilities seem limitless. Yet, against the potentials of space exploration must be weighed the United States' limited resources and human needs here on earth. Our space program must go on, but the critical questions are the direction, the speed, and the level of these activities.

Future targets of the American space program are currently being studied by a White House "space task group" headed by Vice President Spiro Agnew and including Dr. Thomas O. Paine, NASA administrator; Air Force Secretary Robert Seamans and Presidential Science Adviser Lee Dubridge. The report of this group, setting forth proposed space objectives for the next 15 years, is scheduled to be delivered to President Nixon in September.

The goal of the 1960s was precise: send a man to the moon and back safely before the end of the decade. This target now has been met, the pledge has been fulfilled and U.S. pre-eminence in space well established.

At this time, there is no need for "crash" programs in space requiring massive funds. NASA's budget, once over $5 billion, has since leveled off at about $4 billion—which Dr. Paine observes is only 5 percent of our defense budget and only 10 percent of what we spend on women's dresses.

Instead of large-scale financing, NASA's budget for the coming years should be steady and predictable—perhaps in the $3 to $4 billion range—with funds committed in advance by Congress for several years to enable sensible planning.

The United States should also seek greater expansion of cooperative international space programs. Already, there are several international space projects in operation—in such areas as meteorological and communications satellites, for example—and in many cases international cooperation is not only desirable, but imperative.

Space exploration should not become the province of a few wealthy, scientifically-advanced nations. It should belong to all civilization, ideally with the talents and the resources of many nations being pooled to expand man's knowledge and to share in its benefits.

Hopefully, instead of competition in space between the United States and Russia, there will develop cooperation in exploring man's new environment, including joint manned space flight ventures. The United Nations can provide the institutional umbrella for such cooperative programs.

Certainly a long-range program should be planetary landings—on Mars, then on other planets. But from the moon to Mars is a mighty jump, even though scientists are ultimately confident it can be achieved.

For the shorter term, our efforts should be directed toward mastering our spatial environment between earth and the moon. NASA's plans for a series of followup moon landings, for the development of orbital laboratories, a large space station and "space shuttles"—a reusable rocket system—are realistic and important projects.

FOLLOWTHROUGH NEEDED ON MARITIME RESEARCH AND DEVELOPMENT

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. ROONEY of New York. Mr. Speaker, our national seapower is a topic of great concern to many of us here. One of the aspects of seapower is, of course, research and development, and the following article written by my friend of many years, Capt. Hewlett R. Bishop, spells out some of the problems we must face in this area. I have known Captain Bishop since I first came to the Congress. He retired a few years ago from the position of Atlantic Coast Director of the Maritime Administration after serving 15 Administrators over a 19-year span. He is now the executive vice president of the National Cargo Bureau, Inc., and is, therefore, a man to be listened to when he addresses himself to the problems of the U.S. merchant marine. I urge my colleagues to read Captain Bishop's article.

Under the permission heretofore unanimously granted me I include Captain Bishop's article with these remarks:

[From the Journal of Commerce, Nov. 14, 1968]

ENGINEERING RESEARCH FOLLOW-THROUGH NEEDED

(By Capt. H. R. Bishop)

R&D have been the magic letters in Government and Business circles for the past several years. The word has been, "budget it in R&D and you're home free." In the maritime field government has done a lot but, I think, only half way because after the Research and some Development, usually to prove to the ones working on the project it's feasible, they drop it. There has not been enough follow through. Then some time later someone else, usually in another part of the world, capitalizes on our R&D.

A few "for instances" that come to mind:

The United States Shipping Board, in the late 20's and 30's, had a ship upgrading program—WW I ships were reconverted (Congress could not see any necessity to build when all those good(?) ships were in lay-up). Three such ships were the "Triumph," "Courageous" and "Defiance." I was aboard the latter in Hong Kong. She had, as did the other two, bridge control that worked. The main engines were a flop, so they forgot about the successful bridge control. The U.S.S.B. also converted a fleet of ships to direct diesel. These produced many headaches and had many bugs, BUT they led to a successful diesel building program in World War II. The United States merchant marine industry wasn't interested after the war, so they were sold foreign and served efficiently and made money for their new owners for many years in competing merchant marines.

U.S. RESEARCH ADAPTED

Thirty years later a foreign nation came out with a much heralded automated diesel with a reduced crew complement and bridge control. They were visited by the top government merchant marine officials in this country who never realized the crew complement was the same as the United States diesels of U.S.S.B. vintage and the bridge control was no more efficient. Now everyone has accepted the results to which United States R&D contributed, except the United States.

Hydrofoils are another more current example. Marad and industry (engine manufacturers, aluminum and aircraft, among others) cooperated to design and develop the worlds first seagoing hydrofoil. It was named for the deceased Chief of the R&D of Marad who conceived it. Despite the errors, which included the decision not to fit her for useful service (a decision made for budgetary reasons), the "Denison" was a success. But her timing was off when the program was ready for a major Governmental decision. It was one of the many times Marad was changing administrators, and the agency was being dictated to, and hamstrung, by the Department of Commerce, which had little interest and no knowledge of maritime affairs. So, they decided to do nothing—a rather common maritime practice—and the brand new, successful craft was sent to the nearest reserve fleet to await developments. She made the headlines again, this time unfavorably, for she ran ashore. Few knew why, her control house (pilot house) design had been greatly influenced by aircraft people, she had no vision astern. She ran up on a mudbank in a river where the channel ranges were astern. What an inglorious finish for a successful research project. Just last month I read an article which referred to the "Denison" as an early NAVY project. It's obvious we not only do not follow through—we forget.

A SHIP PROJECT CITED

Nuclear ships is perhaps our most well-known research project. The "Savannah" was so long building, during which time we escorted representatives of foreign countries (friendly or otherwise) through her, with access to her plans, that some of her features, including the control room and the bridge control, were adopted and in use on foreign ships even before the "Savannah" put to sea. Here is a perfect example of a successful research project, despite Governmental bickering between agencies, that now no one knows how (or if they do, has not the courage to say so) to carry on and take advantage of it.

These are only highlights—there are many more of the same—of the failure to follow through and take full advantage of R&D. We all know it has to take time, but projects should not just sit and wait for someone else to take the advantage of them. Decisions and action are needed. Perhaps it should be RDD&A, for Research, Development, Decision and Action.

Just in case there is any misunderstanding, I am all for R&D. In fact, the National Cargo Bureau, with whom I am associated, has been working on such a program in cooperation with the United States Coast Guard. Through the State Department our joint efforts have expanded to the International Maritime Consultant Organization and has resulted in an interesting project. The joint industry and government participation has been able to get over many of the rough spots with National Cargo Bureau research funds paying the way, instead of having to wait for Government money. Ideas and manpower have been furnished, without cost, by both industry and the United States Coast Guard.

GRAIN STILL TROUBLESOME

The goal is the safe carriage of bulk grain. It seems strange that a commodity that was probably the first to be transported on board ship should still be making problems, but it is.

Bulk grain regulations were first issued by local authorities. In this country they were first established by the New York Board of Marine Underwriters and later put into regulations by the United States Coast Guard. The first international agreements for grain were contained in Chapter Six of the Safety of Life at Sea Convention of 1948. The current is Chapter Six of SOLAS 1960, which became effective in 1965. Even before this doubts were expressed as to the effectiveness of the regulations, which had been adopted in the belief that grain could be trimmed completely, filling compartments up to the deckhead, and that grain settled two (2) per cent on the passage. To control the latter, feeders were required in the belief that grain would flow into the void spaces caused by the settling.

Through the facilities of IMCO a program of studying the settlement of grain in feeders and hatches were devised. This resulted in participation of Masters of the performance of over four hundred (400) grain ships loaded in worldwide ports, and proved that there was no settlement in good weather and much settlement in bad weather. The question was obvious, if no settlement in good, where was the grain going in bad weather. It increased the doubt in the effectiveness of the regulations.

This resulted in the decision for us to launch our R&D program. This has involved extensive sea tests and studies to which American ship owners have contributed the use of their ships. The American Bureau of Shipping also was consulted and nothing was done that would alter a ship's class. The project culminated in three series of shore based tests on a scale model of a cargo ship's grain compartment, fitted alternately with every approved and newly conceived contrivance for carriage of grain. Ideas and manpower were contributed by the Coast Guard and National Cargo Bureau. Reports of the first tests were made to a United States panel of marine experts and, through them, to the Sub-committee of Bulk Cargoes and Sub-Division and Stability in IMCO. This resulted in further tests, with ideas and suggestions being made by all of the forementioned bodies. In the final series, the United Kingdom and Canada participated. In the meantime, other nations carried out companion experiments and tests. All in all, sixteen nations have participated in this work and all have made some contribution.

We now know that grain cannot be trimmed up entirely to the deckhead, that the two (2) percent settlement does not occur, and that feeders do not feed. Therefore, the concepts of which the present SOLOS 1960 bulk grain regulations are based are erroneous and that some of the conditions of loading permitted are dangerous. This has been reported to the Maritime Safety Committee and the Sub-committee of Bulk Cargoes has been directed to prepare amendments to Chapter Six with the Sub-committee of Sub-division and Stability preparing the stability criteria.

We have been spurred on in this work being ever aware that too many seamen (now at least 125) have lost their lives on ships loaded with bulk grain since the present international regulations were adopted. Unfortunately, several of the ships just disapproved—the latest of these in October of this year.

NEW RULES FORMULATED

Based on these experiments, studies and tests which have involved thousands of man hours and hundreds of ships, as well as shore based equipment, the Sub-Committee on Bulk Cargoes has in draft a new Chapter Six, which should be finalized at its January, 1969 meeting in London. The stability criteria should also be finalized by the Sub-Committee of Sub-Division and Stability at their January, 1969 meeting. If both are approved, they will be sent to the Maritime Safety Committee for action at its February, 1969 meeting.

Approval there would send it to the Assembly for action in the fall of 1969. If any of the four fail to approve, it will be set back at least two years. You can be assured that the United States will not rest on its oars and will work for its approval. We have already taken interim corrective action on our own ships. The new rules, if approved, will consider each ship on its individual characteristics. This is where the Naval Architects will have to assist in preparing ships data for the use of the Master and loading authorities. Incidentally, the rules will not only be safer, but in most cases more economical for the shipowner.

A lot of work and words about old commodities and their problems, but we mustn't neglect the new ones. Last year I wrote in this issue about the importance of container ships being designed to protect the cargo. Much work has been, and is being done, on this problem.

CONTAINERS PRESENT PROBLEM

The greatest damage to cargo stowed in containers is occurring for two principal reasons—improper packing and stowage of the cargo in the containers and damage to containers carried on deck. The latter is one that naval architects can still contribute a great deal to reducing.

Ships are being built with greater freeboards, some are being weather routed, and some have higher forecastle heads to protect the cargo. A few have their bridges forward for the same reason (a combination of the two would be ideal, and you may see it soon). The use of a structure to support other than the bottom tier on deck so that the entire load will not be lost and raising the height of the bottom tier to permit the force of the seas to break under it are two other improvements in use. Stabilizers are also being installed. These, and many other changes, are all to the good.

More still has to be done to protect the sides of the container from boarding seas. It only takes one to jeopardize the entire deck load and perhaps the ship. Last year I mentioned this problem and stated that many years ago seamen on small ships stretched lines on deck to break up the sea and prevent its full force breaking on the hatches; also, that during World War II the suggestion was made that wire nets be rigged outboard to break up the sea. (We took another approach and strengthened the outboard sides of the cases.) It seems that the breaking of the force of the sea needs more serious attention on the container ship.

Once more going back to the sea for ideas—years ago we used to hear of storm oil to smooth the sea. It worked. Several times, in my experience when we couldn't get forward to turn the valves, we used a can of lubricating oil, pouring a pin-sized stream into a toilet midship on the weather side, the valve being secured in an open position. I've seen a gallon of lubricating oil protect a cargo on the after-deck a whole night, and it didn't cause a mess either.

Perhaps in these days of new oil products, someone can come up with an inexpensive oil that could be ejected in a stream of water, under pressure, in several locations (ships are now bigger and faster) on each side of the ship, to be used in heavy weather when and where required. If it left any residue, it would be no worse than that picked up by the containers on the open road.

I believe there is still room for improvement and Naval architects are the ones who are in a position to come up with the solution.

MOON-NIGHT

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. TIERNAN. Mr. Speaker, all Americans and citizens of the world were thrilled at the recent success of the

Apollo 11 mission. The courage and expertise that were evidenced by our three astronauts, Neil Armstrong, Edwin Aldrin, and Michael Collins, was a tribute not only to man's technology, but also to the testimony of President Kennedy, who 8 years ago committed this country to a manned lunar landing by the end of this decade.

Among the many tributes that have flowed into my office is a poem composed by one of my constituents, Mrs. Irene Viau of Warwick, R.I. I feel that this poem would be of interest to my colleagues and urge their attention to it, as follows:

MOON-NIGHT

(By Irene Viau)

Moon-night moon light night of wonder
You hold me in your spell.
Moon-night while in my deep slumber
Loves dream only, you foretell.

Moon-night and the stars in array
Heaven made the plan one day
Now you cast your magic spell
On Neil, Edwin and Michael.

You were a gracious host
The gems they left, they loved the most.
Old Glory now stands high
The world is thrilled and so am I.

ROGERS AGAIN URGES MEANINGFUL TAX REFORM

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. ROGERS of Florida. Mr. Speaker, recent actions regarding extension of the surtax and consideration of tax reform legislation indicate the depth and pervasiveness of these issues with the American people.

I have supported an extension of the surtax because I believe it is the fiscally responsible position to take in light of our extensive commitment in Vietnam and the devastating effects of inflation at home which, if not controlled, will take 5 or 6 cents more out of every dollar before the end of the year.

Yet, I did not support the surtax without a strong belief that the Congress should promptly consider meaningful tax reform legislation, and particularly that the House Committee on Ways and Means would afford this body an opportunity to do so before the August recess.

Time is short now before that recess is upon us, and the burden upon the low- and middle-income taxpayer of this Nation has been heavy, and deserving of relief. I have repeatedly, through legislation and remarks on the floor of this body, called for meaningful reform, and I now again call upon the House Committee on Ways and Means, and upon the distinguished chairman of that committee to afford the House an opportunity to consider tax reforms.

Specifically, I have introduced legislation to increase the personal exemption from $600 to $1,200 because I believe the present amount is only token relief in view of the spiraling cost of living we experience today. Raising a family is not possible on $600 per person per year and I hope and expect at least a substantial increase in this exemption if reform is to be meaningful.

Moreover, I have called for a reassessment of the provisions governing the head-of-household deductions, and I would like to see a reduction in the rates. At the present time, at the middle-income level of $6,000 to $8,000, there is little difference between the rate paid by a taxpayer who is the head of a household and one who is single, yet the expenses of the head of a household, such as a widow with children, are much greater in most instances. At the $6,000 level, the single taxpayer pays only $70 more in taxes than the head of the household under present rates. I believe the rates applicable to the head of the household should be more in line with those available to joint returns.

Too, I have introduced legislation to permit those over 65 years of age to deduct all medical expenses. This would restore the provisions in the law that were in effect until January 1, 1967. I do not feel that the present law which permits deductions only if medical expenses exceed 3 percent of income is realistic in light of the present cost of living, and I would hope the Ways and Means Committee will consider this proposal.

In conclusion, I believe that the strong support being given to closing many of the tax loopholes that exist with respect to charitable trusts, the oil-depletion allowance and others will do more toward helping the overwhelming majority of lower- and middle-income taxpayers who share most of the burden and too often have been taken for granted because they are honest and do pay their taxes.

RETIREMENT OF LT. GEN. WILLIAM F. CASSIDY, CHIEF OF U.S. ARMY ENGINEERS

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. DORN. Mr. Speaker, today a great soldier leaves the Army. Lt. Gen. William F. Cassidy, the Chief of Army Engineers and one of the finest gentlemen in the Federal service, will step down from that distinguished position after many years of faithful service to his Nation.

General Cassidy was appointed Chief of Engineers in July 1965, after holding the most important and prestigious assignments which the U.S. Army Corps of Engineers has to offer. These positions included division engineer, South Pacific Division, senior logistics adviser to the Republic of Korea, and Deputy Chief of Engineers, all of which broadened and qualified him for the most important role of Chief of Engineers. In this position he has distinguissed himself as, without a doubt, one of the greatest in a long line of great Chiefs of Engineers.

General Cassidy leaves a glowing record of accomplishments, a top-flight engineering and construction agency, and a career which is an example for all to emulate.

As a member of the Public Works Committee, I am personally proud to have worked with General Cassidy over the years and to have this opportunity to extend my personal wishes for continued success in the future.

VIETNAM, CRIME TOP DELLENBACK POLL

HON. JOHN DELLENBACK

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. DELLENBACK. Mr. Speaker, Oregon's Fourth Congressional District gives top priority to the war in Vietnam as an area of national concern, according to the results of my third annual constituent questionnaire. While this is not surprising, I did find it both surprising and interesting that the district ranks crime second in a list of 20 problem areas. This indicates that even in a district where there is relatively little crime in the streets, racial turmoil, and campus disorder, people recognize the need to place a high national priority on fighting crime.

The more than 22,000 persons who responded to my request for their views also reported that they strongly favor direct popular election of the President and Vice President and the elimination of all restrictions on wage earning for a beneficiary drawing social security benefits. They are in approximate balance, pro and con, as to the President's recommendations for an anti-ballistic-missile system and on the proposal to place the Armed Forces on an all-volunteer basis. They are opposed to lowering the voting age to 18.

The questions and the responses follow:

Do you favor

[In percent]

1. The direct popular election of the President and Vice President?

Yes	85.1
No	9.5
No opinion	5.6

2. Placing the Armed Force on an all-volunteer basis?

Yes	45.0
No	45.5
No opinion	9.5

3. The President's recommendations concerning an anti-ballistic-missile system?

Yes	40.8
No	40.6
No opinion	18.6

4. Lowering the voting age to 18?

Yes	65.0
No	29.8
No opinion	5.2

5. Eliminating all restrictions on wage earning for a beneficiary drawing social security benefits?

Yes	60.5
No	31.5
No opinion	8.0

In my questionnaire I also listed 20 issues and asked my constituents to number in order the six they considered the highest priority areas of national concern. Just as I asked residents of the Fourth District to make priority ratings, I ranked the answers, giving more weight, for example, to an item marked "1" than to one marked "6."

Following is a complete ranking of the 20 areas:

1. Vietnam.
2. Crime.
3. Inflation.
4. Tax Reform.
5. Tax Reduction.
6. Student Unrest.
7. Poverty.
8. Pollution
9. Race relations.
10. Defense budget.
11. ABM.
12. Education.
13. Social Security.
14. Draft Reform.
15. Electoral Reform.
16. Conservation.
17. Agriculture.
18. Housing.
19. Space Exploration.
20. 18-year-old vote.

Mr. Speaker, I also include the text of the bill I introduced amending the Military Selective Service Act of 1967:

H.R. —

A bill to amend the Military Selective Service Act of 1967 in order to provide for a more equitable system of selecting persons for induction into the Armed Forces under such Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Selective Service Amendments Act of 1969".

SEC. Section 5(a)(2) of the Military Selective Service Act of 1967 (50 App. U.S.C. 455 (a)(2) is hereby repealed.

SEC. 3. Section 6(h)(1) of the Military Selective Service Act of 1967 (50 App. U.S.C. 456(h)(1) is amended—

(a) by amending the fifth sentence to read as follows: "Any person who is in a deferred status under the provisions of subsection (i) of this section after attaining the nineteenth anniversary of the date of his birth, or who requests and is granted a student deferment under this paragraph, or who is otherwise deferred or exempted under the provisions of this section, shall, upon the termination of such deferred or exempt status, and if qualified, be liable for induction as a registrant within the prime age group irrespective of his actual age, unless he is otherwise deferred or exempted."

(b) by adding the following new sentence: "When such prime age group is designated by the President, any person who has attained the nineteenth anniversary of the date of his birth but not yet the twenty-sixth such anniversary who is not in a deferred or exempt status shall, if qualified, be liable for induction as a registrant within the prime age group."

SEC. 4. Section 16(a) of the Military Selective Service Act of 1967 (50 App. U.S.C. 466 (a)) is amended by adding the following proviso at the end thereof: *Provided,* That, in establishing categories of selection and in the selection of registrants within categories, the words 'age group or groups' may be construed to mean persons born between designated dates."

A COORDINATED NATIONAL AIRPORT AND AIRWAYS PLAN

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. DON H. CLAUSEN. Mr. Speaker, this morning, I testified before the Interstate and Foreign Commerce Committee in support of legislation designed to build an airport and airway system consistent with jet age needs and objectives.

In view of the broad interest in the subject, by my colleagues, and aviation interests throughout the Nation, I take this means of bringing the content of my testimony to their attention.

I sincerely hope my recommendations will be helpful to all Members as they consider and evaluate the various aviation proposals before the Interstate and Foreign Commerce Committee.

My testimony follows:

SUPPORT OF H.R. 9325

Mr. Chairman, I sincerely appreciate this unique opportunity to testify today in support of H.R. 9325 to promote a coordinated national plan of integrated airport and airway systems in this country.

As I appear before this committee today, I'm tempted to say in a loud and clear voice, "Hallelujah, this is the judgment day." I've been waiting for a long time—looking forward to the day when a meaningful program, for building the finest coordinated, integrated and balanced airports and airways system, would be considered and advanced by the Congress of the United States.

In order to clarify what I mean by an airport system, I will briefly outline what I see will be required for the current and future interests of our air transportation users.

1. *Metropolitan areas* must move toward the adoption of the integrated airport system concept (HUB commercial or regional airports with satellite reliever and STOL based on air traffic engineering recommendations). This will permit more air access to the community rather than restrict the flights into the over-congested and too limited airports now serving our major cities.

2. *Intra-state* airport systems and programs must be established with special consideration given to helping small communities provide air access and some form of Federal, state or local government tax incentive or relief for private airports serving a public use. (Part of the state or local government matching share might be in the form of relief granted by local political subdivisions for privately owned airports—at least the runway, taxiway and parking ramp areas which are generally not direct revenue producers. Strong language in the committee report might serve to motivate the states to implement this recommendation.)

3. An *inter-state* system of airports.

4. *Inter-continental* or international system of airports capable of handling the SST and Jumbo Jet-type aircraft.

5. An *inter-metropolitan* area STOL transportation system of airports for communities less than 500 miles apart.

6. *Heliports.*

Two years ago, Mr. Chairman, I was privileged to address the House under special order on the subject of "the growing crisis of the lack of airports." At that time, I stated my conviction that the United States was facing an airport crisis of crippling proportions. In the two short years since I made that statement, the crisis has become even more acute, reaching a peak last July and August when congestion in the metropolitan area airports, airways and approach control facilities of the nation almost paralyzed the air transportation system. This situation, in my judgment, will continue to deteriorate unless the Federal government, the state and local governments, general aviation, commercial aviation, airline passengers, and air shippers act now to improve the system. The time has passed when we can defer action to await "further study of the problem," in hope of a few "painless," easy solutions.

OUTLINE OF A COORDINATED NATIONAL PLAN OF INTEGRATED AIRPORT AND AIRWAYS SYSTEM

Two basic requirements are needed—consideration and recommendation for adoption of a national airport system plan and a recommended method of financing this plan.

With the large costs involved, coordination between all levels of government in our Federal system must be maximized and unnecessary duplication of facilities must be minimized.

With land values escalating and available airport sites diminishing, particularly in the metropolitan urban areas, the problem of guaranteeing aviation access for general and business aviation type aircraft is crucial and a solution must be found immediately.

The problems of air safety and air space planning cannot be resolved or even considered until such time as the airport and heliport sites are specifically located on the ground.

As a member of the Roads Subcommittee of the House, I can tell you the United States of America has an enviable position of leadership in the world for having developed one of the finest road systems known to man—why not start today by committing ourselves to work toward developing the finest and safest airport system in the world.

With the congestion on the ground and in the air increasing, it becomes mandatory that we maximize the coordination between surface and air transportation program recommendations.

For many years, I have advocated locating air strips contiguous to highways. Lands for these strips should be acquired at the same time lands are acquired for highway purposes. All that is required is coordinated planning and financing.

Quite frankly, it might be helpful to have the Roads Subcommittee and the Aeronautics and Transportation Subcommittee meet in joint session for the purpose of considering these possibilities.

In any event, the history of our road construction program, which built the Interstate Highway System and has assisted the States in building their primary and secondary road systems, may well serve as a basic guide for programing an airport system. With the rapidly changing world situation, I have concluded in my own thinking that the U.S. airport needs of the immediate future will require:

1. A system of international airports to accommodate airborne traffic flying the world's airways, strategically planned and located in select sites throughout the United States.

2. An interstate system of airports for handling interstate flights.

3. Each State and county should develop an intrastate system of airports for aircraft flying principally between cities within a given State.

4. Every metropolitan area should develop an integrated system of airports designed to guarantee expeditious access and maximum safety for general aviation, commercial, military, and rotary-wing type aircraft.

5. Every incorporated community in America should have at least one airport with plans for expansion and adding airports.

Obviously, many of the airports will serve dual and possibly triple purposes until increased traffic would necessarily restrict them

to a single purpose. As examples, in the Washington-Baltimore area, Dulles and Friendship now serve international, interstate, and intrastate air traffic requirements. Washington National serves principally the interstate and intrastate categories.

WITHIN THE NATION'S AIR TRAFFIC CONTROL-AIRPORT SYSTEM

1. Create and develop general aviation airports that will be suitably located in metropolitan areas that will provide all required airport facilities, including communications and terminal VOR's, to attract a maximum volume of general aviation activities away from air carrier airports so as to achieve maximum airspace and airport capacity at air carrier airports. Such reliever airports to adequately serve general aviation should have:

Convenient ground transportation to business areas;

Convenient transportation to air carrier airports;

Adequate navigational and landing aids, et cetera; and

Adequate passenger and crew facilities and services.

2. Encourage the Federal Aviation Administration to establish Federal regulations which will require that all aircraft operating within the terminal air space at major airports meet uniform standards for instrumentation, communications and navigational equipment. This objective is necessary to achieve optimum compatibility with the air traffic system and efficient utilization of all airport facilities created as an integral part of the national air transportation network.

3. Encourage the full development and utilization of reliever general aviation airports and other facilities that have been developed and financed for specific use by different segments of aviation.

4. Encourage and assist the Federal Aviation Administration to develop adequate air traffic control procedures for V/STOL aircraft which will permit maximum advantage to be taken of the unique characteristics of both V/STOL and fixed wing aircraft with a minimum of mutual interference. The greatly expanded use of V/STOL can provide substantial relief and alternatives for the growing problem of public ground access to airports.

5. Encourage the Federal Aviation Administration and the Civil Aeronautics Board to study the increasing volume of air taxi type operations at air carrier hub airports. Such operations should complement air carrier services at major airports without disrupting airline service.

6. Require Federal Aviation Administration to change criteria for placing towers, instrument landing systems, high intensity approach lights, radar surveillance and approach facilities, on smaller community airports outside of high density areas. With adequate facilities, many communities would then be in a position to attract industry for industrial airpark developments, provide relief from high density traffic areas, establish a constructive trend toward decentralization of business and government, and provide more stable and balanced economic development in the entire country.

7. Encourage wider use of helicopter service. Link the major air carrier airports together through the establishment of helicopter shuttles.

8. Escalate plans for developing surface transportation—improved access roads, monorails, and so forth—systems to serve airports of area. Coordinated planning and development of air and surface transportation systems is mandatory.

In order to better illustrate and define the suggested integrated airport system, I herewith submit a plan that could be applicable to the Washington, D.C., metropolitan area and other similar expanding urban areas of the country. Properly implemented, this plan could serve as a model for adoption elsewhere. This being the Nation's Capital, we should provide the example for others to follow:

METROPOLITAN AREA INTEGRATED AIRPORT PLAN

Introduction

One of the most critical problems facing the growth of the National Air Transportation System is the need for responsible overall planning in metropolitan areas.

It therefore appears appropriate for the Administration to develop and adopt an air transportation integrated airport philosophy to meet the growing demands of the public.

The following plan, already proven successful in application, will serve as the basis for developing this philosophy.

Objectives and purposes of an airport integrated system

To serve the public interests; promote air navigation and transportation; develop and increase air commerce; promote efficient, safe and economical handling of air commerce; to develop facilities for all segments of aviation. (General Aviation and Scheduled Air Carriers Aviation).

Systems requirements

The development of an efficient, economical and safe integrated system of airports conveniently located in and around a metropolitan area should consider as essential three basic assumptions:

1. Create an independent metropolitan airport authority by state legislation, with a clearly defined geographic area of jurisdiction. This authority, to be effective, must have the responsibility for all activities related to the planning, development, operation, maintenance and use of the system of airports. Further, the responsibilities must extend beyond the airport boundaries as critical considerations lie in the preservation and protection of the entire airspace over-lying the area of jurisdiction. Control over the construction of tall towers and other high structures is essential to maintain air traffic capacity of the system along with the need for adequate clear zones and buffer areas. The authority must anticipate the requirements for and make acquisition of sufficient land for these purposes.

It is noted that this basic plan does not oppose private ownership of airports within the jurisdictional boundaries, but rather, encourages such within the integrated airport systems concept.

2. Accessibility to the airport by the public will directly determine the extent to which people will use air transportation. Each airport within the integrated-airport system, therefore, should be no further than 30 minutes from the potential user by a convenient highway system. Future airport development should consider high speed freeways and access roads already in use along with those under construction or planned.

3. Aircraft with widely differing performance characteristics and runway load bearing requirements should be segregated. The capital and operating expenses required to provide facilities, at each airport, for such a broad range of aircraft is economically unrealistic. However, small aircraft should not be regulated off of publicly owned and operated large airports. By providing readily accessible facilities for General Aviation aircraft at satellite airports, General Aviation can be enticed to the smaller airports and in doing so, preserve the large air carrier type airports for expansion in air carrier operations. The value of scheduled air transportation has long been recognized, however, the impact of the General Aviation segment of the air transportation industry upon the metropolitan economy has never been fully understood or appreciated by the general public. As General Aviation continues to grow and serve as an ever increasing tool to business and industry, it is evident that the economy of metropolitan areas will be materially influenced by the availability of General Aviation airports.

Requirements for action

Legislative action at the state level may be required to provide a fully independent airport authority. Such legislation may also provide the foundation at the local level for public support and reduced costly rivalry by uniting the total metropolitan area within a single plan for economic growth. Legislation may further provide the framework for needed financial cooperation at the three government levels: federal, state and local.

The development stage of this legislation is the appropriate place for a thorough examination of both the current and forecast air transportation needs for the metropolitan area. Further, it is the proper time for numerous public hearings that will assure the maximum display of public participation in the development of the integrated airports system.

The result of the legislation should be a plan of operation that will identify the airports and their role within the metropolitan integrated airport system.

System operation

The layout of the individual airports should, in consideration of long range needs, provide for expansion. An example of this can be found in planning runway configuration. Two parallel runways into the prevailing wind will provide the greatest return for each dollar spent in both the area of greater utilization as well as land purchased for clear zones and buffer areas. Additionally, provisions should be made for at least one cross-wind runway.

Clear zones and buffer areas must be considered at the very beginning in order to permit the installations of all weather landing systems and to minimize noise problems.

The geographical location of each airport must be such that it does not conflict with the flow of traffic of any other field in the metropolitan area.

The problem associated with flights over populated areas and the intrusion of aeronautical hazards into the lower airspace cannot be solved by simply moving airports further from population centers. In order to attain the maximum capacity for air traffic, aircraft must be separated vertically as well as horizontally. With the authority to preserve and protect the lower altitudes, this integrated airport will provide space for a greater flow of VFR traffic without interfering with aircraft operating under positive control.

The ultimate goal of this plan should be the condition in which the only limiting factor for the volume of traffic is the capacity of each airport ground handling and servicing abilities.

Economics

The economic considerations in the development of the plan described herein are borne out by the experience gained in one metropolitan area over a period of 25 years. It has been recorded in metropolitan areas that over 90 percent of their aviation budget has been spent at airports maintained for aircraft having performance characteristics and runway loads bearing requirements equal or similar to those in scheduled air transportation. These aircraft comprise 25 percent or less of the total aircraft movements. On the other hand, 75 percent of the total aircraft movements (General Aviation) are accommodated at those facilities where less than 10 percent of the total capital investment has been made.

Conclusions

1. A good statute clearly setting forth the objectives and providing complete independence for the airport authority from the cross currents of local pressures, with general

agreement and support of an integrated airport system.

2. The safety of operation in the accommodation of air transportation in a metropolitan area dictates the separation of the smaller General Aviation aircraft from the larger, high performance aircraft used by the scheduled air carriers. This separation should not be attained by regulations.

3. In order to attain the maximum capacity for air traffic in a metropolitan area, aircraft must be separated horizontally as well as vertically. With the protecting of the lower altitude for VFR flights this greater volume of air traffic can be safely accommodated without positive IFR control. The integrated system of airports strategically located throughout the metropolitan area further permits the safe dispersing of air traffic throughout the entire metropolitan area.

4. The ultimate success of a metropolitan integrated airport complex is dependent upon the preservation of the lower altitudes for air traffic.

5. The problems inherent with the flight of aircraft over populated areas are not solved by moving of airports farther from the population center. Accessibility to the airport and thus the airplane directly determines the extent to which people will use air transportation. Convenience and accessibility can most logically be accomplished by a system of airports readily available to the populated area they serve, and accessible over high speed highways.

6. The separation of General Aviation aircraft from the scheduled air carrier aircraft is dictated by economics of airport development and operation. The relative capital and operating costs of providing facilities at scheduled air carrier airports is so great as to make it economically unfeasible to provide for the large volume of General Aviation aircraft on scheduled air carrier airports.

7. The value of scheduled air transportation is readily recognized, however, the impact of General Aviation upon the economy of a metropolitan area has never been fully understood or appreciated by the majority of the citizenry. As General Aviation aircraft will continue to serve as an increasingly vital tool to business and industry, it follows that the economy of metropolitan areas will be materially influenced by the availability of General Aviation airports to accommodate such air traffic.

Recommendation

The National Air Transportation philosophy should recognize that a need exists to develop an integrated system of airports in the metropolitan areas which will serve all users and yet preserve the capacity of the major airports for those who have the need for its specialized services.

AN EFFECTIVE AIRPORT TRUST FUND

In order to bring about the most orderly planning and implementation of the above system recommendation, I believe it is absolutely essential to adopt the Airport Trust Fund approach to revenue accumulation and apportionment.

Once adopted, the highway access routes to and from the airports can be better coordinated with the established Highway Trust Fund.

In order for this Nation to achieve the maximum in economic growth, the best environment for future living and totally balanced transportation system, a balanced method of finance must be advanced. Therefore, I strongly urge the adoption of three basic Trust Funds:

1. Highways and Roads.
2. Airport and Airways.
3. Urban Area Transportation Systems.

With the forthcoming Jumbo Jets, the surface transportation systems and routings are inadequate to handle the contemplated passenger traffic. Therefore, highways, bus and mass transit systems must be planned and constructed to accommodate the passenger flow generated by this type of aircraft.

COORDINATION AND BALANCE

I earnestly feel the public and private transportation engineering organizations of this Nation can come forth with the finest coordinated and balanced transportation system in the world if we, in the Congress, provide them with the financial vehicle (3 Trust Funds) to carry it forward.

The committee will have a monumental task in sifting through the thousands of words of testimony and then coming forth with the best possible recommendation for authorization.

THE ROLE OF THE CONGRESS

Fundamentally, there are two basic questions to be resolved by the Congress through legislation:

1. Authorizing the best possible airport and airways system to be built and developed over the next 10 years.

2. Adopting the most equitable finance formula required to fund this system.

Inasmuch as this committee has the prime system authorizing responsibility, I think it behooves all of us to concentrate on what we believe will ultimately provide us with the safest and most efficiently operated airport and airway system available or attainable—consistent with prudent fiscal recommendations.

Mr. Pickle of Texas and I have joined in introducing H.R. 9325, which is designed "to provide additional Federal assistance in connection with the construction, alteration, and improvement of air carrier and general purpose airports, air terminals, and related facilities to promote a coordinated national plan of integrated airport and airway systems."

WHAT DOES H.R. 9325 PROVIDE?

The key provisions of the Bill are:

1. The recognition that we can and must expand and improve the airport and airways system and that the civil user should not be required to provide all of the funds required, but rather, that revenues obtained from the general taxpayer will continue to be utilized.

2. A provision requiring the Secretary of Transportation to conduct a study to determine the allocation of costs of the airport and airways system, and identify these costs that are applicable to the Federal Government and the value to be assigned to the general public benefit.

3. Probably the most important aspect of the Bill is the establishment of the Airport and Airways Trust Fund, which will provide the necessary funds for the development of the system.

4. Granting the Secretary of Transportation authority to guarantee any lender against any loss on loans to finance any public airport development project.

5. The designation, by each state, of a state agency or official to be responsible for public airport systems planning.

6. Provisions for grants to the states to carry out a comprehensive state aviation program that, in the opinion of the Secretary of Transportation, is not inconsistent with the development of a national air-transportation system.

7. Authorizing the Secretary to make grants from the Trust Fund to sponsors of public airports, and—

8. Amendment of the Federal Airport Act to provide the necessary funds for the development of airports whose primary purposes are to serve general aviation and relieve congestion at those airports that have high density traffic serving other segments of aviation.

While neither Mr. Pickle nor I believe the Bill to be perfect in all respects, we do believe it provides an excellent, workable base upon which the committee can build. The Administration's proposal is similar in nature and objectives and I therefore believe the committee would be well advised to include the best of both of these legislative proposals in your final committee bill.

THE MOUNTING VOLUME OF AIR TRAFFIC

Transportation is the "backbone" of our Nation's economy and air transportation is becoming the "backbone of our common carrier transportation system". In 1950, only one out of ten intercity common carrier passengers traveled by air. As of today, however, seven out of ten use air travel. The preference for air travel has been clearly established and the volume of airline traffic is now greater than that of rail and bus combined.

Air transportation problems and forecasts of ascending volumes of traffic do not diminish with the passage of time. Up to now, we have accommodated growth problems within the existing system, but we have reached the point where the airways and airports of the nation are no longer sufficiently elastic to absorb the ever-increasing demands now being made on them.

Quite clearly, the problems of civil aviation today are the result of its successes—not its failures. The essential problem, as I view it, is not in sustaining success, but in achieving coordination and balance. The extent of aviation service to the public has far exceeded, in my judgment, the public support of aviation and the results are now beginning to show, not only in congested airports but in the profit and loss columns of the operators and in the economy of communities where air transportation is a vital factor.

It is noteworthy, I feel, that the airlines reported a 42% decline in earnings last year despite a 16% increase in passengers and cargo. Operating revenues were up 13% but operating costs increased more than 18%. A large share of the operating cost increase, nearly one hundred million dollars, is attributable to inadequacies in our air traffic control and airport systems.

THE PROBLEM OF CONGESTION

The effect of delays and congestion on the economy of New York City is already evident. Last year's congestion and problems in that city, due to inadequacies in the airport/airways system, are estimated to have cost more than two hundred million dollars and unless these problems are corrected, the loss is estimated to reach approximately six hundred million by 1980. Air transportation is one of the basic attributes which have made New York City a mecca for commerce, which distinction may quickly disappear if its airport requirements are not met. And there are other signs. The stock market is considering leaving Wall Street. The garment industry is seeking to locate elsewhere. Other manufacturing industries are seeking locations away from New York. At one point, 18 major companies accounting for over 11,500 on-the-spot jobs had actually decided to move or were actively looking for new locations away from the city of New York—primarily because of over-crowded and congested conditions.

This same situation exists in many other cities, large and small, in the Nation. Clearly evident is the importance of the role of the airport and air transportation in the economy of the community each serves.

Just since the time of my statement two years ago, referred to above, the number of airline passengers has increased by almost 40 percent. This growth is good to be sure. Indeed, it is essential to our burgeoning economy and our security requirements, but if this growth is to continue, the resultant problems and challenges must be met. The urgency is great and the time for action is now.

FUTURE GROWTH FACTORS

While the past growth in aviation has been fantastic, the future is expected to be even

more spectacular. During the next ten years, passenger traffic on schedule airlines is expected to triple—general and business aviation will quadruple. Most of us are familiar with the crowding at our airports and with the delays in the air that are occurring now; imagine, if you will, handling three times as many aircraft on the ground and in the air.

At present, the number of intercity passengers using air transportation is about equally divided between the airlines, and business and private airplanes. The airlines are receiving approximately one new jet aircraft per day and the 115,000 general aviation airplanes of today are expected to increase to over 200,000 in the next ten years. More than twenty thousand corporations own and operate more than forty thousand business airplanes today and this is expected to increase by two and one-half times in the next ten years. Aircraft are also increasing in number of passengers carried along with the number of aircraft being delivered. All of this means more planes, more people, more problems—but I am convinced we can, and must rise to the challenge.

If we are to meet this challenge, there must be a tremendous increase in our developmental effort for the airways/airport system. At the present time, airport construction is seriously lagging. This is due largely to the inadequate incentives provided by financial assistance through the federal aid airport program in the recent past. Considering the lead time of 7 to 10 years required to plan and build a new air carrier airport, it is obvious that we are already several years behind schedule and the situation is certainly going to get worse before it gets better. The development of the airways and air traffic control system is also lagging dangerously. Although a plan was developed by the FAA for the automation of the air traffic control system in 1961, it is a fact that the first operational unit is still under construction and not yet commissioned at Jacksonville, Florida. Only one terminal area traffic control facility has been constructed and this primarily for test purposes. Therefore, I believe we must provide legislation that will accelerate the development of our airport/airways system as well as plan now for the system requirements of the post-1980 period.

DECENTRALIZATION AND REVITALIZATION THROUGH AVIATION

Another growth problem facing this nation, and *not unrelated* to the growth problems of transportation, is urbanization. At present, more than 70 percent of our total population resides on only 1 percent of the land area. If this rate of urban migration continues, by 1980, it is estimated that 80 percent will reside on 1 percent of the land and by the year 2000, 90 percent. The problem generated by this combined migratory and growth trend are of such magnitude that they have raised the very serious question of whether or not they are capable of solution. Even if they are capable of technical solutions, it is questionable whether the financial requirements can be met.

Mounting problems in every aspect of urban life crowd the pages of our newspapers daily and highlight the growing paradox of space age accomplishments and urbanization paralysis. While our major metropolitan centers of this country have grown too overcrowded, grossly over centralized and totally unmanageable, the rural economies and the rural communities in this country are in desperate need of revitalization and diversification. And where has this over-crowding been felt most? Right in the heart of the central city—the very focal point of social dissatisfaction and unrest in America today. For, it is here that the majority of the untrained, unskilled, and unemployed people from the rural areas end up. And these are the same people who seldom, if ever, make it to the suburbs. Lacking the funds to return to the place they left, it is these people who find themselves trapped and who are, in the final analysis, paying the price of life in the big city. Drawn there in search of a better life, countless thousands of migrating Americans too often find only disappointment and the sad realization that they would be better off where they came from. Too often, their only recourse is to swell the ranks of the unemployed and the legions on welfare. The thought of once-productive citizens transformed into wards of the State—is indicative of this migratory trend which has brought with it social and economic decay.

You may well ask, at this point, what is the relationship between the urban and rural crisis and airport/airways legislation?

The availability of an airport is absolutely essential today if any community expects to attract industry. This does not necessarily mean an air carrier airport, but rather a facility which is adequate for the kind of airplanes operated at the present time by more than 20,000 U.S. business concerns.

Transportation technology today has completely eliminated the necessity for locating plants near waterways, close to raw materials or processing plants, or near large concentrations of distribution points for goods. Implementation of the foregoing concept is the purpose of section 204(d) of the bill which my colleague, Mr. Pickle, and I have introduced, and which calls for the Secretary of Transportation, in administration of this program, to give priority consideration for an airport development project which improves air access to the area or is essential to the economic and social development of such an area.

We can bring about "rural revitalization" by redirecting the emphasis of Federal programs so as to provide incentives for industry to establish manufacturing facilities in smaller communities and thereby create job opportunities at the point where urban migration originated. There is, I believe, sufficient expansion of industry presently forecast to create a reverse migration if the new plants contemplated are located in smaller rural communities and not the major metropolitan areas.

Studies by the U.S. Chamber of Commerce have shown that the establishment of a plant requiring 100 employees results in over 150 additional jobs in the same area or a total of 250 new jobs. Brookings Institute made studies many years ago which show that a dollar of new money brought into a community is respent 20 times in the economic cycle of that community. The resultant payrolls of new plants in small communities enlarges the local tax base to provide the revenues for construction of other public facilities such as streets, schools, recreational facilities, etc.

It now seems clear that, if we are to continue to move ahead, we must reverse and redirect the imbalance in our population distribution and to do so requires a balanced, coordinated and integrated transportation system that will promote and enhance economic growth in small communities.

In addition, we must have programs supported by user charges which provide for urban transportation systems, intra-state air and highway systems, interstate and intercontinental air systems.

The legislation Mr. Pickle and I have proposed provides a program which will bring about the development of intercontinental, interstate and intra-state systems of airports on an equitable basis. It also provides for the development of airways systems and, in the near future, for the entire cost of operating the airways system. This bill also provides for planning grants to assist in developing plans so essential to the timely, balanced and integrated comprehensive air transportation systems.

Not only is this legislation designed to meet the needs of large cities but also to assist in the revitalization of our smaller communities and ease the pressures resulting from the "urbanization avalanche" going on now.

Our bill also provides for a share of the revenues derived from the user charges to be returned to the 50 states for administration of aviation programs, air transportation system planning and airport development within the state based on local priorities aside from Federal interests. The objective, of course, is greater involvement of the states in air transportation system planning and development as is the case of our Federal highway program.

This legislation further establishes a trust fund for airport/airways development and the manner in which this fund shall be utilized. We have not included user charges or taxation provisions which are matters within the purview of the Ways and Means Committee. In this regard I respect the sagacity of this committee to determine the most appropriate and equitable system of taxation to meet the requirements of this legislation.

BALANCE IS THE KEY

Therefore, as I see it, we should be concentrating heavily on a comprehensive legislative "package" that will, in the final analysis, give us the best system of airports possible using a distribution formula that recognizes not just our present population distribution—but where our population can and most likely will be located in the future.

In my judgment, this is one of the most fundamental and paramount considerations that must be incorporated into planning of a comprehensive airport and airways system.

All things considered, Mr. Chairman, I believe the keyword in putting such a "package" together is "balance". Because, from this legislation, there must emerge:

1. A balanced finance formula.
2. A balanced airport/airways system.
3. A balanced national transportation system.
4. A more balanced population pattern.

BASIC AIRPORT AND AIRWAYS FUNDING CONSIDERATIONS

Philosophically, there is no doubt that considerable monies must be obtained for the continuation and expansion of the airways and airports to accommodate the rapidly expanding transportation needs of the country. It is no longer possible, in my judgment, to place this burden solely on the general taxpayer. User funds should be directed toward the development of a comprehensive airport system, while general funds should be utilized for airways and air systems development.

It has already been established by presidential directive that the user will pay for special services rendered by the Federal Government, and there just is no question that the general public does benefit appreciably from aviation. Therefore, it is not unreasonable to assume that a portion of the costs for expanding and continuing the airport/airway system should be borne from general funds. What portion this should be is highly debatable and, as I have previously stated, a matter for the House Ways and Means Committee to decide.

Keeping in mind the contemplated new era of Federal, state and local cooperation, I feel that the greatest portion of revenues collected for airport planning, development and actual building of airports should be directed to state agencies for application and project completion, and that the major role of the Federal Government should be the development of guidelines that would be used by the states themselves for airport development.

I feel quite strongly about the fact that, somewhere in the Bill, emphasis must be placed on the preservation of the privately

owned airport that is open for public use. During the past few years we have witnessed many existing private airports fall under the pressure of local taxes or increased land values causing the ownership to sell for other than aviation purposes. A method of relief to these owners could come about through tax advantages or by direct purchase by local or state governments to assure the airport continues to operate as an airport.

While it is true that H.R. 9325 differs both with the Administration Bill and with other similar bills which have been presented for consideration, especially in regards to air carrier fuel charges, I am perfectly willing to leave this problem to the House Committee on Ways and Means. Quite frankly, I am more interested in seeing that these revenues are expended in a way that these concepts and ideas which I have outlined herein, can be generally supported and eventually implemented.

RESEARCH AND DEVELOPMENT A MUST

Whenever large sums of money are to be expended over a long period of time, we certainly need sufficient, on-going research and development to enable the industry to provide the latest "state of the art" equipment and systems that will be absolutely essential in providing an effective and forward-looking airport and airways system with the latest and best equipment and facilities available or attainable. This seems to me to be a must!

I also believe that a greater share of these funds should be channelled into planning functions. Here again, this should also be a state and local function, with Federal coordination so that each state's master plan fits into and dovetails the national systems program.

And lastly, in this regard, I feel that greater allocation considerations be given to the states, because such a program as I envision and have advanced here today, would entail much larger and more competent state organizations and, certainly, additional funds would be required to support it and using a distribution formula based on geographical area and population criteria that I have outlined elsewhere in these remarks.

In conclusion, Mr. Chairman, I submit that we, in the Congress, must attack the airport crisis in a manner that will meet the challenges facing us and avoid all constraints that might well inhibit the safety of the skies and the full economic growth potential of this Nation.

Again, I want to thank the Chairman and the members of this Committee for this opportunity to outline my views, suggestions, and recommendations on a matter of utmost urgency.

CAN'T WE EVER LEARN?

HON. JOHN YOUNG

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. YOUNG. Mr. Speaker, the Ways and Means Committee last Friday issued a press release announcing tentative decisions on tax reform made by the committee since July 11, 1969. Included among those decisions were several which would adversely affect the petroleum industry.

Perhaps the most significant was the reduction of the percentage depletion rate on oil and gas wells from 27½ to 20 percent. Other items in the package were the decision to treat carved out production payments—including A–B–C transactions—as loans and to deny percentage depletion on foreign oil and gas wells. In addition, certain changes were made in the application of the foreign tax credit which have the effect of reducing the benefit of such credit. In fact, the change made with respect to companies on the overall limitation was specifically directed toward the oil and gas industry.

The net effect of the committee's recommended tax changes in the natural resources area would be to greatly increase the tax burden of the petroleum industry at a time when the industry's need for exploration and development is the greatest.

In 1968 the United States consumed 50 percent more oil than the domestic petroleum added to its proved reserves and this represented the ninth consecutive year in which reserve additions of crude oil and other petroleum liquids were below the level of consumption. Under ideal conditions new reserves added each year should exceed consumption. This is not absolutely essential since to some measure the Nation's domestic reserves can be augmented by oil imported from foreign sources. However, in view of the conditions prevailing throughout the globe, it is imperative that this Nation not become too dependent on foreign oil and remain largely self-sufficient in this regard. Between now and 1980 the domestic petroleum industry must find and develop 87 billion barrels of oil—70 for consumption and 17 for inventory, to assure its self-sufficiency.

This can be done only by the expenditure of huge sums of capital currently estimated at $116 billion. This sum is more than twice as much as the industry has been spending in recent years. Historically, the industry has obtained its capital as follows: 45 percent from net earnings, 45 percent from capital recovery, and 10 percent from capital markets. The committee's action in recommending tax law changes which would appreciably reduce the industry's net earnings and capital recovery, would force the industry into the capital market with no assurance that the funds would be available. Absent the funds for exploration and development, the domestic petroleum producing industry would slowly wither on the vine and the United States would ultimately become largely dependent on imported oil. No rational person would want this situation to develop.

There is, however, one practical alternate source of capital—an increase in net income which could only be accomplished by an increase in gross revenue, which in turn would necessitate higher prices for petroleum products. Thus, in the final analysis, a cut in the depletion allowance would result in what would be equivalent to a tax increase on consumers, just one more item contributing to the inflationary spiral.

The Chase Manhattan Bank in its monthly review of the petroleum situation released July 31, 1969, analyzes the situation the industry is in today with respect to demand, supply, and capital requirements, and points out unequivocally that any reduction in the depletion allowance must be replaced by some other source of capital if it is to survive.

I would like at this time to insert in the RECORD the commentary contained in the Chase Manhattan Review dated July 31, 1969, and suggest that the Members consider carefully the results of a reduction of the depletion allowance and the other key incentives for the oil and gas industry.

The commentary follows:

CAN'T WE EVER LEARN?

Last year the United States consumed 50 percent more oil than the domestic petroleum industry added to its proved reserves. It was not the first time the industry has been unable to keep pace with the nation's growing needs. Indeed, 1968 was the ninth consecutive year in which reserve additions of crude oil and other petroleum liquids were below the level of consumption. For the entire nine year period, the new reserves represented little more than four-fifths of the accumulated consumption in that time.

Ideally, the new reserves added each year should not only match consumption but should exceed it. Proved reserves are in the nature of underground inventories. And, as such, they should expand in reasonable proportion to the growth of market demand—if the market's needs are to be fully and continuously accommodated. If that goal had been achieved over the past nine years, the petroleum industry would have had to find 1.4 barrels of proved reserves for each barrel consumed instead of the 0.8 barrel it actually did find. In other words, it should have discovered a total of 51 billion barrels in the nine year period—two-thirds more than the 30 billion actually found.

It is not absolutely essential, of course, that the ideal situation be achieved. To a degree, the nation's domestic reserves can be supplemented with oil imported from foreign sources. And the United States now relies upon imports for nearly one-fourth of its needs. But the nation would incur a very grave risk indeed if it became heavily dependent upon outside sources. As the record forcefully demonstrates, reason does not prevail throughout the world. And there is no real assurance that oil from abroad would be continuously and fully available. The economy of the United States is much too dependent upon oil to tolerate an inadequate supply. And in the unfortunate event of another international war the nation's position would be perilous if it had to rely upon a high proportion of imported oil. Prudence and common sense, therefore, require that the nation remain largely self-sufficient.

But it won't be for much longer, if the trend of the past nine years continues. By 1980, the annual consumption of oil products in the United States is expected to reach 19 million barrels per day—nearly 50 percent more than the 13 million a day consumed in 1968. Between 1968 and 1980, the accumulated consumption is expected to amount to 70 billion barrels. If the United States is to maintain a minimum safe inventory of proved reserves and not become more dependent upon outside sources than it now is—obviously a desirable goal from the standpoint of the nation's well-being—the domestic petroleum industry will need to find and develop a total of 87 billion barrels between 1968 and 1980. Against that requirement, the recently reported discoveries in Alaska do not loom large—and we should be mindful that they are not yet in the category of proved reserves.

To find such a tremendous amount of oil will require an equally enormous capital expenditure. For the past two decades there has been a consistent relationship between the amount of money spent in the search for oil and natural gas and the proved reserves actually found. And if this relationship con-

tinues, the petroleum industry will need to spend approximately 116 billion dollars to find and develop 87 billion barrels of oil. That would necessitate an average outlay of 9.7 billion dollars a year between 1968 and 1980—well over twice as much as the industry has been spending in recent years.

In the past nine years—the period during which domestic reserve additions were less than consumption—the petroleum industry spent as much as 40 billion dollars trying to find and develop new sources of petroleum in the United States. By any standard, that was a huge financial effort. But, obviously, it was not enough. To have found sufficient oil to match market needs and maintain a satisfactory level of proved reserves, a capital expenditure of about 68 billion dollars would have been required—70 percent more than was actually spent. Why—if there was a need—did the industry fail to spend that much? The answer hinges primarily upon two factors: (1) the incentive to spend, and (2) the ability to spend.

Insofar as the search for oil and natural gas in the United States is concerned, the petroleum industry may be divided into two basic groups—the major companies and the independent producers. For a decade following World War II, both groups spent nearly identical amounts of money. And they both increased their levels of spending year after year, keeping pace with market expansion. By the mid-fifties, each group was spending approximately 2.5 billion dollars a year—more than three times as much as they were a decade earlier. But since that time, their pattern of capital spending has changed to a marked degree. The major companies have sharply curtailed the rate of growth of their expenditures. And the independent producers have progressively reduced their annual outlay. Currently, the independents are spending only half as much as they were a dozen years ago.

These developments provide clear evidence of damage to the incentive to spend. Obviously, if the rate of return on their investment had been more attractive relative to other investment opportunities, both groups would have spent more than they did in their search for additional domestic reserves of oil and natural gas.

But neither group had financial resources sufficient to support a fully adequate expenditure. The petroleum industry is far more capital intensive than most others. And the scope of its activities creates vast capital needs. It is also an industry whose operations involve a substantially higher degree of risk than most others. And, for that reason, it has had to generate most of the funds for its capital and other financial requirements from its operations. Historically, about 45 percent of the money needed has been derived from net earnings, another 45 percent from the various provisions for capital recovery, and only 10 percent from the capital markets. But in recent years the industry has been unable to generate enough from operations and has had to depend much more heavily upon borrowed capital. Currently, its use of borrowed funds is well over twice as large as the historical proportion. Had the industry chosen to spend all the money required to maintain a satisfactory level of proved reserves over the past nine years, it would have been forced to borrow far more than it actually did. And we must be mindful, of course, that all borrowed capital eventually must be repaid with funds generated from operations.

Clearly, the availability of sufficient petroleum from domestic sources is vital to the welfare of the United States. And, obviously, if the petroleum industry is to satisfy the nation's needs and also maintain a safe margin of proved reserves, it must have enough capital to perform that function, it must also have sufficient incentive to use its capital for that purpose. In the face of these demonstrated needs, it would be logical to think that nothing would be done to prevent the industry from accomplishing its essential purpose. Yet, incredibly as it may seem, obstacles are indeed placed in the industry's way.

For the last decade and a half, the industry's generation of capital funds has been severely limited by governmental regulation of the price of natural gas. Carried on without sufficient regard for economic and competitive circumstances, the regulation forces the industry to accept a price for gas that is much too low. Since various oil products must compete in the market with the low priced gas, their prices are indirectly affected also by the regulation. These circumstances limited both the generation of capital and the incentive to invest the funds that actually were available. Significantly, the cutback of capital spending devoted to the search for new oil and gas reserves was initiated shortly after the imposition of the price control. And, as a result, the nation is now faced with a shortage of both oil and natural gas. How, we might wonder, could anyone ever have believed the United States could continue to have adequate supplies of oil and natural gas, if the petroleum industry were denied sufficient funds to search for them? Yet, that denial has persisted, despite repeated warnings of the consequences.

And there exists today a situation that demonstrates further how poorly the lesson has been learned. As noted earlier, the petroleum industry derives a large proportion of its capital funds from the various provisions for capital recovery. Together, amortization, depreciation, depletion, etc. rank equally with net income as a source of capital. Until recently, they satisfied as much as 45 percent of the industry's over-all financial needs. All private industries, of course, have provisions for capital recovery—otherwise, they could not survive. But they all do not have the same provisions. A factory or a piece of machinery can be depreciated over its lifetime. And when they are worn out, they can be replaced. But when oil and natural gas have been extracted from the earth and consumed they cannot be replaced—new sources must be found instead. And that can be an exceedingly costly and risky undertaking. The record abundantly demonstrates that vast sums of money can be spent without any oil or gas being found. Since, in fact, the production of oil and gas represents a depletion of its capital assets, the petroleum industry is permitted by law to recover a portion of this capital by means of a depletion allowance.

This procedure, however, has been subjected to increasing attack. And there are mounting demands that the allowance be reduced or eliminated. Some of the attacks obviously are politically motivated. But there is also criticism that reflects a lack of understanding of the true role played by the depletion allowance. There is a failure to recognize that the allowance applies only to revenue generated by the industry's successful producing properties—and the benefits derived do not offset the large sums spent on the search for petroleum that proves unsuccessful. Most often, the allowance is labeled by its critics as a tax loophole—conveying the impression that the money thus obtained is utilized for some nonessential purpose. But regardless of what its detractors choose to call it, the depletion allowance is today what it always has been—a source of capital. And if that source is reduced or eliminated, it must be replaced by another.

There is only one practical alternate source. If, for example, the industry's generation of capital funds were reduced 10 percent by a change in the depletion allowance, net income would have to be increased by an equal amount. And that could be achieved only with an increase in gross revenue—which, of course, would necessitate higher prices for petroleum products. Thus, a cut in the depletion allowance would, for all practical purposes, be the equivalent of a tax increase to consumers. And, as such, it would carry all the inflationary force of any other rise in their costs.

Clearly, a reduction in the depletion allowance—or any of the other provisions for capital recovery—would not be in the best interests of the United States. The nation's dependence upon petroleum, its tremendous needs, the vast amount of capital required by the petroleum industry to satisfy those needs, the industry's decreasing ability to generate enough capital and mounting dependence upon borrowed funds, and the developing shortage of both oil and natural gas are all reasons why such an action would be ill advised. Rather than inhibit the generation of capital and thereby discourage its use, the interests of the United States would be far better served by positive actions designed to achieve the opposite results. If we are to have enough oil and gas, we have to pay enough for them—there simply is no other way. Why is that elementary fact so difficult to understand?

THE DEATH OF ALL CHILDREN

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From Esquire magazine, Sept. 1969]

THE DEATH OF ALL CHILDREN—A FOOTNOTE TO THE ABM CONTROVERSY

(By Ernest J. Sternglass, professor of radiation physics, University of Pittsburgh)

Hopefully it is not too late to ask the members of Congress in their deliberations over the Administration's proposed Anti-Ballistic Missile system to pause and reflect on the nature and urgency of the matter they have been debating.

In view of new evidence on the totally unexpected action of strontium 90 on human reproductive cells, it is apparent that Congress has not yet considered what may well be the most important factor affecting its decision to proceed or not to proceed with the first steps toward the A.B.M. shield. The fact is this: a full-scale A.B.M. system, protecting the United States against a Soviet first strike, could, if successful, cause the extinction of the human race. (Indeed, the scientific evidence indicates that *already* at least one of three children, who died before their first birthdays in America in the 1960's, may have died as a result of peacetime nuclear testing). Such is the conclusion indicated by new information on the unanticipated genetic effect of strontium 90, presented at a recent meeting of the Health Physics Society.

Proponents of the A.B.M. system argue that it is necessary to prevent the destruction of our deterrent forces by a massive first strike of Russian SS–9 missiles carrying thousands of multiple warheads. But the threat of such an attack loses all credibility against our present knowledge that the vast amounts of long-lived strontium 90 necessarily released into the world's rapidly circulating atmosphere could lead to the death of all Russian infants born in the next generation, thus ending the existence of the Russian people, together with that of all mankind.

The unanticipated genetic effect of strontium 90 has become evident from an increase in the incidence of infant mortality along the path of the fallout cloud from the

first atomic test in New Mexico in 1945, and from a detailed correlation of state-by-state infant mortality excesses with yearly changes of strontium 90 levels in milk.

The computer-calculated change in infant mortality was found to have reached close to one excess death in the U.S. per one hundred live births due to the release of only 200 megatons of fission energy by 1963. This indicates that a release of some 20,000 megatons anywhere in the world, needed in offensive warheads for an effective first strike or in the thousands of defensive A.B.M. warheads required to insure interception, could lead to essentially no infants surviving to produce another generation.

The specter of fallout has of course loomed before in the national anxiety over nuclear explosions. But the result of these studies comprises the first documented, long-range analysis showing direct quantitative correlations between strontium 90 and infant mortality. (They will be published later this year as recorded in the Proceedings of the 9th annual Hanford Biology Symposium.)

The physicists who exploded the first atomic bomb at Alamogordo had expected radioactive materials of some kind and assumed that they would fall to earth downwind as far as fifty miles away. Accordingly, the test site had been located in an isolated area of southern New Mexico. When a subsequent series of tests was held in 1951, six years later, the scientists moved to the isolation of desert country in southern Nevada. By now, however, and without the knowledge of the scientific community, the death rate of children *in states* downwind from Alamogordo had begun to rise.

The infant mortality rates in the United States have been carefully collected for many years. From 1935 to 1950, the rate shows a steady decline and mathematical models allow the rate to be extended to show, on the basis of previous experience, what the infant mortality rate for any time, consistent with the immediate past, ought to be. But while elsewhere (with one exception) in the U.S. the rate continued downward as expected; in the states downwind of Alamogordo it did not. There was no change in the infant death rate in 1946—the year after the Trinity test—but by 1950 the rate in Texas, Arkansas, Louisiana, Mississippi, Alabama, Georgia, and both Carolinas deviated upward from the normal expectancy. Increases in excess infant mortality of some twenty to thirty percent occurred some thousand to fifteen hundred miles away in Arkansas, Louisiana, and Alabama, where mortality rates were between 3 and 4.5 per hundred live births. Thus, as observed by our research group at the University of Pittsburgh, the Alamogordo blast appears to have been followed by the death, before reaching age one, of roughly one of one hundred children in the area downwind. No detectable increase in mortality rates relative to the computer-determined 1940–45 base line was observed in Florida, south of the path of the fallout cloud, or in the states to the north; and the mortality excesses became progressively less severe with increasing distance eastward, in a manner now understood to be characteristic of the activity along the path of a fallout cloud. Though the increase in infant mortality in these states was taking place during the years 1946–1950, it does not appear to have been associated with the Alamogordo fallout before our studies beginning in October, 1968.

Meanwhile, the study of radiation effects proceeded elsewhere in the scientific community. It became known in the early 1950's that radioactive strontium was concentrated in cow's milk and transmitted, along with the calcium to which it bears a close chemical resemblance, to the rapidly growing bones of the fetus and the subsequent infant. Still, the radiation from strontium 90, though long-lasting, was relatively small in degree; and it was a matter of record, from studies of young women employed in painting luminous watch dials, that very large amounts of radiation over long periods of time are required to produce bone cancer or leukemia in adults. Besides, the survivors of Hiroshima and Nagasaki and their offspring were carefully observed, without discovering any very serious long-term effects of radiation. A small number of leukemia cases turned up, and a very few detectable abnormalities among their children, but compared with the rest of Japan the difference was slight. The measurable effects of fallout, at the time, did not seem so ominous after all. So atmospheric nuclear weapons testing proceeded in Nevada until 1958, and continued in the Pacific until 1963 under the pressure of the Cold War. No obvious or clear-cut incidents of serious harm to anyone were reported outside the immediate area of testing.

Still, there was concern among radiobiologists and geneticists over the possibility of radiation effects on the highly sensitive human reproductive cells, rapidly dividing and developing to form the human embryo during the first few weeks and months of gestation. Evidence from animal experiments, as well as from the observation of pregnant women who had been exposed to X-rays, suggested that ova and embryo might be from twenty to fifty times more sensitive to the development of leukemia than the mature adult. If so, the potential danger of even relatively small amounts of radiation would be greatly magnified.

The evidence implicating X-rays in childhood leukemia had been discovered—quite unexpectedly—by Dr. Alice Stewart of Oxford University, in the course of a survey designed to uncover the causes of a disturbing rise in childhood leukemia among the children of England and Wales during the 1950's. Her study, published in 1958, showed that mothers who had received a series of three to five abdominal X-rays in the course of a pelvic examination gave birth to children who were almost twice as likely to die of leukemia or other cancers than the children of mothers who had not been X-rayed during pregnancy. Subsequent studies showed that only about six percent of all childhood leukemia is related to X-rays, but Dr. Stewart's research remains significant, since before then no serious effects of ordinary diagnostic X-rays had ever been demonstrated, especially since a single abdominal X-ray gives the fetus a radiation dose not much larger than what each of us receives in the course of some three to five years from cosmic rays and the natural radiation in the rocks around us.

It is true that leukemia and childhood cancer are relatively rare. Only about one child in one thousand is affected. Nevertheless, since leukemia and other cancers are the second greatest cause of death among children between five and fourteen (ranking only after accidents), Dr. Stewart's findings were regarded by physicians as startling, and efforts were made to check them. Perhaps the most definitive such examination was done by Dr. Brian MacMahon at the Harvard School of Public Health. Using a study population of close to 800,000 children born in large New England hospitals, where careful records of X-rays given to mothers were available, Dr. MacMahon confirmed Dr. Stewart's findings. He observed only about a forty percent increase in the cancer rate among exposed children, probably because of improvements in X-ray technology that allowed lower exposures.

Meanwhile, in April, 1953, a sizable amount of nuclear debris from a test explosion in Nevada was wafted downwind some two thousand miles to the east and, thirty-six hours later, deposited by a rainstorm over the Albany-Troy region of New York State. Dr. Ralph Lapp, one of the first scientists to be concerned with the hazards of peacetime nuclear testing, drew attention to this heavy local fallout. Subsequent examination of the childhood leukemia pattern in this area showed that leukemia doubled over a period of some eight years after the fallout—and then decreased. Here, for the first time, was a documented case in which fallout appeared to produce serious effects at a rate consistent with what was expected from the study of children exposed to prenatal X-rays.

Further examination of the leukemia rate for the entire State of New York revealed a pattern of increase and decrease following the sequence of individual test series in Nevada between 1951 and 1958, with a characteristic time delay of about five years after each detonation. The rise and fall were particularly marked in the age group from five to fourteen years, the group most indicative of radiation-produced cases.

More disturbing yet, the evidence showed that the arrival of the fallout was followed by a halt in the normal decline of the rate of stillbirths. For the previous fifteen years, from 1935 to 1950, the stillbirth rate had shown a regular and progressive decline. Within a year after testing began in Nevada in 1951, the rate began to deviate upward. Between 1957 and 1963 the fetal death rate, instead of steadily declining as it had from 1935 to 1950, leveled off completely at around twenty-three per thousand live births. In 1964, the fetal death rate rose to 27.3 per thousand, the first such leap since records had been kept in New York State. In 1965 and 1966, it declined slightly, as a gradual reduction of fallout in milk and food took place throughout the U.S. In contrast to New York, the fetal death rate for California—upwind of the Nevada test site, and therefore not affected by it—continued its steady decline, in line with the 1935-1950 figures from which New York so sharply deviated. Still, the rate of decrease began to slow down in California also—two to three years after the onset of hydrogen bomb tests in the Pacific in 1954.

The implications of the fetal death rate could be considered much more serious for society than the incidence of childhood leukemia, since there are more than ten times as many fetal deaths reported than cases of childhood leukemia. Moreover, for every fetal death reported, an estimated five or six are not reported, yielding perhaps fifty or sixty fetal deaths for each case of leukemia. Consequently, the search for further evidence continued. More fallout seemed to be followed by more fetal deaths, but no precise statistical correlation had been drawn. Since the amount of strontium 90 deposited in the soil is easily measurable, the cumulative deposit of strontium 90 was plotted against the *excess* of fetal mortality over what the mortality *should* have been if the 1935–1950 decline had persisted. The finding: except for the first few years of testing in Nevada, when short-lived isotopes rather than the long-lived strontium 90 were dominant, the fetal death rate in New York followed the same general pattern as the accumulated strontium 90 on the ground. Both curves showed the same decrease in rate of climb coincident with the temporary halt of nuclear testing from 1958 to 1961; both show a sharp rise beginning with the large Soviet test series in 1961. Two years after the test band in 1963, both the fetal death rate and the radioactivity in the environment once again began to decline.

A similar pattern in the fetal death rate exists in the data for the United States as a whole for all periods of gestation up to nine months. Again, there is a steady rate of decline until the Fifties, a leveling off in 1951–52, and an actual rise in 1954, corresponding to the onset of the Pacific H-bomb tests; and a second rise in 1961, corresponding to the Soviet test series.

But perhaps the most disturbing evidence of all indicates that the rates of infant mortality in the United States and all over the world seem to have been affected by nuclear testing. The infant mortality rate is far more accurately known than the fetal death rate, since the death of a baby unlike a miscarriage or an abortion, rarely escapes notice in the advanced countries. Like fetal deaths, infant mortality had shown a steady decline in the period 1935–1950; but beginning with the Nevada tests in 1951 and continuing until just after the test ban in 1963, the rate suddenly leveled off in the U.S. This leveling off did not occur in such other advanced countries as Sweden, Holland and Norway, or in Southern Hemisphere countries like Chile and New Zealand, until late in the 1950's when hydrogen-bomb tests in the South Pacific and Siberia began to produce worldwide fallout on a much increased scale. Only after the major portion of the most violently radioactive material from the 1961–62 tests had disappeared did U.S. infant mortality begin to decline again in 1965, at a rate close to the previous 1935–1950 decline.

The most serious effects appeared in the age group from one month to one year. Here, the rate of deaths per one thousand live births should have been, according to the 1935–1950 figures, about 2.7. Instead, the observed number was 5.4 per thousand, twice what is should have been and twice what it actually was in Sweden, where the rate had steadily declined to 2.6 per thousand.

Not only was there a drastic change in overall infant mortality for the U.S. as compared to the rest of the advanced countries, but there were also disturbing patterns of change within the U.S. For example, the infant mortality rate started to level off sharply in the Eastern, Midwestern and Southern states within two years after the onset of atomic testing in Nevada in 1951, while it continued steadily downward in the dry Western states. But this is exactly the known pattern of accumulated radioactive strontium on the ground and in the diet, since strontium is most heavily deposited in states of high annual rainfall, especially in those to the east of Nevada.

Serious difficulties remained, however, in establishing a casual connection between nuclear testing and these drastic changes in fetal and infant mortality. First, why should fallout, and in particular strontium 90, cause fetal and infant deaths, since it goes to the bones and should therefore cause, if anything, bone cancer and leukemia many years later? Second, there was no observed direct quantitative relation between different levels of strontium 90 in the body and mortality rates at any given age. Therefore it was difficult to see how the very small amounts of radiation resulting from peacetime testing could possibly have been the cause of the deviations in fetal death and infant mortality, especially since no significant genetic effects had been observed among the children of the Hiroshima and Nagasaki survivors.

The causation puzzle now appears to be solved. In 1963, K. G. Luning and his coworkers in Sweden published their discovery that small amounts of strontium 90, injected into male mice three or four weeks prior to mating, produced an increase in fetal deaths among their offspring. No such increase appeared when corresponding amounts of chemically different radioactive cesium 137 were injected. More recently, evidence presented at an International Symposium on the Radiation Biology of the Fetal and Juvenile Mammal in May, 1969, has demonstrated severe chromosome damage, fetal deaths and congenital malformations in the offspring of female mice injected with strontium 90 before and during pregnancy. Similar effects have now been observed for very small quantities of tritium, produced by both A-bombs and relatively "clean" hydrogen weapons.

In the light of these studies, the absence of genetic effects in Hiroshima is understandable. In Hiroshima and Nagasaki, the bombs were detonated, not on the ground as in New Mexico, but at such an altitude that there was essentially no fallout in these two cities proper. The radiation exposure there resulted almost exclusively from the brief flash of X-rays, neutrons and gamma rays at the instant of explosion. Consequently no special effects related to strontium 90 appeared in the children of the survivors; but the rate of cancer deaths among children up to fourteen years in Japan as a whole jumped by more than two hundred percent between 1949 and 1951, four to six years after the bombs, when the fallout had had a chance to produce its effects throughout the southern parts of Japan—exactly the same delay observed after the fallout from Nevada arrived in Albany-Troy.

But the problem remains of demonstrating a direct connection between the levels of strontium 90 in human fetuses and infants, on the one hand, and observed changes in fetal and infant mortality, on the other. Such a direct connection seems to emerge from the so-called "baby-tooth survey" carried out by the Dental School of Washington University in St. Louis, supported by the U.S. Public Health Service : nd directed by Dr. H. L. Rosenthal. Using the data from tooth-buds and mandibular bones of aborted fetuses and from baby teeth collected in the greater St. Louis area. Dr. Rosenthal's study showed that the concentration of strontium 90 in the teeth followed closely the measured concentrations in bone and milk. Measurement of the strontium 90 content of milk anywhere in the world permits a calculation of the concentration in the bones of infants and fetuses developing in the same areas. We have found a direct correlation between the yearly changes of strontium 90 contained in the teeth (and therefore the bones and bodies) of the developing human fetus and infant, and the changing excess mortality rates, going up and down together as atmospheric tests began in 1951 and stopped in 1963.

From our examinations of the infant mortality changes from a computer-fitted base line for 1935–1960, for various states in which the Public Health Service reported monthly values of the strontium 90 concentrations in the milk since 1957, there emerges a close correspondence between average strontium 90 levels and infant mortality changes. Whenever the strontium 90 rose to high values over a four-year period, as in Georgia, a large, parallel, year-by-year rise in infant mortality also took place; while in areas where there was little stronium 90 in the milk, as in Texas, the infant mortality remained at a correspondingly lower value. Other states such as Illinois, Missouri, New York and Utah also show a rise, peaking in the same 1962–1965 period levels between these extreme cases, each according to their local annual rainfall and strontium 90 concentrations in their milk.

For the United States as a whole, we found a detailed correspondence between and among: 1) the excess infant mortality relative to the 1935–1950 base line; 2) the total strontium 90 produced by nuclear weapons; 3) the strontium 90 thus produced actually reaching the ground; and 4) the four-year average concentration in U.S. milk from 1955, the year after the first large H-bomb tests; and 1965, the year when strontium 90 concentrations began to level off and started to decline once again.

At the peak of this excess infant mortality, it was the District of Columbia that showed the largest excess in 1966—157 percent, compared with an average excess of 72 percent for the U.S. as a whole. The low value was found in dry New Mexico, minus-eleven percent—actually below the 1935–50 base line.

To appreciate the magnitude of these effects, it must be recognized that in the 1950's about 2.5 to 3.4 infants out of every hundred born in the U.S. died before reaching the age of one year. The average excess infant mortality, therefore, represents close to one child out of one hundred born, or one of every 2.5 to 3.0 that died during the first year of life.

Since about four million children were born annually during this period, close to 40,000 infants one year old or less died in excess of normal expectations each year, totaling some 375,000 by the mid-Sixties and continuing at about 34,000 per year since the end of atmosphere testing by the U.S. and the U.S.S.R.

It is no wonder, then, that infant mortality has been a major concern of our Public Health Service since this trend was first pointed out in 1960 by Dr. M. Moriyama of the National Center for Health Statistics.

However, as Dr. Moriyama and his associates observed during an international conference devoted entirely to infant mortality in 1965, none of the factors so far considered—medical care, population movement, new drugs, pesticides, smoking or epidemics of infectious disease—suffices to explain the observed facts.

That the recent excesses in infant mortality cannot readily be explained by medical and socioeconomic factors normally influencing mortality trends may be seen from an examination of the death rate in the various states following the Alamogordo blast. At the University of Pittsburgh, we have plotted the percentile infant mortality excesses or decrements relative to the computer-determined 1940–1945 base line for the first and fifth years after Alamogordo. In 1946, one year after the detonation, there was no sign of any excess infant mortality in the states downwind from New Mexico; but by 1950 a clear change toward excess infant mortality appeared in the states over which the fallout cloud had drifted, and only in those states. Furthermore, the excess mortalities are seen to be distributed in such a pattern as might be expected from nuclear fallout originating in New Mexico, since the effects are lowest in the dry area of western Texas, and largest in the areas of heavy rainfall first encountered by the cloud, namely Arkansas, Louisiana, Mississippi and Alabama, declining steadily thereafter toward the Atlantic.

The only other area that showed a clear excess infant mortality greater than ten percent as compared to the 1940–1945 period was found to be North Dakota. There, subsequent measurements of strontium 90 in the milk, carried out by the Health and Safety Laboratories of the Atomic Energy Commission, revealed the highest concentrations anywhere in the U.S. for which data is available prior to 1960. The causes of this "hot spot" are not yet fully understood, but they are quite possibly connected with known accidental discharges of radioactivity from the Hanford plant of the Manhattan Project, directly to the west, in the early years of its operation, where the fissionable plutonium for most of the nuclear weapons was produced beginning in 1944.

Since no excess infant mortality was registered along the path of the New Mexico fallout cloud in the first year after the detonation, the deaths occurring downwind in later years could not have resulted from the direct effects of external radiation from fallout on the developing embryo. It becomes clear then that we are dealing with an effect on the reproductive cells of the parents, or a so-called genetic effect.

The evidence available so far therefore suggests that radioactive strontium appears to be a far more serious hazard to man through its long-lasting action on the genetic material of the mammalian cell than had been expected on the basis of its well-known

tendency to be incorporated into bone. The resultant effect appears to express itself most noticeably in excess fetal and infant mortality rates among the children born two or more years after a nuclear explosion. Presumably such factors as lowered birth weight and reduced ability to resist ordinary infectious diseases are involved, accounting for the greatest increase in infant mortality in the U.S. as compared to the advanced countries of Western Europe since the early 1950's. Children who receive adequate medical care are more likely to survive these factors than those who do not.

What does all this imply for the debate over the deployment of new nuclear weapons systems, such as the A.B.M. or the M.I.R.V. (Multiple Independent Reentry Vehicle), carrying many nuclear warheads in a single missile? To appreciate the probable genetic effects of a large nuclear war, we can consider first the effect of small tactical-size nuclear weapons comparable to the 20 kiloton bombs detonated over Hiroshima, Nagasaki, and in the desert of Alamogordo. Since increases of some 20 to 30 percent excess infant mortality were observed from a thousand to fifteen hundred miles downwind in Arkansas, Alabama and Louisiana, where mortality rates were between 3 and 4.5 per hundred live births, the detonation of a single, small tactical-size nuclear weapon on the ground in the western United States appears to have led to one out of one hundred children born subsequently dying before reaching the age of one year. Therefore, the detonation of a hundred or so weapons of this size, amounting to the equivalent of only two megatons in the form of small warheads, would be expected to lead to essentially *no* children surviving to maturity in the states directly downwind.

But according to former Defense Secretary Clark Clifford, speaking at a N.A.T.O. conference in the Fall of 1968, we have close to eight thousand tactical nuclear weapons in the kiloton range ready to be released in order to protect our European allies from a ground attack by Russia. Thus, we would probably achieve the protection of Western Europe at the cost of the biological end of these nations through the death of the children of the survivors, together with the likely death of most children subsequently born to the people of Eastern Europe, Russia and China as the radioactive clouds drift eastward around the world until they reach the United States. Thus, the use of the biologically most destructive small nuclear weapons in tactical warfare now appears to be at least as self-defeating as the release of large quantities of nerve gas, killing indiscriminately soldiers and civilians, friends and enemies alike.

But, what about the use of large megaton warheads in a massive first strike or in A.B.M. missiles detonated high up in the stratosphere or outer space, as proposed for the Spartan missile that is to provide us with an impenetrable shield against a first strike attack by large Chinese or Russian missiles in the 1970's?

According to the figures on infant mortality in the United States, based on the testing of large hydrogen weapons in the Pacific and Siberia, both in the atmosphere and outer space, close to one out of every one hundred children born are likely to have died as the result of only about 200 megatons worth of fission products into the world's atmosphere, under conditions which were especially designed to minimize the possible effects on health.

According to the testimony of Defense Secretary Melvin Laird in the Spring of 1969, the U.S.S.R. will have the capability of launching some 500 SS–9 missiles, each capable of carrying 25 megatons worth of bombs in the form of many multiple warheads, or a total of some 1500 to 2500 warheads. Together with comparable numbers launched by smaller missiles, the total megatonnage would therefore be of the order of 10 to 20,000 megatons needed in a first strike that attempts to destroy most of our thousands of missiles and bombers at the same time.

Thus, the threat of a first strike by Russia loses all credibility since, in order to have any chance at all of preventing devastating retaliation, it would necessarily have to release so much radioactivity into the circulating atmosphere that it would lead to the death of most Russian infants born in the next generation, ending the existence of the Russian people together with that of all mankind.

Since it takes at least three to five Anti-Ballistic Missiles launched to insure a high probability of interception, the U.S. must be prepared to launch some 5000 to 15,000 A.B.M.'s in order to provide a meaningful "shield" against such a massive attack.

We know that each Spartan missile must contain a warhead of at least 2 megatons to produce a sufficiently intense X-ray pulse to achieve interception, so that the use of this system to protect our own missiles and cities would require the detonation of some 10,000 to 30,000 megatons into the stratosphere, not counting any radioactivity from the Russian warheads, from our own counterstrike, or from the Russian A.B.M. missiles.

Thus, even if anti-missile systems were to work with ideal perfection on both sides, preserving every home, every school, and every factory from destruction, the release of long-lived radioactive materials would produce more than a hundred times as much radioactive poison as during all the years of peacetime testing. Based on the excess mortality observed during the period of testing, this would most likely be sufficient to insure that few if any children anywhere in the world would grow to maturity to give rise to another generation.

Nor will it make much difference how high above the atmosphere the bombs are detonated, because the strontium 90 takes twenty-eight years to decay to half of its initial activity, long enough for most of it to return to earth well before another generation of children is born. And even if a perfectly "clean" weapon containing no fissionable material at all could ever be developed, the carbon 14 it produces would get into the genetic material controlling the life processes of all living cells, and it takes 5770 years before half of its radioactivity is exhausted.

The implications of the warning mankind has received from the death of its infants during nuclear testing are therefore clear:

Nuclear war, with or without anti-missiles or elaborate shelters, is no longer "thinkable" due to a fatal flaw in the assumptions of all our military war-gamers, namely the unexpectedly severe biological sensitivity of the mammalian reproductive system to genetically important by-products of nuclear weapons, which must now be regarded not merely as vastly destructive explosive and incendiary devices, but as the most powerful biological poison weapons that man has yet invented.

REPORT OF DELOS SEVEN

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. SCHEUER. Mr. Speaker, earlier this month, at the very time three extraordinary Americans were opening up a new page in history by planting mankind's first foot on the moon, 39 citizens of the world were meeting for a week in Greece to devise ways in which mankind could achieve his full potential and true destiny here on earth.

Under the gifted and talented leadership of Constantine Doxiadis, world-famous Greek architect and planner, representatives from Greece, England, Scotland, Brazil, India, France, Nigeria, and the United States conferred on the subject, "Society and Human Settlements: Policies for the Future."

I was privileged to join a very distinguished American contingent consisting of former Undersecretary of HUD Robert C. Wood, former Secretary of the Interior Stewart L. Udall, John W. Riley, vice president, The Equitable Life Assurance Society of the United States, Edwin O. George, president, The Detroit Edison Co., W. McNeil Lowry, The Ford Foundation, Whitney Young, president, National Urban League, Martin Meyerson, president, State University of New York at Buffalo, James A. Perkins, president, Cornell University, Harland Hatcher, formerly president, University of Michigan, Prof. R. Buckminister Fuller, Southern Illinois University, Margaret Mead, curator of ethnology, American Museum of Natural History, among others.

The deliberations produced a thoughtful consensus on achieving better urban systems, facilities, and services and above all a change in worldwide priorities to make these enlightened recommendations a living reality for urban people around the globe.

The thoughtful and creative final report of the conference, and a complete list of the conferees, follow:

REPORT OF DELOS SYMPOSIUM—1969

1. As long ago as the Declaration of Delos One in 1963, we stated:

"The City throughout history, has been the cradle of human civilization and progress. Today, live every other human institution, it is profoundly involved in the deepest and widest revolution ever to overtake mankind."

2. This revolution has broadened and intensified in the intervening years. The unfulfilled expectations of men and women have now become legitimate demands and therefore heighten the need to show visible progress towards their resolution.

THE AGE OF URGENCY: THE NEED TO REORDER PRIORITIES

3. This year, 1969, we realize more acutely that there is a mounting and accelerating impatience in the world, a demand that the major evils be remedied. Now, or, where this is patently impossible, that at least credible steps be taken towards their solution. We recognize particularly that steps must be taken at once, to ensure world order and prevent nuclear disaster, to meet the population explosion, to halt the contamination of air, water and land, to provide food, housing and basic amenities for the billions—5 by the lowest and *most* optimistic count—who will have to be fed and housed by the turn of the century.

4. Today there is a world-wide crisis of urbanization. Most of the inhabitants of the planet are either housed in rural hovels or in the super slums of great cities. The migration to urban areas is a global phenomenon. Population increases as well as many other forces produce new problems faster than they are being solved. There is not only a world-wide crisis of urbanization but there is also a basic distortion of values in society's failure to allocate resources for the improvement of human settlements, the upgrading of the total environment, the strengthening,

protection and education of the young and the equalization and enlargement of individual opportunity.

5. This distortion of basic investment priorities is being dramatized by a value revolution that is the primary preoccupation—and the contribution—of the younger generation, who assert that many of our present institutions, political processes and goals are obsolete and that we have the resources and the technical knowledge to achieve the goals we profess.

6. The recent successes of the space programs of the U.S. and the USSR highlight how high our capacity is for organization, assembly of resources, and application of technical skill, and how woefully low our use of this capacity for the general betterment of mankind. We believe that concentrated programs of this sort should be organized to solve the pressing problems of world order, urbanization, population policies, housing, food supply, education and health, equality and justice, and the interpretations in action of science and technology in the political process.

7. But at the same time it is necessary to deal realistically with those events that are already so much *en train* that there is no short term possibility of altering them—the enormous urban aggregations that already exist; the great numbers of hungry children who are already born, and the contamination of air and bodies of water that has already occurred. How to maintain a balance between establishing immediate provision for those who must be housed and serviced within our present possibilities, whether in Detroit or in Calcutta, and keeping our imagination free and beginning to unfreeze our institutions—this is one problem. How to short cut the kind of integration previously envisaged by a multi-disciplinary approach—which is too slow to meet the sense of urgency of the times—is a second problem which can be met by treating our subject matter as a whole, rather than attempting to fit together its fragmented practitioners. If we treat the living ecology of the planet as a seamless web, within which breaks are disastrous we can plan for the way in which man's construction of an artificial environment can complement and improve the natural environment of this planet. Exploration within the solar system and the use of near space for satellites and rapid transportation exemplify the disciplined use of technology which has been absent in man's exploitive use of the earth itself. Within this living cosmological system, we should no longer seek to maximize isolated effects, one at the expense of another, but seek to optimize and integrate the factors involved for the benefit of man.

8. To this end, we recommend international crash development programs to discover and produce inexpensive and effective new methods of regulating population increase. These should assure that free choice is available to all individuals and all groups to assure the maintenance of personal dignity and ethnic diversity throughout the world. There are other equally important areas of research and development such as biological nitrogen fixation and nonconventional sources of food, e.g. since cell protein or protein from oil derivatives and other sources.

9. With this framework we can look for many variations in the forms of human settlements. We can seek flexible adaptations to the needs of different kinds of national temperaments, to different age groups, to different cultures, to the stages of technical and agricultural development of different countries, and for possibilities of multiple choice and equal access to opportunities. But we recognize also that the human environment is now the entire earth. While the infant presents us with the greatest hope of constructive intervention and protection of human life, small children will be reared from birth in an increasingly planetary environment where news comes in by satellite. In fact, television and radio are crucial for the future in the formation of attitudes on this inter-communicating planet. The importance of mass media increases the importance of providing the best care for infants, and the protection of the infant's total environment as well as that of the immediate family, because it is there that our chance for effective intervention is greatest. At the same time we cannot wait for infants still unborn to change the nature of our society; we must work with members of the four generations now alive, all of whom are capable of change.

THE CRUCIAL ROLE OF POLITICS

10. Our present political processes no longer involve individuals and communities in terms of their deepest interests in the affairs of their small communities, regions, cities, nations and emerging world-wide organizations. We need new attitudes and new political institutions which will permit individuals and small groups to be responsible, initiating, and appropriately involved at every level of the decision making process, while at the same time making full use of the resources of modern science and technology. To mobilize the will of men to act on behalf of the well being of mankind each individual must be able to act with human dignity and to feel assured that his action is effective. Unlike our predecessors, who have labored through the centuries through scarcity and lack of means, we have the resources, we have the technology, we have the means, but we must establish the conditions, that will release the human will to act.

11. In this seventh annual Delos symposion we have dealt particularly with the potentialities of cooperation between economic enterprises and government and the academic professions. We have also dealt with ways of meeting immediate urgent situations within our commitment to long term objectives for the benefit of mankind.

12. The policies connected with human settlements and all of those whose decisions, and practices are related to them, recognize that it is our purpose to construct settlements in which all men, women and children, regardless of previous class, colour or origin in different parts of the earth may reach their fullest individual potential within a setting designed for the common good. In the past, planning has been too separate from politics, political decisionmaking, economic enterprises, social science and technology.

THE NEW OPPORTUNITIES

13. Only by cooperation among all of these, by a focus on the whole system under consideration, from rural villages to urbanized regions and the entire planet, can this separation be overcome. As the point at which the individual can be most efficiently and inexpensively prepared to exercise his fullest potential is by prenatal and immediately post-natal attention, society should give priority to care at this point in the life cycle; but we must recognize that change is possible at every age and that to change any system we must provide for changes of attitude in individuals of all ages. The educational system is a crucial component of the changes that we desire since only through changes in attitudes and development of the will to act can changes be inaugurated and maintained. The fate of the university, as a central institution—an agora—or a dispersal of its functions throughout the entire community, is in question. The solution lies in the relationship between education, increase in knowledge, storage and retrieval of knowledge, and academic life and other sectors of the community.

14. The present state of modern science and technology frees us from some of the determining factors in the past, like location of heavy fuels, need for concentrations of labor, or lack of transportation or communication. It is possible to realize many forms of community and the arts associated with them: to cherish the small face to face community in which the child is not isolated in a nuclear family; to build communities for different levels of rewards and satisfactions and to establish types of high level intercommunication.

15. But we must recognize the realities with which we must at present deal: the huge population that must be fed while we prepare better sources of food and better methods of contraception; the dangers of nuclear warfare and the expenditures on armaments while we prepare better forms of worldwide order and conflict-solving methods; the many decisions which will be made tomorrow, by builders, planners and governments which will further bind the future into which we are moving. But we must also recognize that, as part of a planetary-living ecological system, we are now able to make a complementary man-made system within which the aims of a better life for man become increasingly within our reach.

16. Many of our institutions are now inappropriate and unresponsive. Political processes are breaking down, causing different groups to use extra-institutional forms to express protest. While such collapses have occurred before in history, the increase in scale—to worldwide dimensions—makes a crucial difference. We must decide whether to maintain, defend, transform or destroy (or permit to drop out) some or many of the major institutions which now characterize society. In doing so, we must not confine ourselves only to the institutions of modern industrialized society but we must also take into account the culturally diversified institutions of family and community in different parts of the world. These, too, may have to be changed in such a way that each people can individualize their lives while taking advantage of science and technology to improve them. At the present time, types of political communities, characteristic of earliest isolated village level of human settlements, coexist with cosmopolitan worldwide networks of common interests or special skills.

17. In order to accomplish the objectives which we are able to state, and for which the technology is now available, it is important to involve planning with the academic, economic enterprise and political processes at every level. Furthermore a sense of responsibility and participation must be established at the grassroots, in the smallest community; and linked with each higher level in such a way that individuals are involved, all the way to the top, in decisionmaking regarding the allocation of resources, and choices between different courses of action. There must be provision for feed-back and initiative between all levels of the system, and it must be recognized that the wider the area covered by a decision the more important it is to involve technical experts in interpreting the action to be taken.

18. We should recognize that genuine conflict will arise between individuals and small groups and the wider good, and we must face it frankly in the political arena. The events which have occurred, like the reduction of some portions of mankind to slavery, exploitation, poverty, and second class citizenship, have not been inevitable, but have been the result of definite decisions taken in the past. To improve the condition of the disadvantaged around the world requires definite acts of will, and political implementation of that will. If we describe man as feeling, thinking and acting, we may say that all these three aspects must be involved within the political decision-making process; but that, at present, feeling is the most involved and acting the least. We need to con-

sider that inertia and indifference are produced by lack of communication and sympathy, and that involvement is produced by good communication and adequate political systems.

STEPS TO BE TAKEN

19. Our present forms of political democracy are inadequate by themselves for our present needs, capacities and goals. The method of representation—one trip to the ballot box, "you vote and we will do the rest"—must be altered or supplemented by forms of continuing political participation of an entirely different sort. We need representation not only of geographical units but also of group interest units of many sorts. We must also recognize that with the development of urbanization, the poor, the miserable, the disadvantaged, increase in proportion, and tend to be more geographically segregated. Reconciliations must be found between the values of dispersal within the wider population, on the one hand, and of political power on the other. We must also recognize that we need bi-modal planning for the protection of special milieux necessary for ethnic choice and for special forms of artistic creativity.

20. It is necessary to have a framework of theory within which to place the problems of micro groups. The more complex the system, given today's technology, the greater the possibilities for individual choice, for quality of human contacts and for multiple group relationships.

RESISTANCES TO CHANGE

21. All over the world, under conditions of rapid change, new social classes are formed that are highly vulnerable to the fear of loss of their recently attained status. Such groups—the new middle class in the U.S., new urban elites in some emerging countries, etc.—tend to be deeply hostile to any change which involves loss of their recently attained privileges. They are also responsive to externally set styles, such as inclusiveness or to the use of resources for social goals. The involvement of the most privileged and best educated in the cause of the poor and disadvantaged is complementary.

22. Political responsibility and involvement can result from an effective communication of the costs of lack of responsibility and lack of commitment of resources. For example in the U.S. investments in an infant's health may save tenfold their cost of adolescent rehabilitation or one hundred fold in treatment of a criminal later. Around the world unless larger resources are allocated to housing, education, health, welfare, waste disposal, police and parks and to domestic amenities for working mothers, the situation of our urban settlements will continue to deteriorate. On the other hand, any city or region or nation which takes all of these matters into account should have a very rapid pay-off. The managers of economic enterprises can also come to realize the loss of intellectual resources attendant on outmigration, or the loss in trained manpower, or in consumption capacity, attendant on inadequate local education.

23. We need to estimate the consequences of different kinds of action within a given direction of change. Great waves of change contain wavelets of different scale. Institutions must be goal-seeking not goal-setting. We must recognize that in many areas of the world, one man's gain is no longer another man's loss, but that in other areas there is genuine scarcity, and the need for very harsh priority-setting is essential. And it is necessary, in all cases, to balance minimum desirable goals against minimum possibilities of attainment. Where change is introduced simultaneously, as in the introduction of new agricultural techniques into the old village system in India, or where all generations are permitted to participate in change, many difficulties can be overcome and the new technologies can be combined with the older cultural identity. As peoples enter the wider technological system at different periods in technical development, it is not necessary for each country to traverse the same steps, but higher technology can be used to take short cuts to development.

At the same time, it is necessary to keep in mind that long term trends of development have tended to be very similar, in spite of the fact that curves of development are not smooth, and vary greatly over short time periods.

24. The desperate urgency of our present situation requires immediate action, and we have enough knowledge to move forward far more effectively here and now. This intensive short term action will buy mankind the time in which to pursue the basic research needed to cope with the long-run problems of man in society.

25. Unsolved problems of great urgency included: How the political process is to be actually involved? What is the role of political parties? Can large political parties accomplish the desired ends, or would smaller parties do better? How is scientific know-how to be communicated to politicians, legislators or administrators, in time? Who, within the governmental apparatus, is to receive communications from science that are external to the governmental process? Where is the center of decision-making to lie, to whom is it to be accountable, and in what forms? Finally the whole question of the way human interactions determine the shape of human institutions and how the process of institutional change can be shaped purposefully.

26. These questions we cannot now answer with confidence. But this we know: if man is to have the life he wants and deserves, and that his resources would permit him to enjoy, he must join together with others at every level determined to shape their joint future.

LIST OF DELIANS—DELOS SEVEN

Robert A. Aldrich (USA), Director, Health Resources Study Center, University of Washington; William Benton (USA), Chairman and Publisher, Encyclopedia Britannica; Willard Brown (USA), President, University Circle Research Center, Cleveland, Ohio.

Carlos Chagas (Brazil), Ambassador to UNESCO, Paris; Karl W. Deutsch (USA), Professor of Government, Harvard University; C. A. Doxiadis (Greece), President, Athens Technological Organization.

Spyros Doxiadis (Greece), Chairman, Institute of Child Health, Athens, Director, Aghia Sophia Children's Hospital, Athens; R. Buckminster Fuller (USA), University Professor of Generalized Design Science Exploration, Southern Illinois University; Edwin O. George (USA), President, The Detroit Edison Company.

Jean Gottmann (France), Professor of Geography both at Oxford University, England, and at the Ecole Pratique des Hautes Etudes, France; Roger Gregoire (France), Conseiller d'Etat; Harland Hatcher (USA), formerly President, University of Michigan, Ann Arbor.

Suzanne Keller (Mrs. Huber) USA, Professor of Sociology, Princeton University, New Jersey; T. Adeoye Lambo (Nigeria), Professor of Psychiatry, Neurology & Neurosurgery, Ibadan University; Lord Llewelyn-Davies (UK), Professor of Architecture, University College, London.

Reginald S. Lourie (USA), Professor of Pediatric Psychiatry, George Washington University; W. McNeil Lowry (USA), Vice-President, Division of Humanities and the Arts, The Ford Foundation; Carl Maston (USA), Architect, Fellow American Institute of Architects, Los Angeles, Calif.

Sir Robert Matthew (UK), Professor of Architecture, Edinburgh University; Margaret Mead (USA), Curator of Ethnology, American Museum of Natural History; Robert Merton (USA), Chairman, Sociology Department, Columbia University.

Martin Meyerson (USA), President, State University of New York at Buffalo; Robert B. Mitchell (USA), Director, Center for Urban Research & Experiment, University of Pennsylvania; Jérôme Monod (France), Délégué à l'Aménagement du Territoire et à l'Action Régionale, Paris.

Hasan Ozbekhan (USA), Executive (Planning and International Development), Worldwide Information Systems, Inc.; James A. Perkins (USA), President, Cornell University; John Platt (USA), Research Biophysicist and Associate Director, Mental Health Research Institute, University of Michigan.

John W. Riley (USA), Vice President, The Equitable Life Assurance Society of the United States; E. A. G. Robinson (UK), Professor Emeritus of Economics, Cambridge University, England; W. W. Rostow (USA), Professor of Economic History, the University of Texas at Austin.

Vikram Sarabhai (India), Chairman, Atomic Energy Commmission of India, Secretary, Government of India; James H. Scheuer (USA), Member of US House of Representatives for the 21st Congressional District, Bronx, New York; Marietta Tree (USA), Director, United Nations Association.

Constantin A. Trypanis (Greece), Professor of Classics, University of Chicago; Jean-Paul Trystram (France), Professor à la Faculté des Lettres et Sciences Humaines de Lille, and Chargé de Mission à la Délégation à l'Aménagement du Territoire et à l'Action Régionale, Paris.

Stewart L. Udall (USA), Chairman of the Board, The Overview Group; C. H. Waddington (UK), Professor of Animal Genetics, Edinburgh University.

Robert Wood (USA), Head, Dept. of Political Science, M.I.T., Director, Joint Center for Urban Studies of M.I.T. and Harvard, Chairman, Urban Coordinating Group, M.I.T.; Whitney Young (USA), President, National Urban League.

STATEMENT ON THE ASTRONAUTS

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. MARSH. Mr. Speaker, on the eve of the Apollo 11 flight, that well-known American commentator, Eric Sevareid, made, I think, a highly perceptive statement on the three astronauts who took part in this historic mission. Because of its insights, I wanted to bring to the attention of other Members of the House who may not have heard Mr. Sevareid's observations, the statement which he made on the CBS evening news with Mr. Walter Cronkite on July 15, 1969.

The statement follows:

STATEMENT BY ERIC SEVAREID

The modern sciences of rocketry, radar and computerization came together in remarkable coincidence to make Apollo 11 possible. But the feat is wholly human, all flesh and blood. Every gadget represents a thought and a hand. There's no such thing as a technical success or failure, only human.

It is the three men who fly tomorrow who are mysterious, not their equipment. The three are almost exactly the same age, height and weight. They vary in aspects of temperament, but there, too, they share a common denominator. They are a hybrid species. All three are symbolic of the organization man, the cooperator, but each remains in this corps a loner, inner-directed, as were Lind-

berg and John Glenn, individualists who will function as cogs in a vast human machine.

Lindberg, Glenn, now in all probability Armstrong, these three will stand as the supreme American heroes of the age. All three happen to have been boys in small, midwestern towns. Perhaps there is something in the mystique, the folk image, of the small American town and its formative influences. They have security, they have leisure to prowl and to dream. Innocence existed; sophisticated tensions did not press upon them. Intellectuals of literary bent seem disappointed that their speech does not match the eloquence of their feat. But it is the silent artists, like Armstrong, Aldrin and Collins, the men who see beauty in the machinery and its functions, who do the thing.

Artists they are, because they are perfectionists seeking the outer limits of their strength and their talents. Were they men of words, were their minds occupied with poetic imagery or philosophical abstractions as they fly, they would surely fail.

They are the men of Apollo 11 by the luck of the draw, but Armstrong will put the first foot down upon the moon by somebody's deliberate decision. And it is a logical suspicion that he is the chosen one not only by reason of his undoubted competence and civilian status, but also by reason of his personality and appearance.

If the mission succeeds, this man will become the symbolic American to the world. He fits the stereotype, the folk image of the all-American boy, the kid next door. He has all his hair, he has frank blue eyes, his smile is a slightly shy half-grin. And he has the inner strength to bear his country's pride to the rest of the world, strength he will need, not only for his country but for himself and for his family. His life and theirs will never be the same again.

NARCOTICS AND DANGEROUS DRUGS

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. TUNNEY. Mr. Speaker, for the last several months I have viewed with growing alarm the lack of effective action being taken to stem the flow of narcotics and dangerous drugs being smuggled into the United States from Mexico.

By June, when no signs of improvement were visible on the horizon, I undertook my own factfinding tour of the border at San Ysidro, Calif. What I saw there in a few short hours convinced me of the need for a congressional hearing to obtain additional evidence upon which to base effective legislation.

At my initiation, four California colleagues joined me in conducting such a hearing in San Diego just 3 weeks ago. Not altogether surprisingly, the testimony we obtained confirmed our worst fears.

Drug smuggling is rapidly becoming a major scandal of national proportions. Despite the best efforts of a sadly undermanned Customs staff, narcotics, and dangerous drugs are flowing across the border in increasing quantity like sand through a sieve.

Arrests at the border for attempted smuggling—which border officials readily admit only skims the surface—have increased 14 times since 1960. More than 35 tons of marihuana were seized last year—an increase of over 20 percent just in the past 6 years. Some five million five-grain units of amphetmaines and barbiturates were seized in 1968 alone.

Inspectors are forced to cope with a crushing volume of people crossing the border daily. Yet, the number of inspectors and border station operations have remained basically unchanged for the last 5 years. As a result, only 1 percent of the vehicles entering the United States are ever searched, and the decision to conduct a search often must be made on little more than an inspector's intuition.

In the past few weeks, Mr. Speaker, I have introduced two specific bills to strike directly at the core of this illegal drug traffic. One bill would increase by 50 percent the number of border inspectors in California, where most of the smuggling is concentrated. The other bill directs the responsible Federal agencies to investigate the means by which to cut off the flow of dangerous drugs manufactured in this country and smuggled back and forth into Mexico and the United States.

Today, I am introducing a third bill to ultimately arm the border inspector with more than his intuition as a weapon against the smugglers. This new bill directs the Secretary of the Treasury to embark on the research and development of modern devices and techniques to detect concealed narcotics and dangerous drugs.

I was astounded to learn at our San Diego hearing, Mr. Speaker, that the Bureau of Customs presently conducts not one bit of research and development to improve its surveillance techniques and equipment. The sum total of its efforts revolves around checking a few devices of amateur inventors—reviewing military research to find new gadgets that could be converted—or waiting to see what is produced on the commercial market that might be adaptable.

In view of the smuggling problem, this paucity of ongoing research and development is downright ludicrous. The executive branch spends billions on military research and development projects. Yet, the Customs agency—whose surveillance of goods crossing our borders was among the first authorizations of Congress clear back to 1789—conducts no research and development toward winning its war on drug smuggling.

Our Federal agents are being overwhelmed at the border by the increasing volume of vehicular and pedestrian traffic. Though more manpower is urgently needed now to catch up with the present crisis, the time will come in the not too distant future when increased workloads cannot be met simply by adding more and more people in the absence of concerted efforts to use personnel more wisely.

The agents, themselves, literally plead for new techniques and new devices to perform their jobs more effectively and efficiently. It is high time we gave them something more than horse-and-buggy tactics. Reliance upon intuition provides a thin line of defense. We have got to bring our modern technology into the battle.

I urge all my colleagues to join me in supporting this legislation. The time for action is now; prolonging the procrastination will perpetuate the smuggling.

HOUSE OF REPRESENTATIVES—*Friday, August 1, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Where two or three are gathered together in My name, there am I in the midst of them.—Matthew 18: 20.

O God and Father of us all, at this noontide hour we pray that Thou wilt touch our spirits and transform our souls by Thy grace that we may have strength for the day, courage with each hour, and peace in every moment.

Kindle within us the fire of Thy spirit and warm our hearts with the power of Thy presence that in the time of trouble we may be equal to every experience, ready for every responsibility, and adequate for every task.

Grant that we may see Thy way more clearly and be given wisdom to work with Thee in making the world a better place in which Thy children can live together in abundant happiness, in abounding harmony, and in abiding hope.

In the Master's name, we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendment of the House to a joint resolution of the Senate of the following title:

S.J. Res. 85. Joint resolution to provide for the designation of the period from August 26, 1969, through September 1, 1969, as "National Archery Week."

PROVIDING FOR AGREEING TO THE SENATE AMENDMENTS TO H.R. 9951

Mr. COLMER, from the Committee on Rules, reported the following privileged resolution (H. Res. 509) (Rept. No. 91–412), which was referred to the House Calendar and ordered to be printed:

H. RES. 509

Resolved, That immediately upon the adoption of this resolution the bill (H.R.

9951) to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal years 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account by the amounts so excluded; and for other purposes, with the Senate amendment thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate amendment be, and the same is hereby agreed to.

THE TAX REFORM ACT OF 1969

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the text of H.R. 13270, the Tax Reform Act of 1969, be printed in the body of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. GROSS. Mr. Speaker, reserving the right to object, I wish the gentleman would state for my benefit, as well as the benefit of other Members of the House, the procedure that is to be followed in the consideration of the tax matter; whether continuance of the surtax is to be treated as a separate matter, with a separate vote on the tax reform bill. I am at some loss to understand clearly the procedure.

Mr. MILLS. If the majority leader will bear with me, it is my understanding that this resolution from the Rules Committee just filed by the chairman will be considered by the House on Monday next—August 4.

That is, the Senate amendment involving the 10-percent surcharge which will be considered on Monday, August 4.

Then I have asked permission of the chairman of the Rules Committee to appear before the Rules Committee along with the gentleman from Wisconsin (Mr. BYRNES) in behalf of the rule on the tax reform bill on Tuesday of next week—August 5. And if that is done, and if our request for a rule is granted, it is my understanding also from the majority leader that the bill will be scheduled for consideration on Wednesday and Thursday—August 6 and 7. It will take 2 days, I am sure, of debate, but it will be my expectation and intention that we would vote on the bill before adjournment on Thursday, August 7.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the majority leader.

Mr. ALBERT. Mr. Speaker, I know the gentleman will agree with me that the distinguished chairman of the Ways and Means Committee is performing a service for the House in getting this matter ready for Members at an early stage, and I am sure the gentleman deserves commendation.

Mr. GROSS. Although I do not support the surtax, it is also a service to the Nation as well as Members of the House, I am sure the gentleman would agree, to reach a decision in this matter.

That does mean that we will have a separate vote on continuation of the surtax?

Mr. MILLS. Mr. Speaker, if the gentleman will yield further, I want to make it eminently clear to my friend, the gentleman from Iowa, that the 10-percent surtax that the Senate voted for 6 months is to be considered on Monday. That is for 6 months.

There is contained in the reform bill everything else that was in the bill that passed the House on June 30—the 5-percent surtax for the last 6 months, the repeal of the 7-percent investment tax credit, the extension of the excise taxes, and all the other matters that were in that bill. We want them in this bill in order that the Senate cannot prevent us from having a conference on those matters by not taking action on the remainder of the bill that we passed on June 30.

Mr. GROSS. Mr. Speaker, I thank the gentleman for his explanation.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. COLMER. Mr. Speaker, further reserving the right to object, if I may, I would like to commend the able and distinguished gentleman from Arkansas, the chairman of the Ways and Means Committee, for the objective sought here, and the parliamentary situation which he proposes to follow, so that we do not permit the other body to further erode the powers of this body by writing legislation on revenue matters, which is specifically reserved to this, the populous representative body of the Congress, as elected by the people.

At the same time, Mr. Speaker, I am going to want to talk with my friend, the gentleman from Arkansas, a little later on, privately about the procedure on this rule that involves so many things under this so-called reform bill. It is a very far-reaching matter, and it is something that the Members should have knowledge of before they are called upon to vote. I want to follow that up with my friend later.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

H.R. 13270

A bill to reform the income tax laws

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the "Tax Reform Act of 1969".

(b) TABLE OF CONTENTS.—

TITLE I—TAX EXEMPT ORGANIZATIONS

SUBTITLE A—PRIVATE FOUNDATIONS

Sec. 101. Private foundations.

SUBTITLE B—OTHER TAX EXEMPT ORGANIZATIONS

Sec. 121. Tax on unrelated business income.

TITLE II—INDIVIDUAL DEDUCTIONS

SUBTITLE A—CHARITABLE CONTRIBUTIONS

Sec. 201. Charitable contributions.

SUBTITLE B—FARM LOSSES, ETC.

Sec. 211. Gain from disposition of property used in farming where farm losses offset nonfarm income.

Sec. 212. Livestock.

Sec. 213. Hobby losses.

SUBTITLE C—INTEREST

Sec. 221. Interest.

SUBTITLE D—MOVING EXPENSES

Sec. 231. Moving expenses.

TITLE III—OTHER ADJUSTMENTS PRIMARILY AFFECTING INDIVIDUALS

SUBTITLE A—LIMIT ON TAX PREFERENCES AND ALLOCATION OF DEDUCTIONS

Sec. 301. Limit on tax preferences for individuals, estates, and trusts.

Sec. 302. Allocation of deductions.

SUBTITLE B—INCOME AVERAGING

Sec. 311. Income averaging.

SUBTITLE C—RESTRICTED PROPERTY

Sec. 321. Restricted property.

SUBTITLE D—OTHER DEFERRED COMPENSATION

Sec. 331. Deferred compensation.

SUBTITLE E—ACCUMULATION TRUSTS, MULTIPLE TRUSTS, ETC.

Sec. 341. Treatment of excess distributions by trusts.

Sec. 342. Trust income for benefit of a spouse.

TITLE IV—ADJUSTMENTS PRIMARILY AFFECTING CORPORATIONS

SUBTITLE A—MULTIPLE CORPORATIONS

Sec. 401. Multiple corporations.

SUBTITLE B—DEBT-FINANCED CORPORATE ACQUISITIONS AND RELATED PROBLEMS

Sec. 411. Interest on indebtedness incurred by corporations to acquire stock or assets of another corporation.

Sec. 412. Installment method.

Sec. 413. Bonds and other evidences of indebtedness.

Sec. 414. Limitation on deduction of bond premium upon repurchase.

SUBTITLE C—STOCK DIVIDENDS

Sec. 421. Stock dividends.

SUBTITLE D—FOREIGN TAX CREDIT

Sec. 431. Foreign tax credit reduction in case of foreign losses.

Sec. 432. Separate limitation on foreign tax credit with respect to foreign mineral income.

SUBTITLE E—FINANCIAL INSTITUTIONS

Sec. 441. Reserve for losses on loans; net operating loss carrybacks.

Sec. 442. Mutual savings banks, etc.

Sec. 443. Treatment of bonds, etc., held by financial institutions.

Sec. 444. Foreign deposits in United States banks.

SUBTITLE F—DEPRECIATION ALLOWED REGULATED INDUSTRIES; EARNINGS AND PROFITS ADJUSTMENT FOR DEPRECIATION

Sec. 451. Public utility property.

Sec. 452. Effect on earnings and profits.

SUBTITLE G—ALTERNATIVE CAPITAL GAIN RATE FOR CORPORATIONS

Sec. 461. Increase in rate.

TITLE V—ADJUSTMENTS AFFECTING INDIVIDUALS AND CORPORATIONS

SUBTITLE A—NATURAL RESOURCES

Sec. 501. Natural resources.

SUBTITLE B—CAPITAL GAINS AND LOSSES

Sec. 511. Repeal of alternative capital gains tax for individuals.

Sec. 512. Capital losses of individuals.

Sec. 513. Letters, memorandums, etc.

Sec. 514. Holding period of capital assets.

Sec. 515. Total distributions from qualified pension, etc., plans.

Sec. 516. Other changes in capital gains treatment.

SUBTITLE C—REAL ESTATE DEPRECIATION
Sec. 521. Depreciation of real estate.
SUBTITLE D—COOPERATIVES
Sec. 531. Cooperatives.
SUBTITLE E—SUBCHAPTER S CORPORATIONS
Sec. 541. Qualified pension, etc., plans of small business corporations.
TITLE VI—STATE AND LOCAL OBLIGATIONS
Sec. 601. Interest on certain governmental obligations.
Sec. 602. United States to pay fixed percentage of interest yield on taxable issues.
TITLE VII—EXTENSION OF TAX SURCHARGE AND EXCISE TAXES; TERMINATION OF INVESTMENT CREDIT
Sec. 701. Extension of tax surcharge at 5 percent rate for first half of 1970.
Sec. 702. Continuation of excise taxes on communications services and on automobiles.
Sec. 703. Termination of investment credit.
Sec. 704. Amortization of pollution control facilities.
Sec. 705. Depreciation of certain railroad rolling stock.
TITLE VIII—ADJUSTMENT OF TAX BURDEN FOR INDIVIDUALS
Sec. 801. Low income allowance; increase in standard deduction.
Sec. 802. Fifty-percent maximum rate on earned income.
Sec. 803. Intermediate tax rates; and surviving spouse treatment.
Sec. 804. Tax rates.
Sec. 805. Collection of income tax at source on wages.

(c) AMENDMENT OF 1954 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1954.

TITLE I—TAX EXEMPT ORGANIZATIONS

SUBTITLE A—PRIVATE FOUNDATIONS

SEC. 101. PRIVATE FOUNDATIONS

(a) IN GENERAL.—Subchapter F of chapter 1 (relating to exempt organizations) is amended by redesignating parts II, III, and IV as parts II, IV, and V, respectively, and by inserting after part I the following new part:

"PART II—PRIVATE FOUNDATIONS

"Sec. 506. Tax on private foundation investment income.
"Sec. 507. Tax on termination of private foundation status.
"Sec. 508. Special rules with respect to section 501(c)(3) organizations.
"Sec. 509. Private foundation defined.

"SEC. 506. TAX ON PRIVATE FOUNDATION INVESTMENT INCOME.

"(a) IMPOSITION OF TAX.—There is hereby imposed for each taxable year on the net investment income of every private foundation (as defined in section 509) a tax equal to 7½ percent of such income.

"(b) NET INVESTMENT INCOME DEFINED.—

"(1) IN GENERAL.—For purposes of subsection (a), the net investment income is the amount by which (A) the gross investment income and the net capital gain, exceed (B) the deductions allowed by paragraph (3) and the net capital loss.

"(2) GROSS INVESTMENT INCOME.—For purposes of paragraph (1), the term 'gross investment income' means the gross amount of income from interest, dividends, rents, and royalties, but not including any such income to the extent included in computing the tax imposed by section 511.

"(3) DEDUCTIONS.—For purposes of paragraph (1), there shall be allowed as a deduction all the ordinary and necessary expenses paid or incurred for the production or collection of gross investment income or for the management, conservation, or maintenance of property held for the production of such income.

"(4) CAPITAL GAINS AND LOSSES.—For purposes of paragraph (1), in determining net capital gain or loss—

"(A) The basis of property held by the private foundation on December 31, 1969, and continuously thereafter to the date of its disposition shall be deemed to be not less than the fair market value of such property on December 31, 1969.

"(B) There shall be taken into account only the sale or other disposition of property used for the production of interest, dividends, rents, and royalties, and property used for the production of income included in computing the tax imposed by section 511 (except to the extent gain or loss from the sale or other disposition of such property is taken into account for purposes of such tax).

"SEC. 507. TAX ON TERMINATION OF PRIVATE FOUNDATION STATUS.

"(a) GENERAL RULE.—There is hereby imposed on each organization which is referred to in subsection (d) or (e) of section 508 a tax equal to the lower of—

"(1) the amount which the private foundation substantiates by adequate records or other corroborating evidence as the aggregate tax benefit resulting from the section 501(c)(3) status of such foundation, or

"(2) the value of the net assets of such foundation.

"(b) AGGREGATE TAX BENEFIT.—

"(1) IN GENERAL.—For purposes of subsection (a), the aggregate tax benefit resulting from the section 501(c)(3) status of any private foundation is the sum of—

"(A) the aggregate increases in tax under chapters 1, 11, and 12 (or the corresponding provisions of prior law) which would have been imposed with respect to all substantial contributors to the foundation if deductions for all contributions made by such contributors to the foundation after February 28, 1913, had been disallowed, and

"(B) the aggregate increases in tax under chapter 1 (or the corresponding provisions of prior law) which would have been imposed with respect to the income of the private foundation for taxable years beginning after December 31, 1912, if (i) it had not been exempt from tax under section 501(a) (or the corresponding provisions of prior law), and (ii) in the case of a trust, deductions under section 642 (c) (or the corresponding provisions of prior law) had been limited to 20 percent of the taxable income of the trust (computed without the benefit of section 642 (c) but with the benefit of section 170(b)(1)(B)), and

"(C) interest on the increases in tax determined under subparagraphs (A) and (B) from the first date on which each such increase would have been due and payable to the date on which the private foundation ceases to be a section 501(c)(3) organization.

"(2) SUBSTANTIAL CONTRIBUTOR.—For purposes of paragraph (1), the term 'substantial contributor' means—

"(A) any person who (by himself or with his spouse) contributed more than $5,000 to the private foundation in any one calendar year (or bequeathed more than $5,000 to the private foundation), and

"(B) any person who (by himself or with his spouse) contributed or bequeathed the greatest amount to the foundation in any one calendar year.

In the case of a trust, such term also includes the creator of such trust.

"(3) REGULATIONS.—For purposes of this section, the determination as to whether and to what extent there would have been any increase in tax shall be made in accordance with regulations prescribed by the Secretary or his delegate.

"(c) VALUE OF ASSETS.—For purposes of subsection (a), the value of the net assets shall be determined at whichever time such value is higher: (1) the first day on which action is taken by the private foundation which culminates in its ceasing to be a section 501(c)(3) organization, or (2) the day on which it ceases to be a section 501(c)(3) organization.

"(d) LIABILITY IN CASE OF TRANSFERS OF ASSETS FROM PRIVATE FOUNDATION.—For purposes of determining liability for the tax imposed by subsection (a) in the case of assets transferred by the private foundation such tax shall be deemed to have been imposed on the first day on which action is taken by the private foundation which culminates in its ceasing to be a section 501(c)(3) organization.

"(e) ABATEMENT OF TAXES.—The Secretary or his delegate may abate the unpaid portion of the assessment of any tax imposed by subsection (a), or any liability in respect thereof, if the private foundation—

"(1) has operated as a section 501(c)(3) organization which meets the requirements of paragraph (1), (2), or (3) of section 509 (a) for a continuous period of at least 60 calendar months beginning after December 31, 1969, or

"(2) distributes all of its net assets to one or more organizations specified in section 170(b)(1)(B) each of which has been in existence and met the requirements of section 170(b)(1)(B) for a continuous period of at least 60 calendar months.

"(f) DISALLOWANCE OF CERTAIN CHARITABLE, ETC., DEDUCTIONS.—

"(1) GIFT OR BEQUEST TO PRIVATE FOUNDATION OR SECTION 4947 TRUST.—No gift or bequest made to an organization described in section 509(a) or a trust described in section 4947(a), which is liable for the tax imposed by subsection (a) or section 4947(b)(1), shall be allowed as a deduction under section 170, 545(b)(2), 642(c), 2055, 2106(a)(2), or 2522, if such gift or bequest is made—

"(A) by any person after notification is made under subsection (d) or (e) of section 508 or under section 4947(b)(1), or

"(B) by a substantial contributor (as defined in subsection (b)(2)) in his taxable year which includes the first day on which action is taken by such organization or trust which culminates in the imposition of tax under subsection (a) or section 4047(b)(1) and any subsequent taxable year.

"(2) EXCEPTION.—Paragraph (1) shall not apply if the tax imposed by subsection (a) or section 4947(b)(1) is abated by the Secretary or his delegate under subsection (e) or section 4947(b)(5).

"SEC. 508. SPECIAL RULES WITH RESPECT TO SECTION 501(c)(3) ORGANIZATIONS.

"(a) NEW ORGANIZATIONS MUST NOTIFY SECRETARY THAT THEY ARE APPLYING FOR RECOGNITION OF SECTION 501(c)(3) STATUS.—An organization organized after May 26, 1969, shall not be treated as an organization described in section 501(c)(3) which is exempt from taxation under section 501(a) unless it has notified the Secretary or his delegate, at such time and in such manner as the Secretary or his delegate may by regulations prescribe, that it is applying for recognition of such status.

"(b) PRESUMPTION THAT ORGANIZATIONS ARE PRIVATE FOUNDATIONS.—Any organization (including an organization in existence on May 26, 1969) which is described in section 501(c)(3) and which does not notify the Secretary or his delegate, at such time and in such manner as the Secretary or his delegate may by regulations prescribe, that it is not a private foundation shall be presumed to be a private foundation.

"(c) EXCEPTIONS.—The Secretary or his delegate may by regulations exempt (to the extent and subject to such conditions as may be prescribed in such regulations) from the provisions of subsection (a) or (b) or both—

"(1) churches (or conventions or associations of churches);

"(2) educational organizations which normally maintain a regular faculty and curriculum and normally have a regularly enrolled body of pupils or students in attendance at the place where their educational activities are regularly carried on; and

"(3) any other class of organizations where the Secretary or his delegate determines that full compliance with the provisions of subsections (a) and (b) is not necessary to the efficient administration of the provisions of this title relating to private foundations.

"(d) VOLUNTARY TERMINATION OF STATUS AS PRIVATE FOUNDATION.—Any private foundation may terminate its status as such by notifying the Secretary or his delegate (at such time and in such manner as the Secretary or his delegate may by regulations prescribe) of its plan to accomplish such termination and by complying with subsection (a) or (e) of section 507 (relating to tax on termination of private foundation status).

"(e) REQUIREMENT OF TERMINATION.—If—

"(1) the Secretary or his delegate notifies any organization that he is invoking this subsection with respect to such organization, and

"(2) with respect to such organization, there have been either willful repeated acts (or failures to act), or a willful and flagrant act (or failure to act), giving rise to liability for tax under chapter 42,

then such organization shall be liable for the tax imposed by section 507. In the case of any organization which has complied with subsection (a) or (e) of section 507, the status of such organization as a private foundation shall be terminated.

"(f) FUTURE STATUS OF ORGANIZATION.—In the case of any organization which has complied with subsection (a) or (e) of section 507 by reason of subsection (d) or (e) of this section, for purposes of the provisions of this title relating to private foundations for all periods beginning after it has completed compliance with section 507 such organization shall be treated as a newly created organization.

"(g) GOVERNING INSTRUMENTS.—

"(1) GENERAL RULE.—A private foundation shall not be treated as an organization described in section 501(c)(3) which is exempt from taxation under section 501(a) unless its governing instrument includes provisions the effects of which are—

"(A) to require its income for each taxable year to be distributed at such time and in such manner as not to subject the foundation to tax under section 4942, and

"(B) to prohibit the foundation from engaging in any act of self-dealing (as defined in section 4941(d)), from retaining any excess business holdings (as defined in section 4943(c)), from making any speculative investments in such manner as to subject the foundation to tax under section 4944, and from making any taxable expenditures (as defined in section 4945(b)).

"(2) SPECIAL RULES FOR EXISTING FOUNDATIONS.—In the case of any organization organized before January 1, 1970—

"(A) it shall not cease to be treated as an organization described in section 501(c)(3) because of a failure to comply with paragraph (1), and

"(B) paragraph (1) shall apply only to taxable years beginning after December 31, 1971; except that if it is impossible to reform the governing instrument (by amendment, judicial proceeding, or otherwise) by December 31, 1971, to meet the requirements of paragraph (1), paragraph (1) shall not apply until it is possible to meet such requirements.

"SEC. 509. PRIVATE FOUNDATION DEFINED.

"(a) GENERAL RULE.—For purposes of this title, the term 'private foundation' means an organization described in section 501(c)(3) other than—

"(1) an organization described in section 170(b)(1)(B);

"(2) an organization which—

"(A) normally receives more than one-third of its support in each taxable year from any combination of—

"(i) gifts, grants, contributions, or membership fees, or

"(ii) gross receipts from admissions, sales of merchandise, performance of services, or furnishing of facilities, in an activity which is not an unrelated trade or business (within the meaning of section 513), not including such receipts from any person in any taxable year which are in excess of 1 percent of the organization's support in such taxable year, from any person other than a disqualified person (as defined in section 4946) with respect to the organization, or from any organization described in section 170(b)(1)(B), and

"(B) normally receives not more than one-third of its support in each taxable year from gross investment income (as defined in section 506(b)(2));

"(3) an organization which—

"(A) is organized, and at all times thereafter is operated, exclusively for the benefit of, to perform the functions of, or to carry out the purposes of one or more organizations described in paragraph (1) or (2),

"(B) is operated, supervised, or controlled by one or more organizations, or in connection with one organization, described in paragraph (1) or (2), and

"(C) is not controlled directly or indirectly by one or more disqualified persons (as defined in section 4946) other than foundation managers and other than one or more organizations described in paragraph (1) or (2); and

"(4) an organization which is organized and operated exclusively for testing for public safety.

"(b) CONTINUATION OF PRIVATE FOUNDATION STATUS.—If an organization is a private foundation (within the meaning of subsection (a)) for its last taxable year ending before May 27, 1969, such organization shall, for purposes of this title, be treated as a private foundation for each succeeding taxable year unless its status as such is terminated under section 508."

(b) AMENDMENT OF SUBTITLE D.—Subtitle D (relating to miscellaneous excise taxes) is amended by adding at the end thereof the following new chapter:

"CHAPTER 42.—PRIVATE FOUNDATION

"Sec. 4941. Taxes on self-dealing.
"Sec. 4942. Taxes on failure to distribute income.
"Sec. 4943. Taxes on excess business holdings.
"Sec. 4944. Investments which jeopardize charitable purpose.
"Sec. 4945. Taxes on taxable expenditures.
"Sec. 4946. Definitions and special rules.
"Sec. 4947. Application of taxes to certain nonexempt trusts.

"SEC. 4941. TAXES ON SELF-DEALING.

"(a) INITIAL TAXES.—

"(1) ON SELF-DEALER.—There is hereby imposed a tax on each act of self-dealing between a disqualified person and a private foundation. The rate of tax shall be equal to 5 percent of the amount involved with respect to the act of self-dealing for each year (or part thereof) in the taxable period. The tax imposed by this paragraph shall be paid by any disqualified person who participates in the act of self-dealing. In the case of a government official (as defined in section 4946(c)), a tax shall be imposed by this paragraph only if such disqualified person participates in the act of self-dealing knowing that it is such an act.

"(2) ON FOUNDATION MANAGER.—In any case in which a tax is imposed by paragraph (1), there is hereby imposed on the participation of any foundation manager in an act of self-dealing between a disqualified person and a private foundation, knowing that it is such an act, a tax equal to 2½ percent of the amount involved with respect to the act of self-dealing for each year (or part thereof) in the taxable period. The tax imposed by this paragraph shall be paid by any foundation manager who participated in the act of self-dealing.

"(b) ADDITIONAL TAXES.—

"(1) ON SELF-DEALER.—In any case in which an initial tax is imposed by subsection (a)(1) on an act of self-dealing by a disqualified person with a private foundation and the act is not corrected within the correction period, there is hereby imposed a tax equal to 200 percent of the amount involved. The tax imposed by this paragraph shall be paid by any disqualified person who participated in the act of self-dealing.

"(2) ON FOUNDATION MANAGER.—In any case in which an additional tax is imposed by paragraph (1), if a foundation manager refused to agree to any part of the correction, there is hereby imposed a tax equal to 50 percent of the amount involved. The tax imposed by this paragraph shall be paid by any foundation manager who refused to agree to part or all of the correction.

"(c) SPECIAL RULES.—For purposes of subsections (a) and (b)—

"(1) JOINT AND SEVERAL LIABILITY.—If more than one person is liable under any paragraph of subsection (a) or (b) with respect to one act of self-dealing, all such persons shall be jointly and severally liable under such paragraph with respect to such act.

"(2) $10,000 LIMIT FOR MANAGEMENT.—With respect to any one act of self-dealing, the maximum amount of the tax imposed by subsection (a)(2) shall not exceed $10,000, and the maximum amount of the tax imposed by subsection (b)(2) shall not exceed $10,000.

"(d) SELF-DEALING.—

"(1) IN GENERAL.—For purposes of this section, the term 'self-dealing' means any direct or indirect—

"(A) sale or exchange, or leasing, of property between a private foundation and a disqualified person;

"(B) lending of money or other extension of credit between a private foundation and a disqualified person;

"(C) furnishing of goods, services, or facilities between a private foundation and a disqualified person;

"(D) payment of compensation (or payment or reimbursement of expenses) by the private foundation to a disqualified person;

"(E) transfer to, or use by, a disqualified person of the income or assets of the private foundation; and

"(F) agreement by the private foundation to make any payment of money or other property to a government official (as defined in section 4946(c)), other than an agreement to employ such individual for any period after the termination of his government service if such individual is terminating his government service within a 90-day period.

"(2) SPECIAL RULES.—For purposes of paragraph (1)—

"(A) the transfer of real or personal property by a disqualified person to the private foundation shall be treated as a sale or exchange if the property is subject to a mortgage or similar lien which the foundation assumes or if it is subject to a mortgage or similar lien which a disqualified person placed on the property within the 10-year period ending on the date of the transfer;

"(B) the lending of money by a disqualified person to a private foundation shall not be an act of self-dealing if the loan is without interest or other charge and if the proceeds of the loan are used exclusively for purposes specified in section 501(c)(3);

"(C) the furnishing of goods, services, or facilities by a disqualified person to a pri-

vate foundation shall not be an act of self-dealing if the furnishing is without charge and if the goods, services, or facilities so furnished are used exclusively for purposes specified in section 501(c)(3);

"(D) the furnishing of goods, services, or facilities by a private foundation to a disqualified person shall not be an act of self-dealing if such furnishing is made on a basis no more preferential than that on which such goods, services, or facilities are made available to the general public;

"(E) except in the case of a government official (as defined in section 4946(c)), the payment of compensation (and the payment or reimbursement of expenses) by a private foundation to a disqualified person for personal services which are reasonable and necessary to carrying out the exempt purpose of the private foundation shall not be an act of self-dealing if the compensation (or payment or reimbursement) is not excessive;

"(F) any transaction between a private foundation and a corporation which is a disqualified person (as defined in section 4946), pursuant to any liquidation, merger, redemption, recapitalization, or other corporate adjustment or reorganization, shall not be an act of self-dealing if all of the securities of the same class as that held by the foundation are subject to the same terms and such terms provide for receipt by the foundation of no less than fair market value; and

"(G) only in the case of a government official (as defined in section 4946(c)), paragraph (1) shall not apply to—

"(i) prizes and awards which are subject to the provisions of section 74(b), if the recipients of such prizes and awards are selected from the general public,

"(ii) scholarships and fellowship grants which are subject to the provisions of section 117(a) and are to be used for study at an educational institution described in section 170(b)(1)(B)(ii),

"(iii) any annuity or other payment (forming part of a stock-bonus pension, or profit-sharing plan) by a trust which is a qualified trust under section 401,

"(v) any annuity or other payment under a plan which meets the requirements of section 404(a)(2),

"(v) any contribution or gift (other than a contribution or gift of money) to, or services or facilities made available to, any such individual, if the aggregate value of such contributions, gifts, services, and facilities to, or made available to, such individual during any calendar year does not exceed $25.

"(vi) any payment made under chapter 32 of title 5, United States Code, or

"(vii) traveling expenses (including amounts expended for meals and lodging) for travel from any point in the United States to another point in the United States, not to exceed 125 percent of the maximum amounts authorized to be paid by the United States for like travel.

"(e) OTHER DEFINITIONS.—For purposes of this section—

"(1) TAXABLE PERIOD.—The term 'taxable period' means, with respect to any act of self-dealing, the period beginning with the date on which the act of self-dealing occurs and ending on whichever of the following is the earlier: (A) the date of mailing of a notice of deficiency with respect to the tax imposed by subsection (a)(1) under section 6212, or (B) the date on which correction of the act of self-dealing is completed.

"(2) AMOUNT INVOLVED.—The term 'amount involved' means, with respect to any act of self-dealing, the greater of the amount of money and the fair market value of the other property given or the amount of money and the fair market value of the other property received; except that, in the case of services described in subsection (d)(2)(E), the amount involved shall be only the excess compensation. For purposes of the preceding sentence, the fair market value—

"(A) in the case of the taxes imposed by subsection (a), shall be determined as of the date on which the act of self-dealing occurs; and

"(B) in the case of the taxes imposed by subsection (b), shall be the highest fair market value during the correction period.

"(3) CORRECTION.—The terms 'correction' and 'correct' mean, with respect to any act of self-dealing, undoing the transaction to the extent possible, but in any case placing the private foundation in a financial position not worse than that in which it would be if the disqualified person were dealing under the highest fiduciary standards.

"(4) CORRECTION PERIOD.—The term 'correction period' means, with respect to any act of self-dealing, the period beginning with the date on which the act of self-dealing occurs and ending 90 days after the date of mailing of a notice of deficiency with respect to the tax imposed by subsection (b)(1) under section 6212, extended by—

"(A) any period in which a deficiency cannot be assessed under section 6213(a), and

"(B) any other period which the Secretary or his delegate determines will be conducive to bringing about correction of the act of self-dealing.

"SEC. 4942. TAXES ON FAILURE TO DISTRIBUTE INCOME.

"(a) INITIAL TAX.—There is hereby imposed on the undistributed income of a private foundation for any taxable year, which has not been distributed before the first day of the second (or any succeeding) taxable year following such taxable year (if such first day falls within the taxable period), a tax equal to 15 percent of the amount of such income remaining undistributed at the beginning of such second (or succeeding) taxable year. This section shall not apply to a private foundation which is an operating foundation (as defined in subsection (j)(3)) for the taxable year.

"(b) ADDITIONAL TAX.—In any case in which an initial tax is imposed under subsection (a) on the undistributed income of a private foundation for any taxable year, if any portion of such income remains undistributed at the close of the correction period, there is hereby imposed a tax equal to 100 percent of the amount remaining undistributed at such time.

"(c) UNDISTRIBUTED INCOME.—For purpose of this section, the term 'undistributed income' means, with respect to any private foundation for any taxable year as of any time, the amount by which—

"(1) the distributable amount for such taxable year, exceeds

"(2) the qualifying distributions made before such time out of such distributable amount.

"(d) DISTRIBUTABLE AMOUNT.—For purpose of this section, the term 'distributable amount' means, with respect to any foundation for any taxable year, whichever of the following amounts is the higher: (1) the minimum investment return, or (2) the adjusted net income.

"(e) MINIMUM INVESTMENT RETURN.—

"(1) IN GENERAL.—For purposes of subsection (d), the minimum investment return for any private foundation for any taxable year is the amount determined by multiplying—

"(A) the aggregate fair market value of all assets of the foundation other than those being used (or held for use) directly in carrying out the foundation's exempt purpose reduced by acquisition indebtedness (as defined in section 514(c)(1)) with respect to such property, by

"(B) the applicable percentage for such year, as determined under paragraph (3).

"(2) VALUATION.—For purposes of paragraph (1)(A), the fair market value of securities for which market quotations are readily available shall be determined on a monthly basis. For all other assets, the fair market value shall be determined at such times and in such manner as the Secretary or his delegate shall by regulations prescribe.

"(3) APPLICABLE PERCENTAGE.—For purposes of paragraph (1)(B), the applicable percentage for taxable years beginning in 1970 is 5 percent. The applicable percentage for any taxable year beginning after 1970 shall be determined and proclaimed by the Secretary or his delegate and shall bear a relationship to 5 percent which the Secretary or his delegate determines to be comparable to the relationship which the money rates and investment yields for the calendar year immediately preceding the beginning of the taxable year bear to the money rates and investment yields for the calendar year 1969.

"(f) ADJUSTED NET INCOME.—

"(1) DEFINED.—For purposes of subsection (d), the term 'adjusted net income' means the excess (if any) of—

"(A) the gross income for the taxable year (determined with the modifications provided by paragraph (2)), over

"(B) the sum of—

"(i) the deductions (determined with the modifications provided by paragraph (3)) which would be allowed to a corporation subject to the tax imposed by section 11 for the taxable year, plus

"(ii) the amount of the tax imposed by section 511 for such year, plus

"(iii) the amount of the tax imposed by section 506 for such year.

"(2) INCOME MODIFICATIONS.—The modifications referred to in paragraph (1)(A) are as follows:

"(A) section 103 (relating to interest on certain governmental obligations) shall not apply, and

"(B) capital gains and losses from the sale or other disposition of property shall be taken into account only in an amount equal to any net short-term capital gain for the taxable year.

"(3) DEDUCTION MODIFICATIONS.—The modifications referred to in paragraph (1)(B)(i) are as follows:

"(A) no deduction shall be allowed other than all the ordinary and necessary expenses paid or incurred for the production or collection of gross income or for the management, conservation, or maintenance of property held for the production of such income, and

"(B) section 265 (relating to expenses and interest relating to tax-exempt interest) shall not apply.

"(4) TRANSITIONAL RULE.—For purposes of paragraph (2)(B), the basis of property held by the private foundation on December 31, 1969, and continuously thereafter to the date of its disposition shall be deemed to be not less than the fair market value of such property on December 31, 1969.

"(g) QUALIFYING DISTRIBUTIONS DEFINED.—

"(1) IN GENERAL.—For purposes of this section, the term 'qualifying distribution' means—

"(A) any amount paid out to accomplish one or more purposes described in section 170(c)(2)(B), other than any contribution to (i) an organization controlled (directly or indirectly) by one or more disqualified persons (as defined in section 4946) with respect to the foundation, (ii) a private foundation which is not an operating foundation (as defined in subsection (j)(3)), or (iii) an organization which would be a private foundation if it were a domestic organization, or

"(B) any amount paid out to acquire an asset used (or held for use) directly in carrying out one or more purposes described in section 170(c)(2)(B).

"(2) CERTAIN SET-ASIDES.—Subject to such terms and conditions as may be prescribed by the Secretary or his delegate, an amount set aside for a specific project which comes within one or more purposes described in section 170(c)(2)(B) may be treated as a quali-

fying distribution, but only if, at the time of the set-aside, the private foundation establishes to the satisfaction of the Secretary or his delegate that—

"(A) the amount will be paid out for the specific project within 5 years, and

"(B) the project is one which can be better accomplished by such set-aside than by immediate paying out of funds.

For good cause shown, the period for paying out the amount set aside may be extended by the Secretary or his delegate.

"(h) TREATMENT OF QUALIFYING DISTRIBUTIONS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), any qualifying distribution made during a taxable year shall be treated as made—

"(A) first out of the undistributed income of the immediately preceding taxable year (if the private foundation was subject to the tax imposed by this section for such preceding taxable year) to the extent thereof.

"(B) second out of the undistributed income for the taxable year to the extent thereof, and

"(C) then out of corpus.

For purposes of this paragraph, distributions shall be taken into account in the order of time in which made.

"(2) CORRECTION OF DEFICIENT DISTRIBUTIONS FOR PRIOR TAXABLE YEARS, ETC.—In the case of any qualifying distribution which (under paragraph (1)) is not treated as made out of the undistributed income of the immediately preceding taxable year, the taxpayer may elect to treat any portion of such distribution as made out of the undistributed income of a designated prior taxable year or out of corpus. The election shall be made by the taxpayer at such time and in such manner as the Secretary or his delegate shall by regulations prescribe.

"(i) ADJUSTMENT OF DISTRIBUTABLE AMOUNT WHERE DISTRIBUTIONS DURING PRECEDING 5-YEAR PERIOD HAVE EXCEEDED INCOME.—If, for the 5 taxable years immediately preceding the taxable year—

"(1) the aggregate qualifying distributions treated (under subsection (h)) as made out of the undistributed income for such preceding taxable years or as made out of corpus (except to the extent section 170(e)(3)(B) applies) during such preceding taxable years, exceed

"(2) the distributable amounts for such preceding taxable years.

then, for purposes of this section (other than subsection (h)) the distributable amount for the taxable year shall be reduced by an amount equal to such excess.

"(j) OTHER DEFINITIONS.—For purposes of this section—

"(1) TAXABLE PERIOD.—The term 'taxable period' means, with respect to the undistributed income for any taxable year, the period beginning with the taxable year and ending on the date of mailing of a notice of deficiency with respect to the tax imposed by subsection (a) under section 6212.

"(2) CORRECTION PERIOD.—The term 'correction period' means, with respect to any foundation for any taxable year, the period beginning with the taxable year and ending 90 days after the date of mailing of a notice of deficiency (with respect to the tax imposed by subsection (b)) under section 6212, extended by—

"(A) any period in which a deficiency cannot be assessed under section 6213(a), and

"(B) any other period which the Secretary or his delegate determines is reasonable and necessary to permit a distribution of undistributed income under this section.

"(3) OPERATING FOUNDATION.—For purposes of this section, the term 'operating foundation' means any organization—

"(A) substantially all of the income of which is expended directly for the active conduct of the activities constituting the purpose or function for which it is organized and operated, and

"(B)(i) substantially more than half of the assets of which are devoted directly to such activities or devoted to functionally related activities described in section 4943(d)(4) or both, or

"(ii) substantially all of the support (other than gross investment income as defined in section 506(b)(2)) of which is normally received from 5 or more exempt organizations which are not described in section 4946(a)(1)(H) with respect to each other or the recipient foundation, or from the general public, and not more than 25 percent of the support of which is normally received from any one such exempt organization.

"SEC. 4943. TAXES ON EXCESS BUSINESS HOLDINGS

"(a) INITIAL TAX.—

"(1) IMPOSITION.—There is hereby imposed on the excess business holdings of any private foundation in a business enterprise during any calendar year which ends during the taxable period a tax equal to 5 percent of the value of such excess holdings.

"(2) SPECIAL RULES.—The tax imposed by paragraph (1)—

"(A) shall be imposed on the last day of the calendar year, but

"(B) with respect to the private foundation's holdings in any business enterprise, shall be determined as of that day during the year when the foundation's excess holdings in such enterprise were the greatest.

"(b) ADDITIONAL TAX.—In any case in which an initial tax is imposed under subsection (a) with respect to the holdings of a private foundation in any business enterprise, if, at the close of the correction period with respect to such holdings the foundation still has excess business holdings in such enterprise, there is hereby imposed a tax equal to 200 percent of such excess business holdings.

"(c) EXCESS BUSINESS HOLDINGS.—For purposes of this section—

"(1) IN GENERAL.—The term 'excess business holdings' means, with respect to the holdings of any private foundation in any business enterprise, the amount of stock or other interest in the enterprise which the foundation would have to dispose of to a person other than a disqualified person in order for the remaining holdings of the foundation in such enterprise to be permitted holdings.

"(2) PERMITTED HOLDINGS IN A CORPORATION.—

"(A) IN GENERAL. The permitted holdings of any private foundation in an incorporated business enterprise are—

"(i) 20 percent of the voting stock, reduced by

"(ii) the percentage of the voting stock owned by all disqualified persons.

In any case in which all disqualified persons together do not own more than 20 percent of the voting stock of an incorporated business enterprise, nonvoting stock held by the private foundation shall also be treated as permitted holdings.

"(B) 35 PERCENT RULE WHERE THIRD PERSON HAS EFFECTIVE CONTROL OF ENTERPRISE.—If—

"(i) the private foundation and all disqualified persons together do not own more than 35 percent of the voting stock of an incorporated business enterprise, and

"(ii) it is established to the satisfaction of the Secretary or his delegate that effective control of the corporation is in one or more persons who are not disqualified persons with respect to the foundation.

then subparagraph (A) shall be applied by substituting 35 percent for 20 percent.

"(C) 2 PERCENT DE MINIMIS RULE.—A private foundation shall not be treated as having excess business holdings in any corporation in which it (together with all other private foundations which are described in section 4946(a)(1)(H)) owns not more than 2 percent of the voting stock and not more than 2 percent in value of all outstanding shares of all classes of stock.

"(3) PERMITTED HOLDINGS IN PARTNERSHIPS, ETC.—The permitted holdings of a private foundation in any business enterprise which is not incorporated shall be determined under regulations prescribed by the Secretary or his delegate. Such regulations shall be consistent in principle with paragraph (2), except that—

"(A) in the case of a partnership or joint venture, 'profits interest' shall be substituted for 'voting stock', and 'capital interest' shall be substituted for 'nonvoting stock',

"(B) in the case of a proprietorship, there shall be no permitted holdings, and

"(C) in any other case, 'beneficial interest' shall be substituted for 'voting stock'.

"(4) 10-YEAR PERIOD TO DISPOSE OF PRESENT HOLDINGS.—

"(A) In applying this section, any interest in a business enterprise which a private foundation holds on May 26, 1969, if the private foundation on such date has excess business holdings, shall (while held by the foundation) be treated as held by a disqualified person (rather than by the private foundation) during the 10-year period beginning on such date.

"(B) Subparagraph (A) shall cease to apply with respect to such business holdings unless, at the close of the 2-year period beginning on May 26, 1969, the private foundation has disposed of at least one-tenth of such excess business holdings in such enterprise to a person other than a disqualified person. The preceding sentence shall not apply if—

"(i) such disposition would create severe hardship for the foundation or such business enterprise (including a severe depressive effect on the value of any interest in such enterprise), and

"(ii) it is established to the satisfaction of the Secretary or his delegate that, during the retention of such one-tenth interest, control of such interest will be exercised by persons other than the foundation, or disqualified persons (as defined in section 4946) with respect thereto, or a plan has been adpoted to assure that the value of any interest in such enterprise will not be jeopardized.

"(C) Subparagraph (A) shall cease to apply with respect to such business holdings unless, at the close of the 5-year period beginning on May 26, 1969—

"(i) the private foundation has disposed of at least one-third of such excess business holdings in such enterprise to a person other than a disqualified person, and

"(ii) the private foundation and all disqualified persons have less than a 50 percent voting stock interest (or less than a 50 percent profit interest in the case of any unincorporated enterprise) in such business enterprise.

"(D) Any period prescribed in subparagraph (A), (B), or (C) for the disposition of excess business holdings shall be suspended during the pendency of any judicial proceeding by the private foundation which is necessary to reform its governing instrument to allow disposition of such holdings.

"(5) 10-YEAR PERIOD TO DISPOSE OF HOLDINGS ACQUIRED BY WILL.—Paragraph (4) shall apply to any interest in a business enterprise which a private foundation acquires under the terms of a will executed on or before July 28, 1969, which are in effect on such date and at all times thereafter, except that 'the date of acquisition by will' shall be substituted for 'May 26, 1969' wherever it appears in paragraph (4).

"(6) 5-YEAR PERIOD TO DISPOSE OF GIFTS, BEQUESTS, ETC.—Except as provided in paragraph (5), if, after May 26, 1969, there is a change in the holdings in a business enterprise (other than by purchase by the private foundation or by a disqualified person) which causes the private foundation to have—

"(A) excess business holdings in such enterprise, the interest of the foundation in such enterprise (immediately after such change) shall (while held by the foundation be treated as held by a disqualified person (rather than by the foundation) during the 5-year period beginning on the date of such change in holdings; or

"(B) an increase in excess business holdings in such enterprise (determined without regard to subparagraph (A)), subparagraph (A) shall apply, except that the excess holdings immediately preceding the increase therein shall not be treated, solely because of such increase, as held by a disqualified person (rather than by the foundation).

"(d) DEFINITIONS; SPECIAL RULES.—For purposes of this section—

"(1) BUSINESS HOLDINGS.—In computing the holdings of a private foundation, or a disqualified person (as defined in section 4946) with respect thereto, in any business enterprise, any stock or other interest owned, directly or indirectly, by or for a corporation, partnership, estate, or trust shall be considered as being owned proportionately by or for its shareholders, partners, or beneficiaries.

"(2) TAXABLE PERIOD.—The term 'taxable period' means, with respect to any excess business holdings of a private foundation in a business enterprise, the period beginning on the first day on which there are such excess holdings and ending on the date of mailing of a notice of deficiency with respect to the tax imposed by subsection (a) under section 6212 in respect of such holdings.

"(3) CORRECTION PERIOD.—The term 'correction period' means, with respect to excess business holdings of a private foundation in a business enterprise, the period ending 90 days after the date of mailing of a notice of deficiency (with respect to the tax imposed by subsection (b)) under section 6212, extended by—

"(A) any period in which a deficiency cannot be assessed under section 6213(a), and

"(B) any other period which the Secretary or his delegate determines is reasonable and necessary to permit orderly disposition of such excess business holdings.

"(4) FUNCTIONALLY RELATED BUSINESS.—The term 'business enterprise' does not include a trade or business—

"(A) which is not an unrelated trade or business as defined in section 513, or

"(B) which is carried on within a larger aggregate of similar activities or within a larger complex of other endeavors which is related (aside from the need of such organization for income or funds or the use it makes of the profits derived) to the exempt purposes of the organization.

"SEC. 4944. INVESTMENTS WHICH JEOPARDIZE CHARITABLE PURPOSE.

"(a) TAX ON THE PRIVATE FOUNDATION.—If a private foundation invests any amount in such a manner as to jeopardize the carrying out of any of its exempt purposes, there is hereby imposed on the making of such investment a tax equal to 100 percent of the amount so invested. The tax imposed by this subsection shall be paid by the private foundation.

"(b) TAX ON THE MANAGEMENT.—In any case in which a tax is imposed under subsection (a), there is hereby imposed on any foundation manager who participates in the making of such investment knowing that it is jeopardizing the carrying out of any of the foundation's exempt purposes, a tax equal to 50 percent of the amount so invested. Where, under the preceding sentence, more than one foundation manager is liable for a tax with respect to the same investment, the liability of such managers for tax under this subsection shall be joint and several.

"SEC. 4945. TAXES ON TAXABLE EXPENDITURES.

"(a) GENERAL RULE.—

"(1) TAX ON THE PRIVATE FOUNDATION.—There is hereby imposed on each taxable expenditure a tax equal to 100 percent of the amount thereof. The tax imposed by this paragraph shall be paid by the private foundation.

"(2) TAX ON FOUNDATION MANAGER.—There is hereby imposed on any foundation manager who agrees to the making of an expenditure, knowing that it is a taxable expenditure, a tax equal to 50 percent of the amount thereof. Where, under the preceding sentence, more than one foundation manager is liable for a tax with respect to the same expenditure, the liability of such managers for tax under this paragraph shall be joint and several.

"(b) TAXABLE EXPENDITURE.—For purposes of this section, the term 'taxable expenditure' means any amount paid or incurred by a private foundation—

"(1) to carry out propaganda, or otherwise attempt to influence legislation,

"(2) to influence the outcome of any public election (including voter registration drives carried on by or for such foundation),

"(3) as a grant to an individual for travel, study, or other similar purposes by such individual, unless such grant satisfies the requirements of subsection (e),

"(4) as a grant to another organization (other than an organization described in paragraph (1), (2), or (3) of section 509(a)), unless the private foundation exercises expenditure responsibility with respect to such grants in accordance with subsection (f), or

"(5) for any purpose other than for a purpose specified in section 501(c)(3).

"(c) CERTAIN ACTIVITIES EXPRESSLY INCLUDED WITHIN SUBSECTION (b)(1).—For purposes of subsection (b)(1), the term 'taxable expenditures' includes (but is not limited to)—

"(1) any attempt to influence legislation through an attempt to affect the opinion of the general public or any segment thereof, and

"(2) any attempt to influence legislation through private communication with any member or employee of a legislative body, or with any other person who may participate in the formulation of the legislation, other than through making available the results of nonpartisan analysis or research. Paragraph (2) of this subsection shall not apply to any amount paid or incurred in connection with an appearance before, or communication to, any legislative body with respect to a possible decision of such body which might affect the existence of the private foundation, its powers and duties, its tax-exempt status, or the deduction of contributions to such foundation.

"(d) NONPARTISAN ACTIVITIES CARRIED ON BY CERTAIN ORGANIZATIONS.—Subsection (b)(2) shall not apply to any amount paid or incurred by an organization—

"(1) which is exempt from taxation under section 501(c)(3),

"(2) the principal activity of which is nonpartisan political activity in 5 or more States,

"(3) substantially all of the income of which is expended directly for the active conduct of the activities constituting the purpose or function for which it is organized and operated.

"(4) substantially all of the support (other than gross investment income as defined in section 506(b)(2)) of which is normally received from 5 or more exempt organizations which are not described in section 4946(a)(1)(H) with respect to each other or the recipient foundation, or from the general public, and not more than 25 percent of the support of which is normally received from any one such exempt organization, and

"(5) contributions to which for voter registration drives are not subject to conditions that they may be used only in specified States, possessions of the United States, or political subdivisions or other areas of any of the foregoing, or the District of Columbia. Subsection (b)(4) shall not apply to any grant to an organization which meets the requirements of the preceding sentence.

"(e) INDIVIDUAL GRANTS.—Subsection (b)(3) shall not apply to an individual grant awarded on an objective and nondiscriminatory basis pursuant to a procedure approved in advance by the Secretary or his delegate, if it is demonstrated to the satisfaction of the Secretary or his delegate that it constitutes a scholarship or fellowship grant at an educational institution described in section 170(b)(1)(B)(ii) or that the purpose of the grant is to achieve a specific objective, produce a report or other similar product, or improve or enhance a literary, artistic, musical, scientific, or other similar capacity, skill, or talent.

"(f) EXPENDITURE RESPONSIBILITY.—The expenditure responsibility referred to in subsection (b)(4) means that the private foundation is fully responsible—

"(1) to see that the grant is spent solely for the purpose for which made,

"(2) to obtain full and complete reports from the grantee on how the funds are spent, and to verify the accuracy of such reports, and

"(3) to make full and detailed reports with respect to such expenditures to the Secretary or his delegate.

"SEC. 4946. DEFINITIONS AND SPECIAL RULES.

"(a) DISQUALIFIED PERSONS.—

"(1) IN GENERAL.—For purposes of this chapter, the term 'disqualified person' means, with respect to a private foundation, a person who is—

"(A) a substantial contributor to the foundation,

"(B) a foundation manager (within the meaning of subsection (b)(1)),

"(C) an individual who—

"(i) owns more than 20 percent of the total combined voting power of a corporation, or

"(ii) is a general partner in a partnership, or

"(iii) holds more than 20 percent of the beneficial interest of a trust or unincorporated enterprise,

which is a substantial contributor to the foundation,

"(D) a member of the family (within the meaning of section 341(d)) of any person described in subparagraph (A), (B), or (C),

"(E) a corporation of which persons described in subparagraph (A), (B), (C), or (D) own more than 35 percent of the total combined voting power,

"(F) a partnership in which persons described in subparagraph (A), (B), (C), or (D) own more than 35 percent of the profits interest,

"(G) a trust or estate in which persons described in subparagraph (A), (B), (C), or (D) hold more than 35 percent of the beneficial interest,

(H) only for purposes of section 4943, a private foundation—

"(i) which is effectively controlled (directly or indirectly) by the same person or persons who control the private foundation in question, or

"(ii) substantially all of the contributions to which were made (directly or indirectly) by the same person or persons described in subparagraph (A), (B), or (C), or members of their families (within the meaning of subparagraph (D)), who made (directly or indirectly) substantially all of the contribu-

tions to the private foundation in question, and

"(I) only for purposes of section 4941, a government official (as defined in subsection (c)).

"(2) SUBSTANTIAL CONTRIBUTORS.—For purposes of paragraph (1), the terms 'substantial contributor' means a person who is described in section 507(b)(2).

"(3) STOCKHOLDERS.—For purposes of paragraphs (1)(C)(i) and (1)(E), there shall be taken into account indirect stockholdings which would be taken into account under section 267(c).

"(b) FOUNDATION MANAGER.—For purposes of this chapter, the term 'foundation manager' means, with respect to any private foundation—

"(1) an officer, director, or trustee of a foundation (or an individual having powers or responsibilities similar to those of officers, directors, or trustees of a foundation), and

"(2) with respect to any act (or failure to act), the employees of the foundation having authority or responsibility with respect to such act (or failure to act).

"(c) GOVERNMENT OFFICIAL.—For purposes of subsection (a)(1)(I) and section 4941, the term 'government official' means, with respect to an act of self-dealing described in section 4941, an individual who, at the time of such act, holds any of the following offices or positions (other than as a 'special Government employee', as defined in section 202 (a) of title 18, United States Code):

"(1) an elective public office in the executive or legislative branch of the Government of the United States,

"(2) an office in the executive or judicial branch of the Government of the United States, appointment to which was made by the President,

"(3) a position in the executive, legislative, or judicial branch of the Government of the United States—

"(A) which is listed in schedule C of rule VI of the Civil Service Rules, or

"(B) the compensation for which is equal to or greater than the lowest rate of compensation prescribed for GS–16 of the General Schedule under section 5332 of title 5, United States Code,

"(4) a position under the House of Representatives or the Senate of the United States held by an individual receiving gross compensation at an annual rate of $15,000 or more,

"(5) an elective or appointive public office in the executive, legislative, or judicial branch of the Government of a State, possession of the United States, or political subdivision or other area of any of the foregoing, or of the District of Columbia, held by an individual receiving gross compensation at an annual rate of $15,000 or more, or

"(6) a position as personal or executive assistant or secretary of any of the foregoing.

"SEC. 4947. APPLICATION OF TAXES TO CERTAIN NONEXEMPT TRUSTS.

"(a) APPLICATION OF TAX.—

"(1) IN GENERAL.—The taxes imposed by section 506 (relating to tax on private foundation investment income) and this chapter shall apply to any trust which is not exempt from tax under section 501(a), all of the unexpired interests of which are devoted to one or more of the purposes described in section 170(c)(2)(B), and for which a deduction was allowable under section 170, 545(b)(2), 642(c), 2055, 2106(a)(2), or 2522.

"(2) LIMITATION TO CHARITABLE PORTION.—In the case of a trust which is not exempt from tax under section 501(a), not all of the unexpired interests of which are devoted to one or more of the purposes described in section 170(c)(2)(B), and which has amounts in trust for which a deduction was allowable under section 170, 545(b)(2), 642(c), 2055, 2106(a)(2), or 2522, the taxes imposed by section 4941 (relating to taxes on self-dealing), section 4943 (relating to taxes on excess business holdings), section 4944 (relating to investments which jeopardize charitable purpose), and section 4945 (relating to taxes on taxable expenditures) shall apply as if such trust were a private foundation. This subsection shall not apply with respect to—

"(A) any amounts payable under the terms of such trust to income beneficiaries, unless section 170(b)(1)(H) applies, or

"(B) any amounts in trust for which a deduction was not allowable under section 170, 545(b)(2), 642(c), 2055, 2106(a)(2), or 2522, if such amounts are segregated from amounts for which such deduction was allowable.

"(3) For purposes of subsection (a)(2)(B), a trust with respect to which amounts are segregated shall separately account for the various income, deduction, and other items properly attributable to each of such segregated amounts.

"(b) ADDITIONAL TAX.—

"(1) AMOUNT OF TAX.—There is hereby imposed upon a trust described in subsection (a) which is notified by the Secretary or his delegate that he is invoking this subsection as to it, and with respect to which there have been either willful repeated acts (or failures to act), or a willful and flagrant act (or failure to act), giving rise to liability for tax under this chapter, a tax equal to the lower of—

"(A) the amount which such trust substantiates by adequate records or other corroborating evidence as the aggregate tax benefit described in paragraph (2), or

"(B) the value of the net assets of such trust (limited by the value of assets segregated for charity in accordance with subsection (a)(2)(B)).

"(2) AGGREGATE TAX BENEFIT.—For purposes of subsection (b)(1), the aggregate tax benefit is the sum of—

"(A) the aggregate increases in tax under chapters 1, 11, and 12 (or the corresponding provisions of prior law) which would have been imposed with respect to all substantial contributors (as defined in section 507(b)(2)) to the trust if deductions for all contributions made by such contributors to the trust after February 28, 1913, had been disallowed, and

"(B) the aggregate increases in tax under chapter 1 (or the corresponding provisions of prior law) which would have been imposed with respect to the income of the trust for taxable years beginning after December 31, 1912, if deductions under section 642(c) (or the corresponding provisions of prior law) had been limited to 20 percent of the taxable income of the trust (computed without the benefit of section 642(c) but with the benefit of section 170(b)(1)(B)), and

"(C) interest on the increases in tax determined under subparagraphs (A) and (B) from the first date on which each such increase would have been due and payable to the date on which the trust pays the tax imposed by this subsection.

"(3) SPECIAL RULE.—For purposes of paragraph (2), the value of the net assets shall be determined at whichever time such value is higher:

"(A) the first day on which action is taken by the trust which culminates in the imposition of tax under this subsection, or

"(B) the day on which the tax prescribed by this subsection is imposed.

"(4) LIABILITY IN CASE OF TRANSFERS OF ASSETS FROM TRUSTS.—For purposes of determining liability for the tax imposed by this subsection in the case of assets transferred by the trust, such tax shall be deemed to have been imposed on the first day on which action is taken by the trust which culminates in the imposition of tax under this subsection.

"(5) ABATEMENT OF TAX WHERE ASSETS ARE DISTRIBUTED TO PUBLIC CHARITIES.—The Secretary or his delegate may abate the unpaid portion of the assessment of any tax imposed by this subsection, or any liability with respect thereto, if the trust distributes all of its net assets (limited by the value of assets segregated for charity in accordance with subsection (a)(2)(B)) to one or more organizations specified in section 170(b)(1)(B) each of which has been in existence and met the requirements of section 170(b)(1)(B) for a continuous period of at least 60 calendar months.

"(c) SPECIAL RULE.—For purposes of this section, 'nonexempt trust' shall be substituted for 'private foundation' in sections 506, 507(b)(2), 4941, 4942, 4943, 4944, 4945, and 4946.

"(d) REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section."

(c) ASSESSABLE PENALTIES FOR REPEATED, OR WILLFUL AND FLAGRANT, ACTS UNDER CHAPTER 42.—Subchapter B of chapter 68 (relating to assessable penalties) is amended by adding at the end thereof the following new section:

"SEC. 6684. REPEATED LIABILITY FOR TAX UNDER CHAPTER 42.

"If any person becomes liable for tax under any section of chapter 42 (relating to private foundations) by reason of any act or failure to act which is not due to reasonable cause and either—

"(1) such person has theretofore been liable for tax under such chapter, or

"(2) such act or failure to act is both willful and flagrant,

then such person shall be liable for a penalty equal to the amount of such tax."

(d) INFORMATION RETURNS OF EXEMPT ORGANIZATIONS.—

(1) IN GENERAL.—Section 6033(a) (relating to information returns by exempt organizations) is amended to read as follows:

"(a) ORGANIZATIONS REQUIRED TO FILE.—

"(1) IN GENERAL.—Every organization exempt from taxation under section 501(a) shall file an annual return, stating specifically the items of gross income, receipts, and disbursements, and such other information for the purpose of carrying out the internal revenue laws as the Secretary or his delegate may by forms or regulations prescribe, and shall keep such records, render under oath such statements, make such other returns, and comply with such rules and regulations as the Secretary or his delegate may from time to time prescribe; except that, in the discretion of the Secretary or his delegate, any organization described in section 401(a) may be relieved from stating in its return any information which is reported in returns filed by the employer which established such organization.

"(2) EXCEPTIONS FROM FILING.—The Secretary or his delegate may relieve any organization required under paragraph (1) to file an information return from filing such a return where he determines that such filing is not necessary to the efficient administration of the internal revenue laws."

(2) ADDITIONAL INFORMATION.—Section 6033(b) (relating to certain organizations described in section 501(c)(3)) is amended—

(A) by striking out in paragraph (3) "out of income",

(B) by striking out paragraphs (4), (5), (6), and (8), and by redesignating paragraph (7) as paragraph (4), and

(C) by adding after paragraph (4) (as redesignated) the following new paragraphs:

"(5) the total of the contributions and gifts received by it during the year, and the names and addresses of all substantial contributors,

"(6) the names and addresses of its foundation managers (within the meaning of section 4946(b)(1)) and highly compensated employees, and

"(7) the compensation and other payments made during the year to each individual described in paragraph (6)."

(3) PENALTY FOR LATE FILING OF CERTAIN INFORMATION RETURNS.—Section 6652 (relating to failure to file certain information returns) is amended by relettering subsection (d) as subsection (e) and inserting immediately after subsection (c) the following new subsection:

"(d) RETURNS BY EXEMPT ORGANIZATIONS AND BY CERTAIN TRUSTS.—

"(1) PENALTY ON ORGANIZATION OR TRUST.—In the case of a failure to file a return required under section 6033 (relating to returns by exempt organizations) and section 6034 (relating to returns by certain trusts) on the date and in the manner prescribed therefor (determined with regard to any extension of time for filing), unless it is shown that such failure is due to reasonable cause, there shall be paid (on notice and demand by the Secretary or his delegate and in the same manner as tax) by the exempt organization or trust failing so to file, $10 for each day during which such failure continues, but the total amount imposed hereunder on any organization for failure to file any return shall not exceed $5,000.

"(2) PENALTY ON MANAGERS.—The Secretary or his delegate may make written demand upon an organization failing to file under paragraph (1) specifying therein a reasonable future date by which such filing shall be made, and if such filing is not made on or before such date, and unless it is shown that failure so to file is due to reasonable cause, there shall be paid (on notice and demand by the Secretary or his delegate and in the same manner as tax) by the person failing so to file, in addition to the penalty prescribed in paragraph (1), a penalty of $10 for each day after the expiration of the time specified in the written demand during which such failure continues, but the total amount imposed hereunder on all persons for such failure to file shall not exceed $5,000. If more than one person is liable under this paragraph for a failure to file, all such persons shall be jointly and severally liable with respect to such failure. The term 'person' as used herein means any officer, director, trustee, employee, member, or other individual who is under a duty to perform the act in respect of which the violation occurs."

(e) PUBLICITY OF INFORMATION REQUIRED BY CERTAIN EXEMPT ORGANIZATIONS.—Section 6104 (relating to publicity of information required from certain exempt organizations and certain trusts) is amended by inserting immediately after subsection (b), the following new subsection:

"(c) PUBLICATION TO STATE OFFCIALS.—

"(1) GENERAL RULE.—In the case of any orangization which is exempt from taxation under section 501a), or has applied for recognition of exemption under such section on or after May 26, 1969, the Secretary or his delegate at such times and in such manner as he may by regulations prescribe shall—

"(A) notify the appropriate State officer of a refusal to recognize exemption or the operation of such organization in a manner which does not meet, or no longer meets, the requirements of its exemption.

"(B) notify the appropriate State officer of the mailing of a notice of deficiency of tax under section 507 or chapter 42, and

"(C) at the request of such appropriate State officer, make available for inspection and copying such returns, filed statements, records, reports, and other information, relating to a determination under subparagraph (A) or (B) as are relevant to any determination under State law.

"(2) APPROPRIATE STATE OFFICER.—For purposes of this section, the term 'appropriate State officer' means the State attorney general, Sate tax officer, or any other State official charged with overseeing charitable organizations."

(f) PETITION TO TAX COURT; DEFICIENCY PROCEDURES MADE APPLICABLE.—

(1) Section 6211(a) (definition of a deficiency) is amended—

(A) by striking out "and gift taxes" and inserting in lieu thereof "gift, and excise taxes,",

(B) by striking out "subtitles A and B," and inserting in lieu thereof "subtitles A and B, and chapter 42,", and

(C) by striking out "subtitles A or B" and inserting in lieu thereof "subtitle A or B or chapter 42".

(2) Section 6212(c)(1) (relating to further deficiency letters restricted) is amended by striking out "or" before "of estate tax" and by inserting after "the same decedent," the following: "or of chapter 42 tax with respect to any act (or failure to act) to which such petition relates,".

(3) Section 6213 (relating to restrictions applicable to deficiencies; petition to Tax Court) is amended by relettering subsection (e) as subsection (f) and inserting immediately after subsection (d) the following new subsection:

"(e) SUSPENSION OF FILING PERIOD FOR CERTAIN CHAPTER 42 TAXES.—The running of the time prescribed by subsection (a), for filing a petition in the Tax Court with respect to the taxes imposed by section 4941 (relating to taxes on self-dealing), 4942 (relating to taxes on failure to distribute income), or 4943 (relating to taxes on excess business holdings) shall be suspended for any period during which the Secretary or his delegate has extended the time allowed for making correction under section 4941(e)(4), 4942(j)(2), or 4943(d)(3)."

(g) LIMITATIONS ON ASSESSMENT AND COLLECTION.—

(1) Section 6501 is amended by adding at the end thereof the following new subsection:

"(n) SPECIAL RULE FOR CHAPTER 42 TAXES.—For purposes of any tax imposed by chapter 42 (other than section 4942), the return referred to in this section shall be the return filed by the private foundation for the year in which the act (or failure to act) giving rise to liability for such tax occurred. For purposes of section 4942 (relating to taxes on failure to distribute income), such return is the return filed by the private foundation for the taxable year in which a distribution of undistributed income under section 4942 is required to be made."

(2) Section 6501(c) is amended by adding the following new paragraph at the end thereof:

"(7) TERMINATION OF PRIVATE FOUNDATION STATUS.—In the case of a tax on termination of private foundation status under section 507, such tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time."

(3) Section 6503 (relating to suspension of running of period of limitation) is amended by relettering subsection (h) as subsection (i) and inserting immediately after subsecton (g) the following new subsection:

"(h) SUSPENSION PENDING CORRECTION.—The running of the period of limitations provided in sections 6501 and 6502 on the making of assessments or the collection by levy or a proceeding in court in respect of any tax imposed by chapter 42 or section 507 shall be suspended for any period during which the Secretary or his delegate has extended the time for making correction under section 4941(e)(4), 4942(j)(2), or 4943(d)(3)."

(h) LIMITATIONS ON CREDITS OR REFUNDS.—Section 6511 (relating to limitations on credits or refunds) is amended by relettering subsection (f) as subsection (g) and inserting immediately after subsection (e) the following new subsection:

"(f) SPECIAL RULE FOR CHAPTER 42 TAXES.—For purposes of any tax imposed by chapter 42, the return referred to in subsection (a) shall be the return specified in section 6501(n)."

(i) CIVIL ACTION FOR REFUND.—Section 7422 (relating to civil actions for refund) is amended by relettering subsection (g) as subsection (h) and by inserting immediately after subsection (f) the following new subsection:

"(g) SPECIAL RULES FOR CERTAIN EXCISE TAXES IMPOSED BY CHAPTER 42.—

"(1) RIGHT TO BRING ACTIONS.—With respect to any act (or failure to act) giving rise to liability under section 4941, 4942, or 4943, payment of the full amount of tax imposed under section 4941(a) (relating to initial taxes on self-dealing), section 4942(a) (relating to initial tax on failure to distribute income), section 4943(a) (relating to initial tax on excess business holdings), section 4941(b) (relating to additional taxes on self-dealing), section 4942(b) (relating to additional tax on failure to distribute income), or section 4943(b) (relating to additional tax on excess business holdings) shall constitute sufficient payment in order to maintain an action under this section with respect to such act.

"(2) LIMITATION ON SUIT FOR REFUND.—No suit may be maintained under this section for the credit or refund of any tax imposed under section 4941, 4942, or 4943 with respect to any act (or failure to act) giving rise to liability for tax under such sections, unless no other suit has been maintained for credit or refund, and no petition has been filed in the Tax Court with respect to a deficiency of tax, for any other tax imposed under such sections with respect to such act (or failure to act).

"(3) FINAL DETERMINATION OF ISSUES.—For purposes of this section, any suit for the credit or refund of any tax imposed under section 4941, 4942, or 4943 with respect to any act (or failure to act) giving rise to liability for tax under such sections, shall constitute a suit to determine all questions with respect to any other tax imposed with respect to such act (or failure to act) under such sections, and failure by the parties to such suit to bring any such question before the Court shall constitute a bar to such question."

(j) TECHNICAL, CONFORMING, AND CLERICAL AMENDMENTS.—

(1) Section 101(b)(2)(B)(iii) (relating to nonforfeitable rights) is amended by striking out "section 503(b)(1), (2), or (3)" and inserting in lieu thereof "section 170(b)(1)(B)(ii) or (iii) or which is a religious organization (other than a trust)".

(2) Section 170(c)(2)(B) (relating to the definition of charitable contributions) is amended by inserting after "animals" the phrase ", or for the providing of hospital care".

(3) Section 170(c)(4) (relating to contributions to fraternal societies) is amended by inserting after "animals" the phrase ", or for the providing of hospital care".

(4) Section 170(i)(1) (relating to disallowance of deductions in certain cases) (as redesignated) is amended by striking out "section 503(e)" and inserting in lieu thereof "section 507(f)".

(5) Section 501(a) (relating to exemption from taxation) is amended by striking out "502, 503, or 504" and inserting in lieu thereof "502 or 503".

(6) Section 501 (b) (relating to tax on unrelated business income) is amended to read as follows:

"(b) TAX ON UNRELATED BUSINESS INCOME AND CERTAIN OTHER ACTIVITIES.—An organi-

zation exempt from taxation under subsection (a) shall be subject to tax to the extent provided in parts II and III of this subchapter, but (notwithstanding parts II and III of this subchapter) shall be considered an organization exempt from income taxes for the purpose of any law which refers to organizations exempt from income taxes."

(7) Section 501(c)(3) (relating to the definition of exempt organizations) is amended by inserting after "animals" the phrase ", or for the providing of hospital care,".

(8) Section 501(c)(16) (relating to list of exempt organizations) is amended by striking out "part III" and inserting in lieu thereof "part IV".

(9) Section 501(e) (relating to cooperative hospital service organizations) is amended by striking out in the last sentence thereof "section 503(b)(5)." and inserting in lieu thereof "section 170(b)(1)(B)(iii).".

(10) Section 503(a)(1) (relating to general rule) is amended to read as follows:

"(1) GENERAL RULE.—

"(A) An organization described in section 501(c)(17) shall not be exempt from taxation under section 501(a) if it has engaged in a prohibited transaction after December 31, 1959.

"(B) An organization described in section 401(a) shall not be exempt from taxation under section 501(a) if it has engaged in a prohibited transaction after March 1, 1954."

(11) Section 503(a)(2) (relating to taxable years affected by denial of exemption) is amended by striking out "section 501(c)(3) or (17)" and inserting in lieu thereof "section 501(c)(17)".

(12) Section 503(d) (relating to future status of organizations denied exemption) is amended by striking out "section 501(c)(3) or (17)" and inserting in lieu thereof "section 501(c)(17)".

(13) Section 503(g) (relating to special rule for loans) is amended by striking out "subsection (c)(1)," and inserting in lieu thereof "subsection (b)(1),".

(14) Section 503(h) (relating to special rules relating to lending by section 401(a) and section 501(c)(17) trusts to certain persons) is amended—

(A) by striking out in the title thereof "SPECIAL RULES RELATING TO LENDING BY SECTION 401(a) AND SECTION 501(C)(17) TRUSTS TO CERTAIN PERSONS.—", and inserting in lieu thereof "SPECIAL RULES.—",

(B) by striking out "subsection (c)(1)," and inserting in lieu thereof "subsection (b)(1),",

(C) by striking out "acquired by a trust described in section 401(a) or section 501(c)(17)", and

(D) by striking out in paragraph (3) "subsection (c)" and inserting in lieu thereof "subsection (b)".

(15) Section 503(i) (relating to loans with respect to which employers are prohibited from pledging certain assets) is amended—

(A) by striking out "Subsection (c)(1)" and inserting in lieu thereof "Subsection (b)(1)", and

(B) by striking out "subsection (h)" and inserting in lieu thereof "subsection (e)".

(16) Section 503(j)(1) (relating to prohibited transactions) is amended by striking out "subsection (c)" and inserting in lieu thereof "subsection (b)".

(17) Section 503 (relating to requirements of exemption) is amended by striking out subsections (b), (e), and (f) and by redesignating subsections (c), (d), (g), (h), (i), and (j) (as amended) as subsections (b), (c), (d), (e), (f), and (g), respectively.

(18) Section 504 (relating to denial of exemption) is repealed.

(19) Section 542(a)(2) (relating to stock ownership requirement) is amended—

(A) by striking out in the second sentence "503(b)" and inserting in lieu thereof "section 401(a), 501(c)(17), or 509(a)", and

(B) by amending the third sentence to read as follows: "The preceding sentence shall not apply in the case of an organization or trust organized or created before July 1, 1950, if at all times on or after July 1, 1950, and before the close of the taxable year such organization or trust has owned all of the common stock and at least 80 percent of the total number of shares of all other classes of stock of the corporation."

(20) Section 663(a)(2) (relating to charitable, etc., distributions) is amended by striking out "section 681" and inserting in lieu thereof "sections 681 and 507(f)".

(21) Section 681 (b) and (c) (relating to operations of trusts and accumulated income) is repealed.

(22) Section 681(d) (relating to cross reference) is redesignated as subsection (b), and as so redesignated is amended by striking out "section 503(e)" and inserting in lieu thereof "section 507(f)".

(23) Section 2039(c)(3) (relating to exemption of annuities under certain trusts and plans) is amended by striking out "section 503(b)(1), (2), or (3)," and inserting in lieu thereof "section 170(b)(1)(B)(ii) or (vi), or which is a religious organization (other than a trust),".

(24) Section 2055(a) (relating to general rule for transfers for public, charitable, and religious uses) is amended by—

(A) inserting in paragraph (2) after "animals" the phrase ", or for the providing of hospital care", and

(B) inserting in paragraph (3) after "animals" the phrase ", or for the providing of hospital care".

(25) Section 2106(a)(2)(A) (relating to general rule for transfer for public charitable, and religious uses) is amended by—

(A) inserting in clause (ii) after "animals" the phrase ", or for the providing of hospital care", and

(B) inserting in clause (iii) after "animals" the phrase ", or for the providing of hospital care".

(26) Section 2517(a)(3) (relating to general rule for certain annuities under qualified plans) is amended by striking out "section 503(b)(1), (2), or (3)," and inserting in lieu thereof "section 170(b)(1)(B)(ii) or (vi), or which is a religious organization (other than a trust),".

(27) Section 2522 (relating to charitable and similar gifts) is amended by:

(A) inserting in subsection (a)(2) after "animals" the phrase ", or for the providing of hospital care",

(B) inserting in subsection (a)(3) after "animals" the phrase ", or for the providing of hospital care",

(C) inserting in subsection (b)(2) after "animals" the phrase ", or for the providing of hospital care",

(D) inserting in subsection (b)(3) after "animals" the phrase ", or for the providing of hospital care", and

(E) inserting in subsection (b)(4) after "animals" the phrase ", or for the providing of hospital care".

(28) Section 4057(b) (relating to the definition of nonprofit educational organization) is amended by striking out "section 503(b)(2)" and inserting in lieu thereof "section 170(b)(1)(B)(ii)".

(29) Section 4221(d)(5) (relating to the definition of nonprofit educational organization) is amended by striking out "section 503(b)(2)" and inserting in lieu thereof "section 170(b)(1)(B)(ii)".

(30) Section 4253(h) (relating to nonprofit hospitals) is amended by striking out "section 503(b)(5)" and inserting in lieu thereof "section 170(b)(1)(B)(iii)".

(31) Section 4294(b) (relating to the definition of nonprofit educational organization) is amended by striking out "section 503(b)(2)" and inserting in lieu thereof "section 170(b)(1)(B)(ii)".

(32) Section 5214(a)(3)(A) (relating to purposes for withdrawal of distilled spirits from bonded premises free of tax or without payment of tax) is amended by striking out "section 503(b)(2)" and inserting in lieu thereof "section 170(b)(1)(B)(ii)".

(33) Section 6033(b)(7) (relating to certain balance sheet items on returns by exempt organizations) is amended by striking out "and".

(34) Section 6034 (relating to returns by certain trusts) is amended by striking out all of such section before paragraph (1) of subsection (a) and inserting in lieu thereof the following:

"SEC. 6034. RETURNS BY TRUSTS DESCRIBED IN SECTION 4947(a) OR CLAIMING CHARITABLE DEDUCTIONS UNDER SECTION 642(c).

"(a) GENERAL RULE.—Every trust described in section 4947(a) or claiming a charitable, etc., deduction under section 642(c) for the taxable year shall furnish such information with respect to such taxable year as the Secretary or his delegate may by forms or regulations prescribe as necessary to carry out the provisions of the internal revenue laws, including—".

(35) Section 6034(a)(1) (relating to returns by certain trusts) is amended by striking out "(showing seperately the amount of such deduction which was paid out and the amount which was permanently set aside for charitable, etc., purposes during such year)".

(36) Section 6104(b) (relating to inspection of annual information returns) is amended by striking out "sections 6033(b) and 6034," and inserting in lieu thereof "sections 6033 and 6034,".

(37) Section 6161(b) (relating to the amount determined as a deficiency when granting an extension of time) is amended—

(A) by striking out in paragraph (1) "chapter 1 or 12," and inserting in lieu thereof "chapter 1, 12, or 42,", and

(B) by striking out "chapter 1," the last time it appears and inserting in lieu thereof "chapter 1 or 42,".

(38) Section 6201(d) (relating to deficiency proceedings) is amended by striking out "and gift taxes", and inserting in lieu thereof "gift, and chapter 42 taxes".

(39) Section 6211(b)(2) (relating to the term "rebate") is amended by striking out "subtitles A or B" and inserting in lieu thereof "subtitle A or B or chapter 42".

(40) Section 6212(a) (relating to notice of deficiency) is amended by striking out "subtitles A or B" and inserting in lieu thereof "subtitle A or B or chapter 42".

(41) Section 6212(b)(1) (relating to address for notice of deficiency) is amended—

(A) by striking out in the title thereof "AND GIFT TAXES" and inserting in lieu thereof "AND GIFT TAXES AND TAXES IMPOSED BY CHAPTER 42",

(B) by striking out "subtitle A or chapter 12," and inserting in lieu thereof "subtitle A, chapter 12, or chapter 42,", and

(C) by inserting "chapter 42," after "chapter 12," the last place it appears.

(42) Section 6213(a) (relating to restrictions applicable to deficiencies; petition to Tax Court) is amended by inserting "or chapter 42" after "subtitle A or B".

(43) Section 6214 (relating to determinations by the Tax Court) is amended by relettering subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) TAXES IMPOSED BY SECTION 507 OR CHAPTER 42.—The Tax Court, in redetermining a deficiency of any tax imposed by section 507 or chapter 42 for any period, act, or failure to act, shall consider such facts with relation to the taxes under chapter 42

for other periods, acts, or failures to act as may be necessary correctly to redetermine the amount of such deficiency, but in so doing shall have no jurisdiction to determine whether or not any other tax has been overpaid or underpaid."

(44) Section 6214(d) (as relettered) is amended by inserting ", chapter 42," after "chapter".

(45) Section 6344(a)(1) (relating to certain cross references) is amended by inserting "and taxes imposed by chapter 42," after "gift taxes".

(46) Section 6503(a)(1) (relating to issuance of statutory notice of deficiency) is amended by striking out "and gift taxes" and inserting in lieu thereof "gift, and chapter 42 taxes".

(47) Section 6512(a) (relating to effect of petition of Tax Court) is amended—

(A) by striking out "and gift taxes" and inserting in lieu thereof "gift, and chapter 42 taxes", and

(B) by striking out "or of estate tax in respect of the taxable estate of the same decedent," and inserting in lieu thereof "of estate tax in respect of the taxable estate of the same decedent, or of tax imposed by chapter 42 with respect to any act (or failure to act) to which such petition relates,".

(48) Section 6512(b)(1) (relating to jurisdiction to determine overpayment determined by Tax Court) is amended by striking out "or of estate tax in respect of the taxable estate of the same decedent," and inserting in lieu thereof "of estate tax in respect of the taxable estate of the same decedent, or of tax imposed by chapter 42 with respect to any act (or failure to act) to which such petition relates,".

(49) Section 6601(d) (relating to suspension of interest in certain cases) is amended—

(A) by striking out in the title thereof "AND GIFT TAX CASES." and inserting in lieu thereof "GIFT, AND CHAPTER 42 TAX CASES.", and

(B) by striking out "and gift taxes" and inserting in lieu thereof "gift, and chapter 42 taxes".

(50) Section 6653(c)(1) (relating to definition of overpayment) is amended—

(A) by striking out in the title thereof "AND GIFT TAXES." and inserting in lieu thereof "GIFT, AND CHAPTER 42 TAXES.", and

(B) by striking out "and gift taxes" the last time it appears and inserting in lieu thereof "gift, and chapter 42 taxes".

(51) Section 6659(b) (relating to procedure for assessing certain additions to tax) is amended by striking out "and gift taxes" and inserting in lieu thereof "gift, and chapter 42 taxes".

(52) Section 6676(b) (relating to deficiency procedures not to apply) is amended by striking out "and gift taxes" and inserting in lieu thereof "gift, and chapter 42 taxes".

(53) Section 6677(b) (relating to deficiency procedures not to apply) is amended by striking out "and gift taxes" and inserting in lieu thereof "gift, and chapter 42 taxes".

(54) Section 6679(b) (relating to deficiency procedures not to apply) is amended by striking out "and gift taxes" and inserting in lieu thereof "gift, and chapter 42 taxes".

(55) Section 6682(b) (relating to deficiency procedures not to apply) is amended by striking out "and gift taxes" and inserting in lieu thereof "gift, and chapter 42 taxes".

(56) Section 7422(e) (relating to stay of proceeding in civil actions for refund) is amended by striking out "or gift tax" the first time it appears and inserting in lieu thereof "gift tax, or tax imposed by chapter 42".

(57) The table of parts for subchapter F of chapter 1 is amended to read as follows:

"SUBCHAPTER F—EXEMPT ORGANIZATIONS

"Part I. General rule.
"Part II. Private foundations.
"Part III. Taxation of business income of certain exempt organizations.
"Part IV. Farmers' cooperatives.
"Part V. Shipowners' protection and indemnity associations."

(58) The table of chapters for subtitle D is amended by adding at the end thereof the following new item:

"Chapter 42. Private foundations."

(59) The table of sections for subchapter B of chapter 68 is amended by adding at the end thereof the following new item:

"Sec. 6684. Repeated liability for tax under chapter 42."

(k) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply for taxable years beginning after December 31, 1969.

(2) SECTION 4941.—Section 4941 shall not apply to—

(A) any transaction between a private foundation and a corporation which is a disqualified person (as defined in section 4946), pursuant to the terms of securities of such corporation in existence at the time acquired by the foundation, if such securities were acquired by the foundation before May 27, 1969;

(B) the sale of property which is owned by a private foundation on May 26, 1969, to a disqualified person, if such foundation is required to dispose of such property in order not to be liable for tax under section 4943 (relating to taxes on excess business holdings), and it receives in return an amount which equals or exceeds the fair market value of such property; and

(C) the use of property in which a private foundation and a disqualified person have a joint or common interest, if the interests of both in such property were acquired before May 27, 1969.

(3) SECTION 4942.—In the case of organizations organized before May 27, 1969, section 4942 shall—

(A) for taxable years beginning before January 1, 1972, apply without regard to the minimum investment return provision (as defined in section 4942(e) as added by this Act); and

(B) not apply to an organization to the extent its income is required to be accumulated pursuant to the mandatory terms (as in effect on May 27, 1969, and at all times thereafter) of an instrument executed before May 27, 1969, with respect to the transfer of income producing property to such organization, except that section 4942 shall apply to such organization if the organization would have been denied exemption if section 504(a) had not been repealed by this Act, or would have had its deductions under section 642(c) limited if section 681(c) had not been repealed by this Act. In applying the preceding sentence, in addition to the limitations contained in section 504(a) or 681(c) before its repeal, section 504(a)(1) or 681(c)(1) shall be treated as not applying to income attributable to property transferred to an organization before January 1, 1951, if the transfer was irrevocable on such date and if such income is required to be accumulated pursuant to the mandatory terms (as in effect on such date and at all times thereafter) of an instrument relating to such transfer executed before such date.

With respect to taxable years beginning after December 31, 1971, subparagraph (B) shall apply only with respect to taxable years for which it is impossible for such organization to reform its governing instrument (by amendment, judicial proceeding, or otherwise) to meet the requirements of section 508(g)(1)(A).

(4) SECTION 4943.—Subject to the provision of paragraph (5), section 4943 shall not apply— with respect to—

(A) an organization created by an inter vivos trust which was irrevocable on December 31, 1939, and which, together with all disqualified persons (as defined in section 4946) with respect thereto, owned on July 28, 1969, not more than 55 percent of the stock of a corporation, the common stock of which was traded on a public stock exchange at all times after 1960, or

(B) an organization incorporated before December 31, 1944, which owns stock in a business enterprise 95 percent of the gross income of which (for the 10-year period ending on December 31, 1969) was derived from dividends, interest, royalties, income in the nature of royalties, and capital gains, and which, for each taxable year beginning after December 31, 1969, makes qualifying distributions (within the meaning of section 4942(g)(1) and (2)) of substantially more than half of its income for educational purposes described in section 170(c)(2)(B).

For purposes of subparagraph (B), income in the nature of royalties means income of a corporation derived from the sale of any product under a contract between such corporation and a buyer of such product designating such buyer as the corporation's exclusive customer of such product within a specified geographical area, or from charges or costs passed on to such customer at cost, if such corporation does not manufacture, produce, physically receive, or deliver or maintain inventories in such product, and income of a corporation received in settlement of a dispute concerning, or in lieu of the exercise of, its right to sell a product within a specified geographical area.

(5) SPECIAL RULE.—An organization is within the meaning of paragraph (4) only if—

(A) at least 80 percent of its net income in each of the last 4 taxable years ending on or before December 31, 1969, is derived from the stock in a business enterprise described in subparagraph (A) or (B) of paragraph (4),

(B) no donor to such organization of the stock in a business enterprise described in subparagraph (B) or (B) of paragraph (4), or a member of his family (as defined in section 341(d)), is a foundation manager (as defined in section 4946(b)) with respect thereto or a member of the board of directors or other managing body of such business enterprise on July 28, 1969, and

(C) it does not purchase any stock or other interest in such business enterprise after July 28, 1969, and it does not acquire any stock or other interest in any other business enterprise which would constitute excess business holdings if the organization were subject to the provisions of section 4943.

(6) SECTION 4947.—Section 4947(a)(2) shall not apply with respect to amounts transferred in trust before May 27, 1969.

SUBTITLE B—OTHER TAX EXEMPT ORGANIZATIONS

SEC. 121. TAX ON UNRELATED BUSINESS INCOME.

(a) ORGANIZATIONS SUBJECT TO TAX.—

(1) CORPORATE RATES.—Section 511(a)(2)(A) (relating to certain organizations subject to tax on unrelated business income at corporate rates) is amended to read as follows:

"(A) ORGANIZATIONS DESCRIBED IN SECTIONS 401(a) AND 501(c).—The taxes imposed by paragraph (1) shall apply in the case of any organization (other than a trust described in subsection (b) or an organization described in section 501(c)(1)) which is exempt, except as provided in this part or part II (relating to private foundations), from taxation under this subtitle by reason of section 501 (a)."

(2) INDIVIDUAL RATES.—Section 511(b)(2) (relating to charitable, etc., trusts subject to tax on unrelated business income) is amended to read as follows:

"(2) CHARITABLE, ETC., TRUSTS SUBJECT TO TAX.—The tax imposed by paragraph (1) shall apply in the case of any trust which is exempt, except as provided in this part or part II (relating to private foundations), from taxation under this subtitle by reason

of section 501(a) and which, if it were not for such exemption, would be subject to subchapter J (sec. 641 and following, relating to estates, trusts, beneficiaries, and decedents)."

(b) DEFINITION OF UNRELATED BUSINESS TAXABLE INCOME.—

(1) IN GENERAL.—Section 512(a) (relating to definition of unrelated business taxable income) is amended to read as follows:

"(a) DEFINITION.—For purposes of this title—

(1) GENERAL RULE.—Except as otherwise provided in this subsection, the term 'unrelated business taxable income' means the gross income derived by any organization from any unrelated trade or business (as defined in section 513) regularly carried on by it, less the deductions allowed by this chapter which are directly connected with the carrying on of such trade or business, both computed with the modifications provided in subsection (b).

"(2) SPECIAL RULE FOR FOREIGN ORGANIZATIONS.—In the case of an organization described in section 511 which is a foreign organization, the unrelated business taxable income shall be—

"(A) its unrelated business taxable income which is derived from sources within the United States and which is not effectively connected with the conduct of a trade or business within the United States, plus

"(B) its unrelated business taxable income which is effectively connected with the conduct of a trade or business within the United States.

"(3) SPECIAL RULES APPLICABLE TO ORGANIZATIONS DESCRIBED IN SECTION 501(c) (7), (8), (9), OR (10).—

"(A) GENERAL RULE.—In the case of an organization described in section 501(c) (7), (8), (9), or (10), the term 'unrelated business taxable income' means the gross income (excluding any exempt function income), less the deductions allowed by this chapter which are directly connected with the production of the gross income (excluding exempt function income), both computed with the modifications provided in paragraphs (6), (10), (11) and (12) of subsection (b).

"(B) EXEMPT FUNCTION INCOME.—For purposes of subparagraph (A), the term 'exempt function income' means the gross income from dues, fees, charges, or similar amounts paid by members of the organization as consideration for providing such members or their guests goods, facilities, or services in furtherance of the purposes constituting the basis for the exemption of the organization to which such income is paid. In the case of an organization described in section 501(c) (8), (9), or (10), the term 'exempt function income' also includes all income (other than an amount equal to the gross income derived from any unrelated trade or business regularly carried on by such organization computed as if the organization were subject to paragraph (1)), which is permanently committed—

"(i) for a purpose specified in section 170(c)(4), or

"(ii) to providing for the payment of life, sick, accident, or other benefits under section 501(c)(8)(B), (9), or (10).

If during the taxable year, an amount which is attributable to income so permanently committed is used for a purpose other than that described in clause (i) or (ii), such amount shall be included, under subparagraph (A), in unrelated business taxable income for the taxable year.

"(C) APPLICABILITY TO CERTAIN CORPORATIONS DESCRIBED IN SECTION 501(c)(2).—In the case of a corporation described in section 501(c)(2), the income of which is payable to an organization described in section 501 (c) (7), (8), (9), or (10), the rules of subparagraphs (A) and (B) shall apply as if such corporation were the organization to which the income were payable, and in computing exempt function income amounts paid by the organization to which such corporation's income is payable as well as by members of such organization shall be taken into account."

(2) MODIFICATIONS.—

(A) DEBT-FINANCED PROPERTY.—Section 512(b)(4) (relating to modifications with respect to business leases) is amended to read as follows:

"(4) Notwithstanding paragraph (1), (2), (3), or (5), in the case of debt-financed property (as defined in section 514) there shall be included, as an item of gross income derived from an unrelated trade or business, the amount ascertained under section 514(a)(1), and there shall be allowed, as deduction, the amount ascertained under section 514(a)(2)."

(B) LIMIT ON SPECIFIC DEDUCTION.—Section 512(b)(12) (relating to allowance of specific deduction) is amended to read as follows:

"(12) Except for purposes of computing the net operating loss under section 172 and paragraph (6), there shall be allowed a specific deduction of $1,000."

(C) SPECIAL RULES FOR CERTAIN ORGANIZATIONS.—Section 512(b) (relating to modifications in determining unrelated business taxable income) is further amended by adding at the end thereof the following:

"(15) Notwithstanding paragraph (1), (2), or (3), amounts of interests, annuities, royalties, and rents derived from an organization of which the organization deriving such amounts has control (as defined in section 368(c)) shall be included as an item of gross income (whether or not the activity from which such amounts are derived represents a trade or business or is regularly carried on), and there shall be allowed all deductions directly connected with such amounts.

"(16) Except as provided in paragraph (4), in the case of a church, or convention or association of churches, for taxable years beginning before January 1, 1976, there shall be excluded all gross income derived from a trade or business and all deductions directly connected with the carrying on of such trade or business if such trade or business was carried on by such organization or its predecessor before May 27, 1969."

(D) TECHNICAL AMENDMENT.—Section 512(b) (relating to exceptions, additions, and limitations in determining unrelated business taxable income) is amended by striking out so much thereof as precedes paragraph (1) and inserting in lieu thereof the following:

"(b) MODIFICATIONS.—The modifications referred to in subsection (a) are the following:"

(3) RELATED AMENDMENT.—

(A) Part IX of subchapter B of chapter 1 (relating to items not deductible) is amended by adding at the end thereof the following:

"SEC. 278. DEDUCTIONS INCURRED BY CERTAIN MEMBERSHIP ORGANIZATIONS IN TRANSACTIONS WITH MEMBERS.

"(a) GENERAL RULE.—In the case of a social club or other membership organization which is operated primarily to furnish services or goods to members and which is not exempt from taxation, deductions for the taxable year in furnishing services, insurance, goods, or other items of value to members shall be allowed only to the extent of income derived during such year from members or transactions with members.

"(b) EXCEPTIONS.—Subsection (a) shall not apply to any organization which for the taxable year is subject to taxation under subchapter H or L."

(B) The table of sections for part IX of subchapter B of chapter 1 is amended by adding at the end thereof the following:

"Sec. 278. Deductions incurred by certain membership organizations in transactions with members."

(4) LOCAL EMPLOYEE ASSOCIATION.—Section 513(a)(2) (relating to exception to definition of unrelated trade or business) is amended by striking out employees; or" and inserting in lieu thereof the following: "employees, or, in the case of a local association of employees described in section 501(c)(4), organized before May 27, 1969, is the selling by the organization of items normally sold through vending machines, through food dispensing facilities, or by snack bars, for the convenience of its members at their usual places of employment; or".

(5) VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATIONS.—Section 501(c)(9) (relating to certain voluntary employees' beneficiary associations) is amended to read as follows:

"(9) Voluntary employees' beneficiary association providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents, if no part of their net earnings insures (other than through such payments) to the benefit of any private shareholder or individual."

(c) ACTIVITIES INCLUDED AS UNRELATED TRADE OR BUSINESS.—Section 513 (relating to unrelated trade or business) is amended by striking out subsection (c) and inserting in lieu thereof the following new subsection:

"(c) ADVERTISING, ETC., ACTIVITIES.—For purposes of this section, the term 'trade or business' includes any activity which is carried on for the production of income from the sale of goods or the performance of services. For purposes of the preceding sentence, an activity does not lose identity as a trade or business merely because it is carried on within a larger aggregate of similar activities or within a larger complex of other endeavors which may, or may not, be related to the exempt purposes of the organization."

(d) UNRELATED DEBT-FINANCED INCOME.—

(1) IN GENERAL.—Section 514 (relating to business leases) is amended by striking out so much thereof as precedes subsection (b) and inserting in lieu thereof the following:

"SEC. 514. UNRELATED DEBT-FINANCED INCOME.

"(a) UNRELATED DEBT-FINANCED INCOME AND DEDUCTIONS.—In computing under section 512 the unrelated business taxable income for any taxable year—

"(1) PERCENTAGE OF INCOME TAKEN INTO ACCOUNT.—There shall be included with respect to each debt-financed property as an item of gross income derived from an unrelated trade or business an amount which is the same percentage (but not in excess of 100 percent) of the total gross income derived during the taxable year from or on account of such property as (A) the average acquisition indebtedness (as defined in subsection (c)(7)) for the taxable year with respect to the property is of (B) the average amount (determined under regulations prescribed by the Secretary or his delegate) of the adjusted basis of such property during the period it is held by the organization during such taxable year.

"(2) PERCENTAGE OF DEDUCTIONS TAKEN INTO ACCOUNT.—There shall be allowed with respect to each debt-financed property, as a deduction to be taken into account in computing unrelated debt-financed income, an amount determined by applying (except as provided in the last sentence of this subsection) the percentage derived under paragraph (1) to the sum determined under paragraph (3). The percentage derived under this paragraph shall not be applied with respect to the deduction of any capital loss resulting from the carryover under section 1212 of unused losses in prior taxable years.

"(3) DEDUCTIONS ALLOWABLE.—The sum referred to in paragraph (2) is the sum of the deductions under this chapter which are directly connected with the debt-financed property or the income therefrom, except that if the debt-financed property is of a character which is subject to the allowance for depreciation provided in section 167, the allowance shall be computed only by use of the straight-line method.

"(b) DEFINITION OF DEBT-FINANCED PROPERTY.—

"(1) IN GENERAL.—The term 'debt-financed

property' means any property which is held to produce income and with respect to which there is an acquisition indebtedness (as defined in subsection (c)) at any time during the taxable year (or, if the property was disposed of during the taxable year, with respect to which there was an acquisition indebtedness at any time during the 12-month period ending with the date of such disposition), except that such term does not include—

"(A) any property all the use of which is related (aside from the need of the organization for income or funds) to the exercise of performance by such organization of its charitable, educational, or other purpose or function constituting the basis for its exemption under section 501 (or, in the case of an organization described in section 511(a)(2)(B), to the exercise or performance of any purpose or function designated in section 501(c)(3));

"(B) except in the case of income excluded under section 512(b)(5), any property all the income from which is taken into account in computing the gross income of any unrelated trade or business;

"(C) any property all the income from which is excluded by reason of the provisions of paragraph (7), (8), or (9) of section 512(b) in computing the gross income of any unrelated trade or business; or

"(D) any property all the use of which is in any trade or business described in paragraph (1), (2), or (3) of section 513(a).

"(2) SPECIAL RULES WHEN LAND IS ACQUIRED FOR EXEMPT USE WITHIN 10 YEARS.—

"(A) NEIGHBORHOOD LAND.—If an organization acquires real property for the principal purpose of using the land (commencing within 10 years of the time of acquisition) in the manner described in paragraph (1)(A) and at the time of acquisition the property is in the neighborhood of other property owned by the organization which is used in such manner, the real property acquired for such future use shall not be treated as debt-financed property so long as the organization does not abandon its intent to so use the land within the 10-year period. The preceding sentence shall not apply for any period after the expiration of the 10-year period, and shall apply after the first 5 years of the 10-year period only if the organization establishes to the satisfaction of the Secretary or his delegate that it is reasonably certain that the land will be used in the described manner before the expiration of the 10-year period.

"(B) OTHER CASES.—If the first sentence of subparagraph (A) is inapplicable only because—

"(i) the acquired land is not in the neighborhood referred to in subparagraph (A), or

"(ii) the organization (for the period after the first 5 years of the 10-year period) is unable to establish to the satisfaction of the Secretary or his delegate that it is reasonably certain that the land will be used in the manner described in paragraph (1)(A) before the expiration of the 10-year period,

but the land is converted to such use by the organization within the 10-year period, the real property (subject to the provisions of subparagraph (D)) shall not be treated as debt-financed property for any period before such conversion. For purposes of this subparagraph, land shall not be treated as used in the manner described in paragraph (1)(A) by reason of the use made of any structure which was on the land when acquired by the organization.

"(C) LIMITATIONS.—Subparagraphs (A) and (B)—

"(i) shall apply with respect to any structure on the land when acquired by the organization, or to the land occupied by the structure, only if (and so long as) the intended future use of the land in the manner described in paragraph (1)(A) requires that the structure be demolished or removed in order to use the land in such manner;

"(ii) shall not apply to structures erected on the land after the acquisition of the land; and

"(iii) shall not apply to property subject to a lease which is a business lease as (defined in subsection (f)).

"(D) REFUND OF TAXES WHEN SUBPARAGRAPH (B) APPLIES.—If an organization for any taxable year has not used land in the manner to satisfy the actual use condition of subparagraph (B) before the time prescribed by law (including extensions thereof) for filing the return for such taxable year, the tax for such year shall be computed without regard to the application of subparagraph (B), but if and when such use condition is satisfied, the provisions of subparagraph (B) shall then be applied to such taxable year. If the actual use condition of subparagraph (B) is satisfied for any taxable year after such time for filing the return, and if credit or refund of any overpayment for the taxable year resulting from the satisfaction of such use condition is prevented at the close of the taxable year in which the use condition is satisfied, by the operation of any law or rule of law (other than chapter 74, relating to closing agreements and compromises), credit or refund of such overpayment may nevertheless be allowed or made if claim therefor is filed before the expiration of 1 year after the close of the taxable year in which the use condition is satisfied. Interest on any overpayment for a taxable year resulting from the application of subparagraph (B) after the actual use condition is satisfied shall be allowed and paid at the rate of 4 percent per annum in lieu of 6 percent per annum.

"(E) SPECIAL RULE FOR CHURCHES.—In applying this paragraph to a church or convention or association of churches, in lieu of the 10-year period referred to in subparagraphs (A) and (B) a 15-year period shall be applied, and subparagraphs (A) and (B)(ii) shall apply whether or not the acquired land meets the neighborhood test.

"(c) ACQUISITION INDEBTEDNESS.—

"(1) GENERAL RULE.—The term 'acquisition indebtedness' means, with respect to any debt-financed property, the unpaid amount of—

"(A) the indebtedness incurred by the organization in acquiring or improving such property;

"(B) the indebtedness incurred before the acquisition or improvement of such property if such indebtedness would not have been incurred but for such acquisition or improvement; and

"(C) the indebtedness incurred after the acquisition or improvement of such property if such indebtedness would not have been incurred but for such acquisition or improvement and the incurrence of such indebtedness was reasonably foreseeable at the time of such acquisition or improvement, except that in the case of any taxable year beginning before January 1, 1972, any indebtedness incurred before June 28, 1966, shall not be taken into account. In the case of an organization (other than a church or convention or association of churches) such indebtedness incurred before June 28, 1966, shall be taken into account if such indebtedness constitutes business lease indebtedness (as defined in subsection (g)).

"(2) PROPERTY ACQUIRED SUBJECT TO MORTGAGE, ETC.—

"(A) GENERAL RULE.—Where property (no matter how acquired) is acquired subject to a mortgage or other similar lien, the amount of the indebtedness secured by such mortgage or lien shall be considered as an indebtedness of the organization incurred in acquiring such property even though the organization did not assume or agree to pay such indebtedness.

"(B) EXCEPTIONS.—Where property subject to a mortgage is acquired by an organization by bequest or devise, the indebtedness secured by the mortgage shall not be treated as acquisition indebtedness during a period of 10 years following the date of the acquisition. If an organization acquires property by gift subject to a mortgage which was placed on the property more than 5 years before the gift, which property was held by the donor more than 5 years before the gift, the indebtedness secured by such mortgage shall not be treated as acquisition indebtedness during a period of 10 years following the date of such gift. This subparagraph shall not apply if the organization, in order to acquire the equity in the property by bequest, devise, or gift, assumes and agrees to pay the indebtedness secured by the mortgage, or if the organization makes any payment for the equity in the property owned by the decedent or the donor.

"(3) EXTENSION OF OBLIGATIONS.—An extension, renewal, or refinancing of an obligation evidencing a preexisting indebtedness shall not be treated, for the purpose of this section, as the creation of a new indebtedness.

"(4) INDEBTEDNESS INCURRED IN PERFORMING EXEMPT PURPOSE.—The term 'acquisition indebtedness' does not include indebtedness the incurrence of which is inherent in the performance or exercise of the purpose or function constituting the basis of the organization's exemption, such as the indebtedness incurred by a credit union (exempt from tax under section 501(c)(14)) in accepting deposits from its members.

"(5) ANNUITIES.—The term 'acquistion indebtedness' does not include an obligation to pay an annuity which—

"(A) is the sole consideration (other than a mortgage to which paragraph (2)(B) applies) issued in exchange for property if, at the time of the exchange, the value of the annuity is less than 90 percent of the value of the property received in the exchange,

"(B) is payable over the life of one individual in being at the time the annuity is issued, or over the lives of two individuals in being at such time, and

"(C) is payable under a contract which—

"(i) does not guarantee a minimum amount of payments or specify a maximum amount of payments, and

"(ii) does not provide for any adjustment of the amount of the annuity payments by reference to the income received from the transferred property or any other property.

"(6) CERTAIN FEDERAL FINANCING.—The term 'acquisition indebtedness' does not include an obligation, to the extent that it is insured by the Federal Housing Administration, to finance the purchase, rehabilitation, or construction of housing for low and moderate income persons.

"(7) AVERAGE ACQUISITION INDEBTEDNESS.—The term 'average acquisition indebtedness' for any taxable year with respect to a debt-financed property means the average amount determined under regulations prescribed by the Secretary or his delegate, of the acquisition indebtedness during the period the property is held by the organization during the taxable year, except that for the purpose of computing the percentage of any gain or loss to be taken into account on a sale or other disposition of debt-financed property, such term means the highest amount of the acquisition indebtedness with respect to such property during the 12-month period ending with the date of the sale or other disposition.

"(d) BASIS OF DEBT-FINANCED PROPERTY ACQUIRED IN CORPORATE LIQUIDATION.—If the property was acquired in a complete or partial liquidation of a corporation in exchange for its stock, the basis of the property, for the purposes of this subtitle, shall be the same as it would be in the hands of the transferor corporation, increased by the amount of gain recognized to the transferor corporation upon such distribution and by the amount of any gain to the organization which was included, an account of such distribution, in its unrelated debt-financed income.

"(e) ALLOCATION RULES.—Where debt-fi-

nanced property is held for purposes described in subsection (b)(1)(A), (B), (C), or (D) as well as for other purposes, proper allocation shall be made with respect to basis, indebtedness, and income and deductions. The allocations and exclusions required by this section shall be made in accordance with regulations prescribed by the Secretary or his delegate to the extent proper to carry out the purposes of this section."

(2) RELATED AMENDMENTS.—

(A) Section 48(a)(4) (relating to definition of section 38 property) is amended by adding at the end thereof the following new sentence: "If the property is debt-financed property (as defined in section 514(c)) the basis or cost of such property for purposes of computing qualified investment under section 46(c) shall include only that percentage of the basis or cost which is the same percentage as is used under section 514(b), for the year the property is placed in service, in computing the amount of gross income to be taken into account during such taxable year with respect to such property."

(B) The second sentence of section 681(a) (relating to limitation on charitable deduction of taxable trusts) is amended by striking out the words "certain leases" and inserting in lieu thereof "certain property acquired with borrowed funds".

(C) Section 1443 (relating to withholding of tax on payments to foreign tax-exempt organizations) is amended by striking out "rents" and inserting in lieu thereof "income".

(3) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) Subsections (b), (c), and (d) of section 514 (relating to business leases) are relettered as subsections (f), (g), and (h), respectively.

(B) New subsection (f)(1) (old subsection (b)(1), relating to general rule for definition of business lease) is amended by striking out "subsection (c)" and inserting in lieu thereof "subsection (g)".

(C) The table of sections for part III of subchapter F of chapter 1 (as redesignated by section 101(a) of this Act) is amended by striking out

"Sec. 514. Business leases."

and inserting in lieu thereof the following:

"Sec. 514. Unrelated debt-financed income."

(e) RETURNS.—

(1) IN GENERAL.—Subpart B of part III of subchapter A of chapter 61 is amended by adding at the end thereof the following new section:

"SEC. 6050. RETURNS RELATING TO CERTAIN TRANSFERS TO EXEMPT ORGANIZATIONS.

"(a) GENERAL RULE.—On or before the 90th day after the transfer of income producing property, the transferor shall make a return in compliance with the provisions of subsection (b) if the transferee is known by the transferor to be an organization referred to in section 511 (a) or (b) and the property (without regard to any lien) has a fair market value in excess of $50,000.

"(b) FORM AND CONTENTS OF RETURNS.—The return required by subsection (a) shall be in such form and shall set forth, in respect of the transfer, such information as the Secretary or his delegate prescribes by regulations as necessary for carrying out the provisions of the income tax laws."

(2) TECHNICAL AMENDMENT.—The table of sections for subpart B of part III of subchapter A of chapter 61 is amended by adding at the end thereof the following:

"Sec. 6050. Returns relating to certain transfers to exempt organizations."

(f) RESTRICTION ON EXAMINATION OF CHURCHES.—Section 7605 (relating to time and place of examination) is amended by adding at the end thereof the following new subsection:

"(c) RESTRICTION ON EXAMINATION OF CHURCHES.—No examination of the books of account of a church or convention or association of churches shall be made to determine whether such organization may be engaged in the carrying on of an unrelated trade or business or may be otherwise engaged in activities which may be subject to tax under part III of subchapter F of chapter 1 of this title (sec. 511 and following, relating to taxation of business income of exempt organizations) unless the Secretary or his delegate (such officer being no lower than a principal internal revenue officer for an internal revenue region) believes that such organization may be so engaged and so notifies the organization in advance of the examination."

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1969.

TITLE II—INDIVIDUAL DEDUCTIONS

SUBTITLE A—CHARITABLE CONTRIBUTIONS

SEC. 201. CHARITABLE CONTRIBUTIONS.

(a) LIMITATIONS.—

(1) INDIVIDUALS.—Section 170(b)(1) (relating to limitations on individuals) is amended to read as follows:

"(1) INDIVIDUALS.—

"(A) GENERAL RULE.—In the case of an individual, the deduction provided in subsection (a) shall be limited as provided in the succeeding subparagraphs of this paragraph.

"(B) SPECIAL RULE.—Any charitable contribution to—

"(i) a church or a convention or association of churches.

"(ii) an educational organization which normally maintains a regular faculty and curriculum and normally has a regularly enrolled body of pupils or students in attendance at the place where its educational activities are regularly carried on.

"(iii) an organization the principal purposes or functions of which are the providing of medical or hospital care or medical education or medical research, if the organization is a hospital, or if the organization is a medical research organization directly engaged in the continuous active conduct of medical research in conjunction with a hospital, and during the calendar year in which the contribution is made such organization is committed to spend such contributions for such research before January 1 of the fifth calendar year which begins after the date such contribution is made.

"(iv) an organization which normally receives a substantial part of its support (exclusive of income received in the exercise or performance by such organization of its charitable, educational, or other purpose or function constituting the basis for its exemption under section 501(a)) from the United States or any State or political subdivision thereof or from direct or indirect contributions from the general public, and which is organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures to or for the benefit of a college or university which is an organization referred to in clause (ii) of this subparagraph and which is an agency or instrumentality of a State or political subdivision thereof, of which is owned or operated by a State or political subdivision thereof or by an agency or instrumentality of one or more States or political subdivisions,

"(v) a governmental unit referred to in subsection (c)(1), or

"(vi) an organization referred to in subsection (c)(2) which normally receives a substantial part of its support (exclusive of income received in the exercise or performance by such organization of its charitable, educational, or other purpose or function constituting the basis for its exemption under section 501(a)) from a governmental unit referred to in subsection (c)(1) or from direct or indirect contributions from the general public,

shall be allowed to the extent that the aggregate of such contributions does not exceed 30 percent of the taxpayer's contribution base.

"(C) GENERAL LIMITATION.—The total deductions under subsection (a) for any taxable year shall not exceed 20 percent of the taxpayer's contribution base. For purposes of this subparagraph, the deduction under subsection (a) shall be computed without regard to any deduction allowed under subparagraph (B) but shall take into account any charitable contributions described in subparagraph (B) which are in excess of the amount allowable as a deduction under subparagraph (B).

"(D) UNLIMITED DEDUCTION FOR CERTAIN INDIVIDUALS.—The limitation in subparagraph (C) shall not apply in the case of an individual for a taxable year beginning before January 1, 1975, if in such taxable year and in 8 of the 10 preceding taxable years, the amount of the charitable contributions, plus the amount of income tax (determined without regard to chapter 2, relating to tax on self-employment income) paid during such year in respect of such year or preceding taxable years, exceeds the transitional deduction percentage (determined under subparagraph (F)) of the taxpayer's taxable income for such year, computed without regard to—

"(i) this section.

"(ii) section 151 (allowance of deductions for personal exemption), and

"(iii) any net operating loss carryback to the taxable year under section 172.

In lieu of the amount of income tax paid during any such year, there may be substituted for that year the amount of income tax paid in respect of such year, provided that any amount so included in the year in respect of which payment was made shall not be included in any other year.

"(E) PARTIAL REDUCTION OF UNLIMITED DEDUCTION.—In the case of an individual, if the limitations in subparagraph (C) do not apply because of the application of subparagraph (D), the amount otherwise allowable as a deduction under subsection (a) shall be reduced by the amount by which the taxpayer's taxable income computed without regard to this subparagraph is less than the transitional income percentage (determined under subparagraph (G)) of the taxpayer's adjusted gross income. However, in no case shall a taxpayer's deduction under this section be reduced below the amount allowable as a deduction under this section without the applicability of subparagraph (D).

"(F) TRANSITIONAL DEDUCTION PERCENTAGE.—For purposes of applying subparagraph (D), the term 'transitional deduction percentage' means—

"(i) in the case of a taxable year beginning before 1970, 90 percent, and

"(ii) in the case of a taxable year beginning in—

1970	80 percent
1971	74 percent
1972	68 percent
1973	62 percent
1974	56 percent.

"(G) TRANSITIONAL INCOME PERCENTAGE.—For purposes of applying subparagraph (E), the term 'transitional income percentage' means, in the case of a taxable year beginning in—

1970	20 percent
1971	26 percent
1972	32 percent
1973	38 percent
1974	44 percent.

"(H) DENIAL OF DEDUCTION IN CASE OF CERTAIN TRANSFERS IN TRUST.—No deduction shall be allowed under this section for the value of any interest in income from property transferred after April 22, 1969, to a trust unless—

"(i) the interest is in the form of a guaranteed annuity or the trust instrument specifies that the interest shall receive a fixed percentage yearly of the fair market value of the trust property (determined yearly) and the grantor is treated as the owner of such interest for purposes of applying section 671, or

"(ii) a deduction would be allowed under this section for the donor's entire interest in such property.

If the donor ceases to be treated as the owner of such an interest for purposes of applying section 671, at the time the donor ceases to be so treated, the donor shall for purposes of this chapter be considered as having received an amount of income equal to the amount of any deduction he received under this section for the contribution reduced by the discounted value of all amounts of income earned by the trust and taxable to him before the time at which he ceases to be treated as the owner of the interest. Such amounts of income shall be discounted to the date of the contribution. The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this subparagraph.

"(I) DENIAL OF DEDUCTION IN CASE OF PAYMENTS BY CERTAIN TRUSTS.—In any case where a deduction is allowed under this section for the value of an interest in income from property transferred after April 22, 1969, to a trust, no deduction shall be allowed under this section to the grantor or any other person for the amount of any contribution made by the trust with respect to such income interest.

"(J) SPECIAL LIMITATIONS ON CONTRIBUTIONS OF APPRECIATED PROPERTY.—

"(i) In the case of appreciated property to which subsection (e) does not apply, the total deduction for contributions of such property under subsection (a) for any taxable year shall not exceed 30 percent of the taxpayer's contribution base. For purposes of the percentage limitations in subparagraphs (B) and (C), such contributions shall be allowable as a deduction only to the extent that the amount of such contributions plus any other contributions under such subparagraphs does not exceed such limitations.

"(ii) For purposes of paragraph (5), if the amount of charitable contributions described in subparagraph (B) which consists of appreciated property (to which clause (i) applies) exceeds 30 percent of the taxpayer's contribution base for a contribution year, the excess shall be carried over the same as any other amount carried over under paragraph (5) whether or not the taxpayer's charitable contributions described in subparagraph (B) exceed 50 percent of his contribution base. The amount of any carryover under paragraph (5) of property to which clause (i) applies shall be added to contributions of appreciated property in future contribution years for purposes of determining the 30-percent limitation in clause (i) for a future year and computing any further carryover under paragraph (5).

"(iii) For purposes of this subparagraph, the term 'appreciated property' means property which has a fair market value (at the time of the contribution) which exceeds the taxpayer's adjusted basis in such property.

"(iv) The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this subparagraph."

(2) CARRYOVERS.—Section 170(b)(5) (relating to carryover of certain excess contributions by individuals) is amended by striking out that portion of subparagraph (A) which precedes clause (ii) and inserting in lieu thereof the following:

"(A) In the case of an individual, if the amount of charitable contributions described in paragraph (1)(B) payment of which is made within a taxable year (hereinafter in this paragraph referred to as the 'contribution year') beginning before January 1, 1970, exceeds 30 percent of the taxpayer's adjusted gross income for such year (computed without regard to any net operating loss carryback to such year under section 172), or within a contribution year beginning after December 31, 1969, exceeds 50 percent of the taxpayer's contribution base for such year, such excess shall be treated as a charitable contribution described in paragraph (1)(B) paid in each of the 5 succeeding taxable years in order of time, but, with respect to any such succeeding taxable year, only to the extent of the lesser of the two following amounts:

"(i) for taxable years beginning before January 1, 1970, the amount by which 30 percent of the taxpayer's adjusted gross income for such succeeding taxable year (computed without regard to any net operating loss carryback to such succeeding taxable year under section 172), or for taxable years beginning after December 31, 1969, the amount by which 50 percent of the taxpayer's contribution base for such succeeding taxable year, exceeds the sum of the charitable contributions described in paragraph (1)(B) payment of which is made by the taxpayer within such succeeding taxable year (determined without regard to this subparagraph) and the charitable contributions described in paragraph (1)(B) payment of which was made in taxable years (beginning after December 31, 1963) before the contribution year which are treated under this subparagraph as having been paid in such succeeding taxable year; or"

(3) FURTHER LIMITATIONS.—Section 170(b) (relating to limitation on amount of deduction for charitable contributions) is amended by adding at the end thereof the following new paragraphs:

"(6) CONTRIBUTION BASE DEFINED.—For purposes of this section, the term 'contribution base' means adjusted gross income (computed without regard to any net operating loss carryback to the taxable year under section 172) increased by the allowable tax preferences as determined under section 277(c)(2).

"(7) DISALLOWANCE OF DEDUCTION IN CERTAIN CASES.—No deduction shall be allowed under this section—

"(A) for a contribution to or for the use of an organization described in section 501(c)(3) (relating to exempt organizations) unless the organization—

"(i) is exempted from the requirements of section 508 (a) and (b) (relating to special rules with respect to section 501(c)(3) organizations) pursuant to subsection (c) thereof, or

"(ii) complies with section 508 (a), (b), and (g), or

"(B) for a transfer in trust (other than one to which the provisions of subparagraph (A) of this paragraph apply) unless the governing instrument of the trust includes provisions, the effects of which are to prohibit the trust from—

"(i) engaging in any act of self-dealing (as defined in section 4941(d)),

"(ii) retaining any excess business holdings (as defined in section 4943(c)),

"(iii) making any speculative investments in such manner as to subject the trust to tax under section 4944, and

"(iv) making any taxable expenditures (as defined in section 4945(b)).

"(8) DENIAL OF DEDUCTION IN CASE OF CONTRIBUTION OF PARTIAL INTEREST IN PROPERTY.—In a case where a taxpayer makes a charitable contribution of less than his entire interest in property to, and not in trust for, an organization described in subsection (c), a deduction shall be allowed under this section only to the extent that the value of the interest contributed would be allowed as a deduction under this section if such interest had been transferred in trust. For purposes of this paragraph, the charitable contribution by a taxpayer of the right to use property shall be treated as a charitable contribution of less than the taxpayer's entire interest in such property."

(4) CONFORMING AMENDMENTS.—

(A) Subsections (b)(5)(A) (ii) and (g) of section 170 are each amended by striking out "170(b)(1)(A)" each place it appears and inserting in lieu thereof "170(b)(1)(B)".

(B) Section 170(g)(1) is amended by striking out "subsection (b)(1)(C)" each place it appears and inserting in lieu thereof "subsection (b)(1)(D)".

(C) Sections 512(b)(11), 545(b)(2), and 556(b)(2) are each amended by striking out "170(b)(1)(A) and (B)" each place it appears and inserting in lieu thereof "170(b)(1)(B) and (C)".

(b) POLITICAL ACTIVITIES.—Section 170(c)(2)(D) (relating to definition of charitable contributions) is amended to read as follows:

"(D) no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation, and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office."

(c) CHARITABLE CONTRIBUTIONS OF APPRECIATED PROPERTY.—

(1) IN GENERAL.—Section 170(e) (relating to special rule for charitable contributions of certain property) is amended to read as follows:

"(e) CONTRIBUTIONS OF APPRECIATED PROPERTY.—

"(1) GENERAL RULE.—In the case of a charitable contribution of property to which paragraph (2) applies or a charitable contribution of any property directly or indirectly to or for the use of an organization to which paragraph (3) applies, if (at the time of the contribution) the fair market value of the property exceeds the taxpayer's adjusted basis (for purposes of determining gain) in the property, the taxpayer shall elect (at such time and in such manner as the Secretary or his delegate by regulations prescribes) to treat either:

"(A) the fair market value of the property, or

"(B) such adjusted basis of the property, as the amount of the charitable contribution to be taken into account under subsection (a).

"(2) CERTAIN APPRECIATED PROPERTY.—Paragraph (1) shall apply to charitable contributions of—

"(A) property any portion of the gain on which, if the property were sold for its fair market value at the time of the contribution, would have constituted or been treated as a gain other than a gain from the sale or exchange of a capital asset held for more than 12 months,

"(B) tangible personal property, and

"(C) a future interest in property.

For purposes of the preceding sentence, a fixture which is intended to be severed from real property shall be treated as tangible personal property.

"(3) CERTAIN ORGANIZATIONS.—Paragraph (1) shall apply to charitable contributions to a private foundation (as defined in section 509(a)) unless—

"(A) it is an operating foundation (as defined in section 4942(j)(3)), or

"(B) not later than the close of the organization's first year after its taxable year

in which such contributions are received, such organization makes a qualifying distribution (as defined in section 4942(g)) which is treated (in accordance with section 4942(h)) as a distribution out of corpus in an amount equal to 100 percent of all such contributions.

Subparagraph (B) shall not apply to a contribution to an organization described in subparagraph (B) unless the taxpayer obtains adequate records or sufficient evidence from the organization showing that the organization made the distributions as required therein.

"(4) ALLOCATION OF BASIS.—In the case of a charitable contribution of less than the taxpayer's entire interest in the property contributed, the taxpayer's adjusted basis in such property shall be allocated between the interest contributed and any interest not contributed in accordance with regulations prescribed by the Secretary or his delegate.

"(5) CROSS REFERENCE.—

"For treatment of gain in a case where the taxpayer elects to treat the fair market value of property as the amount to be taken into account, see section 83."

(2) GIFTS TREATED AS SALE.—Part II of subchapter B of chapter 1 of such Code (relating to items specifically included in gross income) is amended by adding at the end thereof the following new section:

"SEC. 83. CERTAIN GIFTS TO CHARITY TREATED AS SALES OF PROPERTY.

"(a) COMPUTATION AND RECOGNITION OF GAIN.—If a taxpayer—

"(1) has made a charitable contribution of property, and

"(2) has elected to treat the fair market value of the property as the amount of the charitable contribution pursuant to section 170(e),

the contribution shall be treated for purposes of this subtitle as a sale (at the time of the contribution) of the property to the donee for an amount equal to the fair market value of such property, and the gain on such sale shall be recognized.

"(b) LIMITATION.—In the case of a charitable contribution to an organization to which section 170(e)(1) does not apply of property—

"(1) which is described in section 170(e)(2)(A), and

"(2) to which subparagraphs (B) and (C) of section 170(e)(2) do not apply,

only that portion of the gain which would not be treated as gain from the sale of a capital asset held for more than 12 months shall be recognized.

"(c) ADJUSTMENTS TO BASIS.—The basis of the property acquired by gift to which this section applies shall be the donor's adjusted basis (for purposes of determining gain) increased by the amount of any gain recognized by the donor on the contribution under this section."

(3) CLERICAL AMENDMENT.—The table of sections for part II of subchapter B of chapter 1 is amended by adding at the end thereof the following item:

"Sec. 83. Certain gifts to charity treated as sales of property."

(d) BARGAIN SALES TO CHARITABLE ORGANIZATIONS.—Section 1011 (relating to adjusted basis for determining gain or loss) is amended—

(1) by striking out "The" at the beginning and inserting in lieu thereof:

"(a) GENERAL RULE.—The", and

(2) by adding at the end thereof the following new subsection:

"(b) BARGAIN SALE TO A CHARITABLE ORGANIZATION.—If a deduction is allowable under section 170 (relating to charitable contributions) by reason of a sale, then the adjusted basis for determining the gain from such sale shall be that portion of the adjusted basis which bears the same ratio to the adjusted basis as the amount realized bears to the fair market value of the property."

(e) SPLIT-INTEREST TRUSTS.—Section 170 is amended by redesignating subsections (h) and (i) as subsections (i) and (j), respectively, and by inserting after subsection (g) the following new subsection:

"(h) LIMITATION ON CONTRIBUTIONS OF REMAINDER INTEREST IN PROPERTY PLACED IN TRUST.—

"(1) GENERAL RULE.—In the case of property transferred in trust, no deduction shall be allowed under this section for the value of a contribution of a remainder interest unless the trust is a charitable remainder annuity trust or charitable remainder unitrust described in section 664(d).

"(2) EXCEPTION.—This subsection shall not apply in a case where the value of all interests in property transferred in trust are deductible under subsection (a)."

(f) CHARITABLE CONTRIBUTIONS BY ESTATES AND TRUSTS.—

(1) IN GENERAL.—Subsection (c) of section 642 (relating to deduction for amounts paid or permanently set aside for a charitable purpose) is amended to read as follows:

"(c) DEDUCTION FOR AMOUNTS PAID FOR A CHARITABLE PURPOSE.—In the case of an estate or trust (other than a trust meeting the specifications of subpart B) there shall be allowed as a deduction in computing its taxable income (in lieu of the deductions allowed by section 170(a), relating to deduction for charitable, etc., contributions and gifts) any amount of the gross income, without limitation, which pursuant to the terms of the governing instrument is, during the taxable year, paid for a purpose specified in section 170(c). If a charitable contribution is paid after the close of such taxable year and on or before the last day of the year following the close of such taxable year, then the trustee or administrator may elect to treat such contribution as paid during such taxable year. The election shall be made at such time and in such manner as the Secretary or his delegate by regulations prescribe. To the extent that the amount otherwise allowable as a deduction under this paragraph consists of gain from the sale or exchange of capital assets held for more than 12 months, proper adjustment shall be made for any deduction allowable to the estate or trust under section 1202 (relating to deduction for excess of capital gains over capital losses). In the case of a trust, the deduction allowed by this subsection shall be subject to section 681 (relating to unrelated business income) and section 507(f) (relating to prohibited transactions)."

(2) CONFORMING AMENDMENTS.—

(A) Section 643(a) (relating to definition of distributable net income) is amended:

(i) by striking out ", permanently set aside, or to be used" in the first sentence of paragraph (3); and

(ii) by striking out ", permanently set aside, or to be used" in that portion which follows paragraph (7) thereof.

(B) Section 651(a)(2) (relating to deduction for trusts distributing current income only) is amended by striking out ", permanently set aside, or used".

(C) Section 663(a)(2) (relating to special rules applicable to sections 661 and 662) is amended by striking out "or permanently set aside or otherwise qualifying for the deduction" and inserting "as" in leu thereof.

(g) TWO-YEAR CHARITABLE TRUSTS.—Section 673(b) (relating to trusts where the income is payable to a charitable beneficiary for at least a two-year period) is repealed.

(h) DISALLOWANCE OF ESTATE AND GIFT TAX DEDUCTIONS IN CERTAIN CASES.—

(1) ESTATES OF CITIZENS OR RESIDENTS.—Subsection (e) of section 2055 (relating to disallowance of charitable deductions in certain cases) is amended to read as follows:

"(e) DISALLOWANCE OF DEDUCTIONS IN CERTAIN CASES.—

"(1) No deduction shall be allowed under this section—

"(A) for a transfer to or for the use of an organization described in section 501(c)(3) (relating to exempt organizations) unless the organization—

"(i) is exempted from the requirements of section 508(a) and (b) pursuant to subsection (c) thereof, or

"(ii) complies with section 508 (a), (b), and (g); or

"(B) for a transfer in trust (other than one to which the provisions of subparagraph (A) of this paragraph apply) unless the governing instrument of the trust includes provisions, the effects of which are to prohibit the trust from—

"(i) engaging in any act of self-dealing (as defined in section 4941(d)),

"(ii) retaining any excess business holdings (as defined in section 4943(c)),

"(iii) making any speculative investments in such manner as to subject the trust to tax under section 4944, and

"(iv) making any taxable expenditures (as defined in section 4945(b)).

"(2) Where an interest in property passes or has passed from the decedent to a person, or for a use, described in subsection (a), and an interest in the same property passes or has passed (for less than an adequate and full consideration in money or money's worth) from the decedent to a person, or for a use, not described in subsection (a), no deduction shall be allowed under this section for the interest which passes or has passed to the person, or for the use, described in subsection (a) unless the interest is in the form of a remainder interest in a trust which is a charitable remainder annuity trust or a charitable remainder unitrust described in section 664(d)."

(2) ESTATES OF NONRESIDENTS NOT CITIZENS.—Subparagraph (E) of section 2106(a)(2) (relating to disallowance of deductions in certain cases) is amended to read as follows:

"(E) DISALLOWANCE OF DEDUCTIONS IN CERTAIN CASES.—The provisions of section 2055(e) also shall be applied in the determination of the amount allowable as a deduction under this paragraph."

(3) GIFT TAX.—Subsection (c) of section 2522 (relating to disallowance of charitable deductions in certain cases) is amended to read as follows:

"(c) DISALLOWANCE OF DEDUCTIONS IN CERTAIN CASES.—

"(1) No deduction shall be allowed under this section—

"(A) for a transfer to or for the use of an organization described in section 501(c)(3) (relating to exempt organizations) unless the organization—

"(i) is exempted from the requirements of section 508 (a) and (b) pursuant to subsection (c) thereof, or

"(ii) complies with section 508 (a), (b), and (g); or

"(B) for a transfer in trust (other than one to which the provisions of subparagraph (A) of this paragraph apply), unless the governing instrument of the trust includes provisions the effects of which are to prohibit the trust from—

"(i) engaging in any act of self-dealing (as defined in section 4941(d)),

"(ii) retaining any excess business holdings (as defined in section 4943(c)),

"(iii) making any speculative investments in such manner as to subject the trust to tax under section 4944, and

"(iv) making any taxable expenditures (as defined in section 4945(b)).

"(2)(A) Where a donor transfers an interest in property to a person, or for a use, described in subsection (a) or (b) and an interest in the same property is transferred or has been transferred (for less than an adequate and full consideration in money or money's worth) from the donor to a person,

or for a use, not described in subsection (a) or (b), the deduction allowed under this section for the interest which is, or has been transferred to the person, or for the use, described in subsection (a) or (b) shall not be greater than the amount allowed to the donor as a deduction under section 170 in respect of such interest, determined without regard to the percentage limitation in subsection (b) thereof. For purposes of this subparagraph, where the donor has elected the alternative set forth in subparagraph (B) of section 170(e)(1) (relating to electing valuation of gifts of appreciated property), the deduction allowed under section 170 shall be deemed to be the deduction that would have been allowed had the alternative set forth in subparagraph (A) been elected.

"(B) Where any readjustment under section 170(b)(1)(H) is made in the donor's income, at the time the readjustment is made the donor shall, for purposes of this chapter, be considered as making a gift (which is not a gift of a present interest in property and for which no deduction shall be allowed under this section) of property in an amount equal to the amount required to be included in income as a result of the readjustment, except that if the alternative set forth in subparagraph (B) of section 170(e)(1) had been elected, the amount of such gift shall be considered to be in an amount equal to the amount which would have been required to be included in income as a result of the readjustment if the alternative set forth in subparagraph (A) of such section had been elected.

(i) CHARITABLE REMAINDER TRUSTS.—

(1) Subpart C of part I of subchapter J of chapter 1 (relating to estates and trusts which may accumulate income or which distribute corpus) is amended by adding at the end thereof the following new section:

"SEC. 664. CHARITABLE REMAINDER TRUSTS.

"(a) GENERAL RULE.—Notwithstanding any other provision of this subchapter, the provisions of this section shall, in accordance with regulations prescribed by the Secretary or his delegate, apply in the case of a charitable remainder annuity trust and a charitable remainder unitrust.

"(b) CHARACTER OF DISTRIBUTIONS.—Amounts distributed by a charitable remainder annuity trust or by a charitable remainder unitrust shall be considered as having the following characteristics in the hands of the beneficiary to whom is paid the annuity described in subsection (d)(1)(A) or the payment described in subsection (d)(2)(A):

"(1) First, as amounts of income includible in gross income to the extent of such income of the trust for the year and such undistributed income of the trust for prior years;

"(2) Second, as a capital gain to the extent of the capital gain of the trust for the year and the undistributed capital gain of the trust for prior years;

"(3) Third, as other income to the extent of such income of the trust for the year and such undistributed income of the trust for prior years; and

"(4) Fourth, as a distribution of trust corpus. For purposes of this section the trust shall determine the amount of its undistributed capital gain on a cumulative net basis.

"(c) EXEMPTION OF TRUST FROM TAXATION.—A charitable remainder annuity trust and a charitable remainder unitrust shall not be subject to any tax imposed by this subtitle.

"(d) DEFINITIONS.—

"(1) CHARITABLE REMAINDER ANNUITY TRUST.—A charitable remainder annuity trust is a trust—

"(A) From which a sum certain is to be paid, not less often than annually, to a person who is not a person or organization described in section 170 (c), for a term of years or for the life of the person, and

"(B) Following the termination of the annuity described in subparagraph (A) the remainder interest in the trust is to be transferred to, or for the use of, an organization described in section 170(c) or is to be retained by the trust for such a use.

"(2) CHARITABLE REMAINDER UNITRUST.—A charitable remainder unitrust is a trust—

"(A) From which a fixed percentage of the net fair market value of its assets, valued annually, is to be paid, not less often than annually, to a person who is not a person or organization described in section 170(c), for a term of years or for the life of the person, and

"(B) Following the termination of the interest described in subparagraph (A) the remainder interest in the trust is to be transferred to, or for the use of, an organization described in section 170(c) or is to be retained by the trust for such a use."

(2) The table of sections for subpart C of part I of subchapter J of chapter 1 (relating to estates and trusts which may accumulate income or which distribute corpus) is amended by adding at the end thereof

"Sec. 664.Charitable remainder trusts."

(j) EFFECTIVE DATES.—

(1) The amendments made by subsection (a) shall apply to contributions paid in taxable years beginning after December 31, 1969, with the following exceptions:

(A) the amendments made in sections 170(b)(1)(H) and (I) shall apply with respect to transfers in trust and contributions made after April 22, 1969, and

(B) the amendment made in section 170(b)(8) shall apply to contributions made after April 22, 1969.

(2) The amendment made by subsection (b) shall apply to contributions which are paid (or treated as paid under section 170(a)(2)) after December 31, 1969.

(3) The amendments made by subsection (c) shall apply with respect to contributions which are paid (or treated as paid under section 170(a)(2)) after December 31, 1969.

(4) The amendments made by subsection (d) shall apply to sales made after May 26, 1969.

(5) The amendments made by subsections (e) and (g) shall apply to transfers in trust made after April 22, 1969.

(6) The amendment made by subsection (f) shall apply to amounts paid, permanently set aside, or to be used for a charitable purpose after the date of enactment of this Act.

(7)(A) The amendments made by paragraphs (1) and (2) of subsection (h) shall apply in the case of decedents dying after the date of enactment of this Act.

(B) The amendment made by paragraph (3) of subsection (h) shall apply to gifts made after April 22, 1969.

(8) The amendment made by subsection (i) shall apply to transfers in trust made after the date of enactment of this Act.

SUBTITLE B—FARM LOSSES, ETC.

SEC. 211. GAIN FROM DISPOSITIONS OF PROPERTY USED IN FARMING WHERE FARM LOSSES OFFSET NONFARM INCOME.

(a) IN GENERAL.—Part IV of subchapter P of chapter 1 (relating to special rules for determining capital gains and losses) is amended by adding at the end thereof the following new section:

"SEC. 1251. GAIN FROM DISPOSITION OF PROPERTY USED IN FARMING WHERE FARM LOSSES OFFSET NONFARM INCOME.

"(a) CIRCUMSTANCES UNDER WHICH SECTION APPLIES.—This section shall apply with respect to any taxable year only if—

"(1) there is a farm net loss for the taxable year, or

"(2) there is a balance in the excess deductions account as of the close of the taxable year after applying subsection (b)(3)(A).

"(b) EXCESS DEDUCTIONS ACCOUNT.—

"(1) REQUIREMENT.—Each taxpayer subject to this section shall, for purposes of this section, establish and maintain an excess deductions account.

"(2) ADDITIONS TO ACCOUNT.—

"(A) GENERAL RULE.—There shall be added to the excess deductions account for each taxable year an amount equal to the farm net loss.

"(B) EXCEPTION FOR INDIVIDUALS.—In the case of an individual, subparagraph (A) shall not apply for a taxable year—

"(i) unless his nonfarm adjusted gross income for such year exceeds $50,000, and

"(ii) only to the extent his farm net loss exceeds $25,000.

"(C) MARRIED INDIVIDUALS.—In the case of a husband or wife who files a separate return, the amount specified in subparagraph (B)(i) shall be $25,000 in lieu of $50,000, and in subparagraph (B)(ii) shall be $12,500 in lieu of $25,000. This subparagraph shall not apply if the spouse of the taxpayer does not have any nonfarm adjusted gross income for the taxable year.

"(D) NONFARM ADJUSTED GROSS INCOME.—For purposes of this section, the term 'nonfarm adjusted gross income' means the adjusted gross income computed without regard to income or deductions attributable to farming.

"(3) SUBTRACTIONS FROM ACCOUNT.—If there is any amount in the excess deductions account at the close of any taxable year (determined before any amount is subtracted under this paragraph for such year) there shall be subtracted from the account—

"(A) an amount equal to the farm net income for such year, plus the amount (determined as provided in regulations prescribed by the Secretary or his delegate) necessary to adjust the account for deductions which did not result in a reduction of the taxpayer's tax under this subtitle for the taxable year or any preceding taxable year (including such amounts which did not result in a reduction of tax because of the application of section 84 (relating to limit on tax preferences)), and

"(B) after applying paragraph (2) or subparagraph (A) of this paragraph (as the case may be), an amount equal to the sum of the amounts treated under subsection (c) as gain from the sale or exchange of property which is neither a capital asset nor property described in section 1231.

"(4) EXCEPTION FOR TAXPAYERS USING CERTAIN ACCOUNTING METHODS.—

"(A) GENERAL RULE.—Except to the extent that the taxpayer has succeeded to an excess deductions account as provided in paragraph (5), additions to the excess deductions account shall not be required by a taxpayer who elects to compute taxable income from farming (i) by using inventories, and (ii) by charging to capital account all expenditures paid or incurred which are properly chargeable to capital account (including such expenditures which the taxpayer may, under this chapter or regulations prescribed thereunder, otherwise treat or elect to treat as expenditures which are not chargeable to capital account).

"(B) TIME, MANNER, AND EFFECT OF ELECTION.—An election under subparagraph (A) for any taxable year shall be filed within the time prescribed by law (including extensions thereof) for filing the return for such taxable year, and shall be made and filed in such manner as the Secretary or his delegate shall prescribe by regulations. Such election shall be binding on the taxpayer for such taxable year and for all subsequent taxable years and may not be revoked except with the consent of the Secretary or his delegate.

"(C) CHANGE OF METHOD OF ACCOUNTING, ETC.—If, in order to comply with the election made under subparagraph (A), a tax-

payer changes his method of accounting in computing taxable income from the business of farming, such change shall be treated as having been made with the consent of the Secretary or his delegate and for purposes of section 481(a)(2) shall be treated as a change not initated by the taxpayer.

"(5) TRANSFER OF ACCOUNT.—

"(A) CERTAIN CORPORATE TRANSACTIONS.—In the case of a transfer described in subsection (d)(3) to which section 371(a), 374(a), or 381 applies, the acquiring corporation shall succeed to and take into account as of the close of the day of distribution or transfer, the excess deductions account of the transferor.

"(B) CERTAIN GIFTS.—If—

"(i) farm recapture property is disposed of by gift, and

"(ii) the potential gain (as defined in subsection (e)(5)) on farm recapture property disposed of by gift during any one-year period in which any such gift occurs is more than 80 percent of the potential gain on farm recapture property held by the donor immediately prior to the first of such gifts, the donees of the property shall succeed (as of the close of the donor's taxable year in which the first of such gifts is made) to the donor's excess deductions account (or in the case of more than one donee, to his ratable share of such account) determined, after the application of paragraphs (2) and (3) with respect to the donor, as of the close of such taxable year.

"(6) JOINT RETURN.—In the case of an addition to an excess deductions account for a taxable year for which a joint return was filed under section 6013, for any subsequent taxable year for which a separate return was filed the Secretary or his delegate shall provide rules for allocating any remaining amount of such addition in a manner consistent with the purposes of this section.

"(c) ORDINARY INCOME.—

"(1) GENERAL RULE.—Except as otherwise provided in this section, if farm recapture property (as defined in subsection (e)(1)) is disposed of during a taxable year beginning after December 31, 1969, the amount by which—

"(A) in the case of a sale, exchange, or involuntary conversion, the amount realized, or

"(B) in the case of any other disposition, the fair market value of such property,

exceeds the adjusted basis of such property shall be treated as gain from the sale or exchange of property which is neither a capital asset nor property described in section 1231. Such gain shall be recognized notwithstanding any other provision of this subtitle.

"(2) LIMITATION.—

"(A) AMOUNT IN EXCESS DEDUCTIONS ACCOUNT.—The aggregate of the amounts treated under paragraph (1) as gain from the sale or exchange of property which is neither a capital asset nor property described in section 1231 for any taxable year shall not exceed the amount in the excess deductions account at the close of the taxable year after applying subsection (b)(3)(A).

"(B) DISPOSITIONS TAKEN INTO ACCOUNT.—If the aggregate of the amounts to which paragraph (1) applies is limited by the application of subparagraph (A), paragraph (1) shall apply in respect of such dispositions (and in such amounts) as provided under regulations prescribed by the Secretary or his delegate.

"(C) SPECIAL RULE FOR DISPOSITION OF LAND.—In applying subparagraph (A), any gain on the sale or exchange of land shall be taken into account only to the extent of its potential gain (as defined in subsection (e)(5)).

"(d) EXCEPTIONS AND SPECIAL RULES.—

"(1) GIFTS.—Subsection (c) shall not apply to a disposition by gift.

"(2) TRANSFER AT DEATH.—Except as provided in section 691 (relating to income in respect of a decedent), subsection (c) shall not apply to a transfer at death.

"(3) CERTAIN CORPORATE TRANSACTIONS.—If the basis of property in the hands of a transferee is determined by reference to its basis in the hands of the transferor by reason of the application of section 332, 351, 361, 371(a), or 374(a), then the amount of gain taken into account by the transferor under subsection (c)(1) shall not exceed the amount of gain recognized to the transferor on the transfer of such property (determined without regard to this section). This paragraph shall not apply to a disposition to an organization (other than a cooperative described in section 521) which is exempt from the tax imposed by this chapter.

"(4) LIKE KIND EXCHANGES; INVOLUNTARY CONVERSION, ETC.—If property is disposed of and gain (determined without regard to this section) is not recognized in whole or in part under section 1031 or 1033, then the amount of gain taken into account by the transferor under subsection (c)(1) shall not exceed the sum of—

"(A) the amount of gain recognized on such disposition (determined without regard to this section), plus

"(B) the fair market value of property acquired with respect to which no gain is recognized under subparagraph (A), but which is not farm recapture property.

"(5) PARTNERSHIPS.—

"(A) IN GENERAL.—In the case of a partnership, each partner shall take into account separately his distributive share of the partnership's farm net losses, gains from dispositions of farm recapture property, and other items in applying this section to the partner.

"(B) TRANSFERS TO PARTNERSHIPS.—If farm recapture property is contributed to a partnership and gain (determined without regard to this section) is not recognized under section 721, then the amount of gain taken into account by the transferor under subsection (c)(1) shall not exceed the excess of the fair market value of farm recapture property transferred over the fair market value of the partnership interest attributable to such property. If the partnership agreement provides for an allocation of gain to the contributing partner with respect to farm recapture property contributed to the partnership (as provided in section 704(c)(2)), the partnership interest of the contributing partner shall be deemed to be attributable to such property.

"(6) PROPERTY TRANSFERRED TO CONTROLLED CORPORATIONS.—Except for transactions described in subsection (b)(5)(A), in the case of a transfer, described in paragraph (3), of farm recapture property to a corporation, stock received by a transferor in the exchange shall be farm recapture property to the extent attributable to the fair market value of farm recapture property (or if less, the adjusted basis plus the potential gain (as defined in subsection (e)(5)) on farm recapture property) contributed to the corporation by such transferor.

"(e) DEFINITIONS.—For purposes of this section—

"(1) FARM RECAPTURE PROPERTY.—The term 'farm recapture property' means any property (other than section 1250 property) described in paragraph (1) (relating to business property held for more than 12 months), (3) (relating to livestock), or (4) (relating to an unharvested crop) of section 1231(b) which is or has been used in the trade or business of farming by the taxpayer or by a transferor in a transaction described in subsection (b)(5).

"(2) FARM NET LOSS.—The term 'farm net loss' means the amount by which—

"(A) the deductions allowed or allowable by this chapter which are directly connected with the carrying on of the trade or business of farming, exceed

"(B) the gross income derived from such trade or business.

Gains and losses on the disposition of farm recapture property referred to in section 1231(a) (determined without regard to this section or section 1245(a)) shall not be taken into account.

"(3) FARM NET INCOME.—The term 'farm net income' means the amount by which the amount referred to in paragraph (2)(B) exceeds the amount referred to in paragraph (2)(A).

"(4) TRADE OR BUSINESS OF FARMING.—

"(A) HORSE RACING.—In the case of a taxpayer engaged in the raising of horses, the term 'trade or business of farming' includes the racing of horses.

"(B) SEVERAL BUSINESSES OF FARMING.—If a taxpayer is engaged in more than one trade or business of farming, all such trades and businesses shall be treated as one trade or business."

"(5) POTENTIAL GAIN.—The term 'potential gain' means an amount equal to the excess of the fair market value of property over its adjusted basis, but limited in the case of land to the extent of the deductions allowable in respect to such land under sections 175 (relating to soil and water conservation expenditures) and 182 (relating to expenditures by farmers for clearing land) for the taxable year and the 4 preceding taxable years."

(b) CONFORMING AMENDMENTS.—

(1) Section 301(b)(1)(B)(ii) (relating to corporate distributions of property) is amended by striking out "or 1250(a)" and inserting in lieu thereof "1250(a), or 1251(c)".

(2) Section 301(d)(2)(B) (relating to the basis of property distributed by a corporation) is amended by striking out "or 1250(a)" and inserting in lieu thereof "1250(a), or 1251(c)".

(3) Section 312(c)(3) (relating to adjustment to corporate earnings and profits) is amended by striking out "or 1250(a)" and inserting in lieu thereof "1250(a), or 1251(c)".

(4) Section 341(e)(12) (relating to nonapplication of section 1245(a) with respect to collapsible corporations) is amended by striking out "and 1250(a)" and inserting in lieu thereof "1250(a), and 1251(c)".

(5) Section 453(d)(4)(B) (relating to distribution of installment obligations under certain liquidations) is amended by striking out "or 1250(a)" and inserting in lieu thereof "1250(a), or 1251(c)".

(6) Section 751(c) (relating to unrealized receivables in partnership transactions) is amended by striking out "section 1250(c)" and inserting in lieu thereof "section 1250(c), and farm recapture property (as defined in section 1251(e)(1))"; and by striking out "1250(a)" and inserting in lieu thereof "1250(a), or 1251(c)".

(7) The table of sections for part IV of subchapter P of chapter 1 is amended by adding at the end thereof the following:

"Sec. 1251. Gain from disposition of property used in farming where farm losses offset nonfarm income."

(c) EFFECTIVE DATES.—The amendments made by this section shall apply to taxable years beginning after December 31, 1969.

SEC. 212. LIVESTOCK.

(a) DEPRECIATION RECAPTURE.—

(1) GENERAL RULE.—Section 1245(a)(2) (relating to recomputed basis with respect to gain from disposition of certain depreciable property) is amended by striking out "or" at the end of subparagraph (A), by adding "or" at the end of subparagraph (B), and by inserting immediately after subparagraph (B) the following:

"(C) with respect to livestock, its adjusted basis recomputed by adding thereto

all adjustments attributable to a period after December 31, 1969,"

(2) CONFORMING AMENDMENT.—Section 1245(a)(3) (relating to section 1245 property) is amended by striking out "(other than livestock)".

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall apply with respect to taxable years beginning after December 31, 1969.

(b) LIVESTOCK USED IN TRADE OR BUSINESS.—

(1) AMENDMENT OF SECTION 1231.—Section 1231(b)(3) (relating to property used in a trade or business) is amended to read as follows:

"(3) LIVESTOCK.—Such term includes livestock regardless of age, held by a taxpayer for draft, breeding, sporting, or dairy purposes, but only if held by him for at least 365 days after such animal normally would have first been used for any of such purposes. Such term does not include poultry."

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to livestock acquired after December 31, 1969.

SEC. 213. HOBBY LOSSES.

(a) Section 270 (relating to limitation on deductions allowable to individuals in certain cases) is amended to read as follows:

"SEC. 270. LIMITATION ON DEDUCTIONS IN CERTAIN CASES.

"(a) GENERAL RULE.—Items attributable to an activity shall be allowed only to the extent of the gross income from such activity unless such activity is carried on with a reasonable expectation of realizing a profit.

"(b) REBUTTABLE PRESUMPTION.—If the deductions attributable to an activity exceed the gross income from such activity by $25,000 or more for any 3 of 5 consecutive years ending with the taxable year, then unless the taxpayer establishes to the contrary, the activity shall be deemed to have been carried on without a reasonable expectation of realizing a profit."

(b)(1) Section 6504 (relating to cross references with respect to limitations on assessment and collection) is amended by striking out paragraph (8).

(2) The table of sections for part IX of subchapter B of chapter 1 is amended by striking out—

"Sec. 270. Limitation on deductions allowable to individuals in certain cases."

and inserting in lieu thereof the following:

"Sec. 270. Limitation on deductions in certain cases."

(c) The amendment made by this section shall apply to taxable years beginning after December 31, 1969.

SUBTITLE C—INTEREST

SEC. 221. INTEREST.

(a) LIMITATION ON INTEREST DEDUCTION ATTRIBUTABLE TO INVESTMENT INDEBTEDNESS.—Section 163 (relating to interest) is amended by redesignating subsection (d) and (e), and by inserting after subsection (c) the following new subsection:

"(d) LIMITATION ON INTEREST ON INVESTMENT INDEBTEDNESS.—

"(1) IN GENERAL.—In the case of a taxpayer other than a corporation (except an electing small business corporation as defined in section 1371(b)), the amount of investment interest allowable as a deduction under subsection (a) shall not exceed the sum of—

"(A) $25,000 ($12,500, in the case of a separate return by a married individual),

"(B) the amount of the net investment income (as defined in paragraph (3)(C)), and

"(C) an amount equal to the amount by which the net long-term capital gain exceeds the net short-term capital loss for the taxable year.

"(2) CARRYFORWARD OF DISALLOWED INVESTMENT INTEREST.—The amount of disallowed investment interest for any taxable year shall be treated (except for purposes of paragraph (1)(A)) as investment interest paid or accrued in the succeding taxable year.

"(3) DEFINITIONS.—For purposes of this subsection—

"(A) INVESTMENT INCOME.—The term 'investment income' means the gross amount of income from interest, dividends, rents, and royalties and net short-term capital gains derived from the disposiition of property held for investment, but only to the extent that such gross income or such gains are not derived from the conduct of a trade or business.

"(B) INVESTMENT EXPENSES.—The term 'investment expenses' means all deductions allowable under section 164(a) (1) or (2), 166, 167, 171, 212, or 611 directly connected with the production of investment income.

"(C) NET INVESTMENT INCOME.—The term 'net investment income' means the excess, if any, of investment income over investment expenses.

"(D) INVESTMENT INTEREST.—The term 'investment interest' means interest paid or accrued on indebtedness incurred or continued to purchase or carry property held for investment.

"(E) DISALLOWED INVESTMENT INTEREST.—The term 'disallowed investment interest' means, with respect to any taxable year, the amount disallowed as a deduction solely by reason of the limitation in paragraph (1).

"(4) SPECIAL RULES.—

"(A) PARTNERSHIPS.—In the case of a partnership, the provisions of this subsection shall apply with respect to the partnership and with respect to each partner.

"(B) NET OPERATING LOSSES OF ELECTING SMALL BUSINESS CORPORATIONS.—The net operating loss deduction allowed to shareholders of an electing small business corporation under section 1374 shall be deemed an investment interest deduction to the extent such investment interest is allowed as a deduction to the corporation. Section 1374(d) shall be disregarded to the extent such net operating loss deduction is deemed to be an investment interest deduction.

"(C) RENTS.—Gross income derived from rents shall not be considered as gross income derived from the conduct of a trade or business unless (i) the sum of the deductions with respect to the rent producing property which are allowable under section 162 (relating to trade or business expenses) equals or exceeds 15 percent of the rental income produced by such property, and (ii) the taxpayer is neither guaranteed a specified return nor is guaranteed in whole or in part against loss of income."

(b) CAPITAL GAINS DEDUCTION.—The first sentence of section 1202 (relating to deduction for capital gains) is amended by striking out "exceeds the net short-term capital loss" and inserting in lieu thereof "exceeds the sum of the net short-term capital loss and the amount of investment interest allowable as a deduction under section 163(d)(1)(C)".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1969.

SUBTITLE D—MOVING EXPENSES

SEC. 231. MOVING EXPENSES.

(a) DEDUCTION FOR MOVING EXPENSES.—Section 217 (relating to moving expenses) is amended to read as follows:

SEC. 217. MOVING EXPENSES.

"(a) DEDUCTION ALLOWED.—There shall be allowed as a deduction moving expenses paid or incurred during the taxable year in connection with the commencement of work by the taxpayer as an employee at a new principal place of work.

"(b) DEFINITION OF MOVING EXPENSES.—

"(1) IN GENERAL.—For purposes of this section, the term 'moving expenses' means only the reasonable expenses—

"(A) of moving household goods and personal effects from the former residence to the new residence,

"(B) of traveling (including meals and lodging) from the former residence to the new place of residence,

"(C) of traveling (including meals and lodging), after obtaining employment, from the former residence to the general location of the new principal place of work and return, for the principal purpose of searching for a new residence.

"(D) of meals and lodging while occupying temporary quarters in the general location of the new principal place of work during any period of 30 consecutive days after obtaining employment, or

"(E) constituting qualified residence sale, purchase, or lease expenses.

"(2) QUALIFIED RESIDENCE SALE, ETC., EXPENSES.—For purposes of paragraph (1)(E), the term 'qualified residence sale, purchase, or lease expenses' means only reasonable expenses incident to—

"(A) the sale or exchange by the taxpayer or his spouse of the taxpayer's former residence (not including expenses for work performed on such residence in order to assist in its sale) which (but for this subsection and subsection (e)) would be taken into account in determining the amount realized on the sale or exchange,

"(B) the purchase by the taxpayer or his spouse of a new residence in the general location of the new principal place of work which (but for this subsection and subsection (e)) would be taken into account in determining—

"(i) the adjusted basis of the new residence, or

"(ii) the cost of a loan (but not including any amounts which represent payments or prepayments of interest),

"(C) the settlement of an unexpired lease on property used by the taxpayer as his former residence, or

"(D) the acquisition of a lease by the taxpayer or his spouse on property used by the taxpayer as his new residence in the general location of the new principal place of work (not including amounts which are payments or prepayments of rent).

"(3) LIMITATIONS.—

"(A) DOLLAR LIMITS.—The aggregate amount allowable as a deduction under subsection (a) in connection with a commencement of work which is attributable to expenses described in subparagraph (C) or (D) of paragraph (1) shall not exceed $1,000. The aggregate amount allowable as a deduction under subsection (a) which is attributable to qualified residence sale, purchase, or lease expenses shall not exceed $2,500, reduced by the aggregate amount so allowable which is attributable to expenses described in subparagraph (C) or (D) of paragraph (1).

"(B) HUSBAND AND WIFE.—In the case of a husband and wife filing separate returns, subparagraph (A) shall be applied by substituting '$500' for '$1,000', and by substituting '$1,250' for '$2,500'.

"(C) INDIVIDUALS OTHER THAN TAXPAYER.—In the case of any individual other than the taxpayer, expenses referred to in subparagraphs (A) through (D) of paragraph (1) shall be taken into account only if such individual has both the former residence and the new residence as his principal place of abode and is a member of the taxpayer's household.

"(c) CONDITIONS FOR ALLOWANCE.—No deduction shall be allowed under this section unless—

"(1) the taxpayer's new principal place of work—

"(A) is at least 50 miles farther from his former residence than was his former principal place of work, or

"(B) if he had no former principal place of work, is at least 50 miles from his former residence, and

"(2) during the 12-month period immediately following his arrival in the general location of his new principal place of work, the taxpayer is a full-time employee, in such general location, during at least 39 weeks.

"(d) RULES FOR APPLICATION OF SUBSECTION (c)(2).—

"(1) The condition of subsection (c)(2) shall not apply if the taxpayer is unable to satisfy such condition by reason of—

"(A) death or disability, or

"(B) involuntary separation (other than for willful misconduct) from the service of, or transfer for the benefit of, an employer after obtaining full-time employment in which the taxpayer could reasonably have been expected to satisfy such condition.

"(2) If a taxpayer has not satisfied the condition of subsection (c)(2) before the time prescribed by law (including extensions thereof) for filing the return for the taxable year during which he paid or incurred moving expenses which would otherwise be deductible under this section, but may still satisfy such condition, then such expenses may (at the election of the taxpayer) be deducted for such taxable year notwithstanding subsection (c)(2).

"(3) If—

"(A) for any taxable year moving expenses have been deducted in accordance with the rule provided in paragraph (2), and

"(B) the condition of subsection (c)(2) (as modified by paragraph (1) of this subsection) cannot be satisfied at the close of a subsequent taxable year,

then an amount equal to the expenses which were so deducted shall be included in gross income for the first such subsequent taxable year.

"(e) DENIAL OF DOUBLE BENEFIT.—The amount realized on the sale of the residence described in subparagraph (A) of subsection (b)(2) shall not be decreased by the amount of any expenses described in such subparagraph which are allowed as a deduction under subsection (a), and the basis of a residence described in subparagraph (B) of subsection (b)(2) shall not be increased by the amount of any expenses described in such subparagraph which are allowed as a deduction under subsection (a). This subsection shall not apply to any expenses with respect to which an amount is included in gross income under subsection (d)(3).

"(f) REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section."

(b) INCLUSION IN GROSS INCOME OF MOVING EXPENSE REIMBURSEMENTS.—Part II of subchapter B of chapter 1 (relating to items specifically included in gross income) is amended by adding after section 81 the following new section:

"SEC. 82. REIMBURSEMENT FOR EXPENSES OF MOVING.

"There shall be included in gross income (as compensation for services) any amount received or accrued, directly or indirectly, by an individual from his employer as a payment for or reimbursement of expenses of moving from one residence to another residence."

(c) CLERICAL AMENDMENTS.—The table of sections for part II of subchapter B of chapter 1 is amended by adding at the end thereof the following:

"Sec. 82. Reimbursement for expenses of moving."

(d) EFFECTIVE DATES.—The amendments made by this section shall apply to taxable years beginning after December 31, 1969, except that section 217 of the Internal Revenue Code of 1954 (as amended by subsection (a)) shall not apply to any item to the extent that the taxpayer received reimbursement or other expense allowance for such item on or before December 31, 1969, which was not included in his gross income.

TITLE III—OTHER ADJUSTMENTS PRIMARY AFFECTING INDIVIDUALS

SUBTITLE A—LIMIT ON TAX PREFERENCES AND ALLOCATION OF DEDUCTIONS

SEC. 301. LIMIT ON TAX PREFERENCES FOR INDIVIDUALS, ESTATES, AND TRUSTS.

(a) IN GENERAL.—

(1) Part II of subchapter B of chapter 1 (relating to items specifically included in gross income) is amended by adding at the end thereof the following new section:

"SEC. 84. DISALLOWED TAX PREFERENCES.

"(a) GENERAL RULE.—In the case of a taxpayer (other than a corporation), there shall be included in gross income for the taxable year the amount of disallowed tax preferences.

"(b) DISALLOWED TAX PREFERENCES.—For purposes of this section, the amount of disallowed tax preferences for a taxable year is the amount by which the sum of the items of tax preference exceeds the limit on tax preferences.

"(c) ITEMS OF TAX PREFERENCE.—

"(1) GENERAL RULE.—For purposes of this section, the items of tax preference are:

"(A) CHARITABLE CONTRIBUTION OF APPRECIATED PROPERTY.—The amount of the deduction (determined without regard to section 277) for charitable contributions under section 170 or 642 (c) allowable for the taxable year which is attributable to appreciation in the value of property not included in gross income (determined without regard to this section).

"(B) ACCELERATED DEPRECIATION.—With respect to each section 1250 property (as defined in section 1250(c)), the amount by which the deduction allowable for the taxable year for exhaustion, wear and tear, obsolescence, or amortization exceeds the depreciation deduction which would have been allowable for the taxable year had the taxpayer depreciated the property under the method described in section 167(b)(1) (relating to the straight line method of depreciation) for each taxable year of its useful life for which the taxpayer has held the property.

"(C) INTEREST ON CERTAIN GOVERNMENTAL OBLIGATIONS.—The excess (if any) of interest on obligations which is excludable from gross income for the taxable year under section 103 over the sum of—

"(i) the amount of the proper adjustment to basis required to be made for the taxable year under section 1016(a) (5) or (6), and

"(ii) the amount of deductions allocable to such interest which is disallowed by application of section 265(a)(1) (relating to expenses relating to tax-exempt income), multiplied by the transitional percentage as determined under paragraph (5).

"(D) FARM LOSSES.—The amount by which the farm net loss (as defined under section 1251(e)(2) but not including any item of tax preference specified in subparagraph (B)) exceeds the amount of the farm loss (if any) which would have been determined under the accounting methods described in section 1251 (b)(4).

"(E) CAPITAL GAINS DEDUCTION.—The amount allowable as a deduction for long-term capital gains under section 1202.

"(2) NONRESIDENT ALIENS.—In the case of a nonresident alien, the items of tax preference shall include only those items of income which are effectively connected with the conduct of a trade or business within the United States and those items of deductions which are allowable as deductions in determining taxable income which is effectively connected with the conduct of a trade or business within the United States.

"(3) SPECIAL RULE FOR COMPUTING NET OPERATING LOSS.—For purposes of computing the amount of a net operating loss or the amount of a net operating loss carryover, the items of tax preference shall be determined without regard to paragraph (1)(E).

"(4) SPECIAL RULE FOR SHAREHOLDERS OF AN ELECTING SMALL BUSINESS CORPORATION.—Under regulations prescribed by the Secretary or his delegate, the items of tax preference of an electing small business corporation (as defined in section 1371(b)) for each taxable year of the corporation shall be treated as items of tax preference of the shareholders of such corporation and shall be apportioned pro rata among such shareholders in a manner consistent with section 1374(c)(1). For purposes of the preceding sentence, this section shall be treated as applying to such corporation.

"(5) TRANSITIONAL PERCENTAGE APPLICABLE TO INTEREST ON CERTAIN GOVERNMENTAL OBLIGATIONS.—The transitional percentage referred to in paragraph (1)(C) is 10 percent multiplied by the number of taxable years beginning on or after January 1, 1970 (but not in excess of 100 percent).

"(d) LIMIT ON TAX PREFERENCES.—For purposes of this section, the limit on tax preferences is an amount equal to the greater of—

"(1) one-half of the sum of (A) the items of tax preference, and (B) the adjusted gross income computed without regard to this section and section 218(a), or

"(2) $10,000 ($5,000 in the case of a married individual filing a separate return).

(e) AMOUNTS INCLUDED IN INCOME.—For purposes of this chapter, the amount included in gross income under this section shall be considered derived proportionately from each item of tax preference.

"(f) CROSS REFERENCE.—

"For rules relating to adjustments for amounts disallowed as tax preferences by this section, see section 218."

(2) Part VII of subchapter B of chapter 1 (relating to additional itemized deductions for individuals) is amended by renumbering section 218 as 219, and by inserting after section 217 the following new section:

"SEC. 218. ADJUSTMENTS FOR DISALLOWED TAX PREFERENCES.

"(a) GENERAL RULE.—If in any taxable year a taxpayer has included disallowed tax preference (as determined under section 84(b)) in gross income, the amount thereof shall be allowed, subject to subsection (b), as a deduction in each of the 5 succeeding taxable years to the extent not used as a deduction in earlier taxable years which are subsequent to the taxable year in which the disallowed tax preferences arose. For purposes of the preceding sentence, the amount of disallowed tax preferences to which this section applies shall be reduced by the amount of any basis adjustments resulting from application of subsection (c) during the taxable year to which this section is being applied and any prior taxable years which are subsequent to the taxable year in which the disallowed tax preferences arose.

"(b) LIMITATIONS.—The deduction under subsection (a) for any taxable year shall not exceed the amount of the limit on tax preferences (as defined in section 84(d)) for such taxable year reduced by—

"(1) the items of tax preference for such taxable year, and

"(2) the deduction under subsection (a) for such taxable year resulting from application of this section to disallowed tax preferences arising in taxable years preceding the taxable year in which the disallowed tax preferences being applied arose.

"(c) ADJUSTMENT TO BASIS.—

"(1) IN GENERAL.—Except as provided in paragraph (2)—

"(A) disallowed tax preferences which relate to items of tax preference described in section 84(c)(1)(B) shall increase the basis of the asset to which they relate, and

"(B) disallowed tax preferences which relate to items of tax preference described in section 84 (c)(1)(D) shall increase the basis of any farm asset other than section 1250 property (as defined in section 1250(c)), to the extent not allowed as a deduction or as an addition to basis under this section for an earlier taxable year. Such increase shall not be taken into account for purposes of the deduction allowed by section 167.

"(2) FARM ASSETS.—The increase in basis of farm assets provided in paragraph (1) shall apply to such assets in the order of disposition and shall not increase the basis of an asset to an amount greater than—

"(A) the amount which the basis would have been had the taxpayer used the accounting methods described in section 1251(b)(4), or

"(B) if the taxpayer so chooses, an amount determined by use of reasonable estimates of the unit costs of the different classes of assets."

(b) TECHNICAL AMENDMENTS.—

(1) Section 62 (relating to definitions of adjusted gross income) is amended by inserting after paragraph (9) the following new paragraph:

"(10) ADJUSTMENTS FOR DISALLOWED TAX PREFERENCES.—The deduction allowed by section 218."

(2) Section 1016 (relating to adjustments to basis) is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) LIMIT ON TAX PREFERENCES.—Adjustments to basis shall be computed under this section without regard to section 84 and section 218 except as otherwise provided in section 218(c)."

(c) CLERICAL AMENDMENTS.—

(1) The table of sections for part II of subchapter B of chapter 1 is amended by adding at the end thereof the following:

"Sec. 84. Disallowed tax preferences."

(2) The table of sections for part VII of subchapter B of chapter 1 is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 218. Adjustments for disallowed tax preferences.

"Sec. 219. Cross references."

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1969.

SEC. 302. ALLOCATION OF DEDUCTIONS.

(a) IN GENERAL.—Part IX of subchapter B of chapter 1 (relating to items not deductible) is amended by adding at the end thereof the following new section:

"SEC. 277. LIMITATION ON DEDUCTIONS FOR INDIVIDUALS.

"(a) GENERAL RULE.—If a taxpayer (other than a corporation) has allocable expenses for a taxable year, the deduction otherwise allowable under this chapter for such expenses shall be disallowed to the extent of an amount equal to the lesser of—

"(1) the aggregate of such expenses multiplied by the section 277 fraction, or

"(2) the allowable tax preferences.

"(b) SECTION 277 FRACTION.—For purposes of this section, the section 277 fraction is the fraction the numerator of which is the allowable tax preferences and the denominator of which is the sum of the allowable tax preferences plus modified adjusted gross income.

"(c) DEFINITIONS.—For purposes of this section—

"(1) ALLOCABLE EXPENSES.—

"(A) IN GENERAL.—The term 'allocable expenses' means the sum of the amounts allowable as deductions (without regard to this section and section 172(d)) by application of the following provisions (to the extent not otherwise disallowed as a deduction under section 265):

"(i) section 163 (relating to interest), determined without regard to section 163(d)(1),

"(ii) section 164 (relating to taxes),

"(iii) section 165 (relating to losses), but only with respect to a loss described in section 165(c)(3) (relating to casualty losses),

"(iv) section 170 (relating to charitable contributions),

"(v) section 172 (relating to net operating loss deduction), but only to the extent that the amount allowable (without regard to this section) as a deduction is attributable to a loss described in section 165(c)(3),

"(vi) section 213 (relating to medical, dental, etc., expenses), and

"(vii) section 216 (relating to deduction of certain amounts by cooperative housing corporation tenant-stockholders).

"(B) EXCEPTION.—Subparagraph (A) shall not apply to interest and taxes paid or incurred in the conduct of a trade or business (other than for investment interest, as defined in section 163(d)(3)(D)).

"(C) TAXABLE YEARS BEGINNING IN 1970.—For taxable years beginning in 1970, the allocable expenses shall be one-half of the amount determined under subparagraph (A).

"(2) ALLOWABLE TAX PREFERENCES.—

"(A) GENERAL RULE.—The term 'allowable tax preferences' means the excess (if any) of the total of the items of tax preference determined under section 84(c) (but only to the extent that such items are not included in gross income under section 84), as modified in subparagraphs (B), (C), and (D), over $10,000 ($5,000 in the case of a married individual filing a separate return).

"(B) INTEREST ON CERTAIN GOVERNMENTAL OBLIGATIONS.—For purposes of subparagraph (A), interest excludable from gross income under section 103 on obligations issued before July 12, 1969, shall not be taken into account.

"(C) DEPLETION AND INTANGIBLE DRILLING AND DEVELOPMENT COSTS.—With respect to each property (as defined in section 614), there shall be added to the items of tax preference (as determined under subparagraph (A)) the amount by which the sum of the deduction for depletion allowable under section 611 for the taxable year, plus the deduction for intangible drilling and development costs allowable by application of the provisions of section 263(c) for the taxable year, exceeds the sum of the amounts which would have been allowable for the taxable year for depletion and depreciation under section 611 if no deductions were allowable in any taxable year by reason of the application of section 613 or 263(c). Intangible drilling and development costs incurred in drilling a nonproductive well shall not be taken into account.

"(D) ADJUSTMENTS FOR DISALLOWED TAX PREFERENCES.—There shall be added to the items of tax preference (as determined in subparagraph (A)) the amount of the deduction allowable for the taxable year under section 218 (relating to adjustments for disallowed tax preferences).

"(3) MODIFIED ADJUSTED GROSS INCOME.—

"(A) GENERAL RULE.—For purposes of this section, the term 'modified adjusted gross income' means taxable income (determined without regard to this section) plus allocable expenses, but in no case shall modified adjusted gross income be less than zero.

"(B) NET OPERATING LOSS COMPUTATION.—Taxable income and allocable expenses shall be modified in computing modified adjusted gross income, for purposes of determining the amount of a net operating loss or a net operating loss carryover by making the modifications specified in subsections (b)(2)(A) and (d) of section 172.

"(d) AMOUNT DISALLOWED FROM EACH ALLOCABLE EXPENSE.—For purposes of this chapter, the amount of deductions disallowed by this section shall be disallowed proportionately from each allocable expense.

"(e) LIMIT ON DISALLOWED INTEREST EXPENSE.—For purposes of this section, the amount of investment interest (as defined in section 163(d)(3)(D)) disallowed by application of subsection (a) shall be reduced, but not below zero, by the amount of such interest expense disallowed as a deduction during the taxable year by application of section 163(d)(1)."

(1)(b) TECHNICAL AMENDMENTS.—

Section 265 (relating to expenses and interest relating to tax-exempt interest) is amended—

(A) by inserting "(a) GENERAL RULE.—" before "No deduction",

(B) by amending paragraph (1) of subsection (a) of section 265, as amended by subparagraph (A) of this paragraph, to read as follows:

"(1) EXPENSES.—Any amount otherwise allowable as a deduction (without regard to section 277) which is allocable to one or more classes of income other than interest (whether or not any amount of income of that class or classes is received or accrued) wholly exempt from the taxes imposed by this subtitle, or any amount otherwise allowable under section 212 (relating to expenses for production of income) which is allocable to interest (whether or not any amount of such interest is received or accrued) wholly exempt from the taxes imposed by this subtitle (without regard to section 84).",

(C) by amending paragraph (2) of subsection (a) of section 265, as amended by subparagraph (A) of this paragraph, by inserting "(without regard to section 84)" immediately after "taxes imposed by this subtitle" each time it appears, and

(D) by adding at the end thereof the following new subsection:

"(b) SPECIAL RULE FOR OBLIGATIONS DESCRIBED IN SECTION 103.—In the case of a taxpayer (other than a corporation), subsection (a)(2) shall not apply to that portion of any interest on indebtedness (other than interest paid or incurred in the conduct of a trade or business) incurred or continued to purchase or carry an obligation, the interest on which is wholly exempt from the taxes imposed by this subtitle by application of section 103 (without regard to section 84), which bears the same ratio to the total amount of such interest on indebtedness as the excess (if any) of the amount of interest income determined under section 84(c)(1)(C) as modified by section 277(c)(2)(B) over $10,000 ($5,000 in the case of a married individual filing a separate return) bears to the amount of interest income wholly exempt from the taxes imposed by this subtitle by application of section 103 (without regard to section 84)."

(2) Section 643(a)(6)(A) (relating to the definition of distributable net income in the case of the income of a foreign trust) is amended by inserting "(a)" immediately after "section 265".

(c) CLERICAL AMENDMENT.—The table of sections for part IX of subchapter B of chapter 1 is amended by adding at the end thereof the following new item:

"Sec. 277. Limitation on deductions for individuals."

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1969.

SUBTITLE B—INCOME AVERAGING

SEC. 311. INCOME AVERAGING.

(a) LIMITATION OF TAX.—Section 1301 (relating to limitation on tax) is amended by striking out "20 percent of such income" and all that follows and inserting in lieu thereof "20 percent of such income to 120 percent of average base period income."

(b) AVERAGABLE INCOME.—Section 1302 (relating to the definition of averagable income and related definitions) is amended to read as follows:

"SEC. 1302. DEFINITION OF AVERAGABLE INCOME; RELATED DEFINITIONS

"(a) AVERAGABLE INCOME.—For purposes of this part, the term 'averagable income' means the amount (if any) by which taxable income for the computation year (decreased by the amount (if any) to which section 72(m)(5) applies) exceed 120 percent of average base period income.

"(b) AVERAGE BASE PERIOD INCOME.—For purposes of this part—

"(1) IN GENERAL.—The term 'average base period income' means one-fourth of the sum of the base period incomes for the base period.

"(2) BASE PERIOD INCOME.—The base period income for any taxable year is the taxable income for such year increased by the amount (if any) equal to the excess of—

"(A) the amount excluded from gross income under section 911 (relating to earned income from sources without the United States) and subpart D of part III of subchapter N (sec. 931 and following, relating to income from sources within possessions of the United States), over

"(B) the deductions which would have been properly allocable to or chargeable against such amount but for the exclusion of such amount from gross income.

"(c) OTHER RELATED DEFINITIONS.—For purposes of this part—

"(1) COMPUTATION YEAR.—The term 'computation year' means the taxable year for which the taxpayer chooses the benefits of this part.

"(2) BASE PERIOD.—The term 'base period' means the 4 taxable years immediately preceding the computation year.

"(3) BASE PERIOD YEAR.—The term 'base period year' means any of the 4 taxable years immediately preceding the computation year.

"(4) JOINT RETURN.—The term 'joint return' means the return of a husband and wife made under section 6013."

(c) SPECIAL RULES.—Section 1304(b) (relating to special rules applicable to income averaging) is amended—

(1) by striking out "$5,000" in paragraph (1) and inserting in lieu thereof "$6,100";

(2) by striking out "and" at the end of paragraph (3);

(3) by striking out the period at the end of paragraph (4) and inserting in lieu thereof a comma; and

(4) by adding at the end thereof the following new paragraphs:

"(5) section 668(b) (relating to limitation on tax with respect to amounts deemed distributed by a trust in preceding years), and

"(6) section 1348 (relating to 50-percent maximum rate on earned income)."

(d) CONFORMING AMENDMENTS.—

(1) Section 1303(c)(2)(B) is amended by striking out "adjusted".

(2) Section 1304 is amended—

(A) by striking out paragraph (3) of subsection (c) and by redesignating paragraphs (4) and (5) of such subsection as paragraphs (3) and (4), respectively;

(B) by striking out "Paragraphs (2), (3), and (4)" in subsection (c)(1) and inserting in lieu thereof "Paragraphs (2) and (3)";

(C) by striking out "paragraph (4)" in subsection (c)(1)(B) and inserting in lieu thereof "paragraph (3)";

(D) by striking out "adjusted" in subparagraph (B) of subsection (c)(3) (as redesignated);

(E) by striking out "section 143" in subsection (c)(4) (as redesignated) and inserting in lieu thereof "section 153";

(F) by striking out in subsection (d) ", and the $3,000 figure contained in section 1302(b)(2)(C) shall be applied to the aggregate net incomes";

(G) by striking out subsections (e) and (f) and inserting in lieu thereof the following:

"(e) TREATMENT OF CERTAIN OTHER ITEMS.—

"(1) SECTION 72(m)(5).—Section 72(m)(5) (relating to penalties applicable to certain amounts received by owner-employees) shall be applied as if this part had not been enacted.

"(2) OTHER ITEMS.—Except as otherwise provided in this part, the order and manner in which items of income or limitations on tax shall be taken into account in computing the tax imposed by this chapter on the income of any eligible individual to whom section 1301 applies for any computation year shall be determined under regulations prescribed by the Secretary or his delegate."; and

(H) by redesignating subsection (g) as (f).

(3) Section 6511(d)(2)(B)(ii) is amended—

(A) by striking out "1302(e)(1)" and inserting in lieu thereof "1302(c)(1)"; and

(B) by striking out "1302(e)(3)" and inserting in lieu thereof "1302(c)(3)".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to computation years (within the meaning of section 1302(c)(1) of the Internal Revenue Code of 1954) beginning after December 31, 1969, and to base period years (within the meaning of section 1302(c)(3) of such Code) applicable to such computation years.

SUBTITLE C—RESTRICTED PROPERTY

SEC. 321. RESTRICTED PROPERTY.

(a) IN GENERAL.—Part II of subchapter B of chapter 1 (relating to items specifically included in gross income) is amended by adding at the end thereof the following new section:

"SEC. 85. RESTRICTED PROPERTY.

"(a) GENERAL RULE.—If, in connection with the performance of services, property is transferred to any person other than the person for whom such services are performed, the excess of—

"(1) the fair market value of such property (determined without regard to any restriction other than a restriction which by its terms will never lapse) at the first time the rights of the person having the beneficial interest in such property are transferable or are not subject to a substantial risk of forfeiture, whichever occurs earlier, over

"(2) the amount (if any) paid for such property, shall be included in gross income in the first taxable year in which the rights of the person having the beneficial interest in such property are transferable or are not subject to a substantial risk of forfeiture, whichever is applicable.

"(b) SUBSTANTIAL RISK OF FORFEITURE.—For purposes of this section, the rights of a person in property are subject to a substantial risk of forefeiture if the transferee's rights to full enjoyment of such property are conditioned upon the future performance of substantial services.

"(c) CERTAIN RESTRICTIONS WHICH WILL NEVER LAPSE.—

"(1) VALUATION.—In the case of property subject to a restriction which by its terms will never lapse, and which allows the transferee to sell such property only at a price determined under a formula, such formula price shall be deemed to be the fair market value of the property unless established to the contrary by the Secretary or his delegate, and the burden of proof shall be on the Secretary or his delegate with respect to such value.

"(2) CANCELLATION.—If, in the case of property subject to a restriction which by its terms will never lapse, the restriction is canceled, then, unless the taxpayer establishes—

"(A) that such cancellation was not compensatory, and

"(B) that the person, if any, who would be allowed a deduction if the cancellation were treated as compensatory, will treat the transaction as not compensatory, as evidenced in such manner as the Secretary or his delegate shall prescribe by regulations, the excess of the fair market value of the property (computed without regard to the restrictions) at the time of cancellation over the sum of—

"(C) the fair market value of such property (computed by taking the restriction into account) immediately before the cancellation, and

"(D) the amount, if any, paid for the cancellation,

shall be treated as compensation for the taxable year in which such cancellation occurs.

"(d) APPLICABILITY OF SECTION.—This section shall not apply to—

"(1) a transaction to which section 421 applies,

"(2) a transfer to a trust described in section 401(a),

"(3) the transfer of an option without a readily ascertainable fair market value, or

"(4) the transfer of property pursuant to the exercise of an option with a readily ascertainable fair market value at the date of grant.

"(e) HOLDING PERIOD.—In determining the period for which the taxpayer has held property to which this section applies, there shall be included only the period beginning at the first time his rights in such property are transferable or are not subject to a substantial risk of forfeiture, whichever occurs earlier.

"(f) TRANSITION RULES.—This action shall apply to property transferred after June 30, 1969, except that this section shall not apply to property transferred—

"(1) pursuant to a binding written contract entered into before April 22, 1969,

"(2) upon the exercise of an option granted before April 22, 1969, or

"(3) before February 1, 1970, pursuant to a written plan adopted and approved before July 1, 1969."

(b) NONEXEMPT TRUSTS AND NONQUALIFIED ANNUITIES.—

(1) BENEFICIARY OF NON-EXEMPT TRUST.—Section 402(b) (relating to taxability of beneficiary of non-exempt trust) is amended to read as follows:

"(b) TAXABILITY OF BENEFICIARY OF NONEXEMPT TRUST.—Contributions to an employees' trust made by an employer during a taxable year of the employer which ends within or with a taxable year of the trust for which the trust is not exempt from tax under section 501(a) shall be included in the gross income of the employee in accordance with section 85 (relating to restricted property). The amount actually distributed or made available to any distributee by any such trust shall be taxable to him in the year in which so distributed or made available, under section 72 (relating to annuities), except that distributions of income of such trust before the annuity starting date (as defined in section 72(c)(4)) shall be included in the gross income of the employee without regard to section 72(e)(1) (relating to amount not received as annuities). A beneficiary of any such trust shall not be considered the owner of any portion of such trust under subpart E of part I of subchapter J (relating to grantors and others treated as substantial owners)."

(2) BENEFICIARY UNDER NONQUALIFIED ANNUITY.—Section 403 (relating to taxation of employee annuities) is amended by striking out subsections (c) and (d) and inserting in lieu thereof the following new subsection:

"(c) TAXABILITY OF BENEFICIARY UNDER NON-QUALIFIED ANNUITIES OR UNDER ANNUITIES PURCHASED BY EXEMPT ORGANIZATIONS.—Premiums paid by an employer for

an annuity contract which is not subject to subsection (a) shall be included in the gross income of the employee in accordance with section 85 (relating to restricted property). If the employer is exempt from tax under section 501(a) or 521(a), the preceding sentence shall apply only to that portion of the premiums paid which is not excluded from gross income under section (b). The amount actually paid or made available to any beneficiary under such contract shall be taxable to him in the year in which so paid or made available under section 72 (relating to annuities)."

(c) CLERICAL AMENDMENT.—The table of sections for part II of subchapter B of chapter 1 is amended by adding at the end thereof the following new item:

"Sec. 85. Restricted property."

(d) EFFECTIVE DATES.—The amendments made by subsections (a) and (c) shall take effect upon the date of enactment of this Act. The amendments made by subsection (b) shall apply to transfers made and to premiums paid after August 4, 1969.

SUBTITLE D—OTHER DEFERRED COMPENSATION

SEC. 331. DEFERRED COMPENSATION.

(a) IN GENERAL.—Subchapter Q of chapter 1 (relating to readjustment of tax between years and special limitations) is amended by adding at the end thereof the following new part:

"PART VIII—DEFERRED COMPENSATION

"Sec. 1354. Deferred compensation.

"SEC. 1354. DEFERRED COMPENSATION.

"(a) MINIMUM TAX.—If an individual receives a deferred compensation payment during the taxable year, the tax imposed by section 1 for the taxable year which is attributable to the excess (if any) of such payment over $10,000 shall not be less than the lower of—

"(1) the aggregate increase in tax resulting from adding to the employee's taxable income (as modified under subsection (c)) for each taxable year in which such excess is deemed to have been earned the portion of such excess deemed to have been earned in each such year, or

"(2) the tax determined by multiplying by the number of taxable years in the period during which such excess is deemed to have been earned, the average of the increase in tax resulting from adding to the employee's taxable income (as modified under subsection (c)), for the 3 taxable years during the last 10 years of such period for which his taxable income is highest, the portion of such excess deemed to have been earned in each such year.

"(b) YEAR IN WHICH EARNED.—A deferred compensation payment shall be deemed to have been earned ratably over (1) the employee's entire period of service with the employer (or any predecessor or successor of the employer or a parent or subsidiary corporation of the employer), or (2) a portion of such period, if under regulations prescribed by the Secretary or his delegate, such payment is properly attributable to such portion.

"(c) EFFECT OF PRIOR DEFERRED COMPENSATION PAYMENTS.—For purposes of applying subsection (a) with respect to a deferred compensation payment, the employee's taxable income for any taxable year referred to in subsection (a) shall be first increased by any amount added to the taxable income for such taxable year with respect to any deferred compensation payment previously received.

"(d) EMPLOYEE.—For purposes of this section, the term 'employee' includes any individual who performs services for any person, notwithstanding the fact that such individual is not regarded as the employee of such person for any other purpose of this title.

"(e) INFORMATION REQUIREMENT.—Subsection (a)(1) shall not apply unless the taxpayer supplies such information as the Secretary or his delegate may by regulations prescribe with respect to his income for each taxable year in which the deferred compensation payment is deemed to have been earned.

"(f) APPLICABILITY OF SECTION.—This section shall not apply to any deferred compensation payment made under a written plan—

"(1) which meets the requirements of section 401(a) (3), (4), (5), (6), (7), and (8),

"(2) which would meet such requirements but for the fact that such plan is unfunded, or

"(3) in the case of a plan in existence on August 4, 1969, which is amended before January 1, 1972, so as to meet the requirements of paragraph (1) or (2).

"(g) TRANSITION RULES.—The minimum tax imposed by subsection (a) shall not apply to the ratable portion of any deferred compensation payment attributable to a taxable year—

"(1) beginning before January 1, 1970, or

"(2) beginning before January 1, 1974, if paid or made available pursuant to an obligation which was, on July 11, 1969, and at all times thereafter, binding (without regard to the effect of any possibility of forfeiture of the employee)."

(b) CLERICAL AMENDMENT.—The table of parts for subchapter Q of chapter 1 is amended by adding at the end thereof the following new item:

"Part VIII. Deferred compensation."

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply with respect to taxable years ending after June 30, 1969.

SUBTITLE E—ACCUMULATION TRUSTS, MULTIPLE TRUSTS, ETC.

SEC. 341. TREATMENT OF EXCESS DISTRIBUTIONS BY TRUSTS.

(a) DEFINITIONS—

(1) Subsections (b) and (c) of section 665 (relating to definitions applicable to subpart D) are amended to read as follows:

"(b) ACCUMULATION DISTRIBUTIONS.—For purposes of this subpart, the term 'accumulation distribution' means, for any taxable year of the trust, the amount by which—

"(1) the amounts specified in paragraph (2) of section 661(a) for such taxable year, exceed

"(2) distributable net income reduced (but not below zero) by the amounts specified in paragraph (1) of section 661(a).

"(c) SPECIAL RULE APPLICABLE TO DISTRIBUTIONS BY CERTAIN FOREIGN TRUSTS.—Any amount paid to a United States person which is from a payor who is not a United States person and which is derived directly or indirectly from a foreign trust created by a United States person shall be deemed in the year of payment to have been directly paid by the foreign trust."

(2) Subsection (d) of such section is amended by striking out "sections 667 and" and inserting in lieu thereof "section".

(3) Subsection (e) of such section is amended to read as follows:

"(e) PRECEDING TAXABLE YEAR.—In the case of a trust (other than a foreign trust created by a United States person), the term 'preceding taxable year' does not include any taxable year of the trust ending before April 23, 1964. In the case of a foreign trust created by a United States person, the term does not include any taxable year of the trust to which this part does not apply. In the case of a preceding taxable year with respect to which a trust qualifies (without regard to this subpart) under the provisions of subpart B, for purposes of the application of this subpart to such trust for such taxable year, such trust shall, in accordance with regulations prescribed by the Secretary or his delegate, be treated as a trust to which subpart C applies."

(b) ACCUMULATION DISTRIBUTION ALLOCATED TO PRECEDING YEARS.—

(1) So much of section 666 as precedes subsection (b) is amended to read as follows:

"SEC. 666. ACCUMULATION DISTRIBUTION ALLOCATED TO PRECEDING YEARS.

"(a) AMOUNT ALLOCATED.—In the case of a trust which is subject to subpart C, the amount of the accumulation distribution of such trust for such taxable year shall be deemed to be an amount within the meaning of paragraph (2) of section 661(a) distributed on the last day of each of the preceding taxable years to the extent that such amount exceeds the total of any undistributed net incomes for any taxable years intervening between the taxable year with respect to which the accumulation distribution is determined and such preceding taxable year. The amount deemed to be distributed in any such preceding taxable year under the preceding sentence shall not exceed the undistributed net income of such preceding taxable year. For purposes of this subsection, undistributed net income for each of such preceding taxable years shall be computed without regard to such accumulation distribution and without regard to any accumulation distribution determined for any succeeding taxable year."

(2) Section 666 is amended by adding at the end thereof the following new subsection:

"(d) SPECIAL RULE FOR DISTRIBUTIONS COVERED BY SECTION 665(b) BEFORE APRIL 23, 1969.—For the purpose of determining the undistributed net income for any preceding taxable year of a trust, amounts distributed before April 23, 1969, which were excluded from the definition of an accumulation distribution under section 665(b) as in effect before such date shall reduce the undistributed net income of the preceding taxable year or years of the trust on the last day of which they are deemed to have been distributed under this subpart."

(c) DENIAL OF REFUND TO TRUSTS.—Section 667 is amended to read as follows:

"SEC. 667. DENIAL OF REFUND TO TRUSTS.

"No refund or credit shall be allowed to a trust for any preceding taxable year by reason of a distribution deemed to have been made by such trust in such year under section 666."

(d) AMOUNTS TREATED AS DISTRIBUTED IN PRIOR YEARS.—Section 668 is amended to read as follows:

"SEC. 668. TREATMENT OF AMOUNTS DEEMED DISTRIBUTED IN PRECEDING YEARS.

"(a) GENERAL RULE.—The total of the amounts which are treated under section 666 as having been distributed by the trust in a preceding taxable year shall be included in the income of a beneficiary or beneficiaries of the trust when paid, credited, or required to be distributed to the extent that such total would have been included in the income of such beneficiary or beneficiaries under section 662 (a) (2) and (b) if such total had been paid to such beneficiary or beneficiaries on the last day of such preceding taxable year.

"(b) LIMITATION ON TAX.—

"(1) ALTERNATIVE METHODS.—The tax attributable to the amounts treated under subsection (a) as having been received by the beneficiary from a trust on the last day of a preceding taxable year of the trust shall not be greater than—

"(A) the aggregate of the taxes attributable to those amounts had they been included in the gross income of the beneficiary on such day in accordance with section 662(a)(2) and (b), or

"(B) the tax determined by multiplying by the number of preceding taxable years of the trust, on the last day of each of which an amount is deemed under section 666(a) to have been distributed, the average of the increase in tax attributable to recomputing the beneficiary's gross income for the taxable year and each of his 2 taxable years immediately preceding the year of the accumulation distribution by adding to the income of each of such years an amount determined by dividing the amount required to be included in income under subsection (a) by such number of preceding taxable years of the trust. The recomputation for the taxable year shall be made without regard to the inclusion in income required by subsection (a) of the accumulation distribution to which the limitation is being applied.

"(2) EXCEPTIONS.—

"(A) When an accumulation distribution is deemed under section 666(a) to have been distributed on the last day of less than 3 taxable years of the trust, the taxable years of the beneficiary for which a recomputation is made under paragraph (1)(B) shall equal the number of years to which section 666(a) applies, commencing with the most recent taxable year of the beneficiary.

"(B) If a beneficiary was not alive on the last day of each preceding taxable year of the trust with respect to which a distribution is deemed made under section 666(a), paragraph (1)(A) shall not apply. In applying paragraph (1)(B), no recomputation shall be made for a beneficiary for a taxable year for which he was not alive.

"(3) EFFECT OF PRIOR ACCUMULATION DISTRIBUTIONS.—In computing the limitations on tax under paragraph (1) for any beneficiary to whom a prior accumulation distribution or distributions have been paid, credited, or required to be distributed (whether from the same trust or another trust), the income of the beneficiary for each of his preceding taxable years shall include amounts previously deemed distributed to such beneficiary for such year under section 666 as a result of prior accumulation distributions.

"(4) MULTIPLE DISTRIBUTIONS IN THE SAME TAXABLE YEAR.—In the case of accumulation distributions made from more than one trust which are includable in the income of a beneficiary in the same taxable year, the distributions shall be deemed to have been made consecutively in whichever order the beneficiary shall determine.

"(5) INFORMATION REQUIREMENT.—

"(A) The limitation on tax provided in paragraph (1)(A) shall not be effective unless the beneficiary supplies such information with respect to his income, for each taxable year on the last day of which an amount is deemed distributed under section 666(a), as the Secretary or his delegate may by regulations prescribe.

"(B) In addition, in the case of a foreign trust created by a United States person, the limitation on tax provided in paragraph (1) shall not be effective unless the beneficiary supplies such information with respect to the operation and accounts of the trust, for each taxable year on the last day of which an amount is deemed distributed under section 666(a), as the Secretary or his delegate may by regulations prescribe.

"(c) CREDIT FOR TAXES PAID BY TRUST.—The tax imposed on a beneficiary under this chapter shall be credited with the amount of taxes deemed distributed to him under section 666 (b) and (c)."

(e) DELETION OF SPECIAL RULES APPLICABLE TO CERTAIN FOREIGN TRUSTS.—Section 669 (relating to special treatment of beneficiaries of certain foreign trusts) is repealed.

(f) TECHNICAL AMENDMENTS.—The table of sections for subpart D of part I of subchapter J of chapter 1 (relating to treatment of excess distributions by trusts) is amended—

(1) by striking out

"Sec. 666. Accumulation distribution allocated to 5 preceding years."

and inserting in lieu thereof

"Sec. 666. Accumulation distribution allocated to preceding years."

(2) by striking out

"Sec. 669. Special rules applicable to certain foreign trusts."

(g) EFFECTIVE DATE AND TRANSITIONAL RULES.—

(1) Except for amounts credited or required to be distributed before April 23, 1969, and except as provided in paragraph (2), the amendments made by this section shall apply with respect to all distributions by trusts paid, credited, or required to be distributed after April 22, 1969.

(2) For the taxable year of the trust in which April 23, 1969, occurs—

(A) DISTRIBUTIONS NOT EXCEEDING $2,000.—If the total of the amounts specified in paragraph (2) of section 661(a) of the Internal Revenue Code of 1954 do not exceed distributable net income of the trust reduced by the amounts specified in paragraph (1) of section 661(a) of such Code by more than $2,000, there shall be deemed to be no accumulation distribution for such taxable year.

(B) If amounts were paid, credited, or were required to be distributed by a trust during the portion of the year occurring before April 23, 1969, the accumulation distribution for the year shall be the total of—

(i) The accumulation distribution for the portion of the year before April 23, 1969, determined in accordance with the law in effect before the enactment of this Act, and

(ii) The accumulation distribution for the portion of the year after April 22, 1969, determined in accordance with the law as amended by this Act.

In making these determinations, there shall be allocated to the portion of the year after April 22, 1969, the distributable net income of the trust except to the extent it exceeds the amounts specified in section 661(a) of such Code for such portion of the year. The remainder, if any, of the distributable net income shall be allocated to the portion of the year before April 23, 1969.

SEC. 342. TRUST INCOME FOR BENEFIT OF A SPOUSE.

(a) INCOME FOR BENEFIT OF GRANTOR'S SPOUSE.—

(1) Paragraphs (1), (2), and (3) of section 677(a) (relating to income for benefit of grantor) are amended by striking out "the grantor" each place it appears and inserting in lieu thereof "the grantor or the grantor's spouse".

(2) Section 677(b) is amended by striking out "beneficiary" and inserting in lieu thereof "beneficiary (other than the grantor's spouse)".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply in respect of property transferred in trust after April 22, 1969.

TITLE IV—ADJUSTMENTS PRIMARILY AFFECTING CORPORATIONS

SUBTITLE A—MULTIPLE CORPORATIONS

SEC. 401. MULTIPLE CORPORATIONS.

(a) IN GENERAL.—

(1) Section 1561 (relating to surtax exemptions in case of certain controlled corporations) is amended to read as follows:

"SEC. 1561. LIMITATIONS ON CERTAIN MULTIPLE TAX BENEFITS IN THE CASE OF CERTAIN CONTROLLED CORPORATIONS.

"(a) GENERAL RULE.—The component members of a controlled group of corporations on a December 31 shall, for their taxable years which include such December 31, be limited for purposes of this subtitle to—

"(1) one $25,000 surtax exemption under section 11(d),

"(2) one $100,000 amount for purposes of computing the accumulated earnings credit under section 535(c) (2) and (3), and

"(3) one $25,000 amount for purposes of computing the limitation on the small business deduction of the insurance companies under sections 804(a)(4) and 809(d)(10).

The amount specified in paragraph (1) shall be divided equally among the component members of such group on such December 31 unless all of such component members consent (at such time and in such manner as the Secretary or his delegate shall by regulations prescribe) to an apportionment plan providing for an unequal allocation of such amount. The amounts specified in paragraphs (2) and (3) shall be divided equally among the component members of such group on such December 31 unless the Secretary or his delegate prescribes regulations permitting an unequal allocation of such amounts.

"(b) CERTAIN SHORT TAXABLE YEARS.—If a corporation has a short taxable year which does not include a December 31 and is a component member of a controlled group of corporations with respect to such taxable year, then for purposes of this subtitle—

"(1) the surtax exemption under section 11(d),

"(2) the amount to be used in computing the accumulated earnings credit under sections 535(c) (2) and (3); and

"(3) the amount to be used in computing the limitation on the small business deduction of life insurance companies under sections 804(a)(4) and 809(d)(10).

of such corporation for such taxable year shall be the amount specified in subsection (a) (1), (2), or (3), as the case may be, divided by the number of corporations which are component members of such group on the last day of such taxable year. For purposes of the preceding sentence, section 1563(b) shall be applied as if such last day were substituted for December 31."

(2) Section 1562 (relating to privilege of groups to elect multiple surtax exemptions) is repealed.

(b) TRANSITIONAL RULES FOR CONTROLLED GROUPS OF CORPORATIONS.—

(1) Part II of subchapter B of chapter 6 (relating to certain controlled corporations) is amended by adding at the end thereof the following new section:

"SEC. 1564. TRANSITIONAL RULES IN THE CASE OF CERTAIN CONTROLLED CORPORATIONS.

"(a) LIMITATION ON ADDITIONAL BENEFITS.—

"(1) IN GENERAL.—With respect to any December 31 after 1968 and before 1976, the amount of—

"(A) each additional $25,000 surtax exemption under section 1562 in excess of the first such exemption,

"(B) each additional $100,000 amount under section 535(c) (2) and (3) in excess of the first such amount, and

"(C) each additional $25,000 limitation on the small business deduction of life insurance companies under sections 804(a)(4) and 809(d)(10) in excess of the first such limitation,

otherwise allowed to the component members of a controlled group of corporations for their taxable years which include such December 31 shall be reduced to the amount set forth in the following schedule:

"Taxable years including—	Surtax exemption	Amount under sec. 535(c) (2) and (3)	Small business deduction limitation
Dec. 31, 1969	$21,875	$87,500	$21,875
Dec. 31, 1970	18,750	75,000	18,750
Dec. 31, 1971	15,625	62,500	15,625
Dec. 31, 1972	12,500	50,000	12,500
Dec. 31, 1973	9,375	37,500	9,375
Dec. 31, 1974	6,250	25,000	6,250
Dec. 31, 1975	3,125	12,500	3,125

"(2) ELECTION.—With respect to any December 31 after 1968 and before 1976, the component members of a controlled group of corporations shall elect (at such time and in such manner as the Secretary or his delegate shall by regulations prescribe) which component member of such group shall be allowed for its taxable year which includes such December 31 the surtax exemption, the amount under section 535(c) (2) and (3), or the small business deduction limitation which is not reduced under paragraph (1).

"(b) DIVIDENDS RECEIVED BY CORPORATIONS.—

"(1) GENERAL RULE.—If—

"(A) an election of a controlled group of corporations (as defined in section 1563(a) (1) or (4)) under section 1562(a) (relating to privilege of a controlled group of corporations to elect to have each of its component members make its returns without regard to section 1561) was made on or before April 22, 1969, and

"(B) such election is effective with respect to the taxable year of each component member of such group which includes December 31, 1969,

then, with respect to a dividend distributed on or before December 31, 1978, out of earnings and profits of a taxable year including a December 31 after 1968 and before 1976, subsections (a)(3) and (b) of section 243 (relating to dividends received by corporations) shall be applied to the members that comprise an affiliated group (as defined in section 243(b)(5)) in the manner set forth in paragraph (2).

"(2) SPECIAL RULES.—

"(A) An election under section 243(b)(2) may be made for a taxable year including a December 31 after 1968 and before 1976, notwithstanding that an election under section 1562(a) is in effect for the taxable year.

"(B) Section 243(b)(1)(B)(ii) shall not apply with respect to a dividend distributed on or before December 31, 1978, out of earnings and profits of a taxable year including a December 31 after 1968 and before 1976 for which an election under section 1562(a) is in effect, and in lieu of the percentage specified in section 243(a)(3) with respect to such dividend, the percentage shall be the percentage set forth in the following schedule:

"If the dividend is distributed out of earnings and profits of the distributing corporation's taxable year which includes—	The percentage shall be—
December 31, 1969	87 percent
December 31, 1970	89 percent
December 31, 1971	91 percent
December 31, 1972	93 percent
December 31, 1973	95 percent
December 31, 1974	97 percent
December 31, 1975	99 percent.

"(C) For taxable years which include a December 31 after 1968 for which an election under section 1562(a) is in effect, section 243(b)(3)(C)(v) shall not be applied to limit the number of surtax exemptions.

"(c) CERTAIN SHORT TAXABLE YEARS.—If—

"(1) a corporation has a short taxable years beginning after December 31, 1968 and ending before December 31, 1975, which does not include a December 31, and

"(2) such corporation is a component member of a controlled group of corporations with respect to such taxable (determined by applying section 1563(b) as if the last day of such taxable year were substituted for December 31),

then subsections (a) and (b) shall be applied as if the last day of such taxable year were the nearest December 31 to such day."

(2) If—

(A) an election of a controlled group of corporations (as defined in section 1563(a)(1) of the Internal Revenue Code of 1954) under section 1562(a) of such Code (relating to privilege of a controlled group of corporations to elect to have each of its component members make its returns without regard to section 1561) was made on or before April 22, 1969,

(B) such election is effective with respect to the taxable year of each component member of such group which includes December 31, 1969,

(C) one or more component members of such group sustains a net operating loss (within the meaning of section 172 of such Code) in a taxable year ending on or after December 31, 1969, for which the election under section 1562(a) is in effect, and

(D) such net operating loss is a carryover to a subsequent taxable year for which the members of such group join in the filing of a consolidated return,

then under regulations prescribed by the Secretary or his delegate, such net operating loss shall be allowed (if it would have been allowable had the election under section 1562(a) not been in effect) as a deduction against the income of other members of such group in the same proportion as the additional surtax exemptions of such group were reduced under section 1564(a) of such Code for the taxable year in which such net operating loss was sustained.

(3)(A) The first of sentence of section 1562(b)(1) is amended by striking out "$25,000" and inserting in lieu thereof "the amount of such corporation's surtax exemption for such taxable year".

(B) Section 11(d) is amended by striking out "section 1561" and inserting in lieu thereof "section 1561 or 1564".

(C) Section 535(c)(5) is amended by striking out "section 1551" and inserting in lieu thereof "section 1551, and for limitation on such credit in the case of certain controlled corporations, see section 1564".

(D) Section 804 is amended by adding after subsection (c) the following new subsection:

"(d) CROSS REFERENCE.—

"For reduction of the $25,000 amount provided in subsection (a)(4) in the case of certain controlled corporations, see section 1564."

(E) The table of sections for part II of subchapter B of chapter 6 is amended by adding at the end thereof the following:

"Sec. 1564. Transitional rules in the case of certain controlled corporations."

(c) BROTHER-SISTER CONTROLLED GROUPS.—Section 1563(a)(2) is amended to read as follows:

"(2) BROTHER-SISTER CONTROLLED GROUP.—Two or more corporations if 5 or fewer persons who are individuals, estates, or trusts own (within the meaning of subsection (d)(2)) stock possessing—

"(A) at least 80 percent of the total combined voting power of all classes of stock entitled to vote or at least 80 percent of the total value of shares of all classes of the stock of each corporation, and

"(B) more than 50 percent of the total combined voting power of all classes of stock entitled to vote or more than 50 percent of the total value of shares of all classes of stock of each corporation, taking into account the stock ownership of each such person only to the extent such stock ownership is identical with respect to each such corporation."

(d) EXCLUDED STOCK RULES.—

(1) Section 1563(c)(2)(A) is amended by striking out "or" at the end of clause (ii); striking out "stock," at the end of clause (iii) and inserting in lieu thereof "stock, or"; and adding after clause (iii) the following new clause:

"(iv) stock in the subsidiary corporation owned (within the meaning of subsection (d)(2)) by an organization (other than the parent corporation) to which section 501 (relating to certain educational and charitable organizations which are exempt from tax) applies and which is controlled directly or indirectly by the parent corporation or subsidiary corporation, by an individual, estate, or trust that is a principal stockholder (within the meaning of clause (ii)) of the parent corporation, by an officer of the parent corporation, or by any combination thereof."

(2) Section 1563(c)(2)(B) is amended—

(A) by striking out "a person who is an individual, estate, or trust (referred to in this paragraph as 'common owner') owns" and inserting in lieu thereof "5 or fewer persons who are individuals, estates, or trusts (referred to in this paragraph as 'common owners') own";

(B) by striking out "or" at the end of clause (i);

(C) by striking out in clause (ii) "such common owner", "the common owner", and "stock." and inserting in lieu thereof "any of such common owners", "any of the common owners", and "stock, or", respectively; and

(D) by adding after clause (ii) the following new clause:

"(iii) stock in such corporation owned (within the meaning of subsection (d)(2)) by an organization to which section 501 (relating to certain educational and charitable organizations which are exempt from tax) applies and which is controlled directly or indirectly by such corporation, by an individual, estate, or trust that is a principal stockholder (within the meaning of subparagraph (A)(ii)) of such corporation, by an officer of such corporation, or by any combination thereof."

(e) INVESTMENT CREDIT.—

(1) Section 46(a)(5) is amended to read as follows:

"(5) CONTROLLED GROUPS.—In the case of a controlled group, the $25,000 amount specified under paragraph (2) shall be reduced for each component member of such group by apportioning $25,000 among the component members of such group in such manner as the Secretary or his delegate shall by regulations prescribe. For purposes of the preceding sentence, the term 'controlled group' has the meaning assigned to such term by section 1563(a)."

(2) Section 48(c)(2)(C) is amended to read as follows:

"(C) CONTROLLED GROUPS.—In the case of a controlled group, the $50,000 amount specified under subparagraph (A) shall be reduced for each component member of the group by apportioning $50,000 among the component members of such group in accordance with their respective amounts of used section 38 property which may be taken into account."

(3) Section 48(c)(3)(C) is amended to read as follows:

"(C) CONTROLLED GROUP.—The term 'controlled group' has the meaning assigned to such term by section 1563(a), except that the phrase 'more than 50 percent' shall be substituted for the phrase 'at least 80 percent' each place it appears in section 1563(a)(1)."

(4) Section 48(d)(2) is amended by striking out "member" and "affiliated group" wherever they appear and inserting in lieu thereof "component member" and "controlled group", respectively.

(f) ADDITIONAL FIRST-YEAR DEPRECIATION.—Section 179(d) is amended—

(1) by striking out in paragraph (2)(B) "member" and "affiliated group" wherever they appear and inserting in lieu thereof "component member" and "controlled group", respectively, and

(2) by amending paragraphs (6) and (7) to read as follows:

"(6) DOLLAR LIMITATION OF CONTROLLED GROUP.—For purposes of subsection (b) of this section—

"(A) all component members of a controlled group shall be treated as one taxpayer, and

"(B) the Secretary or his delegate shall apportion the dollar limitation contained in such subsection (b) among the component members of such controlled group in such manner as he shall by regulations prescribe.

(7) CONTROLLED GROUP DEFINED.—For purposes of paragraphs (2) and (6), the term 'controlled group' has the meaning assigned to it by section 1563(a), except that, for such purposes, the phrase 'more than 50 percent' shall be substituted for the phrase 'at least 80 percent' each place it appears in section 1563(a)(1)."

(g) MUTUAL INSURANCE COMPANIES.—

(1) Section 821 (relating to tax on mutual insurance companies to which part II applies) is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

"(f) CERTAIN CONTROLLED CORPORATIONS.—In the case of a controlled group of corporations (as defined in section 1563(a)), each of the stated dollar amounts in subsections (a)(1) and (c) shall be apportioned, under regulations prescribed by the Secretary or his delegate, among the corporations subject to taxation under this section which are component members (determined without the application of section 1563(b)(2)(D)) of such group."

(2) Section 823(c) (relating to special deduction for small company having gross amount of less than $1,100,000) is amended by adding at the end thereof the following new paragraph:

"(3) CERTAIN CONTROLLED CORPORATIONS.—In the case of a controlled group of corporations (as defined in section 1563(a)), each of the stated dollar amounts in paragraph (1) shall be apportioned, under regulations prescribed by the Secretary or his delegate, among the corporations subject to taxation under section 821 which are component members (determined without the application of section 1563(b)(2)(D)) of such group."

(3) Section 501(c)(15) (relating to exemption from tax of certain mutual insurance companies) is amended by striking out "$150,000" and inserting in lieu thereof "the smaller of (A) $150,000, or (B) if any amount is apportioned to such corporation in accordance with section 821(f), such amount".

(h) EFFECTIVE DATES.—

(1) The amendments made by subsection (a) shall apply with respect to taxable years beginning after December 31, 1975.

(2) The amendments made by paragraphs (1) and (3) of subsection (b) shall apply with respect to taxable years beginning after December 31, 1968.

(3) Paragraph (2) of subsection (b) shall apply with respect to net operating losses sustained in taxable years ending on or after December 31, 1969.

(4) The amendments made by subsections (c) through (f) shall apply with respect to taxable years ending on or after December 31, 1969.

(5) The amendments made by subsection (g) shall apply with respect to taxable years beginning after December 31, 1971.

SUBTITLE B—DEBT-FINANCED CORPORATE ACQUISITIONS AND RELATED PROBLEMS

SEC. 411. INTEREST ON INDEBTNESS INCURRED BY CORPORATIONS TO ACQUIRE STOCK OR ASSETS OF ANOTHER CORPORATION.

(a) DISALLOWANCE OF INTEREST DEDUCTION.—Part IX of subchapter B of chapter 1 (relating to items not deductible) is amended by adding at the end thereof the following new section:

"SEC. 279. INTEREST OF INDEBTEDNESS INCURRED BY CORPORATIONS TO ACQUIRE STOCK OR ASSETS OF ANOTHER CORPORATION.

"(a) GENERAL RULE.—No deduction shall be allowed for any interest paid or incurred by a corporation during the taxable year with respect to its corporate acquisition indebtedness to the extent that such interest exceeds—

"(1) $5,000,000, reduced by

"(2) the amount of interest paid or incurred by such corporation during such year on obligations which are described in subsection (b)(1) but which are not corporate acquisition indebtedness.

"(b) CORPORATION ACQUISITION INDEBTEDNESS.—For purposes of this section, the term 'corporate acquisition indebtedness' means any obligation evidenced by a bond, debenture, note, or certificate or other evidence of indebtedness issued by a corporation (hereinafter in this section referred to as the 'issuing corporation') if—

"(1) such obligation is issued to provide consideration for the acquisition of the stock in, or assets, of, another corporation (hereinafter referred to in this section as the 'acquired corporation'), except that, where the obligation is issued to provide consideration for the acquisition of assets, at least two-thirds of the total value of all the assets of the acquired corporation are acquired pursuant to a plan of acquisition.

"'(2) such obligation is subordinated to the claims of trade creditors of the issuing corporation generally,

"(3) the bond or other evidence of indebtedness is either—

"(A) convertible directly or indirectly into stock of the issuing corporation, or

"(B) part of an investment unit or other arrangement which includes, in addition to such bond or other evidence of indebtedness, an option to acquire, directly or indirectly, stock in the issuing corporation, and

"(4) as of a day determined under subsection (c)(1), either—

"(A) the ratio of debt to equity (as defined in subsection (c)(2)), of the issuing corporation exceeds 2 to 1, or

"(B) the projected earnings (as defined in subsection (c)(3)), do not exceed 3 times the annual interest to be paid or incurred (determined under subsection (c)(4)).

"(c) RULES FOR APPLICATION OF SUBSECTION (b)(4).—For purposes of subsection (b)(4)—

"(1) TIME OF DETERMINATION.—Determinations are to be made as of the last day of any taxable year of the issuing corporation in which it issues any obligation to provide consideration for an acquisition described in subsection (b)(1) of stock in, or assets of, the acquired corporation.

"(2) RATIO OF DEBT TO EQUITY.—The term 'ratio of debt to equity' means the ratio which the total indebtedness of the issuing corporation bears to the sum of its money and all its assets (in an amount equal to their adjusted basis for determining gain) less such total indebtedness.

"(3) PROJECTED EARNINGS.—

"(A) The term 'projected earnings' means the 'average annual earnings' (as defined in subparagraph (B)) of—

"(i) the issuing corporation only, if clause (ii) does not apply, or

"(ii) both the issuing corporation and the acquired corporation, in any case where the issuing corporation has acquired control (as defined in section 368(c)), or has acquired substantially all of the properties, of the acquired corporation.

"(B) The average annual earnings referred to in subparagraph (A) is, for any corporation, the amount of its earnings and profits for any 3-year period ending with the last day of a taxable year of the issuing corporation described in subsection (c)(1), computed without reduction for—

"(i) interest paid or incurred,

"(ii) liability for tax under this chapter, and

"(iii) distributions to which section 301(c)(1) applies (other than such distributions from the acquired to the issuing corporation),

and reduced to an annual average for such 3-year period pursuant to regulations prescribed by the Secretary or his delegate. Such regulations shall include rules for cases where any corporation was not in existence for all of such 3-year period or such period includes only a portion of a taxable year of any corporation.

"(4) ANNUAL INTEREST TO BE PAID OR INCURRED.—The term 'annual interest to be paid or incurred' shall be—

"(A) if subparagraph (B) does not apply, the annual interest to be paid or incurred by the issuing corporation only, determined by reference to its total indebtedness outstanding, or

"(B) if projected earnings are determined under clause (ii) of paragraph (3)(A) because the issuing corporation has acquired control of the acquired corporation, the annual interest to be paid or incurred by both the issuing corporation and the acquired corporation, determined by reference to their combined total indebtedness outstanding.

"(d) TAXABLE YEARS TO WHICH APPLICABLE.—In applying this section—

"(1) The deduction of interest on any obligation shall not be disallowed under subsection (a) before the first taxable year of the issuing corporation as of the last day of which the application of either subparagraph (A) or subparagraph (B) of subsection (b)(4) results in such obligation being corporate acquisition indebtedness.

"(2) Except as provided in paragraph (3), if an obligation is determined to be corporate acquisition indebtedness as of the last day of any taxable year of the issuing corporation, it shall be deemed to be corporate acquisition indebtedness for such taxable year and all subsequent taxable years.

"(3) If an obligation is determined to be corporate acquisition indebtedness as of the close of a taxable year of the issuing corporation in which clause (i) of subsection (c)(3)(A) applied, but would not be corporate acquisition indebtedness if the determination were made as of the close of the first taxable year of such corporation thereafter in which clause (ii) of subsection (c)(3)(A) could apply, such obligation shall be considered not to be corporate acquisition indebtedness for such later taxable year and all taxable years thereafter.

"(e) NONTAXABLE TRANSACTIONS.—An acquisition of stock of a corporation of which the issuing corporation is in control (as defined in section 368(c)) in a transaction in which gain or loss is not recognized shall not be deemed an acquisition described in subsection (b)(1) unless immediately before such transaction (1) the acquired corporation was in existence, and (2) the issuing corporation was not in control (as defined in section 368(c)) of such corporation.

"(f) EXEMPTION FOR CERTAIN ACQUISITIONS OF FOREIGN CORPORATIONS.—Subsection (a) shall not apply to interest paid or incurred on any indebtedness issued to any person to provide consideration for the acquisition of stock in, or assets of, any foreign corporation substantially all of the income of which, for the 3-year period ending with the date of such acquisition or for such part of such period as the foreign corporation was in existence, is from sources without the United States.

"(g) AFFILIATED GROUPS.—In any case in which the issuing corporation is a member of an affiliated group, the application of this section shall be determined, pursuant to regulations prescribed by the Secretary or his delegate, by treating all of the members of the affiliated group in the aggregate as the issuing corporation, except that the ratio of debt to equity, projected earnings, and annual interest to be paid or incurred of any corporation (other than the issuing corporation determined without regard to this subsection) shall be included in the determinations required under subparagraphs

(A) and (B) of subsection (b)(4) as of any day only if such corporation is a member of the affiliated group on such day and, in determining projected earnings of such corporation under subsection (c)(3), there shall be taken into account only the earnings and profits of such corporation for the period during which it was a member of the affiliated group. For purposes of the preceding sentence, the term 'affiliated group' has the meaning assigned to such term by section 1504(a), except that all corporations other than the acquired corporation shall be treated as includible corporations (without any exclusion under section 1504(b)) and the acquired corporation shall not be treated as an includible corporation.

"(h) CHANGES IN OBLIGATION.—For purposes of this section—

"(1) Any extension, renewal, or refinancing of an obligation evidencing a preexisting indebtedness shall not be deemed to be a new obligation.

"(2) Any obligation which is corporate acquisition indebtedness of the issuing corporation is also corporate acquisition indebtedness of any corporation which becomes liable for such obligation as guarantor, endorser, or indemnitor or which assumes liability for such obligation in any transaction.

"(i) EFFECT ON OTHER PROVISIONS.—No inference shall be drawn from any provision in this section that any instrument designated as a bond, debenture, note, or certificate or other evidence of indebtedness by its issuer represents an obligation or indebtedness of such issuer in applying any other provision of this title."

(b) CLERICAL AMENDMENT.—The table of sections for part IX of subchapter B of chapter 1 is amended by adding at the end thereof the following new item:

"Sec. 279. Interest on indebtedness incurred by corporations to acquire stock or assets of another corporation."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to the determination of the allowability of the deduction of interest paid or incurred with respect to indebtedness incurred after May 27, 1969.

SEC. 412. INSTALLMENT METHOD.

(a) INSTALLMENT METHOD.—Section 453(b)(1) (relating to sales of realty and casual sales of personalty) is amended by inserting before the period at the end thereof the following: ", but only if such sale or other disposition qualifies as an installment transaction (as defined in paragraph (3))."

(b) SPECIAL RULE.—Section 453(b) (relating to sales of realty and casual sales of personalty) is amended by adding at the end thereof the following new paragraphs:

"(3) INSTALLMENT TRANSACTION DEFINED.—For purposes of subsection (b), the term 'installment transaction' means a transaction in which the payments of principal or principal and interest are required to be paid periodically and in such amounts over the installment period as prescribed under regulations by the Secretary or his delegate. The requirement stated in the preceding sentence shall be deemed to be satisfied if—

"(A) such payments are required to be made at least once every 2 years in relatively even or declining amounts over the installment period; or

"(B) at least 5 percent of the principal is required to have been paid by the end of the first quarter of the installment period, at least 15 percent of the principal is required to have been paid by the end of the second quarter of the installment period, and at least 40 percent of the principal is required to have been paid by the end of the third quarter of the installment period.

"(4) RULE FOR APPLYING PARAGRAPH (2)(A)(ii).—In applying clause (ii) of paragraph (2)(A), a bond or other evidence of indebtedness issued by a corporation or a government or political subdivision thereof with interest coupons attached, in registered form, or in any other form designed to render such bond or other evidence of indebtedness readily tradable on an established securities market shall not be treated as an evidence of indebtedness of a purchaser."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to sales or other dispositions occurring after May 27, 1969.

SEC. 413. BONDS AND OTHER EVIDENCES OF INDEBTEDNESS.

(a) BONDS AND OTHER EVIDENCES OF INDEBTEDNESS.—Section 1232(a) (relating to general rule) is amended to read as follows:

"(a) GENERAL RULE.—For purposes of this subtitle, in the case of bonds, debentures, notes, or certificates or other evidences of indebtedness, which are capital assets in the hands of the taxpayer, and which are issued by any corporation, or by any government or political subdivision thereof—

"(1) RETIREMENT.—Amounts received by the holder on retirement of such bonds or other evidences of indebtedness shall be considered as amounts received in exchange therefor (except that in the case of bonds or other evidences of indebtedness issued before January 1, 1955, this paragraph shall apply only to those issued with interest coupons or in registered form, or to those in such form on March 1, 1954).

"(2) SALE OR EXCHANGE.—

"(A) CORPORATE BONDS ISSUED AFTER MAY 27, 1969.—Except as provided in subparagraph (C), on the sale or exchange of bonds or other evidences of indebtedness issued by a corporation after May 27, 1969, held by the taxpayer more than 6 months, any gain shall (except as provided in the following sentence) be considered gain from the sale or exchange of a capital asset held for more than 6 months. If at the time of original issue there was an intention to call the bond or other evidence of indebtedness before maturity, any gain realized on sale or exchange thereof which does not exceed an amount equal to the original issue discount (as defined in subsection (b)) shall be considered as gain from the sale or exchange of property which is not a capital asset.

"(B) CORPORATE BONDS ISSUED ON OR BEFORE MAY 27, 1969, AND GOVERNMENT BONDS.—Except as provided in subparagraph (C), on sale or exchange of bonds or other evidences of indebtedness issued by a government or political subdivision thereof after December 31, 1954, or by a corporation after December 31, 1954, and on or before May 27, 1969, held by the taxpayer more than 6 months, any gain realized which does not exceed—

"(i) an amount equal to the original issue discount (as defined in subsection (b)), or

"(ii) if at the time of original issue there was no intention to call the bond or other evidence of indebtedness before maturity, an amount which bears the same ratio to the original issue discount (as defined in subsection (b)) as the number of complete months that the bond or other evidence of indebtedness was held by the taxpayer bears to the number of complete months from the date of original issue to the date of maturity,

shall be considered as gain from the sale or exchange of property which is not a capital asset. Gain in excess of such amount shall be considered gain from the sale or exchange of a capital asset held more than 6 months.

"(C) EXCEPTIONS.—This paragraph shall not apply to—

"(i) obligations the interest on which is not includible in gross income under section 103 (relating to certain governmental obligations), or

"(ii) any holder who has purchased the bond or other evidence of indebtedness at a premium.

"(D) DOUBLE INCLUSION IN INCOME NOT REQUIRED.—This section shall not require the inclusion of any amount previously includible in gross income.

"(3) INCLUSION IN INCOME OF ORIGINAL ISSUE DISCOUNT ON CORPORATE BONDS ISSUED AFTER MAY 27, 1969.—

"(A) GENERAL RULE.—There shall be included in the gross income of the holder of any bond or other evidence of indebtedness issued by a corporation after May 27, 1969, the ratable monthly portion of original issue discount multiplied by the number of complete months (plus any fractional part of a month determined in accordance with the last sentence of this subparagraph) such holder held such bond or other evidence of indebtedness during the taxable year. Except as provided in subparagraph (B), the ratable monthly portion of original issue discount shall equal the original issue discount (as defined in subsection (b)) divided by the number of complete months from the date of original issue to the stated maturity date of such bond or other evidence of indebtedness. For purposes of this section, a complete month commences with the date of original issue and the corresponding day of each succeeding calendar month (or the last day of a calendar month in which there is no corresponding day); and, in any case where a bond or other evidence of indebtedness is acquired on any other day, the ratable monthly portion of original issue discount for the complete month in which such acquisition occurs shall be allocated between the transferor and the transferee in accordance with the number of days in such complete month each held the bond or other evidence of indebtedness.

"(B) REDUCTION IN CASE OF ANY SUBSEQUENT HOLDER.—For purposes of this paragraph, the ratable monthly portion of original issue discount shall not include an amount, determined at the time of any purchase after the original issue of such bond or other evidence of indebtedness, equal to the excess of—

"(i) the cost of such bonds or other evidence of indebtedness incurred by such holder, over

"(ii) the issue price of such bond or other evidence of indebtedness increased by the portion of original discount previously includible in the gross income of any holder (computed without regard to this subparagraph),

divided by the number of complete months (plus any fractional part of a month commencing with the date of purchase) from the date of such purchase to the stated maturity date of such bond or other evidence of indebtedness.

"(C) PURCHASE DEFINED.—For purposes of subparagraph (B), the term 'purchase' means any acquisition of a bond or other evidence of indebtedness, but only if the basis of the bond or other evidence of indebtedness is not determined in whole or in part by reference to the adjusted basis of such bond or other evidence of indebtedness in the hands of the person from whom acquired, or under section 1014(a) (relating to property acquired from a decedent).

"(D) EXCEPTION.—This paragraph shall not apply to any holder who has purchased the bond or other evidence of indebtedness at a premium.

"(E) BASIS ADJUSTMENTS.—The basis of any bond or other evidence of indebtedness in the hands of the holder thereof shall be increased by the amount included in his gross income pursuant to subparagraph (A)."

(b) ISSUE PRICE.—Section 1232(b)(2) (relating to issue price) is amended by adding at the end thereof the following:

"In the case of a bond or other evidence of indebtedness and an option or other security issued together as an investment unit, the issue price for such investment unit shall be

determined in accordance with the rules stated in this paragraph. Such issue price attributable to each element of the investment unit shall be that portion thereof which the fair market value of such element bears to the total fair market value of all the elements in the investment unit. The issue price of the bond or other evidence of indebtedness included in such investment unit shall be the portion so allocated to it. In the case of a bond or other evidence of indebtedness, or an investment unit as described in this paragraph, issued for property, the issue price of such bond or other evidence of indebtedness or investment unit, as the case may be, shall be the fair market value of such property."

(c) REQUIREMENT OF REPORTING.—Section 6049(a)(1) (relating to requirements of reporting interest) is amended to read as follows:

"(a) REQUIREMENT OF REPORTING.—

"(1) IN GENERAL.—Every person—

"(A) who makes payments of interest (as defined in subsection (b)) aggregating $10 or more to any other person during any calendar year,

"(B) who receives payments of interest as a nominee and who makes payments aggregating $10 or more during any calendar year to any other person with respect to the interest so received, or

"(C) which is a corporation that has outstanding any bond, debenture, note, or certificate or other evidence of indebtedness in registered form as to which there is during any calendar year an amount of original issue discount aggregating $10 or more includible in the gross income of any holder under section 1232(a)(3) without regard to subparagraph (B) thereof,

shall make a return according to the forms or regulations prescribed by the Secretary or his delegate, setting forth the aggregate amount of such payments and such aggregate amount includible in the gross income of any holder and the name and address of the person to whom paid or such holder."

(d) STATEMENTS TO BE FURNISHED TO PERSONS WITH RESPECT TO WHOM INFORMATION IS FURNISHED.—Section 6049(c) (relating to statements to be furnished to persons with respect to whom information is furnished) is amended to read as follows:

"(c) STATEMENTS TO BE FURNISHED TO PERSONS WITH RESPECT TO WHOM INFORMATION IS FURNISHED.—Every person making a return under subsection (a)(1) shall furnish to each person whose name is set forth in such return a written statement showing—

"(1) the name and address of the person making such return, and

"(2) the aggregate amount of payments to, or the aggregate amount includible in the gross income of, the person as shown on such return.

The written statement required under the preceding sentence shall be furnished to the person on or before January 31 of the year following the calendar year for which the return under subsection (a)(1) was made. No statement shall be required to be furnished to any person under this subsection if the aggregate amount of payments to, or the aggregate amount includible in the gross income of, such person shown on the return made under subsection (a)(1) is less than $10."

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to bonds and other evidences of indebtedness issued after May 27, 1969.

SEC. 414. LIMITATION ON DEDUCTION OF BOND PREMIUM ON REPURCHASE.

(a) LIMITATION ON DEDUCTION OF BOND PREMIUM ON REPURCHASE.—Part VIII of subchapter B of chapter 1 of the Internal Revenue Code (relating to special deductions for corporations) is amended by adding at the end thereof the following new section:

"SEC. 249. LIMITATION ON DEDUCTION OF BOND PREMIUM ON REPURCHASE.

"(a) GENERAL RULE.—No deduction shall be allowed to a corporation for any premium paid or incurred upon the repurchase of a bond, debtenture, note, or certificate or other evidence of indebtedness which is convertible into the stock of the issuing corporation, or a corporation in control of, or controlled by, the issuing corporation, to the extent the repurchase price exceeds an amount equal to the adjusted issue price plus a normal call premium on bonds or other evidences of indebtedness which are not convertible. The preceding sentence shall not apply to the extent that the corporation can demonstrate to the satisfaction of the Secretary or his delegate that such excess is attributable to the cost of borrowing and is not attributable to the conversion feature.

"(b) SPECIAL RULES.—For purposes of subsection (a)—

"(1) ADJUSTED ISSUE PRICE.—The adjusted issue price is the issue price (as defined in section 1232(b)) increased by any amount of discount deducted prior to repurchase, or, in the case of bonds or other evidences of indebtedness issued subsequent to February 28, 1913, decreased by any amount of premium included in gross income prior to repurchase by the issuing corporation.

"(2) CONTROL.—The term 'control' has the meaning assigned to such term by section 368(c)."

(b) CLERICAL AMENDMENT.—The table of sections for part VIII of subchapter B of chapter 1 is amended by adding at the end thereof the following new item:

"Sec. 249. Limitation on deduction of bond premium on repurchase."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to a convertible bond or other convertible evidence of indebtedness repurchased after April 22, 1969, other than such a bond or other evidence of indebtedness repurchased pursuant to a binding obligation incurred on or before April 22, 1969, to repurchase such bond or other evidence of indebtedness at a specified call premium, and no inference shall be drawn from the fact that subsection (a) does not apply to the repurchase of such convertible bond or other convertible evidence of indebtedness.

SUBTITLE C—STOCK DIVIDENDS

SEC. 421. STOCK DIVIDENDS.

(a) IN GENERAL.—Section 305 (relating to distributions of stock and stock rights) is amended to read as follows:

"SEC. 305. DISTRIBUTIONS OF STOCK AND STOCK RIGHTS.

"(a) GENERAL RULE.—Except as otherwise provided in this section, gross income does not include the amount of any distribution made by a corporation to its shareholders, with respect to the common stock of such corporation, in its stock or in rights to acquire its stock.

"(b) EXCEPTIONS.—Subsection (a) shall not apply to a distribution by a corporation of its stock (or rights to acquire its stock), and the distribution shall be treated as a distribution of property to which section 301 applies—

"(1) DISTRIBUTIONS IN LIEU OF MONEY.—If the distribution is, at the election of any of the shareholders (whether exercised before or after the declaration thereof), payable either—

"(A) in its stock (or in rights to acquire its stock), or

"(B) in property.

"(2) DISPROPORTIONATE DISTRIBUTIONS.—If the distribution (or a series of distributions of which such distribution is one) has the result of—

"(A) the receipt of property by some shareholders, and

"(B) an increase in the proportionate interests of other shareholders in the assets or earnings and profits of the corporation.

"(3) CONVERTIBLE PREFERRED STOCK.—If the distribution is of convertible preferred stock, unless it is established to the satisfaction of the Secretary or his delegate that such distribution will not have the result described in paragraph (2).

For purposes of paragraphs (1) and (2), section 306 stock shall be treated as property which is not stock.

"(c) CERTAIN REDEMPTIONS, ETC., TREATED AS DISTRIBUTIONS.—For purposes of this section and section 301, the Secretary or his delegate shall prescribe regulations under which a change in conversion ratio, a change in redemption price, a redemption which is treated as a section 301 distribution, or any transaction having a similar effect on the interest of any shareholder (or a holder of rights or convertible securities) shall be treated as a distribution with respect to any shareholder (or a holder of rights or convertible securities) whose proportionate interest in the earnings and profits or assets of the corporation is increased by such change, redemption, or similar transaction.

"(d) CROSS REFERENCES.—

"For special rules—

"(1) Relating to the receipt of stock and stock rights in corporate organizations and reorganizations, see part III (sec. 351 and following).

"(2) In the case of a distribution which results in a gift, see section 2501 and following.

"(3) In the case of a distribution which has the effect of the payment of compensation, see section 61(a)(1)."

(b) CONFORMING AMENDMENT.—Section 317(a) (relating to certain definitions) is amended to read as follows:

"(a) PROPERTY.—For purposes of this part, the term 'property' means money, securities, and any other property; except that such term does not include stock (or rights to acquire stock) in the corporation making the distribution distributed with respect to the common stock of such corporation."

(c) EFFECTIVE DATES.—

(1) Except as otherwise provided in this subsection, the amendments made by subsections (a) and (b) shall apply with respect to distributions made or considered as made after January 10, 1969, in taxable years ending after such date.

(2) The amendments made by subsections (a) and (b) shall not apply to a distribution of stock (or rights to acquire stock) made or considered as made before January 1, 1991, with respect to stock outstanding on January 10, 1969 (or with respect to stock issued pursuant to a contract binding on January 10, 1969, on the distributing corporation).

(3) In cases to which Treasury Decision 6990 (promulgated January 10, 1969) would not have applied, in applying paragraphs (1) and (2) of this subsection April 22, 1969, shall be substituted for January 10, 1969.

SUBTITLE D—FOREIGN TAX CREDIT

SEC. 431. FOREIGN TAX CREDIT REDUCTION IN CASE OF FOREIGN LOSSES.

(a) REDUCTION IN FOREIGN TAX CREDIT LIMITATION.—Section 904(a) (relating to limitation on credit) is amended by adding at the end thereof the following new paragraphs:

"(3) REDUCTION IN LIMITATION.—In the case of a taxpayer who in a prior taxable year sustains a loss in a foreign country or possession of the United States and chooses the limitation provided in paragraph (1) for such prior year, the amount of the taxpayer's taxable income from sources within such country or possession for the taxable

year (but not the taxpayer's entire taxable income for the same taxable year) shall, solely for purposes of determining the applicable limitation under paragraph (1) or (2), be determined without regard to section 172 (relating to net operating loss deduction) and be reduced by the lesser of—

"(A) (i) the amount of such loss, decreased by

"(ii) the amount of any reduction previously made under this paragraph with respect to such loss, or

"(B) an amount which is equal to 50 percent of the taxpayer's taxable income for the taxable year (determined without regard to this paragraph and section 172) from sources within such country or possession.

"(4) ALLOCATION OF LOSSES.—In applying paragraph (3) for any taxable year to which subsection (f) or (g) applies, a loss sustained in a foreign country or possession of the United States shall be allocated to the separate limitation (if any) under such subsection pursuant to regulations prescribed by the Secretary or his delegate.

"(5) SPECIAL LIMITATION ON CARRYBACKS AND CARRYOVERS.—For purposes of subsection (d), the amount by which tax paid or accrued to any foreign country or possession of the United States for any taxable year exceeds the applicable limitation under this subsection shall be determined without regard to paragraph (3).

"(6) CERTAIN DISPOSITIONS OF PROPERTY.—

"(A) Under regulations prescribed by the Secretary or his delegate, if during any taxable year property which is used in the trade or business which gives rise to the loss referred to in paragraph (3) is disposed of and such loss exceeds the amount by which the taxpayer's taxable income was reduced under paragraph (3) for such taxable year and preceding taxable years by reason of such loss, an amount equal to such excess shall be included in gross income for such taxable year.

"(B) No amount shall be included in gross income under subparagraph (A) in any case in which—

"(i) the property which is disposed of is not a material factor in the realization of the income (or loss) from the trade or business in which such property is used or is not a substantial portion of the assets used in, or held for use in, the conduct of such trade or business,

"(ii) the property is disposed of on account of its destruction or damage by fire, storm, shipwreck, or other casualty, or by reason of its theft,

"(iii) the property is transferred by reason of death, or

"(iv) the property is transferred in a transaction to which section 381(a) applies."

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to losses sustained in taxable years beginning after December 31, 1969.

SEC. 432. SEPARATE LIMITATION ON FOREIGN TAX CREDIT WITH RESPECT TO FOREIGN MINERAL INCOME.

(a) LIMITATION ON AMOUNT OF FOREIGN TAXES TO BE TAKEN INTO ACCOUNT.—Section 904 (relating to limitation on credit) is amended by redesignating subsection (g) as subsection (h), and by inserting after subsection (f) the following new subsection:

"(g) APPLICATION OF SECTION IN CASE OF FOREIGN MINERAL INCOME.—

"(1) IN GENERAL.—If any foreign country or possession of the United States, or any agency or instrumentality of such country or possession—

"(A) requires the payment of any bonus or royalty with respect to property which gives rise to foreign mineral income,

"(B) holds substantial mineral rights with respect to such property, or

"(C) imposes any income, war profits, or excess profits taxes on such income at an effective rate higher than on other income.

subsections (a), (c), (d), and (e) of this section shall be applied separately with respect to foreign mineral income from sources within such country or possession.

"(2) FOREIGN MINERAL INCOME DEFINED.—

"(A) GENERAL RULE.—For purposes of paragraph (1), the term 'foreign mineral income' means taxable income from mines, wells, and other natural deposits within any foreign country or possession of the United States, to the extent such taxable income constitutes 'taxable income from the property' within the meaning of section 613. Such term includes, but is not limited to—

"(i) dividends received from a foreign corporation in respect of which taxes are deemed paid under section 902, to the extent such dividends are attributable to foreign mineral income, and

"(ii) that portion of the taxpayer's distributive share of the income of a partnership attributable to foreign mineral income.

"(B) SPECIAL RULES.—

"(i) For purposes of subparagraph (A), if for the taxable year a taxpayer's (or, where a consolidated income tax return is filed, the affiliated groups) foreign mineral income is less than $10,000, no part of the taxable income for such year shall be treated as foreign mineral income.

"(ii) For purposes of clause (i) of subparagraph (A), if less than 30 percent and less than $100,000, of the accumulated profits of the year or years from which dividends are paid, as determined under section 902(c), are attributable to foreign mineral income, no part of the dividends shall be treated as foreign mineral income.

"(3) OVERALL LIMITATION NOT TO APPLY.—The limitation provided by subsection (a)(2) shall not apply with respect to foreign mineral income. The Secretary or his delegate shall by regulations prescribe the manner of application of subsection (e) with respect to cases in which the limitation provided by subsection (a)(2) applies with respect to income other than foreign mineral income.

"(4) TRANSITIONAL RULES FOR CARRYBACKS AND CARRYOVERS.—

"(A) CARRYBACKS TO YEARS BEFORE TAX REFORM ACT OF 1969.—If, after applying subsection (d), taxes paid or accrued to any foreign country or possession of the United States in any taxable year beginning after the date of the enactment of the Tax Reform Act of 1969 are deemed paid or accrued in one or more taxable years beginning on or before such date, then the amount of such taxes deemed paid or accrued in such taxable year or years shall be determined without regard to the provisions of this subsection. To the extent the taxes paid or accrued to a foreign country or possession of the United States in any taxable year beginning after the date of the enactment of such Act are not, after applying the preceding sentence, deemed paid or accrued in any taxable year beginning on or before the date of the enactment of such Act, such taxes shall, for purposes of applying subsection (d), be deemed paid or accrued in a taxable year beginning after the date of the enactment of such Act with respect to foreign mineral income, and with respect to income other than foreign mineral income, in the same ratios as the amount of such taxes paid or accrued with respect to foreign mineral income, and the amount of such taxes paid or accrued with respect to income other than foreign mineral income, respectively, bear to the total amount of such taxes paid or accrued to such foreign country or possession of the United States.

"(B) CARRYOVERS TO YEARS AFTER TAX REFORM ACT OF 1969.—Where under the provisions of subsection (d) taxes paid or accrued to any foreign country or possession of the United States in any taxable year beginning on or before the date of the enactment of the Tax Reform Act of 1969 are deemed paid or accrued in one or more taxable years beginning after such date, the amount of such taxes deemed paid or accrued in any year beginning after such date shall, with respect to foreign mineral income, be an amount which bears the same ratio to the amount of such taxes deemed paid or accrued as the amount of the taxes paid or accrued to such foreign country or possession for such year with respect to foreign mineral income bears to the total amount of taxes paid or accrued to such foreign country or possession for such year; and the amount of such taxes deemed paid or accrued in any year beginning after such date with respect to income other than foreign mineral income shall be an amount which bears the same ratio to the amount of such taxes deemed paid or accrued for such year as the amount of taxes paid or accrued to such foreign country or possession for such year with respect to income other than foreign mineral income bears to the total amount of the taxes paid or accrued to such foreign country or possession for such year."

(b) CONFORMING AMENDMENTS.—Section 904(b) (relating to election of overall limitation) is amended—

(1) by striking out "with the consent of the Secretary or his delegate with respect to any taxable year" in paragraph (1) and inserting in lieu thereof "(A) with the consent of the Secretary or his delegate with respect to any taxable year, or (B) for the taxpayer's first taxable year beginning after the date of the enactment of the Tax Reform Act of 1969", and

(2) by striking out "If a taxpayer" in paragraph (2) and inserting in lieu thereof "Except in a case to which paragraph (1)(B) applies, if the taxpayer".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to taxable years beginning after the date of enactment of this Act.

SUBTITLE E—FINANCIAL INSTITUTIONS

SEC. 441. RESERVE FOR LOSSES ON LOANS; NET OPERATING LOSS CARRYBACKS.

(a) BAD DEBT DEDUCTIONS OF FINANCIAL INSTITUTIONS.—Part I of subchapter H of chapter 1 (relating to rules of general application to banking institutions) is amended by adding at the end thereof the following new section:

"SEC. 585. RESERVES FOR LOSSES ON LOANS OF FINANCIAL INSTITUTIONS.

"(a) INSTITUTIONS TO WHICH SECTION APPLIES.—This section shall apply to the following financial institutions—

"(1) to any—

"(A) bank (as defined in section 581) other than an organization to which section 593 applies, or

"(B) corporation to which subparagraph (A) would apply except for the fact that it is a foreign corporation and in the case of such foreign corporation this section shall apply only with respect to loans outstanding, the interest on which is effectively connected with the conduct of a banking business within the United States.

"(2) to a small business investment company operating under the Small Business Investment Act of 1958, and

"(3) to a business development corporation, which shall mean a corporation which was created by or pursuant to an act of a State legislature for purposes of promoting, maintaining, and assisting the economy and industry within such State on a regional or statewide basis by making loans which would generally not be made by banks (as defined in section 581) within such region or State

in the ordinary course of their business (except on the basis of a partial participation), and which is operated primarily for such purpose.

"(b) ADDITION TO RESERVES FOR BAD DEBTS.—

"(1) GENERAL RULE.—For purposes of section 166(c), except as provided in paragraph (2) the reasonable addition to the reserve for bad debts of any financial institution to which this section applies shall not exceed the amount necessary to increase the balance of the reserve for bad debts (as of the close of the taxable year) to the greater of—

"(A) the amount which bears the same ratio to loans outstanding at the close of the taxable year as (i) the total bad debts sustained during the taxable year and the 5 preceding taxable years (or, with the approval of the Secretary or his delegate, a shorter period), adjusted for recoveries of bad debts during such period, bears to (ii) the sum of the loans outstanding at the close of such 6 or fewer taxable years, or

"(B) the lower of—

"(i) the balance in the reserve as of the close of the base year, or

"(ii) if the amount of loans outstanding at the close of the taxable year is less than the amount of loans outstanding at the close of the base year, the amount which bears the same ratio to loans outstanding at the close of the taxable year as the balance of the reserve as of the close of the base year bears to the amount of loans outstanding at the close of the base year.

For purposes of this subparagraph, the term 'base year' means the last taxable year beginning on or before July 11, 1969.

"(2) NEW FINANCIAL INSTITUTIONS.—In the case of any taxable year beginning not more than 10 years after the day before the first day on which a financial institution (or any predecessor) was authorized to do business as a financial institution described in subsection (a), the reasonable addition to the reserve for bad debts of such financial institution shall not exceed the larger of the amount determined under paragraph (1) or the amount necessary to increase the balance of the reserve for bad debts as of the close of the taxable year to the amount which bears the same ratio (as determined by the Secretary or his delegate) to loans outstanding at the close of the taxable year as (i) the total bad debts sustained by all institutions described in the applicable paragraph of subsection (a) during the 6 preceding taxable years (adjusted for recoveries of bad debts during such period), bears to (ii) the sum of the loans by all such institutions outstanding at the close of such taxable years."

(b) 10-YEAR NET OPERATING LOSS CARRYBACK.—Section 172(b)(1) (relating to net operating loss deduction) is amended by striking out in subparagraph (A)(i) thereof "and (E)" and inserting in lieu thereof ", (E) and (F)", and by adding at the end thereof the following new subparagraph:

"(F) In the case of a financial institution to which section 585 or 593 applies, a net operating loss for any taxable year beginning after July 11, 1969, shall be a net operating loss carryback to each of the 10 taxable years preceding the taxable year of such loss and shall be a net operating loss carryover to each of the 5 taxable years following the taxable year of such loss."

(c) TECHNICAL AND CLERICAL AMENDMENTS.—

(1) Subsection (h) of section 166 (relating to bad debts) is amended by adding at the end thereof the following new paragraph:

"(4) For special rule for bad debt reserves of certain financial institutions other than certain mutual savings banks, domestic building and loan associations and cooperative banks, see section 585."

(2) The table of sections for part I of subchapter H of chapter 1 is amended—

(A) by striking out:

"Sec. 582. Bad debt and loss deduction with respect to securities held by banks."

and inserting in lieu thereof:

"Sec. 582. Bad debts, losses, and gains with respect to securities held by financial institutions."

(B) by adding at the end thereof the following:

"Sec. 585. Reserves for losses on loans of financial institutions."

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to taxable years beginning after July 11, 1969.

SEC. 442. MUTUAL SAVINGS BANKS, ETC.

(a) RESERVE FOR LOSSES ON LOANS.—Section 593(b) (relating to addition to reserves for bad debts) is amended—

(1) by striking out subparagraph (A) of paragraph (1) and inserting in lieu thereof the following:

"(A) the amount determined to be a reasonable addition to the reserve for losses on nonqualifying loans, computed in the same manner as provided with respect to additions to reserves for bad debts of financial institutions under section 585(b)(1)(A), plus"

(2) by striking out paragraphs (2), (3), (4), and (5) and inserting in lieu thereof the following:

"(2) PERCENTAGE OF TAXABLE INCOME METHOD.—The amount determined under this paragraph for the taxable year shall be the excess of—

"(A) an amount equal to the applicable percentage of the taxable income for such year (determined under the following table), over:

"For a taxable year beginning in—	The applicable percentage under this paragraph shall be—
1969	60 percent.
1970	57 percent.
1971	54 percent.
1972	51 percent.
1973	48 percent.
1974	45 percent.
1975	32 percent.
1976	39 percent.
1977	36 percent.
1978	33 percent.
1979 or thereafter	30 percent.

"(B) that portion of the amount referred to in paragraph (1)(A) for such year (not in excess of 100 percent) which bears the same ratio to such amount as (i) 18 percent (28 percent in the case of mutual savings banks) bears to (ii) the percentage of the assets of the taxpayer which are not assets described in section 7701(a)(19)(C), but the amount determined under this paragraph shall not exceed the amount necessary to increase the balance (as of the close of the taxable year) of the reserve for losses on qualifying real property loans to 6 percent of such loans outstanding at such time. For purposes of this paragraph, taxable income shall be computed—

"(i) by excluding from gross income any amount included therein by reason of subsection (f),

"(ii) without regard to any deduction allowable for any addition to the reserve for bad debts,

"(iii) by excluding from gross income an amount equal to the net capital gain for the taxable year arising from the sale or exchange of stock of a corporation, or obligations described in section 103(a)(1),

"(iv) by excluding from gross income an amount equal to the lesser of ⅜ of the net or ⅜ of the net long-term capital gain for the taxable year from the sale or exchange of property other than property described in clause (iii), and

"(v) by excluding from gross income dividends with respect to which a deduction is allowed by part VIII of subchapter B.

"(3) LIMITATIONS.—If the percentage of the assets of a taxpayer described in subsection (a), which are assets described in section 7701(a)(19)(C), is less than—

"(A) 82 percent of the total assets in the case of a taxpayer other than a mutual savings bank, the percentage provided by paragraph (2)(A) shall be reduced (i) for taxable years beginning before January 1, 1972, by 1 percentage point for each 1 percentage point of such difference, (ii) for taxable years beginning after December 31, 1971, but before January 1, 1977, by 1 percentage point for each 1⅓ percentage points of such difference, and (iii) for taxable years beginning after December 31, 1976, by 1 percentage point for each 2 percentage points of such difference, or

"(B) 72 percent of the total assets in the case of a mutual savings bank, the percentage provided by paragraph (2)(A) shall be reduced (i) for taxable years beginning before January 1, 1972, by 2 percentage points for each 1 percentage point of such difference, (ii) for taxable years beginning after December 31, 1971, but before January 1, 1977, by 1½ percentage points for each 1 percentage point of such difference, and (iii) for taxable years beginning after December 31, 1976, by 1 percentage point for each 1 percentage point of such difference.

If the percentage of such assets is less than 60 percent of the total assets of such taxpayer, no amount shall be allowed under paragraph (2).

"(4) EXPERIENCE METHOD.—

"(A) Except as provided in subparagraph (B), the amount determined under this paragraph to be a reasonable addition to the reserve for losses on qualifying real property loans shall be computed in the same manner as is provided with respect to additions to reserves for bad debts of financial institutions under section 585(b)(1).

"(B) For any taxable year of an organization to which this section applies, beginning not more than 10 years after the day before the first day on which it (or any predecessor) was authorized to do business as an organization described in subsection (a), the amount determined under this paragraph for such organization shall be computed in the same manner as is provided with respect to additions to reserves for bad debts of financial institutions under section 585(b)(2)."

(b) INVESTMENT STANDARDS.—Section 7701(a)(19) is amended to read as follows:

"(19) DOMESTIC BUILDING AND LOAN ASSOCIATION.—The term 'domestic building and loan association' means a domestic building and loan association, a domestic savings and loan association, and a Federal savings and loan association—

"(A) which either (i) is an insured institution within the meaning of section 401(a) of the National Housing Act (12 U.S.C., sec. 1724(a)), or (ii) is subject by law to supervision and examination by State or Federal authority having supervision over such associations;

(B) substantially all of the business of which consists of acquiring the savings of the public and investing in loans; and

"(C) at least 60 percent of the amount of the total assets of which (as of the close of the taxable year) consists of—

"(i) cash,

"(ii) obligations of the United States or of a State or political subdivision thereof, and stock or obligations of a corporation which is an instrumentality of the United States or of a State or political subdivision thereof, but not including obligations the

interest on which is excludable from gross income under section 103,

"(iii) certificates of deposit in, or obligations of, a corporation organized under a State law which specifically authorizes such corporation to insure the deposits or share accounts of member associations,

"(iv) loans secured by a deposit or share of a member,

"(v) loans secured by an interest in real property which is (or, from the proceeds of the loan, will become) residential real property or real property used primarily for church purposes, loans made for the improvement of residential real property or real property used primarily for church purposes, provided that for purposes of this clause, residential real property shall include single or multifamily dwellings, facilities in residential developments dedicated to public use or property used on a nonprofit basis for residents, and moble homes not used on a transient basis,

"(vi) loans made for the improvement of real property located within any urban renewal area (as defined in section 110(a) of the Housing Act of 1949, as amended) or in any area covered by a program eligible for assistance under section 103 of the Demonstration Cities and Metropolitan Development Act of 1966, as amended,

"(vii) loans secured by an interest in educational, health, or welfare institutions or facilities, inculding structures designed or used primarily for residential purposes for students, residents, and persons under care, employees, or members of the staff of such institutions or facilities,

"(viii) property acquired through the liquidation of defaulted loans described in clause (v), (vi), or (vii), and

"(ix) loans made for the payment of expenses of college or university education or vocational training, in accordance with such regulations as may be prescribed by the Secretary or his delegate,

"(x) property used by the association in the conduct of the business described in subparagraph (B).

At the election of the taxpayer, the percentage specified in this subparagraph shall be applied on the basis of the average assets outstanding during the taxable year, in lieu of the close of the taxable year, computed under regulations prescribed by the Secretary or his delegate."

(c) CONFORMING AMENDMENTS.—Section 7701(a)(32) is amended—

(1) by striking out in subparagraph (B) ", (C), (D), (E), and (F)" and inserting in lieu thereof "and (C)", and

(2) by striking out the third sentence thereof.

(d) EFECTIVE DATE.—The amendments made by this section shall be effective for taxable years beginning after July 11, 1969.

SEC. 443. TREATMENT OF BONDS, ETC., HELD BY FINANCIAL INSTITUTIONS.

(a) GAIN ON SECURITIES HELD BY FINANCIAL INSTITUTIONS.—Subsection (c) of section 582 (relating to bad debt and loss deduction with respect to securities held by financial institutions) is amended by striking out such subsection and inserting the following in lieu thereof:

"(c) BOND, ETC., LOSSES AND GAINS OF FINANCIAL INSTITUTIONS.—For purposes of this subtitle, in the case of a financial institution to which section 585 or 593 applies, the sale or exchange of a bond, debenture, note, or certificate, or other evidence of indebtedness, shall not be considered a sale or exchange of a capital asset."

(b) CONFORMING AMENDMENT.—Paragraph (1) of section 1243 (relating to loss of a small business investment company) is amended to read as follows:

"(1) a loss is on stock received pursuant to the conversion privilege of convertible debentures acquired pursuant to section 304 of the Small Business Investment Act of 1958, and".

(c) CLERICAL AMENDMENT.—The heading for section 582 is amended to read as follows:

"SEC. 582. BAD DEBTS, LOSSES, AND GAINS WITH RESPECT TO SECURITIES HELD BY FINANCIAL INSTITUTIONS."

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to taxable years beginning after July 11, 1969.

SEC. 444. FOREIGN DEPOSITS IN UNITED STATES BANKS.

Sections 861 and 2104 are amended by striking out "1972" wherever it appears in such sections and inserting in lieu thereof "1975".

SUBTITLE F—DEPRECIATION ALLOWED REGULATED INDUSTRIES; EARNINGS AND PROFITS ADJUSTMENT FOR DEPRECIATION

SEC. 451. PUBLIC UTILITY PROPERTY.

(a) IN GENERAL.—Section 167 (relating to depreciation) is amended by inserting after subsection (k) (added by section 521) the following new subsection:

"(1) SPECIAL RULES IN CASE OF PUBLIC UTILITY PROPERTY.—

"(1) EXISTING PUBLIC UTILITY PROPERTY.—In the case of existing public utility property (as defined in paragraph (5) (A)), the term 'reasonable allowance' as used in subsection (a) means an allowance computed under the straight-line method unless—

"(A) with respect to such property (or with respect to property of the same kind as such property) the taxpayer for his latest taxable year for which a return was filed on or before July 22, 1969, used a method other than the straight-line method, and

"(B) the requirement of paragraph (2) (if applicable) is met with respect to such property.

"(2) CONTINUATION OF NORMALIZATION.—In the case of public utility property described in paragraph (1) with respect to which (or with respect to property of the same kind) the taxpayer as of July 22, 1969, used the normalization method of accounting, the taxpayer may use, with respect to such property, for purposes of computing taxable income, a method of depreciation other than the straight-line method only if he continues to use the normalization method of accounting with respect to such property.

"(3) OTHER PUBLIC UTILITY PROPERTY.—In the case of public utility property other than existing public utility property, the term 'reasonable allowance' as used in subsection (a) means an allowance computed under the straight-line method unless—

"(A) the taxpayer uses the normalization method of accounting with respect to such property, or

"(B) with respect to property of the same kind as such property, the taxpayer for his latest taxable year for which a return was filed on or before July 22, 1969, used a method other than the straight-line method, and computed his tax expense for the purposes of establishing his cost of service (or of reflecting operating results in his regulated books of account) by using the method of depreciation he used for purposes of computing his allowance for depreciation under this section.

"(4) PUBLIC UTILITY PROPERTY.—For purposes of this subsection, the term 'public utility property' means property used predominantly in the trade or business of the furnishing or sale of—

"(A) electrical energy, water, or sewage disposal services, or

"(B) gas through a local distribution system, or

"(C) telephone services (other than those provided by the Communications Satellite Corporation for purposes authorized by the Communications Satellite Act of 1962 (76 Stat. 419; 47 U.S.C. 701)), or

"(D) transportation of gas, oil (including shale oil), or petroleum products by pipeline,

if the rates for such furnishing or sale, as the case may be, have been established or approved by a State or political subdivision thereof, by any agency or instrumentality of the United States, or by a public service or public utility commission or other similar body of any State or political subdivision thereof.

"(5) OTHER DEFINITIONS.—For purposes of this subsection—

"(A) EXISTING PUBLIC UTILITY PROPERTY.—The term 'existing public utility property' means public utility property—

"(i) the construction, reconstruction, or erection of which is completed by the taxpayer on or before December 31, 1969 (or if construction, reconstruction, or erection is completed after December 31, 1969, that portion of the basis of such property which is properly attributable to construction, reconstruction, or erection by the taxpayer on or before December 31, 1969), or

"(ii) which was acquired by the taxpayer and the use of which commences with the taxpayer on or before December 31, 1969.

"(B) NORMALIZATION METHOD OF ACCOUNTING.—A taxpayer uses the normalization method of accounting if, and only if, he—

"(i) computes his tax expense for purposes of establishing his cost of service (or of reflecting operating results in his regulated books of account) by using a method of depreciation other than the method he used for purposes of computing his allowance for depreciation under this section, and

"(ii) makes adjustments to a reserve for deferred taxes to reflect the deferral of taxes resulting from the use of such different methods of depreciation.

"(C) STRAIGHT LINE METHOD.—The term 'straight line method' includes any method determined by the Secretary or his delegate to result in a reasonable allowance under subsection (a), other than (i) a declining balance method, (ii) the sum of the years-digits method or, (iii) any other method allowable solely by reason of the application of subsection (b)(4) or paragraph (1)(C) of subsection (j)."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to taxable years ending after July 22, 1969.

SEC. 452. EFFECT ON EARNINGS AND PROFITS.

Section 312 (relating to effect on earnings and profits) is amended by adding at the end thereof the following new subsection:

"(m) EFFECT ON EARNINGS AND PROFITS OF DEPRECIATION.—

"(1) For the purpose of computing its earnings and profits with respect to any taxable year beginning after June 30, 1972, a corporation shall use the aggregate amount of depreciation which would be allowable with respect to such year if depreciation had been computed under—

"(A) the straight line method, or

"(B) a method determined by the Secretary or his delegate to result in a reasonable allowance under section 167(a), not including—

"(i) any declining balance method,

"(ii) the sum of the years-digits method, or

"(iii) any other method allowable solely by reason of the application of subsection (b)(4), (j)(1)(C), or (m) of section 167.

"(2) The provisions of paragraph (1) shall apply notwithstanding the use, by a corporation, of methods of depreciation otherwise allowable under section 167 or 179, and notwithstanding an election, by a corporation, of the amortization deduction under section 168."

SUBTITLE G—ALTERNATIVE CAPITAL GAIN RATE FOR CORPORATIONS

SEC. 461. INCREASE OF RATE.

(a) IN GENERAL.—Section 1201(a) (relating to alternative tax in the case of corporations) is amended by striking out the last sentence of subsection (a), and by amending paragraph (2) to read as follows:

"(2) an amount equal to 30 percent of such excess"

(b) CONFORMING AMENDMENTS.—

(1) Section 802(a)(2)(B) (relating to alternative tax in case of capital gains of life insurance companies) is amended by striking out "25 percent" and inserting in lieu thereof "30 percent".

(2) Section 852(b)(3) (relating to method of taxation of regulated investment companies and their shareholders in the case of capital gains) is amended:

(A) by striking out "25 percent", wherever it appears in subparagraphs (A) and (D)(ii) of such section, and inserting in lieu thereof "30 percent", and

(B) by striking out "75 percent", in subparagraph (D)(iii) of such section, and inserting in lieu thereof "70 percent".

(3) Section 857(b)(3)(A) (relating to imposition of tax in the case of capital gains of real estate investment trusts) is amended by striking "25 percent" and inserting in lieu thereof "30 percent".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to sales and other dispositions after July 31, 1969. In the case of a taxable year beginning before and ending after July 31, 1969, the amendments made by this section shall be applied in a manner to be prescribed by the Secretary of the Treasury or his delegate.

TITLE V—ADJUSTMENTS AFFECTING INDIVIDUALS AND CORPORATIONS

SUBTITLE A—NATURAL RESOURCES

SEC. 501. NATURAL RESOURCES.

(a) PERCENTAGE DEPLETION.—

(1) RATES.—Subsection (b) of section 613 (relating to percentage depletion) is amended to read as follows:

"(b) PERCENTAGE DEPLETION RATES.—The mines, wells, and other natural deposits, and the percentage, referred to in subsection (a) are as follows:

"(1) 20 percent—oil and gas wells located in the United States, in its possessions, in the Commonwealth of Puerto Rico, or on the Outer Continental Shelf (within the meaning of section 2 of the Outer Continental Shelf Lands Act, as amended and supplemented; 43 U.S.C. 1331).

"(2) 17 percent—

"(A) sulfur and uranium; and

"(B) if from deposits in the United States—anorthosite, clay, laterite, and nepheline syenite (to the extent that alumina and aluminum compounds are extracted therefrom), asbestos, bauxite, celestite, chromite, corundum, fluorspar, graphite, ilmenite, kyanite, mica, olivine, quartz crystals (radio grade), rutile, block steatite talc, and zircon, and ores of the following metals: antimony, beryllium, bismuth, cadmium, cobalt, columbium, lead, lithium, manganese, mercury, nickel, platinum and platinum group metals, tantalum, thorium tin, titanium, tungsten, vanadium, and zinc.

"(3) 15 percent—if the mines or deposits are located in the United States—

"(A) gold, silver, copper, and iron ore mines, and

"(B) oil shale.

"(4) 11 percent—

"(A) metal mines (if paragraphs (2)(B) or (3)(A) do not apply), rock asphalt, and vermiculite; and

"(B) if neither paragraph (2)(B), (6), or (7)(B) applies, ball clay, bentonite, china clay, sagger clay, and clay used or sold for use for purposes dependent on its refractory properties.

"(5) 7 percent—asbestos (if paragraph (2)(B) does not apply), brucite, coal, lignite, perlite, sodium chloride, and wollastonite.

"(6) 5 percent—clay and shale used or sold for use in the manufacture of sewer pipe or brick, and clay, shale, and slate used or sold for use as sintered or burned lightweight aggregates.

"(7) 4 percent—

"(A) gravel, peat, pumice, sand, scoria, shale (except shale described in paragraphs (3)(B) and (6)), and stone (except stone described in paragraph (8));

"(B) clay used, or sold for use, in the manufacture of drainage and roofing tile, flower pots, and kindred products; and

"(C) if from brine wells—bromine, calcium chloride, and magnesium chloride.

"(8) 11 percent—all other minerals including, but not limited to, aplite, barite, borax, calcium carbonates, diatomaceous earth, dolomite, feldspar, fullers earth, garnet, gilsonite, granite, limestone, magnesite, magnesium carbonates, marble, mollusk shells (including clam shells and oyster shells), phosphate rock, potash, quartzite, slate, soapstone stone (used or sold for use by the mine owner or operator as dimension stone or ornamental stone), thenardite, tripoli, trona, and (if paragraph (2)(B) does not apply) bauxite, flake graphite, fluorspar, lepidolite, mica, spodumene, and talc (including pyrophyllite), except that, unless sold on bid in direct competition with a bona fide bid to sell a mineral listed in paragraph (4), the percentage shall be 4 percent for any such other mineral (other than slate to which paragraph (6) applies) when used, or sold for use, by the mine owner or operator as rip rap, ballast, road material, rubble, concrete aggregates, or for similar purposes. For purposes of this paragraph, the term 'all other minerals' does not include—

"(A) soil, sod, dirt, turf, water, or mosses;

"(B) minerals from sea water, the air, or similar inexhaustible sources; or

"(C) oil and gas wells."

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after July 22, 1969.

(b) MINERAL PRODUCTION PAYMENTS.—

(1) IN GENERAL.—Subchapter I of chapter 1 (relating to natural resources) is amended by adding at the end thereof the following new part:

"PART IV—MINERAL PRODUCTION PAYMENTS

"Sec. 636. Income tax treatment of mineral production payments.

"SEC. 636. INCOME TAX TREATMENT OF MINERAL PRODUCTION PAYMENTS.

"(a) CARVED-OUT MINERAL PAYMENT.—A production payment carved out of mineral property shall be treated, for purposes of this subtitle, as if it were a mortgage loan on the property, and shall not qualify as an economic interest in the mineral property. In the case of a production payment carved out for exploration or development of a mineral property, the preceding sentence shall apply only if and to the extent gross income from the property (for purposes of section 613) would be realized, in the absence of the application of such sentence, by the person creating the production payment.

"(b) RETAINED PRODUCTION PAYMENT ON SALE OF MINERAL PROPERTY.—A production payment retained on the sale of a mineral property shall be treated, for purposes of this subtitle, as if it were a purchase money mortgage loan and shall not qualify as an economic interest in the mineral property.

"(c) RETAINED PRODUCTION PAYMENT ON LEASE OF MINERAL PROPERTY.—A production payment retained in a mineral property by the lessor in a leasing transaction shall be treated, for purposes of this subtitle, insofar as the lessee (or his successors in interest) is concerned, as if it were a bonus granted by the lessee to the lessor payable in installments. The treatment of the production payment in the hands of the lessor shall be determined without regard to the provisions of this subsection.

"(d) DEFINITION.—As used in this section, the term 'mineral property' has the meaning assigned to the term 'property' in section 614(a).

"(e) REGULATIONS.—The existence and amount of any production payment for purposes of this section and its treatment under this subtitle shall be determined under regulations prescribed by the Secretary or his delegate."

(2) CLERICAL AMENDMENT.—The table of parts for subchapter I of chapter 1 is amended by adding at the end thereof the following:

"Part IV. Mineral production payments."

(3) EFFECTIVE DATES.—

(A) GENERAL RULE.—The amendments made by this subsection shall be applicable to mineral production payments created on or after April 22, 1969.

(B) SPECIAL RULE.—If a taxpayer during the taxable year which includes April 22, 1969, made expenditures prior to such date which are deductible under section 263(c), 615, 616, or 617 of the Internal Revenue Code of 1954, the amendment made by paragraph (1) of this subsection shall apply to proceeds of carved-out mineral production payments sold during such taxable year on or after April 22, 1969, to the extent the proceeds do not exceed the aggregate of such expenditures, only for the purposes of section 613 of such Code (relating to percentage depletion) and section 904 of such Code (relating to limitations on foreign tax credit).

(C) EXCEPTION.—The amendments made by this subsection shall not apply to a mineral production payment created prior to January 1, 1971, pursuant to a binding contract entered into before April 22, 1969.

(c) EXPLORATION EXPENDITURES.—

(1) AMENDMENT TO SECTION 615.—Section 615 (relating to exploration expenditures) is amended by adding new subsection (h) at the end thereof:

"(h) RECAPTURE FOR CERTAIN EXPENDITURES.—The rules set forth in subsections (b) through (g), inclusive, of section 617 (relating to additional exploration expenditures in the case of domestic mining) shall apply to expenditures to which this section applies and which are made after July 22, 1969."

(2) AMENDMENTS TO SECTION 617.—Section 617 (relating to additional exploration expenditures in the case of domestic mining) is amended—

(A) by striking out the heading and inserting in lieu thereof:

"SEC. 617. DEDUCTION AND RECAPTURE OF CERTAIN MINING EXPLORATION EXPENDITURES."

(B) by redesignating subsection (h) as subsection (i), and

(C) by inserting a new subsection (h) as follows:

"(h) EXCEPTION.—If the taxpayer's deductions under this section and section 615 total less than $400,000, then to the extent of the difference between $400,000 and such total, a deduction shall be allowed under this section for expenditures paid or incurred during the taxable year if paid or incurred after July 22, 1969, for the purpose of ascertaining the existence, location, extent, or quality of any deposit of ore or mineral not located in the United States or on the Outer Continental Shelf (within the meaning of section 2 of the Outer Continental Shelf Lands Act, as amended and supplemented; 43 U.S.C. 1331)."

(d) CLERICAL AMENDMENT.—The table of

sections for part I of subchapter I of chapter 1 is amended by striking out:

"Sec. 617. Additional exploration expenditures in the case of domestic mining."

and inserting in lieu thereof:

"Sec. 617. Deduction and recapture of certain mining exploration expenditures."

SUBTITLE B—CAPITAL GAINS AND LOSSES

SEC. 511. REPEAL OF ALTERNATIVE CAPITAL GAINS TAX FOR INDIVIDUALS.

(a) IN GENERAL.—Section 1201 (relating to alternative tax) is amended by striking out subsection (b), and by redesignating subsection (c) as (b).

(b) CONFORMING AMENDMENTS.—

(1) Section 5(a) (relating to cross references relating to tax on individuals) is amended by striking out paragraph (3), and by renumbering paragraph (4) as (3).

(2) Section 871(b)(1) (relating to tax on nonresident alien individuals) is amended by striking out "or 1201(b)".

(3) Section 877(b) (relating to expatriation to avoid tax) is amended by striking out "or section 1201(b)".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to sales and other dispositions after July 25, 1969. In the case of a taxable year beginning before and ending after July 25, 1969, the alternative tax imposed by section 1201(b) of the Internal Revenue Code of 1954 shall be computed in a manner to be prescribed by the Secretary of the Treasury or his delegate.

SEC. 512. CAPITAL LOSSES OF INDIVIDUALS.

(a) LIMITATION ON ALLOWANCE OF CAPITAL LOSSES.—Section 1211(b) (relating to limitation on capital losses of taxpayers other than corporations) is amended to read as follows:

"(b) OTHER TAXPAYERS.—

"(1) IN GENERAL.—In the case of a taxpayer other than a corporation, losses from sales or exchanges of capital assets shall be allowed only to the extent of the gains from such sales or exchanges, plus (if such losses exceed such gains) whichever of the following is smallest:

"(A) the taxable income for the taxable year,

"(B) $1,000, or

"(C) the sum of—

"(i) the excess of the net short-term capital loss over the net long-term capital gain, and

"(ii) one-half of the excess of the net long-term capital loss over the net short-term capital gain.

"(2) MARRIED INDIVIDUALS.—In the case of a husband or wife who files a separate return, the amount specified in paragraph (1)(B) shall be $500 in lieu of $1,000.

"(3) COMPUTATION OF TAXABLE INCOME.—For purposes of paragraph (1), taxable income shall be computed without regard to gains or losses from sales or exchanges of capital assets and without regard to the deductions provided in section 151 (relating to personal exemptions) or any deduction in lieu thereof. If the taxpayer elects to pay the optional tax imposed by section 3, 'taxable income' as used in this subsection shall read as 'adjusted gross income'."

(b) CAPITAL LOSS CARRYOVER.—Section 1212(b) (relating to capital loss carryover of taxpayers other than corporations) is amended by striking out "beginning after December 31, 1963" at the beginning of paragraph (1), by striking out the last sentence of paragraph (1), and by striking out paragraph (2) and inserting in lieu thereof the following new paragraphs:

"(2) SPECIAL RULES.—

"(A) For purposes of determining the excess referred to in paragraph (1)(A), an amount equal to the amount allowed for the taxable year under section 1211(b)(1) (A), (B), or (C) shall be treated as a short-term capital gain in such year.

"(B) For purposes of determining the excess referred to in paragraph (1)(B), an amount equal to the sum of—

"(i) the amount allowed for the taxable year under section 1211(b)(1) (A), (B), or (C), and

"(ii) the excess of the amount described in clause (i) over the net short-term capital loss (determined without regard to this subsection) for such year,

shall be treated as a short-term capital gain in such year.

"(3) TRANSITIONAL RULE.—In the case of any amount which, under paragraph (1) and section 1211 (b) (as in effect for taxable years beginning before July 26, 1969), is treated as a capital loss in the first taxable year beginning after July 25, 1969, paragraph (1) and section 1211(b) (as in effect for taxable years beginning before July 26, 1969) shall apply (and paragraph (1) and section 1211 (b) as in effect for taxable years beginning after July 25, 1969, shall not apply) to the extent such amount exceeds the total of any net capital gains (determined without regard to this subsection) of taxable years beginning after July 25, 1969."

(c) CONFORMING AMENDMENT.—Section 1222(9) (defining net capital gain) is amended by striking out "In the case of a corporation, the" and inserting in lieu thereof "The".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after July 25, 1969.

SEC. 513. LETTERS, MEMORANDUMS, ETC.

(a) TREATMENT AS PROPERTY WHICH IS NOT A CAPITAL ASSET.—Section 1221(3) (relating to definition of capital asset) is amended to read as follows:

"(3) a copyright, a literary, musical, or artistic composition, a letter or memorandum, or similar property, held by—

"(A) a taxpayer whose personal efforts created such property,

"(B) in the case of a letter, memorandum, or similar property, a taxpayer for whom such property was prepared or produced, or

"(C) a taxpayer in whose hands the basis of such property is determined, for purposes of determining gain from a sale or exchange, in whole or part by reference to the basis of such property in the hands of a taxpayer described in subparagraph (A) or (B);".

(b) CONFORMING AMENDMENTS.—

(1) Section 341(e)(5)(A)(iv) (relating to definition of subsection (e) asset in the case of collapsible corporations) is amended to read as follows:

"(iv) property (unless included under clause (i), (ii), or (iii)) which consists of a copyright, a literary, musical, or artistic composition, a letter or memorandum, or similar property, or any interest in any such property, if the property was created in whole or in part by the personal efforts of, or (in the case of a letter, memorandum, or similar property) was prepared or produced in whole or in part for, any individual who owns more than 5 percent in value of the stock of the corporation."

(2) Section 1231(b)(1)(C) (relating to definition of property used in the trade or business) is amended by inserting ", a letter or memorandum" before ", or similar property".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to sales and other dispositions occurring after July 25, 1969.

SEC. 514. HOLDING PERIOD OF CAPITAL ASSETS.

(a) CAPITAL GAINS AND LOSSES.—Section 1222 (relating to other terms relating to capital gains and losses) is amended by striking out "6 months" wherever it appears therein and inserting in lieu thereof "12 months".

(b) CONFORMING AMENDMENTS.—The following sections are amended by striking out "6 months" wherever it appears therein and inserting in lieu thereof "12 months":

(1) Section 166(d)(1) (relating to nonbusiness debts);

(2) Section 333(g) (1) and (2) (relating to special rule as to liquidations in the case of the election as to recognition of gain);

(3) Section 341(a) (relating to treatment of gain to shareholders in the case of collapsible corporations);

(4) Section 342(a) (relating to liquidation of certain foreign personal holding companies);

(5) Section 402(a)(2) (relating to capital gains treatment for certain distributions in the case of a beneficiary of an exempt employees' trust);

(6) Section 403(a)(2) (relating to capital gains treatment for certain distributions in the case of a beneficiary under a qualified annuity plan);

(7) Section 423(a)(1) (relating to employee stock purchase plans);

(8) Section 424(a)(1) and (c)(1) and (2) (relating to restricted stock options);

(9) Section 584(c)(1) (A) and (B) (relating to inclusions in taxable income of participants in common trust funds);

(10) Section 631 (relating to gain or loss in the case of timber, coal, or domestic iron ore);

(11) Section 702(a) (1) and (2) (relating to income and credits of partner);

(12) Section 817(a)(1)(A) relating to treatment of capital gains and losses, etc., in the case of life insurance companies);

(13) Section 852(b) (3) and (4) (relating to treatment of capital gain dividends by shareholders of regulated investment companies);

(14) Section 856(c)(4) (relating to definition of real estate investment trust);

(15) Section 857(b)(3)(B) (relating to treatment of capital gain dividends by shareholders of real estate investment trusts);

(16) Section 1231 (relating to property used in the trade or business and involuntary conversions);

(17) Section 1232(a)(2) (relating to sale or exchange in the case of bonds and other evidences of indebtedness);

(18) Section 1233 (b), (d), and (e) (relating to gains and losses from short sales);

(19) Section 1234(c)(1) (relating to special rule for gain on lapse of an option granted as part of a straddle);

(20) Section 1235(a) (relating to sale or exchange of patents);

(21) Section 1240 (relating to taxability to employee of termination payments);

(22) Section 1246(a)(4) (relating to holding period in the case of gain on foreign investment company stock);

(23) Section 1247(i) (relating to loss on sale or exchange of certain stock in the case of foreign investment companies electing to distribute income currently); and

(24) Section 1248 (b) and (f) (relating to gain from certain sales or exchanges of stock in certain foreign corporations).

(c) TIMBER.—Section 631(a) (relating to election to treat cutting of timber as a sale or exchange) is amended by striking out "before the beginning of such year" in the first sentence.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after July 25, 1969.

SEC. 515. TOTAL DISTRIBUTIONS FROM QUALIFIED PENSION, ETC., PLANS.

(a) LIMITATION ON CAPITAL GAINS TREATMENT.—

(1) EMPLOYEES' TRUST.—SECTION 402(a) (relating to taxability of beneficiary of exempt trust) is amended by adding at the end thereof the following new paragraph:

"(5) LIMITATION ON CAPITAL GAINS TREATMENT.—The first sentence of paragraph (2)

shall apply to a distribution paid after December 31, 1969, only to the extent that it does not exceed the sum of—

"(A) the benefits accrued by the employee on behalf of whom it is paid during plan years beginning before January 1, 1970, and

"(B) the portion of the benefits accrued by such employee during plan years beginning after December 31, 1969, which the distributee establishes does not consist of the employee's allocable share of employer contributions to the trust by which such distribution is paid.

The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this paragraph."

(2) EMPLOYEE ANNUITIES.—Section 403(a)(2) (relating to capital gains treatment for certain distributions under a qualified annuity plan) is amended by adding at the end thereof the following new subparagraph:

"(C) LIMITATION ON CAPITAL GAINS TREATMENT.—Subparagraph (A) shall apply to a payment paid after December 31, 1969, only to the extent that it does not exceed the sum of—

"(i) the benefits accrued by the employee on behalf of whom it is paid during plan years beginning before January 1, 1970, and

"(ii) the portion of the benefits accrued by such employee during plan years beginning after December 31, 1969, which the payee establishes does not consist of the employee's allocable share of employer contributions under the plan under which the annuity contract is purchased.

The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this subparagraph."

(b) LIMITATION ON TAX.—Section 72(n) (relating to treatment of certain distributions with respect to contributions by self-employed individuals) is amended—

(1) by striking out so much thereof as precedes paragraph (2) and inserting in licu thereof the following:

(n) TREATMENT OF TOTAL DISTRIBUTIONS.—

"(1) APPLICATION OF SUBSECTION.—

"(A) GENERAL RULE.—This subsection shall apply to amounts—

"(i) distributed to a distrbutee, in the case of an employees' trust described in section 401(a) which is exempt from tax under section 501(a), or

"(ii) paid to a payee, in the case of an annuity plan described in section 403(a) if the total distributions or amounts payable to the distributee or payee with respect to an employee (including an individual who is an employee within the meaning of section 401(c)(1)) are paid to the distributee or payee within one taxable year of the distributee or payee, but only to the extent that section 402(a)(2) or 403(a)(2) does not apply to such amounts.

"(B) DISTRIBUTIONS TO WHICH APPLICABLE.—This subsection shall apply only to distributions or amounts paid—

"(i) on account of the employee's death,

"(ii) with respect to an individual who is an employee without regard to section 401(c)(1), on account of his separation from the service,

"(iii) with respect to an employee within the meaning of section 401(c)(1), after he has attained the age of 59½ years, or

"(iv) with respect to an employee within the meaning of section 401(c)(1), after he has become disabled (within the meaning of subsection (m)(7)).

"(C) MINIMUM PERIOD OF SERVICE.—This subsection shall apply to a distribution from or under a plan to an employee only if he has been a participant in such plan for 5 or more years before such distribution.

"(D) AMOUNTS SUBJECT TO PENALTY.—This subsection shall not apply to amounts described in clauses (ii) and (iii) of subparagraph (A) of subsection (m)(5) (but, in the case of amounts described in clause (ii) of such subparagraph, only to the extent that subsection (m)(5) applies to such amounts)."; and

(2) by adding at the end thereof the following new paragraph:

"(4) REFUND OF TAX WITH RESPECT TO CERTAIN DISTRIBUTIONS.—Notwithstanding any other provision of this title, if the limitation of tax provided in paragraph (2) on the total distributions or amounts payable with respect to an individual who is an employee without regard to section 401(c)(1) exceeds—

"(A) the aggregate increase in tax that would result from the inclusion in gross income of the recipient of 20 percent of the amount to which this subsection applies for the taxable year in which such amount is received and each of his 4 succeeding taxable years, or

"(B) if the recipient dies within the 4-year period beginning on the last day of the taxable year in which such amount is received, 5 times the average of the increase in tax that would result from the inclusion in gross income of the recipient of 20 percent of the amount to which this subsection applies for such taxable year and each succeeding taxable year other than the taxable year ending with his death, such excess shall be deemed to be an overpayment of the tax imposed by this chapter for the last taxable year referred to in subparagraph (A) or (B), whichever is applicable."

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 405(e) (relating to capital gains treatment not to apply to bonds distributed by trusts) is amended—

(A) by striking out "CAPITAL GAINS TREATMENT" in the heading and inserting in lieu thereof "CAPITAL GAINS TREATMENT AND LIMITATION OF TAX";

(B) by striking out "Section 402(a)(2)" and inserting in lieu thereof "Section 72(n) and section 402(a)(2)"; and

(C) by striking out "section" and inserting in lieu thereof "sections".

(2) Section 406(c) (relating to termination of status as deemed employee not to be treated as separation from service for purpose of capital gain provisions) is amended—

(A) by striking out "PROVISIONS." in the heading and inserting in lieu thereof "PROVISIONS AND LIMITATION OF TAX."; and

(B) by striking out "section 402(a)(2)" and inserting in lieu thereof "section 72(n), section 402(a)(2),".

(3) Section 407(c) (relating to termination of status as deemed employee not to be treated as separation from service for purposes of capital gain provisions) is amended—

(A) by striking out "PROVISIONS." in the heading and inserting in lieu thereof "PROVISIONS AND LIMITATION OF TAX."; and

(B) by striking out "section 402(a)(2)" and inserting in lieu thereof "section 72(n), section 402(a)(2),".

(4) Section 1304(b)(2) (relating to certain provisions inapplicable) is amended to read as follows:

"(2) section 72(n)(2) (relating to limitation of tax in case of total distribution)".

SEC. 516. OTHER CHANGES IN CAPITAL GAINS TREATMENT.

(a) SALES OF TERM INTERESTS.—Section 1001 (relating to determination of amount of and recognition of gain or loss) is amended by adding at the end thereof the following new subsection:

"(e) CERTAIN TERM INTERESTS.—

"(1) IN GENERAL.—In determining gain or loss from the sale or other disposition of a term interest in property, that portion of the adjusted basis of such interest which is determined pursuant to section 1014 or 1015 (to the extent that such adjusted basis is a portion of the entire adjusted basis of the property) shall be disregarded.

"(2) TERM INTEREST IN PROPERTY DEFINED.—For purposes of paragraph (1), the term 'term interest in property' means—

"(A) a life interest in property,

"(B) an interest in property for a term of years, or

"(C) an income interest in a trust.

"(3) EXCEPTION.—Paragraph (1) shall not apply to a sale or other disposition which is a part of a transaction in which a fee interest is transferred to any person or persons."

(b) CERTAIN CASUALTY LOSSES UNDER SECTION 1231.—Section 1231(a) (relating to property used in the trade or business and involuntary conversions) is amended by striking out all that follows paragraph (1) and inserting in lieu thereof the following:

"(2) losses (including losses not compensated for by insurance or otherwise) upon the destruction, in whole or in part, theft or seizure, or requisition or condemnation of (A) property used in the trade or business or (B) capital assets held for more than 12 months shall be considered losses from a compulsory or involuntary conversion.

In the case of any involuntary conversion (subject to the provisions of this subsection but for this sentence) arising from fire, storm, shipwreck, or other casualty, or from theft, of any property used in the trade or business or of any capital asset held for more than 12 month and held for the production of income, this subsection shall not apply to such conversion (whether resulting in gain or loss) if, during the taxable year, the recognized losses from such conversions exceed the recognized gains from such conversions."

(c) TRANSFER OF FRANCHISES.—

(1) IN GENERAL.—Part IV of subchapter P of chapter 1 (relating to special rules for determining capital gains and losses) is amended by adding at the end thereof the following new section:

"SEC. 1252. TRANSFER OF FRANCHISES.

"(a) GENERAL RULE.—A transfer of a franchise shall not be treated as a sale or exchange of a capital asset or of property to which section 1231 applies, if the transferor retains any significant power, right, or continuing interest with respect to the subject matter of the franchise.

"(b) DEFINITIONS.—For purposes of this section—

"(1) FRANCHISE.—The term 'franchise' means a franchise, distributorship, or other like interest.

"(2) SIGNIFICANT POWER, RIGHT, OR CONTINUING INTEREST.—The term 'significant power, right, or continuing interest' includes, but is not limited to—

"(A) a right to disapprove any assignment of the franchise,

"(B) a right to disapprove any subcontract made by the holder of the franchise, and

"(C) a right to terminate the franchise at will.

"(c) EXCEPTION.—Subsection (a) shall not apply with respect to amounts received or accrued, in connection with a transfer of a franchise, which are attributable to the transfer of all substantial rights to a patent, trademark, or trade name (or an undivided interest therein which includes a part of all such rights), to the extent such amounts are separately identified and are reasonable in amount."

(2) CLERICAL AMENDMENT.—The table of sections for part IV of subchapter P of chapter 1 is amended by adding at the end thereof the following:

"Sec. 1252. Transfer of franchises."

(d) EFFECTIVE DATES.—The amendments made by subsections (a) and (c) shall apply with respect to sales and other dispositions, and transfers, after July 25, 1969. The amendment made by subsection (b) shall ap-

ply to taxable years beginning after July 25, 1969.

SUBTITLE C—REAL ESTATE DEPRECIATION

SEC. 521. DEPRECIATION OF REAL ESTATE.

(a) SECTION 1250 PROPERTY AND REHABILITATION PROPERTY.—Section 167 (relating to depreciation) is amended by redesignating subsection (j) as subsection (n), and by inserting after subsection (i) the following new subsections:

"(j) SPECIAL RULES FOR SECTION 1250 PROPERTY.—

"(1) GENERAL RULE.—Except as provided in paragraphs (2) and (3), in the case of section 1250 property, subsection (b) shall not apply and the term 'reasonable allowance' as used in subsection (a) shall include an allowance computed in accordance with regulations prescribed by the Secretary or his delegate, under any of the following methods:

"(A) the straight line method,

"(B) the declining balance method, using a rate not exceeding 150 percent of the rate which would have been used had the annual allowance been computed under the method described in subparagraph (A), and

"(C) any other consistent method productive of an annual allowance which, when added to all allowances for the period commencing with the taxpayer's use of the property and including the taxable year, does not, during the first two-thirds of the useful life of the property, exceed the total of such allowances which would have been used had such allowances been computed under the method described in subparagraph (B).

Nothing in this paragraph shall be construed to limit or reduce an allowance otherwise allowable under subsection (a) except where allowable solely by reason of paragraph (2), (3), or (4) of subsection (b).

"(2) HOUSING.—Paragraph (1) of this subsection shall not apply, and subsection (b) shall apply in any taxable year, to a building or structure which is residential rental housing the original use of which commences with the taxpayer. For purposes of the preceding sentence, a building or structure shall be considered to be residential rental housing with respect to any taxable year if and only if 80 percent or more of the gross income from such building or structure for such year is derived from the use of dwelling units (within the meaning of subsection (k)(3)(C)) in such building or structure to provide living accommodations on a rental basis. Any change in the computation of the allowance for depreciation for any taxable year, permitted or required by reason of the application of this paragraph, shall not be considered a change in a method of accounting.

"(3) PROPERTY CONSTRUCTED, ETC., BEFORE JULY 25, 1969.—Paragraph (1) of this subsection shall not apply, and subsection (b) shall apply, in the case of property—

"(A) the construction, reconstruction or erection of which was begun before July 25, 1969, or

"(B) for which a written contract entered into before July 25, 1969, with respect to any part of the construction, reconstruction, or erection or for the permanent financing thereof, was at all times thereafter binding on the taxpayer.

Under regulations prescribed by the Secretary or his delegate, rules similar to the rules provided in paragraphs (5), (9), (10), and (13) of section 48(h) shall be applied for purposes of subparagraphs (A) and (B).

"(4) USED SECTION 1250 PROPERTY.—In the case of section 1250 property acquired after July 24, 1969, the original use of which does not commence with the taxpayer, the allowance for depreciation under this section shall be limited to an amount computed under—

"(A) the straight line method, or

"(B) any other method determined by the Secretary or his delegate to result in a reasonable allowance under subsection (a), not including—

"(i) any declining balance method,

"(ii) the sum-of-the-years digits method, or

"(iii) any other method allowable solely by reason of the application of subsection (i)(4) or paragraph (1)(C) of this subsection.

"(k) DEPRECIATION OF REHABILITATION PROPERTY CONSISTING OF LOW-COST RENTAL HOUSING.—

"(1) 60-MONTH RULE.—The taxpayer may at any time elect in accordance with regulations prescribed by the Secretary or his delegate to compute a depreciation deduction in subsection (a) attributable to rehabilitation expenditures made after July 24, 1969, under the straight-line method using a useful life of 60 months. Such method shall be in lieu of any other method of computing the depreciation deduction under subsection (a) and in lieu of any deduction for amortization.

"(2) LIMITATIONS.—

"(A) The aggregate amount of expenditures with respect to any low-cost rental housing which are eligible for the method provided by paragraph (1) shall not exceed $15,000 per dwelling unit in such housing.

"(B) EXCEPTION.—Expenditures in any taxable year shall be taken into account for purposes of paragraph (1) only if the sum of the rehabilitation expenditures over a period of two consecutive taxable years, including the taxable year, exceeds $3,000 per dwelling unit of low-cost housing.

"(3) DEFINITIONS.—For purposes of this subsection—

"(A) REHABILITATION EXPENDITURES.—The term 'rehabilitation expenditures' means amounts chargeable to capital account and incurred for property or additions or improvements to property (or related facilities) with a useful life of 5 years or more, in connection with the rehabilitation of an existing building for low-cost rental housing; but such term does not include the cost of acquisition of such building or any interest therein.

"(B) LOW-COST RENTAL HOUSING.—The term 'low-cost rental housing' means any building the dwelling units in which are held for occupancy on a rental basis by families and individuals of low or moderate income, as determined by the Secretary or his delegate in a manner consistent with the policies of the Housing and Urban Development Act of 1968 pursuant to regulations prescribed under this subsection.

"(C) DWELLING UNIT.—The term 'dwelling unit' means a house or an apartment in a building or structure, but does not include a unit in a hotel, motel, inn, or other establishment more than one-half of the units in which are used on a transient basis."

(b) RECAPTURE OF ADDITIONAL DEPRECIATION.—Section 1250(a) (relating to gain from dispositions of certain depreciable realty) is amended to read as follows:

"(a) GENERAL RULE.—Except as otherwise provided in this section—

"(1) ADDITIONAL DEPRECIATION AFTER JULY 24, 1969.—If section 1250 property is disposed of after July 24, 1969, the lower of—

"(A) that portion of the additional depreciation (as defined in subsection (b)(1) or (4)) attributable to periods after July 24, 1969, in respect of the property, or

"(B) the excess of—

"(i) the amount realized (in the case of a sale, exchange, or involuntary conversion), or the fair market value of such property (in the case of any other disposition), over

"(ii) the adjusted basis of such property,

shall be treated as gain from the sale or exchange of property which is neither a capital asset nor property described in section 1231. Such gain shall be recognized notwithstanding any other provision of this subtitle.

"(2) ADDITIONAL DEPRECIATION AFTER DECEMBER 31, 1963, AND BEFORE JULY 25, 1969.—

"(A) If section 1250 property is disposed of after December 31, 1963, and the amount determined under subsection (a)(1)(B) exceeds the amount determined under subsection (a)(1)(A), then the applicable percentage of the lower of—

"(i) that portion of the additional depreciation attributable to periods before July 25, 1969, in respect of the property, or

"(ii) the excess of the amount determined under subsection (a)(1)(B) over the amount determined under subsection (a)(1)(A),

shall also be treated as gain from the sale or exchange of property which is neither a capital asset nor property described in section 1231. Such gain shall be recognized notwithstanding any other provision of this subtitle.

"(E) APPLICABLE PERCENTAGE.—For purposes of paragraph (A) the term 'applicable percentage' means 100 percent minus 1 percentage point for each full month the property was held after the date on which the property was held for 20 full months."

(c) Section 1250(b) (relating to gain from certain depreciable realty) is amended by adding at the end thereof the following new paragraph:

"(4) ADDITIONAL DEPRECIATION ATTRIBUTABLE TO REHABILITATION EXPENDITURES.—For purposes of this section, the term 'additional depreciation' means, in respect of the depreciation deduction allowed under section 167(k), the adjustments computed under such section, except that, in the case of property held more than one year, it means such adjustments only to the extent that they exceed the amount of the depreciation adjustments which would have resulted if such adjustments had been determined under the straight line method of adjustment without regard to the useful life permitted under section 167(k)."

(d) CHANGE IN METHOD OF COMPUTING DEPRECIATION.—Section 167(e) (relating to depreciation) is amended by adding at the end thereof the following new paragraph:

"(3) CHANGE WITH RESPECT TO SECTION 1250 PROPERTY.—A taxpayer may, on or before the last day prescribed by law (including extensions thereof) for filing his return for his first taxable year beginning after July 24, 1969, and in such manner as the Secretary or his delegate shall by regulation prescribe, elect to change his method of depreciation in respect of section 1250 property (as defined in section 1250(c)) from any declining balance or sum of the years-digits method to the straight line method. An election may be made under this paragraph notwithstanding any provision to the contrary in an agreement under subsection (d)."

(e) TECHNICAL AND CONFORMING CHANGES.—

(1) Subsection (d) of section 1250 is amended by striking out "subsection (a)(1)" wherever it appears and inserting in lieu thereof "subsection (a)."

(2) Subsection (f) of section 1250 is amended—

(A) by striking out "subsection (a)(1)" in paragraph (1) and inserting lieu thereof "subsection (a)," and

(B) by striking out paragraph (2) thereof and inserting in lieu thereof the following:

"(2) ORDINARY INCOME ATTRIBUTABLE TO AN ELEMENT.—For purposes of paragraph (1), the amount taken into account for any element shall be the sum of—

"(A) the amount which bears the same ratio to the lower of the amounts specified in subparagraph (A) or (B) of subsection (a)(1) for the section 1250 property as the additional depreciation for such element attributable to periods after July 24, 1969, bears to the sum of the additional depreciation for

all elements attributable to periods after July 24, 1969, and

"(B) the amount (if any) determined by multiplying—

"(i) the amount which bears the same ratio to the lower of the amounts specified in subsection (a)(2)(A) (i) or (ii) for the section 1250 property as the additional depreciation for such element attributable to periods before July 25, 1969, bears to the sum of the additional depreciation for all elements attributable to periods before July 25, 1969, by

"(ii) the applicable percentage for such element.

For purposes of this paragraph, determinations with respect to any element shall be made as if it were a separate property."

(f) Section 381(c)(6) (relating to carryovers in certain corporate acquisitions) is amended to read as follows:

"(6) METHOD OF COMPUTING DEPRECIATION ALLOWANCE.—The acquiring corporation shall be treated as the distributor or transferor corporation for purposes of computing the depreciation allowance under paragraphs (2), (3), and (4) of section 167(b), or subsection (j)(1), (k), or (m) of section 167, on property acquired in a distribution or transfer with respect to so much of the basis in the hands of the acquiring corporation as does not exceed the adjusted basis in the hands of the distributor or transferor corporation."

(g) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to taxable years ending after July 24, 1969.

SUBTITLE D—COOPERATIVES

SEC. 531. COOPERATIVES.

(a) QUALIFIED WRITTEN NOTICE OF ALLOCATION.—The last sentence of section 1388(c)(1) (relating to qualified written notice of allocation defined) is amended to read as follows:

"Such term does not include any written notice of allocation which is paid as part of a patronage dividend or as part of a payment described in section 1382(c)(2)(A) unless—

"(C) at least 20 percent of the amount of such patronage dividend, or such payment, is paid in money or by qualified check, and in addition, during the payment period for the taxable year to which such patronage dividend, or such payment, relates at least the 'applicable percentage' (as determined under paragraph (5)) of such patronage dividend, or such payment, is paid in money or in qualified check, either—

"(i) as a part of such patronage dividend, or such payment,

"(ii) or in redemption (to the extent allocated by the payor to such patronage dividend for the purpose of meeting the requirements of this clause, if not previously allocated to any other patronage dividend) of any qualified written notice of allocation previously paid as a part of a patronage dividend, or such payment, for any taxable year, and

"(D) either (i) at all times on and after the date of issuance of such written notice of allocation, the bylaws of the organization require the remainder of such patronage dividend, or such payment, to be paid in money within the 15-year period beginning with the close of the taxable year with respect to which such written notice of allocation is made, and the bylaws provide that such requirement shall in no event be changed without the consent of those adversely affected, or (ii) an unconditional written evidence of indebtedness is issued for the remainder of such patronage dividend, or such payment, which matures within such 15-year period."

(b) APPLICABLE PERCENTAGE.—Section 1388(c) (relating to qualified written notice of allocation) is amended by adding at the end thereof the following new paragraph:

"(5) APPLICABLE PERCENTAGE.—For purposes of subsection (a)—

"For taxable years beginning in—	The applicable percentage is—
1970	3 percent
1971	6 percent
1972	9 percent
1973	12 percent
1974	15 percent
1975	18 percent
1976	21 percent
1977	24 percent
1978	27 percent
1979 or any subsequent year	30 percent."

(c) QUALIFIED PER-UNIT RETAIN CERTIFICATE.—Section 1388(h)(1) (relating to definition of qualified per-unit retain certificate) is amended to read as follows:

"(1) DEFINED.—For purposes of this subchapter, the term 'qualified per-unit retain certificate' means any per-unit retain certificate—

"(A) which the distributee has agreed, in the manner provided in paragraph (2) to take into account at its stated dollar amount as provided in section 1385(a), and

"(B) which (i) at all times on and after the date of issuance of such certificate, the bylaws of the organization require the stated dollar amount to be paid in money within the 15-year period beginning with the close of the taxable year with respect to which such certificate is issued, and the by-laws provide that such requirement shall in no event be changed without the consent of those adversely affected, or (ii) is in the form of an unconditional written evidence of indebtedness which matures within such 15-year period."

(d) EFFECTIVE DATE.—The amendments made by this section apply to taxable years beginning after December 31, 1969.

SUBTITLE E—SUBCHAPTER S CORPORATIONS

SEC. 541. QUALIFIED PENSION, ETC., PLANS OF SMALL BUSINESS CORPORATIONS.

(a) IN GENERAL.—Subchapter S of chapter 1 (relating to election of certain small business corporations as to taxable status) is amended by adding at the end thereof the following new section:

SEC. 1379. CERTAIN QUALIFIED PENSION, ETC., PLANS.

"(a) ADDITIONAL REQUIREMENT FOR QUALIFICATION.—A trust forming part of a stock bonus or profit-sharing plan which provides contributions or benefits for employees some or all of whom are shareholder-employees shall not constitute a qualified trust under section 401 (relating to qualified pension, profit-sharing, and stock bonus plans) unless the plan of which such trust is a part provides that forfeitures attributable to contributions deductible under section 404(a)(3) for any taxable year (beginning after December 31, 1969) of the employer with respect to which it is an electing small business corporation may not inure to the benefit of any individual who is a shareholder-employee for such taxable year. A plan shall be considered as satisfying the requirement of this subsection for the period beginning with the first day of a taxable year and ending with the 15th day of the third month following the close of such taxable year, if all the provisions of the plan which are necessary to satisfy this requirement are in effect by the end of such period and have been made effective for all purposes with respect to the whole of such period.

"(b) TAXABILITY OF SHAREHOLDER-EMPLOYEE BENEFICIARIES.—

"(1) INCLUSION OF EXCESS CONTRIBUTIONS IN GROSS INCOME.—Notwithstanding the provisions of section 402 (relating to taxability of beneficiary of employees' trust), section 403 (relating to taxation of employee annuities), or section 405(d) (relating to taxability of beneficiaries under qualified bond purchase plans), an individual who is a shareholder-employee of an electing small business corporation shall include in gross income, for his taxable year in which or with which the taxable year of the corporation ends, the excess of the amount of contributions paid on his behalf which is deductible under section 404(a)(1), (2), or (3) by the corporation for its taxable year over the lesser of—

"(A) 10 percent of the compensation received or accrued by him from such corporation during its taxable year, or

"(B) $2,500.

"(2) TREATMENT OF AMOUNTS INCLUDED IN GROSS INCOME.—Any amount included in the gross income of a shareholder-employee under paragraph (1) shall be treated as consideration for the contract contributed by the shareholder-employee for purposes of section 72 (relating to annuities),

"(3) DEDUCTION FOR AMOUNTS NOT RECEIVED AS BENEFITS.—If—

"(A) amounts are included in the gross income of an individual under paragraph (1), and

"(B) the rights of such individual (or his beneficiaries) under the plan terminate before payments under the plan which are excluded from gross income equal the amounts included in gross income under paragraph (1),

then there shall be allowed as a deduction, for the taxable year in which such rights terminate, an amount equal to the excess of the amounts included in gross income under paragraph (1) over such payments.

"(c) CARRYOVER OF AMOUNTS DEDUCTIBLE.—No amount deductible shall be carried forward under the second sentence of section 404(a)(3)(A) (relating to limits on deductible contributions under stock bonus and profit-sharing trusts) to a taxable year of a corporation with respect to which it is not an electing small business corporation from a taxable year with respect to which it is an electing small business corporation.

"(d) SHAREHOLDER-EMPLOYEE.—For purposes of this section, the term 'shareholder-employee' means an employee or officer of an electing small business corporation who owns (or is considered as owning within the meaning of section 318(a)(1)), on any day during the taxable year of such corporation, more than 5 percent of the outstanding stock of the corporation."

(b) CONFORMING AMENDMENT.—Section 62 (relating to adjusted gross income defined) is amended by adding at the end thereof the following new paragraph:

"(9) PENSION, ETC., PLANS OF ELECTING SMALL BUSINESS CORPORATIONS.—The deduction allowed by section 1379(b)(3)."

(c) CLERICAL AMENDMENT.—The table of sections for subchapter S of chapter 1 is amended by adding at the end thereof the following new item:

"Sec. 1379. Certain qualified pension, etc., plans."

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to taxable years of a corporation beginning after December 31, 1969.

TITLE VI—STATE AND LOCAL OBLIGATIONS

SEC. 601. INTEREST ON CERTAIN GOVERNMENTAL OBLIGATIONS

(a) ELECTION TO ISSUE TAXABLE BONDS.—Section 103 (relating to interest on certain governmental obligations) is amended by redesignating subsection (b) as subsection (e), by redesignating subsection (d) as subection (f), and by inserting after subsection (a) the following new subsection:

"(b) ELECTION TO ISSUE TAXABLE BONDS.—

"(1) SUBSECTION (a)(1) NOT TO APPLY.—The issuer of obligations described in subsec-

tion (a) (1) may elect to issue obligations to which subsection (a) (1) does not apply.

"(2) ELECTION.—The election described in paragraph (1) shall be made (at such time, in such manner, and subject to such conditions as the Secretary or his delegate by regulation prescribes) with respect to each issue of obligations to which it is to apply. An election with respect to any issue once made shall be irrevocable.

"(3) CROSS REFERENCE.—

"For provisions relating to the payment by the United States of a portion of the interest cost of an obligation which is part of an issue for which the election described in this subsection has been made, see section 602 of the Tax Reform Act of 1969."

(b) ARBITRAGE OBLIGATIONS.—Section 103 is amended by inserting after subsection (c) the following new subsection:

"(d) ARBITRAGE OBLIGATIONS.—Under regulations prescribed by the Secretary or his delegate, any arbitrage obligation shall be treated as an obligation not described in subsection (a) (1)."

(c) CLERICAL AMENDMENT.—The heading of subsection (e) of section 103 (as redesignated by subsection (a) of this section) is amended to read as follows:

"(e) CERTAIN OBLIGATIONS OF THE UNITED STATES.—".

"(d) EFFECTIVE DATES.—The amendments made by subsection (a) shall apply to obligations issued in calendar quarters beginning after the date of the enactment of this section. The amendment made by subsection (b) shall apply to obligations issued after July 11, 1969.

SEC. 602. UNITED STATES TO PAY FIXED PERCENTAGE OF INTEREST YIELD ON TAXABLE ISSUES.

(a) PERMANENT APPROPRIATION.—There are appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this section; and such appropriations shall be deemed permanent annual appropriations.

(b) PAYMENT OF FIXED PERCENTAGE OF INTEREST YIELD.—

(1) IN GENERAL.—The Secretary of the Treasury or his delegate shall pay a fixed percentage of the interest yield on each issue of obligations to which an election under section 103(b) of the Internal Revenue Code of 1954 applies. Before the first day of each calendar quarter, the Secretary or his delegate shall determine (and publish in the Federal Register) the fixed percentage—

(A) for calendar quarters beginning before January 1, 1975, not less than 30 percent and not more than 40 percent, and

(B) for calendar quarters beginning after December 31, 1974, not less than 25 percent and not more than 40 percent,

of interest yield which he determines it is necessary for the United States to pay in order to encourage the States and political subdivisions thereof to make elections under section 103(b). The fixed percentage so determined and published shall apply with respect to all issues of obligations made during such calendar quarter to which elections under such section 103(b) apply.

(2) INTEREST YIELD.—For purposes of this section, the interest yield on any issue of obligations shall be determined immediately after such obligations are issued.

(3) TIME OF PAYMENT.—Payment of any interest required pursuant to paragraph (1) shall be made by the Secretary of the Treasury or his delegate not later than the time at which the interest payment on the obligation is required to be made by the issuer.

(c) DUAL COUPON OBLIGATIONS.—At the request of the issuer, the liability of the United States under this section to pay interest to the holders of an issue of obligations shall be made through assumption by the United States of the obligation to pay a separate set of interest coupons issued with the obligations.

(d) SECTION TO APPLY ONLY TO SECTION 103(b) OBLIGATIONS.—This section shall apply only to obligations which, but for an election under section 103(b) of the Internal Revenue Code of 1954, would be obligations to which section 103(a)(1) of such Code applies.

(e) EFFECTIVE DATE.—This section shall apply only to obligations issued in calendar quarters beginning after the date of the enactment of this section.

TITLE VII—EXTENSION OF TAX SURCHARGE AND EXCISE TAXES; TERMINATION OF INVESTMENT CREDIT

SEC. 701. EXTENSION OF TAX SURCHARGE.

(a) SURCHARGE EXTENSION.—Section 51(a) (relating to imposition of tax surcharge) is amended—

(1) by adding at the end of paragraph (1) (A) the following:

"CALENDAR YEAR 1970

"TABLE 1.—SINGLE PERSON (OTHER THAN HEAD OF HOUSEHOLD) AND MARRIED PERSONS FILING SEPARATE RETURN

"If the adjusted tax is: At least	But less than	The tax is—
0	$155	0
$155	175	$1
175	195	2
195	215	3
215	235	4
235	255	5
255	275	6
275	300	7
300	340	8
340	380	9
380	420	10
420	460	11
460	500	12
500	540	13
540	580	14
580	620	15
620	660	16
660	700	17
700	740	18
740	780	19
780	820	20
820	860	21
860	900	22
900	940	23
940	980	24
980 and over		2.5% of the adjusted tax"

"TABLE 2.—HEAD OF HOUSEHOLD

"If the adjusted tax is: At least	But less than	The tax is—
0	$230	0
$230	250	$1
250	270	2
270	290	3
290	310	4
310	330	5
330	350	6
350	370	7
370	390	8
390	410	9
410	430	10
430	460	11
460	500	12
500	540	13
540	580	14
580	620	15
620	660	16
660	700	17
700	740	18
740	780	19
780	820	20
820	860	21
860	900	22
900	940	23
940	980	24
980 and over,		2.5% of the adjusted tax"

TABLE 3.—MARRIED PERSONS OR SURVIVING SPOUSE FILING JOINT RETURN

If the adjusted tax is: At least	But less than	The tax is—
0	$300	0
$300	320	$1
320	340	2
340	360	3
360	380	4
380	400	5
400	420	6
420	440	7
440	460	8
460	480	9
480	500	10
500	520	11
520	540	12
540	560	13
560	580	14
580	620	15
620	660	16
660	700	17
700	740	18
740	780	19
780	820	20
820	860	21
860	900	22
900	940	23
940	980	24
980 and over,		2.5% of the adjusted tax.

(2) by striking out the table in paragraph (1)(B) and inserting in lieu thereof the following table:

"Calendar year	Percent: Estates and trusts	Corporations
1968	7.5	10.0
1969	10.0	10.0
1970	2.5	2.5".

(3) by striking out "January 1, 1970" the first time it appears in paragraph (2)(A) and inserting in lieu thereof "July 1, 1970", and

(4) by striking out paragraph (2)(A)(ii) and inserting in lieu thereof the following:

"(ii) a fraction, the numerator of which is the sum of the number of days in the taxable year occurring on and after the effective date of the surcharge and before January 1, 1970, plus one-half times the number of days in the taxable year occurring after December 31, 1969, and before July 1, 1970, and the denominator of which is the number of days in the entire taxable year."

(b) RECEIPT OF MINIMUM DISTRIBUTIONS.—The last sentence of section 963(b) (relating to receipt of minimum distributions by domestic corporations) is amended by striking out "December 31, 1969" and inserting in lieu thereof "June 30, 1970".

(c) EFFECTIVE DATES.—The amendments made by subsections (a) and (b) shall apply to taxable years ending after December 31, 1969, and beginning before July 1, 1970.

SEC. 702. CONTINUATION OF EXCISE TAXES ON COMMUNICATION SERVICES AND ON AUTOMOBILES.

(a) PASSENGER AUTOMOBILES.—

(1) IN GENERAL.—Section 4061(a)(2)(A) (relating to tax on passenger automobiles, etc.) is amended to read as follows:

"(A) Articles enumerated in subparagraph (B) are taxable at whichever of the following rates is applicable:

"If the article is sold—	The tax rate is—
Before January 1, 1971	7 percent.
During 1971	5 percent.
During 1972	3 percent.
During 1973	1 percent.

The tax imposed by this subsection shall not apply with respect to articles enumerated in subparagraph (B) which are sold by the

manufacturer, producer, or importer after December 31, 1973."

(2) CONFORMING AMENDMENT.—Section 6412(a)(1) (relating to floor stocks refunds on passenger automobiles, etc.) is amended by striking out "January 1, 1970, January 1, 1971, January 1, 1972, or January 1, 1973", and inserting in lieu thereof "January 1, 1971, January 1, 1972, January 1, 1973, or January 1, 1974".

(b) COMMUNICATIONS SERVICES.—

(1) CONTINUATION OF TAX.—Section 4251(a)(2) (relating to tax on certain communications services) is amended by striking out the table and inserting in lieu thereof the following table:

"Amounts paid pursuant to bills first rendered—	Percent—
Before January 1, 1971	10
During 1971	5
During 1972	3
During 1973	1".

(2) CONFORMING AMENDMENT.—Section 4251(b) (relating to termination of tax) is amended by striking out "January 1, 1973", and inserting in lieu thereof "January 1, 1974".

(3) REPEAL OF SUBCHAPTER B OF CHAPTER 33.—Section 105(b)(3) of the Revenue and Expenditure Control Act of 1968 (82 Stat. 266) is amended to read as follows:

"(3) REPEAL OF SUBCHAPTER B OF CHAPTER 33.—Effective with respect to amounts paid pursuant to bills first rendered on or after January 1, 1974, subchapter B of chapter 33 (relating to the tax on communications) is repealed. For purposes of the preceding sentence, in the case of communications services rendered before November 1, 1973, for which a bill has not been rendered before January 1, 1974, a bill shall be treated as having been first rendered on December 31, 1973. Effective January 1, 1974, the table of subchapters for chapter 33 is amended by striking out the item relating to such subchapter B."

SEC. 703. TERMINATION OF INVESTMENT CREDIT.

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 (relating to rules for computing credit for investment in certain depreciable property) is amended by adding at the end thereof the following new section:

"SEC. 49. TERMINATION OF CREDIT.

"(a) GENERAL RULE.—For purposes of this subpart, the term 'section 38 property' does not include property—

"(1) the physical construction, reconstruction, or erection of which is begun after April 18, 1969, or

"(2) which is acquired by the taxpayer after April 18, 1969,

other than pre-termination property.

"(b) PRE-TERMINATION PROPERTY.—For purposes of this section—

"(1) BINDING CONTRACTS.—Any property shall be treated as pre-termination property to the extent that such property is constructed, reconstructed, erected, or acquired pursuant to a contract which was, on April 18, 1969, and at all times thereafter, binding on the taxpayer.

"(2) EQUIPPED BUILDING RULE.—If—

"(A) pursuant to a plan of the taxpayer in existence on April 18, 1969 (which plan was not substantially modified at any time after such date and before the taxpayer placed the equipped building in service), the taxpayer has constructed, reconstructed, erected, or acquired a building and the machinery and equipment necessary to the planned use of the building by the taxpayer, and

"(B) more than 50 percent of the aggregate adjusted basis of all the property of a character subject to the allowance for depreciation making up such building as so equipped is attributable to either property the construction, reconstruction, or erection of which was begun by the taxpayer before April 19, 1969, or property the acquisition of which by the taxpayer occurred before such date,

then all property comprising such building as so equipped (and any incidental property adjacent to such building which is necessary to the planned use of the building) shall be pre-termination property. For purposes of subparagraph (B) of the preceding sentence, the rules of paragraphs (1) and (4) shall be applied. For purposes of this paragraph, a special purpose structure shall be treated as a building.

"(3) PLANT FACILITY RULE.—

"(A) GENERAL RULE.—If—

"(i) pursuant to a plan of the taxpayer in existence on April 18, 1969 (which plan was not substantially modified at any time after such date and before the taxpayer placed the plant facility in service), the taxpayer has constructed, reconstructed, or erected a plant facility, and either

"(ii) the construction, reconstruction, or erection of such plant facility was commenced by the taxpayer before April 19, 1969, or

"(iii) more than 50 percent of the aggregate adjusted basis of all the property of a character subject to the allowance for depreciation making up such plant facility is attributable to either property the construction, reconstruction, or erection of which was begun by the taxpayer before April 19, 1969, or property the acquisition of which by the taxpayer occurred before such date,

then all property comprising such plant facility shall be pre-termination property. For purposes of clause (iii) of the preceding sentence, the rules of paragraphs (1) and (4) shall be applied.

"(B) PLANT FACILITY DEFINED.—For purposes of this paragraph, the term 'plant facility' means a facility which does not include any building (or of which buildings constitute an insignificant portion) and which is—

"(i) a self-contained, single operating unit or processing operation,

"(ii) located on a single site, and

"(iii) identified, on April 18, 1969, in the purchasing and internal financial plans of the taxpayer as a single unitary project.

"(C) SPECIAL RULE.—For purposes of this subsection, if—

"(i) a certificate of convenience and necessity has been issued before April 19, 1969, by a Federal regulatory agency with respect to two or more plant facilities which are included under a single plan of the taxpayer to construct, reconstruct, or erect such plant facilities, and

"(ii) more than 50 percent of the aggregate adjusted basis of all the property of a character subject to the allowance for depreciation making up such plant facilities is attributable to either property the construction, reconstruction, or erection of which was begun by the taxpayer before April 19, 1969, or property the acquisition of which by the taxpayer occurred before such date,

such plant facilities shall be treated as a single plant facility.

"(D) COMMENCEMENT OF CONSTRUCTION.—For purposes of subparagraph (A)(ii), the construction, reconstruction, or erection of a plant facility shall not be considered to have commenced until construction, reconstruction, or erection has commenced at the site of such plant facility. The preceding sentence shall not apply if the site of such plant facility is not located on land.

"(4) MACHINERY OR EQUIPMENT RULE.—Any piece of machinery or equipment—

"(A) more than 50 percent of the parts and components of which (determined on the basis of cost) were held by the taxpayer on April 18, 1969, or are acquired by the taxpayer pursuant to a binding contract which was in effect on such date, for inclusion or use in such piece of machinery or equipment, and

"(B) the cost of the parts and components of which is not an insignificant portion of the total cost,

shall be treated as property which is pre-termination property.

"(5) CERTAIN LEASE-BACK TRANSACTIONS, ETC.—Where a person who is a party to a binding contract described in paragraph (1) transfers rights in such contract (or in the property to which such contract relates) to another person but a party to such contract retains a right to use the property under a lease with such other person, then to the extent of the transferred rights such other person shall, for purposes of paragraph (1), succeed to the position of the transferor with respect to such binding contract and such property. In any case in which the lessor does not make an election under section 48(d)—

"(A) the preceding sentence shall apply only if a party to the contract retains the right to use the property under a lease for a term of at least 1 year; and

"(B) if such use is retained, the lessor shall be deemed for the purposes of section 47 as having made a disposition of the property at such time as the lessee loses the right to use the property.

For purposes of subparagraph (B), if the lessee transfers the lease in a transfer described in paragraph (7), the lessee shall be considered as having the right to use of the property so long as the transferee has such use.

"(6) CERTAIN LEASE AND CONTRACT OBLIGATIONS.—

"(A) Where, pursuant to a binding lease or contract to lease in effect on April 18, 1969, a lessor or lessee is obligated to construct, reconstruct, erect, or acquire property specified in such lease or contract, any property so constructed, reconstructed, erected, or acquired by the lessor or lessee shall be pre-termination property. In the case of any project which includes property other than the property to be leased to such lessee, the preceding sentence shall be applied, in the case of the lessor, to such other property only if the binding leases and contracts with all lessees in effect on April 18, 1969, cover real property constituting 25 percent or more of the project (determined on the basis of rental value). For purposes of the preceding sentences of this paragraph, in the case of any project where one or more vendor-vendee relationships exist, such vendors and vendees shall be treated as lessors and lessees.

"(B) Where, in order to perform a binding contract or contracts in effect on April 18, 1969, (i) the taxpayer is required to construct reconstruct, erect, or acquire property specified in any order of a Federal regulatory agency for which application was filed before April 19, 1969, (ii) the property is to be used to transport one or more products under such contract or contracts, and (iii) one or more parties to the contract or contracts are required to take or to provide more than 50 percent of the products to be transported over a substantial portion of the expected useful life of the property, then such property shall be pre-termination property.

"(7) CERTAIN TRANSFERS TO BE DISREGARDED.

"(A) If property or rights under a contract are transferred in—

"(i) a transfer by reason of death, or

"(ii) a transaction as a result of which the basis of the property in the hands of the transferee is determined by reference to its basis in the hands of the transferor by reason of the application of sections 332, 351, 361, 371(a), 374(a), 721, or 731,

and such property (or the property acquired under such contract) would be treated as pre-termination property in the hands of the decedent or the transferor, such property shall be treated as pre-termination property in the hands of the transferee.

"(B) If—

"(i) property or rights under a contract

are acquired in a transaction to which section 334 (b) (2) applies,

"(ii) the stock of the distributing corporation was acquired before April 19, 1969, or pursuant to a binding contract in effect April 18, 1969, and

"(iii) such property (or the property acquired under such contract) would be treated as pre-termination property in the hands of the distributing corporation,

such property shall be treated as pre-termination property in the hands of the distributee.

"(8) PROPERTY ACQUIRED FROM AFFILIATED CORPORATION.—For purposes of this subsection, in the case of property acquired by a corporation which is a member of an affiliated group from another member of the same group—

"(A) such corporation shall be treated as having acquired such property on the date on which it was acquired by such other member,

"(B) such corporation shall be treated as having entered into a binding contract for the construction, reconstruction, erection, or acquisition of such property on the date on which such other member entered ito a contract for the construction, reconstruction, erection, or acquisition of such property, and

"(C) such corporation shall be treated as having commenced the construction, reconstruction, or erection of such property on the date on which such other member commenced such construction, reconstruction, or erection.

For purposes of this subsection and subsection (c), a contract between two members of an affiliated group shall not be treated as a binding contract as between such members. For purposes of the preceding sentences, the term 'affiliated group' has the meaning assigned to it by section 1504(a), except that all corporations shall be treated as includible corporations (without any exclusion under section 1504(b)).

"(9) BARGES FOR OCEAN-GOING VESSELS.—In the case of any ocean-going vessel which is—

"(A) pre-termination property,

"(B) constructed under a binding contract which was in effect on April 18, 1969, to which the Maritime Administration, Department of Commerce, is a party, and

"(C) designed to carry barges,

then the barges specified in such contract (not in excess of the number specified in such contract) constructed, reconstructed, erected, or acquired for use with such vessel, together with the machinery and equipment to be installed on such barges and necessary for their planned use, shall be treated as pre-termination property.

"(10) CERTAIN NEW-DESIGN PRODUCTS.—Where—

"(A) on April 18, 1969, the taxpayer had undertaken a project to produce a product of a new design pursuant to binding contracts in effect on such date which—

"(i) were fixed-price contracts (except for provisions for escalation in case of changes in rates of pay), and

"(ii) covered more than 60 percent of the entire production of such design to be delivered by the taxpayer before January 1, 1973, and

"(B) on or before April 18, 1969, more than 50 percent of the aggregate adjusted basis of all property of a character subject to the allowance for depreciation required to carry out such binding contracts was property the construction, reconstruction, or erection of which had been begun by the taxpayer, or had been acquired by the taxpayer (or was under a binding contract for such construction, reconstruction, erection, or acquisition),

then all tangible personal property placed in service by the taxpayer before January 1, 1972, which is required to carry out such binding contracts shall be deemed to be pre-termination property. For purposes of subparagraph (B) of the preceding sentence, jigs, dies, templates, and similar items which can be used only for the manufacture or assembly of the production under the project and which were described in written engineering and internal financial plans of the taxpayer in existence on April 18, 1969, shall be treated as property which on such date was under a binding contract for construction.

"(c) LEASED PROPERTY.—In the case of property which is leased after April 18, 1969 (other than pursuant to a binding contract to lease entered into before April 19, 1969), which is section 38 property with respect to the lessor but is property which would not be section 38 property because of the application of subsection (a) if acquired by the lessee, and which is property of the same kind which the lessor ordinarily sold to customers before April 19, 1969, or ordinarily leased before such date and made an election under section 48(d), such property shall not be section 38 property with respect to either the lessor or the lessee.

"(d) RATE OF CREDIT WHERE PROPERTY IS PLACED IN SERVICE AFTER 1970.—In the case of property placed in service after December 31, 1970, section 38 and this subpart shall be applied by reducing the 7 percent figure of section 46 (a) (1) by one-tenth of 1 percent for each full calendar month between November 30, 1970, and the date on which the property is placed in service, except that in the case of property placed in service after December 31, 1974, 0 percent shall be substituted for 7 percent."

(b) LIMITATIONS ON USE OF CARRYOVERS AND CARRYBACKS.—Section 46(b) (relating to carryback and carryover of unused credits) is amended by adding at the end thereof the following new paragraph:

"(5) TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1968, AND ENDING AFTER APRIL 18, 1969.—The amount which may be added under this subsection for any taxable year beginning after December 31, 1968, and ending after April 18, 1969, shall not exceed 20 percent of the higher of—

"(A) the aggregate of the investment credit carrybacks and investment credit carryovers to the taxable year, or

"(B) the highest amount computed under subparagraph (A) for any preceding taxable year which began after December 31, 1968, and ended after April 18, 1969."

(c) RULES RELATING TO CERTAIN CASUALTIES AND THEFTS.—Section 47(a) (4) (relating to rules with respect to section 38 property destroyed by casualty, etc.) is amended by adding at the end thereof the following:

"Subparagraphs (B) and (C) shall not apply with respect to any casualty or theft occurring after April 18, 1969. In the case of any casualty or theft occurring on or before April 18, 1969, to the extent of any replacement after such date (with property which would be section 38 property but for section 49) this part shall be applied without regard to section 49."

(d) CONFORMING AMENDMENT.—The table of sections for subpart B of part IV of subchapter A of chapter 1 (relating to rules for computing credit for investment in certain depreciable property) is amended by adding at the end thereof the following new item:

"Sec. 49. Termination of credit."

SEC. 704. AMORTIZATION OF POLLUTION CONTROL FACILITIES.

(a) ALLOWANCE.—Part VI of subchapter B of chapter 1 (relating to itemized deductions for individuals and corporations) is amended by striking out sections 168 and 169 and by inserting after section 167 the following new section:

"SEC. 168. AMORTIZATION OF POLLUTION CONTROL FACILITIES.

"(a) ALLOWANCE OF DEDUCTION.—Every person, at his election, shall be entitled to a deduction with respect to the amortization of the adjusted basis (for determining gain) of any certified pollution control facility (as defined in subsection (d)), based on a period of 60 months. Such amortization deduction shall be an amount, with respect to each month of such period within the taxable year, equal to the adjusted basis of the pollution control facility at the end of such month divided by the number of months (including the month for which the deduction is computed) remaining in the period. Such adjusted basis at the end of the month shall be computed without regard to the amortization deduction for such month. The amortization deduction provided by this section with respect to any month shall be in lieu of the depreciation deduction with respect to such pollution control facility for such month provided by section 167. The 60-month period shall begin, as to any pollution control facility, at the election of the taxpayer, with the month following the month in which such facility was completed or acquired, or with the succeeding taxable year.

"(b) ELECTION OF AMORTIZATION.—The election of the taxpayer to take the amortization deduction and to begin the 60-month period with the month following the month in which the facility is completed or acquired, or with the taxable year succeeding the taxable year in which such facility is completed or acquired, shall be made by filing with the Secretary or his delegate, in such manner, in such form, and within such time, as the Secretary or his delegate may by regulations prescribe, a statement of such election.

"(c) TERMINATION OF AMORTIZATION DEDUCTION.—A taxpayer which has elected under subsection (b) to take the amortization deduction provided in subsection (a) may, at any time after making such election, discontinue the amortization deduction with respect to the remainder of the amortization period, such discontinuance to begin as of the beginning of any month specified by the taxpayer in a notice in writing filed with the Secretary or his delegate before the beginning of such month. The depreciation deduction provided under section 167 shall be allowed, beginning with the first month as to which the amortization deduction does not apply, and the taxpayer shall not be entitled to any further amortization deduction under this section with respect to such pollution control facility.

"(d) DEFINITIONS.—For purposes of this section—

"(1) CERTIFIED POLLUTION CONTROL FACILITY.—The term 'certified pollution control facility' means a new identifiable treatment facility which is used to abate or control water or atmospheric pollution or contamination, respectively, by removing, altering, disposing, or storing of pollutants, contaminants, wastes, or heat and which—

"(A) the State certifying authority having jurisdiction with respect to such facility has certified to the Federal certifying authority as having been constructed, reconstructed, erected, or acquired in conformity with the State program or requirements for abatement or control of water or atmospheric pollution or contamination; and

"(B) the Federal certifying authority has certified to the Secretary or his delegate (i) as meeting the minimum performance standards described in subsection (e), (ii) as being in compliance with the applicable regulations of Federal agencies, and (iii) as being in furtherance of the general policy of the United States for cooperation with the States in the prevention and abatement of water pollution under the Federal Water Pollution Control Act, as amended (33 U.S.C. 466 et seq.), or in the prevention and abatement of atmospheric pollution and contamination under the Clean Air Act, as amended (42 U.S.C. 1857 et seq.).

"(2) STATE CERTIFYING AUTHORITY.—The term 'State certifying authority' means, in the case of water pollution, the State water pollution control agency as defined in section 13(a) of the Federal Water Pollution Control Act and, in the case of air pollution, the air pollution control agency as defined

in section 302(b) of the Clean Air Act. The term 'State certifying authority' includes any interstate agency authorized to act in place of a certifying authority of the State.

"(3) FEDERAL CERTIFYING AUTHORITY.—The term 'Federal certifying authority' means, in the case of water pollution, the Secretary of the Interior and, in the case of air pollution, the Secretary of Health, Education, and Welfare.

"(4) NEW IDENTIFIABLE TREATMENT FACILITY.—For purposes of paragraph (1), the term 'new identifiable treatment facility' includes only tangible property (not including a building and its structural components, other than a building which is exclusively a treatment facility) which is of a character subject to the allowance for depreciation provided in section 167, which is identifiable as a treatment facility, and which is property—

"(A) the construction, reconstruction, or erection of which is completed by the taxpayer after December 31, 1968, or

"(B) acquired after December 31, 1968, if the original use of the property commences with the taxpayer and commences after such date.

In applying this section in the case of property described in subparagraph (A), there shall be taken into account only that portion of the basis which is properly attributable to construction, reconstruction, or erection after December 31, 1968.

"(e) AUTHORIZATION OF SECRETARY OF INTERIOR AND OF HEALTH, EDUCATION, AND WELFARE TO SET STANDARDS, ETC.—

"(1) PERFORMANCE STANDARDS.—The Federal certifying authority shall from time to time promulgate minimum performance standards for purposes of subsection (d)(1)(B), taking into account advances in technology and specifying the tolerance of such pollutants and contaminants as shall be appropriate.

"(2) PROFITMAKING ABATEMENT WORKS, ETC.—The Federal certifying authority shall not certify any property under subsection (d)(1)(B) to the extent it appears that (A) by reason of profits derived through the recovery of wastes or otherwise in the operation of such property, its costs will be recovered over its actual useful life, or (B) such property would be constructed, reconstructed, erected, or acquired without regard to the need to abate or control water or atmospheric pollution or contamination.

"(f) ALLOCATION OF BASIS.—In the case of property with respect to which an election has been made under subsection (a) but only a portion of the adjusted basis of which is amortizable under this section, such portion of the adjusted basis (hereinafter in this section referred to as 'amortization basis') shall be determined under regulations prescribed by the Secretary of his delegate. The depreciation deduction provided by section 167 shall, despite the provisions of subsection (a) of this section, be allowed with respect to the portion of the adjusted basis which is not amortizable under this section.

"(g) INVESTMENT CREDIT NOT TO BE ALLOWED.—In the case of any property with respect to which an election has been made under subsection (a), so much of the adjusted basis of the property as (after the application of subsection (f)) constitutes the amortization basis for purposes of this section shall not be treated as section 38 property within the meaning of section 48(a).

"(h) LIFE TENANT AND REMAINDERMAN.—In the case of property held by one person for life with remainder to another person, the deduction under this section shall be computed as if the life tenant were the absolute owner of the property and shall be allowable to the life tenant.

(i) CROSS REFERENCE.—

"For special rule with respect to certain gain derived from the disposition of property the adjusted basis of which is determined with regard to this section, see section 1245."

(b) CONFORMING, ETC., AMENDMENTS.—

(1) The table of sections for part VI of subchapter B of chapter 1 is amended by striking out the items relating to sections 168 and 169 and inserting in lieu thereof the following new item:

"Sec. 168. Amortization of pollution control facilities."

(2) The heading and the first sentence of section 642(f) (relating to special rules for credits and deductions of estates and trusts) are amended to read as follows:

"(f) AMORTIZATION OF POLLUTION CONTROL FACILITIES.—The benefit of the deductions for amortization of pollution control facilities provided by section 168 shall be allowed to estates and trust in the same manner as in the case of an individual."

(3) Section 1082(a)(2)(B) (relating to basis for determining gain or loss) is amended by striking out "or 169".

(4) Section 1245(a) of such Code (relating to gain from disposition of certain depreciable property) is amended—

(A) by striking out "or" at the end of paragraph (2)(A);

(B) by inserting "or" at the end of paragraph (2)(B) and by inserting after such paragraph the following new subparagraph:

"(C) with respect to any property referred to in paragraph (3)(D), its adjusted basis recomputed by adding thereto all adjustments attributable to periods beginning with the first month for which a deduction for amortization is allowed under section 168,";

(C) by striking out "or" at the end of paragraphs (3)(A) and (B);

(D) by striking out the period at the end of paragraph (3)(C) and inserting in lieu thereof ", or"; and

(E) by adding at the end of paragraph (3) the following new subparagraph:

"(D) so much of any real property (other than any property described in subparagraph (B)) as is a certified pollution control facility which has an adjusted basis in which there are reflected adjustments for amortization under section 168."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to taxable years ending after December 31, 1968.

SEC. 705. DEPRECIATION OF CERTAIN RAILROAD ROLLING STOCK.

(a) IN GENERAL.—Section 167 (relating to depreciation) is amended by inserting after subsection (l) (added by section 451) the following new subsection:

"(m) DEPRECIATION OF CERTAIN RAILROAD ROLLING STOCK.—A domestic common carrier by railroad subject to part I of the Interstate Commerce Act may elect, in accordance with regulations prescribed by the Secretary or his delegate, to compute the depreciation deduction provided by subsection (a) attributable to railroad rolling stock (other than locomotives)—

"(1) the construction or reconstruction of which is completed by the taxpayer after July 31, 1969, and then only to that portion of the basis which is properly attributable to such construction or reconstruction after such date, or

"(2) which was acquired by the taxpayer after July 31, 1969, if the original use of such property commences with the taxpayer and commences after such date,

under the straight line method using a useful life of 84 months. Such method shall be in lieu of any other method of computing the depreciation deduction under subsection (a) and in lieu of any deduction for amortization."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to taxable years ending after July 31, 1969.

TITLE VIII—ADJUSTMENT OF TAX BURDEN FOR INDIVIDUALS

SEC. 801. LOW INCOME ALLOWANCE; INCREASE IN STANDARD DEDUCTION.

(a) IN GENERAL.—Section 141 (relating to the standard deduction) is amended by striking out subsections (a), (b), and (c) and inserting in lieu thereof the following:

"(a) STANDARD DEDUCTION.—Except as otherwise provided in this section, the standard deduction referred to in this title is the larger of the percentage standard deduction or the low income allowance.

"(b) PERCENTAGE STANDARD DEDUCTION.—The percentage standard deduction is an amount equal to the applicable percentage of adjusted gross income shown in the following table, but not to exceed the maximum amount shown in such table (or one-half of such amount in the case of a separate return by a married individual):

"Taxable years beginning in—	Applicable percentage	Maximum amount
1970	13	$1,400
1971	14	1,700
1972 and thereafter	15	2,000".

"(c) LOW INCOME ALLOWANCE.—

"(1) IN GENERAL.—The low income allowance is an amount equal to the sum of—

"(A) the basic allowance, and

"(B) the additional allowance.

"(2) BASIC ALLOWANCE.—For purposes of this subsection, the basic allowance is an amount equal to the sum of—

"(A) $200, plus

"(B) $100, multiplied by the number of exemptions.

The basic allowance shall not exceed $1,000.

"(3) ADDITIONAL ALLOWANCE.—

"(A) IN GENERAL.—For purposes of this subsection, the additional allowance is an amount equal to the excess (if any) of $900 over the sum of—

"(i) $100, multiplied by the number of exemptions, plus

"(ii) the income phase-out.

"(B) INCOME PHASE-OUT.—For purposes of subparagraph (A)(ii), the income phase-out is an amount equal to one-half of the amount by which the adjusted gross income for the taxable year exceeds the sum of—

"(i) $1,100, plus

"(ii) $600, multiplied by the number of exemptions.

"(4) MARRIED INDIVIDUALS FILING SEPARATE RETURNS.—In the case of a married taxpayer filing a separate return—

"(A) the low income allowance is an amount equal to the basic allowance, and

"(B) the basic allowance is an amount (not in excess of $550) equal to the sum of—

"(i) $100, plus

"(ii) $100, multiplied by the number of exemptions.

"(5) NUMBER OF EXEMPTIONS.—For purposes of this subsection, the number of exemptions is the number of exemptions allowed as a deduction for the taxable year under section 151."

(b) DETERMINATION OF MARITAL STATUS.—Section 143 (relating to determination of marital status) is amended—

(1) by striking out "For purposes of this part—" and inserting in lieu thereof "(a) GENERAL RULE.—For purposes of this part—"; and

(2) by adding at the end thereof the following new subsection:

"(b) CERTAIN MARRIED INDIVIDUALS LIVING APART.—For purposes of this part, if—

"(1) an individual who is married (within the meaning of subsection (a)) and who files a separate return maintains as his home a household which constitutes for more than one-half of the taxable year the principal place of abode of a dependent (A) who (within the meaning of section 152) is a son, stepson, daughter, or stepdaughter of

the individual, and (B) with respect to whom such individual is entitled to a deduction for the taxable year under section 151,

"(2) such individual furnishes over half of the cost of maintaining such household during the taxable year, and

"(3) during the entire taxable year such individual's spouse is not a member of such household,

such individual shall not be considered as married."

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 4(c) (relating to married individuals filing separate returns) is amended to read as follows:

"(c) HUSBAND OR WIFE FILING SEPARATE RETURNS.—

"(1) A husband or wife may not elect to pay the optional tax imposed by section 3 if the tax of the other spouse is determined under section 1 on the basis of taxable income computed without regard to the standard deduction.

"(2) Except as otherwise provided in this subsection, in the case of a husband or wife filing a separate return the tax imposed by section 3 shall be the lesser of the tax shown in Table IV or Table V of section 3.

"(3) Table V of section 3 shall not apply in the case of a husband or wife filing a separate return if the tax of the other spouse is determined with regard to the percentage standard deduction; except that an individual described in section 141(d)(2) may elect (under regulations prescribed by the Secretary or his delegate) to pay the tax shown in Table V of section 3 in lieu of the tax shown in Table IV of section 3. For purposes of this title, an election under the preceding sentence shall be treated as an election made under section 141(d)(2).

"(4) For purposes of this subsection, determination of marital status shall be made under section 143."

(2) Section 141(d) (relating to married individuals filing separate returns) is amended—

(A) by striking out "minimum standard deduction" each place it appears and inserting in lieu thereof "low income allowance"; and

(B) by striking out "10-percent" each place it appears therein and inserting in lieu thereof "percentage".

(3) Section 1304(c)(5) (relating to special rules for income averaging) is amended by striking out "section 143" and inserting in lieu thereof "section 143(a)".

(4) Section 6014(a) (relating to tax not computed by taxpayer) is amended by striking out the last sentence.

(d) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (c) shall apply to taxable years beginning after December 31, 1969.

(e) YEARS AFTER 1970.—Effective with respect to taxable years beginning after December 31, 1970, section 141(c) (relating to low income allowance), as amended by subsection (a), is amended to read as follows:

"(c) LOW INCOME ALLOWANCE.—The low income allowance is $1,100 ($550, in the case of a married individual filing a separate return)."

"SEC. 802. FIFTY-PERCENT MAXIMUM RATE ON EARNED INCOME.

(a) IN GENERAL.—Part VI of subchapter Q of chapter 1 (relating to other limitations) is amended by adding at the end thereof the following new section:

"SEC. 1348. FIFTY-PERCENT MAXIMUM RATE ON EARNED INCOME.

"(a) GENERAL RULE.—If an individual has earned taxable income for any taxable year beginning after December 31, 1969, which exceeds the amount of taxable income specified in paragraph (1), the tax imposed by section 1 for such year shall, unless the taxpayer chooses the benefits of part I (relating to income averaging), be the sum of—

"(1) the tax imposed by section 1 on the lowest amount of taxable income on which the rate of tax under section 1 exceeds 50 percent,

"(2) 50 percent of the amount by which his earned taxable income exceeds the lowest amount of taxable income on which the rate of tax under section 1 exceeds 50 percent, and

"(3) the tax attributable to the remainder of his taxable income, as determined under subsection (b)(3).

"(b) DEFINITIONS.—For purposes of this section—

"(1) EARNED INCOME.—The term 'earned income' has the meaning assigned to such term by section 911(b), except that such term does not include any distribution to which section 72(n), 402(a)(2), or 403(a)(2) applies or any deferred compensation payment.

"(2) EARNED TAXABLE INCOME.—The earned taxable income of an individual is the amount which bears the same ratio (but not in excess of 100 percent) to his taxable income as his earned income bears to his adjusted gross income.

"(3) TAX ON OTHER INCOME.—For purposes of subsection (a)(3), the tax attributable to the remainder of any individual's taxable income is the amount by which the tax computed under section 1 without regard to this section exceeds the tax so computed with reference solely to his earned taxable income.

"(c) MARRIED INDIVIDUALS.—This section shall apply to a married individual only if such individual and his spouse make a joint return for the taxable year."

(b) CLERICAL AMENDMENT.—The table of sections for part VI of subchapter Q of chapter 1 is amended by adding at the end thereof the following new item:

"Sec. 1348. Fifty-percent maximum rate on earned income."

SEC. 803. INTERMEDIATE TAX RATES; SURVIVING SPOUSE TREATMENT.

(a) INTERMEDIATE TAX RATE INDIVIDUALS.—

(1) IN GENERAL.—Section 1(b)(2) (relating to head of household) is amended—

(A) by striking out so much of such paragraph as proceeds subparagraph (A) and inserting in lieu thereof the following:

"(2) DEFINITION OF INTERMEDIATE TAX RATE INDIVIDUALS.—For purposes of this subtitle, an individual is an intermediate tax rate individual if, and only if, such individual is not married at the close of his taxable year, is not a surviving spouse (as defined in section 2(b)), and—";

(B) by striking out "or" at the end of subparagraph (A) and by striking out the period at the end of subparagraph (B) and inserting in lieu thereof ", or"; and

(C) by inserting after subparagraph (B) the following new subparagraph:

"(C) has attained age 35 before the close of his taxable year or is an individual whose spouse died before the beginning of his taxable year."

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) Section 1(b)(3) is amended by striking out "and" at the end of subparagraph (C), by striking out the period at the end of subparagraph (D) and inserting in lieu thereof "; and", and by adding at the end thereof the following new subparagraph:

"(E) if an individual has been married two or more times, the status of such individual shall be determined only with reference to his last marriage."

(B) Section 1(b)(4) is amended by striking out "a head of a household" and inserting in lieu thereof "an intermediate tax rate individual".

(C) Sections 6014 and 6015 are amended by striking out "a head of a household" each place it appears in such sections and inserting in lieu thereof "an intermediate tax rate individual".

(b) SURVIVING SPOUSE.—Section 2(b)(1)(A) (relating to surviving spouse) is amended to read as follows:

"(A) whose spouse died before the beginning of the taxable year, and".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1969.

SEC. 804. TAX RATES.

(a) RATES OF TAX ON INDIVIDUALS.—Section 1(a) is amended by inserting "and before January 1, 1971," after "December 31, 1964," each place it appears and by adding at the end thereof the following new paragraphs:

"(3) TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1970.—In the case of a taxable year beginning after December 31, 1970, there is hereby imposed on the taxable income of every individual (other than an intermediate tax rate individual to whom subsection (b) applies) a tax determined in accordance with the following table:

"If the taxable income is:	The tax is:
Not over $500	14% of the taxable income.
Over $500 but not over $1,000.	$70, plus 15% of excess over $500.
Over $1,000 but not over $1,500.	$145, plus 16% of excess over $1,000.
Over $1,500 but not over $2,000.	$225, plus 17% of excess over $1,500.
Over $2,000 but not over $4,000.	$310, plus 19% of excess over $2,000.
Over $4,000 but not over $6,000.	$690, plus 21.5% of excess over $4,000.
Over $6,000 but not over $8,000.	$1,120, plus 24% of excess over $6,000.
Over $8,000 but not over $10,000.	$1,600, plus 27.5% of excess over $8,000.
Over $10,000 but not over $12,000.	$2,150, plus 31.5% of excess over $10,000.
Over $12,000 but not over $14,000.	$2,780, plus 35.5% of excess over $12,000.
Over $14,000 but not over $16,000.	$3,490, plus 38% of excess over $14,000.
Over $16,000 but not over $18,000.	$4,250, plus 41% of excess over $16,000.
Over $18,000 but not over $20,000.	$5,070, plus 43.5% of excess over $18,000.
Over $20,000 but not over $22,000.	$5,940, plus 46% of excess over $20,000.
Over $22,000 but not over $26,000.	$6,860, plus 48.5% of excess over $22,000.
Over $26,000 but not over $32,000.	$8,800, plus 51% of excess over $26,000.
Over $32,000 but not over $38,000.	$11,860, plus 52.5% of excess over $32,000.
Over $38,000 but not over $44,000.	$15,010, plus 55% of excess over $38,000.
Over $44,000 but not over $50,000.	$18,310, plus 57% of excess over $44,000.
Over $50,000 but not over $60,000.	$21,730, plus 60% of excess over $50,000.
Over $60,000 but not over $70,000.	$27,730, plus 62% of excess over $60,000.
Over $70,000 but not over $80,000.	$33,930, plus 63% of excess over $70,000.
Over $80,000 but not over $90,000.	$40,230, plus 64.5% of excess over $80,000.
Over $90,000 but not over $100,000.	$46,680, plus 65% of excess over $90,000.
Over $100,000 but not over $120,000.	$53,180, plus 66% of excess over $100,000.
Over $120,000 but not over $150,000.	$66,380, plus 66.5% of excess over $120,000.
Over $150,000 but not over $200,000.	$86,330, plus 67% of excess over $150,000.
Over $200,000	$119,830, plus 67.5% of excess over $200,000.

"(4) TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1971.—In the case of a taxable year beginning after December 31, 1971, there is hereby imposed on the taxable income of every individual (other than an intermediate tax rate individual to whom

subsection (b) applies) a tax determined in accordance with the following table:

"If the taxable income is:	The tax is:
Not over $500	14% of taxable income.
Over $500 but not over $1,000.	$70, plus 15% of excess over $500.
Over $1,000 but not over $1,500.	$145, plus 16% of excess over $1,000.
Over $1,500 but not over $2,000.	$225, plus 17% of excess over $1,500.
Over $2,000 but not over $4,000.	$310, plus 19% of excess over $2,000.
Over $4,000 but not over $6,000.	$690, plus 21% of excess over $4,000.
Over $6,000 but not over $8,000.	$1,110, plus 23% of excess over $6,000.
Over $8,000 but not over $10,000.	$1,570, plus 27% of excess over $8,000.
Over $10,000 but not over $12,000.	$2,110, plus 31% of excess over $10,000.
Over $12,000 but not over $14,000.	$2,730, plus 35% of excess over $12,000.
Over $14,000 but not over $16,000.	$3,430, plus 37% of excess over $14,000.
Over $16,000 but not over $18,000.	$4,170, plus 40% of excess over $16,000.
Over $18,000 but not over $20,000.	$4,970, plus 42% of excess over $18,000.
Over $20,000 but not over $22,000.	$5,810, plus 44% of excess over $20,000.
Over $22,000 but not over $26,000.	$6,690, plus 47% of excess over $22,000.
Over $26,000 but not over $32,000.	$8,570, plus 49% of excess over $26,000.
Over $32,000 but not over $38,000.	$11,510, plus 50% of excess over $32,000.
Over $38,000 but not over $44,000.	$14,510, plus 52% of excess over $38,000.
Over $44,000 but not over $50,000.	$17,630, plus 54% of excess over $44,000.
Over $50,000 but not over $60,000.	$20,870, plus 58% of excess over $50,000.
Over $60,000 but not over $80,000.	$26,670, plus 60% of excess over $60,000.
Over $80,000 but not over $100,000.	$38,670, plus 61% of excess over $80,000.
Over $100,000 but not over $120,000.	$50,870, plus 62% of excess over $100,000.
Over $120,000 but not over $150,000.	$63,270, plus 63% of excess over $120,000.
Over $150,000 but not over $200,000.	$82,170, plus 64% of excess over $150,000.
Over $200,000	$114,170, plus 65% of excess over $200,000."

(b) INTERMEDIATE TAX RATES.—Section 1 (b) (1) is amended by inserting "and before January 1, 1971," after "December 31, 1964," each place it appears and by adding at the end thereof the following new subparagraphs:

(C) TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1970.—In the case of a taxable year beginning after December 31, 1970, there is hereby imposed on the taxable income of every individual who is an intermediate tax rate individual a tax determined in accordance with the following table:

"If the taxable income is:	The tax is:
Not over $1,000	14% of taxable income.
Over $1,000 but not over $2,000.	$140, plus 16% of excess over $1,000.
Over $2,000 but not over $4,000.	$300, plus 18% of excess over $2,000.
Over $4,000 but not over $6,000.	$660, plus 20% of excess over $4,000.
Over $6,000 but not over $8,000.	$1,060, plus 21.5% of excess over $6,000.
Over $8,000 but not over $10,000.	$1,490, plus 24.5% of excess over $8,000.
Over $10,000 but not over $12,000.	$1,980, plus 26.5% of excess over $10,000.
Over $12,000 but not over $14,000.	$2,510, plus 30% of excess over $12,000.
Over $14,000 but not over $16,000.	$3,110, plus 31% of excess over $14,000.
Over $16,000 but not over $18,000.	$3,730, plus 34% of excess over $16,000.
Over $18,000 but not over $20,000.	$4,410, plus 35.5% of excess over $18,000.
Over $20,000 but not over $22,000.	$5,120, plus 38.5% of excess over $20,000.
Over $22,000 but not over $24,000.	$5,890, plus 40% of excess over $22,000.
Over $24,000 but not over $26,000.	$6,690, plus 42% of excess over $24,000.
Over $26,000 but not over $28,000.	$7,530, plus 43.5% of excess over $26,000.
Over $28,000 but not over $32,000.	$8,400, plus 44.5% of excess over $28,000.
Over $32,000 but not over $36,000.	$10,180, plus 46.5% of excess over $32,000.
Over $36,000 but not over $38,000.	$12,040, plus 48% of excess over $36,000.
Over $38,000 but not over $40,000.	$13,000, plus 49.5% of excess over $38,000.
Over $40,000 but not over $44,000.	$13,990, plus 50.5% of excess over $40,000.
Over $44,000 but not over $50,000.	$16,010, plus 53.% of excess over $44,000.
Over $50,000 but not over $52,000.	$19,190, plus 54.5% of excess over $50,000.
Over $52,000 but not over $60,000.	$20,280, plus 55.5% of excess over $52,000.
Over $60,000 but not over $64,000.	$24,720, plus 56.6% of excess over $60,000.
Over $64,000 but not over $70,000.	$26,980, plus 57% of excess over $64,000.
Over $70,000 but not over $76,000.	$30,400, plus 58% of excess over $70,000.
Over $76,000 but not over $80,000.	$33,880, plus 58.5% of excess over $76,000.
Over $80,000 but not over $88,000.	$36,220, plus 60% of excess over $80,000.
Over $88,000 but not over $100,000.	$41,020, plus 60.5% of excess over $88,000.
Over $100,000 but not over $120,000.	$48,280, plus 63% of excess over $100,000.
Over $120,000 but not over $140,000.	$60,880, plus 64.5% of excess over $120,000.
Over $140,000 but not over $160,000.	$73,780, plus 65% of excess over $140,000.
Over $160,000 but not over $180,000.	$86,780, plus 66% of excess over $160,000.
Over $180,000 but not over $200,000.	$99,980, plus 66.5% of excess over $180,000.
Over $200,000 but not over $300,000.	$113,280, plus 67% of excess over $200,000.
Over $300,000	$180,280, plus 67.5% of excess over $300,000.

"(D) TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1971.—In the case of a taxable year beginning after December 31, 1971, there is hereby imposed on the taxable income of every individual who is an intermediate tax rate individual a tax determined in accordance with the following table:

"If the taxable income is:	The tax is:
Not over $1,000	14% of the taxable income.
Over $1,000 but not over $2,000.	$140, plus 16% of excess over $1,000.
Over $2,000 but not over $4,000.	$300, plus 18% of excess over $2,000.
Over $4,000 but not over $6,000.	$660, plus 20% of excess over $4,000.
Over $6,000 but not over $8,000.	$1,060, plus 21% of excess over $6,000.
Over $8,000 but not over $10,000.	$1,480, plus 24% of excess over $8,000.
Over $10,000 but not over $12,000.	$1,960, plus 26% of excess over $10,000.
Over $12,000 but not over $14,000.	$2,480 plus 29% of excess over $12,000.
Over $14,000 but not over $16,000.	$3,060, plus 30% of excess over $14,000.
Over $16,000 but not over $18,000.	$3,660, plus 33% of excess over $16,000.
Over $18,000 but not over $20,000.	$4,320, plus 35% of excess over $18,000.
Over $20,000 but not over $22,000.	$5,020, plus 37% of excess over $20,000.
Over $22,000 but not over $24,000.	$5,760, plus 39% of excess over $22,000.
Over $24,000 but not over $26,000.	$6,540, plus 41% of excess over $24,000.
Over $26,000 but not over $28,000.	$7,360, plus 42% of excess over $26,000.
Over $28,000 but not over $32,000.	$8,200, plus 43% of excess over $28,000.
Over $32,000 but not over $36,000.	$9,920, plus 45% of excess over $32,000.
Over $36,000 but not over $38,000.	$11,720, plus 46% of excess over $36,000.
Over $38,000 but not over $40,000.	$12,640, plus 47% of excess over $38,000.
Over $40,000 but not over $44,000.	$13,580, plus 48% of excess over $40,000.
Over $44,000 but not over $50,000.	$15,500, plus 51% of excess over $44,000.
Over $50,000 but not over $60,000.	$18,560, plus 53% of excess over $50,000.
Over $60,000 but not over $80,000.	$23,860, plus 55% of excess over $60,000.

"If the taxable income is:	The tax is:	
Over $80,000 but not over $100,000.	$34,860, plus of excess over $80,000.	57%
Over $100,000 but not over $120,000.	$46,260, plus of excess over $100,000.	60%
Over $120,000 but not over $160,000.	$58,260, plus of excess over $120,000.	62%
Over $160,000 but not over $200,000.	$83,060, plus of excess over $160,000.	63%
Over $200,000 but not over $300,000.	$108,260, plus of excess over $200,000.	64%
Over $300,000	$172,260, plus of excess over $300,000."	65%

(c) OPTIONAL TAX TABLES.—Section 3(b) (relating to optional tax) is amended—

(1) by inserting in the heading before the period the following: "And Before January 1, 1970";

(2) by inserting in the text "and before January 1, 1970," after "beginning after December 31, 1964,";

(3) by inserting after "After December 31, 1964" each place it appears in the tables the following: "And Before January 1, 1970"; and

(4) by adding at the end thereof the following new subsection:

"(c) TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1969.—In lieu of the tax imposed by section 1, there is hereby imposed for each taxable year beginning after December 31, 1969, on the taxable income of every individual whose adjusted gross income for such year is less than $5,000 ($6,100 for the calendar year 1970) and who has elected for such year to pay the tax imposed by this section, a tax determined under tables, applicable to such taxable year, which shall be prescribed by the Secretary or his delegate. The tables so prescribed shall be the same as the tables contained in this subsection as in effect before August 1, 1969, except the amounts and rates of tax shall be computed on the basis of the taxable income computed by taking the standard deduction and on the basis of the rates prescribed by section 1."

(d) TAX NOT COMPUTED BY TAXPAYER.—

(1) The first sentence of section 6014(a) (relating to election by taxpayer) is amended by striking out "gross income is less than $5,000" and inserting in lieu thereof "adjusted gross income and". The last sentence of section 6014(a) is repealed.

(2) Section 6014(b) (relating to regulations) is amended—

(A) by inserting after the first sentence the following: "Such regulations may provide that the credit provided for by section 37 (relating to retirement income) shall be allowed in determining the amount payable and that the Secretary or his delegate shall compute the tax with regard to a taxpayer's status as an intermediate tax rate individual (as defined in section 1(b)) or as a surviving spouse (as defined in section 2(b)) electing the benefits of subsection (a).", and

(B) by adding at the end thereof the following new sentence: "The Secretary or his delegate is authorized to extend (under regulations) any election made under subsection (a) to any taxpayer regardless of the limitations provided by subsection (a)."

(3) The amendments made by this subsection shall apply to taxable years beginning after December 31, 1969.

SEC. 805. COLLECTION OF INCOME TAX AT SOURCE ON WAGES.

(a) REQUIREMENT OF WITHHOLDING.—The first sentence of section 3402(a) (relating to requirement of withholding) is amended by striking out "in accordance with the following tables." and inserting in lieu thereof "in accordance with tables prescribed by the Secretary or his delegate. The tables so prescribed shall be the same as the tables contained in this subsection as in effect before August 1, 1969, except the amounts set forth as amounts of wages and amounts of income tax to be withheld shall be computed on the basis of the rates prescribed by section 1." The second sentence of such section is amended by striking out "as shown in the table in subsection (b)(1)" and inserting in lieu thereof "as shown in the table prescribed by the Secretary or his delegate pursuant to subsection (b)(1)".

(b) PERCENTAGE METHOD OF WITHHOLDING.—Paragraph (1) of section 3402(b) (relating to percentage method of withholding) is amended to read as follows:

"(1) The table referred to in subsection (a) shall be prescribed by the Secretary or his delegate on the basis of the amount of one withholding exemption being $600."

(c) WAGE BRACKET WITHHOLDING.—Section 3402(c) (relating to wage bracket withholding) is amended—

(1) by striking out paragraph (1) and inserting in lieu thereof the following:

"(1) WAGE BRACKET WITHHOLDING.—At the election of the employer with respect to any employee, the employer shall deduct and withhold upon the wages paid to such employee a tax (in lieu of the tax required to be deducted and withheld under subsection (a)) determined in accordance with tables prescribed by the Secretary or his delegate. The tables so prescribed shall be the same as the tables contained in this subsection as in effect before August 1, 1969, except the amounts set forth as amounts and rates of tax to be deducted and withheld shall be computed on the basis of the rates of tax prescribed by section 1(a) and the additional low income allowance."

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to wages paid after December 31, 1969.

LEGISLATIVE PROGRAM FOR WEEK OF AUGUST 4

(Mr. SMITH of California asked and was given permission to address the House for 1 minute.)

Mr. SMITH of California. Mr. Speaker, I take this time in order to inquire of the majority leader the program for today and for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Oklahoma, the majority leader.

Mr. ALBERT. Mr. Speaker, in response to the request of the acting minority leader, we have no further legislative business for this week.

The program for next week is as follows:

Monday is Consent Calendar day.

Immediately after the call of the Consent Calendar, House Resolution 509, to concur in Senate amendments to H.R. 9951, providing for extension of the income tax surcharge until December 31, 1969, will be called up by the distinguished gentleman from Mississippi on which there will be 1 hour of debate.

There will be four suspensions, as follows:

S. 912, to provide for the establishment of the Florissant Fossil Beds National Monument, Colo.

H.R. 11959, to provide increased educational assistance under the Veterans' Administration education law.

House Joint Resolution 764, to authorize appropriations for expenses of the President's Council on Youth Opportunity.

S. 1611, to provide for a National Center on Educational Media and Materials for the Handicapped.

Also on Monday there will be considered:

House Joint Resolution 247, relating to the administration of the national park system, under an open rule with 1 hour of debate; and,

H.R. 471, to hold in trust certain lands for the Pueblo de Taos Indians in New Mexico, under an open rule with 1 hour of debate.

Tuesday is Private Calendar day.

Also on Tuesday there will be considered H.R. 13018, the military construction authorization, for the fiscal year 1970, under an open rule with 3 hours of debate.

For Wednesday and the balance of the week, there are scheduled:

H.R. 13270, the Tax Reform Act of 1969, subject to a rule being granted; and

H.R. 12829, Interest Equalization Tax Extension Act of 1969, under a closed rule with 4 hours of debate, waiving points of order.

This announcement is made subject to the usual reservation that conference reports may be brought up at any time and any further program may be announced later.

Mr. SMITH of California. May I inquire of the gentleman whether he has any statement as to whether or not we may work next Friday, if necessary?

Mr. ALBERT. I am glad the gentleman reminded me of that, because it is not only possible but it may be quite probable, if the tax reform bill takes as long as might be indicated, that we may have to meet on Friday to consider the Interest Equalization Tax Extension Act.

Mr. SMITH of California. I thank the gentleman.

ADJOURNMENT TO MONDAY, AUGUST 4, 1969

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourns to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

RECAPITULATIONS ON BUDGETARY REQUESTS, UNEXPENDED BALANCES, AND TOTAL AMOUNTS OF FOREIGN AID

(Mr. PASSMAN asked and was given permission to address the House for 1

minute and to revise and extend his remarks and to include pertinent information.)

Mr. PASSMAN. Mr. Speaker, I am today inserting in the RECORD a recapitulation showing the total new budgetary requests for foreign aid. Also a recapitulation showing the unexpended balances of all spigots of foreign aid, known as the pipeline. And also a recapitulation showing the total amount of foreign aid given to 121 nations of the world since the inception of the foreign aid program.

Incidentally, all three recapitulation sheets will be mailed to each Member of the House and Senate for their information. The envelopes will be marked "Personal." Whether you agree or disagree with my philosophy on foreign aid, the statistics are extremely important and represent some 120 hours of painstaking research on my part.

The material follows:

New budgetary requests for authorization and appropriation for foreign assistance for fiscal year 1970

Foreign assistance (mutual security)	$2,710,020,000
Receipts and recoveries from previous programs	274,785,000
Military assistance (in Defense budget)	2,230,900,000
Economic assistance (in Defense budget)	76,600,000
Foreign military credit sales fund	275,000,000
MAAG's, missions, and mil-groups	168,800,000
Export-Import Bank:	
Long-term credits	1,872,200,000
Regular operations	570,423,000
Export expansion program	100,000,000
Public Law 480 (agricultural commodities)	986,600,000
Inter-American Development Bank (FSO)	300,000,000
International Development Association:	
1.	160,000,000
2. Supplemental	160,000,000
Asian Development Bank:	
Regular contribution	20,000,000
Special funds	25,000,000
Peace Corps	101,100,000
Permanent military construction—foreign nations	255,300,000
Contributions to international organizations	130,187,000
Educational (foreign and other students)	43,614,000
Ryukyu Islands	20,651,000
Migrants and refugees	5,511,000
Trust Territories of the Pacific Islands	41,612,000
Total new requests for foreign assistance for fiscal year 1970	10,528,303,000

Unexpended balances in pipeline from prior years for foreign aid programs

Foreign assistance (mutual security)	$5,265,936,000
Foreign military credit sales fund	222,000,000
MAAG's, missions, and mil-groups	5,000,000
Military and economic assistance (in Defense budget)	1,086,000,000
Export-Import Bank:	
Long-term credits	3,296,800,000
Regular operations	193,400,000
Uncommitted borrowing authority	5,288,300,000
Public Law 480 (agricultural commodities)	507,748,000

Unexpended balances in pipeline from prior years for foreign aid programs—Continued

Inter-American Development Bank	$2,109,494,000
International Development Association	103,600,000
Asian Development Bank	130,000,000
Peace Corps	35,619,000
Permanent military construction—foreign nations	390,000,000
Contributions to international organizations	2,838,000
Educational (foreign and other students)	29,263,000
Ryukyu Islands	7,705,000
Migrants and refugees	3,616,000
Trust Territories of the Pacific Islands	16,551,000
Inter-American Highway	14,146,000
Total	18,708,016,000

Total net foreign assistance to 121 nations and 7 territories of the world, fiscal years 1946 through 1969—Statistics finalized July 1, 1969

[*The 5 "F" formula: Frustrating, Fanatical, Frightening, Foolish, but Factual*]

Afghanistan	$370,500,000
Albania	20,400,000
Algeria	193,500,000
Argentina	447,500,000
Australia	697,000,000
Austria	1,106,000,000
Barbados	200,000
Belgium-Luxembourg	1,747,500,000
Bolivia	532,000,000
Botswana	16,500,000
Brazil	2,772,500,000
Burundi	6,800,000
Burma	84,700,000
Cambodia	341,400,000
Cameroon	32,900,000
Canada	46,900,000
Central Africa Republic	4,600,000
Ceylon	158,900,000
Chad	8,800,000
Chile	1,410,000,000
China, Republic	5,006,900,000
Colombia	962,700,000
Congo:	
B	2,000,000
K	440,900,000
Costa Rica	172,600,000
Cuba	43,800,000
Cyprus	20,300,000
Czechoslovakia	189,500,000
Dahomey	12,000,000
Denmark	875,900,000
Dominican Republic	461,500,000
East Germany	800,000
Ecuador	268,900,000
El Salvador	123,200,000
Ethiopia	357,000,000
Finland	30,200,000
France	7,014,300,000
Gabon	7,500,000
Gambia	1,600,000
Ghana	268,700,000
Germany and Berlin	3,675,600,000
Greece	3,681,200,000
Guatemala	318,800,000
Guinea	107,700,000
Guyana	61,200,000
Haiti	108,800,000
Honduras	109,400,000
Hungary	13,500,000
Iceland	67,300,000
India	7,464,400,000
Indochina	1,535,200,000
Indonesia	940,100,000
Iran	2,047,100,000
Iraq	96,800,000
Ireland	122,900,000
Israel	860,200,000
Italy	5,393,700,000
Ivory Coast	69,000,000
Jamaica	76,400,000
Japan	3,606,900,000

Total net foreign assistance to 121 nations and 7 territories of the world, fiscal years 1946 through 1969—Statistics finalized July 1, 1969—Continued

Jordan	$635,300,000
Kenya	62,700,000
Korea	7,817,200,000
Kuwait	49,400,000
Laos	643,300,000
Lebanon	86,200,000
Lesotho	4,800,000
Liberia	228,600,000
Libya	221,500,000
Malagasy	13,400,000
Malawi	25,900,000
Malaysia	76,300,000
Mali	21,300,000
Malta	6,700,000
Mauritania	3,300,000
Mauritius	1,400,000
Mexico	569,000,000
Morocco	685,300,000
Nepal	129,600,000
Netherlands	2,050,500,000
New Zealand	66,800,000
Nicaragua	158,000,000
Niger	16,700,000
Nigeria	275,000,000
Norway	1,130,200,000
Pakistan	3,527,300,000
Panama	221,200,000
Paraguay	116,900,000
Peru	476,300,000
Philippines	1,839,900,000
Poland	453,800,000
Portugal	477,100,000
Rwanda	7,400,000
Saudi Arabia	70,300,000
Senegal	36,200,000
Sierra Leone	40,900,000
Singapore	33,900,000
Somalia	76,200,000
Southern Rhodesia	2,000,000
Spain	1,960,000,000
Sudan	97,200,000
Surinam	10,000,000
Swaziland	500,000
Sweden	156,000,000
Syrian Arab Republic	60,400,000
Tanzania	65,400,000
Thailand	1,144,900,000
Togo	14,900,000
Trinidad-Tobago	55,400,000
Tunisia	606,600,000
Turkey	5,391,200,000
Uganda	35,800,000
United Arab Republic	900,900,000
United Kingdom	7,690,700,000
U.S.S.R.	186,400,000
Upper Volta	12,100,000
Uruguay	154,600,000
Venezuela	361,500,000
Vietnam	5,856,000,000
Western Samoa	1,500,000
Yemen	42,800,000
Yugoslavia	2,593,400,000
Zambia	9,800,000
Bahamas	34,700,000
British Honduras	5,200,000
West Indies	8,000,000
Hong Kong	43,800,000
Ryukyu Islands	399,100,000
Trust Territory of Pacific	225,300,000
CENTO	54,700,000
W/W regional	14,896,500,000
Total net disbursements to foreign nations (1946–69)	122,048,200,000
Total net interest paid on what we have borrowed to give away (1946–69)	60,535,175,000
Grand total—cost of foreign assistance (1946–69)	182,583,375,000

Of the 3½ billion people of the world, all but 36 million have received aid from the United States.

SLICING DEFENSE FAT

(Mr. CABELL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CABELL. Mr. Speaker, in recent months there has been a great deal of discussion and debate on the subject of reduction of military expenditures.

Some of this has been aimed at a reduction of our military posture that would be a suicidal move in relation to our defensive capability.

Some have been a meat-ax approach that completely ignores the fundamental approach to the needs of our country in the maintenance of our obligation as a defender of freedom-loving peoples of the world.

One very practical and sensible approach to this subject has come to my attention. The author of this approach is eminently qualified in this field, and it is worthy of the attention of all Members of the Congress. He is a man who "has been there" but is not looking to the past—he has a clear perspective of the present and the future.

At this point I insert in the RECORD the remarks of Gen. Ira C. Eaker on the subject of "Slicing Defense Fat."

SLICING DEFENSE FAT

(By Ira C. Eaker)

Two recent Pentagon announcements, manpower cuts and restoration of the military to advisory status, have not yet received the public recognition they deserve.

First there was the great debate about weapons like the ABM and MIRV, which dominated the national security area. Then speculation on the rate of withdrawal of U.S. forces from Vietnam moved up front as the foremost defense issue. More recently the well earned and richly deserved headline harvest of Apollo 11 pushed Pentagon news to the back pages.

The recent revelation that defense manpower was to be cut initially by 25,000 with the hint of more to come is very encouraging.

During the seven years of the McNamara reign as Secretary of Defense manpower costs rose by about $7 billion. This was not due to the Vietnam War, since it has been U.S. policy to fight that limited war largely with existing forces and thus avoid the great troop buildups of earlier wars with the consequent shock and fracture to the national economy when peace came.

The McNamara rationale for DOD management included two factors largely responsible for the dramatic rise in manpower requirements and costs.

First there was the determination to reduce military influence in the decision making process on weapons selection, size of defense forces and budget for the armed services. This made it necessary to create a much larger civilian staff and superimpose it between the Secretary and his military advisers, the Joint Chiefs of Staff.

Thomas L. Gates, McNamara's predecessor had a staff of 200 civilians and 200 military. Seven years later the DOD staff had grown to more than 10,000.

The second decision which skyrocketed manpower costs was the determination to centralize command and control at the DOD level. This organizational change created several new agencies like DSA (Defense Supply Agency), DIA (Defense Intelligence Agency) and DCA (Defense Communications Agency).

It was planned originally that when these new organizations became operational, similar activities in the Army, Navy and Air Force would be greatly curtailed or abolished. In fact the Armed Services have been forced to increase their staffs in these areas, due to the fact that one busy beaver bureaucrat at DOD level can demand so many reports and studies.

Now there are nearly five times as many people in DOD, supervising 3½ million people, civil and military, as there were at this level at the height of World War II when the defense establishment was 12 million strong!

In order to reduce DOD manpower costs the place to start is in the Pentagon. If the people employed there were reduced by 50%, the Army, Navy and Air Force staffs could be reduced accordingly and with increased efficiency.

The decision, announced recently by Under Secretary Packard, to restore the military to their former advisory status will also result in defense savings. Many of the costly mistakes in weapons selection during the past seven years were directly due to failure to heed military advice. The TFX, a $5 billion dollar blunder and the McNamara Line in Vietnam, at a cost of $2 billions and now abandoned, are such examples. There are many others, including the strategy and tactics employed in the Vietnam War.

In the past, defense budget cuts have resulted in reduced military hardware and less funds for research and development, defense muscle. Some esesntial new weapons systems have been killed to match the money squeeze.

There is now hope that the Laird-Packard team may have discovered, in their defense survey which has been in progress for several months, that personnel cuts offer the best way to reduce defense budgets without jeopardizing a sound defense posture.

THE COMPLEXITY OF MAN-BEAR RELATIONSHIPS

(Mr. KOCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KOCH. Mr. Speaker, none of us will forget the tragedy that took place in August 1967, when two girls camping in two locations on the Glacier National Park were attacked and killed by grizzly bears. Fortunately, no one was killed last year in our parks, but there were 777 "bear incidents" reported. This was an 8-percent increase in incidents over the previous year.

It has gotten to the point that campers sleep with fear in our mountain campgrounds as stories circulate daily about bears running through the campsites tearing up tents, threatening visitors, and stealing food.

This matter was brought to my attention by Mrs. Pat Thaler, my sister, who is traveling with her husband and three young children through the western part of the United States. She reported that "we had lovely weather and beautiful sights," but she was not able to escape reading in a local newspaper about the "latest bear incident"; in Yellowstone National Park two sleeping campere were injured when a bear invaded their tent about three in the morning. The two young men were bitten about the head.

Certainly we do not want to eliminate the bears from our parks; but it is a needless tragedy for our campers who are on their vacations to be attacked, maimed and at times killed. My sister made several suggestions for improving camp safety:

First, that camping areas be enclosed with a bear-proof fence with a lighted gateway:

Second, tenting areas be eliminated in areas frequented by bears;

Third, that bears be physically removed to noncamping areas; and

Fourth, that people be fined for encouraging or approaching bears in that there are already signs advising "bears are dangerous, do not get out of cars," which are all too often disobeyed.

I have received a response from Theodor R. Swem, Assistant Director of the National Park Service, which I would like to submit for reprinting in the RECORD. In his letter, Mr. Swem assures me that "the total problem of man-bear relionships is highly complex," and that the Park Service is continually working to improve the situation. Mr. Swem also noted that the last three suggestions made by my sister have been implemented and the first is being considered.

With his letter, Mr. Swem included a pamphlet on enjoying bear country entitled, "In Grizzly Country." I read this pamphlet with interest and would like to quote from part of it on what one should do when suddenly confronted by a grizzly:

> Whatever you do, try to remain calm. Speak softly to the animal. Steady soft human monotones often appear effective in assuring bears that no harm is meant to them. However, while standing your ground and speaking softly, look for a tree to climb.

This is fine advice for those standing and awake. But, it is useless for those in sleeping bags who are suddenly awakened by a bear sniffing their belongings and about to take a bite.

The two girls killed in 1967 were both sleeping in populated camping grounds. The bears' existence was well known, and in fact they had been encouraged by open garbage containers to come into the camp as a tourist attraction. While the nightly bear visits and antics were well known throughout the Glacier Park, nothing was done by the rangers to stop them.

Because of the articles in the press and national magazines on the 1967 incidents indicating possible negligence on the part of the National Park Service, it is apparent that only a public hearing getting all the facts on what happened then and what is being done now will satisfy the public and in particular those who use the national parks. The National Park Service conducted an extensive investigation of the 1967 incidents, but we all recognize that investigations by a department of itself are rarely satisfactory, and do not have the public acceptance of an independent investigation.

Therefore, I would urge the appropriate congressional committee to hold a public hearing on the total problem. Bears and men are not compatible in close quarters and perhaps thought should be given to having areas of our wilderness free of man for bears and surely camp sites should be free of bears.

The material referred to follows:

U.S. DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, D.C., July 28, 1969.

HON. EDWARD I. KOCH,
House of Representatives,
Washington, D.C.

DEAR MR. KOCH: Secretary of the Interior Hickel has asked that we reply to your inquiry concerning bears in national parks.

Each bear incident that results in personal injury or destruction of property is investigated to determine the extent of injury or damage, the circumstances surrounding the incident and, more specifically, the probable cause of the incident. The enclosed report on the tragic deaths of two young girls in Glacier National Park, while somewhat more elaborate than a routine bear accident report, will give you an idea of the types of information we believe are essential to understand the man-bear conflict problem.

The facts surrounding each incident vary, of course, and we must recognize that the total problem of man-bear relationships is highly complex. Food, however, appears to be directly or indirectly associated with the majority of incidents. Therefore, one of our major efforts in bear management is directed toward improving campground and roadside sanitation and methods of garbage disposal.

The above effort is supplemented with public relations, educational and law enforcement programs, park zoning—that include temporary and permanent closures of certain high risk areas—and the physical removal or destruction of troublesome bears from areas of visitor concentration.

Our bear management objectives are: (1) Totally eliminate all man-bear conflicts that are attributable to man's use of, or behavior in, the national parks. (2) Restore and maintain natural abundance, distribution, and behavior of the bear populations for the aesthetic, educational, and scientific enjoyment of man. While there are many problems yet to be resolved, we are pleased to state that a great deal of progress has been made to reduce the hazard of bears in national parks. In Great Smoky Mountains National Park, for instance, the installation of bear-resistant garbage cans and timely garbage collections have reduced significantly the frequency of bear incidents. Our experience in this park indicates that without the open garbage cans the bears do not remain on the park road shoulders. Therefore, bear feeding by the park visitors has dropped off considerably. The need to take direct action against the bears also has been reduced; through the middle of July only four bears had to be live trapped from campgrounds and picnic areas.

The comparative lack of roadside bears in Great Smoky Mountains has resulted in a public relations problem. Both the park Superintendent and this Office are receiving a rash of complaints from visitors demanding that the bears be reinstalled along the roadsides. We do not believe, however, that national parks were meant to be roadside zoos and feel justified, both from the standpoints of maintaining healthy wildlife populations and public safety, in continuing our bear management program.

Certainly, we cannot deny that people have derived considerable enjoyment over the years watching bears rummaging through garbage cans. If the current management program is to receive public acceptance, it is imperative that public informational and educational programs be strengthened so that park visitors can find equal enjoyment observing wild bears in their natural environment. The enclosed leaflet, "In Grizzly Country" is an example of the type of education we are attempting.

We appreciate the four suggestions made by your sister. Most people are either probear or antibear, and it is a rare delight to receive objective comments on the bear problem. She will be pleased to know that all of her suggestions are being considered; indeed, the last three have been implemented. It may be necessary to separate physically man from the bears by fencing the campgrounds. Fences have been used with limited success to keep bears out of small areas in Alaska; but if food is available within the fence, we are inclined to believe there is no such thing as a bear-proof fence. With better camper food storage facilities and garbage disposal practices we believe the bears will avoid the campgrounds.

You will be interested in the enclosed summary of bear incidents for 1967–68. None of the 38 injuries reported last year were serious, and only one was attributed to a grizzly bear. Some 37 million visits were made to the 16 "bear" parks during 1968, and the vast majority of the park visitors enjoyed the park bears without injury.

We appreciate your interest and hope the enclosed information will be useful to you.

Sincerely yours,

THEODOR R. SWEM,
Assistant Director.

SUMMARY OF BEAR MANAGEMENT ACTIVITIES, 1967–68

Areas	Incidents (total)		Personal injuries		Property damage (value): Visitor		Property damage (value): Government		Property damage (value): Concessioner-contractor		Bears trapped		Bears killed		Arrests	
	1967	1968	1967	1968	1967	1968	1967	1968	1967	1968	1967	1968	1967	1968	1967	1968
Blue Ridge	3	8	0	0	$149	$37	0	0	$10	$30	1	2	0	0	0	0
Crater Lake	9	6	0	0	66	34	$38	0	0	0	3	2	1	0	0	0
Glacier	45	44	5	2	1,255	627	350	$380	0	0	38	38	11	[1] 22	0	0
Glacier Bay	6	2	0	0	50	0	75	10	0	0	0	0	0	0	0	0
Grand Teton	19	5	0	0	84	85	0	90	0	0	12	8	1	0	0	0
Great Smoky Mountains	77	142	12	7	1,023	2,779	0	65	0	0	47	61	10	[2] 11	0	53
Katmai	0	2	0	0	0	0	0	25	0	0	0	3	0	[3] 1	0	0
Lassen Volcanic	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Mount McKinley	1	1	1	0	0	0	0	10	0	0	0	0	0	0	0	0
Mount Ranier	13	23	0	0	175	225	0	0	0	0	15	6	3	3	0	0
Olympic	10	61	0	1	50	800	10	50	0	0	0	1	0	2	0	0
Rocky Mountain	27	0	0	0	12	0	20	0	0	0	1	0	0	0	0	0
Sequoia-Kings	168	153	0	1	1,847	1,050	301	415	225	100	5	4	4	3	0	0
Shenandoah	3	15	0	1	320	690	0	0	15	0	8	20	0	[4] 9	0	0
Yellowstone	256	260	61	20	6,736	8,659	33	0	0	0	100	[5] 171	20	[6] 22	13	6
Yosemite	83	55	11	6	2,628	2,500	185	115	30	55	33	13	17	4	0	0
Total	720	777	90	38	14,395	17,486	1,012	1,160	280	185	263	329	67	77	13	59
1968 increase or decrease:																
Number	+57		−52		+3,091		+148		−95		+66		+10		+46	
Percent	+7.9		−58		+21		+14.6		−34		+25		+15		+35	

[1] 2 grizzlies.
[2] 3 by vehicles, 5 unintentional, 1 by poacher.
[3] Tranquilized, accidentally drowned.
[4] 1 by automobile, 2 by poachers.
[5] 52 grizzlies trapped.
[6] 6 grizzlies (2 accidentally).

Note: Personal injuries breakdown: Visitor, 37; concession employee, 0; contractor, 0; park, 1.

SUMMARY OF BEAR MANAGEMENT ACTIVITIES, 1967–68

Year	Incidents	Personal injuries	Visitor property damage	Government property damage	Concessioner-contractor property damage
1958		58			
1959	2,025	71	$18,868	$1,610	
1960	1,401	103	24,864	2,506	
1961	938	82	19,644	1,126	
1962	748	63	9,479	1,370	
1963	689	50	15,606	3,206	
1964	588	38	14,090	2,077	
1965	1,159	63	14,247	1,239	
1966	836	125	22,488	863	
1967	720	90	14,395	1,012	280
1968	777	38	17,486	1,160	185
10-year total	9,881	[1] 781	171,167	16,169	465
Average	988	[1] 71	17,117	1,617	[2] 233

[1] 11-year total and average.
[2] 2-year average.

VETERANS OUTREACH SERVICES TO ASSIST RECENTLY DISCHARGED VETERANS

(Mr. ANDERSON of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ANDERSON of California. Mr. Speaker, I am introducing legislation to help rectify the present inadequacies of the current veterans law, under which only 21.4 percent of the returning Vietnam veterans have utilized the college and vocational aid programs since January 1966. This bill would amend chapter 3 of title 38, United States Code, to provide the Veterans' Administration with a veterans outreach services pro-

gram. This program would assist eligible veterans in the application for and acquisition of, benefits and services—as well as education, training, and employment—to which they are entitled.

The need for such legislation is cogently attested to by comparison of the utilization of benefits today and utilization following World War II and the Korean war. Whereas barely over 20 percent of the Vietnam returnees are using their rights, 50 percent of the World War II veterans, and 42 percent of those after Korea, used theirs.

Such disuse is especially unfortunate in light of the large number of veterans who are high school dropouts and could profit from use of the available educational aid. Out of the total of 1 million men or women to be discharged this year from the Armed Forces, 23 percent have not completed a high school education. Tragically, it is exactly these veterans who need to use the GI bill the most and who have the most to gain who show the least interest and desire to participate. Only 2.4 percent of the veterans who are high school dropouts are participating in GI bill education programs.

The executive branch has made an attempt to provide for the services needed by increasing numbers of Vietnam veterans. Following the passage of the Veterans' Readjustment Benefits Act of 1966, the Veterans' Administration assigned personnel to military hospitals and to military installations discharging large groups of servicemen. Concurrently, the Veterans' Administration extended itinerant counseling service to locations not having full-time VA installations as a further step toward satisfying the increasing requests. However, it became obvious that these measures were not adequate to meet the increasing need for assistance.

In November 1967, the President set up a task force of representatives of administrative agencies to formulate a method of dealing with the problem. Based on the detailed plans developed by that task force, the President directed the establishment of an initial group of 20 veterans assistance centers, known as USVAC's. One-stop service on all Federal benefits is provided to veterans in these centers. The initial 10 centers were opened in February 1968, the next 10 in March, and in July another 51 locations were established.

These efforts taken by the executive are commendable, but they are not, in themselves, adequate to the need for such assistance. Although the Veterans' Administration characterizes the USVAC program as directed toward the educationally disadvantaged, only two or three of these centers actually are located in neighborhoods where the educationally disadvantaged veterans reside. Furthermore, of the total of 232,125 initial interviews at the 71 centers during fiscal 1969, only 37,179—about 16 percent—were with the educationally disadvantaged. That is considerably below the figure of 23 percent that represents the total percentage of discharged veterans who are educationally disadvantaged, and the discrepancy is especially appalling when it is taken into account that it is the educationally disadvantaged whom we should be seeking out and who are in greatest need of these services. Clearly, the services must be made more accessible to these people.

It is in recognition of this need that I am introducing this bill. Such legislation has been introduced in the Senate as S. 2700 by Senator ALAN CRANSTON and coauthored by Senator KENNEDY, Senator RANDOLPH, Senator SCHWEIKER, and Senator YARBOROUGH. This bill would aim to aid discharged veterans, especially those who are educationally disadvantaged, in securing the maximum services and benefits which they are entitled to under VA programs, as well as under other Federal, State, or local governmental programs. Also, this bill would charge the VA with a congressionally sanctioned obligation of seeking out and offering a wide range of assistance to recently discharged veterans—a sanctioned obligation that is necessary in view of the fact that the VA has been operating the centers on questionable statutory authority.

If enacted, this bill would provide for the Veterans' Affairs Administrator to make specified outreach service available to all eligible veterans and dependents, and especially to recently discharged veterans who are educationally disadvantaged—that is, those who have not completed a high school education. The outreach functions which are specified in the bill include the following:

The distribution of full information regarding all benefits and services veterans may be entitled to under laws administered by the Veterans' Administration and to which they are entitled under other governmental programs;

The arrangement and conduction of person-to-person interviews to explain benefits and services and to plan individual programs of education, training, and employment as may best be suited to rapid social and economic readjustment to civilian life;

The provision of job and other appropriate referrals and job placement assistance when appropriate;

The provision of social and other special services necessary to aid veterans in obtaining maximum assistance from the benefits and services to which they are entitled;

The provision of aid and assistance in the preparation and presentation of claims under the title and in connection with any other program;

The maintenance of full records of the outreach services offered and the conduction of periodic followups to determine the success of this assistance.

This bill would require that USVAC's be located with due regard to areas with high concentrations of educationally disadvantaged veterans and the provision of appropriate outreach services in less populated areas would also be required. Also, under this bill efforts would have to be made to employ veterans who personally reside in the regions served at these outreach centers.

This bill would charge the VA with conducting studies in consultation with other Federal agencies to determine the most efficacious type of program to carry out the purposes of this bill regarding the educationally disadvantaged veterans. Finally, the Administrator of Veterans' Affairs would be required to present semiannual reports to Congress on the program's effectiveness, the amount of coordination with other agencies and programs, and on recommendations for improvement.

Mr. Speaker, I believe the enactment of this bill would constitute an important step toward increasing GI bill participation by Vietnam era veterans, especially the educationally disadvantaged. The country must not lose the energy and potential of these young men; let us make it possible for them to develop that potential and make a contribution to society. Veterans' benefits are more than recognition of past services performed in service to our country—they are an investment in the future of the veteran and the Nation.

U.S. PARTICIPATION IN AN ISRAEL DESALINATION PLANT

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, on July 30, I testified before the House Committee on Foreign Affairs in support of U.S. participation in an Israel desalination plant. The committee is presently conducting hearings on the foreign assistance program.

During the last two Congresses, I have introduced legislation to provide assistance to Israel in the design, development, and construction of a dual purpose desalination and electric power plant. In the 90th Congress, this legislation was introduced as H.R. 14250 and, with cosponsors, as H.R. 14438. In the current Congress, I have introduced H.R. 587 and H.R. 4307, which, in addition to myself, has eight other cosponsors—Mr. ADDABBO, Mr. BURTON of California, Mr. CORMAN, Mr. GIAIMO, Mr. HELSTOSKI, Mr. SCHEUER, Mr. VAN DEERLIN, and Mr. WOLFF.

The depletion of existing sources of fresh water in Israel, as well as our own need for additional research and technical information on desalination processes that will help this country to meet its own needs for additional sources of fresh water, underscore the urgency of enacting this legislation.

The prospect of American participation in an Israel desalination project has been extensively studied and discussed in the 5 years since President Johnson announced in 1964 that the United States and Israel would cooperate in desalting research and development.

On January 19, 1969, the late Premier Levi Eshkol of Israel announced to the Israel public that President Johnson had promised executive support for U.S. participation in the construction of a desalination plant. Two days earlier, on January 17, Assistant Secretary of the Interior Max Edwards transmitted a bill to Congress similar to my own.

Despite the commitment made by President Johnson to Israel, however, the Nixon administration has declined to affirm its support for U.S. participation in this vital program. Even though I have written to President Nixon on

two occasions, February 18 and April 2, urging that the administration take a position on this project, the White House has declined to state its position on the bill recommended to Congress by President Johnson.

The Foreign Affairs Committee has an opportunity to contribute to stability in the Middle East by approving this project, and I hope that it will take the necessary action.

I include at this point in the RECORD the statement which I made in support of U.S. participation in a dual purpose desalination and electric powerplant before the House Commitee on Foreign Affairs on July 30. My exchange of correspondence with the President was presented in the CONGRESSIONAL RECORD on May 14, 1969, at page 12459 when I spoke on the authorization bill for the Office of Saline Water. The statement follows:

STATEMENT OF CONGRESSMAN WILLIAM F. RYAN

I appreciate having this opportunity to appear in support of legislation which would provide assistance to Israel in the design, development, and construction of a dual purpose desalinization and electric power plant.

As one who for two years now has sponsored legislation for United States participation in the construction of a prototype desalinization project with Israel, I am pleased that the Committee on Foreign Affairs is considering incorporating such a project into the foreign assistance program. The depletion of existing sources of fresh water in Israel, as well as our own need for additional research and technical information on desalinization processes that will help this country to meet its own needs for additional sources of fresh water, underscore the urgency of enacting this legislation. Already, 95% of presently available fresh water supplies in Israel are being utilized. Israel presently has a population of approximately 2.7 million people. With the need for fresh water for irrigation of arid land already acute, about 95% of existing fresh water sources have already been tapped. With Israel's population scheduled to increase by at least 1.5 million by the early 1980's, it is clear that agricultural needs will not be met if additional sources of fresh water are not developed. If these sources are to be developed, it is imperative that development of a saline water conversion facility be begun as soon as is technically possible. In light of the fresh water requirements of this Nation in the next decade, U.S. participation in a desalinization project in Israel is also important to the development of a domestic saline water conversion program in this country.

During the last two Congresses, I have introduced legislation to provide assistance to Israel in the design, development and construction of a dual purpose desalinization and electric power plant. In the 90th Congress, this legislation was introduced as H.R. 14250 and, with co-sponsors, as H.R. 14438. In the current Congress, I have introduced H.R. 587 and H.R. 4307, which, in addition to myself, has eight other co-sponsors.

Under the provisions of H.R. 587, which has been referred to the House Foreign Affairs Committee, the Secretary of the Interior would be authorized to enter into an agreement with the government of Israel to share the cost of constructing a desalinization plant which is capable of producing 100 to 150 million gallons of fresh water and 300,000 to 400,000 kilowatts of electricity daily. I advocate the construction of a plant of this size on the basis of a report made by the American-Israel Desalting Board which concluded that a facility producing the quantities of fresh water and electricity mentioned in my bill was both appropriate to the needs of Israel and technically feasible.

Support for United States participation in the construction of a desalting project in Israel has been evident since 1964, when then President Johnson announced that the United States and Israel would cooperate in desalting research and development. Since that time, several Members of Congress in addition to myself—in both the House and the Senate—have proposed that Congress authorize the Executive Branch to enter into an agreement with Israel to construct such a facility. While the feasibility of a desalting program has been thoroughly studied in the five years since President Johnson first authorized this joint saline water conversion research, no action has been taken since the Senate adopted a resolution in December of 1967 calling for regional plants to provide water and power for both Israelis and Arabs and to stimulate refugee resettlement. This plan had been proposed by former President Eisenhower and Admiral Lewis Strauss, the former chairman of the Atomic Energy Commission. It was hoped that Senate passage of this plan would lead to action; however, the political intransigence of the Arabs undermined hopes for cooperation in the development of saline water conversion facilities.

Since 1967, development of a saline water conversion project has focused on U.S. participation in a prototype plant in Israel. On January 19 of this year, Premier Levi Eshkol told the Israeli public that President Johnson had written to him promising Executive support for the construction of a desalinization plant. Two days earlier, on January 17, 1969, Assistant Secretary of the Interior Max Edwards transmitted a bill to Congress similar to my own. Assistant Secretary Edwards pointed out in his accompanying letter of January 17 to the President of the Senate and the Speaker of the House of Representatives that the project, in addition to being "vital to Israel in terms of water supply and power," also gives the United States "an opportunity to improve and advance science and technology in the field of saline water conversion and to contribute materially to the development of low-cost desalinization processes." The Interior Department went on to urge the enactment of legislation which would give the Secretary of the Interior authority to enter into a formal agreement with Israel to construct a desalinization plant.

As one who had long advocated the development of such a program, I was extremely pleased that the Johnson Administration had recommended this legislation to Congress and had made the commitment to Premier Eshkol. Because President Johnson was about to leave office, it was essential that President Nixon promptly reaffirm Executive support for this program.

On February 18, during the course of his appearance before the House Committee on Interior and Insular Affairs, however, Secretary of the Interior Walter Hickel indicated that the Interior Department was considering deleting the $40 million from the FY 1970 budget of the Office of Saline Water Research which former President Johnson recommended be allocated for participation in the construction of a prototype desalinization plant in Israel. Because I believed Executive support to be vital to the enactment of this legislation, I wrote to President Nixon on the same day (February 18, 1969) urging him to uphold the commitment which President Johnson had made for Executive support of this program. In its reply of February 24 the White House declined to state its position on the Johnson Administration's bill, but promised that I would "hear further soon."

When no answer was forthcoming, I again wrote to President Nixon on April 2. In an April 11 reply, however, the White House again declined to state its position on the Israeli desalinization project.

To this date, the Administration refuses to take a position on this important commitment to Israel by President Johnson.

If the Administration will not uphold the commitment this Nation has to assist Israel in her economic and technological development, then Congress must take action on its own. New incremental sources of water, as former Assistant Secretary Edwards noted, "must be made available by the mid-seventies" if Israel is to maintain her industrial and economic growth. A desalinization plant would make it possible for Israel to cultivate large portions of arid desert land which cannot now be utilized. The usable land and jobs which would be created by such a plant would make a significant contribution to the stability of the entire Middle East.

I believe the Foreign Affairs Committee has a clear opportunity to assist Israel in the development of water and electric power resources that are crucial to its future economic and industrial strength. By incorporating legislation which would authorize the Executive Branch to enter into an agreement with Israel to construct a prototype desalinization plant, the Committee can also lay the groundwork for the development of our own technical ability to produce large amounts of fresh water at low cost. The benefits to be gained by both Israel and the United States by participation in this project lead me to believe that the development of a desalinization plant in Israel should receive high priority in the foreign assistance program.

POST OFFICE SERVICE—A GOVERNMENT FUNCTION

(Mr. MADDEN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MADDEN. Mr. Speaker, during my recent survey of the postal service in my congressional district I found practically no sentiment either from postal employees or the public that the Post Office administration should be removed from Government control.

When one considers the limited budget for the operation of this gigantic business of distributing multimillions of pieces of mail daily and the low wage of postal employees, coupled with limited facilities, it must be conceded that the American people are getting outstanding postal service under unfavorable circumstances.

President George Meany, of the AFL–CIO, testified before the House Post Office Committee recently. Under unanimous consent, I include in my remarks excerpts from his testimony recorded at the hearings from a news release in the AFL–CIO News of August 2, 1969:

POST OFFICE REFORMS FAVORED OVER CORPORATION PROPOSAL

Labor wants to see "substantial reform" in the nation's postal service but it strongly believes that the government must continue to "carry the mail," Pres. George Meany testified.

Meany and the AFL–CIO Government Employes Council attacked provisions of the Administration-backed corporate structure bill which would "drastically undercut the bargaining power of postal employes and their unions."

The AFL–CIO and GEC supported a second bill before the committee to provide postal reforms without altering the department's public service functions.

Despite valid criticisms of the Post Office, Meany pointed out, it handles over 80

billion of pieces of mail a year—millions of pieces each day—with a smaller "error factor" than any giant corporation can boast in its operations.

"Certainly America's big car manufacturers, now calling back thousands of defect-marred automobiles—can't claim such a record," he said.

While there are delays in delivery and operations are not always efficient, he continued, "the Post Office performs this service with such a high degree of integrity and honesty, that America's trust in the mails is legendary."

The postal problems, he said, spring from the fact that the Post Office "is woefully undercapitalized," forced to use old structures in traffic-jammed streets, and burdened by "unrealistic rates" for circular mail—so-called junk mail.

"It is also burdened by a high rate of employe-turnover," Meany added, "reflecting poor working conditions and inadequate wages in today's job market."

He then stressed that these and other problems can be resolved by adequate financing of the Post Office and improved postal management—reforms that can be achieved within the present structure.

He warned that the "widely advertised" efficiency of a postal corporation could be achieved only by eliminating services, such as home delivery of mail.

"We opposed the abandonment of such service," he added. "Substantial reform—rather than a corporate setup—is the prudent realistic and workable approach to the problem."

WORST FEATURES

The corporate structure legislation's provisions pertaining to employes, Meany said, "combine the worst features of public and private labor laws" in that they would wipe out civil service while continuing to deny workers the right to strike.

"If the Administration has decided that postal employes should no longer be considered government employes," he said "then it should go all the way and grant them the right all private employes have in a free country—the right to strike."

He pointed out that Dulski's bill contains reforms while retaining Congress' right to "oversight" of postal operations, as well as financing them through appropriations.

Stripping Congress of its continuous right of review of postal operations, he stated, "would work an injustice on American mail users and taxpayers because they would lose a highly important opportunity to contribute their views through elected officials."

THE ENVIRONMENTAL QUALITY AND PRODUCTIVITY ACT OF 1969

(Mr. DADDARIO asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DADDARIO. Mr. Speaker, on behalf of Congressman CHARLES A. MOSHER and myself, I rise to propose the Environmental Quality and Productivity Act of 1969, which I shall include at the end of my remarks as exhibit 1. This Congress has had before it over 40 bills dealing with various aspects of the environment, certainly a major issue of our time. A review of all these pieces of legislation shows a remarkable degree of agreement on a national policy of restoring, maintaining, and enhancing the values found in our natural surroundings. At the same time, there is a bewildering variety of organizational proposals to put this policy into practice. Our bill is an attempt to simplify matters in a way which will assure that the executive and legislative branches will be served with the information, advice, and coordinated constructive action which they demand.

Actually, the Congress is to be complimented in what it has already contributed to the betterment of environmental management. The intense interest in this problem over the past few years has caused many committees to look into different aspects including, of course, the basic legislation to abate air and water pollution. The result is that innovative alternatives have been generated for organization, policy, and programs. The executive branch has chosen to implement many of these legislative suggestions and thus a number of Members may now feel a well-justified satisfaction from leadership in the new emphasis on environmental quality and productivity.

In the case of our Science, Research, and Development Subcommittee, I would mention specifically four examples apparent from the excerpts appended to this statement.

First. In 1966 we recommended a system approach in environmental matters with coordination of all Federal R. & D. and operational programs. The FCST Committee on Environmental Quality was formed in 1967 to accomplish this assignment. See exhibit 2.

Second. In 1968, one of our reports called for a national policy to be expressed in legislation by both Houses, a step we are undertaking today. See exhibit 3.

Third. Our 1968 report called for an environmental Cabinet to assure conformity of Federal operations with the national policy for the environment. This suggestion has been implemented in the Cabinet-level Environmental Quality Council established by President Nixon. See exhibit 3a.

Fourth. We recommended a strengthening of OST and the recent Presidential announcement has assigned that office a major role in science related to the environment. See exhibit 3.

Thus, a considerable history of legislative influence in addition to specific laws can be demonstrated.

Title I of the bill we are introducing today is a declaration of policy. Its exact wording is not critical but nevertheless these words are the result of several years' work by legislative and executive branch officials and their staffs. See exhibit 4. Title I affirms the great interdependence of man and his environment and the ultimate requirement for harmony between his actions and ecological principles. It recognizes a human right to a healthful environment and a personal responsibility for preservation and enhancement of these values.

The bill calls on all agencies to conform their activities to these policy statements. This directive should provide an administrative route for redress of grievances by citizens groups who now must go to court in order to bring the rights for environmental quality into balance with Federal or private operations.

The origin of national policy for the environment can be traced back over the past several years. There was an apparent and growing concern of citizens everywhere that the earlier guidelines of economic exploitation were yielding by-products of deterioration, pollution, and esthetic offense. Many organizations in Government and the private sector began studies and programs to describe the cause-and-effect relationships between society's actions and environmental quality. At the same time, increased productivity from the landscape was demanded by a growing world population and desire for higher living standards. These studies found that environmental quality and productivity go hand in hand. In fact, in the long run the most productive environment is one which is kept at a high state of quality.

We are pleased to recognize phrases in title I which have stemmed from the hearings and reports of the Subcommittee on Science, Research, and Development of the House Committee on Science and Astronautics. It is for this reason that we are prompted to advocate this bill as the best measure before the House, even though no hearings have been held on it per se. In effect, our committee and several others in both Houses have been holding appropriate hearings for years.

Title II of our bill would satisfy the clearly defined need for an independent advisory group by giving a statutory basis to the present Citizens' Advisory Committee on Environmental Quality established by Executive Order 11472, May 29, 1969. Funds for adequate staffing would make this unit able to perform an information-gathering analysis and program review function which has been shown to be necessary by recent hearings in the House and the Senate. Since the present terms of the members of the CACEQ will expire in 1970, the President will have immediate opportunity to broaden and deepen the expertise in this group beyond the present makeup which stems from its former designation as the Citizens' Advisory Committee on Recreation and Natural Beauty.

By establishing the CACEQ by legislation, the authority and concern of the Congress will be clear. Adequate appropriations for its functions will be defensible.

At the same time, no new agency would be added. We believe this is extremely important. President Nixon has announced the formation, by the same Executive order, of a Cabinet-level Environmental Quality Council. It is agreed by all that this is necessary to assure that the action programs of the Government are coordinated and conform to national policy. The President ultimately would resolve conflicts among the departments and agencies and so it is very encouraging to see him clearly accepting the responsibility as Chairman of the new Council.

The other Presidential moves are to redesignate the former Advisory Panel on Recreation and Natural Beauty as the Citizens' Advisory Committee on Environmental Quality and to assign to the Office of Science and Technology the staff work for both the Cabinet Council and the Advisory Committee. On these two counts, the criticism has mounted. We would not take issue with those who doubt the ability of the CACEQ and OST to do what is necessary under present conditions of status and funding.

But it seems patently foolish for the Congress to add another new, unwanted

agency to the Executive Office of the President. Rather, we see great value in using the structure that the President is in favor of and providing for it the statutory base and funding support to assure the performance that the entire Nation desires.

The Citizens' Advisory Committee, when established by congressional action, would satisfy all the demands for independent, expert, balanced, widely representative assistance. The membership of 15 would allow the inclusion of the diversity of talent which environmental matters require. An executive secretary and staff of great competence should be attracted by the central role which the CACEQ will play. The participation of private sector leaders, including industry—which must bear the brunt of environmental enhancement while continuing efficient productivity—will give all citizens a direct access to governmental planning and priorities for the environment.

We believe we must take the President's announcement at face value and help him make it work, and strengthen the role of the Congress at the same time. The number of different bills before us illustrates the difficulty of agreement on these administrative formats. Surely we do not need an array of advisory groups, one selected by the President and one chartered by the Congress. The possibilities for conflict should be obvious to anyone. It is for this reason that our bill specifically directs the CACEQ to overview the functions of the many environmental advisory groups now proliferating in the agencies. Special task forces may be attached to the CACEQ to develop advice for any department or agency upon request. But a plurality of uncoordinated advisory groups is to be avoided.

Finally the CACEQ established by our bill will issue an annual report to the President, the Congress, and the Nation on the state of the environment. We will receive authoritative information on status and trends. We will have confidence in a balanced and independent review of Federal programs. We will obtain the depth of study and analysis which long-range planning demands. We will strengthen rather than confuse the President's arrangements. And we will bring the intent of the Congress directly to bear on the activities of the executive branch.

The exhibits referred to follow:

EXHIBIT 1

A bill to establish a national policy for the environment and to establish a Citizens' Advisory Committee on Environmental Quality

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Environmental Quality and Productivity Act of 1969".

The purposes of this Act are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Citizens' Advisory Committee on Environmental Quality.

TITLE I

DECLARATION OF NATIONAL ENVIRONMENTAL POLICY

SEC. 101. (a) The Congress, recognizing that man depends on his biological and physical surroundings for food, shelter, and other needs, and for cultural enrichment as well; and recognizing further the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances on our physical and biological surroundings and on the quality of life available to the American people; hereby declares that it is the continuing policy and responsibility of the Federal Government to use all practical means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may—

(1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(2) assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;

(3) attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(4) preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(5) achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(6) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(b) The Congress recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

SEC. 102. The Congress authorizes and directs that the policies, regulations, and public laws of the United States, to the fullest extent possible, be interpreted and administered in accordance with the policies set forth in this Act, and that all agencies of the Federal Government—

(a) utilize to the fullest extent possible a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking which may have an impact on man's environment;

(b) identify and develop methods and procedures which will insure that presently unquantified environmental amenities and values may be given appropriate consideration in decisionmaking along with economic and technical considerations;

(c) include in every recommendation or report on proposals for legislation and other Federal actions significantly affecting the quality of the human environment, a finding by the responsible official that—

(i) the environmental impact of the proposed action has been studied and considered;

(ii) any adverse environmental effects which cannot be avoided by following reasonable alternatives are justified by other stated considerations of national policy;

(iii) local short-term uses of man's environment are consistent with maintaining and enhancing long term productivity; and that

(iv) any irreversible and irretrievable commitments of resources are warranted.

(d) study, develop, and describe appropriate alternatives to recommend courses of action in any proposal which involves unresolved conflicts concerning alternative uses of land, water, or air;

(e) recognize the worldwide and long-range character of environmental problems and lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind's world environment; and

(f) review present statutory authority, administrative regulations, and current policies and procedures for conformity to the purposes and provisions of this Act and propose to the President and to the Congress such measures as may be necessary to make their authority consistent with this Act.

SEC. 103. The policies and goals set forth in this Act are supplementary to, but shall not be considered to repeal, the existing mandates and authorizations of Federal agencies.

TITLE II

CITIZENS' ADVISORY COMMITTEE ON ENVIRONMENTAL QUALITY

SEC. 201. (a) There is hereby established the Citizens' Advisory Committee on Environmental Quality (hereinafter referred to as the "Committee"). The Committee shall be composed of a Chairman, Vice Chairman, and not more than thirteen other members appointed by the President. Appointments to membership on the Committee shall be for staggered terms. The Vice Chairman shall perform the duties of the Chairman in his absence.

(b) Persons appointed as members of the Committee (1) shall be selected from among representatives of various State, interstate, and local government agencies and including, but not limited to, representatives of industry and commerce, public utilities, colleges and universities, land use planning, water resources management, conservation and beauty, recreation, and reclamation who have demonstrated competence, ability and foresight with regard to problems of the environment; (2) shall be selected solely on the basis of established records of distinguished service; and (3) shall be so selected as to provide representation of the views of all areas of the Nation.

(c) Members of the Committee shall receive no compensation from the United States by reason of their services, but shall be entitled to receive travel and expenses, including per diem in lieu of subsistence as authorized by law (5 U.S.C. 5701–5708) for persons in the Government service employed intermittently.

(d) The persons who on the date of the enactment of this Act are members of the Citizens' Advisory Committee on Environmental Quality established by part II of Executive Order 11472 of May 29, 1969, shall, until the expiration of their respective terms as such, and without further action by the President, be the initial members of the Committee established by this title. Upon the date of the enactment of this Act the Citizens' Advisory Committee on Environmental Quality established by part II of such Executive order shall cease to exist, and the Committee established by this title shall be its successor.

SEC. 202. (a) The function of the Committee shall be to study and anlyze environmental trends and the factors that affect these trends, relating each area of study and analysis to the conservation, social, economic, and health goals of this Nation. In carrying out this function, the Committee shall:

(1) report at least once each year to the President and to the Environmental Quality Council on the state and condition of the environment;

(2) provide advice, assistance, and staff support to the President on the formulation of national policies to foster and promote the improvement of environmental quality;

(3) obtain information using existing sources, to the greatest extent practicable, concerning the quality of the environment

and make such information available to the public; and

(4) perform such other activities or studies as the President may direct.

(b) The Committee shall periodically review and appraise Federal programs, projects, activities, and policies which affect the quality of the environment and make recommendations thereon to the President and to the Environmental Quality Council.

SEC. 203 (a) In order to promote efficient and coordinated Federal practices, the Committee is authorized to appoint special advisory commissions to render specific advice on agency operations, including those of wholly owned Government corporations.

(b) Members of the Commissions so appointed shall receive no compensation from the United States by reason of their services under this title but shall be entitled to receive travel and expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5701–5708) for persons in the Government service employed intermittently.

(c) It is the sense of Congress that agency heads, including the heads of wholly owned Government corporations, utilize the service and advice of the Committee insofar as practicable in planning and executing their respective programs.

(d) It is further the sense of Congress that any advisory group heretofore or hereafter created by regulation or law to advise any agency, including wholly owned Government corporations, on matters relating to the quality of the environment shall coordinate its activities with the Committee and shall keep the Committee fully and currently informed.

SEC. 204. The Committee shall render an annual report to the President for submission to the Congress on or before the 15th day of January of each year summarizing the activities of the Committee and making such recommendations as it may deem appropriate. Such report shall set forth (a) the status and condition of the major natural, manmade, or altered environmental classes of the Nation; and (b) current and foreseeable trends in quality, management, and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation.

SEC. 205. The Committee may employ a staff to be headed by a civilian executive secretary who shall be appointed by the President and shall receive compensation at a rate established by the President and not to exceed that of level II of the Federal Executive Salary Schedule. The executive secretary, subject to the direction of the Committee, is authorized to appoint and fix the compensation of such personnel, including not more than seven persons who may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and compensated at not to exceed the highest rate authorized for grade GS–18 by section 5332 of such title, as may be necessary.

SEC. 206. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

EXHIBIT 2

[Excerpts from report of the Subcommittee on Science, Research, and Development to the Committee on Science and Astronautics, House of Representatives, October 1966]

ENVIRONMENTAL POLLUTION—A CHALLENGE TO SCIENCE AND TECHNOLOGY

Environmental quality, pollution abatement, waste management—these are concepts closer to everyday life than some other highly technical programs such as military weapons or space projects. The intricacies of pollution are of keen interest (which leads to public awareness and consensus for action) because each one of us is immersed in the environment. We are the polluters and the polluted, and our own senses tell us that the surroundings are not right. There is no need for detailed instrumental measurement or for emotional appeals of naturalists, we freely admit that we have a problem. Further definition of the problem, however, becomes a very difficult project involving natural and social sciences, economics, and governmental and private institutions. Making appropriate choices as we proceed will depend on much more knowledge than we now have.

Since man is very much a part of the biosphere, the living environment, he has always been changing and using the natural resources for his own benefit. Mistakes have been made and consequencies have not always been foreseen, but civilization has advanced by taking risks which were largely overshadowed by obvious benefits. Furthermore, man is an adaptive creature, a product of evolutionary processes through which he could cope with these slow environmental changes.

* * * * *

Considering the powerful forces for ecological change which are at man's disposal, admitting the impossibility of complete foreknowledge of the consequences of many activities, and granting that a highly technical, over-populated world must continue to take risks with natural resources, an "early warning system" for unwanted consequences is extremely important. We do not have such a system at present.

* * * * *

Federal Government scientific activities are not yet channeled to support announced goals in pollution abatement. There is no organization or coordinating group capable of systems analysis and broad management of Federal projects. Insufficient funding has made support of research spotty and disproportionate among problem areas. Agency missions may inhibit long term and comprehensive ecological studies. "Pollution" can cover an enormous variety of Federal agency programs ranging from water resources research to agricultural engineering. Limitations of definition will be necessary for effective program coordination.

Technical manpower will be a limiting factor in abatement progress unless additional effort is organized into retraining, graduate education, and transfer of skills from other technology programs.

Ecology, as an organized profession, is not in good condition to become the umbrella for increased research. As a scientific discipline it is the logical focal point. As a point of view it is already effective in coordinating other sciences and this may be the most important function in the long run.

Complete solution of pollution problems may not be possible, but two trends are discernible. More recycling of materials is a way of managing and eliminating wastes as well as a sound conservation policy. The impact of recycling on the economy can be lessened by imaginative product and process design. The other trend is the controlled transport of unusable wastes to some sort of perpetual safe storage. The use of ocean depths, deep wells, salt domes, burial, and caves needs careful study to assure that there are no undesirable effects on the biosphere from such disposal.

To improve our knowledge of what we are about, scientific activity in ecology and related fields should be immediately expended to provide—

(*a*) Baseline measurements in plant and animal communities and the environment—an ecological survey.

(*b*) Continued monitoring of changes in the biosphere.

(*c*) Abilities to predict the consequences of man-made changes.

(*d*) Early detection of such consequences.

(*e*) Knowledge of the environmental determinants of disease.

Ecological surveys and research should be centralized as to management in some one science-based Federal agency. The scientific activity should be performed (whether in Government laboratories or under contract by local universities and research institutes) in geographical regions which correspond generally to natural environmental boundaries.

To place pollution abatement on a comparable basis with other national technology programs, systems analysis and management capability should be established within the Federal Government. This approach should be used along with the "planning, programming, budgeting" technique to organize both near and long-term Federal research and operational efforts in pollution abatement. More attention should be paid to interfaces between agency missions which make the management of environmental problems difficult.

* * * * *

The Federal Government should undertake an analysis to identify and separate those abatement action programs which are well supported by facts and for which practical answers are available, from those problem areas where more R. & D. is needed. A public information program should make these differences clear to the Nation so that installation, enforcement, and research can each proceed on a logical timetable. Actions to decrease pollution should continue even though the ultimate criteria cannot be set at this time.

The Congress should endeavor to review its broad authorizations and appropriations for water, reclamation, transportation, and conservation in the context of environmental quality goals. The diversity of executive agency missions places an added responsibility on the legislative branch to avoid conflicts in large-scale engineering projects.

The scientific and engineering community should respond to the challenge of the pollution problem as a major opportunity to serve a public need. Work in this field should be recognized as interesting, rewarding, and important. Proposals for organization, funding, and schedules which will assure the participation of excellent technical personnel in adequate numbers should be the joint responsibility of Government and private sector research and development leaders.

EXHIBIT 3

MANAGING THE ENVIRONMENT—EXCERPTS

(NOTE.—In 1968, the subcommittee held hearings on bills to establish various versions of environmental advisory councils. The testimony reviewed environmental quality in considerable detail and resulted in a report, "Managing the Environment." Its conclusions and recommendations include the following.)

The human race is, in fact, managing the environment today. The powerful forces of technology at our disposal give us capabilities to alter and control the populations of other species, and the natural resources of air, water, minerals and food supplies. The task of optimizing the use of the world to the benefit of man is inescapable. There is no retreat to a passive, noninterfering, Eden-like relationship with nature.

The population of human beings is already great enough to require a careful and methodical approach to the environment, if all are to achieve a reasonable standard of living. There is little doubt that population pressures will increase for many years to come. Thus, the environment, both natural and artificial, will be subjected to heavier usage in the future than in the past.

One lesson of this technological age is that machines must be kept in good condition if they are to deliver high performance. This appears to apply to the mechanisms operating in ecosystems, as living things interact with each other and their physical surroundings. From this viewpoint, the maintenance of a high environmental quality is rationalized on the simple

basis that it is the best way to run the world. Degradation of the environment increases overall costs and may eliminate desired options of management. A high quality environment is also the most efficient environment in serving man's needs.

The long-term support for civilization must be based on a farsighted management of a healthy productive worldwide environment. The two are incapable of separation.

It is difficult to evaluate changes or uses for immediate gain in terms of their eventual effect on the status of the environment. There are conflicts when environmental quality is managed by different policies originating in conservation, agriculture, esthetics, recreation, economic development, human health, and so forth.

An overall policy for the environment must be established which integrates these purposes and objectives and which provides for choice when they are incompatible. Within such a policy, for example, pollution abatement would be balanced against other national needs and other threats to environmental quality. Choices are not always quantitative and trade-offs are not systematic.

It is the mistakes in management, and not the concept of management, which should be our concern. Science and technology must be employed to reduce the number of mistakes in environmental management and to improve our ability to take the long view.

Increased knowledge and a national policy can result in individual (and, therefore, institutional) attitudes toward the environment which will support a restoration and maintenance of quality. This personal responsibility is the only means of achieving the indicated goals. The ultimate quality of the environment depends on the discipline of its human inhabitants.

The human environment is recognized as a whole (the "web of life"), but virtually all activities are directed at small parts. A lifetime spans many years but is lived a day at a time. These simplistic facts mean that a comprehensive policy toward the environment cannot help but be philosophical rather than specific. Regardless, such a policy does exist in the habits and attitudes of a nation. Presumably, these can be changed by discussion and education to become more mature. The quality of the environment is not a human health issue, per se. It is more a matter of the unacceptability, at face value, of offensive odors, discolored water, low visibility, eye irritation, littered landscapes, and nuisance soiling.

The recent history of Federal legislation and its administration illustrates the searching of society for a better balance between immediate exploitation of resources and a recognition of noneconomic, long-term values. The present laws relate pollution to the impairment of a desired use. The refinement of the relationship depends on scientific knowledge and technical economics.

The intent of Congress in these laws is to avoid arbitrary regulation and to establish a fact-based, rational decisionmaking process which integrates all the needs of society. The evidence to date is that the laws are floundering due to inadequate information, and misinterpretation of existing facts. The translation of information into action has not been smooth.

Both administrative and judicial bodies are being asked to act wtihout being able to document the basis for their decisions. Because the pace of technological change is rapid, and the pressures on natural resources from a rising standard of living and a growing population are great, actions cannot often be delayed. Some will be correct and others will turn out to be wrong. There is a difference betwen actions to correct clear and present dangers and those required for gradual eventual improvements which may take generations to accomplish. When the difference is not recognized, disappointing delays are likely to occur.

If errors in management are to be minimized, a greatly accelerated search for knowledge of the environment is necessary. Data must be organized and correctly interpreted. The physical, biological, and social sciences must be deployed to obtain this knowledge. A research strategy must be devised to get the relevant facts as soon as possible. An organizational structure of public and private institutions must use the facts efficiently and objectively.

The past several years have demonstrated this need but there is today no Federal Government plan to satisfy it. The short term, highly visible, demands on scientific resources are a barrier to formulating this strategy for ecological research and environmental engineering. But the leadership of the Nation, both public and private, must organize and carry out such a program. Otherwise, future subcommittees will again study the problem of environmental management and come to the same conclusion as does this one:

A well intentioned but poorly informed society is haphazardly deploying a powerful, accelerating technology in a complex and somewhat fragile environment. The consequences are only vaguely discernible.

III. RECOMMENDATIONS

A. National policy for environmental management

1. A national policy of the United States for the environment should be developed by Government and private sector interests. Worldwide effects should be considered during the planning of this policy.

2. Hazards to human health from environmental degradation cannot be the sole basis of policy (although research to elucidate these relationships should be accelerated). Legally useful cause-and-effect data may be so difficult to obtain that dependence on human health as the determinant of abatement action may delay management progress.

3. Elements of the policy should include:

a. Use of the environment for the benefit of all mankind;

b. Maximized productivity of the environment consistent with continued usage into the very long-term future;

c. Systematic management of applied science and technology to achieve best usage;

d. Incentives to industry, land developers and local governments;

e. International agreement on projects which have widespread or long-term effects;

f. Anticipatory assessment of new and extended applications of science;

g. Avoidance of speculative statements and emotional appeals in public relations;

h. An increased education and information program for the public in ecological principles.

4. The policy should be expressed in legislation after due deliberation by both Houses of the Congress. Informal joint House-Senate study groups should be convened from time to time to coordinate national policy in operational programs.

B. Science and technology related to the environment

1. The Office of Science and Technology should coordinate allocations and priorities in Federal agency R. & D. funding so that a greatly expanded knowledge of the environment is secured. The activities of the Committee on Environmental Quality should be conducted in a more open manner and be summarized in a promptly issued annual report to the Congress.

2. Baseline ecological information should be obtained by adequate funding and organization of the international biological program and the environmental sciences and biology program of the National Science Foundation.

3. Social science information to reduce the need for subjective choice among environmental values should be developed rapidly under the leadership of the National Science Foundation.

C. Organization for environmental engineering management

1. The Department of the Interior should be designated as the lead agency in coordinating environmental engineering operations of all Federal programs.

2. The hearings record suggests that the major environmental engineering operations of all Federal agencies should be placed together in the Department of the Interior. For example, the domestic environment related activities of the Corps of Engineers should be transferred from the Department of Defense. The nonhealth programs of the National Center for Air Pollution Control and the Solid Waste Division within the Department of Health, Education, and Welfare should be separated and transferred to the Department of the Interior.

It is recommended that the appropriate committees of the Congress (including the Subcommittee on Executive and Legislative Reorganization of the House Committee on Government Operations and the Subcommittee on Executive Reorganization of the Senate Committee on Government Operations) should immediately undertake the study which will be necessary to implement this suggestion in its organizational detail. The Executive Office of the President should consider initiating reorganization plans which may be necessary.

3. Human health criteria for environmental contamination (including air and water) should continue to be constructed and published under the direction of the DHEW, but with the full participation of all interests in an open manner characterized by the scientific method.

4. In each agency with substantial programs related to the environment, a high level official should be designated to supervise and correlate such activities.

5. An "Environmental Cabinet" should be formed of the designated officials from each agency plus the Chairman of the FCST Committee on Environmental Quality. This group, under the leadership of the Secretary of the Department of the Interior, should assure conformity of Federal operations with the national policy for the environment. If this mechanism does not achieve coordination, then a legislatively created special council should receive further consideration.

6. The Congress should proceed to develop an independent capability for assessing the impact of technology on the environment.

EXHIBIT 4

JOINT HOUSE-SENATE COLLOQUIUM ON A NATIONAL POLICY FOR THE ENVIRONMENT

Last summer, a joint House-Senate colloquium was held on a National Policy for the Environment. A Congressional White Paper was written on the basis of these discussions and issued over the signatures of seven Representatives and Senators from both political parties. The elements of policy were stated in these words:

"It is the policy of the United States that:

"Environmental quality and productivity shall be considered in a worldwide context, extending in time from the present to the long-term future.

"Purposeful, intelligent management to recognize and accommodate the conflicting uses of the environment shall be a national responsibility.

"Information required for systematic management shall be provided in a complete and timely manner.

"Education shall develop a basis of individual citizen understanding and appreciation of environmental relationships and participation in decisionmaking on these issues.

"Science and technology shall provide management with increased options and capabilities for enhanced productivity and constructive use of the environment."

Mr. Speaker, last November, the white paper referred to was sent to the Executive Office of the President for comment. A group of agency environmental experts was convened by the Federal Committee for Science and Technology in its Committee on Environmental Quality. In April 1969, they responded with an endorsement of the congressional views and some valuable additional policy elements. This correspondence was published in the CONGRESSIONAL RECORD on May 20, 1969—page 13148—for the benefit of the many Members and committees who were drafting legislation in this area.

PERSONAL EXPLANATION

(Mr. LOWENSTEIN asked and was given permission to address the House for 1 minute.)

Mr. LOWENSTEIN. Mr. Speaker, I am recorded as voting "yea" on rollcall No. 102, H.R. 11400, the conference report on the second supplemental appropriation bill. Title I of that bill contained additional funds for our military effort in Vietnam, and I had joined Congressman RYAN in moving to strike it when it came before the House on May 21. As I suspect everyone in the House knows by now, I am opposed to further military appropriations for Vietnam. At this point, I am not going to explain again why I oppose such appropriations. I have discussed that here several times, including once on July 9 in connection with the vote on the supplementary appropriations.

But I do want to be sure that the record is clear: that I am recorded as voting "yea" on rollcall No. 102 only because I had been misadvised about the parliamentary situation. I had been told that a "yea" vote would be consistent with moving again to delete title I; would in fact be the proper procedure if one approved of other items provided for by the supplemental appropriation. The distinguished majority leader, Mr. ALBERT, who was in the chair at the time recalled that when I explained my purpose to him, he informed me that my understanding of the parliamentary situation was incorrect. Since it was then too late to change my vote, he suggested that the best way to avoid confusion about my position would be to put an explanation in the permanent RECORD of the circumstances attending the vote on rollcall No. 102.

I realize this whole matter is of small moment since the vote in favor of H.R. 11400 was so overwhelming, but I do want the record to be clear that I was as opposed to the second supplemental appropriations bill when it came back from conference as I was when I voted against it on May 21 after we lost the motion to strike title I.

As I remarked on July 9, I cannot believe that it is healthy parliamentary practice, let alone in the best interests of representative government, to deny Members the opportunity to vote separately on matters that are separate or to deprive voters of a way to know how their representatives voted on matters of great moment. But the procedures being what they are, I want to take this occasion to announce again that I am utterly opposed to all further military funding for Vietnam while our present policies there continue.

AIR SAFETY

(Mr. HARVEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HARVEY. Mr. Speaker, it is my privilege as chairman of an informal study group, formed over a year ago, to announce completion of an extensive research project into the problems and needs of air safety. Our study does not contain all the answers to the multitude of growing problems confronting air transportation. It does not include all the problems or all the solutions. But the sponsors of this study group paper, along with 25 other Members of Congress who have become associated with this project, believe the document contains recommendations and suggestions worthy of consideration by this Congress and the administration.

At this time, I would like to cite three other Members who joined with me as sponsors of this study group. They include FRANK HORTON, of New York, ROBERT T. STAFFORD, of Vermont, and J. WILLIAM STANTON, of Ohio.

The following Members of Congress have joined the study group in calling attention to our air safety needs by means of this study. They include:

JOHN B. ANDERSON, of Illinois;
MARK ANDREWS, of North Dakota;
ALPHONZO BELL, of California;
WILLIAM E. BROCK, of Tennessee;
GEORGE BUSH, of Texas;
SILVIO O. CONTE, of Massachusetts;
JOHN DELLENBACK, of Oregon;
MARVIN L. ESCH, of Michigan;
PAUL FINDLEY, of Illinois;
PETER H. B. FRELINGHUYSEN, of New Jersey;
PAUL N. MCCLOSKEY, JR., of California;
JOSEPH M. MCDADE, of Pennsylvania;
WILLIAM S. MAILLIARD, of California;
CHESTER L. MIZE, of Kansas;
F. BRADFORD MORSE, of Massachusetts;
CHARLES A. MOSHER, of Ohio;
HOWARD W. POLLOCK, of Alaska;
ALBERT H. QUIE, of Minnesota;
OGDEN R. REID, of New York;
HOWARD W. ROBISON, of New York;
PHILIP E. RUPPE, of Michigan;
FRED SCHWENGEL, of Iowa;
GARNER E. SHRIVER, of Kansas;
ROBERT TAFT, JR., of Ohio; and
CHARLES W. WHALEN, JR., of Ohio.

A new statement, now being released with the study, highlights the report. I am enclosing it at this time to be followed by "A Study of Air Safety":

REPUBLICAN CONGRESSMEN PROPOSE AIR SAFETY MEASURES

After a year of extensive research into the problems and needs of air safety, four Republican Congressmen today urged that the Federal government take positive steps to ensure safe air travel.

Their recommendations are contained in a study group paper prepared by James Harvey (Mich.), the group's chairman; Frank Horton (N.Y.); Robert Stafford (Vermont); and William Stanton (Ohio). Twenty-five other Republican Congressmen joined the group in calling attention to our air safety needs by means of this study. They are concerned about our safety preparations for 1980 when four times as many Americans will be flying as in 1965.

The group emphasized that it was not in disagreement or in competition with the air transportation message presented by President Nixon on June 16th. They considered their study as complementing the Administration's proposals, some of which are nearly identical.

The authors assert that it is inadequate to concentrate our safety efforts on the airworthiness and crashworthiness of the aircraft itself when the causes of air accidents are increasingly found in the approach and landing phase, in unknown and hazardous weather and environmental conditions, and in the interaction of human factors with the system. They say that air safety efforts must focus on the interaction of all elements of air travel.

They point out that the systems management approach has not been used to control air traffic, that nearly half of the airports served by scheduled airlines are underequipped, and that the plans for the development of new airports are still inadequately conceived.

The Congressmen recommend that the Federal government "prescribe a comprehensive air traffic system" and use a systems management approach to coordinate all its aspects. The FAA must give top priority to planning and Congress should provide the funds to develop the air traffic management that is necessary for us to be the masters rather than the victims of our technology.

One of the many recommendations is that the FAA receive funds to train and hire more air controllers. The pay, rest periods and vacations of air controllers must be increased and their administrative duties lightened to increase their effectiveness.

Also recommended are an Airport Trust Fund to help finance the development and operation of safe airports and the requirement of location signal devices to expedite the finding of missing planes.

A STUDY OF AIR SAFETY

INTRODUCTION

Our purpose is to define a new context within which to view the technological wonder of American air travel and to ask whether we are being swept along by the momentum of technology without adequate concern for the consequences of our acts—whether we have become the slave rather than the master of the revolution of technology.

This study has not been primarily concerned with passenger facilities on the ground, or in the air, or with hi-jackings, or airport delays, or scheduling foul-ups, or reservation mistakes, or noise levels in the suburbs. This study is not focused on the convenience of air travel, but on its safety. Implicit in our findings is the conclusion that too often the passengers, industry and government have sacrificed safety to convenience.

While the technical nature and vocabulary of today's aeronautical science defy in-depth understanding by the layman of all aspects of the air safety problem, we have tried to explore each aspect with the goal of establishing general familarity with the subject matter.

This basic paper can serve both as an introduction to more complete discussions in the appendices—and as a summary of our findings and conclusions. It contains a series of facts and impressions which we strongly recommend to the attention of the Congress, the Administration and the American people.

The history of aviation accidents indicates that flying has been relatively safe in comparison to other modes of travel, but that the safety factor is not increasing. Rather,

because of the increased volume of air traffic, the increased number of passengers which an aircraft can carry, and the increasing complexity of mechanisms for general aviation, the air accident fatalities will probably increase in the future.

Heretofore, aviation safety has been thought of entirely in terms of airworthiness and crashworthiness of the aircraft. But increasingly we find that the causal factor is rarely the aircraft. Accidents occur with increasing frequency in the approach and landing phase, in unknown and hazardous weather and environmental conditions, and because of the interaction of the human factor with the system.

The greatest single failure of the Federal effort in the development of civil aviation has been the failure of the FAA to conceive a program of planning and research and development aimed specifically at the development of the civil transport system's facilities. To date, the technologies which have supported air system activities have been largely derived from military research and development. They found their way into the total air transportation system at random. This course will no longer be adequate to follow, because military and civil aeronautical development is becoming more divergent.

The Federal government did not hesitate to come to the aid of the automobile when numbers surpassed the system's ability to accommodate them.

Likewise, the Federal government must now take a strong leadership position in formulating the research and development plans for the air system and must bear the financial burden to the point where the private sector can see the opportunity for profit. The government's role in the development of the SST is an example, but it is time that attention be focused less on the aircraft and more on the development of the system which accommodates it. It is vital, also, that the goals we seek improve the productivity and safety of the total transportation system.

The most critical parts of the civil aviation system which will bear directly on the potential for safe operations in the future are (1) air traffic control systems, (2) airport and facilities development, (3) noise and air pollution abatement, (4) human factors and their interaction with environment and equipment, (5) the relationship of the aviation system to the total transportation system and (6) the Federal effort to take a leadership position in directing the safe civil aviation effort.

SITUATIONS AND TENDENCIES

In the next pages we will do two things. First, we will comment on some of the situations and tendencies which trouble us. Thereafter, we will present our recommendations. The appendices provide supporting materials and cover the field in a more comprehensive manner.

Item: Between 1965 and 1980 the number of passengers carried by U.S. commercial airlines will have expanded four fold, while the total number of aircraft operations at FAA tower airports will have increased at an even greater rate (from 35.6 million to 184.6 million). (See Append.).

And yet, there is not now, nor is there contemplated, any comprehensive effort to apply the systems management approach to the control of air traffic. The government, the manufacturers, the airlines, and the pilots' associations are all concerned—over weather and airport standards and airport traffic control and aircraft construction and pilot training. Some progress in air safety can be cited in each area, but the growth of air traffic seems to overwhelm the planners—and we are losing ground.

The need, and it is desperate, is to create an air travel management system which integrates all aspects of the problem, and measures each proposed change against the capacity of the system to absorb it.

Item: Air traffic at some of our most important airports today has increased at a rate greater than the present or programmed traffic contol system can handle. This has already necessitated restricting flights at Washington's National Airport, Chicago's O'Hare and three New York area airports—Kennedy, LaGuardia and Newark.

Instrument operations increased by 5% between fiscal year 1965 and 1966 and forecasts indicate that this trend is not likely to diminish.

Instrument landing systems are still absent at more than 300 commercial airports today, out of 560 which service scheduled airlines. (See chart 19B, append.)

And yet, while many new instrument landing systems (ILS) are proposed for the next decade, a large number of these systems is proposed for big, multi-runway airports which already have ILS. There is growing evidence that such improved facilities simply concentrate traffic at a few airports and do nothing to relieve the growing tangle of air traffic jams elsewhere. Nearly half of the 560 airports served by scheduled airlines fall in the underequipped category. Congestion at major airports might be relieved if sufficient funds were given to these smaller underequipped airports, thus making them capable of handling more traffic. This aid might also reduce the growing number of air tragedies occurring at smaller airfields, for example, those which occurred on December 24, 1968, and January 6, 1969, at Bradford, Pennsylvania.

Item: The nation's airport and support facilities are in dire need of planning. By 1979, 85% of the air carrier fleet will be jets, but only 483 of today's 709 air carrier airports can handle jets, and only 500 will be able to handle jets in 1975. The amount of cargo handling and the number of passengers will triple in the next decade, far outstripping the airports' ability to handle all the traffic. (See Append.)

And yet, there is every indication that the National Airport plans of the past, whose funds have been allocated largely to a few airports, have, in fact, created congestion at many airports by luring traffic in search of good facilities. The next National Airport Plan, 1969–1972, is pursuing a similar course. The most crucial aspect—the development of a long-range national and international plan for the placing of airports—is still inadequately conceived and aimed at developing a system in a few urban areas only. There is insufficient attention to the following problems: air cargo, the linkage of remote population areas with urban centers, short-haul and long-haul operations, general aviation and commercial aviation interests, the connection between terminal and ground transportation, land acquisition and adequate funding, and the potential for improved runway utilization, configurations, and taxiway systems. The future of safe civil aviation operations hinges on this planned development.

Item: The nation's airports and support facilities are in dire need of financing. Federal estimates now call for a $6 billion investment by local, state and Federal governments over the next eight years—more than has been expended in total during this century for the National Airport System. The Federal Share of this development alone would amount to $1.53 billion for fiscal years 1967 through 1973. (See Append.)

And yet, the $6 billion is an underestimation of what is needed in the next decade. Excluded from this figure are major areas such as air traffic control systems, the state and local share for runway development, passenger handling, and the money the airlines themselves will spend. Add to this the fact that two-thirds of the airports are privately owned, and it is readily seen that much new money (beyond the Federal share of $1.53 billion) must be raised to meet the needs of the entire airway system. It is encouraging that President Nixon has suggested new methods for raising additional funds.

Item: Noise and air pollution directly caused by aircraft will almost certainly increase dramatically due to the increasing frequency of operations and the growing proximity of aircraft movement. Present noise abatement techniques such as slow climbs, sharp turns, steep descents, and noise levels, are a hazard, are expensive to monitor, and concentrate traffic. Air pollution abatement techniques have had little effect in increasing visibility.

And yet, the Federal government continues to consider its present air traffic control techniques to be a safe and effective noise and air pollution abatement program despite the fact that there is evidence to the contrary. It continues to rely on the good will of aircraft companies to develop quieter exhaust-free engines and on local communities to establish compatible land-use practices and building codes. Clearly the Federal government must appropriate more money for elementary research in noise and air pollution abatement far beyond what it is affording in the SST project, and it must control either by persuasion or mandate the land-use practices and building codes at the local level.

Item: After the introduction of the Boeing 727, a series of fatal crashes occurred within a 3 month period. Preliminary reports cite "pilot error" as the cause.

And yet, there is a recurring awareness that accidents should not always be blamed solely on aircraft failure or solely on "human error". Inadequate attention is being paid to how the human element reacts to the machine and to the environment. In the example cited above, further investigation by the FAA indicated that the pilots involved had not fully realized the high sink rate characteristic of the 727. Rather than being a "human error", it was simply a lack of adjustment between man and machine. This relationship is known as the "interface problem".

Item: The relationships of the aviation complex to the total transportation system and the environment in general have not been identified, analyzed, and ranked in a systems approach frame of reference. The benefits of faster and larger aircraft cannot be fully utilized if there are excessive delays to and from the airport.

And yet, the Federal government has failed to adequately coordinate industries' effort to develop faster, higher capacity aircraft with its own efforts in the related fields of mass transit, construction of airport facilities, and other related areas. To encourage the development of these large aircraft on the one hand, and neglect the development of related facilities on the other hand, seems to contradict the aim of the national transportation system.

More is involved than increased convenience for those seeking access to airports; alternative modes of transportation could be made more attractive so that the acceleration of pressure on our air system—and thereby on air safety—could be reduced.

Item: Implementation of most changes needed can be made within the present governmental structure and framework if the public would but recognize the need for this advance planning. The Federal Aviation Act, the Federal Airport Act, the National Aeronautics and Space Act, and the Department of Transportation Act have provided the necessary legislation and Congress has provided the necessary committees.

And yet, past administrations haven't given sufficient priority to the airway problem. There was inadequate coordination of federal, state and local government effort. We have needed stronger leadership to assure

adequate appropriation and sufficient programs to meet future needs.

Item: Aircraft operations at FAA tower airports manned by FAA personnel will have expanded over 400% between 1965 and 1980. (See Append.)

And yet, while experts agree that it is difficult for a traffic controller to handle more than seven planes at a single time, there is such a shortage of personnel today at some of the busiest airports that traffic controllers have been known to be responsible for between thirty and forty planes at one time.

Item: Today's total U.S. civil fleet consists of 128,500 planes, 98% of which are used in "general aviation," as contrasted with the airlines' carrier operations. In turn 20–25% of general aviation consists of personal pleasure flying—and the amount of personal pleasure flying is expected to double in the next ten years. (P. 3—Nat. Airport Plan—1968).

And yet, the licensing system for general aviation pilots surely will become inadequate to maximize safety in the future. Growing congestion increases the complexities which every pilot must be able to handle.

Item: In 1970, the first of the jumbo jet carriers, the Boeing 747, will be in operation. Within the next decade, other new aircraft, among them the Lockheed L–500, and the SST, will also become a reality. There is growing concern about handling their 400–700 passengers on the ground.

And yet, while this is a meritorious concern, we should be even more concerned about greater safety in the air, where one accident can be fatal to such large numbers of people.

Item: In considering the magnitude of the air safety problem, it is important to know not only of the crashes but of the near-misses ("incidents") as well.

And yet, information on near-misses has been woefully incomplete. Until 1968, many incidents were not reported by pilots because of the fear of punitive action which might be taken against them. In order to get accurate information, pilots reporting near-misses are now (as of January 1, 1968) granted immunity from punitive action in relation to them. By mid-March 1968, the pilots with their new immunity had reported as many near-misses as had been reported in all of 1967. For all of 1968, they submitted to the FAA more than 2,200 reports of near-misses. Presumably a great number of near-misses still goes unreported because pilots prefer not to have it on their record or to get involved. Experts estimate a total of 20–25 near-misses a week in the Boston–New York–Washington air corridor. (See append.)

Item: It is generally estimated that air crash fatalities could be cut in half if post-crash fires could be eliminated. In other words, 50% of air crash fatalities occur in the crash itself while the other 50% stem from burns or suffocation in fires which break out upon impact.

And yet, no major push for fire prevention or control is evident on the part of private enterprise or government. Not a single major civilian airport is equipped with the helicopter firefighting apparatus which is considered standard at military air fields for rapid access to crashes which occur on approach, landing or take-off. Many airports do not maintain any type of firefighting equipment and there is no requirement that they must. Gelled fuels and aircraft fuel systems designed to alleviate the instances of post-crash fire, have received some, but no major attention.

Item: In the last five years more than sixty planes have disappeared in the continental United States and Alaska. Presumably they crashed, but the wreckage has never been found. Obviously the chance of surviving a crash is partly a function of getting help to the scene quickly. The Federal government spends almost $60,000,000 a year in Search and Rescue operations.

And yet, there is no requirement that aircraft carry a location signal device, even though such devices are available and are quite inexpensive. Much money could be saved by making it easier to locate crashes.

Item: At the peak air traffic hour in New York, 6 p.m., there are over 35 airline carriers in the immediate landing pattern at JFK airport, over 25 at LaGuardia, and over 25 at Newark; at the same time there are over 80 carrier aircraft on the ground awaiting take-off at the three airports. There are literally dozens of aircraft at these three airports scheduled to take-off at precisely the same minute.

And yet, the government makes no effort to use its authority to adjust the scheduling of airlines to avoid the inevitable hazards of this kind of scheduled congestion. The strain on traffic controllers, by this kind of congestion, when added to the predictable hazards of weather conditions, human error, and mechanical failure means that this acquiescence in jammed scheduling is tantamount to courting disaster. Voluntary efforts at cooperative scheduling among the airlines have produced unsatisfactory progress.

Item: In addition to the commercial airlines under control of the traffic control towers in the New York area at the peak hour of 6 p.m., there are also likely to be at the same time on any given day between 200 and 300 general aviation aircraft in the same air space—operating under visual (VFR) rather than the system's instrument (IFR) flight rules.

And yet, the government has not as yet established adequate regulations with regard to the type of aircraft, aircraft instrument equipment and pilot instrument ability necessary for flying in areas of high air traffic density. Only recently has it barred VFR traffic from certain high density air traffic areas. The role of federal jurisdiction in imposing and enforcing comprehensive safety standards at hub airports—or any airports—is unclear, with resulting disparity among the various airports across the nation.

Item: The FAA has been curiously cautious and reluctant in utilizing its authority to issue safety regulations without assurance that its fears were actually justified. Too often, this means that safety precautions are issued only after accidents prove the wisdom of them—and justify them to potential critics.

And yet, on the other hand, crash investigation reports by the National Transportation Safety Board takes an inexplicably long time to produce—sometimes as long as two full years after the accident occurs. In the meantime, the conditions which contributed to the crash are likely to be reproduced because of the absence of regulations—and upon occasion the slow report is largely irrevelant when it is finally filed because the systems involved have been replaced by technological innovations.

The delay of the NTSB investigation reports is a possible obstacle to the cause of air safety. The recent issuing of interim reports is helpful, but the NTSB ought to be able to reach a conclusion in less than the two years it occasionally takes. Hopefully, a better system of investigating and reporting will be found to hasten the report of the accident while maintaining accuracy.

Item: Most air carrier crashes occur near airports in the take-off or approach and landing process. Thus, particularly as instrument flight rules govern an increasing proportion of these operations, the FAA air traffic control towers and personnel become absolutely critical factors in air safety.

And yet, the government, through the National Transportation Safety Board, is charged with the responsibility of investigating all crashes, and, therefore of passing judgment on the performance of its own personnel, procedures, equipment and regulations. Not the least factor to be considered is that the findings of the government's agency, the NTSB, are likely to be the principal basis for claims against the government. It is a fact that in only two instances have FAA tower operations or personnel ever been cited as even contributing factors in official accident reports. The tendency toward apologia or worse is too great a risk when men are asked to investigate the performance of those who are close to them. The suggestion that the investigative function be contracted to private enterprise has yet to be considered seriously as an alternative. In this case, the NTSB would still retain the authority of reviewing the findings and recommending action to be taken by the FAA.

Item: The only source of comprehensive statistical information on air traffic and air safety is the FAA.

And yet, the FAA has seemed often to interpret its role in this area as the responsibility to join with the airlines industry to assure the public that air travel is impressively safe. Thus, FAA statistics have been based on measures which tend to paint a more serene picture than really exists. Only recently has the FAA begun to measure safety in terms of fatalities rather than in terms of accidents. Comparing the number of fatalities to the number of total passenger miles in effect is misleading when each year bigger planes are carrying more passengers longer distances. And trying to compare air safety with highway safety is irrelevant in the extreme, given the price of any single air crash and the total absence of control an air passenger has over his own fate.

Item: A continuing and major government research and development program in the techniques of all air safety is an obvious requirement of the rapid growth of American air traffic.

And yet, neither the FAA nor the Department of Transportation conducts or controls a major "R and D" program of its own in this area. They make recommendations on aeronautical research needs to NASA, some of which are pursued and some are not. They benefit from, but do not exercise a controlling interest in, the research programs of both NASA and the Department of Defense. The past R and D priorities of the government in air safety appear best illustrated by a heavy pre-occupation with developing safety programs for the SST, which is scheduled for operations in 1980. More government money and effort are concentrated on that effort than on all other aspects of air safety combined. (See append.)

RECOMMENDATIONS

The comprehensive list of recommendations which follow is based on the detailed studies present in the technical appendices attached. Although we would like to see change in all the areas we mention, we believe that top priority must be given to improving air traffic control systems, developing airports and facilities and abating noise and air pollution. If we do not see immediate, massive and drastic change in these three areas, we will be in danger of being completely overwhelmed by the civil aviation complex we have created. The recommendations appear under several sub-headings.

AIR TRAFFIC CONTROL SYSTEMS

1. The first object of government in air travel must be to guard the public's welfare. The Federal government should prescribe a comprehensive air traffic system which is safe. Only the Federal government can implement or permit such changes which are consistent with a safe system and reject or prohibit those which are not. Through systems management it must coordinate all aspects of an integrated air traffic system—personnel training, airport standards, air-

craft production, airlines scheduling, pilot certification, weather observation, traffic control. The government must be able to supervise; the capacity to cope is not good enough.

2. The proposed plans for the development of the National Airspace System must be reassessed and a specific research project undertaken which will forecast needs and develop hardware for the improvement of the air traffic control system. In this project attention should be given to such things as enroute navigation systems, all-weather landing system, airborne collision avoidance systems, automatic weather communications system, nationwide traffic patterning systems and all other relevant aspects of the air traffic control complex. Particular attention must be given to the establishment of priorities so that a just, orderly, and efficient pattern of improvement will occur. Placing all new and advanced air traffic control equipment in certain areas of high density traffic is an inadequate answer to our present problem.

3. In accordance with its new emphasis on development of a long-range, comprehensive and safe systems management approach to air traffic control, the FAA should involve a greater proportion of its personnel in planning, which should receive top priority. It should recruit staff with planning skills. Day-by-day operations of the air traffic system can hardly be ignored, but when planning for a safe future is given less than top priority, as is the case today, the FAA is not fully doing its job.

4. Congress should appropriate the funds necessary for safe systems management over air traffic. Doing so will be necessary if we are to be the masters rather than the victims of our technology. In the past the FAA has lacked an adequate system and the Budget Bureau has cut those funds it did seek; furthermore, the FAA appears to have defined its needs in accordance with what it thought it could get from the Congress. What the FAA has been spending on airports and all other programs is infinitesimal compared to the budget of the Bureau of Public Roads. The old $1.5 billion FAA estimate for pre-1975 federal expenditures on the National Airport Plan, for example, was so obviously inadequate that it casts doubt upon the whole plan. We applaud the present administration's foresight in seeking the need for additional funds for the National Airport Plan and believe it to be a step in the right direction.

5. Congress should appropriate funds sufficient to train and hire enough traffic controllers to permit safe operations at all air traffic control centers. At the same time the FAA should make extensive efforts to reduce the strain on traffic controllers through a cutback in their administrative duties, more equitable holiday assignments, guaranteed annual two-week leaves with pay, earlier retirement provisions, and liberalized regulations regarding controller workload.

6. In developing a comprehensive and safe systems management approach to air traffic control, the FAA should reverse the disastrous trend of concentrating jet operations and passenger operations (and corresponding feeder line operations) into relatively few major hub airports. This trend amounts to a courtship of convenience pointing toward a marriage which cannot work. It is the major weakness of the National Airport Plan 1969–1972.

7. In order to reduce traffic congestion at peak hours, the FAA should implement to the fullest its authority to veto any airlines flight schedules it feels to be inconsistent with safe operations.

8. On the basis of extensive research, the FAA should issue new regulations governing the use of carrier pilots and crew on long-distance flights, which can seriously impair efficiency through fatigue and disruption of the standard 24-hour physiological cycle. Such regulations might also cover crew facilities for relaxation and reorganization of cockpit procedures and team functions to reduce procedural errors through fatigue.

9. As a priority matter, provisions must be established for periodic retesting for all general aviation pilots—both in terms of their knowledge of developments related to their flying and their continued capacity.

10. The FAA must devise a more satisfactory means of assuring full knowledge of near-collision incidents. The current system of pilot immunity upon reporting near-misses has increased reports, but probably not to a satisfactory point. It might be more appropriate to suggest that when a pilot participates in a near-miss, but does not report it, the incident should be investigated and appropriate action should be considered.

11. The FAA should require installation of a locating device in every aircraft flying in certain defined high hazard areas to aid search parties to find it in case of accident.

DEVELOPING AIRPORTS AND FACILITIES

1. An airport trust fund, similar in nature and operation to the successful highway trust fund, should be established to help finance the development and operation of safe public airports. A variety of potential sources of trust revenue should be considered including a minimal passenger tax (perhaps distinguishing between domestic and international travel), a non-refundable fuel tax on all aviation fuel users (commercial as well as private), and/or an annual aircraft license fee for all civil aviation based on the value of the aircraft.

2. The proposed National Airport Plan must be reassessed and a specific research project awarded which will find answers to the following problems: land acquisition, funding, linkage of remote and urban areas, short-haul and long-haul operations, general aviation and commercial aviation interests, procedures for cargo handling, airport placement, runway configuration and utilization, and airport design and facilities.

3. The FAA should encourage the development of and make use of state departments of aviation in order to attempt to resolve predictably difficult questions of conflicting local jurisdictions before resorting to the imposition of Federal authority. The state departments of aviation should also be encouraged to promote the orderly development of land acquisitions for future airports, as well as to identify and define air traffic control systems which will ensure the safe operations of general aviation and air carrier operations alike.

4. The Civil Aeronautics Act should be amended to require that certification shall be issued for the operation of airports used in interstate commerce. Such certification should define the standards for safe operation, proper maintenance, and safety equipment (e.g. firefighting equipment). Airport certification should also be tied to the kind of aircraft which can operate at the airport, or the manner in which aircraft may operate at the airport.

5. Because 50% of all air crash fatalities stem not from the crash itself but from the resulting fire, federal airport certification as recommended above should include requirements for minimal firefighting apparatus capable of rapid access to any plane which might crash upon take-off, landing or approach. Similar emphasis in FAA-sponsored research should be given efforts to developing aircraft fuel systems or fuels which are fire, smoke and toxic gas preventive.

6. The Federal government must pursue the development of civil aviation within the context of total transportation systems development. Otherwise, the benefits of high speed travel will be in danger of being completely negated by the growing speed differentials between ground and air travel. Of crucial importance at this time is the development of hardware and the concentration on applications research rather than basic research in order to make door-to-door travel a reality.

NOISE AND AIR POLLUTION ABATEMENT

1. A concentrated effort must be made in research and development to attain the most basic understanding of air and noise pollution phenomena. If the most effective and economical method of abatement seems to be the development of noiseless and pollution-free aircraft engines, that must be pursued. If the answer appears to be in the control of land-use and environmental factors like sound-proofing, that must be pursued. In the meantime, all noise abatement regulations now in effect should be carefully reviewed, particularly in order to eliminate any regulations which impose risks to safety.

OTHER RECOMMENDATIONS

Weather

1. U.S. support for current but long-standing Geneva negotiations on the establishment of a global weather observation system should be underscored—and the U.S. negotiating team should transmit to its colleagues the sense of urgency with which the American government views their deliberations.

Research

1. The FAA should conduct its own aeronautical research and development program; relying on the good sense and will of NASA and the Department of Defense is simply insufficient. Spinoffs from the research of others can be valuable, but FAA should not be at the mercy of anybody else's definition of need or decision on timing.

2. A specific research project should be undertaken to study how the human element reacts with other components of the aviation system to effect a safer operating system. Attention should be given to such aspects of the problem as: air traffic controller stress, pilot fatigue, private sector pilot performance, the understanding of weather phenomena, the collection and dissemination of weather information, environmental hazards, cockpit configuration (e.g. altimeter placement) and aircraft evacuation procedures.

Reorganization

1. The FAA, through the Department of Transportation, should be represented on the Aeronautics and Astronautics Coordinating Board, so that it can have maximum influence on the R and D directions which other agencies pursue and receive maximum information on related research projects.

2. On the other hand, the functions of the National Transportation Safety Board, at least as they relate to air travel, should be performed by an agency or bureau totally separated from the FAA. There should be careful examination of the adequacy of the present statutory separation. It may be appropriate to establish an adequately-funded independent board which would report directly to the Congress.

3. The Civil Aeronautics Board should be abolished and its only remaining function (regulation of fares and awarding of routes) transferred to the FAA. Its present separation from the FAA serves no rational purpose and flows only from now obsolete legislative history.

SUMMARY PERSPECTIVE

The airplane has surely changed our lives. It has quickened the pace of society and business. It has made us an even more mobile society. It has brought opportunities and nations and recreation and loved ones closer.

But the nagging questions remain. We have allowed numbers of aircraft to increase

without providing a system adequate to regulate their safe movement. We have tended to interpret safety only in terms of aircraft capability rather than considering the interface of these elements with others in the aeronautical system.

Most of all, we have failed to face the fact that civil aviation has reached a point where we must make a massive financial and intellectual effort in the public sector of the aviation complex—airports, air traffic control systems, air and noise pollution, and human and transportation interface problems if safe air travel is to continue. Public concern must force the government to take the leadership position necessary—and we must pay.

APPENDICES

INTRODUCTION TO APPENDICES

Each appendix to this report covers an aspect of air safety. Each of the aspects covered is important. This organization of the study has been followed to facilitate both the layman's understanding of it and the expert's reference to it.

Nonetheless, the treatment of the subject matter in distinct appendices, no matter how necessary for our purposes, is artificial—and if not recognized as artificial can compound a fundamental error which many concerned with air safety have been making for too long.

Each component part of the problem can be discussed separately, but does not exist in a vacuum. The safe management of air traffic will not result from an effort to solve each individual problem, but from a comprehensive systems management approach which can impose a comprehensive plan or system on every facet of the field. The nature of the big problem is far more serious than merely the sum of the artificially isolated aspects treated in these appendices.

An accident may well be caused by a pilot's inability to read quickly and accurately an indication of crucial information. This inability may stem from lack of training, which is a shortcoming of pilot certification procedures, or it may stem from an inappropriate layout of pilot information dials, which is a shortcoming.

On July 31, 1968, a Piedmont Airlines plane crashed upon approach to the mile-long mountaintop runway at Charleston, West Virginia, killing 32 of 37 persons aboard. The radio glide slope for the airport's Instrument Landing System was not operating at the time of the crash; visibility was approximately one mile; another 50 yards of runway would have meant the plane might have cleared the ravine where it crashed; the pilots had to rely on the dual altimeters in the aircraft. The causal factors in the crash thus may have included airport facilities, weather, traffic control, aircraft capability and pilot ability. To single out one and ignore the rest would be unwise; to treat each as totally unrelated to the rest would be unwise.

The most competent and correct answer to one aspect of air safety may affect adversely other parts of the problem. Systems management is needed to produce a comprehensive answer to all the problems with each answer being compatible with every other answer.

Systems management is the capacity to consider collectively a multitude of interrelated problems, to produce an integrated and internally consistent set of answers to them, and to supervise their implementation in an orderly, competent, and productive way. It is the mode of operation in the space program and in some aspects of the Defense Department—where the technical obstacles and data are obviously too great for any single mind or office to comprehend, but where every technical decision affects the range of options available in every other technical decision.

Systems management obviously must be the mode of solution to America's air traffic monstrosity. The practice has been the opposite—to segment a problem too large to handle into artificially distinct problems with which the human mind and traditional bureaucratic method can cope. The similar division of the problem into similarly artificial categories in these appendices is perhaps an aid to the reader, but we hope that his objective will be to find the means by which they all can be treated as inseparable elements of chaos in search of planning.

I. HISTORY OF ACCIDENTS

As in so many areas of modern America, the consumer of air travel services cannot easily discuss the accuracy of claims made on behalf of the product. No authoritative voice speaks for the air traveller, or to him, with relevant and decipherable information. Understandably, the industry wishes to present its safety record in the best light. Less understandably, the government has joined the industry in attempting to prove the safety of air travel rather than to determine how safe air travel is. As a case in point, this study has had to rely largely on statistical data prepared by the FAA. The statistics are not wrong, but they are misleading because they measure air safety in irrelevant ways. The following few paragraphs suggest that not even these misleading measurements paint a universally attractive picture.

For what this type of comparison is worth, the fatality rate per 100,000,000 passenger miles for U.S. domestic scheduled air transport planes has been consistently better than passenger automobiles and taxis, occasionally better than buses, and consistently (except 1966) worse than railroad passenger trains. (See Chart 1).

Comprehensively, accident rates demonstrating the annual number of accidents per million miles flown for all U.S. non-military aircraft have declined over the sixteen year period from 1951 through 1966. This accident rate figure for U.S. *air carrier operations*, for example, has declined from 0.177 to 0.044 in 1966.

Chart 2 indicates a general, but not steady, decline in the number of carrier accidents from 107 in 1951 to 78 in 1966. The number of miles flown, however, has risen sharply with a 1966 figure of 1,530,335,000 miles flown, being more than two and a half times the 1951 figure. The resulting accident rate has declined significantly.

Otherwise, viewed against the increase in mileage, even the fatal accident rate and the fatalities rate have declined. The number of fatal accidents and total fatalities, however, have not declined over the years, shifting erratically from year to year.

The accident rate for U.S. *supplemental air carrier operations* has declined from 0.536 in 1951 to 0.082 in 1966. Chart 3 indicates that, again in this category, the total number of accidents has declined, but not steadily, over the 16 year period from 24 to 7. Miles flown, however, have increased from 44,732,000 in 1951 to 94,911,000 in 1966. Thus, the resulting accident rate has declined significantly. Fatalities varied from zero in 1956 to as high as 169 in 1953, with no discernible trend. Fatal accident rates have declined as a result of increased mileage.

The accident rates per 100,000 hours and per million plane miles have steadily decreased for *General Aviation* flying over the last 16 years. (See Chart 4). The number of accidents has increased from 3,824 in 1951 to 5,425 in 1966. The number of fatal accidents has increased from a low of 356 in 1956 to a high of 538 in 1966. The number of fatalities has fluctuated with a general increase from 750 in 1951 to 1069 in 1966. However, because both estimated hours and plane miles flown have more than doubled since 1951, rates have decreased for accidents, fatal accidents and fatalities.

Close examination of General Aviation statistics reveals great differences in accident rates according to use of aircraft. "Pleasure" flying had the highest accident rates per 100,000 hours in 1966 for both total and fatal accidents, 40.63 and 5.36 respectively. "Aerial Application" was next highest in both categories with 31.12 and 4.24, respectively. "Air Taxi" had the lowest total accident rate with 12.44; and the second lowest fatal accident rate of 1.43, practically identical with that of "Business Corporate," 1.45. "Instructional" flying had by far the lowest rate of fatal accidents, 0.68, and its total accident rate, 15.71 was only slightly higher than that for "Business Corporate" at 15.45.

The vast majority of "Business Corporate" flying employes full-time professional pilots. The majority of these command pilots hold airline transport ratings, despite the absence of any legal requirement.

There were some 84 deaths in air-taxi operations in 1967; in 1966 the figure was 32 (out of a total of 272 for all air carrier operations, and 1,069 for general aviation). The difference is due to the phenomenal growth of the air-taxi business, which promises to expand rapidly in the next years as a vital link in the commercial air carrier business. There are over 3,800 air-taxi operators in the U.S., 165 of whom are "scheduled". Two certified airlines have contracted with scheduled air-taxi operators to operate a segment of the carriers' route, and there are 42 interline agreements between certified airlines and scheduled air-taxi operators for the onward carriage of airline passengers. The Post Office Department in 1967 had 80 mail routes operated by 35 air-taxi opeartors, carrying $3,500,000 worth of mail.

The accident rate statistics produced by the FAA are misleading and imply that a growth of safety has occurred, which is a dubious conclusion.

Measuring safety by comparing the number of accidents with the miles or hours flown ignores the exposure factor that does not exist with automobiles or pedestrians: an air accident involves many lives. For instance, a relatively small proportion of accidents between 1959–65 occurred on jet passenger service, but they produced a high proportion of all fatalities (1886 lives lost in 125 accidents). Nearly 41% of all fatalities occurred in only 18% of the total accidents.

Furthermore, relatively few accidents occur in "flight" as compared to takeoff and landing operation. Therefore, indices such as hours flown, miles flown, passenger miles, or passenger hours are far less relevant than the indices of numbers of flights and passengers per flight.

Norbert E. Rowe, Vice President for Engineering, de Havilland-Canada, has suggested a better measurement: "Statistics of fatalities in air transport must be related to the unit of carriage, the aircraft, rather than its overall productivity . . . I would suggest dual criteria in this respect: 'accidents per flight' and 'fatal accidents per flight.' It is a reduction of the former which gives a clear index of flight-safety progress. This is particularly important in the coming decade when aircraft seating capacity will increase to 500, even 1,000 per unit of carriage."[1]

It is also vital to realize that air carrier safety statistics are so sensitive to the relatively few number of major crashes, which produce most of the fatalities, that year-to-year comparisons can vary widely—and are largely irrelevant.

Footnotes at end of article.

Using more relevant measurements than the FAA employs produces a picture of the trends in air safety which is discomforting:

In a Senate Committee Report, "Policy Planning for Aeronautical Research and Development," May 19, 1966, the scheduled air carrier accident statistics indicate that aviation safety had not improved much over the previous 16 years. (See Chart 5.) Although 1966 saw only four fatal accidents, seven occurred in 1967. The "fatalities per million departures" and the "fatal accidents per million departures" for 1967 were about the same as they were during the first five years of this decade.

While U.S. commercial aviation in its forty-year history has shown a spectacular increase in safety measured in terms of passenger miles, a variety of recent indicators have not deviated sufficiently from their 15-year averages to establish a meaningful trend for the future.

General air accident rate statistics fail to reveal an important change in the dangers of air traffic.

In the next 10 years commercial air jet travel is expected to triple. If fatalities continue at the average rate of the past 12 years—airline deaths will reach aproximately 1,100 in 1977.[2]

K. O. Lundberg says that, "At the beginning of the next century the (free world) death toll would be some 60,000 per year due to, on the average, some three to five big newspaper headline air catastrophies every day, not to mention the practically countless accidents to private aircraft.[3]

The news is even more distressing when the history of "near misses" is examined. An average of 532 "near misses" per year have been reported in recent years, with approximately 11 to 17% of these rated as "critical." A "near miss" is usually thought of as an instance in which an accident would have occurred if corrective action had not taken place, and is recorded as such when the pilot reports the near miss. Near misses are classified by the FAA in three categories:

1. "No hazard"—when direction and altitude would have made a midair collision improbable regardless of evasive action taken (e.g., a pilot may report a near miss but he was at least 1,000 feet away);

2. "Potential"—an incident which would probably have resulted in a collision if no action had been taken by either pilot (a proximity of less than 500 feet would usually be involved in this type case);

3. "Critical"—a situation where collision avoidance was due to chance rather than pilot action (the pilot did not, or did not have time to, take action).

The near misses which have been reported in recent years numbered 563 in 1963, 562 in 1965, and 463 in 1966. But these statistics are not particularly reliable. Pilots may not wish to report near misses because of potential consequences to them—a situation not necessarily corrected by a recent FAA decision to give immunity from penalty to pilots who report being involved when a near miss is reported because the aircraft involved was not identified.

David Thomas, Deputy Administrator of the FAA, has reported that most near misses occur while a plane is en route and not under radar surveillance rather than in the situations which are generally considered most hazardous—i.e., at airports lacking radar or at crowded terminals even with radar.

But on April 26, 1968, the FAA gave a different report to representatives of the aviation industry on the first two and one-half months of its study after granting immunity from penalty to pilots who reported near misses. During that time, they received 554 reports of near mid-air collisions from pilots and other sources. Of the reports filed, general aviation pilots submitted 251, airline pilots 160, military pilots 141, and air traffic controllers 2. Incidents in the terminal area were the subject of 339; the remaining 215 dealt with en route incidents. Of the 436 reports submitted in January and February, 250 were classified as "no hazard" (no evasive action needed) and 186 were classified as "hazardous" (action was needed).

Of the 186 described as hazardous, 117 occurred in the terminal area (airport) and 69 en route. Sixty-three of the terminal incidents involved one plane operating under instruments (IFR) and the other under visual rules (VFR). In 53 cases, both aircraft were under VFR. Only one case involved aircraft both under IFR.

And as a final statement on the current hazards of complacency over air safety, we cite the words of Stanley Lyman, Vice President, Federal Aviation Administration Affairs, who reports that in the "Golden Triangle," the Boston-New York-Washington air corridor, the FAA has "information that shows anywhere from five to nine near misses a day being reported . . . and additional information documented by people in the various facilities within the east coast areas that shows we have near misses occurring unreported at the rate of 20 to 25 per week, depending on the weather conditions at the time." [4]

Footnotes at end of table.

CHART 1.—COMPARATIVE ACCIDENT DATA: 1948-66

[Passenger fatalities per 100,000,000 passenger-miles]

Year	Passenger automobiles and taxis	Buses	Railroad passenger trains	Domestic scheduled air transport planes
1948	2.10	0.18	0.13	1.33
1949	2.70	.20	.08	1.32
1950	2.90	.18	.53	1.15
1951	3.00	.24	.43	1.30
1952	3.00	.21	.04	.38
1953	2.90	.18	.16	.56
1954	2.70	.11	.08	.09
1955	2.70	.18	.07	.76
1956	2.70	.16	.20	.62
1957	2.60	.19	.07	.12
1958	2.30	.17	.27	.43
1959	2.30	.21	.05	.69
1960	2.20	.13	.16	.93
1961	2.10	.19	.10	.38
1962	2.20	.11	.14	.34
1963	2.30	.26	.07	.12
1964	2.40	.15	.05	.14
1965	2.40	.16	.07	.38
1966	2.50	.20	.16	.09

Source: Motor vehicle data (automobiles, taxis, and buses) from the National Safety Council "Accident Facts" based on data from State traffic authorities, Bureau of Public Roads, National Association of Motor Bus Operators, and the American Transit Association. Railroad data from the National Safety Council "Accident Facts" based on date from the Interstate Commerce Commission. Domestic scheduled air transport data from the National Transportation Safety Board.

CHART 2.—AIRCRAFT ACCIDENTS, ACCIDENT RATES, AND FATALITIES—U.S. AIR CARRIER OPERATIONS: 1951-66

Year	Number of accidents: Total	Number of accidents: Fatal	Aircraft miles flown (thousands)	Accident rate per 1,000,000 miles flown [1]: Total accidents	Accident rate per 1,000,000 miles flown [1]: Fatal accidents	Fatalities: Total	Fatalities: Passengers	Fatalities: Crew	Fatalities: Others
1951	107	23	601,495	0.177	0.038	323	264	58	1
1952	104	13	670,720	.155	.019	246	202	26	18
1953	90	18	734,894	.122	.024	312	255	54	3
1954	93	8	758,654	.122	.010	40	25	13	2
1955	93	17	862,787	0.106	0.018	271	224	42	5
1956	103	9	993,055	.103	.009	174	156	18	0
1957	112	13	1,089,727	.101	.011	98	73	20	5
1958	91	14	1,084,652	.083	.012	160	128	29	3
1959	101	18	1,155,520	.087	.015	340	271	61	8
1960	90	[2]17	1,130,069	.078	.011	499	429	57	13
1961	84	11	1,104,042	.076	.009	311	275	35	1
1962	70	10	1,168,757	.060	.008	330	279	48	3
1963	77	13	1,232,833	.062	.011	264	223	41	0
1964	78	13	[3]1,338,415	.058	.009	238	202	35	1
1965	83	9	1,536,395	.054	.006	261	226	35	0
1966 (preliminary)	78	8	1,768,451	.044	.005	272	137	27	108

[1] Accident rates exclude dynamite/sabotage accidents: Nov. 1, 1955; July 25, 1957; Jan. 6, 1960; May 22, 1962; and May 7, 1964.
[2] Includes 3 midair collisions nonfatal to air carrier occupants; excluded in computation of fatal accident rates.
[3] The nonrevenue miles of the supplemental air carriers included in the 1963 and 1964 figure are estimated.

Source: Bureau of Safety, CAB.

CHART 3.—AIRCRAFT ACCIDENTS, ACCIDENT RATES, AND FATALITIES—U.S. SUPPLEMENTAL AIR CARRIER OPERATIONS: 1951-66

Year	Number of accidents: Total	Number of accidents: Fatal	Aircraft miles flown (thousands)	Accident rate per 1,000,000 miles flown: Total accidents	Accident rate per 1,000,000 miles flown: Fatal accidents	Fatalities: Total	Fatalities: Passengers	Fatalities: Crew	Fatalities: Others
1951	24	5	[1]44,732	0.536	0.111	90	78	12	0
1952	10	2	[1]51,760	.193	.038	31	26	5	0
1953	21	7	48,937	.429	.143	169	142	27	0
1954	13	1	39,104	.332	.025	10	9	1	0
1955	13	3	43,206	.301	.069	33	27	5	1
1956	9	0	44,822	.201	.0	0	0	0	0
1957	8	1	35,486	.225	.028	2	0	2	0
1958	6	1	39,213	.153	.025	2	0	2	0
1959	8	1	42,817	.186	.023	3	1	2	0
1960	8	[2]4	52,324	.152	.057	106	93	11	2
1961	6	3	47,983	.125	.062	162	151	11	0
1962	7	1	53,270	.131	.019	3	0	3	0
1963	11	3	[3]52,213	.211	.057	5	1	4	0
1964	9	1	[3]52,368	.172	.019	4	2	2	0
1965	10	1	[4]62,050	.160	.016	5	0	5	0
1966 (preliminary)	1	2	84,911	.082	.024	85			

[1] Revenue miles only.
[2] Includes 1 midair collision nonfatal to air-carrier occupants. This accident excluded in computation of fatal accident rate.
[3] The nonrevenue miles included in the 1963 and 1964 figures are estimated.
[4] Estimated.

Source: Bureau of Safety, CAB; FAA Statistical Handbook of Aviation.

CHART 4.—AIRCRAFT ACCIDENTS, FATALITIES, AND ACCIDENT RATES—U.S. GENERAL AVIATION FLYING: 1951–66

Year	Accidents		Fatalities	Estimated hours flown (thousands)[1]	Estimated plane-miles flown (thousands)[1]	Accident rates			
						100,000 hours		Million plane-miles	
	Total	Fatal				Total	Fatal	Total	Fatal
1951	3,824	441	750	8,451	975,480	45.2	5.2	3.9	0.45
1952	3,657	401	691	8,186	972,055	44.6	4.8	3.7	.41
1953	3,232	387	635	8,527	1,045,346	37.9	4.5	3.0	.37
1954	3,381	393	684	8,963	1,119,295	37.7	4.3	3.0	.35
1955[2]	3,343	384	619	9,500	1,216,000	35.1	4.0	2.7	.32
1956[2]	3,474	356	669	10,200	1,315,000	34.0	3.4	2.6	.27
1957	4,200	438	800	10,938	1,426,285	38.4	4.0	2.9	.31
1958[2]	4,584	384	717	12,579	1,660,109	36.4	3.1	2.8	.23
1959[2]	4,576	450	823	12,903	1,716,019	35.5	3.5	2.7	.26
1960	4,793	429	787	13,121	1,768,704	36.5	3.3	2.7	.24
1961[2]	4,625	426	761	13,602	1,857,946	34.0	3.1	2.5	.23
1962[3]	4,840	430	857	14,500	1,964,586	33.4	3.0	2.5	.22
1963[2]	4,960	482	893	15,106	2,048,574	31.0	3.2	2.3	.24
1964	5,070	504	1,056	15,738	2,180,818	32.2	3.2	2.3	.23
1965	5,196	536	1,029	16,733	2,562,380	31.1	3.1	2.0	.21
1966 (preliminary)	5,425	538	1,069	21,023	3,336,138	25.8	2.6	1.6	.16

[1] Estimated by FAA.
[2] No general aviation survey was conducted for the designated years. Estimated hours flown and estimated plane-miles flown for 1958–61 have been revised according to a correction factor based on the 1962 survey of aircraft use in general aviation. Data for 1963 are based on hours and use reported on aircraft inspection reports adjusted by the same correction factor.
[3] The 1962 general aviation survey excluded gliders, dirigibles, and balloons. These data have been adjusted to include them.

Source: Bureau of Safety, CAB; FAA Statistical Handbook of Aviation.

CHART 5.—AVIATION SAFETY (UPDATED THROUGH 1967)[1]

Item	Calendar year							
	1960	1961	1962	1963	1964	1965	1966	1967
Departures, domestic (thousands)	3,619	3,532	3,446	3,557	3,692	3,917	4,087	4,662
Departures, international (thousands)	212	198	201	214	239	257	286	306
Total	3,831	3,730	3,647	3,771	3,931	4,174	4,373	4,968
Fatal accidents	12	5	5	5	9	7	4	7
Fatal accidents per million departures	3.1	1.0	1.7	1.6	2.0	1.7	.9	1.4
Fatalities (total)	378	135	183	145	226	257	72	250
Fatalities per million departures	99	36	50	39	57	60	16	50

[1] Table 1 was extracted from table 28, p. 92 of "Policy Planning for Aeronautical Research and Development," S. Doc. 90, 89th Cong., second sess., May 19, 1966, and updated with information from the CAB and the National Transportation Safety Board. Data for 1967 are preliminary and estimated.

II. PILOTS

In 80% of all accidents in 1966, the FAA cited the pilot as "a" cause but not necessarily "the" cause. In a separate study made several years ago by the Civil Aeronautics Board, pilot error was cited for 42% of air carrier accidents and 64% of general aviation accidents. (See Chart 6.)

Through the Federal Aviation Act of 1958 (Public Law 85–726), the FAA, for all practical purposes, has almost unlimited authority to say who may and who may not fly.

"The Administrator is empowered to issue airman certificates specifying the capacity in which the holders thereof are authorized to serve as airmen in connection with aircraft."

Pilot certification today involves written and practical examinations administered by FAA-designated or supervised examiners (generally private flight training schools) and medical examinations given by physicians in private practice whom the Agency has designated official aviation medical examiners. The system is haphazard. The quality of pilot competence in the air carrier industry is principally the result of industry rather than government standards. In general aviation there is no effective method in operation to double-check the relatively inattentive government testing procedures.

Written tests are developed by FAA and distributed to licensed flight schools for administration by the school. An article published in the February 29, 1968, issue of Business and Commercial Aviation reported that there were schools where fees were paid not to learn about the art and science of flying, the rules and regulations, but to learn in less than two days the exact answers to the written FAA tests being given. Citing legal obstacles to closing down such operations, the FAA has satisfied itself with only suggesting various alternatives to the existing system such as eliminating the tests and letting each licensed school devise its own examination, or simply eliminating all written exams altogether and evaluating a student's record of achievement or relying on a statement from his instructor.

General aviation, which would be most affected by such a procedure, has itself supported the establishment of a prescribed course from the FAA which must be completed before testing is administered. And a prototype is now offered at many flight schools to educate general aviation pilots in air traffic control regulations and procedures. In California, where such courses are under way, pilots have been known to come hundreds of miles to attend these workshops two and three nights a week.

Aviation medical examiners are given seminars by the FAA to receive training in modern aeromedical concepts, certification practices and procedures, and accident-investigation techniques. If an examiner denies an applicant medical certification, there are two avenues of appeal open to the applicant—one is the Federal Air Surgeon in Washington; the other is the Administrator who may exempt an applicant from established medical standards. Air carrier pilots, at the insistence of the industry, undergo periodic medical examinations and recertification procedures.

The lay reader may be surprised to learn that in general (non-carrier) aviation a private pilot's right to fly a certain type of craft is automatically retained merely by taking off and landing such a craft at least five times every three months and by passing a physical examination every 24 months. He need never take a second written or practical test. This is true despite the fact that more than half the people who hold pilot's licenses fly less than 50 hours a year. The conditions mentioned must raise questions as to many pilot's continued proficiency as the airways and traffic systems become more congested.

Training—Commercial aviation airline transport pilots are generally trained extensively by the employing carrier airline company and required to take refresher courses periodically. Airlines select one applicant out of 20, spend $100 an hour to train him, retest him every six months, send him back to flight school once a year, and pay him up to $40,000 a year. Electronic stimulators that faithfully reproduce the performance, visual and aural cues of aircraft in flight, have long been a cornerstone of such training and they will be even more important in the future. It has been said by experts that no man is one-tenth as capable of driving an automobile as the greenest carrier co-pilot is capable of flying. Flight crews which are to operate a new aircraft—one on which they have not previously been qualified—begin their training with a ground indoctrination course, which typically consists of 90 hours of classroom time and many more hours of homework. After the paperwork has been mastered, it is followed by intensive training in the aircraft, including take-offs and landing during day and night, normal emergency flight maneuvers, and flight under simulated instrument flight conditions. With this flight and ground training completed, but before the pilots begin service in scheduled operations, they are given a check flight in the aircraft under the supervision of a company check pilot or an FAA inspector to determine whether their proficiency meets the high standards of the airline and the FAA. Before going to command duty, the flight captain makes a check flight as captain with a Check-Flight Captain riding as monitor. Only then is the captain qualified to take command of the type of aircraft in which the checkout procedure has been completed. These training and checking programs are additional to the basic and comprehensive training and checking which flight crew members must have taken in order to obtain the FAA license which is a prerequisite to their receiving the airline training.

The industry and the FAA take steps to keep pilot training relevant to the new problems of new aircraft. For example, a number of accidents involving failure of jet transport aircraft to pull out properly from a high rate of descent when approaching for landing introduced altitude awareness and descent management subjects into the training program; these subjects include: first, a demonstration maneuver designed to show pilots the proper techniques for recovering from high rates of descent; secondly, an adequate experience on the part of pilots in command of certain types of turbojet aircraft before they could permit a co-pilot to make takeoffs, instrument approaches, or landings; and, thirdly, required completion during initial checkout in jet aircraft of an adequate number of landings under varying conditions. Similarly, to help pilots avoid accidents due to wake turbulence, which is a vortex phenomenon occurring behind larger aircraft, the FAA issued a circular describing the hazard, pointing out how it can best be avoided, and released a motion picture training film on the subject.

TRAINING—GENERAL AVIATION

Major General Joseph D. Caldera, President of the Flight Safety Foundation, Inc., states in an Air Safety Conference in Cincinnati, February 4, 1968, that too many licensed private pilots today cannot manage their aircraft in the environment in which they place themselves.[5] This is true in terms of weather, which is cited by the National

Footnotes at end of article.

Transportation Safety Board as a related factor in over 13% of all accidents, 22% of which are fatal. It is true in terms of the planes flown. (A 1967 study by the National Transportation Board found that 80% of the general aviation accidents are due to lack of proficiency or lack of procedural knowledge on the part of the pilot.) But it is even more true in terms of new traffic control and communications systems.

Virtually all commercial aviation pilots must be instrument-qualified, but this is not so with general aviation pilots. It used to be that a general aviation pilot was proficient if he kept himself alive. Now to be proficient he must learn procedures—what they are, how to talk his way through them—and how to push his vehicle through the necessary maneuvers to duplicate the sometimes complicated lines drawn on airline maps. In fiscal year 1966, general aviation conducted 25% of the instrument approaches recorded by the FAA, reflecting an increased technical capacity in general aviation which suggests that by 1980 general aviation will conduct over 70% of the civil instrument approaches in the United States. This accomplishment, however, does not flow from any systematic effort to require greater technical capacity from private pilots.

Training for the general aviation pilot can be improved by simplifying approach procedures whenever possible and by standardizing them so the transient pilot can expect the same thing to happen to him whether he is at his home field or anywhere across the country.

Also some technical advances could help, such as the single-frequency radar approach (TERPS), which allows thousands of small airfields to have their own instrument approach network which would result in more pilots developing instrument rating, Category II capability. And, of course, it is not inconceivable simply to require instrument ratings to be required for any pilot to use certain airports.

One of the better efforts on the part of the FAA toward encouraging instrument pilots to gain the necessary "live" experience to gain proficiency is the SIP program. This series of classes given at FAA flight schools have been extremely popular with general aviation pilots. An FAA funded program of the Flight Safety Foundation, known as General Aviation Pilot Education, has been successful and is being developed on a regional basis. Another effort was made when the *Airman's Information Manual,* the basic U.S. civil flight information publication, was refined and updated both in form and content. Furthermore, the FAA has also tried to modernize and develop cartographic materials used in operating the airspace system which are standard and easy to interpret.

It still remains to be demonstrated, however, that significant improvement in general aviation air safety is possible without stiffer testing and retesting of the pilots.

A GROWING PROBLEM OF PILOT FATIGUE

Pilot fatigue from new planes and practices comes from long hours without rest because of delays and night departures, night flying, and the disruption of the circadian rhythm (24 hour psychophysiological rhythm) involved in the rapid crossing of several time zones. FAA regulations limit pilot flight time to sixteen hours per day and it has a permitted emergency extension to 20; but delays and diversions caused by congested airports and jet scheduling practices which increase aircraft utilization, have caused greater pilot utilization without rest.

In the Australian Defense Scientific Service Aeronautical Research Laboratories, it was found that "since the introduction of jet transport aircraft, the volume and intensity of reports of fatigue among crews has tended to remain high and even to increase, contrary to the trend observed during the early days of service of piston-engine and turbo-prop aircraft."[6] The Australian study centered on the following causes of pilot fatigue: (1) late afternoon and night departures (over 50% after 1800 hours); (2) night flying (59% are at night); (3) morning arrivals after night work, requiring day sleep and a temporary reversal of the light-dark cycles; (4) time shift; and (5) early morning departures requiring early morning wake-up times. The major complaints made by the crews examined were just these and the chief symptom is lack of sleep, which has a marked effect on efficiency of physiological functions. There is a high level of stress among crew members during the approach and landing phases of flight, as the statements of the pilots themselves indicate.

The Australian study group concluded that "the present system followed in scheduling has many disadvantages."[7] They questioned the wisdom of heavy nighttime scheduling when the internal systems are at their least active, when the work load (approach and landing) is heaviest, when the crew is least physiologically prepared. They questioned the wisdom of setting the slippage points (where crews change and the tired are to rest) at the furthest geographical distance from home base, and, therefore, when the tired crew is least able to adapt. They questioned why the majority of slips are of a 24-hour duration, which is the least beneficial physiologically (12–14-hour and 36-hour slips are preferable to 24-hour and 48-hour because they have the advantage of remaining in-step with a 24-hour rest cycle).

The study suggested that the 16-hour flight duty time is to be seriously questioned *per se,* not only because of the growing instances of diversions and delays which extend the flight time considerably, but because as in any other occupation when the safety factor is less relevant, a 16-hour work day would be considered an unnecessary extension of human capacity and efficiency. The concept of extended working hours for flight personnel began in the days when air speeds necessitated long hours in the air just to reach a landing point, but aircraft capability and increased numbers of flights no longer make long hours necessary. The long duty times for crews makes consideration of the rest-time scheduling even more mandatory, but there is no evidence in present practices to suggest that slippage patterns are established more out of concern for pilot fatigue than for aircraft scheduling convenience and the economic advantage of the carrier.

The Australian study of pilot fatigue states that 46 of the 60 pilots interviewed attributed some effect of fatigue due to the discomforts of the flight deck—uncomfortable seats, cramped quarters, and unavailability of crew rest quarters. Food, feeding facilities and procedures, and dry cabin air causing dehydration were also sources of complaint. The interviewed pilots noted a state of heightened tension on the completion of a flight, manifested in reduced comprehension and retention, an increase in irritability, a greater inability to relax, a lack of energy, a decrease in sociability, and an unusual need for sleep accompanied by an inability to sleep. The symptoms associated with the "unwinding process" tend to persist for a period of two to three days.

In the light of these findings, it is only mildly conforting to know that the general health of commercial pilots has been found to be good and is not generally impaired as a result of flying as an occupation. Pilots have been found to be relatively free from cardiovascular and cardiac impairment. Nonetheless, many studies confirm that short-term disturbances, like indigestion and disrupted physiological functions, seem to be common due to irregular eating and sleeping patterns. Finally, it might be noted that though crew restrictions on drinking while on duty and for periods before duty are strict, over 68% of the pilots interviewed in the Australian study said they drank more when they were away from home, and 56% said that they smoked more.

In 1966 there were 548,757 active pilot certificates held, the number having very nearly doubled in ten years. (See Chart 7). The largest number of the certificates are for private flying (222,427), followed closely by the student and commercial categories (165,177 and 131,000 respectively). All categories have shown dramatic growth—practically tripling in ten years.

There are many more certificate holders than active airmen in both the pilot and non-pilot categories, because many pilots hold more than one kind of certificate. For instance many private pilots also fly for business and pleasure; many who hold commercial instrument certificates also have mechanic certificates and can service their own aircraft; many mechanics and controllers hold pilot's certificates; and as many as 10,000 pilots work part time as weekend instructors or charter flight pilots. (See Chart 8).

World War II and subsequent military operations have trained a large cadre of aircraft operating personnel—a source of civil aviation manpower ever since. This source of pilots is no longer adequate, according to The Report of the Aviation Human Resources Study Board, (September, 1964, FAA) because of the decreased military flight training and also because of the increase in air carrier traffic. Over half of the present commercial pilots are 45 years of age or older. A single aircraft requires five complete crews. New pilot hirings by U.S. carriers were estimated to be 4,454 in 1966 and Chart 9 indicates new aircraft cockpit crew estimates from 1967–75 to number 16,275 in total manpower.

One avenue of solution, suggested in the Congress, would be the establishment of a four-year program of instruction at a Civil Aviation Academy to train young men and women in all aspects of aviation, allowing the cadet to major in any one of a number of aviation fields—radar and electronics, aircraft maintenance, navigation, airways operations, pilot training, etc.

CHART 6.—CAUSAL FACTORS, 1959-62

[In percent]

	Air carrier	General aviation
Pilot	38	64
Copilot	4	
Total pilot	42	54
Other personnel	13	4
Total personnel	55	68
Landing gear	9	5
Powerplant	7	6
All other	8	3
Total equipment	24	14
Weather	14	10
Airport, terrain	7	8
Grand total	100	100

Source: Federal Aviation Administration.

Footnotes at end of article.

The Report of the Aviation Human Resources Study Board concluded that the future employment demand can be met by existing education and training resources if a well coordinated industry-government program is aimed at continued motivation of American youth toward careers in aviation. They recommended the FAA to lead this effort. Also, research and training devices, simulators and flight proficiency testing can speed and improve the training of new crews. Better guidance and control techniques can keep manpower requirements per crew from rising as aircraft becomes more complicated.

History offers a warning. In the past, as any field of endeavor expanded to include many more participants, the average quality and competence of the participants seemed to suffer. In contemporary aviation, as the planes and the airways become more complex, increased manpower needs are matched by increased needs for quality and excellence on the part of all participants.

CHART 7.—ACTIVE AIRMAN CERTIFICATES HELD: DEC. 31, 1958-66

Category	1958	1959	1960	1961	1962	1963	1964	1965	1966
Pilot	354,365	359,875	348,062	[1] 352,860	365,971	378,700	431,041	479,770	548,757
Student	103,456	107,815	99,182	93,973	95,870	105,298	120,743	139,172	165,177
Private	140,573	139,804	138,869	[1] 144,312	149,405	152,209	175,574	196,393	222,427
Commercial	93,126	93,815	89,904	[1] 92,976	96,047	96,341	108,428	116,665	131,539
Airline transport	15,840	16,950	18,279	[1] 19,155	20,032	20,269	21,572	22,440	23,917
Helicopter (only)	579	610	616	[1] 677	738	823	1,058	1,392	1,819
Glider (only)	674	721	802	894	967	1,045	1,227	1,411	1,602
Other pilot	117	160	410	873	2,912	2,715	2,439	2,297	2,276
Nonpilot	157,424	167,074	169,598	[1] 175,287	181,982	186,304	195,396	204,463	217,132
Mechanics	107,072	113,520	115,688	118,689	122,160	124,945	130,131	135,351	140,799
Parachute rigger	2,543	2,835	2,936	3,127	3,400	3,669	4,226	4,584	4,927
Ground instructor	28,306	30,179	29,421	29,526	29,964	30,295	30,801	31,403	32,217
Dispatcher	3,437	3,282	3,405	3,542	3,669	3,796	3,961	4,104	4,259
Contro tower operator [2]	8,584	9,203	9,784	[1] 11,110	12,436	12,987	14,304	14,875	16,046
Flight radio operator [2]	203	137	131	[3] 0	0	0	0	0	0
Flight navigator [2]	1,426	1,495	1,533	[1] 1,529	1,630	1,620	1,625	1,797	2,384
Flight engineer	5,853	6,423	6,680	7,701	8,723	8,992	10,348	12,349	16,500
Flight instructor certificates	25,903	26,753	31,459	[1] 30,165	28,873	29,618	32,158	34,904	38,897
Instrument ratings [4]	62,176	64,506	63,204	[1] 68,092	72,920	74,451	84,442	93,637	107,171

[1] Estimated.
[2] No medical examination required, therefore, no determination as to activity can be made. Numbers represent all certificates on record.
[3] Requirements for issue and possession of flight ratio operator certificates deleted from the Federal Aviation Regulations.
[4] Special ratings shown on pilot certificates represented above; hence do not indicate additional certificates.

Source: Federal Aviation Administration.

CHART 8.—CERTIFICATED CIVIL AIRCRAFT AND AIRMEN, 1927-60

As of Dec. 31	Total U.S. civil aircraft	Certificated airplane pilots: Total	Airline transport	Commercial	Private	Student pilot issuances during the year	Mechanics
1927	2,740	1,572	[1]	[2]	[2]	545	
1928	5,104	4,887	[1]	[2]	[2]	9,717	4,383
1929	9,922	10,430	[1]	6,165	4,265	20,400	7,701
1930	9,313	15,280	[1]	7,847	7,433	18,398	8,993
1931	10,780	17,739	[1]	8,513	9,226	16,061	9,016
1932	10,324	18,594	330	7,967	10,297	11,325	8,373
1933	9,284	13,960	564	7,635	5,771	12,752	8,226
1934	8,322	13,949	676	7,434	5,789	11,994	8,156
1935	9,072	14,805	736	7,362	6,707	14,572	8,432
1936	9,229	15,952	842	7,286	7,322	97,675	8,738
1937	10,836	17,681	1,064	6,411	10,206	21,770	9,314
1938	11,159	22,983	1,159	7,839	13,985	15,556	9,884
1939	13,772	33,706	1,197	11,677	20,332	29,839	10,296
1940	17,928	69,829	1,431	18,791	49,607	110,938	11,177
1941	26,013	129,947	1,587	34,578	93,782	93,366	14,047
1942	27,170	166,626	2,177	55,760	108,689	93,777	18,097
1943	27,180	173,206	2,315	63,940	106,951	36,802	20,805
1944	27,919	183,333	3,046	68,449	111,833	51,276	23,157
1945	37,789	296,895	5,815	162,873	128,207	77,188	27,272
1946	[3] 81,002	400,061	7,654	203,251	189,156	173,432	[2]
1947	[3] 94,821	[4] 433,241	[4] 7,059	[4] 181,912	[4] 244,270	192,924	[5] 51,102
1948	[3] 95,997	[5] 491,306	[4] 7,762	[5] 176,845	[5] 306,699	117,725	[5] 60,420
1949	[3] 92,622	525,174	9,025	167,769	328,380	49,575	64,736
1950	92,809	[2]	[2]	[2]	[2]	44,591	[2]
1951	[3] 88,545	580,574	10,813	197,900	371,861	45,003	73,964
1952	[3] 89,313	581,218	11,357	193,575	376,286	30,537	77,391
1953	[3] 91,102	585,974	12,757	195,363	377,854	37,397	81,763
1954	[3] 92,067	613,695	13,341	201,441	398,913	43,393	85,558
1955	[3] 85,320	643,201	13,700	211,142	418,359	44,354	91,001
1956	[3] 87,531	669,079	15,295	221,096	432,638	45,036	95,436
1957	[3] 93,189	702,519	16,900	237,149	448,470	76,850	102,691
1958	[3] 98,893	731,078	18,303	245,541	467,234	58,107	107,072
1959	[3] 105,309	758,368	19,364	255,377	483,627	67,618	113,520
1960	[3] 111,580	783,232	20,935	262,437	499,810	51,465	115,688

[1] Airline transport rating became effective May 5, 1932.
[2] Not available.
[3] Includes gliders.
[4] As of April 1, 1968.
[5] As of May 1, 1949.

Due to frailties of the record-keeping system, "registered" or "certificated" figures are somewhat meaningless and are generally ignored in favor of "active" if "eligible" figures which reflect a positive knowledge of some kind of recent activity.

Source: Federal Aviation Administration.

CHART 9.—NEW U.S. AIRCRAFT COCKPIT CREW ESTIMATES 1967-75

Type	Number [1]	Cockpit crew complement [2]	Total manpower [3]
Boeing 737, Douglas DC-9, BAC 111, FH-227	367	2	3,370
Boeing 727	398	3	5,970
Boeing 707 and Douglas DC-8 (both regular and stretched)	189	3	2,835
Boeing 747 [4] and Douglas DC-10 [4]	106	3	1,590
Anglo-French Concorde	51	3	765
U.S. supersonic transport	30	3	450
All-cargo Boeing 707 and Douglas DC-8	73	3	1,095
Total new U.S. Aricraft	1,264		16,275
Total U.S. trunk and international fleet by 1975	1,756		

[1] Air Transport Association estimates.
[2] No account has been given for optional or nonstandard cockpit crew positions.
[3] An assumption was made by A. W. & S. T. that each aircraft requires 5 complete crews on an industrywide basis.
[4] No decision has been reached on whether to build these aircraft.

Source: Aviation Week & Space Technology, Jan. 31, 1966, p. 55.
Source: Federal Aviation Administration.

III. OTHER PERSONNEL (PLANE CREW, TRAFFIC CONTROLLERS, MAINTENANCE)

Plane crew

It is generally accepted that a jet carrier aircraft can only be safely flown with a minimum cockpit complement of three men. Most jet aircraft, as chart 9 in Section II indicates fly with a three man cockpit crew, but this has not been made mandatory. Most large jets (e.g., Boeing 707 or DC-8) are operated with an option on cockpit crew size depending on the number of hours in flight. To some extent, the manufacturers have had more influence than the airlines or the pilots on the decisions made by putting planes with two-man cockpits on the market, such as the DC-9, the BAC-1-11, and the Boeing 737.

Most pilots appear to agree that existing air traffic and navigational systems require better qualified co-pilots, who would be able to take over absolutely, and flight navigators or engineers over long flights. They insist that ultra "human" systems capabilities and the clock of trained pilots makes this necessary and possible. The airlines claim that aircraft can be safely *flown* by two pilots; pilots claim these aircraft cannot be operated safely by a two pilot crew.

A similar question exists concerning the number of stewardesses or "flight attendants" on each flight. The FAA now requires that there must be at least one flight attendant if a flight has nine or more passengers and that a flight of 149 or more passengers must have at least four flight attendants.

The regulation does not appear to be very helpful, for it can and does mean that the fewer the passengers, the greater the ratio of attendance to their needs (both convenience and safety) and that the greater the number of passengers the less attendance to their needs. Small flights can operate with one stewardess to every nine passengers; large flights can operate with one stewardess to every 35 passengers. When measured against the need, in crash conditions, of efficent and knowledgeable operators to evacuate the airline, the regulation seems insufficient. The stewardess' unions have sought more attendants; the airlines view the added cost as prohibitive.

Traffic controllers

Currently, the FAA employs about 18,100 air traffic controllers who operate in three

kinds of facilities—air route traffic control centers (28 national centers which watch all en route traffic over the United States); airport control towers (at 304 of the 831 airports serving commercial traffic); and flight service stations (332 stations which provide to pilots additional service, such as weather information).

On July 4, 1968, and thereafter, arrivals and departures of commercial airline flights at the Nation's largest airports began to experience massive delays due to what air traffic controllers, particularly officials of PATCO (Professional Air Traffic Controllers Organization) claimed was strict enforcement of FAA landing and take off requirements and procedures. The slow down occurred within 48 hours of the July series of meetings of PATCO.

Apparently the issue was not so much whether FAA regulations had been or should be enforced strictly, but whether controllers' grievances were to be met, particularly their demand for more personnel help.

The Air Traffic Controllers Association charged that "flight was reaching a point of public peril because of shortages of trained men and modern equipment . . . we are fortunate that we don't have the collisions now . . . ninety percent of this is pure luck."[8] They cite instances of vacancies occurring in certain high density centers, necessitating use of trainees who are not checked out.

They point to the heavy work load which demands that they handle as many as 35 to 40 aircraft at a time. David Thomas, Deputy Administrator of the FAA, himself a veteran controller, has said that the man behind the radarscope should not be asked to keep track of more than six at one time.

Medical research done by such organizations as the FAA medical staff at Georgetown Medical Center, the FAA Aeromedical Institute at Oklahoma City, the U.S. Air Force Human Factors Research Laboratory and the British RAF Institute of Aviation Medicine report that controllers have an undue amount of tension and pressure. The ACTA has said that over half of the eleven controllers who retired in April, 1968 were disability retirements, and that in the same month, five controllers suffered heart attacks on the job.

The retirement age for controllers is now 55. Many of the medical studies mentioned above and the Air Traffic Controllers Association point to an unsafe situation created by the fact that controller ability begins to slip after age forty. Much of the burden must shift to other men.

The number of air traffic controllers has doubled over the past 10 years and is expected to increase by 10% this year. But the ACTA says that recruiting and retention of controllers is becoming an increasing problem. Representing about 5,500 controllers, the Association suggests that people no longer want to enter service because of the job pressure.

Many suggest that the pay is too low in view of the hazards and skill needed in the job. Controllers earnings are determined by the experience of the controller and the level of the facility in which he operates—a variable which depends on the number of operations at the facility and the hours of operation of the facility. The average air traffic controller has a General Services rating of GS–11, 12 or 13. In 1968, the salary range from a low GS–11 to a high GS–13 was $10,203 to $18,729.

Deputy Administrator of the FAA, David Thomas, has stated that the addition of the 2,400 new air traffic controllers to the system as provided for in the DOT appropriations for 1969 would help ease congestion by perhaps only 5%; the limiting factor in easing congestion, he said, is the amount of concrete available for takeoffs and landings. Furthermore, it will take nearly two years to train the 2,400 new controllers adequately to assure high proficiency.

Authorizing, attracting and training more men is not a sufficient answer. It will also be necessary to reduce the pressure of the job which the air traffic controller is expected to perform. That pressure can result in errors. Consideration must be given to such changes as: a cutback of the administrative duties of controllers; liberalization of overtime and stand-by pay practices (Public Law 90–556 passed in the second session of the 90th Congress rectified one aspect of unfair overtime pay procedures); guarantee of at least two consecutive weeks of earned leave a year and more equitable holiday, pre-holiday and post-holiday duty assignment; accelerated training for new controllers; earlier retirement; creation of a Commission on Air Traffic Control to study the work-load and stress on controllers (S. 3727); and participation of representative groups of working level controllers in the development and establishment of national air traffic control procedures.

Even more important is some rational limitation on the growth of the traffic system these men are expected to control.

The incidents of accidents officially attributed to controller error are relatively low; usually 180 to 200 controller errors are reported in a year, 35 being classified as "near misses." This figure may be inaccurate due to the fact that like pilots, controllers do not record all their errors for fear of being reprimanded for lack of proficiency.

But the job they are expected to do keeps getting bigger and bigger. In 1967, the average number of operations at 308 towers was 154,942; at the ten busiest towers the number of operations ranged from 596,949 at Opa Locka, Florida to 382,548 at San Jose, California. These ten represent only 3% of the total number of towers, but handled about 15% of the operations. Unless a number of changes occur in other aspects of the airways system (e.g., more airports, relief of congestion at certain airports at certain times, more and better equipment) the addition of more controllers will be of dubious value.

Maintenance

In 1965, there were 135,351 aircraft mechanics certified by the FAA. With the implementation of the Airway Facilities Maintenance Certification Program in 1965, the FAA Academy was assigned responsibility for overall program administration in connection with the written, oral and performance examinations to prepare facility maintenance personnel for active employment.

The training program presently involves 78 types of systems in four career fields, with plans for expansion to include 86 systems in five fields. Centrally administered, the training program combines resident, on-the-job and correspondence training as well as distribution of refresher and briefing materials to Agency air traffic facilities.

Increasingly, maintenance is becoming automated by the use of computers which automatically "read-out" the state of the "health" of the aircraft. For example, the entire TWA DC–9 fleet will be equipped with this data analysis system which monitors 50 separate parameters of engine information and transmits it over the company's teletype system to the TWA maintenance center in Kansas City, where rapid computer analysis facilities quick and accurate diagnosis of maintenance requirements.

Pan American has recently purchased a computer oriented testing machine called TRACE 600, which can check out a Boeing 707 automatic pilot computer in ninety minutes (compared to 18 hours used in conventional testing methods) and can perform tests on anti-skid computers, general control panels, cabin address amplifiers, pneumatic systems, radio components and navigational aids on the Boeing 707 and 727 and on the DC–8 jet clippers.

Some computerized service does not, of course, decrease the need for highly skilled mechanics, but it does increase the proficency of the system considerably. The recourse to systems management techniques in the maintenance of aircraft is a logical outgrowth of the utilization of systems management in the design and manufacture of planes. In fact, the systems management approach to problem solving was invented precisely because the aircraft industry in the 1940's reached a stage where no single man or team of men had the capacity to retain the vast realm of technical knowledge and variables necessary to design or produce a modern plane. It is ironic that the field which mothered the concept of systems management for production of an individual plane has been so slow to see it as the only rational approach to govern the traffic of a multitude of planes.

IV. WEATHER (AND OTHER ENVIRONMENTAL FACTORS)

For general aviation, weather was cited by the National Transportation Safety Board as a related factor in 13.1% of all accidents—more frequently than any other factor in a study based on 1965–66 accident figures. Fatal accidents are far more likely to occur when weather forces a pilot to instrument flying than when he can follow Visual Flight Rule (VFR).

Weather conditions	Percent of accidents which were fatal	
	1965	1966
VFR	7.2	7.4
IFR	64.0	53.6
Below minimum	53.8	23.1

Source: National Transportation Safety Board, Department of Transportation, 1966.

Poor visibility on approach and clear air turbulence have been cited as major causes of commercial aircraft accidents. As well, Najeeb Halaby, former Administrator of FAA has said that the present aviation weather system is "obsolete and inadequate", and that of all the elements in aircraft accidents, weather is the least subject to control. A similar assessment was made by Capt. Eduward J. Burke, chairman of the Air Line Pilots Association's all-weather flying committee, when asked if all-weather flying was here yet. "Yes," he said. "It's still in the experimental stage, the same as it was in General Doolittle's time in 1929."[9]

There are four areas of principal concern relating to weather and air traffic: 1) Landing facilities at air terminals are insufficient; 2) Too little is known about the phenomena of air turbulence; 3) En route weather information is sparse and the capacity for weather prediction is limited; 4) The FAA has not acted.

Air terminal facilities

Najeeb Halaby suggested a few years ago that "at this date the best way to find out what the runway visibility is at an airport that has nearly a half-billion dollar investment in it . . . is to send a man out from the tower and have him stand at the end of the runway. In 1965 that is really primitive."[10]

Bad weather causes

One of the greatest problems facing air transportation today is the limitation on landings and take-offs and the resulting congestion at some airports. The question of what to do about it is seldom answered with a willingness to forgo business but rather

Footnotes at end of article.

with a drive for even more complicated systems pointing toward all-weather landing.

Current use of airports under adverse weather conditions are limited by regulation depending on available air traffic control equipment. The general situation is as follows: If weather conditions are below the "minimums"—500 foot ceiling and 1 mile of forward visibility—an airport may not be used unless it is equipped with an instrument landing system based upon radar (or a radio beam supplemented by a high-intensity approach light system). If that equipment is present, approaches are permitted at 200 foot ceilings and one-half mile of forward visibility. (Some instrument landing system installations due to geographical obstruction may be restricted below 400 feet).

Instrument landing equipment increases airport utilization. But it may also increase congestion by attracting aircraft which ordinarily would not land at that particular airfield. The equipment does not assure safety; it is dependent upon its own reliability and upon the airmen's ability to use it.

Minimums are being continually reduced as aircraft equipment becomes more sophisticated. Currently, most planes may land under Category I minimums (vertical visibility or "decision height" of 200 feet—horizontal visibility or "runway visibility range" RVR of at least 2,400 feet). By the end of 1966, however, four air carriers had received approval for operations under the minimums of 150 foot decision height and 1,600 foot RVR. This is the first step to qualifying for Category II operations—100 foot decision height and 1,200 RVR. At the end of 1966, runways at three major airports had qualified for Category II landing systems, and FAA reported that 20 additional runways had been identified for installation of the equipment necessary. Category III in which the decision height and the RVR are reduced to zero, is envisioned for the future as part of the all-weather landing system.

Instrument landing is at a stage where further developments and improvements are extraordinarily difficult and perhaps prohibitively expensive. A new system is under evaluation which uses microwave beam-forming techniques, but the problems in all-weather landing systems are subtle and more serious. In order to make substantial improvements, the system must fly the aircraft automatically which raises the problems of a) reliability; b) failure detection; c) corrective action or emergency procedures; d) acceptance by pilots; and e) procedures in case of sudden loss of electrical power. All-weather landing is complex, involving the ground system, the airborne system including autopilot and control characteristics of the airplane, displays, human factors, airport design, economics and reliability.

British manufacturers feel the ultimate solution lies in full automation with the pilot as a monitor. American manufacturers and operators are reluctant to accept this solution and favor retaining the pilot in the control loop while improving the instrumentation and visual guidance systems. In this approach minimum landing conditions (in terms of weather) are lowered as instrumentation and equipment are developed (such as an improved autopilot-amplifier-computer which provides on-course localizer and glide slope precision and autopilot controls integrated into a single display in the cockpit. This is the course present policy is following.

The vigor with which an all-weather landing system is pursued is a reflection on the relative emphasis national aviation places on the reliability of service as compared with safety. The airlines have a great desire to reduce the weather restrictions within which they operate because to minimize diversions and cancellations produces better service, better operations, and better profits. FAA recently accepted a study by United Research, Inc. covering 1957 operations which placed a dollar value on the improvement in the capacity of the system, improvement in the efficiency and reliability of the system, and benefits from improvements in the margin of safety as a result of an all-weather landing system. The total value of utilization of an all-weather landing system was placed at $24,962,000—$3,791,000 of which was the value of accidents prevented and $11,500,000 stemmed from increased revenues to air carriers. (See Chart 10).

The approach and landing phase remains the most dangerous in air travel. Thus, from a safety standpoint there is every reason to develop an all-weather landing system. This argues for significant improvement in research and development into such items as full automation of the landing system, the new microwave system intended to determine the reliability, failure detection, and emergency procedure aspects of automatic landing. But it is sadly ironic, and a reflection of distorted perspective, to approach such advances not with the goal of maximum safety in cases where landings must be made, but with the goal of maximum landings in presently unsafe conditions.

While much is done about limiting the effect weather has on landing, little is done to change the weather. Fog is an exception. About four years ago the airlines began a cooperative program to open some airports in the Pacific Northwest to regular operations by dropping dry ice into cold fog from a light plane. This method is successful only when the fog is supercooled. The airline supercooled fog dispersal program has now grown to include 19 airports, with seven participating airlines. Efforts to disperse warm fog have been less successful. FAA is now preparing to establish a program to test the more promising dispersal techniques with warm fog. It could produce important benefits for all of aviation.

Air turbulence

There are many types of turbulence. They are generally understood to exist in four general forms—mountain waves, gravity waves, thunderstorms and frontal systems. The first two are forms of clear air turbulence (CAT). Mountain waves are a vertical deflection of air masses. Gravity waves are found at the interface of air masses of different density and velocity, such as at the edge of a jetstream. Flying in turbulence has become more critical with advancements in speed, because aircraft velocity amplifies gust loads and stresses.

The instances of aircraft coming in contact with CAT increased dramatically with the introduction of jet transport in 1958. By 1964, there was a CAT report from an aircraft somewhere over the U.S. nearly once every hour; a commercial jet transport encountered moderate-or-greater CAT once every 34 hours. 50% of some 20 reports investigated between 1960 and 1963 occurred in clear air where the X- or C- band weather radars installed on transports could not detect the turbulence. The effect of CAT on passengers and control of the airplane is considerable, and numerous passenger and crew injuries as well as aircraft damage has been directly attributed to this phenomenon. There have been many fatal accidents in which CAT has been suspected as a cause.

Theoretical studies, supported by limited experimental evidence, show clearly that the influence of turbulence-induced stresses on the pilot and on the aircraft load is a critical factor affecting safety, especially on large aircraft. However, a technique of accounting for pilot's behavior must be developed before the available data can be applied to future aircraft.

Some improvement has been made by the airline industry in attempting to counteract this phenomenon. Meteorological forecasting has improved; pilots have been given briefing concerning the action of turbulence on aircraft; and instruments have been modified to portray clearly the attitude of the aircraft at large departures from horizontal.

Still the detection and forecasting of clear air turbulence is largely beyond present capabilities. There are no CAT detectors which can be considered sufficiently developed to even evaluate the problem. Forecasting capabilities have not progressed since 1959 when the jet aircraft promoted high-level mountain wave forecasting. Lasers, temperature sensors (on the aircraft), electric discharge monitors, and VHF radar and ozone detectors have been tested, but no one method of CAT detection has yet been demonstrated to be operationally useful and practical. It is NASA's conclusion that "Despite many commonly quoted theories about the nature and meteorology of CAT, not enough is actually known and proven about the phenomenon to enable the practical value of proposed CAT detection methods to be predicted with any useful degree of confidence." [11] NASA has recommended a broad scientific overview of research and development, and coordinated and increased effort in Research and Development work sponsored by the Government agencies in the area of CAT detection and warning.

En route weather information and the capacity to predict

Three hundred and thirty-three weather reporting stations in the United States serve over 16,000 civilian aircraft (183,500 estimated in 1977) at nearly 7,000 airports. Airport weather observing stations take hourly reading and 3- and 6-hour synoptic observations on a 24-hour, 7-day a week basis at all 333 locations. The basic communication system which gathers the observations and sends them to the weather forecast centers and then distributes forecast data is operated by the FAA as part of the over-all communication system. The Weather Bureau operates a number of flight advisory weather service centers to serve aviation directly.

Dr. Robert D. Fletcher, Director of Aerospace Sciences for the Air Weather Service, feels that science has hit a plateau of forecasting capability from which it is unlikely to climb much higher until more basic research is accomplished. He contends that the scientist and forecaster must work together more than they have in the past to bridge the gap between basic research and practice.

For many years, radar has been used to observe weather because large collections of raindrops, snowflakes, or cloud droplets backscatter enough of the radar energy incident on them to constitute detectable radar targets. Present day radar can only indicate the presence of precipitation and the relative size of the area it covers. Under study is a Doppler radar system which will detect the velocity of the raindrops or snowflakes in much the same way that police radar determines the speed of a car. Doppler radar will aid aviation weather research by finding the altitude at which snow turns to rain, the wind structure in storms, and the exact configuration of updrafts and downdrafts so that frontal systems may be determined.

Automated aviation weather forecasting and broadcasting has made some significant strides. "Mesonet" consists of 13 automated weather stations spaced within 30 miles of the National Aviation Facilities Experimental Center (NAFEC) in Atlantic City, New Jersey. Each station measures and transmits 10 different weather elements on an intricate time scale to a central collection point. The Mesonet approach is being followed to explore factors involved in providing effective short-range terminal weather forecasts for periods of one hour or less for highly critical subsonic and supersonic jet operations at high-density terminals.

A statistical terminal forecast technique called "Regression Estimate of Event Probability" (REEP) was also developed and

Footnotes at end of article.

tested in operational environment. The REEP technique provides automated probability forecasts for ceiling and visibilities in future time periods of 2, 5, and 7 hours. REEP forecasts have been transmitted to Los Angeles, San Francisco, Seattle, Chicago, New York, and Washington. Results to date indicate the feasibility of utilizing this technique at a centralized computer facility with forecast accuracies equivalent to those made by average aviation forecasters. The cost of processing and transmitting is minimal. Improvement in this type of weather forecasting and data transmission will lead to better forecasting capability, reduce manpower needs, and reduce costs.

As of June 1966, Automatic Terminal Information Service (ATIS) was operating at 23 of the Nation's busiest airports and projected for another 50 airports. Broadcasts are recorded on magnetic tape, giving ceiling, visibility, wind direction, barometric pressure, runway in use, and other pertinent data. The broadcasts ease controller workload, reduce radio frequency congestion, and permit pilots to obtain routine non-control information when cockpit duties are least pressing.

There is a possibility that a global weather observation system which includes the use of satellites to gather data from remote unmanned weather stations will be developed in the next few years. To the end of developing such a system, Congress passed H. Con. Res. 723, May 20, 1968, expressing "the sense of Congress that the United States should participate in and give full support to the world weather program." This resolution, in effect, gave U.S. representatives to an international weather program in Geneva, May 29, 1968, added impetus to continue work begun in 1961; this work is approaching the stage of important initial success.

Development of such a system would include the Weather Bureau's TIROS Operational Satellite System, or a more advanced system, which might be used to obtain daily cloud cover information on a global basis. Modern computer technology would speed the solution of mathematical weather forecasting formulas. A satellite communications network would connect world meteorological centers in Washington, Moscow, and Melbourne. The ultimate operational systems would give meteorologists three-dimensional atmospheric data in addition to day and night cloud cover pictures. The program would provide comprehensive data on temperature, humidity, and wind velocity from the surface up to an altitude of 100,000 feet. Satellites could conceivably report directly to a computer which would draw a weather map in great detail and also feed out printed weather forecasts.

Accurate forecasting will take on even greater importance when the giant jet transports become operational; and accurate forecasts of upper-air temperature will enable acceleration to supersonic speed at an altitude low enough to avoid excessive fuel consumption yet high enough to need to be forecast so that the pilot may choose a route to take advantage of these winds but also to avoid turbulence which may amplify sonic-booms to several times normal intensity.

Weather forecasting is an integral part of planning future facilities to minimize weather effects on air-traffic management techniques and systems.

The role of the FAA

The Federal Aviation Act of 1958, Sec. 310 provides that the "administrator is empowered and directed to make recommendations to the Secretary of Commerce for providing meteorological service necessary for the safe and efficient movement of aircraft in air commerce . . ." Thus, though the weather analysis system is administered through five different government agencies, the Administrator of FAA is empowered to recommend adequate weather analysis for a safe air traffic system, but he lacks the authority to do more than recommend. The fact is that FAA has largely abdicated even its responsibility to recommend.

The greatest amount of funding related to aviation weather service goes to the Department of Commerce—Weather Bureau—($93,888,000 in 1965) followed closely by the Air Force ($88,213,000 in 1965). The FAA's proportion in 1965 was $18,755,000 in 1965. The Weather Bureau estimates that about $12 million (12%) of its funds are spent each year in aviation services. FAA spends about 2% of its own funds for weather.

FAA has never defined with precision a weather information system adequate to the safety needs of a comprehensive air traffic system.

Other environmental factors

Terrain, as a category of environment, was cited by the FAA as a factor in less than 1% of the air carrier accidents between 1960–1964, and in 6% of general aviation accidents between 1959–1964, but it was cited as a related factor in 380 accidents for general aviation in 1966, 6.7% of the total; 7.1% of these were fatal. The mountainous areas of the East, West, and Far West have consistently been cited as particularly hazardous to general aviation because of severe weather changes, altitude, air density and down drafts, and inadequate weather reporting equipment and communication facilities in these areas.

Birds, as a category of environment, have been responsible for accidents and are still a hazard and a consideration in airport planning. In Boston, an ingestion of starlings in the engines on take-off caused the downing of an Electra; in Ellicott City, Maryland, in 1963, a United Viscount was downed after whistling swans struck the horizontal stabilizer. In four years the Civil Aeronautics Board has received 1,100 reports from pilots of bird strikes—primarily starlings and pigeons in altitudes of from 4,000 to 6,000 feet in the fall and spring.

Rather than trying to prevent the ingestion of birds (because frequently they cannot be seen in time), FAA's approach has been to try to develop equipment which will handle the ingestion. In the case of the Viscount, the windshield was strengthened to carry a 4-pound bird at 300 knots; and the Electra engine has been made to delay the automatic feathering, so that any ingestion that does occur would not cause the engine to feather and stop.

Low visibility, whether caused by smog, air pollution or darkness, and its interaction with other environmental factors like unmarked protruding objects are a continuing and increasing safety hazard. A study of "landing short" accidents by O. E. Kirchner of the Flight Safety Foundation, in December of 1960, showed that the leading type of approach accident occurred in aircraft which were on-course, more than one mile out, and struck a protruding object. The planes involved were on Instrument Flight Rules (IFR) at nighttime more often than any other combination followed by flying by Visual Flight Rules (VFR) under IFR conditions and in severe weather.

CHART 10

The analysis of the United Research survey resulted in the following values being placed on an all-weather landing system:

(1) Additional demand leading to increased revenues to air carriers	$11,500,000
(2) Cost savings to air carriers	9,379,000
(3) Cost savings to general aviation	292,000
(4) Value of accidents prevented	3,791,000
Total	24,962,000

Source: FAA

V. AIRCRAFT AIRWORTHINESS

Obviously, many factors can contribute to an air accident—weather, pilot error, inadequate traffic control, etc. Presumably, one of the areas most easily subjected to effective accident prevention is the plane itself. If the aircraft itself is a cause of an accident, the malfunction probably could have been predicted.

Nonetheless, faulty aircraft have been cited as a reason in a number of air accidents:

Power plant failure was cited as a cause in 7% of air carrier accidents studied between 1960 and 1964—and 5% of general aviation accidents between 1959–1964.

Landing gear failure was cited as a cause in 7% of air carrier accidents studied between 1960 and 1964—and 6% of general aviation accidents in 1966.

The air frame was cited as a cause in 1% of air carrier accidents studied between 1960 and 1964—and less than 1% of all general aviation accidents in 1966. (In the instance of clear air turbulance the air frame may be more of a cause than is presently thought.)

Altimeters may have been a causal factor in some instances. (The FAA estimates that there is a 0.3% probability that even given the correct information by the controller, a modern transport aircraft will be more than 200 feet off the assigned altitude. Roderick A. Dennis, President of Zeta Engineering Co. in Dallas, says that present altimeter capabilities may have caused two crashes in the Cincinnati area since 1965 and others in the Salt Lake City and Chicago areas. Dennis' theory is that moisture-laden air rising from a body of water causes an error in a plane's altimeter. When a plane calls an airport for landing instructions, the airport radios altimeter settings at the airport and in the case of the Greater Cincinnati Airport, the air at the field might be considerably dryer than the air two miles north over the Ohio River.)

Responsibility for assuring airworthiness of all aircraft lies firmly with the FAA. Under the Federal Aviation Act of 1958, Public Law 85–726, Title VI:

Section 601 empowers the Administrator "to promote safety of flight of civil aircraft in air commerce by prescribing . . . minimum standards governing the design, materials, workmanship, construction, and performance of aircraft, aircraft engines . . . a production certificate authorizing the production of duplicates of such aircraft . . . and if the Administrator finds that the aircraft conforms to the type certificate therefore, and, after inspection, that the aircraft is in condition for safe operation, he shall issue an airworthiness certificate."

Section 605 provides that "It shall be the duty of each air carrier to . . . maintain, overhaul, and repair. . . . The Administrator shall employ inspectors who shall be charged with the duty of making inspections. . . ."

Before a newly developed aircraft can be put into use, it must be "Type Certified" by the FAA. Certification is not given until the aircraft has passed its flight test, which means it is possible for a manufacturer to build an aircraft which never gets certified. Such an instance is rare, however, because manufacturers work closely with the FAA through a plane's final development and production stages. Nevertheless, the burden of proving the airworthiness of an aircraft is squarely with the manufacturer according to the rules laid down by the FAA.

Supplemental type certification is required when there is modification of the original model which is not great enough to require a new type certification. Such modification may occur after the aircraft has been in operation for a long period of time or after a series of accidents isolates some special characteristic of the plane which necessitates construction adjustment.

The FAA may issue a directive prescribing

appropriate methods of compliance to the manufacturer. In lieu of such directive, the FAA can be satisfied that all aircraft have been corrected as a result of an "alert" issued by the manufacturer or FAA.

In the example of the Boeing 727, after the investigation of the crash at Salt Lake City, approximately fifty amendments of the standards were recommended. The purpose of these modifications was to improve the emergency evacuation equipment requirements and the operating procedures in order to increase substantially the probability of occupant survival in an aircraft accident.

As an extreme measure, aircraft may be grounded until necessary changes are made. From 1938 to 1963, at least 8 such mandatory and voluntary groundings have taken place, according to the CAB. In two instances, the Beechcraft D–18C and the Martin 202, the aircraft was never returned to service.

To review the policies and concepts out of which emerge FAA's airworthiness standards for aircraft and equipment, the Administrator has appointed an Airworthiness Standards Evaluation Committee consisting of FAA personnel. The committee is assisted by five adjunct subcommittees which include in their membership advisors from other Government agencies and various segments of the aviation industry.

The FAA continuality monitors and evaluates the airworthiness of an aircraft. One program, implemented in June, 1966, is the performance and reliability system (PAR) which monitors performance in the airline industry as represented by 15 participating airlines. Information on certain selected safety parameters is displayed in graphs and charts for each airline taking into account such exposure factors as hours operated, aircraft movements and aircraft utilization.

Another new program is the Systemsworthiness Analysis Program (SWAP) which is a revision of the present system of routine inspections performed by cadres of inspector domiciled at the location of the air carrier's principal operations and maintenance base, instead of providing for strategically located teams of inspectors who periodically check air carrier compliance with the rules and regulations pertaining to the operations and maintenance of their aircraft. Normally FAA rides 1 to 1½% of an airlines' flights annually.

Surveillance of general aviation aircraft has been far less stringent than for aircarriers, for the mere reason that volume makes the task difficult. Some tightening has taken place in the last few years, however, e.g., inspection of air taxi aircraft at the rate of two per month per maintenance, inspector (formerly air taxi aircraft had no special surveillance), conversion from an annual to a when-needed basis for conducting formal inspections of repair stations, and requiring a maintenance system for large pressurized and turbojet aircraft.

The airlines themselves conduct a constant search for ways to reduce the unexpected malfunction of equipment essential for safety. One device is the airborne maintenance recorder which has been developed to the point that over 50 separate parameters of engine information can be recorded and monitored. This information provides a daily "health report" on the aircraft engines and systems. Each day a computer analysis can furnish an accurate diagnosis of maintenance requirements.

Regarding the substance of standards which FAA requires for airworthiness certification, David Thomas, Deputy Administrator FAA has said, "It is a fundamental assumption that they have redundant (back-up) systems and emergency devices. For example, in the electrical system there are in some cases three and four inverters and all sorts of switching arrangements; hydraulic systems operate the booster on controls; antiskid brakes may not work on the alternate hydraulic systems, but there is an alternate hydraulic system to lower the gear, and if that doesn't work there is an airbottle to blow it down." [12] Dynamic analysis, strength of materials, aerodynamic design, fire prevention, multiple engines, and parallel controls have been parts of the airworthiness standards effort.

Continued research, development and testing in the area of new materials, new components and higher performance will be needed, particularly in order to establish the highest standards for type certification of the jumbo jet and the supersonic transport.

One unsolved area to date is the aircraft requirements to withstand the phenomenon called clear air turbulence. As little is known about it, no standards have yet been established. Nevertheless, the pilot flying into clear air turbulence unexpectedly can expose his plane to severe aerodynamic loads which it must, but may not, withstand.

Another area of growing concern is what might be called "second generation airworthiness." It is simply not possible to say with precision that an aircraft which is safe when initially certified cannot through use develop unsafe characteristics. This is a problem similar to that faced in medicine where the long-range effect of some drugs is simply unknown until they have been used over the long-range. It is a relevant question to ask: Should commercial air carrier flights be the first test of the airworthiness of an aircraft at any age? Should not there be ongoing airworthiness tests of aircraft undertaken continuously, so that commercial flights are never the first to test the plane under new conditions—even if those conditions are merely that no aircraft of the type had ever accumulated so many total hours in flight before?

What FAA attempts to do in certifying airworthiness is done reasonably well, but the whole concept of FAA "airworthiness" certification and inspection can be challenged as an unrealistic isolation of one factor, the aircraft, in maintaining a safe system.

In an article by Prill and Hoekstra entitled "Transports of the Future—A Systems Approach," it is suggested that "the traditional concept of 'airworthiness' be broadened into a new concept of 'systemworthiness' "—that is to recognize and intensify the relationship between the transport manufacturer, the air carrier operator, and the FAA. Indeed, the very divergence between the operational and utilizational features of aircraft points to a direct need for this approach in FAA certification and surveillance procedures.

FAA has made a step in this direction in the establishment of MAC. The Maintenance Analysis Center which "contemplates systemworthiness analysis programs . . . will provide a centralized responsibility and capability for broad review and diagnosis of maintenance data and the issuance, when indicated, of alert warnings."

But the systems approach must be carried further. Besides the aspect of intersystem aircraft airworthiness consideration, the human interface problem (i.e. between aircraft and pilot) has also been a factor largely ignored in evaluating aircraft airworthiness. The "Aircraft Design-Induced Pilot Error Project" sponsored by the National Transportation Safety Board in 1967, found, for instance, that certain types of accidents were related primarily to detail design—particularly such things as those involving retractable landing gear and fuel systems mismanagement. In these cases improper sensing of control, inadequate identification of controls, inadequate indication and/or warning to the pilot, and lack of standardization were found to be the major design factors.

Similarly, there has been some indication that the design of altimeter dials may cause pilots to misread their altitude. The top dial is read for altitudes above 10,000 feet; the lower dial provides altitudes of less than 10,000 feet. Both sometimes show the same number. The problem is elusive, but FAA investigators now suspect pilot misinterpretation of the altimeter dials as a factor in a Boeing 727 crash into Lake Michigan, August 16, 1965, a TWA Convair 880 crash in Cincinnati, November 29, 1967, and a West Coast Airlines DC–9 crash near Wemme, Oregon, October 1, 1966.

VI. AIRCRAFT CRASHWORTHINESS

One goal of any air safety program is to minimize accidents; a second is to minimize fatalities when and if accidents occur. The FAA is thus concerned with both the airworthiness and the crashworthiness of craft. Its performance in the latter area has been distinctly less distinguished than in the former.

Public Law 85–726, Title VI, Sec. 601(a)(6) provides:

"The FAA Administrator is empowered and it shall be his duty to promote safety of flight of civil aircraft in air commerce by prescribing and reversing from time to time . . . such reasonable rules and regulation or minimum standards governing other practices, methods and procedure . . ."

FAA has interpreted this as authority to establish rules and standards of design and equipment which the aircraft must carry to insure the highest degree of survivability if an accident does occur. FAA has established rules based on knowledge gleaned from its own research studies, from conference studies, from the regular emergency evacuation tests required periodically of air carriers and from the industry. It requires a crashworthiness certificate for aircraft used in carrier operations.

An example of regulations instituted as a result of FAA research studies undertaken in 1966 are as follows:

Regulations adopted as a result of emergency evaluation medical research studies

1. Emergency evacuation demonstrations required on each type of air carrier passenger aircraft;
2. Portable battery powered megaphone(s) required;
3. Uniform passenger briefing procedure provided for;
4. Location and operation of emergency exits must be described to passengers;
5. Specific ratios of flight attendants to the number of passengers prescribed;
6. Emergency evacuation procedures made available by diagram;
7. Exit signs and opening clearly demarcated;
8. Life raft location and operation briefing on over-water flight;
9. Exterior markings around emergency exits required;
10. Clearly indicated external openings available on emergency exits;
11. Prescribed performance standards for flotation seat cushions;
12. Evacuation demonstrations must encompass 120 seconds or less time;
13. Separate demonstrations for ditchings must be accomplished;
14. Emergency exit operating handles must have instructions readable at 30 inches and have uniform markings; and
15. A source of light independent of the main lighting system must be installed to illuminate each emergency exit and locating sign.

Regulations under considerction as a result of emergency evacuation medical research studies

1. Individual passenger portable smoke mask (could double as emesis bag);
2. Delethalized seat back;
3. Individual passenger single strap inertial reel torso restraint (suitable for adult and child);

Footnotes at end of article.

4. Emergency escape procedures in 400–1,000 passenger aircraft;

5. Dynamic tests of 40g (all directional) passenger seats.

Source: "Federal Aviation Agency Air Traffic Control Operations", *Hearings Before a Subcommittee on the Government Operations*, House of Representatives, 89th Congress, Second Session, April 26, 1966, page 70–71.

A study by the Aviation Crash Injury Research Division of the Flight Safety Foundation in 1961, indicated that occupant protection criteria of the FAA do not fully recognize safety advances which can be implemented on the basis of existing technology. Failure of the seat belt tie-down, rigid service trays, the design of seat backs and seat back webbing, and seating configuration all contributed to fatalities in crashes where the fuselage structure was left relatively intact. It would appear that not much change in any of these areas has occurred since the study was concluded.

The FAA consults industry during development of a new aircraft to define and establish criteria for crashworthiness certification. In the certifying of the new airbuses, for instance, (DC–10, Boeing 747) the FAA has followed the industry during development. The safety standards which are likely to emerge, however, will probably be little different from what is in effect today with smaller craft. McDonnell-Douglas says that no passenger will be more than one seat away from an aisle and that cabin width of more than 19 feet is 7 feet greater than the jetliners now flying. But these advertisements are misleading: The first claim refers only to first class configuration; and the latter claim fails to recognize that there will be just that many more seats across the cabin width. It is clear that a seating capacity of 300 passengers will mean that crowded seating conditions and hampered access to exits will be even more of a problem with the new airbuses than in today's craft. Aisle width of the DC–10 will measure 19 inches, which is one inch wider than in current coach sections. There will be only eight entrance and exit doors, more than on current aircraft, but possibly inadequate for a 300 passenger evacuation process. It is not clear that the FAA is exercising sufficient authority over the industry in defining what is and what is not safe.

Information gleaned from flight recorders is another source upon which regulations have been established. Flight recorders are instruments installed on the aircraft which record the actions of the aircraft and when played back after a crash can reveal aspects of causal factors. Formerly just a few parameters like the pilot's conversation with the ground, air speed, etc., were recorded, but equipment is now available which increases the parameters significantly, recording such things as pitch attitude, angle of attack, angle of bank, pitch rate, yaw rate, roll rate, position-control column, position-control wheel, position-rudder pedals, position-pitch trim, position flaps, ambient air temperature and engine parameters.

FAA is now considering making such equipment mandatory on certain types of air carrier aircraft at an estimated cost of from $20,000 to $25,000 for equipment and installation per aircraft. The value of such recorders is being debated, first because they do nothing to prevent a crash, and second because it is a very long and expensive procedure to process the "read-outs" from recorders—with results which are then often of such poor quality that they are all but useless. A somewhat more serious concern is the degree to which increased reliance is being placed upon recorder read-outs to provide the basis for future regulation changes. It may be administratively more "comfortable" to base safety regulations on facts which are proven in a crash than to act boldly before a crash proves you correct.

Crashworthiness regulations are almost non-existent for general aviation. Beyond FAA monitoring of repair stations and instrument schools, general aviation aircraft safety has been the responsibility of the manufacturer and the individual owner (except for air taxi or certain aerial applications).

The two principal areas of concern over the crashworthiness of aircraft are fire prevention and evacuation capacity.

Fire

An "FAA-Industry Conference on Crashworthiness and Passenger Evacuation Standards for Transport Category Airplanes" held in 1966 provided a list of 14 topics which represent areas of focus for crashworthiness attention. Ten of them related to fire prevention: crash resistant fuel tanks; combustible characteristics of cabin interior materials; cabin fog and foam systems; gelled fuels; fuel containment to prevent spillage; fuel cell inserting; ignition suppression; prevention of fire in cargo compartments; self contained fire extinguisher systems; rescue and fire fighting (exterior).

Time Magazine cites experts who figure that the number of crash deaths could be reduced by 50% if fire could be prevented.[13] Though all the passengers survived the crack-up of a United Boeing 727 crash at Salt Lake City on November 11, 1965, 42 died in the fire.

In a CAB investigation over an 11-year span, it was found that fire following the crash—not injuries resulting from the force of impact—killed 221 of 543 aboard the planes or 41% of all occupants. Only 24 or 4% were fatally injured by disintegration of the plane's structure. CAB predicted that all 221 who burned or suffocated would have survived had there been no fire. CAB said "had modern fire fighting and rescue equipment been on hand, an additional 17 lives probably would have been saved."[14]

There are a number of fire prevention features already required by FAA relating to hand fire extinguishers, cargo compartments, protection of electrical and hydraulic systems against fire, and extinguishing systems for the power plant. A new flame detection and suppression device has been recently developed which will virtually eliminate the possibility of lightning igniting volatile fuel vapors vented from fuel tanks. Improvements "under consideration" are: new container materials to keep fuel from escaping from ruptured tanks; use of emulsified or gelled fuel; fire reducing foam; smothering gases; explosion detectors and automatic cut-off valves.

There are more than 15 to 20 different plastic items used in cabin interiors in different amounts, some more or less toxic than others, as well as inflammable upholstery fabrics.

Materials contained in commercial airline cabins which release toxic gases upon thermal decomposition can cause modern airliners to become lethal gas chambers when afire. Tests run in mid-1966 by the Airline Pilots Association showed concentrations of hydrogen cyanide of at least 50 times the lethal level, and Cleveland fire tests established that the life of a passenger may be endangered by the presence of these toxic fumes even during the established 90-second escape period.

FAA's approach has been to develop some kind of means to protect the passengers from the smoke and toxic gases elicited from the burning materials rather than to regulate the use of materials. They have, therefore, developed a little bag which contains a bottle of compressed air which discharges when the bag is put on and will give up to 8 minutes of oxygenated air. It would seem that regulation of materials in future aircraft is well within the realm of reason and feasibility.

Evacuation

Since emergency evacuation demonstrations were first required of the airlines by FAA on December 11, 1961, in order to monitor the effectiveness and operational maintenance programs, there have been over 300 demonstrations conducted by air carriers and additional tests have been conducted by air carriers for their own benefit. The demonstrations have included the following types: 45% simulated aborted take-offs; 35% simulated gear-up crash landings; 20% ditching demonstrations.

In the demonstrations, at least 30% of the passengers must be females, at least 5% must be over the age of 60, at least 5% must be age 12 or under, at least 3 dolls must be carried to simulate infants, one-half of the exits on the aircraft are closed, and nighttime conditions are simulated.

Of the combined total of 250 take-off and gear-up crash landing demonstrations, 70 deficiencies were noted during 55 separate demonstrations. Of the 70 deficiencies noted, 59 involved slides and 11 were due to miscellaneous causes such as stuck cabin doors, jammed overwing exits, malfunctioning jump seats which blocked the exits, inadequate procedures or crew member training. Of the 58 ditching demonstrations, 22 deficiencies were noted on 10 of the tests. Twenty-one of the 22 deficiencies involved malfunctioning rafts or their stowage compartments. Only one involved lack of crew member training.

FAA emergency evacuation demonstration procedures have been under attack by those who say that the subjects used are "practiced" and not typical of the passenger type—such as stewardesses, professional actors, etc. FAA points to their requirements regarding the composition of the group, and in addition, they say that in evaluating an aircraft they use two kinds of tests—one with a stereo-typed individual to determine the minimum escape time for a given airframe and the second with a naive subject to simulate the actual operational time. It is undeniable that as long as the subjects know it is a test, they are inevitably primed to react in a certain way, and thus leeway in interpretation of the results is necessary.

FAA now requires that an aircraft be evacuated in 120 seconds or less. Many assert that this is unrealistic. FAA points to the fact that of the more than 300 demonstrations conducted by air carriers, approximately ⅔ of the timed demonstrations were completed in 90 seconds or less. In an effort to shore up regulations, as of October 24, 1967, the aircraft manufacturers were required to demonstrate that their designs are capable of evacuation of the maximum seating capacity through the exits on only one side of the aircraft within 90 seconds.

FAA now requires that for a minimum of 9 passengers there must be one flight attendant and that for as many as 149 there must be a minimum of 4 flight attendants. The requirement has been noted as absurd, because for higher density aircraft where the need for additional attendants might be greater, the ratio of flight attendants to passengers is 1 to 35, while on aircraft of lower density the ratio can be as low as 1 to 9. There is no doubt that among the crowded conditions on the larger long haul jet aircraft, a crew ratio of 1 to 35 is a questionable figure.

The demonstrations indicated that, more than any other item, ineffective slides were the cause of deficiencies in emergency evacuation procedures. FAA now says that improved inflatable escape chutes attached to

Footnotes at end of article.

the doors, designed to be more dependable and more rigid, are being developed and required.

Exits and seating have also been cited as factors in the fatality rate after crash. In the Boeing 727 Salt Lake City crash, passengers opened five of the six exits but they fumbled with three of these before getting them open—no one will ever know how many lives were lost because of the few seconds delay.

The high ratio of passengers to exits and the positioning of these exits can result in crowded aisles in attempts to escape. On the 113-passenger 720 which has only six exits, two are over the wing and partially blocked when seats are in their normal upright position.

Present FAA standards call for a certain number of exits per passenger, depending on the type of exit. It has been suggested that rather than require manufacturers to abide by this sort of formula, manufacturers should be required to demonstrate that an aircraft can be evacuated in 90 seconds and then have them develop whatever type of exits are necessary to implement this. This is especially of interest to those concerned with the coming of the jumbo jets and the number of exits which may have to be provided to evacuate the aircraft adequately. It may well be that the creative and innovative expertise of the aircraft industry can come up with better exit types and location given a stricter code of evacuation criteria by FAA.

FAA has regulations and minimum standards for seat spacing and aisle width. They are primarily based on the airline manufacturers' ability to demonstrate that the seating configuration allows for emergency evacuation in the prescribed time. As Mr. David Thomas, Deputy Administrator, FAA has said, "I quite agree that all seating arrangements are not comfortable, but it has been demonstrated that they may be evacuated, with part of the exits covered in a minimum time".[15]

It would seem that the interrelationships between seating, aisle widths, exit number and location, regulations as to hand luggage brought on board, distance of the flight should be the criteria for seating regulations rather than the relationship between the number of passengers and their ability to get out of an aircraft in a certain length of time. Again, the failure of a comprehensive systems management approach to air safety is evident.

Locating downed aircraft

Downed and missing aircraft are a crucial factor in the lethality rate of general aviation. Survivability for downed aircraft might be most directly related to the speed with which the downed aircraft can be found and the ability of pilot, crew, and passengers to carry through survival procedures.

In the last five years (1962–1967) there were 60 aircraft in the continental U.S. and Alaska which were missing and have never been found. In the continental U.S. between 1965–1967, 32 aircraft were missing for more than three days and 40 were missing for a period of from one to three days. These aircraft "emergencies" are not limited to mountainous areas, large bodies of water or sparsely settled areas.

In fiscal year 1966, the Air Force flew 57,585 hours in Search and Rescue operations at a total cost of $59,224,142 ($112,808 per person) and claims to have saved 525 persons as a result of these operations. In search operations, however, the Civil Air Patrol (Air Force) in 1967 had two accidents with three lives lost; in 1966, two accidents with no lives lost; in 1965, three accidents with one life lost. In test missions in 1965, practicing the procedures for rescue, they had five accidents with two lives lost.

Footnotes at end of article.

Recently it has been suggested that all small aircraft be required to carry a device called the DART (Downed Aircraft Rescue Transmitter) which transmits a locator beacon which can be picked up by a suitably equipped search aircraft. The device costs only $200.

VII. AIRPORT REGULATIONS

Quite aside from the aspects of air safety involved in technical traffic control systems (see Section VIII) and in airport construction and equipment (see Section IX) there are three aspects of airport operations which require in-depth attention: Carrier scheduling; runway congestion; and noise abatement.

Carrier scheduling

Departure and arrival schedules which are approved by the Civil Aeronautics Board increase traffic and add to the complexity of traffic control at major airports.

In New York, for instance, 67 flights are scheduled to leave the airport between 7 and 9:30 a.m. Thirteen flights are scheduled to leave at precisely 9 a.m. alone. (See Chart 11). In 1963, FAA conducted a study of New York air traffic between 5 p.m. and 7 p.m. to illuminate the complexity of the delay and congestion problem, and one of their findings was that airline scheduling contributed significantly. Between 5 p.m. and 7 p.m., for instance, at Kennedy, there were 10 departures scheduled on-the-minute at 5 p.m. and six on-the-minute at 5:30 p.m., yet only two in between. Of 21 departures scheduled during this hour, 16 were scheduled in two minutes. At 6 p.m. there were 12 departures scheduled on-the-minute; at 6:30 p.m., there were five departures on-the-minute. Of 30 departures scheduled between 6 p.m. and 7 p.m., 17 were scheduled in two minutes.

Thirty-seven and five-tenths (37.5) percent of the total weekly departure traffic is scheduled during 3.3 percent of the total time. In fact, at current major hub airports, there are as many arrivals scheduled for the same minute.

With such departures scheduled, according to the FAA, "delays would occur were there no other contributing factor." [16] Travel across the Atlantic indicates the same thing. On July 11, 1967, at 11:30 p.m., of 85 scheduled aircraft, 82 were eastbound to Europe, only three were westbound.

General aviation constitutes a large portion of traffic at our commercial airports, but it is an even greater portion during the all-important peak hours. According to surveys made in 1965, however, 23 out of the 30 general aviation movements during the peak hour at Kennedy were to make airline connections, only seven were to conduct local business. (See Chart 12).

FAA has not in the past interpreted its role of protector of air safety in terms of regulating aircraft scheduling, although air traffic is increasingly becoming a factor in promoting a safe airways system. In hearings before a Subcommittee of the Committee on Government Operations, House of Representatives, April 1966, when asked if CAB routinely inquires of the FAA what the impact of additional scheduled flights might have on traffic control, Mr. David Thomas said that they did not.

According to a staff study prepared by the Systems Research and Development Service of FAA in November, 1967, flattening of schedule peaks could significantly reduce delay. (It is typical that the concern was primarily expressed in terms of passenger convenience rather than passenger safety.) Reducing demand peak operations per hour from 8% to 7% for 600,000 operations per year, for instance, could reduce delay by 42%; reducing demand peak from 8% to 6% could reduce delay by 58%. (See Chart 13).

Restricting the use of large airports by general aviation would definitely reduce delay, but raises the question of defeating feederlines and "hub-service." Commercial aviation in the end will be restricted in growth if general aviation cannot supply the link which it now provides. That general aviation which is not relevant to commercial traffic, however, is another question, although it rarely causes congestion problems because most pleasure flying pilots prefer not to use busy airports.

Alternative suggestions to restricting the use by general aviation of large airports include: construction of shorter, parallel runways; the establishment of separate radio frequencies; separate approach and departure routes and altitudes; dissemination of better and more accurate information by FAA in the Airmen's Information Manual to enable general aviation to utilize airports more safely and effectively; improvement of existing reliever airports to permit all weather operations; and improvement of ground transportation facilities from these airports to the downtown area. All of these suggestions relate to relieving delay; none would appreciably relieve congestion.

Other scheduling procedures which might be considered to relieve congestion are limiting airport use in accordance with traffic flow direction and the functionalized airport concept. Concentrating traffic flow direction would decrease the amount of airspace sharing, crossovers and devious vectoring around nearby airports, but it would increase traffic concentration in one lane thus increasing holding patterns and concentration of traffic in one airspace. Functionalized airports will result in more efficient utilization of airports and system facilities and augment safety by permitting segregation of aircraft performance characteristics, but it would greatly complicate connecting passenger traffic.

Runway congestion

To the extent that traffic congestion approaching an airport can be reduced by more efficient, but not less safe, landing procedures, those procedures should be amended. A number of areas need study.

Reducing the spacing between aircraft is a hotly contested issue between pilots, controllers and the FAA. The three-mile present radar separation standard came about quite arbitrarily many years ago—so arbitrarily that it jumped 15% when the U.S. adopted the nautical miles terminology. The present three-mile standard normally provides ample time to get the No. 1 arrival off the runway before the No. 2 aircraft is committed to land. Lowering the spacing for same-speed aircraft from 3 to 2 nautical miles would reduce the landing interval from 1½ to 1 minutes.

The crux of the issue is that airspace separation should be evaluated in terms of the type of aircraft performance rather than solely on the basis of runway occupancy constraints. Such constraints are already in existence by the procedure requiring that the preceding arrival either be off the runway before a landing clearance is given or have reached a minimum distance from the landing threshold. For instance, the time interval for a long haul four-engine jet from the point of commitment to the time it exits the runway is about equal to the time interval required to maintain three miles longitudinal separation on final approach. A small aircraft, on the other hand, with lower approach speeds, takes much longer to travel the three miles than the time required to land and clear the runway. Thus the gain in capacity from reduced radar spacing increases as the proportion of small aircraft increases. The gain is also greatest at airports where arrival capacity is less than departure capacity as departures are generally not affected by reduced radar spacing.

Current procedures give arrivals priority over departures. A strict first-come first-served treatment of arrivals and departures is not possible because an arrival once sequenced to final approach must have priority

to use the runway. Thus every time a large jet arrives, it preempts a departure up to 60 seconds. Because of this, it would be most beneficial to get a sequence of two or more spaced arrivals in order to reduce as much as possible this preempting of runway use.

Speed class sequencing can also help to increase capacity. Whenever a slow aircraft follows a fast aircraft, an excessively long approach interval is produced. One way to reduce the fast/slow interval is to reshuffle the landing sequence many minutes ahead of time using the air traffic control computer in order to minimize the number of fast/slow pairs.

Reducing runway separation criteria between parallel runways would enhance capacity. Existing Air Traffic Control procedures specify that a departure from any runway cannot be released in front of an incoming arrival unless at least two nautical miles separation exists, whether arrival and departure are on the same runway, or on parallel or non-intersecting runways. Approaches to runways separated by less than 5,000 feet must maintain at least three miles airspace separation. This criterion applies whether runway separation is 400 feet or 4,000 feet. A revamping of criteria according to separation could increase capacity. The 5,000 foot standard was arrived at without the present controller monitoring system in mind.

At airports where there are a number of runways being used, mixing large and small aircraft on the same runway reduces capacity. Ideally it would be beneficial to have separate independent runways for large and small aircraft, but this is usually impossible. One study indicated that a mix of 60% long haul four-engine jets, 20% F-27 type aircraft, and 20% between these two can increase capacity of IFR landings by from 5 to 11 percent, and VFR capacity by from 11 to 16%.

Prodded by the President's September 20th letter to DOT requesting Secretary Boyd to tighten up on air traffic safety, the FAA has come up with a new traffic segregation plan for high density terminals. Starting with the premise that the safest traffic environment is one in which all traffic is separated by ATC—but recognizing that in our busiest terminal ATC cannot possibly control everything that flies—the FAA concept would establish special controlled airspace zones around certain designated primary airports. Only controlled traffic would be allowed within these special zones.

Comments on the plan have been varied—among them that the plan did nothing to meet the nation's requirement for additional traffic capacity and merely increased the complexity of the air system, geometi and controller workload. On the other hand the system has been working well in Atlanta and it is one of the few measures which can be started immediately under the present constraints on funds and personnel.

Noise abatement

Though no crash has been directly blamed on noise abatement procedures, at least one American 707—which plunged into Jamaica Bay and killed all 95 aboard in 1962—would have had a better chance if the pilot had been allowed to climb away fast and straight. Says Pilot Harry Orlady, a 25-year veteran with United: "Noise abatement procedures force you to fly as close to danger as you dare to. You don't have much margin for error." [17]

NASA concluded after a study of noise abatement procedures that guidance equipment, aircraft capability, and high pilot workload are limiting factors in using steep approaches for noise abatement—a procedure now sometimes used.

A major problem is competing jurisdictions. The New York Port Authority maintains it has a right to regulate aircraft noise on take-off procedures because the plane is on Port Authority property—that is, the airport. However, once the plane is airborne, jurisdiction passes to the FAA which has control over the aircraft until it sets down at another airport at which time another local regulatory unit takes over control. For this reason, the Port Authority refuses to prescribe noise restrictions for landing operations. The FAA declines to set engine noise levels for landings (except through approach patterns) referring to the jurisdiction of the Port Authority, the difficulty of obtaining accurate measurements, emergency margins of safety, preferential runways and structural limitations of aircraft.

The mechanics of noise abatement procedures can be explained in terms of procedures at Kennedy which require that when the aircraft reaches an altitude of three hundred feet, the Captain is required to make a twenty degree turn to the left and reduce the power of his engines (which reduces noise). "Boxes" which record the noise level are strategically set around Kennedy and record any level of noise greater than 103 PNdb (Perceived Noise decibels). In the first eight months of 1967, of the 98,443 take-offs at Kennedy, 690 involved noise violations.

The safety factor which is involved is that the speed at which the plane is flying when it is required to make the turn and reduce power (200 mph) is a marginal speed to keep the plane aloft. Captain Vernon Lowell in his book says that 250 mph is a safe speed in a heavily loaded plane, that 200 mph is less than the required minimum in case two engines fail, and given the altitude at which it occurs, it is not enough to recover from a possible stall.[18]

The irony of the procedure is that as now practiced it may actually *increase* the noise level. After the aircraft passes the noise recording point, power is again applied in concentrated quantities, thus increasing noise levels along certain paths in that area.

Another procedure which is used at some airports for noise abatement is the preferential runway system. Implementation is usually through an Operations Letter by the FAA which designates the runways by order of preference under certain wind conditions. Exceptions are made when in the judgment of the pilot the use of the preferred runway will jeopardize safety or when, in the opinion of the Tower Supervisor, a hazard could be created. Visual markers such as beacons and other visual guidance to the runways are provided to help keep the pilots on appropriate course.

Theoretically the approach profile should not be as noisy as the departure profile, as the latter is basically full-power while climbing for altitude. On the other hand, slow, dragged-in approaches which are often necessitated by the acceptance of a high speed aircraft behind a low speed aircraft, require use of flaps, configuration with gear, spoilers and power to compensate for speed; all of which means noise.

Solutions to the noise problem which are consistent with safety include restrictions on night operations, increased visual and non-visual glide slope angles and delayed acceptance into the final approach sequence. The FAA is currently developing instrumentation to permit quieter approaches beyond three miles from the airport. If the results of the current study show that two-segment approaches meet adequate levels of safety, then the installation costs for airborne instrumentation necessary to achieve the resulting two-segment approach noise benefits would be approximately $2,000 per aircraft. (At those airports not presently equipped with terminal DME installations, a $50,000 ground facility would be necessary.)

A more promising solution to the noise abatement problem would be found in the design of the jet engine. Noise was accepted as a necessary evil in the early military turbojet engines from which civil jet engines descended, but now an attempt can be made by government and private industry to design jet engines from the very beginning calling for less energy to be wasted on noise and exhaust. An ineffective compromise in the meantime is the establishment of acceptable noise levels—requiring a high degree of technical skill and elaborate facilities for the development of such criteria, the tedious chore of measuring the noise characteristics of each aircraft operation, and the difficulty of enforcing the procedure.

A final area of safe solution for the noise abatement problem is land use, including extending runways, planting rows of pine trees to absorb noise, adopting zoning laws, greater concern to future airport site selection—and, of course, sacrificing passenger "convenience" to both passenger safety and the hearing comfort of populated areas through utilization of existing airport facilities farther from urban centers.

CHART 11.—SCHEDULED DEPARTURES OF MAJOR AIRLINE PLANES FROM JOHN F. KENNEDY AIRPORT, NEW YORK, BETWEEN THE HOURS OF 7 A.M. AND 9:30 A.M.

Time	Flight	Destination	Airline
7:00	81	Pittsburgh	United.
7:00	556	Providence	American.
7:15	361	Charlotte	Eastern.
7:45	425	Philadelphia	National.
7:45	243	Washington-Miami	Pan American.
7:45	425	Washington	National.
7:45	370	Nantucket	Northeast.
8:00	203	Minneapolis	NW. Orient.
8:00	123	Chicago	United.
8:00	233	Santo Domingo	Pan American.
8:00	281	San Juan	Do.
8:00	9/819	Los Angeles	American.
8:00	923	San Juan	Eastern.
8:00	105/31	Acapulco	Braniff.
8:05	469	Norfolk	National.
8:10	401	do	Do.
8:10	285	Memphis	American.
8:10	241	Cincinatti	Do.
8:15	153	Jacksonville	Eastern.
8:20	101/726	Greenville	Do.
8:20	69	San Francisco	United.
8:25	923	San Juan	Eastern.
8:30	540	Easton	Northeast.
8:30	51	Houston	Eastern.
8:30	9	Miami	Do.
8:30	209	Milwaukee	NW. Orient.
8:30	9, 971	Chicago	United.
8:30	291	San Juan	Pan American.
8:40	103	Baltimore	National.
9:45	71	Phoenix	American.
8:45	155	Denver	TWA.
8:45	129	Dayton	Do.
8:45	164	Denver	United.
8:45	205	Detroit	NW. Orient.
8:50	819	Atlanta	Delta.
8:55	21	Tampa	National.
8:55	546	Providence	American.
9:00	901	Mexico City	Eastern.
9:00	49	Seattle	United.
9:00	921	San Juan	Eastern.
9:00	205	Dallas	American.
9:00	151	Orlando	Eastern.
9:00	37	Miami	Do.
9:00	1	Los Angeles	United.
9:00	127	Tampa	Northeast.
9:00	819	Bermuda	Eastern.
9:00	59/801	San Francisco	American.
9:00	87	Los Angeles	TWA.
9:00	907	Dallas	Delta.
9:00	261	St. Thomas	Pan American.
9:10	69	New Orleans	Eastern.
9:15	140	Bermuda	Pan American.
9:15	229	Barbados	Do.
9:20	11	Miami	Eastern.
9:20	33	Columbus	American.
9:30	165	Chicago	Do.
9:30	7	Seattle	NW. Orient.
9:30	21	San Francisco	United.
9:30	1	Dallas	Braniff.
9:30	1	Miami	Northeast.
9:30	191	West Palm Beach	Eastern.
9:30	213	Detroit	American.
9:30	211	San Juan	Pan American.
9:30	483	Washington	National.
9:30	125	Fort Lauderdale	Do.
9:30	3	Sarasota	Do.
9:30	61	Orlando	Do.

Source: "Congestion in Air Traffic" Congressional Record, vol. 114, pt. 20, p. 26396.

Footnotes at end of article.

CHART 12.—PLANE MOVEMENTS, 1967—5 MONTHS
[In percent]

	New York-New Jersey metropolitan region	Kennedy	La Guardia	Newark
Airline	58	85	60	70
General aviation	42	15	40	30
Air taxi	10	10	14	12
Business and private	22	5	25	17
Government	(1)	(1)	1	1
School	10			

[1]Less than 0.5 percent.

PEAK HOUR PLANE MOVEMENTS—1967—5 MONTHS
[In percent]

	New York-New Jersey metropolitan region	Kennedy	La Guardia	Newark
Air line	54	69	38	48
General aviation	45	31	62	52
Air taxi	24	22	25	27

Source: Port of New York Authority.

CHART 13(A)

TABLE 13.—FLATTENING OF SCHEDULE PEAKS

Demand operations per year	Annual delay for peaking factor [1] of			Benefit of flattening demand peaks			
	8 percent	7 percent	6 percent	From 8 percent to 7 percent	From 8 percent to 6 percent	From 8 percent to 7 percent	From 8 percent to 6 percent
	Annual delay in minutes per year			Savings in delay, minutes per year		Percent reduction in delay	
200,000	91,200	82,600	75,100	8,600	16,100	9	18
300,000	441,000	369,000	309,000	74,000	132,000	17	30
400,000	1,760,000	1,320,000	1,126,000	440,000	634,000	25	36
500,000	5,470,000	4,040,000	3,340,000	1,430,000	2,130,000	26	39
600,000	19,460,000	11,380,000	8,080,000	8,080,000	11,380,000	42	58

[1] Based on parallel runways at 3,500 feet separation, i.e., configuration 3, table 1a. Peaking factor is defined as the percentage of daily activity occurring during the peak hour of the day (averaged for the two consecutive busiest hours of the day).

Source: Federal Aviation Administration.

CHART 13(b).—PROGRESSION OF DELAYS DURING PEAK HOURS OF THE DAY

Airport	Year delay may reach—			
	¼ to ½ hour	¼ to 1 hour	1 to 2 hours	Infinity[1]
Kennedy	1966	1968	1970	1973
La Guardia	1970	1973	1976	1978
Newark	1969	1972	1974	1975
National[2]				
O'Hare	1966	1969	1972	1974
Los Angeles	1970	1972	1975	1977
San Francisco	1979	1984		
Oakland	1985			

[1] Delays will carry through from one year to the next.
[2] Leveling off of demand keeps the delay level less than ½ hour during peak periods.

Source: Department of Transportation, 1967.

VIII. THE FEDERAL AIR TRAFFIC CONTROL AND NAVIGATION SYSTEMS

The present air traffic control and navigation system is valued at $1.25 billion and requires about a half-billion dollars annually to operate and maintain. During fiscal year 1966, the FAA obligated approximately $54.4 million for the procurement and installation of new facilities and equipment of all types in the Federal airways system. Of this amount, $7.8 million was for projects undertaken at the request of other Federal agencies (the military services predominantly) and local or State governemnt.

Navigation

Navigation facilities aid a pilot in directing his aircraft to his destination. Such equipment is independent of attempts to control the flight of an aircraft by air traffic controllers.

The first essential in navigation is for the pilot to be able to find his destination, another airport. Conspicuous markings, lights, etc., were the first devices used. In addition to visual means, the simplest form is a nondirectional beacon from a radio station transmitting its identity in a dot-dash code. The aircraft can use a direction finder radio to "home in" from any direction. This technique is now obsolete and is only found in remote locations.

The best current available means for locating an airport is with a Very High Frequency Omnidirectional Radio Range (VOR) station. This station provides 360 courses radiating like the spokes of a wheel, and with the proper airborne receiver, a pilot can fly any selected course to or from the station. As of June 30, 1967, there were 318 VOR stations. A similar military system (TACAN) is also available for properly equipped aircraft.

The standard means of navigation between airports along the airways is the VORTAC station, which makes up the fundamental navigation system in the United States. VORTAC combines a VOR for civilian use with a TACAN station which provides at very high frequencies an omnirange facility used by military aircraft and a distance measuring system used by both civilian and military aircraft. As of June 30, 1967, there were 566 VORTAC stations. Supplementing VORTAC and principally in remote locations are 62 of the now obsolete low frequency ranges and 304 homing beacons.

The future offers three types of improved navigation equipment:

The integrated Doppler-inertial-stellar-radio navigation system with central digital computers, presently installed on all TWA fleet carriers and all of the PAA DC–8 fleet, (as of April, 1966, this constituted perhaps 60% of the total fleet which operates across the Atlantic); Doppler equipment is reported to have a standard deviation of 12.2 miles;

A more sophisticated ground reference navigation system, particularly the VOR–DME–TACAN, which combines a very high frequency omnirange with distance measuring equipment;

Synchronous satellites which offer international air carriers an improved communications link.

Air Traffic control—its use

Air traffic control is a "service provided for the purpose of keeping aircraft safely separated while operating in controlled airspace, which can include taking-off and climbing, en route, and approaching and landing at air terminals." Control is exercised by direct contact between pilots and air traffic controllers.

Not all airspace is presently under control. The actual air traffic control is divided into air route traffic control centers (ARTCC) which handle the airplane from point to point en route and the airport traffic control towers (ACTCT) which handle them at the terminal area during landing and take-off. As of June 30, 1967, there were 28 ARTCC's, 309 ATCT's and 65 combined station/towers (CS/T). (See Chart 14).

There are some areas, usually surrounding the busiest terminals, where all aircraft entering that area must come under the control of the air traffic controllers.

When flying in adverse weather conditions less than 3 miles lateral visibility and/or less than a 1000 foot ceiling) or when flying above 27,000 feet (an area populated exclusively by jets), the aircraft is required to fly under Instrument Flight Rules (IFR). In order to fly under IFR, a pilot must be licensed for this special type of flying and the aircraft must be equipped with properly calibrated instruments. All aircraft flying under IFR must be under the control of the air traffic controllers.

When the weather conditions permit, or when not flying above 27,000 feet, a pilot may take the option to fly under visual flight rules (VFR). This "see and be seen" concept means that aircraft separation and collision avoidance are the responsibility by law of the pilot.

A summary of control and flight rules follows:

Conditions	Flight rules	Subject to air traffic control
Above 27,000	IFR required	Yes.
All areas—bad weather	do	Yes.
Nonrestricted areas in good weather.	Optional VFR or IFR	No. Yes.
Restricted areas in good weather—heavy traffic areas.	Optional VFR or IFR	Yes. Yes.
Restricted areas in good weather—highest priority traffic areas.	IFR required	Yes.

One principle area of debate has been the continued use of VFR flying. Much of the criticism is based on the conclusion that VFR flying causes accidents. Some suggest that this is an inaccurate conclusion, based on the misconceptions that all air carriers are jets flying constantly at 300 mph thereby generating instantaneous closure rates, and that most flying occurs around crowded airports. In reality, Federal Air Regulations require that airplanes flying in opposite directions above 3,000 feet must fly with vertical separation of 1,000 feet (jets with vertical separation of 2,000 feet), which means that only if they are going in the same direction can they be at the same altitude. The relevant closure rate then, is the difference in air speed between the overtaking airplane and the one being overtaken, not "instantaneous". In addition, at low altitudes, regulations impose speed restrictions on jet aircraft, VFR, many contend, is still a workable concept within the rules of its operation, though its applicability may diminish in the future as the types of aircraft change.

The question of mixing VFR and IFR landings at certain unrestricted airports is still vital.

Air traffic control—equipment

The first air traffic control was simply a matter of signaling to the pilots when they were in sight of the airport. This process remained crude until ground-air and later air-ground radio communications were feasible. This basic system in terms of procedures and control has not changed fundamentally in 20 years, though it has been improved and electronic supplements have been added to the system so that a top-notch crew in a tower such as Chicago O'Hare International can maintain an an-

nual rate of one operation every 70 seconds with peak rates of perhaps one every 30 seconds (using parallel runways).

Voice Communication is maintained by RCAC (peripheral communications installations) which provides coverage to the periphery of the designated control area (usually an area around an airport) by which the pilot and air traffic controller talk directly. In 1966, 361 airports were equipped with RCAC installations.

Positioning is determined by radar, an electronic device that, in its primary form, locates an aircraft by transmitting radio energy pulses toward it and timing the echo's return. Reflected on the cathode-ray tube of a radar console, the echo, called a "blip", furnished the controller with the actual position of the aircraft. Primary radar is distinguished from the radar beacon system (or secondary radar), the latter dispensing with the echo and making use of a radio transmitter/receiver (interrogator) on the ground and a radio receiver/transmitter (transponder aboard the aircraft. When radio pulses transmitted by the interrogator are received by the transponder, they trigger transmission of a reply in the form of a distinctive signal which is received at the site of the interrogator and identifies the aircraft. (It does not identify altitude). The radar beacon system is more sophisticated and is being more extensively used. Presently 532 air carriers (and all new equipment) are fitted with transponders, all military have transponders, and general aviation has 4,000. General aviation equipment is not required to be fitted with transponders. FAA estimates that it would cost $147 million to equip the total fleet, commercial and general with transponders (radar beacon)—$20 million for air carriers, $44 million for general aviation, and $30 million for military.

There are numerous types of radar equipment all of which are designated to affect an approach controlled from the ground. The ground controller communicates instructions to the pilot giving direction, distance, and elevation along a fixed approach path to an airport.

Presently the equipment is sophisticated enough to affect an automatic landing up to 1,600 feet visual range (200 foot ceiling and ½ mile visibility). In some places, automatic landing can be used at 1,200 feet.

As David Thomas said in April, 1966: "It will be several years before you will be able to buy a ticket on a plane that lands without visual reference, though we will be doing it on a test basis within a year."[19]

Presumably air traffic capacity increases as the equipment enables landing the all visibilities. Radar sophistication includes the following:

1. Long Range Radar (LRR). This is a radar of approximately 150-mile radius used by air route traffic control centers to control air traffic between terminals. As of June 30, 1966, 89 airports were equipped with LRR.

2. Airport Surveillance Radar (ASR). This is a short range radar system which maintains constant surveillance over aircraft at the lower levels of flight, normally within a 30-mile radius of an airport. The altitude coverage ranges from 10,000 to 30,000 feet. As of June 30, 1966, 81 airports were equipped with ASR.

3. Airport Surface Detection Equipment (ASDE). This is radar that shows the movement of aircraft and other vehicles on the ground at an airport.

4. Instrument Landing System (ILS). This is a facility based on radar in the vicinity of an airport which radiates direction and position signals to approaching aircraft. The signals are received on an instrument in the aircraft and alert the pilot to any deviation from the safe approach path to the correct touchdown point on the runway. The signals can be fed directly to the autopilot for automatically controlled approaches. It is usually supplemented by a high-intensity approach light system, and normally the two installed together can permit approaches at 200-foot ceiling and ½ mile of forward visibility. As of June 30, 1966, 257 airports were equipped with ILS. At the same time, 223 airports were equipped with an approach light system with sequence flashing (ALSF).

5. Precision Approach Radar (PAR). This is radar used by traffic controllers to "talk" a pilot on final approach down a prescribed path leading to the runway. The military uses the devices extensively but the airlines prefer to treat it only as a monitoring and emergency facility. As of June 30, 1966, 27 airports were equipped with PAR.

6. Military Radar Approach Control Facility (RAPCON or RATCC). This is a military radar station that controls arriving and departing IFR traffic at Air Force and Navy bases. At certain locations RAPCON's and RATCC's are operated by FAA personnel. As of June 30, 1966, 36 airports of all types were equipped with RAPCON or RATCC.

7. Alphanumerics. This is a "bureaucratic" name for a sophistication of the read-out on the radar scope. Instead of lots of light spots and blips, each one is tagged with as much information as the accompanying computer equipment can digest. Indianapolis Air Route Traffic Control Center established alphanumerics in a device called SPAN which is now being moved to New York. Atlanta used a limited read out showing altitude and identity in a test program called ARTS.

Regardless of how sophisticated radar equipment becomes, it is limited by runway capacity and air traffic control procedures. Radar can organize and sequence the traffic under adverse visibility conditions, thus creating a safer system, but safe clearance distances are greater in bad weather and traffic still slows down to half the rates used in clear weather. In weather restrictions in the New York area, for instance, the actual airport acceptance rate can be reduced from 120 movements (the acceptance rate under good weather conditions) to 40 or 50 in weather restriction conditions. Transponder assisted radar makes the controller's job easier.

Technologically, the air traffic control system is still largely manual despite the increased use of computers. Navigation aids, voice communications, radar beacons, and "alphanumeric tags" on radar scopes are all improved tools for the manual control of traffic and will enhance system performance. But use of computers to aid in directing traffic has been notably absent to date.

A very small beginning has been made in the form of an approach spacing computer. This present trial taking place at the FAA's National Navigation Facilities Experimental Center is demonstrating how a computer can aid a controller in computing vectors and in assigning speed control in order to space flights more accurately on final approach. Use of computers in the more complex decision-making areas of control will provide broad opportunities in regulating and determining en route traffic patterns; in determining airport development plans; in acquiring and disseminating weather information; in coordinating intermodal transportation; in finding solutions to air space use; in examining and controlling the interrelationship of radar control with clearance limits, altitude and aircraft capability; and in analyzing terminal area bottlenecks.

An adjunct to future controlling systems will be an airborne collision avoidance system (CAS) to detect and analyze potential collision threats, then to tell the pilot what evasive action to take if a collision threat does exist. The device is not intended to substitute for air traffic control, but to provide for safe separation if, for any reason, the air traffic control system's separation does not fulfill its role or if the aircraft is flying under visual flight rules. Research and development has been somewhat successful in gaining the knowledge necessary to develop such a device, and Stuart Tipton said in 1967 that "a practical CAS now appears to be within sight."[20] The SST will be the first aircraft to incorporate a CAS from the beginning. It is hoped that the day is not far away when synchronous communications satellites will be utilized to exchange information between plane and ground automatically—akin to the telemetering principle common in space technology. In 1964, airline industry initiative started a program to make this goal a reality. Today it has grown into one of several major experiments in NASA's ATS–1 project. The project has the participation of seven airlines, valuable help from manufacturers of aircraft and airborne electronics equipment, and technical management from Aeronautical Radio, Inc.—the airline industry's own communications company.

Inevitably all air traffic systems must begin and end at an airport. Like a chain, the air traffic control system is only as strong as its weakest link. In aviation the weakest link is the saturation level of the system—under a variety of weather and control conditions. As an airport approaches its saturation level, safety is reduced.

There is also a financial cost of airport saturation. Based on 1960 figures by the Civil Aeronautics Board, the cost to the airlines due to airport crowding was $21,117,060 due to cancelled mileage and $48,890,385 due to delayed flights (15 minutes) for a total of over $70,000,000 per year. A more recent survey by United Research Incorporated forecast the average cost per diversion and cancellation for U.S. air carriers in 1965 and 1970 as $2,140 and $2,760 respectively.

Chart 14 itemized the predictable delays at major airports as they reach saturation. These are the statistics of convenience, but they imply a similar growth in tragedy.

A national airspace system

To meet the airspace system crises, FAA has undertaken "long range planning" under the program title of NAS, National Airspace System. Stage A proposes to spend $212 million from fiscal year 1966 and prior to 1970. (See Chart 15). This will fund a configuration of 15 en route air traffic control systems.

FAA reassessed the plan in 1966 to determine whether the proposed funding schedule will produce an operating improved air traffic control system in the shortest possible time. Their review indicated that fund availability is not, at present, the controlling factor:

"The production capabilities of the electronics industry, the time required to manufacture computer programs, field installation problems and the requirements for evolutionary phased implementation affect the implementation schedule to a greater degree than the funding schedule."

However, money and FAA planning may have more to do with the state of the program than the above statement suggests. FAA, for instance, is presently redirecting their terminal area air traffic control program. Previous plans called for Chicago, Los Angeles, Washington, Oakland, and New York to be equipped with a sophisticated and expensive TRACON "M" (Terminal Radar Approach Control) system involving the digitizing of all radar returns, replacements for all displays, reconfiguration of IFR rooms, etc. The first TRACON "M" installation scheduled for Chicago during 1970 had a price tag of $8.5 million.

The TRACON "M" plan has now been replaced with a new modular (building block) automation plan which is far less costly per facility. It is envisioned that the $8.5 million, plus additional monies yet to be appropriated, will be spent to provide alphanumeric identity and altitude readout capability and certain other operational capabilities at 61 of the 117 busier radar equipped airports. The new system is known as "ARTS–3" (Automated Radar Traffic Con-

Footnotes at end of article.

trol System). The group of airports affected handles about 90% of all airline passengers and about 70% of all IFR operations.

It is envisioned that ARTS-3 can eventually evolve into a highly sophisticated level of automation. Additions to the system might include the capability to—

Display identity and other flight data in association with primary radar returns;

Perform approach sequencing;

Permit the integration of additional radar sources into a single display system;

Provide weather contouring; and

Offset data blocks automatically to prevent overlaps.

A limited ARTS program, showing altitude and identity on the radar scope has been tested at Atlanta. A similar system called SPAN was established at the Indianapolis Air Route Traffic Control Center and has since moved to New York.

There are some serious questions to be raised by the program now to be implemented by NAS. One is cost. It takes a tremendous amount of computer equipment to make alphanumerics work—to take the beacon code data, make it suitable for transmission over telephone lines, sort it out, reassemble the information, attach it to the radar return, and display it in the form that the controller wants. David Thomas, in testimony before a Subcommittee of the Committee on Government Operations, in 1966, said that "each center will have from $15 to $20 million worth of electronics to just make alphanumerics work." [21] This figure is almost twice the estimates ($8.5 million) for TRACON "M" which was abandoned because of cost.

Can the equipment justify the cost? Atlanta Controller Dwayne B. Carlson says that there are weaknesses in the ARTS system—"changes in headings are not as quickly detected and precipitation and other clutter is more pronounced;" [22] but he thinks it is here to stay and is an "improvement". Some ask whether such a huge expenditure benefiting so few airports with such little improvement is the best approach to upgrading the airways system. Should the whole National Airspace System be devoted to 117 airports? As with the National Airport Plan (see Section X, Airport Construction and Use), the NAS is based on the rationale of passenger volume as the criteria for need when, in fact, a safe airways system is not solely the province of the busy airport.

In addition, the NAS is less a design of a safe airways system, than it is an identification and tally of a series of airports which need more equipment. NAS reflects limited imagination in gathering all the resources, in connecting all the components, in projecting the course of technology and in developing a comprehensive structure to fit the growth of safe and efficient use of the airways.

Stuart G. Tipton, President of the Air transport Association, suggests that 292 control tower services, 421 radar installation facilities, and 337 instrument landing systems are needed to equip adequately the 526 airline-served airports. As of now, only 105 of the airports served by airlines have radar, only 234 have control tower services, and only 189 have any instrument landing system at all.

CHART 14.—NUMBER OF MAJOR AIR NAVIGATION FACILITIES OPERATED/FUNDED BY FAA AT END OF FISCAL YEAR 1966 AND 1967 [1]

Major facility	Number		
	June 30, 1967	June 30, 1966	June 30, 1965
Approach light system with sequence flashing (ALSF)	234	223	215
Airport surveillance radar (ASR)	83	81	76
Instrument land system (ILS)	265	257	250
Precision approach radar (PAR)	26	27	29
VOR (including TVOR) [2]	318	362	457
VORTAC	566	517	396
Flight service station (FSS)	333	333	333
International flight service station (IFSS)	12	12	13
Peripheral communication installation (RCAG)	375	361	357
Air route traffic control center (ARTCC) [3]	28	28	29
Airport traffic control tower (ATCT)	245	233	217
Combined station/tower (CS/T)	59	65	67
Long-range radar (LRR)	89	89	83
Military radar approach control facility (RAPCON) or RATCC; figure includes center approach control	36	36	40
Airport surface detection equipment (ASDE) [4]	8	4	11

[1] Figures shown include only facilities installed and/or maintained or operated with FAA funds; omitted are a small minority of military and/or non-Federal facilities that are part of the common civil-military air navigation and air traffic control system but not funded by FAA.
[2] Many of these facilities are being converted to VORTAC's.
[3] Figures include all centers outside as well as within the contiguous 48 States.
[4] Figures exclude San Francisco facility, which will be operated during the winter months only.

Source: FAA.

CHART 15. *NAS stage "A"*

Fiscal year:	*Million*
1966 and prior years	$86.1
1967	16.0
1968	33.2
1969	38.5
1970	38.3
Total	212.1

Our estimate indicates that the $212.1 million will fund a configuration of 15 en route air traffic control centers. The first center to be completed with the NAS Stage "A" system will be at Jacksonville, Fla. Our installation schedule indicates that initial operating capability for the system at Jacksonville should be realized during the third quarter of fiscal year 1968. With respect to the other centers, the following installation schedule is furnished:

Center No.:	*Initial operating capability*
2	3d quarter, fiscal year 1970
3	4th quarter, fiscal year 1970
4	4th quarter, fiscal year 1970
5	1st quarter, fiscal year 1971
6	2d quarter, fiscal year 1971
7	2d quarter, fiscal year 1971
8	2d quarter, fiscal year 1971
9	4th quarter, fiscal year 1971
10	4th quarter, fiscal year 1971
11	4th quarter, fiscal year 1971
12	1st quarter, fiscal year 1972
13	2d quarter, fiscal year 1972
14	3d quarter, fiscal year 1972
15	3d quarter, fiscal year 1972

Source: FAA.

CHART 16. *Number of airports*

1930: Airports on record	1,782
1940: Airports on record	2,331
1950: Airports on record	6,403
1960: Airports on record	6,881
1965: Airports on record	9,566
1966: Airports on record	9,482
1967: Airports on record	10,126

Source: FAA.

CHART 17.—AIRPORTS ON RECORD WITH FAA, 1949-66.[1]

Year	Total	With runway lights	With paved runways	Airports of entry
1949	6,414	1,521	1,357	47
1950	6,484	1,480	(2)	46
1951	6,403	1,670	1,422	46
1952	6,237	(2)	(2)	47
1953	6,042	1,858	1,498	56
1954	6,760	1,050	1,291	55
1955	6,977	1,108	1,084	56
1956	6,879	1,247	1,351	58
1957	7,028	1,399	1,467	59
1958	6,412	1,713	1,496	58
1959	6,018	1,809	1,632	58
1960	6,426	1,943	1,757	58
1961	6,881	2,133	1,893	58
1962	7,715	2,299	2,058	56
1963	8,084	2,481	2,355	61
1964	8,814	2,672	2,451	63
1965	9,490	2,773	2,620	[3]63
1966	9,566	2,878	2,747	64

[1] Includes seaplane bases, heliports, and subsequent to 1953 military fields having joint civil military use. For 1953 and prior yearstall military fields are included.
[2] Not available.
[3] Includes 4 airports in Alaska.

Source: FAA.

CHART 18

PROJECTED NEED THROUGH 1973 (ALL NON-FEDERAL U.S. AIR CARRIERS—525 AIRPORTS)

Year	Total	With runway lights		With paved runways		Airports of entry
Large hub	$990,000	23	$2,262,000	77	$2,952,000	
Medium hub	280,000	55	227,000	45	507,000	
Small hub	264,000	57	196,000	43	400,000	
Nonhub	750,000	77	225,000	23	975,000	
Total	1,984,000	41	2,910,000	59	4,894,000	100

ESTIMATED FUNDING REQUIREMENTS FOR DEVELOPMENT OF GENERAL AVIATION AIRPORTS [1]

Purpose of expenditure	1969–73 estimated requirements [2]		1974–78 estimated requirements [3]	
	Number of units	Millions of dollars	Number of units	Millions of dollars
1. Construction of new "reliever" airports	74	100	150	200
2. Other new airport construction	645	200	35	10
3. Development of existing airports	1,574	265	750	80
Total		565		290

[1] Total construction costs for all types of development presently eligible for FAAP assistance at airports exclusively serving general aviation.
[2] Recommended development contained in the 1966–67 national airport plan.
[3] Preliminary estimate of additional and continuing development needed to meet forecast general aviation growth through 1980.

Source: FAA.

Footnotes at end of article.

CHART 19.—AIR CARRIER INVESTMENT AT JUNE 30, 1959-67

	Asset distribution (net)								Capital distribution					
	Buildings and ground equipment		Flight equipment		Working capital and other		Total		Stockholder equity		Long-term debt		Total	
	Millions	Percent of total	Millions	Percent of total	Millions	Percent of total	Millions	Percent of total	Millions	Percent of total	Millions	Percent of total	Millions	Percent of total
Certificated route air carriers:														
1959	$160.5	8	$1,263.3	66	$496.1	26	$1,918.9	100	$931.9	49	$987.0	51	$1,918.9	100
1960	192.8	8	1,764.5	77	332.1	15	2,289.4	100	947.5	41	1,341.9	59	2,289.4	100
1961	203.7	7	2,155.0	79	369.5	14	2,728.2	100	979.2	36	1,749.0	64	2,728.2	100
1962	220.8	8	2,368.6	81	315.5	11	2,904.9	100	948.3	33	1,956.6	67	2,904.9	100
1963	219.6	8	2,304.9	82	290.5	10	2,815.0	100	992.6	35	1,822.4	65	2,815.0	100
1964	232.9	8	2,562.2	83	274.1	9	3,069.2	100	1,192.4	39	1,876.8	61	3,069.2	100
1965	292.1	8	3,009.9	84	302.3	8	3,604.3	100	1,502.5	42	2,101.8	58	3,604.3	100
1966	312.2	7	3,728.4	79	650.6	14	4,691.2	100	2,167.0	46	2,524.2	54	4,691.2	100
1967	398.1	6	4,682.7	75	1,150.1	19	6,230.9	100	2,681.5	43	3,549.4	57	6,230.9	100
Supplemental air carriers:														
1959	1.9	7	27.8	97	−1.2	−4	28.5	100	−7.4	−26	35.9	126	28.5	100
1960	.9	7	25.2	194	−13.1	−101	13.0	100	−10.6	−82	23.6	182	13.0	100
1961	1.0		15.6		−17.6		−1.0		−17.2		16.2		−1.0	
1962	1.0	6	16.0	105	−1.7	−11	15.3	100	5.0	33	10.3	67	15.3	100
1963	.6	1	63.9	135	−17.0	−36	47.5	100	10.0	21	37.5	79	47.5	100
1964	.7	1	64.5	107	−4.8	−8	60.4	100	12.6	21	47.8	79	60.4	100
1965	.8	1	62.0	93	3.6	6	66.4	100	29.7	45	36.7	55	66.4	100
1966	1.1	1	84.1	75	27.6	24	112.8	100	53.1	47	59.7	53	121.8	100
1967	2.0	1	131.6	71	52.4	28	186.0	100	83.7	45	102.3	55	186.0	100

Source: CAB.

CHART 19A

THE NATIONAL AIRPORT PLAN, 1968-72—NATIONAL ECONOMIC INDICATORS

	1965	1970	1975	1980	Percent growth 1965-80
Population (millions)	194	206	220	235	21
Gross national product (billions of 1958 dollars)	614	765	942	1,160	89
Air carrier enplaned passengers (millions)	95	168	286	482	407
Aircraft operations, FAA tower airports (millions)	−35.6	69.3	113.4	184.6	418
Fuel consumption (billions of gallons)	4	7.7	12	17	325
Civil aircraft:					
Air carrier	2,125	2,540	3,240	3,600	70
General aviation	88,742	128,000	166,000	210,000	137
Aircraft production	11,050	20,850	26,500	33,500	203

22 LARGE HUB FORECAST OF AVIATION DEMAND

	1965	1980	Percent increase
Aircraft operations (millions)	20.3	74.6	269
Enplaned passengers (millions)	69.5	370.6	433
Air cargo tons (millions)	1.3	19.7	1,377
General aviation aircraft (thousands)	20.3	50.3	146

CHART 19B

TABLE F.—ITINERANT OPERATIONS AT FAA-OPERATED AIRPORT TRAFFIC CONTROL TOWERS, CALENDAR YEARS 1956-66

Calendar year	Number of itinerant operations			
	Tota	Air carrier	General aviation	Military
1966	27,769,883	8,206,322	17,985,302	1,578,259
1965	24,212,395	7,819,114	14,706,905	1,686,376
1964	22,182,669	7,447,434	12,982,649	1,752,586
1963	20,714,673	7,339,533	11,636,473	1,738,667
1962	19,202,819	7,059,630	10,376,701	1,766,488
1961	18,232,013	6,980,246	9,417,764	1,834,003
1960	17,992,527	7,164,394	8,909,153	1,919,280
1959	18,357,411	7,352,849	8,637,675	2,366,887
1958	17,940,296	6,997,079	7,935,575	3,007,642
1957	17,070,445	7,112,208	6,616,364	3,341,873
1956	15,098,619	6,553,366	5,366,175	3,179,078
PERCENT CHANGE				
1966	+15	+5	+22	−6
1965	+9	+5	+13	−4
1964	+7	+1	+12	+1
1963	+8	+4	+12	−2
1962	+5	+1	+10	−4
1961	+1	−3	+6	−4
1960	−2	−3	+3	−19
1959	+2	+5	+9	−21
1958	+5	−2	+20	−10
1957	+13	+9	+23	+5
1956	+13	+9	+18	+10

Source: FAA.

IX. AIRPORT EQUIPMENT, CONSTRUCTION, AND FINANCING

The FAA cited airports/airways as a related factor in 6% of the air carrier accidents between 1960 and 1964 and 4.7% of general aviation accidents between 1960 and 1966. In a real sense, of course, the figures might be dramatically higher if they related to those accidents which were available if adequate airport facilities existed.

The number of airports or landing areas in the United States has leaped from 1,782 in 1930 to 10,126 as of December 31, 1967. (See Chart 16). These can be divided into three basic groups of about equal number:

	Percent
Publicly owned (3,830)	38
Privately owned, open for public use) (3,056)	30
Privately owned (not open for public use) (3,231)	32

Therefore, 63% or 6,895 airports are open to public use. This total includes seaplane bases, heliports, and military fields shared with civilian traffic, but excludes those military fields which allow civilian emergency use only.

In the short span of one year, from January 1965 to January 1966, the number of airports in the U.S. receiving scheduled airline jet service increased from 70 to 111. Based on recently announced equipment orders of scheduled carriers it is estimated that by 1970 an additional 234 airports will require the capacity to receive jet aircraft in scheduled airline service. The tremendous growth of small jet aircraft in general aviation also contributes to the need for updated safety criteria for airport design, construction and maintenance.

RUNWAYS AND OTHER AIRPORT FACILITIES

The list of airport facilities which need attention is long:

Only 223 (of 10,126 in 1967) airports had flight service stations. This is a facility which furnishes pilots with up-to-date preflight and in-flight weather information and flight following service—and which initiates search and rescue operations for overdue or unreported aircraft. The station also relays notices to airmen concerning any conditions that might affect the safety of the flight. FAA maintains 12 additional international flight service stations.

Airfield lighting systems need to be improved and extended to a large number of fields which do not have any lighting systems at all. Of the 9,566 airports on record with FAA as of 1966, only 2,878 had runway lights. (See Chart 17.)

More *exit taxiways* and improved configuration can reduce the hazard of taxiing across active runways and provide a significan reduction in aircraft delays.

Most airports have inadequate fire-fighting equipment, despite the fact that CAB studies show that fire after a crash is generally more likely to be fatal than the crash itself. Teams of two or more crash rescue helicopters are on duty at more than 75 Air Force bases around the world, but no civilian airport in the U.S. has a crash rescue helicopter team of its own.

Not only should towers be built at the more than 3,400 publicly owned airports without control towers, (only 307 airports have them), but existing towers have to be improved to allow for adequate controller views of the airfields and for up-dated facilities.

The FAA was well into a $20 million program to build about 77 air traffic control towers. In 1961, Congress directed FAA to

finance and build its own towers (formerly airport owners provided the structure). Unfortunately the program has not been fiscally responsible, and has provided few towers. In August 1963, FAA estimated construction costs of towers of Type 0 (five sided) at $180,000 but by 1966, 25 towers had been built at an average cost of $298,000 apiece. Conventional four-sided towers cost about $200,000 apiece, and as Type 0 has no known functional value over the conventional type, GAO was advised that no more such towers were to be constructed.

The most obvious and crying need, however, is in runway improvement. Of the 9,673 civil and joint use airport runways on record in 1966: 5,955 are under 3,000 feet; 1,743 are 3,000–3,999; 725 are 4,000–4,999; 586 are 5,000–5,999; 181 are 6,000–6,999; 112 are 7,000–7,999; 71 are 8,000–8,999; 50 are 9,000–9,999; 250 are 10,000 feet or over.

This means that only 483 have the approximate 7,000 feet of runway length required for most safe jet operations. Most of these, of course, are among the 709 air carrier airports.

The results of some overruns are more disastrous than others, of course, but the potential is evident: a Vanguard overrun at London in 1965 killed 36; a Convair 240 overrun at Tokyo in 1964 killed 20; a 707 overrun at Orly in Paris in 1962 killed 131. The following overrun accidents occurred in a single six week period:

November 1, 1967, a Pan American 707 skidded off the end of a runway at Logan International—one hurt.

November 2, 1967, a Seaboard World DC–8 rolled off the end of the runway at Kennedy International—none hurt.

November 5, 1967, a Cathay Pacific DC–8 crashed into the harbor on take-off from Hong Kong and broke in half—one killed.

November 6, 1967, a TWA 707 aborted a take-off at Cincinnati and rolled off the end of the runway and burned—11 injured; one subsequently died.

December 3, 1967, a Pan Am 707 ran off the runway at London Airport and got stuck in the mud—none hurt.

On April 5, 1964, there were reported three overruns in New York in a 12-hour period; two at Kennedy and one at LaGuardia.

The causes of overruns vary; brake failure; asymmetric thrust reversal; water, slush, or ice on the runway; power failure on take-off; and other factors. But the Airline Pilots Association feels that the overrun problem stems less from pilot error than from a failure to give the pilot an adequate safety margin by making the length of the runway commensurate with the type of aircraft, the load or weight of the aircraft, the conditions of environment (weather and altitude) and landing pattern procedures of the area.

Runway extension will increase safety; so will clearing the runway of obstacles. The Society of Automotive Engineers Journal, April 1966, says that "obstacles surrounding the sides and ends of runways were the major contributing factor in take-off and landing accidents of commercial aircraft in which fire was involved. It is estimated that 79 percent of the fire fatalities could have been avoided if the runway and overshoot areas would have been cleared of obstacles."[23] Accident statistics continue to increase due to lack of clear runways, and overrun and underrun zones—free of ditches, correctable irregularities, houses, wires, unnecessarily strong approach light fixtures, etc. It is interesting to note that at NAFEC—FAA's experimental center—the approach end of the runway has an adequate underrun area which is greater than the 10 percent of runway length recommended by the Airline Pilots Association in 1956.

Cost can be decreased and effectiveness increased if runways are strengthened according to use. Based on average strength of existing runways, it is estimated that 20 percent of the 234 airports receiving jet traffic in 1970 will require a three-inch overlay on approximately 95,000 sq. yards of pavement for BAC–111 and DC–9 operations. A high stressed runway costs $1,000 per linear foot, and an inexpensive low stress runway costs $10 per linear foot. Short landing areas for light aircraft do not need the benefits of a high stress $1,000 per foot runway.

Parallel runways add significantly to the capacity of an airport in visual flight rule weather, but the magnitude of increase in instrument flight rule weather depends on whether or not the operations on one runway are controlled independently from operations on the other. A single runway in IFR can land about 35 aircraft per hour or 40 mixed operations (landing and taking-off); the capacity for close parallel runways (a separation of less than 3,500 feet) is about 50 for IFR and for runways separated by more than 5,500 feet, 70 operations per hour. Additional close parallel runways will not increase the IFR capacity unless simultaneous instrument approach is provided—with it facility capability can be increased to about 140 operations per hour.

Compacted shoulders along the sides of runways provide a margin of safety similar to those along the sides of highways. Airports have been closed for extended periods of time due to one or both of the wheels of a large transport bogged down in the mud near the side of a runway—this type of accident is usually free from direct fatalities, but may result in extremely adverse safety conditions if traffic build-up is a result.

For some years the British have successfully reduced skidding of military aircraft landing on wet runways by having small grooves cut across these runways. Recent work by NASA has contributed greatly to our understanding of the causes of skidding and how grooving reduces skids. In 1966, the airlines began discussion with U.S. airport officials with the aim of having from three to five runways grooved so that the effects of grooving could be evaluated under climatic and operational conditions found in this country. More detailed studies are now in progress.

Airport certification

The Civil Aeronautics Act authorizes the Administrator to inspect, classify, and rate any air navigation facility as to its suitability and to issue certificates for any navigation facility. But the act does not require the issuance of Federal certificates to airports, nor does it make it unlawful to operate an airport without a certificate. As far back as 1953 the report of the FAA's Doolittle Committee, "The Airport and Its Neighbors", advocated: "The Civil Aeronautics Act should be amended to require that certification shall be issued for the operation of airports used in interstate commerce. Such certification should define the standards for safe operation and proper maintenance and should be revoked if the standards are not met."[24]

The Airline Pilots Association has long advocated Federal airport certification which specifies minimum standards of runway lengths, runway surfaces, obstruction-free approach and circling patterns, adequate runway markings and lighting, safe, maintained runway overrun and underrun areas, adequate and properly maintained fire fighting equipment and trained fire fighting crews, adequate snow removal equipment and procedures, positive control of airport vehicular traffic and airport zoning regulations. Capt. John McDonald, a United Airlines pilot has said, "because it does not certify airports, the FAA does not require them to have fire fighting equipment. . . . A lot of airports do not even have a bucket of sand and yet air traffic is authorized into those airports."[25]

What seems equally important is that airport certification be tied with the kind of aircraft which can operate at that airport, or the way an area in which aircraft may operate at the airport.

Most important of all, however, is the simple need for federal certificators for an airport with reasonably well defined standards on which that certification is based. In the absence of such a procedure the location and development of airports will remain a local political football where the debates between convenience and safety too often will be resolved according to the predictable but inexplicable passion of the moment for convenience.

National airport plan

The Federal Airport Act of 1946, Public Law 377, 79th Congress, Sec. 4, states that:

"In order to bring about . . . the establishment of a Nation-wide system of public airports adequate to meet the present and future needs of civil aeronautics, the Administrator is authorized . . . to make grants of funds to sponsors for airport development . . ."

Airport development is further defined in Sec. 1(3) to mean "any work involved in constructing, improving, or repairing a public airport . . ." and "any acquisition of land . . ." Sec. 3(a) further instructs the Administrator to "prepare and revise annually a national plan for the development of public airports," taking payments on a matching basis. The annual authorization and appropriation has always fallen short of the demand, and the amount available in any one year has never exceeded $75 million. In 1968, for instance, the Administration received 778 requests for aid totaling $339.3 million but only $70.2 million in matching funds for grants were provided by the Federal Government, less than a quarter of the amount requested. During the 1950's, Federal assistance was available for both terminal area development and runway construction, but since 1961 the only items eligible have been those related to safety, such as runway and taxiway construction, land acquisition, and the purchase and installation of safety devices such as high intensity, in-runway lighting.

Since its inception in 1947, the Federal grant program has contributed about $1 billion to the almost $6 billion investment made by State, local, and Federal Governments in public airports of the national airport system. The National Association of State Aviation Officials notes that "it is a popular misconception that under the present Federal aid to airport programs the cost is divided 50 percent Federal, 25 percent State, and 25 percent local. The Federal government only participates within the limits of predetermined priorities in selected items of development."[26] A comparison of airport and highway aid programs in fiscal year 1965 indicates how miniscule the Federal airport development effort is. FAA grants-in-aid totaled $74,000,000 while the Bureau of Public Roads grants totaled $3,924,143,000; FAA approved 460 projects while BPR approved 7,839. The Budget Bureau has consistently recommended reduction in airport expenditures.

The first National Airport Plan (NAP) in 1947 embraced 4,431 airports (of which 2,550 were proposed new ones) and the estimated cost of development was $985.8 million. Twenty years later the NAP still lists 4,106 locations (of which 887 are proposed new airports) and the estimated cost of development is $1.3 billion. In the intervening period 6,199 projects went into 2,006 airports for a total Federal grant expenditure of $890.1 million (to 1965).

Out of those 2,006 airports receiving aid in 1965, 716 or 35.7% took $744 million or 86.3% of the money, an average of $1,039,000 per airport to serve air carriers primarily. Six-hundred and seven million dollars or 70.4% of that money went into 240 trunk airline airports or an average of $2,530,000

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per airport. One-hundred and thirteen million dollars or 13.7% of the money was distributed among the remaining 64.3% or 1,290 airports, at an average grant of $91,473 per airport.

The 1966 Federal Aid Airport Program allocated funds on about the same distribution basis as previous programs: 73.5% for air carrier airports, and the rest for general aviation airports (13.5% for reliever airports as provided for in a $7 million a year set-aside in the 1961 extension of the Federal Airport Act.)

Thus, the FAA has spent 90% of the money originally envisioned and given aid to only 45% of the airports originally envisioned. The Aircraft Owners and Pilots Association charges that "it has given a lot of projects costing a lot of money to a few airports and neglected the development of a 'national system of airports' which requires something more than a few big terminal airports at major metropolitan hubs." [27] This growing concentration of air carrier airports and the mushrooming of non-air carrier airports is creating a serious gap in the system. There are some 9,600 airports in the U.S. used by general aviation; the airlines serve only about 600.

Air service to the remaining 9,000 is solely general aviation, and "one airline alone has estimated that 30,000 of its passengers last year connected at the major airports by air-taxi or other general aviation aircraft." [28]

In hearings held in August 1967 by the Aviation Subcommittee of the Senate Commerce Committee, a full discussion focussed on the concept of the "hub" as the determining factor in the National Plan. The "hub" concept was perceived by the FAA to relate aviation needs to population density. The simple fact is that it is unknown whether population caused the concentrated number. Using the "hub" premise, the FAA oversaw a dramatic reduction in the number of air carrier airports.

As a result of these hearings, the FAA redefined its criteria for preparing the list of locations and airports to be included in the new NAP for fiscal years 1969–1973. The new criteria are based on the principle of "need" of a community for air transportation in relation to a "national interest." Such national interest is assumed when one or more of the following conditions exist: (1) requirement for scheduled airline passenger service; (2) a substantial degree of non-local aviation activity; (3) lack of other modes of transportation; and (4) a local economy dependent upon air transportation for its contribution to the Gross National Product.

Airports included in the NAP are broken down into two main functional categories:

1. Airports to accommodate airline service which include: airports presently receiving airline service which need increased facilities; new or supplemental air carrier airports for areas in which a high degree of aeronautical activity indicates need; replacement airports where existing airports cannot be expanded to meet projected traffic; and regional airports to serve two or more communities where such is considered a feasible solution to meet long-range needs.

2. Airports for general aviation which include: those which are an integral part of a metropolitan area airport system; "reliver" airports serving to divert general aviation traffic from a congested airline-served airport; airports where total annual aircraft operations are in excess of 60% of the capacity of the airport and include at least 30,000 annual operations; airports where air-taxi service is provided on a regular basis throughout the year with at least two flights a week; airports which serve the business community interests if there is evidence of considerable use by based aircraft which is essential to the well-being of the area served; airports where there is evidence of inadequate access to another NAP airport by at least 10 aircraft owners or when owners would otherwise be at least 30 minutes ground travel time from the nearest adequate airport; airports where access to a recreational area or facility indicate extensive use by visitors; airports where a community may be isolated due to lack of adequate surface transportation.

Development criteria for airports is determined by analysis of the forecast of aeronautical demands and includes the type of aircraft expected to use the field, the frequency of use and "mix," the transportation role of the airport and its environmental relationship to the community it serves. The runway length, width, and strength determination are designed on the basis of the most critical airline aircraft anticipated within the next 5 years at the particular location for airline-served airports. For general aviation, determination is by basic utility for safe landing and take-off of a representative sampling, general utility to handle all general aviation aircraft with the exception of transports and business jets, and larger general utility to service transport-type aircraft and business jets.

Considerations of airfield lighting, clear zones, apron areas, taxiways, second runways, heliport and sea plane facilities are also included in the plan.

By these criteria the plan calls for new air carrier airports at 25 locations by 1980, 147 general aviation airports designated as "reliever", STOL (Short Take-off and Landing) ports as the need arises estimated at 25 in the New York-Washington corridor and on the West Coast at a cost of $5 billion.

These criteria appear to suffer from the same difficulty of the earlier plans—inattention to the needs of a total system and concentration on a few areas.

Even if sufficient funds were available, it is questionable whether the National Airport Plan as now envisioned is the structure adequate to ensure the greatest potential growth and development of a safe air system in the U.S.

The National Association of State Aviation Officials (NASAO) for instance, charges that "the present plan is little more than a list of anticipated airport construction projects." Arvin O. Basnight, Associate Administrator of FAA said, "This plan produces some very useful information. It identifies the composition of the national network of airports and those developments recommended at each location . . . . (the) plan identifies needed airport developments, but projects are limited to the eligibility and availability of Federal and local funds." [29] If this interpretation is indeed the essence of the "plan", it falls far short of what is needed to create a quality aeronautical system. A plan to be successful must not only identify, but create and shape the system, then devise the means to implement it. It must also be relevant to all other aspects of the system—airspace traffic and route facilities, all transportation needs of the population, land use planning, weather systems, personnel availability, research and development programs, and the type of aircraft being produced and utilized.

E. Thomas Burnard, Executive Vice President, Airport Operators Council International, Inc. said that:

"Historically, the airport planner has been the last to know what the characteristics of new aircraft will be as they relate to the airport . . . the Federal government published its airport runway criteria changes (for jets) just 30 days before scheduled jet service began." [30]

The Aircraft Owners and Pilots Association takes a realistic view when they suggest that Federal funds will never be adequate to fill all the needs, and therefore, that priorities must be established as part of the plan. They disagree with the present priorities which concentrate funds at airports with a "significant volume of commercial air traffic" because this ignores the fact that other airports are needed to complete the system. They list priorities in the following order: (1) purchase of land and initial development to public airports to complete the National Airport Plan; (2) provision of improvements for airport facilities; (3) provision of improvements to relieve congestion at major airports; (4) provision of Category I (see Section IV) capability at airports without any instrument capability; (5) improvements to provide additional runway and ramp capacity at existing airports.

The problem of financing

In hearings before the Aviation Subcommittee to the Committee on Commerce, United States Senate, August, 1967, most witnesses agreed that by the end of 1973 an additional $3 billion must be invested in the National Airport System by local, State and Federal governments and another $3 billion will be required by the end of 1975, making a total estimated investment over the next 8 years of $6 billion—$5 billion of this amount is for air carrier airports. (See Chart 18). This will require the expenditure of as much money over an 8-year period as has been expended in total during this century for development of the National Airport System.

The figures above are accurate but may be somewhat misleading. In fact, State, local, and Federal governments may have spent close to $6 billion to date, but given the fact that almost two-thirds of the airports in the U.S. are privately owned, this is no where near an accurate estimate of the expenditure to date, or the needs of the future. In addition, the fact that Federal expenditure has been limited to certain facets of airport development further dilutes the figure of estimated need. Finally, air carriers themselves invest about 7% of their capital ($400.1 million in 1967) in buildings and ground equipment and another $418 ($14.3 million or 78%) in flight equipment some of which is for navigation and safety equipment. (See Chart 19).

The present FAA 5-year plan for fiscal years 1967 through 1973 estimates the Federal share of this development alone would amount to $1.53 billion. This does not include matching funds from State and local governments for runway needs, nor the amount that must be spent for passenger handling facilities, nor money which will be required for the installation of airport control towers, instrument landing systems, terminal area radar, en route traffic control centers and parts of the National Airways System which are funded 100 percent by the Federal government out of general funds. Air carrier airports make up only 13% of the projects, but account for $5 of the $6 billion funds. Thus the same trend as in the past continues—concentration on development of a few large airports to the possible detriment of a "system".

Allocation of the funds would include about 23.2% for land acquisition, 38% for paving, 25% for site preparation, 5% for lighting, 1.8% for safety buildings, and 7% for miscellaneous.

There have been various ways suggested to help finance the huge investment which will be needed.

1. Federal Airport Loan Funds. The Federal government would extend long-term low interest rate loans for airport development.

2. Federal Airport Loan Guarantee Programs. This program would be structured on the Federal Housing Administration approach, whereby the sponsor would be the local government and private financing would be sought with the Federal government acting as a guarantor.

3. Federal Airport Grants. For some time, a large share of Federal transportation grant money has been allocated to highways. This

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90–10 highway formula may not longer be practical when viewing the needs of the airports; priorities should be reconsidered.

4. Increased User Charges. Highways offer ample precedent that user charges are an appropriate financing tool.

5. Head Tax. There are several alternatives possible through the use of a head tax. A Federal head tax of $1.00 per passenger could be charged at the time of purchase of a ticket with the funds deposited in a trust fund and distributed on a need basis. A like charge could be made for each ton of cargo. Or the airports themselves could impose the tax and use funds to maintain, improve, or expand their facilities (though this would probably not channel the funds to the most needy airports).

6. Local Bonds. Local government has rightfully carried a substantial share of the costs of airport development through general obligation or revenue bonds, and though this source is probably insufficient for the total program, they should continue to be utilized.

At the present time the airport trust fund, similar in nature and operation to the successful highway trust fund, has the greatest support. Trust fund financing would provide a reasonably certain amount each year enabling airport operators to plan their capital investments with greater care and prudence. From the Federal government's standpoint, its share of airport development cost would no longer be a direct drain on the Treasury or on the general taxpayer. Possible sources of revenue for the trust fund are head tax, an annual appropriation into the trust fund to reimburse the fund for military use of civil airports (FAA currently states that ⅓ of their budget supports military operations), ticket tax, fuel tax (on jet fuel as well as regular), annual license fees both for general aviation and air carriers, rental fees for use of terminal space by U.S. Customs Department, and user fees.

Whatever the means of financing, it must be equitable between general aviation and commercial aviation interests. There has been a great deal of criticism that general aviation has not paid its fair share. A look at the record, however, does not bear out these accusations. For example, in Rockford, Illinois the airport which is served by one commercial airline, receives 10 percent of its airport income from the airline, 60 percent from general aviation and the remainder from concessions. General aviation pays substantial fuel taxes (6¢ a gallon) while jet fuel is not subject to a Federal tax. General aviation is also responsible for the development of the 6,296 (1967) privately owned airports in the U.S.; only half of these are used exclusively for private aircraft.

The fuel tax, which is the only direct tax paid by the airlines (ticket taxes are absorbed by the passenger), is taxing general aviation more than the airlines, which is equitable, if contributions are compared with the number of aircraft using the system.. On the other hand, the total airline contribution ($244 million in 1969) compared with the total private aviation ($8.3 million in 1969) does not seem inequitable in view of the Federal contribution to commercial airport development rather than general aviation airport development.

X. THE FEDERAL ROLE IN THE ADMINISTRATION OF AIR SAFETY

The major Federal administrative agencies involved in civil aviation operation are the Federal Aviation Administration (FAA), the Civil Aeronautics Board (CAB), the National Transportation Safety Board (NTSB), and the Department of Transportation (DOT).

The interrelationship between these different agencies is at times elusive and the lines of authority since the creation of the Department of Transportation in 1968 have yet to be clearly drawn.

The National Transportation Safety Board (NTSB)

The NTSB was created by the Department of Transportation Act of 1966, Public Law 89–670 and is housed within the DOT structure for operating and administrative purposes only, reporting directly to the Congress annually. It consists of five members (no more than three of the same political party), appointed by the President with the consent of the Senate for terms of five years. The NTSB's main functions in relation to aviation are to determine the probable cause of civil aircraft accidents (a function formerly performed by the Civil Aeronautics Board) and to review on appeal the suspension, amendment, modification, revocation, or denial of any certificate or license issued by the Secretary of the Department of Transportation or by the Administrator of the Federal Aviation Administration. The organization in NTSB which investigates accidents is the Bureau of Aviation Safety.

The National Transportation Safety Board is charged with the responsibility of determining the probable cause of all aircraft accidents in the U.S. involving civil aircraft, a duty it may not delegate. It may delegate the investigation function; and it does in certain categories of light plane accidents.

In addition to determining the cause of transportation accidents, the NTSB is also authorized to:

Make recommendations to the Secretary or Administrators concerning rules, regulations, and procedures for the conduct of accident investigations;

Arrange for the personal participation of members or other personnel of the Board in accident investigations conducted by the Secretary or Administrators in such cases as it deems appropriate;

Insure that in cases in which it is required to determine cause or probable cause, reports of investigations adequately state the circumstances of the accident involved;

Make recommendations to the Secretary which, in its opinion, shall tend to prevent transportation accidents and promote transportation safety.

The organization in NTSB which investigates accidents of civil aircraft is the Bureau of Aviation Safety. The Bureau maintains eleven field offices, located throughout the country, staffed by from three to ten investigators. The field offices investigate general aviation accidents and the lesser accidents to air carrier aircraft and give administrative assistance to the investigations of major air carrier accidents.

In its Washington offices, the Bureau has a staff of investigators specializing in meteorology, metallurgy, structures, aircraft systems, electronics, aircraft maintenance, piloting, powerplants, flight and voice recorders. The Bureau has a total complement of 184 employees comprised of 52 field investigators, 55 investigators in Washington plus administrative and clerical personnel.

The NTSB investigative procedure employs the "specialty group system" concept whereby one of the Board's experienced investigators is dispatched to the scene where he is briefed on the known circumstances of the accident after which he appoints several specialty groups who often sub-contract part of the fact gathering and reporting operation.

Most of the governments of the world now have established accident investigation staffs, policies, and procedures; and the vast majority, with minor modifications follow the basic Investigator-in-charge, specialty group approach. The International Civil Aviation Organization with headquarters in Montreal and supported by over 100 nations, including the United States, has for many years now been the instrument through which accident notification, investigation, and reporting has been standardized on a near world-wide basis. The "bible" of these functions is Annex 13 to the Convention on International Civil Aviation.

Prior to 1963, the Bureau's investigating arm was made up of a combination of personnel from one or more field offices and from the Washington office. After the onsite portion of the investigation, during preparation for the public hearing and later in the analysis and final report phases, there was a degree of continuity lost in some areas of endeavor and duplication of effort in others. Therefore, in 1963, the so-called Team Concept came into being whereby four Supervisory Air Safety Investigator positions are established in the Washington office to provide for Investigator-in-Charge on a rotating assignment basis. On Friday of each week a "Go-Team" is established on a standby basis made up of one of the Investigators-in-Charge (IIC) and investigators in the several specialty areas, an Assistant IIC for Airworthiness and an Assistant IIC for operations.

The team which proceeds to the accident site for conduct of the investigation remains a unit, operating as a team, insofar as possible, throughout the field investiagtion, public hearing, analysis, and drafting of the Board's Aircraft Accident Report. The Bureau has sufficient personnel to staff four such teams in most of the specialty areas, but in some areas such as air traffic control, flight recorder and weather, it has been and still is necessary for specialists to serve double and triple duty from team to team.

Criticism has been directed toward the practice of admitting organizations whose functions, equipment, or service is involved to participate actively in the fact-finding phase of the investigation because of the danger of diluting the objectivity of the investigation. The Bureau has apparently not found this generally to be true. On the contrary, the Bureau cites two advantages to this practice of admitting participating parties:

It permits a rapid and natural flow of information to the participating organization leading to early, coordinated corrective action in many areas of design, manufacture, and operation of the aircraft and its components, thus enhancing future safety.

The government realizes a reduction in the cost of each investigation. It contends it would be impossible for the Bureau to maintain a staff large enough to contain up-to-date knowledge of all the models of aircraft and their many systems.

However, some have been critical of the Board's procedure by claiming that interested parties should be allowed to participate in the analysis phase as well, indicating that the NTSB, to the degree it inevitably must pass judgment on its sister governmental operations risks losing objectivity in its conclusions. Here the Board and the Bureau believe that analysis is, in fact, a process of cause determination, a function which the Board is not permitted under law to delegate, that it would seldom be possible to get absolute agreement of all parties, and that the Bureau's trained and experienced staff is the most eminently qualified to analyze accident data and should do so in a completely unobstructed atmosphere.

In view of the elaborate investigations which the NTSB structure suggests, it is remarkable that to date there has been little evidence that information gleaned from the investigations has been helpful in preventing further aviation accidents and promoting air safety.

The lengthy investigations have been able to placate the public and provide an image that "something is being done," but it is a fact that it usually takes two years for the NTSB to release a report which means that the conclusions reached usually are outdated before they are released.

One important question is the relationship between the NTSB and the FAA. Formal relations occur only when FAA provides a coordinator for the investigation team that the NTSB appoints to determine the cause of an aviation accident, when the FAA initiates corrective action as a result of information gleaned from an investigation, and when an appeal is made due to the denial of a certificate or license by the FAA.

FAA approves the operating manual, issues licenses, qualifies mechanics, installs and checks navigation aids, declares new aircraft airworthy, and reviews pilot qualifications on a semi-annual basis. As qualified and as fair as the NTSB may be in its procedures, the fact remains that not once since October, 1958, has the NTSB (or its predecessor at CAB) found the FAA to be the probable cause of an airline accident. On at least two occasions, the CAB accused the FAA of being a "contributing factor" in post-1958 accidents, but neither involved fatalities.

One example of an NTSB report which simply ignored relevant factors relating to FAA personnel was issued on September 11, 1968, and covered an aborted take-off (and resulting crash) of a TWA jet from the greater Cincinnati airport on November 6, 1967. All 29 passengers and 7 crew members escaped from the plane; 11 were treated for injuries; and one passenger died from injuries four days later.

A Delta Airlines jet had landed and while taxiing slipped off the runway into a muddy area where it was positioned perpendicular to the runway, with its aft section only seven feet from the runway, and with the idling jet engine sending its exhaust from the tail directly across the runway. While the Delta jet appeared to be taxiing clear of the runway, the TWA jet was cleared for take-off by the FAA controller in the tower. Before the TWA plane started, the controller saw that the Delta plane was still surprisingly close to the runway, and he inquired of it: "Delta 379, you're clear of the runway, aren't you?" The Delta response was: "Yeah, we're in the dirt though." The controller then advised the TWA plane that the Delta plane was clear of the runway and cleared the TWA take-off.

As the TWA plane passed the Delta plane, the latter's jet exhaust caused sufficient noise and yaw in the TWA jet to cause the first officer who was at the TWA controls to believe that there had been a collision and to attempt to abort the take-off despite the fact that he was beyond the safety point to do so. As the pilots worked to stop the plane it rolled 275 feet beyond the runway to the brow of a hill, became airborne for 67 feet, landed further down the hill and came to rest straddling a highway 421 feet from the end of the runway. Despite a fire, evacuation was prompt and orderly.

The NTSB finding of cause is reprinted here in its entirety:

"The Board determines that the probable cause of the accident was the inabiltiy of the TWA crew to abort successfully their take-off at the speed attained prior to the attempted abort. The abort was understandably initiated because of the first officer's belief that his plane had collided with a Delta aircraft stopped just off the runway. A contributing factor was the action of the Delta crew in advising the tower that their plane was clear of the runway without carefully ascertaining the facts, and when the fact their aircraft was not a safe distance under the circumstance of another aircraft taking-off on that runway." [21]

The finding of probable cause had not one word to say on the actions of the FAA control tower—even though it was the tower's ultimate responsibility and no one else's to determine whether the runway was or was not cleared and safe—even though it was visibly ascertainable that the Delta jet was much less than 100 feet from the runway, the distance which aircraft preparing for take-off must "hold" in order to keep the runway clear—even though a control tower's job is to control not to rely upon the casual judgment of others who are not in a distinctly better position to judge than the tower—and even though it surely is the tower's responsibility to resolve all questions of doubt on the side of caution. The failure of self-criticism in the government's report seems all the more serious, when it is realized that while the Delta jet with engines idling remained perpendicular to and only off the runway by seven feet, and while one TWA plane was aborting its take-off, the tower without pause immediately cleared a second TWA jet to land on the same runway.

Finally, it should be noted that the report of this crash, where the facts were readily attainable, did not appear until ten months later. The findings of the need for new regulations on runway clearance could have been made in five minutes.

The Civil Aeronautics Board (CAB)

The Civil Aeronautics Board was created by Title II of the Federal Aviation Act of 1958, Public Law 85–726, but was really just an extension of the Civil Aeronautics Authority already in existence by the 1938 Civil Aeronautics Act. The Board consists of five members appointed by the President with the consent of the Senate for terms of six years. CAB is an independent agency whose main function is the fostering of air commerce. To this end CAB awards routes and regulates fares. The law specifically gives CAB the power to regulate "air transportation in such a manner as to . . . . assure the highest degree of safety . . . .", which certainly makes regulation of aircraft schedules in accordance with safety standards well within its jurisdiction. CAB had the additional function of investigation of aircraft accidents until the 1966 Department of Transportation Act transferred this function to the NTSB.

As the air congestion problem grows, it becomes clear that there is a connection between route awards and fares and the operation of the civil aeronautical system, the jurisdiction of FAA. It could well be that the concept of CAB is a hangover from previous legislation and original Federal involvement in civil aviation, that it is now outmoded, and that such a function would be better served as an integrated part of the development of a safe air system under FAA.

The Federal Aviation Administration—Its responsibilities

The major function and responsibilities of operation and development of the air system are given to the FAA by Public Law 85–726, the Federal Aviation Act of 1958. At that time the FAA was an independent agency, and remained so until Public Law 89–670 moved the FAA within the new Department of Transportation in 1966.

The Federal Aviation Administration is headed by an Administrator who is appointed by the President with the consent of the Senate. The Administrator is not bound by the decisions or recommendations nor the approval of any other organization created by Executive order, but reports directly to the Congress. The main function of the FAA is the operation and development of a safe civil aeronautical system.

The Federal Aviation Act of 1958, Public Law 85–726, grants large powers and a broad jurisdictional authority to the Federal Aviation Administration for the establishment and operation of civilian aeronautics in the U.S. Specifically, some of the areas are as follows:

Sec. 305.—"development of civil aeronautics and air commerce in the United States and abroad."

Sec. 306.—"consideration to the requirements of national defense, and to commercial and general aviation. . ."

Sec. 102.—"development of an air-transportation system . . . the regulation of air transportation . . . promotion of safety . . ."

Sec. 307—"supervision of air traffic and provision for air navigation facilities. . . ."

Sec. 309—"no airport or landing area . . . shall be established . . . unless reasonable prior notice thereof is given to the Administrator . . . so that he may advise . . ."

Sec. 310—"providing meteorological service. . ."

Sec. 312—"The Administrator is directed to make long range plans for and formulate policy with respect to the orderly development and use of the navigable airspace . . . landing areas . . . airways . . . radar installations . . . facilities."

Sec. 601—"duty to promote safety . . . by prescribing standards of . . . design of aircraft . . . inspection . . . service of airmen . . . rules and regulations."

Sec. 602—"issue airman certificates . . ."

Sec. 603—"issue type certificates . . . production certificates . . . airworthiness certificate."

Sec. 604—"issue air carrier operating certificates . . ."

Sec. 605—"inspectors who shall be charged with the duty of making inspections (maintenance) . . ."

Sec. 606—"inspect, clarify, and rate any air navigation facility."

Sec. 607—"the examination and rating of civilian schools giving instruction . . . repair stations."

The FAA is given further authority under the Federal Airport Act, Public Law 79–377, "to provide Federal aid for the development of public airports", specifically.

Sec. 3—"Administrator is hereby authorized and directed to prepare . . . a national plan for the development of public airports . . . take into account the needs of both air commerce and private flying . . . the probable technological development in the science."

Unfortunately, the FAA has not interpreted its role as broadly as the powers delegated to it allow. Repeatedly, the FAA has seen its jurisdiction to extend only as far as a narrow interpretation of "air safety" allows. Thus, while former FAA Administrator General William F. McKee said that "our basic responsibility is safety in aviation" [22] and saw FAA authority to manage the navigable airspace, air traffic control system, air navigation facilities, certification and licensing system, enforcement program, and administration of airport grant-in-aid program, at the same time, FAA, has not interpreted its role in "air safety" as power to regulate air carrier schedules, airport certification standards, airport development plan, and the direction of growth of civilian aeronautics. It is difficult not to conclude that the FAA has defined "safety" less from a vantage point of lives saved than of a compromise with the cost-benefit economics of commercial aviation. Jurisdiction to impose stricter standards and codes and to develop and implement a plan of safe air management is clearly present to the extent which FAA wants to utilize it.

The FAA has not interpreted its role to include regulating traffic at airports by amending existing airline schedules. Historically in awarding routes, the Civil Aeronautics Board has prescribed minimum flight frequency between whole metropolitan areas, not maximum flight frequency between specific airports. Only in the last two or three years has the Civil Aeronautics Board awarded new routes on the condition that airlines serving them even land at specified airports. The airlines claim the exercise of the power of regulating flight frequency so specific airports would be tantamount to expropriating private property. The question is not a legal one; it is whether the FAA wants

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to use the power it has and in this instance risk alienating the airlines. As traffic congestion mounts and delays increase, the airlines themselves will be the losers if changes do not occur. In this fear, several airlines at the encouragement of TWA President Tillinghast, have recently entered into discussion to coordinate their air schedules, but the attempt has thus far proved futile.

The FAA has not interpreted its role to exercise responsibility in airport development over State and local governments. One of the grave difficulties in developing a safe and rational airport system has been the lack of defined responsibility between local and Federal government. The FAA has claimed that it does not possess the whole responsibility. In testimony before the Committee on Interstate and Foreign Commerce of the House of Representatives on March 8, 1967, Mr. Oscar Bakke, Director, Eastern Region, FAA said: "The Agency not only does not possess the whole responsibility, I doubt very much, sir, whether we possess the primary responsibility. In this respect we can only assist local and State governments." [33] As a result of FAA's failure to interpret the airport systems development as critical to "air safety" and to exercise the responsibility it has to the fullest measure, within 50 miles of the Empire State Building there exist some 1,300 separate political jurisdictions which in some manner have the capability of participating in the development of aviation facilities—but not one of the jurisdictions has *the* responsibility and it ends not being exercised at all.

The FAA has not interpreted its role to include coordination of the various Federal agencies in the development of aviation facilities. Such development has been dispersed among, for example, the Department of Housing and Urban Development, the Bureau of Public Roads, the National Aeronautics and Space Administration and the Department of Health, Education and Welfare.

The FAA has not interpreted its role to include adequate planning for the orderly development of the civil aeronautical system. Such responsibility is specifically delegated to it in the Federal Aviation Act of 1968, Sec. 102. Bill Gale, in his article in the *Providence Sunday Journal* of November 26, 1967, entitled "Many Midair 'Incidents' Go Unreported" wrote: "The FAA has allowed the air traffic control system to become undermanned, underequipped, and undermaintained. It has allowed "controller expertise' to make up for deficiencies." [34] Likewise, Senator Peter Dominick stated that: "The problems are not with personnel but with inferior planning at the top levels." [35]

The recent Administration did not prod FAA to do its job. The White House in 1965 announced the formation of a Presidential task force on the problems of airport development. Senator Jacob Javits has charged that "the membership of the task force was secret, the goals of the task force were secret, and the report which allegedly went to the White House was secret." [36] With the failure of the FAA and the Presidency to come up with any concrete plan for action, the Senate Aviation Subcommittee of the Committee on Commerce of the U.S. Senate conducted a series of hearings in August, 1967 on the "maintenance of an Adequate Airport System" which concluded in a Senate Report and plans to hold more hearings. Later, the Department of Transportation conducted a report on airway modernization and in January, 1968, the press reported a briefing where "certain officials told of the Department's plans to seek some legislation sometime in the Spring." [37] It never came.

The relationship between the Congress and the FAA has always been cordial but remote. The FAA has tended to ask what it thinks it can get, and its unaggressive and unimaginative policies have never stirred the ire of the appropriators.

The Aircraft Owners and Pilots Association has charged that Congress itself has been negligent in its role in civil aviation development. "The fashion in which the Federal Airport Aid Program was changed and administered without effective correction from Congress indicates to us a critical failure in legislative oversight . . . The Congress and the Executive have both studiously avoided establishing objective standards for the measurement of safety." [38]

Perhaps the reason is that Congressional committees do not have the technical staff assistance to cope with the intricacies of the program; perhaps the legislative committees abdicate too much of the responsibility of oversight to the appropriations committees as is indicated by the substantial differences between what is authorized and what is appropriated; perhaps the committees merely need to be more demanding of compliance with legislative direction. Whatever the reason, Congress has not taken as active and responsible a role in aviation affairs as the present state of aeronautics suggests is desirable.

The Federal Aviation Administration—Its efficiency

The cost of administration per employee between FAA and the Bureau of Public Roads in 1965 was almost equal ($13,110—FAA, and $12,434—BPR). (See Chart 20). But there is a marked difference in the efficiency at dispensing grants in aid on either an administrative cost ("dollar of grant per dollar of administrative cost"—$7.77—FAA, and $83.89—BPR) or position basis ("dollars of grant per position"—$101,902—FAA, and $1,044,210—BPR). A substantial part of the FAA Airports Service administrative cost is composed of incomparable overhead burden allocated running to 25–30%. But even with the adjustment on this score, the difference appears more than can be justified, according to the Aircraft Owners and Pilots Association.

In 1967, FAA employees numbered 42,354. This means that there were 2.5 active aircraft per FAA employee, 13.0 active pilots per FAA employee. Working with a 1968 FAA budget expenditure estimate of $892,010, FAA cost per active aircraft (omitting the SST) is $7,144 and FAA cost per active pilot (omitting the SST) is $1,394. These figures may indicate the reason why FAA has been charged with being "an over-controlled bureaucracy," and a "management monstrosity."

Though the method of procurement policy has been relatively free of criticism, the category of procurement policy has from time to time been the object of criticism. As of June 20, 1967, the FAA owned a total of 101 planes, about the same size as the fleet of Delta Airlines, with an inventory value of $46,000,000 and a yearly maintenance cost of $14.5 million in 1967. The list includes large aircraft like the Boeing 720, the Boeing 727, the DC–9—planes that cost as much as $4,000,000 apiece, as well as a number of executive-type aircraft like the Beechcraft Quenn Aires, and the Lockheed Jet Star—planes that cost about $1,360,000 apiece. These planes are used for calibrating and checking the navigational aids installed near airports, for "job performance" (a category which has been vaguely defined), and for training purposes. Congressman Fletcher Thompson of Georgia has charged that the FAA fleet is too large; that FAA personnel who hold pilot rating, but whose jobs are not as pilots, have been using the aircraft as a means of continuing their pilot skills; that the theory that the FAA must have one of each type of aircraft for training purposes is questionable; and that some aircraft like the Convair 880 Model M which FAA owns has no purpose because it is the only one of its type in the world today. He also states that "GAO states that it was 'unable to obtain complete information on all aircraft because the agency does not have a uniform cost reporting system for its aircraft operations'." [39]

Senator Peter Dominick reported in 1967 that FAA had spent $267,000 in the Pacific Region "which could not be justified or could be justified only partially by conditions existing at the time of the procurement" [40] while needed weather equipment was not procured. FAA has made a significant breakthrough in the method of procurement in the area of research and development contracting which deserves special note. It put a clause in the contract which allows that if the product has a commercial application and the company makes sales as a result of this, the company has to give FAA a royalty on their sales. In essence, FAA gets its money back for research and development as Chart 21 indicates.

Engineering trade-offs which in essence increase comfort or some other factor at the expense of safety have long been an accusation toward the aviation industry, FAA and NASA policy alike. Former FAA Administrator McKee has said: "The primary mission of FAA is aviation safety. It is not our policy to trade-off other performance advantages to the detriment of safety." [41] The Administrator of NASA has said: "NASA's role is to provide valid technical data from which trade-off studies can be made by other agencies with confidence, to assist in proper interpretation of these data, and when requested, to comment on the technical validity of arguments used to arrive at regulations." [42] Yet, Stuart Tipton, President of ATTAA says: "The basic responsibility for the safety of their operations rests with the airlines. Consequently the ultimate resolution of such trade-offs as are available also rests with the airlines. However, unlike the case of other forms of transport, the government long ago decided to regulate safety and aviation in detail and thus must take some responsibility in trade-offs." [43] The airlines contend that trade-offs are the responsibility of FAA; NASA contends that it can provide suggestions as to how FAA can evaluate trade-offs; and FAA says that trade-offs do not exist. In fact, one of the most biting criticisms to date of FAA has been levied against the utilization of the cost-benefit ratio concept: "Critics say the agency has gone too far—the agency says it is just trying to save the taxpayer's dollars." [44]

CHART 20.—COMPARISON OF AIRPORT AND HIGHWAY AID PROGRAMS, FISCAL YEAR 1965

	FAA	BPR
Grants in aid	$75,000,000	$3,924,143,000
Administrative costs	$9,649,000	$46,727,000
Positions	736	3,758
Projects	460	7,839
Ratios:		
Dollar of grant per dollar of administrative cost	$7.77	$83.98
Dollars of grant per position	$101,902	$1,044,210
Dollars of grant per project	$163,043	$500,592
Administrative cost per project	$20,976	$5,961
Administrative cost per position	$13,110	$12,434

Source: Federal Aviation Administration.

Footnotes at end of article.

CHART 21.—PAYMENTS RECEIVED FROM CONTRACTORS HAVING CONTRACTS WITH "RECOVERY OF DEVELOPMENT COSTS" CLAUSE—MAY 9, 1966

Contract number and contractor	Amount		Date
U.S. supersonic transport delivery position agreement[1]	$9,600,000.00	May	4, 1966
BRD-234, Wilcox Electric Co., Inc.	4,593.60	May	15, 1963
	5,289.60	Aug.	15, 1963
	8,953.20	Nov.	15, 1963
	11,840.40	Feb.	11, 1964
	12,180.00	Apr.	9, 1965
	22,183.59	May	21, 1965
Final	77,500.00	Oct.	18, 1965
Total	142,540.39		
ARDS-476, Transco Products, Inc.	16,000.00	Apr.	12, 1965
FA-WA-4591, Aircraft Armaments, Inc.	(2)		
ARDS-558, Hazeltine Corp.	8,672.96	Dec.	30, 1965

[1] Advance royalties paid by airlines for the purpose of reserving preferential delivery positions for production supersonic jet transports with the Government's airframe contractor.

[2] In final stages of negotiation of an agreement covering Aircraft Armaments, Inc., licensing of Electronic Modules Corp. for the use of AAI technical and sales data in the manufacture and sale of electronic modules, module card assemblies, and circuit boards developed, at least in part, under the contract.

Source: Federal Aviation Agency.

XI. RESEARCH AND DEVELOPMENT

There are significant gaps in the aeronautical research and development effort which could weaken the entire fabric of the aviation system if attention is not immediately focused on them.

1. A Comprehensive Plan for Aeronautical Research and Development: A single national plan for aeronautical research and development does not exist. The Federal government's policy is a composite of the separate policies of various agencies and committees. As a result, research and development has touched components of the aeronautical system piece by piece, with little or no attention to how the components—equipment, personnel, weather, the funding commitment of the Nation—interact. An efficient and safe air system is dependent upon an accurate analysis of the entire fabric as well as upon a prediction of what the needs of the system will be in order that the proper hardware can be developed.

The National Airspace System is not the answer, as it is addressed only to increased input of already existing systems equipment—more towers, more runways, more airports. Entire areas directly related to the system—e.g., general aviation—have been ignored.

A specific mechanism is needed to act as the focal point for the development of a more comprehensive and better coordinated aeronautical research and development policy.

2. General Aviation Research and Development: Insufficient attention has been given to the aeronautical area identified as "general aviation." Smaller aircraft operations and private aviation is a growing segment of aeronautical operations and is becoming an essential part of our national transportation system. Little research is being done on general aviation and the problem of traffic control, the inter-mixture of general aviation operations with large commercial aircraft, and improving utility and safety of these aircraft flown by less experienced pilots.

3. Technological Utilization and Transfer: A purposeful effort to transfer space technology and military technology (the bits and pieces of know-how, not just packages of equipment) needs to be initiated. Teams of competent technical people are needed to identify, evaluate, select, and apply technology from the space and military programs for transfer to and utilization in civil aviation.

4. Pilot Training for the SST: Electronic simulators that reproduce faithfully the performance, visual and aural cues of aircraft in flight have long been a cornerstone of airline pilot training and will be even more important in preparing for the supersonic transport. Stuart Tipton says, "manufacturers of flight simulators, airline training experts, NASA, and FAA officials should join forces now to develop a simulator that meets airline training requirements and FAA regulator requirements to perform the maximum amount of SST qualification and proficiency training." [45]

5. Weather Information Systems: More basic knowledge is needed about weather phenomena as well as its prediction, interaction with aircraft, and communications advisability systems. This will be particularly important in relation to the SST, general aviation safety, satellite weather systems, all-weather landing systems, and the vexing phenomenon of clear air turbulence.

6. Cargo: Little research has been done on cargo handling systems, cargo capabilities of new aircraft, cargo potential and predicted volume. This will probably be the area of most intense growth in the aeronautical operations systems in the near future.

The Report of The Committee on Aeronautical and Space Sciences, United States Senate, May, 1966, listed a number of other areas in which research and development will be vital for future advancement:

Service to more cities and between fringe areas to separate cities;

Efficient short-haul transport;

Guidance and control improvements to aid commercial and general aviation pilots;

Better over-water communications and navigation aids;

Lower cost and less frequent maintenance;

Better use of airspace through efficient traffic control and scheduling;

Decreased capital and direct operating costs through improvement in aerodynamic and propulsive efficiency;

Decreased perceived noise and pollution levels;

Passenger comfort, including effects of circadian rhythm due to rapid time zone changes.

The role of the Federal Government

The Federal Government from the very beginning has been involved in the development process of the transportation industries, from the early post roads and land grants to railroads to today's Northeast Corridor project and the supersonic transport.

Although many Federal agencies are involved in some form of aeronautical research and development, no single agency plays the lead role in planning. As a result, the structure of aeronautical research and development is highly fragmented.

The leading groups which plan and oversee aeronautical research and development are:

Federal Aviation Administration (Department of Transportation)

National Aeronautics and Space Administration (National Aeronautics and Space Council) (Office of Science and Technology)

Department of Defense.

It has been suggested that the Bureau of the Budget might be considered the dominant, though indirect force, in shaping policy because of its control over the funds for aeronautical R & D. Or it might be the President as he decides who will participate in planning. President Johnson tended to use the Space Council, the Office of Science and Technology, and even special committees to achieve his aims. In any case, an overall Federal architecture to effect quality comprehensive planning is lacking.

The Federal Aviation Administration has been given broad statutory authority by the Federal Aviation Act of 1958, Public Law 85-726 in the field of research and development.

"SEC. 312(a) The Administrator is directed to make long-range plans for and formulate policy with respect to the orderly development and use of the navigable airspace, and the orderly development and location of landing areas, Federal airways, radar installations, and all other aids and facilities for air navigation. . . .

"SEC. 312(b) The Administrator is empowered to undertake or supervise such developmental work and service testing as tends to the creation of improved aircraft, aircraft engines, propellers, and appliances.

"SEC. 312(c) The Administrator shall develop, modify, test, and evaluate systems, procedures, facilities, and devices as well as define the performance characteristics thereof, to meet the needs for safe and efficient navigation and traffic control of all civil and military aviation except for those needs of military agencies which are peculiar to air warfare."

Federal Aviation Administrator, William F. McKee has interpreted this statutory authority as follows:

"The FAA role is to *identify* the research and development needs for the system we operate and to do the testing and application research in the development of our system, including our regulatory work, and to identify for NASA the aeronautical areas where we believe more R & D can be profitably undertaken." [46] (Emphasis supplied.)

As a result, the Federal Aviation Administration has one major research facility involved primarily in aircraft operational problems, (The National Aviation Experimental Center, Atlantic City, N.J.) but it has no aircraft development facilities and relatively few scientists and engineers.

Such interpretation of the FAA role has led to the FAA spending about one-third as much as NASA and about 3 percent as much as the Department of Defense in aeronautical research and development. (See Chart 22). FAA spent about $20 million between 1960 and 1965 on research and development. About 85% of the FAA research and development effort goes into the design, development, and testing of equipment to improve the interface between aircraft and ground environment; the other 15 percent of the budget is spent for aviation safety and aeromedicine. (See Chart 23). In addition, the proportion of the FAA budget devoted to research and development has always been low (about 5 percent) and the proportion is declining. (See Chart 24).

The majority of the in-house research and development work of the Federal Aviation Administration has been conducted as a part of the Civil Aeromedical Research Program which is conducted by FAA at the Civil Aeromedical Institute in Oklahoma City. There a staff of 30 professional scientists supported by 90 paramedical personnel produced more than 200 scientific reports in the 1964-66 period. A listing of a few of those which have made contributions to the body of information vital to air safety is instructive as to the scope of the effort:

Footnotes at end of article.

1. Tests of the durability of some 37 different items of safety equipment in crash testing.

2. Tests to evaluate the injury potential of present day commercial airline seats.

3. Biomedical evaluation of air traffic controllers, which showed that ATC personnel do physically differ in body size and physical measurements as a group and therefore provided a basis for improved design of workspace area, equipment, and placement.

4. Study to determine what can be predicted about the adequacy of present pilot experience and regulatory requirements, and how future safety and human factor problems can be anticipated in time to take corrective action with the new generation of jet executive aircraft soon to be available to general aviation pilots.

5. Study leading to recently tightened rules on passenger emergency evacuation requirements of airlines.

6. Biomedical assessment of stress and fatigue in pilots.

7. Evaluation of turbulence on air crews.

8. Effect of simulated altitude on binocular fusion time in young men: (A slower reaction time of people at altitude may be significant when a pilot's gaze is changed from the instrument panel to the sky and vice versa).

9. Effects of age on binocular fusion time.

10. Effects of commonly used (tranquilizers) drugs on aviation personnel.

11. Effects of dieting on performance of air crews.

12. Study of vertigo incurred in air crew by rotating beacons or sunlight on propellers.

13. A study to examine the optimum work schedules at ATC facilities.

14. Examination of the effect of scheduling disruption in the physiological day-night cycling upon proficiency and health of air crew members.

15. Controller selection analyses which resulted in new selection procedures and aptitude tests which more accurately assigned individuals to training sections and thus improved the output of training courses.

16. Studies to ascertain the performance gap necessitated by using masks due to decompression.

17. Development of a new ATC "System Error" reporting system, evaluation of training procedures and techniques, and appraisals of operating procedures at field installations.

18. Consultation in ionizing radiation and other aspects relative to aircrew and passenger safety in the supersonic transport.

19. Study of the effect of blood, alcohol, altitude, and drugs on pilot performance.

20. Development of fire prevention techniques to allow passengers to get out of a crashed aircraft.

FAA contracts out the major portion of aeronautical research and development to other government agencies like NASA or the Defense Department or attempts indirectly to stimulate research in the aircraft industry by tightening requirements, suggesting areas that need improvement, and sometimes by doing the initial phases prior to the later development and implementation by industry.

The Space Act of 1958 placed the responsibilities for research programs in both space and aeronautics in NASA. NASA's work has been mainly in basic research and in fundamental investigations that will lead to long-range improvements rather than provide immediate solutions to current problems. Some studies pertaining to aircraft safety are done in its research centers or other research laboratories by contract.

NASA's final decision on the distribution of its aeronautical research and development funds is dependent upon the needs. Of the total NASA budget, the amount of money devoted to aeronautics has been consistently less than 2 percent. During the period 1962–65 $5,753,000 of the NASA aeronautics research and development budget was spent on safety programs. In this same time period $2,963,000 was spent to develop a flying simulator to be used in one of the most basic aircraft safety program areas, i.e., research on aircraft flying qualities.

Some examples of NASA projects related to air safety are: research on the operating environment; gust load effects on structure; runway skidding; fire hazards from lightning; flight dynamics; aerodynamic stability; pilot as a control mechanism; SST simulator; air-ground-air satellite communications; propulsion and engine noise; clear air turbulence; sonic boom.

In 1969, aeronautical research will continue in V–STOL, subsonic, supersonic, and hypersonic technology in support of civilian and military aircraft development. Increased emphasis will be placed on research in noise reduction.

The Department of Defense spends more money in aeronautics than all other Government agencies combined. As Chart 22 indicates, fiscal year 1967 expenditure estimates for aeronautics at $1.2 billion for DOD, $103 million for NASA, and $43 million for FAA.

The problem is deciding how to make the DOD aeronautics program more useful to civil aviation without compromising military requirements. Unfortunately, this may not be possible if the predictions of NASA Administrator James E. Webb are correct:

"As we look forward into the future, we see a growing divergence between the requirements for civil and military aircraft systems . . . With the changing nature of military aviation reducing the number of commercially usable concepts being proven through development, a civil aircraft technology must be established at a level of confidence which is acceptable for the investment of private capital." [47]

The interrelationship between FAA, NASA, and DOD has been a pragmatic progression of communication links created as the need arose. Most contact among these agencies has been through the Aeronautics and Astronautics Coordinating Board co-chaired by the DOD and NASA where the largest amounts of funds are involved. The obvious weakness is that the Department of Transportation is not represented. The connecting link between this body and DOT has been through a NASA-FAA Coordinating Committee whose overall purpose has been more to avoid duplication than to develop policy. As special areas of interest have arisen where coordination and cooperation between various Federal agencies was needed, interagency committees have been set up on an *ad hoc* basis. For example, NASA alone participates in 27 committees involved with one aspect or another of aeronautics with one or more other Federal agencies or other groups. Needless to say, the sprawling nature of this structure and its momentary involvement with issues is not conducive for long-term and comprehensive planning and development.

Suggested solutions to this problem have been either to improve existing communication links, or to create a new structure entirely.

Advocates of retaining (and improving) the existing structure cite the following points:

1. The Department of Defense aeronautical research and development results might be made more directly available to civil aviation through the creation of a DOD technology utilization program similar to the one at NASA. For example, DOD might offer its unclassified information to NASA, and NASA, through its own technology transfer program could release the information to industry.

The Aircraft Owners and Pilots Association representative in hearings before the Committee on Aeronautical and Space Sciences, U.S. Senate in January 1967 said that Defense aeronautics programs should be coordinated from the outset because there is no valid reason why defense-type aircraft must be extensively modified to meet civil airworthiness standards. The FAA Administrator agreed and said that he believed that if they were in close contact with DOD in the early stages of the development of a system, they would be able to avoid some duplication in systems development.

The Air Transport Association of America spokesman disagreed. It was his opinion that requiring more coordination of defense aeronautics programs with civil aircraft needs at the outset only compromises the military capability of the resulting aircraft without making it suitable for civil use. He did agree that within the limits of national security, civil aviation should be kept fully informed of technological advancements from military research and development.

2. It has been suggested that NASA's approach of supporting mainly basic research in aeronautics is too limited in scope and therefore its definition and commitment should be enlarged. In the hardware demonstration phase of aeronautical research and development the willingness to take risks in order to make new advances is becoming a critical part of the aviation environment, and only through the Federal government or through collective arrangements of government and industry can adequate amounts of risk capital be developed. Stuart Tipton called for such an enlargement of effort when he said: "of the ten research and development areas listed in our statement of January 26, at least eight either require new research and development or acceleration of present efforts." [48]

3. Another suggestion simply advocates a redefinition of NASA's responsibilities. One approach is that in the field of basic research, NASA and its advisory committees should choose and support aeronautical projects, but in the field of advance development projects should be selected for support only after extensive consultation between agencies such as DOT, DOD, FAA, NASA, and the user industries.

4. It has been suggested that NASA be given a specific assignment for research in aeronautical safety. There were two distinct opinions—one from industry and one from government. The Administrator of the National Aeronautics and Space Administration said that NASA should not be given a specific safety assignment: "We are doing a good deal of work in safety now . . . I think that it would be quite hard to improve on the relationships between the agencies where safety is involved." [49] The FAA Administrator agreed and said, "I do not believe that it is necessary or desirable to give NASA a specific assignment." [50]

5. Another suggestion is that FAA be represented at the Aeronautics and Astronautics Coordination Board. Dr. John S. Foster, Jr., Director, Defense Research and Engineering, testified before the Committee on Aeronautical and Space Sciences, U.S. Senate:

"I agree that there should be a convenient procedure whereby the aeronautical activities of the DOD and NASA can be presented for exchange with the FAA and in the future the Department of Transportation . . . The Aeronautics Panel of the Aeronautics and Astronautics Coordination Board is the group most heavily engaged in coordinating the activities of the two agencies which are likely to encompass any areas of interest to the FAA. Even though the preponderance of the activities of this Panel are of primary interest to NASA and DOD, I believe it might be useful for the FAA to have a representative at the Aeronautics Panel meetings." [51]

6. Dr. Edward C. Welsh, Executive Secretary, National Aeronautics and Space Council, advocates DOT representation on the

Footnotes at end of article.

Aeronautics and Space Council requiring an amendment to the National Aeronautics and Space Act.

The other approach to possible improvements in the Government's part of the process of aeronautical research and development advocates the designation of a Federal lead agency in aeronautical research and development and the organization of aeronautics as a separate program in the U.S. budget.

The desirability of one organization becoming the focal point for coordinating the Nation's aeronautical research and development is not free from divergent views. The Administrator of the National Aeronautics and Space Administration said: "My own view is that it would be very, very difficult for one intelligence to encompass all of this and attempt to do a job of coordination." [52]

The Executive Secretary of the National Aeronautics and Space Council said: "It makes good sense for NASA to join with FAA on the civilian side and to join with DOD on the military side," but "it would probably be an inefficient use of the FAA's time and DOD's time to have each in on all the examination and discussion of the aeronautical issues of the other." [53]

Alan S. Boyd, first Secretary of the Department of Transportation, argues: "It has been suggested that there be a separate agency created to direct all the research efforts of the aeronautical research and development effort . . . but I would like to see if the P-P-B (Program-Planning-Budgeting) approach within the Department of Transportation cannot solve the problem." [54] Secretary Boyd, however, cited two obstacles to his own solution—first, the difficulty in finding people with the competence to do that sort of planning, and second, the objectives are much more difficult to establish in the civilian economy than in the Defense Department where P-P-B has become a standard tool in the development of weapons systems.

The role of private industry

Most of the aeronautical research and development is performed in profit-making organizations today. (See Chart 25). Funding is provided largely (65.6 percent) by the Department of Defense; and most of the R & D is defense-oriented. Company funded research has the purposes of obtaining new business and backing up on-going production work. No authentic subdivision of this funding is available, but because Government production contracts often have a built-in research and trouble-shooting factor, it might be inferred that much of the $300 million in private industry R & D is directed toward ultimate application in civil aviation. The scientific and engineering talent, and most facilities of private industry are quite adequate when given the task to perform. An example of how the FAA and industry work together in a program of air safety, is provided by the Aerospace Industries Association, (AIA)—an association of aircraft industries producers in their "Crashworthiness Development Program." In this instance the development program was contingent upon the enactment by FAA of certain regulatory changes. AIA/FAA coordination planned during the program so that as major tests or decision milestones were reached, program progress could be monitored. AIA submitted test reports and proposed wording for regulatory changes to the FAA in each technical area; AIA proposed incorporation of the necessary hardware to comply with the suggested regulation changes on all new jet transport aircraft.

The objectives of the AIA Crashworthiness Development Program were improvements in the state-of-the-art as it applies to aircraft crashworthiness and the determination and evaluation of new and improved methods, equipment, and design characteristics that would substantially increase the passenger's chance of survival in an aircraft accident. The areas to be covered in the 12-month development program were: (1) fire resistant materials; (2) fire-suppression systems and smoke and fume protection; (3) emergency lighting and exit awareness; (4) evacuation improvement.

The problem of the role of private industry is the old one—from the source of the funds comes the mentality that guides their use. Today the Federal government provides 73% of the money for aircraft industry research and development. To the extent that research and development is a product itself, useful for decision making in public purpose missions, this percentage is understandable. But many opportunities in civil aeronautics could be approached without any Federal backing. Thinking that a military requirement may come along to pay for or accelerate a certain improvement is a faulty basis for policy planning. Industry leadership is needed to preserve as much of a free enterprise environment as possible, as well as to lend another viewpoint in the definition of goals and the direction of effort.

Various ideas have been suggested to goad private industry into increased participation. One is to consider providing incentives and disincentives so that the industry will continue to advance its capability to meet opportunities. Some of these might be: (1) making new technology economically available for incorporation into aircraft; (2) progressive governmental procurement policies; (3) instituting regulatory measures that require upgrading aircraft; (4) tax credits for research and development; (5) providing for the prototype construction of aircraft and systems financed with funds obtained from the general public rather than from the U.S. Treasury (by sale of development bonds to the public with the Government guaranteeing repayment of the investment in the event of default).

The role of the universities

Prior to World War II, the university research programs were primarily geared to the needs of graduate students and the interests of individual members of the staff. After the war there were changes: Federal laboratories or research centers were built and continuously funded by the government but managed by a university; the university-sponsored laboratory became principally supported by government contracts.

Control of university research is much looser than that exercised over industry. It depends importantly upon the ambitions or interests of the researchers, though the requests for grants tend to appear where the dollars are.

Besides providing much of the basic work in concepts, techniques, devices and materials, the university scientists extend their usefulness through government committees and advisory boards such as the Von Neumann Committee, the Air Force Scientific Advisory Board, and the FAA Technical Advisory Board, and through consultation agreements with industry.

In addition there are many private organizations which lend their efforts to the pursuit of air safety development. High among them is the Flight Safety Foundation, Inc., an independent, non-government, non-profit organization which devotes its entire effort to the improvement of air safety. It functions as an "Air Safety Information Interchange," working closely with manufacturers in the production of all types of aviation products. It also sponsors some independent research through one of its divisions in Phoenix, Arizona.

The SST

Finally, it might be well to recognize what motivates the U.S. government to heavy commitments in R & D. As *Fortune* Magazine said in the February 1967 issue relating to the SST: "there seems little doubt that the U.S. will proceed eventually with an SST—not, however, as the world's richest and most advanced nation asserting technological leadership, but more as a country engaged in a program conceived as an economic defense against the threat of a superior new product from abroad." [55]

Our purpose is not to question the military or economic or political or scientific or psychological motivations which may justify or be used to justify the appropriation of massive R & D funds for the SST. Our purpose is at once to point to the opportunities and problems which will flow from that technological advance and to suggest that it is ludicrous to deny 10 percent as many funds to research the means by which we might safely manage the technology it signals—to say nothing of the need to manage safely the technology in use.

The SST will use a Boeing design for the air frame and a General Electric concept for the engines. Ironically, the 18-month delay caused by President Johnson's order in 1965 for 18 more months of design competition pushing the completion date until 1974 (the Concorde 1971), permitted a drastic overhaul of U.S. designs and the evolution of a probably superior plane. (See Chart 26).

The SST will probably: be able to carry more passengers to and from Europe in a year than six Queen Marys (350 per trip); draw Asia as close in time to the U.S. as Europe today (speed of 1,780 mph); be so big (six feet longer than a football field) that the pilot will sit 175 feet ahead of the main landing gear; behave so much like a missile—requiring about 220 miles to make a 180° turn—that computerized inertial navigation will probably be necessary; fly so high (64,000 feet on the average) that a special watch will be needed on solar radioactivity to signal the pilot to descend to denser atmosphere during periods of dangerous intensity; and dwarf other aircraft in revenues and work capacity.

FAA estimates that the program will require an investment of some $4 to $4.5 billion before the first SST can be delivered to an airline. In 1961, Congress appropriated an initial $11 million for exploratory research; $1.1 billion is expected to be expended on advanced design, construction and flight test of two prototypes; $2.8 to $3.3 billion more will be needed for such costs as certification, tooling up and accumulating inventories; manufacturers hope for some additional help in the production phase, all of which is expected to boost the government's investment to $4 billion.

Boeing estimates an SST market running as high as $50 billion by 1990; 26 U.S. and foreign airlines have paid deposits of $11,400,000 to reserve 114 "positions in the quest for the American SST (though these are not binding). Market estimates are that 300 to 400 planes could be sold at a production cost of $26–$37 million per plane at 300 planes.

A Boeing study projects free world air travel in 1974 at a "possible" 500 billion passenger miles, which would mean a "travel glut so bad that there would be a 2-hour wait for runway clearance." [56] One expert estimates that the average passenger would be willing to pay an additional $8 for each hour saved of travel time, all of which leads to the conclusion that there would be adequate demand for such an aircraft.

Besides the expense, the sonic boom has created the other public area of controversy around the SST. The SST will create a "carpet" of thunderclaps beneath its flight path, which is an inescapable by-product of forcing any large, heavy object through the air at speeds greater than the velocity of sound (Mach 1). The sonic boom is an abrupt change in air pressure, interpreted by the

Footnotes at end of article.

ear as a startling noise and by structural materials as a force which may, if the intensity of the boom is high enough, exceed their strength.

Boeing says the SST can be limited to 1.5 psf (pounds of pressure per square foot) at cruising speed and altitude (60 to 70 thousand feet), or 2 psf while accelerating to cruise speed, meeting present FAA requirements. "The issue is whether booms of that magnitude will be annoyance enough to lead to a ban on supersonic flights over populated areas." [57] (It would be possible to eliminate the boom by flying the plane at subsonic speeds over population centers, though this would boost seat-mile operating costs so much it could apparently be done profitably only on short segments.)

The experts' consensus is that sonic boom is not a deadend problem, since there is good evidence suggesting that continued research can solve the problem, if given the financial support it deserves. (NASA fiscal year 1967 expenditure for sonic boom was $1.7 million).

The SST contracts include a requirement to implement and maintain a formal system safety program. The group responsible for safety management is responsible for identifying safety hazards, keeping up on current aviation safety development, establishing subcontractor safety requirements, and monitoring suppliers' designs and tests to ensure compliance with General Electric, Boeing and Government standards.

Safety will be insured by establishing safety evaluation criteria and utilizing failure mode and effect analyses of subsystems and component designs in order to identify and classify real or potential hazards and operationally critical failures, singly or in combination.

Areas of safety improvement already identified and being worked on include the following:

1. In order to provide the pilot with better visibility during the take-off and landing modes than he has today, the SST will provide a movable nose fairing.

2. More powerful engines and design refinements using aerodynamic direct lift control systems, to effect better pitch response and controllability, will, we are told, make the SST safer in the take-off and landing phases than today's jets.

3. Four separate and independent air conditioning and pressurization systems will be provided in order, we are told, to insure an absolutely failsafe cabin situation.

4. To assure integrity of the pressure shell the dimensions of titanium structure and thermal cycling in testing have been added as well as a thorough and massive effort to validate material selection.

5. Solar activity and the resulting radiation hazard is being studied by the Committee on Radiation Biology Aspects of the SST, a joint FAA/NASA/Air Force research project.

6. Flight characteristics that will permit the SST to fit into the normal air traffic control procedures and patterns are being studied with a flight simulator at NASA's Langley Research Center linked with the air traffic control simulation facilities at the FAA's National Aviation Facilities Experimental Center at Atlantic City.

An official FAA publication tells us that "the entire cost of the formal system safety program effort will be paid for many times over in the prevention of just one SST accident." [58] A sensitive person would probably find the prospects inherent in that statement as horrifying as the statement is true. And it certainly is true, given the fact that "just one SST accident" would risk the lives of more pasengers than the mid-air collision of 3 or even 4 of the largest commercial jets now in service. Of course, the SST seating capacity will seem small compared to the Boeing 747 (490 passengers) and the Lockheed L-500 (750–1,000 passengers) which will precede it into service.

Regardless of the position one holds on the wisdom of the government's sense of priorities in underwriting the costs of developing the SST, it is an undeniable fact that this plane is not only the symbol of America's mastery of aeronautical technology—the SST is also a symbol of America's concern for air safety.

Footnotes at end of article.

CHART 22.—AERONAUTICS RESEARCH AND DEVELOPMENT BUDGET

[In thousands of dollars]

	1964 [1]	1965 [1]	1966 [2] actual	1967 [2] estimate	Request for 1968 [2]
DOD (obligations) (all services)	1,081,968	1,135,785	1,096,700	1,291,200	1,098,000
NASA (NOA) [3]	53,400	82,100	80,400	103,400	119,600
FAA (NOA)	37,700	32,124	30,693	43,489	35,500
Total	1,173,077	1,250,000	1,207,793	1,428,089	1,253,100

[1] S. Doc. 90: DOD, table 51, p. 182; FAA, table 56, p. 210.
[2] President's budget request of Jan. 24, 1967. NASA includes R. & D., C of F, and AO.

Source: FAA, DOD, NASA.

CHART 23.—FAA EXPENDITURES FOR RESEARCH AND DEVELOPMENT IN AERONAUTICS [1]

[In thousands of dollars]

	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967
Research and development	12,322	18,946	41,200	42,077	52,817	59,113	37,709	32,124	48,682	35,000
Breakdown by activities:										
Air traffic control and navigation			32,382	32,140	33,621	43,386	20,390	22,624	36,150	25,969
Aviation weather			5,554	6,272	8,827	4,333	940	1,571	3,020	2,434
Aircraft safety			1,047	581	4,774	6,931	3,010	4,766	5,063	4,100
Airports			1,313	1,636	4,160	2,472	2,560	1,385	2,042	1,047
Aviation medicine			704	1,448	1,435	1,991	1,809	1,778	1,750	1,750

[1] Taken from the Budget of the United States.

Source: Bureau of the Budget.

CHART 24.—FEDERAL AVIATION ADMINISTRATION BUDGET OUTLAYS, RESEARCH AND DEVELOPMENT

[In thousands of dollars]

	1962	1963	1964	1965	1966	1967	1968	1969 (est.)
Research and development	48,372	54,953	51,534	35,768	32,315	36,241	37,738	39,000
Supersonic		6,792	4,993	47,922	99,244	145,332	99,673	126,405
Total FAA budget	698,410	726,311	750,550	794,613	803,919	882,941	895,788	1,096,800

Source: Bureau of the Budget.

CHART 25.—FUNDING SOURCES AND PERFORMERS OF AERONAUTICAL R. & D., FISCAL YEAR 1967 (ESTIMATES BASED ON NEW OBLIGATIONAL AUTHORITY REQUESTS IN THE BUDGET, FISCAL YEAR 1967)

[Dollars in millions]

Sources	Performers						
	DOD	NASA	FAA	Industry	Other [1]	Total	Percent
DOD	$268			$660	$100	$1,028	65.6
NASA		$50		$52	$1	$103	6.6
FAA	(2)		$29	$397	(2)	$126	8.0
Industry				$300	(2)	$300	19.2
Other					$10	$10	.6
Total	$258	$50	$29	$1,109	$111	$1,567	100.0
Percent	17.1	3.2	1.8	70.8	7.1	100.0	

[1] Includes universities, foundations, research institutes, and nonprofit organizations.
[2] Less than $0.5 million.
[3] Includes $80 million for the supersonic transport.

Source: Science Policy Research Division, Legislative Reference Service, Library of Congress.

AIRLINE PROFIT PLAN FOR A SUPERSONIC FLEET

Airplane	Hours in use per day	Average trip speed	Average seat capacity per trip	Available seat-miles per day	Passenger revenue per day	Cargo revenue per day	Total revenue per day	Direct operating costs per day	Indirect operating costs per day	Total operating costs per day	Interest cost per day	Net revenue per day	Post-tax return on investment (percent)	Return at 15 percent fare surcharge (percent)
707-320B: Maximum cruising speed: 540 miles per hour; price: $7,700,000	11¼	485	140	783,000	$22,300	$4,600	$26,900	$9,900	$11,900	$21,800	$300	$4,800	23.0	----------
747: Maximum cruising speed: 595 miles per hour; price: $20 million	10⅜	525	370	2,108,000	60,400	7,400	67,800	18,900	29,600	48,500	900	18,500	33.0	----------
Concorde Maximum cruising speed: 1,450 miles per hour; price: $18 million	8½	1,025	130	1,139,000	32,750	5,550	38,300	17,600	16,000	33,600	745	4,000	10.0	19
U.S. SST: Maximum cruising speed: 1,780 miles per hour; price: $36 million	8¼	1,125	300	2,720,000	77,000	6,500	83,500	33,300	34,700	68,000	1,500	14,000	15.5	26

Note: In 1967 dollars. Source: John Mecklin, "The $4-Billion Machine That Reshapes Geography," Fortune magazine, February 1967.

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VISIT OF PRESIDENT AND FIRST LADY TO SAIGON

(Mr. ADAIR asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ADAIR. Mr. Speaker, the visit of the President and the First Lady to Saigon is an inspiration to the entire free world. The very fact that the Frst Lady can visit orphans and the sick and wounded in a city that only a short year ago was under siege is ample proof of American gains during that period.

It should lend renewed confidence to American and South Vietnamese fighting men, and should also give second thoughts to the North Vietnamese and to those who insist the Communists are invincible.

In addition, the courage and concern of the First Lady in accompanying her husband and in visiting the wounded casts a lustre on the White House.

Americans can take deep pride in the leadership of the President and the compassion of the First Lady.

NATIONAL FOREST TIMBER SUPPLY ACT

(Mr. WYATT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WYATT. Mr. Speaker, yesterday at Seattle, Wash., the Western Governors' Conference concluded its 1969 annual meeting. The chief executives of 13 Western States, including Washington, Oregon, California, Montana, Idaho, Colorado, New Mexico, Arizona, Nevada, Utah, Wyoming, Alaska, and Hawaii, met to examine regional and national public issues.

Among those issues was the effective management of our natural resources, including public timber.

After a full hour of careful discussion by all of the Governors with Edward P. Cliff, Chief of the Forest Service, of the U.S. Department of Agriculture, and other noted timber management authorities, the conference unanimously endorsed the general policy stated in the National Forest Timber Supply Act of 1969 as presently written and urged its immediate enactment into law.

This act, H.R. 12025, which I have the honor of cosponsoring, will provide the means for the Forest Service to apply modern management techniques to the vast commercial timber holdings in its care and afford assurances that the wood fiber needs of the Nation will be met.

The significance of this unanimous action by this distinguished body of public servants is that they are all directly concerned, and the States they represent are the principal source of the softwood lumber and plywood required to meet our national housing goals. The resolution adopted by the conference took cognizance of the fact that the Nation faces a desperate need for housing, particularly for low- and moderate-income families, and that

softwood lumber and plywood are the basic materials for meeting that need.

It further noted that 60 percent of the total national softwood timber inventory is on national forests, largely concentrated in the West.

Relying upon Chief Cliff's own testimony that the yield on certain national forests can be increased by as much as two-thirds, and understanding that intensive forest management can be practiced without impairing other forest values such as recreation, fish and wildlife, grazing and watershed, the Western Governors' Conference took its forthright stand.

I am heartened by this new evidence of the soundness of this proposed legislation in the public interest. My own district lies in the heart of these Pacific Coast States which have the highest concentration of commercial forest land and the highest proportion of lands where intensive management can materially increase productivity. Under present restraints of policy and funding, the national forests will be unable to realize the substantial benefits which will accrue to the Nation from application of modern forestry methods to these fertile forests.

The direct concern of the Western Governors in this public business is wholly understandable. The West has 57 percent of the growing stock and 72 percent of the sawtimber in the entire Nation. These States also contain 86 percent of the total softwood sawtimber which can provide the lumber and plywood necessary if our people are to be adequately housed.

The National Forest Timber Supply Act of 1969 is, therefore, directly pertinent not only to the fulfillment of our national housing goals of 26 million units in the next decade but to the realization of the tremendous untapped potential for improved growth and harvest on these public lands.

The passage of the National Forest Timber Supply Act is of critical concern to the Governors and people of the Western States, because 79 percent of the national forest lands covered by the act lie within their State boundaries. It is of critical concern to the rest of the Nation, because without its passage we will never be able to achieve the housing goals we set in the Housing and Urban Development Act of 1968.

I commend the Western Governors' Conference for its wisdom in adopting the resolution and submit it for the RECORD:

III. NATIONAL FOREST TIMBER SUPPLY ACT OF 1969

Whereas the western states and the nation face a desperate need for housing, particularly housing for low and moderate income families; and

Whereas wood products, primarily of softwood species, continue to be the basic materials for residential construction; and

Whereas 60 percent of the nation's softwood timber inventory is on national forests, and concentrated in the western states; and

Whereas the yield from the national forests can be increased by as much as two-thirds by intensive forest management without impairing other forest values such as recreation, fish and wild life, grazing and watershed; and

Whereas the National Forest Timber Supply Act establishes policies and provides funds to improve timber production, while insuring that other multiple-use values of the national forests are protected;

Now, therefore, be it resolved that the 1969 Annual Meeting of The Western Governors' Conference in Seattle, Washington, endorses the general policy as stated in the National Forest Timber Supply Act of 1969 as presently written and urges its immediate enactment into law.

WHEN IS A SURPLUS NOT A SURPLUS?

(Mr. WYATT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WYATT. Mr. Speaker, the time has come to ask, "When is a surplus not a surplus?"

The answer is, that a surplus is not a surplus when you include in the operating budget funds you cannot spend.

Mr. Speaker, it is time to set the record straight about the so-called surplus. It is a phony surplus.

Our major trust funds—the highway fund, the social security fund, and others ended the fiscal year with an $8 billion surplus. Which is fine. But the Treasury tells us that our total surplus was only about $3 billion.

This means that, no matter how you add it up, you come up with about a $5 billion operating deficit.

No, Mr. Speaker, the budget was not balanced in fiscal 1969. Instead we went $5 billion deeper into debt. The publicity unfortunately generated during the past week has given many people the impression that fiscal 1969 ended with a $3 billion surplus. Everyone in the United States should know that in real terms we ended with a $5 billion deficit.

The President is determined this will not happen in 1970. I, for one, intend to help him in his efforts to give us the balanced budget we need if the fight on inflation is to be successful.

ADDRESS OF RICHARD KLABZUBA ON AIRLINE FARES AND EARNINGS

(Mr. SISK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SISK. Mr. Speaker, on April 21, 20 Members of Congress filed a complaint with the Civil Aeronautics Board requesting, among other things, a general rate hearing plus the suspension and investigation of a number of fare changes then being proposed by five airlines. On May 8, the Board announced that it had decided by a 3 to 2 margin to suspend the proposed changes and institute an investigation as to their lawfulness.

As part of our complaint, we proposed a cost-value oriented formula using a time-distance approach to ratemaking. Since this approach is inherently more amiable to airline operations, the Members' formula eliminates many of the acknowledged inequities in the present fare structure on a more rational, fair, and just basis.

For example, our formula is designed to take into consideration the many varying characteristics of the different markets such as their composition of vacation, pleasure, and business travel, their elasticity of demand or probability of pricing certain services—particularly the short-haul traffic—out of the market, their state of market development, and density of traffic.

Density of traffic and elasticity of demand are especially important to the commercial success of any airline venture. Historically I am informed that the bulk of airline passenger traffic has been concentrated within the shorter distances. As a result, the demand for air travel has generally shown a tendency to decline with distance. This in turn has been demonstrated by the airlines in a need for a larger proportion of discount fares in the long-haul markets to attract business, and less of an ability to attain as high load factors on long-haul nonstop flights.

This fact, of course, has meant that a greater percentage of long-haul traffic must be served with multistop and connecting flights. On the other hand, the higher occupancy rates achieved using these multistop and connecting services has been, and will continue to be partially offset by a greater amount of circuitry and a higher proportion of interline transfers, both of which tend to dilute a fare's actual yield.

With regards to this latter point, I believe it is important to point out that the Members' formula does recognize the fact that the net yield to the carrier is a more significant indicator of the prevailing price level and airline revenues than the fare per se. It does this with not just one, but three different elements: the load factor, value adjustment, and time-distance factors.

The value adjustment factor, however, is really the key element. First, it compensates for the increased dilution usually encountered in long-haul markets from the social and commercial requirement for more common-rating and prorating of fares between airlines. Next, of course, there is the purely commercial need for a greater variety and number of discount and promotional fares to bring in customers as the unit price per sale increases. And finally, the variations in yield caused by the changing distribution of longhaul traffic between nonstop and multistop services.

From a cost standpoint, Members' formula is also designed to compensate for the higher costs now being incurred in some congested areas by adjusting the fare according to the actual cost differential being experienced in each particular market. Consequently, it does not arbitrarily penalize traffic in different city pairs of the same size or at similar mileage intervals where no such congestion is being experienced.

The Member's formula is geared to

facts—not assumptions nor presumptions. It measures the cost differential by individual markets, and by degree of congestion in that market, rather than any arbitrary grouping.

Furthermore, the Members' formula is designed to give separate attention to changes in out-of-pocket costs for such items as labor, materials, fuel, landing fees, and other services not accompanied by improvements in productivity, as well as to changes in the rate of return required to provide an adequate return to investors in whatever is the prevailing money market. No other formula so far put forward by either the carriers or the CAB has offered the investor this type of protection.

In other words, unlike all other proposals, the Members' formula provides guidelines for fare changes where justified by changes in the cost and value of a service, density of traffic, or dilution of the fare.

Recently this formula was put to the acid test for the first time. In a presentation to a group of Wall Street analysts, Mr. Richard W. Klabzuba applied the Members' formula to 22 of the top airline markets in the United States, and one "hypothetical" airline. In his talk, Mr. Klabzuba first observed that the airlines financial need for increased allowed earnings is just and reasonable, and that rising cost of labor, materials, and other services has not been, and probably could not be, off-set by increased productivity. On the other hand, when he turned his attention to capacity or sales side of the formula, he stressed the need for our airlines to raise their load factors in order to reduce the cost per seat sold, and the economic waste caused by conjestion, overscheduling, and overcapacity.

The full text of Mr. Klabzuba's remarks follows:

AN AIR FARE PROPOSAL—ITS IMPACT ON EARNINGS

(By Richard W. Klabzuba)

It is indeed a pleasure to be with you again to discuss the possible impact of the events of recent days upon the future earnings potential of our domestic airlines.

As you are probably well aware, twenty Members of Congress and five airlines are now engaged in an adversary proceeding.[1] And, as you have so astutely surmized, I am allied with these Congressmen in an advisory capacity. It is in this latter position that I come before you today—to discuss with you, as representatives of the investors' interests, the issues involved in this case, and to seek your advice and counsel as to the recommendations which should be made to these Congressmen in the pursuit of this investigation.

There is no point in reviewing the events leading up to this investigation; they are already well documented in great detail in the complaint, answers and Board order. Rather, let us devote our time to the issues involved, to the proposals which I plan to make to the Members of Congress, and to the impact of these proposals on carrier earnings.

First, however, let me clarify one point: the revenue-hour is not a formal issue in this proceeding. At this time, the two principal issues appear to be load factor standards and Board procedure.

Second, I want it clearly understood at the outset that the primary objective of the recommendations which I plan to make to the Congressmen will be to improve net earnings and cash-flow by (1) widening the operating- and profit-margins in some cases, (2) increasing load factors and (3) reducing the cash operating costs and overhead per seat *sold* or passenger carried.

As in the past, I will continue to put the public interest, investor and consumer, first. Which is exactly why I am here today—to inform you as representatives of the investors of these recommendations and *to get your comments and suggestions.* We have established a line of communications which I would like to keep open during the critical days ahead. For my part, you may be assured that your views, favorable and unfavorable, will be made known to the Representatives.

Turning now to those recommendations themselves, they will of course be based in part upon the revenue-hour approach and the cost-value oriented formula incorporated in the Congressmen's complaint. As I informed you the last time I was here, it was my inability to accurately project earnings (on a mileage basis) which initially sparked my interest in this problem. I still cannot project earnings accurately and consistently on such a basis, and know of no one else who can.

In formulating these proposals, the first step was to determine exactly what the need of the air carriers is for revenue sufficient to enable them (under honest, efficient and economical management) to provide adequate and efficient airline service.[2] Since earnings, profit and net-income are all determined by their relationship to costs,[3] and the Board has repeatedly held that "rates must at all times be reasonably related to costs," [4] it makes eminently good sense to begin by determining (A) what the relationship should be between profit and cost, and then (B) what are the costs.

Starting with the relationship, it must first be noted that the Board has already fixed the income element as approximately a 10.5% rate-of-return on investment.[5] However, as many of you who have been faithfully following my recent discussion of this issue are aware, I am not in total agreement with the present approach—specifically, the fact that it does not recognize changes in the market price of capital. Therefore, for the purpose of these recommendations it is my intention to use a higher rate-of-return which will reflect about an 11% increase since 1960 in the security cost of equity and new debt capital.[6] I feel the result reached using this approach is more fair and reasonable to the investor.

Second, as previously observed in the *General Passenger Fare Investigation*, the margin-of-return and rate-of-return are mathematically related by and through the rate of capital-turnover.[7] Hence to establish a relationship between rate-of-return and cost, it is necessary to first fix a rate of investment or financial structure turnover. In the case at hand, a 1.2 financial structure turnover, or 1.4 investment-turnover, is utilized. Considering debt service as an operating expenditure, the resulting equation produced a 13% operating-margin (earnings on sales *before* taxes), or a 15% mark-up on costs.

Finally, regarding the operating expenses, the latest published data of the Civil Aeronautics Board was used,[8] with debt service being added in as an operating cost.

You may recall that the last time I appeared before this distinguished group of working analysts, you were given a schedule of the revenue requirements for various classes of aircraft. I would like to bring that schedule up to date.

Two quick observations: First, operating costs have risen during the last year and a half for various and sundry reasons which we need not explore here. Second, in accordance with the return formula just outlined, it is necessary to reduce the operating-margin from 20% (including debt service) to 13%, excluding debt service. This is the main reason why the changes are so relatively small; I was purposefully more liberal last time.

Anyway, using about a 13% operating-margin or 15% mark-up, it now appears that a 2-engine prop-jet requires $460 to $500 per hour; a 2-engine jet, $950 an hour; a 3-engine jet, $1,200 to $1,250 per hour; and a 4-engine jet, $1,600 to $1,650 an hour. The two 3-engine wide-body jets may need something in excess of $2,250 to $2,500 an hour plus, while a guess on the 747 is probably more than $3,000 to $3,400 per hour. Unless cash operating costs are brought under control, it may become necessary to apply a surcharge on these aircraft just to break-even.

One again, the revenue required per passenger-hour to attain these or similar levels will vary depending upon differences in operating philosophies between carriers, seating configurations, density of traffic, load factors, and value-of-service. Which of course brings us to an extremely important part of the equation: the need in the public interest for adequate and efficient airline service at the lowest cost in the sense of the lowest fare—and therefore the issue of load factors.[9]

If there is any one issue which is going to be fought tooth and nail in this investigation, my guess it is this one—load factors.

Why? Because the relationship between cost, price and load factors underlies the whole area of airline profitability, and Members of Congress in their complaint have specifically requested the Board to take load factors into consideration in determining the just and reasonable fare.[10]

As far as you are concerned as financial analysts, the main thing at stake in the load factor issue is the possibility of a major shift in operating philosophy, with the principal emphasis shifting from production or capacity to sales . . . and from revenue to earnings.

Our scheduled airlines are engaged in what Edward Chamberlin refers to as "monopolistic competition". Since this is something different from pure competition or pure monopoly, revenues are governed by different factors. Under monopolistic competition, sales are limited by (1) price, (2) service, and (3) the advertising and sales effort, so that depending upon demand and costs, earnings are determined by adjustments in price, service or selling costs, or a combination thereof.

In addition, a distinction is drawn between the concept of "competitive prices" and "competitive profits". The monopoly element produce higher rates, *but not greater earnings* because the competitive element tends to bring about greater costs. To quote Mr. Chamberlin, "Competition, in so far as it consists of a movement of resources into the industry, reduces profits to the competitive level, but leaves prices higher to a degree dependent upon the strength of the monopoly element. Competitive profits, then, never mean competitive prices under monopolistic competition, for the demand curve is never tangent to the cost curve at its lowest point." [11]

In this regard, it is no industry secret that the airlines have traditionally considered business travel as their primary market. Nor that they consider this market to be price inelastic. As a result, their primary efforts to improve earnings have logically been in the direction of adjustments in service and selling costs, rather than price adjustments.

Footnotes at end of article.

"More and more is price competition evaded by turning the buyer's attention towards a trade-mark, or by competing on the basis of quality or service (or by advertising . . .).[12]

Nevertheless, as the Supreme Court has so eloquently pointed out, it is not the theory but impact of the rate order which counts.

It is rather obvious that the power and effect of today's intense airline competition is not producing low air fares—the recent wave of applications for rate increases attest to that. Instead, competition has resulted in over-capacity, over-scheduling, low load factors, smaller operating-margins, and numerous extra ancillary services such as private clubs, gourmet dining on certain flights, five abreast coach seating, etc.

In its now famous staff study, the Bureau of Economics noted at page 70, "(T)hat the fare level affects the volume of service offered by the several carriers in the market and that a fare set well above cost, based on a reasonable load factor, may contribute to the operation of excessive capacity and resulting inefficient use of resources. The data developed in this study suggest that long haul jet coach fares are quite high in relation to cost of service at even the relatively low load factors prevailing in the transcontinental markets. The latter suggests that excess capacity is being provided in these areas. It is reasonable inference that the high level of long haul jet coach fares at least tend to support such overscheduling which in turn creates a need for a higher fare level than would otherwise be necessary."

In their complaint of April 21, the Congressmen pointed out to the Board that TWA's passenger load factor between San Francisco and New York during the calendar year 1966 was 43%, and 46% in 1967. The load factors for the other two principal carriers in this market were: American, 52% and 46% respectfully; United 38% and 45%.

In the larger Los Angeles-New York market, the results were considerably better: American had a 58% load factor both years; TWA raised its load factor from 46% in 1966 to 53% in 1967; with United doing about as well, climbing from 40% to 45%.[13]

On the other hand, it must be remembered that dollarwise these are two of the most lucrative markets in the United States. Together they probably account for 4 to 5 percent of our total domestic passenger-miles. On a revenue-hour basis, the percentum of course would be smaller.

The point, however, is simply this—in two of the most lucrative markets in the U.S., where the number of competing lines has remained unchanged and a strong rivalry between carriers contributes to one of the fiercest and most competitive markets in the world, the airlines themselves continue to compete on the basis of adjustments in service and selling costs, not low fares—with the result that the overall load factor for the group was little better than that experienced by our local service airlines in the least lucrative markets.

By the way, 1966 was a relatively good year, one of the two in the last decade when the airlines' return exceeded the allowable 10.5% standard.

Low load factors obviously have an adverse affect on cost and fare levels, and consequently are not in the best interest of consumers. Their adverse impact on investors, however, is frequently overlooked. Low load factors associated with high utilization tend to dilute earnings by spreading them over a larger operating base; increase current-liabilities at a more rapid rate than other source of funds, thereby making the airline more vulnerable financially to short-term demand fluctuations.[14]

In other words, the total effect of the present fare policy can be said to be "unjust and unreasonable" because the result reached is adverse to the vital interests of the consumer and investor.

To correct this situation, it is my intention to suggest to the Members of Congress that they continue to press the Board to establish certain load factor guidelines in setting fares. Specifically, that in markets averaging more than 3,000 passengers per day,[15] a load factor of 70% be used as the standard; in markets larger than 250 to 500 passengers per diem, depending upon the size of equipment normally assigned, a 60% load factor seems reasonable. In the other markets less than 250–500 passengers per day, it may be necessary to adjust the load factor standard somewhat downward to provide an adequate minimum frequency of service; i.e., 3 to 4 flights per day.

With regards to frequency of service, the foregoing load factors should permit the carriers to proffer a minimum of 30 to 40 frequencies per day in the larger markets using todays equipment, and 12 to 17 flights per-day with wide-body aircraft. Enough in other words to assure the public adequate service and viable competition between carriers.

Finally, of course, the inherent advantages of air transportation to the user, and the effect of rates upon the movement of traffic (value-of-service), must not be overlooked, at least in the United States where they are statutory standards.[16]

Some traffic is price inelastic, others are not, so that discounts which increase traffic and raise load factors should be provided. Furthermore, the degree of price elasticity tends to shift from market to market, being greater in long-haul markets than short-haul services. Consequently, base fare levels have to be adjusted accordingly. This is accomplished with the "value adjustment" element.

In the recommendations at hand, an 85% value adjustment (or 15% discount) is used for most short- to medium-haul services. An 80% adjustment, or 20% overall discount, is used for the longer services to allow for a greater proportion of pleasure travel and greater degree of circuity in travel.

Given the foregoing, it appears that a just and reasonable level of fares in the sixty percent load factor markets should be $22.50 per passenger-hour where the value adjustment is 85%, and $24 per passenger-hour where there is an 80% value adjustment.

Where the load factor is 70%, an incentive should be proffered to the carrier because of the greater productivity, larger risk and lower fare. Granting such an incentive in the range of 11 to 12 percent, it appears that on high-density routes fares should be $20 per passenger-hour with an 85% value adjustment, and $22 per passenger-hour with the larger 80% adjustment.

In the case of high-density economy or thrift-fare services, where few discounts are proffered other than children's fares, a 90% adjustment seems more reasonable, so that the base fare should be $18.50 per passenger-hour.

These fares should yield an average revenue of about $19.20 per passenger-hour at 60% load factors; $16.75 at the 70% load factor. The gross earnings will be about $2.40 to $2.50 per passenger-hour, with a net of $1.20 to $1.25 before investment and other tax credits. In other words, an adequate and consistent level of earnings that will enable the airlines to compete vigorously for capital funds in the open market without any need to resort to changes in accounting techniques to bolster results.

The internal cash generation, or cash-flow, will be somewhere between $2.60 and $2.95 per passenger-hour, with a return on investment (the Board's test of reasonableness) ranging from $1.50 to $1.60 per passenger-hour.

The return per mile will of course vary depending upon the block speed of the aircraft. Unfortunately due to the numerous variations in operating characteristics, block speeds do not at all times vary uniformly with mileage, so a specific yield per mile by mileage-blocks has no reasonable value. It is worthless data. Nevertheless, because some of you might find the return per mile by block speed increments of some limited use for comparative purposes, I have included them in the hand-out.

If you use this schedule, use it with a great deal of caution. Remember, you cannot use the data on a cumulative or average basis—it has value only for a *specific* block speed. It has no relevance to length of haul; e.g., since United's flight time between New York-Washington is about the same as that between San Francisco-Los Angeles, it needs about the same revenue per passenger, regardless of the difference in mileage.

Returning to the revenue-hour basis, where an aircraft is leased, it appears the leasing payments will range from $2.80 per passenger-hour at a 70% load factor, to around $3.40 at 60%, leaving a net-earnings, cash-flow and return on investment of between 55¢ to 60¢ per passenger-hour.

To give you a "feel" for these fare levels from another angle, I have applied them to 22 of the top 25 markets in the U.S. in 1967 in terms of number of passengers airlifted.[17] The number of passengers have been increased by 28% per market to reflect a 13% per year traffic growth.

Please note, you are not being quoted just a fare or its potential revenue—you are being handed its projected level of *earnings, cash-flow, service on debt* (interest plus principal, the latter computed at one-half of the annual depreciation allowance) and *lease payments*. The leasing payments were included because, among other things, the degree of leasing has a material impact on earnings, cash-flow and debt service.

This is the kind of evidence I will suggest the Members of Congress offer the Board. It is the kind of evidence I would expect the carriers to come forth with too, so that the Board will be able to render an enlightened, intelligent, business like decision that protects your interest.

Some of the fares in the schedule are equal to those now in effect or proposed. Many are less. Others may be greater. Where the fares are the same, I shall recommend its approval. Where the hourly fare is greater, I shall suggest the Congressmen move for its adoption just the same as when it is lower.

Your attention is invited to another fact. If you used the 50% load factor rate with an 85% value adjustment—the $27 per passenger-hour fare level—and multiplied it by 5⅓ aircraft-hours, you will come up with a $144 fare. The present transcontinental fare is $145. Thus you can see that the projected reduction in some fares is primarily attributable to the adjustment in the level of service, or load factors, not the ratemaking formula. The revenue-hour equation, a *cost-value oriented formula*, merely explains what is going on . . . and what specific corrective action should be taken.

Second, you will observe that this $27 fare level does not produce any greater earnings,

Footnotes at end of article.

cash-flow, etc. per available seat-hour than the $22.50 level. It just requires more seat-hours, more aircraft-hours, and a greater cash expenditure to provide the same amount of service.

In its order granting suspension of the fare proposals, the Board observed "Another significant aspect of an unnecessary increase in unused capacity is the corresponding growth in investment and fixed charges." *High fare levels produce larger investments.* Large investments can mean greater potential dilution in earnings per share when traffic turns sour, reduce appreciation when the market turns around.

On the liability side of the Balance Sheet and Income Statement, larger fixed charges narrow the margin of safety, while greater cash costs associated with over-scheduling increase current-liabilities, thereby increasing short-term financial hazards and lessening the chance of turning revenues into earnings.

Higher fares are not in the consumers' interest. Are they in the investors' interest if they cannot be turned consistently into earnings?

It should also be noted that there seems to be some difference of opinion at the Board with regards to this question of over-capacity. The Chairman seems to feel there may be some excess capacity, while Member Adams has specifically not associated himself with respect to certain statements regarding equipment purchases or excess capacity.[18]

Who is right? Probably both gentlemen.

The Chairman is correct with respect to the long- and medium-haul routes where the yield per hour is high. Member Adam's opinion, however, is equally valid; there probably is not too much excess capacity in the short- and medium-haul markets where the yield per hour is lower. Two opposing views, yet both are probably equally right. Please observe again, however, you can only really arrive at the reason for this conclusion on the revenue-hour basis.

To give you yet another "feel" for these fare levels and their impact on earnings, this time from an investor viewpoint, they have been applied to the 1969 fleet of one of the Big-4 carriers . . . United. For the purposes of this demonstration the following two operational parameters were used in addition to the presumption of a 60% load factor; utilization of aircraft on-hand, 2,800 hours per annum (7⅔ hours per diem); aircraft delivered during 1969, one half the annual rate or 1,400 hours per annum.

The results: Gross earnings of $162 million on sales of $1,348 million, with an after tax profit before investment and other tax credits of $81 million. Assuming 19 million shares of stock to be outstanding, the earnings per share comes to $4.26.

Thus you have now been given an air fare proposal and its impact on earnings in five different ways—by available seat, by passenger, by aircraft-class, by market and by carrier—on both a mileage as well as hourly basis, plus per share. As the song says, "Who could ask for anything more?"

In support of their recent proposals, the airlines have repeatedly asserted that it is generally known and accepted in the air carrier industry that there is an urgent need for additional revenues because, among other things, the carriers' rate-of-return has been alarmingly low and now shows every indication of being lower than had been expected last February. According to C.A.B. statistics, only twice during the last decade has the industry's return exceeded the allowable 10.5%, and it has never reached that level on the basis of a 5-year weighted average.

While it is true the Supreme Court has said that a public utility is entitled to such rates as will permit it to earn a return equal to that being made on investments in other business undertakings attended by corresponding risks and uncertainties, the Board does not have the power to arbitrarily hold up earnings to some fixed level, for the Court has also held "It cannot be said that a corporation is entitled, as of right, and without reference to the public, to realize a given percent upon its capital stock."

For this reason, even though I may be personally sympathetic to the carriers' need for greater earnings, I do not believe that an airline can demonstrate to the Board, the Members of Congress, an Administration trying to fight inflation, nor the farepayer himself, the justification for increasing its earnings by way of a rate increase when it has not even sold 55 to 60 percent of its production during the best years in the most lucrative market in the United States. They just are not going to buy that argument!

From what has just been said, it may appear that I am being critical of management, but I am not. Before you criticize management look at the facts.

Monopolistic competition and a fixed return both discourage economy and efficiency. Independently, each is a powerful deterrent to efficiency. Fuse them together with a spice of licensing restrictions and you unleash a potent new destructive economic force which, like an A-bomb, is capable on inflicting untold economic and social devastation on society.

It is the combination of these forces working upon management, rather than undisciplined management action, that has brought us to the financial crises we face today. It is the combination of these forces which must be harnessed for the benefit of the investor and consumer, instead of his destruction. This can come only from recognition of the *cause* of the effect, followed by enlightened, intelligent, well-informed, totally objective and unbiased regulation.

In summary, it is my opinion that there will be no general fare increase this year. There may be some selective increases where the yield per hour is not sufficient, at reasonable load factors, to enable the carriers to provide adequate and efficient service at a fair profit. There will be increasing pressure to improve load factors in order (1) to lower the cost per seat *sold* even though this will probably temporarily increase the cost per available seat,[19] (2) to reduce the economic waste of our resources—aircraft, airports, airways[20]—and most important of all (3) to enable the nation to get more productivity out of its public expenditures, a matter which is at present of vital interest to the Administration and Congress who are pressed for funds, looking for ways to curb inflation, and trying to hold down taxes . . . especially since such improvements in load factors can lower fares and improve earnings to investors.

Like other men before me, I too have a dream, one which can become a reality later this year. It is simply this: any man or woman can fly round-trip to anywhere in the continental U.S. for an excursion fare of $200 or less, whether that be from Presque Isle, Maine to San Diego, or Key West to Aberdeen, Washington. That John Q. Public, traveling at his own expense can go anywhere and back in the *entire* United States (with the possible exception of some outlying points in Alaska) for no more than $400. One nation, one people, without regards to race, creed or *location*. And may be, just may be, such a sales oriented attitude as the "continental-100" and "national-200" will be as financially rewarding to the air carriers as the $1 phone rate has been to the communications carriers.

Gentlemen, that's it. I have done my thing. I have had my say. Now, how say you?

FOOTNOTES

[1] Rep. John E. Moss, Richard T. Hanna, Harold T. Johnson, George E. Brown, Jr., Edward R. Roybal, John T. McFall, Phillip Burton, Charles H. Wilson, Lionel Van Deerlin, George P. Miller, Glenn M. Anderson, Robert L. Leggett, Chet Holifield, Jerry L. Pettis, Don Edwards, Augustus F. Hawkins, Walter S. Baring, Jeffery Cohelan, B. F. Sisk and William S. Mailliard, and American Airlines, Braniff Airways, Trans World Airlines, United Air Lines and Western Air Lines.

[2] Sec. 1002(e)(5) of the Federal Aviation Act of 1958.

[3] Richard W. Klabzuba, "Airline Fare Structure and Future Earning Power," *Congressional Record*, vol. 113, pt. 22, pp. 30488–30490.

[4] Air Freight Rate Investigation, decided April 21, 1948; C.A.B. Reports, Vol. 9, pp. 921, 924.

[5] General Passenger Fare Investigation, decided November 25, 1960; C.A.B. Reports, Vol. 32, p. 291.

[6] Richard W. Klabzuba, "Earnings Tests Should Promote Efficiency," *Air Transport World*, Washington, Vol. 6, No. 4 (April 1969) pp. 53–54.

[7] General Passenger Fare Investigation, *op. cit.*, 295.

[8] Civil Aeronautics Board, Aircraft Operating Cost and Performance Report, supplement dated April 15, 1969; 12 months ended June 30, 1968.

[9] Sec. 1002(e)(2) of the Federal Aviation Act of 1958.

[10] "Complaint of Members of Congress and Air Transportation Users with Request for Tariff Suspension and a General Rate Investigtaion," *Congressional Record*, Washington (April 23, 1969), pp. 10120–10133.

[11] Edward Chamberlin, The Theory of Monopolistic Competition, Harvard University Press, Cambridge, Massachusetts (1933) p. 88.

[12] *Ibid.*, 73.

[13] Peter Clegg, "The New American," *Aeroplane*, London, Vol. 116, No. 2962 (July 24, 1968) pp. 4, 8.

[14] In 1968, for example, American Airlines increased its current-liabilities by about 11.5%, while its passenger load factor was dropping 5.8%.

[15] 1,095,000 passengers per annum.

[16] Sec. 1002(e)(1) and (4) of the Federal Aviation Act of 1958.

[17] The two Miami markets are excluded because they involve peak-responsibility pricing problems that necessitate more than just Excursion fares and Value adjustments, and hence are beyond the scope of the case at hand. The San Francisco-Los Angeles market is not included because the rate is established by the intra-state carrier, and its block time for ratemaking is approximately 0.75 aircraft-hours as opposed to 0.97 aircraft-hours for the trunklines.

[18] "Report on Meeting Between the Civil Aeronautics Board and the Domestic Trunkline Carriers on Domestic Passenger Fares," Civil Aeronautics Board, Washington (no date), pp. 7, 8.

[19] "(V)iewed as a cost problem, it is evident that trimming flight assignments over long-haul routes would tend to produce the greatest cost savings per flight removed. . . . Measured in dollars, the economic waste will continue to increase if scheduling continues

as it has in the past." Ronald E. Miller, Domestic Airline Efficiency, The M.I.T. Press, Cambridge, Massachusetts (1963), p. 134.

[20] "1. In general, the *greater* the total demand between city-pairs, the greater the absolute amount of overscheduling. 2. In general, the *smaller* the intervening distance between city-pairs (i.e., the shorter the route), the greater the amount of overscheduling. . . . 1. The most competitive routes always exhibit a great deal of overscheduling; the more competitive the route, the worse this overscheduling becomes." *Ibid.*, 108, 109.

TABLE 1.—*Relative revenue requirements for various types of aircraft equipment per aircraft hour flown, U.S. Domestic Services*

Equipment type:	*Yield required per aircraft-hour*
2-engine prop-jet	$460 to $500
2-engine jet	$950
3-engine jet	$1,200 to $1,250
4-engine jet	$1,600 to $1,650
3-engine wide-body jet	$2,250 to $2,500
4-engine wide-body jet	$3,000 to $3,400

TABLE 5.—*Price and earnings paradigms for U.S. domestic air carrier service by carrier, 1969 projected fleet of United Air Lines*

Operating revenues	$1,348,000,000
Gross earnings	$162,000,000
Net earnings before investment and other tax credits	$81,000,000
Cash-flow	$179,000,000
Return on investment	$105,000,000
Shares of stock outstanding	19,000,000
Net earnings per share	$4.26

TABLE 2.—PRICE AND EARNINGS PARADIGMS FOR U.S. DOMESTIC AIR CARRIER SERVICE BY AVAILABLE SEAT-HOUR AND PASSENGER-HOUR

	Dollars per revenue-hour			
		Per passenger (load factor)		
	Per seat	50 percent	60 percent	70 percent
Operating expenses	$10.00	$20.00	$16.70	$14.35
Operating margin	1.50	3.00	2.50	[1] 2.40
Statutory revenue need	11.50	23.00	19.20	16.75
Rate level required after value adjustment for circuity and promotional discounts:				
80 percent adjustment		29.00	24.00	22.00
85 percent adjustment		27.00	22.50	20.00
90 percent adjustment				18.50
Estimated average yield per unit:				
Revenue	[2] 11.50	23.00	19.20	16.75
Gross earnings	[2] 1.50	3.00	2.50	2.40
Net earnings (at 50 percent)	[2] .75	1.50	1.25	1.20
Cash flow (internal cash generation)	[2] 1.75	3.50	2.95	2.60
Return on investment (CAB test)	[2] 1.00	2.00	1.60	1.50

[1] Includes $0.25 per passenger incentive for lower rates than 60 percent load factor; that is, 11 to 12 percent lower fares.
[2] Yield per seat greater at 70 percent load factor fares.

TABLE 3.—PRICE AND EARNINGS PARADIGMS FOR U.S. DOMESTIC AIR CARRIER SERVICE BY PASSENGER-MILE ACCORDING TO BLOCK SPEED

	Dollars per revenue-hour and mile per passenger						
	Load factor 50 percent		Load factor 60 percent		Load factor 70 percent		
Value adjustment for circuity and discounts	80 percent	85 percent	80 percent	85 percent	80 percent	85 percent	90 percent
Rate per passenger-hour	$29.00	$27.00	$24.00	$22.50	$22.00	$20.00	$18.50
Rate per mile at block-speed of—							
200 miles per hour	.145	.135	.120	.113	.110	.100	.093
300 miles per hour	.097	.090	.080	.078	.073	.067	.062
400 miles per hour	.072	.068	.060	.056	.055	.050	.046
500 miles per hour	.058	.054	.048	.045	.044	.040	.037

TABLE 4.—PRICE AND EARNINGS PARADIGMS FOR U.S. DOMESTIC AIR CARRIER SERVICE BY MARKETS, 1969

Market	Blocktime hours	Load factor percent	Value adjustment percent	Jet coach fare	Excursion fare	Sales (millions)	Gross earning (millions)	Cash flow (millions)	Debt service (millions)	Lease payment (millions)
New York–Boston [1]	0.84	70	85	$17	$26	$43.9	$6.0	$6.3	$2.4	$0.7
New York–Washington [1]	.97	70	85	20	30	41.9	5.7	6.0	2.3	.7
New York–Chicago [1]	2.00	70	85	42	63	74.1	10.1	10.6	4.0	1.1
San Francisco–Los Angeles	.97	70	90							
New York–Miami	2.60									
New York–Los Angeles	5.33	60	80	128	192	123.5	15.2	17.5	6.9	1.9
Los Angeles–Las Vegas	.78	60	85	18	27	16.7	2.1	2.4	.9	.2
New York–Detroit [1]	1.44	60	85	33	50	28.3	3.5	4.0	1.6	.4
Chicago–Los Angeles	3.90	60	80	94	141	70.9	8.8	10.0	4.0	1.1
Chicago–Minneapolis [1]	1.10	60	85	25	38	20.3	2.5	2.9	1.1	.3
New York–San Francisco	5.33	60	80	128	192	88.0	8.4	11.4	5.1	1.4
New York–Pittsburgh	1.15	60	85	26	39	19.5	2.4	2.8	1.1	.3
Chicago–Detroit [1]	.93	60	85	21	32	15.0	1.9	2.1	.8	.2
New York–Cleveland [1]	1.33	60	85	30	45	20.6	2.5	2.9	1.2	.3
Boston–Washington [1]	1.20	60	85	27	41	17.3	2.1	2.4	.9	.3
Chicago–Miami	2.67									
Chicago–San Francisco	3.90	60	80	94	141	52.3	6.5	7.4	2.9	.8
San Francisco–Seattle [1]	1.63	60	85	37	56	21.5	2.7	3.0	1.2	.3
Chicago–St. Louis [1]	.95	60	85	22	33	12.0	1.5	1.7	.7	.2
Chicago–Baltimore/Washington [1]	1.67	60	85	38	57	27.7	3.4	3.9	1.6	.4
Chicago-Cleveland [1]	1.10	60	85	25	38	13.2	1.6	1.9	.7	.2
New York-Buffalo [1]	1.05	60	85	24	36	12.1	1.5	1.7	.7	.2
Los Angeles-Seattle	2.15	60	85	49	74	24.1	3.0	3.4	1.4	.4
Chicago-Philadelphia [1]	1.84	60	85	42	63	20.4	2.5	2.9	1.1	.3
New York-Atlanta	2.00	60	85	45	67	20.7	2.6	2.9	1.2	.3

[1] Markets involved in CAB docket No. 20928. Block time: ratemaking time not actual flight time. Jet coach fare: one-way. Excursion fare: round trip. 10 percent of equipment leased.

SUCCESS OR FAILURE—NEIGHBORHOOD DEVELOPMENT PROGRAMS

(Mr. BUTTON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BUTTON. Mr. Speaker, I have today introduced H.R. 13271 which seeks to give the city of Schenectady, N.Y., in my congressional district, more time to win Federal approval for its neighborhood development program. This would be accomplished by safeguarding substantial credits in excess of $2 million generated by construction of school facilities in the NDP project area.

Schenectady's NDP application has received approval in the New York Regional Office and is now awaiting review and evaluation here in Washington. But, Mr. Speaker, a very serious time problem exists with respect to approval of this application. The problem was not created by the application itself, but by the city's good-faith reliance on the ability of the Department of Housing and Urban Development to fund neighborhood development programs. HUD last year urged many cities, Schenectady included, to convert their renewal programs to NDP, and they did convert. They converted their programs and then HUD froze all NDP grant approvals after April 30, 1969. In other words, Mr. Speaker, had Schenectady gone ahead with its original plans and not applied under the new NDP, which was said at the time to be sufficiently funded, the city presumably would not be in this predicament of possible loss of these considerable credits—conditioned, of course, on later approval of its NDP application.

Mr. Speaker, the city's share of the cost of this program depends upon the use of these credits developed as a result of the construction of the Martin Luther King Elementary School and the modernization of the Steinmetz Junior

High School. Construction of these two schools began on August 1, 1966, so that the credits will expire today, August 1, 1969. Without these credits, little possibility exists of the essential renewal work proceeding inasmuch as Schenectady's financial resources are barely sufficient to meet current operating costs. Because of this inequity, Mr. Speaker, something must be done to preserve these credits if the program is improved at a later date.

Interest and enthusiasm for this project in the community are at a high level. It is extremely important, Mr. Speaker, that the Congress face the crisis of our cities. If we hold out hope one day and retreat the next, residents in our deteriorating, older, core cities of the Nation will continue to view with suspicion the Federal Government's sincerity in providing better environment and a new life for many of its citizens.

It is my understanding that there are up to 20 cities throughout the Nation which are facing similar loss in credits which will also impair their renewal plans.

Mr. Speaker, Schenectady is not alone in this problem. Since H.R. 13271, the bill I introduced today, is designed to only assist Schenectady with its long-term neighborhood development program, I would urge other Members of Congress to join with a similar measure affecting cities similarly situated. Or, better yet, Mr. Speaker, the Housing Subcommittee of the Banking and Currency Committee might consider some general legislation, when it next meets in executive session, that would cover all these cities which have lost or will lose credits. Such action by the committee would cure the administrative problem resulting from changeovers from renewal to neighborhood development programs.

Perhaps a 1-year extension of the 3-year period in the case of any community facing loss of credits would be an equitable solution. In any case, Mr. Speaker, something must be done.

At this point in the RECORD, Mr. Speaker, I include the contents of H.R. 13271.

H.R. 13271

A bill to permit expenditures in connection with certain schools in Schenectady, New York, to be counted as local grants-in-aid to federally assisted urban renewal projects and neighborhood development programs in Schenectady

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the date of the commencement of construction of the Martin Luther King Elementary School and the Steinmetz Junior High School in Schenectady, New York, local expenditures made in connection with such schools shall, to the extent otherwise eligible, be counted as local grants-in-aid for federally assisted urban renewal projects and neighborhood development programs in Schenectady that will be served by such schools.

WARSAW UPRISING DAY AUGUST 1, 1969

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. ROONEY) is recognized for 20 minutes.

Mr. ROONEY of New York. Mr. Speaker, today we are privileged to join with the membership of our patriotic Polish-American societies in commemorating one of the greatest acts of heroism to be recorded in modern history. Today marks the 25th anniversary of the Warsaw uprising.

Few times in history have the enslaved and oppressed people of a country given such an heroic account themselves in such a valiant fight as did the thousands of citizens of Warsaw in an effort to free themselves of the Nazi rapists and butchers who held them in intolerable subjugation.

With a sudden and impassioned zeal of patriotic fervor Polish men, women, and children with full realization of the overwhelming odds against them rose up en masse against their oppressors. For 63 days they fought the Nazis with every conceivable weapon which they could acquire, hoping to dislodge the overlords from their beloved capital. If this goal were achieved, they hoped Poles throughout the Nation would join in a massive revolt.

For 2 months the streets were daubed with patriots' blood as day after day courageous Poles gave their lives to attain freedom.

So it was that more than 200,000 of these heroic people perished at the hands of the Nazis while Russian Communist troops stood by and saw them die.

It should not be said that these noble fighters died in vain. Their valor and their dedication to a precious ideal gave new heart to the fighting forces of the Allies and new courage to all the people mobilized to halt the Nazi waves of terror and bring an end to the reign of suffering and horror which the mad Fuhrer had launched.

How tragic it is that once the Nazis had been overcome and the people of Poland regained some of their freedom that all too soon they would find themselves once more being ruled by an alien power and deprived of all self-determination.

Mr. Speaker, the people of Poland today need the help and sympathetic understanding of every American. They need our help to see them through one painful experience after another. Even though there have been some social and economic improvements which they have attained in spite of the Kremlin's domination of their lives, the Polish people are far from content with their false leaders and the existence which they are forced to endure.

The hunger for freedom by every Polish patriot can never be sated by the rule of aliens no matter how tolerant or benign that rule might be—which it is not. The thirst for complete independence cannot be slaked by occasional palliatives or partial concessions.

No, Mr. Speaker, for centuries the people of Poland have kept the spark of liberty glowing even in the face of prolonged and bitter adversity. Because of this great love for freedom which antedates our very existence, and because of the great help given by Polish patriots to the attainment of our own freedom, we must not let the Polish people down in their present tragic hour of need. We must join with all Polonia throughout this country to do our utmost to bring to Poland a measure of that freedom for which the citizens of Warsaw fought so gloriously.

NEED FOR WAGE-PRICE GUIDEPOSTS

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 20 minutes.

Mr. REUSS. Mr. Speaker, I have prepared for introduction today H.R. 13278, a bill to reinvigorate wage-price guidepost policy the Nixon administration has rejected.

The recent steel price increase and other price increases in copper, nickel, zinc, and aluminum in the past several months will, unless rolled back, lead to another round of price increases in everything from automobiles to safety pins.

Yet the Nixon administration stubbornly sticks to its doctrinaire position, contradicted by every fact of economic life, that monetary and fiscal policy is alone enough to fight inflation.

My bill directs the Council of Economic Advisers to prepare wage-price guideposts "after full consultation with representatives of business and organized labor." A three-man price-wage stabilization board is then "to study actual or imminent price and wage behavior inconsistent with the guideposts, to hold public hearings on their justification, and to report to the Government and the public whenever such price or wage behavior in fact threatens economic stability together with its recommendations for action."

Restrictive fiscal and monetary measures are appropriate and effective for controlling price and wage behavior caused by overall excessive demand, but may be ineffective with respect to individual price and wage behavior, particularly in industries with large firms or unions. My bill provides a mechanism for bringing to bear an informed public opinion in order to restrict such price or wage behavior when it threatens national economic stability by causing inflation.

The text of H.R. 13278 follows:

H.R. 13278

A bill to amend the Employment Act of 1946 to bring to bear an informed public opinion upon price and wage behavior which threatens national economic stability

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

SECTION 1. The Congress hereby declares that a new mechanism is needed to carry out the aims of the Employment Act of 1946 to promote maximum employment, production, and purchasing power (which includes the concept of reasonable price stability). Restrictive fiscal and monetary measures are appropriate and effective for controlling price and wage behavior caused by overall excessive demand, but may be ineffective with respect to individual price and wage behavior in industries with large firms or unions. This Act provides a mechanism for bringing to bear an informed public opin-

ion in order to restrain such price or wage behavior when it threatens national economic stability by causing inflation.

DETERMINATION OF PRICE-WAGE GUIDEPOSTS

SEC. 2. (a) Section 4(c) of the Employment Act of 1946 is amended by striking out the period at the end of paragraph (5) and inserting a semicolon, and by adding at the end thereof the following new paragraph:

"(6) to transmit to the joint committee not later than January 20 of each year price-wage guideposts which would, if observed, achieve noninflationary price and wage behavior. Such price-wage guideposts shall be arrived at after full consideration of probable productivity increases, and after full consultation with representatives of business and organized labor."

(b) Section 5(b) of the Employment Act of 1946 is amended by striking out "and" at the end of paragraph (2), by striking out the period at the end of paragraph (3) and inserting a semicolon, and by adding at the end thereof the following new paragraph:

"(4) to review the price-wage guideposts transmitted to it by the Council. If the joint committee determines that such guideposts are not appropriate to their purpose, it shall promptly report to the Senate and House of Representatives a bill or resolution setting forth appropriate price-wage guideposts. The price-wage guideposts transmitted to the joint committee by the Council shall take effect upon transmittal, and shall remain in effect until such bill or resolution is enacted, or until superseded by the Council. Any bill or resolution relating to price-wage guideposts shall be referred to the joint committee. Such bill or resolution shall be eligible to be reported to the Senate by the members of the joint committee who are Members of the Senate, and to the House of Representatives by the members of the joint committee who are Members of the House of Representatives."

DETERMINATION OF PRICE-WAGE BEHAVIOR INCONSISTENT WITH GUIDEPOSTS

SEC. 3. (a) The Employment Act of 1946 is amended by adding at the end thereof the following new section:

"SEC. 6. (a) There is hereby created in the Executive Office of the President a Price-Wage Stabilization Board made up of three distinguished citizens recognized for their devotion to the public interest, who shall be appointed by the President, by and with the advice and consent of the Senate. The President shall designate one of the members of the Board as Chairman.

"(b) It shall be the duty of the Board to study actual or imminent price and wage behavior, particularly in industries with large firms or unions, inconsistent with the price-wage guideposts; to hold public hearings where necessary on such actual or imminent price or wage behavior which threatens national economic stability; and to report promptly to the President, the Joint Committee, the Council and the public any such price or wage behavior which does in fact threaten national economic stability, together with findings and recommendations on action in the public interest to be taken by the President, the Congress, or the parties concerned.

"(c) For the purposes of carrying out its functions under subsection (b) above, the Wage-Price Stabilization Board may administer oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Board may deem advisable. The provisions of sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192–194) shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

"(d) To enable the Board to exercise its powers, functions, and duties under this Act, there are authorized to be appropriated such sums as may be necessary."

PUERTO RICAN CONSTITUTION DAY

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. RYAN) is recognized for 10 minutes.

Mr. RYAN. Mr. Speaker, I wish to extend hearty congratulations and good wishes to the people of the great Commonwealth of Puerto Rico on the occasion of the 17th anniversary of their attainment of self-government which took place July 25. In celebrating Puerto Rican Constitution Day, we commemorate far more than the constitution which went into effect on July 25, 1952, making Puerto Rico virtually autonomous. That event—made possible by the enactment of U.S. Public Law 600 of the 81st Congress—a landmark in Puerto Rican history, saw the emergence of "a new political mutation"—in the words of Luis Muñoz Marín—which is the distinctive contribution of the Puerto Rican Commonwealth whose status "as a free and associated state or community is a new dimension", according to Carl J. Friedrich, "in Federal Government." Here was created a self-governing community established by a mutually agreed-upon compact, a contractual relationship defining the conditions of freedom and self-government in terms which admit of no change without mutual consent. Whatever the future may hold, the Commonwealth ideal as enunciated by Governor Muñoz in 1950—"a union of peoples which increases the freedom of peoples"—will remain as an inspiring example of enlightened public policy.

The attainment of self-government was itself the result of a process closely bound up with the extraordinary social and economic development of Puerto Rico over the past several decades—an era of "peaceful revolution" with far-reaching consequences for other developing lands throughout the world. To a remarkable extent this peaceful revolution was directed and led by one man, Muñoz Marín, a brilliantly effective innovator in a transitional society. Combining in his person the values and traditions of both Puerto Rico and America, he was able to develop and strengthen the self-confidence of his people in ways both impressive and lasting. The achievement of commonwealth status in 1952 represented the fulfillment of his aspirations for autonomous status after many years of effort. As early as 1929 he spoke of that "vision of opulence" which had come to the people of Puerto Rico and the growing gulf between "what they—the people—have and what they can imagine." He thus addressed himself to the need for a decent standard of living for all, and by 1938 had virtually a single-minded emphasis on popular welfare—land reform, education, health, and economic development—in a land traditionally beset with poverty, disease, misery, and ignorance. His dedication to commonwealth status reflected his belief that Puerto Rico—if it continued in association with the United States—could become a cultural bridge between North America and the Latin America community. The advantages of a common market and common citizenship with the United States, as well as of fiscal autonomy, were held to outweigh the status of independence. He has lived to see Puerto Rico virtually transformed from the depressed "stricken land" of Gov. Rexford Tugwell's famous book to a condition of prosperity unprecedented in its past, under a unique status.

From the beginning, the story of Puerto Rico—discovered by Columbus in 1493, a year after his more famous voyage—has been inextricably bound up both with Europe and mainland America, foreshadowing its special relationship in later history to the United States and the Hispanic cultural world. The antecedents of constitution day are to be found in the relationship of Puerto Rico to the kingdom of Spain, a relationship extending back in time to the first Spanish settlement in 1508 by Ponce de Leon, the discoverer of Florida. The mercantilist policies of the Spanish Crown were repeated by a decree of 1815, which resulted in the promotion and growth of colonization: from 221,000 in 1815 the island population grew to 330,000 by 1832. In 1870 Puerto Rico was recognized as a Province of Spain with the right to elect deputies to the Cortes, a constitutional advance withdrawn in 1874 due to changing political conditions in Spain. However, under the constitution of 1876, Puerto Rico received the Autonomous Charter of 1897 which granted a large measure of autonomy and local self-government, including a bicameral, elected Parliament which met for the first, and only, time in the fateful year of the Spanish-American War, 1898. To a large extent, the charter of 1897 was the result of vigorous leadership on the part of Luis Muñoz Rivera, father of Muñoz Marín and often referred to as the "George Washington of Puerto Rico."

The coming of the Americans, in July of 1898, marked the end of Spanish rule which had lasted over four centuries. By the Treaty of Paris in 1899, Puerto Rico—which, mercifully, had witnessed only 3 weeks of actual fighting—was ceded to the United States. A wholly new dimension thus entered Puerto Rican life, and the subsequent history of the island is one of cultural conflict and synthesis. At first there was a policy of all-out Americanization by the military, and subsequent civil, administration, leading to inevitable stress and strain. The ensuing crisis in culture has been sensitively portrayed by Henry Wells in his recent study, "The Modernization of Puerto Rico."

Congress early recognized the need for the development of self-governing institutions, however, and in 1900 the Foraker Act established minimal forms of self-government—popular election to the lower house in a bicameral legislature; the upper house, the Governor, the judiciary, and so forth, all were to be appointed by the President of the United States. The act was widely resented in Puerto Rico. Nevertheless, it marked the first step in a 50-year process of evolution culminating in plenary self-govern-

ment in the Commonwealth Act we now commemorate.

In 1909, under the Olmsted Act, the War Department was given the supervision of Puerto Rican affairs. Significantly, Muñoz Rivera was eventually designated as the first Resident Commissioner. In large part through his efforts, the Jones Act of 1917 further extended self-government—including a popularly elected senate—to the island, affirmed the Bill of Rights as a part of the organic statutes, and granted American citizenship collectively to all who wished to claim it. Appointment of the Governor and his cabinet, as well as the supreme court, was reserved to the President. In 1947, the Jones Act was amended to permit election of the Governor, and cabinet, with the auditor and supreme judiciary only still appointive. Luis Muñoz Marín became the first popularly elected Governor, reelected regularly until 1965. In 1950, the Resident Commissioner, Antonio Fernos Isern, introduced legislation for a constitutional convention—confirmed by referendum in 1951.

In July of 1950, President Truman signed Public Law 600 of the 81st Congress, which set into motion the procedures leading to formal Commonwealth status, July 25, 1952. That status was sustained in the plebiscite of 1967—often called "the election everybody won"—in which 60.5 percent of the voters supported that status, 38.9 percent voted for statehood, and 0.6 percent for independence.

The evolution of political self-government, symbolized by the observance of Constitution Day, should be viewed against the background of economic and social development during the past half-century or more. American presence, from 1898 on, brought about a dramatic broadening of public education, a vast expansion of the sugar industry, and the beginning of a comprehensive public health program. As a direct result of the decrease in the mortality rate, paradoxically enough, unemployment steadily rose. The need for industrial development became acute. The result was "Operation Bootstrap", fathered by Luis Muñoz Marín in the 1940's in the hope of creating a modern, industrial society with a diversified economic base, as against the underdeveloped agricultural society of 1920 with its one- or two-crop economy. Lacking significant fuel or mineral deposits and limited by a relatively small land, Puerto Rico possessed one great attribute—its people.

Through the efforts of the Fomento, the Puerto Rico Economic Development Administration, and the genius of Muñoz Marín, the face of the island was transformed. Creative leadership called forth the energy, the initiative, and the adaptability of the Puerto Rican people. In 1968–69 alone, over 551 new factory projects—with the promise of 42,000 new jobs—were begun, 11 percent more than in 1967–68, and 75 percent more jobs. Personal income has risen from about $118 a year in 1940 to some $1,200 today. There are today over 1,500 Fomento factories with over 100,000 employees. The gross national product rose by 11.2 percent in 1967 alone, over 1966. Puerto Rico today is the fifth largest market for U.S. goods. There seems little doubt that the rate of euonomic growth and industrial development will continue at least into the 1980's without interruption—barring external crisis.

The level of education has also been transformed. Only 16.6 percent of the population was literate in 1899. Today, however, some 90 percent of all children between the ages of 6 and 18 attend public schools. Public health and education together have increased the life expectancy to approximately that of the United States—70. A burgeoning professional bureaucracy and the proliferation of voluntary associations also symbolize the advent of modern civilization. To a large extent, the progress of industrialization has been made possible by the special tax incentives and aids, together with the absence of Federal taxes, which are part of the fiscal autonomy provided by commonwealth status.

The future of commonwealth status appears clouded in the opinion of many observers, despite the benefits of common citizenship, currency, defense, and trade as well as various Federal tax exemptions. The absence of complete mutuality; for example, in trade relations, and the lack of any voting representation in American elections are felt keenly by an increasing number who, sensitive to certain inequalities and paradoxes of the present system, yet are anxious to retain American help during the crucial years of transition which lie ahead. Broadly speaking, there appear to be three alternatives confronting the island: First, full statehood, the desire of increasing numbers; second, independence, the desire of a distinct minority at present; and third, commonwealth status. The last might be conceived as leading to either of the first two. Probably, however, common citizenship with the United States should be seen, realistically, as an intermediate step toward statehood or some form of ultimate association not yet perceived. The election of Gov. Luis A. Ferre in 1969, an outspoken proponent of statehood and the first statehood-minded Governor, may be taken as indicative of the present direction. Close and continued association with the United States represents the desire of an overwhelming majority, regardless of the disputes surrounding the present status.

Constitution Day, 1969, is a convenient watershed from which to survey the past and to look in hope toward the future. The traditional heritage of Puerto Rico—her Hispanic culture with its ideals of respeto—respect—and dignidad—dignity—of personalismo—personalism—and individuality—belong to a proud and ancient people, blessed with an island home of surpassing beauty, linked in a hundred significant ways with Europe and Latin America as well as with the United States. Aspects of this culture, such as its fatalism, and its tendency to disvalue the empirical and the pragmatic, have come into conflict with the more aggressive North American culture and its emphasis upon wealth, well-being, skill, group activity, and the like. In this clash of culture may we not see an opportunity for mutual influence and enrichment. Both have much to offer. The humanism associated with the ideal of the hidalgo is still a vital force in Puerto Rico: we recall that Luis Muñoz Marín was widely known as el Vate—the bard—for his early poems, while Governor Ferre is himself a distinguished patron of the arts, having founded the Ponce Museum of Art.

Certainly Puerto Rico is changing. Yet the pattern of change has not appeared to destroy the underlying vitality of her tradition, her language, and her culture, which all make her an integral part of the Latin American community. At the same time she faces grave problems, which demand bold responses and new programs. Some 10 to 13 percent of the labor force is still unemployed, a problem especially severe in the rural towns. The "new life" program of Governor Ferre has recognized the need for a "successful way to be collectively generous" beyond the traditions of private, personal generosity. The presence of the first woman ever to hold a cabinet post also marks the pace of change in a land once dominated by machismo—male superiority.

There is, in summary, a real sense in which Puerto Rico is a test case for our American democracy. Hitherto, the dominant cultural patterns in our society has presumed to absorb and to assimilate divergent cultures—with varying degrees of success. Now we are confronted with prideful Spanish-speaking people, freely and intimately associated with our Nation as citizens and, indeed, present on the American mainland in ever increasing numbers, no longer a special presence only in the Southwest, but more and more a major national community. Puerto Rico and her people may yet teach us all the lesson so finely expressed by Luis Muñoz Marín in his advocacy of Operation Serenidad. He said:

> To remind us that man is man and not just a consumer, a society in which Operation Serenity has been successful, would use its economic power increasingly for the extension of freedom and knowledge rather than for multiplication of goods in hot pursuit of a still more vertiginous multiplication of wants.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ANDERSON of California), to revise and extend their remarks and include therein extraneous matter:)

Mr. REUSS, for 20 minutes, today.

Mr. RYAN, for 10 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. ROONEY of New York, for 20 minutes, today, to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MADDEN and to include extraneous matter.

Mr. DADDARIO and to include extraneous matter.

(The following Members (at the request of Mr. MILLER of Ohio), to extend their remarks and include additional matter:)

Mr. HASTINGS.

Mr. MCEWEN in 10 instances.

Mr. GUBSER.

Mr. STEIGER of Wisconsin.

Mr. KEITH in two instances.

(The following Members (at the request of Mr. ANDERSON of California), to extend their remarks and include additional matter:)

Mr. PREYER of North Carolina.

Mr. ROONEY of New York.

Mr. LONG of Maryland in three instances.

Mr. CORMAN in five istances.

Mr. FRASER in two instances.

Mr. DADDARIO in five instances.

Mr. GRIFFIN in two instances.

Mr. BURKE of Massachusetts.

Mr. CHARLES H. WILSON.

Mr. GONZALEZ in two instances.

Mr. HELSTOSKI in two instances.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 85. Joint resolution to provide for the designation of the period from August 26, 1969, through September 1, 1969, as "National Archery Week."

ADJOURNMENT

Mr. ANDERSON of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 23 minutes p.m.), under its previous order, the House adjourned until Monday, August 4, 1969, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLMER: Committee on Rules. House Resolution 509. Resolution for consideration of H.R. 9951, a bill to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal years 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account by the amounts so excluded; and for other purposes (Rept. No. 91–412). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H.R. 13269. A bill to amend chapter 3 of title 38, United States Code, in order to provide for a veterans outreach services program in the Veterans' Administration to assist eligible veterans, especially those recently separated, in applying for and obtaining benefits and services to which they are entitled, and education, training, and employment, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MILLS (for himself and Mr. BYRNES of Wisconsin):

H.R. 13270. A bill to reform the income tax laws; to the Committee on Ways and Means.

By Mr. BUTTON:

H.R. 13271. A bill to permit expenditures in connection with certain schools in Schenectady, N.Y., to be counted as local grants-in-aid to federally assisted urban renewal projects and neighborhood development programs in Schenectady; to the Committee on Banking and Currency.

By Mr. DADDARIO (for himself and Mr. MOSHER):

H.R. 13272. A bill to establish a national policy for the environment and to establish a Citizens' Advisory Committee on Environmental Quality; to the Committee on Science and Astronautics.

By Mr. FRASER:

H.R. 13273. A bill to amend section 312 of the Housing Act of 1964 to eliminate the provision which presently limits eligibility for residential rehabilitation loans thereunder to persons whose income is within the limits prescribed for below-market-interest-rate mortgages insured under section 221(d)(3) of the National Housing Act; to the Committee on Banking and Currency.

By Mr. HASTINGS (for himself and Mr. SMITH of New York):

H.R. 13274. A bill to amend the Social Security Act to establish a national program of income maintenance payments to needy individuals who are aged, blind, or disabled and Federal-State programs of public assistance to all other needy individuals and families, to provide grants to States for services to all needy individuals and families, to strengthen Federal support of the State medical assistance programs, and for other purposes; to the Committee on Ways and Means.

By Mr. HENDERSON:

H.R. 13275. A bill to amend title 39, United States Code, to exclude from the U.S. mails as a special category of nonmailable matter certain obscene material sold or offered for sale to minors, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HICKS (for himself, Mr. MEEDS, and Mr. PELLY):

H.R. 13276. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. MONTGOMERY:

H.R. 13277. A bill to amend the Food Stamp Act of 1964, as amended; to the Committee on Agriculture.

By Mr. REUSS:

H.R. 13278. A bill to amend the Employment Act of 1946 to bring to bear an informed public opinion upon price and wage behavior which threatens national economic stability; to the Committee on Government Operations.

By Mr. MILLS:

H. Res. 510. Resolution authorizing the printing of additional copies of a basic report (pt. I) accompanying the Tax Reform Act of 1969; to the Committee on House Administration.

H. Res. 511. Resolution authorizing the printing of additional copies of a supplementary report (pt. II) accompanying the Tax Reform Act of 1969; to the Committee on House Administration.

SENATE—*Friday, August 1, 1969*

(Legislative day of Wednesday, July 30, 1969)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Hear and help us, Eternal Father, to appropriate the promise of Thy word: "They that wait upon the Lord shall renew their strength." When times are tense and nerves are taut, when the body is weary and the going is hard, help us to know that "the Eternal God is our refuge and underneath are the everlasting arms." So may we lean upon the arms which support and strengthen us hour by hour that we may love Thee and serve Thee, and by loving and serving Thee minister to the needs of this Republic. May the words of our mouths, the meditations of our hearts, and the motives determining our deeds be acceptable in Thy sight, O Lord, our strength and our Redeemer. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., August 1, 1969.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JAMES B. ALLEN, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. ALLEN thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Thursday, July 31, 1969, be approved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of the remarks of the distinguished Senator from Connecticut (Mr. DODD), there be a brief period for the transaction of routine morning business, with statements therein limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AUTHORIZATION TO PRINT IN THE RECORD QUORUM CALL NO. 57

Mr. MANSFIELD. Mr. President, if the distinguished Senator from Connecticut will allow me a minute or so, I ask unanimous consent that Quorum Call No. 57, which was taken on July 17, 1969, during the closed session of the Senate, be printed in the RECORD of today, for the convenience of those who keep records of attendance and voting records of Senators. No question of security appears to be involved in revealing the names of Senators who were present. This request has been cleared with the minority leader and the Senator from Mississippi (Mr. STENNIS), as well as the President pro tempore.

There being no objection, the quorum call was ordered to be printed in the RECORD, as follows:

[No. 57 Leg.]

Aiken	Goodell	Moss
Allen	Gore	Mundt
Allott	Gravel	Murphy
Anderson	Griffin	Muskie
Baker	Gurney	Nelson
Bayh	Hansen	Packwood
Bellmon	Harris	Pastore
Bennett	Hart	Pearson
Bible	Hartke	Pell
Boggs	Hatfield	Percy
Brooke	Holland	Prouty
Burdick	Hollings	Proxmire
Byrd, Va.	Hruska	Randolph
Byrd, W. Va.	Hughes	Ribicoff
Case	Inouye	Russell
Cook	Jackson	Saxbe
Cooper	Javits	Schweiker
Cotton	Jordan, Idaho	Scott
Cranston	Kennedy	Smith
Curtis	Long	Spong
Dirksen	Magnuson	Stennis
Dodd	Mansfield	Stevens
Dole	Mathias	Symington
Dominick	McCarthy	Talmadge
Eagleton	McClellan	Thurmond
Eastland	McGee	Tower
Ellender	McGovern	Tydings
Ervin	McIntyre	Williams, N.J.
Fannin	Metcalf	Williams, Del.
Fong	Miller	Young, N. Dak.
Fulbright	Mondale	Young, Ohio
Goldwater	Montoya	

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

JACK BELL, WASHINGTON NEWSMAN

Mr. MANSFIELD. Mr. President, I should like to express my regret at the passing, in a sense, of Jack Bell, from the Washington political scene. He is not going away; he is just shifting from one base of operations to another. It is my understanding that he is going to become a columnist for the Gannett newspapers. I am delighted with the news. I hope that his columns will extend far beyond that initial endeavor.

Jack has been a newspaperman's newspaperman. He has been analytical, he has been cynical, he has been critical, he has been kind, and he has been understanding—and that combination makes a good newsman.

So to Jack we bid a fond farewell from his present position as the chief political writer for the Associated Press on the Hill, and a fond hello to him on the basis of the new position he is going to undertake and the new responsibilities which will be his.

He is a great and a good newsman. I am delighted that he is not leaving us and is staying close at hand. I wish him well in his many years ahead.

Of his successor, Walter Mears, I want to say that a fine newsman has been chosen to succeed Jack Bell. I am delighted that Walter is going to head the political bureau in Washington. In assuming this position he stands in his own shoes. But, I must say the e is a good deal of Jack Bell in Walter Mears, too. So to Walter Mears, congratulations and hello.

Mr. DIRKSEN. Mr. President, will the Senator yield.

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. Mr. President, Jack Bell is really a student of our form of government and a student of the American political system, in the broadest sense of the word. He found time away from his duties as a top man with Associated Press to do a very excellent, scholarly book that he called "Splendid Misery." He took the title from a statement that was once made by Thomas Jefferson about the Presidency. Jefferson referred to it as the "spendid misery." Mr. Bell's book dealt with the Chief Executive and with that office, and it was a tremendous contribution to the literature in that field.

He has been an equally keen observer of the legislative scene over a long period of years and undertook, of course, to call them as he saw them. I always enjoyed the banter that I had with him, day after day and year after year, at the meetings in the Press Gallery which followed the minority part luncheon on Tuesday every week. To me, that was at once an informative, a delightful, and a rather challenging experience; and there I think I got to know Jack Bell better than I had at any other time.

He is in every sense a great reporter, and he goes to an excellent newspaper setup—namely, that of the Gannett chain. I am sure his columns will be stimulating. They will be incisive; sometimes they will be trenchant; sometimes they will carry a few barbs. But we will understand fully that all that will come out of the expertise, the wisdom, and the background that Jack Bell accumulated from the time he was in the Senate Gallery. So I wish him well.

We think often that a man retires to the bliss of retirement, but that will not be the case with him. He leaves one employer; but I have an idea that in assembling information and material for his column, he is going to be infinitely busier than he ever was before.

I discovered, when they wished a column off on me—partly at the instance of the Senator from Arizona (Mr. FANNIN)—that I got into the toils of the Los Angeles Times syndicate; and I know what it is to sit around and drool and puzzle and look at a blank wall, wondering what the column would be for that week.

So Mr. Bell, if he is going to do a daily column, is going to be thinking long and loud about the things that ought to go into it. Perhaps here and now I ought to make a public offer to him that if he gets into difficulties, he can weep on my shoulder, as a fellow columnist, and perhaps I can give him a few ideas. I wish him well.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. STENNIS. Mr. President, I wish to join in the compliments that have been paid to Jack Bell with respect to his professional capacity, professional integrity, and fine qualities. He certainly has been of service to the Senate, to Congress, and to the people.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH, AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Chair recognizes the Senator from Connecticut (Mr. DODD) for not to exceed 1 hour.

MORALITY, ARMS CONTROL AND THE NATIONAL SECURITY: THE CASE FOR THE ABM

Mr. DODD. Mr. President, over the past 6 months there has taken place in our country a historic debate on defense policy.

The specific question at issue is whether or not we should deploy the Safeguard anti-missile-defense system proposed by the President.

This debate takes place under the shadow of the so-called balance of terror which has been spawned by the nuclear era.

Winston Churchill described this balance of terror in these dramatic terms in a speech which he made in the House of Commons in 1953, as follows:

> I have sometimes the odd thought that the annihilating character of these agencies may bring an utterly unforeseeable security to mankind. It may be . . . that when the advance of destructive weapons enables everyone to kill everybody else, nobody will want to kill anyone at all.

It is a commentary on the awful time we live in that the peace of the world has become dependent on the state of mutual nuclear terror which has characterized Soviet-American relations for the past 15 years or more.

We are obliged to rely on this balance of terror as the surest guarantee against annihilation, until that distant day in the future when agreements are reached abolishing these weapons of mass destruction.

There is general agreement that the peace of the world would become far less secure if this balance were ever to become unbalanced as a result of a major technological breakthrough by one side, in either offensive or defensive weapons.

This, essentially, is what the debate over the Safeguard ABM system is all about.

The Soviets have for more than 5 years now been deploying an ABM system around Moscow, and are carrying on an intensive program of continuing research in this area.

And the question has quite naturally arisen whether the United States can afford to be any less well defended than the Soviet Union.

The issue of whether or not the United States should deploy an antimissile defense system has been debated not only by Congress, both in committees and on the floor, but in the columns of our press, in the academic community, in our high schools, and even in our elementary schools.

It is questionable whether any issue of public policy has ever been discussed by so many people and with such intensity.

In a statement issued on April 7, 1969, the Public Affairs Committee of Freedom House in New York warned that "there is a grave danger that the debate over the ABM may become primarily emotionalized or politicized . . . ."

From the mail that I have received in my office, I am afraid that the condition against which Freedom House warned has become very widespread.

Attitudes have become set.

Minds have become closed.

The process of rational discourse seems to have ground to a halt.

Instead, many of the participants in the debate display a disturbing tendency to assume that their side has a monopoly of knowledge, wisdom, and integrity, and that the other side is acting out of some sinister motivation.

Among other things, an effort has been made in certain quarters to characterize the debate on the ABM as a conflict between conservatives and liberals.

Nothing could be further from the truth.

The fact is that there are conservatives and liberals on both sides of this question; and to pretend otherwise only serves to confuse the issue.

It is my hope that the excesses which have characterized the ABM debate in the public domain will not be reflected in the closing debate in the Senate of the United States.

For all of us know that, like so many other problems of our time, the ABM is an issue over which men of equal intelligence and integrity can sharply disagree.

And no matter how committed Senators are at this stage of the discussion, they will, I hope, examine the record of all the testimony and all the debate, conscious of the grave importance of the decision.

Much of the argument is highly technical. This is so particularly in the case of the arguments over the possible effectiveness of the ABM, the possible effectiveness of confusion devices, and whether or not the Soviets can achieve a first-strike capability by the mid-1970's.

When men who have devoted their lives to science and technology can disagree so profoundly on these issues, I feel that it would be presumptuous for a layman to pretend to any final opinion.

Indeed, I feel that the entire debate has been bedeviled, on the one hand, because of the tendency of politicians and laymen to speak like scientists, and, on the other hand, because of a tendency on the part of our scientists to speak like political experts.

The 17th century English scientist, Robert Hooke, once admonished his fellow natural scientists that they should strive to—

> Improve the knowledge of all natural things . . . by Experiment, not meddling with Divinity, Metaphysics, Moralls, Politicks, Grammar, Rhetoric, or Logick.

But Robert Hooke notwithstanding, many of our scientists today seem to feel that the discipline to which they submitted themselves in achieving expertise in their own specialities somehow qualifies them to also act as political experts.

I have not been able to find a counterpart of Robert Hooke's admonition, addressed to politicians playing the role of scientists.

But I must say I have been impressed by the dauntless confidence with which so many of my lay friends have bandied about technical estimates and calculations, and offered summary conclusions on highly complex matters where the experts themselves are split down the middle.

I intend to confine my own argument to certain observations that are not dependent on technical expertise, and on certain basic estimates in the field of foreign policy where my personal experience over the years does qualify me, I believe, to speak with some competence.

After weighing all of the evidence, I have arrived at the conclusion that the Safeguard ABM system should be supported.

It should be supported in the interest of peace, because a limited ABM system on both sides will make peace more secure by giving both sides the ability to protect themselves against accidental firings or attacks by any new nuclear powers.

It should be supported in the interest of arms control because the mutual possession of anti-missile-defense systems would create a climate more conducive to agreements limiting the number of weapons of mass destruction.

It should be supported in the interest of our national security because the protection of our deterrent force protects the American people in the most basic way by reducing the possibility of thermonuclear war.

It should be supported for political reasons, because the entire course of Soviet conduct, especially in recent years, including the massive buildup of thermonuclear weapons by the Kremlin, points to the conclusion that we are entering a period of continuing crisis in which the lack of an ABM system could only serve to encourage Soviet challenges and adventures.

Above all, it should be supported on moral grounds because it is infinitely better to build defensive weapons, designed to protect and save life, than it is to build aggressive weapons, designed to harm and destroy life.

THE SOVIET ATTITUDE TOWARD ABM

There is absolutely nothing in the Soviet literature that would bear out the charges of the critics that the deployment of Safeguard would be regarded by the U.S.S.R. leaders as an escalation of the arms race.

On the contrary, the Soviets, because they believe in a balanced mix of offensive and defensive weapons, have a much more rational attitude toward antimissile defense than we do.

Essentially they take the stand that defensive systems are not provocative and that they are stabilizing, not destabilizing. Indeed, Soviet spokesmen have made some of the most effective arguments for the ABM.

When Prime Minister Aleksei Kosygin at a London news conference in February of 1967 was asked if the Soviets' antimissile system was not a new step in the arms race, he replied:

> It seems to me that the system that protects against an attack is not a factor in the arms race. On the contrary, it is a factor that reduces the possibility of the destruction of the people.

This position has been spelled out in much more detail by other spokesmen for the Soviet viewpoint. For example, an article written several years ago by a Soviet strategic writer, Maj. Gen. N. Talensky, said.

> Antimissile systems are defensive weapons in the full sense of the word: by their technical nature they go into action only when the rockets of the attacking side take their flight paths, that is, when the act of aggression has been started. The advantage of antimissile systems in the political and international law context is that their use is caused by an act of aggression, and they will simply not work unless an aggressor's rocket makes its appearance in flight over a given area. There will be no difficulty at all in deciding who is he aggressor and who the attacked.
>
> It is obvious that the creation of an antimissile defense merely serves to build up the security of the peaceable, non-aggressive states. The creation of an effective antimissile defense system by a country which is a potential target for aggression merely serves to increase the deterrent effect and so helps to avert aggression. It is said that the international strategic situation cannot be stable where both sides simultaneously strive for deterrence through nuclear rocket power and the creation of defensive antimissile systems. I cannot agree with this statement either. From the viewpoint of strategy, powerful deterrent forces and effective antimissile defense system, when taken together,

substantially increase the stability of mutual deterrence.

Such statements, together with the fact that the Soviet Union has been deploying its own antimissile system for more than 5 years now, effectively demolishes the argument that the Soviets would regard the building of an ABM on our side as a provocation.

I note, parenthetically, that none of the critics has yet suggested that the Soviets would be willing to dismantle their own ABM system if we should decide not to deploy one of our own.

In fact, unless I have missed something, none of them has even suggested that we raise this point in the forthcoming arms control negotiations with the Soviet Union.

Indeed, it would be difficult to think of any approach more calculated to get the Russians to put up their backs.

For such a proposal would really wreck any conference on the limitation of nuclear arms.

And it is not just that the Soviets would insist that the ABM is a purely defensive antiaggressive device, which the Americans need not fear and on which there can be no compromise.

Even if the Soviet leaders were completely satisfied about American intentions, they would still want their ABM system as a protection against Red China. And for this they certainly cannot be blamed.

Before going on to deal with some of the more controversial aspects of the ABM and with some of the other arguments that have been made against it, it would be useful to review certain things which the Safeguard system could almost certainly do or which it would have a very good chance of doing.

THE ABM AND ACCIDENTIAL MISSILE FIRINGS

The Safeguard ABM and an equivalent installation in Russia would reduce the danger of accidental thermonuclear war by giving both sides the capability to deal with an accidental missile firing.

The probability of an accidental missile firing or of a firing by unnerved or psychotic commanders on either side is low.

Some of the critics of ABM have argued that the chances of an accidental firing are indeed so negligible that we can ignore this possibility altogether. I do not agree with them.

No one knows for certain whether the chance of an accidental missile firing through technological failure is one in a million or one in 50 million each year. But it is a disturbing thought that, if there is a one in a million chance that there will be an accidental firing in any given year, then, over a 20-year period, the odds would be reduced to one in 50,000. And if the number of existing missiles, worldwide, were to be doubled or tripled over the coming decade, then the odds would be reduced by just that much again.

We take fire insurance on our houses on the basis of odds that are not very dissimilar from this.

Besides, there would probably be a much higher chance of an accidental missile firing by Red China or some other new nuclear power, because it is unlikely that such powers will build into their offensive missiles the highly sophisticated and very expensive safety controls that are built into American and Soviet missiles.

Moreover, the danger of an accidental missile firing due to human failure is even greater than the danger of an accidental firing due to technological failure.

Consider a situation in which there has been a continuing crisis between the two superpowers, and both sides have for months had their nuclear forces in a state of maximum alert.

Such a situation would inevitably produce a cumulative nervous strain on both sides; and under such a strain it is conceivable that even the most rational and carefully selected group of commanders might crack and act without authorization. So let no one say that we can completely ignore the possibility of an accidental firing.

If, one day, Kosygin were to call the President on the hot line to say that there had been a terrible accident and that an SS–9 was headed toward New York City, the President of the United States, in the absence of a Safeguard system, would have only two choices:

First, he could let the missile destroy New York City without retaliation, writing the affair off as an accident; or

Second, he could order a retaliatory strike against Moscow—which would almost certainly result in all-out thermonuclear war.

What a dreadful position the President of the United States would be in if these were the only choices open to him. But the choice need not be this limited.

For, if we had the Safeguard system, then the President would have a third option: He could simply order the missile shot down.

Even the harshest critics of the Safeguard system do not deny its technical capability to deal with a single incoming missile or with a small salvo of missiles.

The challenge of the critics relates to Safeguard's ability to deal with a saturation attack.

If the Safeguard system could accomplish nothing more than this one thing, that is, protecting the world against the possibility of thermonuclear war by accident, the system would be worth every penny of what it costs.

And so long as offensive thermonuclear missiles exist, it is clear that the world will be a much safer place if both sides carry this kind of insurance for themselves.

As the senior Senator from South Dakota pointed out in his very able statement in support of Safeguard deployment, the cost of this insurance over the coming year would average out to roughly $4 per year for every man, woman, and child in the United States. In terms of what it insures us against, the Safeguard system is just about the cheapest insurance buy on record.

SAFEGUARD AND RED CHINA OR OTHER NUCLEAR POWERS

The Safeguard system, and its equivalent in the Soviet Union, would provide a high degree of protection against the possibility of an attack by Red China or by some new nuclear power, or "*n*th" nation, as it is called in the jargon of nuclear politics.

Just about everyone is prepared to agree that the Chinese Communist leaders are aggressive, irrational, and unpredictable, and that their anticipated missile arsenal could constitute a danger, for ourselves and for the Soviet Union, by the midseventies. By that time, it is estimated, the Chinese Communists will have some 15 to 20 ICBM's.

Moreover, we cannot rule out the possibility of some other psychotic dictator somewhere in the world secretly or openly developing a few nuclear weapons for use against us or other nations.

Many scenarios have been written by strategic experts on the possibility of a Red Chinese nuclear confrontation with the United States.

In one of these scenarios, several missile-carrying submarines, which the Chinese are known to be building, surface off the American west coast and fire a demonstration missile, either against an unpopulated target or else against a small city.

This is accompanied by an ultimatum: Either we agree to withdraw all support from Taiwan, South Vietnam, Thailand, and Korea, and withdraw all air and naval units from the Far East at once, or else Chinese missiles will annihilate Los Angeles, San Francisco, Portland, San Diego, and other major population centers on the west coast.

The ultimatum would also say that the Chinese missiles would fire immediately if American missiles were directed against the Chinese mainland or against their submarines.

Now it is true that we have the power to wipe out Red China, or at least to wipe out all of its major population centers.

But would a President of the United States want to invoke this power, knowing that it would result in some 10 to 20 million American dead and the devastation of half a dozen major American cities?

Without Safeguard, the President would have no alternatives but to accept the Chinese Communist terms or to press the thermonuclear button.

With Safeguard, the President would have a choice which would enable him to reject such an ultimatum.

There is another scenario involving the Chinese nuclear capability that has been drawn by experts on the area.

Technologically, the Chinese Communists will almost certainly be capable of striking, or threatening to strike, their neighbors in Asia, and even the U.S.S.R., before they are capable of attacking or threatening the United States.

Our main problem, therefore, may turn out to be whether or not we will honor the nuclear guarantee implicit in the Nonproliferation Treaty if New Delhi or Tokyo should receive a Chinese Communist ultimatum to "do so and so or we will blast your cities off the map."

If both the United States and the Soviet Union possess missile defense systems, they would be in a far stronger position, psychologically and diplomatically, to deal jointly or separately with any such aggressive action in Asia by Red China.

SAFEGUARD AND THE POSSIBILITY OF AN UNIDENTIFIED ATTACK

There is a special type of "nth" nation attack that must also be a reason for concern and that is the possibility of an attack from an unidentified source.

Such an attack could take the form of a short-range missile launched from the ocean bed or from a submarine or a ship.

Clearly, if a missile of unidentified origin impacted on an American city, it would create an immediate danger of war.

The President would have no way of knowing for certain whether the missile was fired by the Soviet Union or Red China or Castro Cuba or some other anti-American dictatorship.

But meanwhile, the destruction of one of our metropolitan centers would put him under tremendous pressure to take some action.

The Russians, even if they had not fired the missile, would inevitably develop a nervous trigger finger because, in the uncertain situation thus created, they would have to fear a possible retaliatory strike by the United States.

In such a situation, the possibility of thermonuclear war between the Soviet Union and the United States could not be ruled out.

This scenario may seem rather farfetched. But the experts are agreed that it is a possibility that we cannot ignore.

It is, for example, not inconceivable that the Chinese Communists might seek to launch such an unidentified missile attack on the United States for the purpose of promoting a crisis between ourselves and the Soviet Union.

Here again, if we had Safeguard, we would at least have a good chance of dealing with an unidentified attack by one or several missiles from an offshore position.

Without it, we would have to sit by passively and take the blow, or strike back with massive retaliation, perhaps against the wrong country.

THE ABM AND ARMS CONTROL

By stabilizing the situation as described above, the possession of a limited antimissile defense by both sides would also create a climate more conducive to the negotiation of effective agreements in the field of arms control and disarmament.

There is an additional reason for believing that antimissile defense systems on both sides would be good for future arms control and disarmament talks.

The arms control talks of the 1970's will turn largely around the question of limiting or reducing the number of offensive missiles.

If we achieve an agreement, we will always have to worry about Soviet cheating: First, because it can be taken for granted that they will never agree to inspection, and, second, because of the virtually unbroken record of Soviet cheating and violation of treaties.

If the Soviets were to cheat on such an agreement and get away with it, it could lead to disaster.

If, for example, both sides were to agree to cut back to 100 missiles, but if the Soviets in fact only cut back to 500, this would put us at an almost fatal disadvantage in any confrontation.

If, on the other hand, we had a Safeguard ABM system in existence to protect our arsenal of 100 missiles, we would still have to worry about Soviet cheating, but we would not have to worry as much.

The Soviets, on their side, would have no reason to worry about American cheating, no matter how much they might pretend to do so.

They know that it is virtually impossible for us to cheat because ours is an open society; while they have been able to develop the art of cheating to an all-time high because theirs is a completely closed society.

In the absence of antimissile defense systems, arms control measures by the two superpowers might be risky and destabilizing.

With missile defense, the same arms control measures would be less risky and, to that degree, more acceptable to both sides, and stabilizing.

WILL SAFEGUARD WORK?

As I have said, I would consider it presumptuous to attempt a technical evaluation of the ABM's effectiveness in dealing with a saturation attack. However, I do agree with two commonsense rules for laymen outlined by one of our top defense experts, Mr. Robert C. Sprague, in his testimony on the ABM before the Senate Armed Services Committee.

These are the rules:

Rule No. 1: In assessing the potential of any important new field of technology involving new processes or systems—*half the scientists, or at least a large fraction, are usually wrong.*

Rule No. 2: If a significant percentage of scientists agree, or sometimes if only one or two agree, that something new can be done—it can be.

The validity of these rules have been borne out repeatedly in the postwar period.

The many scientists who said an H-bomb could not be built were wrong, while the minority who said that it could be built were proved right.

The many scientists who said that the Polaris submarine system was technologically impossible were also wrong.

And the incredible success of our moon program, similarly, has given the lie to the negative predictions made by many very able scientists when the project was first broached.

In this connection, I note that Dr. Jerome Wiesner, the chief scientific critic of the Safeguard program, was also one of the most vocal critics of our moon program.

According to a recent article in the Washington press, former NASA Administrator, James E. Webb, was so disturbed by the vehemence of Wiesner's opposition that in July 1962 he called in his assistant, Joe Shea, and said to him:

Jerry Wiesner's in a highly emotional state. He thinks Lunar Orbital Rendezvous is the worst mistake in the world. We'll be risking the lives of the astronauts—everything. Get over there and see him.

The article said:

Shea whipped over to the White House and found Wiesner "screwed up into the ceiling." Shea talked for almost 2 hours, but at the end of it all found Wiesner still completely unconvinced.

It has been claimed that we will never know if the Safeguard will really work against a saturation attack, because it is obviously impossible to conduct a test simulating a saturation nuclear missile attack.

On this point they are completely right. For that matter, we have never tested our Minuteman or Polaris missiles systems under battle conditions.

But the important thing is that the Kremlin, too, will have no way of knowing just how effective the Safeguard system would prove against a Soviet surprise attack.

American technological opinion may be divided on the ultimate workability of the Safeguard system. But the Soviet planners, apart from the fact that they tend to have an enormous respect for American technology, would have to err on the side of crediting the Safeguard system with a higher rather than a lower capability.

Because Safeguard would complicate Soviet calculations, because it would inevitably raise further questions in their minds about the feasibility and the advisability of a first strike, to this extent Safeguard would act as an additional deterrent to the possibility of thermonuclear war.

Although no one can know for certain how effectively Safeguard would function if it were ever put to the final operational test against a saturation attack, there can be no doubt about its political and psychological effectiveness.

In this vital sense, Safeguard would work.

It would not by itself constitute a guarantee against nuclear war or against a Soviet first strike. But it would substantially reduce the possibility.

THE SAFEGUARD SYSTEM AND OUR RESPONSE TO A SOVIET FIRST STRIKE

President Kennedy, in his message to Congress of March 28, 1961, clearly repudiated a first strike by the United States:

Our arms will never be used to strike the first blow in any attack. We are not creating forces for a first strike against any other nation. We shall never threaten, provoke or initiate aggression—but if aggression should come, our response will be swift and effective.

I believe that no free democratic nation will ever engage in a first strike with nuclear weapons against another nation because of the moral and political restraints that govern the action of democratic leaders.

We cannot be so certain, however, about the restraints that govern the actions of the rulers of imperialistic, totalitarian societies. Nor can we be cer-

tain about the restraints that will govern the actions of the various psychotic dictators who are bound to hold power or come to power in a certain number of other nations over the coming decades.

Nor is there any reassurance to be found in a reading of Soviet military doctrine, because the fact is that their military doctrine, with its emphasis on flexibility, devotes serious attention to all possible options, including the option of a first strike.

Soviet military writings do not actually employ the term "first strike." Instead, they discuss the first strike in Aesopian terms. One commonly used formula talks about "frustrating the designs of the imperialists," before they can launch their missiles.

I want to make it clear that I do not say that the Soviets are planning a first strike against the United States.

But I do contend that this is a possibility which cannot be ruled out.

This much is conceded by some of the severest critics of the Safeguard project.

For example, Dr. George W. Rathjens of MIT, a leading opponent of the ABM, said on June 22:

> I have never denied that by the late 1970's the Soviet Union could, if it wished, have a capability to destroy nearly all of our Minuteman force in a pre-emptive attack.

There is general agreement between the experts that if a first strike ever comes, it will take the form of an all-out attack designed to destroy, or virtually destroy, our Minuteman force, our Polaris submarines as well as our bombers. It would make no sense for the Soviets to launch a first strike against our cities and leave our deterrent missile force intact, because if they did so, they would be inviting a response that would completely obliterate all of their population centers.

Since the possibility of a Soviet first strike cannot be ruled out, it is also important to consider what options would be open to the President of the United States if he one day received an emergency call informing him that 500 Soviet SS–9's had taken off for the United States, targeted against the ICBM complexes in the Midwest.

If we had no ABM system defending his deterrent force, the President would have only two options in the case of such an attack. He could either sit back and let the Soviet missiles obliterate our Minuteman ICBM's, perhaps hoping that our Polaris submarines will be able to survive; or else he could empty his missile silos in a retaliatory strike against Soviet cities as soon as he received the first radar warning that the Soviet missiles are in flight.

A decision to empty our missile silos before the Soviet first-strike salvo reached its targets would, of course, automatically bring a second wave of Soviet missiles directed against American cities; and the mutual holocaust which we seek to avoid would be upon us.

If he had a Safeguard ABM system, however, the President would have an alternative to the holocaust button. And this would be true even if 50 percent of our missiles were knocked out, because 500 American ICBM's would be more than enough to devastate the Soviet Union. In fact, the consensus of the experts is that it would be suicidal for any nation to attempt the first strike unless it was certain that it could knock out roughly 90–95 percent of its adversary's strategic missile force.

Coming back to our scenario, if the President had a Safeguard ABM system, he could then decide to wait out the Soviet strike, until he received information on which Soviet silos have fired their missiles and which Soviet missiles remained in reserve. Then, when he ordered our missiles launched, he could target them not against Soviet population centers but against the enemy's remaining strategic forces.

If we could succeed in destroying or largely destroying the enemy's strategic reserve, a mutual holocaust would have been avoided and the stage would be set for negotiations that would, at the very worst, assure us of a draw.

In contemplating the contingency of a Soviet first strike, therefore, it is of the greatest importance that we provide the President of the United States with some alternative other than surrender or the holocaust button.

To date, the Safeguard system is the only alternative that has been suggested which makes sense.

THE ALTERNATIVES TO SAFEGUARD DEPLOYMENT

A number of alternatives to the initial Safeguard deployment proposed by the administration have been suggested in the course of the present debate.

None of them make any sense to me.

For example, it has been suggested that instead of deploying an ABM system we could, if the Soviet buildup warrants it, deploy more Minuteman or more Polaris missiles. Some have even suggested the possibility of doubling our strategic strike force.

I am opposed to this proposal, because I think we have somehow got to bring an end to the piling up on both sides of these terrible aggressive weapons of mass destruction.

I am also opposed to it because I believe that such a step would really be provocative and would therefore increase the danger of thermonuclear war.

It has also been proposed, that, as an alternative to Safeguard, we empty our missile silos against Soviet cities at the first sign of attack.

I find this proposal even more appalling than the proposal that we increase our ICBM force. In fact, it smacks frighteningly of Dr. Strangelove.

This is not a formula for defending the United States; it is a formula for mutual annihilation.

Another proposal which has been submitted in amendment form is that we limit the Safeguard program to research, development, and testing; and that, rather than installing any radars now at the projected operational sites in North Dakota and Montana, we instead build certain prototype radars at our Kwajalein test range. This amendment is currently before us for consideration.

I am opposed to this proposal on three grounds.

First, it would result in greatly increased costs if we ever decide to deploy Safeguard, because then our entire additional investment in the Kwajalein installation would be wasted.

Second, according to knowledgeable estimates, it would result in a delay of more than 2 years in the deployment of Safeguard, and time now is so precious that we cannot afford to squander it in this wanton manner.

Third, as Prof. Albert Wohlstetter, one of this country's leading strategic experts, has pointed out, a satisfactory testing of the entire system could not be carried out at Kwajalein.

In order to test the effective operation of Safeguard, we not only have to test interactions among the many components of the ABM system but also between the Safeguard system itself and other elements of our national defense.

This can only be done by deploying the various components in their intended environment in Montana and North Dakota.

In his testimony before the Subcommittee on International Organization and Disarmament Affairs, and in subsequent conversations which I had with him, Dr. Edward Teller hammered away at the essential argument that only by a comprehensive test of the entire Safeguard system with its various components and in its intended environment, would we be able to iron out the bugs in the system and determine just how effective Safeguard can be made.

In the absence of such an initial deployment, Dr. Teller holds, we will be voting for ignorance in an area where we cannot afford to be ignorant.

The Russians, he points out, do not suffer from the handicap of ignorance.

Dr. Teller further pointed out that in the period before the limited test ban treaty, the Russians tested an ABM with a live nuclear warhead against an incoming missile.

Since then, they have deployed an extensive ABM system around Moscow.

Furthermore, they are pursuing a vigorous program of refinement with a third generation of ABM missiles which have a "loitering" capability.

Now Dr. Teller is a man whose testimony deserves some attention because it was thanks to him, more than to any other single person, that we were able to run a neck-and-neck race with the Soviets in the development of the H-bomb.

The United States exploded its first hydrogen test device on November 1, 1952, in "Operation Ivy." But this was not a deliverable device.

Our first deliverable weapon was not exploded until March 1, 1954, in "Operation Castle."

Meanwhile, in early August, 1953, the Soviets had staged their first thermonuclear explosion, which, according to our intelligence, did involve a weapon capable of delivery.

It was thanks only to a massive effort and to the inherent superiority of American technology that we were able to pull ahead of the Soviets in thermonuclear weapons over the following years.

As we approach a decision on ABM, let us not forget what might have happened if the Russians had beaten us to the H-bomb.

THE POLITICAL CONTEXT

The distinguished junior Senator from Washington (Mr. JACKSON) has made the point that it is impossible to reach sound judgments on ABM or on other aspects of the national defense budget if we do not have a clear conception of the nature of our Soviet adversary.

The Senator's argument on this point is unchallengeable. Without such an understanding, we would be attempting to make our judgments in a political and intellectual vacuum.

The Senator from Washington was responsible for a remarkably profound article on the subject of Soviet policy which appeared in the June issue of Reader's Digest. He added to this presentation in the speech which he made in support of the ABM of July 9 on the floor of the Senate.

The conclusions to which he has come coincide completely with my own.

As Senators know, I have addressed myself in this Chamber repeatedly to the subject of Soviet policy.

I believe that the achievement of a true detente, involving a total cessation of cold war activities, should be a prime objective of our foreign policy.

I cannot, however, accept the judgment of those who hold that such a detente has already been achieved.

I have pointed out that if a detente really did exist, one should be able to find some evidence of this in the record of Soviet pronouncements and actions, but that the evidence is nowhere to be found.

I have also said that it makes no sense to talk about the existence of a detente in a decade that has witnessed the suppression of the Hungarian revolution; Khrushchev's Berlin ultimatum; the Communist seizure of Cuba; the Cuban missile crisis; and Soviet involvement in the Laotian uprising of 1961–62, in the Vietnam war, and in the Tricontinental Conference of Revolutionary Parties in Havana.

Nor does it make sense to talk about a detente against the immediate background of the Soviet invasion and occupation of Czechoslovakia and the promulgation of the Brezhnev doctrine, under which the Kremlin has claimed the right to intervene in any so-called Socialist country if the Communist dictatorship there is threatened.

THE STRATEGIC BALANCE

Nor are prospects for the future rendered any more reassuring by the record of Soviet reaction to the unilateral limitations which we placed on our strategic arms in the mid-1960's.

Acting on the advice of some of the ivory-towered scientists who now are in the forefront of the fight against the ABM, we closed down a number of our nuclear weapons reactors, froze the number of our Polaris submarines at 41 and the number of ICBM's at 1,054, decided not to proceed with a new heavy bomber, and deliberately refrained from deploying a ballistic missile defense.

At that time it was taken as a matter of dogma that the Soviets simply desired to achieve nuclear parity with the United States and that it would be in our national interest if the Soviet Union achieved an "assured destruction capability" because this would reduce the Kremlin's concern over American intentions and make for a more stable situation.

The chief prophet of this policy was Dr. Jerome Wiesner, and his chief disciple was former Secretary of Defense McNamara.

When Wiesner and McNamara spoke about parity, they appeared to have in mind numerical parity in strategic weapons.

However, "parity" is a complex concept that does not lend itself to simple definition.

As Secretary Laird has pointed out, the relative size, or megatonnage, of the weapons on both sides is also a matter that has to be taken into consideration: and here the Soviets have a distinct edge over us.

Population concentration is another factor that should be considered in any calculation of "parity." And here, because of our much greater concentrations, we are at a distinct disadvantage compared to the Soviets. In fact, as Secretary Laird stated, 200 Soviet missiles would take just as heavy a death toll in this country as 1,200 American missiles would exact in the Soviet Union.

In terms of their ability to inflict damage on the United States, the Soviets unquestionably passed the point of parity a long time ago.

The achievement of numerical parity by the Soviets would, in fact, give them an enormous strategic advantage instead of simply strategic parity.

This is something that should have been obvious all along, even to the untutored layman. But, despite this, Wiesner and McNamara held to their belief in the protective potential of numerical parity in strategic weapons.

It was also taken as a matter of dogma that once the Soviet Union achieved "parity" it would automatically taper off its missile production, and the stage would thus be set for meaningful talks on arms limitations. This is not happening.

The Weisner-McNamara doctrine will be recorded historically as a double tribute to the good intentions of its originators and to their capacity for self-delusion.

Three years ago, in July 1966, when our own ICBM strength had already been frozen at the arbitrary figure of 1,054, the Soviet Union had 250 ICBM's.

Today, according to hard intelligence, the U.S.S.R. has some 1,250 ICBM's in addition to a force of 700 medium-range ballistic missiles and some 550 sea-launched missiles.

No one in the United States and no one in our intelligence community and no one in the Pentagon ventured to predict in 1966 that the Soviets would add 1,000 ICBM's to their missile force over the ensuing 3-year period.

Had anyone ventured such a prediction at the time, he would have been assailed as an extremist kook or a warmonger by the apostles of the myth of the detente.

THE INTELLIGENCE GAP

Our satellite reconnaissance enables us to know how many missiles the Soviets have deployed or are deploying at any given time. But when we attempt to determine at what rate the Soviet missile assembly lines are operating or what their production quotas are for the coming period, uncertainties inevitably arise.

I know that Secretary of Defense Laird ran into a lot of flack when he suggested that the Soviets might have a force of 2,500 ICBM's by the midseventies.

But if the Soviets continue to produce ICBM's at the 1966–69 rate, then simple arithmetic points to the conclusion that 4 years hence their ICBM force will in fact total 2,500.

Conceivably an order may come through from the Kremlin to close down the lines because the Soviet leaders now feel that they have "a sufficiency" of nuclear weapons.

On the basis of past experience, however, I consider it far more likely that the Soviet missile assembly lines and armament factories and shipyards and submarine yards will continue to function at the high level of recent years, until the Kremlin has achieved the marked and unmistakable superiority in offensive weapons which is their proclaimed goal.

There has been a lot of loose talk about the so-called "intelligence gap"; that is, about the gap that supposedly exists between the intelligence estimates presented by Secretary Laird and those officially prepared by the Board of National Estimates.

My own reading of the record is that, despite the very sharp questioning to which Secretary Laird and Mr. Richard Helms were subjected in their joint appearance before the Foreign Relations Committee, their testimony failed to disclose the existence of any basic conflict.

Certainly, there was no conflict of any kind over the rapid buildup of Soviet strategic strength, because this is something that is based on "hard" intelligence.

When it comes to estimates of Soviet intentions, however, there is admittedly a lot of guesswork involved. In this area there is apt to be a difference of emphasis between those responsible for gathering intelligence and those responsible for defense policy, for the simple reason that our policymakers must prepare for the worst contingency rather than for the best contingency.

I think it pertinent to point out in this connection that our intelligence community has erred far more frequently on the conservative side than otherwise in their estimates of Soviet capabilities and intentions.

In fact, the American intelligence community, although it has performed well in certain situations, has not been impressive when estimating the intentions and plans of our adversaries.

It failed to give us forewarning of Pearl Harbor, the consequences of which are familiar to everyone.

It failed to warn our Government of the impending North Korean Communist attack on South Korea; and, at a slightly later stage, it failed to warn General MacArthur of the impending invasion of Korea by 1 million Chinese.

It failed to predict accurately either the Soviet A-bomb or the Soviet H-bomb. In both cases the estimates were that it would take the Soviets much longer to develop these weapons than actually proved the case.

In 1956, it failed to alert us to the Soviet invasion of Hungary.

In 1957, it was completely without advance information on the Soviet sputnik.

Over the ensuing years, our intelligence community lapsed into one of its very rare periods of overstatement when it advised the Eisenhower administration that there was a massive missile gap between the Soviet Union and ourselves.

Today it has been documented that the so-called missile gap was a Soviet-engineered hoax, and that our intelligence community fell for phony information put out by Khruschev for the purpose of intimidating us.

In more recent years, conversely, its estimates of Soviet intentions regarding the size of Soviet ICBM forces have turned out to be woefully conservative.

In the period immediately before the Cuban missile crisis, the advance consensus of the intelligence professionals was that the Soviets would not tempt the fates by deploying nuclear missiles in Cuba. And, despite warning signs which many of our lay experts took seriously, they were also disposed to discount the possibility that the Red Army would invade Czechoslovakia to depose the Dubcek regime.

The late Senator Robert F. Kennedy, in his book, "Thirteen Days," had this to say about the performance of our intelligence community during the Cuban missile crisis:

> No one had expected or anticipated that the Russians would deploy surface-to-surface ballistic missiles in Cuba.
>
> No official within the government had ever suggested to President Kennedy that the Russian build-up in Cuba would include missiles . . . The intelligence community, in its national estimate of the future course of events, had advised him—on each of the four occasions in 1962 when they furnished him with official reports on Cuba and the Caribbean—that the Russians would not make offensive weapons available to Cuba. The last estimate before our meeting of the 16th of October was dated the 19th of September, and it advised the President that without reservation the U.S. Intelligence Board, after consideration and examination, had concluded that the Soviet Union would not make Cuba a strategic base.
>
> It pointed out that the Soviet Union had not taken this kind of step with any of its satellites in the past and would feel the risk of retaliation from the United States to be too great to take the risk in this case.

This estimate of September 19, I want to note, was after the first missiles had already been landed in Cuba.

All this is not so much a matter of criticism as it is a lament.

But I dwell on this point because, on the record, it is demonstrably true that our intelligence community has not been realistic, much less extremist in its appraisals of the intentions and capabilities of our adversaries.

I know, too, that it is an exceedingly difficult task to gather intelligence having to do with the policy and intentions and future production schedules of a closed totalitarian society.

And it is better that our intelligence community shun alarmism and concentrate on hard information rather than speculating over Soviet intentions.

Nevertheless, in attempting to weigh the contingencies that may confront us over the coming years, it would be well to bear in mind that, over and over again, the Soviet performance in the field of armaments has either surprised us completely or substantially surpassed our estimates.

There seems to be some difference between our experts over whether or not the Soviets have already achieved nuclear parity with the United States. What is certain, is that if the Soviets continue to build up their nuclear forces at the rate of recent years while the United States stands still, the Soviet Union at a very early date is bound to achieve a substantial numerical superiority in nuclear missiles, on top of the marked superiority they already enjoy in total megatonnage.

THE JUSTIFICATION FOR PESSIMISM

If my own outlook is on the pessimistic side, it is because pessimism is indicated by the entire history of the postwar period.

The one lesson that emerges from this record, as I read it, is that if one assumes the worst about Soviet intentions, he will almost never go wrong.

In applying this rule of thumb, I have on a number of occasions found myself taking stands that were considered unpopular and which brought me a good deal of adverse editorial comment at the time. But almost invariably and unfortunately it has turned out that my apprehensions were right.

I do not like to talk about myself. I do so only because I know of no other way of making this point.

When Castro took over Cuba, there was a widespread tendency in our press and in our State Department and in Congress to regard him as some kind of non-Communist agrarian reformer, or Robin Hood, with whom we could and should continue to do business. Editorial brickbats flew when in mid-1959 I said that the evidence pointed to the conclusion that Castro was bent on establishing a total Communist dictatorship in Cuba and converting Cuba into bastion of Soviet power in the Caribbean.

But then Castro announced to the world that he was, in fact, a Communist; and a short while later our blundering and naivete were rewarded by the Cuban missile crisis.

When we entered into the moratorium on nuclear testing with the Soviet Union, I took the floor of the Senate repeatedly to warn that the moratorium was a trap because we were, in effect, giving the Soviet Union a total test ban treaty without inspection of any kind.

I referred to the moratorium on several occasions as "the most egregious act of bipartisan folly in American history."

It was a solitary and unpopular stand.

But then, in August 1961, with our own nuclear technology completely inactivated, the Soviets resumed atmospheric testing. And when the analysis of these tests were completed, it turned out that we had lost the estimated 3-to-4 year lead in nuclear technology which we had previously enjoyed.

The Soviet action was denounced as a betrayal of trust by the President, by Congress, by the press.

But it still amazes me that anyone expected the Soviet Government to behave any differently than they did behave in this situation.

More recently, I recall that I was one of the handful of people in Congress or out of Congress, who, last summer, warned that the Soviets were getting ready to invade Czechoslovakia.

The view was considered an alarmist one at the time. But in this situation, unfortunately, the alarmist view again turned out to be the correct one.

So let us be careful this time.

THE OUTLOOK FOR THE FUTURE

Let me now venture another prediction.

I do not hold that limited agreements with the Soviet Union are impossible.

On the contrary, I believe strongly that, despite all the difficulties, we must continue to seek agreements, no matter how limited, in the field of arms control and in every other area.

I supported the partial test ban treaty, and it pleases me to know that my resolution of May 27, 1963, which was cosponored by 33 other Senators, has been widely credited with having played a role in encouraging this new approach to the test ban treaty.

But, while holding to the conviction that we must always be prepared to walk the extra mile, and more, in the difficult quest for peace, I fear that the coming decade will be one of grave and recurring crises. It will be an era during which the Soviets will continue to expand their challenge to the free world and to extend their power and their influence in North and Central Africa, in Latin America, and in Asia, and the massive Soviet missile and arms buildup of recent years will continue. Indeed, within a few years at the most, the unchallengeable evidence will persuade even the most wishful thinkers that the Soviets have achieved their goal of strategic weapons superiority.

When that day comes, many a Senator who will vote against the Safeguard ABM system at the close of the current debate, will have cause to rethink his vote.

It is impossible not to be alarmed by the prospect of having to deal with the Soviets in future crisis situations where they enjoy either parity, or worse still, a distinct superiority in nuclear weapons.

We were able to stand up to Khrushchev's Berlin ultimatum of November 1958, despite the flagrant manner in which he rattled his nuclear missiles, because we knew, and the Russians knew, that we possessed massive overall nuclear superiority.

In the Cuban missile crisis of 1962,

President Kennedy, in effect, delivered an ultimatum to the Soviet and Cuban Governments. He told them that if the Soviet missiles were not removed from Cuba, the United States would take the necessary measures in its own self-defense.

The Soviet Government was also informed that we would not permit the delivery of any more nuclear missiles to Cuba, and that if a nuclear missile were fired from Cuba at the United States, we would respond to such an attack in precisely the same way that we would respond to an attack from the territory of Soviet Union itself.

Confronted with this ultimatum, the Soviet leaders backed away from the brink and the Cuban missile crisis came to an end.

But we have to ask ourselves whether the Soviets would have backed down and whether President Kennedy would have dared to take the same brave line if it had not been for our very substantial nuclear superiority at the time of the crisis.

Since the Soviets played a very rough game of nuclear blackmail, even in the years when we had a marked nuclear superiority, there is every reason to believe that the Kremlin will use nuclear blackmail as a political instrument even more frequently and more brutally at the point where it achievcs parity or superiority in nuclear weapons.

THE QUESTION OF COST

The question of cost is important, but it is not central to the problem before us.

If the peace of the world and the survival of our Nation are at stake, then, clearly, cost is a matter of secondary importance.

But this does not mean that we can forget about cost.

Everyone is worried about the heavy costs of our defense programs. A tightening up of procurement and management procedure is long overdue. Hopefully, the blue-ribbon panel which has now been set up will bring about a great improvement in these procedures and practices.

To those who fear that Safeguard may wind up costing us astronomical sums of money, let it be remembered that what is involved in the bill now before us is the price of a 1-year deployment, costing some $800 million. And this is a small sum, compared with our overall defense budget.

And we will not be locking ourselves in to an entire program. For it will be reviewed at every stage, from the standpoints of cost and effectiveness and of the international situation.

And it makes no sense to say that, once committed to a program, we cannot cancel it. It is only necessary to recall the recent cancellation of the F–111 program on the basis of its disappointing performance and its excessive costs.

Where national survival is at stake, it is better to err on the side of over-insurance than on the side of under-insurance.

Today I have set forth the reasons which have led me, after careful thought, to strongly favor the deployment of the Safeguard antimissile defense system.

To summarize, I believe that the ABM should be supported because it is a moral weapon, a weapon for peace, a weapon that would greatly increase the chances of bringing an end to the arms race and of instituting some meaningful limitation on offensive nuclear weapons.

There is an unfathomable mystery to the rationale of those who call upon us to refrain from deploying an anti-missile defense system in the interest of future arms-control talks.

It would make much more sense for us in any arms-control talks not merely to accept the right of the Soviet Union to deploy an ABM system of its own, but to actually encourage the development of defensive systems as a preliminary to limiting the deployment of city-destroying missiles and MIRV's.

Rather than calling on the United States to abstain from deploying Safeguard, all those who seriously believe in arms control should be focusing their attack on reducing the awesome arsenals of offensive thermonuclear missiles.

Up to now, the Soviets have been a fearsome problem, as they have overwhelmed one country after another.

At this very hour, the Soviets lie in political siege of several free but weak non-Communist countries.

If the past is any guidepost for the future, then there is more trouble in the offing.

We face dark and troublesome days ahead.

Our very freedom is at stake; our very survival is in peril.

Let us remain strong and secure so that we will be free to lead the way to real disarmament and peace.

I take it for granted that every Senator will reweigh the evidence with the utmost care before casting his vote, knowing that the quality of our life and the quality of our national security and the maintenance of world peace are heavily involved in the outcome of this vote.

So I say we should give the President of the United States an alternative to pushing the holocaust button.

Obviously, the Safeguard ABM is not a perfect weapon. But it is the best our people have been able to devise.

What we have to do is to look at our adversaries in the world. They put up a defense system of their own; and it makes sense to me, sitting here with their missiles pointed at us, for us to have a missile defense system of our own.

I earnestly hope that we will not vote the ABM down, for if we do, we may live to regret it. I hope that we will vote, instead, to be strong and safe, and secure.

Mr. BYRD of West Virginia. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I yield.

Mr. BYRD of West Virginia. Were there not some scientists who said that the hydrogen bomb was impossible to build?

Mr. DODD. Yes; it was on this same basis that they opposed the H-bomb, saying that it was impossible to build. There were also many members of the administration and of Congress who said that the hydrogen bomb could not be built. Of course, they were dead wrong.

Some of the same scientists now, on the same basis, are telling us that the Safeguard ABM cannot be made to work and that it should not be deployed.

Of course there were a minority of scientists who said that the hydrogen bomb could be built and they were proven to be right.

There were scientists, I remind the Senator from West Virginia, who said that the Polaris submarine system was technologically impossible. Not very long ago they were telling us that. And they were wrong, too. Thank God we went ahead, and that we now have a Polaris system to protect us.

The incredible success of the recent moon mission is pertinent here also.

As the Senator from West Virginia knows, I serve on the Aeronautical and Space Sciences Subcommittee, where we were told that the Apollo program was impossible, that we were throwing our money away, that it could not possibly succeed, that we would never put a man on the moon, that the whole thing was ridiculous.

I am talking about scientists who took this stand. Now they are telling us the Safeguard ABM cannot be made to work.

Mr. BYRD of West Virginia. Let me ask the Senator, what would be our situation now if we had continued only with research on the hydrogen bomb, if we had continued only with research on the Polaris submarine, if we had continued only with research in connection with the moon shot?

Mr. DODD. Well, with respect to the hydrogen bomb, I shudder to think of what would have happened if we had not succeeded in developing it at the time we did. As it turned out, we beat the Soviet Union to it by only about 6 months.

If we had not developed the Polaris submarine system, I shudder again to think of what might have happened to us during those years.

With respect to the moon shot, I am confident that, if our adversaries had gone ahead and gotten there first, they would turn their accomplishments into some military advantage, to our great disadvantage.

The questions the Senator asks are well taken.

MESSAGE FROM THE HOUSE—ENROLLED BILL AND JOINT RESOLUTION SIGNED

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the Acting President pro tempore:

H.R. 13079. An act to continue for a temporary period the existing interest equalization tax; and

S.J. Res. 85. Joint resolution to provide for the designation of the period from August 26, 1969, through September 1, 1969, as "National Archery Week".

TRANSACTION OF ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the consideration of routine morning business.

The Chair recognizes the Senator from Ohio (Mr. YOUNG).

DAVE McNALLY TIES AMERICAN LEAGUE PITCHING MARK

Mr. MANSFIELD. Mr. President, for some time I have been intending to take the floor to express my commendation to a fellow Montanan, a young man by the name of Dave McNally, from Billings, Mont. Dave has been pitching for the Baltimore Orioles for a few years, and lately he completed his 15th victory for this season, with no defeats. If we add his two straight victories at the end of last season, Dave has a record of 17–0, which I believe is the way the baseball fraternity would refer to it.

Dave McNally is feeling no pressure. He is feeling no pain. But in his own words, he is feeling very lucky. What the 26-year-old Baltimore left-hander must be wondering, after running his record to 15–0, with a 4–2 victory over Kansas City on Wednesday night, is, "Just how lucky can I be, and just how long can this last?"

To use Dave's words:

No, I don't feel any pressure. I think probably I would feel it if I had pitched well in every game, but that hasn't been the case. I pitched badly enough to lose in six or seven games.

I know it has to end sometime, but I'm very happy to get this far, and I'm enjoying it. I'd rather be winning like this than losing but it's taken a lot of luck to do it.

McNally's number 15 put him in the American League record book alongside Johnny Allen of Cleveland. McNally, with two victories at the end of the 1968 season, tied Allen's mark of 17 consecutive triumphs over two seasons, set in 1936–37, and Allen's record of 15 straight victories at the start of a season, 1937.

Dave McNally is just one triumph away from the league mark of 16 successive victories in one season, set by four pitchers.

I know Dave McNally very well; I know his family extremely well. Those of us who come from Montana are very proud of what Dave McNally has been doing since first starting out in American Legion baseball and then graduating to the Baltimore Orioles. We want him to know that we are following every game with trepidation. We are hoping that his unbroken string of wins will continue through the entire season, because we know that even if Dave is lucky on occasion, he is an outstanding man in his own right.

We look upon him as a great Montanan. I look upon him as a close personal friend.

If Dave ever gets word of this, I just want him to know that there are a lot of us who may not see him at the stadium but who, nevertheless, are watching his every effort and wishing him every success.

AMERICANS SHOULD NOT BE DECEIVED

Mr. YOUNG of Ohio. Mr. President, Americans are entitled to know the facts regarding the much ballyhooed return of 25,000 of our combat troops from South Vietnam.

It would give me pleasure to report not only that 25,000 men of our Armed Forces had been returned home from Vietnam but also that at least 75,000 more combat troops would be returned to the United States from Vietnam before next December. Such a report would be contrary to the facts.

Furthermore, in view of President Nixon's recent statements in Thailand and Saigon, Americans have every reason to be gravely concerned that our fearful combat casualties in that undeclared, immoral, unpopular war in Vietnam will go on and on for many months. President Nixon should be reminded that he was elected because of his oft-repeated campaign statement that he had a secret plan to end the war in Vietnam. That plan is still his secret.

I am regretfully reporting the facts. On January 19, 1969, 2 days before Richard Nixon was inaugurated as President of the United States, there were 532,000 men of our Army, Navy, Marines, Air Force, and Coast Guard in Vietnam. Now, Mr. President, in view of reports issued from the Pentagon and from the White House, Americans have been led to believe that at this time the total men of our Armed Forces in Vietnam, 6 months following the time President Nixon was inaugurated, would be approximately 507,500. The fact is that on July 19, 1969, there were more men of our Armed Forces in Vietnam than at the time Richard Nixon became President. The total number of men in our Army, Navy, Marines, Air Force, and Coast Guard in Vietnam on July 19, 1969, was 535,500, whereas it had been 532,000 on the day before he was inaugurated.

On June 10, 1969, at the time President Nixon announced the withdrawal of 25,000 troops from Vietnam, the total number of men in our Army, Navy, Marines, Air Force, and Coast Guard in Vietnam was 537,500. On July 19, 1969, the total number was 535,000, or only 2,000 less.

Incidentally, I report that on the day President Lyndon Johnson left the White House January 20, 1969, the total of American Armed Forces in Vietnam, off the coast of Vietnam and in Thailand was 613,200. From that date to June 10, 1969, 2 days after President Nixon announced that 25,000 troops would be withdrawn from Vietnam, this total had been increased to 621,200. On July 19, 1969, more than a month after the announced withdrawal and after 6 months of the administration of President Nixon, 618,600 American servicemen remain in Southeast Asia.

It is with a feeling of sadness, Mr. President, that I make this factually correct report.

I am sure I express the feelings of many millions of Americans who are profoundly disappointed over the failure of this administration to make a sincere effort to withdraw at least 100,000 young Americans from the Vietnam quagmire.

Mr. President, during the week July 19 to 26 Americans killed and wounded in combat numbered 2,926; during that same period South Vietnam friendly forces—too friendly to fight—2,339.

ENROLLED BILLS SIGNED

The ACTING PRESIDENT pro tempore announced that on today, August 1, 1969, he signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 38. An act to consent to the upper Niobrara River Compact between the States of Wyoming and Nebraska; and

S. 1590. An act to amend the National Commission on Product Safety Act in order to extend the life of the Commission so that it may complete its assigned task.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the administration and effectiveness of work experience and training project under title V of the Economic Opportunity Act of 1964, Wayne County, Mich., Department of Health, Education and Welfare, dated July 31, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the effectiveness and administration of the Community Action Program under title II of the Economic Opportunity Act of 1964, Lake County, Ind., Office of Economic Opportunity, dated August 1, 1969 (with an accompanying report); to the Committee on Government Operations.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. McGEE, from the Committee on Post Office and Civil Service, without amendment:

S. 2754. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes (Rept. No. 91-339).

By Mr. McGEE, from the Committee on Post Office and Civil Service, without amendment:

H.R. 9825. An act to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session, the following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

Lewis M. Branscomb, of Colorado, to be Director of the National Bureau of Standards;

Davie W. Oberlin, of Minnesota, to be Administrator of the St. Lawrence Seaway Development Corporation; and

Jacob L. Bernheim, of Wisconsin, Foster S. Brown, of New York, William W. Knight, Jr., of Ohio, Miles F. McKee, of Michigan, and

Joseph N. Thomas, of Indiana, to be members of the Advisory Board of the St. Lawrence Seaway Development Corporation.

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, I also report favorably sundry nominations in the Environmental Science Services Administration and the Coast Guard. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordcred to lie on the desk, are as follows:

David M. Wilson, and sundry other persons, for permanent appointment in the Environmental Science Services Administration;

Philip J. Taetz, and sundry other persons, for permanent appointment in the Environmental Science Services Administration;

George A. Blann, and sundry other officers, to be permanent commissioned officers of the Coast Guard;

Dominic A. Calicchio, and sundry other Reserve officers, to be permanent commissioned officers in the Coast Guard;

Herman J. Lentz, to be a permanent commissioned warrant officer in the Coast Guard; and

George A. Blann, and sundry other officers, for promotion in the Coast Guard.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McGEE (for himself, Mr. BOGGS, Mr. BURDICK, Mr. FANNIN, Mr. FONG, Mr. HOLLINGS, Mr. MOSS, Mr. RANDOLPH, Mr. STEVENS, and Mr. YARBOROUGH):

S. 2754. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BIBLE:

S. 2755. A bill for the relief of Donal N. Callaghan; to the Committee on the Judiciary.

By Mr. McCLELLAN:

S. 2756. A bill for the general revision of the Patent Laws, title 35 of the United States Code, and for other purposes; to the Committee on the Judiciary.

(The remarks of Mr. McCLELLAN when he introduced the bill appear later in the RECORD under an appropriate heading.)

By Mr. NELSON:

S. 2757. A bill to provide for the control and prevention of pollution, deterioration of water quality, and damage to lands and waters resulting from erosion to the roadbeds and rights-of-way of existing State, county, and other rural roads and highways, and for other purposes; to the Committee on Public Works.

(The remarks of Mr. NELSON when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. MONDALE:

S. 2758. A bill to amend section 312 of the Housing Act of 1964 to eliminate the provision which presently limits eligibility for residential rehabilitation loans thereunder to persons whose income is within the limits prescribed for below-market-interest-rate mortgages insured under section 221(d)(3) of the National Housing Act; to the Committee on Banking and Currency.

(The remarks of Mr. MONDALE when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. DODD:

S. 2759. A bill for the relief of Francesco Daniele; to the Committee on the Judiciary.

By Mr. STEVENS:

S. 2760. A bill to amend the Internal Revenue Code of 1954 to remove the limitations on the deductibility of expenses for care of dependents incurred to enable a taxpayer to be gainfully employed; to the Committee on Finance.

(The remarks of Mr. STEVENS when he introduced the bill appear later in the RECORD under the appropriate heading.)

S. 2756—INTRODUCTION OF A BILL FOR THE GENERAL REVISION OF THE PATENT LAWS

Mr. McCLELLAN. Mr. President, I introduce, for appropriate reference, a bill to provide for the general revision of the patent laws, title 35 of the United States Code.

On February 28 I introduced S. 1246 for the general revision of the patent laws. That bill incorporated the best features of several patent revision bills considered by the Subcommittee on Patents, Trademarks, and Copyrights during the 90th Congress. It also reflected a number of suggestions made during and subsequent to the subcommittee's hearings on patent law revision. Although the public hearings were completed last year, the subcommittee delayed action on this legislation at the request of the patent bar. Last winter, I indicated that if President Nixon determined that he wished to select a new Commissioner of Patents, I would further delay the reporting of a bill by the subcommittee until such time as the new Commissioner could review the various legislative proposals. The President did nominate a new Commissioner of Patents and I have met with him. Many suggestions made by the Commissioner have been included in the revised patent bill which I am introducing today.

This legislation has had a long history and can be traced back to a series of 30 studies on the patent system that were commissioned and published by the Subcommittee on Patents, Trademarks, and Copyrights. Following this review, the subcommittee concluded that "The objectives of the patent system are as valid today as at its inception," but "there has not been adequate adjustment of our patent laws and procedures to reflect changing conditions and to respond to the critical problems confronting the Patent Office."

President Johnson subsequently established the President's Commission on the Patent System which submitted a report on November 17, 1966, making 35 recommendations for the improvement of the American patent system. Most of the proposals made by the Commission would require legislative action to be implemented. Many of the recommendations of the Commission that required congressional approval were incorporated in the Patent Reform Act of 1967 that was submitted by the administration. During and subsequent to the subcommittee hearings, the Johnson administration made a number of suggestions for changes in the proposed legislation.

While certain of the Commission's recommendations engendered considerable opposition, the objectives sought by the Commission warrant the support of the Congress. Any general patent legislation must, therefore, be judged by the extent to which it achieves the objectives of the President's Commission and serves to ameliorate the problems of the patent system which were identified in the earlier reports of the subcommittee. In my judgment, the most important of these objectives are to raise the quality of U.S. patents, to shorten the period of pendency of a patent application from the filing date to final disposition by the Patent Office so as to accelerate the public disclosure of new technology, and to modernize the searching and examination procedures of the Patent Office so that it can more efficiently serve the needs of the public.

The quality of issued patents and the substantial deviation between the standards applied by the Patent Office and the Federal courts in determining the patentability of inventions has been explored in a number of the reports of the subcommittee. A recent survey indicates that during a 2½-year period 72 percent of the adjudicated patents were found invalid. During the period of this study not a single patent litigated in the eighth circuit, which includes Arkansas, was found to be valid. The most important recent Supreme Court decision on the patentability of inventions was the case of Graham against Deere in 1966. The Court declared:

> We have observed a notorious difference between the standards applied by the Patent Office and by the courts.

Of course, as Simon Rifkind, the co-chairman of the President's Commission, observed during the subcommittee hearings, part of the explanation for the different standards of the Patent Office and the courts is the ex parte nature of the proceedings in the office.

The Supreme Court again referred to the standard of patentability in its opinion on June 16 of this year in Lear against Adkins. Justice Harlan writing the opinion of the Court described the Graham decision as requiring a "demanding standard of invention." Three Justices in a separate opinion referred to the requirement that a patent applicant must meet the "exacting standards of the patent laws." The subcommittee in its 1967 annual report, approved by each of the current members of the subcommittee, stated:

> The Patent Office should be more vigilant in rejecting applications which do not meet the required standard. The issuance of invalid patents serves only to undermine the entire patent system.

Section 103 of title 35 is concerned with the conditions of patentability. The Supreme Court in the Graham case said:

> We have been urged to find in section 103 a relaxed standard, supposedly a Congressional reaction to the "increased standard," applied by this Court in its decisions over the last 20 or 30 years. The standard has remained invariable in this Court". The Subcommittee in its 1967 report stated "It does

not appear that it is necessary or desirable to enact additional legislation defining the standard of patentability. Rather, the Patent Office should more closely observe the existing requirements.

Congressional tinkering with section 103 could well sow the seeds of greater confusion, rather than promote the desired clarification. The nature and intent of any revision of section 103 should be carefully studied.

A review of the relevant judicial decisions at all levels of the Federal courts since the enactment of the Patent Act of 1952 does indicate some uncertainty as to the legislative intent, specifically, the correct interpretation to be given to section 103. Furthermore, the language in section 103 is general in nature and has resulted in a variety of judicial interpretations. Under these circumstances I have concluded that a clarification of section 103 is a desirable element of any program to improve the patent system. The bill which I am introducing today clarifies certain of the language currently in section 103, and includes several guidelines to assist the Patent Office and the courts in interpreting the required standard of patentability. It is not the purpose of the revised section 103 to lower the conditions for patentability which have traditionally been required by statute in pursuance of the limited constitutional grant of power to the Congress. The revised 103 should contribute to a reduction in the divergencies and uncertainties which have arisen in the various circuits and promote the orderly development of a consistent standard of patentability. It is to be hoped that these changes will result also in fewer reversals of Federal district court decisions by courts of appeals, and the giving of greater weight to the findings of those courts which have had the opportunity to hear the testimony and observe the witnesses.

In addition to the amendment of sections 102 and 103 enumerating the conditions of patentability, the presumption of patent validity in section 282 has been strengthened by providing that a party challenging the validity of a patent under section 103 "has the burden of establishing obviousness of the claimed invention by clear and convincing evidence." The protection of the public, therefore, requires that the Patent Office be vigilant in rejecting those applications which do not meet the standard of patentability.

Following the Supreme Court decision, the Commissioner of Patents in an address to the professional staff of the Patent Office referred to the language of the court:

> It is the duty of the Commissioner of Patents and of the courts in the administration of the patent system to give effect to the constitutional standard by appropriate application, in each case, of the statutory scheme of the Congress.

He instructed the examiners to "keep constantly in mind that the Supreme Court insists upon strict adherence to the requirement that the patents should be granted only for new, useful, and unobvious inventions, and the examiner must thus be so satisfied before allowing an application." It does not appear that the gap between the Patent Office standard and that required by the statute and judicial decisions has been reduced since the Graham decision and the directive of the Commissioner of Patents.

Section 102 of my bill provides that "an applicant shall be entitled to a patent on the invention defined in each claim of his application upon establishing by a preponderance of proof that the invention meets the conditions for patentability". As under present law, the applicant would file an application including the specification prescribed in section 112, describing the invention and distinguishing it from other inventions and from what is old. The specification must conclude with one or more claims particularly pointing out and distinctly claiming the subject matter regarded as the invention. It is anticipated that the Commissioner of Patents, pursuant to section 131(c), will issue regulations requiring applicants to cite any relevant patents, publications, and other prior art which the applicant considered in preparing his application, together with an explanation as to why the claims are patentable over the prior art, or if no specific relevant prior art was considered a statement to that effect and an explanation as to why the claims in such application are believed to be patentable. If the examiner determines that the application meets the conditions for patentability required by the statute, the application will be allowed and the patent issued. If the examiner is not satisfied that claims in the application are patentable, the application shall not be allowed unless the applicant establishes by a preponderance of proof that the invention meets the conditions for patentability as set forth in sections 102 and 103. Section 134 provides that an applicant may appeal from the decision of the primary examiner to the Board of Appeals.

The clarification of the conditions for patentability, the strengthening of the presumption of patent validity, and the placing of the burden on the applicant to establish by a preponderance of proof his right to a patent, in my opinion, achieves a fair balance between the rights of the applicant, and of the public.

The report of the President's Commission and various reports of the subcommittee have emphasized the desirability of facilitating an earlier disclosure of a new technology by reducing the protracted delays in the examination of patent applications. Virtually all of the recommendations made by the Commission to promote earlier public disclosure were vigorously opposed by the organized patent bar during the subcommittee hearings. Subsequently, the Patent Office advised the subcommittee that it would not be necessary at this time to undertake major statutory modifications of the examination procedure because the goal of a more rapid disposal of patent applications could be obtained by various administrative actions of the Patent Office. The Patent Office informed the Congress last year that it was its intention, commencing in fiscal year 1972, to reduce the pendency period of patent applications from the recent average of 30 months to 18 months. The new Commissioner of Patents in testifying before the Senate Judiciary Committee on May 2 assured the committee that he would take appropriate measures to implement this program. On the basis of the assurances made by the Commissioners of Patents, I have decided that no major surgery in the examination procedure is required at the present time.

A major recommendation of the President's Commission which was incorporated in the earlier versions of the bills which I have introduced would have provided for the repeal of section 104 of the current patent law which in effect discriminates against foreign patent applicants by precluding reliance on foreign inventive activities in establishing a date of invention. The Department of Commerce in a letter in 1968 to the chairman of the Committee on the Judiciary stated:

> Not only does this provision unfairly discriminate against foreign applicants, but it has been a source of considerable difficulty in our negotiations for international patent cooperation.

The Department of State advised me that the repeal of section 104 was essential to the attainment of the greater international cooperation in patent matters, which I have advocated for several years. The current administration has reviewed this subject and I have been advised by the Commissioner of Patents that the administration does not at this time favor the repeal of section 104 and recommends that our patent statute should, for the present, continue to bar proof of foreign inventive activities. I have, therefore, at the request of the administration, retained section 104.

The President's Commission in Recommendation No. 22 proposed the inclusion in the patent statute of language clarifying the licensing of patent rights, field-of-use restrictions and the doctrine of patent misuse. This recommendation was not included in the former administration's Patent Reform Act. During the congressional hearings, the Department of Justice opposed the Commission's recommendation. I have felt that the relationship between the patent and antitrust laws deserved careful consideration and with the change in administration I wrote to the Attorney General on February 28 asking for the current views of the Department of Justice. I received on June 10 a letter from Richard W. McLaren, Assistant Attorney General, Antitrust Division, stating:

> I strongly urge the committee not to incorporate Proposal No. 22 in any proposed patent legislation.

Mr. McLaren indicated that any necessary development or clarification of the law in this area could be obtained as part of the Department's antitrust enforcement program. He informed me that several cases have recently been filed and that others may be anticipated. No provisions on this subject are included in the bill.

Chapter 30, section 301 of the bill, restates the traditional interpretation that the Federal patent statute does not preempt contractual or other rights or obligations not in the nature of patent rights, imposed by State or Federal law on particular parties with regard to in-

ventions or discoveries, whether or not subject to title 35.

The Congress in 1965 passed legislation revising the patent fee schedule. After a lengthy study there was general agreement that between 65 percent and 75 percent of the costs of the Patent Office operations should be recovered by patent fees. The Johnson administration recommended that Congress authorize the Department of Commerce to set patent fees so that the Patent Office would recover between 65 percent and 75 percent of its costs. The Department of Commerce this year suggested that the adjustment of fees should be considered in separate legislation, and indicated that they would later transmit their recommendations to the Congress. My bill retains the present fee schedule and provides in section 41(e) that the Patent Office shall normally recover 65 percent of its costs. It directs the Commissioner of Patents to transmit his recommendations for adjustment of the fee schedule whenever the recovery rate consistently falls below 65 percent. The current Commissioner of Patents in testifying before the subcommittee in 1965 as the representative of the American Bar Association said "that something of the order of two-thirds of the cost of operating the Patent Office would be a reasonable total amount of fees to be collected."

Too frequently in the consideration of patent legislation, the inventor—especially the independent inventor—is the forgotten American. The subcommittee has received testimony from the American Society of Inventors. This organization has proposed certain amendments to the patent law, such as a statutory prohibition on an employer requiring the assignment of rights in inventions as a condition of employment, and a prohibition on challenges to the validity of a patent more than 5 years after its issuance. A particular cause of concern to inventors is the legal costs involved in obtaining and defending patents. At the request of the senior Senator from Pennsylvania (Mr. SCOTT), the ranking minority member of the subcommittee, the subcommittee has requested the American Patent Law Association, the National Council of Patent Law Associations, and the Section of Patent, Trademark, and Copyright Law of the American Bar Association to survey what legal assistance is currently available to indigent patent applicants and patentees, and to recommend what additional assistance, possibly with public funds, may be desirable.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2756) for the general revision of the Patent Laws, title 35 of the United States Code, and for other purposes, was received, read twice by its title and referred to the Committee on the Judiciary.

S. 2757—INTRODUCTION OF A BILL RELATING TO POLLUTION CONTROL

Mr. NELSON. Mr. President, I am introducing today legislation which would authorize Federal assistance to fight pollution caused by erosion of streambanks and roadbanks.

Each year erosion along the Nation's streams and rivers damages and destroys valuable land. Channels and lakes are altered or filled, fish and wildlife destroyed and water polluted. Erosion is nothing less than a form of vandalism of the American land that can and must be stopped.

Uncontrolled erosion is as expensive as it is destructive. Each year streambank erosion along 300,000 miles of the Nation's waterways destroys valuable land. The annual cost of removing sediment from channels, harbors and reservoirs is estimated at $250 million.

Each year we lose 500 million tons of soil from the banks of our streams and rivers. Unless preventive measures are taken immediately, we will see the rapid and substantial destruction of our beautiful rivers and streams.

In Wisconsin alone, 66,000 miles of streambanks are producing or have the potential to produce sediment. Twenty-four thousand miles of these streambanks have critical erosion problems. As much as 30 percent of the total sediment that pollutes streams, lakes, and reservoirs in Wisconsin comes from streambank erosion.

A study by the Department of Interior disclosed that erosion in the red clay area of northwestern Wisconsin has damaged valuable trout and recreational streams, discolored Lake Superior waters off the south shore of the lake and is damaging the lake's aquatic life.

Bank erosion control on large rivers is carried out by the Army Corps of Engineers. Although the Department of Agriculture provides some cost-sharing for streambank erosion control through the agricultural conservation program and the small watersheds program, it is impossible to undertake large-scale community erosion control projects. It is these extensive programs which can be carried out for the entire course of a river or stream which will be most effective.

The bill provides similar assistance for erosion control along the Nation's State and local highways, which needlessly destroys valuable land, defaces the landscape, causes excessive highway maintenance costs and pollutes many of our rivers and streams.

Roadside erosion control on the 875,000 miles of Federal highways is handled by the U.S. Bureau of Public Roads. Another half a million of city streets and roads are handled by municipalities.

This leaves some 2,125,000 miles of State and secondary roads—about 60 percent of the entire U.S. highway system—without adequate protection against roadbank erosion.

Studies have shown that silt losses due to roadbank erosion run as high as 356 tons per acre per year in parts of Wisconsin. An estimated 15 percent of the silt polluting Wisconsin's waters comes from this source.

Under this bill, the Secretary of Agriculture would be authorized to cooperate with counties and local conservation districts in furnishing financial and technical assistance in planning and installing erosion control measures. Cooperating States, counties, and local public agencies would bear at least one-quarter of the cost of control measures, with the exception of engineering costs. Those agencies would provide land, easements of rights-of-way and would be responsible for maintenance of the roadside measures.

Mr. President, to consider such measures of minor importance or to ignore them in the name of economy is to be irresponsible and shortsighted. It is only sensible and economical to care for our natural resources and to maintain our highways.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2757) to provide for the control and prevention of pollution, deterioration of water quality, and damage to lands and waters resulting from erosion to the roadbeds and rights-of-way of existing State, county, and other rural roads and highways, and for other purposes, introduced by Mr. NELSON, was received, read twice by its title, and referred to the Committee on Public Works.

S. 2758—INTRODUCTION OF A BILL TO AMEND SECTION 312 OF THE HOUSING ACT OF 1964

Mr. MONDALE. Mr. President, I introduce, for appropriate reference, a bill to amend section 312 of the Housing Act of 1964. The purpose of the bill is to eliminate the provision in the 1968 Housing Act which imposes an income limitation on the use of section 312 rehabilitation loans.

The section 312 program, first authorized in the Housing Act of 1964, affects property owners in urban renewal and code enforcement areas. It provides them with 3-percent direct loans to finance the rehabilitation of their homes and businesses.

In 1964, section 312 represented a shift in the emphasis of our renewal programs. No longer would the bulldozer be the main tool of urban renewal. Rather, the emphasis would be on conserving and rehabilitating as much existing housing as possible. Since 1964, the section 312 program has been refined and expanded by subsequent legislation. The Housing Act of 1968 contains several useful new provisions which remove certain restrictions on the use of the 3-percent loans. At the same time, however, the 1968 act also restricts loans for residential properties to persons whose incomes fall within the income ceilings of the 221(d)(3) below-market interest rate program.

The 221(d)(3) limits vary significantly from one community to another. In general, the income limits for a family of four are in the $6,000 to $8,000 a year range. Local housing agencies throughout the country are finding that this restriction, which is just now taking effect for the section 312 program, is seriously impeding the operation of many projects. The National Association of Housing and Redevelopment Officials estimates that 40 percent of all rehabilitation activity will be affected by the new limits. The Minneapolis Housing and Redevelopment Authority informs me that approximately 50 percent of the people who had qualified for section 312 loans before the passage of the 1968 act will no longer be eligible.

Under current HUD regulations, those projects which received HUD approval for planning or operation before August 1, 1968, are not subject to the restrictive income limits. However, the cutoff date in this regulation will benefit urban renewal projects more than it does code enforcement projects. Since renewal projects received Federal planning grants, the regulation excuses them from the income restrictions if the project has received HUD planning funds before the cutoff date. On the other hand, code enforcement projects do not receive Federal planning grants and therefore are excluded from coverage by the income limits only if the project is approved for operation by HUD before the August 1968 cutoff date.

Thus, in a community where an urban renewal project and a code enforcement project become operational at the same time, the property owners in one project area will be affected by the income limits while the property owners in the other may not be affected. The Jordan code enforcement project in Minneapolis, Minn., is an example of the confusion caused by this new regulation. The Jordan project was funded in May 1969. No Federal funds were received for planning, but the city had been involved with local residents in planning the project 2 years before the enactment of the 1968 Housing Act.

When local planning activities were initiated, Minneapolis housing officials announced that 3 percent rehabilitation loans would be available to all area homeowners. However, since the project was actually funded after the passage of the 1968 act, Jordan residents found that they could not qualify for loans if their incomes exceeded the 221(d)(3) limits. If the Jordan project had involved urban renewal—and urban renewal planning funds—rather than code enforcement—the income limits would not have applied.

Even more significant than these administrative problems is the impact that the income limits will have on our future efforts to preserve older residential neighborhoods in the central cities. Up to now, rehabilitation and code enforcement has been used effectively to strengthen "tipping point" neighborhoods—residential areas that are not yet severely blighted but that may deteriorate rapidly unless preventive action is taken. The section 312 program has been an extremely useful rehabilitation tool in these areas. But now the income limits mean that the Minneapolis homeowners with an average sized family and an income slightly above the 221(d)(3) limits—say $8,500 a year—will no longer be able to qualify for a 3-percent loan if he lives in a code enforcement area, even though he may be required to make extensive improvements to his property. A family in this predicament would certainly not be enthusiastic about staying in the neighborhood, since they would be forced to take out a conventional loan at 8 percent interest—and higher—to fix up an old house. Indirectly, then, the income limits will encourage the exodus from the central cities of the younger, stable families we most need to provide leadership in our "tipping point" neighborhoods.

Legislation to remove these limits has been endorsed by a number of officials and residents in my own State, as well as by such national organizations as the Conference of Mayors—League of Cities, the National Housing Conference, and the National Association of Housing and Redevelopment Officials.

The income limits have not improved the operation of our rehabilitation program in any demonstrable way. This unnecessary restriction should be removed as soon as possible.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2758) to amend section 312 of the Housing Act of 1964 to eliminate the provision which presently limits eligibility for residential rehabilitation loans thereunder to persons whose income is within the limits prescribed for below-market-interest-rate mortgages insured under section 221(d)(3) of the National Housing Act, introduced by Mr. MONDALE, was received, read twice by its title, and referred to the Committee on Banking and Currency.

S. 2760—INTRODUCTION OF A BILL TO AMEND THE INTERNAL REVENUE CODE RELATING TO WORKING MOTHERS

Mr. STEVENS. Mr. President, today I am introducing a bill to amend the Internal Revenue Code. My bill will allow parents to deduct the full cost of child care incurred as the result of working as a legitimate business expense.

In this day of spiraling costs of living, the limitations which prohibit women filing joint returns with husbands of combined incomes of $6,600 or more from deducting child-care expenses incurred as a result of working are not realistic. The present law imposes an inequitable tax burden on wage earners; particularly mothers, who pursue both a profession or trade and motherhood.

Certainly, the increased benefits to the family, derived from this income, should not be negated by an increased tax liability.

Mr. President, my bill will eliminate any limitations as to income level or amount of child-care costs that may be used as legitimate income tax deductions.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2760) to amend the Internal Revenue Code of 1954 to remove the limitations on the deductibility of expenses for care of dependents incurred to enable a taxpayer to be gainfully employed, introduced by Mr. STEVENS, was received, read twice by its title, and referred to the Committee on Finance.

ADDITIONAL COSPONSORS OF BILLS

S. 2422

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Indiana (Mr. BAYH), I ask unanimous consent that, at the next printing, the names of the Senator from Idaho (Mr. CHURCH), the Senator from Connecticut (Mr. DODD), the Senator from Indiana (Mr. HARTKE), the Senator from Hawaii (Mr. INOUYE), the Senator from Minnesota (Mr. MCCARTHY), the Senator from South Dakota (Mr. MCGOVERN), the Senator from West Virginia (Mr. RANDOLPH), and the Senator from Pennsylvania (Mr. SCOTT), be added as cosponsors of S. 2422, a bill to amend the Higher Education Act of 1965 to provide that the Secretary of Health, Education, and Welfare shall prescribe the maximum rate of interest for the students insured loan program.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2632

Mr. DOMINICK. Mr. President, on behalf of the Senator from Hawaii (Mr. FONG), I ask unanimous consent that, at the next printing, the names of the Senator from Oregon (Mr. PACKWOOD), the Senator from Utah (Mr. MOSS), the Senator from Arizona (Mr. GOLDWATER), the Senator from Nevada (Mr. BIBLE), the Senator from Wisconsin (Mr. NELSON), the Senator from New Jersey, (Mr. WILLIAMS), and the Senator from South Carolina (Mr. THURMOND), be added as cosponsors of S. 2632, authorizing and requesting the President to call in 1970 a White House Conference on Population Growth and Family Planning.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2722

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Wisconsin (Mr. NELSON), I ask unanimous consent that, at the next printing the name of the Senator from Idaho (Mr. CHURCH), be added as a cosponsor of S. 2722, to amend title II of the Social Security Act to provide a general increase of 25 percent in the amount of the benefits payable thereunder (with a minimum old-age benefit of $100), to provide for cost-of-living increases in such benefits in the future, to increase the amounts individuals may earn without suffering deductions from such benefits, and to amend title XVIII of such act so as to include eye care, dental care, hearing aids, and routine physical examinations within the services covered by the insurance program established by part B of such title, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF AMENDMENT

NO. 107

Mr. PROXMIRE. Mr. President, I ask unanimous consent that, at the next printing, the name of the junior Senator from Oregon (Mr. PACKWOOD) be added as a cosponsor of amendment 107 to S. 2546, the military procurement bill.

The amendment requires annual disclosures by former high-ranking civilian and military Pentagon employees who leave the Government and go to work for major defense contractors.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, August 1, 1969, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 38. An act to consent to the upper Niobrara River compact between the States of Wyoming and Nebraska;

S. 1590. An act to amend the National Commission on Product Safety Act in order to extend the life of the Commission that it may complete its assigned task; and

S.J. Res. 85. Joint resolution to provide for the designation of the period from August 26, 1969, through September 1, 1969, as "National Archery Week".

CONGRATULATORY MESSAGES FROM FOREIGN PARLIAMENTS ON APOLLO 11 MISSION

Mr. MANSFIELD. Mr. President, I have received congratulatory messages on the Apollo 11 mission from the Senate of France, the Senate of Belgium, and the Parliament of Vietnam.

I thank these bodies for their warm sentiments and ask unanimous consent that they be printed in the RECORD.

There being no objection, the messages were ordered to be printed in the RECORD, as follows:

TO SENATOR MANSFIELD:

On behalf of myself and my colleagues in the French Senate I wish to express our admiration to Armstrong, Collins and Aldrin and also to all those who have contributed to the complete success of the Apollo 11 mission which constitutes an unprecedented event in the history of humanity.

Signed by:

THE PRESIDENT OF THE SENATE, PARIS, FRANCE.

The Belgian Senate has followed with deep emotion and boundless admiration the prodigious exploit of the U.S. astronauts who have accomplished the most extraordinary conquest in world history and who have proven that the victories of peace excel by far the most beautiful military victories. I wish to express to you my congratulations and those of the entire Senate on this brilliant success that reflects the greatest credit on the courageous astronauts, the scientists, the engineers, the intellectual and manual workers of the great American nation which with its traditional nobleness made itself the messenger of all mankind. I wish to express my fervent wishes for the happy return of the gallant conquerors of the moon.

PAUL STRUYE,
President of the Senate.

JULY 25, 1969.

To Senator MANSFIELD:

We send our warm and friendly greetings on the success of the Apollo 11 mission. Please make known to the American people that we have communicated our happiness and best wishes on the total success of this mission in its contribution to world peace and to liberty.

Signed by:

PHAN HUY DUC,
Chief of the North American Parliamentary Delegation of Viet Nam.

POLLUTION OR BROWNOUTS

Mr. MUSKIE. Mr. President, yesterday I introduced the Intergovernmental Power Coordination and Environmental Protection Act—S. 2752—a bill designed to reconcile the needs of environmental protection and the generation of adequate supplies of electricity.

Lee C. White, the distinguished former Chairman of the Federal Power Commission, has proposed similar legislation, and his ideas and warnings were discussed in a July 30 article and a July 31 editorial published in the Washington Post. Echoing Mr. White, the Post noted in its editorial:

Congress has a responsibility to move ahead . . . with legislation both to protect the environment and to provide an adequate supply of electricity.

With each month the problem becomes more critical, reaching a point where blackouts or brownouts occur with increasing frequency in periods of normally heavy demand. The Intergovernmental Relations Subcommittee of the Government Relations Subcommittee of the Government Operations Committee will soon open hearings on the proposed legislation. I hope that all interested Senators will submit their views on this important legislation.

In the meantime, I commend the excellent article and editorial from the Post to the attention of the Senate and ask unanimous consent that they be printed in the RECORD.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, July 31, 1969]

MUST WE CHOOSE BROWNOUTS OR POLLUTION?

The recent power shortages in the Washington area and elsewhere in the East were no surprise to the Federal Power Commission. The retiring chairman of the FPC, Lee C. White, has been warning for some months that "brownouts" are inevitable unless the electric power industry and public agencies find some way of speeding the construction of generating facilities. Rationing of electricity, Mr. White has warned, may be the result.

Demands for power become enormous on hot days because of the widespread use of air conditioning. As an emergency measure it may be necessary for power companies to ask people to turn off their air-conditioning units (at the moment when they need them most), but this merely accentuates the urgency of a long-range solution. It is not merely a question of meeting maximum demands this summer, but also of preparing to cope with a phenomenal increase in the use of electricity. Current estimates are that by the year 2000 the United States will be using seven times the electricity that it consumed in 1965.

The industry is eager enough to provide the additional volume that will be needed, but it is no longer a question of merely selecting sites and building the essential generating plants. Some cities are limiting the type of fuel that generating plants may use to avoid further pollution of their atmosphere. There is much resistance to the location of power plants on rivers where they heat large volumes of water to the disadvantage of fish and other wildlife, and the building of gigantic power lines across the landscape encounters increasingly fierce opposition. The power companies have virtually asked for this opposition by the high-handed manner in which they have planned their plant locations and transmission lines in the past without public hearings and with little consideration for the resulting impact on the environment. Nevertheless, the public has an interest in an adequate supply of electricity as well as in an uncontaminated and uncluttered environment.

Mr. White sponsored legislation two years ago designed to give the FPC a larger role in determining the future of the industry. His bill would have required the power companies to disclose their construction plans in advance so that the impact on the environment could be adequately studied and discussed in the planning stage. In case of emergency it would also permit the FPC to override obstructions in local communities in the interests of the general welfare. While recognizing the need for adequate consideration for esthetic and environmental factors, this approach would permit the timely resolution of controversies so as to avoid future power shortages.

The coolness of the power industry toward this bill appears to have kept it in limbo. But the problem remains, and no solution is at hand. In a recent speech Mr. White predicted that the electric utility industry will come to Congress within two years asking for help in its efforts to meet the mounting demands for power. Meanwhile Congress has a responsibility to move ahead on its own with legislation both to protect the environment and to provide an adequate supply of electricity.

[From the Washington (D.C.) Post, July 30, 1969]

ELECTRICAL FAILURES: WHITE WARNS OF RATIONING

(By Robert J. Samuelson)

The outgoing chairman of the Federal Power Commission yesterday warned that the United States may eventually have to ration its electricity.

Lee C. White, leaving the commission after three and a half years, said at his farewell news conference that the country is moving "headlong into a situation where we may not have (enough) electric energy to go around."

The glum prediction came less than two weeks after major East-coast utility companies temporarily asked customers to reduce consumption to prevent a major power failure. The companies said that the combination of some plant breakdowns and high summertime use—especially for air-conditioners—had strained the system almost to capacity.

NOT ALARMIST

White said he was not trying to be an alarmist and hedged his forecast by adding, "I do not see it (rationing) in the near future."

Nevertheless, he repeatedly emphasized that power companies, in an attempt to expand their generating capabilities, are encountering the increasingly strong opposition of conservationists.

Consumption of electricity, he said, increases about 7 percent annually. That figure, compounded over a decade, means a doubling of output every ten years.

"We are now doubling pretty big bases," White commented.

UGLY SIDE EFFECTS

Conservationists object to many of the side-effects of new plants—large, unsightly transmission lines, air pollution, and thermal pollution (for atomic reactors, which must recirculate hot water into rivers and lakes).

White cited power projects in New York, New Jersey, Minnesota, and California that have been stalled by political and legal challenges of local groups.

"When the big units aren't generating, you've got big problems," he said.

Utility companies, White said, must adapt to the new concern for the "environment" by accepting more conservationists into corporate ranks.

White also promoted a bill authored by himself and fellow-commissioner Lawrence J. O'Connor. The bill, now pending before Congress, would empower new regional councils, composed of power companies and state and federal regulatory bodies, to coordinate power development.

Congress, he emphasized, must "provide a

mechanism whereby two social goals (more power and preservation of the environment) can be harmonized."

White will be replaced this Friday when John N. Nassikas, a Republican who recently served as the minority counsel for the Senate Committee on Commerce, is sworn in by Chief Justice Warren E. Burger.

White, a native of Nebraska, will remain in Washington and join a local law firm.

SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE REPORTS STRONG COAL MINE HEALTH AND SAFETY BILL

Mr. RANDOLPH. Mr. President, the Committee on Labor and Public Welfare has unanimously ordered reported a coal mine health and safety bill. It is a strong measure which will do much to improve the working conditions of miners in West Virginia and other coal producing States.

It is the most comprehensive and complex safety legislation presented to Congress in my experience since the first Coal Mine Safety Act of 1941 authorized a modest Federal role in this field of activity. I labored in the House for that 1941 action when a Member of that body. And it was on my motion in the committee yesterday that the new bill was ordered to be reported to the Senate.

Provisions of the measure to be brought before the Senate would bring into the coal mine safety law for the first time requirements for the control of dust in the air which miners breathe. Safety standards for operations in underground mines have been substantially expanded and strengthened; in fact, standards in provisions recommended by the committee are strict. Segments of the coal industry complain that all of the standards cannot be met in all of the mines. In connection with several of the standards, however, the committee version provides periods of time in which producers can make operations adjustments in order to be better able to comply.

This Congress, I forecast, will pass a coal mine bill this session, and I hope the ultimate legislation will emerge as authorization for a strong, realistic, and workable program to enhance miners' health and safety. This is of vital importance to tens of thousands of West Virginians and to many additional thousands of citizens of other coal producing States.

The costs of achieving better health and safety are high, and the cost burdens which would fall on the coal mine owners and operators to meet the requirements of this legislation would be heavy. Higher prices of coal and many other services and commodities probably would be residual developments.

Then, too, the Secretary of the Interior, the Director of the Bureau of Mines, and their subordinates, as well as the Surgeon General of the U.S. Public Health Service and his subordinates, would have assigned to them vastly expanded roles and responsibilities in their administration of new health standards and broadened safety requirements for both underground and surface coal mine operations. This would mean much larger appropriations for bigger Interior Department and Public Health Service operating budgets.

Our committee and its Subcommittee on Labor, on both of which I am the ranking majority member, started work on this legislation in February. In my long legislative experience, I have seldom seen a measure receive the degree of consideration that has been accorded to the bills which have been crystallized into the committee version now in the process of being reported. I attended every hearing and every executive session of the subcommittee and the committee, as did the diligent chairman of our subcommittee, Senator WILLIAMS of New Jersey. All committee members, under the able chairmanship of Senator YARBOROUGH of Texas, were interested and helpful.

CAMPUS DISORDERS

Mr. THURMOND. Mr. President, I wish to discuss a situation that has given me a great deal of concern in recent months; that is, the serious threat to our security presented by certain militant leftist organizations in this country. The most significant and frightening aspect of this problem is the fact that large segments of the population seemingly have more or less adjusted to the outrageous positions taken by these groups and thus have taken a "ho-hum" attitude toward their activities. It is well known that the human animal has extensive powers of adaptation to its environment, and that this ability has no doubt played a major part in helping him to become the most successful organism ever placed on this earth. But in this case, this important device could prove to be very dangerous indeed.

At one time, we were shocked and dismayed to find that any group could be so presumptuous as to actually take over a public institution by force and arms. Mr. President, such an event seldom is deemed newsworthy enough to make front page news. There was a time when anyone making anti-American statements was someone to be scorned. Individuals openly advocate revolution and give counsel on how to bring America to her knees. Such seditious statements are made daily with impunity and we close our eyes and ears and hope it will all go away. Men preach disobedience of any and all laws which one finds personally repugnant, yet some of these men are respected and honored at the highest levels of Government.

In order to bring this matter into a clearer perspective, let us imagine how the liberal press would react if suddenly all the militancy and arrogance came from the right instead of the left. Suppose members of the Ku Klux Klan or the various Nazi organizations began taking over public buildings and traveling throughout the country to foment dissatisfaction and generally stir up trouble.

Suppose they moved onto a college campus with the avowed purpose of closing it down; then they proceeded to occupy the administration building and held it with barricades and arms. Would we then hear from those liberals who have been so conspicuously silent on these matters? What if they urged people to refuse compliance with laws which they consider disagreeable or unduly restrictive? What if they organized crippling strikes to protest such compliance by certain corporations? Suppose they marched down the main streets of our cities wearing white sheets and Nazi armbands, yelling obscenities and carrying offensive signs. Would those affected be so hesitant to call in the police? Would some of my colleagues rush in to demand that their rights of assembly and petition be protected? Would the ACLU leap into the fray with their defense of all civil rights? Would movie stars stage benefits to raise money for the defense of these marchers? I doubt it, Mr. President, and I find this most inconsistent. I would like to make it clear at this point that, contrary to what certain columnists would have you believe, I hold no brief for groups such as I have used in this hypothetical example. I do not support extremists whether they be on the left or the right; but I do think we should consider what the reaction would be if "the shoe were on the other foot," and then wonder why such a reaction is not uniformly applied to all who deserve it.

Mr. President, we have adjusted—we have adapted ourselves to a climate of outrage; and while such a mental defense may salve our already overburdened minds which are assaulted daily with numerous other worries, it presents a serious danger in the long run—the danger of losing our country by default, by acquiescence.

Mr. President, let us not close our minds to these possibilities. We should try to be aware of what is being done to our country. We should look at our future through the eyes of those professional malcontents who would destroy us, for only then will we recapture the disgust and indignation we felt before our minds mercifully blocked it all out. Armed with this, and the patriotic fervor which is ingrained in us all, perhaps we will be able to reverse the alarming trends which now trouble our country.

WESTERN GOVERNORS' CONFERENCE RESOLUTION

Mr. MANSFIELD. Mr. President, it was my privilege on April 18, acting on behalf of the distinguished chairman of the Committee on Banking and Currency (Mr. SPARKMAN), to introduce the National Timber Supply Act of 1969, S. 1832. I am a cosponsor of this bill as are 14 other Senators.

The aim of the bill was to enhance the productivity of our national timberlands through the application of modern management techniques and thus guarantee the supplies of softwood lumber and plywood urgently required to meet the national housing goals of 26 million units established by the Housing and Urban Development Act of 1968.

I was most heartened, last evening, to learn that the Western Governors' Conference in annual session at Seattle, Wash., had unanimously adopted a resolution endorsing the general policy as stated in this legislation and urging its immediate enactment into law.

The significance of this action is that the citizens of the Western States not only face the urgent housing problems apparent in the metropolitan, medium-sized cities, and rural areas throughout the United States, but, perhaps, know

better than most Americans the direct relationship between adequate timber supplies and the production of softwood lumber and plywood needed to build dwelling units.

The Western States contain 57 percent of the growing stock and 72 percent of the sawtimber in the entire Nation. It is in these States where the harvesting and regeneration of our critically needed forest resource will largely be accomplished. These same States now contain 86 percent of the total softwood sawtimber essential for the production of lumber and plywood. Moreover, 79 percent of the national forest land which would be intensively managed under the proposed act is within the boundaries of these States.

The positive approach by the Western Governors to overcoming national housing deficiencies by efficient and productive management of our national timber resource, while providing for the protection and enhancement of other forest values, such as recreation, fish and wildlife, grazing, and watershed, is commendable.

I ask unanimous consent that the text of the Western Governors' Conference resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION FAVORING NATIONAL FOREST TIMBER SUPPLY ACT OF 1969

Whereas the western states and the nation face a desperate need for housing, particularly housing for low and moderate income families; and

Whereas wood products, primarily of softwood species, continue to be the basic materials for residential construction; and

Whereas 60 percent of the nation's softwood timber inventory is on national forests, and concentrated in the western states; and

Whereas the yield from the national forests can be increased by as much as two-thirds by intensive forest management without impairing other forest values such as recreation, fish and wild life, grazing and watershed; and

Whereas the National Forest Timber Supply Act establishes policies and provides funds to improve timber production, while insuring that other multiple-use values of the national forests are protected;

Now, therefore, be it resolved that the 1969 Annual Meeting of The Western Governors' Conference in Seattle, Washington, endorses the general policy as stated in the National Forest Timber Supply Act of 1969 as presently written and urges its immediate enactment into law.

GUN CONTROL NONSENSE

Mr. BENNETT. Mr. President, on Wednesday, July 30, the Washington Evening Star published an editorial appropriately entitled "More Gun Control Nonsense." It rightfully attacks the recommendation of the President's Violence Commission that some 90 percent of the handguns in America be confiscated.

I heartily endorse the editorial and again express my opposition to the registration or licensing of firearms.

Like the Star, I am firmly convinced that the only person who would register or voluntarily give up his firearm is the law-abiding American. We might as well ask all bank robbers to turn themselves in and all narcotic peddlers to appear at precinct headquarters as to ask criminals to register or voluntarily give up their firearms.

The Star does, however, support the approach advocated by several Senators, including myself, of stiff mandatory sentences for persons who use firearms in committing a felony under Federal jurisdiction.

I ask unanimous consent that the Star editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MORE GUN CONTROL NONSENSE

As an introductory note to this editorial comment, an item in the crime news is worthy of attention. On Monday there were 22 armed robberies in Washington. This brought the July total as of that date to 450, compared to 332 armed robberies in all of July of 1968.

In the face of this a task force of the President's Violence Commission (appointed by President Johnson) comes forward with a wacky recommendation. Its proposal is, except in a very small number of cases, that all Americans should be required to surrender any hand guns they own to the government.

Here is the task force's reasoning: This is the only way in which the United States can break "the vicious circle of Americans arming to protect themselves from other armed Americans." Now what does this really come down to? Even the task force, we suppose, would concede that criminals are not going to surrender their hand guns. So what they are saying is that no homeowner, to cite one example, should be permitted to keep a hand gun in his own house to protect himself, his wife, and his children against the night when some armed criminal might break into his home. Their argument is that home owners "may" seriously overrate firearms as a method of self-defense against crime. The "loaded gun in the home creates more danger than security."

This strikes us as blithering nonsense. How many members of this task force have been awakened in the middle of the night by a scream for help by some member of his family? Probably not one. But thousands of Americans are exposed to this dreadful experience every year. And in such a situation what is an unarmed householder supposed to do against an armed intruder? Hide under his bed, and never mind what happens to his family?

The major thrust of this soft-in-the-head report is that the requirement to surrender your hand gun, of which there are an estimated 24 million in the country, would reduce crime. This is absurd, for the criminals are not going to surrender their guns. A better and much more realistic way to deal with this problem will be found in legislation now being considered in Congress.

The intent of this legislation is to provide tough, really tough, mandatory penalties for criminals who use guns in the commission of a felony, such as rape, robbery or burglary. For a first offense the penalty generally favored would be a mandatory jail sentence in a federal jurisdiction, which includes Washington, of from one to 10 years. A judge would be forbidden to suspend this sentence or to make it run concurrently with the sentence for the primary offense. In case of a second offense, much stiffer jail sentences are proposed, and they should be written into law.

A similar bill passed the House last year, but was watered down in the Senate before becoming law. The argument then was that mandatory sentences deprive judges of discretion in imposing penalties. And so they would. But in one week at the time the watered-down bill was passed 17 criminals in this city were found guilty of crimes in which guns were used. In six of these cases, more than one-third, the judge imposed suspended sentences, which means that no jail terms were served for using a gun.

So we say let's make the sentences mandatory. And let's not deprive the law-abiding citizen of hand guns in his own home while the criminal element will remain armed to the teeth.

JOHN CROSBY: IMPRESARIO OF SANTE FE

Mr. MONTOYA. Mr. President, the Santa Fe Opera Co. is one of the wonders of the musical world. Since its first season in 1957, it has established and maintained a reputation as a major source of artistic creativity and innovation. American and world premieres of contemporary additions to the operatic repertory are standard procedure for this troupe of unexcelled standards.

This year's season is no exception. Tonight the company will give the U.S. premiere of "Help! Help! The Globolinks" by the well-known Italian-born composer, Gian-Carlo Menotti. Less than 2 weeks from now, on August 14, "The Devils of Loudon," the first opera of the newest talent of the European scene, the Polish composer Krzysztof Penderecki, is scheduled to have its American premiere at Santa Fe.

The man who has built the Santa Fe Opera Co. "from an experiment to an institution" is John Crosby. For over a decade he has proven himself capable of staging critically acclaimed productions and managing the company with equal competence. Tempering his creative drive with clear-headed objectivity, this remarkable gentleman has insured that the productions his group mounts are a perfect marriage of work and company.

Not even the fire in the summer of 1967 which destroyed the opera house could deter him. The season went on to its completion in the gymnasium of Santa Fe High School. At the same time, Mr. Crosby was working feverishly to transform the catastrophic end of the old Santa Fe Opera House into a new beginning. With the generous assistance of business firms from every corner of New Mexico, as well as donations and contributions from music lovers throughout the world, the Santa Fe Opera Co. opened its 1968 season in a new opera house, larger and finer than the old theater.

For the August issue of High Fidelity/Musical America magazine, Shirley Fleming has written an excellent profile of John Crosby and his accomplishments. The author demonstrates clearly how Mr. Crosby can delineate his purposes and methods with the precision of thought and word that is typical of an astute businessman. A good example of this is the account of why Mr. Crosby chose Santa Fe as the home of his fledgling venture in the 1950's. His reasons are unerringly accurate to those of us who know and love New Mexico's capital city.

He can tell you . . . that Santa Fe was picked as a summer opera site for four reasons: (1) it was a city "hospitable to the arts," very conscious of the culture of the Indians and of Spain and supporting six or seven museums to prove it; (2) it was never a flashy resort town, but appealed to families who might come and stay for a month in

the summer; (3) it is the southernmost cool city; (4) it is within reach of Houston and Dallas.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JOHN CROSBY

(By Shirley Fleming)

John Crosby has probably been described as "elegant" by so many people that one hesitates to trot out the word, but it is unavoidable. The man who is the mastermind behind the Santa Fe Opera Company, which began its thirteenth season last month, is someone whom you couldn't imagine with his sleeves rolled up—though it is obvious that figuratively speaking they must be rolled up a good bit of the time. Only immense toil could achieve what he has achieved—moving "from an experiment to an institution," as he puts it—and if he looks like a board member of a blue-chip corporation, he can also delineate his purposes and methods with the precision of thought and word that is typical of an astute business man. He can tell you, for example, that Santa Fe was picked as a summer opera site for four reasons: 1) it was a city "hospitable to the arts," very conscious of the culture of the Indians and of Spain and supporting six or seven museums to prove it; 2) it was never a flashy resort town, but appealed to families who might come and stay for a month in the summer; 3) it is the southernmost cool city; 4) it is within reach of Houston and Dallas.

Ensconced in an immaculate town house in Manhattan's East Sixties, where the celebrations for Santa Fe go on all winter, John Crosby is more difficult to draw out on the subject of himself. But he will reveal that he is a Yale Music School man who studied conducting with Monteux and got close to opera at the Columbia Opera Workshop. He also admired the work of Leopold Sachse, a stage director at the Metropolitan and New York City Opera (and before the war, head of the Hamburg Opera Company), and it was with Sachse that he founded Santa Fe. "We became very keen on using young talent that was lying idle over the summer. The mid-Fifties were very different from the mid-Sixties in that respect. We talked of starting an opera company, and in 1955 I remember Bill Primrose, the violist, said 'go ahead and do it now.' It was really a professional beginning for me, as well as the company."

SETTING THE PACE

The 846-seat house was built, and the "idle talent" that first summer set the pace for things to come by plunging right into a world premiere—Marvin David Levy's *The Tower*. Since then the repertory has been probably the most consistently adventurous of any company in the United States, averaging a couple of world or U.S. premieres every season, the latter picked from the wide panorama of European offerings. Crosby is responsible, though he tends to play down his role: "A summer season at Santa Fe, contrary to popular opinion, is not John Crosby's list of favorite operas." Just how he and his board of directors come by the frequently brilliant choices (such as Berg's *Lulu*, given its first American performances in 1963, or Schoenberg's *Jacobsleiter*, last summer) is necessarily a little vague, but as Crosby puts it, "You try to keep *au courant*—who's doing what, who's singing what, who's conducting, who's writing." He is entirely candid about limitations, and recalls that after discussing with Schoenberg's widow the possibility of giving the American premiere of *Moses and Aaron* "it became evident to both of us that this was not for Santa Fe." (It was subsequently done by Sarah Caldwell's Boston Opera Company.)

NEW GROUND

Crosby is also quite clear about his company's role in breaking new ground onto which others can later venture, and he deplores the petty spirit of competition which is not unknown among local patriots surrounding various of the major companies. "I will be irate and distressed if I read in some newspaper again, 'why did we let Santa Fe beat us' to this opera or that. I think it's wonderful that operas can be picked up here and then done in other places, and if I were Mr. So-and-So of the X opera company I would damn well let John Crosby stick his neck out on something and see how it worked. It is important that these scores be produced and heard or they can't take their place in the mainstream. Perhaps we can afford to take chances—perhaps the stakes are not so high here . . ."

Although sales at the box office cover only one-quarter of the company's expenditure—and this figure will stand, Crosby says, "as long as we do contemporary repertory, use experimental scenery, have long rehearsal schedules, and make a 'festival presentation' out of the things we give"—foundation grants have materialized in sufficient force to keep the wolf from the door. (Even the destruction of the opera house by fire in the summer of 1967 was, amazingly enough, only a temporary setback; Crosby was on the phone raising money for the new building—successfully—literally before the smoke cleared.) And after being exposed for even a short time to the precision of Crosby's mind, one is inclined to take as understatement his declaration that "We run a tight ship—there's no fat on the budget." With three orchestra dress rehearsals for each opera, plus one "piano dress," it is scarcely surprising that expenses run as high as quality. Meanwhile, Santa Fe makes its contribution to the operatic world at large through its Apprentice Artist program, which gives about forty young singers a forty-hour-a-week season of hard work in learning all aspects of their trade. Some of them go into solo roles in the parent company, and over a hundred have spread out into major companies here and abroad.

What everybody is waiting for this summer at Santa Fe are the American premieres of Menotti's *Help! Help! The Globolinks* and Penderecki's *The Devils of Loudun*. Both are scheduled for this month, and Musical America readers will be hearing more of Mr. Crosby's "tight ship" very happily afloat.

PROPOSED DEPLOYMENT OF ABM SYSTEM

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD a statement prepared by the distinguished junior Senator from Tennessee (Mr. BAKER) and a news release issued by him relating to a poll of Tennesseans concerning the proposed deployment of the ABM system.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BAKER

Recently I conducted a poll in my monthly newsletter pertaining to the proposed deployment of the ABM system. The results of this poll indicate that nearly 80 percent of Tennesseans are in favor of President Nixon's recommendations.

NEWS RELEASE ISSUED BY SENATOR HOWARD H. BAKER, JR.

WASHINGTON.—Nearly 80 percent of Tennesseans favor President Nixon's proposed deployment of the anti-ballistic missiles (ABM) system, according to a poll conducted by U.S. Senator Howard H. Baker, Jr. (R-Tenn.).

The results of the poll were announced today by Senator Baker.

From more than 2,000 replies in the poll, conducted through his monthly newsletter 79.3 percent said they favored the President's plan, 20.6 percent expressed opposition to it.

"Do you favor President Nixon's proposed ABM system?" was the question asked in the newsletter. "Yes" or "no" answers were requested.

"The only question involved at this time is whether the President's proposal is approved or rejected," Senator Baker stated in his newsletter.

A total of 2,105 replies were received. Of that number 1,627 voted "yes," and 424 voted "no."

In addition to those replying directly to the question 54 others wrote that they were not sufficiently informed to make a decision and "will rely on your judgment."

The newsletter goes to Republicans and Democrats in all 95 counties of Tennessee.

Baker has taken a lead in the U.S. Senate in supporting the President's proposal. At the time he took the opinion poll, Baker said, "While I am confident a majority of Tennesseans support ABM deployment, I am interested in the percentage and also in the views of those who oppose it.

"I respect the position of those against the ABM," he said today. "There are sound arguments on both sides of the question. I just happen to believe that the ABM proposal is the answer to the constant threat from our enemies. It is a defensive proposal, not an escalation of offensive weapons, and, in my judgment, will strengthen our hand in peace negotiations."

Many of the replies, on both sides of the issues, to the poll where highly emotional, commenting on their opinions at length, Baker said.

JOHN FRANCIS SONNETT

Mr. DODD. Mr. President, with deep personal regret, I mark the passing of John Francis Sonnett.

As a senior partner of Cahill, Gordon, Sonnett, Reindel, & Ohl, one of Wall Street's most renowned law firms, John Sonnett was an eminent and eloquent member of the American legal community.

As special assistant to Secretary of the Navy Forrestal and as Assistant Attorney General of the United States, Sonnett was a dedicated public servant whose illustrious career touched on many of the most vital issues of the last three decades.

With John Sonnett's death, I have lost a valued friend and a trusted counselor.

Mrs. Dodd joins me in extending heartfelt sympathy to Mrs. Sonnett and the Sonnett family.

INCOME TAX SURCHARGE AND THE NEED FOR TAX REFORM

Mr. KENNEDY. Mr. President, I fully support the provisions of the compromise bill passed yesterday by the Senate for extension of the income tax surcharge through the end of the present calendar year. I commend the distinguished majority leader and the distinguished chairman of the Finance Committee for their leadership in developing this highly satisfactory compromise. In light of the present circumstances, I believe that the compromise is well calculated to achieve our twin goals of bringing inflation under control and

achieving the earliest possible enactment of comprehensive tax reform.

Perhaps the most important single point that should be reaffirmed at this time is our intention to press vigorously for the enactment of comprehensive tax reform. I am especially pleased to note that the distinguished chairman and the Democratic members of the Finance Committee have given their assurance that a tax reform package will be reported to the Senate by the end of October. Indeed, in light of the extraordinary progress that is now being made in tax reform by the House Ways and Means Committee, I am hopeful that the present Senate schedule may be accelerated, so that we may be able to enact tax reform legislation for the benefit of all our citizens at an even earlier date.

The need for tax reform is obvious. In a brief but forceful letter to the editor published in yesterday's New York Times, seven of the Nation's leading economists pointed out that the inequities of our tax system become more acute at times such as today, when taxes are being raised. Public opinion is now rightfully aroused against the injustices of our present system, and I am confident that reform will prevail.

By yesterday's action, the Senate has shown its good faith and cooperation with the administration in carrying out a responsible fiscal policy in the war against inflation. I look forward to the early enactment of tax reform through the joint efforts of Senators, Representatives, the administration, and all other persons so vitally interested in the cause of tax justice.

Mr. President, I ask unanimous consent that the letter to the editor to which I referred be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the New York Times, July 31, 1969]

SURTAX SUPPORTED

As economists, many of us are concerned about inflation and support the tax surcharge and its extension as requested by the Nixon Administration. Many of us are also concerned about inequities in the tax structure and the urgent need for tax reform.

We believe that these two goals are not in conflict. Recent Congressional action extending the surtax withholding rate, but not the surtax rate itself, makes it possible to have serious discussion and legislative action on tax reform, and at the same time to provide responsible anti-inflationary fiscal policy.

When taxes are being increased, the injustices of the existing system become more acute, and therefore responsible public opinion is rightly concerned with the inequities of the present tax system.

In periods of stable or declining tax rates, reform is all too readily delayed, as in 1964, when public support melted away under the intense lobbying of economic pressure groups. Therefore we favor continuation of the surtax withholding rate for a period sufficient for Congress to consider and enact tax reform. [Editorial July 30.]

E. CARY BROWN, ARNOLD C. HARBINGER, WALTER W. HELLER, EDWIN KUR, WILLIAM D. NORDHAUS, JOSEPH A. PECHMAN, PAUL A. SAMUELSON,

Cambridge, Mass., July 28, 1969.

CBW NOT MORE HUMANE—NEED TO RATIFY GENEVA PROTOCOL OF 1925

Mr. PROXMIRE. Mr. President, in 1926 the Senate, despite the favorable report of the Foreign Relations Committee, referred the Geneva protocol of 1925, banning chemical and biological weapons back to the committee after a brief debate. That debate took place some time ago, and in view of the alarming proliferation of these weapons, it seems worth our while to reexamine the arguments used against them, to determine whether these arguments are as accurate now as they seem to have been then.

A major argument set forth against the Geneva protocol, was that poison gas was in fact a more humane weapon of war than conventional explosives. Senator Wadsworth, one of the protocol's most vocal opponents, stated that:

We have the information now complete, based upon facts that are incontrovertible, which indicates very, very clearly that, compared with other weapons used in warfare, gas is the least cruel, not only in its effect at the time of its use but in its after effects.

The Senator cited figures indicating that deaths due to gas in World War I were proportionately less numerous than those from other weapons.

Whether or not we agree that the chemical weapons available at that time were more humane than conventional weapons, Mr. President, the fact is that the state of the art and the state of the world have both changed since the time this argument was originally made.

The Senators debating the protocol in 1926 were speaking of gas weapons that pale in comparison with the ones we have developed since. We would be hard put to come up with casualty figures like those Senator Wadsworth cited when we have gases minute quantities of which kill instantly on contact.

At that time, too, the world had not seen biological weapons used in warfare and the Senators had no reason to conceive of the supervirulent weapons that exist today.

More important, Mr. President, not only have the weapons changed since the time this argument was made, but the context in which they are used has been drastically altered as well. Modern, worldwide war, in which noncombatants suffer heavily along with combatants, was nothing new to the Senators debating the Geneva protocol. But with the advent of nuclear arms—which these men did not foresee—has come the era of total war, in which there is no combatant-noncombatant distinction and vast numbers of people can be eliminated indiscriminately. The modern chemical and biological weapons and their delivery systems are very much a part of this warfare.

The senatorial opponents of the Geneva protocol in 1926 may or may not have been right in their time, Mr. President, but I submit that generally speaking today, the use of chemical and biological weapons is not more humane than conventional weapons.

This, as I hope to demonstrate in the future, is only one of a series of arguments used in 1926 that are inapplicable today. If these arguments are insufficient today, Mr. President, then the only obstacle to our approval of the Geneva protocol is our own apathy. And CBW is far too important a matter to ignore through apathy.

COAL MINE HEALTH AND SAFETY BILL

Mr. WILLIAMS of New Jersey. Mr. President, it is a proud moment for me to announce to the Senate that yesterday the Committee on Labor and Public Welfare by unanimous bipartisan record vote, ordered the strongest coal mine health and safety bill in the Nation's history reported to the Senate.

As chairman of the Labor Subcommittee, I will shortly be introducing a clean bill and an accompanying report. I hope that the Senate will be ready for action on the measure when it convenes after Labor Day.

It has been said that the Coal Mine Health and Safety Act is aimed at a relatively small segment of the industrial health and safety problem. In terms of the number of deaths and injuries each year this is true, in terms of the numbers of hard-working men who will be protected, this is true; however, in terms of the size of the problem we are attacking, and more importantly in terms of the debt we individually and as a nation owe to our coal miners, no statement could be more misleading. Day after day and year after year tens of thousands of men go down into the mines to bring forth the coal which provides the energy to heat our homes, to keep our wheels of industry spinning.

With its small numbers, coal mining had one of the highest fatality rates of any industry in the United States last year. The odds were 500 to one that a coal miner would be killed on the job. If the miner managed to survive the roof falls, the electrical hazards, the explosions, the fires, the mine inundation, he would go home at night knowing that with each breath he took in the mines, he was inhaling more and more of the deadly coal dust, more and more of these invisible particles of dust which cause black lung, which brings 20 years of breathlessness and ultimately death to thousands of our miners.

This bill not only is a hallmark for coal miners, it would represent a major victory for all workers.

Only 1 month ago, the Senate passed the Construction Safety Act which is now awaiting the President's signature. Later on in this session the Senate, I hope, will begin consideration of the omnibus Occupational Health and Safety Act, on which the Labor Subcommittee will soon begin hearings.

I am proud to be the sponsor of each of these three pieces of legislation. I am even more grateful for the opportunity, as chairman of the Labor Subcommittee, to be the floor manager for each of these three acts. Most important, however, I am honored to be a Member of the Senate and the Congress which has

recognized its obligation to protect the health and safety of America's working men.

I would certainly like to commend most sincerely the diligence and interest displayed by the chairman and my fellow members of the Labor and Public Welfare Committee during the deliberations on this bill. Their untiring efforts played a major role in reporting this historic measure.

LAKE SUPERIOR

Mr. NELSON. Mr. President, one of the key tests of our willingness in this country to deal with pollution problems is now underway for Lake Superior, the third largest body of fresh water in the world and the last pure Great Lake. A news report in The Trail, published by the National Audubon Society and the North Central Audubon Council, does a good job of putting the Lake Superior situation in perspective, and I ask unanimous consent that it be printed in the CONGRESSIONAL RECORD at the end of these remarks. As I have pointed out on a number of occasions, all sources of pollution of this lake could readily be dealt with if the Governors of Wisconsin and Minnesota would request the Secretary of the Interior to include intrastate pollution under the jurisdiction of the enforcement conference on the lake. Without such a step, there is a real danger that nothing will be done about major pollutants such as the 60,000 long tons of taconite tailings now being dumped into Lake Superior every day.

There being no objection, the news report was ordered to be printed in the RECORD, as follows:

LAKE SUPERIOR—"BEGINNING WRINKLES OF AGE . . ."

Lake Superior is showing the "beginning wrinkles of age". So said A. F. Bartsch at the water pollution enforcement conference in Duluth, May 13–15. Bartsch, director of the Pacific Northwest Water Laboratory, testified that Lake Superior is in the early aging process since its formation 12,000 years ago, and has "admirably withstood the pressures of time." He cautioned, however, that this greatest of the Great Lakes is not immune to the euthrophication (aging) process.

The conference, called by former Interior Secretary Udall, was one of the most controversial of such conferences conducted by the Federal Water Pollution Control Administration, largely because of the activities of one company. The company is the Reserve Mining Company at Silver Bay, Minnesota. The activity is the discharge of approximately 60,000 long tons of taconite tailings per day into Lake Superior. Evidence indicates that this pollutant, which can remain in suspension for long periods of time, reduces the abundance of fish food organisms and in so doing has a deleterious effect on the ecology of at least a portion of the lake.

Chairing the conference was FWPCA's new and youthful commissioner, David Dominick, who at one point disallowed new data that showed tailings in Wisconsin waters (which would have demonstrated interstate pollution), but later was forced to allow such data to enter the record for official consideration by the conferees from the water resource agencies of Michigan, Minnesota and Wisconsin.

A frightening point was made by Edwin Geldreich, of the U.S. Public Health Service, when he said that the minute taconite tailings could serve as vehicles for the spread of disease producing microbes, although evidence on this point is not complete.

Pollution by metals is an especially dangerous threat in Lake Superior because of the very soft water which seems to increase their toxicity. For this reason, concentrations which would allow life in other waters are not acceptable in Lake Superior warned Dr. Donald Mount, director of FWPCA's water quality laboratory in Duluth.

The conferees are now studying the testimony and will reconvene in executive session at a later date. One discouraging note in the conference: both the Minnesota Pollution Control Agency and the Minnesota Conservation Department turned out to be the chief apologists for Reserve Mining Company. This was perhaps balanced by an encouraging note: The Army Corps of Engineers does not propose to act on revalidating Reserve's permit until the results of the conference become available and definite recommendations are received from the Interior Department.

SENATOR SCOTT TESTIFIES BEFORE HOUSE SELECT SUBCOMMITTEE ON EDUCATION ON BEHALF OF AFRO-AMERICAN HISTORY AND CULTURE BILLS S. 14 AND H.R. 3295

Mr. CASE. Mr. President, on Monday, July 28, Senator SCOTT appeared before the Select Committee on Education of the House Education and Labor Committee in support of legislation to establish a Commission on Afro-American History and Culture (H.R. 3295 and S. 14). I cosponsored S. 14 when Senator SCOTT introduced it on January 15 of this year.

I ask unanimous consent that the testimony of Senator SCOTT on behalf of this proposed legislation be printed in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR HUGH SCOTT, REPUBLICAN, OF PENNSYLVANIA, BEFORE THE SELECT COMMITTEE ON EDUCATION, HOUSE EDUCATION AND LABOR COMMITTEE, JULY 28, 1969

Senator SCOTT. Thank you, Mr. Chairman and gentlemen of the committee. I appreciate your kindness in calling upon me at this time. We seem to be at a point of indicating our various origins, and I may add that I am of Scottish, Welsh, Irish, English "infraction" and I find no longer any need for the defense of any of these minorities in the United States. I am not going to expend sympathy upon the Irish, because they have done very well in this country and they began by being policemen, keeping all the rest of us in order, and they moved from there to the highest of all possible posts which can be held.

I think the distinction has been well made by Dr. Wesley that the Negro's physical visibility is what has contributed so much to his relative political invisibility because he was the victim of decisions made as far back as the second of July 1776, when the drafters of the Declaration of Independence left out of that draft Mr. Jefferson's emotional and moving paragraph in condemnation of slavery, and in 1784, when the State of Virginia, by three votes, defeated Mr. Jefferson's provision in the draft of that constitution abolishing slavery in that State by 1800.

I think the history of suppression and history of disadvantage and inequality is all well known and is certainly to be found in many of our history books; but the history of achievement, contribution, and participation and the history of rising aspirations is not yet a part of that American history commonly taught at all levels in all of our educational institutions; and therefore I am pleased to appear today in support of the bill to establish a Commission on Afro-American History and Culture.

I may add that my first appearance before this committee was in 1943, where one of the members of the committee from Texas made the same arguments I have heard here today precisely. After 26 years I am overwhelmed by reminiscence.

This commission would be composed of 22 members appointed by the President who would be authorities on African-American history, American history, education, journalism, communications, and other related fields.

I was very encouraged last year by passage of this proposal by the House of Representatives and a subsequent favorable report by the Subcommittee on Arts and Humanities headed by Mr. Pell. The imminence of adjournment prevented the Ninetieth Congress from completing action on the proposals.

During the first month of the Ninety-first Congress, I again joined with the distinguished member of this committee Representative Scheuer in this effort by introducing in the Senate an identical bill, S. 14.

The void in recorded American history created by the inadvertent "conspiracy of silence" about the black American is now pretty well known. I have watched with growing pleasure some overt steps by our communications media and educational institutions to fill this void. For example, Newsweek magazine on June 30 featured on its front cover six black faces and its third report on the Negro in America since 1963. This latest report is entitled "Report from Black America."

As I look over the newspapers, I see advertisements of books responding to the "demand for Negro history." I see feature stories about historical landmarks made by black Americans such as the Frederick Douglass Institute here in Washington. I see a pictorial and easy portrait series entitled "They Had a Dream" in the Washington Evening Star, which digests the lives of little-known black Americans such as a celebrated conductor, Dean Dixon; a black Catholic Bishop, James Augustine Healy; an inventor, Elijah McCoy; B. O. Davis, Sr., a U.S. Army General; Bill Picket, the cowboy who invented the rodeo sport bulldogging, and many more.

There has been a great stirring within the academic community toward teaching black history—partly in response to student demands. Academic institutions such as the National Endowment for the Humanities and the American Association of State Colleges and Universities are rousing activity in the area of ethnic teaching and knowledge. Recently the Ford Foundation announced a series of grants to colleges and universities totaling more than $1 million for the development of Afro-American studies.

However, the May issue of The School Review, a University of Chicago Department of Education quarterly publication, contained an article by Professor Mark M. Krug which concluded that the role of the Negro in recorded American history is still "incomplete and often distorted." The time is ripe for national leadership to foster better understanding and knowledge of the black experience, heritage, and contributions to our total society.

I believe a Commission on Afro-American History and Culture, such as that proposed in the bill before you today, could coordinate intercultural programs of foundations, educational institutions, and the news media and help bring them to public attention.

Therefore, Mr. Chairman, I urge favorable action on H.R. 3295, which will establish a

Commission on Afro-American History and Culture to make a comprehensive study of all proposals designed to create better knowledge of the black experience and its influence on today's American society.

I would like to conclude with a plea that action on this bill and I hope action in the other body will likewise be motivated by bipartisan concerns.

The quiet whispers against legislation of this sort usually turn on the question of political advantage, and we might as well bring it to the surface and expose it. We can either admit or deny political advantage as our own convenience advises us. I can only say that when I came to Congress, the proportion of Negroes in my district was 1 percent, and my support of civil rights measures, beginning with HEPC, has been constant and I am proud of this.

To knock down any feeling that the bill is regional or political, I think the greatest possible cohesiveness from both sides of the aisle would offer this kind of legislation its best chance for adoption.

Therefore I think it is extremely important that all of us seek to avoid the sheer, stark outlines of political opportunism or of a person's seeking publicity for the sake of alerting one minority to the fact that there is concern for it.

The concern exists whether minorities are alerted or not. They do not need to be alerted. They were never more aware than they are today for the necessity for the elimination of those last areas of discrimination or those enclaves of apathy, those pockets of indifference which themselves contribute to the frustrations, and the frustrations in turn contribute to civic confrontations.

So I think what you are doing here is the laying of some bricks in the wall of the American determination to establish that what the Constitution said, what the Declaration of Independence said is truly being given an opportunity to enter the field of reality. Therefore, I am very pleased to support the bill and urge the favorable action of the committee. Thank you, sir.

PEACEFUL USE OF THE SEABEDS

Mr. HATFIELD. Mr. President, at a time when reductions are being called for in defense expenditures and the emphasis the United States is placing on matters of military procurement, the recent statement of the Defense Department before the Senate Foreign Relations Subcommittee on Ocean Space cannot be met with anything but dismay. The implication of Assistant Secretary Nutter's statement decrying a prohibition of the use of seabeds for other than peaceful purposes and labeling it as neither feasible nor desirable is that plans are already underway by the Defense Department for the expansion of defense facilities beyond the territorial waters of the United States.

Such a claim is not only appalling when the goal of the United States is being announced as one of peace, but it indicates an unwillingness on the part of our Nation to turn attention to the begging problems on the homefront at the abandonment of current levels of defense spending, and, with the Soviet Union, to establish a mutual agreement for the solely constructive use of the earth's one yet undeveloped resources.

In the United States alone $80 billion was spent last year on defense, while considerably less than that amount went to meet all domestic programs of our Nation. Health services remained wanting, housing inadequate, social security benefits insufficient, educational opportunities limited, transportation facilities crowded, pollution problems burgeoning, and natural resources unattended. Such an imbalance in resource allocation would seem to indicate that the last investment our Nation needs to consider is the expansion of military installations and fortifications to the world's seabeds.

It is my opinion that scrutiny needs to be given the proclamation of Mr. Nutter, and that of Gerard C. Smith, Director of the U.S. Arms Control and Disarmament Agency, who indicated at the May disarmament conference at Geneva that the United States would oppose the Soviet proposal to limit the use of seabeds exclusively to peaceful purposes.

Each day an estimated 10,000 people in the world die from undernutrition and malnutrition, while the Department of Interior conservatively estimates that the food potential of the sea can supply minimal animal protein needs for twice the present world population.

In addition to the protein potential of the ocean environment lies unrefined plenty in terms of petroleum, minerals, chemicals, and even possibilities for improved weather forecasting.

It is my firm conviction that the United States needs to re-examine its posture on the use of ocean resources. As inviting as the threshold to the moon is that beyond the shores of the world's continents, which through cooperative, international development could enhance the lives of men around the globe.

THE PESTICIDE PERIL—XXXVII

Mr. NELSON. Mr. President, a witness before Senator WALTER MONDALE'S Subcommittee on Migratory Labor revealed this morning that—

Fifty million pounds of a pesticide originally developed in World War II as a German Nerve Gas are being spread unchecked on America's farms and gardens. The result is that uncounted thousands of the nation's migrant farm workers, farmers and suburban homeowners have been fatally overcome or seriously disabled.

The testimony of Jerome B. Gordon, president of Delphic Systems & Research Corp., in New York City, adds a new dimension to the current controversy over the use of persistent, toxic pesticides. Farm workers are daily exposed to hard pesticides at levels believed to be hazardous to human health, yet efforts to protect them are virtually nonexistent.

Last fall the U.S. General Accounting Office reported there was little effective compliance action on regulations set by the Federal Insecticide, Fungicide, and Rodenticide Act, and there was no request for prosecution by the Justice Department in 13 years, despite the existence of repeated major violations.

The seriousness of the lack of enforcement of the few regulations we now have is alarming when reading reports in the November 1968 issue of Mayday of actual pesticide poisonings. In 1963 a heavy spraying of the pesticide parathion on a peach crop in California caused an outbreak of poisoning which resulted in one death and hospitalization for many others. It was eventually discovered that the real cause was the presence of a compound derived from parathion, but considerably more toxic which was carelessly identified simply as parathion. More recently, just in the past 18 months in California there have been six deaths among farm workers due to accidental pesticide poisoning.

And evidently, pesticide poisoning is not just limited to the workers. The California Department of Public Health last summer declared the local water supply in Delano unfit for the consumption of infants below the age of 6 months, because of the heavy presence of nitrate residues from the applications of fertilizer to the crops in the fields.

I ask unanimous consent that the press release issued by Delphic Systems & Research Corp. regarding Mr. Gordon's testimony and also the article from Mayday on pesticide contamination be printed in the RECORD at this point.

There being no objection, the press release and article were ordered to be printed in the RECORD, as follows:

"Fifty Million Pounds of a pesticide originally developed in WW II as a German Nerve Gas are being spread unchecked on America's Farms and Gardens. The result is that uncounted thousands of the nation's migrant farm workers, farmers and suburban homeowners have been fatally overcome or seriously disabled." This is one of several allegations made in a statement by worker safety advocate Jerome B. Gordon in testimony released today at a Hearing in Washington held by the U.S. Senate Sub-committee on Migratory Labor, headed by Sen. Walter Mondale of Minn.

The pesticides in question derived from German nerve gas research, are called organic phosphors and appear under such trade names as Parathion, Methyl Parathion, TEPP, and in less lethal dosages, as Malathion. They are first cousins, chemically, to the nerve agents GB and VX involved in the current chemical and biological warfare controversy.

The odorless, colorless liquid or powder form of the pesticide is so powerful that a minute amount—less than .00424 of an ounce, swallowed by a human is fatal in less than five minutes! Even under ideal conditions, continued cumulative exposure can result in disabling partial paralysis and mental debility.

Both the organic phosphor compounds and the war gas nerve agents GB and VX use the same "kill mechanism." They prevent the manufacture of enzymes which carry body "messages" controlling respiration. In other words, victims simply suffocate. Early symptoms include pinpointing of eye pupils, tightness in the chest, convulsions, paralysis and finally respiratory failure. Even more insidious is that less than lethal dosages of the pesticides have syptoms resembling the onslaught of an attack of flu!

Mr. Gordon further contends that the occupational and general health danger from insecticides such as Methyl Parathion, Parathion and Malathion could ironically increase in the future, with the probable banning of persistent insecticides such as DDT and DDD by many states and the federal government. To quote Mr. Gordon; "This bizarre situation is the product of an unwieldy and unresponsive federal and state pesticide regulatory program that has permitted the increased production and use of these deadly nerve agents, but has not subsidized the development of more selective and less toxic substitute pesticides by the U.S. agricultural chemical industry even in the wake of the pesticide crisis raised by the publication of

Rachel Carson's book, the "Silent Spring" in the early nineteen sixties."

"The situation is not helped any by the facts uncovered by pesticide researches of the existence of more toxic "frankenstein-like" compounds evolved from excessive and frequent application of organic phosphor pesticides. One of these derivative compounds, Paraxon has 2 to 3 times the toxicity of Parathion."

Citing specific instances of pesticide poisoning and government research findings, Mr. Gordon goes on to state that "we are not counting over one hundred thousand cases of pesticide poisoning and several hundred fatalities annually. This anomolous situation is the product of: a) the fact that physicians frequently mis-diagnose deadly Parathion poisoning as "flu"; b) persons directly affected by exposure to potentially fatal organic phosphor pesticide poisoning are least well informed about the potential hazards; c) pesticide poisoning is not a recordable occupational disease event in most states."

Major victims of this state of affairs, according to Mr. Gordon are the nation's migrant farm workers. "These people are prey to the most unspeakable of occupational health hazards—death through nerve gas asphyxiation, and yet they are unprotected by safety legislation in all states save California. They have no recourse to workmen's compensation medical and income benefits in almost two thirds of our country and they can't even inspect public records in states where they exist like California to ascertain whether existing pesticide rules have been violated." It is astounding to think that the U.S. Department of Agriculture spends over $132 million on pesticide-related research, while allocating less than $160 thousand annually for pesticide safety and not even include farm workers in any of the programs. It is almost beyond comprehension that within the highly subsidized American agricultural business that there is outright refusal on the part of embattled grape industry to "bargain" on control of pesticides in the fields with the grape workers.

"Part of the problem, Mr. Gordon suggests, is the non-think attitude of the Agricultural Chemical Industry. In their zeal to become a $3 billion industry by the mid-seventies, they have proliferated an uninformed agricultural service superstructure—signified by the appearance of pesticide "detail men" in major commercial growing areas in this country. The net result has been the proliferation of sales of less than effective but highly toxic pesticide formulations to applicators and users. This can be seen in the fact that average consumption of pesticides per farm acreage has trebled in volume over the period from the mid fifties to the late sixties. In the case of the highly toxic organic phosphor pesticide Parathion, this has resulted in an increase in production volume of 188 per cent over the seven year period from 1960 to 1967. Industry consultants expect this rate of increase to be maintained into the seventies."

Among the possible remedies recommended by Mr. Gordon in his testimony are the following:

1. A phased ban of the use of organic phosphor pesticides.

2. Federal subsidization of the development of new families of selective less toxic pesticides as substitutes for the broad spectrum organic phosphors.

3. A minimum of a ten fold increase in the funding of Department of Health, Education and Welfare Pesticide Research and Surveillance Programs from its present level of less than $2 million annually.

4. Enactment of a special workmen's compensation program for the nation's farm workers to provide adequate medical and income benefits to fill-in present non-existent protection against the hazards of work in the nation's fields and vineyards.

5. Revision of the existing federal pesticide regulatory legislation to shift the present responsibilities split between the U.S. Agricultural Research Service and the Food and Drug Administration into a proposed executive level environmental health protection agency.

6. The earmarking of Department of Defense C.B.W. defensive systems research and development and procurement funds to serve the dual purposes of protecting the nation against the very slim likelihood of chemical warfare attack and the nation's farm workers, farmers and suburbanites against the very strong possibility of pesticide poisoning of ourselves and our environment.

Mr. Gordon is President and founder of the New York-based policy research consulting firm, Delphic Systems and Research Corporation. Mr. Gordon has authored a number of articles on worker safety and health and collaborated in the preparation of one of the strongest versions of the Coal Mine and Safety and Health Act of 1969, co-sponsored by Rep. Ken Hechler of W. Virginia and Sen. Harrison Williams of New Jersey.

Mr. Gordon is a resident of Ossining, New York and a native of Lynn, Mass.

PESTICIDES: SLOW OR SUDDEN DEATH FOR CALIFORNIA FARMWORKERS

Three months ago a group of Cuban refugees escaped to the U.S. on a Soviet-built Antonov crop-dusting aircraft. When the plane touched down in Florida, it was immediately quarantined by Federal immigration and Florida State Health officials and returned to Cuba the following day. The passengers in the aircraft emerged retching and vomiting and were rushed to nearby clinics; they had been made ill by the noxious pesticide parathion that was all over the aircraft.

In 1965 twenty eight persons in San Diego, Calif., were poisoned by the pesticide diazinon which accidentally contaminated doughnut mix in a local bakery.

In 1967, in nearby Tijuana, Mexico, 17 persons were fatally poisoned and 300 were reported ill when parathion was carelessly spilled on a truck which was later used to transport confectionery sugar.

But the worst disaster from pesticide contamination of food occurred in Colombia last year: 77 people fatally poisoned, 146 were hospitalized and upwards of 600 were reported ill from flour contaminated by the traces of parathion spilled on the floor bed of a truck used to transport the flour.

On September 10, the U.S. General Accounting Office issued a report on regulatory enforcement of the Federal Insecticide, Fungicide, and Rodenticide Act. The substance of the GAO review was that there was little effective compliance action and no request for prosecution by the Justice Department in 13 years. "This was true," the GAO found, "even in instances where repeated major violations of the law were cited by the Agricultural Research Service [of the Department of Agriculture] and when shippers did not take satisfactory action to correct violations or ignored ARS notifications the prosecution was being contemplated." ARS conceded the truth of the GAO's charges.

As usual the GAO report was hardly noticed. Little action has been taken since Rachel Carson's *Silent Spring* raised important public health issues in 1964 and the chemical-agri-business bloc squelched them before fundamental, enduring reforms were developed.

While regulations exist in this country for registration, dosage limitations and residue tolerances, violations or misapplications can have tragic consequences reaching far into the lives of an affected people. Farm workers in California know this to be true:

In August and September of 1963 an outbreak of pesticide poisoning among 94 peach harvesters was traced to the residues on the foliage of the orchard in which they were working. The cause of poisoning was the amount of parathion applied and not the premature entry into the orchard by the harvesting crews according to the California Department of Public Health. (California law stipulates a waiting period between the application of a pesticide and crop harvest so that the chemical will have deteriorated to the point where residue on the fruit are within "safe" limits.) The final cause was determined to be the presence in the spray residues of a compound evolved from parathion alteration which was considerably more toxic than parathion; but it was identified by routine analysis simply as parathion. The mishap resulted in one death and lengthy hospitalization for many others.

It is difficult to work through bureaucracies for compliance of existing safety standards—and next to impossible to campaign politically for additional safeguards. A case in point is the recent experience of Cesar Chavez and his United Farm Workers. Over the past 18 months in California there have been six deaths among farm workers due to accidental ingestion of pesticides mistaken for water or wine. Some of the pesticides were improperly stored in empty plastic bleach containers. The bottles were either mislabeled—or the workers, many of whom cannot readily read or write English, misunderstood the labels. This is in spite of the fact that California State Safety Orders explicitly require farm operators to properly inform farm workers of hazards, even for workers who do not understand English.

This summer, as part of their organizing operations, the United Farm Workers Organizing Committee sent legal aides into the fields to get affidavits from the grape-pickers about specific instances of pesticide poisoning. The affidavits—as well as information in the application and use registers kept by the State County Agricultural Commissioner's office—would have revealed the extent of possible violations of State pesticide standards.

The information is presumably open to the public, and the Farm Workers requested access to the records through the Kern County Agricultural Commissioner. They were summarily informed they could not obtain access to such information; two hours after their appearance at the Commissioner's office an injunction was issued by the Kern County Court barring them from looking at the records.

A hearing is under way to determine the legality of that move on the part of the State agency.

Chavez's troubles are not limited to the effects of toxic pesticides on his workers, but also involve the pollution of the local water supply beyond the tolerance of even the most moribund suburbanites. Last summer, the State Department of Public Health condemned the use of the local water supply in Delano for the consumption of infants below the age of six months. The ground water supply—the major source of supply for the water system in the Delano area—is loaded with nitrate residues from the applications of fertilizer to the crops in the fields surrounding the Delano area. Nitrates are normally tolerable in the digestive systems of children and adults beyond the age of one year; but to infants below one year of age—and particularly to infants during the first six months of life—the residues are highly toxic.

AMERICAN BABY FOOD POISONS EUROPEAN INFANTS

Prof. Barry Commoner, of the Washington University in St. Louis, recently reported on the increasing incidents of nitrate poisoning uncovered by European public health officials among infants traced to the consumption of unrefrigerated American-processed baby food.

Chavez's people now are forced to purchase bottled water for their children. On an average income of $1,232 per year for farm

workers, buying bottled water—for which local public officials provide no funds—can be an intolerable necessity.

Large scale grass roots efforts aimed at controlling the spread and use of pesticides have met with something less than success in California. In 1964, a petition banning the use of most pesticides in California's agriculture failed by only a few thousand signatures to reach the ballot. The Brown administration—in the wake of the 1962 peach harvest debacle—tried to avoid the problem by appointing a commission to investigate and report on recommendations for regulating the use of pesticides. The Reagan administration has done nothing to expand significant control over the registration and use of pesticides in California; and Reagan may even dismantle existing machinery for doing the job.

In California, fruits and vegetables, not cheesecake on the silver screen or the esoteric production of integrated circuits for complex electronic gear, is the leading industry. Production of table grapes is a billion dollar industry. Over one hundred million pounds of pesticides—twenty percent of the nation's total—are used in California's agribusiness. Not so surprising, the agricultural industry has the highest occupational disease rate—over fifty percent higher than the industry in second place and almost three times as high as the average rate for all industries in the state.

Pesticide poisoning is high among the most serious causes of fatal and non-fatal occupational diseases. The number of doctors' reports involving pesticides and other agricultural chemicals have doubled since 1951 and in California have ranged from 800 to 1,100 reports annually. Over the ten-year period from 1955 to 1965 about one occupational death from pesticides has been reported for each 100 reports of occupational poisoning from these chemicals. The villains in these cases are the familiar family of phosphate ester pesticides—parathion, phosdrin and thimet, demeton and tetraethyl pyrophosphate (TEPP). The wonders of chemical technology have made the unit costs of these pesticides so cheap that, for example, $5 worth of parathion is sufficient to cause the death of seven thousand people if dispensed without proper controls.

The growth and use of pesticides in this country has been enormous. More than 650 varieties have been invented over the last quarter-century. These new chemical compounds, as well as several others, have been formulated into 60,000 trade names. About 59 percent of the pesticides used are insecticides, 15 percent fungicides, another 15 percent defoliants and herbicides, ten percent fumigants and one percent rodenticides. In contrast to many areas of the world, only one percent of all pesticides produced in the United States are used for control of diseases, such as malaria. By far the greatest use of pesticides in this country is in commercial agriculture.

While farm workers in California are exposed to considerable risk of pesticide poisoning, the most formidable record of occupational disease and injury is in the agricultural aircraft industry. Pesticides are applied by air to half of the acreage treated in California.

The complement of 1,000 agricultural pilots apply about 10 to 15 percent of the nation's pesticides, at a considerable price. One pilot is killed in an air accident for each million acres treated. In addition to having the highest fatal injury rate of any occupation in California, over half the disabling work injuries are due to pesticide poisoning. For most other industries the occupational disease injury rate is five percent or less of total work injuries. However, considering the amount of pesticides and other agricultural chemicals used by this group, the cost in occupational disease is considerably less than among farm workers and ground applicators who apply the other half of these chemicals.

The frequent victims of pesticide poisoning are children. In the period from 1951 to 1965, roughly 60 percent of the accidental deaths attributable to poisoning from pesticides in California were among children. The most frequent causes for this toll are the improper safeguards—in the private home or farm—for the storage of pesticides and the contamination of clothing by adults in the household or on the job who apply the chemicals. Two incidents drawn from the annals of the California Department of Public Health files are representative:

An 18-month-old child of an agricultural aircraft pilot was found at home in a state of acute respiratory distress, semi-conscious and with "pinpoint" pupils of the eyes. She was rushed to a local hospital and treated by a physician for severe organic phosphate poisoning. Fortunately, she recovered. On the morning of her illness, her father had come home after applying a highly toxic phosphate ester pesticide. He cleaned his boots with paper towels, threw them in a nearby wastebasket and put his boots in the bathroom. The child contracted the poisoning from either the boots or the paper towels.

A 4-YEAR OLD DIES IN 20 MINUTES

In the second instance, a group of families, with children, were picking berries on a farm. They were followed by a spray rig carrying a five gallon tank of TEPP concentrate. A four-year old girl sampled the can, which her older brother had opened. She died in twenty minutes.

Because of readily available supplies of pesticides for both commercial and private use, suicide and accidental deaths from pesticide poisoning is an increasing problem. While only 13 percent of pesticides are used in the home for pest control, 50 percent of all accidental deaths and suicides, traced to pesticide poisoning, are from non-agricultural uses of pesticides. For example, in just one of Florida's 67 counties there were eight accidental and five suicidal dealths from phosphate pesticide poisoning in 1963 alone.

California is better than most states in the regulation and use of pesticides; but the form of regulation leads to abuses by special interest groups that have severely weakened the national pesticide regulatory program and have blocked efforts to seek increased protection of farm workers.

The four-part regulatory structure consists of: a) registration or licensing of pesticide products; b) licensing of agricultural pest control operators; c) the registration and use, by permit, of injurious materials such as the highly toxic phosphate ester pesticide family; d) sampling of crops for pesticide residue inspection. As in the federal program and some other state programs, the responsibility for regulation of pesticides is in the hands of the Department of Agriculture and, in the case of California, the County Agricultural Commissioner.

GOVERNMENT IGNORES MOST PESTICIDE VIOLATIONS

With the exception of registration, testing and evaluation of specific pesticide products, the California program is effectively run by the County Agricultural Commissioner. For example, an agricultural pest control operator must register with the Commissioner in each county in which he does business and supply a monthly report of his operations in the county. The Commissioner also issues licenses for agricultural aircraft operators and administers special examinations for agricultural aircraft pilots. Most important, the Commissioner issues permits for the use by farm operators of chemicals registered by the California Department of Agriculture as injurious materials. These include the toxic phosphate ester family of pesticides and 14 other pesticides.

The State Department of Agriculture, to ensure quality control over application of pesticides, inspects and analyzes samples of fruits, produce and meats in wholesale marketing distribution facilities to check on pesticide residues on food offered for sale in the State. The U.S. Food and Drug Administration does the same thing in interstate traffic. Tolerances for pesticide residues used in California are the same as those developed by the Federal Food and Drug Administration.

These tolerance levels are set for the particular crop and practically none are developed for the foliage on which the crop is grown. The outbreak of pesticide poisoning among the 95 peach harvesters in California in 1963 was traced to excessive application of parathion on the foliage, *but not the crop.*

The effectiveness of this program of regulation by state and federal agricultural authorities has come under serious attack recently in a salient area—registration, evaluation and testing of pesticide products. Under the Federal Insecticide, Fungicide and Rodenticide Act, the U.S. Agricultural Research Service can take action to remove products from the market, cancel the registration of products and prosecute those who ship products that violate the law.

The GAO report last September detailed that Research Service's concept of "law and order" is for the benefit of pesticide industry. The report went on to show that of 2,751 samples of products tested and reviewed during fiscal 1966, 750 were found to be in violation of the law. Of these, 70 percent or 520 were in "major" violation of the law. In 1967, of 4,958 samples taken 23 percent or 1,147 were found in violation.

Part of the reason for the situation is the old complaint of fiscal starvation and bureaucratic passivity toward vested interests. The pesticides regulation division has a staff of about 150 of which 26 are field supervisors and 5 are supervisory inspectors. In fiscal 1968 the total budget of the agency was $3.6 million. By way of contrast, the California State Assembly appropriated and spent $20 million last year for agricultural research support for its state university and college system.

Obviously, federal and state agricultural agencies are oriented towards maximizing the productivity-increasing features of agricultural chemicals, generally, and pesticides, specifically. The fact that no research in the U.S. is currently conducted into the occupational health hazards of agricultural and industrial chemicals is indicative of the general lack of concern in the regulatory organization for worker interests.

A portent of the future direction of public policy in this area is the fact that the budget of the Bureau of Occupational Health of the California State Department of Public Health was cut by one-third as part of Governor Reagan's attempt to bring "efficiency" into government operations.

If a severe budget cut were not enough, the Bureau of Occupational Health was also in jeopardy of being legislated out of existence. The chief legislative analyst of the California State Assembly, Alan Post, uncovered the fact that the Bureau's existence was subject to legislative approval. Recently legislation has been introduced into the Assembly to rectify the anomaly before the Bureau's existence becomes an object of lobby pressure. This may seem like just another administrative oversight, but the Bureau is practically the only source of information on occupational disease and health hazards among farm workers for the United States. (California is the only state in the country where injuries among farm workers are counted and where farm workers are also covered by Workmen's Compensation.)

California is one of the few states to have developed safety standards for agricultural operations. The standards are administered by the Division of Industrial Safety of the State Department of Industrial Relations. Safety orders for injurious materials (as defined in Section 2461 of Title 3 of the California Administrative Code) cover four areas:

first, the provision of medical services by an employer engaged in commercial operation who uses toxic pesticides; second, decontamination of equipment; third, precautions for aircraft crop dusting and spraying; and fourth, standards for equipment used in both ground and air application of pesticides and other injurious agricultural chemicals. By far the most important of these for protection of the farm worker is the standard of medical supervision over application of pesticides. Even this is weakened, since control over recommendations and reports filed with the Division of Industrial Safety covering the determination of restricted activities for employees exposed to injurious materials, is under the employer.

Part of the pesticide problem comes from our failure to recognize that a problem really exists. Dr. Irma West, a leading champion of pesticide control among environmental health specialists, writing in *California Medicine* has summarized the issues involved clearly:

"Man has manipulated his environment on so large a scale that he has inadvertently invented and produced a multitude of the most complicated new problems ever to confront the health professions. Unfortunately, we have been slow to realize that plans for health and safety should be built into technological advances in the planning stages. By the time technical tools are in operation and their use results in undesirable and unexpected effects upon people and their environment, the best opportunity to minimize these effects efficiently and humanely is largely lost."

DEATH STALKS THE GARDEN

Thousands of home-gardeners have suffered peculiar "flu" symptoms after spraying their flowers and shrubs with a common form of pesticide. They rarely learn that they have been mildly "poisoned" by an organo phosphor compound. In more lethal strengths, the same chemical agent is used in "nerve gas," and can wipe out huge populations of men or animals in a few minutes. But despite the obvious hazards, very little is being done to control the widespread foreign and domestic sale of highly toxic pesticides; beyond that, the Army is continuing its secret tests of nerve gas as a weapon of mass annihilation.

Army experimenters had an unexpected windfall of data from the accidental exposure of several thousand sheep to air-sprayed nerve gas near Dugway, Utah. The chemical that killed these sheep also goes into the organo phosphors pesticides—such as the widely distributed garden product called Parathion. Until the end of World War II, Parathion itself was the favorite candidate for the standard nerve gas in the Army Chemical Corps' arsenal. Then the Army "liberated" the secret German nerve gas, "GB," and it won out over Parathion, for two reasons: it was easier to disseminate, and it would not so readily arouse public fears as would the use of a common pesticide like Parathion. "GB" was saved for people and Parathion relegated to weeds.

Both agents have the same toxicity: .2 milligrams per kilogram of body weight. Both use the same "kill mechanism": they prevent the manufacture of enzymes which carry body "messages" controlling respiration. In other words, victims simply suffocate. Early symptoms (the whole process can take less than five minutes) include pinpointing of eye pupils, tightness in the chest, convulsions, paralysis, and finally respiratory failure. If the dose is less than lethal, the symptoms resemble the onslaught of an attack of the flu.

Current hearings in Wisconsin into the environmental hazards of the chlorinated family of insecticides—the most notable of which is DDT—focus concern about the chemical "synergy" of simultaneous and continued exposure to different pesticides: there is some evidence that since both the organic phosphor pesticides and the chlorinated insecticides accumulate in the fatty body tissues, under certain conditions (such as malnutrition stress), genetic damage could occur.

In 1966 alone, over 55 million lbs. of organic phosphor pesticides were manufactured for use in US agri-business. The passage of the Federal Insecticide, Fungicide and Rodenticide Act and the public disclosures of pesticide abuses had indicated that some reduction or stabilization in manufacture and use would occur. But there has been a growth of 188 percent in the production of organic phosphor pesticides over the period from 1960 to 1966, as compared to an increase of 25 percent in the production of all classes of pesticides over the same period. Effective substitutes exist, such as the pesticide Malathion with 1/2,000 of the toxicity of the organic phosphors, and the price differential between the two is nominal.

In 1966 alone, U.S. manufacturers exported 59 million lbs. of organo phosphor pesticides to users overseas, the largest consumers being Canada and Mexico. Within domestic agri-business the big users are the commercial fruit-crop growers in California (the villains of the current United Farm Workers Organizing Committee confrontation with the California pesticide regulatory program), and the cotton producers in Mississippi and Texas. Together, they account for almost one-half of the acreage treated by pesticides annually in the US.

Federal and state governments subsidize the organo phosphor business through secret military chemical and biological warfare research, agricultural pesticide research and bio-chemical research. In fiscal 1967, a total of $70 million in unclassified pesticides research was funded by the Department of Agriculture and the Public Health Service. An equal amount is estimated to be spent on pesticide chemical research by private industry and state universities. Only $5 million is currently allocated for the support of research into the occupational and environmental health hazards of pesticides by the PHS.

In the legislative lexicon, pesticides are called "economic poisons," a euphemism devised by Congress and the Agriculture Department to distinguish between the purportedly beneficial nature of the potentially lethal stuff and "hazardous materials" generally. In fact, the "economic poisons" are specifically exempted from coverage under the Federal Hazardous Materials Act.

With well over 60,000 trade names of pesticides in existence, the job of industry surveillance and compliance with existing pesticide manufacturing and applications standards is virtually impossible. The response of the Johnson administration after the submission of the Scientific Advisory Council report on pesticides in 1965 was effectively to hobble the federal regulatory program.

Surveillance and regulatory functions were split between the Public Health Service and the Agricultural Research Service. The PHS Office of Pesticide Research has responsibility for conducting basic research on human and environmental health hazards of pesticide use and is also responsible for inspecting establishments involved with the formulation of pesticide chemicals. If that were not enough, the PHS is supposed to monitor areas of concentrated pesticide use in major commercial agricultural centers in this country. However, the fine Byzantine hand of the agricultural interests has made sure that the PHS cannot issue cease and desist orders. Violations are to be turned over to the Agricultural Research Service for disposition and prosecution. But the ARS hasn't filed a major violation prosecution with the Justice Department in the 13 year history of the Federal "rat and bugs chemicals" act.

That law contains some neat provisions to dissuade investigators from digging into the pesticide chemicals industry. Information on the production of synthetic organic compound pesticides is compiled by the US Tariff Commission, not Agricultural Research or Public Health. Further, information on the exact ingredients of specific formulations are not permitted to be disclosed by law, to protect "trade secrets."

SURTAX

Mr. BYRD of West Virginia. Mr. President, I voted against the surtax for the same reason that I voted against the surtax last year. I am against saddling the hard-pressed taxpayer with this heavy burden while the Federal Government continues to spend and spend and spend. It is not right to take extra money away from the people and then pump it into questionable programs which can be trimmed. In other words, I am against collecting more money just to spend more.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

SAFEGUARD AND NATIONAL PRIORITIES

Mr. MUSKIE. Mr. President, we are engaged in a debate, as we consider the Safeguard proposal, over national security—our capacity to prevent or survive an enemy attack—and national vitality—our ability to create opportunities for a more meaningful, rewarding, and healthy life for each of our citizens. The Safeguard system must be tested against each of these considerations if we are to make an intelligent decision on the deployment question.

We face this decision at a time when our instincts, both prudent and humane, point toward the need to stem the decay of American society and to reconcile the differences among us. For more than a generation, external challenges have sapped our energies and diverted our resources from building America, while the accumulation of grievances, dramatic social change, and rising aspirations have made our needs ever greater.

As a result, public facilities are outmoded and overwhelmed, the effort to help the poor and the desperate has faltered, and patience is wearing thin. The agony of continuing sacrifice in Vietnam has brought our people to the great-

est national anxiety and discord any of us has known.

These considerations are an important influence in this debate. They create pressures which prompt many Senators, of both parties, to differ from the administration on such an important matter of national security. The American people look to the Senate to provide balance and prudence in national security policies whch have so heavy an impact upon the resources which are available for all our urgent tasks.

In the period immediately following President Nixon's announcement, I expressed my doubts about the Safeguard system—doubts about the scope of the program, its justification, its feasibility, and its consequences for future strategic arms races and impending arms negotiations.

Those doubts have not been resolved in the course of this debate.

A question which finds the Senate so closely divided must, I suppose, be considered a close question.

Honorable and able Americans—within and outside the Senate—find themselves in disagreement on every critical issue which has been raised in this debate: Will the system work? Is it vulnerable? What is the thrust of Soviet weapons development? What are Soviet intentions? Which result in the Senate will contribute most favorably to the prospect of favorable negotiations with the Russians to limit nuclear weapons? What are the security risks associated with an "aye" vote? With a "nay" vote?

Each Senator, I am sure, has carefully considered each of these questions. Each Senator, I am sure, has concluded that the answers to these questions support the position he has taken. This Senator has found that the answers require a careful balancing of the arguments and available information.

Although the division in the Senate appears to be close, there appears to be much broader agreement on the wisdom of continued development toward a reasonable system to protect us against missile attacks. When and if it is needed.

Much of the debate over the ABM, therefore, has revolved around whether the nature of the foreseeable threat from the Soviet Union justifies going ahead now with deployment of this weapons system in its present form.

Though the weight of the evidence leads me to doubt that such circumstances are at hand, I believe most Senators are prepared to vote for authorization upon a proper showing of need.

For now, however, an impressive array of scientific skepticism about the Safeguard proposal, persuades me that it would be a mistake to go ahead with this program, at this time, and in this form. If there is well-founded doubt that the system can function effectively—while it distracts our efforts from other, more appropriate steps and provokes our adversaries to a defensive escalation of the arms race—deployment would be a serious mistake.

Safeguard is billed as a defense against a Soviet first-strike attack, but it depends on untested subsystems for logic and computing functions that may well fail against a massive sophisticated attack. Moreover, Safeguard's radars are critically susceptible to spoofing and its "eyes"—unshielded missile-site radars—"MSR"—could be blinded by a concentrated strike, leaving the Minutemen missiles wholly unprotected.

These questions raise doubts about the ultimate justification of Safeguard's technical worth and the wisdom of deploying the system in the light of such doubts. The committee resolves both questions in these words:

> It is prudent that any doubt on this question (its ultimate feasibility) be resolved in favor of confidence in the system.

In my judgment, such a benefit of the doubt resolution does not give proper weight to the risk that deployment will provoke a Soviet response based not upon our doubts but upon the assumption of maximum effectiveness of our system.

Moreover, such a benefit of the doubt resolution may freeze us into a technological solution to the problem which is not the best answer.

But, even if the system achieves the limits of its planned effectiveness, I am persuaded that the simple mathematics of United States-Soviet confrontation may make the effort futile; the Soviet Union could negate the incremental protection of Safeguard with a few months' production of offensive missiles.

It is possible, Mr. President, that at some time in the future, developments in the threat may make an ABM essential to protect our retaliatory forces. It is also possible that a limited deployment of ABM's could become an element of practical and stable big-power arms limitations.

And it is certainly possible that a credible and effective ABM can be developed, applying lessons our scientists are learning today.

It is for these reasons that I welcome the initiative of Senators HART and COOPER to authorize research and development of an ABM program that can work when and if it is needed, but that will not, because it is deployed prematurely, embroil the American people in costs and consequences we will regret. I intend to support their amendment, and I commend their effort to put ABM development in a posture consistent with the Nation's long-term needs, a program the majority of the American people can sensibly support.

II

There is what could be a tragic irony in the way in which the Safeguard program has been presented to the American people.

As cast by the administration, the ABM would serve to "safeguard" our Minuteman retaliatory forces. If the need were clear and this role could be assured, I feel confident that the Senate would not hesitate to follow the President's lead. But reality is far more complex than the administration's assurance would suggest, and the Senate must ultimately judge the strategic impact of the Safeguard system in the broader context of its effects in combination with other pending weapons systems.

The Soviet Union will see our ABM deployment in this perspective, and will make decisions about its own future weapons developments and the forthcoming arms negotiations in the light of how it perceives America's true intentions in the field of strategic armaments. The mysterious efforts of the Soviet's lunar vehicle to dog the heels of our Apollo 11 may well be fresh evidence that they do not take all our declarations at face value.

It is in this context—the role Safeguard will play in the overall strategic posture of the United States and the threatening direction our adversaries must perceive emerging in our strategic forces—that I find the administration's proposal constitutes, not a safeguard, but a provocative and possibly dangerous game. It is notable that while the word "provocative" is the President's own term, the denial of such intent in Safeguard deployment cannot escape being taken by others as a thin mask for profoundly disturbing threats to the balance of mutual deterrence.

In assessing the overall capabilities of our strategic forces, the Soviet Union will give attention not only to the Safeguard, but also to our ongoing programs for equipping retaliatory forces with multiple independent reentry vehicles—MIRV's.

The linkage between Safeguard and the MIRV's leads to a stark fact: by deploying a vastly expanded, hard-point strike capability along with an ABM area defense system, American retaliatory nuclear forces could be converted into a system suitable for launching a first-strike attack upon the Soviet Union, while minimizing retaliatory damage to the United States. I understand that that is not our intention.

I understand that is not our intention, and the Senate and the American people do not so regard our nuclear weapons development. Of course the President would deny that this is our intention—as he should—but, Mr. President, the Soviet military planners cannot escape looking at our weapons development in that way.

Specifically, with the expansion in the number of deliverable nuclear warheads and the significant improvements in accuracy of delivery stated as the objectives of MIRV programs, the United States could, barring significant expansion in the number of Soviet strategic targets, achieve the capability to wipe out a significant portion of the Soviet Union's nuclear strike forces. Meanwhile, although the Safeguard has been billed primarily as a local defense of U.S. Minuteman silos, it also is designed with a degree of area defense capability—pointedly described by Secretary Laird in his statement to the Armed Services Committee as "defense of the continental United States against the kind of attack which the Chinese Communists may be able to launch in the mid-1970's." This area defense would, by the same token, also serve to defend the United States against the weak retaliatory effort the Soviet might be capable of mounting after receiving a first-strike American attack.

I need not emphasize, Mr. President, the rather simple fact that the technical problems faced by an ABM in the role of backup to a first strike are far simpler than those the same system would face in meeting a sophisticated adversary's surprise attack. Safeguard's

credibility in a first-strike role, I regret to say, is far greater than its credibility as a protection for our defense forces.

In terms of what we all believe American intentions to be, the foregoing might seem hypothetical and farfetched; but in terms of what the Soviets may logically fear our intentions to be, the threat of an impending American first-strike capability, based on Safeguard and MIRV, could seem terrifyingly real.

The linkage between these two systems in the American weapons arsenal is by no means casual. On March 19, in his statement to the Armed Services Committee justifying Safeguard expenditures, Secretary Laird also sought funds for a significant acceleration in the develcpment of the Poseidon, a submarine-launched MIRV-carrying missile, for the express purpose of "enhancing its effectiveness against hard targets."

He said, at page 32 of his prepared statement:

> The increase of $12.4 million for the development of an improved guidance system for the Poseidon missile, will advance the IOC ("Initial Operating Capability") of the system by about six months. This development was started in FY 1968. The IOC, however, was slipped by about one year in connection with the FY 1969 expenditure reduction effort, and the level of funding provided in the original FY 1970 budget, $33.5 million, would have slipped it further. This is an important program since it promises to improve significantly the accuracy of the Poseidon missile, thus enhancing its effectiveness against hard targets.

Surely, Mr. President, we cannot expect the Soviets to ignore that development as it undertakes to evaluate the thrust of our weapons development.

In the Poseidon program, 31 submarines will each carry 16 missiles, each in turn carrying as many as 10 warheads, for a total of almost 5,000 deliverable weapons, from the Poseidon boats alone. These and other offensive systems available to the United States, including the more than 1,000 Minutemen we may also equip with MIRV's, would be more than a match for the 1,200 to 1,300 ICBM's the Soviets are anticipated to have deployed during the next few years.

In this context, Mr. President, the Safeguard is a destabilizing weapon, raising the risk of nuclear war rather than diminishing it. As the American MIRV nears perfection and the Safeguard nears deployment, we are reaching for a point of no return in the arms race. If the Senate authorizes the deployment of Safeguard, we may well be stepping across that point of no return.

III

On April 3, I noted the following dimension of the administration's Safeguard proposal:

> It is altogether possible, on the other hand, that the Administration is not, in fact, taken in by its own reassurance as to Soviet reactions. It may be that the Safeguard proposal is intended as a blunt challenge to the Soviets to come to the bargaining table and negotiate over strategic weapons, or else the United States will heat up the arms race, counting on our own superior technology to protect us if negotiations fail.

I submit, Mr. President, that this interpretation of our intentions is the logical one from the Soviet point of view, and interpreted as this kind of bluster, it has no rational justification.

One need not dwell on the lack of good faith such an American bargaining strategy would entail with respect to the forthcoming strategic weapons negotiations to which we and the Russians are both committed. What is more important is the lack of realism in assuming that negotiations with a proud and powerful country such as the Soviet Union might ever yield success when undertaken under the gun of crude threats, a lesson we should have learned in every arms control negotiation from the Baruch plan to the present.

For the Russians as for ourselves, national and ideological motivations and the high stakes of international competition compel the continuing commitment of resources to weapons developments at whatever level is thought necessary to insure national security and at whatever level a prudent estimate of the intentions of the other may indicate. As a result, if the talks fail, the prospects for negotiated arms controls will dim, unbridled arms competition will resume, and the stability of mutual deterrence will be destroyed.

It is equally unrealistic to assume that any reasonable purpose could be served by locking the Soviets into another round of fantastic spending competition for armaments. Ever since arms competition with the Soviets began in earnest 20 years ago, the superior resources and technological advancement of the United States, coupled with the geographical encirclement of the Soviet Union, have combined to keep the Soviets on the defensive in any arms competition.

But the fact that in years past we could afford more weapons than the Soviet Union and that we could build them with less strain on our resources is not relevant to future competitions. The demands on our energies and resources are now too great, and the costs of the phenomenal weapons systems of which Safeguard is the precursor are too high, to warrant the conclusion that the American people can afford future strategic arms races.

Mr. President, the needs of the American people are too urgent and too demanding to bank our future as a nation on the casual economic dividends that high and rising levels of defense spending have come to mean. We must recognize that in future arms races—even if we manage to keep the Soviets and all our other adversaries at bay without incinerating the world in the process—the costs and sacrifices the competition will entail are such that we, not they, will be the losers.

IV

To recognize the futility and the risk inherent in adventurous weapons development is only the beginning of the necessary effort to forge security policies that serve the Nation's best interests in a time of strain and transition, at home and abroad.

Arms sufficiency is the new watchword, and arms sufficiency is an apt watchword, but one that requires careful judgment. Together the President, the Congress, and the country must find ways in the months and years ahead to substitute good sense and prudence for uncontrollable gambits that lead only to blind and dangerous alleys. As we strive to end the war in Vietnam, we must never forget the lessons on the need for restraint that unhappy conflict teaches.

At the same time, we must also be mindful of the urgency and the extent of the Nation's domestic needs—needs which can overwhelm us just as surely as the threat of external aggression, unless we can find the wherewithal, the ingenuity, and the spirit equal to the challenges.

The grim chain of urban sprawl and rural decline, of individual poverty and social disorganization, of wasted resources and hostile environments will not be broken by a government which is indifferent, or a private sector which is inactive—or preoccupied with hunting the next arms contract.

The chain can be broken only if we set priorities, if we make a commitment to meet them, and if we organize ourselves to fulfill our commitments. I have indicated the priorities I would establish, and they are not the priorities of a fortress America. The priorities I would set are the priorities of men and women and children who have a right to enjoy for themselves the fruits of this world and to help insure the same right for others. The priorities we must set recognize the interrelationship of jobs, income, education, health care, housing, transportation, public facilities, recreation, and environmental protection in the balanced development of urban and rural communities.

These priorities will never be set or achieved so long as the United States is being bled by the continuing hemorrhage of spending on strategic armaments.

Mr. President, much attention is now being given to the consequences ending the Vietnam war will have on the funds which will be available for domestic programs. It has become common to speak for planning purposes of the revenue surplus resulting from the lessening of hostilities as a "fiscal dividend"—the measure of the flexibility in the Federal budget that would be available for other national needs as the result of the termination of special Vietnam costs.

In March 1967, President Johnson appointed the Cabinet Coordinating Committee on Economic Planning for the End of Vietnam Hostilities. Their report appears as an annex to this year's report of the Council of Economic Advisers. The committee, assuming early cessation of hostilities, forecast annual fiscal dividends rising to $22 billion in fiscal year 1972—funds available for spending on other priority programs or for tax reduction. While the calculation assumed the continuation of existing authorized military programs—including the Johnson administration Sentinel ABM—that $22 billion sum, less amounts returned to taxpayers in tax cuts, represents a basic ceiling in funds available for expansion of all Federal programs, military and domestic.

To the extent that new weapons systems are authorized, or existing authorized systems exceed their anticipated costs, the funds available for domestic

program expansion will be further reduced. Thus while $22 billion represents a basic maximum for domestic public purposes, a tax cut, weapon cost overruns, and additional weapons procurements will all squeeze that sum far below the maximum. If the costs of the war do not soon recede, of course, virtually no lessening of the budget squeeze can be anticipated. On the other hand, reduction of non-Vietnam military cost including the cancellations of all ABM deployment, would cause the fiscal dividend to be increased. There will be no fiscal dividend at all.

The fiscal dividend forecast by the committee, even assuming maximum availability, does not begin to match urgent demands for the rehabilitation and improvement of our society. For example, the report notes a $6 billion gap existing now between amounts the Congress authorized for fiscal year 1969 and the amounts the Congress has funded for domestic purposes. I ask unanimous consent that the table from the Coordinating Committee's report be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 2.—*Estimated gap between amounts currently authorized and funded*

[Billions of dollars per year]

Program:	
Total full cost	6.0
Elementary and secondary education	2.0
Higher education	1.3
Housing and community development	.6
Water and air pollution control	.5
Crime control and prevention	.5
Area redevelopment	.5
Health training and research, etc	.4
Agricultural conservation and adjustment	.5

Source: Bureau of the Budget.

Mr. MUSKIE. The group also compiled a list of new programs "prominently and generally discussed recently as desirable to meet the needs of the Nation during the next several years," calculating their annual costs for fiscal year 1972—the year of the projected dividend. In many instances, the committee assigned dollar amounts far below the recommendations of the task forces or study groups from whose studies the programs were drawn. Even then, recognizing the list to be incomplete and inadequate, the Coordinating Committee reached a conservative total of almost $40 billion for these urgent needs, nearly double the maximum fiscal dividend estimated to be available. I ask unanimous consent that the committee's table, with explanatory footnotes, be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 3.—*Illustrating new programs or major expansions of existing Federal civilian programs, fiscal year 1972 (derived from proposals of task forces and study groups)*

[In billions of dollars]

	Hypothetical expenditures
Total expenditures	39.7
Education	7.0
Preschool	1.0
Elementary and secondary	2.5
Higher	3.0
Vocational	.5
Health	3.8
Kiddie-care	.5
Medicare for disabled	1.8
Comprehensive health centers	1.0
Hospital construction and modernization	.5
Nutrition	1.0
Community service programs	.8
Jobs and manpower	2.5
Public jobs	1.8
Manpower Development Training Act	.5
Employment service	.2
Social security and income support	9.5
Unemployment insurance	2.0
Public assistance	4.0
Social security improvements	3.5
Veterans	.3
Economic, area, and other special development programs	2.2
Entrepreneurial aid	.5
Area redevelopment	.5
Rural development	1.0
Indian assistance	.2
Crime, delinquency, and riots	1.0
Violence and riot prevention	.1
Safe streets programs	.3
Rehabilitation of offenders and delinquents	.3
Prevention of delinquency and crime by special measures for delinquent-prone youth	.3
Quality of environment	1.7
Air pollution prevention and control	.1
Public water supply construction programs	.3
Water pollution control and sewage treatment	1.0
Solid waste disposal	.1
Natural beautification, environmental protection, and recreational development	.2
Natural resource development and utilization	1.4
Land and forest conservation	.2
Water resources and related programs	.5
Mineral and energy (excluding hydroelectric) development	.2
Natural environmental development	.5
Urban development	5.5
New cities	.5
Land acquisition and financial planning (suburban)	.5
Urban mass transportation	.5
Model cities	2.0
Other urban facilities and renewal	2.0
Transportation	1.0
Airway and airport modernization	.4
Rapid interurban ground transit	.1
Modernization of merchant marine	.2
Motor vehicle and transportation safety research and safety grants	.3
Science and space exploration	1.0
Post-Apollo space program	.5
Scientific research in oceanography, communications, social and behavioral sciences, and natural sciences	.5
Foreign economic aid	1.0

NOTES

Education. The preschool program, an extension of Head Start, would provide full-time preschool education for about 500,000 children. The elementary and secondary education funds would about double the Federal support in that area. The funds proposed for higher education would more than double current Federal support. The vocational education funds would raise Federal support about halfway toward the recommendation of the 1968 Advisory Council on Vocational Education.

Health. The "kiddie-care" proposal would provide health care for needy mothers and infants. Medicare offered to beneficiaries of social security disability insurance on a contributory basis would potentially reach 2.2 million persons in 1972. About 350 additional comprehensive neighborhood health care centers a year could be established for the amount shown. The added funds for health facilities would enable the Federal Government to double the rate of output of such facilities, in line with estimates of national needs.

Nutrition. Nutritional supplements for needy pregnant women, nursing mothers, and small infants account for about $200 million, while the remainder would allow a doubling of existing food assistance programs.

Community service programs. This would provide for expanded daycare centers for children of needy working mothers and for expansion of coordinated services through neighborhood centers.

Jobs and manpower. The funds for jobs in the public sector would permit expansion of about 500,000 jobs to provide public service employment for the chronically disadvantaged: this program would reinforce expansion in education, health services, and urban and area redevelopment. The increase in MDTA training would support expansion of the Jobs program and would reinforce efforts to lower unemployment while improving the Nation's price performance. It would also provide trained manpower for construction. The growth in employment service operations envisions strengthening, decentralizing, and computerizing manpower activities; developing a rural manpower service; and enlarging services to the disadvantaged.

Social security and income support. The unemployment insurance funds would provide for higher benefits, extended benefits during recessions, and aid to the unemployed through retraining and mobility assistance. The public assistance funds could permit revision of benefit standards and extended coverage, or the adoption of a modest new program of income aid with

objective standards. The added expenditure could fill as much as 40 percent of the current poverty income gap. Expansion of the WIN program would provide more job and training opportunities for welfare recipients. The social security expenditure could provide a higher minimum benefit for those dependent on social insurance benefits as the main source of income, and liberalization of eligibility requirements for disability insurance, as well as some general improvement in benefit levels.

Veterans. The higher priority recommendations made by the Veterans' Advisory Commission in March 1968 could be instituted with these funds.

Economic, area, and other special development programs. The entrepreneurial assistance program could help minority groups—so-called "black capitalism." Area redevelopment programs would assist growth centers in less populated areas, while rural redevelopment programs would concentrate on small communities, providing community facility development, special housing, and family farm assistance.

Crime, delinquency, and riots. Federal aid to State and local governments could be provided to help prevent violence and riots and permit a higher degree of Federal readiness to cope with such emergencies. The safe streets program funds would be used to work towards the objectives of the National Crime Commission with respect to strengthening the police and courts. Rehabilitation of offenders and delinquents would be pursued by intensive retraining and other services.

Quality of environment. Federal funds for pollution abatement may be required to enforce standards, investigate claims, or abate pollution caused by government or not readily attributable to particular private individuals. Assistance in expanding the Nation's water supply system would provide a small fraction of the $2.5 billion annual requirement over the next 10 years. Provision of more recreational areas near population centers would be made possible.

Natural resource development and utilization. Department of the Interior, Corps of Engineers, and Department of Agriculture programs relating to land, mineral, energy, forest, recreational, and other fields have large backlogs of useful projects, many already planned and authorized but held back for budgetary reasons.

Urban development. Metropolitan development assistance would support improved planning and coordinated advance land acquisition. Each of these programs emphasizes these requirements, whether in new communities, suburbs, or older central cities. The allowances represent only a fractional contribution to the reconstruction and development of the cities.

Transportation. Such expanded investments in the improvement of the principal elements of the Nation's transportation system would serve the objectives of economic development, safety, and national defense.

Science and space exploration. The allowances would permit the science and space agencies to fund some of the research opportunities not covered in the stringent budgets of recent years.

Foreign economic aid. This additional amount would help to meet growth targets in Southeast Asia and under the Alliance for Progress as well as to cover other aid requirements. Even this increase would leave our foreign assistance program below levels of a few years back.

Source: Bureau of the Budget.

Mr. MUSKIE. Even this conservative calculation of the additional resources we will need to spend at home does not provide much leeway in making a major dent in the problems of the poor, such as a negative income tax preserving adequate incentives, which the committee noted might require between $15 and $20 billion a year, or in providing sufficient employment to make a significant reduction in the numbers of Americans who cannot find jobs. Nor does it encompass steps to assist States and localities in meeting their mounting revenue needs from their increasingly inadequate tax bases—for which a revenue-sharing program of between $5 to $10 billion a year has been considered appropriate.

Mr. President, these are not small sums. They do not reflect small problems we can ignore. Together, these estimates, whether or not one agrees with them in detail, represent a conscientious effort to determine a level of "sufficiency" for a comprehensive approach to the nonmilitary problems facing America, a level of sufficiency which we must attain if we are to preserve our viability as a nation.

By contrast, the $6 to $7 billion pricetag assigned by the administration to the Safeguard system represents a far more valid measure of the relative significance of the ABM program, even assuming those systems costs have been fairly estimated, which many Members of the Senate have strong reason to doubt.

The true measure of the ultimate significance of the administration's Safeguard proposal lies in the likelihood of forcing the United States and the Soviet Union to higher and higher levels of arms competition, for which the costs forecast by Secretary Laird are only a very small downpayment. The cost of such an adventure must be counted in tens or even hundreds of billions of dollars, which the United States can ill afford to spend on engines of destruction.

I think these great figures estimating our domestic needs, and estimating the cost of an unrestricted arms escalation, pose the problem which faces us on the ABM issue in its stark magnitude. We cannot do both. At least, we cannot do both without the exercise of discriminating judgment. We cannot do both without exercising restraint, geared to a careful evaluation of the risks involved with any subjects which we consider in the development of weapons for our arsenal.

We must somehow take a reasonable risk to protect our national security abroad. However, we must do more than we now are doing—to eliminate the risks to our national security here at home.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. PEARSON. Mr. President, I commend the Senator from Maine for a reasoned discussion and speech today in support of the pending amendment. He developed at some length the effect that construction and deployment of ABM would have on the forthcoming arms limitation negotiations with the Soviet Union. And in that regard the administration, particularly the Secretary of Defense, strongly made the point that the decision to go ahead at this time is essential to their position as a bargaining point as they enter the negotiations.

I have constantly failed to understand really this point in the particular argument, because we have, as I understand the figures after hearings and the debate and otherwise, a superiority in strategic force levels. For instance, in ICBM's, we have about 1,054 to approximately 1,000 on the part of the Soviet Union.

With respect to the Polaris missile, in round figures we have an estimated number of about 656 or 660 to perhaps 77 by the Soviet Union.

With respect to the intercontinental bombers, we have in round figures about 650 to 150 operated by the Soviet Union.

In deliverable warheads, we have some 4,200 as against 1,200 by the Soviet Union.

We have superiority in numbers in all of these fields. They must know of our industrial might measured against theirs. They must have some appreciation of our technical skill, for in the time frame of 1 week we succeeded in putting a man on the moon, whereas they failed with an unmanned moon vehicle.

We are ahead of them in the testing of MIRV's today.

With our superiority in all of these fields, does the Senator agree with me that the argument that we must have an ABM simply because the other side has an ABM to be in a proper bargaining point in negotiations?

Mr. MUSKIE. Mr. President, I think the Senator has made a very excellent point. I agree thoroughly.

I would like to add an observation. It seems to me that one can speculate prudently or prooflessly about what the Soviet position may be at the negotiating table and what we might do to influence it favorably toward arms limitation.

We have concentrated, as we have debated what will be a strong negotiating position, upon the need to demonstrate to the Soviet Union that we have the strength because of our deployment of the ABM to caution them against permitting a continuation of the arms race.

It seems that what we need, if we are to negotiate successfully, is to convince them that we want a stabilization of the arms race, that we want to roll back the growing risk to the survival of mankind.

It seems to me, in other words, that the situation is something like this: There are two great military powers—we and the Soviet Union. Only if one of the two takes the initiative to move the other way from escalation of arms, do we have any chance to achieve that objective.

One of these two powers must take the initiative. One must be induced by the other.

It seems to me that the best way to make that initiative credible from the point of view of the other side is to take an initiative which carries some risks for us.

The road we seem to be choosing is to find a way to strengthen our arms to a point which will deter the Russians from trying to match it. I think we should try to encourage them to match us in taking risks in reducing arms. Of the two powers, the one most likely to take this kind of initiative historically, in the light of its belief in the tradition of humanism, is the United States of America.

I do not think delaying the deployment of an ABM system is an unacceptable risk. That there are risks or that

there are considered to be risks is evident from the debate on the floor. So, to the extent that there are, our initiative in refusing to deploy an ABM to me would add credibility to our recommendations to the Soviet Union that we mutually deescalate the nuclear arms race.

So, I agree with the Senator's argument, and I add this one of my own.

Mr. PEARSON. Mr. President, I thank the Senator. I notice also that the Senator dwelt at some length about the response on the part of the Soviet Union.

It is my understanding that the rules of the war planners, and rightly so, involve these concepts. The Senator from Virginia (Mr. BYRD) is in the Chamber today. He has sat with me in the Armed Services Committee and heard the same words and concepts spelled out. We always plan on a greater than expected risk. We always plan—and these are the rules by which our war planners govern themselves—on the worst possible case.

We always plan on the basis that our systems will not work as well as we expect and that the enemy's will work better than we anticipate.

We always plan on the basis of long lapse time between conception and deployment of a modern weapons system taking about 10 years.

Does the Senator suppose that the rules we apply are any different than those applied by the Soviet Union war planners, and that this in and of itself has an inherent action or reaction cycle which is more accelerated when we get a defensive—offensive switch back and forth?

Mr. MUSKIE. The Senator is right, of course. This involves one of the principal arguments in my remarks.

We have a tendency to think that if the enemy looks at us, he must, of course, recognize that our purposes are innocent, that we would never launch a first-strike attack and do not mean him harm. Unfortunately, that is not the way they read us. They are just as suspicious of our intentions as we are suspicious of their intentions. It will continue.

We are going to limit arms not because the other fellow thinks that we are nice guys, but because we are able to define the area of mutual interest which each decides is in his national interest.

The Senator is eminently right.

Mr. PEARSON. Mr. President, one other point. I note that the distinguished Senator from Wisconsin (Mr. PROXMIRE) wishes to join in the colloquy.

The Senator from Maine raises some question about reliability.

Aside from the reliability of the components, computers which have not yet been built, and the radars which have some vulnerability under attack—the Senator has been a student of this debate and of the RECORD—does he recall that at any time in the very excellent presentations made on both sides, any explanation has been made of how effectively we can deal with the subject of decoys, balloons, chaff, saturation problems, blackout problems, and the electronic jamming problem? Does the Senator find answers to those questions any place in the debate or any place in the RECORD before the Senate?

Mr. MUSKIE. I do not recall seeing it, and the answer has not been provided in any portion of the debate to which I have listened on the floor, either in closed session or in open session; nor has it been answered in any of the literature I have read which has been made available to me, rather generously, from both sides in this debate. I have not had a chance to read it word for word, but I have searched for that answer.

I understand, of course, the argument that has been made, I think very eloquently, by the distinguished Senator from Rhode Island (Mr. PASTORE), that at some point in the development of new technology you have to start putting the technology together and research the unanswered problems as you go along. I understand that.

Nevertheless, I think the Senator is absolutely right in the implication of the question he has put to me, that there are many unresolved technical problems seriously bearing upon its feasibility and its effectiveness which have not yet been answered. I think the supporters of the ABM proposition concede that.

Mr. PEARSON. I thank the Senator for a very valuable contribution at this time.

Mr. MUSKIE. I thank the distinguished Senator from Kansas.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. STENNIS. On the question the Senator has brought up about the blackouts, the jamming, and decoys, I can say with firm assurance, as far as I can go, that that is a problem that always shows up. It is a part of the picture concerning any kind of method involving a weapon, offensive or defensive. If we never had built the ICBM's—offensive weapons—until we were certain that we had all the problems solved that go with it in the same field, in reverse, we never would have one. If we are going to wait until all the problems are solved and everything is known with reference to an ABM, a defensive weapon—in that field, particularly—we will never have one, and no one else will. It is all a part of the process.

I do not pose as an expert in this field, but I have been on a subcommittee of the Committee on Armed Services and chairman of the Subcommittee on Military Construction during all the years that these missiles have been in process. The military construction came in in this way: You have to have those sites, and you have to have the research and development that involves those sites. Sometimes it is handled in a special way in that bill. We got this back in the days of the Nike-Ajax. That was the first little ground-to-air missile we had. We also got into the space field when Sputnik went up, and all those problems that went with it.

I know that uniformly we have these problems. I opposed the deployment of the ABM—what is now the ABM—years ago. We had a secret session. We have had many sessions in the committee over the years. The Senator from Kansas was a member of the committee for some time, and a very valuable member. I had always opposed the deployment until I was convinced that we had gone about as far as we could go, and I believe as far as we can go, with a weapon of this kind, until we really get down to the nub of things and take some steps forward that this very modest program now contemplates.

That brought me to the proposition as the Senator from Rhode Island has expressed it. He is the former chairman of the Joint Committee on Atomic Energy, and he really does know a great deal about this. We must make a start. It has been amazing, in the case of other missiles, how many problems have been overcome after the start, has been made. Men are surprised, and then they are disappointed, too, on the same subject of the many different missiles. I refer to men such as Dr. Wernher von Braun and others who are really capable.

I am glad to give the Senator a résumé of my experience in that field, without getting into the scientific part of it, because I do not try to master that.

Mr. MUSKIE. I appreciate the Senator's comments, and I will respond briefly myself, but first I yield to the Senator from Kansas.

Mr. PEARSON. Let me say to the distinguished chairman of the committee, the Senator from Mississippi, that I understand and agree that many of these problems today, scientific and otherwise, which are talked about as deficiencies of the system, probably will be cured in time.

As a matter of fact, the great advance we have been making in computers really gave great credibility to the so-called Sentinel-Safeguard, as distinguished from the other systems.

But some other scientific problems are involved here, which I am not qualified to discuss, which have nothing to do with the ability of American scientists to conquer problems, and they deal fundamentally with the laws of nature and the laws of physics. The very efficiency of the radar makes it susceptible to chaff which may be spread across the sky. The better the radar, the better it can be fooled by that particular device.

Blackout, as I understand it, is a result of an explosion or high or low yield atomic blast within the atmosphere, which creates—as its name implies—enormous blackout, perhaps with a diameter of 100 miles, lasting as long as 5 minutes.

These are things, it seems to me, to which even the genius of the American scientific community has not found an answer. As a matter of fact, some of the very efficiency of our own system gives us back greater problems.

I do appreciate the response of the chairman of the Committee on Armed Services. I know of no one who knows more about this field or who embraces it and brings it to the Senate with a greater degree of honesty and sincerity than my former chairman.

Mr. MUSKIE. Mr. President, may I add this to the comments made by the distinguished Senator from Mississippi.

First, I agree with the comments that have just been made by the Senator from Kansas. I do not know of a Senator who would bring a question to the floor more conscientiously, more thoroughly, and with more thoughtful judgment, than the Senator from Mississippi. I want him to know that.

But what is involved here is not simply

the question of whether, having decided to build a piece of technology—whether it is a weapons system or something else—we have reached the point where we can start putting it together and work out additional bugs from there on. If that were the only question, I would say, "Yes," let us start, and let us start the business of working on a piece of hardware as we undertake to answer the unanswered questions. But, in addition, these other questions are involved, which are not susceptible to precise measure: the effect of our deployment upon the arms race, the effect of our deployment upon the Soviet evaluation of the thrust of our weapons development, and the effect of our deployment on negotiations.

Then, there is my own fundamental belief that if we want really to put together a credible negotiating posture from the point of view of the Russians, I think it is more important to convince them that we want to roll back in weapons development than it is to convince them if they will not agree with us that we have the capacity to deploy an ABM. I think the first conviction is more likely to be persuasive upon them than the second conviction.

I can see that honest men can disagree on this matter, as they obviously do, and we appear to be divided about 50–50 here. However, it is my conviction that we must take an initiative that is clearly recognized and identified by the Russians as an initiative toward peace.

Mr. PROXMIRE and Mr. DOMINICK addressed the Chair.

Mr. MUSKIE. The Senator from Wisconsin has been waiting to be recognized for quite a while. I yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I wish to commend the distinguished Senator from Maine for a superlative speech. I am especially impressed by his presentation because I think we in the Senate, and I think people around the country during the last year or so, have recognized that he is a very careful man, very measured, and responsible, and unusually so.

For example, he indicated we are taking a risk in not going ahead with the ABM. Many of us might not share that feeling because we may be more impulsive and feel we are convinced on the basis of what we have seen and heard that the ABM will not work, that it is a waste, and that the decision is, therefore, easier. But the Senator from Maine was very careful in not taking that position. He said that it may work and that we may be mistaken in not going along with it, but that we have to take certain risks.

I think the Senator makes an extremely strong case in arguing on the basis of his own assumptions about the Soviet Union that they are more likely to negotiate an arms limitation if we do not go ahead than if we do.

Mr. MUSKIE. I wish to say something on that point which the Senator has brought out. The Senator has said "more likely." This is something more than agreeing to go to the negotiating table. When I speak of the likelihood, I am talking about the substance of an agreement. We have to be concerned with that, too.

It was argued on the floor of the Senate that last year when we voted on deployment, the Russians indicated they were willing to go to the negotiating table. That is not the whole story. What is their attitude when they get to the negotiating table? It would take a crystal ball to foresee what their attitude would be, and I do not know or claim to know what that situation would be.

Mr. PROXMIRE. I thank the Senator. The Senator's observation goes to the heart of the matter.

The other point I wish to make is one that I think has been overlooked in this debate and I refer to the question of recognizing priorities, and that we have to make these hard choices; that when we go ahead with ABM it has an effect on what we can do with regard to our domestic problems which are so pressing and urgent.

I think no Senator has been more concerned and done more constructive work in preventing pollution or has made a greater contribution in connection with the Federal-State relationship than the Senator from Maine. I think he is eminently qualified to recognize the urgency of those priorities. It is always difficult to say we will not move for a marginal weapons system at this time because certain domestic situations must be met. I think the Senator from Maine, in posing this problem with respect to priorities and reminding us we cannot have everything we want, has made a real contribution today.

Mr. MUSKIE. I thank the Senator.

Mr. President, I yield to the Senator from Colorado.

Mr. DOMINICK. Mr. President, I did not have the pleasure of listening to the entire speech of the Senator from Maine. However, I did enter the Chamber during the process of his colloquy. I wish to make a few comments in this regard.

First, with respect to the point made by the Senator from Kansas about technical difficulties that are involved, I wish to point out that a panel of four very fine scientists appeared before the Committee on Armed Services in a public hearing. I am not sure the Senator from Mississippi brought out this point. I know he has in the past. Two of these scientists were against the ABM system and two were for it. Each of them, in response to direct questions, said this was the very best available technical mechanism for a defense of this kind that had been or could be developed under present technology. That statement was agreed to whether they were for or against the ABM. All four of them said that.

With regard to the blackout situation, and I do not wish to get into a technical discussion on the situation, the system of arrangements of radar which has been contemplated under this system would avoid that particular problem and a great deal of work has been done in connection with it. So I would think that although there are problems, and no one doubts that there are problems, under the present methods of deploying the system most of the problems that have been brought out, or a good many of them, have already been foreseen and circumvented by the planners who worked on the system.

With respect to the comment by the Senator from Maine on the need to convince the Soviets that we want meaningful arms limitations, I do not think anybody in the Senate or anybody in the Congress would disagree with the Senator. I think we all agree on that point. I cannot think of a happier situation than a viable arms limitation agreement which is properly supervised. I think it would be enormously fruitful for the Russians, for us, and for the entire world.

However, I wish to recount a few things along this line.

In connection with the test ban treaty, or moratorium—it was not a treaty—we followed through and said we would not do any more high-altitude testing. The Soviets said the same thing, but when it became in their interest to do it in 1960 and 1961, they unilaterally violated this moratorium and put themselves in a technical situation which, having gone forward, they had an earlier start or solution on some of the technical problems the Senator from Kansas has been talking about.

Mr. MUSKIE. That did not involve an agreement.

Mr. DOMINICK. That did not involve an agreement. It was a joint unwritten moratorium by verbal acquiescence.

Mr. MUSKIE. The Senator mentioned "verbal acquiescence." What does the Senator mean?

Mr. DOMINICK. We had gone along for a period of 18 months under a statement publicly made by the President of the United States that we would not make any more high-altitude tests as long as the Russians did not, and they did not. As a matter of fact, when they broke this unwritten agreement——

Mr. MUSKIE. The President said something. Did the Russians respond in kind?

Mr. DOMINICK. Yes. There were verbal assurances from the Soviets at that time that they had no intention of going ahead with this either as long as we did not.

Mr. MUSKIE. I think the language is important. I do not know if the Senator is paraphrasing the Russian attitude or position. An intention not to go forward is different than an agreement not to go forward unless there is a unilateral intention not to do something or a bilateral agreement with somebody not to do something.

Mr. DOMINICK. We tried to convince them of the fact that we did not intend to go forward with any more of these testings and we would not do so even though it was important to all kinds of applications, space and otherwise, if we had gone forward with it. We said we would not do it. I am sure the Senator from Maine remembers that well.

Mr. MUSKIE. I do.

Mr. DOMINICK. The time they violated this agreement was when they were before the so-called Belgrade group, saying again that they were not going to do anything in the way of disturbing what was going on, while at that very time they sent up the high altitude missile.

Mr. MUSKIE. I understand. Whether we thought that hope was documented

by a binding agreement may be another question, but I am sure we all hoped, by the coincidence of two unilateral actions taken by the two governments involved, that we had achieved an end of testing in the atmosphere. I am sure there are clearer illustrations in history of violations of agreements by the Russians. I understand that. The question is whether, now, we are so inhibited by history and documentation from trying again to work out an understanding with the Russians.

Mr. DOMINICK. We were never inhibited by that, we should not be, and I hope that we never will be. That was the point. The point I am making is that the United States, over a period of time, has tried again and again to impress upon the Soviets that we are not happy with our arms buildup, that we are ready to limit it; that it looks as though we are getting somewhere, and then, all of a sudden, we shoot off on a tangent again.

Let me illustrate the particular situation that we are faced with on the ABM. The United States has proposed not to build any more land-based ICBM's. We have a gigantic number of launchers, which the Russians know about. We have not built any more. We have not built any more Polaris submarines. We have a large number of submarines, and we have not increased them or replaced them or replaced them as they get older. We have a declining number of manned bombers. We had hoped—against experience, I might say—but we had hoped that in recognition of this, the Soviets would also level off their production, but they have not done so in any one of those fields.

This would indicate to me that we have done our best to impress on them we would like to get to an agreement on arms limitation and reduction just as rapidly as we can, that we do not want a proliferation of our weaponry. If we could reach such an agreement we would be delighted to do so.

Mr. MUSKIE. May I ask, in response, How do we identify a point where it is clear to both sides that the reaction of one side on continuing an activity is not a reaction to what the other side did earlier? If we are going to look for the point, because each side has unilaterally taken such clear steps to limit its arms that the other side can be sure that there is no risk of escalation, then we will not need an agreement.

We had Polaris submarines long before the Russians, and they are now engaged in producing their own. I cannot recall at the moment whether the dates of the beginning of construction of their Polaris program were at the time we were developing the MIRV program, but it is conceivable, unless the dates suggest otherwise. I do not have them. Their Polaris program was a response to our MIRV program. Thus, we can debate this until the cows come home.

The other point I make is that the Senator may be right. It may be that what we have already done to stabilize our own nuclear weapons development will be sufficient evidence to the Russians of the credibility of our initiative to work out a meaningful agreement. But it may not, as well.

We have to decide this question, not after we understand what the Russians' willingness may be, but now.

I must say that I regard the debate to be on the Senator's side of this question of MIRV, that development and deployment of the ABM is more meaningful in respect to our defense posture vis-a-vis the Russians than the addition of more Minutemen, because the Senator has told us that the additional Minutemen are offensive missiles and are not the answer to the Russian threat. It is argued that the ABM is the answer. The Senator from Washington (Mr. JACKSON) made an eloquent speech to that effect in this Chamber that few of us were privileged to hear. So that I think with respect to evaluating the attitude of the Russians, what we do about the ABM may be more persuasive than what we have done to discontinue production of more Minutemen.

Mr. DOMINICK. The intersting fact about that is that Kosygin himself and other Soviet leaders have said they consider the ABM a purely defensive weapon, for the purpose of protecting their own citizens and our citizens from being killed, and not as a threat to the other side.

Mr. MUSKIE. I do not know why we should take their word on that, when we do not take their word on other things when it seems to suit our purpose.

Mr. DOMINICK. They have already deployed their ABM.

Mr. MUSKIE. I understood that they had discontinued it.

Mr. DOMINICK. That is not so. I had some colloquy on that with the Senator from Tennessee (Mr. GORE) just the other day.

Mr. MUSKIE. I would be happy to get the facts.

Mr. DOMINICK. I brought up the fact that they are continuing the construction of their ABM system. They are modernizing their present system and are also developing a new one.

Mr. DOMINICK. Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the Chicago Tribune dated July 27, 1969.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WORDS UNRELATED TO ACTIONS

All indications are that the Nixon administration and the Soviet Union are getting ready for negotiations, including a summit conference, on a broad range of problems, including strategic arms limitations.

Andrei Gromyko, Moscow's foreign minister, coupled a scathing attack on Red China with an appeal for "friendly relations" with the United States in his recent address to the supreme soviet. Recalling President Nixon's statement in his inaugural address that we are moving from a period of confrontation to a period of negotiation with the Russians, Gromyko said his government favored "wide-ranging" negotiations with the Nixon administration.

Hubert Humphrey, in Moscow, said Premier Alexei Kosygin talked to him "in some detail and with complete and utter frankness and candor" about world problems and urged him to tell President Nixon and the American people how much the Soviet Union desires "to work with the United States in the cause of Peace." Humphrey was almost as rapturous about Kosygin as the egregious Ambassador Joseph E. Davies was about Stalin in World War II.

This sudden access of euphoria, so soon after the recent tragic events in Czechoslovakia, is disturbing. It is reminiscent of the "spirit of Geneva" in 1955, only a year before Russian tanks crushed the Hungarians; of the "spirit of Camp David" in 1959, only a year before Khrushchev insulted President Eisenhower and torpedoed the Paris summit conference and three years before he put nuclear-tipped missiles in Cuba; and of the "spirit of Glassboro" in 1967, only a year before the Russian invasion of Czechoslovakia.

With recurring armed clashes on their frontiers with Red China, which could lead to a major war, the Russians naturally would like some temporary accommodation with the United States that would assure its benevolent neutrality. Having bamboozled the United States with a so-called gentlemen's agreement against atmospheric nuclear tests, which they broke by testing monster warheads, and with a test-ban treaty which now forbids us to test similar weapons; having jumped into the lead in over-all offensive missile strength, and having deployed an anti-ballistic missile system, the Russians now would like to bind the United States with an arms limitation treaty that would prevent us from catching up.

We hope President Nixon will keep these considerations in mind when he enters into negotiations with the Russians. There is danger that they will be persuaded, by all the unreciprocated concessions we have made to the Communists in our efforts to end the war in Viet Nam, that we want peace at any price and can be pushed around.

Dean Acheson, former secretary of state, was a high priest of the "trust Stalin" cult during and after World War II, but he was disenchanted by bitter experience. He learned, as he has written, that the Russians use conferences and the forms of negotiation as "an instrument of war."

Acheson, as quoted in a recent Senate report on the soviet approach to negotiations, says the notion that "there is no alternative to negotiations with the Russians . . . is, of course, silly. For if there is no alternative, and if the Russians will only negotiate, as is now the case, on their own terms, then there is no alternative to surrender. But plainly there is an alternative, which is by action to change the attitude of the other party. . . . Action is often the best form of negotiation."

The soviet concept of diplomacy was best expressed by Stalin: "Words must have no relation to actions—otherwise, what kind of diplomacy is it? Words are one thing, actions another. Sincere diplomacy is no more possible than dry water or wooden iron."

O, but the present Russian leaders are different, it is said. Robert Conquest, a distinguished English author and student of Russian affairs answers that argument in the same Senate report:

"Russia is now ruled by a faceless group, almost all of whom took the first moves in their careers in the great purge of 1936–38. Kosygin went up in four steps, from shop manager in a Leningrad factory to minister, in about two years. This was at a time when the Leningrad Communists were being slaughtered on an even larger scale than elsewhere. And so it was with Brezhnev and Kirilenko in the Ukraine, where there was three survivors of the 102-man local central committee."

To have been promoted in those days was a sign of active complicity in Stalin's crimes. Conquest writes. He describes the Lenin-Stalin-Malenkov-Khrushchev-Brezhnev suc-

cession as a "dynastic disaster." And in the last two years, he adds, "we have seen an increasingly swift process of re-Stalinization." Even the long-discredited "short course" history of the Communist party, an embodiment of the Stalin myth, has been rehabilitated by the Brezhnev-Kosygin regime.

Such is the character of the present Russian rulers, who are so anxious, we are told, to work with the United States in the cause of peace.

Mr. PEARSON. Mr. President, will the Senator from Maine yield, so that I may address a question to the distinguished Senator from Colorado?

Mr. MUSKIE. I am happy to yield.

Mr. PEARSON. As the Senator has returned to the Chamber, recognizing that he has been here all during the session, we were debating and discussing the point made by the able Secretary of Defense as to authorizing the construction and deployment of the ABM system as a bargaining point as we enter into the talks that are contemplated with the Soviet Union.

Does the Senator from Colorado hold a similar view as to the ABM and say that it is essential as a bargaining point to go ahead with it at this time?

Mr. DOMINICK. I do not know that I would want to put it in those words. I should say that it is an important bargaining point; I do not say it is an essential bargaining point, no.

Mr. PEARSON. I asked the Senator that question because a point has been made and developed a number of times that we must have an ABM because the Russians have an ABM. The Secretary of Defense, in his own words, made it an essential bargaining point. The reason I address this question to the Senator from Colorado is that it was the distinguished Senator himself who first warned about and watched and studied the Russian deployment of a FOB system. Long before it was announced, the Senator from Colorado was doing some studying in this field. The testing of the fractional orbiting bombardment system did go forward, and the Russians have such a system today.

Mr. DOMINICK. That is correct.

Mr. PEARSON. It has been our judgment that the United States should not build or construct or deploy a FOB system. Does the Senator think that the United States should perhaps build an FOB system today because the Soviet Union has one, because if we do not have one and we enter discussions with the Russians, perhaps we would be in a weakened position?

Mr. DOMINICK. No, I do not think so at all. I hope we will never develop a FOB system.

The PRESIDING OFFICER (Mr. EAGLETON in the chair). Does the Senator from Maine yield the floor?

Mr. MUSKIE. Yes.

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado.

Mr. DOMINICK. Mr. President, I merely wish to finish the colloquy.

It seems to be that the FOB system which has been developed by the Soviets is designed either to attack our airfields, which can also be done with submarine launchers, or by air bombers; or for use as a city destroyer, which is something that gives me cold chills. I hope the United States will never develop a weapon which is aimed to strike against cities only.

Mr. PEARSON. Would the Senator from Colorado agree that perhaps the Soviet utilization of that system would be to negate any effectiveness that an ABM system would have?

Mr. DOMINICK. No, I would not. I have a deep reluctance to have us forego the deployment of an ABM system, if for no other reason than to give the President another button to save us from an accidental or an unauthorized launch in the middle 1970's, whether it be by the Soviet Union, the Chinese, the Egyptians, or whoever it might be at that point. I just cannot see putting ourselves in a position where the only alternative we would have would be to wreak a holocaust.

Mr. PEARSON. I thank the Senator from Colorado.

WORLD REFUGEE PROBLEMS

Mr. KENNEDY. Mr. President, refugee problems seldom dominate the headlines but the troubles of our time are taking a growing toll in the flight of people from conflict and oppression. All over the world, people are on the move.

In a recent series of nine articles, the Christian Science Monitor described today's vast movement of the homeless, the many governmental and private efforts being made to help them, and the continuing need for even greater efforts in behalf of our suffering fellow man. Because I feel these articles will be of considerable interest to Members of Congress and others, I ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, Apr. 23, 1969]

HELPING HOMELESS: WORLD DOES CARE

(NOTE.—The world's refugee problem is one of the biggest stories of the space age. Millions of people are either on the move or leading restricted lives in camps. A vast proportion have little if any idea of the future. This account, the first of a nine-part series on the world's refugees, sets the scene as viewed from Geneva.)

(By Carlyle Morgan)

GENEVA.—Suddenly by thousands, or gradually a few at a time—that is the way political refugees come about.

Right now, nearly 20 years after leading governments thought the post-World War II refugee problem was all but finished, there are still 2½ million such people setting out, awaiting further directions midway in their journeys, or being repatriated or resettled.

Though confined to this planet, this is one of the space age's biggest stories.

"We need not wait for an invisible invasion from outer space. Our environment is already being changed by a sort of invisible invasion from within."

The speaker is an "old hand" at one of the world's oldest yet newest problems—the burden that millions of homeless, stateless refugees place on the world's conscience.

In scope and even in essence the problem of political refugees has recently been changing, almost unnoticed. Certain of their needs remain the same. But areas of concentration and major currents of refugee movements across the world have altered radically from what they were only a few years ago.

The awakening to the long-term need, and the international efforts to aid the refugees, have built up to a cause on earth that is as big as the conquest of outer space.

The crux is a spacious regard for the rights of men, women, and children to be safe from political, religious, or racial persecution.

This right is being buttressed by international agreements and accepted as a duty of national governments and international organizations.

It promises to be a powerful and enduring force. This appears certain because of the scope of the problem—and because emerging new nations and the demands for change in older ones have been generating refugees as fast as or faster than they can be resettled or repatriated.

Two and a half million—that is as many refugees as there were 10 years ago.

They inhabit boxlike houses and frail tents in refugee camps. Or, with their families, the more fortunate ones crowd ships for faraway places, board chartered airplanes for their old homelands—or perhaps for new ones.

WHO ARE THEY?

Their names pack the files of offices scattered over a large part of the world, where experts record where to, where from, skills, languages, backgrounds, and causes of displacement.

But who are the refugees?

Certainly in this century they have had remarkable origins. The movement included a million Russians fleeing from the 1917 revolution into Western Europe or wandering from Siberia into China, Mongolia, and Manchuria.

Soon afterward Armenians were fleeing the Turks—and many Turks sought resettlement within new national borders when their birthplaces were placed under Greek control.

Jews in the 1930's sought safety from their wouldbe exterminators in the Nazi Reich.

After World War II southeastern Europeans waited in Paris for restoration of freedom in their homelands.

In 1948 the emergence of Israel heralded hundreds of thousands of new refugees. There the problem is as great as ever.

Farther east there has been the steady post-1949 stream of Chinese fleeing the mainland to Hong Kong and Macao.

Then there was the 1956 Hungarian crisis and the Algerian turmoil of the late 1950's and early '60's—both producing refugees.

To the dismay of an astonished world came the flight of many Czechoslovaks following the 1968 Soviet invasion.

And in Africa today there are thousands on the move from one country to another. But the hapless caught in the Nigerian-Biafran conflict are not classified as refugees in an international sense since they are confined to their country.

For international experts the word "refugee" has acquired a distinct meaning. It is defined as a person forced to leave his own country for a political, racial, religious, or some other social reason not judged to be criminal.

Felix Schnyder, former United Nations High Commissioner for Refugees, said of the problem:

STANDING ARRANGEMENTS FOR AID

"Of all the various types of evil which man inflicts on man, the suffering of refugees persecuted for reasons of race, religion, nationality, or political opinion has, throughout history, been among the most cruel and persistent . . . reaching a monumental and tragic climax in our own 20th century."

A leading UN legal specialist on refugees, Dr. Paul Weis, has pointed out that "while the refugee problem is as old as history, international action for refugees started only after the first world war when the Bolshevik Revolution brought in its train a problem of refugees numbering 1 million persons."

This action has established the rights

of refugees in international practice and has provided food and shelter for them.

Today a network of verbal and tacit international agreements makes the world a safer place for refugees. It helps to give them legal and social status.

The UN has made strides from League of Nations days. The league's refugee operations were undertaken for specific problems, such as the Russian refugees and those fleeing Nazi Germany.

Except for the Middle East problem, the UN has been able largely to generalize its approach to refugees.

Wherever refugees originate they are covered by standing UN arrangements for aid. The UN has also been able to "depoliticize" the aid. Its help carries with it no judgment on the policies of states which produce the refugees. The states have begun to understand this and are becoming increasingly cooperative.

This trust is part of the basis for today's worldwide movements of refugees. But it follows from this that detailed accounts of their odysseys are usually sheltered from unnecessary publicity.

Privacy regarding countries of origin and of destination is dictated by political and diplomatic need. And it helps to ensure the personal safety of individual refugees and families.

The rights of refugees—the willingness of governments to let them go from their homelands and of others to receive them in transit or as permanent residents—have developed slowly.

To give wide publicity to the name of a country from which refugees are moving, for example, could cause that country to close its borders to the outflow. East Germany did so when it built the Berlin wall.

MIGRATIONS REPORTED IN GENERAL

Also risky is to name the countries receiving refugees. It can give the appearance that the countries are critical of policies in countries from which the refugees fled. In extreme cases this could lead to charges that receiving countries were conniving with agitators.

One of the vital rights of refugees is that presenting themselves at borders of neighboring states without fear of being turned back. For thousands this can mean the difference between life and death, authorities say, or between freedom and unjust and indefinite imprisonment.

Despite the need for official discretion about today's migrations, these can be reported and charted in general terms. Their most striking feature is the recent, little-known shift in the refugee problem from Europe to Africa, while the Middle East refugee situation remains much as it has for the past 20 years.

In the Middle East 1½ million Palestinian Arabs are still living (some observers say virtually "rotting") in refugee camps. Authorities who care for these refugees provide food, shelter, clothing, some education, and work training. But in the Middle East the refugees are "caught." They are waiting for a political solution of the Arab-Israeli crisis to return them to normal living.

Africa is the next largest—and newest—problem. There some 850,000 are on the move. The number, however, does not include those fleeing from the dangers of war in Nigeria.

The concentrations seen in Europe after World War II no longer exist. Millions have been moved from there to the United States, South America, and Australia. Many thousands were resettled in Europe as permanent residents or citizens. The International Refugee Organization (IRO) moved a million from Europe before its operations ceased in 1950.

This does not mean Europe is no longer an important area in the world refugee problem.

"This would soon become evident," a high official in refugee work says, "if the Intergovernmental Committee for European Migration were to cease moving refugees through Europe to lands where they can find permanent homes."

No longer an area of concentration, Europe today would appear on a world chart of the migrations as a vast landing stage. Refugees flow to it from Eastern Europe. They also move across the Mediterranean from the coast of North Africa.

From Europe migrations flow out to Canada, some toward the United States, and larger currents to South America and Australia.

Refugees from Fidel Castro's Cuba make one of the more curious ripples among these broader currents. The Cubans are heading for the United States, but many now go by way of Spain. There they wait admission to the United States under the quota system.

Another concentration is Hong Kong. An influx a few years ago added 1 million to its population. Since then some—just how many is not precisely known—have moved into other Asian regions, or overseas. But most have stayed and are cared for by the Hong Kong authorities.

There are Chinese refugees in Macao and thousands of Tibetans in India and Nepal. (Some Tibetans are even farther from home in another mountainous state, Switzerland.)

Wars in Korea and Vietnam produced many thousands of homeless. But they remain, like the Biafrans, within national borders and do not count technically as international refugees.

Unnoticed by most of the world, political refugees have been changing in appearance. On the average they have darker skins than the refugees of yesterday. They are on the run from dangers less well understood by Western peoples.

"However," says an official who seeks to know as much about refugees as does anyone else in the world, "this refugee who looks at first sight so different that many of you don't even recognize him—he is the same man."

CONTINUING NEEDS UNDERLINED

That is the view of the current UN High Commissioner for Refugees, Prince Sadruddin Aga Kahn. The High Commissioner's work reflects the great change in the refugee problem. The new challenge focuses in Africa because of sudden changes of government, the emergence of new nations with unstabilized regimes, and rebellions in some areas still under colonial rule.

When he says that today's refugee is the same as yesterday's, Prince Sadruddin is underlining the refugees' continuing needs for legal protection, for recognized status in the country giving him asylum, for aid with passports or other documents.

But he is speaking just as emphatically of the refugee's need to become a part of the community where he finds safety, to become a productive member of the community, and be assured of a future there for himself and his children.

In the Middle East, where refugees' futures depend on settlement of the Arab-Israel conflict, the problem is the responsibility of the United Nations Relief and Works Agency. It is one of the UN's specialized agencies, with headquarters in Geneva.

When possible, the UN High Commission for Refugees (UNHCR) seeks permanent solutions of refugee problems in league with other international agencies.

These solutions also are helped by programs negotiated by the UNHCR with separate governments. They aid not only refugees but local populations with whom refugees hope to settle.

For example in Africa, the settlement of many refugees depends on programs for basic economic development in sparsely populated regions. Without this the regions could not provide food, shelter, or jobs, and there would be no established communities in which refugees could make their homes.

As UN experts explain, a refugee in Africa may flee across an "artificial" border set up by some past colonial government which cuts right across tribal borders. On the other side of the "colonial" border he often finds a "distant cousin" or other members of his tribe waiting to give him "traditional hospitality."

One result is that great numbers of such refugees may flow into an area unable to support a big increase in population. The inhabitants may be poor and already bearing heavy burdens.

The sudden presence of refugees impoverishes the local population even more. So UN-aided programs must provide immediate help. They must offer food and shelter for refugees and a means to enable them and the local population to produce larger and earlier harvests.

When these aims succeed, as they often do, the local peoples as well as the refugees gain permanent benefits. In some cases the arrival of refugees has obviously been to the advantage of the local population because of the international aid that followed.

So the UNHCR, termed "nonoperational" under its mandate, nevertheless is credited with arranging some of the most notable operations in the refugee field.

It gains from close cooperation with the Intergovernmental Committee for European Migration.

ICEM is not a UN agency. It started in 1951, largely on American initiative. It has moved more than 1½ million persons out of Europe, in addition to the million moved earlier by the IRO. The ICEM is "Western" in that it began as an agency to move refugees from Eastern Europe.

Another aid is the United States Refugee Program, which helps defectors and refugees from Eastern Europe.

Voluntary groups give indispensable service, though sometimes within limited fields because of religious or racial connections. Jews, Protestants, and Roman Catholics are all represented in these efforts:

The World Council of Churches, the International Catholic Migration Commission, and the United Hias Service play big parts. The International Committee of the Red Cross is another leader as are the League of Red Cross Societies and its sister organization, the League of Red Crescent Societies (Muslim). The American Friends Service Committee and the Save the Children Federation add their resources. An almost endless list of voluntary organizations indicates the extent of the work.

They help refugees to train themselves in countries of asylum so as to migrate to countries that need them as permanent residents.

Meanwhile, the ICEM supplies cheap travel and makes loans to migrants. And the UNHCR watches over their rights until they have secured social status or citizenship in the countries of their choice.

All these agencies help to lead the refugee home, amid what is described by some as "the century of the homeless man." Sometimes "home" is a new place. But often it is back in the land from which he has fled.

"Voluntary repatriation," as this is termed, is often the most desirable of all solutions, say the experts. This becomes possible when the refugee has lost his fear of going home. His country, even perhaps under a new and revolutionary government, accepts him on the understanding that he is not returning to overthrow the government by illegal means, or to agitate against it.

Such repatriation returned nearly 200,000 Algerian refugees who had fled into Tunisia and Morocco during the Algerian war for independence.

EXTENSIVE SKILLS BUILD UP

While the flow of refugees continues, a vast political, legal, diplomatic, economic, and psychological "know-how" has accumulated for their benefit among authorities and experts whose job it is to help them.

"It is a career of discovery," says the UN's Dr. Thomas Jamieson, speaking of his own and others' long experiences in the work. Dr. Jamieson, one of the classic figures on the refugee landscape, says this discovery needs to be shared by more of the world. Especially, he adds, by the "rich Western world," which he says needs to realize how much is yet to be done and how much more money is required.

UN horizons are broadening. Sixty-seven of its member nations support the UNHCR financially. But the agency budget is very small, and half the organization's time goes to raising money.

Prince Sadruddin is working toward financial support from all UN members, even if some can give only small or "symbolic" amounts.

It is not enough, in his view, that only about half the members give funds. He would like to see the big powers—even the United States—do more for the UNHCR.

Alongside the big shift of emphasis from Europe to Africa, a change in attitudes of the UN's Communist states has been welcomed. These two are probably the most significant developments of the whole refugee picture in the past three years.

They may, moreover, be interlocked. The change in the Soviet attitude has coincided with the growth of African needs.

Communist politics in the "third world" of which Africa is a part may help to account for this. But to some extent so may the East-West détente.

Politics aside, here is one of the more hopeful changes in a world which still produces political refugees as fast as or faster than it increases its means for solving their problems.

TWO MILLION REFUGEES: A KEY TO THE MIDEAST CRISIS

ARAB STAND

(By John K. Cooley)

BEIRUT, LEBANON.—At the heart of the conflict between Arab and Israeli are about 2 million displaced people.

Nearly a million Arab Palestinians fled Palestine during the Arab-Jewish fighting that attended Israel's creation as a state in 1948.

Year after year, the rolls of refugees, nourished in body by international charity, but in spirit only by hope of return to their lost homes, grew larger.

In the tented camps, the shacks, and the prefabricated houses, or in the comfortable dwellings of the more fortunate, "home" was somewhere else—in the towns and villages from which the refugees had fled.

In June 1967, tragedy struck again. Israeli armies swept across West Jordan and parts of Syria and Egypt. Nearly a million more people fled or were driven from their homes in the six-day Arab-Israel war or during the hostilities that followed it to the present day.

Since then, a new force is stirring among the refugees.

"Why," asks a young university graduate, now receiving military training in a camp of the Palestinian guerrilla organization Al Fatah, "should we fritter our lives away in useless dreaming or brooding, living from the handouts of the Western world's guilty conscience? It's much better to be living, and fighting, for our return home."

For the past year, the refugee camps have been losing their young and able-bodied inmates of both sexes.

No longer refugees

"So you see," the university graduate adds, "we aren't refugees any more. We are people, with an ideal and a country to fight for."

The country, he will tell you, is Palestine—a new Palestine where neither Jews nor people of any other religion will rule the others. The ideal is a coexistence of Moslem, Jew, and Christian in a secular state. "And we are ready to fight for generations, if we have to, to achieve it," the young man says.

Since 1948, United Nations agencies, most governments including that of the United States, churchmen, historians, and humanitarians have appealed to Israel to permit the return of the Palestinians—or at least allow them a choice, as stipulated in many UN resolutions, between return and fair compensation.

Israel's reply, as repeated last year by Defense Minister Moshe Dayan, has been, "There just isn't room." The bitter Arab comment on this is that morality has been sacrificed completely to expediency, and that Israel's Western friends, especially in the United States, simply do not care.

Since 1948, fewer than 100,000 Palestinians, under "family reunion" and "special-urgency" categories, have been permitted to return. In Israel, they and 300,000 others who never fled, live a life as second-class citizens. Those in West Jordan, Gaza, Syria's Golan Heights, and Sinai are obliged to live under a regime of military occupation, where retribution for resistance activity, real or suspected, is often swift and ruthless.

Family history cited

One family history, among hundreds of thousands of others, speaks eloquently. George S., once a well-to-do shopkeeper in Lydda, fled with his family in May, 1948, when trucks of the Haganah, predecessor of Israel's present army, rolled into Lydda's main street and ordered them to go.

Haunted by the fate of Deir Yassin, an Arab village where Israeli spokesmen later admitted they had, on April 10, 1948, killed about 250 Arab men, women, and children who had offered no resistance, George S. and his family moved to Nablus.

There George S. built a useful existence. His two sons went to school and also helped him to farm a small plot of land.

When war struck again, the family lost nerve. This time they were not forced out, but after hearing of the Israeli destruction of the Arab villages of Emmaus, Yalu, and Beit Nuba, they fled before the Israeli armies arrived. They felt betrayed by the Arab armies and their leaders.

Very essentials needed

On the way to the East Bank of Jordan, their little daughter, Laila, was killed in an Israeli air attack. With no relatives or close friends to turn to in Amman, George S., his wife, and his two sons at first lived in a tented camp in the Jordan Valley.

Then, in the fighting of February, and March, 1968, they were forced to flee for the third time. Today, George S. has found part-time work near his camp on the outskirts of overcrowded Amman. His wife grows and markets a few vegetables.

And both sons have joined the guerrillas of Al Fatah. One has been to Lydda—where an Israeli dentist now lives in their old home.

After June, 1967, the 175,000 Palestinians who became refugees for the second time since 1948, and most of the 350,000 newly displaced from the occupied zones needed, in the words of Laurence Michelmore, commissioner-general of the United Nations Relief and Works Agency for Palestine (UNRWA), "the very essentials of physical survival": food, water, shelter, blankets, clothing.

Jordan, the country hardest hit by the newest refugee influx, ironically also is the country which had successfully absorbed the most refugees before June, 1967. Palestinians were granted full Jordanian citizenship. The economy was thriving; hard work and effective use of United States and other foreign aid had raised the annual growth rate to 11 percent.

Before the June, 1967, war, 724,000 refugees were registered in Jordan for UNRWA rations and services, such as schooling. Since the exodus of June, 1967, and the following months, this figure has risen by at least 20,000—but many thousands more were not on any official ration rolls.

Close to 300,000 registered refugees remain on the West Bank. About 500,000 UNRWA registered persons and another 237,500 registered with the Jordan Government are on the East Bank. These include close to 40,000 from Gaza who fled to East Jordan before King Hussein's government decided to close the Jordan River bridges to them in July, 1968, because, it felt, the Israelis were trying to empty Gaza at Jordan's expense.

UNRWA now assumes alone the total responsibility for food distribution among East Jordan refugees. Assisted by voluntary groups like the Near East Council of Churches, the Save the Children organization, the Quakers, and the Mennonites, it provides medical, schooling, and various self-help services. Most recently, the guerrilla organization, Al Fatah, has provided one school, two clinics, and one hospital, run by its own personnel.

More funds sought

Some 10,000 prefabricated houses of metal, and asbestos board, for 15,000 families are being erected now to replace tents, blown away or destroyed in many camps by winter rain, wind, snow, and mud, or forced to move by fighting.

UNRWA is trying to scrape together more funds—it lacks $3.8 million of its $42.5 million 1969 budget, and has had to shorten food rations—for more prefabs. In the words of one UNRWA official, "they provide at least a decent minimum of shelter, warmth, dryness, and privacy."

On the West Bank UNRWA's basic services recovered fairly quickly from the June war. "In general," UNRWA said in its last annual report, "the cooperation between UNRWA and the Israel authorities continued to be effective."

But Israeli authorities have kept the formerly large refugee population in the Jericho area camps down to a few hundred families. UNRWA has repeatedly said that "its capacity to help will be much greater if," in accordance with the Security Council resolution taken in July, 1967, "the inhabitants who fled are allowed to return to the places where they were living before the hostilities and where UNRWA's installations and facilities already exist."

Urgent task in Syria

The most urgent task in Syria since June, 1967, was caring for 17,500 Palestinian refugees and about 100,000 Syrian ones from the Israeli-occupied city of Kuneitra and the nearby Golan Heights, which Israel already is colonizing with its own settlers.

Some refugees found shelter or rented quarters in Damascus. But about 8,000 moved into tented camps near Damascus and Deraa, in southern Syria. UNRWA and the relief agencies sought, as they did in Jordan, to alleviate the worst suffering with stoves, bedding, concrete floors under the tents, and other basic camp improvements. Food rations were augmented last winter with hot meals and extra-protein foods for children.

The 100,000 Syrian refugees are being cared for by the Syrian authorities and the Near East Council of Churches (NECC). Yoon Gu Lee, executive secretary of NECC, supervised construction of new housing units and delivery of emergency supplies.

"The Syrian authorities," he says, "have matched everything we have done many times over. This was help that really made a difference."

Lebanon's fairly stable, though slowly growing, 1948 Palestinian refugee population of about 170,000 emerged from the June war with the least new difficulties. Though Lebanon was not involved in land fighting with Israel in June, 1967, a few thousand

Syrians and others took shelter from fighting in the Marjayoun area of southern Lebanon. Local people and authorities care entirely for them.

Nationality acquired

Though Palestinians cannot legally work in Lebanon, about 20,000 refugees have acquired Lebanese nationality since 1948 and have become more or less integrated into Lebanon's free-enterprise economy.

An authoritative official source estimates that between 70,000 and 90,000 others, never registered with UNRWA, have, by one means or another, obtained Jordanian passports and so are entitled to work permits under the same conditions as other foreign residents of Lebanon. Despite this, a shantytown peopled by Palestinians—1948 refugee families—is one of the most disconcerting sights greeting a foreign tourist driving in from Beirut airport.

Perhaps hardest hit has been the Gaza Strip. This is the last remnant of British-mandated, pre-1948 Palestine. It was under Egyptian military rule from 1948 to 1956, and again after the Suez war in 1957 until Israel occupied it in June, 1967. Economists estimate it could support about 60,000 people without outside help.

Instead, Gaza had to cope with nearly 400,000 refugees by the time of the June, 1967 war. This figure is now down to about 308,000.

"There is no doubt," says a leading European official of one of the relief agencies "that the Israelis are following a conscious policy of emptying the strip of Arab inhabitants. Everything, from subtle persuasion to force, is being used to reduce the camp population."

Those in the Jabaliya camp, in northern Gaza, have been especially affected because of heavy Arab guerrilla and resistance activity in and around it.

Homes destroyed

More than 240 individual houses, Israeli sources admit, have been blown up in Gaza since June, 1967, a practice also followed in the West Bank and Jerusalem as a reprisal for real or suspected aid to guerrillas. UNRWA and other agencies have had to add hundreds of thousands of extra dollars to their budgets to provide basic services for these newly homeless and unemployed people.

Above and beyond the extreme bitterness of feeling in Gaza and the concentrated suffering there, impartial observers feel that the strip's population will have to be drastically reduced in any peace settlement, if ever it is to be viable.

The least publicized of Middle East refugees are about 350,000 Egyptians moved inland from the Suez Canal bank towns, heavily shelled in intermittent fighting from July, 1967 until the present. The Egyptian Government and religious relief agencies care for them.

Schools assisting

One small Egyptian village of 7,000, Oum Kinen, received 1,000 such refugees. Yoon Gu Lee reported that its people "gave 120 rooms free of charge, gave work to 97 people out of 150 able-bodied men; and quite a few people with skill began their business in the village, like shoemaking, carpet manufacturing and carpentry."

UNRWA cannot help these Egyptians, who depend on the U.A.R. government, the Roman Catholic organization, Caritas-Egypt, and the NECC. UNRWA does care for about 3,000 Palestinian residents displaced from Gaza and Al-Arish, in Sinai, since 1948 and the Suez War of 1956.

UNRWA's school system has sent hundreds of thousands of Palestinian youngsters into useful lives. During the school year 1967–68, UNRWA operated 446 elementary and preparatory schools—some in tents—for 179,591 Palestine refugee children. Another 41,602 were enrolled in government and private schools, covering the first nine school years.

Some 15,226 attended secondary schools, not provided by UNRWA but given allowances or subsidies, which in 14,000 cases were paid to the students themselves. Arab governments bear most of the costs of secondary schooling.

The UNRWA teaching staff of about 5,200 was seriously disrupted by the hostilities of June, 1967 and afterward. Arab nationals were at first not permitted by the Israelis to return to occupied territory. In Gaza, 48 were deported by the Israelis and six killed in the fighting that also destroyed many classrooms.

Youth activities centers

Strikes, curfews, mass arrests, demonstrations, detention of teachers, and intrusion of Israeli troops into rebellious schools seriously hamper the education of these children.

UNRWA operates 34 youth activities centers, a few preschool play centers for tiny Palestinian children and teacher training centers. There are three preservice residential teacher training centers; two in Ramallah, West Jordan, and one in Siblin, Lebanon. In Beirut, the Swiss Government initially financed a joint UNRWA-UNESCO Institute of Education. There are UNRWA vocational schools at Kalandia, near Jerusalem; Wadi Seer, near Amman, and in Damascus. A YWCA training center in Beirut also offers vocational courses to 100 Palestinian girls.

In Jordan, the record of job placement of UNRWA secondary-school graduates is impressive. Since June 1967, 130 local and 600 foreign employers' requests for graduates were filled up to the beginning of this year. Virtually all graduates of teacher training schools have found useful jobs.

Few graduates placed

Less successful has been UNRWA's program of placing graduates in on-the-job training with industrial firms in Western Europe. Only 27 out of 950 candidates were so placed last year. West Germany, however has agreed to accept more. For Palestinians without qualifications for vocational schools, UNRWA operates basic literacy and handicrafts courses in everything from cooking, sewing, and carpentry to first aid. There are also courses for blind or handicapped refugees.

What of the story, often heard in the West, that most Palestinians really do not want to go home, or have their own state? "The huge adherence to the guerrilla organizations disproves this," says a guerrilla leader. Last year, Professors Peter Dodd and Halim Barakat of the American University of Beirut's sociology department conducted searching case studies of 122 typical refugee families, about 800 people from all walks of life in all.

Their research showed that some 64 percent of "old" (1948) and 82 percent of "new" (1967) refugees definitely wished to return. Only 15 percent of old refugees and 2 percent of new refugees did not wish to return.

One of the Palestinian mothers questioned replied: "Your country is like your child. You cannot be separated from it for a long time. Your country is where you were born and no other country would be dearer to your heart."

ISRAELI VIEW

(By Francis Ofner)

JERUSALEM.—Over nine-tenths of the 1,300,000 persons who immigrated to Israel after the establishment of the state in 1948—and who now make up half of the country's Jewish population—were refugees when they fled from their countries of origin. But practically none of them now would think of themselves here as a refugee. Nor would other Israelis put them into this category.

For instance, Jacques Sadras was born in Alexandria, Egypt. When the Egyptian Army marched against nascent Israel May, 1948, Mr. Sadras was interned as a Zionist at the camp of Abukir in the Nile Delta.

After 15 months of detention, Mr. Sadras was taken handcuffed on board a ship in the Port of Alexandria and from there to Venice, Italy.

There he met and married Simha, also a refugee from Egypt. Emissaries of the Jewish Agency, who had come from Israel, soon put them on board a Haifa-bound vessel.

"After our arrival, we went to Kibbutz Ein Shemer, but left a few months later for personal reasons," Mr. Sadras says, "and the Jewish Agency stepped in again and put us up at the transit camp of Beit Lid, near Netania."

Couple lived in camp

Being a trained lathe operator, Mr. Sadras was sent to Beersheba, today a bustling city in the Negev, but then little more than an experiment in coexistence between immigrants from dozens of different countries. With so many newcomers arriving, the young couple had to live in a camp, even after their first boy was born.

The winter of 1949–50 was unusually cold for this warm region. "One February morning, I could not even open the hatch of the tent—we had been snowed in."

In the spring, the Jewish Agency gave the couple a newly built apartment consisting of one room, a shower cubicle, and a kitchenette.

The same year, Mr. Sadras was called up for his two years' compulsory military service.

"Those two years were hard for me and my wife," he recalls. "She and the boy had to make do with the monthly Army allowance."

While in the Army, he learned more skills, so that after his release in 1952 he was able to get a better job in Beersheba.

Further improvement came when Mr. Sadras' mother-in-law opened a very modest fish restaurant on the Jaffa seashore. It proved a great success. He joined her and now is prosperous, has a three-room apartment in Tel Aviv, a car, and three children.

"The years we went through were difficult," he now says. "But we are happy to be free in our own country—others have suffered more."

One of those who had it much tougher, is Mrs. Clara Landau-Bondi, a survivor of the Nazi extermination camp of Auschwitz and now a prominent ballet teacher in Jerusalem.

She was a student at the University of Zagreb, Yugoslavia, when World War II overtook her native country. For three years they were subjected to persecution under the Hungarian occupation forces, and in mid-1944, she, her sister, and their parents were deported to Auschwitz.

Fortunately her turn for the gas chambers had not come by the time the camp was evacuated in 1945 in view of the Soviet Army's advance. She survived the notorious "death march" back to Germany.

Successful ballet teacher

Eventually back in her home town of Sombor, in Yugoslavia, she heard that both her parents had been killed in Auschwitz. For a while, she took up her family's profession, ballet teaching and choreography.

In 1949, she asked the Jewish Agency envoy who had arrived in Yugoslavia, to take her to Israel.

"I arrived in Israel with one suitcase, no money and no knowledge of the language." But it did not take long to correct all three defects. Through a career as a midwife and a punch-card operator, she found her way back to ballet, married her pianist, and now runs the most successful ballet school in Jerusalem.

Another Israel refugee-turned-resident is Miss Tatiana Stepankova, formerly a commentator on Radio Prague, Czechoslovakia. When the Russians invaded her native coun-

try in 1968, she happened to be in Israel on a visit. She wanted to return home because she feels deeply attached to the Czech people. But she was advised by her friends in Prague and abroad not to return, because the Soviets would not allow journalists to exercise their profession freely, as they were beginning to before the invasion.

"I accepted with a heavy heart the invitation of my friends in Israel to join an Ulpan—a rapid Hebrew language course." By now she speaks Hebrew, but has declined an offer of a job from the Israel Broadcasting Service. Instead, she does public relations for a Tel Aviv hotel.

Tatiana's younger sister also went to an Ulpan and now is studying at the Hebrew University's Haifa branch. Their parents, who escaped later, have also found their niches in Israeli life. Unlike so many other families, this one is reunited.

Open nation

These three are true case-histories, including the names. They represent three major types of refugee immigrants—those from Arab and Moslem countries; from Hitlerian Europe, and from Communist-dominated parts of Europe.

The Israelis do not allow their immigrants to remain refugees for long.

The proclamation of independence states that "The State of Israel will be open to Jewish immigration and the ingathering of the exiles," and the "law of return" provides that "every Jew has a right to immigrate to Israel." That was one of the very first laws adopted by the Israeli Parliament over 20 years ago. The law further provides that every immigrant becomes a citizen with full rights as soon as he steps on the soil of the country, unless he specifically opts out.

Economically and socially, however, the process of shedding their refugee mentality and asserting their "Israeli-ness" takes more time. Still, the Israelis claim their record is second to none in their effort to integrate refugees with utmost speed.

It is estimated that nearly $2 billion has been spent for this purpose. This includes the payment of fares to Israel, the provision of housing at low rent or on long-term, publicly financed mortgages, the teaching of trades to newcomers, even reclaiming land for immigrants settling in farm villages, providing them with tools, working capital, and instruction.

To speed up the process of integration even more, a special government ministry was set up last year under Deputy Premier Yigal Allon. Whole series of training courses have been run to teach officials how to handle newcomers and in which way their countries of origin affect their adaptability.

At present, the country has 10 absorption centers and 11 immigrant hostels for newcomers with nearly 5,000 places. Another 10 such institutions with a total of 2,700 places are under construction and seven more, with 2,700 places are being planned.

Charge against Arabs

But the success story of refugee Jews does not diminish awareness here of the tragedy of the Arab refugees.

By now, little heed is being paid any longer to the question of who is responsible for their becoming refugees—whether the Israelis, as the Arabs claim, or the Arab leaders, as the Israelis assert.

The most important aspect of the problem, in the Israeli view, is that the Arab governments do not want to solve the refugee problem. Instead, the Israelis' say, the Arabs are anxious to keep it alive and to use the refugees as a political, propaganda, and military weapon against Israel.

It is perhaps little known that Israel has absorbed over 40,000 Arab refugees—5,000 of them before the 1949 armistice and the rest thereafter. They were all struck off the relief rolls of the United Nations.

The bulk of these refugees had come by 1952, but arrivals have been continuing under the reunion-of-families scheme at the rate of several hundred a year. In addition, some 14,000 permits for the return of 1967 war refugees have been issued, but so far only a fraction have been used.

As to a comprehensive solution of the refugee problem, the Israel government has repeatedly offered to pay compensation and to help in their resettlement, "provided it is part of a general solution of the refugee problem."

The return of refugees to Israel is considered unrealistic here. It would only create misery and unhappiness once more, Premier Golda Meir said in a recent speech. "What has taken place," she explained, "is actually an exchange of populations. We took some 600,000 Jewish refugees from Arab and Moslem countries, while about a similar number of Palestinian Arabs became refugees as a result of the 1948 war."

The number of the Arab refugees has been artificially inflated, the Israelis say, in addition to their natural increase. The root of the trouble is described here as the "stubborn refusal of the Arab governments to solve the problem."

EUROPE—STAGING POST FOR REFUGEES

(NOTE.—Twenty-four years after World War II, thousands of refugees are still on the move throughout Europe. West Germany received more than 28,000 in 1968. Tens of thousands fled Czechoslovakia following the Soviet invasion. But, as these reports show, wherever his destination and once over the initial changes, the European refugee settles quickly.)

GERMAN INFLUX

(By Harry B. Ellis)

GÖTTINGEN, GERMANY.—"We suggest they get housing more quickly if they choose a state like the Saarland," declared the West German official. "But relatively few take our advice."

He stopped, reflecting on hundreds of interviews over the years with German refugees from the Communist East.

"They say," he continued, "that the Saarland is too close to the frontier. We point out that the frontier is with France and friendly. But it makes no difference."

The official shook his head. "People who for years have lived close to a tense frontier want to bury themselves in the middle of Germany. They want no borders at all."

Speaking was Boris Schütz, representative of the West German Government at Camp Friedland outside Göttingen, four miles from the frontier with East Germany.

Hundreds of thousands of persons of German origin, some speaking little or no German, have flowed through the portals of Friedland, seeking new homes in the federal republic. They came—and still come, more than one thousand a month—from the Soviet Union, Poland, and the former Baltic states.

This mass of people forms part of the more than 12 million Germans who, since the collapse of the Third Reich in 1945, have fled or been pushed out of Communist lands in Central and Eastern Europe.

Every fifth person among West Germany's 59.8 million citizens came from areas now governed by Communist regimes, including Walter Ulbricht's East Germany.

In the immediate aftermath of the war Czechs and Poles, having suffered so much from Germans themselves, expelled indigenous Germans from the Czech Sudetenland and the Polish Oder-Neisse lands. Another huge group of Germans, fleeing Communism voluntarily, came west from East Germany.

Typical family seen

This flow continues. In 1968 more than 4,900 Germans escaped from East Germany, many of them risking fire from the guns of border patrols. Another 23,397 ethnic Germans came to the federal republic during the year from other Communist countries of Eastern Europe.

By the end of 1968, according to Kai-Uwe von Hassel, West German coffers had poured out $17.5 billion since 1952 to compensate refugees from the east and to reestablish them within the federal republic. Mr. von Hassel heads Bonn's Ministry for Expellees, Refugees, and War Injured.

The list of benefits is long. Take a typical family of four ethnic Germans—mother, father, and two children—arriving, bewildered and poor, at Camp Friedland from a Polish town.

Everything in the camp, food and new outfits of clothing, is free. The family's travel costs from Poland to whatever West German town they choose to settle in are paid by the federal government.

Each newcomer over 21 gets $25 in cash. Each child receives half that amount. The refugees, as new West German citizens, are entitled to a full range of social-security benefits.

The family is helped in obtaining public-financed housing. If the children speak no German they are enrolled in special schools, until they can catch up with other German youngsters.

"The family is free to choose what land [state] it wants to live in," Mr. Schütz remarked. "Theoretically each land sets a quota but in fact the refugee's choice has priority.

Losses assessed

"The problem is that popular states like Baravia or Baden-Württemberg have too many people and not enough housing. So we try to suggest places where they can get apartments quickly."

Germans leaving Poland legally are required by the Polish Government either to sell their property or to turn it over to the Polish Government. Many refugees arrive nearly penniless at Camp Friedland.

These property losses, too, are assessed "Perhap $7 billion has been paid out in this category," Mr. Schütz said.

German refugees from East Germany are processed at a number of camps, or transient facilities, throughout the federal republic. Camp Friedland and a similar installation at Nuremberg are reserved for ethnic Germans from nations other than East Germany.

A smaller facility at Zirndorf, on the outskirts of Nuremberg, processes all non-Germans seeking political asylum in the federal republic.

Friedland handles ethnic Germans from the northern tier of Communist states, excluding East Germany. The Nuremberg camp collects German refugees from Czechoslovakia and the Balkans.

"Our first effort," Mr. Schütz explained "is to determine that the immigrant is of German origin. Then we ask, Why did you come?"

How to qualify

The newcomer should have chosen the federal republic for German reasons—that is, as an expression of his Germanness—to qualify for refugee benefits.

"Ninety percent of our refugees come legally," an official observed. "The rest come illegally, by various routes."

The legal way takes time. Relatives already in the federal republic apply for their kinfolk in the east to join them. This application is filed through Mr. von Hassel's ministry.

The application then goes to the Communist government concerned. In Moscow the relay is through the West German Embassy. The American Embassy in Warsaw handles requests concerning Poles.

Communist authorities then decide "yes" or "no." For years—following the first mass expulsion—Polish officials continued to clear ethnic Germans from the "western territories." These were former German lands east of the Oder and Neisse Rivers, awarded to Polish "administration" by the Potsdam Agreement.

But the Poles allowed relatively little emigration from East Prussia, taken from Germany and divided between Poland and the Soviet Union after World War II.

"We applied 18 to 20 times," an East Prussian refugee explained at Friedland, "and always were turned down."

"The last year Gomulka [Communist Party chief Wladyslaw Gomulka] said over the radio: Whoever does not want to be a Pole, but prefers Germany, let him leave. So we applied again," the refugee added, "and received permission."

"Now," remarked Mr. Schütz, "we get 350 or more ethnic Germans from East Prussia monthly. Not from Soviet East Prussia," he amended. "None are left there."

The current exodus from Poland includes a number of German Jews, most of whom go to Israel. A surprising number of East European Jews choose the federal republic as their new home.

Emigration climbs

The number of ethnic Germans emigrating from Czechoslovakia climbed sharply during the 1968 détente, after Alexander Dubcek eased the Communist reins and before the Soviet-led invasion of Aug. 21.

"Those Germans who come from Czechoslovakia," one official observed, "often arrive with cars crammed with household goods. Those from Russia and Poland generally arrive dirt poor."

"Germany under Hitler," one observer stated, "caused much of the great human upheaval in Europe before and during the war. Now, ever since the Nazi collapse, Germans themselves have become the refugees."

"These people," remarked another source, "are a net gain to the federal republic. They work hard, driven by a compulsion to catch up with other Germans."

"Even an electric toaster," Mr. Schütz declared, "is a sensation to many people who come through Friedland. Men go out from here and beg to work 80 hours a week to get their families started."

Every able-bodied German who returns can find work. At the beginning of March, 1969, the federal Ministry of Economics listed 625,000 unfilled jobs in West Germany.

Since 1949, when both the federal republic and East Germany were founded, about three million Germans have deserted East Germany for the economic glitter and political freedom of West Germany.

Until the Berlin wall was built in 1958, the inflow from East Germany was far larger than from the rest of Eastern Europe combined. Now the reverse is true.

Means of exit limited

East Germans must run a gauntlet of barbed wire, mine fields, and machine-gun bullets to escape. Ethnic Germans from Poland, the Soviet Union, Czechoslovakia, and the Balkans still have legal—though limited—means of exit.

The loss of German citizens threatened the existence of East Germany. Exit of Germans from non-German Communist lands, on the other hand, often is regarded as purifying the country of alien elements.

Between 1950 and today nearly 650,000 ethnic Germans have entered the federal republic from Communist lands other than East Germany. This is in addition to the convulsive, uncontrolled expulsion movements at the end of the war.

The common denominator of the two great classes of German refugees—those from East Germany and those from elsewhere—is escape from communism.

Once in the federal republic the newcomers tend to blend with West Germans and soon are indistinguishable from them. This is the key differential the refugee question in West Germany has from the problem in other lands.

The word "refugee" connotes a displaced individual, eking out a meager existence on charity in an ugly camp. Millions of unfortunates—Arabs, Africans, and others—fit this concept.

Not so German refugees. West Germans have the money, jobs, and political will to absorb their ethnic brethren, uprooted in one way or another by the Nazi holocaust.

A CONTINENT THAT'S ON THE MOVE

(NOTE.—The creation of African states—particularly during this decade—has shifted the world's major refugees from Europe to this continent. As new states emerge, many minority groups flee—thus becoming refugees.)

(By Frederic Hunter)

Africa is a continent of refugees: political, ethnic, European, Asian, and, most of all, African.

People have always been on the move in this continent. But in the past they did not present the huge refugee problem they do today—that is a product of African nationhood and this decade.

Throughout history Africans have been populating a largely unpeopled continent, vast stretches of which are still sparsely settled.

Families, clans, and even tribes established themelves by fission. Empires built on trade rose and fell. Others built on military might dominated regions and their peoples for hundreds of years.

Some of those made homeless by war fled beyond the reach of their enemies into virgin land—or that of even weaker peoples. Others assimilated—or were assimilated by—the victors.

Before the era of colonialism the processes of movement inside Africa were largely unknown to the outside world. Africans displaced by the processes of movement outside the continent—by the European and Arab slave trades—were considered merchandise, not public charges.

Under colonial rule European administrations acted as higher authorities to settle the conflicts which displaced peoples. Colonialism tended to halt the age-old African migrations, to freeze the expansion and contractions of ethnic hegemonies.

DECEPTIVE AURA GIVEN

European rule, backed by the muscle of colonial armies, gave Africa a deceptive aura of stability and quiescence. This rule also imposed upon the continent a set of boundaries drawn in 1884 by European powers with little knowledge of African tribal territories.

The emergency of African colonies into nation-states—in large part a process of the last 10 years—has produced social and political, ethnic and economic upheavals virtually unparalleled in the continent's history.

Those upheavals have produced hundreds of thousands of refugees.

Most have fled from warfare or terrorism. The problems of minorities—usually ethnic ones—have triggered most of these conflicts. They have sprung from the failure of peaceful efforts to define the role of these groups within the nation-state.

In most cases these ethnic-minority groups have—in fact or in appearance—dominated a sector of activity. Other groups have seen this dominance as detrimental to their interests. Eventually they have reacted violently against it.

Other conflicts have resulted from pressures to resolve within the framework of the modern state the problems posed by large cultural minorities or by nonconforming religious groups.

MANY PEOPLE SURPRISED

These African conflicts surprised and shocked many people, especially in the early days of nationhood when many assumed that colonial calm would carry over into independence. But colonialism was itself a type of social organization based on political domination by a minority.

With the thawing of the colonial freeze Africans began to sort themselves out in the more fluid atmosphere of national independence.

But that atmosphere proved less fluid than many Africans expected. The legacy of colonialism, that part not to be rejected, imposed curbs just as colonialism itself did.

Among the most important were the national boundaries.

The resolve to preserve these boundaries is great—despite the lip service rendered the concept of Pan-Africanism.

Thus in the postcolonial era people who pushed across internationally recognized boundaries found that they were no longer free—as they had been before colonialism—to settle where they could. Instead they were international refugees.

Generally speaking, the colonial powers removed themselves from black Africa without large-scale conflicts. The exception, Portugal, is fighting anticolonial wars in the three African territories it retains. Thousands of refugees have fled from these territories: 61,250 from Portugese Guinea on the West African bulge, 30,150 from Mozambique. About 90 percent of the latter have fled to Tanzania, where most Mozambique liberation movements are headquartered.

CIVILIANS TERRORIZED

Black Africa's most violent anticolonial war has taken place in Angola where both sides have resorted to terrorism and intimidation of civilians. More than 360,000 refugees have left Angola, virtually all of them going to the Congo.

Even as a United Nations trust territory, Rwanda was essentially a feudal kingdom. In the years just prior to independence tribal warfare beset this tiny, densely populated central African nation. It pitted the ruling class, the tall, regal Tutsis, a mere 15 percent of the population, against the Hutus, their age-old vassals.

As the administration of Belgium, the UN trustee, was coming to an end, the Hutus succeeded in overturning Tutsi political domination in one-man, one-vote elections. Hutu representatives then deposed the Tutsi monarch. This action and the resumption of Tutsi-Hutu clashes, many of them bloody enough to evoke cries of Tutsi genocide, caused perhaps half the country's Tutsi population—about 200,000—to flee.

The problems posed by displaced Rwandese lodged in camps bordering their former home land illustrate some of the difficulties involved in resettling refugees in Africa and elsewhere.

An influential group of high-born Tutsis, called the Iyenzi, agitated within the camps against permanent settlement outside Rwanda. Some of them led attacks against their homeland, hoping to return to power. At one point they penetrated to within 12 miles of Kigali, Rwanda's capital.

OTHER PROBLEMS CAUSED

The unwillingness to resettle caused other problems. It prevented the camps from becoming self-supporting and tended to make the Tutsis professional refugees. It aroused the resentment of host-country citizens who received no outside support as did the refugees. In addition, the Tutsis, who measured wealth in cattle, took to agriculture reluctantly, disdaining it as Hutu work.

These refugees—and especially the revanchist Iyenzi—produced instability in the entire area surrounding Rwanda.

Their presence on Rwanda's borders posed more than strategic difficulties for Rwanda's

Hutu government. It also endangered the peaceful existence of the Tutsis remaining in Rwanda. This in turn impeded the country's development since the government depended upon this educated group in order to function effectively.

Tiny Burundi, Rwanda's neighbor to the south, approached independence in a similar state of feudalism. Due to less-defined ethnic divisions, however, it escaped intertribal clashes. But the entrance into Burundi of Rwanda's Tutsi refugees tended to upset this balance. Some observers point to the Tutsi influx as one of the factors which caused the assassinations of Burundi Premiers Prince Lewis Rwagasore and Pierre Ngendandumwe, the attempt to assassinate Premier Leopold Biha, and the 1966 overthrow of the monarchy.

Tutsi refugees also participated in the 1964 antigovernment rebellion in the Congo. Hopes of arming themselves for another attack against Rwanda seem to have motivated them.

Little conflict preceded the Congo's accession to independent nationhood. Due to the country's lack of preparation for self-government, however, and widespread misunderstandings as to what independence would involve, racial distrust deepened to the point of combustion just prior to the transfer of powers.

The conditions of the first weeks of Congo nationhood in 1960—uncertainty, a shaky, inexperienced government, a popular sense of betrayal by politicians, and the Army mutiny—ignited a panic among whites. They fled to Rhodesia and Uganda by car, to Brazzaville and Bangui by ferry, and to Rwanda across the eastern lakes at night. They flew from Leopoldville "loaded like cordwood," as some have recalled it. They arrived in Brussels owning only what they carried. Perhaps as many as 50,000 whites left the Congo at this time.

A similar situation gripped Equatorial Guinea a few months ago. There the actions of an inexperienced government caused Spanish settlers to panic and flee.

THOUSANDS DISPLACED

All of these situations arise from a common situation: in the displacement of a politically dominant ethnic minority or in attempts to displace such a minority.

This is the great African political adjustment of the decade.

The other great African adjustment causing the displacement of peoples is that due to domination—or fear of domination—by an ethnic minority in the economic sphere. It causes the displacement of one group in order to extend economic opportunities to another, usually a group more valuable politically to the leadership.

This process has displaced thousands of Asian merchants in East Africa. It probably will displace more. East Africans tend to regard the Asians as having a stranglehold on local retailing.

It also has displaced highly trained economic or administrative elites, distrusted by local peoples as controlling their government administration or certain fields of economic activity.

Among such displaced in the early 1960's were the Dahomeyans who staffed the colonial civil service in French West Africa. The Balubas of Katanga Province in the Congo, another administrative elite, fled fearing reprisals from other peoples of the region should the Katanga secession succeed.

About 300,000 Balubas returned to their ethnic homeland, Kasai Province, within the first year of Congolese independence. While the Katanga secession was being resolved, another 30,000 Balubas lived in a refugee camp in Elisabethville under United Nations protection.

The Ibos of Nigeria are perhaps a special case of this type of displacement.

Long resented in parts of Nigeria, especially the north, for their dynamism, their assumptions of superiority, and their control of administrative and retail posts, the Ibos were the victims of pogroms when resentment burst into violence after the assassination of northern leaders at the hands of a group of predominantly Ibo military officers.

MASSACRES BREAK OUT

Thus, in the Ibo case, the fears of economic domination combined with anxiety over political subjugation culminated in violent anti-Ibo massacres. These pogroms convinced many Ibos that they could not live safely outside their ethnic heartland—the Eastern Region of Nigeria. Several million of them fled there and later declared its secession as the Republic of Biafra.

During the near two-year course of the Nigeria-Biafra war, secessionist territory has been surrounded by federal forces. The difficulties of feeding, clothing, and caring for hundreds of thousands of refugees in a Biafra which is landlocked and cut off except from the air have been immense.

Other minority problems have caused the displacement of 121,000 Sudanese. There refugees have left their homeland due to more than a decade of sporadic civil war raging between the Arab north and the black cattle-raising nomads of the south. Basically at stake is the place in the Sudan, declared a Muslim state by the Arab majority, of a significant non-Muslim minority.

The position of large cultural minorities has caused similar problems in neighboring states. Ethiopia faces a serious separatist challenge in Eritrea, the province bordering the Red Sea. A dominant factor in this struggle is the place of a Muslim, Arab-influenced minority in the ancient Christian kingdom. More than 30,000 Ethiopian refugees have fled to the Sudan as a result.

BORDER WARS CALLED OFF

The ethnic solidarity of the Somali peoples, many of whom wander widely as shepherding nomads, have caused problems to Ethiopia, Kenya, and the French Territory of Afars and the Isaas, formerly French Somaliland. Although the Somali Republic has called off border wars with its neighbors, it still acts as the country of asylum for refugees numbered at more than 400,000 by some counts.

Some observers regard the 1964 Congo rebellion as largely an effort by minority tribes—the Tatela, Kusu, and related ethnic groups—to secure greater national influence. While the rebellion unified a wide variety of malcontents, these observers believe that Tatela-Kusu grievances acted as the engine behind it. The rebellion pushed more than 70,000 Congolese over the borders seeking refuge from the fighting.

Zambia has encountered special problems in trying to determine the place in a nation-state of nonconformist religious groups. Among these are the Watchtowers and the Lumpa sect of prophetess Alice Lenshina. These groups have instructed members not to participate in political activity, a prohibition which has led to suppression and coercive action by the Zambia Government.

VARIETY OF CLASHES

In a variety of clashes government forces have killed hundreds of sect adherents and have driven others from their villages. A number have fled beyond the borders of Zambia.

Mention must also be made of the continuing migrations from the countryside to the city. This process is one of the most significant now occurring in Africa. It has resulted from the desire of many young Africans to experience the opportunities and glamour of city living. It has swollen many African cities—Kanshasa, Lagos, Nairobi, and Accra, for instance—beyond their capacity to support the influx.

Those migrating to the cities are refugees in no customary sense. But many have fled, as refugees do; they have left behind stagnation, societies run by conservative elders, and economic deterioration especially onerous in rural areas. Many do not find employment in the cities. And, like refugees, those who cannot lodge with relatives are homeless and displaced.

One would like to write that African refugees problems—and the minority adjustments which underlie many of them—will soon be resolved. Little evidence, however, demonstrates this view.

For the moment Africa's minority problems remain—as do the efforts of the new African nations to harmonize the demands of nationhood to those of minority groups.

Africa's refugees also remain. They are the wages paid by the ethnically oriented societies of the past for emergence into non-ethnically oriented nationhood.

FLIGHT TO HONG KONG

(NOTE.—It's a tight squeeze in this British colony—400 square miles for 4 million people. And half the populace are refugees, with more arriving each day from mainland China. That is the problem in Hong Kong. But, thanks to British pragmatism and Chinese initiative, it is being kept at manageable proportions.)

(By John Hughes)

HONG KONG.—It is a night without a moon, and the mist hangs low over the South China Sea, clinging to the rippling wavetops.

Cautiously the "snake boat" works its way through the coastal waters that divide China from Hong Kong. Suddenly there is a challenge. A police boat looms through the mist. A searchlight flares. There are shouts and splashes as passengers on the snake boat fling themselves over the side. Some strike out for shore. The sturdier ones make it and stumble, gasping, inland.

Another batch of refugees from Communist China has found sanctuary in Hong Kong.

Such scenes as these occur daily in the waters of this British colony as Chinese, who have decided to put their homeland behind them, make the break for life in what still may be a Chinese city, but one over which the British flag flutters.

Of Hong Kong's nearly 4 million people, about half are refugees from the mainland. After World War II, Hong Kong was a drowsy little tropical outpost with a population of less than a million. Then the Communists took power in China. Peasants from Kwangtung and capitalists and rich businessmen from Shanghai came pouring across the narrow land border into Hong Kong. By the end of the 1940's, Hong Kong's population had doubled. By the end of the '50's it had trebled.

INFLOW WORKS BY CYCLES

Since the great influx of the '40's, the flow of refugees has gone in cycles, depending on conditions inside China. In the summer of 1962, after two bad harvests and a resulting food shortage, some 160,000 Chinese surged across the border, breaking down the chain-link fence in the attempt to gain refuge in Hong Kong. About a third were arrested by British authorities and returned to China. The others have remained.

In ensuing years, the flow took a dip until the chaos of the "cultural revolution" in 1967.

At the peak of violence in China, more than 1,000 persons a month were slipping past Communist security patrols and making for Hong Kong. The colony's director of immigration, William E. Collard, recently calculated the number of "illegal entrants" into Hong Kong during that year at 18,000. Now the number has dropped to somewhere around 400 a month.

But since 1962, when the land frontier was reinforced, the bulk of refugees have come by water. Occasionally shots are heard from the Chinese side of the border fence; it is presumed that Communist guards have

opened up on some escapee trying to cross by land.

However, most refugees trickle along the coast to Hong Kong in junks and sampans, or pay the price for a hazardous ride in a snake boat, whose owner makes a living running human cargoes through both Communist and British patrols.

Some of the most venturesome walk over land as far as they can, then try swimming across coves and bays which divide Chinese territory from British. At low tide, they can cover some distance by wading but must still swim part of the way through open sea.

Thus, because of its accessibility to the mainland, Hong Kong is still the magnet for those disillusioned by the direction of events in China. Tibetan refugees have fled to India, and there has been some movement to the Soviet Union from minority groups scattered along China's northwest border. But the bulk of refugees have come funneling out through Hong Kong and to some extent through the Portuguese colony of Macao, 40 miles away across the estuary of the Pearl River.

BASIC SERVICES STRAINED

For the British, this poses obvious problems. Hong Kong is but 400 square miles in area, counting all its outer islands. Hong Kong Island itself has an area of 29 square miles, and it is desperately overcrowded.

The British argue that they have a primary responsibility to the 50 percent or so of the population actually born in Hong Kong, as well as to the others who have since made it their home. There is only so much the government can do. Housing, the school system, and basic services are already strained. Further immigration must be limited unless Hong Kong is to be swamped. Thus goes the official argument.

QUOTA NEVER FILLED

This has led to considerable criticism from abroad, for the official British policy is to hand back to China those Chinese who enter Hong Kong illegally. "Legal" emigrants to Hong Kong from China are limited to 50 a day in terms of an agreement between the two governments. By this is meant emigrants who have sought the permission of their government to leave, who have been issued with the necessary documents, and who come by train or foot across the prescribed crossing point at Lowu, completing all necessary formalities on both sides of the border.

The Chinese have in the past encouraged the blind, the aged, or the maimed, considered useless to a Communist society, to quit China for Hong Kong. But the prospect of any able-bodied man, particularly one disillusioned with the regime, getting such permission is remote.

Thus the 50-a-day legal quota never has been filled.

Anyone else who heads for Hong Kong is considered by the British an "illegal immigrant." Not only must he circumvent Communist guards and patrols on the Chinese side of the border, but he also must run the gantlet of Royal Hong Kong Police patrol boats cruising the colony's water boundaries.

In practice, however, the rules get bent. Refugees who slip past the British patrols and reach land are allowed to stay. When they seek registration and identity documents no questions are asked. The rule of thumb is that they are supposed to be returned to China if caught at sea. However, since the cultural revolution even this provision has been waived. Because of its delicate relationship with China, the Hong Kong government is reluctant to discuss this waiver. But, in fact, no refugees have been handed back in recent times.

TAIWAN SCREENING STRICT

What do go back are the junks and boats on which the refugees fled China. For these, in a Communist society, are considered state property, and the British are scrupulous about sending them back, usually in tow of a Chinese tugboat.

One of the problems confronting the British is that few other countries throughout the world appear willing to absorb refugees from China. The Chinese Nationalist Government on Taiwan is apparently unenthusiastic, despite past promises. Chinese refugees who seek residence on Taiwan have to undergo strict political screening. Officials involved in the process also agree that the Nationalists seek only the best qualified and seem little interested in run-of-the-mill refugees.

Some Chinese arrivals in Hong Kong emigrate to Canada or the United States. But Canada primarily seeks experts, and though U.S. immigration laws have been liberalized, the ceiling for any one nationality is still 20,000 a year. Chinese who already have relatives in the United States can acquire visas fairly readily. For others the process is slow, and the 20,000 target has not yet been reached.

LABELING DEPLORED

The prospect for the bulk, then, is life in Hong Kong. But there are no refugee camps in Hong Kong, no sprawling settlements of easily identifiable escapees from China. Says one British official:

"When foreigners come, they say: 'Take me to your refugees.' And they find it difficult to understand when we tell them that the refugees are all around them. Their tourist guide may be one, their tailor, the man who drives their car, the boy who runs their hotel elevator."

"We don't set up refugee camps," he added. "In fact we don't even like labeling people 'refugees.' When you put them in camps you give them a refugee mentality. You insulate them from normal society. They lose the will to fend for themselves."

"This," as one official concedes, "sounds brutal. It's a policy which again gives rise to misunderstanding abroad. But in Hong Kong we believe it has been best to throw people into the community, releasing all their energy to fight for themselves."

This does not mean that the Hong Kong government has sat back and done nothing. The government has embarked on, and completed, some impressive programs of basic development and services. But these are across the board, for the entire community. Refugees participate.

Says one official: "After the 1962 influx, a lot of people from abroad came to us and asked us how they could help our refugees. I'm afraid many of them wanted a single identifiable refugee project with which they could be associated.

IMMIGRANTS BUILD PROGRESS

"But that wasn't the way we were thinking. We told people how best they could help the whole community—of which many were refugees. One of the most intelligent and understanding responses came from the Government of the United States. They built a badly needed technical college. It wasn't confined exclusively to refugees. But it helped tremendously in absorbing them into the community, which was our objective."

Much of Hong Kong's dramatic progress today is attributable to refugees. Shanghai capitalists brought their money, and sometimes their equipment, to Hong Kong. When the Communists took power in China, some textile-mill owners had ordered new machines, which were waiting in Hong Kong for shipment onward to China. They promptly canceled the shipping orders and set up new factories in Hong Kong.

From other strata of Chinese society came technical knowledge, initiative, industry—and cheap labor. All this has combined to make Hong Kong, a place with no natural resources of its own, an Asian boom town.

One of the Hong Kong government's most widely lauded achievements is its housing program. With the initial influx from China, thousands of refugees set up squatter areas on hillsides or vacant land. Some squatter areas remain. But over the years, especially after the great fire of 1954, the government has resettled more than 1 million persons in apartment blocks of its own building. These, particularly in the hurried early stages, were not elegant. The principal concern was to throw up simple buildings providing minimum facilities for the maximum number of people in need.

These allowed only 24 square feet per adult. But this is being expanded to 27 square feet per person, and eventually to 35 square feet. By 1973, the government hopes to have housed 2.4 million persons in government blocks, or housing built with government money.

NO UNEMPLOYMENT PROBLEM

Tremendous problems remain. Blocks already built are overcrowded. Outside the government resettlement estates, overcrowding in slums and tenements is even worse. Some 300,000 people live in areas where there is less than 10 square feet per person. Schools are working double shifts yet nearly 100,000 children of school age do not have places.

But there is no serious unemployment problem in Hong Kong. And while there may be poverty, there is also some kind of work for everybody. Most refugees lean heavily on family or friends already here, and it is those without these connections that often encounter the most hardship.

A number of relief organizations take up such cases. One of the major ones is the American-financed International Rescue Committee, Inc., which helps find jobs and runs half a dozen day nurseries for refugees. Prominent in the nursery work is Mrs. Edwin Martin, wife of the American Consul General in Hong Kong, herself an expert on child care.

A CRISIS THERE IS NOT

The United Nations Refugee Committee has a modest Hong Kong program, while the U.S. State Department has a refugee-assistance program here providing $500,000 in aid this year, plus a similar amount in foodstuffs for distribution to the needy in Hong Kong.

For China's refugees funneling into Hong Kong there is thus obvious hardship, upheaval, and anguish. But a combination of British pragmatism and Chinese vitality and initiative has reduced the problem to manageable proportions. A problem there is, but a crisis there is not.

Hong Kong Population Growth

[In millions]

1948	1.8
1958	2.7
1968	4.0

A RELUCTANT FAREWELL TO TIBET

(NOTE.—Tibetan refugees who fled to India have had to adapt to a new climate and a new society, leaving their nomadic past for an unknown future.)

(By Ernest Weatherall)

NEW DELHI.—The borders of Tibet are sealed now. Only a trickle of refugees finds its way through the passes of the Himalayas into India during the summer months. The Communist Chinese have decided they need the Tibetans for their labor force.

When the Chinese Communist Army invaded Tibet in 1950 to reestablish China's suzerainty over the area, Peking began a brutal colonization and subjugation of the country.

By 1959, the Chinese had decided to eliminate any remaining political influence of the Dalai Lama and the lamaseries. Thus began the largest influx of refugees into the subcontinent since its partition between India and Pakistan.

The Dalai Lama fled to India that year. And thousands of Tibetan refugees followed

him. Between 1959 and the outbreak of hostilities with China in 1962, these refugees were not welcomed by the Indian Government. During that period Jawaharlal Nehru had fostered the policy of "Hindi-Chini Bhai-Bhai" (Indians and Chinese are brothers) with Peking. Mr. Nehru had recognized China's claim over Tibet, and the arrival of the Dalai Lama and Tibetan refugees in India caused embarrassment in New Delhi.

But there were also economic reasons. India had still not absorbed the several million Hindu refugees who streamed over the borders from Pakistan in 1947. Even today, many of these refugees live in squalid slums and shacks or even sleep in the streets.

FINANCIAL AID FROM ABROAD

While India provided a sanctuary for the Dalai Lama and the Tibetan refugees, financial help for these gentle people came from other countries.

A considerable amount of aid came from the American Emergency Committee for Tibetan refugees. Other large contributions came from such voluntary agencies as the Red Cross and the Church World Service. Later, when the illusory friendship with Communist China evaporated, the Government of India began to put the Tibetan refugees to work on constructing roads along the border with China.

But it was the determination to survive that kept the Tibetan refugees going. After reaching India they worked on odd jobs, then later on the grueling border-road projects during the summer. In the winter they sold jewelry or knit pullover sweaters to make money.

It was reluctantly recognized by the Dalai Lama that it would be a long time, if ever, before the refugees would be able to return to their homeland. It was decided by the spiritual leader to set up programs that would make the Tibetan refugees self-sufficient and help them integrate into the life of India.

Today there are about 56,000 Tibetan refugees in India. With the help of the Indian Government, many have been resettled in different areas of the country. The Tibetan Industrial Rehabilitation Society has found employment for refugees in wool mills, tea estates, and in factories.

SELF-HELP CENTERS SPROUT

Self-help centers have also been set up around the country. One is a few miles from Darjeeling in West Bengal. This site is considered sacred by the Tibetans, since the Dalai Lama lived there during another Chinese invasion of Tibet in 1910.

The refugees are taught various handicrafts, such as carpet weaving, wood carving, and making Tibetan-style bags, boots, and shoes. These are sold to help pay for running the center. After learning various skills, refugees leave the center and set themselves up in business.

This facility takes care of not only working adults but also orphans and the aged. A nursery school has been set up to care for the youngsters while their parents are working.

Education has been given top priority in the program to rehabilitate Tibetan refugees. The Tibet Schools Society runs residential schools for some 7,000 children. All are in the cool hill stations, Darjeeling, Dalhousie, Kalimpong, Simla, and Mussoorie.

At Mussoorie are some 14,000 children who have lost their parents. They are being educated by the Save the Children Federation. A foster parent is provided for every 25 children. An important part of the curriculum is devoted to Tibetan studies, and lamas are on the faculty to provide religious training.

INDUSTRIAL ADAPTATION PUSHED

One of the most difficult projects is being carried out by the Tibetan Industrial Rehabilitation Society. Its mission is to break the Tibetan's traditional isolation so he can cope with the realities of industrial life.

The projects of the society include a fiberglass factory, a limestone quarry, a lime plant, a woolen mill, and a tea estate. Many of the workers have been recruited from the border-road projects. However, they have become so used to seasonal labor on the roads they have had a difficult time settling down in a factory job.

Many Tibetans, who have traditionally lived in the mountains, tending yak and sheep, have found it almost impossible to adapt to the disciplines of an industrial society.

Most Tibetan refugees can adapt themselves to difficult conditions in India. Some have cleared dense tropical forests to establish agricultural settlements. Until reaching India, they never saw farm machinery. Now farmers in Mundegod in Mysore state use tractors donated by a private manufacturer.

A tractor maintenance and repair shop at the farm is being run by a young Tibetan, trained in mechanics at one of the refugee centers.

The agriculture settlements in Mysore have produced enough crops to sustain the 12,000 refugees who live there. In addition, the Tibetans also cultivate cash crops such as cotton.

RELIGIOUS INFLUENCE FIRM

The rehabillatiton program has brought up some questions: If these programs succeed, and they appear to be doing so, will it weaken the influence of religion on the life of the Tibetans Will they want to settle down in India and forget their homeland?

So far this has not happened. Religion is firmly entrenched in all strata of Tibetan society in India. In fact, the Dalai Lama indicated that the Tibetans would keep the flame of religion burning, even if it were extinguished in Tibet by the Communists.

In Ladakh, Tibetan Buddhist leaders have complained that the Kashmir government is finding excuses to evacuate the refugees. Other harassments include a refusal by the government to permit the Tibetans to build a place of prayer on the Srinagar Road.

As for putting roots down in India, the Tibetans seem more than willing to integrate themselves into Indian life. But they are still regarded as "foreigners" by New Delhi. Each time a Tibetan moves from one locality to another, he has to register with the police.

Because they are considered foreigners, the Tibetan refugees are not given the same legal protection as are Indians. In some cases, the refugees have suffered in their legal dealings with Indians.

Despite indications that the refugees may spend a lifetime in exile in India, the Dalai Lama said, "All my people who have escaped still want to return some day to Tibet."

SOUTH VIETNAM'S REFUGEES: AID "TOO LITTLE, TOO LATE"?

(NOTE.—There are 1.3 million refugees in South Vietnam. The government appropriates one-third of 1 percent of the national budget to helping them. But, concerned officials point out, there is still no concept of their long-term rehabilitation into a structured society. This problem, they say, has not yet been faced.)

(By Elizabeth Pond)

SAIGON.—The refugee program in Vietnam is at the critical point where it is, or should be, moving from emergency relief to long-term rehabilitation. But at the moment it appears headed for a "too little, too late" rating.

This is not to denigrate either the Herculean relief effort that has been made so far or the dedicated few on both the Vietnamese and the American sides who have labored to feed and shelter the millions of refugees the Vietnam war has created.

Officials point out with some pride that this is the first time in history that wide-scale care for war-created refugees has been instituted while the war was still in process.

Even so, the refugee problems are staggering in that they have a low-priority rating when pitted against continuing military operations, intensified peace negotiations, and political skirmishing in Saigon. Also they may well create the conditions all over again for a new Communist insurgency.

LEADERS DEPLETED

Any war is disruptive. A civil war is especially brutal. A guerrilla civil war reinforced by massive artillery and air power may be the most cruel of all (short of some nuclear holocaust). And a war that has raged intermittently for a quarter of a century defies comprehension in its results.

Apart from the dead, this war has bled the country of several generations of leaders, displaced up to a third of the population, rent the social fabric, destroyed villages and placed villagers in urban slums and worsening health conditions.

In all it has produced at least 4 million refugees, 300,000 physically disabled, 20,000 to 50,000 prostitutes, more than 90,000 orphans, and no one knows just how many juvenile delinquents and predelinquents.

One sees the evidence daily—the dirty homeless shoeshine boy in Saigon, the apathetic old man in a refugee camp with nothing to do, the widow in her 20's who has lost both legs and whose two children are in hospitals with wounds.

COMMUNIST ZONE FLED

But the situation now is vastly improved over two years ago or even a year ago, as a brief chronology shows.

The first wave of refugees in the post-French period was the 900,000 northerners (primarily Roman Catholics) who left the Communist north after the division of Vietnam in 1954. They built new villages in the south and were for the most part successfully resettled within three years.

The next wave came when the National Liberation Front (NLF) began its guerrilla war in the early '60's. By mid-1965 the numbers of new refugees, the majority of whom were fleeing NLF terror, had reached some 300,000.

These, however, were not so fortunate as the earlier refugees. They did not have the political glamour of the anti-Communist northerners, nor were they Catholics coming to a hospitable Catholic regime. They were instead an unwelcome burden to a government that had no tradition of social welfare or public services, that was paper thin in administrators, that was only beginning to restablize itself after the 1963 assassination of President Ngo Dinh Diem, and was fighting for its life on the battlefield.

The refugees were ignored as well by the Americans, who were fully occupied with the military side of introducing combat troops to Vietnam.

In late 1965 a minimal stopgap program of aid to refugees at last was begun. In early 1966 a special Commissariat for Refugees was established by the South Vietnamese Government.

In the beginning of 1967 the big U.S. military sweeps such as "Cedar Falls" and "Junction City" were inaugurated in III Corps, with villagers forced to move from their homes as large NLF-controlled areas were cleared and turned into free-fire zones.

More serious quantitatively was the explosion of bitter large unit warfare in the Demilitarized Zone (DMZ) area. As U.S. and South Vietnamese troops sought to meet the threat of main-force North Vietnamese units with frontal assaults, new refugees were created at a rate of 10,000 and 20,000 per week. One operation cleared 10,000 villagers out of a battle area within four days.

I Corps quickly became the critical area for refugees. In a matter of months half a million people or 20 percent of the area's 2.5 million were refugees—not cumulatively, but simultaneously. Some were forcibly moved against their will by U.S. soldiers, some fled the cross fire or especially American

bombing and free-fire zones of their own volition.

OFFICIALS NOT NOTIFIED

Frequently, for reasons of military security, refugee officials were not notified in advance when a clearing operation was planned and could not prepare for the sudden influx. More than once a responsible American official was first informed of incoming refugees by radio from the helicopter transporting the refugees.

Arguments over the military efficacy of such operations go on ad infinitum. One school argues that this massive relocation deprived the NLF of porters, rice growers, and recruits, as was finally proved in late 1968.

Another school argues that the shifts as conducted were simply irrelevant to the main objective of counterinsurgence: security for the population.

Whether the relocation was necessary or not from a military point, it did take place, and took place with a speed and under conditions that made it impossible to care for the refugees adequately.

In refugee camps there were repeated acute water shortages; some near starvation; widespread malnutrition; extended breakdowns of distribution either through sheer lack of cadres or through division of goods and money; overcrowding; hazardous sanitary and health conditions; an absence of schooling for 90 percent of the I Corps refugee children a frequent absence of farmland, jobs, job opportunities, and vocational training for adults. Above all, there was a lack of security, as Viet Cong attacks on the camps amply illustrated.

Furthermore, despite real concern in the Refugee Commissariat, Saigon—and province chiefs—tended to view the refugees with suspicion as Viet Cong sympathizers, which many of them were.

PRESSURE ON CHIEFS

Then a combination of things happened. On the Vietnamese side the Commissioner for Refugees put pressure on the I Corps province chiefs to support the program. Refugee officials were allotted more gas for transportation. Mobile distribution teams began to fill the wide gaps left by inadequate local cadres.

On the American side, the 1967–69 Kennedy subcommittee hearings spotlighted the plight of the refugees and brought considerable pressure on the Johnson administration to step up American effort.

The vast American logistical system was then geared up to service the refugee program, and Americans began exercising more control over relief commodities in provincial warehouses, so reducing illegal diversion of supplies.

Then any progress in meeting the needs of the refugees was shattered during February, 1968, with the countryside Tet offensive of the NLF and the North Vietnamese Army (NVA).

In this and the subsequent May and August offensives almost a million more people were made homeless, whether from the NLF–NVA attacks or from the heavy counterfire of allied bombing and artillery in the cities. The planned refugee program, itself an emergency operation, had to be subordinated to even more of a crash program.

SWEEPS HALTED

But Tet also brought an end to the wide-scale creation of refugees by allied military operations. Multidivisional sweeps were halted as American troops were pulled in to defend the cities. And this effect was reinforced by the tactical preferences of the new U.S. commander in Vietnam, Gen. Creighton W. Abrams. The order went out to avoid creating more refugees by military operations, and with some exceptions this principle has been adhered to since.

By fall of 1968 the allies had begun a counteroffensive into the countryside, in the three-month accelerated Pacification Campaign. With the NLF stripping the countryside of guerrillas and political cadres to serve main-force units, the allied push met less resistance than anticipated and succeeded dramatically in its aim of widening the area of government "presence."

Thus the stage was set by the beginning of 1969 to get on with the return to villages or permanent resettling of the longer-term refugees that had always been the intended goal of the refugee program.

The bulk of the 1968 refugees, many of whom remained in their home areas and were employed but simply needed help in rebuilding their homes, were on their feet again. And widening government "control" in the countryside (or at least lessening NLF control) opened the way for older refugees to move back to their villages.

SUCCESSES REPORTED

This program now is in operation. But it has its drawbacks: The majority of the 215,000 who have returned to their villages or were resettled permanently in 1969 are still 1968 refugees, not the earlier ones. And the refugees themselves are reluctant to move back in many cases, as they are not persuaded that security exists.

Because of this some observers fear that the program may turn into yet another massive forced relocation, though there is no evidence of this so far.

But the resettlement program has successes, too. Along the coast of I Corps, new fishing cooperatives are beginning to work well. In the Mekong Delta villagers have begun drifting back from open fields to the wooded canals and roadsides they had left years before because of continuous infiltration by NLF snipers and subsequent allied bombing and artillery strikes.

The ambitious Pacification Campaign for this year calls for reducing the present 1.3 million unresettled refugees (the unofficial number runs somewhat higher) to one million by this fall. Refugee officials hope to bring it down even lower, to 600,000.

Meanwhile, conditions at the temporary camps are being improved. U.S. funds devoted to refugee programs in the narrow sense are considered adequate now by officials. More than 40 percent of refugee children are reported in school.

TOLERABLE CONDITIONS

The well-known Cam Lo camp south of the DMZ has a new irrigation system that should make the surrounding land arable for the first time in the two years refugees have lived there. U.S. Army and Marine medics have supplemented the less than 150 civilian doctors serving the countryside.

Yet serious problems remain. Insecurity is the worst, especially in the three southern provinces of I Corps, where the poorly defended refugee hamlets have come under repeated NLF attacks by both direct and indirect fire this year. Disease and high infant mortality have been reported in individual camps.

Seventy percent of the camps (and 90 percent of those in I Corps) are still rated deficient by refugee officials in terms of overcrowding, water, jobs, classrooms, clinics, and/or security.

But there have not been epidemics, nor has there been starvation. Rudimentary living conditions at least are on the whole much more tolerable now than they were in 1967.

Vietnam is fortunate. It is a fertile land, rich in natural resources—except in the inland mountains—and 90 percent of the population lives in the delta and coastal plain.

People do not starve when they are neglected. And Vietnam is fortunate in the resilience and ingenuity of its people, who have maintained their identify and cohesion over a millennia of sporadic wars.

The future remains an ominous question mark, however.

What happens when a family—and tradition—oriented society is torn from its roots on the scale that has occurred in Vietnam? What happens to children who have been removed from the discipline of fathers, village society, and quiet lives as buffalo herdboys to the urban slum world of theft and prostitution?

How does a nation rebuild after so much death and anguish?

URGENCY VOICED

Getting beyond charity to "social reform" and "real planning" was what the Health, Social Welfare, and Relief Minister, Dr. Tran Lu Y, called for in an interview.

His deputy for social welfare, Dr. Ton That Niem, said the same thing in different words. Until now refugee and welfare programs have just been "conditioned by the war," he commented. There has not yet emerged any program of prevention or development. Yet "the poverty of people" is what the Communists feed on.

An American official summed up the need as the rebuilding of a social infrastructure to replace that shattered by the war, one that would encourage development and yet not violate traditional local customs, and practices.

All officials spoke with urgency. All agreed that the problem had not even been faced yet.

In part this is a question of money. The social welfare branch of the ministry had its proposed budget sliced in half this year—down to 430 million piasters ($3.6 million), or one-third of 1 percent of the South Vietnamese national budget.

DRASTIC CUTS IN PROGRAM

This has meant severe reductions not only in relief programs, such as orphan assistance, but also drastic cuts in planned community and day-care centers that were to have been the core of long-term community development.

This affects many more people than just refugees and ex-refugees, while the impact on those once dispossessed is likely to be proportionably greater.

But beyond money is the deeper question of concept—and a program to implement that concept. The U.S. has accepted and is discharging a responsibility for emergency help to refugees.

It has not yet, at least as evidenced in the total refugee and social welfare program, accepted a responsibility to promote long-term rehabilitation of these people into a restructured society. Nor has the South Vietnamese Government done so. Meanwhile, the NLF is waiting in the wings.

CUBAN REFUGEE: "I AM BOTH HAPPY AND SAD"

(NOTE.—Twice a day, five days a week, a flight arrives at Miami from Cuba. It is part of an arrangement unique in the annals of refugee history. Since the flights started, about 165,000 exiles have come to the United States—and the flow continues.)

(By James Nelson Goodsell)

MIAMI.—It is 12:20 p.m. on a sunny afternoon in Miami. A propeller craft belonging to Airlift International has just taxied up to a hanger area on the far side of Miami's busy International Airport away from the main terminal building.

As the door to the plane swings open, 90 men, women, and children step out into the bright sun and are moved quickly into waiting buses. The group, the second today, are Cuban refugees who have chosen exile from their homeland rather than to continue living in Cuba.

Twice a day, five days a week, since December of 1965, this steady trickle of refugees has been making the trip from Varadero airport northeast of Havana to Miami. Ever since the airlift began, approximately 165,000 Cubans have arrived in Miami under a program officially approved by both the Cuban and United States governments.

It is a unique arrangement in the annals

of refugees. Seldom, if ever, has there been a program for refugees which in a way has the blessing of both the country the refugees are leaving and the one to which they are going.

A FIRST FOR UNITED STATES

Moreover, the program is unique for the United States because this nation has never before been a country of first asylum for refugees. Those who have come to the U.S. in the past have for the most part passed through one or more intermediate nations.

The 90 Cubans who landed on this bright, sunny afternoon represented virtually every part of the island nation which lies only a scant 90 miles across the Florida Straits from the U.S.

They left their homeland, without any real assurance of ever seeing it again, for a number of reasons. Some frankly did not like the social and economic climate in Communist Cuba. Others, without much ideological bent, wanted to join relatives who preceded them to the United States. Still others found it a good way to start anew, having very little to leave behind in their homeland.

FAMILIES REUNITED

All of those who came today, however, have some relatives or family connections here which makes it possible to have their names placed on the United States list of Cubans who may enter through this official airlift corridor.

Among the group just landed here are 12 separate families—some with both parents and between one and four children. There are half a dozen elderly persons aboard the flight, going to join younger members of their families already in exile.

There are several men and several women traveling alone—in one case, a father is coming to join his wife and two children who preceded him, in another, a woman is joining a husband already here. One single girl, with an aunt and uncle living in a Northern state, has left her parents and a brother and sister behind in Cuba, with little expectation that they will follow.

It is a typical group—the sort that United States immigration, customs, health, and resettlement officials meet day in and day out.

ROADBLOCKS CRASHED

Not all Cubans who flee their island come out with the official airlift. Last January, in an incident which has yet to be fully explained, a large group of refugees fled by crashing a truck through Cuban and North American roadblocks at the Guantánamo Naval Base in southeastern Cuba. Still others attempt to slip across the Florida Straits in tiny boats, some of whom make it.

And other refugees go out through established commercial airline runs to Mexico City and Madrid. But this is only a small trickle, based on twice-a-week flights to Mexico and once-a-week to Spain—and then only on space available basis.

The bulk of refugees now comes out via the air ferry.

But refugees have been coming out of Cuba ever since Fidel Castro came to power, toppling the dictatorship of Fulgencio Batista in January, 1959. The first to leave were some of the officials and supporters of the Batista government. Although their exact number is not known, several thousand Batista supporters appear to have fled the island in an exodus quite similar to those which take place in Latin America whenever a dictatorship is overthrown.

THREE PERIODS OF FLIGHT

Throughout 1959 and 1960, additional thousands left, some temporarily, some permanently. Among this group were many of Cuba's wealthiest families who were worried about the revolution under way on the island under Dr. Castro. There is no tally of the number of Cubans who left in this period to enter the United States, although U.S. refugee officials here suggest it would run into several thousand.

Those same officials have records, however, for the period from February, 1961, onward.

They cite three distinct periods in the saga of the Cuban refugee and in the United States refugee program, which was begun in February, 1961:

Using commercial flights for the most part, 153,534 Cubans were registered with refugee officials in Miami between Feb. 1, 1961, and late October, 1962, at the time of the missile crisis which cut off commercial flights.

Using small boats and occasionally coming through another country, 29,962 Cubans were registered in the three years between the missile crisis and Dec. 1, 1965.

Using the airlift for the most part, 165,000 Cubans have come out in the 3½ years since Cuba and the United States signed a memorandum of understanding permitting those Cubans who wanted to leave the island to do so if their names were approved by both governments.

ASSISTED 300,000 REFUGEES

To process and speed the arriving refugees, the United States set up a reception and resettlement service. With a director in Washington and main facilities here, the United States Cuban Refugee Program to date has assisted in one way or another more than 300,000 Cubans. The minute a planeload lands at the Miami airport, officials from the Cuban Refugee Center here begin a detailed processing which takes surprisingly little time.

Persons aboard the 12:20 p.m. plane will be through much of the processing as early as 3 p.m. This includes a short speech of welcome, baggage inspection, immigration check, health examination, personal interviews, clothing distribution, and resettlement interviews with one of four agencies which officially take over once government formalities are finished.

Along the way, the new arrivals will be given a box lunch of sandwiches, cake, and some candy—also Cuban-type coffee.

For many of the refugees, language is an immediate problem—and virtually all those connected with the program speak fluent Spanish, some of them refugees themselves.

WHERE THEY GO

An effort is made to get the new arrivals to locations where members of their own families live—and to do it as quickly as possible.

Room and board facilities for the new arrivals are available in a converted United States Army officers billet at the Miami airport. But most new arrivals use the facilities for only a few hours, if that.

Although the greatest number of Cubans have chosen to remain in the Miami area, a significant number have gone to every state and the District of Columbia.

In order of numbers of refugees, the six states with the largest Cuban refugee population are: New York with 61,317; New Jersey with 37,804; California with 26,440; Illinois with 15,975; Florida outside the Miami area with 7,856; and Massachusetts with 6,370. Some 18,500 also fly direct to Puerto Rico.

According to refugee officials here, the refugees are making a substantial contribution to the communities in which they have resettled. While many had skills in Cuba which could be used in the United States, others had to develop new skills. A number of state and local agencies are cooperating with the refugee program in administering training and retraining programs for the newcomers.

There are problems, of course, for the bulk of the refugees have never before traveled far and are suddenly thrown into an alien environment. The cost of living in the United States is a major problem.

In addition, despite the official assurances that there are very few refugees who want to return to a Cuba under Dr. Castro, there does indeed seem to be quite a number of Cubans even in the Miami area who are willing to express some doubts about having left, even if at the time they left they thought they were doing the right thing.

Interviews with a random sample of members of Miami's Cuban community suggest that the majority want to see the overthrow of the Castro government, wish that the United States would do something about making this possible, but wonder whether there is much that Washington can do—short of invasion.

Many of those interviewed would like to see numerous Castro reforms retained in a post-Castro Cuba.

"He's done a good deal for my island," an elderly Cuban refugee said, even though she and her children and grandchildren have all left the island. "I would go back, I suppose, but I am not sure my grandchildren will. They're now Americans."

Her reaction, expressed by others in different ways, was typical.

SOME STAY BEHIND

There are, of course, many refugees who live for the day they can return and for an end to the Castro government.

"He's the worst thing that ever happened to my country," said a middle-aged man who was in the clothing business in Havana before coming to Miami and now works as a dishwasher in a restaurant. "No one likes him in Cuba, just no one."

That reaction is also typical, but of a minority of refugees. For although the airlift shows no signs of letting up in the foreseeable future, most of the refugees admit Dr. Castro's support.

In fact, some of the recent arrivals here tell of brothers and sisters, mothers and fathers, and children left behind in Cuba who have no desire to leave the island—indeed who openly support the government. One recent arrival told of a brother who is a member of the Cuban Army and "a loyal Castro supporter."

Thus, families are often split in this evidence of the world refugee problem. It is a situation which has forced the United States Government to pay direct attention to the issue. Last year, something between $60 million and $70 million was spent by the U.S. on the Cuban refugee program. In the upcoming fiscal year, beginning July, the total may well push upward to $80 million.

Although the Cuban episode is a unique one for the United States, estimates here and in Washington suggest that with time, the Cuban refugees will "melt into the pot as other refugees in the past have done," as one official phrased it.

Although many talk now of returning to Cuba, the majority probably will stay in the United States no matter what constitutional, political, and economic changes take place in their homeland.

The majority, after a time, go it alone and require no financial assistance. In fact, among the more than 300,000 Cubans admitted to the United States and registered with the refugee office here, only 18,000 are receiving aid in the form of financial assistance now—and most of these are classified as "unemployable"—the aged, the physically handicapped, and minors.

The vast majority of Cuban refugees are gainfully employed. Here in Miami alone, for example, there are 2,000 businesses run by Cubans in the area. This is out of a total of 120,000 or so Cubans in the Miami area.

LIBERATION FERVOR COOLS

A few years ago, numerous refugee groups aiming at returning to Cuba and overthrowing the Castro government sprang up in and around Miami. Some still exist. Others can, with the crank of a mimeograph machine, go back into business. But the period of de-

termined planning by exiles to unseat Dr. Castro may have subsided. Some of the most active exiles of a few years back now are in business and other activities here.

One leading former activist says that perhaps as many as 10,000 refugees could be gathered to launch an attack on the island, "but the fire is going out of them." Yet another, Manolo Ray, one of the leading members of the exile opposition to the Castro government, suggests the figure might be 50,000.

This group serves as something of an embarrassment to the United States. For although Washington has no relations with Cuba, it does not see any immediate likelihood of a Castro overthrow.

"Conditions may not be too favorable on the island at the moment," says a Washington official, "but the Castro regime has plenty of support and is well entrenched."

The exiles coming out of Cuba, despite the steady stream, do not suggest otherwise. The 90 refugees who got off the plane this afternoon simply wanted out and did not like living under the Castro government—and the air bridge between Varadero and Miami provided the out.

"I am both happy and sad," commented an attractive 24-year-old girl who got off the plane.

Her comment pretty well sums up the refugee story here. It is a bittersweet experience for those going through it.

GET CONCERNED—A WAY TO HELP REFUGEES

(By Bertram B. Johansson)

(NOTE.—The world's refugee population is on the increase each year. Despite the deep concern of many, officials report a need for three "mores": More world awareness; more individual generosity; and more partnership and cooperation between refugee agencies.)

UNITED NATIONS, N.Y.—We were walking through the main lobby of the international arrival building at Kennedy Airport, New York, on our way to meet a planeload of new refugees.

Ruth Tropin, my companion from the Intergovernmental Committee for European Migration (ICEM), pointed over to the escalator area and said:

"It's near there that the refugees usually meet their families. And, do you know, after 20 years in this work, I still can't look at them for very long when families are being reunited, even though they're all so happy."

Today it was a chartered Pan American planeload of more than 160 Cubans flown in from Madrid. There was a cluster of young boys on board (under the age of 15) who were being funneled into this country under the auspices of the International Rescue Committee (IRC) to keep them out of Fidel Castro's army in accordance with their parents' or other relatives' wishes.

Yesterday it was a plane loaded mostly with Czechs. Since the Soviet intervention in Czechoslovakia, one of the side effects has been a marked increase in the flow of refugees from other East European countries where people feel they had better leave now. Polish Jews have been "encouraged" to leave in considerable numbers. Many Romanians are appearing on refugee rolls after tours abroad.

FRIENDS, RELATIVES WAITING

Once today's batch of refugees had finished their paperwork processing with United States immigration and customs men, they began coming into the lobby near the escalators. They peer into the crowds for a sight of a familiar face. Sometimes, especially with the Cubans, there are as many as six or seven relatives or friends waiting for each refugee coming through.

One refugee shows a sudden sign of recognition of a face long unseen, or of the face of a friend he had not expected to be there.

Through the welter of outstretched arms, the hugs, the kisses, the tears, the laughter, one hears the great sighs and sobs of welcome and relief.

You swallow the lump in your own throat, turn away, and leave them to the privacy of their meetings.

One of the refugees tells you later that as they greet one another, they sometimes realize deep down they are easing the pain of having waited for months, or years, of uncertain separation. Now the uncertainty has ended. It feels good to let it go with tears and laughter.

A CUBAN VOICES PRIDE

A Cuban father waiting for his son to come in on this planeload says to me proudly:

"I used to be a lawyer in Havana. Now I am just a busboy in Miami. But I'm more proud than I can say to be a busboy in a free country and to have my son come here."

His smile fades for a moment as he starts to say, "My wife is still in Cuba with the other children, and when I have saved enough money to pay their way I will have them come too . . ."

What he did not say was that an estimated 800,000 Cubans are waiting to leave. That the rate of their departure is about 40,000 per year. And that this could mean a possible 20 years before he sees his whole family again.

Circulating in and out among the refugees as they come off the plane and straggle into the United States immigration area are workers like ICEM's Mrs. Tropin and others from Church World Service, IRC, the United States Catholic Conference, and the United Hebrew Immigrant Aid Service (when East European refugees arrive).

KINDNESS DISPENSED FREELY

Behind the humdrum work of processing the refugees, making sure they are all here, that they go onward to their next destination, which may be Canada, Australia, Miami, Milwaukee, or to friends in New York City, these workers dispense their kindness and compassion selflessly.

They do so so selflessly, in fact, that few people ever know about it, except the refugees themselves. They often write back to express gratitude for a kind word, for someone's lifting their cases off the sometimes confusing baggage belt, or pinning an identification tag on them . . . or just one of many other such first acts of kindness in a new country.

Few could comprehend, for instance, the vast amount of paperwork, international cabling, searching out of visas, challenging of immigration laws, or chartering of planes that goes on before a refugee arrives at his destination.

Miss Tropin pointed to one of the immigration officers and said:

"There's one of the kindest men on earth. One day a refugee got lost out here. He found him wandering around here late at night after all the other refugees had gone on to their next destinations all over the free world. Somehow, this man traced me down to a dinner party I was attending, and between us we got the refugee located with the people he was supposed to be meeting."

WORLD'S CONSCIENCE BATTERED

By a curious reversal, the unselfed work of these voluntary refugee agencies, governmental organizations, and the United Nations High Commissioner for Refugees (UNHCR) is partially muffled by the rush of world events, by concern over Vietnam, violence, poverty, and urban problems. They all push themselves on the world's conscience, and have tended to overshadow some of the refugee facts such as these:

Because of the world's turmoil, there are actually more refugees around the world today than 10 years ago.

As of Jan. 1, this year there was a total of 17,226,915 uprooted refugees as defined by the U.S. Committee for Refugees (USCR). There were 15 million in 1959 which dropped to 13,510,050 in 1962.

This year's figures include the "new" refugees in Vietnam, the Czechs and other East European nationalities, the Cubans, the Biafran-Nigerians, many other Africans, the Tibetans, etc.

No one refugee agency or individual is likely ever to receive due recognition, except the reward of knowing how many thousands, even millions, of people they have helped. Nor could a series of articles such as these pay due attention to all of them.

The USCR can supply a copy of World Refugee Report which not only treats some of the current world refugee problems, but gives brief accounts, names, and addresses of most refugee agencies in the United States—governmental, intergovernmental, and private voluntary agencies. (USCR, 20 West 40th Street, New York, N.Y. 10018: $1 per copy.)

HUNGARIAN REVOLT RECALLED

As an official of the International Rescue Committee says:

"The main problem facing the private voluntary refugee agency today is a loss of awareness in the community at large of the importance, the size of the refugee problem, and of the fact that each year seems to produce more refugees, and the concomitant lack of awareness each year by the general public.

"A very simple proof of this is that at the time of the Hungarian events (during 1956), virtually the whole of the United States was ready to help. There was hardly a university or person that didn't know about Hungary and didn't take some action about the 200,000 Hungarians leaving their country under duress.

"For the Czech situation of last year, and it continues, with some 50,000 persons involved, there was not even a fourth of the support. The Czech event passed without making a ripple in the American conscience as far as refugees were concerned. Only a few small colleges, for instance, offered scholarships to Czech students, and only the Ford Foundation injected itself into the Czech student problem here in the United States with funds. This expresses a vacuum of support . . . the change over these 13 years since Hungary.

CHANGES NOTED

A Church World Service official puts it this way:

"After a full generation, people are tired of refugees. With the passing of Eleanor Roosevelt, much of the charisma of United States concern and leadership in the international refugee field seems to have disappeared, in image, if not in fact. I cannot but help note that Sen. Edward Kennedy is probably the most vocal, and almost the only United States spokesman on behalf of the word refugee today. . . ."

While there are still many European and East European refugees to resettle abroad, the focus of the refugee problem is changing radically. For many of the refugee agencies, the refugee of the 1969–70's is quite a different person than the post-World War II product.

He is still disenfranchised. He is still legion in number. He comes, for the most part, from the southern hemisphere, from Africa, Asia, and Latin America. His problem cannot be solved by international migration. He might not even be outside of his tribal or national area.

For economic or political reasons he cannot be repatriated to his home community, and, depending on the accident of his geography, there is a question of whether he can be integrated locally.

This means that new acts of partnership and cooperation between governmental and nongovernmental agencies are becoming more frequent, and that where situations can be "depoliticized" enough, the UNHCR

good offices can come in to help weld such a partnership.

Currently the UNHCR offices are concerned with some 2,450,000 refugees around the world. The major statistics provide an interesting index of their distribution: 660,000 are in Europe; 160,000 is Asia; 940,000 in Africa; 110,000 in Latin America; 45,000 in Australia and New Zealand; and 520,000 in the United States and Canada.

The situation of the 660,000 refugees at present in Europe has been largely resolved, mainly as a result of the High Commissioner's permanent solutions program, the efforts of host governments, and of both results and work flowing out of World Refugee Year (1959/60).

An indication of the wider acceptance of the work of the UNHCR office on the part of some countries at the United Nations occurred here at the UN last December. The reelection of Prince Sadruddin Aga Khan as UN High Commissioner for Refugees took place by acclamation in the General Assembly.

On prior occasions the Soviet Union, East European countries, and third-force nations took some exception to the work of the UNHCR offices. But as UNHCR has demonstrated it can operate nonpolitically, and as world interest in Africa has increased, the support for UNHCR within the UN has become more unanimous.

It is noted that whereas the refugee coming to the United States or Canada or Latin America or Australia or New Zealand is apt to be one with certain skills and incentives that often make him an asset to his country of asylum, the problem in Africa or Asia is different.

REFUGEE COMMUNITIES FORMED

In the latter continents, much training for skills is often necessary, and movements of populations are apt to be on a mass basis. One solution has been to form whole communities for the refugees, as with the Tibetans in India, and in the remarkable community of M'boki in the Central African Republic, where 16,000 refugees from Sudan have been resettled.

At M'boki and also in India, the communities of refugees are integrating and makin a contribution to the country of asylum. In both instances, too, host nations have been exceedingly generous with land and other donations when their own economies could hardly afford it. The generosity of many African nations in this respect is a factor highly appreciated by UNHCR officials involved in coordinating such programs, but not generally by the world community.

In the case of aid to Biafran-Nigerian refugees, a situation in which governments have feared to tread because of the highly sensitive political overtones of the problems, some of the private, religious and nonreligious agencies have stepped in and cooperated with their individual talents and skills to meet many exacerbated food and other problems.

What does it all add up to—this tragic world situation with refugees?

Most observers will tell you that what is needed is more awareness of the problem, more individual generosity, more partnership and cooperation between refugee agencies—although there has been a great deal of the latter because the agencies themselves realize the enormity of the problems.

And, perhaps most of all, a more simple effectual love of man for his brother.

TAX TREATMENT OF STATE AND LOCAL GOVERNMENT BONDS

Mr. KENNEDY. Mr. President, it is becoming increasingly clear that one of the most sensitive areas in the growing movement for tax reform concerns the tax treatment of interest on State and local government bonds. As I have stated on previous occasions, I believe that if we are to succeed in meeting the challenge of the seventies, we must offer new Federal incentives to encourage State and local governments to seek more efficient methods of financing their expanding social programs. A number of major legislative proposals have already been submitted in this area, including the provision of a Federal interest subsidy or the establishment of an urban development bank, and I am hopeful that the coming debate on tax reform in both the House and the Senate will help to clarify the issues involved.

In a recent issue of the journal Tax Policy, Prof. Stanley S. Surrey of the Harvard Law School provides a detailed analysis of the many complex facts and issues in this difficult area. In addition, in an introduction to Professor Surrey's article, the editor of the journal makes several comments that help to place the present controversy in historical perspective.

Mr. President, because of the widespread interest in this problem, I commend Professor Surrey's article to all Members of Congress interested in the cause of tax justice, and I ask unanimous consent that the editor's introduction and the article be printed in the RECORD.

There being no objection, the article and introduction were ordered to be printed in the RECORD, as follows:

EDITOR'S NOTE TO "TAXATION OF STATE AND LOCAL GOVERNMENT OBLIGATIONS"

Because of the current lively interest in tax loopholes and the fact that income tax exemption of the interest on state and local debt constitutes one of the most conspicuous of these loopholes, the editor asked Professor Stanley S. Surrey, formerly Assistant Secretary of the Treasury, to contribute the accompanying article on this subject.

We have invited Mr. Patrick Healy, Executive Director of the National League of Cities to respond to Professor Surrey's article. Mr. Healy's discussion of the issue will appear in the July-August issue of TAX POLICY.

Professor Surrey has explored methods whereby the federal government might compensate state and local governments for the loss of the tax exemption privilege. Mr. Healy will probably stress the importance of this exemption in state and local finance and protection of the sovereignty of the states.

We are grateful to these distinguished contributors for this cooperation. We believe that our readers will find both articles illuminating and of great value.

There is considerable color and historic interest in this half-century controversy as Presidents, secretaries of the Treasury, well-known senators, state and local officials, business groups, tax economists, and others take part in the active drama, while investment houses continue to dangle the tax-exempt plum before the eyes of the wealthy. Through it all, the upper-bracket beneficiaries maintain a discreet and becoming silence.

There is an abundance of well-documented literature on the origin and court decisions relating to this exemption. The legal pros and cons have also been ably presented from time to time, and courageous statisticians have attempted to measure the value of the exemption privilege to the state and local governments, and the amount of revenue loss to the federal government.

Although this exemption stems from the *McCulloch vs. Maryland* decision in 1819, the matter was not of great fiscal concern to the federal government until the ratification of the Sixteenth Amendment in 1913, giving Congress the power to levy an income tax. Moreover, public attention was not focussed on it until World War I forced the personal income tax rate, including surtax, to a top level of 77 percent.

Controversy over the exemption was particularly lively and colorful in the 1920's—perhaps more so than it has been since. Secretary of the Treasury Andrew W. Mellon spearheaded the movement for abolition of tax-exempt securities in the twenties. It had been endorsed by both President Warren G. Harding and President Calvin Coolidge, and by Secretary of Commerce Herbert C. Hoover, later President. Hearings on a proposed amendment giving Congress and the states power to tax the income from government obligations were held by the Ways and Means Committee in 1922 and by the Senate Judiciary Committee in 1923. The Ways and Means Committee recommended the adoption of such an amendment in January, 1924, but the House of Representatives failed to approve the resolution by the necessary two-thirds vote.

Another major effort was made in the thirties, but this time the movement was led by Senator Cordell Hull, later to become Secretary of State. On February 8, 1933, he introduced a Joint Resolution amending the Constitution to allow taxation of income from federal, state, and local securities and of governmental salaries. A similar resolution was introduced in the House by Representative Wright Patman. Secretary of the Treasury Ogden L. Mills approved the resolution, but did not anticipate its success. In 1934 Secretary Henry Morgenthau, Jr., expressed favor for a constitutional amendment.

President Franklin D. Roosevelt preferred a more direct attack upon the problem. In a message of April 25, 1938, he urged that the time had come when Congress should exercise its constitutional power to tax income from whatever source derived, and that private income should not be exempt either from federal or state income tax, as a result of being derived from interest on federal, state, or municipal obligations. He reiterated these views in his tax message of January 30, 1939, and declared:

"A fair and progressive income tax and a huge perpetual reserve of tax-exempt bonds could not exist side by side. . . .

"The tax immunities heretofore accorded to private income derived from government securities or government employment are not inexorable requirements of the Constitution, but are the result of judicial decision.

"I repeat that it is not unreasonable to hope that judicial decision would permit the elimination of these immunities."

The tax immunity of governmental salaries was abolished by the Supreme Court in March, 1939.

On February 20, 1941, the Treasury eliminated the federal tax exemption for all its future securities. In March, 1941, the Bureau of Internal Revenue began a test action against the bondholders of the Port of New York Authority. On January 2, 1944, the Supreme Court refused to review a decision by the United States Circuit Court of Appeals holding the bonds exempt.

The past quarter century has not produced such determined efforts to end this exemption as were evident in the preceding quarter century, although at no time have the rumbles from the two opposing camps completely died out. Now after more than two decades of relative quiescence, the issue is again coming to the fore, but with a difference, for this time there are proposals for a *quid pro quo*, as indicated in Professor Surrey's paper. Another new element in the cur-

rent picture is the increasing difficulty in floating bond issues and the very great need of the state and local governments for capital funds.

In retrospect some of the arguments used by each side appear spurious. For example, state and local debt financing does not appear to have prevented private corporations from obtaining sufficient capital, as was widely claimed during the twenties. Nor does the claim that the federal government would lose more as a result of increased interest costs than it would gain from the taxation of governmental securities appear to have been substantiated.

FEDERAL INCOME TAXATION OF STATE AND LOCAL GOVERNMENT OBLIGATIONS

(By Stanley S. Surrey, Law School of Harvard University)

The subject of the federal income taxation of state and local government obligations is again under serious attention in the Congress. This attention is appropriate and desirable, for this perennial and previously intractable problem is urgently in need of a solution.

At present there are over $120 billion of outstanding state and local tax-exempt obligations, and about $15 billion in new obligations are being issued annually (for about a $10 billion net annual growth). The outstanding issues and the annual new crop of obligations present different problems. These remarks relate primarily to the enormous increase in new issues of these obligations that now looms up before us and the effects of adding this new huge volume of tax-exempt obligations to the present market. The concern and the proposals to meet it can be briefly summarized:

The probable high level of new issues of tax-exempt state and local bonds over the next decade raises very serious problems for state and local governments and for the equity of our federal tax system. This high level can come about under the enormous financing requirements of the vast social programs so vitally necessary to meet our domestic needs.

The basic problem is that piling more and more reliance on the tax-exempt privilege as a way of helping states and localities to meet these financing requirements creates a powerful buyer's market for tax exempts. The state and local governments pricing their bonds on the basis of this exemption as a consequence will get less and less for it—that is, they will have to pay closer to the market rates of interest on taxable bonds—and their financing costs must inexorably rise. At the same time, the buyers would still get the tax exemption with even greater tax savings.

Those who are anxious to preserve the strength of state and local governments in the federal system should give serious thought to these problems.

We should all consider whether *new financing techniques* are available and appropriate to avoid these problems—techniques which at the same time operate to preserve the independence of action on the part of state and local governments in our national system to which the principle of tax exemption has contributed.

PROJECTIONS OF STATE-LOCAL CREDIT DEMANDS

Let us first consider the rate of growth of new state and local issues that looms ahead. The congressional Joint Economic Committee in 1966 made a projection of the likely level of growth of capital needs and thus of state and local bond issues through 1975. The JEC figures themselves suggested that this growth would be in line with the likely growth in gross national product. Since the supply of savings should also grow at about the GNP rate, the general conclusion would be indicated that the marketability of state and local bonds should not change markedly relative to other bonds.

But the JEC report itself emphasized one reservation about this outlook, namely, the heavy reliance placed on commercial bank takings. They recognized that if commercial banks, for example, were attracted more heavily into mortgages (e.g., by the much touted housing boom of the 1970's) there would be problems for state and local governments in floating even a level of state and local issues that was growing in line with GNP.

Another set of qualifications should be added to this forecast of marketability of state and local bonds. The JEC projections basically assumed only the development of current programs. They did not make much allowance for new programs.

The expansion of federal programs that lies ahead is likely to induce even more substantial increases in state and local government borrowing than may have been anticipated in the study. The Congress has already considered a wide range of new federal programs in a variety of areas, such as pollution control and housing. In addition, pressures on the federal budget have recently caused attention to be focused on the potentialities of debt service grants to state and local governments, as are now used in the public housing area, rather than the lump-sum grants that have been more traditional. From a financial viewpoint, these debt service grants would shift the financing of the federal share of local project costs from the taxable market (i.e., away from the federal bonds that provide the funds for the lump-sum grants) to the tax-exempt market to absorb the local bonds that would be issued to finance the project (the debt service grants would help defray the interest and principal on these tax-exempt bonds).

Another factor that may well have been underestimated in the JEC work is the size of replacement needs. For example, much of the physical plant in our urban school system is aged and inadequate to the school needs of urban children. Replacement will be very expensive. These replacement needs alone could cause the annual net increase in state and local bonds to double in the next five to ten years.

In summary, the growth of new programs, especially federally aided ones, an increasing reliance on debt service grants to shift federal debt to state and local debt, and exploding replacement needs could increase the annual net growth in state and local debt from the present $10 billion to as high as $30 billion a year in ten years. *This would represent a rate of growth twice as high as the rate of growth of the savings supply.*

If state and local governments are to sell this enormous increase in tax-exempt bonds, then they will be commanding a larger share of the savings flow. To do so they will have to compete more sharply with other borrowers, such as homeowners and corporations. The question is whether tax exemption is an effective instrument with which to conduct this competition. The experts can readily demonstrate that this exemption is "inefficient" in the sense that state and local governments get less benefit from it in lower interest costs than the federal government gives up in lost tax revenues.[1] Some may say in reply, however, that even conceding this "inefficiency" it can be regarded as the price to be paid for the independence of decision-making that the interest exemption offers in general to state and local governments. But even if this were in turn conceded—and many would say that the price is already too high in terms of the effect on the federal tax system and the wastage involved—we must certainly give serious thought to the question of how this will work out if state and local governments suddenly try to become much heavier borrowers.

THE MARKET FOR TAX-EXEMPT BONDS

To understand the significance of this enormous potential growth in tax-exempt bonds, it is necessary to remember that the institution of tax-exempt interest has an impact not only on federal tax returns but also on bond markets. It does save state and local governments money by reducing interest rates on their bonds, but it does so by narrowing the range of customers for those bonds. It narrows the range to groups that find tax exemption valuable. You do not find exempt pension trusts buying tax-exempt bonds.[2]

The rate on tax exempts is determined, like any other price, by demand and supply. If the supply of tax exempts is limited, they can be sold to the buyers who are most anxious to get them. If more tax exempts are to be sold, the price of those tax exempts will have to fall, i.e., their interest rate must increase. The price fall will be necessary to get existing buyers to take more tax exempts (and thus less of other investments) and to induce new buyers to enter the tax-exempt market.

It is significant that interest of all kinds—taxable and tax-exempt together—is a modest component of the income of upper-income individuals. That income consists mostly of dividends and capital gains, reflecting the fact that the wealth position of these individuals inclines them to the higher risk-higher return features of equity investment (which features are also associated with favorably taxed capital gains and untaxed unrealized appreciation). Inducing these investors into the relatively safe investment of state and local government bonds through tax exemption is in a sense swimming against the tide.

By and large, since the most distinctive feature of these state and local bonds is their tax exemption, the process of selling more bonds must involve widening the market by appealing to taxpayers with lower marginal tax rates than those now acquiring tax-exempt bonds. The appeal must involve the process of selling tax-exempt bonds at rates more closely comparable to those on taxable bonds, so as to make the exempt bonds attractive to those who get less tax advantage from the exemption.

THE INEVITABLE INCREASE IN INTEREST RATES ON TAX EXEMPTS

Higher costs to local governments

It is not possible to say exactly how much tax-exempt bond interest rates would rise with an increase in the relative share of tax exempts in the market. Obviously, it depends for one thing on the levels of general interest rates, which are subject to a great many forces. We can make some progress if we talk about the yield differential between high-grade municipals and high-grade corporate bonds. That differential has hovered around 70 per cent since 1954, i.e., high-grade municipals have in general sold at interest rates about 70 per cent of those on high-grade corporate bonds.

Table 1 presents some estimates of the possible response of the state and local bond rate to future developments. The table covers a range of possibilities respecting the size of state and local borrowing and the role of commercial banks in the market, since they are now the dominant institutional investor in municipal bonds. The future course of that role is of obvious importance—can the banks continue that role, keeping in mind that business loans are their primary function?

Footnotes at end of article.

What happens when they reach the limits of their taxable income, as some are now doing, so that the use of expenses, in fact allocable to tax-exempt issues, against taxable income as now permitted, no longer produces tax savings? [2]

TABLE 1.—SOME PROJECTIONS OF SPREAD BETWEEN STATE AND LOCAL (S. & L.) BOND RATES AND CORPORATE RATES [1]

Rate of growth of State and Local bonds outstanding	Rate on high-grade S. & L. bonds as percentage of corporate rates		Difference in points between high-grade S. & L.'s and corporates		Rate on high-grade S. & L. bonds	
	With S. & L. market favorable [2]	With S. & L. market unfavorable [2]	With S. & L. market favorable [2]	With S. & L. market unfavorable [2]	With S. & L. market favorable [2]	With S. & L. market unfavorable
GNP rate (6 percent) [3]	70	75	1.8	1.5	4.4	4.7
Moderate rate (10 percent)	75	80	1.5	1.2	4.7	5.0
High rate (20 percent)	80	87	1.2	.9	5.0	5.3

[1] Assumes corporate AAA rate at 6.2 percent. The 70 percent relationship used as a base point here reflects the typical relationship of recent years.
[2] The favorable-unfavorable distinction involves the role of commercial banks in this market. Rates will be favorable to State and locals if commercial banks remain a large holder. They will be unfavorable if commercial banks hold a smaller share.
[3] This would be a sharp slowdown for State and local government borrowing.

Table 1 shows that the interest rate increase resulting from a high volume of tax-exempt securities could be put as likely to be about one-half point (keeping in mind that it might come to a full point). At current levels of state and local debt issuance ($15 billion gross) this would mean an increased annual interest cost of around $75 million on one year's issues. This annual cost would of course cumulate if the increase persisted for subsequent new issues. With new issues rising at 10 per cent a year, a persistent increase in the state and local bond interest rate of one-half point would increase the annual cost by about $500–$600 million in seven years. This increased cost, remember, does not include the increased debt service itself, which would be something in addition. The increased cost is just the cost of the interest *rate increase* caused by the increased debt. It is the increase in cost caused by going to the well too often.

This is a substantial burden to put on local property taxpayers.

It should be observed that this discussion is based largely on data as of the end of 1968. It does not reflect the high interest rates prevalent in 1969 under the fiscal and monetary efforts to curb the inflationary aspect of the economy. Municipal financing clearly suffered under those efforts. But the discussion is in terms of what "normally" can be expected in the bond markets and therefore does draw upon the current difficulties.

Higher tax savings to buyers

This is not the full story, however. This process of bidding up the interest rates on tax-exempt bonds means that their benefits will automatically become much larger to those upper-bracket taxpayers who are already buying them and would, of course, continue to do so under such higher interest rates. In addition, the higher interest rates will bring more and more taxpayers into a position where the exemption makes holding state and local bonds attractive even at their lower marginal rates.

Table 2 shows for taxpayers at various effective rate brackets the value of tax exemption for an investment in state and local bonds which yields $100 of exempt interest at current rates. The taxpayer in the 70 per cent tax bracket who earns $100 in exempt interest when the exempt interest rate is 70 per cent of the corporate rate is in effect initially sacrificing $43 of before-tax yield. But he is then rewarded by the larger after-tax benefits. Thus, if he had obtained a taxable bond paying $143 (of which 70 percent is $100), he would have paid a tax of $100 and would net $43. The purchase of a tax-exempt bond instead thus already produces a saving of $57 for every $100 he receives in exempt interest.

TABLE 2.—VALUE OF TAX EXEMPTION FOR VARIOUS TAXPAYER SITUATIONS BEFORE AND AFTER RISE IN EXEMPT BOND RATE RELATIVE TO CORPORATE RATE

Marginal tax rate (percent)	Net advantage of tax exemption on investment yielding $100 when exempt rate relative to corporate rate is—		
	70 percent	80 percent	85 percent
70	$57	$71	$78
60	43	57	64
48	26	40	47
30	0	14	21
20	−14	0	6
15	−22	−3	0

We can now see the increased benefits for taxpayers when the state and local governments go to the well too often. The increased interest cost indicated in Table 1 is an increased payment on bonds that would have been sold anyway to the present buyers. The result, therefore, is an automatic increase in the tax savings enjoyed by the present group of buyers of tax-exempt bonds, which they enjoy because the market discount on the bonds is less than the tax savings the bonds provide. Thus, if the interest rate on exempt bonds rises to 85 per cent of the corporate bond rate, the net saving of $57 for a taxpayer in the 70 per cent bracket will rise to $78—a gain of 37 per cent.

Looking down Table 2 one can see that as the relative interest rate on state and local bonds rises, taxpayers at lower marginal tax rates come into the position where they would be saving more in taxes from the exemption than they would lose on the interest differential; that is, their tax savings (which is the federal government's revenue loss) would be greater than the savings in interest to the state and local governments. If the state and local rate rises to 85 per cent of the corporate bond rate, even a taxpayer whose marginal tax rate is over 15 per cent would find these bonds a good investment.

In summary, the penalties for excessive reliance on the tax-exempt privilege to finance new programs are substantial. These penalties would be visited upon state and local governments through increasing the interest rate on all the bonds they sell, including the basic school and other bonds that they will have to sell anyway. The result occurs because the advantage of the present tax-exempt privilege of state and local bond interest works in a limited market that can be swamped by overuse of the tax exemption.

At the same time the tax savings to present buyers of bonds will rapidly pyramid and new groups of buyers will be drawn to these tax benefits. This expansion of the tax preference will be coming at a time when the patience of many with existing tax preferences is becoming exhausted—as is shown by the rapid and widespread rise in sentiment for tax reforms to counteract the effect of tax preferences that now permit many taxpayers with high annual incomes to pay little or no federal income taxes. While we observed earlier that interest of all kinds is only a modest component of the income of upper-bracket individuals, nevertheless tax-exempt interest ranks second after capital gains taxation—perhaps third if we knew more about the magnitude of accelerated depreciation on buildings—among the factors enabling high-income taxpayers to reduce their effective rates of tax.[4]

The present exemption for interest on state and local bonds has the general effect of a blanket, no strings attached, federal grant-in-aid to the issuing governments. It is achieved by giving tax favoritism to high-bracket individuals with conservative investment instincts, to commercial banks, and in lesser degree to some other financial institutions. The state and local governments clearly desire the general effect to continue. Those interested in the federal tax structure deplore the method of achieving this effect because of both the tax favoritism and the inefficiency or wastage involved in resorting to the technique of favoritism, in that more federal tax revenue is lost than the local governments obtain in aid.

The state and local governments carry no brief as such for the federal tax windfalls and the wastage. Up to now, however, they have not seen any other mechanism which can achieve for them the general effect that the tax exemption produces. But the future heavy financial demands on state and local governments will diminish for them the amount of the grant-in-aid that the tax exemption mechanism produces. The restraint on the scope of the market for their bonds that tax exemption involves will cause their interest rates to rise relative to taxable obligations and thus the amount of the grant-in-aid to lessen. At the same time, the tax favoritism perversely is increased.

The inefficiency inherent in the use of the tax exemption mechanism to achieve the grant-in-aid will thus hurt *all* the governments involved. They now have a common interest in finding a better path to the grant-in-aid. We should, therefore, turn to describing some of the alternatives proposed.

POSSIBLE NEW FINANCING TECHNIQUES

Local taxable bonds

In a talk on June 13, 1968, before the Municipal Forum of New York I described one possible new financing technique—that of local taxable bonds. I gave the example of a local project—it could be an anti-pollution project, an airport, an urban development project, and so on—as to which federal assistance would be provided not through the traditional initial capital grant but through a system of paying part of the debt service of a bond issue by the locality to meet the cost of the project. The federal share of the debt service—as respects both principal and interest—would be paid periodically over the life of that bond. I then indicated that instead of having the local bond a tax-exempt obligation, there could be used a *local taxable obligation* with two attributes: the federal government would fully guarantee the bond and, in addition, would use the tax revenue gained through the taxable status to pay to the local government an interest subsidy that would bring the interest cost to it down to a level lower than, or at least comparable to, the interest rate on a tax-exempt bond. This interest subsidy would be in addition to the share of the annual debt service provided by the federal government under the particular program.

This alternative of a *local taxable bond* could of course be used in connection with any state or local obligation, and need not be limited to a bond issued in connection with a federally aided project.[5] The federal guarantee for the local bond would be

Footnotes at end of article.

relevant to the latter since the project itself would presumably have to conform to the contours of the particular substantive program under which federal aid was granted. Where such a federally aided project was not present, presumably there would be no federal guarantee of the local bond and no federal share of the debt service as such. But there would be a federal subsidy paid to the local government to cover part of the interest cost so as to make the issuance of the taxable bond worthwhile to the local government. The decision to issue a taxable bond would remain with the local government, and it could always if it preferred—which presumably would be a matter of financial calculation—issue a tax-exempt bond. The purpose for which the bond was issued would here be irrelevant, and the federal government would not be concerned with that aspect.

The mechanics of the local taxable issue and the payment of the federal subsidy would have to be explored. Thus, the federal government could pay annually a stipulated amount, agreed on when the bond was to be issued, such amount being a percentage of the interest. The basic authority for such arrangements would be a federal statute, and it could specify the amount of the interest subsidy or provide guidelines for the federal authorities to follow. Another possibility is a procedure under which the bond would carry two coupons, both taxable, but one for interest to be paid by the local government issuer and the other for interest to be paid by the federal government. Where necessary, steps would have to be taken to revise relevant state and local laws to permit the issuance of taxable obligations at market rates.

The marketing of this new kind of obligation—a local *taxable* issue—would of course involve a whole new dimension in state and local financing. I suppose analysts will differ as to the prospects for such a bond, the degree of time needed to gain wide market acceptance, the marketing patterns that would emerge, the effect of such issues on the market for presently taxable bonds, and so on. But it is difficult to see why the combined expertise of the federal government, state and local governments, and the investment banking profession could not evolve processes and procedures for the successful marketing of these issues.

Use of centralized borrowing power

The interest rates that would obtain on local taxable bonds would probably be similar to those of comparable corporate obligations. While there would be no federal guarantee as such (except on bonds connected with federally aided projects where such a guarantee could be worked out), the promise of the federal government to pay part of the interest should help the issue along. But at any event, the interest rates on local taxable bonds—even those guaranteed by the federal government—would be expected to be higher than the rate at which the federal government can borrow. The smallness of some local issues, the novelty of local taxable bonds, and the other marketing problems involved would support this conclusion. Since the federal government would have to pay a part of the interest cost, perhaps on a percentage basis, it would be concerned in seeking paths to reduce that cost. The state and local governments would have an equal interest in that objective. This has led to the suggestion of alternatives under which the federal borrowing power, or some other form of centralized borrowing, could be utilized in ways that would reduce the interest cost for the funds to be obtained from the investing public with respect to these state and local borrowings.

One suggestion, which I discussed in a talk on September 27, 1968, at the Fifth Municipal Conference of the Investment Bankers Association in New Orleans, would utilize a new central institution called an Urban Development Bank. This approach was the subject of exploration in the latter part of 1968, and President Johnson submitted a proposal for such a bank in 1969. The bank would make long-term development loans and provide technical assistance to state and local governments and their agencies to help meet needs for essential public works and community facilities.[6] It would be governed by a board of directors representing federal, state, and local governments and private investors in the bank. Its funds essentially would be raised from taxable debt obligations sold to the public. While the obligations would not be guaranteed by the United States, the bank would be authorized to issue obligations to the Treasury to insure the financial integrity of the bank. Presumably its public obligations would bear a rate reasonably close to the going rate for federal obligations. In turn the bank would make loans to state and local governments to finance capital expenditures for public works and community facilities at an interest rate not less than two-thirds of the rate at which the bank itself was able to borrow funds. The outstanding obligations of the bank could reach over $20 billion in five years.

Thus, as respects its financing aspects, the bank in effect would be purchasing state and local obligations (while technically tax exempt this would be irrelevant since the obligations would be held by the bank, whose income would itself be exempt) and raising the funds to do so in the private market on a centralized taxable basis. The differential in interest rates, i.e., the subsidy to state and local governments, would be met by the federal government through authorized appropriations to the bank. The funds for this subsidy would come in effect from the income tax revenue derived from taxing the obligations issued by the bank. This process would permit a pooling of the various local government obligations, so that any disadvantages under the local taxable bond approach of issue size, of lack of a ready market in which local taxable bonds could be sold and bought, and of the novelty of such bonds, are all eliminated. The state and local governments would participate directly in the management and control of the bank. Use of the bank would be on a voluntary basis, however—any state or local government could still finance projects directly through its own tax-exempt obligations.

This type of bank is one method by which the efficiencies of centralized borrowing and marketing could be achieved, so that the interest cost would be largely comparable to the rate on federal obligations. Another proposal to this end has been suggested by Professors Donald Reeb and Edward F. Renshaw of the State University of New York at Albany.[7] They suggest that the twelve Federal Reserve Banks be authorized to acquire state and local obligations directly, obtaining funds for this purchase by selling some of the federal bonds they now hold. They envisage the banks under this authority as operating in the secondary market and purchasing new issues on a broad basis. As an illustration, they consider a degree of purchase of state and local bonds that would produce a yield differential of 40 per cent in relation to the yield on federal bonds. Assuming the latter rates to be stabilized around 4.5 per cent, about the 1964–1967 average, this would give an average interest cost of 2.7 per cent for state and local bonds as compared with the 3.6 per cent average on high-grade municipals that characterized the 1964–1967 period. Since the Federal Reserve Banks are now paying their surplus earnings to the Treasury, the cost of this subsidy to the state and local governments would be met by the Treasury. But it would in effect be reimbursed by the tax revenues from the taxable federal bonds that would be held by the public in lieu of holding tax-exempt obligations.

Whatever may be the merits of these two approaches to achieving centralized borrowing through taxable issues, with an interest subsidy to the state and local governments, they need not be looked on as alternatives. The bank would be designed to be more than a mechanical financing intermediary, and presumably would also develop technical skills in many phases of community development that would be of assistance to localities. The state and local bond market is large enough to permit various centralized borrowing approaches to operate. Indeed, the widening realization that new financing techniques are needed may well produce further alternatives for consideration.

REMAINING TAX-EXEMPT OBLIGATIONS

The various financing techniques discussed above are all optional in the sense that they do not preclude the continued direct issuance to the public of local tax-exempt obligations. It could well be, therefore, that a significant volume of exempt obligations would continue to be issued. Since the interest rate would be held down under financing techniques, the exempt obligations would be attractive only to higher-bracket investors and to banks, where the rate of tax would still make the lower exempt interest rates advantageous. There would also remain for a considerable period the large volume of presently outstanding obligations. Perhaps the use of subsidized local taxable bonds would make the refinancing of the presently outstanding bonds attractive to local governments where that opportunity was available under their terms.

The suggestion for a "minimum income tax" to lessen the tax reduction effect of tax-exempt interest and other tax preferances[8] is here useful in reducing the tax escape that the continued presence of the exemption would permit. The minimum tax would not, in view of the ability of the state and local governments to use the new financing techniques, affect their ability to obtain funds on new issues. In the case of already outstanding bonds, the reduction in tax benefit would cause some reshuffling of holdings.

Even the minimum tax, however, would leave an advantage to the large volume of outstanding bonds. As time passed those bonds would become relatively more valuable and present holders would receive a windfall gain. This has led in the past to various suggestions that would remove the tax-exempt status on these bonds and provide some compensation to existing holders, such as a credit against tax, to leave them in the same net position as if they had originally bought taxable bonds.[9] A recent suggestion would make the outstanding bonds taxable but with an offer by the federal government to exchange federal bonds at current interest rates for the outstanding local bonds. The holders of the latter while losing a future tax advantage would not suffer a loss of principal.[10] Such approaches as to outstanding bonds of course would also end for the future any option to issue tax-exempt obligations. Also, like the minimum tax, they would involve ultimately a decision by the Supreme Court on the constitutionality of federal income taxation of state and local bond interest. The Department of Justice in 1942 [11] stated with confidence that the step would be constitutional, and certainly nothing has happened in the intervening years to cause lawyers to believe that such a prediction would, to say the least, be any less valid today.

At any event, the congressional focus now is on the large volume of new issues that lie ahead, and a solution for those issues plus the minimum tax approach for the remaining issues would, together with inevitable attri-

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tion as to outstanding issues, be a very major step forward in meeting the present problems.

CONCLUSION

In conclusion, we may return to the summary at the outset:

The possible high level of new issues of tax-exempt state and local bonds over the next decade—a level required to meet the huge financing requirements of the vast array of needed social programs—raises very serious problems for both state and local governments and the federal government. The price for the state and local governments in the use of tax-exempt bonds on such a greatly increased basis under those programs will be in very sizable increases in their interest costs. The price for the federal government will be in serious inroads on the equity of its tax system.

Those anxious to preserve the strength of state and local governments and the integrity of the federal tax system should seek to develop new financing techniques that avoid such a high price.

New financing techniques have been offered for consideration. One is the use of local taxable bonds placed directly on the market. The second is a pooling of local obligations through centralized borrowing, either through a new financial institution which would raise its funds in the private market on a taxable basis or through Federal Reserve Bank purchases of local obligations. Both approaches permit the local governments to receive an interest subsidy to offset their departure from the use of the tax exemption privilege. Both approaches also permit that independence of state and local government which is now obtained through the tax exemption privilege, but do so without the tax favoritism, inefficiency, and consequent wastage of funds now associated with the historical solution to one of the problems of our federal system.

It is not enough, in thinking about these financing techniques, to say that they possess some rough edges or will take time to perfect. Such an outlook cannot end the inquiry or militate against moving forward with a new approach, for the present tax-exempt approach with its roots in history rather than logic clearly has serious known weaknesses. Nor can state and local governments seriously claim that tax exemption per se is the guarantor of their independence and vitality. That exemption is a way of supplying federal aid—presently amounting to about $1.2 billion annually (at a revenue cost of $1.8 billion)—to those governments through the lower interest rates. The removal of such aid would be a blow. But an even greater blow would be the removal of the $25 billion in grants from the federal government.[12]

The fact that this far greater aid depends on federal legislation has not meant the disappearance of local government. On the contrary, it is generally agreed that the future strength of state and local governments will depend on still larger voluntary grants in a variety of forms from the federal government. Moreover, no one is suggesting that the fiscal aid now obtained by state and local governments through tax exemption be eliminated, and all the new financing techniques seek to provide comparable aid through interest subsidies. Even here in recognition of the desire to maintain as much freedom of decision as possible at the local level—whether in this matter or in other matters where federal aid is involved—the new techniques suggested keep open the option to issue tax-exempt obligations.

Certainly state and local governments presenting claims—claims which are valid and compelling if we intend to solve our problems of urban existence—for generous federal assistance to meet their operating and capital needs should join in seeking modern financing techniques rather than rigidly cling to the inefficiencies, wastages, and tax favoritism implicit in the historical technique of tax exemption.

In sum, there are paths to be explored by those who are willing to face this serious problem in a constructive way. That very exploration can in turn open up still other avenues for consideration. The proper federal role and the proper state and local government role in the necessary federal-state-local partnership required to meet the fast growing credit demand for new public facilities and social projects can thus be structured in the light of our pressing present needs.

For we are at a crucial crossroads. One way, a blind following of the past, could financially weaken state and local governments and thereby weaken the independence of these governments though outwardly preserving the trappings of independence. The other way, utilizing our knowledge of newly developed credit tools and the new financial institutions to operate them, can preserve and advance that independence.

FOOTNOTES

[1] See generally David J. Ott and Allan H. Meltzer, *Federal Tax Treatment of State and Local Securities*, Washington: The Brookings Institution, 1963.

[2] Tax-exempt entities have purchased tax-exempt obligations in the past and still do because of legal limitations on their investment powers. These limitations, however, are rapidly being removed.

[3] For recent discussions that describe some pessimistic possibilities of the role of commercial banks, and hence increased difficulties in marketing state and local debt, see Edward F. Renshaw, "Improving the Market for Municipal Bonds," *Congressional Record*, February 17, 1969, at pages 3578–3580. Edward F. Renshaw, "Some Alternative Ways to Improve the Market for Municipal Bonds," *Congressional Record*, February 17, 1969, at pages 3583–3584.

[4] *Tax Reform Studies and Proposals, U.S. Treasury Department*, Joint Publication, Committee on Ways and Means, U.S. House of Representatives, and Committee on Finance, U.S. Senate, Washington: Government Printing Office, 1969, p. 83.

[5] See remarks of Congressman John W. Byrnes on tax reform, *Congressional Record*, January 30, 1969, pages 2319–2321.

[6] S. 409, 91st Cong., 1st Sess., introduced by Senator John Sparkman, *Congressional Record*, January 21, 1969, pages 1316–1317. See also testimony of Budget Director Charles J. Zwick, in *The 1969 Economic Report of the President*, Hearings Before the Joint Economic Committee, 91st Cong., 1st Sess., Washington: Government Printing Office, 1969, pp. 114–37.

[7] See various papers by Professors Reeb and Renshaw in *Congressional Record*, February 17, 1969, at pages 3577–3584.

[8] See *Tax Reform Studies and Proposals, op. cit.*

[9] E.g., Lyle C. Fitch, *Taxing Municipal Bond Income*, Berkeley and Los Angeles: University of California Press, 1950.

[10] Statement of George Meany, President, AFL–CIO, before Ways and Means Committee, on April 1, 1969, in Hearings on Tax Reform.

[11] *Revenue Revision of 1942*, Hearings Before House Ways and Means Committee, 77th Congress, 2d Session, Volume 3, pp. 2106–10 (1942). For a contrary argument, see Statement of Francis B. Burch, Attorney General of Maryland, before the Ways and Means Committee on March 1, 1969, in Hearings on Tax Reform.

[12] Estimate for fiscal 1970; see testimony of Budget Director Charles J. Zwick, *op. cit.*, p. 108.

THE SITUATION IN NIGERIA-BIAFRA

Mr. KENNEDY. Mr. President, the situation in Nigeria-Biafra continues to deteriorate, putting the lives of hundreds of thousands on the brink of starvation and death.

But there is new hope today of bringing peace and relief to this troubled area. Some very significant initiatives are being made to pursue these goals.

On Wednesday, United Nations Secretary General U Thant, urgently appealed to the leaders of Nigeria and Biafra to reach agreement on the resumption of the Red Cross airlift into Biafra, which was stopped early in June.

His Holiness, Pope Paul VI is currently in Africa and has expressed the earnest hope of meeting with the representatives of Nigeria and Biafra, to do, as he said, "A bit of good for peace."

I want to take this opportunity to commend the Secretary General and His Holiness for taking these initiatives.

They deserve high tribute from all of us, and we must wish them well as they pursue their goals. In terms of humanitarian responsibilities, I have long believed that the United Nations had a role to play.

In terms of bringing peace to the area, and the reconciliation of the parties to the conflict, I strongly believe that the good offices of his holiness can make an important contribution.

I earnestly appeal to the leaders of Nigeria and Biafra to respond, and I earnestly hope that our own Government, and others—especially those in Africa—will actively support the efforts now being made.

Little of human dignity survives war in our time, but meaningful peace will only be found in the civilized behavior of all toward their fellowman.

Mr. President, I ask unanimous consent to include at this point in the RECORD, recent articles from the Washington Post and the New York Times, pertaining to the Secretary General's appeal and the visit of his holiness to Africa.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 31, 1969]

THANT URGES FOR BIAFRA NEW MERCY FLIGHTS

(By Robert H. Estabrook)

UNITED NATIONS, July 30.—Secretary General U Thant appealed urgently to Nigeria and Biafra today to permit daytime flights to hunger areas by aircraft of the international Committee of the Red Cross.

Although the appeal was nominally made to both sides in the civil war, the effect of this portion of the statement was to bring pressure on Biafra.

Biafran authorities have never permitted daytime flights, ostensibly for fear of air raids. Nigeria presumably would readily agree to daytime flights from its own territory.

By implication, Thant also urged the Nigerian federal government to lift its recent ban on Red Cross operations. Without mentioning former ICRC President August Lindt of Switzerland, whom Nigeria denounced, Thant praised the Red Cross effort which has used supplies contributed by the United Nations Children Fund.

Thant's statement, the strongest he has yet made on humanitarian issues of the Nigerian war, was conspicuously timed to coincide with the visit of Pope Paul VI to Africa. Thant and the Pope, who have mutual esteem, have several times cooperated on peace efforts.

The Secretary General has frequently been criticized for not making a more active ef-

fort to settle the war. But he has contended that he must work with sovereign governments and that the Organization of African Unity has discouraged outside mediation. Only five of the 126 U.N. members have recognized Biafra.

Thant's message was dispatched to the Nigerian government in Lagos, but a U.N. spokesman said Thant was relying on the press to convey it to Biafra.

[From the Washington Post, Aug. 1, 1969]

POPE PAUL ARRIVES IN UGANDA; FIRST PONTIFF TO VISIT AFRICA

(By Jim Hoagland)

KAMPALA, UGANDA, July 31.—Pope Paul VI began the first papal trip to Africa today as he flew here from Rome and warned Africa's 30 million Catholics against altering Church teaching in the name of Africanization.

The Pontiff arrived at Entebbe airport in bright midafternooon sunshine with stiff breezes blowing from Lake Victoria, a few thousand yards from Entebbe.

As he emerged from the jetliner, he donned his broad-brimmed white hat, gathered his scarlet robes in his hands and then walked briskly down the 17 steps of the airport platform.

The 71-year-old Pope was driven from Entebbe to Kampala, the capital of this East African country. He stood in the back of an open black Lincoln Continental convertible and waved to the tens of thousands of Ugandans who lined his route.

They waved banana fronds and palm leaves at the Pontiff and shouted, "Welcome holy father." Many women voiced the traditional high-pitched wail of extreme emotion as they saw the Pope.

Heading a procession of more than 100 cars that carried five African heads of states and many other dignitaries, the Pope was driven to Rubaga Cathedral, on a hillside overlooking Kampala, where he presided at the closing session of the All-African Bishops Conference.

There he read slowly, in heavily accented English, a 25-minute speech intended not only for the 2.8 million Catholics of Uganda but all Catholics of Africa, who make up about 10 per cent of the continent's population.

The speech contained an unexpectedly strong warning that the African Church must not go too rapidly nor too far in seeking to Africanize the clergy or the essential principles of Catholicism.

He admonished the church leaders present to remember the history of the missionaries who brought Christianity to Africa.

"It is a history which still continues, and must continue for a long time to come, even though you Africans are now assuming its direction," the Pope said. "The help of collaborators coming here from other Churches is still necessary to Africa today."

The pontiff then raised "a burning and much discussed question . . . the adaptation of the Gospel and of the Church to African culture. Must the Church be European, Latin, Oriental, or must she be African?"

He answered this question with two points, emphasizing the first: "Your Church must be first of all Catholic.

It "must be entirely founded upon the identical, essential, constitutional patrimony of the self-same teaching of Christ . . . We are not the inventors of our faith, we are its custodians," the Pope said.

AFRICAN CHRISTIANITY

But he then went on to say that the Church favored a certain pluralism "in the outward forms of ritual."

"The liturgical renewal is a living example of this. And in this sense you may, and you must, have an African Christianity," Pope Paul said.

But even then, he continued, there are "the possible dangers of religious pluralism, the danger of making your Christian profession into a kind of local folklore, or into exclusivist racism, or into egoistic tribalism or arbitrary separatism."

These must be avoided in making reforms, he said, so that "you will be capable of bringing to the Catholic Church the precious and original contribution of 'negritude.' "

The 41 bishops, archbishops and cardinals who have been attending the conference here this week welcomed the Pope by pledging their "total solidarity" to him in the current controversies within the Church over dogma.

BISHOPS' STATEMENT

"The present state of contestation in the bosom of the Church appears to us to go beyond the bounds of dialogue and research," the bishops' statement said. "Our real faith cannot be called into question, even if its expression must be adapted to the diverse mentalities of different people."

Pope Paul was greeted immediately on his arrival just 20 miles north of the equator by a colorful display of African culture. As he walked from the airplane to be greeted by Ugandan President Milton A. Obote, troupes of dancers and bands filled the air with music and shouting. About 60 men played six-foot-long rolled cowhide horns.

SMALLER CROWD

A group of 40 male and female dancers clicked hollowed out gourds and danced. The women were dressed in red and blue short skirts and black halters. Another group of men dancers, attired in spotted antelope skins and wearing multicolored plume headdresses, also greeted the Pope.

The throngs of hundreds of thousands that had been predicted to greet the Pope on his entrance to Kampala did not materialize. But those who turned out greeted him with enthusiasm.

Pope Paul began his eighth trip abroad as a reigning pontiff by stepping from a glistening white East African Airways VC–10 that was decorated with the flags of the East African countries of Uganda, Kenya and Tanzania—and a blue, bounding lion.

As the cardinal of Milan, he visited Africa in 1962. He toured Rhodesia, South Africa, the Belgian Congo, Nigeria and Ghana during his three-week trip.

Such a wide-swinging trip would be difficult for him in Africa today. He himself ruled out a trip to Nigeria because of the political implications it would have in the civil war that he has offered to mediate. The Nigerian federal military government has been critical of the relief role played by the Church in Biafra.

AGAINST APARTHEID

And it is unlikely that he would feel comfortable in the white-minority-ruled countries of Rhodesia and South Africa. The pontiff has cast himself as the champion of the poor and the oppressed and has repeatedly spoken against apartheid-like systems.

He has demonstrated a deep concern for black Africa. He issued a message to Africa in 1967 that stressed the equality of all men and called for justice for all. And it was Pope Paul who proclaimed the first black African saints by canonizing the 22 martyrs of Uganda in 1964.

The ritual high point of the Pope's Uganda trip comes Saturday morning when he will consecrate an alter in a still unfinished shrine to the 22 martyrs, who were burned alive for their faith between 1885 and 1887.

MASS AT SHRINE

He will also say mass near the shrine on a small island in the middle of a fishpond Saturday morning.

Although the pontiff announced originally that he would make the trip as a pilgrim, it was rapidly escalated into a major diplomatic venture as well.

Friday he will meet with President Obote and the heads of state of Tanzania, Zambia, Rwanda and Burundi in Uganda's parliament building, where he will speak to the parliament and diplomatic corps. Delegations from other African countries, including Nigeria, will be present.

A three-man delegation from Biafra is also here, in observer status. Speculation that the Pope will attempt to bring the two sides together centers on a four-hour open period Friday afternoon in the pontiff's otherwise tightly jammed schedule.

But the Pope did not mention Nigeria in his brief airport talk or in his major speech at the cathedral. He discussed religion exclusively, and stayed away from politics.

(Reuters reported that Msgr. Giovanni Bennelli, Vatican deputy secretary of state, told newsmen on the flight that the Pope was prepared to stay in Africa a month, if it could help settle the Nigeria-Biafra war.)

[From the New York Times, Aug. 1, 1969]

POPE PAUL, IN UGANDA, BIDS AFRICANS BUILD UP CHURCH

(By Robert C. Doty)

KAMPALA, UGANDA, July 31.—Pope Paul VI flew here today from Rome to tell members of the Roman Catholic hierarchy of Africa that they must become "missionaries to yourselves." "You Africans must now continue upon this continent the building up of the church," he added.

He spoke to members of a Pan-African episcopal symposium in the tall, twin-towered Rubaga Cathedral in this highland city, which welcomed with native dances and the throb of drums the first Roman Pontiff to visit Africa.

His official mission here—his eighth overseas trip since his elevation in 1963—is to consecrate 12 African bishops and dedicate a shrine to 22 African saints martyred between 1885 and 1887.

BIAFRA A MAJOR CONCERN

But the Pontiff himself indicated in brief talks with reporters who accompanied him on the six-hour flight from Rome that his major preoccupation would be an effort to bring Nigerian and Biafran delegations to the point of discussing an end to the year-long civil war.

To a reporter who wished the 71-year-old Pontiff well on his effort in a crowded 52-hour visit here, Pope Paul replied:

"One needs stamina. We hope to meet representatives of Nigeria and Biafra and do a bit of good for peace. We go to learn and to teach."

Later, the most Rev. Giovanni Benelli, titular Archbishop of Tusuro and deputy to the Vatican Secretary of State, told reporters the meeting with the Biafrans and Nigerians probably would take place tomorrow night.

COULD EXTEND VISIT

If there is the slightest opening toward peace, Archbishop Benelli said, he would not rule out a Papal decision to extend the African visit beyond the scheduled departure time of Saturday evening.

In Kampala, however, there was little optimism over the possibility of successful Papal mediation in the present frame of mind of the two delegations here.

Pope Paul plunged into the substance of the problem facing the African church in his first major address to the cardinals, archbishops and bishops ending a three-day symposium here.

Foremost among these is the shortage of native African priests to replace the foreign missionaries who fostered the great Central African growth of Roman Catholicism beginning in 1879 here in Uganda, but who are gradually leaving today.

Through his 26-minute speech, delivered in his hesitant English, the Pontiff stressed the need for greater Africanization of the church here.

He praised again, as he has often in the past, the special quality of deep religious fervor characterizing the African church as something that could act as a leaven on the church as a whole.

At the same time, he warned that the African church must remain in the mainstream of doctrine and discipline and avoid the pitfalls of religious pluralism of exclusivist racism or arbitrary separatism.

If these dangers are avoided, he said, "you will be able to formulate Catholicism in terms congenial to your own culture; you will be capable of bringing to the Catholic church the precious and original contribution of negritude, which she needs particularly in this historic hour.

Referring to the shortage of native clergymen, the Pope said it was an immense task to recruit and train them. The vitality, development and the future of the African church depends on its successful accomplishment, he said.

AGREE TO A FEDERATION

The African hierarchy, in three days of meetings, has agreed to set up a permanent, loose federation of the 28 episcopal conferences of the continent.

Reflecting the attitudes of the civil governments of the newly independent nations they represent, many of the African prelates expressed a wariness of neocolonialism even in the ecclesiastical sphere.

Obviously still in great need of assistance from abroad both in missionary personnel and funds, the African bishops made repeated speeches insisting that this aid should be given without strings that would hinder the course of Africanization of the church.

Under the leadership of Paul Cardinal Zoungrana, the intellectually vigorous Archbishop of Ouagadougou, Upper Volta, who was elected president of the new group, the symposium approved a series of documents on development, on a philosophy of peace in Africa and a special peace appeal to leaders of Nigeria and Biafra.

A fourth document, a declaration of devotion to the Holy See, was read at the Cathedral Ceremony tonight.

The Pope's day began before dawn in a thunderstorm at his summer residence, Castel Gandolfo, in the Alban hills south of Rome. The Pope, as on seven previous voyages abroad, seemed to draw strength and vigor from his contacts with strange faces and places.

An hour and a quarter after his chartered East African Airways jet took off at 7:45 A.M., the Pontiff, wearing a white cassock, shoulder cape and zucchetto, a skull cap, left his private quarters to visit the 53 journalists and photographers traveling with him.

As on previous voyages, Pope Paul gave to each his hand to kiss or shake, depending on individual's religion, a nod and a blessing, while his secretary, Msgr. Pasquale Macchi, passed out commemorative bronze medals of the voyage.

With some of those who knew him before he reached his present rank, the Pope exchanged a few words, including his statement on his hope to contribute to peace in Biafra.

ORGANIZED CRIME

Mr. McCLELLAN. Mr. President, on July 17 and 18, 1969, two articles appeared in the Cleveland Plain Dealer, which are of interest in relation to S. 1861, the Corrupt Organizations Act of 1969, which I introduced along with Senator HRUSKA.

The articles were written by Sanford Watzman, a member of the Plain Dealer's Washington news bureau who specializes in covering crime topics on the national scene. He has an extensive background in crime reporting. In these articles, Mr. Watzman has shown the potential application of S. 1861 to several current specific fact situations where the mob has entered legitimate businesses with great success, success unexplained in the normal business world.

Mr. Watzman has fulfilled the finest traditions of newspaper reporting in these articles. This is the sort of responsible, investigative reporting in the area of organized crime that was recommended by the President's Commission on Law Enforcement and Administration of Justice. I am grateful for the efforts on the part of the Plain Dealer to make known to the general public the threat posed by mobster infiltration of legitimate organizations. It gives all that much more of a sense of urgency to our legislative efforts in this area.

Mr. President, I ask unanimous consent that the text of the articles be printed in the RECORD at the conclusion of these remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Cleveland (Ohio) Plain Dealer, July 18, 1969]

NAME-DROPPING TRICKY IF COSA NOSTRA IS INVOLVED

(By Sanford Watzman)

NEW YORK.—To be successful in the bagel business here, hub of an industry that grosses more than $20 million a year, it helps to brag about your connections in a certain way.

Name-dropping can be a terribly difficult art form where the Cosa Nostra is involved, a fact that was brought out in recent hearings before the New York State Investigation Commission (SIC).

Here is a conversation, as told to SIC, between two men who were competing for a bagel store location in Teaneck, N.J.:

One of the participants, identified as Joseph Pearlman, said, "I think you are in the wrong spot because our guy told us that this location is ours."

The second man, Salvatore Passalaqua also known as Sal Mauro, replied: "Well, I don't know who your guy is but he had better be pretty good because my guy is next to God."

"Well, that's pretty good," Pearlman retorted, "but my guy is God."

There was prolonged fencing, and then Mauro said: "Look, let's stop horsing around. I will give you my guy and you give me yours. My name is Tommy Ryan."

At this point, an associate of Pearlman, whose name was given as Philip (Sonny) Amster, broke in to say: "My guy is Jerry Catena."

Tommy Ryan is the mob nickname of Thomas Eboli, an heir of the late racket czar Vito Genovese. Catena is another leader of the old Genovese "family."

The dispute was settled inside the "family," SIC officials say. Passalaqua got the store.

The bagel industry was one of several shown at the hearings to have been infiltrated by the mob. This is the kind of evidence that the federal government will be seeking if a bill pending in Congress is enacted.

The focus would be not so much on Eboli or Catena as individuals but rather on the flow of Mafia money, which would be intercepted by legal action based on concepts in the antitrust laws.

Where it could be proved that an enterprise was taken over by "a pattern of racketeering activity," the business organization could be dissolved or the mobsters could be ousted from it, forfeiting their holdings.

The bill was drafted by Sens. John L. McClellan, D-Ala., and Roman L. Hruska, R-Neb., with the help of the Nixon administration.

The witness who told about the Teaneck bagel showdown was Raymond Fleishman, an official of the Bagel Bakers Union. Fleishman said he sat in on the discussion.

He explained his role as wanting to bring the two sides together to "see if they could talk out their problems."

There had been trouble between Passalaqua and the union when Passalaqua opened a store in Brooklyn and refused at first to recognize the union. Fleishman said he was hoping to avert further conflict in the industry.

At the Brooklyn place, the witness recalled, he was told by Harold Glantz, whom he named as an associate of Passalaqua, that the store management would prevail over the union because "we are special people."

Fleishman testified: "Glantz told me that he worked for Dominick. I said: 'Who is Dominick?'

"And Mauro (Passalaqua) answered: 'Well, you would like Dominick, he would like you. Maybe you will get together. Maybe you will meet one day.'

"I persisted in asking who was Dominick and the only answer that I got was Dominick is Dominick."

Dominick turned out to be "Fats Dom" Alongi, a lieutenant of Eboli.

Fleishman continued: "Mauro said: 'There is a lot of money around here. We hope to open a lot of shops.' And he indicated to us that there was $10,000 available to us if we were to cooperate with him, plus 5% of the business."

The witness said he spurned this offer, adding that the management capitulated afterward and signed a "standard contract" with the union.

Despite this victory, Fleishman said he was told by another Passalaqua associate, whom he identified as Artie Goldberg: "Ray, my guy is one of the biggest and you would have lost. You'll never know who he is."

But Fleishman said he already knew at the time the "guy" was Tommy Ryan.

He explained that the union had checked with law enforcement authorities because "a number of bakeries were starting to spring up, and they were people who had never been connected with the bagel business, and we started to get talk back that the people were not legitimate."

Another witness, Edward Haimowitz, related how he went to work at the bagel shop in Teaneck but found little to keep him busy. He complained about this to Artie Goldberg.

"I was always asking him," Haimowitz said, "When are we going to really start baking bagels, not just playing around." And he says, "soon, soon as we get the business."

Then Tommy Byan made an appearance in the bakery.

"The first time he came," Haimowitz recounted, "I saw how they bowed down to him and I did not know who he was. They showed him all kinds of . . . respect and so forth.

"So Mr. Goldberg told me who he was. And that he was going to go out and secure them some business."

The witness recalled that on a subsequent occasion he remarked to Passalaqua that Tommy Ryan had called at the store.

Haimowitz said he got this reply: "Don't use the name Tommy Ryan. Use the name Davis, Mr. Davis, whenever you see him."

Passalaqua, in his own testimony at the SIC hearing, said he had known "Fats Dom" Alongi for 25 years. Asked how he met Alongi he replied:

"When I was in the junk business, on

Houston Street. He had the pigeon coop on the roof. . . . I'm a lover of birds, pigeons, and we took an interest talking about birds."

He denied knowing Eboli well or that he had referred to him in the talk about "God" at Teaneck. He denied too that he had tried to seduce the union with a $10,000 offer.

Tommy Ryan took the stand but he refused to answer questions on the grounds that he might incriminate himself. John (Johnny Dio) Dioguardi, another mobster connected by testimony to the bagel business, gave a similar performance.

The acting chairman of SIC, Goodman A. Sarachan, said after the testimony was concluded:

"Does anyone really believe that some large chain supermarkets purchased certain grades of salami and frankfurters, and also bagels, from companies in which Johnny Dio and Tommy Ryan were connected because the chains thought these were superior products?

"It is quite obvious that fear was the motivating factor for the unbelievable occurrences which were revealed at the hearings.

"It was fear which made these people do these things, and it was fear which kept them from reporting various forms of threats and extortion to law enforcement authorities."

Evidence adduced at the hearings was passed on to Federal and State prosecutors. SIC officials said they were looking forward to action by Grand Juries.

[From Cleveland (Ohio) Plain Dealer, July 17, 1969]

MOB IS UNDER FIRE IN KOSHER GAME

(By Sanford Watzman)

NEW YORK.—Meet Johnny Dio (real name: Dioguardi).

You know him as the mobster who made it big in labor, as the suspect some years ago in the acid-blinding of newsman Victor Riesel.

But Dio is also a man of business, specifically—although he is not Jewish nor does he look Jewish—the kosher meat business.

In this huge metropolitan area, where salami is a staple, Dio dominated what is known as the "lower end" of the trade marketing of the cheaper grades of salami, bologna and wieners.

How he moved in and won control was detailed at recent public hearings here conducted by the New York State Investigation Commission (SIC).

SIC officials regard the Dio operation, known as Mizrach Kosher Provisions, as the kind of mob-infiltrated enterprise that could become the target of a new weapon being forged in Washington.

That weapon is a proposed new law under which Cosa Nostra business combines would come under attack from trustbusters in the Justice Department using the same legal tactics that have helped break up industrial monopolies.

With the encouragement of the Nixon administration, Sens. John L. McClellan, D-Ark., and Roman L. Hruska, R-Neb., have introduced a bill to this end.

To hear Dio tell it, he is not a monopolist at all—he's just a schnook struggling to get ahead.

William Cahn, a Long Island district attorney, told SIC:

"I interviewed John Dioguardi in the summer of 1963, shortly after his release from prison (for tax evasion).

"He told me he was a hard-working kosher frankfurter salesman who left his home in Point Lookout every morning at 4 and drove to Sullivan County to sell his products, and that he received $250 a week for these efforts.

"Our investigation disclosed his meteoric rise from a $250-a-week salesman to a reputed $250,000-a-year income from the Kosher meat business.

"This commission is aware of John Dioguardi's close association with powerful leaders in the Teamsters, in particular, James R. Hoffa (now in federal prison).

"A reliable confidential informant advised my office that Dioguardi's success was due to the fact that the supermarket chains accepted his product to insure they would continue to have labor peace.

"This informant advised that the principals of these large chains would refuse to cooperate with our investigation because of the fear of union troubles. This lack of cooperation became a reality and thwarted our investigation.

"Dioguardi's instant success is not the realization of the 'American dream' but a continuation of his successful activities as a labor fixer, extortionist and important member of syndicated organized crime."

One witness at the hearing was a "Mr. A.," who prevailed on SIC not to disclose his real name. "Mr. A" was sales manager of a firm that began to hit the skids after Dio emerged as a "salesman" for the competition.

(Actually, says SIC sources, Dio became the owner of the rival company. Under the McClellan-Hruska Bill, this company could be dissolved by a court order or Dio could be forced to surrender his interest in it, providing certain facts were proved.)

"Mr. A" was asked how many supermarket chains switched from his organization to Dio's. He replied:

"Seven or eight. It wasn't over a particular time. It was over a period of months."

The next witness was Moe Steinman, director of labor relations for a large supermarket chain. Steinman said that he had seen Dio "50 to 75" times over the last three or four years.

But they never conversed about unions; Steinman insisted.

Here are excerpts from the Steinman testimony:

Q. You are not business associates and you are not social friends and you sit down to have dinner together. What do you talk about?

A. Very good question. Just in general speaking of life in general.

Q. Would you talk about how your business was doing?

A. How our chains were doing? He would ask the questions. I said to him, in fact, "Last year was a little better than the year before."

Q. Did he ever tell you how Mizrach was doing?

A. No, he never brought that out.

Q. You seem to give the impression that you never meet Mr. Dio except accidentally you stumble into him. Have you ever made appointments to meet with him for dinner?

A. I said I did. He was at my house once or twice.

Q. Were there any other occasions when you made appointments?

A. I don't recall. I would be lying, you know, if I said no or yes.

Similar testimony was taken from Aaron Freedman, vice president of a chain of 78 stores.

SIC counsel Paul D. Kelly asked:

Q. "Has Mr. Dio ever been to your home?"

A. Yes . . . I got a call that he was in the neighborhood, would I mind if he came over to see me? . . . I found out that he wanted to sell me pins, primarily these types of pins that we give out to our employes after . . . a number of years of service.

Q. Is that the first time that Mr. Dio has ever requested you to purchase something from him?

A. Yes.

Q. He has never mentioned Mizrach Provisions in your presence?

A. No, sir . . .

Q. Have you ever had occasion to ask Mr. Dio for help with respect to labor contracts?

A. No, sir . . .

Q. Were you curious enough at any time to ask Mr. Dio what his connections were with the kosher meat industry?

A. I wasn't that close enough to ask him those questions.

Dio is under a five-year sentence for bankruptcy fraud in connection with the failure of Consumer Kosher Provisions, Inc., a forerunner of Mizrach and the first company in that field to become a vehicle for Dio.

Immediate successor to Consumer Kosher (and also a forerunner of Mizrach) was First National Kosher Provisions. In this firm Dio was neither an officer nor a shareholder of record, although he organized the firm and illegally shifted Consumers' inventory to it.

The racketeer is appealing his sentence.

But whether Dio himself ultimately goes to jail because of his conviction under existing laws is not as important, say federal officials, as the mob's future in the industry.

President Nixon, in his crime message to Congress April 23, explained why an anti-trust-type bill such as the McClellan-Hruska measure was needed.

"The arrest, conviction and imprisonment of a Mafia lieutenant can curtail operations," Nixon said, "but does not put the syndicate out of business.

"As long as the property of organized crime remains, new leaders will step forward to take the place of those we jail."

RESOLUTION ON ORGANIZED CRIME ADOPTED BY NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Mr. McCLELLAN. Mr. President, the Subcommittee on Criminal Laws and Procedures, which I am privileged to chair, is presently in the process of studying and revising a number of bills dealing primarily with the control of organized crime. We are now obtaining the last comments of the Department of Justice on these proposals, and we hope soon to begin reporting out a comprehensive legislative program in this area. The major bills include:

First. S. 30, which comprehensively revises and strengthens the evidence-gathering process in organized crime cases;

Second. S. 974, which creates within the Department of Justice the position of Assistant Attorney General for Organized Crime;

Third. S. 976, which provides for increased sentences for certain persons who are being sentenced for a felony as part of a continuing criminal activity in concert with one or more persons;

Fourth. S. 1623, which prohibits the investment of certain illegally gained income in any business enterprise affecting interstate or foreign commerce;

Fifth. S. 1624, which would amend the Internal Revenue Code of 1954 and facilitate the collection of wagering taxes;

Sixth. S. 1861, which would prohibit the infiltration of legitimate organizations by racketeers or the proceeds of racketeering activity where interstate or foreign commerce is affected;

Seventh. S. 2022, which would make gambling affecting interstate commerce or operated by corruption a Federal crime; and

Eighth. S. 2122, a general immunity statute.

The subcommittee has been fortunate in having been able to obtain the critical comments and suggestions of a number of distinguished witnesses during three

hearing sessions. Several of their suggestions have been incorporated into tentative markup drafts of the proposals. I stated at the beginning of hearings on these proposals that I was not committed or wedded to the exact language contained in any of them and that I hoped that they could be improved and strengthened. This has certainly been the case. Several of these bills have indeed, in my opinion, been much strengthened as a result of the hearing process.

Hopefully, the enactment of a number of these bills will mark the beginning of a sustained war against the forces of organized crime. These measures, along with several of the titles from last year's omnibus crime bill should give law enforcement some badly needed, and long overdue tools, in their fight against the large criminal cartels. Any effort in this direction, however, must include all levels of law enforcement: Federal, State, and local. I was, therefore, very gratified to learn that the recent annual meeting of the National Association of Attorneys General that organization passed a resolution manifesting its concern in the continuing fight against organized crime.

Mr. President, the public and law-enforcement agencies everywhere are becoming increasingly aware of the many-faceted activities of organized crime and are becoming educated to the fact that organized crime, in one way or another, affects each of us. It will soon be time for the Congress to act to meet its responsibilities, too. The time for effective legislation against organized criminals is imminent. In concluding, I use the same words the President's Crime Commission used to close its chapter on organized crime:

> The extraordinary thing about organized crime is that America has tolerated it for so long.

I ask unanimous consent to have a copy of the Attorneys General resolution inserted in the RECORD immed'ately following my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

ORGANIZED CRIME

Whereas the members of this Association are directly involved in curbing the efforts of organized crime to expand its income, and its influence and control over legitimate business; and

Whereas this Association recognizes the need for all levels of government, whether local, state or federal, to join together and to cooperate in ferreting out and destroying the sources of income of organized crime; and

Whereas this Association recognizes and appreciates the concerted action underway and planned by the United States Department of Justice in the fight against organized crime;

Now therefore be it resolved that the 63rd Annual Meeting of the National Association of Attorneys General in St. Thomas, Virgin Islands reassert its interest and concern in the continuing fight in the field of organized crime; that we work with all levels of government and all branches of law enforcement in creating a total effort; and

Be it further resolved that the members of this Association, jointly and severally exchange information of desirable legislation to control organized crime, and that the members and the Association offer vigorous support to the efforts of the Department of Justice in their field.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research development test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each reserve component of the Armed Forces, and for other purposes.

Mr. ALLEN. Mr. President, the basic information necessary to a decision on deployment of the Safeguard anti-ballistic-missile system has been before Congress for many months. It is true, of course, that much additional testimony from many sources has since been submitted, most of it in the form of opinion—some of it informed, some ideological and speculative, some simply conjectural, and much of it contradictory.

However, I have been impressed by the fact that arguments pro and con seem to derive not so much from disagreement on hard facts and reasoned opinions as from contrary assumptions and premises to which the facts and opinions are related.

Accordingly, few Senators seem to have been influenced to change their minds on the wisdom of deployment of the ABM. This fact would seem to indicate that the decision before us may hinge not so much on data as on basic assumptions respecting national power, ideology, national intentions, and the ultimate determinate factor of national will in shaping defense policies of our Nation.

As the time approaches for final decision on funding deployment of the ABM, I find myself more persuaded than ever that the risks involved are extremely grave, that the security of the free world is at stake, and that the consequences of inaction could be catastrophic not alone for our Nation but for the free world.

These considerations influenced my original decision. Since then no new facts have been presented and no new arguments have been adduced to alter my original conclusions which, in abbreviated form, are as follows:

In the present contest between two great world powers, all of the idealistic good intentions in the world cannot be substituted for the integrity and therefore the credibility of our deterrent capability.

We believe that our deterrent is today a critical factor in the security of our Nation and of Western Europe, the Middle East and the Far East, and that it is essential to continued confidence in our leadership on the part of uncommitted and undeveloped nations of the world.

I am convinced that an effective ABM Safeguard System is scientifically and technologically feasible; that it can be developed to provide a satisfactory measure of defense of our land-based deterrent; and that the cost is not disproportionate to the defense afforded.

Furthermore, I do not believe that the limited deployment of the ABM will result in escalation of the arms race nor that it should or would impede arms control negotiations with Russia.

In addition to these conclusions, Mr. President, undisputed facts show that Russia has continued from 1962 till now with successive improvements of their ABM System. It must be clear that an effective ABM protection of Russian cities would necessarily diminish our deterrent capability. On the other hand, Russia's deterrent remains unimpaired by reason of continued vulnerability of our cities. To permit Russia to enhance its deterrent by continued vulnerability of our cities and at the same time voluntarily accept vulnerability of our ICBM sites is to invite an unstable world situation which I find unrealistic and dangerously intolerable.

Mr. President, I earnestly hope that the nuclear arms race may be ended. But I have found no reasonable ground to believe that a negotiated agreement with Russia can be reached which would not be to the further advantage of Russia, nor am I aware of any evidence or of any argument that would convince us that unilateral abandonment of a defense of our strategic armament would alone induce the Soviet Union to cease its own efforts to achieve and maintain strategic superiority over us.

In this connection, it is my judgment that the power essential to our survival in today's world is our power of deterrent. Today we have that power. The question is, do we have the will to maintain it?

Mr. President, it is my sincere hope that we will defend our deterrent and protect our national security.

I support ABM.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield for two unanimous-consent requests?

Mr. PROXMIRE. I yield.

ORDER FOR ADJOURNMENT UNTIL MONDAY, AUGUST 4, 1969

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

FORTUNE'S EXCELLENT ANALYSIS OF THE AMERICAN MILITARY PROBLEM

Mr. PROXMIRE. Mr. President, for years Fortune magazine has been recognized as a publication that has brought remarkable competence to reporting on American industry.

In their August issue they have done

one of the best jobs I have seen of analyzing the defense spending problem that so concerns all Members of Congress.

This issue is specially pertinent to Congress right now, when we are in the midst of debate on the military procurement authorization bill.

Mr. President, there are two articles in this issue that are so pertinent and informative that I ask unanimous consent that they be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered. (See exhibits 1 and 2.)

Mr. PROXMIRE. One is entitled: "The Case for Cutting Defense Spending," the other is "Where Military Contracts Go."

In addition, Mr. President, I am going to read in full to the Senate the lead editorial in the August issue of Fortune, entitled: "It's Time To Audit the Defense Department."

As I read this remarkable editorial, keep in mind that this is not the expression of an impulsive critic of the so-called military-industrial complex. Fortune has consistently hailed American industry and understands and deeply respects the reasons for America's industrial excellence.

This is not the expression of an advocate or polemicist for arms control or disarmament, or of a publication that underestimates the very real threat posed by Soviet military power. Indeed, in that connection, I invite Senators to read another article entitled "Military-Industrial Complex, Russian Style" in this same August issue of Fortune.

Here is an editorial from a publication that highly values American security and that fully and intelligently understands why it must meet whatever challenge may develop.

Mr. President, this is the editorial:

IT'S TIME TO AUDIT THE DEFENSE DEPARTMENT

The U.S. is in the grip of a costly, escalating pattern of military expenditure that could well keep rising even after Vietnam. As reported in a special defense section of this issue, evidence multiplies that this expenditure has come to live a life of its own—neither soundly based on our commitments nor, indeed, properly responding to the very real potential of the U.S.S.R. Appropriately, the Nixon Administration has begun a thoroughgoing review of the threats facing the U.S. and the defense structure needed to cope with them. The reassessment is urgently needed.

At staggering cost, the military has repeatedly bought weapons and deployed forces in ways that have added only marginally to national security. Moreover, in the procurement of new weapons, both the military and its corporate suppliers have been guilty of wasteful practices and flagrantly disingenuous cost estimates. "The Case for Cutting Defense Spending" (page 69) suggests that in the aftermath of the Vietnam war the defense budget could immediately be cut by more than 20 percent, to about $62 billion, without compromising either the nation's security or its present commitments.

The Soviet Union, realizing one of its most compelling dreams, has now built a military machine roughly equal in power to that of the U.S. In the absence of arms-limitation agreements, prudence clearly requires that we maintain a strategic force amply capable of countering this adversary, whose military growth rate is so breathtaking. But prudence requires as well that we re-examine a conventional force structure based on obsolete premises. Some of the basic tenets of U.S. defense polcy have been carried over without systematic analysis since the late 1940's, a time when allies were poor and weak and potential enemies were sternly monolithic. The most expensive legacy from the past is the assumption, now quite dubious, that the U.S. needs what is known as a "two-plus capability"—a force structure that can be quickly expanded to fight a major conventional land war in Europe, another in Asia, and a limited war in the Americas, all at the same time. Many analysts believe that we can safely move back toward the "one-plus capability" that prevailed in the 1950's.

THE NARROWING OUTLOOK

For a long time, and particularly since the departure of the Eisenhower Administration, few of the outside checks and balances that constrain other federal agencies have been applied to the military establishment. In most matters, neither the President, his Budget Bureau, nor Congress was disposed to challenge policies agreed to by the armed services and the Secretary of Defense. Today's military leaders have come to senior rank expecting a level of financial support that would have been the envy of generations of predecessors.

To be sure, the Defense Department staff, particularly during Robert McNamara's tenure as Secretary, projected an aura of iron control over the military. Civilians vetoed manned bombers, nuclear carriers, and other projects requested by the services, and closed hundreds of superfluous military facilities. The Secretary boasted annually of deep cuts made in the budget requests of the individual services. While McNamara sometimes interposed his judgment with disappointing and expensive results, much of the civilian auditing surely was to the good. But it is wrong to conclude that a vigilant internal review at the Pentagon constituted ample control over the military. Allowing those responsible for day-to-day operations such a decisive say in their own operational scope and budget level has been no more justifiable at Defense than it would be anywhere else in the government. However competent the civilians who run the Pentagon, their heavy responsibilities and the intense pressures of their jobs inevitably narrow their outlook. As a former Budget Bureau official recalls, "At first, McNamara was a real tough budegt director over the military, but eventually he and his people couldn't be so tough. It got to be *their* systems they were defending and arguing for."

THE COMPLEX "COMPLEX"

In Congress, through the years, a core of knowledgeable legislators have been deeply involved with defense matters, mostly through the Armed Services and Appropriations committees of both houses. Until the last couple of years, these Congressmen were generally in accord with the point of view of the military. On occasion, some of them actively supported the services against the Pentagon civilians when the two groups disagreed, as in the long controversy over the TFX–F–111 fighter-bomber. But they practically never overruled any *concerted* recommendation of the services and the Secretary.

Searching for a villain to account for the long absence of adequate control, a lot of Congressmen and others have lately fastened their attention on the "military-industrial complex." It is true that the interplay between the services and their suppliers generates pressures to maintain high levels of defense spending, almost irrespective of the external threat. The natural desire of military men to have ever more sophisticated and expensive weaponry coincides with the desire of contractors to supply it.

This can lead to excesses; as one former Pentagon official observes, "The contractor's engineers and the government's engineers get all excited and oversell each other." But there is little reason to question the sincerity of either side. The overwhelming majority of both defense-industry executives and military officers hold strongly to a view of the world in which expensive weaponry is essential to security.

TOO MUCH TOO SOON

The problems posed by big weapon systems make some such symbiotic relationship almost imperative. As NASA has learned in the Apollo project, large, technically adventurous undertakings demand the closest kind of interaction between buyer and seller.

Still, procedures at all levels of the decision-making and procurement processes need tightening. Fortunately, the biggest cause of unnecessary defense spending is not (as some congressional critics seem to think) sloppy management or skulduggery in the defense industry; if it were, the problem of cutting spending would be much more diffuse and impervious to solution than it is. Contractors sometimes do misbehave, of course. But they are already heavily policed by the Pentagon and the General Accounting Office. Moreover, under the fixed-price and incentive contracts favored by McNamara, penalties for egregiously bad management have been toughened. Many lax practices can be traced to the military's frequent tendency to emphasize performance and fast delivery of weapons over cost. More stringent budgets could dramatically change that emphasis.

Larger savings can be made by rationalizing the Pentagon's basic procurement practices and philosophies. As Deputy Secretary of Defense David Packard puts it, "We are designing and building weapons that are too complex, and therefore too costly. We further compound the problem by trying to produce hardware before it is fully developed." A panel headed by Gilbert W. Fitzhugh, chairman and chief executive officer of Metropolitan Life, is studying the Pentagon's management machinery, and will report next year. Meanwhile the Defense Department is already introducing a number of promising techniques to discourage the practices Packard has identified. Among them: tying the start of production to the achievement of research and development "milestones," relying more on prototypes of new equipment instead of paper plans, and requiring the services to save money on one project if they add to the costs of another.

THE WILL TO COUNTERVAIL

Welcome as this ferment inside the Pentagon is, it does not change the urgent need for closer outside supervision. The defense establishment of itself can never provide the proper sense of balance between military needs and other priorities. But given the will to do so, the governmental structure as a whole is perfectly capable of countervailing the momentum of any "complex."

There are some promising signs. The new Budget Director, Robert Mayo, has moved to strengthen his bureau's powers over the defense budget. And the Administration's broad review of defense policy should enable the White House to provide more coherent strategic guidance than was offered under Presidents Kennedy and Johnson.

In Congress, skepticism about defense spending is now more pervasive than it has been at any time since the onset of the cold war. The frustrations of Vietnam and accelerating inflation, and the attention drawn to unmet domestic needs by urban disorders, have all contributed to the change. An early sign of the new legislative mood was Senator Richard Russell's successful assault in 1967 on the Navy's proposal to build fast-deployment logistics ships. Russell, the most respected advocate of the mili-

tary on Capitol Hill, argued that FDL ships would increase the tendency of the armed forces to intervene abroad by making them more capable of intervention. Since that vote, Congress has been paying more and more critical attention to other defense questions, ranging from broad matters of strategy, as in the debate over the ABM, to the shortcomings of the weapon-procurement process.

Congressional pressure has already helped kill or sidetrack several major weapon projects, including the Army's Cheyenne helicopter and the Air Force's manned orbiting laboratory, and the Senate again this year turned down FDL ships. Inevitably, as the article on Lockheed Aircraft beginning on page 76 suggests, some of the legislative criticism has been unfair and immoderate. But the desirability of a broad role for Congress as a countervailing force to the defense establishment can no longer be in doubt.

REDEFINING THE NEED TO KNOW

Congress does need to supplement indignation with much better information than it has been getting on military questions. Senator John Stennis' decision to have the staff of his Armed Services Committee monitor the progress of major weapon programs is a step in the right direction. In addition, Congress ought to hold exhaustive hearings each year on the premises and strategy underlying the defense budget. These hearings should regularly test even the most fundamental assumptions about the nature of the external threat, and should critically examine the justifications not only for proposed new programs but also for continuing existing ones.

Furthermore, Congress needs its own permanent staff of systems analysts and others capable of assessing weapon programs and basic strategies. The staff, which should be responsible only to Congress, should file periodic reports, including recommendations for legislative action, and should be available for special assignments. These might include reviewing the Pentagon's contracting decisions on major systems and analyzing the efficiency with which big contracts are carried out. Perhaps some of this work could be done by outside organizations such as the Brookings Institution. Whatever form the new staff takes, it needs to have access on a confidential basis to all Pentagon data, including classified material. At present, legislators are hampered in investigating defense matters, because their security clearance is on a "need to know" basis—with the need determined solely by the Defense Department.

In redefining the goals of the military and its place in the governmental structure and in society, Congress and the Administration have a chance to exert a profoundly constructive influence on the character of American life in the 1970's. They should seize the opportunity.

Mr. President, I would now like to read much more briefly from the article on the case for cutting defense spending. I will read a few excerpts from the extraordinarily fine article written by Mr. Juan Cameron in the current issue of Fortune dated August 1. It is a balanced and thoughtful article and not a blindly critical article at all.

The article reads in part:

"Even if we are successful in eliminating the war in Vietnam," warned Melvin Laird, the Secretary of Defense, last spring, "we are still not going to come up with a drastically reduced defense budget . . . A drastically reduced defense budget will not provide adequate security in the world in which we live." Secretary Laird presides over a U.S. defense budget of $80 billion, up 70 percent from 1961. The likelihood of very much reduction, post-Vietnam, is very small indeed, as most Defense Department civilians and the military chiefs see it.

A growing number of critics, with long experience in the Defense Department and Budget Bureau, dispute this position. They make a strong case that post-Vietnam defense costs can be cut drastically without either damaging the national security or compromising this country's commitments to its allies. Indeed, careful analysis indicates factors other than "adequate security" are forcing up defense costs today.

The defense budget has been driven upward because much of it is based on strategic assumptions that have gone unchallenged since the early post-World War II years, when the enemy and his threat were quite different. The evidence is strong, too, that the force structure and force levels have been put together by the military chiefs in the absence of a clearly stated national security policy laid down by the White House. Furthermore, under the pressures of the Vietnam war, civilian control over military spending has diminished, efficiency has decreased, and a large amount of "gold plating" of the forces has taken place under the guise of meeting the needs of the war. Unless brought under control, these trends can easily drive the defense budget to more than $100 billion within a few years. In fact, the Joint Chiefs for the past three years have requested a budget in excess of $105 billion, and President Nixon, at the end of his campaign, foresaw defense spending, excluding the Vietnam war, rising to $87 billion by 1972.

Fortune believes that a post-Vietnam defense budget of around $61 billion would allow the U.S. to remain the world's No. 1 military power without any major change in its commitments, in its ability to meet military contingencies, or in its basic strategic concepts.

Mr. President, this is a very important observation by Fortune magazine, and I think it is one in which the Senate and the House of Representatives are going to have the most serious and significant debate over the next few years.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am delighted to yield to the distinguished Senator from Missouri.

Mr. SYMINGTON. Mr. President, I saw those articles in Fortune magazine, but have not had a chance to study them as has the able senior Senator from Wisconsin. I listened with interest to his comments.

In 1950, the budget for the Defense Department, just shortly after the end of the Berlin airlift, at a time when Mr. Stalin was still alive, was some $13,800,000,000 for all three services. A check shows the dollar has been reduced in value since 1950 almost exactly 50 percent. Therefore, assuming that the same relative dangers are present, the budget would be $27,600,000,000. Nevertheless, last year and this year, and I believe several years preceding, it has been somewhere between 75 and 80 billion dollars, depending on the final figures.

Does not the Senator believe that it will be impossible for this country to fulfill the obligations it has to its own people unless the vast size of this military defense budget can be reduced?

Mr. PROXMIRE. I agree wholeheartedly with that. I think that unless the size of the military budget is reduced, no matter what we do in the way of taxes, we will continue to have a serious and increasingly difficult inflationary situation. Unless the military budget is reduced, while we will make an effort in the area of solving our domestic problems, we will be inhibited from doing it. I do not see how we can do it effectively. Certainly, we cannot do it consistent with anything like a sound dollar or control over rising prices.

Mr. SYMINGTON. It is my understanding that the total personal individual annual income tax of the United States is some $63 billion. Therefore, the cost of this military budget is a good many billion dollars more than that total income tax. We had considerable discussion on the floor with respect to the importance or lack of importance of a 10-percent surtax, which, in effect, is a war tax. With all due respect to this additional tax and based on the knowledge the Senator from Wisconsin has—he is one of the ranking members of the Committee on Banking and Currency and has done a most outstanding job as chairman of the Joint Economic Committee—does he think that the effects of this tax will have a major impact on the problem we are discussing this afternoon?

Mr. PROXMIRE. I do not. Once again, the simple logic applies which one of my constituents presented me within my State a week or so ago.

He said:

I don't understand how the federal government can argue that they are going to limit inflation by taking money from my pocket, taking money that I otherwise spend, and spending it themselves. It is true if they would take the money and not spend it or hold down their spending, it might have some anti-inflationary effect. But if they are going to spend money, how does that help us cope with the inflationary problem? How does it limit demand?

He is absolutely right.

Furthermore, I think all kinds of studies have shown that whether we have a balanced budget or not—and we all want that—as we increase our overall spending, even if we increase our taxes, the impact is sure to be inflationary.

This is especially true with military spending, because the spending does not satisfy any economic need. We are not providing more houses, more education, more job training, or meeting any of the economic needs. We are increasing payrolls and demands in military spending. We are not supplying any more goods to meet that demand.

Mr. SYMINGTON. In many cases we are just providing more cash to foreign countries. Is that correct?

Mr. PROXMIRE. Yes, indeed.

Mr. SYMINGTON. At a time when this Government, under the previous administration, was concentrating almost entirely on monetary effort as against fiscal effort to correct the steadily worsening financial problems, such as the continuing imbalance in our balance of payments, some of us, including the distinguished majority leader, felt that it might be wise to reduce at least some of our troops in Europe, troops sent there with understanding they would remain there for a maximum of some 18 months. They have now been there for over a quarter of a century. One of the reasons why we felt

it might be wise to at least partially reduce these troops—especially inasmuch as they were on the soil of the countries in question—was that never once since the agreement that created SHAPE, have any of those countries come anywhere near meeting what they said they would do when NATO was started; whereas, there never has been a year, a month, or day in which the United States has not met in full the commitments it made to those countries.

On this floor as well as in other places, however, the idea we could remove any troops from Europe at this time was viewed with—I think it is fair to say—consternation; and nothing was done.

I would ask the able Senator, a true authority in the financial field, and one who has so demonstrated in the many years he has been in the Senate: Does he not feel now that even fiscal effort to control inflation, along with the monetary effort, is now inadequate; and that what we must face up to if we are going to maintain the integrity of the dollar and stop inflation is in some manner to reduce the expenditures of the Federal Government?

Mr. PROXMIRE. I could not agree with the distinguished Senator from Missouri more enthusiastically. He is absolutely right. It is obvious, how can we use monetary policy further. We have come just about to the limit of that, with a prime rate of 8½ percent, which means an effective rate of over 9 percent because of the amount that must be kept on deposit, and these are the top credit borrowers.

High interest rates are crucifying the homebuilding industry. We had testimony by the head of the homebuilders industry before the Committee on Banking and Currency a few days ago, in which he estimated that we are going to have a genuine depression in homebuilding because of these high interest rates.

We cannot rely, as I have tried to bring out, on tax policy. It seems to me that the only real answer is to cut military spending sharply.

Mr. SYMINGTON. Mr. President, I congratulate the able Senator from Wisconsin for his further effort to bring our Government balance sheet into balance. It is always rewarding to listen to him present such information.

Mr. PROXMIRE. I thank the distinguished Senator.

Mr. President, I wish to emphasize that the most significant debate that is going to take place during the next several years in Congress will be over the size of the military budget, whether it will be, as President Nixon said last November, $87 billion in 1972, or $61 billion or thereabouts, which is the proposed level in Fortune magazine. Our decision is going to have a great effect in this country in terms of our economic stability and how we meet our very pressing domestic problems.

Mr. STENNIS. Mr. President, will the Senator yield to me briefly?

Mr. PROXMIRE. I have only a few more paragraphs, but I am happy to yield to the Senator now if he wishes.

Mr. STENNIS. Mr. President, I shall only be 2 or 3 minutes.

Mr. PROXMIRE. I am happy to yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, as always, I appreciate the very diligent efforts of the Senator from Wisconsin. He is a great worker and he digs for the facts. He is helpful in anything he goes into, including this matter.

However, I wish to point out to the Senator and others that when it comes to magazine articles or editorial writers in Fortune magazine or any other magazine just making the flat statement that everything is escalating and that it will continue at the end of the war, I do not think those statements are facts at all. I believe it takes someone more knowledgeable than an editorial writer could be unless he made a great study of some of these major matters before being in a position to make an analysis such as that or making a decision on a weapon, and particularly a defensive weapon.

Mr. President, I speak with all deference to the Senator. I think if a man makes a survey such as that, he has to know something about war plans, and he has to know a good deal about strategy, and he must have a board of advisers that could make an analysis of all these matters.

Mr. President, I think you must have economists and financial experts who can analyze what the situation is and others who can analyze that analysis and bring in a report.

With all deference to the writer of the article and the Senator, magazines do have their place for reading, but here we are talking about a decision on a major military weapon.

We are going to reduce this budget, I believe. I have already said that for my part there is $10 billion I want to reduce as soon as the shooting stops, and that is to get the combined military forces back to the same level they were when the war started. That would reduce it, in round numbers, by a million men, which figured at $10,000 a man, would be $10 billion. That is real money and I think it can be done. I asked General Wheeler about that the other day. He gave me substantial figures, speaking more or less off the cuff. He is the Chairman of our Joint Chiefs, as the Senator knows.

Instead of escalating, this matter is going down if I can have anything to do with it and if the Senator from Wisconsin has anything to do with it, and I think we can. But I do not believe we can judge whether we are to vote one way or another on a weapons system at this time based on such speculation as appears in a magazine article.

Mr. PROXMIRE. Mr. President, I should have forewarned the Senator. This article in Fortune magazine assumes the ABM system will go ahead. The implication, although this is not stated, is that Fortune does not object to the ABM deployment now.

They are talking about the overall cost of our military establishment. The Senator is correct. One can never rely on the writer of a magazine article, but only on the facts and statistics that are set forth if they are verified. That is entirely what I am relying on. I do not know the man who wrote the article and I do not know his background but the facts and the statistics which are cited are in my view persuasive.

Mr. STENNIS. I thank the Senator for yielding.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. SYMINGTON. Mr. President, before the distinguished Senator from Mississippi leaves the Chamber, I hope the Senator from Wisconsin will leave in the RECORD the high compliment the article pays the Senator from Mississippi for the fine work he has been doing in this field recently. Unfortunately, he was not in the Chamber when that was brought out.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. DOMINICK. Mr. President, I wish to say again for the purpose of the RECORD that the distinguished Senator from Missouri, in quoting these figures, did not point out that approximately $30 billion a year of our defense budget is connected with the Vietnam situation. Therefore, when one is determining comparative figures between $50 billion–$69 billion—one has to take into account the fact that we have been injected into this war which many of us wish had not happened. Let us put it that way. I think that must be considered in connection with the entire situation.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. SYMINGTON. Mr. President, the able Senator from Colorado knows I respect his opinion in this field and all other fields. If one adds the current cost of the Vietnamese war to the added cost incident to inflation, and we would have a defense budget of $57 billion as against the current figure, which at the beginning of the year was approximately $80 billion.

Mr. DOMINICK. That figure is not quite correct.

Mr. SYMINGTON. Fairly close. I believe the Senator made reference on this in the article to testimony before the committees that even if the war in Vietnam were to stop it would be doubtful if we could make a substantial reduction in the military budget.

Mr. PROXMIRE. Mr. President, I wish to confirm what the Senator has said. First we had the President, Mr. Nixon, who said on November 3 or 4 of last year, that he anticipated that after the war was over the military budget would be $87 billion. Second, he had testimony before the Joint Economic Committee by Mr. Moot, the Comptroller of the Defense Department, who said that in his view he could not see how we could get the budget below $80 billion after the war is over.

That is why I say that this matter is so crucial overall, and not relating to the ABM. I should have made that clear.

Mr. DOMINICK. Mr. President, these statements may be true and I am sure that the statements the Senator quoted

were made. However, after all, the appropriating and authorizing committees will determine the budget. The distinguished Senator from Mississippi has just indicated that he is in favor of cutting our Armed Forces by 1 million men, most of whom have been put in to take care of our problems in Vietnam and elsewhere.

Mr. PROXMIRE. I thank the Senator.

Mr. President, from the article I would like to indicate where they would make cutbacks. Sometimes when we get into specifics there are disagreements.

The article states:

A cutback of the 800,000 military men, as well as the naval ships and Air Force tactical squadrons that have been added since the Vietnam buildup in 1965;

In addition, the elimination of three and a half Army divisions and three tactical air wings now deployed in Europe and Asia;

A paring down of weapon systems of low cost effectiveness, such as tactical nuclear forces and certain Navy carrier units;

Minor adjustments in the strategic nuclear offensive and defensive forces, principally a reduction in the B–52 bomber fleet, and dropping plans for a new intercontinental bomber;

A sharp cut in funds requested by the military for modernization of weapons or improved performance, through management-control devices such as the trade-off concept—i.e., the principle that for each additional dollar spent on procurement, a dollar must be saved elsewhere;

Greater over-all efficiency in the use of manpower, and a crackdown on wasteful procurement of new weapons.

Clearly there is no magic number to answer the question of how much defense is enough, a question as old as war itself. The problem of deciding how much is enough is not unlike that of buying insurance. You don't buy insurance for all conceivable disaster, but only enough to cover possible losses that you cannot afford to take. The threat of potential enemies—the U.S.S.R., Red China, even Cuba—and the strategy chosen to meet these threats play an important part in the design and cost of the military forces. For example, if the country should revert to the defense posture of the Eisenhower years and cut six Army divisions and six tactical air wings, the post-Vietnam budget would be around $54 billion. A post-Vietnam "minimum nuclear-deterrence" budget, which would in addition cut out portions of the nuclear striking force and tactical nuclear force, would cost only $42 billion a year. On the other hand, a "nuclear-superiority" budget, which would keep land, sea, and air forces at their present levels and provide an advanced intercontinental ballistic missile, a new strategic bomber, heavy antiballistic-missile defense, and an expanded fallout-shelter program, would run close to $100 billion.

The U.S. conventional forces in the Far East, other than those fighting in Vietnam, originally were put there on the theory that if trouble started in Europe, China would probably apply a blowtorch to the U.S. in Asia. Despite the Soviet-Chinese rift of recent years, these forces have been kept there on the newer theory that China might make trouble independently of the Russians. But the former State Department specialist disagrees. "Many of us today," he says, "no longer think an overland attack by China is likely in view of the natural barriers and the structure of its armed forces. The country's political policies just don't run that way. If you conclude, as many of us have, that we don't need to meet a Red Chinese ground attack against Southeast Asia with conventional ground forces, and that the probability of Russia attempting to grab Berlin is receding, you could start weakening the two-plus capability."

TRIMMING THE $24-BILLION-A-YEAR NAVY

As regards conventional forces, such challenges to long-held assumptions lead to several conclusions:

The U.S. forces allocated to NATO can be trimmed significantly; with their supporting components they cost today about $14 billion annually and constitute *in themselves* a more powerful fighting force than any in the world except that of the Soviet Union.

Since simultaneous attacks by the U.S.S.R. and China are a remote possibility, the two-plus contingency capability can be reduced somewhat, in the direction of the one-plus capability that existed during the Eisenhower Administration.

The U.S. Navy, which is larger than all the rest of the world's navies, friendly and hostile, put together, can be significantly reduced in size. The fleet is designed to have the capability of fighting an ill-defined mission, called "War at Sea" in defense posture statements. Curiously, the Navy's mission was given much of its present definition during the landlocked crisis of August, 1961, when the Berlin Wall was built. Feeling itself hopelessly outclassed by the Soviet Union on the ground, the U.S. decided to offset this, in part, with an overwhelming naval force, which, in the event of future Soviet land grabs, could quickly assert and capitalize on control of the seas. This reasoning, now used in support of a $24.4-billion-a-year Navy, is highly dubious.

THOSE VULNERABLE TACTICAL NUKES

The Navy's fifteen attack carriers, among the most costly and vulnerable of weapon systems, are also viewed as excessive even by some of Laird's key aides. But again congressional support in the armed-services committees has blocked repeated efforts to reduce this attack carrier force to a more realistic size. One solution long advocated by the office of the Secretary of Defense is to adopt the system, used with Polaris submarines, of rotating crews instead of ships on station. The Navy contends it needs two backup carriers for each carrier on station, but under a crew-rotation system the total number of ships could be reduced with no loss of combat effectiveness. It is highly doubtful, also, that the country still needs all of its enormously expensive and porous continental air defenses against a small Russian long-range bomber force, or that it will need, after Vietnam, all of the Air Force's twenty-three tactical air wings.

Increasingly, too, defense analysts are questioning the role of tactical nuclear weapons. These weapons, which still form the centerpiece of U.S. forces in NATO, no longer provide any military advantage over the Warsaw Pact countries, which now are also armed with them. Though tactical nuclear power has been growing rapidly during the past decade, there is little appreciation by the public of its dangers and its limitations. William Kaufmann of the Massachusetts Institute of Technology has argued, in an unpublished study, that NATO field commanders would quickly lose control of their forces in the devastation that would follow a tactical nuclear fire fight. He cites war games showing that if tactical weapons were employed in Europe to stop a Russian advance on NATO, front-line troop casualties would be 20 percent a day. After a few days of this so-called "limited" nuclear war, civilian casualties would reach 1,700,000 dead and 3,500,000 wounded. In these circumstances the pressures to escalate to general nuclear war would be intense. Kaufmann also notes that tactical nuclear weapons are highly vulnerable to a surprise preemptive strike by an enemy because they are in "soft," exposed locations.

Mr. President, I have two or three other excerpts which I should like to read at this time:

THE HIGH COST OF GOLD PLATE

Regardless of the fact that the cost of Vietnam has declined from $29 billion in 1968 to $25 billion this year, other defense costs are heading upward under pressure from the military chiefs. Instead of becoming available for civilian programs this year, the $4-billion saving in Vietnam costs was channeled into the non-Vietnam segments of the defense budget.

Of course it is true that the Armed Services Committee has cut that by $2 billion. And the Nixon administration has cut it another $1 billion, so that is some saving.

Continuing reading:

Price increases and sharply rising military pay costs are swallowing part of the savings. Inflation has added $1.6 billion to defense costs in the past three years, and may add another $3 billion by 1974. Pay increases, which cost $5.8 billion in the last two years, will add $7.4 billion more by 1974.

Beyond price and wage inflation, however, the military have since 1965 been "gold-plating" their forces—i.e., indulging in additional, and often excessive, increases in capital investment—and this has added billions to the cost of defense. An Army division of, say, 15,000 combat and 30,000 support troops costs $680 million to equip and maintain today as opposed to $550 million four years ago, largely because of the addition of costly helicopters, new small arms, and communication equipment. The $900,000 of avionics in today's F–4 fighter bomber costs 20 percent more than an entire F–100 did in 1961. New destroyers, at $57 million apiece, cost more than three times as much as those built during the Korean war.

Fortune's budget assumes deployment of the controversial Safeguard ballistic-missile defense system, whose costs in 1972 are estimated here at $2 billion annually. Also included in the budget are funds for the Minuteman III and Poseidon missiles, both assumed to be equipped with new MIRV (multiple, independently targeted) warheads. Both missiles are included, even though there is a strong case for relying on Poseidon alone, thereby saving the $400 million a year that Minuteman III will cost by 1972.

After the proposed cuts, the U.S. would still have the most powerful and diversified military force in the world; it would not be returning to a form of isolationism nor would it be in the position of carrying out unilateral disarmament. The analysis indicates that if many of the long outdated assumptions in the defense field are questioned, sharp eyes and sharp pencils, in President Nixon's words, can produce a streamlined defense budget better suited to the realities of the 1970's.

EXHIBIT 1

THE CASE FOR CUTTING DEFENSE SPENDING[1]

(By Jan Cameron)

THE "SHOW-ME" SCHOOL OF CIVILIAN DEFENSE ANALYSTS

The defense policies of the Seventies will be influenced by the advice and expertise of Deputy Secretary of Defense David Packard and Laurence Lynn, Jr., who is on the staff of the National Security Council, head a Nixon defense-strategy review that promises

[1] In the preparation of this article, Fortune has received valuable assistance from William Kaufmann, a former Defense Department consultant now at the Massachusetts Institute of Technology, and Robert Benson, formerly in the controller's office in the Defense Department and now with the Urban Coalition in Washington. However, neither is responsible for, nor necessarily concurs in, the conclusions drawn or all of the specific budget cuts proposed.

to be the most far-ranging reappraisal of policy and force levels ever undertaken by any Administration. Foreign-policy specialist Henry Owen of the Brookings Institution and Carl Kaysen, director of the Institute for Advanced Study in Princeton, are engaged in private defense studies that have already attracted wide attention, inside and outside the federal government. Henry Rowen, president of Rand Corp., and his former associate James R. Schlesinger, now assistant director of the Budget Bureau, have helped develop the analytical tools, in large part derived from corporate management, that are being used widely today within the government to examine military forces, weapons systems, and budgets. Charles L. Schultze, former Director of the Budget and senior fellow at Brookings, is contributing his detailed knowledge of defense and over-all federal budgeting to studies to how to reduce defense costs to realistic levels. Another important contributor to the new ferment is Robert Anthony, former controller of the Defense Department, now professor of management control at Havard Business School.

"Even if we are successful in eliminating the war in Vietnam," warned Melvin Laird, the Secretary of Defense, last spring, "we are still not going to come up with a drastically reduced defense budget. . . . A drastically reduced defense budget will not provide adequate security in the world in which we live." Secretary Laird presides over a U.S. defense budget of $80 billion, up 70 percent from 1961. The likelihood of very much reduction, post-Vietnam, is very small indeed, as most Defense Department civilians and the military chiefs see it.

A growing number of critics, with long experience in the Defense Department and Budget Bureau, dispute this position. They make a strong case that post-Vietnam defense costs can be cut drastically without either damaging the national security or compromising this country's commitments to its allies. Indeed, careful analysis indicates factors other than "adequate security" are forcing up defense costs today.

The defense budget has been driven upward because much of it is based on strategic assumptions that have gone unchallenged since the early post-World War II years, when the enemy and his threat were quite different. The evidence is strong, too, that the force structure and force levels have been put together by the military chiefs in the absence of a clearly stated national security policy laid down by the White House. Furthermore, under the pressures of the Vietnam war, civilian control over military spending has diminished, efficiency has decreased, and a large amount of "gold plating" of the forces has taken place under the guise of meeting the needs of the war. Unless brought under control, these trends can easily drive the defense budget to more than $100 billion within a few years. In fact, the Joint Chiefs for the past three years have requested a budget in excess of $105 billion, and President Nixon, at the end of his campaign, foresaw defense spending, excluding the Vietnam war, rising to $87 billion by 1972.

FORTUNE believes that a post-Vietnam defense budget of around $61 billion would allow the U.S. to remain the world's No. 1 military power without any major change in its commitments, in its ability to meet military contingencies, or in its basic strategic concepts. To reach this level would require, among other things:

A cutback of the 800,000 military men, as well as the naval ships and Air Force tactical squadrons that have been added since the Vietnam buildup in 1965;

In addition, the elimination of three and a half Army divisions and three tactical air wings now deployed in Europe and Asia;

A paring down of weapon systems of low cost effectiveness, such as tactical nuclear forces and certain Navy carrier units;

Minor adjustments in the strategic nuclear offensive and defensive forces, principally a reduction in the B–52 bomber fleet, and dropping plans for a new intercontinental bomber;

A sharp cut in funds requested by the military for modernization of weapons or improved performance, through management-control devices such as the trade-off concept—i.e., the principle that for each additional dollar spent on procurement, a dollar must be saved elsewhere;

Greater over-all efficiency in the use of manpower, and a crackdown on wasteful procurement of new weapons.

Clearly there is no magic number to answer the question of how much defense is enough, a question as old as war itself. The problem of deciding how much is enough is not unlike that of buying insurance. You don't buy insurance for all conceivable disasters, but only enough to cover possible losses that you cannot afford to take. The threat of potential enemies—the U.S.S.R., Red China, even Cuba—and the strategy chosen to meet these threats play an important part in the design and cost of the military forces. For example, if the country should revert to the defense posture of the Eisenhower years and cut six Army divisions and six tactical air wings, the post-Vietnam budget would be around $54 billion. A post-Vietnam "minimum nuclear-deterrence" budget, which would in addition cut out portions of the nuclear striking force and tactical nuclear force, would cost only $42 billion a year. On the other hand, a "nuclear-superiority" budget, which would keep land, sea, and air forces at their present levels and provide an advanced intercontinental ballistic missile, a new strategic bomber, heavy anti-ballistic-missile defense, and an expanded fallout-shelter program, would run close to $100 billion.

THE ORIGINS OF NON-POLICY

The Nixon Administration has already initiated what promises to be the most profound and basic reappraisal ever undertaken of the political-military threat facing the U.S., and of the defense structure needed to cope with it. The first results of this review, being carried on jointly by a National Security Council staff under Laurence Lynn, and the Defense Department under Deputy Secretary David Packard, *should be reflected in next year's defense budget. Meanwhile the Joint Economic Committee, under the lead of Senator William Proxmire of Wisconsin, as well as several informal congressional groups* such as the Members of Congress for Peace Through Law, is conducting its own re-examination of defense policy. These efforts, like private defense studies now under way in the Brookings Institution under Henry Owen, former chairman of the State Department's policy planning council, reflect a widespread feeling that for too long the public and Congress have left such policies unquestioned. The result, in this view, is that defense and its spiraling cost have been largely the handiwork of the Pentagon and a handful of knowledgeable but uncritical Congressmen on the House and Senate Armed Services committees.

Since the early Kennedy years there has been no formal statement of national security policy such as existed in the 1940's under Truman, and later under Eisenhower. Under Eisenhower, for instance, the President and National Security Council formulated each year a document called the Basic National Security Policy on which the force levels and structure were based. Each spring Eisenhower would set a rough defense-budget target, based on this policy and on a percentage of estimated federal revenues for the coming year. The President, in effect, allocated a portion of the budget to the military and then let the military chiefs and Defense Secretary get the most defense they could out of it. Or, as Eisenhower's Defense Secretary Charles E. Wilson used to put it, get a bigger bang for a buck.

President Kennedy scrapped this procedure, including the rather abstract National Security Council policy papers, and turned defense policy and budgeting over to his brilliant, self-confident Defense chief, Robert McNamara. Allocating funds from a predetermined budget ceiling, McNamara said, was no way to go about setting a defense budget; the better approach was to find out what tasks the military had to perform, and then try to accomplish them at the lowest possible cost. One of McNamara's deputy secretaries explained the process in this manner: "We would start with a rough estimate of how much of our resources we would commit to defense. Then we would feed in intelligence appraisals from both the military and CIA on the threat, from which the Joint Chiefs would draw up a force structure and level to meet the threat. Usually the cost would be too high by about 20 percent. Through the summer and fall, the chiefs and the civilians would squeeze this budget down through a series of hard bargaining sessions. When our defense budget got to the President in December he would say the total cost was still too high, and a final cut would be made to meet the White House goals." The end result of this process would appear in the celebrated posture statements of Secretary McNamara, which, in some 200 pages, laid down the national security policy as he saw it in the first chapters, then presented detailed arguments in support of force levels needed to fulfill the policy.

FORCES BY LEGACY

The Nixon Administration believes there were some major flaws in the process. First of all, neither the White House, nor the State Department, nor the Budget Bureau was consulted on the wide range of strategies and force options associated with them except on an informal basis. (The big exception was nuclear weapons on which the White House exercised close control.) One of President Kennedy's and President Johnson's closest national security advisers cannot recall that the question of how many contingencies the nation should be prepared to meet simultaneously ever came to the White House for a decision: "There were no decisions of that kind when I was in the White House. Nor did we ever review the force level. A lot of things were not decided. Five divisions in NATO, two in Korea, were derived from history. We inherited them and no one questioned the premise. After Kennedy, the White House staff was involved much less in the defense budget. Johnson had no interest in strategy unless it related to a decision he had to make at the time. His only strategic contribution was to put a limit on our nuclear forces. He stopped piling nuclear warheads one on top of another."

McNamara, in describing for the first time the defense establishment in terms of its major roles and in funding the Defense structure five years in advance (research and development programs for eight years in advance), provided long-needed tools for analyzing the costs of various missions. But there were curious gaps in his process. McNamara felt it was not his role to challenge basic national commitments. One former aide recalls that whenever the military chiefs asked what kind of national security policy they were designing forces to implement, "I would have to try to piece it together from newspaper articles and government papers." Although the Budget Bureau has forty-six aides assigned to monitoring the defense budget, McNamara acted in effect as his own budget chief. He concentrated his review on the new weapon requests and, budget officials say now, questioned—but felt unable to do battle on Capitol Hill to cut—billions of dollars of ongoing spending on weapons and missions that had outlived their need.

Charles Schultze, Director of the Budget in the Johnson Administration, and now a senior fellow at the Brookings Institution, concedes he deferred too much to McNamara's judgments: "Frankly, when I was in the Budget Bureau, it frequently did not occur to me to ask the kinds of questions about underlying assumptions that I can see so clearly in hindsight needed asking."

The size of the conventional Army, Navy, and Air Force today is based on the need to have the capability of fighting simultaneously a land war in Europe and Asia, plus a minor conflict in this hemisphere. Although this concept dates from 1962, it is difficult today to find an official from either the Nixon or Johnson Administration who can explain when or how this capability became part of U.S. military doctrine, much less whether it is still valid. Like the forces committed to NATO and Korea, it has been part of accepted doctrine. The Nixon review is questioning all of these basic and long-accepted policies.

MINIMUM VERSUS MAXIMUM DETERRENCE

In estimating the nation's defense needs, it is important to distinguish between the strategic nuclear forces, which account for about 40 percent of current military spending, and general-purpose forces, which account for the remainder. At one extreme, the strategic nuclear forces—the ICBM's, the B-52 fleet, the forty-one Polaris submarines, and the continental air defense—can be structured on a so-called minimum deterrence basis, or second-strike capability. Supporters of this concept argue that so long as the U.S. possesses, after a first strike by the U.S.S.R., the ability to inflict a very significant level of damage on the enemy in a second or retaliatory strike, that is all the nuclear deterrence we need. The rough gauge of a credible second-strike capability is power enough to destroy one-quarter of an enemy's population and one-half its industry, thereby effectively eliminating it as a twentieth-century power. This is the general assumption on which the U.S. strategic nuclear forces have been built since 1961.

At the other end of the scale is the doctrine of nuclear dominance in which the U.S. would strive for a clearly preponderant offensive capability, one superior in every way to that of the Soviet Union. In addition, there would be a major-damage limiting capability, through defensive missile strength, to prevent an enemy from inflicting an unacceptable number of fatalities or other damage on the U.S. in a nuclear exchange. At its extreme, nuclear superiority would give the U.S. a so-called first-strike capability—i.e., the ability to destroy so much of the enemy's retaliatory capacity in a surprise attack as to neutralize effectively its second-strike capability. In budget terms, the difference between these two doctrines is estimated at around $27 billion annually.

The general-purpose forces, which account for the remaining 60 percent of the current defense budget, also provide a wide range of budget options. These forces are designed to allow the U.S. to control a land or sea area or deny it to the enemy in a limited war or counterinsurgency situation, as opposed to destroying an enemy's population or industry. The size and deployment of these forces are not so much related to the defense of U.S. territory as they are to the defense of other countries. This is underscored today by the fact that seventeen of the nation's thirty-two and two-thirds active and reserve divisions are stationed in Europe, Korea, and Vietnam; and that nearly half of our 5,000 tactical and attack aircraft in fighting units are based overseas, along with nearly a third of the Navy's 700 general-purpose ships.

These general-purpose forces can be designed, at one extreme, for a fortress America or Western Hemisphere strategy under which the U.S. would maintain sufficient conventional land and sea power to protect the continental U.S. from, say, a Cuban foray, but would not feel it in the national interest to wage a non-nuclear war outside the hemisphere. At the other extreme is a concept of containment under which fifty-two U.S. divisions would be deployed in forward positions from Norway to Japan to prevent the loss of an inch of soil to the Communists. The budget difference in costs between these two strategies would be in the neighborhood of $40 billion annually. The present U.S. policy, which is to have conventional forces capable of meeting two major and one minor contingencies simultaneously—known as the "two-plus contingency capability"—is in a middle position.

PARING THE TWO-PLUS CAPABILITY

The generals and admirals, in arguing for larger standing forces and more sophisticated weapons, both strategic and conventional, warn over and over again that the military threat is great and growing. They cite the growing strategic nuclear power of the Russians and the Red Chinese efforts to develop a nuclear striking force. The buildup of the Soviet Union's submarine fleet, and its growing if still modest naval surface force, plus the prototypes of a new generation of fighter aircraft, are also cited as elements of the rising threat. Military men tend to want to meet enemy forces on a one-to-one basis regardless of great differences between the U.S. and its potential enemies in such elements as firepower and mobility. No President since five-star General Eisenhower has been successful in forcing major reductions in the defense budget over their ceaseless warnings of imminent peril.

Outside the Pentagon, however, many of the country's civilian watchdogs of defense spending take a different view. They concede that ever since the Soviet military weakness was revealed during the Cuban missile crisis in 1962, the U.S.S.R. has been trying to close the gap between its strategic forces and the rapidly growing nuclear power of the U.S. But this does not lead, they believe, to a firm conclusion that the enemy, as the military imply, is striving for a first-strike capability. Nor is there necessarily a relationship between the U.S.R.R.'s nuclear buildup and the need for the U.S. to maintain a conventional force of more than a million men, along with their ships, planes, tanks, and other hardware, in some 400 major bases around the world. A former State Department official intimately connected with national security planning in the Johnson Administration says: "Our commitments and force goals associated with them, both for NATO and the Far East [excluding Vietnam], account for about two-thirds of our defense costs today. These commitments stem from history and not from any clear analysis of whether or not the threat that led to troop deployments in the late 1940's and 1950's is still valid."

U.S. forces are stationed in Europe, this analyst says, as much to maintain a military balance between the West Germans and the other NATO countries as to meet a possible Russian push westward. Even after last year's Russian invasion of Czechoslovakia, the Europeans regard the possibility of a Russian-initiated conventional war against NATO as an American fantasy. In the unlikely event that the U.S.S.R. launched a purely conventional invasion of Western Europe, critics of current Pentagon thinking say, NATO ground forces would be too weak to halt it without resorting to tactical nuclear weapons. In any event, it is the fear of nuclear war, and not the U.S. Seventh Army, that has contained the U.S.S.R. in Europe.

The U.S. conventional forces in the Far East, other than those fighting in Vietnam, originally were put there on the theory that if trouble started in Europe, China would probably apply a blowtorch to the U.S. in Asia. Despite the Soviet-Chinese rift of recent years, these forces have been kept there on the newer theory that China might make trouble independently of the Russians. But the former State Department specialist disagrees. "Many of us today," he says, "no longer think an overland attack by China is likely in view of the natural barriers and the structure of its armed forces. The country's political policies just don't run that way. If you conclude, as many of us have, that we don't need to meet a Red Chinese ground attack against Southeast Asia with conventional ground forces, and that the probability of Russia attempting to grab Berlin is receding, you could start weakening the two-plus capability."

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The U.S. Navy, which is larger than all the rest of the world's navies, friendly and hostile, put together, can be significantly reduced in size. The fleet is designed to have the capability of fighting an ill-defined mission, called "War at Sea" in defense posture statements. Curiously, the Navy's mission was given much of its present definition during the landlocked crisis of August, 1961, when the Berlin Wall was built. Feeling itself hopelessly outclassed by the Soviet Union on the ground, the U.S. decided to offset this, in part, with an overwhelming naval force, which, in the event of future Soviet land grabs, could quickly assert and capitalize on control of the seas. This reasoning, now used in support of a $24.4-billion-a-year Navy, is highly dubious.

Within the Defense Department, talk of such cuts draws angry rejoinders. An assistant to Secretary Laird snaps that those proposing large defense cuts are backing away from the strategy of collective defense that the nation adopted after World War II: "Nobody has the guts to say to hell with collective defense, and to come out and say they prefer reverting to spheres of influence. Instead they hack away at the force level, at new spending for weapons like the ABM and the MIRV, at military assistance and the financing of arms sales to friendly countries." Senator John Sherman Cooper of Kentucky, a soft-spoken Republican with wide experience in foreign affairs, however, does propose a reappraisal of collective defense. "The strategy of containment through collective-security treaties," he says, "does need to be revised—even in Europe where increasingly it will be neither wanted nor needed for much longer. Countries like Thailand, Japan, and the Philippines want our forces at first, but once they have been there a while, nationalism is aroused by their presence. Whatever stability the U.S. has brought to the world has come, not through stationing conventional forces around the world, but through its economic aid and military assistance, and the nuclear umbrella we hold over our allies." Cooper calls for a sharp reduction of troops stationed abroad, and a redrawing of U.S. commitments to cover the two areas he feels are most vital to the U.S.—Europe and Japan.

Even such Senate hawks as John Stennis of Mississippi, chairman of the Senate Armed

Services Committee, are increasingly bothered by the current concept of collective defense—involving, as it does, alliances with over forty governments thousands of miles from the continental U.S. "These commitments," Stennis says, "were no more priced out in terms of money or troops than my grandchildren's baby shoes. I voted for some of these alliances. The theory was that these alliances would boost morale to the point where we would not be called on to deliver. But it has not worked out that way." Instead, Stennis and others point out, the U.S. has wound up as a major supplier of ground forces to Europe and Asia.

Beyond the doubts about current force levels and their deployment, there are compelling arguments that certain weapon systems continue to exist after the rationale for them has disappeared. The eight aging antisubmarine (ASW) carrier task forces, for example, are only marginally effective. As former Secretary of Defense Clark Clifford said in his posture statement last January, this carrier force "is costly to operate in relationship to its effectiveness, particularly against the newer Soviet nuclear-powered submarines." If the Pentagon's civilians had had their way, this force would probably have been shrunk down long ago and the primary ASW role turned over to the nuclear attack submarines and land-based aircraft. But the armed-services committees of Congress have shielded the Navy from cutbacks, on the theory that the expenditure of additional millions on new carriers and aircraft can somehow make these task forces more effective.

THOSE VULNERABLE TACTICAL NUKES

The Navy's fifteen attack carrier's, among the most costly and vulnerable of weapon systems, are also viewed as excessive even by some of Laird's key aides. But again congressional supoprt in the armed-services committees has blocked repeated efforts to reduce this attack carrier force to a more realistic size. One solution long advocated by the office of the Secretary of Defense is to adopt the system, used with Polaris submarines, of rotating crews instead of ships on station. The Navy contends it needs two backup carriers for each carrier on station, but under a crew-rotation system the total number of ships could be reduced with no loss of combat effectiveness. It is highly doubtful, also, that the country still needs all of its enormously expensive and porous continental air defenses against a small Russian long-range bomber force, or that it will need, after Vietnam, all of the Air Force's twenty-three tactical air wings.

Increasingly, too, defense analysts are questioning the role of tactical nuclear weapons. These weapons, which still form the centerpiece of U.S. forces in NATO, no longer provide any military advantage over the Warsaw Pact countries, which now are also armed with them. Though tactical nuclear power has been growing rapidly during the past decade, there is little appreciation by the public of its dangers and its limitations. William Kaufmann of the Massachusetts Institute of Technology has argued, in an unpublished study, that NATO field commanders would quickly lose control of their forces in the devastation that would follow a tactical nuclear fire fight. He cites war games showing that if tactical weapons were employed in Europe to stop a Russian advance on NATO, front-line troop casualties would be 20 percent a day. After a few days of this so-called "limited" nuclear war, civilian casualties would reach 1,700,000 dead and 3,500,000 wounded. In these circumstances the pressures to escalate to general nuclear war would be intense. Kaufmann also notes that tactical nuclear weapons are highly vulnerable to a surprise preemptive strike by an enemy because they are in "soft," exposed locations.

A strong case can be made for turning all tactical nuclear weapons—those in the hands of the U.S. Air Force and Army as well as NATO allies—over to the U.S. strategic forces, which are far less vulnerable to first-strike attacks. The Vietnam experience has suggested that B–52's could be used to carry tactical nuclear weapons in local warfare; if the enemy's anti-aircraft defense were strong, the bombers could deliver highly accurate air-to-ground missiles launched at a safe distance from the target area. Minuteman and Polaris missiles, too, now can be aimed with sufficient accuracy to hit battlefield targets. Kaufmann has estimated that 200 extra Minuteman ICBM's could be added to the strategic force for this secondary mission for about half the cost of the present tactical nuclear forces, saving $1 billion a year.

THE HIGH COST OF GOLD PLATE

Regardless of the fact that the cost of Vietnam has declined from $29 billion in 1968 to $25 billion this year, other defense costs are heading upward under pressure from the military chiefs. Instead of becoming available for civilian programs this year, the $4-billion saving in Vietnam costs was channeled into the non-Vietnam segments of the defense budget. Price increases and sharply rising military pay costs are swallowing part of the savings. Inflation has added $1.6 billion to defense costs in the past three years, and may add another $3 billion by 1974. Pay increases which cost $5.8 billion in the last two years, will add $7.4 billion more by 1974.

Beyond price and wage inflation, however, the military have since 1965 been "gold-plating" their forces—i.e., indulging in additional, and often excessive, increases in capital investment—and this has added billions to the cost of defense. An Army division of, say, 15,000 combat and 30,000 support troops costs $680 million to equip and maintain today as opposed to $550 million four years ago, largely because of the addition of costly helicopters, new small arms, and communication equipment. The $900,000 of avionics in today's F–4 fighter bomber costs 20 percent more than an entire F–100 did in 1961. New destroyers, at $57 million apiece, cost more than three times as much as those built during the Korean war.

Powerful Congressmen in the House Armed Services Committee, led by Chairman Mendel Rivers and ranking Republican Leslie Arends, show little hesitation in authorizing ever fancier and more expensive equipment. Says Arends, who supports the Air Force's request for new manned bombers at $30 million to $40 million each, which were opposed by former Secretary McNamara: "When I see us bombing in Vietnam with fifteen-year-old B–52's whose wings are about to fall off I know we need a follow-up bomber."

Senator Stennis supports the Navy's new nuclear-powered attack carriers, which, with new aircraft and their nuclear escort destroyers, will cost at least $2.4 billion per carrier task force. This means that to put a nuclear-powered attack carrier and its 100 tactical aircraft on station in the Tonkin Gulf, and to provide two backup carriers, requires an investment of about $7 billion, plus operating and maintenance costs of over $700 million annually—far in excess of what land-based aircraft would cost.

The necessity for such costly items as nuclear-powered carriers and escorts has seldom been critically examined by Congress. Inadequate staff on the armed-services committees is one reason for this lack of review. Senator Daniel Ken Inouye of Hawaii, a member of the Armed Services Committee, points out that the committee, handling authorizations that cover close to half of the federal government's budget, has the smallest staff on Capitol Hill.

PRICING OUT A 1965 POSTURE

The point of departure for establishing an appropriate post-Vietnam level of spending is the fiscal 1965 budget, which involved total spending authority of $50.9 billion. This is selected as a base point because 1965 was the last fiscal year before the nation's large-scale involvement in Vietnam got under way and the year in which Secretary McNamara is generally thought to have achieved the greatest management control over the defense establishment. This level of spending allowed the country to support a small war in Vietnam, land a force in the Dominican Republic, create a large second-strike nuclear capability, and expand as well as modernize the general-purpose forces.

By fiscal 1972, the earliest year in which most of the Vietnam costs could be eliminated, cost and wage inflation would raise the cost of maintaining and equipping an equivalent military force to an estimated $67.9 billion. The Pentagon is understood to have decided on another $10.8 billion (in 1972 prices) for procurement of newer and more sophisticated weapons. In sum, unavoidable price and wage increases, plus new weapons and equipment that the military strongly desires, would mean a fiscal 1972 budget of at least $78.7 billion. In all likelihood the spending would be significantly higher than this, since the Pentagon is anxious to retain a large part of the Vietnam augmentation in manpower. Senator Howard Cannon of Nevada, who sits on the Armed Services Committee, says that the Joint Chiefs have told him not to expect reduction of more than one division after Vietnam.

FORTUNE believes there are several areas of readily obtainable savings, which in 1972 would total $17.6 billion. Since military manpower accounts for roughly half of the total defense budget, the first step is to shrink manpower back to, and possibly modestly below, the base-line year of 1965. If the armed forces were to be cut by one million from the present 3,500,000, the savings would exceed $10 billion a year.

The cuts in manpower can be achieved by eliminating the Vietnam military manpower add-on of 800,000 men and by demobilizing three and a half Army divisions, three tactical air wings, and some Navy ships. The major cutbacks would be in Army ground divisions around the world for a generation like the twentieth-century equivalent of the Roman legions. Changing political conditions and the greatly increased capability in airlift (which allows 11,000 combat-equipped troops to be moved from the U.S. to Vietnam in forty-eight hours) argue in support of the manpower reductions. Such reductions, moreover, would lessen the great disparity between the relative defense efforts of the U.S. and its allies. Japan, for example, spends only 1 percent of its gross national product on defense, and the NATO countries 5 percent, while the U.S. spends 9 percent. The U.S. spends nearly as much on the defense of Europe as the rest of its NATO allies combined.

The second area for defense cuts lies in introducing rigid controls over procurement to minimize the "gold-plating" of new weapons, particularly aircraft and naval ships. Deputy Secretary of Defense Packard strongly favors the trade-off concept introduced by McNamara, which in essence says that if you buy more expensive weapons to replace existing ones, in the face of an unchanged threat, they should be more efficient—and hence fewer of them should be needed. As a hypothetical example, assume that in 1962 the Air Force determined it needed 1,000 fighter planes costing $3 million each. Later it comes in with a proposal to buy new planes that will cost, say, $6 million apiece. Under the trade-off concept, the Secretary of Defense might well decide to buy only half as many of the new planes, on the theory that each plane should be twice as effective.

Cost-effectiveness analysis, introduced by Secretary McNamara and perhaps overworked in such cases as the F–111, is still a powerful control system. In McNamara's day it ruled against the proposed 2,000-mph ad-

vanced manned strategic bomber (AMSA). The Nixon Administration hasn't decided whether to go ahead with the AMSA, which is still in the early development phase. The two key questions still to be answered are whether there is a role for the manned bomber that cannot be performed better and more cheaply by missiles today, and, if so, what kind of bomber the U.S. should have. Alain Enthoven, former assistant secretary of defense for systems analysis and now a vice president of Litton Industries, told the Senate Armed Services Committee in April, 1968: "Do we want to pour a lot of our country's resources into a new bomber? . . . I do not think that anyone is proposing that a new bomber would have significantly more range or payload than the B–52 [which] already has all that is needed. Once you can get from here to Russia with an adequate payload, then it is unnecessary to increase the payload or range capability." In the era of surface-to-air missiles, defense analysts say, the AMSA's greater speed is no advantage. If anything, they say, the AMSA, flying at higher altitudes than the B–52, would be more vulnerable to anti-aircraft missiles because it would show up on radar sooner.

The third way to achieve savings would be to apply greater efficiencies in the forces and weapon systems that would survive this pruning process. Deputy Secretary Packard is looking for possible economies in the training practices of the services, which cost over $7 billion a year. A cut in basic training from eight to four weeks for soldiers who will serve short-time hitches in noncombatant specialties could save $50 million a year. Reducing officer rotation by one-fourth, one defense analyst has estimated, would save $360 million annually in transportation and moving expenses. Production inefficiencies, although generally overstated, nevertheless offer substantial chances for reductions.

Fortune's proposed budget of $61.1 billion for fiscal 1972 is not so much a precise arithmetic total as it is a guide to a general level of spending that many informed men think can be readily achieved in the 1970's without impairing the nation's security. Some areas of defense spending such as research and development, communications and intelligence, would not be greatly reduced because tight security places them beyond appraisal. However, former Defense Controller Robert Anthony, for one, believes that improved intelligence-gathering techniques alone would allow cuts of $500 million. Defense research would be kept at its present level. However, such recent projects as studies of Congo witchcraft, malaria in southern Italy, and how Korean women divers withstand cold water belie the Pentagon's claim that any R. and D. cuts would "affect in a material way the security of the U.S."

Fortune's budget assumes deployment of the controversial Safeguard-missile defense system, whose costs in 1972 are estimated here at $2 billion annually. Also, included in the budget are funds for the Minuteman III and Poseidon missiles, both assumed to be equipped with new MIRV (multiple, independently targeted) warheads. Both missiles are included, even though there is a stronge case for relying on Poseidon alone, thereby saving the $400 million a year that Minuteman III will cost by 1972.

The decision to leave these controversial new weapons in the budget is based on the judgment that the U.S.S.R. is pushing ahead with the development of similar weapons, and that the arguments against them, while strong, are not conclusive. A successful outcome of the disarmament talks would, of course, allow cuts in spending on these weapons, while an accelerated buildup in the Soviet nuclear striking force conceivably could boost the post-Vietnam defense budget as high as $73 billion.

After the proposed cuts, the U.S. would still have the most powerful and diversified military force in the world; it would not be returning to a form of isolationism nor would it be in the position of carrying out unilateral disarmament. The analysis indicates that if many of the long outdated assumptions in the defense field are questioned, sharp eyes and sharp pencils, in President Nixon's words, can produce a streamlined defense budget better suited to the realities in the 1970's.

HOW TO CUT THE DEFENSE BUDGET BY $17 BILLION

In estimating a reasonable post-Vietnam military budget, Fortune takes as its starting point the Pentagon's $50.9 billion of spending authority in fiscal 1965, just before defense costs began spiraling upward because of the Southeast Asian conflict. By fiscal 1972, the earliest year in which Vietnam's cost could be largely eliminated, inflation and increases in military pay would boost the cost of maintaining an equivalent military posture by $17 billion, to $67.9 billion, as the table at left shows. However, the procurement of some new and costly weapon systems that the Pentagon has in mind probably would swell the budget further, by at least another $10.8 billion, bringing the total amount likely to be requested to a minimum of $78.7 billion. Without changing its basic strategy or reneging on its commitments to allies, however, the U.S. could safely adopt a "streamlined" 1972 defense budget of only $61.1 billion.

The table shows how the estimated $17.6 billion of cutbacks would affect various defense functions, while the table on the right, based on another kind of budget breakdown, shows how these reductions would affect the actual deployment of manpower and weapons. The reductions in weapon systems are based on savings likely in fiscal 1972, at prices of that year, on both direct and indirect operating costs as well as investment in hardware.

The savings from the elimination of four antisubmarine-warfare carriers, for example, include operating costs of $440 million annually and an investment of $500 million. The $7.5 billion of savings in procurement and other efficiencies includes a variety of items ranging from elimination of the advanced manned strategic bomber ($1.6 billion) and a reduction in annual Navy shipbuilding from $1.5 billion to $300 million, to reducing the modernization allowance for each Army division from $70 million to $30 million and a hold-down in officer rotation overseas (now every 1.3 years), which would save $360 million. Other major savings would come from buying less expensive avionics for aircraft and reducing cost overruns through improved contracting procedures.

DEFENSE BUDGET, BY FUNCTION

[In billions]

	1965 actual	1965 actual in 1972 prices	Likely DOD requests for 1972	Streamlined 1972
Strategic forces	$7.1	$9.3	$12.9	$10.8
General-purpose forces	19.1	24.9	30.0	18.7
Intelligence and communications	4.5	5.9	6.1	5.6
Airlift and sealift	1.4	1.8	2.7	2.2
Guard and reserve forces	2.0	2.6	2.6	2.6
Research and development	4.7	6.1	6.1	5.5
Central supply and maintenance	4.2	5.5	6.5	5.0
Training, medical, etc	5.9	7.7	7.7	6.7
Administration and associated activities	1.2	1.6	1.6	1.5
Support of other nations	1.3	1.7	1.7	1.7
Unfunded retirement	—.5	.8	.8	.8
Total	50.9	67.9	78.7	61.1

PROPOSED CUTS

[In millions]

	Savings in 1972
1. Reduce general-purpose tactical nuclear force	$1,000
2. Eliminate 1½ NATO-oriented divisions	1,125
3. Eliminate 2 Asia-oriented divisions	1,500
4. Eliminate 3 tactical air wings, 2 in NATO, 1 in the United States	1,360
5. Reduce attack aircraft carriers from 15 to 10	2,440
6. Reduce antisubmarine (ASW) carriers from 8 to 4	940
7. Reduce the strategic bomber force from 550 to 275 planes	750
8. Reduce amphibious ships	365
9. Eliminate manned orbiting laboratory (MOL)	600
10. Savings in procurement and more efficient use of manpower	7,520
Total	17,600

EXHIBIT 2

WHERE THE MILITARY CONTRACTS GO

(By William Simon Rukeyser)

Defense Department awards in fiscal 1968 accounted for 81.4 percent of the value of all contracts let by the federal government. With annual purchases by the Pentagon running over $42 billion, defense ranks among the nation's giant industries.

Of course, defense contractors constitute an industry only in the sense that they share a common customer. In other respects there could hardly be a more varied group of companies. Contractors range in size from General Motors down to small machine shops. The military buys bugles and bagels as well as missiles and planes. A number of quite large corporations do most of their business with the military, but some prominent defense contractors are primarily manufacturers of civilian goods. Among the top three defense suppliers in fiscal 1968, General Dynamics and Lockheed received new prime contracts equal to around 84 percent of annual sales, while for General Electric the comparable figure was 18 percent. General Motors' $629,610,000 of prime contracts made it the tenth-largest defense supplier, but those awards were equal to less than 3 percent of the company's total sales.

Some major contractors are not corporations at all but universities or other nonprofit institutions. With $124,100,000 in prime contracts, the Massachusetts Institute of Technology ranked fifty-fourth among defense suppliers last year, ahead of such important makers of military goods as Fairchild Hiller, Colt Industries, and Cessna.

The Pentagon keeps a much closer watch on suppliers' day-to-day activities than most commercial customers do. On contracts of any substantial size, at least one government contracting officer moves into the plant for the duration of the work, and squads of government auditors are on hand all the time. One reason for strict supervision at the plant level is that a lot of defense work is done by private contractors using government property. Last year $6.9 billion of plants and equipment owned by the Defense Department was "in possession" of outside contractors. Olin Mathieson, for instance, runs two enormous "go-co" (for government-owned, com-

pany-operated) ammunition factories in Wisconsin and Indiana. Olin, which does not include the turnover from these plants in its own sales figures, calculates the replacement value of the plants at $500 million.

About half of all the work covered by prime contracts is subsequently farmed out to subcontractors. Often subcontracts go to large corporations that also hold prime contracts. Accordingly, data on prime contracts only partly reveal the actual patterns of defense procurement. But the tabulations, map, and chart on these pages are necessarily based on prime contracts—specifically those awarded in fiscal 1968. Strangely, in view of the high proportion of defense work that trickles down to subcontractors, the Pentagon doesn't collect over-all data on subcontracting. Since 1963 it hasn't even required contractors to tell the department exactly how much of the work *is* subcontracted.

The pattern by States

[Contracts fiscal year 1968]

The big ten:	
California [1]	$6,471,875,000
Texas	4,087,182,000
New York [2]	3,483,730,000
Connecticut [1]	2,355,135,000
Pennsylvania [3]	1,727,314,000
Ohio [2]	1,640,525,000
Massachusetts [1]	1,618,741,000

The pattern by States—Continued

[Contracts fiscal year 1968]

The big ten—continued	
Missouri	$1,356,871,000
New Jersey [2]	1,108,440,000
Indiana [1]	1,107,453,000

[1] More than $200 per capita of prime contracts.
[2] $151 to $200 per capita of prime contracts.
[3] $101 to $150 per capita of prime contracts.

The pattern by companies

[In percent]

The 25 largest contractors	45.5
The second 25	11.5
The third 25	6.5
The fourth 25	3.5
All others	33.0

Suppliers in every one of the fifty states and in more than 80 percent of all congressional districts won Defense Department prime contracts in fiscal 1968. But the geographical distribution was far from even. The top ten states, listed above, garnered approximately 60 percent of the total dollar value. In some less populous states, military procurement has a large economic impact even though the absolute value of contracts received is comparatively slight. For example, Alaska, not shown on the map, won contracts worth $392 per capita, second only to Connecticut's extraordinary $805. (Hawaii, also not shown, ranked in the middle group of states, with $129.) At the other extreme, New York, Pennsylvania, Ohio, and New Jersey, despite their large dollar awards, were not among the top ten states on a per-capita basis.

Large corporations dominate the defense business. A hundred contractors won two-thirds of the dollar value of Pentagon awards in fiscal 1968, and the top twenty-five companies alone accounted for nearly half. Most of these twenty-five companies, listed on the page opposite, were also among the top twenty-five defense contractors a decade earlier, although the corporate form of some has been changed by mergers. The only arrivals on the list since fiscal 1958: Avco, Textron, Litton, Kaiser, Ford, Honeywell, Olin Mathieson, and Ryan. They replace I.B.M., R.C.A., Westinghouse, Republic Aviation, Chrysler, Curtiss-Wright, and Bendix. (The arrivals outnumber the departures by one because McDonnell and Douglas, now merged, were both on the 1958 list.) More than two-thirds of the prime defense contracts awarded in fiscal 1968 had a face value above $1 million, and more than one-third came to more than $10 million. Businesses defined by the government as small won only about 19 percent of the prime-contract dollars.

THE TOP 25 CONTRACTORS

	Headquarters	New prime contracts (fiscal 1968)	Main projects
1. General Dynamics	New York	$2,239,339,000	F-111 fighter bomber, Polaris submarine.
2. Lockheed Aircraft	Burbank, Calif	1,870,197,000	C-141 & C-5A transports, Polaris missile.
3. General Electric	New York	1,488,707,000	Jet engines, electronics.
4. United Aircraft	East Hartford, Conn	1,320,991,000	Jet engines, helicopters.
5. McDonnell Douglas	St. Louis	1,100,837,000	Phantom F-4, Douglas A-4 bomber.
6. American Telephone & Telegraph.	New York	775,927,000	Safeguard missile, antisubmarine projects.
7. Boeing	Seattle	762,141,000	B-52, helicopters, Minuteman.
8. Ling-Temco-Vought	Dallas	758,261,000	A-7 fighter, electronics, Lance missile.
9. North American Rockwell.	El Segundo, Calif	668,641,000	Avionics, submarine electronics.
10. General Motors	Detroit	629,610,000	Gas-turbine aircraft engines, tanks, M-16 rifle.
11. Grumman Aircraft Engineering.	Bethpage, N.Y	629,197,000	Fighter planes.
12. Avco	New York	583,648,000	Aircraft engines and parts.
13. Textron	Providence	$500,747,000	Helicopters.
14. Litton Industries	Beverly Hills	465,691,000	Ships, electronics.
15. Raytheon	Lexington, Mass	451,754,000	Hawk, Sparrow III, SAM-D missiles.
16. Sperry Rand	New York	447,197,000	Computers, electronics for ships and missiles.
17. Martin Marietta	New York	393,454,000	Titan III and other missiles.
18 Kaiser Industries	Oakland, Calif	386,334,000	Jeeps
19. Ford Motor	Dearborn Mich	381,344,000	Trucks, missiles, telecommunications.
20. Honeywell	Minneapolis	351,682,000	Avionics, torpedoes.
21. Olin Mathieson Chemical.	New York	329,415,000	Ammunition.
22. Northrop	Beverly Hills	310,256,000	Communication systems aircraft.
23. Ryan Aeronautical	San Diego	293,158,000	Engines, pilotless aircraft, electronics.
24. Hughes Aircraft	Culver City, Calif	286,109,000	Electronics.
25. Standard Oil (New Jersey).	New York	274,377,000	Gasoline and jet fuel.

ASIAN FEVER

Mr. McGOVERN. Mr. President, it would seem that there is, in addition to the Asian flu, a new fever that sometimes afflicts American Presidents traveling in Asia. Its most striking symptom is a remarkable expansion of rhetoric.

In the past week, our traveling President has made the following observations from Asia:

First, Neil Armstrong and his associates have accomplished a feat exceeded only by God at the creation.

Second, our interminable, inclusive frustrations in the jungles of Vietnam represent "our finest hour."

Third, if Thailand gets into trouble from within or without, we will rush in to open up a second front in Southeast Asia.

Fourth, President Thieu is one of the great statesmen of our age.

It seems clear that whereas the more common Asian flu leaves the patient weak and subdued, the new Asian fever intoxicates its victims with a powerful euphoria that is almost beyond comprehension.

Perhaps until we know more about this new strain of Asian virus, the President would be willing to return to the United States in the quarantine chamber recently used by the astronauts following their return from the moon. This would provide a period of safe observation while medical scientists and national security experts considered whether to isolate the new virus or to encourage its spread over the entire populace.

SENSATIONALISM ON ABM DECRIED

Mr. DOMINICK. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article from the Washington Star dated July 31, 1969, dealing with the recent efforts by Dr. Sternglass to interject some other thoughts into the ABM.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENSATIONALISM ON ABM DECRIED

(By Judith Randal)

Esquire Magazine, which thrives on controversy, added a new ingredient to the debate over the anti-ballistic missile this week with newspaper advertisements which many leading scientists regard as irresponsible.

Esquire's ad heralded an article on the ABM luridly entitled, "The Death of All Children." It described this as "a summary of research on the matter of nuclear fallout, pulled together for the first time by Ernest J. Sternglass, professor of radiation physics at the University of Pittsburgh."

So important is its article, Esquire said in promotional letters to newspaper editors and reporters, that although it was received after deadline, it was incorporated in the "September" issue (published July 29) as a stop-the-press insert.

Actually the closely printed four-page "Footnote to the ABM Controversy" is a rehash of tired old arguments aired by Sternglass in various forums over the last six years and discredited almost without exception.

To assert that Sternglass' sensational claims against the ABM are unjustified is not to say that a case cannot be made against the system now nearing a vote on Capitol Hill. There are plenty of arguments against the ABM that make sense—social, geopolitical, technological and scientific—but Sternglass' isn't among them.

There is the danger, from the point of view of opponents of the ABM, that Sternglass' overstatement of risks could actually backfire, even perhaps changing a last minute "no" vote to a "yes" vote.

Sternglass' thesis—which he has aired in

testimony before Congress, on television, and in articles in "Science," "The Bulletin of the Atomic Scientists," and a doctors' newspaper called "Medical Tribune"—is that atmospheric testing of nuclear weapons has had a marked and measurable effect on live births in the United States since 1945, when the atomic age began with an explosion near Alamogordo, N.M.

Sternglass claims that nuclear testing has led to "almost one excess death per hundred live births" or a total of "over 440,000 baby deaths" during the nuclear age.

Looking ahead, he has asserted that genetic damage from the detonation of ABM warheads defending against a missile attack "could itself produce sufficient (fallout) in the following few months to seal the biological doom of mankind."

In the Esquire article, he goes even further. "The fact is this," Sternglass writes, "a full-scale ABM system, protecting the United States against a Soviet first strike, could, if succesful, cause the extinction of the human race."

Sternglass says nothing about what may happen if the ABM is unsuccesful, or the possibility that developers of the defense system may be unable to stay ahead of determined builders of an offensive capability.

But, whether by accident or intention, he falls into all sorts of traps as he builds his case against the ABM.

Take the matter of excess infant deaths. Sternglass claims the pre-natal exposure to fallout resulting from the 1945 New Mexico tests quickly led to the maintenance of relatively high fetal and infant deaths in distant states lying along the path of the fallout.

In fact, however, measurements recorded at the time of the tests showed that the explosion injected only a minute amount of fallout into the stratosphere, and that the debris was confined to New Mexico and parts of nearby Kansas and Nebraska—not the states where the decline in infant mortality failed to level off as expected.

In reproductive experiments on mice, cited repeatedly by Sternglass (but not done by him), for instance, large numbers of fetal deaths or damaged offspring resulted from injections of radioactive strontium.

But mice are not men, the dose was enormous by human standards, and injection is not the way strontium 90 enters the body after fallout.

Feeding experiments at doses comparable to those following a nuclear explosion in species closer to man have yielded far less sensational results.

Sternglass blames fallout for such things as the reduced birth weight of babies over the past 30 years, although every mother knows that this has come about through altered pre-natal care methods which deliberately hold down the mother's—and the baby's—weight during pregnancy.

In marshaling his "facts" to show a rise in childhood leukemia, he cites what he says was an alarming increase in one metropolitan area where, owing to population growth, the rate has actually remained stable.

This is the sort of "science" for which Sternglass would flunk a graduate student for trying to palm off in the guise of a research paper.

Fraught as it is with irrelevancy and error, the article can add little of consequence to lucid debate on the ABM, and can only cause confusion and emotionalism in a situation already too confused and emotional for anyone's good.

Mr. DOMINICK. I may say that this article, which I think is very well reasoned, points out that if a research student under Dr. Sternglass had brought up those so-called facts, he would have been flunked, and that Dr. Sternglass' arguments are just about as bad.

SPEECH BY SENATOR PERCY AT MT. SINAI HOSPITAL CORNERSTONE LAYING CEREMONY IN CHICAGO, ILL.

Mr. DOMINICK. Mr. President, my distinguished colleague from Illinois, Senator CHARLES H. PERCY, recently presented an excellent speech at the Mt. Sinai Hospital cornerstone laying ceremony in Chicago, the primary focus of which was upon three major health problems confronting our Nation.

Senator PERCY first explained that the shortage of medical manpower has laid a heavy burden upon our citizens in need of health services. He urged the expansion of medical schools and additional training programs for nurses and technicians.

Second, he described how the lack of proper organization in the medical field often results in waste and duplication of effort. Multi-specialty group practice is one area which he suggests could be expanded to assure continuous treatment for patients having medical problems requiring the care of more than one specialist.

Finally, Senator PERCY believes we must make health for every American a right, not a privilege, and points to the philosophy behind our medicare and medicaid programs. However, even with the existence of these programs, he is still convinced that far too often unequal treatment results solely from unequal income.

As the ranking Republican in the Health Subcommittee, I have read this speech with great interest.

Senator PERCY has pinpointed key problem areas in the health field deserving of the attention of all Senators, and I ask unanimous consent that his remarks be placed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CHARLES H. PERCY

It is extremely satisfying for me to be here on the occasion of the start of this construction. This cornerstone is part of a building which will serve to ease suffering and prolong life and will be a symbol of man's concern for his fellowman.

It is common concern that brings us here today. All of you, in some way, have set as your goal helping those who have become ill. This is a good time to examine how we best can work together to provide health services to all who need them. I would like to outline some of the problems and attempt to offer some solutions.

Clearly, the major problem we face today is the shortage of trained medical personnel. The dramatic scientific breakthroughs of the past three decades have made it possible for us to do more to help people. The interrelated advances in surgical techniques, antibiotics and immunology as well as numerous new diagnostic and therapeutic instruments have brought us the possibility of curing diseases far beyond the greatest expectations of the pre-World War II physician. Because we can now do more, and because the average citizen is now better informed on health matters, the demand for physician-directed services has increased much more rapidly than the number of physicians.

This expansion of knowledge has placed phenomenal demands on the individual physician. The required information has exceeded the time available for the physician to learn it, and yet the pressure to shorten the medical curriculum continues. Can one person reasonably be expected to be an expert in reading cardiograms as well as skull x-rays? Clearly many physicians feel the only solution appears to be specialization. Perhaps one reason for the shortage of general practitioners is the medical student's knowledge that he couldn't possible know enough to be a competent GP. In fact, only 2 per cent of today's medical school graduates plan to go into general practice.

Since complete, up-to-date medical care requires the services of a group of physicians of different specialties the manpower demand has skyrocketed while the average time required to train a physician has risen to at least 12 years after high school exclusive of military service.

Expansion of medical schools is a necessity. The building we are dedicating today will help the Chicago Medical School expand its entering class, and this is the most efficient way to produce more physicians. It is an important step, but, in addition to expansion, additional medical schools must be built. We must have enough positions so that all qualified applicants can be admitted. It gives one pause to realize that a nation rich enough to send men to the moon is forced to recruit more than 15 per cent of its new physicians from abroad, including many from relatively underdeveloped countries. The shortage of medical school facilities is so great that one out of every two qualified students applying for admission is turned down despite a shortage of 50,000 doctors nationwide—7,000 of them here in Illinois.

But the shortage is not merely in numbers of physicians. Nurses, technicians, and other types of personnel are in critically short supply. All training programs have to be expanded. Further, new professional categories will have to be established to assist in the different medical specialties. Funds are presently available from Federal sources for these programs but responsible individuals in the private sector must provide the initiative and momentum. Centers like Mount Sinai must continue to show the way. This job cannot be left to someone else.

A problem closely related to the manpower shortage is the lack of organization of medical services in this country. Here we have a fifty billion dollar industry that has mushroomed dramatically. With 300,000 practicing physicians we have almost 300,000 independent "corporations," each with its own particular way of doing things. The waste and duplication inherent in this lack of organization would not be a critical problem were it not for the fact that there aren't enough physicians to go around. It is incumbent upon the profession to organize itself in the most efficient manner possible. Multi-specialty group practice with sharing of facilities and ancillary personnel appears to be a more efficient way to use a physician's time. The single physician cannot bring the full range of medical knowledge to bear on all of his patients. He must be considered the entry point into a continuous comprehensive medical system. Although there is no substitute for the vigilance of the interested physician in maintaining the health of his patient, there should be no hesitation on his part to send his patient to another physician whose training is more relevant to the patient's disease.

If we are to meet our present crisis, many experts feel that the profession must encourage the development of substantially more group practice. The team approach to patient care must be taught in the medical schools. But even the multi-specialty group cannot be considered the basic unit of medical care.

Since the person who seeks a physician is really seeking a return to full health, the basic unit of medical organization must be that which can provide a full range of diag-

nostic and treatment services. This would consist of all facilities from the solo physician's office to the teaching hospital. Continuity of care involves everything from taking the pulse to providing radiotherapy, from dispensing aspirin to open-heart surgery. Clearly, multi-specialty groups and community hospitals must be affiliated with a teaching hospital to provide this in-depth service.

A continuous single medical system would permit a more rational distribution of services from the component facilities. With rapidly rising costs, especially for in-hospital care, unnecessary hospitalizations can and should be avoided. Motel and rest-home services are best provided in motels and rest-homes. Hospital admissions for diagnostic procedures are inexcusable with room rates approaching $100 per day. Health insurance policies must be changed to cover comprehensive and not just hospital services. Hospital beds should only be used when no other alternative is open. The hospitals must lead the way in providing ambulatory services efficiently and rapidly. The teaching centers must clarify to students, house staff and attending staff what constitutes the need to be hospitalized. The teaching hospital is the focal point and it should be the organizational center for the provision of truly comprehensive medical care.

Another problem that has been with us for a long time is the existence of a double standard of medical practice. One kind of practice for those who can pay and a separate system for those who cannot pay. The medically indigent have traditionally been considered an asset to a teaching hospital. The physicians can learn by taking care of the poor and, finally, when their training is over they are ready to take care of private patients. The time has come to change our thinking on this subject. The poor are justifiably sensitive about being used as guinea pigs. A teaching institution which permits a double standard within its walls is really an anachronism. There must be a system, one system, with the type of care determined by illness and not by ability to pay. There should be no second-class citizens when it comes to adequate health care.

The Medicaid and Medicare programs are evidence that the American people regard medical care as a basic right, not a privilege only for those who can afford it. With adequate funding and implementation, medical indigence can be a thing of the past.

The shortage of medical personnel has led to particularly acute problems for the poor. There are vast areas in this country where only poor people live. Very few physicians are today starting their practices in low-income neighborhoods and impoverished rural communities. They realize, much like their foreign counterparts from underdeveloped countries who have immigrated here, that they cannot practice good medicine nor even make a decent living working there. In Chicago, most poor people are still forced to travel long distances and wait long hours to see a physician. The largest number go to Cook County Hospital. The other hospital centers, like Mount Sinai are helping to share the load but it is clear that ambulatory services must be brought to the communities. The Martin Luther King Neighborhood Health Center at 3316 West Grenshaw and the Mile Square Health Center at 2049 West Washington are examples of what can be done. More such clinics are needed. These clinics should be affiliated in some way with hospitals that can guarantee beds for those patients requiring hospitalization and where their clinic physician can follow ther progress. Neither ambulatory clinics nor hospitals can operate separately.

Just last month I introduced legislation to provide Federal grants for construction of ambulatory care facilities to be staffed by multi-specialty groups of physicians with admitting privileges at nearby hospitals. I hope that groups of private physicians medical schools, medical societies and hospital centers will be among the project applicants. Here again, Congress can write legislation, but the medical community must take the initiative by planning, recruiting and organizing. Without the cooperation of physicians, administrators and interested citizens we cannot do the job.

The physicians of this city have long recognized that Chicago would be better served by an expansion of outpatient facilities staffed by private physicians and more beds in private hospitals than by building a number of County Hospitals or by continuing to expand our present one. With Medicare, Medicaid and facilities grants these ideas can become reality and the City can serve as an example to other communities. The facility we are dedicating today represents a major step toward the realization of this goal.

I think it is right at this time for the American people to ask their government to reconsider its national priorities. The provision of enough physicians here on earth must assume a position of at least equal status to that of putting a man on the moon. A nation that spends over 3 billion dollars a year to keep farmers from growing crops can certainly afford a system of neighborhood health centers. Perhaps we can even scale down the billions being spent pursuing the elusive goal of security against every conceivable type of external military threat and concentrate on the more concrete goals of providing some measure of security to the individual against the more concrete threats to his health. In fact, I am more concerned in general with the threat from within the country than external threats.

I feel confident that the youth of our nation holds the key. It is they who are clamoring the loudest for a more humane society. In spite of the radical minority, most students feel they have a stake in the present system and they want it to work. It gives me great satisfaction to point out that the medical students of the Chicago area have taken the initiative in bringing some measure of compassion to problems confronting our Nation. On their own initiative last summer they went into the poverty areas of the city to see what they could do, as individuals, to help their fellowman. They have discovered some of the less pleasant realities of our system, but they came out of it determined to go back. The Chicago Student Health Project gave these young people the opportunity to do something to make society better. The fact that they *could* do something and that there were immense problems to be overcome was taken as a challenge not as an invitation to cynicism. Surely these students must be the pride of the profession; they will not be content to let someone else do what has to be done. They are showing all of us the way. I think they are indicative of what is best in their generation and it is something of which we can all be proud.

In summary, we have three primary problems—a shortage of medical manpower, a lack of organization of the medical industry, and inequality in the distribution of medical services to rich and poor. In fact, there are three aspects of the same problem, a long-standing lack of definition of a national health right. It is clear that the problem is too immense for even the combined resources of Federal, State and local governments. We must mobilize the experience and resources of the private sector and capitalize on the enthusiasm of our dedicated youth to build a health care system worthy of America.

That is what this cornerstone dedication ceremony is all about. That is what you have accomplished in the Alliance for Progress to nation-build here at home by helping to build a stronger and healthier people and to light the way for others to follow.

RETIREMENT OF JACK BELL

Mr. BYRD of Virginia. Mr. President, I would like to say a few words about a long-time friend and one who knows the Senate of the United States perhaps as well as any other individual. I refer to Jack Bell, of the Associated Press.

Today, for the first time in 31 years, Jack Bell is not sitting in the press gallery as the chief of the Senate staff for the Associated Press. Mr. Bell retired yesterday, after long service to the news-gathering organization, the Associated Press.

Mr. Bell served as the chief political writer for many years, and since 1940, he has been the chief of the Senate staff for the Associated Press. He first began to cover the Senate in 1938.

I think it is interesting to note that of all the 100 Members of the Senate, only two were serving in this body when Jack Bell came to the Senate press gallery. They are the distinguished senior Senator from Georgia (Mr. RUSSELL) and the distinguished senior Senator from Louisiana (Mr. ELLENDER).

Jack Bell had the confidence, and he has the confidence, of the Members of the Congress in general and the Senate in particular, because all of us as Senators know that we can rely on Jack Bell's integrity.

We know that we can talk with him frankly, and we know that he will not violate our confidence. We know him to be an able, objective, dedicated reporter.

As a Member of the Senate I can speak of my confidence in Jack Bell, but I can also speak of my confidence in Jack Bell as a newspaper editor.

All of my adult life until I came to the Senate had been spent in the newspaper business, and I know that editors all over the United States have great confidence in Jack Bell. When his byline was transmitted over the teletypes, those newspaper offices which received the AP dispatches would give extra credence to those political stories with the Jack Bell byline.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I am glad to yield to the Senator from Wisconsin.

Mr. PROXMIRE. I would like to join the distinguished Senator from Virginia in paying tribute to Jack Bell. I had not realized before that he was retiring today——

Mr. BYRD of Virginia. He retired yesterday.

Mr. PROXMIRE. He certainly has been a remarkably fine reporter. Everything the Senator from Virginia has said about him is true. He is responsible, he is thoughtful, he is accurate, and he is very, very careful to be sure he gets all sides of every question.

This is something about our press services that I think has been improving over the years. One of the first things one learns in a school of journalism is how the press service has changed and how it is improving. I think Jack Bell epitomizes the best in journalism—fair and accurate reporting, and at the same time informative reporting.

Jack Bell wrote "The Spendid Misery," one of the finest books on the presidency

that has been written, certainly to my knowledge.

So I am delighted to join the Senator from Virginia in paying tribute to a great reporter. I hope that his retirement will mean that he will continue to cover the Senate and the Capitol, but perhaps in a different way.

Mr. BYRD of Virginia. I thank the Senator. I am glad to concur in the remarks he has made about Jack Bell.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I am glad to yield to the Senator from Colorado.

Mr. ALLOTT. I simply want to say that everything I could express about Jack Bell has been expressed by the Senator from Virginia, and I want to join in congratulations to Jack Bell on his retirement.

Yesterday, upon his official retirement, I was happy to attend a reception in his honor. My own acquaintance with Jack Bell goes back to 1947 or 1948. I have always had the feeling about Jack Bell, when he asked me about any situation, that he was inquiring for information and that he had not already made up his mind and was just looking for a word or two from me or anyone else he was interviewing to try to fortify an opinion he had already formed. In this respect, I think he reaches the top of the reporting profession.

Having regarded him as a close friend these many years, I am very happy to hear the words of my good friend from Virginia, because he has not only been a Member of the Senate, but he is the son of a distinguished father who was also in the Senate and who was one of the distinguished and one of the great men of all time in the Senate. Having been in the newspaper business, himself, for many years, he is able to look at Jack Bell's career in a professional way, in a way which probably surpasses that capacity in men who have probably never been in the newspaper business.

So I wish to join in extending best wishes to Jack Bell on his retirement, best wishes on his new column, and best wishes for many successful years to come.

I thank the Senator for yielding to me.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I am glad to yield to the Senator from Colorado.

Mr. DOMINICK. Mr. President, I join the distinguished Senator from Virginia and my distinguished colleague from Colorado.

It so happens that Jack Bell was a friend of two of my newspaper friends in Colorado. When I first came to Washington, they were helpful enough to get Jack Bell to meet with us. This happened when I was first elected to the House, about 9 years ago. So I have felt very able to express thoughts and ideas back and forth with him ever since that time.

I agree with the Senator that he is extremely fair. We do not necessarily have to agree with all his articles to believe that. We also feel that we have lost someone of great stability in that field by his retirement.

I know he is going to enjoy his retirement, but I wish he were still here with us.

Mr. BYRD of Virginia. I thank the Senator. I concur in what the Senator has said. Jack Bell is a fine reporter, objective, and able.

I am happy to report to the Senate and to the distinguished Senator from Colorado that Jack Bell will still be in the Press Gallery, because he will be there from time to time representing the Gannett newspapers, a great group of newspapers. The president of the Associated Press is Paul Miller, a very able and perceptive newspaperman. Paul Miller is also president of the Gannett newspapers. Following the rules of the Associated Press, when Jack Bell reached retirement age, he had to leave that organization, but Paul Miller brought him—or is bringing him today—into the Gannett organization; so Jack Bell will still be here with us in the Senate Press Gallery.

In speaking of Jack Bell, I wish to mention also this aspect of news gathering: We have two great news gathering organizations in this Nation, the Associated Press and United Press International. I think it is most important that we have, and continue to have, two such national news gathering organizations.

I happen at one time to have been a member of the board of directors of the Associated Press, so I am a little bit closer to that organization in that respect than I am to the United Press International. But I have great confidence in both the AP and the UPI.

I believe it would be very unwise and undesirable for our country if we had in this Nation only one newsgathering organization of a national and worldwide character. We have two, the Associated Press and United Press International, and I happen to be one of those individuals who feel that, by and large, both of those organizations are doing a splendid job in reporting to the people of this Nation and the people of the world the events which are taking place in Congress, throughout the United States, and throughout the world.

That does not mean that there is not some reporting that is not all it should be. It does not mean there is not some sloppy reporting in various areas of the world, the United States, or the Senate, for that matter.

But by and large, these men, I think, do a remarkable job; and I might say I do not know of any tougher job that any person could have than to sit in the press gallery, day after day, and have to listen to us Senators here on the floor talking as much as we do, for hours at a time.

When we Senators get tired of listening to one another, we can go back to our offices, or go to a committee meeting, or take care of other problems that we need to look after. But those men who sit in the press gallery, particularly the news service representatives, who have to be on duty every minute that the Senate is in session—I say they have a tough job, and I congratulate all of them on the job they are doing.

I say again that in my judgment, Jack Bell has rendered his organization, the Associated Press, a great service over the years. He has been a credit to the newspaper profession through the many years that he has been in it, and I think that he has rendered his Nation a great service through the high caliber and the objectivity of the reporting he has done during the many, many years that he has been a reporter, a political writer, and a Washington correspondent.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HUGHES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

Mr. HUGHES. Mr. President, whatever else may be said about the current debate over the proposed ABM system, one point is certain.

At no time in our history has a weapons system been so thoroughly studied and discussed in the Congress.

As a newcomer to this body who has not served on any of the committees that consider military budgets, I have listened closely to the arguments pro and con and have learned a great deal from both sides.

I have been impressed by the strong case that has been made on both sides of this key issue and by the sincerity of conviction that has animated both proponents and opponents on this issue.

In this debate over the Safeguard ABM system, Congress, for the first time, in my opinion, has effectively cut through the traditional mystique that has surrounded our military spending and placed every facet of the argument before the public.

I am particularly proud of my colleagues on both sides of this issue, here in the Senate, for performing what I consider to be an outstanding public service in delineating every significant detail of a question which has an all-important bearing on both our defense and foreign policies.

The need for intensive public airing of the issue is reflected in the public opinion polls.

According to a Gallup poll taken in late March, only 69 percent of the people questioned had ever heard of the ABM controversy, and only 40 percent had formed an opinion. Those with an opinion favored the ABM 5 to 3, but the more significant fact was that 60 percent were opinionless.

On Monday of this week, another Gallup poll was released showing that those who profess an opinion now favor the ABM by 4 to 3, but those without an opinion still totaled a disappointing 58 percent.

Despite the fact that the ABM is the most thoroughly discussed proposal for military expenditure in our history, it is clear that we are a long way from total public communication.

I, therefore, believe that the extended debate we have been having on this issue has been urgently needed to inform the public as well as to bring us to the right decision here in Congress.

In more ways than one, the ABM is a key issue in modern history. It marks the end of the blank check era so far as military spending is concerned. From this point on, both Congress and the public, if I am not mistaken, will demand that military budgets be subjected to the same close scrutiny that civilian budgets have long been accorded.

It also marks the growth of a new concern in the United States about our national priorities and the allocation of our resources between military and nonmilitary needs.

There has been a wide variance in the estimates of what the Safeguard system would cost. But whether the cost is $7 billion, $10 billion, $20 billion, or many times these amounts, it still represents a very substantial outlay from the Nation's resources. And Vietnam has taught us, as no previous chapter of history has succeeded in teaching us, that our resources are not unlimited.

There is a growing awareness in the country these days that our national security involves meeting some of the critical domestic problems that threaten us with disintegration here at home, as well as building up the capability to meet possible aggression from abroad.

An expenditure of $7 to $10 billion would not eliminate poverty in the United States, but it would go a very substantial distance toward alleviating it.

But regardless of our critical domestic needs, I am sure there is not a person in this Chamber who would not fully endorse the Safeguard system if he believed it to be necessary, or even desirable, to our national defense.

But on this pivotal point, the case for Safeguard has, in my opinion, failed.

It has been pointed out that the Safeguard would give the President another alternative to choose from beyond releasing the big missiles or simply sweating it out. It would put another button on the console.

But if, in the event of a nuclear first strike against us, the President were to press this button, we need complete assurance that it would work, that it would intercept and destroy the enemy missiles without bringing fatal damage and fallout upon ourselves in so doing.

At this late stage of our debate, we do not, in my opinion, have this assurance.

Scientists have termed the Safeguard's complex of computer and radar systems the most intricate technological system man has yet attempted to create. We have heard a great deal of testimony on both sides about the workability and practicability of both of these systems from weaponry experts. Computer experts say the extremely sophisticated programing is so advanced that its theoretical processes have never been accomplished, let alone tested. In lay language, we are talking about the most celebrated pig-in-the-poke in modern history—on which it is proposed to base our first line of defense against possible thermonuclear attack.

Moreover, if the system should work in the interception and destruction of enemy missiles, we do not know what horrors it would create in the contamination of the atmosphere.

I still contend that our most effective defense from nuclear attack is where it has been from the beginning—in our deterrent capacity.

We have, I am told, efficient detection and warning systems which can give us approximately a half-hour warning of the launching of an enemy missile.

Then we have superior weaponry and it is distributed—as it has been stated so very eloquently here today—in such a way as to be least vulnerable to a first strike—our landbased missiles, our submarine fleet, and our strategic bombers.

The suggestion that an enemy could knock out all of these missiles with a first strike simply does not add up to credibility in my opinion.

Obviously, the Soviets are rapidly building up their nuclear capabilities, but in the words of the report of the Committee on Armed Services itself, it would be "the mid-1970's" before "they will be in a position to threaten the effectiveness of our Minuteman forces." I have not been convinced by the evidence presented in this debate that the Soviets are outstripping us in the development of other strategic weapons, including a sophisticated ABM system.

With all due respect to the able proponents of Safeguard, I simply cannot see it as either necessary or desirable for our defense at this particular time.

In fact, the damage it could do by disturbing the strategic balance between the great powers is extremely alarming to me.

This balance, of course, rests on the mutual understanding between the Soviets and ourselves that each nation has the nuclear capacity to inflict unacceptable damage on the other and that there is, therefore, no percentage in any dream of a first strike by either nation.

The contention by some proponents of the ABM that deployment of the Safeguard would aid us in disarmament negotiations with the Soviets is perhaps to me the most unconvincing argument of all.

It is like saying that escalated imbibing is the best route to sobriety.

The Soviets could interpret our deployment of an ABM system in more ways than one. The notion that they would passively accept Safeguard as a "defensive" system and not react to it is highly unlikely.

It would be just as easy for them to interpret the ABM as the second stage of a planned first strike—a device to stop the retaliating missiles once the holocaust was launched.

However one considers it and rationalizes it, the arms race is a dead-end street, a point of no return.

Inevitably, if we deploy a new weapon system, the Soviets will take measures to catch up.

If we have learned nothing else by this time, we should have learned that each new and more powerful weapon system begets new and more powerful retaliatory weapon systems on the part of our adversaries.

Realistically, the ideal relationship between two nations for constructive peace negotiation is a relationship of comparative equality. The ancient notion that we create an atmosphere for peace by building up an overpowering military capability, far exceeding our nearest rival, simply does not hold water.

As I stated far earlier, it is my conviction that the ABM advocates have not made a case for Safeguard—even on purely technical grounds.

If another nation launched a missile attack against us under any circumstances, it is inconceivable to me that we would rely on his multibillion-dollar pig-in-the-poke and leave the Minuteman like sitting ducks in the silos.

But the importance of the ABM issue goes far beyond the effectiveness or ineffectiveness of Safeguard as a weapon system.

The ABM is of historic importance as a symbol of the military psychology that has had such a dominant and pervasive influence on our culture and economy.

An ever-increasing number of thoughtful Americans believe that the policies this psychology has engendered are no longer relevant or right in terms of contemporary realities.

We are convinced that some of these basic policies have placed our Nation on a collision course—and must be changed.

The ABM is a rallying point for those who believe America must reorder its priorities.

It is, moreover, the first major weapon system that has been placed on the witness stand to face the Nation and to justify its existence, as civilian projects are required to do.

In this Chamber and elsewhere in the United States, dedicated citizens have disagreed over the ABM system year in and year out.

But there is one matter on which I believe we should all be able to agree—the desirability of shedding light on vital policy areas that may mean life or death for the future of our country.

I believe the Senate has kept faith with the people on this point.

We are almost equally divided, as has been indicated in the press.

The very fact that many Senators from the same States oppose each other on the issue, the fact that the population is almost equally divided, and the fact that scientists on both sides on every question arrive at different conclusions certainly make it obvious that we are divided and reach honest conclusions that are different.

Regardless of the debate, as I pointed out at the inception of this speech, the polls indicate that the majority of Americans are still unaware of what we are talking about in the ABM system.

Mr. STENNIS. Mr. President, I shall be quite brief. I say to the Senator from Iowa that other matters detained me. I am sorry I did not get to hear his speech completely. I would have listened to it

carefully. Even though we disagree in conclusions, I know of his application to this question as well as others, and I believe with the best intentions.

I believe that part of the answer to his observation is that, in a way, you have to sort of grow into these weapons systems and get the feel of them, to have a sort of understanding which is not scientific or military. It is just a feeling of balance.

I particularly disagree with him in connection with the effect it might have on the Russians for the United States now to come along and try to perfect, as they are trying to perfect, a purely defensive weapon. I do not believe any trait of human nature is better understood than the natural trait of defending yourself and keeping your powder dry and barricading your arsenal of weapons, whatever they are.

I believe, too, Mr. President, that perhaps the best insurance against either one of these nuclear powers—Russia and the United States—using these weapons is for both to have an effective ABM and that we know what they have, and they know what we have.

I think we can be in an awfully bad fix if we develop any kind of defense of this kind, because it will be known to Russia; and whether they have an intent to fire their ICBM's on us or not, we will have the uncertainty that makes blackmail against us, if they should try, a thousand times more effective.

Mr. President, I shall not detain the Senate long. During the last few weeks I have referred to the general charge that was made here, early in this session, that $23 billion had been spent for missiles, and the next interpretation of that was that it had been wasted. The Senator from Missouri put in the RECORD first a list of those missiles, and he did not charge that it was waste. But within a few days thereafter, another Member of this body picked up the same figures and made an allegation that it was waste, and others have repeated it, not having the full facts before them, and it runs through the line of argument. It ran its course in the press and in the other media of expression, and it keeps running through the line of argument on the bill and on the ABM.

As soon as I could, after we finished drawing up the bill, I made a documented speech on the floor of the Senate on July 2, 1969, which took up every one of the weapons on which it had been alleged that the money spent on them was wasted. This was a well-documented discussion, not prepared in the Pentagon or anywhere else but in my office, with the help of a staff member who knew the research. I think it is well documented that of the $23 billion referred to, $18,886,000,000 went for missiles that took their stand and filled in a gap at critical times of our post-World War II history; and if we had not had them, we would have been defenseless in that field. Of that money, $4.1 billion was for missile systems that were terminated prior to deployment. In all those contracts, there might have been a contract here and there that was wasteful. Those matters creep in. But I was never more certain of anything in my life than I am of the fact that the gross sum of $18.8 billion was not wasted and that it served a useful and a necessary purpose. The sum of $4.1 billion went for experiments, testing, and basic research which was absolutely necessary in that field to find out what could and what could not be done. These things must be charged to profit and loss. It is comparable to the great automobile industry, which developed during the time when there were not Government subsidies and there were not big Government contracts. I think of the hundreds and hundreds of millions of dollars that I know were used in experiments and false starts—what might be called failures. I recall the names of a great many cars that went to the marketplace and still were defective. That is in the nature of things.

I recall reading about Thomas A. Edison and the countless number of failures he had before he perfected the incandescent light, the ordinary light bulb, as we call it now, and how many scientists of his day said it could not be done. Relatively small sums of money were involved but they were large sums of money then, with which people backed him from time to time. He was the one who came through finally with the bulb that has grown into the modern electric light bulb.

With great deference to the distinguished Senator from New Mexico (Mr. MONTOYA), on yesterday, after referring to this $23 billion, he made this statement. I questioned him then; otherwise, I would not mention it in his absence—

> Thus, our past failures to carefully examine and evaluate defense spending have permitted an incredibly large amount of taxpayers' money to be wasted.

He denominated the sum as wasted, and he said it was due to our failure to carefully examine and evaluate defense spending.

With deference, I refer the membership again to the remarks I made on July 2, 1969, beginning at page 18190. In that speech will be found a documentation of all these missiles except the very small ones that cost relatively small amounts of money. I refer to one paragraph. An illustration in that list of what is now called waste is the Polaris I, which was the first Navy missile of our now marvelous weapons system of underwater missiles in the submarines that we have in the seven seas around the world. The price listed as waste on the Polaris I, which was the parent missile, is $1.13 billion.

Mr. President, I have never seen any system or weapon start off with as little promise or any system that required as much faith to keep it going as this one; and I have never seen one wind up with more success or more effectiveness as a weapon as I have seen in Polaris I. It was finally perfected. I remember going to Florida to see it in its infancy when I thought it was virtually without hope. But it moved on and the first missile system, Polaris I, began operating in November 1960. It continued to serve us until October 1965. Then, it was replaced. Was it abandoned? No, it was not abandoned. It was replaced by the next generation of the Polaris.

Mr. President, in order to make this presentation brief, we are moving into Poseidon, which is a tremendous improvement over Polaris I. It is still thought to be the greatest weapon in this field within our arsenal. It is the marvel of the scientific world. Therefore, to say, inferentially or otherwise, that the $1.1 billion representing the initial cost of Polaris, which rendered service for 5 years, is waste, demonstrates a failure to dig deep enough to get the actual facts.

There are other items I shall not go into now. I do wish to mention one other missile, the Corporal missile for the Army. The Army carries its artillery, one might say. The Corporal was a very fine weapon, and it filled a wonderful role. The cost that is alleged to have been wasted was $534 million. That missile was in the line of duty. It was the artillery that was carried by the Army over 11 years.

What happened? It used liquid fuel, which of course was disadvantageous. Liquid fuel was hard to handle, but that was the best we had for 11 years. It was succeeded by another system. It was no longer deployed after that, not because it was useless but because it was succeeded by something more capable and easier to handle, a solid fuel. They gave that new weapon the name of Poseidon.

So with great deference to anyone who lists the Corporal missile as having a cost that was wasted, they did not dig deep enough for the facts, because it was considered to be an essential missile which gave our Army a distinct advantage.

Mr. President, I have made this presentation to help get the facts before the Senate relating to these missiles.

Mr. President, I yield the floor.

ORDER FOR THE RECOGNITION OF SENATOR STENNIS ON MONDAY, AUGUST 4, 1969

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Monday next, at the conclusion of the period for the transaction of routine morning business, the able Senator from Mississippi (Mr. STENNIS) be recognized for 40 minutes.

The PRESIDING OFFICER (Mr. STEVENS in the chair). Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, AUGUST 4, 1969

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 3 o'clock and 28 minutes p.m.) the Senate adjourned until Monday, August 4, 1969, at 12 noon.

EXTENSIONS OF REMARKS

EFFORTS OF THE GLASS CONTAINER INDUSTRY IN PROBLEMS OF SOLID WASTE MANAGEMENT

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, August 1, 1969

Mr. RANDOLPH. Mr. President, the Committee on Public Works recently ordered reported to the Senate, S. 7, a major piece of legislation in the control and abatement of water pollution and in enhancing the quality of our environment. As soon as this motion is cleared from the Senate and from conference with the House, the Subcommittee on Air and Water Pollution of the Committee on Public Works will begin work on S. 2005, the Resources Recovery Act of 1969, introduced on April 29 by the distinguished junior Senator from Maine (Mr. MUSKIE) who has given such outstanding leadership in the field of environmental legislation during recent years.

As the title of S. 2005 indicates, the focus of this legislation is on the recovery and reutilization of solid waste materials, not merely on their disposal. As Senator MUSKIE stated in introducing this measure.

If future generations of Americans are to inherit adequate economical supplies of the natural resources, we must move now to find new ways of reusing solid wastes.

In this respect I draw the attention of my colleagues to a publication of the Glass Container Manufacturers Institute, Inc., entitled "The Role of Glass Containers in Solid Waste Disposal." As this article indicates, the glass container industry is thinking creatively and constructively about the problems of solid waste management with respect to this product. I therefore ask unanimous consent that the article be published in its entirety in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE ROLE OF GLASS CONTAINERS IN SOLID WASTE DISPOSAL

(By John H. Abrahams, Jr., Manager, Environmental Pollution Control Programs, and Richard L. Cheney, Executive Director, Glass Container Manufacturers Institute, Inc.)

ABSTRACT

There seems to be a contradiction between the aims of the convenience packager, who uses a relatively durable material, and those of the waste processor, but the conflict is reconcilable.

Another problem, equally complex, is the entire cycle of raw material, use, and disposal of these materials. Even "final" disposal of these resources must be approached from a conservation viewpoint to avoid creating more pollution and to preserve our environment.

Thus, glass can be considered a universal packaging material, since it is made from the most abundant of raw materials and, during proper disposal, can be readily reduced to small particles and returned to the soil in virtually its original state, contributing nothing to air, waste, and land pollution. Further, glass can be remelted for use in the manufacture of new containers or as raw material for other industries.

Used as a packaging material, glass is inert, transparent, impermeable, non-porous, sanitary, odorless, and can be multi-colored and multi-shaped. Since it is inert, glass will not leach, rust, rot, mold, putrefy, decompose, or cause disease or noxious gases, as do many of the other packaging materials upon disposal.

In fact, glass has been shown to be of little or no problem in disposal. In a landfill, glass fragments will not contribute to settling problems; in incineration, glass fragments aid in aeration, do not produce gases, and can be reclaimed. In composting, ground glass acts as a soil conditioner if not reclaimed.

The role of packaging is to serve people. If, through laws and regulations, packaging is so modified to facilitate disposal that its efficiency and convenience to the consumer are substantially reduced, then the public is not being served.

On the surface, there is a contradiction between the aims of the convenience packager, which seem to call for a relatively durable material, and those of the waste processor. Fortunately, the conflict is not irreconcilable and research should uncover new approaches and new attitudes which will resolve these problems.

This paper considers glass containers, not only with regard to their disposability, but also the part they play in the overall ecology of our country, which involves the relation of mankind to the natural resources on which his whole way of life depends. There is great danger in discussing disposal or destruction of discarded consumer materials without regard to the whole cycle in which the packaging materials come off the land, and, if not salvaged, return to the land or to the atmosphere. To bring about the greatest good for the greatest number—and, in fact, to preserve life on this planet as we know it today—it is absolutely essential that we approach this subject as *conservationists* and not simply as packagers or waste processors.

Recently, a high government official likened the earth to a space ship circling in its orbit, without recourse to any outer source for provisions, or for the necessities of life. Except for the fact that earth received most of its original energy from the sun, most of our natural resources are not inexhaustible, as once thought. Thus, it is essential that they be conserved through selective productive use and recycling, wherever possible. This is the most important stewardship of our generation. Even "final" disposal must be accomplished in such a manner that it does not create pollution problems. To facilitate disposal at the expense of conservation and the preservation of our environment would, indeed, be to refute this stewardship.

Recognizing this, the glass container industry apparently was the first to set up an industry-wide environmental pollution control program whose primary purpose was to solve problems presented by its products in solid waste disposal. The program, set up by the Glass Container Manufacturers Institute, Inc., in September 1967, also deals with air and water pollution problems of its member manufacturing plants.

Glass—the universal packaging material

People today are talking about an "ultimate" packaging material, referring to its utility and disposibility. Perhaps they should be thinking in terms of an "universal" or "ideal" packaging material and measure existing materials against this ideal. This can be done with regard to glass containers.

Raw materials.—Glass is made from the most abundant of raw materials—silica (ordinary sand), limestone, and soda ash, which are used in roughly the same proportion as they occur in the crust of the earth. Silica, which constitutes 73 percent of a glass container, is the most common substance in the earth's crust. It has been estimated that, at the present rate of use, the supply of these ingredients of glass would last some 3 billion years.

During proper disposal, glass can be readily reduced to small particles and so returns to the soil in virtually its original state, contributing nothing to air, water, or land pollution.

Moreover, these raw materials are well-distributed about the country and exist generally near the surface of the ground. The steps in their processing into containers are much fewer than for almost any other packaging material. Sections of quarries from which these materials have been removed are now being offered to municipalities as good locations for sanitary landfills.

The glass container manufacturing process is an unusually "clean" one, and the effluents from the plants have a very minimal effect on the environment. The basic raw materials are stored in closed hoppers, carefully weighed and mixed, and melted and refined in continuous furnaces. The glass is then fed into machines which automatically form the bottles in molds, after which they undergo controlled cooling and are inspected and packed, ready for use.

Properties.—In service, the properties of glass are such as to make glass a very nearly ideal packaging material from many standpoints. For all practical purposes, it is chemically inert. It is the most universally compatible packaging material, a fact which eliminates the need for compatability testing or the need for modifying ideal formulations of products when they are packaged in glass. It adds nothing to, and takes nothing from, the contents.

Glass is transparent, impermeable to gases and liquids, non-porous, sanitary, odorless, and it may be made in various colors and formed in an infinite variety of shapes and sizes. It can be tightly sealed and resealed, whch is a matter of great importance to products which are used a little at a time.

Glass containers are leak-proof and rigid, and have great vertical strength which permits stacking many tiers high for conservation of warehouse space and for easier handling. Their rigidity and transparency make possible high speed filling and inspection, while the inherent strength of glass enables this type of container to withstand the internal pressures generated by beer and carbonated beverages.

Future of glass in packaging.—Glass is a mature packaging material, time-tested, stable, low cost, and widely available. Even so, the industry is continually improving its products through extensive research. This continuing research is directed toward glass containers which will:

1. Properly contain and protect the contents and, at the same time,
2. Offer increased convenience at low cost,
3. Be lighter and stronger,
4. Be more easily disposable.

One goal is a glass container that will not break when dropped on a tile floor, for example, but when hit hard enough to eventually break, will fall into harmless granules. A university scientist is working on a water soluble glass, which would be protected by a coating inside and out but when broken would dissolve in the atmospheric moisture. Although there are some very serious practical problems to be solved, this and other new and imaginative approaches are encour-

aged by the glass container industry, and it again illustrates the versatility of this material called glass.

Disposal

Many of these same properties which make glass an ideal packaging material also make it suitable, if not ideal, for disposal. From time to time, however, glass has been singled out for criticism as a troublesome factor in solid waste disposal, but a number of facts established through the research activities of the Institute's Environmental Pollution Control Department support its desirable disposal attributes.

The chief dual-property of glass for both use and disposal is its virtually complete chemical inertness. It does not decompose and, thus, will not react with the adjacent land or water to pollute it. Since it is inert, it will not leach, rust, rot, mold, putrefy, nor cause disease or noxious gases. Glass is one of the few, perhaps the only, packaging material which is returned to the soil in nearly its original form. Thus, the cycle is complete since the raw material is removed in granular form and can be returned to the soil in similar form.

In the three generally approved methods of solid waste disposal in present use—sanitary, landfill, incineration and composting—glass, when properly handled, has certain advantages not enjoyed by other packaging materials. Glass, in fact, makes positive contributions to the efficiency of these methods.

Glass in Sanitary Landfill.—Glass is the most friable of all packaging materials and thus articles made of glass are easily reduced in volume. If hit hard and often enough, glass can be reduced to harmless particles the consistency of sand. Therefore, in a properly operated sanitary landfill, glass containers can readily be reduced to small pieces, rather than like other materials, being partially compressed into forms containing undesirable voids which trap liquids and gases, and possibly breeding spots for insects. Thus, a maximum reduction in volume is possible. Obviously, the glass fragments will not contribute to settling and will create a firm foundation for landfill which is later to be used for building purposes.

Glass in Incineration.—Some criticism has been made of the effect of glass containers during incineration. Glass containers, in fact, enhance the operation of incinerators because they do shatter as a result of heat shock in such a way as to aerate the batch. This same general effect can be achieved in part by grinding all the refuse prior to incineration.

Glass and metal containers also have sometimes been cited as undesirable components for incineration because they show up as inert residue which must be hauled away. However, the organic matter "which goes up in smoke" uses huge quantities of oxygen from the air, and puts into the atmosphere tons of corrosive gases which, of course, corrode the metal parts of incinerators, and pollute the atmosphere. Also, recent studies by the U.S. Bureau of Mines indicate that glass fragments in the residue can be reclaimed. Thus, the non-combustible nature of glass and metal containers in the long run may very well be beneficial to our total environment.

Glass in Composting.—In the process of composting, glass reduces quickly to small, harmless granules in a grinder or shredder and thus it becomes compactible without clogging the grinder. In addition, it acts as a soil conditioner in the compost, definitely improving its qualty.

Productive use of discarded products.—In terms of our stewardship of our natural resources, obviously salvage and recycling of waste materials from packaging is the most desirable system of waste disposal. Glass has unusual salvage prospects. For example, some waste container glass can be reused in the manufacture of bottles and in other industries.

The returnable beverage bottle and milk bottle, of course, represent the ideal form of recycling. However, the increasingly high cost of recovery and cleaning and the resistance on the part of retailers and consumers to returning and handling the empties has resulted in the rapid growth of non-returnable containers. Extensive studies by marketing experts show that the consumer, mainly the housewife, likes the convenience of the non-returnable container, and will continue to use them in preference to the returnable container.

Serving the public

The role of packaging is to serve people, just as is the solid waste disposal function. If, through laws and regulations, packaging is so modified to facilitate disposal that its efficiency and convenience to the consumer are substantially reduced, the public is *not* being served. Experience has shown that the disposal people cannot transfer their problems to others, through restricting non-returnable containers, for example, because the consumer then simply discards the returnable containers which, being much heavier, only increase the problem. As Clarence Darrow once said, "Laws should be like clothes. They should be made to fit the people they are meant to serve."

From time to time the possibility of taxing containers according to some arbitrary index of disposal difficulty has been suggested. There are many obvious objections to such a procedure. In the end, of course, the consumer pays the tax, for it necessarily enters the price of the product, and becomes one of the "hidden" taxes. If the effect of such taxes is to discourage the use of glass containers, then, obviously, the result will be contrary to the overall public interest.

The better course is to supply adequate funds from local taxes to the municipal waste disposal departments. Industry generally pays for its own waste disposal, and it is only right that households should do the same. Industry should actively help to convince the public of the growing needs in this area and assist the municipal waste disposal people to obtain the necessary tax dollars to meet these needs.

Frequently, proposals are made that all packages should be made of materials which readily decompose when discarded, on the theory that roadside litter would at least thus gradually disintegrate. This, too, would be a poor solution to the roadside litter problem. Continuing roadside cleanup work would be a *must*. Discarded package remains, cluttering our roadsides, and gradually decomposing, may be more difficult and costly to pick up than present packaging. Moreover, the decomposing material may present a health hazard.

No suitable beverage container material known to the packaging industry today, either in the U.S. or in Europe, has the quality of degradability envisioned by those concerned with the role of packaging in litter. The so-called "degradable" beer container announced last spring in Sweden has been withdrawn from the market because of "insufficiently founded claims regarding degradability." It was said to take two years to "dissolve" and therefore could not be regarded as a valid answer to any part of the litter problem.

The best answer is an approach involving the following:

1. Public education to reduce littering.
2. Enactment and enforcement of more effective anti-litter laws.
3. Periodic roadside cleanup where and when littering does occur.

Much progress has been made through Keep America Beautiful, Inc., and its many local, state and regional cooperating organizations, in anti-litter education. Cooperating states report reduction in roadside cleanup problems and costs. But much more needs to be done and the packaging industry should substantially increase its financial support of KAB and its related local activities.

GCMI's Environment Pollution Control Department is looking at the systems approach to solid waste management on an overall basis. Among other things, municipalities must seriously reappraise segregation of solid waste to facilitate salvage, reuse and recycling of the various waste materials. As part of the packaging industry, GCMI is interested in solving these problems, and is actively studying every possible reuse and secondary use of waste glass. In terms of our stewardship of our natural resources and environment, it is felt that after salvaging, composting should be used as widely as possible.

In summary, the glass container industry is making substantial contributions to the public needs:

For packaging:
Glass is made from abundant, non-critical raw materials.
It is easily processed into low cost containers.
These containers have exceptional qualities which make them ideal for many products.

For disposal:
Glass can be salvaged and recycled or reused.
Glass can be reduced by grinding to become a beneficial ingredient of compost.
Glass is a desirable component of sanitary landfills and does not cause pollution of any sort.
Glass is returned to the soil in almost its original form.

In addition, the industry is actively researching improvement in its products and in ways and means of facilitating recycling productive use and disposal of waste glass.

ACOSCA—A TRIUMPH OF INTERNATIONAL COOPERATION

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From the World Reporter, May 1969]

ACOSCA—A TRIUMPH OF INTERNATIONAL COOPERATION

With the formation of the Africa Cooperative Savings and Credit Association (ACOSCA) in September, 1968, what has often been called the "Dark Continent" became noticeably illuminated by the hopes of international cooperation and friendship.

What took seven years and the efforts of countless organizations to accomplish will probably affect the future growth of the African continent credit unions to the end of the century and beyond.

It all began in 1962 when the Saskatchewan League wanted to suitably celebrate its 25th anniversary. On the advice of Norman Riley, who had spent six months teaching about credit unions there, it decided to assist Tanganyika. The League's initial contribution of $14,000 was the beginning of CUNA's first organized program in Tanganyika, now Tanzania. Before that, the World Extension Department had provided whatever assistance it could through the mails and had helped train Africans for credit union work, but there had been no on-the-spot program.

The Michigan League was happy to join in the venture, giving its assistant managing director, Jack Dublin, a leave of absence to

go to Africa. The Saskatchewan League contributed an additional $10,000 and the Michigan League, $60,000 in all, to enable Dublin to carry on his pioneering work. Today, the Tanganyika League is the strongest and most active center of credit unions in Africa because of these efforts.

After this small, but courageous beginning, CUNA continued to work with grassroots leaders in the development of cooperative savings and loan societies. After a while, government bodies took note of these societies, suddenly realizing what impact they could have on development.

Over the years CUNA, working with the Commissioners of Cooperatives of the different countries, cosponsored six international annual conferences in various countries. At these meetings leaders reported on progress, wrestled with their many problems, and tried to work out solutions with the help of knowledgeable national and international agencies.

Although Africans with widely divergent political and religious beliefs participated in these annual conferences, generally a spirit of good will and mutual help prevailed. After six years of working together in this manner, the historic decision was made. CUNA International and the Savings and Credit Union League of Tanganyika were asked to take the lead in convening a meeting to form a new and potentially continent-wide association of African credit union movements.

On September 12, 1968, the Africa Cooperative Savings and Credit Association was actually formed when representatives from 15 African nations met in Nairobi with many organizations observing. Present were leaders from Cameroon, Congo, Ethiopia, Ghana, Kenya, Lesotho, Liberia, Malawi, the island of Mauritius, Nigeria, Sierra Leone, Tanzania, Uganda, Upper Volta, and Zambia. Upper Volta, Sierra Leone and Congo added much to discussions but did not actually vote or sign the constitution and bylaws of ACOSCA.

For the present, political situations in the North and South will make ACOSCA primarily an association of East, South East and West Africa movements, but delegates made it clear that future memberships from other African movements will be joyously welcomed.

Eight member countries were elected to the first board of directors including Cameroon, Lesotho, Nigeria, Ghana, Tanzania, Kenya, Uganda and Mauritius. A ninth member will be added when another nation qualifies through establishment of a national committee, league or other growing organization.

The board then selected an executive committee consisting of Tanzania, chairman; Nigeria, secretary; and Lesotho, treasurer. The new association will have its main headquarters at Nairobi, Kenya, and three regional offices.

CUNA and CRS played a major role in launching ACOSCA, but the dedication and help of myriad other organizations were also essential ingredients of success.

The Credit Union Leagues Serving Saskatchewan and Michigan. Not only did these leagues make possible CUNA's first organized program in Africa, but they have contributed generously ever since. Michigan has given $60,000 to the Africa project and pledged a further $11,000 over a three-year period for the Tanganyika League. The Michigan League has also announced it will match any donations made by other leagues to the Africa Five Year Development Project up to a predetermined amount.

The contributions of the Saskatchewan League have also been commendable. Alongside the pioneering work done by Norman Riley in East Africa, one of its able young credit union leaders, Gary Churchill, spent two years in Ghana, West Africa, from 1963 to 1965. The credit union program he launched in Northern Ghana is very successful today and has had the financial assistance of MISERERER. Saskatchewan can be very proud that the Ghanan credit union movement is still progressing beyond expectations and has merited assistance from several German Foundations; the Central Raiffeisen Bank of Utrecht, Holland; Catholic Relief Services; CAFOD (Catholic Funds Overseas Development of England) and U.S. Peace Corps volunteers.

Catholic Relief Services. Supporting the work of Father J. Van den Dries, probably the most knowledgeable credit union worker in Africa, and his assistant, Father Dugas, would be a sizable contribution in itself. But besides this CRS alo provides one full-time promoter of ACOSCA; one full-time native fieldman for the Cameroons; one full-time native fieldman for Ethiopia; one full-time native fieldman for Ghana; one part-time local leader for Zambia; one part-time local leader for Sierra Leone; and one part-time local leader for Liberia.

Agency for International Development. When the AID contract went into effect in Tanzania in 1965, Jack Dublin stayed on for two more years as CUNA/AID Country Program Director. With this technical assistance, credit union membership has increased by 9,000 and savings tripled to over $1.2 million since 1967.

MISEREOR. The German Catholic relief organization, MISEREOR, has repeatedly made financial contributions to CUNA's overseas programs. Most recently, it donated $7,000 to cover delegate travel expenses to the ACOSCA organization meeting. And earlier, it gave $11,400 so that 29 Africans could attend the Fifth African Conference on the Mobilization of Local Savings.

The Central Raiffeisen Bank of Utrecht, Holland. This national association of Dutch Raiffeisen credit cooperatives is donating $46,200 over the next five years to assist credit union development in Ghana and Uganda as part of its celebration of Raiffeisen's 150th birthday.

Other Leagues. Through the Miles for Millions Project in Alberta, $30,000 has already been made available for African development. In addition, a fieldman for Lesotho is being financed for three years through a $13,500 contribution by the Alberta League. Ontario has been a participant in the Kenya project for over two years, and has now contributed over $18,000. The Ohio Credit Union League is helping the Lagos League by financing a fieldman for that area.

Besides the above agencies, many other organizations are providing an unprecedented amount of financial and technical resources toward continent-wide development in Africa, including the Raiffeisenbanks of Europe, Canadian External Aid, the Peace Corps, several German foundations, the International Cooperative Alliance, the educational institutions of Africa, the Coady International Institute, and United Nations Development Program. Several other organizations have indicated interest in helping in the future.

But despite the vigorous participation of so many respected agencies, ACOSCA still needs much additional help if it is to get off the ground. During the September Nairobi meeting, a Five Year Development Plan Committee surveyed the needs of the countries represented and put together a minimum list of requirements for effective development over the next five years. There is a desperate need for $2.4 million in additional funds over a five-year period to pay the costs of ACOSCA plus technical assistance in three regions. This is actually not a great deal considering that Africa has a population of over 300 million people divided into over 50 countries. But it is a crucial amount which will determine whether this project of hope dwindles or fulfills its promise of continent-wide betterment.

THE 15 YEARS OF PROGRESS—A SMALL BEGINNING

When the World Extension Department came into existence on October 18, 1954, the credit union world was far different from today. For one thing, the organized movement was limited primarily to the United States and Canada. Hemisphere totals listed only 8.9 million credit union members spread out in 19,683 credit unions. Total assets of this movement were only $2.9 billion and loans outstanding were $1.9 billion.

Outside of the United States and Canada, only a handful of countries had credit union-like organizations and many of these could be traced to the influence of the original Raiffeisen and Schulze-Delitzsch Societies of Germany.

Even though membership in CUNA was open to credit unions in the Western Hemisphere, there was still a tremendous need. In its first year of operation, the World Extension Department answered requests for credit union information from some 40 different countries.

Although complete figures for 1968 are not yet available, partial figures still give an impressive idea of the progress made in these fifteen years. Worldwide today, there are over 53,000 credit unions, over 33.3 million members, assets of $16.8 billion and loans outstanding of more than $12.6 billion. Outside of the U.S. there are almost 30,000 operating credit unions. Approximately 13.3 million members belong to these overseas credit unions.

At yearend 1968, region by region, approximate credit union figures were as follows: Canada, 4,700; Mexico, 700; Caribbean, 700; Latin America, 4,400; Europe, 300; Africa, 2,500; Asia, 2,100; Far East, 13,800; and the Pacific, 1,400.

Credit union members can be justly proud of this progress, but in truth, the surface has only been grazed, not even scratched. With over 3.4 billion people in the world today, the 33 million credit union members represent less than 1%. At least 10 times this number is needed to play a truly effective role in world development. Let's take a look at progress—and problems—in the various areas.

Latin America

The Latin American movement is beginning to mature, although there are still many problem areas to be resolved. The government's Extended Risk Guarantee Loan Program has gone into effect for Latin America and approximately $1 million is expected to flow through it.

The Centralization of Funds and Accounting System (COFAC) is now operating in Panama, Colombia and Nicaragua. This system is designed to free sums for large-scale development by establishing effective federation interlending programs. At the same time, local groups are freed from paperwork and can concentrate on the crucially important work of member education and technical assistance.

The highly-successful Directed Agricultural Production Credit Program has now been applied to 34 credit unions in Ecuador, Bolivia and Costa Rica. These credit unions have 8,500 members and $798,000 in savings. Under the DAPC program, credit union members will be able to *permanently* increase their productivity, income and standard of living. For example, in the affected areas of Ecuador, crop production has doubled as a result of DAPC.

The 12 Latin American countries with CUNA/AID contracts continue to make outstanding progress. Savings reached close to $80 for each of the almost 746,000 members, a phenomenal amount considering that the average annual income is less than $100 a year. Loans went up 14% in Latin American countries to over $60 million. Membership too showed healthy growth, increasing over 18% from last year's figure of 630,000.

Yet despite the gratifying progress, there are many real problems in Latin America. Many countries desperately need the passage of credit union laws. In Mexico, a technician could easily work full-time seeking these laws. Other needs can be summarized as managerial training, member education, centralization of funds, seed capital organization and equipment.

In some countries, runaway inflation and devaluation of currency make it hard to justify savings to the impoverished. To combat this, CUNA and LARO are proposing that a Regional Financial Organization be set up to help provide for maintenance of value.

Heightening the problems in Latin America is its mushrooming population. The almost 2.3 million members are insignificant when compared to an estimated almost 257 million population which is growing at the fastest rate of any area. To communicate with as many people as possible, LARO worked full-time to publish manuals, leaflets, quarterly reports and several different publications. Over 1.8 million sheets of paper were processed—pretty good for only one moderately-sized press.

During the last year the CUNA International Foundation was able to give financial assistance to the following countries: Mexico, $6,000; Peru, $3,000; Uruguay, $3,500; and Venezuela, $6,000.

Uruguay and three other countries, Paraguay, Guyana and Surinam, presently represent the most crucial needs. CUNA has been giving them sporadic technical and financial assistance whenever possible, but these incipient movements are in a critical stage of development and could fail without further help.

The Caribbean

Over 700 credit unions are seeking a better way of life for their members in the many islands of the Caribbean Sea. Some of the movements like Jamaica and Trinidad have reached self-sufficiency, but the Eastern Caribbean territories are still in great need of technical assistance.

During 1968, two new regional credit union organizations emerged in this area, the Caribbean Conference of Credit Unions and the Eastern Caribbean Council of Credit Unions. The former is primarily an educational/promotional organization concerned with the annual seminar on credit union development in the region while the latter is a new federation of eight former British Eastern Caribbean territories.

One of the most promising programs in the Caribbean is to have experts from North America make short visits to consult on specific programs. R. A. Monrufet, Baldur R. Johnson and Barney Martin, managing directors from British Columbia, Saskatchewan and Manitoba, respectively, made this short visit to Jamaica during 1968. Canadian External Aid is also considering providing technical assistance in these areas. But to be really effective, several full-time technicians are a necessity because of the difficulty in traveling between islands.

Africa

The formation of the Africa Cooperative Savings and Credit Association is by far the greatest accomplishment of 1968, if not of the last 15 years (see lead article for more details).

From now on, the future of the over 2,000 African credit unions which have grown up in the last 15 years is largely dependent upon the success of ACOSCA. The five-year program formulated by members visualizes a full-time fieldman in each of the 15 countries where credit unions now exist plus a few additional fieldmen in those where there is sufficient interest.

Each one of three proposed regional areas will also need a native African director, backed up by a veteran credit union technician from a developed country. The plan also calls for training centers for African credit union leaders and regional offices with bilingual staff.

Although there is already considerable assistance from AID (in Tanzania), Catholic Relief Service, several leagues and international groups, $2.4 million is still needed in additional funds to make these plans a reality.

The Far East

Another milestone was achieved recently with the Third Asian Regional Credit Union Training Conference. Fifteen countries, twelve international organizations and various socio-economic development agencies from various countries participated to learn how credit unions can augment their other development activities.

Only five Asian countries, the Philippines, Korea, Hong Kong, Japan and China have leagues. As yet, these leagues are too young to stand alone. The Indian movement, which inspired Filene, has still not developed state, regional or national credit union organizations which could greatly speed development.

Many organizations are assisting in this area including SEARSOLIN (South East Asia Rural Social Leadership Institute); the Voluntary Credit Union Training Center in Taiwan; the Cooperative Educational Institute in Korea; the Credit Union Information Center of Sophia University, Japan; the Cooperative Training Institute in Vietnam; and the Social Institute of Indonesia.

Another helpful organization is the Socio-Economic Life in Asia (SELA), a development program operated by Jesuit missionaries backed primarily by the Asia Foundation. The Texas and Michigan Leagues have also helped the Korean and Taiwan Leagues, respectively. During 1968, Korea became the first Asian nation to participate in the CUNA/AID partnership.

But other countries in this region will get their primary help from the oriental regional fieldman who will soon be appointed. Unless other technicians join him, he has a gigantic task ahead of him, trying to serve this needy area which encompasses half the population of the world.

The South Pacific

The South Pacific may be a paradise in climate, but this does not keep poverty from stalking the shores of its many islands.

The 700 Australian credit unions are doing everything possible to help their 700 credit union neighbors, but the Australian movement is still young itself.

It is hampered by the vast distances involved and the slowness it takes to travel from remote island to remote island. One of the biggest hopes for the future is the large number of Peace Corps volunteers scattered throughout these islands. If they could be given direction and assistance by a few technicians, undoubtedly these Peace Corps volunteers could do much for economic development in the area.

In conclusion, the credit union movement has made a valiant beginning in attacking the overwhelming problems of overseas areas. In many areas the effects of mutual help are beginning to be felt, but it will take much more international cooperation and concern in the credit union tradition to win the final victory.

FOUNDATION GIVEN DONATIONS

Contributions to CUNA International Foundation during the last quarter took unusual forms as credit unions and leagues gave serious thought to helping struggling new credit unions overseas.

One of the largest proportionately came from the Oro Cooperative Credit Union, Cagayan de Oro City, the Philippines. Its gift of $50 represented 8% of its gross 1968 income. Mordino R. Cua, credit union president, said the contribution was made "in the spirit of Raiffeisen, Filene, Desjardins, and Bergengren."

It was quite a sacrifice for a small credit union to make, but Cua wrote, "It makes us feel good to give this amount . . . and we shall hope that bigger and wealthier credit unions will see the value of this example for the good of our movement . . . full measure of support means that big credit unions feel it is their obligation to support poor credit unions, by foregoing some of the their dividends, knowing that this can bring about more valuable 'dividends' in terms of human development in areas we cannot even see or hear."

In Ontario, Hepcoe Credit Union again set an example in its league by contributing $2,000 for the third time in three years. Its donation made up approximately two-thirds of the entire $3,052 gift from Ontario.

Hepcoe was only one of nine Ontario credit unions which contributed to the league-sponsored Kenya project during March. Others were: Rochdale CU, $420; CUNA (Hamilton) CU, $200; Fecil (New Toronto) CU, Union Gas Employees of Chatham and Computing Devices Employees of Ottawa, $100 each; Ingersol Machine Steelworkers and Oxford Farmers' Cooperative, Woodstock, $50 each; Schell Employees, Woodstock, $32. Total Contributions from Ontario to Kenya now total $21,000.

Certainly one of the most regular contributors is the Adanac Credit Union Society Limited, Winnipeg. This year's check for $100 was the fourteenth consecutive such donation. Other generous organizations during the last quarter were: Sherwin Williams Employees CU, Illinois, $100; CUM Association (Michigan) $100 for Mexico; E. G. Fritter Memorial Fund, $50; EIML CU (Utah), $25; Tamiami CU (Florida), $100; Minneapolis Federal Employees CU, $100; New Mexico Central CU, $60; Humble Employees CU (Texas), $25; Winnipeg Terminal CU, $92; CU League of Saskatchewan, $300 for Ecuador; Dartmouth (Nova Scotia) Community CU, $100 for Lesotho; and Camera Heights (Mt. Dennis, Ontario) CU, $200. The Massachusetts CUNA Credit Union Association and Michigan League gave $15 and $25 respectively in memoriam for Leo Corcoran.

Contributions were not limited to organizations either. Individual donations were received from W. A. Atkins, Archie Cameron, and Thomas Roby. The smallest donation was received from Quinte Chapter POR Meeting in Ontario. But the $1.74 donation for Kenya will be very meaningful when used in a country where salaries may be as low as 14¢ a day.

FEDERAL AID FOR SCHOOLS IN IMPACTED AREAS

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, August 1, 1969

Mr. BYRD of Virginia. Mr. President, the Norfolk Ledger-Star of July 29 included a thoughtful editorial on the program of Federal aid for schools in impacted areas. The editor of the Ledger-Star is William H. Fitzpatrick.

I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LESSON FROM IMPACT FUNDS

Federal impact funds for schools will face another stiff test in Congress when the Labor and Health, Education and Welfare Departments' appropriations bill comes up for debate.

In spite of a fund-restoring amendment Congressman Whitehurst is offering in the

House, the test appears potentially tougher this year for two reasons. President Nixon has proposed drastic cutbacks in the program, far greater than the reductions Mr. Johnson unsuccessfully sought; the pressure for meaningful budget trimming to combat inflation is at perhaps its greatest in this 91st Congress.

These two factors are also clues to the disturbing fact that too often the impact fund issue is not discussed on the questions that are pertinent but on other questions entirely. One of these is federal control over spending. An education lobbyist, obviously more interested in other types of school money, said that with impact aid "there is damn little red tape. There's certainly no problem counting the number of kids, multiplying by an amount of money and sending to Washington for your check."

The money can be spent as the school district sees fit. And here it contrasts with what is called "categorical aid," which must be spent for clearly spelled-out purposes such as poor children, library books or the like.

A Minnesota Congressman often identified with education matters takes particular exception to the lack of strings attached to impact money. He says the tendency of his fellow members to vote for impact funds "endangers other, better programs." What he means is that when reductions have to be made the Congressmen are reluctant to trim impact funds and so it is the "categorical aid" that suffers.

But perhaps in spite of the Congressman's doubts, there is a lesson—not a danger—in the impact fund program. For the federal government might go a long way toward eliminating its own red tape, trimming its top-heavy operating costs and generally controlling its spending if more—not less—of its revenue could be channeled into the localities under formulas as clear, logical and simple as that of impact money, which now assists communities on the basis that property tax sources are lost as a result of major federal presence.

CAPTIVE NATIONS WEEK

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. BURKE of Massachusetts. Mr. Speaker, I would like to take this opportunity to call to the attention of my distinguished colleagues the following letters as they appeared in the Boston Herald, Boston Record American, and the Christian Science Monitor in connection with this year's observance of the Captive Nations Week in Boston, Mass.:

[From the Boston Herald Traveler, July 14, 1969]

THE HERALD TRAVELER'S READERS WRITE—ACTION MUST BE TAKEN FOR CAPTIVE NATIONS

To the Herald Traveler Editor:

The week of July 13–20 is the "Captive Nations Week," dedicated to the once free and independent nations of Central and Eastern Europe which are presently ruled by Communist Russia. Moscow's occupation of Czechoslovakia and continuous unrests in Ukraine, Armenia, Latvia, Lithuania, Estonia and other captive countries have attested the foresightedness and importance of the Captive Nations Week Resolution of July 17, 1959. These nations have unequivocally manifested their demands for national freedom and self-determination.

A few observations:

The U.S. cannot accept "status quo" in Central and Eastern Europe as long as captive nations are held by Moscow. We must reject the "Brezhnev Doctrine," which gives Moscow "the right to intervene in socialist countries." In fact, any U.S. negotiation and talks with Moscow must include the status of the captive nations.

Our Congress should finally establish a special committee on captive nations, which will perform a vital task in the formulation of our foreign policy.

The United Nations must investigate Russian Communist aggression in Ukraine, Latvia, Lithuania, Estonia, Armenia, Byelorussia and all captive countries and implement the U.N. Universal Declaration of Human Rights in those countries.

Moscow has expressed "unhappiness" about President Nixon's visit to Romania. This is no surprise! The visit will undoubtedly be heard in Ukraine, Armenia, the Baltic States and other captive countries. It will not bring about miracles, but it will demonstrate to these peoples that the U.S. is concerned with their freedom.

OREST SZCZUDLUK,
Director of Public Relations, Ukrainian Congress Committee of America, Inc., Boston Chapter.

BOSTON.

[From the Boston Herald Traveler, Apr. 21, 1969]

EISENHOWER'S EFFORTS FOR CAPTIVE NATIONS

TO THE HERALD TRAVELER EDITOR:

For captive nations under Russian Communist domination, President Dwight D. Eisenhower will always remain a great promoter of their freedom and national self-determination.

On July 17, 1959, he signed the first Captive Nations Week proclamation, in accordance with the Congressional Captive Nations Week Resolution which designated the third week in July as "Captive Nations Week." The Captive Nations Week Resolution, now Public Law 86–90, charged Communist Russia with the subjugation of 22 countries, such as: Ukraine, Armenia, Latvia, Lithuania, Estonia, Czechoslovakia, Byelorussia, Hungary, and others. It called for support of the just aspirations of the captive nations.

On June 27, 1964, President Eisenhower unveiled a statue in Washington, D.C., in honor of Taras Shevchenko, Ukraine's greatest poet and champion of universal freedom and justice.

In his speech, President Eisenhower encouraged poets in Ukraine, in Eastern Europe, and around the world to embody in their poetry mankind's demand for freedom, self-determination, for national independence, and for liberty for all mankind.

There is substantial evidence that President Eisenhower's speech reached the Ukranian people. It has been reported that during the trials of Ukranian intellectuals in 1965–1967, some were charged with the cirme of possessing copies of President Eisenhower's address at the unveiling of the Shevchenko statue.

The captive nations under Russian Communist domination are aware of our work. Our work on behalf of their national self-determination must be intensified.

OREST SZCZUDLUK.

BOSTON.

[From the Boston (Mass.) Record American, July 19, 1969]

HOUSE NEED CITED

WEST ROXBURY.—This year's "Captive Nations Week" from July 13 to 20, provided immense opportunities for advancing the cause of the captive nations. The United Nations must investigate Russian Communist aggression in Ukraine, Latvia, Lithuania, Estonia, Armenia and other captive countries and implement the United Nations Declaration of Human Rights in those countries. We must dispell the concept that the Soviet Union is a nation and that Russia is the Soviet Union.

The Communist dictators are afraid of the truth. We must use the truth. Recently, Gromyko made an overture to the United States for friendly relations. In any talks with Moscow, our government must include the freedom for all captive nations under Communist domination.

OREST SZCZUDLUK.

[From the Christian Science Monitor, July 16, 1969]

CAPTIVE NATIONS WEEK

To The Christian Science Monitor:

From July 13–19 many Americans observe the 10th anniversary of Captive Nations Week. It was first observed when President Eisenhower issued a proclamation in response to a resolution approved by Congress in 1959.

The majority of the captive nations are in Europe. That the nations within the Soviet Union are captive cannot be disputed. History records when and how Communist Russia conquered Byelorussia, Lithuania, Ukraine, Latvia, Estonia, Georgia, Armenia and several other countries, and then forced them to join the Soviet Union. Moscow also controls several "satellite" nations. It has openly revealed this by its action in Hungary in 1956 and in Czechoslovakia last year. Communist aggression and domination are realities in Asia also.

Freedom and independence have been denied these nations. The Captive Nations Week resolution calls for the restoration of freedom and independence to these nations and thus express a hope held by many Americans.

ALEX D. HARBUZIUK.

ELMHURST, ILL.

ILLUMINATED FLAGS IN MIDLOTHIAN, ILL.

Hon. EVERETT McKINLEY DIRKSEN

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Friday, August 1, 1969

Mr. DIRKSEN. Mr. President, the village of Midlothian, Ill., recently undertook a patriotic program to have illuminated flags installed throughout the community. I ask unanimous consent that an article published in the Midlothian-Bremen Messenger concerning this program be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MIDLOTHIAN IS CALLED "ALL-AMERICAN" VILLAGE

Midlothian Mayor Harry Raday and the Chamber of Commerce's sparkplug John Horn co-hosted a formal flag-lighting ceremonial dinner on Sunday evening at Cavallini's. Honored guests were those residents and businessmen who have installed illuminated flags in Midlothian, which now lays claim to the title of America's most flag-illuminated village.

Over 20 illuminated flags have been raised in Midlothian, to fly around the clock, floodlighted, in accordance with a new provision to a governmental code, which was discovered by Horn, who installed the first one at his McDonald's Hamburger Restaurant on Crawford Avenue.

Special guest Mr. Earl Fox, president and founder of Fox College, spoke with pride of his former student, John Horn, who, as stu-

dent body president, gave Fox College the flag it has in use today. Mr. Fox congratulated Mayor Raday and Horn for the patriotism displayed by all of Midlothian, calling it "the greatest example of Americanism to be seen today—Midlothian is truly the All-American village." Mr. Fox has an illuminated flag flying day and night atop the college's administration building.

A symbolic lighting of all the flags was held in the darkened banquet room as each guest held a red, white and blue ribbon.

Mrs. Charlotte Slattery, former village trustee, assisted Mr. Horn in arranging the dinner. Among other special guests were Village Board members James Dolan, Robert Hickey, Fred Massat, Oliver Loven and Bob Hansen and their wives, Father Richard, O.S.F., of St. Christopher's parish; Chamber of Commerce president and Mrs. Ed Cebulski and chamber vice president and Mrs. George Eberhardt.

OIL INDUSTRY MUST HAVE ADEQUATE INCENTIVE

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. GRIFFIN. Mr. Speaker, it is imperative that the United States maintain sufficient oil and gas reserves to insure an adequate supply for defense and domestic needs in the years ahead. Exploration is the only way to identify reserves.

Exploration for oil and gas is a high-risk gamble. Producing wells make news but dry holes—expensive dry holes—fade rapidly from our memory. To attract the capital investment needed for exploratory drilling, it is necessary to provide tax incentives. Income from disappearing capital assets cannot, in fairness, be treated as ordinary income. It was for these and other valid reasons that Congress years ago provided for the depletion allowance.

Congress has recognized that over 100 minerals, in addition to oil and gas, require an allowance for depletion in our tax structure in order that underground resources can profitably be extracted and put to use for our health, safety, and comfort.

In my opinion, this Nation simply cannot afford to remove incentives and fair tax treatment from individuals and industries engaged in development of our mineral resources.

On this subject, Mr. Speaker, I include as a part of my remarks an editorial appearing in the Clarion Ledger, Jackson, Miss., on July 30, 1969. It follows:

OIL INDUSTRY OF STATE, NATION MUST HAVE ADEQUATE INCENTIVE

The nation's oil industry faces a threat in a move by Congress to reduce the oil depletion allowance from 27½ per cent to 20 percent already voted by the House Ways and Means Committee. It is part of a broad tax "reform" measure which eventually will go to the Senate.

Mississippi's rank among major oil-producing states gives us a special interest in this proposed legislation which could have an adverse effect on the petroleum industry.

Spokesmen for the industry have contended over a period of time that the depletion allowance is in the public interest and that as to the rate itself, a good case can be made for increasing rather than lowering it at this time.

Under the federal depletion allowance, an oil well owner is allowed to deduct from his taxable income an amount equal to 27½ percent of the well's gross production value each year, up to a maximum 50 per cent of net income from the well.

It has been estimated that the cut in the allowance would boost government revenues to the tune of some $400 million annually. Industry spokesmen remind Congress that the percentage depletion allowance for 40 years has stood the test of repeated, searching examinations by the national lawmaking body.

The tax credit arrangement has been most helpful in enabling the industry to keep the American people abundantly supplied with petroleum energy vital in modern life.

This country is using oil and gas faster than new reserves are being found, industry officials stress. Because of the high risks and enormous costs involved, there is a continuing decline in the search for new oil fields and, in all probability, the supply and demand gap will widen even further if the proposed cut in depletion allowance is passed into law.

Reduction in the depletion allowance percentage, spokesmen insist, would result in reduced exploration for the new oil and gas reserves our country must find. Far from being a "tax loophole," as some call it, this percentage depletion works in the best interest of the public which depends on petroleum and oil products.

EEOC FILM AVAILABLE

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, the Equal Employment Opportunity Commission recently announced the availability of a motion picture presentation that should be of interest to all Americans.

"Even Chance," a 20-minute black-and-white film explaining the activities of the U.S. Equal Employment Opportunity Commission, is now available for public release, EEOC Chairman William H. Brown III announced.

The film describes the experience of a single black man in his personal encounter with job discrimination, and the efforts of the EEOC to identify and to eliminate the discriminatory employment practice.

His story typifies the many thousands of cases brought to the Commission each year by not only black people, but Spanish Americans, Mexican Americans, American Indians, Puerto Ricans, Eskimos, oriental Americans, members of religious minority groups, and women as well.

Produced in English, the film is aimed at showing the general public how the EEOC, under title VII of the 1964 Civil Rights Act, handles complaints of job discrimination based on race, color, religion, sex and national origin; and how the EEOC promotes affirmative action programs with business and labor unions to achieve equal employment opportunity.

Individuals or groups interested in booking the film are asked to write the U.S. Equal Employment Opportunity Commission, Office of Public Affairs, 1800 G Street NW., Washington, D.C. 20506.

AMERICA'S YOUTH REAP EDUCATION VICTORY

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. MADDEN. Mr. Speaker, the House of Representatives is to be commended for the outstanding work it has accomplished in the last 2 days of debate and amending the 1969 appropriations for our educational institutions throughout the Nation.

Back in the 83d Congress in 1954 the House defeated the first major national education bill involving the sum of $450 million. In those days that sum appeared a gigantic figure as compared with 1969 inflationary values. That bill was defeated by four votes out of approximately 350 on the rollcall. The action of the House at that time was an unforgivable mistake as education was no doubt denied to many millions of our youth in the last 15 years. No one can predict the percentage of discontented and unemployed modern-day youth that have been partaking in riots and disturbances over our Nation in the last few years by reason of being denied proper educational facilities.

The 89th Congress, 4 years ago, made an outstanding step in correcting that mistake, but now we find the 91st Congress is called upon to combat the executive department's program to again curtail our educational facilities.

Yesterday's action of the House is to be commended for increasing the pending appropriation bills and reinstating almost $1 billion more than President Nixon has requested in his education curtailment recommendation.

I hereby incorporate with my remarks an editorial in today's New York Times which commends our great victory of yesterday:

A BOOST FOR EDUCATION

The House took a significant step toward reordering national priorities and extending aid to the hard-pressed states and local communities in an area of critical need when it tentatively appropriated $4.2 billion for Federal education programs—$600 million more than was appropriated last year and $1 billion more than President Nixon requested.

The increases above the Administration's regressive budget include $180 million for slum schools, $131.5 million for vocational education, $110 million for school libraries and equipment and $40 million for student loans. There are also additional funds for the construction of public libraries, education of handicapped children and construction facilities for the mentally retarded. This is no mean achievement for a Congress which has customarily voted, as Senator Mondale recently put it "billions for defense, peanuts for human problems."

Although the billions approved by the House for education are certainly not peanuts, they are still small potatoes compared with the need and with the targets Congress set for itself in adopting the pioneering education legislation of recent years. Even if the Senate goes along fully with the House proposal, Congress will be providing this year only 44 per cent of the funds authorized in various education measures. The President's budget would have furnished 35 per cent of that total.

But in voting these funds, the House could not resist a deep dip into the old pork barrel. In fact, the pork-barrel opportunity was no doubt the main factor in obtaining this new money for valid educational programs.

More than half a billion dollars was earmarked by the House for aid to "impacted areas." Ever since the Korean War, Congress has voted special school handouts for communities in the vicinity of Federal installations. These have been granted on the grounds of hardship, although Federal installations are avidly sought because of the economic benefits they bring to surrounding areas. It is time this unwarranted bonus for an undeserving few was redistributed among the many. The half billion for "impact areas" ought to go to the other programs designed to meet the legitimate educational needs of all children.

THE CONTROL OF TECHNOLOGY

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. DADDARIO. Mr. Speaker, Dr. O. M. Solandt, who is Chairman of the Science Council of Canada, was a guest of the House and the Committee on Science and Astronautics at its ninth annual meeting of the Panel on Science and Technology, which explored the topic of "Applied Science and World Economy."

Dr. Solandt described the utilization of scientific and technical resources in our neighboring country to the north in an interesting paper. He mentioned and stressed the fine cooperation which our two countries have developed. A biologist and doctor from the University of Toronto, his career is long and distinguished, and he holds the U.S. Medal of Freedom.

He has written an editorial for the authoritative magazine Science to discuss the control of technology, and I offer it for the RECORD so that all Members may become familiar with it. It touches on the theme of technology assessment, with which the House Committee on Science and Astronautics has been engaged, and on which we are developing some useful guidelines.

The editorial follows:

THE CONTROL OF TECHNOLOGY

It is often argued that science is morally neutral, neither good nor bad. If science is defined as man's accumulated knowledge about himself and his environment, then this is a defensible point of view. It is then technology or the application of science that raises moral, social, and economic issues. The great debate about the responsibility of scientists for the introduction of nuclear weapons has died down, but we are beginning to see that we are faced by a growing number of decisions about the future use of technology that, in total, may be much more important to mankind than even "the bomb."

The tragedy of thalidomide is probably the most clear-cut recent example of the catastrophic effects that can result from a new application of technology where the preliminary research had not been carried far enough to reveal all the long-term effects. The present furor over DDT and other "hard" insecticides is an example of a more complex case of the same kind. The foreseeable dangers from the introduction of new technology range all the way from the relatively clear-cut cases such as thalidomide, to the more complex problems of the widespread use of supersonic aircraft, and on to the infinitely involved social and economic changes that will result from the widespread use of electronic systems for information management.

Society must so organize itself that a proportion of the very ablest and most imaginative of scientists are continually concerned with trying to foresee the long-term effects of new technology. Our present method of depending on the alertness of individuals to foresee danger and to form pressure groups that try to correct mistakes will not do for the future. A rational institutional framework that will assign a formal responsibility for this critical task to a well-selected, well-organized, and well-financed group of scientists is urgently needed. Clearly, this agency must also have strong representation from the social sciences, including law, and close links with political leaders and with "the man in the street." Its task is too important to be left to scientists alone, but scientists must supply the leadership.

In this problem, as in so many, mankind is steering a precarious course between Scylla and Charybdis. On one hand are the dangers of the uncontrolled exploitation of new technology, and on the other are the dangers of such rigid control that progress will cease. Obviously action must begin in individual nations, but it should quickly become international in scope because so many of the potential problems are worldwide. Fortunately we have made a beginning. Suitable control mechanisms have already been formed or are being considered in many areas, such as food and drugs, where the hazards are clear and obvious. The problem now is to extend the same kind of control to broader problems where long-term dangers are potentially more serious and the task of forecasting is much more difficult.—O. M. SOLANDT, *Chairman, Science Council of Canada, Ottawa*

BRIDGE OF REMAGEN

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. LONG of Maryland. Mr. Speaker, on March 7, 1945, the American Ninth Armored Division made its surprise crossing of the Bridge of Remagen. This was one of the most historic episodes in American military history. It turned the tide of the war in Europe and saved many American lives. The movie "The Bridge at Remagen," for which my eminent colleague, KEN HECHLER gave technical advice and which was based on his outstanding and bestselling historical account of the same name, opened recently in Baltimore. I think it is, therefore, a particularly fitting time to honor those men who took part in the Remagen crossing. I recently asked Baltimore area residents to let me know if they were veterans of this first historic crossing of the Rhine River. Six men responded, and I should like to honor them now by including their names in the CONGRESSIONAL RECORD:

Anthony Astarita, 141 N. Decker Avenue, Baltimore, Md.

John Beaudet, 7 Lakeview Drive, North Linthicum, Md.

Abe Greenberg, 4170 Crestheights Road, Baltimore, Md.

Jacques J. Jackel, 9832 Fox Hill Road, Perry Hall, Md.

Alex M. Leban, 4726 Bonnie Brae Road, Pikesville, Md.

Benjamin Silver, 5037 Queensberry Avenue, Baltimore, Md.

SCIENTIFIC SUB SENDS GREETINGS

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. HAGAN. Mr. Speaker, I commend for your attention the following articles from the Savannah, Ga., newspapers regarding the vital involvement of the Grumman Aircraft Engineering Corp., in probing both outer space and "inner space":

[From the Savannah (Ga.) Morning News, July 26, 1969]

SCIENTIFIC SUB SENDS GREETINGS

Drifting at a depth of 700 feet off the coast of Georgia, the research submarine Ben Franklin radioed a message to Chatham Countians Friday praising development of an oceanography program here.

Dr. Jacques Piccard, Swiss scientist who designed the vessel, also sent greetings to employes of the Grumman Aircraft Engineering Corp. here. Grumman and the U.S. Navy are directing the bus-sized sub's mission, to explore 1,200 miles of the Gulf Stream.

Addressing himself to Mayor Curtis Lewis, Dr. Piccard said: "I am aware of your efforts to establish an ocean science center on Skidaway Island in conjunction with the University of Georgia. I wish you and the ocean science center well in your future developments and commend you for your farsightedness in selecting such an exciting and interesting and undeveloped field."

FROM 700 FEET DOWN

Piccard said he was transmitting from 700 feet below the surface of the Atlantic and 157 miles due east of Savannah. The sub began her undersea journey July 14 off West Palm Beach, Fla. and has been drifting at a snail's pace to examine acquatic life and bottom formations.

Five others are aboard the Ben Franklin and her mother ship, the Privateer, is cruising above the sub maintaining sonar contact and assisting in scientific experiments.

During her cruise, the Ben Franklin has reported spotting marine creatures 10 times their normal size, coral heads 2,000 feet down, huge columns of water welling from the bottom of the surface and sudden temperature drops in the surrounding water.

DEEP QUESTIONS

"These are a few of the questions we hope to answer from the abundant photographs the crew is taking," said Al Kuhn, a Grumman engineer in West Palm Beach.

"Are the giant fish really overgrown members of a known species or are they something unknown to science? Are the coral heads remnants from a few million years ago

or does coral grow deeper than we thought? What makes the water well up, and why the temperature changes?"

The submarine is expected to surface about 200 miles southeast of Boston.

[From the Savannah (Ga.) Evening Press, July 28, 1969]

GRUMMAN PRAISED BY CITY COUNCIL

City Council today passed a resolution congratulating Grumman Aircraft Engineering Corp. for scoring a scientific and technological "first" by participating in exploration ventures in outer space and under the sea simultaneously.

On hand for the ceremonies was Fred J. Eckert, manager of Grumman.

The resolution noted that the component vehicles of the "firsts" were the lunar excursion module from which astronauts Armstrong and Aldrin stepped onto the surface of the moon, and the research submarine Ben Franklin now exploring the gulf stream 2,000 feet below the surface of the Atlantic Ocean.

Grumman designed and built LEM for the Apollo space project and sponsored and financed the Ben Franklin under the supervision of famed underwater explorer Jacques Piccard.

The resolution said Grumman has "contributed measurably to the scientific and technological advancement of this nation," and that the City of Savannah "is extremely proud to count the Grumman organization among its many good citizens. . ."

BALANCE OF PAYMENTS

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. GUBSER. Mr. Speaker, frequently, hasty conclusions are drawn about the effect of U.S. Government purchases abroad on our balance of payments. This is the case with the purchase of Pratt & Whitney engines manufactured in Canada. A recent major transaction will illustrate my point.

On July 10, 1969, the Canadian Department of National Defence placed an order for 50 Bell utility tactical transport helicopters (CUH–1N). The amount of the order was $50,200,000, of which about $30 million will go to the Bell Co. in the United States. The remainder is for engines to be built by Pratt & Whitney in Canada from materials of which 50 percent will be American built.

Thus, from a trade balance point of view, the United States is ahead by about $40 million.

Since the original order provides for the purchase of 20 more CUH–1N's, it is more than likely that the total quantity of 70 will be increased in the future.

I do not believe it is illogical to conclude that if the CUH–1N helicopter did not include the Canadian assembled Pratt & Whitney PT–6 engine, the Canadians would not have made this purchase.

So it seems that cooperation between the United States and Canadian Governments is in the best interests of both countries. Understandably, nationalistic pride could cause one to conclude that engines used in military helicopters should be American made, but in this case, as in so many others, there is another side to the issue.

Frequently the national interest and our country's balance of payments are best served by international cooperation.

MAYOR JOSEPH M. BARR OF PITTSBURGH URGES MASS TRANSPORTATION TRUST FUND

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. MOORHEAD. Mr. Speaker, Mayor Joseph M. Barr of Pittsburgh testified this week on behalf of the National League of Cities and the U.S. Conference of Mayors, urging the establishment of a trust fund to get on with the job of providing a balanced transportation system for the Nation.

I am delighted to bring the testimony of the mayor of my city—a recognized expert in urban problems—before the Senate Subcommittee on Housing and Urban Affairs of the Senate Banking and Currency Committee, to the attention of my colleagues at this point in the RECORD.

The testimony follows:

STATEMENT OF MAYOR BARR

I am Joseph M. Barr, Mayor of Pittsburgh, Pennsylvania. My statement is presented on behalf of the National League of Cities and the United States Conference of Mayors representing over 14,600 cities in all 50 States.

I appear today with an urgent appeal for action. It is vital that this Congress act and create a trust fund providing substantial, long term Federal support for public transportation.

Mr. Chairman, the cities of America—large and small—face an unprecedented crisis of traffic circulation which is stifling economic growth and social progress. A new program of tremendous impact is necessary.

In large cities, inadequate public transportation services forces the use of private autos which degrades the quality of urban life with increasing traffic congestion, air pollution and we are losing millions of dollars from our tax rolls as we build more highways and parking lots.

Inadequate public transportation service is becoming a major gap between the people who live in our central cities and the job opportunities which are growing in the suburbs. This leaves the city with the enormous problems of the unemployed and the disadvantaged.

Even in the smaller cities, the inadequacy of public transportation cuts off many people from jobs, shopping, schools, and health care.

We should consider another fact also. The Department of Housing and Urban Development estimates that one-third of our urban population cannot drive automobiles. They are people who are either too young, too old, and/or too poor to provide their own transportation and are totally dependent on mass transit.

In brief, more than ever in our history we need a balanced transportation system in our cities—a system of roads, a system of rapid and mass transit created through governmental leadership and supported by public subsidies. Such a system can only be provided by heavy assistance from the Federal Government.

This Committee created the Urban Mass Transportation Act of 1964 essentially to fund limited improvements and to test and demonstrate various programs of improved transit. The time has come to take advantage of the benefits gained from the numerous demonstration projects. The time has come to provide funds for hardware on a massive scale.

We compliment you, Senator Williams, for your leadership on Senate Bill 1032, which recognizes the need for financial resources, for prompt action and not for continued delays.

Under Secretary of Transportation James Beggs told this Committee last week the Administration expects to submit a proposal for a public transportation program by August 15. I know I join you, Senator Williams, in hoping that the Administration submits legislation calling for a Trust Fund.

Many of the members of the NLC and USCM have told the President and his advisers of the importance we attach to the need for a Trust Fund to finance the public mass transportation program. However, if the Administration does not submit such a proposal, the NLC and USCM would like to join with you and other members of this Committee in seeking passage of S. 1032.

My experience of more than 30 years of public service has shown me that major public works programs demand a commitment of public funds over a long period of time. Only a Trust Fund can provide such a commitment. Without the trust fund financing formula, our great Interstate Highway System could not have been built.

We need these assurances in order to plan our transportation systems to acquire our rights of ways, to engineer systems, to order and to buy equipment. Moreover, we need these long-term assurances of the Federal Government before we can produce the support necessary to develop funds to meet the local share of these undertakings.

Let me amplify on what I mean by a long term Federal commitment. I don't mean legislation which authorizes programs or contracts with the promise that funds will be forthcoming sometime in the future. I mean cash on the barrelhead. I mean the appropriation of funds specifically reserved for mass transit over a period of years so we don't have to sweat out annual appropriations on a stop-and-go basis, which in my experience, produces a waste of time, energy and results.

The National League of Cities, and the U.S. Conference of Mayors, at their respective annual conventions have adopted policy positions urging adoption of a public transportation trust fund.

I ask, Mr. Chairman, that the policy statements of these two groups supporting a public transportation trust fund be included in the record at this point.

Now in addition to requesting a long term commitment of funds through a Trust Fund, let me make another point clear. A public transportation program must include supports for bus systems as well as rail systems. Only 15 to 20 cities in this country will ever develop rail transit systems. Most of the small and medium size cities of this country will need improved bus systems to meet their public transportation needs.

An interview between Federal Highways Administrator Francis Turner and a reporter for Engineers News Record was described in the May 19, 1969 issue of that Journal:

Rail lines require high-density areas and can find economic use only in strip-corridor development, as in Manhattan or Seattle. Most cities have sprawled in a circular or rectangular fashion with spokes or radials leading out from dense population areas at the center to lightly populated areas at the edge. As the wedges between these radials widen, people turn away from mass transit to the private automobile. Here's where the

flexibility of the bus comes in. Big improvements must be made on current bus operations. Bus routes will have to be realigned at about eight-block separations in a grid pattern. Frequency and comfort of service have to be upgraded. This is probably going to require subsidy, Mr. Turner said and I end the quote.

As a representative of the Mayors and City officials in communities across America, we have five suggested changes in S. 1032. I will comment on one of them. All are discussed in a memorandum I am submitting for the record as part of the detailed testimony of our organizations.

The principal change the NLC and USCM would urge in S. 1032 is the increase in the annual level of funding. The testimony of Mr. James Beggs, Under-Secretary of the Department of Transportation before this Committee quoted a study prepared by the Institute of Public Administration. This study indicated a capital requirement for a rapid rail system of 12 billion dollars over the next 10 years.

Dr. William J. Ronal, speaking in behalf of the Institute for Rapid Transit, called for 10 billion dollars in Federal funds in the next decade to help finance a 20 billion dollar need for both rail and bus systems.

We urge this Committee to provide a ten year program calling for 10 billion dollars. The first full year should provide 500 million dollars, the second 750 million dollars. After that, we would be prepared to use one billion dollars a year.

Unless we are prepared to devote this magnitude of public investments in transit systems, we will never resolve the transportation crisis in our cities—large and small.

We will only be kidding the people—setting up elaborate machinery but never supplying the financial energy to get the machinery in operation.

We have seen too many well intentioned Federal programs to aid Urban America die of financial malnutrition. We cannot—and will not—let this happen to mass transportation of this nation's citizens.

MONDALE-FRASER BILL REMOVES INCOME LIMIT RESTRICTION ON SECTION 312 REHABILITATION LOAN PROGRAM

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. FRASER. Mr. Speaker, today I am joining with my colleague in the Senate, WALTER F. MONDALE, in sponsoring legislation to remove a major flaw in the 1968 Housing Act. Our bill repeals the provision in the 1968 act which places income limitations on the use of section 312 rehabilitation loans.

Prior to the passage of the 1968 act, the section 312 program provided that all property owners in rehabilitation and code enforcement areas were eligible to receive 3-percent Government loans for property improvements. Under the 1968 act, these loans are now available only to those property owners whose income is low enough to qualify them for admission to 221(d)(3) housing.

Local housing and redevelopment agencies throughout the country are discovering that these limits will seriously impede the operation of many rehabilitation and code projects that have just begun operation. In the past, the section 312 program has been a key rehabilitation tool in these projects. But the new income limits are so restrictive as to make this program virtually inoperable in many areas.

In my district, the Minneapolis Housing and Redevelopment Authority estimates that approximately 50 percent of the people who had been eligible for the 3-percent loans before the passage of the 1968 act would no longer qualify. Those people disqualified by the new regulations tend to be younger homeowners with incomes in the $8,000 to $10,000 range, which is slightly above the 221(d)(3) limit for an average size family in Minneapolis. These are the people we need most to provide stability in our older residential neighborhoods. But we are actually encouraging them to leave the neighborhood when we tell them that they can no longer obtain the 3-percent loan even though they must comply with the home improvement standards established for the rehabilitation or code enforcement project in their area.

The income limits were written into the Housing Act last year because of the concern over the possible abuse of the section 312 program by property owners with high incomes. It seems to me, however, that if isolated abuses are discovered, administrative action should be taken to deal with these abuses on an individual basis. At least in my district I know that virtually all section 312 loans have gone to middle-income and lower middle-income homeowners. Since the inception of the section 312 program, 3-percent loans have been granted to 424 property owners in Minneapolis. The loan and grant department in the Minneapolis Housing and Redevelopment Authority estimates that close to 90 percent of these people have been owner-occupants with incomes under $15,000 a year.

The Minneapolis experience with the section 312 program provides good documentation, I feel, for the need to repeal the income limits provision.

The bill is reprinted below:

H.R. 13273

A bill to amend section 312 of the Housing Act of 1964 to eliminate the provision which presently limits eligibility for residential rehabilitation loans thereunder to persons whose income is within the limits prescribed for below-market interest rate mortgages insured under section 221(d)(3) of the National Housing Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 312(a) of the Housing Act of 1964 is amended by striking out the last sentence.

WHATEVER MUELLER DID, IT WORKED

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1969

Mr. TEAGUE of Texas. Mr. Speaker, a key man in the Apollo program is Dr. George E. Mueller, Associate Administrator of NASA and head of the manned space flight program. Since 1963 Dr. Mueller has worked long and hard to assure the success of the Apollo program and build a base for our future national space effort. An article in the July issue of Today outlines well Dr. Mueller's dedicated participation in our national space program and I commend it to your reading.

The article follows:

WHATEVER MUELLER DID, IT WORKED

In 1963 it was clear that American efforts to land a man on the moon were floundering.

NASA officials could see that the first manned Apollo test would not go aloft on schedule. The space project was having technical problems, but worse, it was having organization trouble, disagreements and sagging morale.

The main mission, a man on the moon by 1970, was in grave danger. James E. Webb and other NASA brass decided a new broom was what they needed.

He persuaded the research and development vice-president of a major West Coast NASA contractor, Space Technology Laboratories of Redondo Beach, to take the assignment.

The new man, George E. Mueller (he pronounces it Miller) justified Webb's confidence. In two years, the Apollo program was back on its timetable.

Mueller's background in research and teaching reached back 23 years before the date of his appointment as director of the space program and associate administrator of NASA, in the early fall of 1963.

Fresh out of Purdue in 1940, he was hired by Bell Telephone's research laboratories in New Jersey, and for six years helped pioneer designs of microwave transmission and receiving equipment. Then he joined the Ohio State University faculty, and spent 12 years there earning a Ph. D. in physics, working on microwave antenna and tube design research, and teaching. He became a full professor in 1952.

In 1958 Space Technology Laboratories, a Thompson Ramo Wooldridge subsidiary, lured him to California to run it electronics laboratories. For the next five years Mueller worked on space projects—guidance, tracking, communications and telemetry for unmanned satellites and space probes, such as the solar orbiter Pioneer V. He also worked on ICBM development. Promoted three times, he was successively director of the "Able" space program (an Air Force missile project), vice-president of space systems management and finally vice president for research and development.

When Webb persuaded him to take the NASA job, he moved his wife, Maude, and two daughters to Washington and began, as he puts it now, "trying to get everybody moving in the same direction."

He built an organization inside the organization, its aim to keep the manned space program's scattered centers (one in Florida, one in Alabama and one in Texas) tuned in and working without conflict, under a tightened central control from Washington.

"What I did was to create an infra-structure," is Mueller's cryptic explanation.

Whatever he did, it worked.

"We hope we will be able to carry out the lunar landing this month," he told a Cape Canaveral Press Club luncheon two weeks before the Apollo 11 launch date. "We may not. But if we do not, we still have the equipment to do it, and it will be done soon."

Mueller talks more these days about what will happen after the Apollo landing, and the others after it for which the equipment has been ordered and partly built. The manned space program as it is now laid out ends abruptly in 1972 at the latest—sooner if some of the equipment is used up ahead of schedule by accident or changed plans.

"We are faced with a series of decisions that must be made in short order if the nation is to continue to have a manned space program," he told the Cape Press Club. "What would be a sensible long-range program?"

He thinks he has the answer—"reusability."

"A Saturn V does not cost much more a pound than a Boeing 707," he argues. "If you threw one of those away every time you used it, there wouldn't be many airlines in business."

What he wants to do is build a space station orbiting the earth and another orbiting the moon, and then have "shuttle" rockets flying back and forth to them. All the "shuttles" would be craft that could be used over and over, unlike the present huge rockets which fall in the ocean, burn up in the atmosphere or are discarded in space, leaving only the relatively tiny spacecraft section to return—and even that is not used again.

Mueller figures it costs more than $100,000 using the Saturn booster-Apollo spacecraft-Lunar Module arrangement, to carry a pound of weight from the earth to the moon and bring it back. With a shuttle and space station setup, he figures the round trip cost per pound will fall to $200.

It would, he confesses, cost about the same amount that it took to develop the present equipment to develop the new kinds he envisions. That means $22 to $23 billion.

Mueller thinks that is "not a wildly outrageous set of numbers," and says if NASA gets it, the new system can be in operation sometime in the 1970s and then there could be hundreds or even thousands of space flights possible for each one we can make now.

A quiet professorial-acting type, Mueller is regarded by his associates as "cool," meaning calculating and hard to rattle.

He used to play handball and tennis, but since joining NASA "my work is my hobby," he says. As a college student and as a young researcher for Bell, he used to read science fiction—Jules Verne, H. G. Wells, Astounding magazine.

Looking back, he thinks that may have lighted the fire of his enthusiasm for space, a subject on which he admits he is a "zealot." The story is not uncommon. A study of NASA executives and engineers; especially those under 50, would be sure to show that a high proportion of them grew up soaked in the science fiction pulp magazines of the 1940s.

LA PLATA MARINE WOUNDED, DIES AFTER LEG AMPUTATION

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. LONG of Maryland. Mr. Speaker, Cpl. Robert S. Shegogue, a fine young man from Maryland, was killed recently in Vietnam. I would like to commend his courage and honor his memory by including the following article in the RECORD:

LA PLATA MARINE WOUNDED, DIES AFTER LEG AMPUTATIONS

Lance Cpl. Robert S. Shegogue, a 19-year-old who had talked for years about joining the Marines, died July 18 in Japan after having both legs amputated because of injuries received in the Vietnam war.

Corporal Shegogue's mother, Mrs. Arthur M. Shegogue, of La Plata, Md., said yesterday her son received "multiple fragmentation wounds" of the legs, arms and face while on a search-and-clear mission June 10 in Quang Nam province.

Both legs were amputated at the Da Nang station hospital, and a second, later operation removed the young marine's right leg to above the knee.

After Corporal Shegogue was transferred to the Army 106th General Hospital in Yokohama, Japan, the remainder of his right leg was amputated to the hip, she said.

Mrs. Shegogue said her son was transferred two weeks ago to Tachikawa Air Force Hospital in Tachikawa, Japan, where he died at 3:20 A.M. July 18. She said she was with him at the time.

Corporal Shegogue signed up for the Marine Corps in April, 1968, and joined the Marines shortly after graduating from La Plata High School the following June. He had been in Vietnam since last January.

Mrs. Shegogue said yesterday that her son "knew I was bitter about the Vietnam war before he went over there" but that he wrote letters home telling her: "I feel we really have to be here. I'm not sorry I came over."

Besides his mother, Corporal Shegogue is survived by his father, Arthur M. Shegogue, three sisters, Patty, Janet and Millie, all of La Plata; two brothers, Greg, of La Plata, and Ralph, of Southbridge, Mass., and his grandparents, Mr. and Mrs. Arthur Murdock, of Portland, Maine, and Mr. and Mrs. Edward Shegogue, of Clinton, Md.

Burial will be in Arlington National Cemetery.

EFFORT TO PROTECT SHOE INDUSTRY

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. O'NEILL of Massachusetts. Mr. Speaker, I would like to have included in the RECORD a resolution memorializing the Congress of the United States to adopt legislation to protect and promote the American shoe industry. In this way, the Massachusetts House of Representatives has addressed itself to an important national problem.

The shoe industry of the United States has been faced with a deluge of low-priced imported footwear. Since 1960 the importation of foreign shoes has increased over 600 percent. Within the last year alone the volume of imported foreign footwear has increased by 27 percent. Even the most conservative estimates concerning the future volume of foreign imports alarmingly augments these disturbing figures. The most conservative predictions indicate that by the year 1975 over 50 percent of the American footwear market will be eliminated by foreign shoes. The continuation of this high influx of foreign shoes has implications which not only adversely affect employment within the footwear industry, but threatens the well-being of the industry itself.

In order for one to more fully appreciate the magnitude of this problem one should be aware that there are presently over 1,100 footwear factories located in over 600 communities throughout the United States. These facilities, primarily located in towns where the industry is the principal means of employment, provide jobs for over 200,000 Americans. Many of these newly trained workers were once unproductive members of the hard-core unemployed. The livelihood of these hard-working Americans is now in jeopardy. In the first half of 1969, for example, seven New England shoe factories have been forced to close down. The American shoe industry and its workers clearly need relief from this existing oppressive and dangerous import situation.

In answer to the urgent demand for action, my good friend and colleague, the distinguished Congressman from Massachusetts, the Honorable JAMES A. BURKE, has performed an outstanding service to the Nation in regard to solving this serious problem. As a result of the efforts of Mr. BURKE, a petition signed by more than two-thirds of the Members of the House of Representatives, has been forwarded to the President of the United States. The document, directly dealing with this problem, requests that the White House take immediate measures to enter into negotiations with the principle footwear supplying nations. The ultimate aim of these talks would be to establish a much-needed system of voluntary import limitations. The recommendations made to the President are part of an effort to return the shoe industry to its position as a healthy functioning member of the economy. It is part of a desire to give both the foreign and American footwear industries a fair share of the ever-expanding American footwear markets.

The resolutions follow:

RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ADOPT LEGISLATION TO PROTECT AND PROMOTE THE SHOE INDUSTRY

Whereas, Many shoe factories have closed down in the Commonwealth; and

Whereas, The import of low-cost shoes with low-tariff duties has glutted the shoe market to the detriment of the shoe industry and threatens to destroy one of the Commonwealth's most vital industries; therefore be it

Resolved, That the Massachusetts House of Representatives respectfully urges the Congress of the United States to enact such legislation as may be necessary to protect the shoe industry so vital to the economy of the country and to subsidize said industry in areas where it may be necessary so that the industry will not be wiped out in various parts of the country, particularly in the New England area and the Commonwealth; and be it further

Resolved, That the Secretary of the Commonwealth transmit forthwith copies of these resolutions to the President of the United States, to the presiding officer of each branch of the Congress of the United States and to each member thereof from the Commonwealth.

House of Representatives, adopted, July 8, 1969.

WALLACE C. MILLS, *Clerk.*

BUSING PROHIBITED

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. NICHOLS. Mr. Speaker, yesterday, this House wisely prohibited the use of funds for the busing of students to

schools out of their home area. This reaffirms the law we have on the books prohibiting such busing. During the recent presidential campaign, President Nixon said, and I quote:

I oppose any action by the Office of Education that goes beyond a mandate of Congress; a case in point is the busing of students to achieve racial balance in the schools. The law clearly states the desegregation shall not mean the assignment of students to public schools in order to overcome racial balance.

Yet despite his statement and despite the law, President Nixon has allowed his appointed officials in both the Department of Health, Education, and Welfare, and the Justice Department, to condone the busing of students to achieve racial balances.

Mr. Speaker, my people just do not understand how the Federal Government can blatantly violate the provisions of the 1964 Civil Rights Act while at the same time prosecuting individual offenders who violate the same law. My people have written me to ask why and I cannot tell them.

It is not just the white people of my State that are opposed to busing. On February 25th of this year, I placed in the RECORD a number of letters from Negro students, teachers, parents and school trustees who opposed the closing of their very fine St. Clair County training school so that integration might be achieved in that county. These people wanted to retain their own school, their own football team, band, glee club, and their own identity. Yet, come September, their school will be closed.

I sincerely hope that President Nixon, HEW's Secretary Finch, and Attorney General Mitchell will give some consideration to the fact that the House has once again prohibited the use of Federal funds for busing to achieve a racial balance.

At this point, I would like to insert again some of the letters from my Negro constituents who oppose the closing of their school this September.

The letters follow:

PELL CITY, ALA.,
January 30, 1969.

Hon. BILL NICHOLS,
U.S. House of Representatives,
Washington, D.C.

MY DEAR MR. NICHOLS: We, the members of the Trustee Board of the St. Clair County Training School, are deeply concerned with the abolishing of our High School Department. The school presently consists of Grades 1–12, and we would like to maintain these grades. If the High School Department is taken away, there will not be one predominantly all Negro High School in St. Clair County. Our school is accredited by the State Department and one of the few schools in the State of Alabama to be accredited by the Southern Association of Secondary Schools and Colleges.

We, as board members, feel that we have one of the finest schools in our county, district or State, with an excellent curriculum designed to meet the educational and cultural needs of our children. We realize the excellent job that our competent and qualified principal and staff are doing in preparing our children to be worthwhile citizens and to be able to meet the challenge of tomorrow.

The losing of our High School will bring bleakness and despair to the students, teachers, parents and the immediate and surrounding communities.

So, we are faithfully asking you as our representative to render your service and efforts in helping us to maintain the present status of our school.

Thank you for your cooperation.

Very truly yours,

LONNIE DAVIS,
Chairman of Trustee Board.
JAMES CUNNINGHAM,
Board Member.
Rev. JAMES KIRKSEY,
Board Member.

PELL CITY, ALA.
January 30, 1969.

Hon. BILL NICHOLS,
U.S. House of Representatives,
Washington, D.C.

MY DEAR MR. NICHOLS: We, the Parent Teachers Association, and citizens of the Pell City and surrounding communities are deeply concerned with a perplexing situation. We have been informed that in the very near future, our school, the St. Clair County Training School, located in Pell City, which presently consists of Grades 1–12, will become an Elementary and Junior High School. Our school, a modern brick veneer structure, with a competent and an energetic principal and a qualified staff are working faithfully and diligently with our children in trying to meet their educational, social, and cultural needs. It will be very regrettable to us that if the High School Department is taken away, there will not be one predominantly all Negro High School in St. Clair County. We feel that we have one of the finest schools in our county, district, or the State of Alabama. It is accredited by the State Department of Education and the Southern Association of Secondary Schools and Colleges.

We are seeking your help as our Congressman and representative from the State of Alabama and our district to render your service and efforts in helping us to maintain the present status of our school.

Thank you for your cooperation.

Very truly yours,

GEORGIA L. KIRKSEY,
President of P.T.A.
LOUIZA LANE,
Member of Executive Committee.
LIZZIE BORMAN,
Member of Executive Committee.

PELL CITY, ALA.,
February 14, 1969.

Hon. BILL NICHOLS,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. NICHOLS: We, the student body of the St. Clair County Training School, are soliciting your assistance in helping to maintain the present status of our school, Grades 1–12. Many of us who had our beginning at the County Training School would like for it to be the school that we could refer to as "our dear Alma Mater." We, the Elementary, Junior and Senior High School students have anticipated being the potential graduates of this school.

Another one of our basic concerns is that we would like to maintain our high school so there might be one predominantly all Negro school in St. Clair County. We feel that we have an outstanding school, for there are many former students who have pursued higher goals in life and have been very successful. Every effort is being done by our qualified principal and staff in providing knowledge and skills that will help us to become useful and productive members of our society.

The school being accredited by the State Department and one of the few schools accredited by the Southern Association of Secondary Schools and Colleges is a remarkable accomplishment for us. Taking the High School Department away will destroy these accomplishments that we have diligently toiled to obtain.

We are seeking your help as our Congressman to render your service and efforts in helping us to maintain our school.

Very truly yours,

ALICE GAMBLE,
President of Student Council.
PEGGIE FORMAN,
Secretary.
MARGARETTA TINSLEY,
Student Council Adviser.

NATIONAL OCEANIC AND ATMOSPHERIC AGENCY

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. KEITH. Mr. Speaker, today I am cosponsoring with Chairman ALTON LENNON of the Oceanography Subcommittee, a bill which will, if enacted, establish a National Oceanic and Atmospheric Agency. It is my hope that this agency which is being referred to as NOAA will advance our oceanographic efforts to the same degree that NASA has done in advancing our space technology.

If the Apollo flight has done nothing else it has shown us what near-miracles can be achieved by a unified, coordinated agency with clearly defined goals. No one has anything but praise for the way the NASA agency has developed our space capacities. When NASA was founded, the United States was a poor second in space; today we are unquestionably first.

But, there is another frontier besides that of space, and that is the ocean. It is much closer to us, yet we know almost as little about it as we do about space. And this other frontier has infinitely more possibilities of benefiting mankind.

At the present time our governmental oceanographic studies are fragmented and diffused among many different departments. The Department of the Interior, the Department of Transportation, the Departments of the Army, the Navy, the National Science Foundation—all these have agencies that work extensively on, in, and under the sea, and interaction with the atmosphere. Additionally it is the oceans. There is duplication, there is lack of coordination, and most important, there is a lack of impetus, of priority of a common mission.

It is a lack of national direction and purpose that the establishment of NOAA is designed to overcome. To coordinate the efforts of these agencies, this legislation would group them together into one single entity. And to give them direction, it would establish a national advisory committee, composed of top-ranking industry, scientific, and educational representatives, who would advise the NOAA agency.

Exploration of our planet's "inner space"—its oceans and atmosphere—holds promise of greatly benefiting mankind. The ocean's potential for food production, for mining, even for habitation, is enormous, and almost totally untapped. With a coordinated national effort, working in conjunction with the sizable civilian sector in this field, we can begin to exploit this largely untouched resource.

Establishing such a unified agency, of course, is only the beginning. We must continue to increase our commitment to this vitally important endeavor. In spite of a recent rise in interest in oceanography, we have as yet barely broken the surface as far as a truly comprehensive national effort in oceanographic research and development is concerned.

Establishment of such an agency, too, can be a logical first step toward joint efforts in exploring and developing the resources of international waters. Some international efforts have been made in this direction, but much more can and should be done, and I see NOAA as a prime vehicle for participating in such future cooperative efforts.

Establishing NOAA can be a valuable step forward in improving both our national and international coordination in exploring the seas. It is an important beginning, and I am proud to be associated with this legislation.

GEORGIA NEWSPAPERS COMMENT ON APOLLO 11

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. HAGAN. Mr. Speaker, much has already been written regarding the now historic moon landing. However, I feel the following editorials from some of the fine newspapers of Georgia's First District should be noted as they express the feelings of our everyday citizen for the greatest technological experience and most important scientific achievement the world has ever known:

[From the Statesboro (Ga.) Bulloch Herald Times, July 24, 1969]

The following is a poem written by Frances Hill Hathaway, a Special Writer for "Today" a daily newspaper published in Brevard County, Florida, which is called the "Birthplace of the Space Age." The poem appeared in the Wednesday 16, 1969 issue of "Today," the day of the launch of Apollo 11 at Cape Kennedy.

"LET IT BEGIN

"I am a Dream.
I was birthed in the minds and souls of men. But a greater force than man seemed to surround by drive to become reality.

"I am a Challenge.
I represent the impossible achieved. I am a shout to the heavens that man craves to know, and is coming to find out.

"I am a Fulfillment.
I am a mighty physical creation, dazzling in my proportions. But I am also in men, often in their courage. I offer proof that man has infinite ability to do what he wills, and that these energies can be a powerful force for good.

"I am Hope.
That in opening the door to a new era all peoples may profit from the benefits that accrue. That as he fulfills a long-felt destiny man may greet this new day in a spirit of cooperation and humility—and unity.

"I am a Prayer.
That by reaching into the unknown and seeking such heights, man may become more mindful of his own perspective. That the Faith which propels him on his farthest journey also brings him nearer to his neighbor.

"I am Tomorrow.
I carry men to walk upon the moon. And things will never be the same again.

"I am Now.
I am an idea whose time has come. And I am eager.

"I am Columbia. I am Eagle. I am Earth.

"I am Apollo 11.
And I am ready.
Let it begin."

[From the Millen (Ga.) News, July 24, 1969]

OUR SPACE ACHIEVEMENTS

Every American should stand a little taller after the successful landing on the moon by the men of Apollo 11. Insofar as we can ascertain this is one of man's greatest achievements and has set a mark that will be hard to excell.

This landing on the moon certainly should convince everyone that we have a lot of "know-how" in America. It has created an image that we are not a static people and just satisfied with the status quo or the affluent society that we have been accused of enjoying.

Millions of words will be written and spoken but we find words are inadequate to express our deep gratitude for being an American and for being able to actually witness such a feat. We shall ever press forward and be prouder still that we are Americans. There is much work to be done but we are well on our way if only our people would just find a quiet spot; take stock of what they have that others haven't and just be a little more appreciative of the freedoms that we enjoy and come to a realization that America is the land of opportunity and challenges. We believe that we Americans will measure up.

We were interested to read the thoughts of Werner von Braun, an eminent man of science whose rockets are taking men to the moon, and we quote:

"Manned space flight is an amazing achievement, but it has opened for us thus far only a tiny door for viewing the awesome reaches of space. Our outlook through this peephole at the vast mysteries of the universe only confirms our belief in the certainty of its creator."

Our prayers are for the safe landing of the "Men on the Moon" on earth, as we go to press.

[From the Screven County (Ga.) Sylvania Telephone, July 25, 1969]

THE EAGLE LANDS

A dispirited and restless America badly needed a boost and over the weekend the scientists, engineers, technicians, and above all the astronauts of the national space program gave us one.

It has been a long time since Americans have been as united in their enthusiasm as they were Sunday, pulling for Neil Armstrong, Buzz Aldrin, and Michael Collins to accomplish what seemed virtually impossible to most laymen—the first landing by men on the moon.

Most of the experts had agreed that the touchdown on the moon was the most dangerous and most critical part of the entire exploit, so a national sigh of relief—or maybe a cry of exultation—went up with Armstrong's words: "Tranquility Base here. The Eagle has landed."

This was the climax of long years of struggle. Back in 1957 the Russians quietly launched the first satellite, while our much-publicized Vanguard blew up on the pad. The Russians were first to put a man in space, first to put a man in orbit, first to orbit the moon with an unmanned satellite—for years it seemed that the United States was not doing well with its space effort.

But the failures added to the determination as well as the technical and scientific know-how of the thousands of men and women in the program. Even the biggest blow of all, the fire which took the lives of three astronauts early in 1967, did not critically hurt the program. A full year spent in checking and re-checking safety provisions probably paid off in the long run and the entire program "rocketed" ahead with a burst of speed that astonished even Dr. Werner von Braun.

A team effort it certainly was. Everyone responsible for solving the fantastic scientific problems and the equally fantastic administrative complexities is due full credit. But we don't believe that the wild acclaim for the three astronauts is unjustified. Men who have the courage to undertake a journey like that one are entitled to the unrestrained admiration of their countrymen and at this stage in our national history a little hero-worship will not hurt us a bit.

America has many problems—slums, pollution, noise, racial strife, student unrest, everything that has dominated our attention in recent years.

These problems are still with us and will be around for years to come. But maybe we can now eradicate the worry and frustration of recent years and face the future with the confidence that a nation which can send men to the moon can solve these problems too.

[From the Dublin (Ga.) Courier-Herald, July 24, 1969]

AFTERMATH OF MOON VISIT

For ages men and women have, poetically at least, sighed for the Moon. Lovers have basked in the golden glow of the earth's satellite, and the acme of something to ask for was the Moon.

Through the ages poets have characterized the Moon in many ways, but the Moon remained a mystic ball that changes its shape with mathematical regularity, brought tides and ebb tides to both sides of the oceans. The influence of the Moon as interpreted by men ran the full gamut of human emotions, depending in large measure on the mood of the observer.

But until last week, the Moon was an unattainable and mysterious body, unknown to men, a night object more than a quarter of a million miles away.

Three Americans, with the aid of thousands of earth-bound associates, are in the process of eliminating much of the mystery of the Moon. Soon the scientists in U.S. laboratories will critically and exhaustively analyze samples of the rocks and dust that were picked up on the Moon. The vast amount of information that has been accumulated by Apollo 10 and Apollo 11 will add to man's ability to understand what has been a mystery since the beginning of man.

Has the Moon lost its romantic associations? It has not, we think, but those associations will be enhanced as men delve into the mysteries that have puzzled mankind.

The soft, golden glow will still fall upon the earth. The rising ball of fire will still come up over the horizon and gradually assume the golden globe that it has for centuries past.

But man has been on the Moon, and rather than detract from the associations emotionally and psychologically that men have had for ages, there will come, and is already here, a new appreciation of man's knowledge of and his ability to learn more of the space and bodies that make up the world beyond his immediate touch.

[From the Garden City (Ga.) Perimeter, July 24, 1969]

GREAT EVENT

A dream came true Sunday night when man set foot on the moon.

It would be safe to say that most men living today have had that dream, and perhaps have secretly wished that it would come in their life time. And it did.

Probably the Moon Walk will rank as the single most important event of our lifetime, if not in the entire history of mankind. It clearly demonstrated man's ability to break the bonds of earth and reach out into the universe.

This tremendous step forward, with all of its excitement and wonder, carries with it some sobering implications too. And these center on the uses to which this magnificent feat will be put. Will it eventually be for the betterment of mankind, or will it lead finally to his own destruction? By his own hand?

There is no doubt in anyone's mind where all this should lead, but the big question is "Will it?" That is one which man can only answer himself.

What once was a wild tale of scientific fantasy, though at times, while watching the telecast of the exploration, there was the feeling that this was some science-fiction movie, or the animation of the Buck Rogers or Flash Gordon comic strips. Then came the realization that this wasn't just another movie, but the real thing.

Never before has mankind watched anything like it. Marco Polo did his exploring alone, and reported back his findings and adventures. The same, too, with Christopher Columbus, Lewis and Clark, Admiral Byrd, and all the other famous explorers and their discoveries. While the world, or part of it, waited, the real work was done, and not known for months, and in some cases years.

While the moon landing came a totally new experience. The entire world was there! And while we will have to wait for outcome of some of the experiments, everyone with access to a television screen saw the real discovery as it occured.

Within minutes—even seconds—this big old tired world, which had been growing smaller with each new discovery, had suddenly shrunk to a small object indeed. And with it, man, himself.

If there is a lesson, or a new objective, as a result of the Apollo XI flight, it is that man must settle his squabbles, end his wars, solve his problems, and get busy in harmony to continue on the path set by this great achievement.

This next item which appeared in the Savannah, Ga., Evening Press is, I think, a most eloquent retort to the critics of our space program.

SORRY ABOUT THAT

A fable:

"I regret to tell you this, Columbus, but we've decided against sending you on that voyage," said Queen Isabella. "It's nice to explore the unknown and discover new lands, and it would be interesting to know if the world is really round, but we've decided to call off the voyage and spend the money on problems here at home."

INTRODUCTION OF FEDERAL INCOME MAINTENANCE ACT

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. HASTINGS. Mr. Speaker, today I am introducing a bill, entitled the "Federal Income Maintenance and Public Assistance Act" which I feel is needed to achieve long-overdue reforms in our public welfare system.

This bill would bring a new concept to our social service responsibilities by creating a uniform formula of payments for welfare recipients throughout the Nation, regardless of the State in which they live.

It would place in the hands of the Federal Government under an income-maintenance program the responsibility for needy persons who are blind, aged, or disabled, set up a standard Federal-State public assistance program for needy individuals and families not otherwise eligible under the income-maintenance program, establish work incentive programs by permitting welfare recepients to retain a part of the money they earn without suffering a reduction in their welfare payments, provide for the withholding of funds for those physically able who refused to work, and attempt to remove some of the causes of our growing welfare rolls by providing a voluntary family planning service.

It would crack down on the disappearing father of children born out of wedlock to guarantee payments for their support through reciprocal agreements between States, relieve the burden of States by increasing to at least 75 percent the Federal Government's participation in programs for the medically indigent and provide by block grants to States a much-needed stimulant for research programs to find ways they can divest themselves of the titanic paper work and repetitive bureaucratic chores with the major goal being to increase efficiency and reduce costs.

Our welfare system has developed vastly different responsibilities since its emergent days of the depression. Like Topsy, it grew and grew to a point where costs have soared beyond the ability of the people to pay.

The States' efforts to carry out their responsibilities in the field of public welfare has been an abject failure. Major reform is needed now to bring order out of the present jungle-like system with its jumble of differing regulations, making it a monstrous complexity totally incomprehensible and justifiably irritating to everyone.

My State of New York has been especially concerned and frustrated with this problem.

This bill has been prepared after long conference with one of the most esteemed members of the legislature of that State, State Senator William E. Adams, Republican of the town of Tonawanda.

He is chairman of the State senate social service committee and joint legislative committee on social services and was named recently by Governor Rockefeller to head up a commission to investigate and revise New York State's social services law.

The Federal Government must be equally sensitive to the need for drastic changes now. I might also mention that New York State earlier this year called on the Federal Government to enact just such a law, noting that in today's society, States are no longer able to control or reduce the causes of rising welfare rolls; nor are they able to adequately finance their systems.

This bill seeks to establish a national criteria, consistent with health and human dignity, below which welfare payments would not be permitted to fall.

Through it, the Federal Government by creating an equitable reimbursement system for all States, would be accepting its national commitment to provide a decent standard of living for all citizens no matter where they reside.

It would also reduce the serious problem—especially critical in our urban areas—created by people migrating from States with low payments to States with high payments.

The minimum living standard would be determined by the Secretary of Health, Education, and Welfare, taking into consideration such factors as regional price levels, age and composition of families, and differences in costs of living between urban and rural areas plus conditions of health such as blindness and disability.

Let me cite just one example of present-day payment disparities according to a report for March 1969 on old age assistance.

A State in the Midwest listed 23,100 recipients on its rolls receiving a total payment of $2.4 million for an average payment of $106.20. Yet a southern State with almost five times as many recipients—114,000—paid out about three times as much or $7 million for an average of $61.95.

I realize that differing conditions such as living cost are factors to be considered, but the variance is obvious.

This bill provides for a simple standardized formula for Federal reimbursement for public assistance. It will promote more equitable benefits for the recipients and a financially fairer social service program for the States without penalizing those States and their people whose systems are now more comprehensive.

I respectfully urge my colleagues, as I know they will, to give this proposal their earnest study to prevent total disaster in our national welfare system.

STERNGLASS SENSATIONALISM CRITICIZED

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. HOSMER. Mr. Speaker, all Members of the Congress received a scare letter from Esquire magazine enclosing a copy of an article it is going to publish authored by one Ernest J. Sternglass who is a college professor. For some time Sternglass has been under severe criticism for sloppy scholarship and for dressing up his theories as if they were facts. The following article appears in today's Washington Star and quite properly takes Sternglass to task for trying first to bend theories into facts and then use the result as an argument in the ABM debate:

SENSATIONALISM ON ABM DECRIED

(By Judith Randal)

Esquire Magazine, which thrives on controversy, added a new ingredient to the debate over the anti-ballistic missile this week with newspaper advertisements which many leading scientists regard as irresponsible.

Esquire's ad heralded an article on the ABM luridly entitled, "The Death of All Children." It described this as "a summary of research on the matter of nuclear fallout, pulled together for the first time by Ernest J. Sternglass, professor of radiation physics at the University of Pittsburgh."

So important is its article, Esquire said in promotional letters to newspaper editors and reporters, that although it was received after deadline, it was incorporated in the "September" issue (published July 29) as a stop-the-press insert.

Actually the closely printed four-page "Footnote to the ABM Controversy" is a rehash of tired old arguments aired by Sternglass in various forums over the last six years and discredited almost without exception.

To assert that Sternglass' sensational claims against the ABM are unjustified is not to say that a case cannot be made against the system now nearing a vote on Capitol Hill. There are plenty of arguments against the ABM that make sense—social, geopolitical, technological and scientific—but Sternglass' isn't among them.

There is the danger, from the point of view of opponents of the ABM, that Sternglass' overstatement of risks could actually backfire, even perhaps changing a last minute "no" vote to a "yes" vote.

Sternglass' thesis—which he has aired in testimony before Congress, on television, and in articles in "Science," "The Bulletin of the Atomic Scientists," and a doctor's newspaper called "Medical Tribune"—is that atmospheric testing of nuclear weapons has had a marked and measurable effect on live births in the United States since 1945, when the atomic age began with an explosion near Alamogordo, N.M.

Sternglass claims that nuclear testing has led to "almost one excess death per hundred live births" or a total of "over 440,000 baby deaths" during the nuclear age.

Looking ahead, he has asserted that genetic damage from the detonation of ABM warheads defending against a missile attack "could itself produce sufficient (fallout) in the following few months to seal the biological doom of mankind."

In the Esquire article, he goes even further. "The fact is this," Sternglass writes, "a full-scale ABM system, protecting the United States against a Soviet first strike, could, if successful, cause the extinction of the human race."

Sternglass says nothing about what may happen if the ABM is unsuccessful, or the possibility that developers of the defense system may be unable to stay ahead of determined builders of an offensive capability.

But, whether by accident or intention, he falls into all sorts of traps as he builds his case against the ABM.

Take the matter of excess infant deaths. Sternglass claims the pre-natal exposure to fallout resulting from the 1945 New Mexico tests quickly led to the maintenance of relatively high fetal and infant deaths in distant states lying along the path of the fallout.

In fact, however, measurements recorded at the time of the tests showed that the explosion injected only a minute amount of fallout into the stratosphere, and that the debris was confined to New Mexico and parts of nearby Kansas and Nebraska—not the states where the decline in infant mortality failed to level off as expected.

In reproductive experiments on mice, cited repeatedly by Sternglass (but not done by him), for instance, large numbers of fetal deaths or damaged offspring resulted from injections of radioactive strontium.

But mice are not men, the dose was enormous by human standards, and injection is not the way strontium 90 enters the body after fallout.

Feeding experiments at doses comparable to those following a nuclear explosion in species closer to man have yielded far less sensational results.

Sternglass blames fallout for such things as the reduced birth weight of babies over the past 30 years, although every mother knows that this has come about through altered pre-natal care methods which deliberately hold down the mother's—and the baby's—weight during pregnancy.

In marshalling his "facts" to show a rise in childhood leukemia, he cites what he says was an alarming increase in one metropolitan area where, owing to population growth, the rate has actually remained stable.

This is the sort of "science" for which Sternglass would flunk a graduate student for trying to palm off in the guise of a research paper.

Fraught as it is with irrelevancy and error, the article can add little of consequence to lucid debate on the ABM, and can only cause confusion and emotionalism in a situation already too confused and emotional for anyone's good.

INDIANA STATE POLICE SUPERINTENDENT ROBERT K. KONKLE DESCRIBES INDIANA TRAFFIC ACCIDENT RESEARCH

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. BRAY. Mr. Speaker, we all know that an ounce of prevention is worth a pound of cure, and in the vitally important field of highway safety this is especially true. The following article, Analogue 1000, which appears in the August 1969 issue of the FBI Law Enforcement Bulletin, by Indiana State Police Superintendent Robert K. Konkle, describes the intensive study undertaken of 1,000 fatal traffic accidents in Indiana, and the recommendations made at the conclusion of the study:

ANALOGUE 1000

(By Robert K. Konkle)

Analogue 1000 is the history of 1,000 fatal traffic accidents that occurred on rural Indiana roads and highways between August 1965 and April 1967 and claimed a total of 1,238 lives. This study was an effort to determine exactly how those accidents happened through a probing, indepth examination of any incidents or factors that might have had some bearing on the causes of the tragedies.

The total motor vehicle accident situation is an enormous and complex problem. Efforts in engineering, public education, and traffic law enforcement to prevent accidents are virtually overwhelmed by the rapid and continuous growth of traffic volume. New roads cannot be built fast enough nor can older routes be repaired or redesigned quickly enough to absorb this growing mass of vehicles.

In the field of education, legislative action to tighten up licensing requirements and improve traffic court systems is painstakingly slow. Driver education programs in schools and among adult groups are generally insufficient. Law enforcement is hampered by lack of manpower. The greatest problem facing police in this regard is that the large number of accidents causes investigators to do little more than report their occurrance rather than conduct thorough investigations.

In July 1965 the Indiana State Police, without benefit of any special grants or financing, launched a study project in hopes that probing accident analyses would provide more and better information on the exact causes of traffic accidents.

The project encompassed 1,000 fatal smashups. The size of the sampling was limited in order to keep research within manageable proportions. State police investigators believed the circumstances surrounding these accidents would substantially reflect similar elements of all traffic accidents.

All investigations were conducted by Indiana State Police troopers who are trained accident investigators. At the time of the study, there were 570 troopers assigned to patrol duties in Indiana's 92 counties.

Troopers were given an outline showing only the minimum information which would be required. Beyond this, they were asked to use initiative and investigative judgment comparable to that required in homicide investigations. Their reports were submitted in narrative form and forwarded to State police headquarters in Indianapolis for tabulation and analysis by Lt. Richard A. Berger of the department's traffic division.

Information from these reports was encoded into an information retrieval system. Data from the system cards were then analyzed and compiled for this report.

Blood or breath specimens were obtained in most cases. Blood samples were checked for any trace of barbiturates, amphetamines, and alcohol. Breath samples were analyzed for blood-alcohol content.

FINDINGS

Analysis of the data compiled produced the following findings:

1. Human consumption of alcoholic beverages is the number one cause of rural traffic deaths in Indiana. In this study 746 persons died as a result of accidents in which a drinking driver was involved.

2. The educational level of a driver affects his chances of becoming involved in a fatal traffic accident.

3. Novice drivers, on the road to gain driving skill by means of experience, accounted for 263 deaths according to trooper investigators and in themselves present a critical problem.

4. Approximately 40 percent of traffic law violations in this study could be considered to have been willfully committed.

5. Drivers in certain vocations are more likely to make driving errors that result in traffic fatalities.

6. If groups of people may be categorized, we concluded that the group causing the greatest portion of our traffic accidents is not likely to be reached by safety campaigns.

7. A history of traffic arrests and minor traffic accidents has little to do with the probability of a particular driver's having a fatal accident. By and large, fatal accidents seem to be chance occurrences.

8. Two percent of highway deaths might possibly be suicides.

ALCOHOL

An analysis of figures showing drivers who were known to have consumed alcoholic beverages prior to their respective accidents revealed that 389 (82 percent) were at fault, 33 (7 percent) were partially at fault, and 52 (11 percent) were not at fault. In addition, 18 percent of all drivers who had been drinking were under Indiana's legal drinking age of 21. This portion of the study also showed that half the total number of drinking drivers had blood-alcohol levels of above 0.16 percent. Indiana's legal limit is 0.15 percent.

DANGEROUS DRUGS

Blood specimens only were analyzed for alcohol, amphetamines, and barbiturates

and, for the most part, were obtained from deceased drivers.

AT FAULT—ALCOHOL—BY AGE

Age	Total	Had been drinking	Percent of total who had been drinking	At fault	Percent at fault and alcohol
Under 16	22	2	9	2	100
16 to 21	311	82	26	68	83
21 to 30	339	132	39	112	85
30 to 45	376	141	37	115	82
46 to 60	263	84	32	63	75
60 to 75	144	26	18	23	88
75 and over	50	7	14	6	86

Although we were unable to fully gage the extent drugs played in this study, we did find that nine drivers had consumed barbiturates and five persons were found to have consumed stimulants prior to being involved in fatal wrecks. Four of these persons had also consumed alcohol in addition to the drugs.

VOCATIONAL FACTORS

It was difficult to categorize groups of drivers by vocation because of the ambiguity of the terminology and the debatable nature of the categories selected.

One example of this is where to classify truckdrivers. We put some in the skilled group, some in the semiskilled, and some in the unskilled category depending on qualifications, type of operation, and previous experience.

Office administrators were considered skilled, while file clerks were generally considered to be semiskilled. The professional group contained those persons engaged in commonly recognized business and technological pursuits. The list below is based on tabulations of known vocational data:

Vocation:	*Percent*
Semiskilled	44
Skilled	16
Students	12
Unskilled labor	11
Housewives	5
Farmers	4
Professional	4
Armed Forces	3
Technological	1

Vocations	Total	Percent of total	Mechanical defects	Had been drinking	Percent who had been drinking
Unemployed	44	3	4	22	50
Retired	81	5	2	15	19
Professional	45	3	3	4	9
Skilled technical	10	1	1	4	40
Skilled other	181	12	14	69	38
Semiskilled	477	32	58	150	31
Unskilled	123	8	43	70	57
Armed Forces	29	2	0	9	31
Farmer	44	3	0	6	14
Housewife	59	4	2	10	17
Student	141	9	22	21	15
Unknown	271	18	55	94	35

WEATHER FACTOR

Weather conditions, according to the project study, were an important factor in the overall accident picture.

When a driver is unable to stop at an icy intersection and crashes into another vehicle, it may be construed that the accident was caused by weather conditions. Yet it may also be said that because of the driver's lack of skill in driving on icy pavement and his lack of experience and good judgment, he slid into the intersection and collided with other traffic.

This situation appears analogous to an ice skater who falls on the ice. Did he fall because it was slippery or did he fall because he was not sufficiently skilled at ice skating?

We concluded that the young, inexperienced driver is more likely to misjudge or exercise poor judgment than the older more experienced driver. For example, if a driver misjudges his speed approaching icy intersections several times without killing himself, he will probably develop reasonable judgment and skill in this particular weather-related situation.

MARGIN FOR ERROR

All of us have observed that driving is deceptively easy and that a margin for error does exist, particularly for those drivers who commit hazardous errors and still manage to avoid accidents. Arrests by our troopers for serious moving violations outnumber the fatal accidents we investigate by nearly 100 to 1. This ratio does not take into account the myriad dangerous driving acts that are not seen by officers on patrol.

How, then, can the less experienced person gain driving skills and good judgment without placing other motorists on the road in danger? We consider this a serious problem, substantiated by the study findings.

For example, drivers in the 16- to 21-year-old group accounted for 21 percent of all drivers in the 1,000 fatal smashups. They also accounted for one-third of all drivers in the "drove too fast for existing conditions" category which was primarily weather oriented. Finally, 60 percent of all those drivers shown "at fault" in this age group committed their driving errors as a result of inexperience.

NAMES CHECKED

All drivers' names were checked through Indiana Bureau of Motor Vehicle files, Indiana State Police accident records, and the National Driver Register (NDR). Out-of-State drivers were checked through the NDR only. The NDR at the time of this report, contained only the names of those drivers who had been convicted of a serious traffic violation, such as leaving the scene, driving while suspended or intoxicated, or reckless homicide.

We were surprised at how few drivers had previous arrest and accident records. We had surmised that a fatal accident was the climax of a history of minor accidents and traffic arrests. The statistics from Analogue 1000 do not effectively substantiate this theory. Paradoxically, the study raises the question of whether or not a history of traffic accidents can be interpreted to mean that the builder of such a record has gained driving experience which has helped improve his driving skills.

TRAFFIC LAW VIOLATIONS

Traffic enforcement and education efforts imply that traffic accidents do not just happen—they are caused. The implication is that errors, or traffic violations, are willfully and flagrantly committed. If not committed out of intent, then they are done out of ignorance of the law or carelessness.

The following chart reflects our findings in this area. Intoxicated persons were presumed to have been willful violators:

Violation causes	Number	Percent
Deliberate	373	41
Carelessness	280	30
Inexperience or attention diverted	264	29
Total law violations	917	

Deliberate violators, for purposes of this report, were defined as those who were speeding, passing on a hill or curve, or committing other acts of recklessness.

Violations committed out of carelessness are changing lanes without looking, failing to signal a turn, making a left turn into the path of oncoming vehicles, and others.

Violations in the last category represent those over which the driver has little or no control. For example, a driver crosses the centerline because, in the first instance, he ran off the roadway and, in trying to get back on the pavement, overcorrected and swerved to the opposite lane into an oncoming vehicle. Also inserted in this category were the drivers inexperienced in driving on icy roads.

Deliberate violations:
Excessive speed.
Passed on hill.
Passed at intersection.
Passed on curve.
Passed without sufficient clearance.
Failed to observe automatic signal.
Failed to observe stop sign.
Followed too closely.
Fled from police.
Improper or no lights.
Unintentional violations:
Drove off roadway.
Failed to signal.
Ran into rear of another vehicle (but not following too closely).
Speed too fast for conditions.
Speed too slow.
Failed to yield the right-of-way at a stop sign.
Failed to yield at private drive.
Failed to yield right-of-way (other).
Drove left of centerline.
Wrong way on one-way road.

Routine accident statistics can be misleading. For example, compilations of accident data in Indiana for 1966 showing "driver errors" were published in part as follows:

Failed to yield right-of-way, 24.4 percent.
Drove left of center, 6.5 percent.

The casual observer notes that a leading cause of accidents is failure to yield the right-of-way and might automatically conclude that all such violations are deliberate and committed out of impatience or other reasons. If failure to yield the right-of-way were generally a conscious and deliberate act, then 24.4 percent of Indiana's motor vehicle accidents in 1966 were either suicides or attempted suicides. This, however, is not the case.

ANALYSIS OF FIGURES

A breakdown of our study figures shows that 209 drivers failed to yield the right-of-way and that 93 of these violations were committed at stop signs, 35 as a result of making a left turn in the path of oncoming traffic, 15 at the end of private driveways, and 66 fell under the category of "failed to yield right-of-way—other."

The analysis of these cases revealed that only 10 of the 93 violations committed at stop signs were deliberate, while eight committed in making left turns were deliberate. Two from a private driveway and six in the "other" category were also done deliberately. A close look at the analysis shows, therefore, that 26, or 12.4 percent, of the drivers in our study who failed to yield the right-of-way committed these violations deliberately. The foregoing example illustrates how routine accident statistics can be misinterpreted.

We note that "drove left of center" accounted for 6.5 percent of all the accidents in Indiana in 1966. Were these conscious acts?

Of those drivers in Analogue 1000 who were on the wrong side of the road at the moment of impact, 90 (27 percent) had no intention of being there. A total of 60 percent committed this violation because they were under the influence of alcohol.

Strict enforcement of traffic laws may prevent the rapid rise of accident rates because deliberate violators are probably deterred by seeing police on patrol and are motivated to pay strict attention to their driving to avoid arrest. It appears doubtful that strict enforcement has any measurable effect on unintentional violators.

SUICIDE

Suicide by way of a traffic "accident" may occur more frequently than we realize. This method of suicide can easily be used to defraud insurance companies if the victim ex-

ercises reasonable guile in his own execution.

Life insurance policies often have double indemnity clauses which make such an "accidental" death more appealing to the would-be suicide in that he or she might be able to leave a substantial amount of money to survivors. And when fraud is the intent, there is obviously no suicide note left behind.

The cases in this category were placed there because of the circumstances existing prior to the death and the fact that other evidence indicated a possibility or probability of suicide.

The number shown in the report therefore is, in reality, a sum of probables rather than proven facts—20 men and eight women, half of whom were under the influence of alcohol at the time of impact.

We believe it is important to recognize that some fatal accidents are suicides and that police investigators should never overlook this possibility.

None of the investigations in the study disclosed evidence of premeditated murder.

MECHANICAL DEFECTS

Mechanical defects, for purposes of this study, included only those defects which in most cases were not the primary cause of the accident. But, had the defect been absent, the accident might not have occurred. This segment of the study therefore is a tabulation of investigative judgments.

MECHANICAL DEFECTS

	Number	Percent
Faulty steering	11	5.3
Faulty brakes	25	12.2
Faulty suspension	5	2.4
Faulty lights	17	8.3
Faulty window glass	6	2.9
Faulty windshield wipers	2	1.0
Faulty exhaust system	6	2.9
Miscellaneous other	13	6.3
Faulty tires	121	58.7

In most cases the officer and a garage mechanic examined the wreckage. We have every reason to presume that all defects contributing to the cause of accidents cannot be found. In some cases disintegration was such that the detection of preexisting defects was impossible.

In our opinion the "faulty tire" category may be misleading. Since 106 faults were termed "excessive tread wear," the question arises what might have been the outcome of the accident had the skidding vehicle been equipped with tires in good condition? We surmise that some accidents might have been less severe with increased braking traction and that perhaps some would have been avoided completely under the assumption that no uncontrollable slide would have occurred in the first place.

Fifteen of the tire faults were so listed because they blew out or lost air before the accident and, in the investigators' opinion, contributed directly to the cause of the accident.

In summary, we believe that mechanical defects pose a real hazard in the total traffic accident picture. Based on that belief, the department strongly endorses mandatory vehicle inspection programs.

CONCLUSION

We are aware that Analogue 1000 is not a scientifically perfect research program. But the findings of an indepth investigation of 1,000 fatal traffic accidents have provided us some valid facts.

We believe the information gained concerning alcohol-related accidents reflects the need for more effective controls on the drinking driver.

In the area of mechanical defects, the figures clearly reveal that the combination of safe drivers operating safe cars can help cut down the accident toll.

In still another area, this study points up the need for establishing some kind of controlled traffic training environment in which young drivers can gain driving experience under all kinds of road and weather conditions without endangering lives.

In the final analysis, traffic safety is not just a police problem. It is a "people problem" in which there are achievements still to be gained from responsibilities yet to be assumed by people who administrate, who enforce, who judge, who teach, and, finally, by people who drive.

We have learned how to project man into outer space and return him safetly to earth. Now, we have got to find a way to keep him alive on our streets and highways.

THE NEED FOR RESTRAINT

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, the able and distinguished Assistant Attorney General, Jerry Leonard, spoke yesterday before the Council of State Governments meeting in Mobile, Ala.

His statement is an excellent and thoughtful presentation of the need for restraint on the part of the Federal Government in dealing with the problems of disruption and violence on the campus.

These remarks are most appropriate in my judgment and deserve the attention of the Members of the House:

REMARKS BY ASSISTANT ATTORNEY GENERAL JERRIS LEONARD, CIVIL RIGHTS DIVISION, JULY 31, 1969

I am very pleased to be with you today.

We are witnessing an attack on the basic foundations of society. Our American institutions are being assaulted by a barrage of "non-negotiable demands" for reform.

Society must recognize the need for change. We must not be insensitive to demand for change; but, there are those who wish more than a change in our way of life. They wish to destroy us from society. They have no plan; they have no proposals for a new society or a new government; their only promise is the total destruction of the Nation. They are revolutionaries and their cause is anarchism and nihilism.

The institution most easily reached and closest to these agitators is the college campus. The unrest these revolutionaries foment on the campus is challenging every known orderly process of our educational institutions.

One of the great difficulties in dealing with campus unrest is the inability to recognize those students who seek university reform as an end and those revolutionaries who use university reform as a tactic. Unfortunately, the former are too often lumped together with the latter.

Colleges are and have been far from perfect. While advocating and realizing vast change for others, for themselves the status quo has been their watchword. The college professor, tweed suit, pipe in hand, philosophizing about the poor and the masses while demanding intellectual cadence of all he surveys, is the picture of the status quo.

There are legitimate demands for reform which must be recognized, must be met, and require appropriate attention from college faculties and administrators.

We created a technological revolution to conquer the moon. Our accelerated industrialized society must now begin to deal with the effects on our every day life that this new technology has brought.

The colleges must deal with today's space age society and begin to meet the needs of the space age student, and more importantly, those college administrators and faculty who would blame all student unrest solely on the failure of government to "end the war" or "feed the poor" or "right racial injustices" must be exposed for what they are; charlatans and demagogues.

David Lawrence, Editor of *U.S. News and World Report*, in a recent editorial put the situation in proper perspective. Recognizing that some student unrest does result from controversies over public affairs, he concluded:

"It is unfortunate that the educational institutions have not tackled the problem of how to help an individual to get ready for the type of career in which he would be most likely to succeed. Instead, a large number of students are bored with courses of study they do not like. They continue for four years to worry about what their future is going to be.

"Aimlessness, frustration and restlessness are today making many young people receptive to mob psychology, as they yield to incitements by agitators and activists bent on creating disturbances in our country."

Now to a discussion of the methods by which those who demand seek fulfillment of their ends.

We miss the point when we categorically dismiss student demands as just more evidence of Communist activity. To many of these anarchists, the Communist party itself is part of the "establishment" which they seek to tear down. We must avoid the tendency to simplistic analysis of the problem and thus rush to embrace simplistic solutions.

Let me give you an anatomy of a campus disorder based on a composite of actual developments on several campuses:

To start things off, a conference is scheduled, perhaps a "Conference on Black Revolution." Active black militants are invited, both conservative and radical, to lend visibility and credibility to the effort. Conference topics include: black literature, origins of negritude, the role of the church in the black revolution, the necessity for militancy, black students and the white university "establishment," public schools in urban communities, violence and crime and the failure of the black man to obtain his share of America's benefits.

Nothing wrong with discussing these subjects, but unfortunately there are those who seek greater visibility for their cause.

The militants decide it is necessary to resort to active measures: they unsuccessfully try to disrupt a sports event but have much greater success in efforts to march from building to building and interrupt classes—they also receive better publicity doing this.

At this point, in the development of the campus disorder, campus security police, largely inactive so far, notify local police and the sheriff's office, but even with this help they cannot outmaneuver the "hit and run" tactics of the activists; so the national guard is called in and cordons off the campus. This acts as a catalyst and swings many previously "uncommitted" students against the law officers. The militants have succeeded in radicalizing the student body.

Thus a demonstration that first involved 50 students making demands grows to 300 marching on a basketball game and finally gains active support of 5,000 or about 20% of the campus. In the meantime, other radical groups use this situation to gain publicity for their own ends.

In our composite college it turns out that major steps had been taken for black people, such as lowering admission standards; setting up of a black studies program; but the school authorities in a characteristic noblesse

oblige attitude neglected to inform the students and the public of these programs. This failure to communicate is multiplied over and over again: failure to communicate with students, with faculty, with the public. There is a conspicuous lack of dialogue and a conspicuous abundance of polemic. Students who seek information and advice from faculty and administration frequently end up frustrated.

Black students, great numbers of them, have a compelling desire to go back to the ghetto to help their brothers break the cycle of ghetto life. This is a sincere desire; but all too often educators and administrators either don't listen or they engage in intellectual paternalism and can't understand the students' viewpoint. In short—they don't "relate."

Too often, we in a consensus orientated society look for the one man who speaks for the black man or the student or the militant. No one person does, any more than one person speaks for any other racial, ethnic or political group.

We see here the symptoms of a problem manifesting itself in a disaffection of the student toward college curriculum and instruction. He is joined by a large number of students who want colleges to prepare them for space age living.

These students want to know why most freshmen and sophomores are taught by graduate students. Why can't the colleges achieve lower student-teacher ratios so all students may benefit from exposure to professors in the classroom?

The lack of answers to these questions results in a feeling among lower classmen that they are helpless in a monolithic society. Frequently, they vent their frustrations by attacking computer centers where the students think machines control their lives. This monolith syndrome is compounded by the grotesque size of too many campuses; frustration by the competition for grades, which they must obtain for good jobs and entrance into graduate schools. It is disillusioning for the serious student, who seeks knowledge and truth from the college, to see the guardian of knowledge and learning, demand, not improvement of the mind but "publish or perish" as the standard for success; quantity, not quality. Plato and Aristotle would have failed miserably in todays college because they were concerned with the development of men's minds.

So, you see the problem on today's campus is not a simple one and cannot be solved with a simple solution.

The President and the Attorney General have made clear the position of the central government. We are not to be the enforcers of order on the campuses.

It has long been recognized that the local community is best equipped to handle the problems of law and order. Each campus disorder has its own particular character. To enact a national law to cover these differences requires broad language—broad language means different interpretations, in different situations and presents a danger to constitutional guarantees.

It is the responsibility of the academic community to recognize and deal with the problem of campus reform and campus unrest. The American Council on Education has made clear that unless the community solves their problem it will be solved for them.

State and local governments are better equipped to pass laws and enforce existing laws to deal with local problems than is the National Government.

Today, universities across the country are recognizing this responsibility. At Cornell, Wisconsin and Stanford, scenes of major campus disorder, rules are being formulated to control and prevent future outbreaks. State legislators are passing laws regulating the use of sound amplification devices and other mass communication tools of student revolutionaries.

College and university governing bodies are adopting reasonable rules and regulations, they are recognizing that a difference exists between those individuals who wish reform and those who wish destruction.

In a survey of 194 campus disorders involving 577 incidents such as sit-ins, disruptions, walkouts, etc. the university responded 73.9% of the time by calling in the police making arrests, disciplining students.

Every sit-in is not disruptive. Every civil disobedience does not cause destruction. Yet, everytime the law is broken it must be enforced. Thoreau wrote his famous essay from prison and Martin Luther King preached non-violence from his jail cell.

We do not have need of the Federal presence or federal law. There are those who would cut off federal money from these schools. If we carefully examine this approach we see clearly that this is a "massive retaliation" approach. Every one of the top ten schools in this country who receive federal assistance have had campus disorders. These schools are heavily engaged in government research involving hundreds of millions of dollars. The programs and missions of the Atomic Energy Commission, Department of Defense, Department of Health, Education and Welfare and National Aeronautics and Space Administration would be seriously impaired.

Let me emphasize the position of this Administration by quoting part of a letter sent to Congressional leaders by Attorney General Mitchell and HEW Secretary Finch, just a few weeks ago:

"First, forcing institutions to submit or certify that they have developed such policies and plans dealing with campus disorders would imply a Federal standard by which their policies and plans would be judged. The Federal Government must not be placed in the role of enforcer or overseer of rules and regulations for the conduct of students, faculty, and other university employees.

"Second, the administrative independence of colleges and universities is an essential element of the academic freedom which this Nation has always cherished for its institutions of higher education. Responsibility for the orderly maintenance of these institutions should not be preempted by any Federal agency.

"Third, federal legislation already exists which withdraws aid from students who engage in disruptive violent acts at college. To extend this cutoff to institutions would be beyond existing laws and punish the entire academic community which is, after all, the victim, not the instigator, of violence."

This is not to say that the central government does not have an interest in campus disorder. A riot on a campus is no different than a riot any place else. It can result in violations of law, which, if not properly attended to by local jurisdictions, can become a matter of federal concern. Riot instigators who cross state lines; police who over-react and administer summary punishment; rioters who destroy federal property, all run the terrible risk of involvement with the U.S. Government.

But, we must not let a handful of revolutionaries achieve the one goal they are most anxious to attain—the destruction of the university.

At Columbia 3 percent of the students actively participated in disorders; at the University of Chicago 2.8%; at Berkeley 6.9%; at Ohio State .19% and at the University of Illinois 1.51%. These are typical examples.

We must not let this minority succeed. We must work to reform the universities. The universities and the States must work together to develop procedures to deal with the revolutionary radical.

When an individual does not obey the law he is arrested. If he continues to disobey the law he is imprisoned—expelled from the community until he is rehabilitated.

When a student does not obey the rules of the university he must expect to be disciplined. If he continues to disobey the rules he must expect to be expelled from the academic community.

The Council of State Governments must be in the forefront to assist our states in developing plans and enacting laws to deal with the campus problem.

ANTHONY SADOWSKI—POLISH PIONEER

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. HELSTOSKI. Mr. Speaker, on July 10, I introduced H.R. 12740, legislation authorizing and directing the Postmaster General to issue a special postage stamp in honor of Anthony Sadowski, known as the "Polish Daniel Boone," in commemoration of the 300th anniversary of his birth.

Anthony Sadowski was a Polish frontiersman of Pennsylvania, who had settled and left his mark on what later became Berks County, and more particularly Amity Township which Sadowski helped to found.

Early this year more than 500 people came to old St. Gabriel Cemetery in Douglasville, Pa., and took part in a ceremony to honor someone who had been buried there 233 years ago—Anthony Sadowski.

The people that gathered in that cemetery did so because of Sadowski's ancestral link with Poland where he had been born 300 years ago. They were mostly Polish Americans from the Reading and Philadelphia area and had one common interest, that to revive the spirit of Anthony Sadowski by the unveiling of a monument to his memory.

The man who really brought life to the spirit of Sadowski was Mr. Edward Pinkowski, the chairman of the Sadowski memorial committee, for which he was awarded a certificate of appreciation by the Amity Township 250th Anniversary Committee.

Mr. Speaker, in order that my colleagues may be better informed on the background of Anthony Sadowski, I wish to include, as part of my remarks, the history of Anthony Sadowski written by Edward Pinkowski and which was released in the official publication of the Sadowski memorial committee, issued in connection with the dedication of a Sadowski historical marker at Douglasville, Pa., on September 18, 1966.

The story on this Polish pioneer follows:

ANTHONY SADOWSKI: POLISH PIONEER

(By Edward Pinkowski)

On April 22, 1736, having grown weak, wistful and wise at the age of sixty-seven, Anthony Sadowski died quietly in Amity Township, 50-odd miles up the Schuylkill River from Philadelphia, and his remains were buried, in the presence of his family and a few intimate friends, in the graveyard of St. Gabriel's Church not quite a mile down the river from his home.

Hardly anyone thought of it at the time, but generations later, when descendants tried to trace their lineage back to Anthony

Sadowski, they could not find complete records of their descent. They ran into a maze of conflicting first names, half-truths, errors, and family traditions. Two different branches of the family rarely reached the same conclusion from the information at hand. Their big problem was to hurdle the tendency of the family to assign real facts to later generations—in other words, to telescope generations—and confuse family relationships. Consequently, some descendants don't know that Anthony Sadowski was their first American ancestor.

Indeed there was no similarity in names for anyone to think otherwise. By the beginning of the twentieth century the family name looked as if it had gone through a wild babel of tongues. It was spelled in many ways in early records—Sadoski, Sadusky, Sowdusky, Sadowskij, Zadoroski, Saduscus, Zadosky, Sadusky, and Sandusky, to mention a few of them. The original name was derived from "sad," a Polish word for orchard, or Sadowie, an isolated village not far from Ostrowiec on the Kamienna River, in the Polish province of Kielce. The "d" in the name has a heavy, nasal sound that might make a person not familiar with the Polish language think it had an "n" before it. Thus, the name most used, and the one that survived, was Sandusky. But in no known authentic signature did Anthony Sadowski ever sign his name in this manner.

He signed his name, as shown on his will at Philadelphia and a few letters found in the Pennsylvania State Library at Harrisburg, Antoni Sadowski. As there is no "th" sound in Polish, he wrote his first name exactly as have all others in Poland who have the first name of Anthony. However, he wrote with such sweeping curves to his capitals and flourishes after his name that his signature probably confused copy clerks. The flourishes after his names, both of which ended in i, looked as if the downward sweeping flourish was the tail of a y or a j. Kosciuszko and other Polish figures of the colonial period also used the same writing style. So, though Sadowski carefully dotted each i, when a clerk transcribed his signature into the record books, he ignored the dots, but gave heed to the tails, and made his name in most records "Antony Sadowsky."

Mystery shrouded his noble origin until his great-great-great-great grand daughter, Dorothy Sandusky, whose people were pioneers of Vermilion County, Illinois, went to Poland with her husband, Dr. Joseph Taylor, to round-up Polish refugees who had been displaced by World War I. Dorothy became his assistant. Ignace Jan Paderewski, premier of the reconstituted Polish state, gave them all the aid that was required to do their work. The Taylors were frequently guests in the home of the Polish premier and his wife.

"You know," Dr. Taylor remarked one day at dinner, "my wife is Polish. Her name was originally Sadowski, but now everybody pronounces it Sandusky. Some people think it was Jewish."

"Oh, I know that family," replied Mrs. Paderewski. "They never were Jews."

To show her more of the Sadowski traces in Poland, the wife of the Polish premier provided a carriage and an interpreter for Mrs. Taylor to visit an old Polish castle. The castle floors were made of cobblestones. On the walls hung the family coat or arms known as Nalecz, and near it a fireplace so big that it could roast an ox. The caretaker was named Sadowski.

As she toured the castle, the caretaker told Mrs. Taylor interesting stories about the family that possessed the Nalecz coat of arms. He told her that two sons of Martin Sadowski had left Poland and gone to America at the time of the Swedish invasion. When she pressed him for the names of the two brothers, he told her, "Study the family coat of arms. It will tell you a lot about your ancestors in Poland."

Whether he told her that Nalecz was Anthony Sadowski's coat of arms or whether she gained it from a heraldy book, such, at least, is the explanation that Mrs. Taylor—and, no doubt, many other branches of the Sandusky family—accepted. In their homes in Kentucky, Illinois, Indiana, and Kansas I have seen reproductions of the Nalecz coat of arms. Instead of the name Sadowski on them, they have the name Sandusky.

As far back as heraldry runs, the clan was one of the sturdy and respected families of the minor nobility in Poland. It begins with Thomas Sadowski at Sadowie (Sadowia). From there he was taken in 1452 by Zbigniew Cardinal Olesnicki, the first cardinal Poland ever produced, and given a church assignment in the town of Miechow, twenty miles north of Cracow. Another one with the same family shield, Daniel Sadowski, became Archbishop of Gniezno in west central Poland. Born at Radom, not far from Sadowie and perhaps of the same clan as Anthony Sadowski, was Stanislaus Sadowski, who arrived at Jamestown, Virginia, in 1608 to help Captain John Smith's colony with its lumber production and who left no other traces in America. One tradition says that he was an uncle of Anthony Sadowski.

An old friend and colleague, Arthur L. Waldo, who in "First Poles in America" has described his experience with a rare and now missing book, "Memoirs of a Merchant," written in old Polish script by Zbigniew Stefanski, one of the original Jamestown Poles, sent me the following information on Stanislaus Sadowski:

"We know very little about him. However, I have a strong suspicion that he was the one who became quite notorious in Poland during the final years of the sixteenth century. He was a Calvinist by faith, a traveler and a man of many trades. In 1594 he published a famous brochure against the Jesuit priests of Wilno entitled 'Idolatriae Jesuitorum Vilnensium Oppugnatio.' He was ostracized by the Catholics who appealed to King Sigismund III to put Sadowski to death and burn his brochures.

"He had to leave Poland, went to England and later arrived in Jamestown, giving for obvious reasons now the city of Radom as his place of origin, instead of Ostroleka.

"I would not exclude a possibility that Anthony Sadowski was related to Stanislaus Sadowski of Jamestown fame. . . .

"Stanislaus returned to England in 1609 with Captain John Smith, but eventually returned to Jamestown. He was in Jamestown in 1619 during that first strike on American soil. Then he might have been about 55 years old."

Unless Mrs. Taylor was given a bad steer, Anthony Sadowski came from the clan with the Nalecz coat of arms. His father, Martin Sadowski, kept closer ties to Gostyn, a town in west central Poland, than to Sadowie where the clan apparently originated at least two centuries before. He was a chamberlain of Gostyn in the time of King Wladislaus IV. In 1643 he became a member of Sejm, the Polish parliament, and one of his duties was inspector of the royal estates in the Ukraine. His career in the Sejm was brief. Next he was a castellan of Gostyn and in 1650, while still holding the same position, he erected a wonderful church and convent for the Sisters of St. Clare in Lowicz, a religious center between Warsaw and Lodz. It is said that he served three kings of Poland.

Anthony Sadowski was born during the period of Poland's greatest financial woes. Presumably the year of his birth was 1669. The records of St. Gabriel's show he was sixty-seven when he died. The long war with Russia just before he was born had drained Poland's treasury. The election of John Sobieski as King John III in 1674 gave fresh impetus to correction of evils in the Polish government. Not all members of the Sejm felt the same as the new king. Some of the rich members, satisfied with their lives of ease and luxury, did not know what changes the king's reforms would bring, and they preferred to have things remain as they were. They won.

King John III's efforts to reform the country, however, captured the imagination of many Polish students, including Anthony Sadowski. There is a tradition that as soon as he finished his schooling he followed in his father's footsteps and served two kings. Unquestionably he drew into his blood the burning conviction of King John III that Polish rights, Polish freedom, and Polish soil must be cherished at all costs, even the cost of one's life.

The schools that he attended are unknown. The statement of his great-granddaughter, Mrs. Susan Shanklin, to Rev. John D. Shane in 1854 that Anthony Sadowski was "a great scholar" and could "speak seven different languages" arouse the strong suspicion that he went to a good classical school. Anyone who did go to such a school in Poland learned the Polish, Russian, German, French, Latin and Greek languages, mathematics and the natural sciences. Others said he may have been a priest because he was deeply religious. If he had attended a theological seminary, he could have learned Hebrew rather than Greek or some other language so that he could read the Bible in its original language.

But if the facts about his education are few, there are many questions swirling about his shadowy figure. What, for instance, did he look like?

There is no known portrait of him. One may only assume that he possessed the same physical characteristics as the majority of his male descendants. In over two hundred years almost every Sadowski male has been prodigal of his physical strength and capable of great physical endurance. The photographs available of his fourth and fifth lines of descent and the present descendants, some of whom I have studied carefully, show short, broad skulls, fair complexions, and thick-set bodies. The descendants who trudged into the Kentucky wilderness shortly after the American Revolution to make their homes were considered big, strapping men. Thus it is hard to conceive of the progenitor of the American clan as anything but tall, light-complexioned and strong.

The women of the clan, on the other hand, present a wider range of physical characteristics. The descendants of Anthony Sadowski, through his son and three daughters, who married and left issue, have been numerous, and have, by interstate migration, spread out into all parts of the United States. Some ten generations have been added to the clan and marriages with other groups have produced a polyglot a mixture as any family has in America. One of them was "amused to discover that I myself, in looks and character, am far more Polish than I am Dutch, French, Scotch, English, Irish, or German."

As the clan grew and grew larger, the elderly folks, who sometimes traveled great distances to see their loved ones, perpetuated many traditions of the first of the family to migrate to the new colonies in the wilderness of North America. The youth were often told to remember what they heard because the information about Anthony Sadowski was not in books. Unusual words or phrases stuck in their minds and were passed from one generation to another.

The story of his departure from Poland is one of the most stirring in the annals of American Poles. As I am the sixth one of a chain to learn this story, some explanation of its survival may therefore be in order. Anthony Sadowski's daughter, Ann, told it to her grandson, Amos Miller, and in 1850, ten years before his death, his wife, Mary Dewitt Jayne, gave it to their granddaughter, Mrs. Eliza Brooks Mitchell, and she in turn passed it on October 3, 1901, to Allene Miller, seventh in line of direct descent from Anthony Sadowski. The story was in written form in May, 1966, when Mrs.

Ailene Miller Williams presented it to me at her home in Champaign, Illinois. Some details from Jane Sandusky and Mrs. Taylor were added to the story.

It probably happened at the beginning of the Great Northern War in 1700 when Sweden invaded Polish territory on the Gulf of Riga. Brave, adventurous, loyal subjects of Poland, Anthony Sadowski and his brother quickly left home to take up arms in defense of their country.

Misfortune followed them. Somewhere in the invasion of Riga by the Swedish troops under Marshall Fleming in the spring of 1700, Anthony was captured by a "press-gang" and his brother was killed in a surprise attack on their position. When Anthony refused to enter the service of a group of Swedish soldiers, he was brought before one or two Swedish officers for questioning. He refused to reveal the sites of Polish fortifications, how many men held them, and where the Polish supplies were kept. He guarded such vital information with his life.

To force him to talk, his captors put him upon a rack, an unusual looking wooden framework, tying his ankles to the bottom of the frame and his wrists to a wooden bar at the top. He was questioned again. At the same time the bar was turned in such a way that he felt his joints were being pulled apart. For two days he endured this torture. When he stubbornly refused to reveal any secrets, he was removed half dead to a prison ship in the Gulf of Riga.

On board ship he apparently pretended he was dead. He was left unguarded. His hands and feet, of course, were numb, but he could stare past his guards into the water and estimate the distance to shore. When the ship was nine miles from shore, he got a chance to take off his clothes, tie ten pounds of coin in a sack around his neck, and jump from the ship under the cover of darkness.

The moment he got into the water he was faced with stiffness. He was not sure he could swim to shore. But even as he struggled in the water, he knew he had only postponed the inevitable. The best he could hope for would be a quick death by drowning rather than the long, drawn out torture at the stake. His mouth must have twisted in an ironic grin. It might have been better after all if his captors had tortured him to death.

Instinctively, he swam as the water wet his body. A few minutes of swimming gradually restored the circulation to his arms and legs, which had been tightly bound for two days. He held on desperately as he narrowed the distance between him and shore. He floated whenever he needed to catch his breath, but each stroke took him closer to freedom and he forced himself on. Finally he reached land and limped away into the countryside, sore and bruised, but safe.

Evidently he did not go back home. He would have been shot or hung if recaptured. Some American branches of the family, together with the Sadowski in Poland who talked with Mrs. Taylor in 1919, created confusion by claiming that two brothers came to America. Jacob E. Sandusky; who wrote an account of the family in 1888, was aware of this confusion, and he specifically said that the progenitor of the American clan "was the only one of the name that ever came to America." Not until I met Joan Sandusky, a member of the branch that settled long ago near Danville, Illinois, was I able to clear up this confusion about the two brothers. In her family it was always said that one was killed in battle and the other came to America. Credit Mrs. Taylor, however, for learning that Anthony Sadowski left Poland, leaving family and possessions behind, at the time of the Swedish invasion.

Another puzzle is the question of where he spent two or more years prior to his emigration to the New World. Everybody agrees that he came to this country in the reign of Queen Anne of England (1702–1714) and landed at New York, but no two branches of the family agree on the exact year and whether anyone accompanied him or not. Did he make his way to Holland and come with the Dutch to New York? Or to France and across the Atlantic with some Huguenots? Or was he one of the immigrants brought over from Scotland and England?

As pieces of information were added to the puzzle, the evidence confirmed a tradition that Anthony Sadowski, prior to his emigration to the American colonies, spent a few years in Scotland. The first records that refer to him in America tie him in with William Laing, a Scotch immigrant and a wealthy planter of Freehold, New Jersey. The first record is dated May 21, 1709, when Anthony Sadowski, William Laing, and Richard Clark were witnesses to the will of Benjamin Cook, another planter of Freehold. William Laing died about the same time, and when an inventory of his estate was filed in 1710, it showed that Anthony Sadowski owed him one pound and five shillings, but the debt was paid by the time the estate was settled in 1716. William Laing's brother was master of a school in Cannongate, Edinborough, Scotland, and his cousin was master of a school at Leith, Scotland. It is believed that Anthony Sadowski fell back on his linguistic skill to earn a living and taught a foreign language in one of the private schools in Scotland. But of this no one can be sure, except that the two schoolmasters from Scotland, both named Alex Laing, picked Anthony Sadowski to make a detailed account of William Laing's estate in 1710.

If one studies family records, however, one can find evidence that he was in America much earlier than 1709. His wife, Marya Bordt, or Mary Bird as it was Anglicized, came of Dutch forebears who were located at Mespatch Kills (Newtown), Long Island, as early as 1682. According to records of the Raritan Dutch Reformed Church, she was still not married in 1704 when she was a witness to the baptism of her brother's child. The average age of girls who married then was 14 or 15 years. Presumably she was about that age when she married Anthony Sadowski, who was at least twice her age.

Their daughter, Justina, gave birth to a son, James Warren, named after her husband, on May 3, 1722. If Justina was at least 16 years old at her son's birth, she would have been born not later than 1706. Thus it is reasonable to suppose that Anthony Sadowski and Mary Bird were married between 1704 and 1706, and that he arrived at New Amsterdam, as New York was then known, between 1702, the beginning of Queen Anne's reign, and his marriage to Mary Bird.

Brief and incomplete as it is, this is the background of a Polish pioneer in America. In later life Anthony Sadowski made no speeches and wrote no memoirs reminiscing about his European experiences. His early descendants likewise recorded but little. They carried stories about him in the oral tradition for more than two centuries, and small details, unusual words or phrases like "nine miles from shore," "press-gang," "ten pounds in coin," "put upon the rack," and other things indicate that folklore, if used with facts and figures, can be a valuable tool in writing history. This account of his early life is necessarily a composite of many traditions.

II

Crossing the wide, deep Atlantic Ocean in the early part of the eighteenth century meant more than merely giving up charming castles and gilded uniforms for a rugged land of wild animals and still wilder Indians.

It had not been an easy matter for some aristocrats to leave the luxuries they had always enjoyed in Europe for the harsher life of America.

As his ship approached the island of Manhattan, Anthony Sadowski, gazing out at the quaint, slant-roofed houses and a windmill or two in the low inland hills, thought anxiously of his decision to seek freedom in America. In Poland he would have been a prisoner of war. In America he was a trailblazer. Some friends probably asked him before he got on the sailing ship if he knew the practical obstacles he faced. He had to learn a new language. He had to practice new customs. He had to deal with more different groups of people than he ever did in the Old World.

To his amazement, he found, at the seaport where he landed, that a number of Poles had come there in the previous century and contributed to the growth of New Amsterdam. During the period that Peter Stuyvesant was governor of the Dutch colony, one of his aides was Daniel Litscho (Liczko), a Polish army officer from Koszalin, and Martin Krygier, another Pole, was a burgomaster. In 1659, five years before Stuyvesant ceded the Dutch colony to James, Duke of York, a Polish scholar, Dr. Alexander Curtius (Kurcyusz), arrived and founded in New Amsterdam one of the first institutions of higher learning in America. At the same time Albert Zabriskie, or Albridt Zaborowski as he signed his name, who left Poland because of religious unrest, took an interest in the land along the Passaic River in New Jersey and eventually owned more land than he could walk around in one day.

If Sadowski had met any of his countrymen and knew them any length of time in New Amsterdam, the feeling of being part of America would have come faster to him than it did to the common, run-of-the-mill colonists in the wilderness. Historical researchers, however, have found no proof of this connection; some, in fact, are trying to locate records of a colony of Polish Protestants in New Jersey, supposedly founded by Zabriskie at the beginning of the eighteenth century, to see if Anthony Sadowski might have been among them.

No doubt exists, though that Anthony Sadowski fitted quickly into the ways of colonial New Jersey. Within a decade of his arrival he witnessed a will, prepared an inventory of a man's estate, and had a fair account wtih Captain John Bowne, an old established merchant at Matawan, a village on the south side of Raritan Bay, across from Staten Island. No man could have performed all these things unless he was held in high esteem and showed some intelligence, energy, honesty, and hospitality.

The first records of his presence in America show that he settled, at least for awhile, in Monmouth County, New Jersey, probably Matawan, Freehold, or near one of those places. The area had been inhabited for the most part by Dutch settlers from New York and the western towns of Long Island principally between 1690 and 1720. As the names suggest, Sadowski associated with men who sedately raised families, cultivated the soil, held political offices, traded with Indians, and reverently attended church. While living among the Cooks, the Laings, the Bownes, the Lincolns, the Warrens, and other families, he decided to marry the daughter of a Dutch settler along the Raritan River. One of six children, his wife, Marya Bordt, who was born at Mespath Kills, Long Island, brought another strong pioneer into the Sadowski family.

The prospect of raising a family in New Jersey did not appeal to the newlyweds. Fields barely thirty years cleared of pine trees had not shown as much fertility as new farmers were finding in parts of Pennsylvania and New York. Just as the younger sons of the Dutch farmers of Long Island left their homesteads to make homes for themselves in New Jersey, Anthony Sadowski now led Mary, as Marya shortened her name, to Pennsylvania, which had been inaugurated by William Penn about thirty years before and had since then shown more religious freedom and self-government than any other

colony in America. Since Penn was a Quaker, many Quakers, persecuted in England, came to Pennsylvania, but for the most part they clustered in and near Philadelphia.

To make finer sites available to them, Penn offered land practically for nothing to Rev. Andrew Rudman, head of the Swedish settlers in Philadelphia since his arrival from Gestricia, Sweden, on June 24, 1697, in order to create a new Swedish settlement in a section of the province not already taken up or seated. The Swedish clergyman and his followers selected 10,550 acres of land along the Schuylkill River, site of the present village of Douglassville, and Penn sent David Powel to make the first survey for them on October 21, 1701. The canny Quaker leader expected that the Swedes, whose forebears had first settled on the banks of the Delaware six years before he was born in 1644, would leave Philadelphia and sell their attractive places to his followers. It took him, however, more than four years to issue sixteen patents, and by that time the ardor of some Swedes for a new settlement was gone.

The name of the settlement was subject to change at the whim of any man. Originally, it was Manatawny, named for the creek that ran from the rear of the tract into the Schuylkill at Pottstown. Marcus Hulings, who was of French-Swedish descent, corrupted it to Manathanim, and Rev. Samuel Hesselius, whom he obtained in 1720 to serve as the first rector of St. Gabriel's twisted the name still further and gave it a Swedish ending "ten," thus making it Molatten. Two other ministers who held services in the rude log cabin, Muhlenberg and Murray, who were not familiar with the Swedish language, changed the next to last letter from "e" to "o". Sandwiched between them was another Swedish Lutheran, Rev. John Abraham Lidenius, and he was typical of people of the Swedish tongue who frequently change "l" to "rl" in their speech. Lidenius got mixed up and spelled the name Morlatten. After the congregation broke with the Swedish Lutheran tradition and became Episcopalian in the 1950's, wholesale changes were made in the village name. It was successively known as White Horse, Warrensburg, and Douglassville.

No sooner had the Swedes received their patents from the proprietor of Pennsylvania than they began to divide their grants and sell portions to land speculators and new immigrants. Among them was Anthony Sadowski. On January 21, 1712, he bought 400 acres of land along the river for thirty pounds from Thomas Andrews, a Philadelphia barber-surgeon who speculated in real estate, and Andrews in turn got it in 1706 from Mathias Holstein, a native Philadelphian of Swedish descent who did not care to join the pioneers in the wilderness.

There is no record of the route Anthony Sadowski took from New Jersey to Pennsylvania. However, his descendants, Mrs. Arlene Miller Williams, who made an exhaustive study of all the material she could find on her noble ancestor, produced this theory:

"My personal belief is that Antoni moved westward because he was naturally adventurous, restless, and daring, and could not be contented in the quiet backwaters of Freehold when the great, far-reaching rivers, forests, and mountains of unexplored Pennsylvania urgently called him. To a person of this type the call of an unexplored road is strong. And right thru Freehold went an Indian trace that led from New York to the settlements on the Delaware. That it was used at a very early date is proved, for in 1668 Peter Jagow, a famous Indian trader, obtained a grant to take up land at Mattinekunck, called from him 'Chygoe's Island,' and kept a house there for entertainment of travellers going to the Delaware settlments. Burlington grew up at that place, and the old Indian trace became 'the Burlington Path.' From Jagow's down the Delaware, travel was mostly by canoe.

"We will not be far wrong if we imagine Antoni traveling, then, by the Burlington Path, with a pack horse or two, to Peter Jagow's Inn; and thence perhaps by canoe, while a servant takes the pack horses down streams, over a path, to Philadelphia, where he stays until he has located and bought the land he wants; and then by canoe again up the Schuylkill to his new home."

The land he bought must have seemed to him such as Moses promised the children of Israel. In every direction he could see an almost unlimited supply of oak, hickory, ash and maple trees. He was struck by the natural beauty of its surrounding hills, the majesty of the winding, narrow river, and the fertility of the soil. He found waters springing out of the meadows and hills.

Purchase of the 400 acres throws light on the character of its new owner. For one thing it showed he had good judgment, for the land was admirably suited for small diversified agriculture, dairy herds, and livestock production. It was shaped like an irregular parallelogram. At one end lay the Schuylkill River and a large meadow and at the other end Manatawny Creek and rocky slopes. Between were thick woods at least three miles long, a rambling brook, and a large number of acres suitable for fields and pastures. The two previous owners never touched the land.

At forty-five years of age, Sadowski was undoubtedly charmed as he looked at his land without a sign of anyone else ever having been there. It was his own land, his own part of a new country, a challenge for him and his family to make this untouched part of America into something of their very own, without help, without anything but a few simple tools, their bare hands and a tremendous faith that they could make a little part of the wilderness a wonderful place in which to live.

On a slope rising up from the river he cut down trees and built a rude hut until he could afford to build a bigger house out of local stone on a narrow road which ran parallel with the river across one end of his tract. His coat of arms meant nothing in the democracy of frontier life. The measure of a man was his ability to clear the forests, build a house, and put in crops. Sadowski must have found new thrills like Cincinnatus of old in following the plow, breeding horned cattle, sheep, lambs, and horses, and sending wheat to grist mills down the river. Achievement and recognition came from continuous hard work.

His wife and daughters grew up amid pioneer surroundings and were well acquainted with the hardships of frontier life. They did not have the conveniences that housewives have today. They had to do a lot of things that are now conducted in factories. Weaving, dyeing, tailoring, dressmaking, even the tanning of skins into leather, were ordinary household operations which Mrs. Sadowski and her daughters had to conduct or assist in doing. They also had to make butter, cheese, candles, matches and a hundred other items. Sadowski himself obviously had no time to help them.

By carving a farm out of the wilderness he demonstrated what became a Sadowski family trait. In the future male members of the clan scattered through the American frontier and helped to push its boundaries as far west as they could go and to the borders of Canada. With brave spirits, axes and rifles, they moved from place to place to conquer and subdue the wilderness, build roads, open farms, erect churches and school houses, and found cities. Although the farming tradition was paramount in the early days, later generations bred ministers and teachers, lawyers and judges, bankers and merchants, mechanics, and so on. Most branches of the family supplied soldiers who fought actively at one time or another for their freedom.

Daniel Webster, a celebrated American orator, had pioneers like the Sadowskis in mind when he delivered the following words:

"When tillage begins, other arts follow. The farmers therefore are the founders of human civilization."

In 1712, forty years before Berks County was formed for the most part from the upper sections of Philadelphia and Lancaster counties, Manatawny, Molatten, Morlatton, or whatever name was in usage, looked like an abandoned baby on the frontier line of Pennsylvania. Only a handful of the original Swedish grantees were still around. Life in the area grew more varied after Sadowski joined Mounce Jones, John Justice, Jonas Yocum, Justice Justafson and other settlers on the Swedish tract. Someone dubbed the poorly defined animal and Indian path which ran past Sadowski's homestead the King's Highway. As he used it, he could see the advance of settlement up the Schuylkill.

At least two children of the Swedish pioneers branched out and established homes in their midst. They were Magdalen Rudman, the founder's eldest daughter, who married Andrew Robeson, (1686–1740), and Magdalen Jones, whose father built the first stone house of the settlement in 1716, became the second wife of Marcus Hulings (1687–1757).

By 1718 Sadowski and some of his neighbors on the Swedish tract believed it was time for them to have their own township. They engaged George Boone, an English Quaker, who eventually became the grandfather of Daniel Boone, to survey the boundaries and prepare the application for a new township. They suggested the name Amity for the township because they enjoyed peaceful relations with neighboring Indians.

Soon afterwards the name was approved in the Court of Quarter Sessions at Philadelphia, the township was erected, and a constable and other necessary officers were appointed. However, no records were made of the proceedings. The inhabitants of the township, including Andrew Sadowski, the son of the Polish pioneer, signed another petition in 1744 to renew the act of incorporation.

Next after Amity Township was erected the settlers got a burial ground without asking for it. Andrew Robeson, a highly respected man of Scotch descent, having served as Justice of Peace for many years in Philadelphia County, came to visit his son and daughter-in-law, Mr. and Mrs. Andrew Robeson, and liked the solitude of their farm at Molatten so much that he picked a spot in the corner of a wheat field for his grave. When he died on February 19, 1719, at 66 years of age, his son buried the body on the east bank of the Schuylkill River and erected a tombstone over the grave. Today it is the oldest gravestone in Berks County. It says:

Removed from noise and care
This silent spot I chose,
When death should end my year
To take a sweet repose.

Here in a peaceful place
My ashes must remain,
My Saviour shall me keep
And raise me up again.

Without being guilty of exaggeration a biographer of Anthony Sadowski could say that he took part in the most mysterious beginning of a church in America. If he was not present at the funeral of Judge Robeson, he knew about it because young Andrew Robeson and his wife donated the ground to the settlement for the burial of other bodies and the erection of a church. On March 27, 1720, Marcus Hulings, with whom Sadowski frequently conferred, and "other respectable inhabitants" were sent to Philadelphia for the purpose of finding a clergyman to erect a church and conduct services for their religious well being.

Rev. Samuel Hesselius, assistant rector at Gloria Dei, a lovely small Swedish Lutheran

church on the banks of the Delaware in Philadelphia, accepted their call, and shortly after organized the congregation known as St. Gabriel's. For a year or more, in this tiny outpost of civilization, he christened the newborn, comforted the bereaved, and said the final prayers over the dead. Each member contributed his share to the salary of the rector. Then Rev. Hesselius complained that his hearers were few and unable to support him. He left Molatten, as he called the place, and went to Wilmington, Delaware. St. Gabriel's was then without a regular minister for twelve or thirteen years and without a church until some members built a rude log cabin in 1736.

As members of the congregation died, they were buried near the spot that the elder Robeson selected for himself. No records were kept of the burials until Rev. Gabriel Falck came in 1735 and established an irregular system. It is important to bear this in mind because it seems to me that three children of Anthony and Mary Sadowski died during the period St. Gabriel's was without a rector and only one of them can be spotted in the burial ground by the process of association of tombstones.

The number of children the Polish-Dutch couple had is a question. According to the will that their daughter, Justina Warren, made on October 29, 1731, Justina gave her clothes to "three sisters," none of whom she named, her husband's new hat "to my brother Andrew," and "I give my brother Jacob a great coat."

In his will dated December 29, 1735, Anthony Sadowski mentioned only three children, namely, Andrew, Sofia, and Ann, who was married to Increase Miller, and two grandsons, John and James Warren, whose parents died in the fall of 1731 during a severe epidemic of small-pox. No record gives the name of the fourth sister. As none of the three known sisters bore their mother's Christian name, the elusive sister may or may not have been named Mary.

Whatever her name, what happened to her and Jacob Sadowski? According to Eliza Brooks Mitchell, fifth in line of descent from the progenitor of the clan, one son and one daughter died before Anthony did in 1736. She named two surviving daughters who married and left issue. Ann had 11 children, Andrew seven, Justina two, and the number that Sofia had is unknown.

Anthony's grandson, James Warren, remained in the locality all his life. Upon his death April 7, 1776, he was buried in the churchyard of St. Gabriel's, as was his widow, Hannah, on December 26, 1782.

From the positions of their tombstones it is possible to shed light on the graves of James and Justina Warren, whose deaths were not recorded in St. Gabriel's books, and Anthony Sadowski, whose death in Pennsylvania was unknown to scholars until I discovered it. There are five graves, but only two stones which are still readable, in a family plot. The remains of three tombstones are left in the ground between the graves of James and Hannah Warren. The names of the persons who were buried under them are missing with the tops of the tombstones. However, the quality of the stone in the remaining parts look the same as other tombstones put up in the 1730's in the burial ground. Thus the assumption is that James and Justina Warren are buried next to their first-born child and Anthony Sadowski is buried next to Hannah Warren.

Before preceding further, however, it should be stated that the Sadowski Memorial Committee is appealing for funds to erect a fitting tombstone to Anthony Sadowski on this hallowed spot. If any reader is inclined to pay tribute to this illustrous Polish pioneer, please send your contribution to the committee at the address shown on the inside cover.

To tell, as far as practicable, how he lived, what he acquired in hs lifetime, and how he disposed of his estate is like the task of an archaeologist who must piece together scattered fragments into the object they once formed. According to an inventory of his estate, Sadowski did not believe in luxury and display, but he believed in being well protected and well stocked with livestock. He left a personal estate valued at 565 pounds.

His plantation and 200 acres of land were valued at 200 pounds, and 300 other acres of land 150 pounds. The wheat and rye he had planted at the time of his death was worth thirteen pounds. He left some books, a watch, carpenter and farming tools, two guns, three pistols, four spinning wheels, and hundreds of household and farm items, typical of a well-run frontier compound.

Larger than most of the farms around him, Anthony Sadowski used his farm as much as he could for livestock production. George Boone and Ellis Hugh, who made a detailed account of the property in Amity Township, listed the following livestock:

To horned cattle	£36
To other young cattle	8
To 3 working horses, a mare	12
To 1 horse and a 1-yr. old colt	8
To some mares in the woods	6
To 30 sheep and 18 lambs	10
To swine	2
Total	£82

Another aspect of his household was the attention he paid to a Negro named Joseph and a small white boy named John Marshall. Under the law both were considered articles of personal property. The Negro was valued at 25 pounds and the servant lad ten pounds. Although not mentioned in the will, a servant woman worth four pounds was listed in the inventory. One and half pages were required to list his goods, chattles and credits.

III

For Anthony Sadowski practically half his life was involved in all kind of experiences with the aborigines of the Middle Atlantic and the North Central regions of America. Unlike Cortez and Pizarro, who were fierce enemies of the Indians, Sadowski had nothing but friendly relations with them. In no sense of the term was he an Indian fighter.

Not much is known about his first experiences with them. He met such Indians as Pelopee, Wequehalye, Pecsacohan, Gawakwehon, Shelahon, Lewis the Indian, and Pelowath at John Bowne's trading post at Matawan, New Jersey, and saw that, as far as Bowne was concerned, trading with them was no different than trading with Mordecai Lincoln, Benjamin Van Cleave, John Van Metre, John Warren and other white settlers. Bowne bought furs from the Indians, shipped them overseas, and received in turn the supplies needed by the colonists.

The trade with the Indians for peltries and furs probably fascinated Sadowski more than anything else in the colonies. As he bought more goods from Bowne than his family could possibly use, he probably stepped into this activity as soon as he could. In 1715, three years after he moved to Pennsylvania, his account with Bowne amounted to twenty pounds.

His property in Amity Township was conveniently situated in the beginning to serve as a base of operations. Along the east bank of the Schuylkill River ran an Indian trail, later an important artery of transportation, which extended from Philadelphia to the Indian villages at the forks of the Susquehanna. The upper reaches of the trail were unexplored, and only Indians, a few traders, and wild animals dared to go there.

In those days a trip to the Indian country was an adventure. A traveler had to have courage, endurance and an iron constitution if he hoped to survive. Fortunately his escapade in the Gulf of Riga convinced Sadowski that he was physically fitted for the rigors of journeys into the wilderness. Within a short time he was transformed into a typical Indian trader.

As the Indian chiefs were treated well by William Penn and his successors, Sadowski was able to step into their villages with open arms. He learned the Delaware and Iroquois languages and had an intimate knowledge of Indian habits and customs. His family worried about the difficulties and dangers of these trading expeditions, but he always answered the remonstrances of his wife and children with going again. In the course of these long trips, he blazed new trails and expanded the American fur trade.

Never did his knowledge of these trails and Indians play a more important role than in May, 1728. Some Indians had just forced a number of white families out the Tulpehocken region, a short distance from his home, and created a reign of terror.

Sadowski quickly mounted his horse and galloped off in the direction of Shamokin (now Sunbury), an important Indian village at the forks of the Susquehanna, many miles away. He passed farmers in flight, cornfields and houses burning, panic-stricken women and children running along the trail. He had to deliver a message to the Indian chiefs at Shamokin and could not stop to help the victims.

Before he completed his mission a band of Conoy Indians descended upon Manatawny, as Sadowski and Mounce Jones called their settlement. The strange Indians were halted on May 9, 1728, and asked what they wanted. They refused to give any information. Then four white men killed one of the Indian men and two of their women.

Upon his return home Sadowski was surprised to find Governor Patrick Gordon at Manatawny. The provincial official had come up the river to investigate the skirmish between the Indians and the white settlers and to reassure both sides that "we are all brethren." He ordered twenty men to find the bodies of the three killed Indians and bury them, possibly in St. Gabriel's burial ground.

He also appointed John Pawling, Marcus Hulings, and Mordecai Lincoln, two of whom were Sadowski's close friends, to maintain peace in the neighborhood.

Then he returned to Philadelphia to prepare more peace moves. Sadowski accompanied him and the following day was sent with another message and gifts to the chiefs of the tribes in the disputed territory. Traveling by horses, Sadowski and another Indian interpreter, John Scull, and three assistants, covered more than 100 miles before they reached their first destination.

Within two weeks the party traveled to Shamokin, Tulpehocken, and Conestoga, and delivered messages and gifts to Allummapees, also known as Sasoonan, chief of an Indian tribe that formerly inhabited a place along the Schuylkill, Opekasset, chief of a small Delaware tribe, and Manawkyhikon, a chief of the Minsis. Governor Gordon wanted to meet the sachems at Conestoga, but they realized they did not have enough time to get together with him on May 24. Only two days remained. Nevertheless, the Indian chiefs were pleased with the Governor's soothing words.

Finally, it seems, Sadowski proposed that the two parties meet at Manatawny, and probably offered his home for the purpose, and the Indians put the proposal in their letter to Governor Gordon on May 22. As a result of the friendly contact between the two sides, peace was restored.

Sadowski, however, was disappointed that the provincial council waited two years to pay him seven pounds for two weeks instead of fifteen pounds for more than a month's service. It probably seemed to him that the council had not thought of what would have happened to William Penn's Holy Experiment if it let the Indians alone for two years.

As the Indians moved westward, Sadowski's knowledge of the Alleghenies was extended, and his trading expeditions lasted longer. He came to know the rivers which flowed not toward the Atlantic but toward the Mississippi. No doubt he saw in some places almost nothing of civilization, with practically no food except what he gained with his rifle and no shelter except the bottom of a wagon.

The farther west he traveled, the more resistance he met. The trading post at Shamokin was a mild place compared to the one he and two other traders, John Maddox and John Fisher, had on the Allegheny River, ten miles below the mouth of the Mahoning. It is better known as Kittanning.

In June, 1728, while Maddox was alone at the trading post, a band of drunken, impoverished Indians came in and demanded goods on credit. The shelves were full with 500 pounds of European goods. When Maddox refused to give them credit, they attacked him and forced him to give them one hundred pounds of goods. The goods included five shrouds, twenty shirts, and a half tick.

The traders could hardly afford the loss. It probably hurt Sadowski more than either Maddox or Fisher, for on July 31, 1730, he sold to George Andrews 100 acres of land in the rear of his tract in Amity Township for thirty pounds.

None of them, however, cleared the thieves from their debt. On August 8, 1730, they reminded Governor Gordon that the Indians still had not paid for the goods taken from their store. After writing to Allummapees and Opekasset two old and respected Delaware chiefs at Shamokin, and Mechauquatchugh, an Indian chief on the Allegheny River, the provincial governor dropped the matter.

No more did Sadowski weep over what he had lost. With redskins crossing the mountains in increasing numbers, he followed their trails down the Allegheny, Ohio, and other rivers and continued to trade with them.

Of all the traditions of the Sadowski family, the most widely known was that their ancestor established a trading post on the western shores of Lake Erie and that a large city, a county, a river and a bay in Ohio now bear his name. Little do they care how the name was changed to Sandusky.

Down through the years, as places in New York, Indiana, Illinois, Iowa, Wisconsin, and Texas adopted Sandusky as their name, the origin of the name did not receive the attention it deserved. In 1842, Jacob J. Greene, a resident of Tiffin, Ohio, situated on the Sandusky River, described the name as "more extensively known, perhaps, than any other one in the Union." With a name of such permanent importance, it is baffling that two entirely different versions of its origin still exist.

If Anthony Sadowski gave the Ohio landmarks his name, or even a corrupted form of it, the first thing to do is to find evidence of his connection with them. The year he was robbed, an Indian trader, John Le Tort, with whom Sadowski was well acquainted, planned to take goods and come back with furs from the Miamis who were settled at the west end of Lake Erie. Nothing stood in Sadowski's way. If Le Tort could do it, so could he. As a matter of fact, Madame Montour, who had a sister living among the Miamis, discouraged him from making the same trip as Le Tort planned right away.

As is well known and documented, Sadowski naturally followed the Indians, traded with them wherever he went. He traded with them on the Susquehanna. He traded with them again when they moved to the Allegheny Valley. If he followed the Mahoning, a stream ten miles from where he was robbed in 1728, he had only to cross over the highlands west to Sandusky River and down it to Sandusky Bay.

Greene summarized the family tradition in an article published in the first issue of the American Pioneer in 1842. As he put it, "a Polish trader by the name of Sandusky, or more properly spelt Saduski, established himself near the present site of Lower Sandusky, at the foot of the rapids of the river. His operations in trading for furs and so forth with the Indians, being entirely confined to the river and bay, they soon became known to Europeans as Sanduski's River and Bay." His statements were confirmed in a following issue by a letter from twin brothers, one signing his name "Isaac Sodousky" and the other "Jacob Sandusky."

The brothers mentioned a quarrel between Sadowski and the Indians which caused him to leave the trading post. It may or may not have resulted from the struggle between the French and the British for the trade of the Ohio drainage area. It was about the time that the French first began to stir up Indians against the British. Sadowski was caught in the middle and he was probably forced to take sides. Whatever the cause, he returned home and pledged his allegiance to the British throne in 1735.

Another interesting fact I have discovered is that his daughter, Ann, who married Increase Miller about 1733 and moved to Bedford, New York, was not living at home when Sadowski went to the present site of Sandusky, Ohio, because she never mentioned it to her children and descendants. Her direct descendant, Mrs. Allene Williams, first learned about the family tradition when she read Theodore Roosevelt's book, Winning the West, which stated, without citing any supporting evidence, that Sandusky was of Indian origin. She compared it with other family traditions, studied them carefully, and made many careful observations about the Sadowski family.

"The more I have worked at untangling truth from error in family traditions," she wrote, "the more I became convinced of the following: (a) there is more truth than error in most of them; (b) when minute details are carried down from mouth to mouth for several generations, it is usually because they really were true; (c) the vaguer the tradition, the less reliable it is; (d) the less likely an individual fact is, the greater the chance that its unlikelihood is what impressed it upon the memories of the narrators; (e) it is very common for succeeding generations to increase the closeness of their relationship to famous people; (f) there is a common tendency to drop out some generations entirely; and (g) where two or more generations have the same given name they often become one person in the traditions of their descendants."

Another observation is the number of descendants who said that Andrew Sadowski, who was killed by Indians in Virginia, was one of the first traders on the shores of Lake Erie. Some historians, in fact, think this is an error, but it is not necessarily so. Whether they knew Andrew was Anthony's son or not, Andrew Sadowski was old enough in the 1730's to go with his father as loader, taking the place of Sam Cousins, John Phillips, William Davis, or some other helper that was no longer in his employ. All that came to an end when Anthony Sadowski died in 1736.

The maps available of the Sandusky region are another source of information. In a feature article, "Forgotten Pioneer," The Pittsburgh Press, August 2, 1959, George Swetnum said the name Sandosque appeared "in French maps as early as 1707," but I cannot locate any such map. An English map of 1736 showed only three lakes, Huron, Ontario, and Erie. According to C. A. Hanna, "The name Sadoske was found in 1740," but he does not give the source. The Canadian Archives, Nov. 14, 1747, has this statement: "Nicholas' band was at Sandoske."

Evans' map of the Middle British Colonies in 1755 is the first map I have found on which the name Sandusky appears. On the east side of a nameless river, Evans has written "Fort Sandusky," and on other two Wyandot villages, none of which is named, and a French fort, "Fort Junandot," evidently a corruption of Wandot or a misspelling.

If Sandusky were a Wyandot word, as some authorities say, the two Wyandot villages on Evans' map would have contained the name. None of them do. It is not likely that the fort on the other side of the river from the two Indian villages would have taken an Indian name. It was designed for defense against the French and Indians. The name of the fort is therefore neither French nor Wyandot in origin.

No two authorities agree, if they think Sandusky is an Indian name, on the origin of the name. One gives two words, "sa industee," and the other "sandusti," with neither agreeing on what they mean. The words look as if they were selected out of an Indian dictionary by someone searching for the origin of the name.

A noted historian of American Poles, Miecislaus Haiman, who was the first curator of the Polish Museum of America, said in "Polish Pioneers of Virginia and Kentucky" in 1937 that he thought the Sandusky family changed their name to agree with the name of the Ohio locality.

"Why should they?" asked Mrs. Williams. "After Antoni pioneered there and died, Andrew went down into Virginia; a sister removed to New York State; Andrew's sons migrated to Kentucky. I have examined family bibles, deeds, newspaper obituaries, etc. from widely separated branches of the family, and was greatly interested to note how, from generation to generation, there was a gradual change from Sadowski to Sodowsky, then to Sadowsky, then Sadusky, and finally Sandusky. It seems to me to be a perfectly natural Anglicization of a foreign name. Names are greatly influenced by the way neighbors write and pronounce them. Of course most of the records available to us are not written by the owners of the names, but by clerks, recorders, etc., so they are not of great value in tracing the changes.

"If the clerk was English, it seems to me that "sand" and "dusky" would be more natural English syllables to write instead of "Zad," "Sad," and "dowsky," either if he did not quite catch the name or were unfamiliar with it, whether oral or written.

"In the case of the branch of the family that came at an early date from Kentucky to Illinois, I have been permitted to look at family records, deeds, and early newspaper obituaries, and was interested to observe how the successive generations changed the spelling from Sodowsky through Sadowsky and Sadusky to Sandusky. Therefore, I restate my conclusion that both the name of the family, in its various branches, and of the Ohio region, from pioneer trading post to river, bay, and towns, all changed quite naturally and gradually from the original Polish Sadowski to its most natural Anglicization, Sandusky."

ANTHONY SADOWSKI'S LAST WILL AND TESTAMENT

In the name of God Amen, The Twenty ninth of December in the year of our Lord one thousand seven hundred thirty five, I, Antony Sadowski of Amity in the County of Philadelphia and province of Pensilvania, yeoman, being very weak in body but of perfect minde and memory and knowing that it is appointed for all men a time to die, doe make and ordain this My Last Will and Testament, that is to say, principally and first of all, I give and recomend my soul to God that gave it and for my body I recomend it to the earth to be buried in a Christian like and decent maner at the designation of my Exe'trs, nothing doubting but att the Generall ressurection I shall receve the same again by the mighty power of God. As touching such worldly estate wherewith it pleased

God to bless me in this life I give and dispose of the same in the following manner and form:

Imprise—I doe give and bequeath to my well beloved wife Mary Sadowsky all my Tenaments and Liveings which is two hundred acres of land fronting upon Skullkill dureing her widowhood and in case the said widdow alters her condition, then she shall only have what the law directs to widdows and if she remains a widdow then she must enjoy and posses the said estate during her life and after her decease then my well beloved son Andrew Sadowsky shall injoy and posses the said estate with all the improvements and four horses, two cows, ten sheep, with all the utensils upon the said plantation and the negro man called Joseph and the white boy called John Marchell until he comes to age paying such legacies as I shall appoint.

Item—To my daughter Soffia Sadowsky I give two cows, one mair, ten sheep and best feather bed with all the furniture belonging to the said bed and all things in proportion that my daughter Ann Sadowsky gott when she was maried to Increase Miller.

Item—I order and apoint that there shall be sold three hundred acres of land of the rear of said front in order to pay my just debts and whatever money remains after paying the said debts shall be equally devided between my two daughters, Ann and Soffia, and if the said land be sold before my decease then the said daughters shall have only forty pounds if in case there will be so much after paying my debts. And I doe appoint that after my wife's decease that all the stock and moveables shall be equally devided between the said two daughters.

Item—That the negro man named Joseph shall have twenty five shillings yearly during his servetude if in case he proves to be good and is all one and twenty years of age. After which age he is to have the said money paid yearly.

Item—John Marchel shall have two pounds in money and an ax and a grobing hoe when of age and the said money is to paid by him that posses the said two hundred acres of land.

Item—If in case my son Andrew Sadowsky should die without lawfull heirs that then the said estate shall be equally devided or sold and the one halfe of the said estate or money shall be possesed by my daughter Ann's children and the other halfe to be possesed by my daughter Soffia or her heirs and if in case the said land be possesed by my two daughters that the shall pay to my two gransons James Warren and John Warren twenty pounds to each when of age.

Item—If the said Andrew shall live and have heirs to posses the said land he shall pay to the said James and John Warren five pound to each or when they come to age.

Item—I constitute, appoint and ordain my well beloved wife Mary Sadowsky jointly with Marcus Hullings and Walter Camble of Amity Township whole and sole exec'trs of this My Last Will and Testament with full power to pay all my just debts and demand the same according to law. I doe hereby revoke and disannull all former wills, legacies, pronouncing and confirming this to my Last Will and Testament. In witness whereof I have hereunto set my hand and seal the day and year above written.

In presence of us

ANTONI SADOWSKI
HENRY GIBSON

HENRY GIB son
ANDREW CALDWELL

Philada June 17, 1736. Then personally appear'd Henry Gibson, one of the witnesses to the foregoing will (Andrew Caldwell, the other witness, being removed to distant parts) and upon his oath did declare he saw & heard Anthony Sadowski, the testator above named, sign, seal, publish and declare the same will to be this Last Will & Testament and that at the doing thereof he was of sound mind and memory & understanding to the best of his knowledge & that Andrew Caldwell, the other subscribing witness to ye will did subscribe his name as witness thereto in the presence of this deponent and the sd Testator.

Coram,
PET. EVANS, REG. GEN.

A CALLIGRAPHER LOOKS AT SADOWSKI'S WILL

The will of Anthony Sadowski is a remarkable legal document. His attempt to foresee possible family changes gave him just cause and concern as to the equitable distribution of his estate. His concern over two male servants, a Negro and a white man, also reveals a man well ahead of his time.

My concern is specifically with the handwriting of the will. In retouching the faded characters for suitable reproduction, I became fascinated by the script and noticed upon close study of its structure that it was an excellent specimen of penmanship in colonial America. It can be said that American penmanship of the time was sturdy, readable and less given to frills than those of English writing masters.

The scrivener of Sadowski's will starts off with a fresh and clean hand, but by the time he reaches the second page he is plainly tired and finishes the document in a somewhat hurried style.

Sadowski signed his first name "Antoni" as he did in Poland in a true old Polish manner. The "i" ending of Sadowski is also in the manner of the old Polish script which very often resembles a "y". Actually old Polish names ended in "ij" and in the final flourish this often looked like a "y". Sadowski, however, ended his name with an "i" with a somewhat extended down stroke. The last name is clearly spelled "Sadowski" in the notarized portion of the will on the bottom of the second page.

Of interest, too, are the signatures of the witnesses. Many colonists wrote often with a heavy and labored hand. Such was the case with Henry Gibson, who apparently ran into trouble by having his quill blot the last part of his name. He skipped the blot and wrote, away off, "son." On second thought he signed his name again without further mishap.

It is also apparent that Peter Evans, Register General for the Probate of Wills in the Province of Pennsylvania, considered himself a better penman than the one who prepared the will and just to prove it signed his name and an abbreviation of his title with over eighteen flourishes!—HENRY ARCHACKI.

SPACE FLIGHT IN HISTORY—FICTION AND FACT

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. BRAY. Mr. Speaker, the following four recent newsletters distributed from my office contain a brief history of space flight, in fiction and fact:

HISTORY OF SPACE FLIGHT—I

"Come, my friends,
'Tis not too late to seek a newer world,
To sail beyond the sunset, and the baths
Of all the western stars."
(Alfred, Lord Tennyson—*Ulysses.*)

Just a little over 350 years ago, man's startled eyes first peered into the remote vastness of the universe. Galileo's crude telescope, showing the disks of planets, the moons of Jupiter and the mountains and valleys of the Moon, wrenched the world, and man's knowledge, into a brand-new dimension.

Up until that time, (the first decade of the 17th Century), about the sum total of knowledge of the heavens was limited to knowing that the planets were not like fixed stars (the very name "planet" means "wanderer"); and the Moon was thought to be a world (estimates of its size and distance, made centuries before Christ, were in some cases amazingly close to being exact).

But there was plenty of imagination. If the Moon was another world, why not travel to it? In the 2nd Century A. D., Lucian of Samosata's *True History* had a hero who did just that. Inadvertently, the first time; his ship was picked up by a waterspout in the ocean, west of the Pillars of Hercules (the Straits of Gibraltar) and whisked to the Moon. For the ancients, anything could happen west of this spot. Lucian must have liked the idea, and wrote another book; this time the hero fashioned a pair of wings and flew directly to the Moon, after a takeoff from Mount Olympus.

Oddly enough, after Lucian, space travel was neglected as a literary theme for almost 1500 years. Johannes Kepler, one of the greatest astronomers of all time, wrote his *Somnium* a generation after Galileo's telescope was invented. Kepler's explorer, however, traveled to the Moon by supernatural means. Rather surprising for a scientist? Not at all; Kepler, like almost everyone, believed strongly in magic.

Shortly after publication of *Somnium*, the first English story appeared. Here we begin to get into that mystifying chain of events where fiction precedes fact, without any explanation and in a way that has puzzled many over the centuries. The English Bishop Godwin's *Man in the Moone*, one Domingo Gonsales, only wanted to fly, period. Gonsales hitched his raft to trained swans; the swans (although Gonsales didn't know it) migrated in the direction of the Moon and off they went. Gonsales had no trouble breathing on his 12-day journey, but he found the gravitational pull of the Moon was weaker than that of Earth, and he noticed he lost weight when he left Earth itself. This, remember, was fifty years before Isaac Newton formed the law of gravitation.

In 1640 another English Bishop, Wilkins, wrote *A Discourse Concerning a New World*, a serious treatment of the subject, discussing the physical condition of the Moon and possibility of it having people. According to the Bishop, it was quite likely that a "flying chariot" would get there someday. And, in true British imperial fashion, for that day and age, he spoke hopefully of establishing Moon colonies.

In 1656 Cyrano de Bergerac's *Voyage to the Sun and Moon* appeared. The long-nosed Frenchman, made famous by Rostand's play, not only used rocket propulsion but anticipated the principle of the ramjet. Cyrano's flying machine was a large box, built of convex lenses, that forced sunlight into its interior. The heated air then escaped through a nozzle, providing propulsion.

One of the greatest and most mystifying puzzles of all time appeared with publication of Swift's *Gulliver's Travels*, in 1726. Not a science-fiction story, exactly; yet, in one of the lands Gulliver visited, the local astronomers had discovered Mars had two moons, one which revolved twice as fast as the other. Which is exactly what Mars has; but the fact wasn't confirmed until over 150 years later, in 1877.

Voltaire wrote *Micromegas*, in 1752, about a giant from the solar system of Sirius who came to Earth with a companion from Saturn. It was written mainly as satire, but has a remarkably modern outlook, with man and planets in correct perspective.

By the beginning of the 19th century, space stories ran into trouble. The balloon, invented in 1783, had demonstrated the impossibility of man living unprotected at high altitudes. Suddenly, the Moon and planets became much farther away.

HISTORY OF SPACE FLIGHT—II

"Dreaming dreams no mortal ever dared to dream before." (Edgar Allen Poe, *The Raven.*)

By the second half of the 19th Century, space travel stories were in vogue again. The beginning of the 19th Century had produced many major engineering achievements and along with them came a feeling of confidence that anything was possible. The greatest story-teller of them all, Jules Verne, set the style and tone.

From the Earth to the Moon (a tremendously popular novel when written in 1865 and still in print today) was Verne's way of having a little fun with Americans; he indulged in some innocent sport in needling them for their get-up-and-go attitude. But Verne did base his story on sound scientific laws. He knew escape from the Earth's gravitational field was possible at a high enough speed, so he simply had his space travelers fired rom an enormous gun, in a projectile.

More fiction that became fact: Verne's ship was fitted with rockets, for steering in space. His travelers circumnavigated the Moon, but didn't land on it (just as Apollo 8) and then returned to Earth, landing in the ocean, just as is done today.

He set the spacegun at Tampa, Florida, only one hundred miles from where Cape Kennedy stands, and went one better: having figured the two best locations for a launch site were Florida and Texas, he had the respective state legislatures fighting over which state should have the facilities for the space program! This has a very modern sound to it, indeed.

And, to top it all off, the 1865 fictional flight was directed by the Gun Club of Baltimore. The first U.S. space project, Vanguard, had its hardware built by the Martin Company, between 1955 and 1958—in Baltimore.

Rev. Edward Everett Hale's *The Brick Moon,* which appeared in the Atlantic Monthly in 1869–1870, dealt with artificial satellites. Prediction, again: Hale recommended use of brick for the satellite, as it could withstand heat better. Today, various forms of ceramics are used in heat-resistant components for spacecraft.

In 1901, H. G. Welles wrote what has been called "the finest of all interplanetary romances," *The First Men in the Moon.* Wells was a bit careless with his science. He developed "Cavorite," which was a gravity insulator, and his spaceship, coated with the stuff, took off on its own accord. To steer towards the Moon, the occupants opened a shutter in the Moon's direction.

"Cavorite" defies the fundamental laws of nature, but antigravity itself is no longer thought absurd. It still is, however, and probably will remain for some time, one of those "engineer's dreams" that has not yet been developed.

So much for the writers of fiction, along with their oddly disquieting, appearing-at-random, seemingly-off-hand statements that turn out to be hard, cold fact. It still appears, though, from time to time. During World War II, when the ultra-top-secret Manhattan Project was underway, leading to the development of the atomic bomb, project security officers were horrified to read in one of the leading U.S. science fiction magazines a short story dealing with the use of U–235 for production of atomic energy. A quiet but forceful trip by the FBI to the magazine's offices produced, to the relief of all concerned, the fact that nothing had leaked out of Manhattan Project; an imaginative author was the sole responsibility.

This has been a brief history of fiction; next, we turn to fact.

HISTORY OF SPACE FLIGHT—III

"All men dream, but not equally. Those who dream by night in the dusty recesses of their minds wake in the day to find that it was vanity; but the dreamers of the day are dangerous men, for they may act their dream with open eyes, to make it possible." (T. E. Lawrence, *Seven Pillars of Wisdom.*)

The world is accustomed to Russian boasting about being first with everything imaginable, but it was a Russian, Konstantin Tsiolkovsky who unquestionably was the first to work out the principles of space flight. Born in 1857, the first Soviet Sputnik went into orbit just a few days from the centenary of his birth. His formulae on space flight were published in 1903—the same year the Wright Brothers first flew. In principle, he solved almost all engineering difficulties of space flight, but not until the 1930's was his work known outside the Soviet Union.

In chronological sequence, the second pioneer after our shy Russian schoolteacher was Robert Hutchings Goddard, the American, born in 1882 in Massachusetts. By 1909 he completed work on the theory of multistage rockets and from 1914 on touched, in a series of over two hundred patents, about every aspect of rocket design, propulsion and guidance.

On March 16, 1926—just over fifty-three years ago—Goddard flew the world's first liquid-propelled rocket. Airborne for over two seconds, it reached 40 feet, at 60 m.p.h. In 1929 a larger rocket got up to 90 feet; police switchboards were jammed with phone calls reporting crashing airplanes, and Goddard was told to cease and desist from any more flights around Worcester, where the rocket was launched. This was, in a way, quite fortunate; the publicity caught the eye of "The Lone Eagle," Charles Lindbergh; a word from Lindbergh meant a grant from a private fund of $50,000.

Between 1930 and 1941 Goddard worked at a lab and launch tower at Roswell, New Mexico, not far from White Sands Proving Ground. His rockets got no higher than 9,000 feet, but he knew what he was doing: after he died, Mrs. Goddard and the foundation which had supported him received $1 million from the Department of Defense for use of his patents.

When the Treaty of Versailles was drawn up in 1919, the German Army was prohibited from developing many kinds of weapons, but no one thought of rockets. The Germans gave them considerable thought; Hermann Oberth and Willy Ley had collaborated in forming the German Rocket Society, and not until the first V–1's and V–2's crashed down on England did anyone else know what was up. And not until a sharp-eyed RAF intelligence officer—a woman, incidentally—named Constance Babington-Smith noticed a strange wedge-shaped blob of white on an aerial photograph was anything done about it. The launching sites were hammered into rubble by bombing, and Hitler's "secret weapon" was effectively put out of action. Hitler had never given it much support; he had "dreamed" it wouldn't work.

Oberth was the last of what is described as the three great "classical" writers on astronautics, sharing the distinction with Tsiolkovsky and Goddard, and only he lived to see his dreams come true. The stage was now set for the scene as we know it, and, each in his or her own way, as we share in it. Man is ready for space.

HISTORY OF SPACE FLIGHT—IV

"Saw the heavens fill with commerce,
argosies of magic sails,
Pilots of the purple twilight, dropping down with costly bales;
Heard the heavens fill with shouting, and there rained a ghastly dew,
From the nation's airy navies, grappling in the central blue."
(Alfred, Lord Tennyson—*Locksley Hall.*)

"Costly bales" or "ghastly dew?" We are in the Age of Space, like it or not, and there is no turning our backs on it. To do so would mean leaving the field free and open to other, probably less-friendly powers, who would have no qualms whatsoever about concentrating on the "ghastly dew" aspect, and not for our benefit.

Now, to be sure, there is definitely such a thing as going overboard on space. We must be quite careful not to let our hopes and ambitions outrun our abilities, leading us to incredibly costly programs with little practical use or value.

The prominent historian Robert Conquest, writing in a recent issue of *Encounter* magazine, devoted several paragraphs to the question of "Why?" and "Where?" and "How?" surrounding space flight, and I wish to close this series with Mr. Conquest's observations. For myself, I make no special judgment on them, but I find them interesting and provocative. His remarks follow:

"In fact, arguments that the investment in space would have been better spent on other things are unsound on various grounds. The skilled scientists and technicians would have produced very little more food if they had been diverted to the plough: for it was all merely the investment of a certain amount of metal and a large amount of skilled labour. The argument that scientific research would have been better served by investment in other fields is more respectable.

It can in part be answered by saying that there is no actual shortage of food scientists or laboratories, or of cancer researchers and their equipment; by pointing to the spin-off from space techniques into the main body of industry; and by the actual direct effects on food production, such as that produced by satellite watch on the great fish shoals. Or more basically, that all research is valuable, and some costs more than others. (Apollo's expense cannot, of course, be judged for this trip alone.)

But there is more in it than the direct interest of the particular scientists. In the long run it will all probably be seen less for its immediate "scientific" effects than as a great cultural advance. Such perspectives are often misunderstood, even by skilled scientists. One great astronomer announced the impossibility of heavier-than-air flight at the beginning of the century. Another, 50 years later, said that space flight was impossible. We are only at the beginning of our knowledge, and those who deny the possibility of interstellar flight are speaking to the same brief.

The scientific culture has only been in existence for 300 years. What the next 300 or 3,000 years might bring (providing we do not destroy ourselves) cannot be foreseen. But it will certainly include movement in the wake of Apollo 8 out into the surprises of the universe. In a poem (it still turns up in anthologies) written before the first artificial satellite I said, and would repeat, as putting the point better than I could in prose:

Pure joy of knowledge rides as high as art.
The whole heart cannot keep alive on either.
Wills as of Drake and Shakespeare strike together;
Cultures turn rotten when they part.
True frontiers march with those in the mind's eye:
The white sound rising now to fury
In efflux from the hot venturi
As Earth's close down, gives us the endless sky."

TAX EXEMPTION ON CHARITABLE GIFTS

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. KEITH. Mr. Speaker, one of the issues currently being discussed by the House Ways and Means Committee con-

cerns the tax exempt status of charitable gifts to educational institutions.

Since private schools depend to such a large extent on endowment from private sources for their building and educational programs, the gift from the private donor should be considered more as an important investment than as simply a charity. As we all know after recent heated debate on the floor of the House on educational appropriations, the Federal Government already spends enormous amounts on public education.

Recognizing the place of the private educational institution in this country, I feel that every effort should be made to reduce the obstacles which might inhibit charitable institutions.

Mr. Speaker, knowing the interest of my colleagues in this issue, I would like to include in the RECORD letters from two college presidents who are deeply interested in the future of private education in the Commonwealth and the country:

SMITH COLLEGE,
Northampton, Mass., July 16, 1959.

Hon. HASTINGS KEITH,
House of Representatives,
Washington, D.C.

MY DEAR MR. KEITH: For anyone concerned with the financial good health and future of independent higher education the outcome of the present discussions in the Ways and Means Committee of the Congress concerning increased taxation on long-held, appreciated property is of critical importance. At a college like Smith the income from students has declined over the last decade from almost 80% of total income to less than 60% this year; income from endowment and annual giving must be continually increased to fill the gap. The alumnae and friends of the College are the greatest single source of help, and any fiscal policy which in effect discourages them from making substantial gifts either for endownment or annual operations represents a serious threat to any hopes such colleges may have from remaining financially independent.

Although the proportion of students in independent as compared with public institutions of higher education has been steadily declining in recent years, they still must represent upwards of 30% of the total. Deprived now of direct access to the tax dollar, the independent college has a particularly hard time in an inflationary period. Any fiscal policy which seriously theatens a large, growing, and critical portion of their revenues cannot help but force such institutions to seek to increase their income from state or federal sources to stay in business. And if such colleges and universities go out of business, the students they are now educating will fall entirely on the back of the already hard-pressed public sector.

For the Massachusetts delegation in the Congress, in whose state independent higher education represents one of the most important resources of the Commonwealth as well as the nation, the above arguments have a very special meaning.

Faithfully yours,
THOMAS C. MENDENHALL.

COLLEGE OF THE HOLY CROSS,
Worcester, Mass., July 23, 1969.

Hon. HASTINGS KEITH,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN KEITH: The College of the Holy Cross, a small liberal arts college in Massachusetts, has long been in the first ranks of the better liberal arts colleges in the nation. In order to continue its tradition of training the bright and responsible leaders the country so desperately needs, Holy Cross must seek increased financial support from its alumni and friends. Enactment of the tentative proposals of the House Ways and Means Committee will seriously threaten that support and the very existence of this fine institution.

The reasons are clear. The College's endowment is less than 6 million dollars. Plant funds needed for upkeep and improvement of the College are invaded annually to help meet rising operating expenses which last year were more than 10 million dollars. Since 1962 the net operating loss is $1,250,000, and a $400,000 net loss is projected this year. Tuition increases cannot keep pace with the cost of educating a student; yet, faculty salaries and research equipment and materials must be increased in order to provide for that student the excellent education which he will demand.

The alumni and friends of the College are ready to give us the necessary support. They responded to the 1967–1968 Annual Giving Program with a record of $537,000. During the first ten months of the 1968–1969 campaign, about $700,000 has been raised. Our donors make definite sacrifices through their gifts, because they realize the value of the type of education that Holy Cross offers. Is it unreasonable to expect the Government to share in those gifts?

I strongly urge that the following tax incentives be retained:

(1) the deduction for the fair market value of gifts of appreciated property with no capital gains tax on the appreciation. (Of the $700,000 contributed to Holy Cross Annual Giving so far this year about 30% represent gifts of appreciated property.);

(2) the present laws concerning deferred gifts—life income contracts, charitable remainder trusts, and charitable gifts annuities. (Holy Cross is beneficiary under seven charitable remainder trusts totaling almost $1,000,000, and awaits a charitable gift annuity of $100,000. As our donors become educated in the special benefits of deferred gifts, we expect this area to be our major source of giving.);

(3) no floor on deductibility of charitable gifts. Such a limitation would eliminate many of the gifts which Holy Cross now receives.

While urging the retention of these legitimate tax incentives, I strongly agree that tax abuses should be eliminated. I support the taxing of organizations on income received from debt-financed investments, and the extension of the unrelated business income tax to cover all organizations now exempt. Legitimate incentives, however, must be retained.

Please reconsider the consequences of the tentative proposals. Realizing that our donors and the donors of similar private institutions give because they recognize the vital need for a liberal education. Ask yourself what type of education has produced the leaders of today, and allow us to help produce the leaders of tomorrow. Eliminate tax abuses, but do not destroy the philosophy of concerned giving which the Government has always encouraged. I ask your support.

Sincerely yours,
REV. RAYMOND J. SWORDS, S.J.

"HERE BE DRAGONS"—WASHINGTON POST STYLE

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. BRAY. Mr. Speaker, a writer for the Washington, D.C., Post began his story in the Sunday, July 27, 1969, issue of that paper about Jack Benny's appearance in Indianapolis with the following paragraph:

INDIANAPOLIS, IND.—This is Middlesville, England, Flatland, a true midwestern city with a feeling of prairie and elbow room, where the tall buildings stick up lonesomely against the horizon like grain elevators and even in the heart of Meridian Street there are two-story Victorian houses with lawns, where parking costs 25 cents an hour and the event of the year is an automobile race and the people in the hotel lobbies are slickly urban but the ones out on the sidewalk have thick ears and heavy faces and friendly, unwondering eyes, and what in the world is a 75-year-old millionaire like Jack Benny doing at an open-air theater for a whole week in a place like this?

This was for openers. The rest of the story reeks with the same condescending, patronizing air, faintly but unmistakably insulting. This style of approach in certain pontificating east coast newspapers is not at all unusual. It is generally taken when the writer deals with anything west of the Hudson River. It is almost as if the writer being somewhat secluded in the East, has been out of touch, by chance or by choice, with the rest of the country.

I recall once reading about a cartographer of the Middle Ages who, when finishing his map, was left with a great blank space of unknown territory. Not knowing what to put there, he finally resolved the question by scrawling across the blank portion the phrase "Here Be Dragons."

It seems too many persons write of our own country when their knowledge is equally limited and does not go much beyond that available to Daniel Boone or Lewis and Clark. Afflicted with a rather weird type of provincialism all their own, their maps, too, have a large blank space labeled "Here Be Dragons." So they approach their subject matter accordingly, almost as if they preferred to use bad manners and invective to cover up their own ignorance of the locale of their story.

"Friendly, unwondering eyes." This much is correct; the eyes certainly are friendly. And, if by "unwondering," we mean absence of a hostile attitude toward strangers in their midst, then of course the eyes are "unwondering."

Affection for Jack Benny, one of the truly great and beloved public figures of our time, is not limited to one section of the country. It is just as strong in Indiana, as it is anywhere else.

But the story set me to thinking that probably, really, it is stronger in Indiana than it is in the writer. For affection and manners certainly go hand in hand, and no Hoosier would dream of being so rude to his guest as to use the man's public appearance as a cheap vehicle for venting his spleen on a place, and people.

MARYLAND SERVICEMEN KILLED IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. LONG of Maryland. Mr. Speaker, Lt. Col. Martin R. Beck, Pfc. Theodore E. Mangum, and Warrant Officer Stewart B. Goldberg, three fine young men from Maryland, were killed recently in Vietnam. I would like to commend their

courage and honor their memory by including the following article in the RECORD:

THREE SERVICEMEN FROM STATE LISTED KILLED IN VIETNAM

Three Maryland servicemen, a Special Forces lieutenant colonel, an Army warrant officer and a Marine private first class, have been killed in Vietnam, the Department of Defense announced yesterday.

Lt. Col. Martin R. Beck, 43, the husband of Mrs. Nancy L. Beck of Columbia, and Warrant Officer Stewart B. Goldberg, 21, the son of Mr. and Mrs. Albert B. Goldberg, of 3813 Bartwood road, Pikesville, were killed in separate helicopter crashes on July 24 and 25.

Pfc. Theodore E. Mangum, Jr., 18, the husband of Mrs. Christine Mangum, of 14526 New Hampshire avenue, Silver Spring, was killed July 27 near Da Nang while he was on a night patrol.

Colonel Beck, who was born in Baltimore, served with the 5th Special Forces Group. The Pentagon said he was an observer in a helicopter which was hovering close to the ground to fire at a Viet Cong target when a booby trap exploded, causing the helicopter to explode in mid-air.

Warrant Officer Goldberg died of burns on July 26, the day after the helicopter he piloted crashed while on a mission, the Pentagon said. His death was listed by the Defense Department as "not as a result of hostile action."

His parents said yesterday that the Forest Park High School graduate was on his second tour of duty in Vietnam, and had written them that he had already signed up for a third tour.

He attended Baltimore Junior College and joined the Civil Air Patrol, then enlisted in the Army in 1967.

He began his first tour in Vietnam in December, 1967, and flew 25 helicopter missions during his first week in the Far East. A week later he was awarded the Air Medal.

He returned to Baltimore in December, 1968, for a visit, but went back to Vietnam again a month later.

His father said yesterday that the young pilot had planned to return to college after leaving the Army, and study to become an aeronautical engineer.

Besides his parents, Warrant Officer Goldberg is survived by a sister, Miss Linda Goldberg, of Baltimore.

Colonel Beck was a 28-year service veteran who lied about his age to enlist in the Marine Corps after graduating from Forest Park High School in 1941, the Pentagon said.

He saw action in the Pacific islands in World War II, then went back to school after his discharge in 1945 and won an architecture degree from the University of Florida in 1951.

While in college he joined an Army Reserve Officer Training Corps program and received a commission as a second lieutenant.

He joined the Special Forces in 1956, and served in Europe from 1960 to 1968. He returned to the United States for an assignment at Fort Devens, Mass., and went to Vietnam in March of this year.

SON IN AT WEST POINT

He had also served in Korea, the Dominican Republic, and with the Military Assistance Command in Vietnam in 1964.

Colonel Beck had won the Bronze Star, Purple Heart, Combat Infantry Badge, Master Parachutist Badge, Joint Service Commendation Medal, Army Commendation Medal and Vietnam Service Medal.

Besides his wife, he is survived by his parents, Mr. and Mrs. S. E. Beck, of Towson; three children, Mrs. William C. Douglas, of Columbia, Martin R. Beck, Jr., a cadet at the United States Military Academy, and Mark T. Beck, also of Columbia.

He is also survived by two brothers, Howard Beck, of Baltimore, and Edward S. Beck, of Chicago, and a grandson.

Private Mangum graduated from Montgomery Blair High School in Silver Spring last June, and joined the Marine Corps "to get it over with," his wife, said yesterday.

MARRIED WHILE ON LEAVE

"He wanted to go in and get it over with," she said, "so he could plan what he wanted to do with the rest of his life. He wanted to be a Maryland state policeman, or go to college and become an FBI agent."

The young marine returned home last November after finishing boot camp and married his high school sweetheart, the former Christine Heyser.

Then he returned to the Marines for final training and was sent to Vietnam two months later.

Besides his 19-year-old wife, Private Mangum is survived by his parents, Mr. and Mrs. Theodore E. Mangum, Sr., of Beltsville, Md., two sisters, Miss Barbara Mangum and Miss Deborah Mangum; a brother, Thomas Mangum; a stepsister, Mrs. Sheila Moberly, and a stepbrother, William Jones.

SENATE—*Monday, August 4, 1969*

The Senate met at 12 o'clock noon and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, in whom we live and move and have our being, break in upon us as the dawn of a new day and the sunrise of new hope. While we strive to serve the people and at times we are unsure of the path we should follow, make us always sure of Thee. When the need is great, the work is hard, and the way is dark, shed Thy light upon our pathway that in Thy light we may see light. Make our lives incandescent with the spirit of the One who said "I am the light of the world" and so fulfill in us His commandment, "Let your light so shine before men that they may see your good works and glorify your Father which is in heaven," for it is in His holy name we pray. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, August 1, 1969, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the Legislative Calendar, under rule VIII, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 11 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 a.m. tomorrow.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR GRAVEL TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the prayer, the distinguished Senator from Alaska (Mr. GRAVEL) be recognized for not to exceed 40 minutes.

The PRESIDENT pro tempore. Is that for tomorrow?

Mr. MANSFIELD. Yes; and that would be before the controlled time begins.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

The PRESIDENT pro tempore. Without objection, the Senate will go into executive session.

The nominations on the Executive Calendar will be stated.

NATIONAL BUREAU OF STANDARDS

The bill clerk read the nomination of Lewis M. Branscomb, of Colorado, to be Director of the National Bureau of Standards.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The bill clerk proceeded to read sundry nominations to the St. Lawrence Seaway Development Corporation.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION AND COAST GUARD

The bill clerk proceeded to read sundry nominations in the Environmental Science Services Administration and the Coast Guard.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

A SUBPENA DUCES TECUM AND RESOLUTION REGARDING DANIEL B. BREWSTER

Mr. MANSFIELD. Mr. President, I submit a subpena duces tecum issued by the District Court for the District of Maryland to Robert A. Brenkworth, financial clerk, U.S. Senate, and I ask that it be read.

The PRESIDENT pro tempore. Does the majority leader wish to have the resolution or the subpena read?

Mr. MANSFIELD. The subpena.

The PRESIDENT pro tempore. The clerk will read the subpena.

The legislative clerk read as follows:

SUBPENA TO TESTIFY BEFORE GRAND JURY

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

To: Robert A. Brenkworth, Financial Clerk, United States Senate; business, Disbursing Office of the Senate, Rotunda, U.S. Capitol Building, Room S233, Washington, D.C.; residence, 14904 Claude Lane, Silver Spring, Maryland.

You are hereby commanded to appear in the United States District Court for the District of Maryland at 409 Post Office Building, Calvert and Fayette Sts., in the city of Baltimore on the 7th day of August 1969 at 10:00 o'clock A.M. to testify before the Grand Jury and bring with you all records in the custody, control or possession of, or which are the property of, the Disbursement Office of the United States Senate and/or the Financial Clerk of the United States Senate relating in any way, directly or indirectly, to any and all checks cashed by or on behalf of Daniel B. Brewster or Daniel Brewster at or through the Disbursing Office of the United States Senate or by or through the Financial Clerk of the United States Senate including but not limited to all checks, or microfilm copies of checks on which the name "Daniel Brewster" or "Daniel B. Brewster" appears as maker, or payee, or endorser or in any other capacity, and further including any memoranda of such transactions as have been above described in this subpena.

This subpena is issued on application of the United States of America.

Date August 1, 1969.

STEPHEN H. SACHS,
U.S. Attorney;

ALAN I. BARON,
Assistant U.S. Attorney;

PAUL R. SCHLITZ,
Clerk.

By CHARLOTTE MAE WILLIAMS,
Deputy Clerk.

Mr. MANSFIELD. Mr. President, I now submit a resolution for the information of the Senate and ask that it be read by the clerk.

The PRESIDENT pro tempore. The clerk will read the resolution.

The legislative clerk read as follows:

S. RES. 229

Resolution relating to a subpoena duces tecum directed to the Financial Clerk

Whereas a subpoena duces tecum issued on application of the United States of America addressed to and served upon Robert A. Brenkworth, Financial Clerk, United States Senate, directs him to appear in the city of Baltimore, Maryland, before a grand jury impaneled by the United States District Court for the District of Maryland on the seventh day of August, 1969, at 10:00 o'clock antemeridian, and to bring with him certain records in the possession and under the control of the Senate: Therefore be it

Resolved, That by the privileges of the Senate no evidence of a documentary character under the control and in the possession of the Senate can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession but by its permission; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the Senate is needful for use in any court of justice, before any judge, legal officer, or grand jury, for the promotion of justice, the Senate will take such order thereon as will promote the ends of justice consistently with the privileges and rights of the Senate; be it further

Resolved, That Robert A. Brenkworth, Financial Clerk of the Senate, be authorized to appear at the place and before the grand jury named in the subpoena duces tecum before mentioned, but shall not take with him any papers or documents on file in his office or under his control or in his possession as Financial Clerk of the Senate; be it further

Resolved, That when said court determines upon the materiality and the relevancy of the records called for in the subpoena duces tecum to the proceeding before the grand jury the said court, through any of its officers or agents, shall have full permission to attend with all proper parties to the proceeding at a place under the orders and control of the Senate, to take at such place copies of such records in possession or control of said Financial Clerk as the court has found to be material and relevant, and to take at such place such evidence of witnesses in respect to such records as the court or other proper officer thereof shall desire, except that (1) the possession of such records by the said Financial Clerk shall not be disturbed and such records shall not be removed from their file or custody under said Financial Clerk, and (2) no minutes or transcripts of any executive session or any evidence of witnesses with respect thereto may be disclosed or copied; be it further

Resolved, That subject to the limitations hereinbefore stated, said Financial Clerk is authorized to supply certified copies of such records as the court has found to be material and relevant to the proceeding before the grand jury; and be it further

Resolved, That a copy of these resolutions be transmitted to the said court as a respectful answer to the subpoena aforementioned.

Mr. MANSFIELD. Mr. President, this resolution is being submitted on behalf of the majority leader and the minority leader in conformity with the custom of the Senate. We ask for its immediate consideration.

The PRESIDENT pro tempore. Without objection, the resolution will be considered by the Senate at this time; and, without objection, the resolution is now before the Senate.

Mr. DIRKSEN. Mr. President, as the distinguished majority leader has pointed out, this is the customary resolution that has always been used by the Senate, and we maintain inviolate the rule that none of these documents can be taken from the possession of the Senate or taken away from here. However, if there is a finding that the evidence involved is material for grand jury and other purposes, and if it is relevant, the disbursing officer does have a Recordak machine, and he can run through and picture whatever checks may be involved so that they can be seen. I presume that, within the four corners of the resolution, probably Xerox copies might well be made and the original documents kept here. But it will satisfy the purposes of justice and is responsive to the subpena duces tecum.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CONGESTION AT NATIONAL AIRPORT

Mr. SPONG. Mr. President, when the Civil Aeronautics Board announced it would look into the problem of congestion at National Airport, there were those sanguine enough to think something might come out of it. It was certainly a better prospect than relying on the timid and largely fruitless efforts of the Federal Aviation Administration to put sensible limits on the use of that facility.

Unfortunately, no one fully reckoned with the force of bureaucratic inertia. It has been more than 2 years since the investigation was announced and it still has not gotten off the ground with a formal hearing.

A major factor in this delay has been the FAA, which understandably does not like the idea of another Government body looking into its affairs. Thus, the Department of Transportation asked some time ago for a hold on the investi-

gation while it tried again to find a solution to the problem—this time through the application of its high-density airport traffic rules.

Mr. President, these rules are designed to limit the number of flights at the Nation's busiest airports, including National. However, because National was already under restrictions of this kind, the new rules made no change in the number of flights per hour. It remains what it has been for some time—40 per hour.

When asked about this apparent contradiction at a hearing of the Senate District of Columbia Committee, Mr. Arven Saunders of the FAA conceded the new rules would make little if any change at National either in regard to air carrier operations or number of passengers.

Subsequently, I wrote to Secretary of Transportation Volpe to ask whether I could infer from what was said at that hearing that the Department no longer had reason for delaying the CAB investigation. I have since received a reply in a letter signed by Acting Secretary of Transportation James M. Beggs.

Incredibly, the Department's reply was that it not only would not withdraw its request for a delay in the hearing, but that it intended to ask the CAB to cancel it altogether. I quote from Mr. Beggs' letter:

> For a time we believed that the CAB Washington-Baltimore Airport Investigation should be delayed until we could determine the effect of the High Density Traffic Airport Rule on operations at Washington National Airport. It now appears that the rule and the earlier voluntary quota system have contained congestion at the airport. In any case, the rule provides a mechanism for further reducing operations at the airport, should that action be necessary. Further, the Department believes that the studies discussed in the answer to question 1 may well yield a better mechanism for the planning and operation of the three airports; and that such mechanism might better effect the objectives of the investigation than CAB action. Accordingly, we believe that the Washington-Baltimore Investigation should be discontinued. We plan to so recommend to the CAB Examiner hearing the case.

Mr. President, this assertion by the Department that congestion at the airport has been "contained" comes as a surprise to the residents of this area and the users of the airport. It also comes with no explanation of how it was accomplished—by a rule which admittedly makes no difference in the number of flights or the number of passengers using the airport?

Moreover, the assertion follows an announcement by the FAA that in the month of May more passengers used National Airport than at any time in its history. The total number of passengers served was 928,384 representing an increase of 8.2 percent over May of last year. In 1 month, National served about half the number of passengers which will be handled by Dulles Airport in a year.

Mr. President, since preparation of this speech, I have received later figures which show that passenger traffic at National Airport in June of this year surpassed the record figure of May by more than 5,000. Thus, June of 1969 has become National's busiest month in history. I would predict that this figure, too, will be surpassed, as congestion at National continues to grow. These new figures show that, during this past June—7 years after the completion of Dulles Airport—National served almost 4½ times the number of passengers served by Dulles. During the past fiscal year passenger traffic at National was five times greater than at Dulles.

The reported figures at National are: 942,964 passengers during June and 10,051,906 during the last fiscal year. At Dulles the comparable figures are: 218,241 in June and 2,006,374 during the fiscal year.

Mr. President, these new figures indicate that there has never been a greater need to seek reduction of traffic at National and increased use of Dulles. National Airport will go on being a source of noise, pollution, and congestion for this area unless we take the steps necessary to limit the flights of passengers. I think the facts are clear that this has not been done. Based on the Department of Transportation's letter, I seriously doubt whether the Department ever intends to take action.

The studies referred to in Mr. Beggs' letter concern ways of bringing a regional perspective to the planning and operation of the three airports in this area. How long these studies will go on, and what changes they might bring, we do not know. What we do know is that the Department intends to move ahead with its plans for the improvement and expansion of National Airport, without regard to the findings of these studies or the needs of all three regional airports or, in fact, the best interest of the metropolitan area.

The Department has it within its power now to reduce the congestion at National by diverting flights and passengers to Dulles. Until it gives some assurance that it will do that, the people of this area have no choice but to ask the CAB to use its power of certification to meet the problem.

Accordingly, I have sent a letter to the Chairman of the CAB urging him in the strongest terms to schedule a formal hearing on this question at the earliest possible date. I also intend to bring the matter to the attention of fellow members of the Senate District of Columbia Committee and the Commerce Committee and to recommend additional courses of action.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of my letter to Secretary Volpe and the Department's reply.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JUNE 2, 1969.

Hon. JOHN A. VOLPE,
Secretary of Transportation,
Washington, D.C.

DEAR MR. SECRETARY: I am sorry you were unable to attend the hearing at Dulles Airport, but I hope you are feeling better now.

As I indicated to you in my letter of May 16, there are several policy matters affecting the future of National and Dulles Airports which Committee members are anxious to have clarified. It would be most helpful if you would respond to the following questions in a letter which could be made part of the official hearing record.

It is the Department's view that National, Dulles and Friendship Airports constitute a regional airport system and that planning should be done on a regional basis?

Would the Department agree that there should be a study of priorities and cost-benefit values to determine how a given sum of money can best be used in meeting the airport needs of the region before improvements are made at any one airport?

Has such a cost-benefit study been made or does the Department intend to make such a study before recommending major improvements at National Airport?

At the Committee's first hearing, Chairman John Crooker of the Civil Aeronautics Board testified that the Department had requested a delay in formal hearings into the question of congestion at Washington area airports until it could evaluate the effects of its new high density traffic airport rules. However, Mr. Arven Saunders later told the Committee that these new rules would make little if any change at National either in regard to air carrier operations or number of passengers. Can it be inferred from this that the Department no longer has reason for delaying this important investigation?

If the Department has some other reason for asking for a delay in the CAB investigation, would you tell the Committee what that reason is, and when the Department expects to have the matter resolved? Specifically, is this other policy matter the Kling Report on the improvement of National Airport?

What is the Department's view with regard to the early construction of a subway link between Dulles Airport and the main metro system? Would the Department recommend including funds for such an airport line in the subway authorization bill now before the Congress?

Your answers to these questions will greatly assist the Committee in its deliberations.

Sincerely,

WILLIAM B. SPONG, Jr.

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., July 25, 1969.

Hon. WILLIAM B. SPONG., Jr.,
Subcommittee on Business and Commerce of the Committee on the District of Columbia, Washington, D.C.

DEAR SENATOR SPONG: This in further reply to your letter of June 2, 1969. You asked us to respond for the Committee hearing record to six questions on policy matters affecting the future of Washington National and Dulles International Airports which the Committee members wish to have clarified. As requested by the Committee Staff, we have separately responded to the last question in your letter. Our responses to the remaining five questions are as follows:

You ask "Is it the Department's view that National, Dulles and Friendship Airports constitute a regional airport system and that planning should be done on a regional basis?"

We believe that the three major airports in the Washington, D.C.-Baltimore, Maryland area should be viewed as a regional airport system. We also believe that the area would benefit if the three airports could be more efficiently planned and operated on a regional basis, giving full consideration to the comprehensive planning objectives of the metropolitan region. To this end, studies are now underway within the Department to determine how this could be accomplished and efficiently implemented.

You ask "Would the Department agree that there should be a study of priorities and cost-benefit values to determine how a given sum of money can best be used in

meeting the airport needs of the region before improvements are made at any one airport?"

When we complete the studies mentioned in the answer to question 1, we will be in a position to present for Congressional consideration our conclusions and recommendations concerning the planning and operation of the three airports. Since each of the airports is now an indispensable element in our national air transportation system, however, we believe each should be improved and maintained to the extent necessary to ensure operational safety and efficiency. We must observe that the Department now has authority to directly fund improvements at the two National Capital Airports, and our study of priorities and investment alternatives has dealt only with those airports.

You ask "Has such a cost-benefit study been made or does the Department intend to make such a study before recommending major improvements at National Airport?"

While the Department has not made the comprehensive study of the three airports described in question 2, we have stated that we believe all three of the airports serving the area need improvements. The proposals to modernize Washington National Airport are based on an economic feasibility study. As indicated in our answer to question 2, we have stated our belief that whatever is done about planning and operation of the three airports, Washington National Airport will be in need of improvement.

You ask "At the Committee's first hearing, Chairman John Crooker of the Civil Aeronautics Board testified that the Department had requested a delay in formal hearings into the question of congestion at Washington area airports until it could evaluate the effect of its new high density traffic airport rules. However, Mr. Arven Saunders later told the Committee that these new rules would make little if any change at National either in regard to air carrier operations or number of passengers. Can it be inferred from this that the Department no longer has reason for delaying this important investigation?"

For a time we believed that the CAB Washington-Baltimore Airport Investigation should be delayed until we could determine the effect of the High Density Traffic Airport Rule on operations at Washington National Airport. It now appears that the rule and the earlier voluntary quota system have contained congestion at the airport. In any case, the rule provides a mechanism for further reducing operations at the airport, should that action be necessary. Further, the Department believes that the studies discussed in the answer to question 1 may well yield a better mechanism for the planning and operation of the three airports; and that such mechanism might better effect the objectives of the investigation than CAB action. Accordingly, we believe that the Washington-Baltimore Airport Investigation should be discontinued. We plan to so recommend to the CAB Examiner hearing the case.

Finally, you ask "If the Department has some other reason for asking for a delay in the CAB investigation, would you tell the Committee what that reason is, and when the Department expects to have the matter resolved? Specifically, is this other policy matter the Kling Report on the improvement of National Airport?"

The Department has had no reason for requesting a delay in the CAB investigation other than that described in the answer to question 4. Specifically, the Kling Report on the improvement of National Airport has not been the reason for our asking for a delay in the CAB investigation since its release.

We hope that these answers to your policy questions will benefit the Committee in its hearings respecting the Utilization and Future of the Three Major Airports in the Washington, D.C.-Baltimore Area. Please do not hesitate to contact the Department if we can further assist the Committee.

Sincerely,

JAMES M. BEGGS,
Acting.

Mr. BYRD of Virginia. Mr. President, will my colleague yield to me?

Mr. SPONG. I am happy to yield to my distinguished colleague.

Mr. BYRD of Virginia. Mr. President, I concur in the statement just made by my distinguished colleague from Virginia as to the need to reduce the heavy traffic at National Airport. It seems to me that an airport that was designed to accommodate 4 million passengers a year, and which is now carrying 10 million passengers a year, presents quite a traffic hazard. I feel it is important that many of the flights be shifted from National Airport—thus reducing the congestion there—to Dulles Airport, which is an underutilized facility with the capacity to become the greatest airport in the world.

Thus, I concur in the assertions of my distinguished colleague as to the need for reduction of congestion at National Airport.

Mr. SPONG. I appreciate very much the remarks of my senior colleague from Virginia.

THE VIETNAM WAR

Mr. ERVIN. Mr. President, the Washington Post of August 2, 1969, published a column by William S. White entitled "Nixon's Trip Just Compounds Disputes Over Vietnam War." In this column, a wise commentator makes some thoughtful comments upon the President's trip and the Vietnam war.

I ask unanimous consent to have this column printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NIXON'S TRIP JUST COMPOUNDS DISPUTES OVER VIETNAM WAR

(By William S. White)

The realistic verdict on President Nixon's Asian mission must be that he has compounded, rather than reduced, his basic problems over Vietnam.

He has first pleased, only then to enrage, the American home-front doves, and those abroad, too, for that matter. He returns to Washington, moreover, compelled to face the bleak truth that his hard-core support for a firm posture on the war has itself been shaken, to some degree even within his own administration.

The soft-liners were enchanted by what were in fact very careful and limited presidential suggestions at Guam, early in the trip, that the American military presence in Asia would be steadily—but never recklessly—scaled down. Characteristically, and perhaps also only humanly, they chose to interpret all this for what the President never meant—the beginning of a wholesale, emotional retreat from our Asian responsibilities.

Then, they reacted furiously against presidential statements in Thailand and Saigon which amounted to pledges that the United States is simply not going to abandon its treaty obligations, its military commitment to South Vietnam and to the anti-communist South Vietnamese government of President Thieu.

The hard-liners, for their part, were made disconsolate and deeply troubled by the comments at Guam and then somewhat—but only somewhat—reassured by the strong line the President took in Thailand and Vietnam.

What it all proves all over again is the tiresome but unalterable reality that there is at the end no way out of Vietnam except for ultimate American surrender on the one hand or, on the other hand, for the application to a stubborn and arrogant enemy of unstinted American military power until a tolerable if imperfect solution can at last be attained.

Beyond this, the mission has established the wisdom of Mr. Nixon's own general view—departed from in this instance—that presidential journeys having in the popular mind something of the tone and color of "summit conferences" should never be undertaken unless and until successes for American diplomacy are more or less guaranteed in advance. Too much was inevitably expected by too many of this journey.

So the central actuality with which the President must now grapple is that his sustained efforts to placate the doves have led him into both a short-run difficulty that tends to upset both doves and hawks and a long-run peril of far more profound meaning. This later danger is that his true and final purposes may be misapprehended on both sides.

So much has been said and written of public frustrations that the present cliche insists that "everybody" in this country is "sick and tired of the war" and thus that the President simply must "get us out of it," at whatever cost to the national position in this world, before this or that election rolls around. The trouble with this is that it is in the first place a gross oversimplification. The undoubted public weariness with the war is felt as much by hawks who want more military action as by doves who want none; and this is one thing.

Quite another thing is any notion that the people will long reward or even tolerate any American administration that actually surrenders our sword in any war. For let this, the world's greatest power, actually accept a humiliating defeat, however dressed up, from a tin-pot and fifth-rate Communist state and the sentimental cheering certain at first to be heard "when the boys come home" will within months turn to a deep national growl of disillusion and rage. This will make the initial happy cries sound like a single piccolo beating against the thunder of a thousand bass drums.

In a word, there is a short-term view of this wretched affair that is so preoccupied with instant public approval as wholly to underrate the ultimate consequences of what would surely be a most evanescent national mood of rejoicing. And some of the President's advisers are pushing and will push this view of what might be called the happiness boys.

Then there is a long-term view which realizes that it is not the score in the early innings but rather the score when the game is all finished that alone determines the outcomes of both wars and presidential elections. And some of the President's advisers are pushing and will push this view.

He returns, in other words, to make a choice between the short view and the long view; and for this task the journey has done no good. This columnist, as a card-carrying hawk, has no doubt where the President will stand at last—but a man does get a little nervous sometimes.

SUPPORT FOR CONSTITUTIONAL CONVENTION LEGISLATION

Mr. ERVIN. Mr. President, a few days ago the Subcommittee on Separation of Powers of the Judiciary Committee approved and ordered reported to the full committee S. 623, a bill I

first introduced in 1967 to provide much needed procedural guidelines for a constitutional convention to consider amendments to the U.S. Constitution should one be invoked by petitions from the States.

As the country now knows, such a convention is no longer an improbable theoretical event, but a very real possibility. Thirty-three States have already submitted petitions for a convention to consider amendments on reapportionment. Under the Constitution, petitions from two-thirds of the States—or 34—are required for a convention to be called. Although news reports indicate that Wisconsin, which is the most likely candidate for No. 34, has postponed action until the fall, the possibility of a convention in the near future is still very much alive.

The legislation reported by the subcommittee has from the very start attempted to be as neutral as possible with respect to its effect on the very controversial reapportionment issue. The subcommittee's bill seeks neither to facilitate a convention on reapportionment nor to lay so many obstacles in its path that one would be impossible. The approach of neutrality is in line with what the subcommittee and I believe to be the obligation of Congress under article V; that is, to prepare machinery for the effectuation of this portion of the Constitution so as to make it a possible, however improbable, method of constitutional amendment. The bill has been drawn to meet not only the immediate needs of the country, but also to serve as the direction for the Congress and the States in the future, when the convention route of proposing amendments might serve liberal as well as conservative political interests.

The neutrality of the bill is demonstrated by the wide support it has received from the partisans on both sides of the reapportionment controversy. Senator DIRKSEN, the leading proponent of reapportionment amendment, is a member of the subcommittee, and he has approved the bill. The Washington Post and the New York Times, both ardent opponents of any change in the Supreme Court rulings on reapportionment, have also supported it. This is proof that the legislation favors neither side—and it is proof that both sides of the reapportionment issue recognize the overriding need to adopt the bill with the least possibly delay. I sincerely hope that prompt and favorable action will be taken on it.

I ask unanimous consent that a number of editorials recognizing the urgent need for this legislation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Feb. 4, 1969]

BACK-DOOR AMENDING PROCESS

The threat of a new constitutional convention called by the states may not be very grave, but the fact that such a threat exists at all is cause for vigilance and effective counteraction. Senator Dirksen has indicated that he is still eager to press his proposed amendments to the Constitution to allow prayers in the schools and apportionment of one house of the state legislatures on various other criteria in addition to population. Since neither proposal can muster a two-thirds vote of Congress, he wants to invoke the never-used device of a constitutional convention called by two-thirds of the states.

In our view this sleeper in the Constitution should never be used. The threat to use it appears to have been influential on one occasion in inducing the Senate to accept the amendment for the popular election of Senators. But in general amendments to the basic law ought to have the approval of two-thirds of the Senate and House before being submitted to the states for ratification.

The first line of defense against a constitutional convention initiated by the states lies in the states themselves. Though 32 states had petitioned for such a gathering when excitement was running high over the Supreme Court's reapportionment decisions, there are indications that some of these resolutions may be rescinded by legislatures meeting this year. Newly reapportioned legislatures are less concerned than their predecessors about a return to the old structure, and they have reason to fear the outcome of a possibly unrestrained revision of the Constitution.

The second line of defense lies in Congress. Some members believe that Congress would not have to call the proposed convention even if petitions should come in from two-thirds of the states. Others who read the word "shall" in Article V in a more literal sense are trying to lay down rules that both the states and Congress would have to comply with in utilizing the rusty state-initiated convention device. Senator Ervin has introduced a revised bill which would greatly reduce the dangers of any wholesale constitutional revision by this means.

The Ervin bill would require states seeking to invoke Article V to state the nature of the amendment or amendments proposed. A resolution for that purpose would have to be passed by the regular lawmaking processes, except for the Governor's signature. Then it would be sent promptly to both houses of Congress, where it would be widely publicized to avoid the dangers of a sneak campaign. Such resolutions would remain effective for only four years, and could be rescinded any time before two-thirds of the states have joined in the petition. But Congress would decide whether the state resolutions were valid and confined to the same subject or subjects.

If a constitutional convention were called by this method, the states would have to elect their delegates—equal in number to their Senators and Representatives. Congress would specify the problems to be considered by the convention, and if the proposed amendments emerging from the convention did not conform to the congressional limitations they would not be submitted to the states for ratification. With these guidelines on the statute books, the risk of a runaway convention would probably be gone, although other powerful arguments against using the back-door amending process would remain.

[From the Washington (D.C.) Post, April 12, 1969]

CONSTITUTIONAL CONVENTION BILL

The Iowa Senate did not create much of a stir the other day when it passed a proposal for a national constitutional convention, although (if the House should concur) Iowa would be the 33d state taking such action. If 34 states join in this petition, it is widely assumed that Congress would have to call such a convention. And some people fear that a convention initiated solely by the states might abolish the Bill of Rights, create an elected Supreme Court and critically curb the powers of the Federal Government.

This venture aroused a great deal of alarm two years ago when the 32d state resolution was passed. Since then much of the steam has gone out of both the drive for a constitutional convention and the opposition to it. One reason for this is the careful work done by Sen. Sam J. Ervin Jr., which makes it evident that Congress would not need to call a wide-open convention even if two-thirds of the states should seek constitutional changes under the unused portion of Article V.

Another factor is the passage of time. The first petitions to Congress to call a constitutional convention came from 12 states in 1963. The purpose behind them was to deny the Federal courts jurisdiction over state legislative apportionment cases. Most of the petitions since then have asked for a convention to propose an amendment which would permit one house of a state legislature to be apportioned by some standard other than population. Are the two groups sufficiently related to be joined together into a single demand upon Congress? Another question must be raised about the validity of four petitions which apparently have not been received by Congress. Then there is the question as to whether the early petitions are still valid six years after they were voted. Under the terms of the Ervin bill designed to guide the submission of such petitions, they would remain in effect only four years.

Whether or not 34 petitions are ultimately received Congress ought to take up the Ervin bill at the first opportunity. It would tell the states how to proceed in petitioning for a constitutional convention and how to elect their delegates if such a convention should be called. It would make Congress the sole judge of whether the states had complied with the requirements in any instance. More important, it would confine the convention to the specific problem raised in the state petitions and the congressional call and give Congress discretion to kill any proposed amendment on other subjects by not submitting it to the states for final ratification.

In our view this safety valve is both proper and essential. Senator Ervin has noted that when the framers adopted two methods of amending the Constitution, one to be invoked by Congress and the other by the states, they did not intend to make one superior to the other. They did not invite the states to junk the Constitution and write a new one in a convention called by themselves. Both Madison and Hamilton make clear that the conventions which the states might initiate were intended for the proposal of specific amendments only.

We think Congress would be well within its rights in passing a law to implement this understanding. If it does so, most of the fear that has been associated with state-initiated conventions will evaporate. As a matter of policy it is infinitely better for constitutional amendments to be approved first by Congress and then ratified by the states, so that the will of the Nation as well as that of the states will be expressed. But as long as an alternative amendment procedure remains in the Constitution, and it is not likely to be repealed, Congress has an obligation to provide sensible guidelines for its use and not to risk a constitutional crisis after petitions from two-thirds of the states have been laid at its door. This would be a good bill for Congress to get to work on while it is complaining that it has nothing to do.

[From the Washington (D.C.) Post, June 21, 1969]

GUIDELINES FOR A CONSTITUTIONAL CONVENTION

Congress has waited until the eleventh hour to face the problem of a possible constitutional convention called by the states. When a Senate subcommittee reported out a bill the other day to guide such ventures, 33 of the 50 states were on record as having approved a convention to deal with legisla-

tive reapportionment. Affirmative action by one more state legislature would, according to some views, require Congress to summon a convention under the terms of Article 5. But there are no rules whatever on the books as to how such a convention should be called or how it should operate.

At last the Judiciary Subcommittee on Separation of Powers has offered such rules, and Congress should lose no time in making them effective. No doubt the proposed rules would require many of the states to start over again in calling for a convention, but that is unavoidable. It would be quite intolerable to allow a convention to assemble under this heretofore dormant provision of the Constitution with no requirements as to how it should be constituted or as to what its limitations and responsibilities would be.

The chief provision of Senator Ervin's bill which the Subcommittee approved is designed to prevent a wide-open convention which might seek to rewrite the entire Constitution. Petitions to Congress for a convention would have to be related to a specific issue or issues, and Congress in turn would specify in making the call the nature of the amendment or amendments to be considered. The delegates would be required to take an oath that they would not propose or vote on any extraneous issue, and if they should approve a constitutional amendment outside the scope of their authority Congress could refuse to send it to the states for ratification.

This seems to us a wholly legitimate means of restricting proposed changes to the status of "amendments," as the Founding Fathers provided. There should be no question at this stage in our history of starting out afresh with a wholly new constitution initiated by the states without even the approval of Congress.

One provision of the Ervin bill, however, was broadened unreasonably. As introduced this year, the bill would have allowed the states only four years in which to petition for a constitutional convention. An amendment approved by the Subcommittee stretched this to seven. If there is really a burning issue on which the states feel they must seek an amendment, they should be able to make up their minds in less than seven years.

We hope that both the Senate and House will give early attention to these guidelines in order to avoid the chaos that otherwise may be unloaded on Capitol Hill at any time.

[From the New York Times, June 16, 1969]

MR. DIRKSEN'S TIME BOMB

After six years, Congress has at last become aware of the time bomb set off by Senator Dirksen of Illinois in his effort to erase a decision of the Supreme Court.

Unable to persuade his colleagues to adopt a Constitutional amendment that would have allowed states to elect one house of their legislatures on a basis other than population, Mr. Dirksen in 1962 launched a campaign for a constitutional convention to be called by the states for that purpose. Of the 34 required to force such convention, the like of which has not been seen since the one in 1787, 33 states have now voted to make the necessary application.

Faced with the possibility that such a convention could, in the absence of prior legislative restraint, act to undo the entire Constitution, a Senate Judiciary subcommittee has just voted to recommend drastic limitations. To prevent a runaway convention, the subcommittee under Senator Ervin of North Carolina would confine such conventions to the subject or subjects specifically stated in the applications. The bill must pass if, in Senator Ervin's words, "we are to avoid the threat of a major constitutional crisis in the very near future."

There is always the chance, of course, that the 34th state will not come through or that the applications of some of the states will be found to be irregular—partly on the ground that the very legislatures voting them were malapportioned. But the risk is far too great that Mr. Dirksen's plan will succeed mechanically and then proceed to yield more mischief than anyone could have foreseen, even including Senator Dirksen. In any case, if his interest is solely in getting the Court's opinion reviewed by a higher body—the citizens of the United States in convention assembled—he should be willing to support the Ervin proposal.

A Constitution that has stood the tests of nearly two centuries may need amending from time to time, but it must not be laid open for random surgery, casually and for reasons that suggest political maneuvering rather than political philosophy.

[From the Houston (Tex.) Post, July 6, 1969]

CONVENTION LAW IS NEEDED

There is a good chance that nothing actually will come of the effort to force the calling by Congress of a national constitutional convention, the first since 1787, for the asserted purpose of restricting the one-man, one-vote requirement of the federal Constitution as it now stands.

This is true even though the legislatures of 33 states at various times have approved petitions of some kind, and there always is the chance that 34 will join the procession to make the needed two-thirds of the 50 states.

There are so many legal questions involved, which presumably would have to be resolved in each case by the Supreme Court, that the possibility of a convention's ever being assembled are remote. While Wisconsin legislators recently debated whether that state should become the 34th petitioner, a three-judge federal court began hearings on whether or not Utah's petition was valid and the House of Representatives of the Illinois legislature voted to remove that state from the list of petitioners.

On the other hand, an effort in the recent regular session of the Texas Legislature to get rescinded a petition approved by a previous Legislature in 1967 did not succeed.

Although the Constitution provides that it can be amended by the convention method, no such convention has ever been held since the Constitution was adopted. And there are no statutes on the books to govern the procedures for implementing this method of amending the nation's fundamental law.

There is nothing to keep any such convention, once assembled, from going hog wild and attempting to rewrite the entire Constitution. In the absence of any such restraints, Congress would be endangering the nation's entire system of government and the Constitution it is sworn to uphold if it should call such a convention.

Even if it is unlikely that a national constitutional convention will be called in the foreseeable future, it still would be wise for Congress to enact legislation spelling out requirements for implementing the constitutional provision that permits the convention method of amendment, if it is to be left in the Constitution, and there are good reasons for doing so.

Any law should fix clearly the procedures to be followed in getting a convention of this kind assembled, and it should impose restrictions on what the delegates would be able to do once convened.

Sen. Sam J. Ervin, Jr. of North Carolina has proposed a measure along these lines, and it has been approved by a Senate Judiciary subcommittee. It provides that the petitions must be limited to a specific issue or issues, and the scope of the convention's authority would be limited accordingly. Moreover, the petitions would have to be filed within a specific period.

Whether or not Sen. Ervin's bill is entirely satisfactory is less important than the fact that it is a step toward filling a rather glaring gap in existing laws. The bill can be amended, of course, and made acceptable if it is not.

The current effort to force a convention on the part of politicians and others interested in limiting application of the one-man, one-vote principle at least has spotlighted the lack of statutory rules for dealing with situations of this kind, and that may prove to be constructive even if nothing else about the movement is.

It is hard to understand why the needed law has not been enacted in the past. Perhaps it has been the difficulty of getting a consensus on what the rules should provide.

But reason would seem to dictate that legislation be enacted to cover implementation of the constitutional provision, or else the provision should be removed from the nation's basic law.

[From the Grand Rapids (Mich.) Press, July 9, 1969]

LOCK THE DOOR NOW

A minimum of 34 states must act to call a federal constitutional convention. At this point in time 33 state legislatures have voted to call a convention to consider the Dirksen amendment, which is intended to undo the Supreme Court's one man, one vote decision in apportioning legislative bodies. Two more legislatures even now are weighing whether they want to take similar action. At the same time, the Illinois legislature is debating whether it can or should withdraw its vote for a convention.

At this juncture, therefore no one knows what the fate of the convention proposal will be. Or whether the Illinois Legislature can rescind the action taken by an earlier legislature. But Congress finally is awakening to the fact that constitutional chaos may be ahead unless preventive action is taken. A Senate Judiciary subcommittee, headed by Sen. Sam Ervin, a recognized constitutional authority, has recommended that severe limitations be imposed on any constitutional convention that might be called.

Specifically, it has proposed that if a convention is to be called to consider the Dirksen amendment it should be restricted to considering only that question. The reason for this proposal is that it is widely believed that unless a convention should be so restricted it could undertake to rewrite the entire Constitution. Ervin's view that a constitutional crisis could develop if restrictions were not imposed is scarcely debatable.

Regardless of what happens this year with respect to the Dirksen amendment, Congress should proceed promptly along the lines of the Ervin proposal. It can't know when the country may need some such measure to prevent a mass assault on the Constitution. And it could happen anytime now.

[From the Columbia (S.C.) State, June 25, 1969]

ERVIN'S SENSIBLE RULES

At long last, a Senate Judiciary subcommittee has approved a set of rules governing constitutional conventions. Since no such assembly has convened since the original one in 1787, it might be supposed that no great emergency exists. But this is not the case. Thirty-three states have issued convention calls—one shy of the number specified in Article V of the Constitution.

Assuming that the needed convention call comes, what next? The truth is no one is sure. Article V sets up the machinery for calling a convention to propose amendments and, having done that, lets the matter drop. With one specific exception, the convention presumably would have unrestricted authority to rewrite the national charter. Article V provides that no amendment can deny any

state of "equal suffrage in the Senate." Otherwise, it bars no holds.

By reason of this nearly unlimited authority, Congress historically has viewed convention calls with alarm. On several occasions, when it seemed likely that the necessary two-thirds of the state legislatures would call for a convention, Congress has rushed forward to propose amendments of its own. Until now, timely congressional action has prevented the convention process from coming to a boil.

This time, Congress failed to respond. One by one, state legislatures slowly applied for a constitutional convention to deal with legislative reapportionment. Specifically, they had in mind an amendment to reverse the Supreme Court's "one-man, one-vote" rule, and Congress hesitated to trifle with the court.

The result has been an accumulation of convention calls from the states. And, as the total drew nearer to the number required for a convention, so did the likelihood increase that the nation might be pitched into a first-class constitutional brawl—with two-thirds of the states insisting on a convention and Congress, contemplating the uncertainties, engaged in a mad scramble to come up with some technicality whereby to circumvent the supreme law of the land.

It was to prevent just such an occurrence that Sen. Sam Ervin of North Carolina proposed a set of ground rules defining the authority of constitutional conventions. Under the Ervin proposal, conventions would be restricted to specific amendments—those mentioned in the applications of the states. In addition, the states would have only seven years to propose a national convention. After this period, any convention movement would have to begin anew.

These are sensible requirements, well within the intent of the Framers. If adopted, the Ervin plan would do away with the objections to a constitutional convention and, as a result, actually make convention calls easier. This would restore to the states and the people a greater role in the amendment process, which until now has been monopolized by Congress, with the states having only a veto power over Congressionally initiated amendments.

Most important of all, the proposed rules would head off the constitutional crisis so far averted by a hair's breadth. Now that the guidelines have been put in final form by a Senate subcommittee, Congress should hurry them to the floor. Unless it comes this session, congressional action may very well come too late.

[From the Rhinebeck (N.Y.) Gazette, Jan. 12, 1969]

LID ON PANDORA'S BOX

There is now a fair possibility that, in spite of warnings as to the Pandora's Box that would be opened if Congress were forced to call a constitutional convention, this may happen. A two-thirds vote of the states is required. As matters stand, 32 of the necessary 34 have already applied for such a convention to take up the matter of an amendment to override the Supreme Court's one man-one vote rulings on legislative apportionment.

The prospect of a convention call is serious enough to have prompted Senator Ervin of North Carolina to introduce a bill fixing ground rules for such an assembly. The need for this is evident, since Article V of the Constitution offers no guidelines and since there are no clear precedents of any kind.

The most obstrusive danger is that, once a convention were called, there would be no constitutional restriction on what might be discussed. Debate would not be confined to the proposed amendment for whose enactment the several legislatures have applied. At present there is nothing in the law to prevent a general revision of the Constitution, with all the potential hazards involved in such a move.

Ervin's bill provides that such a convention could propose only amendments related to the specific subject of state applications. This is a vital safeguard. An even better safeguard would be for the remaining states to recognize the perils in this unprecedented course and decline to add their voice to the call.

U.S. WHEAT CRISIS

Mr. MILLER. Mr. President, the world wheat situation has now turned into a crisis of chaotic proportions. a condition of which I have been repeatedly warning ever since the Senate, over my opposition, ratified the International Grains Arrangement. The facts are these: World wheat trade has shrunk 30 percent during the past 12 months due largely to the International Grains Arrangement, which forced the United States to tax its wheat exports by specifying increased world wheat trading prices. Not only has this encouraged foreign wheat production to abnormal levels, particularly in other exporting nations, but because of technicalities contained in the fine print of the agreement, the United States does not compete effectively in any market of the world against French and Australian wheat. This results in a drastic loss of business, a reduction in foreign exchange earnings, piling up surpluses, and most importantly, a depression in the farm wheat economy. Domestic farm wheat prices recently went to a 27-year record low.

The reason is this:

The United States now taxes exports of Hard Winter ordinary wheat by 20 cents per bushel at Gulf ports. The ECC currently pays a subsidy of about $1.67 per bushel to export wheat. The U.S. export price last Thursday, July 31, f.o.b. gulf ports was $1.55 per bushel, while on the same day the equivalent computed price for EEC wheat was $1.15 per bushel. In other words, U.S. wheat was made 33 percent more expensive than EEC wheat because of the loopholes in the International Grains Arrangement. If we are going to export wheat in the face of such a situation, prices must be lowered.

Now, I ask, when, in the annals of world commerce, has the leading trading country in such an important commodity as wheat thrown away its markets by export taxation, and refused to grant an export subsidy of just 10 percent of its primary competitors export subsidy in order to be competitive, preserve its traditional markets, and strengthen a faltering economy?

Mr. President, I ask unanimous consent to have an additional 2 minutes.

The PRESIDENT pro tempore. Without objection, the Senator from Iowa is granted 2 additional minutes.

Mr. MILLER. This is the heritage the Nixon administration received from the previous administration and its ill-conceived negotiation and support of the International Grains Arrangement. Those who are complaining the loudest about the lowering of prices to keep our export trade from being catastrophically reduced seem to be the ones who supported ratification of the International Grains Arrangement, but I have not heard them admit their mistake and call for withdrawal from the arrangement.

I have just been advised today that our good neighbor to the south, Ecuador, has bought 50,000 tons of wheat—its total annual wheat import requirement—from Russia. U.S. pricing policy has sent a Latin American neighbor to a different supplier.

The crisis is here, and the time is now to demand that U.S. wheat be kept fully competitive in world markets. Immediate action is required to prevent a complete debacle in U.S. wheat export trade which will drastically impair the wheat market for U.S. farmers. I repeat my statement of July 18 that the United States should give notice of its intention to withdraw from the International Grains Arrangement.

The editorial in the July 29 issue of the Southwestern Miller effectively expresses the dire implications of this situation.

I ask unanimous consent that this editorial and several other articles relating to the subject be placed in the RECORD.

There being no objection, the editorial and articles were ordered to be printed in the RECORD, as follows:

[From the Southwestern Miller, July 29, 1969]

THE FIRST HALTING STEP

That wheat futures advanced ahead of the expected announcement of downward revisions in export prices and declined sharply in the sessions immediately following implementation of the changes provides a broad consensus on the efficacy of the actions. What the futures market initially said was that the looked-for reductions in U.S. wheat export quotations would stimulate sales abroad to the point that the overall price level would be strengthened. The declines that followed disclosure of the actual revisions reflected disappointment over their extent as well as concern that little or no increase in business abroad will be realized. Certainly, the latter conclusion is justified on the basis of the complete absence of dollar sales abroad in the first week following the adjustments announced by the Department of Agriculture on July 18. It is difficult to dispute assessments made by a market as viable as wheat futures are. Nevertheless, it is important to keep in mind that the export price moves were initiated by men in Washington who fully recognize the impossible marketing position created for the United States by even minimal adherence to the International Grains Arrangement and whose commitment is to the expansion of wheat sales abroad.

What emerges is the necessity for balancing the good faith and practicability of the top officials of the Department of Agriculture who pressed for reductions against the dictates of world politics that extend beyond the wheat economy alone. These divergent forces came to bear, after literally months of agonizing debate and discussion. That the political considerations, as opposed to forces who desire to sell more U.S. wheat into dollar markets, prevailed is crystal clear in an analysis of the revised export rate schedule that was adopted to implement the price changes. That export rate schedule includes an incredibly complex series of different certificate costs and subsidy payments for hard winter proteins from the Gulf, excludes South America from the benefits of major hard winter adjustments and provides for no change from the Pacific coast. Even where the price cuts were deepest, about 12 cents a bushel on

hard winters, eight cents on soft wheat and varying adjustments for proteins, they are widely regarded as inadequate to meet world competition.

One particularly valid assessment of the revisions is that they represent a "gentleman's" approach to world wheat pricing, or, more specifically, a desire to assuage the clamor for U.S. actions by delicate adjustments that would not draw the ire of other selling countries. The actions taken are very similar to trying to have one's cake and eating it also. This cannot be done in world wheat pricing. A wheat exporter cannot be "half-competitive" any more than a woman can be "half-pregnant."

While the price adjustments that have been made may permit sales of a few parcels of wheat to a few buyers, the United States still has no chance at all of competing for the major dollar business in Western Europe or other areas of the world where price is the sole consideration. In order to sell wheat abroad in a volume that even approaches the rightful share for this country of world dollar business, the United States must be willing to undertake bold price moves. These obviously were prevented by the political response to the pleadings of other countries with which the United States competes in the world dollar market. Pledges by these nations to correct their ways and to lessen their competition in markets traditionally served by the United States have been worthless in the past and little reason prevails for expecting a different outcome in the future. The value of such pledges is all the more lessened by the fact that Soviet Russia and the nations of Eastern Europe were not a party to any of the discussions that preceded the U.S. moves, and that absolutely no basis exists for expecting the Communist nations to follow other than a fiercely competitive course.

While many disturbing elements have been noted in the adjustments undertaken by the United States, the most nonsensical from a practical sales viewpoint is the exclusion of South America and the major dollar outlets in the Far East from the benefits of price declines. That ruling is equivalent to telling one's best customers that they must pay more than the buyers who shift sources of supply with each fluctuation in price. Included in the nations of the Far East and South America are not only the principal dollar customers for U.S. wheat, but those buyers that have the most promise for developing into important commercial markets in the future. Japan, which in the 1968–69 crop year accounted for nearly a third of U.S. dollar wheat exports, has made its views on this discrimination known to Washington in no uncertain terms. Brazil has followed the same course. The upshot may be the unbelievable circumstances of the United States losing these markets that were important buyers before any price changes were made.

Although the price adjustments are a deep disappointment to those who had anticipated and wished for dramatic actions by the United States to regain its role in world markets, the fact that any changes at all were forthcoming must be considered a victory. The reductions were the first overt U.S. step to move away from even scant recognition of the I.G.A. price schedule as the determinant for U.S. wheat offerings abroad. This is a plus. It is a decision that came after numerous conferences between ministerial and sub-cabinet officials of the exporting member countries of the pact and after what seemed like interminable debate between all the elements in Washington that demanded a voice in U.S. export wheat pricing. At last it can be said the U.S. government has formally recognized the failings of the I.G.A.

Now that this first halting move has been made away from adherence to the I.G.A., the next step, it is hoped, will come without the long debate that preceded the initial action. The need for additional steps, in pricing, as well as elimination of exclusions and complexities, is readily apparent from a cursory examination of the U.S. position in world markets. The present U.S. stance in world wheat markets has been aptly compared to that of a young boy who had been forced for months to watch the baseball game through a knothole in the fence and at last had obtained a seat in the ballpark, even though it was in the bleachers. The youngster aspires now to a seat in the front boxes. U.S. wheat exporters are presently "in the ballpark," but they, too, seek and deserve the wherewithal, through government actions, to be in the front row of competitors for the world's business in wheat.

[From the Southwestern Miller, July 29, 1969]

SPRINGBOARD FOR WHEAT

"The time was never more propitious for those concerned with wheat, milling, baking and wheat-based foods" to make a contribution to the solution of the malnutrition problems facing the United States. This is one of the conclusions of a proposal emanating from the Wheat Flour Institute of the Millers' National Federation to stimulate all segments of the breadstuffs industry to assist in a project designed to develop a prominent place in the American diet for two wheat-based products. These products, now named Blend A and "WSB," have the potential of helping to eliminate malnutrition from the American scene through incorporation in traditional foods such as bread, cookies and pasta. The Institute statement on the opportunity facing the breadstuffs industry is hardly an exaggeration in view of widespread attention to findings of failure in supplying adequate nutrients at many levels of the U.S. population. Nutritional needs are at the very pinnacle of national concern. The Institute is providing the industry with a project that promises a dramatic role in the ending of these problems as well as offering a great vehicle for increasing consumption of wheat foods.

Responding with very commendable promptness to the thrust of the times, the Institute has mapped a domestic marketing proposal for products that were developed originally to meet special dietary needs in developing countries. Blend A is a concentration of nutrients separated from middlings and mixed with 70 per cent regular flour. It yields a bakery flour with markedly superior protein quality and quantity. WSB, or Wheat-Soy Blend, is formulated of a mixture of wheat protein concentrate and straight grade flour or bulgur flour, supplemented by soy flour and soy oil, as well as vitamins and minerals.

Several steps already have been taken by the Institute and other interested organizations to implement the plan and to gain through promotion and education a large-scale exposure of these products to consumers. Formulations and sampling plans are being worked out for breads, rolls, cookies and pastas, both for commercial and home use. An impressive array of industry groups has been enlisted—the American Institute of Baking, America Bakers Association, National Macaroni Manufacturers' Association, North Dakota State University. The proposal calls for coordination of efforts with the Consumer and Marketing Service and Agricultural Extension Service of the Department of Agriculture, Office of Economic Opportunity, Department of Health, Education, and Welfare and state and local departments of health.

Significant attention in the prospectus is given to the subtle problems of marketing such specially-compounded products among the urban poor. Just in the past week, the importance of recognizing the sensitivity of this socio-economic class received major emphasis in statements by industry leaders before the Senate Select Committee on Nutrition and Human Needs. "It must be understood that the most nutritious product in the world does no one any good unless it is consumed," Robert D. Stuart, Jr., president of the Quaker Oats Co., told the committee. Dr. Howard E. Bauman, director of science and technology for the Pillsbury Co., spelled out for the committee the basic requirements to gain acceptance for a special food—it cannot be sold only on the basis of nutritional quality, and no stigma of inferior social status can be attached; it must taste good and be comparable with other preferred foods of less nutritive quality; it must have a brand name to develop consumer confidence, and it must be familiar in flavor and form. In recognition of these marketing criteria the Institute plan gives high prominence to the projection of a "prestige" image for Blend A and "WSB," so as to make them acceptable among low income groups as well as popular with more affluent consumers.

Industry-wide support of the Institute proposal would be unique for the food industry. To achieve the success envisioned, adequate financing is required as well as all-out cooperation by associations and individual companies. In his message to Congress on hunger and malnutrition in early May, President Nixon said, "Something very like the honor of American democracy is at issue." Not an inappropriate paraphrase might be, "Something very like the honor of the breadstuffs industry is at issue."

WHEAT PRICES SKID TO 1942 LEVEL IN REACTION TO HEAVY CARRYOVER; OTHER GRAINS DECLINE

Wheat prices in U.S. markets plunged to 27-year lows yesterday.

The September wheat contract on the Chicago Board of Trade sold at $1.195 a bushel, down 5⅞ cents and the lowest since June 1942. The closing price, after a slight recovery, was $1.21, off 4⅜ cents.

Wheat prices at Kansas City retreated as much as 3⅞ cents a bushel. At Minneapolis, the drop was 1 cent.

The weakness in wheat unsettled holders of other grain contracts. Corn values fell 1⅝ cents a bushel. Oats fell 1 cent a bushel and rye slipped ⅝ cent a bushel.

The general selling of wheat contracts was stimulated by large stocks of the grain in the country and the failure of foreign buyers to respond to recent price cuts.

The U.S. Government ordered a 12-cents-a-bushel reduction on sales of wheat to Western Europe a little more than a week ago because other nations were selling the grain at less than the floor agreed on in the International Grains Agreement.

Yesterday, in Brussels, agricultural ministers of the six Common Market nations voted unanimously to authorize export sales of Common Market wheat at prices below the minimums set by the international agreement.

Foreign buyers, exporters believe, are waiting for still lower prices.

Normally at this time, domestic bakers buy a large amount of flour to cover baking needs for three months or more.

Annual midyear flour purchases by the bakers in recent years involved 20 million to 25 million 100-pound sacks. The bakers buy the flour at the height of the winter-wheat harvest or shortly thereafter. Grain merchants say the buyers are taking their time now because of the unsettled wheat price situation. Presumably they are expecting still lower prices.

COPPER FUTURES GAIN

The copper futures market in New York was strong, rising as much as 1½ cents a pound to seasonal highs.

Copper prices at London rose ⅝ cent a pound.

U.S. dealers handling scrap copper raised the scrap price 1 cent a pound to 51 cents. Quotations charged by the dealers for refined

copper made from the scrap metal or imported ore were raised ½ cent a pound.

Copper traders in London and the U.S. again turned their attention to the tight supply situation and were concerned about the continuing strike of workers at International Nickel Co. of Canada's facilities in Ontario, which had been producing 2,500 tons of refined copper weekly. The strike was called July 10.

Liquidation continued to depress silver futures prices in New York. Prices in this trading fell more than 4¼ cents an ounce for some contracts. The failure of industrial demand to be attracted to the metal at current prices created selling, brokers said.

The cocoa futures market was another weak spot. The loss was 1 cent a pound, the daily limit. Traders said some speculators who bought contracts recently were tempted to sell when it became evident that European demand, which was responsible for bolstering prices recently, was absent. Dealers also noted a favorable new cocoa crop outlook in Ghana.

CHICAGO BEEF RISES

Chicago wholesale beef prices rose ½ cent a pound, the first upturn in 10 days. Choice beef sold at 48 cents.

Beef prices fell nearly 3 cents a pound last week and were down 8 cents from 17-year tops set early in June. Brokers said the low prices attracted increased demand from the consuming trade.

Better wholesale beef prices and reduced cattle receipts prompted packers and shippers to bid steady prices for live steers. Receipts of cattle at the 12 major marketing centers totaled 44,400 head, 2,900 less than a week earlier.

Farmers shipped 52,300 hogs to the large marketing centers, nearly 3% more than a week ago.

[From the Wall Street Journal, Aug. 1, 1969]

BIG WHEAT EXPORTERS ARE TRYING TO AVERT INTENSIFYING PRICE WAR, BUT DELEGATES TO LONDON MEETING TODAY UNABLE TO DO ANYTHING BUT REPORT TO THEIR CAPITALS

NEW YORK.—The price war in the world wheat export market is reaching a point that could render the International Grains Agreement of 1968 "just a piece of paper," grain analysts say.

A delegation from the major wheat-exporting nations will meet in London today to determine if an intensified wheat "price war" can be averted, Washington officials said. Comenting on the sessions, an international grain merchant said, "The group is powerless to do anything except watch what is going on and report to their governments."

Charges of cut-rate wheat sales have been directed against the European Economic Community early this year. These applied to France, because it is the only nation in the Common Market that has a large wheat surplus. France sold wheat to the Far East at that time at less than $1 a bushel, or about 67 cents below the minimum agreed to by the IGA. Thereafter, grain men say, Australia sold wheat at price concessions.

Two weeks ago, the U.S. and Canada, in what was termed a "corrective measure," lowered export prices to Western Europe as much as 12 cents a bushel to be competitive in the export market. This was done despite previous assurances from the EEC that price cutting would be stopped.

Apparently in retaliation to the U.S. and Canadian action, the EEC yesterday increased export subsidy payments to its shippers $2.65 a ton to as much as $8.90 a ton.

U.S. exporters didn't get full details as to how the new rates would apply, but they know that subsidies prior to the rise ranged from $34.38 a ton to $61.50 a ton, depending on the nation buying. One point, however, was cleared. This is the new subsidy rate to Brazil, currently $66.55 a ton, up from $61.50.

Brazil was scheduled to buy around four million bushels of wheat on Wednesday, but refused all offers presumably thinking the grain could be bought at a later date and cheaper. Exporters said offers to sell came from many areas and the volume was far more than four million bushels.

France offered to sell Brazil soft red wheat at $1.33 a bushel. U.S. exporters offered hard wheat, a better grade, at $1.57½ a bushel.

While the common market's latest price cut, through increased subsidies, didn't apply to the Far East, exporters here said France sold soft wheat to Singapore at $1.10 a bushel. This compares with a U.S. price of $1.50 a bushel for soft wheat at the Gulf.

So far the U.S. and Canada haven't cut export wheat prices to the Far East. Japanese buyers who tried to buy the grain from the U.S. during the past two weeks refused all offers and complained of discrimination. Brazil also was excluded from U.S. and Canadian price cuts.

[From the Wall Street Journal, Aug. 1, 1969]

PRICE TRENDS OF TOMORROW'S MEALS AND MANUFACTURERS

Wheat futures prices in Chicago and Kansas City fell ⅞ cent a bushel. Loss for corn and rye contracts on the Chicago Board of Trade was 1¼ cents. All deliveries of rye sold at seasonal lows.

Futures markets in New York were quiet, with price changes mixed.

Selling of wheat contracts in U.S. markets was spurred by news Brazil and Japan refused to buy wheat in the export market. It was thought the two countries were hoping to buy wheat at lower than current prices.

The European Economic Community yesterday raised subsidies on exports of wheat in order to compete in the world market with the U.S. and Canada. Indications were that the EEC also was making cut-rate sales to some areas in the Far East.

Representatives of leading wheat exporting nations are to start meeting in London today to discuss conditions in the world wheat export market that are labeled by grain dealers as a "price war."

BUYING CUSHIONS DROP

Flour millers bought wheat contracts. Brokers said this support cushioned the wheat price drop. Millers were buying wheat to cover milling requirements on sales of flour made to large chain bakers. Flour mill representatives estimated some chains bought enough flour to cover baking needs for about one month.

Favorable new crop outlook continued to create selling of corn and rye futures by speculators.

Copper futures prices rose ½ cent a pound for some contracts. Demand was stimulated by firmness in London.

The strike at International Nickel Co.'s facility in Canada continued. Traders said the work stoppage would add considerably to the tight copper supply in the world market. The strike started July 10.

Silver futures prices in New York declined about 1¾ cents an ounce. Failure of the market to attract more buying following Wednesday's advance discouraged holders of contracts.

The Florida Canners Association said 1,694,925 gallons of frozen concentrated orange juice were shipped by processors last week, down from 1,829,366 gallons a week earlier. Traders had expected latest shipments to be between 1.8 and 1.9 million gallons. The lower than expected movement prompted some traders to take profits.

F. O. Licht, a European statistician, estimated world sugar production this year at 68,591,000 tons, up slightly from the forecast of 67,961,000 tons he made last March. The estimate was in line with previous trade predictions.

Hog prices rose as much as 50 cents a hundred pounds at Chicago and Peoria, Ill. At other terminals, quotations were unchanged to up 25 cents.

Packer and shipper demand was active for moderate supplies. Buying was stimulated by improved business in the wholesale pork trade.

Farmers delivered 42,200 hogs to the 12 major marketing terminals, less than last week's 42,326 volume. However, in Chicago the total was only 2,000 or 20% less than a week earlier.

Whole pork loin prices were unchanged but for pork bellies, quotations were raised as much as 1 cent a pound.

CATTLE PRICES MOSTLY UNCHANGED

Cattle prices were mostly unchanged in unusual quiet Thursday dealings.

Chicago wholesale beef was in demand. Prices rose ½ cent a pound. Choice beef sold at 48½ cents.

Quicksilver prices in New York fell $4 a flask yesterday to $489. This followed a drop of $10 on Wednesday. Each flask contains 76 pounds.

The weakness followed news that the Atomic Energy Commission has a surplus stock of 15,000 flasks of the liquid metal. In connection with the excess supply, a spokesman at the General Services Administration, the agency that previously sold excess stocks of Government mercury, said "market studies are being conducted at this time. No final decision has been made to sell the mercury." Last sales of Government mercury from a previous program was made by the GSA earlier this year.

[From the Wall Street Journal, July 30, 1969]

PRICE TRENDS OF TOMORROW'S MEALS AND MANUFACTURERS

Grain markets improved yesterday following recent sharp price declines.

Advance in the wheat market ranged to 1¾ cents a bushel. At Kansas City, prices rose 1⅞ cents. The corn market posted a gain of ⅞ cent.

The Chicago rye market was an exception to the trend, dropping 1½ cents a bushel to seasonal lows.

In other trading, New York copper futures prices rose to seasonal highs, gaining almost 1⅝ cents a pound for some contracts. Orange juice futures prices also were strong, but silver and world sugar futures quotations continued to drop. Some cocoa contracts fell 1 cent a pound for the second consecutive day.

Spectators and commercial dealers started to buy wheat contracts shortly after the opening yesterday when it appeared liquidation that dropped prices sharply on Monday spent its force.

Traders heard talk that some bakers may be interested in buying flour at current prices. Reports also circulated that farmers weren't satisfied with current wheat prices and were holding back supplies.

News from Moscow indicated that Russian farmers were having trouble harvesting this year's wheat crop. The Soviet Union had unfavorable growing weather, and wheat plants are short, making it difficult for machines to harvest the grain. It also was stated machinery for gathering the grain had been badly prepared and that storage sheds and elevators weren't in good condition. Russia has been selling wheat in the world market for several years. Traders thought current crop conditions may take Russia out of the export market as a seller during the present season.

WAITING FOR CHEAPER VALUES

"The world wheat export market has been stagnated by recent price cuts," said a leading international grain merchant.

Large exporting nations cut prices below the minimum established in the International Grain Agreement, and potential buy-

ers are standing by hoping to get still cheaper values.

Further explaining the present condition the grain man said, "It seems to be a case of nerves." He, however, expects a scramble to sell by the surplus wheat producers when buyers appear.

A test may come today. Brazil needs 3.7 million bushels of wheat for shipment during August and September. All nations having wheat to sell were invited to make offers. Brazil entertained offers last week, but refused to buy because prices were too high.

Japan, another large importer, shortly must buy around 15¼ million bushels of wheat needed for home use during September and later. Japan normally bought wheat from the U.S., Canada and Australia, with smaller purchases made from Russia. Japan also considered buying last week, but refused to place orders because prices were too high.

Both Japan and Brazil weren't included in the recent price cuts. They complained of discrimination. There is now a growing belief exporting nations may extend to the two countries the same cuts, amounting to as much as 12 cents a bushel below the IGA minimums. The price reductions were made to Western European wheat importers, almost two weeks ago.

STORM WARNINGS

Strong prices paid for refined copper in the U.S. dealer market and the continuation of a strike at International Nickel Co's., facility in Canada, capable of producing 2,500 tons of copper weekly, prompted heavy demand for copper futures in New York. Copper prices in London rose ⅞ cent a pound.

U.S. dealers quoted refined copper for delivery in September at 66¼ cents a pound, up 1¼ cents from Monday. The price for October delivery copper was raised 1½ cents to 65¼.

Speculators dealing in orange juice futures were concerned with tropical storm Anna now churning in the central Atlantic. The Weather Bureau expects the storm to reach hurricane intensity. Traders feared if the storm moved close to the Florida mainland it could heavily damage next season's orange crop.

Wheat prices in the world sugar export market continued to create selling of futures in New York and London.

A continuation of reports that dealers who bought cocoa earlier in the year were attempting to sell some of the supplies created further selling of cocoa contracts by speculators.

Hog prices were 25 cents to 50 cents a hundred pounds lower at Midwestern markets yesterday. Packer and shipper demand slowed after farmers delivered liberal supplies to the large terminals.

[From the Wall Street Journal, July 28, 1969]

WAR ON WHEAT PRICES BY MAJOR EXPORTERS EXPECTED TO INTENSIFY—COMMON MARKET HAS UNFAVORABLE RESPONSE TO CUTS BY CANADA, UNITED STATES TO EUROPEAN PURCHASERS

WASHINGTON.—The international wheat price war on commercial sales by major exporting countries to the Far East and other markets is expected to grow more intense.

The European Economic Community (Common Market) informed the U.S. and other big exporters of its "unfavorable reaction" to recent reductions in U.S. and Canadian prices to European buyers. The EEC is a member of the International Grains Agreement, which established "floor selling prices" for leading exporters. France has a large wheat supply, and its sales amount to about 95% of the export wheat trade from the tax nations belonging to the group. Italy is also selling wheat.

Informed sources now say the Common Market's agriculture ministers will meet this week to consider cutting export prices as a response to the U.S. and Canadian reduction on sales made to Western European nations.

Canada and the U.S., a little more than a week ago, cut the IGA floor price 12 cents a bushel to $1.55 and termed the action as a "corrective measure."

MOVE WAS PRESUMABLY RETALIATORY

This action was presumably taken in retaliation to cut-rate sales by France and other nations.

Early this year, France offered to sell wheat to Far Eastern buyers at prices sharply below the IGA minimum of $1.67 a bushel. By the end of May about 9.5 million bushels were sold to the Philippines, Hong Kong, Singapore and Taiwan. The price obtained for some of the grain was less than $1 a bushel figured back to U.S. Gulf ports, the basing point for IGA sales. Export wheat business was done earlier in the year by Australia at the IGA minimum, but after low ocean freight rates were considered, the price was less than the IGA minimums. This, too, upset major exporters.

After the U.S. and Canada lowered the export wheat price, EEC officials told the big North American exporters it would adhere to the minimum in the pact.

The U.S. and Canada had cut the price despite urgings of EEC officials to refrain from the action. The EEC promised to manage Western European wheat exports in a way that would result in no further commercial sales to the Far East. The group also proposed an International Grains Agreement "working group" be established in London to keep world wheat prices under constant review.

"Now we've been informed that this deal is off," said a U.S. official.

Despite this, he said the U.S., Canada, Argentina and Australia as well as some other wheat exporting members of the IGA intend to send delegations to London early this week to set up new administrative machinery for reviewing prices.

CANADA SEEKS TOP-LEVEL MEETING

To keep the tottering IGA, which is applicable only to wheat, from collapsing entirely, it's understood here that Canada also is seeking another ministerial-level meeting of major IGA wheat-exporting countries. U.S. sources said the Canadians are proposing that floor prices be discarded for lower grades of wheat, which at uncontrolled prices might find larger world markets as animal feeds.

While some U.S. officials believe this would be a good idea, they said another ministerial-level session so soon after the conference that was concluded at the State Department here on July 11 appeared to be out of the question.

Since the price was cut, business in the export market came to a near halt.

Japan, one of the biggest buyers in the world wheat market, said it was interested in buying 12¼ million bushels of wheat, mostly from the U.S. Exporters quoted sales prices, but these were rejected. Offers from Canada and other areas also were refused.

It was learned last week that the Japanese food agency in charge of wheat purchases "fired out protests" to U.S., Canadian and Australian officials because they didn't reduce prices to it in line with those offered on export sales to Western European nations. Brazil also was excluded from the cut-rate purchase, and postponed a buy order until a later date.

Even Russia tried to get into the act last week by offering to sell Britain spring wheat at about 3¼ cents less than the price sought by U.S. exporters. British buyers refused this order.

Exporters say Japan has placed contracts a while ago to cover wheat needs through August. "Somewhere along the line, Japanese buyers will have to start shopping," a leading exporter said. This may be a test of the present wheat arrangements, he added.

[From the Wall Street Journal, July 25, 1969]

U.S. WHEAT HOARD HITS 4-YEAR HIGH; SOYBEANS AT RECORD; CORN DROPS—WHEAT STOCK 811 MILLION BUSHELS AT JULY 1, A 50 PERCENT RISE FROM 1968; GAIN TIED LARGELY TO EXPORT FALL

WASHINGTON.—U.S. stocks of wheat were a hefty 811 million bushels at the July 1 start of the new marketing year, 50% above a year earlier and the largest wheat carryover since 1965, the Agriculture Department reported.

Soybean stocks on July 1, at a record 448 million bushels, were up 57% from last year's 284.9 million bushels, the department said.

Corn stocks dropped 6% below last year to two billion bushels but were still 18% above the 1967 hoard.

Rye stocks totaled 15.9 million bushels, down 12% from 1968 and 15% below 1967.

Wheat supplies exceeded the 780 million bushels the department predicted last January, but were 300 million bushels below its 1.1-billion-bushel April 1 expectation. Last year's carry-over of 539.3 million bushels reversed 1967's 14-year low inventory of 425 million bushels.

Feed-grain stocks rose slightly to 79 million tons from 78.2 million tons in 1968, the department reported, despite the decline in corn stocks, which normally account for about 80% of feed-grain supplies.

The wheat-stock increase includes a 69% rise in durum wheat supplies for a July 1 carry-over of 41.1 million bushels, up from last year's 24.3 million bushels and the largest since July 1966.

Department analysts said the rise in wheat was due largely to an export decline of about 200 million bushels, to about 535 million bushels, in the year ended June 30.

Durum wheat exports were good, however, and a large crop contributed to the substantial carry-over stock for that grain, a department analyst said.

Corn consumption in the June quarter showed a definite "slowdown" at 958 million bushels, a department official said, compared with 1.03 billion bushels, in the 1968 quarter. Higher corn prices, ranging from $1.15 to $1.20 per bushel, were causing farmers to turn to other feed grains and even wheat, he said.

[From the Washington (D.C.) Post, July 29, 1969]

GRAIN PRICES LOWERED

(By Richard Norton-Taylor)

BRUSSELS, July 28.—The European Common Market hit back today at the U.S. and Canadian decision to sell grain at below the minimum prices set by the international grains arrangement in 1967.

"The European community had counted on the United States and Canada abstaining from unilateral measures which did not conform to the terms of the arrangement," a communique of the six agricultural ministers of the Common Market stated.

The communique said the Common Market had no alternative but to follow suit and lower their selling prices for grains accordingly. This means that community farmers' export restitutions, the difference between the Common Market support price and the world price, will be increased at the expense of all six market members. The farm payments are paid out by a common farm fund to which all members contribute. The Common Market will hold off these measures until the end of July, in the hope that some other arrangements can be worked out in the meantime, possibly at a meeting this week of representatives of the world's leading grain exporters.

On July 18, the U.S. (soon followed by Canada) decided to lower its selling price for grains. For example, the price of hard

winter wheat was cut by 12 cents a bushel under the grain agreement minimum. These cuts affected exports from East Coast and Gulf ports.

These decisions followed a meeting in Washington earlier this month of ministers from grain-exporting countries at which the conclusion was reached that some price adjustments had to be made at a time of wheat surpluses.

A Common Market spokesman said the U.S. action could have grave consequences for the future application of the Kennedy Round of tariff cuts.

France, the market's principal exporter of grains, has been accused by the U.S. of undercutting the grain minimum price in sales to Thailand, Japan, and the United Arab Republic.

The PRESIDENT pro tempore. Is there any further morning business?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF DIRECTOR OF SELECTIVE SERVICE

A letter from the Director, Selective Service System, transmitting, pursuant to law, a report on the operations of Selective Service during the period from July 1, 1968, to December 31, 1968 (with an accompanying report); to the Committee on Armed Services.

REPORT OF THE SECRETARY OF THE AIR FORCE

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report entitled "Semi-Annual Experimental, Development, Test and Research Procurement Action Report," for the period January 1, 1969, through June 30, 1969 (with an accompanying report); to the Committee on Armed Services.

REPORT OF EXPORT-IMPORT BANK OF THE UNITED STATES

A letter from the Secretary, Export-Import Bank of the United States, transmitting, pursuant to law, a report on actions taken by the Bank during the quarter ended June 30, 1969 (with an accompanying report); to the Committee on Banking and Currency.

REPORTS OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on an examination of financial statements of the U.S. Government Printing Office, fiscal year 1968, dated August 4, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on silver sales limited to small business concerns, Treasury Department, dated August 4, 1969 (with an accompanying report); to the Committee on Government Operations.

REPORT OF BUREAU OF LAND MANAGEMENT

A letter from the Acting Director, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, a report of negotiated sales contracts for disposal of materials during the period January 1 through June 30, 1969 (with an accompanying report); to the Committee on Interior and Insular Affairs.

THIRD PREFERENCE AND SIXTH PREFERENCE CLASSIFICATIONS FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classifications for certain aliens (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

ADMISSION INTO THE UNITED STATES OF CERTAIN DEFECTOR ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORT ON ACTIVITIES IN CERTAIN COUNTRIES RELATING TO APPLICATIONS FOR CONDITIONAL ENTRY

A letter from the Commissioner, U.S. Department of Justice, Immigration and Naturalization Service, pursuant to law reporting on activities in certain countries relating to applications for conditional entry, for the period January 1, 1969 through June 30, 1969; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A letter in the nature of a petition, from Allan Feinblum, New York, N.Y., praying for the issuance of certain IBM cards; to the Committee on Post Office and Civil Service.

A resolution adopted by the Board of Chosen Freeholders, Union County, Elizabeth, N.J., supporting the further extension of the Interstate System of Highways; to the Committee on Public Works.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. BROOKE (for himself and Mr. McINTYRE):

S. 2761. A bill to amend the United States Housing Act of 1937 to provide additional rental assistance payments to enable families of very low income to afford to live in low-rent housing projects and to improve operating and maintenance services in such projects; to the Committee on Banking and Currency.

(The remarks of Mr. BROOKE when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. STENNIS:

S. 2762. A bill to amend the Civil Rights Act of 1964 to assure a more uniform enforcement of title VI thereof; to the Committee on the Judiciary.

(The remarks of Mr. STENNIS when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. MUNDT (by request):

S. 2763. A bill to allow the purchase of additional systems and equipment over and above the statutory price limitation; to the Committee on Government Operations.

By Mr. MAGNUSON:

S. 2764. A bill to make it unlawful to install nonsafety glazing material in sliding glass doors and other high risk areas of residential, public, and commercial buildings in the District of Columbia to protect the health and safety of the public, and to direct the Director of the Department of Health to establish and promulgate standards for safety glazing material and its application; to the Committee on the District of Columbia.

(The remarks of Mr. MAGNUSON when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. MAGNUSON (by request):

S. 2765. A bill to consent to amendments to the Pacific Marine Fisheries Compact; to the Committee on the Judiciary.

By Mr. JACKSON:

S. 2766. A bill for the relief of Guillermo Blonquis (William Bloomquist); to the Committee on the Judiciary.

By Mr. GURNEY:

S. 2767. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

(The remarks of Mr. GURNEY when he introduced the bill appear later in the RECORD under an appropriate heading.)

By Mr. TYDINGS:

S. 2768. A bill to amend the Atomic Energy Act of 1954 in order to promote the preservation of environmental quality; to the Joint Committee on Atomic Energy.

(The remarks of Mr. TYDINGS when he introduced the bill appear later in the RECORD under the appropriate heading.)

ADDITIONAL COSPONSORS OF BILLS

S. 2073

Mr. DIRKSEN. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Kansas (Mr. PEARSON) be added as a cosponsor of S. 2073, to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors.

The PRESIDENT pro tempore. Without objection, it is so ordered.

S. 2108

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Maryland (Mr. TYDINGS), I ask unanimous consent that, at the next printing, the names of the Senator from Massachusetts (Mr. BROOKE), and the Senator from Virginia (Mr. SPONG), be added as cosponsors of S. 2108, to create a National Center for Population and Family Planning and other purposes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

S. 2315

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Washington (Mr. JACKSON), I ask unanimous consent that, at the next printing,

the name of the junior Senator from Arizona (Mr. GOLDWATER) be added as a cosponsor of S. 2315, to restore the golden eagle program to the Land and Water Conservation Fund Act.

The PRESIDENT pro tempore. Without objection, it is so ordered.

S. 2470

Mr. SCOTT. Mr. President, I ask unanimous consent that, at the next printing, the names of the senior Senator from California (Mr. MURPHY), the junior Senator from California (Mr. CRANSTON), the Senator from Maryland (Mr. MATHIAS), and the Senator from Utah (Mr. Moss) be added as cosponsors of S. 2470, to amend the Food Stamp Act of 1964 to authorize elderly persons to exchange food stamps under certain circumstances for meals prepared and served by private nonprofit organizations, and for other purposes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

S. 2644

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Maryland (Mr. TYDINGS), I ask unanimous consent that, at the next printing, the name of the Senator from Ohio (Mr. YOUNG) be added as a cosponsor of S. 2644, to amend the Legislative Reorganization Act of 1946.

The PRESIDENT pro tempore. Without objection, it is so ordered.

S. 2674

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Hawaii (Mr. INOUYE), I ask unanimous consent that, at the next printing, the names of the Senator from Montana (Mr. METCALF), the Senator from Missouri (Mr. EAGLETON), the Senator from Nevada (Mr. BIBLE), the Senator from Washington (Mr. JACKSON), the Senator from Connecticut (Mr. DODD), and the Senator from South Carolina (Mr. THURMOND), be added as cosponsors of S. 2674, to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialists officers from the Armed Forces.

The PRESIDENT pro tempore. Without objection, it is so ordered.

S. 2689

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Hawaii (Mr. INOUYE), I ask unanimous consent that, at the next printing, the names of the Senator from Connecticut (Mr. DODD) and the Senator from New Jersey (Mr. WILLIAMS) be added as cosponsors of S. 2689, to amend the Internal Revenue Code of 1954 to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam.

The PRESIDENT pro tempore. Without objection, it is so ordered.

S. 2761—INTRODUCTION OF A BILL TO PROVIDE ADDITIONAL RENTAL ASSISTANCE FOR LOW-INCOME FAMILIES

Mr. BROOKE. Mr. President, in just a few short years we have made significant strides in removing the social barriers to better housing. But two gross impediments still remain—the lack of sufficient standard housing to meet the needs of all our people, and the inability of our poorest citizens to benefit from the units which are available.

The measure which I introduce today—on behalf of myself and Mr. MCINTYRE—would help to overcome the second of these two obstructions. Basically, the bill would make it possible for the Federal Government to provide rental assistance payments to public housing agencies for the purpose of making up the difference between the actual cost of the unit and one-fourth of the income of the tenant. Assistance would be in the form of annual payments by the Secretary of Housing and Urban Development to public housing agencies pursuant to contracts entered into with the local agencies. It would enable families, regardless of how low their incomes may be, to afford decent housing at a reasonable cost; the "one-fourth of income" figure is exactly the same as the rent-to-income ratio used in HUD's other subsidized rental programs.

Let me illustrate how the program would work. At the present time, the nationwide average operating cost per housing unit is about $50 per month, or $600 per year. Thus $50 is the minimum monthly rent which a developer or housing agency would have to charge each tenant just in order to break even. But based on Federal calculations of a reasonable proportion of annual income devoted to housing needs, this simple minimum figure automatically excludes the many millions of families with incomes below $2,400 per year. One undesirable alternative, which has been used to some degree in the past, is to charge those tenants who can afford to pay more a higher rent for the same kind of unit in order to compensate for the low-income families who cannot afford to bear their fair share of the cost. The other alternative, which is even less desirable, has been to exclude the very poorest and most needy of our citizens from participation in public housing projects.

The bill which I introduce today is, I believe, a far better alternative than either of the two approaches outlined above. It would simply permit the Federal Government to pay the difference between what a family can afford and what the unit actually costs. It would distribute the burden of the supplement evenly. And it would insure that Federal housing programs will at last begin to meet the requirements of our most needy citizens.

Mr. President, I send this bill to the desk and ask unanimous consent that it be printed at this point in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2761) to amend the United States Housing Act of 1937 to provide additional rental assistance payments to enable families of very low income to afford to live in low-rent housing projects and to improve operating and maintenance services in such projects, introduced by Mr. BROOKE, for himself and Mr. MCINTYRE, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2761

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Housing Act of 1937 is amended by redesignating section 24 as section 25, and by adding after section 23 the following new section:

"ADDITIONAL RENTAL ASSISTANCE

"SEC. 24. (a) In order to enable public housing agencies to provide housing within the means of families of very low income and to provide improved operating and maintenance services, the Secretary may make, and contract to make, annual rental assistance payments to public housing agencies with respect to any low-rent housing projects.

"(b) The amount of the annual payment with respect to any dwelling unit in a low-rent housing project shall not exceed the amount by which the rental for such unit exceeds one-fourth of the tenant's income.

"(c) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, including such sums as may be necessary to make the rental assistance payments under contracts entered into under this section. The aggregate amount of the contracts to make such payments shall not exceed amounts approved in appropriation Acts."

Mr. MCINTYRE. Mr. President, the crisis in public housing is reaching dramatic proportions. Public housing authorities across the Nation are no longer able to provide adequate maintenance and services for tenants and at the same time preserve the low-rent character of the projects. Even though the Housing Act of 1937, which established the public housing program, stated that the program would serve those "families in the lowest income group" local authorities have been forced to set minimum income requirements and raise rentals in order to meet the rising costs of maintenance and operation. As a result, more and more of the poor and very poor are barred from admission to public housing projects.

In some cities operating costs on a three-bedroom apartment, for example, are $70 per month. If a family were to spend only 25 percent of its income in order to meet that rental figure, it would have to earn $3,400 per year. The average annual income of public housing tenants is $2,709.

Since the Federal contribution to public housing pays only debt service and amortization charges, local authorities are required to charge rentals which will produce a project income equal to project operational costs. From the beginning, this meant that the very poor, those who could not afford their portion of the operating expenses of the project, could not be admitted. According to the studies of the President's Commission on Urban Problems, "This group seems to amount to at least 8 percent and possibly as much as 10 percent of the urban population."

It is this group which is forced to find housing in the most substandard, dilapidated, and overcrowded dwellings.

The Federal Government has the responsibility for assuring that all Americans have a decent place to live. That

pledge is two decades old. But two decades later there is no Federal program to provide housing for our poorest citizens.

The bill being introduced today by Senator BROOKE and myself would help to remedy that situation. It would set a standard, used in other housing programs, that tenants pay 25 percent of their income as rent in public housing. The difference between the rent paid by the tenant under this formula and the rental value of the unit would be paid by the Federal Government. The rental value of the unit would be proportionate to the operational cost of the project.

In this way, minimum rents would no longer be required by the local housing authority. Tenants with the very lowest incomes would be eligible for admission to public housing. It would also mean that tenants already living in public housing will not be spending a disproportionate amount of their incomes for shelter.

In addition, local housing authorities would receive adequate funds to maintain and operate the facilities and to provide needed services to tenants. It would no longer have to resort to the only method available, raising rents, to guarantee residents a decent place to live.

S. 2764—INTRODUCTION OF SAFETY GLAZING BILL FOR THE DISTRICT OF COLUMBIA

Mr. MAGNUSON. Mr. President, much has been said but little has been done about the large number of disfiguring and fatal injuries resulting from persons walking or falling into transparent glass doors and panels in residential housing and public buildings. The American consumer was first apprised of the problem posed by annealed glass used in sliding patio doors, storm doors, adjacent panels, and glass room partitions 9 years ago when a west coast medical journal reported $40,000 insurance claims per year by victims of glass injuries. In 1966, after further study by representatives from the Division of Accident Prevention of the Public Health Service and the National Safety Council, aided by door and glass manufacturers and code officials, estimates of glass injuries reached 100,000. And just last January, attention was again focused on the problem by the National Commission on Public Safety at public hearings held here in Washington. Testimony was heard from the parents of children who were killed or disfigured by injuries when they inadvertently plummeted through non-safety glass used in various areas of family residences. The great danger of annealed glass is that when it breaks, it does so into extremely sharp, jagged, spear-like edges which are capable of inflicting deep wounds into the victim, severing vital arteries, nerves, and muscles. One mother related at the Commission hearings how her 9-year-old daughter's jugular vein was severed when she walked through a glass room divider and in only minutes bled to death.

The frightening aspect of this problem is that unless legislative action is taken, there is reason to believe that the hazard will increase. In 1966, an estimated 1.1 million sliding glass doors were being installed in homes and office buildings each year and by 1970 this annual volume was expected to reach 1.4 million units. The free operation of our economic system has not been adequate to compel the use of safety glass in the home for a number of reasons:

First, the demands for lower costs in housing are driving contractors to cut cost on the materials they use to increase their profits; second, considering the number of people who today live in large apartment complexes, who purchase homes already built, or who buy homes in subdivisions developed by large homebuilders, the consumer seldom has a choice in the material that is used in the construction of his residence; third, at present, replacement costs for safety glass are substantially higher than for ordinary sheet—annealed—glass although original installation of a sliding glass door with tempered glass—one kind of safety glass—is only about $20 more than a door with regular annealed glass. I might point out that the industry has acted to reduce these costs by standardizing the sizes of glass used in sliding doors and storm doors and so we can expect this difference in cost to decline in the future. And further, the cost differentiation may even become less of a factor with the increase in the use of tempered glass which governmental regulations at all levels can bring about; fourth, the door manufacturer who sells a storm or sliding glass door with only annealed glass in it has a decided economic advantage over the conscientious manufacturer who will only install safety glass.

The sad aspect of the problem confronting us is that technology has provided us with the solution which will substantially reduce, if not completely eliminate, the injury hazard as it exists and yet this know-how is not being fully employed. There presently are three types of safety glass that can eliminate this problem: These are tempered, laminated, and wire glass. I have pointed out these three types of safety glass primarily to demonstrate to you that present technology is capable of eliminating the problem. However, the proposed legislation which I introduce does not hamstring the ingenuity of our modern industry by requiring a specific type of safety glass, but rather requires that whatever kind of glazing material is used, it shall meet certain impact and breakage tests designed to eliminate the hazards that I have mentioned.

Although this problem probably could be dealt with more effectively at the national level, I think it is best to wait for the report and recommendations of the National Commission on Product Safety before taking Federal action. Nevertheless, effective action can be taken at the local level, and such stopgap legislation will go far to reduce the injuries in the District of Columbia.

It is unfortunate that the District, which is seeking to become a model city, must follow, rather than lead, such States as New Jersey, Washington, Maryland, North Carolina, and California in passing similar legislation. Therefore, we would be remiss in our duties to hesitate any longer in passing legislation for the District of Columbia, and it is for these reasons that I am proposing this legislation today.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2764) to make it unlawful to install nonsafety glazing material in sliding glass doors and other high-risk areas of residential, public, and commercial buildings in the District of Columbia to protect the health and safety of the public, and to direct the Director of the Department of Health to establish and promulgate standards for safety glazing material and its application, introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on the District of Columbia.

S. 2767—INTRODUCTION OF THE WATER QUALITY FINANCIAL ASSISTANCE ACT OF 1969

Mr. GURNEY. Mr. President, today I am introducing a bill to assure that the maximum amount of money possible is available for the building of waste treatment facilities. We are currently faced with a serious problem in financing the construction of needed waste treatment works. With our present budgetary situation, it seems unlikely that the appropriation for the forthcoming fiscal year and the year following will equal the authorization for funds to build these sewage treatment works.

However, we cannot afford to lose any more time in controlling the pollution of our Nation's waters. The proverbial "ounce of prevention" certainly applies here. Reasonable expenditures now to halt further pollution of our waterways above and below ground may well preclude the enormous costs of rehabilitation of such systems later.

Intense river pollution already threatens underground aquifers, as is now the case in the Hudson River Valley. As anyone can appreciate who has stood on the shores of the Potomac on a summer's day in a freshening breeze, the cost to sweeten the stench of this river has now been estimated as high as $500 million. While it is technologically possible to redeem these sources of our water supply, the costs remain prohibitive. For this reason, it is imperative that we act as swiftly as possible to prevent further pollution.

The bill I am introducing today is designed to meet that need to the best extent possible. It provides that during fiscal year 1970 the amount of the funds for waste treatment works that has been authorized, but unappropriated will be authorized under a contract program.

The Secretary of the Interior would be authorized to enter into long term, not to exceed 30 years, contracts with a State or local governmental unit to pay in installments the Federal share of the costs of constructing such works. The Federal share would be determined in the same manner as the Federal share is determined for grants.

This bill would provide a mechanism to produce the necessary Federal financing to help meet water quality standards.

It would allow significant increases in capital investments within State programs for the construction of new facilities to help meet abatement schedules presently established in accordance with water quality standards.

For fiscal year 1971 a formula is devised to encourage increased appropriations for grants by this contract authority. In this case, the contract authority can be up to three times the amount of the grants appropriated. The purpose of this formula is to preclude any idea that we are encouraging a contract program in lieu of a grant program. It should be clear that it is the intention of Congress that there be a grant program, if necessary to be supplemented by a contract program.

Last year both houses of the Congress passed legislation to provide this supplemental method of financing waste treatment works. However, the Senate and House did not resolve differences on this legislation and it was never enacted. Congressman WILLIAM CRAMER has again introduced this legislation in the House with the full support of the administration. I am pleased to be able to do the same here in the Senate.

We cannot delay this vital program any longer. We must take action to indicate to all that it is the intent of Congress, that higher priority be given in the saving of our Nation's waterways.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2767) to amend the Federal Water Pollution Control Act, as amended, was received, read twice by its title, and referred to the Committee on Public Works.

S. 2768—INTRODUCTION OF A BILL PROMOTING THE PRESERVATION OF ENVIRONMENTAL QUALITY

Mr. TYDINGS. Mr. President, I introduce today a bill designed to grant the Atomic Energy Commission the statutory authority to take into consideration the effects of thermal discharges in the licensing of nuclear power facilities.

At present the Commission lacks this authority. It may consider only questions of national security, health, and safety. It does not have the jurisdiction to concern itself with thermal pollution and other factors of environmental quality.

Last January, the U.S. Court of Appeals for the First Circuit underscored this inadequacy of the law. In New Hampshire against Atomic Energy Commission and Vermont Yankee Nuclear Power Corp., the court affirmed a lower court decision that the AEC was correct in refusing to consider the possibility of thermal pollution from a nuclear powerplant. The court ruled that the Commission did not have the necessary authority.

In comments on my own statement regarding the proposed nuclear plant at Calvert Cliffs, Md., the Commission restated this position. The AEC writes that it "presently lacks authority to impose restrictions regarding the thermal effects of discharges from licensed nuclear facilities."

This is unfortunate.

Our national demands for power are growing rapidly. They are expected to double every 10 years. This means that the number of nuclear power plants in operation will increase substantially. A February 1968 report showed that 15 plants were then operating, 23 were under construction, and 57 more were being planned. Consequently the threat from thermal discharges looms large in the future. Substantial damage to our marine environment could result.

I am particularly concerned about the Chesapeake Bay, Maryland's great natural resource. Predictions are that there may be six nuclear stations the size of the 1,600 megawatt Calvert Cliffs facility operating on the Bay by 1980. Each one would draw two million cubic feet per minute of water for cooling purposes. On the Chesapeake and its tributaries there are presently 15 nuclear power plants operating, under construction, or planned—more than in any comparable area of the country.

Every possible step must be taken to ensure that the thermal discharges from these facilities do not endanger the bay.

While it lacks specific authority to consider such discharges, the Commission is not insensitive to the problem. As a matter of course, when issuing reactor licenses it seeks the advice and recommendations of the Interior Department and passes this on to the applicant. Such information is, unfortunately, not binding, but does at least indicate that the AEC is cognizant of the problem. Additionally, the Commission is now conducting a survey of all AEC licenses to determine the extent of their cooperation in resolving various environmental problems.

In my statement on the Calvert Cliffs facility, I urged the AEC on its own to seek redress before the Congress and seek the additional authority required. The Commission has not yet done so. I have, therefore, gone ahead and introduced the necessary legislation.

Essentially what my bill does is to insert, where required, the phrase "environmental quality" in the Atomic Energy Act of 1954, as amended.

The act's declaration of policy states that atomic energy should be developed "to promote world peace, improve the general welfare, increase the standard of living, and strengthen free competition in private enterprise." This is amended to include the preservation of environmental equality as well. The finding of facts states that nuclear material be "regulated in the national interest and in order to provide for the common defense and security and to protect the health and safety of the public." To this is added the charge of protecting the environment.

Similar insertions are made elsewhere in the act.

One of particular significance concerns that section of the act dealing with the issuance of licenses. The bill assigns an additional requirement to the licensee. Not only must he agree to observe safety standards to protect health and property, he must now agree to observe "such standards to protect and promote the preservation of environmental quality, as the Commission may by rule establish."

Another significant addition concerns the denial of a reactor license. Presently the law reads that if in the opinion of the Commission issuance "would be inimical to the common defense and security or to the health and safety of the public" it may be denied. My bill amends this to include an adverse impact on the environment as further reason for such a denial.

This bill supplements S. 7, the Water Quality Improvement Act of 1969 which contains a provision on thermal pollution. This act, which I am cosponsoring, in part requires certification by the State water pollution agency or in some cases, the Interior Department that the discharges from a nuclear facility will not violate the water quality standards established under the Water Quality Act of 1965. It is the purpose here to regulate the discharges. My bill aims at the basic statutory authority of the AEC and gives the Commission discretion to act in matters affecting environmental quality which without doubt would include thermal pollution.

Mr. President, I ask unanimous consent that the bill be printed at this point in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection the bill will be printed in the RECORD.

The bill (S. 2768) to amend the Atomic Energy Act of 1954 in order to promote the preservation of environmental quality, introduced by Mr. TYDINGS, was received, read twice by its title, referred to the Joint Committee on Atomic Energy, and ordered to be printed in the RECORD, as follows:

S. 2768

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph b of section 1 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011), is amended by inserting immediately after the last comma, the following: "promote the preservation of environmental quality,".

SEC. 2. (a) Paragraph d of section 2 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2012), is amended by deleting "and to protect the health and safety of the public" and inserting in lieu thereof the following: ", to protect the health and safety of the public, and to protect the environment".

(b) Paragraph e of section 2 of such Act (42 U.S.C. 2012) is amended by deleting "and to protect the health and safety of the public" and inserting in lieu thereof the following: ", to protect the health and safety of the public, and to protect the environment".

(c) Subsection a (2) of section 274 of such Act (42 U.S.C. 2021) is amended by inserting "or other" immediately after the word "radiation".

(d) Subsection b of section 103 of such Act (42 U.S.C. 2133) is amended to read as follows:

"b. The Commission shall issue such licenses on a nonexclusive basis to persons applying therefor (1) whose proposed activities will serve a useful purpose proportionate to quantities of special nuclear material or source material to be utilized; (2) who are equipped to observe and who agree to observe (A) such safety standards to protect health and to minimize danger to life or property, and (B) such standards to protect

and promote the preservation of environmental quality, as the Commission may by rule establish; and (3) who agree to make available to the Commission such technical information and data concerning activities under such licenses as the Commission may determine necessary to promote the common defense and security, to protect the health and safety of the public, and to protect and promote the preservation of environmental quality. All such information may be used by the Commission only for the purposes of the common defense and security, to protect the health and safety of the public, and to protect and promote the preservation of environmental quality.".

(e) Subsection d of section 103 of such Act (42 U.S.C. 2133) is amended by inserting immediately before the period at the end thereof the following: "or adversely affect environmental quality".

SENATE RESOLUTION 229—RESOLUTION RELATING TO A SUBPENA DUCES TECUM DIRECTED TO THE FINANCIAL CLERK

Mr. MANSFIELD (for himself and Mr. DIRKSEN) submitted a resolution (S. Res. 229) relating to a subpena duces tecum directed to the financial clerk, which was considered and agreed to.

(The remarks of Mr. MANSFIELD when he submitted the resolution appear earlier in the RECORD under the appropriate heading.)

ALASKA NATIVE CLAIMS SETTLEMENT ACT OF 1969—AMENDMENT

AMENDMENT NO. 112

Mr. ALLOTT (by request) (for himself and Mr. JACKSON) submitted an amendment, in the nature of a substitute, intended to be proposed by them, jointly, to the bill (S. 1830) to provide for the settlement of certain land claims of Alaska natives, and for other purposes, which was referred to the Committee on Interior and Insular Affairs and ordered to be printed.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH—AMENDMENT

AMENDMENT NO. 113

Mr. TYDINGS. Mr. President, it is a fundamental principle of our system of government that only with congressional approval may the executive branch spend the billions of dollars that make up the Federal budget. We have developed a system of authorization and appropriation of funds in order to give Congress an opportunity to examine each of the competing claims on our Nation's resources, and to demand that each program for which funds are allocated be thoroughly justified.

A singular exception to this principle occurs in the area of national defense. Maintaining an adequate and everready military capability requires that our defense establishment have some degree of fiscal flexibility in order to pursue unexpected technological breakthroughs and to meet unexpected problems and threats. But precisely because such fiscal flexibility results in erosion of the principle of congressional control of Government spending, and inevitably poses a threat to the principle of fiscal responsibility, flexibility in military spending must be limited to the minimum amount necessary to maintain sound national defense.

One of the devices available to the Defense Department to provide for fiscal flexibility is the defense emergency fund. Established during the Korean war, the emergency fund may be used at the discretion of the Secretary of Defense "for research, development, test, and evaluation, or procurement or production related thereto." In recent years most of the money appropriated to the fund has been used to solve Vietnam-related problems.

Although in each of the last 3 years the amount of money allocated to the emergency fund has been reduced, in fiscal year 1969 Congress still approved the substantial sum of $50 million for the fund. This same amount was requested last January by the Defense Department for fiscal year 1970. On the basis of a revised DOD request, however, the defense authorization bill, S. 2546, which is now before the Senate, authorizes $100 million for the defense emergency fund, double the amount received last year.

Fifty million dollars is a remarkably large amount of money for a discretionary fund over which Congress has no control. There is no justification whatsoever for allocating an additional $50 million to the fund.

Therefore, with Senators EAGLETON, FULBRIGHT, HARRIS, HART, HATFIELD, JAVITS, MONDALE, MOSS, PACKWOOD, and PROXMIRE, I am submitting an amendment to S. 2546 to reduce the emergency fund authorization to the $50 million level of last year.

There has been no demonstration that the need for the emergency fund has increased. Last year was a period of heavy fighting in Vietnam, but even with this burden on our fighting men, and the identification of many military problem areas, the emergency fund was not fully exhausted until the end of the fiscal year. With the experience of last year behind them, the Defense Department had initially determined that no increase in the emergency fund was needed for this year. And the prolonged lull in the Vietnam war, coupled with plans for troop withdrawal, indicate that the number of Vietnam-related problems may actually decrease.

It has been argued, however, that the additional $50 million for the emergency fund is needed to insure adequate financial flexibility within the Defense Department. But the Defense Department already has more than enough fiscal flexibility and independence. Much flexibility results from the authority granted the Secretary of Defense to use up to $150 million in funds from congressionally approved programs for other projects. The usefulness of this transfer authority is not seriously impaired by the reduction in total research and development funds available this year, since the amount of money authorized in this year's bill is a full 95 percent of last year's amount. But even assuming that the R. & D. reductions have made the transfer authority somewhat less useful, by increasing the emergency fund, their effect is largely vitiated; we would be replacing programs which must be presented to Congress for approval with a fund over which Congress has no control.

Additional flexibility comes from other funds within the Defense budget which serve the same purpose as does the emergency fund. For instance, last year the military was initially authorized to spend a total of $522 million for research and development on Vietnam problems—in addition to funds used from the emergency fund and transfer authority. In addition, there are contingency funds for specific purposes, such as the $25 million requested this year for the defense agencies military construction contingency fund, which provides for military construction anywhere in the world necessitated by unforeseen circumstances. And, finally, to meet any additional needs, the Secretary of Defense has a separate $10 million contingency fund which has even fewer restrictions than the emergency fund.

With so many budgetary devices to insure flexibility, and so much money allocated to unspecified uses, the Defense Department already has more than enough fiscal independence.

In short, we cannot afford to double the defense emergency fund by authorizing a total of $100 million for fiscal year 1970—because the increase is unjustified on its face, because the increase purports to serve the purpose of flexibility already accomplished by other means, and because the increase represents an unwarranted incursion on the principle of congressional control of Federal spending.

To paraphrase Shakespeare, there comes a time when the representatives of the taxpayer must cry "Enough"—and there has already been enough money wasted by the military, and enough fiscal independence in the Defense Department. Fifty million dollars is enough for the defense emergency fund, and I, therefore, urge that S. 2546 be amended to limit the emergency fund authorization to that amount.

The PRESIDENT pro tempore. The amendment will be received and printed, and will lie on the table.

MEETING SCHEDULE OF COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. JACKSON. Mr. President, I wish to announce for the information of the Senate that because of the pending vote on Wednesday, the Committee on Interior and Insular Affairs will not meet as scheduled on S. 1830, to provide for the settlement of certain land claims of Alaska natives. This hearing will be postponed until 10:30 a.m. on Thursday, August 7. The executive session of the full committee previously scheduled for 10 a.m. on August 7, will now be held at 9 a.m. to be followed by the hearing on the Alaska native claims.

DIRECTIVES AFFECTING SALARIES OF MANAGEMENT-OFFICE EMPLOYEES OF SENATE RESTAURANT

Mr. ALLEN. Mr. President, under the Federal Salary Act of 1967, the President pro tempore of the U.S. Senate is authorized and directed to issue certain directives in implementation of the salary comparability policy set forth in the law.

I ask unanimous consent that a directive affecting the salary of management-office employees of the Senate restaurant, dated June 26, 1969, and certain related correspondence, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

ARCHITECT OF THE CAPITOL,
Washington, D.C., July 29, 1969.

Hon. JAMES B. ALLEN,
Chairman, Subcommittee on the Restaurant, Committee on Rules and Administration, U.S. Senate.

DEAR MR. CHAIRMAN: I am enclosing, herewith, copy of order dated June 26, 1969, issued by the President Pro Tempore of the Senate upon my recommendation and with your concurrence, providing for an increase in the compensation of management-office employees of the Senate Restaurants as required by Section 212 of the Federal Salary Act of 1967.

I would appreciate your having this document inserted in the Congressional Record in order that it might be a matter of record.

Sincerely yours,

J. GEORGE STEWART,
Architect of the Capitol.

ORDER PROVIDING FOR INCREASE IN COMPENSATION OF MANAGEMENT—OFFICE EMPLOYEES OF THE SENATE RESTAURANTS EFFECTIVE JULY 13, 1969

JUNE 26, 1969.

By virtue of the authority vested in me by section 212 of the Federal Salary Act of 1967 (81 Stat. 634), it is hereby

Ordered, That (a) effective July 13, 1969, the annual rate of gross compensation of each management—office employee of the Senate Restaurants (such employees having been recognized by the Comptroller General of the United States as employees of the United States Senate) whose compensation is increased by section 214(a) of the Federal Salary Act of 1967 (81 Stat. 634, Public Law 90–206) and the Order of the President pro tempore of June 29, 1968, is hereby increased by 10.05 per centum; and

That (b) for the purpose of arriving at the "annual rate of gross compensation" on which the increase of 10.05 per centum is to be applied, (these employees being compensated on a weekly, rather than an annual, basis), the weekly gross rates of compensation shall be converted for the purpose of this Order, to appropriate annual gross rates.

RICHARD B. RUSSELL,
President pro tempore, U.S. Senate.

CONTRACT COMPLIANCE AND THE "PHILADELPHIA PLAN"

Mr. BROOKE. Mr. President, one of the most serious problems which this country faces is that of improving employment opportunities for our minority citizens. Despite the passage of a great deal of equal employment legislation, there is still far too much "token compliance," particularly in the various construction industries.

It was to counter this problem that the city of Philadelphia established a program under the direction of an area coordinator for contract compliance designed to go beyond paper compliance to the adoption and implementation of specific goals of numerical standards in certain critical crafts.

This valuable program is now under serious consideration by the city of Boston in my own State of Massachusetts. I am most hopeful that an area coordinator for contract compliance may soon be approved for the New England area, and I have written to Secretary of Labor George Shultz in this regard. I ask unanimous consent that the text of my letter to Secretary Shultz be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 30, 1969.

Hon. GEORGE P. SHULTZ,
Secretary of Labor,
Department of Labor,
Washington, D.C.

DEAR MR. SECRETARY: I have just met with the Massachusetts State Advisory Committee of the United States Civil Rights Commission, which I understand has also conferred with Assistant Secretary Fletcher. The Committee has just completed a review of federal contract compliance in the Boston construction industry and, as they indicated to Mr. Fletcher, have urgently recommended the adoption of a plan for Boston comparable to that being implemented in Philadelphia.

I fully agree with the Committee that this is a matter of the highest priority. In particular, the appointment of an area coordinator to insure effective contract compliance is a fundamental necessity. I hope you will act immediately to appoint such a coordinator, perhaps as part of the consolidation of federal regional offices in Boston.

Your efforts to breach the barriers of discrimination in the construction industry are among the most encouraging initiatives taken by the Administration. I respectfully urge you to carry that effort forward by taking these steps in the Boston area.

With best personal regards, I am,

Sincerely yours,

EDWARD W. BROOKE.

AMERICAN PRISONERS OF WAR

Mr. BAYH. Mr. President, there are many ramifications to the conflict in Vietnam, but one of the most disturbing aspects of this tragic war is the fact that American prisoners of war are not being treated in accord with the Geneva Convention. More than 120 nations, including the United States and North Vietnam, have expressed their deep concern that personnel captured in wartime be treated humanely by endorsing the Geneva Convention of 1949.

Not only are more than 1,300 U.S. servicemen classified by the services as either prisoners of war or missing in action, but also, according to the Department of State, more than 40 American civilians are missing in South Vietnam plus more than 400 military personnel listed as missing, many of whom have been captured and are being held in South Vietnam. Of the total of 1,303 men being held captive or missing in action, over 200 have been held captive over 3½ years and over 500 have been held more than 2 years.

There is reason to believe that many of these listed as missing in action are being held captive by the North Vietnamese, but the families of these men do not even know if their loved ones are dead or alive because Hanoi refuses to provide even a list of those being held captive. This is truly the epitome of barbarism.

The State Department and the Department of Defense have been thwarted at every turn because Hanoi refuses to identify the U.S. prisoners held captive; they refuse to permit neutral inspection; they refuse to release the sick and wounded captives; they refuse to permit the regular flow of mail; in essence, Hanoi refuses to act in a civilized, humane manner. This callousness is absolutely inexcusable.

When Defense Secretary Melvin Laird demanded a full list of the prisoners held by the Republic of Vietnam on May 19, North Vietnamese negotiator Xuan Thuy replied:

> He might as well know that so long as the United States has not ceased its aggressive war in Vietnam and withdrawn its troops from Vietnam, he will never have such a list.

It is my contention, Mr. President, that the United States has demonstrated its desire for peace. At present, our troops are being withdrawn from South Vietnam and we have modified our policy of "maximum military pressure." The United States has demonstrated its sincerity to end this conflict. How can we believe that Hanoi is sincere when it refuses to comply with a simple request? The total lack of reciprocity is appalling. However, my main concern is that the North Vietnamese abide by the requirements of the Geneva Convention which they endorsed in 1957. Specifically, I call for the adherence to the Convention which requires the release of names of prisoners held, the immediate release of sick and wounded soldiers, regular flow of mail, proper treatment of all prisoners, and the impartial inspection of prisoner-of-war facilities.

I urge that our negotiators in Paris do everything in their power to influence Hanoi to abide by the Geneva Convention. I urge all foreign governments, including the Soviet Union and all regimes closely associated with Hanoi, to lend their assistance to the demands of the United States. I urge that the American public voice its cries louder than ever in demanding that the North Vietnamese behave and react in a civilized humane manner. And I appeal directly to North Vietnam and the Vietcong to terminate this lack of concern for the many families in the United States who are living in uncertainty and to respect the humane rights of those whom they hold prisoners of war. Why is it that the United Nations has not exerted itself and fulfilled its responsibilities on this matter?

How can it possibly harm the enemy to release the names of its prisoners? Think what a response to such a simple request would mean to the hundreds of wives, parents, and children who live in anguish, not knowing whether their husbands, sons, or fathers are being detained in a prisoner camp. I urge the State De-

partment and the Defense Department to continue their efforts to obtain the release of those prisoners who are sick or wounded, to do everything humanely possible to obtain a list of names from Hanoi, and to work for the prompt release of all prisoners.

The United States has abided by the Geneva Convention in regard to prisoners of war. Those North Vietnamese and Vietcong forces captured in South Vietnam are taken to prisoner of war camps which are inspected regularly by the International Committee of the Red Cross. Prisoners who are sick and wounded have been repatriated to North Vietnam. The United States, in essence, has responded in a humanitarian way. Now it is time that the enemy reciprocate and that the United States strongly demand that its servicemen be treated properly.

Needless to say, everyone has been shocked by Hanoi's uncivilized attitude and response. Hopefully, the entire civilized world will exert influence to end such flagrant violation of international law.

Mr. President, by coincidence, an excellent editorial pertaining to the families whose loved ones are being held by the North Vietnamese was published in the Washington Post this morning. It is evident that all Americans are concerned about servicemen who are missing in action and being held captive. Because of the editorial's relevance and timeliness, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Aug. 4, 1969]

KEPT IN THE DARK

The letters come in every day, in big and little batches from Santa Fe and Monterey, from Aberdeen, South Dakota, and Purdy, Missouri, from Richmond, Virginia and Lake Lure, North Carolina, from Downers Grove, Illinois and Finnville, Michigan. Some are hand-scrawled and some typewritten and they all speak piognantly of the suffering of mothers and fathers and wives and sons and daughters of the over 800 men who are missing and presumed to be prisoners of the North Vietnamese. They ask about the treatment the men are getting. But because the Hanoi Government won't even confirm the names of the men it is holding, their first concern is with the cruelist question—whether a husband or a brother or a son or a friend is even still alive, let alone well. Somebody has told them that just maybe a newspaper editorial would help persuade the North Vietnamese to say at least that much to show at least that much human decency, and so the letters keep coming in.

And about all we can say in reply is that we have tried before and that we do not have any illusions—not even when it comes to counselling our own Government, which by the nature of the system it lives by is not insensitive to public pressure. But the case against Hanoi in the matter of our prisoners of war is so persuasive, and the anguish of their friends and relatives is so acute, that one wouldn't want not to keep trying.

The case against North Vietnamese treatment not only of war prisoners, but of their next of kin, rests very largely on Western values—compassion, humanity, a natural aversion to cruel and unusual punishment. And while this is the strength of the case in Western eyes, it is also of course its weakness, because the same values are not universally prized by Asian Communist Governments; we have the treatment of our Korean War POW's and more recently the crew of the Pueblo to vouch for that, as well as the treatment of our prisoners in North Vietnam.

The techniques are as subtle as they are vicious, as psychological as they are physical, and the results have nowhere been more affectingly recorded than in interviews with two of our captured pilots conducted by Oriana Fallici and published in *L'Europeo* a few months ago. Of U.S. Navy Lieutenant Robert Frishman, she wrote:

He was very young, very tall and terribly thin. Of a sickly, consumed thinness . . . He wore Chinese wool slippers and walked bent like an old man . . . With his left hand he held up the right arm, shorter and shrunken . . . He looked around with a lost expression and blinked his eyes . . . Obviously he had been kept in the dark for a long time . . . "It has been almost a year and a half since I last spoke to someone, Madam."

There are probably places in the world where this sort of thing is effective, the use of God knows what sort of inhuman pressures to reduce men to parroting banal, fawning propaganda in a crude and almost ludicrously primitive effort to influence public opinion. But there are not many, not where men are free to judge for themselves. And the tragedy of it is the pointlessness of it, leaving wholly aside the morality; it isn't working the way the North Vietnamese must think it will work. The sympathy of the world is not going to be swung toward the North Vietnamese side of the argument by barbarism, as the press comment in large parts of the world, including countries by no means sympathetic to *our* side of the argument, amply testifies. And still less is world opinion likely to be swung by the even more mindless cruelty of preying on the grief of the next of kin, by teasing them with invitations to send gifts, by releasing a handful of prisoners now and again, but never releasing the names of those still held in captivity.

More important, perhaps, the North Vietnamese have it all wrong if they think that this refusal to release the list of POW's will significantly influence American public opinion against the war or serve some purpose as a negotiating counter, as Hanoi's Paris negotiator Xuan Thuy has implied.

There are things about this war that have, and will continue to have, a profound and disquieting effect on American public opinion; merely by dragging on, the war has that effect; so do continued American casualties in battle; so does the absence of any believable end in sight. These things may sap the will and encourage the belief that the effort is not worth the price, that conciliation and a rapid transfer of the burden to the South Vietnamese is the proper course. There are countless ways that the enemy might try to encourage these tendencies by promoting the belief that an honorable accommodation is possible with the North—an accommodation within which our South Vietnamese allies and their followers and the people of South Vietnam could survive. But a continuing demonstration of relentless cruelty, of an incapacity for showing even the most elementary evidence of decency and humanity, is not one of these ways.

RETIREMENT OF BRIG. GEN. ROBERT E. LEE

Mr. BIBLE. Mr. President, on July 31, the Nation's small business firms in the defense contracting community lost a firm friend, when Brig. Gen. Robert E. Lee retired from service in the U.S. Air Force. General Lee had, for the past 3 years, served as Executive Director of Procurement and Production at headquarters of the Defense Supply Agency. In that capacity, he had been an avid supporter of the DSA small business program.

General Lee had been associated with military procurement since 1949, at which time he joined the Air Force Air Materiel Command Headquarters. He later served as Chief of the Procurement Policy Division of that command. His next assignment was as Director of Procurement and Production in the Warner Robins Air Materiel Area Headquarters at Macon, Ga., where he served for several years before becoming Deputy Director of Procurement Policy at U.S. Air Force Headquarters in 1964. He assumed the duties of Executive Director, Procurement and Production, Defense Supply Agency, in 1966.

During his tenure at DSA, General Lee gained renown as a procurement official interested in carrying out the mandate of the Congress, that:

The Government should aid, counsel, assist, and protect, insofar as is possible, the interests of small-business concerns in order to preserve free competitive enterprise, to insure that a fair proportion of the total purchases and contracts or subcontracts for property and services for the government . . . be placed with small business enterprises.

General Lee actively sought to encourage small business firms to participate in the supplying of goods and services to the military departments. He made himself available as a featured speaker at countless industrial gatherings. He gave unflagging support of DSA's procurement opportunities counseling services and always demonstrated sharp insight and keen understanding of the problems facing the small businessman in doing business with the giant Military Establishment.

During the time General Lee directed the DSA procurement program, that agency either met or exceeded the yearly small business participation goals set by the Office of the Secretary of Defense.

General Lee appeared before the Subcommittee on Government Procurement of the Senate Small Business Committee in February of 1968. Mr. President, it goes without saying that the membership of the Senate Small Business Committee will feel the loss of a knowledgeable procurement official who has understood and taken to heart the desire of the Congress to hold the doors of opportunity open for American small businesses to grow and flourish in our economy. Too often, procurement officials do not show interest in the many small businesses who are attempting to become part of the Government's massive supply system merely only because they are directed to do so. It is encouraging to know a man like General Lee, who not only enthusiastically supported the small business program, but comprehended the overall objectives of the program.

Mr. President, it is indeed a signal honor for me to rise on this occasion to express my sentiments and pay tribute to a truly fine and extremely dedicated man who has in every respect served his country well.

THE IDAHO BASQUE COMMUNITY

Mr. JORDAN of Idaho. Mr. President, yesterday, in Boise, members of Idaho's

Basque community celebrated their annual St. Ignatius Day picnic. On the same day, the Washington Post published two articles, written by Paul A. Dickson, chronicling the history of these industrious and freedom-loving people.

Idaho's Basques have made a most significant contribution to the development of our State. It is appropriate that Idaho, respecting as it does the traditions of freedom and individualism, should take the Basque people so much into its heart. Theirs is a proud legacy. So that Senators and all other readers of the CONGRESSIONAL RECORD may have access to these two articles by Mr. Dickson, I ask unanimous consent that they be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

FRANCO FACES BASQUE POWER

(By Paul A. Dickson)

Part of the legacy that Generalissimo Francisco Franco of Spain will pass on to his announced heir, Prince Juan Carlos de Borbon y Borbon, is the "Basque problem."

Franco first faced the Basques during the Spanish Civil War, when the Basque provinces of Vizcaya and Guipuzcoa existed as the Republic of Euzkadi. The weak republic was easily conquered in a few months, but in his 30 years in power Franco has been unable to kill the Basque's independent spirit and separatist aspirations.

Events of recent months—strikes, renewed separatist activity, demonstrations by the clergy, acts of terrorism, university uprisings and the like—may portend even tougher days ahead for Franco or his successor.

"The Basque problem" has existed for those who have ruled the Iberian peninsula since the days before Spain was a nation. Often described as the oldest homogeneous racial group in Europe, the Basques are closely knit and have resisted amalgamation since the first Roman legions descended upon them. They waited until the 11th century to embrace the "foreign" influence of Christianity, but when they did, they produced such illustrious Christians as St. Francis Xavier and St. Ignatius of Loyola.

By reputation—often self-proclaimed—they are a proud, industrious and strong people. By profession, they are famed as sailors, shepherds and smugglers. They have excelled in each area.

Basques claim that their fishermen were fishing off the Grand Banks of Newfoundland before Columbus set sail. Another claim has it that when the Genoan stopped in the Azores, Basque fishermen assured him that there was land toward the setting sun. In addition, there is a Basque claim, though never given wide publicity that Basques landed in Newfoundland before 1492.

These claims aside, their position in the age of discovery is well established. Elcano, a Basque, was Magellan's navigator and took command when his master died in the Philippines. Chachu, another Basque, served as Columbus's boatswain on the Santa Maria. Basque fishermen are to this day considered the most daring in Spain and brave the North Atlantic in small boats to bring back cod and other fish from the Grand Banks.

As for their reputation as smugglers, it is not as sinister as it might sound. There are about 600,000 Basques living in the Spanish provinces of Vizcaya and Guipuzcoa and about 200,000 in the French Basque provinces of Labourd, Basse Navarre and Soule. The feeling among the Basques of both nations is that all Basques should live with the best that both countries can manufacture: hence the traffic through the Pyrenees. Part of the Basque rationalization of smuggling points out that Basques are not greedy smugglers (which may also account for their success).

LANGUAGE OF PARADISE

The Basque language is called Euskara. It has no clearly recognizable roots in any other language, although tenuous links have been made between its pronouns and Hebrew pronouns, its verbs and Aztec and Dakota Indian verbs and other elements of the language and tongues as diverse as Arabic and Japanese. One Spanish linguist early in this century went as far as to propose that Euskara is the basis of all language and was spoken by Adam and Eve.

The Basque hills are rugged and rocky and the Basque aptitude for shepherding is legendary. Many of the estimated two million Basques in the Western Hemisphere are shepherds and special immigration rules in the United States permit Basque shepherds to enter the country on a preferred basis.

The language does not lend itself to abstraction and has never lent itself to literary use. It is spoken in several dialects. There was a moment in 1937 when the Franco government tried to outlaw Euskara in an attempt to curb Basque nationalism, but the edict was written in Spanish and in many small towns, few people understood any Spanish.

The unique flavor of the language, which is peppered with Xs, Ks and Zs, can be sampled in a few words. The numbers one through five are, *bat, bi, iru, lau,* and *bost.* The sun is *eguzki* and the moon is *illargi.* The sea is *itxaso* and river is *ur.* Man is *gizon* and woman is *emazteki.* Many Basque words are onomatopoeic: *gili-gili* is the verb to tickle and *bimbi-bimaki* is the pealing of bells. The word for god is *jaungoika*—literally "the lord of the manor most high."

Basque folklore is concerned with objects and settings foreign to the Spain of the hot sun and sprawling bullranch. Witches, shegoats, night visitors, demons of all types, devils and ancient woodsmen cavort in caves, dark forests, inert swamps and rocky crevices.

The Basques' earliest history is mostly a matter of conjecture and is as elusive as their language. Such tags as Cro-Magnon, Berber, Lapp, Celt, Finn and Magyar have been used to explain their origins, and the idea that they were the basis of the original Iberian tribe has been advanced regularly. From time to time, it is suggested that the Basques are the human remnants of the lost continent of Atlantis.

A BAND OF WILD ASSES

When the Basques were found by the Romans, blood sacrifice was common among them, their staple was acorn bread and their many gods lived in mountains and among the rocks of the Basque shores. Basque customs and cults were upheld during the Roman period.

In the 6th century, they were invaded by the Visigoths, who were soon driven out. The Moors, after taking most of the rest of Spain, were content to leave them alone, calling them "a band of wild asses." Basque mountaineers trapped and defeated part of Charlemagne's army under Roland in 778. They resisted the centralizing grasp of both the Bonapartes and Bourbons.

From the early 14th century to 1839, they lived in confederation with Spain, recognizing the King of Spain as the Lord of the Basques with the understanding that he would affirm the established liberties or *fueros* of the Basques.

In the aftermath of a civil war, which ended in 1876, the Basques were fully incorporated into the Spanish state and lost their final special privileges of exemption from military service, financial autonomy and local administration. From this time forward, the Basques always have had a substantial cadre of separatists in their provinces.

The Spanish monarchy fell in 1931, and the Spanish Republic was established. The Basques immediately petitioned for independence. In 1933, the Republic authorized a plebiscite among the Basques and an overwhelming 88 per cent voted for a separate state, which was finally authorized as the Spanish Civil War broke out in 1936.

If the existence of the Basque Republic of Euzkadi was short, it was not without worldwide implication. The attack on Guernica by German planes on Franco's side clearly established the Nazi proclivity for brutality.

In a war of intense cruelty and vindictiveness, it was the Basques alone who were reported by the correspondents as incapable of atrocity. As the front moved closer, the Basques attempted to evacuate their children. (The United States made a decision during this period that struck some as particularly pathetic: to turn down a cargo of 500 Basque children who had been evacuated from Bilbao before it was attacked. Though many nations that were neutral during the Spanish war accepted children, the United States decided that such an action would be taking sides).

IGNORED BUT ALIVE

The history of the Basque national movement in Spain has been for the most part unchronicled since 1937.

None of the world's major newspapers or press services have correspondents in the area, and the Spanish press does little to report events that reflect antagonism to the government. Most of the old voices of Euzkadi are gone.

But in the more than 30 years since the fall of Euzkadi, Basque nationalism has stayed very much alive. In the last two years have occurred some of the strongest separatist demonstrations since the early 30s. It is almost impossible to know exactly how many have been arrested for nationalistic activities, but the number is sizable.

Except for major eruptions, Basque nationalism traditionally has provided those one-inch fillers in the back of major newspapers: like "15 Basques on Trial" and "25 Successionists Arrested." In the period from 1950 to 1967, The New York Times reported a total of more than 300 arrests. In the last two years, more than twice that number of arrests have been reported.

Basque priests have been consistently outspoken in their dealings with the Franco regime. The priests have been almost constantly at odds with their Franco-appointed bishops, provincial governors and the regime itself.

By making decisions that pertain directly to religion, the governors have kept dissatisfaction alive. Euskara has been banned for use on tombstones and outlawed as the language in sermons.

In 1960, 342 Basque priests signed a letter to Franco protesting the "lack of freedom" and "oppression of the Basques" by his regime. In 1963, a Basque statement was forwarded to the Ecumenical Council in Rome, denouncing a "violation of basic human rights" by the government in Madrid.

Recently, the action has been more direct. Priests have refused to allow the Spanish flag in their churches, refused to bless Franco-sanctioned public works or buildings, staged vigils (sit-ins) in the offices of higher authority (in once case, 47 stayed in the bishop's palace in Bilbao for six days) and bluntly advocated separatism.

Several monasteries have become active centers for nationalism and one went as far as to edit and publish a pro-Basque newspaper that reached a circulation of 40,000 before being stopped by the regime. Last summer, the problem became so severe that Pope Paul ordered Basque priests to stay out of politics and, at the same time, asked the Franco government to release eight priests

arrested for alleged collusion in the Basque movement.

ACTS OF TERRORISM

While much of the leadership—or at least those with a platform from which to be vocal—is in the clergy, the move to nationalism is strong among the rest of the population. It ranges from the Basque who is simply in favor of regaining old freedoms to the members of the small terrorist organization known as ETA or Euzkadi ta Askatasuna (Basque Land and Liberty). In the middle is the Basque Nationalist Party, a loosely organized group that has peacefully lobbied for separatism for almost 100 years.

For 30 years, Basque nationalists have been a tolerable nuisance to the Spanish government. Manifestations of the nationalist spirit were for the most part confined to nonviolent but illegal acts such as clandestine meetings, painting slogans on walls, circulating pamphlets and the like. In the last two years, however, matters have become much more serious.

Acts of terroism have occurred, including the killing of two Spanish policemen. Massive demonstrations have taken place in San Sebastian and Bilbao, resulting in numerous arrests and other forms of retribution. Twice, rights guaranteed under Spanish law have been suspended in the Basque area. Rights regarding arrest, house search and freedom of movement have been suspended on occasion.

Day-to-day expressions of Basque nationalism come in many forms. Speaking Basque in the presence of outsiders is one. Calling Pio Baroja and Miguel de Unamuno Basque—not Spanish—writers and pointing out that Simon Bolivar and Maurice Ravel were Basques are others. The green, white and red colors of Euzkadi are illegal on a flag but are worn discretely on jacket lapels at festival time. Basque Christian names are also illegal, but there is no way of stopping a mother from calling her son, christened Jose, by the equivalent Basque name Joseba.

EVERY MAN A NOBLE

Basque liberty is not a vague concept but a specific tradition that has been maintained, at least in men's minds, for centuries.

The Basque *fueros*, or rights, were for the most part formulated in the *Batzar*, or parliament, in Guernica. Nobody is exactly sure when the *batzar* first convened, but it produced a body of laws that were egalitarian and often unique.

A fuero written in 1526 declared that every Basque was a nobleman. The law not only prevented nobility from dominating the Basque lands but also gave Basques traveling in other lands the privileges of title.

Other fueros prohibited torture as a means of punishment, allowed for free trade with other lands and guaranteed a trial by a jury of peers.

A fuero of the 16th century stated that freedom and liberty were established by law and that any order from the king in contradiction with the fueros would be "respected but not carried out." No law or decree issued by the king went into effect until ratified by the batzar.

No taxes (stipulated as free and voluntary gifts) could be paid to the crown until all petitions were heard and wrongs redressed.

Although Basques have a reputation for being extremely religious and concerned with law, their fueros prohibited clergy or lawyers from sitting as deputies at Guernica.

Contemporary Basques claim that their 16th century forebears had more personal freedom than they do.

The Basques, who hold tenacity and strength to be great virtues, have been around for a long time and know that the irritations of a dictatorship cannot last forever. Their ideals, manners and customs have had the strength of centuries.

When John Adams wrote "A Defense of the Constitution of Government of the United States," he spoke of the Basques:

"While their neighbors have long since resigned all their pretensions into the hands of kings and priests, this extraordinary people have preserved their ancient languages, genius, laws, government and manners without innovation, longer than any other nation in Europe."

The Basque ethic and ideal may be the sanest on the whole Iberian peninsula, but it will probably be a while before they dominate in their native provinces again. Until that time, resilience will have to do.

THE BASQUES' PRESIDENT

(By Paul A. Dickson)

The North of Spain was falling and the leaders had retreated as far as the city of Santander. Jose Antonio de Aguirre was convinced by his ministers that he must escape immediately. Under heavy aerial bombardment, he managed to board the only airplane his tiny government still owned, an old Curtiss pursuit plane that had once belonged to Haile Selassie. An hour later he was in France.

Aguirre was the elected president of Euzkadi, the Basque Republic, which had come into existence in October, 1936. Now, with Aguirre's exile, it had fallen in less than a year. As the Nationalist armies of Francisco Franco moved through Vizcaya and Guipuzcoa, the two separated provinces once again became part of Spain.

As the errant provinces were again being put under Spanish rule, Aguirre had to plot and execute his escape from Europe. He stayed in France for a while, but was soon on the run again.

Aguirre had been an outspoken antifascist who rallied worldwide sympathy for the Basques when he cried out against the bombings of the undefended Basque towns of Guernica and Durango by the Nazi Condor Legion, then in the service of Gen. Franco.

The Nazis and their collaborators actively pursued Aguirre in occupied Europe. If caught, he would presumably have shared the same fate as Luis Companys, president of the similarly separatist Catalan Republic, who was captured in France by the Vichy regime, turned over to Spain and shot.

Aguirre moved from hiding place to hiding place. Just as he felt he was about to be captured in occupied Belgium, he decided upon a bold course of action: he would escape through Berlin. As he later explained in his book, "Escape Via Berlin," "While the rest of the world ran away from their clutches, I would run between their legs."

He was crafty and calm, and it seems, driven by the same sense of bravado usually attributed to spies in Hollywood movies. Posing as a Panamanian traveler, bolstered only by a false passport and a new mustache, Aguirre attended the funeral of the Spanish King Alfonso XIII in Berlin and sat in the same section of the church as Spaniards who would have had him shot had they recognized him. He dined with a Spanish diplomat and impishly brought up the subject of "that criminal" Aguirre. In occupied Belgium, he played in a well-attended tennis match with his brother—who was being watched to see if he would make contact with the escaped president.

With the help of several sympathetic Latin American diplomats, Aguirre escaped with his family to neutral Sweden, then Brazil and finally New York, where he established headquarters for his exile government. When World War II ended, the government-in-exile moved to Paris (where it still exists) and Aguirre continued as an active propagandist for the rights and separatism of the Spanish Basques.

Aguirre died in 1960. The world's press gave him the type of deferential obituary reserved for men who have had their one moment of significance. To the world he was a colorful, quixotic anachronism crying for separatism at a time when alliances, treaties and blocs were the order of the day.

Throughout history there have been many exiled leaders: men who perish in foreign lands claiming to the last that they have been slighted and their people deprived of their birthright. The Spanish Civil War alone provided a handful of such men. Often the claims of deposed leaders add up to nothing more than bids for publicity by desperate despots. To the end, Aguirre claimed that he represented a courageous, idealistic and democratic people with a long felt desire for nationhood. Seen in the context of the Spanish Basques and their history, customs and traditions, Aguirre's claim appears valid.

SAFEGUARD CREDIBILITY UTTERLY DESTROYED

Mr. YOUNG of Ohio. Mr. President, the St. Louis Post-Dispatch recently published an outstanding editorial, entitled "The Credibility of Safeguard," which clearly and concisely details the checkered history of the proposed ABM system. The editorial points out that President Eisenhower and President Kennedy both rejected the importunings of Pentagon generals and admirals for deployment of an ABM system. Furthermore, it was not until 1967 that President Johnson succumbed to Pentagon pressures and prevailed upon Secretary of Defense McNamara to yield to the Joint Chiefs of Staff and the military-industry complex. Secretary McNamara then recommended the so-called thin ABM, supposedly a defense against Communist China—a rationale that has been thoroughly discredited. It had no validity at that time as Communist China had then as it has now, but crude nuclear capability.

To embark upon a project of such dubious value and at such fantastic expense against the advice of the scientific advisers to Presidents Eisenhower, Kennedy, and Johnson and of practically all of the scientists who, incidentally, would be called upon to help build this boondoggle, makes no sense whatever. The alleged purpose of the ABM has been changed so many times and altered to fit so many conflicting assumptions that the credibility of Safeguard, formerly termed the Sentinel ABM, has been utterly destroyed.

Mr. President, I commend this excellent editorial to Senators who have not had the opportunity to read it, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE CREDIBILITY OF SAFEGUARD

As the ABM question nears a Senate vote, it is well to recall the checkered history of the defensive missile project.

The Pentagon's military planners began promoting defensive missiles during the '50s, in the Eisenhower Administration. After extensive consideration of two competing concepts, point defense and area defense, they decided to concentrate research on point defense, and the Army set about designing and testing Nike-Zeus. The Defense Department in 1959 strongly urged immediate production and deployment of this system, to be operational by 1964.

But President Eisenhower was never convinced that such a vast expenditure could be

justified. He left the matter to the incoming Kennedy Administration, which decided not to deploy Nike-Zeus but to splurge instead on a huge expansion of offensive missiles, on the basis of "missile gap" which later turned out to be the figment of somebody's imagination.

The wisdom of the decision against Nike-Zeus has been attested by Dr. G. B. Kistiakowsky, President Eisenhower's science adviser. He recently pointed out that if the system had been deployed in 1964, at a cost of perhaps 40 billion dollars, by this time it would have been made obsolescent by the current numbers and sophistication of offensive missiles being deployed by the superpowers.

Undismayed, the Pentagon during the early '60s switched its planning concept from point to area defense, and began working on Nike-X, which was intended to protect major population centers. Both the Kennedy and Johnson Administrations decided against deployment of Nike-X, for much the same reasons that had prevailed against Nike-Zeus.

After the Soviets began deploying a limited ABM system around Moscow, the Pentagon renewed its pressure. Nike-X became the Sentinel system, based on the same components. Secretary McNamara, convinced that with or without ABMs on either side the U.S. had enough nuclear power to wreak total destruction on any enemy even after absorbing a missile attack, continued to oppose ABM. He said all it would accomplish would be to force the Russians to build more and more offensive missiles.

In late 1967, Mr. McNamara compromised. Still rejecting as unnecessary an ABM defense against Russia, he inexplicably came out for a "light" deployment against China. There is every reason to believe that this was a political decision, designed to deprive the Republicans of a "missile gap" issue in the 1968 campaign. The aerospace industry's house organ, *Aviation Week*, so described it at the time.

Congress approved and work began on Sentinel. So many protests came from the proposed ABM sites around Detroit, Boston and other cities, that the incoming Nixon Administration suspended the project for a review. The upshot was the transmutation of Sentinel into Safeguard.

Now the strategic concept shifted back once more from area defense to point defense. Instead of protecting cities, the ABM was to protect the sites of Minuteman offensive missiles against a possible first strike by the Russians (not the Chinese, anymore). This doctrine required, as Senator Symington has pointed out, changing the previous appraisal of Russia's SS–9 missiles from second-strike to first-strike weapons. The Pentagon also raised the megatonnage the SS–9s are supposed to carry, and it further gave them the potential of carrying multiple warheads.

Whether SS–9s do in fact have all that capability is not known. Senator Symington notes that the SS–9 is a liquid-fuel missile like the Titan, which the U.S. abandoned years ago. Yet all of a sudden, according to the Pentagon propaganda, the SS–9 has become a fearsome weapon able to knock out all our missiles at one blow, and therefore we need the Safeguard ABM system to "protect our deterrent."

Senator Symington, one of the most knowledgeable men in the Senate when it comes to missiles, is not fooled by this propaganda, and we do not see how a Senate majority can be fooled by it. Those who pay thoughtful attention to the 15-year effort by the Pentagon to inflict a costly ABM commitment on the American people can only conclude, with Senator Gore, that the ABM is a weapons system in search of a mission. Its alleged mission has been changed so many times, the security justification altered to fit so many conflicting assumptions, that the credibility of Safeguard has been utterly destroyed.

SENATOR YARBOROUGH TALKS ABOUT THE WORLD HUNGER PROBLEM

Mr. McGOVERN. Mr. President, I noted with interest a speech made by one of the members of the committee of which I am chairman, the Select Committee on Nutrition and Human Needs. The speech, by the distinguished Senator from Texas (Mr. YARBOROUGH), constitutes a most enlightening and eloquent discussion of the problem of world hunger.

It includes a thorough review of the fundamental facts pertaining to the existence of world hunger, a brief discussion of the history of famine and hunger, an analysis of suggested solutions to world hunger, and an articulate summary of his suggested approach to the immediate problem.

I ask unanimous consent that the speech, entitled "A Beacon in the Malthusian Darkness," and delivered to the Canadian-American Assembly on World Hunger on Thursday, June 26, 1969, be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

A BEACON IN THE MALTHUSIAN DARKNESS

(Remarks of Senator RALPH W. YARBOROUGH to the Canadian-American Assembly on World Hunger in Toronto, June 26, 1969)

President Nelson, Distinguished Delegates to the Canadian-American Assembly on World Hunger, Fellow North Americans, Ladies and Gentlemen:

As a Texan, I feel awed in coming to the Province of Ontario, so much larger than the empirical State of Texas, and to Toronto, with a metropolitan population of over two million. But I have been to Canada a number of times before, and I know that Canada is not merely big in area, it is big in thought and ideals, which is the most important of all.

It is in keeping with the great size, the great ideals, and great compassion of Canada, that you are holding this conference here, to deal with one of the most urgent problems of mankind. The problems of hunger and malnutrition among the world's people, coupled with the population explosion, presents man with one of the gravest problems in all his life on this continent.

It is a pleasure to have this opportunity to participate in a meeting of individuals so genuinely concerned about one of man's greatest crises.

Cardinal Spellman, in his Prayer for Children, eloquently characterizes the pathos of this crisis with these words:

"Somewhere—the place it matters not
Somewhere I saw a child hungry and thin of face
Eyes in whose pools life's joys no longer stirred
Lips that were dead to laughter's eager kiss
Yet parted fiercely to a crust of bread."

Such a child can be found in any part of the world; in the river plains of India; the hamlets of Vietnam; the villages of Biafra; the teeming ghettoes of Tokyo or Mexico City; in the hills of Appalachia; or the streets of the proud but turbulent American cities. We cannot escape the haunting eyes of hunger; they see us when we dine on veal Francoise, or drive either one of our two family cars, or watch our color television.

While one billion of the three billion people on Earth share in an ostentatious abundance, the other two billion struggle on the brink of starvation and disaster. Those two billion people receive on a daily basis half or less as many calories as the one billion in the affluent nations, and only one-fifth as much high quality animal protein.

It has been established by the President's Science Advisory Committee that over 50 percent of the pre-school children in the developing nations are physically affected, from a severe to moderate extent, by protein-calorie malnutrition. The physical manifestations are tragic indeed; anemia, goiter, pellagra, beri-beri, rickets, mental retardation and other diseases associated with malnutrition. It is estimated that approximately 10,000 people, mostly children, die from hunger or from the associated effects of malnutrition each day, while millions suffer in the psychological despair created by hunger and poverty and their corrollaries of lethargy and hopelessness. As Adlai Stevenson noted, "A hungry man is not a free man."

We cannot escape a plain truth: Up to now man has not been able to eradicate the scourge of hunger. How then can man ever hope to cope with the problem as it is compounded by future population growth?

Dr. Paul Erlich of Stanford University answers this question dogmatically in the negative. He says:

The battle to feed humanity is over . . . Sometime between 1970 and 1985, the world will undergo vast famines. Hundreds of millions of people are going to starve to death. That is they will starve to death unless plague, thermonuclear war or some other agent kills them first.

Dr. Erlich thus pessimistically proclaims that man cannot escape the ominous shadow of Malthus. His conclusions paraphrase T. S. Eliot: The world will end with the whimper of a starving man, rather than with the bang of an exploding planet.

Many scientists and experts disagree with Dr. Erlich, and do not feel that the situation is hopeless. But even those hasten to recognize that the hunger problem has thrown the world into crisis, a crisis that is calculated to be frightfully deepened by the sheer reality of mathematics.

According to United Nations studies, the world population will be at least doubled by the year 2000 and the population could reach 7 billion. In 1966 alone, the world population was increased by some 70 million, and there was no compensating overall increase in food production. Because of the agricultural disasters of 1965 and 1966, each person on earth had 2 per cent less to eat in 1967 than in the preceding year.

We must face up to some stark facts:

According to the study of Dr. Thorkil Kristensen, Secretary-General of the Organization for the Economic Cooperation and Development, the less developed countries' demand for food in 1960 was 47 billion in terms of dollars, and their production was 48 billion; but by 2000, their demand will be 170 billion with a production of only 135 billion.

As Dr. Frank Notestine, President Emeritus of the Population Council, stated, there is no realistic possibility that the population growth can be reduced by human fertility control or family planning to an extent sufficient to significantly lessen the projected food deficiency.

The less developed nations will have to double their historic rates of growth in food production if they are to break their dependence on food aid and reach minimum levels of adequate diet by 1980, and to do this the resources required are far in excess of present levels of investment in agricultural development.

So, in the absence of drastic measures, the dreadful gap between the nations that have and the nations that have not is calculated to widen. Even the most optimistic among us have to yield to the incontrovertible: mankind is on a collision course with catastrophic famine if it continues its present direction, at its present pace.

It is true that man has always been plagued with hunger and famine. The first historically recorded famine occurred in ancient Egypt some 2000 years before the time of Abraham. The so-called Stele of Famine, found over a granite tomb at the first cataract of the Nile, recorded with terrible foreboding the famine that ravaged the land of the Nile during the reign of Tosorthrus:

I am mourning on my high throne for the vast misfortune, because the Nile flood in my time has not come for 7 years. There is lack of crops and of all kinds of food. Each man has become a thief to his neighbor. The child cries, and the youth creeps along, and the old man—their souls are bowed down, their legs are bent together and drag along the ground, and their hands rest in their bosoms. Everything is exhausted.

In A.D. 331, Antioch in Asia Minor was afflicted by so devastating a famine that a bushel of wheat sold for 400 pieces of silver. In Scotland, after 4 years of famine about A.D. 936, "people began to devour one another." During the Irish famine of 963, peasants sold their children for food.

Hunger and misery were the impelling forces of two of history's greatest revolutions: the French and the Russian. In 1876–78, 5 million persons perished from famine in Bombay, Madras, and Mysore, India; while in a famine in Northern China, at about the same time, 9½ million people died of starvation.

History now records our present nemesis, Biafra. As Senator Edward Kennedy noted on the Senate floor just a few days ago:

"The mercy airlift of food and medicine into Biafra has stopped. The three million people supported by the airlift face starvation and death."

Despite the persistent recurrence of famine, I cannot accept the dogmatic despair of the Malthusians. Hope springs eternal in the human breast. It has to—that is the human way.

Whatever the probabilities of disaster, we have to *at least try* to preclude its convergence with reality. There has been too much talk about hunger and too little action. If we could eat rhetoric, hunger would have vanished by now. It is time to act, and to act as if our lives depended on it—for indeed they do.

While we must energetically foster population control, we must recognize that such efforts cannot provides an immediate solution to the hunger problem. I have had some direct involvement with population control efforts. As a member of the Senate Subcommittee on Employment, Manpower and Poverty, I was a co-sponsor of former Senator Ernest Gruening's bill on population control in the last session of Congress. I am a cosponsor of Senator Joseph Tydings' bill, pending in this session of Congress, to expand and improve family planning services and population research activities. This bill has been referred to the Senate Labor and Public Welfare Committee, of which I am chairman.

From these vantage points, I have seen that population control is absolutely essential if we are to win the race between food and population. You may have noticed the full page ad in the larger newspapers throughout the United States last week. It refers to Robert McNamara's speech at the University of Notre Dame where he said:

"Providence has placed you and me—all of us—at the fulcrum point in history where a rational, responsible, moral, solution to the population problem *must be found.*"

There can be no doubt that a solution must be found and found soon. None of the medical or mechanical remedies have proven effective among those with the highest birthrate, the poor and illiterate masses of the world. More education and counseling is needed, and more research is needed. The United States spend only 116 million dollars on population control programs; this is not enough. Senator Tydings' bill calls for a substantial acceleration in spending for poulation control research, establishment of population and family planning centers, grants for public health services dealing with family planning and grants for training personnel to provide counseling on family planning. It is urgent that this bill pass the Congress of the United States. If the United States will lead legislatively, many other nations will be encouraged to cooperate.

But the population control will take time and its salutary effects will not come on the wings of the morrow. It will take at least 20 years, probably more, before even the most ambitious population control efforts can have any significant effect upon food requirements.

Thus, we must turn to the two areas where we can have a more immediate impact. I am referring to a drastic acceleration in the direct provision by the affluent nations to the developing nations of two things:

1. Emergency food and fiber;

2. Technical assistance to increase agricultural production within the developing nation.

The total food aid from all sources to the developing nations is not over 2 billion dollars. Until we can be sure that the developing nations can produce the additional 58 million metric tons of grain they will need by 1980, food aid must be increased by at least 50 percent.

Even more necessary is a dramatic upsurge in technical assistance. This involves expanded support for research in plant sciences, full development of water resources, assistance in transforming the subsistance farming of the developing nations into modern agriculture, the expansion of extension services, the provision of fertilizer, pesticides, higher quality seed, and farm equipment, the commencement of comprehensive community development schemes, and the establishment of graduate institutions of agricultural education and research. No one of these is a panacea, but a combination of all and the many other components of a modern technological society is absolutely essential if agricultural production in the developing nations is to be substantially improved.

Some say that it is impossible to significantly increase production in the underdeveloped nations through technical assistance. But they are wrong. In Mexico, for example, a cooperative venture, between the Government of Mexico and the Rockefeller Foundation, to improve agricultural production, was begun in 1940. By 1955, Mexico had closed its food gap in the production of both corn and wheat. By 1968, the national average wheat yields in Mexico exceeded 40 bushels an acre, or almost quadruple the 11.5 bushel average in 1943; and corn yields, in the same period, had doubled.

I have the faith that commensurate progress can be made in most of the developing countries of the world if we can just modernize their production techniques and show them the way to the maximum utilization of their soil. Scientists tell us that we will eventually be able to produce some of the major staple crops the year round in tropical climates. This attainment will provide the world with tremendous potential, since so many of the underdeveloped nations lie within the tropical zone.

Still, these optimistic developments should not lull us into any false sense of security.

Too often the hungry, underdeveloped country calls for an aluminum plant or a steel mill when it needs food production. Its local politicians want a big industrial mill to show off and for pay-off, and too often the developed industrial nation will build it for the profit of its own production.

The hungry nations need better agricultural technicians, the equivalent of county agricultural agents and home demonstration agents in each comparable area of the undeveloped nations. There is an unbelievable shortage and a great need for veterinarians around the world. There is a great need for game specialists in the game abundant areas of the world. Many areas of Africa can produce much more meat per square mile from wild animals, properly managed, than from domesticated animals grazing on grass alone.

The astonishing increase in wheat production in the Punjab and in some other areas of India, and the miracle rice of the Philippines, open the doors for a better future for Asia.

The advanced nations are presently providing the developing countries about 6.5 billion dollars per year in food aid, technical assistance and capital investment. George Woods, former president of the World Bank, estimated that a minimum of another 4 billion dollars per year in aid will be absolutely essential for the future. Of the annual aid recommended by Mr. Wood, the United States would be asked to furnish over half; since our gross national product is over half of the total gross national product of the advanced nations.

Hunger and malnutrition exist in the United States. Recent surveys, conducted under the sponsorship of the Senate Special Committee on Malnutrition and Hunger, have revealed widespread malnutrition and hunger. The estimates of the cost of the elimination of malnutrition and hunger in the United States range from a low of one billion dollars a year to three billion dollars a year, but the average estimate is two billion dollars.

The Administration is too timid. It has requested only 610 million dollars for the Food Stamp Program for the next fiscal year, though the Senate, just this week voted for 750 million dollars for this one food program. We also use a Food Stamp Program and a school lunch and school breakfast program, but all combined are too little. Far more must be done to eradicate hunger and malnutrition in the United States.

Worldwide, it will take billions more. We need a crash program now for agricultural experts in all needy nations, developing new seeds, new productivity in food plants, for veterinarians to grow better and more healthful food-producing animals. And for the machinery of food production—soil, enriching chemicals, and fruits and vegetables for the family table.

We in America can do our part, but we are prevented today by the drain of an unwise military venture in Southeast Asia which costs us about 36 billion dollars a year. We need to put first things first, end this needless depletion of our resources, so that we can go forth, not with the sword to cut down men, but with a scythe to harvest grain.

We need in the United States an excess war profits tax, such as we had in World War I, World War II, and the Korean Conflict to keep our economy in economic balance and our government in political balance.

We need more concern for the pain and hunger and disease in foreign countries, than for their political beliefs. Our obsession should be to become the most humane society, not the more military society.

The great difficulty in generating the thrust needed to cope with the hunger crisis is that the members of the affluent societies are too far removed from the horror of mass hunger. This accounts for the apathy and indifference of so many in the advanced nations. When will we ever learn with George Bernard Shaw that the essence of man's inhumanity to man is indifference—cold, calloused, carefree indifference?

Mankind cannot survive this indifference. We are compelled by the sheer struggle to preserve life on this planet to comprehend the truth of Donne's famous words:

No man is an island, entire of itself . . . any man's death diminishes me, because I am involved in mankind; and therefore never send to know for whom the bell tolls, it tolls for thee.

While I have been speaking to you today, the bell has tolled for 2000 people, mostly children, who have died of starvation. "As the grim reaper of hunger, with sickle keen, reaps the bearded grain at a breath, and the flowers in between," mankind is diminished with each stroke. Recognizing that every life upon earth is precious and every man, woman and child is only a "little lower than the angels," let us throw off the shackles of indifference, roll up our sleeves and be about the business of serving mankind. In so doing, we will ennoble ourselves, and the inner glow which comes from selfless aid to others will grace our lives and light fires of hope in the remotest corners of this planet.

Thank you for kindling the flames of that hope. Lead us in making this dream of mankind come true.

TRIBUTE TO THE LATE CHARLES A. WOLVERTON

Mr. CASE. Mr. President, recently Alfred J. Lippman, Consulado Honorario de Mexico, sent me a copy of Pepe Romero's newspaper column from Mexico City. The article paid tribute to the late Charles A. Wolverton, a longtime friend and esteemed colleague of mine in the House of Representatives. A member of the Committee on Interstate and Foreign Commerce, Representative Wolverton was deeply concerned about Mexico, her people and progress. In recognition of his stanch championing of the cause of Mexico, Mr. Romero suggests that Mr. Wolverton be posthumously awarded the Aztec Eagle, Mexico's highest decoration. Mr. President, I ask unanimous consent that Mr. Romero's column, entitled "Un Momento With Pepe Romero," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UN MOMENTO WITH PEPE ROMERO

A few days ago former Representative Charles A. Wolverton, who served in the House of Representatives in Washington, D.C. for thirty-two years, died in Camden's "Our Lady of Lourdes Hospital," at the age of eighty-eight. He had served a total of sixteen terms, a record for any congressman. He was a graduate of the Pennsylvania Law School, and in the twenties was alternate delegate to the Republican National Convention. In 1926 he was elected to his first of 16 consecutive terms in the U.S. Congress. He was a past master of the Ionic Lodge, F and AM—a thirty-two degree mason. His wife had passed on many years ago, so now we send his son Donnell Knox Wolverton Mexico's deepest sentiments.

In the fifties, I was present when Mexico's Foreign Minister don Manuel Tello, representing President Miguel Aleman, awarded Mr. Robert Crosser, U.S. Congressman from Ohio, and Chairman of the Committee on Interstate and Foreign Commerce, Mexico's highest decoration, the Order of the Aztec Eagle, in a reception which took place in the Chandelier Room, a jarabe-tapatio dance away from my stupendous office in the lobby of the Hotel Del Prado. Several of us who attended the ceremony were extremely disappointed because Charles A. Wolverton, Republic congressman from New Jersey, and one of Mexico's staunchest friends who had constantly championed the cause of Mexico from the floor of the United States Congress, did not also receive the Order of the Aztec Eagle on that occasion. We could not understand why, until many months later a Cabinet Minister who is my good friend explained, "The calibre of a man like Mr. Wolverton is rare. He refused to accept our country's highest award, so as not to take any of the limelight from the Chairman of the Committee. The Aztec Eagle was certainly offered to him by our Government, in recognition of valuable friendship."

When the Committee on Interstate and Foreign Commerce made its first trip to Mexico, Mr. Wolverton was its Chairman, on its second visit to further study Mexico's Oil situation, Mr. Crosser was its Chairman. But what I did in my book. "Mexican Jumping Bean," was to point out the important statement from that Committee's report to the Congress of the United States upon its return from Mexico at the time when Mr. Wolverton was its Chairman, and I quote from the Wolverton report which I published: "At a time when these world and United States Petroleum conditions prevail it is manifest that the United States has an interest to see that Mexico contributes to world oil supply." Of even more significance in the disturbed times of today are considerations of National Defense and the position of the U.S. in the event of an emergency. The Secretary of Defense in testimony before the Armed Service Committee estimated our Petroleum deficiency in the event of such an unwelcome happening as being some two million barrels per day. In view of such possibilities it appears clear that not only must we have reasonable assurance of continuation of supply from present sources available for emergency demand. As the committee has stated before it is not at all clear what reliance can be placed on the Near East as a source of supply so that dependence on Western Hemisphere sources becomes only a matter of reasonable prudence. There seems to be no disagreement whatsoever that Mexico possesses potentially large petroleum resources. The United States has had and continues to have a large interest in export surplus of Mexican petroleum, not only because it represents a way by which the large United States trade with Mexico may continue to be financed, but as also stated before, because of considerations of Hemispheric Defense."—These opinions were being expressed officially, and I had been given the green-light to publish them in letters received in 1952 from Congressman Wolverton, which I quote, "I also enclose two copies of Report of our Committee with reference to our trip last fall. You may incorporate any part of the Report into my statement." A couple of years later I received a note from him saying that he had heard that I had been in New York and then scolds. "Please do not ever come to the United States again without stopping to see me in Washington. If you do I will have to figure whether or not I should keep you on my list of friends. And in 1958, Mr. Wolverton said, "I hope our paths will cross frequently in the days and years ahead." On my stops in Washington, I always visited him and his hospitality I knew was not for me alone but for Mexico, because on these occasions he asked after mutual friends, and about my country's progress. And the reason that I was certain he had proven years before his sterling concern for Mexico, was because those were the days when, as attorney Frank Rashap had said, "Black Oil, boycott and condemnation was the attitude, after total disregard of the laws of Mexico, and one-sided view in the press of the Expropriation of the Foreign Oil companies."—And so deep sentiments not only to the Free State of New Jersey but to all of the United States on the loss of a very special patriotic son. Mexico's Aztec Eagle should be awarded to him—even though posthumously . . .

. . . Un Momento.

THE 150TH ANNIVERSARY OF ALABAMA STATEHOOD

Mr. ALLEN. Mr. President, Saturday, August 2, 1969, marked the 150th anniversary of the State of Alabama's adoption of the resolution of statehood and a State constitution by a convention assembled at Huntsville, Ala. On December 14 of that year, Alabama was admitted to the Union as the 22d State.

The late Judge Walter B. Jones, of Montgomery, Ala., son of a former Governor and for 44 years a circuit judge in Alabama, was a much beloved gentleman and scholar whose public career was marked by legal and cultural contributions to the State in the finest tradition of Alabama and the South. For a period of 33 years, Judge Jones wrote a weekly column for the Montgomery Advertiser entitled "Off the Bench." On one occasion he used his column to bring vividly to life a scene from history which took place in the office of President James Monroe upon the occasion of his receiving the resolution of Congress declaring Alabama to be one of the United States of America.

Mr. President, the Montgomery Advertiser in commemoration of the death of Judge Walter B. Jones and the birth of Alabama as a State reprinted Judge Jones's column which was written several years prior to his death. We believe that Members of the Senate and others will find the column pleasurable and instructive reading and that it might serve to remind us that all States entered the Federal Union on "equal footing" and that we depart both from the letter and spirit of our Constitution when Congress enacts punitive laws applicable to some but not to all the States. I ask unanimous consent that the column be printed in the RECORD.

There being no objection, the editorial and column were ordered to be printed in the RECORD, as follows:

ALABAMA'S BIRTH AS A STATE

Today is the 150th anniversary of Alabama's adoption of a resolution of statehood and a state constitution by a convention assembled at Huntsville. That was Aug. 2, 1819. On Dec. 14 of that year, Alabama was admitted to the Union.

The late Judge Walter B. Jones, who died six years ago yesterday at his home on Adams Avenue, wrote the following column for The Advertiser about the office of President James Monroe on that December day when the August resolution was received and acted on.

Judge Jones, son of a former Governor and a circuit judge for 43 years, wrote a weekly column, "OT The Bench," for The Advertiser for 33 years, from Dec. 14, 1925, to March 31, 1941 and from Dec. 1, 1947 to June 2, 1963, when his illness forced him to discontinue it. He had interrupted the column between 1941 and 1947 to write a massive legal work.

In commemoration of his death and the birth of Alabama as a state, we are reprinting his column of Dec. 17, 1962.

OFF THE BENCH

(By Judge Walter B. Jones)

December 17, 1962.—On a dreary December afternoon, 143 years ago Friday last, down on the south side of Pennsylvania Avenue in Washington City, a little town of about 13,000 population, two-thirds of whom were white, a chilly damp wind swept in from the Potomac, moaning through the trees surrounding a large white building. The building had

been burned by British troops only a few years before, and now rebuilt and painted white to hide the marks of the fire, it was the official residence of the president of the United States.

While it was cold and damp outside the building, big wood fires made the inside fairly comfortable. In a large room on an upper floor huge oak logs piled high upon the fire, blazed cheerfully on the hearth, brightening and warming the room. At an oval table a few feet back from the fireplace a tall, thin man sat looking over a bundle of official documents just handed him. Occasionally he put his signature to some of the documents.

The distinguished looking man seated at the table was Virginia-born James Monroe, fifth president of the United States, a battle-scarred hero of the Revolution and four times governor of Virginia. His grayish-blue eyes were deepset and kindly. He was six feet tall, but being stoop-shouldered and ungainly, seemed of less height. His face was delicately refined.

Monroe's eight years in the White House were known as the "Era of Good Feeling." In a message to Congress, December 1823, he stated the Monroe Doctrine that the United States would regard as an unfriendly act any attempt by a European nation to interfere in the affairs of the American countries or to increase its possessions on the American continents.

In his reelection to the presidency in 1820 he received all the votes cast in the electoral college but one cast by a New Hampshire presidential elector for John Quincy Adams in order that no one might share with Washington the honor of a unanimous election.

With the President were two of his clerks, his vice president, Daniel B. Tompkins, formerly governor of New York for 10 years; and the President's Secretary of State, John Quincy Adams, the son of the second president of the United States and in a few years to succeed Mr. Monroe in the presidential office.

As the clerk handed the papers from Congress to Secretary of State Adams, sitting at Mr. Monroe's right hand, the former read them to the President, stating to him the purpose and legislative history of the bills and resolutions.

"Now, Mr. President," said the Secretary of State, picking up a document from the table, "here's a resolution I know you'll be happy to sign."

"Yes?" inquired the President.

"It's a resolution of the Senate and House of Representatives which gives us a new state," replied Mr. Adams. "It puts into effect an act you approved last March to enable the people of the Alabama Territory to form a constitution and a state government and for the admission of the territory as a state into the Union."

"How does the resolution read, Mr. Adams?" asked the President, "and what are its chief provisions?"

"Well, it is a resolution declaring the admission of the state of Alabama into the Union," replied the Secretary of State, "and the resolution recites the fact that on Aug. 2, last, the people, by a convention called for that purpose at Huntsville formed themselves a constitution and state government. These are republican and conform to the principles of the articles of compact between the original states and the people and the states in the Northwest Territory."

"And does the resolution," inquired the president, "admit Alabama on an equal footing with the original states? Please read me the text as to this point, Mr. Secretary."

Mr. Adams read: "Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, that the state of Alabama shall be one and is hereby declared to be one, of the United States of America and admitted to the Union on an equal footing with the original states in all respects whatever."

"Very good. Let me approve the resolution," said the president.

The document was handed to Mr. Monroe, who then moved his inkhorn closer and taking the quill of a feather used in those days as a pen for writing, he wrote the words, "Approved, Dec. 14, 1819," and under them signed "James Monroe."

"Now, gentlemen," said Mr. Monroe, "the Union has a new member, Alabama has just become our 22nd state. So let us stand and salute the new state with a toast. Fill every glass up. Pour forth the cheering wine."

The President stood up beside the table facing the south, all following his example. Secretary Adams poured bright sherry from a handsome old cutglass decanter into each small wine glass. When all the glasses had been filled, the President lifted his glass, and standing his full six feet in height, said: "Let us drink in honor of our youngest state." He paused, each lifted high his glass and faced Mr. Monroe as he said:

"I drink to Alabama and her people. May God graciously smile upon the state and bless her people with all goodness, happiness and prosperity." Each glass was lifted high.

The President, the Vice President and the Secretary of State resumed their seats, a servant chunked up the fire. The President turned his attention to other official documents. The ink dried on his signature to the joint resolution. The Territory of Alabama, after a brief life of two years, had passed on into history; and come July 4 in the Union of the flag there would be another five-pointed white star in the cluster on the blue field.

That star, the 22nd, first put in the flag July 4, 1820, represents our state, Alabama and her 3,000,000 people.

U.S. ACHIEVEMENTS IN AERONAUTICAL AND SPACE SCIENCES

Mr. MAGNUSON. Mr. President, the last 2 years have seen amazing and even fantastic progress in the development of the Nation's aeronautical and space programs and it was fitting that in June many of these remarkable achievements were on display for all the world to see at the International Air Show in Paris.

The Apollo 8 spaceship, a tremendous achievement made possible by a Government-industry team and the Boeing 747, the world's largest civil air transport were truly momentous achievements over which the United States should take great pride. Despite those two great technological advances in aerospace, we cannot take much solace in the fact that the British-French Concorde supersonic transport was also a major focal point in aeronautical achievement in Paris. While the United States may be very proud of our showing there, we must also realize that in this one vital area of aerospace technology, we have not moved forward as quickly as we might have. The British and French and the Russians are moving ahead quickly with the development of supersonic transports. The U.S. SST program is still bogged down at the executive level. While the world moves on quickly around us in this vital development, the President of the United States has yet to ask the country to move ahead on our SST project. I ask the President to delay no longer because the technology gap widens with each passing day and if the United States is to maintain its worldwide superiority in civil aviation, we must proceed with quick and orderly development of the SST. Mr. President, I commend to the Senate three editorials published recently in Aviation Week & Space Technology dealing with American aerospace achievements at the International Air Show in Paris. These concise editorials explain well both the achievement about which we can be proud and the challenge that we face in the future. I ask unanimous consent that the editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

OUR BRIGHTEST IMAGE

(By Robert Hotz)

Never in the history of its participation in the Paris air show has the U.S. projected a brighter image of its aerospace technology and international stature than it did during the 28th Salon International de l'Aeronautique et de l'Espace. It was the strongest overseas presentation of the U.S. aerospace capability that we can remember. It was also the most accurate reflection of the genuine state of this country's technological achievements that we have ever seen at a Paris air show.

It combined a glowing image of a technically competent and aggressive nation with a very hard sell indeed. This hard sell produced a substantial return in immediate sales on the specific show investment of U.S. government and industry. It paved the way for even more productive market development in the years ahead. Since aerospace exports are one of the brightest spots in helping to solve the perennial U.S. balance-of-payments problem, this is an important achievement.

The Apollo exhibit was superbly executed. It combined the realism of the charred Apollo 8 capsule, equipment carried by Astronauts Borman, Lovell and Anders on man's first voyage to the moon and actual tapes of their broadcasts from lunar orbit, with imaginative presentation of the Apollo 11 lunar landing mission.

In the dim lighting of a simulated lunar surface, the steady stream of European visitors saw an extremely realistic reproduction of what they will be seeing in actuality on television next month. A full-scale replica of the Grumman lunar module stood in the sand and rocks on the surface of a simulated Sea of Tranquility. An astronaut with full lunar exploration gear and portable life support pack demonstrated egress from the LM and initial manned operations on the lunar surface.

Full-scale models of the equipment the astronauts will deploy on the moon were shown in addition to Grumman's lunar rover that will extend surface exploration on later missions. A realistic cockpit mockup of the LM put each visitor in an astronaut's position for a simulated descent to the moon's surface while tapes of the Apollo 10 crew reports during their low-level reconnaissance lent an air of startling realism to the display.

Also extremely effective was a psychedelic montage of color movies of various Apollo missions keyed to a countdown and launch and interspersed with spectacular low-level reconnaissance film of the moon. Only the physical limitations of the traffic flow through this exhibit kept the attendance here somewhat below that of the entire show.

The hard-sell portion of the U.S. exhibit scored even beyond its great 1967 success. More than 5,000 pre-screened and specially invited potential European customers registered there. Sales will probably soar to more than double the 1967 total when finally tabulated. The spectacular arrival of the Boeing 747 giant jet and its brief exhibition cast

a long shadow of U.S. market dominance in the wide-body high-bypass-ratio turbofan transport generation.

Even more impact would have been provided by the Lockheed C–5A military transport. It was indeed a craven performance by the Department of Defense to withhold its advanced technology from the U.S. exhibit simply because some aspects of it, such as the C–5A and the F–111, were embroiled in domestic political controversy. The F–111 pioneered operational swing-wing technology, and variable geometry is now very much the vogue in new European military designs.

A prior gap in the U.S. technological image projected at Paris was filled this time by a strong metallurgical exhibit supported by 16 companies displaying state-of-the-art advances. In comparison, the Soviet metallurgical exhibit that was so spectacular in the 1967 show was placed in its proper competitive perspective. In fact, the whole Soviet technical image was greatly diminished in the 1969 show, not by any great change in its achievements but simply because the U.S., for the first time, displayed more of its technology than ever before. As we so often predicted, when faced with the full impact of the U.S. challenge, the Soviets, of necessity, soft-pedaled their own accomplishments and were resigned to seeing them placed in proper international perspective.

U.S. industry, of course, deserves ample credit for the manner in which it has developed its Paris show participation into a finely honed competitive effort in the export market. But we also think the U.S. Department of Commerce deserves special credit for its tough and lonely fight within the government bureaucracy to keep the U.S. participation at the show at an effective level, both as national image projection and as a hard-sales effort.

Department of Defense has an understandable budget problem in supporting a military flying display at Paris since former French President Charles de Gaulle withdrew logistic support of French bases for U.S. NATO forces. But there has been too much weight given to pique of minor defense officials in determining Paris policy and not enough to the overall national goals that could be reached.

Without the dogged persistence of the Commerce Department in the long between-show, behind-the-scenes struggles in the Washington bureaucracy, the U.S. image would not have shone as brightly as it did during the 10 days of the 28th Paris air show at Le Bourget. This is a lesson that should be remembered well when planning for the 1971 exercise begins this fall. The U.S. has a lot to gain from a strong, well coordinated projection in this international market-place and a lot to lose from a sloppy or indifferent approach.

Challenge of the 1970's

(By Robert Hotz)

The major aerospace companies of the world are gathered this week on the historic tarmac of Le Bourget airport near Paris for the opening salvos in the toughest technical sales campaign this industry has ever experienced. The occasion is the 28th Salon International de l'Aeronautique et de l'Espace, known more colloquially as the Paris air show.

Never has the aerospace industry faced such rosy prospects for such a burgeoning market for its hardware across the entire technical spectrum it encompasses. Never has the aerospace industry faced such challenges in technology, management and politics as the next decade will impose upon it. The challenge of the 1970s to the aerospace industry and its customers lies primarily in the new patterns they must develop to compete successfully in what is fast changing into a basically new global environment.

Perhaps the fastest growing and most profitable market for the 1970s will lie in the commercial area. The rapid growth of the commercial aerospace market has already become a dominant trend of the fading 1960s. The message is clear that no major aerospace complex can hope to survive without carving a lucrative slice from the expanding civil markets of the 1970s. Only a decade ago the aerospace industry was 90% military and 10% commercial. Already the commercial market has grown to about 40% of the total, and some of the largest U.S. corporations are gaining more than half of their sales from commercial products.

But even while the commercial market is expanding its percentage of the total market, the military market will continue to grow far beyond its present dimensions. A whole generation of flight hardware will have to be replaced on a global scale during the 1970s.

Each geographic area of the aerospace world is also facing new challenges imposed by the inexorable march of technology and international politics.

The United States is pressing its international competitors hard in the air transport market. There it already has developed some basic new patterns of management and technology to produce the new family of wide-bodied transports powered by high-bypass ratio turbofans that will dominate the airline market of the 1970s. But it faces a difficult task in maintaining or expanding its military export market.

The lost generation of aircraft research and development has left the U.S. with little new technology to sell in the 1970s. Lack of the built-in boost of a military aid program, combined with restrictive credit policies, also will make U.S. military export campaigns vulnerable to foreign competition.

Europe faces the problem of how to organize its aerospace resources into effective combinations that can compete successfully for both military and commercial programs. The government-level consortiums that have produced the Concorde supersonic transport program, the Jaguar strike fighter and the airbus fiasco cannot meet the challenge of the 1970s in advanced technology, development costs and production time scales.

Private industry needs more opportunity to exert technical leadership and generate initiative for program organization to eliminate this built-in bureaucratic drag. Governments must sacrifice some of their chauvinistic prerogatives to allow a more sensible flow of the technical tides. Without a new and more effective method of multi-nation program organization, Europe will find difficulty in competing outside its own national markets.

Smaller nations of Europe, the Middle East, Africa and Asia face the problem of avoiding the tactical vulnerability imposed by their current dependence on buying aerospace hardware from the major powers. Foreign policy shifts, such as the French export ban on Israel and the U.S. and British restrictions on South African purchases, have emphasized the need to develop indigenous aerospace production bases.

Soviet Union is finding that its desire to push aerospace exports as a means of alleviating its hard currency deficits, promoting its political penetration and polishing its international technical image requires new patterns that don't exist in the Soviet system. Recent slumps in Soviet aerospace exports are forcing radical changes that reach back through the production system into the design bureaus.

There is no doubt that the expanding markets of the 1970s will develop. In addition to the growth of the commercial aircraft market and expansion of the military replacement market in aircraft and missiles, there will be a major rise in the opportunities for sales of space technology hardware. The space business is just about to burst the relatively restrictive bonds of a strictly research and development phase into operational space system hardware on a global basis for communications, weather, navigation and earth resources satellite systems.

But the name of the aerospace game certainly will change. The stakes are growing enormous. The rewards can set new peaks in profitability. The penalties for failure will be disastrous. The overture to this epic drama of the next decade is now being played beneath the caparisoned chalets, flapping house flags and popping champagne corks of the 28th Paris air show. The main events will unfold in succession during the next 10 years.

Report From Paris

(By Robert Hotz)

Not since Austerlitz has French pride soared so high as it escalated every time the Concorde supersonic transport flew at the Paris air show. The first time this graceful gull soared over Le Bourget airport the French crowds broke the barrier fences and swarmed over exhibition aircraft and chalets in a mad charge to get closer to their pride and joy as it taxied up the runway. French police had to use fire hoses to drive the crowd back to the airport perimeter, and the Concorde stood immobilized for 15 min. until the crowd was driven from its path and brought under control.

Every time it was flown, there was a wave of emotional agitation that swept through the crowds that was hard to describe. When Chief Test Pilot Andre Turcat descended from the Concorde cockpit and took the short walk to the Sud Aviation chalet, he was besieged by camera-clicking Frenchmen, women and children snapping his picture as if he were a movie star.

Perhaps never before in history has a commercial aircraft developed into such a strong symbol of national pride as the Concorde is now to the French. Even to the melange of international visitors, it was a beautiful sight when it took to the air. There can be no doubt that it was the brightest star in the flying display at the 28th Salon International de L'Aeronautique et de L'Espace, known around the the world as the Paris air show.

As the Concorde started in the air, so did the U.S. Apollo provide the strongest magnet on the ground. For the first time in many Paris air shows, the U.S. space exhibit overshadowed the Russian contribution. Crowds poured into the main entrance of Le Bourget flowed into the U.S. Apollo exhibit like country fair crowds into the dancing girls' side show.

The giant boat-tail mockup of the Boeing S–1C stage of the Saturn 5 with its cluster of 1.5 million lb. thrust North American Rockwell rocket engines dwarfed the complete Russian Vostok booster exhibited at the last show. The charred Apollo 8 command module that made man's first voyage to the moon exuded a mystique hard to describe as it sat on the gravel at Le Bourget, canted in the same attitude that it splashed into the Pacific after its half-million-mile roundtrip to the moon last December.

The other portion of the United States exhibit featuring hard-sell component manufacturers also drew well to stimulate a brisk business in export products.

In addition, the Boeing 747's graceful bulk added solid achievement to the United States image, overshadowing the Soviet Antonov An–22 by the same dimensions Apollo outshone Vostok. Boeing's giant jet made an impressive entry to Le Bourget, boring through low cloud and mist for an initial pass after a 5,000-mi. nonstop over the arctic flight from Seattle. The weather was so bad that the crowd couldn't see its landing on the farthest runway, but its great bulk

loomed out of the mist on taxiing to the flight line in awesome spectacle.

The Soviets obviously conceded honors for this Paris air show to the Anglo-French Concorde in the aircraft field and the U.S. Apollo in space. The Soviet's space exhibit was drastically curtailed from what they originally planned. The giant hole dug to display the Soyuz manned spacecraft was filled in and covered over. Their space exhibit was both smaller and far less spectacular than the last two shows. The Russian aircraft display was substantial and had many interesting marks of progress. But it was strictly playing second or third fiddle in the international spectrum at Le Bourget.

As always, there was a large quantity of new technology on display although perhaps not quite as much as in the vintage year of 1967. The pace of technical progress in the aerospace field is such that it is difficult to follow the brilliant years with a steady stream of equally significant technology. The surprising element of this Paris air show was that it came so close to the astounding display two years ago in new technology across the entire spectrum from space through airliners, military aircraft and business jets. The business flying portion of this show has been growing by leaps and bounds. The 1969 effort was a varied and lively one. Probably more solid sales were being transacted in this area than in any other spectrum.

Another major trend evident this year was the strong thrust of the German aerospace industry to regain a major role in the international markets. Most of the new European projects on display had a strong German flavor.

Whether the German industry will be successful in its bid to carve a new role for itself is still a moot point. But there can be no doubt that it is now making its move in earnest.

While Le Bourget provided many of the answers to the technical questions of the contemporary aerospace scene, it also posed some questions that are obviously unanswered. Perhaps the most significant is whether the European aerospace industry can develop an effective technical and management pattern to enable it to become a major competitive force in the really lucrative areas of the international aerospace markets of the 1970s. The various patterns that have been tried during the last decade all leave much to be desired in meeting the challenge of the future. This observer at Le Bourget feels that Europe is still groping toward a solution.

But the only real progress achieved to date may lie in the realization that the patterns of the past hold no promise for the future. If the European aerospace industry cannot muster its considerable engineering, production and managerial resources into a more effective competitive pattern, it may have to reconcile itself to a future that holds nothing better than subcontracting and licensed production of designs developed elsewhere.

RATIFICATION OF CBW PROTOCOL CONSISTENT WITH U.S. POLICY

Mr. PROXMIRE. Mr. President, on September 3, 1959, Congressman ROBERT KASTENMEIER, of Wisconsin, introduced a resolution—House Concurrent Resolution 433—that called for reaffirmation of "the longstanding policy of the United States that in the event of war the United States shall under no circumstances resort to the use of biological weapons or the use of poisonous or obnoxious gases unless they are first used by our enemies."

Congressman KASTENMEIER argued for the passage of a no-first-use agreement—such as the Geneva Protocol of 1925—to make absolutely clear the position of the United States and to forestall Soviet propaganda about our failure to ratify such a declaration.

This resolution encountered considerable opposition, most forcibly from the Departments of State and Defense, which sent letters advising against adoption of the resolution. The arguments presented in these letters are common ones and seem to have carried much weight at the time. Yet they are unacceptable and even dangerous misrepresentations of the basic issues involved and should not be allowed to influence our policy on this vital matter.

The Defense Department stated:

Similar declarations (to the Geneva Protocol) might apply with equal pertinency across the entire weapons spectrum, and no reason is perceived why biological and chemical weapons should be singled out for this special declaration. Whether the use of any major type of weapons should be initiated is a matter to be decided at the highest levels of Government in the light of the Nation's longstanding policies and principles, its international obligations and the emergent situations it will confront.

If indeed we are to determine our policy with respect to chemical and biological weapons in the light of "longstanding policies and principles" then certainly this calls for ratification of this treaty as it has always been our policy to refrain from first-use of C and B weapons. Since the time the Senate unanimously ratified the Washington Treaty of 1922, our policy has been consistently to refrain from the use of C and B weapons unless first attacked with them. President Roosevelt reaffirmed this policy during World War II, and it has remained unchanged to the present.

Ratification of the Geneva Protocol would not, moreover, single out C and B weapons for this sort of treatment, for it has been our equally consistent policy never to use nuclear weapons unless first attacked with them. Indeed, in a broader sense, the principle of no-first-use has been a cornerstone of our foreign policy, and thus applying it to C and B weapons is nothing more than making our policy consistent across the entire weapons spectrum.

The State Department said:

Of course, we must recognize our responsibilities toward our own and the free world's security. These responsibilities involve, among other things, the maintenance of an adequate defensive posture across the entire weapons spectrum.

But there is nothing defensive about the first-use of C and B weapons, and thus there can be nothing destructive to an adequate defensive posture in a no-first-use agreement. In fact, as I argued yesterday, such an agreement would actually strengthen our defensive position by making absolutely clear our intentions and thereby making more credible our retaliatory capacity.

Mr. President, I am happy to say that this week Senator HARTKE introduced a resolution—of which I am a cosponsor—calling on the President to resubmit the Geneva Protocol to the Senate for advise and consent to its ratification. I urge the Senate not to accord to the inaccurate arguments of the Departments of State and Defense and to ratify the 1925 Geneva Protocol.

EVERGLADES

Mr. NELSON. Mr. President, I am heartened by the rapidly increasing public concern and attention to the very difficult problems faced by Everglades National Park in southern Florida. The latest evidence of this attention is an excellent article by Mr. Paul Brooks in the July issue of Audubon, the magazine of the National Audubon Society.

I ask unanimous consent that this article be printed in the CONGRESSIONAL RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EVERGLADES NATIONAL PARK

(By Paul Brooks)

"Human history," wrote H. G. Wells, "more and more becomes a race between education and catastrophe." A precise illustration of his thesis, in terms of land use, is the huge jetport about to be built (unless someone stops it) in the heart of the Florida Everglades. Promoted by the Dade County (Miami) Port Authority, backed by four major airlines, by the Federal Aviation Administration, by local boosters and land speculators, it threatens the very existence of that unique subtropical wildlife paradise, Everglades National Park. Thirty-nine square miles in extent, it will be big enough to contain the Los Angeles, San Francisco, Washington's Dulles, and New York's Kennedy airports with room to spare. The land has been condemned and work already begun on training runways at the intended location only six miles north of the park boundary. "A new city is going to rise up in the middle of Florida," said Alan C. Stewart, director of the Dade County Port Authority, recently. "You are going to have one whether you like it or not." If he is right, the impact on the surrounding country will be devastating. Local speculators will get rich; but Everglades National Park, which belongs to all the people will be doomed.

To understand the seriousness of the threat, one must be aware of the special conditions in southern Florida. Socially, politically, and geographically it is a region of extremes. Population is exploding; by the year 2000, Florida will probably be the third largest state in the union. Real estate development is booming; traffic by road and air is increasing at a fantastic rate. Pressures on the land and water are at a maximum; zoning for their protection at a minimum. The politicians and promoters (often indistinguishable) are everywhere calling the tune. The physical environment, on the other hand, is extraordinarily fragile and vulnerable to misuse. In short, the greatest alteration of the landscape anywhere in the United States is being imposed on the area perhaps least prepared to withstand it.

Where does the proposed jetport fit into this picture? Unfortunately, in dead center. Looking at the Florida peninsula as a finger extending into the sea, the vast expanse of Lake Okeechobee lies roughly at the final joint; the Everglades run south down the center of the peninsula from there to Cape Sable and Florida Bay. West and north lies the Big Cypress Swamp. To the east, like a long curving fingernail, extends the rim of rock that forms the Atlantic coastline, protecting the freshwater of the Everglades from the saltwater of the ocean. Here are concentrated the seaside resorts and burgeoning cities. Here, dominating all, is Miami.

As anyone knows who has visited or read

about Everglades National Park, the Everglades consist of a vast, shallow, slow-moving river: *Pa-hay-okee,* or "Grassy Water" as the Indians called it—reminding New Englanders of the Indian name of *Musketaquid,* or Grass-Ground River, for Henry Thoreau's beloved Concord. Freshwater moves south and southwestward from the region of Lake Okeechobee, reaching the boundary of the park some seventy miles to the south where U.S. 41, the Tamiami Trail, runs due west from Miami. When left to its own devices, the water flows under the highway and on through the park to empty eventually into the Gulf of Mexico. On this seasonal flow (southern Florida, through technically north of the Tropics, has the Tropical pattern of wet and dry seasons), the entire character and life of the park depends.

The fight for the use of this water, that is to say for the existence of the park, has recently received national publicity. Directly north of the Tamiami Trail lies Water Conservation Area 3-A, managed by the Central and Southern Florida Flood Control District and the U.S. Army Corps of Engineers. As the president of the National Parks Association pointed out, these conservation areas, like the park, "serve as a habitat for a teeming plant and animal life, subtropical in character, of immeasurable scientific, esthetic, ecologic, scenic, and human value, which can be found nowhere else in the United States."

During the severe drought of the early 1960's, the floodgates along the highway were closed; the local farmers got water for irrigation, while the park dried up. When Lake Okeechobee was full again, water desperately needed for the park was diverted directly to the sea. Endless negotiations with the Army Engineers and state authorities still have not resulted in a firm agreement to allow Everglades National Park its share of water. Even if an agreement is reached, the victory may be short-lived. Only six miles north of the park, in the southeast corner of the Big Cypress Swamp and bordering the Conservation Area, lies the projected site of the new jetport. Two of its runways will be six miles long, to accommodate the supersonic transports and other flying monsters of the future. A corridor to Miami, 50 miles long and perhaps a quarter of a mile wide, will bring fuel by pipeline, supplies by road and rail, and passengers in transit (estimated at 50 million per year) by some as yet undetermined speed device (lest they spend more time between city and airport than they spend jetting halfway around the world). Landings and takeoffs will eventually average one every 30 seconds around the clock.

To service this frenetic activity, and to make sure that some of the golden rain it will generate falls on southern Florida, developments of every sort will arise from the surrounding saw grass and cypress. Indeed they are being greedily anticipated and prices are skyrocketing; speculators are already organizing drainage districts to "improve" the land between the jetport and the park. "I'll make you a bet," said Alan Stewart last fall, "that five years from now the hotels will be there." He is delighted at the prospect. "Let's do something big enough for a change."

What will this mean, in terms of the region as a whole? "Slow death," says Park Superintendent John C. Raftery succinctly. "Portions of the park literally face ruination." It is shocking but true that there has been no coordinated attempt to determine scientifically the impact of the airport, much less the surrounding development, on the total environment. Yet one needs only a rudimentary knowledge of ecology to realize the consequences of such a concentration of men and machines on a vast man-made island in the heart of a swamp. Can an area of perhaps 150 square miles be drained for urban and industrial subdivision without affecting the quantity and quality of water flowing through the Everglades? Pollution is inevitable. How much and how deadly cannot be estimated, but enough is known to make one shudder. For example, on takeoff a jet plane discharges about a gallon of unburned fuel into the air: two gallons a minute, ten years from now, will rain down on the water and vegetation of the Conservation Area that lies just beyond the runway. Add to this all the chemical wastes associated with any large maintenance and servicing operation. Worst of all, visualize the effluent, domestic as well as industrial, produced by a city whose eventual population may reach over a million—along with the pesticides that will be used to keep down the mosquitoes, the herbicides that will be sprayed along the roadways, the fertilizers that will run off in Florida's torrential rains.

Nor can the results be confined to the neighborhood of the city. The entire environment "downstream"—which is to say all of central-southern Florida—will be subject to creeping death. It will not always be obvious to the casual visitor, since the little known forms of life at the base of the ecosystem—the algae, the plants, the insects—are the ones affected first; by the time the more spectacular birds and animals at the top of the pyramid begin to crash, it will be too late. This is not just horrid fantasy; serious effects have already been observed. Replacement of one type of algae by another is already taking place, and pesticide levels found in the tissue of fish taken from the park are already alarmingly high. Concerned with "the far-reaching effect on the entire environment of south Florida" of the jetport and satellite developments, state and federal conservation agencies and private conservation groups addressed over a hundred questions about environmental control to the Dade County Port Authority. The answers added up to a litany of evasion: "This is under study," "Cannot be answered at this time," "Study in progress at this time," "No study of this type has presently been started." "No such studies have been conducted . . ."

The slow poisoning of the air and the water may escape attention, but evolution has not yet produced a human being insensitive to the roar of jet engines, much less to a sonic boom. The Port Authority, aware of complaints from residents near the existing Miami International Airport, has the effrontery to designate Everglades National Park a "sound screen." "The park and Conservation Area 3 are sound barriers in that no human habitation in these areas is anticipated." Spokesmen for the aviation industry are even franker: "Favorable noise environment of the 39-square-mile site is indicated by large undeveloped areas, with Indian reservations, Everglades National Park, and state water conservation areas serving as buffers . . ." A training field already being built, and known to some airline officials as the "Green Corn Dance Airport" from the Indian ceremonies associated with the area, is expected to permit 24-hour training operations because of the "absence of neighbors to complain about the noise." Though the flight plan calls for planes to gain altitude (when they are at their noisiest) directly over the park, the Federal Aviation Administration's Miami area manager is not concerned. "Nobody will be close enough to complain—except, possibly, alligators." Except, possibly, the Indians who have lived there for generations, and the one million annual visitors to the park, whose chance for a wilderness experience will have gone forever.

Unlike other Port Authority officials, the director is brutally frank. If the wilderness and wildlife are to be protected, "the conservationists had better start saving up their pennies around the country and buy the land." As he well knows, the conservationists don't have that many pennies. Neither does the National Park Service, which ideally should have acquired the land at the time the park was established. The Port Authority's pennies, however, are safely invested. Another comment by Mr. Stewart is even more revealing: "If the airport doesn't develop the way we think it will, we'll have twenty square miles of real estate we can sell off. It will still be a good deal."

What then is to be done? Has ecological disaster again won the race against education? Not quite. The boosters and speculators are far in the lead, but they still face the hurdle of public opinion. If the people haven't raised their voices, it is because they haven't known what is at stake—or have been baffled into silence by a churned-up political scene as obscure to the outsider as a squirming alligator hole in the dry season.

The proposed jetport site lies at the juncture of Collier, Monroe, and Dade counties. Collier county has one city, Naples; most of the rest is cypress swamp, already spawning the worst type of "development," from poachers' shacks to colossal real estate ventures. Here Gulf American Corporation is "building new worlds for a better tomorrow" on a 100-square-mile tract christened "Golden Gate Estates." "The wilderness has been pushed aside," the promoters boast, 'with calipers and slide rules . . . draglines and dynamite rigs . . . we are literally changing the face of Florida." Monroe County, less fortunately blessed, consists only of the Florida Keys and a bit of land north of the park. This leaves Dade County—which is to say Miami—at the controls. Up to now the Dade County Port Authority has been flying high, but flying by the seat of its pants—without ecological studies, without even a master plan for the area. Through arrangement with the other counties, Dade will control the jetport area. For the rest it will take no responsibility, and neither will anyone else.

The land for the jetport has already been condemned, and construction begun on that training airport with a $500,000 grant from the Department of Transportation. From a low-flying plane it looks like a festering wound on the wilderness. As a biologist at the University of Miami pointed out, "the environment has already been drastically changed." "The engineers who are engaged in construction are not concerned with environment planning," states the Port Authority. The authority says it is "in negotiation with an entirely independent Overview Group to provide advice on preservation of the existing environment." Flight operations are scheduled to start long before these studies have been completed; they will, in fact, be post-mortems. Yet, by admission of the authority itself, sites for the training port have been under consideration since 1957. Even now, when planning consultants are finally being hired, their work is "limited only to the training port as part of the airport."

"Facts," wrote Winston Churchill, "are better than dreams." Not in Dade County they aren't. Shooting words are safer. Richard H. Judy, deputy director of the Port Authority (and formerly comptroller of the State Road Department), assures conservationists that their interests will be protected. He doesn't say how. By discussing the problem piecemeal with the various agencies involved—the Flood Control District, the Game and Fresh Water Fish Commission, the Federal Aviation Administration (no trouble there!), the State Board of Conservation, etc.—he has built up a fine file of letters of consent, each being concerned only with the "jurisdictional areas for which this agency is responsible." (Mr. Judy did slip up once when he apparently sponsored a highway to Miami straight through the holdings of the Flood Control District. This was too much. "I am extremely sorry," he wrote to its chairman, "that one of the suggested 1–75 corridors that runs through the middle of Conserva-

tion Area 3 was even located on the map which I used as an exhibit in my presentation to you." "Jurisdiction" is the key word here. Without some overall control, Mr. Judy's lullaby leads only to nightmares. "Dade County Port Authority has no responsibility or jurisdiction for off-airport areas . . . this will depend on controls by other appropriate agencies." What agencies? "If the affected agencies are involved in coordination with the Port Authority," wrote a representative of the Federal Bureau of Outdoor Recreation as late as last October, "they are quite unaware of it."

The Port Authority's objective is the economic development of southern Florida. In the deputy director's own words (alas for consistency) it is not confined to the airport area. In a letter to Arnold Ramos, district engineer of the Florida State Road Department on November 8, 1968, Judy urged "that we move with great speed" in planning the transportation corridor. (Secretary John A. Volpe's Department of Transportation has since made a grant of $200,000 for this purpose.) He goes on to say that "four of the world's major airlines are standing by to help implement the final engineering concepts . . . If we can establish this schedule we can promote new air industries to locate in Dade and Collier counties." Where but in "off-airport" areas, for which "we" have no responsibility? Meanwhile the Miami office of the Federal Aviation Administration, while doing lip service to "compatibility with park interests," cannot contain its enthusiasm. "The start of this airport is a great event for southern Florida. When you think of what New York, Chicago, New Orleans, or Los Angeles would give for such an opportunity . . ."

The local interests know what they want and they are determined to get it; the fate of a national park is not their concern. But where has the federal government been all this time—specifically, the Department of the Interior and its agency, the National Park Service? The Park Service has stated that the Port Authority's search for a jet training site first came to its attention "early in 1967" (ten years after the search, according to Mr. Judy, had begun), and that "subsequently, the plans were enlarged to include regular commercial operations, including SST's." Deeply involved in the apparently endless struggle to assure water for the Everglades, park officials were slow in recognizing the new menace to the jetport, and accepted at face value the assurances that park values would be protected. "Don't be concerned," was the line taken by the Port Authority, "we'll consult you before we pick a site."

The site was actually chosen for all practical purposes in the late fall of 1967, when Dade County got the right to acquire land in Collier County; there had been no approval from the National Park Service. On December 20, 1968, the superintendent of Everglades National Park wrote as follows to the director of the Port Authority (showing that the Park Service, like the rest of us, only knows what it reads in the papers): "A recent news column by Mr. Clark Ashe of the *Miami News* states that the Port Authority has demonstrated it has been clearing its moves wtih the Flood Control District, Everglades National Park, and other conservation-minded agencies for many months. I was aware of and pleased by the series of meetings initiated by your design firm to develop the problem areas resulting from the jetport development. The initial development at the jetport site is now proceeding rapidly, yet, to my knowledge, we have not been advised how the Authority proposes to resolve any of those matters of concern that evolved from the meetings. Since the jetport has the potential for a significant and perhaps disastrous effect on Everglades National Park, I am concerned that we have not been included in further planning or advised regarding your proposed solution to the very serious questions that have been raised."

Another tragic example of too little and too late? The layman who is accustomed to think of the United States Government as a fairly powerful protector of the nation's heritage gets quite a jolt when he reads the account of a meeting that took place on February 27, 1969 (high time!), in Miami between representatives of the Interior Department, the Central and Southern Florida Flood Control District, the Sierra Club, and the National Audubon Society to determine, among other things, what position the department should take at the public hearings the following day. It was decided that "strong arguments should be avoided" and that the presentation of "the facts concerning the federal government's interest and involvement would only show the weakness that the government has in achieving proper planning and control measures for the preservation of the Everglades area." Whatever the "weakness" of Interior's position (we shall come to this shortly), the shocking fact remains that no formal statement concerning the jetport had been made up to this time to the Dade County Port Authority by the U.S. Government.

Are the people of the United States powerless in the face of a determined local pressure group? Not, in this case, if the Secretaries of Transportation and Interior are willing to act. Section 4(f) of the Department of Transportation Act requires the Secretary of Transportation to cooperate and consult with the Secretary of the Interior in developing any transportation project. Furthermore "the Secretary [of Transportation] shall not approve any project or program that requires the use of any publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge" unless there is no feasible and prudent alternative and unless such a program includes all possible planning to minimize harm to such a park. By the Port Authority's own admission, Everglades National Park is to be used as a climb-out area and as a sound buffer. The harm to the park is obvious. The state conservation and recreation area will also be used as a sound buffer, and for surface transportation to Miami. No one can claim with a straight face that there has been "all possible planning to minimize harm," either from intolerable noise or from pollution, or that all feasible and prudent alternatives have been explored.

On April 23rd (shortly after the president of the National Audubon Society had called four other major conservation organizations to a strategy session, where a nationwide coalition was planned to carry the fight straight to Washington) a meeting which represented "practically the entire conservation and environmental movement in the United States" addressed a letter to the Secretary of Transportation pointing out the damage that a jetport on the projected site would cause to the national park and state conservation area, and stating the belief that the Secretary "is in a position to settle this question" without need for any legislative action. Then in early June, Senator Henry M. Jackson of Washington, chairman of the Senate Committee on Interior and Insular Affairs, held hearings on what he termed a "classic case history of" the impact of modern technology on the environment. The purpose was "to review the process of federal decisionmaking which has contributed to the conflicting patterns of federal, state, and local land use which presently threatens the Everglades National Park"—and, by extension, to demonstrate the need for the legislation he has introduced to establish a national environmental policy.

Under questioning from the committee, there emerged an amazing pattern of confusion and frustration in high places: confusion because each branch of the government had been acting (or failing to act) independently; frustration because the federal government, lacking either an environmental policy or the police power for enforcement, finds itself at the mercy of state governments whose machinery is even more archaic, and who are therefore in turn thwarted by local authorities whose single goal is economic development, and who can proceed on their own as long as they can raise the money. It soon became clear that no high-level discussions had ever taken place between the Interior Department, the Department of Transportation, and the State of Florida before the jetport site was chosen; that the Port Authority and the Federal Aviation Administration had not even seriously attempted to bring state or federal conservation agencies into the making of the decision. Other sites with less of an ecological impact could have been, and still can be found. As an ultimate absurdity, one such site was rejected because the counties involved could not agree on the allocation of landing fees.

As now located, the Everglades jetport is an abortive offspring of the unholy wedlock of the booster and the engineer. It represents the same philosophy that allows industry to pollute air and water to the brink of disaster, agriculture to use poisons like DDT long after the hazards are known, the Army Engineers to dam rivers and dig canals with no concern for the total environment. The peak of such folly was almost achieved, not surprisingly, in the Everglades country, when the Corps of Engineers decided to "pull the plug" in Canal III to see whether the result would be as disastrous as ecologists claimed. Fortunately the latter were alert. A frantic weekend of calculations with a computer showed that the whole area would be covered with two feet of saltwater. The plug is still in place. But the philosophy endures: you are an alarmist until you can be proved dead. The Corps of Engineers, for example, while recognizing the enormous water requirements of a future city of a million people, does not want to "make an issue" of park water needs "until the situation gets tight." The Corps claims that it has no legal right to establish regulations to provide the park with water. The Department of the Interior disagrees. The Undersecretary, Russell E. Train, believes that regulations should be set up now; the plan of the Corps is "to invite growth, and then struggle with the results later."

The present priorities of the Corps and of the state are clear: people first, agriculture second, Everglades National Park third—if there is any water left over. "You can grow as long as you can steal water from the park," remarked Senator Gaylord Nelson of Wisconsin, pointing out that we are producing with federal money far more water than the park is asking for. "We don't have to sit here and be clobbered by the State of Florida." Turning specifically to the problem of the jetport, he concluded that we have only two alternatives. Either we stop it at the present site, "or we publicly admit that we are going to destroy the park." As a matter of fact, many state and local political leaders share his concern.

Can it be stopped? A "task force" has finally been appointed to make technical studies that should have been started long ago, before any site was selected. Ecologists are being asked for immediate answers to problems that take years to solve, while the promoters and engineers go blithely ahead, a procedure which has been well described as a "built-in system for errors." There is lots of time, says the Port Authority; we don't expect to start construction of the commercial jetport till 1975. Yet at this very moment they are completing the first training runway and are pressing for decisions on highway location that will lock in the commercial site beyond any hope of future change. The Department

of Transportation admits that transportation programs are on a collision course with environmental management. Interior promises to "do everything in its power" to stop the jetport if it is satisfied that either the training field or the commercial airport will destroy the park. On April 30, 1969, James L. Hamilton, special assistant to Secretary of the Interior Walter J. Hickel, wrote to Robert Wenkam, chairman of the Hawaii chapter of the Sierra Club: "As regards other Park System problems, I can only say that no single problem approaches in seriousness the threat posed to Everglades National Park by the proposed Miami jetport. We are in the process of arranging studies to determine what adverse effects will occur and what measures are realistically available to reduce these effects to tolerable levels. The studies may reveal, however, that the park and the jetport will not be compatible, in which case relocation of the proposed jetport will be the only solution. And as we face this problem, we must yet bear in mind that the ultimate solution of the park's water problem, while now in the offing, remains unobtained."

A meeting between Secretaries Hickel and Volpe took place, we are told, the day before the Jackson Committee hearings opened. The final decision may rest, after all, not with the Dade County Park Authority, but with the President of the United States and his Cabinet. The jetport issue "will be the first crunching test" (in Senator Nelson's words) of the President's newly appointed Environmental Quality Council. Moving it to another site "will cause one hell of an uproar, but it can be done."

It can. If we care enough, it will.

EXTENSION OF THE SURTAX

Mr. WILLIAMS of Delaware. Mr. President, last week the Senate rejected the administration's request for a 1-year extension of the surtax on the phased-out basis—6 months at 10 percent and 6 months at 5 percent—and also rejected the repeal of the 7-percent investment tax credit.

During and since the consideration of that tax measure considerable comments have been made and some misunderstanding has developed as to the highly irregular procedure followed toward obtaining a vote in the Senate. To keep the record straight the following is a brief chronology.

On June 30, 1969, the House passed H.R. 12290, which extended the surtax on a phased-out basis for a full year and repealed the investment tax credit retroactively effective April 18, 1969. The bill also contained two other sections—one extending the excise taxes on telephones and automobiles for an additional year, from January 1, 1970, through December 31, 1970, and the other section substantially reducing or eliminating the tax liability of those taxpayers in the lower brackets.

The Committee on Finance held 5 days of hearings on the measure as passed by the House. The hearings were held on July 8, 9, 11, 14, and 15.

On the last day of the hearings, July 15, the Democratic policy committee forwarded to the Committee on Finance a resolution which informed the Finance Committee of the terms under which the bill could be considered by the full Senate. The Finance Committee was advised that the Senate Democratic policy committee would permit consideration of the proposal to extend the income tax surcharge only with the understanding that it be considered simultaneously with their recommendations on tax reform and that during the interval it would only permit an extension of the income tax withholding rate for one quarter, or from June 30 to September 30.

I ask unanimous consent that at this point the resolution of the Democratic policy committee, as forwarded to the Finance Committee on July 15, be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas, the Senate Majority Policy Committee, having met and considered the matter of the extension of the income tax surcharge, hereby resolves:

That meaningful tax reform should be adopted as a means or achieving an equitable national income tax policy, and further resolves,

That any proposal to extend the income tax surcharge be considered simultaneously with recommendations on meaningful tax reform and further resolves,

That the present income tax withholding rates be continued after June 30, 1969 for a period of one quarter to permit full consideration and disposition of the reform and extension of the surtax.

Mr. WILLIAMS of Delaware. Mr. President, 2 days later, July 17, the Finance Committee met in executive session and by a vote of 9 to 8 rejected the right of the Democratic policy committee to dictate to it the amendments or bills that it could or could not report to the Senate. Instead, the committee ordered H.R. 12290 reported in exactly the same form in which it had passed the House.

Thus, on Friday, July 18, the bill H.R. 12290, was placed on the Senate Calendar and was ready for Senate consideration.

On July 23 the Democratic policy committee meeting again in executive session, delivered to the chairman of the Finance Committee the terms of an agreement which it insisted must be entered into prior to any Senate consideration being given to the approval or disapproval of the tax bill.

In the letter, the chairman of the committee was advised that the Democratic policy committee had decided that no consideration would be given to any sections of H.R. 12290 except the proposal to extend the surtax, but this time they would agree to extend the surtax—not simply the withholding authority—for 4 months, or until October 31.

I ask unanimous consent that the letter of instructions from the Democratic policy committee, as forwarded to the chairman of the Finance Committee, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
DEMOCRATIC POLICY COMMITTEE,
July 23, 1969.

HON. RUSSELL B. LONG,
Chairman, Finance Committee, U.S. Senate, Washington, D.C.

DEAR RUSSELL: On July 22, the Majority Policy Committee met and considered further the floor scheduling of legislation on the surtax extension and tax reform. In doing so the Committee was responding both to your earlier efforts to resolve this difficulty and also to the Administration's views as advanced at the recent White House meeting.

The Committee is persuaded that a permanent extension of the surtax must remain wedded to tax reform, not only in words but in scheduling procedures lest there be a continuance of the burden of the surtax on wage-earners and salaried employees without a bona fide opportunity to bring about in legislation, corrections in the inequities of the present tax structure.

The Committee is appreciative of the Administration's desire to provide prompt reassurance to the business community and to foreign governments with respect to the surtax. By unanimous vote, therefore, it was resolved that I bring to the attention of the Finance Committee and the Administration certain suggestions. If acceptable on all sides, the Committee would consider communicating these suggestions to the Senate as the position of the Policy Committee.

(1) If the Finance Committee reports out on the vehicle of any minor House bill now in Committee, an extension of the surtax (not simply the withholding authority) until October 31, the Senate willing, the bill would be brought up for consideration without delay. It would be understood that this bill as it comes from Committee would carry nothing else except the surtax extension. If promptly passed in that form by the Senate and approved by the House, the measure would provide assurance of a continuance of the surtax until October 31.

(2) When the promised tax reform bill arrives at the Senate from the House, it would be stopped at the door and referred to the Committee on Finance by the Senate with instructions to report back with or without amendment by no later than October 15.

(3) Consideration of the continuance of the surtax beyond October 31 could then be considered in juxtaposition to the tax reform bill which the Finance Committee will have reported by instruction of the Senate no later than October 15.

The Policy Committee will be glad to have any reactions from the Finance Committee to this suggestion as to possible procedures for scheduling. In any event please be assured, Russell, of my personal appreciation and the appreciation of the Policy Committee for your efforts to bring about reforms in the tax structure in tandem with surtax extension.

With best personal wishes, I am
Sincerely yours,

MIKE MANSFIELD.

Mr. WILLIAMS of Delaware. Mr. President, a day or so later, apparently after a series of meetings between the Democratic policy committee and the Democratic members of the Finance Committee, a further proposal was made.

This time the Democratic policy committee's proposal provided for an extension of the surtax for 5 months, or until November 30, 1969, and was coupled with the promise of the Democratic members of the Finance Committee that they would report the tax reform package to the full Senate no later than October 31, 1969. This agreement was contingent upon advance Senate agreement to consider only the extension of the surtax on a 5-month basis, and it was emphasized that before this measure would be brought before the Senate the Democratic policy committee must have complete assurance that no additional amendments dealing with the extension of the surtax for the full year or for the repeal of the investment credit would be offered or attached thereto.

I ask unanimous consent that the July

24 memorandum of instructions by the Democratic policy committee to the chairman of the Finance Committee be printed in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

The Democratic Policy Committee and the Democratic members of the Finance Committee have agreed upon the following understanding:

1. Support an extension of the surtax until November 30, 1969. This will be accomplished by attaching this temporary extension to a separate House-passed bill. The House-passed surtax extension, containing the investment credit repeal, the extension of the excise taxes and the change of the standard deduction will remain on the Senate Calendar until the tax reform bill is reported by the Senate Finance Committee.

2. The Chairman of the Finance Committee and the Democratic members of that Committee have given their assurance that the tax reform package will be reported to the full Senate not later than October 31, 1969.

3. The Democratice Policy Committee has endorsed the position of the Finance Committee that the date of the investment tax credit repeal will be identical to that date in the House-passed bill (April 18, 1969). The endorsement was at the specific request of the Democratic Finance Committee members to assure all that the investment credit repeal is endorsed and the date is specified as contained in the bill on the Senate Calendar.

Pursuit of this understanding in the Senate is contingent upon its acceptance by the Administration and the Republican leadership which has been pressing in the Finance Committee and on the Senate floor for the extension of the surtax. May I say that many of the members present today went along with this understanding notwithstanding grave reservations about the usefulness of the continuance of the surtax as an anti-inflationary measure. The approach is offered as an accommodation to the Administration. If it is not acceptable, the Majority Policy Committee is compelled to stand on its previous resolution.

Mr. WILLIAMS of Delaware. Mr. President, it should be pointed out that at no point during any of the negotiations between the Democratic members of the Finance Committee and the members of the Democratic policy committee were the minority members being consulted; however, these instructions were being relayed to the chairman of the Finance Committee, and sometime later became known to the minority members of the committee and the administration. The minority members of the committee made it clear that we would not be a part of any such prearranged agreement but that we would insist upon the right of the full Senate to consider and vote as to whether or not the surtax was to be extended for a limited period or for the full year, and that at the same time the Senate must have the right to vote upon the question of repeal of the investment tax credit.

On July 30 the House of Representatives, recognizing the apparent deadlock in the Senate, reported and passed H.R. 13080, the purpose of which was to provide a further 15-day extension of the withholding rates.

The day before, on July 29, the Democratic policy committee had met again with the Democratic members of the Finance Committee and released a statement to the effect that they had agreed that they would: First, reject the 15-day extension of the withholding rates; and second, renew the previous offer to support an extension of the surtax until November 30, 1969, with an understanding, with the Democratic members of the Finance Committee, that the major tax reform measure would be reported to the Senate by October 31. This offer to extend for 5 months the surtax was contingent, however, upon an agreement by the administration and the minority members of the Finance Committee that no amendments to the tax bill would be considered after it had been brought before the Senate other than the one proposal; namely, the 5-month extension of the surtax.

I ask unanimous consent that the memorandum released by the Democratic policy committee, dated July 29, 1969, be printed at this point in the RECORD.

There being no objection, the letter and memorandum were ordered to be printed in the RECORD, as follows:

U.S. SENATE, OFFICE OF THE MAJORITY LEADER,
Washington, D.C., July 29, 1969.

Hon. EVERETT M. DIRKSEN,
Minority Leader,
U.S. Senate,
Washington, D.C.

DEAR EV: In an attempt to carry out my promise at our meeting this morning in the Vice President's office, I am sending this statement to you, the Vice President, and Senator Williams so that, if you desire, you can discuss it with your colleagues.

I have been instructed by the Policy-Finance Committee to make a public statement on this situation today. I will not do so, however, until you have completed your discussion and are on the floor.

With best personal wishes, I am.

Sincerely yours,

MIKE MANSFIELD.

STATEMENT OF SENATOR MIKE MANSFIELD

The Democratic Policy Committee met with the Democratic members of the Finance Committee today. The joint membership agreed unanimously that a further 15-day extension of the withholding rates would not meet the problem of surtax-extension. Rather it would serve only to postpone a decision and create an unnecessary pall of uncertainty.

The group agreed further that the previous offer to the minority to support an extension of the surtax until November 30, 1969 on a separate House-passed bill—with the understanding that the general tax reform measure would be reported by October 31—should be renewed as offering the best prospect of passing a surtax-extension and still meeting the public demand for the removal of the inequities in the present tax structure.

The Democratic Policy Committee-Finance Committee group agreed unanimously to renew the effort to secure a five-months extension of the surtax provided, of course, that the approach receives the accord of the Administration and the minority leadership. This endorsement seems necessary to preclude the offering of extraneous amendments to the House-passed bill which would be used as a vehicle for effecting the extension of the surtax until November 30.

If the Administration and the Minority Leadership give the word on the acceptability of the compromise, the Leadership is prepared to move without delay—it is prepared to move today—in an effort to bring the surtax extension before the Senate for prompt disposition. I would hope for the assistance of the distinguished Minority Leader and the ranking Republican member of the Finance Committee on this urgent and difficult matter.

The House-passed bill, H.R. 9951, which is on the calendar would provide the vehicle. The controversial amendment in this bill dealing with foundations would be removed—as per the earlier offer of Senator Williams—since this matter is being considered in the general tax reform package. The extension of the surtax—and nothing more—would be offered as a substitute for that committee amendment.

Without clearance all round, it is difficult to say how an extension of the surtax can be brought about at this time.

Mr. WILLIAMS of Delaware. Mr. President, this offer was likewise rejected by the minority members of the committee on the basis that: First, to enter into any such advance agreement would be denying the Senate its historical right to make its own decision as to whether it would or would not approve a bill as reported by the committee; and second, many of us were of the firm opinion that the failure of Congress to make a prompt decision as to whether it would or would not extend the excise taxes and if so at what rates and for what period, and whether it would or would not repeal the investment tax credit and if so the effective date of such action, and to what extent if any certain industries would be exempt, was creating an unnecessary disturbance in the financial communities both at home and abroad.

This unwarranted delay by Congress in making its final decision on these top measures was adding fuel to the fires of inflation, and we feared that unless the decisions were made promptly this period of indecision could precipitate a recession. For this reason many of us insisted that we would enter into no agreement that did not provide for the Senate an opportunity to vote on the question of the full-year's extension and also to vote as to whether or not Congress wanted to repeal the investment tax credit.

Finally, on July 30, an agreement was reached with the majority leader wherein the Senate on the following day, July 31, was to be given the opportunity to work its will and vote on both the question of the extension of the surtax and the question of repealing the investment tax credit.

At this point I ask unanimous consent that the consent agreement as entered into on that date be printed at this point in the RECORD.

There being no objection, the agreement was ordered to be printed in the RECORD, as follows:

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I send to the desk a unanimous-consent request and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The unanimous-consent request will be stated.

The bill clerk read as follows:

"*Ordered,* That, effective immediately H.R. 9951 be made the pending business and that during its further consideration, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to one hour, to be equally divided and controlled by the mover of any such amendment or motion and the Chairman of the Com-

mittee: *Provided*, That in the event the Chairman is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of any amendment dealing exclusively with the extension of the surtax or the repeal of the investment tax credit shall be received.

"*Ordered further*, That on the question of the final passage of the said bill debate shall be limited to two hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal."

Mr. WILLIAMS of Delaware. Mr. President, Friday, July 31, on a rollcall vote of 51 to 48, the Senate approved the 6 months rather than accept the full-year extension as recommended by the administration and as had previously been agreed upon by both the House of Representatives and a majority of the Finance Committee.

The Senate likewise, on the same day, by a rollcall vote of 66 to 34, rejected the amendment which would have repealed the investment tax credit.

The Senate had at last had an opportunity to vote on both the question of the extension of the surtax and the repeal of the investment tax credit and I accept its decision; however, in my opinion Congress has made a mistake in only acting on a temporary basis. The investment tax credit, which represents a $3 billion annual subsidy for industrial plant expansion, in a period of high employment and runaway inflation cannot be justified, and likewise failure to extend the surtax for the full year and thereby remove this continued uncertainty is inflationary and will only result in continued uncertainty and speculation as to what action Congress may ultimately take.

With interest rates at the highest level in the history of our country and with our Government now operating at a deficit averaging over $600 million per month the time is long past when Congress can postpone these hard decisions. Congress should take more affirmative steps both toward controlling Government expenditures and in providing sufficient revenue to restore some degree of sanity to our financial picture.

The extension of the surcharge for 6 months was but a faltering step in the right direction, and I regret that the Congress did not face up to its responsibility and make a real effort to check this inflation.

Nothing is to be gained by a further discussion of the unusual if not highly arbitrary procedure that prevailed before getting this tax bill to a Senate vote, but I will add that I hope that never again will the political arm of either political party try to dictate how a Senate committee or the U.S. Senate must vote on any bill as a condition to having a bill considered.

As evidence that others considered the Senate's action inadequate at this time of inflationary psychology, I ask unanimous consent that a series of editorials appearing in the August 1 issues of the Evening Star and the Daily News of Washington, D.C., the Evening Journal of Wilmington, Del., also of August 1, and the August 4 issue of the Wall Street Journal, all commenting upon this proposal, be printed at this point in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Aug. 1, 1969]

HALF A LOAF

The outcome yesterday on the surtax was very much the product of the Senate's Democratic majority under Mike Mansfield's leadership. In line with their continued insistence on delaying a full-year extension of the surtax until passage of a tax reform package is assured, the Democrats defeated an amendment to extend the surtax for a full year. They reversed field, however, and voted through a six-month extension of the surtax in a transparent effort to avoid being saddled with the blame for letting the surtax go off the books altogether.

How is one to view this half a loaf of surtax now with the implied promise of the rest later if tax reform is approved this session? Obviously, as the saying goes, half a loaf is better than none. This surely is so, for the lapse of the surtax would probably doom the administration's efforts to curb inflation as well as raise serious doubts about the stability of the dollar in the world's money markets.

On the other hand, the uncertainty engendered about the chances for a full year of the surtax is bound to feed the prevailing inflationary psychology of buy and borrow now because it may cost more later on. And this at a time when the economy is truly in perilous straits; real economic growth has slowed markedly but prices continue their inexorable rise. Without doubt, we are skating on the edge of a bust, with its predictably high social costs in out-of-work teen-agers and blacks.

Perhaps by the first of the year, the inflationary steam will bit by bit have gone out of the economy. The point is, however, that there is on present form absolutely no assurance whatsoever of such a slowdown. Make no mistake about it, by failing to act now to extend the surtax for a full year, we are running a dangerous risk with the future of the economy. It should be clearly understood, moreover, that this is a risk which the Senate's Democratic leadership is forcing upon the nation.

What's more, there is a paradox in the Democrats' holding out for tax reform as the price of a full-year extension of the surtax that also should be clearly understood by all. It is not the Nixon administration that is dragging its feet on tax reform. The administration, after all, has sent its tax reform proposals to the Hill and is on record as favoring tax reform on general principle.

Rather, the fate of tax reform rests ultimately with the Democrats who control both houses of Congress. So if anyone is to blame for not moving faster on tax reform, it is the Democrats themselves. Moreover, the plain fact of their ultimate responsibility in this matter is evidenced by the deal between Majority Leader Mansfield and Russell Long, Democratic chairman of the Senate tax-writing committee, which paved the way for yesterday's vote on the surtax.

The grand strategy of the Democrats in tying a full-year extension of the surtax to tax reform doubtless has a certain high liberal tone to it, but it could backfire badly. While it is still not too late, Mansfield and company should pause and reconsider what harm they may inflict upon the country, not to mention damage to the Democratic party in the 1970 elections.

[From the Washington (D.C.) Daily News, Aug. 1, 1969]

RECKLESS POLITICS IN THE SENATE

It was a last-minute "compromise" and it smelled of third-rate politics and a complete lack of responsible understanding of the government's financial plight and the inroads of inflation.

The Senate, voted to extend the surcharge on the income tax for only six months. (The keyvote was only 51 to 48.)

In doing this, the Senate ignored the rest of the tax bill already passed by the House. Left out of the Senate's measure is repeal of the seven per cent investment tax credit plan, which is highly inflationary in these times. And left out were extensions of the auto and phone taxes.

So as it stands, the government faces the loss of $5 billion or $6 billion in revenue. Which is enough to wipe out the surplus President Nixon had planned for this fiscal year.

Sen. Mansfield, the Democratic leader, indicates these other tax issues can be brought up in the Senate later. But in the light of the senator's recent zigs and zags, who knows?

Anyway, this is a preposterous way of doing business.

Taxes are paid by the people and the businesses of the country. And they are entitled to reasonable notice of what is expected of them. The surtax expired June 30, and a month later the Senate voted to extend it, retroactively, for six months; leaving until later in the year the question of another six-month extension.

The auto and phone taxes expired June 30, and it would be hard to say what the Senate may do with them now.

The investment tax credit law was enacted when President Kennedy was trying to "get the country moving." It gives any business a tax deduction for spending money on capital improvements.

But huge expenditures for capital improvements are exactly what the government has been trying to discourage, because they fuel inflation. And they help boost interest rates, which many of the same Senate Democrats have been wailing about.

Moreover, Sen. Mansfield and his fellow Democrats ignored a plan in the House-passed bill which would have relieved some 12 million of the nation's poorest taxpayers of paying anything at all. They are the same Democrats who have been clamoring for "tax reform."

The only possible explanation of this blundering conduct by the Senate Democrats is that, with a Republican in the White House, they think they are playing cute politics. But we see nothing cute about jeopardizing the Federal budget, or adding more push to inflation, or repudiating a tax reform the Democrats long have been demanding.

The House next week will try to salvage something from the mess. But the performance of the Democratic Senate, in short, is stupid.

[From the Wilmington (Del.) Evening Journal, Aug. 1, 1969]

SURPRISE, THE SURTAX LIVES

The Senate consideration of the surtax extension was as excitingly uncertain as the rescue of Pauline from any of the perils Hollywood contrived for her. Pauline was invariably rescued in the nick of time, even though she wasn't safe forever. The Senate voted to extend the surtax only hours before it was due to expire but that extension won't last forever; it won't even last the 12 months President Nixon insisted it should.

As a result of the prolonged struggle over

the surtax, the extension approved by the Senate would be at the current 10-percent rate for six months. That was the price demanded by Senate Democrats, led by Sen. Mike Mansfield, D-Mont., for the extension. Any more, they insisted, would leave them with no leverage to bring about necessary tax reforms.

Their position still seems unnecessary and it ignores some immediate reforms that were included in the House version of the surtax extension. Not only did the House provide for a one-year renewal of the surtax, six months at 10 percent and the remaining six at 5 percent, but its version included repeal of the 7-percent investment tax credit and reduction or elimination of income taxes for millions of the nation's lower income citizens.

The same House Ways and Means Committee that reported that measure to the floor yesterday approved the promised tax reform bill. The committee chairman is Rep. Wilbur D. Mills of Arkansas, a Democrat like the senators who insisted they need a bargaining counter for tax reform.

There never has been any genuine doubt that the Administration, which has proposed some significant tax reforms, and m- ibers of Congress were serious about pledges to act on the issue. How necessary additional muscle is to the Democrats is indicated by the fact that they have agreed now to a simple six-month extension when only days ago Sen. Mansfield rejected any extension unless tax reforms were available for consideration too.

The issue of the surtax had been debated originally before its passage last year. Aside from the question of the need for an extension there was no reason to delay a vote, certainly not for the time that tax reform debate deserves and should get.

Despite the differences between the House and Senate-passed extensions, the question at least has been answered before the withholding procedure had to be interrupted and then re-established. What everyone knew was going to be necessary has been done but was all the excitement necessary?

AN UNSEEMLY SPECTACLE

Congress and the Administration are expected to tie up the loose ends on the surtax extension today, but even barring further mishaps their handling of the issue has been an unseemly spectacle. Obviously they have not begun to work out the problems of running the nation while one political party controls the White House and the other holds Capitol Hill.

As matters now stand, the surtax argument will be resolved by an uneasy compromise. The Administration will not get the full 12-month extension it sought, but neither will the Senate Democrats succeed in passing tax reform before the surtax is extended. The ironic thing is that leaders in both parties professed to support both measures. Their differences about which should be passed first arose over who gets credit or blame for what, and the argument had all the grace of a spat between two secretaries over who will put her party on the telephone first.

In some ultimate sense, we suppose, the greater responsibility for this lies with the Administration. For better or worse, the Executive Branch is today expected to furnish national leadership, giving form and direction to national policy and selling its ideas to Congress and the people. When its proposals do not pass, it has not met this expectation. Evidently Administrtaion nose-counters were belated in realizing their political difficulties. When the difficulties became apparent to all, the Administration seemed unwilling to compromise with the Senate Democrats, but unwilling to fight them vigorously either.

In an immediate sense, though, the surtax hassle was mostly the handiwork of the Senate Democratic leadership. A line of too-clever partisanship ran through its maneuvers. It seemed for a time the Democrats could have it both ways. If the surtax failed, the Democratic Congress would get credit for cutting taxes. And if inflation then continued, the Republican Administration would inevitably tend to get the blame for not doing anything much about it. Or if the Administration retained its budget control by slashing expenses severely (which strikes us as not a bad idea), the Democrats could make electoral hay over Republican "insensitivity" to this and that.

Tax reform, meanwhile, loomed as a political plus for anyone who could claim credit for it. Since the Administration had announced that inflation control was its number-one priority, it obviously would resist any attempt to subordinate the surtax to anything else. So using the extension as hostage for tax reform was a neat gambit to pit the Republicans against tax reform, to claim for the Democrats any political credit for it.

The obvious Republican counterplot would have been to blame any economic difficulties on the Democrats' refusal to cooperate with the President. Thus the situation came very near to one where both parties were willing to see the nation suffer so they could blame the ills on their partisan opponents. Not until the last moment did both sides start to recognize that partisan effects would cut both ways, and that partisanship should not be allowed to get too far out of control. Then they framed a compromise which, whatever its substantive merits, at least got both sides off the hook.

Well, politicians will be politicians. In the long run, indeed, partisan interplay does make for sounder public policy. But in the short run, a partisan split between the President and Congress raises the danger that the nation will be cut loose to drift amid partisan maneuvering. Even if no further disagreement breaks out on the surtax, the wrangle will stand as a warning of this danger.

As the Eisenhower years demonstrated, it's altogether possible to achieve the necessary cooperation between a President of one party and a Congress controlled by the other. But in such circumstances, constructive government does require a certain suppression of partisan urges, and a certain determination to work out the problems that inevitably arise.

These qualities have been conspicuous by their absence in the surtax episode, and unless both the White House and the Senate draw the appropriate lessons, this spectacle may be only a taste of others to come.

WILLIAM PROXMIRE: TRIBUTE WELL DESERVED

Mr. CHURCH. Mr. President, the most recent edition of Parade magazine, included in the Washington Post for August 3, contains a feature article on the efforts of the distinguished Senator from Wisconsin (Mr. PROXMIRE) to repair and restructure our national priorities.

The article states of Senator PROXMIRE:

He knows that since the end of World War II we have spent one trillion, five hundred billion dollars on defense needs. And the demand for more military programs of every type continues to mount. But still our cities fester. Our air is fouled. Our water is polluted. Our minorities riot. Many of our people go hungry. Our children clamor for educational reforms. Our old people ask for just a little better life.

The article continues:

Proxmire realizes that it costs more and more money to run the nation. But he believes the budgetary pie must be sliced differently, "that the federal government is spending too much money on military programs," and that "any analysis of national priorities must look to that budget first."

He puts the question: "How can we balance our military needs and expenditures with our domestic problems and needs?"

This is perhaps the most pertinent question of the day. It is a question that can no longer be ignored or shunted aside. We are, indeed, in need of a thorough reexamination of our national priorities.

I commend this article to every Senator and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GUNS OR BUTTER? WHICH COMES FIRST? SENATOR PROXMIRE SEEKS TO REVERSE NATION'S PRIORITIES

(By Derek Norcross)

WASHINGTON, D.C.—Sen. William Proxmire, at 53 a trim balding Democrat from Wisconsin, has a strong sense of priorities, both personal and national.

Each weekday he snaps out of bed at 6:30, performs a half hour of brisk calisthenics. He downs a high-protein breakfast, kisses Ellen, his equally trim wife, goodbye. Then, clad in shorts, he jogs to his office at the Capital—a four-mile run.

One of Washington's early-morning tourist attractions, Proxmire completes the stint in 35 minutes. He showers in the Senate gym, changes into a single-breasted tropical, slides onto his desk chair. By 8 a.m. he is refreshed and ready for a hard day's work.

Proxmire's prime concern is with the priorities of the nation. Like many men, in and out of government, he wonders and worries whether we have become "a militaristic nation . . . a militaristic society . . . a national security state."

He knows that since the end of World War II we have spent one trillion, five hundred billion dollars on defense needs. And the demand for more military programs of every type continues to mount. But still our cities fester. Our air is fouled. Our water is polluted. Our minorities riot. Many of our people go hungry. Our children clamor for educational reforms. Our old people ask for just a little better life.

IT'S ONLY MONEY

Proxmire realizes that it costs more and more money to run the nation. But he believes the budgetary pie must be sliced differently, "that the federal government is spending too much money on military programs [approximately $80 billion this year—about half the federal budget]" and that "any analysis of national priorities must look to that budget first."

He puts the question: "How can we balance our military needs and expenditures with our domestic problems and needs?"

Few men in the U.S. Senate or elsewhere are as well qualified as Bill Proxmire to conduct an inquiry into the basic economic orientation of this country.

The son of an Illinois doctor, Proxmire was educated at Hill, a prep school in Pottstown, Pa., was graduated from Yale, was awarded two Master's degrees at Harvard, one in public administration, the other in business administration.

FROM WALL STREET TO SENATE

He worked for J. P. Morgan & Co. on Wall Street and volunteered for the Army nine

months before Pearl Harbor. After four years in the Counter-Intelligence Corps and postwar graduate work in economics, he moved to Wisconsin. There, he worked as a reporter on the *Madison Capital Times* and entered politics. Having married a Rockefeller heiress, he found himself socially and financially secure. But the alliance did not help him politically. He ran for Governor of Wisconsin three times, and three times lost.

In 1957, however, he was the best-known Democrat in the State. When Wisconsin's controversial Senator, Joe McCarthy, died, Proxmire won the special election to fill McCarthy's seat.

Shortly before this victory, Proxmire, by then divorced, met and married Ellen Hodges Sawall, executive secretary of the Wisconsin Democratic Party. She, too, had been previously married. Her first husband was Warren Sawall, now a public relations man for Wisconsin's other Senator, Gaylord Nelson.

AUTHOR, BUSINESSWOMAN

At 46, Ellen Proxmire—she was voted the most beautiful girl in her 1942 class at Woodrow Wilson High School in Washington, D.C.—knows a good deal about budgets, economics, and priorities. Two years ago she and a pair of other Washington wives, Mrs. Raymond Poston and Mrs. Thomas Boggs, daughter-in-law of Louisiana Congressman Hale Boggs, organized Wonderful Weddings Inc., which stages complete weddings so that parents of the bride can enjoy the festivities, too. "Last year," reports Mrs. Proxmire, "we ran at a loss. But this year we'll be in the black."

Ellen Proxmire is also the author of a successful book, *One Foot in Washington*, in which she describes the life of a Senator's wife. Politically hip, she knows and appreciates that as chairman of the Subcommittee on Government Economy, her husband in the past few months has become one of the most publicized members of the U.S. Senate. Also one of the most shrewd, studious, industrious, and intelligent members in that sometimes illustrious body.

After more than 11 years in the Senate, nine of which he spent as a sort of institutional maverick fighting valiantly for seemingly hopeless causes, Bill Proxmire knows how to handle himself in clinch and crunch. He does his homework and tries to be scrupulously fair. For example, when he invited witnesses to testify on military spending at his Government Economy hearings, he not only called a proper mixture of hawks and doves—such highly qualified big names as Harvard professor John Kenneth Galbraith, Senators Barry Goldwater and William Fulbright, labor leader Walter Reuther and former Secretary of State Dean Acheson—he also invited the chief executives of five of the nation's leading defense contractors: Lockheed, Boeing, General Dynamics, North American Rockwell, and Litton Industries.

OUTSIDE OUR PROVINCE

The executives, some of whom serve as trustees for our most distinguished universities, refused to appear at the Proxmire hearings. Questions concerning overcharging the government, negligence, and downright incompetency were described by them as "outside our province."

Their refusal angered much of the nation. "How in all good conscience," Proxmire asked, "can these men who are so intimately involved in the decisions which affect our national security and our $80 billion military budget, be so sanctimonious and uncooperative?"

Even without the cooperation of the defense executives, Proxmire proceeded to extract testimony which revealed all too clearly shocking deficiencies in the entire defense spending program. A few cases in point:

1. The Air Force ordered the C–5A, world's largest cargo plane from Lockheed at a cost of $3.4 billion for 120 planes. Not only did the cost soar by about $2 billion, but the Air Force was reluctant to admit it to Congress.

2. The Defense Department ordered deep-diving rescue submarines for the Navy at $30 million each. The cost is now $80 million each. And the subs may be unnecessary to boot.

3. Minuteman II missiles, ordered at $3 billion, cost $7 billion.

Proxmire believes: "Defense spending is out of control. The system is top-heavy. The military-industrial complex writes its own budgetary ticket . . . after World War II, we over-reacted with respect to contracts for weapons systems. Nothing was too good for the military . . . the military has had a blank check. It could be said that we have had over two decades of *carte blanche* for defense."

The Senator wants control of "the blank check" restored to a more inquiring, careful, scrutinizing Congress.

He does not blame the military for the immense size of the defense budget. He sees no conspiracy between collusive forces. He knows that it was the nations civilian policymakers who were paramount in setting national priorities which grant billions to defense and thousands to domestic needs.

It was a preacher's son from Wall Street, John Foster Dulles, who spent much of his time building military alliances with more than 40 nations. It was an investment banker, James Forrestal, the first Defense Secretary, who created the National Security Industrial Association to insure defense contractors a close relationship with the government. And it was Robert McNamara of the Ford Company, the so-called "business schools' idea of God," who used advanced systems development techniques to concentrate great power in the office of the Secretary of Defense. It was the no-nonsense McNamara who centralized the operations of the Pentagon, an institution which has more than $200 billion in assets including real estate holdings almost the size of New York State. This year the Pentagon will spend $21 billion in procurement, displaying an economic potency that makes General Motors look like small potatoes.

INEFFICIENCY PAYS

What most Americans do not realize but what Senator Proxmire does is that 90 percent of all defense industry contracts are negotiated with the government, and not won by competitive bidding. The government also provides free to defense firms more than $15 billion worth of government property, including land, buildings, and equipment facilities for private production. According to Richard Stubblings, an examiner for the Budget Bureau, the highest profits sometimes accrue to the most inefficient companies.

Supposedly the Bureau of the Budget is responsible for scrutinizing government spending. But only 50 of the 500 persons in the Bureau are assigned to check defense spending. "I think it is fair to say, therefore," Proxmire declares, "that the Budget Bureau makes no adequate review of the military budget."

THE PRICE OF VIGILANCE

Worse yet, when employees inside the Defense Department try to expose waste they have been ignored or chastised. Take the case of A. E. Fitzgerald, a deputy for management systems in the office of the Assistant Secretary of the Air Force. Fitzgerald revealed at a Proxmire hearing that the cost-overruns on the Lockheed C–5A cargo plane were staggering. The Air Force thereupon rewarded his vigilance by assigning him to check bowling alleys in Thailand.

"Here was a man," an indignant Proxmire points out, "who testified at our request. He testified with the permission of the Air Force. He was right. There is a $2 billion cost-overrun on the C–5A aircraft. But because of what he said, the department tried to fire him. His duties were circumscribed. They treated him as if he had typhus or was radioactive."

What bugs Proxmire and many other legislators is that the American people are devoting more of their resources to defense needs than is spent by all agencies of the federal, state, and local governments on health and hospitals, education, old age and retirement benefits, public assistance and relief, housing and community development and agriculture.

After all this Gargantuan spending is the nation more secure? Is it possible in this nuclear age to buy our way to safety?

Says one Defense Department official who prefers to remain nameless lest he be sent to Greenland to roll Red Cross bandages: "We can destroy the Russians tenfold and they can destroy us. No one is really safe any longer. Our only defense is peace."

INFLATION CAUSES

Senator Proxmire is fearful that in the pursuit of national security, the country may very well be depleting itself. "The bloated military budget and the excessive prices paid in military procurement . . . are the single biggest causes of the present inflation. We should cut wasteful defense spending to stop inflation instead of relying upon sky-high increases in interest rates which squeeze funds out of the home buyer, small businessman and farmer."

Recognizing the problem, President Nixon a few weeks ago named a blue ribbon panel to study the Defense Department. Subsequently, *The Wall Street Journal*, in an editorial headed "No Whitewash Wanted," commented:

". . . It is responsibly asserted that $10 billion or more a year could be cut from the military budget without impairing national security. Costly mistakes have been made in planning, execution and contracting."

What, if anything, can be done to reverse American priorities? Says Proxmire: "Congress must do a far better job in scrutinizing and appraising the military budget and procurement contractor practices." Sen. Stuart Symington believes the U.S. must re-think its worldwide commitments and stop being the world's policeman. A recent Congressional conference on national priorities suggested that Congress set up a defense review office to examine military budget requests and that another committee draw up a list of domestic priorities to be checked against a list of military priorities.

Citizens in their own communities can also play a vital role by organizing their own priority committees and asking their Congressmen a list of pertinent questions.

Just for starters, Proxmire suggests the following:

(A) Do we really need a new nuclear task force at a cost of $1.8 billion when carriers are sitting ducks for missiles or modern submarines?

(B) In an age of sophisticated missiles, do we need a new manned bomber to be delivered a decade from now at a cost of $12 billion or more?

(C) Are we really strengthened when there are ten supply troops for every man in a combat unit?

(D) Do we really need more than 400 military and naval overseas bases?

(E) Is this country strengthened when our military aid props up potentates or dictators?

(F) What about priorities for houses, schools, and jobs? With the extra $2 billion for the C–5A cargo plane, this country could house 3.3 million poor families or 12 million poor people for an entire year. Which has the higher priority?

Says Senator Proxmire: "Luxury military budgets weaken this country. Freedom is stifled when we ignore human needs. Let us get our priorities straight."

THE PESTICIDE PERIL—XXXVIII

Mr. NELSON. Mr. President, the current international controversy over the continued use of persistent, toxic pesticides is thoroughly reviewed in the July issue of Audubon, the magazine of the National Audubon Society.

The society recently announced an all-out campaign to inform the public of the threat to our environment and to human health from DDT and related pesticides. Recently, I placed in the RECORD, an editorial, published in the society's magazine, citing the failure of the National Academy of Sciences to recommend a ban on DDT after its 2-year study of persistent pesticides.

I ask unanimous consent that the article by George Laycock, entitled, "The Beginning of the End for DDT," published in the same July issue of Audubon, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE BEGINNING OF THE END FOR DDT

(By George Laycock)

On the day of its April meeting this past spring, the Michigan Agriculture Commission attempted to conduct its business behind closed doors and thereby draw a screen over its discussion of the most troublesome question it had faced for many years. The commissioners had a hot potato to juggle, and they hoped in vain that they could dispose of it quietly. But the decision to be made that day was perhaps the biggest news of the year on the conservation front.

Shortly after the meeting there came an announcement: "The Commission of Agriculture today took action to initiate cancellation of all DDT registrations in Michigan . . ." When fully effective this order would be the death knell for DDT use in this major agricultural state.

By this one order, admittedly much too late in coming, Michigan took the lead in the mounting effort to halt the spraying of DDT. Some months earlier, Arizona—concerned because much of its milk production was unsalable due to excessive DDT content—had prohibited use of DDT for agriculture purposes. Overseas, Sweden—alarmed by growing evidence of an environment contaminated by DDT—placed a two-year moratorium on use of the insecticide the same month Michigan was moved to forbid its sale. And in Wisconsin, a lengthy legal hearing aimed at classifying DDT as a pollutant and hence outlawing its use—was concluded in May, though no official decision is expected for several months. So there, and in every other state, the spreading of DDT continues unhampered by law or regulation.

Nor was the fall of DDT in Michigan easy. The campaign was long and hard, and the resistance stubborn. And elements of the story should help conservation forces everywhere understand why millions of pounds of DDT are still being manufactured every year.

For several months Michigan newspapers had carried accounts of a running battle between the state's Departments of Agriculture and Natural Resources. This governmental family fuss over the "hard" pesticides—the chlorinated hydrocarbons—sometimes spilled over into the governor's office, distressing the state's chief executive.

The issue was clearly drawn. Michigan Director of Agriculture B. Dale Ball held that society should not abandon its servant, DDT. His counterpart in the Department of Natural Resources, Dr. Ralph A. MacMullan, insisted that "Michigan has come to a point in its history when it must completely outlaw the use of certain highly destructive pesticides such as DDT, dieldrin, aldrin, heptachlor, endrin, lindane, chlordane, and other 'hard' or persistent chemical compounds used to kill insects." These are the chlorinated hydrocarbons, sometimes referred to as "the dirty seven," although toxaphene and benzene hexachloride also belong on the list.

Michigan's agricultural community might have guessed as far back as 1964 that Dr. MacMullan was going to rock the boat. That year he was given the post of director of the Department of Conservation, since renamed the Department of Natural Resources. "The Conservation Commission told me to run the thing, and I expect to run it," he announced. In those first days he reviewed the challenges which he would have to meet. Prominent among them was the pesticide problem; he was convinced that DDT and its relatives were making devastating inroads on Michigan's wildlife populations.

There was no shortage of evidence against these killers. DDT came to this country as a war baby from Switzerland, where the insecticidal properties of dichloro-diphenyl-trichloro-ethane were discovered in 1939—a breakthrough for which a Nobel Prize was awarded. (The chemical had been synthesized in Germany in 1874.) DDT came with good credentials and glowing promise, and insect suffers everywhere hailed the compound as the greatest invention since the flyswatter. It was easily and cheaply produced, and deadly to a wide variety of pests.

But it gradually became apparent that DDT possessed serious shortcomings. Refusing to stay where it was put, it filtered and flowed into streams, lakes, and ocean currents—where it still retained its toxic properties. It is known to ride not only the waters but the winds of the Earth. Particles of DDT fall as dust and in rain, far from the lands where originally applied.

Also disturbing is the fact that, while chlorinated hydrocarbons go everywhere, they do not go away. Instead of breaking down in the environment, they are cursed with a half-life variously estimated at four to sixteen years, depending on soil or water conditions. They may still pollute land and water a quarter of a century after application. All major river basins in the United States, according to the U.S. Public Health Service, are now contaminated with dieldrin, endrin, and DDT and its derivatives. "We don't know how long it will take for Lake Michigan to lose its DDT even after we stop using it," says Dr. MacMullan. "Estimates run from ten to thirty years, but I'm hopeful it will be less than thirty years."

Speaking at a symposium sponsored by Rockefeller University and The New York Botanical Garden, Dr. George M. Woodwell, chief ecologist at the Atomic Energy Commission's Brookhaven National Laboratory on Long Island, said that DDT and similar pesticides constitute the world's worst pollution problem. He estimated that one billion pounds of DDT and its derivatives are now circulating through the world's water and air. Dr. Woodwell added that, in the last decade, about 200 million pounds of DDT have been used annually worldwide.

In addition, because DDT is fat soluble, it is stored in living tissue, accumulated by animals in natural food chains and increasingly concentrated toward the top of such ecosystems.

Researchers now know that DDT and dieldrin in mammals, man included, pass from mother to unborn offspring through the placenta. And human babies are fed 0.1 to 0.2 parts per million of DDT residues with their mothers' milk. (The U.S. Food and Drug Administration has set a DDT tolerance level of 0.05 ppm for milk in interstate commerce. Since 1964, the U.S. Department of Agriculture—which encourages the use of DDT—has paid out more than $1,000,000 to reimburse farmers who have been forced to dump milk because of its DDT content.)

As long ago as 1946, U.S. Fish and Wildlife Service biologists warned that DDT dosages recommended for control of Dutch elm disease would prove fatal to birds. There has been ample proof in the years since—robins virtually annihilated on a university campus, dead warblers on another college town's lawns, songbird populations reduced by as much as 98 percent in heavily sprayed communities.

The birds of prey have been hit especially hard by DDT. Eagles and peregrine falcons—at the top of their respective food pyramids—have suffered spectacular reductions in nesting success. Instead of the 44 pairs of bald eagles nesting around Lake Michigan in 1945, there remains today a single pair—which has not raised young successfully since 1964. Until recent times pairs of peregrine falcons made their nests on New York skyscrapers, but no longer is there a breeding pair to be found in the United States east of the Rocky Mountains. Dr. Tom J. Cade of the Laboratory of Orinthology at Cornell University has studied peregrines along Alaska's Colville River in the Brooks Range, where production of young peregrines in that wilderness fell from 2.5 young per pair prior to 1960 to one fledgling per pair in 1968, and unhatched eggs carry high pesticide concentrations. Extinction stalks the magnificent peregrine.

Chemical industry apologists have long insisted such evidence is circumstantial, that "there is no scientific proof" that chlorinated hydrocarbons are responsible for catastrophic losses of wildlife. But recently a U.S. fish and Wildlife Service team at the Patuxent Wildlife Research Center in Maryland substantiated the relationship between DDT and reduced reproductive success. They were investigating whether there did indeed exist a link between DDT and a phenomenon which has fascinated and frightened naturalists in recent years—the "thin shell syndrome."

That pesticides are a factor in the frequency of abnormally thin eggshells had first been suggested in Scotland by research ornithologist D. A. Ratcliffe. Ratcliffe studied records of 109 duck hawk nests visited by British falconers between 1904 and 1950. In only three had falconers found broken eggs. But from 1960 to 1966, when 68 nests were studied, 47 contained broken eggs. Ratcliffe also knew that European sparrow hawks (an accipiter) and eagles were suffering from widespread egg breakage. "The introduction of DDT into general use (about 1945-46)," wrote Ratcliffe, "coincided closely with the onset of the eggshell change."

Next, Ratcliffe invaded the dark recesses of museums where he began measuring the shell thickness of more than 1,600 blown eggs and weighing them. Significantly, he learned that both weight and shell thickness had decreased sharply after 1946

By measuring and weighing thousands of eggs of a wide variety of species in American museums, a University of Wisconsin team found that Ratcliffe's discovery applied to this continent as well. Recent eggshells were thinner and thus more easily broken. Some scientists have also suggested that birds carrying heavy loads of DDT residues are more subject to nervous stress, and that this restlessness further contributes to egg breakage.

At Patuxent, biologists installed thirty-six pairs of sparrow hawks in flight pens and divided the birds into three groups of twelve pairs each. Food supplied to one-third of the sparrow hawks contained DDT, plus dieldrin, at a level considered high—but not high enough to kill the raptors. The second group was fed moderate dosages similar to those they might obtain in a wild environment. The more fortunate third group was fed no insecticide.

Those sparrow hawks on an insecticide-free diet hatched 84 percent of the eggs produced. Those on the modest dosages of DDT similar to what they might encounter out-of-doors hatched 61 percent, and the third group hatched 59 percent. Here was firm experimental evidence, for the first time, that there exists a positive correlation between ingestion of chlorinated hydrocarbons and nesting failure. Further, diets containing 3 ppm of DDT have caused thin eggshells and reduced reproduction in malliards.

Does the thin shell syndrome extend to other families of birds? Dr. Robert W. Risebrough, molecular biologist at the University of California at Berkeley, says that the brown pelican faces extinction along the coast of his state. DDT, he adds, is responsible for their abnormally thin shells, which break instead of hatch.

Could a wild bird's functions be so drastically upset that it might lay eggs with no shell at all? Until recently, such a condition was unknown in nature. But in April 1969, on the shore of Lake Superior in northern Michigan, investigators found a bald eagle nest containing remains of an egg *without a shell.* Meanwhile, eggs without shells were being found for the first time in colonies of brown pelicans along the Gulf of California. "There is absolutely no question," says Sandy Sprunt, research director of the National Audubon Society, "that pesticides are responsible for thin shells."

Yet despite such evidence, DDT still has many defenders. On the floor of Congress, one of its major champions is Representative Jamie L. Whitten of Mississippi. In 1968 he told Congress that the record showed no injury to wildlife from DDT except by improper use, a statement that prompted one observer to note that the Congressman's speech was made on April Fools' Day.

Even entomologists are changing their thinking on DDT. Dr. Robert van den Bosch of the Department of Entomology at the University of California testified recently in Wisconsin that although he had recommended spraying of DDT for many years, he no longer approved its use. "We had created a monster," he said, "it's a lesson for all of us to learn."

There was nothing new in Dr. MacMullan's theme that it is time to stop spreading DDT and its relatives. It was the President's Science Advisory Committee which said in 1963 that "Elimination of the use of persistent toxic pesticides should be the goal." But the chemical companies and the agricultural establishment still call most of the shots six years later, arrogantly fighting every effort to halt the contamination of the environment with their products.

Faced with such economic power, politicians too often take refuge in silence, perhaps hoping the problem will go away. But it will not, for the half-life of DDT is greater than the half-life of the average governor. And the governor willing to come to grips with this issue is rare. In Michigan, however, with two departments in his own administration feuding, Governor William H. Milliken has had little choice.

Two separate developments helped bring the DDT story to a climax in Michigan. In the spring of 1966, under the leadership of Dr. Howard Tanner, Michigan began releasing four- to six-inch coho salmon in tributaries of Lake Michigan. With visions of fifteen- or twenty-pound game fish dancing before their eyes, Michigan anglers and tourism promotors were paying close attention to every phase of Dr. Tanner's highly publicized coho experiment.

As they gorged on the lake's heavy population of alewives, the coho grew at fantastic rates. By the spring of 1967 the salmon weighed two to four pounds, and they continued to prosper until fish as heavy as twenty-two pounds were taken. Fishermen flocked to Lake Michigan in pursuit of these grand new trophies. The fishing tackle industry, outboard motor merchants, marinas, motels, restaurants, and all the other beneficiaries of a flourishing tourist industry prospered. Long traffic jams snarled movement on Michigan highways near fishing spots and boat launching ramps as the first coho seasons opened.

But Michigan's fisheries specialists were already worried about DDT. Lake Michigan flushes slowly and may take thirty years for a complete change of water. Some biologists, including Dr. Charles F. Wurster, Jr., of the Environmental Defense Fund, made dire predictions that the salmon program would run into trouble at the hatcheries when the fry were in those critical first days during which they draw on their own egg yolk for sustenance. Then early in 1968, salmon fry being carefully tended at the Wolf Lake State Fish Hatchery began to darken in color and die. At first 160,000 perished. Soon the losses had climbed to 700,000.

Affected fry were checked for viral disease—and pesticide content. Studies at Michigan State University made it plain that "DDT is the most likely suspect." Michigan-raised coho eggs carried loads of DDT residues ranging from 1.5 to 3 parts per million, levels believed to be high enough to cause substantial losses at the critical "button-up" stage in the salmon's reproductive cycle. New York State had already experienced similar losses in its lake trout hatchery program at Lake George, where 2.95 ppm of DDT caused the death of trout fry at the same stage.

This development should not have been particularly surprising. Practically every fatty fish checked from Lake Michigan waters carries substantial dosages of DDT, so much so that, as one conservation worker in Lansing assured me, "If pork or beef were as heavily loaded with DDT as most Lake Michigan fish, it would be taken off the market."

Michigan fisheries biologists fell short of their coho stocking aims, and had to increase their hatchery production. But this was only a stopgap measure. "The real answer," said fisheries biologist Thomas B. Durling, "is that pesticide levels be reduced and eventually eliminated."

An earlier development, precipitating Michigan's fight over DDT, was the appearance of the Environmental Defense Fund in the state. EDF can trace its birth to the National Audubon Society's 1967 convention in Atlantic City, to which Attorney Victor J. Yannacone, Jr., came to report on his lawsuit against the Suffolk County Mosquito Control Commission on Long Island.

Yannacone saw his county's spraying of DDT for mosquito control as both a degradation of the environment and a breach of constitutional rights. In 1966 he had filed a suit in behalf of his wife Carol to bring a halt to twenty years of DDT pollution. The courts, he reasoned, were the only bodies left to settle such issues. He explained to the Audubon convention that both legislative and administrative arms of government had failed their responsibilities in not protecting the people from insecticide contamination. The courts would offer a fair and impartial forum, said Yannacone, urging conservation-minded citizens to take environmental polluters to court.

After Long Island newspapers carried the story of the unusual court action, the Yannacones soon learned that numerous other people were equally concerned over the misuse of pesticides. Yannacone met Dr. Wurster, assistant professor of biology at the State University of New York at Stony Brook, and Dr. Woodwell of the Brookhaven Laboratory. Both testified for Yannacone, and a temporary injunction was issued against Suffolk County Mosquito Control Commission.

At the Audubon convention, where he reported on this pioneering court case, the exuberant Yannacone went a step further. Also present were Dr. Wurster, and Dr. H. Lewis Batts, Jr., who once taught Yannacone ecology and other biological sciences at Kalamazoo College in Michigan. Dr. Batts is director of the Kalamazoo Nature Center and past president of the Michigan Audubon Society. Together the three drew up a resolution suggesting formation of an Environmental Defense Fund, to take environmental pollution cases into courts.

The resolution passed, but its impatient sponsors saw little evidence that it was going to be acted upon rapidly. So ten persons, most of them scientists, later assembled and incorporated the Environmental Defense Fund under the laws of New York State.

In Dr. Batts' state there was precisely the kind of case EDF had in mind. In Berrien County, the Michigan and U.S. Departments of Agriculture, by late 1967, were planning a massive dieldrin attack against a recurring "infestation" of Japanese beetles. The plan called for spraying 2,800 acres of small watersheds draining into Lake Michigan. Dr. Batts raised funds for the initial court action, asked for and obtained the help of the National Audubon Society, and Yannacone won a temporary injunction from the State Court of Appeals in Grand Rapids. Among the witnesses lined up to testify against the hard pesticides were Dr. MacMullan and his pesticides advisor, Dr. C. T. Black.

Michigan's legal community scarcely knew what to do with EDF and its determined attorney. The case was refused in a federal court in Grand Rapids on the grounds that those bringing the suit were from another state. The Michigan Court of Appeals agreed to hear the testimony, but after several hours the case was dismissed on a technicality.

But before the drama was played out, the state attorney general's office came in for a little act of its own. There were assistant attorneys general supposedly defending both the Michigan Department of Agriculture and the Department of Natural Resources. Under subpoena, the Department of Natural Resources had joined the case against its sister agency. The attorney general stopped the whole show by forbidding his assistant working with the Department of Natural Resources from even speaking in the courtroom.

"You want me to get my own lawyer?" Dr. MacMullan asked. "You can't do that either," the attorney general told him. Having declared the scientific affidavits from Natural Resources inadmissible, the Court of Appeals ruled that the Department of Agriculture was immune from suit.

By this time, however, the fight between Agriculture and Natural Resources and its accompanying newspaper coverage had brought then Governor George W. Romney into the fray. Romney summoned directors of the feuding departments to his office. To help them resolve the issue, the governor named a three-man factfinding panel, both directors agreeing to abide by its findings.

The three men chosen included two with close ties to agriculture. And the panel ruled that if allowed to go untreated, the Japanese beetles would require heavier chemical treatment later. So three crop-dusting planes went aloft on October 21st and 23rd, 1968, and spread two pounds per acre of dieldrin over 3,000 acres and ten pounds of chlordane per acre over another 1,600 acres. To Dr. MacMullan this was a "bitter pill."

The Environmental Defense Fund, meanwhile, had also brought court action against the use of DDT for Dutch elm disease control by local governments. In the face of possible court decisions against DDT, these suits, coupled with mounting public opinion, led 56 Michigan cities to announce, one after the other, that they would no longer

spray elms with DDT. Soon the list of court orders held by EDF included all of the offending cities except Detroit, which finally capitulated this past May.

The EDF action in Michigan made the conflict between the two state departments a public issue, and set in motion a continuing campaign by the Department of Natural Resources against DDT. Dr. MacMullan held regular staff meetings within his department to plan a concerted campaign against DDT. The strategy was to strike hard and repeatedly until DDT was banned. Conservationists, augmented by a newly formed citizens' group, the Michigan Pesticides Council, took their message to the people. First came an article "The Case Against Hard Pesticides," by Dr. MacMullan in Michigan Conservation, the department's magazine. Other articles followed at regular intervals, and the message was spread through radio and television programs, public speeches, and a barrage of newspaper articles. Conservationists soon knew that people throughout the state and across the nation shared their concern over the continued degradation of the environment by these long-lasting poisons. "The Case Against Hard Pesticides," as one example, has been reprinted a half-million times.

But the chemical industry had no intention of yielding ground gracefully. The manufacturers reacted through the National Agricultural Chemicals Association, their well-financed lobbying and propaganda arm which goes to great expense to convince the public that DDT is the servant of man, that it carries no serious threat to the ecosystem, fighting any government actions that might curb pesticides use, and laboring constantly to undercut the mounting evidence against DDT.

The association frequently sends to 3,500 newspaper editors easily reproduced cartoon panels titled "The World Around Us." These punchy cartoons hammer away at the theme that man has risen to his current exalted state because of pesticides. But they lump all pesticides together and ignore the fact that conservationists are fighting only that small list of long-lasting, broad-spectrum killers, the chlorinated hydrocarbon insecticides.

The association recently supplied its members with a "briefing paper" said to introduce "facts" ignored by those calling for the banning of DDT. This propaganda claims that DDT benefits wildlife through control of disease and parasites and by killing insects that destroy wildlife cover.

"DDT is a low cost item, wholesaling at 17–18 cents a pound," states the briefing sheet, and adds, "Almost any alternative pesticide would bring a greater return to the manufacturer." What then makes the chemical industry fight so desperately in behalf of DDT? The public, incredulously, is asked to believe that the agricultural chemical industry is interested less in profit from its annual $20 million production of DDT than in serving mankind.

We are then assured that 70 percent of the DDT produced in this country goes to foreign lands. This is less comforting than the manufacturers would like it to be, since it is common knowledge that DDT sent out into the world can boomerang and return home on the elements.

Insisting that DDT is valuable because it lasts so long, the association then claims that nonetheless it degrades into harmless products. "All species of animals, insects, fish, amphibians, birds, and mammals that have been studied," says the briefing sheet, "are able to degrade and excrete DDT residues they have acquired in their fat." Of course, wilflife may perish in the process, or suffer serious sublethal effects.

The association also claims the half-life of DDT to be only "as long as one to three years," which it may be under some conditions, but independent research has computed DDT's half-life at periods up to 16 years. And in one test in Maryland, 31 percent of the dieldrin originally applied was still present in the soil after 17 years, while 39 percent of the DDT remained.

Chemical industry propagandists often repeat the claim of worldwide malaria control as a result of the multimillion-dollar DDT export business. This was a major argument presented again in the letters department of the May 4, 1969, *New York Times*. The writer, Samuel Rotrosen, president of Montrose Chemical Corporation, manufacturers of DDT, and chairman of the Industry Task Force for DDT, must have known at the time about a story carried in the same paper five weeks earlier. Authorities in India, the story reported, are worried because mosquitoes there have developed resistance to DDT. Malaria cases have been increasing rapidly in India in recent years despite DDT treatments. And the World Health Organization has announced it would review its entire malaria eradication program because of this spreading mosquito resistance to DDT.

As for human health, and whether DDT and the other chlorinated hydrocarbons pose a threat to man, merely asking such a question makes chemical industry spokesmen shout "foul." Apparently, different organisms can tolerate varying levels of DDT in the body tissues. Man, we are told, normally does not build up concentration beyond 12 ppm of DDT and its derivatives.

This may or may not be a harmful level, although some scientists suspect the prolonged existence of such a level will affect humans. "Frankly," says Dr. MacMullen, "no one knows what 12 parts per million in human fatty tissue means. But we know it is going to stay there and that DDT in far smaller concentrations has awesome consequences for many small or simple forms of animal life." Currently the level of DDT in the "average" American man, woman, and babe is said by the Public Health Service to be between 8 and 10 ppm.

But despite the reassurances that all is well, even though each of us carries a quantity of DDT, there are disturbing signals that should not be ignored. It was the December 1968 issue of "Occupational Safety and Health Abstracts," published by the International Occupational Safety and Health Information Center in Geneva, Switzerland, that reported: "Soviet workers occupationally exposed to DDT and other organochlorine pesticides have shown disturbances of stomach and liver functions after ten years of contact with the pest destroyers." Scientists checked seventy workers. They found, in those with less than a decade of exposure, an increased acid and pepsin secretion in the stomach, along with disturbed liver functions. But those with more than ten years exposure were found to have decreased secretion of acids and pepsin and resulting disturbances of liver function. And DDT is also under suspicion as a potential cause of cancer in warm-blooded animals. Still, the president of one DDT manufacturing firm recently quoted to me the comforting 1967 statement of the U.S. Public Health Service that "there is no well-described case of fatal, uncomplicated DDT poisoning."

With public pressure already bearing heavily on DDT, the coho salmon came back into the Michigan picture early in February 1969. Commercially caught Michigan coho were being advertised and sold. The Food and Drug Administration collected samples of frozen Michigan coho shipped to Minnesota and Wisconsin and ran tests for DDT and dieldrin. The fish averaged a DDT content of 16 ppm. Although the FDA had not then established tolerance levels for DDT in fish, it seized fourteen tons of frozen Michigan coho in Wisconsin. The tolerance level for meat is 7 ppm in the fat alone, equal to about 1 ppm in the whole cut.

This announcement cast a pall over the entire Michigan coho program. The state had 2,500,000 smolts ready for release into Lake Michigan tributaries. The tourist industry envisioned its summer business cut back severely. Sport fisherman were asking what to do with the salmon they caught.

In New York, the secretary of that state's Pesticide Control Board wrote that some consideration was given to closing lakes to fishing there because of the problem of chlorinated hydrocarbons in fish, "but the idea that prevailed was that the greatest pleasure in fishing was catching the fish and that there is probably no real danger to man even from eating the fish, although the fish may not taste entirely as expected. With these considerations, a warning to the public was considered sufficient."

Actually, the high level of DDT in Lake Michigan coho has been known for several years. John Carr, who directs a pesticide monitoring program for the Great Lakes from his U.S. Bureau of Commercial Fisheries office in Ann Arbor, had begun testing several species of fish for pesticides in 1965. He found that the levels did not change much from year to year. He also found that the fatty tissues of fish carry far heavier loads of chlorinated hydrocarbons than are found in the rest of the fish. His tests revealed DDT levels in the fat of coho as high as 105 ppm.

The FDA, meanwhile, having long neglected this problem, was pondering where to set the DDT tolerance level for fish to be sold commercially throughout the country. On April 22nd the limit was set at 5 ppm, which threatened the commercial fishing industry with a lost of $2.5 million annually in Michigan alone and would place commercial fish products throughout the country under inspection for the first time.

This federal action put still more pressure on DDT peddlers to meet the growing public concern. But there exists between the chemical manufacturers, extension services, departments of agriculture, and schools of agriculture and entomology in the land grant colleges a strong bond of mutual protection. And when any one of their spraying recommendations is challenged, there is a solid defense front, and the "official" position within the agricultural community is maintained with an arrogance that seems to have more than the economic welfare of the chemical manufacturers behind it.

Within the agricultural community of Michigan one hears now that the ban on DDT was an orderly and expected development growing out of accumulated research at Michigan State University's Agricultural Experiment Station and the longtime desire of agricultural leaders themselves to bring an end to the use of DDT. They insist that DDT would have been banned just as soon without pressure from conservationists or the exposure to public opinion. Indeed, on the day before a legislative committee hearing which would have established a state pesticide control committee with strong representation by conservation interests, DDT was removed from the list of chemicals approved for mosquito control. This action by the Michigan Agriculture Commission was merely considered as a coincidence. But it would take a lot of selling in Michigan to convince people that Dr. MacMullan's Department of Natural Resources and the Environmental Defense Fund had nothing to do with speeding up the demise of DDT there.

Quite likely, the action of the Agriculture Commission in banning the sale of DDT in Michigan was prompted partly by fear that the state legislature would pass a law even more restrictive. "They decided," as one conservationist said, "to toss MacMullan a bone." They should not, however, assume that Dr. MacMullan and other conservationists see the job as complete. Next on the schedule is dieldrin. And once it has followed DDT

into limbo, the rest of the persistent pesticides will gain attention. Dr. MacMullan is convinced all must go.

The Michigan regulation is by no means perfect. It did not go into effect until June 27th, and any DDT on dealers' shelves or in warehouses up to that date can still be sold. "It will take at least five years before present stocks are disposed of," Dr. Black predicted. Nor is the purchase of DDT in another state for use in Michigan prohibited, although legislation to forbid DDT use is certain to be introduced in Lansing. Meanwhile, one major DDT manufacturer has hinted it will challenge the legality of the Agriculture Commission's ruling (which has since been amended to permit use of DDT indoors for control of bats, mice, and body lice).

Recently Governor Milliken took an important step in protecting the environment when he created a fifteen-member Council for Environmental Quality. "I have big hopes for this council," says Dr. MacMullan. The Michigan Department of Natural Resources has now instituted a ten-point program to advance the continuing fight against "hard" pesticides.

What has happened in Michigan is significant because it is a dent in the incredible armor of the agricultural combine. Viewed nationwide it may seem a small victory. But the chemical industry must sense that the implications reach far beyond Michigan.

Several states in the Great Lakes drainage, meanwhile, are reappraising their stands on DDT. Ohio, whose natural resources leaders are unlikely to show Michigan's strength, scheduled a conference of top officials to discuss the pesticide issue following the Michigan ban. At least half a dozen states are considering legislation that would ban DDT. In Washington, Senator Gaylord Nelson of Wisconsin introduced a bill aimed at federal control of DDT by prohibiting its sale in interstate commerce. In the last session of Congress, a similar bill was quickly killed by the Senate Committee on Agriculture and Forestry.

So Michigan has finally come to grips with the world's most dangerous environmental pollutant. But other states drag along, permitting agricultural interests to blindly add more tonnages of DDT to the environment year after year. All the blame, however, cannot be placed on agriculture. Municipalities strive to control mosquitoes, Dutch elm disease, and other pests with DDT. Woolen mills use pesticides to moth-proof their products, then run their wastes into rivers. Foresters and even wildlife managers have used persistent pesticides. Homeowners, gardeners, and outdoorsmen continue to buy millions of small spray cans containing chlorinated hydrocarbons—when they should instead be reading the labels and refusing such products. But with the connivance of the U.S. Department of Agriculture, manufacturers have stacked the cards against such public intelligence, using jaw-breaking technical names, instead of simple generic terms on their labels.

What is needed is more than a simple phasing out of DDT state by state, with each state repeating the research of the others on its own farms and experiment stations while DDT peddlers buy time. This procedure, if effective at all, could only lead to a nationwide hodgepodge of laws and rulings. And farmers forced to turn to more costly insecticides would be at an economic disadvantage with their competitors using DDT in neighboring states.

Chlorinated hydrocarbons in the air and water do not pause at state lines or national borders. The threat of DDT and other "hard" pesticides in the environment is at the very least a national problem calling for federal laws. Such laws, say conservationists, should do nothing less than rule out the use of all such pesticides, except in cases of dire public emergency where no substitute exists, and then by prescription only.

SCOTT BILL SPURS ACTION IN CALIFORNIA

Mr. SCOTT. Mr. President, my bill, S. 114, to establish a Commission on Afro-American History and Culture, is pending before the Subcommittee on Arts and Humanities of the Committee on Labor and Public Welfare. I am delighted to report that the California Senate has passed a bill—California Senate bill 114—to establish a commission on minority history and culture which was based upon my legislation. I hope the U.S. Senate will act as promptly and as affirmatively on this matter as did the California Legislature.

I ask unanimous consent that the letter informing me of the action in California be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CALIFORNIA SENATE,
July 28, 1969.

Hon. HUGH SCOTT,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR SCOTT: Enclosed is a copy of Senate Bill 114. This legislation originated from your bill introduced in the United States Senate.

Senate Bill 114 passed the California Senate yesterday and will be heard by the State Assembly next week.

It is my feeling that this commission will provide a much needed service. I am grateful for your assistance.

Sincerely,

MERVYN M. DYMALLY.

MORE FUNDS FOR AUTO SAFETY

Mr. NELSON. Mr. President, in 1966 Congress initiated a broad attack on auto safety with the passage of the National Traffic and Motor Vehicle Safety Act. Certainly no consumer program has been launched with more fanfare and promise than this effort to make a meaningful reduction in the number of deaths and injuries from automobile accidents.

But the program has been severely crippled from the very beginning because of lack of funds. Neither the administration nor the Congress has been willng to back up its commitment of the 1966 act with the necessary funds to do the job.

In a very good article entitled "Congress Ordains Safety but Won't Put Gas in Tank," and published in Sunday's Washington Post, Morton Mintz reviews the program's funding problems. In the last 3 years, the vehicle safety program has received only $33.9 million—or just one-half of its $66.3 million authorization.

A new 2-year authorization is now before the House Committee on Interstate and Foreign Commerce. The total request for 2 years is $58 million. As Mr. Mintz points out, "this total is $20.4 million less than the cost of financing the war for 1 day.

It is time we put the auto safety crisis in our list of national priorities—and time we put all of our energy and resources behind those priorities.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONGRESS ORDAINS SAFETY BUT WON'T PUT GAS IN TANK

(By Morton Mintz)

A common complaint on Capitol Hill is that on a whole range of health, safety, consumer and environmental problems, the White House and Congress don't put our money where their mouths are.

It's a complaint that Sen. Abraham A. Ribicoff (D-Conn.) has made about auto safety, that Sen. Vance Hartke (D-Ind.) has made about pipeline safety and that Sen. Philip A. Hart (D-Mich.) has made about truth-in-packaging, to name a few specific complainants.

The legislators say that the Government has said the right things about such matters and has even passed the right laws—sometimes by unanimous votes—but then has denied the money that the enforcement agencies need to make the laws live up to the rhetoric. The auto safety law, signed by President Johnson almost three years ago, is a classic case.

BATTLEFIELD ANALOGIES

The groundwork for the law was laid in 1965 with hearings by Sen. Ribicoff, Ralph Nader's book "Unsafe at Any Speed" and attacks on unsafe tires by Sen. Gaylord Nelson (D-Wis.). In 1966, President Johnson developed into an ardent advocate. He repeatedly put the need for a strong bill in the context of the Vietnam war.

In February, for example, Mr. Johnson said that the highway toll was "the gravest problem before this Nation next to war in Vietnam." On June 3, he told the National Governors Conference, "Since the automobile was first invented, we have had 1½ million deaths from automobile accidents. That is three times as many as our enemies have ever been able to kill in all of our wars.

"Between 1961 and the end of last year, motor vehicles killed many more times as many of our servicemen as the Vietcong were able to kill in Vietnam."

At the signing of the auto safety bill on Sept. 9, 1966, Mr. Johnson returned to the theme. He noted that over the recent Labor Day weekend, 29 American servicemen had died in Vietnam while 614 Americans had been killed on the highways.

Less than five weeks after the bill signing, the President's words boomeranged in a letter from Sen. Warren G. Magnuson (D-Wash.), chairman of the Senate Commerce Committee and a prime mover behind the legislation.

Reminding Mr. Johnson that he had ranked auto and highway safety second only to the war, Magnuson expressed "deep concern" and "near disbelief" that the Administration's requests for auto and traffic safety in fiscal 1967 were "less than 30 per cent of the amount Congress considered adequate." The Administration said that some of the cuts merely reflected realistic appraisals of what could be spent efficiently.

The auto safety law created the National Highway Safety Bureau, which has been put under the Federal Highway Administration in the Department of Transportation. (Ribicoff and other legislators want the Bureau spun off because they feel that the FHA is so strongly oriented toward road building that it tends to neglect the safety of the vehicles on the roads.)

The Bureau's first and only director, Dr. William Haddon Jr., resigned in mid-February, less than a month after President Nixon took office. Mr. Nixon meanwhile, has said nothing or almost nothing about auto safety. And more than six months after Haddon's departure, he has not named a replacement.

The man in charge is Robert Brenner, who was Haddon's deputy. Brenner has a staff of

500 rather than the 2000 originally envisioned for 1969. He has one person to deal with all aspects of school bus safety.

Haddon had started a program for crash-testing various makes and models of car to get a real reading on safety. Tests were made with the Subaru minicar, a Japanese import that, because it weighs less than 1000 pounds, is administratively exempt from safety standards, and the Volkswagen.

Now the tests have been halted by Francis C. Turner, head of the Highway Administration. Turner has said that he wants to see if there isn't a cheaper way to get the same kind of data.

Brenner is operating without an authorization—let alone an appropriation—for the fiscal year that began July 1. The authorization bill has gotten only as far as the House Commerce Committee, which has approved $23 million for work on vehicle safety for fiscal 1970 and $35 million for fiscal 1971. The two-year total is $20.4 million less than the cost of financing the war for one day.

In an interview, Brenner talked about some issues and developments in auto safety. Speaking of grilles that come at pedestrians like the cutting edge of a meat cleaver, and of other sharp surfaces and protrusions, he called the manufacturers involved "irresponsible." He named none.

Similarly, Brenner feels that "fastback" sedans, because they reduce rear visibility, are a trend "absolutely in the wrong direction." He said that styling and safety are "completely compatible," and cited instrument panels on 1969 cars as "gorgeous" evidence of this.

Brenner gives "top priority" to getting a facility for testing vehicles and components, including tires, to see if those certified by their producers as meeting safety standards actually do. The authorization bill originally contained a $10 million item for design and planning of such a center, including a proving ground. The House committee allowed $100,000 for preliminary planning and asked for a new presentation after that is done.

Despite the law's emphasis on setting safety standards, Breener hopes to accomplish a good deal by persuading Detroit to adopt features that could be required only after a long legal process. He hopes, for instance, that General Motors will apply its side rail protection—against side collisions—to all of its cars, and that Ford will extend its no-skid braking feature to all of its models.

SMALL CAR EQUALIZER

Under Haddon, Bureau policy was not to let research contracts to auto manufacturers, not only because of possible conflict of interest but also because of a desire to build an independent expertise in the Bureau.

Brenner, however, said that "I don't think there has to be" a conflict of interest in contracts with Detroit's Big Four, and that, "where there is none, or is not even the appearance of one," he would not hesitate to let a contract for urgent work that otherwise would not be done or would be seriously delayed.

Brenner looks on the air bag restraint device as "the big equalizer" between big cars and little ones in crash survival. The device inflates in front of the occupants in the first milliseconds of a crash and puts a big plastic cushion between them and hard surfaces. Brenner estimates that it will be standard equipment on the 1971 models at the earliest.

OUTER CONTINENTAL SHELF SUBCOMMITTEE

Mr. JACKSON. Mr. President, discussions now underway in the executive branch concerning the development of the resources of the seabeds are of vital importance to all Americans, both present and future. Proposals that would have far-reaching effects on this development, and our relations with other nations, are being pushed vigorously in the United Nations, and the Departments of State, Defense, and Interior are endeavoring to arrive at a unified position for the United States with respect to these proposals. Some of the ideas that have been advanced would place the seabeds relatively close to our shores under an international regime. It readily can be seen what problems with respect to control of pollution, for example, such a proposed system would involve for us.

Recently the Committee on Interior and Insular Affairs held comprehensive public hearings on a measure sponsored by the distinguished senior Senator from Colorado (Mr. ALLOTT) to establish a national mining and minerals policy. At these hearings, the need of our country for new sources of supply for nonfuel minerals was established beyond dispute; our requirements for additional sources of energy fuels, primarily oil and gas, long have been self-evident.

Exploration of the Continental Shelf adjacent to our shores has shown it to contain tremendous reserves of oil and gas, which are susceptible to immediate production under known, existing technologies. The shelf also has been shown to have resources of other minerals, notably manganese, and gold and silver. Technology for development of these reserves is progressing to the point of economic feasibility.

Mr. President, these facts, namely, our Nation's need for the mineral resources of the seabeds and the proposals to place the development of these resources adjacent to our coasts under international control, call for most careful and most full policy considerations. Accordingly, I am appointing a special subcommittee of the Interior Committee to assist the executive branch in every way possible in arriving at a policy position that is in our country's best interests.

The Interior Committee is the unit of the Senate to which was referred the bill that Public Law 212, 83d Congress, which is the Outer Continental Shelf Lands Act of 1953. This statute was the first, and is the only, legislative assertion of the sovereignty of the United States over the mineral resources of the Continental Shelf adjacent to our shores. The 83d Congress did not attempt to define the outer limits, or seaward boundary of this sovereignty.

Rather, the boundary provided by the Outer Shelf Act is the limit of our ability to develop the resources of the subsoil. This statutory concept was carried over into the Geneva Convention of 1958 on the Continental Shelf. The convention defines the limits of national sovereignty as being at depths out to 200 meters—600 feet—or as far as the exploitation of the resources of the adjacent seabed lands permits.

In view of the legislative history of the Submerged Lands and Outer Continental Shelf Acts, and its overall legislative jurisdiction over development of the mineral resources of the United States, the Interior Committee has clear-cut responsibility for legislation affecting the Outer Shelf. In fulfillment of this responsibility, I have named Senators METCALF, MOSS, and GRAVEL to serve with me on the majority side, and, on the recommendation of the ranking minority member of the Interior Committee (Mr. ALLOTT), Senators BELLMON, HATFIELD, and STEVENS on the minority side, to compose the Subcommittee on the Outer Continental Shelf of the Interior Committee. I am happy to announce that the Senator from Montana (Mr. METCALF) has agreed to be the chairman of this important subcommittee.

The Interior Committee shares its jurisdiction over the outer shelf with other units of the Senate, including, of course, the Foreign Relations Committee and the Commerce Committee. I am informed that my colleague from Washington (Mr. MAGNUSON), chairman of the Committee on Commerce, also has a Special Committee on Seabed Problems. The Outer Shelf Subcommittee will work closely with this and all other units of the Congress concerned, as well as with the several agencies of the executive branch.

OPEN LETTER TO MEMBERS OF CONGRESS FROM POW WIFE UNDERSCORES NEED FOR RELENTLESS PRESSURE ON HANOI

Mr. MONTOYA. Mr. President, there is a particular urgency to speak up anew on behalf of American prisoners of war in North Vietnam and their families. Mrs. Dottie Hughes, wife of Lt. Col. James Lindberg Hughes of the U.S. Air Force, recently wrote an open letter to Members of Congress calling attention to the special plight of Americans held captive by the Vietcong, and asking each of us for help. Her own husband has been a prisoner of the Hanoi government for more than 2 years. Dottie and her two children—Darrya 12, and Peter 9—live in Santa Fe, N. Mex., having moved there 3 years ago before Jim went overseas.

Dottie Hughes' letter has been written with that special poignancy and sentiment that a wife and mother feels for families undergoing the same heartbreaking circumstances she and her children are experiencing, and expresses the cruel and gnawing feeling that their loved ones are being neglected and treated with indifference by the American Government. I ask unanimous consent that her letter be printed in the RECORD at the conclusion of my remarks, and urge that it be given special attention by all Members of Congress.

Mr. President, the faith of Dottie Hughes and other families of American prisoners of war must not be shaken. I hope that we, not only as Members of Congress but as a nation, will not ever forget that these fine men in the U.S. armed services who have served us so well are being needlessly held captive under unknown circumstances, and that they are desperately needed at home. I believe Mrs. Hughes' letter will serve to remind each of us that we must renew our efforts to use whatever powers of persuasion we have to urge the President, our State Department, the South Vietnamese Government, the United Nations,

and others in the field of diplomatic and foreign affairs, to continue to pursue more vigorously than ever efforts to gain release of these men.

Mr. President, the inhumanity of North Vietnam's lack of response to our pleas and efforts in attempting to secure release of American prisoners of war is obvious and deserves the condemnation of all humane peoples and nations alike. The Hanoi government has even refused to provide us with a list of names of American POW's, causing needless anxiety and uncertainty for the wives, children, and parents of these men. As of this writing, there are some 1,400 American servicemen "missing in action" in Southeast Asia, about 340 of whom are known or presumed to be prisoners of war. The Saigon government, in turn, is holding approximately 25,000 POW's in South Vietnam.

Worthy of still further condemnation is Hanoi's persistent refusal to honor and abide by the provisions of the 1949 Geneva Convention. As a signatory to that document, the Hanoi government is bound by its provisions, which call for: First, release of names of prisoners held; second, immediate release of sick and wounded prisoners; third, impartial inspections of POW facilities; fourth, proper treatment of all prisoners; and fifth, regular flow of mail.

The North Vietnamese have refused to respect these requirements of the Geneva Convention despite our repeated urgings. On the other hand, the 25,000 prisoners held in South Vietnamese POW camps are treated in accord with the Geneva Convention. Their names are provided to Hanoi through the International Red Cross; they are allowed to correspond; they are given food, medical attention, treated well, and periodic inspection of South Vietnam's POW facilities takes place. It is hard to believe, Mr. President, that, in the face of this, the North Vietnam regime still refuses to be stimulated or impressed by this policy of humanitarianism under the rule of law, and that it callously and coldbloodedly continues its own policy of failing to respond to any such example set. It is difficult to believe that we are still unable to get from them even so basic a civilized requirement as a list of our prisoners, and we have not been successful in getting our men out.

During the past year and a half, some 2,000 Communist POW's and civilian detainees in South Vietnam have been released by the Saigon government, with our cooperation, and North Vietnam knows only too well that large numbers of their men are still being held prisoner. During the same period, they have released to us but six of our servicemen in 1968; and Hanoi announced on July 3, 1969, that three additional U.S. prisoners would be released, but no further action has been forthcoming.

Mr. President, as a humanitarian issue which transcends all politics and political motives, this matter is of direct personal concern to Americans, to the United Nations membership, and to civilized mankind as a whole.

While we may have succeeded in making our position clear to the Hanoi government—both at the Paris talks and through enlisting the intervention of other governments—nevertheless, I believe we must explore and open up every possible avenue of approach with Hanoi on a renewed and intensified basis.

Mr. President, I cannot believe that there is not some means available to us for securing the release of our U.S. prisoners of war—even if it means releasing all 25,000 prisoners held in South Vietnam, or, as suggested by Mrs. Hughes, possibly organizing an effort permitting the wives of these men to journey to Asia, if this would help persuade the North Vietnamese Government that they must respond on purely humanitarian grounds.

The Hughes family, and families of other American captives wait, hope, and pray for word of and the rapid and safe return of these fine men who have answered the call of their country. So let us all intensify our support for them by demanding renewed and immediate action on the part of the Nixon administration, the State Department, and the United Nations, in putting relentless pressure on Hanoi for their release. We must do everything we can to get the Saigon government to lean over backward in their willingness to go more than halfway—indeed, all of the way—to release prisoners in exchange for American prisoners of war. We must also demand continuous public accounting of what action has been and is being taken to secure their release, and what can be done to insure that this sort of thing does not happen again.

As Members of Congress, we cannot any longer take this important matter on faith, and I urge every Senator to join me in getting not only some results but also more light from the Nixon administration and the Saigon government on the subject.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OPEN LETTER TO MEMBERS OF CONGRESS FROM MRS. JAMES LINDBERG HUGHES, WIFE OF AMERICAN PRISONER-OF-WAR

The unawareness of the citizens of the United States and the seeming indifference of countries all over the world to the special plight of the prisoner-of-war being held captive in Vietnam is heartbreaking. This is especially compounded for families who have children growing without fatherly guidance.

These forgotten men in Vietnam who fought loyally for their country have become trapped in a tragic diplomatic crossfire. They can't be helped by our country—and, they won't be helped by North Vietnam. There is no free flow of mail between families. It has been four years for some families who only 'now the cryptic words, 'missing in action.' There are no available lists of prisoners and very little contact with the outside world.

All that the families can do is to wait—patiently—which we have done in our case for more than two years—waiting for something to happen. But, nothing has, and we have come to a point where we feel that the world must be alerted and asked to participate in this problem. Help must come from neutral sources and impartial groups for these neglected Americans. People with hearts—outside the sphere of this political conflict—must come forth to offer assistance. These men, most of them pilots, are but innocent victims of a bad situation.

I implore that some neutral country intercede in behalf of the wives and families of the prisoners. People with sympathy in their hearts can accomplish miracles, and I truly feel that there are people such as this all over our world who are not aware of the plight of these men and the anguish caused their families by the insensitivity surrounding the problem. I am prepared to journey to Hanoi tomorrow as a wife and mother if this were allowed by the North Vietnamese and permitted by our own government.

I believe sincerely that even the people in North Vietnam realize that family ties are the same the world over, and I cannot feel they would ask less for their own people. If they were approached by an impartial nation, in behalf of the American families, they could not help but allow things they would want for their own people . . . the release of sick and wounded prisoners, free flow of mail between families, acknowledgment of lists and status of prisoners, and ultimate release of all prisoners on purely humanitarian grounds.

I would hope that the Congress of the United States would accept the challenge of this request and work along the lines I have suggested in hopes that it would evoke a favorable response from a sympathetic nation who might peruse the facts with the thought that "but for the grace of God, this could be me."

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed and, under the order heretofore entered, the Chair recognizes the Senator from Mississippi (Mr. STENNIS) for 40 minutes.

S. 2762—INTRODUCTION OF BILL TO AMEND THE CIVIL RIGHTS ACT OF 1964 RELATING TO SCHOOL GUIDELINES

Mr. STENNIS. Mr. President, my purpose is to do everything that I possibly can to help save the public school system for all areas of the Nation. I am convinced that a demanding and hasty application of the extreme guidelines as to school integration will destroy the public schools in many areas of the country, including my own State, and in other areas of the country outside the South, when and if the application of these guidelines in such extreme form is ever actually put into operation there. Further, I am satisfied—and I am familiar with this subject—that the primary purpose of the present school guidelines and their application is merely to enforce racial integration through the schools rather than to improve educational standards.

These guidelines have not been applied, however, except in relatively few cases, outside the South, even though the Civil Rights Commission has repeatedly pointed out, as I shall develop in details later, the conditions of racial segregation in schools outside the South as equal to that found in the South.

It is abundantly clear to me that substantial moderation in the content and application of these guidelines would be brought about if they were applied uniformly throughout the Nation, thus including schools outside the South.

Accordingly, I am today introducing a bill that will provide that school guidelines shall be applied uniformly throughout the Nation.

There is no use to repeat all the facts here, but after years of effort by several of us along this line, even though promises have been made, and intentions have been stated, very, very little effort to apply these guidelines to schools outside the South has ever been shown and virtually no result has been shown.

A sense of common fairness should give wide support in the Senate to this measure. Further, for the first time, it will bring to a test the question of how far the people outside the South want to go in the application of these guidelines to their own schools.

I am further satisfied, Mr. President, that the uniform and extensive application of school guidelines will not be made outside the South unless they are required by law.

Further—I repeat—I am fully satisfied, from my experience with this problem, that this uniform application will result in substantial modification of the terms and application of the school guidelines. If enforced nationwide on an impartial basis, I believe the neighborhood school will be saved and a reasonable form of freedom of choice would thereby be saved.

Before I pass to the main portion of my remarks, I mention a few facts as to what is happening. I am deeply interested in education for all children, and have kept in close touch with the problem through school trustees, school administrators, and faculty members.

I have learned that when school funds are withheld for "noncompliance" it causes more Negro students than white students to be penalized. This is because there are more Negro schoolchildren in many of the school districts than there are white, and this is especially true in the lower grades.

I have learned that Federal loans to Negro students in colleges outnumber the Federal loans to white students in colleges in my State. I find that if these funds should be cut off and denied, the Negro students would thus lose more than would the white students.

I find that withholding of funds is happening at a time when the educational opportunities for Negroes are greater in the entire South than in any time in history, and at a time when the educational opportunities are growing faster than ever before.

The school guidelines being insisted on by the courts, the Justice Department, and HEW are so severe and demanding, timewise, that the school system in some instances will be closed, and in other instances so weakened that the opportunities for both white and Negro children will be destroyed or certainly greatly lessened. A public school cannot continue unless it has some positive local support. Taxes have to be voted. Support has to be given to the faculty in the community. Someone has to serve in the sometimes thankless job of school trustee. Many times there is little or no compensation, nor even money available to reimburse the expenses of members of the local school board.

Now, back to the main points of my presentation today and the background of facts pertaining thereto.

When the civil rights bill was passed, it was argued that segregation is wrong because it denies the Negro an equal opportunity to obtain an education.

If that is true, thousands of Negroes in the North are being denied an equal opportunity for an education.

If that is true, the Justice Department and HEW are grossly derelict in fulfilling their duty to remove injustice in the North and West, and to right the wrong in the North and West.

Let us look at the facts. As early as 1959, the U.S. Commission on Civil Rights reported:

> Concentration of colored Americans in restricted areas of most major cities produces a high degree of school segregation even in communities accepting the Supreme Court's decision. With the migration of Negroes and Puerto Ricans to the North and the West, and an influx of Mexicans into the West and Southwest, the whole country is now sharing the problem and the responsibilities . . .

In 1961, the Civil Rights Commission said:

> This migration has continued. The 1960 Census lists five cities in the North and West, each with more Negro residents than any southern city where separate public schools for white and Negro children were required by law in 1954. Indeed, only 9 of the 25 largest cities in the United States in 1960 lie in the South and 3 of them have completely desegregated their school systems since 1954.
>
> Public schools enrolling Negroes almost exclusively in some cases, and whites almost exclusively in others, are found in many cities throughout the North and West . . .

In 1966 the U.S. Office of Education stated:

> When measured by that yardstick (segregation), American public education remains largely unequal in most regions of the country, including all those where Negroes form any significant proportion of the population.
>
> The great majority of American children attend schools that are largely segregated—that is, almost all of their fellow students are of the same racial background as they are . . .

In 1967, the Civil Rights Commission reported that racial isolation or segregation in the North had increased, not decreased.

The Commission stated flatly:

> The extent of racial isolation in Northern school systems does not differ markedly from that in the South."

In 1967, the Civil Rights Commission report stated these facts:

> The Cleveland city schools were 47 percent nonwhite in 1960. By 1969, they were more than 50 percent nonwhite . . . In 1960, the Philadelphia city schools were 48 percent Negro. By 1965, they were almost 60 percent Negro. This pattern of racial concentration is typical of major metropolitan areas.
>
> . . . The high degree of racial separation in the schools shown by these national figures is found in the North as well as in Southern and border states. In Buffalo, New York, for example, 77 percent of the Negro elementary school children attend schools that are more than 90 percent Negro, while 81 percent of the whites are in nearly all-white schools (90 percent or more white). In Gary, Indiana, the figures are 90 percent and 76 percent, respectively. Again, in the North, the proportion of Negro children in majority-Negro schools often equals or exceeds the national average. In Flint, Michigan, 86 percent of the Negro elementary schoolchildren are in majority-Negro schools; in Milwaukee, 87 percent; in Chicago, 97 percent.
>
> A high degree of racial separation of Negro students frequently prevails regardless of the size of the school system. Examples from Northern and border state school systems are illustrative. Kansas City, Missouri has an elementary school enrollment twice as large as Fort Wayne, Indiana, yet in each city more than 60 percent of the Negro children are in nearly all-Negro schools. Detroit, Michigan has an elementary school enrollment almost four times as large as Newark, New Jersey, yet in each city more than 90 percent of the Negro children are in majority-Negro schools.
>
> Nor does the pattern necessarily vary according to the proportion of Negroes enrolled in the school system. For example, Negroes are 26 percent of the elementary school enrollment in Milwaukee, Wisconsin, and almost 60 percent of the enrollment in Philadelphia, Pennsylvania, yet in both cities almost three of every four Negro children attend nearly all-Negro schools. Negroes are only 19 percent of the elementary school enrollment in Omaha, Nebraska, and almost 70 percent of the enrollment in Chester, Pennsylvania, yet in both cities at least 80 percent of the Negro children are enrolled in majority-Negro schools . . .
>
> Racial isolaion in the schools, then, is intense whether the cities are large or small, whether the proportion of Negro enrollment is large or small, whether they are located North or South.

Despite the fact racial segregation in schools is as extensive in the North as in the South, HEW has done little to correct it in the North while concentrating a strong effort in the South.

The March 1, 1969, report of the Secretary of Health, Education, and Welfare admitted that almost nothing is being done in the North, while a crash enforcement program is underway in the South.

Mr. President, that report came in, as I recall, because of one of the mandates of an amendment that we put on the HEW appropriation bill here last year, which required a larger percentage of the money than therefore be spent toward enforcement in the North, and also that a report of the action taken be made to Congress.

I quote now from the report of March 1, 1969:

> During 1968, for example, there were Title VI compliance reviews in more than 400 Southern school districts as compared to only 40 Northern district reviews in thirteen Northern and Western states. In October of 1968, there were 67 Title VI staff members assigned to the South and only 32 persons covered the Northern and Western states.

That was after we agreed to that amendment offered by the Senator from Georgia, who has worked on this matter for years, and has had some mighty strong promises made to him in previous years by HEW.

(At this point Mr. ALLEN assumed the chair as Presiding Officer.)

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. STENNIS. I am happy to yield to the Senator from Georgia.

Mr. RUSSELL. I am happy that the Senator from Mississippi has introduced this bill. I do not know how far he will be able to get with it, but I am glad it has been introduced, and I am glad he is making this speech.

I do not think we can talk about this matter too much. There has undoubtedly been more sanctimonious hypocrisy in the administration of this law than there has ever been in the administration of any other law in the entire history of this Republic.

The Senator has read from the reports of the Civil Rights Commission—a Commission established by the Congress of the United States to investigate and make these reports. These statements reveal that there is as high a degree of segregation in such cities as Chicago, New York, and other Northern cities, as there has ever been in the South even before the passage of the 1964 bill.

Mr. STENNIS. Yes.

Mr. RUSSELL. No one has taken any steps whatever to correct it. The only visible gesture that has been made is one relating to the teachers in Chicago. No one has had the forthrightness to move into the schools themselves.

We have had a little taste of this hypocrisy here. Senators who have had segregated conditions in their own States, secure in the knowledge that the Department of Health, Education, and Welfare has no intention of invading their States, vote for more and more restrictive provisions to be applied solely in the Southern States, where they are now not only enforcing the law, but undertaking to enforce guidelines written in that Department which go far beyond the law.

Indeed, they have adopted guidelines that were specifically disavowed here on the floor of the Senate by the former Senator from Minnesota and former Vice President of the United States, Mr. Humphrey, the Senator from Rhode Island, and others who were in charge of the bill.

The situation has cried out to high heaven for justice and rectification; but I have about given up hope of getting any sense of fairness and relief from the Department of Health, Education, and Welfare. I thought at one time that perhaps, on getting a new Secretary, we might somewhere, sometime, run into some man who had a sense of fairness. I have all but abandoned that hope now; but we can continue to appeal to the sense of fairness of our colleagues in this body and in Congress generally, and to plead that if this infringement on not only the rights of States but the rights of the local school districts of the States is to contitnue, it be made general throughout the United States.

If the people of other sections experience what we have encountered in dealing with a group of fanatical bureaucrats who have gone about this very delicate matter in about as high-handed a fashion as it was possible to do, the attitudes of some Senators will surely change.

Mr. STENNIS. Mr. President, I thank the Senator for summing up in such a clear-cut and splendid fashion the facts as they have existed and the practices that have been going on. I have shared with the Senator from Georgia a long time the hope for bringing about some equality and some moderation in the application of these guidelines; perhaps the answer would be a national application. But, with him, I have just about given up. I do not see how anyone who is an advocate of these requirements could fail to support a bill of this kind. I believe in it so strongly that I am willing for it to be applied in my own State. If the Senator is willing to listen for 1 minute more here, I have before me, from the proceedings of the House of Representatives in the CONGRESSIONAL RECORD for July 31, 1969, a speech made there by Representative GREEN of Oregon. I intend to put much of it in the RECORD later, if permitted to do so, but I shall read only quite briefly at this point.

She said:

I am as committed to an integrated society as fully—as completely as any person in this Chamber. I always will be committed to an integrated society. I think that is the only way we can live on our little corner of this planet.

But also I have serious questions about a society that places the major responsibility for our social ills on one insitution in our society. That is what we are doing. We are placing the major responsibility for integration on one institution. I think this ought to be examined by the most ardent supporters of civil rights. Also, I think it is very difficult for any society to cross two social barriers at one time, and this is what we are trying to do.

Representative GREEN went on to support the Whitten amendment that was designed to bring at least some semblance of freedom of choice and to help preserve the neighborhood schools.

She was a very ardent supporter of that amendment and gave examples of her own close friends who came to Washington with high-minded ideas about school integration and bringing order into the schools, but in the course of years gave up and went to Maryland.

Mr. RUSSELL. Mr. President, I read the speech of the distinguished Representative. I can only wish that the same courage and forthrightness that characterizes her remarks would become instilled in the minds of all Senators and Representatives. If it did, this could be rectified within a very short period of time.

Mr. STENNIS. The Senator is correct. I was confident that he had read the remarks.

Mr. President, I ask unanimous consent that the remarks of Representative GREEN be printed in the RECORD for the information of all Senators and for additional circulation.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

Mrs. GREEN of Oregon. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I agree with the gentleman from Michigan (Mr. RIEGLE), who spoke a few moments ago. I would say it certainly is wrong to have any black children continue to have less spent on them in school than other children.

It is wrong to have any black children—or any other children—continue to go to rundown and dilapidated and overcrowded schools. It is wrong to have black children—or any children—neglected by a society that professes to care.

If this happens any place in the United States, it will not be just these children who will suffer, but it will be future generations that will suffer, because an irresponsible Government did not give yet another generation the education that was rightfully theirs.

Mr. Chairman, I have voted for every Civil Rights Act that has been before this House of Representatives. I favor the Civil Rights Act.

I have no quarrel with the gentleman from Illinois in terms of the Civil Rights law, but I do quarrel with the way the Civil Rights Act is being administered.

Two or 3 years ago on the floor of the House, I put into the RECORD some memorandums which were sent by HEW officials and were signed by them when they visited for a few days in various school districts. They said in those memorandums which were written and signed by them:

"In "X" school you are to have a black teacher. In "Y" school you are to have a white librarian, etc., etc."

Where is this to be found in the Civil Rights Act?

If anybody on the floor says that the enforcement division of the Civil Rights Act does not require busing, in my judgment he is blind to what is taking place.

When the civil rights enforcement people say that in a school 5 miles away you must have a certain racial mix and then you are not requiring busing—what are we doing? Requiring youngsters to walk 5 miles? Is that what we are asking?

I am not going to argue from the legal standpoint, because I am not a lawyer. But I am going to describe what I think is happening. I think we are witnessing in this country the deterioration of our public school system. I think certain national policies are contribtuing to this deterioration.

All that I would ask is for the House of Representatives in a levelheaded way to examine what is actually happening and what is the result of certain national policies in our school system? Then on the basis of the evidence, make a judgment.

The gentleman from California a moment ago asked the rhetorical question: "How do you enforce civil rights if you do not cut off funds?"

Well, a moment ago we were arguing on another matter and it was suggested another law might be enforced by the cutting off of funds to individuals who abuse the law and he was very much opposed to that.

May I suggest that we are obliged not only to write laws but to see how those laws are enforced and how they are working. I really am not fully persuaded that we have found the absolutely correct solution by cutting off funds to enforce civil rights. It may be that it is true, but I would like to see evidence and I would like to see this question brought out to the stage of "visible discussion"—and not just in private conversations or in the cloakroom.

Recently there was a situation in the State of Mississippi where funds were cut off and the first thing that happened was that 80 Negro teachers were fired.

I think it is a legitimate question to ask: Are we really hurting the very people we want to help? What happened to the black children in this case? I would like to see title VI requirements reexamined by the most ardent supporters of civil rights. Who is being helped? Who is being hurt? How has the cutoff affected the quality of educational opportunity?

Is there another way—a better way to enforce the provisions of the Civil Rights Act against discrimination in any form?

I am as committed to an integrated society as fully—as completely as any person in this Chamber. I always will be committed to an integrated society. I think that is the only way we can live on our little corner of this planet.

But also I have serious questions about a society that places the major responsibility for our social ills on one institution in our society. That is what we are doing. We are

placing the major responsibility for integration on one institution. I think this ought to be examined by the most ardent supporters of civil rights. Also, I think it is very difficult for any society to cross two social barriers at one time, and this is what we are trying to do.

We are trying as a society to cross the racial barrier and the class barrier all at the same time—and, if I may say so, I think the latter is probably creating greater problems, greater disruption—yet we hear very little about it. We have never examined this closely when we talk about civil rights.

I should like to talk informally about a situation of which I know. Again, I do not discuss it from a legal standpoint, but it is what is happening, and I think this case can be multiplied by hundreds of thousands of cases across the country.

The CHAIRMAN. The time of the gentlewoman from Oregon has expired.

Mrs. GREEN of Oregon. Mr. Chairman, 8 years ago one of my close friends came to Washington with the Kennedy administration. This gentleman was and is committed to an integrated society. He had always supported civil rights legislation at the State level as well as the national. This family—and I am going to discuss them in personal terms, but not use their name. I think he would not object. This family is a Catholic family. They are also committed to the public schools. This family, because of income, could probably have moved into almost any area they wanted to in the District of Columbia. This family chose, because of their commitment, to move into an integrated neighborhood. They have three daughters. They placed all three daughters in the public school system.

About 2 years ago or 3 years ago they starting busing 90 youngsters from Anacostia—and I am extremely critical of the deplorable situation of the District of Columbia schools. That is why I am pleased when we voted more funds for vital education programs—funds for the District of Columbia—and all other school districts. I may have different priorities on the programs that we ought to support, and had I had my druthers—I would have increased vocational education funds more and impact aid less. But we must improve the quality of education, and equality of educational opportunity for all. But let me get back to this particular family and their series of problems.

Two years ago their youngest daughter became one out of three white children in an all-black classroom. Ninety youngsters were bused from Anacostia. It was not a "random sample" who were bused—and I do not blame any principal in Anacostia—already overburdened with problems—short of space in the classroom. But discipline problems emotionally disturbed youngsters, were the ones to be bused out. At 8:15 in the morning the small buses came and picked up children of white families in this neighborhood, who had the money to send their children to private schools, and at a quarter to 9 the big buses came from Anacostia and put the black children in the schools to occupy the spaces that the white children had just vacated.

I agree with the gentleman who spoke—and I have forgotten who it was—a moment ago about the questionable benefits to be gained from busing. It is the disadvantaged home, the disadvantaged neighborhood which must be improved equally as much as the school. Will 30 or 35 hours in another school offset the other 120 or 130 hours a week spent in deprivation? Can we continue to ask miracles of a teacher during 5 hours a day in class? If we rely on busing to correct social ills, are we not obliged to ask what is at the end of that bus line? Emphasis on integration and busing unaccompanied by a demand for academic excellence is worthless. This is what we ought to be concerned about—the quality of the programs. But the busing from Anacostia continued and the quality deteriorated.

Last year, this youngster would have been the only white child in an all-black classroom. This family had to face the problem, "Is my first responsibility to provide the best education I can for my daughter, or is my responsibility to maintain my commitment to an integrated class?"

And they decided, as hundreds of thousands of parents across this land are deciding, "My first responsibility is to provide the best education I can for my own child."

So this year they took all three of their children out of the public schools. The oldest daughter had also encountered major problems and threats of physical safety. All three of the daughters were taken out of the public schools and placed in private schools. This friend said—and he laughed—embarrassed as he said it—

"Edith, for the first time in my life—and I am ashamed to admit it—I have a serious question whether I am going to support tax levies and bond issues. I'm now paying for tuition for all three daughters in private schools."

About a month ago this family, because the neighborhood was changing and because of the situation of their three daughters, this family sold their home in the integrated neighborhood and they moved out to Maryland.

Now, what are we accomplishing? What are we accomplishing in terms of improving education? I believe the situation I described has been duplicated thousands and thousands of times all across the Nation.

I want to say that what is happening in terms of national policy affects Oregon. We do not have the problems in Portland that we have in the District of Columbia, but in Oregon this year 126 tax levies for schools were defeated—an all-time high. More and more people become dissatisfied, they are going to refuse to support the public schools. You see it in every State of the Nation.

If this happens, we have another step in this vicious cycle and a further deterioration of the public school system. So I make the plea for the Members who are lawyers and who say the Civil Rights Act is working out as they intended, and that busing is not occurring, take another look, examine the results—really inquire as to whether it is being enforced the way it ought to be enforced, and let us not let the eager beavers in the enforcement division of HEW enforce it the way they want to enforce it irregardless of the law—but require them—if they want to rewrite the Civil Rights Act, to present their proposals to the Congress; let us argue the issues on their merit, and write the laws and decide the issues by a majority vote.

It seems to me these are policies we must consider if we are really concerned about quality education, and we must not continue to let people outside the Government or let those in the executive branch enforce their version of what they think a civil rights law should require.

Mr. STENNIS. Mr. President, I will finish reading now the quotation I was reading from the report of March 1, 1969, and to bring it all together, I will re-read about three or four lines. It reads:

During 1968, for example, there were Title VI compliance reviews in more than 400 Southern school districts as compared to only 40 Northern district reviews in thirteen Northern and Western states. In October of 1968, there were 67 Title VI staff members assigned to the South and only 32 persons covered the Northern and Western states. While significant steps have been taken in hundreds of urban and rural school districts in the South, the large and sprawling urban centers of the North remain relatively untouched.

Mr. President, where is the sincerity, where is the fairness, where is the crusading spirit of those who pass laws and insist on urgent and demanding formulas being carried out and carried out now? Where is the sincerity, that should go along with the application of such a rule when that rule does not apply to one's own State?

The Department of Health, Education, and Welfare has been asked, they have been begged, they have been told, and they have promised over and over again that they would do something about this very matter. And they hardly turned a hand until finally we included a provision in last year's appropriation bill under which they had to make some kind of move.

Mr. President, I refer back now to the address in the House of Representatives by Representative GREEN of Oregon, as it appears on pages 21660 and 21661 of the CONGRESSIONAL RECORD of July 31, 1969. I refer particularly to the paragraph on page 21660 which begins:

Recently there was a situation in the State of Mississippi where funds were cut off and the first thing that happened was that 80 Negro teachers were fired.

That illustrates the course of action I refer to in the first part of my speech with reference to the cutoff of these funds hurting the Negro children, since these teachers were those employed especially in the particular special program supported by Federal funds.

Mr. President, I ask unanimous consent that, beginning there at that page of the address of Representative GREEN of Oregon, the remainder of her address be printed at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

Mrs. GREEN of Oregon. Recently there was a situation in the State of Mississippi where funds were cut off and the first thing that happened was that 80 Negro teachers were fired.

I think it is a legitimate question to ask: Are we really hurting the very people we want to help? What happened to the black children in this case? I would like to see title VI requirements reexamined by the most ardent supporters of civil rights. Who is being helped? Who is being hurt? How has the cutoff affected the quality of educational opportunity?

Is there another way—a better way to enforce the provisions of the Civil Rights Act against discrimination in any form?

I am as committed to an integrated society as fully—as completely as any person in this Chamber. I always will be committed to an integrated society. I think that is the only way we can live on our little corner of this planet.

But also I have serious questions about a society that places the major responsibility for our social ills on one institution in our society. That is what we are doing. We are placing the major responsibility for integration on one institution. I think this ought to be examined by the most ardent supporters of civil rights. Also, I think it is very difficult for any society to cross two social barriers at one time, and this is what we are trying to do.

We are trying as a society to cross the racial barrier and the class barrier all at the same time—and, if I may say so, I think the latter is probably creating greater problems, greater disruption—yet we hear very little about it. We have never examined this closely when we talk about civil rights.

I should like to talk informally about a situation of which I know. Again, I do not discuss it from a legal standpoint, but it is what is happening, and I think this case can be multiplied by hundreds of thousands of cases across the country.

The CHAIRMAN. The time of the gentlewoman from Oregon has expired.

(By unanimous consent, Mrs. GREEN of Oregon was allowed to proceed for 5 additional minutes.)

Mrs. GREEN of Oregon. Mr. Chairman, 8 years ago one of my close friends came to Washington with the Kennedy administration. This gentleman was and is committed to an integrated society. He had always supported civil rights legislation at the State level as well as the national. This family—and I am going to discuss them in personal terms, but not use their name. I think he would not object. This family is a Catholic family. They are also committed to the public schools. This family, because of income, could probably have moved into almost any area they wanted to in the District of Columbia. This family chose, because of their commitment, to move into an integrated neighborhood. They have three daughters. They placed all three daughters in the public school system.

About 2 years ago or 3 years ago they started busing 90 youngsters from Anacostia—and I am extremely critical of the deplorable situation of the District of Columbia schools. That is why I am pleased when we voted more funds for vital education programs—funds for the District of Columbia—and all other school districts. I may have different priorities on the programs that we ought to support, and had I had my druthers—I would have increased vocational education funds more and impact aid less. But we must improve the quality of education, and equality of educational opportunity for all. But let me get back to this particular family and their series of problems.

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I agree with the gentleman who spoke—and I have forgotten who it was—a moment ago about the questionable benefits to be gained from busing. It is the disadvantaged home, the disadvantaged neighborhood which must be improved equally as much as the school. Will 30 or 35 hours in another school offset the other 120 or 130 hours a week spent in deprivation? Can we continue to ask miracles of a teacher during 5 hours a day in class? If we rely on busing to correct social ills, are we not obliged to ask what is at the end of that bus line? Emphasis on integration and busing unaccompanied by a demand for academic excellence is worthless. This is what we ought to be concerned about—the quality of the programs. But the busing from Anacostia continued and the quality deteriorated.

Last year, this youngster would have been the only white child in an all-black classroom. This family had to face the problem, "Is my first responsibility to provide the best education I can for my daughter, or is my responsibility to maintain my commitment to an integrated class?"

And they decided, as hundreds of thousands of parents across this land are deciding, "My first responsibility is to provide the best education I can for my own child."

So this year they took all three of their children out of the public schools. The oldest daughter had also encountered major problems and threats of physical safety. All three of the daughters were taken out of the public schools and placed in private schools. This friend said—and he laughted—embarrassed as he said it—

"Edith, for the first time in my life—and I am ashamed to admit it—I have a serious question whether I am going to support tax levies and bond issues. I'm now paying for tuition for all three daughters in private schools."

About a month ago this family, because the neighborhood was changing and because of the situation of their three daughters, this family sold their home in the integrated neighborhood and they moved out to Maryland.

Now, what are we accomplishing? What are we accomplishing in terms of improving education? I believe the situation I described has been duplicated thousands and thousands of times all across the Nation.

I want to say that what is happening in terms of national policy affects Oregon. We do not have the problems in Portland that we have in the District of Columbia, but in Oregon this year 126 tax levies for schools were defeated—an all-time high. More and more people become dissatisfied, they are going to refuse to support the public schools. You see it in every State of the Nation.

If this happens, we have another step in this vicious cycle and a further deterioration of the public school system. So I make the plea for the Members who are lawyers and who say the Civil Rights Act is working out as they intended, and that busing is not occurring, take another look, examine the results—really inquire as to whether it is being enforced the way it ought to be enforced, and let us not let the eager beavers in the enforcement division of HEW enforce it the way they want to enforce it irregardless of the law—but require them—if they want to rewrite the Civil Rights Act, to present their proposals to the Congress; let us argue the issues on their merit, and write the laws and decide the issues by a majority vote.

It seems to me these are policies we must consider if we are really concerned about quality education, and we must not continue to let people outside the Government or let those in the executive branch enforce their version of what they think a civil rights law should require.

Mr. STENNIS. Mr. President, the courts must also share some responsibility for the confusion and difficulty that confront our educators, school trustees, and the communities involved.

In some instances the courts have rushed hearings on appeals to the extent of denying the basic principles of due process of law.

And I carefully chose my words there. I know that this is a serious business, and these are serious remarks that I am making.

I cite here the facts relative to a hearing in New Orleans involving the consolidated cases of 33 school districts in south Mississippi.

And I speak with all deference in a personal way to all the members of that court in New Orleans, including the three-judge panel that I will refer to later.

I am not attacking them in any personal way at all, but I am pointing out, as a Member of the Senate, what I consider to be a flagrant case of the denial of due process of law in a case involving hundreds and hundreds, and literally thousands, of litigants.

A three-judge U.S. District Court of the Southern District of Mississippi handed down a judgment favorable to the school districts, authorizing the continuation for this year of their desegregation plan based on freedom of choice, primarily on the grounds there was not sufficient time from the date of the order until the beginning of the school term to complete and implement and put into operation new school integration plans—additional school plans—for the year 1969–70. The United States and other plaintiffs appealed. The case was heard before a panel of judges of the U.S. Court of Appeals of the Fifth Circuit at New Orleans—three members of that court.

On June 25, 1969, the clerk of the U.S. Court of Appeals for the Fifth Circuit addressed a letter to counsel of record in all cases, including those in which there were private plaintiffs and those in which the plaintiff was the United States of America, to the effect that the court would hear oral argument on all of these cases "on the motion for summary reversal and the merits in all of the cases both private plaintiffs and those of the United States." This letter further advised that the argument would be held in New Orleans beginning at 9:30 a.m., July 2, 1969, and any memorandums or responses would have to be filed in the office of the clerk by noon, July 1, 1969. In this letter, it was recited that the court had taken notice of the district court's order with respect to the record but that since appeal was being expedited on the original record, the U.S. attorney should make arrangements with the district clerk to transmit to the clerk of the court of appeals the entire record of the district court so that same would be available to the court if needed during the argument and summation. It was further stated that the court recognizes that "this is a huge record involving a large number of parties and matters of great public interest and importance."

I recite that matter here to show that the court knew this was of the utmost importance and of the greatest public interest to many people.

The letter was dated June 25, 1969, and was received by some of the counsel of record on June 26, and by others on June 27.

That meant that in this vast number of cases, with a record that I understand composed of five large boxes that were in the courtroom, but never used—not during the argument—counsel had at best Friday, June 27, Saturday, June 28, Sunday, June 29, and Monday, June 30, to prepare any response, since it had to be filed July 1, 1969. That is a total of 4 days, with a Saturday and a Sunday intervening—Friday, Saturday, Sunday, and Monday. Only two of those were what might be called workdays by staffs, stenographers, and secretaries.

Briefs filed by the United States of America as appellant were received by

some of the counsel for defendant school districts on Monday, June 30, 1969, and by others on Tuesday, July 1, 1969. In addition, supplements to the brief were delivered to counsel on the morning of the hearing, July 2, 1969. The case was heard that day. Thus, counsel was afforded no opportunity whatsoever to examine or inspect the supplements to the brief in order to reply thereto either in writing or orally. They did have these 4 days, but only 2 were ordinary working days, to apply to the appellant's main brief.

The proposed opinion and decree as submitted by the private plaintiffs and the United States of America—this thing came to a head there on July 2, and they already had a decree prepared; the United States of America and the private plaintiffs had a decree already prepared—not submitted to nor seen by counsel for the school districts until the morning of the hearings, July 2. Accordingly, there was no opportunity to examine same or make any meaningful comments in regard thereto.

These facts within themselves, I submit to my colleagues in the Senate, obviously show a denial of due process of law to the litigants, in that there was not sufficient notice and time for the school districts to respond to the appeal and the proposed decree, nor to prepare for the hearing. This hearing lasted only 1 day, and a decree was handed down by the panel the next day, July 3, 1969.

I understand that when attorneys for the Government got there, they already had the decree written out. I understand that attorneys for the school districts were told they could bring along a decree written out in their favor. But who was so foolish as to think that a part of this little 4 days of time to prepare should be used in writing up a decree in their favor? I submit that the question answers itself.

This curtailment, which amounted to a denial of due process of law, cut off the right to be heard of literally thousands and thousands of people throughout the 33 school districts which cover all or the most of 33 counties. It cuts off the rights of hundreds of school trustees, administrators, superintendents, and other officials who had labored long and faithfully in their efforts to perform their duties in their official capacity. I know something about what a job it is to go through those long, long hours of tortuous proceedings. Few of them receive any pay for it. They barely receive some of their expenses. I understand they do not receive their expenses for coming to meetings.

This happened at a time when most of the courts are greatly extending, rather than curtailing, the rights of litigants, including those charged with crime, and extending the requirements of what is called due process of law. All persons charged with rape, murder, treason, theft, or other felony are having extended to them rights and privileges far beyond what has heretofore been known as due process of law, and are rendered actually untouchable in many instances.

I refer to matters such as the Miranda case. The great history of this trend was brought forth in debates on the floor of the Senate last fall. At a time when all these extensions were afforded to everybody, even those charged with the most heinous crimes, when due process of law is being extended with more and more liberality, these school trustees, laboring with this problem to which Representative GREEN refers, were cut off—I say on my responsibility as a Member of this body—without being given due process of law in this instance.

I speak with deference to the judges on this panel, but conclude that this set of facts clearly shows a lack of due process of law having been accorded these litigants at this appellate level. In fact the school districts were denied appellate consideration of their case.

Thus, harm has not only been done to the judicial process but if this case is pursued to conclusion in this fashion it will also do harm to the cause of public education.

But, after all, the ills are measured in the field of education, but the blight on the judiciary for its failure to afford due process of law to the thousands of people involved here will remain. The indelible stain will not be erased.

In view of all the foregoing facts, I think the Department of Justice should in its discretion—I hope that it will, and I ask to—withhold any further prosecution of these cases until all of the cases can be reviewed by competent advisors—competent educators—who have time and a chance to make a fair, painstaking study of the problem and a chance to consider alternative plans on their merits and from the standpoint of educational achievements.

I am now talking about the advisers to the school trustees and the courts. They are people who are employees of the Department of Health, Education, and Welfare. I have nothing personal to say about them. But every informed person knows that they are aggressive and vigorous. They openly say, and have said to me, "We will use every line, every sentence, every phrase, and every bit of the argument on the floor of the Senate or the House, bring in the reports, everything in the law, any loose language, and anything else, to try to carry our point and rush this thing through to completion." I am talking about total integration of the schools. They have told me that many times. At the same time, though, limping and lame, they just could not get around to applying their own doctrine anywhere, with slight exceptions, except in the South.

Incidentally, the original Court decree apparently was so severe in its language that it cut off the rights of the school trustees to propose an alternative plan. But I am glad they did modify the language and finally made it clear that the school trustees, after all, would have a chance to propose an alternative plan. That was clearly set forth in the cases from the Supreme Court of the United States.

Mr. President, I do not think any of these advisers have any business representing the Department there and being used by the Court as advisers. These advisers should not be connected with the Government or any department of the Government; nor should they be responsible to any department of the Government, but should report their proposals to the local boards of the school districts in litigation.

I am sure some of these HEW people are very fine, but they are working for Mr. Finch, and they are going to have a plan there of which Mr. Finch approves, or he well reject it.

I am not attacking him personally. He has one of the worst jobs in the whole Government and I make nothing except complimentary remarks with respect to him personally. My point is that these advisers should not be working for anyone. They should be independent.

Instead we now have investigators from HEW hastily trying to devise integration plans for 33 school districts.

I know these investigators have been doing that in my State. They are a nice group of men as far as I know, but it has been directly reported to me by a gentleman I have known all of my life, and I know he is telling the truth, that one of these investigators said, "We have a job to do here, and we have a little over a week to do it when we should have 4 months." That proves my point. This is a shotgun action and a shotgun method, which is contrary to all reason.

Under direct decree from this three-judge panel, these HEW investigators are being given only about 15 days to study all the conditions and educational problems in the 33 districts and only a few more days more than that to devise plans to submit to the trustees. I learned of the modified decree of the fifth circuit panel wherein they would permit the trustees to propose an alternative. They did modify it so that the trustees could have an alternative proposal. The districts are to have only 10 days to file objections to the HEW plan or to file alternative plans.

As I said, one of these gentlemen stated that they have only a week or 10 days to devise plans when they need 4 months to do the job.

I hope in some way, and there are ways it can be done, that that court will yet give these trustees an opportunity to present their case on appeal and if they still reverse the lower court, that at least they will give them a reasonable opportunity and give the investigators—I hope they are independent investigators, but if not, independent from the HEW—a reasonable chance because this matter involves literally hundreds and hundreds of teachers, thousands and thousands of students, and it involves the school buildings and all the complications that go with it.

These schools are scheduled to open August 25. The court is trying to beat that deadline. It is very obvious. I hope that is the only reason there was such a scanty appellate hearing and such a pell-mell rush into this matter.

Mr. President, in many areas we are not prepared for these drastic changes which demand almost total integration now. A sufficient number of teachers are not available many times; even if available, many of them are unwilling to proceed in their profession under the drastic conditions required.

These conditions are not peculiar to

the South. In one of those rare proceedings outside the South I read about teachers being offered a bonus of $1,000 to accept a transfer in order to comply with an order from HEW, but that the teachers' union sharply objected. The school superintendent stated that he would ask for $5.6 million additional in Federal funds to implement the new plan.

The great city of Chicago with all the resources behind it, has not had separation of schools by law. This demand on them seems to be so great that they are sending a bill here, for their expenses perhaps through their Senators or Representatives.

The PRESIDING OFFICER (Mr. CRANSTON in the chair). The Senator's 40 minutes have expired.

Mr. STENNIS. Mr. President, I ask unanimous consent that I may proceed for 4 additional minutes.

The PRESIDING OFFICER. Without objection, it is ordered.

Mr. STENNIS. Mr. President, on the other hand, many educators inform me that workable plans are available; school trustees and educators also advise me that some plans are being used to carry out an orderly and effective school integration program. I know as a fact of my own personal knowledge that hundreds and hundreds of school trustees and school officials, dozens and dozens of superintendents and administrators, and many faculty members have taken the lead and have patiently worked with sincerity and sacrifice—admirable sacrifice—on these school plans. Some of the plans are working. But Federal officials, and many times the courts, are now rejecting these efforts as insufficient and are thus rebuking and rejecting the people that are really trying to carry out the demands of an integration policy. Commonsense tells us that the rejection of the efforts by these people does not make sense.

I fully recognize that any discrimination against any child in public school matters, because of color, is illegal under present law. However this does not mean that all children and all parents must be denied all their basic rights concerning school attendance. Children that are not objects of possible racial discrimination also have certain rights that cannot be denied. Certainly everyone has some right to have a part in making choices as to schools.

The trend of these school guidelines and their application puts everyone in a strait jacket in order to meet the required formulas. The trend of guidelines and orders chains everyone down to the requirements of the formula. Like the serfs of old who were "tied down to the land," every child now is tied to a formula.

These formulas are tied to the percentages of school population according to color. They have long been used by HEW and are now being adopted by the courts. This is another instance of doing the opposite of what was used in the original argument in the passage of the civil rights bill.

Mr. President, I introduce, for appropriate reference, the bill to which I have already referred. Briefly, the bill would require as a matter of law that compliance be nationwide regardless of the history of the law in any area with reference to public schools. I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2762) to amend the Civil Rights Act of 1964 to assure a more uniform enforcement of title VI thereof, introduced by Mr. STENNIS, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2762

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 601 of the Civil Rights Act of 1964 is amended by inserting "(a)" immediately after the section designation thereof and by adding at the end thereof the following new subsection:

"(b) It is the policy of the United States that compliance with the provisions of this title be effected uniformly in all regions of the United States and that the provisions of this title be enforced against de facto discrimination to the same extent as against de jure discrimination."

Mr. ALLEN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. ALLEN. Mr. President, I commend the distinguished Senator from Mississippi for his statesmanlike address, for its logic, its reasonableness, and its fair approach to this problem. I should like to associate myself with his remarks.

Some weeks ago, we read in the press that the guidelines to which the Senator has referred, and which are not receiving fair and equal enforcement throughout the country, had been relaxed.

For the life of me, I see no evidence whatsoever of any relaxation of those guidelines. Far from it. If we did not know that there had been a change in the occupant of the White House, if we did not know that there had been a change in the position of Secretary of Health, Education, and Welfare, we would think that members of the past administration were still in charge. Because just as soon as it was suggested there had been a relaxation of the guidelines, funds were withheld by the Secretary from schoolchildren, and many new suits were filed to place these matters in the Federal courts.

Instead of relaxation, we see an escalation of strict enforcement of the guidelines.

The PRESIDING OFFICER. The time of the Senator from Mississippi has expired.

Mr. STENNIS. Mr. President, I ask unanimous consent to proceed for 1 additional minute.

Mr. ALLEN. Mr. President, I ask unanimous consent that the Senator's time be extended for 10 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. STENNIS. I am delighted that the Senator can have 10 minutes.

Mr. ALLEN. I commend Representative JAMIE L. WHITTEN, of Mississippi for the amendment which he was successful in getting adopted by the House last week to the Health, Education, and Welfare appropriation bill, an amendment which was passed by the House, as I recall from reading the newspapers at that time, as to 1968 appropriations for the Department of Health, Education, and Welfare. It provided in 1968, as it did in the present amendment, that the funds appropriated for the Department of Health, Education, and Welfare cannot be withheld to force the busing of students, and cannot be used to force the closing of schools, and cannot be used to force any child to attend any particular school against the wishes of that child's parents. As I understand it, when that bill reached the Senate in 1968, the amendment was emasculated by having the additional provision added that such measures cannot be used to force a racial balance in schools. The Department of Health, Education, and Welfare has taken the position that they are not using methods of enforcement in order to force a racial balance in school systems.

However, that is exactly what is being done.

As the Senator from Mississippi has stated, segregation through the years has not been confined to the South, but the guidelines are being enforced unequally throughout the country.

I heartily approve of the bill introduced by the Senator from Mississippi and hope that it will pass.

In Alabama, our State government and our people want to see every child in Alabama receive a quality education. We want to see freedom of choice exercised by school patrons. It is the policy of our school system that any child be allowed to go to any school in that system that he or she wishes to go to, but not be forced to attend a school he does not wish to attend.

So far as I have been advised, the Supreme Court has never ruled that freedom of choice is illegal. Alabama's school policies are not designed to help only the white pupils and operate against Negro students. Far from it.

I received a call the other day from patrons of a colored high school in Alabama, which is a fine school, with a wonderful school building and fine faculty and student body. Its patrons were calling me to ask what could be done to halt the closing of their school.

They told me, "They have ordered the closing of our school. We have a wonderful band. We have a splendid football team and a wonderful spirit in our school and we do not want to see it closed. We do not want our children to have to go to a white school."

Mr. President, that is what application of the guidelines is requiring. Yes, that and the reverse of that.

Mr. President, in Alabama, the Department of Health, Education, and Welfare, and the Federal courts have caused the closing of school buildings, mostly new, which have cost over $15 million. They have ordered them closed in order to carry out the policy of forced integration of our schools.

We used to hear it said that we could not discriminate in the operation of our public school systems. But now present policies of HEW constitute discrimination in reverse, because they are forcing integration and not just outlawing segregation.

Thus, speaking on behalf of the people of Alabama, I would say to the present administration, do not destroy our public school system.

By continuing the present policy of the Department of Health, Education, and Welfare, both in the application of the guidelines and by throwing these matters into the Federal courts, the Department and the administration are destroying the public school system of Alabama.

I would say to the administration, which on occasion I support if its policies are in accord with my convictions and principles, that in Alabama—and I believe in the whole South—the present administration will not be judged by whether it presents a balanced budget to the country, it will not be judged by whether we have a recession, or whether we have good times, it will not be judged by whether the administration is able to extricate the country from the Vietnam war, but it will be judged on the fairness with which it handles the school situation in Alabama and throughout the South.

Again I say to the administration, do not destroy our public school system. We love our schoolchildren. We want to see every schoolchild, irrespective of race, receive a quality education. Under the rules and policies of the Department of Health, Education, and Welfare, and the present administration, they are not going to be able to get that quality education.

Mr. President, I thank the distinguished Senator from Mississippi very much for yielding to me.

Mr. STENNIS. I thank the distinguished Senator from Alabama for his comments.

Mr. President, I yield the floor.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH, AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

Mr. MILLER. Mr. President, I ask unanimous consent that the Senate resume the consideration of the unfinished business.

The PRESIDING OFFICER. The clerk will state the bill by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each reserve component of the Armed Forces, and for other purposes.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the bill.

The Senate resumed the consideration of the bill.

IN SUPPORT OF THE PRESIDENT ON THE ABM

Mr. MILLER. Mr. President, the Senate debate on the ABM has been in the finest traditions of a separate, coequal, independent branch of the Government. Everyone has had an ample opportunity to make his points. In my judgment, further debate will change no minds, and I hope we can get on with the voting on this matter and any amendments that may be offered.

I have been pleased that this debate has been free from partisanship, because anything relating to the security of our country certainly should not appear in the partisan political arena. I note, for example, the great leadership among my Democratic colleagues, especially the Senator from Mississippi (Mr. STENNIS) and the Senator from Washington (Mr. JACKSON), in support of the President on this issue.

It is regrettable that a certain amount of emotionalism has entered this controversy—not so much here on the floor of the Senate as among some members of the public. When the national security is involved, it is most inappropriate and unhelpful to suggest that those on either side of the controversy have a premium on morality, good faith, or wisdom. Resort to such extreme tactics, I might add, generally tends to weaken the position of those who follow them, because the natural inference is that a genuinely strong position would command a confidence which would preclude the use of such tactics.

This is a most complex issue for all of us. None of us is a physicist, and no Member of Congress I know of has had much contact with Soviet or Red Chinese officials, much less has participated in extensive negotiations with them. Accordingly, we are forced to look to those possessing expertise in the fields of physics and diplomacy, supplemented by experts—both civilian and military—in the field of national defense and such knowledge and experience as we individually possess on that subject. Ultimately a judgment factor is involved, and when some of the experts differ among themselves, judgment is more difficult. It is for this reason that I have constantly made the effort to point out that there are good, honest, decent, and conscientious people on both sides of the controversy.

MY CONCLUSION

I do say, however, that my own careful analysis of the evidence, the arguments, and the professional judgments advanced has caused me to conclude in support of the President on this issue. And let let me point out that the President's assurance to the Congress that each phase of the deployment of the ABM will be reviewed to insure that we are doing as much as necessary but no more than that required by the threat existing at that time—this assurance seems most reasonable in light of the anticipated negotiations with the Soviets on the subject of arms control and limitation.

PUTTING COST IN PERSPECTIVE

A great deal has been said about the cost of the ABM, the size of the national defense portion of the budget, and the needs of other areas of Government for money. Interesting as this information is, it seems to me that it is somewhat beside the point. If, indeed, one concludes that the the ABM "won't work," we should not approve it—regardless of how lean or fat the budget may be. If, on the other hand, one concludes that it will work and that it is likely to be necessary to our Nation's security, then it should be approved, and the state of the budget is very secondary.

I appreciate that the Senator from Missouri (Mr. SYMINGTON) is concerned about the size of the defense portion of the budget. So is everyone else. However, the size should be placed in perspective if we are to properly evaluate it. Thus, for example, the $78 billion defense budget is about 40 percent of the total expenditure budget of $195 billion. It is estimated that our total GNP for fiscal 1970 will be $960 billion, so you can see that defense will comprise approximately 8.1 percent of our GNP. If the estimated cost of the war in Vietnam totaling $28 billion is taken out of the $78 billion defense budget, this leaves $50 billion or 5.2 percent of our GNP.

For fiscal 1969, our GNP totaled $895 billion and Defense Department expenditures $75.2 billion, or 8.4 percent of our GNP. If the estimated cost of the war in Vietnam totaling $28 billion is taken out of the $75.2 billion defense budget, this leaves $47.2 billion, or 5.7 percent of our GNP.

These percentages should be compared with 1964—8.1 percent, GNP $612 billion and defense $48.9 billion—when the war in Vietnam costs were relatively small; 1959—8.5 percent, GNP $469 billion and defense $40 billion; and 1954—9.5 percent, GNP $362 billion and defense $34.4 billion.

Compared to 15 years ago, 10 years ago, 5 years ago, and last year, the portion of our gross national product going to all Department of Defense costs for fiscal 1970 is smaller in three and equal in one. And if the costs of the war in Vietnam are taken out, and this should be done to look at the defense budget from the standpoint of "sufficiency" compared to Soviet military power and also to accurately compare 1964, 1959, and 1954, the percentage of GNP for fiscal 1969 and 1970 is greatly less. This is the perspective we should have in evaluating the argument of the Senator from Missouri. Furthermore, it would be well to consider that, with a GNP of only half that of the United States, the Soviets have a military budget equal to ours—exclusive of the costs of the war in Vietnam—so it is clear that the burden on the people of the Soviet Union is very great.

On the money point, which, as I have pointed out, is something of a side issue, it appears that most of the opponents are favorable insofar as strictly research and development costs are concerned.

Of the total authorization before us, they only question some $345 million, which is scheduled for procurement leading to deployment. Of the $78 billion defense budget, one could hardly argue that $345 million is a major factor. For those who do not favor even the research and development and think the whole ABM program should be canceled, we are talking of a system which, fully deployed at all sites, would cost an estimated $10 billion, of which $9 billion would be spread over the next 7 years. This could hardly be said to be of major significance in the overall Federal budget.

WILL IT WORK?

The first real point to judge on this issue is whether or not the ABM system will work, because, regardless of how lean or fat the budget may be, it would be improvident to spend any money at all for something that will probably not work. Here is where one must look to the scientific community—particularly the physicists. As I pointed out to the Senate on May 1, Prof. Eugene P. Wigner, Nobel Laureate of Princeton University, is preeminent; and his speech of April 29 supporting the ABM before the American Physical Society, which I placed in the RECORD, is most persuasive. Even Prof. Hans Bethe of Cornell University, one of the opponents, concedes that the system could be effective and places his opposition on the matter of timing rather than on the "won't work" theory.

IS IT NEEDED?

The next point is whether it is needed, because, even if it is likely to work, it would be improvident to go ahead on it if it will not be needed. Here is where so many opponents have so much trouble, because it is necessary to project not only our own capabilities, but those of the Soviets and Red Chinese, many years into the future. It is not a question of our relative strengths today, but rather our relative capabilities in the mid-1970's. The best intelligence information we have indicates that by that time period the Soviets will have sufficient power to seriously threaten our deterrent capability; and the Red Chinese will have sufficient power to hold some of our major cities hostage. What their intentions will be then, no one knows, and there has been too much hair splitting, I think, over whether the Soviets are "going for a first strike capability"—as if it was their intention to follow a first-strike strategy—or whether they will have such a capability. It is the capability which poses the threat. Hostile intentions, without the capability, do not pose the threat. Friendly intentions, with the capability for a first strike, do not pose a threat either; but intentions can change. So it is the capability which is of primary importance.

Against this there are those who argue that we should, nevertheless, ignore the capability and stand still. Otherwise, they say, we will escalate the arms race. But who, indeed, has been doing the escalating? Who was the first to deploy an ABM? Who was the first to test it? Who is moving toward a capability of destroying our deterrent power? Who has refused during all of these years to enter into negotiations, much less an agreement, on nuclear arms limitation and control, with effective inspection to prevent cheating? It has not been the United States. I find this argument not only invalid but a dangerous form of unilateral disarmament; because one can have unilateral disarmament by standing still while a potential adversary moves ahead—just as well as by destroying one's weapons while a well-armed adversary stands still. Additionally, as I shall point out later on, the cost considerations make it unlikely that the Soviets would attempt to neutralize our ABM system.

Hopefully, the United States and the Soviet Union—and eventually the Red Chinese—will enter into a meaningful agreement which will put a stop to the arms race. To be meaningful, there will have to be some procedure to prevent cheating, and this means a certain amount of inspection. However, we have been advised that negotiations—even if they prove successful—will be terribly complex and of several years' duration—much longer than those resulting in the Nuclear Nonproliferation Treaty. It would be suicidal to entrust the security of our people meanwhile to mere hopes and trust in the "good faith" of our adversaries.

IS AN ABM THE BEST ANSWER?

The third point is whether, assuming something is needed to counter the capability of the Soviets and Red Chinese, the ABM is the best answer. For example, it is argued that it would be cheaper to simply add more Polaris submarines, or to add more Minuteman missiles, or to put our missiles in harder sites. There are several insuperable difficulties with such alternatives. For one thing, they do not afford us a capability of protecting a few of our cities which could be threatened by Red Chinese intercontinental ballistic missiles. To the people in those cities, it would be no protection if our only option was massive retaliation against Red China. If a small attack, by accident or design, occurred from the Soviet Union, our President surely should have another option than massive retaliation, which could work a holocaust on both sides. From the standpoint of the Soviets, there is no cause for concern about a purely defensive system, like the ABM, which is designed to protect our deterrent capability and, to the limited extent necessary to guard against a Red Chinese threat, a few of our cities.

TIMING OF "DEPLOYMENT"—UPCOMING TALKS WITH SOVIETS

A fourth point relates to timing of deployment. This is raised by those who say they recognize the first three points; but for the current fiscal year, at least, we should authorize the President merely to engage in further research and development on the ABM. There are three arguments revolving around this point, any or all of which are dominant in the thinking of those who advocate delay in deployment:

First. The design of the ABM system is defective in that the radars are too vulnerable to enemy attack. There are two answers to this: If, indeed, there were an enemy attack of sufficient size to threaten the radars, there would be no choice except massive retaliation—launched before the radars were struck; and, with deployment of both phases of the ABM system not scheduled before the mid-1970's, there will be time to modify the radars or to "harden" them if such action is feasible.

Second. Future action by the Soviet Union in deployment of missiles which would threaten our retaliatory force hopefully may indicate that they are not pursuing a first-strike capability. There are two answers to this: If we wait, our hopes may well not be borne out. After all, there is no indications that the Soviets will slow up or stop their deployment of such missile power; all indications are the other way. And if our hopes are not borne out, it could be too late due to the long leadtime required for deployment of an ABM system. This, incidentally, is where I must respectfully disagree with Prof. Hans Bethe. If, indeed, the Soviets slow up, reorient their system to meet a Red Chinese threat, or stop such deployment, we can slow up, reorient, or stop our own ABM deployment in line with the President's assurance to which I have previously referred.

Third. If the Congress authorizes the President to commence the long leadtime procurement required for deployment by the mid-1970's, this will undercut the arms control and limitation talks which are scheduled to begin late this summer with the Soviets. The point seems to be that the President's bargaining position with the Soviets will be better if the Congress refuses the authorization which the President has requested. My reaction is that his position would be undercut by such action by the Congress. This is supported by the recent testimony of former Secretary of State Dean Acheson—June 11, 1969, before the Subcommittee on Economy in Government of the Joint Economic Committee—as follows:

> As we add to, maintain, and protect our power, we do not in any way diminish the possibility of an agreement with the Soviet Union. In fact, we strengthen it . . . The idea that the Soviet Union will negotiate with us in the sense in which we use that term is quite untrue . . . The Russian conception of negotiation is carrying on of war by other means . . . Therefore, as we strengthen ourselves, we bring about that calculation of forces by the Russians which induces them to make a deal. They are not moved by argument, nor by exhortation, nor by considerations of morality. They are moved only when their calculations lead them to believe that it is more advantageous to make a deal than not to do so.

Mr. Acheson has had considerable experience in negotiating with the Soviets. With the Korean war, one could say that he learned the hard way and, having done so, his viewpoint is even more to be respected.

But there is an even greater deficiency in this argument to limit the President's authority to research and development without deployment. It is that "research and development," in the broad sense, includes service testing, and there can-

not be service testing without deployment. It is in the service testing that deficiencies are very often detected on the basis of which modifications are made in a weapons system—be it an aircraft, a tank, a missile, a radar, or an ABM system. Those Members of the Senate who seek to limit deployment to Kwajalein Island rather than to North Dakota and Montana, as the President requests, understand very well that service testing is a part of research and development. Where they err, it seems to me, is that service testing at Kwajalein would have to be followed by final deployment to North Dakota and Montana; whereas deployment for service testing in North Dakota and Montana would be followed by final deployment, with such modifications as service testing indicates should be made, at minimal cost to the taxpayers. I understand informally that at least $2 billion would be saved by handling the service testing this way, and there seems to be no good reason why this extra cost should be incurred.

POSSIBLE SOVIET RESPONSE

A fifth point to be considered is whether a fully developed ABM system in the mid-1970's could be neutralized by the Soviets simply by increasing the number of their SS–9 missiles. Theoretically this is possible, but as a practical matter it is unlikely because the assured destruction required to preclude us from making a sufficient retaliatory strike would be too costly. In other words, although a large force of SS–9 missiles could destroy most, if not all, of our Minutemen without an ABM protection, with an ABM system there would be enough Minutemen which would survive to provide us with a deterrent capability. From that point on, the cost of adding to our ABM system would be much less than the cost of the additional SS–9's required to overcome our deterrent capability.

It is for this reason that William R. Kintner, in his article "The Prudent Case for Safeguard," published last June, concludes that, with the Chinese Communist threat by the 1970's, the most stabilizing system as between the Soviets and the United States is the Safeguard ABM system.

The interesting and informative statement by the Senator from Wisconsin (Mr. PROXMIRE), "Russian Military Power Limited by Economic Weakness," lends support for the conclusion that cost considerations make it unlikely that the Soviet response to Safeguard would be to try to neutralize it. And this holds true even if the Soviets proceed to provide their SS–9's with a MIRV capability.

POSEIDON AND BOMBER FORCE

The so-called overkill adherents argue that even if all of our Minutemen were destroyed, we would have sufficient deterrent power left over in our Poseidon submarine force and our strategic bombers. This argument, of course, completely ignores the Red Chinese threat to hold some of our cities hostage unless we have a defensive system. But vis-a-vis the Soviets, it ignores the observations made by Dr. Wigner about the city evacuation program in the Soviet Union. Estimates of fatalities in the Soviet Union which are made by the "overkill" adherents therefore are unrealistic. As Dr. Wigner points out, only 35 to 45 percent of such fatalities could be attributed to Poseidon, and this could be a gross overestimate because the calculation assumes that all our submarine fleet is on station and the people have not evacuated their cities; further, technical developments may negate its effectiveness, so that it would be dangerous to put all our trust in a single-type deterrent. The capability of negating the effectiveness of our bomber force is even greater.

The underlying weakness of the "overkill" argument is that it proceeds on the false assumption that our planners are seeking to add to the number of weapons that can be detonated on major targets in the Soviet Union. Rather, what is being attempted is to maintain the number of such weapons we believe required for "assured destruction capability" after—not before—a first strike against us and after—not before—running the gauntlet of Soviet defenses, taking into account also anticipated failures among our strategic weapons. Accordingly, it is invalid to take into account our tactical nuclear weapons, which are designed to deter attack against Western Europe and, because of their short range, cannot be taken into account in calculating assured destruction capability against the Soviet Union.

NAIVETE TOWARD SOVIET LEADERS

Opponents of the Safeguard system are motivated by various arguments, the major ones of which I have sought to rebut. I do not question the good faith behind the arguments, although the logic, assumptions, emotionalism, and side issues must be questioned. But there is one weakness which, though not representative of the opponents, characterizes the approach of a few of the opponents and concerns me more than all of the questionable arguments. It is a naivete toward the Soviet leaders—an inexplicable tendency to overlook their words and especially their deeds, and to proceed on the basis of hope rather than on the basis of realism in our relations with them.

I am not talking about Red Chinese leaders or Rumanian leaders or Yugoslavian leaders, whose ideological differences demonstrate that there has been a departure from the Communist monolith—one which, in the case of Yugoslavia and Rumania, at least, provides optimism for genuinely friendly relations. All of us hope for genuinely friendly relations with the Soviet leaders, but this hope must be tempered with realism and a willingness to look at things as they are. As former Secretary of State Acheson testified on June 11:

> The power of the United States alone blocks the Sino-Soviet ambitions in the world. They may fall out between themselves, they may have difficulties, they may fight with one another in a minor way, but on one matter they are completely and wholly agreed. The United States is the enemy.

He continued:

> The idea has been expressed that if we take the step proposed here [authorization of the Safeguard system] it is going to make negotiations much more difficult. It is not going to make it any more difficult. Any negotiation will be difficult to start with. All the problems are very difficult. They are not made any more difficult by adding to our defense. I doubt emphatically that some great transformation of relations with the Soviet Union is about to move us from an era of confrontation to a phase of negotiation. We have been negotiating with the Soviet Union all along. We shall be involved in confrontation into an indeterminate future. The two go hand-in-hand in the Soviet view, and perforce we must see the matter in that perspective. The Soviet Union will come into agreement with us only in the measure that it discerns advantage in doing so and detriment in doing otherwise. I certainly do not oppose such negotiations. I am merely warning against the notion that the Soviet Union is on the verge of a conversion to tractability and accommodation.

It seems to me that the recent Czechoslovakian invasion underscores the realism of the former Secretary's views.

I have always supported negotiations with the Soviets, and I have advocated people-to-people type programs between our two countries as a means of laying a foundation for better relations. We must keep trying for better relations, because these would diminish the possibilities of war and enhance the progress toward a more orderly and peaceful world. But our efforts will not succeed and, indeed, could cause us to go backward if we do not proceed on the basis of things as they are rather than on the basis of what we would like them to be—if we do not maintain a posture of resoluteness and firmness of purpose.

SUPPORT OUR PRESIDENT

Mr. Acheson well summarized the ABM controversy when he said:

> Suppose the expenditure is not made, and suppose the choice turns out wrong. The consequences could be disastrous. Turn the proposition around. Say to yourself that, to be on the safe side, we had better go ahead. Then suppose that the proponents of the ABM turn out to be wrong and that this weapon will not do all that they say it will do. Has anything disastrous happened? Have you wrecked the United States? Have you ruined the internal economy? Certainly not. . . . The responsibilities seem to be wholly different. To reject ABM may mean terrible trouble. To go ahead with it cannot mean terrible trouble. It may indeed bring great assurance. If you lose the whole investment, it is not a very serious loss.

In this perspective, and assuming this is a close decision for some of my colleagues, I believe prudence requires us to support the President of the United States.

Mr. LONG. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. LONG. Mr. President, I congratulate the Senator on his very intelligent speech, which I think pretty well destroys the arguments I have heard made in this body against proceeding with the ABM.

There are two kinds of waste one can contemplate. One is the kind of waste that we all hope would occur—that we would never have to use these weapons. We should all hope that we would be strong enough to defend this great Nation, and so strong that no one will attack us.

There is an old Spanish saying:

If you would have peace, be prepared for war.

If you would be independent and free, you should be prepared for war. If, by being strong, no one cared to go to war with us, that is the kind of waste we should hope for—possession of the latest weapons which we never have to use, such as the hydrogen bomb. We developed it; we hoped we would never have to use it, and we never have; and may God grant it will never be necessary. That is one way in which we can waste something and hope we would waste it.

The other waste is where you spend a great deal of money for defense, perhaps $80 billion or more a year, and, having done all that, you fail to provide the essentials, so that when the showdown comes, you cannot save your country. In that event, it all has been wasted; but, in addition, you have lost your country, your lives, and your freedom. There is the supreme waste one should avoid—the failure to have the sophisticated weapons of the future that would assure you that you could fight successfully in the defense and salvation of your Nation and your people, if that should become necessary. That is the fantastic supreme waste, as I see it, that some Members of this body have been advocating, in their folly and poor judgment, although they may be sincere.

The Senator has pretty well answered the argument.

It may well be that one could not develop a successful ABM system, although I cannot see how we could put men in orbit around the earth, then have the vehicle leave the earth's gravity, orbit the moon several times, land on the moon, reenter space outside the pull of the moon's gravity, bring the two vehicles together, then dispose of one, then orbit the earth again and splash down within 3 or 4 miles of a carrier waiting to receive the capsule, and then not be able to shoot down a missile. It seems to me that all the technical problems involved in one would indicate that if one can solve all that, we can shoot down a missile. It might take a great amount of technical expertise. It might take some practice and know-how. But if those three men can do all that, with the help of a vast army of technicians to back them up, then something can be developed to shoot down a missile.

But I should think that if we cannot do it, the Russians cannot do it, either. If it is possible for one to develop it, it would be sad to think that, although we have the technical competence to build the weapons to save this great Nation, there are some in this body who lack the foresight to recognize that this would be the difference between liberty and destruction for this great Nation—when one would try to save a few billion dollars in the hope that the Communists have all of a sudden changed their ways, changed their minds. I cannot buy those arguments.

We have been successful in saving this great Nation by following the logic that the Senator has pursued; and, insofar as the major Communist powers are concerned, we have saved it without going to war with them.

I think the Senator makes an argument that is irrefutable.

Mr. MILLER. I thank the Senator from Louisiana for his kind and gracious comments. I do think that he puts his finger on a very important part of this matter.

It is something like life insurance. We have been carrying life insurance policies for a long time, and somebody could say: "Look at the waste. All those premiums down the drain. Look at what you could have been doing with those premiums—buying some extra things you would like to buy; but you never got them because you put it on insurance, and here you are, still alive."

But I assure the Senator that most of us are carrying life insurance, and we are very pleased that the premiums have been wasted, because they did provide us with the assurance that if something happened, our loved ones would be taken care of.

I hope, with the Senator from Louisiana, that the expenditures made on an ABM system will be a complete and utter waste of the taxpayers' money, in the same sense as life insurance premiums have been a complete and utter waste for those of us who are still around. I hope we will never have to use them. But I do think that prudence requires us to keep strong as a matter of life insurance to the people of our country.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. THURMOND. Mr. President, I commend the able and distinguished Senator from Iowa for the magnificent presentation he has made today on the necessity for going foward with the antiballistic missile. The able Senator was a member of the Committee on Armed Services for some time, and his experience in the Air Force Reserve as well as the experience in World War II undoubtedly gird him with a lot of information from practical standpoint in military matters. In addition, the Senator from Iowa is a distinguished Reserve general, and he is well informed on military matters.

There is no question in my mind that it would be a fatal mistake for the United States not to go forward with the ABM, and as quickly as possible. If we build the ABM and never have to use it, well and good. If we build the ABM and the enemy sends over a missile to destroy our country, then we will be mighty glad we have it.

For the life of me, I cannot see how anyone would object to building a purely defensive weapon such as the antiballistic missile. This is not the type of missile that would cross the ocean and kill millions of people. This is not the type of missile that would cross the ocean and destroy military installations. This is not the type of weapon that is calculated to kill anybody. This is purely a defensive missile that will destroy the enemy's missiles in the event the enemy sees fit to send its missiles over here to try to destroy us.

To me, it only makes good sense that we can. I think it is a very peaceful weapon. It will help to preserve peace because if we do not have this missile, suppose the Soviets by accident, a pure accident, should send an ICBM across the ocean. Suppose some sergeant misunderstood orders or someone miscalculated through error and sent an ICBM over here. If we had an ABM we could knock that missile down. The exchange could stop there. If we did not have an ABM and an ICBM kills millions of people or destroys much property in this country, or if we feel it might be the beginning of a nuclear war, naturally we would respond and quickly. When we do respond with our ICBM's, the Soviets might feel we intend an all-out war and we might have a nuclear exchange which could result in the loss of millions of lives.

I think it is vital to our country that we go forward and build the ABM, not only from the standpoint of a defensive weapon but also from the standpoint of national security and preserving peace.

Again, I commend the distinguished Senator on his fine argument.

Mr. MILLER. I thank the Senator from South Carolina for his kind remarks.

Mr. President, I might say, as I pointed out in my speech, none of us in the Senate is a physicist and I do not think anyone in the Senate has had very much negotiating experience with Soviet diplomats. Therefore, we have to go outside to the experts, to the physicists and the diplomats. It becomes difficult for all of us when there are experts who disagree. In that event, who is one going to support?

As I pointed out in my remarks several weeks ago, I have put my confidence in Dr. Eugene P. Wigner because he is preeminent in the field. He is the only one of the physicists of the world who received all the major awards for physicists. He received all of them. Other physicists have received one or two of the awards but Dr. Wigner has them all and to me he is preeminent. That does not mean that there are not other good physicists who disagree with him, because there are. One must make a judgment on which physicist he is going to rely upon. I put my judgment with Dr. Wigner. Further, I must say the logic of his argument to me is almost irrebuttable.

In the area of diplomacy, how many people do we find in the United States who have had much experience negotiating with the Soviets? I do not think very many of us, outside of Averell Harriman, have had as much experience as former Secretary of State Dean Acheson. I say that the logic of Dean Acheson's statement is irrebuttable. One might say he learned the hard way from the Korean experience. When someone has learned the hard way and takes a position, it is more realistic than someone who did not learn the hard way.

I think on those two points we all have to make up our minds as to where we are going to go and in whom we are going to have confidence.

Then, we get into the fine points such as the one which will be coming up by

way of an amendment on Wednesday as to whether or not we are going to go ahead only on research and development, or permit deployment.

The Senator from South Carolina alluded to the fact that I served on the Committee on Armed Services and that I have had a number of years' experience in the Air Force. That experience gave me an opportunity to evaluate the amendment which will be voted on Wednesday, because early in World War II, I was engaged in some research and development activities for the Air Force. Along came a phase known as service testing. I did not know anything about service testing before, but I do now. Service testing means we have to have deployment for an ABM system. Service testing is a part of the broad concept of research and development. If we were going to consider buying a new fighter aircraft, I can assure the Senator he would find no procurement on it until after it had been deployed for service testing at the proving ground at Eglin Field, Fla.

I am sure the Senator from South Carolina, who has had a great deal of experience in the Army, would say, "You are not going to have the Army procure a tank unless it has been deployed and tested at one of the proving grounds."

This is where the amendment we will be voting on misses the point. They do not appreciate that there must be service testing and that is part of research and development. It is in the service testing phase of research and development when many so-called bugs are worked out. I never heard of an aircraft being sent to Eglin Field that did not have bugs in it during the first testing phase.

Some of our colleagues are opposed to the ABM as it is now. They want to confine the deployment to the Kwajalein Islands. They appreciate the fact that deployment and the service testing is a part of research and development. Where I part company with them is if it is done that way it will cost the taxpayers $2 billion more than if it were done at the sites in North Dakota and Montana. I have not heard any argument with respect to incurring that extra expense.

Mr. THURMOND. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. GRAVEL in the chair). Does the Senator yield?

Mr. MILLER. I yield.

Mr. THURMOND. Is it not a fact that all of the component parts of the ABM have been tested except the perimeter acquisition radar, that is, PAR? In other words, the missile site radar, that is, MSR, has been tested. The Spartan that can go 400 miles and knock down a missile has been tested. The Sprint, which would be used in the event the missile gets by the long range Spartan, has been tested. The computers have been tested. Mostly, it is a matter of assembling all these parts and getting them together and deploying this weapon because then undoubtedly there will be some bugs that have to be ironed out and the quicker we do this service testing the quicker we will have a more perfect weapon.

Is it not sensible that we go forward and not delay? Is it not a fact that the Soviets built their system in 1962 and had it deployed in 1963, when the Senator from South Carolina called for a secret session to tell the Senate about it, the dangers of it, and urged then, 6 years ago, that we go forward? Is it not a fact that we are at least 5 years behind the Soviets today? Can we afford not to go forward? Some say this would be provocative. The Soviets have said they do not consider it to be provocative. However, if they believe it to be provocative, they took a provocative step then and they could not blame us for doing it today. If they do blame us is it not our first duty to the American people to protect this country and our national security?

I thank the Senator.

Mr. MILLER. I thank my colleague.

I yield the floor.

DEPLOYMENT OF THE ABM

Mr. MATHIAS. Mr. President, in an earlier speech in the Senate several months ago, prior to any statement of position by the administration, I explained my reasons for opposing deployment of an anti-ballistic-missile system. I emphasized that the relatively imperfect and fleeting protection offered by such a system could not compensate for its large social, economic, and diplomatic impact.

Since expressing those thoughts, I have studied closely the voluminous literature on the subject which accumulates in undiminished quantity each day, perhaps because of our efforts. During this time, of course, the proposed system and its rationale have been significantly revised by the new administration. Improvement was needed. By indicating a U.S. policy of protecting cities through active defense, the Johnson administration's Sentinel proposal implied adoption of an essentially new and open-ended defense policy goal. Not only would we maintain deterrence through secure second-strike forces, we also would advertise to the world that for the first time since the abortive fallout shelter campaign we claimed technical ability to protect our people if deterrence fails.

This new commitment, to the extent it succeeded in achieving credible population defense, seemed to suggest a U.S. resolve to retain the option of a first strike. This option—and this protection—would entail virtually unlimited increases in defense spending, since the United States would have to respond to every anticipated improvement in the Soviet or Chinese offense. Such a policy would accentuate the action-reaction cycle of the arms race.

The Safeguard proposal, on the other hand, seemingly avoids this major new turn in our armaments policy. By focusing on defense of Minuteman missiles—a key part of our second strike forces—the Nixon administration proposal indicated continued dependence on a deterrence strategy. The President courageously accompanied his recommendation with a declaration that population centers could not be protected against major attack.

This new approach was less provocative than Sentinel since it did not envisage a degree of effectiveness that would give us a plausible first-strike option. Thus, despite a larger estimated cost, Safeguard is a more limited and sophisticated proposal than its predecessor. It does not commit us to the nearly impossible, and thus egregiously expensive business of protecting population in the midst of nuclear conflagration, a form of combustion, we should remember that naturally occurs on, and consumes, whole stars.

The Safeguard recommendation is also tactically superior to Sentinel in terms of domestic politics. By focusing debate on ABM's technical utility—essentially a scientific question—rather than on its strategic and diplomatic implications which Senators are more qualified to judge, the new proposal seemingly locates the debate on the Pentagon's own ground of expertise. The Pentagon, however, also offers an argument for supporters of the coming disarmament and arms control negotiations. It is alleged that endorsement of ABM would strengthen the President's hand in the talks.

Yet, despite all, I have concluded that I should oppose deployment of Safeguard at this time, as well as Sentinel. In fact, if I may be permitted to use rather blunt and provocative language, I have come to believe that such deployments may weaken the United States just as surely as a program of unilateral disarmament. I believe that under present conditions Safeguard represents a step in the wrong direction in the arms race and actually could be a blow to the national security. Further, I believe that the proposal is based on an overall arms race strategy that has been steadily weakening the United States over the past several years.

I do not believe the Pentagon has won the technical arguments. But I think Safeguard deployment is unwise even if the system works as well and Soviet capabilities are as great as its proponents claim.

The nature of the arms race has been radically changed by the quickening rate of technological progress. During the last decades, there has been a revolution in the nature of strategic war approximately every 5 years. Bombers have given way to several generations of liquid fueled missiles, which in turn were replaced by solid fueled Minutemen and by mobile Polaris submarines. Strategies relying on instant response to enemy attack preparations have given way to a determination to wait out an attack before retaliating. Now MIRV—assuming its deployment is not arrested—promises yet another overwhelming change in the configuration of the military balance. The Poseidon missile system, submarine based, seems the ultimate in mobile, invulnerable retaliatory power, but in the realm of technological advance, the word ultimate is regarded as an impertinence.

This pace of change means that most existing systems are obsolescent—that is, more effective alternative or countervailing technology is already in prospect. Thus heavy investment in deploying or

multiplying present systems is ordinarily uneconomical.

But the Pentagon does not adequately take this reality into account. Its proposals for new bombers, air defense, and other traditional systems mean enormous commitments of resources to strategically obsolescent weapons. These investments greatly reduce our flexibility in responding to unexpected new threats in the future.

Our current propensity to deploy and expand any new system and to retain and elaborate any old system with some utility is partly based on a false notion of national security. Our national security in future years depends on what is going on today not at our missile sites, but in our classrooms. In fact, in a time of such rapid change, our national security, even in the relatively short run, relies at least as much on civilian as on military activity.

It is speaking in these terms that I say ABM is a step backward for the United States. It represents not only an extravagance in the use of resources, but also a grievous failure of strategic imagination. Minutemen in fixed bases are already a technology with predictable obsolescence. For they are ultimately vulnerable to refinements in missile accuracy; ABM, for all its redoubtable intricacy and ingenuity, is also of little usefulness in the strategic environment of the seventies. It is a system of the sixties that we wisely refrained from deploying in different forms earlier in this decade despite repeated demands from the military. The Pentagon, in effect, now is putting together two obsolescing technologies in the hope of getting one useful system. What it gets is futility at compound interest for the taxpayer.

Even if the United States succeeded in creating and deploying a completely effective ABM system—one that hermetically sealed our skies from missile attack—we could not expect our adversaries to relinquish their retaliatory ability. They would simply find other ways to visit devastation on our country—whether by exploding nuclear weapons in the ocean off our shores and flooding our coastal cities; or by some unidentifiable low altitude delivery system; through resort to chemical and biological agents; or through some as yet unanticipated mode of destruction. The only thing we can confidently say about future offensive technology—whether Russian or Chinese—is that it will be designed to frustrate any defense in which the United States invests as heavily as ABM would require.

Technologically advanced and strategically retarded, ABM symbolizes the American defense posture. New technology is too often employed not to produce more cost-effective and less provocative systems, but to redeem old modes of thought and obsolescent hardware. We do not sufficiently acknowledge the implications of mutual deterrence in an essentially qualitative arms race at a time of rapid technological change.

In these new conditions, a sure way of losing an arms race is to spend too much money on it. The Vietnam war provides an example of another kind. In Vietnam we are also using expensive new technology in an attempt to make up for strategic and political failure. But despite a spending ratio of 10 to 1 over the Soviet Union, we are not winning. Of course, Vietnam is not directly analogous to other areas of arms competition. But vis-a-vis the Soviet Union, our experience confirms the principle: the race will be won not by the side that most readily deploys its hardware but by the side that most effectively employs its resources.

In supporting the policy of heavy deployment of existing technologies, it is said that we must emphasize the capabilities rather than the intentions of our adversary. But capability is just as problematical and elusive a concept as intention. If we—or the Soviet Union—are willing to sacrifice civilian, economic, and social stability and longer term technical and military goals, either side is capable of mustering a military establishment of incalculable power. Either side can produce a military machine that would boggle the mind. But in the nuclear age, that is all that such a military machine can accomplish: it would boggle the mind, and, by extension, the social and political stability of the country that acquired it. But it would not permit either side to gain a peremptory first-strike position. And it would impair the social, economic, scientific, and educational base on which future security will depend. It would hurt our society without helping our security.

One reason for the futility of an attempt to "win" the arms race in this manner is the advantage possessed by the side that is behind. In a sense one can even win such a competition—that is, achieve one's military goals at lower cost than one's opponents—by staying behind. For the dynamics of technological arms races favor the underdog, if his basic capacity is comparable. Not only is he relieved of the expensive burden of anticipation but long before a new discovery is translated into an effective and operational weapons system, integrated in the military forces of the leader, it has usually become known to the side that is behind.

Even if the follower cannot determine the particulars of a new development, his knowledge of the general area of experiment which produced it will enable him to concentrate his effort and make similar progress more quickly and cheaply. He may be able to avoid costly experimentation with other methods of acquiring the same weapon or other weapons designed to fulfill a similar function.

Thus the country which is defeated in a race for a particular technological development may be able to save both time and money as a result. Much of the expense for weapons development is directed toward the pursuit of unsuccessful possibilities. The follower in a technological race can eliminate some of these failures.

Examples of this handicapping system abound. It is illustrated by the remarkable achievement of the Soviet Union in closing the enormous gap between herself and the United States at the end of the Second World War. American scientists consistently overestimated the time it would take the Soviet Union to equal American achievements in nuclear technology. That this process also works the other way, to our benefit, may be indicated by the speed with which we closed the presumed Soviet lead in ballistic missile technology after Sputnik. It would appear that qualitative arms races between comparable technologies tend to equalize military forces.

Of course, this does not mean we should allow ourselves to fall behind overall military strength. But the handicap for the underdog does mean that attempts to forge ahead have more to do with national vanity than with national security. In fact, if the Soviet Union did decide to invest everything in deploying new technology it would likely doom itself as a first-class power in coming decades. Already falling behind Western Europe and Japan in economic growth—already stinting on industrial modernization—the Soviet Union would fall back irretrievably if it undertook some futile and extravagant ABM-SS-9 campaign for first-strike supremacy.

In other words, achievement of the ultimate war capability of each side would combine military futility with social and political impoverishment: each side is capable of foundering its ship of state with military ballast. Neither is capable of striking its opponent without suffering devastating retaliation.

Although I do not wish such a disaster on the Soviet people, if I were exclusively concerned with disproving Communist theory with bringing down the Soviet experiment, I would hope that the Soviet leaders would embark on an attempt to fulfill their theoretical military possibilities. But since the attempt would inevitably be accompanied by an enormous aggrandizement of the power of the Soviet military—and by an expansion of their imperial designs—I shrink from an American military posture that could contribute to such an imbalance in Soviet leadership.

It should not be imagined, however, that the United States can proceed with impunity on its present course. It is sometimes asserted on the left that the American economy benefits from defense expenditures. During the ABM debate, it has been implied that the system's supporters are motivated in part by its impact on employment. This notion only reveals a failure to recognize the changing nature both of defense expenditures and of the American economy since World War II. I can say that spending, such as that proposed for ABM, contravenes most of the urgent economic and social objectives of current U.S. Government policy.

The administration currently declares that its first economic priority is to curb inflation without significantly increasing unemployment or substantially reducing real economic growth. Spending on ABM increases inflation and unemployment without contributing significantly to real economic growth. It is peculiarly inflationary because it generates demand in the economy without providing goods to

fulfill it. It increases unemployment because it diverts resources into highly specialized technical industries which hire very few marginal workers who could not easily afford to find a job elsewhere. It impedes economic growth because it employs the most valuably catalytic manpower in the economy. These are technicians and scientists who could make far greater contributions to economic growth in the private sector or in public services which improve our economic infrastructure.

When analyzing the impact of defense spending, it is crucial to consider the benefits we forgo, whether in the public or private sector. I do not deny the enormous amount of employment created by the defense budget. I merely say that the amount of employment and growth generated by a dollar of defense spending is much less than that generated by a dollar of spending in the private sector or on public services.

Strategic defense spending is now concentrated in industries with high, technically specialized labor intensity, and with relatively low capital expenditures and value added per employee. These industries make a relatively small net contribution to the economy. Yet they deprive the private sector of essential expertise for research, which is only partly recovered through military development convertible for civilian use.

I do not exaggerate when I suggest that, in purely economic and social terms, the United States would benefit more from building pyramids than from building missiles.

Mr. FULBRIGHT. Mr. President, will the Senator yield at that point?

Mr. MATHIAS. I am happy to yield to the Senator from Arkansas.

Mr. FULBRIGHT. I have read the Senator's speech, and I wish to congratulate him on the entire speech; but that particular passage he has just read, in a way, sums up this whole issue. Although the Senator uses the allusion in a way that could be discounted, perhaps, I think there is a great deal of truth in it. At the last hearing the Foreign Relations Committee had with regard to this whole complex of weapons it was urged that the Minuteman itself is becoming obsolete, because it can be destroyed by these more accurate missiles. This means, therefore, we are considering the development of an obsolescent ABM to protect an obsolescent weapons system.

This, I think, makes the Senator's analogy to the pyramids very appropriate indeed. At least the Egyptians did end up with a tourist attraction, which is of use to that country hundreds of years later.

I think the Senator has made a great contribution to this debate. I think his speech is one of the most thoughtful I have read on this subject.

Mr. MATHIAS. I thank the Senator very much for his very kind remarks and his helpful counseling.

I repeat, Mr. President, that I think in economic and social terms the United States would benefit more from building pyramids than from building missiles—since pyramid construction would at least employ people who need work, and, as the distinguished Senator from Arkansas, the chairman of the Committee on Foreign Relations, has pointed out, would at least serve as a tourist attraction. Pyramids aside, the economy would benefit far more, of course, from investments in education, medical care and housing. But even if defense retrenchments were passed on to taxpayers in tax cuts, the economy would benefit since private demand would be released into areas which employ more marginal workers per dollar of investment or which contribute to real economic growth.

Compared to most other industrial products, moreover, defense items do not have a significant multiplier effect. A missile or a submarine is not serviced, retailed, or otherwise introduced into the catalytic flow of the domestic economy.

The arms race thus is economic insanity. But I contend further that current arms race policies are also irrational in terms of the national security. Our defense budget tends to overreact to current threats, overspend on present technology, and produce a useless overkill capacity, while diverting funds and energies from efforts to reinforce the social foundations of our national strength and stability. It hurts our society without helping our security.

The problem thus is not excessive emphasis on national security in the order of our priorities. In a broader sense, the security of our Nation—considered not as just a geographic or demographic entity but also a spiritual and institutional cause—national security in these terms, which indispensably include military defense, must be the primary concern of Government. The problem is the tendency of Government to identify national security with the immediate demands of the military leadership, which understandably fail to recognize the broader prerequisites of national preservation. These are popular morale, economic stability and growth, educational progress, balanced technological development and maintenance of broadly supported popular institutions. Vast multiplication of existing systems might be valuable if one planned to initiate nuclear war in the immediate future; but nuclear war is suicide. For the maintenance of our defense over a long period, advanced technology, social progress, and economic growth are imperative. Deployment should be relatively modest until real new threats materialize. We should maintain a continuing reexamination of our strategic assumptions.

This means a new set of criteria for specific defense proposals, emphasizing minimal deployment and maximum commitment to basic research, technological development, education, economic growth, and social progress. All these fields—and particularly science and education—are being deprived today. Although Safeguard is a substantial improvement over Sentinel in these terms, deployment now would nonetheless represent a severe blow to our national security.

Several Senators addressed the Chair.

Mr. MATHIAS. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I have heard a part of the Senator's speech, and I have read the rest of it. I should like to direct his attention to two points, upon which he might like to comment further.

He says:

> It is a system of the sixties that we wisely refrained from deploying in different forms earlier in this decade despite repeated demands from the military.

Is it not true that, except for the fact that the system has caught on more vigorously now, that was also the history of the various Nike series—of which the present system is a variant—and that this has been going on for the last 10 years?

Mr. MATHIAS. The Senator is absolutely correct.

Mr. JAVITS. So, if the technological progress and advance have made a weapons system first designed in the late 1950's obsolescent now, the same thing is much more likely now than when Nike-Zeus was first thought of; is that not correct?

Mr. MATHIAS. The Senator is correct.

Mr. JAVITS. I think it is an extremely valuable point. One of the strongest arguments against deployment of the ABM is that it is just about—because of the history of weaponry—to be overtaken by technological advances. If anything, it is a very late starter, and we would be very much better advised to leapfrog it technologically rather than be locked into an obsolescently conceived system.

Another very important point which the Senator makes in his speech, is:

> In fact, if the Soviet Union did decide to invest everything in deploying new technology it would likely doom itself as a first-class power in coming decades. Already falling behind Western Europe and Japan in economic growth—already stinting on industrial modernization—the Soviet Union would fall back irretrievably if it undertook some futile and extravagant ABM–SS–9 campaign for first strike supremacy.

Is it not a fact that the world should know that it is the United States and the Soviet Union which—because of this enormous defense load—are falling behind in productivity, and even in the longevity of their people? Falling behind, for example, Japan and Germany, the two powers which are the least encumbered by military expenditure?

Mr. MATHIAS. The Senator is correct. Of course, just to look at the trade balances with Japan, for example, illustrates what happens when a nation is free to invest its capital and to use its expertise in the social areas and in the private sector.

Mr. JAVITS. Therefore, it is not a sterile but a very real question to ask if the two superpowers are running themselves into the ground by the nuclear arms race, and in our case by the Vietnam war as well. If we are about to come to grips in terms of seeking an arms agreement, is it not best to leave open—without any real jeopardy to the national security—the greatest, most fertile field for agreement, the greatest consumer of resources that might now be conserved, when the two countries are coming together for the purpose of seek-

ing agreement? Does the Senator feel there is the remotest likelihood that in the next 6 months, because the President says he is going to deploy the ABM at two sites in the northwestern part of the United States, that is going to represent such material change to the Russians that they are going to make agreements which they never would have made before, and that we would have won a game of "nuclear blackmail" because the President is going to deploy this system at these two missile sites?

Mr. MATHIAS. I cannot believe that this policy will bring about all of that fallout which has been claimed.

Mr. DOMINICK. Mr. President, will the Senator yield at that very point?

Mr. JAVITS. I will yield in a moment.

Mr. DOMINICK. I am a little tired of the Senator's saying that we are engaged in nuclear blackmail.

Mr. JAVITS. I am not saying that we are engaged in nuclear blackmail.

Mr. DOMINICK. The Senator just finished stating it.

Mr. JAVITS. Not at all. And the RECORD will not show that, in my judgment. However, if the Senator will, I should like to finish with my inquiry of the Senator from Maryland.

As a matter of fact, is not the concession that this will make no difference to the Russians any more than what they have done in Moscow and in the SS–9 will make any difference to us, practically yielding the whole point? If it will make no difference, why do it?

Mr. MATHIAS. The Senator is absolutely correct.

Mr. JAVITS. To deal with the point of the overkill, we are not seeking to take advantage of nuclear blackmail. It is not so. Then, why argue that it is or that this will strengthen our hand?

Mr. MATHIAS. Exactly right.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. MATHIAS. I yield.

Mr. DOMINICK. Mr. President, I do not know whether the Senator from Maryland was present before when the distinguished Senator from Iowa (Mr. MILLER) spoke. The Senator from Iowa had some analyses of the military spending vis-a-vis our gross national product exclusive of the Vietnam war. And he showed that in percentages the proposed budget, exclusive of expenditures for Vietnam, were the same or less in terms of percentages than the budget was for last year, 5 years ago, 10 years ago, and 15 years ago. So, when the Senator speaks of vast military expenditures, I point out that we would all, of course, like to cut them down. Obviously this is what we would all like to do.

As a matter of fact, the committee cut them down by $2 billion. I think, however, that to leave an impression on the floor that we are engaged in something new and unique at an enormous cost when we are dealing in this particular debate in this particular amendment with $345 million, is a little bit extravagant.

I was wondering if the Senator had any comment on the percentage figures that the Senator from Iowa placed in the RECORD.

Mr. MATHIAS. I certainly do. I would call to the attention of the distinguished Senator from Colorado the fact that some industrial concerns that want to expand their plants and hire new people and manufacture new goods have to pay an interest rate of 10 or 12 percent to get the money.

I point out that our trade balances with foreign countries are in worse condition today than in recent history.

I point out to the distinguished Senator the fact that it is costing the U.S. Treasury more to borrow money today than it has for a long time, maybe ever in our history.

Mr. DOMINICK. I agree with all of that.

Mr. MATHIAS. I think the Senator must agree with it because it is a fact.

These unhappy facts result in large part from too much defense spending over a long period of time, and the fact that it is down a little now or up a little at another time does not eliminate the fact that over this period there has been too much and that we are suffering for it at this time.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. MATHIAS. I yield.

Mr. MILLER. Mr. President, I think it should be pointed out—and the Senator is talking about our trade balance—that the percentages of gross national product that has been going for national defense was a little higher in 1964 than it was last year or is going to be this year. Yet, if my recollection proves correct, we had a magnificently favorable balance of trade in 1964.

If I may have the attention of the Senator, I should like to make a point because I should like to have a responsive answer.

The Senator talks of a long, sustained period of defense spending. That is exactly why I went back to 1954 and ascertained the percentage of gross national product going for national defense.

I point out to the Senator from Maryland that he will find that the projected defense spending for fiscal year 1970 will be a lesser percentage of our gross national product than it was for 3 years in that period of time—1954, 1959, and 1964. So I must respectfully point out to the Senator that his thesis that this defense spending has ever had a direct bearing or maybe even an indirect bearing on the unfavorable balance of trade simply will not stand scrutiny.

I am concerned about defense spending. In fact, I do not know of anyone who is not. Everyone on both sides of the aisle or on either side of the controversy should be concerned about defense spending and other areas of Government spending.

That does not get us anywhere. We are all equally concerned about it. The question is whether we need something for our national security.

If the ABM will not work, and if we are convinced that it will not work, there is no point in our spending anything regardless of how lean or fat the budget is.

I must say that I think the matter of budget spending is a sort of side issue. I can assure the Senator that if I am persuaded that the ABM will not work, I will not buy it regardless of whether the budget is in good condition or not.

On the other hand, if we need it, then I think the budget condition is very secondary to what we need.

I think it is very important to point out that the defense spending is not involved in our drop in a favorable balance of trade.

Mr. MATHIAS. Since the question of defense spending up and down has been brought into this discussion, and I think very properly so, I refer the Senator from Iowa and the Senator from Colorado to the current issue of Fortune.

There is a very interesting and authoritative article in the Fortune magazine written by Ian Cameron, a splendid and well-informed writer, in which he quotes the Secretary of Defense as saying that even if we are successful in eliminating the war in Vietnam, we will still not come up with a drastically reduced defense budget.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. MATHIAS. I will yield in a moment.

Let me say that if we go ahead with the ABM and MIRV, we can, I think, safely project a continuing expenditure of anywhere from $20 billion to $30 billion a year for strategic systems alone for perhaps the next 10 years.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. MATHIAS. I yield.

Mr. DOMINICK. Mr. President, I had the same discussion with the Senator from Maine (Mr. MUSKIE) on Friday. It is in the RECORD.

I pointed out at that time—which I am sure the Senator from Maryland will recognize—that the question of what our defense budget will be after the Vietnam war will depend upon what Congress authorizes and appropriates. It has nothing to do with the question of what the automatic system might be, what Mr. Cameron and the like do, or anything else.

Let me point out that the question of how much we will spend on an ABM and where we will put it is under constant review, as the President pointed out, and that Congress can reduce funds. The Committee on Armed Services has cut out the funds for the Navy version of the F–111, the F–111B, after we had spent a lot of money on research. We have cut out the Cheyenne helicopter and all of these fast deployment logistic ships and a whole variety of weapons.

The statement made is not borne out by history.

Mr. DOLE. Mr. President, will the Senator yield?

Mr. MATHIAS. I yield.

Mr. DOLE. Mr. President, I have listened with great interest to my friend, the Senator from Maryland, say that we should not proceed with the deployment of the Safeguard system.

The Senator recognizes that the Safeguard system is an improvement over the Sentinel system.

I want to clarify the matter. What does the Senator suggest we do as an alternative? Does the Senator suggest more

research and development, or does he suggest doing nothing?

Mr. MATHIAS. Mr. President, the distinguished Senator from Kentucky (Mr. COOPER) has suggested in the amendment which we will vote on on Wednesday that we proceed with research and development for a period of time, during which we can satisfy ourselves as to the desirability of going forward.

Mr. DOLE. Mr. President, the reason I ask the question is that I think there may be a feeling or at least a misunderstanding on the part of many Americans that there are 45 or 50 Senators who want to do nothing and 45 or 50 Senators who want to do something. I point out, as I have in the past, that I think it is misreading the tenor of the Senate.

As I understand it, not one Senator says we should do nothing, that we should go backward. Senator COOPER and Senator HART are advocating what they think to be in the best interests—appropriate the money and do everything but deploy.

I have said many times that perhaps we could have chosen a better word. Perhaps we should have chosen the words "operational development" instead of "deployment," because that is what I really think it is.

But I commend the Senator from Maryland for his remarks. I disagree with his conclusion, but I am in accord with him when he says we must do something. There must be more research; there must be more development; and we must, even in the case of the Cooper-Hart amendment, authorize the money and move ahead with everything except deployment. Is that, in essence, what the Senator suggests?

Mr. MATHIAS. The Senator from Kansas, I think, has the nub of it, as usual, we find ourselves in broad general agreement on the goals to which we are moving.

Mr. DOLE. Or broad disagreement.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MATHIAS. I yield.

Mr. COOPER. I appreciate very much the statement by the distinguished Senator from Kansas. He has brought into better focus the purpose of the amendment we propose—what we hope our country will do.

We talk about deployment, about making a decision to deploy. That, of course, connotes that we will be able in this fiscal year to actually emplace some component of the Safeguard system on the two missile sites. Of course, that is absolutely incorrect. There is no component, there is no element of a component, that can be physically placed upon a missile site in the coming fiscal year; I am sure that no proponent of the ABM system will question that statement. It cannot be, and I have that statement from the Department of Defense.

I would point out that the funds requested in the bill are proof that nothing can be done in the fiscal year except in research and development programs. Three hundred forty-five million dollars is asked, supposedly for procurement, but when one searches out the elements of that sum, it is chiefly for preparation for procurement. The antimissile system is admitted to be a research and development program. Compared to the sum of $345 million, which is characterized as a fund for procurement but which is not at all, $400 million for research and development is requested.

In addition to the $400 million, the Department of Defense has transferred from the old Nike X program—which they have given up—an additional $120 million for research and development. A total of $520 million plus the carryover from last year for research and development, is available and requested for research and development programs, which we believe proves our point: The Department of Defense has transferred $120 million in addition to the $400 million for research and development. It is a part of the record. The Senator from Mississippi (Mr. STENNIS) brought this fact out in the hearings.

We ask that there be no decision to deploy in the future, until in this year, we can determine whether there is any necessity for deployment at all. It might turn out—I hope it will—that the Soviets will not proceed with their program of deploying SS–9's. If they do not, there will be no necessity for spending a vast sum in deployment of the ABM system. If they proceed, we believe that our scientists and engineers will design a system which will be of greater effectiveness than the proposed design of Safeguard.

Above all, we hope that, through agreements in talks or action which indicates tacit agreement, the arms race may be limited. The Senator from Maryland and the Senator from Kansas, Senator DOLE, have correctly brought out our purposes.

I was very interested in reading the testimony of Dr. Foster before the Committee on Armed Services. When asked what we will do about the ABM system around Moscow, he said, "We will simply overwhelm it." That, I think, is what the Russians would propose to do about a system which a great many people think would be ineffective.

The Senator from Maryland has opened up fields which go far beyond the limited question of the feasibility of this program. As usual, he has made a very enlightened and constructive speech.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. MATHIAS. First, I thank the Senator from Kentucky for his astute observations which, as always, help to illuminate these discussions. I concur in his thanks to the Senator from Kansas for really making a very important point, from the point of view of the general public.

I also thank the Senator from Kentucky for shedding light on the question of the possibility of deployment within the next 12 months. In an earlier colloquy with the Senator from Iowa, it was stated categorically that everything is ready to go; all you have to do is hook it up and turn on the lights and see if it works.

Mr. MILLER. Mr. President, will the Senator yield at that point?

The Senator from Iowa made no such comments.

Mr. MATHIAS. I did not say the Senator from Iowa said that. To keep the record clear, the Senator from Iowa did not make that statement, but it was said in a colloquy which followed the Senator's remarks. I think the Senator from Kentucky has put the right interpretation on that and has stated to the Senate, frankly and accurately, what the situation is.

I yield to the Senator from Iowa.

Mr. MILLER. I thank my colleague for yielding.

I think the Senator understands that the Senator from Colorado and the Senator from Iowa were trying to illuminate this matter, too.

Mr. MATHIAS. And I appreciate that contribution.

Mr. MILLER. The point I was going to bring out is this: I believe the Senator, in about the last sentence that he read from his speech, said something to the effect that we should not have deployment now. That was the point I wanted to bring out—that deployment now is just not feasible, and the Senator from Kentucky has done a pretty good job of bringing that out.

I think it is wrong for people to get the idea that what we are all fighting about is whether we are going to have deployment 6 months or 12 months from now, rather than, as I understand it, the earliest we could have full deployment, for service testing purposes, not for final purposes, would be some years yet ahead.

Mr. MATHIAS. Yes. But the Senator will recall that that was not the statement with which the Senate was left a few minutes ago. I am not saying the Senator was responsible in any way.

Mr. MILLER. But I do think that when it is said we should not have deployment now, we are not really facing up to the real issue. The Senator from Kentucky has put that in perspective.

However, I do think one thing should be emphasized, and that is that so long as we cannot possibly have deployment now, I wonder what the real reason is for the amendment on which we are going to vote on Wednesday, which provides we are only going to have research and development and not deployment. If we cannot have deployment what are we arguing about? It seems to me that what is getting across to the public and the people around the world is the fact that we are in danger of going on record as tying the hands of the President. I do not like to see us do that. I well remember some of the amendments that were debated here in earlier years during the terms of the late President Kennedy and former President Johnson. Some amendments would be introduced from this side of the aisle. We would be met with the retort from the other side of the aisle that an amendment should be defeated because it would tie the hands of the President. And it will, indeed, in the eyes of many people around the world. His hands are tied by the very fact we cannot have deployment in the next 12 months, whether we wanted it or not.

However, to go on record and indicate we cannot have procurement with long leadtime, looking forward to deployment—I am not talking about final de-

ployment but service testing—I am afraid will give us the picture in the eyes of the world of tying the hands of the President.

More than anything else, I think that is very unfortunate. I do not think we should be debating here about tying the hands of the President, especially when we are debating about something that is not going to happen because, as the Senator from Kentucky said, Mr. President, you cannot have deployment in the next 12 months.

Mr. COOPER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. SAXBE in the chair). Does the Senator yield?

Mr. MATHIAS. I yield.

Mr. COOPER. Mr. President, the Senator from Iowa has said:

> You cannot have deployment in the next 12 months, so what are we arguing about? What is the purpose of your amendment?

The purpose of the amendment has been expressed so many times on the floor of the Senate. Either we do not do it very well, or it is not understood well enough by others.

Mr. MILLER. It is not lack of good faith.

Mr. COOPER. No, it is not lack of good faith. I point out with respect to deployment that the misunderstanding has arisen because of the statements of the Secretary of Defense. We have to be very frank. He said in his testimony before the Committee on Armed Services and before a committee in the other body that the components have been tested and that we are ready to deploy. He was quoted on television a few days ago, as saying that the components have been tested and that we are ready to deploy.

The impression that the United States is ready to deploy a Safeguard system arises from such statements.

Mr. MILLER. Mr. President, will the Senator yield on that point?

Mr. COOPER. I shall yield. We know it has not been tested.

Mr. MILLER. I think we have to be fair to the Secretary of Defense.

Mr. COOPER. I will be fair.

Mr. MILLER. I do not believe the Secretary of Defense, certainly among the sophisticated Members of the Senate, implied we could have deployment of this system much before the mid-1970's even for service testing purposes. Does the Senator remember how long the Secretary said it would be before there would be service testing?

Mr. COOPER. The initial operation date was 1974.

Mr. MILLER. Very well.

Mr. COOPER. But we are talking about an impression that has gone across our land. Some believe we are holding back on the Department of Defense from deploying a system which is needed to protect the Minuteman when in truth it cannot be deployed in fiscal year 1970.

Mr. MILLER. But the Secretary of Defense said it cannot be fully deployed for service testing purposes before 1974, and he was not in the same breath saying that we are ready to have it deployed in 12 months.

Mr. COOPER. I am only saying that when the head of the Department of Defense makes the statement that "we have tested the elements and we are ready to deploy," people will believe the testimony. I do not question his good faith—I speak only of the impression that people have.

Mr. MATHIAS. Mr. President, if I may interrupt the Senator, he is absolutely correct, because that is the statement that was repeated or paraphrased in the Senate just a few moments ago by a Senator who is no longer in the Chamber, and it gives a completely distorted picture. I think words were used here to the effect that every component had been tested and all that had to be done was to hook it up and get the bugs out. That is not the question.

Mr. COOPER. All of us, opponents and proponents, seek to do what is right on this issue and to do what is best for our country. I certainly would not question the good faith and purpose of any Member of this body, although we may form judgments that differ.

However, the statement has been made on the floor of the Senate that we have had enough research and development; let us go ahead and deploy; the impression has gone forth that the Department of Defense is ready to deploy and as a natural consequence some may believe we are endangering the security of the country by opposing deployment of the system. We do not want to lock the hands of the President, and as there can be no deployment we are not locking his hands. If the statement is made that we are opposing a decision to deploy at some time in the future, we are in opposition on that score.

If, in this year, it should be found that the system which is proposed is not an effective system as presently designed—and I believe that inference can be drawn from the fact that the administration is putting $520 million into a research program—and if the Department of Defense should procure parts of the system which may be found later to be inadequate, we may become locked in on an ineffective system. This would not contribute to the security of our country.

Finally, my chief reason for opposing a decision to deploy—and I believe it is the chief reason of many who support the amendment—many people believe there is no chance of reaching any agreement with the Soviet Union. I must say I do not know that we can. Perhaps we cannot. But it is my view that we should not make a decision to deploy a new nuclear weapons system just as we enter negotiations whose purpose is to control new weapons systems.

The President can enter the negotiation in a position that is clear and understandable. He can say, "We are not going ahead. We will not start a new weapons system when we seek to control the deployment of additional weapons systems." This is my hope.

Mr. MILLER. Mr. President, will the Senator from Maryland permit me to respond briefly to the Senator from Kentucky. I realize that I have intruded considerably on the Senator's graciousness and time.

Mr. MATHIAS. I am delighted to do so. The Senator from Iowa has not intruded or trespassed in any sense. I appreciate the spirit in which the Senator from Iowa is participating in the discussion. I think his comments have been extremely valuable and helpful, particularly on the point of deployment. I think there is a lot of popular misconception. The Senator from Kentucky and the Senator from Iowa have made extremely valuable contributions by their candor and fairmindedness. I am delighted to yield further to the Senator from Iowa, to continue the discussion.

Mr. MILLER. I thank the Senator from Maryland.

I do appreciate the delineation by my good friend from Kentucky of the rationale behind the amendment. As I understand, he says that no matter what is in the bill, the President cannot deploy in the next 12 months, but that there are possibilities of going ahead with some procurements looking toward a phased-in deployment of the system, which he does not want us to authorize now.

I suggest that if we authorize the President to go ahead with the long lead-time procurements, which may be 2 or 3 years from now, and maybe start to deploy as a part of a system, it may be that additional research will show that the procurements are not calculated to give us the most effective system, assuming at that time that we want to go ahead with it.

My trouble with that reasoning is, as I understand it, that the research and development necessary to determine whether the system, overall, is the best we can achieve within the time frame we are talking about has really been done. There may be a little extra work that can be done, such as with radar, but the system as a whole will be pretty well set. Additional research may be needed to improve some of the things. But overall, the system is pretty well set and pretty well set to the extent that the President and the rest of the Defense Establishment think it will work. If we come along and say, in effect, to the President, "Even though you cannot do anything about deployment, we are not going to let you go ahead on these procurements," I suggest, most respectfully, that we are tying the hands of the President of the United States, even though we may not like to think so. Because I just do not believe that the President of the United States would go ahead with these procurements and get locked in. Let us assume that he did, through an honest mistake; and 1 year from now we will be right back in this Chamber, after running the gauntlet of the committees, on this side of the Capitol and on the other side, and I am quite confident that the fact a mistake has been made will be brought out and Congress will certainly be in a position to vote up or down the appropriations to continue or not to continue the locked-in position.

Thus, I cannot quite understand why we are so concerned about denying the President the authority he asks for, which authority cannot be carried out within the next 12 months, but can only begin to be carried out through long leadtime procurements. Congress has a

continuing opportunity to vote up or down appropriations; yet, in many respects, we are involved in a tempest in a teapot, even though it is a very big issue in the minds of many people. The difference between research and development and deployment issue is very fine.

Now if the Senator from Kentucky is saying that we do not want any ABM system at all, let us stop all work on it, that there is no point in having an ABM system, that would be one thing; but here we are involved in a very fine delineation between research and development and deployment, in the case of a bill authorizing expenditures which will not give us deployment until 1972, 1973, or 1974.

We are all men of good will, acting in good faith. I most respectfully suggest that whether we think we are tying the hands of the President in the eyes of many people around the world, the President's hands will have been tied by Congress. I think that is a most unfortunate impression to leave in the minds of people overseas at this very touchy time in international relations.

Mr. COOPER. If the Senator from Maryland will bear with me a moment——

Mr. MATHIAS. I am delighted to yield further to the Senator from Kentucky.

Mr. COOPER. It has been stated many times by the proponents of the system that it is vital to the security of this country. Awesome pictures of the growing nuclear strength of the Soviet Union have been given in the form of projections and extrapolations. They may turn out to be a reality.

We respect the President of the United States. We know him, many of us have served with him and know the efforts he is making for peaceful solutions. I respect him. The security of this Nation, while it is very much in the hands of the President of the United States, is also in the hands of Congress. We have a joint constitutional responsibility. We too represent the people. It is also in the hands of the people. We in the Congress have a special responsibility to make judgments as to whether a process or program is in the best interests of the security of this Nation. We argue about feasibility, about funds, about deployment, and can reasonably disagree about them. But we too have the responsibility to make judgments about the best way to stop the arms race which threatens the ultimate security of the United States.

It is our judgment that it would be better not to make a decision to deploy a new weapons system in the year when we seek to control nuclear weapons, if this can be done, we would agree that the greatest step toward true national security for our country had been taken.

Thus, as we may differ with the President on this issue, it is done honorably and with great respect for him. Our duty is to be responsible to the people as Members of Congress. If deployment is not agreed to, I do not consider, as Senator AIKEN has said, that it will represent a setback for the President of the United States. He is demonstrating every day his leadership on great issues.

Mr. MATHIAS. Mr. President, I appreciate very much participation in this colloquy by the Senator from Kentucky, the Senator from Iowa, and the Senator from Colorado. It has been extremely helpful to clarify some of the questions which do exist.

I particularly want to concur with the Senator from Kentucky when he says that whatever honorable disgareements may exist, they are taken pursuant to our responsibilities as Senators to provide for the common defense of our country, which is the responsibility imposed on us by the Constitution and which we can only discharge in conscience and in no other way.

Mr. DOMINICK. Mr. President, will the Senator from Maryland yield for a unanimous consent request?

Mr. MATHIAS. I yield.

Mr. DOMINICK. Mr. President, I ask unanimous consent to have printed in the RECORD a report entitled, "Good Guys, Bad Guys, and the ABM," written by Albert Wohlstetter of the University of Chicago, which was submitted to the Los Angeles Times for publication Sunday, August 3, and Monday, August 4, 1969, and which has been published as a report by the Committee to Maintain a Prudent Defense Policy.

I have read this. It refers to several participants in this debate, not on today but on previous occasions. It has some good points, and it states them in very readable language. I think it is worthwhile to have them in the RECORD at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

[A report from the Committee to Maintain a Prudent Defense Policy, Washington, D.C.]

GOOD GUYS, BAD GUYS, AND THE ABM

Choices about bombers or missiles or defenses against them are, in the most literal sense, vital. They can mean life or death. Yet making such choices carefully has never been easy. And least so now when the closing agonies of Vietnam drive us to wish away all problems of national defense. Even thinking about such questions is unpleasant and can make your head hurt. Answers don't come in black and white and mustering vast public sentiments about precise shades of grey is particularly hard. It is much easier then to make believe that the issues are simpler than they are, that the answers are plain to any man of good will, that the issues are in fact between the concerned men of good will and a reckless entrenched malevolent authority. The good guys are against nuclear war, against taking reckless chances on nuclear accidents, against wasting money that might be used to solve our urgent domestic problems, against the "ever accelerating arms race", against the generals and munitions makers, for peace abroad and redressing the inequities at home. The bad guys. . .

The impassioned ABM debate, as the news media tend to picture it, does array the good guys on one side and on the other, the bad. The forces of virtue at last aroused against the forces of evil. ABM, as many of its opponents have said, is a symbol. One trouble with symbols, however, is that they often have little to do with reality. Any close look at the realities of the ABM and the way the debate has developed, blurs this simple picture. In fact, erases it entirely.

Intense controversy blew up suddenly last fall with an alarm sounded by some Argonne physicists about placing Sentinel defense missiles only a few miles outside Chicago's city limits. It was not hard to arouse public interest groups on this subject. It seems that very few Republicans or Democrats favor nuclear accidents. By spring, however, distinguished opponents of ABM like Hans Bethe indicated that the nuclear safety of Sentinel was not really troubling. And by late spring various opponents of ABM were themselves recommending that, rather than use Safeguard ABM to protect our bombers and missiles, we should undertake (a) an emergency dispersal of armed bombers—which would mean landings and takeoffs with nuclear bombs in commercial airports of large cities; (b) an armed air alert—that on a continuing basis might mean an average of a dozen accidents per year involving nuclear weapons; and finally, (c) most amazing, that we try to empty our silos before enemy bombs get to them by immediately launching our Minuteman at Russian cities on the basis of radar indications—which would increase the nightmare possibility not only of a nuclear accident, but of an accidentally started worldwide nuclear holocaust.

Senator Symington asked, "After PAR finds the incoming missiles, why then couldn't you fire the Minuteman on target instead of the Spartan?" And Senator Fulbright engaged in this dialogue, ". . . if the objective is deterrence . . . then . . . this would really concern the Russians to know what you would really do if they sent over a massive attack."

Senator Gore, "Or a light attack."

Senator Fulbright, "Or even a light attack, one that could be detected. . . . I would think that is the greatest deterrent you could have, and you are going to release ours before they are destroyed, and you could do it."

Indeed you could. But such a mode of decision risks delegating to a computer the most terrible decision that would ever have been made, the decision for World War III. Recognizing that, our government decided years ago to try to preserve our political decision centers and to protect our forces so that they could ride out an attack and in that way leave time for responsible political decision. A recommendation by the good guys to launch missiles on radar warnings hardly fits the simple picture. Who *are* the prudent, reflective, good guys and who are the bad guys?

Even given the deserved unpopularity of nuclear accidents, the ease with which indignation was aroused about the local defense of urban population has in it a good many paradoxes. At the very least it knocks down one widespread argument that was being made as recently as last year against an attempt to defend some cities. That, the argument used to run, can only lead to an arms race, since it was certain that the undefended cities would demand defense. Doesn't this vociferous demand not to be defended at the least suggest some flaws in the older theory?

Trying to fit the pieces of the ABM debate about arms race and military budgets and domestic needs into the simple picture yields many insoluble puzzles. Major critics of ABM (for example, Professors Wiesner, Weinberg, Panofsky and Senators Fulbright and Symington) run on about arms races; nonetheless suggest increasing, even doubling, the Minuteman force rather than defending it with ABM. But a doubled Minuteman force could annihilate the projected large number of Soviet ICBMs: it would seriously endanger Russian ability to retaliate. If the Russians, following the policy suggested by the vociferous ABM critics, responded by increasing *their* force, an accelerating race in strategic budgets and numbers of weapons would then be on in earnest. It has *not* been on in the past, despite the stereotypes. In the last 10 years our strategic budget did not "accelerate"; it *declined* by half and precisely because in the 1960s we did not merely multiply strategic vehicles but increased their

protection by methods such as blast resistant silos appropriate to the 1960s threat. In the mid and late 1970s improved offense accuracies will make blast protection inadequate and will make ABM an appropriate method for preserving a fixed offensive force. Moreover such active defense of the offense would not provoke a spiral any more than our silos did. It frustrates an adversary's ability to strike first effectively, without removing his ability to strike second, that is, his ability to strike back after attack. Protecting Minuteman doesn't add to our first-strike capacity. Doubling Minuteman does. Just who is thinking prudently about avoiding arms races?

Or about excessive military costs? Doubling the Minuteman force and keeping B–52s steadily aloft in numbers equal to our ground alert would cost several times more than protecting Minuteman and B–52s with ABM; over 20 billion dollars on a 5-year basis, even neglecting the implicit "spiral"! Hardly the way to free resources for urgent domestic needs. Moreover, unlike Safeguard, doubled Minuteman and air alert B–52s would do nothing to protect our national command or to shield our population against even small attacks.

This neglect of the expense of alternatives to ABM is only one example of the casual handling of costs by the critics of ABM. And treating costs in an offhand way turns out to be crucial for their substantive criticism. Today it is plain that these critics were extremely hasty in presenting calculations that purported to show that Minuteman would be safe without extra protection in the mid and late 1960s. And many of them have retreated on this point: they now say Minuteman will be so unsafe as to be obsolete and not worth defending. It is not yet as plain that their treatment of the costs and effectiveness of a Safeguard defense of Minuteman and its alternatives is as faulty as their earlier proofs that Minuteman would be safe. Perhaps I can make it plain. It is an important matter. Central questions that seem unrelated turn on these matters of cost, for example, the questions below.

1. CAN SAFEGUARD BE "EASILY" OVERCOME?

Opponents of ABM support their claim that overcoming Safeguard is easy by referring to a mysterious secret chart showing how the Russians can overwhelm the defenses of Minuteman by adding more of their SS–9 missiles. Such a chart hardly proves their point. Any fixed amount of defense can, of course, be overcome by adding enough to the offense. This is obviously true. It is equally true that any fixed amount of offense can be smothered by adding enough defense. Both these truths are nearly tautological. For adversaries with roughly the same resources, the practical question has to do with how much extra the offense must pay to overcome a given amount of defense and how this compares with the cost of that defense itself. The answer in the case of Safeguard defense of Minuteman is that it would cost the Russians more than twice as much to add offense as it would cost us to add an offsetting number of Sprint missiles with their fair share of the missile site radar expense.

That is why starting to deploy Safeguard is a good way to discourage an adversary from persisting in any attempt to remove our second-strike capability. On the other hand, if we do nothing to protect so large a part of our retaliatory force, we make it relatively cheap and fruitful to get the capability to destroy it. The stereotypes about the arms race talk always of "action-reaction cycles." There are inaction-reaction cycles too. And some positive acts inhibit response by making it fruitless.

How have the critics of ABM missed the point on costs? First, they rarely mention the adversary's costs and never measure the extra cost to the offense to overcome an increment in Safeguard defense. In fact, one distinguished Senator opposing ABM has suggested that the large costs of SS–9s do not concern the Russians since they are not capitalists. Another opposition Senator holds that the Russians are so limited in resources that they will not buy enough SS–9s to destroy Minuteman even if there is no Safeguard to make their resource cost higher. A more reasonable suggestion than either of these two is that expanding the SS–9 involves a serious resource expenditure for the Russians: perhaps worth it if we indicate we have no intention of protecting Minuteman: and not worth it if we can add protection much more cheaply than they can overcome it.

Not only are SS–9 missiles with three 5–MT reentry vehicles expensive, but so are the lower-yield less accurate SS–11s, which have recently been proposed by critics as "cheap defense radar killers." In fact, on a per warhead basis they are more expensive than the SS–9s and much more expensive than the defense missiles that would counter them. Nor would SS–9s with 20–30 low-yield reentry vehicles be cheap radar killers, as recently suggested by Professors Wiesner, Weinberg and Rathjens. They are much more advanced than the SS–9 with three accurate 5 megaton MIRVs. Yet these same critics doubt that the Russians can get the latter. Most important, if one includes the several billion dollars for research and development, getting two dozen missiles especially to kill radar would involve extremely high unit costs, even neglecting the expense of procurement and operation.

The critics not only neglect adversary costs, they inflate the costs of the Safeguard defense of Minuteman. They attribute the entire costs of the Safeguard program to the protection of Minuteman. They include research, development, testing and evaluation costs which both opponents and advocates of Safeguard agree should continue whether or not we start deployment now; these are not properly an *extra* cost of the decision to deploy Safeguard at the Minuteman sites or anywhere else. Furthermore, they include costs, all or part of which are required for other functions of Safeguard than the defense of Minuteman.

Safeguard is intended also to protect the National Command authority, to defend manned bombers and to provide a thin shield for population. When the critics of Safeguard want to question the value of the area defense of the bombers and of our population, they may estimate that most of the cost is for area defense and attribute only $730 million of the entire Safeguard program to the defense of Minuteman. (See Chayes and Wiesner, Eds., *ABM: An Evaluation.*) On the other hand, when they are attacking the use of Safeguard to defend Minuteman, they pile on this function the entire costs of the program including not only research and development, but also expenditures for the purpose of defending National Command, bombers and population. (See Rathjens, Wiesner and Weinberg, "Commentary on Secretary Laird's May 22 Defense of Safeguard.")

In estimating the cost of a defense interception, they neglect a major feature of the Safeguard system, that will permit immediate replacement of defense missiles that fail during or shortly after launch. Since most failures occur within this time period, a reserve of some 15% or 20% assures an extremely high probability of interception. Critics of ABM, by ignoring this, have assumed that some three times more defense missiles are required than the probable number.

This neglect is related to the critics' misunderstanding about the "softness" of the defense radars (MSRs and PARs) and the role of blast resistance in the defense. It is well known that the radars have less than one tenth the blast resistance of the Minuteman silos. They are, however, protected primarily by interceptor missiles, and they are made just blast resistant enough to force an offense warhead to come close and so permit the defense to fire several times at it. If the first or even second Sprint fails, there is time enough for a third to destroy an incoming warhead.

A final major defect in the critics' estimate of the cost of a defense interception comes from ignoring the important strategy for defending an offense force known as "preferential defense." Defending missiles is a very different thing from defending population. If only half the population survived, this would be a catastrophe of unimaginable dimensions. But the survival of fewer than half our missiles may be more than enough to assure retaliation. The defense then can decide which Minuteman silo, or if there is more than one radar, which radar to defend and can decide this at the last minute. The offense cannot know this and therefore must attack all targets as if they were all defended. When the defense doubles the number of interceptors and radars, the offense must multiply its warheads four times.

All these errors in costs add up to a very large mistake about the ease of overcoming Safeguard.

2. WILL SAFEGUARD WORK?

The answer to this question may not seem directly related to the matters of cost we have been discussing. But it is related both to our costs and to those of an adversary. When a critic says Safeguard won't work, it sounds as if he were claiming that when a switch is thrown, there will be a fizzing sound and then merely some smoke coming out of the computers. A closer look at his argument, however, will reveal that he means Safeguard will not work because in an actual war the adversary wouldn't let it work; the adversary will think of all sorts of effective counter-measures.

For the apparent (or smoking computer) meaning, the fact that Safeguard is complicated seems to be crucial. Bell Laboratories, which have technical charge of the Safeguard system design, are most experienced, cautious and successful in engineering complex systems. They are used to making very complicated things work with very high reliability. But if the trouble lies in what an enemy can do to counter Safeguard or its alternatives, complexity is not the issue at all. Many simple things won't work when a modern adversary won't let it: slingshots, catapults, moderately hardened silos, and even the "cheap" small defense radars and missiles proposed by some of the ABM critics—which unfortunately are very vulnerable to inexpensive counter-measures. The cost of the defense and the cost of offense counter-measures are at the heart of the matter, and it is here that the critics have been weakest.

The components of Safeguard and their interactions have undergone and will undergo very extensive testing. Sometimes the argument is made that this is not enough, that the only realistic test would be an actual nuclear war. This is one test we all want to forego. However, the critics appear unaware of the fact that this is a limitation affecting our certainty as to the performance of our offense also. It applies equally to Russian and American offense and defense. But this limitation does not show that defense is worse off than offense, or that we are worse off than our adversaries.

Finally, the history of the last 25 years suggests that it is hard to take claims about whether a system will work or not work on their face value, especially when there are strong passions involved. When something new is proposed for our side, scientists who oppose it tend to say not only that it would be bad, but that it won't work at all. If they

are for it, not only would it be nice, but it works like a dream. So when they were against an emphasis on the offense, the H-bomb wouldn't work. In the late 1940's, when they opposed continental defense as a poor substitute for international control, no defense was possible. In the 1950s when international control was out of the picture and continental defense seemed essential, then an adequate defense was possible. Then in the 1960s, judgments about feasibility were once more reversed to match views on the value of defense.

3. IN CASE DETERRENCE FAILS, IS IT WORTH ATTEMPTING EVEN A LIMITED POPULATION DEFENSE—ONE THAT WORKS AT LEAST AGAINST IRRATIONAL SMALL ATTACKS?

The critics of defense in general hold that there is no need to worry about reducing the damage that would be done in case deterrence fails, because, they say, it is extremely unlikely that it will fail. But they are really of two quite different minds about the possibility of the failure of deterrence, depending on what they are advocating. When they want to forego any attempt to reduce the castastrophe, they are extremely reassuring about the low probability of nuclear war. They say deterrence is stable now and will be in the face of technological change. When they are urging drastic early steps towards disarmament and perhaps risky ones, they say the very opposite. Far from being stable, deterrence is certain to fail. The critics may then even give precise odds on how soon it will fail. The odds are high. The apocalypse, it seems, may be soon.

Take Professor Wiesner. Against the Chinese as against the Russians, he says, ". . . we must rely on the offensive deterrent . . . on our known ability to retaliate devastatingly in case of a nuclear attack. Ten percent of our SAC bomber force could kill 200 million Chinese." (*Look*, November 28, 1967.) This is evidently all right, for he also says, "The fantastic power of nuclear weapons provides a high degree of stability. Consequently a few bombs, certain to be delivered, will constitute a powerful deterrent." (*Washington Post*, January 22, 1967.) On the other hand in his apocalyptic mood, Dr. Wiesner has said, "There is an ever-increasing likelihood of war so disastrous that civilization, if not man himself, will be eradicated." (*Daedalus*, Fall 1960.) The probability is not only rising, but apparently it is already high. "The odds," he estimated recently, "are in favor of a major war within the next two decades." (*Washington Post*, January 22, 1967.)

Similarly, Senator Fulbright expressed astonishment at recent Hearings that the Department of Defense has sponsored a system for protection against the Chinese, since a Chinese attack would be irrational, suicidal in fact. A system for such a purpose is so far-fetched he suspects an ulterior motive. On the other hand, in an article entitled, "Now Is the Time to Take Great Risks," in which he urges drastic and evidently chancy steps towards disarmament, he explains, "Sooner or later the law of averages will turn against us; an extremist or incompetent will come to power in one major country or another, or a misjudgment will be made by some perfectly competent official, or things will just get out of hand without anyone being precisely responsible as happened in 1914." Under present deterrent arrangements, in short, this suicidal act is in the cards; the apocalypse is certain.

My own view is that the probability of nuclear war, if we are careful, can be kept small. But this requires continuing attention to the protection of strategic forces in the face of technical change. And even then there is always a significant possibility of breakdown and therefore the need for some insurance in the form of defense.

Critics of ABM are strikingly inconsistent in their treatment of the Russians and the Chinese. In saying we don't need to defend Minuteman against Russian attack in the mid or late 1970s, they presume that, 20 years after Sputnik, Russian missiles would not be able to achieve accuracies and other performance characteristics of the Minuteman III and Poseidon missiles that we ourselves are now in the process of deploying. In opposing an area defense of population against Chinese attack, they assume that the Chinese in their first generation ICBMs will be able to deploy penetration aids that took us billions of dollars and many trials and failures, and a dozen years to develop. These are extraordinarily backward Russians and most advanced Chinese.

At a modest extra cost over and above that of defending our offense force, we can manage a very effective defense of our population against a small attack, a defense that can keep us free of substantial damage from the Chinese without our initiating a nuclear attack upon them. Moreover, given the general technological levels in the two societies, we can stay ahead of them for the foreseeable future. Even if Chinese offense technology were at a much higher level, the difference in the resources of the two societies would be decisive. I said earlier that for adversaries with roughly the same resources the practical question has to do with how much extra the offense must pay to overcome a given amount of defense and how this compares with the cost of that defense itself. A relative cost disadvantage to the offense will bear down much harder on an adversary with much smaller resources as is the case for China whose gross national product is less than a tenth and whose per capita income is about 2% of ours.

Those who reject even a thin shield for population manage simultaneously to hold that (1) the shield would have no substantial effect even against a small first generation Chinese attack, but (2) it would be so effective against the massive sophisticated Russian force that the latter could not inflict enough damage on us to deter us, even though (3) it takes only the prospect of a few bombs delivered to deter the Russians. These and other absurdities stem, I believe, from an extreme strategic dogma whose origins go back many years to the French General Staff and to a few members of operational research staffs like the Weapons Systems Evaluation Group of the Joint Chiefs of Staff. I refer to a doctrine known as "Minimum Deterrence" that holds that any attempt to protect our own civilians will make nuclear war more likely, that we must depend exclusively on a threat to bomb enemy civilians. Not an obviously humane or liberal doctrine. It defies common sense as well as rigorous analysis.

Of course very few of the public interest groups who oppose defense of population are at all aware of the origin of their views. Indeed, they abhor "Think Tanks" like the Weapons Systems Evaluation Group (now a division of IDA, a famous target for the SDS). Yet just as Keynes remarked that the practical man who scoffs at theory is frequently the slave of theorists long defunct, so the ladies in the Women's International League for Peace and Freedom and other similar organizations may say unkind things about Think Tanks, and wear Stop ABM buttons. But the theory behind the button originates from individuals in some of these same Think Tanks.

I would not myself have thought a few years ago that one could organize widespread popular indignation among church groups and mothers on the basis of so extreme and far-fetched a dogma, one that suggests that it is all right to threaten to launch missiles at enemy civilians, but peculiarly heinous to prepare to knock a missile down on its way to destroy millions of our civilians. Clergymen for Bombing Civilians Only? Mothers for the Offense? I'd have thought it would never fly. I was quite wrong. The massive lobbying activity of the last year or two has mustered a plenitude of organizations with names like "Another Mother for Peace," "Womanpower in Action," "The United Methodist Board of Christian Social Concerns." When men and women of good will take it as so obviously right to depend solely on a threat to launch nuclear weapons against cities, we've come a long way from the Spanish Civil War and the world's shocked reaction to the bombing of several thousand civilians at Guernica.

And a long way from the position taken throughout most of the 1950s by the same scientists who now refer to any use of defense as "Maginot Line mentality." "History," quotes the epigraph to the Wiesner-Chayes book on ABM, "is littered with Maginot Lines." The Final Report of the Lincoln Summer Study, in which Drs. Wiesner, Killian, Kaysen and others were prominent, had a whole section on Maginot, replying to the offense ethusiasts of that time. Putting "all our eggs in one basket," they said, is the essence of "Maginot psychology," and it is exemplified by the "great emphasis placed in recent years on the development of an effective 'retaliatory force'." Liberals have forgotten that the key substantive issue that was obscured by the tragic outcome of the Oppenheimer hearings had to do with whether a large enough part of our effort was being devoted to continental air defense. In fact, history tells us less about the relevance of Maginot (a dead Frenchman whose name is too often used to settle deep and complex issues) than it does about the pitiful inadequacy of all slogans about offense and defense. ("Maginot!" "There is a counter to every weapon!" "The offense always gets through!" Etc., etc.)

Indeed, many of these same scientists have turned 180 degrees at least twice since Hiroshima in their slogans about defense. Immediately after the war the American Federation of Scientists printed its "Creed" with the second point in bold face: There is no defense. It was, they said, One World or None. After the Russians turned down the Baruch plan for international control of atomic energy, and it soon became clear that we were not about to have one world, a majority of these articulate scientists looked a bit more closely at whether the alternative really was no world at all. Then it was announced (e.g., by Ralph Lapp) that the scientists were "rebelling against the *military* dictum that there is no defense." The rebels lobbied for civil defense and continental air defense; opposed the H-bomb on the grounds that it was infeasible; or if feasible, undeliverable; and in any case, usable only against cities rather than legitimate military targets; and finally clashed bitterly with a minority that favored going ahead with the H-bomb. I myself believe that the opposing factions of scientists tended to caricature each other. It was not really that one side wanted to depend exclusively on offense and the other solely on defense. The genuine differences concerned emphasis and allocation. But the ironic next 180 degree turn at the end of the 1950s saw the majority faction turn once more and adopt almost the caricature of the position it had been most recently opposing. It now calls for a nearly exclusive reliance on offense and the total rejection of defense of population against ballistic missiles. Cities, it seems, are now the only "legitimate" targets and defending cities is a provocation.

But even minimum deterrers who oppose defending population normally believe that we should protect our retaliatory force by concealment, shelter or active defense. The Safeguard ABM which aims to protect bombers and missiles is precisely the kind of thing that Minimum Deterrers would normally support. And in fact, many of them did, at least through March 6 of this year.

In testimony before the Senate, Hans Bethe, for example, said quite unequivocally that while he was opposed to the Sentinel defense of cities there was another kind of ballistic missile defense, namely the defense of retaliatory hard points, and that was different; he favored that:

"A completely different concept of ABM is to deploy it around Minuteman silos, and at command and control centers. This application has gone in and out of Defense Department planning. I am in favor such a scheme."*

In fact, he said, the Sprint and MSR are good components for the purpose.

Then on March 14 the President announced the Safeguard program which was primarily directed at the defense of missiles, bombers and the national command authority. This apparently posed something of a dilemma. A tremendous effort had gone into lobbying against ABM when it had been intended mainly to provide a shield for population against light ballistic missile attack. Hundreds of scientists had signed indignant petitions; public interest groups had been mobilized; speeches had been written for now indignant senators; ABM had become a symbol. The push against it gained enormous momentum; Senate hearings were rolling; and, it seems, if you push hard enough against a symbol, you may find you are being pulled. At any rate, a good many of these scientists then said that, nonetheless, even with the change, they were *still* against it; and some offered extremely hasty calculations to suggest that the missiles and the bombers really required no protection, that Sprints and MSRs wouldn't do it anyway, that it would be better simply to multiply offense forces, or launch them on warning or do almost anything other than defend them.

This sequence of events suggests the folly of transforming a complex substantive issue into a symbol in black and white. I would not turn the simple picture upside down, with the good guys supporting ABM and the bad guys in opposition. I do not represent the Safeguard issue as one that divides the forces of light from those of dark. And neither do temperate opponents of starting deployment this year, like Senator Brooke. Senator Brooke has not been pushed to the rash extreme of calling for launching Minuteman at Russian cities on radar warning or doubling the offense or doing almost anything rather than support the scoundrels advocating ABM. He rejects the first as lunacy and deplores the second.

Simply for the symbolism of taking Safeguard out of the country, some Senators propose to build on distant Pacific atolls PAR and MSR radars that could if located in Montana and Dakota protect Minuteman. This would waste billions of dollars just to defeat the bad guys in the Administration. It is such bitter symbolic struggle with shadows that makes reflective choice hard to manage and delays the sober and rigorous examination required both for our defense and domestic needs.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H.R. 9951) to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal years 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account by the amounts so excluded; and for other purposes.

The message also announced that the House had passed a bill (H.R. 13111) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 13111) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

GAO STUDY OF B. F. GOODRICH PERFORMANCE ON CONTRACT FOR THE A–7D AIRCRAFT BRAKES

Mr. PROXMIRE. Mr. President, some weeks ago I was given information alleging that B. F. Goodrich delivered brakes that failed to meet specifications to Ling Temco Vought/Vought Aeronautics Division (LTV/VAD) in Dallas, Tex., to be installed on the $1.2 million A–7D light attack aircraft.

Although the charges were difficult to believe, I was further informed that Goodrich's delivery of defective brakes to LTV for an airplane they are preparing for the Air Force involved highly questionable business practices on the part of the Goodrich wheel and brake plant in Troy, Ohio.

I was told that in order to deliver brakes that appeared qualified according to military specifications Goodrich officials altered data on the test specification logs and deviated from standard industry and military testing procedures and standards to show that the defective brakes were a qualified component.

On the basis of the allegedly false qualification report the brakes were installed on production models of the A–7D for testing, and the safety of both LTV and Air Force test pilots were endangered.

B. F. GOODRICH EMPLOYEES KNEW OF ERROR

The allegations recited here were brought to my attention by two Goodrich employees: A design engineer, Cyril Lawson, who was involved in the research and design of the A–7D brake, and the Goodrich technical writer, Kermit Vanderveer, who contends he was instructed to write the false qualification report by his superiors at the Troy, Ohio, wheel and brake plant.

The engineer said that a design miscalculation on the brake was made and subsequently discovered during the design phase. But, he explained, by the time it was found out tooling had already begun for the brake and a delivery date had been set. The engineer said he advised his superiors at the plant of the error and assumed that production of the brake would stop immediately, while the Goodrich engineering department developed a new design that would meet the specifications.

Instead of starting a new design, my two informants at Goodrich said, the company ordered qualification tests on the brake continued in the hope that it would perform satisfactorily despite the design error. In the meantime the unqualified brakes were shipped to LTV with the technical writer's inaccurate qualification report.

BRAKES COULD NOT MEET MILITARY SPECIFICATIONS

The Goodrich employees who were responsible for bringing these remarkable accusations to my attention contend that 14 separate attempts were made to nurse the brake through the required laboratory tests. All ended in complete failure they told me and it was then obvious to the Goodrich engineers working on the A–7D brake project that the brake had no chance of ever meeting the stringent military specifications.

Still, Goodrich neglected to recall the bad design nor did they give any hint that the technical writer's "concocted" qualification report contained erroneous material that showed the brake meeting the military specifications of quality and safety required before flight tests are allowed.

Customary procedure in the brake industry, I am told, is to provide this qualification certification, in writing, with all brakes. The report gives all the details of laboratory tests and supports these details with documentary evidence that all the requirements for the design, manufacture, and testing of the brakes have been met. According to the military specifications covering preproduction tests for aircraft wheels and brakes, the tests are supposed to be conducted on test articles that are representative of the production items.

TECHNICAL WRITER ADMITS WRITING FALSE REPORT

The technical writer who authored the qualification report has said in writing:

Since there was no evidence that would substantiate any of these claims (i.e. that all requirements for the design, manufacture and testing of the brakes have been met) the only alternative was to write a false qualification report.

Furthermore, he states:

I was ordered to concoct a report that would establish that the brakes had met all the necessary requirements, and to manufacture the documentary evidence to go with it.

The technical writer says:

I flatly refused, and for almost a month, a bitter argument raged between myself and various company officials. Finally, I was ordered to "write the thing" and shut up about it.

According to the technical writer, the brakes were actually never tested as his report claimed. Furthermore, he has presented evidence to my office that appears to show that additional components were added in his words, to "beef up" the

* Mimeographed statement submitted on March 6. The printed version published at the end of the month, added the phrase "at the appropriate time" to the last sentence.

brakes during laboratory tests—components that were not actually a part of the production brakes—so the brakes could successfully complete simulated aircraft landings.

ORIGINAL TEST LOGS SHOW FAILURE

In a last minute effort to exonerate himself from writing the false qualification report the technical writer says he noted in the report's conclusion that:

The B. F. Goodrich Part Number 2-1162-3 Brake Assembly does not meet the intent and requirements of the applicable specification documents and therefore is not qualified. When the report was sent to the Air Force the "nots" had been removed from the conclusion by the Technical Writer's superiors.

I have been told that the flight tests on the brake at Edwards Air Force Base, Calif., were a failure. The design engineer has said that on one occasion when the test pilot landed the plane and applied the brakes the wheels locked and the plane went into a skid. He released brake pressure, but the intense heat generated by the faulty brakes caused the brake discs to weld together. The plane continued its high-speed skid down the runway, stopping 1,500 feet later. The plane remained upright and the test pilot was uninjured, but after witnessing the near accident the design engineer said he determined to go to Government authorities before a pilot was killed or injured as a result of the design error that was being hidden from LTV and the Air Force by the false qualification report. Both the technical writer and the design engineer went to the FBI in Dayton, Ohio, with their evidence—the same evidence they later presented to me and which I am relating here today.

GOODRICH REFUSES AIR FORCE INSPECTION

The technical writer has said:

At this time, because of the numerous failures encountered during the flight tests at Edwards Air Force Base Goodrich admitted, under intensive pressure applied by LTV and Air Force personnel, that certain portions of the formal report issued by Goodrich were erroneous.

As a result of this admission, according to the technical writer, "the Air Force immediately demanded to see data taken during laboratory tests of the A-7D brake. Goodrich flatly refused to produce the data for the Air Force inspection."

Both the engineer and the technical writer resigned from B. F. Goodrich.

REQUEST FOR A GENERAL ACCOUNTING OFFICE INVESTIGATION

Although the design engineer and the technical writer both appeared to be responsible individuals, I found their account incredible. That one of the country's major corporations intentionally delivered unqualified brakes to LTV for installation on production aircraft seemed impossible.

Also, I could not believe that the Defense Department did not have some means of independent inspection and testing that would prevent defective parts from being installed on production aircraft. If true, that seemed to be a serious failure on their part.

However, in spite of my incredulity on these two points, I felt it my duty to clear the air of these accusations against B. F. Goodrich and to definitely determine the effectiveness of the Defense Department's quality control efforts. I called upon the General Accounting Office—GAO—to investigate the allegations of the design engineer and the technical writer, paying particular attention to the following two assertions:

1. that the test logs and the qualification report that indicated that the brakes were qualified were erroneous; that they were intentionally altered to show that the brakes qualified when they actually could not qualify because of a basic design error, and

2. that a test pilot's safety was endangered because the defective brakes were installed on at least two production aircraft and tested in flight tests on the basis that the erroneous qualification report showed the brakes to be qualified component.

Also, I asked the GAO to define the effectiveness of the Government's responsibilities in the testing of brakes in this case.

GAO REPORT CONFIRMS THE GOODRICH EMPLOYEES ASSERTIONS

The report handed to me by the General Accounting Office recently is startling in its crystal clear, carefully documented confirmation of the design engineer's and the technical writer's assertions.

In reviewing the qualification tests performed on the brake, the GAO reports that Goodrich's test procedures on the brakes for the A-7D do not, "comply with the specification requirements or normal industry practices." GAO concludes that—

As indicated in our report, there were discrepancies between the data shown in the B.F. Goodrich test report (Q-6031), and the data shown by its test instruments.

In our examination we noted instances where data were reported notwithstanding the fact that none were available from the test instruments. In other instances we noted that reported data were at variance with recorded test results. In some instances B.F. Goodrich personnel could not offer an explanation, while in other instances the discrepancies were justified by so-called "professional judgment."

The GAO said:

In our opinion, the B.F. Goodrich Company should have accurately reported the test results in its report Q-6031. In the absence of accurately reported test results it is difficult, if not impossible, to properly evaluate product performance.

GAO DOCUMENTS DISCREPANCIES

The GAO report confirmed the Goodrich employees assertions by showing that on a machine designed to test stop effectiveness of the A-7D brake, "brake pressure was released at 10 miles per hour and the wheel permitted to coast or taxi for 10 to 15 seconds. Military specifications required the brake to bring the wheel to rest." The report states in no uncertain terms that—

An Air Force Engineer considered that the failure to come to a complete stop was unacceptable because torque stresses reach their peak during the 10 to 0 miles per hour velocity.

The fact that the wheel was allowed to coast to a stop on the testing device was not included in the qualification report. Nor did the report indicate that Goodrich had requested a deviation from the standard testing procedure which requires the wheel to be braked to a dead stop.

Also confirming the story I had learned from the design engineer and technical writer, GAO reported that Goodrich did not use a "test sequence of 45 normal, 5 overload, and 2 rejected-take-off brake stop tests, although it was common industry practice to intersperse the normal and overload stop tests."

An Air Force engineer told GAO investigators that "any failure would disqualify the test;" and, in his opinion, "had Goodrich performed the tests on the 9 to 1 interspersed basis, the brakes would have not lasted through the 50 normal and overload stop tests."

GAO CONFIRMS GOODRICH SWITCHED PARTS

These two incidents taken either alone or together would have disqualified the brake if standard industry and military brake testing procedures had been followed by Goodrich. However, the GAO report reveals that the company went much further in their efforts to qualify this vital part for the A-7D aircraft in spite of the fact that it was evident that the brake was plainly not a qualified component. GAO investigators discovered that the test operator on the A-7D brakes even documented some of the unorthodox testing procedures. For instance, the GAO report notes:

Goodrich's Special Test Requirement and Procedures and Operator's Comments set forth various other instructions or actions regarding the procedures or methods in the qualification testing. Among these was the statement that the stators (stationary parts in the brake assembly) were switched between the number 1 and number 3 positions and we selected this for further inquiry.

B. F. Goodrich attempted to explain the changing of parts thus:

This was a laboratory technique in which the results were studied by an engineer to determine the wear pattern of the linings on the stator.

LTV officials had another description of this switching of parts for GAO:

LTV officials advised us that the switching of stator positions was not normal industry practice.

The Air Force was even more outspoken on the matter:

In the opinion of an Air Force Engineer, this switching of parts was unacceptable.

Unequivocal language of this sort throughout the GAO report leaves no room for doubt. The story I had learned through the engineer and the technical writer is confirmed in every detail by the GAO report. If anything, the GAO account is even more serious than the evidence that had been presented to me by the two Goodrich employees and that I originally found so difficult to believe.

GOODRICH PERSONNEL COULD GIVE NO EXPLANATION

For instance, in the altering of the operator-recorded test data, GAO reports that B. F. Goodrich revised the data every single time in the critical "overload brake stop, worn brake rejected takeoff tests." The GAO report

states that "Goodrich personnel could give no explanation."

In this and other critical tests Goodrich recorded data in the qualification report when the raw test records show that "the recorder was not working properly" or was not working at all.

In still another instance, the GAO report notes:

Goodrich personnel expressed the opinion that the data had been rationalized from tests of another part on which the temperature had been monitored and which was considered comparable.

According to the GAO, "this constitutes a 'rationalization of data.'"

In all of these examples, where data was altered or where data was recorded when no recorder was operating, the information reported by Goodrich in the qualification report made it appear that the A–7D brake was qualified, when in fact, if accepted industry standards had been followed, the qualification report would have shown that the brake did not meet its specifications.

Accompanied by the doctored qualification report, the brakes were installed on production aircraft at Edwards Air Force Base, Calif.

FAA WARNS OF POTENTIAL FIRE DANGER

When the GAO questioned the Federal Aviation Administration on the danger of defective brakes to test pilots and to the aircraft the report notes:

In response to our question regarding pilot safety and structural damage, FAA officials stated that warping or welding of the brakes would blow out the tire, which in turn might cause (1) collapsing of the landing gear, (2) breaking of the hyrdaulic lines, and/or (3) puncturing of the gas tanks located in the aircraft wing. As the result, they further stated the most likely danger was a fire due to the combination of the heat in the brakes and leaking hydraulic fluid and/or jet fuel.

The GAO report then notes that on "two contractor flight reports, in one instance, the wheels locked up and in another instance the brakes fused so that they had to be loosened with a screwdriver."

Fortunately on neither occasion was their a fire as there had been during the in-plant testing. The technical writer says:

I have witnessed several fires during testing caused when the pistons bottomed out allowing brake fluid to hit the hot brakes and causing the whole thing to burst into flames.

It was at this stage in the on-plane testing that the design engineer and the technical writer resigned from B. F. Goodrich rather than carry on with the A–7D brake project. In his letter of resignation, the technical writer frankly told the head of the B. F. Goodrich wheel and brake plant that he was leaving the company because he had been a part of, "numerous deliberate and willful misrepresentation which, according to legal counsel, constitutes fraud and thereby exposes both myself and others to criminal charges of conspiracy to defraud. Events of the past 7 months have created an atmosphere of deceit and mistrust in which it is impossible to work productively and effectively."

It was also at this time that the Air Force demanded to see the raw data that Goodrich had recorded when qualifying the brake. Goodrich refused. The GAO reports:

After Goodrich refused the Air Force access to Goodrich's raw data supporting the four-rotor brake Qualification report, a LTV representative was authorized to review this raw data.

GOODRICH ADMITS DATA DISCREPANCIES

The GAO reports:

LTV's review in the fall of 1968 disclosed discrepancies in the qualification tests which were considered to be of such significance as to conclude that the four-rotor brake did not qualify to the "letter of specification." Subsequently, Goodrich proposed to substitute a five-rotor for the four-rotor brake.

Thus, even though LTV had previously approved the four-rotor brake qualification test report, they now said the "brake did not qualify." LTV officials explained this turn-around to GAO by saying that in approving the original Qualification Report, "they reviewed only the data contained in the report and did not compare the reported data with the original recorded test results."

If they had made the comparisons as we now know, they would have discovered that the qualification report's figures were far different from the operator-recorded logs from the Goodrich testing laboratory.

The Air Force, perhaps because of the design engineer's and the technical writer's warning to the FBI, protected the Government's interest by withholding approval of the Qualification Report, and, as of today, they have yet to approve the Qualification Report on Goodrich's new five rotor brake.

QUALITY CONTROL IS A MYTH

In describing the Government's contract administration responsibilities in this case GAO cogently describes how quality control is a myth and how the company is really on an honor system to conduct legitimate tests and write factual qualification reports. In the case of B. F. Goodrich's Wheel and Brake plant this honor system does not work. GAO explains:

The contract administration functions at LTV were assigned to the Naval Plant Representative Office located at the prime contractor's plant. Secondary delegations of quality assurance responsibility at Goodrich was assigned to the Defense Contract Administration Services District (DCASD), Dayton, Ohio.

LTV's purchase order P–237138 provided for Government source inspection at Goodrich and the referenced LTV specification required the Government inspector to sign the qualification report without further describing the meaning or significance of such a signature.

GAO states flatly:

In our opinion, the affixing of a signature to a report is meaningless unless accompanied by some other act, such as verifying, at least on a test basis, the reported information to the original documents.

We also believe that the report or document should contain a clear and concise statement as to the meaning of the signature to indicate the reliance that may be placed upon such actions by other readers.

The DCASD quality assurance representative told GAO investigators that—

Goodrich required his signature on the qualification report because LTV would not accept it without his signature; however, he had not received any specific oral or written instructions from any Government activity or the prime contractor's officials as to what steps were to be taken prior to signing the four-rotor brake assembly qualification report, Q–6031. His signature was affixed to the Q–6031 report, in which it was concluded that the brake assembly met the intent and requirements of the applicable specification document and therefore was qualified.

The quality assurance representative explained that he interpreted LTV's quality control requirements to mean an inspection of the qualification test report in the manner as for any other hardware item, thus he assured himself that all the tests listed in the front of the report were accomplished and successfully solely on the basis of the report contents. The quality assurance representative also stated that he did not witness any of the tests on the four-rotor brake or compare any raw data with the Q–6031 report and commented that this was DSASD's normal practice.

However, the Chief, Quality Assurance Section, DCASD Dayton had a different interpretation of what the signature meant. He told GAO investigators:

The quality assurance representatives' signature meant that he had compared, on a test basis, the raw data generated by the test recording machine with the information reported in the Q–6031 report and that the information was in agreement. He stated also that he had contacted Defense Contract Administration Services Region, Cleveland, for an interpretation of the signature on a qualification test report, but that they could not provide any assistance.

We know now that the raw data generated by the test recording machine either did not exist or was in disagreement with the information reported in the qualification report on critical tests.

The GAO investigation of this matter has already produced some reforms in the area of meaningful Government inspection and quality control of the defense contractors in the Dayton, Ohio, area. It is a small start in a small area. But it is a start.

GAO INVESTIGATION BRINGS IMPROVEMENTS

The GAO report states:

Subsequent to our discussions, DCASD, Dayton issued, basically, the following internal guidance to their quality assurance personnel:

"1. Do not countersign qualification reports unless contractually required or unless directed by higher authority.

"2. A signature constitutes verification of the data contained in the report and shall not necessarily indicate concurrence with the conclusions in the report.

"3. When countersigning as authorized in 1. above, identify in the report the test data for the tests actually witnessed."

As I have stated, these improvements in inspection are a small start in one area of the country. Much more guidance is needed if the DCASD is to function effectively; many questions remain to be answered before we can be certain that an incident of this type does not occur again. For instance:

QUESTIONS REMAINING

I question the method of testing which allows a company to write its own quali-

fication report without proper supervision by the contracting governmental agency.

I question the business practice in defense plants which allows—even encourages—executives to coerce their employees to fabricate documents that determine the safety of the U.S. servicemen.

I question the justice of a system that allows a company to merely submit a new report and a new product to the Government, without penalty, when the company has been caught indulging in the business practices outlined here and confirmed by the GAO.

It is significant to note at this point that Goodrich is proceeding with business as usual, supplying brakes for the A–7D, in addition to the brakes for such aircraft as the F–111, the C5A, the AH–56A and other aircraft considered vital to the security of this Nation.

The GAO concludes:

Although we have no firm evidence, at this time, that the conditions noted with regard to the A–7D brake are widespread throughout the defense industry, we have previously programmed audit work in the area of quality assurance. Our audit staffs, in performing this work, will examine into whether or not similar situations are occurring with respect to other defense procurements. We will furnish you with any reports that result from this work.

More of this work is needed, not only to prevent the business practices outlined here and to protect the lives of our servicemen, but also to assure the taxpayers that defense spending is not a payment for waste, inefficiency, and unethical professional standards.

Had the brake in question in the GAO inquiry been permitted to go into full production for final use on the A–7D plane, we possibly would be reading in the newspapers a year or more from now about a rash of inexplicable air base accidents involving defective brakes, and wondering how it had all come about.

Many lives might have been lost—lives of our servicemen. And the taxpayer would be faced with the enormously expensive job of refitting the undamaged planes with new brakes and replacing the planes destroyed in the unnecessary accidents.

And all of this because the brake's test performance was inaccurately reported by the manufacturer and inadequately monitored by the Government.

It is this kind of laxity that is at the base of the current crisis of confidence in military procurement.

Mr. President, I ask unanimous consent that the GAO report to which I have referred be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PROXMIRE. I also direct the attention of the Senate to a telegram which I have received from the B. F. Goodrich Co., following an advance on this speech which I am giving now, which was released last night.

B. F. Goodrich has replied; and I think in fairness, although it is a long telegram, I should read in full the company's response to my speech.

They said:

A wholly untrue statement has appeared in the press today that B. F. Goodrich has falsified test reports to hide defects in brakes which it made for the Air Force A7D attack plane. The statement is not supported by the findings and conclusions of the General Accounting Office report issued to Sen. Proxmire. The facts regarding the brakes which were designed and manufactured by B. F. Goodrich for the A7D plane are as follows:

There are eight A7D attack planes which have been assembled and are undergoing flight testing. The B. F. Goodrich brakes on these planes have operated successfully, exceeding the brake capacity requirements. The brakes have passed their military pilot's acceptance tests according to the responsible Air Force brake authorities Ling-Tempco-Vought. In short, the performance of the brakes has been excellent, and there have been no safety incidents of any kind in any way relating to the brakes.

The current five rotor brakes on the A7D were qualified in December, 1968, and replaced the original four rotor brake design which, although it successfully met the indoor laboratory qualifications tests, presented technical problems in the initial field testing on the first four A7D airplanes. The laboratory test data for the brakes were made available to the GAO and reviewed with it in detail. The GAO people who reviewed the test reports raised no questions whatever regarding the reports.

Mr. President, as I shall point out subsequently, the B. F. Goodrich Co. is talking about different brakes. They are talking about five-rotor brakes. I have made no criticism of the five-rotor brakes; what I am talking about are the four-rotor brakes, the original brakes which, as I have documented here, failed, as the General Accounting Office has brought out so effectively in documenting their failure.

The telegram continues:

The B.F. Goodrich Company for many years has been a leading manufacturer of airplane brakes. Many thousands of our airplane brakes are in service on commercial airlines and military planes, both in this country and throughout the world. Further, we know of no aircraft accident which has ever occurred which was related to a B. F. Goodrich aircraft brakes.

All of the above facts would be corroborated by the Air Force, LTV, and the General Accounting office.

Following is the text of the findings and conclusions of the General Accounting office:

In some instances Goodrich test procedures for the 4-rotor brake did not appear to comply with specification requirements or normal industry practice.

Goodrich's qualification report on the result of testing the 4-rotor brake contained some discrepancies that might be considered significant;

Opinions differed as to the danger to the pilot and the potential danger to an aircraft due to brake failure. No significant aircraft damage due to the use of the 4-rotor brake had been reported;

Goodrich offered to, and did, replace the 4-rotor brake with a new 5-rotor brake without any apparent increase in cost to the prime contractor or the Government. We were advised that the change did not cause any delays in the delivery or testing of the aircraft.

The prime contrators, procedures and those of the defense contract administration services district /DCASD/ were inadequate to protect the Government's interest in the qualifications test of the 4-rotor brake; and

The Department of the Air Force protected the Government's interest by withholding approval of the qualification report.

Mr. President, finally I should like to reply to the telegram.

The company bases its denial that there was any wrongdoing in the manufacture, testing and qualification reporting for the first A–7D brake, a four-rotor brake, by saying that they now produce a workable five-rotor brake for the A–7D.

No one has ever denied that B. F. Goodrich is capable of producing a qualified brake. What the GAO report states and clearly documents is that Goodrich did not produce a qualified brake for the A–7D when they manufactured the four-rotor brake.

And yet, they sent this four-rotor brake to Edwards Air Force Base, California, for installation on production aircraft, verifying the quality of the brake with a qualification report that was filled, according to GAO, with misinformation.

When Goodrich says in their denial of the GAO charges that, "final qualification of the B. F. Goodrich brake currently in use on the A–7D was performed in the presence of engineers representing the aircraft manufacturer, the Air Force, and B. F. Goodrich," they are not discussing the same brake that GAO criticized in its report.

However, a close reading of the B. F. Goodrich denial reveals that the company is admitting that testing procedures at the Troy, Ohio, wheel and brake plant have been changed since the GAO reported on testing practices at that plant. Prior to GAO's report on the four-rotor A–7D brake, B. F. Goodrich brakes did not require the, "presence of engineers representing the aircraft manufacture, the Air Force and B. F. Goodrich." The Goodrich word on the qualification report was taken at face value.

In their denial Goodrich does not address themselves to the fact that the four-rotor brake produced for the A–7D was recalled by the company only after two employees went to the FBI with the information that all was not right with the qualification report.

They do not address themselves to the fact that the brake was replaced only after the Air Force declined to approve the qualification report and demanded to inspect the raw test data that Goodrich was supposed to use to write the qualification report.

Instead of answering the GAO charges Goodrich has chosen to discuss an entirely new brake that was inspected and qualified with GAO-improved procedures on the basis of the GAO investigation.

EXHIBIT 1

Review of the qualification testing of brakes for the A–7D aircraft—Department of the Air Force, Department of the Navy, Defense Supply Agency B–167023.

(Comptroller General's report to the Honorable WILLIAM PROXMIRE, U.S. Senate)

ABREVIATIONS

DCASD: Defense Contract Administration Services District.

ECP: Engineering change proposal.

GAO: General Accounting Office.

LTV/VAD: LTV Aerospace Corporation, Vought Aeronautics Division.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, D.C., July 11, 1969.

Hon. WILLIAM PROXMIRE,
U.S. Senate.

DEAR SENATOR PROXMIRE: This letter is an addendum to our report to you dated July 3, 1969, on the review of the qualification testing of brakes for the A–7D aircraft, and

is in response to your further inquiry of July 9, 1969, and discussion with your staff on July 10, 1969.

As indicated in our report, there were discrepancies between the data shown in the B. F. Goodrich test report (Q–6031), and the data shown by its test instruments. In our examination we noted instances where data were reported notwithstanding the fact that none were available from the test instruments. In other instances we noted that reported data were at variance with recorded test results. In some instances B. F. Goodrich personnel could not offer an explanation, while in other instances the discrepancies were justified by what they consider "professional judgment."

In our opinion, the B. F. Goodrich Company should have accurately reported the test results in its report Q–6031. In the absence of accurately reported test results it is difficult, if not impossible, to properly evaluate product performance.

Although we have no firm evidence, at this time, that the conditions noted with regard to the A–7D brake is widespread throughout the defense industry, we have previously programed audit work in the area of quality assurance. Our audit staffs, in performing this work, will examine into whether or not similar situations are occurring with respect to other defense procurements. We will furnish you with any reports that result from this work.

Sincerely yours,

LAWRENCE J. POWERS,
Acting Comptroller General of the United States.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, D.C.

Hon. WILLIAM PROXMIRE,
U.S. Senate.

DEAR SENATOR PROXMIRE: The accompanying report presents the results of our examination into the qualification of brakes furnished by The B. F. Goodrich Company to LTV Aerospace Corporation, a subsidiary of Ling-Temco-Vought, Inc., for use on the A–7D aircraft, as requested in your letter of May 13, 1969. The significant contents of this report are summarized in the digest included with the report. The review was made pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67).

We did not submit copies of this report to the Department of Defense or the contractors, The B. F. Goodrich Company, and LTV Aerospace Corporation, Vought Aeronautics Division, for comment.

We plan to make no further distribution of this report unless copies are specifically requested, and then we shall make distribution only after your agreement has been obtained or public announcement has been made by you concerning the contents of the report.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

DIGEST

Why the Review was made—At the request of Senator William Proxmire, the General Accounting Office (GAO) has reviewed certain aspects of the qualification tests of brakes for the A–7D aircraft. These tests were performed by The B. F. Goodrich Company under a subcontract with LTV Aerospace Corporation, Vought Aeronautics Division (LTV/VAD), the prime contractor with the Navy for the A–70 aircraft to be used by the Air Force.

Findings and conclusions—The results of GAO's review indicated that:

In some instances Goodrich's test procedures for the four-rotor brake did not appear to comply with specification requirements or normal industry practice;

Goodrich's qualification report on the results of testing the four-rotor brake contained some discrepancies that might be considered significant;

Opinions differed as to the danger to the pilot and the potential damage to an aircraft due to brake failure. No significant aircraft damage due to the use of the four-rotor brake had been reported;

Goodrich offered to, and did, replace the four-rotor brake with a new five-rotor brake without any apparent increase in cost to the prime contractor or the Government. We were advised that the change did not cause any delays in the delivery or testing of the aircraft;

The prime contractor's procedures and those of the Defense Contract Administration Services District (DCASD) were inadequate to protect Government's interests in the qualification tests of the four-rotor brake and;

The Department of the Air Force protected the Government's interest by withholding approval of the qualification report.

INTRODUCTION

The General Accounting Office, at the request of Senator William Proxmire, has examined into the qualification testing of the brake assemblies for the A–7D aircraft at The B. F. Goodrich Co., Troy, Ohio.

The Naval Air Systems Command is purchasing 74 A–7D aircraft for the Department of the Air Force under contract N00019–67–C–0143 with LTV Aerospace Corporation, Vought Aeronautics Division.

We were asked to inquire into whether (1) Goodrich's qualification report accurately presented the actual recorded test results, (2) the use of a defective brake endangered the test pilot's safety, and (3) the Government incurred additional costs due to the changes in the brake. In addition, we were requested to determine the Government's responsibilities in the qualification testing of the brakes and the Air Force's actions to protect the Government's interest. Additional information furnished by a member of the Senator's staff related the requested information to the four-rotor [1] brake assembly.

LTV/VAD solicited, and we were advised that they received, quotations from The B. F. Goodrich Co., Bendix Aviation Products Division, General Tire and Rubber Co., and Goodyear Aviation Products Division on various items, including the brakes, for the A–7D aircraft. LTV/VAD officials stated that The B. F. Goodrich Co., Aerospace and Defense Products Division, was selected on the basis of the price and technical design. LTV/VAD officials stated that the Air Force concurred in their selection. Thereafter, LTV/VAD issued a firm-fixed-price purchase order, number P–237138, dated June 18, 1967, to Goodrich and supplements to this purchase order have been issued, exercising options granted to LTV/VAD by Goodrich in the basic purchase order, as follows:

Purchase order document	Date	Quantity of brake assemblies	Firm-fixed unit price	Total price
Basic	June 18, 1967	40	$364.50	$14,580
Supplement 2X	Mar. 20, 1968	160	338.50	54,160
Supplement 5X	Dec. 9, 1968	2	338.50	677
Total		202	[1] 343.64	69,417

[1] Weighted-average unit price.

Also, LTV/VAD exercised the 1969 option of the above purchase order through the issuance of purchase order P–354831, dated February 10, 1969, for 260 brake assemblies at $338 each, or a total of $87,880. On April 30, 1969, this purchase order was amended to increase the number from 260 to 267 brake assemblies at the same unit price for a total price of $90,246. These brake assemblies had been included in LTV/VAD's proposal to the Government at $343.70 per unit, excluding general and administrative expenses and a 7-percent factor for scrap and other miscellaneous costs, in determining the initial cost for contract –0143.

LTV/VAD initially purchased a four-rotor brake but, in January 1969, revised, in part, the purchase order to require five-rotor brake assemblies. The differences between the four- and five-rotor brake assemblies are as follows:

Part name	4-rotor brake: Part number	4-rotor brake: Quantity	5-rotor brake: Part number	5-rotor brake: Quantity
Rotor	134–44	4	134–49	5
Stator	244–270	3	244–306	4
End plate segments	244–271	28	244–307	28

The LTV/VAD purchase orders show that the following types of brake assemblies had been ordered:

LTV/VAD purchase order No.	Quantity of brake assemblies: 4-rotor	5-rotor	Total
P–237138	46	156	202
P–354831	0	267	267
Total	46	423	469

LTV/VAD purchase order P–237138 required Goodrich to perform qualification testing on the brake assemblies and to submit a report on the results of such testing. The qualification tests are referred to as preproduction tests in the referenced specifications. Both LTV/VAD specification 204–16–37d and military specification MIL–W–5013G defined preproduction tests as tests conducted by the vendor on samples representative of the production item to ensure conformance with the specification requirements. Goodrich lawyers stated that the four-rotor brake assemblies subjected to qualification tests were hand made units, similar to brake assemblies to be manufactured, rather than production models.

Goodrich submitted to LTV/VAD its qualification test report, Q–6031 revision A, dated July 12, 1968, on the four-rotor brake assembly. This report was signed by a DCASD Dayton representative and approved by LTV/VAD. However, the Air Force's Aeronautical Systems Division recommended withholding approval of the report. Subsequently, Goodrich proposed to supply a five-rotor brake as it did not believe that the four-rotor brake met their "suitable for the intended use" obligation to LTV/VAD and requested that LTV/VAD withdraw its approval of the four-rotor brake qualification test report.

Goodrich submitted the five-rotor brake assembly qualification test report, Q–6046 revision A, dated February 18, 1969. This report also was signed by the DCASD Dayton representative and approved by LTV/VAD. We were advised, however, that, as of June

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[1] A rotor is a rotating metal disc interspersed with stators, which are stationary metal discs carrying brake lining material. The rotor and stator discs, when compressed, perform the braking action.

5, 1969, the Air Force's Aeronautical Systems Division had not approved Goodrich's qualification report on the five-rotor brake.

REVIEW OF QUALIFICATION TESTS OF BRAKES

Variations in qualification testing procedures and results reported

The results of our review indicated that, in some instances, Goodrich's qualification test procedures for the four-rotor brake did not appear to comply with the specification requirements or normal industry practices. Also, we found that Goodrich's qualification report data on the results of testing the four-rotor brake contained some discrepancies which, in the judgment of an engineer assigned to our staff, may be considered significant.

The qualification report and its supporting data were considered to be proprietary information by Goodrich, who requested that this information not be further disclosed. We have, therefore, omitted from our report the specific data obtained from Goodrich during this review.

Test Procedure for the Four-rotor Brake

Qualification report Q–6031, which was applicable to the four-rotor brake, indicated that the tests adhered to the requirements of military specification MIL–W–5013G, except where the specification differed from the LTV/VAD specification. This report indicated also, that no deviations were requested by Goodrich.

However, Goodrich's project manager stated, and documents showed, that the brake pressure was released at 10 miles per hour and the wheel permitted to coast or taxi for 10 to 15 seconds. Military specifications required the brake to bring the wheel to rest.

Goodrich officials stated that, to compensate for the rolling stop, higher energy was imposed on the wheel at the higher speeds. Goodrich's project manager stated that LTV/VAD had orally approved this waiver to the test procedures and LTV/VAD officials acknowledged verbal approval of minor deviations to Goodrich's test procedures but did not describe to us the specific deviations. However, an Air Force engineer considered that the failure to come to a complete stop was unacceptable because torque stresses reach their peak during the 10 to 0 miles per hour velocity.

Goodrich's project manager advised us of the following test procedures which, he said, were orally approved by LTV/VAD.

1. Use of the 84-inch instead of 120-inch dynamometer for the 45 normal brake stop tests because Goodrich stated the larger dynamometer was, tied up, with other programs.

2. Use of a test sequence of 45 normal, 5 overload, and 2 rejected-take-off brake stop tests, although it was common industry practice to intersperse the normal and overload stop tests.

A Goodrich official informed us, and we verified the fact, that test sequence requirements were not specified in military specification MIL–W–5013G or LTV/VAD specification 204–16–37d. LTV/VAD officials advised us that they considered the significance of the test sequence a matter of opinion, but their Assistant Director for the A–7D program stated that he preferred an interspersed 9 normal to 1 overload stop test sequence. However, an Air Force engineer stated that any brake failure would disqualify the tests; and, in his opinion, had Goodrich performed the tests on the 9 to 1 interspersed basis, the brakes would not have lasted through the 50 normal and overload stop tests.

Goodrich's Special Test Requirement and Procedures and Operator's Comments set forth various other instructions or actions regarding the procedures or methods in the qualification testing. Among these was the statement that the stators were switched between the number 1 and number 3 positions and we selected this for further inquiry. Goodrich stated that this was a laboratory technique in which the results were studied by an engineer to determine the wear pattern of the linings on the stator.

Military specification MIL–W–5013G and LTV/VAD specification 204–16–37d are silent regarding the switching of parts or components. LTV/VAD officials, however, advised us that the switching of stator positions was not normal industry practice. In the opinion of an Air Force engineer, this switching of parts was unacceptable.

Reported Test Results on the Four-Rotor Brake

We selected brake stop tests from qualification report Q–6031 for verification of the basic recorded test results. Each of these brake stop tests included the recording or measurement of 18 characteristics, or parameters, 16 of which were selected for verification. The extent and results of our verification were as follows:

Test title	Stop tests: Number in universe	GAO sample: Number	GAO sample: Percent of universe	Discrepancies [1]: Number	Discrepancies [1]: Percent of sample
Normal brake stop	45	7	15.6	2	28.6
Overload brake stop	5	5	100.0	5	100.0
Worn brake rejected, takeoff stop	2	2	100.0	2	100.0
Total, stop tests	52				
Total, GAO sample		14	26.9	9	64.3

[1] These are the discrepancies, existing in at least 1 or more of the 16 test characteristics or parameters in each of the stop tests, that may be considered significant.

The parameter discrepancies that may be considered significant between data shown in the test report (Q–6031) and data shown by Goodrich's test instruments, as well as Goodrich's explanations, are set forth in the exhibit of this report. In addition, we found other discrepancies which we considered to be insignificant because they were due to variations in engineering interpretations and transposition of the report data between stop tests.

On the two remaining parameters in our selected sample of 14 stop tests, we compared the reported data with the operator-recorded data and Goodrich's test requirements. We noted that reported and operator-recorded data on stop time were in agreement except on the five overload stop tests where reported data presented a lesser stop time than that of the operator-recorded data. A Goodrich project manager advised us, however, that LTV/VAD had orally accepted the five excessive overload stop times after the tests but prior to the issuance of the qualification report. In 12 instances the stop time reported was greater than Goodrich's test requirements. Limitations on our time for this review precluded our comparing the stop times to the basic recorded test results and discussion of the resulting discrepancies with a Goodrich engineer.

Test Procedures and Reporting on the Five-Rotor Brake

We did not review the test procedures regarding the five-rotor brake or verify the resulting data contained in qualification report Q–6046 due to the limited time for our review. However, as discussed in subsequent report segments, LTV/VAD, Air Force, and DCASD representatives monitored, at least in part, Goodrich's performance of the testing and/or were provided access to the basic recorded test results.

Inquiry into possibility of danger to pilot and aircraft damage

We found that there were differences in opinions on the danger to the pilot and potential damage to an aircraft due to brake failure but that no significant damage due to the use of the four-rotor brake had been reported.

Air Force, Navy, and LTV/VAD officials generally agreed that the brakes did not endanger the life or safety of the test pilots. However, among these same officials, there was no definite consensus regarding the potential of damage to an aircraft, which may be incurred as the result of brake failure.

In response to our question regarding pilot safety and structural damage, Federal Aviation Administration officials stated that warping of the brakes would blow out the tire, which in turn might cause (1) collapsing of the landing gear, (2) breaking of the hydraulic lines, and/or (3) puncturing of the gas tanks located in the aircraft wing. As the result, they further stated the most likely danger was a fire due to the combination of the heat in the brakes and leaking hydraulic fluid and/or jet fuel. They told us, however, that they did not have any accident investigation reports concerning such incidents.

Both contractor and military pilots conducted flights in the aircraft with four-rotor brakes prior to and after LTV/VAD's engineering approval of the qualification report. However, Air Force, Navy, and LTV/VAD officials advised us that there was no requirement for brake qualification prior to use on an aircraft. The following statistics on flights and brake problems were obtained from the contractor and military flight reports and/or flight discrepancy sheets.

	Flights: Prior to LTV/VAD approval of qualification report	Flights: After LTV/VAD approval of qualification test and before installation of the 5-rotor brake	Flights: Total
Number of flights:			
Contractor	37	192	229
Military	12	26	38
Total	49	218	267
Number of flights indicating potential brake problems: [1]			
Contractor	6	6	12
Military	0	0	0
Total	6	6	12

[1] The brake is used in conjunction with an antiskid system. These reports describe other problems which the pilots appear to relate to this system.

Generally, the contractor noted brake problems were described in terms of the sensitivity of the brakes, which concerns the relationship between the brake pedal travel distance and the braking action. This problem was also reported in a military preliminary evaluation summary report. On only two contractor flight reports did we note any effect of the brakes on the aircraft. In one instance, the wheels locked up and, in the other instance, the brakes fuzed so that they had to be loosened with a screwdriver. In addition, an LTV/VAD official stated that, in one other instance, the brakes fuzed as anticipated during a ground test.

Discussions with the contractor's test pilot who had flown the flights where the lock-up and fuzing occurred and with military test pilots indicated that they considered that there was no danger to the pilot and/or aircraft from the four-rotor brake performance.

Air Force and LTV/VAD officials stated that they were satisfied with the five-rotor brake although there were some minor problems with this brake.

No additional costs incurred due to changes in the brake

We found no evidence of an increase in the costs to the Government or LTV/VAD for the replacement of the four-rotor brake assemblies with five-rotor assemblies or for the performance of the second qualification test.

A listing of the engineering change proposals (ECPs) was furnished to us by LTV/VAD officials as being those changes to the prime contract, where additional funds had been requested by LTV/VAD but had not been negotiated as of May 26, 1969. Our review of this listing did not identify any ECPs related to brake assemblies. Furthermore, LTV/VAD officials advised us that neither had there been nor did they contemplate any ECPs for the brake assemblies under the prime contract. Also, LTV/VAD and responsible Air Force officials stated that, to their knowledge, the prime contract price to the Government had not been increased because of the brake assemblies.

Goodrich offered to replace the four-rotor with five-rotor brake assemblies and to perform the new qualification tests at no cost to LTV/VAD or the Government.

We found that the price set forth in LTV/VAD's initial purchase order, P–237138, had not been revised except for exercising the options contained in the basic order for additional quantities at predetermined unit prices. Further, we did not find, in the purchase orders we reviewed, any other LTV/VAD purchase orders which provided Goodrich with compensation for modifying the brake assemblies or performing the second brake qualification test.

Our review of the receiving and shipping records furnished to us by LTV/VAD showed that 46 four-rotor brake assemblies were received but that three had been rejected during LTV/VAD's incoming inspection. We ascertained that, of the remaining 43 units, 33 had been exchanged for five-rotor brakes at no cost to LTV/VAD or the Government. LTV/VAD officials stated that they could not readily provide us with the status of the remaining units. They assured us, however, that all four-rotor brake assemblies received from Goodrich have been or will be returned for replacement with the latest brake configuration at no charge to LTV/VAD or the Government.

Aircraft delivery and testing were not delayed by brake problems

We were advised that problems encountered with the brakes did not affect aircraft delivery or testing. We discussed the effect of the brake problems on aircraft delivery and testing with an Air Force Aeronautical Systems Division engineer and LTV/VAD officials. They advised us that the brake problems had not delayed either delivery or testing of the aircraft.

Weakness in contract administration procedures

We found that contract administration responsibilities had been assigned to LTV/VAD and DCASD. In our opinion, however, procedures of both were inadequate to protect the Government's interest in assuring that the qualification tests were properly performed and the results were correctly reported on the four-rotor brake.

Requirements of the Armed Services Procurement Regulation

According to Armed Services Procurement Regulation 14–102, the prime contractor is responsible for controlling product quality, including that at the subcontractor level, and for offering to the Government only those supplies or services which meet the contract requirements. This section provides, in addition, that the control of quality by the prime contractor may relate to, but is not limited to, testing and examination to ensure that practices and equipment provide the means for optimum evaluation of inspection characteristics.

Armed Services Procurement Regulation 14–103.1 and 14–407.1 provide for Government inspection, when deemed necessary, to assist the assigned contract administration office for the prime contract to determine whether the prime contractor is ensuring conformance of the subcontracted supplies or services with the contract requirements. They further provide that Government quality assurance actions at the subcontract level do not relieve the prime contractor of any responsibilities for subcontract administration.

Prime Contractor's Contract Administration Responsibilities

The prime contract assigned LTV/VAD the responsibility for ensuring that all supplies and services procured from the subcontractor conformed to contract requirements. However, the extent of control exercised by LTV/VAD was to be dependent upon the type of supplies purchased, the subcontractors' demonstrated capability, and quality evidence made available by the subcontractor. In addition, the prime contract reserved the right of Government inspection at the subcontractors' facilities.

LTV/VAD's purchase order P–237138 and the referenced LTV/VAD specification requirements for the qualification test included:

1. LTV/VAD's approval of Goodrich's qualification test procedures.
2. LTV/VAD's rights to witness the tests and to perform other tests to ensure a satisfactory product.
3. LTV/VAD's approval of the qualification test report.
4. Government inspection of Goodrich's plant.
5. Government inspector's singnature on the qualification test report.
6. Government inspector's right to use drawings or other pertinent data required for adequate source inspection, available at the subcontractor's plant.

LTV/VAD officials stated that they relied upon Goodrich, whom they considered a responsible contractor, to satisfactorily perform the qualification tests on the four-rotor brake assemblies. LTV/VAD officials also stated that none of their engineers were brake experts. They stated, however, that LTV/VAD's representatives had witnessed some Goodrich tests on the four-rotor brakes, but that the tests witnessed were performed prior to normal, overload, and worn brake rejected-take-off stop tests supporting the qualification test report, Q–6031.

LTV/VAD officials stated that, prior to granting its approval of the four-rotor qualification test report, they reviewed only the data contained in the report and did not compare the reported data with the original recorded test results—hereafter referred to as raw data. LTV/VAD's approval of Goodrich's four-rotor qualification test report, Q–6031, was incorporated into LTV/VAD's purchase order P–237138 in supplement 4X dated August 1, 1968, by reference to LTV/VAD's engineering order E 1001.770, signed July 16, 1968, by LTV/VAD officials. This engineering order also included LTV/VAD's approval of Goodrich's preproduction test plan for the four-rotor brake.

LTV/VAD officials stated that, after Goodrich refused the Air Force access to Goodrich's raw data supporting the four-rotor brake qualification report, a LTV/VAD representative was authorized to review this raw data. LTV/VAD's review in the fall of 1968 disclosed discrepancies in the qualification tests which were considered to be of such significance as to conclude that the four-rotor brake did not qualify to the "letter of the specification." Subsequently, Goodrich proposed to substitute a five-rotor for the four-rotor brake.

LTV/VAD officials stated that its representatives were present during the performance of the qualification tests on the five-rotor brakes. Approval of the five-rotor brake qualification report, Q–6046, was made by LTV/VAD's engineering order E1026.17, which was signed by LTV/VAD officials during February 1969 and incorporated in purchase order P–237138 by supplement 7X, dated April 9, 1969. In addition, LTV/VAD's engineering order E1026.17 canceled engineering order E1001.770 regarding approval of the four-rotor brakes and approved Goodrich's preproduction test plan for the five-rotor brake.

Government's Contract Administration Responsibilities

The contract administration functions at LTV/VAD were assigned to the Naval Plant Representative Office located at the prime contractor's plant. Secondary delegations of quality assurance responsibility at Goodrich was assigned to DCASD, Dayton, Ohio.

LTV/VAD's purchase order P-237138 provided for Government source inspection at Goodrich and the referenced LTV/VAD specication required the Government inspector to sign the qualification report without further describing the meaning or significance of such a signature. In our opinion, the affixing of a signature to a report is meaningless unless accompanied by some other act, such as verifying, at least on a test basis, the reported information to the original documents. We also believe that the report or document should contain a clear and concise statement as to the meaning of the signature as indicate the reliance that may be placed upon such actions by other readers.

The DCASD quality assurance representative stated that Goodrich required his signature on the qualification report because LTV/VAD would not accept it without his signature; however, he had not received any specific oral or written instructions from any Government activity or the prime contractor's officials as to what steps were to be taken prior to signing the four-rotor brake assembly qualification report, Q–6031. His signature was affixed to the Q–6031 report, in which it was concluded that the brake assembly met the intent and requirements of the applicable specification documents and therefore was qualified.

The quality assurance representative explained that he interpreted LTV/VAD's quality control requirements to mean an inspection of the qualification test report in the same manner as for any other hardware item, thus he assured himself that all the tests listed in the front of the report were accomplished and successful solely on the basis of the report contents. The quality assurance representative also stated that he did not witness any of the tests on the four-rotor brake or compare any raw data with the Q–6031 report and commented that this was DCASD's normal practice.

The Chief, Quality Assurance Section, DCASD Dayton, stated that the quality assurance representative's signature meant that he had compared, on a test basis, the raw data generated by the test recording machines with the information reported in the Q–6031 report and that the information was in agreement. He stated also that he had contacted Defense Contract Administration Services Region, Cleveland, for an interpretation of the signature on a qualification test report, but that they could not provide any assistance.

The DCASD quality assurance representative stated that he witnessed two of the qualification tests on the five-rotor brake at Goodrich. This qualification report, Q–6046, also was signed by the DCASD quality assurance representative.

Subsequent to our discussions, DCASD Dayton issued, basically, the following internal guidance to their quality assurance personnel:

1. Do not countersign qualification reports unless contractually required or unless directed by higher authority.

2. A signature constitutes verification of the data contained in the report and shall not necessarily indicate concurrence with the conclusions in the report.

3. When countersigning as authorized in 1. above identify in the report the test data for the tests actually witnessed.

Air Force actions to protect the Government's interests

We found that the Air Force took action to protect the Government's interest by withholding approval of the qualification test reports until assuring itself that the brake assembly either qualified or performed satisfactorily on the aircraft.

Air Force engineers advised us that the engineering responsibility for the A–7D Government-furnished aeronautical equipment and all contractor-furnished equipment was assigned to the Chief System Engineer in the Directorate of Systems Engineering, Aeronautical Systems Division, Air Force Systems Command, Department of the Air Force. We were also told that, within the Aeronautical Systems Division, the Project Engineer in the Landing Gear and Mechanical Equipment Division, Directorate of Airframe Subsystems Engineering, was responsible for reviewing and recommending approval of the design, development, and testing of the A–7D aircraft landing-gear equipment, including Goodrich's four- and five-rotor brakes.

The Project Engineer stated that he had reviewed and approved LTV/VAD's brake specifications which in his opinion were very good and exceeded the military specifications. The Project Engineer also stated that he had not witnessed any of the qualification tests of the four-rotor brake, and during August 1968 he recommended withholding approval of the qualification report, Q–6031. His recommendation was based on various specific irregularities noted during a review of the qualification report. This recommendation was forwarded by the Chief System Engineer to the Naval Air Systems Command, Washington, D.C.

The Project Engineer stated that he had requested Goodrich to furnish him with the raw data supporting its Q–6031 report during a meeting between Air Force, LTV/VAD, and Goodrich representatives in early October 1968. This request, he advised us, was not honored by Goodrich who claimed that the raw data was proprietary information.

Regarding proprietary information, attachment "E" to LTV/VAD purchase order P–237138 states that Goodrich reiterates it will provide all the data required by the prime contract pursuant to the provision of Armed Services Procurement Regulation 9–203(b). This provision sets forth the Government's "Rights in Technical Data" and provides, in part, for the Government's right of access to technical data resulting from the performance of an element of work specified in a Government contract or subcontract.

The Project Engineer stated that, during the October 1968 meeting he had advised Goodrich that he would not approve the use of the four-rotor brake assembly on the A–7D aircraft. Subsequently, during another meeting, LTV/VAD informed the Air Force engineers that Goodrich was redesigning the brake assembly and would requalify the new design.

The Project Engineer stated that he closely monitored the qualification testing of the five-rotor brakes, was provided access to the applicable raw data, and reviewed Goodrich's qualification test report, Q–6046, which he found to be satisfactory. However, because of reported problems with brake adjusters the Project Engineer, in April 1969, recommended withholding approval of Q–6046 until satisfactory performance on the aircraft was demonstrated. On June 5, 1969, the Project Engineer stated that he had not yet recommended approval of Q–6046.

SCOPE OF REVIEW

We reviewed records and discussed the performance and qualification testing of the brakes for the A–7D aircraft with officials at contractor locations and military installations associated with the design and manufacture, administration, and testing of these brakes. These locations include The B. F. Goodrich Co., Troy, Ohio; LTV Aerospace Corporation, Vought Aeronautics Division, Dallas, Texas; Naval Air Systems Command, Washington, D.C.; Naval Plant Representative Office, located at LTV/VAD, Dallas, Texas; and the Aeronautical Systems Division of the Air Force Systems Command, located in Washington, D.C., and at Wright-Patterson Air Force Base, Ohio.

In addition, we discussed brake performance with a LTV/VAD test pilot at the contractor's plant and with military test pilots located at Edwards Air Force Base, California, and Patuxent River Naval Air Station, Maryland, and with officials of the Federal Aviation Administration.

EXHIBIT

DESCRIPTION OF THE DISCREPANCY	EXPLANATION BY GOODRICH'S REPRESENTATIVES
Reported data exceeded the basic recorded test results (analog data since digital data was not available).	Normally, digital recorded data exceeds analog readings. Therefore, using one's best judgment, a similar value from an earlier similar test would be used. In this instance, he felt, the reported value had been extrapolated from the preceding and subsequent stop test.
Do.	The basic recorded value was taken from the prior stop test since the stop times were identical. This constitutes a "rationalization of data" or exercise of professional judgment.
Reported data less than the basic recorded test results.	Not discussed with Goodrich representatives due to the limited time for our review.
Data were reported; however, basic recorded tests results were not available.	Do.
Do.	Do.
Reported and digital data in agreement; however, digital data less than analog data.	Do.
Reported data less than basic recorded test results.	Do.
Reported data less than basic recorded test results. We also noted that the reported data were less, and the recorded test results were greater, than requirements of MIL–W–5013G, dated February 20, 1967, which was referenced by LTV/VAD specification number 204–16–37d.	Goodrich personnel could give no explanation.
Reported data less than basic recorded test results. Also, reported and recorded data exceed the requirements of MIL–W–5013BG, dated February 20, 1967.	Goodrich personnel could give no explanation.
Data were reported; however, basic recorded test results were not available.	No reading, due to the reaction of the thermocouple.
Do.	The recorder was not working properly.
Do.	Not discussed with Goodrich representatives due to the limited time for our review.
Reported data less than basic recorded test results.	Goodrich personnel could give no explanation.
Data were reported; however, basic recorded test results were not available.	Goodrich personnel expressed the opinion that the data had been rationalized from tests of another part on which the temperature had been monitored and which was considered comparable to the center stator.
Do.	Do.
Do.	Not discussed with Goodrich representatives due to the limited time for our review.

DATA DISCREPANCIES THAT MAY BE CONSIDERED SIGNIFICANT BETWEEN DATA SHOWN IN TEST REPORT AND DATA SHOWN BY GOODRICH'S TEST INSTRUMENTS

DATA IDENTIFIED IN TEST REPORT

Test description	Stop number	Parameter
Overload brake stops	49	Peak temperature of bead seat.
Do	49	Peak temperature of rotor.
Do	50	Peak temperature of bead seat.
Do	50	Peak temperature of tube wall.
Rejected takeoff brake stops.	1	Peak torque.
Do	2	Initial temperature of center stator.
Do	2	Peak temperature of center stator.[1]
Do	2	Peak temperature of rotor.[1]

[1] The Goodrich project manager stated that the peak temperatures reached during rejected takeoff stop tests were academic since the brake is destroyed by heat as the result of the test.

Note: Reported data are the elements set forth in qualification test report Q-6031 on the 4-rotor brake. Basic recorded test results refer to digital data, which are digital printout tapes prepared only on brake pressure and torque parameters, and/o analog data, which are pen recorder strip charts prepared on al parameters.

ORDER FOR ADJOURNMENT FROM WEDNESDAY, AUGUST 6, 1969, TO THURSDAY, AUGUST 7, 1969, AT 11 A.M.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business on Wednesday next, it stand in adjournment until 11 a.m. Thursday morning next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR HARTKE ON THURSDAY, AUGUST 7, 1969

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, upon the conclusion of the prayer and the disposition of the reading of the Journal on Thursday morning next, the able Senator from Indiana (Mr. HARTKE) be recognized for not to exceed 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENT NIXON'S SUCCESSFUL TRIP ABROAD

Mr. DOLE. Mr. President, last night President Nixon returned from his trip to Southeast Asia and Rumania.

Today, as a result of that trip the whole world breathes a little easier because war and destruction are perhaps a little further away and peace with honor is perhaps a little closer.

Mr. President, seldom has a trip abroad by an American President been so successful, seldom have the purposes been so well met and seldom have the American people been so well informed on a day-to-day basis about the results of such a trip.

For this we can all be grateful.

The President has termed his trip "a quest for peace, reflecting the spirit of Apollo."

And truly, there is an apt comparison. During all man's time on earth he has reached out for the moon. Less than 2 weeks ago he was finally successful.

For equally as long a time man has yearned for peace. And just as surely he can reach that goal—if he will.

That goal is one the President is attempting with all his heart and all his skill to reach. He has charted new courses in two of the world's troubled areas—Southeast Asia and Eastern Europe—courses that give hope for eased tensions and international cooperation, but courses, also, that assure those who stand with us that we will continue to stand with them.

Mr. President, the success of the President's journey is a success that the entire world shares. I am certain my colleagues on both sides of the aisle join with me in congratulating the President for a task well done.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each reserve component of the Armed Forces, and for other purposes.

ABM: THE MISBEGOTTEN MISSILE

Mr. McGOVERN. Mr. President, the decision the Senate will soon make regarding deployment of the antiballistic missile will be one of the most fateful in our national history. In economic, political, social and moral terms America will feel the weight of it for many years to come.

The significance of the ABM issue reaches far beyond the system itself; for it will signal the direction of the Nation in the next critical decade. At issue is the central question of whether we shall continue to pour increasing energy, brainpower and wealth into armaments, or into the urgent human needs of our society. Does the route to security and well-being lie in another costly new missile system, or should first priority go to reaching arms limitations among the great powers while we set about the reconstruction of our country and the protection of our environment? Beyond the enormous financial cost of the ABM is the danger that it contributes tc the militarization of our society and the neglect of urgent domestic problems. It may decrease our national security by increasing international tension and with it the possibility of nuclear war. Militarily, it is doubtful that it would contribute to the defense of our country.

At a time when the great powers seem to have reached an understanding that nuclear war means the end of much of mankind, one wonders why this current effort to add a new round of missile construction. Do we really believe that either Russia or China has gone so completely mad that they would invite their own certain destruction by launching a nuclear attack on the United States? Is there evidence that even a $40 or $50 billion ABM would add to our security if the adversary had such an act of madness in mind? Is it not more likely, as Senator MUSKIE has warned so convincingly, that the construction of yet another missile system will only heighten the anxiety and tension that could lead to a nuclear exchange?

It is frequently said of the ABM that it is "a missile in search of a mission." Certainly, the history of the ABM does not suggest that our military planners saw a particular national security need and developed a system to meet it. Rather, the constantly shifting rationalizations of the ABM lead one to wonder if Washington Star columnist Frank Getlein was not justified in observing:

> The real point was to spend the money and in order to spend it, the military would cheerfully swear it was needed to save the swan boats on the lagoon at the Jefferson Memorial.

First was the proposal for a $50 billion "heavy" system. This called for "thin" Spartan area defense of the entire country and for "thick" Sprint point defense of ICBM sites, SAC bomber bases, ABM radars, and 49 major population centers—plus the hometown of the chairman of the House Armed Services Committee, Charleston, S.C.—the 228th largest city in the United States.

The purpose of the heavy defense was to decrease the damage our country would suffer in a heavy Soviet attack. The Johnson administration rejected the heavy system on the grounds that the ABM as presently conceived would not perform this function; that is, there was no way to prevent the Soviet Union from destroying the United States if it were willing to see itself destroyed in return. This was valid reasoning at the time; it is still valid. Barring a fundamental technological breakthrough, which incidentally would make obsolete the system we are now considering, we would be foolish to think that any ABM can really prevent unacceptable devastation in an all-out nuclear war.

Since the heavy anti-Russian system seemed too implausible and too expensive, the ABM proponents turned next to a light ABM to defend against the Chinese. The Chinese, it was argued, would have 10 or 20 ICBM's in a few years and they might go berserk and launch these against our cities even though to do so would be to provoke the total destruction of their society.

We were told a thin Spartan area defense would be sufficient to protect the entire country against a small unsophisticated attack such as China might launch during the 1970's.

Oddly, it was said that this anti-Chinese system could serve as a bargaining counter in arms-reduction talks with the Russians, and abandonment of plans for the anti-Chinese system might be a re-

sult of these United States-Soviet talks. It was never clear to me why those who said we needed an ABM system against China were willing to abandon it if the Russians agreed not to build one.

In any event, the anti-Chinese rationale seems conspicuously invalid.

First, it relies entirely on the Spartan missile, which is easily penetrated. It assumes the Chinese will be clever enough to build an ICBM but not clever enough to incorporate simple penetration aids such as chaff. It also assumes they would be so foolish as to neglect to time their missile attack to take advantage of blackout effect.

Second, it assumes the Chinese will not try to circumvent the ABM by using cruise missiles, nuclear torpedoes, or other relatively simple devices. At this very moment, a disguised Chinese merchant ship could be sailing into New York harbor with a hydrogen bomb in its hold. If one is not concerned about size or weight, such a device is cheap and well within the reach of Chinese technology.

Any attempt to establish a dependable nuclear defense is an exercise in futility.

I think the events of the past year indicate that not even our military planners had much interest in a thin anti-Chinese system. If they had—if they had planned a thin national defense using long-range Spartan missiles—they would have purchased land for Sentinel sites in the unpopulated rural areas. Instead, last fall and winter we found that land was being purchased for Sentinel sites adjacent to our major cities. This indicated an intention to escalate Sentinel into a heavy anti-Russian city defense using short-range Sprint missiles.

But then the citizens of Boston, New York, Chicago, and Seattle made their feelings known. They were not pleased to be made links in this electronic maginot line. They did not want nuclear warheads in their backyards, and they began organizing political and legal action to prevent their communities from being used as ABM sites. Once publicized, the issue quickly became a hot political issue.

Conveniently, the ABM proponents then found it was not feasible to defend cities against a heavy attack. Even more conveniently, they suddenly found the Soviet Union was approaching the point where it would be able to destroy our ICBM and bomber forces on the ground. It also claimed the Russians would be able to detect and destroy our missile submarines, although it is not clear how this would be accomplished. Therefore, we were told that, by happy coincidence, military considerations required that the politically dangerous thick defense of the cities be withdrawn in favor of a politically safer thick defense of Minuteman ICBM sites in North Dakota and Montana. These sites are located in relatively unpopulated western areas where the inhabitants have been introduced to nuclear sites years ago.

While politically safer than the earlier city defense, the new hard-point Safeguard defense is somewhat more expensive than the earlier system.

Mr. President, if a heavy city defense is now impossible, was it possible 2 years ago when its advocates tried to get us to spend $50 billion on it? Was it possible this past winter, when military strategists tried to escalate Sentinel into a heavy city defense? If the proponents were wrong about city defense 6 months ago, why should one believe they are right about hard-point defense now?

Or is the question of whether or not any missile defense is possible of no concern to the ABM advocates? It may be that the convolutions the pro-ABM arguments have undergone result from honest technical reevaluations. Certainly, cities are less defensible than hardened missile sites. But it is hard to avoid the thought that Mr. Getlein may be right—that the main objective is to spend the money, and that rationales are changed purely as a function of what it is believed the public will swallow.

Currently, the public is being asked to accept three arguments for the Safeguard system. This system would consist of thin Spartan defense for the entire country, plus thick Sprint defense for 350 Minuteman ICBM's and about 10 ABM radars scattered around the country.

These are the three current rationales: First, Safeguard is alleged to protect our cities against an accidentally launched Russian missile. Second, it is alleged to protect our nuclear deterrent by guaranteeing the survival of at most 300 Minutemans in the event of a heavy Russian attack. Third, it is hoped that Safeguard can function as a bargaining counter in the coming United States-Soviet arms reduction talks.

In my view, none of these has much validity.

Safeguard would have little chance of protecting our cities against an accidental ICBM unless the latter conformed to highly unlikely restrictions. The ICBM would have to be devoid of all penetration aids, for even the simplest pen-aids render a Spartan umbrella useless. It is difficult to believe the Soviet Union would not respond to any American ABM by installing penetration aids on all or nearly all of its ICBM's and submarine-launched missiles. Furthermore, the more missiles we or the Soviets build—defensive or offensive—the greater is the danger of an accidental launch that could bring on war or the accidental destruction of millions of people.

The second, and most important, rationale is that Safeguard will protect our strategic deterrent.

The Secretary of Defense tells us our deterrent is in jeopardy. He tells us there is a serious possibility that within a few years the Soviet Union will have the power to destroy our Minuteman silos in a first strike, and to detect and destroy our missile submarines. These assumptions are sharply challenged by many of our most respected scientific experts. Indeed, during his short period as Defense chief, Mr. Laird has shown a tendency to make doubtful assumptions as a basis for doubtful recommendations. For example, his description of the SS–9 as a first-strike weapon is challenged by competent authorities as a piece of guesswork or rationalization. Unless one assumes that Moscow has gone mad, a more likely assumption is that they see their nuclear weapons as a deterrent rather than as a first-strike instrument against the United States.

In May, Mr. Laird told reporters the manned orbiting laboratory was essential to national security; in June, he canceled it. I expect that whether or not the ABM is deployed, it will eventually be admitted by nearly everyone that it never was a very good idea.

There are two facts we must keep in mind as we consider the protection of our strategic deterrent.

First, it is impossible to destroy both our ICBM's and our manned bombers in a first strike. It is conceivable, although extremely unlikely, that the Soviet Union will develop the ICBM ability to take out our Minuteman ICBM's on the ground. But such an attack would give our bombers the 15-minute warning they need to become airborne and safely on their way to destroy the Soviet Union. It is possible, if extremely unlikely, that the Soviet Union will develop the ability to wipe out our bombers on the ground by using orbiting or submarine-launched missiles. These weapons may give us only a 3-minute warning, but lack the accuracy-payload combination necessary for an attack against hardened silos. Hence, such an attack would leave our ICBM's intact. On learning that our SAC bases had been taken out and that Soviet ICBM's had been launched and would strike out Minuteman bases in 10 minutes, the President would certainly launch the Minutemen immediately, thereby destroying the Soviet Union.

Thus, there is no way the Soviets could hope to strike the United States without incurring self-destruction.

Moreover, we have our submarine force, which is a full deterrent in itself. And Adm. Levering Smith, who commands it, tells us this deterrent is not in jeopardy, and will not be in the foreseeable future. I have been puzzled throughout the ABM debate that its advocates so seldom refer to the enormous deterrent we have in 41 submarines, each armed with 16 missile launchers, and each of those capable of devastating a large city.

So, a first strike seems highly unlikely.

Second, the entire question of Soviet first strike capability is irrelevant to the ABM debate. It would be relevant only if we had reasonable confidence that ABM could neutralize this ability. We do not have that confidence.

Mr. President, militarily and technically, the crux of the matter is: Will the ABM do the job or will it not? Even if we restrict ourselves to consideration of defense of Minuteman sites, the overwhelming body of evidence suggests that it cannot offer meaningful protection.

I have heard it said "If we can put a man on the moon, then surely we can build an ABM." But the analogy is not valid. The question is not "Can an effective defense be built against the present offense?" This might be possible, given enough time, although Safeguard does not appear to be such a system. But the real question is: "Can a missile defense be built that will be effective against the improved offense it will have to face

by the time it is built?" For both the United States and the Soviet Union, the answer is most likely "No." The people working on offense are just as capable as those working on defense, and they have a very long headstart. In addition, their problems are inherently simpler.

There is no inherent principle that offense must always be stronger than defense. But the evidence is overwhelming that in modern nuclear weaponry, offense is stronger will remain so in the foreseeable future. Penetration aids, decoys, radar jammers, maneuverable warheads, and above all, multiple warheads give the offense an immense advantage.

If the Soviet Union builds up its offense to the point where it can threaten our hardened Minuteman silos, is it not likely that a modest further buildup would neutralize the Safeguard system? If the Russians have a first strike in mind, it is inconceivable that they would not take this further step.

From that point on, every time we built an additional ABM, the Soviets could counter by deploying a few additional MIRV warheads. Even if one assumes that a virtually impossible accuracy would enable each ABM to destroy an incoming attack missile, it would only be necessary to send one more offensive missile to a particular target than there were defensive missiles to defend it.

Of course, our offense enjoys the same advantage over the adversary's defense.

In short, we are being asked to build an ABM that would not work to protect a deterrent that is not threatened.

Mr. President, the antiballistic missile is not a question of national security; it is a question of national judgment. It is said the ABM presents the American people with a choice between butter and guns. It would be more accurate to say we have a choice between butter and a leaky maginot line that may well be obsolete before it can be constructed.

And as construction proceeds, the costs will mount. The ABM advocates would have us believe they will spend $6 or $7 billion for Safeguard. But defense contractors have a way of radically underestimating their costs, apparently with the tolerance of the Pentagon. If Safeguard follows the common pattern, it will cost several times the projected figure.

Already we are seeing private estimates of $11 or $12 billion. The official estimates went up $1.2 billion overnight, when it was pointed out that one can't build an ABM system without warheads.

But more importantly, Mr. President, I want to go on record today saying that Safeguard is not an end but a beginning. If this hard-point defense is approved, the Pentagon will then remind us that it is hopeless to try to defend even a compact ICBM site without increasing the number of ABM missiles and radars many times; they will tell us national security demands we triple or quadruple the size of our system. Next will come hard-point defense for all ICBM sites and SAC bases, and finally heavy defense for the cities.

And when we have built all this, we will find ourselves with the complete heavy system the Pentagon has sought for years, we will find ourselves $50 to $100 billion poorer, and we will find ourselves less secure than ever.

Mr. President, I predict that if we approve this Safeguard system, we will see the Vietnam pattern repeated. In Vietnam the military strategists always told us they could not win the war unless they got so many thousand additional troops and were allowed to bomb such and such targets. When we gave them the troops and let them bomb the targets, and the war continued as before except for bigger casualty lists, their answer was always to come back with still bigger troop requests and longer target lists.

The fact is that a military solution to Vietnam's problems was never possible. This enabled the generals to claim correctly that their present forces were insufficient.

This is how it is likely to be with the ABM. No matter how much we appropriate, no matter how many ABMs we build, the Pentagon will tell us, quite correctly, that it is not enough. It will never be enough because, barring an unforeseen technological breakthrough, defense against heavy missile attack is and will remain impossible. Like Vietnam, missile defense is a bottomless pit. It will swallow as much as we pour into it with no dependable increase in our security.

And the ABM is like Vietnam in still another respect: its proponents argue that we owe the President as Commander in Chief the benefit of the doubt on such national security issues. But to approve the Safeguard on this basis would constitute a major abdication of congressional power and responsibility. We have had more than enough of that in recent years.

This is not the way to serve either the President or the Nation. For if the ABM is approved, over the years we shall see its cost increase and its ineffectiveness become more apparent. We shall see a bizarre and expensive new cycle of the arms race, and we shall see our neglected domestic needs and problems rise intolerably. And the administration will have to face the electorate encumbered by a costly blunder, just as the previous administration had to face the people encumbered by Vietnam.

As we approach the first major vote on the ABM, we would do well to remember the words of President Eisenhower's last state of the Union address:

> Every dollar uselessly spent on military mechanisms decreases our total strength and therefore our security. We must not return to the "crash program" psychology of the past when each new feint by the Communists was responded to in panic. The "bomber gap" of several years ago was always a fiction, and the "missile gap" shows every sign of being the same.

Mr. Eisenhower was right about the "missile gap." The present "security gap" is equally fictitious. We have less cause to fear what the Soviet Union can do to us than what our own fears may make us do to ourselves.

Mr. TOWER. Mr. President (Mr. DOLE in the chair), unfortunately, too often in this debate, the analogy of the ABM with the maginot line has been made. I think it is a false analogy. It conveys an erroneous impression.

What the ABM is designed to do is to protect an offensive system. Everyone knows that when troops go out on offensive operations, when they bivouac at night they draw up a defense perimeter. That can hardly be considered an analogy to the maginot line.

What we propose to do here is to develop and ultimately to deploy a system that will defend an ability to mount an offense.

THE APOLLO 11 MISSION TO THE MOON

Mr. ALLOTT. Mr. President, Milford E. Shields, poet laureate of the State of Colorado, has written a poem with respect to the men on Apollo 11 and their great achievement in landing on the moon.

The poem has a rare quality which I believe commends itself to the attention of every Senator, and I therefore ask unanimous consent to have the poem, entitled "He Walks With God," printed in the RECORD.

There being no objection, the poem was ordered to be printed in the RECORD, as follows:

HE WALKS WITH GOD

He walked with God, his name was man,
He left his tracks upon the moon;
He walked in love and showed the plan
Where men could walk and move in tune.

He walked in joy, he walked in peace,
He walked in hope, he walked in truth;
His walk has made all men increase,
His walk has brought a buoyant youth.

His tracks are pointed for the stars
As he unfolds the greater plan
Where mankind walks on tranquil bars—
He walks with God, his name is Man.

MILFORD E. SHIELDS.

JOSEPH McCAFFREY'S 25TH ANNIVERSARY

Mr. MATHIAS. Mr. President, what is the measure of the passage of time in a man's life?

We mark the passing of time with clocks, calendars, and anniversaries, but they do not truly measure what effect time has on a man and his contributions to the world.

Not long ago, someone reminded me that "time is life itself." Thus, it seems, it is not the passage of years that is worth commemorating but, rather, what those years have continued in the way of effort, aspiration, and achievement.

For some man, a silver anniversary may represent only a wastebasket full of old calendars. But this year, we are fortunate in celebrating a 25th anniversary which has meaning in the finest and fullest sense.

I am referring, of course, to Joe McCaffrey's 25th year of broadcasting, of broadcasting news from Washington to the American people.

During that quarter of a century, Joe McCaffrey has won the greatest reward that any profession can offer; namely, the confidence of the people.

When Joe McCaffrey reports it, the people know that it is so.

This is more than a personal reward.

As we know in the Senate, the news media are a vital and integral part of modern, representative, democratic government.

Without reporters of Government affairs in whom the people have confidence, our American Republic would not be what it is today.

Thus, in joining many others who have congratulated Joe McCaffrey on his 25 years of service, I also want to thank him for the important part that he plays every day in the successful operation of his Government, and of the institutions which support it.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MATHIAS in the chair). Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 912) to provide for the establishment of the Florissant Fossil Beds National Monument in the State of Colorado, with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 9951) to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal years 1970 through 1972; to raise the limitation on the amount authorized to be made administration account by the amounts so excluded; and for other purposes, and it was signed by the President pro tempore.

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1970 FOR MILITARY PROCUREMENT, RESEARCH AND DEVELOPMENT, AND FOR THE CONSTRUCTION OF MISSILE TEST FACILITIES AT KWAJALEIN MISSILE RANGE, AND RESERVE COMPONENT STRENGTH

The Senate resumed the consideration of the bill (S. 2546) to authorize appropriations during the fiscal year 1970 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to authorize the construction of test facilities at Kwajalein Missile Range, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

NEED FOR CONTINUED ABM RESEARCH BEFORE DEPLOYMENT

Mr. ELLENDER. Mr. President, I have for months made it publicly known that I oppose congressional authorization for deployment of the Safeguard ABM system which has been recommended by the administration.

I wish to make it crystal clear at the outset that I do not oppose more research into the feasibility and workability of Safeguard or of any other ABM concepts. I intend to support either the so-called Cooper-Hart amendment or some provision similar to it which authorizes continued research and development of the Safeguard system.

Mr. President, before proceeding to outline the demerits of the ABM, I thought I would ask the indulgence of the Senate to say a few words about the various deterrents that we now have to protect our country against a surprise nuclear attack. To hear some persons talk, it would seem that without the ABM we will be defenseless against the world.

I can well remember when, 13 or 14 years ago, we built the DEW line. That line was established notwithstanding the fact that at the time there was evidence to indicate that the Russians were more or less giving up the manufacture of long-range bombers.

The DEW line cost us $1.6 billion. Although it is obsolescent, it is still being used. In order to operate this facility, in order to protect against bombers, we spend $38.9 million yearly on the DEW line alone.

It is operated, of course, by the Air Force. Outside of civilian employees, it requires 34 officers and 19 enlisted men.

In addition to the so-called DEW line, we have the ballistic missile early warning system, known as BMEWS. The cost of operating that warning system is $55.3 million a year. Over the years, it has cost the taxpayers $1.6 billion. That system is operated by the Air Force. Aside from the civilian employees, 134 officers and 734 enlisted men are used.

Aside from these, Mr. President, we have a variety of other facilities in what is called the SAGE system, costing $220.2 million annually. That system includes five types of facilities: combat centers, direction centers, BUIC centers, surveillance radars, and communications to integrate the above facilities.

To operate the combat centers, that I previously described, requires 67 officers and 340 enlisted men.

The second phase—that is, the direction centers—requires 859 officers and 3,040 enlisted men. That does not include the civilians who are employed at those centers.

The third system, the BUIC—the backup interceptor control—requires 260 officers and 818 enlisted men.

The surveillance radars require 616 officers and 10,988 enlisted men. They are aside from the civilians who are employed at the various areas.

To operate the communications which integrate these facilities—part of the NORAD system—we spend each year $30.3 million.

In addition, we have the NORAD Operations Center, which connects all of the facilities I have just mentioned to a central command post located somewhere in the Rocky Mountains near Denver. To connect and coordinate these various facilities, we have spent a total of $191.6 million, with an additional $36.6 million budgeted for fiscal 1970.

I am not quarreling at all about the amounts of money or the number of people who are employed to administer the various facilities; I simply want to show that the Department of Defense has been for many years done a thorough job of looking into and testing a multitude of warning systems which enable our offensive deterrent forces to maintain their credibility.

In addition to that, Mr. President, we have the over-the-horizon radar system, by which we are able to detect immediately a missile launch from Russia.

We also have several other warning devices which I am not privileged to mention.

The cost of the facilities I have mentioned aggregates almost $8.6 million, with an additional $371 million budgeted for fiscal 1970.

So, Mr. President, we have not been timid. The Defense Department has not been timid in providing us with all that it desired for protection by warning.

In the event that these warning systems ever give advance notice that we are under bomber or missile attack, we have the awesome power of our Minuteman and Polaris missiles, together with the SAC bombers to retaliate against any aggressor.

Mr. President, there seems to be no end to the research that we are capable of doing to improve these systems and to develop new ones. I am for that. I am very hopeful that some day we shall be able to find some one kind of instrumentality that will take the place of all these we now have. It is possible. Serving on the committee that passes on the research money, I can say that, aside from the ABM research funds that are being provided in the pending measure, we have approved, in another appropriation bill, a small sum, not too large—only $50 million—to carry on further research on one aspect of the ABM.

Mr. President, we have in another portion of the bill a sum which is not very large, only $60 million, in order to find ways and means of hardening the silos into which we put our Minuteman.

Mr. President, aside from the land-based and the sub-launched missiles and all of the warning systems, we have 528 bombers, 78 of which are medium, and 450 of which are heavy bombers. In addition, there are hundreds of carrier-based fighter bombers capable of carrying nuclear payloads against anyone who might attack us.

I point this out so as to dispel the notion that to delay deployment of Safeguard will leave us defenseless against nuclear attack. On the contrary, we have a variety of deadly systems spread around the world and representing an investment of hundreds of billions of dollars which, in my opinion, give us the

advantage of not having to take the desperate and extravagant risk of deploying an unproven ABM system.

The vast amount of "overkill" represented by all of these systems which have been built up over the past two decades should serve to give us breathing room for further testing and research into the concept of Safeguard before we talk in terms of actual deployment.

Mr. President, before I turn to my prepared statement, I should like to read from the 1970 defense budget and defense program which was issued just before Secretary of Defense Clark M. Clifford was succeeded by Mr. Laird. On page 50 of that document, after reciting things that had been done along the same lines I have been speaking of, Mr. Clifford states:

> Thus, by any definition of the term, our "Assured Destruction" capability now and over the next several years should be fully adequate even against the highest expected threat projected in the most recent NIE (National Intelligence Estimate).

Mr. Clifford indicated that we were well protected. And there is no doubt in my mind, from what I have heard, that with the weapons we now have at hand, we could destroy every city in Russia. In fact, I do not doubt that we could destroy the whole world if we were to use all the nuclear warheads in our arsenal.

With this background in mind, I would therefore like to discuss some of my reasons for opposing immediate deployment of the Safeguard system in the hope that my observations will have some constructive effect on the great debate which has evolved, not only in the Congress, but also throughout the land, regarding the fiscal, the strategic, the military, the psychological, the political, and the scientific aspects of this most complex issue.

As a further prelude to my remarks, may I point out that my observations as to fiscal aspects of the ABM program are made from the viewpoint of a fiscal conservative.

I have long carried on a campaign—sometimes a one-man campaign—to cut nonessential Federal spending wherever possible. I am sorry to observe that many of my fellow fiscal conservatives who, like me, are appalled at waste and nonessential spending in the broad spectrum of bureaucratic social programs, refuse now to apply their fiscal conservatism to the Military Establishment in evaluating the benefit-cost ratio of Safeguard.

I, for one, do not intend to exempt the Military Establishment from my motion that the wild spiral of Federal spending must be curbed where it involves nonessential and wasteful programs. I would suggest, therefore, that opposition to this ABM proposal is a noble cause for those on both sides of the aisle who, like me, have for years been fighting against nonessential Federal spending, against waste, against the resultant unbalanced Federal budget, and against an ever-increasing national debt.

May I point out further that my observations as to the military aspects of this debate are not those of a casual onlooker, but are those of a long-time member of the Senate's Subcommittee on Defense Appropriations who has attempted for years to be a conscientious student of our Nation's military operation.

Nor are my comments the remarks of a "dove" insofar as that term has been used vis-a-vis the Vietnam conflict, for I believe that we must see that conflict through to the sort of honorable and meaningful conclusion which will deny the North Vietnamese the intended fruits of their aggression upon neighboring countries.

Neither are my words those of one who ascribes to the unrealistic arguments that some propose for massive unilateral disarmament. Unfortunately, the kind of world we live in demands that we remain, as President Nixon said in his inaugural address, "as strong as we need to be for as long as we need to be."

With these basic considerations in mind, I shall now list several points which seem, to me, to argue against deployment of the ABM system which has been proposed by Mr. Nixon.

First, there is a very substantial doubt within our scientific community that Safeguard will function properly once its seven component parts are put together and are called on to interreact as a system. This evaluation seems to be based in part on suspected inadequacies of the system itself, which is fantastically complicated and which cannot be fully tested except in the event of nuclear war.

Each of the major components presents a very difficult engineering and development project in itself. The Spartan missile, the Sprint missile, the Parimenter Acquisition Radar, the Missile Site Radar, the Master Computer, the Command and Control system, and the atomic warheads—all are at varying stages of development, and none have been perfected or tried out in conjunction with all of the other parts.

As an example of the technical problems involved in deploying and keeping such a system in working order, capable of firing many missiles at a minute's notice any time of any day or night, I cite the rather embarrassing experience we have had recently with one of our supposedly well tested, highly reliable Minuteman missiles.

The Minuteman case involved a test scheduled for October 1966, which failed and had to be rescheduled for later that same year, only to fail again. It was attempted again—and failed again—late last year, and only a few weeks ago failed for the fourth consecutive time. First, there was trouble with a resistor, then with a capacitor, then with a pin in a connector, and finally with some other faulty component. In a way, each of these was a minor malfunction, but each was quite enough to disable the missile and prevent its launch—even after lengthy and highly elaborate preparations had been made in each case to insure a successful launch. I am speaking of the Minuteman.

I cite this incident not to embarrass the military or to belittle our ICBM program but to stress the point that in such a fantastically complex operation, involving literally millions of electronic components, we are foolishly optimistic to presume that even a relatively simple, fully proven offensive missile such as Minuteman will work reliably on a moment's notice.

The Safeguard system presents problems which are far more staggering than those of the Minuteman system, particularly when we consider that, unlike our Minuteman, Polaris, and other offensive missiles, it will have to operate on a "hair" trigger for weeks, months, and years at a time.

I contend that with such a complicated system, we should, by all means, be sure of what we are doing, rather than take a chance. That is exactly what we will be doing if we deploy the present system. It was known as the Nike-Zeus at one time, then as the Nike X, and then the Sentinel—all the same system.

I can well remember that President Eisenhower refused to go along with the Nike-Zeus. There has been very little added to that system since that time.

As the minority report of the Armed Services Committee so ably explains:

> Safeguard is the most complicated technological development ever planned for operation by man. The system consists of three major component parts: (1) missiles (2) radars (3) computers.
>
> Although we have had a long and therefore disturbing series of failures in missile testing, including another Minuteman failure only last week, there is no reason to conclude that the two Safeguard missiles, the Spartan and the Sprint, will not work. But there is reason to doubt that the long-range radar (PAR) and the short-range radar (MSR) parts of which have not been built, let alone tested, will operate successfully together in that almost instantaneous manner which would be necessary in case of sudden attack; and there is even more reason to doubt that the computer, which has been neither built nor tested, and which is admittedly far more complicated than any computer ever yet attempted, will operate properly when called upon to do so.
>
> Finally, it is logical to consider whether, even if these three separate components would operate properly as separate units, would they so operate when combined? For obvious reasons, the testing of any joint operation has not been possible.

Second, and also on the technical question, is the contention by many experts that it is relatively easy to take counter-ABM measures, either by disrupting the radar and guidance components of the system, by flooding the system with the decoy missiles, or by sending in a very heavy overkill of actual warheads.

In other words, even if the Safeguard system does not fail of its own innate disabilities—as the Minuteman missile did on four successive occasions as reported by me earlier—then there are a multitude of tactics that the enemy can take to overwhelm and bypass its capacity to handle incoming missiles.

In this regard, I know that our own Department of Defense and our own ICBM experts are entirely confident that they can penetrate the ABM system which the U.S.S.R. has deployed in a limited fashion around Moscow. There are apparently five or six offensive maneuvers or tactics available to us, any one of which will probably foil the Soviet ABM and the combination of which will surely do so.

Basically, what I am contending in this second argument is that offensive missile technology has a fundamental and per-

haps insurmountable advantage over defensive missile technology. If that is, indeed, the case we should all want to see a system fully proven and fully tested before we go forward on the bold assumption that it can overcome the built-in handicap it faces in trying to knock down a swarm of incoming warheads.

As defensive technology advances, so will offensive weapons technology and so will the sheer force of numbers of deliverable warheads. All of this, I feel, is certain to result in continued confidence on both sides in our respective offensive nuclear forces and continued doubt as to the reliability of the present generation—and indeed the present concept—of ABM forces.

On this point, I have just this week viewed a classified film produced by the General Electric Co. before the ABM question became such a heated national issue and while GE was promoting the notion that we should expand our offensive rather than our defensive missile systems. The film makes a very convincing demonstration of obvious, fundamental, and perhaps insurmountable advantage which offensive missile technology has over defensive missile technology. I stress the word "missile" because in a later point I will suggest that there may be alternatives to the very concept of missile versus missile.

Third, there is a closely related point which is perhaps technical in nature but which really involves nothing more than a bit of simple grade-school arithmetic. It has to do with the number of ABM missiles our system would have, compared to the number of ICBM missiles it would be guarding against.

As now proposed, by 1974, the Safeguard system would have 100 missiles at most, ready to be launched at incoming warheads. As I understand it, about half of these would be the long-range Spartan and half the short-range Sprint missiles.

For the sake of demonstrating my point, let us use this round figure of 100 ABM missiles deployed in 1974. We could use any number, as far as that is concerned. We could use 1,000 or 2,000.

The scientists—both opponents and proponents of Safeguard—seem to agree that an 80-percent reliability factor in such a set of missiles would be the very upper limit of what could be expected. In other words—assuming that there is no catastrophic failure with the whole system in which case no missiles would fire at all—everyone would be highly pleased if 80 of these 100 missiles got off the ground when the proverbial red button is pressed.

Judging from the recent record of the Minuteman tests, this is being extremely generous; but for the sake of the argument, let us assume an 80-percent reliability.

The next step is to estimate the degree of effectiveness of each of these missiles which does succeed in getting off the ground. In this regard, the experts seem to agree that it would be highly satisfactory if half of these were to find their target. This would mean that one out of every two Safeguard missiles would destroy an incoming warhead—an effectiveness factor of 50 percent.

When we apply this generous figure to the 80 Safeguard missiles which get off the ground, we find that they are able to knock out a maximum of 40 incoming warheads. By the proponents' own standards of performance, this is the result which could be expected in 1975 if the system works. My question is: Even if Safeguard works, does it give us anything really worth having and, if not, should not we be looking elsewhere for the kind of protection that is worth having.

As I read the figures which have been offered by the proponents, the U.S.S.R. will have about 2,500 ICBM's by 1975. I think that is the precise figure used by Secretary Laird on April 25 of this year. In addition, the proponents estimate that the Soviets will have at least 1,000 sub-launched missiles by 1975. This is a grand total of 3,500 missiles. Judging from "scare" statements to which we were subjected in the executive session on July 17, those estimates may now be substantially higher.

If we then assume that by 1975 a respectable number of these have MIRV potential, the number of warheads may well be 5,000, 6,000, or 7,000. And how many will we be able to knock down? Forty at most—and even this pittance assumes many excellent performance characteristics for Safeguard which the system might not have and probably does not have.

What we will have is a 1- or 2- or 3-percent return on an investment in which a 95-percent return would still leave us devastated. Of course the long-range plan is that we will then have to deploy more and more Spartan and Sprint missiles so as to get a better return, but I say that no matter how many we deploy, the same basic arithmetic will apply.

If, for instance, we spend $50 or $100 billion to expand Safeguard 10 times over to deploy not 100 but 1,000 missiles by 1980, the Soviets by that time will probably have in excess of 5,000 missiles with perhaps 15,000 warheads. We would be at even greater disadvantage than in 1975. If 800 of our 1,000 ABM missiles get off the ground and if half of these were effective, we would knock down only 400 incoming warheads among a possible 10, 12, or 15 thousand. The exact number is really unimportant because all it would take to devastate this country is about 100 well-placed warheads.

In my judgment, it is for this very reason that the Soviets have stopped deploying ABM sites around Moscow. Their system, which is probably less sophisticated than Safeguard and similar to our 1960 Nike-Zeus system, is subject to the arithmetic I described above. The Russians have apparently done their homework and have seen the pointlessness of trying to defend Moscow from the kind of attack which we are capable of launching.

It is basic logic that the more big-bad-wolf stories the proponents tell about how rapidly the U.S.S.R. is deploying ICBM's and launching missile submarines, the more useless and preposterous becomes the plan to defend against them by means of the Safeguard system—even one that has 10 or 20 times the number of sites and missiles now envisioned.

It is this undeniable ability to overwhelm the enemy's ABM system, to kill him and to devastate his cities and his industry several times over which we refer to as "overkill." In considering this subject we should remind ourselves that a one megaton bomb is 50 times the power of the Hiroshima bomb and that by the time the Safeguard system is proposed to be operational as a deterrent to a Soviet attack, our varied offensive systems could conceivably deliver as much as 5,000 megatons on the Soviet Union in a total nuclear exchange.

That would be the equivalent of 250 thousand times the destructive force of the Hiroshima bomb. If we related that awful power to the 100,000 casualties at Hiroshima, this amount of megatonnage would inflict 25 billion casualties—seven times the population of the earth.

To anticipate all of the contingencies which might be raised by the proponents, let me put it in ultraconservative terms. If only one-tenth of our megatonnage got through and if that megatonnage caused only one-tenth the relative number of casualties inflicted at Hiroshima, they would still result in 250 million casualties—equal to the entire population of the U.S.S.R.

By the same token, the Soviets could dump and would dump enough megatonnage on this country and do just as thorough a job of extermination on us. If the nuclear blasts did not do the job instantaneously, the radiation, the long-term fallout and the chemical and germ warfare which would follow would certainly complete the job.

Fourth. As a logical extension of my observations relative to "overkill," I wish to challenge and to discredit the line of reasoning engaged in by the proponents of Safeguard that the Soviet Union is scrambling to achieve a nuclear superiority with the view of attacking the United States as soon as it can inflict substantially more damage on us than we can on them.

In essence, this is the fear tactic which is being exploited when the proponents of Safeguard raise the first-strike argument. They seem to preach the notion, and indeed the presumption, that if the U.S.S.R. ever attains nuclear superiority, she will attack us on the theory that we will get the worst of a nuclear exchange and that nuclear war would, therefore, be in the Soviet's best interests. Their presumption is ill founded.

In the most basic and most frightful of terms, there are three great presumptions—each of them highly unlikely, if not impossible—which the U.S.S.R. would have to make in order to attack us first with the expectation of being able to survive our counterattack.

First. They would have to presume that as a result of their attack and as a result of whatever ABM defense they might have, not enough of our nuclear warheads would get through to cause them an unacceptable level of immediate physical damage.

Second. Along with the first highly unlikely condition they would also have to presume that the plant, animal, and human life in their country and indeed in the Northern Hemisphere could survive the fallout and radiation effects of the several thousand nuclear explosions which would occur in an all-out war—no

matter over whose territory the most bursts occurred.

Third, they would finally have to presume that we would not resort to bacteriological and chemical warfare of a sort that can and probably would exterminate mankind from this planet. They would even have to be sure that whatever germ or chemical they released on us would not eventually drift around to their side of the world and exterminate them too.

The "first-strike" argument of the proponents is so short-sighted, so uneducated and so narrow-minded that it casts the Soviets in the role of a raving madman who has neither any intelligence nor any will to survive. A sane man could not and would not stake his life on any of these presumptions, much less on all three.

Believe what else you care about the Soviets—they are intelligent, they do want to survive, and they do not want the kind of war about which I have been talking.

In addition, the very concept of "first strike" and its attendant risks of complete devastation and annihilation are at total variance with the Communist view of history. A basic tenet of the Communist "religion" is the fundamental belief that communism will prevail over capitalism as a matter of fate, as a matter of history. They are woefully wrong in this belief, but they do most deeply believe it; and to risk their own nuclear extermination for a goal which they firmly believe can be won merely by waiting and by pursuing tactics of less catastrophic potential.

In this regard, let me quote one of the most respected military leaders in our country's history to support my belief that the Soviets fear us just as much as we fear them and that neither has the intention of picking a nuclear war with the other.

Gen. Douglas MacArthur once said that world tensions were kept at a fever pitch by two great illusions:

> The one a complete belief on the part of the Soviet world that the capitalistic countries are preparing to attack them, and the other, a complete belief on the part of the capitalistic countries that the Soviets are preparing to attack us; both are wrong.

Insofar as nuclear warfare is concerned, General MacArthur was absolutely right; and when they speak of "first-strike" proponents are resorting to fear rather than to reason in a desparate attempt to promote the cause of the Safeguard system.

Fifth, there is the convincing and ironic argument offered by many of the experts that such an ABM system will actually backfire by causing the U.S.S.R. to multiply its offensive nuclear weaponry far beyond what it would if we had no ABM.

I respect that argument because I know that is precisely what we are doing in response to the alleged deployment of a Soviet ABM system around Moscow. To counter the effect of an enemy's ABM system, the military strategists simply program two or three or 10 times the number of warheads that would otherwise be required to do the job on a given target. The result is obvious. If ABM fails of its own disabilities or is out-maneuvered by the enemy, the supposedly protected target suffers two or three or 10 times the destruction it might otherwise have received.

As one of the experts on the subject has explained in very mild, reasoned and restrained language—almost to the point of understatement:

> If our potential enemy takes no steps to compensate for the deployment of ABM, some damage and casualty reduction could be expected. But the assumption that such steps would not be taken appears highly improbable if the adversary is the Soviet Union which has the means to take them and will feel compelled to do so, to preserve its secure deterrence posture. In fact, overreaction as judged by the past, would be the norm, particularly when the uncertainties about performance are as great as with the ABM system. The probable responses include increases in the numbers of offensive missiles and the deployment of MIRV's with their destabilizing effect. The development of the latter we ourselves decided to undertake upon learning of the start of the deployment of the Soviet ABM. These steps induce obvious counteractions by the other super-power and the net result could easily be another major expansion of offensive missile forces and an accompanying uncertainty about the security of our deterrent.

Under this sort of logic—and I think it is eminently sound logic—this ABM system could be less than useless. It could be highly counterproductive, and at a cost of untold billions of dollars.

To those who contend that the Soviets will continue to manufacture and to deploy missiles at a rapid pace regardless of what we do on the Safeguard question, I say, "It ain't necessarily so."

From my many travels to the U.S.S.R. and my hundreds of conversations with officials at all levels of their government, I know that they, too, are constantly engaged in an internal tug-of-war over military policy and military priorities.

I say that there is a group within the Soviet Government which would like to cool down the arms race, free their country of the back-breaking burdens of an uncontrolled missile race. They would prefer to put the country's emphasis on agriculture, on consumer goods, on housing, and on modernization of Russian industry at all levels. They know that these are the areas which, if neglected for too long, can bring the Russian people terrible hardship and could even result in civil unrest.

But what happens when these moderate elements attempt to steer the U.S.S.R. away from the arms race by leveling off missile systems development and deployment? I will tell you what happens:

The super hawks and the militarists plow them under with scare stories about Safeguard, Poseidon, Minuteman III, MIRV, AMSA, and so forth. They point out how the combination of all of these mighty American systems will give the "fiendship militarists" of the Pentagon a "first-strike" capability by 1975, unless the Soviet military effort is redoubled, unless hundreds more of the SS–9 missiles are deployed, unless 50 more missile subs are launched—unless, unless, unless.

It seems to me that we have an opportunity to strike a blow for the growth of this moderate element within the Soviet leadership by delaying deployment of what is really an unworkable ABM system anyway, and giving them the elbow room to point out that in the absence of an American ABM system, Russia does not really need quite as many SS–9's, MIRV's and missile subs and that the resources of the country ought to be diverted elsewhere.

This sort of change of pace would not occur overnight in the U.S.S.R. I am not so unrealistic as to think that. But I do know that heavy Soviet expenditures on these expensive weapons programs are seriously retarding the Russian economy. In the long run, their natural tendency would be to put more emphasis there, rather than on limitless expansion of missile forces. All that I am saying is that we should hasten this process by avoiding deployment of a system that is really useless to us but whose mere existence can easily be used by the superhawk group within the U.S.S.R. as a pretense for further escalating the arms race.

Here is our chance, perhaps, to break the action-reaction cycle on which the arms race feeds itself. Even if it is an outside chance we should take it, particularly, since we can do so without endangering our own security. All we would have to do, for the present at least, is to limit ourselves to testing a system which in the final analysis we may find does not work well enough to deploy anyway.

Sixth, I wish to raise the issue of the fiscal and budgetary impact of the Safeguard ABM proposal. As a longtime member of the Defense Appropriations Subcommittee, I know from experience that the "six or seven billion dollars" estimate of the cost of the "thin" ABM system will, in my opinion, escalate to a sum several times that amount.

Once deployed, this system's substantial and obvious inadequacy will almost certainly result in the gradual evolution of a "thick" system whose cost could run from $60 or $80 billion to the $400 billion which has been projected by Senator STUART SYMINGTON, a former Secretary of the Air Force.

As one who has always tried to be a watchdog against excessive, unwise and nonessential spending, I see the Safeguard ABM as a bottomless pit for my constituents' hard-earned tax dollars. As such, I view it as an incurable sore on the efforts that some of us are making to balance our budget, reduce the tax load and return to fiscal responsibility.

As I stated in my introductory remarks, I find it disappointing that most of my fellow fiscal conservatives who, like me, are constantly using the paring knife on wasteful social programs refuse now to apply their fiscal conservatism and good sense to the Military Establishment.

We are now spending $80 billion a year—$220 million a day—on military programs, and in my opinion, the Safeguard system could very quickly expand this sum beyond the $100-billion-a-year level. As a fiscal conservative, I fear that when combined with ever-increasing demands for medical, welfare, and "social" programs in general, this level of military spending will eventually wreck our economy.

This is the sort of development which might well bear out the prediction of one of the founders of the Soviet Communist

State who predicted that the capitalist nations would eventually "spend themselves to death." Once the system is deployed, it will serve as a bottomless pit for countless billions of dollars which our over-burdened budget, and our over-burdened taxpayers, cannot afford.

In this regard, I know that once Safeguard is deployed, it will be increasingly difficult for this body to pass objective judgment on its workability. In such a heated legislative battle as this—in which the President, the Pentagon, and so many proponents are putting their reputations and their sacred honor on the line, insisting that Safeguard will work—there will be a great, politically inspired reluctance on the part of many to admit at some time in the future that they were wrong and that Safeguard is, indeed, an Edsel.

The tendency, I fear, will be to pyramid a mountain of fundamentally unworkable, unproductive, and extremely expensive ABM hardware rather than admit error and waste. In face of such a possibility, we must take a "go-slow" attitude about deployment—until we know for certain that we do want to deploy this particular system.

Another example, in which I made unheeded recommendations to "go slow," involves our Polaris submarine fleet which has been expanded at a maximum rate over the several years and which is now having to be converted to handle the larger Poseidon missile rather than the Polaris missile. We have known for several years that Poseidon was on its way and that Polaris would soon be "obsolescent" by today's standards.

Of course, it would have been a mistake to build no Polaris subs at all while waiting for the perfection and deployment of Poseidon; but by the same token, a great savings to the economy and to military spending could have been realized by going slow on the Polaris-type subs and waiting to put our money into the Poseidon-type sub which we knew was coming.

Instead, we went full speed ahead with the Polaris subs and we are now having to spend $50 to $60 million apiece to convert 31 Polaris submarines to the Poseidon system. This conversion plan alone will cost $2 billion—a huge sum which could be spent instead to purchase a number of new Poseidon-type subs.

I can easily visualize "secret" memorandums floating around the Pentagon in 1979 which suggest that the best thing to do with Safeguard is to sink it in the ocean—the solution proposed in 1969 for our older Polaris submarines—rather than be saddled with its huge and pointless costs of operation and maintenance.

It is the old question of "haste makes waste" and in my opinion we must not make that mistake vis-a-vis the gigantic Safeguard program. If we do, we are likely to find ourselves with an outrageously expensive white elephant on our hands which is not convertible to anything at all—at a great and damaging cost to our economy.

Seventh. In discussing research and development, I find a most disturbing aspect to the manner in which the Safeguard system is being handled vis-a-vis the normal procedure of developing, testing, procuring, and deploying major weapons systems.

As a member of the Defense Appropriations Subcommittee, I learned long ago that there is a set procedure by which a weapons system must grow from the status of an obscure scientific concept to the status of deployment. Experience has proven that the more complicated the system, the more vital it is not to skip or not to violate any of these successive steps.

In a nutshell, these stages of R. & D. are: Basic research, exploratory development, advanced development, engineering development, operational systems development, and management and support.

With all its priority, costing, and rushing ahead, even the Manhattan project followed the five R. & D. steps with the rather special exception that there was only the one Alamogordo Trinity Testing. If this test had not been near fully successful, the two flights from Tinian would almost certainly not have left as they did.

The nuclear sub project of Admiral Rickover, and the Polaris missile project of Admiral Raborn similarly followed the five R. & D. steps carefully. The dangers involved made it natural that none of the five steps were omitted, although clearly the project work was rushed. An untried reactor would never have been considered by Admiral Rickover for procurement and deployment. An untested Polaris missile would never have been approved for massive procurement by Admiral Raborn. Yet, this is just the sort of hop-skip-jump procedure which the Defense Department is following with regard to the infinitely more complex Safeguard system.

The only cases of which I have been aware of successful attempts to bypass any of the normal five R. & D. steps involve the B–29 program, the Russian T–34 tank development program in the early 1940's, and the British "Mark I Star" radar system.

All other systems which have attempted to violate the five R. & D. steps in one or more ways, instead of saving time, have become grossly expensive or completely unworkable, or both. Some celebrated cases today involve the M–16 rifle and the TFX aircraft. But the worst current example is probably the combustible casing for the Sheridan tank. As a result of faulty R. & D. procedures, we now have a billion-dollar tank without an artillery shell that can safely be fired from its gun.

In the case of the Safeguard system, my observations are that the system has proceeded only to the third stage of development, which, according to armed services procurement regulations is called advanced development, a stage which is not far enough along the line to permit procurement or deployment of hardware for service use.

Mr. President, I ask that certain excerpts from part 2, title 4, section 201 of the Armed Forces procurement regulations be printed in the RECORD at this point in my remarks so that I might then refer to some of the language contained therein.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

4–201 DEFINITIONS

(a) The followng definitions of the term "research and development" are those set forth by the Department of Defense for the reporting of research, development, and engineering program information, and are primarily designed for program control. To enable procurement personnel to understand the meaning of these words as used by research and development personnel, the definitions are set forth here for information purposes. As the term "research and development" is used in this Regulation, it ordinarily encompasses only the first four of the categories set forth below. The definition set forth in (5) and (6) are not likely to coincide with the meaning of "research and development" as that term is used for procurement purposes. For example, "military construction of a general nature unrelated to specific programs", as included in (6) below would not be within "research and development" for procurement purposes in the case of construction of recreation facilities at an installation used exclusively for research and development. The facts of a particular case, however, may be such that (5) and (6) below would include a procurement which satisfies the procurement meaning of the term research and development.

(1) *Research*—Includes all effort directed toward increased knowledge of natural phenomena and environment and efforts directed toward the solution of problems in the physical, behavioral and social sciences that have no clear direct military application. It would thus, by definition, include all basic research and, in addition, that applied research directed toward the expansion of knowledge in various scientific areas. It does not include efforts directed to prove the feasibility of solutions of problems of immediate military importance or time-oriented investigations and developments.

(2) *Exploratory Development*—Includes all effort directed toward the solution of specific military problems, short of major development projects. This type of effort may vary from fairly fundamental applied research to quite sophisticated bread-board hardware, study, programming and planning efforts. It would thus include studies, investigations and minor development effort. The dominant characteristic of this category of effort is that it be pointed toward specific military problem areas with a view toward developing and evaluating the feasibility and practicability of proposed solutions and determining their parameters.

(3) *Adavanced Development*—Includes all effort directed toward projects which have moved into the development of hardware for experimental or operational test. It is characterized by line item projects and program control is exercised on a project basis. A further descriptive characteristic lies in the design of such items being directed toward hardware for test or experimentation as opposed to items designed and engineered for eventual Service use.

SPECIAL TYPES AND METHODS OF PROCUREMENT

(4) *Engineering Development*—Includes all effort directed toward those development programs being engineered for Service use but which have not yet been approved for procurement or operation. This area is characterized by major line item projects and program control will be exercised by review of individual projects.

(5) *Operational System Development*—Includes all effort directed toward development, engineering and test of systems, support programs, vehicles and weapons that have been approved for production and Service deployment. This area is included for convenience in considering all RDT&E projects. All items in this area are major line item projects which appear as RDT&E Costs

of Weapons Systems Elements in other Program control will thus be exercised by review of the individual research and development effort in each Weapon System Element.

(6) *Management and Support*—Includes all effort directed toward support of installations or operations required for general research and development use. Included would be military construction of a general nature unrelated to specific programs, maintenance support of laboratories, operation and maintenance of test ranges, and maintenance of test aircraft and ships. Costs of laboratory personnel, either in-house or contract-operated, would be assigned to appropriate projects or as a line item in the Research Exploratory Development, or Advanced Development Program areas, as appropriate. Military construction costs directly related to a major development program will be included in the appropriate element.

Mr. ELLENDER. Mr. President, I note that according to the DOD's own standards and regulations, under point No. 3, known as advanced development:

A further descriptive characteristic lies in the design of such items being directed toward hardware for test or experimentation as opposed to items designed and engineered for eventual service use.

Since in the case of Safeguard, many of the parts of the various component systems have not even been built in prototype form, much less tested in conjunction with the other major components, it is basic logic to conclude that Safeguard as a weapons system is certainly not beyond stage 3. In some regards, it has not even reached stage 3 and should, therefore, be considered far removed from stage 5, which is the first point at which the regulations speak of "deployment" in any sense of the word.

Although I am no expert in the matter, it seems that we might be able to give some sort of rating, between Nos. 1 and 6, to each of the major components of Safeguard. Then we might reason from these the relative stage of development of the system as a whole.

Since this is too technical an issue to explore in detail at this moment, I shall merely express my interpretation of the matter and check the RECORD in the days to come to see if proponents can prove by facts and figures that the various major components of Safeguard have, in fact, advanced farther than the levels of R.D.T. & E. which I attribute to them. If a component is in the early stage of a certain step I will use the term "minus" and if in the late stage the term "plus."

First. The Spartan missile—Step 4.

Second. The Spartan guidance and control system—Step 3 plus.

Third. The Sprint missile—Step 3 plus.

Fourth. The Sprint guidance and control system—Step 3 minus.

Fifth. The PAR—long-range radar—Step 4.

Sixth. The MSR—short-range radar—Step 3.

Seventh. The master computer—Step 3 minus.

Eighth. The master command and control system—Step 3 minus.

Ninth. The warheads—Step 4.

For the simplest reasons of logic, the workability of such a complex system cannot be glibly presumed. Without bringing each of the component parts through the whole R.D.T. & E. procedure we would be deploying Safeguard on little more than a fanciful presumption. The burden of proof of Safeguard's workability has not been satisfactorily borne by proponents who recommend the expenditure of billions for deployment of an unproven system.

Eighth, and in the same vein, I feel that deployment of the Safeguard ABM system could have a highly counterproductive effect of diverting research and resources away from programs which might someday produce a truly workable ABM system. Such a system might be based on laser beams, on other high-intensity sources of sound or light or on force fields of some sort that are unknown to us at present. Who knows what system or what concept is waiting to be discovered which does not suffer from the foibles which so many of our scientists feel are inherent to a projectile system such as the Safeguard.

In this regard, I wish to make it very plain that I am not an opponent of ABM per se, for I would be the first to want a protective shield over this great country that I knew would work. Though I do not feel that the U.S.S.R. intends to risk nuclear war with us now or in the foreseeable future, no one knows what the threat might be 5 or 10 or 20 years from now—either Russia, or more likely China or even from some other nation not now a nuclear power.

I actively support efforts to continue ABM research and view deployment of Safeguard as a threat to this research and a waste of precious resources on a system that will bog down of its own weight. A striking parallel can be seen in the history of the Nike-Zeus program for which many of Safeguard's proponents were clamouring a decade ago.

As one expert told the story so clearly:

It is interesting to contemplate that, had the deployment of Nike-Zeus been authorized in 1960–61, we would have just about now had the full system in operational readiness, after spending what was then estimated as $20 billion and could have been, judging by analogy with other large weapon systems, twice as much. Considering the current numbers and sophistication of offensive missiles now being deployed by the super-powers it is technically certain that the Nike-Zeus ABM system would now be of little value.

Full deployment of Nike-Zeus would certainly have been a stumbling block to the improved—but still inadequate and obsolescent—Safeguard ABM system. And if Safeguard is deployed now, it will have serious and perhaps deadly effect on development and eventual deployment of a truly effective ABM system, if indeed such a device can ever be created.

Ninth, and in connection with this matter of ABM research, let me raise the specter of a frightful possibility that has not yet been considered by the Senate. Since there has been a great deal of "fright peddling" by the proponents, I feel at liberty to put the shoe on the other foot and peddle a bit of fear and uncertainty on behalf of the opponents. Maybe as a result of what I am going to say, some of my colleagues will benefit by a balance of fear within their analytical processes and will then be able to look at the Safeguard more objectively than if their appetite for fear is being whetted only by proponents frightful hypotheses of what the Russians might do to us if we do not install an ABM umbrella over our heads.

My countercharge is this: What if, while we are deploying expanding and pyramiding a system which—for the many reasons I have stated—will not work, the Soviets are in the meantime putting all of their resources into research and development of a new concept which 10, 12, or 15 years from now does work.

Visualize, if you can, the situation in 1985 when we might have 10,000 improved Spartan and Sprint missiles blanketing the country, feebly facing perhaps 30,000 Soviet warheads. The arithmetic of the situation will still carry the inescapable conclusion that this is no defense at all against the U.S.S.R. if she should decide like a mad dog to attack us. This would be true even if our missiles are 100 percent reliable and 100 percent effective, which they would not be, of course.

But what if, by contrast, the Russians have spent the time and the resources between 1969 and 1985 not in burdening themselves with a white elephant but rather in finding and perfecting a system which really does work.

As I indicated earlier, there are already indications that they have stopped deploying their Golash ABM system around Moscow and are looking for something that will work. They have, no doubt, done their arithmetic and realize that—similar to the figures which apply to our Safeguard—even a 50-percent effectiveness from a system that is 80 percent reliable will still do them no good at all in the event of nuclear war.

So, apparently, they have found the good sense to stop kicking their dead horse and to go out looking for a better one. If by their commonsense efforts in this regard they jump ahead of us during the next decade—while massive deployment of Safeguard detracts from realistic R. & D. efforts into other concepts of ABM—then it is the proponents of Safeguard who will have deprived us of whatever ABM protection we might need in years to come.

I am one who wants to see this country spend whatever money is necessary in research either to prove or, more likely, to disprove the feasibility of Safeguard and then to get on to looking for something better, if such a thing exists.

Tenth, as a further matter of military strategy and programing, I fear that deployment of a hugely expensive ABM system could very easily squeeze out or seriously undermine other important military programs and place our total military posture out of balance.

If, as I have contended, nuclear war will not be chanced by the nuclear powers, then I am sorry to say that there will likely be other types of wars and conflicts of various descriptions which fall short of nuclear holocaust. I personally shall oppose such involvement wherever possible, but I am practical enough to realize that they will most probably occur from time to time.

The type of war we are fighting in Vietnam, the one we are constantly in danger

of having to fight again in Korea, the ones we are "secretly" fighting in Laos and Thailand, the conflict that is festering in the Middle East, the unsettled situation throughout Latin America—all give evidence that for a long time to come we shall have to be spending large sums on "brushfire" wars. And, too, it is a well-accepted principle that the best way to avoid such conflicts is to be eminently well prepared for them. The fiscal impact of Safeguard will certainly detract from our ability to maintain preparedness in this respect.

With the growing sentiment in Congress and in the country for a ceiling or a basic reduction in military spending, the deployment of a very expensive ABM system of very doubtful reliability would seem to me to gobble up a topheavy share of total military spending.

My educated guess is that there are many military men who would like to speak out against ABM on the grounds that it presents a clear and present danger to all military programs that are designed to assure preparedness for conventional warfare and for the necessary maintenance, modernization, and perfection of our offensive deterrent forces.

As a practical military man, I think I would be more interested, for example, in spending the necessary time, effort, and money in making sure our Minuteman system as a whole is not in the inoperative condition of the missile that failed to launch on four successive occasions. What we need here is a bit more horsesense thinking, more first things first in terms of military priorities.

Eleventh, I have come to feel a certain cynicism and disgust for the whole controversy surrounding the Safeguard proposal, because I find that it was in the beginning—and is becoming more and more—oriented toward politics than toward considerations of national security. Frankly, I feel that the Nixon administration made its initial recommendation for deployment because it was politically afraid not to do so. I think it was afraid to approach either the 1970 congressional elections or the 1972 national elections subject to charges of having allowed an "ABM gap" to develop.

I am sure that President Nixon has vivid memories of the "missile gap" psychosis employed so effectively by President John Kennedy to defeat him for the Presidency in 1960. President Nixon needed political insurance against any similar occurrence in 1970 and 1972 and in my opinion rested his decision heavily on political grounds.

To use a modern phrase, this sort of self-serving political motivation "turns me off." I frankly do not want to vote for a program that will cost billions, that is of dubious reliability, and that may hurt rather than promote our national security, when my careful observations tell me that this program is being proposed for reasons which are basically political.

In making this point, I do not mean to be totally critical of the President and the administration. Mr. Nixon and his advisers are victims of a situation which has built up over a period of years, and in a very real sense I feel sorry for them that they find themsleves locked into a position of having to propose deployment of an ABM system which they know is defective and ineffective by its very nature. I know the President wishes he had the political breathing room to do otherwise.

Twelfth, I wish to challenge the argument offered by proponents that they must test the Safeguard system on the site on which it will eventually be deployed—rather than out in the Pacific Ocean—in order, first, to obtain a realistic idea of its performance at that location and, second, in order to save money by having it already installed on the proper site if it does prove to be workable.

I shall try to demonstrate, Mr. President, that these are hollow and faulty arguments. They actually constitute a "nonthink" position for the proponents in view of the real-life situation to be faced when we talk about testing such a system and proving that it will work.

In the first place, I take the position that before we make a final judgment on an ABM system we should see all of its component parts function as a unit under conditions which simulate as closely as possible the attack against which it is designed to protect.

In the case of Safeguard, this "final judgment" of which I speak would be the foundation upon which this country might proceed to invest tens or even hundreds of billions of dollars in ABM sites and hardware in the years to come. So, it should be a realistic test which leads us to the final decision. Otherwise, we run the risk of total waste.

The charge I make is that we cannot stage such tests in Montana and North Dakota. To be certain of whether we do not have a white elephant on our hands, we would have to deploy a number of Spartan and Sprint missiles at a site, hook them into both the long-range and short-range radar systems, tie those systems into the master computers and the command apparatus and then tell the Safeguard operators something like this:

"At any time during the next 6 months, day or night, you must be prepared to defend against surprise attack from Minuteman, Polaris, Poseidon, and whatever other missiles we see fit to launch, including MIRV. The direction from which the attacks are launched, the time of attack, the decoy techniques and the numbers of missiles will constitute an attempt to stimulate a Soviet 'first-strike' attack. Only the nuclear warheads will be lacking."

Then, on some unannounced day or night, within the confines of an hour or two, we would then actually have to launch at least two dozen ICBM's and SLM's from varying distances at targets within the guarded area to see how many of those could be "killed" by a similar number of Spartan and Sprint missiles actually launched at the incoming dummy warheads. The "kills" would, of course, have to be judged on the basis of the distance by which each unarmed ABM missile missed its target. Since simulation would be at a maximum, the results of the test would contain enough realistic data on which to base a valid judgment.

This would not be true of the sort of testing that could or would be done in North Dakota or Montana. ICBM's and SLM's would not actually be fired at the sites under protection, and ABM missiles would not be fired at the incoming dummy warheads. The reason is obvious; political risk and public opinion would not allow it; there would be too much danger of stray missiles falling into towns, cities, or other populated areas.

Instead, the whole routine of "testing" would be to run tapes through the computers to simulate incoming warheads and other tapes to simulate Safeguard and Sprint launching—with the result that we would still not know whether the system really works under stress.

In effect, proponents want us to adopt a plan which by its very nature would preclude realistic testing. They will then come back next year and in succeeding years, ad infinitum, asking for additional authorization and money to deploy additional sites—always without any hard proof that the many component parts of Safeguard will work as a system under battle-like conditions.

Under these circumstances, we might be victimized by Safeguard in the same way as we were in the infamous case of the torpedoes the Navy tried to use against the Japanese in the early stages of World War II. After launching these torpedoes against Japanese ships, our submarine crews could hear them thump against the sides of the target vessels; but no explosions and no sinking of enemy tonnage ever occurred.

The fact is that a simple torpedo, which had been fully "lab tested" by the experts, regularly failed to detonate. These experts, in their haste to deploy a torpedo, had felt that if they could make their weapon work on the drawing board and if the bench-model prototype seemed to work as designed, then the real weapon would work, too.

But it did not work, and under different circumstances this result of fuzzy R. & D. thinking and hasty deployment might have cost us the war.

So, I implore my colleagues, let us not chance the same mistake. Let us not allow proponents to argue unchallenged the faulty proposition that paper testing and simulated prototype testing in Montana is an acceptable substitute for realistic testing at the Kwajalein test site in the Pacific—where real Spartan and Sprint missiles can be launched against a surprise attack of ICBM's and SLM's, lacking only the nuclear warheads which we hope will never have to be used. Let us bear in mind that Safeguard is a supercomplex interconnection of at least seven major components, not one of which—as I explained in point No. 7 of these remarks—has yet been proven acceptable for deployment under the normal rules of R.D.T. & E.

To me, these commonsense observations relative to testing make short shrift of the "economy" argument which proponents offer for deploying prototypes on the spot where eventual permanent deployment is anticipated. As explained, proper and realistic testing cannot and will not be conducted at those sites. This kills any argument for economy because it allows for the strong possibility that

the entire system will be totally unworkable and thus totally uneconomic.

Thirteenth, I would like briefly to take issue with those who argue that "Because we were able to put men on the moon, we can certainly build the Safeguard ABM system in a way that will work."

As I have explained in previous arguments, this may well be so; but we should test and prove it out as a technological fact before deploying. Also, as I have said, even if it "works" in the technical sense, Safeguard may not be capable of doing the job in terms of the numbers of warheads potentially involved in a nuclear exchange. Furthermore, as stated, the Safeguard program may be the very factor that diverts our scientists from developing a system that will work.

Be that as it may, it is a fallacy to presume that Safeguard will work because we are as capable of making it work as we are of putting men on the moon.

The manned missions which NASA has handled so masterfully involve only one missile launch at a time. Each of these rockets is specially prepared and individually installed on the launch pad several weeks before blastoff. Each then receives the almost undivided attention of the entire multibillion-dollar worldwide NASA complex, with its tens of thousands of scientists and technicians. Finally, each rocket is subject to a highly elaborate countdown of 190 hours—with several built-in "hold" periods—before it is launched.

I say that it is not good thinking to draw general comparisons and hold presumptions from the admittedly spectacular successes of the NASA manned space programs and apply them to a system which, by contrast, would involve literally hundreds of highly sophisticated rockets, each one attuned to a hair-trigger where the mere concepts of "countdown" and a "hold" is totally self-defeating.

Fourteenth. I take issue with the argument of those who suggest that although Safeguard may be useless against a Soviet first strike, it is nonetheless a good investment against the possibility of a Red Chinese first strike.

The military and strategic facts of life do not support this sort of logic. In the first place a Chinese attack would be a "madman" attack, conducted with the knowledge that massive retaliation on China would result. In such a situation, the Chinese would not have the capacity to diminish our retaliatory capacity to any significant extent, if at all, and would instead try to devastate as much of our population, our industry and our commerce as possible.

That kind of attack would be launched at our coastal areas where most of our large cities are situated and where huge amounts of our industry and commerce is to be found. The attack would come not from a handfull of ICBM's that are projected for the Chinese arsenal in the mid-1970's but from a handful of submarines or even freighters or fishing vessels—or a combination of all three—stationed right off our coasts in international waters.

In such a situation, even obsolete or obsolescent subsonic, short-ranged missiles could be used with virtually no warning at all. Under these conditions, Safeguard would be totally useless. There might be some other defense against such a sea-based coastal attack; but whatever that may be, it has nothing to do with Safeguard. Since this system cannot be linked realistically to the kind of attack that we might logically expect from the Red Chinese, proponents should not be allowed to justify it on that basis.

May I point out, parenthetically, that one of the factors which originally caused me to question the feasibility of the Safeguard system was the apparent inability of its proponents to state clearly the kind of attack against which it is supposed to protect and by precisely whom this attack is to be launched. The illogic of linking Safeguard to a Red Chinese attack describes eloquently the illogic of Safeguard itself.

Finally, I want to comment on the cold war aspects of the ABM program. I make these observations in view of the urgent need I see for slowing down the arms race and for cooling down world tensions, the alternative to which is an intensification of the cold war and a further polarization of the peoples of the world into hostile camps bent on mutual destruction.

As I have tried to indicate at several points in this address, I feel that both we and the U.S.S.R. have developed nuclear forces of such fearful potential that neither of us will now or in the foreseeable future risk atomic war.

If this is a correct conclusion, then the contest between the free world and the Communist world will be won—or lost—in the battle for men's minds—on the battlefields of ideas, of economics, of internal progress, and of fiscal stability.

As I see it, we cannot hope to defeat communism militarily because to do so would be to invite our own destruction as well. That being the case, we should look for nonmilitary means of winning this competition.

On five different occasions in recent years, I have visited Russia and have seen in the Russian people the best bet for our success over the Soviet system. Despite the fact that the U.S.S.R. remains a dictatorship, it is not and cannot be completely unresponsive to the thinking of the Russian people. They are the only ones who can—and will, if we help them—change the face of Soviet communism and help make the world a safer place in which to live.

I am not one of those who believes that communism will never change and that the U.S.S.R. will forever be the same society over which Stalin presided. My five visits to Russia since 1955 have proved to me that there has indeed been great change.

I know, too, that there is potential for much more change among a people only 5 percent of whom are members of the Communist Party, almost all of whom are educated, and most of whom—like their restless neighbors in Eastern Europe—are enough like us in their human characteristics and aspirations to be our potential allies— if we will only find some way to bring them into the mainstream of Western civilization and show them the superior system we have in comparison to the one under which they now exist.

In these circumstances, the real battle against communism will not be won by ABM systems or by how much more "overkill" we can develop. It will be won or lost—on the battlefield of ideas, of economics, of internal progress, and development and of fiscal stability. If in the process of chasing the dream—the perhaps impossible dream of nuclear invulnerability—we wreck our economy, unbalance our overall military posture, and distract ourselves from the true nature of the competition, then communism may well win by default over the forces of individual liberty, of free enterprise, and of self-determination.

In conclusion, the argument I am making is that there is a point at which the proliferation of nuclear weaponry becomes useless at best and counterproductive at worst. I explained earlier how ABM systems will have a tendency to multiply offensive weapons deployment beyond all reason, thus adding to the dilemma rather than detracting from it. I would, therefore, like to see more of our attention directed toward the nonmilitary aspects of the competition with the U.S.S.R., for that is where our real strength lies—and where the real Soviet weakness lies.

As strong as Russia is militarily, her Communist government could probably not survive the effects of a few weeks or months of a free press or freedom of speech as we know it; yet we are spending no money, no time, and no effort on strategy aimed at promoting the growth of a free press or of free speech in Russia. Perhaps such an effort would not be fruitful; but in terms of the potential benefits, it would be at least worth an effort. At least it would point us in the right direction in our efforts to undo communism, rather than up the blind alley which is being suggested by proponents of Safeguard.

As many nuclear bombs as the Soviets have, their whole economic system could be transformed by increased demands by their people for a broad system of work incentives; yet we are doing next to nothing, either in terms of brain power or money, to encourage this movement within the U.S.S.R. What is happening there in the line of economic transformation seems almost to occur despite us rather than as a result of our encouragement.

As challenging as the U.S.S.R. has become politically, scientifically, and economically, we fail to recognize and to act on the one major flaw by which the whole system might be made to crumble. That flaw is the flaw of communism itself; namely, its incapacity to offer freedom, civil liberties, and the rights of self-determination to the people without bringing about its own destruction.

If, indeed, there is such a vulnerable spot in the Soviet armor, we must direct our efforts, our talents, and our energies toward that spot. We must somehow create an atmosphere in which we can show the Russian people the benefits of our free-world institutions—material,

spiritual, social, economic, and governmental and they in turn will defeat communism for us, not by revolution, but by the constant pressure of gradual demands which, when answered, will cause Russia to outgrow her Communist system and diminish her threat to our way of life.

Contrary to popular notions of the professional anti-Communists, I picture such a development as not only possible but almost inevitable in a basically wealthy and educated nation such as Russia, if we will only stoke the fires of freedom and human rights that already reside in the hearts of the people.

Mr. President, I should like to add at this point that in my visits to Russia on 5 different occasions, I could note the differences that have accurred from year to year.

When Stalin grew to power, he grew in the midst of ignorance, want, and povetry; but that situation no longer exists in Russia. Today I would say that 95 percent, or perhaps more, of Russian adults can read and write; and they are becoming curious. They want to know what we are doing, and why it is that they do not prosper as much as we do.

As I have stated, that situation is going to continue to evolve to our advantage, and all we need to do is encourage it. I sincerely believe that the Russian people, on the whole, do not want war any more than we do. I heard on the radio awhile ago that President Nixon used almost the identical words I have been using now for the past 10 or 12 years as to the possibilities of our living side by side with the Russians, without in any manner embracing any part of their system.

It should be clear from what I have said here that my opposition to deployment of Safeguard is not intended as an appeasement of communism. I abhor it and want to see it extinguished from this planet. Actually, what I am searching for is a more effective and more realistic sort of anticommunism than "ABM-ism" or "overkill-ism."

My complaint is that the narrow, unimaginative, type of anticommunism we practice today fails even to take into account the essential nature of the cold war; namely, the fact that it is a "battle for men's minds." We not only lack a positive policy for winning the minds and the sentiments of the Russian people, but we seem to follow policies at times which deliberately and needlessly tend to drive them into the arms of their Soviet masters by isolating them and alienating them from the influences of Western civilization and current events.

As long as we limit ourselves to a narrow policy of military confrontation and arms competition with the U.S.S.R., the best we can hope for is a frustrating, costly, and highly dangerous "coexistence" with communism. At a cost of $80 to $100 billion a year this sort of perpetual coexistence with communism will mean the eventual downfall of the American economy and the American morale.

In the 25 years since the end of World War II, we have spent approximately a trillion dollars to build up our military might and to protect our territory and the territory of our allies from attack by the Communists. I feel that the tremendous overkill we now possess in the form of more than 10,000 nuclear warheads which can be delivered from submarines, aircraft carriers, underground ICBM missile silos, mobile missile carriers, and by supersonic bombers and rocket bases scattered all around the world is sufficient to insure us against a first-strike attack by anyone but an absolute madman.

Since the Safeguard ABM system is no deterrent to a madman, it does not, in my opinion, add meaningfully to the deterrent effect of the vast array of armaments I mentioned above. We should not upset our economy to set up an imaginary defense against a madman who probably does not exist—and who, if he does exist, cannot be defended against by present concepts of ABM.

THE H-BOMB CONTROVERSY AND THE ABM CONTROVERSY: AN ANALOGY AND THE LESSONS

Mr. DODD. Mr. President, more than one observer has made the point that there is a remarkable analogy between the debate surrounding the ABM decision today and the debate that raged inside the administration around the decision to build the hydrogen bomb in 1949–50.

For example, columnist Joseph Alsop has pointed out that in the debate over the development of the H-bomb in the late forties:

> The prime arguments against the H-bomb that were used by Dr. J. Robert Oppenheimer were precisely the arguments now being used by the ABM's scientist-opponents. Oppenheimer said: (a) that the H-bomb would not work; (b) that it would be inordinately expensive to develop; (c) that development would only increase the instability of the world balance of power . . . As anyone can now see, he was nonetheless dead wrong on all three points. Later he admitted as much.

Alsop later asked Oppenheimer why he has been so wrong in saying that the H-bomb would not work, and Oppenheimer replied:

> I guess I concluded it wouldn't work because I wanted it so much not to work.

In the recent ABM book which they edited and to which they contributed, Dr. Jerome Wiesner and Mr. Abram Chayes denied that there was any basic analogy between the ABM controversy and the H-bomb controversy. This is what they said:

> It is necessary to be clear about the kind of question here involved. Some people have thought it analogous to the technical issues surrounding the decision to go forward with the development of the hydrogen bomb. In that instance, it is pointed out, a substantial and respected portion of the scientific community opposed a high-priority effort to develop the H-bomb. But in the hydrogen bomb controversy the scientific issue was whether a specific design concept could *in principle* ever be developed into a workable weapon. That question could be and was resolved by additional theoretical calculations; and, in fact, though this is not generally appreciated, the original concept was demonstrated to be unworkable.

Because I thought it important to determine whether there is a valid analogy between the ABM and H-bomb controversies, I wrote parallel letters to Dr. Wiesner and Mr. Chayes, in which I posed the following question:

> Could you give me the source or sources for your statement that there was little scientific controversy over the program for production and deployment of hydrogen weapons, and that the real issue in the controversy was "whether a specific design concept could in principle ever be developed into a workable weapon"?

In addition to writing to Messrs. Wiesner and Chayes, I also wrote letters to Dr. Edward Teller and Adm. Lewis Strauss, former Chairman of the Atomic Energy Commission, asking them for their comments on the statement made by Chayes and Wiesner, on the question of whether or not there exists an analogy, in their judgment, between the ABM debate and the H-bomb debate.

I also checked back through the record of the Atomic Energy Commission and through the literature dealing with the story of the H-bomb.

My research and the replies I received convinced me that the parallel between the arguments offered against the H-bomb in the late forties and the arguments today being advanced against the deployment of the Safeguard ABM system is even more marked than Mr. Alsop indicated in his column.

Among other things, it was argued:

First, that our development of the H-bomb would escalate the arms race by encouraging the Soviets to match our development;

Second, that it would make it more difficult to achieve any meaningful agreement with the Russians on arms control;

Third, that it would make nuclear war more likely rather than less likely;

Fourth, that we should delay embarking on the H-bomb program while we sounded out the Russians on arms control; and

Fifth, that, in any case, 1 or 2 years' delay would not make any serious difference.

One need only substitute the word ABM for H-bomb to realize the amazing and frightening similarity between today's catalog of anti-ABM arguments and the 1949 catalog of anti-H-bomb arguments.

The five-page joint letter which I received from Messrs. Wiesner and Chayes in my reply to my query made no concessions, however, to the existence of an analogy between the H-bomb controversy and the ABM controversy.

Instead, they repeated their statement that "in the hydrogen bomb controversy the scientific issue was whether a specific design concept could ever be developed into a workable weapon."

They further stated that the October 29, 1949, report of the General Advisory Committee on the Atomic Energy Commission "only opposed—party on extra-scientific grounds—a crash program for the development of the 'super,' based on the design concept then available."

The statement by Dr. Wiesner and Mr. Chayes that the central issue in the hydrogen bomb controversy had to do with the feasibility of the design concept originally proposed, is in such flagrant contradiction with the public record that it

is hard to believe their error was a product of simple ignorance.

I leave it to others to draw their own conclusions from the facts and the documents I shall here set forth.

One can only hope that they were somewhat less reckless with their facts where the facts are not a matter of unchallengeable public record.

THE REAL HISTORY OF THE H-BOMB CONTROVERSY

In his reply to my letter, Admiral Strauss asserted:

> There are striking parallels between the debate on the ABM and the debate on the fusion bomb ten years ago.

Recapitulating, point by point, the arguments that were made against the H-bomb program by the General Advisory Committee scientists, Admiral Strauss added:

> These points are not in accord with the emphasis in the book [the Wiesner-Chayes book] that "the scientific issue" concerns only the feasibility of an initial design concept. Another design concept proved feasible, but it would not have been found or, if found, would not have been developed, had the opponents of the hydrogen bomb succeeded in persuading the President to declare against it as a weapon. The principle which clearly guided him—that the United States could not afford to be less well armed than a potential enemy—has a modern corollary. We cannot afford to be less well defended than a potential enemy.

Dr. Teller in his reply to me confirmed that there had been some differences over design. He said that, while it was correct that a new concept had been proposed and was eventually demonstrated to be workable, it was "an oversimplification to state, as the Wiesner-Chayes report does, that 'the original concept was demonstrated to be unworkable.'"

Dr. Teller's letter made it clear, however, that the vigorous debate in the nuclear community during the latter part of 1949, had to do essentially with the question of whether or not we should make an effort to produce the H-bomb.

That the accounts given by Admiral Strauss and Dr. Teller are basically accurate is established by the now-public record of the historic meeting of the General Advisory Committee of the Atomic Energy Commission on October 29, 1949.

The report adopted unanimously at this meeting—Dr. Seaborg was absent—agreed that "an imaginative and concerted attack on the problem has a better than even chance of producing the weapons." The GAC members, however, opposed the effort to develop the H-bomb on essentially moral grounds.

We all hope—

Read the report—

> that by one means or another, the development of these weapons can be avoided. We are all reluctant to see the United States take the initiative in precipitating this development. We are all agreed that it would be wrong at the present moment to commit ourselves to an all-out effort toward its development.

That the members of the General Advisory Committee were moved far more by moral and ethical considerations than by any scientific considerations, was further emphasized in two supplementary statements to the main report, one signed by five of the members of the Committee and the other one by two of them.

The majority supplement said in part:

> In determining not to proceed to develop the Super-bomb, we see a unique opportunity of providing by example some limitation on the totality of war and thus eliminating the fear and arousing the hopes of mankind.

The language of the minority supplement was even more imperative. Let me quote one paragraph from it:

> The fact that no limits exist to the destructiveness of this weapon makes its very existence and the knowlege of its construction a danger to humanity as a whole. It is necessarily an evil thing considered in any light. For these reasons, we believe it important for the President of the U.S. to tell the American public and the world we think it wrong on fundamental ethical principles to initiate the development of such a weapon.

Fortunately, for the free world, the attitude of the General Advisory Committee was not shared by Dr. Edward Teller, Dr. Ernest Lawrence, and a handful of other scientists. They carried their arguments to the Atomic Energy Commission and to the Joint Committee on Atomic Energy and to President Truman himself.

Their viewpoint was supported in the Atomic Energy Commission initially only by Adm. Lewis Strauss and by Gordon Dean. It was only toward the very end that they were able to enlist the support of David Lilienthal, the chairman of the Commission.

Senator Brian McMahon, of Connecticut, the Chairman of the Joint Committee on Atomic Energy, was one of the first to accept the imperative logic of the argument that we could not afford to let the Russians beat us to the H-bomb without gravely imperiling our own security. In this view, he was joined by other members of the Joint Committee.

I might say parenthetically at this point that my knowledge of the H-bomb conflict is not based entirely on the historical documentation. Both Brian McMahon and Gordon Dean were old personal friends: McMahon and I had served together in the Department of Justice, while Dean had been with me at the Nuremberg trials. And on more than one occasion when I came to Washington in 1949, McMahon and Dean discussed the matter with me and told me of their concern and of the problems they were having.

Even at the Pentagon, Secretary of Defense Louis Johnson was still disposed to question whether the Soviet Union had really exploded an A-bomb in September 1949; and Johnson, too, until the last minute, argued against the effort to make the H-bomb.

Within the State Department a battle also raged.

George Kennan, director of the policy planning staff, led the forces opposed to the H-bomb project. In a 128-page memorandum which he submitted to the Secretary of State on December 15, 1949, he argued that the Soviet Union would not deliberately initiate atomic war, and he thought the Soviet Union would not proceed with thermonuclear weapons program if we did not.

It is interesting to note, parenthetically, that Kennan had offered a quite different estimate of the Soviets in 1945, when he opposed sharing atomic energy knowledge with them. According to his memoirs, he wrote the following dispatch in December of 1945:

> There is nothing—I repeat nothing—in the history of the Soviet regime which would justify us in assuming that the men who are now in power in Russia . . . would hesitate for a moment to apply this power against us if by so doing they thought that they would materially improve their own power position in the world.

Kennan's appraisal and that of the General Advisory Committee of the Atomic Energy Commission was opposed within the Department by Secretary of State Dean Acheson, Paul Nitze, and several other key officials.

At Acheson's request, a report was prepared which concluded that we should proceed to test the feasibility of developing an H-bomb because our national security would be gravely imperiled if we did not do so. The report called for a continued effort to achieve agreement on the international control of atomic energy. But it warned:

> The necessary negotiations probably could not be completed in less than a year and a half to two years. . . . to delay an accelerated program of development for such a period in the absence of adequate assurance that work in the Soviet Union has been similarly delayed, would measurably increase the prospect of prior Soviet possession of thermonuclear weapons.

On January 27, 1950, the counselor of the British Embassy asked for an urgent meeting with Undersecretary Robert Murphy, and informed him that Dr. Klaus Fuchs, who had worked at Los Alamos from 1942 to 1946, and who possessed complete knowledge of all our thermonuclear research during that time, had admitted that he had for many years been a Soviet spy.

Against this background, on January 31, Acheson, now joined by Johnson and, reluctantly, by Lilienthal, presented to President Truman a recommendation that the United States proceed with work on the H-bomb.

This report culminated the work of a special committee of the National Security Council created nearly a year earlier under Acheson's chairmanship to consider nuclear policy.

Mr. TOWER. Mr. President, will the Senator yield for an observation?

Mr. DODD. Yes; I am happy to yield to the distinguished Senator from Texas.

Mr. TOWER. I commend the distinguished Senator from Connecticut for his historical recitation. I think it is vitally pertinent to this debate. I express, with him, the hope that all Senators will read these remarks in the RECORD. I think they give us cause for serious reflection.

Mr. DODD. I thank the Senator from Texas for his remarks. They please me very much. I have noticed that he has been listening carefully to what I have said. In my limited way, I have tried to spread on the RECORD some facts which I think ought to be called to the attention of every Senator.

There is no Member of this body who is more capable of handling facts than

the Senator from Texas (Mr. TOWER). I am pleased that he has taken note of what I have said.

To come back to my historical recitation, it was fortunate that President Truman was a leader who was singularly free of fuzzy thinking about Communist intentions. Rejecting the unanimous advice of the General Advisory Committee, and knowing that his decision would be opposed by a majority of the scientific community, Truman decided to accept the recommendation of the final Acheson-Lilienthal-Johnson paper, and to proceed immediately with the effort to produce the H-bomb.

In retrospect it is frightening to think of what might have happened if the opinion of the General Advisory Committee of the Atomic Energy Commission and of the majority of the scientific community had prevailed. For then the Soviets might have beat us to the H-bomb by as much as 3 or 4 years.

Even with President Truman's fearless and timely decision to proceed, our H-bomb was perfected and added to our deterrent arsenal only in the nick of time.

The common impression is that the United States got the H–bomb before the Soviet Union. Actually, this is not entirely accurate.

The United States exploded its first hydrogen test device on November 1, 1952, in Operation Ivy. But this was not a deliverable device.

Our first deliverable weapon was not exploded until March 1, 1954, in Operation Castle.

Meanwhile, in early August 1953, the Soviets had staged their first thermonuclear explosion, which, according to our intelligence, did involve a weapon capable of delivery.

It was thanks only to a massive effort and to the inherent superiority of American technology that we were able to pull ahead of the Soviets in thermonuclear weapons over the following years.

It is also frightening to think of what might have happened had the decision to build the H-bomb been subjected to the prolonged emotional discussion in Congress and in public that has characterized the debate of the decision to deploy Safeguard.

Hundreds of thousands of letters, I am certain, would have descended on Congress urging them not to escalate the arms race and not to squander our national resources on additional weapons of mass destruction.

Many an honorable Member of Congress, unquestionably, would have been impressed by the arguments of the distinguished scientists who composed the General Advisory Committee and would have taken the floor to argue that we should heed the advice of the majority of our scientific community.

And no one can say for certain what the outcome of such an emotionally charged debate would have been.

I do not argue against public debate.

I am all in favor of it.

But I do believe that the public debate we are today conducting would be enormously enhanced in quality if, in making our decisions for the future, we stopped to examine the lessons of the past.

That is why I have considered it important to recount the H-bomb history, with a view to determining just how much analogy there is between today's debate on the ABM and the debate that took place almost exactly 20 years ago over the decision to build the hydrogen bomb.

I believe that this review of the essential issues in the H-bomb controversy has more than passing significance in the controversy over the ABM system.

What the H-bomb controversy established is that many of the most distinguished members of our scientific community, out of the most laudable ethical motivations, are disposed to close their eyes to the harsh realities of the cold war, to credit the Soviets with a far greater degree of good faith than any reading of the record would warrant, and to persist in the dogma that restraint on our side will inevitably result in parallel restraint on the Soviet side.

The dogmatic nature of this trustfulness vis-a-vis the Soviets is amply illustrated by a statement made by Dr. Hans Bethe in an Atlantic Monthly article dealing with the Geneva test ban negotiations. Dr. Bethe said:

> I had the doubtful honor of presenting the theory of the big hole to the Russians at Geneva in November, 1959. I felt deeply embarrassed in so doing, because it implied that we considered the Russians capable of cheating on a massive scale. I think that they would have been quite justified if they had considered this an insult and had walked out of the negotiations in disgust.

This statement came from a man whose credentials include a Nobel Prize for physics and the position of chief scientific adviser to the President, a man who was a vocal opponent of the H-bomb project and who has in recent years been just as vocal in his opposition to the ABM.

To justify their naive political and ethical dogmas, scientists like Oppenheimer and Bethe frequently invoked scientific rationalizations which, in retrospect, certainly did not reflect credit on their judgment.

About the H-bomb, for example, it is reported that Hans Bethe once said:

> It cannot be made and should not be made.

It appears that, having decided that the H-bomb "should not be made," he deduced from this moral proposition the scientific conclusion that it "could not be made."

America has every reason to be proud of the accomplishments of its scientific community and of the countless benefits their collective efforts have conferred on mankind. But when scientists assume that their expertise in their own field of specialization automatically qualifies them as experts in the field of politics, they more often than not wind up by making themselves look ridiculous or, worse still, by damaging the cause they honestly desire to serve.

At the height of the debate over the H-bomb, my good friend, Senator Brien McMahon, once said to me that in his opinion Oppenheimer and his associates had gone far beyond their area of scientific competence in opposing the H-bomb on moral and political grounds. For this transgression, he said, they would suffer in the judgment of history.

McMahon's opinion turned out to be prophetic.

One of the chief lessons to be learned from the H-bomb controversy is encompassed in the two rules to which I referred in my statement of last Friday.

These are the rules:

> Rule No. 1: In assessing the potential of any important new field of technology involving new processes or systems—*half the scientists, or at least a large fraction, are usually wrong.*
>
> Rule No. 2: If a significant percentage of scientists agree, or sometimes if only one or two agree, that something new can be done—It can be.

In my statements on the ABM controversy Friday and today, I have not engaged in any numbers games or presumed to make technological evaluations. I do not feel competent to do so. But based on past experience, I believe that if 50 percent of the experts say that the ABM will not work, and the other 50 percent say it will work, then the odds are heavily in favor of the group of experts who say it will work.

With this, I rest my case.

Mr. President, I ask unanimous consent to insert in the RECORD at this point my exchange of correspondence with Messrs. Wiesner and Chayes, Adm. Lewis Strauss, and Dr. Edward Teller.

I also ask unanimous consent to insert in the RECORD the complete text of an article which appeared in Life magazine for September 6, 1954, under the caption, "Dr. Edward Teller's Magnificent Obsession."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 20, 1969.

Dr. JEROME B. WIESNER,
Massachusetts Institute of Technology, Cambridge, Mass.

DEAR DR. WIESNER: In the study of the ABM which you and Mr. Abram Chayes prepared at the request of Senator Kennedy, the opening overview makes the point that there is no real analogy between the ABM debate and the H-bomb controversy of the late forties. This point is made in the following passage of your study, which appears on page 14:

"It is necessary to be clear about the kind of question here involved. Some people have thought it analogous to the technical issues surrounding the decision to go forward with the development of the hydrogen bomb. In that instance, it is pointed out, a substantial and respected portion of the scientific community opposed a high-priority effort to develop the H-bomb. But in the hydrogen bomb controversy the scientific issue was whether a specific design concept could in principle ever be developed into a workable weapon. That question could be and was resolved by additional theoretical calculations; and in fact, though this is not generally appreciated, the original concept was demonstrated to be unworkable. As a result of this subsequent analysis, a new approach was developed which was found to be feasible, first by theoretical and laboratory studies and ultimately by test explosions. The program for production and deployment of hydrogen weapons, about which there was little scientific controversy, did not go forward until these theoretical issues had been resolved."

Because I think it is important to determine whether or not there is a valid analogy, between the ABM controversy and the H-bomb controversy, I had planned to ask

certain questions of you and Dr. Teller during the course of last week's hearing. As matters turned out, there was not time for these questions.

I am now, therefore, taking the liberty of addressing to you by letter the basic question which I planned to ask of you at the hearing: "Could you give me the source or sources for your statement that there was little scientific controversy over the program for production and deployment of hydrogen weapons, and that the real issue in the controversy was "whether a specific design concept could in principle ever be developed into a workable weapon?"

I would be grateful if you could let me have your reply to this question by immediate return mail.

Sincerely yours,

THOMAS J. DODD.

(NOTE.—Parallel letter sent to Mr. Abram Chayes.)

LAW SCHOOL OF HARVARD UNIVERSITY,
Cambridge, Mass., May 26, 1969.

Senator THOMAS J. DODD,
Senate Office Building,
Washington, D.C.

DEAR SENATOR DODD: This is in reply to your letters of May 20, 1969 to both of us. You ask for the sources of the remarks on the hydrogen bomb controversy in our recent study of the ABM. We are glad to learn of your interest in this matter, and will reply in this joint letter.

One source for our remarks was our own general information. Also, the contrast between the present controversy with respect to the Safeguard deployment and that concerning the H-bomb 20 years ago was illuminated for us by Dr. I. I. Rabi. He drew our attention to his testimony, as published in the A.E.C. publication "In the Matter of J. Robert Oppenheimer," transcript of hearing before the Personnel Security Board, April 12 through May 6, 1954, [Referred to below as JRO]. These hearings, together with the article "Thermonuclear Devices" by S. M. Ulam, in "Perspectives in Modern Physics" (John Wiley, Inc., New York, 1966), provide the necessary technical background for our remarks. To be specific,

(1) With regard to our statement that *in the hydrogen bomb controversy the scientific issue was whether a specific design concept could ever be developed into a workable weapon:* Gordon Dean testifies at p. 302 of JRO that "The only thing which we knew about in this field at that time [autumn 1949] was one method of approach, which unfortunately if it is to remain classified, I cannot describe . . ." Oppenheimer testifies at p. 78 of JRO that "We had in mind, but I don't think we had clearly enough in mind, that we were talking about a single design, which was in its essence frozen, and that the possibility did not occur to us very strongly that there might be quite other ways of going about it. Our report [the A.E.C. General Advisory Committee report of October 29, 1949] had a single structure in mind—or almost a single structure. . . ." For further background, see the testimony of Rabi, Norris Bradbury, and Oppenheimer on pages 454–455, 487, and 952 of JRO. It must be noted here that the GAC report only opposed (partly on extra-scientific grounds) a *crash* program for the development of the "super", based on the design concept then available. It did not predict that no hydrogen bomb could ever be produced; quite the reverse, it said that "an imaginative and concerted attack on the problem has a better than even chance of producing the weapon within 5 years."

(2) With regard to our statement that *the original concept was demonstrated to be unworkable:* Ulam's article states at p. 596 that even before the directive of President Truman in January 1950 to proceed with the planning and construction of an H-bomb, "certain doubts had arisen about the practicability of the schemes outlined during the war and elaborated in subsequent work. A very detailed and comprehensive calculation was planned to be performed on the newly available electronic computing machines of the whole course of the ignition process of the thermonuclear reaction and its subsequent course. . . . Quite independently, however, the present writer, in collaboration with C. J. Everett, had undertaken the calculation of the ignition process and the following course of the thermonuclear reaction by using numerous simplifications and guesses as to the values of certain multidimensional integrals defining the distribution of neutrons, and the products of reaction during the changing geometry of the mass of the active material. These calculations were performed with the aid of computers working by hand (i.e., with tables and desk computers). The results of this work (which are described in several reports—still classified) showed a very weak process. The mechanism of ignition, as considered in the existing schemata, was submarginal and led to disappointingly weak initial conditions, and, after a time, to decreasing rates of reactions. Shortly after that time, a calculation was similarly performed by Fermi and the present writer; we considered the 'next' problem: Assuming that in some way an ignition of the mass of deuterium—perhaps supplemented by quantities of tritium, how would the subsequent reaction proceed in a volume of deuterium? . . . The result of this work was again quite negative in the sense of showing that, most likely, even if the initial reactions were established, as in the scheme proposed, it would not continue and go anywhere near to completion or even sizable burning of the remaining material. Shortly afterward, the calculations which were proceeding in the meantime on the electronic computing machines, and in which some of our intuitive arguments were replaced by a full numerical work, were completed; and the results confirmed those of the above work."

Also, Rabi testifies at p. 456 of JRO that "The subject we discussed in the 1949 meeting, that particular thing has never been made and probably never will be made, and we still don't know to this day whether something like that will function." For further background, see Oppenheimer's letter, and the testimony of Oppenheimer, Dean, and Hans Bethe, on pages 20, 251, 305, and 330 of JRO.

(3) With regard to our statement that *there was little scientific controversy* about the program for production and deployment that went forward after the theoretical issues were resolved: Ulam's article describes the resolution of these issues at p. 597:

"Some new combinations of ideas had to appear before the successful thermonuclear device could be designed. A Los Alamos report by Teller and the present writer outlined a new approach. The theoretical estimates and the subsequent calculations based on this scheme were far more promising; and, as is well known, successful H-bomb designs were produced and tested quite soon after the appearance of these new ideas, thanks to energetic and imaginative teamwork of a whole group of Los Alamos physicists. Subsequently, numerous technical improvements in sizes, weights, etc., were made by scientists at both Los Alamos and at Livermore."

We do not know of anyone who, after these developments, doubted on scientific grounds that a workable thermonuclear weapon could be produced and deployed. Indeed, Oppenheimer testifies at p. 248 of JRO that even before the Eniwetok test, he had informed the President that "although you could not be certain of the performance of any one design, it was virtually assured that this (a thermonuclear explosion based on the Ulam-Teller concept) could be done." For further background, see the Oppenheimer letter and testimony by T. K. Glennan and Dean on page 19, 255, and 304–305 of JRO.

We should perhaps emphasize that by "scientific controversy" we mean controversy on technical scientific issues. Scientists, like other citizens, have had and expressed a wide range of opinions on the political, ethical, economical, and strategic implications of the hydrogen bomb and other military systems. We do not think it is fruitful to speculate on possible analogies among the positions that scientists have taken on such non-scientific issues.

It may be useful if we state again our views on why there is no real analogy between the scientific or technical aspects of the H-bomb and the ABM controversies. There was a fundamental uncertainty about the H-bomb in 1949 and 1950. Oppenheimer expressed these doubts in a letter to J. B. Conant on October 21, 1949 (printed at p. 242–3 of JRO) as follows: "I am not sure that the miserable thing will work, nor that it can be gotten to a target except by ox-cart." And Rabi testifies at p. 454 of JRO that "We didn't even know (in October 1949) whether this thing contradicted the laws of physics. . . . It could have been altogether impossible." However, once calculations showed that an H-bomb could be made to work and could be carried in an airplane, there was no doubt of its military effectiveness.

In contrast, there is no *fundamental* scientific uncertainty about the individual components of the Safeguard system. We know that an ABM missile can intercept and destroy a *single* re-entry vehicle fired *under test conditions.* As far as workability is concerned, the technical issues that the Congress must consider in its deliberations is of a far more practical nature: Can an ABM system, consisting of large numbers of missiles, radars, and advanced computers, and manned by military personnel, protect us with high reliability against a surprise attack of many ballistic missiles, using unforeseeable penetration tactics, in an environment complicated by offensive and defensive nuclear explosions? As our report shows, there is very grave doubt that it can.

We would be happy to discuss these matters further with you in Washington, at your convenience.

Very truly yours,

ABRAM CHAYES
JEROME B. WIESNER.

MAY 20, 1969.

Dr. EDWARD TELLER,
Livermore Laboratory,
Livermore, Calif.

DEAR DR. TELLER: Because I think it is important to know whether or not a valid analogy can be made between the ABM controversy today and the H-bomb controversy of the late forties, I had planned to ask questions on this point of you and Dr. Wiesner during the course of last week's hearings. As matters turned out, there was no time for these questions.

I am now, therefore, taking the liberty of addressing to you by letter the basic questions which I planned to ask of you at the hearing.

In the study of the ABM which Dr. Jerome Wiesner and Mr. Abram Chayes prepared at the request of Senator Kennedy, the opening overview makes the point that there is no real analogy between the ABM debate and the H-bomb controversy of the late forties. This point is made in the following passage of the study, which appears on page 14:

"It is necessary to be clear about the kind of question here involved. Some people have thought it analogous to the technical issues surrounding the decision to go forward with the development of the hydrogen bomb. In that instance, it is pointed out, a substantial and respected portion of the scientific com-

munity opposed a high-priority effort to develop the H-bomb. But in the hydrogen bomb controversy the scientific issue was whether a specific design concept could in principle ever be developed into a workable weapon. That question could be and was resolved by additional theoretical calculations; and in fact, though this is not generally appreciated, the original concept was demonstrated to be unworkable. As a result of this subsequent analysis, a new approach was developed which was found to be feasible, first by theoretical and laboratory studies and ultimately by test explosions. The program for production and deployment of hydrogen weapons, about which there was little scientific controversy, did not go forward until these theoretical issues had been resolved."

Does the above quotation in your opinion constitute an accurate description of what was involved in the H-bomb controversy? If it does not, I would be grateful if you could provide me with your own account of the H-bomb controversy.

I would also like to ask whether you see any analogies between the current debate over the ABM in the scientific community and the previous controversy over the H-bomb within the scientific community in the late forties.

I would be grateful if you could let me have your reply to these questions by immediate return mail.

Sincerely yours,

THOMAS J. DODD.

(NOTE.—Parallel letter sent to Admiral Lewis L. Strauss.)

UNIVERSITY OF CALIFORNIA,
Livermore, Calif., May 22, 1969.

Hon. THOMAS J. DODD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR DODD: Thank you for your letter of May 20. Your questions are put in that kind of clear language which makes it relatively easy to give an answer, even though the subject is somewhat involved and even though secrecy restrictions still prevail.

The statement which Wiesner and Chayes make concerning the development of the hydrogen bomb on the 14th page of their ABM study, is much too short to bring out all relevant points of that story. A somewhat more complete description is the following:

At the end of 1949, after the first successful Russian test of an atomic explosion, a question was raised in the General Advisory Committee of the Atomic Energy Commission whether or not great emphasis should be placed on the development of a thermonuclear explosive. The General Advisory Committee, whose members at that time were familiar with the plans for the hydrogen bomb, made a negative recommendation based on the argument that there was no need for further increase of the explosive power of our nuclear weapons, and also based on the argument that decision of an accelerated development on our part would have the effect of stimulating a corresponding Russian development. In the fall of 1949 the General Advisory Committee did not express any clear doubt concerning the feasibility of the hydrogen bomb.

In early 1950 President Truman decided in a manner contrary to the recommendation of the AEC, which in turn was based on the recommendation of the General Advisory Committee. President Truman issued the instruction to proceed with the completion of the work on the hydrogen bomb. Unfortunately, this instruction gave the erroneous impression that all basic problems concerning the hydrogen bomb had been resolved at that time.

After President Truman's decision, members of the General Advisory Committee, together with many other scientists, started to raise questions concerning the feasibility of the hydrogen bomb. These questions were justified insofar as serious doubts indeed remained as to the possible functioning of the original design.

In the course of the next year confidence in the original design continued to decline. Security does not permit me to give you a complete story but I may state that the words used in the Wiesner and Chayes report "the original concept was demonstrated to be unworkable" is an oversimplification.

It is correct to state that a new concept was proposed and was eventually demonstrated to be workable.

It is of some interest to state that a short period before the actual test in 1952 some of the most influential opponents of the hydrogen bomb, who had agreed that the new concept was probably feasible, proposed that the test be cancelled. They hoped for an agreement with Russia to renounce a test of the thermonuclear bomb. It should be also recalled that the first Russian big thermonuclear explosion occurred in 1953, less than one year after our own test.

Finally, it must be remembered that the success of the hydrogen bomb contributed to the interest in the development of the intercontinental ballistic missile since it became possible to expect that such missiles could become effective even if they were not very accurate. I understand that in the considerations of the von Neumann Committee which led to our first effective plans on ICBM development, Dr. Wiesner participated. I believe that Dr. Wiesner is correct in stating that there was little controversy concerning the production and deployment of hydrogen bombs.

With this historical review in mind I can now turn to the second question, whether I see any analogy between the current debate over the ABM in the scientific community and the previous controversy over the hydrogen bomb.

Analogies are always incomplete. However, it appears to me that some analogies do exist.

In the first place, the original recommendation of the General Advisory Committee which stressed that a U.S. development may trigger a Russian effort, appears to be analogous to present claims that our ABM deployment would stimulate the arms race. This analogous approach on the part of some scientists is reinforced by the proposal of 1952 to abstain from the testing of hydrogen explosives by mutual agreement.

The analogy is less clear as far as the objective situation is concerned. In the hydrogen controversy the Russian development lagged behind the U.S. work by so short a period that one can hardly claim that the Russians would have abstained from the development had we withheld our own effort. In the case of the ABM debate it is known that the Russians have already deployed some ABM defenses. A claim made by Drs. Wiesner and Chayes that the Russian deployment is imitative can hardly be maintained, since so far we have not deployed a defensive system. The analogy therefore holds insofar as in both cases the assertion that American abstention would have prevented a Russian effort is incorrect. The analogy is incomplete, however, since in the case of the hydrogen controversy the Russians followed us in a short time period, while in the ABM deployment they appear to be ahead of us.

Wiesner and Chayes are correct in claiming that the analogy is far from complete, in that during the hydrogen bomb controversy the question could be answered on the basis of calculations followed by a test, while in the ABM case the functioning of a much more complicated system is in question. This circumstance emphasizes the point that the ABM debate may indeed be less easily resolved on the basis of conclusive evidence.

On the other hand, I seem to notice some analogy in the fact that in the ABM case a major portion of the scientific community is assuming that a technical development is not feasible, while a smaller number of scientists who are more closely connected with the actual problems have a more positive view of future technical possibilities. Whether or not the negative judgment of numerous scientists is connected with their wishes to limit the competitive development of arms is a question where any statement will probably be based on opinion rather than on proof.

I hope that you will find the discussion given above responsive.

I also should like to express my sincere gratitude for having created the opportunity for me to appear before Senator Gore's Committee. I share your regret that the discussion before this committee was cut short.

Sincerely yours,

EDWARD TELLER.

WASHINGTON, D.C.,
June 3, 1969.

Hon. THOMAS J. DODD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR DODD: This is in reply to your letter of May 22nd concerning the ABM hearings and, more particularly, the book by Professors Wiesner and Chayes, written at the suggestion of Senator Edward Kennedy. The book attacks the proposal to deploy a specific system designed to afford a measure of defense against ballistic missiles.

In their preface, the authors state their conclusion that there is no need to deploy the system "at this time". For what could be the fatal significance of these three words, see sub-paragraph (j) below.

There are striking parallels between the current debate on the ABM and the debate on the fusion bomb ten years ago. The authors' state that "For far too long they [presumably decisions in such matters] have been made largely behind closed doors." Most certainly, this was not true of the fusion bomb issue which was vigorously debated in the press as well as before the President. The argument by the opponents of the fusion bomb development was heavily weighted, in numbers of speakers and writers and was well organized, just as in the case of the opposition to the ABM today. The debate continued into the period after President Truman's decision on January 31, 1950, with the effect of persuading some men not to work on the project.

Professors Wiesner and Chayes contend that ". . . in the hydrogen bomb controversy the scientific issue was whether a specific design concept could *in principle* ever be developed into a workable weapon."

Thus stated, they have speciously narrowed the issue to design. In fact, the arguments advanced by scientists opposed included "workability" (i.e., the design concept) and other scientific issues as well as military and political differences of opinion in the scientific community.

In preparing this letter, I have reviewed the Report made by the General Advisory Committee to the Atomic Energy Commission and statements of its members as individuals plus the views of other prominent scientists of the day. As you know, the Report of the General Advisory Committee was not unanimous in opposing the development, although the Commission was informed that it was. An absent member had expressed his opinion in a letter written in 1949 which remained unknown to the Commission until revealed five years later.

The reports and statements have not been declassified although participants have publicly discussed them with some freedom over the years so that it is possible to say that the following issues concerning the fusion bomb, in opposition to its development, were

presented by a number of members of the scientific community:

(a) The statement above-mentioned by Professors Wiesner and Chayes that the original concept was unworkable.

(b) The strategic military value of such a weapon was questioned.

(c) The economical alternative to fission weapons was questioned.

(d) The "ethical principle" that a fusion bomb was morally worse than a fission bomb was asserted. [On the moral issue, the late Senator Brien McMahon of Connecticut, then Chairman of the Joint Congressional Committee on Atomic Energy, stated that he could see no moral dividing line between a big explosion causing heavy damage and many smaller explosions causing equal or greater damage.]

(e) It was stated that there was no foreseeable non-military applications of fusion. [Beneficial spin-off is frequently cited today as a result of research into unexplored areas, e.g., our Space program. Our new ability to make harbors, canals, reservoirs, and other engineering works with little or no objectionable radioactivity is due to the development of fusion explosives.]

(f) The danger of global pollution was cited. Some opponents of the fusion bomb asserted that the detonation of a small number, "perhaps 10", might pollute the earth's atmosphere. [The estimate was subsequently raised to 500 to 50,000.]

(g) Doubt was expressed that the Russians could produce an H-bomb within a decade, which was to say, not before 1959. [We now know from Kurchatov's biography that the Soviets were at work on the fusion bomb at least as early as we were. They had their own very competent scientists and the advantage of espionage by Fuchs and other traitors in our laboratories. The best evidence is that they tested an H-bomb in August of 1953.]

(h) The pseudo-military judgment was expressed that if the Soviets should ever make and use the fusion bomb against us, our large stock of fission bombs would be adequate reprisal.

(i) The statement that it was quite likely that through leaks, our own research and development would stimulate and materially assist a corresponding Russian development.

(j) And finally, that our overall national position would be weakened, not strengthened, by committing ourselves to such a program "at this time." This phrase, which also appears in the Wiesner-Chayes preface, is worthy of note for, as matters turned out, there was *no time left* in 1949–50. Had the President not made the decision to proceed with the development of the H-bomb, the Soviets, being well on their way to it, would have had it ahead of us. Had they then, relying on our unilateral renunciation, decided not to reveal their hand (as has been their custom with other developments) by refraining from testing or by testing only to prove a small hydrogen component, we would have known nothing of their success and their qualitative superiority until a possible collision. By that time, it would have been too late for us. *"At this time"* would have been a policy of fatal procrastination.

These points are not in accord with the emphasis in the book that *"the* scientific issue" concerns only the feasibility of an initial design concept. Another design concept proved feasible, but it would not have been found or, if found, would not have been developed had the opponents of the hydrogen bomb succeeded in persuading the President to declare against it as a weapon. The principle which clearly guided him—that the United States could not afford to be less well *armed* than a potential enemy—has a modern corollary. We cannot afford to be less well *defended* than a potential enemy.

Faithfully yours,

LEWIS L. STRAUSS.

[From Life magazine, Sept. 6, 1964]

DR. EDWARD TELLER'S MAGNIFICENT OBSESSION: STORY BEHIND THE H-BOMB IS ONE OF A DEDICATED, PATRIOTIC MAN OVERCOMING HIGH-LEVEL OPPOSITION

(By Robert Coughlan)

From the testimony *In the Matter of J. Robert Oppenheimer* and the miles of comment on it in the press, it is well known that at the end of 1949 a great secret debate occurred in the government and among the atomic scientists about whether this country should try to build the hydrogen or "super" bomb; that Dr. Oppenheimer and the strong faction he led opposed and temporarily prevented it; and that another, smaller faction defeated them with the result that the H-bomb was achieved in 1952—barely nine months before the Russians fired a hydrogen device of their own.

Yet throughout these critical events, with the world balance of power and perhaps the political fate of mankind hinging on the outcome, the leading protagonist remained mostly invisible. Lately, it is true, Dr. Edward Teller's name has been in the papers; he is even recognized, although perhaps still not very widely, as "the father of the H-bomb." But as to who he is, where he came from and how he happened to achieve this extraordinary paternity—few even of the other actors in the drama could give a very full answer.

There have been good reasons for this. National security has required that his work be surrounded by secrecy. For reasons of his own Teller has welcomed anonymity. He still would very much prefer it. But now that the H-bomb is an accomplished fact, and now that the Oppenheimer affair has dragged Teller from the wings to a share of the spotlight, neither set of reasons is as valid as before. He has therefore given his cooperation during the preparation of this article—with the request that he not be given too much credit.

Very well: it can be said at once that many people at Los Alamos and Washington deserve a substantial share of it. Teller's role nevertheless was unique, indispensable and decisive. Without it the chances are quite strong that the U.S. would not have the H-bomb in deliverable form today. In that event, in the well-informed judgment of President Eisenhower, "Soviet power would today be on the march in every quarter of the globe." Teller not only produced the brilliant idea which converted the H-bomb from a monstrous "gadget" to a versatile weapon. He also, by an almost fanatic determination, kept the idea of an H-bomb from dying of pure neglect.

And among all the improbable events that led to this improbable creation, Teller's obsessiveness has struck some people as the most farfetched. An old friend said a few weeks ago, "I still don't understand it. Edward's monomania about the H-bomb simply leaves me mystified—it was so out of character with everything he had been. He was always so interested in everything. His trouble was *lack* of concentration on any one problem. Then this thing hit him and he seemingly couldn't let loose of it."

Teller's obsession, as it became fully developed, was fed from many sources: by his childhood and youth in Europe, by his personal philosophy, his political beliefs and by innate traits of character. A different mixture would have produced a different result: The key ingredient of the H–bomb is not, therefore, a certain unmentionable combination of ingredients. It is, instead, the even more complex compound comprising Edward Teller. He cannot be defined, but at least he can be described.

Physically and temperamentally he has little in common with the popular image of the calm, detached, essentially impersonal Great Scientist. His angular face is animated and his large blue eyes, under massive and expressive eyebrows, are alert, intent and often twinkling with humor. He is cheerfully pragmatic and eloquently witty, with an unabashed appreciation of his own jokes. His laughter begins from deep inside, shaking him as if he were in an incipient fit, and rises in a series of choking, half-shattered yelps until everyone within a hundred yards is made aware that Teller has just said or heard something entertaining. He is also a pianist, a poker player, a rhymester, a raconteur, a mathematician, and an avid ping-pong player and mountain hiker despite the loss of his right foot. This occurred when he was 20 and, as a student in Munich, was competing in the local sport of jumping off moving streetcars; he slipped under a wheel, and the foot had to be amputated. His limp is on the order of his accent—only enough to add novelty—and is no impediment as he lopes along with his air of purposeful energy, his dark hair and eclectic clothing always a little disarrayed, emanating a diffused human warmth and an attentive interest in whomever he meets.

By common agreement among his colleagues he is a genius. He not only knows a tremendous amount, seeming to remember everything he has ever learned, but is able to correlate his information on the run. Dr. Maria Mayer, a physicist and a personal friend of long standing, recalls the first time she was ever really awed by Teller's mind. She had joined the Manhattan District and was asked to calculate the chemical properties of a certain substance. But this required knowing the mechanical properties of its molecules. "They could be measured, but that would have taken several months. So someone said. 'Let's get Teller in and make him *guess* the data.' We got him into a room and locked the door, so no one else could get at him, and he asked questions and did some figuring at the blackboard. He got the answer in about two hours, not entirely accurately, of course, but—as we found out when we got around to verifying them—close enough for the purpose." "There is no one who equals him for sheer speed of thought," Dr. James Arnold of Chicago says. "There *may* be better scientists, but none more brilliant. You always find him a thousand feet ahead of you."

Teller's mental atheleticism, although the flashiest part of his equipment as a practicing genius, is far from being the most important part. Most of his calculations are not quite accurate—not because he lacks respect for accuracy but because he lacks the patience to spend his own time rounding off the figures. A friend says, "What Edward can't carry in his head and solve in his head, he doesn't want to bother with." He dislikes routine and method whether they affect him personally or professionally. He is unhappy and ill at ease under any imposed disciplines. This maverick streak, combined with intense gregariousness and even more intense intellectual curiosity, has given his genius some striking twists and some extra dimensions.

For instance, although Teller is one of the world's greatest theoretical physicists, he has published nearly all of his many scientific papers with collaborators. Dr. Frederic de Hoffmann, who has been his deputy and closest associate at Los Alamos, has described how this works: "Edward isn't the cloistered kind of scientist. He gets his ideas in conversation and develops them by trying them out on people. We were coming back from Europe on the *Ile de France* and I was standing in the ship's nightclub when he came up and said, 'Freddie, I think I have an idea.' It was something he'd just thought of about magnetohydrodynamics. I was a bachelor then and I'd located several good-looking girls on the ship, but I knew what I had to do, so I disappeared and started working on the calculations. I'd get something finished and start prowling on the deck again when Edward would turn up out of the night and we'd walk the deck together while he talked and I was the brick wall he was bouncing these things off of. By the end of the trip we had a paper. He'd had the ideas, and I'd done some solving of equations. But he in-

sisted that we sign in alphabetical order, which put my name first."

De Hoffmann's account is overly modest—he is a brilliant physicist in his own right—but the episode illustrates Teller's general method. He is a conceptual thinker, or, as Dr. Luis Alvarez of the University of California says, "an 'order of magnitude' man. That's his language. He's like the architect who likes to make the big drawing, the broad sketch, and not worry himself about the plumbing details."

This kind of thinking almost defines the traditional and proper role of theoretical physics, as distinguished from experimental and applied physics. The theoreticians, a small aristocracy of dealing purely in ideas, tend to regard the toilers in the latter fields as exceptionally well-educated engineers, or sometimes as mere "gadgeteers." Teller is by trade and at heart a theoretician and takes the universe for his province. But at the same time he has strong gadgeteering instincts. The result is that he is interested in everything. He has a faculty for entertaining many ideas, consequential and otherwise, at the same time, and for being almost equally fascinated by all of them. He is intellectually insatiable: as a friend has said, "All anybody has to say to Edward is, 'We've got a problem here, we need you,' and—zip! he's into it. It's helpfulness, plus maybe vanity, but mostly just curiosity."

Not all—in fact, not even most—of Teller's ideas are good, and he is often the first to recognize their flaws, interrupting himself in mid-flight to strike himself on the forehead and exclaim, "No! No! I'm an idiot!" But mistakes do not inhibit him. He likes to quote the dictum of Niels Bohr, the great Danish physicist, that, "An expert is a person who has found out by his own painful experience all the mistakes that one can make in a very narrow field." Teller succeeds, not only by the high average level of his ideas, but by producing them in unparalleled volume, thereby making his mistakes rapidly and becoming more and more expert. But until he or someone else can demonstrate that an idea is wrong he is infatuated with it. He is, moreover, intellectually aggressive, stubborn, and competitive. An idea is, for him, a personal antagonist which he conquers with an almost physical satisfaction.

His personal absorption in a problem or idea has a way of enveloping everyone with whom he happens to be, carrying them along, sometimes reluctantly, in the torrent of his enthusiasm. At the University of Chicago, where he taught for several years, his fellow physicists now measure enthusiasm in "Tellers," with Teller himself, of course, being the basic criterion comparable to the velocity of light. Degrees of enthusiasm are measured in millionths of "Tellers," called "micro-Tellers."

Teller is at the same time a philosopher, a moral and thoughtful man all of whose characteristics are subordinated ultimately to an attempt to understand the universe and man's position on the speck of it he occupies. But as a philosopher, as well as a scientist, he is an activist. As a human being faced with a moral or political choice, he not only makes the choice but reinforces it, if he can, with concrete effort. More than once this habit of acting on conviction has involved him in struggles with his colleagues and has made him unpopular.

All of these aspects of Teller's nature were important in making him "the father of the H-bomb." But the crucial ingredient was his attachment to the concepts of Western democracy, specifically those of the U.S., and conversely a fear that they would be destroyed; together with, perhaps, an inner, deeper and unarticulated fear of a more personal nature. His childhood and youth in Budapest, where he was born in 1908, were lived under several varieties of political tyranny, including the Communism of Bela Kun and the facism and Admiral Horthy. The sight of dead men, the insecurity of life from week to week, became an accepted part of existence. Being Jewish, the Teller family had to bear the complex malice of anti-Semitism as well. Edward Teller remembers that, by the time he was 10, he fully understood from family conversations that someday he would have to emigrate from Hungary and make his life in a politically different climate. He understood also that "the only way I'd be able to get along would be that I should be smarter than somebody else."

It was easy for him to be smarter than somebody else in mathematics, for which he showed a precocious gift. He remembers, at the age of about 6, lying awake in bed amusing himself before sleep by such exercises as calculating the number of seconds in a year. His father, a prosperous lawyer, and his mother, the daughter of a leading banker of a nearby smaller city, were part of a polished and intellectually eager upper middle class society in which one's position reflected mental and artistic attainment. So they applauded him when, for instance, at dinner one evening his father mentioned the figure "10,000," and young Edward piped, "That's 100 times 100, isn't it?" However, pleased though he was with this sign of talent, his father felt that mathematics was not practical as a life's work and urged him to compromise on something useful such as chemistry. Consequently Edward went in 1926 to the Institute of Technology at Karlsruhe and took a degree in chemical engineering, keeping mathematics as an avocation. Meantime, also in 1926, had come the discovery known as quantum mechanics, a system of mathematically formulated principles which can be used to calculate the behavior of atomic particles. This, Teller says, "suddenly explained almost everything—in physics, chemistry, almost everything in the world that we had wondered about could be interpreted." He began applying it to the problems of chemistry, from which he was led naturally (the two sciences being inseparable) into physics. He became hybridized: a specialist in physical chemistry. He went on to Munich and thence to Leipzig for his Ph. D., to Copenhagen for further study under Niels Bohr and to Göttingen to teach. At this point the Nazis took power in Germany.

A STRATEGIC TIME

In the ironic way that evil sometimes begets good, the tyranny of Hitlerism was indirectly responsible for strengthening democracy, for it drove many of Germany's leading physicists to the West. Teller went to England and from there, with a U.S. Rockefeller grant—and newly married to his childhood sweetheart, Maria Augusta ("Mici") Harkanyi, the younger sister of his best boyhood friend in Budapest—back to Denmark to work again under Bohr. Meantime he had become friends with Dr. George Gamow, the Russian-born physicist, and when Gamow went to George Washington University at Washington, D.C., he got Teller the offer of a job as visiting professor there. Thus it happened that the Tellers arrived in this country in 1935: a strategic time in the history of physics. It was only three years later that atomic fission was discovered in Germany, and only four years before the famous "Einstein letter" to President Roosevelt which launched this country on the development of the atom bomb.

Teller, then 27, had already developed many of the characteristics that were to amaze, charm and sometimes dismay his friends in later years. Maria Mayer, who had known him in Germany, was struck even then by his "intuitive" grasp of complex problems. He was facile, gay ("pure fun," she remembers), inquisitive and restless. Instead of settling sensibly into his chair, Teller at once began to seek out other physicists for companionable argument, trained minds against which to test his teeming ideas. And it is from these years—1935 to 1941—that the earliest origins of the conceptions that went into the H-bomb can be dated. Gamow was interested in the energy production of stars, a phenomenon thermonuclear in character. He discussed it with his brilliant young friend, and together they worked out formulas for these stellar reactions. As soon as the explosive possibilities of the atom were realized, Teller's mind took a "quantum jump" to the stars: for the heat that could be released by atomic *fission* would be comparable to the heat in the interior of the sun itself, and conceivably this heat might be concentrated long enough to bring about the *fusion* of some of the very light elements, just as hydrogen is fused in the sun to form helium and in the process gives off tremendous energy. There would be no theoretical limit to the size of such an explosion.

In simplest terms this is the theory that led to the hydrogen bomb. It was not original with Teller. As a theoretical possibility it was obvious and occurred to many physicists. But for some reason no more explicable than an unusual taste in food, it aroused an intense, specific curiosity in Teller and he never stopped thinking about it. He discussed it with Gamow and his other friends in Washington, and with Enrico Fermi, the great Italian physicist—"The Pope," as he is known—who was teaching at Columbia. The monomania of the following years had begun to take root.

Yet when he was asked to join the A-bomb project—the success of which was essential to any future H-bomb development—he hesitated for a long time. Was weaponeering the proper business of science? He thought not. Was it morally right to help create such a monster? He did not know.

On May 10, 1940, the day the Nazis invaded the Low Countries, President Roosevelt spoke before the American Scientific Congress in Washington. Teller had never heard him in person and attended out of curiosity. The President said, in part, "You who are scientists may have been told that you are, in part, responsible for the debacle of today . . . but I assure you that it is not the scientists . . . who are responsible. . . . Surely it is time for our republics . . . to use every knowledge, every science that we possess . . . You and I . . . will act together to protect and defend by every means . . . our science, our culture, our American freedom and our civilization." As the President talked, Teller began to feel that Roosevelt was speaking directly to him, answering all the questions that had been troubling him. He left George Washington the following year to join Fermi at Columbia and, when the uranium pile project that Fermi supervised was moved to Chicago, he moved with it. Later on he went to the University of California at Berkeley, where a well-known physicist of about his own age, Dr. J. Robert Oppenheimer, was assembling a group to do theoretical studies on the A-bomb. He returned to Chicago briefly and then, when Oppenheimer had established the central laboratory at Los Alamos, was among the first to join him there.

During his first conversations with Oppenheimer they had talked about the possibilities of a thermonuclear weapon, and Oppenheimer had seemed as interested by the idea as Teller himself. At Berkeley the theoretical group did preliminary studies on fusion and, as Oppenheimer has testified, "it excited us, and it seemed to make even more necessary that we understand what this was all about." Accordingly Teller went into the Manhattan District with the impression that the "super bomb," as it soon was called, would be given a high priority. And actually some of the first installations at Los Alamos were for the benefit of further studies on it. However, as Oppenheimer has said, there was "the very immediate job of getting some weapons into the places where they [were] needed," and until the A-bomb problem could be solved, few but Teller were inclined to give much

attention to the more formidable problem of the super. Teller at first tried to suppress his impatience but could not. The result was the first of what became a series of fission-fusion reactions between him and his colleagues.

He had been assigned to Los Alamos' theoretical division, headed by his friend Dr. Hans Bethe, Cornell's great physicist, As Bethe has testified, ". . . I hoped to rely very heavily on him to help our work in theoretical physics. It turned out that he did not want to cooperate. He did not want to work on the agreed line of research. . . . He always suggested new things, new deviations. So that in the end there was no choice but to relieve him of any work in the general line of the development of Los Alamos, and to permit him to pursue his own ideas entirely unrelated to the World War II work. . . ."

Teller was transferred to the F Division where Enrico Fermi presided over "advanced development." There, with Dr. Emil Konopinski and a few others, he devoted himself during the rest of the war to the super—to "my baby," as he had begun to call it. And by the end of the war he and his group had succeeded in working out some of its most intricate problems. He believed—as he was to testify later—that a concerted effort on the part of the other senior scientists could dispose of the rest by 1947. He had been led to suppose that this would occur: that once the A-bomb had been tested successfully, the great human and technical facilities of Los Alamos would converge on the super.

Instead, to his great dismay, after Hiroshima he found the laboratory disintegrating. One Los Alamos scientist remembers, "I was away for several months and got back after Hiroshima. There was a terrible sense of shock. I didn't recognize anybody. Everyone was wrapped up in petitions for world government, disarmament, internationalizing of the atom, and so forth." To this emotion, which Teller to some degree shared, there was, of course, added the normal reaction that affected scientists as well as GIs: the feeling that the war was over and it was time to get back home and pick up the threads of old lives. Teller appealed to Oppenheimer for help, but he was among the most eager to leave. At last, with great reluctance, Teller decided to join the exodus himself.

THIS FABULOUS MONSTER, RUSSIA

Early in 1946 he called a meeting of the leading members of the Los Alamos staff to summarize for them all that he and his associates had learned—a meeting known as "The Final Conference on the Super." Then, with Mici and their young son Paul, he drove to the University of Chicago, where he had been offered a job at the new Institute for Nuclear Studies. Fermi and many of his other old friends were there. The atmosphere was personally and scientifically congenial, and Teller tried hard to adapt himself to the peaceable pursuits of teaching and pure science.

For a while he succeeded. Additional "new things, new devitions" kept him embroiled in a self-renewing welter of projects, each requiring a collaborator or two, so that he was always enormously busy. With equal energy he plunged into the extracurricular aim of all the scientists who had contributed to the A-bomb; to make the atom peaceable and productive and—it was still possible then to hope—to use it as a foundation on which to raise a supernational authority, the beginnings of a real world government. Teller was a leading member of Union Now and Atlantic Union and a prolific contributor to the *Bulletin of the Atomic Scientists*, published in a basement room at the university. He endorsed the Acheson-Lilienthal report (written largely by Oppenheimer) who, became the basis of the so-called "Baruch Plan" by which this country attempted to bring the atom under international control. And in mid-1948 he wrote, "I believe that we should cease to be infatuated with the menace of this fabulous monster, Russia . . . We must work for something. We must work for world government . . . [and] concentrate for the time being on establishing common government with our friends and potential allies."

Nevertheless, the optimism he professed was qualified with private fears. Even during the war he had mistrusted the Russians. There were stories his parents told of oceans of men sweeping across the frontier during World War I, dying and endlessly replaced. The native prejudice faded when he grew up and traveled in the world, and, he recalls, he regarded Soviet Communism as "an experiment of interest and possibly of some merit." But the purge trials disillusioned him.

He believed in the ideals that were occupying so many of his colleagues, but he saw their attainment becoming increasingly unlikely while war became increasingly likely. It seemed to him that the way to prevent war was to arm this country beyond challenges with A-bombs and, if possible, with the H-bomb. The latter would deprive the Communist nations of their only advantage, their huge manpower, by making it impossible for them to mass their troops for 'human sea" breakthroughs. Possibly it would means the end of all mass armies, conceivably even the end of major wars. The result of this introspection led him to return to Los Alamos—"to do something I knew about"—at first for short periods as a consultant and finally on a leave of absence. This was 1949.

The same intuitive, synthesizing grasp of complexities that made Teller a genius in his profession seems to have been operating this time in his comprehension of world affairs. For 1949 was a decisive point in modern times. That summer the Russians exploded an atomic bomb, shattering the U.S. monopoly on which the security of the Western world was largely built.

"THE REASONS MADE ME MAD"

President Truman, reporting the Russian achievement—which had not been expected for years—to the National Security Council, finished with the simple but comprehensive question, "What do we do now?" The answer in part, was to junk the "economic budget" and put the nation "in situations of strength" throughout the world. But another part of the answer lay in the super. Could it be built? If so, should it be? And at this point the sense which had haunted the atomic scientists ever since Hiroshima asserted itself in one of the most startling decisions ever made by a sovereign and threatened government. The AEC's General Advisory Committee, made up mostly of leading physicists and chaired by Dr. Oppenheimer, recommended that then and during an indefinite future there should be *no* program on the super: partly because of technical difficulties but chiefly because they felt that the super would be an immoral weapon. And as for the Russians? Their atomic science "imitated" ours, so the reasoning went, and if we did not develop it, neither would they. The AEC commissioner supported these views of their Advisory Committee: not once, but twice they rejected the super.

The decision was, of course, a very heavy blow to Teller. Then his disappointment turned to pugnacity. "The reasons they gave just made me mad," he says. The technical difficulties seemed to him to be no different in kind or much different in degree from the normal routine of scientific effort. "A scientific invention," he says, "consists of six (or some number) ideas, five of which are absurd but which, with the addition of the sixth and enough rearrangement of the combinations, results in something no one has thought of before." He felt that the way to solve the technical problems of the super was to work on them, that sooner or later the missing "sixth idea" would emerge. As for the moral argument, Teller was as deeply conscious as anyone of the terrible possibilities of the H-bomb, but he felt that moral and political judgements were not properly the concern of science. "The important thing in any science," he has said, "is to do the things that can be done. Scientists naturally have a right and a duty to have opinions. But their science gives them no special insight into public affairs. There is a time for scientists and movie stars and people who have flown the Atlantic to restrain their opinions lest they be taken more seriously than they should be." However, Teller could do very little to make his own opinions effective. The decision had been made in Washington and it would have to be unmade there.

Lewis Strauss, who had been the only dissenter from the decision in the AEC, and Senator Brien McMahon, chairman of the Joint Committee on Atomic Energy, together set about unmaking it. McMahon wrote to the President outlining fully the case for the super and called on him for personal argument. Among some members of McMahon's committee there was talk of bringing impeachment proceedings if the final decision was negative. The President appointed a special subcommittee of the National Security Council, made up of Secretaries Acheson and Johnson and AEC Chairman Lilienthal, to advise him what to do. Strauss, who had been equally busy, became so discouraged at one point that he went to a bungalow his mother-in-law leased at the Beverly Hills Hotel and amidst the incongruous glitter of this Hollywood showpiece searched his conscience during the Christmas season. One night he received a call from the hotel lobby. It was Senator McMahon, who had come to assure him that he was right. Strauss had laboriously reached the same conclusion: they made plans to carry on the fight in Washington with even more vigor.

Their battle came to an abrupt end a few weeks later, but from a sickeningly unexpected cause. On Jan. 27, 1950 Dr. Klaus Fuchs confessed that he had been spying on behalf of the Russians since 1942. Fuchs had been a member of the British scientific mission to Los Alamos toward the end of the war. Moreover he had attended the "Final Conference on the Super" called by Teller in 1946. It thus could be assumed that the Russians not only knew all the wartime A-bomb "secrets," but also knew most of the progress that had been made by this country on the H-bomb.

The President's special subcommittee met and voted two to one for a crash program on the super, with Lilienthal in dissent. They took their decision to the White House, where President Truman concurred and released the announcement that afternoon.

Thus "Edward's monomania" found official sanction. Yet, at this stage, his and his allies' triumph was mainly theoretical. The work itself still had to be done, and Teller set out to enlist other physicists to help. He had already asked Oppenheimer once and been refused; now again he asked him, and was again refused, although one time Oppenheimer volunteered the names of people at Princeton who he thought could be useful. Teller tried them; all turned him down. Almost everywhere he encountered either indifference or active hostility. Early in February, at a meeting of the American Physical Society in New York, 12 of the most distinguished members issued a joint statement: "We believe that no nation has the right to use such a bomb, no matter how righteous its use. . . . Its use would be a betrayal of all standards of morality and of Christian civilization itself . . . we urge that the United States, through its elected government, make a solemn declaration that we shall never use this bomb first. This denunciation was soon followed by one from Dr. Einstein who warned that ". . . annihilation of any life on earth has been brought within the range of technical possibilities. . . . In the end there beckons more and more clearly gen-

eral annihilation." Hans Bethe wrote in the *Bulletin* that use of the H-bomb could be "compared to the warfare of Genghis Khan who ruthlessly killed every last inhabitant of Persia."

In an article called "Back to the Laboratories" in the March 1950 issue of the *Bulletin,* Teller pleaded with his colleagues: ". . . To my mind we are in a situation not less dangerous than the one we were facing in 1939, and it is of the greatest importance that we realize it . . . we must realize that democracy will not be saved by ideals alone. . . . The primary responsibility for action lies with the groups directing the policy and foreign relations of our country. To the scientist, at least, it should be clear that he can make a contribution by making the country strong. . . ."

Actually only three leading men joined him, John Wheeler of Princeton, John von Neumann of the Institute for Advanced Study, and Lothar Nordheim of Duke University. (Later, after Korea, Bethe and others turned up.) For the rest of his team he relied mainly on talented younger men. There were technical discouragements too: some of the earlier calculations were repeated more thoroughly and put the whole project in doubt. Even a year later, when the first "thermonuclear device" was approaching the test stage and someone asked Teller, "Will it work?" he had to admit that he didn't know. "But you didn't know *that* five years ago," the questioner pointed out. "True," Teller answered, "but now we don't know on much better grounds."

Moreover, even if this "device" worked, there was no way in sight of developing it into a really practicable weapon. Ordinary hydrogen atoms, although they fuse in the sun, cannot be made to do so under any conditions attainable on earth. Teller's calculations involved the use of special "heavy" forms of hydrogen called deuterium and tritium, and these had to be kept liquefied by means of cumbersome refrigeration equipment. The result was less a bomb than a "contraption," as Oppenheimer has called it, which could be carried in a ship's hold and thus conceivably be used against enemy ports, but which was too big to be carried in any airplane built or planned.

During the latter part of 1950 Dr. Stan Ulam, a Los Alamos mathematical physicist, was working on a paper on certain theories indirectly related to this problem. Teller got into a conversation with Ulam about it. Not long afterward something they had discussed touched a spark. That evening, as he and Frederic de Hoffmann were leaving the office, Teller said absently, "I think I have an idea." De Hoffmann recalls that he thought nothing of this at the time, "because, after all, Edward is always having an idea. But the next morning he came in to me and said, 'Freddie, I think I really have something. Stick some figures into it.' He told me about it and I started to work with my desk calculator. The answer came out right."

What Teller had thus casually and undramatically thought of was the missing "sixth idea" for his invention: an idea which disposed of all the technical and manufacturing difficulties and converted the "contraption" into a deliverable bomb as versatile as the A-bomb.

For technical reasons it was still desirable to go ahead with the test of the original device and this was done in May 1951. The next month the AEC called a meeting at Princeton, at which Oppenheimer presided, to examine Teller's "new concept." The result was general enthusiasm in which Oppenheimer joined, and it was decided to push ahead with a full-scale test as soon as possible.

Therein, however, as it turned out, lay an ambiguity which led to a fresh crisis in Teller's relations with his colleagues. Dr. Norris Bradbury, director of Los Alamos, and his division heads adopted a production schedule for "Mike," as the new device was code-named, which to them seemed efficient but to Teller seemed much too conservative. In the ensuing and growing disagreement, tempers were rubbed raw. Finally there was a definitive showdown in which Teller demanded that the target date for the test be moved ahead. Bradbury refused, and Teller thereupon resigned, "This is *not* a crash program," he commented bitterly to a friend. "They don't need me—I'm leaving."

Not only did he leave but, with the backing of his Washington allies, he persuaded the AEC to set up a new weapons laboratory especially designed for thermonuclear research. This was established the following year at Livermore, Calif., as an adjunct to the University of California Radiation Laboratory, which was under the direction of Teller's friend, Dr. E. O. Lawrence. The new lab contributed nothing to Mike, which was completed at Los Alamos and tested successfully at Elugelab in November 1952—by then the place barely existed as a going concern. However, to Teller that fact was unimportant. "There are three ways to encourage initiative," he has said. "One is to cut off people's heads as they do in Russia. Another is to subject people to public criticism which is impossible in such secret work as this. A third way is to set up competition. This is Livermore's most valuable function: simply to be a competitor."

At the time of the Mike blast, Teller was too busy helping at the birth of the new laboratory to attend in person, and he "saw" the explosion instead on the seismograph of the University of California. (His comment was, "That's very nice.") As for his being "the father of the H-bomb," he has said, "It is true that I am the father in the biological sense that I performed a necessary function and let nature take its course. After that a child had to be born. It might be robust or it might be stillborn., but *something* had to be born. The process of conception was by no means a pleasure; it was filled with difficulty and anxiety for both parties. My act—and my leaving—aroused the emotions usually associated with such behavior."

Teller's fission from Los Alamos was not final or complete. He made himself available for advice when it was wanted and returned from time to time for consultations, as he still does. Relations between the two laboratories are good, and there is full exchange of information and considerable visiting back and forth by staff members. Following the success of Mike, there was an effort mainly at Los Alamos, to simplify its construction still more and to develop it into a family of weapons comparable to the A-bomb family. This has been entirely successful.

Teller's work was complete. He had added in a fantastic measure to the power and security of the U.S. It had been for him a process filled with discouragements, anxieties an many painful experiences, but which at the same time stimulated his mind and emotions fully and carried with it, in the end, a deep personal satisfaction. But the story was to have a sequel which would bring him no satisfaction at all and disturb him more than almost any experience of his life. He was called upon to testify in the Gray board hearings "In the Matter of J. Robert Oppenheimer."

His emotions were extremely complex. He did not believe, in the first place, that the questions that had arisen about Oppenheimer were properly a matter for a "security" hearing which would carry with it connotations of disloyalty. On the other hand he had been increasingly disturbed by decisions and advice which Oppenheimer had given in his official capacities, which were so widely distributed as to give hm a dominating position in atomic matters and U.S. physics generally. Again and again, and not merely on the H-bomb development, he had thought Oppenheimer wrong, until at last he had begun to have very grave doubts about his judgment, not his motives. If asked, it would be his duty to say as much; but the idea was repellent to him. He knew that his own prestige was now so great that his testimony would be given much weight. To contribute to Oppenheimer's possible ruin was antipathetic to his nature, a nature which, where other human beings are concerned, is extremely compassionate.

Last April 28, in the small room at the Atomic Energy Commission building where the hearings were being held, Teller took his place as witness. Behind him, sitting on a leather davenport, was Oppenheimer, his old antagonist, a man he now deeply pitied. Teller paid tribute to Oppenheimer's talents, especially his "very outstanding achievement" as the wartime organizer and director of Los Alamos. He said moreover, "I have always assumed, and I now assume, that he is loyal to the United States. I believe this, and I shall believe it until I see very conclusive proof to the opposite." But he added in reply to the next question, ". . . I thoroughly disagreed with him in numerous issues and his actions frankly appeared to me confused and complicated. To this extent I feel that I would like to see the vital interests of this country in hands which I understand better, and therefore trust more." He also recounted the history of the H-bomb and gave his opinion that if Oppenheimer had thrown his prestige behind it the success could have been achieved years earlier. He went on to say, most damagingly, that ". . . if it is a question of wisdom and judgment, as demonstrated by actions since 1945, then I would say one would be wiser not to grant clearance."

At the close of his testimony he rose and turned to meet Oppenheimer's eyes. He stepped forward and said, "I'm sorry."

Oppenheimer answered, "You only did your duty."

They shook hands, and Teller said, "Good luck."

Oppenheimer looked at him oddly and answered, "After what you've just said, I don't know what you mean."

"And the terrible thing," Teller says in remembrance, "was that I don't think he did know what I meant." He turned away, his shoulders heavy, and limped slowly from the room.

Teller today, in the summer of 1954, is a man physically and emotionally depleted. He has worked beyond the limits of common sense, and his resiliency, although still exceptional, shows its diminution in the effortful, almost dragging quality with which he forces himself on. The emotional drain of nearly a dozen years' conflict was capped by the Oppenheimer case; only to be capped again by its aftermath. Nearly the whole community of physical scientists rallied behind Oppenheimer, attacked the recommendations made by the Gray board and the AEC, and inferentially and sometimes directly denounced those who, as Teller did, had denounced him. Some of Teller's old friends are charitably puzzled; others are bitter.

Teller, who has spent a gregarious life among the physical scientists and who has always cherished his friendships with them, has found this animosity very hard to bear. But what is more serious is the pressure of his own conscience; was he being morally and intellectually honest when he in effect condemned Oppenheimer because, he said, "his actions . . . appeared to me confused and complicated"? Had he inadvertently been guilty of endorsing what he himself feared most: intolerance, the limitation of debate, the punishment of a man for what was an honest mistake? Teller was immensely relieved when the AEC commissioners, in their review of the Gray board recommendation against reinstating Oppenheimer's security clearance, dismissed Oppenheimer's lack of "enthusiasm" for the H-bomb as immaterial.

But Teller's own role in the case has continued to trouble him.

Tired of controversy, duty and anxiety, Teller is perhaps most of all tired of weaponeering. At 46, long past the age when most men make their important contributions to physics if they have any to make, he realizes that he has been away from "basic physics" almost since he first became qualified to enter it. Sitting in his room recently at Los Alamos, where he was spending a fortnight helping on still more and newer weapons problems, he discussed what he hoped could be his future. "Everybody now wants to discover universal laws which will explain the structure and behavior of the nucleus of the atom. But actually our knowledge of the elementary particles that make up the nucleus is tiny. The situation calls for more modesty. We should first try to discover more about these elementary particles and about their laws. Then it will be the time for the major synthesis of what we really know, and the formulation of the universal law.

"It is like the difference between a specialist and a philosopher. A specialist is someone who knows more and more about less and less until at last he knows everything about nothing. A philosopher is someone who knows less and less about more and more until at last he knows nothing about everything. Physics is now too philosophical. In my work I would like to reverse the process, and to try to limit the things to be found out and to make some discoveries which may later be useful."

This unpretentious ambition is consistent with Teller's personal philosophy. He has no religious convictions: regarding the comprehension of God which is equally the goal of philosophy and physics, he has said, "I try to make a point not to talk about things I don't understand—at least the things I do not understand at all." But he is guided in ethics by the same pragmatism he brings to science: "We know a lot because we as a species have lived and behaved a lot." He finds himself most in tune with that very modest philosopher, Lao-tse. "He is not dogmatic, and he does not go in for big, universal ideas. For instance, I like what he says about failure and success, 'Failure is the foundation of success and the means by which it is achieved. Success is the lurking place of failure; but who can tell when the turning point will come?' "

THE ANTI-BALLISTIC-MISSILE SYSTEM AND THE DEFENSE OF THE AMERICAN PEOPLE

Mr. BYRD of West Virginia. Mr. President, whatever the outcome of the vote on the ABM in the Senate, it must be recognized that both the proponents and the opponents have made valuable contributions to the overall illumination of the critical problems of defense in the nuclear-missile age.

THE IMPORTANCE OF THE ABM DEBATE IN THE SENATE

The importance of extensive debate on national problems, both pro and con, was long ago recognized by the Founding Fathers of this country. In the Federalist No. 62, for example, which deals with the role of the Senate in our form of government, it is pointed out:

> A good government implies two things: first, fidelity to the object of government, which is the happiness of the people; secondly, a knowledge of the means by which that object can be best obtained.

It is here, in this extended debate on the deployment of an anti-ballistic-missile system, that men of good will, Senators who both defend and who oppose the ABM, seek to carry out the promise of the Federalist, by searching for "a knowledge of the means by which" the object of good government, "the happiness of the people," may be served.

The authors of the Federalist were also well aware that in world politics we Americans might have to deal with nations which had rising aspirations of world power. Wisely they understood that only power can check power. Their grasp of this basic and unchanged fact was stated clearly in the Federalist No. 4:

> We are not to expect that they [i.e., other nations] should regard our advancement in union, in power and consequence by land and by sea, with an eye of indifference and composure. The people of America are aware that inducements to war may arise out of these circumstances, as well as from others not so obvious at present, and that whenever such inducements may find fit time and opportunity for operation, pretences to color and justify them will not be found wanting.

How, then, should the United States "provide for the common defense" as mentioned in the Constitution's preamble, and avoid war? Again, the authors of the Federalist in paper No. 4 had an answer which seems, with a prophetic prevision, to apply to the complicated problems of defense in these, our own times. Their answer as to how best to prevent the scourge of war from reaching into the homeland of America was for the Congress to provide a situation that "consists in the best possible state of defence."

So, Mr. President, we come to the question before the Senate. What action will promote the "best possible state of defense"? I believe the answer lies in supporting the President's proposed Safeguard ABM system.

COMPARATVE UNITED STATES-SOVIET STRATEGIC MILITARY STRENGTH

Former Secretary of Defense Clark Clifford stated in his January 15, 1969, posture statement that the United States had 1,054 intercontinental ballistic missiles—ICBM's—and the Soviets had 900 ICBM's on September 1, 1968.

On March 19, Secretary of Defense Laird testified to the Senate Committee on Armed Services:

> As of today, the Soviets have in being and under construction more ICBM launchers than the 1,048 possessed by the United States.

On April 25, 1969, Secretary Laird reported the Soviet ICBM total was 1,140. This includes 1,000 ICBM's in hardened sites and 140 ICBM's on launching pads. He also said that the Soviets could have 2,500 ICBM's by 1975.

The New York Times, in an analysis of Soviet weaponry, April 14, 1969, said:

> Qualified sources say that the new evidence gathered by high-flying satellites shows that the Soviet Union has about 1,200 intercontinental ballistic missiles in place or rapidly going into place, roughly 150 more land-based ICBM's than the United States.

On April 10, 1969, the Institute for Strategic Studies, London, released a study which concluded:

> The Soviet Union must now be treated as a full equal in terms both of strategic power and of her ability to control conflict in the developing world.

Deputy Secretary of Defense David Packard, in testimony before the Senate Armed Services Committee March 20, 1969, stated:

> One of the things that impressed me very much in the studies that I have made is that we have a good deal of evidence, quite hard evidence, that the Soviet ICBM deployment and development is continuing. It was this that caused us to take another hard look as to what we should do about this ABM capability.

Fundamental to the understanding of this dramatic increase in Soviet missile is the erroneous assumption of U.S. policymakers in recent years that the Soviet Union would not seek a superior offensive capability but would only seek parity. This error imposed American assumptions on our vision of Soviet strategy. As a result the Soviets now enjoy a widening advantage. This was underlined by Deputy Secretary Packard on March 20 when he told the Senate Armed Services Committee, in analyzing charts of Soviet missile strength:

> As you can see, parity has been reached. The smaller Soviet missiles represented in this area of the chart make up the larger part of the totals. Those large missiles that have the accuracy and yield to be a threat to our Minuteman forces are projected on the larger part of the figure. They became operational in 1966 and their inventory has grown. . . . These are the large missiles on which the Soviets have flown multiple warheads. Thus, the force potentially represents a severe threat to our Minuteman.

Of special concern is the Soviet development and deployment of a very heavy intercontinental ballistic missile, the SS–9, which was unknown to the U.S. public until it was disclosed by Secretary Laird in his initial appearance this spring before the Senate Armed Services Committee. This missile carries a warhead in the range of 20 to 25 megatons, far larger than anything in the U.S. inventory. Because of its size and its accuracy, the SS–9 is regarded as a weapon designed to knock out American Minuteman ICBM's.

The present Soviet ICBM force now includes well over 200 SS–9's, and this deployment is progressing at a fairly rapid rate—particularly since December 1968. This is the missile which is projected by the Defense Department to reach possibly 500 by 1975. This missile booster can also be adapted to fire an orbital bombardment warhead. It can also be adapted to carry a multiple warhead, which the Soviets are known to have been testing.

With reference to Soviet testing, it is noteworthy that one such Soviet test into the Pacific Ocean was made public by Secretary of State Rogers on April 12, 1969. He stated that the Soviet Union had tested the multiple warhead before but that this recent test was a "longer shot."

In addition to the SS–9, the Soviets are continuing to deploy the SS–11 and the newer SS–13 model ICBM's. These carry smaller warheads than the SS–9, but the SS–13 is the first solid-fueled Soviet ICBM, and it can be developed and deployed in large numbers.

This surge in Soviet ICBM's is one of the most direct reasons for the Nixon administration's decision to proceed with the Safeguard ABM.

Then, too, the Soviets presently enjoy a clear lead in space orbital weapons.

Mr. McNamara released information in 1967 that the U.S.S.R. was developing a fractional orbital bombardment system. Mr. Laird confirmed that the Soviets were very likely deploying this system. He said:

> They are also working hard on FOBS . . . also designed to reduce warning time to our bombers so that they will not have sufficient time to become airborne. (testimony March 20)

I am told that, if these vehicles were launched into near-earth orbit on approximately 70 to 75 degrees inclination, they would bracket the United States periodically. They would then be known as orbital bombardment systems rather than FOBS. Properly deployed, a significant number, for example 100, could be in a position to attack the United States in a matter of seconds after the button was pushed in the Kremlin. This would add enormously to a credible Soviet capability to deliver a first strike against the United States.

Furthermore, in his testimony before the Senate Armed Services Committee on March 19, Deputy Defense Secretary Packard commented on Soviet submarine-launched missiles:

> We know that the Soviets have been moving ahead with a rather active program in producing Polaris-type submarines. They are now in production. They are not yet deployed as far as we know. But this gives the Soviets the possibility of launching missiles from locations close to our shores, and we are very much concerned about this threat which could reduce the ability of our bombing force to get off.

The submarine referred to here is the "Y" class, which went into production in 1968. Seven were commissioned in that year. This sub carries 16 underwater-launched, 1,500-mile range missiles. Secretary of the Navy Chafee, in his testimony to the Senate committee, referred to it when he declared:

> The Soviets are modernizing their submarine force, the world's largest. Following a period of large-scale shipyard expansion, new classes of ballistic missile submarine and nuclear attack boats are becoming operational. More of these new types have been launched than foreseen a year ago.

The Institute for Strategic Studies, London, recently pointed out that the Soviet underseas fleet now exceeds in numbers all the submarines in the fleets of the United States and other NATO nations.

The situation regarding attack submarines is critical and rapidly deteriorating. The Soviet Navy has more than a 2-to-1 numerical advantage over the U.S. Navy in this area of sea warfare, and this is a matter of concern since the attack submarine is considered to be the most effective weapon against a nuclear submarine.

The U.S. position is worsened by the age of many of the attack boats. Forty-five of the 105 attack submarines in the U.S. Navy are of World War II construction. On the other hand, I am advised that almost all of the Soviet attack submarines have been built within the last 14 years. It is these submarines that pose a direct threat to the U.S. ballistic missile-firing submarines.

Moreover, former Secretary of Defense Clark M. Clifford did not include the medium and intermediate range Soviet ballistic missiles in his 1969 posture statement assessment of the U.S.S.R. strategic inventory. The United States has no such weapons deployed against Soviet targets, whereas the Soviets have their missiles targeted against our NATO allies. Clifford credited the U.S.S.R. with 700 operational MRBM/IRBM launchers, some in hardened sites. He said:

> Evidence is accumulating that the Soviets have embarked on the development of solid-fuel missiles for medium and intermediate as well as intercontinental ranges.

British Defense Miinister Dennis Healy recently estimated that the Soviet MRBM/IRBM force now approximates 1,000 missiles.

As to bomber strength, the United States continues to lead the Soviet Union in heavy bombers—B–52's and B–58's versus Soviet Bisons and Bears—but Department of Defense figures show the United States ahead overall in bomber strength only because the Soviet Badger and Blinder medium range bombers are not credited with a strategic role. Both their threat to Western Europe and their threat to the continental United States—they are air refuelable—makes them strategic bombers.

Hence, Mr. President, not only has the military power of the Soviet Union grown more rapidly than that of the United States, but it has also rapidly overtaken the forces of the United States in new concepts and new weapons systems.

The U.S.S.R. now, for example, has whole families of military—and naval—weapons systems that the United States does not have in its inventory. Let us consider the following:

First. The large IRBM and MRBM force—1,000—is such a family of weapon systems. This force is primarily aimed at Europe and now completely pins Europe down. Generals of the U.S.S.R. have stated "we now hold Europe as a hostage."

Second. Very large—50 to 100 megaton—nuclear weapons which were tested in 1961–62 and which, it is generally conceded in unclassified literature, have been adapted for missile delivery. The United States not only has no such weapons in its inventory it has not even tested them and can only speculate as to the unique effects they may produce.

In this connection, it should be noted that the Proton satellite, according to Soviet releases, weighed some 40,000 pounds. The Proton booster, therefore, could launch very large ICBM warheads—50 megaton—or large warhead orbital bombardment systems.

Third. The Bear bomber is unique. It is the world's longest range, highest endurance bomber. It is an effective antishipping and antisubmarine attack aircraft with air-to-surface attack missiles on board.

Fourth. The ABM development and deployment in Russia is an innovation.

Fifth. The orbital bombardment system, of which the United States has no counterpart. The United States respects the treaty forbidding the use of space for weapons of mass destruction.

So, Mr. President, it is apparent that the Soviets have jumped into the lead in overall strategic missile strength. They have made optimum use of a much smaller economic base than the United States—in effect, they have been and are operating on a war economy basis.

The combined total of ICBM's, IR/MRBM's and SLM's is now estimated as 2,750 for the U.S.S.R., to 1,710 for the United States.

Meanwhile, the four-to-one U.S. lead in individually targeted warheads, which was long used by the Defense Department as a source of reassurance to the American public, was discarded by Air Force Secretary, Dr. Robert C. Seamans, Jr., in his testimony to the Senate Armed Services Committee on April 16, 1969:

> The much-quoted figure of a 4-to-1 U.S. advantage in individually targetable warheads may not be too reassuring. The 4-to-1 figure stems mainly from the bomber portion of the forces, since missile forces are rapidly approaching a 1-to-1 relationship. It was arrived at by omitting the Soviet medium bomber force from the calculations, while counting several bombs on each of our own bombers. The inclusion of Soviet medium bombers, medium-range missiles, and cruise missile submarines would bring the ratio of individually targeted warheads close to 1-to-1 with a payload advantage somewhat in favor of the Soviets.
>
> I might add that it is not enough to argue that these ratios involve relatively higher numbers—about 4,000 weapons on each side at the present time—and that only a few hundred weapons would be needed to destroy the Soviet Union. The critical factor here is not how many total weapons we have, but how many would survive a Soviet attack, and, of these, how many would penetrate Soviet defenses.

It should also be considered that Secretary Laird told the Senate Foreign Relations Committee that because of geography and the location of major centers of population and industry in Russia, as compared with the United States, the United States needs to be able to deliver six times as many warheads as would the Russians to achieve destruction "parity" with them.

It would take, Laird reported, some 1,200 one-megaton warheads to destroy 45 percent of the total population of Russia while the Soviet Union would need only 200 warheads of identical size to wipe out 55 percent of our population.

THE SOVIET STRATEGIC DEFENSE

Mr. President, the Soviets always have devoted great attention to active defense as a key component of their military policy. As Dr. D. G. Brennan, Director of the Hudson Institute, has pointed out—page 12 Adelphia Papers, November 1967:

> This heavy doctrinal bias in favor of defense can probably be traced to Russian military experience at least as far back as Napoleon. It is the Soviets who initiated ballistic missile defense deployment.

Against this background of Soviet thinking one can trace the manner in which the Soviet Union has developed strategic defense forces.

While the United States conducts a national debate over deployment of the Safeguard antimissile system, it is worthwhile noting that the genesis of the Soviet ABM system dates back from the early 1950's. With three generations of ABM weapons already developed, and a fourth undergoing tests, the Soviets are now in a position to deal with the far

more sophisticated problems of defense against space weapons. Even if the Safeguard ABM system is approved by Congress, the Soviet Union still will enjoy a sizable lead in strategic defense.

From the first, the Soviets have given strategic defense the command recognition it deserves in the nuclear era.

In April of this year, a new book, "Fifty Years of the Armed Forces of the U.S.S.R.," arrived in the United States for registration at the U.S. Library of Congress.

Published last year, it was written by Marshall M. V. Zakharov, Chief of the General Staff of the Soviet Armed Forces. In it, he states:

> The creation of ballistic missiles and space vehicles required a modern air defense system to respond not only against the aircraft threat, but also—and first of all—to provide anti-missile and anti-space (specifically, in Russian) anti-cosmic defense.

The Soviets are developing a new surface-to-air missile roughly every year to 18 months.

This means that the U.S.S.R. has made consistent and steady investments in research and development forces to create ABM systems.

So, if the present Galosh and Tallinn systems are not wholly effective in the judgment of the U.S.S.R., new systems will undoubtedly appear which will improve the effectiveness of the overall Soviet ABM system.

THE ABM

On March 14, 1969, President Nixon announced that his administration planned to modify the Sentinel missile defense system approved by Congress under the Johnson administration by using it first to defend some U.S. retaliatory missiles rather than to defend cities. This modification was named the Safeguard system.

According to the President, this measured deployment is designed to fulfill three objectives:

> 1. Protection of our land-based retaliatory forces against a direct attack by the Soviet Union.
>
> 2. Defense of the American people against the kind of nuclear attack which Communist China is likely to be able to mount within the decade.
>
> 3. Protection against the possibility of accidental attacks from any source.

President Richard Nixon, at his press conference on April 18, 1969, said:

> I believe it (the Safeguard ABM system) is absolutely essential for the security of the country . . . I do not want to see an American President in the future, in the event of a crisis, to have his diplomatic credibility be so impaired because the United States was in a second class or inferior position. We saw what it meant to the Soviets when they were second. I don't want that position to be the United States' in the event of a future diplomatic crisis.

Two American Presidents, representing our two major political parties, have now recommended to the American people that the United States needs a missile defense system.

The issue now squarely before the country is the Safeguard system. Unlike Sentinel, Safeguard has been modified so that its defensive intent is unmistakable. The first deployment is to cover only two missile sites, the first of which will not be completed before 1973. The President has asked for it in order that he or his successors hopefully will not be placed in a position where they can be blackmailed by our self-proclaimed Communist enemies. I do not want to see President Nixon or any other U.S. President ever placed in a position where he would be subject to blackmail by either the Soviet Union or Red China.

The opponents of Safeguard generally base their arguments on one or more of the following grounds:

First. It will not work.

One of the leading arguments advanced against the deployment of the ABM system is that the complicated array of radar and computer systems required to operate it are of such an involved nature that they will break down in face of an enemy attack.

Much testimony from scientific analysts who support the deployment of the ABM could be adduced against this argument. But perhaps the most graphic argument has just been shown on television screens across the Nation. That is the magnificent—and most highly complicated—American landing of men on the surface of the moon.

But little more than 8 years ago, the vision—and the belief in the scientific and technological capability of the American people—of President John F. Kennedy put in motion the work of going to the moon. At that time, too, there were many skeptics who argued that the thing could not be done, and that further years of research should precede any attempts at actual operational development and deployment of equipment. It is necessary to recall that the exotic array of radars, of computers, of electronic equipment which made the manned moon landing such a success will also constitute the basis for the radar array, the computers, and the sensitive electronic equipment which will go into the ABM system. These systems, too, will work if they are deployed, that is, if the ABM is made an operational system instead of being kept a theoretical, continuing research system.

Can anyone doubt that this vast, this extremely complicated American venture to the moon could ever have been made a reality if we had continued to study the matter, to research it for year after year rather than moving forward vigoously with actual development and deployment of the systems which made this entire great enterprise possible?

The "won't work" argument is seriously flawed on both specific and general grounds. Both the Spartan and Sprint missiles—the prime ingredients of the proposed Safeguard system—already have been successfully flown. These, in turn, are successors to the Nike series of missiles which were successfully employed to knock down other missiles. The prototype missile radar is in test operation at the present time. The initial deployment of the Safeguard missile defense is now necessary to give us further technical, engineering, production, and testing experience to improve the system. We learn by doing.

Safeguard will "work" in the sense it is intended to work. It is a "point" defense. A point defense is easier to achieve than an area defense since the enemy warhead can be usefully engaged at much closer proximity to its target. This, in turn, increases the time allowed the defense to track and react and greatly facilitates the separating out of decoys from the live warheads. Some people may feel that since all missiles may not be destroyed, the system is a failure. They say, "You may knock down nine, but the tenth will get through." But even if this is so, the enemy is forced to greatly multiply his arsenal with highly sophisticated missiles before he would dare to attack. This enormously complicates his offensive problem and adds immeasurably to the deterrent effectiveness of our own offensive missiles.

In a larger sense, however, the United States has amply demonstrated its capacity to produce and operate the most complex communications, electronic, and nuclear warfare systems. It is well to remember that some people declared the hydrogen bomb was impossible or that ICBM's and Polaris missile systems would not work. Moreover, the astonishing technical capacity revealed in the successful Apollo moon program—as I have already indicated—and in the Telstar communications satellites is evidence of what the United States can accomplish.

Throughout the history of warfare, every offense has produced a corresponding defense. To argue that no defense can ever be possible against missiles is to fly in the face of historical precedent. And it is to fly in the face of the opposite conclusions already reached by the Soviet Union. It is doubtful that the Soviets would have devoted the resources they have to ABM if they had concluded that it "won't work."

Second. The scientific critics of the system.

Some of the scientific critics of the ABM system may be compared to the past critics of what could be accomplished in space—an area, of course, intimately related to missile defense. This is brought out very cogently in the July 18, 1969, issue of the London Daily Telegraph which devotes a great amount of space to the American moon landing achievement. States the Daily Telegraph:

> It is only 13 years since Britain's Astronomer Royal described talk of space travel as "utter bilge."

Third. Safeguard is "too costly."

There are two broad subcategories of this argument. One is the technical one relating to the relative costs of defensive systems, and the corresponding offensive weapons needed to penetrate them. The other is that the Nation cannot "afford" missile defense because of the overriding priority of domestic social and economic programs.

On the first point, there are indications that the relative cost-ratios of offense-defense may be approaching parity. For example, D. G. Brennan, former president of the Hudson Institute, made this recent observation:

> Several years ago, it was widely believed that missile defenses were easy to penetrate —so easy that offensive increments costing only one or a few percent of the cost of opposing defense would serve to nullify it. In recent years, however, it has become apparent that cheap forms of decoys and other penetration aids cannot be relied upon to nullify modern defense techniques. A good

defense can be overcome, but it is difficult. This is reflected in the fact that cost exchange ratios for a good defense are now believed to be in the region of one to one—perhaps one-third or two, but not one-tenth or ten. Thus, it is about as expensive to nullify a good defense as to build it.

Even if we accept an estimate that missile defense may be two or three times more expensive than the offsetting attack, appropriate limited deployment could still force the attacker into greater expenditures than have been spent on defense. It is, therefore, of the utmost importance to find out whether effective defense can indeed be established for an expenditure which we can afford. This question cannot be answered by research alone. A limited deployment which may also be considered as a pilot operation is needed.

In weighing the second aspect of the cost question—the matter of national priorities—the American people would do well to consider the ultimate worth of the system which is measured in the safety of millions and the survival of the Nation. Without survival there will be no ghetto to rehabilitate. If we surrender as an independent nation to Soviet nuclear blackmail, it will be Soviet "welfare" programs we will live under and not our own.

Certainly, foes of the Safeguard ABM system should not underestimate the economic capacity of the United States. This capacity is far greater than many people realize. The Soviets have an advantage in the apparent lack of self-confidence among Americans in their own capacity to meet all of the Nation's needs.

Fourth. ABM is unnecessary: Deterrence is assured because U.S. retaliatory power will always be sufficient to destroy the Soviet Union if she attacks us.

The Soviets are serious people and they have long since rejected the hypothesis that a strong offense alone will guarantee deterrence. Their military policy is to create a balance of offensive and defensive power. How each will develop in relation to the other over future years is impossible to judge, they say. I think they make sense. If we counter Soviet ABM progress only by increasing our own offensive missiles, we would be gambling on the assumption that defense technology will not eventually overcome offensive weapons systems.

Additionally, the greater the number and the diversity of offensive and defensive systems the United States has in being at any time, the more difficult it will be for an aggressor to assess the probable effectiveness of a first strike and hence the more effective our deterrent becomes.

Fifth. Development of a U.S. ABM will only stimulate the arms race.

Will the Soviets now cease any further augmentation of their offensive striking power if the United States unilaterally refrains from missile defense? Will they cease their own ABM efforts? The burden of proof for such contentions falls heavily on its advocates. We know that the Soviets have not ceased offensive missile production, even though they have drawn past the United States—they are still building at a rapid rate. And we know from their statements that the Soviet leadership holds that active defense constitutes a vital component of the Nation's military capabilities. It seems only reasonable, then, to conclude that the Soviet leaders would regard U.S. failure to develop an ABM either as a sign of deficient military thinking—one that should be exploited, not followed—or as an indication that we lack the will or the technical ability to go forward with development and deployment.

Sixth. The argument that an American ABM will offend the Russians, that the Russians will consider it to be "provocative," and that it will thus prevent an arms-control agreement.

This argument rests on the thesis that the restoration of nuclear symmetry, through a U.S. ABM to match that of the Soviets, would be more destabilizing than the present asymmetrical situation which is developing between a balanced offensive-defensive U.S.S.R. force and an offensive-only U.S. posture.

To the extent that Safeguard is designed primarily as a defense of our retaliatory forces and not of our people it cannot be construed as indicative of a U.S. intention to attack the Soviets. The "provocative" argument also neglects the fact that the Soviets have deployed their ABM around cities—thus supporting a possible first strike intention—without worrying that this might be "provocative" to the United States.

While it may be true that Dr. Wiesner and Dr. York in the report attributed to them do not believe that an ABM system will work, the Russians most certainly do. Not only that, but they have been stating for the past 2 years or more that it will work, that it is a purely defensive system.

Thus, as long ago as February 23, 1967, Marshal of the Soviet Union Malinovsky, in a key speech in the official Soviet Communist paper Pravda, stated:

New and highly efficient antiaircraft rocket systems and aviation complexes have been deployed and accepted for armament. The various means of combat available to our antiaircraft defense troops insure the reliable destruction of any aircraft *and of many rockets of the enemy.*[1]

And Soviet Prime Minister Kosygin has said flatly that the Soviet ABM system is purely a defensive system, that it is not provocative, and that even though it might be expensive, it will save lives. In developing the concept that the deployment of the Soviet ABM would decrease tensions rather than raise tensions, the interview given by the Soviet Prime Minister deserves to be quoted at some length. Kosygin said:

Which weapon can be termed a factor of tension: An offensive or defensive weapon? I think that defense systems warning against attacks do not cause armament contests, but constitute a factor preventing the killing of people. Certain people—

Kosygin obviously thought of Johnson and McNamara—

think along the following lines: Which is cheaper? Offensive weapons which can destroy cities and entire States, or a defensive weapon which can prevent destruction?

The Chairman of the Soviet Government also replied to the question of "cheapness":

It is possible that an antimissile system costs more than an aggressive one, but it is destined to protect human lives.[2]

Seventh. There should be a moratorium on U.S. ABM deployment while we try negotiations with the U.S.S.R.

The difficulty with this argument is that it concedes to our adversaries the precious commodity of time. The Soviets would stretch out the talks and continue to develop their ABM system while our development of the ABM would be at a standstill. We are probably ahead of the Soviets in the level of our antimissile technology, but how long can we expect this to continue, since Soviet military research and development expenditures are running at a greater rate than ours?

It is unlikely that a U.S. ABM moratorium would be respected by the Soviet Union because, first, the Soviets are committed doctrinally to ABM no matter what the United States does; and, second, there is the complicating factor of Communist China. There are some indicators that the Soviet ABM system is being deployed partially against the potential Chinese threat to the U.S.S.R. If this is so, we cannot in any case expect the Soviets to dismantle or halt their ABM deployment because of any possible agreement with the United States. But if they continue to deploy and perfect their system—even if we were to concede that it was directed entirely against Red China—which is not the case—the Soviets would be in possession of a weapons system which could just as easily be used to neutralize U.S. retaliatory missile forces.

Eighth. The argument that, even though the Soviets have deployed an ABM, their most recent statements, such as that of Foreign Minister Gromyko, indicate a changed attitude.

Gromyko's foreign policy speech of July 10 might, at first glance, have appeared sweetly reasonable. But a more careful analysis indicates that he gave no slightest indication of any flexibility which would help to quiet the troubled situation in the Middle East. Furthermore, actions speak louder than words. What are some recent Soviet actions as opposed to words:

First. From March 1969 onward, the Soviet practice of jamming Voice of America broadcasts to the Soviet Union has been stepped up. In the past, this has been a sign of Soviet hostility.

Second. For the first time in history a Soviet naval squadron is visiting Cuba in an obvious show of force close to American shores. In addition, the Associated Press reported July 31 that this Soviet naval squadron was conducting exercises in the Gulf of Mexico. Further, the press reported on August 1 that the squadron contained a nuclear submarine.

Third. Further hard-line Soviet activities in Czechoslovakia are reported. The London Daily Telegraph, on July 4, 1969,

[1] Pravda, as quoted by Radio Moscow, February 23, 1967.

[2] Interview given in Moscow by Prime Minister Kosygin to the Czech Communist Party newspaper *Rude Pravo* and published February 22, 1967.

stated that Czech leader Husak reported that all "opposition to his tough pro-Russian policies had collapsed." The Daily Telegraph went on to say:

Czech newspapermen voted to make the Press, radio and television into "warriors" for the cause of Communism and to encourage friendship with the Russian occupation troops. They declared themselves to be "Communists first and newsmen afterwards."

Fourth. And a very recent issue of the Daily Telegraph, on July 16, 1969, warns:

Soviet naval activity in the Indian Ocean adds up to a significant display of power politics.

Fifth. Soviet Minister of Defense Andrei Grechko made a sharp attack on the United States about "continued aggression by the United States in Vietnam" and he further announced that the Soviet Union would continue "raising the military might of the army and navy" as reported by the Washington Post on July 28, 1969.

In view of these actions as compared to honeyed words, we may well say a prayer of thanks that the Founding Fathers warned the yet unborn generations of Americans that the most effective deterrence of attack against the American homeland "consists in the best possible state of defence."

THE URGENCY OF THE SAFEGUARD MISSILE DEFENSE SYSTEM

I believe that President Nixon was entirely correct when he said during his campaign for the Presidency:

At this time I do not believe that the United States can afford to accept the concept of parity with the Soviet Union. I believe that we face a potentially dangerous situation . . . to negotiate a de-escalation of trouble points around the world, whether in the Mideast or Vietnam or Western Europe or what have you, if the next President of the United States goes into those conferences with the possibility that the Soviet Union rather than the United States is in a stronger power position, I think that we would not be able to effectively reach the goals that we want to reach. . . . And at any kind of negotiation when one side wants to expand and the other side wants to defend, make sure that the side in that negotiation which is in the defensive position has more strength than the other side. That is why I would restore the strength of the United States, keep it at a proper level at this point, so that we would not be afraid to negotiate.

In the present situation, Mr. President, I believe that there cannot be any substitute for the maintenance of U.S. strategic military superiority. This superiority must be substantial because U.S. policies have always permitted the enemy the first blow. In a nuclear war, an enemy might wipe out a very large percentage of our weaponry—and population—in a first strike. Unless we have enough military strength to survive a first strike and still strike back decisively, the risk of a nuclear war increases.

Avoidance of nuclear war requires that the United States maintain overall nuclear superiority, rather than acceptance of any kind of "sufficiency" which can only be ephemeral and inherently unstable.

For more than two decades, the heart and core of America's strategy has been deterrence of Soviet aggression. This deterrence has been accomplished by establishing and maintaining a nuclear retaliatory strike force that could survive a surprise attack and still retain the capacity to inflict unacceptable damages on the Soviet Union.

If the United States is to continue as a viable and independent society, we should, as a first step, create a missile defense system to protect our nuclear deterrent. Such a system will not, by itself, restore the military superiority which we have now lost. But this essential first step is necessary if we are to reverse the sharp shift—adverse to the United States—now taking place in the world's power balance.

Protecting our retaliatory missiles is important because the United States has no intent of striking the first blow in a global conflict.

Thus, the refusal of the United States to consider a first strike makes it all the more important that our retaliatory force be protected against a Soviet attack. And it is to this end that a Safeguard antiballistic-missile system has been recommended by the President of the United States.

In addition, the Safeguard system is designed—as was the earlier Sentinel concept—to afford defense—of heavily populated areas—against the type of attack Communist China is likely to be able to mount sometime in the 1970's.

From the time the Chinese Communists exploded their first H-bomb—June 17, 1967—their progress in nuclear weapons development has been rapid. Hence, it may well be that they will develop a nuclear ICBM delivery capability sooner than the mid-1970's, the time phase generally estimated by Western analysts.

In this context it may be well to consider the thoughtful words of Secretary of Defense Laird. He testified on May 22, 1969, with reference to the Chinese Communist threat:

The effectiveness of option 2C [of the U.S. ABM] against the Chinese ICBM threat is expected to be very high. If the Chinese deploy a force of only 30 ICBM's on launchers by mid-1976, they could inflict about 15 million fatalities on us—if we had no ABM defense. With option 2C deployed, fatalities could be held to less than 1 million. And, even if they were to deploy as many as 75 ICBM's on launchers by the end of the decade, fatalities could still be held to less than 1 million, particularly if the improved Spartan is deployed. Here again, the deployment of Safeguard would have a very large payoff if the Chinese ICBM threat should, in fact, emerge.

Mr. President, a cursory reading of the press or a casual glance at the television programs might give the impression that the vast mass of the academic community in the United States is enlisted heart and soul on the side of the opposition to the deployment of an ABM defense. It is, of course, quite true that many distinguished scholars are opposed to the ABM. It is right and proper that, living as they do in the country offering the greatest amount of freedom anywhere in the world, these academics should be quite free to form their opinions on the ABM and to write and present freely their views in opposition to the ABM.

It is, however, equally true that a number of distinguished academicians have written cogent arguments in favor of deploying the ABM, among whom are two representatives from among our oldest and most distinguished universities, such as Princeton University and Georgetown University. These men are the outstanding physicists and Nobel Prize winner in Physics, Dr. Eugene P. Wigner of Princeton, and Dr. James D. Atkinson, professor of government at Georgetown and member of the British Institute for Strategic Studies. And there are other distinguished scholars and scientists who have written and spoken in support of the ABM.

Mr. President, the underlying logic of the ABM concept is that an enemy is unlikely to launch a nuclear attack on the United States, or credibly threaten such an attack, if he knows that U.S. retaliatory forces will survive—forces that would result in his own destruction.

ABM is a method of deterrence which will save lives and not destroy them.

I firmly believe than an American ABM system is the soundest insurance for peace and against nuclear war that the United States can buy in 1969 for the 1970's. Far from being an offensive weapon, the ABM is, in reality, insurance against war. It may well be, in fact, the single most important step the United States can take toward peace at this moment in nuclear history.

ORDER FOR RECESS FROM TOMORROW UNTIL WEDNESDAY, AUGUST 6, 1969, at 11 A.M.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow, it stand in recess until 11 a.m. on Wednesday, August 6, 1969.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL TOMORROW AT 11 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, under the previous order, that the Senate stand in adjournment until 11 o'clock a.m. tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 29 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, August 5, 1969, at 11 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 4, 1969:

NATIONAL BUREAU OF STANDARDS

Lewis M. Branscomb, of Colorado, to be Director of the National Bureau of Standards.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

David W. Oberlin, of Minnesota, to be Administrator of the St. Lawrence Seaway Development Corporation.

The following-named persons to be members of the Advisory Board of the St. Lawrence Seaway Development Corporation:

Jacob L. Bernheim, of Wisconsin.

Foster S. Brown, of New York.
William W. Knight, Jr., of Ohio.
Miles F. McKee, of Michigan.
Joseph N. Thomas, of Indiana.

IN THE ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

The nominations beginning David M. Wilson, to be lieutenant, and ending John E. Thomasson, to be ensign, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on July 14, 1969; and

The nominations beginning Philip J. Taetz, to be commander, and ending Michael E. Wagner, to be ensign, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on July 18, 1969.

IN THE COAST GUARD

The nominations beginning George A. Blann, to be lieutenant (junior grade), and ending Marcus L. Lowe, to be lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on July 14, 1969.

HOUSE OF REPRESENTATIVES—*Monday, August 4, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Ask, and it shall be given you; seek, and ye shall find; knock, and it shall be opened unto you.—Matthew 7: 7.

O spirit of the living God, arise within us as we bow at the altar of prayer and lift our hearts into Thy presence. In this troubled time lead us beside the still waters where our souls can be restored and our faith renewed. In the quiet of this moment help us to hear Thy still, small voice and hearing it, obey it; and obeying it be led in right paths for Thy name's sake.

Direct and bless these leaders of our Nation that, in seeking to find solutions for the problems of this hour and endeavoring to discover a cure for the distress of our day, they first cleanse their own hearts and then may they see clearly to plan wisely and to move forward to the time when our people shall live together in good will and the nations shall dwell together in peace.

O God, make us good enough for this great day.

In the spirit of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, August 1, 1969, was read and approved.

NATION NEEDS A SOURCE OF INTEREST CREDIT AT REASONABLE RATES—AN RFC-TYPE AGENCY PROPOSED

(Mr. PATMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PATMAN. Mr. Speaker, this Nation needs a source of funds at reasonable interest rates to meet its vast public needs.

The private money markets—regardless of the reason—are not providing the funds necessary to meet the needs of the school districts, the county, city, and State governments across the land. As a result, we are seeing school construction, water and sewage facilities, parks, roads, and housing fall far behind. We are creating a fantastically huge backlog of unmet public needs because of the lack of credit at interest rates that local governments can afford.

Every one of the 81,299 governmental entities across the country are finding it difficult—if not impossible—to raise the necessary funds. The municipal bond market—the prime source of funds for local governmental improvements—is virtually nonexistent and even huge units—like the State of California—are finding it hard to market bonds. All governmental entities are paying premiums—interest rates of 6 to 7 percent on tax-exempt bonds—and many are simply unable to market bonds at any price.

Mr. Speaker, I am convinced that this Nation must reestablish a Federal credit institution similar to the old Reconstruction Finance Corporation—RFC—that operated so successfully between 1932 and 1954. RFC saved thousands of schools, local governments, and small businessmen in all sections of the Nation by furnishing credit—big blocks of credit—at reasonable terms.

Mr. Speaker, in the near future, I plan to introduce legislation—discussed by me in remarks that appear at another place in today's RECORD—to establish a modern version of the RFC to meet the vast credit needs—at reasonable rates—of our local governmental units and other worthy borrowers. In this way, we can keep the basic needs of the Nation—items like schools, water and sewage facilities, parks—moving forward regardless of what happens in the money markets.

THE PRESIDENT'S TRIP A TREMENDOUS SUCCESS

(Mr. ADAIR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ADAIR. Mr. Speaker, the President has now returned from a round-the-world mission which—while extremely difficult and very fatiguing—was a tremendous success.

If one reads the statements made by Mr. Nixon in the course of this trip, he readily discovers a common thread of thought which indicates a new dimension in our policy toward Asia. Briefly put, it seems to me that the President has said to friendly Asian nations that they will continue to have our economic support where necessary, but that we expect them to assume a greater share of the burden of developing and defending the free nations in that part of the world.

In the field of military assistance, it seems clear to me that the President is saying we are willing to provide materiel assistance where justified, but that we do expect these nations to provide the manpower for their own defense.

As a part of this policy, the President has indicated that the matter of replacing American soldiers in Vietnam with Vietnamese troops is receiving careful study and that we might expect a further announcement in this connection before the end of this month.

At the same time it is clear that we have made as many concessions to the North Vietnamese and Vietcong as we can under present circumstances. As I have said before, if they truly want peace, then it is high time that they indicate it by some meaningful response. Unless this is done, the world can only judge that the Communist leaders, in fact, do not desire peace, but rather wish a continuation of the bloody conflict.

One is impressed by the unexpectedly small amount of anti-American sentiment expressed toward the President during this historymaking mission. On the contrary, it proved again that there is a vast reservoir of respect, admiration, and good will toward this Nation and its people.

In short, by any standard, the President's trip must be labeled a great success and one which may lead to a proper and timely reevaluation of our policy toward other parts of the world, especially the Asian nations.

PRESIDENT'S TRIP AROUND THE WORLD

(Mr. RIVERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RIVERS. Mr. Speaker, I was one of those who heard the report of the President this morning on his trip around the world.

I was very much impressed with his fine report. I was quite fascinated by what the President did do and what he tried to do.

The Nation should know the insuperable task imposed on this man. As we sat there listening to his account of his great odyssey, and it was an interesting one, all of us to a man—and I am sure, Mr. Speaker, you are not the least among those who have given the President your complete support—were determined to give this man our help; indeed, he is going to get our help and our understanding and our sympathy. He made a fine report.

I am not bragging—I happened to be one of those who went out to meet him last night. Seeing the outpouring of people who came out to greet him, and there were many thousands, meant one thing to me, that this country wants this man to succeed and they were with him on this trip around the world in which this country is being attacked in every area.

If the President can bring about a new understanding of America in the world, an understanding of the altruistic feeling of American and the humane efforts of this Congress and of the Nation which have been for a long time dedicated to

the betterment of conditions of all peoples of the world—then this trip will have been worth it. He deserves our gratitude and our prayers.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. RIVERS. If I have the time available, I am glad to yield to the minority leader.

Mr. GERALD R. FORD. Mr. Speaker, the President's report to the leadership of both major political parties and those from various committees having direct interest in foreign policy and military policy was a fabulously frank, very meaningful overview of his 12-day trip around the world. I was not only impressed with the details the President gave us, but the fact that he set forth a shift in foreign policy which will be better not only for us but for all nations, not only in Southeast Asia but throughout the world. I believe our Nation has benefited from this trip, and that we who were the beneficiaries of the President's report this morning are in a position to do a better job for the Nation.

Mr. RIVERS. I thank the gentleman.

PRESIDENT'S VISIT TO RUMANIA GIVES AMERICA THE INITIATIVE FOR THE FIRST TIME IN MANY YEARS

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PUCINSKI. Mr. Speaker, I believe the President's visit to Rumania over the weekend was a monumental triumph for American diplomacy. I think the President's tumultuous reception in Rumania again proves the tremendous respect that the people behind the Iron Curtain have for the United States, its people, and its leadership. Mr. Nixon received an ovation from the people of Rumania unprecedented by any leader, and it only recalls for us the visit by another American a few years earlier when the late Senator Kennedy visited Poland. There he also received a tumultuous reception by the people of that country.

I believe the visit by the President to Rumania may very well be the turning point in the cold war, because when the President sits down with Brezhnev and Kosygin sometime later this year, he will sit down with the full knowledge that the 180 million people behind the Iron Curtain are strong friends and supporters of the United States.

One can only wonder at the reaction in the Kremlin to this huge reception for this American President, when the Kremlin was reduced to making silly statements over the weekend reminding people behind the Iron Curtain that the Brezhnev doctrine applies, and that they should not cuddle up too closely to the United States.

I believe we Americans can be proud of the President's visit to Rumania. I think it shores up our own firm belief in something that many of us have been saying here for a long time: The people of those "captive" nations are with us. They are our friends; they are not Communists. They happen to be dominated by Communist regimes against their will.

I think the President's trip to Rumania proved that point. I do not know whose idea this was, but whoever thought up the idea of the President going to Rumania should be identified and promoted. It was an excellent gesture. It gives America the initiative for the first time in many years.

For years it has been the United States that always had to react to Soviet initiative. But the picture has changed with President Nixon's bold trip to Rumania. Now it is the Soviets who have to react and their frenzied statements disclose they had not anticipated President Nixon's triumph in capturing the hearts of the Rumanian people.

Mr. Nixon's trip once and for all puts to rest the saying of those who would have you believe American prestige is suffering around the world. The President's enthusiastic reception wherever he went clearly shows how much we are respected and admired. Let those who would sell American prestige short just look at the President's tremendously successful journey.

PROFESSIONAL BASEBALL SHOULD ACT TO ELIMINATE DISCRIMINATION AGAINST WOMEN UMPIRES AND COMPLY WITH FEDERAL LAW

(Mr. STRATTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STRATTON. As the Member who has the privilege of representing Cooperstown, the home of the Baseball Hall of Fame, I am worried that all the good work that Bowie Kuhn has been doing to improve the image of professional baseball could be destroyed by the shortsighted efforts of one Phil Piton of Columbus, Ohio, president of the National Association of Baseball Umpires, who is apparently trying to ignore the Civil Rights Act of 1964, prohibiting discrimination on the basis of sex.

Mrs. Bernice Gera, of New York City, was signed up recently by the New York Pennsylvania League as the first lady umpire in professional baseball and had been scheduled to umpire her first game in my congressional district at Auburn last Friday night.

The community had planned a big celebration, and were expecting a record turnout crowd of some 3,200. Then Mr. Piton lowered the boom and Mrs. Gera's contract was invalidated by the umpire organization.

The crowd that finally turned out on Friday was 572 instead of 3,200.

Mr. Speaker, some concern has been expressed about the fiscal future of the minor leagues. Certainly if Mr. Piton is going to run things, then minor league attendance may indeed be in trouble.

I have wired the Attorney General and the Chairman of the Fair Employment Practices Commission urging them to investigate this action, which is clearly in violation of section 703 of the Civil Rights Act of 1964 and insist on the full compliance from the professional baseball umpires' organization.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

DESIGNATING THE VENTANA WILDERNESS, LOS PADRES NATIONAL FOREST, CALIF.

The Clerk called the bill (H.R. 3687) to designate the Ventana Wilderness, Los Padres National Forest, in the State of California.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, it is my understanding that this bill is substantially identical to the bill S. 714 which, I believe, passed that body on March 26.

After careful review as one of the objectors, I see nothing in the bill H.R. 3687 that will not be beneficial to the Nation, to those who use our wilderness areas, and indeed it simply transfers some acreage of the Ventana Primitive Area and adjoining national forest land in the Los Padres National Forest, Calif., which will have no effect on the Forest Service's ability to maintain park protection to a national wilderness area for preservation purposes. Therefore, it is in line with the consensus of Congress. There is no additional cost.

But, Mr. Speaker, I would like to ask the distinguished gentleman, the chairman of the Committee on Interior and Insular Affairs, what is the difference between "being identical" with the Senate-passed bill and "substantially the same as"?

Mr. ASPINALL. Mr. Speaker, if the gentleman will yield, there are two minor differences, and this is the reason I plan to ask that the Senate bill provisions be stricken and the House provisions inserted in lieu thereof. One difference has to do with the acreage, which is 95,000 in the Senate bill and is 98,000 in the House bill. The other difference has to do with the date of the legislation and in reference to the map referred to in the provisions. Those are the only differences.

Mr. HALL. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 3687

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with subsection 3(b) of the Wilderness Act of September 3, 1964 (78 Stat. 891), the area classified as the Ventana Primitive Area, with the proposed additions thereto and deletions therefrom, as generally depicted on a map entitled "Ventana Wilderness—Proposed," dated August 15, 1967, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture, is hereby designated as the Ventana Wilderness within and as a part of Los Padres National Forest, comprising an area of approximately ninety-five thousand acres.

SEC. 2. As soon as practicable after this Act

takes effect, the Secretary of the Agriculture shall file a map and a legal description of the Ventana Wilderness with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such description shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal description and map may be made.

SEC. 3. The Ventana Wilderness shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

SEC. 4. The previous classification of the Ventana Primitive Area is hereby abolished.

With the following committee amendments:

On page 1, line 8, strike out "August 15, 1967," and insert "March 14, 1969,".

On page 2, line 1, strike out "ninety-five" and insert "ninety-eight".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 714), to designate the Ventana Wilderness, Los Padres National Forest, in the State of California.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 714

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with subsection 3(b) of the Wilderness Act of September 3, 1964 (78 Stat. 891), the area classified as the Ventana Primitive Area, with the proposed additions thereto and deletions therefrom, as generally depicted on a map entitled "Ventana Wilderness—Proposed", dated March 14, 1969, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture, is hereby designated as the Ventana Wilderness within and as a part of Los Padres National Forest, comprising an area of approximately ninety-five thousand acres.

SEC. 2. As soon as practicable after this Act takes effect, the Secretary of Agriculture shall file a map and a legal description of the Ventana Wilderness with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such description shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal description and map may be made.

SEC. 3. The Ventana Wilderness shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

SEC. 4. The previous classification of the Ventana Primitive Area is hereby abolished.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Strike out all after the enacting clause of S. 714 and insert the provisions of H.R. 3687, as passed, as follows:

"That, in accordance with subsection 3(b) of the Wilderness Act of September 3, 1964 (78 Stat. 891), the area classified as the Ventana Primitive Area, with the proposed additions thereto and deletions therefrom, as generally depicted on a map entitled 'Ventana Wilderness—Proposed,' dated March 14, 1969, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture, is hereby designated as the Ventana Wilderness within and as a part of Los Padres National Forest, comprising an area of approximately ninety-eight thousand acres.

"SEC. 2. As soon as practicable after this Act takes effect, the Secretary of Agriculture shall file a map and a legal description of the Ventana Wilderness with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such description shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal description and map may be made.

"SEC. 3. The Ventana Wilderness shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to be effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

"SEC. 4. The previous classification of the Ventana Primitive Area is hereby abolished."

The amendment was agreed to.

(Mr. ASPINALL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ASPINALL. Mr. Speaker, H.R. 3687, as amended and approved by the Committee on Interior and Insular Affairs, would designate approximately 98,000 acres of Forest Service land located in Monterey County, Calif., as wilderness. This land would then be administered in accordance with the Wilderness Act of 1964 and would be preserved in its unaltered wilderness condition for the enjoyment of present and future generations.

The designation of an area as wilderness precludes practically all commercialization. It precludes the construction of roads, buildings, or other structures, and generally prohibits the use of motorized vehicles or equipment. Other activities such as hunting, fishing, camping, and hiking are encouraged, but the facilities provided for these activities must be in keeping with the primitive and unaltered characteristics of a wilderness. Trails are simple; campsites are without tables or benches or the customary sanitary facilities. In summary, a wilderness area is set aside and preserved in such a manner that it will show a minimum influence or impact of man.

The proposed Ventana wilderness is located 120 miles south of San Francisco and 36 miles south of Monterey. Due to its proximity to the large population centers of the San Francisco Bay-San Jose area, it is easily accessible for weekend or short duration wilderness trips from these centers. Also, because of its relatively low elevation, it is accessible and usable in wintertime when higher wilderness areas are snowbound.

The area contains headwaters of the Carmel, the Arroyo Seco, the Little Sur and the north and south forks of the Big Sur River. The mountain scenery is superb and is typical of the Santa Lucia mountains and the coast range of which it is a part.

The designation of this area as wilderness will not have any foreseeable adverse effect upon either the local or national economy. The watersheds, which are substantial, will continue their water yield. Timber resources are classified as noncommercial; mineral values are not significant, and there is no commercial grazing of livestock within the area. The nine parcels of private land, comprising 2,510 acres, will be acquired whenever possible.

From testimony presented to the committee, it became evident the addition of approximately 3,000 acres along the easterly boundary of the area was justified. This tract, known as the Willow Creek area, is entirely undeveloped and has all the characteristics of true wilderness. For this reason, its inclusion is recommended. At committee hearings, the Department of Agriculture testified it had no objection to this addition.

There were no objections to the designation of this area as wilderness during our committee hearings, and I know of none that have been raised since.

Mr. Speaker, I recommend that the House act favorably on H.R. 3687, as amended.

(Mr. KYL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. KYL. Mr. Speaker, H.R. 3687 designates the Ventana Primitive Area in the Los Padres National Forest and contiguous lands in the State of California as the Ventana Wilderness.

The bill designates 98,000 acres to be administered as the Ventana Wilderness under the Wilderness Act of 1964 by the Secretary of Agriculture.

The proposed Ventana Wilderness lies on both sides of the Santa Lucia Mountains in Monterey County, Calif., approximately 120 miles south of San Francisco and 36 miles south of Monterey.

The area contains the headwaters of the Carmel, the Arroyo Seco, the Little Sur, and the Big Sur Rivers. Elevations range from 1,200 feet to 4,800 feet. It contains superb mountain scenery, basinlike valleys, unusual species of trees and wild animals. The area is used by hikers, horsemen, and campers, and for fishing and hunting.

Some of the unique features of the proposed wilderness is the variety of vegetation in the area and not commonly found in other wilderness areas such as the Santa Lucia fir and popular coast redwood. It is also the habitat of the wild boar and other wildlife.

The water resources of the area are significant but remain unchanged under wilderness management. Timber resources are noncommercial because of

inaccessibility. The area has no commercially significant mineral deposits.

Both the Department of the Interior and the Department of Agriculture recommend the area as having outstanding wilderness qualities.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 3687) was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 134]

Adams	Frelinghuysen	Pepper
Arends	Fulton, Tenn.	Pickle
Ashbrook	Gallagher	Powell
Ashley	Gettys	Rarick
Baring	Giaimo	Rooney, Pa.
Barrett	Gray	Rosenthal
Berry	Gubser	Ruppe
Blanton	Hagan	Sandman
Brown, Calif.	Halpern	Saylor
Cahill	Hathaway	Scheuer
Carey	Hébert	Skubitz
Celler	Heckler, Mass.	Staggers
Chisholm	Ichord	Stephens
Clark	Kirwan	Stuckey
Clay	Lennon	Taft
Conte	Lipscomb	Teague, Calif.
Davis, Ga.	Lowenstein	Tunney
Dent	Mailliard	Utt
Diggs	Mikva	Vander Jagt
Edwards, Calif.	Minshall	Whalley
Fascell	Moorhead	Wyatt
Fish	Murphy, N.Y.	
Fraser	Ottinger	

The SPEAKER. On this rollcall 367 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE PRESIDENT'S TRIP ABROAD

(Mr. MORSE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORSE. Mr. Speaker, the President returned last night from a trip which I believe will increasingly be viewed as an important turning point in the formulation of American foreign policy, especially as it regards Asia and Eastern Europe.

President Nixon's statements throughout his Asian tour—in the Philippines, Indonesia, South Vietnam, India, Thailand, Pakistan—indicate a departure from much of the rhetoric which has dominated American thinking and American foreign policy since World War II. He demonstrated his understanding that a changing world environment demands the abandonment of many of the preoccupations which have characterized this country's posture in Asia in the past. In his enunciation of a new attitude toward a future U.S. role in Asia, he has introduced a new flexibility—a flexibility that is essential if we are to avoid other Vietnams.

As the first American head of state to visit a Communist nation in over two decades, the President's reception in Rumania was overwhelming. The reaction of both officials and the population at large indicates their willingness to enter into more friendly and more fruitful relations with the United States. The two countries pledged to look for new ways of increasing economic exchanges between them. Coupled with the recent small steps taken toward easing U.S. relations with China, I am hopeful that this signals a new departure in American foreign policy—a departure from the rhetoric of the cold war which has lost much of its relevance.

I congratulate the President on a successful trip and join with my colleagues in welcoming him home.

PRESIDENT NIXON SEIZES THE INITIATIVE WITH COMMUNIST BLOCK

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Speaker, President Nixon has returned from a 12-day round-the-world tour that will stand as a landmark in America's efforts to seize the initiative in the quest for peace and friendly relations between this Nation and countries behind the Iron Curtain.

Certainly the highlight of the President's trip was his stop in Communist Rumania, where an outpouring of friendliness and enthusiasm from an estimated 900,000 of the citizens of that nation proved that differing political systems need not stand in the way of the deeper feelings and beliefs that the common goal of man should be peace and friendship.

Too often in the past we have waited for the Communists to take the first step, apparently thinking that American initiative would be looked upon as an attempt of the United States to subvert the ties that bind the Communist community. We have been timid about what the Russian reaction would be to U.S. overtures to seeking partnership with the Soviets for improved relationships.

Often while we have waited for the proper time or the right conditions to move positively forward in this diplomatic area, small adversities have closed the door to progress, and we have had to start over.

In considering whether or not he should have visited Rumania during his latest trip, President Nixon could have allowed these conditions and some opposition from domestic pundits to stand in his way.

Instead, he seized the initiative in seeking a better understanding between the people of America and Rumania and received the most memorable reception he has gotten in visits to 60 nations during his travels to all parts of the world.

We will have to wait to see what we have gained by the President's visit to Rumania. It is better that the President has taken the step that can lead to an improved understanding and better relations in our quest for peace than to have missed the opportunity to extend the hand of friendship.

PRESIDENT NIXON BRINGS RENEWED HOPES FOR PEACE IN OUR TIMES

(Mr. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLACKBURN. Mr. Speaker, last night President Nixon came back to the United States bringing with him renewed hopes for peace in our times.

It is seldom that an American President traveling abroad has returned with such impressive results.

It is seldom that any statesman has so honestly faced up to the foreign policy problems of our times.

It is seldom than an American President has stated so well and succinctly the aims of the United States in today's world.

Mr. Speaker, without question the peoples of the entire United States and most of the world, regardless of differing philosophies of government, were cheered by the President's word that—

> The United States wants to bring peace to the world, and we want to work with others to maintain peace in the world.

Mr. Speaker, I urge my colleagues in both Houses and on both sides of the aisle to join wholeheartedly with the President in working toward those goals.

WELCOME HOME, MR. PRESIDENT

(Mrs. MAY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MAY. Mr. Speaker, the President's trip has been of unquestionable value diplomatically. The leaders of the visited nations must now have a clearer understanding of American attitudes and directions. Mr. President, your trip has served perhaps a larger purpose in its effects on the people of those countries, particularly the people of Communist Rumania.

You have given these Iron Curtain people the chance to get rid of the "bogeyman." Whatever the image of the United States held by these people, your presence, Mr. President, has let them know that behind the horrible image they sometimes get of America are people. People who are in many ways just like them.

Separated by distance, language, customs, and ideology, it is often easy to forget that nations are made up of people, and that people everywhere share dreams and hopes and aspirations. When two Americans stepped onto the moon 2 weeks ago, the brotherhood of man in that instant became highly visible. Mr. President, the warmth and interest you conveyed to the peoples you visited underlined this "spirit of Apollo."

The Eagle placed the olive branch on the moon's surface. Mr. President, you have carried it to the rest of the world. Welcome home, and thank you.

THE PRESIDENT'S TRIP BRINGS WORLD CLOSE TO PEACE

(Mr. McCLURE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCLURE. Mr. Speaker, I wish to join with those who have taken the occasion of the President's return home to praise the results of his trip abroad.

Without question the world is closer to peace today because of that trip.

Without question our chances to build a stable and peaceful Southeast Asia are better because of that trip.

We have been assured that no longer will the United States involve itself in the land wars of that subcontinent.

But at the same time our allies in that region have been assured of an American umbrella of protection against outside aggression, they have been assured that the United States surely will not abandon its allies, and they have been assured that the United States intends to continue to play a major role in the development of that region.

Mr. Speaker, the President has outlined a realistic policy for the United States to follow in Southeast Asia, and he has won agreement with that policy from our allies in that part of the world. The Nation can be proud of what he has accomplished.

A SUCCESSFUL TRIP BY AN AMERICAN PRESIDENT

(Mr. THOMSON of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMSON of Wisconsin. Mr. Speaker, last night the Nation welcomed home President Nixon after one of the most successful trips an American President has made abroad in recent years.

The trip began most auspiciously with the successful completion of the Apollo moon mission and with this impetus carried on to an equally auspicious close in Rumania.

During the President's trip he charted new and practical directions for us to follow in Asia, directions that give hope for an end to American involvement in land wars in that part of the world. And he brought renewed hope for better understandings between our Nation and nations of Eastern Europe.

Mr. Speaker, all Americans can be thankful at the results of President Nixon's trip. We hope and pray that his experience, his ability, and his efforts in dealing with the leaders of other nations will bring a lasting peace in our time.

THE PRIDE OF APOLLO 11

(Mr. FREY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FREY. Mr. Speaker, the Apollo 11 moon landing united this country in pride and purpose. It is true there were a few who attempted to interject politics into this great moment, questioning the President's communication with the astronauts on the moon. But even this soon died out when we learned that it had been done at NASA's request.

All Americans in one way or another participated in the moon landing. It was particularly fitting that the President, as a representative of all the people, was present at the recovery of the astronauts. The end of their journey marked the beginning of the President's journey, and the spirit of Apollo 11 accompanied him on the trip.

It was with special pride that the people of my district who helped launch Apollo 11 learned of the many people in Communist Rumania who lined the streets holding up newspaper accounts of the moon landing.

Apollo 11 showed the world that there is nothing this country cannot do if unified in purpose. Apollo 11 showed the world that the greatness of America is not just in material goods or technology, but in its spirit.

I congratulate the President for his continuing interest in our space program which began with his service as Vice President in the fifties. I salute the President for bringing the spirit of Apollo 11 to the rest of the world and showing the world what a free nation under God can accomplish.

PRESIDENT NIXON RENDERS SIGNIFICANT SERVICE

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCHANAN. Mr. Speaker, our President has rendered a significant service to our country and to the entire free world in his recent round-the-world diplomatic mission in which I believe he has taken the great achievement of our astronauts and, in a timely fashion, helped to make it work toward better relations with other nations and toward peace with justice in our time.

The President's great expertise in foreign affairs and personal knowledge of many of the world leaders helped him in his quest. He is uniquely well-qualified for this kind of personal diplomacy, and will, in my judgment, prove himself increasingly to be as our President a significant force for good among nations. Every American has reason to commend what he has done for our country in this mission.

SOME COMMENTS ON PRESIDENTIAL TRIPS

(Mr. DERWINSKI asked and was given permission to address the House for 1 minute.)

Mr. DERWINSKI. Mr. Speaker, like so many other Members, I welcome the President home and trust that the results of his trip will be positive in the search for peace.

I should like to point out to the Members, especially those on the Republican side of the aisle, that we used to snicker a bit at the way in which our Democrat friends would rush to the well and eulogize Presidents Kennedy and Johnson after their worldwide trips.

I wish we would not fall into the same pattern. Let us treat the President's trips objectively. Let us not succumb to political idolatry.

While I believe the President conducted himself in an effective fashion and while I believe he has seized the initiative in foreign affairs, let us wait 3 or 4 months before we label this one of the great diplomatic trips of history. The results are not in yet, especially the results from some of the private conferences on the trip.

While we wish the President well and believe his trip has been successful, let us not blindly fall into the pattern of patting the Chief Executive on the back as if he possesses papal infallibility.

PROVIDING FOR AGREEING TO THE SENATE AMENDMENTS TO H.R. 9951

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 509 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 509

Resolved, That immediately upon the adoption of this resolution the bill (H.R. 9951) to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal years 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account by the amounts so excluded; and for other purposes, with the Senate amendment thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate amendment be, and the same is hereby, agreed to.

The SPEAKER. The gentleman from Mississippi is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield the customary 30 minutes to the minority, to the very able gentleman from California (Mr. SMITH). Pending that, Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a very simple resolution—a short horse that might be shortly curbed. This is another instance of where the so-called "other body" has taken a House-passed bill and placed upon it an irrelevant and nongermane matters. In other words, the House a social security bill dealing with withholding of taxes for unemployment. This bill went over to the other body, and the other body, after deliberating, wrangling, and maneuvering, added to it a simple provision or amendment providing for the continuation of the surtax for 6 months on a 10-percent basis.

Now, Mr. Speaker, this resolution would simply take that Senate-passed bill with this nongermane amendment from the Speaker's table and pass it. When that is done that part of the surtax and of the social security tax will become law.

Now, again, I want to point out that this is a nongermane amendment, it is another effort on the part of the other body, whether intentional or otherwise, to usurp the powers, the constitutional powers, of this body, the elected Repre-

sentatives of the people in the matter of revenue.

Now, as one who has supported the surtax extension, reluctantly, as many others did, I am going along with this, although I object to the procedure.

Now, I do not know that it is incumbent upon me to go into this, but actually, the question arises as to what happens to the balance of the House-passed surtax bill. Well, for the record's sake let it be noted that the Ways and Means Committee under the leadership of the outstanding gentleman from Arkansas has taken the rest of that bill that the House passed, including the repeal of the investment tax incentive, including the continuation of the surtax of 5 percent for the next 6 months after this 10 percent expires and put it into a package with the so-called tax reform bill.

In other words, the Committee on Ways and Means has taken everything that the Senate left out of the House-passed surtax bill and placed it into the reform package.

My understanding is that a rule will be requested on this combined bill tomorrow before the Rules Committee. And, then if that rule is granted and if the House passes that bill it will then go back to the other body and they can do such maneuvering as they see fit and make such disposal of the bill as they see fit.

Mr. Speaker, again, I want to register my protest against this procedure of the House of Lords—I do not mean it in that sense; excuse me; I want to retract that—but when the Founding Fathers set up this Government they provided that the purse strings—the raising of revenue and the making of appropriations must originate in this, the more populous body, the body that is elected by the people every 2 years. Of course, it is not necessary to remind you that our form of Government is pretty much based upon the English system with the House of Commons having the power and the House of Lords being a kind of cooling-off body. For years I have advocated, as a member of the Rules Committee, a rule of the House which would prevent the tacking of nongermane amendments in the other body upon House-passed bills.

In other words, if an amendment is put upon a House-passed bill that was not germane when that bill was considered in the House, it would be subject to a point of order when it came back to this body after a conference.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I am always happy to yield to my friend from Iowa.

Mr. GROSS. Mr. Speaker, I thank my good friend from Mississippi for yielding.

Does the gentleman recall about a year ago, when the surtax was added by the Senate to a bill on the continuation of certain excise taxes when it came back to the House, then at that time the gentleman from Iowa arose to a question of privilege of the House, and challenged the Senate action? For my pains, my resolution challenging the constitutionality of the Senate action, was defeated on a motion to lay on the table.

Mr. COLMER. I will say to the gentleman from Iowa that I do recall; and he was right.

Mr. GROSS. And the clear-cut test of the Senate's usurpation of House authority was shelved.

Mr. COLMER. I do recall the action taken by the gentleman from Iowa, which was quite appropriate. I am always happy when I find myself in agreement with the able and distinguished gentleman from Iowa.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. COLMER. I am sorry that I cannot yield further to the gentleman from Iowa at this time because of the limitation on my time.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I will have to yield to my friend from Ohio, and then if my friend, the gentleman from Iowa wants me to yield further to him then I will yield further, regardless of the time limitation.

Mr. VANIK. Mr. Speaker, I thank the gentleman for yielding me this time.

I would like to say that I agree with the distinguished chairman of the Committee on Rules about the need for germaneness. I hope the same principle applies when I appear before the Committee on Rules tomorrow to ask the Committee on Rules to give the Members of the House an opportunity to vote on the extension of the surtax for the first 6 months of 1970. This is extraneous to reform and should not be attached to the reform bill. The Members of the House should have a chance to vote on a reform bill without the encumbrances of a surtax extension.

Mr. COLMER. If and when the gentlemen from Ohio comes before my committee and asks for an open rule to consider this legislation, the gentleman will find me in his corner. I am not sure that I would want to limit the amendments to one amendment.

Mr. VANIK. I thank the gentleman.

Mr. COLMER. Mr. Speaker, I reserve the balance of my time.

CALL OF THE HOUSE

Mr. DOWDY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. FLYNT). Evidently a quorum is not present.

Mr. SISK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 135]

Adams	Gettys	Mikva
Addabbo	Giaimo	Moorhead
Arends	Gilbert	Morse
Ashbrook	Grover	Murphy, N.Y.
Baring	Gubser	Olsen
Berry	Halpern	Powell
Blanton	Hanna	Rarick
Brown, Calif.	Hastings	Rees
Carey	Hébert	Reid, N.Y.
Celler	Hogan	Ruppe
Clark	Howard	Saylor
Clay	Ichord	Scheuer
Cleveland	Kirwan	Stuckey
Cohelan	Lennon	Taft
Conte	Lipscomb	Thompson, N.J.
Corman	McEwen	Tunney
Diggs	McKneally	Whalley
Edwards, Calif.	MacGregor	Wiggins
Fascell	Mailliard	
Flowers	Mann	

The SPEAKER pro tempore (Mr. FLYNT). On this rollcall 374 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PROVIDING FOR AGREEING TO THE SENATE AMENDMENTS TO H.R. 9951

The SPEAKER pro tempore. The Chair recognizes the gentleman from California, Mr. SMITH.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SMITH of California asked and was given permission to revise and extend his remarks.)

Mr. SMITH of California. Mr. Speaker, as usual, the distinguished chairman of the Committee on Rules, the gentleman from Mississippi (Mr. COLMER), has explained this resolution in extremely accurate detail.

May I simply review the parliamentary situation which we are faced with here today.

Prior hereto the House passed the surtax bill. That bill also included the repeal of the 7-percent investment tax credit and some other provisions. It has not been acted upon in the other body. Then, subsequent thereto, you will recall that that particular surtax bill extended the surtax rate of 10 percent for the balance of this year—6 months—July 1 to December 31—and then 5 percent from January 1 to the end of the fiscal year, through and including June 30 of next year.

As I said, that bill has not been acted upon in the other body. Then, subsequent to that time the House passed a resolution extending the withholding tax on wage earners through July 31, 1969. That was to have expired on June 30. That measure was passed by the other body and became law. Subsequent to July 31, the House passed a resolution which extended the withholding on wage earners to and including August 15, 1969, which measure is also in the other body.

The other body then took this bill, H.R. 9951, which is a bill relating to unemployment tax withholding by quarterly installments and added on to that the extension of the 10-percent surtax until December 31, 1969. Other provisions that were in the House-passed bill on the surtax are not included in that extension. But, as I understand it, they have been included in the tax reform bill. My understanding further is that that bill will be heard in the Rules Committee tomorrow and if a rule is granted, it will be scheduled for floor action on Wednesday and Thursday of this week.

Then last week the other body placed this amendment in H.R. 9951. A request was made on the floor of the House to take that from the Speaker's table and to concur in the Senate amendments, which request was objected to.

The Rules Committee met that evening and reported out House Resolution 509.

Now, this particular resolution will—let me put it this way—the notice on the program may have been a little bit confusing inasmuch as underneath it we

have in parentheses "1 hour of debate," but that 1 hour of debate applies only to the consideration of House Resolution which is pending before us at the present time.

This measure, at the conclusion of the 1 hour of debate, will be voted either up or down. That is the 1 hour of discussion to which reference is made. In other words, there will not be an hour of debate on H.R. 9951 or the surtax extension amendment added to that bill. In other words, at the conclusion of the 30 minutes which are controlled by the gentleman from Mississippi and the 30 minutes which are controlled by myself, when that is over, the previous question will be moved. If it is adopted, then this particular bill is taken from the Speaker's table, to the end that the Senate amendment be and the same is hereby agreed to which will then insofar as both bodies are concerned continue the surtax to and including December 31, 1969, at a rate of 10 percent.

Mr. Speaker, I reserve the balance of my time.

Mr. COLMER. Mr. Speaker, I now yield 5 minutes to the gentleman from Louisiana (Mr. BOGGS).

Mr. BOGGS. Mr. Speaker, will the gentleman from California (Mr. SMITH) yield me an additional 7 minutes?

Mr. SMITH of California. I will gladly yield the gentleman from Louisiana an additional 5 minutes, and then let us see how much time the gentleman may need in addition.

Mr. BOGGS. I thank the gentleman. Mr. Speaker, the House Committee on Ways and Means has produced the most comprehensive tax reform package in the history of this great Nation.

The effect of the package must be considered as complementary to the bill passed on June 30—extending the surcharge at 10 percent through January and at 5 percent through June of 1970—when the surcharge ends—repealing the investment tax credit; postponing the repeal of certain excises on communications and autos; and removing all below the poverty line from the Federal tax rolls.

This passed the House by five votes.

After a labor of 6 months in which we filled 15 volumes of testimony, we have written a bill that makes basic changes in almost every phase of Federal income taxation to insure that every individual and corporation pays his fair share of the tax burden.

Most important, we have achieved tax equity with fiscal responsibility. We have reached a fairer system and we have provided the funds for making the changes we have made without any deficit financing.

I say we have gone beyond what anyone had dreamed we would. We have gone further than the 1963 proposals of President Kennedy. We have gone further than the 1968 proposals of the Treasury Department under President Johnson, and we have gone further than the proposals of President Nixon early this year.

As a matter of fact, we have picked out the best of all these proposals, added to that sum, and surprised many people.

These proposals by the Kennedy, Johnson, and Nixon administrations were more modest, because those administrations did not believe the House Ways and Means Committee would actually reform the tax structure because of the pressure from the many groups involved.

These three Presidents, two Democrats and one Republican, underestimated the depth of feeling of the American people for genuine tax reform.

The people have demanded that this business of some taxpayers with huge incomes enjoying all the privileges of American citizenship but managing to pay no tax at all, to support our Government. At the same time, they have seen the taxpayer making as little as $23 a week paying $42 a year in Federal income taxes, and they have seen the middle-income persons who bear the heaviest burden of all get no relief.

This bill meets those demands.

It meets those needs in the tradition of the U.S. House of Representatives, which under the Constitution has the exclusive power to initiate taxes.

This House of Representatives—your House of Representatives—is where Hamilton remarked to a visitor: "Here, sir, the people govern."

This bill is written in that spirit. It is not a partisan bill. It constitutes two essentials:

First, to cool the galloping inflation which has driven interest rates to the highest point in modern history; which has brought near depression to the construction industry, home building industry, and near panic in the financial community both here and abroad.

Second, to bring tax justice to all taxpayers. To insure that no one avoids paying tax, the bill restricts particular tax advantages in virtually all areas, ranging from the oil depletion allowance to the unlimited charitable contribution, which permits an individual to avoid tax completely by giving away property to charities and contributing nothing to the support of the Government.

By modestly lowering the oil depletion allowance—and remember, there are 110 items all cut about 30 percent—I believe we have assigned this heated controversy to the history books, much as we did to the butter-oleomargarine fight of the 1940's.

You remember how a candidate from Wisconsin had to pledge to be willing to die for butter, and how a man from the Cotton Belt had to pledge to be for oleomargarine.

Well, by lowering depletion allowances across the board by about 30 percent, we have eliminated oil depletion as a national issue.

A minimum tax or limit on tax preferences is provided in this bill. This limit means that if a man has let us say $10 million, half of that, or $5 million, would still be tax exempt, but the other $5 million would be taxed at regular rates.

Thus, thousands either paid no taxes, or greatly reduced taxes through these methods.

So the people have demanded tax relief for low- and middle-income taxpayers—those raising families and seeing inflation cut into them, and the older citizens on fixed incomes. This bill provides it in the way of a low-income allowance of $1,100 to replace the present minimum standard deduction of $300 for a single person and $600 for a married couple with two children.

When this provision is fully effective in 1971, it will provide tax reduction of more than $2.1 billion to the low-income persons.

Relief for middle-income taxpayers comes in the way of an increase in the standard deduction. This is of particular benefit to taxpayers with incomes of between $7,000 and $15,000. Because of the revenue cost involved, a balanced fiscal program requires that the increase in the standard deduction from the present 10 percent with a $1,000 ceiling take place in three stages: To 13 percent with a $1,400 ceiling in 1970, to 14 percent with a $1,700 ceiling in 1971, and a final increase to 15 percent with a $2,000 ceiling in 1972. For a taxpayer with $10,000 of income who used the standard deduction, this means an increased deduction of $300 in 1970, $400 in 1971, and $500 in 1972.

In addition, rate reduction, beginning at income levels above the income levels where the low-income allowance and the standard deduction provide the greatest tax relief, will provide tax reduction to the middle- and upper-income taxpayers. The rate reduction is generally 5 percent for this group. The rate reduction for the upper rates is necessary because these high rates have been one of the main sources of pressure to provide tax shelters. By reducing these rates, the top rate of 70 percent is cut to 65 percent. We can, in conjunction with the 50-percent tax limit on earned income, reduce the pressure to undo the reform and loophole closing of this bill.

First, the head of household for over 35;

Second, the widow and widower situation;

Third, tax averaging; and

Fourth, moving expenses deductions.

I want to emphasize that this is not a Democratic bill, it is not a Republican bill. It is a bill for our country, and it was reported by the committee, as far as I can remember with only two dissenting votes.

I want to pay special tribute to President Nixon, who, once having been convinced of the necessity of this program, "bit the bullet," and went to work to pass comprehensive legislation, and to President Johnson, who convinced the incoming administration that this had to be done.

ROGERS MORTON is chairman of the Republican National Committee, and he serves on the Ways and Means Committee. I am vice chairman of the Democratic National Committee, and I serve on the Ways and Means Committee. We both worked for this package. This is a bipartisan bill.

The work done by the staff of the Joint Committee on Internal Revenue Taxation, headed by Larry Woodworth; the work done by the staff of the Ways and Means Committee, headed by John Martin; the Treasury Department, headed by Secretary Kennedy and his Assistant Secretary in Charge of Congressional Affairs, Edwin S. Cohen; all were outstanding and they deserve the commendation of all Americans.

This great relief can be granted with

total fiscal responsibility. The projections show that for each year beginning this year, there will be substantial surpluses in both the unified and administrative budgets, and this contemplates, God forbid, the continuation of the war in Vietnam and a vastly increased expenditure for weapons.

I have just come from a briefing at the White House with President Nixon and others. I was greatly encouraged over the prospect for the lessening of world tensions. If this comes to pass, many billions of dollars now being used for destructive purposes can be put to work to rebuild our cities, to tear down our ghettos, to make the land serve the people, and make life livable and enjoyable everywhere in America.

Now is a moment for us to raise our sights. When Isabella hocked her jewels to a strange man from Italy named Columbus, I am sure her financial advisers questioned her sanity. Then, it was 3 months before she knew that he had discovered a new world. At that time, Europe was in a period of despair—men were killing one another in religious war after religious war, and there appeared to be no hope.

Shortly thereafter, another woman, Elizabeth, Queen of England, came along and she led Drake and all the others, as did the Spanish and Portuguese, to encourage their explorers to circumnavigate the earth.

And the despair of the late 15th century was dissipated by this great new challenge to mankind.

Last week, when you heard two men speak to you from the moon, when you saw them walk on the moon, you must have thought in terms of Samuel Morse, when he said—words engraved on a plaque in this Capitol Building—at the time of the first telegraphic message from Baltimore to Washington, a distance of about 35 miles, "What hath God wrought?"

Now, indeed, what hath God wrought?

Hopefully, in the words of the poet MacLeish, "We are indeed all brothers on this earth."

Prior to the events of last week, there was much despair in our Nation, disorientation of the young, a widening gap between the blacks and whites, between the inner city and the suburbs, our university campuses had become so disorganized that National Guardsmen and police were required to maintain law and order.

Hopefully, now, we can turn away from the strife at home and the strife abroad—the wars and bloodshed costing an untolled billion in treasure.

Hopefully, we can now think of man as he really is—created in the image of God—a finite creature with infinite capacity.

Hopefully, this legislative package will return confidence first to all Americans in our ability in both the executive and legislative branches to govern: In our ability to achieve economic stability without runaway inflation; in our ability to retain a healthy growth rate and thus prevent what could have developed into a panic resulting in a depression which would have made 1929 look like a Sunday afternoon breeze. And haunt the Democratic party for 30 years to come.

And, finally, restore the confidence the nations of the world in the ability of Americans to work together as one nation as we manifest determination and accomplish the miracle of last week.

Mr. Speaker, I include with my remarks a résumé of the committee action which appears in the New York Times of yesterday, and a résumé which appears in the Wall Street Journal of Friday:

[From the New York Times, Aug. 3, 1969]

WASHINGTON, Aug. 2—The House Ways and Means Committee, after more than five months of work, has completed action on a tax reform bill that runs 362 pages and is generally believed to contain the most extensive revisions of the tax law ever put together in one package.

Its dozens of provisions range from a change in the standard deduction that is expected to reduce the taxes of some eight million taxpayers to provisions that eliminate special tax preferences that affect fewer than 100 individuals.

An analysis of some of its most far-reaching provisions follows:

MINIMUM TAX AND ALLOCATION OF DEDUCTIONS

These two provisions, in combination, were aimed at making sure that all individuals of considerable means paid a substantial amount of Federal income tax. The aim was not fully realized in the bill the committee approved, which will still permit some individuals in the oil industry to pay no Federal income tax at all. (See Oil Industry below.)

The minimum tax is a sort of group approach to a number of existing preferential provisions of the tax law.

The provisions of the minimum tax proposal say, in effect, that an individual must lump together all of his income that is rendered tax-free by various provisions of the law—the one-half of capital gains that is not taxed at all at present, for example. If this tax-free income exceeds half of his total income (providing it is more than $10,000) then tax must be paid at the regular rates on that portion which does exceed half the taxpayer's total income.

Other forms of favored income that would be subject to the minimum tax include interest on tax-free city and state government bonds; losses from farms not really operated for profit; depreciation deductions on real estate that exceed actual depreciation, and the untaxed appreciation in the value of property given to charity.

Allocation of deductions

The allocation of deductions also deals with tax-free income, but the list of items is somewhat different. On the one hand, only interest from newly issued state and city government bonds need be counted. But the income rendered tax-free for oil operators by excessive depletion and drilling deductions is included in the computation of the allocation of deductions.

Fundamentally, the allocations provision is designed to make sure that no one with large amounts of tax-free income, who also has taxable income, can wipe out all or even most of that taxable income through the use of deductions. This occurs widely now.

An example illustrates the situation:

Suppose an individual had $100,000 in tax-free interest, the untaxed half of capital gains, and so on. Suppose he also had a taxable salary of $50,000. If he had interest payments, local taxes, charitable contributions and other deductions totaling $50,000, he would now pay no Federal income tax.

Under the provision for allocation of deductions, he could deduct from his taxable income only one-third of his interest, local taxes and so on—the amount of his total income represented by his taxable income. Actually, the deductions permitted would be a little more than one-third in this example, because the committee's bill permits the first $10,000 of tax-free income to be ignored.

Effect on the wealthy

The minimum tax and allocation of deductions will not only force some tax payments from almost all of the wealthy who currently pay no taxes at all, but it will also bring up to a fairly substantial level of tax payments many individuals who now pay relatively trivial amounts of tax.

This indirect group approach to tax preferences, rather than a head-on attempt to eliminate the underlying preferences themselves, is one of the more controversial features of the tax reform bill.

Those who oppose this approach say that it constitutes far less than a half-loaf in terms of eliminating tax preferences that they consider unjustified. They argue further that the indirect elimination of part of the preferences will make it harder to enact further reforms, because the public at large will think the problem has been taken care of, whereas it actually has not been.

Supporters of this approach, who include the present Administration's and the Johnson Administration's Treasury Department, say that in attempting tax reform, you take what you can get, and this partial change is better than nothing.

In addition, they argue that enactment of the minimum tax allocation of deductions may make it easier to reduce further or eliminate these tax preferences.

Their reasoning is that the fight against outright elimination will become easier as the preferences come to mean less and less to those who have them because of the operation of the minimum tax and allocation of deductions.

REAL ESTATE

The changes proposed in the taxation of real estate operations are aimed at reducing existing tax preferences granted owners and operators of commercial buildings, without diminishing the incentives that the tax preferences provide for construction of apartment houses.

While the committee's essential aim was to continue the incentives for investment in relatively low-cost, low-rent apartments, it found itself unable to devise a rule that would retain the incentives for low-income housing while eliminating them for middle-income and luxury apartments. It therefore left intact all of the existing preferential sections of the law applying to apartment houses.

The basic tax preference that real estate operators have is the ability to amortize their properties—that is, to deduct depreciation from their income—faster than the depreciation actually occurs. At present, depreciation at double the actual rate is permitted.

The committee left intact this double depreciation for newly built residential housing. But for other new building, effective on the date of the committee's decision, July 24, the depreciation deductions would be limited to one and one-half times the actual rate of depreciation.

Depreciation of old buildings

The ability of real estate operators to buy old buildings and still deduct a depreciation charge in excess of actual depreciation was ended completely. Depreciation on any old building bought after July 24 would be limited to the actual, or "straight-line," rate.

The committee also toughened the provision under which the Treasury can recapture from a building owner excessive depreciation that has been taken on a building that he subsequently sells.

Finally, with its focus on problems of slum housing, the committee provided a new incentive for rehabilitation of old residential buildings. Though these buildings, once refurbished, might have a useful life of many years, the cost or rehabilitation could be deducted in just five years.

The incentive is expected to be effective,

and there are already some reports of syndicates that may be formed to rehabilitate slum housing and take advantage of this new tax preference.

Double depreciation

The committee's decision to keep double depreciation for residential buildings and cut the depreciation on other types of buildings on one and one-half times the normal rate was a more limited action than the Treasury had recommended. It wanted these cutbacks as the first step in a two-step program of abridgement of real estate tax preferences.

Its recommended second step, in two or three years, would have eliminated the rapid depreciation for all types of buildings other than residential and for apartment houses other than low-cost.

The Treasury believed some means of defining the boundary between low-income and middle-income apartment housing could have been devised in the meantime, along with necessary changes in other Federal laws that assist housing.

The committee's changes are expected to increase the taxes of individuals and corporations in the real estate business by $400-million to $500-million annually after a few years. Since the provisions apply only to future real estate transactions or buildings, the increase in the first year would be only about half this amount.

OIL INDUSTRY

With the public at large, probably the most popular change that the committee voted was its reduction of the depletion allowance permitted the oil and gas industry from 27½ to 20 per cent. Proportional decreases were also voted in depletion allowances for almost all of the more than 100 other minerals on which smaller amounts of depletion may be taken. The depletion allowance is a simple deduction from gross income.

The committee also voted changes in the taxation of the oil industry that may have a greater impact on its operations than the cut in the depletion allowance.

It left almost untouched the present tax preference—accorded the oil industry alone—that can be coupled with the depletion allowance to permit many oil operators, especially the unincorporated independents, to escalate all, or nearly all, Federal income tax on millions of dollars of income annually.

The untouched provision is the ability of the industry to deduct in the year paid out most of its costs of exploration for/and development of oil wells. These costs are comparable to capital outlays, which in other industries, have to be deducted over a period of years. The special preference for the oil industry is called the "expensing of intangible drilling costs."

While the committee formally estimated that the cut in the depletion allowance for oil would increase the taxes paid by the oil industry by $360-million annually, there is general agreement that the estimate may be high. That is because the "expensing of intangible drilling costs" can still be used—even with the cut in depletion—to reduce taxable income as much as before.

The combination of depletion allowance and intangible drilling costs works like this:

Suppose an independent oil producer had gross income of $1-million from his existing wells. Suppose his business expenses—payroll and so on—totaled $300,000.

At present, in making out his tax return, he can deduct $275,000 from his gross income as the depletion allowance. That, with his regular operating expenses, makes $575,000 in deductions. If he wants to avoid all Federal income tax, he has to spend $425,000 in exploring and developing new wells, which he can then also deduct. He does not actually have no income; he has the $275,000 represented by the depletion allowance. But he has no taxable income.

Income cut to zero

With the depletion allowance cut to 20 per cent the deduction in the example would be reduced from $275,000 to $200,000. But the oil operator could still reduce his taxable income to zero simply by increasing his drilling expenses from $425,000 to $500,000. The additional amount he spent would produce more income for him in the future—against which a still-larger depletion allowance could be taken.

However, not all oil operators—particularly not the giant integrated corporations—are actually able to keep up their drilling expenses to the point of reducing their taxes to nothing, so the change in the depletion allowance will increase the industry's taxes to some extent.

Possibly greater impact on the industry would come, however, from the committee's actions to remove the tax advantage from some elaborate arrangements known as "carved out production payments" and "ABC transactions," in which several parties are involved in the sale, back and forth, of mineral rights or the shifting of income from one year to another—all for purposes of avoiding income taxes. The additional tax collections from these changes are estimated at $200-million a year.

In addition, the committee also clamped down on some of the tax advantages that can arise from the overseas operations of oil companies, especially those in parts of the world where royalties are paid to sovereigns for drilling rights. No real estimate has been made of the revenue effects of this provision.

TAX-EXEMPT FOUNDATIONS

A large number of restrictions were voted by the committee. They fall into two rough groups: limitations on the financial and business dealings of the foundations and restrictions on the way they can spend their money.

In addition, the committee voted a 7½ per cent tax on the income foundations have from their investments and an alternative tax of 5 per cent of the market value of a foundation's assets to prevent foundations from deliberately shifting into low-earning assets to avoid the tax.

There will be little revenue impact from the restrictive provisions the committee adopted. Raising revenue was not the committee's intent in this area. Instead it wanted to set forth new limitations on what foundations may do and still retain their tax-preferred status.

The restrictions on financial transactions are mainly aimed at stopping individuals from setting up foundations essentially for tax-avoidance purposes rather than the educational, scientific, civic, or other public purposes for which foundations are supposed to exist.

FOUNDATIONS' REACTION

The big foundations whose names are well-known to the public—Ford, Carnegie, Rockefeller, and so on—have no objections to these provisions.

The committee's decisions to limit foundation activities have stirred considerable protest, however, although many of the limitations originally voted were subsequently modified.

A bar against direct foundation financing of voter registration drives remains in the bill, although indirect financing through other organizations would be permitted. (The idea behind this ban was that such voter-registration drives are really not nonpartisan.) In addition, foundations would be barred from any attempts directly to influence legislation, even if such attempts did not constitute a substantial portion of their activity. They could still sponsor independent research on issues that might be related to legislative matters, however.

CURBS ON AID TO OFFICIALS

Details concerning the sources and disposition of foundation income—including the names of recipients of foundation grants—would be required to be made public.

No grants could be made directly to individuals except under specified standards, announced in advance, and approved by the Internal Revenue Service.

In addition, in an attempt to reduce the concentration of economic power in the hands of foundations, the committee voted generally to * * * ship of more than 20 percent of the voting stock of any company.

OTHER TAX-EXEMPT ORGANIZATIONS

Most tax-exempt organizations, such as educational institutions or charitable organizations, must pay taxes on the income they receive from business activities that are completely unrelated to the purpose for which they received their tax-exemption.

The income from any type of manufacturing would be taxable, for example.

At present, however, churches, social welfare clubs, civic leagues, social clubs and fraternal beneficial associations pay no tax on such "unrelated business income." (They would be required to do so, under the committee's bill.)

Churches were given six years to dispose of their unrelated businesses before the tax is imposed.

[From the Wall Street Journal, Aug. 1, 1969]

HOUSE UNIT PROPOSES $6.5 BILLION CUTS FOR TAXPAYERS; SENATE AGREES TO EXTENDING 10-PERCENT SURTAX ONLY UNTIL DECEMBER 31

MASSIVE REFORM BILL RAISES BURDEN ON RICH PERSONS, AIDS MIDDLE, LOW GROUPS

(By Fred L. Zimmerman)

WASHINGTON—The House Ways and Means Committee, in a stunning climax to months of work on a tax-reform bill, proposed nearly $6.5 billion of rate reductions and other benefits for taxpayers, mainly in lower and middle-income brackets.

The massive reform and relief bill, described by a Congressional tax expert as the "biggest restructuring of the tax code in history," is scheduled for a House vote next Thursday.

The politically difficult decision legislators will face in voting to raise substantially the tax burden on most wealthy individuals and on a variety of industries will be made easier by the committee's inclusion of sweeping relief for most individual taxpayers.

The bill is designed ultimately to increase annual Federal revenue through "loophole-closing" by almost precisely the same amount that the Treasury will lose each year through the rate reductions and other tax breaks the committee approved.

Rate reductions totaling $2 billion, which will take effect during calendar 1970 and 1971, will average 5% of taxable income when fully effective. Application of the cuts will begin at the point in current tax tables where individuals become subject to a 21% tax rate. This level generally applies to married persons with $8,000 of taxable income and single persons whose income is $4,000.

The committee also decided on a major increase in the standard deduction of 10% of adjusted gross income, with a $1,000 maximum—the device used by individuals who don't file itemized returns. The deduction would be raised gradually to an eventual level in 1972 of 15%, with a $2,000 maximum.

Standard deduction change

In calendar 1970, the standard deduction would go to 13% with a $1,400 maximum, and the following year it would rise to 14% with a $1,700 maximum.

The committee also decided to cut the top individual tax rate to 65% of income from

the current 70%. Additionally, it sets a 50% maximum tax rate on earned income, as of next year. This would benefit those relatively few wealthy persons who currently pay Federal income tax totaling more than half their income because they lack sufficient deductions and exemptions.

The committee also decided to lessen the tax burden on single persons over age 35 who maintain a household by allowing them to claim "head of household" status when they file tax returns.

Widows and widowers with dependents who are under age 19 or attending college would be allowed to file joint returns, generally lowering their tax liability.

The committee also decided to abandon its earlier plan to phase into law gradually a "low-income allowance" that will reduce or eliminate the tax liability on 12 million returns of lower-income persons. Making this allowance fully effective next year will constitute a bigger tax break than originally planned for low-income families.

As a final tax-tightening action, the committee voted to increase the corporate tax rate on long-term capital gains to 30% from 25%.

By 1975, when most of the provisions will be fully effective, the committee's reform package will have increased annual Federal revenue by $7.02 billion and decreased revenue by nearly $6.88 billion, for a net annual gain of $145 million.

Thus, the committee seemingly has made good on the long-standing prediction of Chairman Mills (D., Ark.) that the committee's tax-reform bill—on which work began last February—would have a "nearly neutral" revenue effect.

Costs to Government

Other revenue estimates, all still tentative, show the standard-deduction boost costing the Treasury $2.1 billion a year by 1972, and the low-income allowance costing the same annual amount starting next year.

The estimated overall revenue gain of about $7 billion includes an annual pick-up for the Treasury of about $3.3 billion from proposed repeal, retroactive to last April 18, of the 7% tax credit for business-equipment purchases.

Imposition of the 50% maximum tax on an individual's earned income initially would cost the Treasury an estimated $200 million annually but eventually the loss would drop to about $100 million.

Although $6.5 billion of tax relief will be an attractive proposition to vote for, many lawmakers will agonize over supporting the bill's tough tightening of a host of long-standing preferential tax arrangements.

Among the bill's most controversial provisions are these:

A cut to 20% in the 27½% oil-depletion allowance, a special tax break that's cherished by the politically potent oil industry but is widely regarded by Congressional liberals as the most glaring symbol of what's wrong with the Federal tax code.

Imposition of a tax of 7½% of net investment income on currently tax-exempt private foundations, as well as a series of stringent new curbs on their activities.

Elimination of the 25% maximum alternative tax rate on long-term capital gains, and lengthening to one year from the current six months the holding period that's required before sale of an asset is eligible for capital-gains treatment.

Imposition, under certain circumstances, of a tax on individuals' interest receipts from currently tax-exempt state and local bonds.

Establishment of a Federal subsidy arrangement designed to encourage state and local government to issue taxable, rather than tax-exempt, obligation. The committee decided that the subsidy should be fixed by the Treasury Secretary within a range of 25% and 40% of a bond's interest yield, except that during the first five years that the arrangement is in effect the range would be 30 to 40%.

FINAL ACTION IS EXPECTED ON MONDAY; EMPLOYERS TOLD TO CONTINUE WITHHOLDING

(By Arlen J. Large)

WASHINGTON.—Congress failed to meet in tidy fashion last midnight's deadline for maintaining income tax withholding rates at present levels, but lawmakers confidently insisted it won't make any difference.

Agreeing, the Internal Revenue Service "advised" all employers to continue using the present tables and rates for income tax withholding. These rates and tables include both the regular income tax and the surcharge.

As Congress quit for the night, this was the situation:

—Both the House and Senate had approved an extension of the 10% surtax through Dec. 31. But approval didn't come in identical legislative form, as required, and President Nixon wasn't here to sign any bill, so the new Dec. 31 expiration date isn't yet law.

—Legally, employers today are entitled to withhold tax from payrolls at the lower pre-surtax rates. But the House is prepared to vote Monday to accept the Senate version of the bill, extending both the surtax and the present withholding rates, and send it to the White House. President Nixon is scheduled to be home from his round-the-world trip by Monday and will be ready to sign the bill into law.

—Congressional tax-writers and Treasury officials contend that, during the interval between last midnight's expiration of surtax-based withholding schedules and their expected restoration sometime Monday, employers will be safe in withholding payroll taxes at the present level.

Approval seen Monday

Technically that's illegal, but their justification would be the fact that both the House and Senate are on record as wanting the surtax extended until Dec. 31, and the strong probability that the legislative mess will be tidied up on Monday. Both Chairman Mills (D., Ark.) of the House Ways and Means Committee and Rep. Byrnes of Wisconsin, the committee's ranking Republican, predicted the House will approve the surtax extension in final form on Monday.

IRS Commissioner Randolph Thrower "advised all employers" in a statement last night to continue using the present rates and tables in computing how much Federal income tax to withhold from workers' pay. He went on:

"Now that both the House and Senate have voted to extend the 10% income tax surcharge . . . Congress is expected to complete final action on the surcharge extension in the next few days. In view of this anticipated action it would be in the interests of both employers and employees to continue the present withholding rates, even though there may be a few days in which the statutory basis of the surcharge is in transition. This will maintain the withholding that many employes will need to meet their tax obligations, assuming the passage of the legislation."

Congress enacted the 10% surtax on individual and corporate incomes last year, and the surtax expired on June 30, as provided by law. But as the June 30 date approached, efforts to renew the surtax became mired in demands for basic reform of the tax laws. Old-fashioned squabbling between Democrats and Republicans and between the House and the Senate added to the problems. The result is today's confusion for employers on payroll withholding and the spectacle in Washington of 535 wrangling lawmakers who couldn't meet a deadline.

Previous House action

In late June the House narrowly voted to extend the surtax at its 10% level through Dec. 31 and to let it drop to 5% through the first half of 1970, after which it would expire. Included in the same measure was repeal of the 7% tax credit for businessmen's equipment investments, and a special provision removing low-income families from the tax rolls.

This bill hit the Senate at a time when Majority Leader Mansfield of Montana and other key Democrats were building a crusade for tax reform intended to close "loopholes" for the privileged and give a break to middle-income families. With the surtax extension obviously being held in the Senate as a hostage for that crusade, Congress acknowledged missing its first deadline—June 30—by voting a 15-day extension of the payroll withholding rates based on the expiring surtax. This was intended to give everyone more time to sort out the surtax reform muddle.

Then began a series of partisan maneuvers and rejected "compromises," which ended in a ringing verbal pledge by all Senate leaders with any rank whatever to bring a big tax reform package to the floor by Oct. 31. Only yesterday, with that wrangle evidently settled, did the Senate begin serious voting on what to do about extending the surtax.

On one key vote, the Senate decided 66 to 34 to defer for the time being any repeal of the 7% investment credit. It was generally agreed this will be accomplished in the promised tax reform package, and the repeal will be retroactive to April 18. A number of industries are fighting to continue using the investment credit for purchases of particular machinery, and various Senators will try to exempt these businesses from a general repeal. But the Senate didn't want this fight to interrupt the effort to extend the surtax itself; that's why the investment credit issue was postponed.

Sen. Mansfield and his Democratic troops already more or less had agreed on an extension of the 10% surtax through Dec. 31 only, letting it drop completely thereafter. Most Senate Republicans, regarding this as an overtly partisan proposal, voted against it. The Democrats narrowly prevailed, 51 to 48.

Then Sen. John Williams of Delaware, senior Republican on the Finance Committee, sought to give the Nixon Administration the rest of what it wants: The further extension of the surtax at 5% for the first half of 1970, as the House already had voted. But with all 100 Senators present in a rare display of perfect attendance, and with voting largely following party lines, the Democrats defeated that effort, 59 to 41. Then the Senate passed the bill—extending the 10% surtax through Dec. 31 only—by a vote of 70 to 30.

Not long after the final vote, the Senate adjourned for the day, leaving it to the House to decide how to reassemble these various scraps of legislation in which the two bodies agreed only on the extension of the 10% surtax at least through Dec. 31. Last night, after the House had adjourned, the Rules Committee met briefly and approved a plan that would bring the Senate-passed bill to a House vote on Monday afternoon. If the Senate measure is approved there, as expected, the surtax will be legal again.

Treasury Secretary Kennedy, in a statement, said the Senate vote "underscores the general consensus on the importance of action to curb inflation." Acknowledging that the extension "is six months short of the full year requested by the President," he took comfort in remarking that "Senate Democratic leaders gave assurance of early consideration" to the House-passed bill of late June that would extend the surtax through next June 30 at 5% and would repeal the tax credit for investment.

(Mr. BOGGS asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. SMITH of California. Mr. Speaker, I yield 4 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, on the subject of the constitutional prerogatives of the House, I remind you that a year ago, when the Senate took a bill to continue certain excise taxes and added to it the surtax and sent it back to the House, I then challenged the action of the Senate by arising to a question of the privilege of the House. I did not see many hearts bleeding at that time in support of my contention that the Senate had gone beyond its constitutional authority in originating tax legislation. It is not difficult to remember that the resolution I offered was tabled by some of those who are now shedding tears over the treatment they are getting from the other body.

Mr. Speaker, in view of the fact that contradiction is an accepted way of life here, it is appropriate that this legislation to continue the surtax be considered today, coming as it does hard upon the heels of House approval of the health, education, and labor appropriation bill which was ballooned $2 billion above the spending rate of last year.

This despite all the fine talk on the part of some—and I said "some"—Members on the Ways and Means and Appropriations Committees who assert on one day that inflation cannot be halted by picking the pockets of taxpayers for additional billions to spend, and then, with the greatest of ease they vote for an appropriation bill that has been kited by $2 billion.

This is contradiction and worse. This is pouring gasoline—not water—on the flame of inflation.

Virtually every spending bill that has come before the House in this session has been increased over last year's spending rate and yet there is the colossal gall to continue to sock the taxpayers. Instead of fiscal responsibility there is the resort to fiscal quackery. Why not spending reform? Or is it proposed to continue kidding the public?

In a related area, our common-use currency has been debased and debauched. A few days ago, the U.S. Government joined with Europe's international bankers to perpetrate a further debauchery—the issuance of paper gold. Time was when civilized nations settled their debts in dollars, pounds, and gold metal.

Henceforth all that will be necessary will be to oil up the printing presses, put some gold colored ink in the ink wells on the printing presses, feed in the paper and presto—there is the money—paper gold, billions of it.

Mr. Speaker, until there is a clear demonstration—and I do mean a clear demonstration—that the revenues from the surtax are not going to be hauled to Washington merely to provide for more spending, more debt, and deficit, I cannot and will not vote to continue the surtax.

Mr. COLMER. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. SISK), a member of the Rules Committee.

Mr. SISK. Mr. Speaker, I rise in support of this resolution.

I join with my distinguished friend the chairman of the Committee on Rules in deploring the procedures we are faced with today. It would be my hope that there might be some method found, either through legislative reorganization or some other approach, to avoid this all-too-frequent procedure whereby nongermane subject matter is added in the other body.

I think that the increasing frequency of this procedure is really becoming of great concern to most Members of this House. So, Mr. Speaker, I wish to raise my voice, along with that of the gentleman from Mississippi and others, in the hope that we might be able to develop some way to avoid this kind of procedure in the future.

Let me say that it would be my hope the House will proceed to pass this resolution today, since it is authorizing a 6 months' continuation of the surtax in the first place, and certainly it is my hope that we will proceed later this week to pass a good and meaningful tax reform bill and see if we cannot bring about a more equitable distribution of our tax load.

Mr. COLMER. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. WAGGONNER).

Mr. WAGGONNER. Mr. Speaker, a few moments ago my colleague from Louisiana (Mr. BOGGS) spoke at some length and even then briefly about the so-called tax reform bill, H.R. 13270, which was introduced by the House Committee on Ways and Means Friday last. I hold here in my hand a copy of that proposal. I cannot help but note that this bill as printed contains 368 pages. Mr. Speaker, no Member of this House saw a full and complete copy, except that which was carried in the CONGRESSIONAL RECORD Friday, until today. As yet the only part of the report on this Tax Reform Act of 1969 is part I and it is 226 pages long. I understand that there are other parts to follow. How many I do not know, but probably only one other.

Mr. BOGGS. Mr. Speaker, will the gentleman yield to me?

Mr. WAGGONNER. In just a moment.

I do not consider myself to be stupid or a brain, either. The House Committee on Ways and Means has been giving consideration to tax reform in one form or another for a period of years, not just since February of this year. I do not believe, in all seriousness, that the Members of this House can give the consideration to this legislation that it is due and then cast an intelligent vote and know how this affects them and the people of this country at the time that we are going to be called on to vote, Thursday night. This is considered to be the most extensive tax reform bill in history. I simply believe this House needs more time to see what this bill does.

I have made a supreme effort to learn what has been going on in the committee hearings and I have read every account which has been published, but as to the actual consequences of this legislation, there is little I know and little anyone not a member of the Ways and Means Committee knows.

I want to know what I am voting for or against. I want to know how this legislation will affect every man, every businessman, every housewife. This bill covers 27 areas of taxation and is, in my studied opinion, the most complex piece of legislation that has come before the House in several decades. I beg the House to give us time to study this bill and its report. So far, we have been handed 594 pages of legislation and report, with even more to come. How can we possibly vote intelligently on this complicated measure on such short notice? Frankly, I believe the only reason we are being asked to rush this bill through is because there is serious doubt it would pass if we knew what was in it.

I am not interested in the snap judgment of some newsman who has probably had less contact with this legislation than I have had. I need time—we all need time—to study the details and the ramifications of this bill before we vote it up or down. I urge the leadership to give us that time.

Mr. BOGGS. Will my distinguished colleague yield to me?

Mr. WAGGONNER. I am happy to yield to the gentleman.

Mr. BOGGS. I never like to suggest outside sources to the gentleman, but I would suggest that he read the following: The New York Times of yesterday has a complete résumé of all the reforms. The Wall Street Journal of this morning has a complete résumé, and the Congressional Quarterly has a complete résumé.

Mr. SYMINGTON. Mr. Speaker, I rise in support of the surtax for the remaining months of this year. Only a few weeks ago there was little prospect that broad tax reform, and some tax relief, would be forthcoming. Opposition to the surtax at that time effectively registered this concern, and reform legislation will now be considered at an early date: this week in the House, and shortly thereafter in the Senate. Today I will vote in favor of the 6-month extension to fight inflation. By combining it with reform and relief we can maintain the confidence of the taxpaying public, as well as the economists; we insure that our responsibility to the economy is matched by our responsibility to the middle-income taxpayer.

Mr. HORTON. Mr. Speaker, the question before us is whether to approve the temporary, 6-month extension of the income tax surcharge which the Senate approved last week.

At the end of June I opposed the full-year extension of the surtax because I felt that it would, without needed tax reforms, intensify tax inequities for middle-income Americans. During debate on the full-year extension, I stated that I would favor temporary extension of surcharge withholding rates for a few months—as many as it would require Congress to enact tax reforms with deliberate speed.

The disturbing fact about extending the surcharge is that it is applied to the present inequitable tax base. A month ago, there was little or no prospect that the tax structure would be improved even in calendar year 1970. All we had to go on was talk about tax reform. Some members of the Ways and Means Committee indicated that they did not expect action on reforms until the second session of this Congress. Further, I felt that if the 1-year extension of this surtax were adopted, it would have removed pressure for prompt action on reforms.

Several legislative developments have taken place in the past month. First, and most important, the Ways and Means

Committee, after months of concentrated deliberation, has reported to the House, a 368-page bill containing many meaningful reform provisions. That bill, H.R. 13270, is scheduled for debate and voting at the end of this week. Second, the Senate leadership has placed a priority on tax reform by refusing to enact the full-year surcharge extension as passed by the House. Senator MANSFIELD has indicated, however, that Senate consideration and debate of a tax reform bill would carry into late October of this year.

I concur in the administration's view that the Federal budget must be balanced and inflation curbed. I agree that the surcharge, while it is far from the only tool that is needed, is one weapon needed to assure a balanced budget. I believe that those of us who have placed a higher priority on reform than on the surcharge have won a very significant victory.

It is clear that there will be no full year extension of the surcharge until and unless we have action on a tax reform bill. The final 6-month extension, from January 1 to June 30, 1970, is attached to the reform bill itself. Further, it appears that it will take almost a 6-month temporary extension to continue the surtax during congressional deliberation on the tax reform bill. If the Senate majority leader's estimate is correct, it may be November before the President has a reform bill for signature.

I feel that the very close vote on the full-year surtax extension in the House, and the opposition to the extension in the Senate have precipitated significant action on essential tax reforms. We have some further assurance of success in enacting reforms because if this year closes without the enactment of a reform bill, it will also see the end of the surtax.

Therefore, I feel I can support an extension of the surcharge until December 31, with some assurance that meaningful tax reforms will be on the books before the year's end.

Mr. REID of New York. Mr. Speaker, when this House voted for a 12-month extension of the surtax on June 30, I said:

> I feel most strongly that before final enactment of this legislation, there must be major tax reform, fair to all and to relieve the hard-pressed middle-income family, and I will oppose final enactment of the surtax unless tax reform is also passed.

For this reason, Mr. Speaker, I feel constrained to vote against the 6-month extension of the surtax today. I do not feel that there is sufficient assurance that we are going to get tax reform that will result in meaningful relief for middle-income families nor action to close serious, inequitable loopholes. I feel that I would be breaking faith with my constituents if I supported a final surtax extension before such reform is assured.

The distinguished gentleman from Arkansas (Mr. MILLS) and his colleagues on the Ways and Means Committee have reported out a tax reform bill which we will take up later this week and which contains improvements that have been long overdue. Yet I do not think that the small downward revision in the rate structure and the phased increase in the standard deduction will really make a significant difference to the middle-income family with a mortgage, medical bills, school taxes, and children to send to college. A minimum tax on the wealthy and restrictions on the tax preferences they now enjoy provides symbolic relief to middle-income families, but actually does little to lower their tax payments.

While there appears to be agreement to report a tax reform bill to the Senate floor by October 31, it is far from clear that the Senate will act firmly to close several blatant loopholes, such as the oil-depletion allowance.

Indeed, the bill reported out of the Ways and Means Committee could be stronger on this and other sensitive issues, and the measure before us today has been stripped of tax relief for the poor and repeal of the 7-percent investment tax credit—although both provisions have been included in the omnibus reform bill.

Thus, as the New York Times commented this morning:

> The unanswered question is whether the impulse for reform will be seriously blunted now that the surtax is no longer being held hostage by the liberal forces. . . . With an agreement on the surtax, there is now sure to be more backsliding in the face of pressure from the special interest lobbies.

There is much talk these days about what Americans in the heartland really want. I think that many Americans, in whatever section of the country they reside, want relief from an intolerable and unfair tax burden. I am not satisfied that that relief is assured, and, while there are sound fiscal and monetary reasons for extending the surtax, I cannot in good conscience vote for an additional tax burden on American wage earners at this time.

There are, to be sure, dangers in not enacting the surtax extension; but equally, there are dangers in not enacting major and meaningful tax reforms. The administration has had a number of months to work out a comprehensive and equitable plan with business, labor, and the financial community regarding the economy, including tax reform; continuing incentives for our competitive free enterprise system; spending controls on farm subsidies and the military-industrial complex; curbs on interest rates, provisions for dealing with the balance of payments, trade deficits, special drawing rights, and international liquidity; and other elements. I have indicated my willingness to vote for the surtax as an essential item in this picture to help control inflation, but not as the only item that is going to be acted on this year.

The surtax will not provide relief alone; nor will it alone control skyrocketing consumer prices. In short, there has just not been a timely and comprehensive approach to the problems of the economy, and I think it would be a disservice to the Nation to vote for the surtax when progress on other related economic questions is far from assured.

Mr. BINGHAM. Mr. Speaker, although it now appears that the House will have an opportunity to vote on a tax reform measure this week, it is not at all clear whether the Senate will act on it at this session or what kind of bill the Senate will pass if it does consider tax reform.

It has been my consistent position that the 10-percent surcharge should not be extended without accompanying tax reforms which will give relief to low- and middle-income taxpayers and will at the same time close some of the loopholes that now enable many wealthy taxpayers to pay little or no income tax.

The fact that the Ways and Means Committee was able to report out a reform bill with considerable speed confirms my judgment that it is entirely feasible to enact tax reform and the surcharge extension in one package.

Since the bill before us leaves the question of tax reforms unsettled and since a package bill would be feasible, I shall vote "no."

Mr. VANIK. Mr. Speaker, today I will vote against the extension of the surtax. It has utterly failed in its promise to control inflation. On the contrary, it has served to fuel the fires of inflation.

It is said that the surtax is essential to hold down inflation. Well, it has not done very much in the past year. Prices have been moving upward ever since. None of our very expensive economic advisers have been able to claim that our current inflationary thrust is consumer-oriented. The average taxpayer, the consumer, has not overindulged. We are not in short supply of anything but money.

When we passed the surtax, it served to raise the price of everything. It became an add-on price. The manufacturer added on the surtax, labor added the surtax, the distributor added the surtax, and the merchant added the surtax. The extension of the surtax will continue to "heat up" the inflationary spiral. Not all of the increases have yet been made. There is more to come. A final round of utility price increases is still in the works. The utilities need the surtax to maintain their claim for higher rates.

When Congress passed out the surtax, we rolled up the prices of everything. The Federal Government can roll back prices by rolling back taxes which are a part of the price of everything we buy. We can lead the way by collecting less and spending less.

The President would like the surtax—and I do not blame him for changing his mind. By Treasury's own admission last May, the extension of the 10-percent surtax to December 31, 1969, and the repeal of the investment credit and the continuation of the excise tax on motor vehicles and telephone service would produce a unified budget surplus of $4.3 billion. In view of the "surprise" 1969 surplus of $3.2 billion, there is every reason to believe that the 1970 surplus with a December 31, 1969, termination of the surtax would substantially exceed $5 billion.

Mr. RANDALL. Mr. Speaker, today as we come to another chapter in the extension of the income tax surcharge until December 31, 1969, we are engaging in what must be for the thoughtful bystander a mystifying and occult exercise.

If a visitor were to ask what was be-

ing considered by the House he would be told it was "H. Res. 509," which is an abbreviation for House Resolution 509. He would be told that the House was really considering the extension of the surtax. Our curious visitor would then ask and would receive a copy of the resolution and the report to accompany House Resolution 509.

Try as he would, our hypothetical observer would look in vain to find any reference in House Resolution 509 to a surtax. He would find instead that it provided for the adoption of H.R. 9551, which had to do with the collection of the Federal unemployment tax. He would ascertain the resolution contained exactly 12 lines on the first page and 2 lines on the second. Near the foot of page 1, at line 11, House Resolution 509 contained the words "and for other purposes, with the Senate amendment thereto, be, and the same is hereby taken from the Speaker's table to the end that the Senate amendment be and the same is hereby agreed to."

Then at this point, even a student of government who had studied something about how our laws are made would ask to see a copy of the report to accompany House Resolution 509, to try find out what the House was agreeing to. Our student would think, as he had been taught, that if there were some wording in the resolution which was not plain or clear, the best thing to do would be to read the report which would surely explain the purposes, the objectives, and all details about the measure under consideration.

Bear in mind our hypothetical visitor has been told that the House was considering an extension of the income surtax until December 31, 1969. When he finally, obtains a copy of the report it is headed "Providing for Agreeing to the Senate Amendments to the Bill H.R. 9551," which he finds has to do with unemployment-compensation insurance and which contains exactly three lines as follows:

> The Committee on Rules, having had under consideration House Resolution 509, reports the same to the House with the recommendation that the Resolution do pass.

Mr. Speaker, to suggest that we extend the surtax in this manner, is puzzling, is a masterpiece of understatement. It would seem that we are trying to involve ourselves in some kind of parliamentary mystery by which we deliberately set out to make the situation exceedingly difficult to understand. Could it be that we are trying to be occult? As I understand it, the definition of occult is something hidden from sight. I submit that House Resolution 509 and the report which accompanies it completely hides from sight any mention of the extension of the income tax surcharge. It is little wonder why one visitor today was heard to observe after reading both of these documents which were supposed to provide for the extension of the income tax surcharge:

> This is beyond the scope of my understanding. It is a strange way to legislate.

Mr. Speaker, without the time to explain to every visitor how we run our legislative railroad, House Resolution 509 should be defeated and the surtax should be ended. The surtax was sold to a reluctant Congress as the only effective way to halt inflation. The fact of the matter is, it has not even made a dent in inflation.

As we continue today the surtax in its full amount, we are in reality adding another tax increase. The reason is that the 1968 portion of the surtax amounted to only a 7½-percent tax on a tax because it was only for three-quarters of a year beginning on April 1, 1968. Extending it to cover the entire year of 1969 in essence amounts to a tax increase.

I was surprised at the comment by a well-known Washington newsletter, circulated privately to businessmen, which recently suggested that Congress had engaged in a display of irresponsibility because it had not passed the surtax for the full amount until mid-1970. Well, that is just one editor's view. In our country today there are an unlimited number of self-styled professional economists. In reality most of these persons are impractical, theoretical economists, lacking in practical economics and inexperienced in actual business management.

These are the theorists who have just finished telling us that the surtax is now beginning to take hold and that the economy is cooling off. The true facts are that there is abundant evidence to the contrary. Consumer installment credit rose by $795 million in June of 1969, after having risen by $846 million in May of 1969. The point should be emphasized that the June 1969 increase was $79 million greater than the consumer credit increase for June 1968, one year earlier. Does that show that the economy is cooling off?

Instead, the surtax may be adding fuel to the fires of inflation. There is no doubt but that there has been some consumer income going to pay the 10-percent surtax. Yet consumer purchases have not been cooled. This would indicate that, instead of consumers having the cash to pay for these purchases, they are today actually borrowing the money to make the purchases at 9 percent or more.

It would seem that a strong case could be made that the real issue over the surtax extension is not control of inflation, as is so frequently argued, but what is really involved is the level of Federal spending. If Congress continues to spend whatever the tax system will raise, then a vote for the surtax is a vote to continue to increase the fraction of our resources which will be used by the Federal Government. Inflation in the private sector may come under some small control, but the real inflation is in Government spending. To continue to ask consumers to cut back spending and enacting a surtax to enforce that request means to provide the way for the Government to spend more than can be accommodated by previous revenue yields. As I pointed out, from the huge increase in consumer installment credit, it is the consumer that is paying the surtax—but is doing it by borrowing the money at 9 percent or more.

Mr. SMITH of California. Mr. Speaker, I yield 3 minutes to the distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Speaker, on June 30 of this year, by a close vote of 210 to 205, the basic bill involving the surtax extension and phaseout and other provisions passed this body. Let me say at the outset that I pass no judgment on anyone's vote at any time, but it seems to me that at this final stage, where we are considering a portion of that bill, I would hope that each and every one of the 210 who are here today who voted for it June 30 would maintain their position. And, I would like to urge that at least some of those who voted in opposition—the 205—to reconsider and on this occasion vote for this extension.

Basically, on June 30, those who opposed were in three categories: those who traditionally in this body on both sides of the aisle who have voted to a greater extent than most of us against appropriations felt that since they were not responsible for the increases in expenditures, had no compulsion to vote for the extension and phasing out of the surtax legislation.

Then there were some who voted against it, and I really was never quite clear as to why, but at least they voted against it and contributed to the narrow margin of victory by which it was passed.

Then there was, I gather, a very substantial number among the 205 who in good conscience questioned whether there would be tax reform legislation before this body this year, or in the near future.

Well, let me say this, taking the last first. We have a tax reform bill here—368 pages—it is bona fide, it is legitimate good tax reform legislation and I intend to support it. I think we ought to pass it. It will be before us on Wednesday and Thursday of this week.

So, the action of the Committee on Ways and Means should have dispelled beyond any doubt those who questioned the fact as to whether there would be tax reform legislation pending before this body to consider and approve. So, those who had that reservation on June 30 ought to join us who voted for the surtax legislation.

Then, those who fell into that category of voting against the surtax by having some questions, perhaps, about expenditures. These, who have consistently voted against appropriations, can rationalize support today by endorsing the views of economists and financial experts who say this surtax extension is badly needed to save the economy from the brink. They ought to be persuaded at this late date that it would be catastrophic for us to turn it down.

The SPEAKER pro tempore. (Mr. FLYNT). The time of the gentleman from Michigan has expired.

Mr. SMITH of California. Mr. Speaker, I yield the gentleman 1 additional minute.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 1 additional minute.

Mr. GERALD R. FORD. And, then there are those who voted against the

tax bill on June 30 for reasons which in their mind might be good, who yet voted for example last week to add $1 billion in expenditures to the fiscal year 1970 budget. However, I think they really ought to step up and bite the bullet. After all, if they are going to add $1 billion to expenditures, they ought to be willing to help finance the extra cost of those vast expenditures.

For those reasons, Mr. Speaker, I strongly hope that we have a substantial vote for this legislation today.

Mr. SMITH of California. Mr. Speaker, I yield 4 minutes to the gentleman from Wisconsin (Mr. BYRNES).

(Mr. BYRNES of Wisconsin asked and was given permission to revise and extend his remarks.)

Mr. BYRNES of Wisconsin. Mr. Speaker, as has been pointed out, we passed a bill to extend the surtax on June 30. In that bill, the surtax would be extended for the last 6 months of this year at a 10-percent rate, which amendment is now before us. That bill also contained other items.

Certainly there is much, it seems to me, that needs to be criticized in the way the other body has treated a most significant and most important piece of legislation sent to it by this body. The procedure of adding just one part of that legislation, taking one facet of that legislation and adding it to the unemployment compensation bill which we sent to the other body, leaves much to be desired. I do not believe, however, that there is anything to be gained at this time by rejecting that action.

I think we also have to recognize that if the business of this country is to proceed, then there must be comity between the two bodies. But I think it is appropriate, Mr. Speaker, at this time to say to the other body that at least as far as some of us are concerned, our patience is being worn rather thin with this failure on the part of the other body to recognize that this House has some rights.

Mr. Speaker, at the time this bill was before us in June many Members contended that they could not support a continuation of the surtax until there was tax reform. While I am not going to go into details at this time—and I do not believe that this is the appropriate time to discuss the reform package that was reported from the Committee on Ways and Means last week, and which will be before this House for consideration on Wednesday and Thursday of this week—I do think it must be said to those Members that you now have no excuse for voting against this limited continuation of the surtax on the basis that it has to be held hostage in order to obtain reform legislation. That reform legislation is before the House.

I think the committee, in reporting out the legislation, has confounded some of the skeptics who said it could not be done. Yet they have proved that it can be done.

I think we have reported a very substantial and meaningful bill to the House in a most difficult and a most complicated matter. I think the House, when it goes into details next Wednesday and Thursday, will give it an overwhelming vote of support.

But, Mr. Speaker, in spite of the delays, in spite of the procedures that can be criticized, it is time that we act—and act positively—on this most important item that is an inherent ingredient to fighting the war against inflation.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. SMITH of California. Mr. Chairman, I yield 1 additional minute to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. Mr. Speaker, I thank the gentleman for yielding me the additional minute.

Mr. Speaker, I think some damage has already been done in our fight against inflation by the delays that have taken place, the psychological adverse effects of questioning "has Congress got the guts to do the things that are essential in this battle against inflation?"

There has been a wondering about our capability in that regard as a result of this delay. So let us today put an end to that speculation and show that certainly we, as Congressmen, have the fortitude to stand up and even do the hard things necessary in this battle against inflation by passing this legislation overwhelmingly today.

Mr. COLMER. Mr. Speaker, I yield the balance of my time to the very able gentleman, the gentleman from Arkansas (Mr. MILLS), chairman of the Committee on Ways and Means, to close debate.

Mr. MILLS. Mr. Speaker, I appreciate my friend, the gentleman from Mississippi, the chairman of the Committee on Rules, yielding this time so that I might discuss the matter presently before the House.

Mr. Speaker, as the membership will recall, on June 30 last, the House passed H.R. 1290, a bill making available additional revenues in the fiscal year 1970 of slightly over $9 billion.

The matter before the House today involves a part of that revenue—that portion of the bill which has to do with the 10-percent surcharge for the last 6 months in the calendar year 1969.

There is nothing, in my opinion, for the House to do except to approve the Senate amendment. Why do I say that?

Mr. Speaker, last year, in spite of all that was done by the Congress to obtain better control of fiscal policy, consumer prices rose from April 1968 through May 1969 by 6.9 percentage points.

Mr. Speaker, I am convinced in my own mind that if we do not continue the 10-percent surcharge and pick up the $5.6 billion of revenue which is involved in it for the last 6 months of this year, we may well be faced with price increases in the next 12-month period that exceed those in the period I have referred to.

Inflation is the same as a sales tax at the Federal level. It is the same as a sales tax increasing to 6.9 percent during this period.

Mr. Speaker, even if the bill we passed on June 30 were to be enacted without change, the administrative budget, or the Federal funds budget, for the fiscal year 1970 would still have a deficit of $5.1 billion.

If no part of that bill were to be enacted—including this 10 percent for 6 months—that deficit would be $14.3 billion.

We know that is too much of a deficit if we are to avoid a material increase in prices for the period ahead. There are those who have said that the enactment of the surcharge legislation last year had no effect. I want to dispute that, and if that is the feeling of any Member on the floor of the House, I hope I can dissuade them from that conclusion.

If you will look at the quarterly percentage increases both in the real gross national product, and in the GNP in current dollars, you will see that consistently in each quarter since the second quarter of 1968, when the surcharge was enacted, the percentage rate of increase in the GNP has declined. In the second quarter of 1968, in terms of real or constant dollars the increase was 7.2 percent. In each month since that time the percentage has declined until it reached the level of 2.3 percent in the second quarter of 1969, the latest period for which we have data. In terms of current dollars the percentage was 11.2 percent in the second quarter of 1968 and 7.2 percent in the second quarter of 1969.

A decline in the rate of increase in the GNP is one of the first and most reliable indicators of a slowing down in the economy.

Let me assure you that our action last year has had some effect as you can see from what I have said. But if we do not continue the surcharge now, I believe we will have lost the advantage we have already gained from having the surcharge in effect for this past year. I am firmly convinced that if we do not extend the surcharge now we will have put the taxpayers to the cost of this additional revenue for no purpose whatsoever. They will have lost all that has been gained as a result of the bill's enactment.

Let me emphasize again that the evidence indicates clearly that the surcharge has slowed down the inflationary push but if we—just as its effect is really beginning to be felt—do not continue the tax, we will have undone all of this. Then the only effect would be that we would have cost the taxpayers all of these dollars for no good purpose whatsoever. At the same time we would then be unleashing the type of inflation that existed in April, May, and June of 1968. That is something we do not want to have happen. That we do not want to have as a part of the American way of life.

Mr. Speaker, let me turn now to another point. I cannot see that there is any justifiable reason now for Members who did not see fit to vote for the bill on June 30 turning it down. I well understood the feeling on the part of many Members who wanted to combine action on the surcharge with tax reform. But

we have produced a tax-reform bill. It is here now, ready for House consideration. Under these circumstances, I do not, for the life of me, see how anyone who had that view could possibly have any further excuse for not voting for the bill. I cannot see how anyone would use that as an excuse for further opposition.

At this point, I insert in the RECORD two tables to which I have referred in my comments. One summarizes the budget situation and the other indicates the increase in the gross national product on a quarterly basis in the past 4 years:

BUDGET AND REVENUE ESTIMATES

BUDGET ESTIMATES FOR FISCAL YEARS 1969 AND 1970

[In billions of dollars]

	Receipts	Outlays	Surplus (+) or deficit (−)
(a) Preliminary budget results for fiscal year 1969:			
Federal funds	143.3	148.6	−5.3
Trust funds	44.6	36.2	+8.4
Unified budget	187.8	184.8	+3.1
(b) Budget estimates for fiscal year 1970, assuming enactment of H.R. 12290:			
Federal funds	148.6	153.7	−5.1
Trust funds	57.5	47.1	+10.3
Unified budget	198.1	192.9	+5.2

QUARTERLY INCREASES IN GROSS NATIONAL PRODUCT IN CURRENT AND CONSTANT DOLLARS

[In billions of dollars; seasonally adjusted annual rates]

Period	Current dollars			Constant dollars (1958=100)			Increase in real GNP as a percentage of current GNP
	GNP	Change from preceding quarter		GNP	Change from preceding quarter		
		Dollars	Percent [1]		Dollars	Percent [1]	
1966:							
I	729.5			649.1			
II	743.3	13.8	7.56	655.0	5.9	3.64	42.75
III	755.9	12.6	6.80	660.2	5.2	3.16	41.27
IV	770.7	14.8	7.84	668.1	7.9	4.80	53.38
1967:							
I	774.2	3.5	1.80	666.5	−1.6	−.96	−31.37
II	783.5	9.3	4.80	670.5	4.0	2.40	43.01
III	800.4	16.9	8.60	678.0	7.5	4.48	44.38
IV	816.1	15.7	7.84	683.5	5.5	3.24	35.03
1968:							
I	835.3	19.2	9.40	693.3	9.8	5.72	51.04
II	858.7	23.4	11.20	705.8	12.5	7.20	53.42
III	876.4	17.7	8.24	712.8	7.0	3.96	39.54
IV	892.5	16.1	7.36	718.5	5.7	3.20	35.40
1969:							
I	908.7	16.2	7.28	723.1	4.6	2.56	28.39
II	925.1	16.4	7.20	727.3	4.2	2.32	25.60

[1] Quarterly increases expressed in annual rates; quarterly percentage increase is ¼ of annual rate of increase.

Mr. CORMAN. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from California.

Mr. CORMAN. Mr. Speaker, I voted against the bill, and I think many of us did the last time, because portions of it were prospective in two ways. It had to do with low-income allowance and with the surtax for 6 months after January 1. Both of those matters are now properly handled in the omnibus tax bill. I will vote for this measure, and I hope all Members who have had some misgivings about an omnibus bill coming out this year will vote for this 6-month extension. I hope it carries by an overwhelming vote.

Mr. MADDEN. Mr. Speaker, I offer a preferential motion. I move to strike the enacting clause.

The SPEAKER. The Chair will state that that is not a preferential motion.

Mr. MADDEN. Mr. Speaker, we are having a debate here on the rule. I think a member of the Rules Committee should have an opportunity at least to express for a few minutes his thoughts on the subject.

The SPEAKER. The Chair will state that control of the time, 1 hour, is in the hands of the gentleman from Mississippi. The Chair is informed that the gentleman from California (Mr. SMITH) has 5 minutes remaining.

Mr. MADDEN. Mr. Speaker, will the gentleman from California yield 2 minutes to me?

Mr. SMITH of California. I would be happy to yield time to the gentleman from Arkansas (Mr. MILLS). I yield 2 minutes to the gentleman from Arkansas.

The SPEAKER. The gentleman from Arkansas is recognized for 2 minutes.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Indiana for a question.

Mr. MADDEN. Mr. Speaker, the Members should be acquainted with the fact that, 1 year ago I voted against the 10-percent surtax legislation because if the fabulous and extravagant tax loopholes on big oil, big foundations, big real estate, and so forth, were repealed we could get about $15 billion into the Federal Treasury. I will vote against it again on the theory that there is no tax reform bill enacted into law. I have in my hands an excerpt from the Indianapolis Star, issue of Saturday, August 2, and I refer to a United Press article entitled, "Some Tax Bill Portions Given OK." The Treasury Under Secretary Charles Walker and Edwin S. Cohen, Assistant Secretary, in a press conference expressed themselves as follows:

The proposal to impose a 7½ percent tax on foundations now exempt was "somewhat high."

They are going to present their case to the Senate Finance Committee when and if passed by the House of Representatives. The article continues:

They also expressed reservations over a proposal to limit deductions on farm losses—

Those are the farms where they hide millions in taxes, trick "playboy" farms, used by rich taxpayers for tax deductions—

saying, it should be tightened to make sure the wealthy could not escape taxes completely through this device.

Further they stated:

Proposed tax increases on banks, savings and loan associations and other financial institutions should be held up pending a study of all bank legislation.

The Assistant Secretary of the Treasury Charles Walker, and Edwin Cohen, Assistant Secretary, are going to present their case before the Senate Finance Committee. I am talking about the executive department. They are not for this Ways and Means Committee tax reform bill according to the executive department Treasury officials.

According to the article,

Walker said the Administration was developing a comprehensive proposal for Senate consideration on taxation of oil, natural gas and other mineral industries. He said the Administration has not decided whether to support the Ways and Means plan to reduce the oil depletion allowance from 27½ percent to 20 percent.

Here is the executive department of the administration opposed to this bill, according to the Under Secretary and according to Edwin S. Cohen, and that is a United Press dispatch from Indianapolis. So we have no tax reform bill before us at all until the executive department officials take their protest up with the Finance Committee of the other body.

Mr. MILLS. Has the gentleman asked his question?

Mr. MADDEN. You would think a tax reform bill had been passed already if you listen to the speeches here on the floor this afternoon. When the Senate Finance Committee completes its remodeling of this House bill our Members may reject it by an overwhelming vote.

The SPEAKER. The time of the gentleman from Arkansas has again expired.

Mr. SMITH of California. I yield the gentleman from Arkansas 1 additional minute.

The SPEAKER. The gentleman from Arkansas is recognized for 1 additional minute.

Mr. MILLS. Mr. Speaker, I want to correct the erroneous impression that my friend, the gentleman from Indiana, gathered from the newspaper account, because I have before me, and I will read it to the gentleman, who serves on the Rules Committee, a letter from the Secretary of the Treasury, dated August 4, 1969:

I would like to express to you the deep appreciation of the Treasury for your untiring efforts and your sterling leadership of the Committee on Ways and Means in the development of the Tax Reform Act of 1969.

We believe that the bill is a milestone in tax legislation and will be long remembered as a major advance in achieving an equitable tax structure.

While, of course, we have some reservations about some of the provisions in the bill and would plan to make some suggestions for revision in the progress of the bill in the Sen-

ate, we sincerely believe that, in general, the bill represents a major step forward in tax legislation and urge its prompt passage by the House of Representatives.

Along with Under Secretary Walker, Assistant Secretary Cohen, and our entire staff, I should like to thank you and the Committee for the kind and patient consideration that you have given to our presentations before the Committee. It has been a great privilege for all of us to work with the Committee in this common effort to improve the tax structure of the nation.

That is signed by the Secretary of the Treasury. He is for this legislation, have no doubt about that.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

Mr. GROSS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The question was taken; and on a division (demanded by Mr. JACOBS) there were—ayes 126, noes 61.

Mr. GROSS. Mr. Speaker, would the Speaker be good enough to repeat the result of the vote?

The SPEAKER. There were 126 Members voting in the affirmative and 61 in the negative.

Mr. JACOBS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Under count, evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 237, nays 170, not voting 25, as follows:

[Roll No. 136]

YEAS—237

Albert	Clausen,	Griffiths
Alexander	Don H.	Grover
Anderson, Ill.	Cleveland	Gude
Anderson,	Collier	Hall
Tenn.	Collins	Halpern
Andrews,	Colmer	Hamilton
N. Dak.	Conable	Hammer-
Annunzio	Corbett	schmidt
Ashley	Corman	Hanna
Aspinall	Coughlin	Hansen, Idaho
Ayres	Cramer	Harvey
Beall, Md.	Cunningham	Hastings
Belcher	Daddario	Hawkins
Bell, Calif.	Davis, Wis.	Hébert
Betts	de la Garza	Heckler, Mass.
Biester	Dellenback	Hogan
Blackburn	Denney	Horton
Boggs	Dennis	Hosmer
Boland	Derwinski	Hutchinson
Bolling	Devine	Joelson
Bow	Dickinson	Johnson, Pa.
Bray	Dorn	Jonas
Brock	Downing	Jones, Ala.
Brooks	Dwyer	Karth
Broomfield	Edwards, Ala.	Keith
Brotzman	Erlenborn	King
Brown, Mich.	Esch	Kleppe
Brown, Ohio	Eshleman	Kluczynski
Broyhill, N.C.	Evans, Colo.	Koch
Broyhill, Va.	Evins, Tenn.	Kuykendall
Buchanan	Fallon	Kyros
Burke, Mass.	Findley	Landgrebe
Burleson, Tex.	Fish	Langen
Burton, Utah	Fisher	Latta
Bush	Flynt	Lloyd
Button	Foley	Lukens
Byrnes, Wis.	Ford, Gerald R.	McClory
Cabell	Fraser	McCloskey
Cahill	Frelinghuysen	McClure
Camp	Frey	McCulloch
Carter	Friedel	McDade
Casey	Gallagher	McDonald,
Cederberg	Giaimo	Mich.
Celler	Goldwater	McEwen
Chamberlain	Green, Oreg.	McFall
McKneally	Poff	Stanton
MacGregor	Pollock	Steed
Mahon	Preyer, N.C.	Steiger, Ariz.
Mann	Price, Tex.	Steiger, Wis.
Marsh	Pryor, Ark.	Stratton
Martin	Purcell	Sullivan
Mathias	Quie	Symington
May	Quillen	Talcott
Mayne	Railsback	Teague, Calif.
Miller, Calif.	Reid, Ill.	Teague, Tex.
Miller, Ohio	Reifel	Thompson, Ga.
Mills	Rhodes	Thomson, Wis.
Minshall	Rivers	Udall
Mize	Robison	Ullman
Mizell	Rogers, Fla.	Utt
Monagan	Ronan	Vander Jagt
Moorhead	Rooney, Pa.	Waggonner
Morse	Rostenkowski	Wampler
Morton	Roth	Watkins
Mosher	Ruppe	Watson
Murphy, Ill.	Ruth	Watts
Murphy, N.Y.	St. Onge	Whalen
Myers	Sandman	Whitehurst
Nedzi	Satterfield	Widnall
Nelsen	Schneebeli	Wiggins
O'Hara	Schwengel	Williams
O'Konski	Sebelius	Wilson, Bob
O'Neill, Mass.	Shriver	Winn
Patman	Sikes	Wold
Pelly	Sisk	Wright
Pepper	Skubitz	Wyatt
Pettis	Smith, Calif.	Wylie
Pickle	Smith, Iowa	Wyman
Pike	Smith, N.Y.	Young
Pirnie	Springer	Zwach
Poage	Stafford	

NAYS—170

Abbitt	Galifianakis	Moss
Abernethy	Garmatz	Natcher
Adair	Gaydos	Nichols
Adams	Gettys	Nix
Addabbo	Gibbons	Obey
Anderson,	Gilbert	Olsen
Calif.	Gonzalez	O'Neal, Ga.
Andrews, Ala.	Goodling	Ottinger
Barrett	Gray	Passman
Bennett	Green, Pa.	Patten
Bevill	Griffin	Perkins
Biaggi	Gross	Philbin
Bingham	Hagan	Podell
Blanton	Haley	Price, Ill.
Blatnik	Hanley	Pucinski
Brademas	Hansen, Wash.	Randall
Brasco	Harsha	Rees
Brinkley	Hathaway	Reid, N.Y.
Burke, Fla.	Hays	Reuss
Burlison, Mo.	Hechler, W. Va.	Riegle
Burton, Calif.	Helstoski	Roberts
Byrne, Pa.	Henderson	Rodino
Caffery	Hicks	Rogers, Colo.
Chappell	Holifield	Rooney, N.Y.
Chisholm	Howard	Rosenthal
Clancy	Hull	Roudebush
Clark	Hungate	Roybal
Clawson, Del	Hunt	Ryan
Cohelan	Jacobs	St Germain
Conyers	Jarman	Schadeberg
Cowger	Johnson, Calif.	Scherle
Culver	Jones, N.C.	Scheuer
Daniel, Va.	Jones, Tenn.	Scott
Daniels, N.J.	Kastenmeier	Shipley
Davis, Ga.	Kazen	Slack
Dawson	Kee	Snyder
Delaney	Kyl	Staggers
Dent	Landrum	Stephens
Dingell	Leggett	Stokes
Donohue	Long, La.	Stubblefield
Dowdy	Long, Md.	Taylor
Dulski	Lowenstein	Thompson, N.J.
Duncan	Lujan	Tiernan
Eckhardt	McCarthy	Van Deerlin
Edmondson	McMillan	Vanik
Edwards, La.	Macdonald,	Vigorito
Eilberg	Mass.	Waldie
Farbstein	Madden	Weicker
Feighan	Matsunaga	White
Flood	Meeds	Whitten
Flowers	Melcher	Wilson,
Ford,	Meskill	Charles H.
William D.	Michel	Wolff
Foreman	Minish	Wydler
Fountain	Mink	Yates
Fulton, Pa.	Mollohan	Yatron
Fulton, Tenn.	Montgomery	Zablocki
Fuqua	Morgan	Zion

NOT VOTING—25

Arends	Edwards, Calif.	Powell
Ashbrook	Fascell	Rarick
Baring	Gubser	Saylor
Berry	Ichord	Stuckey
Brown, Calif.	Kirwan	Taft
Carey	Lennon	Tunney
Clay	Lipscomb	Whalley
Conte	Mailliard	
Diggs	Mikva	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Arends for, with Mr. Brown of California against.

Mr. Conte for, with Mr. Stuckey against.

Mr. Berry for, with Mr. Saylor against.

Mr. Taft for, with Mr. Diggs against.

Mr. Gubser for, with Mr. Baring against.

Until further notice:

Mr. Kirwan with Mr. Lipscomb.

Mr. Carey with Mr. Mailliard.

Mr. Edwards of California with Mr. Ashbrook.

Mr. Lennon with Mr. Tunney.

Mr. Mikva with Mr. Clay.

Mr. Fascell with Mr. Ichord.

Mr. GARMATZ and Mr. DULSKI changed their votes from "yea" to "nay."

Mr. FISHER changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on House Resolution 509, just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

FLORISSANT FOSSIL BEDS NATIONAL MONUMENT, COLO.

Mr. ASPINALL. Mr. Speaker, I move to suspend the rules and pass the bill (S. 912) to provide for the establishment of the Florissant Fossil Beds National Monument in the State of Colorado, as amended.

The Clerk read the bill as follows:

S. 912

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve and interpret for the benefit and enjoyment of present and future generations the excellently preserved insect and leaf fossils and related geologic sites and objects at the Florissant lakebeds, the Secretary of the Interior may acquire by donation, purchase with donated or appropriated funds, or exchange such land and interests in land in Teller County, Colorado, as he may designate from the lands shown on the map entitled "Proposed Florissant Fossil Beds National Monument," numbered NM–FFB–7100, and dated March 1967, and more particularly described by metes and bounds in an attachment to that map, not exceeding, however, six thousand acres thereof, for the purpose of establishing the Florissant Fossil Beds National Monument.

SEC. 2. The Secretary of the Interior shall administer the property acquired pursuant to section 1 of this Act as the Florissant Fossil Beds National Monument in accordance with the Act entitled "An Act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented.

SEC. 3. There are authorized to be appropriated such sums, but not more than $3,727,000, as may be necessary for the ac-

quisition of lands and interests in land for the Florissant Fossil Beds National Monument and for necessary development expenses in connection therewith.

The SPEAKER. Is a second demanded?

Mr. KYL. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ASPINALL. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I rise in support of S. 912, as amended by the Committee on Interior and Insular Affairs.

As most Members of the House will recall, we considered and approved legislation authorizing the establishment of the Florissant Fossil Beds National Monument during the 90th Congress. That legislation had the same objectives as S. 912, but it differed in one significant respect—that is, it authorized the acquisition of 1,000 acres of land within a designated area of 6,000 acres; whereas, S. 912 authorizes the acquisition of the entire 6,000-acre area. I might say at this point that the 6,000-acre national monument had the support of both the current and the past administrations. The committee was advised that, in the judgment of the National Park Service, 6,000 acres is viewed as the minimum amount of land necessary to adequately accommodate visitors and, at the same time, achieve the preservation objectives of the area. We were told that a thousand acres just would not achieve the objectives set forth in the legislation.

Because of the alteration in the size of the proposed national monument, of course, land acquisition costs are necessarily higher under S. 912. It is anticipated that $1,165,000 will be needed to acquire fee title to all of the lands involved. In addition, development of the area with appropriate visitor facilities, headquarters, tour roads, trails and overlooks, and so forth, would total $2,562,000. The bill explicitly limits the amount authorized to be appropriated to $3,727,000.

It is generally agreed that, if we are to have a national monument in this area, action is urgent. Acquisition of the lands is essential if they are not to be severely damaged by adverse activities which threaten the disruption of a significant portion of the proposed monument. While acquisition should be accomplished with dispatch, it is conceded that development, if necessary, could be deferred until funds could be made available.

This area is important scientifically. Everyone who testified agreed that the ancient Florissant lakebed is one of the uncommon areas of the world where the story of ancient times can be read through fossilized remains of leaves and flowers and sequoia stumps, as well as through insects and fish and small animals. It is said that the values of Florissant are not found in such quality and quantity at any other place in the United States. In fact, only one other known location in the world—in Europe—is said to be of comparable quality.

Except for comparatively minor improvements, Mr. Speaker, the Florissant Fossil Beds area has been altered very little by existing or previous users of these lands. What some have feared, however, now seems about to happen. Unsympathetic developers have gained an interest in the area and they threaten to cut roads and subdivide the lands under their control. Hopefully, they will not thwart the public desire to establish a national monument at this location by arrogantly proceeding without regard to our action on this measure. Every possible appeal has been made by those in Congress to forestall the destruction of these values and every effort has been made to expedite the consideration of this legislation. This extraordinary action would not be necessary, but for the danger we see for the area we seek to protect.

In conclusion, Mr. Speaker, I want to say that in spite of all of the apparent haste to secure action on this legislation, it has been thoroughly reviewed and considered. Public hearings were held in the 90th Congress, and again this year, by your committee. In addition, hearings were conducted in the field by the other body. I understand that all who testified, favored enactment of this legislation. Both a Democratic and a Republican administration have supported it; the State of Colorado recommends it; the local Congressman, Hon. FRANK EVANS, wants it; the county commissioners for the county involved favor it; and many learned individuals and professional and scientific organizations endorse it.

In light of all these facts, Mr. Speaker, as chairman of the Interior and Insular Affairs Committee, I recommend enactment of S. 912.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

What is the value of this land for grazing purposes?

Mr. ASPINALL. What is the value of this land for grazing purposes?

Mr. GROSS. Yes, what is the land worth for agricultural purposes of any kind?

Mr. ASPINALL. Land is worth only so much for any of the purposes which the market will bear as of the time. At the present time, if it is going to be used for grazing it is not as important as it would be if it were going to be used for development. As my friend knows, these lands are being moved into at the present time, to be used as land for the purpose of building homes. That increases the value tremendously over what they would be used for if they continued to be used just for grazing purposes. So when we get into the question of purchasing these lands we made the statement they would have a cost for the land of about $1,165,000.

Mr. GROSS. That makes it worth about $200 an acre; is that correct?

The SPEAKER pro tempore (Mr. RIVERS). The time of the gentleman from Colorado has expired.

Mr. KYL. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, for millions of years during the Upper Cretaceous Age, most of what is now Colorado lay beneath the waters of a great inland sea. About 60 million years ago, as this period ended, the seas retreated and the continent rose. Profound movements within the earth's crust resulted in uplift of lofty and widespread mountains throughout the West. Then, for the next 10 million years or so, erosion attacked these early, lofty Colorado Rockies. Rock debris eroded from their flanks was carried eastward to the lowlands, and deposited widely for hundreds of miles by through-flowing streams—ancestors of today's Platte and Arkansas Rivers. These deposits, now exposed in the High Plains, make up the formations which are so well known for their richness in mammal fossils.

By Oligocene time, the mountains had been reduced generally to an upland, some of it almost a plain, but mainly a broad, gently rolling hill-land, possibly somewhat like our modern Ozarks. The upland still rose high enough to intercept warm, saturated air masses from the south and west, with consequent mild, moist climate and a rich vegetative response to these bland conditions. The rolling slopes were mantled by many types of deciduous trees and immense sequoia grooves. Small lakes occupied depressions here and there in the eastern margin of this ancient upland. Probably there were many such lakes, but evidences of only a few survive. The present Florissant area possesses such evidence. From a fortuitous constellation of circumstances, the area adjacent to this particular Oligocene lake experienced little disturbance by the innumerable subsequent uplifts and rock disturbances; and mud and silt deposits accumulating in the lake bottom may well have finally silted up the lake completely nearly 35 million years ago. But this alone does not make the area unusual. A far more spectacular geological process—volcanic eruption nearby—gave the Florissant area its unique fame.

Then, violent geologic processes began. Volcanic eruptions, undoubtedly accompanied by severe earthquakes, began as a precursor of renewed mountainmaking. Molten lava welled up from deep within the earth and piled up as a volcano, probably located only some 15 to 20 miles away from the lake. Eruptions were probably short—perhaps a week or so in duration—but violent; and they continued periodically over many thousands of years. Tremendous explosions of pulverized rock occurred, filling the air with dense clouds of dust and fine particles of volcanic ash. Swept forward by the prevailing wind, these great ash clouds rained down upon the lake and its forested shores. Much of the ash which fell into the lake carried flying insects to the bottom with it. And, too, as it brushed or pelleted against foliage in descending, it carried into the lake a wealth of leaves and a great number of insects which were feeding upon the lakeshore vegetation. Quickly buried and sealed off from the air, these remains did not decay. As ash fall followed ash fall, layer upon layer of paper-thin shale accumulated in the

lake bottom. Such insect life and plant foliage as were carried down became pressed and sealed within these deposits.

The ash fell on the ground near the lake accumulated to moderate depth, but each heavy rainstorm quickly washed much of it into the lake, where it spread out as layers of silt. Such ash and mud flows occasionally buried the bases of standing trees on the lake margin. This killed them, but also, by burial, saved them from decay. Later, mineral solutions in ground water filtered through the mud and the buried stumps to silicify and preserve them. These are now exposed as the great stumps which make up the area's "petrified forests."

These ancient events have been well described by Prof. T. D. A. Cockerell in his 1920 "Textbook of Zoology":

Around the lake were active volcanoes, which sometimes threw out very finely divided ash, sometimes liquid mud . . . At times of eruption there were, no doubt, violent gusts of wind and poisonous gases, while hot cinders fell here and there and set fire to the forests. Thus leaves and even branches were torn from the trees, and charcoal may still be found to testify to the forests fires. Insects and other creatures were killed and fell into the shallow water of the lake, where they were presently covered by deposits of the finest ash, falling gently from above. Thus the various remains were hidden beneath successive layers of volcanic material and when a mass of lava flowed over the whole, its weight pressed the wet ash down, and in course of time converted it into hard shale. What had been the life of the locality now crushed flat, was hermetically sealed between the layers. . . .

How long these dramatic processes continued is unknown, but they eventually ended, and within a few million years, the old upland was elevated again thousands of feet into another lofty mountain range. In this process the lake basin was slightly tilted, and its waters drained to the north leaving the lakebed dry.

Erosion once more began to plane away the "second generation" mountains. The drained lake basin, however, was not appreciably affected by these later events. It still remains shaped somewhat like its Oligocene counterpart, the existing streams which drain it having eroded away but a portion of the lake sediments. However, the former lakeshore vegetation has now been replaced by a coniferous forest; and the blue waters of the former lake by a basin surfaced with light-colored, paper-thin shale carpeted with grass. Although now consolidated to soft rock, the shale is clearly the modern counterpart of those repeated rains of volcanic ash, which entombed much tree foliage, untold thousands of insects, many thin-shelled frash-water mollusks, and randomly scattered fragmentary bones of small vertebrate animals.

Here and there, stone tree stumps rise from the pits dug to expose them. They are silent monuments to and remnants of the forests which once bordered the lake but which were killed and buried by floods and mudflows, long since ended.

ANCIENT LIFE

The rare quality of the Florissant site lies not in dramatic exposures of big-boned creatures, but rather in the delicacy with which thousands of fragile insects, tree foliage, and other forms of life—completely absent, or extremely rare in most paleontological sites of this period—have been preserved. The fossils at Florissant are individually quite small, but in the aggregate are tremendous. Few fossil sites in the world have yielded some 60,000 specimens of over 1,000 different species of life. In addition to this vast number of individual fossil specimens, is the remarkable way in which the fine-grained ash has preserved, in minute detail, delicate features of the innumerable specimens sealed within the layers of shale.

Almost all the fossil butterflies of the new world have come from this one site. An interesting occurrence of four species of *Glossina*—tse-tse flies—have given some paleontologists a possible cause for the extinction of certain tertiary mammals. Frank M. Carpenter, professor of entomology and curator of fossil insects at the Museum of Comparative Zoology, Harvard University, makes the statement—USDA Yearbook, 1952, page 14—that fossil insects have been collected at nearly 150 localities in various parts of the world, but about 90 percent have been collected at 12 of these deposits. He estimates the number of specimens collected from the richest deposits are 150,000 from the Baltic amber; 60,000 from Florissant; 10,000 from the Elmo limestone in eastern Kansas; and 1,500 from Commetary, France.

Dr. H. B. MacGinitie, in his monograph, "Fossil Plants of the Florissant Beds, Colorado"—Carnegie Institute of Washington, publication 599, 1953—describes 114 species of leaf fossils.

The Florissant site is not restricted entirely to vast numbers of small fossils. The petrified tree stumps are impressive to all who see them because of their considerable bulk and silent, mysterious presence. These giant stumps—buried and preserved by volcanic ash mudflows—are very striking examples of fossilization of vegetable material. Preserved exactly where they were rooted and growing, they approach the ideal of a "petrified forest" more than do the great prostrate logs of Petrified Forest National Monument in Arizona.

Harry Andrews—"Ancient Plants and the World They Lived In," 1947—in speaking of the degree of petrification of the stumps at Florissant says:

In [some] specimens a great deal of the organic tissue may be found intact after millions of years. In the huge petrified stump . . . most of the wood is well preserved as it was the day it last saw light as a living sequoia. . . . Fragments of this wood may be soaked in hydrofluoric acid for a few days to dissolve the silica. This leaves the wood itself free of the petrifying mineral and it may then be cut just as living wood samples are preserved for microscopic study.

Most of the foliage associated with the petrified stumps is suggestive of the coastal redwood of California—Sequoia sempervirens. However, since it differs some from the living species in California, the fossil wood has been named Sequoioxylon pearsallii and the fossil foliage Sequoia affinis.

Other trees represented by fossil wood and leaves found here are pine and several deciduous species such as walnut, beech, willow, oak and maple.

Ranking below the fossil insects and leaves in numbers of specimens found here are thin-shelled mollusks and freshwater fishes. As many as eight species and four genera of the latter have been found. Several bird feathers and a few bird carcasses have been found.

Sufficient samples of insect life have been already collected to suggest that few new species are likely to be found. However, there is no reason not to anticipate discovery of fragmentary remains, at least, of undescribed genera of birds, snakes, rodents, fish, and other small vertebrates, which may have inhabited the Oligocene uplands—the sources of streams which laid down the plains formations to the east which are so rich in large Oligocene mammal fossils.

During the Oligocene epoch, the Florissant upland surely was populated by many of the same great beasts whose fossil bones are found in abundance at Badlands National Monument and other noted sites of this age in the plains to the east. Conditions simply were unfavorable for preservation of carcasses of such of these creatures as may have died near the lake. However, fossils of an ancient opossum—Peratherium—and parts of an oreodont and a primitive horse have been found in the beds.

Now, Mr. Speaker, I should like to respond to my colleague from Iowa.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. RIVERS). Evidently a quorum is not present.

Mr. KLUCZYNSKI. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 137]

Arends	Foley	Powell
Ashbrook	Fulton, Tenn.	Preyer, N.C.
Ashley	Gibbons	Purcell
Baring	Gubser	Rarick
Berry	Harsha	Reid, N.Y.
Brown, Calif.	Hull	Riegle
Burton, Calif.	Ichord	Rosenthal
Carey	Kirwan	St. Onge
Clark	Kuykendall	Saylor
Clay	Kyros	Scheuer
Conte	Lennon	Smith, Calif.
Corman	Lipscomb	Stuckey
Daniels, N.J.	McCloskey	Taft
Dent	McCulloch	Tiernan
Diggs	Mailliard	Tunney
Edwards, Ala.	Martin	Whalley
Edwards, Calif.	Mikva	Widnall
Evins, Tenn.	Ottinger	
Fascell	Patman	

The SPEAKER pro tempore. On this rollcall 377 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FLORISSANT FOSSIL BEDS NATIONAL MONUMENT, COLO.

The SPEAKER pro tempore. The gentleman from Iowa is recognized.

Mr. KYL. Mr. Speaker, when the absence of a quorum was suggested, the question had been raised concerning the value of land which would be purchased under this bill. That land has been used, except for a small area, for grazing, until recently, and it had the value of other grazing lands. Then suddenly a developer bought the land, drew up the plans for residential development, for streets and utilities and all the rest that is necessary in a residential area, and brought in bulldozers. Immediately that pastureland became residential land.

The people of this area, in an attempt to save the primary value, got an injunction to stop development. That injunction has now lapsed. The bill comes before the House today so that we might stop any further action in this area which might destroy the real value.

About $2.5 million in this bill is for development. That cost can be postponed. The urgent thing now is to purchase this land.

Every single member of the committee resents the escalation in value of lands which are projected for park purposes or for preservation just as much as any Member who is not on this committee, but it is a fact of life that as soon as any area is suggested for inclusion in any kind of preservation, the value skyrockets. It happens almost without exception. As long as this land was used for pastureland, the values were not destroyed, because there is an overburden over the fossils and the other things we want to save. But when the bulldozer comes in, that is an entirely different matter.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding. What will be the situation when 6,000 acres are taken off the tax rolls in this country? Will the county commissioners of this county in Colorado be in asking for impacted school aid and other aid to make up the deficit in taxes from that land?

Mr. KYL. I can respond directly to the gentleman in this fashion. The county board and all other local governmental subdivisions are highly in favor of this protection and of taking this land off the tax rolls. It is felt there will be sufficient economic development associated with the visitation of the area to more than pay for the removal of these lands from the tax rolls.

Mr. GROSS. But not enough to compensate for the county turning over to the Federal Government the land without $1,165,000 being expended by the Federal Government for the acquisition of it. Is that correct?

Mr. KYL. I would repeat that the local governmental subdivisions are satisfied with the arrangement so far as the taxes and finances are concerned, and I have tried to explain why the land is as high priced as it is.

At this point I will yield to the gentleman from Colorado (Mr. EVANS) for a further explanation as to why the land value is so high.

Mr. EVANS of Colorado. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this is in my district, and it is in the area of the old gold mining fields of Cripple Creek and Victor.

I can inform the gentlemen from Ohio that it is a depressed area and has been for many years. The number of children here is very small. Economic development has been almost at a standstill since gold mining became uneconomical.

The county commissioners and the members of the city council from the town in Florissant, which is very near, all are in agreement that this really must be done.

This is not so much for what it will or will not do economically for the area, but more out of the desperate hope that this area can be preserved. In fact, I believe there is only one other place in the world we know about which has fossil collections such as this which might be preserved for the future.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Iowa.

Mr. GROSS. I note the very brief letter from the Bureau of the Budget, which says absolutely nothing. What is the position of the Bureau of the Budget with respect to the merit or demerit of this project?

Mr. KYL. The Bureau of the Budget apparently abides by its statement that there was no objection to the presentation of the report by the Interior Department; that they would not make any further statement regarding the project.

Mr. GROSS. The letter says:

> The Bureau of the Budget does not plan to submit separate views to the committee on H.R. 5953, and H.R. 6223, to provide for the establishment . . . of this monument.

And that is just about all of it. What is its position?

Mr. KYL. Again I would have to say that the only response we have from the Bureau of the Budget is that there is no objection to the submission of the favorable report.

Mr. GROSS. Ordinarily that is stated by the Bureau of the Budget in its letter which accompanies the report, but it is not stated in this letter.

Mr. KYL. I would have much preferred to have the letter stating the exact position of the Bureau of the Budget, but it was not forthcoming.

Mr. GROSS. I hope that we will not be suddenly informed that the picture of Federal participation in this project has changed, as it was in the Padre Island business and some other similar deals that have come before the House of Representatives.

Mr. KYL. I would say again, I share the gentleman's hope, and I can tell him every member of the committee will try to see that does not happen.

Mr. GROSS. I know. The committee tried to see that would not happen on the Padre Island deal, but it did.

Mr. KYL. In the case of the Padre Island project, the land owners requested a certain amount of money, and when they went through condemnation the jury decided the land was worth far more than the owners said it was worth.

I just want to take a couple of minutes more to explain why we want to save this spot.

There is only one other spot in the world similar to this. It is very important scientifically from a geologic standpoint.

Here one can see what happened in the Western United States as it was formed. Until about 60 million years ago in the upper cretaceous period this whole area was covered by an inland sea. Following the period when the sea receded we had the general upheaval in the area which created the early Rocky Mountains of the area. Then for perhaps 10 million years the hills were worn down, great plains were developed, and the area probably was, at the time our story of the fossils begins, an area much like we have in the Ozarks today.

Now, it was at this time that there was an ecology in this particular area around the lake which had cast a number of living specimens. There have been 60,000 separate specimens cataloged from this area. These are entomological and botanical, and mammalia are there.

Then all of a sudden, with the pyroclastic conditions, the volcanic eruptions, there was here preserved for all time, almost as though it had been canned up for 30 million years, this entire area. We have the whole ecology sealed off and, because almost all of the specimens located here still exist almost in the same form, it is possible for scientists to determine what kind of climate and ecology existed here. So, from a geological standpoint, from an entomological standpoint, a botanical and paleological standpoint, this is a most significant scientific area for study.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. KYL. Yes. I yield to the gentleman from Iowa.

Mr. GROSS. Do I understand that a real estate developer has moved on some part of the tract which is proposed to be taken over?

Mr. KYL. Your understanding is correct.

Mr. GROSS. How far is this from a populated center?

Mr. KYL. I would relay this question to the gentleman from Colorado (Mr. EVANS), who will be able to tell you exactly.

Mr. EVANS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. KYL. Yes. I yield to the gentleman.

Mr. EVANS of Colorado. It is about 35 miles from the city of Colorado Springs, Colo., west and northwest, in a mountainous area.

Mr. GROSS. What would cause people to travel 35 miles over mountainous terrain to work in Colorado Springs and live in this place?

Mr. EVANS of Colorado. Again, if the gentleman will yield——

Mr. KYL. I yield to the gentleman.

Mr. EVANS of Colorado. I thank the gentleman for yielding.

The area of Colorado Springs is the

sixth or the seventh fastest growing area in the entire United States. It has had, since its early development in the 1850's and 1860's, a wide national reputation not only as a health center, but these areas of which I am speaking and the areas mined for gold where some of the most historical spots and some of the most popularly visited spots in the entire United States exist. There is traffic in there now, I am proud to inform the gentleman.

Mr. GROSS. Has the real estate developer started a residential development in this area in order to push up land prices on the Federal Government? Is that the story? I cannot believe that people from Colorado Springs would drive 35 miles over the high mountains when there must be land subject to residential development much closer to Colorado Springs.

Mr. KYL. First of all, let me respond to the gentleman in this way: In specifying the values of this area I did not speak of the recreation, which is of value, and also of the beauty of the area. This is a very beautiful area. It is an attractive area. There, as in Washington, D.C., New York City, or Waterloo, Iowa, people like to move from the city out to the country, to a beautiful spot. It is an ideal residential area. And 35 miles today is not a great distance to travel to work.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. May I say to the gentleman from Iowa (Mr. GROSS), that we have a very large number of mountains in the State of Colorado where people are anxious and glad to come and have either summer homes or have built permanent residences. As the gentleman from Colorado pointed out, we have had a tremendous amount of growth and development in those mountains. It is not unusual that areas of this type should be developed, and in this particular instance the people that the States recognized—and, of course, they knew they were there—were glad to build homes there. This area was used by scientists and determined these beds be preserved. There is a possibility that these beds would be destroyed if we did not take action today.

Mr. KYL. I would like further to respond to the gentleman's question by saying that I am not going to claim that the owner of this land projected the development so that he could peg the prices, because it is quite obvious that if he went ahead with his whole development plans, he would reap greater profit than if he simply held that land for the Government. But at the same time I would have to repeat to my colleague that every time the Federal Government proposes to buy anything anywhere in the country the value of that land almost without exception escalates immediately and unreasonably.

Mr. BROTZMAN. Mr. Speaker, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Colorado.

Mr. BROTZMAN. I thank the gentleman for yielding.

With respect to the evaluation, as I read S. 912, it does provide that the land may be acquired by condemnation through court procedures and as no doubt the gentleman from Iowa (Mr. GROSS) knows and the Members of the House know, when you condemn land the value of that land is determined by a jury based upon expert testimony as to what the reasonable value of that particular property is. So, I would point out that while the authorization does, as the gentleman from Iowa says, provide for an authorization of, I think, $1,165,000, the actual evaluation per acre will be determined in a court of law, if it is not handled through private negotiations.

Mr. KYL. Mr. Speaker, I yield 4 minutes to the gentleman from Colorado (Mr. BROTZMAN).

Mr. BROTZMAN. Mr. Speaker, we have before us today a bill which will prevent the destruction of one of America's great natural treasures.

The Florissant fossil beds located near Pikes Peak in Colorado are considered one of the world's largest and richest deposits of terrestrial fossils. They have yielded more preserved specimens of Oligocene period life—age of mammals, Tertiary—than any fossil beds in the world, with the exception of the Baltic Amber site behind the Iron Curtain.

Researchers from around the world have been studying the Florissant since its discovery in 1877. Teams from the British Museum, the American Museum of Natural History, the University of California, Princeton University, and many others have worked here and uncovered 114 prehistoric plant species and over 900 species of insects.

The fossil-bearing shales range in thickness from 50 feet to a fragile 32d of an inch. They contain examples of the whole range of plant life from microscopic pollen specimens to massive petrified redwood stumps up to 10 feet in diameter.

But ironically even though this priceless window into the Oligocene period has lain undisturbed for 34 million years now, its destruction could come this very afternoon.

Florissant is located only 35 miles west of Colorado Springs, a major city which is enjoying the greatest building boom in its history. The fossil beds lie on private land, and nearly a third of the proposed monument is slated for immediate subdivision.

Early in July a coalition of citizen groups, fighting to preserve Florissant, won a temporary restraining order against a major Colorado Springs developer which plans to build A-frame vacation cabins on the site, prompting the remark "to build A-frames on this singular, national resource would be like wrapping fish in the Dead Sea Scrolls." That order has expired and the builder has announced plans to bulldoze his access road through the fossil beds today.

In light of the clear and present danger to this unique open-air museum, the House Interior Committee, at the direction of my distinguished colleague (Mr. ASPINALL) agreed to seek a suspension of the rules to bring this bill, S. 912, to create the Florissant Fossil Beds National Monument before the House.

The bill would preserve 6,000 acres which contain each of the significant types of fossilization in its natural setting. It would encompass the southern arm of the Florissant lake which is relatively undamaged by erosion and curio seekers. It provides only for the purchase of land and development expenses, and authorizes an appropriation of $3,727,000 for this purpose. Developments planned by the National Park Service include a visitor's center containing a museum and administrative offices; interpretive trails, and wayside exhibits detailing the area's scientific history.

As my colleagues may recall, a similar bill was passed by the House late in the last Congress but failed to pass the Senate due to adjournment. This year the Senate held field hearings in Colorado Springs and quickly passed the bill now before us.

This bill has the wholehearted support of the Department of Interior, Colorado County, and State officials, citizen conservation groups, members of the scientific community led by Dr. Bettie Willard and Dr. Estella Leopold, and literally thousands of concerned individuals, indicating, I think, how the American people, as a group, feel about Florissant.

Mr. Speaker, I would urge my colleagues to take this opportunity to prevent the destruction of a national treasure. Preserving the Florissant today will be relatively easy, but even 24 hours from now it may be futile.

Mr. Speaker, I shall not use all of my time except to sum up the argument this way:

I can say with reference to this property, No. 1, that it has been clearly established that the scientific world believes there is a great need to preserve this particular resource. That has been brought to the attention of the House upon two occasions, because we have passed this bill in, roughly, this form at the last session.

Second, I think that the gentleman from Iowa (Mr. KYL) has carefully articulated the sense of urgency confronting us today and that is if we do not act upon this particular occasion then, of course, the temporary restraining order will expire and the developer will be free to proceed.

So, I would ask you to consider carefully the merits of this particular bill and I would ask for your support not only because of the scientific involvement but also because I think that you and your constituents across this country will enjoy seeing this rich treasure trove.

Mr. ASPINALL. Mr. Speaker, I yield 5 minutes to the distinguished chairman of the subcommittee which handled this legislation, the gentleman from North Carolina (Mr. TAYLOR).

Mr. TAYLOR. Mr. Speaker, S. 912 and a companion House bill introduced by our colleague from Colorado (Mr. EVANS) are comparable to legislation which the House passed last year but was not acted on by the Senate. Of course, this year the

Senate has passed S. 912, which is before us.

Last year the House Committee on Interior and Insular Affairs and the House passed a bill which authorized the acquisition of 1,000 acres for the purposes of this monument. Members of the House Subcommittee on National Parks and Recreation and members of the House Interior Committee were convinced this year that the full 6,000 acres should be preserved. The evidence was much stronger, showing a need for the full amount. In fact, it was pointed out that the 6,000 acre figure is a compromise, as there are 12,000 acres in the entire Florissant area. It also was pointed out that a reduction in the acreage would provide only small savings, as the major cost is development. All witnesses who knew the area, including Congressmen—and this bill has bipartisan support—and including scientists and representatives of the National Park Service, emphasized that it is better to acquire the 6,000 acres now and postpone development until later but that we should get the land now.

Last year we had doubts that the area which had been preserved as grazing land so long with the valuable fossil deposits just below the surface was really threatened by destruction from homebuilders, but a new peril has arisen. A contract was recorded recently for the sale of 1,800 acres, nearly one-third of the area proposed, for summer homes. The developers started moving in bulldozers for the digging of roads and the grading of building foundations which would destroy the fossil deposits in the areas disturbed. Local citizens tried to stop the developers by persuasion. When this failed, they went to court and secured an injunction which stopped them until July 28, 1969. The injunction was based on the general welfare clause in the U.S. Constitution, which was thin ice even for the U.S. Supreme Court. It is my understanding that the injunction has been dismissed, so it is imperative that we act now and take now all of the land needed for this monument.

Almost all of the fossil butterflies now found in museums in the Western Hemisphere come from the property which we seek now to preserve. We must understand that this area has scientific values not duplicated anywhere else in the world. The Dinosaur National Monument, the Petrified Forest National Park, and the Agate Fossil Beds National Monument have other distinctive scientific and geologic values which are not duplicated at the Florissant site. Like those areas, the Florissant National Monument, if it is established, could become a natural museum for the benefit of our people for all time.

This area, if authorized, will not be a typical recreation area. Like comparable areas, it will be administered primarily for the protection of its scientific values.

The area is unique. For the most part, it consists of a significant part of a prehistoric lakebed. In it, deposited between thin layers of shale, are literally thousands of fragile, fossilized insects, leaves, and related objects of scientific value. Among scientists, the area is famous, because it is recognized as the richest fossil deposit of its kind in this hemisphere, and it is said to be the second most important one in the world.

Let me summarize a paragraph from the testimony: At Florissant we can be transported back in time 36 million years before the advent of man on this earth. Florissant Lake shales were formed by numerous violent eruptions of a nearby volcano that rained fine ash over the countryside. This ash fell in a large lake dammed by earlier lava flows from the valcano. As it fell it sieved the air and water with insects, animals, and plants that were living in the region of Colorado 34 to 38 million years ago.

The committee amendment strikes all after the enacting clause and inserts new language reflecting the amendments which the committee felt appropriate. For the most part, the amendments are technical and not substantive in nature. One difference between S. 912, as reported, and S. 912, as approved by the other body, involves the terminology stating the objectives of the legislation. Two other differences delete provisions which were unnecessary in light of existing general authority already available. And, finally, the last difference merely corrects a typographical error.

I say again this area is distinctive, unique, and valuable, and it is important that we pass this legislation.

Mr. ASPINALL. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado (Mr. EVANS).

Mr. EVANS of Colorado. Mr. Speaker, I think this is a matter that is very familiar to most of the Members. The thing that highlights the question before us today is the fact that what has been feared for years, and yet has not happened in the past, is about to happen, and it is imminent.

A developer's contract of purchase is on record in this county. Conversations have taken place between several people, hoping to preserve the area with the developers. As a result of uncertainty as to the course to be taken by the developers, as to whether they would stay action until Congress could work its will, interested people then filed an action in the Federal district court in Denver, and it is now before the U.S. circuit court, for a temporary restraining order in order to stay development and permit Congress to work its will.

We came before the Congress the last time thinking that this was about to happen, and this year it has happened. Unless the Congress acts this year, and acts quickly, to retain this valuable area, it will be too late.

Mr. Speaker, this place has been known for over 100 years through the early scientific investigations on the part of Peale in 1877, Scudder in 1879, Carpenter in 1916, Cockerill in 1900, and MacGinitie in 1936, and we have been indeed fortunate that someone has not come in and destroyed this area earlier.

I would urge you to pass this bill, so that we can then get the Senate to agree on the few amendments we have here suggested.

Before I sit down, I would like to call attention to what I think are two of the most graphic descriptions of what we have on the Florissant beds of fossils.

The first is the description by the national areas committee of the University of Colorado, which described this area as follows:

> The Florissant Fossil Beds are the Pompeii of the Oligocene epoch. The life and times of the period 25 to 40 million years ago were trapped and preserved here by volcanic ash in the same way that life at Pompeii was frozen in place by volcanics from Mount Vesuvius.

Another description, which I also think is fitting, gives you a good idea of just exactly what we have here in terms of reserving for future scientific study of this world and it is contained in a comment made by Dr. Beatrice Willard, a doctor and professor of plant ecology, when she described the area as follows:

> This makes the Florissant Beds comparable in the record of life on this planet to the Dead Sea Scrolls of biblical fame, the Rosetta Stone that unlocked the secrets of ancient Egyptian civilization, and the Guttenberg Bible that records the first western printing.

Gentlemen, the time is late. It is now a question of whether or not in fact, no matter what we do today, we will have acted in time to preserve this area.

I hope you will support this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. ASPINALL. Mr. Speaker, I yield such time as he may desire to the gentleman from Colorado (Mr. ROGERS).

Mr. ROGERS of Colorado. Mr. Speaker, I rise in support of the bill, S. 912.

As I previously indicated, this legislation should be approved promptly. If it is not, then we run the danger of losing some of the florissant fossil beds that have been in the State of Colorado for centuries.

We believe this legislation will help to preserve at least 6,000 acres of land and will be used for scientific purposes in the future.

Mr. KYL. Mr. Speaker, I have no further requests for time.

Mr. ASPINALL. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. KLUCZYNSKI).

(By unanimous consent, Mr. KLUCZYNSKI was allowed to speak out of order.)

SELECT COMMITTEE ON HOUSE RESTAURANT OPERATIONS

Mr. KLUCZYNSKI. Mr. Speaker, a great many Members, as well as House staff people concerned, and others, have been in touch with me personally, and with other members of the Select Committee on House Restaurant Operations, regarding the action the select committee plans to take and the procedures it will follow.

I am taking these few minutes to give this brief report so that everyone will know what the select committee has in mind.

We have met and discussed several of

the matters already before us, and we believe it would be well for us to use the period of the forthcoming recess to review the information we have now collected, and to set up an office through which the work of the committee can be handled. I am sure everyone recognizes that those of us on the select committee are not going to be able to handle all of these meetings, telephone calls, and so on, individually through our own offices along with all of our standing responsibilities.

We plan, then, when the recess is over, to start meeting with Members who have recommendations for us, and with restaurant employees who have recommendations or complaints, or both, and with the present management. There will be ample advance notice when the select committee is ready to schedule these meetings, and out of them will, of course, develop the recommendations the select committee will make on restaurant policies and procedures.

Mr. ASPINALL. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Colorado that the House suspend the rules and pass the bill S. 912, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

INCREASED EDUCATIONAL ASSISTANCE UNDER VA EDUCATION LAW

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11959), to amend chapters 31, 34, and 35 of title 38, United States Code, in order to increase the rates of vocational rehabilitation, educational assistance, and special training allowance paid to eligible veterans and persons under such chapters, as amended.

The Clerk read as follows:

H.R. 11959

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1504(b) of chapter 31 of title 38, United States Code, is amended to read as follows:

"(b) The subsistence allowance of a veteran-trainee is to be determined in accordance with the following table, and shall be the monthly amount shown in column II, III, or IV (whichever is applicable as determined by the veteran's dependency status) opposite the appropriate type of training as specified in column I:

"Column I	Column II	Column III	Column IV
Type of training	No dependents	One dependent	Two or more dependents
Institutional:			
Full-time	$127	$173	$201
Three quarters time	92	127	150
Half time	63	86	98
Institutional on-farm, apprentice or other on-job training: Full time	109	144	173

Where any full-time trainee has more than two dependents and is not eligible to receive additional compensation as provided by section 315 or section 355 (whichever is applicable) of this title, the subsistence allowance prescribed in column IV of the foregoing table shall be increased by an additional $6 per month for each dependent in excess of two."

SEC. 2. Chapter 34 of title 38, United States Code, is amended as follows:

(a) by deleting in the last sentence of section 1677(b) "$130" and inserting in lieu thereof "$165";

(b) the table contained in paragraph (1) of section 1682(a) is amended to read as follows:

"Column I	Column II	Column III	Column IV	Column V
Type of program	No dependents	One dependent	Two dependents	More than two dependents
				The amount in column IV, plus the following for each dependent in excess of two:
Institutional:				
Full time	$165	$197	$222	$13
Three-quarter time	121	147	170	9
Half time	78	96	109	7
Cooperative	133	159	184	9.";

(c) by deleting in section 1682(b) "$130" and inserting in lieu thereof "$165";

(d) by deleting in section 1682(c)(2) "$130" and inserting in lieu thereof "$165";

(e) the table contained in section 1682(d)(2) is amended to read as follows:

"Column I	Column II	Column III	Column IV	Column V
Basis	No dependents	One dependent	Two dependents	More than two dependents
				The amount in Column IV, plus the following for each dependent in exess of two:
Full time	$133	$159	$184	$9
Three-quarter time	96	116	134	6
Half-time	64	77	90	4.";

(f) the table contained in section 1683(b) is amended to read as follows:

"Periods of training	No dependents	One dependent	Two or more dependents
First 6 months	$102	$114	$127
Second 6 months	76	89	102
Third 6 months	51	64	76
Fourth and any succeeding 6 month periods	25	38	51."

SEC. 3. Section 1684(a) of title 38, United States Code, is amended as follows:

(a) by deleting in paragraph (2) immediately after the semicolon the word "and";

(b) by deleting the period at the end of paragraph (3) and inserting in lieu thereof "; and"; and

(c) by adding at the end thereof the following new paragraph:

"(4) an academic high school course requiring sixteen units for a full course shall be considered a full-time course when a minimum of four units per year is required. For the purpose of this paragraph, a unit is defined to be not less than one hundred and twenty-sixty-minute hours or their equivalent of study in any subject in one year."

SEC. 4. Chapter 35 of title 38, United States Code is amended as follows:

(a) by amending section 1732(a) to read as follows:

"(a) The educational assistance allowance on behalf of an eligible person who is pursuing a program of education consisting of institutional courses shall be computed at the rate of (1) $165 per month if pursued on a full-time basis, (2) $121 per month if pursued on a three-quarters time basis, and (3) $76 per month if pursued on a half-time basis."

(b) by deleting in section 1732(b) "$105" and inserting in lieu thereof "$133"; and

(c) by amending section 1742(a) to read as follows:

"(a) While the eligible person is enrolled in and pursuing a full-time course of special restorative training, the parent or guardian shall be entitled to receive on his behalf a special training allowance computed at the basic rate of $165 per month. If the charges for tuition and fees applicable to any such course are more than $50 per calendar month the basic monthly allowance may be increased by the amount that such charges exceed $50 a month, upon election by the parent or guardian of the eligible person to have such person's period of entitlement reduced by one day for each $5.30 that the special training allowance paid exceeds the basic monthly allowance."

SEC. 5. The amendments made by this Act shall take effect on the first day of the second calendar month which begins after the date of the enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. TEAGUE of California. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 20 minutes, and the gentleman from California will be recognized for 20 minutes.

GENERAL LEAVE TO EXTEND

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill the House is now considering.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

(Mr. TEAGUE of Texas asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. TEAGUE of Texas. Mr. Speaker, this bill increases the rates of educational assistance allowance for veterans eligible under chapters 31, 34, and 35 of title 38, United States Code.

Chapter 31 applies to service-connected disabled veterans in the form of voca-

tional rehabilitation which was first provided in Public Law 16 of the 78th Congress, enacted in 1943, and which was the forerunner of the several GI bills of rights which have been enacted since that time.

Chapter 34 applies to the veterans of service date on or after January 1, 1955, and chapter 35 applies to the so-called war orphans, which provides educational assistance to children of all individuals who lost their lives from service-connected causes after the beginning of the Spanish-American War and through the present conflict, as well as the children of totally disabled veterans of that period and the wives of totally disabled veterans and widows of veterans who died of service-connected disabilities.

Since, for vocational rehabilitation education, the cost of tuition, fees, books, supplies, and equipment are paid by the VA, the rates shown for chapter 31 are in reality subsistence rates which have not been increased since 1965—Public Law 89-137. Therefore, the rates are increased by 15 percent because of the rise in cost of living. Chapters 34 and 35 are increased 27 percent to meet rising education costs.

The specific rates of increase are shown in the table which follows:

CHAPTER 31—SEC. 1504(b)—VOCATIONAL REHABILITATION

Col. I	Present law			H.R. 11959		
	Col. II	Col. III	Col. IV	Col. II	Col. III	Col. IV
Type of training	No dependents	1 dependent	2 or more dependents	No dependents	1 dependent	2 or more dependents
Institutional:						
Full-time	$110	$150	$175	$127	$173	$201
¾-time	80	110	130	92	127	150
½-time	55	75	85	63	86	98
Institutional on-farm apprentice or other on-job training: Full time	95	125	150	109	144	173

Note: Rate for each dependent in excess of 2: Present law, $5; H.R. 11959, $6.

CHAPTER 34—SEC. 1682(a)—INSTITUTIONAL AND COOPERATIVE TRAINING

Col. I	Present law				H.R. 11959			
	Col. II	Col. III	Col. IV	Col. V	Col. II	Col. III	Col. IV	Col. V
Type of program	No dependents	1 dependent	2 dependents	More than 2 dependents	No dependents	1 dependent	2 dependents	More than 2 dependents
				The amount in col. IV, plus the following for each dependent in excess of 2:				The amount in col. IV, plus the following for each dependent in excess of 2:
Institutional:								
Full time	$130	$155	$175	$10	$165	$197	$222	$13
¾ time	95	115	135	7	121	147	170	9
½ time	60	75	85	5	78	96	109	7
Cooperative	105	125	145	7	133	159	184	9

CHAPTER 34—SEC. 1682(d)(2)—FARM COOPERATIVE TRAINING

Col. I	Present law				H.R. 11959			
	Col. II	Col. III	Col. IV	Col. V	Col. II	Col. III	Col. IV	Col. V
Basis	No dependents	1 dependent	2 dependents	More than 2 dependents	No dependents	1 dependent	2 dependents	More than 2 dependents
				The amount in col. IV, plus the following for each dependent in excess of 2:				The amount in col. IV, plus the following for each dependent in excess of 2:
Full time	$105	$125	$145	$7	$133	$159	$184	$9
¾ time	75	90	105	5	96	116	134	6
½ time	50	60	70	3	64	77	90	4

CHAPTER 34—SEC. 1683(b)—APPRENTICESHIP OR OTHER ON-JOB TRAINING

Periods of training	Present law			H.R. 11959		
	No dependents	1 dependent	2 or more dependents	No dependents	1 dependent	2 or more dependents
1st 6 months	$80	$90	$100	$102	$114	$127
2d 6 months	60	70	80	76	89	102
3d 6 months	40	50	60	51	64	76
4th and any succeeding 6-month periods	20	30	40	25	38	51

CHAPTER 34—OTHER PROVISIONS

	Present law	H.R. 11959
Flight training—sec. 1677(b)	$130	$165
Active duty; less than ½-time training—sec. 1682(b)	130	165
Correspondence courses—sec. 1682(c)(2)	130	165

CHAPTER 35—OTHER PROVISIONS—SEC. 1732(a)—WAR ORPHANS, WIDOWS, AND WIVES EDUCATIONAL ASSISTANCE

Full time	$130	$165
¾-time	95	121
½-time	60	76
Institutional-business courses—sec. 1732(b)	105	133
Special restorative training—sec. 1742(a)	130	165

Section 3 of the bill would amend section 1684(a) of title 38 in order to define the measurement of an academic high school course. The full course requiring 16 units shall be considered a full-time course when a minimum of four units per year is required. The definition of a unit contained in the bill is identical to the definition of a Carnegie unit which is a standard of measurement for describing the secondary school subject matter pattern that comprises the entrance requirements of a college, defined originally by the Carnegie Foundation for the Advancement of Teaching: Assuming 16 units of work in a 4-year secondary school pattern, the Carnegie unit represents a year's study in any subject—not less than 120 sixty-minute hours of their equivalent: Thus secondary schools organized on any other than a 4-year basis can estimate their work in terms of the unit.

Increases provided in this legislation reflect the sizable increases in education costs which have occurred in recent months and are an attempt to steer a middle and reasonable course in relation to proposals contained in a study prepared in the executive branch in May which stated:

> Vietnam veterans receive a flat allowance of $130 a month while attending college. This would have to be raised to $158 a month to give the veteran the same amount relative to college costs as the Korean veteran received. It would have to be raised to $183 a month to restore the post-World War II equivalent. To restore the relation with average hourly earnings of a veteran after world War II would require a monthly benefit of $253.

Hearings were held on this and other pending proposals on June 25, 1969, at which time all the testimony received was favorable with the exception of that of the Veterans' Administration. The Administrator of Veterans' Affairs did not take a position in opposition to the bill, but after pointing out that the President had appointed a committee on the Vietnam veteran, stated:

> Mr. Chairman, as I emphasized before, this Administration is concerned about aiding returning servicemen in readjusting to civilian life and in seeing that all of those who wish to do so will have the opportunity of attending college. As I pointed out earlier, a major concern is the adequacy of the pres-

ent benefit rates, a matter which will receive priority in the study to be conducted by the President's Committee on the Vietnam Veteran. Accordingly, I urge that your committee defer consideration of these pending bills until the President's Committee has had an opportunity to make its study and submit its recommendations.

The first-year cost of the bill as amended by the committee is $206,500,000. The 5-year total is estimated at $1,130,200,000.

Mr. Speaker, I want to take this opportunity to express my appreciation to the Subcommittee on Education and Training, headed by the gentleman from California (Mr. BROWN), who is the cosponsor of the legislation which we are considering here today, for the prompt manner in which this subcommittee met its responsibilities in reporting this measure so vital to the thousands of our returning veterans. They have acted with dispatch and have given careful consideration to the various proposals which were before them.

The other members of the Subcommittee on Education and Training are: Messrs. THADDEUS J. DULSKI, WALTER S. BARING, W. J. BRYAN DORN, HENRY HELSTOSKI, ROMAN C. PUCINSKI, DON EDWARDS, EDWARD R. ROYBAL, Mrs. SHIRLEY CHISHOLM, Messrs. SEYMOUR HALPERN, JOHN J. DUNCAN, WILLIAM H. AYRES, WILLIAM LLOYD SCOTT, JOHN M. ZWACH, and ROBERT V. DENNEY.

Again, I wish to express my appreciation to the members of this subcommittee for a job well done.

Mr. Speaker, I have asked permission to insert pertinent tables bearing on the general subject matter which have been obtained from the Office of Education of the Department of Health, Education, and Welfare:

BASIC STUDENT CHARGES, HIGHER EDUCATION, 1966–67

These tables present data on tuition and required fees charged students in undergraduate degree credit programs of institutions of higher education and on charges to men and women for room and board. Variations are shown by institutional level, control, and by students' place of residence. A comparison of the 1966–67 charges is made with charges in 1961–62 or 1964–65.

In this analysis, the classification by level groups institutions into: (1) Universities—institutions which stress graduate instruction and research, confer advanced degrees, and have at least two professional schools that are not exclusively technological, (2) other 4-year institutions—includes liberal arts colleges, teachers colleges, technological schools, other professional schools, and (3) junior colleges and institutions with programs of at least 2 but less than 4 years' duration.

The classification by control groups institutions into the categories public and private.

Resident students.—Classifies students on the basis of whether or not their domiciles are in the State and/or district where the institution is located and is thus a legal resident of the institution's tax district for purposes of fee assessment.

The data on student charges were obtained primarily from respondents in the Office of Education's annual "Higher Education General Information Survey". Completed questionnaires were returned by about 75 percent of the institutions surveyed. Information on charges of nonresponding institutions were obtained from college catalogs. The averages shown are thus based on information about all institutions of higher education.

The averages shown are for academic years. Institutions were provided with factors with which charges for semesters, trimesters, and quarters were converted to annual rates. In the computation of these averages the data from each institution were weighted by the total degree-credit enrollment in the institution.

TABLE 1.—AVERAGE TUITION AND REQUIRED FEES CHARGED FULL-TIME UNDERGRADUATE RESIDENT STUDENTS, IN INSTITUTIONS OF HIGHER EDUCATION AND PERCENT CHANGE BETWEEN 1961–62 AND 1966–67, BY LEVEL AND CONTROL: AGGREGATE UNITED STATES

Academic year and percent increase	Level of institution and control					
	Universities		Other 4-year institutions		2-year institutions	
	Public	Private	Public	Private	Public	Private
1961–62	$265	$1,059	$182	$838	$88	$537
1966–67	$360	$1,456	$259	$1,162	$121	$845
Percent increase: 1961–62 to 1966–67	35.8	37.5	42.3	38.7	27.5	57.4

TABLE 2.—AVERAGE TUITION AND REQUIRED FEES CHARGED FULL-TIME UNDERGRADUATE STUDENTS IN PUBLICLY CONTROLLED INSTITUTIONS OF HIGHER EDUCATION AND PERCENT INCREASE BETWEEN 1964–65 AND 1966–67, BY LEVEL OF INSTITUTION AND RESIDENCE OF STUDENTS: AGGREGATE UNITED STATES

Academic year and percent increase	Level of institutions and residence of students					
	Universities		Other 4-year institutions		2-year institutions	
	Resident	Nonresident	Resident	Nonresident	Resident	Nonresident
1964–65	$298	$704	$224	$554	$99	$396
1966–67	360	808	259	570	121	446
Percent increase: 1964–65 to 1966–67	20.8	14.8	15.6	2.9	22.2	12.6

TABLE 3.—AVERAGE ROOM AND BOARD CHARGES TO FULL-TIME UNDERGRADUATE STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION AND PERCENT INCREASE BETWEEN 1961–62 AND 1966–67, BY LEVEL AND CONTROL: AGGREGATE UNITED STATES

Academic year control and percent increase	Average room charge and level			Average board charge and level		
	Universities	Other 4-year institutions	2-year institutions	Universities	Other 4-year institutions	2-year institutions
1961–62:						
Public	$249	$197	$155	$433	$409	$356
Private	323	268	234	500	464	427
1966–67:						
Public	321	271	213	490	417	376
Private	452	355	347	548	490	487
Percent increase:						
Public	28.9	37.6	37.4	13.2	2.0	5.6
Private	39.9	32.5	48.3	9.6	5.6	14.1

TABLE 48.—ESTIMATED AVERAGE CHARGES (1967–68 DOLLARS) PER FULL-TIME UNDERGRADUATE RESIDENT DEGREE-CREDIT STUDENT IN INSTITUTIONS OF HIGHER EDUCATION, BY INSTITUTIONAL TYPE AND CONTROL: UNITED STATES, 1957–58 TO 1977–78

[Charges are for the academic year and in constant 1967–68 dollars]

Year and control	Total tuition, board, and room				Tuition and required fees				Board (7-day basis)				Dormitory rooms			
	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
1957–58:[1]																
Public	$916	$969	$798	$626	$217	$244	$155	$84	$479	$484	$463	$403	$220	$241	$180	$139
Nonpublic	1,620	1,810	1,505	1,044	814	950	728	401	534	566	525	457	272	294	252	186
1958–59:[1]																
Public	932	994	822	639	224	258	168	88	479	485	463	403	229	251	191	148
Nonpublic	1,687	1,890	1,573	1,123	867	1,012	783	453	534	566	525	464	286	312	265	206
1959–60:[1]																
Public	950	1,020	845	652	232	272	181	92	479	487	463	403	239	261	201	157
Nonpublic	1,752	1,970	1,640	1,200	919	1,074	838	504	534	566	525	470	299	330	277	226
1960–61:[1]																
Public	966	1,046	868	665	239	286	193	96	479	488	463	403	248	272	212	166
Nonpublic	1,819	2,050	1,708	1,278	972	1,136	893	556	534	566	525	477	313	348	290	245
1961–62:[2]																
Public	984	1,072	892	678	247	300	206	100	479	490	463	403	258	282	223	175
Nonpublic	1,885	2,130	1,776	1,356	1,025	1,198	948	608	534	566	525	483	326	366	303	265
1962–63:[2]																
Public	1,007	1,103	911	688	248	300	215	108	486	510	451	404	273	293	245	176
Nonpublic	1,928	2,261	1,799	1,421	1,056	1,285	972	671	531	567	517	477	341	409	310	273

See footnotes at end of table.

TABLE 49.—ESTIMATED AVERAGE CHARGES (1967–68 DOLLARS PER FULL-TIME UNDERGRADUATE RESIDENT DEGREE-CREDIT STUDENT IN INSTITUTIONS OF HIGHER EDUCATION, BY INSTITUTIONAL TYPE AND CONTROL: UNITED STATES, 1957–58 TO 1977–78—Continued

[Charges are for the academic year and in constant 1967–68 dollars]

Year and control	Total tuition, board, and room				Tuition and required fees				Board (7-day basis)				Dormitory rooms			
	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
1963–64:[2]																
Public	$1,021	$1,131	$933	$695	$258	$310	$237	$107	$480	$516	$440	$398	$283	$305	$256	$190
Nonpublic	2,001	2,321	1,875	1,448	1,116	1,341	1,031	708	537	569	524	471	348	411	320	269
1964–65:[2]																
Public	1,035	1,144	944	695	265	324	244	108	475	503	438	393	295	317	262	194
Nonpublic	2,076	2,398	1,970	1,584	1,185	1,412	1,114	764	531	561	521	505	360	425	335	315
1965–66:[3]																
Public	1,046	1,176	961	714	274	348	256	116	473	504	434	391	299	324	271	207
Nonpublic	2,135	2,467	2,021	1,659	1,229	1,458	1,157	818	527	563	513	504	379	446	351	337
1966–67:[2]																
Public	1,060	1,210	979	734	284	372	268	125	472	506	431	389	304	332	280	220
Nonpublic	2,195	2,538	2,074	1,735	1,274	1,505	1,201	873	523	566	506	503	398	467	367	359
1967–68:[1]																
Public	1,076	1,236	997	744	292	386	281	129	470	508	425	386	314	342	291	229
Nonpublic	2,259	2,617	2,139	1,812	1,327	1,567	1,256	924	521	565	503	509	411	485	380	379
PROJECTED[4]																
1968–69:																
Public	1,092	1,262	1,020	757	299	400	293	133	470	509	425	386	323	353	302	238
Nonpublic	2,326	2,697	2,207	1,891	1,380	1,629	1,311	977	521	565	503	516	425	503	393	398
1967–70:																
Public	1,110	1,288	1,043	770	307	414	306	137	470	511	425	386	333	363	312	247
Nonpublic	2,391	2,777	2,274	1,968	1,432	1,691	1,366	1,028	521	565	503	522	438	521	405	418
1970–71:																
Public	1,126	1,313	1,067	783	314	428	319	141	470	512	425	386	342	373	323	256
Nonpublic	2,458	2,857	2,341	2,047	1,485	1,753	1,420	1,080	521	565	503	529	452	539	418	438
1971–72:																
Public	1,144	1,340	1,090	795	322	442	331	145	470	514	425	386	352	384	334	264
Nonpublic	2,524	2,936	2,409	2,125	1,538	1,815	1,475	1,132	521	565	503	535	465	556	431	458
1972–73:																
Public	1,160	1,366	1,114	808	329	456	344	149	470	516	425	386	361	394	345	273
Nonpublic	2,591	3,016	2,477	2,202	1,591	1,877	1,530	1,184	521	565	503	541	479	574	444	477
1973–74:																
Public	1,178	1,391	1,137	821	337	470	357	153	470	517	425	386	371	404	355	282
Nonpublic	2,656	3,095	2,545	2,281	1,643	1,938	1,585	1,236	521	565	503	548	492	592	457	497
1974–75:																
Public	1,194	1,418	1,160	834	344	484	369	157	470	519	425	386	380	415	366	291
Nonpublic	2,723	3,175	2,612	2,359	1,696	2,000	1,640	1,288	521	565	503	554	506	610	469	517
1975–76:																
Public	1,212	1,444	1,184	847	352	498	382	161	470	521	425	386	390	425	377	300
Nonpublic	2,789	3,255	2,680	2,437	1,749	2,062	1,695	1,339	521	565	503	561	519	628	482	537
1976–77:																
Public	1,228	1,469	1,208	860	359	512	395	165	470	522	425	386	399	435	388	309
Nonpublic	2,856	3,335	2,748	2,514	1,802	2,124	1,750	1,391	521	565	503	567	533	646	495	556
1977–78:																
Public	1,246	1,495	1,230	873	367	525	407	169	470	524	425	386	409	446	398	318
Nonpublic	2,922	3,415	2,816	2,592	1,855	2,186	1,805	1,443	521	565	503	573	546	664	508	576

[1] Estimated.

[2] Represents charges weighted by numbers of full-time degree-credit students, 1961–62 through 1964–65, and weighted by full-time resident students for 1966–67. These charges, shown in table 49 in current dollars, were converted to 1967–68 constant dollars by application of the Consumer Price Index. See constant dollar index, table L.

[3] Interpolated.

[4] The projection of basic student charges is based on the assumption that these charges will continue to increase through 1977–78 as they did during the base years of 1961–62 through 1964–65 and 1966–67, in constant dollars. Decreases in charges for board during the base period are not projected and are frozen at the 1967–68 level. The base year data for board charges, in current unadjusted dollars, did show an increase, but not enough to offset the application of the Consumer Price Index.

Note: Data are for 50 States and the District of Columbia for all years. For further methodo ogical details, see appendix table D.

Sources: U.S. Department of Health, Education, and Welfare, Office of Education publications: (1) "Higher Education Basic Student Charges" 1961–62 through 1964–65 and 1966–67 and (2) "Opening (Fall) Enrollment in Higher Education" 1961 through 1964 and 1966.

TABLE 49.—ESTIMATED AVERAGE CHARGES (CURRENT DOLLARS) PER FULL-TIME UNDERGRADUATE RESIDENT DEGREE-CREDIT STUDENT IN INSTITUTIONS OF HIGHER EDUCATION, BY INSTITUTIONAL TYPE AND CONTROL: UNITED STATES 1957–58 TO 1969–70

[Charges are for the academic year and in current unadjusted dollars.

Year and control	Total tuition, board, and room				Tuition and required fees				Board (7-day basis)				Dormitory rooms			
	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
1957–58:																
Public	$769	$814	$670	$526	$182	$205	$130	$71	$402	$407	$389	$338	$185	$202	$151	$117
Nonpublic	1,361	1,520	1,264	877	684	798	611	337	449	475	441	384	228	247	212	156
1958–59:[1]																
Public	794	847	700	544	191	220	143	75	408	413	394	343	195	214	163	126
Nonpublic	1,437	1,610	1,340	956	738	862	667	386	455	482	447	395	244	266	226	175
1959–60:[1]																
Public	820	881	730	563	200	235	156	79	414	421	400	348	206	225	174	136
Nonpublic	1,513	1,701	1,416	1,036	794	927	724	435	461	489	453	406	258	285	239	195
1960–61:[1]																
Public	845	915	759	582	209	250	169	84	419	427	405	353	217	238	185	145
Nonpublic	1,591	1,793	1,494	1,117	850	994	781	486	467	495	459	417	274	304	254	214
1961–62:																
Public	869	947	788	599	218	265	182	88	423	433	409	356	228	249	197	155
Nonpublic	1,666	1,882	1,570	1,198	906	1,059	838	537	472	500	464	427	288	323	268	234
1962–63:																
Public	901	986	814	615	222	268	192	97	435	456	403	361	244	262	219	157
Nonpublic	1,724	2,022	1,608	1,271	944	1,149	869	600	475	507	462	427	305	366	277	244
1963–64:																
Public	926	1,026	846	630	234	281	215	96	435	468	399	361	257	277	232	172
Nonpublic	1,815	2,105	1,700	1,313	1,012	1,216	935	642	487	516	475	427	316	373	290	244
1964–65:																
Public	950	1,051	867	638	243	298	224	99	436	462	402	361	271	291	241	178
Nonpublic	1,907	2,202	1,810	1,455	1,088	1,297	1,023	702	488	515	479	464	331	390	308	289

See footnotes at end of table.

TABLE 49.—ESTIMATED AVERAGE CHARGES (CURRENT DOLLARS) PER FULL-TIME UNDERGRADUATE RESIDENT DEGREE-CREDIT STUDENT IN INSTITUTIONS OF HIGHER EDUCATION, BY INSTITUTIONAL TYPE AND CONTROL: UNITED STATES, 1957–58 TO 1969–70—Continued

[Changes are for the academic year and in current unadjusted dollars]

Year and control	Total tuition, board, and room				Tuition and required fees				Board (7-day basis)				Dormitory rooms			
	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year	All	University	Other 4-year	2-year
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
1965–66:[2]																
Public	$982	$1,104	$901	$670	$257	$327	$240	$109	$444	$473	$407	$367	$281	$304	$254	$194
Nonpublic	2,004	2,315	1,896	1,557	1,153	1,368	1,086	768	495	528	481	473	356	419	329	316
1966–67:																
Public	1,026	1,171	947	710	275	360	259	121	457	490	417	376	294	321	271	213
Nonpublic	2,124	2,456	2,007	1,679	1,233	1,456	1,162	845	506	548	490	487	385	452	355	347
1967–68:[1]																
Public	1,076	1,236	997	744	292	386	281	129	470	598	425	386	314	342	291	229
Nonpublic	2,259	2,617	2,139	1,812	1,327	1,567	1,256	924	521	565	503	509	411	485	380	379
PROJECTED																
1968–69:[1]																
Public	1,122	1,297	1,048	777	307	411	301	137	483	523	437	396	332	363	310	244
Nonpublic	2,389	2,770	2,267	1,942	1,417	1,673	1,346	1,003	535	580	517	530	437	517	404	409
1969–70:[1]																
Public	1,170	1,358	1,100	811	324	436	323	144	495	539	448	407	351	383	329	260
Nonpublic	2,521	2,928	2,397	2,075	1,510	1,783	1,440	1,084	549	596	530	550	462	549	427	441

[1] Data for 1957–58 through 1960–61 and for 1967–68 through 1968–69 estimated by applying the Consumer Price Index to the data in table 48. See constant dollar index table L.
[2] Interpolated.

Sources: U.S. Department of Health, Education, and Welfare, Office of Education publications: (1) "Higher Education Basic Student Charges" 1961–62 through 1964–65 and 1966–67; and (2) "Opening (Fa) Enrollment in Higher Education" 1961 through 1964 and 1966.

Note: Data are for 50 States and the District of Columbia for all years. For further methodological details see appendix table D.

Mr. Speaker, I include at this point, as a part of my remarks, a listing of Federal educational support programs to students:

FEDERAL EDUCATIONAL SUPPORT PROGRAMS TO STUDENTS

The question of the comparability of the numerous Federal Government educational support programs to that available under the current GI bill is not on- that can be simply answered. The purposes of the support programs vary, and the needs in areas of national interest may require incentives be offered to induce persons to train under Federal sponsorship to meet those needs.

According to a report by the Federal Interagency Committee on Education prepared in June 1968, the Federal Government, during the school year 1968–69, made provision for 43,000 predoctoral fellowships. There are few accurate figures on the extent of support under research and training grants because institutions are permitted discretion in the use of funds and the selection of recipients. The most common stipend paid to students awarded predoctoral fellowships and traineeships is $2,600 a year. (Some are computed on the basis of a calendar year and others on the basis of an academic year.) The most common institutional allowance is $2,500. Total benefits for the individual predoctoral fellowships is approximately $5,100 a year. Some advanced programs run as high as $13,000 or higher. These support programs for the graduate level student provide benefits in excess of that available under the GI bill.

MDTA (Manpower Development Training Act) programs are primarily directed to aid persons with limited financial resources and falling within the definition of a "disadvantaged" person. The training allowances for individuals pursuing institutional training is based on unemployment benefits paid by the respective States. A financial report by the Department of Labor covering the first three quarters of fiscal year 1969, shows that $185,727,471 were obligated for those three quarters to cover both training allowance and training costs for 93,207 approved institutional trainees. Thus, the program provides for an average benefit of $1,993 per year or $166 a month. This is in excess of benefits provided for nondisabled veterans under the GI bill.

The Job Corps is designed to provide assistance through residential training at job centers to young men and women aged 16 to 21 who are public school dropouts, individually poor, or living in a family whose head of household makes less than $3,000 a year.

Generally, a job corpsman receives an allowance of $30 per month plus an allotment to a close family member of $50 per month for a total of $80 a month. Room and board, plus work clothing, are furnished each enrollee at Government expense. According to OEO Report of June 1968, this expense amounts to $800 a year. This amount plus $960 (80 per month) totals $1,760 a year, or a rate of $146 a month, paid directly to or on behalf of the trainee. In addition to direct payments to and on behalf of each Job Corpsman, all training center operation costs are paid by the Federal Government. Direct costs plus training center operation costs average approximately $6,000 per Corpsman man-year.

OFFICE OF EDUCATION

Health professions scholarship

Basic Eligibility: Students with undergraduate degree in medical field.

Range of Benefits: Up to $2,500 per academic year.

Limitations: Students selected must be in exceptional financial need. Funds are granted to schools which in turn selects students.

Graduate fellowships

Basic Eligibility: Graduate students, preferably those interested in teaching in colleges and universities.

Range of Benefits; $2,000 to $2,400, plus $400 a year for each dependent; option to attend summer school, $400 plus $100 for dependents; $2,500 to institution per fellow.

Limitations: OE panel decides eligibility of institution and number of fellowships to be given the institution. (Note: Title IV: 12,000 plus fellowships in 1968–69.)

Prospective teacher fellowships

Basic Eligibility: Graduate students (experienced and prospective teachers in elementary and secondary schools, including postsecondary vocational schools).

Range of Benefits: $2,000 to $2,400 plus $400 dependency allowance.

Limitations: Institutions receiving grants select individuals for fellowships or stipends.

Federal fellowships

Basic Eligibility: Persons engaged in or preparing to undertake careers in elementary and secondary education.

Range of Benefits: $2,000 to $4,000 a year depending on teaching experience and number of dependents; $2,500 to institution.

Limitations: Must be full-time student; cannot be working except for approved part-time research or teaching.

National teaching fellowships (title III)

Basic Eligibility: Qualified graduate students and junior faculty members.

Range of Benefits: $6,500 plus $400 for each dependent.

Limitations: Must be selected to teach in the developing institution.

Nurses training

Basic Eligibility: Students in nursing schools (all types).

Range of Benefits: Loans up to $1,000 (up to 50% is forgiven for full-time employment as a nurse).

Health research fellowships

Basic Eligibility: Graduate students—postdoctoral study.

Range of Benefits: $2,400 to $2,800 plus $500 dependency allowance.

Limitations: Particularly selected to maintain an adequate supply of well-trained research scientists.

Insured student loans

Basic Eligibility: Students in institutions of higher education.

Range of Benefits: Undergraduates: Loan of not more than $1,500 a year; not to exceed $7,500.

Graduate students: Same as undergraduates (loans not to exceed $7,500 aggregate for both programs).

Limitations: Federal Government pays portion of interest only i. adjusted family income is less than $15,000 annually.

Educational opportunity grants

Basic Eligibility: Undergraduates accepted by or enrolled in institutions of higher education.

Range of Benefits: Grants of $200 to $1,000 a year. $1,000 after first year. (Federal matching grant will not exceed $1,000 (140,000 grants a year).)

Limitations:

1. Satisfactory progress.
2. Full-time student.
3. Grants not to exceed 4 academic years.
4. High school graduate in exceptional financial need.
5. One-half of financial aid must come from sources other than Federal Government.

Vocational student loans (guaranteed student loan program)

Basic Eligibility: Students accepted by or enrolled in an accredited business, trade or technical school.

Range of Benefits: Loans of not more than $1,500 a year. Unpaid principal not to exceed $7,500.

Limitations: Students receive interest subsidy from Federal Government only if adjusted family income is less than $15,000 annually.

Educational personnel development (title V–C)

Basic Eligibility: Education personnel now in place and new education personnel.

Range of Benefits: $2,000 per academic year plus $400 for each dependent; $2,500 to institution. For school personnel now in place $75 per week plus $15 per week for each dependent.

Limitations: Grants to institutions of higher education, education agencies, and State education agencies.

Teacher training—handicapped children

Basic Eligibility: Teachers engaged in and those preparing to engage in the education of handicapped children.

Range of Benefits:

Undergraduates: $300 per year; $800 Junior and Senior years.

Fellowships: Masters degree, $2,200 per year plus $600 for each dependent.

Post-masters degree: $3,200 per year plus $600 for each dependent. Tuition paid by Federal Government from the appropriation.

Limitations: Grants to State education agencies and to institutions of higher education. (1968–69 there are approximately 13,000 recipients.)

Teacher Corps

Basic Eligibility:

Teacher-interns: Bachelors degree or at least 2 years college and willingness to serve 2 years in the Corps.

Experienced teachers: Masters degree or equivalent and minimum of 5 years teaching experience.

Range of Benefits:

1. Teacher-interns: Receive $75 a week plus $15 a week for each dependent. Tuition paid by Federal Government.

2. Experienced teachers are paid usual salary which varies plus paid tuition by the Federal Government.

Limitations:

Grants to institutions are based on access to the local districts to be served.

To local districts in proportion of need and quality of the proposal.

Foreign language fellowships (title VI)

Basic Eligibility: Primarily for those who plan to teach foreign languages and area studies at the college level.

Range of Benefits:

1. Graduate fellows: $2,250 per year plus $600 for dependents (up to four); $450 per summer session (8 weeks).

2. Post-doctoral fellows: Receive stipend based on salary of the candidate.

Limitations: All recipients must have technical clearance by Office of Education.

College work study

Basic Eligibility: Students in postsecondary schools, junior colleges, area vocational schools, selected preparatory schools.

Range of Benefits: Federal grant (80–20) to educational institutions; average pay of 15 hours per week at school or related institution is approximately $500 per year. (About 375,000 participants in program in FY 1968.)

Limitations: Particularly students from low-income families.

ATOMIC ENERGY COMMISSION

AEC special fellowships in health physics

Basic Eligibility: Graduate students.

Range of Benefits: $2,400 to $2,800 per year; $2,500 to institution; maximum 36 months.

Limitations: Intention to remain in the nuclear field.

Laboratory graduate fellowships

Basic Eligibility: Graduate students working toward the M.S. or Ph. D. degree in some area of nuclear science and engineering.

Range of Benefits: $3,100 to $6,000 including dependency allowance and tuition.

Limitations: Scholastic record above average. Likelihood of remaining in the nuclear field.

Traineeships in nuclear science and engineering

Basic Eligibility: Graduate students in nuclear science and engineering.

Range of Benefits: $2,400 to $2,800 a year plus $500 per dependent; $2,500 to participating institution.

Limitations: Scholastic record above average. Likelihood of remaining in the nuclear field.

AEC postdoctoral fellowships

Basic Eligibility: Scientists and engineers with doctoral degree or equivalent.

Range of Benefits: $9,000 per year plus $1,000 travel.

Limitations: Prior acceptance by organization where tenure will be held. A plan for research relevant to interests of AEC.

AEC special fellowships in industrial medicine

Basic Eligibility: Physicians with M.D. degree and 1 year internship.

Range of Benefits: $7,500 to $9,000 including dependence allowance; $2,500 to institution.

Limitations: Acceptance of conditions of appointment.

NATIONAL SCIENCE FOUNDATION

Graduate fellowships

Basic Eligibility: Students who have been or will be admitted to graduate status by the institution selected.

Range of Benefits: $1,800 to $4,300 per 9- or 12-month period including dependency allowance; $2,500 to institution.

Limitations: Must have demonstrated special aptitude for advanced training in the sciences.

Graduate traineeships

Basic Eligibility: Student must be enrolled in a full-time program leading to an advanced degree in science.

Range of Benefits: $2,400 to $2,800 per basic 12-month period; dependency allowance may be provided; summer stipend ranges from $50 to $85 per week.

Limitations: Grants are made to universities that confer doctoral degrees to enable them to provide graduate traineeships.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Predoctoral traineeships

Basic Eligibility: Qualified college graduates.

Range of Benefits: $2,400 to $3,400 including dependency allowance; $2,500 to institution. (In academic year 1967–68 approximately 3,400 participants in this program.)

Limitations: Intention to continue studies toward a doctorate in a space-related discipline.

HOUSING AND URBAN DEVELOPMENT

Urban studies fellowships

Basic Eligibility: Students enrolled for full-time study as candidates for masters or Ph. D. degree.

Range of Benefits: Up to $3,000 per year plus $500 for dependents up to 2; tuition paid directly to the institution.

Limitations: Programs of study oriented to public careers in urban development. Awards are made on recommendation of the Urban Studies Advisory Board.

DEPARTMENT OF INTERIOR (BUREAU OF INDIAN AFFAIRS)

Scholarship aid to Indian students enrolled in degree-granting accredited colleges and universities

Basic Eligibility: Must have one-quarter or more degree Indian, Eskimo, or Aleut blood and membership in a tribal group for which the Federal Government has trust responsibility. Also, financial need is a determining factor.

Range of Benefits: Direct financial aid to students averages about $800 per enrollee per year. Tuition and fees are paid by the Federal Government to institution. Specific costs of tuition, etc., not available due to varying tuition charges and needs of the individual.

Limitations: Scholarships are made primarily to youths residing on reservations or other Indian-owned tax-exempt lands. (1968–69 school year there were approximately 2,700 enrollees under this program.)

Education of Indian children in Federal schools

Basic Eligibility: Indian children who reside on or near reservation areas and do not have access to adequate public educational opportunities.

Range of Benefits: Federal Government pays all expenses necessary to operate school. (No direct monetary benefits to individuals.)

DEPARTMENT OF INTERIOR

Federal water pollution control fellowships

Basic Eligibility: Research fellowships are awarded on basis of technical review of competence of individuals.

Range of Benefits: Stipend of $6,400 per year.

Limitations: Independent research of water supply and water pollution control.

DEPARTMENT OF DEFENSE

Regular NROTC—Navy—Holloway plan—Army and Air Force have similar ROTC programs

Basic Eligibility: Active duty personnel interested in career naval service.

Range of Benefits: Individuals are paid $50 per month as a subsistence allowance; tuition and fees are paid to the institution.

Limitations: Must be candidate for an undergraduate degree. Service obligation 4 years after receipt of commission as a naval officer.

DEPARTMENT OF DEFENSE (ALL SERVICES)

Off-duty voluntary programs—Studies leading to bachelor and advanced degrees

Basic Eligibility: All active duty personnel except officers within 2 years of controlled separation.

Range of Benefits: Up to 75% of tuition and fees for off-duty at accredited schools. Coast Guard pays 100% of tuition not to exceed $200 (approx. 285,000 participants).

Limitations: 2-year obligation for officers; none for enlisted personnel.

AIR FORCE

Air Force airman and education commissioning program—the Army and Navy have similar programs titled "Army enlisted schooling" and "Navy enlisted scientific education."

Basic Eligibility: Career minded, active duty airmen with at least 1 year active duty and 30 semester hours of college credit.

Range of Benefits: Full pay and allowances plus tuition and related fees for maximum of 2 years residence study followed by officer training school (OTS).

Limitations: Serves 4 years after receipt of commission.

U.S. ARMED FORCES INSTITUTE—USAFI

Elementary school through college and graduate level

Basic Eligibility: All active duty service personnel.

Range of Benefits: Reduced fees for extension and correspondence courses.

CIVIL DEFENSE

Student development

Basic Eligibility: Graduate students who are interested in pursuing advanced studies in the field of protective engineering.

Range of Benefits: $2,200 for students; $2,800 for university per academic year.

Limitations: Awards on a merit basis; students must be civil defense oriented.

DEPARTMENT OF LABOR—MANPOWER ADMINISTRATION

MDTA institutional training

Basic Eligibility: For training allowance, the individual must be unemployed, head of a household or family, and with at least 1 year's previous experience in gainful employment, including time spent in military service. Emphasis is on the "disadvantaged" individual. For training only the individual must be unemployed or underemployed and available for any counseling required.

Range of Benefits: Institutional training allowance is based on the prevailing unemployment insurance in the applicable State (from $29 per week in Mississippi to $52 per week in California). Individuals are allowed $5 per week for each dependent up to a maximum of $30 per week. Federal Government pays generally 90% of training costs. The average benefit provided for institutional trainees, on a yearly basis, FY 1969 was $1,993 ($1,125 training allowance, $868, training costs) or $166 per month.

Limitations: Length of program ranges from 4 to 104 weeks with an average of 26 weeks. (Note: No statistics available on number of veterans. Department of Labor estimates approximately 18,000 veterans under age 35 of a total of about 140,000 trainees in FY 1969. Department of Labor statistics shows 93,207 approved institutional trainees, FY 1969 through March 31, 1969.)

MDTA on-the-job training

Basic Eligibility: Unemployed and underemployed (65% must be certified by the Employment Service as "disadvantaged").

Range of Benefits: No Federal funds are paid to trainees; employer's training costs are paid directly to the employer; employer pays trainee a salary.

Limitations: 65% must be "disadvantaged."

DEPARTMENT OF LABOR—JOB CORPS JURISDICTION TRANSFERRED FROM OEO TO MANPOWER ADMINISTRATION, JULY 1, 1969

Job Corps—Residential training

Basic Eligibility: Disadvantaged young men and women aged 16 to 21.

Range of Benefits: While in training at job center, corpsmen receive subsistence (room and board, clothing, etc.) amounting to approximately $800 a year, plus $30 a month and an allotment of $50 a month to a close family member. This totals $1,760 for a year or $146 a month. The average training period is 7 to 9 months.

Limitations: Youths aged 16–21 who are public school dropouts, individually poor, or living in a family whose head of household earns less than $3,000 a year. Maximum period of training 2 years.

VETERANS' ADMINISTRATION

Vocational rehabilitation

Basic Eligibility: Veterans with wartime or Korean conflict service compensable disability. Veterans of other service, a 30% or more service-connected disability or if less than 30% have pronounced employment handicap.

Range of Benefits: A subsistence of allowance varying from $55 to $175 per month based on half-tme or full-time training and dependency status. Tuition fees, books, and cost of supplies are also paid by the VA.

Limitations: Discharge or release from active service under honorable conditions; education must generally be completed in 9 years after discharge or release, with possible extension 13 years.

Readjustment training

Basic Eligibility: Veterans of service after Jan. 31, 1955, with more than 180 days of active service and members of the Armed Forces who have served at least 2 years on active duty.

Range of Benefits: Payments of $60 to $130 a month for one-half time or more plus an allowance for dependents. Veterans enrolled for less than one-half time and servicemen on active duty are paid at the rate of the school's tuition and fees or at the rate of $130 a month for full-time education whichever is less. Flight training payments are based on 90% of established charges. On-the-job training—from $80 for first 6 months plus dependency allowance to $20 for fourth 6 months plus dependency allowance. Farm cooperative training: $50 for one-half time to $105 for full-time plus dependency allowance. Established charges are paid for correspondence course lessons completed and serviced by school.

Limitations: Honorable service and completion of education within 8 years after last discharge or release from active service. Maximum entitlement is 36 months or an aggregate of 48 months when prior training under VA program.

War orphans training—including wives and widows

Basic Eligibility: Children generally between ages 18 and 26, and wives or widows of veterans who are permanently and totally disabled or died because of a service-connected disability.

Range of Benefits: Payments to students range from $60 a month for one-half time educational pursuit to $130 a month for full-time pursuit to a maximum of 36 months, or equivalent in part-time training.

Limitations: Generally a child's education must be completed between ages 18 and 26, but in no event earlier than 14 years nor later than 31 years of age. Wives or widows have 8 years.

Mr. TEAGUE of California. Mr. Speaker, I rise in support of H.R. 11959. This bill will grant a cost-of-living increase in educational allowance to veterans, widows, and orphans attending school under the several educational benefits programs administered by the Veterans' Administration.

The allowances authorized for service-connected disabled veterans pursuing education or training under the vocational rehabilitation program are increased by 15 percent. This allowance represents living expenses alone for the disabled veteran student while attending school. The Veterans' Administration pays the costs of tuition, fees, books, supplies, and equipment.

The allowances authorized for veterans attending school under the GI bill and for widows and orphans and wives of totally disabled veterans pursuing educational programs under the War Orphans Educational Assistance Act are meant for tuition and fees as well as living expenses. As a result, these allowances are increased by 27 percent under the bill.

Finally, Mr. Speaker, the bill revises the method of determining full-time attendance in high school courses. Under existing law, a veteran desiring to complete his high school education in one of the many adult education programs offered in communities throughout the Nation must enroll for a minimum of 12 clock hours per week to receive any allowance under the GI bill. This represents a difficult and unappealing schedule to the returning veteran who must work full time during the day.

Our experience indicates that many veterans who need a high school diploma are passing up the opportunity to return to school because of these stringent requirements. The bill before us today will permit a veteran to enroll in evening high school classes for two units of study or two subjects and receive the minimum half-time allowance.

Mr. Speaker, because of the continually spiraling cost of living and cost of education, the increased allowances authorized by this bill are necessary. I urge that it be passed.

(Mr. ADAIR (at the request of Mr. TEAGUE of California) was granted permission to extend his remarks at this point in the RECORD.)

Mr. ADAIR. Mr. Speaker, I rise in support of H.R. 11959. This bill, if enacted into law, will provide needed increases in educational allowances paid to persons pursuing programs of education or training under laws administrated by the Veterans' Administration.

Existing law permits unmarried veterans, widows, and children of service connected deceased veterans and wives of service-connected totally disabled veterans to receive an allowance of $130 monthly while pursuing a program of education or training on a full time basis. An increased allowance is payable to veterans with dependents while proportionate allowances are payable for veterans attending school on a part time basis. Under this bill, these allowances are increased by 27 percent. In the case of the $130 monthly allowance, the increase amounts to $35 monthly.

Additionally, the bill authorizes an increase in the subsistence payable to service connected disabled veterans pursuing programs of vocational rehabilitation. Under this program, the Veterans' Administration pays tuition and other fees directly to the educational institution while the unmarried veteran pursuing full time training receives $110 monthly. Under the bill, this allowance is increased to $127 monthly.

Mr. Speaker, the various educational programs administered by the Veterans' Administration since the termination of World War II have returned to the Federal Government more money in increased taxes from the recipients of these benefits than the programs have cost the Government. As a result of these educational programs, the veteran population is better educated, better able to command higher wages and better able to fill critical manpower needs in the sciences and industry than would otherwise be the case. I believe the current education programs will also pay for themselves. I urge the adoption of this bill.

Mr. ANNUNZIO. Mr. Speaker, many words have been spoken in this Chamber about support for our fighting men overseas, and such words have not fallen on deaf ears. The Congress has traditionally shown itself eager to provide American

soldiers with everything they need to fight a war, from medical supplies to materiel.

And Congress has not stopped there; it has also convincingly demonstrated a concern for supporting our soldiers when wars are over and they become civilians once again. Thus, in 1943, Congress enacted into law a program which provided allowances for vocational rehabilitation to veterans with service-connected disabilities.

Then, in 1944, the GI bill of rights was passed by the Congress without a single dissenting vote. This historic measure set up a program which, among other things, provided veterans with educational assistance for high school, college, or vocational training. Fifty percent of the returning World War II servicemen took advantage of that program.

Its unqualified success led to the enactment of the Korean conflict GI bill, in which educational assistance was also provided. Forty-two percent of the eligible Korean war veterans used the allowances and Congress subsequently wrote into law a cold war bill of rights for the GI, again providing education and training allowances.

Figures now show us that only 20 percent of the cold war veterans—those entering the Armed Forces after January 31, 1955—took advantage of the allowances, and only 21 percent of the Vietnam veterans thus far have done so. One reason for this distressing decrease in educational activity among our veterans is evident: The educational assistance allowances available to the veterans are not enough to meet their needs. The costs of education have risen so much in the last few years that the allowances provided by the veterans' programs bear little relation to them. Clearly, this is a situation that can, and should, be remedied.

I am pleased to note that the Committee on Veterans' Affairs has come up with just the remedy needed: H.R. 11959. Under the consistently able leadership of the distinguished gentleman from Texas, chairman OLIN E. TEAGUE, the committee has reported H.R. 11959, a bill to increase the rates of vocational rehabilitation, education assistance, and special training allowances paid to eligible veterans and certain dependents. Specifically, the subsistence rates for veterans in vocational rehabilitation training, which have not been increased since 1965, are raised 15 percent by the bill, because of the rise in the cost of living. The allowance rates for other on-the-job training—are increased 27 percent. Thus, a veteran with a wife and child who attends college full time would, under the provisions of H.R. 11959, receive $222 per month during the school year instead of the present inadequate $175.

I believe that if this bill is passed, the educational assistance program for veterans would become more meaningful and that we would immediately see an increased utilization of the program among our men who are returning from Vietnam. Congress has supported our soldiers in their task of fighting a difficult war in Vietnam. We must continue to support them once they cease to be active soldiers and begin the often difficult readjustment to civilian life. One of the most meaningful ways we in Congress can demonstrate both our gratitude for their past actions and our faith in their future endeavors would be to pass H.R. 11959.

Mr. EDMONDSON. Mr. Speaker, I rise in support of H.R. 11959, to increase the rates of vocational rehabilitation, educational assistance, and special training allowance paid to veterans.

The bill is urgently needed, in view of the rising cost of living and rising educational costs; and I am a sponsor of a bill which seeks the same basic objectives as those of H.R. 11959.

My own bill was introduced in response to reports from veterans seeking to take advantage of the GI bill in schools in Oklahoma, who advised of the great difficulty they were encountering under the present payment rates.

I urge the approval of H.R. 11959.

Mr. HALPERN. Mr. Speaker, I rise to support H.R. 11959, introduced by the gentleman from Texas, the respected, able and distinguished chairman of the Veterans' Affairs Committee on which I am privileged to serve.

Each month over 70,000 veterans are discharged from active service. These young Americans who have served their Nation so well in war can also serve their Nation as peacetime citizens. This bill will increase the allowance rates for vocational rehabilitation, special training and educational assistance paid to these veterans.

Many veterans have not completed their education, but unfortunately many of them are not taking advantage of opportunities available under the Cold War GI bill of 1966.

After World War II, 50 percent of the eligible veterans benefited from the available vocational and college training. Following the Korean conflict, over 42 percent of the veterans took advantage of educational and training programs. However, since January of 1966, only 21.4 percent of the discharged Vietnam veterans have utilized the available benefits.

One of the major reasons for this deplorable low rate of participation is that the rate of payment has not kept up with the rising cost of living and the fast increasing cost of education. The present pay schedule is far below those of World War II and the Korean war.

Since the current allowances are so inadequate, the veterans who seek an education are confronted with a great financial test. The average cost of tuition fees and room and board for a full-time resident student at a 4-year college or university has risen about 46 percent since October of 1967 when the last rise in educational allowances was implemented. The gap between the allowance afforded veterans pursuing vocational rehabilitation training and the present cost of such education is even greater. These rates were last changed in October of 1965.

The bill before us today would provide a giant step toward the alleviation of these inequities. It would add support to the bridge veterans must cross from military life to civilian life. H.R. 11959 would increase benefits available to disabled veterans for training by 15 percent. Benefits available for apprentice training, farm cooperative and college training would be raised by almost 27 percent. Educational benefits available to wives and children of totally disabled veterans or veterans who have died from service-connected causes would also be increased by almost 27 percent.

On June 5, President Nixon wisely stated:

> It is our hope that there will come a day when the benefits of peace will convince men and nation of the folly of war: until then, we must make certain that the benefits we offer reflects our pride in our veterans and our gratitude for their sacrifices.

All of us pray that the time will soon come when all the world will live in peace. But being cognizant of the realities of today, our duty is to express our pride and gratitude to our veterans by granting each of them a fair chance to better himself.

Mr. Speaker, I trust this bill will receive resounding approval today. That is the least we can do for our veterans and for ourselves.

Mr. MATSUNAGA. Mr. Speaker, I rise in support of H.R. 11959, a bill which would provide increased educational assistance to veterans under the Veterans' Administration education law.

We are not today delving into the merits of the various educational assistance programs administered by the VA; that question has already been favorably decided by past Congresses. What we are called upon to do by the legislation now before this body is to make proper adjustments in the allowances which are provided under the various ongoing VA educational programs. We can either accept or reject the increases which have been proposed by the distinguished gentleman from Texas (Mr. TEAGUE) and the able members of the Committee on Veterans' Affairs over which he presides.

Before we decide on which way our vote is to be cast, however, I strongly urge a close study of the proposed increases in benefits. H.R. 11959 would increase by only 15 percent the benefits currently available to disabled veterans for vocational training. In the case of a single veteran, with no dependents, who is pursuing full-time institutional training, the increase is all of $17. Instead of receiving $110, an amount that was set in 1965, he would get $127 per month in what has been termed a "subsistence allowance" because all of his other vocational rehabilitation expenses are paid by the VA. Disabled veterans with dependents would receive corresponding increases.

This bill would also increase by 27 percent the benefits which are currently available for institutional, farm cooperative, and apprentice training. Again, a single veteran, with no dependents, who is attending college and pursuing a full-time program, would receive $165 per month instead of the present $130. From this allowance he has to pay for his own tuition, books, and supplies, as well as for his room and board. In the face of today's rising tuition as well as rising cost of living, the undergraduate veteran can hardly be said to be going to school in lavish style on his VA allowance.

Similarly, the legislation under con-

sideration would also increase by 27 percent educational benefits which are available to wives and children of totally disabled veterans or veterans who died from service-connected causes.

Mr. Speaker, it is particularly noteworthy, in our consideration of H.R. 11959, that the bill was reported unanimously by the committee, and that it is not opposed by the administration.

This measure deserves our support, and I, therefore, urge a unanimous vote.

Mr. BOLAND. Mr. Speaker, I want to express my support for this legislation to increase the education allowances now granted to veterans and their dependents.

Clearly, Mr. Speaker, we in the Congress have a responsibility to help veterans in their efforts to readjust fruitfully to civilian life. The education assistance programs carried out under the Veterans' Administration—programs that offer financial aid to veterans ranging from severely disabled men struggling to regain their earning power through vocational rehabilitation, to men seeking a college degree after completing their service requirements, to men taking night courses or correspondence courses in attempts to get better jobs—play a major role in this readjustment. Yet the assistance allowances granted under present law are plainly too low. The cost of education is inching upward year by year, putting college and other forms of schooling out of the financial reach of many veterans. The bill now before us would help solve this problem by increasing allowances 15 to 27 percent.

The increases sought in this bill would affect three groups of veterans—disabled veterans receiving vocational rehabilitation assistance, nondisabled veterans of service date on or after January 1, 1955, the widows and children of veterans who lost their lives in the line of duty, and the wives and children of totally disabled veterans. The principal beneficiaries of the bill, therefore, would be Vietnam war veterans, disabled veterans, and their families, and the families of men who have sacrificed their lives for their country.

The need is to provide greater educational assistance to these groups is clear and indisputable.

I strongly urge the passage of this bill.

Mr. REID of New York. Mr. Speaker, I strongly support H.R. 11959, which would provide increased educational assistance under the Veterans' Administration education law.

The increases which are authorized in this legislation are long overdue and much needed as the cost of living continues to move upward. Under this act, the rates for vocational rehabilitation will be increased by 15 percent; rates for institutional and cooperative training, for farm cooperative training, for apprenticeship and other on-the-job training, and for assistance for orphans, widows, and wives will be increased by 27 percent.

In other words, under this new legislation, a veteran attending college on a full-time basis and not responsible for any dependents would receive $165 a month; with one dependent he would receive $197 per month; and with two or more dependents he would receive $222 per month.

Surely we as a nation must rise and give support to those men who have risked their lives for us.

Surely we must acknowledge our debt and try to repay those men who return from war only to find themselves the victims of inflation and ever-rising costs for tuition and other required fees of a college education.

And surely we must bear responsibility for those who have fallen, and care enough to provide for their widows and their now fatherless children, and take it upon ourselves to offer them a decent education.

Mr. Speaker, I am proud of these men and their families. The very least that we in Congress can do for them is to allot these funds for their education on a fair basis, consistent with costs today.

Mr. TEAGUE of California. Mr. Speaker, I have no further requests for time, unless the gentleman from Iowa (Mr. GROSS) would like some time. If so, I yield him the remainder of my time.

Mr. GROSS. Mr. Speaker, I wish to thank the gentleman. I yield back the time.

Mr. TEAGUE of California. Mr. Speaker, I have no further requests for time.

Mr. TEAGUE of Texas. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill H.R. 11959, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PRESIDENT'S COUNCIL ON YOUTH OPPORTUNITIES

Mr. PERKINS. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 764) to authorize appropriations for expenses of the President's Council on Youth Opportunity.

The Clerk read as follows:

H.J. RES. 764

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated such sums as may be necessary for the expenses of the President's Council on Youth Opportunity established by Executive Order Numbered 11330 of March 5, 1967.

The SPEAKER pro tempore. Is a second demanded?

Mr. AYRES. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Kentucky is recognized for 20 minutes, and the gentleman from Ohio will be recognized for 20 minutes.

Mr. PERKINS. Mr. Speaker, the resolution was reported out of the committee unanimously. As I understand it, the President is very much in favor of the resolution, even though the Council was formed by former President Johnson.

Enactment of the resolution is necessary in order to authorize appropriation for the President's Council, an estimated $357,000.

There is no objection on the part of any Member that I know about. The gentleman from Ohio (Mr. AYRES) is a cosponsor of the resolution.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. Mr. Speaker, I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding. I just wonder why it is necessary for a preformed Council on Youth, or another study commission on youth opportunity, or advisory group, or whatever one wishes to call it, to suddenly be funded by the Congress, when it was formed by a prior administration and evidently paid for out of the President's contingency fund at that time. Why could it not be continued that way, rather than getting this stamp of approval of the purse string controller, the elected Congress of the United States?

Mr. PERKINS. Mr. Speaker, if the gentleman will look at the bottom of the report, he will notice:

> This legislation has been recommended by the Bureau of the Budget and is necessary because of the provision of Public Law 90–479, which provides:
>
> No part of any appropriation contained in this or any other Act, shall be available to finance interdepartmental boards, commissions, councils, committees, or similar groups under Section 214 of the Independent Offices Appropriation Act, 1946 (31 U.S.C. 691) which do not have prior and specific congressional approval of such method of financial support.

So we are here authorizing the funds. The administration and the Budget Bureau have requested this action. I personally feel that the President's Council on Youth Opportunity can serve a very useful purpose.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's further opinion.

I have a few more questions. I wonder just how much appropriation will be needed for this council, for example, in fiscal year 1970?

Mr. PERKINS. The 1970 request is $357,000. Members of the Cabinet compose the Council.

Mr. HALL. Mr. Speaker, this is another expenditure, however, that is not in the revised budget. Is that correct?

Mr. PERKINS. The $357,000 for fiscal 1970 is in the revised budget.

Mr. HALL. That is correct.

Would the distinguished chairman of the Education and Labor Committee agree with me that the bill as written is open ended and ad infinitum?

Mr. PERKINS. That is correct.

Mr. HALL. I thank the gentleman for his forthrightness. Is it not true that the Council work is duplicative of many youth programs being conducted by HEW and HUD, if not EDA, and certainly by the OEO?

Mr. PERKINS. The real purpose of the Council is to provide some coordination of youth programs, particularly summer job programs.

Mr. HALL. Mr. Speaker, that is a noteworthy objective. We seem to have a great many coordinating and advisory councils—more and more. Does the gentleman not honestly feel this money that is being authorized herewith—up to $357,000—could be better used if allocated under existing programs?

Mr. PERKINS. Mr. Speaker, we have always provided funds for the White House councils of this type. It has been a common practice. I cannot think of a better purpose than the purpose provided for in this joint resolution. When we have as many youth problems as we have across the Nation, we cannot forget about them, we cannot sweep them under the rug. We have to provide ways to handle them.

Mr. HALL. Mr. Speaker, I thank the gentleman for his opinion. I know he contributes much. I know he knows that no one believes it is a question of sweeping the youth problems under the rug, especially one who served youth so long.

I believe we are overlegislating on youth. I doubt if one can federally and collectively legislate in the heart of man, whether it is a youth or an adult.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

How much has been appropriated for this President's Council? How much has been appropriated or spent in the last year or two?

Mr. PERKINS. We have spent some money.

Mr. GROSS. I beg the gentleman's pardon.

Mr. PERKINS. We have spent some money on the youth of this country. I believe that this will serve a useful purpose. In the budget for fiscal year 1970 they have made an estimate of $357,000.

Mr. GROSS. How much has been spent in the past?

Mr. PERKINS. We have spent millions of dollars in the past on youth.

Mr. GROSS. I am talking about this particular Council.

Mr. PERKINS. On this particular Council?

Mr. GROSS. That is right.

Mr. PERKINS. Several hundred thousand. I do not now have the precise figure but I will get it for the gentleman.

Mr. GROSS. Just a little piece of change, $200,000 "Something like that," says the gentleman. It really does not mean much? Is that the way it is figured?

What has been accomplished for the $200,000 that has been spent?

Mr. PERKINS. I believe a whole lot has been accomplished as far as doing something for the youth of this Nation is concerned. We have tried to concentrate and provide employment opportunities, training opportunities, and educational opportunities. That is the purpose of this legislation.

All the Members of the Cabinet, as members of this Council, I believe can contribute by coordinating the appropriate resources of their agencies on the problem. The administration wants it and believes it will be effective.

Mr. GROSS. It is all fine and good that the administration wants it, but the taxpayers also want some reform in spending. They are getting tired of paying increased taxes.

I do not care how much someone may attempt to minimize $200,000, it is still a lot of money in some places in this country.

Just give us an example of the coordination that has been bought with the expenditure of $200,000, or that it is proposed to buy with the expenditure of $350,000 or $375,000.

Mr. PERKINS. If the gentleman will read the report, on page 3, there are listed seven reasons why this legislation is necessary. This is simply a case where we cannot afford to abandon the Council, when we have all the problems with youth in this Nation we now have.

Mr. GROSS. If it is not accomplishing anything we can afford to disband it. I do not care whether it says youth, women, children, or what; if it is accomplishing nothing we can afford to abandon it here and now. I do not believe that this Council has accomplished anything, and the gentleman is not telling me it has accomplished anything, or that it proposes to.

Mr. PERKINS. I would hate to think that all of the various departments of this Government which are components of this Council have not accomplished anything. We have expended millions of dollars, trying to do something about the problems of a major area, the youth of this country. I believe we are making progress, and the Council should be entitled to continue to exist.

Mr. GROSS. What, by way of example, is this contributing to the progress?

Mr. PERKINS. The gentleman will notice the letter to the Speaker. He can read that letter. Then he will notice, on page 3 of the report, it is stated:

First, early and firm decisions by the Federal Government on the assistance it will make available to communities for summer youth programs.

There has been much coordination between the Government and private industry in the efforts to bring about employment for the youth of this Nation.

Mr. GROSS. Summer is about over, is it not?

Mr. PERKINS. Well, that is just one phase of the Council's work. We have to plan ahead for next summer, I will say to the gentleman. That is one of the problems of this Council. It is a year-round effort to provide opportunities for the youth.

Mr. AYRES. Mr. Speaker, I have no requests for time on this side. I support the legislation. I think the Members can inform themselves about this by reading the 10 points listed on pages 4 and 5 of this report. This organization has primarily been one which encourages and works in various fields within the areas that are now carrying out youth programs. They have been very significant in the field of working with our cities in their Boy Scout programs, encouraging more youths to participate in them.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding.

I am interested in what he has said about the youth opportunities organization in the cities, because the city manager of my own hometown just left Washington about an hour ago after having been up here on other business and expressed himself very strongly as being in favor of the work being done in the youth opportunity program. He said it had done a very remarkable job in my own hometown in getting increased activity on the part of youths in constructive enterprises and activities. He thought it was a very, very fine thing and supported it.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman have any examples of coordination in this field? We spent $200,000 or more here and we propose to spend another $350,000 here and so on and so on into the wild blue yonder. Does the gentleman have any examples of the coordination that has been attained?

Mr. AYRES. I will say to the gentlemen from Iowa that we do not have exhibits A, B, C, and D.

The SPEAKER pro tempore. Did the Chair correctly understand the gentleman from Ohio to say that he had no further requests for time?

Mr. AYRES. Other than what I consume myself.

Mr. Speaker, I yield back the balance of my time.

Mr. PERKINS. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Kentucky that the House suspend the rules and pass the joint resolution, House Joint Resolution 764.

The question was taken.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 396, nays 7, not voting 29, as follows:

[Roll No. 138]

YEAS—396

Abbitt	Betts	Broyhill, Va.
Adair	Bevill	Buchanan
Adams	Biaggi	Burke, Fla.
Addabbo	Biester	Burke, Mass.
Albert	Bingham	Burlison, Mo.
Alexander	Blackburn	Burton, Calif.
Anderson, Calif.	Blanton	Burton, Utah
	Blatnik	Bush
Anderson, Ill.	Boggs	Button
Anderson, Tenn.	Boland	Byrne, Pa.
	Bolling	Byrnes, Wis.
Andrews, Ala.	Bow	Cabell
Andrews, N. Dak.	Brademas	Caffery
	Brasco	Cahill
Annunzio	Bray	Camp
Ashley	Brinkley	Carter
Aspinall	Brock	Casey
Ayres	Brooks	Cederberg
Barrett	Broomfield	Chamberlain
Beall, Md.	Brotzman	Chappell
Belcher	Brown, Mich.	Chisholm
Bell, Calif.	Brown, Ohio	Clancy
Bennett	Broyhill, N.C.	Clark

Clausen, Don H.	Hechler, W. Va.	Pepper
Clawson, Del	Heckler, Mass.	Perkins
Clay	Helstoski	Pettis
Cleveland	Henderson	Philbin
Cohelan	Hicks	Pickle
Collier	Hogan	Pike
Collins	Holifield	Pirnie
Conable	Horton	Poage
Conte	Hosmer	Podell
Conyers	Howard	Poff
Corbett	Hungate	Pollock
Coughlin	Hunt	Preyer, N.C.
Cowger	Hutchinson	Price, Ill.
Cramer	Jacobs	Price, Tex.
Culver	Jarman	Pryor, Ark.
Cunningham	Joelson	Pucinski
Daddario	Johnson, Calif.	Purcell
Daniel, Va.	Johnson, Pa.	Quie
Daniels, N.J.	Jonas	Quillen
Davis, Ga.	Jones, Ala.	Railsback
Davis, Wis.	Jones, N.C.	Randall
Dawson	Jones, Tenn.	Rees
de la Garza	Karth	Reid, Ill.
Delaney	Kastenmeier	Reid, N.Y.
Dellenback	Kazen	Reifel
Denney	Kee	Reuss
Dennis	Keith	Rhodes
Dent	King	Riegle
Derwinski	Kleppe	Rivers
Devine	Kluczynski	Roberts
Dickinson	Koch	Robison
Dingell	Kuykendall	Rodino
Donohue	Kyl	Rogers, Colo.
Dorn	Kyros	Rogers, Fla.
Dowdy	Landrum	Ronan
Downing	Langen	Rooney, N.Y
Dulski	Latta	Rooney, Pa.
Duncan	Leggett	Rosenthal
Dwyer	Lloyd	Rostenkowski
Eckhardt	Long, La.	Roth
Edmondson	Long, Md.	Roudebush
Edwards, Ala.	Lujan	Roybal
Edwards, La.	Lukens	Ruppe
Eilberg	McCarthy	Ruth
Erlenborn	McClory	Ryan
Esch	McCloskey	St Germain
Eshleman	McClure	St. Onge
Evans, Colo.	McCulloch	Sandman
Evins, Tenn.	McDade	Satterfield
Fallon	McDonald, Mich.	Schadeberg
Farbstein	McEwen	Scherle
Feighan	McFall	Scheuer
Findley	McKneally	Schneebeli
Fish	McMillan	Schwengel
Fisher	Macdonald, Mass.	Scott
Flood	MacGregor	Sebelius
Flowers	Madden	Shipley
Flynt	Mahon	Shriver
Foley	Mann	Sikes
Ford, Gerald R.	Marsh	Sisk
Ford, William D.	Martin	Skubitz
Foreman	Mathias	Slack
Fountain	Matsunaga	Smith, Calif.
Fraser	May	Smith, Iowa
Frelinghuysen	Mayne	Smith, N.Y.
Frey	Meeds	Snyder
Friedel	Melcher	Springer
Fulton, Pa.	Meskill	Stafford
Fulton, Tenn.	Michel	Staggers
Fuqua	Miller, Calif.	Stanton
Galifianakis	Miller, Ohio	Steed
Gallagher	Mills	Steiger, Ariz.
Garmatz	Minish	Steiger, Wis.
Gaydos	Mink	Stephens
Gettys	Minshall	Stokes
Giaimo	Mize	Stratton
Gibbons	Mizell	Stubblefield
Gilbert	Mollohan	Sullivan
Goldwater	Monagan	Symington
Gonzalez	Moorhead	Talcott
Goodling	Morgan	Taylor
Green, Oreg.	Morse	Teague, Calif.
Green, Pa.	Morton	Thompson, Ga.
Griffin	Mosher	Thompson, N.J.
Griffiths	Moss	Thomson, Wis.
Grover	Murphy, Ill.	Tiernan
Gude	Murphy, N.Y.	Udall
Hagan	Myers	Ullman
Haley	Natcher	Utt
Halpern	Nedzi	Van Deerlin
Hamilton	Nelsen	Vander Jagt
Hammer-schmidt	Nichols	Vanik
Hanley	Nix	Vigorito
Hanna	Obey	Waggonner
Hansen, Idaho	O'Hara	Waldie
Hansen, Wash.	O'Konski	Wampler
Harsha	Olsen	Watkins
Harvey	O'Neal, Ga.	Watson
Hastings	O'Neill, Mass.	Watts
Hathaway	Ottinger	Weicker
Hawkins	Passman	Whalen
Hays	Patman	White
Hébert	Patten	Whitehurst
	Pelly	Whitten
		Widnall
		Wiggins
Williams	Wolff	Yates
Wilson, Bob	Wright	Yatron
Wilson, Charles H.	Wyatt	Young
Winn	Wydler	Zablocki
Wold	Wylie	Zion
	Wyman	Zwach

NAYS—7

Abernethy	Gross	Montgomery
Burleson, Tex.	Hall	
Colmer	Landgrebe	

NOT VOTING—29

Arends	Fascell	Mikva
Ashbrook	Gray	Powell
Baring	Gubser	Rarick
Berry	Hull	Saylor
Brown, Calif.	Ichord	Stuckey
Carey	Kirwan	Taft
Celler	Lennon	Teague, Tex.
Corman	Lipscomb	Tunney
Diggs	Lowenstein	Whalley
Edwards, Calif.	Mailliard	

So (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

The Clerk announced the following pairs:

Mr. Celler with Mr. Arends.
Mr. Carey with Mr. Lipscomb.
Mr. Kirwan with Mr. Saylor.
Mr. Lennon with Mr. Ashbrook.
Mr. Edwards of California with Mr. Mailliard.
Mr. Teague of Texas with Mr. Taft.
Mr. Hull with Mr. Berry.
Mr. Baring with Mr. Gubser.
Mr. Stuckey with Mr. Whalley.
Mr. Ichord with Mr. Brown of California.
Mr. Diggs with Mr. Lowenstein.
Mr. Fascell with Mr. Gray.
Mr. Corman with Mr. Rarick.
Mr. Tunney with Mr. Mikva.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

NATIONAL CENTER ON EDUCATIONAL MEDIA AND MATERIALS FOR THE HANDICAPPED

Mr. PERKINS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1611) to amend Public Law 85–905 to provide for a National Center on Educational Media and Materials for the Handicapped, and for other purposes, as amended.

The Clerk read as follows:

S. 1611

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of September 2, 1958 (Public Law 85–905) is amended—

(1) in section 3, by adding at the end thereof the following new subsection:

"(c)(1) The Secretary is authorized to enter into an agreement with an institution of higher education for the establishment and operation (including construction) of a National Center on Educational Media and Materials for the Handicapped, which will provide a comprehensive program of activities to facilitate the use of new educational technology in education programs for handicapped persons, including designing and developing, and adapting instructional material, and such other activities consistent with the purposes of this Act as the Secretary may prescribe in the agreement. Such agreement shall—

"(A) provide that Federal funds paid to the Center will be used solely for such purposes as are set forth in the agreement;

"(B) authorize the Center, subject to the Secretary's prior approval, to contract with public and private agencies and organizations for demonstration projects;

"(C) provide for an annual report on the activities of the Center which will be transmitted to the Congress;

"(D) provide that any laborer or mechanic employed by any contractor or subcontractor in performance of work on any construction aided by Federal funds under this subsection will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act (40 U.S.C. 276a—276a–5); and the Secretary of Labor shall have, with respect to the labor standards specified in this clause, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934 (40 U.S.C. 276c).

"(2) In considering proposals from institutions of higher education to enter into an agreement under this subsection, the Secretary shall give preference to institutions—

"(A) which have demonstrated the capabilities necessary for the development and evaluation of educational media for the handicapped; and

"(B) which can serve the educational technology needs of the Model High School for the Deaf (established under Public Law 89–694).

"(3) If within twenty years after the completion of any construction (except minor remodeling or alteration) for which such funds have been paid—

"(A) the facility ceases to be used for the purposes for which it was constructed or the agreement is terminated, unless the Secretary determines that there is good cause for releasing the institution from its obligation, or

"(B) the institution ceases to be the owner of the facility,

the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.";

(2) in section 2, by adding at the end thereof the following:

"(5) The term 'construction' means the construction and initial equipment of new buildings, including architect's fees, but excluding the acquisition of land."; and

(3) in section 4, by striking out "and" after "1969," and by striking out "1970" and all that follows and inserting in lieu thereof the following: "1970, $12,500,000 for the fiscal year ending June 30, 1971, $15,000,000 for the fiscal year ending June 30, 1972, and $20,000,000 for the fiscal year ending June 30, 1973, and for each succeeding fiscal year."

The SPEAKER pro tempore. Is a second demanded?

Mr. REID of New York. Mr. Speaker, I demand a second.

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HALL. Is the gentleman from New York demanding a second opposed to the bill?

Mr. REID of New York. Mr. Speaker, in response to the gentleman from Missouri, I am not opposed to the bill.

Mr. HALL. Mr. Speaker, I am opposed to the bill in its present form, and I demand a second.

The SPEAKER pro tempore. Without

objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Kentucky is recognized for 20 minutes.

Mr. PERKINS. Mr. Speaker, the bill (S. 1611) to amend Public Law 85-905 to provide for a National Center on Educational Media and Materials for the Handicapped, and for other purposes, is essential legislation and should be promptly enacted by the membership of this House. This legislation will greatly expand the scope of educational opportunities available to the handicapped children of this country. The action to be taken under authority of S. 1611 is long overdue. We were told at the hearings conducted this year that there are today handicapped children who are not in any educational program and many others who are in educational programs that do not meet their special needs. In fact, we were told that 60 percent of the 5½ million handicapped children in our Nation today do not receive adequate educational programs and that there is only one teacher or speech therapist for every three professionals needed.

Mr. Speaker, I cite these facts only to emphasize that a problem exists and that the need for action is now.

Projects developed under the leadership of the Captioned Films for the Deaf program and the Instructional Materials Centers programs in the Bureau of Education for the Handicapped have demonstrated that new and more efficient methods of instruction can be developed for handicapped children. These programs use the latest in technological advances to remediate the handicapping conditions of children and to increase the affectiveness of the learning process.

The time, Mr. Speaker, has come to consolidate the various efforts that we have been making over a period of years into a center, the proposed National Center on Educational Media and Materials for the Handicapped. This Center would provide a means for the development of a specialized curricula, media and methods to be used in the education of handicapped children. Second, it would adapt, develop, test and evaluate as well as advise instructional units.

Third, it would serve as a clearinghouse for all of the research that has been undertaken to benefit handicapped children.

Fourth, train people in the development of these materials.

Fifth, provide teachers from all over the country with a central point for obtaining information in order to increase their own resources and to assist in the distribution of a validated learning system.

This legislation, to me, is timely, in terms of the needs of our children, the development of the field of education of the handicapped children, and the technology of the learning sciences.

This legislation is timely in terms of the needs of our children, the development of the field of education of handicapped children, and the technology of the learning sciences.

As never before the American people are recognizing the importance of human resources. Most handicapped persons can become contributing members of our society if we will provide them educational opportunities. This is the time to act upon this legislation.

Handicapped persons have demonstrated over and over again their ability to profit from educational programs and to become excellent workers. Without an educational opportunity the handicapping condition may become completely disabling. In the most severe instances this will require total care over the individuals entire lifetime. If this does become the case the financial cost to society will be at least $180,000 for extra care. We know from Labor Department statistics that if we educate a handicapped person to the equivalant of an elementary school education he can be expected to earn approximately $225,000 in his lifetime. This does not reflect the benefits to the human being that result from the individual's independence nor the benefits that come to the family because this family member is able to work and be a part of the everyday world.

The testimony of many successful programs bears evidence that educators, government officials, businessmen, and legislators can work toward the development of human resources, now perceived to be essential to a living society. The National Center of Educational Media and Materials for the Handicapped sets forth a rationale for an effective linkage in a partnership among businessmen, civic leaders, educators, and administrators confronted with the challenge of training. It will bring together a backlog of experience, proven techniques, programs, and management assistance to accomplish defined training goals in the best possible way and at the same time at the best possible price.

The National Center will be able to provide public visibility for the unique learning problems of children who are handicapped. Since the center will be university based it will be able to call upon the entire resources of the university as well as the business and education community dollars spent on such a program at this time are an investment easily justified in hard economic terms. As I stated earlier, without such programs some handicapped persons will be institutionalized for life at an expense to the taxpayers of an estimated $180,000, or if this individual ends up on relief with a family of four, society can expect to pay $75,000 during his lifetime. This does not take into consideration the antisocial behavior that failure to establish programs for these people may breed.

The most valuable resource that America has is its human resources. The central objective of the center is to assure that the best possible means of approaching this problem are made available to all educational programs for the handicapped. It will be a vital nerve center for the already established network of instructional material centers and associated research activities in the area of systematic use of media and materials in the education of handicapped children. Concentrating dollars in this area will bring together all interested parts of the total community to assure that duplication does not take place. For example, ideas and programs developed by a number of agencies such as the Veterans' Administration, Social Rehabilitation Services, and the Public Health Services will be available to educators through this center as well as new breakthroughs developed from research in the field of education.

It is strikingly clear that the time is right for this center, and past development in education, technology, and in Government have created an atmosphere that demands the development of this center now.

It is a wise investment of scarce dollars at this time because concentration of dollars here may provide new ways to meet the personnel shortages in education of handicapped children, develop new ways to provide this education so that the few well trained and qualified professionals in this field can reach more children. Most important of course is that more handicapped children will gain a chance to grow up to participate in American society as a contributing member of that society rather than a burden to that society. I cannot urge you too strongly to support the legislation we consider today.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. Yes, I yield to the gentleman from Iowa.

Mr. GROSS. Where are the departmental reports concerning this bill?

Mr. PERKINS. Well, the reports that we have had consist of the testimony of departmental witnesses.

May I point out also that this is a Senate bill. The legislation was passed in the Senate. I will be perfectly frank with the distinguished gentleman from Iowa in saying that we do not have specific reports of support from the administration. However, I introduced some time ago H.R. 11785 and referred the bill to the select Subcommittee on Education of the distinguished gentleman from Indiana (Mr. BRADEMAS), who has conducted lengthy hearings and who has done a good job thereon.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, how many years ago was that that the gentleman introduced such a bill?

Mr. PERKINS. I introduced it this year in the House. We reported the Senate bill instead of the bill that I introduced.

Mr. GROSS. The gentleman does not disclaim this report, does he? This is your report?

Mr. PERKINS. This is our report.

Mr. GROSS. And there is not one scintilla of evidence of what any executive agency, including the Bureau of the Budget, thinks of this almost unlimited expenditure.

Mr. PERKINS. Let me first say that there is a most definite limit on expenditures in this bill. Then let me say to the gentleman from Iowa that the subcommittee thoroughly considered the bill, the full committee carefully considered the bill, and the Senate committee considered the bill and reported the bill, and it was passed in the Senate, and we re-

ported out the Senate bill. Our committee consideration this year included testimony of the head of the Bureau of Education for the Handicapped in the U.S. Office of Education.

So I do think, notwithstanding the Department reports of support are not present, the bill has been carefully considered, and everybody acknowledges that this center is badly needed.

Mr. Speaker I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman from Kentucky has consumed 7 minutes.

Mr. HALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to say in the beginning that I have probably worked as much with the handicapped as anyone in this room. I feel a built-in humanitarian kindness for the handicapped. I am well aware that most of them have been examined, reexamined, surveyed, and resurveyed many, many times, but I am still in favor of the handicapped. I know that in these days they are considered "sacred cows."

Mr. Speaker, I do not believe that it is necessary that we even argue in connection with S. 1611, which is before us under a suspension of the rules today that there might need to be a national or Federal center for coordination of the work for the handicapped. Let us assume that we need that, to begin; that, as the gentleman from Iowa (Mr. GROSS) has pointed out, there are no departmental reports indicating past or present administrative support for this. This funding is not budgeted. This authorization is one of those that comes in to us so often, which we pass when we march on the floor by rote, because a nice fellow said it ought to be this way, or because it is a sacred cow, and no one wants to be against love, motherhood, or little children.

Then it comes back to haunt us in an appropriation bill such as we handled on last week, and went $2.3 billion over the funded appropriation for the prior fiscal year. These birds just come home to roost. I do not believe this ought to be considered under a suspension without the right of amendment, and I do not believe it ought to be considered by rote by people jumping over the stile and being counted, without having even read the bill.

This is an open-ended bill that goes on, ad infinitum, and if you do not believe it read the bottom of page 2 of the report which very frankly tells us so. It says that the bill would increase appropriations for the existing act from $10 million in fiscal year 1971 and each year thereafter to $12.5 million in 1971, $15 million in 1972, and $20 million in fiscal year 1973, and each succeeding fiscal year thereafter.

Now, if that is not open-ended, unlimited, and an ad infinitum authorization, then I do not know what is.

Now, then, to get more practical about the matter, let me ask the distinguished chairman who heads the Committee on Education and Labor if it is contemplated in this ad infinitum authorization of $20 million a year, that we will pay for the building out of that amount?

The gentleman very frankly said a while ago, and I appreciate his forthrightness, that he did not know how much the building would cost.

I want to tell the Members of the House that we are not even going to own the building in fee simple. It is going to be on the campus of some college yet to be selected. Whether we can expand that building, as the gentleman from Kentucky plans, based on the foundation we will originally lay down, whether we will be back for more authorization and appropriations with which to build the building, or whether we will indeed control it after it gets on this campus, is a series of questions to which this House of Representatives should properly address itself.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman for a short answer to those multiple questions.

Mr. PERKINS. First, let me make it perfectly clear that we provide in the bill that the Secretary of Health, Education, and Welfare shall operate this Center—and it is true it is to be constructed after the Secretary enters into agreement with some institution that has demonsrated the necessary capabilities and knowing how to deal with handicapped children that he will contract with some institution.

Mr. HALL. Mr. Speaker, if I may interrupt the gentleman, I yield to the distinguished gentleman for an answer to my question. We can all read the bill and I think every one of us who is interested in this bill has read the bill and the report, as I have tried to indicate. It is true that the bill does provide that the Secretary will operate it and he would provide Federal funds to the center for the sole purpose set forth therein, and they will authorize the center subject to the Secretary's prior approval. He will provide an annual report to the Congress and he will provide for the Davis-Bacon Act and the Walsh-Healey Act—we never forget that one.

But be that as it may, would the gentleman tell us in as clear and as succinct a manner as he can, where it says that this is a closed-end fund or that he will not be back asking for more appropriations, or whether or not he will build this building or needed center out of the existing $20 million a year that goes on unlimited, or whether there will be a separate appropriation therefor.

Mr. PERKINS. Let me state to the distinguished gentleman, if he will turn to page 4, he will see that we are only authorizing funds through June 30, 1973, and for each succeeding fiscal year thereafter the sum of $20 million, if it is necessary, to complete the building.

It is contemplated that the funds authorized here commencing in the fiscal years 1971, 1972, and 1973 be used for the construction. It is very clear that we do not intend for any of these funds to be used for the acquisition of land because it is contemplated that the university that makes it available should make a site available free of charge to the Government.

Mr. HALL. What would be the reversionary clause to the Government, if it is on school property, in case we needed it to enlarge the building? Would the gentleman answer that? Will that be in the contract?

Mr. PERKINS. That will be in the contract. It will have to be in the contract in view of the language of this bill because if there is a disagreement, or I mean if something happens within the next 20 years, it would be a question of fact as to the value and it would have to go into the district court. That certainly would have to be a part of the contract.

Mr. HALL. I appreciate the gentleman's statement, but it is not so written in the bill. The bill is open ended and unlimited and goes on ad infinitum. Further, there are no departmental reports and I would point out in summary, simply in order that I may yield to others, that there is bad timing in this open door type of authorization. Again, I repeat, this kind of authorization which we pass so glibly comes back to haunt us when the appropriation therefor comes up.

Mr. Speaker, I reserve the balance of my time.

Mr. PERKINS. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Indiana (Mr. BRADEMAS), coauthor of the bill.

Mr. BRADEMAS. Mr. Speaker, I am pleased to rise in support of S. 1611, a bill to create a National Center for Educational Materials and Media for the Handicapped.

I am pleased to have been a sponsor of an identical bill, H.R. 11785, together with the distinguished chairman of our committee, the gentleman from Kentucky (Mr. PERKINS) and the distinguished ranking minority member, the gentleman from Ohio (Mr. AYRES) as well as the gentleman from Minnesota (Mr. QUIE), of the subcommittee of which I have the honor to be chairman and of which the ranking minority member is the gentleman from New York (Mr. REID), which committee heard a number of witnesses on this legislation.

I think all of us during the course of our hearings were struck by the enormity of the problems facing handicapped children in this country.

It is estimated that there are between 5 million and 7 million children possessing handicaps of such severity and seriousness that they require special education.

Witnesses from the Office of Education told our subcommittee that only a third of these children are presently receiving the kind of special education that their various maladies require.

The administration's experts, moreover, told us that so serious is the shortage of special educational personnel, such as teachers of the handicapped, that today is a need for some 325,000, but only 75,000 approximately are available. What this means is—and I make this point because I think it dramatizes the seriousness of the problem—that approximately 40 percent of these handicapped children—the deaf, the blind, the mentally retarded, others who cannot speak—are without the special educational services and treatment they require.

The bill before us seeks to move in the direction of remedying this deficiency by establishing, in connection with a university, particularly a university that has

shown itself to have great strength in the training of experts in the field of working with handicapped children, of a national center, a center which could be described in the language of Dr. James Gallagher, who is the Associate Commissioner of Education, in charge of the Bureau of the Handicapped, in testimony before our committee, in the following words, which are drawn from his statement in the hearings:

A National Center on Education and Materials, such as were suggested in H.R. 11785, would provide an environment where people with expertise and interest in educational technology for the handicapped might gather to provide a manpower pool and where additional individuals could be trained in the actual development of appropriate materials and media for handicapped children. Such a center could allow a comprehensive program of activities designed to facilitate the use of new educational technology.

I think we are impressed by the fact that during the last 5 years the Bureau of Education for the Handicapped has developed some 14 instructional material centers for the handicapped across the country. There are, in addition, some four regional media centers for the deaf. As an offshoot of this program 145 affiliate centers have been developed across the Nation.

So there is in effect a kind of network, and I am sure every Member of this House has talked with citizens in his own district who are deeply concerned about the problems of educating handicapped children, and who come to us and ask for our assistance. If we had in existence a national center of this kind, we would be able immensely to enhance the effectiveness of groups across the United States concerned with education of the handicapped.

Mr. Speaker, it was suggested that we had not heard from the executive branch of the Government on this bill. That is not completely accurate. The fact of the matter is that the administration expressed its views on this bill, through the person and testimony of the Associate Commissioner of the Office of Education, Dr. Gallagher, and that Dr. Gallagher in the hearings, as I have already indicated, spoke very highly of the kind of national center contemplated in S. 1611.

It ought to be added, in all candor, that Dr. Gallagher said he was unable to recommend approval of the bill. Here however, is what Dr. Gallagher, after having given us a marvelous statement about why such legislation was a superb idea, said, when I asked him about the bill:

In the meantime—

And this is what my friend from Iowa might well say—

we do have to face the realities of a stringent budget. Therefore, we are unable to recommend approval of H.R. 11785 at this time, although we support its obective of extending additional educational opportunities for handicapped children.

I said in response:

Thank you very much, Dr. Gallagher. As I understand your position, you think this is a great idea but not now.

Dr. Gallagher replied:

That about sums it up, Mr. Chairman.

Well, it does not seem to me, Mr. Speaker, that we in the House of Representatives ought to be bound in a situation where there is such obvious need for action indicated by that kind of response. Clearly, speaking as an expert, the witness from the Office of Education who appeared before us, from the administration strongly endorsed the concept of the National Center, though not perhaps this immediate bill.

I think the House of Representatives ought to go overwhelmingly on record for this bill, and I would hope there is not a single vote against a measure that can do more than any other measure I have seen in a long time to enhance the prospects of education desperately needed by millions—not thousands or hundreds of thousands, but by millions—of children in our country who are not blessed by the Almighty with the faculties of speech and hearing and sight that the rest of us enjoy.

Mr. Speaker, the bill authorizing the National Center on Educational Media, and materials for the handicapped should be passed.

Mr. HALL. Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. REID).

(Mr. AYRES (at the request of Mr. REID of New York) was granted permission to extend his remarks at this point in the RECORD.)

Mr. AYRES. Mr. Speaker, my colleagues in the House are well aware of my concern for sound fiscal management and know that I would not advocate the expenditure of funds without justification. To me, Federal aid is like a powerful medicine and must be carefully applied, and if Federal support is poorly designed it can weaken rather than strengthen the persons it is attempting to assist. I am consponsoring this legislation today because I believe that it can cause the ferment which will produce and develop a better educational system for handicapped children without massive expenditure of funds.

I have read the testimony of Dr. Gallagher of the Bureau of Education for the Handicapped and the other distinguished witnesses in our hearings. I am convinced that the most economical way to bring educational technology to the 5½ million handicapped children is to support a National Center for Educational Media and Materials. I also believe that a system of carefully programing, research, training, demonstration, and service can be developed at such a center.

Of particular interest to me is the fact that this bill would provide for the dissemination of information concerning the latest developments and breakthroughs made in special educational techniques for the handicapped. All too often, information concerning some breakthrough by a brilliant researcher or teacher is not relayed across the country so that others may share in the benefits and fruits of this discovery. There is a great need to consolidate the resources which are available and to pool the existing knowledge so that the best minds now working in the field can be utilized in developing and producing training materials which can benefit literally thousands and even millions of handicapped children all over the Nation.

Mr. Speaker, the National Center on Educational Media and Materials for the Handicapped will make this aspiration a reality; and enactment of this legislation will demonstrate our belief that the handicapped should enjoy a measure of the resources of our great country.

The time has come to untie the hands of special education teachers who have been hampered by the lack of adequate resources and educational media for their handicapped students. The National Center will make possible the development and creation of teachers' resources by providing them with specially developed curricula media and other methods so that we can move toward our national goal of educational opportunity for every child, regardless of handicap.

Mr. Speaker, in wholeheartedly supporting this bill, I am reminded of the great English historian Arnold Toynbee's observation that the 20th century may well be remembered in the future as the age when mankind first began to accept the responsibility of providing adequate opportunities for all of its citizens. This bill exemplifies what I think led Mr. Toynbee to his observation.

(Mr. QUIE (at the request of Mr. REID of New York) was granted permission to extend his remarks at this point in the RECORD.)

Mr. QUIE. Mr. Speaker, the Federal legislative history on behalf of the handicapped is quite clear as to the point of origin for action. Regardless of administrations, it appears that it has fallen to the Congress to initiate, advocate, and develop legislation for this field. I can recall in 1966 that the Office of Education discontinued the Division of the Handicapped under the Elementary and Secondary Education Act and, only after pressure from the Congress, did they initiate a study to determine whether the needs of the handicapped were so unique that they required a separate bureau. The Office of Education's study never produced any concrete recommendations. Members of the House felt that the problems and needs of the handicapped were unique and required a separate focus and thrust, and through an extensive bipartisan study finally brought about action in the Congress which created the new Bureau of Education for the Handicapped. I can say without reservation that the contributions made by the Bureau in its two short years of life have been significant and have more than justified our decision to act. I give this to you as history to indicate why this bill is necessary.

Last year we received assurances that a new Bureau of Vocational Education would be established. It was because of this assurance that the Congress left the requirement out of the Vocational Education Amendments of 1968. I expect Commissioner Allen to upgrade vocational education, but if such action is not forthcoming, I am sure that the Congress will have to initiate some action of its own.

Today, once again, we have legislation before us which the administration indicates is necessary and valuable and

will eventually "come to the Congress to seek authority for." I feel that as in the past the handicapped are being shortchanged with a low priority status, and it is the Congress working its will through this bipartisan action which will make a national media center a reality. I am anxious to see this legislation passed now, begin planning in 1970 and not wait for the Department to consider the question in 1971, so that the progress which has been made under captioned film for the deaf and other related programs will continue to develop and grow.

It is my feeling that, for maximum efficiency in reaching those three out of every five handicapped children who are not being currently served by special educational programs, every effort be made to coordinate all of the scarce dollars that are going into developmental programs at Federal, State, and local levels. The investment by the State and local governments in special education is an impressive one. I understand that over $1 billion have been spent for education of handicapped children during the last fiscal year outside of the Federal Government. It is rather startling that even with this investment we have not been able to meet the needs of more than two out of every five handicapped children. Certainly these children and their families are entitled to equitable educational opportunities as are all American children. The support of this national center at this time seems to be a rather wise and prudent investment as well as a very modest effort on the part of the Congress.

This program would encourage the applications of automated instruction and self-instructional strategies and techniques where these appear to be the best choice for achieving learning objectives. The special center teacher can more efficiently concentrate on the critical function of individual diagnosis, prescriptive teaching and motivation thus expanding her talents to more children.

The proposed national center's activities are necessary and will expand the opportunities for helping to upgrade the educational services for all handicapped children. This legislation is urgently needed and I recommend all of my colleagues join in its support.

Mr. REID of New York. Mr. Speaker, there are just a few points I would like to make today. First, this bill was reported and acted on unanimously in the other body. It was reported unanimously from the subcommittee and by the full Committee on Education and Labor. It enjoys bipartisan support. Essentially, this bill deals with starting to meet a national problem affecting the blind, the deaf, the mentally retarded, the physically handicapped, the emotionally disturbed, those with learning disabilities—in a word, all the handicapped.

The gentleman from Missouri has quite correctly, in my judgment, said that this bill might have benefited from a rule. It comes to the floor under a different procedure. But I would suggest that the bill meets a very pressing national problem, and, to mention just one statistic, I would note that today only 40 percent of the Nation's more than 5 million handicapped children are receiving the appropriate special educational services which are necessary because of their handicapped condition, and only 75 percent of the 300,000 specialists needed are available to work with the handicapped.

I would point out also, as my colleague on the committee, the gentleman from Indiana (Mr. BRADEMAS), has pointed out, that Dr. James Gallagher, the Associate Commissioner of Education, while not supporting the bill essentially, as I understand it, for budgetary reasons, did state explicitly on behalf of the administration that they support the objective of extending additional opportunities for handicapped children. I think as the gentleman from Missouri has pointed out, there is no lack of unanimity on the broad purposes and on the need, indeed, for a national center.

I would like to point out, however, on behalf of the gentleman from Minnesota (Mr. QUIE) that he personally is not convinced that the legislative record should show that there is an absolute need for constructing of a national center. It is his feeling that a decision should not be made until all the facts are in on existing facilities available at institutions of higher education.

I would add for myself that the record seems to be clear that a special center is necessary and that it is probably a false economy not to build a center that can take care of the very special requirements needed in developing training aids for the handicapped children. The Bureau of Education for the Handicapped has already attempted to remodel existing facilities and have found the results to be generally unsatisfactory.

Production studios require sound treatment, extensive special lighting, and high ceiling spaces which are not available in most buldings. Even after such remodeling the technical results have often been of limited quality. It is generally considered false economy to seek savings in remodeling structures that were never designed to meet the special needs of this center.

I would urge the House to support this bill on the basis that the need is totally clear. Our handicapped children desperately need help.

We are providing assistance to many poverty stricken children throughout our country, and some who are in the greatest need of all, the handicapped, and some who have the highest motivation if they but be given an opportunity, have not had the kind of help I believe our country should and must provide.

Mr. Speaker, there is a great need to attain the goal of equal educational opportunity for all children—not excluding those who are handicapped.

Such a vital need can be filled by providing a means for the development of specialized curriculums, media, and methods to be used in the education of these handicapped children. The bill to establish a National Center on Education Media and Materials for Handicapped Children, which we are considering today, will provide this means.

We must close the gap between the numbers of children who need special education and those who are presently receiving it. There must be a constant and diligent check on the manifold problems facing the growing numbers of handicapped children in our Nation.

There has long been a need to create a National Center which could serve as a clearinghouse for educational media, materials, and curriculums. The development and increased use of education and media materials for handicapped children that will be provided for by the National Center will improve education for these children.

Since the passage of Public Law 88–164 in 1963, research has been conducted on the unique learning characteristics of the handicapped child; however, such information is of little value unless it can be translated into media and methods which classroom teachers in schools throughout the country can use to help handicapped children to learn more effectively. Steps have been taken by the Bureau of Education for the Handicapped to develop a national network of Instructional Materials and Media Centers to serve such a purpose.

Three major functions have guided the development of these centers: First, service; second, research and development; and third, stimulation of materials and media production.

The service function includes: First, the acquisition of commercial and teacher prepared instructional materials; second, the description, classification, and organization of these materials; and third, the dissemination of materials and information to educators.

The research and development function includes the evaluation of instructional materials and the development and production of new materials on a pilot basis for experimental trial or demonstration in order to establish their effectiveness.

The stimulation of production function includes: First, contacting the organizations which have production capacity—curriculum workshops or projects and commercial publishers—and encouraging them to produce materials which have been found to be effective in the research phase; and second, consulting with producers to assure that ideas which may have merit are given consideration.

Mr. Speaker, the existing 14 instructional Materials and Media Centers are providing direct service to local education agencies and their staffs are making a major contribution to the teachers in the classroom. It is at this level that we can begin to see the effects of our national efforts on the actual learning of children.

As presently constituted, the special education information network is composed of 14 instructional materials centers, four regional media centers, specifically concerned with captioned films and other materials for the deaf, the ERIC Clearinghouse on Exceptional Children, the American Printing House for the Blind, and approximately 145 affiliate centers, established through State departments of education, colleges and universities, and local communities. I am pleased to see that the Bureau of Education for the Handicapped of HEW has continued to devote its talents and resources to this program, and that steps are being taken to enhance the work of the entire network.

I would like to emphasize one vital component of this system; to answer specific questions of individuals, teachers, or groups throughout the country. It is through this function that one of the major needs of special education is being met. It is possible for the teacher, specialist, or administrator in special education to direct a question related to any aspect of special education to this nationwide network. Once the request is received it is matched against the stored data and any material relevant to the question is retrieved by the computer. This capability permits the individual to receive specific answers to specific questions within a very short period of time. The value of this service has only begun to be realized, but already answers are being provided for approximately 500 requests every month.

Ultimately the network hopes to develop a complete and comprehensive base of all information relevant to the education of handicapped children. It is anticipated that teachers, researchers, administrators, specialists and others working with handicapped children will be able to receive the information they need in a form that will enhance the efficiency with which they educate handicapped children. It is planned that these channels will be established at local, State, and regional levels, utilizing universities, IMC affiliate centers, and local school districts.

Mr. Speaker, it is anticipated that the National Center on Educational Media and Materials for the Handicapped will serve as a vital link in the total instructional materials and media network. As a national center it will provide public visibility for the unique learning problems of the handicapped. This should be most helpful in encouraging greater participation on the part of other Government agencies as well as private enterprise in meeting those problems. I also envision this Center exploring sophisticated systems of instructional technology as they apply to the particular learning needs of handicapped children. In this regard we note that the Center will be university affiliated and will thus have expertise from disciplines outside of the education field as an additional resource. Finally, it is my hope that the Center will become an active part of a larger distribution system that will take the findings of research, translate them into pedagogical approaches, develop the necessary media and systems, and most importantly, deliver them to the teacher and the child and help the teacher assess their effectiveness.

In 1967, I enthusiastically supported the legislation which expanded the captioned films for the deaf program into a broader program of educational media for the handicapped. The captioned films for the deaf program has been a model in that it unlocked new avenues of learning for the deaf. Similar work is needed for all of the handicapped. I am pleased that recent research has begun to demonstrate that new learning avenues can be opened for other handicapped children if the appropriate materials and methods are made available. Educators have found that through prescribed instructional programs the learning disabled child can be taught to read; with improved Braille systems the blind child can better communicate; and with more sophisticated curricula the mentally retarded can become productive members of society. I am pleased to note that this legislation extends the authority for the provisions on Educational Media for the Handicapped and that the proposed Materials Center will serve all of the handicapped in an equitable manner.

Mr. Speaker, I extend my strong support to S. 1611 and commend the chairman of the subcommittee, the gentleman from Indiana (Mr. BRADEMAS), for his leadership in improving the education of handicapped children. I ask all of my colleagues for their unanimous support.

Again, I thank my colleague from Missouri for yielding.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Speaker, I appreciate the gentleman yielding.

Mr. Speaker, I rise in support of S. 1611. There is an unprecedented opportunity today for making a significant change in the education of handicapped children. During the past decade the Congress has developed a greater awareness of the untapped potential of handicapped persons. Our awareness has been most appropriately reflected in the Federal legislation we have passed. The job of providing for the needs of all of these children and their families, however, is far from complete. Many handicapped children are still not being afforded any educational opportunities. Investment of our scarce resources at this time is not charity; it is efficient management of human resources. Most handicapped individuals, if given an educational opportunity, will be productive, contributing members of society rather than a burden to it.

The National Media Center represents an opportunity to bridge a part of the gap in current services. It will bring the educator, the materials, industries and the Government together in a major effort to develop, test, evaluate and revise instructional materials. The National Center will innovate, validate, and distribute instructional materials through the existing nationwide informational media system.

The Center will maintain an information file on all research programs developed for the handicapped, not only those programs supported by the Office of Education, but those programs financed by the Veterans' Administration, Social and Rehabilitation Service, the National Science Foundation, National Aeronautics and Space Administration, and Department of Defense. It is my hope that all materials, strategy or equipment developed by any agency that operates within the concepts of public domain would be available to the Center for development and distribution to educational programs for the handicapped. The development of validated instructional materials made available on a wide scale distribution program would have the effect of increasing the efficiency of professionals in this field so that they may reach many of the children not now being served by special education programs today.

The bill directs that the university selected to house the National Center have a full range of disciplines available in its facility to serve as resources to the Center. Therefore, I feel that the National Center should be able to draw upon technological scientists, social scientists, behavioral scientists, biologists, physiologists, as well as special educators. I hope that the National Center will maintain a very close relationship with all model centers serving the handicapped as well as with the instructional-materials centers.

The National Center is to become an integral part of an existing network of media centers. I am proud that the State of Wisconsin has been a leader in the development of media material for the handicapped and, in fact, established one of the original two prototype models upon which the system is now based. To better understand the instructional media center network, I am inserting in the RECORD at this time two articles that were published in the Council for Exceptional Children's journal, Exceptional Children, of December 1968, written by leaders in this field from the University of Wisconsin:

AN OVERVIEW OF THE IMC NETWORK

(By James J. McCarthy)

The Instructional Materials Center Network for Handicapped Children and Youth (IMCNHCY) is a federation of regional Instructional Materials Centers (IMC's) whose primary client is the special educator and whose region of service is the continental United States, Hawaii, Alaska, Puerto Rico, and the Virgin Islands. Although there is a lag between the Network's accomplishments and aspirations, this gap is closing at a rapid rate as new service and research roles are being assimilated. The Network can be a boon to special educators who know how to use it and what it can do for them.

To many special educators hearing about it for the first time, the Network may seem to be a complicated monolith which is sprung suddenly full blown from the impersonal council of the omnipresent federal government and which really has little personal value for them. Nothing could be further from the truth.

The purpose of this article is to dispel this concept by providing an overview of the Network's development. It should be stated at the outset that the Network is designed to become a permanent organization locally controlled and locally funded. It is to serve and be guided by special educational personnel to help them better serve handicapped children. Network services are, or will be, available to every special educator in the United States.

HISTORICAL PERSPECTIVE

The Network consists of 14 Instructional Materials Centers (IMC's) and CEC-ERIC. Each regional Center is developing regional satellite centers, which may be stationary or mobile and have simple or elaborate service structures, depending on local needs, resources, and commitments. In some cases, Centers are hundreds of miles away from clients in their region and a satellite center is the only means of providing personalized service.

The IMCNHCY has a federal advisory board which is developing an information storage and retrieval system and a system of communication and coordination whereby all parts may be articulated. It is analagous to a corporation in which the stockholder is the special educator.

The beginnings of the Network were quite

unelaborate, although they did contain the seeds of the growing and evolving structure seen today. That a Network such as this could develop was, I feel, foreseen in the beginning. What was not foreseen was the spectacular and unprecedented growth of a new type of major and permanent element in special education which appears to be a uniquely American contribution.

In 1964, two prototype IMC's were funded by the US Office of Education under PL 88–164, Title III. President Kennedy's Task Force on Rehabilitation and Education had originally conceived the idea of Instructional Materials Centers in Special Education from its inspections of overseas nations. Traditionally, continental special educators have made more of their own instructional materials than have their American counterparts and many European special educators are actually certified to teach because, in part, of their skills in materials production. The mid-twentieth century attitude in the United States seemed to be that commercial America had the resources to design and produce instructional materials in special education and that this task, properly executed, required expertise and resources (e.g., advanced psychology and learning courses, statistics and experimental design, and production facilities) not available to teachers. Moreover the teacher was considered a practitioner, not producer; his or her time was to be actively spent in the teaching role. The teacher was seen as analogous to the physician who uses surgical instruments and drugs, but doesn't usually design, create, or test these things.

Although the President's Task Force did not specify the nature of IMC's, the prevailing American attitudes in special education strongly suggested directions. The original IMC's would collect extant instructional materials in or related to special education; catalog, loan, store, and retrieve such materials; consult with teachers and student teachers; publish acquisition lists and informational pamphlets; hold inservice meetings; help others who wished to initiate their own Centers; and even attempt to produce an item or two. They promised attempts at materials evaluation and design.

Within 2 years, these prototype Centers had demonstrated that they could prepare themselves to provide needed services in special education. However, they had not convincingly demonstrated the ability to design, evaluate, or produce instructional materials. In addition, though various experiments had been tried (e.g., mail order materials borrowing), the prototype Centers' services were restricted to a relatively small geographical region. Certainly, for the Centers to be of value, services needed to be extended to wider areas. Thus, in 1966, 8 additional regional Centers were funded, bringing to 10 the number in existence at that time.

Although every regional Center will eventually be locally funded, the initial years were largely funded by federal dollars. The government's mounting investment resulted in considerable planning at the federal level which, in retrospect, can be viewed as the next developmental stage of the Network. In 1966, a meeting of Center directors was held in Madison, Wisconsin. At that time, an organization was formed (later called the IMCNHCY), and a chairman was elected. Simultaneously, an IMC Advisory Committee was formed with the US Office of Education.

At this time:

1. Definitive service regions for each Center were agreed upon in order to avoid overlap and to identify parts of the country yet unserved.

2. Each Center declared those areas of handicap for which it would process instructional materials (e.g., mental retardation, visual impairment, etc.) according to the competencies of its staff. This knowledge made it possible to refer client requests to appropriate Centers should the Center originally queried not stock the desired materials.

Through the establishment of more regional Centers, the number of special educators reached with services increased; however, this still represented a small percentage of the total. It was apparent that hundreds more of these Centers would be needed to cover the country adequately, and this was patently impossible. The solution came from the IMC Advisory Committee, which advised:

1. The regional Centers should assist in establishing satellite centers within their respective regions, adequate in size and scope to collectively service all clients in their regions. These centers would eventually be locally funded, locally controlled, responsive to local needs, and related to respective regional Centers. This last point is critical for it allowed great economies. It meant that expensive consultation, assistance with inservice training, search and retrieval of information on materials, and other services were freely available to each satellite center which could, therefore, retain a fairly small staff and a locally responsive collection of materials with the assurance of help from the regional Center when special needs arose.

2. Evidence of regional preplanning must be required of proposals for regional Centers from areas of the country not yet covered, so that parts of large states (or several small states) would agree upon how their entire region was to be served.

Thus, by 1968, 14 IMC's collectively service the entire country. About eighty satellite centers have been established and 300 to 400 professional staff persons are devoting all or a portion of their time to operating this system. A major problem has now become one of alerting special education personnel to the availability of these services.

THE FUTURE OF THE NETWORK

The Network is an evolving structure and can be responsive to emerging needs. Its directors and advisory board meet periodically to assess progress and plan the future. The present stress is upon:

1. The rapid development of satellite centers. When these are established, special educators can receive all their services in or through these local centers. These centers, in turn, can act as sensors to detect current needs and transmit them through the Network to the Bureau of Education for the Handicapped, US Office of Education. For purposes of training, materials evaluation, and activities yet unforeseen, the completed Network will provide a remarkable communication instrument with the individual special educator at one end, the federal government at the other, and all other levels of the profession plugged in somewhere between those two terminals.

2. Increased coordination among regional Centers. To sense the urgent need for precise intercenter coordination, one need only contemplate the value of (a) joint production of inservice training sessions, (b) uniform publications, (c) cooperative exchange of staff and materials among Centers, and (d) the need to speak as one with commercial producers, foreign nations, and others who are interested in the Network. Obviously, attempts at research and evaluation, materials design and evaluation, and data storage and retrieval are also enhanced through close intercenter coordination. Accordingly, this coordination is of great current importance. Steps to achieve it include the appointment of a Network coordinator and uniform procedures in reporting, data retrieval, and abstracting.

3. Stress on local funding. It is clear that as the Network grows, the federal government will find it increasingly difficult to support. No estimates of yearly costs are yet available for the Network operation, but an estimate of close to $5,000,000 of federal and local funds is not an unrealistic figure for present operational costs.

4. Initiation of materials design and evaluation procedures. In the last analysis, materials design and evaluation are the *raison d'être* of IMC's. They were designed for this purpose and are, accordingly, uniquely suited to it. Yet, to date, these processes have not developed apace with other Center activities. The scientific development of instructional materials and their objective evaluation present the most difficult and demanding challenge of all to the Network.

It is important to understand that the teacher is the primary client, that he or she can receive help by contacting her Center director, and that the range of service available is not highly restricted. Indeed, a client may ask for a type of assistance never contemplated and a Center may decide to incorporate such service into its routine. Thus, the Network needs the teachers' help to grow and diversify; teachers need the Network's help to serve handicapped students more adequately. And such help is literally theirs for the asking.

A REVIEW OF SERVICES OFFERED THROUGH THE IMC NETWORK

(By Leroy Aserlind)

(NOTE.—Leroy Aserlind is Director, Special Education Instructional Materials Center, University of Wisconsin, Madison.)

The unavailability of adequate instructional materials for use by the teacher in the special classroom was cited by the President's Panel on Mental Retardation as being a "major barrier" to education of the handicapped. Subsequent legislation, PL 88–164, was passed in 1963 which provided funds for an innovative approach to the problem.

Heretofore instructional materials centers had been from a more or less traditional mold—libraries of instructional materials available for loan to teachers. The special class teacher often had to rely primarily on her collection supplemented by that of a city, county, or district library. For the most part the materials that were more generally available to this teacher were those materials which had been developed for the child with no perceptual, learning, or behavioral handicaps. These materials often contained intrinsic elements incompatible with the learning characteristics of the handicapped child (Aserlind, 1968).

Under Title III, Section 302, of PL 88–164 two Centers were funded—one at the University of Wisconsin and one at the University of Southern California. One of their express purposes was to enlarge the concept of a Special Education Instructional Materials Center (SEIMC). The SEIMC's were initially seen as being in a position to offer a number of services beyond that of housing a basic collection of materials. By 1964 both Centers were in their first stages of operation. From these early operational experiences several general goals of Special Education Instructional Materials Centers were proposed, most of which were service oriented. These were:

"First, a center must have an operational radius. If only local clients are served, many teachers in small towns and rural areas will be deprived of services. . . .

"Second, a center should be in a position to remark to clients on the effectiveness and characteristics of materials. . . .

"Third, such centers must offer workshops, conferences, and ultimately, as accumulated information increases, credit courses. . . .

"Fourth, such a center should have a consultative staff. This would include a field man who could guarantee a constant and vital rapport within the center's operational radius, including consultation with field clients. . . .

"Fifth, such a center should issue, at regular intervals, a publication or newsletter containing at least two things: an acquisition list and an evaluation section. . . .

"Sixth, the center should have, ideally, a search and retrieval system so that among increasing masses of materials, certain items can be identified and located. . . .

"Seventh, and the final basic characteristic

of such an ideal center, the center's staff should have the motivation and ability to engage in design and arrange for the production of educational materials" [McCarthy, 1966, pp. 27–28].

On such a basis the two initial Centers predicated much of their development activity over the first years. By 1965 it became evident that these Centers were able to provide needed services to special education personnel within a relatively circumscribed area. Because of their apparent success and the approval of an ad hoc advisory committee on instructional materials centers, the U.S. Office of Education drew up a plan for expanding the program (Olshin, 1967). The expansion program called for establishing a number of regional Centers in the United States; these Centers then were formed into the Instructional Materials Center Network for Handicapped Children and Youth, funded through the demonstration phase primarily by the United States Office of Education.

Each basically operates as an independent Center, offering direct services to special educators and to the satellite centers being established in its region. Each of the independent Centers, however, coordinates its activities with those of the other Centers and the Network in general. Vital to this coordination is a continuing communication maintained through reports and meetings.

As previously stated, the principal goals of these Centers are largely service oriented at the present time. A number of the services were originally envisaged as having an empirically demonstrated need. Others have been developed through continual field operation and evaluation; still some services were designed to meet new needs which have been created by the existence of the Centers themselves. The present article deals only with the general services offered within the Network Centers and will not discuss the more unique, specific aspects of individual Center servicing, which are discussed in the articles by Rotberg and Ensminger elsewhere in this issue.

LENDING

Almost without exception, the service of lending is seen as the most important function of a Center in its early stages, since it is of the most immediate benefit to special class teachers and answers one of the persisting needs in special class. All of the Centers, with the exception of the Reference Center at the American Printing House for the Blind, maintain an acquisition, cataloging, and shelving operation for the purpose of providing a lending service. The general policy of the Centers is to lend books and manipulative material for a short term period. IMC's do not supply materials for total school year classroom use, but give the teacher the opportunity to use materials in practice and to make judgments in terms of future purchase. Exception to the short term use of single copy material is found in the fact that several of the Centers supply classroom materials for the blind (Illinois, Michigan, and American Printing House). The loan periods for materials in the Centers generally range from 2 weeks to a month with both renewal and recall privileges available.

A variation of the lending services, necessitated by the size of the regions, is mail order lending, which Centers now provide. Some, such as the Kentucky Center, allow a longer lending period for mail order loans. Similar special arrangements are made by Centers servicing an extraordinarily wide geographic area—for example, the Oregon Center of over 840,000 square miles.

The lending service is important because it entails a direct and vital contact between the Center and the teacher in the field and, conversely, between the teacher and the Center.

SEARCH AND RETRIEVAL

Search and retrieval will undoubtedly gain in importance. Two factors leading to this are the increasing number of materials, methods, and pertinent research studies and an increasing attention to the concept of diagnostic, precision, or prescriptive teaching. From this will emerge materials and references with a high degree of specificity to individually diagnosed learning problems and with an attendant academic prescription.

At the present time the principal purposes of search and retrieval are to supply teachers, administrators, or classroom researchers with lists of shelved or cataloged materials relevant to a particular need or problem. This type of service is still in its relative infancy. Three Centers—California, Texas, and Michigan—have independently developed computer programs and compatible cataloging systems which are specially designed to perform a search and retrieval operation. These systems have a number of possibilities. Some requests received by the computerized centers require searches and retrievals by author, title, grade level, subject matter, activity level, etc., and numerous combinations thereof. Traditionally, teachers browse through the shelves or look through the card catalogs. Computers now print "browser's catalogs," making available to the Center user discrete listings directly applicable to his immediate interests.

Other Centers such as Wisconsin maintain a search and retrieval system based on IBM machines such as the keypunch, sorter, and printer. At present a number of the Centers are relying on manual searches, but it seems likely from existing trends that all Centers will eventually have a direct tie to a computer center with a cataloged program which will be developed within the Network. CEC–ERIC is presently compiling a library of computer retrievable abstracts provided by the regional centers. In the near future, printouts of these abstracts will be available to special education practitioners.

RESEARCH DESIGN

This is an available but little used service offered by a number of Centers to special education teachers and administrators. One of the purposes of this type of service is based on the fact that the special education classroom and teacher are potential sources of a great amount of practical, *in situ* information. The "teacher as a researcher" is one of the concepts accepted by the Network. To encourage the teacher to enter into some type of research activity or commitment, Centers will offer consulting services to the classroom practitioner on basic elements of experimental design, measurements, statistics, and evaluation of results. As more satellite centers are developed through the regions it may be anticipated that the regional Centers will be devoting more energies to the development of the special classroom as a prime research site.

MATERIAL DEVELOPMENT AND DESIGN

The original purpose of this category of service was to help and encourage the special class teacher to design and develop materials for her own special situation. Also, it was felt that the Centers would be in excellent position to enter into experimental creation of special education instructional materials which, if successful, would become public domain. Again, attention to other immediate problems and to copyright problems has precluded a great deal of activity in this service area. Perhaps some of the existing materials developed by Centers may well be considered as unique projects, although falling under the aegis of particular services (see Ensminger article in this issue).

As originally premised, the Centers were to offer this service to help make up for the lack of special materials developed by commercial producers. Present indications are that within a comparatively short time more commercial prdoucers will begin to market materials developed expressly for use in special classrooms.

EVALUATION

All Centers in the Network accept evaluation of instructional materials as one of its services to special educators. Several of the earlier established centers—Wisconsin, California, Colorado, and Michigan—have done preliminary work on establishing an effective evaluation model. A Network committee is currently functioning toward this end. Independent efforts of several Centers have suggested approaches to the critical but difficult evaluative process. To date most efforts, such as those at Oregon, involve the use of teacher evaluation groups which use and discuss materials to arrive at a consensus regarding the effectiveness of the materials. California also is concerned with developing methods of utilizing teachers' judgments and ratings and validating these procedures against the more typical pattern of professional evaluation by supervisory or curriculum specialists staff.

It is evident from initial approaches that the use of practicing teachers in field evaluation of materials will be increasing in all regions of the United States.

MOBILE VANS

Both empirical and research evidence suggests that use of lending facilities of an IMC decreases in direct proportion to the distance away from the Center. Means of nullifying this distance effect which have proven to be effective are increased field consultant activity and the use of mobile vans.

The Colorado Center pioneered in the mobile van concept. The vans bring materials directly to schools and teachers in outlying, and in many instances, remote locations. The teacher is offered the opportunity to see, discuss, and select materials that may be of immediate interest or need. Other Centers are adapting the mobile van idea to private or state automobiles or other means of first hand dissemination. Wisconsin, while not using the mobile materials van as a direct service, is supporting the use of these vehicles in subregions served by satellite centers.

CONSULTATION

Consultation services offered through the Centers can take many forms ranging from consultation and participation in full year training programs under ESEA Title I (such as the California Center), to on the spot document specialists to consult with users who come to a Center (such as Kentucky). Presently most of the consultation services offered through all the Centers in the Network consist of direct consultation with state and local administrative personnel on programing and consultation with teachers on the selection of methods and materials for use in the special class. Increasingly, the consultation expertise efforts of the Centers have been instrumental in developing state plans for the establishment of satellite centers (New York, New England) and for consultative help in the preparation of satellite center grants (Texas, Kansas, Oregon, Wisconsin, etc.).

Eventually a point will be reached at which a number of the direct services in a region can be taken care of by proximally located satellite centers. The areas of programmatic, research, educational, and developmental consultation will fall increasingly upon the specially prepared personnel at the regional Centers.

MATERIALS DEMONSTRATION AND DISPLAY

A significant portion of the direct services offered by all Centers in the Network relates to material demonstration and display. Each Center perceives this as an important service and develops its programs accordingly. Through direct display a larger number of teachers are acquainted with the purposes of a Center as well as with a particular Center's acquisitions. Demonstrations are most often conducted either by Center field and specialist personnel or by master special education teachers enlisted for that purpose. Records kept at Wisconsin indicated a rise in usage of lending services from a subregion following a materials demonstration or display program in that area.

Oregon, Kentucky, New York, New England, and California Centers have prepared, or are in the process of preparing, videotapes or other audiovisual presentations of materials demonstrations and displays. This is expected to further enhance the distribution of these services which is limited by the number of materials available for display and the amount of professional time for preparation and demonstration. Particularly effective videotapes will be reproduced and made available to all Network Centers for distribution throughout their regions.

CONFERENCES, INSTITUTES, AND INSERVICE PROGRAMS

All Centers are involved in an active program of offering conferences, special institutes, and inservice programs. Many inservice programs are related to preparation and use of materials, as well as to learning theory, reinforcement, research findings, etc. Most of the programs are developed in cooperation with school administrators, supervisors, and universities. An increasing number of administrators are allowing and suggesting that a portion of the school allotted inservice training time be spent at one of the Centers working with its staff on some previously determined topic or area of study.

Institutes and conferences, along with lending, display, and demonstration activities, are another means of offering services to current and potential users of the IMC's. Examples of recently offered programs are: Education Rhythmics and Motor Development for Exceptional Children (Oregon), Materials for Teaching Children With Learning Disabilities (Kentucky), Materials Used in Self Directive Study (New York), Teaching Mathematics to the Exceptional Child (Wisconsin), and Institute for Special Education Administrative Personnel California). These topics represent only a portion of the offerings made through the Centers as, for instance, Florida, Kansas, and Texas each conducted approximately 25 of these special programs.

In addition, all Centers have supplied speakers for a significant number of programs sponsored by other professional, public, and private agencies on local, regional, and national levels.

CURRICULUM AND CREDIT COURSES

A number of the Centers associated with colleges or universities are in the process of developing on-campus and extension courses relating more directly to instructional materials for the handicapped children than do many existing courses today. The centers realize that service should be offered to students in preparation for careers in special education. It is anticipated that within 2 years the majority of the university affiliated Centers will be offering credit courses based extensively on knowledge gained through research and through Network accumulated findings on selection, utilization, and valuation of these special materials.

PUBLICATIONS

All Centers have developed or are in the process of developing some type of publication for the teacher readership within their particular region. Two examples are *The Winnower* (Wisconsin) and *The Torch* (Oregon). These publications contain articles on issues in the field of special education, informative and educative articles, and discussions of materials. *The Winnower* maintains an acquisition list for the purpose of bringing the readers up to date on the latest holdings in the Center.

An essentially similar function but somewhat different format is seen in the *UKR-SEIMC Quarterly* (Kentucky), *IMSCE Communicator* (California), and *IMCing in New York* (New York). In two of the older Centers (Wisconsin and California), circulation runs approximately 3,500 and 8,500, respectively. The advent of a national publication (see article by Blackhurst in this issue) will preclude and eventually replace extensive publication services on the part of the Centers; however, all of these Centers will continue to offer a newsletter service containing primarily regional information.

ABSTRACTING

As mentioned earlier under search and retrieval, one of the functions of CEC–ERIC will be to maintain a constantly updated file of pertinent abstracts. These files will be accessible to the practitioner in special education. The Centers will supply abstracts and evaluations to the central file using a Network thesaurus as the basis for selection of key descriptor terms.

OBTAINING SERVICES

In order to make use of the IMC Network, it is important that special educators contact the Center servicing their region (see Table 1). If that Center is not yet operational or does not have the desired material or service, the request will be referred to another Center known to be able to answer the request.

It is important that requests be as specific as possible; for example, asking for "materials for teaching arithmetic to the retarded" will probably be met with a request for further details. Asking for "samples of workbooks for teaching arithmetic to the intermediate level educable retarded" will more likely bring the desired material or service.

As this article has described, the IMC Network provides numerous services to special educators. The Centers lend out materials; supply listings of materials by area, level, and subject, etc.; send out field consultants and mobile vans to local areas; set up courses; provide consultative assistance for instructional materials use, evaluation, research, programing, and development; send out newsletters informing of available services and acquisitions; and set up inservice training programs and workshops.

REFERENCES

Aserlind, L. Research and instructional materials for the mentally retarded. In International Association for the Scientific Study of Mental Deficiency, Proceedings of the International Association for the Scientific Study of Mental Deficiency. Amsterdam: Excerpta Medica Foundation, 1968 (in press).

McCarthy, J. Educational materials for the mentally retarded: A quandary. *Education and Training of the Mentally Retarded*, 1966, 1, 24–31.

Olshin, G. IMC Network report. *Exceptional Children*, 1967, 34, 137–141.

TABLE 1.—*Instructional materials center network for handicapped children and youth*

(NOTE.—The following material is listed in order of center and director, region served, and services.)

American Printing House: Mr. Carl W. Lappin, Director, Instructional Materials Reference Center, American Printing House for the Blind, 1839 Frankfort Avenue, Louisville, Kentucky 40206, 502/895–2405; National; Visually Handicapped.

California: Dr. Charles A. Watts, Director, Instructional Materials Center for Special Education, University of Southern California, 17 Chester Place, Los Angeles, California 90007, 213/749–3121; Arizona, California, Nevada; All areas of exceptionality.

Colorado: Dr. William R. Reid, Director, Rocky Mountain Special Education Instructional Materials Center, Chairman, IMCNHCY, 1967–1969, Colorado State College, Greeley, Colorado 80631, 303/351–2681; Colorado, Montana, New Mexico, Physically Handicapped, Mentally Retarded; Wyoming, Emotionally Disturbed, Hard of Hearing.

ERIC: Dr. June Jordan, Director, ERIC Clearinghouse on Exceptional Children, The Council for Exceptional Children, NEA, 1201 16th Street, N.W., Washington, D.C. 20036, 202/223–9400, ext. 601; National; All areas of exceptionality.

Florida: Dr. Marvin Gold, Director, Southeastern Materials Center, University of South Florida, Apartment 44, Tampa, Florida 33620, 813/988–4131, ext. 815; Alabama, Florida, Georgia, Mississippi, South Carolina, Puerto Rico, Virgin Islands; Mentally Retarded, Emotionally Disturbed, Speech Impaired.

Illinois: Mrs. Lenore E. Powell, Director, Instructional Materials Center, 726 South College Street, Springfield, Illinois 62706, 217/525–2436; Illinois; All areas of exceptionality. Miss Gloria Calovini, Director, Instructional Materials Center, 410 South Michigan Avenue, Chicago, Illinois 60605, 312/427–3387 (Chicago), 217/525–4552 (Springfield); Visually Handicapped.

Kansas: Dr. Eugene Ensminger, Director, Special Education Instructional Materials Center, University of Kansas, 1115 Louisiana, Lawrence, Kansas 66044, 913/864–4158; Iowa, Kansas, Missouri, Nebraska, North Dakota, South Dakota; Emotionally Disturbed, Learning Disabilities, Orthopedically Handicapped, Mentally Retarded.

Kentucky: Dr. A. Edward Blackhurst, Director, University of Kentucky Regional, Special Education Instructional Materials Center, 641 South Limestone Street, Lexington, Kentucky 40506, 606/258–9000, ext. 2764; Kentucky, North Carolina, Tennessee, West Virginia; All areas of exceptionality.

Massachusetts: Dr. Harold Ruvin, Director, New England Materials—Instruction Center, Boston University, 704 Commonwealth Avenue, Boston, Massachusetts 02215, 617/353–3266; Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont; Mentally Retarded, Physically Handicapped, Emotionally Disturbed, Speech and Hearing, Learning Disabilities.

Michigan: Mrs. Lou Alonso, Director, USOE/MSU Instructional Materials Center for Handicapped Children and Youth, 343-B Erickson Hall, Michigan State University, East Lansing, Michigan 48823, 517/353–7810; Indiana, Michigan, Ohio; All areas of exceptionality.

New York: Mr. Raphael Simches, Director, New York SEIMC, Mr. Maurice D. Olsen, Coordinator, Special Education Instructional Materials Center, New York State Department of Education, 800 North Pearl Street, Albany, New York 12204, 518/474–3995 (Simches), 518/474–7690 (Olsen); Central New York State: All areas of exceptionality. Mrs. Elizabeth L. Ayre, Regional Coordinator, Special Education Instructional Materials Center, State University College at Buffalo, 1300 Elmwood Avenue, Buffalo, New York 14222, 716/862–5506, 5507; Western New York Region; Mentally Retarded, Physically Handicapped, Emotionally Disturbed, Speech and Hearing. Dr. Gloria F. Wolinsky, Director, Regional Special Education Instructional Materials Center, Hunter College, Box 563x, 695 Park Avenue, New York, New York 10021, 212/360–2304; Eastern New York Region; All areas of exceptionality.

Oregon: Dr. Wayne Lance, Director, Northwest Regional Special Education Instructional Materials Center, University of Oregon, 1612 Columbia Street, Eugene, Oregon 97403, 503/342–1411, ext. 2021; Alaska, Hawaii, Idaho, Oregon, Washington; All areas of exceptionality.

Texas: Dr. Claude Marks, Director, Special Education Instructional Materials Center, University of Texas, 304 West 15th Street, Austin, Texas 78701, 512/471–3145, 5722; Arkansas, Louisiana, Oklahoma, Texas; All areas of exceptionality.

Washington, D.C.: Dr. Raymond Cottrell, Director, Mid-Atlantic Region Special Education Instructional Materials Center, George Washington University, 820 20th Street, N.W., Washington, D.C. 20006, 202/676–7200; Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania, Virginia; Mentally Retarded, Crippled and Health Impaired, Emotionally Disturbed, Speech Impaired.

Wisconsin: Dr. LeRoy Aserlind, Director, Special Education Instructional Materials

Center, Chairman Elect, IMCNHCY, University of Wisconsin, 415 West Gilman Street, Madison, Wisconsin 53706, 608/262-4910; Minnesota, Wisconsin; Physically Handicapped, Mentally Retarded, Emotionally Disturbed, Speech Impaired.

Coordinator: Dr. Don Erickson, Coordinator, Instructional Materials Center Network for Handicapped Children and Youth, 1507 M Street, N.W., Room 207, Washington, D.C. 20005, 202/223-9400, ext. 601.

USOE: Dr. George Olshir Chief, Research Laboratories and Demonstration Branch, Division of Research, Bureau of Education for the Handicapped, U.S. Office of Education, ROB—7th and D Streets, S.W., Room 2010, Washington, D.C. 20202, 202/962-6370; Mr. Mel Appell, Research Coordinator, Research Laboratories and Demonstration Branch, Division of Research, Bureau of Education for the Handicapped, U.S. Office of Education, ROB—7th and D Streets, S.W., Washington, D.C., 20202, 202/962-7693.

Mr. PERKINS. Mr. Speaker, I yield a couple of minutes to the distinguished gentlewoman from New York (Mrs. CHISHOLM).

Mrs. CHISHOLM. Mr. Speaker, I rise in support of S. 1611.

Many Members have been speaking on the basis of statistics, on the basis of materials they have read, or on the basis of testimony at the hearings. I speak to you on the basis of experience as an educator in this field.

I believe it is very, very important that we support this measure, because we are discovering all kinds of new educational techniques to help the children of this Nation. We certainly need a central place for the dissemination and distribution of this material.

One gets a little concerned when one hears people say, "Everybody is coming up with his own special interest, with his own special bill; the chickens are going to come home to roost. This is going to happen. That is going to happen."

I have seen in this Chamber that we have done so many things, where we invest thousands of dollars in materials which become obsolescent in terms of what has happened in our country. When we think of the most valuable resource of the Nation, it is our children. Then we start talking loudly about how we love them.

I urge support of this measure. It is vitally needed. Once we support the measure there will be hope for the hopeless among the children in this Nation.

Mr. PERKINS. Mr. Speaker, I yield a couple of minutes to the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Speaker, our subcommittee held extensive hearings on this subject.

We find that in this country we have some 55 million children attending public schools and 7 million attending parochial schools, for a total school population of some 62 million.

Tragically, 12.5 million have visual impairments, 10 million hearing impediments and 5.4 million suffer some form of emotional disturbance, and are in need of some form of supplemental education. Many of these children suffer multiple handicaps. Of the 5,400,000 who suffer emotional handicaps, 3.2 million also have speech impediments and 2.7 million are mentally retarded.

Most communities are unable to fill the need for special education simply because education for the handicapped is the most expensive kind of education.

There are many companies and many ideas and many programs being offered to local communities to deal with this problem. Local communities do not have facilities for testing these concepts. The value of this Center is that it would help the local communities save a great deal of money.

I am sure when we consider the billions of dollars we have spent in local communities to deal with handicapped children, we can see the savings which can be effected by a Center that will intelligently create new concepts, test them, and pass them on to local communities after they have been proven to be of value.

This whole concept actually will save money for many communities in this country. I believe we will find that whatever money is spent on this bill will come back many fold.

The question is one to which we have to address ourselves. If we do not deal with the problem of the handicapped youngsters the cost of education will continue to grow. Many youngsters drop out of school simply because no adequate facilities are available to deal with their own special peculiar problems.

For this reason I believe this is forward moving legislation which can be of substantial help in the field of educating the handicapped of America. I urge adoption of this legislation.

Mr. PERKINS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New Jersey (Mr. DANIELS).

Mr. DANIELS of New Jersey. Mr. Speaker, I rise in support of S. 1611, a bill to create a National Center on Educational Media and Materials for the Handicapped. It was my pleasure to serve several years as chairman of the Select Subcommittee on Education which considered the problems of the education of handicapped children. In addition, the subcommittee had an opportunity to view the problems of the handicapped adult population through the vocational rehabilitation program. Based on this broad experience I am pleased to see the subcommittee, under the able leadership of the gentleman from Indiana (Mr. BRADEMAS), bring before the Congress legislation of the important nature of S. 1611.

During the years of hearing testimony on the problems of the handicapped and particularly during the hearings of the Handicapped Children's Early Education Assistance Act, it became evident that the Federal Government would have to play a key role if we are to guarantee that every handicapped child receives the education he needs. It is not a simple matter to educate a handicapped child. It requires the support of many persons with special training as well as modification of the environment, materials, and media to complete the education process. It is estimated that such a program costs two to three times the amount needed to educate a normal child. While this figure may sound high, it does not in any manner compare to the cost of institutionalization which on the average may cost as much as $200,000 per person.

Congress began a commitment to handicapped children when it passed in 1958 Public Law 85-926 for training teachers. This commitment has continued and can now be found in numerous special education and general education laws of the past decade. It is my belief that this commitment is more than tokenism. It has represented the realization on the part of the Congress that the problems of the handicapped are more than local in nature. If a child does not receive an education, it affects the welfare of the Nation as a whole, and there are many times when the needs of the handicapped are greater than the ability of State and local governments to meet such needs. We recognized this as early as 1864 when the Federal Government assumed responsibility for a college for the deaf. We have done this with the establishment of a model high school for the deaf and certainly last year with the passage of the Handicapped Children's Early Education Assistance Act.

Mr. Speaker, it is my belief that the National Center on Educational Media and Material for the Handicapped is a continuation of our commitment to the handicapped children of this Nation. I was most impressed with the comments of Mr. William C. Geer, executive secretary of the Council for Exceptional Children, an organization representing persons involved in the education of handicapped children, when he emphasized the necessity for Congress to continue its commitment for even though we are in a period of fiscal austerity we must continue to be willing to place our priorities on human needs. What more valid human need can we address ourselves to than the need to unlock avenues to learning that will enable a child who is handicapped to become a contributing member of our society.

The legislation we are considering today would greatly expand the scope of educational opportunities available to our handicapped children—and it is long overdue. These children are not now receiving the full benefits of advances in educational technology—and they are the same children who, if given the exposure, will gain the most.

The proposed National Center on Educational Media and Materials for Handicapped Children would provide a means for the development of specialized curricula, media and methods to be used in the education of handicapped children. At the Center, people will be trained in the development of these materials. It will also serve as a clearinghouse for all of the research that has been undertaken to benefit handicapped children. Teachers all over the country will be able to obtain information from the Center in order to increase their own resources.

The Center will offer our deaf, blind, mentally retarded, emotionally disturbed, or otherwise handicapped children an additional means of fulfilling their capabilities. As such, the passage by the

House of S. 1611 is an integral part of the attempt to provide the handicapped with an education at least equal to that of other children.

Mr. HALL. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, earlier in the discussion of this bill I asked the chairman of the Committee on Education and Labor, the gentleman from Kentucky (Mr. PERKINS), where I could find the reports accompanying this bill. The gentleman from Kentucky (Mr. PERKINS) admitted there were no reports. Later the gentleman from Indiana (Mr. BRADEMAS) said it is not accurate to say that the reports are not available.

Mr. BRADEMAS. Mr. Speaker, will the gentleman yield at that point?

Mr. GROSS. I yield.

Mr. BRADEMAS. The gentleman from Indiana did not say that. The gentleman from Indiana said that it is not accurate to say that the position of the administration was not known, and the gentleman from Indiana cited both the report at page 6 and also quoted from the statement of Dr. Gallagher in the hearings.

Mr. GROSS. There is not a single communication in this report from any department of the Government relative to the Executive's position on this legislation, and the gentleman knows it.

Mr. BRADEMAS. Who said that? The committee never said that there was.

Mr. GROSS. That is what the gentleman from Indiana was trying to say.

Mr. BRADEMAS. No. The gentleman from Indiana knows what he is trying to say.

Mr. GROSS. Mr. Speaker, I refuse to yield.

Mr. BRADEMAS. And he prefers that he say it rather than that the gentleman from Iowa say it.

Mr. GROSS. Mr. Speaker, I do not yield further.

Let the RECORD show that there are no reports available from any department or agency of the Government, including the Bureau of the Budget, with respect to this legislation. I say that irrespective of what the gentleman from Indiana (Mr. BRADEMAS) may say to the contrary.

Mrs. MINK. Mr. Speaker, I rise in support of S. 1611, a bill to amend Public Law 85-905 to provide for a National Center on Educational Media and Materials for the Handicapped. One of the greatest tragedies of our time is the neglect of our handicapped children. Thousands of these children, who need so much care and special attention, are being deprived of these necessities during the current drive for economy in Government. There is probably no crueler aspect of the budgetary situation than this.

The interim emergency report prepared by the National Advisory Committee on Handicapped Children has documented the fact that less than 40 percent of the handicapped children in this country are now receiving special education services. Aid to the States under title VI-A of the Elementary and Secondary Education Act, to provide services for these children, at only $29.25 million, is far short of even the inadequate $206 million that has been authorized for fiscal year 1970.

Noting that the proposed appropriation for this year will be even less in relation to the increased number of handicapped children, the report declared:

> It is reasonable to assume that more than 50 percent of handicapped youngsters can have their condition substantially improved, sometimes even cured, if they can get help and attention early enough. The proposed low level of flooding would deny to many of them, their opportunity to live as near normal lives as do the rest of us.

I am in favor of funding to at least the full authorized amount, but the legislation we are considering today is designed to provide some relief until such time as adequate State aid funds can be found.

S. 1611 establishes a National Center on Educational Media and Materials for the Handicapped.

Mr. Speaker, admittedly S. 1611 does not go to this serious problem of education funds for our handicapped children. But it does seek to resolve one of the most serious needs in this area.

This bill will provide an intensified search for new and improved teaching methods and seek to counteract the critical personnel shortage through improved technology. The personnel shortage, already a critical factor in the lack of aid for handicapped children, is scheduled to grow even more serious in the new school year as universities reduce their present level of training of teachers for the handicapped. Improved teaching and technology, such as that to be provided under this bill, will help fill the gap.

It has been estimated that more than 300,000 teachers, speech pathologists, audiologists, and other specialists are needed to work in this field. Only 75,000 to 80,000 such specialists are now available, however, which is a major reason for the fact that some 3½ million of the Nation's 5½ million children needing special educational services are struggling along without them.

S. 1611, which has already passed the Senate, would seek to close the gap by finding new ways for giving handicapped children the specialized educational experiences that they require.

To be located at a site chosen by the Secretary of Health, Education, and Welfare, the proposed Center would bring together in a central spot all of our efforts to develop improved educational media and materials that are so vitally needed.

While it must be recognized that such materials and techniques can never replace teachers, I feel that a Center can fill a highly useful role in enabling the few teachers we do have to do a better job and hopefully reach more handicapped students.

The Center is viewed as not only a source of production of materials such as films, but also as a disseminator of the useful work done by others in this area.

It would have an important function of coordination and study of existing programs in the field of media for the education of handicapped children. It has been called a capstone to the many Federal and private efforts now underway or proposed to help meet our unmet responsibilities to these youngsters.

We cannot allow to exist the present intolerable situation in which thousands of parents take their handicapped children to schools seeking special assistance, only to be turned away for lack of teachers and teaching materials. This is the need to be served by S. 1611, and I urge its passage.

A merging of the best brain power in the areas of instructional technology and media with the persons who are experts in educating handicapped children will hopefully be the basis of a breakthrough in the extension of services to more children, and the improvement of education for handicapped children generally.

I commend our subcommittee chairman, Mr. JOHN BRADEMAS, the distinguished gentleman from Indiana, for reporting this bill. As a member of that subcommmittee, I join him today and my other colleagues in urging the passage of this bill.

Mr. STOKES. Mr. Speaker, the House is today presented with the opportunity to further advance the cause of an education for all Americans, whatever their disabilities. This effort, now over a decade old, is one of which we can all be justifiably proud, for it inherently recognizes that all of our children are of great potential worth to the Nation, and that all must be properly trained if we are to realize the full measure of our mutual aspirations. We all know of the extraordinary talents often possessed by the handicapped, and it is a credit to this body that it has done so much to insure that these abilities are fully developed.

But this bill should be praised for even more than the fine humanitarian act that it is. For today, and to my knowledge for the first time, the House will enact a law which calls upon the vast resources of this country's technology to assist in solving a pressing sociological problem. Many of the Members of this body, including myself, have asked, in fact have pleaded, that this be done at various times during this session. Thus, I believe that now that we are taking this important step, it should be both realized and applauded. All of us who are deeply interested in curing the urgent domestic ills this Nation is currently plagued with will therefore salute this accomplishment, and anxiously await increased usage of our bountiful technological skills in attacking other human problems.

Mr. BENNETT. Mr. Speaker, I am pleased to support the legislation before the House today to provide for a National Center on Educational Media and Materials for the Handicapped. I have an identical bill, H.R. 11685, and testified before the House Education and Labor Committee on the bill. I congratulate the chairman and committee for bringing it before the House.

As a handicapped person myself, I have had a long-time interest in Federal legislation to assist the handicapped of the Nation. I have sponsored and supported bills in this field for two decades in the Congress. Last year, a bill introduced by the late Senator from Alaska, E. L. Bartlett and myself, was enacted into law,

and it provides that public buildings shall be constructed to be accessible to handicapped persons. I believe this is one of the most far-reaching laws on the books to help the handicapped.

The legislation we are considering today, including my bill, H.R. 11685, is another significant step in helping the 22 million Americans who are handicapped.

The legislation would establish a National Center on Educational Media and Materials for the Handicapped, which would provide a comprehensive program of activities to facilitate the use of new educational technology in education programs for handicapped persons. The program would include designing, developing, and adapting institutional materials for aid to the handicapped.

The Center would coordinate, produce, and assemble educational films, talking books, and other materials to communicate handicapped teaching methods to teachers and other persons in the field of working with the handicapped.

Mr. Speaker, this legislation has already passed the Senate, and I believe it is a measure which will help create a better environment to help handicapped persons lead normal lives. That is all a handicapped person desires. The Congress can legislate properly to provide an atmosphere in which the handicapped can achieve a useful and productive life. This bill does that and I urge that it be approved.

Mr. PERKINS. Mr. Speaker, I have no further requests for time.

Mr. HALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to repeat again that it has been clearly established that this is a Senate bill which in fact is engrafted onto an original bill of the 85th Congress having to do with materials for hearing, and expanding it to a bill of the 89th Congress which did in fact establish the National Center for Educational Media and Materials for the Handicapped. Why it is being handled in exactly this manner is difficult to determine.

Second, insofar as the "chickens coming home to roost" is concerned, one needs not to act upon or debate that point in view of the experience we had here this last weekend. But I do think as I said in the beginning, that perhaps there is need for coordination of effort. I know this Nation is bankrupt now, and due to actions such as these over and above budgeted funds and income, we will surely continue to be.

Mr. Speaker, insofar as being able to go on indefinitely and spend more and more of our income, the time has already approached in the bankruptcy of this Nation.

Personally, I do not subscribe to the fact that it need be Federal and agree with the gentleman from Minnesota (Mr. QUIE) that in this instance there needs to be no Federal Center. For years a good job has been done for these beloved children at the State and municipal levels and at the hands of the tender, loving care of their home facilities, teachers, and their own families.

Furthermore, the report itself says, Mr. Speaker, that at the present time it would be impossible to train a sufficient body of teachers even if the funds were available, since we do not have a sufficient body of trained personnel to train teachers for the handicapped. In other words, we are short of trainers.

This is like the question of paying support, transportation, stipends and tuition for training people in the Teachers Corps, or Appalachia, or even the Ozark Commission to reconstitute people to become employables before asking them if they want to be employed, or will relocate to job-available areas.

I say finally, Mr. Speaker, that this is a poorly timed bill. It is the opening of the door, it is an ad infinitum appropriation and just as surely as the sun rises in the east and goes down in the west, we will be back here for more money for the construction of this Center, and it cannot even be reclaimed once it is built on Government-owned land.

Mr. Speaker, I believe that action on this bill should be deferred.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I thank the gentleman for yielding. I think the gentleman is correct when he recites the history of this legislation. It started out in the 85th Congress as an effort to establish a center for hearing research. But what really happened is that as we went along we saw the huge problems of the handicapped.

Mr. HALL. Well, now, Mr. Speaker, if I may interpose with the gentleman after having yielded to him and without being rude, I heard with great interest his statement that we have 62 million schoolchildren and that some one-half of thm are handicapped in some manner or another. I heard the same statement last week. Does the gentleman really believe in his heart that this is true, based upon the results of his own investigations or any other information which has come into his hands? Can the gentleman show me any three children of any family where even one of that number is handicapped either in his home, in his school, or any school which the gentleman has visited? I do not believe there are 25 million, let alone one-half of the 63 million of the schoolchildren in this Nation who are handicapped and deserving or need such a overlapping, duplicative, and additive funds which would have to be appropriated on and on, as a result of a program such as this?

Mr. PUCINSKI. Mr. Speaker, if the gentleman will yield further, I would like the gentleman to look at the evidence which was presented before my subcommittee which is most voluminous on this subject. I am not surprised that the gentleman is shocked. I was shocked. I was shocked even more as to the number of youngsters in this country with multiple handicaps, youngsters who live in the various communities of our Nation but who cannot easily be discovered. The gentleman will recall that just last week we talked about youngsters with a learning disability, such as for instance for some strange reason they read backwards. This is, of course, a form of strephosymbolia.

Mr. HALL. Mr. Speaker, I know all about strephosymbolia. I have diagnosed cases of strephosymbolia which covers the reading-backward readers, the mirror readers, and the rest of them.

However, would the gentleman from Illinois at least admit to me that a child might be a little hard of hearing and have a strephosymbolia syndrome, or blindness, or a learning difficulty, and so forth, that has affected one out of three schoolchildren who suffer with this type of a handicap or a similar type? Is he counting children or handicaps?

Mr. PUCINSKI. Mr. Speaker, if the gentleman will yield further, I think the gentleman has raised a very perfectly fair question and I would like to answer it in this manner: Many of these children have multiple handicaps. A youngster might have a hearing disability or an eyesight disability or an emotional disability. The gentleman from Missouri, as a distinguished physician, knows better than I do the number of children who go through school where their handicap is never discovered and we fail to understand why the child cannot make normal progress in his schoolwork.

Mr. HALL. The gentleman from Illinois knows that there is only a fraction of 1 percent of those who are so handicapped that are not discovered.

Mr. PUCINSKI. I would like to tell the gentleman that the problem is not as serve as we believe it is, but the testimony before our subcommittee showed the enormous need for the relief of this problem.

Mr. HALL. Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore (Mr. PRICE of Illinois). The question is on the motion of the gentleman from Kentucky (Mr. PERKINS) that the House suspend the rules and pass the bill S. 1611, as amended.

The question was taken.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 365, nays 22, not voting 45, as follows:

[Roll No. 139]

YEAS—365

Abbitt	Bennett	Broyhill, Va.
Adair	Bevill	Buchanan
Adams	Biaggi	Burke, Mass.
Addabbo	Biester	Burleson, Tex.
Albert	Bingham	Burlison, Mo.
Alexander	Blackburn	Burton, Calif.
Anderson, Calif.	Blanton	Burton, Utah
	Blatnik	Bush
Anderson, Ill.	Boland	Button
Anderson, Tenn.	Bolling	Byrne, Pa.
	Bow	Byrnes, Wis.
Andrews, Ala.	Brademas	Caffery
Andrews, N. Dak.	Brasco	Cahill
	Bray	Camp
Annunzio	Brinkley	Carter
Ashley	Brooks	Casey
Aspinall	Broomfield	Cederberg
Ayres	Brotzman	Chamberlain
Beall, Md.	Brown, Mich.	Chappell
Belcher	Brown, Ohio	Chisholm
Bell, Calif.	Broyhill, N.C.	Clancy

Clark	Horton	Price, Ill.
Clausen, Don H.	Hosmer	Pryor, Ark.
Clay	Howard	Pucinski
Cleveland	Hungate	Purcell
Cohelan	Hunt	Quie
Collier	Hutchinson	Quillen
Collins	Jacobs	Railsback
Colmer	Jarman	Randall
Conable	Johnson, Calif.	Rees
Conte	Johnson, Pa.	Reid, Ill.
Conyers	Jonas	Reid, N.Y.
Corbett	Jones, Ala.	Reifel
Coughlin	Jones, N.C.	Reuss
Cowger	Jones, Tenn.	Riegle
Cramer	Kastenmeier	Rivers
Culver	Kazen	Roberts
Cunningham	Kee	Robison
Daniel, Va.	Keith	Rodino
Daniels, N.J.	Kleppe	Rogers, Colo.
Davis, Ga.	Kluczynski	Rogers, Fla.
Davis, Wis.	Koch	Ronan
de la Garza	Kuykendall	Rooney, N.Y.
Delaney	Kyl	Rooney, Pa.
Dellenback	Kyros	Rosenthal
Dent	Landrum	Rostenkowski
Derwinski	Langen	Roth
Devine	Latta	Roudebush
Dingell	Lloyd	Roybal
Donohue	Long, La.	Ruppe
Dorn	Long, Md.	Ruth
Dowdy	Lowenstein	Ryan
Downing	Lujan	St Germain
Dulski	Lukens	St. Onge
Duncan	McCarthy	Sandman
Dwyer	McClory	Satterfield
Eckhardt	McCloskey	Schadeberg
Edmondson	McClure	Scherle
Edwards, Ala.	McCulloch	Scheuer
Edwards, La.	McDade	Schneebeli
Eilberg	McDonald, Mich.	Schwengel
Erlenborn	McEwen	Scott
Esch	McFall	Sebelius
Eshleman	McKneally	Shipley
Evans, Colo.	McMillan	Shriver
Evins, Tenn.	Macdonald, Mass.	Sikes
Farbstein	MacGregor	Sisk
Feighan	Madden	Skubitz
Findley	Mahon	Slack
Fish	Mann	Smith, Iowa
Fisher	Marsh	Smith, N.Y.
Flood	Mathias	Snyder
Flowers	Matsunaga	Springer
Flynt	May	Stafford
Foley	Meeds	Staggers
Ford, Gerald R.	Melcher	Stanton
Ford, William D.	Meskill	Steed
Foreman	Michel	Steiger, Wis.
Fountain	Miller, Calif.	Stephens
Fraser	Miller, Ohio	Stokes
Frelinghuysen	Minish	Stratton
Frey	Mink	Stubblefield
Friedel	Minshall	Sullivan
Fulton, Pa.	Mize	Symington
Fulton, Tenn.	Mizell	Talcott
Fuqua	Mollohan	Taylor
Galifianakis	Monagan	Teague, Calif.
Gallagher	Moorhead	Thompson, Ga.
Gaydos	Morgan	Thompson, N.J.
Gettys	Morse	Thomson, Wis.
Giaimo	Morton	Tiernan
Gibbons	Mosher	Udall
Gilbert	Moss	Ullman
Goldwater	Murphy, Ill.	Van Deerlin
Gonzalez	Murphy, N.Y.	Vander Jagt
Goodling	Myers	Vanik
Gray	Natcher	Vigorito
Green, Oreg.	Nedzi	Waggonner
Green, Pa.	Nelsen	Waldie
Griffin	Nichols	Wampler
Griffiths	Obey	Watkins
Grover	O'Hara	Watson
Gude	O'Konski	Watts
Hagan	Olsen	Weicker
Hamilton	O'Neal, Ga.	Whalen
Hammer-schmidt	O'Neill, Mass.	White
Hanley	Ottinger	Whitehurst
Hansen, Idaho	Passman	Widnall
Hansen, Wash.	Patman	Wiggins
Harsha	Patten	Williams
Harvey	Pelly	Wilson, Bob
Hastings	Pepper	Wolff
Hathaway	Perkins	Wright
Hays	Pettis	Wyatt
Hébert	Philbin	Wydler
Hechler, W. Va.	Pickle	Wylie
Heckler, Mass.	Pike	Wyman
Helstoski	Pirnie	Yates
Henderson	Poage	Yatron
Hicks	Podell	Young
Hogan	Poff	Zablocki
Holifield	Pollock	Zion
	Preyer, N.C.	Zwach

NAYS—22

Abernethy	Dickinson	Price, Tex.
Betts	Gross	Rhodes
Brock	Haley	Smith, Calif.
Burke, Fla.	Hall	Steiger, Ariz.
Cabell	Hanna	Winn
Clawson, Del	Landgrebe	Wold
Denney	Mayne	
Dennis	Montgomery	

NOT VOTING—45

Arends	Garmatz	Mills
Ashbrook	Gubser	Nix
Baring	Halpern	Powell
Barrett	Hawkins	Rarick
Berry	Hull	Saylor
Boggs	Ichord	Stuckey
Brown, Calif.	Joelson	Taft
Carey	Karth	Teague, Tex.
Celler	King	Tunney
Corman	Kirwan	Utt
Daddario	Leggett	Whalley
Dawson	Lennon	Whitten
Diggs	Lipscomb	Wilson, Charles H.
Edwards, Calif.	Mailliard	
Fallon	Martin	
Fascell	Mikva	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Boggs with Mr. Arends.
Mr. Celler with Mr. Lipscomb.
Mr. Barrett with Mr. King.
Mr. Garmatz with Mr. Ashbrook.
Mr. Fallon with Mr. Mailliard.
Mr. Kirwan with Mr. Berry.
Mr. Lennon with Mr. Martin.
Mr. Carey with Mr. Gubser.
Mr. Brown of California with Mr. Halpern.
Mr. Teague of Texas with Mr. Saylor.
Mr. Charles H. Wilson with Mr. Taft.
Mr. Baring with Mr. Utt.
Mr. Whitten with Mr. Whalley.
Mr. Leggett with Mr. Dawson.
Mr. Daddario with Mr. Corman.
Mr. Edwards of California with Mr. Nix.
Mr. Tunney with Mr. Diggs.
Mr. Hull with Mr. Karth.
Mr. Stuckey with Mr. Joelson.
Mr. Ichord with Mr. Rarick.
Mr. Fascell with Mr. Mills.
Mr. Hawkins with Mr. Mikva.

Messrs. KEITH, BRAY, and DEVINE changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PERSONAL EXPLANATION

Mr. LOWENSTEIN. Mr. Speaker, during the vote which was taken on House Joint Resolution 764, I was attending to official business in another part of the Capitol. Had I been present I would have voted "yea."

BIG TIME SPENDERS

(Mr. BURKE of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURKE of Florida. Mr. Speaker, the arguments on how much to spend for this, and how much for that still goes on in the Congress. The big spenders continue to think up new schemes and ways on how to spend more of your money and mine.

Their speeches on the U.S. House and Senate floors wax with words of righteousness and humanitarianism. To them, nothing is too good for the next fellow as long as it is your money that is being spent and not theirs.

The fact that we are carrying on a war in Vietnam, whether we like it or not, is of little consequence to those, who for the sake of buying votes with the people's own money, continually give or promise to this group or that.

When they finish the package, many of the people back home are so completely fooled that almost any Congressman finds himself in a position where he almost dare not vote against the final package lest it appear that he is against motherhood and in favor of sin.

How often have I heard some Congressmen state that they wish they could vote as "statesmen" but cannot for fear of being criticized by, or losing the favor of, the voters later.

Almost any omnibus bill, a package bill, carries with it a handout of some sort for most all.

Even with all the talk about tax reform, I hear very little from the "big spenders" in Government suggesting their support for cuts in Government spending. And so the understructure of our Government; namely, Government bureaucracies, get bigger and bigger.

Nevertheless, I am indeed happy to see some activity in the House Ways and Means Committee in perhaps bringing to the Congress a tax reform bill.

It is strange though that this tax reform is only now being worked on for we realize it is something that has been needed for years. Certainly one cannot deny that such action is long overdue, and even if it took the election of a Republican President for the Democrats in Congress to recognize the need for tax reform, then I say good.

Some of the items that have demanded treatment for a long time are obvious to all taxpayers, but why have not they been obvious to those in Congress, who are responsible for making the changes?

These include the requirement that all citizens capable of paying taxes should share some of the responsibility of paying for the operation of their Government; and no one capable of paying taxes should escape paying such at the expense of another; and that the average individual taxpayer should not have to shoulder the responsibility of paying more than his share while some of the more wealthy or tax knowledgeable corporations or foundations escape through unfair tax exemptions or loopholes.

I, for one, strongly advocate that these loopholes be closed tight and that a truly good tax reform bill be voted out of the House Ways and Means Committee. If this can be done, then I am hopeful that

somehow the increase thus derived will be used to give relief to the ordinary workingman and woman whose only income generally comes from wages earned by simple, hard work.

During the last session of Congress and again in this session, I introduced a bill, H.R. 8842, which would raise the personal exemption of each member of the family to $1,200 per year, or at least $1,000 and I am hopeful this will be incorporated into the tax reform bill.

While it is true that an increase in exemption allowed each individual would require substantial revenues from other sources to make up the difference, nevertheless it would seem to me that a sizable increase would result from a truly equitable tax reform bill.

In addition, it is time that the Congress does some serious thinking about effecting some honest tax cuts. In fact it is just about time that the American taxpayer insists on his, instead of wanting a piece of the "big American giveaway pie" before it has even been taken from the oven.

I am afraid until then, the average American wage earner and taxpayer will get more talk than he will get tax relief.

I am equally sure, however, that with a conscientious effort by the Congress to pass a truly meaningful tax reform bill, and by cutting back on all unnecessary Government spending, the taxpayer will then get a break and our Nation can pull itself free from the disruptive economical shackles placed on it by the bureaucratic planners.

ECONOMIC OPPORTUNITY FOR ALL AMERICANS

(Mr. MOORHEAD asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MOORHEAD. Mr. Speaker, today I am introducing four bills which I feel are vital if we ever are to make good on our promises to create economic opportunity for all Americans.

These four measures are aimed at overturning some obstacles which have kept thousands of minority contractors from participating in America's multibillion dollar construction industry.

Through accident or design, a series of impediments, involving credit, opportunity for jobs, and inability to secure construction performance bonds, has barred hundreds of competent black contractors from sharing in the billions of dollars spent for construction by both the private sector and the Government.

I would not say that racial prejudice is the sole factor for the obstacles that these small companies meet, but it is an element that exists beneath what surety companies and banks believe are very legitimate reasons for not granting these individuals performance bonds and loans.

There are some 8,000 minority contractors. The economic and psychological lifts that the entrance of these groups into the mainstream construction industry would give to the Mexican American and black communities is incalculable.

The bills that I am introducing represent a concerted effort to eradicate bonding problems for minority contractors.

Three of these bills have already been introduced in the other House by the distinguished junior Senator from Indiana (Mr. BAYH).

And I certainly agree with Senator BAYH when he states:

> The gigantic task of meeting the present and future construction needs of our Nation demand that we maximize our construction capabilities. This cannot be accomplished unless our technological and manpower resources are utilized to the fullest measure.

To support the existence of the problem at which these bills are aimed, I offer the report of the National Business League which stated:

> Only one-third of all Negro contractors was successful in securing performance bonds at any time and all of these had experienced "undue difficulty" in securing them. Seventy percent reported that they had lost contracts because of inability to secure bonding.

Please be assured that I am not asking that a performance bond be given every contractor who happens to be black or Mexican. But I do ask that we wipe away, through regulation, the hodge-podge of tradition, prejudice, and redtape which keeps saying that "only a white man can handle the complex problems encountered in the construction industry."

The three bills which Senator BAYH put in and which I am introducing on this side will accomplish the following:

The first bill would increase the participation of small business concerns in the construction industry by, first, providing for a Federal guarantee of certain construction bonds; second, authorizing the acceptance of certifications of competency in lieu of bonding in connection with certain Federal projects; and third, establishing a national construction task force staffed to provide technical instruction and counseling with respect to the managing, financing, and operation of small construction concerns.

The second bill would amend section 3 of the Housing and Urban Development Act of 1968, entitled Jobs in Housing; Employment Opportunities for Lower Income Persons in Connection With Assisted Projects.

In the opinions of Senator BAYH and myself, the provisions and spirit of section 3 should be extended to include federally assisted programs of urban planning, development, redevelopment, or renewal; public or community facilities; and new community development. State and local planning agencies engaged in federally assisted projects spend millions of dollars annually to purchase the skills of firms offering urban planning and consultation services. This extension would greatly broaden the scope of employment and business opportunity for lower income persons and aspiring minority entrepreneurs.

The third bill would amend the Miller Act of 1935, which now requires that all Federal contracts for construction in excess of $2,000 must be bonded, to increase the exemption from $2,000 to $20,000. This would reduce the constraint of Federal bonding requirements which are presently an important additional factor in any comprehensive consideration of the bonding problems of minority contractors.

On Wednesday, July 2, when I rose before this House and said, "The black contractor faces all of the obstacles to success that his white contemporary encounters, plus a few more," I was referring to the knotty problem of bonding and credit.

It is the bonding hassle at which I have aimed my bill, and the fourth of the measures I am introducing today.

Specifically, I call for the "Small Business Administration to guarantee any bid, payment, or performance bond under an agreement entered into by a small business concern which is a construction contractor or subcontractor."

Let me assert once again that my brace of bills is not designed to certify as contractors, those who merely own a truck and shovel.

They will help develop the skills of this latter group, but more importantly my bill would allow the qualified contractor, whose only drawback is prejudice, to compete equally on the market for those jobs which he can perform as well as anybody else.

OVERALL, AND DETAILED FIGURES IN CONNECTION WITH THE BILL PROVIDING APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE

(Mr. FLOOD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. FLOOD. Mr. Speaker, during the 3 days that the Labor, and Health, Education, and Welfare bill was before the House there were no changes from the committee's recommendations in the Department of Labor and the related agencies. However, there were numerous changes made in appropriation items in the HEW title of the bill and some of them made adjustments in the earmarking for activities within appropriations. I think it would be very helpful to Members to have available a detailed table we have which shows the amount of each appropriation item in the HEW part of the bill, broken down by activity, and also showing the comparable 1969 appropriation, the 1970 budget request, and the amount in the bill as reported by the Committee on Appropriations.

We have also received numerous requests for overall figures in connection with the bill, and have prepared three short tables that will give Members this information.

Mr. Speaker, the tables to which I have just referred are as follows:

SUMMARY OF LABOR-HEW APPROPRIATIONS FOR 1969 AND 1970

[In millions of dollars]

	1969 enacted	1970		
		Budget estimate	As reported by committee	As passed the House
Department of Labor	771.6	1,002.3	976.9	976.9
Department of Health, Education, and Welfare	16,509.4	15,414.5	15,595.7	16,518.3
Related agencies	75.0	78.4	78.4	78.4
Total	17,356.0	16,495.2	16,651.0	17,573.6

The table above reflects the amounts actually carried in the appropriation act for 1969 and in the bill for 1970. To arrive at a more valid comparison between the appropriations for the 2 years the figures should be adjusted for the advance appropriation for 1970 of $1,010,814,300 for assistance to educationally deprived children under title I of the Elementary and Secondary Education Act which was included in the 1969 appropriation act. The special appropriation of $90,965,000 for school assistance in federally affected areas for 1968, which was also included in the 1969 appropriation act, should also be deducted for comparability. These adjustments are made in the tables which follow:

SUMMARY OF LABOR-HEW APPROPRIATIONS FOR 1969 AND 1970, ADJUSTED FOR COMPARABILITY

[In millions of dollars]

	1969 enacted	1970		
		Budget estimate	As reported by Committee	As passed the House
Department of Labor	771.6	1,002.3	976.9	976.9
Department of Health, Education, and Welfare	15,407.7	16,425.3	16,606.5	17,529.1
Related agencies	75.0	78.4	78.4	78.4
Total	16,254.3	17,506.0	17,661.8	18,584.4

HEW APPROPRIATIONS FOR 1969 AND 1970, BY CONSTITUENT AGENCY

Agency	1969 comparable	1970 revised budget	House committee recommendation	House floor action
Consumer Protection and Environmental Health Service	$227,064,000	$229,477,000	$227,177,000	$227,177,000
Health Services and Mental Health Administration	1,077,261,000	1,030,441,000	1,103,449,000	1,103,449,000
National Institutes of Health	1,394,549,500	1,448,610,000	1,449,651,000	1,449,651,000
Scientific activities overseas	15,000,000	3,455,000	3,455,000	3,455,000
Subtotal, health and medical	2,713,874,500	2,711,983	2,783,732,000	2,783,732,000
Office of Education	3,617,400,000	3,180,278,000	[1] 3,303,697,000	[1] 4,222,889,000
Social and Rehabilitation Service	7,306,052,000	8,420,603,000	8,407,383,000	8,410,754,000
Social Security Administration	1,690,772,000	2,014,864,000	2,014,564,000	2,014,564,000
Special institutions	36,146,000	62,409,000	62,409,000	62,409,000
Departmental management	35,898,000	35,160,000	34,734,000	34,734,000
Adjustment for many relatively small transfers to appropriations outside Labor-HEW bill	7,515,000			
Total, Department of Health, Education, and Welfare	15,407,657,500	16,425,297,000	16,606,519,000	17,529,082,000

[1] Includes $1,010,814,300 advance funding for 1970 appropriated in the 1969 appropriation act.

DETAILED BREAKDOWN OF HEW APPROPRIATIONS FOR 1969 AND 1970

CONSUMER PROTECTION AND ENVIRONMENTAL HEALTH SERVICE

Appropriation and activity	1969 comparable	1970 revised budget	House committee recommendation	House floor action
Food and drug control:				
1. Medical evaluation	$18,774,000	$19,674,000	$19,674,000	$19,674,000
2. Scientific research and evaluation	16,378,000	16,583,000	16,583,000	16,583,000
3. Education and voluntary compliance	1,275,000	1,296,000	1,296,000	1,296,000
4. Regulatory compliance	29,205,000	29,647,000	29,647,000	29,647,000
5. Program management	4,812,000	4,807,000	4,807,000	4,807,000
Total	70,444,000	72,007,000	72,007,000	72,007,000
Air pollution control:				
1. Abatement and control	32,567,000	35,531,000	35,531,000	35,531,000
2. Research, development, and demonstration	47,614,000	52,328,000	50,328,000	50,328,000
3. Manpower training	5,279,000	5,405,000	5,405,000	5,405,000
4. Program management	2,500,000	2,536,000	2,536,000	2,536,000
Total	87,960,000	95,800,000	93,800,000	93,800,000
Environmental control:				
1. Solid waste management	16,113,000	14,872,000	14,872,000	14,872,000
2. Occupational health	7,466,000	7,774,000	7,774,000	7,774,000
3. Radiological health	16,183,000	16,527,000	16,527,000	16,527,000
4. Community environmental management:				
(a) Aedes aegypti eradication	6,446,000	440,000	440,000	440,000
(b) Other community sanitation	11,359,000	9,872,000	9,872,000	9,872,000
Subtotal, environmental management	17,805,000	10,312,000	10,312,000	10,312,000
5. Water hygiene	2,184,000	2,593,000	2,593,000	2,593,000
6. Program management	3,080,000	3,130,000	3,130,000	3,130,000
Total	62,831,000	55,208,000	55,208,000	55,208,000
Buildings and facilities		300,000		
Salaries and expenses, Office of the Administrator	5,829,000	6,162,000	6,162,000	6,162,000
Total, Consumer Protection and Environmental Health Service	227,064,000	229,477,000	227,177,000	227,177,000

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

Appropriation and activity	1969 comparable	1970 revised budget	House committee recommendation	House floor action
Mental health:				
1. Support and conduct of research:				
(a) Grants:				
(1) Research	$81,159,000	$82,273,000	$82,273,000	$82,273,000
(2) Hospital improvement	10,610,000	8,000,000	8,000,000	8,000,000
(3) Early child care demonstrations		1,000,000		
Subtotal, grants	91,769,000	91,273,000	90,273,000	90,273,000
(b) Direct operations:				
(1) Intramural research	17,959,000	18,125,000	18,125,000	18,125,000
(2) Planning, development, and administration	5,070,000	7,006,000	6,404,000	6,404,000
Subtotal, direct operations	23,029,000	25,131,000	24,529,000	24,529,000
Subtotal, research	114,798,000	116,404,000	114,802,000	114,802,000
2. Manpower development:				
(a) Grants:				
(1) Training	109,046,000	107,500,000	107,500,000	107,500,000
(2) Fellowships	10,641,000	10,866,000	10,866,000	10,866,000
Subtotal, grants	119,687,000	118,366,000	118,366,000	118,366,000
(b) Direct operations	4,530,000	4,583,000	4,583,000	4,583,000
Subtotal, manpower	124,217,000	122,949,000	122,949,000	122,949,000
3. Support of institutions and resources:				
(a) Grants:				
(1) Construction of community mental health centers	15,000,000	92,200,000	29,200,000	29,200,000
(2) Staffing of community mental health centers	49,699,000	51,300,000	51,300,000	51,300,000
(3) Narcotic addiction and alcoholism community assistance	8,000,000	8,000,000	12,000,000	12,000,000
Subtotal, grants	72,699,000	88,500,000	92,500,000	92,500,000
(b) Direct operations	2,364,000	2,379,000	2,379,000	2,379,000
Subtotal, institutions and resources	75,063,000	90,879,000	94,879,000	94,879,000
4. Service activities:				
(a) Narcotic addiction and drug abuse treatment and research	14,288,000	17,456,000	17,456,000	17,456,000
(b) Regional and field activities	2,346,000	2,346,000	2,346,000	2,346,000
(c) Scientific communication and public education	2,588,000	2,749,000	2,749,000	2,749,000
Subtotal, service activities	19,222,000	22,551,000	22,551,000	22,551,000
5. Program direction and management services	4,871,000	5,121,000	5,121,000	5,121,000
Total, mental health	338,171,000	357,904,000	360,302,000	360,302,000
St. Elizabeths Hospital	13,380,000	10,405,000	10,405,000	10,405,000
Health services research and development	41,907,000	44,975,000	44,975,000	44,975,000
Comprehensive health planning and services:				
1. Partnership for health grants:				
(a) Planning	18,500,000	20,000,000	20,000,000	20,000,000
(b) Formula	66,032,000	90,000,000	90,000,000	90,000,000
(c) Project	86,600,000	80,000,000	80,000,000	80,000,000
Subtotal, grants	171,132,000	190,000,000	190,000,000	190,000,000
2. Migrant health	8,100,000	15,000,000	8,110,000	8,110,000
3. Standard setting and resource development	5,998,000	6,849,000	6,849,000	6,849,000
4. Program management	1,879,000	2,184,000	2,184,000	2,184,000
Total	187,109,000	214,033,000	207,143,000	207,143,000
(Trust fund transfer)	(4,320,000)	(4,320,000)	(4,320,000)	(4,320,000)
Regional medical programs:				
1. Operational and planning grants	56,200,000	73,500,000	50,000,000	50,000,000
2. Chronic disease control programs	25,082,000	24,771,000	24,271,000	24,271,000
3. Program management	1,851,000	1,729,000	1,729,000	1,729,000
Total	83,133,000	100,000,000	76,000,000	76,000,000
Communicable diseases	39,084,000	38,638,000	38,638,000	38,638,000
Hospital construction:				
1. Construction	254,487,000	150,000,000	254,400,000	254,400,000
2. Operations and technical services	3,802,000	3,923,000	3,923,000	3,923,000
Total	258,289,000	153,923,000	258,323,000	258,323,000
District of Columbia medical facilities	15,000,000	15,000,000		
Patient care and special health services	71,437,000	72,224,000	72,224,000	72,224,000
National health statistics	8,109,000	9,641,000	8,841,000	8,841,000
Retired pay of commissioned officers	13,041,000	16,700,000	16,700,000	16,700,000
Buildings and facilities		2,100,000		
Salaries and expenses, Office of the Administrator	8,601,000	9,898,000	9,898,000	9,898,000
Total, Health Services and Mental Health Administration	1,077,261,000	1,030,441,000	1,103,449,000	1,103,449,000

NATIONAL INSTITUTES OF HEALTH

Research Institutes (analysis by program):				
1. Research grants:				
(a) Regular program:				
(1) Non-competing	327,698,000	331,200,000	331,200,000	331,200,000
(2) Competing	144,183,000	131,365,000	131,365,000	131,365,000
Subtotal	471,881,000	462,565,000	462,565,000	462,565,000
(b) General research support grants	52,945,000	52,945,000	52,945,000	52,945,000
(Total program including NIMH)	(60,700,000)	(60,700,000)	(60,700,000)	(60,700,000)
(c) Multidisciplinary centers	27,225,000	27,630,000	27,630,000	27,630,000
(d) Special programs	82,279,000	83,274,000	87,234,000	87,234,000
Subtotal, research grants	634,330,000	626,414,000	630,374,000	630,374,000

Footnotes at end of table.

NATIONAL INSTITUTES OF HEALTH—Continued

Appropriation and activity	1969 comparable	1970 revised budget	House committee recommendation	House floor action
Research institutes (analysis by program)—Continued				
2. Manpower development programs	$197,727,000	$179,000,000	$179,000,000	$179,000,000
3. Intramural research	85,554,000	87,689,000	87,689,000	87,689,000
4. Collaborative research and deve'opment	126,106,000	120,916,000	118,162,000	118,162,000
5. Other Institute direct operations	46,786,000	47,897,000	47,897,000	47,897,000
Total	1,090,503,000	1,061,916,000	1,063,122,000	1,063,122,000
John E. Fogarty International Center for Advanced Study in the Health Sciences	3,374,000	2,954,000	2,954,000	2,954,000
Research Institutes (analysis by appropriation):				
Biologics standards	8,305,000	8,225,000	8,225,000	8,225,000
National Cancer Institute	183,485,500	180,725,000	180,725,000	180,725,000
National Heart Institute	166,008,500	160,513,000	160,513,000	160,513,000
National Institute of Dental Research	29,697,500	29,289,000	29,289,000	29,289,000
National Institute of Arthritis and Metabolic Diseases	143,402,000	137,668,000	137,668,000	137,668,000
National Institute of Neurological Diseases and Stroke	106,013,500	101,256,000	101,256,000	101,256,000
National Institute of Allergy and Infectious Diseases	106,623,500	102,389,000	102,389,000	102,389,000
National Institute of General Medical Sciences	163,122,500	154,288,000	154,288,000	154,288,000
National Institute of Child Health and Human Development	72,590,500	75,852,000	73,098,000	73,098,000
National Eye Institute	22,240,000	23,685,000	23,685,000	23,685,000
Environmental health sciences	17,785,000	18,328,000	18,328,000	18,328,000
General research and services	71,229,500	69,698,000	73,658,000	73,658,000
Total	1,090,503,000	1,061,916,000	1,063,122,000	1,063,122,000
John E. Fogarty International Center for Advanced Study in the Health Sciences	3,374,000	2,954,000	2,954,000	2,954,000
Health manpower:				
1. Institutional support:				
(a) Medical, dental, and related	66,000,000	101,400,000	101,400,000	101,400,000
(b) Nursing	7,000,000	7,000,000	7,000,000	7,000,000
(c) Public health	9,471,000	9,471,000	9,471,000	9,471,000
(d) Allied health professions	10,975,000	10,988,000	10,988,000	10,988,000
Subtotal	93,446,000	128,859,000	128,859,000	128,859,000
2. Student assistance:				
(a) Traineeships	20,670,000	20,670,000	20,670,000	20,670,000
(b) Direct loans:				
(1) Medical, dental, etc	15,000,000	15,000,000	19,781,000	19,781,000
(2) Nursing	9,610,000	9,610,000	15,110,000	15,110,000
Subtotal, direct loans	24,610,000	24,610,000	34,891,000	34,891,000
(c) Scholarships:				
(1) Medical, dental, etc	11,219,000	16,000,000	11,219,000	11,219,000
(2) Nursing	6,500,000	12,000,000	6,500,000	6,500,000
Subtotal, scholarships	17,719,000	28,000,000	17,719,000	17,719,000
Subtotal, student assistance	62,999,000	73,280,000	73,280,000	73,280,000
3. Manpower requirements, utilization and program management	15,641,000	15,882,000	15,882,000	15,882,000
Total, health manpower	172,086,000	218,021,000	218,021,000	218,021,000
Health education loan fund: Sales insufficiencies and interest differential	200,000	957,000	957,000	957,000
Dental health:				
1. Grants	5,259,000	5,764,000	5,658,000	5,658,000
2. Direct operations	4,926,000	5,123,000	5,064,000	5,064,000
Total	10,185,000	10,887,000	10,722,000	10,722,000
Construction of health educational, research and library facilities:				
1. (a) Medical and related	60,000,000	94,480,000	94,500,000	94,500,000
(b) Dental	15,000,000	23,620,000	23,600,000	23,600,000
2. Nursing	8,000,000	8,000,000	8,000,000	8,000,000
3. Allied health professions	1,800,000			
4. Health research facilities	8,400,000			
Total, construction	93,200,000	126,100,000	126,100,000	126,100,000
National Library of Medicine:				
1. Grants	5,772,000	5,108,000	5,108,000	5,108,000
2. Direct operations	12,236,500	13,574,000	14,574,000	14,574,000
Total	18,008,500	19,682,000	19,682,000	19,682,000
Buildings and facilities		1,000,000	1,000,000	1,000,000
Salaries and expenses, Office of the Director	6,993,000	7,093,000	7,093,000	7,093,000
Total, National Institutes of Health	1,394,549,500	1,448,610,000	1,449,651,000	1,449,651,000
Scientific activities overseas (special foreign currency program)	15,000,000	3,455,000	3,455,000	3,455,000
OFFICE OF EDUCATION				
Elementary and secondary education:				
1. Educationally deprived children	1,123,127,000	[2] 1,216,175,000	[2] 1,216,175,000	[2] 1,396,975,000
2. Dropout prevention	5,000,000	24,000,000	5,000,000	5,000,000
3. Bilingual education	7,500,000	10,000,000	10,000,000	10,000,000
4. Supplementary educational centers	164,876,000	116,163,000		164,876,000
5. Library resources	50,000,000		[2] 200,163,000	50,000,000
6. Guidance, counseling, and testing	17,000,000			17,000,000
7. Equipment and minor remodeling	78,740,000			78,740,000
8. Strengthening State departments of education	29,750,000	29,750,000	29,750,000	29,750,000
9. Planning and evaluation		9,250,000	9,250,000	9,250,000
Total	1,475,993,000	1,405,338,000	1,470,338,000	1,761,591,000
School assistance in federally affected areas:				
1. Maintenance and operation	505,900,000	187,000,000	187,000,000	585,000,000
2. Construction	15,153,000	15,167,000	15,167,000	15,167,000
3. Evaluation	200,000			
Total	521,253,000	202,167,000	202,167,000	600,167,000

Footnotes at end of table.

OFFICE OF EDUCATION—Continued

Appropriation and activity	1969 comparable	1970 revised budget	House committee recommendation	House floor action
Education professions development:				
1. Preschool, elementary, and secondary:				
(a) Grants to States	$15,000,000	$15,000,000	$15,000,000	$15,000,000
(b) Training programs	80,000,000	80,000,000	80,000,000	80,000,000
Total	95,000,000	95,000,000	95,000,000	95,000,000
Teacher Corps: 1. Operations and training	20,900,000	31,100,000	21,737,000	21,737,000
Higher education:				
1. Program assistance:				
(a) Strengthening developing institutions	30,000,000	30,000,000	30,000,000	30,000,000
(b) Colleges of agriculture and the mechanic arts	11,950,000	12,120,000	12,120,000	12,120,000
(c) Undergraduate instructional equipment and other resources	14,500,000	----------	----------	----------
Subtotal, program assistance	56,450,000	42,120,000	42,120,000	42,120,000
2. Construction:				
(a) Public community colleges and technical institutes	50,000,000	43,000,000	43,000,000	43,000,000
(b) Other undergraduate facilities	33,000,000	----------	----------	33,000,000
(c) Graduate facilities	8,000,000	----------	----------	----------
(d) Interest subsidization	3,920,000	11,750,000	11,750,000	11,750,000
Amount of subsidized loans	(145,000,000)	(290,000,000)	(290,000,000)	(290,000,000)
(e) State administration and planning	7,000,000	6,000,000	6,000,000	6,000,000
(f) Technical services	4,833,000	5,100,000	5,100,000	5,100,000
Subtotal, construction	106,753,000	65,850,000	65,850,000	98,850,000
3. Student aid:				
(a) Educational opportunity grants	124,600,000	175,600,000	159,600,000	159,600,000
(b) Direct loans	193,400,000	161,900,000	188,206,000	229,000,000
(c) Insured loans:				
(1) Advances for reserve funds	12,500,000	----------	----------	----------
(2) Interest payments	62,400,000	62,400,000	62,400,000	62,400,000
(3) Computer services	1,500,000	1,500,000	1,500,000	1,500,000
Subtotal, insured loans	76,400,000	63,900,000	63,900,000	63,900,000
(d) Work-study programs	139,900,000	154,000,000	154,000,000	154,000,000
(e) Cooperative education	----------	(1)	(1)	(1)
(f) Special programs for disadvantaged students:				
(1) Talent search	4,000,000	5,000,000	5,000,000	5,000,000
(2) Upward Bound	(29,800,000)	30,000,000	30,000,000	30,000,000
(3) Special services in college	----------	10,000,000	10,000,000	10,000,000
Subtotal, special programs	4,000,000	45,000,000	45,000,000	45,000,000
Subtotal, student aid	538,300,000	600,400,000	610,706,000	651,500,000
4. Personnel development:				
(a) College teacher fellowships	70,000,000	61,469,000	56,163,000	56,163,000
(b) Training programs	6,900,000	10,000,000	10,000,000	10,000,000
Subtotal, personnel development	76,900,000	71,469,000	66,163,000	66,163,000
5. Planning and evaluation	----------	1,000,000	1,000,000	1,000,000
Total	778,403,000	780,839,000	785,839,000	859,633,000
Vocational education:				
1. Basic grants	234,216,000	234,216,000	302,216,000	359,716,000
2. Consumer and homemaking education	14,000,000	15,000,000	15,000,000	15,000,000
3. Cooperative education	----------	14,000,000	14,000,000	14,000,000
4. Innovation	----------	13,000,000	13,000,000	13,000,000
5. Curriculum development	----------	2,000,000	2,000,000	2,000,000
6. Planning and evaluation	----------	1,000,000	1,000,000	1,000,000
7. Work-study	----------	----------	10,000,000	10,000,000
8. Programs for students with special needs	----------	----------	----------	40,000,000
9. Research	----------	----------	----------	34,000,000
Total	248,216,000	279,216,000	357,216,000	488,716,000
Libraries and community services:				
1. Library services	40,709,000	23,209,000	40,709,000	40,709,000
2. Construction of public libraries	9,185,000	----------	----------	9,185,000
3. College library resources	25,000,000	12,500,000	12,500,000	12,500,000
4. Acquisition and cataloging by Library of Congress	5,500,000	4,500,000	5,500,000	5,500,000
5. Librarian training	8,250,000	4,000,000	4,000,000	4,000,000
6. University community services	9,500,000	9,500,000	9,500,000	9,500,000
7. Adult basic education	45,000,000	50,000,000	50,000,000	50,000,000
8. Educational broadcasting facilities	4,000,000	4,000,000	4,000,000	4,000,000
Total	147,144,000	107,709,000	126,209,000	135,394,000
Education for the handicapped:				
1. Preschool and school programs	29,250,000	29,190,000	29,190,000	29,190,000
2. Early childhood programs	945,000	3,000,000	3,000,000	3,000,000
3. Teacher education and recruitment:				
(a) Teacher education	29,700,000	29,700,000	29,700,000	34,000,000
(b) Recruitment and information	250,000	500,000	500,000	1,000,000
(c) Physical education and recreation	300,000	300,000	300,000	1,000,000
Subtotal, teachers	30,250,000	30,500,000	30,500,000	36,000,000
4. Research and innovation:				
(a) Research and demonstrations	12,800,000	14,050,000	12,800,000	15,000,000
(b) Regional resource centers	500,000	2,000,000	2,000,000	2,500,000
(c) Innovative programs:				
(Deaf blind centers)	1,000,000	2,000,000	2,000,000	3,000,000
(d) Physical education and recreation	300,000	300,000	300,000	1,000,000
Subtotal, research	14,600,000	18,350,000	17,100,000	21,500,000
5. Media services and captioned films	4,750,000	4,750,000	4,750,000	5,500,000
6. Undistributed	----------	----------	----------	[2] 4,810,000
Total	79,795,000	85,790,000	84,540,000	100,000,000

Footnotes at end of table.

OFFICE OF EDUCATION—Continued

Appropriation and activity	1969 comparable	1970 revised budget	House committee recommendation	House floor action
Research and training:				
1. Research and development:				
(a) Educational laboratories	$23,600,000	$25,750,000	$25,750,000	$25,750,000
(b) Research and development centers	10,800,000	10,000,000	10,000,000	10,000,000
(c) General education	26,951,000	26,950,000	26,950,000	26,950,000
(d) Vocational education	11,375,000	1,100,000	1,100,000	1,100,000
(e) Evaluations	1,250,000	3,000,000	3,000,000	3,000,000
(f) National achievement study	1,000,000	2,000,000	2,000,000	2,000,000
Subtotal, research and development	74,976,000	68,800,000	68,800,000	68,800,000
2. Major demonstrations	1,000,000	5,250,000	1,000,000	1,000,000
District of Columbia model school	(1,000,000)	(5,000,000)	(1,000,000)	(1,000,000)
3. Experimental schools		25,000,000		
4. Dissemination	4,226,000	7,200,000	7,200,000	7,200,000
5. Training	6,750,000	6,750,000	6,750,000	6,750,000
7. Statistical surveys	500,000	2,000,000	2,000,000	2,000,000
Total	87,452,000	115,000,000	85,750,000	85,750,000
Education in foreign languages and world affairs:				
1. Centers, fellowships, and research	15,165,000	15,000,000	15,000,000	15,000,000
2. Fulbright-Hays training grants	3,000,000	3,000,000	3,000,000	3,000,000
3. International Education Act		2,000,000		
Total	18,165,000	20,000,000	18,000,000	18,000,000
Research and training (special foreign currency program)	1,000,000	1,000,000	1,000,000	1,000,000
Salaries and expenses	40,804,000	43,375,000	42,157,000	42,157,000
Student loan insurance fund		10,826,000	10,826,000	10,826,000
Higher education facilities loan fund:				
1. Loans to higher education institutions	100,000,000			
2. Participation sales insufficiencies	3,275,000	2,918,000	2,918,000	2,918,000
Total	103,275,000	2,918,000	2,918,000	2,918,000
Total, Office of Education	3,617,400,000	3,180,278,000	3,303,697,000	4,222,889,000

SOCIAL AND REHABILITATION SERVICE

Grants to States for public assistance:				
1. Maintenance payments	3,395,424,000	3,948,340,000	3,948,340,000	3,948,340,000
2. Medical assistance	2,396,322,000	2,677,969,000	2,677,969,000	2,677,969,000
3. Social services and administration	624,800,000	725,242,000	725,242,000	725,242,000
Total	6,416,546,000	7,351,551,000	7,351,551,000	7,351,551,000
Work incentives:				
1. Training and incentives:				
(a) On-the-job training	18,969,000	15,732,000	15,732,000	15,732,000
(b) Institutional and work experience training	67,631,000	48,408,000	48,408,000	48,408,000
(c) Work projects	3,000,000	1,360,000	1,360,000	1,360,000
(d) Program direction and evaluation	5,300,000	8,000,000	8,000,000	8,000,000
Subtotal	94,900,000	73,500,000	73,500,000	73,500,000
2. Child care	22,600,000	56,140,000	56,140,000	56,140,000
Total	117,500,000	129,640,000	129,640,000	129,640,000
Assistance to repatriated U.S. nationals	645,000	700,000	700,000	700,000
Rehabilitation services and facilities:				
1. Vocational rehabilitation service:				
(a) Basic services	345,900,000	471,000,000	471,000,000	471,000,000
(b) Innovation	3,200,000	3,200,000	3,200,000	3,200,000
(c) Expansion of services	8,000,000	11,000,000	11,000,000	11,000,000
(d) Migratory agricultural workers		3,500,000		
Subtotal, services	357,100,000	488,700,000	485,200,000	485,200,000
2. Rehabilitation facilities:				
(a) Planning and construction	1,340,000		3,500,000	3,500,000
(b) Initial staffing	550,000	550,000	550,000	550,000
(c) Facility improvement:				
(1) Training service projects	6,000,000	6,333,000	6,333,000	6,333,000
(2) Improvement grants	4,000,000	4,200,000	4,200,000	4,200,000
Subtotal, facilities	11,890,000	11,083,000	14,583,000	14,583,000
Total	368,990,000	499,783,000	499,783,000	499,783,000
Mental retardation:				
1. Research	126,000	126,000	126,000	126,000
2. Hospital improvement	9,972,000	8,972,000	8,972,000	8,972,000
3. Rehabilitation service projects		4,500,000	4,500,000	4,500,000
4. Community service facilities:				
(a) Construction	6,000,000	8,031,000	8,031,000	12,031,000
(b) Initial staffing	8,358,000	12,000,000	12,000,000	11,371,000
5. Construction of university-affiliated facilities	9,100,000			
Total	32,556,000	33,629,000	33,629,000	37,000,000
Maternal and child health:				
1. Maternal and child health services	50,000,000	50,000,000	50,000,000	50,000,000
2. Crippled children's services	57,000,000	58,000,000	58,000,000	58,000,000
3. Maternity and infant care	48,000,000	61,850,000	61,850,000	61,850,000
4. Health of school and preschool children	39,000,000	40,950,000	40,950,000	40,950,000
5. Training	9,000,000	9,000,000	11,200,000	11,200,000
6. Research	6,200,000	8,700,000	6,200,000	6,200,000
Total	209,200,000	228,500,000	228,200,000	228,200,000

Footnotes at end of table.

SOCIAL AND REHABILITATION SERVICE—Continued

Appropriation and activity	1969 comparable	1970 revised budget	House committee recommendation	House floor action
Child welfare:				
1. Child welfare services	$46,000,000	$46,000,000	$46,000,000	$46,000,000
2. Training	5,800,000	5,800,000	5,800,000	5,800,000
3. Research and demonstration	4,400,000	4,600,000	4,400,000	4,400,000
4. White House Conference on Children and Youth		400,000	400,000	400,000
Total	56,200,000	56,800,000	56,600,000	56,600,000
Juvenile delinquency prevention and control:				
1. Planning, prevention, and rehabilitation	2,650,000	11,000,000	2,650,000	2,650,000
2. Training	1,300,000	2,600,000	1,300,000	1,300,000
3. Model programs and technical assistance	1,050,000	1,400,000	1,050,000	1,050,000
Total	5,000,000	15,000,000	5,000,000	5,000,000
Rehabilitation research and training:				
1. Research and demonstrations	21,325,000	21,325,000	21,325,000	21,325,000
2. Training	31,700,000	27,700,000	27,700,000	27,700,000
3. Special center program	10,275,000	10,275,000	10,275,000	10,275,000
4. International research (domestic support)	100,000	100,000	100,000	100,000
5. Center for deaf-blind youths and adults	600,000	600,000	600,000	600,000
Total	64,000,000	60,000,000	60,000,000	60,000,000
Cooperative research or demonstration projects:				
1. Research grants	1,680,000	1,750,000	1,750,000	1,750,000
2. Directed research	1,470,000	9,750,000	9,750,000	9,750,000
Total	3,150,000	11,500,000	11,500,000	11,500,000
Research and training (special foreign currency program)	5,000,000	2,000,000	2,000,000	2,000,000
Salaries and expenses	27,265,000	31,500,000	28,780,000	28,780,000
Trust fund transfer	(348,000)	(360,000)	(360,000)	(360,000)
Total, Social and Rehabilitation Service	7,303,052,000	8,420,603,000	8,407,383,000	8,410,754,000
SOCIAL SECURITY ADMINISTRATION				
Limitation on salaries and expenses	[6] (807,492,000)	[6] (901,500,000)	[6] (901,500,000)	[6] (901,500,000)
Payment to trust funds for health insurance for the aged:				
1. Reimbursement for the uninsured	465,227,000	617,262,000	617,262,000	617,262,000
2. Supplementary medical insurance	895,000,000	928,151,000	928,151,000	928,151,000
Subtotal	1,360,227,000	1,545,413,000	1,545,413,000	1,545,413,000
Payment for military service credits	105,000,000	105,000,000	105,000,000	105,000,000
Payment for special benefits for the aged	225,545,000	364,151,000	364,151,000	364,151,000
Consumer credit training		300,000		
Total, Social Security Administration	1,690,772,000	2,014,864,000	2,014,564,000	2,014,564,000
SPECIAL INSTITUTIONS				
American Printing House for the Blind	1,340,000	1,404,000	1,404,000	1,404,000
National Technical Institute for the Deaf: Salaries and expenses	800,000	2,851,000	2,851,000	2,851,000
Model Secondary School for the Deaf:				
1. Salaries and expenses	400,000	415,000	415,000	415,000
2. Construction	445,000	351,000	351,000	351,000
Subtotal	845,000	766,000	766,000	766,000
Gallaudet College:				
1. Salaries and expenses	3,691,000	4,257,000	4,257,000	4,257,000
2. Construction		867,000	867,000	867,000
Subtotal	3,691,000	5,124,000	5,124,000	5,124,000
Howard University:				
1. Salaries and expenses	18,231,000	20,445,000	20,445,000	20,445,000
2. Construction	2,209,000	22,710,000	22,710,000	22,710,000
3. Freedmen's Hospital	9,030,000	9,109,000	9,109,000	9,109,000
Subtotal	29,470,000	52,264,000	52,264,000	52,264,000
Total, special institutions	36,146,000	62,409,000	62,409,000	62,409,000
DEPARTMENTAL MANAGEMENT				
Office of the Secretary	5,133,000	5,975,000	5,975,000	5,975,000
Trust fund transfers	(389,000)	(398,000)	(398,000)	(398,000)
Office of Community and Field Services	4,189,000	4,730,000	4,510,000	4,510,000
Trust fund transfers	(2,168,000)	(2,486,000)	(2,325,000)	(2,325,000)
Office for Civil Rights	4,004,000	5,259,000	5,259,000	5,259,000
Trust fund transfers	(804,000)	(856,000)	(856,000)	(856,000)
Office of the Comptroller	9,242,000	10,425,000	10,425,000	10,425,000
Trust fund transfers	(1,255,000)	(1,808,000)	(1,808,000)	(1,808,000)
Office of Administration	4,926,000	5,234,000	5,066,000	5,066,000
Trust fund transfers	(302,000)	(359,000)	(350,000)	(350,000)
Surplus property utilization	1,243,000	1,255,000	1,255,000	1,255,000
Office of the General Counsel	2,161,000	2,282,000	2,244,000	2,244,000
Trust fund transfers	(1,375,000)	(1,416,000)	(1,396,000)	(1,396,000)
Public Broadcasting Corporation	5,000,000			
Total, departmental management	35,898,000	35,160,000	34,734,000	34,734,000

[1] Included in 2d Supplemental Appropriation Act, 1969.
[2] Includes $1,010,814,300 advance appropriation for 1970 appropriated in the 1969 appropriation act.
[3] Bloc amount for activities 4, 5, 6, and 7.
[4] Up to 1 percent of work-study funds can be used for cooperative education.
[5] Floor debate indicated that approximately $5,000,000 was to be added to preschool and school programs; however, the earmarked amount for this activity was not changed.
[6] Trust funds.

NASHVILLE'S METRO POLICE—THE GOOD GUYS—A MODEL IN COMMUNITY RELATIONS

(Mr. FULTON of Tennessee asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. FULTON of Tennessee. Mr. Speaker, a group of officers with the Nashville Metropolitan Police force have reversed the order of "Support Your Local Police," and are carrying out an impressive "Support Your Community" campaign.

Members of the metropolitan police department's community relations section are scoring successes in building confidence, respect, and understanding toward law officers among the children and their parents who are residents in the population-concentrated sections of Nashville. Major credit for the success of the program belongs to five officers, Sergeants William D. Bodenhamer and Sam Peach, along with Officers Bob Kirchner, Isaac Burford, and Billy Reece, and their work should be given full recognition.

This is the same police department which suffered unfavorable publicity on June 3, 1969, when unfounded and untrue, references were made before the Subcommittee on Criminal Laws and Procedures of the Senate Judiciary Committee by Assistant Attorney General Will Wilson. These charges, implying corruption within the Nashville Police Department, have been retracted by the Assistant Attorney General.

On different nights of the week, through the summer months, these officers, along with other members of the community relations section, pull up in a police station wagon, set up a record player, and youngsters in the neighborhood bring over their own records for an instant block party. At dusk, these officers set up a movie screen, thread their projector, and show a different full-length movie each week.

Youngsters, who once may have run at the sight of an officer, now know these men by name and have become good friends. The officers have an opportunity to talk with the young people and their parents, and these talks do not include the usual lectures on juvenile delinquency or discussion on life in housing projects. They are just friendly talks which have created real understanding between people.

This highly successful program was organized by Sergeant Bodenhamer, who recalled from his own childhood that the city is especially hard on children in the summertime.

Sergeant Bodenhamer, a 13-year veteran with the police force, said the purpose of the program was not only to provide entertainment for the children and their parents, but to give the officers an opportunity to get to know the kids, and let them know that the police are their friends.

The efforts of the metropolitan police department's community relations section could well serve as a model for other cities, and I urge my fellow Members of the Congress to read in full the report of this exceptional program as written by Frances Meeker, a reporter for the Nashville Banner.

THE "GOOD GUYS" COOL A SWELTERING SUMMER WITH FUN—POLICE PROVIDE ENTERTAINMENT FOR HEAVILY POPULATED AREAS

(By Frances Meeker)

The little girl carried her baby brother on her hip as she came across the grassy field to join the other children clustered around the blue Metro police station wagon. Other children were rolling up on bicycles and tricycles. Something big was going on.

As the sun dropped behind the distant skyline, bringing relief from the intense summer heat, children and teenagers came from the nearby apartments of the James A. Cayce Homes with quilts and bedspreads which they spread on the thick grass. Excitement was in the air.

A little later the adults—young, middle-aged and elderly arrived with lawn chairs and soft drinks. Here was relief and relaxation after the day's work was over.

THE "GOOD GUYS"

And if you asked any of these people who the "good guys" around town are this summer, they would tell you its the Metro Police Department, and especially Sgt. William D. Bodenhamer, Sgt. Sam Peach and Officers Bob Kirchner, Isaac Burford and Billy Reece.

These policemen, through the department's Community Relations Section, are providing entertainment on hot summer nights for the children—and their parents—of the population-concentrated sections of the city.

Following the same weekly schedule, the officers are visiting the Sam Levy Homes on Monday; Edgehill Park, Tuesday; Hadley Park Wednesday; Cayce Homes, Thursday; and Sudekurn Homes, Friday. They play records, talk with the people and show a different full-length movie each week.

As soon as the policemen arrive, the children are there with their own records which they give to Sgt. Bodenhamer to play on the record-player in the station wagon. Then the small children gather close to the loudspeakers, even though the music can be heard several blocks away, and the larger ones dance and skip on the grass.

Prior to the movie at the Cayce Homes Thursday night, the officers were kept busy handcuffing small boys and girls together.

"I'm next, Mr. Bodenhamer! Handcuff me!" two boys shouted, seconds later the two lucky youngsters strutted off, hands manacled together.

A little girl kept watching the large movie screen that had been set up before dark. "I'll bet they'll have something good up there," she commented.

Mrs. Pauline Freeman, who lives in the Cayce Homes and is a playground worker at the Martha O'Bryan Community Center in the homes, brought her four children.

"This is the best thing that ever happened for us," she said.

Mrs. Freeman said when the children in the Cayce Homes first heard of the summer program, they thought there was "a catch to it."

"They thought the policemen would lecture on juvenile delinquency or discuss life in the housing projects," she said.

Then after they found out it was "all fun," they were afraid the policemen wouldn't come back, she said.

Mrs. Freeman said many of the children were seeing movies for the first time in their lives, and many families were going to the movies together for the first time.

The summer program was the brainchild of Sgt. Bodenhamer, who said he remembers from his own childhood in Nashville that it can be hard to be a child in the city especially in the summertime.

"I remember how I enjoyed the free park movies they had back then. I used to fight to be the one to help set up the screen," said Bodenhamer, who grew up during the 1930's and 40's.

"We also want to get to know the kids and let them know we are their friends," said the 13-year veteran of the police force.

And that's fine with the kids.

"That's Mr. Bodenhamer; I know him," one small Cayce Home resident informed his companion as the big police sergeant set up the movie equipment under the watchful eyes of children.

GEORGIA-PACIFIC CORP. DONATES REDWOOD STAND TO NATURE CONSERVANCY

(Mr. DON H. CLAUSEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DON H. CLAUSEN. Mr. Speaker, on Wednesday, July 30, the Georgia-Pacific Corp. donated a $6 million prime stand of redwood timber to the Nature Conservancy as a dramatic demonstration of that company's continued cooperation with the American conservation movement. The grove was then turned over to the State of California by the Nature Conservancy, thereby enhancing and improving the State park system.

Knowing of my colleagues' intense interest in the conservation of our great natural resources, I felt that they would be interested in the release put out by the Nature Conservancy detailing the donation, which I would like to make a part of the RECORD, along with my congratulations to the Georgia-Pacific Corp., the Nature Conservancy, the Save-the-Redwoods League, and the State of California, who made this tremendous gesture a reality.

This demonstration of corporate concern for conservation and environmental matters is deserving of our highest commendations and expressions of appreciation. This beautiful redwood grove, in addition to providing the people of California with another redwood conservation "gem," will serve as a symbol of conservation awareness by the Georgia-Pacific Corp. All Americans will be eternally grateful.

GEORGIA-PACIFIC DONATES $6 MILLION PRIME REDWOOD STAND TO THE NATURE CONSERVANCY

WASHINGTON, D.C.—The Nature Conservancy, of Washington, D.C., announced today the donation by Georgia Pacific Corporation, one of the nation's largest forest products companies, of a $6-million stand of prime redwood located on the Van Duzen River in Northern California.

The gift, which the Conservancy termed one of the largest in the history of the American conservation movement, embraces two redwood groves totaling 390 acres situated 12 miles southeast of Fortuna, California.

A brief, noontime ceremony was held Wednesday, July 30, at the site, attended by Georgia Pacific, The Nature Conservancy, Save-the-Redwoods League, and state park officials. Robert B. Pamplin, Portland, Oregon, chairman and president of Georgia Pacific, gave the deed to the property to Thomas W. Richards, of Washington, D.C., president of The Nature Conservancy, who symbolically handed it to William Penn Mott, chief of the California State Park System, which will administer the park.

Richards, as president of The Nature Con-

servancy, a national, non-profit organization formed to acquire and protect outstanding natural areas, praised the company saying, "This public-spirited gift is a tribute to the conservation awareness of Georgia Pacific officials. This marks a significant breakthrough for the conservation movement. This gift represents what may be the largest ever made by an American business firm for conservation purposes. Georgia Pacific, with the contribution, sets an example for America's resource-based industries. We are grateful to them and hope that other industries will follow their lead."

Included in the gift are some 206 acres of old growth redwood, classified triple O, which signifies the oldest and best timber. Many of the trees are between 400 and 800 years old and a number are 15 or more feet in diameter. The volume of timber in the stand runs between 300,000 and 400,000 board feet per acre; the total amount of top grade redwood is enough to build houses for over a million people. The remaining land includes young growth redwoods and river bar and meadowlands.

Pamplin remarked, in making the gift, that "We have always recognized the need for recreational use of forest lands. We maintain several dozen beautiful parks in our western timber ownership for the use of the public." Earlier he noted that the company strongly believes "in the multiple use of timber and timber lands. We believe this renewable resource can—and must—serve many masters."

Also present at the ceremony was Dr. Ralph W. Chaney, president of the Save-the-Redwoods League, the organization which has pioneered the conservation of California's redwood groves. Chaney expressed delight with the gift, noting that the "countless people who seek the tranquil beauty of the redwood region will be able to enjoy this park year after year."

The gift tract includes two groves and a connecting strip of land. The groves will be named after Pamplin and Owen R. Cheatham, founder of Georgia Pacific. The land has been held for park use since the turn of the century, first by the Hammond Lumber Company, and for the past 14 years by their successors, the Georgia Pacific Corporation. In the westernmost grove, there is an open recreational area and a swimming hole.

Administration of the new park will be from the nearby Grizzly Creek Redwood State Park.

MFN FOR RUMANIA

(Mr. FINDLEY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, today I am introducing legislation which will give the President the authority, when certain conditions are met, to grant most-favored-nation tariff treatment to the country of Rumania. Joining me as cosponsors of the bill are two of my distinguished colleagues, the gentleman from Kansas (Mr. MIZE), who is chairman of the Republican task force on east-west trade, and my colleague on the Foreign Affairs Committee from Massachusetts (Mr. MORSE).

This is an especially propitious moment for a congressional initiative in our foreign policy toward Eastern Europe. Following immediately after President Nixon's return from his successful trip to Rumania, and his warm greeting by its people, this bill provides for congressional recognition of the independent, nationalistic attitude which makes Rumania unique among the Warsaw Pact nations.

There are many reasons why Rumania should be chosen for this special tariff treatment, none the least of which is the demonstrated desire for friendship exemplified by the welcome it accorded to President Nixon. Referring to the President's visit, President Ceausescu states:

> There are no direct disputes between Rumania and the United States, and we wish to develop relations of collaboration in the economic, technical, scientific, and other fields with the United States, (and) with the American people.

This statement typifies the "Rumania first" attitude Ceausescu has taken, irrespective of whether a particular policy may dovetail with that of the Soviet Union.

In 1962, when Russia proposed to fully integrate the economies of the Eastern European countries with her own and introduce areawide economic planning, Rumania steadfastly refused to participate. The Russian masterplan called for Rumania to produce raw materials, mineral and agricultural products, rather than an industrial complex including an immense iron and steel mill which Rumania favored. This act of opposition, more than any other, helped preserve the economic and territorial integrity of all the East European nations.

When Russia led the other Warsaw Pact nations in an invasion of Czechoslovakia in August of 1968, Rumania bitterly condemned it as "a great mistake and a grave danger to peace in Europe." Further, Ceausescu warned the Soviets that "they would encounter armed resistance if they tried to invade Rumania."

Although Rumania unfortunately has not permitted the development of personal and economic freedom among its people, nevertheless it is this same principle of freedom which it holds to be inviolate as between nations. Ceausescu has stated:

> We base our foreign policy on the principle of equality of rights, noninterference in the internal affairs of others, respect for sovereignty and national independence, and the right of the peoples to decide their own fate without outside interference.

This principle has led Rumania to establish and maintain relations with West Germany and Israel, oppose the Soviet version of the Nuclear Nonproliferation Treaty, walk out of the Budapest Conference of Communist bloc countries in August of 1968, and often vote in opposition to the position of the Soviet Union in the United Nations General Assembly.

Rumania's independence in the determination of its own foreign policy should be encouraged by the United States. For it is this independence and the consequent lack of solidarity in the Communist bloc, which permit the United States to lead from a position of strength when dealing with the Soviet Union.

Congress can encourage that independence in the Rumanians by authorizing the President to grant them most-favored nation tariff treatment. Increased trade which would result from such action would also aid our commercial interests.

MFN would make Rumania less economically dependent upon the U.S.S.R. than it is today. Last year, although Rumania had the lowest percentage of trade with Russia of any East European country, it nevertheless amounted to a whopping 30 percent of her total exports. The economic leverage which this gives to the Soviet Union cannot help but spill over into the political realm. In fact, there can never be political independence for a country until there is economic independence. By helping to provide that economic independence, the United States can at the same time help to provide the foundation for political independence which is so much in our own national interest.

MFN for Rumania would also be in our own commercial interest. If trade restrictions were the common policy of all of the western nations in their dealings with Communist countries, they might have a potent economic and political impact. However, of all of our European allies, we are the only ones who do not presently grant MFN to Rumania. We therefore impose no serious problem to Rumania by this attitude but hurt only our own interests.

To be sure the Rumanians are indeed desirous of gaining MFN tariff treatment and the increased trade which they hope it will make possible. However, one of the chief reasons they desire this is so that they will be able to earn more American dollars with which to buy more and better American goods and technology. The advantages this holds for U.S. businessmen are obvious.

Upon his return from Rumania, President Nixon told the throng of people gathered at Andrews Air Force Base:

> Deep differences in political philosophy cannot permanently divide the peoples of the world.

What is most important for the United States is that those differences in political philosophy should not be used like a vise to crush the independent, nationalistic course which the Rumanians have chosen for themselves. This will not occur so long as America recognizes that independence and actively encourages it. President Nixon has taken a major step in this direction through his trip to Rumania. The Congress should act now to encourage this independence and strengthen the bond of friendship which presently exists between our two countries by granting authority to the President to negotiate most-favored-nation tariff treatment with the Rumanians.

The text of the aforementioned bill follows:

H.R. 13305

A bill to promote the foreign policy and security of the United States by providing authority to negotiate a commercial agreement with Rumania, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Rumanian Trade Relations Act of 1969".

STATEMENT OF PURPOSES

SEC. 2. The purposes of this Act are—

(a) to use peaceful trade and related contacts with Rumania as a means of advancing

the long-range interest of the United States in peace and freedom;

(b) to promote constructive relations with Rumania, to contribute to international stability, and to provide a framework helpful to private United States firms conducting business relations with state trading agencies in Rumania by instituting regular government-to-government negotiations concerning commercial and other matters of mutual interest; and

(c) to increase peaceful trade and related contacts between the United States and Rumania, and to expand markets for products of the United States in that country.

AUTHORITY TO ENTER INTO COMMERCIAL AGREEMENTS

SEC. 3. The President may make a commercial agreement with Rumania providing most-favored-nation treatment to one or more of the products of that country whenever he determines that such agreement—

(a) will promote the purposes of this Act,

(b) is in the national interest, and

(c) will result in benefits to the United States equivalent to those provided by the agreement to the other party and further determines that the government of such country is a member of the General Agreement on Tariffs and Trade.

BENEFITS TO BE PROVIDED BY COMMERCIAL AGREEMENTS

SEC. 4. The benefits to the United States to be obtained in or in conjunction with a commercial agreement made under this Act may be of the following kind, but need not be restricted thereto:

(a) satisfactory arrangements for the protection of industrial rights and processes;

(b) satisfactory arrangements for the settlement of commercial differences and disputes;

(c) arrangements for establishment or expansion of United States trade and tourist promotion offices, for facilitation of such efforts as the trade promotion activities of United States commercial officers, participation in trade fairs and exhibits, the sending of trade missions, and for facilitation of entry and travel of commercial representatives as necessary;

(d) most-favored-nation treatment with respect to duties or other restrictions on the imports of the products of the United States, and other arrangements that may secure market access and assure fair treatment for products of the United States; or

(e) satisfactory arrangements covering other matters affecting relations between the United States and Rumania concerned, such as the settlement of financial and property claims.

PROVISIONS TO BE INCLUDED IN COMMERCIAL AGREEMENTS

SEC. 5. A commercial agreement made under this Act shall—

(a) be limited to an initial period specified in the agreement which shall be no more than three years from the time the agreement becomes effective;

(b) be subject to suspension or termination in whole or in part at any time upon reasonable notice;

(c) provide for consultations at regular intervals for the purpose of reviewing the operation of the agreement and relevant aspects of relations between the United States and Rumania; and

(d) be renewable for additional periods, each not to exceed three years.

EXTENSION OF BENEFITS OF MOST-FAVORED-NATION TREATMENT

SEC. 6. (a) In order to carry out a commercial agreement made under this Act and notwithstanding the provisions of any other law, the President may by proclamation extend most-favored-nation treatment to one or more of the products of Rumania entering into such commercial agreement: *Provided*, That the application of most-favored-nation treatment shall be limited to the period of effectiveness of such commercial agreement.

(b) The President may at any time suspend or terminate in whole or in part any proclamation issued under subsection (a). The President shall suspend or terminate such proclamation whenever he determines that—

(1) the other party to a commercial agreement made under this Act is no longer fulfilling its obligations under the agreement; or

(2) the suspension or termination of the agreement is in the national interest.

ADVICE FROM GOVERNMENT AGENCIES AND OTHER SOURCES

SEC. 7. Before making a commercial agreement under this Act, the President shall seek information and advice with respect to such agreement from the interested departments and agencies of the United States Government, from interested private persons, and from such other sources as he may deem appropriate.

TRANSMISSION OF REPORTS TO CONGRESS

SEC. 8. The President shall submit to the Congress an annual report on the commercial agreements program instituted under this Act. Such report shall include information regarding negotiations, benefits obtained as a result of commercial agreements, the texts of any such agreements, and other information relating to the program.

RELATION TO OTHER LAWS

SEC. 9. (a) Nothing in this Act shall be deemed to modify or amend the Export Control Act of 1949 (50 U.S.C. App. 2021 et seq.) or the Mutual Defense Assistance Control Act of 1951 (22 U.S.C. 1611 et seq.).

(b) Any commercial agreement made under this Act shall be deemed a trade agreement for the purposes of title III of the Trade Expansion Act of 1962 (19 U.S.C. 1901 et seq.).

(c) The portion of general headnote 3(e) to the Tariff Schedules of the United States that precedes the list of countries and areas (77A Stat. 11; 70 Stat. 1022) is amended to read as follows:

"(e) Products of Communist Countries. Notwithstanding any of the foregoing provisions of this headnote, the rates of duty shown in column numbered 2 shall apply to products, whether imported directly or indirectly, of the countries and areas that have been specified in section 401 of the Tariff Classification Act of 1962, in sections 231 and 257(e)(2) of the Trade Expansion Act of 1962, or in actions taken by the President thereunder and as to which there is not in effect a proclamation under section 6(a) of the Rumanian Trade Relations Act of 1969. These countries and areas are:"

CRAMER WATER POLLUTION CONTROL FINANCING BILL PUSHED

(Mr. CRAMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CRAMER. Mr. Speaker, I wanted to speak on the subject of adequate funds for water pollution control, sewage treatment plant construction.

Last year this body and the other body passed a bill providing an alternative means of financing water pollution control with Government guarantee of the Federal share for local water pollution control bond issues, and it passed unanimously in the House and the other body. Unfortunately, it got tangled up in other matters and the total bill was not passed.

I have reintroduced, along with many of my colleagues, a bill this year to accomplish a similar objective, to take up the slack in the difference between the $1 billion authorized for fiscal year 1970 and the $1.25 billion for fiscal year 1971 and the amount of the appropriation which was recommended both by the Johnson and Nixon administrations at $214 million for 1970, or about one-fifth of the amount of money authorized.

Whatever is appropriated, there is going to be a difference between appropriations and authorizations. I think this supplemental financing provision should become law. I introduced it earlier on request of the Nixon administration as H.R. 12913 and I will reintroduce it with an addition that a 5-percent bonus allocation should go to the States that have laws to put up 25 percent of the cost of sewage treatment plants because so many Members have asked me to add this provision. If we are going to meet the problem of dirty water and dirty rivers and clean up our streams, we have to have adequate financing. This is the way to accomplish it without busting the budget and without substantially increasing the appropriations. I hope this, when introduced tomorrow becomes law, as it needs to, this year.

A copy of the bill as amended follows:

H.R. 12913

A bill to amend the Federal Water Pollution Control Act, as amended, to provide adequate financial assistance and to increase the allotment to certain States of construction grant funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Water Quality Financial Assistance Act of 1969".

SEC. 2. Section 8 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466e), is amended—

(1) by redesignating subsections (f) and (g) as (g) and (h); and

(2) by inserting a new subsection after subsection (e) to read as follows:

"(f)(1) For the purpose of this subsection, the term 'contracting party' means a State, municipality, or intermunicipal or interstate agency.

"(2) For the purpose of providing an additional method of financing treatment works under this Act, the Secretary, within limits to be established in appropriation Acts for the fiscal years 1970 and 1971, may enter into contracts in any such fiscal year in which the amount appropriated for grants under subsection (b) exceeds $100,000,000, such limit shall not exceed for the fiscal year 1970, the difference between $1,000,000,000 and the amount appropriated for such fiscal year for grants under subsection (b), and shall not exceed for fiscal year 1971 an amount equal to three times the amount appropriated for such fiscal year for grants under subsection (b). The total of the principal sum available for contracts under this subsection for fiscal year 1971 and the amount actually appropriated for grants under subsection (b) of this section for fiscal year 1971 shall not exceed the amount authorized to be appropriated for grants under such subsection (b) for such fiscal year. Such contracts may be entered into with any contracting party to make payments over a period of not to exceed thirty years from the date of the contract to cover the Federal share of construction costs of treatment works that meet the applicable requirements of subsection (b) of this section and the first sentence subsection (c) of this section, except that not to exceed 25 per centum of the sum allocated pursuant to paragraph (3) of this subsection to a State for fiscal years 1970 and 1971 for

such contracts under this subsection may be used to provide reimbursement for treatment works eligible for reimbursement payments under the sixth and seventh sentences of subsection (c) of this section.

"(3) Sums available for contracts under this subsection for each fiscal year beginning after June 30, 1969, shall be allotted by the Secretary in accordance with the ratio that the population of each State bears to the population of all the States. Sums allotted under this paragraph to a State which are not obligated within six months following the end of the fiscal year for which they were allotted shall not be reallotted and shall lapse, except that sums allotted to a State in fiscal year 1970 shall be available for obligation therein for eighteen months from the effective date of this subsection.

"(4) The Federal share for treatment works with respect to which a contract is entered into under paragraph (2) of this subsection shall be the same percentage as would be the case for such works under subsections (b) and (g) of this section.

"(5) Each contract shall include such reasonable terms and conditions as the Secretary deems appropriate."

SEC. 3. Section 8(d) of the Federal Water Pollution Control Act, as amended, is amended to read as follows:

"(d) For the purpose of making grants under this section, there is authorized to be appropriated $700,000,000 for the fiscal year ending June 30, 1969; $1,000,000,000 for the fiscal year ending June 30, 1970; and $1,250,000,000 for the fiscal year ending June 30, 1971; and in addition, there is authorized to be appropriated such sums as may be necessary to make payments on contracts entered into under subsection (f) of this section. At least 50 per centum of the first $100,000,000 appropriated for grants each fiscal year beginning on or after July 1, 1965, shall be used for grants for the construction of treatment works servicing municipalities of one hundred and twenty-five thousand population or under. Sums appropriated to carry out this section shall remain available until expended.

SEC. 4. Section 8 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466e), is amended—

(1) by inserting after the word "grant" to clauses (1), (3), (4), and (5) of subsection (b) the words "or contract"; and after the word "grantee" in clause (3) of subsection (b) the words "or contractee";

(2) by inserting after the words "Federal grants" in the first line of subsection (b), the words "and contracts";

(3) by inserting after the word "appropriated" wherever it appears in the second and third sentences of subsection (c) the words "for grants under subsection (b) of this section";

(4) by inserting a comma after the words "subsection (b) of this section" in the first sentence of redesignated subsection (g) and the following: "or the amount contracted for under subsection (f) of this section," and by striking out in such sentence "the amount of such grant" and inserting in lieu thereof "such amount"; and

(5) by inserting after "grants" in redesignated subsection (h) the following: "or contracts".

SEC. 5. Subsection (c) of section 8 of the Federal Water Pollution Control Act (33 U.S.C. 466c) is amended by inserting immediately after the third sentence thereof the following: "The allotment of each State eligible to receive Federal grants from such allotment of 50 per centum or more of project costs shall be increased by an additional 5 per centum, except that (A) such increase shall not reduce the allotment of any other State and (B) such 5 per centum increase shall not be obligated by any such State until an appropriation is made under authority of the next sentence specifically for such purpose. There is authorized to be appropriated, in addition to amounts otherwise authorized to be appropriated to carry out this Act, such sums as may be necessary to carry out the preceding sentence."

SEC. 6. The amendment made by section 5 of this Act shall take effect with respect to the allotments made under section 8(c) of the Federal Water Pollution Control Act for fiscal years ending on and after June 30, 1970.

PROBLEMS OF TRANSPORTATION

The SPEAKER pro tempore (Mr. PRICE of Illinois). Under a previous order of the House the gentleman from Connecticut (Mr. WEICKER) is recognized for 60 minutes.

(Mr. WEICKER asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. WEICKER. Mr. Speaker, I am reintroducing today, in conjunction with my colleagues, the gentleman from New York (Mr. ROBISON), the gentleman from Illinois (Mr. ANDERSON), the gentleman from California (Mr. REES), the gentleman from Alaska (Mr. POLLOCK), the gentleman from Massachusetts (Mr. DONOHUE), the gentleman from Connecticut (Mr. MESKILL), the gentleman from Florida (Mr. FREY), the gentleman from New York (Mr. HASTINGS), the gentleman from Pennsylvania (Mr. MCDADE), the gentleman from New York (Mr. BUTTON), a bill entitled the "Federal Transportation Act."

Mr. Speaker, I would like to make reference, if I may at this point, to some comments which I made back on June 24. At that time I stated that one of our great national strengths is the unbounded enthusiasm which we as a nation generate for a particular project at a particular moment in time and that the American people have at one time or another exploded enthusiastically for short periods of time for a particular mode of transportation.

Mr. Speaker, this morning in the mail I received a letter from the Connecticut Transportation Authority which I would like to read into the RECORD and have it made a part of the RECORD. The letter reads as follows:

STATE OF CONNECTICUT, CONNECTICUT TRANSPORTATION AUTHORITY,
Hartford, Conn., July 31, 1969.

Hon. LOWELL P. WEICKER, JR.,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WEICKER: The enclosed telegram was sent to Senator John Sparkman, Chairman of the Senate Committee on Banking and Currency, to express support for bills calling for establishment of a Mass Transportation Trust Fund. These bills are being heard by the Senate Subcommittee on Housing and Urban Affairs.

To meet our transportation problems, Connecticut and our nation must do more than build complex super highway systems and larger airports. We must make mass transportation facilities more attractive to relieve highway congestion and air pollution. We must encourage people to use trains rather than automobiles. We must modernize our most dependable and most efficient form of transportation—our railroads!

Federal funds of only $150 million per year have been available for mass transportation, in contrast to the sum of almost $10 billion per year in Federal funds that we are spending to build more highways.

I would appreciate your continued support for preservation and improvement of essential rail services by your endorsement and support of legislation to establish a Mass Transportation Trust Fund.

Sincerely,

FRANK M. REINHOLD,
Chairman.

I think this is an opportune time to set that letter against the comments made on June 24 because certainly mass transportation, particularly rail transportation, is of key importance to my particular Congressional District of Connecticut. And yet, quite frankly, if we explore—and this very well might be the year or the years for mass transportation by rail—if we explore or concentrate entirely on this one area, then the very problems that have come to pass due to the emphasizing of one area of transport, such as highways, canals, airport expansion, et cetera, over another will come to pass again and are the very problems which the transportation trust fund seeks to avoid.

I see through my section of the country, and indeed throughout all areas of the United States, airports that are totally tied up, rail systems that have been allowed to disintegrate, bus systems that are no more in the cities and highways that are just one long parking lot. In fact, it can be said that although there may be 1,000 transportation happenings in the United States, there is no transportation system.

It is not easy, certainly, for any one of us to stand up in the face of the interests that represent the component parts of transportation. Maybe that is why it is fitting that I should stand in front of the House this evening and not be pumping for a mass transportation trust fund, and for an emphasis on rail transportation, but rather to emphasize the need for coordination and for one transportation trust fund.

On paper, at least, there may be an alternative to new airports for New York. Air traffic in and out of New York between Washington or Boston accounts for 350 of the 1,600 or so commercial flights a day. These flights carry 14,000 people—all of whom could be moved in 45 trains the size of the Penn Central's new Metroliner. The trains, which are held to an 80-mile-an-hour average by grade crossings and by the fact that they must share the track with slower equipment, are capable of speeds up to 164 miles an hour. Even at the present slower speeds, they are making the trip between downtown Washington and downtown New York in just 30 minutes to an hour longer than it takes to fly.

In theory, you could take enough pressure off the New York airports by increasing train travel so that New York would not need even one more jetport—or wouldn't need it right now.

In my own State of Connecticut we have an airport, Bradley Field. The No. 1 runway at Bradley Field is the second largest runway in the entire eastern United States, exceeded only by Kennedy, and yet the use of Bradley Field is minimal. The people of Connecticut flood into New York and utilize LaGuardia, John F. Kennedy, and Newark airports. They would use Bradley Field if it were tied into a high-speed

rail system from the lower part of the State into that particular air terminal.

I would ask a question here. I have read much in the local newspapers in Washington, D.C. of a proposed subway system, and I ask whether or not plans are being made to link that subway system into the airports of the Washington area? Not just a subway to service the downtown areas, but rather to serve the airports and thus eliminate the tremendous traffic problems which are generated on the arteries leading from the cities to the air terminals.

Sometime take a drive down from Boston to Washington and see the airports that are only partially utilized at New Bedford, Providence, Bradley, Friendship, and Dulles. Is there really a need for additional airports or is it a need for coordination and utilization of what exists?

I suspect that the chances of this bill passing are mighty small. Yet, if it serves one purpose, which is to get this issue out into the open, where it can be discussed by those who have a knowledge of transportation, then I think it will serve this country's transportation problem rather well.

Mr. Speaker, in the days ahead and the years ahead when there is going to be a doubling of the population and a doubling of the facilities to serve that population, how is it going to be handled? Are we going to put forth the billions of dollars necessary and make the dollars conform to the present system? Because, if we do that, we will be throwing our money away.

Or are we going to reject the system as it has developed and as the special interests have protected it, and start on a new tack?

I do not speak against the highway trust fund—I do not speak against the concept of an airport trust fund—or a mass transit rail trust fund. But no one of these modes of transportation can serve the Nation by itself. In fact, what will happen to a highway trust fund and to an airport trust fund and to a rail trust fund is eventually that the American public will lose its interest in one mode of transportation and then it will be years, just as it has been for the railroads before, the public will pay proper attention to that particular mode of transportation. It goes through a dry spell and the Nation's transportation suffers accordingly.

I speak then today not against any one mode of transportation but in fact for all of our modes of transportation, with the hope that this Congress does not paint itself into a corner. I think the facts speak for themselves. The facts, when it comes to transportation as they apply to the citizens of this country are all too clear—you cannot move. I think the job lies in our hands and with the reasoning of coordination we can do that job well.

Mr. MESKILL. Mr. Speaker, will the gentleman yield?

Mr. WEICKER. I yield to my colleague from Connecticut.

Mr. MESKILL. Mr. Speaker, I want to commend and to congratulate the gentleman for his fresh approach to this problem. It is a very serious problem.

I want to associate myself with the remarks the gentleman has made and to say I am very happy to join with him as a cosponsor of this legislation. I think his remarks have been to the point and I certainly want to commend him for his activity in this area which is very important and probably more visible to him and his area than it is perhaps in mine or any other area in the State of Connecticut. The gentleman's district is certainly so close to New York and so deeply involved in the commuter problem that I can assure the gentleman that this problem does branch out through the rest of the State and the rest of the country.

I think the recommendations which are included in the legislation which he initiated and which I was happy to join with him as a cosponsor are certainly excellent.

Mr. WEICKER. I thank the gentleman for his gracious comments.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. WEICKER. I yield to the gentleman from Illinois, a coauthor of this bill.

Mr. ANDERSON of Illinois. Mr. Speaker, I would like to join my colleague in commending the gentleman now in the well for the industry and initiative that he has displayed in introducing this legislation in which I was pleased to join as a coauthor.

It is true, as has just been pointed out, that he represents one of the most densely populated areas, I am sure, in the whole of the United States, and yet the coming transportation crisis—indeed, the crisis that is already upon us—is one that I think, as the gentleman has pointed out, affects not only a section or an area of our country, but the whole future of our economy depends on the degree of mobility which we are able to maintain, and to the extent that we have a transportation crisis in Connecticut, or in the Northeastern part of the United States, we have a crisis affecting the whole of the United States.

So again I think the gentleman has performed a very useful service in drawing up this bill, in introducing it, and providing a focus for our discussion of this very important problem.

Mr. WEICKER. I thank the gentleman from Illinois for his comments and assistance.

GENERAL LEAVE

Mr. WEICKER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and to include extraneous matter on the subject of my special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

SPECIAL SUBCOMMITTEE ON REORGANIZATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California (Mr. SISK), is recognized for 60 minutes.

Mr. SISK. Mr. Speaker, some 3 months ago the distinguished chairman of the Committee on Rules appointed a Special Subcommittee on Reorganization and honored me with its chairmanship. I have asked for this time so that I might present to the House a progress report on the subcommittee's work to date.

You will recall that Congress established a Joint Committee on the Organization of the Congress early in 1965. After extensive hearings, that joint committee offered some 120 recommendations for congressional reorganization and reform in such widely diverse areas as our committee system, fiscal controls, staffing, research services, ethics, housekeeping, and the Lobbying Act. In 1967, the Senate considered a bill based upon many of those recommendations. The bill was amended and then passed by a 75-to-9 vote, but the House did not act.

It became evident during the first few months of this year that there is considerable sentiment for congressional reorganization in the 91st Congress. Thus far this session almost 200 Members of the House have introduced or cosponsored more than a dozen omnibus legislative reorganization bills, most of them similar in many respects to the Senate-passed bill of the 90th Congress. All these measures have been referred to the Committee on Rules which, in turn, has assigned them to the special subcommittee for study and a report.

Mr. Speaker, I am aware that doubts have been voiced about the intentions of our subcommittee. Let me say in the clearest and most unequivocal language at my command that insofar as I have anything to do with it this subcommittee will report a bill, that the bill will contain the substance of many provisions in the measures referred to us, and that it will offer in addition other significant and meaningful improvements in congressional organization, procedures, and resources. Furthermore, I intend to urge the Committee on Rules to bring that bill to the floor of the House early in the next session of the 91st Congress. Other members of the subcommittee may speak for themselves, but I have seen no evidence that any of my colleagues differ with these views.

Some Members evidently believe we are taking an inordinately long time to report a measure to the House, and see this as evidence of our alleged reluctance to support congressional modernization and reform. I repeat, it is the subcommittee's intention to bring a bill to the floor, but let me add that it is also our intention to bring out a carefully drafted bill whose provisions and their implications have been thoroughly explored. Congress will have to live with those provisions for a long time. Their consequences may have a profound effect upon the future of democratic government in this country. Surely under those circumstances we want to understand exactly what we are doing. Surely we want to assess as accurately as we can the impact of our committee operations, on each Member, and on our relationships with the executive branch.

Careful assessment of so complex and intricate a bill is not the work of a day, a week, or a month. I myself did not at first fully appreciate just how complex and intricate a subject it is, the Senate bill's 134 pages bristle with 78 sections, almost every one of which contains at least one, and often several substantive provisions. Other bills introduced this

year have added many additional and provocative proposals to be considered. I assume this House expects us to give thorough study to everyone's suggestions. And that is exactly what we are doing.

Our special subcommittee was established April 22. Its members, which include in addition to myself, the distinguished and able gentlemen from Missouri (Mr. BOLLING), from Texas (Mr. YOUNG), from California (Mr. SMITH), and from Ohio (Mr. LATTA) have thus far attended seven long and arduous meetings to hammer out concrete proposals and language. Our deliberations have been aided by expert staff borrowed from the Office of the Legislative Counsel and from the Legislative Reference Service who supplement the regular staff of the Committee on Rules. In addition, we have on one occasion brought in other highly qualified staff to assist us with a particular problem, and we may do so again as the situation warrants.

Our procedure is simple. Section by section, we compare similar provisions in all the bills before us, study their intent, examine the differences in substance and language, and arrive at tentative decisions. In some areas, those decisions have come easily. For example, we have almost nothing about committee jurisdictions because most of the bills introduced this year omitted those controversial provisions adopted by the Senate. Similarly, most House bills deleted the Senate's language calling for daily summaries of testimony before committees.

Other areas, however, pose many knotty and time-consuming problems.

We have discovered, for example, that some of the provisions in title I dealing with committee procedures would be more simply and effectively implemented by directly amending the Rules of the House. We are therefore altering the structure of the bill to accomplish that purpose. We have also discovered that some of these same provisions, while easily applicable to the Senate, do not take into account all the special circumstances of the House of Representatives. Because of those circumstances, the way in which some provisions are worded would not accomplish the intended result. We are therefore revising the language wherever necessary so that the original intent will be more effectively realized. Let me interpolate here that for the most part we intend to retain for the Senate the procedures and language that body approved in the 1967 bill.

We have arrived at tentative decisions on most of the provisions thus far examined. On others we have not yet resolved all the problems they entail. Televising committee hearings is one of these. I expect and hope that the hearings we intend to hold later this year will help us explore and solve most of these problems.

We also expect to hear testimony in those hearings about some of the areas in which, some of us believe, the bills do not go far enough. The subcommittee is of the opinion, for example, that none of the bills really comes to grips with the full implications of the planning-programing-budgeting system. Nor do they deal adequately with the evolution of a rational computer policy for Congress.

Some of us question whether the presence of so-called review specialists in each committee will appreciably improve congressional oversight capabilities. We think other approaches might be far more effective. Moreover, it may be that the bills do not provide sufficient resources to assist Congress in program analysis. And we have begun to consider the idea of changing the fiscal year to make it coincide with the calendar year so as to bring more rationality to our fiscal procedures.

Beyond this, the subcommittee has decided to deal, in a limited way, with many rules of the House not now mentioned in any of the bills before us. Our intent is to eliminate obsolete language and provisions, to clarify ambiguities where that seems practicable, and to add a few new and, in our view, useful procedures.

Mr. Speaker, we hope that all of these will be fully explored at our hearings. As of this moment, my expectation is that those hearings could begin about the middle of October. Precisely when they begin will depend upon the magnitude of the problems we meet as we continue our examination of the bills.

The subcommittee has thus far completed its preliminary consideration of title I and about half of title II. In the first title we have already agreed to tentative language concerning the circumstances under which committees may or shall meet, internal committee procedures, the filing and availability of committee reports, committee funding, and conference reports. In title II, which deals with the most vital subject of congressional fiscal control, the subcommittee has tentatively agreed to a variety of provisions aimed at giving Congress more detailed and more useful budgetary and fiscal data, as well as more assistance in analyzing that data.

If all goes well, we should finish our first run-through of the bill early in October. At that time we hope to publish a committee print embodying our recommendations which will be available to all Members for the consideration before the hearings begin.

Mr. Speaker, what we are trying to do essentially is to put together the best provisions in all of the bills submitted to us and to do so with care and judgment. To expect that everyone will agree with every word in so large and complicated an omnibus bill is to expect what never was and never will be. But I am convinced this subcommittee's recommendations will make real and realistic contributions to the modernization of Congress toward the end that this great institution may become an even more effective voice of the people.

Mr. Speaker, this is a brief summary of the work which the committee has been engaged in now during the past number of weeks. I have attempted to outline as briefly as possible our proposed schedule.

I might just add to what I have said the fact that we have projected some nine to 10 additional meetings in executive session, where we are attempting to complete our work of comparison and to pull together what we believe to be equitable language, and then prepare our committee print, which, as I indicated before, will be distributed to all Members prior to the start of the hearings.

So in projecting our thoughts ahead, and in view of the congressional recess which will occur in the latter part of August, we feel about the middle of October is the earliest possible time we could expect those hearings to start.

With that I am glad to yield to my colleague, the gentleman from California (Mr. SMITH), who, I might say, is an outstanding and excellent member, and is making a great contribution to our work on the committee.

Mr. SMITH of California. Mr. Speaker, I thank the gentleman for his statement and I thank the gentleman for yielding.

Actually, last year when we had these bills I had no idea that this problem would take as much time and would be as difficult as it has been, for one little sentence after another sometimes becomes difficult for us to decide which to proceed with.

I associate myself with the remarks of the gentleman. I appreciate his taking the time to bring this to the attention of the House.

I am certain that all other members of the subcommittee will cooperate and work in every way to bring about what the gentleman has stated in his statement today.

If we only have the time, and if our patience holds out on some of these problems, I believe we will bring out a bill for the consideration of the House, and I am sure will bring it out under an open rule, so that the House can have it worded in any way it wants.

I assure the gentlemen that I will do the very best I can, along with the other members, to work out a workable bill.

Mr. SISK. I thank my colleague from California. As I say, he is doing an excellent job. As he says, of course, sometimes it tries one's patience.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. SISK. I am glad to yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's yielding.

I want to commend both the gentlemen from California.

Mr. Speaker, I commend the gentleman from California not only for the excellent job he has performed as chairman of the Committee on Rules Subcommittee on Congressional Reorganization; but also for initiating this special order. I look forward to the hearings and final production. I say this as the senior Republican in the House, that served on the Joint Committee on the Organization of the Congress. This committee worked hard for more than 17 long months before presenting its final recommendations. We had stacks and reams of testimony from all who would be heard. The other body worked its will on this far-reaching legislation in the early part of the 90th Congress by a 75-to-9 vote. The bill did not fare that successfully in the House, and thus it died at the adjournment of the 90th Congress. In retrospect, as in 1946 which was the last time the Congress worked its will on updating and reorganization, it probably should have been left on the Speaker's desk, and not referred in order that we could have had a "package" bill on which to work our will. But, this is water under the bridge, and I know of all the dedicated work of

the gentleman in the well, Mr. H. ALLEN SMITH, and my colleague from Missouri, Mr. RICHARD BOLLING.

Early in January, Mr. Speaker, I introduced H.R. 2185 which is the Joint Committee on Congressional Reorganization version that passed the other body in March of 1967. It still most nearly represents the findings of the joint committee. Even though I do not agree with all the provisions of the bill, it has been my long hope and prayer that a reorganization bill be brought to the floor, so that the will of the House could be satisfied. Pride of authorship means nothing to me, as long as a bill is reported. I believe this applies to our colleague Mr. SMITH of California, and most who have researched so long and well.

Mr. Speaker, I will not take this body's valuable time to delve into the various provisions of our reorganization bill, or that of others. I believe they are well known as per the statement of the gentleman from California (Mr. SISK). However, I do wish to say that if Congress is to regain its status and power as a coequal branch of Government, we must modernize and become efficient. Ponder the effect alone of modern electronically controlled quorum and rollcalls. Such results can be achieved through any of the several reorganization bills now pending. I feel confident that the Subcommittee of the Rules Committee will report a bill during this session of Congress, and that passage will quickly follow. We owe nothing less to the American people, whom we are privileged to represent in this Congress—still the greatest legislative body on earth and based on the most substantial and best proved principles of history.

Mr. SISK. I thank the distinguished gentleman from Missouri.

I would like to say here—and I want to emphasize this—that nothing I have said and certainly nothing that has occurred in the committee is to detract from the great work done by the joint committee. Let me say, having reviewed the hearings and having read much of the material developed there, I think that the joint committee did a great amount of work. Again I say that I admire their patience, because they did work on this for a long, long time. Nothing we are doing today or nothing we have said is intended in any way to detract from the hard work and in many cases, I think, the very excellent work that they did. Unfortunately, of course, when the bill came back to the House, as I mentioned, my good friend from Missouri recognizes that the Committee on Rules will have to take the burden on that because of the fact that that is where it landed and that is where it died, in a sense. I am sure, though, that the gentleman is aware of the fact that we, of course, tried to cooperate with all Members of the House. We ran into, let us say, a lot of static from Members all over the place. Again I say this was because of the enormity of attempting to pull together so many things. Everyone found something that he did not like particularly. However, I want to make it clear that our work is in no sense intended to suggest that we are going at this more intelligently than the joint committee. We are attempting to start again from where you left off, to some extent, and put together a variety of ideas that developed out of that work.

Mr. HALL. Mr. Speaker, will the gentleman yield further?

Mr. SISK. I am glad to yield to the gentleman.

Mr. HALL. I certainly did not assume or mean to imply by my remarks that I felt the erstwhile action of the Committee on Rules was in any way a reflection on the joint committee or the Joint Commission which did work hard and labor long on this subject.

We did have patience, in order to assure that everyone had "due process." I want to assure the chairman of the committee that all of those hearings and all of our deliberations, prudent as they may or may not have been, are available to the subcommittee and are at their beck and call. We certainly want to commend the committee on their action. Personally I do not believe that the Committee on Rules should protest too much about bearing any brunt. We all know how it came to be referred there. Everybody on the Joint Commission who heard, I believe, over 179 Congressmen—to say nothing of the outsiders, political science students, government and other organizations—testify on this bill, had their pet fears and pet problems. We know that the pressure brought to bear on the Committee on Rules from the outside was great, especially from the lobby group, yet the greatest of all lobbyists, the executive branch goes unscathed. I hope that I have made clear another way it could have been handled by the leadership which was not to have referred it at all, but to have left it on the Speaker's desk where it could have been pulled, as it was in 1946, at any time that the leadership was ready for programing for the House to work its will after some of these other waxings and wanings and vicissitudes had been ironed out, as they were indeed and as the committee is doing now. There is nothing but commendation for the hard work that has been done of comparison, of taking the best parts of different bills under different titles that the Committee on Rules and their different members have done in getting any kind of a "package" out on the floor, so that we in this body can work our will. I hope it will not be too tightly tied down by an adverse rule, when the bill does come here.

I thank the gentleman for all he has done on this.

Mr. SISK. I thank the gentleman very much.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield?

Mr. SISK. I am glad to yield to the gentleman from New Hampshire.

Mr. CLEVELAND. I appreciate the gentleman yielding to me.

I concur generally with the sentiments expressed by the gentleman from Missouri, having served with him on the joint committee, not for the full term. I assumed a position on that committee when the gentleman from Michigan, Mr. GRIFFIN, went to the U.S. Senate. Much of what has been said here tonight reflects my own observations, having served on the joint committee. We recognize that if you are undertaking to rewrite the bill or the bills that have been submitted, and it is going to take a good deal of time.

As the gentleman from California (Mr. SMITH) said, he hopes everyone will be patient. Patience is sometimes a virtue, but it can wear thin.

I am pleased to hear of your timetable. I would like to address a few questions to that.

It is my understanding that sometime during the August recess or shortly after the recess you are going to have something in the nature of a committee print which will then be the subject matter of the hearings which you plan to schedule in October of this year.

Did I understand the gentleman correctly on that point?

Mr. SISK. That is correct. As soon as we have completed this comparison of the various proposals, and as I am sure the gentleman is well aware, we have prepared special sheets comparing all of the similar bills and the provisions thereof—as soon as that work has been completed it will be published in a committee print and made available to all the Members. At this point in time, the best we can calculate it is that it will be about the 15th of October.

Mr. CLEVELAND. Mr. Speaker, if the gentleman will yield further, I hope you will devise a method of approach whereby you do not plow the same ground that was plowed by the joint committee. We had hearings on top of hearings that lasted for almost 2 years and innumerable Members of Congress and other people interested in this general area appeared and testified.

I think it would be unfortunate if all those witnesses came back and retestified, that would back you up into a position which would delay bringing the bill to the floor to perhaps January or February or later. You might find yourself confronted with hearings that go on and on. You would be right back where we were last year.

Mr. SISK. I appreciate the gentleman's comment on that problem. We certainly do not wish to plow the same ground which the joint committee plowed. We may be optimistic, but we believe we will be able to confine these hearings. Frankly, what we are hoping for is no more than 4 or 5 weeks of hearings at the moment. We propose to do that by using a rifle instead of a shotgun to a certain extent in order to pinpoint specific areas. However, there are specific areas in which we may find ourselves in the position of making no hard and fast decision. I have reference to the opening of the committees to radio and television broadcasting and even the question of opening the Chamber of the House to possible television under a certain set of circumstances.

There are a variety of problems that we expect to outline and specify in those areas and we have been gathering a great deal of material upon which we have worked. For example, in title I we would not expect to hold hearings on the provisions of that title because we expect to bring this bill to the floor of the House with an open rule and give the Members an opportunity to work their will.

Once we put out the committee print, I do not feel we can deny any Member of Congress a right to come in and testify. But I would hope—and I shall appreciate any comment from my good friend, the gentleman from California (Mr. SMITH), on this—that we will be able to hold these hearings to certainly 4 or 5 weeks, or 6 weeks at the most. I say this because we do not feel we can go through the long, drawnout hearings that the joint committee did. In other words, we shall try to use a rifle in pinpointing certain areas and hold hearings on those areas and then button it up and bring it to the floor of the House.

Mr. CLEVELAND. Mr. Speaker, if the gentleman will yield further, I certainly hope you will be successful in that approach. I say this because I am sure the gentleman can see the trap into which you might get if you do open it up. I think most Members consider themselves expert at least in a part of the general area of congressional reform.

We, at one time in the joint committee, actually designated by title or by some other description more than 150 proposals that had been made by various Members and various members of faculties that are interested in Government as well as political scientists. If you undertook to have general hearings on the whole subject of congressional reform, unless you devise some method of limiting the appearances and confine witnesses to either written statements or very sharply delineated statements, you will find your hearings will consume more time than you think. Just as you have said and as the gentleman from California (Mr. SMITH) has said, it takes time and patience to draft this type of legislation. It is painstaking work.

Mr. SISK. I appreciate that.

If I could just make one comment there: Generally it has been our opinion—and I appreciate that the gentleman from California (Mr. SMITH) is on his feet now, and can comment on this—but we will attempt to actually contain these hearings primarily to Members of the Congress. You folks heard testimony from representatives in the universities, and in the field of education, and from a variety of other fields, people who had made special studies, and so on, and certainly it is not the intention, as I understand it, to go back over that record. Primarily we want to limit it very tightly to people in the Congress, and of course we want to be fair and democratic about it also, but we want to limit it basically to the Congress.

There is one subject on lobbying, and that is one on which we might hear from outside witnesses. But generally I think the idea is to hold the hearings primarily for the benefit of the Members.

Mr. SMITH of California. Mr. Speaker, if the gentleman will yield at that point, I want to say that in all honesty if I thought I had to look forward to the extensive hearings such as have been mentioned, with this very fine committee, that I would resign from the committee effective immediately.

We have taken these bills, S. 355, my bill and other bills, and we have gone through these things so that, insofar as title I is concerned, I believe that we are probably ready to submit a summary now of our language for all of these questions with two exceptions. One is television. We have gone around and around on that subject. I have been on one side, and then I have been on the other side, and now I am in the middle. As to what to do about television, I am sure that we will have hearings on that. And then on specialists, we have gone back and forth, and we have not come to a conclusion. I think we should have hearings on that.

Also title II, I think, in the first paragraph where we have not decided on the program planning budget system, the computer, and so on, and thus we are going to have to have some discussions on that, and hearings.

But we are not going to go over, at least, so far as I am concerned, the work that you gentlemen did. We have had the opportunity of reviewing your report, and we have analyzed it and have gone through the testimony on every single section, and we do this as we go through it, and I can assure the gentleman that we will continue to do so.

Mr. SISK. Mr. Speaker, I join my colleague from California (Mr. SMITH), 100 percent on his statement.

As the gentleman knows all of us have other committee work, and work to do, as well as constituents to represent, and hopefully we are representing them.

But we will at least try to be fair and democratic, and at the same time attempt to limit the hearings.

Mr. CLEVELAND. Mr. Speaker, if the gentleman will yield further, I wonder if it might not be wise if you have in fact just about completed title I, not to wait until you have completed all the titles. You could submit that print now to the Members.

I wonder if it might not be helpful to the Members, as well as yourselves, if you could complete title I, or a title at a time. If title I is almost ready to go, then possibly you might let that go now and let us have a peek at it.

Mr. SISK. Let me say this to the gentleman: My mind is completely open, and I would say that I will take that thought back to the committee, and we will certainly discuss it. I think the gentleman might have the germ of a good idea.

However, the gentleman must remember that I am only one of five members on the committee.

Mr. CLEVELAND. We understand that. But my interest in this matter, as a member of the joint committee—or a former member of the joint committee—and as the gentleman knows there are task forces on both sides of the aisle that are deeply interested in this, and want to be helpful. I think if you could let us take a look at what you have done as you go along that we might be helpful to you. Frankly this is what some of us want to do. I feel like the gentleman from Missouri, I am not annoyed that you have found the Joint Reorganization Act of 1967 wanting. As a matter of fact, we admitted that was only the first step, and that it was lacking in many respects, and we are delighted that you people have examined it and are taking another look at it. These things can always be improved by the full use of the expertise that exists on both sides of the aisle and by those who are particularly interested in this area.

So the quicker you let us look at what you have accomplished, I think the better off we all will be.

Mr. SISK. I will take that thought back and discuss it with the committee.

Mr. REES. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman.

Mr. REES. Mr. Speaker, I commend my colleague, the gentleman from California, for the work he is doing.

I have discussed this bill with the gentleman during the past few weeks. I think perhaps the subcommittee might well go beyond the scope of the bill which was introduced by both sides several months ago.

I would like to make one request. One of the difficulties in dealing with congressional reform is that you find you are amending various titles of the Federal code and you are also amending the rules of the House.

I was wondering if it might be possible when you do come up for your committee print, if you could use the Ramseyer rule whereby you would separate, for example, that part of the title which can be taken care of by simple amendments to the rules of the House from that part of the title which needs statutory enactment. In doing this, if the complete section that is being amended could be printed so that we could find out exactly what the change of the language is.

I think it is a very difficult point as one of the authors of the reform bill in trying to find exactly what was in the present law and what was in the bill we are dealing with. I found several instances where I think there was just pure repetition. I think you find this going through title I.

I know that this would be a great deal of help to us in trying to put this overall problem into context because we do think, even though it is a fine bill, that both sides have put in, it is a very confusing bill in certain instances because of this.

Mr. SISK. Let me say, I am sure the committee is aware of the problems, and is trying to clarify that, and certainly make obvious what we are trying to do.

I think with reference to the use of the Ramseyer rule and the use of language so that it is easily understandable, that is exactly what we are seeking to do.

We do have some very able and some very capable people working with us. We have an able staff, of course, and the gentleman from Mississippi (Mr. COLMER) of the Committee on Rules has been kind enough to lend us pretty well the staff of the Committee on Rules and they have been doing a great job. Then we have from the legislative counsel as well as the legislative reference service some very good people. We are doing our best to try to clarify thse provisions. I am sure they will do a good rewrite on it.

Mr. REES. Mr. Speaker, if the gentleman will yield further, I wonder, would you say there might be a possibility if we are in session in December, a bill might conceivably come to the floor of the House? Or if it did not, then might it

well be our first order of business when we come back in January?

Mr. SISK. I would say to the best of my knowledge what the gentleman has brought up on that subject and his predictions could come true because none of us have any idea how long we are going to be around here. I think we are only projecting our thinking on the basis of what we might expect. We may even have to be here after Thanksgiving. But I do not wish to project into the future. It may be that we will be here until Christmastime. If that be true, of course, this would make it subject to change. We might have a bill here in December, if the House is still in session and we might have time to debate it in December rather than, let us say, January or February. That is entirely possible because we are simply trying to project to you information we feel you are interested in on this projected schedule, and it is purely again subject to change.

Mr. REES. Then the gentleman's thinking was that there would be an open rule on the bill when it came out? Then would it be one bill or would it be a package of separate bills, each dealing with a separate title? Or, also say, a House resolution dealing only with the rules of the House?

Mr. SISK. That matter is under discussion at the present time.

I will be glad to yield to my good friend, the gentleman from California (Mr. SMITH), if the gentleman wants to make any comment on that and if at any time the gentleman from California wants to join in this discussion, I hope he will.

My understanding is that we are considering that. We have to bring this bill or bills to the floor in, let us say, the most clear way and the most understandable way so that Members know exactly what they are doing.

So far as a hard decision goes, it is not my understanding that the committee has made such a hard decision as yet.

Does my colleague, the gentleman from California (Mr. SMITH), want to comment further on that?

Mr. SMITH of California. I think the gentleman's answer which he gave to our colleague, the gentleman from California, is just a little bit premature.

Tentatively, I think we hope to bring one bill to the floor which contains the whole section under an open rule so that we may have gone that far through title I, part 1, and halfway through part 2, until the rest of them are finished. To answer this question, you had better have another few weeks I think.

Mr. REES. I should like to ask one last question and that is in respect to title II. There is some confusion because we go from a 1-year budget into a semiprograming budget of 5 years. We have discussed, at times informally, the possibility of creating a legislative budget bureau or a congressional budget bureau that could act as our overseer on the budget, such as we have in the State of California, so that all Members could have a specific report, let us say, several months after the President's budget comes out, so that we would have our own viewpoint to look at. Right now the only thing we have available is the budget from the executive branch. Is the committee discussing this possibility of a legislative budget bureau?

Mr. SISK. The committee is very deeply involved right now in this very specific subject. I see my good friend from California smiling. We are, in fact, involved in that question. If I am not mistaken, we spent all the time at our last meeting practically bogged down on a variety of approaches on this very subject.

On this business of the budget, I point out that we have with us this evening, and I appreciate his being present, our distinguished chairman of the Committee on Rules. Many years ago, before many of us were in the House, he was interested in a different approach to the legislative budget. He coauthored, along with the distinguished Senator from Arkansas, I believe, some proposals for a Joint Committee on the Budget. We are digging into those right now. We have not made a firm decision, but this is a very vital and important area if we are going to be in a position to make the information available to Members and we will have to work to make it as knowledgeable as possible.

Mr. REES. I thank the gentleman from California and commend the Rules Committee for the work they are doing. I join my colleagues on the other side. Those of us not on the Rules Committee have been willing and able to offer any expertise we may have acquired in the last 2 or 3 years in working at congressional reform.

Mr. SISK. Let me thank the gentleman. He has made a great contribution, he and those who joined with him, on one of the bills we are now considering.

Mr. CONABLE. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from New York.

Mr. CONABLE. I have only a brief comment to make. I think we are all grateful for this special order and the work that the Rules Committee is doing. However, unlike the gentleman from New Hampshire, I would say I consider not patience, but impatience, a virtue on this particular subject, because it is a subject that has dragged on for a long time. I realize the Rules Committee has been particularly active lately, and I do not wish to carp about what should have happened last year or the year before. I think there is very good reason for haste at this point, since we are already more than halfway through the first session of the 91st Congress.

I notice that this particular subject tends to get bogged down in politics, particularly when a congressional election is imminent. It seems to me this is an important enough subject so we ought to try to decide it at a time when a congressional election is not imminent, and try to keep this from becoming the political issue it inevitably becomes if nothing has been done.

I am well aware it has been said frequently there is no constituency for congressional reorganization. We thought there was not a very great constituency for tax reform either, and yet the time came when the pressure built up in this country to the point where the Ways and Means Committee had to move with some alacrity and under great pressure to bring out a tax reform bill. That bill is coming to the House under a closed rule and, therefore, required much greater care than might be necessary for a measure, like congressional reorganization, coming to the floor of the House under an open rule.

I trust that every effort will be made to face up to the issue of congressional reorganization this year, if possible, and I am particularly pleased to have heard the remarks of the gentleman from California (Mr. SMITH) about his views of how extensive the hearings would have to be. There is an impatient constituency here in the House for congressional reorganization, and there is ample evidence of this on the record. Nobody enjoys impatience: it exacerbates our dispositions and makes it difficult to be objective and constructive. We would like to have something to sink our teeth into. I have great confidence the Rules Committee is serious in its intentions, but many younger Congressmen are impatient. I do not think that impatience is necessarily a bad thing under the circumstances.

Mr. SISK. Mr. Speaker, I appreciate the statement of my colleague. Let me again assure him this is not a job any of us particularly relished in the beginning. There is a great deal of sincerity on the part of the Rules Committee to try to do a job. We are trying to do our very best. I can understand our colleague being concerned.

Since our committee was set up, I think we have missed only three or four meetings and these were because of impossible situations. We would like to get through with it. I would like to finish it next week. Yet, we recognize if we are going to have to come to the floor and defend what we have done and be knowledgeable enough to talk about it on the floor and give reasons for our action, it just requires some time. I would hope we could finish it this year.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Speaker, I commend the gentleman from California and the members of his subcommittee on their initiative and diligence in reviewing this whole subject of congressional reorganization. I am very encouraged by the report which we have received here this evening.

As I understand it from the statement of the gentleman, the congressional reorganization bill passed by the other body is being used as a sort of pattern, and the main parts of that bill are being considered actively by the members of the subcommittee. Am I correct?

Mr. SISK. The gentleman is correct. Wherever possible we are using identical language in particular sections of that bill, and particularly in those portions contained in that bill concerning the other body, because again, as we get into the actions passed on by the other body, we are going to leave up to them such additions as they are willing to add, but we are dealing exclusively with the problems in the House of Representatives, and leaving up to them, once we get a bill over to them, the job of adding to it

like arrangements that will fit their own problems, because as much as some of us might like to do something about particular rules in the other body—which I will not mention—we are going to leave that up to them.

Mr. McCLORY. I understand that, and that might apply also to such things as televising House sessions and House committee meetings, a subject in which I have been very interested, as well as the subject of a greatly expanded automated data processing capability (ADP) for the Congress.

To encourage diligence in the productive work of the subcommittee, I might point out that there are other measures pending with respect to the subject of the use of additional ADP support for the Congress, which it seems to me can be completely answered only through the adoption of the reorganization bill. In other words, there is a measure pending at the present time, I think before the Rules Committee, emanating from the Committee on Government Operations dealing with automatic data processing and another bill is pending before the Committee on House Administration. It seems to me then that this subject when recommended by the special subcommittee and acted upon by the House will resolve this issue, which is one we have to resolve promptly in order to improve our own capacity to perform our legislative work.

I am grateful, Mr. Speaker, for the special order the gentleman is taking and for the encouraging report he and other members of the subcommittee have contributed here.

Mr. SISK. Mr. Speaker, I thank my colleague, the gentleman from Illinois.

Mr. COUGHLIN. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Pennsylvania.

Mr. COUGHLIN. Mr. Speaker, I, too, express pleasure at the action being taken by the subcommitee and for this special order.

Certainly we are living in a time when people are questioning the credibility of their institutions and their ability to change themselves. I think recently we have shown, under the leadership of the chairman of the Ways and Means Committee, that Congress itself can take the reins and bring forth a tax reform bill. I certainly hope we can do the same with the congressional reform bill, based on the joint study and effort that is being done.

Under pressure we have shown we can act and bring forth a bill.

I would like specifically to ask if this bill will also deal with the action in the Chamber itself, and electronic voting specifically, and whether or not the committee is dealing with that.

At the present time, of course, as the gentleman knows, there is another committee of the House—in this case the Committee on House Administration—which is dealing specifically with the problem of some type of electronic voting, some type of automatic voting, some type of fast read-out to avoid the mistakes in rollcalls and a variety of things.

To the extent that would involve a change in arrangements in a change in procedures and would require an amendment to our rules, or require, let us say, the creation of an oversight committee for something of this kind, then to that extent the Committee on Rules will take that under consideration. At the present time they are doing the basic research. It is my understanding we are interested enough in what they are doing to try to keep up with it. They are making progress. They are viewing a number of programs. They are approaching the problem in a number of different ways. I would hope something could be done. This is an area which desperately needs renovation.

Perhaps someone who is on the staff of the Committee on Rules could work with that committee, so that the recommendations could be tied together, again to move as promptly as possible.

Mr. SISK. I appreciate the gentleman's comment. I agree this is an area we certainly hope we can improve. We want to come up with some answers on this quickly.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. I appreciate the gentleman's yielding a second time.

There is one aspect of timing in regard to this problem which I believe should be explored a little bit during this special order.

The gentleman from New York (Mr. CONABLE) referred to the fact that there are some Members, and particularly the younger Members of the body, who are impatient about this matter. We also have our public image to be concerned about. There is a clear need for us to reform our procedures, and to do so with reasonable dispatch.

On the timing, I believe the time schedule the gentleman has suggested is certainly reasonable enough. I wonder if he has taken into account the fact that after the Senate passed the Legislative Reorganization Act, after 3 weeks of debate, in March of 1967, then it came over here and it was assigned to the Committee on Rules, and there it sat for about a year and a half, and it died there.

Has the gentleman given any thought to what is going to happen if this bill passes the House and goes to the Senate? They need sit on it for less than a year under the time schedule mentioned. Has there been any liaison with the Senate to see if they will forgive us for our trespasses, if they were indeed trespasses, and not repeat the dire deed which was done to their bill?

Has the gentleman given any thought to that? Are negotiations underway with that august body?

Mr. SISK. I would not say we have ignored it. I will have to admit that as far as any direct liaison with the other body on this matter is concerned we are not maintaining any particular liaison on it.

I recognize this as a problem. I recognize it as a hurdle. I recognize that they may say, "Well, we sent you a bill a year or two ago and you let it die."

Of course, if they want to react that way I am not sure there is anything we could do about that.

Frankly, I recognize the problem the gentleman is talking about. As I said earlier, if we could move this faster and if we could get this bill through this fall the gentleman from California would be most happy to be relieved of what frankly is quite an obligation and responsibility at the present time. I am sure my colleague from California agrees with me.

Again, we are trying to do a good job. Perhaps we are being too finicky about what we come out with. We have tried to project a reasonable schedule.

Frankly, I would think we would be overly optimistic and giving an unfair picture, at least at the present time, if we told the Members it would get to them sooner. I do recognize some problems.

The very discussion we have had today has raised points in my own mind we might want to consider further. It may be appropriate before too long we might want to make contact with the other body and to discuss some possibilities.

Mr. MacGREGOR. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Minnesota.

Mr. MacGREGOR. I am delighted the distinguished gentleman from California has taken this time to apprise us of the work of the special subcommittee of the Committee on Rules of the House. I would add my voice to those raised earlier in this special order taken by the gentleman from California, to surely urge his subcommittee to proceed with all deliberate speed on this matter.

I am sure the gentleman will. He can be assured of the support of a great many Members of this body, both Republicans and Democrats, for his efforts up to the point where a bill is brought out and surely for enthusiastic support for any comprehensive measure coming from his committee when it is brought to this House for debate. I trust that the gentleman will proceed knowing that he has the very strong and enthusiastic backing of a large number of people in a bipartisan sense who are interested very deeply in this question of congressional reorganization and reform.

Mr. SISK. Thank you. I very much appreciate the comments of the gentleman from Minnesota. I might add there that we are certainly considering this on a bipartisan basis. I might say—and I believe my good friend from California (Mr. SMITH) will agree with this—that there are no partisan politics entering into our discussions. We are not just accepting something by unanimous agreement but are working it out. I am hopeful, and I personally feel that we will bring a bill out in which there is no partisan politics entering into it, as far as our subcommittee is concerned.

I will be glad to yield to my good friend from California (Mr. SMITH) if he wishes to make any further comment along that line.

If there is nothing else, Mr. Speaker, and no questions by anyone, I will yield back the balance of my time.

Mr. SCHWENGEL. Mr. Speaker, I would like to take this opportunity to express my sincere thanks to the gentleman from California (Mr. SISK) on

the outstanding work he is doing on behalf of congressional reform. This is an area in which I have had a deep and abiding interest since I first came to the Congress to represent the First District of Iowa. The concept of congressional reform has in the past had considerable verbal support, but no concrete efforts were to be seen. In this respect, the gentleman's report today, is very encouraging, and, I commend him.

It was somewhat disappointing to learn that the committee does not plan to bring out their bill until early in the next session. I would hope the gentleman will give serious consideration to the suggestion of the gentleman from New Hampshire (Mr. CLEVELAND), that we deal with reform title by title in order to speed up action on this problem. The world in which we live moves too fast, and its problems are too complex for the rickety congressional machinery which we now have.

Mr. STEIGER of Wisconsin. Mr. Speaker, I want to commend the distinguished gentleman from California (Mr. SISK) and the members of the special subcommittee of the Committee on Rules for their report to the House on congressional reform.

The gentleman from California has given the House a clean picture of the intensive work underway in the subcommittee. The commitment expressed during the discussion to bring a bill to the Committee on Rules which contains substantive reforming and to further urge the Committee on Rules to bring a bill to the floor under an open rule is one I applaud.

The 91st Congress should not adjourn without action by the House on the matter of congressional reform. The past 4 years have seen much time, money, and energy expended on behalf of legislation to bring about much needed meaningful reform. I am encouraged by the sincere and dedicated efforts of the subcommittee, and I look forward to reviewing the recommendations as presented, to the hearings, and to House action early next session.

The need for reform remains a priority subject as far as I am concerned, and I await the opportunity to work with the many members who have labored so hard on this whole matter.

I appreciate the report of the gentleman from California (Mr. SISK) and his expressed desire to make a realistic contribution to modernizing the Congress so that it can serve more effectively as the representative of the people of this country.

Mr. BUSH. Mr. Speaker, I want to commend my colleague, the gentleman from California, the Honorable B. F. SISK, for taking the time today to explain to us the progress of the legislative reorganization bills in the Rules Committee. I am pleased by his indications as to what the finial legislation will look like and hope that the timetable will be kept.

Mr. RIEGLE. Mr. Speaker, I want to thank my colleague, the gentleman from California, for his frank progress report on the legislative reorganization bill now being considered by the House Rules Subcommittee on Reorganization. I appreciate that committee's public commitment to report out a bill which, as a minimum, will be no weaker than either the bill passed in the Senate during the 90th Congress or the almost identical bill now awaiting Senate floor action. I am also pleased to learn that we have been promised an open rule for consideration of this bill on the House floor.

As one of the original cosponsors of the Legislative Reorganization Act in the 90th Congress, I am encouraged by all these revelations of positive committee work on this urgently needed piece of legislation. No longer can we afford to be called an "obsolete, inefficient, rubberstamp Congress." Before we can effectively upgrade, change, and streamline the Federal programs we create, we first need to modernize the system which enables us to make these decisions.

We raise our voices in anger over excessive, wasteful, Government spending—yet we do not have adequate staff personnel or information resources to maintain a fiscal check on the executive branch. We talk about honesty, openness, and information disclosure—yet we continue to have closed committee sessions and unrecorded crucial votes. Each member has to make critical, daily decisions on legislation that will affect millions of Americans—yet we have not modernized our data systems to provide us with current, analytical information.

Mr. Speaker, I maintain that now is the time to act on legislative reorganization.

The gentleman from California (Mr. SISK) has stated that he expects his committee to report this bill early in the next session. If that is the earliest possible date, I would ask that the committee consider reporting this bill by title so that we can put into law these various changes as soon as possible.

I want to again thank my colleague for talking with us on the floor today, and urge his committee to meet, or beat, the timetable they have put before us today.

GENERAL LEAVE TO EXTEND

Mr. SISK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my special order today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

FREEZE ON BOLLING-ANACOSTIA LAND HALTS DISTRICT OF COLUMBIA HOUSING PLAN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 20 minutes.

Mr. REUSS. Mr. Speaker, I have just received a letter signed by Mayor-Commissioner Walter Washington and District of Columbia Council Chairman Gilbert Hahn, Jr., expressing their support for an amendment I intend to offer to the military construction authorization bill when it comes to the floor tomorrow. My amendment would delete an amendment added by the Armed Services Committee which would prohibit the Secretary of Defense from declaring any part of the land in the Bolling-Anacostia military complex excess to military needs before December 31, 1975. Present law prohibits such a declaration before December 31, 1970, and my amendment would allow the prohibition to expire at that time.

In their letter, Mayor Washington and Chairman Hahn emphasize that—

> Were it possible to make use of the 416-acre Bolling Field-Anacostia complex in accordance with the excellent plan that has been developed by the National Capital Planning Commission, the dwellings which could be made available for an estimated 20,000 people would go far to relieve the very great pressure in the District for better housing.

The Department of Defense has tentative plans for use of the land at Bolling-Anacostia. These plans are discussed at pages 1264 to 1266 of the military construction authorization hearings in the course of testimony on June 19, 1969, by Assistant Secretary of Defense for Installations and Logistics Barry J. Shillito and Deputy Assistant Secretary Edward J. Sheridan.

I include the letter of Mayor Washington and Chairman Hahn in the RECORD at this point, along with the discussion of Bolling-Anacostia which appears in the military construction hearings:

GOVERNMENT OF THE DISTRICT OF COLUMBIA,
Washington, D.C., August 4, 1969.

The Honorable HENRY S. REUSS,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. REUSS: We in the District Government welcome the effort to have deleted from the Military Construction Authorization Bill for Fiscal Year 1970 the provision which would extend until December 31, 1975 the requirement of present law that the Bolling Field-Anacostia complex be retained in the military inventory.

As you so fully appreciate, the District of Columbia urgently needs space for housing its people, all too many of whom are forced to give in substandard dwellings because nothing better can be made available to them. Were it possible to make use of the 416-acre Bolling Field-Anacostia complex in accordance with the excellent plan that has been developed by the National Capital Planning Commission, the dwellings which could be made available for an estimated 20,000 people would go far to relieve the very great pressure in the District for better housing. And the use of the area for such a purpose would have another beneficial effect. As part of the "new town" envisaged by the plan, stores and shops would be provided to meet the needs of the inhabitants, and this in turn would provide additional employment and revenue. In short, the removal of the present limitation on the use of the Bolling Field-Anacostia complex would operate to change it from a relatively sterile, unproductive area to one which provides better housing for thousands of District residents, more employment, more schools, more recreational facilities, and, as a welcome incident, more revenue, both by reason of the land's being restored to the tax rolls, and by reason of the sales and income taxes which would result from the operation of the stores and shops.

We in the District Government see, and have always seen, a great many advantages to the District and its people were it possible to make use of the Bolling Field-Anacostia complex in accordance with the NCPC plan. We can only express the heartfelt hope, therefore, that you will be successful in your effort to amend the military Authorization Construction Bill so as to delete therefrom

a provision which has the effect of preventing the use of this property in a way that would be of immense benefit to the citizens of the District of Columbia.

Sincerely yours,

WALTER E. WASHINGTON,
Commissioner.
GILBERT HAHN, Jr.,
Chairman, District of Columbia Council.

Mr. HALL. Mr. Chairman, I know that you will get to the question on page 14 where they are talking about involuntary loss by encroachment of the question of the Anacostia-Bolling Air Field complex and its use of general aviation, instead of some other purposes, that they put a lot of fill dirt in there for, and obstruct what runways we had out there, especially in view of the encroachment coming from the air as well as by land and by sea.

The CHAIRMAN. Why don't we talk about that now? What kind of plans have you got over there?

Secretary SHILLITO. We have several plans afoot, Mr. Chairman, on this. We are attempting to synchronize now the Navy planning and the Air Force planning that went on.

We are bringing these things together into a total Defense plan. We have had some constraints placed on us recently by the Bureau of the Budget. Do you want to elaborate on this, Mr. Sheridan?

Mr. SHERIDAN. Yes, sir. As the chairman knows, there are 920 acres there in the Bolling-Anacostia site, and we originally proposed to access 420 acres.

The CHAIRMAN. You can get that out of your system.

Mr. SHERIDAN. The committee took care of that.

The CHAIRMAN. Go ahead.

Mr. SHERIDAN. Now we have looked into the situation at Bolling and Anacostia since, and we have come to the conclusion that the planning on keeping the Air Force on the old Bolling tract is too tight and inefficient and they need additional land.

We are investigating with the Navy, what the Navy use of the Anacostia portion would be, other than the Presidential helicopters. The permanent building that is over there is the Navy photographic building.

The CHAIRMAN. Haven't you decided to use some of Anacostia for general aviation?

Mr. SHERIDAN. No, sir; that decision hasn't been made yet.

Secretary SHILLITO. It is being looked at very seriously, though. It is proposed on a temporary basis.

The CHAIRMAN. That was our agreement, that it would be looked at on a temporary basis.

Secretary SHILLITO. Yes, sir.

Mr. SHERIDAN. The FAA has to take the first step on that.

Secretary SHILLITO. This discussion has been going on with the FAA.

Mr. HALL. It is a matter of record, Mr. Chairman, at one time, since I brought this subject up the FAA was in agreement with transferring general aviation over there, and removing 27 percent of the traffic at the National Airport. Somebody at a higher level than the FAA or the DOD put the kibosh on it because they had other plans out there.

Mr. SHERIDAN. That is correct.

Mr. HALL. We might as well get this out and talk about it here.

The CHAIRMAN. When was all this done?

Mr. SHERIDAN. That was done by the Bureau of the Budget.

The CHAIRMAN. When?

Mr. SHERIDAN. Three years ago.

The CHAIRMAN. I am talking about this Bureau of the Budget.

Mr. SHERIDAN. This is what we are conducting in the study right now.

The CHAIRMAN. What has this Bureau of the Budget done? Have they dipped into it again?

Mr. SHERIDAN. No. We notified the Bureau that present planning has reached the stage in connection with the use of Bolling and Anacostia where we feel that we need more than what has previously been decided by the previous Bureau, and this Bureau is looking into it too. There have been no commitments made.

The CHAIRMAN. The committee is not going to interpose any objection to your using these two complexes for the military.

Mr. SHERIDAN. We understand that completely, sir.

The CHAIRMAN. But we are not going to have it for any social concoctions of some idiots around Washington here who want to take this property from the military.

Mr. SHERIDAN. We know the position of the committee very clearly.

The CHAIRMAN. They want to try out these experiments. But this land is valuable.

Mr. SHERIDAN. Yes; it is very valuable.

The CHAIRMAN. It is owned by the military, so let's use it, Mr. Secretary.

Secretary SHILLITO. We agree with you, Mr. Chairman.

The CHAIRMAN. Dr. Hall is trying to get over to you, the committee has asked you all to get up a master plan.

Mr. SHERIDAN. We are working on that.

The CHAIRMAN. Get that plan to us, and see if we can't help you.

Mr. SHERIDAN. Yes.

The CHAIRMAN. You take this project that General Carroll wanted. Why can't we put something along the line of DIA over there?

Mr. SHERIDAN. The DIA building is a high-rise building and the north end of the Bollings-Anacostia site is poorly adaptable to a building of this kind, because of the soil condition. That DIA building now is going up to $28 million, and if placed over at the north end of Anacostia might go up $8 or $10 million more. It is a cost problem.

The CHAIRMAN. You can't build a two-story house without putting pilings under it in some parts of the city.

Mr. SHERIDAN. Yes, sir; that is right.

The CHAIRMAN. You put pilings under all big buildings when you get down close to the water.

Mr. SHERIDAN. That is right.

LEGISLATION TO REQUIRE A HEALTH WARNING ON ALL ADVERTISING FOR GASOLINE CONTAINING LEAD

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, I have today introduced H.R. 13281, legislation to require a health warning on all advertising for gasoline containing lead.

The amount of lead in the air over New York City has almost tripled in the 45 years since tetraethyl lead was introduced as a motor fuel additive. Similar trends have been noted in other cities and in increasing atmospheric lead contamination even in such remote locations as Greenland and Antarctica.

Lead has so contaminated the oceans, surface waters, air, and food that man today bears a body burden of lead far above the natural level of intake. The average lead concentration in the bodies of Americans today is many times the level found even a few years ago.

There is absolutely no doubt that automobiles in general and the lead gas-using internal combustion engine in particular is the No. 1 villain. According to the Public Health Service, the automobile is the single largest contributor to the lead in our atmosphere. Forty-five percent of all lead in gasoline by weight ends up in the atmosphere.

The Air Pollution Control Administration forecasts the continued upward surge in the lead content of our air at an annual rate of approximately 4½ percent. In terms of the next 4 years, this means 38 million more pounds of lead pollution.

Lead pollution level from automobiles, 1968–72, Air Pollution Control Administration—Total emissions nationwide

[In millions of pounds per year]

1968	199
1969	208
1970	217
1971	227
1972	237

The effects of lead poisoning have been well known for many years. Lead poisoning can attack the central nervous system, peripheral nerves, smooth muscles, and reproductive organs, as well as cause blood disorders, coronary and chronic kidney disease, and lung damage. This is amply demonstrated by the fact that Tetraethyl Lead Corp., major producer of lead in the United States, has almost been forced to go out of business several times as a result of successful lawsuits by former employees whose health was permanently impaired through exposure to lead. Yet the danger from lead for a majority of the population comes not from individual contacts, but from cumulative exposures to lead; for lead particles build up in the body.

Despite this, there are currently no State or Federal air quality standards for lead in the United States although the Air Pollution Control Administration last week ordered oil companies to provide it with data on additives in fuel. The Soviet Union is already regulating the lead content of gasoline, and the panel on electrically powered vehicles recommended in 1967 that standards for the lead content in gasoline be immediately established. A scientific task force on environmental problems in Sweden has recommended the total banning of lead additives from gasoline.

I cannot stand by and watch the long-term harmful effects of lead pollution remain masked only to be detected too late to prevent serious damage. We may already be perilously close to the threshold of lead toxicity as a result of environmental exposure.

The legislation I am today introducing would require all advertising for gasoline containing lead to contain the warning:

This gasoline contains lead. Lead fumes are poisonous. Prolonged exposure can be fatal.

The bill would also require the prominent posting of the same health warning near gasoline pumps in service stations.

This proposal is the second in a three-bill package relating to the effect of automobiles and air pollution. On Thursday I introduced legislation that would ban the manufacture or sale of automobiles powered by internal combustion engines after January 1, 1978. The final bill, which I intend to introduce on Tuesday, will call for a tax incentive to oil com-

panies which eliminate lead from gasoline.

The text of the bill follows:

H.R. 13281

A bill to require advertising for gasoline that contains lead to contain a statement that the gasoline contains lead and that inhaling its fumes can be fatal and to require that such statement be prominently displayed where such gasoline is sold

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be an unfair or deceptive act or practice within the meaning of section 5 of the Federal Trade Commission Act to fail to display, clearly and prominently, (1) in all advertising of gasoline that contains lead, and (2) at all places where such gasoline is sold the following statement: "This gasoline contains lead. Lead fumes are poisonous. Prolonged exposure can be fatal." The statement required to be displayed prominently at the places where such gasoline is sold shall be composed of letters four inches high and one-half inch thick.

SEC. 2. (a) This Act shall be enforced by the Federal Trade Commission under rules, regulations, and procedures provided for pursuant to the Federal Trade Commission Act.

(b) The Federal Trade Commission is authorized and directed to prevent any person from violating the provisions of this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this Act; and any person violating the provisions of this Act shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act as though the applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this Act.

SEC. 3. The first section of this Act shall take effect ninety days after the date of the enactment of this Act.

SEA-LEVEL PANAMA CANAL: POTENTIAL BIOLOGICAL CATASTROPHE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 15 minutes.

Mr. FLOOD. Mr. Speaker, in the course of a prolonged study of the interoceanic canal problem, one soon becomes accustomed to new aspects. The latest one concerns the danger of a large scale extinction of marine life as a result of providing a salt water channel between the Atlantic and Pacific Oceans in the proposed, so-called, Panama Sea Level Canal Project.

In an illuminating article in the January 1969, issue of BioScience, the official publication of the American Institute of Biological Science of 3900 Wisconsin Avenue NW., Washington, D.C. 20016, Dr. John C. Briggs, distinguished professor and chairman of the department of zoology, University of South Florida, describes the dangers of the proposed sea level construction project at Panama.

Dr. Briggs concludes that 6,000 species of the western Atlantic would migrate westward into the eastern Pacific, and that 4,000 species of the eastern Pacific would navigate into the western Atlantic.

Predicting a biological catastrophe that is bound to have international repercussions, he asks why should a sea level canal be undertaken at all, and calls for retention of a fresh water barrier between the Atlantic and Pacific Oceans. Such barrier, Mr. Speaker, would be retained in the construction contemplated in the current bills in the House and Senate for the modernization of the Panama Canal (S. 2228, H.R. 3792, and H.R. 4031). It would not be retained in any sea level project.

In the April 1969 issue of BioScience were published a reply by Col. John P. Sheffy to the Briggs' article and the counter reply by Dr. Briggs, in which the latter calls upon the biologists of the Nation who wish to support the fresh water barrier concept to make known their views to the Members of the Congress.

The article by Dr. Briggs is another strong reason against the proposed sea level undertaking at Panama, the volume of which reasons is already overwhelming. Because of its fundamental importance, I quote the indicated Briggs article and the exchange of letters relative thereto as parts of my remarks and commend them for reading by all Members of the Congress and others concerned with the Isthmian canal question.

THE SEA-LEVEL PANAMA CANAL: POTENTIAL BIOLOGICAL CATASTROPHE

(By John C. Briggs)

(NOTE.—The author is Professor and Chairman of the Department of Zoology, University of South Florida, Tampa, Florida 33620. This research was supported by National Science Foundation Grant GB–4330. Helpful suggestions were received from J. L. Simon, H. H. DeWitt, and T. L. Hopkins.)

While the possibility of a sea-level canal somewhere in the vicinity of the Isthmus of Panama has been discussed for many years, its feasibility as an engineering project has become enhanced as the result of recent experimental work with nuclear devices that can be used for excavation. It appears now that the undertaking of this project will be strongly supported as soon as the current economic crisis in the United States is over. Until recently, the only facet of the plan that had drawn the attention of many biologists was the possibility of radiation damage. However, Rubinoff (1968) finally pointed out that there would be other important biological effects and gave examples of disastrous invasions that have occurred in other places as the results of human interference.

THE NEW WORLD LAND BARRIER

The New World Land Barrier, with the Isthmus of Panama forming its narrowest part, is a complete block to the movement of tropical marine species between the Western Atlantic and Eastern Pacific. This state of affairs has existed since about the latest Pliocene or earliest Pleistocene (Simpson, 1965; Patterson and Pascual, 1963) so that, at the species level, the two faunas are well separated. It has been estimated that about 1000 distinct species of shore fishes now exist on both sides of Central America but, aside from some 16 circumtropical species, only about 12 can be considered identical (Briggs, 1967).

This land barrier is also effective for marine invertebrates. Haig (1956, 1960) studied the crab family Porcellanidae in both the Western Atlantic and Eastern Pacific and found that only about 7% of the species were common to the two areas; de Laubenfels (1936) found a similar distribution in about 11% of the sponges he studied; and Ekman (1953), about 2.5% for the echinoderms. It seems, therefore, that only a very small proportion of the species in the major groups of marine animals are found on both sides of the Isthmus of Panama. The present Panama Canal has not notably altered this relationship since, for most of its length, it is a freshwater passage forming an effective barrier for all but a few euryhaline species.

With regard to the tropical waters on each side of the isthmus, there is no reason to suspect that each area is not supporting its optimum number of species. Studies of terrestrial biotas have indicated that most continental habitats are ecologically saturated (Elton, 1958; Pianka, 1966) and that islands demonstrate an orderly relationship between the area and species diversity (MacArthur and Wilson, 1967). Assuming the niches of the two marine areas are filled, achieving maximum species diversity, invasion by additional species could alter the faunal composition but should not permanently increase the number of species.

REGIONAL RELATIONSHIP

The tropical shelf fauna of the world may be divided into four, distinct zoogeographic regions: the Indo-West Pacific, the Eastern Pacific, the Western Atlantic, and the Eastern Atlantic. While the Indo-West Pacific undoubtedly serves as the primary evolutionary and distributional center (Briggs, 1966), the Western Atlantic Region may be said to rank second in importance. Its geographic area is larger (Fig. 1), its habitat diversity greater, and its fauna considerably richer than for each of the remaining two regions. Since the Western Atlantic species are the products of a richer and therefore more stable ecosystem, we may expect that they would prove to be competitively superior to those species that are endemic to the Eastern Pacific or Eastern Atlantic.

An examination of the faunal relationships between the Western Atlantic and the Eastern Atlantic does provide good circumstantial evidence that species from the former are competitively dominant. An impressive number have managed to traverse the open waters of the central Atlantic (The Mid-Atlantic Barrier) and to establish themselves on the eastern side. For example, in the shore fishes there are about 118 trans-Atlantic species but only about 24 of them have apparently come from the Indo-West Pacific via the Cape of Good Hope. The rest have probably evolved in the Western Atlantic and have successfully performed an eastward colonization journey across the ocean. None of the trans-Atlantic species belong to genera that are typically Eastern Atlantic. Recent works on West African invertebrate groups tend to show that an appreciable percentage of the species is trans-Atlantic (Briggs, 1967). It seems likely that the great majority of these species also represents successful migration from the Western Atlantic.

EFFECT OF THE SUEZ CANAL

The Suez Canal is a sea-level passage that has been open since 1869, but its biological effects are not entirely comparable to those that would occur as the result of a sea-level Panama Canal for two reasons: first, the Suez Canal connects two areas that are separated by a temperature barrier, the Red Sea being tropical while the Mediterranean is warm-temperate; second, the Bitter Lakes which form part of the Suez passageway have a high salinity (about 45 0/00) which prevents migration by many species.

Despite the above difficulties, the limited migratory movements that have taken place through the Suez Canal do provide some significant information. At least 24 species of Red Sea fishes have invaded the Mediterranean (Ben-Tuvia, 1966), 16 species of decapod crustaceans (Holthuis and Gottlieb, 1958), and several members of other groups such as the tunicates (Pérès, 1958) mollusks (Engle and van Eeken, 1962), and stomato-

pod crustaceans (Ingle, 1963). So there is ample evidence of intrusions into the eastern Mediterranean, but there are no reliable data that indicate any successful reciprocal migration. Furthermore, there are some indications that the invaders from the Red Sea (a part of the vast Indo-West Pacific Region) are replacing rather than coexisting with certain native species. George (1966) observed that, along the Lebanese coast, the immigrant fishes *Sphyraena chrysotaenia, Upeneus moluccensis,* and *Siganus rivulatus* may be replacing, respectively, the endemic *Sphyraena sphyraena, Mullus barbatus,* and *Sarpa salpa.*

AN ANCIENT EVENT

It is now well established that in the past one or more seaways extended across Central America or nothern South America for a considerable period of time, probably throughout the greater part of the Tertiary. While these oceanic connections assured the initial development of an essentially common marine fauna in the New World tropics, they operated as an important barrier for terrestrial animals. Later, perhaps about three million years ago, tectonic forces gradually produced an uplift that re-established the land connection between the two continents.

The effects of the new intercontinental connection must have been rapid and dramatic. The fossil record of this event is fragmentary but considerably better for the mammals than for the other terrestrial groups. Simpson (1965) presented an interesting and well-documented history of the Latin American mammal fauna. His findings relevant to the re-establishment of the Isthmus may be summarized as follows: (a) the full surge of intermigration took place in Pleistocene times with representatives of 15 families of North American mammals spreading into South America and seven families spreading in the reverse direction; (b) the immediate effect was to produce in both continents, but particularly in South America, a greatly enriched fauna; (c) the main migrants to the south were deer, camels, peccaries, tapirs, horses, mastodons, cats, weasels. raccoons, bears, dogs, mice, squirrels, rabbits, and shrews; (d) in South America, the effect was catastrophic and resulted in the extinction of the unique notougulates, litopterns, and marsupial carnivores; the native rodents and edentates were greatly reduced; and (e) now, South America has returned to about the same basic richness of fauna as before the invasion.

Comparatively, the invasion of Central and North America by South American mammals was not nearly so successful. The three migrants that have managed to survive north of Mexico—an opossum, an armadillo, and a porcupine—apparently occupy unique niches. Simpson (1965) noted that when ecological vicars met, one or the other generally became extinct. The dominant species that invaded South America were the evolutionary products of the "World Continent" including both North America and the Old World (the Siberian Land Bridge was frequently available).

CUTTING THE ISTHMUS BARRIER

How effectively would a sea-level ship canal breach the New World Land Barrier? The engineering problems have been worked out using scale models. Although the mean sea-level is 0.77 feet higher on the Pacific side, it would have little effect compared to the effect of the difference in tidal amplitude. The tidal range on the Pacific side is often as great as 20 feet while it is usually less than a foot on the opposite side. For an open canal, it has been calculated that the tidal currents would attain a velocity of up to 4.5 knots and would change direction every 6 hours (Meyers and Schultz, 1949). Tide locks would probably be employed to regulate the currents but it seems apparent that the vast amount of fluctuation and mixing would provide ample opportunity for most of the marine animals (as adults or as young stages) to migrate in either direction.

NUMBER OF AFFECTED SPECIES

Data on the number of marine invertebrate species that inhabit the major parts of the New World tropics are not available. The total fauna is so rich and so many groups are so poorly known that it almost defies analysis. Voss and Voss (1555) reported 133 species of macro-invertebrates from the shallow waters of Soldier's Key, a little island (100 by 200 yards) in Biscayne Bay, Florida. The tiny metazoans comprising the meiofauna of the sediments were not sampled. Work in other areas has shown that the numbers of individuals per square meter in the meiofauna are about 100 times that of the macrofauna (Sanders, 1960). Although a complete tally of species has apparently never been made, there are indications from partial identifications (Weiser, 1960) that the number of species in the meiofauna is at least four or five times greater. For Soldier's Key, if we assume that the meiofauna is only four times richer in species, we would have a total of 655 benthic invertebrates.

Ichthyologists who have collected among the Florida Keys would probably agree that the shallow waters of Soldier's Key could be expected to yield close to 50 species of fishes. This provides an admittedly rough but useful ratio of 1:13 between the numbers of fish and invertebrate species for a small tropical locality. Although the fish fauna of the western Caribbean is not yet well known, the number of shore species can be approximated at about 600; this is probably a low estimate since we know that more than 600 exist in Florida waters (Briggs, 1958). Using the 1:13 ratio, the number of marine invertebrate species for the western Caribbean can be estimated at about 7800. Adding the fish species gives a total of about 8400 marine animal species.

The tropical Eastern Pacific possesses a less diversified fauna than the Western Atlantic. The Gulf of Panama and its adjacent waters is probably inhabited by a shore fish fauna of some 400 species. Using the 1:13 ratio gives an estimate of about 5200 species for the invertebrates and a total of about 5600 marine animal species. The great majority of tropical, shallow-water animals are very prolific and possess highly effective means of dispersal. It has been estimated that 80–85% of all tropical, benthic invertebrate species possess planktotrophic pelagic larvae (Thorson, 1966). Since the fishes are relatively mobile, it seems apparent that the great majority of the animal species under discussion would be capable of eventually migrating through a saltwater canal.

Assuming that 80% of the species on each side of the isthmus would succeed in moving through the canal, 6720 species would migrate westward and 4480 eastward. However, since we are dealing with only rough approximations, it would be more appropriate to simply estimate that we would probably witness the invasion of the Eastern Pacific by more than 6000 species and the invasion of the Western Atlantic by more than 4000 species.

PREDICTION

A logical prediction can be made most easily if the pertinent information given above is summarized as follows:

(1) The great majority of the species on either side of the Isthmus are distinct, at the species level, from those of the opposite side.

(2) The habitats on each side of the Isthmus are probably ecologically saturated so that maximum species diversity has been achieved

(3) The Western Atlantic Region includes a much larger area, exhibits more habitat diversity, and possesses a richer fauna than the Eastern Pacific or Eastern Atlantic Regions.

(4) Western Atlantic species are apparently competitively dominant to those of the Eastern Atlantic—a smaller region but comparable in size and habitat diversity to the Eastern Pacific.

(5) At least some of the dominant species that have invaded the Mediterranean via the Suez Canal seem to be replacing the native species.

(6) When the land bridge to South America was re-established, the invasion of North American mammals enriched the total fauna. However, this effect was temporary since so many native South American mammals became extinct that the number of species soon returned to about its original level.

(7) A sea-level canal would provide ample opportunity for marine animals to migrate in either direction. This would probably result in the Eastern Pacific being invaded by over 6000 species and the Western Atlantic being invaded by over 4000 species.

For the tropical Eastern Pacific it is predicted that its fauna would be temporarily enriched but that the resulting competition would soon bring about a widespread extinction among the native species. The elimination of species would continue until the total number in the area returned to about its original level. *The fact that a large scale extinction would take place seems inescapable.* It would be difficult, and perhaps irrelevant, to attempt a close estimate of the number of Eastern Pacific species that would be lost. The irrevocable extinction of as few as 1000 species is about as appalling as the prospect of losing 5000 or more.

There is little doubt that the tropical Western Atlantic fauna would suffer far less. With the exception of a few species that may be ecologically distinct, the level of competition would probably be such that the invaders would not be able to establish permanent colonies. Some dominant, Indo-West Pacific species have been able to cross the East Pacific Barrier and establish themselves in the Eastern Pacific (Briggs, 1961). It is likely that a few of these forms would eventually find their way through a sea-level canal. In such cases, the equivalent Western Atlantic species would probably be eliminated.

Man has undertaken major engineering projects for most of his civilized history and the construction of such necessary facilities as canals, dams, and harbors will continue and expand as the human population grows larger. In this case, however, man would remove a major zoogeographic barrier that has stood for about three million years. The disturbance to the local environment would not be nearly as important as the migration into the Eastern Pacific of a multitude of species that would evidently be superior competitors. So, instead of having only local populations affected, the very existence of a large number of wide-ranging species is threatened. This poses a conservation problem of an entirely new order of magnitude.

Rubinoff (1968) assumed that a sea-level canal would be constructed and looked upon its advent as an opportunity to conduct the greatest biological experiment in man's history. As I have stated elsewhere (Briggs, 1968), this approach is unfortunate, for it tends to divert attention from a vital conservation issue. The important question is: Should the sea-level canal project be undertaken at all? What is the value of a unique species—of thousands of unique species? Currently, many countries are expending considerable effort and funds in order to save a relatively few endangered species. The public should be aware that international negotiations now being carried on from a purely economic viewpoint are likely to have such serious biological consequences. Does our generation have a responsibility to posterity in this matter?

A biological catastrophe of this scope is bound to have international repercussions. The tropical waters of the Eastern Pacific extend from the Gulf of Guayaquil to the Gulf of California. Included are the coasts of Ecuador, Colombia, Panama, Costa Rica, Nicaragua, Honduras, El Salvador, Guatemala, and Mexico. While the prospect of such an enormous loss of unique species is something that the entire world should be aware of, these countries are the ones that will be directly affected since their shore faunas will probably be radically changed.

ALTERNATIVE

Assuming that a better canal would provide economic benefits, I suggest either an improvement of the existing structure or the construction of a new overland canal that would still contain freshwater for most of its route. There seems to be no reason why we cannot have a canal that could accommodate ships of any size yet still maintain the freshwater barrier that is so important. One could conceive of other alternatives such as a sea-level canal provided with some means of killing the migrating animals—possibly by heating the water or adding lethal chemicals. However, such expedients would be both risky and distasteful.

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UNNECESSARY ALARM

Professor John C. Briggs' article (*BioScience*, January 1969, p. 44) points out some valid and important considerations in the coming decision on whether to build an isthmian sea-level canal. However, I hope you will bring to your readers' attention some factors that would tend to mitigate some of the alarms Briggs has cited.

Our engineers calculate that there will be no net flow from the Atlantic to the Pacific through a sea-level canal. The approximately one foot higher mean sea-level of the Pacific will make the net flow from the Pacific to the Atlantic. Briggs' article indicates that biota carried in this direction pose the lesser threat in comparison with movements in the opposite direction. It appears that only the creatures that can swim against the current will be able to make the transit from the Atlantic to the Pacific.

Briggs makes no mention of the transfer of marine life through the existing lock canal. In its 54 years of operation there have been and continue to be extensive transfers by three distinct means. First, swimming and drifting biota that thrive in both salt and fresh water readily pass through the locks and inevitably make their way across Gatun and Miraflores Lakes to the opposite oceans. Some have been specifically identified as having followed this path. Second, barnacles and similar clinging organisms pass in both directions every day on the hulls of ships. Third, and perhaps most important to the question of the biological impact of linking the oceans, is the daily transfer of fairly large amounts of salt water in ships' ballast tanks. This has gone on for more than a half century. Lightly loaded or empty ships approaching the canal are frequently required to take on ballast water before entering the locks. This is to deepen their drafts to make them easier to handle while in restricted canal channels. As a usual practice on leaving the canal a few hours later at the opposite ocean, this ballast water is discharged to lighten the ships to save fuel on the remainder of the trip. Thus, all the small swimming and drifting marine life that would be found in these thousands of samples of sea water taken year in and year out since 1914, have made the trip across the isthmus in salt water in both directions. While a sea-level, salt-water channel between the oceans would vastly augment the movements of marine creatures between the oceans, the new avenue would appear to offer previously denied passage for only that portion of ocean life that could not transit by one or more of the three existing means.

Some segments of the total spectra of biota in the two oceans have surely crossed the isthmus to the opposite ocean during the past half century and continue to do so daily. It follows that a large portion of the small swimming, drifting, and clinging creatures on both sides of the isthmus have long been exposed to inoculations of the same category from the opposite ocean. To date, no discernible effects have resulted. It seems reasonable to conclude that a sea-level canal would create little or no new threat to the lower links of the ocean food chain. New exposures would be limited to the larger swimming and drifting biota. Thus the area of danger of harmful biological changes when the oceans are joined is much less broad than it first appears.

Under a contract with the Canal Study Commission the Battelle Memorial Institute is conducting an extensive evaluation of the potential biological impacts of a sea-level canal. It is acknowledged that in the time available this study cannot reach final conclusions, but it can narrow the area of doubt. The Commission has arranged with the National Academy of Sciences to develop a program of bioenvironmental studies for the Commission to recommend in its report to the President, should construction of a sea-level canal be recommended. Such a canal would require 12 to 15 years to construct, and hence ample time for biological research would be available.

JOHN P. SHEFFEY,
Atlantic-Pacific Interoceanic Canal Study Commission, Washington, D.C.

BRIGGS' REPLY

Since John P. Sheffey kindly sent me a copy of his February 6th letter to you, I have the opportunity to respond to his comments. If you decide to publish his letter, I would appreciate it if you would also consider the following:

Mr. John P. Sheffey's main concern was that I made no mention of the transfer of marine life that takes place through the existing canal. Although many organisms have undoubtedly been transported by clinging to the hulls of ships or by living in the salt-water of ship's ballast tanks, the important point is that such transfers have not generally resulted in successful colonizations. For this reason, marine biologists have not been particularly interested in evaluating them.

It would be a tragic error for us to conclude that, because the present canal has not served as a successful migratory route, there is no danger of a new sea-level canal doing so. How can there be any doubt that an open canal, providing a continuous salt-water passage between the oceans, would present a far better opportunity for successful migration? Many Red Sea animals have succeeded in passing through the Suez Canal to colonize the Mediterranean despite having to overcome formidable temperature and salinity barriers. Since a sea-level Panama canal would contain no such barriers, one can only expect that a huge number of successful migrations would take place.

Considering that the mean sea-level of the Pacific side is 0.77 feet higher than the Atlantic, a very small net flow toward the Atlantic would take place. However, the gradient would be so slight—about 0.2 inches per mile—that it would have little effect compared to the difference in tidal amplitude. The tidal currents would cause so much fluctuation and mixing that it seems reasonable to conclude that most marine animals would have ample opportunity to migrate in

either direction. We must also bear in mind that many planktonic as well as large organisms have sufficient swimming ability to counteract the effect of a slow net flow in one direction. Finally, we should recognize that many of the benthic invertebrate species will be able to colonize the sides and bottom of the canal itself and, by this method, could slowly extend their populations from one ocean to the other.

I believe that the only dependable means by which large scale migrations and subsequent biological disaster in the tropical Eastern Pacific can be prevented is by the inclusion of an extensive freshwater barrier. The Atlantic-Pacific Interoceanic Canal Study Commission, with Mr. Sheffey as its Executive Director, has the responsibility of determining the feasibility of a new canal. It will make its final report to President Nixon in December, 1970. Biologists who wish to lend their support to the freshwater barrier concept should make their views known to the Commission and to their Congressmen.

JOHN C. BRIGGS,
University of South Florida, Tampa.

THE RFC MODEL SHOULD BE USED IN TODAY'S ECONOMY

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, earlier today, in a 1-minute speech I announced plans to introduce legislation to reestablish a Federal credit institution modeled after the successful Reconstruction Finance Corporation—RFC. Another homeowners loan corporation should also be considered.

Mr. Speaker, the tremendous work of this agency between 1932 and 1954 is a matter of public record. It financed thousands of public facilities and helped provide badly needed funds for small businessmen throughout the Nation.

This same type of credit—based on reasonable interest rates and terms—is badly needed today.

Mr. Speaker, a look at the history and the operations of the Reconstruction Finance Corporation shows how it could work in today's economy to provide credit for worthy projects, particularly for schools, parks, water and sewage facilities, and like public undertakings.

SCOPE OF OPERATIONS

The Reconstruction Finance Corporation was a public lending agency with unlimited authority to borrow funds from the U.S. Treasury. In addition to its loan authority, it subscribed for, purchased, and traded in the securities of private business enterprises; State and local government agencies, and other agencies of the Federal Government; and, through its subsidiaries, purchased and sold mortagages on both residential and income-producing properties. Until 1947, it used its retained earnings to extend various authorized programs, often utilizing income from one program to expand operations in another, at the discretion of its management. Thus, despite reductions in its original capital of $500 million, RFC disbursed more than $40 billion in direct loans during its life of succession and was conditionally committed to disburse many billions more under guarantees of loans and investments made by private financial institutions.

Its authority to borrow from the Treasury defined RFC as unique among Government agencies and made it more flexible than agencies operating under traditional Government appropriation procedures. Recognizing this flexibility, Congress frequently authorized advances and allocations of RFC funds to other Government agencies, subsequently reimbursing the Corporation with appropriated funds or by authorizing cancellation of the notes issued by RFC to the Secretary of the Treasury to obtain the funds. On one occasion, in 1941 when the public debt was approaching its limit, RFC ceased borrowing from the Treasury and issued its notes to the public. Part of these funds were then used to buy the stock of the Federal home loan banks from the Secretary of the Treasury as a means of providing the Treasury with additional funds. Other operations for the Federal Government include RFC's services as fiscal agent for the Defense Production Administration and its services as a liquidating agent for discontinued Government agencies and programs.

Beginning in 1940, RFC organized a group of subsidiaries to handle national defense and war programs. These subsidiaries developed sources for, manufactured, procured, stockpiled, and sold a long list of strategic materials and commodities; built and operated industrial facilities for war production; collected and salvaged scrap materials; conducted preclusive buying operations abroad, designed to handicap enemy powers; made subsidy payments to domestic producers and transporters of essential materials, both to encourage production and to help control prices; provided insurance against loss due to enemy action; and, for a short period after the war, undertook to dispose of surplus war property.

These programs were of types totally unrelated to RFC's normal financial activities and, while financed by the parent corporation with funds obtained from the Treasury, are not included in the $40 billion tabulation of RFC's disbursements since, as in the case of RFC's allocations to other Government agencies and to States for relief, Congress canceled the notes issued by RFC to the Secretary of the Treasury to obtain the funds so used.

Within the scope of RFC's "normal" lending operations, however, there was a requirement that there be a reasonable assurance of repayment. Some programs are not recorded as generally solvent. For instance, more than one-fourth of all amounts disbursed on loans to mining enterprises were charged off as losses. However, much of the expense incurred in administering small loans was absorbed in income from large loans and investments, and records show that, taken as a whole, interest income and other revenues exceeded losses and expenses.

The value of RFC's role in the economy has been questioned by those who argue that, after 1940, it ceased to be a countercyclical device, its operations being permitted to expand during a period of inflation. Nevertheless, RFC provided innovations in lending operations and filled notable gaps in the existing credit structure. For instance, RFC may be said to have effected a permanent extension in the term of business loans. Traditionally, commercial banks had limited such loans to a maturity of 1 year or less. By contrast, nearly 70 percent of the total disbursed by RFC for direct business loans from 1934 to 1951 had a maturity of 5 years and over. When RFC business loans declined as a result of its World War II activities, commercial banks took up the slack and, for the first time, began to engage actively in the extension of term credits. Similarly, with the dissolution of the corporation, other programs and types of lending operations were taken over by other financial institutions, both public and private. RFC as a concept, however, has not been replaced. No single type of financial institution, private or public, possesses either the flexibility or scope of operations exhibited by RFC in its lending programs.

BACKGROUND

Patterned on the War Finance Corporation, whose activities during World War I provided a precedent for Government assistance to private enterprise, the Reconstruction Finance Corporation was organized and began operations on February 22, 1932, a month after approval of the enacting legislation. Its primary purpose was to extend aid to agriculture, industry, and commerce through the medium of direct loans to banks, trust companies, and other financial institutions. Loans to smaller institutions were emphasized. The initial legislation also provided for assistance to railroads in the process of construction and to receivers of railroads.

Originally, RFC had a life of succession of 10 years, with the initial lending authority limited to a 2-year period. The remaining 8-year period was envisioned as necessary for any continuation of the initial programs. The various emergency programs enacted in 1933, however, made use of RFC as a funding agency and, in June 1934, an amendment to the original act permitted the Corporation to extend aid to small business firms. RFC was authorized to make loans directly or in cooperation with other lending institutions to solvent firms unable to obtain credit through normal channels. While the authorization of a maximum maturity of 5 years, an aggregate amount of loans outstanding of $500 million, and an aggregate amount to one borrower of $500,000 were reasonably liberal provisions, the limitation with respect to collateral hampered the volume of applications. The original language of this provision was interpreted to mean that the security offered must be equal to the principal of the loan. When extended in 1935, the business loan provisions of the act were liberalized to provide that loans be secured so as "reasonably to assure repayment." In addition, the maximum maturity of loans was extended to 10 years and the limitation of $500,000 to any one borrower was removed.

In subsequent years, RFC's lending authority was extended and broadened to include authority to purchase the capital stock of banks, insurance companies, agricultural credit corporations, and national mortgage associations. Authority was also given to make loans to agricultural improvement districts, disaster victims, public school authorities, and to assist in financing the construction of public works. In 1938 the business loan provisions were broadened to permit the Corporation to purchase the securities and obligations of any business enterprise, and thus to provide both credit and capital when either or both were not available from private sources. In addition, the limitation on maturities of loans was removed altogether and authority given to set maturities by administrative decision.

In 1940, RFC was given new responsibilities in connection with the national defense program and, subsequently, with wartime programs. For the most part, these programs were conducted by RFC subsidiaries. Nevertheless, relatively little lending was done under the regular programs.

RFC's life of succession had been extended in 1940 to January 22, 1947. It was subsequently reextended several times until, in 1948, it was extended to June 30, 1956. In 1947 and 1948, RFC was given a new charter under which its wartime powers were repealed and some of its functions curtailed. On the principle that the emergency had passed and that RFC must not compete with private sources of credit, RFC was required to have tangible evidence that a borrower could not obtain credit elsewhere. In addition, the capital stock of the Corporation held by the Treasury was reduced to $100,000, and its borrowing authority was limited to $2 billion outstanding on loans, investments, purchases, and commitments made after June 30, 1947. While this limitation on loans outstanding was subsequently increased—up to $3.75 billion in April 1950, primarily as a result of the increased mortgage activity of the Federal National Mortgage Association, an RFC subsidiary—other limitations were imposed by Congress as to the amount of loans outstanding for specific programs. Further, it was stipulated that loans should serve the public interest, and that activities should be curtailed in times of inflation. Subsequent amendments in 1950, 1951, and 1952 added special lending powers with respect to defense production and gave priority to defense loans.

On July 30, 1953, the RFC Liquidation Act was approved as part of the legislation which authorized creation of the Small Business Administration, and the Corporation's lending powers were terminated effective on September 28, 1953. Under the provisions of this legislation, RFC continued as an independent agency until June 30, 1954. Thereafter for further liquidation, the Secretary of the Treasury succeeded to and exercised all powers, duties, and authority previously lodged in the Administrator of the Corporation. On June 30, 1957, the Reconstruction Finance Corporation was abolished as provided by Reorganization Plan No. 1 of 1957.

RFC FINANCING—CAPITAL STOCK

The original Reconstruction Finance Corporation Act provided for capital stock in the amount of $500 million. Subscription was made and paid for by the Secretary of the Treasury. Under amendments to the act approved June 25, 1940, $175 million of the capital stock of the Corporation was retired in conjunction with provisions for RFC to issue its notes to the public. At the time, the public debt was approaching its limit and these amendments served to ease the strain on the Treasury of RFC's enlarged responsibilities under the National Defense Act. An additional $225 million was retired under the provisions of the amendment approved May 25, 1948 in conjunction with curtailments of RFC's lending functions. The remaining $100 million of capital stock was outstanding until abolition of the Corporation on June 30, 1957.

LIMITATIONS ON OUTSTANDING OBLIGATIONS

Under the original act, RFC's outstanding obligations were not to exceed three times the amount of its capital stock, or $1.5 billion. This authority was enlarged in 1932 and 1934 to a total of $3.75 billion, and various amendments after 1940 increased the total authority to issue obligations to $14,089,528,165 as of June 30, 1947. An additional borrowing authority for specific purposes—primarily for loans and advances to, and purchases of the securities of other Government agencies—was utilized to the extent of $4,977,500,000 as of June 30, 1947.

Effective July 1, 1947, most of RFC's wartime functions were terminated and its borrowing authority limited to $2 billion outstanding on loans, investments, purchases, and commitments made after June 30, 1947. This limitation was subsequently increased—to $2.5 billion in July 1949, to $3.5 billion in October 1949, and to $3.75 billion in April 1950—primarily as the result of the increased activity of RFC's mortgage subsidiary, the Federal National Mortgage Association.

Within this general authority of $3.75 billion, there were the following limitations imposed by Congress:

For construction by public agencies	$200,000,000
For catastrophes	40,000,000
For the capital of insurance companies	15,000,000
For civil defense loans	250,000,000

In addition to the above, RFC was authorized to utilize $50 million of its funds for assistance to prefabricated housing under the Housing Act of 1948. Other special programs after June 1947, included $2.176 billion, borrowed from the Treasury and disbursed to provide temporary financing for foreign aid programs, these advances being repaid out of subsequent appropriations.

Under Reorganization Plan No. 22 of 1950, the Federal National Mortgage Association was transferred from RFC to the Housing and Home Finance Agency, and RFC's lending authority was reduced by $2.75 billion, this amount being transferred to the Housing and Home Finance Agency. At that time, the remainder of RFC's housing authority under the 1948 act and its prefabricated housing program were also transferred to the Housing and Home Finance Agency. As a result, RFC's lending authority was reduced to $993 million outstanding on loans, investments, and commitments made after June 30, 1947, and remained at this figure until liquidation of the Corporation.

BORROWINGS OF RFC

The following breakdown of RFC's borrowings covers the entire period of its life of succession:

Notes issued to the Secretary of the Treasury	$51,346,850,497
Notes issued to the public	3,072,634,547
Total	54,419,485,044

NOTES ISSUED TO THE TREASURY

The initial issue of notes to the Secretary of the Treasury matured in 6 months and bore 3½ percent interest. Subsequent issues prior to 1947 were negotiated between RFC and the Treasury as to maturity and interest. The maximum maturity during this period was 3½ years and rates ranged from ⅛ to 3½ percent. The average annual rate on RFC's notes steadily declined from the 3½ percent maximum in 1932 to 1.072 in 1939. Thereafter, with the exception of two specific Government programs, the notes bore 1 percent interest. In 1947, Congress enacted an amendment requiring that interest on notes issued by RFC to the Secretary of the Treasury be set in relation to current average rates on Government bonds. Subsequent rates on notes ranged from 1⅞ to 2⅛ percent, the large majority being at the lower figure.

NOTES ISSUED TO THE PUBLIC

In relation to the provisions of the Emergency Act of 1933 devaluating the dollar, the first notes issued by RFC to the public were given in payment for gold. Between October 1933 and January 1934, the Corporation issued a total of $134,482,713 to acquire 695,027 ounces of domestic, and 3,418,993 ounces of foreign gold. The notes were turned over to the Treasury for cash and retired at maturity on February 1, 1934. RFC took a discount of $81,763 in exchanging its notes for gold.

Other notes issued to the public under the provisions of the 1940 amendments previously noted were taken primarily by banks and other financial institutions from which RFC had purchased preferred stock, debentures, or capital notes. In some cases, the notes were retired by crediting the amount against the principal of the loan made by RFC to the institution. Interest rates on these issues ranged from ⅞ to 3 percent.

RETAINED EARNINGS

Prior to 1948 there were no statutory provisions which required RFC to relinquish earnings. Such earnings were used by the Corporation to finance its operations, and, frequently, income from one program was used to fund other programs. For instance, funds obtained from the liquidation of the Smaller War Plants Corporation, an independent agency,

were utilized by RFC to expand operations under its general lending authority.

Under the 1947 amendments, RFC was required to pay as a dividend to the Treasury any amount earned in excess of $250 million and a reasonable reserve for losses. The effect, in line with other provisions of the amendments, was to curtail RFC's lending authority. In December 1948, RFC paid the Treasury a dividend of $307,391,555, based on its accumulated net income of $557,391,555 for the year ending June 30, 1948. From 1949 to 1954, the Corporation paid a total of $82,946,891 to the Treasury as dividends on earnings in excess of $250 million per annum. After 1954, liquidation of the Corporation was underway and all excess cash was turned over to the Treasury. Accumulated net earnings for the years 1955, 1956, and 1957 totaled $223,154,595.

RFC LENDING FUNCTIONS

RFC authorized a total of $46,468,722,698 for allocations, loans, and other investments during the period from February 2, 1932, to September 28, 1953, excluding loans, advances, purchases, and contract authorizations authorized by subsidiaries of RFC and financed with funds secured from the parent organization. Actual disbursements during this period amounted to $40,555,894,138, with recoveries of amounts disbursed in the form of repayments, notes canceled, and foreclosures totaling $39,881,414,031.

Of the total of over $46 billion authorized by RFC, $7,235,248,449 was authorized for loans and allocations to other Government agencies under congressional directives, and $692,299,251 was authorized for purchases of securities from the Federal Emergency Administrator of Public Works, subsequently entitled the Public Works Administrator. The remaining $38,541,174,998 was authorized for loans and investments at the discretion of RFC's management. The composition of the latter type of authorization and disbursement is as follows:

	Amount authorized	Disbursements to Sept. 28, 1953
Loans to and investments in financial institutions	$4,815,324,697	$3,906,201,681
Loans to business enterprises	5,153,294,815	2,637,329,690
Loans to agricultural financing institutions	2,454,133,430	1,452,502,107
Loans to railroads	1,059,867,787	938,440,875
Loans to and investments in public agencies	1,024,203,892	793,600,115
Investments in RFC mortgage loan subsidiaries	1,831,551,598	1,778,093,357
Loans to foreign governments	495,000,000	460,000,000
Investments in Government agencies	391,991,000	391,933,000
Other loans and investments	97,507,778	77,098,982
Investments in RFC's wartime subsidiaries	21,218,300,001	20,877,617,233
Total	38,541,174,998	33,312,817,040

A breakdown by periods indicates that, during the first 3 years of operations, RFC loans and investments were concentrated in the area of providing assistance to financial institutions, railroads, and agencies providing financial assistance to agriculture. After 1935, aid to financial institutions diminished and loans and investments to business enterprises and public agencies, as well as mortgage loans, assumed greater importance. Between 1940 and 1945 more than 80 percent of all amounts authorized by RFC were to its wartime subsidiaries, with loans to business enterprises making up the bulk of the remainder. After the war, RFC's lending and investment activity was largely concentrated in the fields of business loans and residential mortgages, with loans to business enterprises reaching a peak in 1949 and mortgage activity at its highest level during 1949 and 1950. A breakdown of individual lending programs follows:

LOANS TO AND INVESTMENTS IN FINANCIAL INSTITUTIONS

While RFC's lending operations expanded greatly during the more than 20 years of its life of succession, loans to financial institutions under the provisions of the initial RFC Act represents the single largest category of loans disbursed under RFC's normal lending authority. The extent of financial assistance provided by RFC to the various types of financial institutions is shown in the following table:

	Authorized	Disbursed
Banks and trust companies	$3,981,365,688	$3,265,450,731
Mortgage loan companies	494,636,731	354,149,576
Building and loan associations	178,989,560	140,158,068
Insurance companies	159,689,750	145,843,210
Credit unions	642,968	600,096
Total	4,815,324,697	3,906,201,681

More than three-fourths of the total disbursed for these loans was paid out in the first 2½ years of the Corporation's existence. Nevertheless, when the Corporation began liquidation in 1953, there was still $44.6 million outstanding in these loans and investments, loans in only two categories—to building and loan associations and to credit unions—having been repaid in full.

As noted, the authority for loans to credit unions was little used, only 10 loans to seven credit unions having been disbursed. The bulk of RFC's authority for loans to financial institutions was used to provide assistance to banks and trust companies. A summary, according to the nature of these loans, is as follows:

LOANS TO BANKS AND TRUST COMPANIES UNDER SEC. 5 OF THE RFC ACT, AS AMENDED

	Number of authorizations	Number of institutions	Amount authorized
Loans to open banks	10,592	4,922	$1,335,047,661
National	2,224	813	360,439,541
State	8,368	4,109	974,608,120
Loans to closed banks, to aid in reorganization or liquidation	4,817	2,421	$1,181,774,129
Conservators, national and District of Columbia	197	181	129,813,204
Conservators, State	38	19	33,030,264
Receivers national and District of Columbia	2,915	955	537,738,731
Receivers, State	1,631	1,233	464,603,947
Liquidating agents-national	9	9	10,028,664
Liquidating agents-State	27	24	6,559,319
	15,409	7,343	2,516,821,790

As the summary indicates, RFC gave preference to the smaller State banks which were still open. However, in handling assistance to closed banks, applications of conservators, receivers, and liquidating agents of national banks were treated on a par with those of State banks. Of the total disbursed, $21,447,380 was charged off, all but $1,262,600 of it being in connection with losses on loans to State banks.

BUSINESS LOANS

Loans and investments in business enterprises constitute one of RFC's most significant lending programs, both in terms of the volume of loans and continuity of operations. Initiated in 1934, the program was subsequently enlarged and liberalized to permit RFC to make loans to, and purchase the obligations of any business enterprise, with both maturities and amounts to any one borrower being determined at the discretion of its management. While commercial loans to business enterprises were necessarily curtailed during the period from 1940 to 1945, the program was expanded after the war, nearly three-quarters of the loans, by both number and amount, being disbursed after February 1945, and almost half of the total disbursed after June 1948.

RFC's business loans were of three types; direct loans, immediate participation loans, and deferred participation loans. Direct loans were authorized, disbursed, and serviced by RFC. Immediate participation loans were authorized in cooperation with a participating financial institution. Part of a loan was disbursed by RFC and the balance by the participating institutions. In some cases, RFC disbursed the entire amount and immediately sold part of it to the participating institution, or alternatively RFC purchased a part of the loan at the time of disbursement by the participating institution. Servicing of loans was provided by either party as agreed on. Deferred participation loans were serviced by the financial institution with an

agreement under which RFC would purchase a stated portion of the outstanding loan on request.

Prior to 1947, RFC's business loan statistics treated participation loans—both immediate and deferred—in a manner different from that of subsequent periods. During the earlier period, sales of participations were treated as direct loans and purchases of participations grouped with deferred participations. After July 1, 1947, both types of immediate participations were grouped in a single class, with direct loans and deferred participations each making up separate categories. In a limited number of cases, loans made to business enterprises took the form of purchases of capital stock and other obligations issued by concerns and were treated as direct loans for statistical purposes. With these qualifications as to type of loan, the following summary indicates the numbers and amounts of RFC's business loans in the various categories:

	Number	Authorized	Disbursed
Loans under authorities other than national defense	52,932	$3,300,846,049	$1,718,642,480
Direct loans and sales of participations (through June 30, 1947)	14,041	797,072,135	554,508,269
Deferred participations and purchases of participations (through June 30, 1947)	16,355	684,167,370	33,078,651
Mining loans (through June 30, 1947)	352	20,659,800	10,118,109
Loans to the fishing industry (through June 30, 1947)	27	809,700	719,675
Direct loans (July 1, 1947 to Sept. 28, 1953)	11,333	1,142,836,250	819,545,185
Immediate participation loans (July 1, 1947 to Sept. 28, 1953)	1,047	216,512,534	152,891,528
Deferred participation loans (July 1, 1947 to Sept. 28, 1953)	5,595	265,771,750	48,386,291
Direct mortgage loans classified as business loans	4,182	173,016,510	99,394,772
Loans under national defense authorities (June 25, 1940 to June 30, 1947)	10,585	$1,852,448,766	$918,687,210
Direct loans and sales of participations	4,391	1,261,473,769	839,059,796
Deferred participations and purchases of participations	2,326	382,071,384	17,422,595
Security purchases for automobile financing	153	132,143,106	
Loans and purchases of rationed articles and commodities	3,673	75,652,157	62,158,719
Contract settlement loans	6	1,108,350	46,100
Total	63,517	5,153,294,815	2,637,329,690

SPECIAL BUSINESS LOAN PROGRAMS

VETERANS LOANS

Under section 5(d) of the Servicemen's Readjustment Act, RFC authorized 3,525 direct loans to veterans up to June 30, 1947, and disbursed $8,692,829 with the guarantee of the Veterans' Administration. The Corporation also authorized 170 direct loans to veterans which were not guaranteed by VA, disbursements amounting to $918,689.

THE BLANKET PARTICIPATION AGREEMENTS PROGRAM

The BPA was a 2-year program to aid reconversion under which RFC agreed to take up to 75 percent in deferred participation in loans made to business enterprises. Unlke other participation agreements authorized by RFC, the Corporation relied entirely on the banks' opinion of a borrowers' credit standing. A limitation of $350,000 was placed on the aggregate amount outstanding to one borrower. Bank disbursements on BPA loans totaled almost $500 million and RFC's agreed participation was $360 million, or over 70 percent. However, requests by banks for RFC to take up its share of loans aggregated only about $30 million, with $4 million charged off as uncollectible. About 2,400 banks or 21 percent of the Nation's total—made loans under the BPA program.

SMALL LOAN PARTICIPATION PROGRAM

The SLP program was, in a sense, a continuation of the BPA program which it succeeded. It was, however, limited to participation in loans of $100,000 or less and RFC was required to approve each request individually. A total of 6,328 loans in an aggregate amount of $151,323,284 were authorized, and a total of $12,617,807 disbursed by RFC.

INDUSTRIAL CLASSIFICATION OF BUSINESS LOANS

The preponderance of RFC loans to business enterprises were made to manufacturing concerns. A breakdown by periods indicates that, prior to December 31, 1941, RFC authorized a total of $347,492,046 to 4,347 concerns engaged in manufacturing, and a total of $135,928,680 to 3,777 concerns which were engaged in nonmanufacturing enterprises. From June 25, 1940, to June 30, 1945, most of the business loans authorized by RFC were to assist in financing the acquisition of plant facilities. During this period, the majority of funds went to manufacturers of basic materials and military equipment, with manufacturers of products—such as textiles, food, lumber, machine tools, machinery, and so forth—receiving allocations of only $155,936,998 of the $1,402,961,584 authorized. Between January 1, 1950, and February 28, 1953, RFC authorized a total of 3,542 loans in the amount of $361,955 to nonmanufacturing industries; and a total of 3,606 loans in the amount of $630,175 to manufacturing industries.

SIZE OF BUSINESS LOAN AUTHORIZATION

The following table indicates the distribution of the number and amount of business loans authorized by RFC, by size and type of loan:

	Direct loans and immediate participations		Deferred participations	
	Number	Amount	Number	Amount
$5,000 or less	11,028	$29,630,483	2,198	$5,363,664
$5,001 to $10,000	5,789	45,279,454	3,326	19,266,651
$10,001 to $25,000	7,424	130,617,683	6,459	82,799,687
$25,001 to $50,000	4,743	181,802,146	5,010	136,839,622
$50,001 to $100,000	3,613	282,915,218	3,911	222,392,609
$100,001 to $200,000	1,396	210,934,136	1,333	145,407,043
$200,001 to $500,000	1,127	$358,287,319	1,056	$235,936,746
$500,001 to $1,000,000	370	270,189,762	171	91,505,773
Over $1,000,000	362	2,070,424,287	159	348,828,028
Total	35,852	3,579,980,488	23,623	1,288,339,823

LOANS TO AGRICULTURAL FINANCING INSTITUTIONS

Under the original RFC Act, the Corporation was authorized to make loans to various types of institutions engaged in providing credit for agricultural purposes. To a great extent, the loans made by RFC under this authority were to Government or quasi-Government institutions but differed from the loans and allocations made to other Government agencies in that RFC could prescribe the terms and conditions of the loan and that loans were required to be "fully and adequately secured." Subsequently, RFC was authorized to make loans to help finance the sale of agricultural surpluses abroad, to finance the carrying and marketing of commodities and livestock, and to make loans to the Secretary of Agriculture for the purpose of acquiring cotton. The loans authorized by RFC to agricultural financing institutions under the various authorities are summarized as follows:

	Authorized	Disbursed
Under sec. 5, RFC Act:		
Federal land banks	$399,636,000	$387,236,000
Joint-stock land banks	33,055,359	26,194,970
Federal intermediate credit banks	9,250,000	9,250,000
Regional agricultural credit corporations	178,840,453	173,243,641
Other agricultural credit corporations	6,120,867	5,643,618
Livestock credit corporations	14,511,328	12,971,599
Under Emergency Relief and Construction Act, 1932:		
Commodity Credit Corporation	$1,604,712,665	$767,716,962
To finance agricultural commodities	86,061,513	19,644,492
To finance exports of agricultural surplus	98,445,245	47,300,825
Under the Agricultural Adjustment Act, 1933: Secretary of Agriculture	23,500,000	3,300,000
Total	2,434,133,430	1,452,502,107

RFC MORTGAGE SUBSIDIARIES

While the original RFC Act authorized the Corporation to make loans to mortgage loan companies, it did not provide authority to subscribe to the capital stock of such companies. The act of January 31, 1935, added a new section 5c to the RFC Act which authorized such subscriptions in order to assist in the reestablishment of a normal mortgage market. "Although the power to do so was implied rather than specific," as the final report of the Corporation comments—page 93—RFC used the authority to create two subsidiaries to deal in real estate mortgages, the RFC Mortgage Co. and the Federal National Mortgage Association, and disbursed a total of $1,705,001,899 to these subsidiaries.

THE RFC MORTGAGE CO.

Incorporated in March 1935 under the laws of the State of Maryland, the RFC Mortgage Co. was, however, a division of RFC with three officials of the Corporation serving as incorporators, its capital stock purchased by RFC, and the administration of its affairs conducted through the same organization and offices as those of the parent corporation. Under provisions of the act of June 30, 1947, the assets and liabilities of the company were transferred to RFC and the RFC Mortgage Co., was subsequently dissolved. From 1935 to 1947, RFC provided the company with funds amounting to $334,910,020, $25 million through subscriptions for capital stock and the balance through loans. At the time of the company's merger with RFC, the Corporations investment was $80,352,871, including the $25 million subscribed for capital stock.

A summary of the RFC Mortgage Co.'s lending and purchasing activities is provided by the following table:

	Authorized		Disbursed to June 30, 1947	
	Number	Amount	Number	Amount
Large-scale housing projects—FHA insured	46	$38,098,000	19	$7,466,833
Other FHA-insured mortgages	74,108	293,989,550	63,402	244,764,820
Mortgages insured by VA	25,102	148,537,930	11,367	67,681,262
Direct loans on income-producing properties	4,182	$173,016,510	2,820	$99,394,772
Purchases of property	15	7,259,591	15	3,228,815
Total	103,525	660,901,581	77,623	422,536,502

The company acted to provide a secondary market for VA-insured mortgages from August 7, 1946, to June 30, 1947. In July 1948 the authority for RFC to purchase VA-insured mortgages was reactivated by legislation and the function undertaken by the Federal National Mortgage Association. FNMA also undertook to administer the remaining obligations of the RFC Mortgage Co. in the Corporation's portfolio when RFC was liquidated in 1954.

THE FEDERAL NATIONAL MORTGAGE ASSOCIATION

The FNMA was chartered by the Federal Housing Administrator, as authorized by title III of the National Housing Act, on February 10, 1938. RFC subscribed for and paid in $10 million for the capital stock of the Association, and also paid in $1 million to surplus. In 1948, FNMA's capital stock was increased by $10 million, also paid in by RFC. Staffed by RFC personnel and operating through the Corporation's field offices, FNMA functioned as a division of RFC until September 7, 1950 when, under Reorganization Plan No. 22 of that year, it was transferred to the Housing and Home Finance Agency. Prior to transfer, RFC had made loans to FNMA totaling $1,349,091,869, of which $1,007,226,308 was outstanding at the time of transfer, in addition to the $21 million in capital stock and paid in surplus which RFC had provided. Repayment for RFC's investment was provided from funds borrowed by FNMA from the Secretary of the Treasury.

During the period in which FNMA was a subsidiary of RFC, it authorized the purchase of 414,449 mortgages as follows:

	Total	VA mortgages	FHA mortgages
Authorized	$3,084,211,324	$1,891,014,451	$1,193,196,873
Canceled	345,497,165	101,549,900	243,947,265
Disbursed	1,851,042,483	1,096,881,372	754,161,111
Repayments and sales	709,178,636	172,259,012	536,919,624
Other reductions	$12,172,121	$1,282,302	$10,889,819
Transferred to HHFA:			
Commitments	887,671,676	692,583,179	195,088,497
Mortgages	1,129,691,726	923,340,058	206,351,668

RAILROAD LOANS AND INVESTMENTS

The original RFC Act authorized loans to railroads for temporary financing, to railroads in the process of construction, and to receivers of railroads where funds could not otherwise be obtained at reasonable rates. All loans required the approval of the Interstate Commerce Commission, maturities were limited to 3 years, and the act stipulated that loans be adequately secured. The maximum maturity of such loans was extended to 5 years in 1934 and, in 1935, the loan authority was extended and RFC was authorized to purchase the obligations of railroads engaged in interstate commerce with the approval of the Interstate Commerce Commission. The limitation on aggregate funds outstanding of $350 million was increased to $500 million in June 1940. In 1947 and 1948 RFC's authority to provide financial assistance to railroads was further extended but few loans were made under the extension.

Under the original limitations, RFC authorized 139 loans to 70 borrowers and disbursed $450,941,524. After 1935, under its new authority, RFC made 248 loans to 98 railroad companies in the amount of $1,059,867,787. In addition to these loans, the Emergency Appropriation Act of 1934 authorized RFC to purchase railroad obligations from the Federal Emergency Administrator of Public Works—subsequently, Public Works Administrator—in order to provide the PWA with funds to make additional loans. This authority existed up to 1947 but was not exercised after 1941. Prior to 1941, RFC authorized the purchase of 54 issues of railroad securities and disbursed $199,290,500 to PWA. The premium of $6,889,202 which was collected was not considered to be income by RFC and was credited to PWA.

LOANS TO PUBLIC AGENCIES

In September 1932, an amendment to the original act authorized RFC to purchase the securities of, or make loans to States and Territories and their political subdivisions; municipalities; public corporations, boards, and commissions; drainage, levee and irrigation districts; and public municipal instrumentalities formed in more than one State. RFC's activities in this area are summarized as follows:

	Authorized	Disbursed
Self-liquidating projects, under the Emergency Relief and Construction Act of 1932	$398,873,884	$339,533,641
Drainage, levee, and irrigation districts under the Emergency Farm Mortgage Act of 1933	150,127,449	101,787,683
Public bodies under sec. 5(d) of the RFC Act	$475,202,559	[1] $385,262,291
Securities of public agencies purchased from FERA and PWA	493,854,288	452,181,084
Total	1,518,085,180	1,278,764,699

[1] Includes $32,983,500 disbursed on outstanding commitments subsequent to Sept. 28, 1953; does not include disbursements for advances related to care and preservation of collateral.

RFC loans for self-liquidating projects—those whose construction costs would be returned in time by means of tolls, fees, rents, and other charges exclusive of taxation—were not limited as to maturity and funds could be used to

finance public projects authorized by Federal, State, or municipal law. In addition, loans could be made to private corporations formed solely for the purpose of providing low-cost housing and reconstruction in slum areas where such projects were regulated by State or municipal law; to private corporations engaged in constructing or improving bridges, tunnels, and other facilities devoted to public use; and to private corporations to aid in financing projects for the protection and development of forests and other renewable natural resources. Mostly, however, the self-liquidating projects financed by RFC were entirely public in nature. More than three-fourths of the total authorized was disbursed in the State of California, representing an investment by RFC in $208 million in bonds issued by the Metropolitan Water District of Southern California and $70 million advanced for the San Francisco-Oakland Bay Bridge.

While the original authority for loans to drainage, levee, and irrigation districts was limited to refinancing completed projects, RFC's authority was broadened in 1936 to include loans for the acquisition or construction of such projects. Maturities of up to 40 years were permitted but loans were required to be "fully and adequately secured" and RFC was required to appraise each project to determine that it would prove economically sound. A total of 1,318 loans were authorized in 671 districts primarily concentrated in Southern and Western States. Activity in this field was highest between 1933 and 1937, but continued at a lower rate into 1947.

RFC's original authority to make loans to, and purchase the securities of all types of public agencies and bodies was transferred to the Federal Emergency Administrator of Public Works in 1933, in conjunction with the authorization for RFC to purchase securities from FERA. RFC's authority in this field was, however, subsequently reactivated in 1938 and retained throughout the life of the Corporation. There was no statutory limitation as to maturity, but loans were required to be of such sound value or so secured as to reasonably assure retirement or repayment. Assistance was given broadly among the States but there were certain concentrations in dollar amounts for large projects. Among these were the $136 million authorized for the State of Arkansas Highway Department; the $37 million for the Pennsylvania Turnpike Commission; $20 million for the city of Philadelphia Gas System; $28,885,000 for the city of Cleveland Transit Authority; and $22,450,000 for the hydroelectric project of Public Utility District No. 1 of Pend Oreille County, Wash.

FINANCING OTHER GOVERNMENT AGENCIES

Aside from loans to agricultural financing institutions and in addition to loans and allocations to other Government agencies at the specific direction of Congress, there were several instances in which RFC funds were used to finance Government agencies within the discretion of the executive branch.

The Export-Import Banks was one such instance, with RFC providing the original capital and subscribing to the initial issue of preferred stock. In all, RFC disbursed a total of $201,500,000 to the Export-Import Banks, consisting of $176,500,000 in subscriptions for preferred stock and $25 million in loans.

The Defense Homes Corp. was also financed by RFC under Executive order. RFC lent a total of $65,692,000 to DHC, of which $40,870,411 was outstanding when DHC was dissolved in 1949 and its assets transferred to RFC for liquidation. With the dissolution of RFC these assets, reduced to $27,307,358, were transferred to FNMA.

The original RFC Act had authorized the Corporation to assist in financing the Federal home loan banks by providing up to $125 million out of its capital to enable the Secretary of the Treasury to subscribe the stock of the banks, and $124,741,000 had been disbursed for this purpose. Subsequently, in 1941, when the public debt was approaching its limit, RFC ceased borrowing from the Treasury and issued its notes to the public, and with part of these funds bought the stock of the Federal home loan banks from the Secretary of the Treasury as a means of providing the Treasury with additional funds. RFC continued to hold this stock until 1947 when a portion of RFC's notes payable to the Secretary of the Treasury, equal to the amount of the stock involved was cancelled and the stock of the banks returned to the Treasury.

LOANS TO FOREIGN GOVERNMENTS

Several specific authorizations for loans to foreign governments were enacted, beginning with the Emergency Relief and Construction Act of 1932 which authorized loans to finance sales of agricultural surpluses in foreign markets. Under this authorization, a loan of $17,105,386 was disbursed to the Republic of China in 1933. In 1941, RFC was authorized to make loans for the purpose of achieving the maximum dollar exchange value in the United States for the securities or property of any foreign government, and $390 million was disbursed to Great Britain in the only instance in which this authority was used. In 1946 RFC was authorized to lend up to $75 million to the Philippine Republic after consultation with the National Advisory Council on International Monetary and Financial Problems, and $70 million was disbursed under this authorization.

DISASTER LOANS

RFC was first authorized to make disaster loans in March 1933 and its authority to make such loans—amended and broadened in 1934, 1937 and 1945—remained continuous until 1953 when, under the RFC Liquidation Act, its authority in this area was transferred to the Small Business Administration. The following table summarizes the activities of RFC and its affiliate, Disaster Loan Corporation, in this area according to legislative authority:

	Authorized		
	Number	Amount	Disbursed
Act of Mar. 23, 1933, as amended	13	$10,450,232	$8,529,108
Act of Apr. 13, 1934, as amended	705	5,734,289	3,473,947
Act of Feb. 11, 1937, as amended (DLC)	24,088	37,361,660	31,354,550
Act of June 30, 1945, as amended	5,579	$35,439,075	$25,468,048
Total	30,385	88,985,256	68,825,653

CIVIL DEFENSE LOANS

The Federal Civil Defense Act of 1950 authorized the RFC to make loans for civil defense purposes financed by borrowings from the Treasury. Seven loans were authorized in the amount of $5,568,000, all for assistance in financing the construction of hospitals. In 1953 the program was transferred to the Secretary of the Treasury.

MINOR LENDING FUNCTIONS

LOANS FOR PAYMENT OF TEACHERS' SALARIES

For a period of 7 months in 1934, RFC was authorized to make loans to public school districts for teachers' salaries due prior to June 1, 1934. The authority was used only once. A loan of $22,300,000 was disbursed to the Chicago Board of Education, all of which was repaid in 1934.

LOANS TO REFINANCE PUBLIC SCHOOL DISTRICT OPERATIONS

In 1935, RFC was authorized to make loans to tax-supported public school districts to reduce or refinance outstanding indebtedness incurred for construction, operation, and maintenance of public school facilities. The act required that such loans be allocated equitably among the States and that maturities be limited to 33 years. Under this authority, RFC authorized 35 loans to 31 school districts. Disbursements in the amount of $957,175 were made in only two States, Arkansas and Texas, and were repaid in full.

LOANS TO PROCESSORS OR DISTRIBUTORS SUBJECT TO PROCESSING TAXES

The provisions of the Agricultural Adjustment Act of 1933, which provided for the payment of taxes by processors or distributors of various agricultural products, also provided that processors or distributors subject to the taxes were eligible for loans from RFC in order to avoid the imposition of "any immediate undue financial burden." Only seven such loans were authorized and $14,718 disbursed, all of which was repaid.

LOANS TO STATE FUNDS FOR SECURING REPAYMENT OF DEPOSITS OF PUBLIC MONEY

In 1933, RFC was authorized to make adequately secured loans to States creating funds to insure repayment of deposits of public moneys. The only authorizations were for loans to the Board of Deposits of Wisconsin. All of the $13,064,631 disbursed was repaid.

FINANCING RFC'S WARTIME SUBSIDIARIES

Beginning in 1940, RFC's responsibilities were greatly enlarged by the

creation of eight subsidiaries to aid the Government in its national defense program. Through these subsidiaries, the Corporation was authorized to engage in financing plant conversion and construction, to acquire and construct and to own and operate war plant facilities, to make subsidy payments, to deal in and to stockpile strategic and critical materials, to administer the war damage insurance program, and to conduct a great variety of other activities unrelated to its normal lending operations. For the duration of the war, these operations overshadowed RFC's other functions, as much as 80 percent of its activity being related to the war effort.

Under the provisions of the act of June 30, 1945, RFC's wartime subsidiaries were merged with the parent organization. RFC received the assets of these corporations, but the original investments of $7.6 billion were charged off and the Act of June 30, 1948 canceled the Corporation's notes payable to the Secretary of the Treasury in an amount equal to the unrecovered costs of its national defense, war, and reconversion activities. Three of the production programs which had been undertaken by RFC subsidiaries were, however, continued on an active basis after the war: The program for the production and sales of synthetic rubber undertaken by the Rubber Reserve Corp., the program for the production and sale of tin undertaken by the Metals Reserve Corp., and the program for the production and sale of abaca fiber undertaken by the Defense Supplies Corp.

The operations of RFC's wartime subsidiaries were conducted in conjunction with programs of other Government agencies administering national defense and wartime functions. They were, however, financed through the purchase of capital stock and loans by the parent corporation. While RFC was repaid for advances with funds provided by the operations of its subsidiaries, more than one-third of the amounts advanced were recovered by cancellation of RFC's notes payable to the Secretary of the Treasury.

U.S. ATTORNEY MORGENTHAU—A GREAT AMERICAN

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, every once in awhile Members of Congress have the fortunate opportunity to deal with public officials whose intelligence, ability, and efficient dedication to their assigned tasks clearly distinguishes them from all others. This kind of public servant is rarely accorded appropriate recognition in this age of sensational news stories of ineptitude, conflict of interest, and downright dishonesty of public officials.

Today, I pay tribute to a man whom I consider to be one of the most outstanding men in Government with whom I have dealt during my 40 years in the Congress, Mr. Robert Morgenthau, U.S. attorney for the southern district of New York.

There is no need to recount here his achievements in law enforcement since he took office in 1961. His uncompromising and unrelenting prosecution of organized crime which is corrupting the very vitals of our society, his insistence on the highest standards of ethical conduct by public officials and employees, and the efficiently and inspired zeal of the office which he heads—the single most important law-enforcement office in the United States—have been well recognized and reported.

Although I had known him for a number of years, my first official contact came about as a result of the House Banking and Currency Committee's inquiry into the legal and economic impact of foreign banking procedures on the United States. His testimony was so impressive and his answers to the members' questions so direct and informative, that the continuation of this inquiry and legislative proposals limiting the illegal use of foreign bank facilities has a high priority status before our committee. I have included a copy of his statement at the end of these remarks.

It was my privilege to have worked with his illustrious father during the crisis-filled days when he was Secretary of the Treasury. I must say that Robert Morgenthau has carried forward and significantly added to the great contribution to this country by his family.

In recent months, since the change of administrations, there have been innumerable stories of pressures brought on Mr. Morgenthau for his resignation. We all know that political patronage has in the past extended to the office of U.S. attorney. This is unfortunate since these offices should be above the clear of political considerations. The confidence of the people would be far better served if the Federal prosecutors were selected on their ability to enforce the laws of the United States to the fullest extent without regard to any particular political aspect whatsoever.

President Nixon and the Attorney General now have a golden opportunity to once and for all sever the mark of political patronage from law enforcement. Through one simple act they can set a precedent which will serve as notice to all administrations to come that U.S. attorneys will be selected in accordance with a single standard—their ability to perform. They can do this through the magnificently simple act of announcing their intent to retain and support Robert Morgenthau in office.

At this point in the RECORD I insert a number of news stories and feature magazine articles about the illustrious career of this man:

STATEMENT OF ROBERT MORGENTHAU, U.S. ATTORNEY, BEFORE THE COMMITTEE ON BANKING AND CURRENCY, DECEMBER 9, 1968

Mr. MORGENTHAU. Thank you, Mr. Chairman. Mr. Chairman and members of the committee, I greatly appreciate being invited to appear before your committee.

Secret-numbered foreign bank accounts have become an ever increasingly widespread and versatile tool for the evasion of our laws and regulations and for the commission of crimes by American citizens and for hiding the fruits of crimes already committed.

There was a time when the secret-numbered Swiss account, for example, was an instrument used only by relatively sophisticated financiers. That is no longer true today.

The jet age has taken millions of Americans to Europe for summer vacations. It has brought many of them to the doorsteps of the Swiss banks where a very large number have found that secret foreign banks are available readily to them for lucrative criminal purposes. Operating in the other direction, the jet age also brought to the United States numerous representatives of foreign banks. While many of these do only proper and legitimate banking business, there are others who come here to seek new accounts and service old ones which are maintained for criminal purposes alone. One "finder" for a Swiss bank went so far as to open accounts at the bank for many of his friends with an initial "Christmas present" deposit of $50. The friends learned of the existence of their new accounts only on receiving the bank's Christmas card.

Foreign banks protected by secrecy laws now number among their American customers not only sophisticated international financial operators, but hoodlums from the world of organized crime, stock market swindlers and manipulators, corporate officers making illegal profits from their inside information, businessmen who hide profits from the tax authorities, and enormous numbers of stock market investors who through foreign banks evade income taxes on their trading profits. The latter group of ostensibly irreproachable citizens of the business community who have adopted foreign banks in preference to income taxes is now very large and represents a loss of tax revenues in the many millions of dollars.

For several years my office has investigated and studied numerous available sources of information. We have learned much about illegal uses of foreign banks by Americans. We have returned numerous indictments, and as the wealth of information we have accumulated is further increased and analyzed we expect that the number of criminal prosecutions will be accelerated. Even in the cases where we can successfully prosecute, it is necessary to spend thousands of manhours in piecing together complex and seemingly unrelated transactions in order to obtain indirectly information that banks will not directly furnish us. But naturally, we have receive virtually no cooperation from the foreign banks which hold the evidence of crime. Often we have had very complete information on criminal activity, but have been unable to prosecute because the foreign bankers would not furnish witnesses competent to introduce their banking documents into evidence. As a result it should be obvious that the increasing number of successfully prosecuted criminal cases represents only a small fraction of the crimes committed by Americans through secret foreign accounts.

Practically every Swiss bank, in addition to its deposit and credit banking activities also deals in securities for its customers. For dealing in American securities, these banks often maintain omnibus accounts at American brokerage houses. Through its account at the broker, a bank can trade the securities of all its customers without differentiation. So far as appears on domestic records, all the trades are made for the benefit of the foreign bank. No domestic record shows the identity of the principal for whom the bank acts or even distinguishes between trades for one principal and another. All activity is lumped together under the name of the foreign bank.

I would like to give you a few examples now, particularly of cases which are already closed. One which is a matter of public record is the *Gulf Coast Leaseholds* case, *United States* v. *Kelly*, 349 F. 2d 720 (2d Cir. 1965), certiorari denied, 384 U.S. 947 (1966).

There, no less than four "Liechtenstein trusts" holding Swiss bank accounts, operating under secrecy laws, were used by Ameri-

can promoters in a scheme to sell 750,000 shares of unregistered over-the-counter stock to the American public at prices that were manipulated to over $16 a share. After the promoters had banked their money, the stock dropped to under a dollar. Each of the trusts used in the *Gulf Coast* case was American-owned, but had as the titular head a Swiss lawyer. The trusts were organized to maintain accounts in a Swiss bank for their American principals. Thus, the promoters of the stock fraud had a double line of defense: The Swiss secrecy laws prevented disclosure of the fact that the bank accounts which were receiving money from the sale of the stock were owned by the trusts; and the secrecy laws also prevented disclosure of the fact that the real principals of the trusts were Americans.

The trusts were used as follows: One of the American promoters, a person with a criminal record, who had been enjoined from trading stock in his own name, purchased in the name of his Liechtenstein trust 750,000 shares of worthless stock from an American company at a nominal price. At the time, the trust had assets of $20.80. The trust then proceeded to sell the shares through American brokerage firms, which transmitted the proceeds of the sale to Swiss banks at which the trust had accounts. All told, on this investment more than $4 million was realized by the American promoter, through his trust, on his investment of $20.80. Part of the proceeds of the sale of the stock were passed from this trust to another trust, operating under Swiss secrecy laws, which served as the pocketbook for an investment advisory firm which plugged the stock in its market letter. The transfers between conspirators were accomplished by payments from one account at a Swiss bank to another, thus insuring maximum secrecy.

But the wall of secrecy which had been built around these operations collapsed. One of the defendants pleaded guilty and testified in detail as to how he had organized two trusts in order to get the benefit of the Swiss secrecy laws, and how he had assisted two of the other conspirators in forming a trust of their own to receive payoffs for their role in the fraud. The Swiss lawyer who was the titular head of two of the trusts gave testimony at trial, after being offered safe passage into the country. As a result, all of the defendants who had hidden behind the Swiss secrecy laws were convicted.

I might add, the trial of that case took 9 months, the second longest trial, I think, in the history of the Federal courts.

But success at piercing the Swiss secrecy laws is the exception, not the rule. The *Gulf Coast Leaseholds* case, illustrates the difficulties we are up against. Thus, before the indictment, the Swiss lawyer who ran two of the trusts, filed affidavits with governmental authorities conducting the investigation, stating that these trusts were not owned or controlled by Americans, even though he knew that these affidavits were false. When cross-examined about the affidavits at trial, he took the position that his duty to his American clients obligated him to make these false statements. As a result, the promoters of the stock fraud, during the period of the SEC's initial investigation, were able to use the Swiss secrecy laws as a shield behind which thy could operate anonymously. By the time the secrecy had been dispelled, the public had been bilked of millions of dollars.

In other similar instances we have formed well-founded suspicions that foreign banks or trusts were used not only to defraud and to unload illegally unregistered control stock, but also to manipulate and artificially support the market. Generally, such activity cannot be proven without the cooperation and testimony either of one of the insiders to the conspiracy or of the foreign bank which handled the order. Swiss banks have been used frequently to enable insiders to make illegal profits. We recently were able to prosecute successfully one such violator for the unreported sale of over a quarter of a million dollars in his company's securities, a company of which he was director and treasurer; $500,000 of such securities had been held for him in the account of a Swiss bank at various New York banks. While they were held in this fashion, there was no evidence available in this country linking the insider to his securities. The transactions could eventually be traced to him only because he caused the securities to be transferred to another U.S. bank to serve as collateral for a loan he obtained at the second bank. Nonetheless, because of the shield of Swiss bank secrecy, many details concerning the transactions were not and probably will never be known.

We have reason to believe that foreign banks have been used extensively by citizens to violate the margin requirements which the Federal Reserve Board imposes on security trading. Regulation T requires a customer purchasing securities through a U.S. broker to put up in cash a very substantial portion of the purchase price—in recent years the requirement has generally fluctuated between 70 and 90 percent. A foreign bank maintaining a special omnibus account at an American broker may furnish to only 20–30-percent margin. However, such a foreign bank must file a statement describing itself as a broker-dealer under U.S. law and promising to comply with regulation T by requiring its customers to put up whatever percentage of the purchase price regulation T requires. However, we know that in many cases Swiss banks have failed to require their customers to comply in this way.

In one such instance our office recently filed a criminal complaint against the Arzi Bank, of Zurich, Switzerland, and one of its directors, Joseph Pfeffer. The complaint alleges that Pfeffer solicited American accounts for the Arzi Bank which purchased securities for its new customers requiring them to put up as little as 10 percent when regulation T, which the bank was sworn to observe, was requiring between 70- and 80-percent margin.

Another Swiss bank with an omnibus account at a New York brokerage firm, permitted an investor to trade on borrowed money far outside the margin requirements; at one point this single customer was using $14 million to trade certain issues causing violent market fluctuations.

The ways in which foreign secret bank accounts are used to avoid income taxes are almost as numerous as the ways of earning money.

Persons who earn money abroad have the easiest and safest access to foreign banks as tax fraud havens. If the American businessman receives his earnings from a foreign source, he can deposit portions of it in a foreign bank and declare on his domestic income tax as much or as little of his true revenues as he choses. There is small likelihood of detection if he keeps double books carefully. Businessmen who make purchases abroad for resale here frequently keep phony double books fraudulently inflating the foreign purchase price so as to decrease the apparent domestic profit. The seller kicks back the difference to the buyer's foreign account.

Salesmen earning commissions from U.S. manufacturers for sales overseas have sometimes worked out a slightly more complicated device, as exemplified in a recent indictment which our office obtained. These salesmen set up a dummy Liechtenstein trust with a Swiss Bank account. A Liechtenstein lawyer who serves as the chief executive of hundreds of such business trusts became the ostensible head of of the foreign entity. The salesmen advised the U.S. manufacturers, and these include some leading American manufacturers, that most of the selling work would be done for them in the future by the Liechtenstein company and directed that the major portion of the sales commissions earned should be sent to Liechtenstein rather than to the U.S. salesmen. This money was deposited by the Liechtenstein lawyer in the Swiss bank. In this manner, the U.S. taxpayers fradulently evaded their income taxes on over $3 million unreported income in just 3 years.

Of course, every kind of profit from trading in securities or commodities can be earned free of tax if the account through which the trading is conducted is in foreign bank protected by secrecy laws.

Numerous U.S. investors have undertaken to avoid taxes by making their trading profits through Swiss bank accounts. The investor need only open an account in Switzerland and cable or mail trading instructions. The bank maintains huge accounts with U.S. brokers and executes its orders each day through these brokers on the appropriate U.S. stock exchange. The U.S. broker has no indication of the identity of the Swiss bank's client.

This system is ideal for the investor seeking long-term growth, since the loss of a day in cabling his order to Switzerland and back to New York will not be of great significance to him.

Many New York brokers deal in such large volumes for Swiss banks that they either maintain open telex lines or talk on the telephone several times a day. It has therefore been arranged for the trader to deal with a broker—sometimes using a code name—and give his order to buy or sell X security. The broker arranges to receive immediately such an order from the Swiss bank and executes the order as if he had reecived it from Switzerland for an unknown customer of the Swiss bank. The broker's only written confirmation will go to Switzerland, but he can advise the trader by phone of the completed transaction. To facilitate such trading, the Swiss bank can maintain the trader's account as a subaccount at the broker rather than as part of its general account. Thus, the broker might have one account labeled bank X, and others labeled Bank X, subaccount 1, 2, 3, etc. He would still receive the ostensible orders covering these subaccounts from Switzerland and would have no records identifying the true owner of the account.

Where the tax evading trader is the U.S. broker himself, the evasion is even easier. An indictment now pending trial in my office charges two floor brokers of the American Stock Exchange with having evaded taxes on earnings of over $1 million in 1957–60 by trading in New York for their own undisclosed account at the Swiss Credit Bank which was maintained in the name of a dummy.

Finally, many U.S. citizens operating cash businesses or businesses in which large amounts of cash are used can very easily hide a portion of their earnings in their foreign account with little possibility of detection. It is not difficult to get the money out of the country. When the amounts are sufficiently large, the Swiss banks have provided couriers who transport the cash itself. That is a service which has been used extensively by professional gamblers. Nor is it necessary for the courier to carry the money all the way to Switzerland. It is easier to take the money to Nassau, a half hour from Florida, where the Swiss banks have correspondent banks whose accounts are also protected by the secrecy laws. From there it is transferred to Switzerland.

It is not even necessary to go to so much trouble. Most of the large banks in major U.S. cities maintain a cable transfer service. A stranger can walk in off the streets to most of the major New York banks and present

large amounts of cash for cable transfer to the credit of a Swiss bank for credit for a stated account number or just for the general account of the Swiss bank. While the New York bank will generally ask his identity to fill out a currency report, a false name will not be checked, and we have checked literally dozens of these currency reports involving many millions of dollars, and have found in almost every case that a false name was used.

Ingenious ways have also been developed to permit the tax evader to have the use and enjoyment of the money he has concealed in a foreign bank, and Mr. Vinson has already discussed that and I won't go into any further details.

In some instances tax evaders will repatriate their secret foreign money by using it to buy their own local assets. In one investigated case, a real estate owner sold a valuable piece of property for nearly $1 million to a Swiss trust which was the customer of a Swiss bank. The Swiss trust was, of course, his own. He thus received the use of a million dollars which otherwise he would have had to leave in hiding. Thereafter the real property was managed for him—in secret—by the Swiss bank and he gained further advantage of avoiding income taxes on the revenue produced by the real estate.

Foreign banks have been used by Americans to conceal many different kinds of violations of law. One case presented by my office involved a major U.S. manufacturer and exporter which diverted substantial foreign aid funds to a foreign purchaser to buy its products to pay secret kickbacks to the purchasing agent. The kickbacks were deposited in a numbered account in a bank in Geneva.

In another case, which is now pending in the U.S. District Court for the Southern District of New York, involving sale of transformers under AID financing at $50, when the catalog price was $25, documents have been uncovered indicating that the same type of abuse through Swiss banks is going on right now. A document obtained in this case from an exporting agent states that there was "payment and commissions * * * through the Swiss Credit Bank in New York and Geneva."

Swiss banks have also been used as a haven for stolen securities, including securities issued by the U.S. Treasury Department. An indictment filed in our court involved the theft of $75,000 of Treasury bills from a securities firm in New York, of which $50,000 subsequently appeared in the offices of a Swiss bank. Two defendants were convicted for the interstate and foreign transportation of these stolen Treasury bills. The Swiss bank, however, declined to send a witness to testify concerning these stolen securities at its office.

Our investigation has also disclosed that some foreign banks have played an integral and not always passive part in even the most flagrant frauds upon American citizens and corporations. For example, a recent indictment returned in the southern district of New York involves a Swiss bank, owned primarily by Americans, and an attempt to defraud one of our Nation's largest banks of nearly $12 million. According to the indictment in that case, an employee of the U.S. bank was induced to send a forged and fraudulent cable to a correspondent of the U.S. bank in Geneva, directing it to transfer $11,870,924 of the U.S. bank's funds to the other Swiss bank where a courier was waiting to pick up the funds. Luckily, an employee of the correspondent bank grew suspicious because of a technical irregularity in the cable and thwarted the scheme by asking the U.S. bank for a confirmation.

Another example of the type of fraudulent transaction that certain unscrupulous foreign banks have made available to their American customers is a device referred to as the three-cornered window-dressing loan, involving a foreign bank, an affiliated "dummy" corporation usually located in the Caribbean area and an American borrower seeking fraudulently to "beef up" his balance sheet. I won't go into details of several of these transactions since the Chairman has already referred to them. I will say, though, that we discovered one such fraudulent transaction made by an American corporation at a time when it was in serious financial trouble. It was able to obtain new credit partially upon the basis of such a "beefed up" balance sheet. Shortly thereafter, however, it went bankrupt, and I might add that in that case the certified public accountants for the company sent a wire to the Panamanian bank in which the funds were on deposit to ask if these funds were free and clear, and the Panamanian bank sent back word that these funds were free and clear when in fact they were blocked and could not be removed from the bank. This publicly held corporation went bankrupt, but because of the applicable secrecy law, the fraud was not uncovered until after the statute of limitations had run.

Finally, we have found Swiss bank accounts used by diamond smugglers, loan sharks, policy operators and gambling casino operators to conceal illegal income and evade taxes. The problems which the use of foreign secret bank accounts creates for our national economy and for the enforcement of our laws is obviously vast.

In testifying today I have directed my remarks to law-enforcement problems created by the use of Swiss and other foreign banks. I do not intend to reflect adversely on the integrity of the vast majority of Swiss banks and bankers. Nor do I overlook the key role played by Swiss banks in the international money system. I believe, however, that there need be no conflict between the important role played by Swiss banks in international finance and the proper enforcement of the laws of the United States.

I therefore believe that the undertaking of this committee, with its vast experience and wisdom in matters of banking and currency, to investigate thoroughly this most troublesome area will be of great value to the Nation.

Chairman PATMAN. Thank you very much, Mr. Morgenthau.

Our next witness is Mr. Irving M. Pollack, Director of the Division of Trading and Markets of the Securities and Exchange Commission, accompanied by Mr. Mahlon Frankhauser of the SEC.

[From Business Week, Aug. 2, 1969]

WALL STREET'S CRIME-BUSTER WON'T BUDGE—U.S. ATTORNEY ROBERT M. MORGENTHAU, A CRUSADER AGAINST WALL STREET MISDOINGS, IS FIGHTING TO STAY IN OFFICE

Robert M. Morgenthau is a man of slight build whose baggy trousers make him look even smaller, and at times a bit clownish. But as U.S. Attorney for the Southern District of New York, his power is immense, and he has used it—as has no one in the post before him—to crack down on all sorts of misdoings on Wall Street as well as on other types of white-collar crime, such as income tax evasion, and on the Mafia.

For more than eight years he has been driven by a crusader philosophy, aiming to make the law more "even-handed." He says: "Slum kids have to feel something is being done about big business crime."

But Morgenthau is threatened. Unwilling to resign as most U.S. Attorneys do when the reins shift hands in Washington, Morgenthau, a Democrat, says he wants to complete his term, which ends in June, 1971. But New York Senators Jacob Javits and Charles E. Goodell, both Republicans, have proposed a replacement. And last month the Justice Dept. established a special investigation unit on organized crime for the Manhattan and Bronx sectors of Morgenthau's bailiwick. The move has been interpreted by many as a maneuver to undercut his power.

All this comes despite last year's judgment by a Republican Congressional task force that Morgenthau should be retained.

If he can't hold out until his term expires, Morgenthau would like at least to stick around until he can dig deeper into investigations he has just started on consumer fraud and the use of secret Swiss bank accounts. "I'm not staying because I like the job, but because there are important things to be finished," he said, tightening his eyes and pursing his lips so that his 50-year-old face looks aged.

PARTIAL VACUUM?

If Morgenthau is forced out, there are some who feel a new watchdog might patrol Wall Street less zealously. With the U.S. Attorney's office so swamped with work, it would be easy to shift priorities. Partisans of this view also point to President Nixon's letter to Wall Street leaders last fall promising to ease up on heavy-handed regulation.

Virtually all the major criminal cases evolving out of the Street have stemmed from Southern District indictments under Morgenthau. He wasted no time to start his probes into Wall Street after his appointment by John Kennedy in 1961. "This was one of the areas I felt had been neglected. I probably have spent more of my personal time on it."

Morgenthau established a special securities fraud unit that soon began obtaining indictments. He now has 10 of his 73 assistants working in the securities area, five full time. They work along with 20-odd SEC investigators. In its first four years, the unit got six times as many indictments as the U.S. Attorney's office had between 1945 and 1960. To date, Morgenthau figures that individuals have been indicted in at least 80 different securities cases handled by his office.

POWER CENTER

The securities cases are tedious and among the most complex to try. They also pit Morgenthau's men against the top corporate lawyers in the country. About half of the indictments are prompted by SEC, the rest by special investigations of the attorney's office. Ordinarily, government agencies refer civil cases they want prosecuted to the Justice Dept., and most U.S. Attorneys have their hands full enough with the referrals.

Morgenthau's Southern District is unique, though. It has always been the most independent of the 93 U.S. Attorney's offices and the most powerful. "Bob has made the Southern District even more powerful and independent," says Peter Morrison, the first head of the securities fraud unit and now a partner of Segal & Morrison law firm. Usually, for instance, Washington handles the big cases for regional offices. The Southern District handles its own.

SHOWCASE

Morgenthau's supporters, in fact, contend that the prominence that Morgenthau's investigations draw is one reason that the Nixon Administration would like a Republican in his job.

Morgenthau, however, sees his job as nonpartisan. His indictments indicate this. The list includes Raymond C. Deering, the treasurer of the Democratic State Committee; Louis Wolfson, a heavy Democratic contributor; Carmine DeSapio; and James Marcus, water commissioner for the Lindsay Administration. Indeed, in his unsuccessful bid for the New York governorship in 1962, he reportedly lacked support from many Democratic districts because of his nonpartisanship. "Many of the wards just sat on their hands because Bob had refused to give old-

fashioned favors," says a former assistant attorney under Morganthau.

Says Morgenthau: "We don't have many rules around here. But one of them is, if there is any pressure to delay or kill an investigation, expedite it!" He does just that. Says Frank Tuerkheimer, current securities fraud unit head; "He's completely impervious to pressure—the worst thing someone can do for a client.

NEW AREAS

A more common complaint about Morgenthau is that he tests law in the criminal courts before it can be tested in the civil courts, where penalties are either fines or injunctions, and no jail sentences are involved. Indeed, Morgenthau's willingness to try untested principles and perhaps set precedents is one of his most controversial characteristics. "He's going into areas no one ever dreamed would be the subject of criminal action," says one lawyer. Morgenthau responds that in most such cases he is only bringing the first criminal action in an area already tested in civil law.

The case of Lybrand, Ross Bros. & Montgomery (box) was one that shocked many, particularly the accounting societies, which howled bitterly. The defense maintained that the accountants adhered to standard accounting practices in not disclosing the use made of a loan by a client company, Continental Vending Corp., to an affiliate. In the case, the prosecution charged—and the defense even agreed—that the bulk of a $3.5-million loan to an affiliate, Valley Commercial Corp., ended up in the hands of Harold Roth, Continental president.

If the appeals courts sustain Morgenthau, it will make accountants criminally liable for certifying a misleading statement.

STREET SUPPORT

Most of Wall Street is behind Morgenthau's drive to keep the industry clean. Still, there are those who agree with the brokerage house partner who criticizes Morgenthau's zeal in test cases: "He is too excessively dogmatic without any strong rational reason behind his thinking."

Morgenthau, who doesn't claim many friends on Wall Street anyway, preferring to keep "an arm's length relationship," has caused a former chairman of the New York Stock Exchange to be indicted for income tax evasion.

Currently, Morgenthau is moving into untried waters with his Swiss bank account investigations which took a new turn this week with the indictment of Alfred M. Lerner, president of First Hanover Corp., for allegedly using Swiss bank accounts to cover up his holdings in several new issues his firm underwrote. Lerner describes the indictment as a "test case."

[From the New York Times, Dec. 20, 1967]

EXPERT ON THE MAFIA: ROBERT MORRIS MORGENTHAU

During Robert M. Morgenthau's unsuccessful campaign for Governor in 1962, he made an appearance at a small gathering in a lower Manhattan tavern. In keeping with Mr. Morgenthau's rather restrained temperament, it was a quiet affair at which he spent most of the time talking in subdued tones with small clusters of guests. At one point, a reporter walked in, got a drink and looked around the room, which still had about as much razzle-dazzle political atmosphere as a college faculty tea, even though the candidate had been there for half an hour.

"When is Morgenthau going to get here?" the reporter asked.

Flamboyance, presence, dynamism—these, as the story suggests, are not the strong suits of the man who Monday announced one of the most spectacular indictments in recent New York City history, that of James L. Marcus, the former Commissioner of Water Supply, Gas and Electricity, who has been a friend and confidant of Mayor Lindsay.

NEVER PROSECUTES CASES

Associates call him "an unspectacular man" "a quiet person" and a man "who leads a quiet life." They point out that although he has held the post of United States Attorney for the Southern District of New York for six years, he has never prosecuted one of his cases in a courtroom. But they are quick to add that he is a first rate administrator, industrious and persistent with a talent for getting along well with almost everyone.

"He's a man of few words," a fellow lawyer once said, "He'll give you a one-sentence answer where another would use three, but it will be complete."

One of Mr. Morgenthau's major current interests is the Mafia and organized crime, and he prides himself on having amassed what many consider to be more knowledge about the organized underworld than anyone in the metropolitan area.

To reinforce this knowledge, Mr. Morgenthau holds what his staff calls "sunrise seminars" about once a month. These are meetings—usually held at 8 A.M. or 8:30 A.M., before the normal day's work begins—at which Mr. Morgenthau and members of his staff exchange information about the progress of current investigations into Mafia activities.

Robert Morris Morgenthau was born in New York on July 31, 1919. His father, Henry Morgenthau, Jr. had been Secretary of the Treasury under President Franklin D. Roosevelt, and his paternal grandfather, Henry Morgenthau, Sr., had been Ambassador to Turkey in the Administration of Woodrow Wilson.

Shortly after his graduation from Amherst College in 1941, Mr. Morgenthau entered the Navy.

Mr. Morgenthau was discharged from the Navy, after 54 months of service—46 of them on active sea duty—as a lieutenant commander with two Bronze Stars earned for actions in the Mediterranean and Pacific. He then went to the Yale Law School, from which he was graduated in 1948. After being admitted to the New York bar, Mr. Morgenthau joined the law firm of Patterson, Belknap & Webb. He remained with the firm until 1961, when he resigned to become United States Attorney for the Southern District of New York.

The next year he left to run as the Democratic candidate for Governor. Shortly after losing that election to Nelson A. Rockefeller, Mr. Morgenthau was reappointed by President Kennedy to the United States Attorney's office and he has remained there since, where he has made himself an expert on the Mafia.

Mr. Morgenthau, a tall, thin man whose bespectacled face seems to bespeak shyness, lives with his wife, the former Martha Pattridge, whom he married in December 1943, in a nine-room house overlooking the Hudson River in Riverdale, the Bronx. He and his wife have five children—four daughters and a son.

A relaxed man who works in shirtsleeves and sometimes takes off his shoes in his Foley Square office, Mr. Morgenthau puzzles associates by his apparent lack of determination to move from the United States Attorney's office to something bigger, such as a major judgeship.

"I have no definite political objectives," he once told an interviewer. "I'm sort of a fatalist. I figure you do the best job you can where you are and see what happens from there."

[From the New York Times, Mar. 21, 1969]

BANKS' HELP CITED BY U.S. ATTORNEY—FOREIGN ACCOUNTS INVOLVED IN STOCK-FRAUD CHARGES

(By Edward Ranzal)

Foreign banks have become "more cooperative generally"—though problems persist—during investigations of the use of secret foreign accounts to cover stock frauds in this country, United States Attorney Robert M. Morgenthau said yesterday.

He made the observation in connection with the indictment of six individuals and a Liechtenstein organization on charges of conspiring to sell unregistered securities on the American Stock Exchange through the use of secret accounts in Swiss and German banks.

Mr. Morgenthau said the investigation leading to the indictment had taken two years. Although there was a degree of cooperation from the foreign banks, he added, there still were "substantial problems."

In a 66-count indictment returned by a Federal grand jury here, the defendants also were accused of a worldwide effort to raise the price of VTR, Inc., by "touting" the stock in Europe and the Far East.

DEFENDANTS LISTED

The defendants are Alfred D. Laurence, Miami Beach; Joseph J. Lann, White Plains; Harold N. Leitman, Scarsdale; Medwin Benjamin, North Miami; Marvin Hayutin, 340 West 57th Street; Milton Rubin, Jacksonville, Fla.; and the Liechtenstein concern, Bartex.

The indictment charged that the conspiracy started in January, 1964, and ended six months later, during which VTR stock on the American exchange rose from $5 to $8 a share, and 85,000 unregistered shares were sold.

Mr. Morgenthau said that, during the six-month period, Mr. Leitman was president and chairman of VTR and a partner of the Leitman Company, a family partnership.

Mr. Lann, he continued, was president and chairman of Joseph J. Lann Securities, Inc., a broker-dealer; Mr. Laurence was a finder and promoter in the securities business.

Mr. Rubin was described as Mr. Leitman's brother-in-law; Mr. Benjamin was said to have touted and sold the unregistered shares and Hayutin, who is appealing a stock fraud conviction, allegedly established the Liechtenstein organization.

85,000 SHARES

At the time VTR was controlled by Mr. Leitman and Mr. Rubin, who arranged with Mr. Lann to sell 85,000 VTR shares in the name of Mr. Rubin and a nominee of Mr. Leitman, the indictment charged. Mr. Lann then allegedly asked Mr. Laurence to create a demand for VTR stock on the American exchange.

Meanwhile, an account was opened for Bartex at a German bank, to which the shares would be transferred from a Swiss bank, Mr. Morgenthau said.

Mr. Laurence then began a worldwide sales tour in which he allegedly gave "inside" information that major contracts and mergers with VTR were imminent, and that the stock would "triple" in six months. The indictment charged that this information was false.

Within six months, Assistant United States Attorney John H. Doyle 3d said, the 85,000 share were sold at a profit.

VTR, which, at one time, manufactured tires, was delisted several years ago and reorganized privately. In 1968, a new management took over VTR and elected a new board of directors as well as a new operating management, it was announced by Fredric H. Gould, president of VTR.

[From the Wall Street Journal, Apr. 23, 1969]

CRACKDOWN OF CONCEALMENT: MORE INDICTMENTS LOOM IN U.S. ASSAULT ON ILLICIT USES OF SWISS BANK ACCOUNTS

(By Richard E. Rustin)

NEW YORK.—More Federal grand jury indictments may be headed up soon in the crackdown by the U.S. attorney's office here on American individuals and brokerage firms that allegedly use numbered Swiss bank accounts to hide stock-market profits and evade margin requirements and income taxes.

Sources familiar with the crackdown indicate the likelihood of at least three separate indictments soon charging New York brokerage houses with arranging improper loans for their customers through the camouflage of Swiss accounts.

Moreover, an additional packet of indictments may be aimed at U.S. corporate executives who allegedly have used numbered accounts to deal in the securities of their own companies, in apparent violation of Federal laws regulating transacations by "insiders."

At least one of those cases also involves a brokerage firm that, it's said, may be charged with having illegally purchased for its own account a block of a "hot" new issue that the firm helped underwrite.

A STRING OF INDICTMENTS

The Government crackdown, under U.S. Attorney Robert M. Morgenthau began to gather steam last winter. It already has produced a string of indictments against a number of U.S. businessmen, plus a guilty plea from a Zurich bank charged with violating U.S. margin, or stock credit regulations.

Government attorneys concede that a major stumbling block in their investigations has been Swiss law, which forbids disclosure of the identity of a holder of a numbered account. The law provides for jail terms for bankers revealing names of account holders, except under court order in criminal cases brought in Switzerland.

But, Mr. Morgenthau says, Federal investigators are dredging up an increasing lode of possibly incriminating data on this side of the Atlantic. He continues:

"We've been piecing things together here from the records of brokerage firms and American banks that are correspondents of some Swiss banks. It's a very slow and tedious business but we're beginning to put two and two together.

"Our office has been putting a lot of time into these cases. Essentially, it's our view that the public's confidence in law enforcement can be seriously undermined if a small segment of the population can evade taxes and violate other laws in this way."

POSSIBLE VIOLATIONS

There isn't any law barring a U.S. citizen from having a numbered bank account in Switzerland, or in any other locality offering such a service. However, an American could run afoul of various U.S. regulations if he used the account as a shield to hide stock-market or business profit, or to cover up stock transactions that he should have reported to U.S. authorities, such as the Securities and Exchange Commission.

Moreover, U.S. brokerage firms could be held accountable if they help their U.S. customers buy stocks through Swiss banks on easier credit terms than are allowable to investors here.

It's understood that the vanguard of the coming round of indictments will concentrate on such alleged violations by brokerage houses. Although Federal attorneys currently won't discuss those cases, Mr. Morgenthau laid some of the groundwork last December in testimony before the House Banking and Currency Committee. At the time, he said:

"We have reason to believe that foreign banks have been used extensively by (U.S.) citizens to violate the margin requirements which the Federal Reserve Board imposes on security trading."

The board's Regulation T currently requires that an individual customer qualified to hold a margin account put up 80% of a stock's purchase price. However, a foreign bank with a special omnibus account at a U.S. brokerage house need make a down payment of only between 20% and 30%, provided that the bank files a statement pledging it will require its own clients to obey Regulation T.

Under an omnibus account, all orders are placed in the name of the bank, although the bank, of course, acts on behalf of its customers.

Apparently, there is evidence that some New York Brokerage houses are accepting orders on 20% or 30% margin directly from American investors, and then are covering their tracks by arranging with a Swiss bank to "enter" the order later from overseas.

Such a broker would violate Federal law because he would be filing a false report with the Government. In other words, he would be telling the Government that he executed a transaction for a foreign customer—in this case, a Swiss bank—while he really was executing it for an American.

TESTIMONY BEFORE HOUSE PANEL

"Many New York brokers deal in such large volume for Swiss banks that they either maintain open Telex lines or talk on the telephone (with them) several times a day," Mr. Morgenthau asserted before the House panel last year. "It has therefore been arranged for the trader to deal with a broker who corresponds with his Swiss bank. The trader can call the broker—sometimes using a code name—and give his order to buy or sell 'X' security."

"The broker sees to it that he receives immediately such an order from the Swiss bank and executes the order as if he had received it from Switzerland for an unknown customer of the Swiss bank. The broker's only written confirmation will go to Switzerland, but he can advise the trader by phone of the completed transaction."

Such an arrangement, Mr. Morgenthau noted, would be particularly advantageous "to the short-term tape watcher whose profits depend on immediate executions." And, of course, any profits would be shielded from the eyes of U.S. tax examiners.

There also apparently are indications that some U.S. investors with accounts at Swiss banks will soon be indicted for alleged evasion of the interest equalization tax. The 11¼% tax is levied on Americans who buy foreign securities from foreigners. Fashioned as a weapon in the battle to better the U.S. balance-of-payments picture, the tax is designed to discourage the outflow of dollars from this country.

However, some Americans, seeing a lucrative foreign issue, apparently have been circumventing the tax by entering orders through their Swiss banks. On the surface, the transaction would appear to be initiated by a foreigner, not by an American.

BUYING A "HOT" ISSUE

Sources also say there may be at least one American brokerage house that will be implicated in an asserted scheme to illegally buy a "hot" domestic new issue for its own account. Under this scheme, the brokerage house which was an underwriter of the issue, allegedly "sold" a block of the stock to a Swiss bank as part of the initial distribution. In reality, it's suggested, the Swiss bank bought the stock for the brokerage house.

Several new issues have been in sharp demand lately because of their tendency to increase rapidly in value shortly after they are offered to the public. It's not uncommon for such an issue to double in price on the day it's publicly offered.

An underwriter making such a purchase would violate Federal securities law because the law requires that the underwriter disclose precisely how much of a new issue it's buying for its own account.

Moreover, there apparently is evidence that corporate "insiders"—officers, directors and persons owning 10% or more of a company's voting securities—also may have used similar methods to buy shares of their own companies' "hot" new issues. Depending on the circumstances, such persons could be accused of stock fraud, filing false registration and trading statements with the SEC and violation of an SEC rule requiring an insider to turn over to his company any short-term profits made from his dealings in his company's stock. Short-term profits are those made during a six-month period or less.

Likewise, some corporate executives may soon be indicted for allegedly purchasing through Swiss accounts securities of their own companies that are supposed to be offered exclusively to foreigners.

Many corporations, seeking additional sources of capital recently have been offering debenture issues overseas. Generally, those issues are particularly lucrative, because many of them can be converted into a company's common shares.

There are some observers who view the current campaign as an attempted valedictory by Mr. Morgenthau to his long tenure as U.S. Attorney for the Southern District of New York. Although Mr. Morgenthau, a Democrat, still has two years to serve in his current term, observers predict he would defer to President Nixon if Mr. Nixon wishes to place a Republican in the key post.

ACTION OF SWISS BANKS

The Swiss Bankers Association late last year cautioned its member banks to observe extreme circumspection in dealing with foreigners, especially Americans, lest "misunderstandings" damage the banks' reputations. The group issued certain guidelines, explaining that there had been "baseless" criticism of the banks, particularly in "misinformed" and "slanted" newspaper stories.

On the other hand, one financial community source recalls a conversation with an officer of a large Swiss bank. According to the source, the banker "was rather sarcastic about American brokers." He adds:

"The banker said the smartest broker was the one who set himself up in a certain Swiss border city where he had privacy, sunshine and the benefit of all the smugglers' business. He said that in Switzerland, to do business you have to be next to the frontiers, as all clients are smugglers in one way or another."

[From the New York Times, Feb. 2, 1969]

U.S. ATTORNEY FOR "NEW YORK SOUTH"

(By Victor S. Navasky)

Given the national obsession with "law and order" it is surprising that more attention has not been paid to the men who define the law and enforce it, the nation's prosecutors. President-elect Richard M. Nixon has promised to get rid of our first civil-libertarian Attorney General, but he has yet to tell us what a good prosecutor ought to do, what qualities he should possess, what cases he should bring. This is a significant omission since, in addition to the Attorney General, Mr. Nixon will also appoint 93 United States Attorneys, whose mandate goes all the way back to the Judiciary Act of 1789, some 80 years before there even was a Department of Justice.

Traditionally, the job of U.S. Attorney is considered a patronage plum, a jumping-off point for a political career, basic training for a judicial appointment. But, as S. M. Hobbs wrote in The Alabama Law Review 20 years ago, the job is more thar that: "It is scarcely

an exaggeration to say that in his untrammeled discretion in deciding when and whether to file an information or press for an indictment, when and whether to enter a nolle prosequi or to 'bargain' with an accused—or more broadly when and whether to prosecute—[the prosecutor] has 'the scope for tyranny of a Venetian doge.' "

Of today's 93 U.S. Attorneyships, none is more powerful, more atonomous, more respected or more coveted than the job of U.S. Attorney for the Southern District of New York. This is partly because of the size of the office (he has 73 Assistant U.S. Attorneys working for him as compared with one for the U.S. Attorney from Wyoming), partly because of case load (he handles about 10 per cent of all the criminal cases in the Federal courts), partly because of the independent tradition of "New York South," and partly because of the high-principled, belligerent incumbent, Robert M. Morgenthau, originally appointed from the Bronx by J.F.K. in 1961 over the late Congressman Charlie Buckley's initial objections (he relented when the Kennedy threatened to bring in William Gaud, now A.I.D. administrator, from Connecticut), reappointed in 1963 after his unsuccessful race for Governor, and reappointed again by L.B.J. in 1967, despite the widely rumored desire of the President to replace him with Ed Weisl Jr., an Assistant Attorney General who also happened to be the son of the President's old friend and Democratic National Committeeman from New York, Edwin L. Weisl. In 1965, when Attorney General Ramsey Clark asked for evaluations of U.S. Attorneys as part of a talent search, he recalls, "Bob Morgenthau was at or right near the top of everybody's list."

Unlike members of the Cabinet, U.S. Attorneys do not, explicity serve at the President's pleasure. Normally this is irrelevant since a U.S. Attorney's four-year term is concurrent with that of the President who appointed him. But because of Morgenthau's gubernatorial adventure and consequent off-year appointments, the charter which hangs on the wall of his spacious office on the fourth floor of the U.S. Court House in Foley Square states in no uncertain terms that, having been confirmed by the Senate, his term of office runs till June 1971. When I asked if he had resignation plans, he said, "My current thinking is that if they didn't want me I probably wouldn't stay and I might not stay anyway, but I'm kind of a believer in not crossing bridges till you have to. What I'm concerned about now is that there are a lot of important cases and investigations pending."

The high probability is that Nixon will want to get his own man in the job. The outside possibility is that, consistent with Nixon's unity theme and the nonpartisan nature of Morgenthau's tenure, he will retain Democrat Morgenthau on a trial basis. The far-out possibility is that Morgenthau will refuse to step down, at least until he has cleaned up a number of big cases. They include the recent widely publicized indictment of the financier-lawyer Roy Cohn on 10 counts, the crackdown on American investors using secret Swiss bank accounts and cases expected momentarily to break in organized crime.

What would happen in the unlikely event of a showdown between Morganthau and Mr. Nixon is uncertain. The law reads: "Each United States Attorney is subject to removal by the President." When an Eisenhower appointee, Eliot L. Richardson, then U.S. Attorney and now Attorney General of Massachusetts, declined to resign after Kennedy's election, the Justice Department dug up a Supreme Court precedent which convinced Richardson that the President has the right to appoint his own man. Some jurists, however, believe that under case law the President can fire a U.S. Attorney only for cause.

It should not be forgotten that when L.B.J. became President, Morgenthau was one of the few U.S. Attorneys who did not turn in his resignation. And Attorney General Clark recalls what happened when he telephoned Morganthau to sound him out on a Federal judgeship: "He told me he felt a deep obligation to his office and his people and he was in the middle of so many things so important to him that he didn't think he would want to be considered for the bench at that time."

The only time Morgenthau ever indicated a willingness to give up the job was when he did—to run for Governor against Rockefeller in 1962. He lost. Since few observers ever gave Morgenthau a chance, I asked why he ran in the first place. "You mean why was I such a damn fool?" he said. "I knew it was a long shot but I thought, 'How often in a lifetime do you—does anybody—get that kind of opportunity?' So I thought it was worth trying. I didn't count on the complete disarray of the Democratic party, the divisive fight we had in Syracuse, and I didn't count on the Cuban missile crisis. People just weren't listening to anything else. But I thought the weaknesses in Rockefeller's record ought to be brought to public attention and they'd be good issues to campaign on."

Regardless of how long he stays on the job, it is worth taking a look at Morgenthau's stewardship of New York South, for at a time when the Supreme Court is under attack as soft on defendants, and the law-enforcement establishment is under attack (less visibly, to be sure) as insufficiently sensitive to individual rights and liberties, here is a man who has managed to retain his image as a liberal without undermining his reputation as a prosecutor. Indeed, despite the air of absent-minded, preoccupied academic which hovers around his 49-year-old grayish hair, prominent nose and pursed lips (which often seem to be fighting off an incipient smile), the recurring adjective in descriptions by friend and foe alike is "tough."

An official from Justice recalls, "When I first met him I remember thinking, 'My God, we've made a mistake. How is this Casper Milquetoast going to withstand the pressure?' Then we had lunch, and I watched him destroy the carefully laid plans of an Assistant Attorney General who came down from Washington fully expecting to assume control over a category of cases that are handled from Washington everywhere but in New York South. He left with empty hands and I knew we had nothing to fear."

"Bob wouldn't hesitate to send his own mother up the river," says one of his admirers from the Kennedy Administration, "that is, if he thought she was guilty. Of course, he would disqualify himself as an 'interested party,' but he'd see that the processes of justice were carried through."

Shortly after he assumed office, Morgenthau was visited by a Congressman who announced "urgent" business. He had, he said, a "constituent" who was charged with violating the Trading with the Enemy Act (he had been importing hog bristles from Communist China), and would the new U.S. Attorney "kick it around" for a few months? "I'm not asking that he be let off, or anything like that, just that you kick it around for a while." The new U.S. Attorney kicked it around for about as long as it took the Congressman to get out the door, called Silvio Mollo (the career attorney he eventually promoted to Chief Assistant, normally a post reserved for party patronage), and three days later they brought an indictment. "You could at least have postponed it for 30 days so I could earn my fee," the Congressman fumed over the telephone. Looking back, Morgenthau thinks it was fortunate that this incident happened early: "Word gets around on what you can get away with."

"Bob has an instinctive hatred for the fixers, the wheeler-dealers, the promoters, the men with connections," recalls a friend and former Assistant U.S. Attorney. Indeed, this is one of the qualities which informs his liberalism, and complements his idea that the best way a prosecutor can reinforce respect for law among the poor is by keeping close tabs on the rich.

Morgenthau's liberal reputation comes not from any ultra-humanitarianism (although he seems the essence of decency, is an active president of the Police Athletic League, serves as an adviser to the New York School of Social Work, etc.), nor from any overt evidence that once he leaves office he will become a card-carrying member of the American Civil Liberties Union. To the contrary, the so-called hot issues of criminal law—confessions, right to counsel, search and seizure—are things with which he has not really concerned himself. "Frankly," he says, "they pose more problems for local law-enforcement agencies than for us."

In fact, he flunks almost all the standard libertarian litmus tests. Legalized wiretapping? "There are two things to be said about wiretapping," he replies. "One, it is some invasion of privacy. There is no doubt about that. But everything government does in a civilized society, from your birth certificate through the Wasserman test and the driver's license, involves some invasion of privacy, so it's a question of degree whether this is a greater invasion than society wants to tolerate. The other proposition is that it's certainly some help to law-enforcement people. You have to weigh these values—as to whether you want to help law enforcement or protect individual rights."

Sympathetic treatment of draft resisters? "When a kid in New York South refuses induction, they arrest him on the spot," says Henry di Suvero of the National Emergency Civil Liberties Committee. "At the request of the U.S. Attorney's office there's high bail set, so in reality a kid is given the choice—the Army or jail. In the Eastern District they proceed by indictment, which means that you don't go to jail—there is time between the act and the arrest, and then the court automatically assigns counsel."

When I asked Morgenthau about this practice he said he was not aware of it, but would investigate. And after he had talked with those responsible, this is what he told me: "This policy is consistent with the general principle that when you have a clear-cut crime—say an agent sees a truck about to be hijacked—you arrest on the spot. This is a case of a clear-cut crime in your presence. If a truck has already been hijacked, then you indict before a grand jury. On the draft card burning business, we don't arrest because it's not clear-cut. Is it his draft card? Is he draftable? Etc. But when a man doesn't take that step forward, he has committed a crime. Actually, something like 80 per cent end up reporting and the complaint is dismissed. It's good from the draftee's standpoint because if a man is indicted he has a criminal record and that's serious; but it's bad from the protest organization's standpoint."

Censorship? His office devotes hundreds of valuable man-hours to protecting the citizens of the judicial district from imported art movies like "I am Curious—Yellow." (The Appeals Court has reversed a finding of obscenity stating that "under standards established by the Supreme Court the showing of the picture cannot be prohibited.")

Sensitivity to free-speech problems? Helen Buttenwieser, Morgenthau's cousin, recalls that when she posted bail for convicted Soviet spy Robert Soblen (none of New York's bail bondsmen would accept the collateral his family had raised), "Bob's office tried to prevent me from putting up the $100,000 bail and the excuse they used was foolish. They suggested that my money came from Communist sources. Bob knew very well I had the money to put up. Actually, I put up $30,000, another individual put up $30,000 and Sob-

len's family and friends put up $40,000. Anyway, at the hearing Vince Broderick, Bob's chief assistant, asked questions like: Had I represented Alger Hiss? Did I belong to the National Lawyers' Guild? As the Court pointed out, these questions were irrelevant. I never talked to Bob about it because I thought it would embarrass him. But now when I see Vince Broderick I say, "Why the hell didn't you win?'" (Soblen jumped bail and Mrs. Buttenwieser forfeited her money.)

On matters of concern to civil libertarians, then, Morgenthau seems an essentially conventional prosecutor, not initiating but tolerating occasional prosecutorial excess. After the latest Cohn case broke and Cohn charged Morgenthau with abuse of process, I asked Prof. Norman Dorsen, of the N.Y.U. Law School and vice chairman of the board of directors of the American Civil Liberties Union, whether he thought Cohn's charges were credible, and he replied: "While I have not studied them in detail, it is interesting to note that a grand jury composed of his fellow citizens indicted him. And Morgenthau generally represents the finest kind of prosecutor—sensitive to individual liberties and fair procedures as well as the responsibility of his office to secure conviction."

Morgenthau's unique contribution has been to go beyond those Siamese-twin enemies of all enlightened law enforcement—organized crime and labor racketeering—and engage in an almost quixotic crusade against the white-collar untouchables, the Wall Street wheelers and dealers, the corporate criminals. Traditionally, the U.S. Attorney takes cases as they are referred to him by Government agencies which are in effect his clients. Under this system, it is the clients—the Federal Bureau of Investigation, the Secret Service, the Postal Inspection Service, the Narcotics Bureau, the Immigration and Naturalization Service, the Selective Service—which make policy. "The referring agencies can make you or break you," says an Assistant U.S. Attorney, "because most of the big cases have concurrent jurisdiction. So if they don't like you, they'll give it to another office." But in the area of corporate crime, Morgenthau has reversed the conventional flow of business and has initiated cases rather than merely received them.

His quaint notion is that since the underprivileged tend to regard law as an enemy, going after the men at the top is a useful way to demonstrate that law can be an ally. "I feel," he says, "that the people who hold positions of power or trust and violate them are probably a more serious danger to a democratic society than organized crime or crime in the streets. I also think that the ability or inability of government to deal with this kind of crime has a substantial bearing on how the public, particularly the underprivileged public, regards law enforcement. If he knows that the big man in the community is in the policy racket, drives a Cadillac and pays off the cops, then a man is justified in concluding that law enforcement is only for suckers."

Among the institutions he has taken on in his almost naive determination to demonstrate that nobody, no matter how well connected, rich or powerful, is above the law, are the president of the New York Stock Exchange (for alleged tax fraud); the Internal Revenue Service (for bribery and corruption; more than 170 employes were indicted); financier Louis Wolfson, a major Democratic campaign contributor ("You can't believe how many phone calls we had trying to pull us off," said an Assistant U.S. Attorney); the Post Office the No. 2 man in the New York region was convicted of perjury), and the top officers of Local 32–E, the 10,000-man union which controls all of the building superintendents in the Bronx, and which was notorious for its terrorist tactics and its close ties to Buckley's Bronx Democratic machine. (After the indictment, union officials, who had always booked two or three tables at the county dinner told Buckley: "No more tables. If you can't control your own U.S. Attorney, why should we take tables?")

For knowingly certifying a fraudulent balance sheet he indicted the top officers of Lybrand, Ross Bros. & Montgomery, one of the eight largest accounting firms in the country. He made headlines when he indicted and convicted the high-flying Water Commissioner of the Lindsay Administration, James L. Marcus, despite the fact that District Attorney Frank S. Hogan, who was onto the case earlier, had not yet found enough evidence to prosecute. ("It takes guts to go after a Marcus," observes one member of the office. "Now everybody knows he's guilty. But then he was a pillar of the community. If one witness reneges, the whole case caves in and the Establishment has tagged you as an irresponsible headline hunter.")

This list seems endless, including the executive vice president of Manufacturers Hanover Trust, the treasurer of the Democratic State Committee, and, of course, most recently, Roy Cohn, who once served as an Assistant U.S. Attorney in New York South, prosecuting Julius and Ethel Rosenberg for passing atomic secrets to the Russians. Cohn is the kind of man who, it is said, receives a box of cigars each Christmas from J. Edgar Hoover, was thrown a 45th birthday party by Terence J. Cooke, now Archbishop of New York, enjoys financial relationships with Senator Everett Dirksen's administrative assistant and Senator Edward Long's son-in-law, pals around with the heir to the Newhouse newspaper chain, and generally mingles with the high and the mighty. The powerful chairman of the Senate Judiciary Committee, Senator James Eastland, is a Cohn partisan.

When Morgenthau several years ago unsuccessfully brought charges against Cohn (who has been in and out of court ever since, most recently on charges of mail and wire fraud, false filing with the S.E.C. and conspiring to pay a state court official $75,000). Cohn told the press that Morgenthau was retaliating against him for his role in embarrassing Morgenthau's father, Henry Morgenthau Jr., F.D.R.'s Secretary of the Treasury. He said, "When I was first in the Justice Department and then chief counsel to the Senate subcommittee, it was my duty to investigate Soviet infiltration in the Treasury Department. It dealt with the delivery of United States occupation currency plates given to Russia at the direction of Mr. Morgenthau Sr. [sic] on the advice of Harry Dexter White.

"I have no personal malice toward Morgenthau Sr.," Mr. Cohn continued. "I never met him. But Morgenthau Jr. has harbored a feeling about this. I say somebody up there just doesn't like me."

A few weeks ago, on the occasion of his latest indictment, he repeated these charges of vendetta and supplemented them with a bill of particulars in which he alleged that Morgenthau had spent more than $1-million in taxpayers' money, interrogated more than 700 Cohn friends, enemies and employes, and issued more than 1,000 subpoenas requiring production of books and records.

Because Morgenthau has cases pending against Cohn, he is reluctant to respond to Cohn's charges of abuse of process other than to state that, "based on the information brought to our attention, we would have been derelict in our duty if we hadn't conducted the investigation of the Fifth Avenue Coach Lines, Inc., that led to the present indictment." He adds that bringing someone before a grand jury is not an abuse of process. "If we had misused the grand jury, we knew perfectly well he could have come in to quash the subpoena," says Morgenthau.

To the charge that he is out to get Cohn, he says: "I am not out to get anybody." He points out that Cohn was still in law school when Harry Dexter White died after testifying before Congress, and says: "My father was never called before the McCarthy subcommittee, was never interrogated by them, and if he was investigated by Roy Cohn, he never knew anything about it and, until Cohn's statements, neither did I. I might add I never felt it was necessary to vindicate my father's reputation." In any event, he goes on to note: "A man is not immune from prosecution merely because a United States Attorney happens not to like him."

In a way, the Cohn case raises again the old legal-ethics sticker: Is there anything wrong with prosecuting known public enemies on minor charges, going after an Al Capone for income-tax evasion? Morgenthau's answer is clear, although he insists it has nothing to do with the Government's prosecution of Cohn. "There's nothing wrong with making cases against people in positions of responsibility, people in the public eye.

"You have to be selective. We don't have enough personnel to investigate and bring cases against everybody who violates the law. When your criminal intelligence tells you that a man is a public menace you have an obligation to investigate him.

"Everyone knew Capone was a bootlegger and a major criminal, and so I see nothing wrong in prosecuting him.

"That doesn't mean bringing him up on charges of jaywalking and, of course, it doesn't give you the right to railroad anybody. And bear in mind: Under Federal practice, every safeguard is afforded a defendant, whether the prosecutor wants to put him away or not."

A man who has known Morgenthau for 10 years says: "The Harry Dexter White thing has nothing to do with Bob's prosecution of Cohn. To him Cohn is a hot-shot, *nouveau riche* parvenu. If anything, that has more to do with it.

"I never understood him until I read Felix Frankfurter's reminiscences about Bob's grandfather, who was Wilson's Ambassador to Turkey. He had a plan to win the First World War by detaching Turkey from Germany and Austria. Nothing was going to stop him. Bob has some of the same stubbornness. He doesn't look at a case like a normal prosecutor: "How will it look in court? What are our realistic chances of winning?" He's like a client in the sense that these fellows are crooks and he knows it and everybody knows it and he's not going to let them get away with it. Also, the fact that he's not a trial lawyer [he has not tried a single case as U.S. Attorney] makes him more rigid in terms of dealings with defense counsel. He tends to go by the book." Another associate observes: "Only a man with the security of his family background could operate the way he does."

Without generalizing from family background, it makes sense that, having watched his father (a gentleman farmer who published an agricultural paper before he became Secretary of the Treasury) move among the financial titans of the world, he would not find the specter of great wealth intimidating. And surely his exposure to the German-Jewish "Our Crowd" milieu cannot be entirely irrelevant, despite his marriage to a Midwesterner reared as a Unitarian, the former Martha Pattriden. The Morgenthaus bring up their four daughters (one a retarded child, is at the Lochland School in Geneva, N.Y.) and 11-year-old son, Robert P., as Jews and, when he was a student at Yale Law, his classmate, now Yale Law dean, Louis Pollak, remembers: "Bob and his friend Mitch Cooper 'infiltrated'—that's the only word for it—Corby Court [an exclusive eating club]. Not that they could have cared less about getting in for reasons of status. But once in, they changed it"—which is Dean Pollak's genteel way of saying they quietly but actively re-

cruited other Jewish students and once and for all ended the gentiles only policy.

But it would be a mistake to equate the atmosphere evoked in Stephen Birmingham's best seller with Robert Morgenthau's world outlook. A better indication of his life style is provided by Steuart Pittman, a Morgenthau contemporary who was a fellow resident of Peter Cooper Village when they were both young attorneys in New York. Like so many other friends, Mr. Pittman, now a Washington lawyer, remarks on the contrast between Morgenthau's proper exterior and the free spirit it masks. He recalls late one night "walking along the tops of cars with Bob on lower Broadway, while our wives kept up on the sidewalk. Also, I have a vague recollection that he was the guy he used to roller-skate to work with. It took 46 minutes to fight the subway. This solution to the transportation problem was awkward only because of the reaction in the elevator at 15 Broad Street, where they had never seen two properly attired lawyers with roller skates slung over their backs, so as not to scratch the attaché cases."

Quasi-aristocratic family background may help account for Morgenthau's intolerance of fat cats and corporate arrivistes, but the equally distinguished background of his judicial district, New York South, helps account for his ability to do anything about it. Only an office with a tradition of independence from Washington would permit the freedom of maneuver Morgenthau's efforts require. According to a recent Yale doctoral dissertation by James Eisenstein, the over-all trend for U.S. Attorneys is "the progressive loss of autonomy to the Attorney General and the Department of Justice." New York South is the exception.

Its tradition of independence, while not unbroken, extends back at least to 1906, when a young Harvard lawyer who was earning $1,000 a year with a private firm was offered a chance to make $250 less. He later recalled: "I had a call from the U.S. Attorney's office that the U.S. Attorney wanted to see me. I use these words because that's what I was going to see—the U.S. Attorney. He had no name for me." The young man was Felix Frankfurter (he took the job), and the U.S. Attorney was Henry L. Stimson, who went on to become Secretary of State.

Stimson's contribution to the autonomy of the office was reflected in his reply to President Theodore Roosevelt's aide, who came to visit him to urge speedy indictment of a financial speculator whom the press was blaming for the bank panic of 1907. When asked how long it would be before the man went to trial, he replied (according to Frankfurter's "Reminiscences"): "I don't know how long that would take. I have no idea. . . . When the evidence is all in, if it warrants my so advising the grand jury, I shall advise them to find an indictment. Now that'll take I don't know how long. You tell the President that is the way I shall proceed and if that seems too dilatory to him and he wants some other action, then of course it's in his power to remove me and get some other United States Attorney."

The tradition did not establish itself without trouble. One old-timer recalls: "When Judge J. Edward Lumbard became U.S. Attorney [1953,] the office was filled with political hacks, and so he announced: 'Gentlemen, to the victors belong the spoils.' and proceeded to can everybody but [one man]."

By the time Morgenthau arrived he found the caliber so high that he fired nobody, urged the best to stay on and further depoliticized the office (and antagonized some local clubhouses) by hiring without regard to party, which may help account for the *esprit*—rare in Government circles—which characterizes the office. For four recent openings there were 17 applicants, all of whom had clerked for Federal judges. Two of those hired had clerked for U.S. Supreme Court Justices. "They come for the public service," says Morgenthau, "for the experience and for the tremendous responsibility." "It looks better on a résumé to have worked in New York Southern than any other prosecutor's office in the country," says an assistant. Morgenthau is proud that he has lengthened the average assistant's stay from two and a half years to four years, and that he has raised the level of prior experience: Except for summer internes, he no longer hires men directly after law school.

Not that an office staffed with elite-on-the-make is an unmixed blessing. As an attorney with a civil-liberties organization observes: "In Morgenthau's office they wear their self-righteousness on their sleeves. We get along better with the Eastern District. Morgenthau's guys are arrogant. They're from the top of the class, with Wall Street ahead or behind. They think of themselves as high-caliber types, and that means they quickly develop disdain for criminal lawyers. It shows."

Part of Morgenthau's ability to attract top talent is the implicit promise that his men will be able to try big cases—cases which in other jurisdictions are handled in Washington. Last February, when Henry Peterson of the Justice Department's Organized Crime Section announced the formation of a special unit to crack down on Mafia infiltration of legitimate businesses, he said it would commence operations in New Jersey, Philadelphia, Miami and Boston. Asked about New York, he replied that Morgenthau already had a 10-member staff working on organized crime. It was this Special Prosecutions Unit, in fact, which uncovered (and convicted) Joseph Valachi. At last count, Morgenthau's office had convicted 52 members of the Luchese, Genevese, Bambino, Bonanno and Profaci families, and eight others were pending trial.

"It was through our interest in organized crime and Tony Corallo (of the Luchese family) that we stumbled onto the Marcus case," says Morgenthau of his office's most famous conviction—which has literally involved him in collision with the office of District Attorney Hogan, a confrontation which could have considerable impact on the F.B.I.'s entire informant system, not to mention the two prosecutors' offices.

In brief, Morgenthau indicated and convicted Marcus on evidence provided by one Herbert Itkin, a self-confessed F.B.I. informant. But Itkin is what might be characterized as a "method informant"—i.e., he participated in some of the transactions about which he informed. As a result, District Attorney Hogan's office is ready to prosecute Itkin.

If Itkin was telling the truth, he could probably make more cases for the Government (the number has been estimated as high as 50 to 100) against people as influential as Carmine DeSapio, the former Tammany Hall leader, whom he accused on the witness stand of bribing Marcus on behalf of Consolidated Edison. So, though nobody likes to talk about it, Morgenthau's office is opposed to Hogan's trying Itkin, whose price for making more cases is presumably immunity from prosecution. The F.B.I. is also opposed to prosecuting Itkin—since if it can't guarantee informants immunity (not to mention anonymity), why should any insider agree to inform?

Hogan's critics charge, among other things, that, by prosecuting Itkin, he would be spared the unpleasantness of prosecuting DeSapio, who engineered Hogan's 1958 senatorial nomination. But Hogan's supporters claim he has an obligation to try Itkin since he has evidence against him. If the F.B.I. informant system suffers along the way, so be it. In fact, they argue against the whole concept of an intelligence-gathering network which by implication involves the subsidy of criminal informants. They add that Morgenthau should have turned over the headline-making case to the D.A.

Morgenthau's people, in turn, point out that more than half the cases they bring involve concurrent jurisdiction with the D.A.'s office; that, especially in bribery cases, "you can't usually get the family doctor or the local clergyman as a witness—you have to deal with some pretty shady characters," and that, given the choice between prosecuting a valued informant or a highly visible public figure who may have abused the public trust, the ends of law enforcement are better served by undertaking the latter. As Morgenthau puts it, "These (bribery) cases have a real impact on what goes on in the ghetto."

Try to get Morgenthau to talk of future plans, and he will talk excitedly about his latest batch of cases, which the day I happened by, involved the work of the newly established Consumer Fraud Unit. He told me how they have made history by indicting process servers for discarding summonses instead of serving them, a practice known as "sewer service." "The victims," he says, "are most often Negroes and Puerto Ricans who have their wages garnisheed or their escrow deposits removed because they failed to show up in court to answer summonses which they have never received. It's been going on for years and nobody has ever done anything about it before." As he talks quietly but passionately on the injustice of the situation, one notices on the top of his 2-inch in-box pile an announcement of the New York State Association of Process Serving Agencies, Inc. It reads:

"For years our association has been crying wolf! The wolf is now inside the house!

"We are facing the worse crisis our industry has even experienced! Five men have already been indicted [sic] by a Federal grand jury and the continuing investigation may very well bring forth many more. . . ."

Richard Nixon and his new Attorney General may be forgiven if they are right now selecting Morgenthau's replacement. That's what elections are all about. But it is ironic that, if Mr. Nixon does the expected and puts his own man into New York South, the three happiest men in town could easily turn out to be three lifelong Democrats—Roy Cohn, who charges vendetta Louis Wolfson, whose counsel visited Washington unsuccessfully charging abuse of prosecutor's discretion, and Carmine DeSapio, who has not been indicted, but who cannot have heard Itkin's testimony in the Marcus case with equanimity.

ROBERT M. MORGENTHAU: THE QUIET MAN WHO MOLESTS THE MAFIA

(By Edward O'Neill)

He wears an illustrious name; seven short years ago he was the Democratic candidate for Governor of New York State; he is the nation's leading Federal prosecutor and racket-buster whose office has sent more than 100 leading mobsters to prison; the Mafia fears him with a passion. And, paradoxically, he can walk anywhere in New York City and not be recognized by his fellow New Yorkers.

He is Robert Morris Morgenthau, a tall, thin, scholarly-looking man who unobtrusively serves as the United States Attorney for the Southern District of New York, the nation's most important district law office.

This district is the pressure cooker. Here is where the action is. Here is an area that encompasses the richest, most populous, most complex and challenging chunks of real estate in the country. It includes all the gold of Wall Street, the skyscrapers of Manhat-

tan, the riches of suburbia, the United Nations—a vast vortex where millions of people move about each day.

It is the giant magnet that attracts wealth, wields power, position and prestige, has served as a breeding ground for colorful Alfred E. Smith, flamboyant Thomas E. Dewey, history-making Franklin D. Roosevelt, glamorous Nelson A. Rockefeller, charismatic John V. Lindsay.

Set against this backdrop, Robert Morgenthau is an enigma. He moves about quietly, plays everything in low key, forsakes the limelight and moves with deadly efficiency. And yet, this shy man and his 73-man office have for the past eight years scourged the Mafia, decimated its ranks, sent it reeling in disorganized retreat and shipped its leaders off to jail with startling success.

More than 100 kingpins of organized crime have been convicted by Morgenthau for a variety of crimes including such mob-size gambits as narcotics pushing, bail jumping, theft, extortion, conspiracy to obtain kickbacks for union welfare funds, interstate gambling, bribery, stock fraud, counterfeiting.

Ironically, this is more than triple the number of successful prosecutions that enabled the country's most memorable crimebuster, Thomas E. Dewey, to zoom to the political top.

Unless unforeseeable lightning strikes, Bob Morgenthau himself would agree that—tripled prosecuting success not withstanding—a Tom Dewey-like political future is just about out of reach. "A Dewey I'm not," he'll concede with a ready smile whose warmth catches a visitor by surprise. "I go by the theory that if I run this office well and get results, the future—political or otherwise—will take care of itself."

How well he runs his office can be attested to by the reputation he's established with law enforcement officials everywhere who rate him tops.

One high New York police official tells us: "Don't let Bob's quiet manner fool you. When he gets onto a case, he won't let go. He himself is a tremendous lawyer and he's assembled a staff of young assistants who know what to do and how to do it. And, most important, they get complete backing from their boss."

Usually laconic F.B.I. men who work with the "New York South" U.S. Attorney's office are also hairtrigger quick to heap praise on Morgenthau. As one told us: "He's great. We love to work with him . . . Bob's compiled just about the highest conviction rate in the country. When his boys come into court, the cases are well prepared and airtight. He's also one of the top authorities on organized crime in the country."

The records, as dispassionate as their maker, verify this judgment. Here's a partial compilation of successes against the underworld:

Morgenthau's office has sent away 40 members of the Mafia "family" once headed by the late, notorious Vito Genovese, including superboss Sam Accardi who received a 15-year sentence for narcotics and bail jumping. Torn apart and squabbling among themselves, the "family's" survivors harbor a flattering hate for Morgenthau.

Well down on the list of Genovese-mob convictions is perhaps one of the most famous or infamous, depending on what side you're on—names in organized crime, Joseph Valachi, who was sent away for 15 years on a narcotics conviction in 1962. This is the same Valachi who, convinced that Genovese had ordered his death in prison, became Big Crime's greatest informer of all time. His revelations shocked the country and still serve as springboards for obtaining other mob convictions. It was from Valachi that a stunned nation learned about the existence of the Mafia's private name, the Cosa Nostra.

Morgenthau's office uses the Cosa Nostra's own family identification system. Every "family" is identified by name with a complete listing of underbosses (Caporegimes) and rank-and-file hit men and gangsters (Buttons). In this way—and these lists are kept up to date—the office keeps a close surveillance on the mobs and remains an ever-threatening nemesis.

Other "families" have been hit by Morgenthau's troops. The Gambinos lost 18 Buttons, the Lucheses 21, including Consiglieri Vincent Rao (5 years, perjury) and Caporegimes John Ormento (40 years, narcotics), Tony Corallo (2 years, obstruction of justice, and 3 years, conspiracy) and Johnny Dio (5 years, bankruptcy fraud). The Bonnanos count five among the missing, the Profaci-Magliocco-Colombo combine five, the Maggadinos three, and the Patriarcas two. And, as Morgenthau grimly points out, "We're far from finished with these guys."

The continuing battle with Big Crime provides the sensationalism, but the U.S. Attorney for the Southern District of New York has a myriad of other responsibilities.

Since Morgenthau took over in 1961, on appointment by then-President John F. Kennedy, the office case load has set a record every year. Over the past year, Morgenthau & Co. handled more than 1,000 criminal cases and 1,200 civil matters.

Office jurisdiction extends over two counties of New York City (New York and the Bronx) and nine contiguous upstate counties (Westchester, Ulster, Sullivan, Rockland, Putnam, Orange, Greene, Dutchess and Columbia). Morgenthau and his staff process trials involving billions of dollars annually. One single matter now pending, for instance, involves a contest over a corporation tax refund amounting to $127 million. The Southern District is the largest of the 93 in the nation; it is also most powerful, enjoys more autonomy, handles more than 10 per cent of all the criminal cases heard in Federal courts and has the largest staff—73 assistants, as compared to one Western state which has only one.

Unlike some of his predecessors and contemporaries, Morgenthau—"a tremendous lawyer," his aides assert—does not himself try cases, even those sure-fire ones great for publicity.

He explains it this way: "No man can run an office this size and handle trials himself. It just can't be done. The publicity would be nice, I guess, but I wouldn't be able to get the job done.

"This way, I can stay on top of all the cases. I confer with the men handling the individual matters, get their reports, make my suggestions and everybody is a hell of a lot better off."

This penchant of Morgenthau's for letting his staff operate professionally has had a signal effect on the quality of the men he's been able to attract into government legal service.

They're young, aggressive and confident. And they know Morgenthau's policy gives them a chance to make a name for themselves—an important consideration to an ambitious lawyer with an eye on the future.

A visit to Morgenthau's oval office in the U.S. Court House Building on New York's Foley Square gives the viewer a quick insight into the powerful but quiet, low-key climate that prevails.

Morgenthau, in shirt-sleeves, sits behind his big desk. The walls reflect the man and his life—two warmly inscribed pictures of the late Senator Robert F. Kennedy, two others of the late President Kennedy, one of them a shot taken in Buffalo of JFK and himself (then a candidate for Governor) together.

There are also pictures of his father, Henry Morgenthau Jr. (President Roosevelt's Secretary of the Treasury), Roosevelt, former President Johnson, ex-Secretary of War Robert Patterson (Morgenthau practiced law and became a partner in his law firm), ex-Attorney General Ramsey Clark and a framed picture of his own swearing-in as U.S. Attorney.

Bob, a Democratic holdover in the Nixon administration, smiles at the recollection of a recent visit by a Department of Justice boss, a Republican from Texas.

Bob: "When he saw all these Democratic pictures, he looked puzzled. I could almost hear him saying to himself, 'What-in-hell is *this* guy doing here?' "

On another wall there are pictures of the three destroyers that Morgenthau served on during World War II. He'll talk warmly about two of them, the *U.S.S. Landsdale* and the *U.S.S. Bauer*. The *Landsdale* was sunk from under him in the Mediterranean when a German JU–88 plane slipped a torpedo into its side; the *Bauer* was hit by a Japanese Kamikaze plane off Okinawa but managed to make port with an unexploded 500-pound bomb in its bow. Bob came out of the war a Lt. Commander with two Bronze Stars.

On an average day, Morgenthau will see a continuing line of from one to six assistants who are working on various cases. The conversation is usually short, restrained, professional and warm, reflecting close personal rapport between the U.S. Attorney and his staff.

His comments: "How's it going? . . . Did you try? . . . Why not go after it this way? . . . No, don't leave anyone out. Get 'em all! . . . Where's that brief?"

Periodically, Morgenthau and the entire staff hold a general meeting, a combination work session and coffee klatsch scheduled in the morning before the start of business.

"It helps give all of us a look at the big picture," he smiles.

To the utter disgust of New York City's clubhouse politicians, Morgenthau runs his office on a strictly nonpolitical basis. His men, he explains, are hired on their ability and keep their jobs by demonstrated performance.

His hatred for would-be fixers is almost legendary. The mere fact that an unwary congressman or senator might blunder into his office with a request is all Bob needs to order his men to redouble their efforts on the case at hand.

"That doesn't happen much any more," he notes. "I guess they all got the message."

This, coupled by his refusal to recognize anyone as a sacred cow, or be awed by a would-be target's high station in life, has built an aura of tough, single-minded, stubborn independence around Morgenthau. Love him, or hate him, there's no question about the fact that all respect him.

His determined efforts to firmly establish his office's reputation for incorruptibility have paid off.

Morgenthau has grabbed the Chairman of the Board of the New York Stock Exchange (for alleged tax refund), indicted over 100 employees of the Internal Revenue Service and an equal number of lawyers and accountants, won convictions on financier Louis Wolfson (a major campaign contributor to the Democratic Party), a top Post Office official, key labor leaders, the Treasurer of the New York State Democratic Party and New York City Water Commissioner James Marcus for taking kickbacks on a reservoir-cleaning contract.

He's stung former Tammany Hall boss Carmine De Sapio with a series of investigations, publicly gone after nearby Wall Street titans in the course of probing the growing infiltration of that bastion of finance by mobsters and sent three foreign ambassadors

away for long prison terms for their part in smuggling drugs into this country under the protection of their diplomatic immunity. Arrest of the diplomats, by the way, was the key move in the destruction of what had been a $200-million international drug ring and resulted in the jailing of a dozen top U.S. gangsters.

His dogged pursuit of famed attorney Roy Cohn (three indictments over a period of years on charges of bribery, extortion, violations of S.E.C. regulations, blackmail) catapulted Morgenthau himself into headlines recently. In a smashing attack, Cohn charged Morgenthau with staging "a personal vendetta" and "harassment," assertedly because Cohn had once investigated Morgenthau's father.

Cohn claims that his probe at that time concerned charges of Soviet infiltration into the Treasury Department when the elder Morgenthau was Treasury Secretary and the delivery of U.S. occupancy currency plates to Russia. When Cohn aired his charges in court, the Morgenthau reaction was typical. He fought down the urge to personally make a rebuttal. Instead, one of his aides handled the defense and came in with a documented answer so lengthy that the brief weighed one-and-a-quarter pounds. The Cohn trial is scheduled for the fall.

Morgenthau, refusing to discuss the case, did manage to get off this beauty: "A man is not immune from prosecution merely because a U.S. Attorney happens not to like him." He also says: "If Cohn investigated my father, he never knew it and neither did I."

Oddly enough, the three generations of Morgenthaus who have made so many contributions of significance to the country all had their lives changed due to their friendships with U.S. Presidents.

Bob's grandfather, Henry Morgenthau Sr., a wealthy lawyer and real-estate investor, was both friend and confidant of President Woodrow Wilson, who appointed him Ambassador to Turkey. His dad, Henry Morgenthau Jr., imbued with the family's love of the soil, bought several farms in Dutchess County, near Hyde Park, where he met a neighbor named Franklin D. Roosevelt. He also bought and published *The American Agriculturist*, a national farm journal.

The two men, registered Democrats in a sea of Republicanism, became close friends. As Governor of New York, Roosevelt appointed the father of the State Agriculture Commission. As President, Roosevelt brought Morgenthau to Washington, first as Governor of the Farm Credit Administration, then as Under Secretary of the Treasury under William H. Woodin. When Woodin left, Morgenthau moved up to Secretary.

Bob, who never mingled in the Washington scene, nevertheless met a young man in Hyannisport, Mass., in 1937 when he was 16. That young man was John F. Kennedy. As Bob recalls, "Jack was a couple years older than I, but we sailed in the same races and on one or two occasions I was invited to the Kennedy home to watch movies. I don't remember Bobby, who was much younger. I do remember Joe and the girls. Teddy, of course, was a baby."

Bob notes, "Jack and I weren't bosom buddy friends, but we did meet occasionally in later years."

When Kennedy made his 1960 bid for President, Morgenthau went to Washington to enlist in the campaign. He became Chairman of the Bronx Citizens Committee for JFK and worked for Jack's nomination at the Democratic convention in Los Angeles.

After the election, the President offered Morgenthau the U.S. Attorney job over the stringent objections of the late Congressman Charles Buckley, crusty Bronx leader at the time. Buckley wanted a tried and true organization man and blocked the appointment of Morgenthau until Kennedy threatened to give the post to a Connecticut Democrat. At that, with a few subsiding bristles, Buckley relented and O.K.'d Morgenthau.

The next year, Bob resigned from the office to run for Governor against the redoubtable incumbent Republican, Nelson A. Rockefeller. He won the nomination—with the Kennedys running the interference—but lost the election. His shyness, apparent uneasiness in front of campaign crowds and politically-too-quiet demeanor were insurmountable drawbacks.

Shortly after the election, Bob received a phone call from Kennedy. "Wanna go back as U.S. Attorney?" the President asked. Bob said "Yes"—eagerly. He was formally reappointed three weeks later.

As a recent visitor to Morgenthau's office pointed out, "If every voter had a chance to meet him in private and see his warmth and good humor firsthand, he'd have been elected easily. He just never let the people of New York discover that he was a hell of a guy."

At 49, Morgenthau still maintains the same outward public appearance—quietly shy, dignified, thin-lipped and bespectacled. After prep school, Bob graduated from Amherst with an A.B. degree in 1941. Following a 54-month stint in the Navy (46 of those months in combat), he went to Yale Law School and graduated in 1948 after a two-year cram course.

He married Martha Pattridge—a Midwesterner—in 1943. The couple reside in a rambling 11-room house in the pleasantly wooded Riverdale section of the Bronx with four of their five children:

Joan (Jenny), 24, is now studying for her master's degree at the Columbia School of Urban Planning; Anne, 22, is a senior at Radcliffe; Bobby, 12, is a sixth grader at Fieldston School and Barbara, 6, is also a Fieldston student.

Another child, Eleanor, 17, is retarded. She has resided for a number of years at the Lockland School, Geneva, N.Y.

Morgenthau, despite his full working day, has surrounded himself with other interests. He is President of the Police Athletic League, is active as a trustee or member of various Jewish organizations, including the Federation of Jewish Philanthropies of New York, the United Jewish Appeal and the Y.M.-Y.W.H.A. and pursues a lively interest in his profession as a member of all Bar associations.

The law, in fact, is his passion. He is an active and hard-working member of an advisory committee to reform Federal criminal laws. After a year and a half's work, the committee's final report will be ready soon. Among other things, that report is expected to bring about the first major recodification of Federal laws in several decades.

What about the future? Morgenthau's term runs until June 1971 but President Nixon may yet seek to replace him with a Republican. His reasons for not ushering himself out of office with a resignation are interesting:

"I do not plan to publicly concede that the office of U.S. Attorney is a political office. That demeans all of us; besides, we have many important cases coming up and I'd like to see them through.

"Besides, I don't like the idea of being a resigned officeholder hanging around and waiting for somebody to drop the other shoe. It undercuts the man, saps his authority and invites wrongdoers to delay things in hopes of getting a softer successor to deal with."

Morgenthau's solid background as a practicing lawyer—a fact that has bolstered his insistence on independence—gives reasonable assurance that he'll be able to make a substantial living. The fact that he needs that living surprises everyone, since anyone with the name Morgenthau is presumed to be a person of great wealth.

To the brash question, "Are you a millionaire?" Bob quickly replies, "No." Then he explains:

"When my father became Secretary of the Treasury, he took a post that traditionally has gone to men of immense wealth. Hence, the general belief that I have immense wealth. Oh, I won't starve (again, that unexpectedly quick and warm smile), but the financial tycoon idea just isn't so—in my case."

There remains one incontrovertible truth. Robert Morris Morgenthau is, for the moment, the U.S. Attorney for the Southern District of New York—and several hundred gangsters, in and out of prison, fervently wish he weren't.

BANK RATES NOT THE BORROWER'S BEST FRIEND

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the American people have been the victims of a financial hypnosis which has led them to believe that in borrowing money or financing a purchase, they will be charged a lower interest rate by those institutions which advertise "bank rates." The talk of bank rates as being lower than other rates is a myth that should be exploded.

Perhaps one of the most interesting examples of how the term "bank rates" is used to entice borrowers is contained in a letter sent by the treasurer of the Roanoke General Electric Employees Federal Credit Union to Mr. Eugene Farley, managing director of the Virginia Credit Union League. The letter follows:

ROANOKE GENERAL ELECTRIC
EMPLOYEES FEDERAL CREDIT UNION,
Salem, Va., May 7, 1969.

Mr. EUGENE H. FARLEY, Jr.,
Managing Director, Virginia Credit Union League, Lynchburg, Va.

DEAR GENE: A credit union member was just in my office with this story. I had little to offer him but sympathy, but perhaps his story will stress the importance of better education for our members.

In January of this year, he purchased a new car from a local *reputable new car dealer*. He was told when he purchased the car that he would *have to finance the car through the dealer* or he could not buy it at the price offered. He had wanted to finance it through the credit union.

The dealer took the financing contract and then placed the contract at one of our *local banks*. The contract reads like this:

Amount financed	$2,452.40
Interest—36 months	497.29
Life insurance	91.23
Total	3,040.92

Payments are $84.47 per month for 36 months. The loan was made on January 14, 1969 and the first payment was due February 28, 1969. Along about the middle of February our member decided he would borrow the money from the credit union and pay off the bank. He went to the bank on February 20, 1969 (37 days after the date of the loan) and was told that the pay off would be $2,671.38—that's *$218.98 more than he borrowed*. Of course, he didn't pay it off.

He has since made three payments on the loan amounting to a total of $253.41. He went to the bank today to find out how much the

pay off would be. They told him the pay off as of today was $2,497.81—*still more than he borrowed.*

Gene, that's *bank financing* that we hear so much about. Sort of makes you glad to be a credit union member, doesn't it?

Sincerely,

C. W. LAWRENCE,
Treasurer/Manager.

After obtaining a copy of the letter, I did some checking with credit unions and found that if the gentleman who had financed his car with the bank had, instead, financed the automobile with his credit union, he would not have been charged $218.98 for the use of the money for 37 days but instead he would have only been charged $37.52. Thus, the bank charged 589 percent more for the loan than the credit union would have charged.

It is no wonder, Mr. Speaker, that more than 20 million Americans are members of credit unions. These people know that they just cannot afford "bank rates."

HIGHWAY SAFETY: COMMENTARY NO. 12

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, recently, an article appeared in the Daily Eagle published in Claremont, N.H., concerning the use of computers to make highways safer for motorists. As this article points out, the Bureau of Public Roads has undertaken a test program to determine the effectiveness of using computers to signal cars when it is safe to pass another vehicle.

An innovation such as this, if proven effective, might be a life saver, especially in the less populated, mountainous areas of the country where curves and hills are prevalent. I wish to commend the Bureau for its initiative in trying to find ways to achieve highway safety.

The article follows:

HIGHWAY SAFETY A LA COMPUTER

Is it safe to pass the car ahead of you when you can't see what's coming?

Ask a computer.

This can't be done—at least not quite yet. But soon there'll be a 15-mile stretch of experimental highway equipped with sensors and computers designed to promote greater safety for motorists.

This may sound like a vision of the far future—but it isn't.

Work is due to start within a month on a $1.5 million federal project, pioneered by the Bureau of Public Roads. By 1971 this project will have equipped a stretch of two-lane highway with an electronic system to aid motorists in passing.

Site of the project is U.S. Route 2, near Newport, Maine, somewhere between Bangor and Skowhegan, we're told. Here an installation of sophisticated equipment will advise a motorist of the time available to pass whenever his view of the highway ahead is obstructed by a slow-moving vehicle.

Signals may be observed either on car receivers or on roadside displays at selected points along the computerized route.

This isn't, as we understand, a full-scale computer takeover. The driver, guided by advice from the electronic system, still can make his own decision and act upon it.

But there's only a short step between this and the complete computerized control of traffic predicted by far-out forecasters of tomorrow's electronic world.

How soon?

Goodness knows.

INFANT MORTALITY AND THE ABM—A CORRELATION

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD, and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, all of us who are concerned with the ABM, MIRV, and other dangerous escalations of the arms race are opposing these weapons because they could lead to the ultimate destruction of the human race.

Evidence has been gathered indicating that the testing of nuclear weaponry is already having an effect on unborn infants, in some cases killing fetal humans before they are born. A correlation between nuclear weapons tests and rising infant and fetal mortality is reported in an article by Prof. Ernest J. Sternglass in the April 1969 issue of the Bulletin of Atomic Scientists.

Prof. Ernest J. Sternglass is a member of the department of radiation physics at the University of Pittsburgh. In the forthcoming September issue of Esquire, Professor Sternglass expands on his scholarly treatment of this alarming subject in an article titled "The Death of All Children." This article discusses the direct threat of massive, if not total, infant mortality that threatens our very existence.

As a mother and as a human being I strongly protest a national policy which could lead to the extermination of the human race. Professor Sternglass writes:

In view of new evidence on the totally unexpected action of strontium 90 on human reproductive cells, it is apparent that Congress has not yet considered what may well be the most important factor affecting its decision to proceed or not to proceed with the first steps toward the ABM shield. The fact is this: a full-scale ABM system, protecting the United States against a Soviet first strike, could, if successful, cause the extinction of the human race. (Indeed, the scientific evidence indicates that already at least one of three children, who died before their first birthdays in America in the 1960s, may have died as a result of peacetime nuclear testing.)

Because of the importance of Dr. Sternglass' article in relation to our debate on the ABM and my colleagues' interest in preserving human life, I include both articles at this point in the RECORD.

[From the Bulletin of the Atomic Scientists, April 1969]

INFANT MORTALITY AND NUCLEAR TESTS

(By Ernest J. Sternglass)

(NOTE.—Can infant and fetal mortality in the United States be correlated with nuclear weapons tests? Professor Sternglass offers data for a close correlation between a leveling off in the decline of the fetal and infant mortality rates in the high rainfall areas in 1951–52 and the onset of the Nevada nuclear weapons tests in the atmosphere. A similar correlation exists for the onset of hydrogen bomb tests in the Pacific in 1954, according to the data. Professor Sternglass is a member of the Department of Radiology and Division of Radiation Health, University of Pittsburgh.)

Mounting evidence that there exists no threshold below which radiation is incapable of producing somatic and genetic effects in man suggests that especially for the sensitive embryo, fetus and infant, even relatively low-level doses from peacetime fallout may lead to detectable increases in death rates when data on very large population groups are examined.

That such effects on the developing human embryo may in fact be observable was initially suggested by the data on fetal death rates in the Albany-Troy, N.Y. area following the rain-out of radioactive debris from a 43-kiloton test in Nevada in April 1953. Examination of these data shows that the decline of the fetal death rate changed to a much lower slope, within a period of a year or two. It remained at this lower value until 1966 even though the measured external gamma radiation dose to the population was only 0.1 rad over a period of some ten weeks following the rain-out from the passing radioactive dust-cloud. Since this incident was also followed by an increase in childhood leukemia beginning some five years later accompanied by a shift in age distribution towards older age at death known to be characteristic of radiogenic cases, the data appeared to be suggestive of a possible causal connection between the rate of change of the fetal death rate and the arrival of the fallout.

It was therefore of interest to see whether changes in fetal death rate appeared not only in the Albany-Troy area but also in New York State as a whole, and whether subsequent tests are also reflected in changes of the fetal mortality.

In New York State as a whole, the fetal death rate began to deviate from the 1935–50 rate of decline in 1951, the year that atmospheric weapons tests began at the Nevada test-site. The rate of decline slowed from the 1935–50 value, after which the death rate started to change sharply, leveling off at about 23 per 1,000 live births between 1957 and 1963. In 1964, it increased sharply to 27.3 per 1,000 live births, declining somewhat in 1965 and 1966.

In contrast to this anamalous behavior, the fetal death rata for California, which received less fallout from the Nevada test, maintained its steady decline, although a decrease in the rate of decline became evident beginning within two to three years after the onset of hydrogen bomb tests in the Pacific in 1954.

CHARTING THE CONNECTION

In order to see whether the sharp rise in the fetal death rate in New York State might be connected with the accumulated fallout from weapons testing, the excess of the fetal mortality over the value expected if the 1935–50 rate of decline had persisted was plotted against the cumulative Strontium-90 deposited in the New York area.

It is seen that except for the first few years of testing in Nevada when short-lived isotopes rather than the long-lived Strontium-90 were dominant, the fetal death rate follows the same general pattern as the accumulated Strontium-90 on the ground. The two curves show the same decrease in rate of climb coincident with the temporary stoppage of nuclear testing in 1958 to 1961, and the sharp rise beginning with the large USSR test series in 1961. Two years after the test-ban in 1963, both the fetal deathrate and the radioactivity in the environment once again began to decline.

A similar pattern in the registered fetal death rate or rate of still-births exists in the data for the United States as a whole for all periods of gestation up to nine months. Again, there is a steady rate of decline, which levels off in 1951–52, coincident with the on-

set of nuclear weapons testing at the Nevada test-site in 1951.

The first actual rise in the fetal death rate occurred in 1954, when the first large hydrogen weapons were tested in the Pacific. A second rise took place in 1961, at the same time as the onset of large megaton weapons by the USSR in that year.

In order to see whether the pattern of infant mortality rates for infants up to one year of age in the United States also shows such as association with nuclear weapons testing, the infant mortality rates for various states, differing in precipitation and therefore fallout accumulation, were also investigated. The results were examined for typical large "wet" metropolitan states known to have received substantial amounts of fallout together with rural southern states that also have heavy rainfalls and lie to the east of the New Mexico and Nevada test-sites, as well as "dry" rural states in the West, largely free from New Mexico and Nevada fallout due to the low rainfall and the direction of the prevailing westerly winds at high altitudes.

The expected synchronous onset of change occurred in infant mortality rates for all four Northern metropolitan "wet" states in 1951, the same year that atmosphere tests in Nevada were begun.

The rural "wet" states of the Southeast show a generally similar pattern, but with indications of a leveling trend setting in somewhat earlier, or within one to two years after the first relatively "dirty" surface A-test in New Mexico in 1945. This detonation was followed by a series of five relatively "dirty" surface tests in the Pacific in 1946 and 1948, all of which occurred in the southern latitudes (11° N). As a result, the narrow belt of tropospheric radioactivity, typically 30° wide, reached primarily the southern part of the United States (25–35° N), where it came down in rough proportion to the annual rainfall.

CONDITION IN WEST

As expected, the "dry" rural states of the West, especially New Mexico which lies to the south of Nevada, do not show this leveling of the mortality rates either after the first tests in 1945–48 or in 1951. Instead, the rates continue to decline steadily and only when the stratospheric debris from the large hydrogen weapons tests begins to be introduced into the atmosphere does one see a leveling-off, beginning first in the mountain states of Idaho and Colorado in 1954, and later in Wyoming and New Mexico in 1958.

The data on infant mortality for the United States as a whole (plotted in Fig. 3) show a pattern similar to that for fetal mortality, with a strong leveling trend evident by the early 50's, after a steady decline that had persisted since the beginning of the century. That no "natural lower limit" had been reached in the attainable rate is proven by the fact that within two years following the test-ban of 1963, the infant mortality rate resumed its decline at a rate approaching that prevailing prior to the onset of large-scale atmospheric testing.

The nonexistence of a natural plateau of 20 to 25 per 1,000 live births is further substantiated by the fact that in six European countries with advanced medical care comparable to that in the United States, the infant mortality continued downward so that the rates in all these countries fell below that of the United States by 1964, despite a leveling trend in these countries that began in the late 50's with the onset of large hydrogen weapons testing by the United States, the United Kingdom and the U.S.S.R.

The lowest value, that for Sweden, reached 14.2 by 1964, when the U.S. rate was still 24.8 per 1,000 live births. Such a rate represents an excess of 75 per cent relative to that for Sweden, and an excess of 60 per cent relative to the expected U.S. rate of 15.5 had the infant mortality continued to decline at the 1935 to 1950 rate of decrease when the decline closely paralleled that for Sweden.

High radiation sensitivity of the fetus and infant have been determined both from animal studies and the effect of X-rays in man. This sensitivity results from the rapid cell division and organ formation characteristic of the early phases of development. It is therefore to be expected that the first serious effects of fallout would appear in the fetus and young infant, for which existing measurements show very much higher organ and skeletal doses than for the adult.

GENETIC DAMAGE

It has also been observed (in a study by K. G. Luning and his coworkers in Sweden, published in 1963) that Strontium-90, aside from concentrating in the bone, also appears to produce genetic damage, which expresses itself in excess fetal deaths when injected into the male parent animal prior to reproduction. Furthermore, the doubling dose for chromosomal damage to human cells may be as low as 1 rad (as recently discussed by J. V. Neel). This is consistent with recent evidence for an increase in childhood leukemia many years after the irradiation of either parent at diagnostic X-ray levels (observed in a study carried out by S. Graham and his coinvestigators at Roswell Park Memorial Institute). These findings suggest that both excess fetal and infant deaths are primarily due to chromosomal damage produced just prior to conception or in the earliest phases of development. No other explanation of the decrease in the rate of decline for infant mortality in the United States, as compared to other countries of equally low mortality rates, has so far been found.

Public health organizations have made a world-wide effort to understand the origin of this disturbing trend that has by now started to affect the entire world. As it was put in a recent book devoted to this problem by S. Shapiro, E. R. Schlesinger and R. E. L. Nesbit, Jr.: "Why is it that during the 1950's and early 1960's, years of great economic advancement and expanding allocation of economic resources to medical care, the infant mortality rate decreased only moderately? Contrasting economic and medical care advances in this period with what happened to the infant mortality rate poses a difficult paradox."

There is accordingly strong evidence in the correlation of excesses in the infant and fetal death rate with nuclear testing. The human ova, sperm and fetus may be considerably more sensitive to internal radiation from certain radioisotopes than had been expected on the basis of animal experiments or observations on children irradiated in the course of diagnostic X-ray examinations of the mother prior to or during pregnancy. The estimated number of excess infant deaths since 1951 reached a total of 375,000 by 1966 in the United States alone and has continued at a rate close to 34,000 per year—this despite a gradual decline of the death rate beginning with the test ban in 1963. The serious dimensions of the worldwide infant mortality problem are thus apparent, suggesting the need for a major, international effort to test in detail the various consequences implied by the hypothesis that nuclear fallout may have played a significant role in this and other important changes in mortality trends all over the globe.

In view of the evidence of an association between nuclear testing and the increase of fetal and infant mortality in the United States, an association which appears to be of a direct causal nature, the need to end all further atmosphere weapons testing and to halt all shallow underground cratering tests that permit escape of radioactive material into the environment is of paramount urgency.

Since significant changes in the rates of fetal and infant mortality seem to have been produced as the result of tests in 1945–54 involving only a handful of kiliton weapons now classified as "tactical" in size, the full dimensions of the threat to the biological survival of mankind posed by a possible nuclear war become apparent.

[From Esquire magazine, September 1969]

THE DEATH OF ALL CHILDREN—A FOOTNOTE TO THE ABM CONTROVERSY

(By Ernest J. Sternglass, professor of radiation physics, University of Pittsburgh)

Hopefully it is not too late to ask the members of Congress in their deliberations over the Administration's proposed Anti-Ballistic Missile system to pause and reflect on the nature and urgency of the matter they have been debating.

In view of new evidence on the totally unexpected action of strontium 90 on human reproductive cells, it is apparent that Congress has not yet considered what may well be the most important factor affecting its decision to proceed or not to proceed with the first steps toward the A.B.M. shield. The fact is this: a full-scale A.B.M. system, protecting the United States against a Soviet first strike, could, if successful, cause the extinction of the human race. (Indeed, the scientific evidence indicates that *already* at least one of three children, who died before their first birthdays in America in the 1960's, may have died as a result of peacetime nuclear testing.) Such is the conclusion indicated by new information on the unanticipated genetic effect on strontium 90, presented at a recent meeting of the Health Physics Society.

Proponents of the A.B.M. system argue that it is necessary to prevent the destruction of our deterent forces by a massive first strike of Russian SS–9 missiles carrying thousands of multiple warheads. But the threat of such an attack loses all credibility against our present knowledge that the vast amounts of long-lived strontium 90 necessarily released into the world's rapidly circulating atmosphere could lead to the death of all Russian infants born in the next generation, thus ending the existence of the Russian people, together with that of all mankind.

The unanticipated genetic effect of strontium 90 has become evident from an increase in the incidence of infant mortality along the path of the fallout cloud from the first atomic test in New Mexico in 1945, and from a detailed correlation of state-by-state infant mortality excesses with yearly changes of strontium 90 levels in milk.

The computer-calculated change in infant mortality was found to have reached close to one excess death in the U.S. per one hundred live births due to the release of only 200 megatons of fission energy by 1963. This indicates that a release of some 20,000 megatons anywhere in the world, needed in offensive warheads for an effective first strike or in the thousands of defensive A.B.M. warheads required to insure interception, could lead to essentially no infants surviving to produce another generation.

The specter of fallout has of course loomed before in the national anxiety over nuclear explosions. But the result of these studies comprises the first documented, long-range analysis showing direct quantitative correlations between strontium 90 and infant mortality. (They will be published later this year as recorded in the Proceedings of the 9th annual Hanford Biology Symposium.)

The physicists who exploded the first atomic

bomb at Alamogordo had expected radioactive materials of some kind and assumed that they would fall to earth downwind as far as fifty miles away. Accordingly, the test site had been located in an isolated area of southern New Mexico. When a subsequent series of tests was held in 1951, six years later, the scientists moved to the isolation of desert country in southern Nevada. By now, however, and without the knowledge of the scientific community, the death rate of children *in states* downwind from Alamogordo had begun to rise.

The infant mortality rates in the United States have been carefully collected for many years. From 1935 to 1950, the rate shows a steady decline, and mathematical models allow the rate to be extended to show, on the basis of previous experience, what the infant mortality rate for any time, consistent with the immediate past, ought to be. But while elsewhere (with one exception) in the U.S. the rate continued downward as expected; in the states downwind of Alamogordo it did not. There was no change in the infant death rate in 1946—the year after the Trinity test—but by 1950 the rate in Texas, Arkansas, Louisiana, Mississippi, Alabama, Georgia, and both Carolinas deviated upward from the normal expectancy. Increases in excess infant mortality of some twenty to thirty percent occurred some thousand to fifteen hundred miles away in Arkansas, Louisiana, and Alabama, where mortality rates were between 3 and 4.5 per hundred live births. Thus, as observed by our research group at the University of Pittsburgh, the Alamogordo blast appears to have been followed by the death, before reaching age one, of roughly one of one hundred children in the area downwind. No detectable increase in mortality rates relative to the computer-determined 1940–45 base line was observed in Florida, south of the path of the fallout cloud, or in the states to the north; and the mortality excesses became progressively less severe with increasing distance eastward, in a manner now understood to be characteristic of the activity along the path of a fallout cloud. Though the increase in infant mortality in the states was taking place during the years 1946–1950, it does not appear to have been associated with the Alamogordo fallout before our studies beginning in October, 1968.

Meanwhile, the study of radiation effects proceeded elsewhere in the scientific community. It became known in the early 1950's that radioactive strontium was concentrated in cow's milk and transmitted, along with the calcium to which it bears a close chemical resemblance, to the rapidly growing bones of the fetus and the subsequent infant. Still, the radiation from strontium 90, though long-lasting, was relatively small in degree; and it was a matter of record, from studies of young women employed in painting luminous watch dials, that very large amounts of radiation over long periods of time are required to produce bone cancer or leukemia in adults. Besides, the survivors of Hiroshima and Nagasaki and their offspring were carefully observed, without discovering any very serious long-term effects of radiation. A small number of leukemia cases turned up, and a very few detectable abnormalities among their children, but compared with the rest of Japan the difference was slight. The measurable effects of fallout, at the time, did not seem so ominous after all. So atmospheric nuclear weapons testing proceeded in Nevada until 1958, and continued in the Pacific until 1963 under the pressure of the Cold War. No obvious or clear-cut incidents of serious harm to anyone were reported outside the immediate area of testing.

Still, there was concern among radiobiologists and geneticists over the possibility of radiation effects on the highly sensitive human reproductive cells, rapidly dividing and developing to form the human embroyo during the first few weeks and months of gestation. Evidence from animal experiments, as well as from the observation of pregnant women who had been exposed to X-rays, suggested that ova and embryo might be from twenty to fifty times more sensitive to the development of leukemia than the mature adult. If so, the potential danger of even relatively small amounts of radiation would be greatly magnified.

The evidence implicating X-rays in childhood leukemia had been discovered—quite unexpectedly—by Dr. Alice Stewart of Oxford University, in the course of a survey designed to uncover the causes of a disturbing rise in childhood leukemia among the children of England and Wales during the 1950's. Her study, published in 1958, showed that mothers who had received a series of three to five abdominal X-rays in the course of a pelvic examination gave birth to children who were almost twice as likely to die of leukemia or other cancers than the children of mothers who had not been X-rayed during pregnancy. Subsequent studies showed that only about six percent of all childhood leukemia is related to X-rays, but Dr. Stewart's research remains significant, since before then no serious effects of ordinary diagnostic X-rays had ever been demonstrated, especially since a single abdominal X-ray gives the fetus a radiation dose not much larger than what each of us receives in the course of some three to five years from cosmic rays and the natural radiation in the rocks around us.

It is true that leukemia and childhood cancer are relatively rare. Only about one child in one thousand is affected. Nevertheless, since leukemia and other cancers are the second greatest cause of death among children between five and fourteen (ranking only after accidents), Dr. Stewart's findings were regarded by physicians as startling, and efforts were made to check them. Perhaps the most definitive such examination was done by Dr. Brian MacMahon at the Harvard School of Public Health. Using a study population of close to 800,000 children born in large New England hospitals, where careful records of X-rays given to mothers were available, Dr. MacMahon confirmed Dr. Stewart's findings. He observed only about a forty percent increase in the cancer rate among exposed children, probably because of improvements in X-ray technology that allowed lower exposures.

Meanwhile, in April, 1953, a sizable amount of nuclear debris from a test explosion in Nevada was wafted downwind some two thousand miles to the east and, thirty-six hours later, deposited by a rainstorm over the Albany-Troy region of New York State. Dr. Ralph Lapp, one of the first scientists to be concerned with the hazards of peacetime nuclear testing, drew attention to this heavy local fallout. Subsequent examination of the childhood leukemia pattern in this area showed that leukemia doubled over a period of some eight years after the fallout—and then decreased. Here, for the first time, was a documented case in which fallout appeared to produce serious effects at a rate consistent with what was expected from the study of children exposed to prenatal X-rays.

Further examination of the leukemia rate for the entire State of New York revealed a pattern of increase and decrease following the sequence of individual test series in Nevada between 1951 and 1958, with a characteristic time delay of about five years after each detonation. The rise and fall were particularly marked in the age group from five to fourteen years, the group most indicative of radiation-produced cases.

More disturbing yet, the evidence showed that the arrival of the fallout was followed by a halt in the normal decline of the rate of stillbirths. For the previous fifteen years, from 1935 to 1950, the stillbirth rate had shown a regular and progressive decline. Within a year after testing began in Nevada in 1951, the rate began to deviate upward. Between 1957 and 1963 the fetal death rate, instead of steadily declining as it had from 1935 to 1950, leveled off completely at around twenty-three per thousand live births. In 1964, the fetal death rate rose to 27.3 per thousand, the first such leap since records had been kept in New York State. In 1965 and 1966, it declined slightly, as a gradual reduction of fallout in milk and food took place throughout the U.S. In contrast to New York, the fetal death rate for California—upwind of the Nevada test site, and therefore not affected by it—continued its steady decline, in line with the 1935–1950 figures from which New York so sharply deviated. Still, the rate of decrease began to slow down in California also—two to three years after the onset of hydrogen bomb tests in the Pacific in 1954.

The implications of the fetal death rate could be considered much more serious for society than the incidence of childhood leukemia, since there are more than ten times as many fetal deaths reported than cases of childhood leukemia. Moreover, for every fetal death reported, an estimated five or six are not reported, yielding perhaps fifty or sixty fetal deaths for each case of leukemia. Consequently, the search for further evidence continued. More fallout seemed to be followed by more fetal deaths, but no precise statistical correlation had been drawn. Since the amount of strontium 90 deposited in the soil is easily measurable, the cumulative deposit of strontium 90 was plotted against the *excess* of fetal mortality over what the mortality *should* have been if the 1935–1950 decline had persisted. The finding: except for the first few years of testing in Nevada, when short-lived isotopes rather than the long-lived strontium 90 were dominant, the fetal death rate in New York followed the same general pattern as the accumulated strontium 90 on the ground. Both curves showed the same decrease in rate of climb coincident with the temporary halt of nuclear testing from 1958 to 1961; both show a sharp rise beginning with the large Soviet test series in 1961. Two years after the test ban in 1963, both the fetal death rate and the radioactivity in the environment once again began to decline.

A similar pattern in the fetal death rate exists in the data for the United States as a while for all periods of gestation up to nine months. Again, there is a steady rate of decline until the Fifties, a leveling off in 1951–52, and an actual rise in 1954, corresponding to the onset of the Pacfic H-bomb tests; and a second rise in 1961, corresponding to the Soviet test series.

But perhaps the most disturbing evidence of all indicates that the rates of infant mortality in the United States and all over the world seem to have been affected by nuclear testing. The infant mortality rate is far more accurately known than the fetal death rate, since the death of a baby, unlike a miscarriage or an abortion, rarely escapes notice in the advanced countries. Like fetal deaths, infant mortality had shown a steady decline in the period 1935–1950; but beginning with the Nevada tests in 1951 and continuing until just after the test ban in 1963, the rate suddenly leveled off in the U.S. This leveling off did not occur in such other advanced countries as Sweden, Holland and Norway, or in Southern Hemisphere countries like Chile and New Zealand, until late in the 1950's when hydrogen-bomb tests in the South Pacific and Siberia began to produce worldwide fallout on a much increased scale. Only after the major portion of the most violently radioactive material from the 1961–62 tests had disappeared did U.S. infant

mortality begin to decline again in 1965, at a rate close to the previous 1935–1950 decline.

The most serious effects appeared in the age group from one month to one year. Here, the rate of deaths per one thousand live births should have been, according to the 1935-1950 figures, about 2.7. Instead, the observed number was 5.4 per thousand, twice what it should have been and twice what it actually was in Sweden, where the rate had steadily declined to 2.6 per thousand.

Not only was there a drastic change in overall infant mortality for the U.S. as compared to the rest of the advanced countries, but there were also disturbing patterns of change within the U.S. For example, the infant mortality rate started to level off sharply in the Eastern, Midwestern and Southern states within two years after the onset of atomic testing in Nevada in 1951, while it continued steadily downward in the dry Western states. But this is exactly the known pattern of accumulated radioactive strontium on the ground and in the diet, since strontium is most heavily deposited in states of high annual rainfall, especially in those to the east of Nevada.

Serious difficulties remained, however, in establishing a causal connection between nuclear testing and these drastic changes in fetal and infant mortality. First, why should fallout, and in particular strontium 90, cause fetal and infant deaths, since it goes to the bones and should therefore cause, if anything, bone cancer and leukemia many years later? Second, there was no observed direct quantitative relation between different levels of strontium 90 in the body and mortality rates at any given age. Therefore it was difficult to see how the very small amounts of radiation resulting from peacetime testing could possibly have been the cause of the deviations in fetal death and infant mortality, especially since no significant genetic effects had been observed among the children of the Hiroshima and Nagasaki survivors.

The causation puzzle now appears to be solved. In 1963, K. G. Luning and his coworkers in Sweden published their discovery that small amounts of strontium 90, injected into male mice three or four weeks prior to mating, produced an increase in fetal deaths among their offspring. No such increase appeared when corresponding amounts of chemically different radioactive cesium 137 were injected. More recently, evidence presented at an International Symposium on the Radiation Biology of the Fetal and Juvenile Mammal in May, 1969, has demonstrated severe chromosome damage, fetal deaths and congenital malformations in the offspring of female mice injected with strontium 90 before and during pregnancy. Similar effects have now been observed for very small quantities of tritium, produced by both A-bombs and relatively "clean" hydrogen weapons.

In the light of these studies, the absence of genetic effects in Hiroshima is understandable. In Hiroshima and Nagasaki, the bombs were detonated, not on the ground as in New Mexico, but at such an altitude that there was essentially no fallout in these two cities proper. The radiation exposure there resulted almost exclusively from the brief flash of X-rays, neutrons and gamma rays at the instant of explosion. Consequently no special effects related to strontium 90 appeared in the children of the survivors; but the rate of cancer deaths among children up to fourteen years in Japan as a whole jumped by more than two hundred percent between 1949 and 1951, four to six years after the bombs, when the fallout had had a chance to produce its effects throughout the southern parts of Japan—exactly the same delay observed after the fallout from Nevada arrived in Albany-Troy.

But the problem remains of demonstrating a direct connection between the levels of strontium 90 in human fetuses and infants, on the one hand, and observed changes in fetal and infant mortality, on the other. Such a direct connection seems to emerge from the so-called "baby-tooth survey" carried out by the Dental School of Washington University in St. Louis, supported by the U.S. Public Health Service and directed by Dr. H. L. Rosenthal. Using the data from tooth-buds and mandibular bones of aborted fetuses and from baby teeth collected in the greater St. Louis area, Dr. Rosenthal's study showed that the concentration of strontium 90 in the teeth followed closely the measured concentrations in bone and milk. Measurement of the strontium 90 content of milk anywhere in the world permits a calculation of the concentration in the bones of infants and fetuses developing in the same areas. We have found a direct correlation between the yearly changes of strontium 90 contained in the teeth (and therefore the bones and bodies) of the developing human fetus and infant, and the changing excess mortality rates, going up and down together as atmospheric tests began in 1951 and stopped in 1963.

From our examinations of the infant mortality changes from a computer-fitted base line for 1935–1950, for various states in which the Public Health Service reported monthly values of the strontium 90 concentrations in the milk since 1957, there emerges a close correspondence between average strontium 90 levels and infant mortality changes. Wherever the strontium 90 rose to high values over a four-year period, as in Georgia, a large, parallel, year-by-year rise in infant mortality also took place; while in areas where there was little strontium 90 in the milk, as in Texas, the infant mortality remained at a correspondingly lower value. Other states such as Illinois, Missouri, New York, and Utah also show a rise, peaking in the same 1962–1965 period at levels between these extreme cases, each according to their local annual rainfall and strontium 90 concentrations in their milk.

For the United States as a whole, we found a detailed correspondence between and among: 1) the excess infant mortality relative to the 1935–1950 base line; 2) the total strontium 90 produced by nuclear weapons; 3) the strontium 90 thus produced actually reaching the ground; and 4) the four-year average concentration in U.S. milk from 1955, the year after the first large H-bomb tests; and 1965, the year when strontium 90 concentrations began to level off and started to decline once again.

At the peak of this excess infant mortality, it was the District of Columbia that showed the largest excess in 1966—157 percent, compared with an average excess of 72 percent for the U.S. as a whole. The low value was found in dry New Mexico, minus-eleven percent—actually below the 1935–50 base line.

To appreciate the magnitude of these effects, it must be recognized that in the 1950's about 2.5 to 3.0 infants out of every hundred born in the U.S. died before reaching the age of one year. The average excess infant mortality, therefore, represents close to one child out of one hundred born, or one of every 2.5 to 3.0 that died during the first year of life.

Since about four million children were born annually during this period, close to 40,000 infants one year old or less died in excess of normal expectations each year, totaling some 375,000 by the mid-Sixties and continuing at about 34,000 per year since the end of atmospheric testing by the U.S. and the U.S.S.R.

It is no wonder, then, that infant mortality has been a major concern of our Public Health Service since this trend was first pointed out in 1960 by Dr. M. Moriyama of the National Center for Health Statistics.

However, as Dr. Moriyama and his associates observed during an international conference devoted entirely to infant mortality in 1965, none of the factors so far considered—medical care, population movement, new drugs, pesticides, smoking or epidemics of infectious disease—suffices to explain the observed facts.

That the recent excesses in infant mortality cannot readily be explained by medical and socioeconomic factors normally influencing mortality trends may be seen from an examination of the death rate in the various states following the Alamogordo blast. At the University of Pittsburgh, we have plotted the percentile infant mortality excesses of decrements relative to the computer-determined 1940–1945 base line for the first and fifth years after Alamogordo. In 1946, one year after the detonation, there was no sign of any excess infant mortality in the states downwind from New Mexico; but by 1950 a clear change toward excess infant mortality appeared in the states over which the fallout cloud had drifted, and only in those states. Furthermore, the excess mortalities are seen to be distributed in such a pattern as might be expected from nuclear fallout originating in New Mexico, since the effects are lowest in the dry area of western Texas, and largest in the areas of heavy rainfall first encountered by the cloud, namely Arkansas, Louisiana, Mississippi and Alabama, declining steadily thereafter toward the Atlantic.

The only other area that showed a clear excess infant mortality greater than ten percent as compared to the 1940–1945 period was found to be North Dakota. There, subsequent measurements of strontium 90 in the milk, carried out by the Health and Safety Laboratories of the Atomic Energy Commission, revealed the highest concentrations anywhere in the U.S. for which data is available prior to 1960. The causes of this "hot spot" are not yet fully understood, but they are quite possibly connected with known accidental discharges of radioactivity from the Hanford plant of the Manhattan Project, directly to the west, in the early years of its operation, where the fissionable plutonium for most of the nuclear weapons was produced beginning in 1944.

Since no excess infant mortality was registered along the path of the New Mexico fallout cloud in the first year after the detonation, the deaths occurring downwind in later years could not have resulted from the direct effects of external radiation from fallout on the developing embryo. It becomes clear then that we are dealing with an effect on the reproductive cells of the parents, or a so-called genetic effect.

The evidence available so far therefore suggests that radioactive strontium appears to be a far more serious hazard to man through its long-lasting action on the genetic material of the mammalian cell than had been expected on the basis of its well-known tendency to be incorporated into bone. The resultant effect appears to express itself most noticeably in excess fetal and infant mortality rates among the children born two or more years after a nuclear explosion. Presumably such factors as lowered birth weight and reduced ability to resist ordinary infectious diseases are involved, accounting for the greatest increase in infant mortality in the U.S. as compared to the advanced countries of Western Europe since the early 1950's. Children who receive adequate medical care are more likely to survive these factors than those who do not.

What does all this imply for the debate over the deployment of new nuclear weapons systems, such as the A.B.M. or the M.I.R.V. (Multiple Independent Reentry Vehicle), carrying many nuclear warheads in a single missile? To appreciate the probable genetic effects of a large nuclear war, we can consider first the effect of small tactical-size nuclear weapons comparable to the 20 kiloton bombs detonated over Hiroshima,

Nagasaki, and in the desert of Alamogordo. Since increases of some 20 to 30 percent excess infant mortality were observed from a thousand to fifteen hundred miles downwind in Arkansas, Alabama and Louisiana, where mortality rates were between 3 and 4.5 per hundred live births, the detonation of a single, small tactical-size nuclear weapon on the ground in the western United States appears to have led to one out of one hundred children born subsequently dying before reaching the age of one year. Therefore, the detonation of a hundred or so weapons of this size, amounting to the equivalent of only two megatons in the form of small warheads, would be expected to lead to essentially *no* children surviving to maturity in the states directly downwind.

But according to former Defense Secretary Clark Clifford, speaking at a N.A.T.O. conference in the Fall of 1968, we have close to eight thousand tactical nuclear weapons in the kiloton range ready to be released in order to protect our European allies from a ground attack by Russia. Thus, we would probably achieve the protection of Western Europe at the cost of the biological end of these nations through the death of the children of the survivors, together with the likely death of most children subsequently born to the people of Eastern Europe, Russia and China as the radioactive clouds drift eastward around the world until they reach the United States. Thus, the use of the biologically most destructive small nuclear weapons in tactical warfare now appears to be at least as self-defeating as the release of large quantities of nerve gas, killing indiscriminately soldiers and civilians, friends and enemies alike.

But, what about the use of large megaton warheads in a massive first strike or in A.B.M. missiles detonated high up in the stratosphere or outer space, as proposed for the Spartan missile that is to provide us with an impenetrable shield against a first strike attack by large Chinese or Russian missiles in the 1970's?

According to the figures on infant mortality in the United States, based on the testing of large hydrogen weapons in the Pacific and Siberia, both in the atmosphere and outer space, close to one out of every one hundred children born are likely to have died as the result of only about 200 megatons worth of fission products into the world's atmosphere, under conditions which were especially designed to minimize the possible effects on health.

According to the testimony of Defense Secretary Melvin Laird in the Spring of 1969, the U.S.S.R. will have the capability of launching some 500 SS–9 missiles, each capable of carrying 25 megatons worth of bombs in the form of many multiple warheads, or a total of some 1500 to 2500 warheads. Together with comparable numbers launched by smaller missiles, the total megatonnage would therefore be of the order of 10 to 20,000 megatons needed in a first strike that attempts to destroy most of our thousands of missiles and bombers at the same time.

Thus, the threat of a first strike by Russia loses all credibility since, in order to have any chance at all of preventing devastating retaliation, it would necessarily have to release so much radioactivity into the circulating atmosphere that it would lead to the death of most Russian infants born in the next generation, ending the existence of the Russian people together with that of all mankind.

Since it takes at least three to five Anti-Ballistic Missiles launched to insure a high probability of interception, the U.S. must be prepared to launch some 5000 to 15000 A.B.M.'s in order to provide a meaningful "shield" against such a massive attack.

We know that each Spartan missile must contain a warhead of at least 2 megatons to produce a sufficiently intense X-ray pulse to achieve interception, so that the use of this system to protect our own missiles and cities would require the detonation of some 10,000 to 30,000 megatons into the stratosphere, not counting any radioactivity from the Russian warheads, from our own counterstrike, or from the Russian A.B.M. missiles.

Thus, even if anti-missile systems were to work with ideal perfection on both sides, preserving every home, every school, and every factory from destruction, the release of long-lived radioactive materials would produce more than a hundred times as much radioactive poison as during all the year of peacetime testing. Based on the excess mortality observed during the period of testing, this would most likely be sufficient to insure that few if any children anywhere in the world would grow to maturity to give rise to another generation.

Nor will it make much difference how high above the atmosphere the bombs are detonated, because the strontium 90 takes twenty-eight years to decay to half of its initial activity, long enough for most of it to return to earth well before another generation of children is born. And even if a perfectly "clean" weapon containing no fissionable material at all could ever be developed, the carbon 14 it produces would get into the genetic material controlling the life processes of all living cells, and it takes 5770 years before half of its radioactivity is exhausted.

The implications of the warning mankind has received from the death of its infants during nuclear testing are therefore clear:

Nuclear war, with or without anti-missiles or elaborate shelters, is no longer "thinkable" due to a fatal flaw in the assumptions of all our military war-gamers, namely the unexpectedly severe biological sensitivity of the mammalian reproductive system to genetically important by-products of nuclear weapons, which must now be regarded not merely as vastly destructive explosive and incendiary devices, but as the most powerful biological poison weapons that man has yet invented.

NUCLEAR MISSILE TESTS IN MICRONESIA MUST BE CANCELED TO SAVE LIVES

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD, and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, all of the people of the Pacific who live under the American flag make up my larger unofficial constituency. To these people who have no voice in the governance of their lives I believe all of us owe a special responsibility. Regrettably in our busy lives we do not have the time to devote to these voiceless, powerless, subjugated peoples living on the remote coral atolls of the Pacific. Not because of anything they did, not because of anything they did against us, but only because they happen to have been colonized by Japan, these innocent bystanders continue to be exploited and ignored by our Government. I cannot believe it is because this is the deliberate policy of our Government. I console myself that a great democracy like ours would not consciously contravene our basic tenet of freedom and self-government. It must be because we fail to take the time to understand their plight.

The plea of the people of the midcorridor islands who were removed by our Government in order to allow us use of these islands for testing of missiles has been falling on deaf ears. Now when we are again contemplating further tests of our missile weaponry in these islands, I would hope that we can devote some of our time and attention to their ever-increasing frustration. I submit for your attention my most recent communication from the people of the midcorridor islands of the Trust Territory of the Pacific which cries out for our concern:

MEMORANDUM

APRIL 21, 1969.

To: Army commanding officer, Kwajlein Missile Range, through High Commissioner, Trust Territory of the Pacific Islands.

From: Congressman Ataji Balos.

Subject: Six hundred sixty-nine Mid-Corridor people are awaiting 60 days decision from the Army and the Trust Territory Government.

The official record of the Ebeye Municipal Government shows that there are 1470 Mid-Corridor people who own legal land rights in the Mid-Corridor islands. Only one hundred ninety eight (198) are receiving compensation from the Trust Territory Government. Three hundred forty two (342) are employed by Global, Trust Territory, and private companies. Six hundred sixty nine (669) Mid-Corridor people are requesting the Army and the Trust Territory Government to please allow them to return to their islands in the Corridor because they have no ways of making income on Ebeye. The other two hundred sixty one (261) Mid-Corridor people have no jobs and have no ways of making income either, but they have not as yet made their decision to go back to their islands. They are continuing to live parasitically with their relatives and their friends.

Some employees have signed to return their families to their islands in the Corridor due to the fact that they cannot support them. The amount of the income they're receiving is inadequate to challenge the high standard of living on Ebeye.

The 669 Mid-Corridor people are mainly consisting of old people who cannot do any kind of work physically, students who have no jobs yet because they're still attending school, and of course the young children who are still legally under age of employment. Those are the ones who have experienced the long suffering on Ebeye. Those are the ones who would like to request the Army and the Trust Territory Government to please allow them to return to their islands because of the hardship they are encountering throughout these years. Frankly our Marshallese custom helps them to survive. They depend on their relatives and their friends for food, clothing, and other needs. Obviously, if their relatives and friends would stop from supporting them, then they would be no different from a "war prisoner" who wears a torn piece of cloth and dies gradually from starvation. To my knowledge, United States Government is very generous. It won't even allow its "people" to suffer this way especially in time of peace.

The leaders of each family of the 669 Mid-Corridor people have signed to return to their islands in the area in which the Army have designated as a restricted and a dangerous area on account of Missile Operation conducting on Kwajalein. To tell the truth, this is not a political move, nor is it a "campaigning promise." Let's face the truth and not argue and blame each other on this request of the Mid-Corridor people to return to their islands. This is exactly why they are asking the Army and the Trust Territory Government to please allow them to return to their islands. They would like to go back to their islands to settle and to live a free and a

peaceful life without bothering the Army and the Trust Territory Government.

I attached herewith a copy of the proposals by the Mid-Corridor people. They should like to urge the Army and the Trust Territory Government to take action on their made proposals within sixty (60) days after the date of submitting them. Their position is clearly stated that they are willing to cooperate, but they can't continue to live the long suffering life on Ebeye. Here again they would like to inform the Army and the Trust Territory Government that they will be returning to their islands, either with or without permission, after the sixty (60) days of submitting their requests and awaiting for the decision.

MEMORANDUM

CONGRESS OF MICRONESIA,
Capitol Hill,
Saipan, Mariana Islands, July 9, 1969.

To Army Commanding Officer, Kwajalein Missile Range Thru High Commissioner, Trust Territory of the Pacific Islands.

From Congressman Ataji Balos.

Subject Request of the new High Commissioner of the Trust Territory, Mr. Johnston, asking the Mid-Corridor people to give him a chance to work on their problem.

The Mid-Corridor people are once again patiently waiting and continuing their suffering in response to the request of the new High Commissioner, Mr. Johnston, asking them to give him a chance to work on their problem. The thirty one (31) Mid-Corridor people who had tried to return to their island did so not because they were unwilling to cooperate, but because they can't continue to live and suffer on Ebeye.

The Army and the Trust Territory took quick action to bring back the thirty one people to Ebeye after six days of being on their Islands. The Army now is supplying the 31 people with nothing else but food until September 1, when the Army and the Trust Territory plan to open a re-negotiation with the Marshallese leaders of Kwajalein and the Mid-Corridor people.

If it weren't for the request of the new High Commissioner, all the Mid-Corridor people who have experienced the long suffering and grievances would have returned to their islands as they promised to do after the original sixty (60) days awaiting for the decision from the Army and the Trust Territory Government. High Commissioner Johnston took action in time just before the sixty days were over. This indicates that Mr. Johnston is very much aware and concerned about the long suffering of the neglected Mid-Corridor people. He shows his interest in helping the Mid-Corridor people by asking them to give him at least a chance to see what he can do to help them with their problems. This is reasonable enough to stop the Mid-Corridor people temporarily from returning to their islands. They are willing to cooperate with the new High Commissioner, and continue to live a suffering life on Ebeye for another sixty (60) days. However, if there is no result within sixty (60) days of the date this memorandum is issued, here again, the Mid-Corridor people would like to inform the Army and Trust Territory Government that they will return to their islands, either with or without permission.

REQUESTS PROPOSED BY THE MID-CORRIDOR PEOPLE TO BE PRESENTED TO THE ARMY AND THE TRUST TERRITORY GOVERNMENT TO BE ANSWERED WITHIN 60 DAYS AFTER THE SUBMITTING DATE, APRIL 21, 1969

1. Request the Army and the Trust Territory Government to provide transportation and return the Mid-Corridor People to their islands.

2. Request the Army and the Trust Territory Government to provide housing and sheltering on each of the 14 islands in which the Mid-Corridor people will return to settle.

3. Request the Army and the Trust Territory Government to rehabilitate the 14 islands.

4. Request the Army and the Trust Territory Government to help support the Mid-Corridor people for food and other needed supplies until the islands will be recovered from the last typhoon damage, if the people will return to their islands in the near future.

Iroij Lojelan Kabua, Iroij Albert Loeak, Magistrate Jalli Bolkein, Alee Jeadrik, Councilman; Tojiro Lamae, Councilman; Andrijel Job, Municipal Police; Handel Dribo, Leader of the People; Elly Malolo, Leader of the People; Congressman Ataji T. Balos; Pijja Matanto, Leader of the People; Atidrik Maie, Leader of the People; Clemant Korok, Leader of the People; Nuke Bilele, Leader of the People, Abija Ajman, Leader of the People; Laibon Jojo, Leader of the People; Aronean Mawilon, Leader of the People.

SAIL-IN AGAINST U.S. ARMY IN MICRONESIA

CONGRESS OF MICRONESIA,
HOUSE OF REPRESENTATIVES,
Saipan, Mariana Islands, July 19, 1996.

Relocated inhabitants of Micronesia threatens the cancellation of U.S. Army missile test operations at the Kwajalein Missile Range, in Micronesia.

The problem is between the U.S. Army at Kwajalein, a sophisticated missile base in the Marshall Islands, and about 1470 Marshallese Micronesians. The trouble has been brewing since 1964 but finally this year it burst into the open in a form of two ultimatums from these Marshallese to the U.S. Army.

Recently, the Army received the second ultimatum from the displaced populations of the "Mid-Corridor" islands around Kwajalein that if it (Army) does not within 60 days resolve their long-standing problems arising from their forced relocations in 1964, they would stage another sail-in to repossess their islands from the U.S. Army.

Ataji Balos, a Micronesian Congressman and representative of these unfortunate people, issued the second ultimatum in a memorandum dated July 9, 1969. The memo was sent to the Army Commanding Officer, Kwajalein Missile Range, through the High Commissioner of the U.S. Trust Territory.

The first ultimatum was issued on April 21, 1969. Congressman Balos advised the U.S. Army at Kwajalein and the civilian representative of the U.S. Government in Micronesia to help facilitate the return of his constituents, otherwise they would return on their own to their islands.

The Army and the Trust Territory Government (U.S. Representative in Micronesia) thought that they were bluffing and ignored their warning.

Thirty-one of the 669 who had vowed to defy any Army orders by returning, packed up and sailed to their islands. The sail-in forced a reported cancellation of two missile test operations causing an estimated loss of $2 million.

The High Commissioner, chief U.S. Representative, managed to have the 31 Mid-Corridor islanders returned to Ebeye by asking them to give him a chance to work out some solution to their problems.

(Ebeye is an unsightly labor camp off Kwajalein base, where some 4,000 Micronesians, including 1470 Mid-Corridor islanders, are housed.)

"The Mid-Corridor people are once again patiently waiting and continuing their suffering in response to the request of the new High Commissioner, Mr. (Edward) Johnston, asking them to give him a chance to work on their problems," the memorandum began.

"This (Mr. Johnston's willingness) is reasonable enough to stop the Mid-Corridor people temporarily from returning to their islands," the memo said. "They are willing to cooperate with the new High Commissioner and to continue to live a suffering life on Ebeye for another 60 days.

"However, if there is no result within 60 days of the date this memorandum is issued, here again, the Mid-Corridor people would like to inform the Army and the (U.S.) Trust Territory Government that they will return to their islands, either with or without permission."

Copies of the memo were sent to the U.N., U.S. Congressmen, the U.S. President, and major U.S. newspapers.

The inhabitants of the Mid-Corridor islands in the Kwajalein Atoll were removed in 1964 from their islands when the U.S. Military intensified its missile test operations in the skies over the atoll. The Kwajalein Missile Range, located on a legally dubious 99 yr. lease from Marshallese Micronesians, is one of the most sophisticated U.S. military air facilities and most vital to the development of its offense and defense capabilities.

There is a growing (U.S.) congressional interest in the possibility of a "Kwajalein compromise" for the ABM dispute in the U.S. Senate. Recently, Sen. Stuart Symington, D-Mo., visited Kwajalein to investigate the feasibility of using the island as an alternative to the two sites, one in North Dakota and another in Montana, recommended by the Nixon Administration for the initial ABM deployment.

Spartan and ABM missiles have been tested at Kwajalein for some time. ABM missiles which are fired from the Vandenburg Air Base in California have been tested-intercepted over the Kwajalein skies.

The Mid-Corridor people have exhausted all legal and proper means in their efforts to resolve their problems.

They have petitioned the U.S. Army, the U.S. Trust Territory Government, and the Congress of Micronesia, but still to no avail.

"We realize our obligation under the Trusteeship Charter to play our part in the maintenance of international peace and security," the Mid-Corridor islanders eloquently petitioned the Congress of Micronesia. "The value of testing missiles to the maintenance of peace and security is, however, in our humble opinion, a questionable matter. We believe in peace and love, not in the display of power to destroy mankind.

"If maintaining peace means killing and destruction of the fruits of man's effort to build himself a better world, we desire no part of it."

The 31-year old Congressman and his constituents are armed by two resolutions from the Congress of Micronesia, the territory-wide legislative body.

The first resolution adopted by the Congress last year request the High Commissioner (U.S. Representative in Micronesia) to provide for the return of the "Mid-Corridor" people to their home islands or to renegotiate the Timeless Agreement between the Army and the people.

The Agreement provides a maximum of $40 per month to 194 among a total of 1470 inhabitants. Moreover, descendents of the 194 are not entitled to the $40 after the death of the head of the family.

The U.S. Government in Micronesia and the U.S. Army failed to respond to the resolution and the Micronesian Congress again adopted the second resolution supporting the return of the "Mid-Corridor" people and authorizing a member of the Congress to accompany them.

"We have been taken advantage of and our rightful grievances have been ignored for a long time," the quiet, soft-spoken leader of the people said.

"I have told my people that we must stand up for our rights," freshman Congressman Balos continued. "I will go to jail with them, even die with them, if I have to."

Congressman Balos is one of the 33 members of the Congress of Micronesia, which convened on July 14, 1969 for its Second Regular Session, Third Congress. The Congress was established in 1965. It is divided into houses, the Senate with 12 members and the House of Representatives with 21 members.

Right after World War II Micronesia with its 100,000 people spread over an area of 3,000,000 sq. miles was established as a United Nations Trust Territory under the U.S. Administration.

A PETITION FROM THE PEOPLE OF THE MID-CORRIDOR ISLANDS, KWAJALEIN ATOLL, MARSHALL ISLANDS

A petition introduced in the Senate on August 3, 1968 by Senator Amata Kabua and in the House of Representatives on August 2, 1968 by Representative Atlan Anien, both of the Marshall Islands District, on behalf of the people of the Mid-Corridor Islands to be considered with House Joint Resolution 45

We, the people of the Mid-Corridor, Kwajalein Atoll, hereby submit this petition to the Congress of Micronesia, and humbly solicit the aid of its honorable members in righting the grave injustice done us by the U.S. Government, its Army, and the Trust Territory Administration. We have long been the victims of military arrogation, but the awesome realities of opposing one of the greatest powers in the world have restrained us from asserting ourselves and further exposing our population to more harassment and oppression. We now find ourselves in a dilemma we know not how to resolve. We, however, recognize the power of unity and are confident that a unified Micronesia, rallying for the cause of justice and humanity, will expedite a fair settlement and restore the peace and tranquility once ours. We come to you for your counsel and your support in this our endeavor to regain those privileges which we consider an integral part of our substantive rights.

Our removal from the islands of the Mid-Corridor for the purpose of testing those dreadful weapons of war was reluctantly agreed upon by us in the full realization of the government's power to condemn our land. We concurred with the safety purposes of the relocation, but it was our understanding that fair compensation for use of the land would be affected and that undue hardship would constitute adequate cause to reopen negotiations. As much as we respect the value of such negotiations, we feel that perhaps a complete re-examination of the initial agreement is due.

We realize our obligation under the Trusteeship Charter to play our part in the maintenance of international peace and security is, however, in our humble opinion, a questionable matter. We believe in peace and love, not in the display of power to destroy mankind. If maintaining peace means killing and destruction of the fruits of man's effort to build himself a better world, we desire no part of it.

In spite of the provisions of the agreement we signed with the Administration and the U.S. Army, which called for maximum effort to avoid undue hardships for the displaced population, we have not known peace since our relocation. To this day, we still protest the number of persons declared eligible by the Trust Territory Government to receive compensation for loss of the Mid-Corridor lands. The stipulation that to be eligible one must have been residing on the islands in question and deriving a livelihood from them, shows an utter lack of understanding as to the way we live. Marshallese people are as much at home in the sea as they are on land. Deriving livelihood from the land does not necessitate actual residence thereon. It was for this reason that our forefathers built canoes. Living on Ebeye and making occasional food gathering trips to remote islands in the lagoon was common practice before the relocation. Ebeye offers a hospital, schools, and modern conveniences that help to cushion the harshness of living in a subsistence economy. We feel that denying compensation to those people not residing in the Mid-Corridor Area on the assumption that they were not utilizing the resources of these islands is a serious oversight on the part of the Administration. Of the more than 1,400 people that own land in the Mid-Corridor, only 192 have been declared eligible for compensation. Needless to say, we see no justice in this decision.

Residing on Ebeye on $40 might impress those who have not visited this island. Salaries of the Kwajalein Test Site have risen to a staggering $1.60 minimum per hour in the last few years. Cost of living in Ebeye has reached a point where $40 does not go very far. Electric bills and house rentals exceed this amount each month and already some of us have been threatened with eviction for not keeping up payment on electricity and rental.

The Administration does not seem to recognize the normal growth of our population. Anyone born since the relocation is not considered eligible for compensation. When a former Mid-Corridor resident dies, his compensation ceases. Our population increases, the payments decrease, and more and more we see ourselves as parasites, wholly dependent on our friends and relatives whom we once considered our equal. We are the remnants of once a proud people contented with being independent of anyone's handouts. We now feel utterly vanquished.

One hundred and ninety-two people receive $40 a month each. The rest of us have been cursed with $1.86 a year. If that is all our land is worth to the American people then it is true that this world has lost all its sense of love and human respect. We do not believe such is the case.

Agreements between the Administration and the people have long been a source of controversy. They are almost always hastily drawn and signed without full explanation of their intricate provisions. We have, in numerous occasions, been coerced into signing pacts all on account of our blind trust in the Authorities allegedly here to protect us. There was a time when we would have considered ourselves fortunate to be under the protection of the U.S. Army. Today, we realize that it was just an illusion. We have known nothing but pain and suffering, physical and emotional, since we placed our lives at the discretion of the U.S. Army. We will not tolerate such atrocities.

We fully recognize the fact that this imbalance of the normal legal order of society cannot long endure without serious if not disastrous consequences. We do not wish to jeopardize our safety by returning to the Mid-Corridor and exposing ourselves to the fragments of American missiles. On the other hand, we cannot bear to live our lives in exile on an island where needs are great but means minimal.

We shall endeavor to keep within the limits of law and abide by any just decision deemed so by our leaders and you the leaders of Micronesia. In the event, however, that no speedy settlement is effected and we return to our land in protest, we beg you to look upon our action, not with anger and resentment, but with compassion and sympathy. Micronesia is composed of the people and the land and we must not tolerate its indiscriminate confiscation. If the Army can treat us in any manner it pleases, it just might someday extend this practice to the rest of the Territory. We have an excellent opportunity to prove to the Army, the United States, and to the rest of the world, that we are also human beings, conscious of our rights, and willing to defend them.

We now dedicate this petition to the ancestors of the people of Micronesia, who fought the awesome forces of nature, resisted the threatening powers of intervention, and endured all, that we may today stand and proudly call ourselves Micronesians. We look to you, leaders of Micronesia, for support and guidance in our time of need.

Senator Kabua informed the Senators that the petition bore signatures of more than a thousand Marshallese people.

HOUSE JOINT RESOLUTION 17

A House joint resolution expressing support of the peoples of the Mid-Corridor of the Kwajalein Atoll in their efforts to return to their islands and resolving that a representative of the Congress of Micronesia be appointed to accompany these people in their attempt to return to their islands

Whereas, the people of the Mid-Corridor of Kwajalein Atoll have been attempting to regain possession of their islands which were taken from them by the Army and the Trust Territory Administration; and

Whereas. they have been frustrated in all such attempts and appeals to the proper officials; and

Whereas, a resolution adopted on their behalf was responded to by Secretary of the Interior Udall in a callous manner which indicates America's lack of concern for the welfare of the people of Micronesia; and

Whereas, the people of the Mid-Corridor believe that their conscience and dignity leave no alternative but to return to their islands by direct means; now, therefore,

Be it resolved by the House of Representatives of the Third Congress of Micronesia, First Regular Session, 1969, the Senate concurring, that the Congress of Micronesia supports the grievances of the people of the Mid-Corridor and supports their efforts to return to their islands; and

Be it further resolved that the Speaker of the House of Representatives of the Congress of Micronesia be and is hereby authorized to appoint a representative of the Congress of Micronesia to accompany the people of the Mid-Corridor islands in their attempt to return to their islands and to report to the Congress of Micronesia on the success of that attempt; and

Be it further resolved that certified copies of this Joint Resolution be transmitted to the Magistrate of Ebeye Municipality, to the President of the Trusteeship Council of the United Nations, to the President of the United States, to Representative Patsy Mink of Hawaii, to the U.S. Army Administration on Kwajalein, to the High Commissioner and to Iroij Lejolan Kabua, Iroij Kabua Kabua, Iroij Albert Loeak, and Leroij Neimedo.

Adopted January 27, 1969.

HOUSE JOINT RESOLUTION 35

A House joint resolution requesting the High Commissioner to provide for the return of the people of the Mid-Corridor in Kwajalein Atoll to their home islands, or for the renegotiation of the Trust Territory Government agreement with the Nike-X Project Office to provide for the welfare of such persons

Whereas, the people of the Mid-Corridor islands in Kwajalein were moved from their home islands in 1964 under agreement with the Trust Territory Government in order that their islands might become part of the Kwajalein Test Site facilities of the United States Army; and

Whereas, in such agreement the Trust Territory Government agree to provide housing and related facilities, food, and other necessities of life to the people of the Mid-Corridor; and

Whereas, since their removal from the Mid-Corridor to the island of Ebeye, such people have known undue hardship and difficulty, as evidenced by the following:

(a) The Trust Territory Government makes payment of $40.00 per month for the subsistence of certain persons, who number only 194 out of a total of 1486 persons from the Mid-Corridor, leaving the others to provide for themselves;

(b) The sum of $40.00 per month is in practice generally given to older persons in the population, yet there is no provision that once such person dies, his survivors shall receive such sum, thereby leaving widows and children without means of subsistence;

(c) The sum of $40.00 per month is completely inadequate on the island of Ebeye where such persons are living, due to the applicability of the United States minimum wage laws on such island and the resulting high cost of living;

(d) Although housing and related facilities are provided to such persons, charge is made for the use of such facilities, with the result that monthly charges for rent, electricity and water service often exhaust the entire $40.00 subsistence allowance, leaving such persons with no means for obtaining other necessities of life;

(e) Such persons have not been allowed, as required by the agreement, to return periodically to their islands and thus obtain food to supplement their already inadequate subsistence allowances, leaving such products as bananas, breadfruits, coconuts, and pandanus to rot without being harvested while persons from the Mid-Corridor are going hungry on Ebeye; and

Whereas, the Trust Territory, under its agreement with the Nike-X Project Office, Army Material Command, dated December 11, 1964, "reserves the right to re-open negotiations on the amount and nature of subsistence payments to residents if, in the sole judgment of Trust Territory, adjustment of subsistence is necessary to prevent undue hardship to the relocated residents"; now, therefore,

Be it resolved by the House of Representatives of the Congress of Micronesia, Fourth Regular Session, 1968, the Senate concurring, that the High Commissioner be and hereby is respectfully requested and urged to provide for the return of the people of the Mid-Corridor islands in Kwajalein Atoll to their home islands, or for the renegotiation of the Trust Territory Government agreement with the Nike-X Project Office to provide for the welfare of such persons; and

Be it further resolved that a certified copy of this Joint Resolution be transmitted to the High Commissioner of the Trust Territory.

Adopted August 3, 1968.

CENTRALIZED CATALOGING PROGRAM

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, when the bill to appropriate money for education was before the House, I supported the amendment to raise the appropriation on page 30 from $5,000,000 to $7,356,000.

This amendment relates to the centralized cataloging program which is administered by the Library of Congress. One of the major problems that has beset research libraries during the last century has been the cataloging of foreign-language material that they acquire. The Library of Congress had been cataloging English-language material and providing the information to libraries through the means of selling printed catalog cards. But the Library was not cataloging foreign-language material—at least not promptly enough to meet the research libraries needs. As a result, libraries were spending countless unnecessary dollars duplicating the cataloging of foreign-language books. Naturally, some libraries did not have persons with linguistic competence to catalog books that were needed by faculty and students and, as a result, the books that libraries acquired were not being made available to the library's clients.

When the Higher Education Act was before the Congress, the Association of Research Libraries, with the concurrence of the Librarian of Congress, presented an amendment that would give the Librarian of Congress authority to acquire all materials of value to research published throughout the world, catalog the material promptly, and distribute the cataloging information to the libraries throughout the country. This in effect would provide that the cataloging of foreign language material be done once and not be duplicated by libraries throughout the country. Librarians will tell you that it costs much more to catalog a book than to purchase it.

This program is a money-saving one and is essential if libraries are to provide the information needed by their clientele.

Research librarians have described this program in glowing terms and have pointed out that this Federal aid to education program has been one of the most important passed by the Congress. Dr. William Locke of the Massachusetts Institute of Technology has said:

The shared cataloging and foreign acquisitions program of the Library of Congress is the most important new venture on the national and international scene since the Second World War.

Dr. Jerrold Orne of the University of North Carolina Library has said:

I know of no other program in the Office of Education where so important and widespread a need is satisfied with the modest sum of money assigned for the purpose.

In my own State of Iowa, Dr. Leslie Dunlap, historian and librarian, has personally expressed to me the countless dollars that are being saved by the educational community because of this program. It is certainly a small way to provide such great assistance to the educational community. Each of us knows that it is essential to have an informed citizenry if we are to continue to be a nation of great achievements.

The measure that is before us today to provide funds for education is, I believe, one of the most important bills that comes before this House each year. I recognize fully the serious fiscal situation, but I feel we would be penny-wise and pound foolish to short-shrift education and I remind this body that Mr. Lincoln in his first public speech, speaking to the people of Sangamo County, Ill., on March 9, 1832, said on the subject of education:

I can only say that I view it as the most important subject which we as a people can be engaged in.

ARMS FOR OTHER COUNTRIES

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, I have, as many Americans, become increasingly concerned with our Government's program to furnish arms for other countries. While I recognize that in certain circumstances it could be in our national interest to furnish arms for a country who has stability and needs to protect its own freedoms and its own sanctity, but when we furnish arms for a nation that seeks only the perpetration of its hierarchy without a genuine concern for the welfare of its people, it is highly questionable we aid and abet the causes of peace with more modern implements of war. The real tragedy comes from having these same implements of war issued, given, or sold to a nation and then have them end up in the hands of opponents in the area, often in the hands of guerrillas. When this happens, it seems like we are involved in a program that leads to confusion and diffusion rather than solution.

It was an American who said on the eve of a crisis period, "Let us have faith that right makes right and in that faith, let us endeavor to do our duty as God gives us to see that duty." If we would accept this admonition by Lincoln and recognize also the importance of the 72 words he spoke in the last paragraph of his second inaugural where he said:

With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish, a just and lasting peace, among ourselves, and with all nations.

An admirer of his and a foreigner, spoke to the Congress of the United States in 1949 and pointed out that we were the torchbearers of freedom and admonished that—

If a generation must pay tribute and in doing so catch some of the fire that burned in the hearts of those who were the torchbearers of freedom not only for this country, but for the world. For those who are truly great have a message that cannot be confined in any particular country, but is for all the world.

These are admonitions and policies that need pondering on and a response to on our part.

So, Mr. Speaker, it would be my hope that my Government through its leaders and through Congress and through its citizens that must support all of our goals that we soon will find the message of our good will as people, and all the people of the world the message of the great documents of our country like the Declaration of Independence, the great court decision that established authority of government on one hand and the laws of our country on the other will serve us and the world well if we promote them.

Mr. Speaker, I call on all of us to ponder on these things as we consider solutions to plaguing problems all over the world.

Mr. Speaker, the reason I have taken the floor to speak as I have was inspired by the article called to my attention. It was published in the Argentine Weekly in Buenos Aires on June 12, 1969, showing what has become of our program to give arms, missiles of war without message of experience, of wisdom, and of admonition and without guarantees that these will not be used in a manner not intended by our Government.

The confirming evidences to this article is found in another article published in the Morning News of Friday, June 6, 1969. As I put these in the RECORD, I invite our Government leaders, especially, to ponder on the implications of our present program and to the thoughts I have revealed in the introduction of the insertion:

[From the Argentine Weekly, Buenos Aires, June 12, 1969]

GUERRILLAS

According to confidential reports originating from the U.S. Secret Service, Pakistan may have been involved in a vast plan for helping the Arab guerrillas, concretely the Al-Fatah. The operation of supplying arms to the Palestinians might have started after the fall of President Ayub Khan. Representatives of the Pakistani Armed Forces are probably involved in costly operations with arms traffickers from the U.S. itself and West Germany. According to the same sources, payments are being made in the now-convulsed Malaysia, in the extreme South-East of Asia. Pakistanis may have by now placed an order for 19,850 automatic shooters whose action begins from 10 minutes to 30 hours (as the case may be) after being put into operation. It was further gathered that officials of Pakistani Air Force are now in Jordan and Saudi Arabia, training their colleagues in these countries.

[From the Morning News, June 6, 1969]

YAHYA ASSURES AL-FATAH OF FULL SUPPORT: HISHAM

RAWALPINDI, June 5.—Mr. Abu Hisham, the visiting leader of the Palestinian freedom-fighters' organization, Al-Fatah, said here this afternoon that President Yahya Khan had assured him of Pakistan's full cooperation and support for "our cause."

Addressing a Press conference, he said his meeting with the President earlier in the day had been "very successful and encouraging."

The Al-Fatah leader said "some demands" had been made to the Pakistan Government and discussions on them would be pursued by the organization's representative in Pakistan. He would not divulge the nature of the demands.

He said the Pakistan Government had agreed to the appointment of Mr. Khalid Mohammad Al-Sheikh, a young Arab accompanying him, as Al-Fatah's official representative in Pakistan. He would set up an office at Karachi very soon.

Mr. Hisham said that he was inspired "by the meetings he had with Pakistanis during his three-week tour of this country. The feelings and sympathies expressed by the people of Pakistan would surely strengthen the faith of the Palestinian freedom-fighters in continuing their struggle for the liberation of their homeland.

He expressed his confidence that with the support of the freedom-loving people of the world, the people of Palestine would defeat Imperialism and Zionism.

He thanked the people, the Government and the press of Pakistan for "their sympathy and support to the people of Palestine, and hoped that they would continue to "stand by and support our cause."

Asked about the kind of assistance Al-Fatah would expect from Pakistan, he said: "We are waging a war—a long war—and every kind of assistance is needed."

Asked about the prospects of the current Four-Power talks on the Middle East crisis, the Al-Fatah leader said that Palestinian people's movement had withstood "tactics to suppress our revolution" and that they would continue their struggle till final victory.

Asked about the possibility of a political settlement, he said his people very much wanted peace based on justice, but they could not accept a peace involving surrender.

In reply to another question, he said his organisation had offices in all Arab countries, Malaysia and now in Pakistan, and it had underground offices in America and European countries.

Asked whether Al-Fatah had any office in China, he said that "our relations" with that country were so good and her support so unreserved that there was no need of having an office there.

Questioned about the lesson learnt by his people during their struggle, he said it was that the masses, however small, could defeat any power with determination and faith and through sacrifices. They further learnt that they could achieve power by the use of the gun.

OFFICE IN KARACHI

The newly-appointed Al-Fatah representative in Pakistan, Mr. Khalid Mohammad Al-Sheikh, who was also present at the Press conference, said that the movement's office would start functioning in Karachi as soon as he reached there. All assistance could be sent to the office.

In reply to a question, he said that Pakistani volunteers wishing to fight alongside their Palestinian brethren could write to this office. They will have to fill up a form and they would be taken whenever their services were required.

The address of the Al-Fatah office would be: Post Box No. 7177, Saddar, Karachi, or 805-C, Block 2, PECHS, Karachi.

MEETS ASGHAR

Mr. Abu Hisham met Air Marshal Asghar Khan, the Convener of the Justice Party, here this morning and talked with him for about 45 minutes.

Mr. Hisham, according to Justice Party sources, explained to the Air Marshal the activities of Al-Fatah.

The Air Marshal, these sources said, assured the Al-Fatah leader all possible support from himself and his party, and said that he would be ready to visit any place to give any advice or help to the Palestinian freedom-fighters.

Mr. Hisham thanked the Justice Party Chief for the assurance of cooperation and support.—APP.

QUEST FOR PEACE IN THE SPIRIT OF APOLLO

(Mr. TALCOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. TALCOTT. Mr. Speaker, President Nixon's recent around-the-world visit was by all measurements quite successful. As one American, I am glad for this success; I am grateful for his effort in seeking worldwide peace; I am encouraged by the response of the people of other countries as well as the leaders of these countries.

I am tired and disgusted with the continual suggestion by some commentators and so-called reporters to the effect that "it seems incongruous that President Nixon would be so warmly received by the people of Communist Nations when he gained his early fame as an exposer of the Communist conspiracy in this country and the successful conviction of Communist assister Alger Hiss and his coconspirators." These commentators and reporters miss the essential point, they attempt to misdirect our memories, to mislead those in this country who are too young to remember, and to minimize or spoil the enormous contribution President Nixon is making to better understanding among men and to world peace.

"Walk together, talk together" is a meaningful slogan well known among many young people of the United States and many other countries. These young people and others will know that our President's worldwide trip has been helpful to us and to the objective of world understanding and peace.

President Nixon's successful exposure of the Communist conspiracy in our country was directed at the Communist philosophy and leadership—not at the people still in bondage in Communist countries. No leader of any other country could disguise the obvious genuine and enthusiastic good will of the people of Rumania for President and Mrs. Nixon.

This trip has been a useful step toward understanding and peace among people—all peoples of our little planet.

People understand the important distinctions which President Nixon is making. Politicians and commentators who chaff at the extraordinary success of the President and Mrs. Nixon's around-the-world visit cannot spoil a genuine feeling of mutual good will between the citizens of Nations.

With more of the Nixon people-to-people diplomacy, I believe the leaders of the Nations may soon come around to the obvious desires of their citizens.

Although these personal visits are risky, strenuous, and demanding, their extraordinary success requires their continuance. I congratulate the President and Mrs. Nixon.

WE MUST EXTEND THE TEMPORARY BAN ON DDT

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, on Friday, August 8, the Department of Agriculture's 30-day ban on DDT will expire. I do not believe that it would be in the long-term interests of the people of the United States to allow that lapse to become permanent. It is imperative in the face of mounting supporting evidence that this ban be extended indefinitely by the Department of Agriculture.

In the past few weeks, evidence has accumulated that reinforces the suspicions already widely held regarding DDT's danger to man, animal life, and our total environment.

We already knew that certain forms of bird and fish life were being harmed or threatened with extinction because of DDT's long-term toxicity in the environment. After 10 years, it still retains a 50-percent potency. This has been the main reason for the drastic inroads made into eagle and peregrine falcon populations.

The coho salmon incident aroused the most widespread fears, although evidence is accumulating indicating that the situation exists in parallel or similar forms in many other freshwater lakes in the Nation. Most recently, evidence has been offered of DDT residues in lake trout in some of the most heavily fished lakes of upstate New York. Other evidence piles up with apprehensive regularity, including DDT residues in tobacco used in cigarettes, and a soon-to-be-released study showing it causes tumors in mice.

International concern is mounting, as other nations realize the menace this pesticide confronts all mankind with. Sweden, Denmark, and Hungary have banned its use entirely. Great Britain and the Soviet Union are studying possible moves to limit its use within their respective boundaries.

At home, Arizona and Michigan have already banned it, and a move to do the same in California has failed by the narrowest of margins. Major local jurisdictions have joined in the campaign. The Parks Department of the city of New York has ended its use.

Every citizen of the Nation must understand what ecology means to them. We simply cannot abuse the environment any further, for its damage is our personal eventual damage. The Department of Agriculture must extend the ban indefinitely.

FREEDOM TO POLLUTE UNHINDERED

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, the entire Nation was distastefully shocked by the Santa Barbara oil spill. Federally owned offshore lands on our Continental Shelf are known to be rich in oil. This is true of our gulf and west coasts, and indications point to a similar possibility off the east coast. Leases to drill for oil are therefore highly valuable. The Santa Barbara Channel area was long known to be rich in such undeveloped resources. When the Federal Government offered these leases for bids, oil companies paid out over $600 million for rights to drill there. Soon, rigs dotted the channel, which was also known to contain many geological faults. Earthquakes were also common there.

Poor supervision and shortsighted exploitation eventually confronted the Nation with the worst case of offshore oil pollution in our history, comparable to the *Torrey Canyon* tanker disaster off the British coast. Loud public outcries ensued. Tighter drilling restrictions were imposed. Even now, pollution of the Santa Barbara Channel continues at a decreased but definite rate. Yet it seems that the oil industry has learned nothing.

Now this industry has evinced strong opposition to the Government's plan to hold public hearings before it offers more offshore oil drilling leases. The industry even challenges the Secretary of the Interior's authority to order full evaluations of the potential effect of the leasing program on any total environment affected by such drilling. His efforts to protect our national environment from such pollution is challenged by the industry. These views have been officially filed by the oil companies with the Bureau of Land Management, which supervise the entire leasing program.

One of the major points raised by the public throughout the Santa Barbara spill was that it was not consulted or allowed to present views when these leases were given out by Government to industry.

The industry expresses its view that allowing the public to voice any protests or offer opposing views at public hearings would delay the leasing process and inhibit exploration activities. In other words, the public's right to be consulted on basic environmental consequences should be abrogated to allow the oil industry to continue with a program which has already resulted in major offshore oil pollution. This is the position of an industry which already enjoys unprecedented tax privileges at expense of the American public.

Evidence in California is unassailable. What will eventually be discovered regarding disruption of the food chain by the oil spill we can only guess at. It is only commonsense to tighten leasing restrictions and allow the public access to hearings where national wealth and resources are being allocated. Further, these drilling operations will definitely affect the public for years to come, as continuing consequences in California amply illustrate. How, then, can the oil industry blatantly come forward and demand exclusion of the public in such a case?

Mr. Speaker, pollution of any kind affects every American directly. Days of untrammeled industry exploitation which disregards long-term public interest must come to an abrupt end. If the oil industry triumphs in this case, our entire environment will remain open to further catastrophes similar to what transpired in California. We possess a finite amount of clean air, water, and land. Our resources are limited, as well. Progress and industrial exploitation by all means. But the public interest and an end to pollution by unthinking exploitation must become paramount.

GOLD HOLDINGS

(Mr. PASSMAN asked and was given permission to extend his remarks at this point in the RECORD and to include a table.)

Mr. PASSMAN. Mr. Speaker, I insert the following table addressed to "whom it may concern":

JULY 1, 1969

	Date	Amount
Gold holdings, United States.	Dec. 31, 1950	$22,879,000,000
Do	Dec. 31, 1968	10,367,000,000
Gold loss by United States.	1950 through 1968	12,512,000,000
Gold holdings, other countries of the world.	Dec. 31, 1968	28,028,000,000
Do	Dec. 31, 1950	10,935,000,000
Gold increase, other countries of the world.	1950 through 1968	17,093,000,000

SHORT-TERM DOLLAR CLAIMS

Against United States	Dec. 31, 1968	$35,665,000,000
Do	Dec. 31, 1950	8,645,000,000
Increase against United States.	1950 through 1968	27,020,000,000

U.S. BALANCE OF PAYMENTS

	Amount
Net deficit:	
1950	−$1,912,000,000
1951	−578,000,000
1952	−1,100,000,000
1953	−2,100,000,000
1954	−1,500,000,000
1955	−1,100,000,000
1956	−1,000,000,000
Net surplus:	
1957	+500,000,000
Net deficit:	
1958	−3,400,000,000
1959	−3,700,000,000
1960	−3,800,000,000
1961	−2,400,000,000
1962	−2,200,000,000
1963	−2,660,000,000
1964	−3,006,000,000
1965	−1,306,000,000
1966	−2,077,000,000
1967	−3,650,000,000
Net Surplus:	
1968	+93,000,000
Net U.S. balance-of-payments deficit	−36,896,000,000

GROSS PUBLIC DEBTS

	Date	Amount
Public debt, United States	Dec. 31, 1968	$361,242,183,000
Public debt, all other nations of the world.	do	304,160,241,000
Difference (estimate) [1]		57,081,942,000

Note: The above are verified statistics covering (1) gold holdings, (2) short-term dollar claims against United States, (3) U.S. balance-of-payments position (19 years), (4) public debt of the United States, (5) public debt of all other nations of the world, and (6) amount by which our public debt exceeds combined public debt of all other nations of the world. It is not necessary for me to comment further. The statistics tell the full story.—Otto E. Passman, Chairman, Foreign Operations Subcommittee on Appropriations.

[1] Public debt, United States exceeds combined public debt of all other nations of the world.

ASTRONAUTS SHOULD TOUR THIS HEMISPHERE FIRST

(Mr. FINDLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, In the next few weeks the brave American explorers, the Apollo 11 astronauts, will be accorded richly deserved tributes of affection and esteem in public appearances here at home, and consideration doubtless soon will be given to requests for goodwill appearances abroad.

I have written to Secretary of State Rogers to encourage him to schedule such foreign appearances as soon and extensively as possible, and in the scheduling to give first priority to requests from nations in the Western Hemisphere.

The success of our astronauts represented more than a great American achievement. In the words of President Nixon:

> Those three brave men are not just Americans. They represented all of mankind.

People everywhere, of every nation, rejoiced and took pride in each successful episode of the voyage. Through the medium of television, each experienced vicariously the thrill of Neil Armstrong's first steps on the moon.

Across the world, the enormity of the accomplishment has created a reservoir of good will toward the American people. Nowhere was it more evident than in this hemisphere. Argentinians left their jobs to watch the astronauts land, proud of the fact that these were representatives from the Western Hemisphere. In Caracas, Venezuela, church bells rang when the lunar spaceship Eagle touched down and the following day was declared a holiday. The Venezuelans now want to make our Apollo 11 astronauts honorary citizens. Similarly, in Canada all public attention was focused on this achievement, as the Toronto Telegram headlined "One Giant Leap for Mankind."

It would be especially fitting and proper for the astronauts to begin their world tour by visiting first the nations on this side of the earth. This would serve to enlarge and deepen a community spirit encompassing the hemisphere and to provide as well a needed reinforcement of good will both south and north of our borders.

To the south, priority attention from our astronauts would heighten the prestige of the United States as could no amount of foreign aid dollars and help erase the memory of the disappointments and disagreeable events of recent years.

To the north, it would bring reassurance of the importance we attach to the friendship of our sometimes-neglected NATO ally, Canada.

Foreign tours of our astronauts will begin somewhere, and I can think of no better place to start than among our good neighbors, north and south.

ON $20,000 FARM PAYMENT LIMIT

(Mr. FINDLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, I have discovered a colossal error in the research on which Agriculture Secretary Hardin based his criticism of the amendment which limits to $20,000 annually payments under farm programs to individual farmers.

In testimony to the Senate on June 4, Secretary Hardin argued that the amendment, accepted by the House, would actually lead to a $160 million increase in cotton program costs because it would automatically activate a snapback clause which in turn would replace the present direct-payments program with one consisting of Government loans, purchases, and sales.

Opponents of the payment limitation relied heavily on Secretary Hardin's forecast. In fact, it was crucial in the Senate action which deleted the limitation from the House-passed appropriation.

I was astonished to learn of the cost estimate made by Mr. Hardin, and requested from the Department of Agriculture the documents which would show in detail the assumptions and computations involved in the forecast. These were furnished to my by Mr. Kenneth E. Frick, Administrator of ASCS. I have examined them carefully.

Several of the assumptions set forth in the document are open to question. In fact, in my opinion, they are unjustified.

But the most glaring error is a misrepresentation of an expenditure. Counted entirely as cost rather than investment in inventory is $432 million. This would be expended for cotton by the Commodity Credit Corporation, later to be resold. Only the portion which reasonably can be expected to be inventory loss should be counted as cost. That would be the difference between market value and acquisition price, and in this case a reasonable cost figure would be $98 million—not $432 million.

Treating inventory investment as pure cost is gross misrepresentation. This was, I am sure, inadvertence on the part of the Secretary, and I am confident that he will act promptly to correct the record.

Correction is very important, because the issue over the $20,000 limitation still has not been resolved. The House accepted the amendment by an overwhelming record vote. The Senate rejected it by a substantial margin. House conferees have not yet been named.

I firmly believe many of the Representatives and Senators who opposed the payment limitation amendment based their opposition primarily on the erroneous warning by Secretary Hardin that it would lead to higher, not lower program costs.

Accepting as valid every single assumption made by Secretary Hardin in his analysis—except the one which treats as pure cost the investment in cotton inventory—program costs would actually go down under the operation of the snapback clause. Moreover, income to cotton farmers would be significantly increased.

Following is the text of my letter to Secretary Hardin:

Hon. CLIFFORD M. HARDIN,
Secretary of Agriculture.

DEAR MR. SECRETARY: In your statement to the Senate Appropriations Agriculture Subcommittee on June 4 in opposition to the $20,000 limitation on individual payments to farmers, you stated that the provisions of the snapback clause of the present cotton program would increase the "cost" to the government by $160 million if they became operative for the 1970 crop.

The use of the word "cost" was unfortunate, because it left the erroneous impression that the expenditure would be entirely nonrecoverable.

Actually, a careful examination of the computations and assumptions your staff used in analyzing the effect of the snapback clause leads inevitably to the conclusion that it would reduce program costs to the government and at the same time increase income to producers. Accepting as valid all the assumptions your staff made, the snapback clause would give cotton farmers in 1970 a $350 million boost in income, compared with last year. Program cost, $879 million compared with $975 million, would be down $96 million.

In Table 5 appended to your statement, you showed a net change of $432 million in stocks at loan rate. This item can hardly be termed cost in the usual sense, unless the words cost and investment are used interchangeably. Using the last 3-year average market price for cotton, 24 cents, we could assume the government in time would recover about $120 for each bale that went into the increased carryover. This would mean a projected net loss in this increased carryover of $98 million, not the $432 million gross outlay you listed.

Under the snapback clause, the major expense items based on the assumptions you used would be $156 million for diversion payments, $595 million for losses on sales and $98 million predictable loss on increased carryover—making a total of $879 million. This is $117 million less than the $966 million in payments forecast under the present program for the 1970 crop.

Accordingly, I feel that you may wish to correct your statement as to 'cost' under the snapback clause.

By your own figures, cost under snapback will actually be less, not more. Your figures show cotton producers getting $60 million more from the 1970 crop under snapback than the present program (farm value of production plus payments), and $350 million more than in 1968. This makes the argument against snapback difficult to comprehend.

Moreover, several assumptions made in producing the estimates are open to question. Understandably they are designed to make snapback look unattractive. Reasonable modifications in the assumptions would reduce sharply the cost estimates under snapback.

For example:

In light of the import controls on raw cotton, it can reasonably be anticipated that the higher support price under the operation of the snapback clause would result in a market price higher than 24 cents.

If the market price should rise to 26 cents, for example, the net loss on the increased carryover would drop by $27 million. Each one-cent increase in market price would reduce carryover losses by $13.5 million. Corresponding cost reduction would also of course occur on CCC sales.

In your forecast you assume a yield of 550 pounds per acre. With the 1968 yield at 515, and 1969 forecast at 520, a yield of 530 would surely be more reasonable than 550. Yield has never reached 550 pounds average. A diversion payment rate higher than the 10 cents you specified could be expected to take additional acres out of production. In 1968 the program secured a diversion of 3.2 million acres for payment. Acceptance of your figure of only 2.4 million would therefore seem debatable at best.

These variable factors, together with the recoverable character of the item you described erroneously to be cost, lead me to conclude that net program cost under the snapback clause for the 1970 crop would actually be substantially less than the cost you project under the present direct-payment program. At the same time farmer income would go up.

If, as I have suggested, you administer the snapback clause under the option of simultaneous purchase and sale—a procedure which the Comptroller General has described as a payment program and therefore, in my view, subject to the $20,000 individual limitation—even greater program-cost reductions would be realized.

I would appreciate a word of clarification for the benefit of those who may have been misled by your statement to the subcommittee.

Sincerely,

PAUL FINDLEY,
Member of Congress.

Following is the text of the transmittal letter from Mr. Frick, together with the worksheet and assumptions for snapback computations that he supplied to me:

U.S. DEPARTMENT OF AGRICULTURE,
AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE,
Washington, D.C., July 11, 1969.

Hon. PAUL FINDLEY,
House of Representatives.

DEAR MR. FINDLEY: Per your request I am enclosing detailed notes concerning the computations and assumptions we used in analyzing the effect of the implementation of a snap-back program for cotton.

Sincerely yours,

KENNETH E. FRICK,
Administrator.

WORK SHEET AND ASSUMPTIONS FOR SNAP-BACK COMPUTATIONS

1. Assume the Secretary would offer voluntary diversion at a payment rate of 10 cents per pound on up to 35 percent of the producer's allotment.

2. Planted plus diverted is estimated at 12.7 plus 2.4 equals 15.1 million acres; this compares with an adjusted allotment of 15.3 (16.2 minus .9). The incentives for either diversion or planting are so high that there would be very little "slippage."

3. Voluntary diversion payments would be subject to a limit of $20,000; therefore, we have assumed that only about half of the 5 million acres eligible for diversion would be diverted.

4. The difference between planted and harvested is estimated at only 600,000 due to the fact that under the snap-back, benefits accrue to farmers on actual production rather than projected production.

5. Average yield is estimated at 20 pounds higher due to the above reason and additional acres planted in skip-row patterns.

6. Ending stocks are estimated to be 1.5 million bales higher than under present program; CCC stocks, however, are estimated to be 2.1 million bales higher. This is due to the fact that with surpluses beginning to build up again the trade would carry less stock. This results in a nonrecurring CCC outlay of $96 million ($160 per bale times 600,000 bales).

7. Current parity for cotton is approximately 48 cents; the minimum support rate of 65 percent would indicate that the support price for average of the crop could not be less than 31.2 cents.

8. The expenditures of $432 million is merely the 2.7 increase in CCC stocks times $160 per bale.

9. Storage and handling costs are estimated up 50 percent in line with the increase in CCC stocks.

10. Producer payments are calculated as follows: 2.4 million acres diverted at projected yield of 520 pounds equal $125 million plus $31 million in small farm payments for a total of $156 million.

11. Total disappearance of 11.9 million bales at a CCC loss of $50 per bale accounts for the snap-back loss of $595.

TABLE 5.—UPLAND COTTON—ESTIMATES OF BASIC DATA FOR 1968 THROUGH 1970 CROPS (BASED ON PRESENT PROGRAM) AND 1970 UNDER THE SNAPBACK PROVISION

Item	1968 crop (1)	1969 crop (2)	1970 crop: Present program (3)	1970 crop: Snapback (4)
Acreage (thousands):				
Alloted	16.2	16.2	16.2	16.2
CAP, CR, adjustment, etc	1.0	.9	.9	.9
Diverted for payment	3.2			2.4
Planted	10.9	11.9	11.9	12.7
Harvested	10.1	11.1	11.2	12.1
Field: Pound per acre harvested	595	520	530	550
Supply and utilization (1,000 bales):				
Production (including imports and city crop)	10.9	12.1	12.5	14.0
Beginning stocks (including preseason ginnings)	6.3	6.6	7.2	7.2
Domestic disappearance	8.1	8.3	8.4	8.4
Exports	2.5	3.2	3.5	3.5
Ending stocks	6.6	7.2	7.8	9.3
CCC stocks July 31	3.0	3.6	4.2	6.3
Price (in cents):				
Support price per pound (Middling 1 inch)	20.25	20.25	20.25	32
Support price per pound (average of crop)	19.69	19.71	19.71	31.25
Price support payment rate	12.24	14.73	17.31	
Diversion payment rate	10.76+6			[1]10
Producer payments	784	826	966	156
Farm value of production (million dollars)	1,192	1,290	1,302	2,172
Total (million dollars)	1,976	2,116	2,268	2,328
Major receipts or expenditures (million dollars):				
Net change in stocks at loan rate	−230	−60	−60	−432
Storage, handling, and loan settlement	−3	−18	−20	−30
Producer payments	[2]−742	−826	+966	−156
Snapback loss on sales or loan repayments				−595
Subtotal, price support expenditures	−975	−904	−1,046	−1,213
Public Law 480	−82	−70	−70	−70
Estimated major expenditures	−1,057	−974	−1,116	−1,283
Change in CCC stocks (million bales) (from June 30 of prior year)	+2.2	+0.6	+0.6	+2.7

[1] Volume. [2] Fiscal year.

RAILROAD PASSENGER SERVICE IS VITAL

(Mr. WALDIE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WALDIE. Mr. Speaker, high-level passenger rail service as a part of our Nation's integrated transportation system is being threatened today by the increasing number of discontinuances of service being granted by the Interstate Commerce Commission. There is a real need, Mr. Speaker, to reevaluate the process whereby these discontinuances are being granted and to give considerable thought to Federal policies of assistance for railroads in order that needed passenger service can be maintained.

I have today, Mr. Speaker, introduced a bill which will do the above and I am hopeful that this measure will receive the deliberation and review it warrants.

A VIEW FROM DOWN UNDER

(Mr. WALDIE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WALDIE. Mr. Speaker, a good friend of mine and a former pastor in my district, the Reverend Mervyn M. Betts, is now performing his ministerial duties in New Zealand and recently wrote me of his own observations on the magnificent feat of our space program in landing the first men on the moon. Mr. Speaker, I should like to have Reverend Betts' comments inserted into the CONGRESSIONAL RECORD for the benefit of all the Members.

The letter follows:

JULY 21, 1969.

Mr. JEROME R. WALDIE,
U.S. Congressman,
Washington, D.C.

DEAR JERRY: My wife and I send to you from "Down Under" . . . "Under the Moon"! our deepest joy and congratulations to you as an American friend. The whole world must rejoice at this fantastic achievement. It reveals the great heart of man, steeped in courage . . . for the Peace of the world. "In quietness and confidence shall be (America's strength) your strength."

At this time we miss America terrifically, but rejoice with you and are one with you in spirit and today we truly say "God bless America." Hope we will meet again—Down Under or up top!

God bless you in your great work.

Sincerely,

MERVYN M. BETTS.

A PARENT'S LOOK AT THE "PEOPLE'S PARK ISSUE"

(Mr. WALDIE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WALDIE. Mr. Speaker, it has been some weeks since the tragic confrontation at Berkeley between students and police over the "people's park." A great amount of rhetoric has flowed since this incident and more is sure to come.

Mr. Speaker, Dr. Seymour M. Farber, dean of educational services at the University of California's San Francisco Medical Center, spoke at commencement exercises on June 6 at the Cambridge School of Weston. His address touches on this issue with insight, clarity, and compassion.

Mr. Speaker, I would like to include this speech in the CONGRESSIONAL RECORD and I sincerely hope that all the Mem-

bers will find the time to read this extraordinary "letter to a son":

COMMENCEMENT ADDRESS AT THE CAMBRIDGE SCHOOL OF WESTON, JUNE 6, 1969

(An open letter to my son, by Seymour M. Farber, M.D.)

DEAR ROY: I don't believe fathers have ever found it easy to communicate with their sons. But at a time when the world seems capable of burying its future through simple blindness—when ideologies and people clash with a violence and din that paralyzes reason—and when wars and the potentials for even greater destruction to the human spirit must intimidate all but fools—in this kind of scene, it's more difficult than ever for us just to talk quietly with one another.

And on top of that, we're all so busy. I'm a physician. And because I take that seriously, I feel an obligation to my patients that I can't explain any better than the oath I took more than 30 years ago. In my small way, I'm also trying to exercise the duties and responsibilities of a concerned citizen. It's also true that there are times when I am silent, when in my heart I know I should speak.

And you and your classmates are away from home. You've got books to read, and much more important, ideas to grapple with. You're under academic pressure to unravel the past for your instructors, and also, to make sense out of it for yourself today. You're meeting all kinds of different people, trying to understand them and to discover the real and potential boundaries of yourself.

The allowable and the desirable are in conflict within you. You're trying to find workable, and personally acceptable rules, to deal with an endless tug between "is" and "ought". You want your life to be personally satisfying to yourself and also to the people and ideals you cherish. Most of all, you want your life to make a difference.

All this, I know, is a very, very difficult job. Almost as difficult as a man trying to be a good father to his son or daughter.

And because of these pressures on both of us, I with my work in California, you at school a continent away, when will we find the time to talk?

And yet, I want to talk to you about Berkeley. About the terrible things that people have done to each other in Berkeley. I want to talk about these things to you, because the battered heads and the possibly shattered ideals of the people in Berkeley also matter to us. Roy, it's important to me to try to tell you what I, as a physician and a father, see in these events—to suggest a basis for beginning to work our way out of them toward something positive and good.

I suppose it would help to try to summarize the events up to this time—when there is a relative calm on the streets—as plans are being made for a Memorial Day march in Berkeley to People's Park.

No one can say what will happen when perhaps 30,000 people try to gather at the cyclone fence surrounding a once vacant lot of land. (When the marchers on the outside, and the national guard bivouacked on the inside, view each other through the fence.) The fence and People's Park are the symbols and the facts that make up the issue.

Four blocks from the Berkeley campus, just east of Telegraph Avenue, there is a 270 by 450 foot plot of land owned by the University of California. About a year ago, the buildings on this plot were torn down to make room for University development—a soccer field and dormitories. This development did not proceed, and the lot, uneven and littered with rubble and garbage, remained unused. This was the situation until about the middle of April, when the "street people" began what they called a "spontaneous development" of the land.

Hundreds of these people, later joined by students and "straights" laid down sod, planted trees and shrubs, installed playground equipment for children, and in short, made an open recreational space. The results of their work they called "People's Park."

During the three weeks that this activity continued, no serious attempt was made to interfere or to stop it. The park was policed by the "street people" and used by them and the residents of the area, who brought their children there to play. However, all this while, the University was in fact the undisputed legal owner of the land—and the University had not authorized its use.

The "street people", most of the students, and many of the faculty, now feel that the University had not seriously attempted to resolve the conflict. The University administration states that they tried to negotiate, but that the other side was unresponsive to their efforts. I am convinced that the University tried and tried again to negotiate with fairness and firmness.

This is the polarized background of the tragic events that began about 4 a.m. on *May 15th*. At that time, two or three hundred police arrived at the park to supervise workers who erected an 8-foot cyclone fence around the entire lot, on orders of University authorities. Later that day, during a noon rally on campus to protest the fence, several thousand demonstrators left the rally to take over the park. Many were extremely militant, and some threw dangerous missiles and angered the police. The police responded by an attack with gas, shotguns, and clubs. Later that day, after continuing street fighting and violence, the national guard was called.

On *May 16th and 17th* order was maintained by police from several surrounding cities, the Alameda County Sheriff's Department, and several thousand guardsmen patrolling the streets with rifles and fixed bayonets.

May 18th. It was reported that James Rector, a 25-year old nonstudent had been seriously wounded while observing the rioting from a rooftop. Many others had also been wounded by shotguns. Doctors in Berkeley stated that the wounded they were treating had been injured by large buckshot as well as small birdshot pellets.

May 19th. James Rector died of shock and hemorrhage due to multiple buckshot wounds which perforated the aorta. Another young man wounded during the rioting by buckshot had definitely lost the sight of one eye, with the prognosis for the other in doubt.

May 21st. Several hundred protestors led by faculty members attempted to hold a memorial march for Rector. They were turned back by police because of emergency regulations banning demonstrations. They became trapped in a campus plaza between police and guardsmen, where gas was sprayed on them from a helicopter. The heavy cloud of gas also affected uninvolved students leaving classes, faculty, campus employees, and was blown into the campus hospital, as well as adjoining parts of Berkeley.

May 22nd. The national guard confirmed earlier charges that more than tear gas had been sprayed in the plaza. In addition, physicians asserted that two more gasses had also been used in Berkeley: nausea gas, which can cause simultaneous, instant diarrhea and projectile vomiting, and also a form of blister gas.

May 23rd. Almost 300 people gathered in downtown Berkeley in violation of emergency regulations banning demonstrations. When they failed to disperse at police orders, they were arrested. In addition, over 200 others were rounded up and arrested from among passers-by, people on personal business, and customers in a bank and nearby stores. A mailman was arrested, as was a reporter for the San Francisco Chronicle.

May 24th. The nearly 500 people arrested the previous day had been taken to the county jail. Their experiences were disclosed by the arrested reporter and included: being forced to lie down on asphalt pavement while waiting to be booked; indiscriminate clubbings during the booking and subsequently, accompanied by further threats of violence, cursing and other forms of verbal abuse and insult; denial of medical aid to a man with a shotgun wound; a Viet Nam veteran was clubbed senseless.

May 25th. At an extraordinary open hearing, the Berkeley City Council heard expressions of widespread shock, terror, and abuse by large sections of the Berkeley community. In response to this, the Council requested that the Governor recall the national guard and rescind the state of emergency under which Berkeley was being governed. The governor felt it advisable to deny both requests.

On May 26th and 27th, the situation was relatively quiet except for sporadic small demonstrations at various locations. The national guard was pulled back to a central bivouac away from the city proper, but about 150 remained camped inside the fence surrounding the park. Small groups of demonstrators conversed with the guardsmen and playfully tried to water the trees and grass inside the park, most of which had by now been trampled and destroyed. Others taunted and attempted to incite the guardsmen.

And now, on *May 28th*, as this is being written, we wait for the Memorial Day march. Roy, it has been more difficult than I can say, to keep all these events clear and in perspective. There are things I know I've left out, and others have simply been forgotten and in a few weeks much of the above may have a different meaning as events have new light brought upon them. And, I've been selective, but I've tried to give a true and restrained picture. But what is that picture?

Many hundreds of people have been arrested. No one knows how many hundreds more have been clubbed, gassed, or shot. One student was bayonetted in the back, and scores of police have been injured, at least one stabbed in the chest. One man is dead. Another is blinded. Most dreadful of all, elementary school children have seen what has gone on. Their teachers have reported how frightened they are, how some of them vomitted from the gas, and how others have had nightmares in which roaring helicopters pursued them from overhead.

Literal shrieks of rage, as well as solemn speeches are heard in all quarters demanding—investigations, acceptance of responsibility, punishments, remedies, alternative choices, and God knows what else. Everyone deplores the situation. Everyone has a point of view, and many, like me, are torn by conflicting feelings.

I think you know my deep personal sympathy for the aspirations of most of the students. They and other young people, incomparably more than anyone else, have forced the world to remember that hypocrisy is morally reprehensible; and that coupled with entrenched self-delusion, it is unworkable. But I also have a loyalty to the University, which I have tried to serve for over 25 years, and which I believe we absolutely must protect, if threats to a free society are to be forestalled and defeated.

The dilemma, in one form or another, is faced by all of us. But during these past two weeks, it has finally begun to dawn on me that as a physician, of all people, I should understand some of the reasons behind our apparent inability to deal with the dilemma. Like everyone else, whether outraged radical or fulminating politician, it is impossible to put the pieces together properly, to think clearly and constructively—when we are under severe and prolonged stress.

I should know that when my body is subjected to sudden or prolonged stimulation—such as anger, fright, or injury—large amounts of adrenalin are released and pour throughout any system. As adrenalin passes

through my body it causes a wide variety of responses: the rate and strength of my heartbeat is increased; my spleen contracts vigorously, forcing blood reserves into general circulation; my blood sugar rises and my metabolic rate shoots up drastically; the bronchi dilate, easing the flow of air into the lungs; the pupils of the eyes dilate; and, I remain in this general, systemic state of excitation and stress until the whole process wears itself out, leaving me physically and mentally exhausted. If I'm not careful, if I don't take some active measures to control what I do and try to get back on an even keel, this whole process will be automatically reactivated by stimulation from the pituitary and the cycle of excitation and possibly irrational behavior will begin again, perhaps escalated to even greater heights of unbalance.

This physiological process doesn't have anything to do with the rightness or wrongness of moral stands we take. When we're under this kind of severe stress, it's practically impossible to be sure that the judgments we make are sound, constructive, and rational. And when we get so keyed up that we don't even realize what is happening to us, we are headed for trouble—ours, or someone else's or both.

The direct relevance of this became clear to me last Monday night, as I listened to a remarkable discussion over the radio. For over two hours, the Fence and People's Park were discussed around a table by four gravely concerned men—the Berkeley Chancellor and the Mayor, a representative of the "street people", and the student body president. As they spoke from their individual points of view, with each view containing merit and strength, I heard four men suffering the anguish of terrible pressure. In this state of individual stress and mutual conflict, otherwise capable minds became inflexible, evasive, demagogic, and enraged. How, under these conditions, could they do justice to themselves—and to the issue?

But Roy, I can't tell you how good it was to hear the student body president suggest a basis for resolving this growing tragedy. He repeated over and over again his compelling reasons for wanting the fence to come down—but non-violently. He urged that on the Memorial Day march, and thereafter, students, community and "street people" continue to press in every way possible for what they believed—but without violence. He was saying that the fence could come down from non-violent pressure and that with violence it would not. The wisdom I heard in his words didn't contain an immediate, specific solution to the problem. But it offered an approach.

But what about the fence? I know that with calmness, something good will happen. I hope the University, the City of Berkeley, and most important, the people, can unite in a consortium of honor to give the people a People's Park. But without violence—because the issue goes beyond this particular fence and this particular park. The great social forces that made the fence an issue, will create other issues, perhaps even more important than this one. Perhaps containing the ingredients for even greater provocation—and a still higher level of retaliation.

Under conditions such as these, where there is great individual and general stress, can we afford the luxury of hostile words and aggressive acts—at the expense of clear thinking? I think that losing our cool is much too high a price to pay. If there's anything I've learned from the horrifying events in Berkeley, it's this: When reason is enslaved by inflexibility and rage, everybody loses.

We can, and should press for our beliefs. We can and should, as you would say, rap with each other. But, we should protest any violations of law and human rights through constructive channels even, and especially, in the face of delays and frustrations. And to do this, in the face of frustration, we absolutely must keep our heads—we must not lose our cool under stress. That's the best way to help bring down the fences, literally, and all that they represent, symbolically. More important, that is the best way to raise practical monuments to human justice, to human need, and to legitimate human aspirations.

But to accomplish this in the world as it is, we have to communicate with each other before stressful situations escalate out of sight, before they polarize us into warring factions—when truth is the first casualty and when saving face is more important than solving problems.

Roy, I have to tell you and your classmates straight out that during the next four years of college, I doubt that conflicts all over this country will bring rapid, constructive changes. But the basis for progressive solutions is attainable if we open up genuine lines of communication between students and faculty, with administrators, with our legislators and the general public, and most of all, between parents and students.

I've sadly reflected that only a scattering of parents of students at Cal appeared in Berkeley during the crisis, when their sons and daughters were in danger. If students had been communicating with their parents continually over the past years, would this have been so? What if the 12,000 students on campus who voted for the People's Park had been in continuing dialogue with their parents. explaining their feelings and their reasons for these feelings; and what if 24,000 parents of these students had joined the issue by supporting their children before college administrators, legislatures, and law enforcement agencies—would there have been violence? And would we be closer to a practical solution?

I wish there were a nationwide course in communication at all levels of education and for all age groups. Communication was never more necessary between students and their parents, because Roy, we parents have much to learn from our kids. I've certainly learned from you, and if you continue to explain to me what you think, I hope I will be capable of learning more. But students and parents have to talk and to listen to each other, prior to the explosions of stress, which make dialogue and solutions impossible.

I urge you and your classmates to consider this. Only after parents and students have genuinely and openly exchanged views, can we effectively assist you, in representing those views where decisions are made.

Since this was written, we've had the Memorial Day march, and mercifully, it was peaceful and non-violent. I wonder how much more effective this demonstration might have been—whether it would even have been necessary—if there had been better communication, before stress and a fence divided the community.

This has been a long letter. Roy, we'll be in San Francisco tonight, and you're leaving for a job in Yosemite tomorrow noon. There isn't going to be much time for communication as we try to sort out all the stuff you've sent home. But we have the type of apartment overlooking San Francisco Bay that lends itself to all sorts of junk, and I know you have it, and also for sleeping bags on the floor, and despite being the Far West, we have bathrooms that work. So please be sure you invite your classmates to stop by for a night or longer, this year or next year or any year, and give us all an opportunity of beginning and continuing life-long friendships.

Roy, a few minutes ago, as we were coming into this hall, you said, "Dad, I've never heard you speak. I wish you well." Well, Roy, I too wish you well, and I wish all your classmates well in the coming years.

OPPOSITION TO EXTENSION OF SURTAX INTO 1970

(Mr. VANIK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. VANIK. Mr. Speaker, tomorrow, the Rules Committee will consider H.R. 13270, the Tax Reform Act of 1969, which should be more properly called the Tax Reform Act of 1969 and the Surtax Extension Act of 1970. This bill provides some reform for certain groups and individuals—but it also provides a 5-percent surtax for the first 6 months of 1970 on all who pay taxes. The addition of the surtax provision constitutes a $3.5 billion downpayment for reform of little or no value for the average taxpayer. It is no bargain.

What we need here is truth in packaging. For the average taxpayer who does not own an oil well, it is a big fancy box with nothing inside.

It is incredible, for example, that tax rates should have been reduced from 70 percent to 65 percent for the wealthy, a 7-percent reduction, while a great body of other taxpayers are limited to a 1 point or 3-percent reduction in their tax rate. It is regrettable that the committee refused to provide tax relief by way of increased exemptions which is meaningful and clearly understood by every taxpayer. A taxpayer who supports dependents very often shoulders an obligation that would otherwise become a public obligation. The contribution which a taxpayer makes for the training and development of the young provides the future tax base which is required to provide strength and growth to the Nation. The failure to consider increased exemptions disregards a very critical need in the tax reform program which I hope can be corrected. It is also regrettable that exemptions were not extended to those who face the added burden of supporting the retarded and the handicapped. They are assuming a responsibility which deserves a wider base of support.

In the final moments of consideration of the tax reform bill last week, the Ways and Means Committee attached a provision to extend the surtax at 5 percent from January 1, 1970, through June 30, 1970. In view of the action of the Senate, concurred in by the administration, and approved by the House today to extend the surtax for 6 months to December 31, 1969, it is difficult to understand why the House should be compelled to vote further on the surtax matter. With no contest on the floor, a change of only 33 votes would have defeated the proposal to extend the 10-percent surtax to December 31, 1969.

I will go before the Rules Committee today and ask that the Rules Committee report out a modified rule which will permit the House to express its will on the extension of the surtax at 5 percent for the first 6 months of 1970. Since 170 Members of the House voted against the proposal to extend the surtax to December 31, 1969, it is reasonable to assume that an overwhelming majority of the Members of the House are unalterably opposed to extending the surtax beyond

December 31, 1969. We are certainly entitled to a vote on this issue.

I urge those who oppose the further extension of the surtax into 1970 to appear before the Rules Committee tomorrow, Tuesday, August 5, and support a modified open rule to permit a vote on the extension of the surtax.

GUN CONTROL NONSENSE

(Mr. RANDALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RANDALL. Mr. Speaker, an editorial in the Washington Evening Star which appeared on last Wednesday, July 30, which emphasizes the word "nonsense," nevertheless contains some very clear and logical reasoning. This editorial displayed some extraordinary commonsense when it described as "wacky" the recommendation of the President's Violence Commission that all Americans should be required to surrender any handguns they own to the Government.

Step by step the editorial writer makes his case that even if our law-abiding citizens should surrender their handguns, the criminals are not going to give up theirs. He goes on to emphasize that such a recommendation simply means then that no homeowner will have a handgun in his own house to protect himself against an intruder.

With good sense, the editor comes back to the proposition that many of us in the Congress have long advocated and mandatory penalty for criminals who use guns in the commission of a felony. Certainly as to such criminals, a judge should be forbidden to suspend a sentence or let it run concurrently with the sentence for some other offense.

It is a privilege to associate myself with the words of the editorial writer who described the content of the report of the President's Violence Commission as "blithering nonsense" and to climax and to commend his description of these recommendations as a "soft-in-the-head" report.

The editorial is as follows:

MORE GUN CONTROL NONSENSE

As an introductory note to this editorial comment, an item in the crime news is worthy of attention. On Monday there were 22 armed robberies in Washington. This brought the July total as of that date to 450, compared to 332 armed robberies in all of July of 1968.

In the face of this a task force of the President's Violence Commission (appointed by President Johnson) comes forward with a wacky recommendation. Its proposal is, except in a very small number of cases, that all Americans should be required to surrender any hand guns they own to the government.

Here is the task force's reasoning: This is the only way in which the United States can break "the vicious circle of Americans arming to protect themselves from other armed Americans." Now what does this really come down to? Even the task force, we suppose, would concede that criminals are not going to surrender their hand guns. So what they are saying is that no homeowner, to cite one example, should be permitted to keep a hand gun in his own house to protect himself, his wife, and his children against the night when some armed criminal might break into his home. Their argument is that home owners "may" seriously overrate firearms as a method of self-defense against crime. The "loaded gun in the home creates more danger than security."

This strikes us as blithering nonsense. How many members of this task force have been awakened in the middle of the night by a scream for help by some member of his family? Probably not one. But thousands of Americans are exposed to this dreadful experience every year. And in such a situation what is an unarmed householder supposed to do against an armed intruder? Hide under his bed, and never mind what happens to his family?

The major thrust of this soft-in-the-head report is that the requirement to surrender your hand gun, of which there are an estimated 24 million in the country, would reduce crime. This is absurd, for the criminals are not going to surrender their guns. A better and much more realistic way to deal with this problem will be found in legislation now being considered in Congress.

The intent of this legislation is to provide tough, really tough, mandatory penalties for criminals who use guns in the commission of a felony, such as rape, robbery or burglary. For a first offense the penalty generally favored would be a mandatory jail sentence in a federal jurisdiction, which includes Washington, of from one to 10 years. A judge would be forbidden to suspend this sentence or to make it run concurrently with the sentence for the primary offense. In case of a second offense, much stiffer jail sentences are proposed, and they should be written into law.

A similar bill passed the House last year, but was watered down in the Senate before becoming law. The argument then was that mandatory sentences deprive judges of discretion in imposing penalties. And so they would. But in one week at the time the watered-down bill was passed 17 criminals in this city were found guilty of crimes in which guns were used. In six of these cases, more than one-third, the judge imposed suspended sentences, which means that no jail terms were served for using a gun.

So we say let's make the sentences mandatory. And let's not deprive the law-abiding citizen of hand guns in his own home while the criminal element will remain armed to the teeth.

CONGRESSMAN BIAGGI'S RESOLUTION

(Mr. LOWENSTEIN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. LOWENSTEIN. Mr. Speaker, Congressman MARIO BIAGGI has introduced a resolution calling for the creation of a select congressional committee to investigate problems of crime and violence at military installations.

The immediate incentive for this resolution is the appalling incident at Camp Lejeune in which one marine was killed and another's face was battered beyond recognition.

There are few men who bring as much distinction to Congress by their presence here as does Congressman BIAGGI. The word "hero" is applied loosely these days, so it seems almost an understatement to use it about this extraordinary man who was injured 21 times in the line of duty during his years of service as a policeman, and whose courage and dedication to the public good have been recognized by his inclusion in the National Policeman's Hall of Fame.

Many of us here are already indebted to Congressman BIAGGI for new insights, and for strengthening our faith in the possibility of the maintenance of high standards of public service for long periods of time and the face of great difficulties. He renders another service to the public by taking the leadership in this matter of crime and military justice. His resolution offers the opportunity to the Congress to fulfill a responsibility we have avoided for far too long a time—the responsibility for overseeing the way in which the Armed Forces are coping with problems of discipline, crime, violence, and justice.

We should undertake this investigation as soon as possible, and the military should welcome it. Servicemen of all races, of all ranks, as well as Americans committed to upholding the Constitution of this country, should insist that we stop abdicating this function that can be undertaken properly only by the Congress, in the wake of the burgeoning doubts about so many aspects of military justice and discipline.

There have been too many peculiar episodes, from the Presidio to Camp Lejeune, that have left the public troubled and mystified—trouble about conditions in stockades, about the fairness of military justice, about the protection of servicemen from violence, at least while they are on bases in this country. It would be in everybody's interest to have these problems investigated with energy and impartiality so what is cloudy can be cleared up, and what is wrong can be righted.

THE MATTER OF CONGRESSMAN REID'S VISA TO VISIT SOUTH AFRICA

(Mr. LOWENSTEIN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. LOWENSTEIN. Mr. Speaker, as you know, our distinguished colleague, Congressman REID of New York, has been invited by the National Union of South African Students to give what is called in South Africa the Affirmation Day speech. He has yet to receive, however, a visa from the South African Government. Today's Rand Daily Mail reports in a front page editorial that the South African Government is considering issuing a visa to Congressman REID—and to other Congressmen as well—on the precondition that they make no public statements while in South Africa.

The Rand Daily Mail notes that prominent South Africans who are highly critical of this country and of Great Britain have no difficulty obtaining visas to come and go at will, expressing their views when and where they feel so moved. South Africa, it notes, creates obstacles for foreign critics of South African race policies but gives every encouragement to "conservatively minded visitors, including Mosleyites, John Birchers, who are often offered time on the South African Broadcasting Corp. to

voice their opinions." Thus, concludes the Rand Daily Mail, the South African Government tries to manipulate the thinking of the South African people.

That may be a matter between the South African Government and its people, but there are many Members of this House who are concerned about the possibility of the South African Government refusing to permit Members of Congress to visit in South Africa, or imposing demeaning preconditions on Members of Congress as a price for admission. This kind of precondition seems especially inappropriate when an invitation to speak has been extended by the National Union of South African Students, a representative body of South African students and an organization that has gained worldwide stature and admiration for its courage, independence, and integrity.

I rise at this time simply to express the hope that the Government of South Africa will not commit yet another act that will gain it fresh opprobrium among free men everywhere. It is unthinkable that a member of the South African Parliament would be admitted to the United States but not allowed to speak. It is equally unthinkable that a U.S. Congressman should be told he can visit South Africa only under a muzzle. Such a decision by the South African Government would be an insult to Congress and to the United States, and would only serve to widen the gulf between South Africa and the rest of the world.

The Congress will soon be considering the question of the South African sugar quota and the matter of landing rights for South African Airways. Refusing Members of Congress the right to visit in South Africa, or offering them discriminatory visas for such visits, will not win friends for the South African Government in the Congress or in this country.

TRIP BY CONGRESSMAN REID OF NEW YORK TO SOUTH AFRICA

(Mr. MORSE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MORSE. Mr. Speaker, it is my understanding that the gentleman from New York (Mr. REID) has been invited to South Africa to address the Annual Day of Affirmation of Academic and Human Freedom ceremony of the National Union of South African Students.

It was disturbing to learn, however, that the South African Government has imposed certain conditions upon the granting of a visa to Congressman REID. One of these is that he make no speeches while in South Africa.

The Rand Daily Mail, one of Johannesburg's leading newspapers, published a front page editorial last week protesting this decision of the South African Government. It noted that the Government has encouraged visitors who agree with its race policies, even to the extent of giving them time to appear on the South African Broadcasting Co. In comparison, when the late Senator Robert F. Kennedy visited that country to make the same Affirmation Day address in 1966, his presence was barely mentioned on SABC.

I would hope that when the South African cabinet meets tomorrow it will reconsider its decision and grant Mr. REID a visa without conditions for this important occasion.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to:

Mr. BARING (at the request of Mr. ALBERT), for today, on account of official business.

Mr. TAFT (at the request of Mr. GERALD R. FORD), for August 1 through 8, on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MESKILL), to revise and extend their remarks and include extraneous matter.)

Mr. HALPERN, for 5 minutes, today.

Mr. WHALEN, for 30 minutes, on Tuesday, August 5.

(The following Members (at the request of Mr. ALEXANDER), to revise and extend their remarks and include extraneous matter:)

Mr. REUSS, for 20 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. FARBSTEIN, for 20 minutes, today.

Mr. FLOOD, for 15 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend his remarks was granted to:

Mr. BENNETT to revise and extend his remarks during debate on S. 1611.

Mr. POAGE.

Mr. MILLS to include a table with his statement on House Resolution 509.

Mr. MADDEN to revise and extend his remarks on House Resolution 509.

Mr. RANDALL in two instances and to include extraneous matter.

(The following Members (at the request of Mr. MESKILL) and to include extraneous matter:)

Mr. UTT in two instances.
Mr. PETTIS.
Mr. BURKE of Florida.
Mr. SCHWENGEL in two instances.
Mr. DON H. CLAUSEN.
Mr. HALPERN.
Mr. WYMAN in two instances.
Mr. WOLD.
Mr. WHITEHURST.
Mr. COUGHLIN.
Mr. KING in three instances.
Mr. BRAY in five instances.
Mr. VANDER JAGT.
Mr. RHODES in five instances.
Mr. CONTE in two instances.
Mr. HORTON.
Mr. ROBISON.
Mr. REID of New York in two instances.
Mr. MCEWEN.
Mr. STEIGER of Wisconsin.
Mr. BUSH.

(The following Members (at the request of Mr. ALEXANDER) and to include extraneous matter:)

Mr. BOLLING.
Mr. WILLIAM D. FORD.
Mr. GONZALEZ in two instances.
Mr. DE LA GARZA in two instances.
Mr. GARMATZ.
Mr. BYRNE of Pennsylvania.
Mr. LEGGETT.
Mr. MCCARTHY in three instances.
Mr. ECKHARDT.
Mr. RODINO.
Mr. DOWNING in two instances.
Mrs. GRIFFITHS.
Mr. O'HARA in two instances.
Mr. BIAGGI in two instances.
Mr. RYAN in three instances.
Mr. HANNA.
Mr. FUQUA.
Mr. NICHOLS.
Mr. BINGHAM.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 9951. An act to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal years 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditures out of the employment security administration account by the amounts so excluded; and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on the following days present to the President, for his approval, bills of the House of the following titles:

On August 1, 1969:

H.R. 13079. An act to continue for a temporary period the existing interest equalization tax.

On August 4, 1969:

H.R. 9951. An act to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable years; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal years 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditures out of the employment security administration account by the amounts so excluded; and for other purposes.

ADJOURNMENT

Mr. ALEXANDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; according-

ly (at 7 o'clock and 29 minutes p.m.), the House adjourned until tomorrow, Tuesday, August 5, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1017. A letter from the Secretary of the Air Force, transmitting the semiannual report on Air Force experimental, development, test, and research procurement action, for the period January 1 through June 30, 1969, pursuant to the provisions of 10 U.S.C. 2357; to the Committee on Armed Services.

1018. A letter from the Comptroller General of the United States, transmitting a report on the effectiveness and administration of the community action program in Lake County, Ind., under title II of the Economic Opportunity Act of 1964, as amended, Office of Economic Opportunity; to the Committee on Education and Labor.

1019. A letter from the Comptroller General of the United States, transmitting a report on the examination of the financial statements of the U.S. Government Printing Office, fiscal year 1968; to the Committee on Government Operations.

1020. A letter from the Comptroller General of the United States, transmitting a report on silver sales limited to small business concerns, Treasury Department; to the Committee on Government Operations.

1021. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a report on the facts in each application for conditional entry of aliens into the United States under section 203(a)(7) of the Immigration and Nationality Act for the 6-month period ending June 30, 1969, pursuant to the provisions of section 203(f) of the act; to the Committee on the Judiciary.

1022. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States under the provisions of section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1023. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to the provisions of section 244(a)(1) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1024. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to the provisions of section 244(a)(2) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1025. A letter from the Chairman, U.S. Atomic Energy Commission, transmitting a draft of proposed legislation to retrocede to the State of New York exclusive jurisdiction held by the United States over part of the lands within the boundaries of the Brookhaven National Laboratory of the U.S. Atomic Energy Commission; to the Joint Committee on Atomic Energy.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of July 31, 1969, the following bill was reported on August 2, 1969:

Mr. MILLS: Committee on Ways and Means. H.R. 13270.—A bill to reform the income tax laws (Rept. No. 91–413, pt. I). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted Aug. 4, 1969*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. H.R. 13270. A bill to reform the income tax laws (Rept. No. 91–413, pt. II). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 13279. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mrs. DWYER:

H.R. 13280. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on olives packed in certain airtight containers; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 13281. A bill to require advertising for gasoline that contains lead to contain a statement that the gasoline contains lead and that inhaling its fumes can be fatal and to require that such statement be prominently displayed where such gasoline is sold; to the Committee on Interstate and Foreign Commerce.

By Mr. FISH:

H.R. 13282. A bill to amend Public Law 87–849, approved October 23, 1962, to strengthen provisions relating to disqualification of former Federal officers and employees in matters connected with former duties and official responsibilities, and for other purposes; to the Committee on the Judiciary.

By Mr. WILLIAM D. FORD:

H.R. 13283. A bill to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WILLIAM D. FORD (for himself, Mr. NEDZI, Mr. BURTON of California, Mr. DENT, Mr. HAWKINS, Mr. MARTIN, and Mrs. MINK):

H.R. 13284. A bill to amend title 37, United States Code, to authorize travel, transportation, and education allowances to certain members of the uniformed services for dependents' schooling, and for other purposes; to the Committee on Armed Services.

By Mr. WILLIAM D. FORD (for himself), Mr. BURTON of California, Mr. DENT, Mr. HAWKINS, and Mrs. MINK):

H.R. 13285. A bill to amend the loan program in the National Defense Education Act of 1958 to extend the forgiveness for teaching benefit to teachers in American schools abroad supported by the United States; to the Committee on Education and Labor.

By Mr. GUDE:

H.R. 13286. A bill to establish a Commission on Government Procurement; to the Committee on Government Operations.

By Mr. KUYKENDALL:

H.R. 13287. A bill to name the bridge being constructed across the Mississippi River linking the States of Tennessee and Arkansas in honor of Dwight David Eisenhower, 34th President of the United States; to the Committee on Public Works.

By Mr. LUKENS:

H.R. 13288. A bill to provide salary adustments for employees in the postal field service; to the Committee on Post Office and Civil Service.

By Mr. McCLORY:

H.R. 13289. A bill to amend title 18 of the United States Code in order to provide that committing acts dangerous to persons on board trains shall be a criminal offense; to the Committee on the Judiciary.

H.R. 13290. A bill to authorize appropriations to be used for the elimination of certain rail-highway grade crossings in the State of Illinois; to the Committee on Public Works.

By Mr. MOORHEAD:

H.R. 13291. A bill to authorize the Small Business Administration to guarantee any bid, payment, or performance bond under an agreement entered into by a small business concern which is a construction contractor or subcontractor; to the Committee on Banking and Currency.

H.R. 13292. A bill to increase the participation of small business concerns in the construction industry by providing for a Federal guarantee of certain construction bonds and authorizing the acceptance of certifications of competency in lieu of bonding in connection with certain Federal projects, and for other purposes; to the Committee on Banking and Currency.

H.R. 13293. A bill to amend section 3 of the Housing and Urban Development Act of 1968; to the Committee on Banking and Currency.

H.R. 13294. A bill to amend the act of August 24, 1935 (commonly referred to as the "Miller Act"), to exempt construction contracts not exceeding $20,000 in amount from the bonding requirements of such act, and for other purposes; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 13295. A bill to amend the Higher Education Facilities Act of 1963 to permit grants and loans under that act for automobiles parking facilities for students and personnel of institutions of higher education; to the Committee on Education and Labor.

H.R. 13296. A bill to amend title II of the Social Security Act to increase the amount of outside income which an individual whose spouse is disabled (if such spouse is also entitled to benefits) may earn without suffering deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 13297. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. ROYBAL:

H.R. 13298. A bill to amend the Public Health Service Act to direct the Secretary of Health, Education, and Welfare to make health information available to the public; to the Committee on Interstate and Foreign Commerce.

By Mr. WALDIE:

H.R. 13299. A bill to amend section 13a of the Interstate Commerce Act, relating to the discontinuance or change of certain operations or services of common carriers by rail, in order to require the Interstate Commerce Commission to give full consideration to all financial assistance available before permitting such discontinuance or change; to authorize a study of essential passenger service by the Secretary of Transportation; to review the discontinuance process; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STAGGERS:

H.R. 13300. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Re-

tirement Tax Act to provide for the extension of supplemental annuities and the mandatory retirement of employees, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas (by request):

H.R. 13301. A bill to provide for the adjustment by the Administrator of Veterans' Affairs, of the legislative jurisdiction over lands belonging to the United States which are under his supervision and control; to the Committee on Veterans' Affairs.

By Mr. BOLLING:

H.R. 13302. A bill to amend the Internal Revenue Code of 1954 to provide for lower income tax rates for moderate- and middle-income individuals for taxable years beginning after 1970; to the Committee on Ways and Means.

By Mr. DELLENBACK:

H.R. 13303. A bill to amend the Military Selective Service Act of 1967 in order to provide for a more equitable system of selecting persons for induction into the Armed Forces under such act; to the Committee on Armed Services.

By Mr. ERLENBORN (for himself, Mr. PERKINS, Mr. AYRES, Mr. PUCINSKI, Mr. BELL of California, Mr. CAREY, Mr. ASHBROOK, Mr. MEEDS, Mr. QUIE, Mr. O'HARA, Mr. ESHLEMAN, Mr. HAWKINS, Mr. DENT, Mr. REID of New York, Mr. DANIELS of New Jersey, Mr. SCHERLE, Mr. POWELL, Mr. ESCH, Mr. COLLINS, Mr. BINGHAM, Mrs. GREEN of Oregon, and Mrs. MINK):

H.R. 13304. A bill to provide for educational assistance for gifted and talented children; to the Committee on Education and Labor.

By Mr. FINDLEY (for himself, Mr. MIZE, and Mr. MORSE):

H.R. 13305. A bill to promote the foreign policy and security of the United States by providing authority to negotiate a commercial agreement with Rumania, and for other purposes; to the Committee on Ways and Means.

By Mr. HAWKINS (for himself, Mr. STOKES, Mr. RUTH, Mr. CLAY, Mr. EILBERG, Mr. ADDABBO, Mr. CLANCY, Mr. ROONEY of New York, and Mr. GAYDOS):

H.R. 13306. A bill to provide for special programs for children with specific learning disabilities; to the Committee on Education and Labor.

By Mr. McMILLAN:

H.R. 13307. A bill to amend chapter 3 of title 16 of the District of Columbia Code to authorize the Domestic Relations Branch of the District of Columbia Court of General Sessions to remove a child from a proposed adoptive home if a petition for adoption is revoked, withdrawn, or denied, and for other purposes; to the Committee on the District of Columbia.

By Mr. MOSS:

H.R. 13308. A bill to establish a Federal Broker-Dealer Insurance Corporation; to the Committee on Interstate and Foreign Commerce.

By Mr. PUCINSKI:

H.R. 13309. A bill to provide more efficient and convenient passport services to citizens of the United States of America; to the Committee on Foreign Affairs.

By Mr. PUCINSKI (for himself, Mr. PERKINS, Mr. AYRES, Mrs. GREEN of Oregon, Mr. THOMPSON of New Jersey, Mr. QUIE, Mr. DENT, Mr. BELL of California, Mr. DANIELS of New Jersey, Mr. REID of New York, Mr. BRADEMAS, Mr. ERLENBORN, Mr. O'HARA, Mr. SCHERLE, Mr. CAREY, Mr. DELLENBACK, Mr. ESCH, Mr. HATHAWAY, Mr. ESHLEMAN, Mr. SCHEUER, Mr. STEIGER of Wisconsin, Mr. MEEDS, Mr. COLLINS, Mr. HANSEN of Idaho, and Mrs. MINK):

H.R. 13310. A bill to provide for special programs for children with specific learning disabilities; to the Committee on Education and Labor.

By Mr. WEICKER (for himself, Mr. ROBISON, Mr. ANDERSON of Illinois, Mr. REES, Mr. POLLOCK, Mr. DONOHUE, Mr. MESKILL, Mr. FREY, Mr. HASTINGS, Mr. McDADE, and Mr. BUTTON):

H.R. 13311. A bill to facilitate the movement of persons and goods in interstate commerce, and to aid in eliminating the burdens on interstate commerce which result from lack of adequately coordinated transportation facilities in many parts of the United States, through a comprehensive program of Federal assistance to States and localities to aid in the provision of such facilities; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. EVANS of Colorado, and Mr. WHALLEY):

H.R. 13312. A bill to amend the Internal Revenue Code of 1954 to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 13313. A bill to deny an income tax deduction for a charitable contribution by a public official of his collection of letters and other papers, and to limit the tax benefits of other gifts to charity of certain property which has appreciated in value; to the Committee on Ways and Means.

By Mr. FREY (for himself, Mr. SIKES, Mr. BENNETT, Mr. HALEY, Mr. FASCELL, Mr. ROGERS of Florida, Mr. CRAMER, Mr. FUQUA, Mr. PEPPER, Mr. GIBBONS, Mr. BURKE of Florida, and Mr. CHAPPELL):

H.J. Res. 859. Joint resolution providing for the establishment of the Astronauts Memorial Commission to construct and erect with funds a memorial in the John F. Kennedy Space Center, Fla., or the immediate vicinity, to honor and commemorate the men who serve as astronauts in the U.S. space program; to the Committee on House Administration.

By Mr. FREY (for himself, Mr. MORTON, Mr. BELCHER, Mr. CARTER, Mr. KING, Mr. MYERS, Mr. FLYNT, Mr. FISHER, Mr. RUPPE, Mr. MESKILL, Mr. MATSUNAGA, Mr. LUJAN, Mr. JOHNSON of California, Mr. WOLD, Mr. McDONALD of Michigan, Mr. GROVER, Mr. BLACKBURN, Mr. THOMPSON of Georgia, Mr. McKNEALLY, Mr. BROYHILL of North Carolina, Mr. RODINO, Mr. WHALLEY, Mr. WYLIE, and Mr. WOLFF):

H.J. Res. 860. Joint resolution providing for the establishment of the Astronauts Memorial Commission to construct and erect with funds a memorial in the John F. Kennedy Space Center, Fla., or the immediate vicinity, to honor and commemorate the men who serve as astronauts in the U.S. space program; to the Committee on House Administration.

By Mr. FREY (for himself, Mr. KLEPPE, Mr. DENNIS, Mr. COLLINS, Mr. MONTGOMERY, Mr. FRELINGHUYSEN, Mr. COUGHLIN, Mr. HARVEY, Mr. STAFFORD, Mr. EDWARDS of Alabama, Mr. MICHEL, Mr. GERALD R. FORD, Mr. RIEGLE, Mr. BROWN of Ohio, Mr. RAILSBACK, Mr. BEALL of Maryland, Mr. WYATT, Mr. BIESTER, Mr. STEIGER of Wisconsin, Mr. BUCHANAN, Mr. DICKINSON, Mr. DERWINSKI, Mr. CASEY, Mr. HASTINGS, and Mr. HAMMERSCHMIDT):

H.J. Res. 861. Joint resolution providing for the establishment of the Astronauts Memorial Commission to construct and erect with funds a memorial in the John F. Kennedy Space Center, Fla., or the immediate vicinity, to honor and commemorate the men who serve as astronauts in the U.S. space program; to the Committee on House Administration.

By Mr. FREY (for himself, Mr. PICKLE, Mr. WHITEHURST, Mr. McCLOSKEY, Mr. FLOWERS, Mr. HOGAN, Mr. STEIGER of Arizona, Mr. POLLOCK, Mr. HANSEN of Idaho, Mr. McCLURE, Mr. ANDERSON of Illinois, Mr. GRIFFIN, Mr. MIZELL, Mr. RUTH, Mr. CAMP, Mr. SEBELIUS, Mr. FISH, Mr. DON H. CLAUSEN, Mr. CLARK, Mr. COLLIER, Mr. GIAIMO, Mr. KLUCZYNSKI, Mr. MURPHY of Illinois, Mr. WHITE, and Mr. WILLIAMS):

H.J. Res. 862. Joint resolution providing for the establishment of the Astronauts Memorial Commission to construct and erect with funds a memorial in the John F. Kennedy Space Center, Fla., or the immediate vicinity, to honor and commemorate the men who serve as astronauts in the U.S. space program; to the Committee on House Administration.

By Mr. VANDER JAGT:

H.J. Res. 863. Joint resolution to establish a Commission on Balanced Economic Development; to the Committee on Interstate and Foreign Commerce.

By Mr. BIAGGI (for himself, Mr. ANDREWS of Alabama, Mr. ANNUNZIO, Mr. BINGHAM, Mr. BUTTON, Mr. CLAY, Mr. COWGER, Mr. MANN, Mr. RARICK, Mr. POWELL, Mr. SCHERLE, Mr. ST GERMAIN, Mr. TALCOTT, and Mr. YATRON):

H. Res. 512. Resolution creating a select committee to conduct an investigation and study of all aspects of crime and disorder on U.S. military installations; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

248. By the SPEAKER: Memorial of the Legislature of the State of California, relative to payments to members of the Philippine Scouts; to the Committee on Armed Services.

249. Also, memorial of the Legislature of the State of California, relative to flood control projects; to the Committee on Public Works.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

200. By the SPEAKER: Petition of Rose Julius, Trenton, N.J., relative to redress of grievances; to the Committee on Banking and Currency.

201. Also, petition of Henry Stoner, York, Pa., relative to American policy in Asia; to the Committee on Foreign Affairs.

202. Also, petition of Allan Feinblum, New York, N.Y., relative to a system for polling voters on issues; to the Committee on Post Office and Civil Service.

203. Also petition of the Board of Chosen Freeholders, Union County, N.J., relative to extension of the Interstate Highway System; to the Committee on Public Works.

204. Also, petition of the Town Board, Orangetown, N.Y., relative to taxation of State and local government securities; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

SALUTE TO STEVE WITTMAN

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, S. J. Wittman is one of the authentic aviation leaders of our Nation. Steve has more hours in the air zooming around the pylon in air races than any other pilot in the world. Steve Wittman is an airport manager, flight instructor, test pilot, aeronautics designer and mechanic, holder of a number of patents on aviation devices, experimental aircraft builder, barnstormer, and aviation pioneer.

Steve Wittman retired last week after 45 years of flying, 43 years of air racing, and 38 years as the manager of the Oshkosh Airport. At age 65, Steve is building his seventh airplane. One of his most famous planes, "Buster," hangs in the Smithsonian Institution besides Charles Lindbergh's "Spirit of St. Louis." His first pilot's license was signed by Orville Wright.

Steve Wittman was honored last weekend by people from throughout the Nation when thousands turned out for "Wittman Weekend." The Winnebago County Airport, over which Steve Wittman presided for 38 years, will hereafter be known as Wittman Field. An appropriate tribute to a man who truly had a vision of the future.

I include in the RECORD at this point the following editorials:

[From the Fond du Lac (Wis.) Commonwealth Reporter, July 19, 1969]

SALUTE TO STEVE WITTMAN

One of Fond du Lac County's most famous native sons, Steve J. Wittman, will be honored at Oshkosh Friday, Saturday and Sunday, July 25–27, for his many contributions to aviation in the Fox River Valley, for his years as manager of the Winnebago County Airport, for his daring racing exploits in tiny, home-built aircraft and for bringing honor and fame to Oshkosh and to the State of Wisconsin.

During the celebration, the airport at Oshkosh which he managed for 38 years will be renamed S. J. Wittman Field in his honor. Saturday and Sunday Wittman's friends, the City of Oshkosh, Winnebago County and many organizations have planned one of the most outstanding air shows ever to be seen in this region. The show each day will run from noon to 4:30 p.m. and offer every type of skyway thrill from an opening "fly-by" of 40 war-bird aircraft to a flight by Wittman himself in his famed "Bonzo" to aerobatics and an air race.

There also will be parties, dinners and special honors for Steve.

But most important, many of his flying "cronies" from all over the world will be back to help honor him.

Wittman learned to fly at the old Fond du Lac Airport in 1924 and from 1925–27 he operated a small flying service here giving rides, flying at county fairs and doing general barnstorming. In addition, he was a test pilot for the Pheasant Aircraft Co. of Fond du Lac, a pioneer in the business.

In 1931 Wittman went to Oshkosh to take over the airport there and managed it until his retirement this spring.

S. J. Wittman was born in Byron April 5, 1904, and attended grade schools at Byron and Lomira. He was graduated from Fond du Lac High School. So, he has firm roots in Fond du Lac County and has many friends here. Certainly, many a local resident took to the air for the first time in an open cockpit, wooden "prop," strutted biplane with Steve Wittman at the controls.

Steve gained his national reputation piloting aircraft in races all around the country. But, he is an inventor, builder and designer as well. His great little racer, "Buster," is in the Smithsonian Institution in Washington, D.C., not far from Lindbergh's "Spirit of St. Louis."

The magazine, "Sport Aviation," in its July issue, carries a two-page "Salute to Steve Wittman" and calls him "one of America's great aviation personalities. Steve entered his first race in 1926. Not until he began to design and build his own racing aircraft did he really become established in the game. He participated every year in almost every pylon (tower) race and garnered more wins than perhaps any other race pilot. He never stopped scoring in races and his name has become synonymous with the sport," the article says.

The S. J. Wittman Airport Committee Inc. of Oshkosh has planned a tremendous three-day tribute which will be the highlight of Steve's life. They are calling it "Wittman Weekend" for Steve and Dorothy Wittman because the flyer holds a very special place in the hearts of residents of Winnebagoland.

Steve Wittman is the kind of man and the kind of flyer who deserves this type of tribute.

Fond du Lac joins with its neighboring city, all of the Fox River Valley and all of Wisconsin in saying, "Congratulations, Steve Wittman."

As an added testimonial, 100,000 persons are expected for the two days of the air show. It should be well worth seeing.

[From the Oshkosh (Wis.) Daily Northwestern, June 16, 1969]

HONOR TO CITIZEN

Seldom does a community have the opportunity—or take the opportunity—to honor one of its illustrious citizens during his lifetime.

But Oshkosh will not be remiss this summer, thanks to the hard work of a committee planning the "S. J. Wittman Airport Dedication."

The group unveiled some of its plans last week and the fact that stood out more than anything was that it will truly be a community-wide homage to Steve Wittman.

The committee is headed by Wesley Schneider and Leo Muza, and Richard C. Rutledge is in charge of the promotional end of the planning.

It is Rutledge who graphically presents the case for the opportunity Oshkosh and Winnebago County have in paying due honor to its own aviation pioneer.

The community, he feels, has not fully grasped the stature of Wittman in the aviation world. But it will know through the efforts of this committee between now and July 26–27 when the airport which Wittman nurtured from a pasture-type landing field to a jet-age airport is renamed in his honor.

Behind these prime movers, scores of community leaders are working on various facets of the two-day event, and every civic organization in the country will have a chance to take some part in the program.

Many of the committee members were active in the promotion of air shows here in the 1950's, and some, like Rutledge, are well remembered for the job they did in promoting the 1953 City of Oshkosh centennial celebration.

When they speak, then, of drawing 100,000 spectators to their show, or plan a banquet with an attendance limited to 1,000 persons, it seems to be no wishful thinking.

The renown of Wittman perhaps makes it easier to put on a show of the magnitude the committee envisions. His friends in aviation—who fully appreciate his contributions to their field—have been eager to take part.

Those who have ever gone to the Milwaukee air show may recall that some of the most interesting displays there have been the antique and home-crafted planes, an array of unusual and intriguing machines.

These are from members of the Experimental Aircraft Association. This year, most of the EAA members are forsaking the Milwaukee show (which occurs on the same weekend) to come to Oshkosh. Just one indication of the esteem aviation has for Wittman.

It is an esteem which Oshkosh shares, although not with the full knowledge which they have.

The Daily Northwestern is gratified that its editorial suggestion, when Wittman announced his intention to retire, that the airport be renamed in his honor is bearing such magnificent fruit and pledges to cooperate fully in making it a fitting tribute to the man who made aviation history in Oshkosh.

This community's opportunity to pay Wittman honor is a rare opportunity, a chance to thank him for the honor which, for nearly two score years he has brought to Oshkosh.

BUCKSKIN BILL

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Monday, August 4, 1969

Mr. CHURCH. Mr. President, some 30 years ago a man by the name of Sylvan Hart gave up the comforts of civilization for the solitary life of a mountain man in Idaho's wilderness.

Buckskin Bill, as he is now known, has fashioned a remarkable life for himself in the mountains of our State. He makes his own clothes and his own shelter, grows his own food, and fashions his own dishes, tools, and even guns from the resources of his lonely retreat.

He is altogether a remarkable individual, a hearty adventurer, who has proved once again that man, alone in a vast primitive area, can survive—indeed thrive—on what nature provides.

Buckskin Bill is the subject of a new book entitled. "The Last of the Mountain Men," written by Harold Peterson. A review of the book was published in the Washington Post book supplement, Book World of August 3, 1969. I ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

BOOK REVIEW OF "THE LAST OF THE MOUNTAIN MEN," BY HAROLD PETERSON

(By Richard Rhodes)

(The tale of Buckskin Bill, and his 30 years deep in an Idaho forest, using the technology of long ago to recreate a kind of life America has forgotten.)

Sylvan Hart, of an Old American family, went off to a remote Idaho fastness three decades ago "with a few staples; an ax, a rifle, and a master's degree in engineering" and reconstituted himself as a mountain man. He makes his own deerskin clothes, his own buildings, his guns, his dishes, his tools. He grows his own food, hunts and skins and salts and renders his own meat, and creates his own entertainments—silversmithing, woodcarving, leatherwork. The nearest town is 150 wilderness miles away, and it's a small one. How Hart lives, the stories he tells, and other stories of Idaho mining days, are the subjects of Harold Peterson's book.

For what it reveals of Hart's way of life, *The Last of the Mountain Men* will do. But for its interpretation of the meaning of that life. Peterson's book does Sylvan Hart no service. Buckskin Bill, as Hart calls himself, is not the last of the mountain men, a romantic holdover from an idyllic past, but a thoroughly modern man who has deliberately recreated the style and substance of an earlier way of life: a conscious artist whose medium is the remembered past, particularly its arcane technology.

"Hardly anybody has a really complete set of blacksmith tools anymore," Hart says, "but I do: a hardy, a flatter, all of them." Hart not only make his own tools; he also forges, bores, rifles and tempers his own guns by hand, a feat that requires great skill and great physical strength. Yet his technology is selective: He wears store-bought horn-rimmed glasses, the same as you and me.

Buckskin Bill's door handles are of elk horn. The pink plaster of his adobe buildings is tinted with hematite. His shorts and his jerkin and his summer hats are made of bearskin he shot, skinned and tanned himself. His winter helmets he hammered from copper, and patterned after those the conquistadors wore. They are intended to deflect the rocks that sometimes fall from the cliffs above his homestead; he mined and smelted the copper himself. "Buckskin," says Peterson, "also had homemade bows, 'arrahs,' crossbows pack frames, intricate wicker fishing creels, fly rods, and highly-crafted snowshoes . . ." And a set of cherry-wood dishes he spent a winter carving, because the hint of cherry enhances the flavor of food; and bear grease for pastry and for tempering gun barrels without fracturing them—tastier than Crisco, firmer than water. And books, especially Russian literature; and "small, sweet strawberries obtainable in no city"; and a burdened Queen Anne cherry tree from which Hart and Peterson filled an entire farm wagon; a hammered copper samovar. And a relative who sends him *The Wall Street Journal*, which he ponders, shaking his head. And when he needs money, he pans a little gold.

What led Hart to reenter the wilderness of the American past? This question like so many others that might have given us the mountain man as a usable model, Peterson answers only superficially. The Harts, it seems, had a family tradition that the boys would spend a year alone in the woods upon reaching manhood, and Sylvan liked the woods so much he stayed there. But his self-conscious, self-parodying posture in the several photographs which accompany the text, the fact that he is a lifelong bachelor, the fact that his particular life in the woods is deliberately but selectively eighteenth-century suggest more complicated motives. Hart's creative obsession with tools deserves explanation, as does his choice, despite his friendliness to strangers, of a homestead accessible by land only across a pole bridge slung against the face of a sheer cliff.

Compare William Carlos Williams on the significance of Daniel Boone:

And if it seems always easier to romanticize a thing than to understand it, it is so because very often it is more convenient to do. Especially is this true when to romanticize a thing covers a significance which may be disturbing to a lying conscience. For Boone, at least, was not a romantic, losing himself in the "mystery" of the forest. He was a technical genius of the woods, enjoying, in that respect, the admiration of the most skilled native craftsmen, who remained actually in awe of his sheer abilities and accomplishments.

And Peterson romanticizes. His epilogue the moral of the tale as it were, begins: "As I read the last of Sylvan Hart's letter, sitting high above Manhattan, thoughts of the beauty and deep-rooted peace of the empty Idaho wildernesses . . ." and concludes that "When this true civilization comes (if it comes), an aristocracy of common men will discuss law and letters and arts and philosophy on shady village greens and in spacious wooden-grecian temples of houses and churches, schools and meeting halls." That vision, so patently synthetic, so like a Hollywood movie of the early 1940s, discolors Peterson's entire book.

The tragedy is that such romanticizing should be our first and perhaps only introduction to Sylvan Hart. Hart had the sense and even the genius to direct his work of reconstruction toward the disappearing but authentic culture of this country, which was rooted in the technology necessary to conquer an alien and hostile land. American technology remains America's finest creative gift to the world, but the culture that might have arisen from that technology foundered against the borrowed, secondary culture created by the wealth which technology made possible.

No one can say what that culture might have been, but the clean triumphant innocence of Shaker architecture, the sly, watchful, exuberant literature of Melville and Twain, the somber martial majesty of Lincoln's and Kennedy's funerals, suggest its direction. It would have had, as William Carlos Williams says, "relatedness," and tenacious bond to the local, and it might have been—might still be, for it is not entirely lost, despite its proverty of means—what Whitman called "a Great Average" rather than the work of a few gifted individuals. Meanwhile, throughout the nation, the cultural leadership produces eighteenth-century Italian operas.

New York is crowded, New York is a behavioral sink, Peterson laments, even though America did not invent cities, even though he has just returned from the thousands upon thousands of square miles of open land which still wait in the vast interior of the continent for habitation, and which technology today makes accessible to any who would take the trouble to learn the way in.

Hart has not reconstituted a little bit of Athens in Idaho; he has proved once again that one can live comfortably on American terms in the wild and peaceful interior of the American continent. His message is simple, yet it might be an old Egyptian secret that he alone has unearthed: that it is not necessary to live in cities, nor even in Peterson's idyllic small town. What the Shakers created out of their moil of religious and sexual fanaticism, what the South had despite the blot of slavery, what still exists, partly desiccated, in the central regions of America, is available today to any who want it and can meet its requirements of technical competence and personal integrity, as Sylvan Hart has done. And this Peterson failed to see, as America, to its intensifying agony, has failed to acknowledge.

THE LOG OF MAN'S JOURNEY TO THE MOON AND BACK

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. BRAY. Mr. Speaker, the following log of the flight of Apollo 11, from the National Observer of July 28, 1969, is the most gripping and dramatic account I have yet seen of that magnificent journey:

THE LOG OF MAN'S JOURNEY TO THE MOON AND BACK

An observer's log of the flight of Apollo 11, man's first landing on the moon. All times are Eastern Daylight; all miles are statute.

WEDNESDAY, JULY 16

9:32 a.m.: "Lift off. We have a lift off." The voice from Launch Control at Cape Kennedy heralds the beginning of Apollo 11's flight to the moon, 250,810 miles away at blast off. Orange-white flames and billows of smoke envelope the spotless white, 363-foot Saturn 5 and its precious astronaut payload: Neil Armstrong, a civilian, and Lieut. Col. Michael Collins and Col. Edwin "Buzz" Aldrin, Jr., both of the Air Force.

The Saturn 5's five F–1 first-stage engines, gulping 2,230 gallons of liquid oxygen and kerosene each second, lift the astronauts from Launch Pad 39A.

9:35 a.m.: speed, 6,198 m.p.h. The Saturn 5's first stage separates to tumble into the Atlantic Ocean. The second stage's five J–2 engines ignite.

9:41 a.m.: The second stage separates. Speed, 14,579 m.p.h. The third stage's single J–2 engine ignites.

9:43 a.m.: Apollo 11 enters a nearly circular orbit 118 miles above earth at 17,686 m.p.h.

12:16 p.m.: On the second orbit, over the Gilbert Islands in the Pacific Ocean, the third-stage rocket kicks to life again for 5 minutes, 47 seconds, driving the astronauts towards their rendezvous with the moon.

12:22 p.m.: The J–2 shuts off. Altitude, 204 miles. Speed, 24,256 m.p.h. "Hey, Houston, Apollo 11," says Neil Armstrong, the spaceship commander. "This Saturn gave us a magnificent ride."

2:12 p.m.: A three-second burn of the service module's single, 20,500-pound-thrust engine drives the Apollo crew a safe distance from the third stage. A ground signal sends the third stage rocketing off to eventually soar behind the moon and into solar orbit.

8:04 p.m.: Apollo 11 transmits an unscheduled, 16-minute color-television show from space.

11:57 p.m.: All three astronauts sleep. Apollo 11 is 77,992 miles from earth, traveling at 4,787 m.p.h.

THURSDAY, JULY 17

8:21 a.m.: The day begins without fanfare.

10:33 a.m.: Apollo 11 reaches its midway point, 120,002 miles from the earth and moon.

12:16 p.m.: A three-second rocket burst puts Apollo 11 on a course that will bring it within 69 miles of the moon.

6:23 p.m.: 143,980 miles above earth, Mike Collins works with Apollo 11's sextant. Capsule Communicator Charlie Duke asks if Colonel Collins can pick out Edwards Air Force Base in California.

"I can see a 104 [F–104] taxiing out on the runway."

"Man, that's super."

"The damn ——— almost always have a 104 taxiing out for a take-off," Colonel Collins says.

7:32 p.m.: The crew begins a 35-minute telecast from space, focusing first on earth. At one point, Mike Collins rotates the cam-

era, turning the earth upside down on the television screen.

"I'm making myself seasick," he jokes.

9:41 p.m.: Houston bids the crew good night.

10:53 p.m.: Apollo 11 is 147,802 miles from earth. Speed, 2,817 m.p.h.

FRIDAY, JULY 18

9:41 a.m.: Houston allows the astronauts an extra 69 minutes sleep before awakening them.

4:44 p.m.: Apollo 11, 201,250 miles out, begins a one-hour, 36-minute telecast. The camera follows Armstrong and Buzz Aldrin as they work in the lunar module. The color and the clarity of the pictures are superb.

11:11 p.m.: Apollo 11, traveling at 2,037 m.p.h., reaches the "lunar sphere of influence," 214,402 miles from earth. From this point on, the gravitational pull of the moon is greater than that of earth's and the space craft will pick up speed.

SATURDAY, JULY 19

8:32 a.m.: The crew awakes. Apollo 11 is 14,359 miles from the moon. Speed, 2,787 m.p.h.

10:47 a.m.: "The view of the moon that we've been having recently is really spectacular," Neil Armstrong reports. "It fills about three-quarters of the hatch window . . . It's a view worth the price of the trip."

1:12 p.m.: "Apollo 11 . . . All your systems are looking good going around the corner and we'll see you on the other side."

1:13 p.m.: Apollo 11, 355 miles above the surface, zooms behind the moon at 5,225 m.p.h. and out of contact with earth.

1:21 p.m.: The service module's engine fires for 6 minutes, 2 seconds, slowing Apollo 11 to 3,237 m.p.h. and putting it into an elliptical lunar orbit with a high point of 193.8 miles and a low point of 70.4 miles.

1:47 p.m.: The tracking station near Madrid reports telemetry signals as Apollo 11 swings from behind the moon. Minutes later Neil Armstrong reports: "We're getting this view of the landing approach . . . the pictures and maps brought back by Apollos 8 and 10 give us a very good preview of what to look at here. It looks very much like the pictures, but like the difference between watching a real football game and watching it on TV—no substitute for actually being here."

3:56 p.m.: Apollo 11 begins a 34-minute telecast of the lunar surface, tracing the path that the lunar module will follow on its way to the surface. The astronauts give a running commentary on the craters and hills they pass over.

5:43 p.m.: Again the service module's single engine fires, this time for 17 seconds. The burn puts Apollo 11 into an orbit 75.3 miles by 61.8 miles. Speed, 3,637 m.p.h.

11:04 p.m.: The astronauts continue preparing for the next day's descent.

SUNDAY, JULY 20

1:03 a.m.: The crewmen finally bed down.

7:07 a.m.: The day of man's first landing on the moon begins for the crew of Apollo 11 with a call from Houston. "Oh my, you guys wake up early," one astronaut says.

9:06 a.m.: Apollo 11 flies behind the moon, losing radio contact with Houston. During this period, Buzz Aldrin enters the lunar module, code name Eagle.

9:52 a.m.: Apollo 11 re-establishes radio contact. A short time later Neil Armstrong joins Colonel Aldrin in Eagle. Mike Collins remains in the command module, code name Columbia.

12:57 p.m.: Two minutes before Apollo 11 disappears behind the moon again, Houston radios: "We're go for undocking."

1:47 p.m.: One minute before swinging from behind the moon, Eagle and Columbia undock.

1:50 p.m.: "The Eagle has wings," Neil Armstrong radios, confirming the undocking.

2:11 p.m.: An eight-second burn of the service module's engine moves Columbia away from Eagle at 2 m.p.h.

3:08 p.m.: Behind the moon, Eagle's 9,800-pound thrust descent-stage engine fires for 29.8 seconds, dropping it into an orbit with a low point of 9.8 miles above the moon's surface.

3:46 p.m.: Columbia re-establishes contact with earth two minutes before Eagle. "How did it go?" Houston asks.

"Listen, baby, everything's going just swimmingly," Mike Collins replies. "Beautiful."

3:48 p.m.: Eagle re-establishes radio contact with Houston.

3:57 p.m.: Eagle is 12.3 miles above the moon.

4:00 p.m.: "Eagle, Houston. If you read, you're go for powered descent."

4:05 p.m.: 50,000 feet altitude, 260 miles from the landing site. Eagle's 9,870-pound-thrust engine begins firing to slow the craft and drop it to the lunar surface.

4:06 p.m.: "Everything looking good," Houston says.

4:07 p.m.: 47,000 feet.

4:08 p.m.: "Looking good to us," Houston says. "You're still looking good."

4:09 p.m.: "You are go to continue power descent," Houston says, 40,000 feet. "And the earth right out our front window," Eagle says.

4:10 p.m.: 33,500 feet.

4.11 p.m.: 27,000 feet. "Delta-H (change of altitude) looking good now," Eagle reports.

4:12 p.m.: 21,000 feet. Speed, 818 m.p.h.

4:13 p.m.: 13,500 feet. Speed, 518 m.p.h. 9,200 feet.

4:14 p.m.: 5,200 feet. 4,200 feet. "You're go for landing," Houston says. 2,000 feet. "We're go. Hang tight. We're go." 1,600 feet, 1,400 feet.

4:15 p.m.: 750 feet. Eagle is flying with its windows up, its crew looking into the blackness of space above. Their craft is tilted at a 35-degree angle to the lunar surface. 700 feet. The descent engine continues to burn. Speed, 14.3 m.p.h. 600 feet.

500 feet. Eagle is nearly perpendicular to the surface now and the crew can see the area ahead, 350 feet. Speed, 2.7 m.p.h. 330 feet. "We're pegged on horizontal velocity," Eagle says. Neil Armstrong spots a football-field-sized crater littered with boulders 10 and 15 feet in diameter where Eagle's computer-programmed landing approach is aiming the craft. He quickly switches to semiautomatic controls and instructs the computer to fly Eagle over the danger area.

4:16 p.m.: 220 feet. "Coming down nicely." 200 feet. 160 feet. 75 feet.

4:17 p.m.: 40 feet. Speed, 1.7 m.p.h. "Pick-up some dust." 30 feet. "Faint shadow." "Drifting to the right a little." 10 feet. One of the 68-inch-long sensors jutting down from three of Eagle's four landing pads touches the lunar surface. "Contact light." One second later, the descent engine is shut off.

Eagle settles to the moon in the Sea of Tranquility, coming to rest at a 4.5 degree angle four miles beyond its programed landing site, but still within its general target area.

"Houston, Tranquility Base here," Neil Armstrong reports. "The Eagle has landed." The flight surgeon in Apollo Control notes that Mr. Armstrong's heart reached 156 beats a minute during Eagle's landing.

4:29 p.m.: "Tranquility," the capsule communicator says, "be advised that there are a lot of smiling faces in this room and all over the world."

"There are two of them up here," Eagle replies.

"And don't forget one in the command module," Mike Collins calls from lunar orbit.

4:35 p.m.: "You might be interested to know that I don't think I noticed any difficulty at all in adapting to one-sixth G [gravity]," Neil Armstrong reports.

5:06 p.m.: Eagle's crew continues checking out the craft's equipment before eating and a brief rest.

7:13 p.m.: Apollo Control relays a message to the world from Buzz Aldrin: "I'd like to take this opportunity to ask every person listening in, whoever and wherever they may be, to pause for a moment and contemplate the event of the past few hours, and give thanks in his or her own way."

7:43 p.m.: The astronauts begin preparing for their moon walk, 4 hours and 22 minutes early. This is a time-consuming task in Eagle's cramped cabin. Their bulky equipment weighs 183 pounds. This includes water-cooled space suits, portable life-support systems that provide oxygen, an emergency 30-minute oxygen supply, and bubble helmets.

10:28 p.m.: The two astronauts switch to their portable life-support systems from Eagle's oxygen supply.

10:38 p.m.: "Everything is go here," Neil Armstrong reports. "We're just waiting for the cabin . . . to blow enough pressure to open the hatch."

10:39 p.m.: Eagle's hatch opens, looking west across a barren surface pitted by tiny craters and littered with small rocks, some perhaps billions of years old.

10:48 p.m.: Neil Armstrong begins positioning himself to move out backward through Eagle's hatch. "Relax a little bit," Buzz Aldrin suggests.

10:51 p.m.: "Okay, Houston, I'm on the porch." Mr. Armstrong pauses for a moment on the platform under Eagle's hatch before placing his lunar "overshoe" on the first step.

10:53 p.m.: Neil Armstrong pulls a lanyard that opens the storage area holding a black-and-white television camera.

10:54 p.m.: A giant screen in Apollo Control flickers and a picture appears upside down until engineers right it. Eagle's ladder is bathed in shadow. Beyond, harsh sunlight floods the surface in brilliant contrast. A foot appears. "Okay, Neil, we can see you coming down the ladder now," Houston says.

10:55 p.m.: "I'm at the foot of the ladder. The LM foot pads are only depressed in the surface about one or two inches, although the surface appears to be very, very fine grained. As you get close to it, it's almost like a powder."

10:56 p.m.: Neil Armstrong fulfills one of men's most ancient dreams. "That's one small step for man, one giant leap for mankind," he says as he steps onto the lunar surface.

10:57 p.m.: Mr. Armstrong marvels at the lunar soil. "The surface is fine and powdery. I can pick it up loosely with my toe. It does adhere in fine layers like powdered charcoal to the sole and sides of my boots. I only go in a small fraction of an inch."

11:02 p.m.: The flight surgeon monitoring the astronauts' heart beats and respiration reports they are doing well.

11:03 p.m.: Mr. Armstrong begins photographing the lunar surface.

11:05 p.m.: Mr. Armstrong begins scooping up the first sample of lunar soil.

11:07 p.m.: Mr. Armstrong finishes collecting two to four pounds and jabs the scoop handle six to eight inches in the surface. He seals the sample bag and puts it in a pocket on his leg.

11:12 p.m.: Buzz Aldrin exits from Eagle.

11:13 p.m.: "Now I want to back up and partially close the hatch, making sure not to lock it on my way out," Colonel Aldrin says.

"A good thought," Neil Armstrong agrees.

11:14 p.m.: Buzz Aldrin steps onto the moon.

11:18 p.m.: The astronauts inspect Eagle's descent stage and note that one of the landing probes is broken and bent upward.

11:24 p.m.: Neil Armstrong unveils the plaque attached to one of Eagle's landing legs and reads it. "Here men from the planet

earth first set foot upon the moon, July 1969 A.D. We came in peace for all mankind." The plaque, with the signatures of the Apollo 11 crewmen and President Nixon, will remain on the lunar surface.

11:27 p.m.: Mr. Armstrong moves the television camera about 30 feet away from Eagle.

11:31 p.m.: Mr. Armstrong pans the lunar landscape with the television camera.

11:35 p.m.: Buzz Aldrin unrolls the solar-wind experiment and jabs its pole into the surface. The experiment, which resembles a long sheet of aluminum foil, is designed to collect particles of the solar wind that bombards the moon. Scientists hope that the panel will collect one-billionth of an ounce of particles from the sun for them to study.

11:41 p.m.: The astronauts set up an American flag with a spring device that keeps it "waving" on the windless, airless moon.

11:42 p.m.: "I guess you're about the only person around that doesn't have TV coverage of the scene," Houston tells Columbia. "I don't mind a bit. How is the quality of the TV?" Reply: "Oh, it's beautiful, Mike. Really is."

11:46 p.m.: Buzz Aldrin attempts various ways of moving on the moon, including a series of kangaroo hops. "You do have to be rather careful to keep track of where your center of mass is. Sometimes it takes about two or three paces to make sure you've got your feet underneath.

11:48 p.m.: President Nixon, watching the moon walk at the White House with Frank Borman who orbited the moon on Apollo 8, talks directly to the astronauts. "Because of what you have done, the heavens have become part of man's world," Mr. Nixon says.

11:54 p.m.: Neil Armstrong begins collecting bulk samples of the lunar terrain.

11:55 p.m.: "The blue color of my boot has completely disappeared now in this—still don't know exactly what color to describe this other than ash-cocoa color," Buzz Aldrin says.

MONDAY, JULY 21

12:08: a.m.: Neil Armstrong finishes collecting about 50 pounds of lunar soil and rocks. These are stored in one of two aluminum rock boxes for return to earth.

12:18 a.m.: The astronauts are inspecting Eagle again.

12:27 a.m.: The crewmen remove the passive-seismometer and the laser-reflector experiments from a storage bin.

12:31 a.m.: Buzz Aldrin plods out of sight with the experiments, looking a little like a weary salesman toting two heavy sample cases.

12:35 a.m.: Colonel Aldrin reports difficulties leveling the passive-seismometers package about 50 or 60 feet from Eagle.

12:36 a.m.: Neil Armstrong reports the laser reflector set up. Scientists hope to use the device to measure the distance between the earth and moon to within six inches of accuracy and to study the theory that earth's continents are drifting apart.

12:44 a.m.: The two solar panels, which power the passive-seismometer experiment, are unfolded. Minutes later, equipment on earth begins recording the astronauts' foot falls detected by the four seismometers. These instruments are sensitive enough to record a meteoroid the size of a pea landing a half mile away. They will also record moonquakes, if they occur.

12:46 a.m.: Neil Armstrong begins collecting more lunar samples, penetrating up to three inches beneath the surface. Because time is running short, the samples cannot be photographed as he picks them up.

12:47 a.m.: Buzz Aldrin is taking the first of two core samples. He drives the tube into the surface to a depth of eight or nine inches with a hammer. "I hope you're watching how hard I have to hit this into the ground," he says. The seismometer records his pounding, indicating the moon is a good transmitter of shock waves.

12:52 a.m.: Colonel Aldrin takes down the solar-wind experiment. This and the two core tubes go in the rock box with the material Neil Armstrong is collecting.

12:54 a.m.: As the world watches, Mr. Armstrong picks up a moon stone to return to earth.

12:55 a.m.: "We're running a little low on time," Houston says.

"We want to keep a good margin in those portable life-support systems," Apollo Control notes.

12:57 a.m.: Colonel Aldrin climbs into Eagle.

1:03 a.m.: Mr. Armstrong sends the first box of rocks up to Colonel Aldrin by a strap and pulley. His heart beat peaks up 160.

1:07 a.m.: The second rock box goes up.

1:09 a.m.: Neil Armstrong enters Eagle and reports he collected about "20 pounds of carefully selected, if not documented, samples" in the second box.

1:11 a.m.: "Okay, the hatch is closed and latched," Buzz Aldrin reports. "And we're up by it, secure."

3:46 a.m.: After depressurizing Eagle for a second time, the crewmen throw out their portable life-support systems, a lithium hydroxide canister—used to filter their oxygen—and the arm-rests from inside Eagle.

3:57 a.m.: The astronauts turn off the TV camera.

4:25 a.m.: Houston bids Eagle good night.

9:32 a.m.: Houston wakes Mike Collins in Columbia. "We're going to keep you a little busy," the capsule communicator promises.

9:42 a.m.: "Not since Adam has any human known such solitude as Mike Collins is experiencing during the 47 minutes of each lunar revolution when he is behind the moon with no one to talk to except his tape recorder aboard Columbia," Apollo Control comments.

11:12 a.m.: Houston wakes Eagle's crew from a fitful sleep and asks how they slept in the cramped cabin, which has no beds. "Neil has rigged himself a really good hammock and he's been lying on the hatch and engine cover, and I curled up on the floor," Buzz Aldrin reports.

1:44 p.m.: Ten minutes to lift off. "Everything looks good," Houston says. Eagle's descent stage is to serve as launching platform for the ascent stage.

1:54 p.m.: Blast off. Eagle's 3,500-pound-thrust engine fires the top half of the lunar module straight up, leaving the descent stage as a permanent monument to man's first landing.

Eagle rises. 17.7 m.p.h. The astronauts call off their speed in feet per second. 24.5 m.p.h. Ten seconds after launch, the craft angles towards orbit. "Very smooth," Neil Armstrong says. "Very quiet ride. There's that crater down there."

1:55 p.m.: 2,600 feet. "Eagle," Houston says, "one minute and you're looking good." During the lift off, Neil Armstrong's heart rate reaches 90 and Buzz Aldrin's jumps to 120.

2:00 p.m.: One minute to go in the burn. Speed, 3,057 m.p.h.

2:01 p.m.: Eagle's engine shuts off as the craft reaches 3,775 m.p.h. and sails into a lunar orbit 54.3 miles by 10.5 miles.

2:05 p.m.: "Eagle is back in orbit and left Tranquillity Base, and leaving behind a replica from our Apollo 11 launch." Houston answers: "Roger, we copy. The whole world is proud of you." Replies Eagle: "We needed a lot of help."

4:20 p.m.: The seismometers left on the moon record a distant shock. Excited scientists speculate they have detected their first moonquake or a meteoroid slamming into the lunar surface.

5:35 p.m.: After a series of rendezvous maneuvers, Columbia docks with Eagle. "Okay, we're all yours," Buzz Aldrin tells Mike Collins as the two craft lock together after being apart 27 hours, 48 minutes.

7:13 p.m.: Neil Armstrong and Buzz Aldrin rejoin Mike Collins in the command module.

8:02 p.m.: A seven-second burn of the service module's small maneuvering rockets separates Apollo 11 from the unmanned lunar module at a relative speed of 1.4 m.p.h. "There she goes," Columbia says. "It was a good one." Eagle's ascent stage will remain to orbit the moon long after the astronauts return to earth.

TUESDAY, JULY 22

12:55 a.m.: Behind the moon as Apollo 11 begins its 31st revolution, Columbia is 22 miles ahead of Eagle and one mile below. The service module's 20,500-pound-thrust engine fires for 2 minutes, 28 seconds, driving Apollo 11 towards home at 5,904 m.p.h.

1:07 a.m.: Radio contact. "Time to open up the LRL doors (the lunar receiving laboratory where the crew will be quarantined)," Neil Armstrong says. "Roger," Houston replies. "We've got you coming home. It's well stocked."

2:16 a.m.: Apollo 11, 4,278 miles from the moon, its speed slowed to 3,658 m.p.h. by the moon's gravitational tug.

12:32 p.m.: The crew remains asleep after noon. Speed, 2,937 m.p.h.

1:11 p.m.: The astronauts are awake after 10 hours of rest.

1:39 p.m.: Apollo 11, 38,870 miles from the moon, reaches the point where earth's gravitational pull exceeds the moon's. The craft begins to accelerate.

4:02 p.m.: Apollo 11's maneuvering rockets fire 10.5 seconds to slow the craft 3.3 m.p.h. and aim it more accurately toward earth.

10:42 p.m.: 176,042 miles from earth. Speed, 2,982 m.p.h.

WEDNESDAY, JULY 23

12:26 p.m.: The Apollo 11 crew is stirring after a 10-hour rest period. They have a relatively easy schedule the day before reentry.

3:15 p.m.: 132,439 miles out. Speed, 3,854 m.p.h. Cabin temperature, 62 degrees Fahrenheit.

7:04 p.m.: Another telecast from space. The astronauts philosophize a bit about the meaning of their historic mission. Buzz Aldrin puts it best: "A verse from Psalms comes to mind to me: 'When I consider the heavens, the work of Thy fingers, the moon, and the stars which Thou hast ordained, what is man that Thou art mindful of him.'"

11:16 p.m.: Houston notifies Apollo 11 that bad weather is expected at the splashdown target. The craft will maneuver so it enters the atmosphere at a shallower angle. This will give more lift to Apollo 11 and drop it some 247 miles down range.

THURSDAY, JULY 24

7:42 a.m.: Re-entry day. The crew is still asleep. Apollo 11 is 42,499 miles out. Speed, 6,951 m.p.h.

11:22 a.m.: 13,182 miles. Speed, 11,810 m.p.h. and increasing rapidly.

12:20 p.m.: The command module separates from the service module.

12:22 p.m.: "You're looking mighty fine here," Houston says. "You're cleared for landing."

12:28 p.m.: "Guidance reports Apollo 11 is right down the middle of the corridor," Apollo Control advises.

12:35 p.m.: Apollo 11 strikes earth's upper atmosphere at 400,000 feet and 18 seconds later, the high heat of re-entry blacks out all radio contact with the crew. Speed, 24,707 m.p.h., 1,736 miles from splashdown in the Pacific Ocean 912 miles southwest of Hawaii. Earth's atmosphere is rapidly slowing Apollo 11's speed.

12:38 p.m.: One of the recovery aircraft

spots the fiery glow of Apollo 11's heat shield as it streaks through the early morning (6:38 a.m. local time) sky.

12:39 p.m.: Radio blackout ends.

12:44 p.m.: At 23,300 feet, two drouge parachutes pop out to slow Apollo 11.

12:45 p.m.: Apollo 11's three main parachutes open.

12:49 p.m.: Apollo 11 is at 1,500 feet, swinging gently beneath its bright orange-and-white canopies.

12:50 p.m.: "Splashdown," a rescue helicopter reports. "Apollo has splashdown." The space craft plunges into the Pacific nose first, 13 miles from the recovery ship U.S.S. Hornet. Man's first flight to walk upon the moon ends upside down.

A.M. & N. PROGRAM AIMS AT ELIMINATING HARD-CORE POVERTY

HON. J. W. FULBRIGHT

OF ARKANSAS

IN THE SENATE OF THE UNITED STATES

Monday, August 4, 1969

Mr. FULBRIGHT. Mr. President, Arkansas A.M. & N. College, in Pine Bluff, is currently conducting a program to provide training, and then employment, for unskilled and unemployed people from Lonoke, Desha, and Drew Counties in Arkansas. This program, funded by the Office of Economic Opportunity and administered by the Arkansas Farmers Union, has been very successful and recently was the subject of a fine article in the Pine Bluff Commercial by Miss Janey Joyce.

I ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A.M. & N. PROGRAM AIMS AT ELIMINATING HARD-CORE POVERTY

(By Janey Joyce)

"Hard-core poverty."

This is a phrase used from time to time by sociologists and by government officials as they despair about the steadily rising costs of welfare and the high numbers of unemployed or underemployed people who are not sharing in the current prosperity in the United States.

Who are the "hard-core" poor?

They are the people who have been left behind in this fast-paced technical society. They vary from place to place.

In Southeast Arkansas they are most often displaced farm workers. They are the people who were tenant farmers, sharecroppers or field hands before the mechanical age reached agriculture.

They grew up expecting to chop cotton in the spring and to pick cotton in the fall. That's all they ever expected to need to know how to do.

Now, however, cotton is chopped with herbicides and it is picked by machines. The traditional agricultural jobs are no longer available.

But many of the people who used to do those jobs are still living in the tumbledown paintless shacks that dot the rural areas of Southeast Arkansas. They subsist on welfare and the proceeds from occasional unskilled jobs.

Their children have often grown up assuming that this was the only way of life available to them as well.

Two years ago the Arkansas Farmers Union in Little Rock began a program at Arkansas AM&N College in an attempt to provide training, and then employment, for unskilled and unemployed people living in Lonoke, Desha and Drew Counties.

The program was funded by a grant from the federal Office of Economic Opportunity with in-kind services and facilities provided by the college.

AM&N already had a long established complete vocational arts program which offered training in automobile body repairing and painting, automobile mechanics, brick masonry, carpentry, cosmetology, electronics, appliance repair, practical nursing, secretarial training, tailoring, welding and machine shop.

In addition to this, the training program established basic education courses so that illiterates could be taught to read and write and those who already knew how to read and write could improve their skills in these areas.

Transportation—via school buses—was provided so that the new trainees could get back and forth from their homes to the college.

And a stipend—ranging from $30 to $50 a week—was established so that trainees could afford to attend school.

Then came the first recruiting drive. Recruiters contacted churches, newspapers, city and county officials and went from door-to-door in some instances to find persons who were willing to become trainees in the program.

According to Clinton Hampton, assistant director of the program, recruiters were not deluged with applications from potential trainees at first.

In fact, Richard A. Maxwell, the program counselor, estimated that the majority of the first trainees came into the program because of the stipend.

They enrolled in the program, Maxwell said, but this didn't mean they had any confidence in it. The general attitude of the new trainee was, according to Maxwell: "Well it sounds good, but I have to see it first."

"So," he continued, "it was up to us to really motivate them—to really change their outlook on life. And this is the thing that I feel we have accomplished more than anything else. We have instilled confidence in themselves and in us."

Maxwell noted that the 10-month training program that the trainees went through was "almost like a cram course."

"What they learn here," he said, "the average person gets in 2½ years. And they come out with flying colors."

Maxwell said he was shocked to discover so many people with native ability and intelligence "just doing nothing."

John Kuykendall, placement director for the program, said that learning new skills solved only a part of the trainees' employment problems.

More difficult, he said, is the psychological transition from farm work—"where you could go to work anytime you felt like it and lay off when you felt like it and nobody said a thing"—to industrial work where you have to be on time and schedules have to be met.

Kuykendall is responsible for the final phase of the program—getting the trainees jobs and seeing that they stay with them.

Most of the employers that Kuykendall contacted were skeptical at first, he said. But most decided eventually to give the trainees a try. And, by and large, they have been satisfied with them as employees, he said.

The trainees were skeptical at first, too, Kuykendall said. Most couldn't believe that they could get a job with a company that wouldn't consider employing them before they went back to school.

A familiar refrain, according to Kuykendall, was: "I've been here before. I know I won't get a job here. They'll just send me to the employment office."

"So they were pretty impressed when 30 or 40 minutes later they had the job," he said.

"I have tried to explain," Kuykendall continued, "that companies are looking for trained people now. They aren't looking for people who just walk in off the street and say they can do this and do that without any experience or formal training."

Kuykendall spends a lot of time out in the field talking to potential employers and in keeping up with trainees who have already been placed on jobs, he said.

If he finds out that one of the former trainees has missed a day on the job, he contacts him to find out why. And he is always available to discuss any problems that might arise between employer and employee, he said.

Each trainee who has completed his training and gone on to productive employment is a success story.

Hampton, Kuykendall and Maxwell all have their favorite success stories.

During the routine testing done on all trainees during the 1967-68 training program, Maxwell discovered a 21-year-old woman who he felt definitely belonged in college.

That was Helen Williams of Tillar, who has just successfully completed her first year of college at AM&N.

Miss Williams had done farm labor—off and on—after her graduation from high school in 1965. And she was not too optimistic about the training program when she signed up for it.

"I expected to just end up with a certificate," she said in a recent interview.

She was surprised, she said, when Maxwell strongly urged her to enroll in college because she had never regarded herself particularly as college material.

But enroll in college she did—with the help of a National Student Defense loan, an economic opportunity grant and a summer job doing secretarial work—a skill learned in the training program.

This year Maxwell has recommended that two of the program's trainees go on to college next fall. They are Mrs. Mamie Charleston, 31, of McGehee, and Linda McKinney, 22, of Humnoke. Both just completed courses in secretarial training.

And both hope to attend AM&N next fall with the same sort of assistance that Miss Williams is getting.

Hampton's favorite story concerns a young man who had been a migrant agricultural worker—one who had never seen a brick laid in his life.

He spent four months in 1967 and 1968 in a class for brick masons. Then he was permitted to lay bricks on some faculty houses that were under construction.

According to Hampton, he quickly shaped up into a "cracker jack" brick mason. So he went to work for a private contractor. It didn't take him very long to notice that the contractor was making more money than he was. Hampton said, and so he soon went into business as a brick subcontractor.

Then he was drafted into the armed forces, Hampton said. But this did not end his brick-laying activities.

The last time the man was home on leave, Hampton said, he contracted for a job and then drafted four of this year's brick mason trainees to do some of the work.

As far as Hampton knows, the four new brick masons are still working.

Hampton, Kuykendall and Maxwell feel that the program has been a successful one during its two years of operation. But they are still not satisfied.

"You'd be surprised at the number of people who are still out there in those shacks," Kuykendall said.

THIS UPWARD BOUND PROGRAM AT CHAPEL HILL

HON. W. R. POAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. POAGE. Mr. Speaker, I am just in receipt of a letter from a respected educator from my own district who has just returned from a so-called "Scientific Institute," conducted at the University of North Carolina under the auspices of the National Science Foundation.

I realize that both the scientific and the educational organizations have ways of retaliating against members who seek to give the public a picture of what is going on. I have, therefore, deliberately deleted my constituent's name and his address. I did this of my own volition and not at his request. He put his name on the copy which I received.

This House has just voted billions of dollars for education and I supported the appropriation. I know the need for education. I know the need for scientific advancement, but I cannot believe that it is necessary that we abandon all efforts at what we have historically considered common courtesy or ordinary decency. I am not sure that a little culture is not as important in human relations as is the scientific progress to which this institute was supposedly dedicated. The letter from my constituent is self-explanatory and is included herewith:

Hon. W. R. POAGE,
Representative, 11th Texas District, Washington, D.C.

DEAR REPRESENTATIVE POAGE: I realize you are busy and have little time for communication, but I feel that I need to inform you of a situation concerning a federally financed education program I observed this summer. I was a participant in a National Science Foundation Summer Institute at the University of North Carolina in Chapel Hill this summer. As a result of this, we were housed in a dormitory on the campus with a group of upward bound students.

I am a teacher and have completed nineteen years of teaching so I have had an opportunity to observe educational programs and judge their results before. I would like to make the following comments about the upward bound program at Chapel Hill.

First, if there was adult supervision, it was not evident. I was told that there were counselors but the adults I saw with the group more nearly fit my description of a pusher or hippy.

Second, as a result of the first statement, the dorm came to resemble a flop house, evidenced by the fact that they had to move furniture out of the lobby; floors were always littered with trash; walls of elevators were marked up and words usually found only on rest room walls were quite abundant.

Third, it became almost impossible to study in dorm any where except on upper floors. This did not change even after repeated complaints to dorm management.

Fourth, the language used by this group became such that very few people other than these students ever used the snack bar, T.V. room or other facilities in dorm.

Fifth, at least two meetings were held in the dorm with the speaker being a known militant from Durham, N.C. who had been very outspoken in the trouble at Greensboro and Chapel Hill in the spring of the year. After both of these meetings dorm windows and car windows were broken and things stolen from both rooms and cars according to the dorm management.

Sixth, on at least one occasion I observed a gun being passed from person to person in lobby of dorm.

In short, I feel that the program accomplished a very good job of training a group of campus rebels. I feel that if you could check, you will find many of your future trouble makers received their training in this and related programs. I resent any of my tax money being used in such a poorly supervised program and feel that something should be done from a federal level.

There are many other things I would like to tell you about this summer but I realize you are busy and it is difficult to write about all the things I observed. If I can provide additional information, please let me know.

Sincerely,

_____.

THE COMMUNIST GOVERNMENT IN CUBA

HON. EDWARD J. GURNEY

OF FLORIDA

IN THE SENATE OF THE UNITED STATES

Monday, August 4, 1969

Mr. GURNEY. Mr. President, lately we have heard many urge us to look more favorably on the Communist government in Cuba. According to the Castro apologists, the Cuban social experiment is taking form, and the Cuban people are feeling the benefits of the first social revolution in Latin America. The facts as presented in the U.S. News & World Report of August 4 contradict this illusion of social advancement and put the Castro regime in proper context: the Cuban Communist social revolution is taking form, and it has turned out to be a colossal flop.

Fidel Castro is in trouble, and he is turning to his old friend, the Soviet Union, for help. Consequently, it would be in our best interests to stop the talk of loosening the Cuban embargo and showing sympathy for the Cuban dictator. Quite obviously, Cuba's Communist government is failing to meet the needs of the people, and repressive controls are being tightened. This does not sound to me like the work of a social revolution, and the U.S. Government should not be fooled into accepting this false picture. We should do everything in our power to help make the demise of Castro a reality.

To clear the air on the condition of Cuba's Government and to illustrate the need for a tightening of controls within the embargo area, I ask all Senators to consider carefully the article published in U.S. News & World Report. I ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOR CASTRO: TIGHTER SOVIET TIES AS POPULARITY EBBS

Fidel Castro—who for a decade has promised the Cuban people a better life—is apparently in so much trouble economically that he is being forced to overhaul his own policies for now.

Along with this, the popularity of the Cuban dictator is at an all-time low, according to U.S. Government sources.

The Russians—whom Castro once courted, then quarreled with—provided one of the most recent signs that policy gears are being shifted in Havana.

On July 20, seven Soviet warships sailed into Havana harbor, cheered by thousands of Cubans brought out to greet the vessels. The week's visit coincided with July 26 celebrations of the sixteenth anniversary of Castro's first armed revolutionary attack.

Little more than a year ago, Havana and Moscow were locked in a bitter name-calling contest. And 18 months ago, Castro kicked out two Russian and three Soviet-bloc diplomats for plotting against him with old-line Cuban Reds.

NEED FOR AID

At this time, in Castro's view, Soviet-Cuban friendship seems the best policy, say the experts. Castro desperately needs continued Russian aid to keep the Cuban economy going.

Though Castro—once the idol of the Cuban people—is not held in such high esteem at the moment, observers point out that he remains in firm control.

Still, work slowdowns, anti-Castro wall signs and low-level sabotage are appearing more frequently.

These things, caused mostly by shortages of food and other items, have resulted in tightened police controls.

From refugees, diplomats, official Cuban statements and various other sources come reports of arrest and unorganized resistance. For example:

Veteran sugar-cane workers are said to be cutting only about 40 per cent of the amount of cane they once cut;

A student says anti-Castro signs appear almost nightly on the walls inside Havana University, with indications that many people are involved;

Theft, robbery, swindling and crimes against property are officially reported to be on the upswing. Many of these crimes are considered to be sabotage;

Houses are being robbed when women leave them to stand in food queues;

Troubles have increased at night, and citizen bicycle patrols are being used.

As further evidence of a revamped policy, diplomatic and other sources noted that—at least up to the time of the July 26 celebrations—Castro had not, for a year or more, called publicly for armed revolution in other Latin-American countries.

Some, including a Castro agent who defected, say the Russians demanded, in exchange for more aid, that Havana halt the campaign. The thinking is that Castro was hurting the Russians' efforts to penetrate the Hemisphere in the role of peace lovers seeking only trade and diplomatic relations.

Just how true this is, of course, is difficult to determine. However, Castro has now declared that there can be a real revolution in Latin America without violence. On July 14, he said the military junta in Peru may be conducting such a revolution.

TURNING POINT

One U.S. expert on Hemisphere affairs described this statement as a true "turning point" in Cuban policy. Basically this switch can be laid to two failures, in the view of several American authorities. These are the economic failure and the failure to export revolution. Says one source:

"Castro was shaken up more than most people realize by the failure of Ernesto ('Ché') Guevara in Bolivia. Personal ties aside, what hurt Castro was that the Guevara effort failed even though all the classic conditions for revolt—in the Castro ideology—were present in Bolivia. But it didn't work, and that shook up Castro."

Another, in commenting on the economic aspects, was careful to point out that, though unrest is widespread in Cuba, "as yet, resistance is passive, not active or organized."

MORE PLEDGES

Despite all the troubles, Castro is making new promises of plenty for the Cuban people.

Recently he pledged anew that 10 million tons of sugar would be produced in 1970, and said this would solve Cuba's economic problems. On July 14, he helped get the sugar harvest under way. This is called the 1970 harvest because the traditional starting date of January has gradually been pushed up by six months. More eggs, rice were also promised.

American experts are certain these promises cannot be fulfilled—just as Castro has failed to fulfill his "better life" pledges of the last 10 years.

And they say, with things getting worse, that another year of unkept pledges could spell real political trouble for Castro by next summer.

Those watching developments believe that latent resistance in Cuba could become active, organized opposition in the not-too-distant future.

COMMISSION ON BALANCED ECONOMIC DEVELOPMENT

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. VANDER JAGT. Mr. Speaker, I have today introduced a resolution providing for the establishment of a Commission on Balanced Economic Development. This measure is a companion proposal to House Joint Resolution 168, introduced earlier in this Congress by Congressman PHILIP E. RUPPE, of Michigan.

Congress daily is becoming more aware of the pressure which is being placed upon our earth resources by the expanding population of the United States. Illustrative of this concern is the series of hearings now being held by the Task Force on Earth Resources and Population of the Republican Research Committee, of which I am a member.

Unquestionably, the urbanization and suburbanization processes have created much strain upon our resources. It is not only appropriate but also very timely that we should undertake a comprehensive study of the means by which we might achieve a greater geographic balance in the ongoing economic development of the United States.

The Commission which we propose would be made up of 20 persons to be appointed by the President. Four of the members would come from cities of at least 1 million persons; four would come from cities having populations between 100,000 and a million; four would come from cities whose populations ranged between 10,000 and 100,000; four others would come from small towns and villages. No more than half of the persons from any one of these classes would be from the same political party. In addition to these members, four other persons would be appointed to the Commission without regard to political or geographic criteria, but upon the basis of their exceptional training, experience, and competence in the subject of the investigation.

The Commission would be charged with submitting a report to the President and the Congress within 2 years after its establishment. It is our hope that the information gained through this study will enable the United States to achieve a better geographic balance in its economic development, which is expected to proceed at a rapid pace over the next 30 years.

During the remainder of this century America will be experiencing a profound shaping of its pattern of population distribution. Already, people are speaking of huge, identifiable urban belts such as San-San—San Francisco-San Diego—Chi-Pitts—Chicago-Pittsburgh—and Bos-Wash—Boston-Washington. I believe that America will be a healthier place to live, work, and raise a family if other viable alternatives also exist for our people. Indicative of the opposition to an America totally dominated by such megalopolises is the current discussion of the potential development of new cities.

Perhaps the creation of new cities is part of the answer to our problem. Certainly, the strengthening of the economic life of many of our existing outlying communities is also vital. But clearly one of the important, indeed fundamental, objectives which we should endeavor to fulfill is the dispersion of our population in a manner which will enable us to efficiently utilize our earth resources in support of our human resources.

The formation of this study commission is one vital step toward the achievement of that element of a state of national health and well-being.

OUR NATIONAL SECURITY

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. WHITEHURST. Mr. Speaker, early last month the Veterans of Foreign Wars held their 14-State Southern Conference in Norfolk, Va. Mr. Richard Homan, commander in chief of the VFW, made several splendid statements regarding our national security.

Believing as I do that his views deserve the attention of this House, I insert in the RECORD the comments of Mr. Homan as reported in the Norfolk Ledger-Star and Norfolk Virginian-Pilot:

VFW CHIEF'S VIEW: MILITARY-INDUSTRY COMPLEX PRAISED

NORFOLK.—The commander in chief of the Veterans of Foreign Wars brought to a close a weekend southern conference of the VFW with praise not only for the "military-industrial complex" but also the "military-educational complex."

Richard Homan told 800 delegates from 14 states that in praising the former he was not singling out any group, "for no such group exists."

"I am pointing to those on call 24 hours of each day around the globe, and to those in industry who are giving the best years of their natural life to build second-to-none defense forces," he said.

It was the builders of Polaris submarines and Minutemen missiles "who now believe they can build a Safeguard defense against missile attack and contribute still more to our security," he said.

"Both our military servants and our industrial leaders have been irresponsibly criticized for building weapons systems which have never been used," he said. "They have been criticized when the aim for building such weapons systems was to make them so awesome they would not be used."

As far as the "military-educational complex," was concerned, Homan said he could "think of no asset which contributes more to the national sinew."

In Tidewater, he said, tens of thousands of young men are taught specialized skills, self-discipline and the responsibility of citizenship.

"I say without hesitation that the military-educational complex represents one of America's valuable assets," he said. "The secondary benefits to our civic institutions and to our civilian economy are plain to see."

During the conference it was announced that Virginia was one of four Southern states to win "All-American" honors for its VFW posts' involvement with community programs and membership growths.

VFW HEAD SPEAKS OUT: HO'S MEDDLING IN UNITED STATES HIT

NORFOLK.—The commander in chief of the Veterans of Foreign Wars has accused Ho Chi Minh of "meddling and peddling" in this Nation's internal affairs.

At a press conference here Friday afternoon, Richard Homan said that the latest instance of this was his invitation to David Dellinger to represent the United States in the release of three prisoners of war now held in North Vietnam.

"Dellinger, at the time of Ho Chi Minh's cordial invitation, was under federal indictment stemming from the violent demonstrations at the Democratic National Convention in Chicago," he said.

"Presumably, Ho Chi Minh wanted to practice his own expertise in U.S. domestic affairs."

Homan said that "the U.S. State Department has regrettably recommended that Dellinger be free to travel abroad and to represent America's national interest in this matter."

Homan, in Norfolk to attend a 14-state southern conference of the VFW, also took a swing at South Dakota Sen. George McGovern who recently announced that he had held private discussion in Paris with the North Vietnamese.

"Senator McGovern was not elected to the U.S. Senate for that purpose," he said. "He does not share with the President of the United States the responsibility of dealing with hostile nations. The role of the U.S. Senate is clearly defined by our Constitution. It is to advise and consent to treaties and commitments made by the President."

Homan said that the visit by eight Russian naval vessels to Cuba should be looked on as "the beginning of a new expansionist phase in Soviet naval and maritime diplomacy and influence."

He said that the Russian Navy had progressed from "the basics" of a proponderantly underseas Navy to guided missile cruisers and might well be expected to continue into the field of attack aircraft carriers.

The VFW conference here is expected to draw between 500 and 600 members. A banquet and dance is planned for tonight.

NO RECIPROCATION: VFW LEADER CRITICAL OF TROOP WITHDRAWAL

NORFOLK.—The national leader of the Veterans of Foreign Wars said Friday that the United States should not have withdrawn any troops from Vietnam without reciprocal action on the part of the North Vietnamese.

Richard Homan, commander-in-chief of the VFW, said the United States has been limiting its operations in Vietnam, hoping the North Vietnamese would also limit their operations.

Homan cited the bombing pause in the spring of 1968 and the withdrawal of troops as examples of this country's operational cutback.

Homan, here for the 14-state Southern conference of the VFW which began Friday at the Golden Triangle, charged that idealists in the United States have supported the limitations on operations in Southeast Asia and thus assisted the North Vietnamese.

Homan refered to recent private contacts with the North Vietnamese negotiators in Paris. Homan charged that Sen. George S. McGovern, D-S.D. should not have undertaken a private mission to Paris for discussion with hostile agents.

"McGovern was not elected to the U.S. Senate for that purpose. The role of the U.S. Senate is clearly defined by our Constitution," said Homan.

Homan said that idealists of this type are dupes of the Communists because they undermine America's position.

"If the North Vietnamese don't begin to negotiate, we should review our operations and consider those alternatives available to us," he said.

Homan said the options to the United States include blockading the North Vietnamese ports, removal of bombing limitations, and increased military activity within South Vietnam.

"The people of this country don't want to put up with political generals. The day-to-day operations in military areas should be left to the Pentagon.

"When we contribute to this, we contribute to prolonging the war," he said, referring to those who make private contacts with the North Vietnamese.

"These political generals have assumed responsibilities outside their elected authority," said the 46-year-old commander.

"As soon as limitations are placed on us, the North Vietnamese tell their people they are winning," said Homan, "and the people believe them."

Homan said the United States should remain in Southeast Asia to prevent the entire area from going Communist.

SENATOR GEORGE MURPHY MAKES SENSE

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. DON H. CLAUSEN. Mr. Speaker, a much deserved tribute was recently paid to the distinguished senior Senator from California, my good friend and colleague, GEORGE MURPHY, by the editor of the Santa Rosa, Calif., Press Democrat.

Because of his distinguished service in the U.S. Senate and his valuable service to the people of the State of California, I am taking the privilege of including this tribute to a great human being and an outstanding legislator in the CONGRESSIONAL RECORD:

SENATOR MURPHY

Doing part of his homework in Sacramento the other day, U.S. Sen. George Murphy was asked for the umpteenth time if he was going to run for re-election next year. And for the umpteenth time, he said he most certainly was.

Why there should be any question about it is one of the irrationalities of politics. George Murphy has proved to be an energetic Senator, a highly capable one, and a compassionate lawmaker. On his record, he should be unbeatable, so some of the questions raised as to whether he will again be a candidate may spring from wishful thinking among those who might have a chance if only Sen. Murphy would be obliging enough to call it quits.

A successful operation to remove a throat cancer left him with a voice that is soft, or as the Senator puts it, "I can't shout as loud as I used to."

But when Mr. Murphy talks, his colleagues listen, and what he says makes sense. That, it seems to The Press Democrat, is a decided asset to California in a legislative chamber so endowed with members who are long on oratory and short on reason that it has for decades been known as "the cave of the winds."

A CEILING ON FEDERAL SPENDING

SPEECH OF

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1969

Mr. BOW. Mr. Speaker, the virtue of consistency has been sorely missing in the House of Representatives in the last few days and I fear we are creating some very difficult problems for ourselves and for the country.

Ten days ago the President signed into law a bill in which the Congress included a ceiling on Federal spending in the current fiscal year. That ceiling was set at $191.9 billion—$1 billion below the total recommended by the President in April.

During the last 3 days the House has voted to increase spending for the programs of the Labor Department and the Health, Education, and Welfare Department by $1.1 billion over the amount recommended by the President and $922,563,000 more than recommended by the Appropriations Committee.

It is appropriate and timely today to examine the implications of this action in the light of the budget limitaton.

The budget ceiling that Congress has imposed is flexible in two respects. First, we exempted increases of up to $2 billion above the April budget in certain programs for which spending is unpredictable. Second, we provided that the ceiling will be adjusted by the net increase or decrease voted by the Congress in the April budget estimates of the President.

Events since April make it virtually certain that outlays for interest and other hard to predict programs will be higher than was estimated in April, perhaps by the full $2 billion, thereby raising the statutory ceiling to $193.9 billion.

President Nixon, in his July 22 statement, made a strong commitment on the part of his administration to live within a ceiling of $192.9 billion. His message said, in part:

I know the Congress shares my determination to make the budget an effective instrument against the inflation that has wrought so much damage to the income and savings of millions of Americans. If the Congress did not share that commitment it would not have imposed this spending ceiling. However, this general expression of support for fiscal restraint must now be matched by specific acts of the Congress.

We should understand clearly what the President means. If the Congress increases one of the President's budget requests, whether it be in reclamation or hospital construction, agriculture, or education, then the President will act either to avoid use of those increases or to cut other budget items an equal amount. If we refuse to be responsible—if we refuse to make this choice—then the President will make it. And some of us may not like the results.

In his statement, the President said he would prefer that the Congress make these cuts. So would I. I had hoped that most of the House also would so prefer. If we wish to hold down spending, we must demonstrate this desire not only in voting for an overall spending ceiling but also in each specific budget action that comes before us.

No one can say that the House demonstrated that desire during the past 3 days. Instead, we demonstrated that while it is easy to vote for a general, overall reduction in spending, it is much more difficult to resist voting for increases in the face of blandishments from the supporters of individual programs.

We now have a heavy responsibility to find the means of reducing other appropriation items to compensate for the billion dollar increase in education.

This we must do if we are to demonstrate that we truly agree with the President's view that inflation must be restrained. We said we did when we voted for the ceiling as a major weapon against inflation. I hope we meant it.

We have a clear duty to apply restraint in our future appropriations activities. I hope the Appropriations Committee recognizes that obligation and will do its utmost. The general welfare requires that we have the support of the House. The extra billion voted for education will buy very little if we allow inflation to run rampant in our Nation.

STAND UP FOR ACADEMIC FREEDOM

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. UTT. Mr. Speaker, under unanimous consent to extend my remarks in the RECORD, I wish to include an address entitled "Stand Up for Academic Freedom." This address was presented to the La Jolla Kiwanis Club of La Jolla, Calif., by Assemblyman John Stull who represents that portion of San Diego County in my congressional district. It is an outstanding address by one of the most outstanding legislators in the United States. I hope it will receive wide circulation. The address follows:

STAND UP FOR ACADEMIC FREEDOM

Sweeping up and down our broad land is a growing sense of dismay and unease. We are aware of this in every facet of our lives,

but nowhere is it more deeply felt than in regard to the campuses of our country. Tragically, that which once gave us confidence and hope is now a source of confusion and despair. "The black flag of anarchy" and "the red flag of revolution"have been raised on once peaceful quads. We see students with upraised fists clenched in a brutal alien salute and to our astonishment, we hear nineteen year olds announce grimly that they have reached the end of their patience with society. Here, in La Jolla, the enemy ensign has flown on the hill above, even as American men have been dying in a bitter war across the sea. And here, too, a notorious nihilist touts his discredited philosophical views. To the north, the mother campus of California's whole university system has recently been under a state of siege and the City of Berkeley continues to rock with repercussions. It is almost as though a huge question mark hovers over our country, and we ask ourselves, "Is what CAN'T happen here, happening?"

Our general feeling of unrest is compounded by the disturbing realization that many time-honored words and phrases no longer fit the situations to which they are applied. It is almost as though, sometime between the dark and the daylight, a number of important labels were switched and stuck indiscriminately onto whatever was at hand. Nowhere is this more apparent than as it concerns something called "academic freedom."

This once honored phrase—academic freedom—used to mean something, something specific. Now, tragically, it has come to be a sort of umbrella, which has been stretched to cover everything from an alleged "right to riot" to the ruthless use of the classroom for the most overt form of ideological brainwashing. This current concept of academic freedom has developed what can best be described as burgeoning intellectual ghettos. And, it is in these intellectual ghettos, where to the rythm of ritualistic incantations about academic freedom, its substance is being destroyed.

In my opinion, the grotesque current interpretations of this term with the inevitable consequences in action, is the greatest factor threatening our whole state system of higher education and menacing society itself. Ironically, of course, *true* academic freedom is an early casualty in such a state of affairs. Consequently, as we care about constructive values and the orderly continuation of higher education within this republic, we must probe for an accurate meaning of the term and, in the context of today's meeting, decide if, in fact, we should stand up for academic freedom.

Over two thousand years ago, the Greeks started a tradition of free inquiry in western civilization which has been continued intermittantly ever since. When the first universities, in the modern sense, were created in the Middle Ages, scholars of powerful intellect were produced, and these men were accorded a great deal more freedom for their pursuits than the generally erroneous picture of that time would suggest. Although history holds examples of scholars persecuted for belief or research, there is a thread of the continuty of academic freedom running through the past few hundred years. In its ideal conception, according to Richard M. Weaver (in his essay, "Academic Freedom: The Principle and The Problems") "academic freedom is a limited immunity accorded to those who have been considered worthy of guarding society's oracle." It is the prerogative of a special group. It is an earned prerogative. It does not apply to irresponsible spouters of opinion or to opinion at all but to demonstrable knowledge. Most certainly, it should not be used as a tool for the "democratizing" of universities by turning control of them over to students. "It is the freedom of scholars and researchers in institutions of higher learning to teach and to publish the results of their scholarship without interference from the institution itself or from outside interests," but the whole concept is based on a sense of responsibility. Academic freedom *cannot* be discussed ever without the word responsibility. It is inherent in the concept.

This idea is extended in a statement made by the President of the University of California, Robert G. Sproul, in 1934:

". . . the freedom of the university is the freedom of competent persons in the classroom. In order to protect this freedom, the university assumes the right to prevent exploitation of its prestige by unqualified persons or by those who would use it as a platform for propaganda. It therefore takes great care in the appointment of its teachers; it must take corresponding care with respect to others who wish to speak in its name."

And this brave statement continues:

". . . the University of California is the creature of the State and its loyalty to the State will never waiver. It will not aid nor will it condone action contrary to the laws of the State. Its high function—and its high privilege—the University will steadily continue to fulfill, serving the people by providing facilities for investigation and teaching free from domination by parties, sects, or selfish interests. The University expects the State, in return, and to its own great gain, to protect this indispensable freedom, a freedom like freedom of the press, that is the heritage and right of a free people."

This is what academic freedom should mean, but how has it been perverted? Let us count some of the ways.

Last May, the American Association of University Professors met in convention at Minneapolis. Eight hundred delegates representing about 90,000 members attended. What blows did this impressive assembly strike for freedom, academic or otherwise? Well, according to news reports, they denounced President Nixon for his get-tough position on college riots, and they indicated deep concern about United States Attorney General John Mitchell's announcement that "violence-prone militants" will be prosecuted to "the fullest extent" under provisions of the Civil Rights Act of 1964. That AAUP also resolved that both Nixon's and Mitchell's plans constituted a threat to what they conceive to be academic freedom.

But don't think all of their actions were critical. Not at all. They granted the Alexander Meiklejohn Award to President George W. Starcher of the University of North Dakota for insisting that Gus Hall, General Secretary of the U.S. Communist Party be allowed to address his student body; for resisting pressure to fire the student editor who wrote an editorial denouncing the university for accepting a gift to support prizes for essays on patriotism; and for Starcher's noble posture in a "dirty-word" controversy.

All this is a little hard to believe, isn't it? And, if it did not bode so ill for American higher education, it would be downright funny. But, of course, it is just the reverse of funny and is some indication of the depth and degree of our current academic dilemma. Certainly it underwrites the words of San Francisco State President S. I. Hayakawa who compared certain professors to the World War II defenses of Singapore—"all their guns point in the wrong direction."

Having set the stage at this high level, let's proceed to the recent People's Park confrontation at Berkeley. After a noon rally at Sproul Hall Plaza on May 15, 1969, and after a rousing speech by UC Berkeley Student Body President-Elect Daniel Siegel, a group of assorted students, street people, and you name it, marched off the campus into the city. Some of Siegel's ringing words bear repeating: ". . . people be careful. Don't let those pigs beat the s--- out of you, don't let yourselves get arrested on felonies. . . ." And, according to the *Los Angeles Times*, he ended with the shout, "Let's go down and take over the park!" The resultant bloodshed and disorder are well known.

How did the UC system academic community respond to these events?

The academic community responded with a blithe disregard of facts and almost total irresponsibility. Among other things, flags were brought to half-staff with the permission of some administrators on campuses throughout the system in honor of James Rector, who died as a result of injuries received in the melee; numerous classes were cancelled; and throughout the state, faculty and student groups were shrill in their condemnation of steps taken to quell the rioting. A large contingent even marched on Sacramento.

Then a group of alleged Berkeley faculty members and their sympathizers bought full-page ads in leading newspapers throughout the state and presented a completely distorted account of what had happened. In passing, it is interesting to note the ad contained some names, already familiar from Berkeley Free Speech and Vietnam Day Committee times.

To the best of my knowledge, only one faculty member on any UC campus has spoken out loud and clear, indicating that there is another point of view. Dr. Hardin B. Jones, Professor of Medical Physics and Physiology and Assistant Director of the Donner Laboratory at Berkeley, has virtually stood alone in condemning the excesses of some of his fellows, and, in attempting to refute the ad, Dr. Jones's words bear emphasis. Let me read them to you:

"The failure of a significant number of professors to be responsibly objective and honest about issues of this importance serves to condone and thus abet the prevalent resort to violence on the part of those college youths who look to them for guidance. Unless the public and its elected and appointed representatives understand the situation and act firmly to defend the public interest, there is real danger that we will go down the bloody path to revolution and tyranny. And unless the great majority of moderate, well-meaning but inert faculty members exert their power to discipline their revolutionary colleagues for their unprofessional acts, they will have to accept a large share of the ultimate blame."

I applaud Dr. Jones, but he is obviously a voice crying in the wilderness or, to be more accurate, the intellectual ghetto. It is sadly and abundantly clear that most of his colleagues belong to what the *San Francisco Examiner* has characterized as ". . . a fat cat faculty that with notable exceptions, has been more interested in its cozy prerogatives than in defending the integrity of the university."

Dr. Jones's call for honesty and objectivity among his fellows brings to mind a personal experience. I am Chairman of the Assembly Education Sub-Committee on Educational Environment, and Robert C. Donaldson, Chairman of the Academic Senate at Sacramento State College accepted our invitation to appear. In the course of reading a prepared statement on the campus situation, Donaldson said that "tragically, when such individuals [citizens from minority and economically disadvantaged groups] attempt to improve themselves and achieve gains, the state government, through legal repression and inadequate financial provisions withholds the means for these individuals to attain self-sufficiency."

I asked Donaldson if he could substantiate this blanket indictment of all of us in Sacramento. He *could* not. I asked him if he would like to delete the allegation from his statement. He *would* not. Whereupon, I asked him to step down as obviously, the testimony of an individual of such a temper of mind could contribute little. The incident does provide another example of lack of faculty integrity

and a gross inability to relate realistically to the problems facing us.

At the outset of my remarks, I stated that under the cloak of Academic Freedom, the classroom has been ruthlessly used for the most overt form of ideological brainwashing. It's a strong charge but easily proved. And I have a particularly flagrant example. A teacher of physics at Chico State College gave a final this year in which he converted Physics II questions into a propaganda form and loaded them with pyrotechnic emotional content. Let me read you how some of the questions begin:

"If one ounce of botulism toxin will exterminate 60 million people, how much total energy would be required to orbit a single bomb which could theoretically eliminate the human race, with a factor of 10 overkill . . . ?

"A helicopter is flying in a straight horizontal path, macing the people of Berkeley . . .

"A student absorbs inelastically 2 buckshot (not bird shot)" (This question goes on about the pool of blood in which he lies).

"Suppose the Navy is dropping untreated human feces in San Francisco Bay . . ."

Question 6 commences "An Air Force plane is so loaded with pacifying napalm . . ."

And so it goes. (Incidentally, I have had copies made of this test and some other things I've mentioned. When I'm through you're welcome to copies of them.) At any rate, my colleague Assemblyman Ray Johnson who serves the area where Chico State is located, informs me that a fact-finding committee of the Chico State Faculty Senate investigated this test and found it excellent in content although they did concede it might be a little politically biased. However, they recommended that no action be taken. Ray Johnson says that this teacher, under the protection of his tenured position is constantly participating in disturbances and abetting radical causes.

Another example of the flagrant misuse and corruption of the purposes of the classroom occurred recently at Los Angeles Valley College when a teacher named Mrs. Deena P. Metzger distributed to her class and discussed her incredibly vile and disgusting poem "Jehovah's Child." As far as I know, nothing has been done about this, either. The president is waiting for the Academic Senate to act.

For a final example of a perverted interpretation of what constitutes academic freedom, let's discuss briefly the recent hiring and granting of lifetime tenure at the University of California at Santa Barbara to Richard Flacks, sometime co-founder of the SDS and general all-time radical. Now, as you have probably heard, in response to cries of popular indignation, the explanation has provided that Flacks is no longer active in SDS leadership and one is invited to infer that his militant days are over. Somehow, it has all struck me as strangely reminiscent of the case of one Leon Wofsy, of the Berkeley Bacteriology Department, who, having given up his communist affiliations, amuses himself with such quaint pleasures as Free Speech movements and People's Parks.

At any rate, I've been attempting to find out if the new and the old Flacks differ. This has involved reading ("Ordeal by Flacks" is my private term) and lest I be accused of condemning Flacks out of the past, let's number and date my condemnation Volume 5, Number 2, April/May/June 1969 of the *Journal of Applied Behavioral Science*. In this publication, I found a 23-page Flacks article entitled "Protest or conform: Some Social Psychological Perspectives of Legitimacy." In this article, Flacks combines the lingo of social science with the jargon of New Left and, among other things, he speaks with considerable pleasure of the fact that there is some active disobedience in the armed forces and that, in his opinion, there have developed some cracks in what he calls "the institutional support of American national authority." The examples he cites are among university and church officials. He gives the opposite of draft resister as cheerful robot and the opposite of Black Panther as black bourgeois.

California's new lifetime tenured employee concludes with the words, "Yet the mergent characterological and cultural trends, and the revolutionary movements they have spawned, promise a new social system, in which militarism, racism, narrow nationalism, dignity, individual conscience and collective paritcipation become the primary basis for legitimate authority. This promise makes the risks worthwhile for many of us."

Shades of Marcuse! Shades of the Old Left! Shades of the New Left!

For putting the author of this in a university classroom the citizens of California will be paying $12,300, a year, starting July 1, 1969.

It is a disgrace. The University of California administration and the Board of Regents are derelict in their duty for underwriting this outrage. The after-the-fact rationalization of the UC hierarchy don't satisfy me. What this university needs is *not* Richard Flacks. Flacks is just another example of what one of my constituents calls "over paid under Americans" Any person who calls this country "imperialist" or any segment of the population, "bourgeois," or the members of our armed forces "cheerful robots" is certainly suspect. And if all this flack about academic rights has gotten a little old, it's only because my right as a citizen *not* to salary people who hate my type and my way of life has gotten plowed under in all the verbiage. I think the people of California are willing to support the University of California if it behaves itself, but I believe they've had it supporting ideological clowns in a left-of-center circus.

The examples I have given you, great and small, are compounded daily on every state university and college campus in California. Some campuses are better than others but on all, the dread syndrome is present. There can be no doubt whatsoever that many of those who should be keenest on preserving academic freedom are systematically undermining that sense of academic responsibility on which this freedom must inevitably rest. The public cannot trust the radical elements of the faculties to preserve the most modest civilized amenities, let alone to make any attempt to protect the society which has built the institutions in which they teach. The faculty-power complex is a law unto itself and an example of the many being controlled by the few.

The grab for faculty power began a long time ago, about the same time the effort was launched to convert higher learning into an instrument of crash social reconstruction. It is significant that the takeover continues to be heralded by such people as Professor John Kenneth Galbraith, who has said he has "no doubt that the modern (university) governing board has a certain ceremonial role. It can best be converted to an instrument of faculty administration by having faculties elect a suitable majority of members to it." So much for your Board of Regents! So much for your trustees! So much for the representatives of the people who foot the bill!

After watching the UCSD chancellor squirm through various crises, from his action in rehiring Marcuse to his inaction in student disorders, I am convinced that William McGill is a captive of his Faculty Senate and a creature of the faculty/power combine and it seems to me that the UCSD situation is typical of the entire system. I also believe that unless a concentrated effort is made to break this unhealthy type of faculty power, the whole back of California's higher education will be broken. It is bending dangerously already.

I am not going to apologize for this opinion as being that of a mere politician. For two and a half years, I have served on the Assembly Education Committee with six months of this time as Chairman of the Sub-Committee on Educational Environment. I have spent literally months in hearings and years in research. The evidence points inconvertibly in the direction I have indicated. However, I am not alone in my opinion.

Those voices from the campus itself which have been raised in defense of true academic freedom have emphasized these same sentiments. I read you the recent words of Dr. Hardin Jones. It is also the opinion of La Jolla's own courageous John Geddes, who has said the authorities on campus have presented almost solely a single point of view, brooking no opposition. Dr. Geddes concludes that "this is a fatal error. It can destroy the university." Dr. John Gilbaugh of San Jose State is another, who disregarding persecution and calumny, has issued a clarion call for faculty responsibility.

There are other encouraging signs.

An organization called University Centers for Rational Alternatives (UCRA) has been organized. The far from right-wing philosopher Sidney Hook of New York University is the national chairman and stated recently that this group of 1200 anti-extremist professors on 200 campuses have organized to fight campus chaos and "to defend academic freedom against extremism." Hook says, "The faculty has been responsible for permitting disruption and violence on campus because up until now they have refused to wield the power of discipline they possess." Professor Miro Todorovich, executive secretary of UCRA says, "We are a non-political organization, and our members cover the full spectrum from left to conservative. What unites us is our opposition to violence and desire to save the university." It is interesting to note here that in 1964, after the faculty at Berkeley refused to condemn the student seizure of Sproul Hall, Dr. Hook predicted American higher education would never be the same again.

Added to this are the prophetic words of Dr. Kramer Rohfleisch, a San Diego State history professor, who last November told the American Association of State Colleges and Universities that "the phrase 'All power to the Faculty' becomes a myth because power once grasped tends to destroy a faculty," and Dr. Rohfleisch warned that "faculty power" can destroy the historic teaching mission of colleges and universities.

There are other breaks in the walls of the intellectual ghettos, and I think there is cause for great hope. However, we have come to the point where reaction is not enough. The times demand action. As a legislator, I pledge to you that I will continue my efforts to "tell it like it is" and work towards those legislative goals which promise help for this deplorable state of affairs. This fall, my committee will hold extensive hearings, and I guarantee you that such items as lifetime tenure, hiring and firing, are high on the agenda for investigation. And I don't consider the interest of the legislature either political interference or punitive. Administrative and faculty irresponsibility have forced us into the picture.

To you as citizens, I offer the challenge of involving yourselves in this problem, and I ask your support. Understand the limits of what I can do and realize I'm trying within the system. Sometimes I think that if I get another letter that says "all it take is to throw the bad guys off the campus," I'll head for the moon myself. You here can help by backing those elected and appointed officials, whose efforts you approve, with understanding, and if solutions seem slow, remember Sacramento is full of people pulling

in other directions. You can keep your feelings known by letters to the Regents, the College Trustees, and administrators and through your support of emerging responsible campus groups and of such organizations as "Citizens to End Campus Anarchy" headquartered in La Jolla and chairmaned by Vice Admiral Albert Jarrell, and you can realize that every small step takes a Titanic effort. In the end, I think we can bring about a much more healthy climate on the campus. But this is not all that is needed.

Consequently, and in conclusion, I call upon these members of the faculty whose souls are not so calloused that they fail to see the problem. We are told repeatedly that fine people compose the great silent majority. While there is still time, these members of the faculties must wake up, put their own house in order, and take back control of their own destinies. The faculty/power combine must be broken. We have the physical capacity for a great modern system of higher education, but if its control is left in the spiritual backwaters where it exists now, we will enter upon another dark age of learning.

As citizens outside the University, we can and should stand up for true academic freedom. However, it can only be saved from within. The faculties which let this situation develop are the only ones who can change it. Let's pray they do!

"THE BRIDGE AT REMAGEN"

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. UTT. Mr. Speaker, the capture of the Remagen Bridge on the Rhine River in March of 1945, while it was still intact, was most instrumental in bringing World War II to an earlier close, and in saving the lives of many American soldiers. One of my colleagues, KEN HECHLER, was there at the time, and has written a book, entitled "The Bridge at Remagen," which now has been made into a movie. I have requested that anyone involved in the capture, crossing, and holding of this bridge, who now resides in the immediate area of my congressional district, contact me, and I am pleased and proud to present the names, here in the CONGRESSIONAL RECORD, of those who have responded to my request:

Arthur P. Bickford, 10762 Holly Drive, Garden Grove, Calif.

George Crocker, Post Office Box 616, Balboa, Calif.

James E. Cumstay, 903 West 17th Street, Space 64, Costa Mesa, Calif.

Sidney F. Dunn, colonel, U.S.A., retired, 4379 Highland Drive, Carlsbad, Calif.

William E. Elliott, 1005 Bonita Drive, Encinitas, Calif.

Walton T. Farrar, 900 Sandcastle Drive, Corona Del Mar, Calif.

William J. Fucik, 1503 Clay Street, Newport Beach.

John F. Pullo, Jr., 25172 Vespucci Road, Laguna Hills, Calif.

George O. Short, 32841 Coronation Drive, South Laguna, Calif.

Ralph Siegers, Post Office Box 429, Corona Del Mar, Calif.

Joseph P. Veach, 2773 Albatross Drive, Costa Mesa, Calif.

CHANGE OF COMMAND

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. NICHOLS. Mr. Speaker, a change of command occurred last week in the U.S. Air Force in the retirement of Gen. John P. McConnell and the promotion to Chief of Staff U.S. Air Force Gen. John D. Ryan. General Ryan was an outstanding member of the West Point football team in his college years and as he becomes the seventh commander of the U.S. Air Force his scoring know-how was perhaps never more needed. No man, at least not since Gen. Hoyt S. Vandenberg was Chief of Staff, has faced a tour as leader of the global USAF with more serious or complex problems to solve. On the gridiron, General Ryan won laurels for doing his best when under pressure. In this respect, he has not changed in the years since West Point.

I believe because of General Ryan's outstanding record in the military service to his country, the article which appeared in the Air Force Journal of August 1969 to be of special interest for insertion in the RECORD:

GEN. JOHN D. RYAN—NEW CHIEF OF STAFF TAKES OVER

(By Claude Witze)

Senior Editor, Air Force/Space Digest

"Ryan of Army" now is Chief of Staff, United States Air Force.

In 1938, according to *The Howitzer*, West Point's yearbook, Jack Ryan was known to football buffs as one of the outstanding players from the Military Academy on the bank of the Hudson River. The fans who remember those days say he was always ready in the clinch. He recovered the fumble that turned the score, caught the pass that set up a touchdown, or kicked the extra point that broke the tie. In the tough games, against Notre Dame and Navy, he was a sixty-minute man. At his best under pressure, he always played as part of the team, often for the duration.

Things have not changed. Gen. John D. Ryan, as the seventh USAF Chief of Staff, replacing Gen. John P. McConnell, is sure to find out what makes things run. A few years back, when he was Director of Materiel for the Strategic Air Command, he had a reputation for getting into the nitty-gritty details of the job. It was a trait that sticks with him. In those days, he would question the sergeant in charge of maintenance about how he did his job and would personally probe into the problems that beset the units in the field.

In the Head Shed, where he now sits, General Ryan says there is no substitute for performance, and he is determined to improve USAF management at all levels. That goes for the sergeant, every man below him, and every man above. At the top, General Ryan feels that today's atmosphere demands that USAF must justify each of its programs in greater detail than in the past. He is prepared to do this before Congress.

General Ryan was born in Cherokee, Iowa, on December 10, 1915. The son of E. T. Ryan and Mabel C. Ryan, he graduated from the local high school and spent two years at Cherokee Junior College before entering West Point, where he was a member of the class of 1938. He completed pilot training at Randolph and Kelly Fields in 1939, the year Hitler invaded Poland.

The first few years were spent as an instructor at Kelly, followed by a stint as Director of Training at Midland Army Air Field, Tex. Here General Ryan helped set up an advanced bombardier training school. Next, he was operations officer for the Second Air Force at Colorado Springs until his transfer to Italy in early 1944. There, he commanded the 2d Bombardment Group and then became operations officer for the 5th Bombardment Wing, Fifteenth Air Force. General Ryan flew fifty-eight missions in B–17 bombers and was awarded the Silver Star, Distinguished Flying Cross, Air Medal, and Purple Heart. He held the rank of colonel when the war was over, and is the first USAF Chief of Staff to become a general officer in his postwar career. He was given the temporary rank of brigadier general in 1952.

After the war, General Ryan advanced from a SAC wing, where he took part in the Bikini atomic weapons tests and later became a commander, to division commander, then SAC Director of Materiel, and to command of the Sixteenth and Second Air Forces. After a tour as Inspector General of the USAF, he returned to SAC as Vice Commander and replaced Gen. Thomas Power as SAC Commander in Chief in December 1964. From this post, he became Commander in Chief, Pacific Air Forces, and then USAF's Vice Chief of Staff, a job he has held since last August.

General Ryan is characteristically reticent about discussing his career and his outlook as he assumes the top command. Looking elsewhere, it is possible to find these illuminating observations:

A former SAC wing and division commander: "After his first visit to a wing, every commander in SAC would realize that General Ryan knew more about the details of our operations than we did ourselves. This had a salutary effect all down the line."

A materiel officer: "He's probably the best materiel man in the Air Force. His detailed knowledge of Air Force problems is astounding."

A PACAF officer: "When General Ryan came to PACAF after many years in SAC, some of us wondered. After sixty days on the job, no one questioned his knowledge of tactical air. Most of us began to learn from him."

A staff officer: "The most thorough and intellectually honest man I know. He simply doesn't understand—and won't tolerate—dishonesty, deception, or hedging. If you make a mistake, don't try to cover up or make excuses. That's not his way of doing business. Admit you goofed, learn from it, and don't repeat."

A former executive officer: "General Ryan absorbs and synthesizes information faster than anyone I've worked for before. He has both a passion for facts and respect for theory. He's decisive. You know where he stands and where you stand."

A long-time associate: "He has two lives—the Air Force and his family. He's completely devoted to both. He's mentally and physically tough, but in some ways almost a shy man. His factual bent and superb, self-discipline are tempered by an Irish wit, and the relaxed intensity of a fine athlete."

Probably the most important thing to say about General Ryan's family, on this occasion, is that he has two sons, John Dale, Jr., and Michael Edward, both in Air Force blue. They are twenty-nine and twenty-eight years old, respectively, and graduated together from the Air Force Academy in 1965. Their father, then a four-star general and Commander of SAC, attended the Colorado ceremonies but took no part in them. A SAC officer who was present reports that General Ryan, in mufti, sat with all the other proud fathers of Cadets and shared in the glory as they felt it.

The two sons, now captains, are F–4 pilots based at Holloman AFB, N.M. Both have served in Southeast Asia, flying their F–4 Phantoms from bases in Thailand. They have one sister, Patricia Jo Ryan. Their mother, the former Jo Carolyn Guidera of San Antonio, Tex., is active in distaff side activities in Washington's USAF colony.

General Ryan assumes command of USAF at a time when he faces more internal and external stresses than any Chief of Staff, at least since the time of the late Gen. Hoyt S. Vandenberg. Fully aware of the problems, the General expresses confidence that USAF will meet the challenge and continue its key role in maintaining the peace.

MORE GUN CONTROL NONSENSE

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. WOLD. Mr. Speaker, one of the most balanced and rational gun control editorials yet to appear in a major metropolitan daily was published in the July 30 Washington Evening Star.

Headlined "More Gun Control Nonsense," this editorial labeled "blithering nonsense" the recommendation of the President's Violence Commission—the Johnson Violence Commission—that all America should be required to surrender handguns they own to the Government.

At the same time the editorial correctly identified the most effective potential solution to the commission of crimes with guns:

The establishment of tough, really tough mandatory penalties for criminals who use guns in the commission of a felony such as rape, robbery or burglary.

I insert this editorial in the RECORD as a contribution to a more balanced dialog on gun control:

MORE GUN CONTROL NONSENSE

As an introductory note to this editorial comment, an item in the crime news is worthy of attention. On Monday there were 22 armed robberies in Washington. This brought the July total as of that date to 450, compared to 332 armed robberies in all of July of 1968.

In the face of this a task force of the President's Violence Commission (appointed by President Johnson) comes forward with a wacky recommendation. Its proposal is, except in a very small number of cases, that all Americans should be required to surrender any hand guns they own to the government.

Here is the task force's reasoning: This is the only way in which the United States can break "the vicious circle of Americans arming to protect themselves from other armed Americans." Now what does this really come down to? Even the task force, we suppose, would concede that criminals are not going to surrender their hand guns. So what they are saying is that no homeowner, to cite one example, should be permitted to keep a hand gun in his own house to protect himself, his wife, and his children against the night when some armed criminal might break into his home. Their argument is that home owners "may" seriously overrate firearms as a method of self-defense against crime. The "loaded gun in the home creates more danger than security."

This strikes us as blithering nonsense. How many members of this task force have been awakened in the middle of the night by a scream for help by some member of his family? Probably not one. But thousands of Americans are exposed to this dreadful experience every year. And in such a situation what is an unarmed householder supposed to do against an armed intruder?

The major thrust of this soft-in-the-head report is that the requirement to surrender your hand gun, of which there are an estimated 24 million in the country, would reduce crime. This is absurd, for the criminals are not going to surrender their guns. A better and much more realistic way to deal with this problem will be found in legislation now being considered in Congress.

The intent of this legislation is to provide tough, really tough, mandatory penalties for criminals who use guns in the commission of a felony, such as rape, robbery or burglary. For a first offense the penalty generally favored would be a mandatory jail sentence in Washington, of from one to 10 years. A judge would be forbidden to suspend this sentence or to make it run concurrently with the sentence for the primary offense. In case of a second offense, much stiffer jail sentences are proposed, and they should be written into law.

A similar bill passed the House last year, but was watered down in the Senate before becoming law. The argument then was that mandatory sentences deprive judges of discretion in imposing penalties. And so they would. But in one week at the time the watered-down bill was passed 17 criminals in this city were found guilty of crimes in which guns were used. In six of these cases, the judge imposed suspended sentences, which means that no jail terms were served for using a gun.

So we say let's make the sentences mandatory. And let's not deprive the law-abiding citizen of hand guns in his own home while the criminal element will remain armed to the teeth.

THE CHALLENGE OF CHANGE

HON. R. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. COUGHLIN. Mr. Speaker, the task of bringing black Americans into the mainstream of American society is urgent. Especially in the urban areas, our black citizens must be given every opportunity to be encouraged and to be aided in their efforts to become full and equal partners in enjoying their rightful share of our growing economy.

Business, after too many years of passivity in its responsibilities to the black citizens of the communities they serve, has begun to respond with meaningful programs. In many cases, businesses are cooperating with Government agencies in programs that afford opportunity to black Americans for education and jobs.

I think this "challenge of change" is exemplified best by a speech given by a young banker on June 11, 1969. J. Lester Blocker is assistant vice president for public affairs of the First Pennsylvania Bank in Philadelphia, Pa. His speech was presented to the Bankers Conference on Urban Problems.

Although Mr. Blocker's talk was directed to the banking community, I believe the significance of his remarks should be recognized by all who are concerned with improving opportunity for black Americans and for improving the racial climate in our Nation today.

I insert in the CONGRESSIONAL RECORD Mr. Blocker's speech on "The Challenge of Change":

THE CHALLENGE OF CHANGE

It is certain that change must occur at a rate well above our current scale and that bankers across this nation must be an integral part of the change. I hope that each of you will return home with a new perspective . . . a new dimension of understanding of how your bank can "do its own thing" in urban involvement.

The Challenge of change must touch every facet of American life. We must change how we look at other people. We must change how we speak of other people. For years, the term *black* carried the most negative connotations. For us, black no longer means soiled, dirty, wicked, harmful, disgraceful, sad, dismal, sullen, without hope . . . and so forth, as found in Webster's *New World Dictionary*. We are developing positive images of black and such images are being developed by brown people as well. You have to learn to be sensitive about the words you use if you want to communicate with minority people. I believe we should discontinue the use of such terms as non-white. You know what I am talking about: non-white, non-being, non-entity—negative images. A large part of how a man—a people—sees himself is a reflection of the views of others. We must change the verbal expressions we use in referring to other people.

This change of verbal expressions is as much a part of the changes we need as anything I can think of. Until we eliminate the barriers to progress facing the minorities of this nation, the very existence of American Business is threatened by some people who would tear down our systems *just to do something*. If we eliminate the potential ally among the disadvantaged, the poor, the so-called hard-core unemployed, we can still save our nation. If we redefine what America is all about "and then begin to sell America to Americans," we can still save our nation. When over half of a sample survey of American college kids reject capitalism and Democracy, we are in deep trouble. Look at our college campuses today. Most of these kids appear to know little about what's right with America today. In his play *Winterset*, Maxwell Anderson said, "People damn what they don't understand;" so it appears to be with our way of life. We all know our way is not perfect, but look around the world for the perfect system. All Americans need to understand our system as we try to help it change. For those who would destroy our system we must show them as firmly as necessary that we will not see that happen! But we must change to meet the needs of all our people.

You know, as I think about it, we have a lot of work to do here at home. We've spent billions on Radio Free Europe. When did you last hear a little propaganda about patriotism in America! Surely, if we can get the people of this land to respond to some idiot riding around on a white horse in white armor gouging people with a staff . . . we can make America really mean something . . . anything for most Americans. We need to change our ways and then sell America to Americans.

Now . . . we have come to Chicago to exchange ideas, methods and approaches. I believe, in large part, we have made a beginning of the kind of exchange which is necessary if the pace is to be quickened—as surely it must. With all the programs and projects which you can devise or establish,

it will all be for naught, unless we do some things as individuals. Frequently, as I travel, I am asked by white Americans, "What Can I Do?" I want to suggest the following things as a beginning for white bankers:

WHAT WHITE BANKERS CAN DO

As responsible, aware, bankers, it is absolutely imperative that you be tuned in to "what's happening" today. First, you will have to realize that your role as a patron for black folks and other minorities is over. A patron is defined as "one who stands to another or others in relations analogous to those of a father." You must now assume the role of a partner, however uncomfortable it may be! The role of a partner assumes rights and responsibilities on both sides. I will not have you doing for me, not after you have done on me and to me for these many years. No, we will do together, for the salvation of our country! We need to redefine America and sell America to Americans.

As I said a minute ago, as I have moved about the country, it's amazing how many white people ask the same question, "What can I do to help?" Well, I am going to attempt to tell you a few things you can do right now:

1. Find a black or brown person whom you consider your equal—highly trained white people should be talking with (not to) highly trained black and brown people. Equals should talk with equals and listen to equals.

2. Use whatever influence you have within your corporate community to see that minority employees are not misused, put in insignificant "show jobs" only! The misuse of employed black men and women is a major cause of black anger and rage today. Tokenism as a beginning can be tolerated only where sincere efforts follow-up immediately to get significant employment changes implemented.

3. Try to relate to the educational crisis facing most black communities. Have company letters sent to black employees urging them to attend P.T.A. and other education related meetings. You should make sure that the education system is trying to relate to the kinds of educational requirements industry and business needs *today*. There are over 3,500,000 drop-outs in the 16–21 age bracket today and, at a time when education is, perhaps, the single most important asset a worker or job applicant can have.

4. Face up to white racism. Your companies have been hiring black "executives" for at least five years. Do you have any black or brown in a decision-making job? Not enough time, huh . . .? How many black and brown people are on the boards of directors of your companies—are members of your social and golf clubs? Well, you asked what could you do . . . now I'm trying to tell you. Has your church, civic group ever discussed the role of the black man in this society?

5. Recognize that the present economic circumstances offer *no* basis for equality:

"A G.N.P. of $890 billion of which black people contribute—at most $46 billion. A personal income of $675 billion of which black people receive—at best—$33 billion!! You don't respect an underproducer . . . and that's what most black people are in this society."

6. Recognize that the future of this nation and cities are inextricably tied together. Get your company involved in thinking about ways it can relate to the inner city, the ghetto areas of your city!

7. Don't be afraid of Black Power! For us, you and I, to ever to be equal, I must have a power base! You have a power base already. Equals can be partners, talking and working together.

8. Work through your church and fraternal organizations to help whites realize that *our futures* are all tied together. If the economic growth of this nation is important to you, it must also become important to black and brown people.

9. Read the history of slavery in America and understand that there *was* nothing good about it! When Frederick Douglass talked about being taken from his mother *before* he was yet 12 months of age, it was not with love that he spoke!!

10. And finally, try to look at life through the eyes of a black man. Brother Malcolm X once said "Look at yourself and decide what you would do if you was in the fix I'm in and then realize that I will do the same thing." That's about where I am!

WHAT BLACK BANKERS CAN DO

I think that black bankers have a few items on their agenda in the days and months ahead:

1. Learn as much as you can about banking. Spend your weekends reading AIB booklets on installment lending, even though you are a personnel man. Get some understanding of commercial lending, if only by reading.

2. Develop all your skills as a banker, so that your market value continues to increase.

3. Try to maintain your ties with the black community as you move up and on. We need positive images of black men and women for our children to see. Sacrifice at least one weekend per month in a direct involvement with "people on the corner."

4. Be sure to tell your senior management "like it is." For years, our fathers had to prostrate themselves for our survival. We will dishonor their names and their memories if we do not stand up for the truth and for justice in our time.

5. Try to encourage your white banker associates to read some black thoughts as part of their *continuing education*.

6. Don't be afraid for your job! If you are producing, "the man" cannot afford to fire you for standing for the truth. Get your own mind and heart in order. Recognize that it is just an accident of fortune that we are where we are today. When over half of the kids in *our* elementary classes have failed to achieve some modicum of success, our achievements must be somewhat accidental. Yes, we are good, but there were others who were good who couldn't hold on long enough.

7. Work hard to stabilize the community in which you live. Your skills are desperately needed in the community. Some people will not appreciate your value, but stay in the battle and win the full support of the community.

8. Recognize that being black will continue to be a disadvantage in your quest for promotion and career development. As I look around the banks in our nation, it is hard to find a black man in a major white bank with any decision-making capacity. But there is a brighter day ahead. Business in other fields is just as bad. Less than 1% of all business executives are black in 1969.

9. Use your experience and any resources available to you to help black people and brown people who want to establish banks. Use your evening hours to look at the interests of the community, if your day-to-day responsibilities prevent day involvement.

10. And finally, keep the faith. I believe that capitalism and democracy can accommodate all Americans who want to be a part of this society. We have the capacity and potential to truly be the greatest country in the world!

The late Langston Hughes wrote a poem entitled "Let America be America." All Americans should read this work some time soon. The hour is late. Black and white must move together . . . now. If we can feed half the world with food they claim they don't want from us, if we can send people to other worlds at a cost of billions of dollars, if we can spend over $50 billion for bombs and things, if we can spend $5 billion for payments to farmers for *not* planting, if we are concerned about saving our nation, we must leave Chicago with a new zeal to get our expertise and resources involved in solving our urban problems. Whether we have even five years is open to question. We must work together, what choice do we have. I might choose to not be together . . . but neither you nor I have a choice. We are both Americans. This is my country too!

Together . . . we can solve this thing. All of us must be willing to share our resources and experiences after we have returned home. You can call me at anytime, if you think I can be helpful. Thank you for coming and I hope that one day soon we can truly sing, arm-in-arm, "My Country 'Tis of Thee, Sweet Land of Liberty."

Keep the Faith!

STATEMENT BY CONGRESSWOMAN MARTHA W. GRIFFITHS

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mrs. GRIFFITHS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

STATEMENT CONCERNING GUIDELINES ON SEX DISCRIMINATION

This is my 15th year as Congresswoman from the 17th District of Michigan, in Detroit, representing over 415,000 constituents. For many years I have worked to eliminate the discrimination to which women are subjected. I was one of the principal supporters of the amendment to Title VII of the Civil Rights Act of 1964 to prohibit sex discrimination in employment. I was also one of those who repeatedly urged that the Executive Order which prohibits race discrimination in employment by Government contractors and subcontractors, and by Federally assisted construction contractors and subcontractors, should be broadened to also prohibit sex discrimination.

My views and attacks on sex discrimination, whether against women or against men, are well known and have been widely discussed amongst the voters of my District. The fact that I am for fair employment practices has never been a detriment to my career. Large numbers of men have fully supported my views, sometimes more vigorously even than women. Therefore, I speak today, not merely for myself, but to express the views and positions of my constituents, and, I am sure, the many millions of fair minded men and women throughout the country who deplore the continuing forms of sex discrimination which still besmirch the employment practices of our country.

We should set this hearing in its full context. There are nearly 30 million women in the labor force, constituting almost 2 of every 5 workers, and their number is rising steadily. Nine out of 10 women will work some time during their lives. Over 5 million families—one out of 9 households—are headed by women.

The plain and simple fact is that women are an integral part of the work force of this country. As workers, they want to have equal opportunity and a fair chance to do what they are capable of doing, to get fair compensation for their work, and to share in the promise of America. Women work because they need to eat—they need to live.

Unfortunately, women are still subject to many substantial discriminations in their employment and job opportunities in this country. Recent surveys by the Equal Employment Opportunity Commission and the Civil Service Commission clearly indicate

that most working women remain relegated to lower-level and clerical positions, and are largely excluded from policy-making, managerial and professional positions.

Their earnings are much less than those of men. In 1966, women workers 14 years of age and over, and employed full time year around, had median wages and salaries of $3,973, as compared to $6,848 for men. Negro women are at the bottom of the heap—their unemployment rates are higher than those of white men, white women, and Negro men, and their earnings are least of all. Nearly two-fifths of all families headed by women had family incomes of less than $3,000. Less than one percent of women workers earn $10,000 per year or more, whereas almost 20 times as many men workers have such annual earnings. And almost two-fifths of all women workers in 1967 were mothers of children under 18 years of age. Thus, an employer who refuses to employ these mothers, or employs them at levels below their abilities, frequently condemns to poverty or subsistence level not only these women but also their children.

The Guidelines on Sex Discrimination, on which these hearings are being held, will apply to the vast number of businesses and employers who partake of the Federal dollar. Hence, they can be of tremendous importance in eliminating many of the sex discriminations which impede the full utilization of women workers, and deny them fair compensation for their labor.

Equal job opportunity for women will also be good for business. Women are good and faithful workers. Studies by the Public Health Service for Fiscal Year 1967 show that both men and women lose about 5 days a year for disability—and that includes the time which women take for pregnancy and childbirth. Furthermore, statistics on labor turnover of men and women in the same occupations demonstrate that it is the job and the pay, not the sex, which determines the rate of turnover. Thus, when women have responsible and well-paying jobs, they, like men, do not abandon them because of family responsibilities.

Most of the objections raised by employers and employer associations against full equality of job opportunity for women are largely based on out-moded attitudes toward women which refuse to recognize the realities of 20th Century life and economics. They refuse to recognize that sex discrimination in employment, like discrimination based on race and national origin, is a serious national problem and represents a tragic waste to our national economy. They refuse to recognize that, like it or not, women are in the work force to stay, and therefore the American standard of fair play requires that they receive equality of opportunity and working conditions.

It is significant that in the statements which several large employers and associations of employers previously submitted on these Guidelines, many of them vigorously endorsed the principle of equality without regard to sex. It is sad, however, that several then proceeded to oppose every provision which would give meaning and life to the principle.

At the outset, I want to say that most of the provisions of the proposed Guidelines are excellent. They tackle the problems of sex discrimination in employment in a forthright manner. They seek equal opportunity for women in recruitment, in job advertisements, in work conditions, age requirements, wages and salaries, hours of employment, work facilities, seniority lists, training, retirement age, etc. I endorse these guidelines, subject to some amendments I shall propose to make them more effective. If these Guidelines are complied with, they will undoubtedly help to remove some of the pervasive sex discrimination patterns that have disfigured and undermined the nation's economy.

Particularly I endorse the fact that the proposed Guidelines incorporate and are based on the experience and rulings of the Equal Employment Opportunity Commission, as well as those of the Department of Labor, which have for over 4 years devoted intensive consideration to the problems of sex discrimination in employment. This is the way it ought to be. There should be maximum coordination and similarity of approach by the agencies of government in setting forth the employment policies and practices to be followed by business and industry.

The most important feature of the proposed Guidelines is the affirmative action program which is required under the Executive Order. Government contractors and subcontractors who want to receive public moneys can be required to follow the national policy of no sex discrimination. In this respect, the Guidelines will accomplish what the Equal Pay Act is too limited to do—what the E.E.O.C. now lacks power to do—and what the Attorney General fails to do.

Now I shall discuss the few amendments I propose in order to accomplish the purpose of the Executive Order and to make the Guidelines consistent with principles already enunciated by the E.E.O.C. and the courts under Title VII.

"JUSTIFIABLE OCCUPATIONAL QUALIFICATION" VERSUS "BONA FIDE OCCUPATIONAL QUALIFICATION" (BFOQ)

The proposed Guidelines state that employers may engage in discriminatory practices on the basis of "justifiable occupational qualifications." There is nothing in the Guidelines to indicate that this phrase is intended to cover anything different than the phrase "bona fide occupational qualification" (BFOQ) which is used in Title VII of the Civil Rights Act of 1964—in the Sex Discrimination Guidelines of the E.E.O.C.—in the Age Discrimination in Employment Act of 1967—and in many state anti-discrimination laws. The phrase "BFOQ" has come to have a well-understood meaning, and the use of a different phrase to express the same concept would simply create confusion and be detrimental to employers, employees, and the administrative agencies. I therefore urge that the phrase "justifiable occupational qualification" be changed to read "bona fide occupational qualification."

STATE "PROTECTIVE" LAWS

Several paragraphs of the proposed Guidelines refer to "valid state laws" which impose various types of restrictions on the employment of women—such as the hours they may work, the weights they may lift, and the jobs they may hold. These Guideline paragraphs then indicate that sex discrimination by employers in conformity with such state laws would be acceptable under the Guidelines.

It is a mistake for the Guidelines to say this. The recent court decisions in *Rosenfeld v. Southern Pacific Co.*, ———F. Supp. ———, and *Richards v. Griffith Rubber Mills*, ———F. Supp. ———, which invalidated similar state restrictive laws, demonstrate that many—indeed, I believe, virtually all—of the state restrictive laws are invalid because they conflict with Title VII, at least, and I also believe, because they are unconstitutionally invidious discriminations.

Certainly, I support laws to protect the worker from unhealthful or unsafe working conditions, to prevent unfair and inhumane treatment of workers, and to balance the odds between employers and workers, particularly the unorganized workers.

However, as I pointed out on the floor of the House of Representatives during the debate on Title VII of the Civil Rights Act of 1964, "most of the so-called protective legislation has really been to protect men's rights in better paying jobs" (CONGRESSIONAL RECORD, vol. 110, pt. 2, p. 2580). They do not really protect women, but only limit their opportunities for holding or being promoted in many types of jobs. For example, Utah has a law prohibiting women from lifting more than 15 pounds, and several states prohibit women from working more than 8 hours per day. It is ridiculous to allow employers to refuse to hire women for jobs which may involve exceeding these silly limits. The national economy and the working conditions of employees are no longer those of the 1890's. Today's women, with increased education and increased economic independence, are working, and are competently performing, in almost all kinds of jobs.

There is a vast amount of ignorance about this. For example, in February one employers' association filed a statement with your Office concerning these guidelines on Sex Discrimination, in which the association said that "the truck driver occupation has always been male dominated and the law should not upset such tradition by forcing an employer to hire qualified females." This archaic attitude simply disregards, or is unaware, that there are over 8,000 women in this country who are full-time working truck drivers.

In my judgment, every state law which impairs equal employment opportunity and compensation for any qualified woman is invalid. I recognize that it may take some time to obtain judicial rulings on the validity of every state law restricting the employment of women, and this is also recognized in subparagraph (4) of sec. 60–20.3(e). For this reason, you should delete the second sentence of paragraph (e), which appears to imply that state laws prohibiting women from working as barmaids, or more than certain hours, or lifting more than certain weights, are somehow valid. In addition, you should add a sentence to subparagraph (4) to state that sex discrimination issues involving the possibility of a conflict with a state restrictive law should be forwarded to your Washington headquarters. There you can resolve the particular issue in light of the specific facts, including the impairment of equal employment opportunity resulting from the state law, and also assemble the factual information you will need to develop the Federal position on the extent to which the requirement of nondiscrimination has displaced the various state restrictive laws.

SENIORITY LISTS

Subparagraph (6) of section 60–20.3(e) provides that seniority lists should not be based on sex. That is a good provision. However, it then goes on to endorse a triple line system developed in the meatpacking industry, which has "A" jobs (primarily of interest to males); "B" jobs (primarily of interest to females); and "C" jobs (those of interest to both males and females). Although subparagraph (6) states that both men and women should be allowed to try for jobs designated as primarily of interest to the other sex, the effect of this A–B–C system is to set up a system tainted with sex discrimination. Its legality is questionable, and it is difficult to administer. If special problems or marked unfairness would result from the merger of men's and women's seniority lists in a particular company, I suggest that the jobs should be categorized functionally, e.g., those involving "heavy," "moderate" and "light" lifting, with each category open to both men and women according to their desires and qualifications. The E.E.O.C. has recently approved this type of seniority system and I recommend that your Office follow it.

PENSION BENEFITS

Although the proposed Guidelines say there must be no sex discrimination in many

specified conditions of employment, including facilities, wages, seniority lines, training, mandatory and optional retirement ages, and other conditions, they do not refer to sex discrimination in a variety of other job-based benefits, such as hospital, accident, and life insurance, pension benefits, etc. I suppose that such omission is because the E.E.O.C. has not yet issued its guidelines on sex discrimination in insurance and pension benefits. Nevertheless, your guidelines should at least contain a statement that the prohibition of sex discrimination in conditions of employment also applies to insurance and pension benefits for employees. The precise details as to how that policy will apply to the various aspects of insurance and pension benefits can be outlined later. (At this point, I express the hope that the E.E.O.C., which has been considering this matter since its hearings of May 1967, will soon issue its guidelines on insurance and pension benefits.)

RETIREMENT AGES

Your proposed guidelines incorporate the EEOC's ruling that the law prohibits sex discrimination in both mandatory and optional retirement ages. I think this is right. It is in accord with the Social Security Act and the Civil Service Retirement Act, both of which specify mandatory and optional retirement ages which are the same for men and for women. However, last year, when various employers sought to rescind that ruling by a rider on the so-called "Christmas tree tax bill" (H.R. 2767, 90th Cong.), the EEOC's General Counsel tried to temper the opposition by proposing a 10-year phasing-out program permitting women within 10 years of retirement after October 13, 1968, to retire at the earlier optional retirement age available under existing pension plans. I think it is too long a period. However, if your office believes that the need for uniformity in EEOC and OFCC guidelines requires some phasing-out period, then I hope that both EEOC and OFCC will try, after these guidelines are adopted, to work out a compromise to permit earlier voluntary retirement by those women who could retire within, let's say, five years after October 13, 1968.

COMPLIANCE REVIEW REPORTS

The second sentence of Section 60–20.8, which deals with compliance review reports, states that the Compliance Officer shall not discuss with the employer any possible violations of Federal laws prohibiting sex discrimination. Perhaps the purpose here is to leave such violations to be handled by other agencies, such as the EEOC. However, a simple discussion with the employer might quickly eliminate a sex discrimination situation. Therefore, I suggest that the second sentence of this section be deleted.

I hope that you will resist the importunities of those who, while giving lip service to the principle of nondiscrimination, would undermine it by gutting the specifics of the guidelines. I hope you will also not be diverted by the straw-man arguments of industry representatives who are confusing sex discrimination with job qualifications or job requirements. For example, one airline filed a statement arguing it doesn't want to recruit women for jobs as pilots because most of its classes are "filled by pilots with many hours of jet flying experience." Since I fly almost every week between Washington and my district in Detroit, I want the best pilots to fly my plane. If a woman hasn't got the qualifications, including the "many hours of jet flying experience" mentioned by that airline, I don't want her to pilot my plane. But if she is qualified in every respect, I will feel just as safe in a plane piloted by a woman as in one piloted by an equally qualified man.

One employers association conjured up the fear that under the recruitment provision employers of architects will have to recruit them at women's colleges which have no architectural courses. That is ridiculous. Of course you don't recruit architects where there aren't any. Similarly, there is no merit in the objection that the provision concerning part-time work will require employers to redesign their work shifts and work hours. That provision merely asks employers to examine carefully their work needs, and suggests that such examination might enable them to more fully utilize the important labor source of part-time workers and thus increase both the employers' profits and the job opportunities of women who are more often in the part-time labor market than men. That guideline certainly doesn't compel the employer to adopt hours or practices contrary to his work needs and profit objectives.

The Federal Government has been woefully slow in ending sex discrimination in employment. Even though Title VII of the Civil Rights Act of 1964 clearly stated the nation's policy, it took another 3 years before Executive Order 11375 of October 1967 added the word "sex" to the Executive Orders which since 1941 have prohibited discrimination in employment by those who get the benefits of Federal Government contracts. Even then, its effective date was deferred for another year—to October 13, 1968. Since then, almost another year has elapsed, and we are only now having hearings on these sex discrimination guidelines.

How long—how long—must American women wait for fairness and justice to them as breadwinners? How long—how long—must business and industry, which are getting Federal money derived from taxes paid by women as well as men, be allowed to perpetuate discriminatory job practices that not only harm both women workers and the nation's economy, but also inevitably result in less efficient and more wasteful use of our national labor resources, and consequently higher costs to both industry and government?

These guidelines are long overdue. I urge that they be adopted promptly, with only such amendments as will strengthen—not weaken—their ability to accomplish the objective of full and equal job opportunity without regard to sex.

Thank you for listening to me.

MARTHA W. GRIFFITHS,
Member of Congress,
17th District of Michigan.

PROF. PAUL TAYLOR GIVES FOREWARNING TO THE VOTERS OF TEXAS

HON. BOB ECKHARDT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. ECKHARDT. Mr. Speaker, Prof. Paul S. Taylor of the University of California at Berkeley has published an article in the July 18, 1969, issue of the Texas Observer warning Texas voters of the consequences of passage of constitutional amendment proposal 2, providing for a massive State water project. I commend this article to the people of Texas and to anyone interested in large-scale State water projects:

VOTERS OF TEXAS: LOOK BEFORE YOU LEAP

(NOTE.—In a couple of weeks Texas will make a decision about water that California made several years ago. In 1960 Californians committed themselves in a public election to pay for a state water program, despite the availability of an interest-free federal water program. From California's experience, it is not too late for Texans to learn—much as a member of a family watches his brother make a mistake and learns.

(The Texas and California situations are strikingly similar in other respects. There is a surplus of water in East Texas and a shortage of it in West and South Texas. In California, there is an abundance of water in the north; in the south the state is a desert. The water plans in both states simply move the surplus water to the dry areas.

(California's politics, too, have become increasingly like the politics of Texas. In both states big business interests control the Legislature and the major cities and agribusiness is squeezing the smaller farmers off the land. The California water plan was conceived in the midst of a fight over the abolition of the federal law which limits the land that may be watered by federally funded projects to 160 acres per person, and the champions of the Texas water plan have declared this same purpose—the abolition of the water sharing law in the "state water program."

(The Californian who best understands this subject from the viewpoint of the public interest is undoubtedly Paul S. Taylor, professor emeritus of economics at the University of California at Berkeley. He was consultant to the office of the secretary of interior and the Bureau of Reclamation, successively, during the Democrats' period in Washington between 1943 and 1952. It was his knowledge which powered the battle in the U.S. Senate in 1959 by which Sens. Paul Douglas and Wayne Morse prevented the 160-acre law from being abandoned in the California water program. Professor Taylor has written many articles on the 160-acre law and the California water plan for law journals and scholarly periodicals and has testified at many congressional hearings on these subjects. He wrote the following explanation of the California water plan especially for The Texas Observer.)

BERKELEY, CALIF.—On August 5 Texas voters will decide at the polls whether to approve or disapprove a $3.5 billion state water project bond issue. Before marking their ballots it may be worth their while to examine California's nine-year experience with a similar state water project and bond issue. A water project can cost a lot of money and be a big undertaking for a state, even for states as wealthy as Texas and California. California's voters and taxpayers are finding out that the cost of their project is a whole lot more than they were led to expect when they gave it original approval.

Californians narrowly approved a $1.75 billion bond issue to finance a state water project in 1960. The public relations pill that helped it to go down was sugar-coated; everything was made to appear rosy. The argument for the bond issue placed in the hands of every voter assured blandly that "The program will not be a burden on the taxpayer; no new state taxes are involved; the bonds are repaid from the project revenues, through the sale of water and power. In other words, it will pay for itself." (The underscoring was in the voters' guide.) The taxpayer, it was made to appear, would feel nothing.

Although the project would take northern California water and deliver it to southern California, the argument for made it appear that both regions would gain, and neither would suffer. The south was assured that "The tap will be open, and no amount of political maneuvering can shut it off." The north was assured equally that "the water rights of northern California will remain securely protected." Everybody was assured that the state water project would "nourish tremendous industrial and farm and urban expansion which will develop an ever-growing source of employment and economic propserity." The climax of the argument for the bond issue was an alliterative

attraction—"water for people, for progress, for prosperity." Tucked in between arguments were threats that a "no" vote would "slow to a halt" the development of the San Joaquin Valley and "by 1965" begin the "return of [its] cultivated areas to wasteland"; and southern California development "must wholly cease"; northern California would lack "desperately needed flood control."

To be sure, there was also argument against the bond issue. Temperate and analytical in tone, it cautioned that the interest carrying charge on the $1.75 billion bond issue "could impair the credit of the entire state of California." It warned that the state project "fails to insure enough water for the north," that the funds provided might prove insufficient for acknowledged needs, and that "it might very well be less costly" to develop the state's waters in other ways. The 'other' ways were unspecified, but certainly did not exclude the precedent established by two huge federal reclamation projects—Colorado River and Central Valley—of which California already was the beneficiary. An evaluation of the state's water plans by Charles T. Main, Inc. contained the caution—phrased mildly—that "In deciding whether to undertake construction of this project, the state must be prepared to assume the risk that it might not be completely reimbursed during the bond repayment period, which runs to the year 2040." This caution reached the State Department of Water Resources barely five or six weeks prior to the balloting, and its message never really reached the voters.

The California Labor Federation and State Grange, among others, opposed the water project and bond issue, and their efforts held the majority needed for approval of the bond issue to a narrow margin. Perhaps the billboards saying simply that "California Needs Water," and the bare symbol of the drip from a household faucet sufficed to by-pass analysis and debate, and so to carry the day.

Now, nearly nine years later, the truth is emerging to public view. California has been unable to complete the marketing of the $1.75 billion water bond issue. There are no takers, notwithstanding that the full credit of the state stands behind it. On June 18, 1969, the *San Francisco Chronicle* reported under the headline "Bond Snag in Huge Water Project" that "Work on California's huge billion dollar water project may be abruptly halted in September because the state can't find a market for its voter-approved 5% bonds."

When the state water project was 'sold' to the voter in 1960, the interest charge on bonds was estimated at 4%. In June, 1969, State Sen. Gordon Cologne was seeking legal authorization to raise the interest rate on state general obligation bonds to 7%, and to issue "anticipatory notes" at 7% "to meet the immediate financial crisis of the north-south water project."

Awareness of the fiscal defects in the state water plan has been growing for some time. Under the title "There Goes Another $1 Billion, Calif. Water Project Costs Soar Beyond Original Estimate," the *Daily Commercial News* of San Francisco on July 17, 1968, exposed the fact that the original $1.75 billion figure was a very misleading measure of cost. Revenues from tidelands oil, some of these earmarked for building construction for higher education, have been diverted to feed the water project; the budgets of the state college system and the University of California have been sharply cut—the latter by $46 million in a single year; and the programs in mental health and medical care of the poor have been similarly reduced to speed construction of the water project. Proposals are being pressed currently to impose tuition charges upon students in the state university system to offset in part the legislative cuts favoring water development above education.

The validity of assurances given California voters in 1960 that northern water rights would be "securely protected" is now being challenged. The *Daily Commercial News* opened one of its 1968 series of articles on the water project with this assertion: "The blank check the voters handed the California water project by approving the $1.75 billion bond issue in 1960 to upset nature in northern California for the benefit of promoters in the Los Angeles area will go up at least another billion. Project officials have just figured that the cost of diverting water south now stands at $2.78 billion." Apparently to this day nobody has yet carried the news to Californians that in 1958 and 1959 three Califonia Senators and a governor promised Congress (yes, it's printed in the *Congressional Record*) that the people of California will pay $11 billion or more to build the state water project!

This project, says the *Commercial News*, is "not only out of money but it is out of water, the Contra Costa County water agency contends and others declare that contamination of San Francisco Bay and the Delta are certainties with northern California water being exported for the benefit of land developers and others in the Los Angeles area." The damage done to the environment by the state water project evidently is having enough political impact to worry those who may have overlooked this in their preoccupation with other aspects of the state water project. Under the title "The Water Raiders" the *San Francisco Chronicle* editorialized on June 12, 1969: "So the raiders from across the Tehachapi are moaning low about the 'increased influence of so-called environmentalists' in the area of 'water development.' "

Remember how back in 1960 an argument was made against the $1.75 billion bond issue, that "it might very well be less costly" to develop the state's waters in other ways? The argument was not spelled out to the voters, but clearly it was an understatement. One way less costly to Californians is development through federal reclamation. Federal reclamation brings heavy federal subsidies in the form of interest-free money on irrigation benefits. State projects must make up the difference on their own. This simple fact is a primary reason why the proposed California state water project remained in cold storage from the mid-forties until 1960. Cong. (later Sen.) Clair Engle made the point in 1952. The question of building a state project, he said, is "whether it is necessary or wise to cut ourselves completely off from desperately needed interest-free federal funds." The price of doing so would be "the sacrifice of" other state programs "such as schools and roads."

Naturally no attempt was made in the argument for the bonds in 1960 to convince California voters that it was well worth trimming education budgets to get a state project *without* interest-free money, in preference to a federal project *with* interest-free money. The point simply was buried in silence.

What reason, then, is there for a state rather than a federal water project? The main reason is swept under the rug. It is this: federal reclamation law controls monopoly and speculation by limiting water deliveries to 160 acres per individual private landowner. Associate Justice Tom Clark, speaking for the U.S. Supreme Court in 1958, stated the purpose of the 160-acre law clearly: "That benefits may be distributed in accordance with the greatest good to the greatest number of individuals. The limitation insures that this enormous expenditure will not go in disproportionate share to a few individuals with large landholdings. Moreover, it prevents the use of the federal reclamation service for speculative purposes." Large landholders wish to escape this limitation.

As far back as May 13, 1944, *Business Week* put its finger on the real reason why giant landowners ultimately might resort to the device of a state water project in California. "If the big landowners in the valley lose out in this . . . fight [to exempt Central Valley Project from the excess lands, or 160-acre provision]," it said, "they have several other proposals to accomplish their end. One of them . . . said to have originated among the big landowners of Fresno County, is for the state of California to take over the Central Valley Project, paying the entire bill. This . . . would side-step the 160-acre limitation."

The meaning of the Supreme Court's phrase "a few individuals with large landholdings," can be clothed with statistics. Government figures have shown 34 landholders owning three-quarters of a million acres in the southern and western San Joaquin Valley, lying largely in the path of the state water project. An estimate of the financial subsidy given to these landholders, along with the public water, can be placed at $1,000 an acre. Naturally a corporate landowner of 79,000 acres resists a ceiling on public subsidy of $160,000, and would prefer one of $79 million, or no ceiling at all. Besides, giant landholders want the incremental land values that the coming of water will add.

Secretary of the Interior Harold L. Ickes made this reason for a state water project crystal clear. "It is," he said, "the age-old battle over who is to cash in on the unearned increment in land values created by a public investment. . . . Their principal objective is to avoid . . . the long-established reclamation policy of the Congress which provides for the distribution of the benefits of great irrigation projects among the many and which prevents speculation in lands by the few."

Are the motives behind the Texas state water project and bond issue perhaps the same as those behind the California state water project?

DIRECT FLIGHTS FROM PHILADELPHIA MAKE TRAVEL TO VIRGIN ISLANDS EASIER AND FASTER

HON. JAMES A. BYRNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. BYRNE of Pennsylvania. Mr. Speaker, I am delighted to learn that Pan American World Airways is continuing to expand on its great service to the city of Philadelphia by instituting new daily service from Philadelphia International Airport to San Juan, P.R. and St. Thomas and St. Croix, in the Virgin Islands.

Mr. Speaker, Harry Hoffman, the very capable travel editor of the Philadelphia Inquirer, recently wrote an article on his experiences connected with Pan American's inaugural from Philadelphia to the Virgin Islands and I include it at this point in the RECORD:

DIRECT FLIGHTS FROM PHILADELPHIA MAKE TRAVEL TO VIRGIN ISLANDS EASIER AND FASTER

(By Harry Hoffman)

There's good news for Delaware Valley travelers who contemplate a visit to the Virgin Islands. Pan American World Airways is making the going easier with its recently started direct flights to the islands. A jet leaves every morning at 9:30 a.m. from Philadelphia International Airport. Its route is Washington, San Juan, Puerto Rico, St. Thomas and St. Croix. You get to St. Thomas at 3:45 p.m., at St. Croix at 4:50.

We had the pleasure recently of making the inaugural flight aboard a Boeing 727

Clipper named—appropriately enough—First Edition. Aboard were a number of newspaper, radio, TV and magazine people. It took off from Philadelphia following a relatively short delay and after that it was a breeze.

The takeoff came almost on the 40th anniversary of the first scheduled flight to St. Thomas on Sept. 22, 1929. On that day a Pan Am S–28 amphibian Clipper circled over the island and landed in Charlotte Amalie harbor. At the controls was Charles A. Lindbergh, who two years before had thrilled the world by his "Lone Eagle" flight across the Atlantic from New York to Paris.

FIRST-RATE HOTELS

The Virgins have long been one of our favorite places, and this trip was even more pleasant than most. The weather was perfect, the water in the pools and beaches was just great, the food a few steps above passable and the rum drinks easy to take, especially a pina colada that was like mother's milk.

All the hotels we stayed at or visited were first rate and we can recommend them. They included the Virgin Isle Hilton, Caribbean Beach Hotel, Pineapple Beach Club and Bluebeard's Castle Hotel, on St. Thomas; Caneel Bay Plantation, on St. John, and Saint Croix-by-the-Sea, Estate Carlton and Hotel on the bay in Croix.

The most memorable dinner was at Bluebeard's Castle, where the dining room has a simply magnificent view of St. Thomas' waterfront and the food draws the same encomiums.

The best swimming was at Trunk Bay in St. John's. A beautiful, beautiful beach with the Caribbean Sea lapping in gently and the salt water so buoyant that you just float about in a state of ecstasy.

BUILDING PLANS

Almost as good was the sun and surf at Pineapple Beach, which is operated by Main Liners Mr. and Mrs. James Pepperdine. At present they are undergoing building pangs, with a number of condominiums being erected. Incidentally, all have been sold and were taken practically from the plans.

And let's not forget the 150-foot salt water pool at St. Croix-by-the-Sea. Super!

Our return flight (on a jet called Davy Crockett for some unfathomable reason) left St. Croix at 1:30 P.M. We disembarked at San Juan, had lunch and then piled on to Flight 215 at 5 P.M., arriving in Philadelphia about 8:30. You have to get off at San Juan in order to go through U.S. Customs.

BAN ON PESTICIDES URGED IN CONGRESS

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. OBEY. Mr. Speaker, the long and growing line of victims of DDT and other pesticide poisoning is well known to conservationists, scientists, and concerned citizens who have been interested in the hazards of pesticides for many years. The robin, osprey, bald eagle, and Bermuda petrel are just a few such victims.

Scientific evidence that pesticides pose a definite danger to man has come more recently and reports are being read more frequently at medical and scientific conferences indicating for example, that pesticides can cause cancer in mice and mutations in man.

The latest evidence of this kind was presented to the Congress last week when Mr. Jerome Gordon, president of Delphic Systems and Research, told a Senate Subcommittee on Migratory Labor that pesticides were spreading death among migrant laborers and ought to be banned.

Since this matter is of such importance to the Congress and the American people, I include the following two articles on Mr. Gordon's remarks in the CONGRESSIONAL RECORD:

BAN ON PESTICIDES URGED IN CONGRESS—RESEARCHER SAYS CHEMICAL IS LINKED TO NERVE GAS

WASHINGTON, August 1.—A private New York researcher asked Congress today to ban pesticides that he said were chemically related to nerve gas and were spreading death and injury among farmer and suburban gardeners.

Jerome Gordon, president of Delphic Systems and Research, Inc., which has Government research contracts, identified the pesticides as organic phosphors, distributed under such trade names as Parathion, Methyl Parathion, Tepp and Malathion.

"Fifty million pounds of a pesticide originally developed in World War II as a German nerve gas are being spread unchecked on America's farms and gardens," Mr. Gordon told the Senate subcommittee on migratory labor.

"The result is that uncounted thousands of the nation's migrant farm workers, farmers and suburban homeowners have been fatally overcome or seriously disabled."

DESCRIBES GAS DERIVATIVES

The pesticides, he said, "are first cousins, chemically, to the nerve agents GB and VX involved in the current chemical and biological warfare controversy."

Mr. Gordon said the nerve gas derivatives, odorless and colorless, were so powerful that "a minute amount, less than .00424 of an ounce, swallowed by a human is fatal in less than five minutes." Even under ideal conditions, he said, cumulative exposure can result in disabling partial paralysis and mental debility.

He testified before the Senate subcommittee on migratory labor that migrant farm workers were the major victims of pesticide poisoning.

"These people are prey to the most unspeakable of occupational health hazards—death through nerve gas asphyxiation—and yet they are unprotected by safety legislation in all states save California," Mr. Gordon said.

EIGHT DEATHS LISTED

"They have no recourse to workmen's compensation medical and income benefits in almost two-thirds of the country. They can't even inspect public records in states where they exist, like California, to ascertain whether existing pesticide rules have been violated."

An Agriculture Department spokesman said its incomplete list of incidents involving organic phosphors showed 15 accidents and eight deaths in 1968 and 1969 because of misuse of Parathion and Methyl Parathion.

Officials said they knew of no documented deaths resulting from "normal" use of these pesticides on crops. Many reported accidents result from aerial drift of spray onto workers, one official said. And in most cases the effects of Parathion can be cured by prompt medical treatment, he said.

Besides a ban on organic phosphors, Mr. Gordon urged Federal subsidies for development of less toxic pesticides, workmen's compensation benefits for farm workers poisoned by pesticides and use of Defense Department research funds for defenses against chemical agents to develop protection for farmers.

Jerome Cohen, a lawyer for the United Farm Workers Organizing Committee, said that lacking Government action, farm workers would seek to outlaw use of toxic pesticides in their union contracts.

The union won pesticide restrictions in a contract with California wine grape growers, but negotiations with table grape growers broke down over the issue.

Dr. Samuel Simmons of the Food and Drug Administration's Produce Safety Office said his agency had documented reports of 150 to 200 deaths a year from pesticide poisoning. Injuries are 100 times as great, he said.

GROUP OF PESTICIDES CALLED PERIL TO HUMANS

A private New York researcher told a Senate subcommittee on migratory labor yesterday that pesticides originally developed as a German nerve gas in World War II are spreading death and injury among farm workers and suburban gardeners.

Jerome Gordon, president of Delphic Systems and Research, Inc., which has government research contracts, identified the pesticides as organic phosphors, distributed under such trade names as Parathion, Methyl Parathion, Tepp and Malathion.

The pesticides, he said, "are first cousins, chemically, to the nerve agents GB and VX involved in the current chemical and biological warfare controversy."

Gordon said that cumulative exposure can result in disabling partial paralysis and mental debility. Migrant farm workers, he said, are the major victims of pesticide poisoning.

But Charles C. Johnson Jr., administrator of the Consumer Protection and Environmental Health Service of the Department of Health, Education and Welfare, said studies indicate that in general workers using pesticides are exposed to relatively small fractions of what is considered toxic dosages.

Dr. Samuel Simmons of the Food and Drug Administration told the senators that 150 to 200 persons may be killed by pesticides each year and an estimated 100 times that number may be injured.

TRIBUTE TO SINFOROSO APARIS

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. LEGGETT. Mr. Speaker, I rise today to pay special tribute to Mr. Sinforoso Aparis of Vallejo, Calif., who, after 44 years of meritorious service to his community and Nation, will soon return to his native homeland with his wife to spend his remaining retirement years.

Mr. Aparis, with his wife Conchita Magracia-Aparis, immigrated to Vallejo from the Philippines in 1925. Enlisting in the U.S. Navy the same year, he served until 1946 when he retired as chief petty officer. Utilizing the provisions of the GI bill of rights, Mr. Aparis graduated from the University of San Carlos at Cebu, Philippines with a bachelor of science degree in education. After teaching high school for over a year in the Philippines, he returned to Vallejo where he was employed as a civilian at Travis Air Force Base until his retirement in 1967. All of Mr. and Mrs. Aparis' four children have served in the U.S. Armed Forces, including their daughter.

Mr. Aparis has been a well-known and highly respected activist in civic and veteran affairs. He has just completed a term as post commander of Manuel C. Quezon Post 603, American Legion. He is a past president of the Filipino Retired Armed Forces and of the Ormoc Fiesta Club of California for 4 years. He is an active member of the Fleet Reserve As-

sociation and the Veterans of Foreign Wars. As a member of the Knights of Columbus since 1941, he taught catechism for CCD at St. Vincent Church in Vallejo. Mr. Aparis was one of the organizers and the first membership director of the Filipino-American Political Association (FAPA).

The departure of the Aparises will be a loss to their many friends in California. I wish Mr. Aparis and his wife well and remind them of their promise to vacation periodically in Vallejo.

Mr. Speaker, I insert the attached excerpt from the Vallejo Times-Herald of July 23, 1969, concerning the Aparises in the CONGRESSIONAL RECORD at this point:

SINFOROSO APARIS AND WIFE TO RETURN TO PHILIPPINES

Sinforoso Aparis of 837 Fifth Street, who immigrated to Vallejo in 1925, and his wife, Conchita Magracia-Aparis, have announced plans to return to the Philippines in August—"where we will spend the rest of our retirement years in leisure."

Aparis, who is widely known in Vallejo civic and veterans affairs, is the immediate past commander of Manuel Quezon Post No. 603 of the American Legion.

He said his decision to return to his native land culminates many months of planning which includes a decision and that he and Mrs. Aparis will make future vacation trips to Vallejo. They plan to reside in the historic Mactan Hotel in Cebu City.

NAVY VETERAN

Aparis served in the U.S. Navy for 21 years, retiring in 1946. He returned to Cebu in 1947 to attend the University of San Carlos under the G.I. Bill of Rights. After obtaining a Bachelor of Science degree in education, he taught for a while at Western Leyte College. He returned here in the early 1950s and has been a resident of Vallejo since then.

All of Mr. and Mrs. Aparis' four children have served in the United States Armed Forces. Richard, the eldest son, is a U.S. Army veteran and now on the staff of Boeing Aircraft in Seattle, Edward, a former U.S. Army sergeant, works in Honolulu, Bert, a U.S. Air Force sergeant stationed at Clark Air Force Base in the Philippines, plans to return to Vallejo and reside in the family's Fifth Street home. Norma, the only daughter, also served in the U.S. Air Force. She now resides in Oklahoma.

EX-BARTENDER

Now 62, Aparis worked as bartender-manager of the old U.S. Naval Cafe on lower Georgia Street following his retirement from the Navy. There he had his first exposure to and knowledge of a Vallejoan's way of life and the growth of the local Filipino populace.

He later returned to U.S. Government service as a civilian employe at Travis Air Force Base, retiring from that work in 1967.

As commander of Quezon Post during this Golden Anniversary year of the American Legion, Aparis has participated in numerous civic activities and events—among them the planting of a memorial lemon eucalyptus tree which now towers above the Greater Vallejo Recreations District's administration building on Amador Street.

He recently completed a term as membership director of the Filipino-American Political Association (FAPA), which he helped organize more than a year ago to orient, stimulate and counsel Filipinos on public issues and community affairs.

HARD WORKER

A two-term president of the Filipino Community of Solano County, he led the group of Filipinos who negotiated the purchase of the organization's center at 820 Sonoma Blvd.

Later, with the help of Primitivo Mario, financial secretary, and a handful of others—including Mr. and Mrs. Julian Tobias, Luis Lopez, Librado Largo, Esther Banez, Ben Mariano and Mr. and Mrs. Eligio Aliga—Aparis was able to enlist communitywide support under the leadership of James Coakley, field representative of Rep. Robert L. Leggett, D–Vallejo.

This group completed a successful annual building fund drive and established a pattern for subsequent drives to keep the center open and solvent.

Aparis also served for four years, from 1965 through 1968 as president of the Ormoc City Club of California, which annually sponsors a fiesta reliving the ethnic culture of that Philippine city.

CHURCH WORKER

A member of the Knights of Columbus since 1948, he taught catechism at St. Vincent's Church for the Confraternity of Christian Doctrine. He also was vice president of the Filipino-American Catholic Club.

Other veterans organizations in which Aparis, along with his wife has been active are the Veterans of Foreign Wars, the Fleet Reserve Association and the Filipino Retired U.S. Armed Forces Association. He is a past president of the latter group.

Manuel L. Quezon Auxiliary Unit No. 603 will honor Mr. and Mrs. Aparis at a civic dinner Aug. 23. Details are to be announced later.

INAUGURAL ADDRESS GIVEN BY MISS ROANN COSTIN, PRESIDENT OF 1969 GIRLS' NATION

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. BRAY. Mr. Speaker, one of the most outstanding of all programs to teach American youth the meaning of their country and of their Government is found in the Girls' State program. Sponsored and directed by the American Legion Auxiliary, it is held annually in the Nation's Capital, and brings together 100 girls, two girls from each State.

Girls' Nation 1969 was held last week at American University. There were comments in some quarters, made by those who did not know any better, that those in attendance at Girls' Nation were not living up to the high standards that this project has always known.

To prove how wrong these charges were, and to make available to my colleagues one of the finest statements I have ever read on our country and what it means, I include the inaugural address given by the Girls' Nation president, Miss RoAnn Costin:

Many stories have been told of how Benjamin Franklin would always tip his hat when he would pass by a young person on the street. Puzzled by this a friend of Franklin's asked him why. His reply was: "In the youth of today I see the leaders of tomorrow and the fate of our nation. The success of our nation has not occurred by mere chance. It has been secured by a constant and enlightened effort, marked by many sacrifices, and extending over many generations. We cannot continue on a road of improvement unless we continue to learn from the past and look toward the future. It is necessary to keep the former experiences of our country both at home and abroad before us, if we are to have any true understanding of freedom.

If we wish to erect new structures, we must have a definite knowledge of the foundation. If we examine carefully what has been done, we can determine more accurately what we can do. Let us accept the challenge but at the same time let us not fear to challenge the accepted. Because of what America is, and what America has done, a firmer courage and a higher hope must inspire the hearts of our generation.

A love of liberty means the guarding of every resource that makes freedom possible. The task before us is not an easy one. It will be a long and arduous struggle before we reach a fulfillment of our beliefs. But let us start now. No nation, however old or great, escapes the tempest of change. Let us accept this challenge of change. But may the revolution of our generation yield to a true time of peace when man and nation shall share a life that honors the dignity of each and the brotherhood of all.

Earlier this week a young girl challenged America and asked "Are we free?" This is my answer: "This is my country, land that I love. I pledge thee my allegiance, America the bold. For this is my country, to have and to hold."

ADDRESS BY GEN. EARLE G. WHEELER

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. DERWINSKI. Mr. Speaker, on Saturday, July 26, the Polish American Congress held its 25th anniversary in conjunction with 2-day meeting of that nationwide organization here in Washington.

The main address at the banquet was delivered by Gen. Earle G. Wheeler, USA, Chairman of Joint Chiefs of Staff. The address was an eloquent historic commentary as related to the realities of today. I was pleased to note the overwhelming response to General Wheeler's address and insert it into the RECORD at this point:

ADDRESS BY GEN. EARLE G. WHEELER

My natural habitat, as I suspect you know, is the Pentagon Building across the Potomac River.

That building, and the challenges that face all who work there, add up to a stern taskmaster.

So, when I say to you—as I do now—that it is a pleasure for me to be here with you, I am also confessing to the shortlived happiness that comes to every Pentagon resident when the clear call of duty—plus good company and an excellent dinner—summon him elsewhere.

In 1976, we shall celebrate America's 200th "Birthday".

In 1966, members of this Congress, and Polish patriots around the world, observed the 1000th anniversary of the Polish State.

I believe that this long, and often bitterly difficult, Polish historical experience has given to Americans of Polish descent an understanding of events, particularly of events in Central Europe, which has not been fully grasped by many of our fellow Americans.

In saying this, I am not imprudent enough to attempt to lecture this audience on the history of Poland.

I shall, on the other hand, draw certain lessons from Poland's proud and difficult past—particularly from military operations during World War II—which, to me, clearly illuminate certain strategic dangers and op-

portunities confronting the United States today.

Before setting forth on this task, I must recall that moment in time when the intertwining of Polish and American fortunes was first impressed upon me.

Just over forty-one years ago, I entered the United States Military Academy at West Point, New York.

There is at West Point one particular view of the Hudson River—from what is called Trophy Point—which is close to the hearts of all West Pointers. From this vantage point, one can see the River as it turns northward towards Newburgh and Albany beyond. It was at this inspiring spot in July of 1928 that I saw, for the first time, the heroic statues of General Washington and his brilliant Polish Adjutant General Kosciuszko, together in peace over the long years, as they had served together from 1776 through the battle of Yorktown.

My earliest impression, then, of the Polish soldier was deeply favorable. The years since 1928—particularly the World War II years—have strengthened that first impression.

Certainly, in all three wars of this century, Americans of Polish descent have led the way in their bravery and devotion to duty. The roll call of your—and I am happy to add "our"—fighting men, and the honors they have earned, stand in the shadow of no group. I have found particularly inspiring the return to aerial combat in Korea of our top World War II ace, Colonel Francis Gabrewski. By becoming a double ace in Korea, Colonel Gabrewski became the top fighter pilot in American history.

But in a real sense, the important, and often somber, lessons for today's policy makers arise from Poland's national experience in the years before, during, and after the Second World War. Sometimes it seems to me that the only lesson we learn from history is that we don't learn from history.

Following the dismemberment of Czechoslovakia at Munich in 1938, Poland became the unmistakable target of Hitler's Germany. The Soviet Union's role was crucial. For months following Munich, Britain and France sought to draw Russia into a common front against any future Hitlerian design against the European order. Some progress seemed to be achieved when, on the 23d of August 1939, there burst upon the world the announcement of the Non-Aggression Pact between Hitler and Stalin.

Let no one ever forget that it was this cynical agreement—which the Western Democracies lacked the military capacity to challenge effectively—that set into irreversible motion forces which very soon culminated in World War II.

Poland, a nation then of 35,000,000, could have elected not to fight. There was, after all, the mechanized might of 80,000,000 Germans on the Western frontier, and the armed forces of Russia's 175,000,000 people coiled to the East.

But fight Poland did, and, in so doing, became the first country of World War II to stand up and fight to save herself from Hitler's tyranny.

You well know the story. For seventeen days Poland stood up to, and was even beginning to contain, Hitler's powerful thrusts.

On 17 September 1939, however, the full perfidy of the Hitler-Stalin Pact became clear for all to see. Twelve powerful Soviet columns entered Poland from the East. Valor was not enough. The Polish Armed Forces were caught in a gigantic pincer. The sad end soon came.

Now, surely, even the Poles would accept their fate, lay down their arms, and passively await eventual liberation.

It is to the eternal credit of Poles that you and your forebears did no such thing.

By an incredible pattern of unit and individual odysseys, Poles by the thousands took their stand with the Western Allies. Not all made the trip successfully—as the horror of Katyn Forest will always remind us—but soon we in the United States again saw the "White Eagle flying over proud Polish land, sea, and air formations.

Polish fighting men were there in the dark days—the invasion of Norway, the fall of France, the Battle of Britain, and Tobruk. They not only witnessed the turn of the tide; they helped in turning it.

Slowly, but inexorably, defeat turned into victory.

Under the overall command of General Sikorski, Lieutenant General Andres' Second Polish Corps took a central part in the bloody Italian battles of Cassino, Acona, and Bologna.

Other Polish formations battled in Normandy, Belgium, and with great distinction, at Arnheim.

Poised in the Polish homeland, were thousands of Polish patriots ready to join in the liberation of their country. I shall return to this part of your story in a few moments.

Certainly, for friend and foe alike, the record of the Polish Third and Fifth Divisions at Cassino in May of 1944 is, perhaps, the most enduring legacy of Polish wartime valor and combat success.

From 11 to 18 May 1944, these splendid units persisted in the attack and finally achieved a success that had eluded the brave men of all the other allied formations. Cassino, the symbol of an impregnable defense, fell to Polish arms.

One can read today, on the slopes of Point 593, just below "Phantom Ridge", the following poignant words on the Polish War Memorial:

> "We Polish Soldiers,
> For your freedom and ours,
> Have given our Souls to God,
> Our bodies to the Soil of Italy,
> And our hearts to Poland."

If the Battle of Cassino, now twenty-five years in the past, may be viewed as the undying wartime symbol of Polish arms abroad, the August 1944 Warsaw Uprising, from the same vantage point of time, can only be viewed as the timeless symbol of Communist perfidy and callousness.

For nearly five months, Marshal Rokossovsky, the Soviet Commander, resting within artillery range of Warsaw along the Vistula, refused to come to the aid of General Bor's partisans who initiated their brave 63-day struggle at Soviet instigation.

In a very real sense, the post-war Communist regime in Poland came to power over the bodies of 250,000 of their fellow countrymen permitted to be slain in furtherance of Soviet post-war goals.

Those who profess to see little difference between the Communists and free men might do well to contrast the fate of Warsaw in August 1944 with the liberation of Paris in the same month.

I shall not attempt to review for this Congress the events of the past twenty-five years in post-war Poland. You know the record well and follow with deep and compassionate concern the fortunes of the land of your forebears. I shared your sense of outrage at the massacre of the striking workers of Poznan in June 1956—perhaps the clearest guide to the indomitable spirit of Poland which persists despite the postures of the leadership.

As I remarked earlier, I have drawn certain lessons from Poland's proud and bitter past which illuminate some of the strategic dangers and opportunities confronting the United States today.

The first lesson is quite simple.

We must always focus upon Soviet capabilities and not upon the will-of-the-wisp of Soviet intentions.

No one will ever know at what point in time Stalin decided to invade Poland in September 1939—perhaps even Stalin didn't know his own intentions until the moment of perfidy was close at hand. In any event, as the world was soon to see, Stalin chose to exercise the brutal capability he did possess.

Those who choose to believe that this assessment is "ancient history," quite unrelated to today's more hopeful scene, need travel only as far as Prague for a vivid lesson on the brutal nature of Soviet "friendship" today.

The second lesson I draw is related to the first and focuses upon the danger we face.

There are some who have read, at least in part, President Eisenhower's "Farewell Address" of January 1961 in which our late President warned, among other perceptions, against what he termed "The Military-Industrial Complex."

As I have stated on an earlier public occasion, I have read President Eisenhower's January 1961 address in its entirety and I again suggest that, taken as a whole, the address was a wise, prudent, and balanced assessment of the dangers and opportunities confronting the American people at the close of General Eisenhower's eight years as our President. I would urge you all to read President Eisenhower's address if you have not done so.

I have also read, and call to your attention, a message to his fellow citizens delivered by this great American on 5 August 1968. In this short piece entitled, "Communist Danger—Lasting Solutions." President Eisenhower gave us the clearest possible warning of the nature of the opponent we face—a more recent reinforcement of the warning against Communism set forth in his 1961 address.

I now would like to recall pertinent sections from the 1968 message:

"Abroad, in every major sector, we confront a formidable foe—an expansionist tyranny which respects only toughness and strength and still displays little interest in travelling the pathways to peace, with honor and justice.

"Remember, it is not by a tyrant's words, but only by his deeds that we can know him.

"There is nothing particularly new in this. . . . But what is new is a growing disposition among some of us to ignore these aggressive moves, to discount the blatant threats, to seek, in effect, for surface accommodations rather than to insist upon mutual acceptance in practice or principle. This is wishful thinking at its worst.

"Of course, all of us yearn for universal peace with honor and tonight our prayers are both with our representatives in Paris and our brave men in Vietnam. But once we begin to compete over how best to contrive an American retreat in such a struggle—then we are heading for trouble. But I (President Eisenhower) must offer this thought:

"It is one thing to call for a peaceful settlement of this struggle. It is quite another to call for a retreat by America. The latter is the best way I know to stockpile tragedy for our children."

No one could possibly wish more for a durable peace in Vietnam than the person occupying my position.

Early Tuesday morning I returned from a trip to Vietnam which took me again from the DMZ to the Mekong Delta.

I was favorably impressed by the real desire of the Armed Forces of the Republic of Vietnam to extend their already wide share of the combat role to permit progressive American redeployments. In consonance with progress in the Paris talks and the level of battlefield violence, we may expect even more "Vietnamization" of the war. All see the need; all agree with it.

I will not, however, forecast when American redeployments can be substantially completed, nor will I forecast the size of any additional redeploying increments over either the short run or long term future.

It cannot be said too often that the land, sea, and air forces we have deployed to Viet-

nam are the best we have ever fielded. They deserve well of the Republic.

It has been said that the current generation of young Americans is the best generation we have ever produced. If this thought is true, in fact, I suggest that the "best" portion of our "best" generation is represented by the skilled, compassionate, young professionals who serve our country's interests in Vietnam. I am proud to serve in the Armed Forces with them.

As I said earlier, the proud and difficult history of the Polish nation has given to Polish-Americans a more informed view of the real nature of the dangers we face together than is given to others.

In this regard, I have heard, particularly over the past year or so, that our Armed Forces cost a lot of money. As a fellow taxpayer, I quickly agree. They most certainly do.

I need not remind this audience, however, that there are far higher costs we would inevitably have to bear if we choose to dismiss, by decree, the very real strategic threat which exists to our nation and its interests. Make no mistake about this point. While our military expenditures are large, they are brought about by very real forces and events beyond our borders. These dollar costs are not, as some would have our people believe, a form of national self-inflicted wound which causes our undeniably real domestic needs to be ignored in favor of a manipulated view of a non-existent threat to our safety and security.

I deeply appreciate, Mr. Mazewski, this opportunity to meet with the Polish-American Congress during its 25th Anniversary Year. Yours has been a voice of realism and responsibility for more than a quarter of a century. I congratulate you, and through you, the nearly ten million law-abiding Americans of Polish descent in our beloved land who stand up to their country's foes, pay their country's taxes, and offer massive dissent to those who would smother liberty in Poland and elsewhere in the world.

Thank you.

THE 350TH ANNIVERSARY OF THE FIRST GOVERNMENT IN AMERICA

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. DOWNING. Mr. Speaker, last Saturday at historic Jamestown, Va., the 350th anniversary of the first government in America was celebrated.

The Jamestown Foundation under the able chairmanship of the Honorable Lewis A. McMurran of Newport News, Va., sponsored the event which attracted a large crowd of distinguished notables including our Governor, Lieutenant Governor, speaker of the house of delegates, State senators, and members of the house of delegates. President Nixon, unable to attend, expressed his good wishes by letter.

Adding to the historic significance of this occasion was the guest speaker, the Right Honorable Horace King, M.P. and Speaker of the British House of Commons. Speaker King's Jamestown address will be long remembered by his distinguished audience. He spoke eloquent words of history laced with great wisdom and delightful British humor.

I believe his remarks will be interesting to my colleagues and I include them at this point in the CONGRESSIONAL RECORD:

DRAFT OF SPEECH OF RT. HON. HORACE KING, MEMBER OF PARLIAMENT, SPEAKER OF THE BRITISH HOUSE OF COMMONS AT JAMESTOWN, VA., AUGUST 2, 1969

It is indeed for me, both as myself and as Speaker of the British House of Commons, an historic and moving day today.

We are inclined in the prosperous and easy world in which we live, to take so much for granted. I flew here speedily and in comfort. The men and women to whom you owe everything faced a sea-voyage under conditions hard to be imagined. When they landed they faced an even greater unknown than the ocean. Before honouring those who survived, let us honour those who all perished . . . One such group vanished entirely but for a single word, Croatan, cut on a tree.

Then came the great and successful adventurers, who landed in Chesapeake Bay in 1607.

In August of that year one wrote in a letter home:

"The adventurers cannot yet be at peace with the natives but have fortified themselves and built a small town which they call Jamestown."

The going was grim. By 1610 only 50 survived out of 500 souls.

Newcomers found "famine in Jamestown." "Every living thing had been eaten and some had fed on snakes or adders." It is even reported that one man ate his dead wife.

These were terrible times . . . in the words of Tom Paine, "the times that try men's souls." Fortunately for history the great leader emerged . . . Captain John Smith.

Smith had to recreate morale, had to fight adversity, famine and disease, but also had to fight against enemies inside the infant colony and back in England. His was indeed a wonderful achievement, including as it did an almost miraculous escape from death at the hands of the Indians. But for his courage and skill—and his endeavours here and at home in England the infant colony at Jamestown might have not taken root.

He rightly boasted that he had given his own small fortune as well as his energies to Virginia and said (I quote):

"In neither of these two countries have I one foot of land nor the very house I builded nor the ground I digged with my own hands."

Wherever on this continent the English language is spoken, his deeds should be recounted and his memory hallowed.

At home Englishmen didn't care much for the infant colony. Indeed in 1614, when the Virginians sent over one of the Council, Dick Martin, himself a former Member of Parliament, to plead their cause before the House of Commons, he got into trouble for pleading too eloquently. And Mr. Speaker was instructed to reprimand him and he was told to sin no more . . . So, after the centuries, comes Mr. Speaker to make atonement to the descendants of Smith, Dick Martin and the rest of the early heroes.

Perhaps the blackest of many black early years was 1623, when a plague followed a massacre and some 300 were left out of 5000.

It is against that background that we turn to Jamestown 1619, July 30, 350 years ago.

The pioneers had brought with them from England—a love of God, a belief in education, and a passionate love of freedom. This latter they were to show through the years and with it enkindle the whole of young America with the ideals of democracy. They at once built a church. And almost at once they tried to set up schools. By 1618 a thousand acres were set aside for a University. And in 1635 one Benjamin Syms bequeathed in his will two acres of land, proceeds from the sale of milk and the increase of eight cows; for free education in Elizabeth City County.

And they built a Parliament House. At first they used the church. Each little group sent two burgesses, two congressmen. They sat in the choir of the Church. They elected a Speaker, the first in the New World, a Clerk, and a Sergeant at Arms, the first in the New World.

350 years later Mr. Speaker from the Old World, salutes on the very spot where they met, your historically illustrious forebears.

They taxed everybody over the age of 16 one pound of tobacco, and this was shared between Mr. Speaker and the other officers. Tobacco is now so expensive in Britain that I am almost tempted to exchange my salary for a few pounds of Virginia tobacco. This first Parliament received a petition for the setting up of a University and College.

They were as cruel as the times, and punished Thomas Garnett, a servant of Captain Powell, to stand four days in the pillory, with his ears nailed to the pillory, for abusing his master.

They met for five days and made immortal history. Soon they drew up what they called the Great Charter.

One of my colleagues in the British Parliament is the Rt. Hon. Duncan Sandys. His ancester, Sir Edwin Sandys, was also a Member of Parliament, and an outspoken Member in the reign of James I. He was largely responsible for the idea of a Parliament for Virginia. The colony had been tyrannically governed, and it was Sandys who on his appointment set up a committee to examine the best form of internal government—and the Jamestown House of Burgesses was the result. And so I bring you warm personal greetings from my friend Duncan Sandys, whose ancestry illustrates the blood bonds that tie together Britain and the Old Dominion.

It was Sir Edwin Sandys too, who suggested a missionary college at Henrico, in answer to the petition for a University.

The King didn't like Parliament, didn't like Virginia and didn't like Sandys. When the time for his re-election came, James forbade it, and said that the Virginia Company was a "seminary for a seditious parliament", that Sandys was his greatest enemy, and he said "Chose the devil if you will, but not Sir Edwin Sandys".

For his support of Virginia and of democracy at home Sandys was persecuted by the King and several times imprisoned.

His noble services to the Colony are some atonement for the less happy services of others.

I see from the records that soon a Parliament House—a House of Burgesses—was built. Then tragically, House after House, four in all, were burnt down . . . the last one about the time that Jamestown was abandoned for Williamsburg.

I refrain from recounting the whole of your political history—one of the great stories in the world's fight for political liberty. It had first to be won inside Virginia. It then had to be won, with the rest of the young American States, from Britain. I am not a little sentimental, and when years ago I first visited Virginia, and came to Jamestown, Williamsburg, Norfolk, and Portsmouth, the British Counsul at Norfolk took me to Yorktown—and we looked at each other with sadness and with resignation.

But I would remind you that in the Revolutionary War the House of Commons was largely on your side. I know that the great Dr. Johnson said, "I am willing to love all mankind—except an American". But great House of Commons Men, among them the mighty orator Burke, spoke as eloquently as did Patrick Henry on behalf of the liberties of the American people.

It is idle to speculate on what might have happened if George III, Shelley's "old, mad, blind, despised King" had not reigned when he did. We went our several ways—and it took a long time before we came back to each other.

But we have come back. The British-American friendship is real. It is based on common sacrifice in two World Wars. We share common cultural and political traditions. Shakespeare and Milton and Churchill are

yours—as Lincoln and Jefferson and Eisenhower are ours. The Bible belongs to both of us. We are all and each free to speak, free to choose governments—nationally and locally, federally, state-wise and county-wise. I have often said that in Britain we have a Prime Minister. We also have a Leader of the Opposition, and we pay him a salary for opposing the Government and for trying to destroy it by every means short of violence.

Freedom is the right of the other man to have an opinion that you do not like. This is our kind of world. We would not change it for any other.

When your Parliament was founded, British people were engaged in a century of struggle for freedom. The House of Commons had won some power, was losing it under King James I and had to regain and extend it by a Civil War. It was fortunate that some seeds of the idea of free men governing themselves had reached Virginia before that Civil War began. The same struggle had to be waged in your country and in mine.

My visit is a precious one. Mr. Speaker is 600 years old. When the Commons were first called over 700 years ago they had less power than even your first House of Burgesses. The King and the Barons were all powerful. The Commons hit upon three ideas with which they were to shape over the centuries—political democracy. For many years they met in secret—and once they had voted on a matter the decision became unanimous. And they said, Let us choose one of our number, surround him with all the power and dignity we can. Then when we have made a decision that the Great Ones will not like, Mr. Speaker in full Parliament, will declare it to the King and the Barons. They said, a King may punish some burgesses—he will never dare to touch Mr. Speaker, for Mr. Speaker is the whole House of Commons.

It was a wonderful theory. Nine Speakers were executed in the Middle Ages . . . a sobering thought for this one.

First Mr. Speaker was a tribune of the people. Then for many years he became a King's man, chosen by Parliament but really selected by the King's friends. Then he became a Government appointee—chosen by the Majority Party. Then, for at least the last hundred years, he has become truly a Parliament man as the first Speakers had been. He is chosen by the House itself, often, as I was, unanimously elected. He at once forswears for all time party politics . . . both in the House and in the country.

His powers are tremendous, but politically he has no power at all. Even his casting vote, when such a vote is necessary, is made according to precedent and not by a political decision.

And so, when I bring greetings to you today it is the whole of Parliament that is speaking to you—all the Members of all the Parties—Majority and Minority. And on their behalf I make some reaffirmations.

Freedom is precious. It had to be won by bitter struggle and by countless sacrifices. These are not just words. Every one of us has lost dear ones in the wars of this century.

One such sacrifice was made by a Virginian, the son of a dear friend of mine.

He wrote:

"I'm proud to serve my country. I am proud to wear on the right sleeve of my uniform the patch of an American unit. I'm proud to say that I've helped to defend the freedom that our fathers and forefathers fought and died for. I am proud to say that I was there. Maybe not where the heaviest fighting took place".

Some months later his father wrote:

"Jeff would have been 21 on January 30, at which time it will have been two months since his death. There is still an aching void in our hearts. I suspect it will be always there . . ."

He lies buried in Virginia.

Some time ago I made a State visit to Italy. And there near Anzio Beachhead, I had the sad but proud privilege of visiting the British War Graves Cemetery, and the American Cemetery nearby, both beautifully kept. And there I laid a wreath in honour of the men of your country and of mine who lie buried in Italy that you and I might be free today.

This is not mere sentiment. Freedom is not enough. It is what we do with it that matters.

We must use parliamentary democracy to create an efficient and a prosperous society. This means work—intelligent work. Harnessing the abilities of our youngsters and training scientists, engineers, craftsmen, and providing the host of skilled manpower to match the demands of a technological age. And this in a world where other systems of society—totalitarian in structure, challenge us in every field of human endeavour.

But we seek also to create a *good* society—one in which the strong help the weak, the middle-aged, the very old and the very young. And this again means education—teaching and inspiring our youngsters to give to society as well as to take from it.

I have often said that the Britain I know and love would collapse overnight if it were not for the hundreds and thousands of citizens who give to Britain as well as take from it. That is true of Virginia, of America, of any free country.

All this means finding out leaders of men in every field. Democracy will survive to some extent by the quality of the men and women whom it chooses to lead.

But it depends as much—perhaps in the long run, even more, on the quality of the average citizen. Lincoln said God must have loved the average man. He made so many of them.

When the great Churchill was 80 years old, we Members of Parliament gave him a portrait. The man who presented him with it said, "In the War, Churchill was the British Lion." In his reply Churchill said, "I was not the British Lion. The British people were the Lion. I just happened to be around to give the roar."

I bring you the warm and deep congratulations of the House of Commons on the high achievements of your astronauts, and on the historical event for which it is impossible to find adequate words—the landing on the Moon. We pay tribute, with you, to the courage of your young intrepid space explorers, whose courage matches that of the first settlers at Jamestown. But we also pay tribute to the huge and devoted body of men and women—scientists, mathematicians, precision engineers, whose combined efforts make your space-achievements possible. Those who came first to find Virginia had no such technical assistance.

Mr. Speaker then comes to this historic gathering bearing greetings from one Parliament to another. The founding fathers of the British House of Commons had no conception of the way in which parliamentary democracy would grow, not only in Britain, but throughout the English-speaking world. We have shaped our Parliaments differently. In Britain practically all power has passed to one House, the House of Commons, and the Administration is drawn from Parliament and sits in Parliament. Your own parliamentary structure has taken a different form.

Each country in the world, rightly, shapes its own political institutions. But yours and ours, and Canada and Australia and New Zealand . . . and indeed all countries of the free world, are based on truths which your Constitution holds to be "self-evident".

And deepest of those truths is the worth of the single human person.

Today seven hundred years of parliamentary democracy speaks to 350 years of parliamentary democracy. We have both come a long way. In these last years we have come that way together.

I congratulate you on all that has been achieved, and all that is yet to be.

And in my last words I remind myself, as I remind you, of some brave souls who met one day in a little wooden chapel, chose a Speaker and a Clerk and a Sergeant and set about making a free New World.

May we always remember how many paid so much in sacrifices of limb and life that we might inherit freedom and be worthy of it.

Perhaps I might recall some words spoken here in Virginia by one of the greatest of all Englishmen, Sir Winston Churchill. It was here that he said in 1946—

"In the last years of my life there is a message of which I conceive myself to be the bearer. It is a very simple message that can be understood by the people of both our countries. It is that we should stand together. We should stand together in malice to none in greed for nothing but in defence of those causes which we hold dear, not only for our own benefit but because we believe they mean the honour and the happiness of long generations of men."

"We ought, as I said to the Congress of the United States in a dark hour in 1941, to walk together in majesty and peace . . ."

2500 years ago Pericles, speaking of Greeks as brave as the first Virginians said:

"Heroes have the whole world as their tomb. These take as your model. For it is only the love of honor that never grows old".

SOME FIRST STEPS

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. ROBISON. Mr. Speaker, the Committee on Science and Astronautics has been holding some hearings into the problem of decentralized Federal planning and support activity in the field of teaching and research in science.

One of its recent witnesses was a distinguished constituent of mine, Dr. Franklin Long, of Cornell University. Dr. Long—whose name you may remember from earlier this year—is not only extremely competent in his chosen field, but is also a gracious and thoughtful man, upon whose advice I am often pleased to lean. He is also blessed with a high degree of commonsense, as is exhibited by his remarks to the committee in this instance, and I am pleased under permission granted to share those remarks now with my colleagues:

STATEMENT BY F. A. LONG, CORNELL UNIVERSITY, JULY 28, 1969

I am exceedingly grateful for the opportunity to appear before this committee and to discuss the kinds of centralization which may be desirable for federal consideration of programs of teaching and research in science. Before mentioning my general views, I should perhaps tell you enough of my background to let you appreciate from what standpoints I shall be concerned. A first point is that I am a professor of Chemistry. A second is that for several years I have been Vice President for Research and Advanced Studies at Cornell University, and from this vantage point, have been deeply interested in the broad problems which relate to teaching and research of science in universities. I have also been extensively involved with the affairs of a consortium of universities, the one which goes by the name of Associated Universities, Inc. and which operates the Brookhaven National Laboratory for the Atomic Energy Commission and the National Radio Astronomy Observatory for the National Science Foundation. As a consequence of this last I have been concerned with the role of as-

semblies of universities and with the ways in which they can work with the government in the management of large science facilities.

Let me now turn to the particular subject of this Committee's study and outline in a general way the positions which I hold. First, I believe that the federal government, does need additional centralized arrangements for handling its programs in basic and applied science and therefore commend the Committee's investigations in this area. I shall point to one or two specific areas where I think centralized efforts are needed. At the same time, I am doubtful whether it is yet time to take the full step of setting up either a Department of Science or a major National Institutes of Science. Instead I think the government should move toward greater centralization in this area but do it at a somewhat slower pace, learning as it goes. In supporting these positions, I will discuss a few topics in which there is great federal interest and give you my views and my feelings as to where a more centralized activity could usefully contribute.

1. PROBLEMS OF FEDERAL SUPPORT OF TEACHING AND RESEARCH OF SCIENCE IN THE UNIVERSITIES

It is well known that federal funds have assumed a major role in the support of teaching and research of the natural sciences in the colleges and universities of the United States. This support has principally come to the universities under the Robric Research although small amounts of funds have come for fellowships from the Office of Education. An important point is that this support has come from a number of federal agencies. Several of these, including DOD and HEW, have explicit missions; only the National Science Foundation and perhaps the Office of Education can be thought of as agencies which support the university programs for their own sake.

There is no question but that United States science has grown and flourished under this federal support. At the same time one must admit that there are some awkward aspects, aspects which will continue to concern such Congressional committees as this one. One problem is the occasional awkwardness that comes from having a large fraction of the university effort supported by mission-oriented agenices. There is the danger that the various mission-oriented agencies will not be willing to support all of the important fields of science and there is the danger of undue support of and emphasis on research as compared with teaching. Finally there is the danger of fluctuating support depending upon the needs of the federal agencies.

These comments should not, however, be taken to imply that universities do not want or should not accept research grants from mission-oriented agencies. On the contrary, support from such agencies as HEW, Interior, DOD and Agriculture has been of great consequence to universities and will surely remain so. The role of the university in the national planning and decision-making has been large in the past and I hope and believe it will continue to be so in the future. The problem then is not one of withdrawal but rather of program balance, of program continuity and of integration of the efforts of the various agencies.

A potentially important answer to many of these problems is increasingly to turn the support of university programs of research and teaching over to the National Science Foundation. It is of great significance to basic science that this Foundation has grown and flourished over the past decade. A large share of the credit for this growth must go to your committee and the scientists of the nation are grateful. Because of NSF's unique charge to support all of science, it is of the greatest importance that this agency continue to flourish and grow and I strongly hope that this will be a general federal policy. I have read Dr. Bridges' testimony of last week to this Committee and am glad to be able strongly to second his great emphasis on the special role of NSF.

However, it is hard to be optimistic that the federal situation will, in the near future, change so sharply that the majority of university support will come from NSF. Certainly many of the mission-oriented federal agencies will wish some fraction of their basic research to be done in universities, and I for one hope that this can continue even as NSF grows.

If pluralistic federal support of science in universities does continue, it seems to me that the need for improved coordination at the federal level can only increase. There already exist coordinating mechanisms for the activities of various federal science-oriented agencies, notably the Federal Council for Science and Technology. However, I am not persuaded that this committee has either the time or the capability to take on the large and continuing job of indepth coordination which I think is needed for support of science programs in the universities. One point is that the coordinating entity should assume responsibility for both the research and teaching aspects of federally supported programs. They should also consider the question of the necessary facilities and equipment. They should have responsibility to deal with such questions as commonality in contract writing, in reporting mechanisms, and patent policies, to name only a few items. Without being certain of what shape the coordinating activity might take, I hope this Committee continues to give this a priority in their consideration of centralized activities.

I should note that the National Science Foundation has formal responsibility for this kind of coordination. However this has not been effectively done in the past and I am presently doubtful whether it will be in the future. Hence my belief that some additional mechanism is probably needed.

2. THE PROBLEM OF A NATIONAL PROGRAM FOR BASIC AND APPLIED SCIENCE

The research in basic and applied science in the United States is performed by a very large number of institutions that can probably be thought of as falling within three major groups: private industry; the universities; the federal laboratories. Only by considering the activities of these three groups can one properly say that one is considering the national science program. My own belief is that in a very broad sense the ingredients of this national program should be a concern of the federal government.

Furthermore, I believe that if the federal government is to respond to this concern it will need a centralized activity which either does not now exist or exists in too limited a state to be useful. The essential problem is that of program balance and especially of response to new national needs. At any given time, the total national science effort is a mixture of programs, some of which historically relate to the older research institutions and others of which represent a developing response to new problems as they arise in industry or in government or as basic science brings them forth in its own way. Many of the new needs for applied science will arise from new awareness of socially related national problems, pollution and the like. Conceivably the federal government could adopt an almost entirely "stand-offish" attitude and permit the national science program simply to be that which developed by the multiple responses of all of the relevant research groups and agencies. However, even if attempted I doubt whether this would work with applied science. As technology is increasingly needed and applied in our civilization the pressures for new programs and for modifications of ongoing programs will continue to impact on the federal government. There will be vigorous proponents of expanded space exploration programs or of new programs in oceanography or of new studies of the environment. In one way or another the federal government will be forced to respond to these pressures. Even within the field of basic sciences some federal response will be needed, if for no other reason than that the available funds are limited so that the funding of any given expensive basic science effort will necessarily impact on others. Conceivably, the questions of program balance in basic science could be handled by the basic scientists themselves, but historically, this has not happened and there seems to be no reason to think it will. In applied science the combination of national needs and outside pressures will simply not permit any casual abdication of federal responsibility.

Some mechanisms for responding to this problem of program balance already exist. Hearings before Congressional committees respond to some degree. Considerations of the Bureau of the Budget constitute another kind of response. Finally, OST and PSAC both study this problem and make recommendations. The question is whether this set of responses is sufficient. In my judgment it is not. I am persuaded that a more professional, more continuing and more directly responsible analytical and planning procedure is needed. A possible mechanism is the establishment within the federal government of a Planning Bureau for Federal Science Programs, when the word science explicitly includes both basic and applied science. This new Bureau could be sufficiently well funded to permit extensive analysis of ongoing programs as well as of proposed new programs. It should probably be located within the Executive Branch of the government, but it should be charged to be responsive to requests from Congress. It is entirely possible that the correct home for such a group is within the National Science Foundation, but if so, it should be established in such a way so that it carries a separate budget item and is explicitly given a very large degree of autonomy and independence.

I am conscious that an organization of this type contains within it some potential dangers. Unimaginative analysis and planning could work to delay needed new programs and could work toward the preservation of obsolete ones. Pressures from important groups or agencies could distort the analyses. On the other hand these sorts of things need not happen and the potential for positive good is so great that I strongly feel that the overall result would be of immense benefit. It is even possible that the existence of a vigorous group within the government would catalyze the appearance of parallel groups outside the government which could do for this national program something of the same sort that the Brookings Institute has done in the analysis of the impact of federal programs on the national economy. This development would be wholly desirable.

3. PROBLEMS WITHIN THE DIRECT FEDERALLY MANAGED SCIENCE PROGRAMS

The Federal Government itself is a major producer of science. There now exist literally hundreds of in-house federally supported laboratories responsible to a large number of different federal agencies. If one adds to this group, as one should, the large Federal contract laboratories such as the AEC National Laboratories, the total activity is impressive indeed.

The need for such in-house laboratories is obvious enough. The technically oriented agencies require groups of scientists and engineers who can respond directly and rapidly to agency needs. Furthermore, the area of applied science and development particularly calls for strong in-house groups. One can argue that private industry could take over these applied research functions. In actual fact, the very management of industrial R&D contracts virtually requires that there be significant in-house capability within an agency. For these reasons and

many others we do have a very substantial federal in-house program of research in applied science.

These in-house laboratories which give strong support to the Federal Agencies also raise some serious problems. There is the problem of keeping these laboratories operating at a high-level efficiency, particularly in classified areas where interactions with outside professional groups are necessarily restricted. More often than not, these laboratories have neither the spur of profit-oriented effectiveness and relevance which goes with laboratories in private industry nor the almost automatic renewing effect which universities receive from the steady flow of new students. Furthermore the missions of the supporting agencies change considerably over time and requirements for new kinds of research build up. Hence the dangers of obsolescence and irrelevance are constantly with the federal laboratories. So also is the danger of undue overlap among the laboratories of the several supporting agencies. Finally there is a tendency, which clearly must be resisted, to establish a new Federal laboratory as a response to each new national need.

Here then is another area where a centralized federal activity can be of immense help. The essential tasks are coordination; integration; mission-analysis; forward planning. Two other tasks are important however. One is development of ways to enhance the interactions of federal laboratories with each other and with universities. A second is to encourage multiple agency use of ongoing laboratories. A fine example of the first is the JILA program whereby the National Bureau of Standards and the Physics Department of the University of Colorado have developed a collaborative, mutually beneficial program. In the second category the broadening of the programs of the Oak Ridge National Laboratory to extend beyond AEC tasks into such fields as desalination and civil defense is wholly admirable and points the way for other federal laboratories. A centralized activity could examine these and similar arrangements, report on their effectiveness and encourage comparable innovative programs in other federal laboratories.

4. MECHANISMS FOR CENTRALIZED FEDERAL CONSIDERATION OF SCIENCE PROGRAMS

As I complete my discussion of this broad topic I am conscious that I have been less than explicit in my considerations of specific organizational changes. This is primarily because the organizational aspects are not areas where I feel very knowledgeable. Furthermore, I am persuaded that there are a number of possible directions which if followed thoughtfully could lead to substantial improvement in the federal response. However, I would be remiss if I did not point out that the one *conceivable* possibility is an expansion and modification of the already existing Office of Science and Technology.

As it now operates OST has neither the size nor perhaps the structure to take on these added centralizing responsibilities. But supposing the following changes were made: (a) OST is permitted to grow in size: (b) provision is made for two or three presidentially appointed deputy directors; (c) arrangements are made for more formal OST participation in the preparation of budgets for science support; (d) provisions for closer and continuing liaison with Congress are established; (e) OST is formally charged by Congress to carry out a number of these federal analysis, planning and coordination functions. Then OST would be capable of making a most substantial contribution.

There is however a concerning aspect to this proposal, a concern which is of sufficient seriousness that, if it cannot be minimized in a modified scheme for OST, then perhaps the whole proposal may not be desirable. The danger is that OST, as currently operated, with a director who is also the President's chief science advisor, and at the same time, chairman of PSAC, is simply too much a direct branch to the White House and too little an independent federal agency for science. Hopefully the modifications which I have been proposing could decouple these affiliations to the point where OST could truly be thought of as an independent federal agency. If not, then there may be serious doubt as to whether this otherwise attractive possibility should be followed.

The committee's own proposed structure of a National Institute of Research and Advanced Studies certainly contains many of the ideas which I have been supporting. I would personally be reluctant to see the full proposal established immediately and full-blown, i.e., establishment of a body which promptly becomes the overseeing body to the National Science Foundation, takes on the operation of national laboratories, etc. On the other hand I can quite imagine that as a first step, a central planning and coordinating federal agency could be established promptly to undertake many of the tasks which the committee itself has discussed and which I have discussed today. It would be wholly appropriate if such a new federal agency were designed to fit comfortably into an ultimate, more ambitious structure such as the one the committee has been considering. Is perhaps one possibility to establish the office envisaged in the committee report of May 1969 entitled "Administrative Staff and planning Office" and modify it to be the first federal unit for overall consideration of these several problems? If this or some similar central body were established it would give the Federal Government the kind of planning and coordinating capability which I believe it needs. If, as time went on, this new arrangement pointed toward the need for a still more centralized effort, perhaps by way of a Department of Science or by way of a group of Science Institutes, the Congress could then take a next step with more confidence and less concern than if it tried to go the whole way now. But the fact remains that some first steps toward a more centralized federal responsibility should be made. In reopening this topic for further serious consideration this committee is doing a service both to the federal government and to the nation's science.

MINIMUM WAGE DOES NOT CURTAIL JOB OPPORTUNITIES FOR YOUNG PEOPLE AS CLAIMED BY THE NATIONAL FEDERATION OF INDEPENDENT BUSINESS, INC.

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. PUCINSKI. Mr. Speaker, a number of newspapers have printed editorials this spring regarding allegedly adverse effects of the minimum wage law on youth employment. Each of them has cited as their authority a news release issued by the National Federation of Independent Business, Inc., on April 29, 1969, reporting a survey of its membership. Mr. President, this survey is biased, contrary to fact, and misleading. In my opinion it is important that the true facts be known on a matter as significant as the effect of the minimum wage on unemployment. I, therefore, want to present the following analysis of this survey for the RECORD.

The conclusions of the NFIB are based upon insufficient statistical data and a series of conjectures and broad assumptions that are without any factual foundation. The NFIB, as a part of a continuous survey, mailed to a selected number of its members a questionnaire which included questions regarding the employment of teenagers in 1966 and at the present time. The findings, according to the federation's own data, are based on answers from 26,331 members, less than 10 percent of the total membership of the organization, who responded during the first quarter of 1969.

What are the characteristics of the members who have so far responded to the NFIB survey? Based on the responses to date—two out of every three businesses were primarily engaged in retail trade or were in a service industry. About seven out of 10 of the respondents had annual gross receipts of under $200,000 and only about one out of seven had receipts in excess of $500,000. Congress very carefully considered the small businessman in enacting the 1966 amendments to the Fair Labor Standards Act; and generally only those retail and service enterprises with sales of at least $500,000 annually—$250,000 as of February 1, 1969—were brought under the minimum wage. Therefore, most of the respondents are not even affected by the minimum wage law. Unemployment of youth in such establishments obviously cannot be attributed to the Federal minimum wage.

Even when all of the respondents are taken into account—both those covered and those not covered by the Federal minimum wage law—only 10,532 of the 26,331 respondents, or 40 percent, reported that they had employed teenagers during 1966—a period prior to the changes in the Federal statute. More than half of the 10,532—55 percent—reported no change in the number of teenagers employed in 1966 and in the first quarter of 1969. Of those who reported a decline in the number of teenagers employed, more than 60 percent attributed the decline to factors other than the minimum wage.

The federation's "survey" then proceeds to expand the loss of some 5,213 teenage jobs reported by those employers showing declines to an estimated loss of over 1 million teenage jobs.

In order to arrive at its projected figures, the federation assumed that the 26,331 members who have so far returned completed mailed questionnaires—less than 10 percent of its 264,942 members—were representative of its entire membership. A further assumption was that the membership is representative of the 5 million independent businesses in the United States. Both assumptions are highly questionable.

How do the federation's conclusions compare with the actual facts? The drastic decrease in teenage employment shown by the federation's projections is not supported by recent statistics on the employment of teenagers. During the period from March 1966 through March 1969, the latest date for which such information is available, the Bureau of Labor Statistics reports that the number of employed persons in the 16- to 19-year-age group increased by 538,000. During this same period, the unemployment rate for this age group did not rise as the NFIB news release implied, but

instead dropped from 12.9 to 12.7 percent. All of this occurred during a period when, as a result of the postwar "baby boom," the number of young people entering the labor force had been increasing very substantially.

The elimination of employment opportunities in the magnitude projected by the NFIB would have greatly increased the unemployment rate, since the projected number of lost jobs—over 1 million—is almost 40 percent higher than the total number of unemployed teenagers shown by the Bureau of Labor Statistics.

The Wall Street Journal criticized the survey techniques of the NFIB in an article on the "Growing Use of Polling To Buttress Ad Claims" published on September 25, 1967. The article deplores the growing use of rigged self-serving surveys for propaganda purposes. The article pointed out that organizations tend to attract members who are in some way different from nonmembers and that the NFIB membership is not a representative sample of the 5 million small businesses in the United States as the organization claims. The article explained how the outcome of a survey can be influenced markedly by such things as the way questions are phrased or by the population segments which are sampled. It might be noted that the NFIB, since its founding in 1943, has consistently lobbied against the passage of any minimum wage rise.

The questionnaire used by the NFIB asked the following questions relating to teenage employment:

Looking back to 1966, did you employ teenagers at that time?
No.
Yes—About how many?
How does your employment of teenagers today compare with 1966?
Same.
More—By how many?
Less—By how many?
(If less) Is this because of:
Lack of teenage job seekers.
A change in your business operations.
The Minimum Wage Law.
Other (please explain).

The introductory statement to the questionnaire was worded in such a manner that the results are bound to be biased. For example, the cover sheet states "Arm your federation with facts that are needed to battle for you at Washington and the State level." A partial listing of the federation's lobbying accomplishments made possible as a result of these special surveys is also included at the beginning of the questionnaire. It is clearly apparent to the respondent that the survey is designed to serve the vested interests of the members and that he should answer the questions with this thought in mind.

There is a great deal of concern in the country today about the problem of teenage unemployment. One of the questions that has been raised by Secretary of Labor Shultz, among others, concerns what effect the minimum wage has on youth unemployment. It seems quite obvious that the conclusions drawn by the National Federation of Independent Business, Inc., can only serve to obscure the facts. What is needed is an objective study of the subject—such as the one Secretary Shultz has recently directed the Bureau of Labor Statistics to undertake. Only the results of an impartial, statistically valid study will be useful in shaping public policy.

SLEEPING BEAR DUNES NATIONAL LAKESHORE

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, with a sincere hope that timely action by Congress can preserve the unspoiled beauty of the Sleeping Bear Dunes in Michigan, I join again in sponsoring legislation to establish the Sleeping Bear Dunes National Lakeshore. Bills have been pending before Congress for 8 years to achieve this.

A recent article by Virginia Prentice, which appears in the June 1969 Sierra Club Bulletin details how each year that we delay lessens our chance to preserve this area in its natural state.

The article follows:

SLEEPING BEAR DUNES: A NATIONAL LAKESHORE FOR MICHIGAN

(By Virginia Prentice)

Sleeping Bear Dunes came to national attention a decade ago when the Department of the Interior made a survey of the Great Lakes shorelines. That survey termed the Sleeping Bear region, which stretches along the eastern shore of northern Lake Michigan, "one of the outstanding recreation and natural areas on the Great Lakes," and recommended that it be considered for inclusion in the National Park System. Since 1961 this recommendation has been under consideration, but the process of getting legislation through Congress has been painfully slow. These legislative delays have taken their toll in the Sleeping Bear Dunes area. And now time is running out.

What are the Sleeping Bear Dunes, and why are they worth the continued concerned of conservationists and the support of interested congressmen? The area is not isolated or especially extensive. Of the 61,000 acres in the proposed lakeshore, 19,000 are on North and South Manitou Islands. Inland from the shoreline, which lies where Lake Michigan begins to curve eastward to form the top of the Lower Peninsula of Michigan, average relief is 200 feet. (The highest elevation is just over 1,000 feet.) The Bear itself is a mound of sand that looks, when viewed from a distance, like the profile of a bear at rest. It is barely two acres in extent and the immediate dunes over which it reigns comprise only 3,000 acres. An additional 1,000 or 2,000 acres of exposed dunes can be found elsewhere in the area for a total of 4,000 to 5,000 acres. There are, then, 56,000 to 57,000 acres of "something else." The "something else" is as diverse as a chaotic glacial heritage could leave it.

Old beach ridges, remnants of a more extensive Lake Michigan, are gentle features that might go unnoticed but for the almost unnatural regularity with which they occur and support a cover of conifers. The swales between the ridges are moist, often boggy, and harbor plant communities that include the skunk cabbage, a number of delicate orchids and the insectivorous sundew and pitcher plant. These beach ridge-swale features are located in what were once large embayments of Lake Michigan or its predecessor. Low dunes have developed between the present shore and the ancient beach ridges and a veritable vegetation profile can be traced from the shore inland. Beachgrass and bunchgrass predominate near the shore; next inland are creeping juniper, bearberry, and wholly beachheather; then, in order, jack pine and health, jack pine with red pine, jack pine with eastern white pine; white pine and hemlock follow; eventually yellow birch and beech-maple forests cover the slopes of the moraines. Behind the old beach ridges remnants of the embayments are in the form of lakes; cedar and tamarack swamps and spruce and leatherleaf bogs have covered low-lying former embayments.

Shorelines between embayments are steep bluffs that rise to elevations of 200 to 400 feet above the lake. They are morainic hills that have been truncated by the erosive power of wind and waves. The face of each bluff is generally barren of vegetation or tinged with the light green of a sparse cover of beach-grass. Extending inland, the bluffs offer a variety of landscapes and ecosystems in accordance wtih their post-glacial genesis and present erosional condition. Sleeping Bear guards one such bluff and presides over the active dune field that has come to symbolize the region. The Bear is a perched dune—perched atop the moraines—and it is a migrating dune as well. As the sand moves on, excavated by the wind, a once buried "ghost" cedar forest is being exhumed. New dunes are constantly forming and may become temporarily stabilized. Grass will sprout, thrive, and hold the sand awhile; perhaps a cottonwood will take root, grow apace with sand accumulation and send up more shoots until an ethereal corpse is created.

Moraines, particularly interlobate moraines such as are found here, are humpy and bumpy with patternless ups and downs, sometimes minute, sometimes immense. They provide countless opportunities for unexpected vistas, surprise hidden ponds, and sudden changes in plant communities. Mixed hardwood forests have developed on those moraines not covered with dunes. Maples and beech predominate, but there are also oaks and other species; they all proclaim their vigor each fall in a most flamboyant panorama of color. In the spring, when sunlight reaches the forest floor unfiltered by a canopy of leaves, wild flowers bloom in profusion.

Thus, old beaches and new beaches, low dunes and perched dunes, moraines, ancient glacial waterways and embayments form the physical complex that is Sleeping Bear. It is a young landscape, geologically, and a fragile one, ecologically. Sterile sands, rugged hills, and poorly drained bottomlands have discouraged intensive agricultural development. Until recent years it has been treated rather gently by civilization. Today, however, the dunes already bear the scars of impending danger.

On Memorial Day 1968 the mouth of the Platte River, which traverses the southern section of the proposed Sleeping Bear Dunes National Lakeshore, was a lovely place to picnic. By Christmas a bulldozed boat-ramp and black-topped parking lot provided the backdrop for a partially completed concrete block motel, gas pumps, and hastily constructed docks. The beach area was littered with debris—the usual beer and motor-oil cans, styrofoam and foil, stray items of clothing, and partially decomposed fish—all left behind at the close of the Coho salmon season. A new and imposing chain link fence prohibited access to the beach.

On the Fourth of July 1968 a short trek from the end of a quiet country road across warm and fragrant puccoon-freckled dunes brought one unexpectedly to the mouth of Otter Creek. Its tranquility, and that of a pair of resident loons, was protected by an ever-shifting bar. By Columbus Day a bulldozer had leveled the dunes from the end of the road to the lake, forming a ramp for launching boats. Puccoons and loons had disappeared.

On Easter 1968 trillium and trout lily were bursting from beneath the last snows

of winter in the undisturbed woods at North Bar Lake. By Labor Day the woods had been sliced down the middle by a road forming the spine of a 41-lot subdivision. Today quality homes are going up on what was once a quality natural area.

Population pressures from the two poles of the developing Great Lakes megalopolis, Chicago and Detroit, are noticeable. Prime property all along Lake Michigan's shoreline has been acquired and developed by private interests. In the Sleeping Bear Dunes area alone real estate prices have skyrocketed in less than a year. More and more undeveloped areas have been surveyed for subdivisions and trailer parks. Construction crews and utility lines are moving in and will soon desecrate some of the choicest niches left in the Sleeping Bear region.

Prior to the 1957–58 Department of the Interior survey of the Great Lakes shorelines, Michigan had two state parks and considerable state forest acreage in the area. D. H. Day State Park, established in 1920 as the first park in the present system, consisted of 32 acres. The state has since added almost 2,000 acres to the park including the active dunes that encompass Sleeping Bear. Benzie State Park was established in the Platte embayment area in 1922. Neither park experienced heavy usage through the 1950's. and as late as 1965 all campsites were seldom occupied.

Thus, when legislation was first introduced in Congress by Senator Philip A. Hart in 1961, local residents (both permanent and seasonal) were reluctant to acknowledge the need for protection and organized planning at the federal level. They staunchly clung to the belief that a horde of city-bred transients would invade the area only if the Park Service lured them in with carousels and cotton candy. This attitude was exploited by opponents of the park; it has continued to be a major factor in the lack of local support for a national lakeshore.

Response to attempts by conservationists and legislators to protect the area has been alarmingly slow. But the Coho salmon may have accomplished what lakeshore status proponents have thus far failed to do. In 1965 Coho were planted in streams in the area on an experimental basis. On coming of age in 1967, the Coho returned to these streams to spawn. The size and quantity of these fish far exceeded the most optimistic predictions. Thus, with the salmon runs in 1967 and 1968 came an influx of sportsmen and tourists, the likes of which was previously unimaginable. Changes have been rapid and disruptive. Many different observers, particularly area residents, became concerned individuals overnight.

Bills have been introduced in both the House and Senate in each successive Congress since 1961. Following extensive hearings in 1963, Senator Hart's bill was passed by the Senate, but no action was taken by the House Interior and Insular Affairs Committee. The Senate again passed a Sleeping Bear bill in the 89th Congress, and this, in turn, was reported favorably by the House Interior and Insular Affairs Committee but was never brought to the floor by the Rules Committee. When the 90th Congress convened, Senator Hart again introduced a Sleeping Bear Dunes National Lakeshore bill, but the Senate elected to await passage of a bill by the House. Michigan Congressman James G. O'Hara, a member of the House Interior and Insular Affairs Committee, introduced a bill identical to Senator Hart's and to the one passed by the committee during the previous session. Following passage of the Land and Water Conservation Fund Amendments in 1968, prospects looked hopeful. House committee hearings were held in July and the committee appeared to be ready to move—then Congress adjourned. The Hart and O'Hara bills, S. 1023 and H.R. 11829 respectively, have been introduced unchanged in this the 91st Congress, again calling for a 61,000-acre lakeshore.

A third and perhaps more extensive bill is expected to be introduced in Congress soon by Michigan Representative Guy Vander Jagt. It is hoped that his bill will resolve some of the objections to earlier bills, among them being the loss of tax base for local units of government. In a position paper circulated last fall on Sleeping Bear, Mr. Vander Jagt suggested the state of Michigan accept fiscal responsibility for some of the tax loss. If such support appears feasible the lakeshore may gain additional support from local governments.

Another objection to earlier bills was the unpopular provision for protection of and payment for private property. The Hart and O'Hara bills contain (hopefully Mr. Vander Jagt's bill will, too) provisions for protection of present property owners within the lakeshore. Upon compliance with zoning standards specified in the bill, owners of improved property are guaranteed protection against condemnation. Thus, property owners are becoming less resistant to the bills as they comprehend their protective implications; the image of a honky-tonk, carnival-type development expected to accompany the arrival of the National Park Service is rapidly disappearing.

Attitudes and resistance to change are more difficult to alter than the provisions of a bill. A "Save Sleeping Bear Dunes Committee" was formed by citizens of Benzie and Leelenau counties early in 1968. After struggling along for many months, it is now receiving much support. Co-chaired by the Benzie County chairmen of the Democratic and Republican parties, this committee's increasing support is assumed to be indicative of changing local attitudes. On both state and federal level there is general agreement that something must be done to save the dunes, and that the "something" must involve federal funding. Lakeshore status is needed immediately so that zoning regulations can be implemented to place—at the very least—a moratorium on construction and development.

THE FARMER IN THE TILL

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. CONTE. Mr. Speaker, for the information of my colleagues who share my concern about the scandal of giant farm subsidy payments I am inserting in today's RECORD a copy of a recent excellent article, "The Farmer in the Till" by Dr. John A. Schnittker, in the August 1969 issue of the Atlantic.

The article was written before the failure of the other body to sustain my amendment placing a $20,000 limit on total farm payments to a single producer. I am sure those of my colleagues who supported that amendment join me in urging our conferees to insist on the House amendment.

But, whether or not we prevail on this issue this year, the Congress still must concern itself with long-term farm legislation. My colleagues will note that Dr. Schnittker recommends in this article a ceiling of $5,000 per crop, thus enabling savings of $500 million or more.

After consultations with Dr. Schnittker and other agricultural experts, this is the position I have taken in a recent statement to the House Agriculture Committee, a copy of which I inserted in the RECORD on July 21, 1969, at page 20190.

I urge all of my colleagues to consider this excellent article.

The article follows:

THE FARMER IN THE TILL

(By John A. Schnittker)

John F. Kennedy is reported to have remarked that he didn't want to hear about agriculture from anyone except John Kenneth Galbraith, and didn't want to hear about it from him either. As President, Lyndon Johnson nursed an incurable longing for the rustic pleasures of the LBJ Ranch, but he avoided farm-policy questions when he could. Public officials are alternately wary and weary of agricultural policy. There is ample reason for both attitudes. Farm voters are notoriously hard to please, and farm-policy debates are seldom stimulating. Yet the need for agricultural policy will not go away simply because frustrated politicians wish it. Advanced technology on the farm assures plenty of food for consumers. It also requires stable prices, and there are far too many farmers to arrange such a result without federal help.

Official lethargy on this score was shattered late in May this year when the House of Representatives, reacting against million-dollar payments to big farms, overwhelmingly approved a ceiling of $20,000 on direct subsidy payments to any farm. This revolt against the old order in farm policy was a replay of a surprising House action in 1968, an action later reversed by the Senate.

Congressional advocates of a farm-payment ceiling have some good things going for them. Farm-program costs, at $4 to $5 billion a year, are high and moving higher. In a careful survey made late in 1968, 85 percent of the farmers favored limiting farm benefits. City people are nearly unanimous in objecting to the big budget drain for farm programs when other priority needs beg for funds. Most important, advocates of farm-program reform in the House of Representatives and the Poor People's Lobby have skillfully contrasted giant federal payments to a few farms with the hand-to-mouth budget granted federal food programs by Southern-dominated Agriculture Committees in both houses of Congress, despite evidence of widespread malnutrition. Congressman Paul Findley (R., Ill.) has reported to the House that the cotton and wheat areas with the largest number of big farm payments were doing least about hunger and malnutrition. Finally, a study prepared last year at the request of President Johnson has destroyed the claim of the agricultural establishment in both political parties that surpluses and economic chaos would inevitably accompany a ceiling on farm benefits. Budget savings of $250 million per year are now anticipated by those who favor payment reform, and the savings could be doubled if the payment ceiling were set at $10,000 instead of the $20,000 that was proposed.

Those members of the Congress who opposed the ceiling on farm benefits claimed that such a plan could not be administered, that it was unworkable and unfair, and that it would not save money. Fortunately for the public, none of this is believed any more, at least not in the House of Representatives.

PARITY, PARITY, PARITY

It helps to know some of the words and symbols, if one is to understand the need for change in farm programs. Parity, price supports, and direct payments are the key words.

Parity has been the battle cry of farmers since the 1920s. Public discussion of farm policy, however, has been clouded by three parity doctrines. Parity in the abstract is hard to argue with; it is essentially a fairness doctrine. The effort to find out what is fair for farmers, however, has spawned two

competing statistical measures of farm parity.

Parity prices originated a generation ago out of what seemed to be a sensible notion: that farm-product prices should increase in step with the general price level; this would maintain the farmer's purchasing power. Conceived before the new technology revolutionized farming, the parity-price system has failed to account for recent rapid gains in productivity. If farmers were guaranteed 100 percent parity prices in 1969 (instead of the present 65 to 70 percent of parity), wheat, corn, and cotton prices would increase by about 50 percent. Crop surpluses would be inevitable, and the Agriculture Department budget would soon rival the Defense budget. Clearly, the parity-price doctrine is obsolete, although not quite dead.

Parity income is a more recent standard. Simply put, the parity-income doctrine says that a good farmer investing his capital in an operation large enough to employ him more or less fully should be able to earn as much farming as he would earn operating any other small business. A recent Department of Agriculture study showed that a half million of the biggest farmers producing two thirds of our farm products are meeting this standard, at least on the average if not on every farm every year. Net incomes on the largest farms, thanks partly to big payments, are generally far above parity; rapid land-price escalation as farms are enlarged is a clear sign of this. In contrast, the smallest and poorest two million farms could not earn parity incomes on the farm even if market prices were doubled or tripled.

PRICE SUPPORTS AND PAYMENTS

Farm prices left to themselves are notoriously unstable. Price support programs, begun in 1933, grew out of that fact and out of the general economic depression. The new programs were supposed to raise prices by reducing crop production and by removing surpluses from the market. But neither the farm programs nor pump-priming expenditures in the rest of the economy brought real recovery in the 1930s. World War II did that, pushing farm prices so high that price ceilings and consumer food subsidies were applied. After the war, the farm bloc in Congress succeeded for a time in maintaining the high wartime prices under peacetime conditions, even though agricultural prices around the world were declining as Europe recovered and began producing again. The results were predictable. By the late 1950s high market-price guarantees and half-hearted production control were creating huge surpluses. More than that, farmers were gearing their expectations to high prices and buying their land at inflated values. Thus they were generating their own cost increases to justify future demands for even higher prices. By 1960, every grain- and butter-storage structure in the United States was filled. The annual cost of simply owning and storing the $9 billion farm surplus reached $1 billion in 1961. "How to let go of the bear's tail" became the principal preoccupation of reform-minded farm officials and economists.

The answer was a system of direct payments to farmers in place of high price supports. In the early 1960s, payments became the key instrument of farm-policy reform, cushioning the impact of an abrupt shift from high to lower price guarantees for wheat and cotton, and providing farmers the cash incentives required to reduce acreages and limit farm output. Big farmers, who had profited handsomely from high market-price guarantees in the 1950s, became identified in the 1960s as the recipients of huge government checks. The stage was set for the present struggle to reduce the size of those checks.

Recent developments in farming have also helped to focus public attention on farm-program benefits. When farm programs were introduced in 1933, there were 7 million farms in the United States. A few were huge holdings, but most were small, one-family enterprises. Benefits were geared to production, and so farm aid was spread fairly evenly. By 1968, more than half of those farms had disappeared. Today there are 3 million farms, but 2 million of them are small, part-time, residential, or hobby farms. One million top farmers produce nearly all of the farm products marketed, and they get most of the money spent on farm programs. A new study just published by the Joint Economic Committee of Congress, for example, shows that the largest 5 percent of sugarcane and cotton growers get 63 and 41 percent respectively of all the direct benefits from those programs. The largest one percent of cotton growers in California and Mississippi get 25 percent of all the direct federal benefits in those states. Under such circumstances, public concern is certainly understandable.

Clearly, the large payments are not going to the traditional American farm, still typically a one-family enterprise. Instead, they help ensure financial security for such well-heeled enterprises as the J. G. Boswell Company of King's County, California, which collected direct farm payments of $3 million in 1968 and $4.1 million in 1967. The Boswell Company is a multimillion-dollar diversified cotton operation with good connections in Washington. Senators and congressmen are not excluded from farming, nor do they always disqualify themselves when the Congress votes on big farm payments. Family interests of Senator James Eastland of Mississippi (the Eastland Plantation, Inc., and H. C. Eastland) collected payments totaling $142,078 in 1968, down from $189,050 in 1967. In October, 1968, Senator Eastland voted against the payment ceiling which would have to cut the Eastland farm payments to $60,000, or $20,000 on each of three farms. Campbell Farming of Big Horn County, Montana, often cited as the model of a modern wheat-farming operation, got $162,897 in 1968. Garst Farms, run by Roswell Garst, the international seed-corn figure and one-time host in Iowa to Premier Khrushchev, got $70,923 in 1966, but only $45,212 in 1968.

Nearly two and a half million farmers get federal payments, but only 10,000 farmers get over $20,000 per year. Most of the big payments go to cotton farmers in California, Texas, Mississippi, Arkansas, and Arizona. When Congressman Findley placed the names of all recipients of $25,000 or more in the *Congressional Record* this year, the list from the five biggest cotton states filled twenty-one pages. Five leading grain states required only four pages. Concentration of federal payments in a few cotton states makes them really ripe for reform, although sugar and wool, with powerful political support, are also involved.

Late this spring, when the House of Representatives voted a $20,000 ceiling on farm payments, the Majority and Minority Leaders were opposed, as were most committee chairmen. Understandably, the bulk of the opposing votes were from Texas, California, Mississippi, Arkansas, Kansas—the states with the biggest payments. The Senate could vote a ceiling this summer, if urban senators and the leadership take the initiative. If the Senate fails, final action may have to wait until the farm program is reviewed in 1970.

The White House does not seem to have learned anything from President Johnson's 1968 experience in this matter. When the House voted a payment ceiling last year despite intense Administration opposition, President Johnson began to have second thoughts about supporting his own farm bill, which continued the increasingly vulnerable big payments in a year when most budgets were being cut. Official embarrassment mounted after the Poor People's March when the Administration's expected assault on hunger fell before the tax surcharge, the $6 billion budget retrenchment, and higher Vietnam spending. When the Senate-House conferees on the farm bill dropped the payment-limiting amendments, last year's official White House strategy was designed to get the conference report stalled or rejected, so that the entire farm issue would have to be reviewed in 1969. That failed in a parliamentary maneuver designed without the President's knowledge by the Administration's own lobbyists. After that, President Johnson reluctantly signed the farm bill and directed "the Department of Agriculture to study the effect of a payment limitation on programs which require voluntary diversion of productive land."

That study was conducted in the Department of Agriculture and became public after President Johnson left office. Its findings flatly contradicted the principal argument the Administration and farm congressmen had made in recent years: that payment limits would destroy the production-control programs and would lead to new farm surpluses. The study also documented the potential budget savings associated with a payment ceiling. All this, even the potential budget savings, seems to have been lost on the new Administration.

The advocates of unlimited payments are now left without any sensible arguments for their position. Previous opposition to the ceiling rested on the argument that big payments are needed *to prevent too much corn and wheat production*. This spurious claim had a limited validity in the 1961–1964 period of heavy surplus removal, but it has none in 1969 when grain surpluses are down. The Department of Agriculture simply did not know the distribution of payments by size of farm until around 1965. Acting on faulty information, Department officials took an early stand against a payment ceiling, and never found a way to change their position. Now we know that only 2 percent of all feed grains and 4 percent of all wheat would be affected by a $20,000 limit. Even a $5,000 ceiling would not materially affect the stability of the feed-grain economy.

Cotton is more concentrated; one third of the crop is grown on some 5000 big farms (out of more than half a million cotton farms) which would be affected by a $20,000 ceiling. Legislative leaders who had insisted that a payment ceiling would cause a grain *surplus*, now said it would cause a cotton *shortage*, an argument so symmetrical it seemed plausible. Senator Holland said last year that the prospect of lower payments made "it appear very unlikely that such producers could continue to supply the mills with low priced cotton. . . ." This is a proposition that ought to be tested: if American cotton growers cannot compete on even terms in world fiber markets without unconscionably high federal payments, it is not too early to discover it. Major changes in addition to a payment ceiling are required in the cotton program. The most important is to remove a provision of the 1965 act which ingeniously exempted cotton from any future payment ceiling. This must be repealed before the ceiling can be effective for the crop and the areas with most of the huge payments.

WHAT TO DO

No firm principles have emerged to direct the Congress toward a particular maximum level for farm payments. Budget savings are the best guide. By that test the $20,000 ceiling is too generous; the figure should be no higher than $5,000 per crop or $10,000 per farm, in order to save more money. Reduced payments will not undermine farm-price stability as long as top payments are not forced below those levels. Inevitably, the maximum payment level will be set somewhat arbitrarily: a $20,000 limit will save $200 to $300 million a year; a maximum of $5,000 per crop or $10,000 per farm would save $500 million or more. If farms are

allowed to split up to circumvent the new policy, however, some of these savings will be lost. This will bear watching; Congress should give the Department of Agriculture firm directions against farm splitting.

These reforms will not silence the sharpest critics of farm programs, who have never accepted the policy of limiting farm production to stabilize prices while anyone anywhere is hungry. So long as the agricultural economy remains inherently unstable, with too many producers to combine effectively to set their own prices the way industrial combines do, the opponents of any farm stabilization effort will probably be disappointed. We need a farm policy as well as a responsive fiscal policy and a compassionate food policy. But a sensible farm policy does not require giant payments.

Farm payments and food programs will inevitably be paired off in the coming debate, although ending big payments will not automatically ensure more food for the poor. The public can't help seeing tragic irony in Congress' tight-fisted approach to hunger, in contrast to its open-handed financing of farm programs. Budget pressures alone ought to encourage the Administration to sense its interest in this matter, if principle does not, although White House help may never materialize, given Mr. Nixon's dependence on the South. Political advantage seems assured for those members who help drive farm-payment reform through the Congress. Big payments lack any legitimacy in real program objectives. It is right, therefore, to end them. Only the most twisted sense of priorities will let us continue to pay millions every year to a few big farms while we procrastinate about ghetto reconstruction, postpone remedial education, close Job Corps Camps, and let poor people starve.

SERMON BY REV. R. W. JABLONOWSKI, JR.

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. TEAGUE of Texas. Mr. Speaker, I would like to include in the RECORD a semon delivered to the worshippers in St. Stephen Presbyterian Church, Fort Worth, Tex., June 29, 1969, by the minister, R. W. Jablonowski, Jr. The message in this sermon is for all Americans and I commend it to your reading:

The sermon follows:

THE SERMON

Fifth Sunday After Epiphany, 29 June 1969.

The Old Testament Lesson: Joshua 1:1–9.

The Epistle Lesson: I Thessalonians 5:12–24.

The Gospel Lesson: St. Matthew 7:21–23.

On this Friday, the Fourth of July, we will, as a nation, celebrate the one hundred ninety-third anniversary of our independence, as decalred by our forebears under conditions far less propitious than those which are ours in our own time. In the progress of the search for freedom, which is the inherent right of every human being who is a child of God—and all human beings are!—there have been many vicissitudes, there have been more disappointments than fulfillments, there have been far greater numbers of denials than those granting to mankind the potential of achieving its true destiny.

Denials of freedom to mankind have been the result of many things, but usually the abscence of freedom has been caused by the fact that folk really do not believe, essentially, in freedom. Too many people want to be, and to ramain, dependent. A great many folk are unwilling to assume the responsibility which is inherent in being a free person, *because a person who is free is responsible for what he is and what he does!* We are always willing to claim our privileges, but we are not always as willing to accept, much less understand, what our claims to privilege mean for us and for all others with whom we come in contact.

In the pericope in which we read the brief statement of Our Lord in *The Gospel* he is speaking to us of the consequences of our Christian freedom. We are able glibly to call upon the name of God whenever we wish buttressing for our opinions, or when we need strength in times of weakness or doubt, or when we desire the attainment of particular goal. But, in times of our prosperity, in our moments of withdrawal from reality, or when we are addicted stubbornly to the rightness of our own opinions, we resent the claims of God upon us as Christians. ". . . many will say to me, 'Lord, . . . did we not prophesy in your name . . ." (Yes, we do!) " . . . and do many mighty works in your name? . . ." (Yes, we even undertake these!) But do we really believe ourselves, as Christian men and women, to be wholly subject to the will of God? Of course, none of us is! *And do we even accept the principle of what it means to be subject to God's sovereignty?*

There are many folks, for example, who cry out for and state they believe wholeheartedly in the rule of justice, but how many of these persons are willing to accept equally the rule of mercy? Large numbers of our citizens speak out on behalf of and say that they believe whole-heartedly in the capitalistic system of economy as best for the human family, but how many of us really believe in the free operation of the market when it affects adversely our economic well-being?

You see, we cannot have it in part; we must either accept all of it or none of it. *Were God to deal with us as we deserve there would be none of us who survives, but he doesn't do this.* He does not treat us as we treat him. He does not seek vengeance and visit retribution upon us, as often we try to do in our dealings with other people. And this is why the judgment of God, ultimately, has to come upon those who will not accept the same principles as being applicable to their dealings with other humans which they accept so readily in God's dealings with them.

These eternal principles apply equally in our national life. The writer of the *Book of Joshua,* in attempting to offer a basis by which the nation of Israel could prosper, by which it could dwell securely within the borders of its land, by which it could expand and become a greater land, proposed that strength and courage are ingredients for the foundation of any successful commonwealth, and, secondly, that they should never become frightened or discouraged in their search for the principles of rectitude, *with the particular admonition to turn neither to the right nor the left* . . . . . in other words, to avoid extremes in any positions.

Now to conditions in our own country. Everybody has suddenly decided, citizen and politician, old and young, that this is a good time to jump on the bandwagon and be against the further dissemination of pornography. My, what a laudable spiritual end! Who in the world ever would be *publicly for* the dissemination of pornography? But what do the adults do in our society? They make a best-seller out of Jacqueline Susann's *The Love Machine,* which is more sheerly pornographic than any of the paperback books under the counters of any newsstand in this town. There is not one vestige of literary merit in anything Jacqueline Susann ever wrote, by her own admission. There is no validity in any adult having anything to say about distribution of pornography who has even read *The Love Machine.*

In the disturbances affecting our country, those on the 'left' now seek the realization of an anarchial situation in which it is supposed that every man "doing his own thing" at his own time "on his own turf" in his own way is a proper way for people to live. *No society can survive this.* Anarchy is intolerable in any situation of interpersonal relationships, no matter how large or how small. The ability of folk to dwell together is dependent always upon their willingness to recognize the rights of others, never seeking to gain an advantage at the expense of another's being deprived of such advantage. *Freedom never means license.* There is no way that any person may claim, etymologically or through any other structure, that the right to be free means the right to act as you please.

Equally detrimental to us are those who would deny the exercise of freedom to all, *and who propose in answer to the excesses of others suppression, repression, denial.* The difficulties arising from the anarchists in our midst are because those of us who do possess the power have been unwilling to extend *to all the citizens of this nation their just rights under law.*

So, this is the negative side. But Christians are not negative, free people are not negative, when they are true to themselves. The positive side is so much greater. Here is a nation, the most powerful, the greatest yet existing on this planet, a nation endowed with tremendous resources of people, in addition to its resources of the material. *And it is the resource of human personality which is our real wealth.* We possess people of competence in every field, people of vision who are able to lead those of us with lesser capacities into greater kinds of fulfillment. This nation which we love is not yet doomed. There is unlimited achievement awaiting us all, if only we believe the principles upon which our commonwealth was founded, and live in accord with these.

What we need is the reawakening within us of *true patriotism*—not the kind which merely drapes itself in the flag, and adds to it "God" and "Mother"—but the kind of patriotism which says that *every human being is deserving of what I have; he has the right to receive all the education his mind can absorb, he has the right to work where he pleases and live where he pleases, he has the right to participate fully in every political decision.* And along with these go the obligations which are commensurate with the claim of these privileges.

It was with these ethics, though often lacking unfairly in application to some, that this nation began its expansion and how it has prospered. It is the only way that it will from this day forward do the same. You see, we are the folk, we in this room, who bear the chief responsibility. We are better educated than the majority, we have a higher standard of living than the majority, we have a heritage of freedom for longer than the majority. *Therefore we have a greater obligation, not a lesser one. No one ever has lesser obligation when he has greater privilege. This is the confusion of people who do not understand the meaning of freedom.*

The Biblical writer sums it up succinctly when he says, *"From those to whom much has been given much is expected."*

DILUTING DEMOCRACY

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. BOLLING. Mr. Speaker, last week the Wall Street Journal clearly set down, in one of its editorials, the clear and present damage embedded in a bill sent to the Congress by the Nixon administration in an effort to improve law-enforcement

methods. The editorial quite properly concludes with a statement:

If fear of crime is justified, the tendency to let it dilute democracy should be resisted as strenuously as possible.

I submit the column for inclusion in the RECORD, as follows:

[From the Wall Street Journal, July 31, 1969]

DILUTING DEMOCRACY

Certain provisions of the Nixon Administration's bill to fight crime in the nation's capital, coming soon after the Justice Department's attempts to expand its wiretapping powers, suggest a disturbing conclusion: That the Administration considers the downgrading of traditions designed to protect individual rights a valid weapon against crime.

The most controversial aspect of the proposed new legislation calls for amending the 1966 Bail Reform Act to provide for "preventive detention" of suspects accused of certain violent noncapital crimes. A judge might refuse to release such suspects pending trial if in his opinion they would pose a danger to the community.

The Bail Reform Act, the first major bail reform legislation since 1789, established a couple of basic principles for Federal Courts. A suspect accused of a noncapital offense should be released pending trial, unless authorities believe he might attempt to flee, and his ability to pay a bond should not be a factor in his release. The intent of the act was to rectify the existing situation which often discriminated against indigent suspects who could not raise bail money. Judges were authorized to hold only suspects accused of capital offenses, or convicted suspects awaiting sentencing or appeal because of their potential danger to the community.

Two apparent conditions encourage the Justice Department to press for expanded judicial power to hold untried suspects for "preventive" reasons as well as to insure their trial appearance.

First, in the District of Columbia, where Federal courts deal with crimes handled by state and local courts elsewhere, crimes committed by some suspects released before trial are on the increase—narcotics addicts who turn to robbery to support their habits, for example.

Second, despite the Bail Reform Act, some judges continue to set high bonds for suspects they consider dangerous, even with little reason to believe they might flee to escape trial. The Justice Department thus contends the sanctioning of "preventive detention" might serve the dual purpose of reducing crime in the District and rationalizing the often arbitrary existing situation.

If expanding the preventive detention concept to some lesser crimes in the District of Columbia seems a small step, it involves a major principle. By requiring the judge to make what must amount to a pretrial ruling on a suspect's criminality, it violates the tradition that the accused must be considered innocent until proved guilty. The decision to violate it can only be uncomfortable for a judge conscious of democratic legal traditions. The fact that some judges routinely violate the tradition by setting unsanctioned high bail is hardly an argument for writing the violated tradition into law.

For if the strains created for the police and the courts by the increasing crime rate dramatize the need for more effective law enforcement, they also heighten the need for continued attention to traditions designed to protect individual rights. Overworked police and courts that result in unfair treatment of the guilty may result in unfair treatment of the innocent as well.

Thus a careful distinction should be made between measures to improve the structure and mechanics of the judicial process (also included in the Administration's Washington, D.C., proposals) and those which threaten long protected individual rights.

For the moment, crime may well be reduced more effectively by more policemen, better trained, paid and equipped, and by more courtrooms and judges to insure speedy trials and convictions of the guilty, than by giving the current number of police and judges new powers to violate individual rights to privacy and freedom.

The day may arrive when the threat of crime grows so serious as to require reduced protection of individual freedom for both the law abiding and the criminal, but conditions are not that bad now. As matters stand today, we would feel better if the Justice Department showed a greater sensitivity to the significance of plans to give judges and police questionable new powers. If fear of crime is justified, the tendency to let it dilute democracy should be resisted as strenuously as possible.

FLORIDA CONGRATULATES APOLLO ASTRONAUTS

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. FUQUA. Mr. Speaker, Florida is justifiably proud that our great State is the launchsite for our space program and as such it was from our State that the first men to walk on the moon were launched.

Speaking for all Floridians, the Governor and State cabinet recently passed a resolution paying tribute to the three brave men who made this historic journey and to all those who have made this, the greatest scientific achievement in the history of man, a reality.

The resolution follows:

RESOLUTION

Whereas, Florida has been the "home base" of this nation's ambitious, historic spaceship launching program for many years; and

Whereas, these Florida shores at Cape Kennedy, originally known as the historic Cape Canaveral, continues to be the focal point for space shots of today as well as yesterday; and

Whereas, Cape Kennedy was the blast-off point for the most ambitious and most historic of all the space shots of all nations in the history of the earth; to wit, the flight of Apollo 11 to the surface of the moon, and

Whereas, three American heroes; Astronauts Neil A. Armstrong, Edwin E. Aldrin and Michael Collins, rocketed off from Florida shores in Apollo 11 into far space on this daring venture which put two of these Americans walking on the surface of the moon; and

Whereas, these United States spacemen now have returned safely to our earth after giving mankind an entire new planet for exploration, and new horizons to seek; and

Whereas, the success of this mission has paved the way for a second moon trip from Cape Kennedy this Fall; and

Whereas, Florida will continue to be the lift-off location for still more enterprising voyages into other areas of the Universe; and

Whereas, this achievement has resulted in a unanimous expression of pride and gratitude from the citizens of Florida;

Now, therefore, be it resolved, that the Governor and Cabinet of the State of Florida, speaking on behalf of the citizens of our State, do hereby express our warmest congratulations and our heartfelt thanks to the crew of the Apollo 11 and to the many hundreds and hundreds of workers and technicians daring venture which put two Americans walking on the surface of the moon; and

Whereas, these United States spacemen now have returned safely to our earth after giving mankind an entire new planet for exploration, and new horizons to seek; and

Whereas, the success of this mission has paved the way for a second moon trip from Cape Kennedy this Fall; and

Whereas, Florida will continue to be the lift-off location for still more enterprising voyages into other areas of the Universe; and

Whereas, this achievement has resulted in a unanimous expression of pride and gratitude from the citizens of Florida;

Now, therefore, be it resolved, that the Governor and Cabinet of the State of Florida, speaking on behalf of the citizens of our State, do hereby express our warmest congratulations and our heartfelt thanks to the crew of the Apollo 11 and to the many hundreds and hundreds of workers and technicians in Florida and elsewhere who have made this unparalleled accomplishment possible, and that we salute them individually and collectively.

Adopted this 29th day of July, 1969, at Tallahassee, Leon County, Florida.

CLAUDE R. KIRK, Jr.,
Governor.
TOM ADAMS,
Secretary of State.
FRED O. DICKINSON, Jr.,
Comptroller.
BROWARD WILLIAMS,
Treasurer.
FLOYD T. CHRISTIAN,
Commissioner of Education.
DOYLE CONNER,
Commissioner of Agriculture.
EARL FAIRCLOTH,
Attorney General.

IN HAILING HEROES DO NOT FORGET THE MEN WHO LAID THE PATTERN FOR SPACE SUCCESSES

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. DULSKI. Mr. Speaker, our triumphant feat of putting man on the moon a few days ago is one that staggers the imagination of all of us.

In so doing—and I am one of the proudest of our achievements— I believe it also is important to try if we can to put the pattern of development that led to Apollo 11 into proper perspective.

Where did the space race originate, who were the pioneers? There were many of course, indeed thousands who took part.

A recent article has recalled some of the early figures in the Nation's space effort. The July 28 article as follows is by Nat S. Finney, former Washington bureau chief for the Buffalo, N.Y., Evening News, who was closely associated with the scientific community during his years in Washington.

The article follows:

FORGOTTEN INDIVIDUALS MARK TRAIL TO MOON

(By Nat S. Finney)

WASHINGTON, July 28.—American industry and technology have beaten Russia to the moon but the feat has left the record of its accomplishment in tatters.

Who remembers now that the origin of space exploration was the International Geophysical Year, or that the conquest of space fell into the same time span as the mastery

of intercontinental ballistic missiles in a deadly race with Soviet Union?

Indeed, who remembers that staying ahead of the Russians was what kept Congress pouring on the money?

The bitterness of the internal struggles that marked the sometimes halting progress of the drive to "put a man on the moon" during the 1960s has melted away although some of the leaders who were hurt in those struggles are still around.

DR. GLENNAN ILL

For instance, Dr. T. Keith Glennan, first administrator of the National Aeronautics & Space Agency during the Eisenhower administration, is an ailing and almost forgotten man in the hour of triumph.

Yet it was he who approved the specifications and placed the order for the Saturn-5 booster that supplied the thrust to send Apollo-11 thundering to the moon. It was Dr. Glennan who drew up the initial cost computation. And Dr. Lloyd V. Berkner, the father of the International Geophysical Year, who pulled his heart out to get funding for project Vanguard, at the Martin Co. in Baltimore, is dead and apparently forgotten by reporters writing about the triumphs of his ideas.

And President Eisenhower, who sternly watched over the national security while others yakked about how the U.S. had been "sputnik-ed," is not mentioned except as an unperceptive obstructionist.

WEBB WENT AHEAD

There has been little appreciation of the role that Dr. Hugh Dryden, the grandfather of aeronautical research, played in the early days of NASA, when, at the insistence of the scientific community, he was teamed with Dr. Glennan. Dr. Dryden's great savvy about aeronautical research kept NASA out of trouble with visionary schemes.

Perhaps most poignantly, James E. Webb, the diligent and effective public administrator who served three Presidents and who boldly carried the Apollo project to success, is dismissed with a phrase.

This was the man who had the administrative guts to throw an inadequate computer system out of the NASA window and spend $2 billion on the systems that later worked so miraculously.

It was Jim Webb who stood up to Dr. Jerome Wiesner, chief science adviser to Presidents Kennedy and Johnson, and to Dr. Wherner Von Braun, head of the Marshall Space Flight Center, to back the idea of launching a moon-landing module from a space capsule orbiting the moon.

UNITED STATES CHOSE BETTER

There is the best of reasons to believe that the Soviets went off on the wrong track and tried directly for the moon with their latest Luna, only to crash in futility almost at the moment when the American way was proving out.

This concept of "how to do it" had come from a relatively minor space technologist and was initially scorned by the senior scientists of the project who carried their objections to President Kennedy.

The supreme irony of all this is that James Webb was in effect fired by President Johnson after three astronauts died in an Apollo capsule fire.

Now that the newest astronauts are safely back on earth the effort will be to derive "lessons" from their exploit. Will the small, still voices of those who have kept the true record in mind be heard in reading those lessons.?

As I said earlier there are thousands who could be mentioned, but two Buffalo names which might well have been included in Mr. Finney's excellent commentary are Dr. Walter D. Dornberger, a former associate of Dr. von Braun, and the late Dr. Clifford D. Furnas, one-time head of Cornell Aeronautical Laboratory, one-time Assistant Secretary of Defense for Research and Development, educator, and eminent scientist.

EDUCATIONAL TRAVEL ALLOWANCES FOR OVERSEAS MILITARY DEPENDENTS

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, today I have reintroduced a bill which would authorize an educational travel allowance for dependents of military personnel serving outside of the United States. The bill would also authorize payment for room and board expenses at Department of Defense dormitory schools and one round trip a year for Department of Defense dependents to go to the United States to obtain an undergraduate college education.

This bill was introduced as H.R. 2082 in the 90th Congress and passed the House on June 29, 1967. It was not acted upon by the Senate. However, by amendment to appropriations before the Senate, provision was made for payment of dormitory costs.

It is my feeling that payment of dormitory costs, as well as transportation costs should be provided for by a specific law so that authorizations and appropriations for such costs can be dealt with in a routine fashion on a permanent basis.

Travel allowances are necessary when there is no suitable school where parents are stationed overseas and dependents must attend the nearest Department of Defense dormitory school. Payment of dormitory costs is necessary. The fortuitous circumstances of the location of a miltary man's assignment should not deny his children access to a free public education which is available to other military and civilian Government employee dependents stationed abroad. Travel allowances for one trip stateside to attend an undergraduate college is necessary. It is not fair to make access to a college education more difficult for dependents of military stationed overseas than it is for civilian Government personnel also stationed abroad.

Certainly it must be recognized that we are not now dealing fairly with the hundreds of military dependents who are attending the same schools as civilian Government employee dependents. Travel allowances are available to the civilian dependents while military must pay for the transportation of their dependents to and from school.

The Investigating Committee of the General Committee on Labor, chaired by Mr. DENT, while making on the spot investigations of overseas schools saw this problem first hand. The committee had repeated opportunity to see situations where Department of Defense dependents and civilian Government dependents were attending the same school. These children went to the same classes and often shared the same room. However, when it came time to return to their families the civilian Government employee's dependents boarded planes to make their way home while Department of Defense families were left to get their dependents home as best they could, often driving hundreds of miles to pick up their children at school. This situation is detailed in all the reports of the Investigating Committee.

This bill would remedy an inequity by extending the benefits now available to civilian Government employees to those who are serving their country in the armed services.

SERVICEMAN ASKS CIVILIANS FOR SUPPORT OF U.S. EFFORT

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. DULSKI. Mr. Speaker, each of us in Congress receives many letters from many sources with regard to the war in Vietnam.

There are complaints from those and their families who do not want to serve their country. There are complaints from those who claim the Government is not making an honest effort toward obtaining peace. There are seemingly endless gripes.

The other day I received a letter from a serviceman in Vietnam which gives a different view of the situation than we usually hear. He has been there only 7 months, but he has seen a lot in that short time.

His letter is so interesting that I am including with my remarks the full text word for word exactly as he sent it to me:

JULY 18, 1969.

DEAR CONGRESSMAN: You will have to excuse my means of addressing you but under the circumstances I can assure you I am doing my best.

The reason I am writing to you is not to complain about my situation or ridicule the people who seemed it adviseable to send me here. I just wanted to let you know my feelings about todays unrest amoung the youth of America conserning our commintment in Viet Nam.

As far as I am concerned all this dissent and unrest amoung the people of the U.S. is ill found and a little enlightenment for them would change their point of view.

I have been here for 7 mo now, by the way, I am in the infantry, and I have yet to see a civilian killed, or a village bombed or any other of the autrocities these people get word of. The military here goes to all ends to make sure no civilians get hurt. We don't bomb villages or ravage towns.

What we do do is send in PY 50 P teams and medical teams to help these people get back on their feet. They don't want war any more than we do. Nobody wants a war and after 30 some odd years of it, it can get very tireing.

I doubt that these demonstrators know what is really going on over here. If they want to be so opinionated then why don't they come over here and stay for a year? Maybe then they will begin to realize what we are trying to accomplish if we don't stop these people here then you and I both realize, I am sure, that we will eventualy wind up with Communist putting bobby-traps on our own front lawn.

I don't condone war. I hate it. It is ugly and dirty and the worst thing that man can get himself involved in. However, we have

been left no alternative but to do what has to be done.

Maybe someday men will be able to live in peace and harmony—maybe. If these people would show some support for us rather than abuse and ridicule it would help us alot. When a G I comes home from here he doesn't expect that, but a man who has fought for his country and gone through the trials and tribulations that we have deserves more than a protest against what he jepordized his life for. Would a welcome home and a job well done be too much for a country to extend to its protector?

I am not a big patriot. As a matter of fact I have a passionate dislike for the Army. However I am not so selfish as to burn my draft card and refuse to fight for what so many good men have died for. I am proud that I am serving here, helping to stop communism as best I can.

I will close now. I just wanted to drop you a line and give you my feelings, of which I am not alone with, so that you won't walk into a session thinking you are alone in your gruesome decisions of war.

Respectfully,

——— ———.

U.S. MERCHANT MARINE

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. FEIGHAN. Mr. Speaker, our merchant marine is known as our fourth line of defense, and it has performed exemplary service whenever there has been a call to arms. Unfortunately, this important element of our defenses has been allowed to deteriorate and dwindle while the Soviet Union is placing a high priority on the building of their merchant marine. Further details on this subject are to be found in the series of three articles now appearing in the Washington Evening Star, which I commend for reading by Members of Congress. Also, I wish to add that more than a year ago the Labor-Management Committee on Maritime Affairs stated:

There is no dispute that our Merchant Marine is woefully inadequate. We are now carrying—and this is a startling figure—under 8 percent of our foreign waterborne trade. The United States has dropped to 16th in the world's shipbuilding statistics. While the world fleet increased by 61 percent in the last 15 years, America's privately owned fleet has decreased by 24.5 percent.

This deplorable condition must be corrected immediately. We must revitalize the U.S. Merchant Marine. Our national security, as well as our pressing domestic problems, characterized by the balance of payments situation, cry for action now.

The Star article follows:

U.S. MERCHANT FLEET AT LOW EBB

(By Miriam Ottenberg)

The nation's once proud merchant marine has fallen on hard times.

Maritime experts agree that unless the Nixon administration establishes a broad ship replacement program, the United States will be down to about one-third of its present thousand-ship merchant fleet in a couple of years.

Many of the Liberty and Victory ships that slid down the ways in a fantastic show of wartime mass production are still around several wars later. Right now, in fact, World War II ships make up almost two-thirds of our merchant fleet.

How much longer can these ships last? Maritime Administrator Andrew E. Gibson warns: "We are three or four years away from disaster."

And Undersecretary of Commerce Rocco C. Siciliano told a convention of that AFL–CIO Seafarers' International Union here last week: "We feel that the merchant marine has to go back up. If the merchant marine goes down any further, it will go down the drain."

For years, congressional committees have been declaring that the nation is running out of time to save the merchant marine. And for years, Congress has voted more for the merchant marine than the administration has spent. More than $101 million appropriated to replace rust buckets is still unused.

Despite repeated bipartisan demands from Capitol Hill and repeated presidential promises, the past two administrations have failed to come up with any positive program to maintain the United States as a first-rate seafaring nation.

The last such program came in the Eisenhower administration, when a building program of some 30 ships a year was projected to overcome the block obsolescence of the World War II merchant ships. Currently, that program is some 100 ships behind schedule.

The lack of a long-range program brings other grief to a troubled industry. Uncertain of how much government support to expect, shipping interests tangle in abrasive argument and labor is reluctant to make concessions for fear there won't be enough jobs to go around.

Matching this thread of self-interest are the diverse concerns of various government agencies often operating at cross-purposes in maritime affairs.

For example, under the law, half of the government's "food-for-peace" and foreign aid cargo is supposed to be carried in American ships. But shipping industry officials claim it doesn't always work out that way. They say the Agriculture Department wants the cheap rates of foreign shipping and the State Department and the Agency for International Development want to score points with foreign governments by using their ships.

Recently, the General Accounting Office told the Agriculture Department it had found that ocean transportation costs amounting to over $416,000 were paid to foreign carriers when U.S. carriers were available at the same rate.

U.S. flag ships carry only 5.6 percent of this country's total foreign trade. In sharp contrast, Soviet ships carry 50 percent of the USSR's international seaborne trade and the Soviets expect to increase this to 75 percent by 1975.

Nowhere does the absence of a program show itself more forcibly than in actual shipbuilding. Shipyards kept alive only by naval ship orders have lacked the incentive to modernize and expand. Only in very recent years have they started to improve their facilities—prompted by the conviction that a positive merchant shipbuilding program must be forthcoming. Meanwhile, foreign shipyards are booming.

More than national pride is at stake. The Navy is now seriously concerned about future sealift of supplies to armed forces in Vietnam and around the world.

FACING FACTS

Here are some of the facts facing those dealing with the problem today:

The United States has to import 66 commodities classed as strategic and critical, but it has to rely on foreign flag ships to carry 95 percent of those imports. Warns Vice Admiral L. P. Rumage, commander of the Military Sea Transportation Service: "We are a nautical dependent in an era when we should be commercially and militarily standing on our own feet."

This increased dependence on foreign flag shipping is adding to our balance of payments deficit. A maritime industry study shows that if the percentage of U.S. trade carried in American ships from 1960 to 1967 had been as high as existed before World War II (30 to 35 percent), the country would have had a positive balance of some $5 billion instead of a $23.5 billion deficit.

SOVIET GROWTH ALARMING

To many, the most disturbing aspect of the American maritime decline is the growth of the Soviet fleet. In 1950, Russia was rated 21st among maritime nations, with only 432 major merchant vessels totaling 1.8 million deadweight tons. Today, the Russians have an estimated 1,442 ships with a total of 12 million tons and by next year they hope to have 2,600 ships.

The Soviet merchant fleet also has an age advantage. Four out of five Soviet merchant ships are less than 10 years old. Four out of five U.S. ships are 20 years old or older.

Admiral Thomas H. Moorer, chief of naval operations, believes that following the Suez Canal crisis, the USSR shifted its concept of maritime strategy from a defensive to an offensive, worldwide one.

"What they are doing," Moorer says, "is using their maritime power—merchant ships, oceanographic ships, their fishing fleet—as an instrument of foreign policy."

GOODWILL AMBASSADORS

Soviet merchant seamen are specially trained to stay out of trouble and avoid notoriety in liberty ports while extolling the Soviet way of life.

Legislators like Sen. Warren G. Magnuson, D-Wash., chairman of the Senate Commerce Committee, preach the importance of American seamen as goodwill ambassadors around the world and the vital role of American ships in bringing Western ideology to developing nations.

Georgetown University's Center for Strategic and International Studies, in a recent report on Soviet sea power, noted that "in the ports of developing countries, the ships can reinforce the Soviet claims to scientific and technological supremacy and enhance the appeal of the Soviet system as the route to national development."

Along with the Soviet economic penetration of new nations, Admiral Moorer cited the intelligence-gathering potential of Soviet trawlers—"a potential which Russia exploits in many ways, including surveillance of our missile range operations and our fleet operations."

Pointing out that more than 500 ships of the American merchant fleet currently are being used to carry supplies to Vietnam and other U.S. armed forces outposts and to transport food and other aid to hungry nations, the men responsible for maintaining our logistic lifelines pose these questions:

What would we do if another Vietnam-type conflict began now, requiring another 200 to 300 ships as well as additional sealift to bolster our flanks in Europe? What will we do five or 10 years from now when none of these ships will be around?

RESERVE FLEET AT 144

Much was once made of America's reserve fleet with a grand total of more than a thousand ships. Recently, Maritime Administrator Gibson told the House Merchant Marine Committee that "the only real reserve fleet we have now, in my judgment, are those ships which have been reconditioned for the Vietnam war and are in operating status."

That, he reported, amounts to 144 ships. The average cost of putting them in operating shape for Vietnam was $700,000.

Rep. William S. Mailliard, R-Calif., ranking minority member of the committee, commenting on an estimate of 1,165 in the reserve fleet, said, "we are constantly given these over-all figures of ships in the reserve fleet and I think it gives everyone a false sense of security to seriously consider that those ships have any real value as a reserve."

More than 15 million deadweight tons of American-owned ships flying the flags of Liberia, Panama or Honduras are classified as available to the United States in an emergency, but critics question the value of this setup.

CAN ALLIES HELP?

They contend that the concept that the United States has "effective control" over those ships is a "fallacy" because they are foreign ships in foreign waters manned by foreign seamen who owe no loyalty to the United States.

Another question: How much can this nation count on the ships of its allies in situations where there are major policy differences? There have been several instances where ships of a friendly nation refused to haul cargo to Vietnam. In other cases, the issue was avoided by a sounding before the ship was actually loaded. Commented Mailliard: "Vietnam has shown us that where allies are not in sympathy with what we're doing, we can't rely on them for sealift."

In the past three years there have been some 35 studies of merchant marine, its problems and its future. Typical of the conclusions was this one from the Senate Commerce Committee: "The clear lesson gleaned from our committee's study is beyond dispute: The U.S. merchant fleet is in a critical condition, its future is in doubt and remedial action of a major nature is essential if the United States is to remain a leading seafaring nation."

NIXON'S PROMISE

Less than two months after that report was printed last year, Richard M. Nixon promised a revitalized merchant marine if he became president.

"The maritime industry of the United States has been permitted to decline to a point at which the nation's defense and economic welfare are imperiled," he warned.

Rep. Edward A. Garmatz, D-Md., chairman of the House Merchant Marine Committee, is hopeful that the administration will soon come through with the program Congress has been awaiting. "There's no question about it" Garmatz says. "It's a different climate now. We didn't get through to the last administration."

Undersecretary Siciliano, in his speech last week, promised that the program probably would go to Congress within 60 days.

THE COAST GUARD—179 YEARS YOUNG

HON. ELIGIO de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. DE LA GARZA. Mr. Speaker, today marks the 179th anniversary of a proud service—the U.S. Coast Guard, an administration of the Department of Transportation.

This smallest member of our Armed Forces was founded on August 4, 1790, to suppress smuggling. Today the U.S. Coast Guard is represented around the world.

Coast Guard ships are plying the waters off Vietnam in Operation Market Time. Ice breakers explore the Arctic and Antarctic. In this regard the Cutter *Northwind* will arrive at Thule, Greenland, today after transmitting the famed Northwest Passage across the top of North America, preparatory to escorting supertanker *Manhattan* through these historic waters.

This service answers some 35,000 calls for assistance each year from mariners and boaters regardless of nationality. Last year the total value of ships and aircraft including cargo they saved was estimated at more than $3.5 billion—nearly six times the Coast Guard budget.

Coast Guardsmen also maintain some 45,000 marine aids to navigation and their merchant marine safety program is one of the reasons that the American Merchant Marine has the world's best safety record.

I am well aware of the Coast Guard's fine record in my own home State of Texas where they help thousands of people in trouble every year. Their Texas based rescue helicopters and ships have been a welcome sight to many Texans needing help. It is a pleasure to recognize these gallant men on the occasion of their 179th anniversary.

QUESTIONNAIRE RESULTS 1969

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. PETTIS. Mr. Speaker, I have recently compiled the results of my 1969 congressional questionnaire, which was sent into every home in the 33d District of California.

I found the responses to the questions very interesting and most helpful to me. The results on the question regarding the Post Office was of special interest.

Because I think my colleagues, to, will find the results both interesting and helpful, with your permission, I hereby insert the compilation of responses in this CONGRESSIONAL RECORD:

[Answers in percent]

1. Do you support the proposal to convert the Post Office into a government-owned corporation as a self-supporting operation?

Yes	77
No	16
Undecided	7

2. Do you favor dismantling the Office of Economic Opportunity and transferring its functions to various departments?

Yes	70
No	16
Undecided	14

3. Do you favor the requirement Congress voted last year that all able-bodied persons over 16 years of age, receiving welfare under the Aid to Families with Dependent Children Program, must participate in a work-training program as a condition to receiving aid?

Yes	92
No	3
Undecided	5

4. Electoral College—Do you favor: a. Abolish it and elect the president by a direct popular vote?

Yes	69
No	10
Undecided	21

b. Apportion the electoral votes of each state on the basis of the candidates vote in that state?

Yes	18
No	24
Undecided	58

c. Award electoral votes by Congressional district?

Yes	10
No	27
Undecided	63

5. Do you favor an all volunteer Armed Force?

Yes	42
No	48
Undecided	10

6. Vietnam—Do you favor:

(*a*) Renewed bombing of North Vietnam if the Paris peace talks fail?

Yes	62
No	15
Undecided	23

(*b*) A gradual withdrawal of U.S. troops regardless of the outcome of the Paris negotiations?

Yes	33
No	34
Undecided	33

(*c*) A coalition government in Saigon, including the Viet Cong?

Yes	17
No	44
Undecided	39

(*d*) An agreement between the United States and Hanoi to withdraw all outside forces and leave the fighting to the South Vietnamese?

Yes	53
No	33
Undecided	14

(*e*) Continued military aid to the Vietnamese government?

Yes	44
No	20
Undecided	36

7. Do you favor legislation limiting the number and type of questions to be asked in taking the 1970 Census?

Yes	66
No	22
Undecided	12

8. Would you favor extending the 10% Surtax if a portion of it were returned to the state and local governments?

Yes	26
No	66
Undecided	8

VILLAGE OF CHATEAUGAY, N.Y., CELEBRATES ITS CENTENNIAL YEAR

HON. ROBERT C. McEWEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. McEWEN. Mr. Speaker, during the week of August 2 through 9, 1969, Chateaugay, N.Y., will observe its 100th year of being incorporated as a village. The week-long ceremonies will be capped by a colorful parade and appropriate ceremonies marking this significant occasion on August 9.

Chateaugay is a lovely village. Located in northern New York in the St. Lawrence Valley, at the foothills of the Adirondack Mountains just a short distance from Canada, it is surrounded by much natural beauty and unlimited recreational resources for those of all ages. It was incorporated as a village by a special act of incorporation passed by the New York State legislature on May 3, 1869.

It has been blessed with a hearty, devoted, and industrious population. Chateaugay is justifiably proud of its citizens and the contributions they have made to their community, State, and Nation.

The people of Chateaugay have always sought the best education they could afford for their children, beginning with the construction of the Chateaugay Academy, which opened in 1879 and climaxed by the opening of the new Chateaugay Central School building in 1954. They are proud of this well equipped, modern building which presents a complete curriculum taught by a faculty of dedicated men and women and served by an equally dedicated staff and board of education.

The young men of the village of Chateaugay have served their country in every war since the Spanish-American War up to and including the war in South Vietnam. Many of them gave their lives in these conflicts. Chateaugay shares this grief with many other small towns across the country whose sons have paid the supreme sacrifice.

The Chateaugay Record has been the newspaper of "record" since 1878. It is faithfully read by the natives of Chateaugay, many of whom no longer reside there, but who want to be kept informed of the happenings in their home town. This weekly has reported major events in the history of the village from the fire of 1893, which destroyed nearly all of the north side of Main Street, to the coverage of the ceremonies marking this 100th anniversary including the publishing of a special centennial issue.

Chateaugay's citizens have always been a religious people. The village is presently served by Methodist, Presbyterian, and Catholic Churches, all of which have devoted pastors and congregations. These various parishes were serving their followers even before Chateaugay was incorporated as a village.

I extend to the village fathers and all the people of Chateaugay my best wishes for a joyous happy birthday and my sincerest congratulations. I also join with these wonderful and friendly people in looking toward a prosperous future for this village which has had such a notable past.

THERE'S GOT TO BE MORE TO IT THAN THAT

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. TEAGUE of Texas. Mr. Speaker, the thoughtful editorial in the August 1969 issue of Pace magazine points to our national space program as being a new departure in the evolution of mankind. The profound thought in this editorial speaks for itself and I commend it to the reading of my colleagues and the general public:

THERE'S GOT TO BE MORE TO IT THAN THAT

The going question seems to be that it's fine for a couple of guys to go up and walk around on the moon for 45 minutes, but they're three guys up there and we're six billion minus three guys down here, and many of us are sick, starving, and killing each other, and with all that money it just doesn't make sense, does it?

Well, of course, there are all the spin-offs: some (not enough!) jobs in the ghetto, technology that will revolutionize areas of life right across the board, a communications network that will pull the world together like never before, electronically at least.

Yet, somehow, if it's really worth it, there's got to be more.

Back in the 1800s Darwin shook up people considerably when he said that MAN (pompous capitals) had really evolved from various lower forms of animal life. Freud kept things going by writing that most of us lived our lives according to inherited drives and instincts lurking in the depths of a subconscious we never knew existed. Then Einstein dealt the final blow and said that matter isn't really matter but a state of energy, and vice versa, and that the really important things in the universe can't be visualized or conceived by the human mind at all, except in mathematical symbols that most people can't understand.

When it comes to things like this, there just isn't a silent majority! Critics asked Darwin why he had no faith, Freud how something so patently obvious as another level of consciousness hadn't been discovered by Aristotle (obviously a superior mind), and Einstein why his non-matter Earth didn't swallow him up on the spot.

The reason for confusion was that when a man steps into another dimension he can't be expected to defend himself within the assumptions and regulations of the dimension he has just left. Each of these men in his own way rose a step higher in perspective and each was able to see more of the mysterious interplay between inertia and initiative in life.

Space, whether we like it or not, means the introduction of Man into a new dimension.

Up until this point in history we have always lived within a closed system, on a single planet. It has been a dimension of limitation: only so much room, so many resources, so much time. This limited dimension has been the basis of our political and economic systems, and more importantly of our thinking, the basic assumptions of our lives—even our belief in what was possible and what was not.

Space means the end of limitation. As we discover means of propelling ourselves close to the speed of light, old time-limitations will vanish. The development of a self-regenerative life-support system, a "little earth" good for generations, will mean we can go as far into the universe as we want to. Even simple things like mineral resource exploitation will no longer be confined to Earth.

For the first time, limitlessness is not confined hopelessly to imagination.

In the next few years we may witness the most fundamental recasting of our attitudes toward life in the entire history of our race. For many years we've had the adequate capability to conquer war, poverty, hunger, prejudice—what we seem to have lacked is the adequate will.

This will is the biggest spin-off of the space program—something which practical men have always called intangible but which is, in reality, the most tangible imperative of our time.

It's a new dimension: we see Earth as a tiny gravitational disturbance in a limitless expanse of nothing. The perspective gives a meaning and an urgency to fine words and noble sentiments that have lost significance in the pedestrian current of history. The reach into space is nothing less than a departure point in evolution from which for the first time we can look at all the stumblings of the past and say honestly, "We can begin again."

REPRESENTATIVE McCARTHY SPEAKS ON USE OF GAS

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. CONTE. Mr. Speaker, we have all read and heard a lot about gas warfare in the past few months. I think we all owe some thanks to my distinguished colleague, the gentleman from New York (Mr. McCARTHY), for bringing this most important matter into the public light.

I joined about 100 of my colleagues in H. Res. 444 which calls upon the President to resubmit the Geneva Protocol to the Senate for ratification. This action is, of course, very long overdue.

Many of the facts and figures that have been revealed from only this year about chemical and biological warfare are simply astounding. In a speech to the Medical Committee for Human Rights-Physicians for Social Responsibility, Representative RICHARD MCCARTHY outlined very well where we are and where we are going in terms of controlling the use of gas. These remarks were made on July 18 in Boston, Mass. Because of the significance of this subject, I include these remarks in the RECORD at this time:

REMARKS OF REPRESENTATIVE RICHARD D. MCCARTHY—BOSTON, MASS., JULY 18, 1969

When I began my review of our chemical and biological warfare policies and practices last February, I found that the United States has gradually been slipping away from its traditional policy of not using these abhorrent forms of warfare. Our policy was gradually being eroded with practices that were justified with what appeared to me to be legalistic arguments based on semantics.

Part of this change in United States policy had come because of pressures from the military who were faced with a most difficult war in Vietnam. Another part came because top Administration officials had not considered the policy governing this area of warfare important enough to receive attention at the White House level. And part of the change in policy resulted from a lack of information available to the public. There was—and still is—more secrecy surrounding our practices and policies in the CBW field than in almost any other area of defense. As a result, the change was taking place without any serious opposition from the American public. A few groups—notably in the scientific field—had warned of the dangers inherent in our practices in Vietnam. A few Administration officials were fighting to stem a tide which they could not control. But Congress and the American people were not concerned about this issue.

The traditional United States policy on chemical and biological warfare is perhaps best exemplified by President Roosevelt's statement that "Use of such weapons has been outlawed by the general opinion of civilized mankind. This country has not used them. I state categorically that we shall under no circumstances resort to the use of such weapons unless they are first used by our enemies". To appreciate the change that has taken place in that policy since the late 1950's, let me review a few of the practices that we have used, weapons that we have come close to using, and policies which some of our military are urging our Government to use.

We have used tear gas as an offensive weapon on a massive scale in Vietnam. It is used to drive the enemy from bunkers and

tunnels so that they can be shot. It is used to drive the enemy into the open so that artillery shells and bombs will wound and kill him. It is applied on a massive scale to the countryside to deny the enemy the use of trails and roads.

We have used defoliants and herbicides—chemical weapons that strip the leaves off trees and brush and kill food crops on a massive scale in Vietnam.

I have been told that at least once we came very close to using biological warfare weapons against Cuba. Apparently it was only a last minute reversal that prevented the United States from being the first to use this inhuman form of warfare in modern history. I believe that the facts in this case deserve to be explored fully by the White House during its current review of CBW policy and by appropriate committees of Congress so that this can never happen again.

There has been much pressure exerted by part of the military for a change in our policy that would permit the first-use of incapacitating chemical and biological weapons. Under this policy the U.S. would be the first to use weapons such as the incapacitating gas BZ which produces an effect on a man similar to that of LSD for twelve hours. It would also allow us to use so-called incapacitating biological weapons such as Venezuelan Equine Encephalomyletis or *staphylococcus enterotoxin* to make the population of a country sick for several days while we send in our troops. I should point out that most physicians do not believe that there is such a weapon. Any disease affects different people in different ways. What may be incapacitating for one will be fatal for another. And to continue the main point, there has even been pressure to adopt a policy that would allow the first-use of lethal gas in certain cases.

In my opinion the use of tear gas as an offensive weapon in Vietnam is a clear violation of the Geneva Protocol banning first-use of gas warfare—a treaty which we stated that we fully supported in principle in the UN in 1966. I also believe that use of defoliants and herbicides is a clear violation of the spirit of the Geneva Protocol even though these chemical weapons had not been invented at the time the Protocol was first adopted. And in my opinion the United States should abandon a policy that involves the use of biological weapons and should state unequivocally that we will not be the first to use chemical warfare.

My beliefs on chemical and biological warfare policy have led me to seek ratification of the Geneva Protocol, United States support of the proposal before the Eighteen Nation Disarmament Conference now meeting in Geneva that would ban the development, production or use of biological warfare weapons, and a review of our chemical and biological warfare at the White House level and by the Congress. With these objectives in mind, I urge President Nixon to resubmit the Geneva Protocol to the United States for ratification. I also urged President Nixon to support the proposal banning biological warfare before the Geneva Eighteen Nation Disarmament Conference. And I have contacted a number of colleagues in both the House of Representatives and the Senate to urge that they support a thorough Congressional review of our CBW policies and practices.

There has been some progress towards these objectives. The following events in Congress have both educated the public on some of the issues involved and show the concern of members of Congress over the policy gap.

The Senate Foreign Relations Committee held a hearing on chemical and biological warfare. One result of this hearing was Senator Fulbright's endorsement of my proposals that the Geneva Protocol be resubmitted to the Senate. He said that he hoped that the Treaty would be resubmitted and that if it was, comprehensive hearings would be held on the subject.

The House Foreign Affairs Committee and the Senate Commerce Committee held hearings on the Army's plans for moving by rail and dumping in the Atlantic large quantities of nerve gas. These hearings led to the recommendation by a Committee of the National Academy of Science that the gas be disposed of at the arsenals rather than moving it by rail to the sea.

The House Committee on Government Operations held hearings on open-air testing of chemical and biological warfare weapons. These hearings finally brought out the full story about the nerve gas incident at Skull Valley, Utah where 6,400 sheep were killed in a test accident.

Senator Tydings has announced that he will hold hearings on the safety of open testing of nerve gas, particularly at Edgewood Arsenal which is fairly close to major East Coast cities.

The Executive Branch has also taken several important steps towards a what I hope will be a more rational CBW policy.

On June 17, 1969 President Nixon announced that he had ordered a full-scale Executive Branch review of our chemical and biological warfare policies and practices. This is the first top-level review of this policy in quite a few years. At the same time he announced that he was considering the question of resubmission of the Geneva Protocol to the Senate for ratification.

The Department of Defense accepted the National Academy of Science Committee recommendations on the disposal of gas.

President Nixon has asked the U.S. delegation at the Eighteen Nation Disarmament Conference now meeting in Geneva to work with the other nations to seek effective ways to control chemical and biological warfare weapons.

President Nixon praised the report on chemical and biological warfare issued by United Nations Secretary General U Thant in early July.

These are all steps that offer the prospects for a reaffirmation of sound and rational CBW policy.

There are, however, continued pressures to change our traditional policy governing chemical and biological warfare. The evidence of this pressure can be found in a number of instances.

First, perhaps the most disturbing example of this pressure occurred on July 3, 1969, early this month. President Nixon issued a message to the Eighteen Nation Disarmament Committee from Key Biscayne, Florida. In that statement he said that, "The specter of chemical and biological warfare arouses horror and revulsion throughout the world." I read this statement in the newspaper and was particularly pleased that President Nixon had stated, as President Coolidge, Hoover, Roosevelt, and Eisenhower had before him, the abhorrence with which the American people regard chemical and biological warfare. On July 16, 1969 I called the White House Press Office in Washington to get a copy of the text of President Nixon's message. You can imagine my surprise when the text arrived the next day with these words—"the specter of chemical and biological warfare arouses horror and revulsion throughout the world"—crossed out in black ink. I subsequently obtained a copy of the original release from Key Biscayne in which this key sentence of President Nixon's message is *not* crossed out.

My question is, who changed President Nixon's message? Was it someone else in the White House? I have heard that the strong objections of a member of the Armed Forces in Secretary Laird's office led to the change. I wonder if President Nixon approved the change of his original message.

Second, another example of the pressure for the adoption of a new policy involving the use of chemical and biological warfare weapons involved in the UN report on CBW. The representative coming from the United States appointed by Secretary General U Thant was Dr. Ivan Bennett of New York University Medical Center. Dr. Bennett was assisted by representatives from the various Executive Departments in preparing the draft of his chapter of the report. The representatives of the Defense Department supplied him with a draft of the chapter that reflected their particular policies in the chemical and biological warfare field.

The draft, for example, used the definition, "incapacitating biological agent" a term that as I mentioned before, most medical men would not accept as a valid term. The draft also included toxins produced from biological agents under the definition of chemicals, presumably so that if biological warfare is banned, the ban will not apply to toxins. Fortunately, Dr. Bennett and the other members of the UN Committee conditioned or changed these approaches—although not as much as I would prefer—before it reported to U Thant.

Third, Another example is the pressure that is now being exerted by the military in the Executive Branch review of CBW to exclude incapacitating chemical and biological agents and even in some cases lethal gas from the Geneva Protocol or any other treaty that we might sign. I believe that every effort must be made to resist this pressure. I believe that tear gas clearly falls under the ban included in the Geneva Protocol. Secretary General U Thant's report emphasized this and he recommended that all nations clearly reaffirm this point.

Tear gas deserves special mention because it poses problems for the ratification of the Geneva Protocol. The United States has been using it on a wide-scale as an offensive weapon in Vietnam. In the minds of some, this might pose an obstacle to frank discussion of the issue in Congressional hearings. Others have confused the use of tear gas in civil disturbances with the use of tear gas in war. This is a confusion that those familiar with the Geneva Protocol do not share. When the Protocol was drafted, the words "use in war" were specifically included to insure that the Protocol did not interfere with the legitimate use of tear gas to handle riots and other disturbances. The use of tear gas by civil authorities involves many considerations, but these clearly do not involve the ban included in the Geneva Protocol and should not be used as an obstacle to ratification.

Use of tear gas in combat operations in Vietnam is in my mind a violation of the Geneva Protocol. The amount of tear gas in its more modern forms, CS–1 and CS–2, that we have procured for use in Southeast Asia, 9,871,000 pounds, is enough when used with a helicopter dispenser to cover 80,000 square miles, more than the 66,000 square mile area of South Vietnam. The total amount of tear gas procured for Southeast Asia use, 13,736,000 pounds through 1969, is more than half the amount of mustard gas used by both sides in World War I.

When the use of tear gas in Vietnam was first revealed in early 1965 it aroused considerable opposition. Secretary McNamara acknowledged that three types of gas, CN, CS and DM had been used. But the use was defended as being humanitarian only. Civilians and Vietcong in caves together were gassed rather than blown up to save the lives of the civilians. Civilians used as shields by Vietcong were also gassed to make it unnecessary to hurt the innocent. These were the humanitarian examples that were cited. Presidential Press Secretary George Reedy, when asked about this, said it "was not the sort of thing" which would come up for high level approval. He said this despite a national policy which says only the President can decide to use gas.

At the policy level, Secretary Rusk said, "We do not expect that gas will be used in ordinary military operations." "The anticipation is, of course, that these weapons be used only in those situations involving riot control or situations analogous to riot control." This was subsequently repeated with

US Ambassador to the UN Nabrit's statement in 1966 that, "It would be unreasonable to contend that any rule of international law prohibits the use in combat against an enemy, *for humanitarian purposes*, of agents that Governments around the world commonly use to control riots by their own people." (My emphasis added.)

There apparently was an order issued at the top level of Government against further use of gas in Vietnam following the incident in early 1965. But in the fall of 1965 we learned that a Marine Lt. Colonel had ordered the use of gas to drive civilians and Viet Cong from a cave. Perhaps because it was a humanitarian move, this incident did not arouse the same public reaction that had occurred in the spring. At about that time, apparently the White House issued orders to the Department of Defense stating that the tear gases CS and CN could be used in Vietnam. This order was apparently given verbally because a number of people who have tried to get a copy have been unable to do so. There also is some question as to what standards were issued by the Defense Department to the field commanders in Vietnam for the use of these tear gases. I have written to Secretary Laird today asking for the directions that were issued governing use of tear gas in Vietnam.

Between the incident involving use of tear gas on a humanitarian basis in the fall of 1695, the earlier defense of use of tear gas on humanitarian grounds, and subsequent reports of use of tear gas in Vietnam, we can see how use of chemical weapons can change. In February 1966, we learned that the tear gas CS was dropped over a large area in preparation for a B–52 raid. The Defense Department said the gas was used to drive the enemy out of their bunkers so that they could be killed in the bombing. In May 1968 we learned that several tons of CS were dropped on enemy positions before beginning an infantry assault. In September 1968 we learned that CS was routinely used to drive the enemy into the open before bombing and artillery attacks. The Army Digest in November 1968 stated that "Entrenched areas that have successfully resisted both aerial and artillery fire have been reduced in an hour or two by combining the use of CS with maneuver and firepower." This can hardly be described as a humanitarian use.

Tear gas has been improved by technology. It has been made moisture proof so that it works better in Vietnam. It has been reduced in particle size so that it is much more effective. A man is immediately forced to seek fresh air. These changes amount to almost a change in type. And tons of tear gas are dumped on the Vietnamese countryside where it remains effective for some time. Enemy troops walking along paths and trails crush tear gas granules with their feet and forced to seek fresh air.

The policy implications of this use of tear gas as an offensive weapon are crucial. In using tear gas in this way we chance the possibility that the enemy will use gas. For example, Newsweek reported in its July 7, 1969 edition that a cache of nerve gas had been found in Vietnam, apparently stored by the North Vietnamese. I was gravely concerned about this and asked the editor to find out more about it. In a wire from his correspondent in Vietnam, he learned that the Green Berets that had found the cache had mistaken old tear gas in new bottles for nerve gas. Fortunately there was no escalation. But the possibility always exists.

Any use of gas poses problems of escalation. And if we authorize use of tear gas as an exception, do we have to state the chemical formula and particle size and method of delivery to insure that it is not changed into an entirely different gas. If tear gas is used as an offensive weapon—to help kill—why shouldn't other gases be used.

I believe that tear gas should be banned, as it is in the Geneva Protocol in the opinion of many countries. If the Geneva Protocol is resubmitted to the United States Senate for ratification, I strongly urge that the United States *not* attempt to exclude tear gas from the coverage of the Protocol. I believe that this would weaken the only reasonably successful arms control agreement adopted by modern man. The present Administration under President Nixon has not considered this question in the past and hence is not bound by the policies of its predecessors. I hope that they will reaffirm our traditional policy of no first-use of gas or germ warfare. And that means gas of any type.

Should the Administration believe that it is necessary to ask for an exclusion of tear gas—a step that I personally think would be wrong—I would hope that the Administration would first agree to check with the other 62 signatory nations to determine whether they would accept this exclusion. If a majority of the nations objected to the exclusion, I would hope that the Administration would abondon its attempt to obtain an exclusion for any gas.

I have discussed the problems involving tear gas at some length because, along with herbicides and defoliants, I believe they pose the most difficult problems for those considering the question of ratification of the Geneva Protocol. There are of course other problems, the pressures from the proponents of gas and germ warfare to exclude incapacitating weapons from any ban, but I believe that no Administration would seriously consider adopting a policy involving their use.

Progress has been made this year toward the adoption of a sane and rational United States policy in the chemical and biological warfare area. Almost 100 Members of the House of Representatives have joined me in sponsoring a resolution urging President Nixon to resubmit the Geneva Protocol for ratification. We are in the process of evolving what I believe can be a forward step in man's quest for a halt to inhumanity. I hope that you will join me in working toward this objective.

FLORIDA ATLANTIC UNIVERSITY: ACHIEVEMENT THROUGH LOCAL EFFORT

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. ROGERS of Florida. Mr. Speaker, Florida Atlantic University, Boca Raton, Fla., began its first classes in September of 1964 and has, in the past 5 years, established an excellent rapport with the community and has demonstrated that it has the stamina and ability to achieve academic excellence and service to others through programs established within its curriculum.

One such program was begun in the College of Education of Florida Atlantic University in 1965, less than a year after the school began its classes, to train teachers to work with disadvantaged elementary and secondary students. That program was conducted without specific funding, but was effective because of the interest and dedication of the faculty in the college of education.

Mr. Speaker, I insert at this point in the RECORD, a summary of the local effort accomplished by Florida Atlantic University since 1965 in dealing with underprivileged and disadvantaged students:

LOCAL EFFORT BY FLORIDA ATLANTIC UNIVERSITY'S COLLEGE OF EDUCATION RELATED TO GRANT REQUESTS AND PROJECTS FUNDED FROM FEDERAL SOURCES

1. In the Summer of 1965 Florida Atlantic University's College of Education requested funds for an institute to train teachers to work with disadvantaged elementary and secondary students, especially those from migrant areas near FAU. The project was not funded. However, the professional staff felt that leadership was needed in this area and the College of Education proceeded on its own initiative to conduct such an institute on a limited basis. Three courses with methodology for the disadvantaged were added to the curriculum for this institute.

The institute was successful in training 15 graduate students who did work effectively with the disadvantaged in public school programs. The success of the courses insured their retention in the curriculum. It is interesting to note that during a period of considerable national criticism about work with disadvantaged, FAU has not received any negative comment about this aspect of this training program.

2. Partially as a result of the preceding institute and also because of the continuing interest of the faculty in the training of teachers who are prepared to meet the realities of life, FAU has maintained a continuous pattern of observation and teacher aide experience during the junior undergraduate year and the senior year prior to student teaching. A large percentage of students in these field experiences are assigned to public schools with a heavy percentage of disadvantaged children enrolled. Our experience at this level is probably the most extensive of any university in the Florida System. This program was established without outside funding. It stands in marked contrast to institutions that have received reasonably large grants and some national publicity for similar programs involving fewer students than those being trained to teach the disadvantaged at Florida Atlantic University.

3. During the Summer of 1967, Florida Atlantic University conducted a program for Training of Counselors To Serve Children of Migrant Farm Laborers Through the Use of TV Taping and Other Media, funded under Title I of the Higher Education Act. It set the pattern for use of "TV Micro-Teaching" which became a regular part of our teaching training curricula. Six TV trainers are now in use for the University as a result of this experience. This method was adapted for use in the next outlined project.

4. In the summer of 1968, Florida Atlantic University conducted the Media Institute for Guided Studies Teachers, funded by title VI, B, Higher Education Act of 1965. A report of that Guided Studies Media Institute, entitled Guided Studies Program Begun for Junior College Teachers, appeared in the February 1969 issue of Junior College Journal, published by the American Association of Junior Colleges.

5. A follow-up Media Institute was proposed under EPDA for the Summer of 1969 to be conducted by Florida Atlantic University. The program was not funded. However, because of the successful 1968 Institute it was decided to repeat the program on a limited basis. Consequently, FAU invited participants only from the southeastern junior colleges. Since no funds were available for support, *all staff volunteered to handle this project on an overload assignment in order to continue to test the program initiated in 1968.* At the time of this writing, the 1969 Institute is fully underway and we have more than a dozen participants who are primarily from our surrounding junior colleges. The best techniques, including TV productions, slides, tapes, etc., which were developed in the 1968 Institute are being used.

Results: As a result of the previous programs and this present Institute, Florida Atlantic University has made a significant contribution to the education of disadvantaged youth, both black and white, in the South Florida area through the training of junior college teachers whose skills and attitudes focus on such students. This has been achieved with minimal funding, careful local planning and hard work—no riots and no protest. With adequate funding the impact of our previous effort will be made greater and will lead to real breakthroughs in teaching disadvantaged youth in junior colleges.

6. Another project which is self-explanatory is a center being developed almost entirely at the grass roots for training of teachers to work with retarded children. Some outside funding would be money well spent on this project which stands again in contrast to the usual riot act.

HON. MARIO BIAGGI

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. RODINO. Mr. Speaker, one of our ablest and most dynamic colleagues is the new Representative of New York's 24th District, the Honorable MARIO BIAGGI. Coming from a long and distinguished career as one of New York's finest, MARIO has embarked on his congressional service with the same dedication and concern for his fellow man that made his prior record so noteworthy.

I am pleased to call to the attention of the House the following article which appeared in January in the New York Sunday News, and I know that MARIO BIAGGI will continue to merit the esteem and admiration of his constituents and his fellow Members.

The article follows:

[From the New York Sunday News, Jan. 19, 1969]

FORMER COP HERO PROMISES ACTION AS CONGRESSMAN FROM BRONX 24TH CONGRESSIONAL DISTRICT

(By Bert Shanas)

He shot a man dead who pulled an ice pick on him.

He was dragged 60 feet over hard pavement while trying to stop a runaway horse.

He chose to shoot it out with an ex-con who was holding a gun to his head.

But last week, retired hero cop Mario Biaggi, said his "stomach was doing flip-flops on the day he was sworn into Congress." Speaking in New York after his first week as Representative of the 24th CD in the Northeast Bronx, the 51-year-old Congressman vowed to be "as strong a fighter in Congress as I was as a policeman."

Biaggi, the first New York policeman ever to serve in Congress, said that as an ex-cop he would have a keen insight into the needs of the people, since he had spent so much time on the streets with them.

"I'm a fighting policeman and I'll always be a fighter—even in Congress," said the freshman politico. "I know seniority is important, but I'm not the type to remain quiet. If something needs saying, I'll say it. And I've discovered if you say something worth hearing, other Congressmen will listen."

After 23 years on the police force, the ex-lieutenant feels that he has "something to say."

Among his major concerns in the 91st Congress will be the city's law and order and welfare problems.

He said the 24th CD includes people from several socio-economic and philosophic levels. There will be minority and middle class groups, with a heavy sprinkling of small homeowners and businessmen among his constituents. Biaggi says the problems of his Bronx district are really the problems of the whole city: "To help the 24th is to help New York.

"More and more the people are coming to their congressmen with problems the city administration can't handle. So I find I'm really a spokesman for the city in Congress.

"Let's face it, the people made law and order an issue, I didn't. But I was talking law and order when it wasn't popular—25 years ago. And I know law and order in only one way, as a professional policeman. If you're right, you're right, and I don't care if you're white, pink or black."

He said Mayor Lindsay was the "architect of chaos in the streets," and that Lindsay "is ruining the police department because he won't leave it alone," to do the job it's supposed to do.

Biaggi admitted he had seen cases of police brutality. He said he realizes it exists, but it's better to remove the offenders, while supporting the police, than to knock down the whole police system.

As a Congressman, Biaggi said, he would be in a good position to support the police by trying to raise funds for more men, better equipment and a harder fight against narcotics, which are responsible for 50% of the city's crimes.

Charging the people of New York have been "hoodwinked" into thinking they are getting protection they're actually not getting, owing to shortages of men and equipment, Biaggi said he would use his new office to pressure "police administrators."

Biaggi walked away with the election last November, defeating his Republican and Liberal opponents for the $30,000 a year post by better than 2 to 1. Along the way he picked up the support of the Conservative Party. It was the first time Bronx Conservatives had ever backed a Democrat.

A key issue in his campaign was the welfare problem—principally because conservative homeowners in the 24th were beginning to complain about the welfare burden.

Now that the election's over, Biaggi has vowed to carry the fight into the House of Representatives.

"The purpose of Welfare is to help people in need, and I'm for that," said Biaggi. "But I won't tolerate frauds and undeserving people getting welfare."

While insisting he isn't married to any one answer at this time, he does suggest federal takeover as a possible solution. "The least we should have is more federal investigations and guidelines where federal money is involved," he says.

Among the other ideas on the welfare problem that will go to Washington with Biaggi are centers to watch children while mothers work. He would also deny welfare aid to anyone who can work but refuses to, regardless of the job.

Although his proposals sometimes sound hard to the more "liberal" politicians, Biaggi says he knows what it's like to be a member of a minority group, to be poor and even "to be bounced around by the police."

Born in Harlem and raised there during the Depression, he remembers being forced to "move on" by policemen just because he was standing around with a bunch of friends.

"Where was I supposed to go?" he now asks himself.

One of three sons of a marble setter who couldn't find work, Biaggi shined shoes after school, carried packages, or helped his mother clean offices for $8 a week.

After graduation from Haaren High School in Manhattan, he took a job as a Harlem letter carrier with the Post Office, but decided "there were things going on that I didn't know about, and the way to find out what they were was to become a cop."

In 1942 he took the police exam, placing 174th out of 20,000. That began a career that comes close to matching Dick Tracy's for color. Wounded 11 times in the course of duty, Biaggi holds 28 department awards and THE NEWS Hero of the month Award, and is the only cop in the state to be selected to the National Police Hall of Fame.

When he retired from the police force, Biaggi entered New York Law School. He became a lawyer without previous college training. The American Bar Association passed a special resolution, waiving the undergraduate requirement in his case.

Biaggi has only one regret about being a Congressman. He won't see his wife, Marie, and three children as often as he'd like. They're remaining at the family's Mosholu Parkway, apartment while he lives in Washington. (A fourth child is a nurse in Puerto Rico.)

But Biaggi gets home on weekends and other odd times. He can still be seen Saturday and Sunday morning, jogging or bicycling through the Mosholu area, trying to stay in shape.

"One real problem of being a Congressman is with all those meetings, you sit too much," he said.

In spite of his criticism of the present city administration, Biaggi maintains New York is still governable, but won't say if he thinks he's the man who can get the top job some day.

Running his fingers through his thick, black hair, Biaggi commented that "almost everyone in politics thinks of New York City."

POPULATION GROWTH AND ITS FUTURE SOCIAL CONSEQUENCES

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. BUSH. Mr. Speaker, the House Republican task force on earth resources and population, of which I am chairman, is continuing its efforts to learn what is going on in Government and private organization to combat our pressing population growth and its future social consequences, as well as the rapid utilization of our resources and our concern for an environment of quality.

I offer for the RECORD the highlights of our most recent hearings:

HEARING HIGHLIGHTS, THURSDAY, JULY 24, 1969—POPULATION REFERENCE BUREAU

Dr. William Moran, President, Population Reference Bureau. Members Present: Bush, Horton, McCloskey, Pollock, Smith, Taft, Wold. Staff From: Vander Jagt.

Dr. Moran, President of the Population Reference Bureau expressed considerable concern over projected resource consumption rates. In 1900 the United States used 40.9 billion gallons of water. In 1960 that amount had increased to 322 billion gallons of water annually. Furthermore, these growing consumption rates apply to almost all of our resources.

One of the major problems the United States has in resource management is atti-

tudinal. Dr. Moran feels that we have adopted a "frontiersman" attitude and seem to believe that there will always be new resources available. The fact is that we are already failing to replenish some of our most essential resources. For instance, in the Southwestern United States we are tapping fossil water, or water left from the last ice age.

In this country today we produce only 60% of the oxygen we consume. We have introduced into our atmosphere more carbon dioxide than our plants can absorb and convert to meet our oxygen requirements.

We have in the United States, 6% of the world's population, but we are presently using ¼ to ½ of the world's resources. If the world is to someday manage its resources better, the U.S. must assume an important leadership role.

Dr. Moran believes that our efforts should be spent convincing young couples that their family will be happier and that their children will have a better chance for an education if family planning is practiced. Finding a way to convince and motivate the general public should be our first priority.

The Population Reference Bureau concentrates a great deal of its resources in both Latin and South America. Dr. Moran explained that the influence Catholicism has over national family planning programs varies with each country. Nationalism in countries like Brazil also limits the extent to which family planning services may be introduced. Brazil allows only 15% of those women who are considered fertile to receive any family planning services or information.

HEARING HIGHLIGHTS, TUESDAY, JULY 29, 1969, FORD FOUNDATION

Mr. Oscar Harkavy, Program Officer in Charge.

Members Present: Bush, McCloskey, Mosher, Wold.

Staff From: Anderson, Taft, Vander Jagt.

Current research in reproductive biology has given us many new ideas as to how the fertility cycle can be controlled. Mr. Harkavy explained that if mankind hopes to some day control the world's population, we must continue to develop new methods of contraception and to extensively examine these new research areas. $30 million will be spent this year on specific contraceptive research. Mr. Harkavy stated that we should increase these efforts to a $150 million level of expenditure over the next several years.

The population explosion is commonly recognized as one of the most serious problems now facing the nation and the world. Mr. Harkavy suggested, therefore, that we more adequately fund population research. It seems inconsistent that cancer research funds total $250–275 million annually, more than 8 times the amount spent on reproductive biology research.

Mr. Harkavy explained that finding solutions to the population problem is a long-term project. Grants given on an annual basis allow only short-term research plans. If these grants were distributed over a period of there years, it would be possible to thoroughly staff the projects and to plan the necessary long-term research programs.

Mr. Harkavy stated that often U.S. motives are questioned when foreign countries receive AID funds for family planning. It does not seem to matter how humanitarian our own motives may be. Mr. Harkavy agreed with the Presidential statement emphasizing the importance of unilateral funding through the United Nations.

By the year 2000, experts have predicted that we will have a population of 7 billion. Even more astounding is the fact that by 2025 that figure will have doubled to 14 billion.

HEARING HIGHLIGHTS, THURSDAY, JULY 31, 1969, NATIONAL SCIENCE FOUNDATION

Dr. William D. McElroy, Director; Dr. Louis Levin, Executive Associate Director.

Members Present: Bush, Fulton, Horton, Mosher, Pettis, Pollock, Ruppe, Wold.

Staff From: McCloskey, Taft, Vander Jagt.

Dr. McElroy explained that in order to return an ecological system to its original condition, the ecologist must enlist the assistance of experts in almost every science. No mechanism presently exists to coordinate these individual efforts. The National Science Foundation is funding an ecological analysis project in Jamaica which involves a complete examination of the food chain in bays and estuaries. It is hoped that from this study scientists will learn more about how to manage estuary resources.

Scientists are now learning to use waste heat from energy plants to actually improve ecological systems. Organisms have a faster growth rate in warm weather, and if properly planned, an energy plant can actually speed the recovery process of a polluted area.

Dr. McElroy suggested that family planning projects rely more heavily upon paramedical personnel, particularly in foreign countries. In India an expenditure of $700 million to train midwives and to make family planning services available would result in the direct contact of 25 million Indian women. Dr. McElroy considers this personal contact during periods of pregnancy to be vastly more effective than national information programs.

One of the crises the world will face as a result of present population growth rate is that assuming the world population increases 2% annually, urban population will increase by 6% and ghetto population will increase by 12%.

Dr. McElroy acknowledged the national population problem but urged that we not forget our neighbors. In a country like Jamaica which is "heading for trouble" in terms of population and available living space, Dr. McElroy feels that a modest investment of $2 million would significantly affect the future of Jamaica.

GUARANTEED ANNUAL INCOME

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. RYAN. Mr. Speaker, in the 90th Congress, I introduced the first legislation to provide for a guaranteed annual income—the Income Maintenance Act. On the opening day of the 91st Congress, I again introduced it as H.R. 586.

The Income Maintenance Act is designed to replace the existing welfare system with a program of income maintenance. The concept of income maintenance, which has been extensively debated, in broad outline means providing to people who have no income a minimum level of assistance, and reducing that assistance as they increase their income. Under H.R. 586, assistance is reduced by 50 cents for every dollar the recipient earns.

The plan is thus aimed at closing the poverty gap in the most direct and efficient way—by providing benefits as a matter of right, payable upon simple application, similar to application for social security benefits. At the same time, recipients are provided with a financial incentive to seek employment.

Our Nation's finest economists, sociologists, and experts on public welfare have endorsed this concept. Well-informed public discussion of income maintenance is increasing, as the American people, rich and poor alike, seek alternatives to the present welfare system. A vital contribution to this discussion has been made by Paul A. Samuelson, of MIT, in his article, "Lifting the Curse of the Poor," which appeared in Think magazine, published by IBM. It provides an excellent summary of the concept of income maintenance and of several proposals to implement the concept.

I include the article at this point in the RECORD, and I urge my colleagues to give it their attention:

LIFTING THE CURSE OF THE POOR

Just prior to his assassination, President Kennedy received a memorandum from Robert J. Lampman who was on leave from the University of Wisconsin serving a tour of duty on the New Frontier. Dr. Lampman was well known among professional economists as one of the best-informed experts on problems connected with the distribution of wealth and income in the United States.

In his 1963 memorandum, he pointed out that our high employment and vigorous economic growth served to emphasize, by contrast, the problems of poverty in America. President Kennedy was much impressed by Lampman's sober recital: Human suffering in Appalachia and in city ghettos were mere dramatizations of the continuing inequalities of income distribution and economic opportunity reported by the Census and other objective surveys.

Although the American per capita national income far exceeds, in real terms, that reported by any other nation, it is still true that children and grownups go to bed hungry at night. If, in the words of Hobbes, American life cannot be called "nasty, brutish, and short," any insurance company actuary can testify that malnutrition still figures as an important factor in premature death; and although the U.S. standard of living tops the list of major industrial nations, students of vital statistics have long known that America does not rank even in the top 10 where low infant mortality is concerned.

One of the decisions made by President Kennedy before his Dallas trip was to launch the War on Poverty. One of the first successful programs of the new President, Lyndon B. Johnson, was to implement that commitment by recommending the creation of the Office of Economic Opportunity and the spending of billions of dollars by the Federal Government to fight poverty.

At about the same time, a number of economists began independently to explore quite a different approach—under the general name of "a Negative Income Tax." And as the years since 1964 revealed a number of difficulties with parts of the poverty program, additional support among economists has been recruited for the new approach. By the summer of 1968, what had begun as an academic possibility began to take on the dimensions of a feasible new social program.

BIPARTISAN SUPPORT

Specifically, late in May more than 1,200 economists from more than 150 colleges and universities signed a public petition calling upon the nation to take this next step forward on the agenda of progress. Considerable bipartisan support was developed: Republican Congressman Melvin Laird of Wisconsin has introduced such a bill; Democratic Congressman William Ryan of New York has introduced a similar bill. Most of the

leading candidates for the presidency have expressed favorable interest in income maintenance programs of this kind. Such business leaders as Joseph Wilson of Xerox and Arjay Miller of Ford endorsed this new approach at a conference called by Governor Rockefeller.

What exactly is the negative income tax?

Everyone understands the positive graduated income tax: when a family reports its income it must, according to a formula that depends on family size (exemptions), pay a positive tax geared to the level of its income. Those with very low income are not, under the present system, subject to tax. Indeed, their tax exemptions of $600 per person are completely wasted. Under the negative tax, no matter what your income is, it would be reported along with family size. If income is below some defined poverty line, instead of paying a positive tax a family automatically receives as a matter of right a nationally uniform income supplement. The size of this payment, and this is a crucial feature of the program, is geared to the level of family earnings in such a way as to give everyone a definite incentive to increase his private earnings.

Thus, in one of the possible variants of the plan, a family of four with no earnings at all might automatically receive from the government a $1,500 payment. If by its own initiative it raises its earnings from zero up to $1,000 instead of having all of that taken away from it, as under present welfare assistance or under proposals to guarantee everybody a $3,000 income whatever he does, the family would be permitted under the negative income tax to keep, say, 50 percent of its extra earnings. The other 50 percent goes to the government to reduce its supplementary payment by $500. The same would be true if it earned a second $1,000 of income: the formula is always arranged to provide an incentive for the poor to cure their own poverty.

ALL THE VIRTUES

If, perhaps, through successful manpower retaining programs, the family is able by its own efforts to move out of poverty completely, the negative income tax will change over smoothly into a positive income tax. It should be noted that the payments given here for a family of four would have to be raised in cases where the couple had more than two children; and for single-individual families the formula would show a lower schedule of payments. This demonstrates that the negative income tax has all the virtues of a children's allowance program, plus the virtue of recognizing that adults are not able, in many cases, to escape the blight of poverty.

I have given, purely as an example, one possible schedule of payments that could be feasible for a program beginning in the next year or two. Some experts would favor a more generous schedule. As in the case of Social Security. If the new program turned out to work well in practice, one could expect its scope and coverage to expand with the passing years.

How much would a modest initial program cost?

Could our Gross National Product and fiscal system stand this cost?

Professor Lampman has estimated the price tag such a program to be about $7½ billion gross. But he also estimates that it would save about $2½ billion on present welfare assistance. Hence, the net cost would be about $5 billion. With the Gross National Product currently running at an $850 billion annual rate and the consolidated federal budget running at $180 billion annual rate, an extra $5 billion for a new vital program is hardly beyond the fiscal capacity of an affluent society. Many experts would argue that we can already afford a program of this kind that costs several times as much, if we have the will to pay for it.

In this connection it is worth emphasizing that our international balance of payments deficit is one of the most important constraints upon our present-day economy. Any of the extra billions of dollars spent in our urban and rural areas for income maintenance go almost completely for home-produced products; and those are in marked contrast to an equivalent number of extra billion spent on Vietnam or other offshore security programs, and which do seriously impinge on our deteriorating trade deficit.

Let me now review the merits and demerits of this new program. First, the merits. The great advantage to this new plan is that it cuts through a mass of heterogeneous local and state administrative devices to strike at the heart of the problem on poverty. F. Scott Fitzgerald is supposed to have said to Ernest Hemingway, "Ernest, you know the rich are different from us." To which Hemingway replied, "Yes, they have more money than we do." The curse of the poor is literally their poverty. Give them more income, and not only they but their progeny as well can break through the vicious circle. In a society devoted to personal freedom and the dignity of the individual, much can be said for more income in the form of abstract purchasing power, without a demeaning ritual for the people getting it. We know from experience with the Internal Revenue Service and the Social Security System that such even-handed programs are comparatively easy to administer. (Needless to say, this does not rule out the provision of certain social services *in kind*—as, for example, subsidized public hospitals and clinics, or even family counseling by social service workers. Nor should we be so naive as to expect that there will be no wasteful and misguided expenditure of income supplements by some of the recipients.)

MORE THAN A HANDOUT

Second, in our cultural traditions income has tended to be associated with work and effort. We are all taught in school the words of Captain John Smith to the Virginia Colony, "He who does not work shall not eat." Still, 17th century mottoes will not dispose of 20th century problems. One of the beauties of the negative income tax is precisely that it combines humanity with incentives. It does not merely provide a handout to ameliorate poverty, but, in contrast to alternative programs soon to be discussed, it conduces toward the ending of that poverty. Just as people soon become accustomed to an existing tax schedule or to the dividends from inherited wealth, people in a mixed society will soon come to take for granted their rights in an established system of income supplements.

Third, the negative income tax dovetails well with complementary programs. It is not at all competitive with labor manpower programs designed to qualify the unemployed for the new kinds of jobs becoming available in our evolving society. It integrates beautifully with our old-age system of pensions provided by private and public agencies; a significant number of the poor people are elderly.

Now let us consider the demerits of the plan.

First, "negative income tax" is a very bad name. Obviously it has a negative ring. Perhaps a better name would be "Incentive Income Supplement" or "Incentive Payment Plan." They not only sound better, but are more accurate.

Second, there is definitely a problem of achieving consensus on any measure that gives people any kind of income they do not have to "work" for. In a recent Gallup poll, for example, a majority could not be mustered for a "guaranteed income" proposal. There was, however, more than a majority in favor of "guaranteed jobs for all." Not only do many in the affluent class resent the subsidization of idleness, but so also do many members of the lower middle class who have pulled themselves by painful effort out of poverty. If, therefore, it were really feasible to choose between (1) an effective government program that could provide useful employment and (2) a negative income tax payable to able-bodied persons, few would prefer the latter. However, I do not see this as a matter of mutually exclusive choice. There are grave doubts, upon which I cannot elaborate here, that the government can serve effectively as an employer of last resort. In any case, if these doubts were resolved, it would be quite possible to integrate a guaranteed-job program with a negative-tax program.

Third, the negative income tax would call for a monthly reckoning, since the poor would need monthly payments (in contrast and in addition to our system of quarterly or yearly tax collections).

Fourth, it would be somewhat complex to determine the amount of money for each family. And add to this the handling of modifications incurred by job loss or change, pay raises, more children being born.

Consider another problem that might not at first glance seem to be closely related to the negative income tax, namely government aids to agriculture. Our farm price-support programs are costly and yet too often they accomplish little toward their ultimate goal of succoring human need. According to a recent poll of economists, more than 95 percent disapprove of these programs. Marginal farm families—those whom our agricultural problems ostensibly were designed most to aid, but who in fact receive relatively little—would benefit enormously from the negative income tax system. If such a system were provided for them, many economists would, in good conscience, recommend that billions of dollars be lopped off existing agricultural aid programs.

WHAT POLITICAL THINKERS PROPOSE

To appraise the worth of the plan for incentive income supplements, let me compare it with some alternative proposals.

Michael Harrington and a considerable number of political thinkers have advocated an outright guaranteed minimum income for all. Thus, if the poverty line in 1968 is drawn at an income level of $3,000 for a family of four, they advocate guaranteeing that whole amount to every such family. In my judgment, such a program would be costly. Referring once again to Dr. Lampman's estimates, the net cost of an outright minimum income guarantee would probably run in the neighborhood of $28 billion. At least $10 billion of this would be required to fill the gap between what people now earn and the minimum. But that is not even half the story. An outright guarantee plan would have powerful adverse effects. Why? The majority of the families defined as poor are actually headed by wage earners, albeit their income levels are inadequate. An outright guarantee in effect places them in a marginal tax bracket of 100 percent. Why should a person earn extra income, or even his existing income, if every dollar he brings in automatically subtracts a dollar from his government supplement? Alleviating poverty by this plan has the unfortunate effect of perpetuating the evil.

This brings us to the present system of welfare assistance. Some proponents of the negative income tax favor this device as a complete substitute for existing relief measures. I do not go so far: for a long time to come we shall need such programs. But much of their cost could be reduced and, what is more important, much of their evil. In the words of Professor James Tobin of Yale, "The present welfare system is a disaster." It is uneven. New York pays five times as much to each poor family as Mis-

sissippi, and there is no comparable difference in the purchasing power of money. Too often, existing welfare programs humiliate those in need and kill off their incentives. When the breadwinner in a family accepts a temporary job involving a few hundred dollars, he runs the risk of jeopardizing his eligibility for relief and sacrificing financial aids running into thousands of dollars. In 28 of our states the regulations are so perverted as to give the husband a financial incentive to leave home—as the best financial boon he can bestow upon his family.

Some experts, as for example Daniel P. Moynihan, advocate a children's allowance program rather than incentive income maintenance programs. A Moynihan program that pays $8 to $12 per month per child to rich and poor alike can be very costly and yet makes scarcely a dent on poverty. Moreover, a negative income tax formula which includes family size as one of its variables is in the truest sense a family allowance system, even though not merely a children's allowance system. And it has the great advantage of not giving to the affluent what they do not need, and of not having to tax back from such affluent families what has been indiscriminately handed to them.

CARICATURES FROM THE THIRTIES

Finally, some social observers have discounted the merits of income maintenance plans, preferring rather to espouse programs that guarantee jobs for all. Full employment, I would agree, is indeed a basic social goal. And structural unemployment, particularly in connection with the woefully high rates prevailing among unskilled white and nonwhite youths is a problem that does demand vigorous federal action. However, I do not see why incentive income supplements should be regarded as competitive with Job Corps and other manpower programs. And I am not yet ready to throw in the sponge and despair that structural unemployment is an incurable American disease. I can understand and sympathize with the recommendation made by the 1966 U.S. Commission on Technology, Automation, and Economic Progress, which advocated that the Government become, if necessary, the employer of last resort. Yet it is not an easy task for any agency, public or private, to find useful work to be performed by that part of the labor force which has the least amount of skills and habits of work. A makework program, reminiscent of some of the caricatures of the WPA programs of the 1930s, could involve formidable problems of organization and morale. Yes, it is better for a man to earn an income at a useful task than to receive a handout. But assembling numbers of people to make them go through a ritual work they themselves can see to be a mockery of useful effort, could be worse for morale than an even-handed system of income supplements. Even if my apprehensions are unfounded, there is no necessity to regard the choice between the negative income tax and employment programs as an either/or choice among mutually incompatible alternatives.

I have tried to set forth the main outlines of an approach to poverty that is new to the American system. Since the approach is new, discussion should not freeze around one hard and fast detailed plan. (Actually, a well planned experiment is now being undertaken in New Jersey by the Institute for Research on Poverty, to test the empirical effects upon work incentives of various formula plans—with incentive factors varying between 30 and 70 percent.)

However, in my judgment, the time is ripe for national consideration of, and debate on what the economic historian of the future may perhaps record as one of the significant social inventions of the last third of the 20th century.

FUTURE AGRICULTURAL POLICY

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. TEAGUE of Texas. Mr. Speaker, the Secretary of Agriculture has been holding hearings over the country to obtain the viewpoint of agriculture interests and in this connection Mr. Peter E. Marble, a rancher from Nevada, who is a regional vice president of the American National Cattlemen's Association, made a presentation which I believe will be of general interest to the Members of the House. Mr. Marble has pointed out that 50 percent of U.S. agriculture income is derived through meat production. This important segment of agriculture is not subsidized. Cattlemen are receiving about the same for their products that they received 20 years ago, while consumer per capita income is up 150 percent since 1951. Mr. Marble warns of the disaster that will result if the administration embarks on a massive land retirement program and permits the retired cropland to be converted to beef production. The text of Mr. Marble's statement follows:

FUTURE AGRICULTURAL POLICY

Mr. Secretary, I appear before you in behalf of the beef cattle producer and feeder interests, organizations and industry of the far west. While I cannot, nor do I presume to, speak for every individual or each organization, I am sure the majority of livestock producers generally if not specifically agree with what I will have to say today. With respect to future agricultural policy of the United States, I wish to make it crystal clear that in general we actively and aggressively support a policy of free private enterprise in American agriculture. To be very clear about this we do not favor or believe in Federal regulatory, price supporting, production limiting programs.

Now to back up a moment, the Far West Beef Industry supports the policy statement presented by Bill House, ANCA President, presented to you in Lincoln on April 12. I do not wish to repeat him, but would underscore the following:

A. The beef industry-producing over 20% and the meat industry over 50% of the total U.S. Agricultural income represent by far the largest land users and producers on the American Scene.

B. The prosperity of U.S. animal-livestock agriculture is the key to total U.S. farm and crop prosperity.

C. Export of U.S. beef and all other agricultural commodities must be developed on a truly *reciprocal* basis with dumping or glutting restrictions in any market—foreign or domestic.

D. We are unalterably opposed to the government payment of any kind for grazing or production of beef. I refer especially here to the increasingly frequent suggestion of permitting grazing on retired or deferred acreages. Such would be simply another act of robbing Peter to pay Paul. This is not to say we oppose retirement of crop land per se although many of our livestock producers would argue strongly for the curtailment of subsidy to anyone at any time—and certainly the history of payment-retirement-production control is repeated failure. If land retirement is politically necessary then we *strongly, unequivocally* recommend that all payments, controls and obligations of the Federal Government cease when and if a land owner elects to use the land in any way for livestock.

Now for a minute let me recommend certain specific policy action.

1. The U.S.D.A. should assist in the developent of a quasi-government private beef industry board for the limited but specific purpose of developing export markets for U.S. beef and greater foreign consumption of beef—all beef—particularly U.S., but also foreign. Generally, the program should be financed and controlled by existing U.S. state and national beef promotion groups in proportion to their individual financial support with these funds being matched by the Federal Government—perhaps somewhat logically—out of collections levied against tariffs on imports.

2. The U.S.D.A. should select responsible, *full time* operator ranchers and farmers (producers) to meet and deliberate quietly and without publicity in the formulating of future Agricultural Policy. These men should be *representatives* of national commodity organizations in *proportion* to the gross dollar value of the major commodities to the U.S. total. Specifically those commodity groups such as livestock, tree and row crops, and the other free market, unsupported commodities, which represent the great majority of U.S. agricultural production, should have an appropriately weighted influence in the ultimate determination of "Production" Policy. It's time for the tail to cease wagging the dog. While there may well be merit and justification for field sampling of individual opinion as is being done today, the vast majority of Western agricultural producers of any commodity are very ably represented in person and in policy development through their existing grower organizations, such as the cattlemen's and feeder groups or Farm Bureau in the case of beef production.

3. A minute ago I referred to Agricultural "Production" Policy—My personal feeling is that the U.S.D.A. should in the future limit its activities to the maximum or optimum servicing of agricultural producers, processors and facilities, including inspection, research, standardization, etc. (regulations) for the benefit of consumers but as distinct from direct consumer servicing and welfare.

Specifically of late there has been much ado concerning U.S.D.A. hunger, malnutrition, poverty programing. In recent years there has been an increasing trend to encourage urban oriented programing through the extension service and the like. No doubt such programing will at least temporarily draw greater popular and political support to U.S.D.A. and farmers. Nevertheless, recognizing that the industry of agriculture is still the largest in the U.S. and promises forever to be vastly important as an economic if not political entity, it deserves undivided, undiluted attention. This is not to say the agriculturalist does not have great concern, great empathy, a great desire to eliminate the problems of human need and deprivation wherever it exists. It is to say that most deprivation and consumer-agricultural deficiencies in the U.S. relate principally to inadequacies in consumer job, education, earning and living deficiencies which as far as the Federal Government is concerned are already served or should be better served through other departments specifically created to represent these needs, i.e. H.E.W., Labor, etc.

4. Future policy with respect to usage of Federal lands for any purpose, but especially grazing, should forthrightly recognize continued multiple usage, development and sale when appropriate. The Federal Government should quit trying to make goats out of western users—whether they be skiers, grazers, sportsmen, or whoever—the government should stop trying to make the very last nickle off the Federal lands and instead

vigorously promote the kind of resource development—through private capital—that has occurred almost without exception wherever private agriculture is to be found throughout the U.S.

As is not so well known, about one half of the land area west of the Rockies continues in federal ownership. An equivalent of about a third on the continental U.S. belongs to the Federal Government. In the wake of disastrous slum, poverty and other dislocations emanating from fantastic population growth in the West, in the great eastern metropolitan centers, etc. better Federal land resource utilization is needed. For instance why not exchange through sale some of the relatively unproductive, recreationless western federal lands for areas closer and more useful to the large population centers of the east and elsewhere.

5. The U.S.D.A. should vigorously support the tax proposals of the National Livestock Tax Committee. Livestock operators are concerned about abuse and weakening of the industry by investors attracted solely by so-called tax advantages. It is for this reason the "Tax Committee" has proposed changes. On the other hand every evidence indicates that 1) agricultural investment for purposes of tax escapement is not only used most unsuccessfully but is insignificant in the aggregate and 2) motivated principally because of confiscatory unrealistic income tax rates affecting earners and investors outside of agriculture. Otherwise and generally there is no justification for not according agriculture the same tax treatment accorded others. The U.S.D.A. should speak up for and in behalf of the livestock industry in this matter.

6. In closing it is suggested that the most direct, responsible, correct solution to elimination of production control and payments programing is to buy these allotment, quota, payment, etc. entitlements back at full current market value and be done with it.

Next for the record—I should like to offer some background information on Livestock and Agricultural conditions generally—

FACTS BEARING ON BEEF AND MEAT PRODUCTION IN NEVADA, UTAH, ARIZONA, AND CALIFORNIA—1948–68 AND CONTINENTAL UNITED STATES

(A) Four state production of cattle and calves more than doubled, sheep and lamb production down 13% and swine production more than cut in half. For the 48 states, the production of cattle and calves has about doubled; the price of cattle has increased only 5% and calves 13%, which results in cash receipts only slightly more than doubled. The production of the other two species has been cut 20%. *The total red meat production* in the 48 states during 1948 to 1968 period has *increased 55%* with the *cash receipts* for the 20-year period up *65%*.

(B) Four state crop production of wheat, barley, grain sorghums and cotton has increased 75% with a 35% increase in value of production. For the 48 states, *production* of the above *supported commodities* is *up 47%*, while the *value* of production is down *18%*.

(C) Four state government subsidy payments (1967) equaled 3.3% of total farm marketing receipts. Forty-eight state payments equaled 6.3%.

(D) 1967 PRODUCTION VALUE

[Dollar amounts in millions]

	4-State		United States	
	Amount	Percent of total	Amount	Percent of total
All commodities	$4,654	100.0	$42,788	100
Livestock and products	1,978	42.5	24,405	57
Crops	2,676	57.5	18,383	43

[Dollar amounts in millions]

(E)	1947	1967
Realizing U.S. net income	$17,114	$14,241
Purchasing power of above income	$20,619	$12,603
Farm disposable income as percent of total	11.8	4
Personal disposable income of farm population	$22,257	$22,037
Per capita farm disposable income as percent of nonfarm disposable income (1955 48.2 percent)	61.1	73.2
Cash market value of livestock and products	$16,527	$24,405
Cash market value of cattle and calves	$4,967	$10,551
Cash market value of crops	$13,093	$18,383
Cash market value of feed crops	$2,265	$4,306
Cash market value of oil crops	$917	$2,773
Total U.S. farm production expense	$16,995	$34,525
Total U.S. gross farm income	$32,072	$46,385
Government payments by program:		
ACP	$277	$225
Great Plains		12
Soil Bank		29
Sugar Act	37	70
Wool		29
Feed grain		865
Wheat		731
Cotton		932
Subtotal		2,528
Crop land adjustment		85
Total	314	3,079

(F) The impact of the foregoing figures is this:

(1) All agriculture for the past 20 years has been under a terrific price squeeze. Livestock and other unsupported commodities have weathered this critical period in better shape than governmentally controlled, subsidized production of some crops.

(2) Beef producers, ranchers and feeders, and the *80 percent plus* of U.S. agricultural production that operates on the basis of *free-private* enterprise has in effect been *subsidizing* the American consumer by supplying an ever-increasing supply of improved products at less than cost. How has this happened? In the case of beef producers their production for 20 years has consistently out-run demand by just enough to keep a lid on prices. Beef production has increased at the rate of about 4% a year while the population was only growing at a 2% rate. At the beginning of the 50's every man, woman and child ate about 50 pounds of beef a year. Today consumption has doubled to over 100 pounds per capita. And with the production increase has come great, almost fantastic improvements in quality, grade, production and servicing. Fortunately, perhaps, the value of land and production facilities has more than doubled during this period, in sympathy with the unfortunate inflationary trend of the period. This has enabled free agriculture and beef producers particularly to borrow increasingly to finance the deficit in their operations, while barely maintaining a shrinking equity. It will take many years of higher prices in the beef industry to liquidate the accumulated debt and finance the type of efficient quality production demanded of current and future generations of American and foreign consumers.

Again for a moment let us look at some consumer—beef producer facts:

(1) Current retail beef prices about the same as in *1951*.

(2) Consumer-per capita-income is up over 150% since 1951.

(3) The consumer spends a third less of his pay check to buy twice as much higher quality beef as he did 20 years ago.

(4) It takes just half as long for a worker to earn a pound of beef as it did 20 years ago.

Now the foregoing is not offered with the hope of fooling anybody. Every family spends more total dollars on meat and beef than they did 20 years ago and naturally, a housewife should be concerned about prices of anything in her budget. More is spent on beef purchased today because Americans are vastly better off financially than they were. Many can afford to eat beef today that had to eat potatoes or grits 20 years ago. Beef is by its very nature as an animal product more expensive to produce than fish, cereals or chicken. It is the greater complexity and cost of production, even though beef is more healthful, nutritious and palatable (desirable) than any other food substance, that explains why most of the world's 3 billion people don't eat it.

Statistically, the *average family* is now eating about a pound and a half of beef a day and the bread winner seldom averages much less than $2 an hour. Millions of unionized trade workers earn from $5 to $10 an hour. Most of the meat out of a beef animal is merchandized as hamburger or lesser but nevertheless, very delicious and acceptable cuts at from $.60 to $.80 a pound. Is it unreasonable for a breadwinner to spend just a portion of an hour daily to acquire the most universally accepted quality food ever produced?

On the other side of the coin elements of the agricultural industry have increased their production of goods from 50% to 100% during the past 20 years and not only net less than they did twenty years ago but have lost about half the purchasing power of that reduced income. For 20 years per capita farmer income has run between 60% to 70% of that of his city counterpart and in some of those years it has dropped as low as 48%. Wages for farm workers are as inadequate as employer earnings. Even in 1969 cattle prices are still running 10% to 15% below parity, which indicates the continuing economic lag of the beef industry behind the more than 190 million U.S. citizens living and working off the farm.

Most important in considering future farm policy and especially beef agriculture is the very long time span of the production cycle (3 to 5 years) and period of inventory turnover. Price, production and profit circumstances for beef producers have been adverse for a long time. It will take many years of prosperity to repair the deprivations of this past 20 years.

The foregoing suggests to us in the beef industry that:

(A) All agricultural commodities should be produced on a free production—marketing basis.

(B) Withdrawal of the Federal Government from subsidization principally of feed grains, wheat and cotton should be done without impairment or risk to free agriculture.

(C) The U.S.D.A. should concentrate on strengthening the economic, social and productive circumstance of a free agriculture and let the multiplicity of other departments and agencies render the same service for a better society outside of agriculture.

(D) Curtailment of the 3½ billion spent for subsidies while an important concern should, however, be secondary to quickly adopting a program that will speedily put all producers and land on their own. As long as production subsidies are paid they should be offered without discrimination as to size, income, etc. and other criteria that can and will be so easily circumvented.

RANCHER—GOVERNMENT RELATIONS

Any discussion of future farm policy would be lacking without reference to both the credibility, producer, livestock expertise and liaison gaps that exist between the Ranch and the Potomac. The current administration campaigned on a platform that promised: (1) Reasonable safeguards against dumping of Foreign Agricultural Production; (2) Multiple use—including grazing—on Federal Lands within the spirit and obvious intention of the Taylor and other pertinent Acts,

and under economic terms; (3) A priority for private agriculture and an expectancy that Livestock Producers would be more directly represented within the U.S.D.A. and other such matters.

Ranchers are bi-partisan or perhaps even non-partisan in their attitude toward government. They are aware of the many political verities and practicalities that affect and surround our Government. We are not easily disheartened except by ineptness, inexperience and deception. We—no less than citizens generally—have experienced an alienation not only from the understanding of an urban dominated society but discouragingly and surprisingly enough from those in government whose original function was to represent and communicate the needs and circumstances of Agriculture.

Mr. Secretary, the fee increases recently applied by the Departments against Forest and Interior permittees is a rotten travesty on intellectual, economic and political honesty. It is also bad resource policy.

The failure of the U.S.D.A. to recognize and actively support the National Livestock Tax Committee recommendations with respect to desirable changes in our tax laws is disappointing.

The absence of support for our Industry's amendments to the Meat Import Act and advocacy of its generous principals to all foreign agricultural trade on a reciprocal basis is of continuing concern.

Ever-increasing appropriations and personnel allocated to recreation and urban oriented programming which has curtailed and reduced livestock industry and natural resource development is simply not reasonable or acceptable.

Ranchers, livestock operators and farmers who produce and operate without subsidy continue to find it simply incredible that instead of appointing, hirings, appropriating in proportion to each commodity's agricultural contribution, the tax eaters, the unsuccessful, the nonagriculturalist, the inexperienced, the loser gets first consideration.

Recently there has been much ado about the fat and chicken content of hot dogs. It's an agricultural issue typical of the obfuscation and disservice to both consumer and producer that lead to distrust in every quarter. (Other subjects in past periods handled to the confusion and possible detriment of both consumer and producer alike, have been hide exports, use of antibiotics and insecticides, user versus wilderness interests, etc. Of course the fat content of a meat product should be limited to the minimum consistent with production criteria. Of course packaged food products should be clearly and specifically labeled as to what they are.

And where has the U.S.D.A. been in the matter of restrictions on and disenfranchisement of some students from summertime farm employment—Why is it that exchange students and other young foreign nationals visiting the U.S. can't be hired on farms or ranches. When it's mid-winter and the cows haven't been fed or mid-summer and the hay not cut all for lack of help; when every personal and employment service effort has been made to locate help and when literally everyone—government and private—agree there is no qualified help available—Why—Why—Why—shouldn't a rancher—at least on some reasonable temporary basis—be allowed to recruit foreign nationals? Why doesn't the U.S.D.A. have the backbone—honesty and good judgment to help out in this increasingly critical situation.

Where has the U.S.D.A. been when various of the sensation-seeking media has grossly misrepresented the substandard working and wage conditions of a minority of farm workers as, or to be, the condition of all farm labor. Of course wages, earnings and investment return should be higher in agriculture. But the majority of workers live about as well as their employers. We eat in the same kitchen.

Why—in sounding out agriculture on future farm policy—haven't the national or regional commodity organizations (in proportion to their share of total production) been selected as the principal spokesman. Ranchers noting the invitation of selected individuals through or from the universities can only wonder whether this sampling is politics or business.—The invitation of over 20 men to present their recommendations on the future of their industry in eight minutes or less within a one-day hearing is something less than inspiring.—

Mr. Secretary: In closing, I should strongly underscore that, while this presentation is, in many respects critical of the past, the present, and this procedure of policy development, we do appreciate any opportunity affording an exchange of views. We respect our government, its procedures, and your office, though from time to time, we do not agree with governmental policy; and I should also like to add that among the deficiencies of the past, there have been many contributions and successful program developments from the department and especially dedicated service, ability, and interest among many who work for the U.S.D.A.

We appreciate and thank you for this invitation today.

A NEW COMMITMENT TO UNDERSTANDING THE ROCHESTER PLAN GROWS IN THE WAKE OF 1964 RIOT

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. HORTON. Mr. Speaker, 5 years ago, the city of Rochester, N.Y., found itself in the midst of one of the first riots which have since plagued many of our metropolitan areas.

That riot forced a lot of people to take a real look at what was happening around them. It made them take stock of the situation and with the tremendous resources available the people of Rochester started to solve the problem.

Today Rochester has taken the lead in job training, in minority businesses, in urban development and innovative school programs. I would like to share with my colleagues an article from U.S. News & World Report detailing what has been accomplished in Rochester. I am sure that all of you join with me in praising these efforts and offering encouragement for the future.

The article follows:

ANSWER TO RIOTS—THE ROCHESTER PLAN

ROCHESTER, N.Y.—When Negro rioting ripped this city in 1964, nearly everyone was surprised.

In that rioting, four persons were killed, 350 were injured. Stores were looted and burned. The National Guard had to be called in to restore order.

It was then that this city of 300,000 suddenly realized for the first time that it had racial problems—and it went to work on them.

Today, five years later, Rochester is hopeful that it is on the way to solving those racial problems—and finding the answer to riots.

The test here is widely regarded as crucial—for the entire nation.

"If Rochester cannot solve these problems, then no city can," says an official of Rochester's biggest business, the Eastman Kodak Company.

Progress is rated as remarkable when measured against that in many other riot-scarred cities.

Biracial work. Lines of communication between whites and blacks have been opened. Business leaders, city officials and representatives of the black community have worked together to create bold new programs. Some of these programs have been so successful that they were copied by the U.S. Government and by other cities.

With federal aid, much has been done to train and hire Negro workers and to open up new opportunities for blacks to own businesses. Housing and urban-renewal projects are under way. School innovations are being tried.

Nobody claims that Rochester is now a "model" city, or that new racial violence cannot break out. City officials are finding that jobs, while important, are not the complete answer. Housing and educational problems are proving even tougher to solve than the job problem. Some Negro discontent remains.

But there is quiet optimism that this city is on the right track and has the tools to finish the job.

Rochester has some advantages over many other cities. That is partly why the riot of July 24 and 25, 1964, was so unexpected.

Few jobless. The unemployment rate in Rochester has been consistently one of the lowest in the nation. The city has little heavy industry. Local firms turn out highly specialized products such as film, office equipment, instruments and optical goods.

Rochester's major employers are hometown industries with a long history of active participation in community affairs. People long have taken pride in solving their own problems and not turning to the State or Federal Government for help.

The Negro population in Rochester has been growing, but is still relatively small. It was during the 1950s that Negroes began arriving in large numbers. By 1960, the nonwhite population had reached 25,000. Most estimates put the present number of nonwhites at around 50,000—about one sixth of the city's total population.

In the last five years, Puerto Ricans have increased even faster than Negroes—from 2,000 to almost 10,000.

Race relations here were considered good—until the riot. But City Manager Seymour Scher admits "we had our heads in the sand in 1964."

Most of the Negroes who migrated to Rochester had come from the South—some to pick fruits and vegetables on nearby farms, some lured by word that, for Negroes, this was a good city, with well-paying jobs.

Problems of newcomers. Many arriving Negroes were disappointed. Few had the skill and education required for the jobs available in local industries. Housing, scarce and aging before the migration, deteriorated rapidly. Schools in Negro neighborhoods became overcrowded.

The result was what some people term an "instant ghetto"—which exploded.

The riot did not set off an immediate, massive program of change. There was a "cooling off" period when civic leaders were unable to find anybody to speak for the black community.

Change began in 1965, when the Council of Churches brought in Saul Alinsky, head of a Chicago-based group called the Industrial Areas Foundation. He organized "FIGHT"—"Freedom, Independence, God, Honor, Today."

FIGHT won broad support in the Negro community. Although militant and often abrasive, it also won somewhat grudging re-

spect and co-operation from white business and civic leaders.

Start of a drive. A major goal of FIGHT was more jobs for Negroes. A major target was Eastman Kodak, the city's biggest employer. The immediate result was a long and heated dispute. But in its wake, instead of lasting bitterness, came a host of new ideas for solving Rochester's problems.

One FIGHT demand was that Eastman hire 600 hard-core unemployed within 18 months—with FIGHT picking the new workers. Eastman proposed, instead, a community-wide quota of 1,500 hard-core jobs in 18 months, with participation by all Rochester's employers and agencies that deal with the poor.

After months of discussion, a new organization was set up, called "Rochester Jobs Incorporated."

This organization serves as a central clearinghouse for jobs for the hard-core unemployed. Companies list employment that they have available for inexperienced workers, and the list is distributed to all agencies that have contact with potential applicants.

In two years, more than 2,600 hard-core unemployed were hired. About 85 per cent of them started at rates of $2 or more an hour.

Says Ed Croft, director of Rochester Jobs Incorporated:

"We can offer a job to any male over 18 years of age who walks in here. If we do not have a job listed, we pick up the phone and develop one.

"Finding jobs for women is a little harder, since many cannot take shift work at odd hours or can work only part time."

The National Alliance of Businessmen picked up the idea of Rochester Jobs Incorporated and set up a nationwide program of providing jobs for the hardcore jobless—with individual firms being asked to pledge to hire a certain number.

But Rochester's Mr. Croft says:

"We are opposed to individual quotas for firms. We have community quotas and just ask each company to do what it can."

The biggest factor in the success of the Rochester plan is a revision of hiring standards by businessmen. Mr. Croft explains:

"Back in 1962, employers hired only high-school graduates. By 1965 they would accept applicants who had completed government training programs. Now, they no longer ask about an applicant's education."

Both of Rochester's major employers, Eastman and Xerox Corp., have nationally recognized systems to train hardcore workers.

Basic education. Xerox offers "step-up" training to those unable to pass the usual entry tests.

Training classes teach such things as writing, reading, safety, use of hand tools, personal budgeting, legal aid and income tax preparation.

Eastman's course goes back to 1963. It offers basic education as well as skills for production work, laboratory work and trades.

These programs stimulated the flow of job applications by Negroes.

Many who applied actually did not need the special training and were hired immediately for regular jobs. They had not applied previously because they believed they were not wanted.

Some idea of how the companies in Rochester are trying to hire Negroes is given by this statement from Xerox's vice president for manufacturing, Horace Becker:

"I put out an edict stating that in new employment we should shoot for 50 per cent black.

"Sure, this is reverse discrimination. But if we do not face up to this problem, the day could come when we have black guns on one side of the street and white guns on the other, and this would destroy America. I owe my children a better future than that.

"We have not achieved the 50 per cent level in new hiring. But we have pulled our percentage of black employees up to about 11 per cent of the total."

Another demand made by FIGHT was that Eastman build a plant in the Negro section of town that would be managed by blacks and would employ blacks.

New industries. Eastman already had several plants easily accessible to "ghetto" workers. So as a counterproposal it offered to set up four new industries to be owned and operated by Negroes and to supply products or services needed by Eastman.

The result was another new agency, "Rochester Business Opportunities Corporation" (RBOC), designed to mobilize community resources for setting up businesses owned and operated by blacks.

RBOC has been one of the most successful efforts in the nation to develop "black capitalism." In less than 18 months, 50 black businesses have been established in Rochester.

The RBOC board of directors includes 13 corporation presidents. It is often criticized by militant Negroes for having too many rich, white businessmen on its board—and not enough blacks. Its Negro director, Jim Blow, answers:

"The average guy on the street does not know enough about fund raising or how to start a new business."

More than financial help is provided to Negroes starting new businesses. They are taught practical aspects of running a business. A team of instructors is assigned to each new firm.

Many new firms are also helped by purchasing contracts with Rochester companies—arranged by RBOC. When the new firm is ready to branch out and seek customers, RBOC helps in that, too.

Among black-owned businesses that have been started here are a laundry and dry-cleaning firm, an employment agency, a trucking firm, a commercial-sign company and a camera-repair shop.

Help from Xerox. FIGHT's demand for locating a black-owned business in the Negro neighborhood became a reality with the help of Xerox. Officials of the two organizations set up a plant to produce metal stampings and low-voltage transformers.

The new firm, called the Fighton Corporation, is wholly owned by FIGHT, with Xerox agreeing to purchase $400,000 in equipment from it this year and $700,000 in 1970. Xerox also provides management aid.

Fighton is now almost in full operation, and will soon employ 100 workers. Eventually it plans to step out from under the Xerox purchasing umbrella and seek wider markets.

While experience with firms set up in "ghettos" elsewhere in the country has not been very encouraging, officials here think Fighton will be different because it is wholly black-owned and black-managed—not, as in many cases, a white-owned subsidiary.

It is considered important that Fighton succeed. Says FIGHT's newly elected president, Bernard Gifford:

"Many of our young people say it can't be done—that a corporation can't be both a social and an economic success. If we can make it work here, maybe we can change that thinking."

Added up, Rochester's efforts to find jobs for Negroes have been impressive.

Housing has turned out to be considerably harder to provide than jobs. Rochester has a severe shortage which affects the middle-income as well as the low-income families.

There appears to be no lack of effort for housing. Some 60 agencies are working on the problem. However, many lack both capital and know-how. There has been a lack of co-ordination and some political bickering over the roles of local and State agencies.

Part of the reason for the housing shortage, some officials say, is that for years Rochester avoided turning to the Federal Government for financial aid. From 1950 to 1962, almost no low-rent housing was built.

Now Rochester has a number of urban-renewal projects. But progress seems slow. Says City Manager Scher:

"We are faced with trying to telescope into 3 or 5 years things that needed to be done in 20 years. But every blighted area in this city is now under treatment of some kind."

Building: slow. The trouble is that results of these programs are not yet visible to Negroes. About 1,000 housing units for low-income families have been completed, but they are scattered widely over the city.

Only one of the urban-renewal projects has reached the rebuilding stage—and Negroes note that office buildings and a motel have been built, but no low-income housing.

Explanations about delays in getting federal approval fall on deaf ears in the black community. Says one Negro leader:

"The people in city hall seem to have their priorities mixed up. I do not believe what I read about plans to build low-income housing."

Officials hope that attitudes will change as projects take shape.

Private agencies are making a contribution to housing.

The Metropolitan Rochester Foundation has a membership of 20 to 25 major firms and builds homes for families of middle or low-middle incomes. It is trying, without much success, to get suburban areas to change zoning regulations to permit building of lower-priced homes.

FIGHT plans to enter the housing field with a 16-million-dollar project called "Fight Square," which will include commercial buildings as well as apartments and houses.

Another organization, "Better Rochester Living," was started by a young man on a shoestring. Buyers contribute labor as down payment on their homes.

There is still serious concern about Rochester's housing outlook. Schools are also a center of Negro discontent. The black community, led by FIGHT, has recently trained its guns on inner-city schools, charging failure to improve the quality of education they offer.

Integration has been pushed by the city's superintendent of schools, Herman Goldberg. Under an open-enrollment plan, schools in outlying sections of the city were opened to Negroes from the inner city. Even the suburbs are taking some black students.

In all, some 2,400 Negro youngsters are being bused to predominantly white schools.

This is one of the few cities which also use "reverse busing." Some 350 white students are bused to inner-city classes on a voluntary basis.

Superintendent Goldberg believes that school integration will help promote housing integration.

The busing issue. Some white people have opposed the busing. But the key problem now is that the black community is losing some of its interest in school integration.

Says FIGHT director Bernard Gifford:

"We can't get away from the fact that most black children will be educated in virtually all-black schools."

So he and some other Negro leaders here see busing as a side issue. They want better schools in Negro areas.

To beef up those schools, several programs are under way.

Rochester has been recruiting black teachers from the South. Two of the city's nine high schools will have black principals next year.

About a third of Rochester's Negro inmigrants have come from one area of central Florida—around Orlando and Sanford. So Superintendent Goldberg promoted a bi-State arrangement between New York and Florida to improve opportunities for Negroes in both areas. Teachers and ideas are exchanged. More kindergartens and vocational

training are being provided in the Sanford schools.

"We want people to come to Rochester," says Mr. Goldberg, "but we want them to come prepared."

There is also an idea that the migration of Negroes might be checked by improved opportunities in the South.

New ways to teach. Rochester is testing new methods of teaching. A special "World of Inquiry" school in an old factory building draws a cross section of pupils from all parts of the city. A "Downtown Satellite School," set up in a department store, permits shoppers to observe classes. One idea behind both schools is to show that integrated education can be excellent education.

Rochester has many special programs for youngsters during the summer months.

One, called T.O.P.—for "Teens on Patrol" has 100 teen-agers working with the police department. Other youngsters work with the fire department and the University of Rochester.

Some Rochester residents describe these programs as "riot prevention."

Many people here think this summer will be an important test. If Rochester can avoid major racial trouble, hopes will grow that this city may have found the answer to riots.

EXTENSION OF NDEA LOAN FORGIVENESS PROVISIONS TO TEACHERS IN OVERSEAS STATE DEPARTMENT OR AID-SUPPORTED SCHOOLS

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, I have introduced today a bill to amend the loan program of the National Defense Education Act of 1958. This amendment would extend cancellation of such loans at the rate of 10 percent a year—up to a 50 percent cancellation—to teachers in American schools abroad that are supported by the State Department or AID. Such cancellation provisions now apply for loans made prior to July 1, 1970, to students who become teachers in nonprofit State elementary or secondary schools, institutions of higher education or overseas elementary and secondary schools of the Armed Forces of the United States.

Having served as a member of the investigating committee that looked into the educational opportunities for dependents of American personnel on overseas assignment, I had opportunity to observe the serious problems faced by the American parents, the teachers, and the overseas schools who are struggling to provide American children with decent educations.

The purpose of this bill is to encourage highly qualified American teachers to accept foreign teaching assignments. Students receiving NDEA loans are often the brightest and the best prepared teachers from among our recent graduates. A student who now graduates with NDEA loan repayments to make is reluctant to accept a foreign teaching assignment in an American or international school. To teach in such a school would, in effect, cost him 50 percent of his loan repayment—when compared to teaching in a stateside or Department of Defense school. Since the mission of all these schools is basically the same, this discrimination should not continue.

INAUGURATION OF PAN AMERICAN SERVICE FROM FRIENDSHIP TO THE VIRGIN ISLANDS

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. GARMATZ. Mr. Speaker, Friendship Airport grows with a new flight by a major airline almost every week and I am happy to report that the pioneer in international service from Friendship, Pan American World Airways, is continuing to give the Greater Baltimore area direct service with some of the most intriguing vacation spots in the Western Hemisphere.

Just recently Pan Am inaugurated service between Baltimore and St. Thomas and St. Croix in the Virgin Islands, service which will be daily in character and which will certainly be looked forward to with great anticipation by Baltimoreans next winter.

Mr. Speaker, aboard Pan American's inaugural flight was the excellent columnist for the Baltimore News American, Roy Gregory, and I include his story on his experiences on the flight in the RECORD:

WHAT GOES ON AROUND HERE

(By Roy Gregory)

JET SETTERS

I said it never could be done and now I've done it.

This little old country boy from southern Anne Arundel County is a bona-fide member of the jet set, that more than mythical group of the now generation which fly more miles for a cocktail than their grandparents would drive in a year for victuals.

I'll admit that I must be relegated to the role of an apprentice in the jet set union because I have only made what might be called a baptismal jaunt.

Fran and I were invited to participate in what the Pan American World Airlines called their inaugural flight to the Virgin Islands from these parts. At first glance, it seemed sort of foolish to fly nearly 2,000 miles for four days under the same sun that shines in Anne Arundel County.

However, upon reflection, why not? If President Nixon can shuttle back and forth from Florida, why can't the Gregory's get up and go him a few miles better at least for one weekend?

Pan Am really made the flying great and in less time than it takes to have a cocktail full course dinner and a digestive drink, we were ready to land at St. Thomas in the Virgin Islands.

REAL SWINGERS

A sort of reception committee from the Virgin Island Department of Commerce greeted us at the Harry S. Truman Airport there. We were zipped off to the Virgin Island Hilton Hotel, given time to change socks and then were launched on a two-day tour that seriously challenged our Anne Arundel County reputation for swinging.

Our training on Prim Rose Path, known to outsiders as Ritchie Highway, stood us in good stead and I managed to stay vertical throughout the entire torrid tour.

The hosts were anxious that we see all the fine spots on the St. Thomas scene and we did. Vacation paradise after paradise was peeled off in almost machine-gun like fashion.

We traveled up and down the mountain side and at one point became eligible for flight pay when we rode a tram more than 1,000 feet up the highest peak on the island. The people who run the tram have the right idea.

Upon reaching the top, one does not only have the chance to take in a 360 degree breath-taking view but there is a real live drink dispensing bar. Gives a guy a chance to renew his courage for the flight down because at that point you are up and what goes up, you know.

NO 'RUNDEL BERRIES

They have a magnificent custom on St. Thomas. Every hotel we visited has what they call their "speciality drink." Of course, rum is the most predominant ingredient and after due deliberation, a strawberry daiquiri was voted tops of the day.

Please don't request the recipe. All I know is that the bartender dazzled me with hand work but I do recollect that he used honest to goodness strawberries, not Anny Rundel berries, I suspect.

It didn't take very long for us to realize that there is a tremendous competition for the tourist dollar between the islands of St. Thomas and St. Croix. No knives or bats, just psychological warfare. Like the St. Thomas booster club member who described St. Croix as "a place for newlyweds and nearly deads."

At the end of two days on St. Thomas, Pan Am jetted us on a flight which took less time than it takes to get over the Bay Bridge when there is no traffic, to St. Croix.

We stayed at the most peaceful St. Croix By The Sea hotel which housed a few of the "nearly deads" but was predominantly occupied by the June brides and grooms. I could spot them because they held hands, even in the swimming pool.

DRY SPELL

St. Croix, perhaps because we weren't enringed by people from the Department of Commerce extolling its virtues, was by comparison to St. Thomas, relatively quiet. At one point we went more than 20 minutes without being offered a drink. I intend to go back to the islands some day so I'll be darned if I'll make a recommendation.

Let it suffice to say that both are beauty spots and in this jet age are closer, timewise than our own Atlantic Ocean.

It seemed hard to realize as the huge Pan Am fly bird touched down at Friendship in good old Anne Arundel County that we had been so far and done so much in so few days.

I would gladly give up my apprentice ranking and join the professional jet setters who think nothing of whisking to England just for a spot of tea. Wish we could afford to live like that.

We shall now put our nose to the grindstone, keep tossing pennies into the jar on the shelf and by next year we once again will venture to the Caribbean land to see what Columbus came onto in the early 1400's.

PATIENCE AND ASIAN POLICY

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. HANNA. Mr. Speaker, of all human virtue the most demanding is that of patience. When the exercise of such virtue requires persistence in the face of unpleasant and costly consequences, rationalizations for an alternative to pa-

tience come easy. That is not to say that such alternatives would be correct.

The harsh and unkindly light that comes from the 20–20 vision of hindsight can in any troublesome decision uncover judgments that are subject to serious question. Policies, the pursuit of which are obviously costly and the benefits of which are indirect are never popular and most readily scotched. Accepting all this and accepting equally the responsibilities that lie in the place in which we find ourselves and accepting also, the burdens the situation we helped create has developed, nothing serves more admirably the long term of history like the virtue of patience. However, this does not portend stagnation nor rule out improvement, rather it recalls the tempering admonitions of the credo: "Give me the strength and the courage to change the things which can be changed; the strength to endure those things which cannot be changed; and the wisdom to know the difference."

In recent years, there has been heard the voice of disillusion in some quarters of the United States on our Asian policy. This may be attributed to the unpopular results of the war in Vietnam. It seems to me, however, that the Vietnam policy does not symbolize Asian policy as a whole. Nevertheless, it may be necessary to review, at this moment, our past policy, to enable us to cope with possible future challenges by Communist power in this region.

Our Asian policy, I believe, has contributed a great deal to stabilizing this area; not to the extent we had hoped but enough so that we can say it has been successful.

Communists, including the Soviets, keep saying that their every move is for the sake of Communist ideology and will finally bring the utmost welfare for the people of the world. But the world today knows, and actions of both Russia and China demonstrate, what the real meaning is of the ideological dispute between Russia and China who appear headed for physical struggle on a large scale. The world today realizes that there is no "Communist ideology" but only "national interest." This interest to expanding influences over vulnerable countries, utilizing all ways and means available according to tactical requirements. Therefore, both coexistence by Russia or intransigency and belligerency by Red China are policies produced by each of these Communist regimes to face the world situation today according to calculated tactics. Neither has given up their goal of eventual domination of the world on their terms.

Fortunately, since the Khrushchev era, Russia has appeared to moderate its aggressive policy toward European countries as a result of our determined countermeasures through the cold war period. Russia has been forced to shift to a policy of coexistence. This has lightened the American burden in Europe to a great extent. However, we face in Asia a Communist China which reminds us of Soviet Russia in the past.

In fact, political unrest in Asia has its origin in aggressions or subversive activities launched by Communist elements fully backed by the Chinese Communist regime. The world has already witnessed China's aggressive expansionist policy as symbolized in the so-called people's liberation war and overt armed aggression, whenever possible, against its border countries, including Korea, Tibet, India, and Vietnam. Most of the countries in this area have suffered from intrigues of the Chinese Communist regime since its establishment. The abortive coup d'etat by Communists in Indonesia in 1965 was a remarkable example of this kind of intrigue by Red China.

Still we see no evidence that Red China will renounce its aggressiveness in the foreseeable future. In fact, it appears likely to intensify it. Many have predicted that after Vietnam, Communists will surely spread their destructive activities over such countries as Laos, Cambodia, or Thailand. Many have said that the Vietnam war is being fought not only for the Vietnamese people but for the other peoples in this region as well. Actually, our efforts in Vietnam are accepted by the Asians as a test of American determination to protect this area from Communist aggression in the future.

We should keep this area in favor of our side not simply because of the democratic idealism and moral obligation but also because of the economic potentials and relative demographic importance of this region, which is essential in maintaining the global balance of power and ultimately is connected to our national interest and security. It is obvious that if we appease communism in Vietnam our objective of containing Red China along its border will not work out as we projected. If this Communist giant is left unchecked, there will never be a stable and peaceful Asia and world. Communist aggression in Asia should be met and contained, and I think the United States has acted in time and is on the right road.

Look at such countries as South Korea, Japan, and the Philippines.

Nobody can think of postwar prosperity in Japan whose GNP last year reached over $140 billion, next only to the United States and Soviet Russia, without considering the American role in Japan's quick rehabilitation since the day of the Japanese surrender. Despite some difficulties in dealing with Japan at this particular moment, for example revision of the American-Japanese mutual treaty, reversion of Okinawa and import limitations on the part of the United States, we do not think Japan will separate from the free nations and go to the Communist side. The more prosperous Japan becomes the closer she will stay to the free side.

The Republic of Korea survived open Communist aggression with the aid of free nations, especially the United States. As we see today, her national potential has started to explode into energy. She has had a high degree of political stability as well as amazingly successful economic development. The GNP growth rate has gone from 4.2 percent in 1961 to 13.3 percent last year. This is one of the highest rates in the world. If we had failed in helping the Korean people in and after the Korean war, today we would not be able to have Korea as one of our most reliable allies, who is fighting with us in Vietnam to deter the Communist aggression. Yet, Korea is far from being self-sufficient and she still needs our aid and protection as long as there are indications of Communist aggression. Especially, recent increased challenges by North Korea along the armistice line and inside South Korea warn us of the graveness of the situation in the area. We cannot afford to let our efforts in the past and present be in vain as a result of our carelessness, because we know someday in the near future the diligent and energetic people of Korea will be able to enjoy a day when no help from abroad will be needed. Koreans are people who help themselves.

As to the Philippines, since they became independent both the American people and the Filipinos know that they have been the closest friends and allies of each other. As a matter of fact, the Philippines have enjoyed continued peace and tranquillity behind the protection of the United States. Recently, however, the Philippines have felt the pressure from mainland China by Communist-oriented Huks who have resumed their subversive activities, and also there are various agitations for the purpose of eliminating American military bases in the Philippines, mainly from a so-called awakened spirit of nationalism which has no alternatives to American protection except to leave the country to the mercy of the Communists. With their own armed forces alone, the defense of the Philippines is haplessly inadequate. Given this situation, I think it is unwise to withdraw or reduce our military presence from the Philippines. There must be some way to further strengthen mutual relationships without harming our defensive capability as it has been while accommodating the nationalistic sentiment which appears to be occupying a small portion of public opinion in that country. We all know that this also matches American interest in this area.

After all, the clear demonstration of U.S. power stabilized the situation in the entire region and prevented a Communist takeover of South Vietnam. U.S. objectives were not offensive from the beginning and its objectives have largely been achieved. Besides those countries mentioned above, without the U.S. show of determination of power, it is doubtful if Cambodia could maintain its long-professed neutrality and independence; if present quietness along the Indian and Burmese boundaries with Red China would remain; if the Communist insurgents in northern Thailand and Laos could be stopped; if political reorientation of Indonesia were possible.

We should keep constant inventory of the positive progress between the nations of free Asia as well as the benefits and stabilities within. The past 10 years have been rich in the birth and growth of intercountry, multinational institutions which would not exist today except for our policy and position in Asia. This progress is reflected in the loans and technical assistance that has been approved by the World Bank in 1968, which is shown as follows:

LOANS APPROVED DURING 1968

Borrower: Industrial Finance Corporation of Thailand. Project: Financing industrial enterprises. Amount, U.S. $: $5 million. Date approved: 23 Jan. Term: 12 years.

Borrower: Central Bank of Ceylon. Project: Modernization of tea factories. Amount, U.S. $: $2 million. Date approved: 2 July. Term: 15 years. Interest: 6⅞%.

Borrower: Republic of Korea. Project: Seoul-Inchon Expressway. Amount, U.S. $: $6.8 million. Date approved: 3 Sept. Term: 15 years. Interest 6⅞%.

Borrower: Malaysia. Project: Penang Water Supply. Amount U.S. $: $7.2 million. Date approved: 19 Sept. Term: 20 years. Interest 6⅞%.

Borrower: Republic of China. Project: Feasibility Study of North-South Freeway ‡. Amount, U.S. $: $0.4 million. Date approved: 19 Nov. Term: 10 years. Interest 6⅞%.

Borrower: Industrial Development Bank of Pakistan. Project: Financing small and medium-scale industries in private sector. Amount, U.S. $: $10 million. Date approved: 12 Dec. Term: 15 years.

Borrower: Chinese Petroleum Corporation. Project: Dimethyl terephthalate (DMT) manufacture. Amount, U.S. $: $10.2 million. Date approved: 19 Dec. Term: 12 years. Interest: 6⅞%.

TECHNICAL ASSISTANCE APPROACHED DURING 1968

PROJECT PREPARATION

Country: Republic of China. Project: Feasibility Study of North-South Freeway. Amount, US $: $100,000. Date approved: 19 Nov.

Country: Nepal. Project: Air Transport System Development. Amount, US $: $66,000. Date approved: 21 Nov.

Country: Philippines. Project: Fisheries Port Construction in Manila Bay. Amount, US $: $225,000. Date approved: 25 July.

ADVISORY AND OPERATIONAL

Country: Indonesia. Project: Advisors to Ministry of Agriculture Amount, US $: $170,000. Date approved: 30 July.

Country: Indonesia. Project: Rural Credit Survey. Amount, US $: $60,000. Date approved: 30 July.

Country: Republic of Korea. Project: Agriculture & Fishery Development Corporation*. Amount, US $: $66,000. Date approved: 6 Feb.

Country: Laos. Project: Integrated Agricultural Development Program for Vientiane Plain. Amount, US $: $221,000. Date approved: 15 Oct.

Country: Nepal. Project: Advisors to Agricultural Development Bank of Nepal. Amount, US $: $35,000. Date approved 3 Sept.

Country: Philippines. Project: Water Management. Amount, US $: $105,000. Date approved: 20 June.

Country: Republic of Viet-Nam. Project: Development Financing Institutions. Amount, US $: (a) Technical Assistance Mission, $19,000 (b) Assignment of Advisors, $70,000. Date approved: 2 July.

TEACHING THE "UNTEACHABLE" CHILD

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. PUCINSKI. Mr. Speaker, today more than 30 of my colleagues and I introduced legislation to provide assistance to children with specific learning disabilities. This legislation grew out of hearings conducted by the General Subcommittee on Education, which I serve as chairman. These hearings demonstrated beyond doubt the insistent need for special programs, teachers, training methods to assist the special needs of these learning disabled children.

The article I am including in the CONGRESSIONAL RECORD today describes some of the optimistic and highly effective work being done in the learning disabilities field by the Institute for Language Disorders at Northwestern University in Illinois. Programs such as those described below should be encouraged, fostered, and expanded to meet the needs of a growing segment of our school-age population with learning disabilities.

Mr. Speaker, the article by Bonnie Kohn Remsberg of the Institute of Language Disorders follows:

TEACHING THE "UNTEACHABLE" CHILD

(By Bonnie Kohn Remsberg)

As a baby, Keith began to talk early and his parents were delighted with their alert little boy. He spoke unusually well, looked forward to kindergarten, and related with enthusiasm to the other children.

Then tiny hints of trouble began to occur. He had difficulty mastering the reading readiness exercises in school. When the children were asked to pick out their name cards and pin them on, he never could identify his. He showed no signs of remembering the visual symbols that made up words he was expected to read. Perhaps, the teacher thought, he just isn't ready for reading.

In first grade, Keith continued to have trouble with the mysterious shapes that make up written language. In reading group, he memorized stories that other children read, and recited them. Whenever the teacher held up a flash card and asked him to read a word, he was stumped. Yet he continued to be outstanding at telling stories, reciting in class, and demonstrating his creative imagination. Clearly, he was a bright child, well-coordinated and personable, but something was definitely wrong.

The puzzled first grade teacher consulted the principal about Keith's erratic performance. Together they reviewed his early tests and history; his scores gave the picture of an intelligent child, who displayed no disturbance or behavior problems at home.

They decided to track down the mystery. Why couldn't Keith learn to read?

His parents were consulted and they took Keith to the family pediatrician. Thorough tests revealed no physical disability. His vision and hearing were normal. It was then that the doctor began to suspect the source of Keith's trouble. He consulted with school officials and together they made their recommendation.

With a phone call to the Institute for Language Disorders on Northwestern's Evanston campus, Keith and his family began a journey that would take him through more testing, diagnosis, and remediation until he learned to overcome his puzzling problem—a learning disability. A detailed teaching program would be custom-designed for his specific trouble in remembering visual symbols. He would slowly and patiently be taught letter sounds which he would later learn to blend into the words he found so elusive. He would attend private teaching sessions in rooms adjoining those where other children with similar problems would be receiving help tailored specifically for them. Eventually he would escape the repeated pattern of failure that plagues so many children with specific learning disabilities.

Northwestern University's Institute for Language Disorders, founded in 1955, has helped hundreds of children who, like Keith, suffer from "the invisible handicap." Called lazy, stubborn, or naughty and dismissed as unteachable, these children often go undiagnosed and are condemned to lives as garbled as their communication skills. But today, through the work at Northwestern and other institutions, and in schools, an increasing number of parents and educators are coming to understand these subtle but debilitating learning problems.

"The children with too many names," victims of this tragedy, have previously been lumped together and burdened with a welter of confusing terminology. They have been called dyslexic, aphasic, perceptually handicapped, interjacent children, reversal children, or simply educationally handicapped. Parent groups often refer to this youngster as "the other child."

Today these problems are grouped under the general heading "learning disabilities," because in all such cases some ability to learn is affected. An estimated 5 percent of the school population has some form of learning disability—some severe, some mild, but all justifying special care. Some authorities estimate that boys with the problem outnumber girls by 7 to 1.

The exact cause of a given learning disability cannot always be determined. Illnesses, infections, or injuries may in some way interfere with the normal supply of oxygen to the brain. In some cases the problems result from genetic or hereditary influences. Whatever the causes, however, treatment of learning disabilities has become an educational, rather than a medical, process.

Perhaps for this reason, recognition and understanding have been slow in coming. Other handicaps, more easily recognized and evaluated, have been treated for years, while the child with a specific learning disability went unrecognized or uneducated. Doris Johnson, director of teacher training at the Northwestern Institute, says, "Teachers not only did not know what caused these children's problems, they had no idea how to teach them. All they knew was that they weren't reached by the standard methods."

Every childhood learning disabilities expert receives letters from anguished parents. "Since he was about three, I have repeatedly said to myself, 'Something is wrong, what can I do to help this boy?' His I.Q. comes out very superior, his grades very inadequate, his reasoning, at times very unreasonable." . . . "My grandson is sent home an average of once a week because of behavior problems. He has a high I.Q. but a very short attention span." . . . "Our daughter caused so much disorder in a pre-kindergarten private school that we were asked to seek psychiatric help. We were of the opinion that she must be stupid, but to our amazement, she was found to have a 130 I.Q."

Miss Johnson explains, "It is very important to understand what these children are *not*. They are not retarded, they are of at least average intelligence, and many of them are quite bright. They are not basically emotionally disturbed, although they may develop tremendous frustrations. And, of course, they are not deaf, blind, or physically handicapped, the other categories for which we provide special education."

Children with learning disabilities exhibit a variety of symptoms. One is abnormal motor activity, in which the child fidgets excessively or is exceedingly slow in his movements. Another is poor coordination; buttoning clothes, riding a bicycle, or learning to write becomes unusually difficult. Frequently, such children are impulsive, stirred to action by minor stimuli, compelled to touch everything they can reach. They may be easily distracted and have a short attention span. Some children become fixed on an activity which they continue until made to stop.

Memory disorders are common. Some children can discriminate between "cat" and

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* Includes project preparation.

"mat," but they cannot remember the words. Occasionally they remember words for purposes of recognition in reading, but they cannot remember the words for total recall. So they are unable to spell.

Most children seen at the Institute have difficulty learning a particular form of langauge and communication. For some the problems are spoken or oral, for others difficulties occur in reading, writing, or calculating. Still other children have trouble with nonverbal learning. They are unable to interpret the meanings of gestures, facial expressions, or vocal inflections. Often these youngsters are unable to go from place to place without getting lost.

Classroom teachers are anxious to learn how to help these children. To this end some are trained at their schools by experts in learning disabilities. Others go back to college for special courses.

"Of course, we do not expect the classroom teacher to do the entire job," says Miss Johnson. "Direct remediation is most often done by special teachers trained in learning disabilities. Northwestern prepares many such teachers each year, as do other colleges. However, the demand is greater than the supply, to classroom teachers should be aware of the problems presented by the learning disabled child."

Currently at Northwestern about sixty children, from three to eighteen, come twice each week to the Institute for diagnosis and remediation. "We avoid the words therapy and clinic here," Miss Johnson explains. "We are teachers. But for this type of teaching there is no single right method. Here, the method is determined by the child's specific disability."

Recently, a seventeen-year-old high school senior came to the Institute after being dismissed from a training program. His reading level tested at between first and second grades, but his teachers considered him proficient in class work requiring spoken language and had passed him through school on D minuses, "because they felt sorry for him."

"When he came to us," Miss Johnson says, "he was terribly discouraged and, of course, severely handicapped vocationally. Fortunately, he was also highly motivated." After evaluation and diagnostic teaching at the Institute, the boy made rapid progress. When dismissed he was reading between ninth and tenth grade level. Today he is a self-supporting member of the community.

A child coming to the Institute for his training session is greeted by his teacher, who leads him into a room planned free from distractions. There she engages him in activities designed to fit his particular needs. One child may listen to himself on a dual channel tape recorded and try to monitor his errors in oral language. Another manipulates letters made of felt so that he can rotate them to different positions. Another uses an abacus as a concrete means of learning some mathematical principle.

A child who came to the Institute at four, able only to gesture and babble for communication, was recently dismissed after three years of treatment. Today he is successfully attending school and has an above-average I.Q. This child reached the Institute when his mother, worried because her boy didn't talk, took him to her pediatrician. The doctor discovered many areas of the child's development within a normal range. At that point, he began to suspect learning disabilities and recommended the Institute.

"I couldn't begin to tell you what a blessing the Institute was to my son," says the mother. "What a tragedy for a bright child to live out an unrewarding life because no one finds out how to reach him and teach him."

Dr. Harold McGrady, associate professor of language pathology, who supervises diagnostic work at the Institute, feels, along with other members of the staff, that the role played by parents in a child's program for learning to adapt to his handicap is a vital one. "We try to help them to understand, and we give them suggestions for follow-through activities," he says, "but we don't expect them to be teachers. They have enough of a job being parents."

The Institute is a part of the Department of Communicative Disorders in the School of Speech. Students enrolled in language pathology, as well as other divisions of the department, may participate in the diagnostic and remediation activities of the Institute. In essence, the Institute prepares diagnosticians and teachers of children with learning disabilities.

"More and more school systems are planning for learning disabilities," Miss Johnson says. "Some have self-contained classrooms, some have resource rooms, some have itinerant programs in which specially trained teachers travel around to the children who need special attention. Awareness of this problem is increasing every day."

Increased awarness is partly due to research projects underway at Northwestern and other universities. The Institute's Learning Disabilities Project, a three-year investigation supported by the United States Public Health Service, is scheduled for completion at the end of this summer. During the project the Institute has studied several thousand school-age children from the suburban area north of Chicago to gather data on the incidence of learning disabilities. A statistical awareness of the depth of the problem, educators feel, is critical to a comprehensive program for evaluating and teaching. This work, it is hoped, will lead ultimately to an effective screening device for detecting affected children early enough to spare them the experience of unnecessary school failures.

Other studies currently being conducted by Institute graduate students include work in adjustment problems of MBD (minimial brain damage) children, memory studies, links between neurology and learning disorders, endocrinology and learning disorders, and auditory and visual processes in relation to reading disabilities.

Recent Northwestern graduates are helping to spread the word about the work being done on the Evanston campus to clinics, colleges, universities, and school systems. "Although as yet there is no undergraduate program, each year we graduate about twenty-five M.A.'s and Ph.D.'s qualified to recognize, evaluate, and teach MBD children," Miss Johnson says. "Right now our people are heading programs in Boston, San Francisco and numerous other places. The goal of our field is to have well-trained and alert people in positions to reach all the children in the country.

INDIANAPOLIS ACTS TO PREVENT URBAN DECAY BY USING PRIVATE ENTERPRISE

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 4, 1969

Mr. BRAY. Mr. Speaker, whole sections of our cities are threatened with decline and decay into urban slums. The problem is critical and a solution must be found quickly.

Responding to President Nixon's urging for mobilization of voluntary efforts in the cities, Indianapolis has responded with a program that may well turn out to be one of the best and most workable plans yet. No Federal money is involved.

The following story from the August 4, 1969, National Observer, by Lawrence Connor, tells how:

INDIANAPOLIS TRIES A NEW CONCEPT TO REVAMP AN OLD NEIGHBORHOOD

INDIANAPOLIS.—A 12-square-block area two miles north of downtown Indianapolis contains numerous large frame houses in which many of the city's leaders grew up 50 years ago. Today, the houses are sagging, many of the lawns are gone, and a whole new generation of residents, mostly Negroes, lives there. It is well on the way to becoming a typical urban slum.

But a private, nonprofit corporation hopes to reverse the slide with an unusual housing project. Indianapolis Neighborhood Homes, Inc., expects to spend $2,670,000 in providing a 300-unit housing project. Some of the old structures will be rehabilitated to provide 225 rental units, and 75 new units will be built for purchase.

If the project succeeds, it may become a prototype for other American cities. It is in line with President Nixon's call for voluntary efforts to save the nation's cities.

A few of the units have been completed. The schedule calls for 82 units to be finished by this December, 70 more by next July, and all of them by 1972. Monthly rental charges range from $96 for one-bedroom units to $118 for four bedrooms.

THE FUTURE NEIGHBORHOOD

The project is being carried out in one corner of a 4½ square-mile neighborhood designated as a Model Cities area. Eventually, the neighborhood will contain a small park, tot lots and promenade areas created by closing sections of little-traveled streets.

The concept for the program was developed by the Center for Independent Action, a nonprofit foundation based in Washington, D.C., after a study was made by the Indianapolis Chamber of Commerce, Swann and Weiskopf, Chicago architects, developed the neighborhood planning.

A Lilly Endowment, Inc., grant of $750,000 provided development funds and the equity for the financing. New York Life Insurance Co. has committed, or is considering, mortgage loans amounting to $431,000, enough to finance rehabilitation of 75 units. When the 300 units are completed, some $2,000,000 in mortgage loans are expected to have been made.

E. F. Walsh, executive vice president of the Center for Independent Action, says that "with the validity of the concept proven in Indianapolis, the CFIA objective is that 2,000 units of standard housing can be produced in five other urban centers in the country." Names of the other cities have not been announced.

NO FEDERAL AID

He said there is no Federal subsidy or other governmental assistance involved in the financing of the program. And he asserted private efforts can complete the work faster and cheaper.

To rehabilitate existing structures, the walls, floors, roofs, and supports are being renovated, and new heating, wiring, and plumbing are being installed, as are bathroom fixtures, kitchen cabinets, and appliances. Much of the work is being done by Negro craftsmen.

The Center for Independent Action has concentrated on Indianapolis in the past to test some of its voluntary, self-help programs, including the Voluntary Advisory Corps, in which local residents aid disadvantaged persons in finding jobs and keeping them. John Burkhart of Indianapolis, chairman of the board of College Life Insurance Co. of America, is president of the center.

When the housing project was announced last month, Mayor Richard G. Lugar stressed the private aspect of it. "I believe this is a classic demonstration," he said, "of what President Nixon urged in his inaugural address—the commitment of the private sector . . . in the solving of annoying problems which beset the nation's inner-city residents."